

ORDINANCE 487

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, AMENDING THE HIGHWAY 101 CORRIDOR SPECIFIC PLAN

(SPECIFIC PLAN AMENDMENT NO. 17-18-09)

WHEREAS, the City of Solana Beach City Council originally adopted the Highway 101 Corridor Specific Plan on June 19, 2003, and subsequently amended the Specific Plan on July 28, 2006 by Ordinance 346; and

WHEREAS, on May 23, 2018, the City of Solana Beach City Council received testimony from the public and discussed possible amendments to the Highway 101 Corridor Specific Plan; and

WHEREAS, the South Cedros District already has a maximum building height of 25 feet, a maximum of 2 stories, with up to 3.75 feet allowed for architectural projections; and

WHEREAS, the community's desire to maintain the existing scale, character and charm can be achieved by providing developers a level of predictability through more consistent development standards throughout the Highway 101 Corridor; and

WHEREAS, an amendment establishing a maximum building height of 26 feet, with a maximum number of stories to 2-story buildings, create a definition and allow for architectural features up to three feet, allow a Marine Safety Center up to 30 feet tall within the Plaza District, limiting roof decks to be no higher than 20 feet from existing grade and create provisions that would allow for a maximum of 3-stories within 35 feet for hotel and motel uses was prepared for consideration; and

WHEREAS, on June 13, 2018, the City Council held a duly advertised public hearing to solicit comments, orally and in writing, from the public in consideration of the Highway 101 Corridor Specific Plan amendment.

NOW THEREFORE, the City Council of the City of Solana Beach does ordain as follows:

Section 1. All of the above statements are true.

Section 2. The City Council finds that this action is exempt from the provisions of the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) because there is no possibility that the activity in question may have a significant effect on the environment.

Section 3. The Highway 101 Corridor Specific Plan shall be amended to reduce height limits to 26 feet, with a maximum of 2 stories, allowing a maximum of three feet for architectural features/projections but may not occupy more than 25% of the roof area, add a definition for architectural features/projections, allow a Marine Safety Center up to 30

feet tall within the Plaza District, limiting roof decks to be no higher than 20 feet from existing grade with the exception of the Marine Safety Center, and allow up to 35 feet and 3 stories for hotel and motel uses as shown in Exhibit A.

Section 4. That Figure 5-1 View Preservation on page 5-8 of Section 5 of the Highway 101 Specific Plan shall be amended to be consistent with the 26 foot height limit.

Section 5. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Chapter, or its application to any other person or circumstance. The City Council declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

EFFECTIVE DATE: This Ordinance shall be effective thirty (30) days after its adoption. Within fifteen (15) days after its adoption, the City Clerk of the City of Solana Beach shall cause this Ordinance to be published pursuant to the provisions of Government Code §36933.

INTRODUCED AND FIRST READ at a regular meeting of the City Council of the City of Solana Beach, California, on the 13th day of June, 2018; and

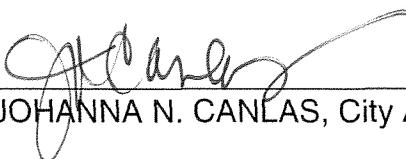
THEREAFTER ADOPTED at a regular meeting of the City Council of the City of Solana Beach, California, on the 27th day of June, 2018, by the following vote:

AYES: Councilmembers – Zito, Edson, Hegenauer, Zahn
NOES: Councilmembers – None
ABSTAIN: Councilmembers – Heebner
ABSENT: Councilmembers – None



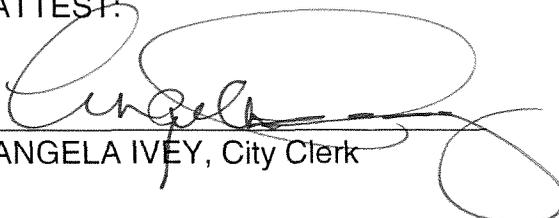
DAVID A. ZITO, Deputy Mayor

APPROVED AS TO FORM:



JOHANNA N. CANLAS, City Attorney

ATTEST:



ANGELA IVEY, City Clerk

EXHIBIT A

The Highway 101 Corridor Specific Plan Subsections 4.2 Commercial Standards, 4.3 Mixed Use Standards and 4.4 Office/Professional Standards shall be amended to read as follows (strikeout indicates a deletion, underline indicated an addition):

4.2 Commercial Standards

Commercial development consists of Light Commercial, Special Commercial, and General Commercial categories. Figure 4-1 illustrates commercial use areas within the Specific Plan area. Table 4-2 identifies development regulations for commercial areas. Permitted and conditionally permitted uses are identified in the Solana Beach Zoning Ordinance.

**Table 4-2
Commercial Development Standards**

	Light Commercial	Special Commercial	General Commercial
Minimum Lot Area (a)	6,000 SF	6,000 SF	6,000 SF
Setbacks :			
Front	15'	10'(b)	0'(d)
Side (Interior)	10'	0'(c)	0'(c)
Side (Street)	10'	10'	0'
Rear	15'	0'(c)	0'(c)
Maximum FAR	1.0:1	1.0:1 (g)	1.2:1
Height Limit **	26'2 S (j) (l)	26'2 S (e) (f) (j) (k) (l)	26'2 (e) (f) (j) (k) (l)
Parking	Refer to Zoning Ordinance (h) (i)		
Landscaping	Refer to Zoning Ordinance (h)		

Notes:

SF Square Feet

S Stories

FAR Floor Area Ratio

NA Not Applicable

** Building height greater than 16 feet is subject to View Preservation Ordinance

(a) Applies to proposed subdivisions of land

(b) 30 feet from street centerline or coterminous with front property line, whichever is greater distance from street centerline; where buildings are closer than 30 feet from street centerline, any future building modifications shall maintain or increase the existing building setback from street centerline. For properties along South Cedros that are more than 120 feet south of Lomas Santa Fe Drive (measured from the right-of-way line of Lomas Santa Fe Drive), the front setback is 30 feet from the centerline of the street or coterminous with the front property line, whichever is the greater distance from the street centerline. Where existing structures are closer than 30 feet from the street centerline, they shall be construed to be conforming, provided that any future building additions or replacement structures shall comply with the 30 foot setback.

(c) 10 feet

- For South Cedros Avenue, if parcel abuts residentially zoned property, increase side interior setbacks to 15 ft. for both first and second story.
- For South Cedros Avenue, if parcel abuts residentially zoned property, increase rear setbacks to 15 ft. for both first and second story.

(d) 10 feet

- On frontage abutting any east-west cross street
- On frontage abutting Plaza Street between Acacia and Sierra Avenues
- On frontage abutting Sierra or abutting Highway 101 outside the Plaza District (430' north or 770' south of the centerline of Plaza Street on Highway 101)
- Third floor setback in part of Plaza District south of Plaza Street

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- *Second floor setback for parcel south of Plaza Street between Acacia and Sierra Avenues*
- (e) *Special Consideration: Allow special features as part of the Transit Station development if they provide a community-oriented landmark such as a tower or landmark roof form which does not substantially obstruct views 30'± S*
 - (f) *35' and up to 3-stories for hotel and motel uses, except 30' in the part of the Plaza District west of Highway 101.*
 - (g) *For South Cedros Avenue, upper level architectural relief is required, as described in Tables 5-2 and 5-3 (pp. 5-30 to 5-34). Side, front, and rear setbacks are required, as described in Table 4-2 (p. 4-4) and in Table 4-3 (p. 4-6).*
 - (h) *For Special Commercial (SC) Zones, along South Cedros Avenue, in the Plaza District, and in the South Cedros District, roof-top parking is disallowed, and roof-top architectural features, screening, and landscaping are required.*
 - (i) *For Special Commercial (SC) Zones, along South Cedros Avenue, in the Plaza District, and in the South Cedros District, approximately 1 commercial parking space per 300 sq. ft. gross floor area, and 1 restaurant/café parking space per 143/133 sq. ft. gross floor area are required.*
 - (j) *A maximum of up to 3 feet may be allowed for architectural projections as defined in Subsection 5.2. If an architectural projection exceeds the maximum allowed height of a building, then the size of the architectural projection shall be minimized and shall not exceed 3 feet high, 10 feet long, and 2 feet deep. When an architectural projection exceeds the maximum allowed height of a building, there shall only be one architectural projection on the building that exceeds the maximum allowed height of the building.*
 - (k) *Maximum of 30' for the City Marine Safety Center (lifeguard facility) in part of the Plaza District west of Highway 101.*
 - (l) *Roof decks or other similar areas capable of occupancy and use shall not be constructed higher than 20 feet above the existing grade of the site. The Marine Safety Center shall be exempt from this requirement.*

4.3 Mixed Use Standards

The mixed use (bonus incentive) is an integral part of the Specific Plan objectives. Mixed use is defined as the development of a parcel(s) or structure(s) with two or more different land uses such as, but not limited to, a combination of residential, office, manufacturing, retail, public, or entertainment in a single or physically integrated group of structures. Residential development shall be permitted as a mixed use with other permitted or conditionally permitted development. The provision of residential development with commercial development shall be encouraged in a mixed use integrated development. Residential dwellings shall be permitted only on the upper floors, basement, and rear 50 percent of the ground floor. Alternatively, residential dwellings may be permitted on any portion of the building (or buildings) pursuant to a development review permit; provided, that total residential development does not exceed 40 percent of gross allowable floor area. Residential dwellings approved pursuant to a development review permit shall be compatible with the intent of the (C) and (LC) zones to preserve and enhance street level pedestrian oriented commercial frontages. Mixed use development is encouraged in areas of the plan, particularly the Plaza District, where multiple activities and pedestrian orientation are considered desirable objectives.

Mixed use development is permitted in the Special Commercial and General Commercial designated areas (Figure 4-1). Development standards for mixed use are contained in Table 4-3.

For South Cedros Avenue, the maximum floor area ratio of mixed-use development is 1.2:1. Upper level architectural relief is required, as described in Table 5-3 (pp. 5-32 to 5-34). Side, front, and rear setbacks are required, as described in Table 4-3 (p. 4-6). A residential deed restriction is required for Mixed-Use floor area ratios, as described in Table 4-3 (p. 4-6).

Development standards for mixed use are contained in Table 4-3. For Mixed Use in the Special Commercial (SC) Zones, along South Cedros Avenue, in the Plaza District, and in the South Cedros District, roof-top parking is disallowed, and roof-top architectural features, screening, and landscaping are required.

**Table 4-3
 Mixed Use Development Standards**

	Special Commercial	General Commercial
Minimum Lot Area (a)	6,000 SF	6,000 SF
Setbacks		
Front	10'(b)	0'(d)(f)
Side (Interior)	0'(c)	0'(c)
Side (Street)	10'	0'
Rear	0'	0'(c)
Maximum FAR	1.2:1*	1.2:1*
Height Limit **	26'2 S (e) (f) (i) (j) (k)	26'2 S (e) (f) (i) (j) (k)
Parking	Refer to Zoning Ordinance (g) (h)	
Landscaping	Refer to Zoning Ordinance (g)	

Notes:

SF Square Feet

S Stories

NA Not Applicable

FAR Floor Area Ratio

* Development Intensity Permitted

The maximum intensity of non-residential development is a floor area ratio of 1.0:1. The maximum floor area ratio for a mixed use development is 1.2:1. The residential component of a mixed use development shall not exceed 40 percent of the total (residential plus non-residential floor area.

For South Cedros Avenue, upper level architectural relief is required, as described in Table 5-3 (pp. 5-32 to 5-34). Side front, and rear setbacks are required, as described in Table 4-3 (p. 4-6). A residential deed restriction is required for Mixed-Use floor area ratios.

** Building height greater than 16 feet is subject to the View Assessment Process.

(a) Applies to proposed subdivisions of land

(b) 30 feet from street centerline or coterminous with front property line, whichever is greater distance from street centerline; where buildings are closer than 30 feet from street centerline, any future building modifications shall maintain or increase the existing building setback from

street centerline. For properties along South Cedros that are more than 120 feet south of Lomas Santa Fe Drive (measured from the right-of-way line of Lomas Santa Fe Drive), the front setback is 30 feet from the centerline of the street or coterminous with the front property line, whichever is the greater distance from the street centerline. Where existing structures are closer than 30 feet from the street centerline, they shall be construed to be conforming, provided that any future building additions or replacement structures shall comply with the 30 feet setback.

- (c) 10 feet
 - For South Cedros Avenue, if parcel abuts residentially (see mixed use) zoned property, increase side interior setbacks to 15 ft. for both first and second story.
 - For South Cedros Avenue, if parcel abuts residentially (see mixed use) zoned property, increase rear setbacks to 15 feet for both first and second story.
- (d) 10 feet
 - On frontage abutting any east-west cross street
 - On frontage abutting Plaza Street between Acacia and Sierra Avenues
 - On frontage abutting Sierra or abutting Highway 101 outside the Plaza District (430' north or 770' south of the centerline of Plaza Street on Highway 101)
 - Third floor setback part of Plaza District south of Plaza Street
 - Second floor setback for parcel south of Plaza Street between Acacia and Sierra Avenues
- (e) *Special Consideration: Allow special features as part of the transit station development if they provide a community-oriented landmark such as a tower or landmark roof form which does not substantially obstruct views.*
- (f) 35' and up to 3-stories for hotel and motel uses, except 30' in the part of the Plaza District west of Highway 101.
- (g) For Special Commercial (SC) Zones, along South Cedros Avenue, in the Plaza District, and in the South Cedros District, roof-top parking is disallowed, and roof-top architectural features, screening, and landscaping are required.
- (h) For Special Commercial (SC) Zones, along South Cedros Avenue, in the Plaza District, and in the South Cedros District, approximately 1 commercial parking space per 300 sq. ft. gross floor area, and 1 restaurant/café parking space per 143/133 sq. ft. gross floor area are required.
- (i) A maximum of up to 3 feet may be allowed for architectural projections as defined in Subsection 5.2. If an architectural projection exceeds the maximum allowed height of a building, then the size of the architectural projection shall be minimized and shall not exceed 3 feet high, 10 feet long, and 2 feet deep. When an architectural projection exceeds the maximum allowed height of a building, there shall only be one architectural projection on the building that exceeds the maximum allowed height of the building.
- (j) Maximum of 30' for the City's Marine Safety Center (lifeguard facility) in part of the Plaza District west of Highway 101.
- (k) Roof decks or other similar areas capable of occupancy and use shall not be constructed higher than 20 feet above the existing grade of the site. The Marine Safety Center shall be exempt from this requirement.

4.4 Office/Professional Standards

Office development consists of professional and administrative offices such as medical/dental centers and financial services. Figure 4-1 illustrates office use areas (exclusively). Commercial uses areas may also contain office uses. Table 4-4 identifies development regulations for commercial areas. Permitted and conditionally permitted uses are listed in the Solana Beach Zoning Ordinance.

**Table 4-4
 Office, Public/Institutional and Open Space Development Standards**

	Office/Professional	Public/Institutional	Open Space/ Recreation
Minimum Lot Area (a)	6,000 SF	NA	NA
Setbacks:			
Front	25' (c)	25'	25'
Side (Interior)	10'(b)	5'	5'
Side (Street)	5'(b)	5'	5'
Rear	15'	25'	5'
Maximum FAR	1.0:1	2.0:1	0.7:1
Height Limit**	26' ¹ / ₂ S (d) (e) (f)	26' ¹ / ₂ S (e) (f)	15' ¹ / ₁ S
Parking	Refer to Zoning Ordinance		
Landscaping	Refer to Zoning Ordinance		

Notes:

SF Square Feet/S Stories/NA Not Applicable/FAR Floor Area Ratio

- (a) Applies to proposed subdivisions of land.*
- (b) 10 feet if lot line abuts property in a residential zone.*
- (c) 10 feet in North 101 District north of Solana Vista Drive.*
- (d) A maximum of up to 3 feet may be allowed for architectural projections as defined in Subsection 5.2. If an architectural projection exceeds the maximum allowed height of a building, then the size of the architectural projection shall be minimized and shall not exceed 3 feet high, 10 feet long, and 2 feet deep. When an architectural projection exceeds the maximum allowed height of a building, there shall only be one architectural projection on the building that exceeds the maximum allowed height of the building.*
- (e) Maximum of 30' for the City's Marine Safety Center (lifeguard facility) in part of the Plaza District west of Highway 101.*
- (f) Roof decks or other similar areas capable of occupancy and use shall not be constructed higher than 20 feet above the existing grade of the site. The Marine Safety Center shall be exempt from this requirement.** Building height greater than 16 feet is subject to the View Assessment Ordinance.*

The Highway 101 Corridor Specific Plan Subsection 5.2 Architectural Guidelines shall add a paragraph defining “Architectural Features/Projections” to read as follows (strikeout indicates a deletion, underline indicated an addition):

Architectural Projections

The term “architectural projection” shall mean a decorative or artistic feature that does not have any particular function which is affixed or attached to a building. An architectural projection includes but is not limited to a decorative or artistic sculptural element such as a decorative symbol or figure affixed to the building. For the purpose of clarification, but not for the purpose of limitation, the term “architectural projection” does not mean any of the following: the roof structure; the shape of the roof or the roof form; parapet walls at the roof; railings; signage; or roof planters for vegetation.

The Highway 101 Corridor Specific Plan Section 5 page 5-21 Building Height Limits and Setbacks of the Plaza District Site Planning shall be amended to read as follows (strikeout indicates a deletion, underline indicated an addition):

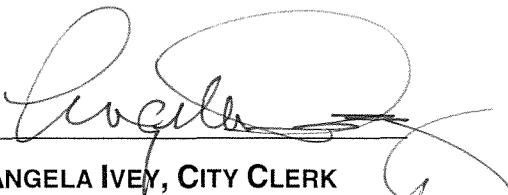
- ***Building Height Limits and Setbacks:*** Limit the heights of buildings to 26 feet or two stories and create a vertical façade at the property line with no second story setback for properties along Highway 101 and fronting the Plaza.



ORDINANCE CERTIFICATION

STATE OF CALIFORNIA }
COUNTY OF SAN DIEGO } §
CITY OF SOLANA BEACH }

I, ANGELA IVEY, City Clerk of the City of Solana Beach, California, DO HEREBY CERTIFY that the foregoing is a full, true and correct copy of **ORDINANCE 487** amending the Highway 101 Corridor Specific Plan duly introduced on June 13, 2018 and adopted at a regular meeting held June 27, 2018, by the City Council of Solana Beach. This Ordinance has been published as required pursuant to law and the original is filed in the City Clerk's Office. (GC 40806).


ANGELA IVEY, CITY CLERK

CERTIFICATION DATE: July 3, 2018