

Chapter 10 Overlay Zoning Districts

§11-10-1 Purpose and intent.

This Section establishes the standards for overlay zones which apply to specific areas of the City or specific lots as approved by the Council. All overlay zones shall be established by the zoning map pursuant to Section 11-4-2 or as pursuant to this Section.

Article A Design District Overlay

§11-10A-1. Design District Overlay Zones.

This article sets forth procedures and standards for the establishment of Design Overlay Districts throughout the City. The purpose of the Design Overlay districts includes the following:

- A. Ensure that development within the overlay is in accordance with adopted Community Design Element goals, policies, and objectives within the adopted General Plan. Specifically this article implements the following:
 1. Maintain and promote the “Old World Danish” design aesthetic and enhancing a high quality of life for residents, enabling the creation of business opportunities, and maintaining the design aesthetic as viewed from the public realm within the designated village area.
 2. Recognize distinctive sites that exemplify the Spanish Colonial Revival structures such as Mission Santa Ines and the landmark Veterans Memorial Building on the north side of Mission Drive (Highway 246) by creating a cohesive design scheme that integrates the existing Spanish Colonial Revival style and architectural features already present within the plan area.
- B. Maintain the existing character, and visual quality of existing building by ensuring new and redeveloped properties adhere to the design aesthetics established in the adopted General Plan.
- C. Assist in ensuring the visual attractiveness of residential development that meets the needs of all social and economic groups consistent with the City’s adopted Housing Element while maintaining the established design aesthetic that makes Solvang and unique and inviting place to live.
- D. Prevent the development of structures or uses which are not of acceptable exterior design or appearance of the established design district overlay.
- E. Protect the integrity of previously attained entitlements.
- F. Provide for decision maker involvement in project design and evolution of these objective standards to ensure conformity to the established design aesthetic, while adhering to new mandates
- G. Facilitate the development or redevelopment of underutilized properties, reduce barriers, and accelerate housing production through the clear communication of design objectives and an efficient review process.

§11-10A-2 Establishment or Amendment of Design Districts.

- A. The City Council may establish new Design Overlay districts, or change boundaries and standards of Design Overlay districts, upon recommendation of the planning commission and for the Village Design District (DD-1) and Mission Design District (DD-2) upon recommendation of the design review committee pursuant to the procedures set forth in Section 11-17-1 of this Zoning Code.

- B. Design Overlay district boundaries shall be shown on the Zoning Map consistent with Section 11-1-2.
- C. Design District Overlays Established.
 - 1. Solvang Village Design District (DD-1), established by Ordinance 24-0378.
 - 2. Mission Design District (DD-2), established by Ordinance 24-0378.

§11-10A-3. Permit Requirements.

Permits shall be required consistent with Chapter 16 of this Zoning Code for uses as set forth in Chapters 6 through 9.

§11-10A-4. Site Planning Requirements.

Chapters 6 through 9 establish requirements for heights, setback, and lot requirements, unless specified in this Chapter.

§11-10A-5. Mixed-Use Projects In Design Districts.

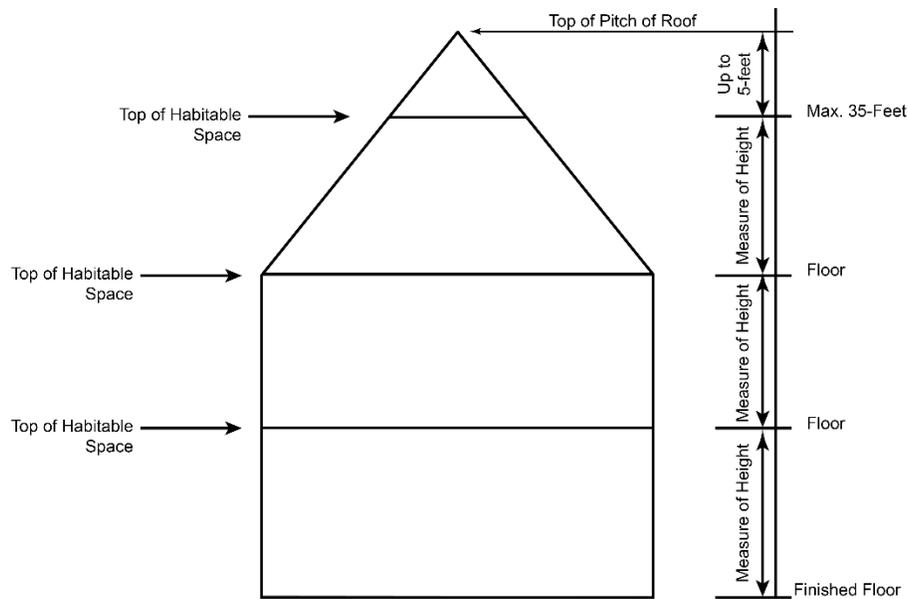
A mixed-use project may combine residential uses with any other uses allowed in the applicable zone where allowed by the underlying zoning district. The residential component of mixed-use development is allowed at ground level where not facing the street frontage (horizontal mixed-use) and on upper stories (vertical mixed use) as specified by this Article.

§11-10A-6. Village Area Design District (DD-1) Standards.

- A. When Required. This Section provides standards for development projects within the established Solvang Village Design District, including the following:
 - 1. All new structures/buildings within the established district boundary, with the exception of ADUs in conjunction with existing single-unit dwellings and properties zoned Public/Institutional;
 - 2. Redevelopment projects that propose façade improvements greater than 500 square feet that require a building permit;
 - 3. Additions greater than 500 square feet with the exception of existing single-unit dwellings;
 - 4. Projects that propose an additional story or stories, with the exception of additions to single-unit dwellings;
 - 5. All proposed re-painting of existing structures within the district, with the exception of existing single unit residences, and ADUs for single-unit dwellings.
 - 6. All proposed re-roofs of existing structures.
- B. Building Form and Design.
 - 1. Façade.
 - a. All sides of new structures shall include the following façade materials. These materials may be utilized as a stand-alone, or in combination.
 - i. Wood
 - ii. Faux wood material that mimics wood grain texture and colors including but not limited to trex, panels, siding, and other similar architectural grade materials.
 - iii. Stucco with smooth finish.
 - b. Unarticulated or blank walls adjacent to public right-of-way shall not run in a continuous plane of more than fifteen (15) feet without incorporating at one or more of the following:
 - i. An opening with transparent glazing providing views into work areas, display areas, patios, outdoor spaces, sales areas, lobbies, or similar spaces.
 - ii. A working door for ingress/egress.
 - iii. Public art.
 - 2. Architectural Materials. The following are permitted architectural details are required on all new structures. These may be utilized as a standalone, or in combination.
 - a. Bricks.

- i. Red or yellow hue bricks comprised of either clay or faux veneer that mimics red/yellow hue clay bricks.
 - ii. Bricks shall be uniform in size.
 - iii. Bricks may be utilized as an accent band on a wall or series of walls.
 - iv. Bricks utilized as accent band shall be a minimum of four (4) feet in height from finished floor elevation or to the base of required ingress/egress window, whichever is less.
 - b. Half-timbering.
 - i. All beams shall consist of wood or synthetic composite wood like materials, and concrete. Composite material shall mimic the finish grain of wood.
 - ii. Main beams (Balker) shall be Horizontal with a minimum width of six (6)-inches with a maximum width of eighteen (18) inches.
 - iii. Vertical Posts (Stolper). Shall be spaced evenly and align with the main beams (Balker). Minimum spaces shall be two (2) feet apart from each horizontal post, not to exceed eight (8) feet.
 - iv. Diagonal Braces (Skråbånd) shall be utilized to add visual interest.
 - v. Timber Colors. Shall be dark colors to give the appearance of finished wood, such as including dark brown, charcoal grey, or other darker tones.
 - vi. Pattern. Timbers may be placed in a vertical, horizontal, or diagonal pattern to create a grid or crisscross appearance.
 - c. Stone or cobbles.
 - i. Stones such as limestone, fieldstone may be utilized. Faux stone shall be permitted if the material mimics appearance of natural stone.
 - ii. Cobble stone may be utilized on walkways or other synthetic materials. Cobble stone shall range in shapes with diameter minimum of four (4) inches to a maximum of four (4) inches, as approved by the City Engineer, and meets ADA requirements.
 - iii. Stone or cobble stone utilized for accent bands shall consist of no more than 30 percent of surface of wall plane facing a public right of way or alleyway.
 - iv. Mortar utilized in stone or cobble application shall be in a color that complements the stone.
3. Building Mass and Height.
- a. Measure of Height for structures. Measurement of floors and structure height shall consist of the following within the Design District:
 - i. Building height shall be measured from finished floor area to the top of plate for habitable spaces, and shall not exceed thirty-five (35) feet in height.
 - ii. Architectural appendages and roofing may extended up to five (5) feet beyond the maximum height.
 - iii. Architectural features of structures such as windmills, bell towers, steeples, and other similar features, shall not exceed fifty (50) feet consistent with Section 11-7-4.
 - iv. Minimum first floor height shall be twelve (12) feet, as measured from finished floor, with a maximum of fifteen (15) feet for multi-story buildings for mixed-use projects.
 - v. Minimum floor height for residential projects shall be ten (10) feet.
 - vi. Elevator shaft or stairway. An elevator or stairway to a rooftop deck/upper story open space that is no more than 100 square feet in area and set back from any building edge by at least five feet may exceed the maximum height limit by up to eight (8) feet.

Example of Measurement of Heights



b. Overhangs. Structures that are two stories and above that extend beyond the lower floors (jettying) shall adhere to the following:

- i. Extend a minimum of twelve (12) inches from the first floor, not to exceed twenty-four (24) inches as measured from the edge of the first-floor façade.
- ii. Decorative brackets. The use of decorative brackets shall be spaced at a minimum of twenty-four (24) inch intervals.

4. Roofing

- a. Decorative Brackets. Use of decorative brackets to support eaves is encouraged. Materials shall consist of decorative wood consistent with this chapter.
- b. Eaves. Eaves shall extend a minimum of twelve (12) inches to a maximum of eighteen (18) inches.
- c. Ridge caps. The use of decorative ridge caps to enhance the roofline is encouraged.
- d. Roof Form and Structure. Roofs shall have a minimum pitch of 30 degrees with a maximum pitch of 60 degrees.
- e. Roofing Materials. Roofing materials shall consist of the following.
 - i. Clay Tiles, either red or orange hues.
 - ii. Slate Tiles, either red, orange hues, or natural stone color.
 - iii. Architectural grade asphalt composition that mimics the appearance of traditional roofing materials that contain dimensionality and color variation.
 - iv. Variation and dimensionality. Layering may also be utilized to create dimensionality and color variation.
 - v. Metal. Shall be constructed of panels that include Standing Seams, matte color either red, orange hues, or natural stone color.
 - vi. Synthetic Thatched Roof.
- f. Rooflines shall be vertically articulated at a maximum of fifty (50) foot intervals along the street frontages through the use of the following:
 - i. A change in roof height.
 - ii. A change in roof pitch
 - iii. Use of a dormer, gables, parapet, or chimney.

5. Windows.

- a. Decorative elements. Decorative elements are encouraged including but not limited to mullion patterns such as diamond or grid layouts. The use of

bars/dividers are also encouraged. If bars/dividers are utilized, the following standards shall be applicable.

- i. Divider/Bars shall be proportionally spaced, dividing windows into smaller panes in either six over six (6:6) or eight over eight (8:8) design schemes.
 - ii. Minimum divides/bars shall have a minimum depth of six (6) inches.
 - b. Placement. Windows shall be placed symmetrically on the façade and adhere to the following spacing standards:
 - i. Spaced a minimum of twelve (12) inches.
 - ii. Windows shall be located a minimum of twenty-four (24) inches from corners of buildings.
 - iii. Vertical distance between the tops of the windows on one floor and the bottoms of the windows on the floor above should be at least twelve (12) inches.
 - c. Proportions. Windows shall have a height-to-width ratio of 2:1 to 3:2, reflecting traditional proportions.
 - d. Trim. Use of Trim shall consist of wood or molding that compliments and contrasts from the selected building color. Trim shall be a minimum depth of six (6) inches.
6. Ornamental Details.
 - a. Balconies. Balconies may be utilized on second stories and above with the following standards:
 - i. Width of balcony shall be a minimum of three (3) feet, with a maximum width of six (6) feet.
 - ii. Railing height shall have a maximum height of forty-two (42) inches if balcony is utilized as outdoor space. A minimum height of thirty (30) inches for railings not utilized as outdoor space.
 - iii. Balconies shall have a minimum twelve (12) inch projection from the façade.
 - iv. Railing design shall consist of wrought iron, or powder coated steel/aluminum that mimic the appearance of wrought iron.
 - v. Baluster spacing shall be no greater than four (4) inches apart.
 - vi. Placement of balcony(ies) shall be centered on the facade, aligning with other architectural elements including windows and doors.
 - b. Chimneys. Chimneys may be utilized with the following standards:
 - i. Shall extend a minimum of three (3) feet above the roof line.
 - ii. Minimum width of a chimney shall be two (2) feet for residential structures and four (4) feet for commercial/mixed-use structures.
 - iii. Minimum depth shall be eighteen (18) inches.
 - iv. Position chimneys shall either be at the center of a roof line or at the gable ends of the building.
 - v. Stone or brick materials shall be utilized for the façade of the chimney.
 - vi. Decorative caps shall be utilized. Metal caps shall be permitted.

C. Lighting. Exterior structure lighting shall adhere to the following standards.

1. Design. Lighting fixtures shall complement building design.
2. Shielded fixtures. Fully shielded fixtures shall be utilized that direct light downward and prevent light from escaping upward.
3. Fixtures on buildings. Light fixtures shall be limited to a maximum height of fifteen (15) feet or the height of the building, whichever is less.
4. Lighting Type. Outdoor lighting shall utilize energy-efficient fixtures/lamps such as light-emitting diodes (LED), compact fluorescent lamp (CFL) lights, or other energy-efficient fixtures.
5. Height. Outdoor lighting affixed to poles shall not exceed fifteen (15) feet in height, or meet minimum height for consistency with the Building Code, whichever is less.

6. Pathway and Walkway lighting. Bollards with downward-facing lights to illuminate paths without causing glare or skyglow shall be utilized.
- D. Landscaping and Open Spaces. Developments are required to meet minimum landscaping and open space standards set forth in Section 11-7-4. The following shall also be applicable.
1. Developments greater than 15,000 square feet in gross floor area shall be required to incorporate publicly accessible outdoor spaces which include a minimum of two (2) of the following:
 - a. Shaded seating areas;
 - b. Public art;
 - c. Dining areas oriented towards the public right-of-way;
 - d. Other public amenities in courtyards consistent with proposed building design.
 2. Private Residential open spaces. Development projects with proposed residential development shall include a minimum of 60 square feet of private open space. Minimum dimension, width or depth, of any private residential open space shall be five (5) feet. The private open space shall be accessible from within the unit and may include patio areas, balconies, and decks, but not stairs, entrance decks, stoops, and/or landings.
 - a. Conversion of Existing Commercial Space to Residential. Conversion of existing commercial spaces (either commercial or storage occupancies) that is converted to residential units within the DD-1 overlay, does not require private open space.
 3. Common Residential Open Space. Common residential open space may be utilized to meet private residential open space requirements. The following standards shall be applicable:
 - b. Minimum dimension, width or depth, of any common residential open space area shall be fifteen (15) feet.
- E. Parking and Vehicle Access.
1. Vehicle access shall be located on alleys and side streets where available.
 2. Except for driveway access, off-street parking, off-street vehicle loading, and vehicular circulation areas is prohibited between the building and the primary street frontage.
 3. In the drive aisle, decorative materials such as pavers or scored or colored concrete shall be required from the back of sidewalk for a minimum of five feet in depth.
 4. Driveway Curb Cuts. Curb cuts shall not exceed one curb cut for every 50 feet of street frontage.
- F. Pedestrian Access and Circulation.
1. Primary Pedestrian Entrance. For all residential and nonresidential uses, at least one primary entrance to a ground-floor use shall face the primary street frontage. Individual residential entries may face a secondary/side street or be accessed through the interior of the building. On corner parcels, the primary entrance may face the street corner of the primary street and a secondary street.
 2. Required Pedestrian Connections. An internal system of pedestrian walkways shall be designed to provide direct access connections to and between the following:
 - a. Entrances to each primary structure;
 - b. Off-street parking areas or parking structures;
 - c. All site amenities or public gathering spaces; and
 - d. The public sidewalk system along the perimeter streets abutting the development.
 3. Minimum Walkway Width. Internal walkways shall be a minimum of six (6) feet wide where located adjacent to any common open space areas. Internal walkways elsewhere on the property shall be a minimum of four feet wide.
 4. Walkways through Vehicle Areas. At each point that the on-site pedestrian walkway system crosses a parking lot, internal street, or driveway, the walkway or crosswalk shall be clearly marked by a change in paving materials distinguished by color, texture, or height.
- G. Trash Enclosures and Screening. Solid waste and recycling enclosures shall be articulated consistent with the structure design and are screened from the public-right of-way.

- H. Colors. Façade colors shall utilized approved color palettes contained in the adopted Design Handbook. Alternative colors may be approved by the planning commission with recommendation by the design review committee.
- I. Alternative Compliance. Design standards are not intended to limit creative solutions. Requests for alternative compliance through Section 11-10A-8 Modification to Standards process may be accepted for any application to which these standards apply.

§11-10A-7. Mission Design District (DD-2) Design Standards.

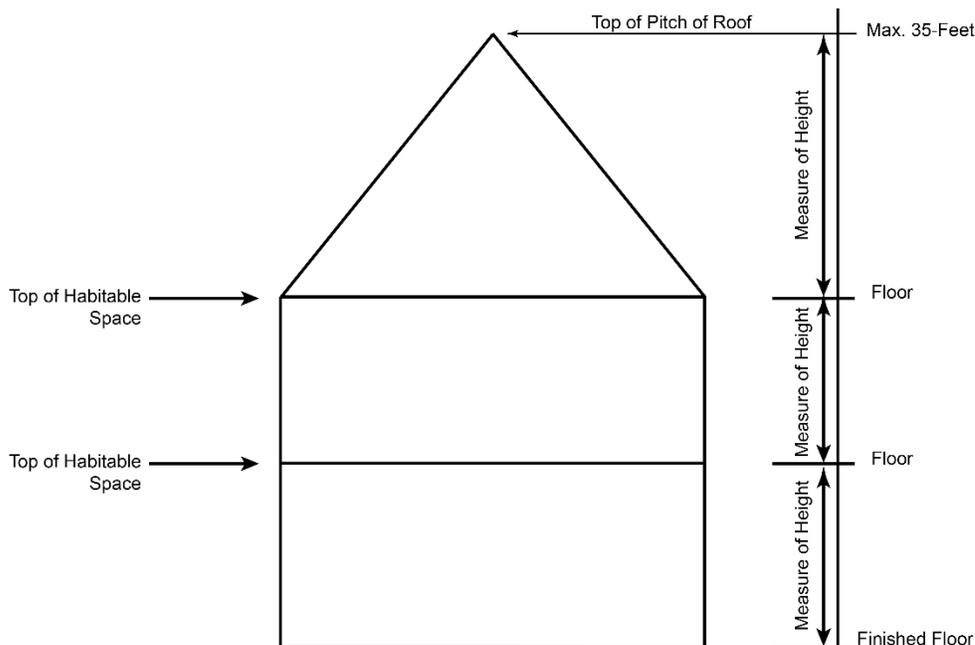
- A. This Section provides standards for development projects within the established district including the following:
 - 1. All new structures/buildings within the established district boundary, with the exception of ADUs in conjunction with existing single-unit dwellings and properties zoned Public/Institutional where no such design scheme exists;
 - 2. Redevelopment projects that propose façade improvements greater than 500 square feet that require a building permit,
 - 3. Additions greater than 500 square feet with the exception of existing single-unit dwellings;
 - 4. Projects that propose an additional story(ies), with the exception of additions to existing dwelling units.
- B. Building Form and Design.
 - 1. Façade.
 - a. All sides of new structures shall include smooth or lightly textured stucco.
 - b. Colors shall be earthtones.
 - c. Unarticulated or blank walls adjacent to public right of ways and street frontage shall not run in a continuous plane of more than fifteen (15) feet without incorporating at least one of the following:
 - i. An opening with transparent glazing providing views into work areas, display areas, patios, outdoor spaces, sales areas, lobbies, or similar spaces.
 - ii. A working door for ingress/egress;
 - iii. Public art;
 - iv. Arcade or Arch.
 - 2. Architectural Materials. The following is a menu of architectural details, of which one or more is required on all new structures. These may be utilized as a stand-alone, or utilized in combination.
 - a. Wrought Iron. Wrought iron may be utilized as decorative materials on the exterior of building, including but not limited to window grilles, balconies, railings, light fixtures. The following standards are applicable:
 - i. Finish. Black, dark bronze or natural patina finish shall be utilized.
 - ii. Repetition of Design. Use of motifs and patterns across various ironwork elements (e.g., gates, grilles, railings) shall be utilized.
 - iii. Height. Railings height shall be a minimum of thirty-six (36) inches. Maximum height shall be forty-two (42) inches.
 - iv. Spacing. Baluster spacing shall be even, with a maximum spacing of four (4) inches between balusters.
 - v. When used in conjunction with windows, wrought iron shall be securely anchored and integrated with window design and shall not be placed on designated ingress/egress windows.
 - b. Tile. Use of tiles is encouraged as for use in stair risers, baseboards, accent walls and niches. The following standards are applicable.
 - i. Material. Ceramic or terra cotta tiles shall be utilized.
 - ii. Color. Tile colors shall consist of earthy tones (terracotta, ochre, brown), vibrant blues, yellows.

- iii. Patterns. Use of patterns including geometric designs, floral motifs, and traditional Spanish or Moorish-inspired patterns, is encouraged.
- iv. Tiles utilized in baseboards shall have a minimum height of two (2) inches from the finished floor elevation, with a maximum of eight (8) inches in height.
- v. Tiles are encouraged to create focal points or highlight architectural features, such as alcoves or archways.
- c. Wood. The use of wood adds, texture, and authenticity to the building's facade. The following standards are applicable.
 - i. Wood material such as Cedar, redwood, treated pine, or faux wood material that mimics wood grain texture and colors including but not limited to trex, panels, siding, and other similar architectural grade materials shall be utilized.
 - ii. Wood utilized as columns and posts shall have a minimum diameter of eight (8) inches, not to exceed twelve (12) inches in diameter or width, unless required by the California Building Code.
 - iii. Columns and posts shall be spaced evenly.
 - iv. Decorative corbels and brackets are encouraged.

3. Building Mass and Height.

- a. Measure of Height for structures. Measurement of floors and structure height shall consist of the following for properties zoned VMU:
 - i. Building height shall be measured within the Mission Design District from finished floor area to the top of plate for habitable spaces, and shall not exceed thirty-five (35) feet in height.
 - ii. Architectural appendages shall not exceed more than five (5) feet beyond the maximum height.
 - iii. Architectural features of structures such as bell towers, etc., shall not exceed fifty (50) feet.
 - iv. Minimum first floor height shall be twelve (12) feet.
 - v. Elevator shaft or stairway. An elevator or stairway to a rooftop deck/upper story open space that is no more than 100 square feet in area and set back from any building edge by at least five feet may exceed the maximum height limit by up to eight feet.

Example of Measurement of Height



4. Roofing
 - a. Eaves. Eaves shall extend a minimum of twelve (12) inches to a maximum of twenty-four (24) inches.
 - b. Soffits. The use of soffits is encouraged. Soffits shall be open or covered with wood plank or stucco.
 - c. Roof Form and Structure. Roofs shall have a minimum pitch of 20 degrees with a maximum pitch of 45 degrees.
 - d. Materials. Roofing materials shall consist of the following.
 - i. Clay or terracotta.
 - ii. Concrete tiles that mimic the design of traditional clay tiles.
 - iii. Metal tiles that mimic the design of traditional clay tiles.
 - iv. Fiber cement tiles that mimic the design of traditional clay.
 - v. All roofing material shall be red, orange, or brown hues.
 - a. Shape. Round or "S" shape tiles (mission/barrel).
 - b. Rooflines shall be vertically articulated at a maximum of fifty (50) foot intervals along the street frontages through the use of the following:
 - i. A change in roof height.
 - ii. A change in roof pitch
 - iii. Use of a dormer or gables.
 5. Windows.
 - a. Shape. Windows shall be rectangular or arched.
 - b. Trim. Use of Trim shall consist of wood or molding that compliments the selected building color. Trim shall be a minimum depth of six (6) inches.
 6. Ornamental Details.
 - a. Arches and Arcades. The use of arches and arcades is encouraged.
 - b. Balconies. Balconies may be utilized on second stories and above with the following standards:
 - i. Width of balcony shall be a minimum of three (3) feet, with a maximum width of eight (8) feet.
 - ii. Railing height shall have a maximum height of forty-two (42) inches.
 - iii. Balconies shall have a minimum twelve (12) inch projection from the façade.
 - iv. Railing design shall consist of wrought iron, or powder coated steel/aluminum that mimics the appearance of wrought iron.
 - v. Baluster spacing shall be no greater than four (4) inches apart.
 - vi. Placement of balcony(ies) shall be centered on the facade, aligning with other architectural elements including windows and doors.
- C. Lighting. Exterior structure lighting shall adhere to the following standards.
1. Design. Lighting fixtures shall complement building design.
 2. Shielded fixtures. Fully shielded fixtures shall be utilized that direct light downward and prevent light from escaping upward.
 3. Fixtures on buildings. Light fixtures shall be limited to a maximum height of fifteen (15) feet or the height of the building, whichever is less.
 4. Lighting Type. Outdoor lighting shall utilize energy-efficient fixtures/lamps such as light-emitting diodes (LED), compact fluorescent lamp (CFL) lights, or other energy-efficient fixtures.
 5. Height. Outdoor lighting affixed to poles shall not exceed fifteen (15) feet in height, or meet minimum height for consistency with the Building Code, whichever is less.
 6. Pathway and Walkway lighting. Bollards with downward-facing lights to illuminate paths without causing glare or skyglow shall be utilized.
- D. Landscaping and Open Spaces. Developments are required to meet minimum landscaping and open space standards set forth in Section 11-7-4. The following shall also be applicable.

1. Developments are encouraged to include courtyards and gathering spaces. Developments greater than 15,000 square feet in gross floor area shall be required to incorporate outdoor spaces which include some or all of the following:
 - a. shaded seating areas;
 - b. Paseos;
 - c. Courtyards;
 - d. Patios;
 - e. Gardens.
2. Private Residential open spaces. Development projects with proposed residential development shall include a minimum of eighty (80) square feet of private open space. Minimum dimension, width or depth, of any private residential open space shall be five (5) feet. The private open space shall be accessible from within the unit and may include patio areas, balconies, and decks, but not stairs, entrance decks, stoops, and/or landings.
3. Common Residential Open Space. Common residential open space may be utilized to meet private residential open space requirements. The following standards shall be applicable:
 - a. Minimum dimension, width or depth, of any common residential open space area shall be fifteen (15) feet.

E. Parking and Vehicle Access.

1. Vehicle access shall be located on alleys and side streets where available.
2. Except for driveway access, off-street parking, off-street vehicle loading, and vehicular circulation areas are prohibited between the building and the primary building frontage Pedestrian Access.
3. In the drive aisle, decorative materials such as pavers or scored or colored concrete shall be required from the back of sidewalk for a minimum of five (5) feet in depth.
4. Driveway Curb Cuts. Curb cuts shall not exceed one curb cut for every fifty (50) feet of street frontage.

F. Pedestrian Access and Circulation.

1. Primary Pedestrian Entrance. For all residential and nonresidential uses, at least one primary entrance to a ground-floor use shall face the primary street frontage. Individual residential entries may face a secondary/side street or be accessed through the interior of the building. On corner parcels, the primary entrance may face the street corner of the primary street and a secondary street. Use of entry porch, stoop, or covered element shall be incorporated.
2. Required Pedestrian Connections. An internal system of pedestrian walkways shall be designed to provide direct access connections to and between the following:
 - a. Entrances to each primary structure;
 - b. Off-street parking areas or parking structures;
 - c. All site amenities or public gathering spaces; and
 - d. The public sidewalk system along the perimeter streets abutting the development.

G. Trash Enclosures and Screening. Solid waste and recycling enclosures shall be articulated consistent with the structure design and are screened from the public-right-of-way.

H. Alternative Compliance. Design standards are not intended to limit creative solutions. Requests for alternative compliance through Section 11-19-5 Modification to Standards process may be accepted for any application to which these standards apply.

§11-10A-8. Modification to Standards.

- A. Purpose. This purpose of this Section is to provide the flexibility necessary to allow for deviations or exceptions from these objective design standards applicable to development to respond to unique conditions of a property or project or to the conditions on adjacent properties,

that constitute a reasonable use or development of a property that will be compatible with surrounding uses and development.

- B. **Applicability.** An application for Modification to Standards may only be submitted for the following:
 - 1. Decrease of up to ten (10) percent in the dimensions that are stated.
 - 2. For additions and alterations to existing buildings, an alteration, relief, or substitution required by an objective design standard listed in Chapter 10, Article A.
 - 3. For new buildings, an alteration, relief, or substitution required by an objective design standard listed in Section Chapter 10, Article A.
- C. **Review Authority.** The planning commission is authorized to approve, conditionally approve, or deny Modification to Standards seeking any type of exception from objective design standards. The design review committee shall provide a recommendation to the planning commission on any such modifications.
- D. An application for a Modification to Standards shall be prepared, filed, and processed in compliance with Section 11-16-1.
- E. **Approval.** A modification to standards shall be approved only after the review authority makes all of the following findings:
 - 1. The Modification to Standards is consistent with the purpose, intent, goals, policies, programs, and land use designation of the General Plan, and Zoning Code.
 - 2. The Modification to Standards will not be detrimental to the health, safety, or general welfare of the persons within the vicinity.
 - 3. For exceptions to objective design standards, the Modification to Standards will result in a superior design approach suited to the type of development, circumstances at the property or adjacent property(ies), and/or constitutes a reasonable design solution that improves compatibility with surrounding development.

Article B Planned Development Overlay

11-10B-1 Planned Development Overlay Zones.

- A. **Purpose.** The Planned Development (PD) Overlay zone may be applied to any area of the city for the purpose of facilitating better designed projects (e.g., innovative site planning, superior architectural design) by allowing flexible and relaxed development standards. The proposed development shall demonstrate that the development is of significantly higher quality than would be achieved through the application of the city's standard development standards.
- B. **Applicability.** A PD Overlay zone shall occur concurrently with the approval of a specific project. All PD Overlay zones adopted by the Council shall be shown on the Zoning Map and shall be subject to the site-specific development standards provided in the PD Overlay zone.
- C. **Review Authority.** The Council is authorized to approve and amend Planned Development Overlays to ensure compliance with the Solvang Municipal Code, General Plan goals, policies, and implementation measures, and State law. Any amendments shall be processed in accordance with Chapter 17.
- D. **Relationship of PD Overlay to Underlying Zoning District.**
 - 1. **Allowable land uses.** Any use or combination of uses allowed by Chapters 5 through 9 of this zoning code within the applicable zone may be established within the PD Overlay zone, subject to any additional limitations on specific land uses provided by the PD Overlay as adopted. No PD Overlay shall allow a use that is not allowed in the applicable zone.
 - 2. **Permit Requirements.** Development and new uses within the PD Overlay zone shall

- approval as required by Chapter 16 of this Zoning Code for uses set forth in Chapters 5 through 9 of this zoning code.
3. Site planning and project development standards. Development and new land uses within the PD Overlay shall comply with all applicable development standards of the zone, except as specifically modified, waived, or augmented by the PD Overlay zone.
- E. Deviations From Adopted Standards. The application of the PD Overlay zone to property may include the adjustment or modification, where necessary and justifiable, of any applicable development standard of this Zoning Code (e.g., building height, floor area ratio, lot size, parking, setbacks, etc.).
- F. Mandatory Project Features. The City Council may approve PD Overlay zone for a project that incorporates at least one of the following features. If a project is proposed to be constructed in phases, the Council shall determine when the project feature is completed.
1. A minimum of 20 percent of the residential units within the project are affordable to households of very low, low or moderate incomes. (See additional requirements of Section 11-11-16 State Density Bonuses/Affordable Housing and Concessions/Incentives).
 2. The project will provide a substantial public amenity, for example, a public plaza, a public park, or a similar improved open space feature, including provisions for guaranteed long-term maintenance not at the expense of the City.
 3. The project will preserve, enhance, and/or create a significant natural feature.
- G. Findings for Approval. The Council may approve a PD Overlay zone after making the following findings:
1. The project is consistent with the General Plan, any applicable specific plan, any applicable design district overlay, and the proposed land use is allowed within the applicable zone;
 2. The project complies with all applicable provisions of this Zoning Code other than those modified by the PD Overlay rezoning;
 3. The approved modifications to the development standards of this Zoning Code are necessary and appropriate to accommodate the superior design of the proposed project, its compatibility with adjacent land uses, and its successful mitigation of environmental impacts;
 4. The project complies with all applicable adopted objective design standards;
 5. All affected public facilities, services, and utilities are adequate to serve the proposed project;
 6. The location, size, site planning, building design features, and operating characteristics of the project are highly suited to the characteristics of the site and surrounding neighborhood, and will be compatible with the character of the site, and the land uses and development intended for the surrounding neighborhood by the General Plan;
 7. The site is adequate for the project in terms of size, configuration, topography and other applicable features, and has appropriate access to public streets with adequate capacity to accommodate the quantity and type of traffic expected to be generated by the use; and
 8. The establishment, maintenance, or operation of the proposed project will not, in the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity of the proposed use or detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.

Article C

Specific Plans

§11-10C-1 Specific Plans Overlay Zones.

- A. Purpose. The Specific Plan (SP) Overlay zone may be applied to any area of the City for the purpose of facilitating better designed projects (e.g., innovative site planning, superior architectural design) by allowing flexible and relaxed development standards. The proposed development shall demonstrate that the development is of significantly higher quality than would be achieved through the application of the City's standard development standards.
- B. Applicability. A SP overlay rezone shall occur concurrently with the approval of a project. All Specific Plan Overlay zones adopted by the Council shall be shown on the Zoning Map and shall be subject to the site specific development standards listed in the Specific Plan.
- C. Review Authority. The Council is authorized to approve specific plans, upon recommendation from the planning commission, to ensure compliance with the Solvang Municipal Code, general plan goals, policies, and implementation measures, and State law.
- D. Specific Plan Overlay Zones Established.
 - 1. Village Estates, Specific Plan (SP-2), established by Ordinance 91-122.