

SEC. 10-1.2500 PLANNED DEVELOPMENT DISTRICT (PD)

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SEC. 10-1.2505 PURPOSE.

The purpose of the PD District is to:

- a. Encourage development, redevelopment, and rehabilitation, which through efficient and attractive space utilization emphasizes conservation, open space, and recreational amenities, and which is harmonious with the natural characteristics of the land, including topography, ponds, rock outcroppings, significant tree clusters, and ridge tops.
- b. Establish development procedures and standards whereby such lands may be developed most appropriately to maintain and enhance the natural and man-made advantages of such sites.
- c. Foster well designed residential and nonresidential development, encouraging projects incorporating a variety of housing types or combinations of residential and nonresidential uses by allowing diversification in the relationship of uses, buildings, architectural design, lot sizes, yard areas, and open spaces which may not be achievable under other zoning districts.
- d. Planned Development Districts are intended to carry out the policies and objectives of the General Plan, Design Review Guidelines, the Hillside Design Guidelines, and the Landscape Beautification Plan and to meet the standards necessary to satisfy the requirement for public health, safety, and general welfare.

SEC. 10-1.2510 USES PERMITTED.

Land uses permitted in any other district may be permitted in this District provided such use or uses are in harmony with each other and serve to fulfill the function of the planned unit development while complying with the General Plan, including any applicable neighborhood plan. If approved by the Planning Director, primary or secondary uses permitted in the conventional zoning district(s) most similar to the specific Planned Unit District may be substituted for the uses originally approved.

SEC. 10-1.2515 MINIMUM SITE.

There shall be no minimum area required to establish a PD District. However, the land on which PD District regulations are applied must be contiguous and under the development control of the applicant.

SEC. 10-1.2520 STANDARDS OF DEVELOPMENT.

Standards of lot area, frontage and width, coverage, density, yards, building heights, site and building design, landscaping, open space, fencing, signs, and parking for uses in a PD District shall be the standards of the zoning district (excluding other PD Districts), Municipal Code, the General Plan, any applicable neighborhood plan, the Design Review Guidelines, the Hillside Design Guidelines, and the Landscape Beautification Plan governing uses most similar in nature and function to the uses proposed in the PD District.

SEC. 10-1.2525 APPLICATION AND SUBMITTAL.

a. **Application.**

- (1) Application for establishment of a Planned Development District shall be on a form as prescribed by the Planning Director and shall be signed by the applicant and by an owner of the property or the owner's authorized representative.
- (2) The application shall be submitted to Planning Division and shall be accompanied by payment of a fee, as established from time to time by resolution of the City Council.
- (3) The application shall be accompanied by all required written material and drawings in such form and number as the Planning Director may require.
- (4) Plans shall be prepared and endorsed by qualified professional practitioners, including a licensed architect, a licensed land surveyor, a registered civil engineer and a registered landscape architect.

b. **Application Content.**

As determined by the Planning Director and City Engineer, the plan and supporting documents shall include all, or as much as is applicable, of the information listed below. Where the proposal is innovative in that it combines a mixture of uses or housing of various

densities as determined by the Planning Director, the requirements for submittal may be reduced as determined appropriate by the Planning Director and the City Engineer.

(1) Preliminary Development Plan.

As determined by the Planning Director and City Engineer, the plan and supporting documents shall include all, or as much as is applicable, of the following information:

- (a) A topographic map of the subject property or properties, prepared by a registered civil engineer or licensed land surveyor, including a written legal description of the subject area, and showing in accurate detail the topography, existing buildings and existing land features and trees, and the percentage of slope of the site that falls within the following categories:
0 - 10% 11 - 20% 21 - 30% 31% or more.
- (b) Drawings showing all proposed land uses, including typical exterior building and sign elevations, locations, and materials of all structures, floor plans; front, rear and side yard dimensions; public and private open spaces such as patios, balconies, parks, playgrounds, school sites; preliminary landscape plan, fences, walls, and utility meters.
- (c) Proposed traffic circulation pattern, indicating public and private vehicular and pedestrian facilities, including trails, paths, plazas, bikeways; provisions for parking and loading; driveway locations and public or private mass transit facilities; estimated traffic generation as it affects public and private vehicular and pedestrian facilities within and in the vicinity of the proposed development.
- (d) Relation to present and future land use in surrounding area and to the General Plan.
- (e) Economic feasibility analysis of commercial uses, if the property is not zoned for similar commercial uses at the time of submittal of the preliminary development plan.
- (f) A statement of provisions for ultimate ownership and maintenance of all parts of the development, including streets, structures, and open space.
- (g) Preliminary report indicating provision for storm drainage, sewage disposal and utilities.
- (h) A preliminary soils, seismic and geological report.
- (i) A preliminary grading plan to determine the feasibility of proposed improvements.
- (j) Delineation of development phasing, if any.
- (k) Any additional information that may be required in order to determine if contemplated arrangement or uses make it desirable to apply a PD District classification to the area under consideration.

SEC. 10-1.2530 PRELIMINARY DEVELOPMENT PLAN.

The applicant shall submit a preliminary development plan for an approval in principle. This approval shall be limited to the general acceptability of the land uses and densities proposed and their interrelationships and shall not be construed to endorse precise location of uses, configuration of parcels or engineering feasibility.

SEC. 10-1.2535 FINDINGS REQUIRED.

Before approving or recommending approval of a preliminary development plan, the Planning Commission and the City Council shall find that:

- a. The development is in substantial harmony with the surrounding area and conforms to the General Plan and applicable City policies.
- b. Streets and utilities, existing or proposed, are adequate to serve the development.
- c. In the case of a residential development, that the development creates a residential environment of sustained desirability and stability, that sites proposed for public facilities, such as playgrounds and parks, are adequate to serve the anticipated population and are acceptable to the public authorities having jurisdiction thereon, and the development will have no substantial adverse effect upon surrounding development.
- d. In the case of nonresidential uses, that such development will be in conformity with applicable performance standards, will be appropriate in size, location, and overall planning for the purpose intended, will create an environment of sustained desirability and stability through the design and development standards, and will have no substantial adverse effect upon surrounding development.
- e. In the case of a development in increments, each increment provides a sufficient proportion of total planned common open space, facilities, and services so that it may be self-contained in the event of default or failure to complete the total development according to schedule.
- f. Any latitude or exception(s) to development regulations or policies is adequately offset or compensated for by providing functional facilities or amenities not otherwise required or exceeding other required development standards.

SEC. 10-1.2540 PLANNING COMMISSION ACTION.

In taking action the Planning Commission may deny the preliminary development plan as submitted and the establishment of a PD District, or may recommend approval of said plan and the establishment of a PD District, subject to specified amendments or conditions. Where the preliminary plan was limited to a conceptual planned development district with limited information, the precise plan shall be considered by the Planning Commission.

SEC. 10-1.2545 CITY COUNCIL ACTION.

Approval by the City Council of the preliminary development plan in accordance with the amendment procedures of this Ordinance shall constitute that body's approval of the necessary amendments of the zoning district map(s) establishing a PD District, and the preliminary development plan shall, by reference, be incorporated into and become a part of the ordinance amending said zoning district map(s). Said plan shall be filed in the Office of the City Clerk.

SEC. 10-1.2550 PRECISE DEVELOPMENT PLAN APPROVAL.

- a. The Planning Director shall review the application and, upon a determination that the precise development plan is in substantial conformance with the approved preliminary development plan, shall approve the precise development plan or refer it to the Planning Commission; otherwise, it shall be disapproved.
- b. If the precise development plan is disapproved, the applicant may resubmit the application with such changes as may be deemed necessary, or the applicant may appeal the disapproval to the Planning Commission by filing a written appeal in the Community Planning and Economic Development within 10 days of the notice of disapproval. The decision of the Planning Commission is final.
- c. When a precise development plan is submitted in conjunction with a subdivision final map, the precise development plan shall be reviewed by the Planning Director and City Engineer to determine substantial conformance.

SEC. 10-1.2555 MODIFICATION.

Major modification of either the preliminary development plan or the precise development plan may be accomplished by submitting a request for such modification according to the same procedure as is required in the initial review and approval process. Minor modifications may be approved by the Planning Director.

SEC. 10-1.2560 TERMINATION.

- a. Preliminary development plan approval shall be void one year after the effective date of approval unless the precise development plan has been submitted for review and processing in accordance with all conditions of the preliminary development plan.
- b. If a Planned Development District was approved in conjunction with a subdivision, the approval shall be void when the subdivision approval expires.
- c. If a Planned Development District was approved in conjunction with a development agreement, this approval shall be void when the subdivision approval expires.
- d. Precise development plan approval shall be void one year after the effective date of approval unless a building permit application is accepted for processing by the Building Official.
- e. Whenever a planned development district becomes void, the Planning Director, Planning Commission, or City Council may institute consideration of reclassification of the property.

SEC. 10-1.2565 EXTENSION.

- a. If the precise development plan is not submitted, or a building permit application is not submitted and accepted for processing within the time period required, a maximum of two 1-

year extensions may be approved by the City Council. A request for an extension of time must be filed in the Planning Division at least 30 days prior to the expiration date, and action on the request shall be taken within 30 days of the expiration date of the precise development plan. Notice of said action shall be given pursuant to Section 10-1.2825.

- b. In making a decision on approval of an extension, the following shall be considered:
 - (1) the cause for delay in submission of the precise development plan,
 - (2) evidence of the applicant's ability to adhere to the proposed revised development schedule, and
 - (3) whether the approved precise development plan is in conformance with existing development regulations.

SEC. 10-1.2570 PLANNED DEVELOPMENT FOR CONDOMINIUM, COMMUNITY APARTMENT HOUSE, STOCK COOPERATIVE OR ANY OTHER TYPE SUBDIVISION.

- a. When an application for a planned development involves a subdivision, the project (separately or concurrently) shall be processed and reviewed by the Planning Commission, and a recommendation thereon submitted to the City Council.
- b. In the event a condominium, community apartment house, stock cooperative or any other type subdivision involves property for which a planned development has previously been approved, the Commission and Council shall have the authority to modify said approved planned development or the conditions of approval of same to insure that planned development and subdivision are compatible.