

ARTICLE 16 – PLANNED UNIT DEVELOPMENTS

SECTION 1601 PURPOSES

Planned Unit Developments (PUD's), involving the careful application of design, are encouraged to achieve a more functional, aesthetically pleasing and harmonious living and working environment within the City which otherwise might not be possible by strict adherence to the regulations of this ordinance.

In certain instances, the objectives of the General Plan and zoning ordinance may be achieved by the development of planned units which do not conform in all respects with the land use pattern designated by the General Plan, the Zone Plan or the district regulations prescribed by this ordinance. A planned unit development may include a combination of different dwelling types and/or a variety of land uses which are made to complement each other and harmonize with existing and proposed land uses in the vicinity, by design. In order to provide locations for such well-planned developments, the Planning Commission is empowered to grant use permits for planned unit developments, provided that such developments comply with the regulations prescribed in this article. The Commission is also empowered to zone lands for PUD under the provisions of Article 10 of this ordinance. The approval of a PUD that is not designated by the General Plan is intended to be discretionary on the part of the City rather than an entitlement of a landowner.

SECTION 1602 DISTRICTS

A PUD may be located in any district upon the granting of a use permit in accordance with the provisions of this article, or by applying the PUD combining district in accordance with the provisions of Article 10 of this ordinance.

SECTION 1603 PERMITTED USES

A PUD shall include only those uses permitted, either as permitted uses or conditional uses, in the zoning district in which the planned unit development is located, subject to the following exceptions:

- A. Any combination of uses permitted in any R or RM District permitted use, or a conditional use, may be included in a PUD located in an R or RM District.
- B. Any combination of uses permitted within any C, or PDI District as a permitted use or a conditional use, may be included in a PUD located in C District.
- C. Within the Redevelopment Project Area depicted for Mixed Use by the General Plan, any use permitted within any zoning district except schools.

SECTION 1604 SITE AREA

The minimum site area for a PUD shall be two (2) acres, provided however that a smaller parcel may be permitted if the proposal meets the purposes described in Section 1601, as determined by the Planning Commission.

SECTION 1605 STANDARDS

- A. The standards of site area and dimensions, site coverage, yard spaced, distances between structures, off-street parking and off-street loading facilities and landscaped areas need not be equivalent to the standards prescribed for the regulations for the district in which the PUD is located if the applicant has demonstrated by the design proposal that the objectives of the zoning ordinance and the objectives of this article will be achieved. Since planned unit development may also involve the subdivision process, the applicant must be prepared to show what changes in conventional street and lot design will be necessary to achieve desired goals.
- B. In any R zoning district, the average population density and number of dwelling units per net acre may be increased only if the PUD application meets the requirements of Section 65915 of the California Government Code pertaining to housing development for very low, low or moderate income households.
- C. In any R or RM zoning district, the average housing density per net acre may exceed by not more than twenty five percent (25%) of the maximum population and housing density prescribed by the General Plan or the site area per dwelling unit regulations for the district in which the PUD is to be located, if the applicant can demonstrate that the proposal qualifies under applicable provisions of Section 65915 of the California Government Code pertaining to the granting of density bonuses and other incentives for housing development intended for very low, low, or moderate income households.

SECTION 1606 REQUIRED CONDITIONS

No use shall be permitted and no process, equipment or materials shall be employed which is found by the Planning Commission to be objectionable to persons residing or working in the vicinity or injurious to property located in the vicinity by reason or odor, fumes, dust, smoke, cinders, dirt, refuse, water-carried wastes, noise, vibration, illumination, glare unsightliness or heavy truck traffic, or to involve any hazard of fire or explosion.

SECTION 1607 USE PERMIT PROCEDURE

The regulations prescribed in Sections 1402 through 1417 shall control the procedure for making application for and processing of a planned unit development, subject to the following additional procedures:

- A. In lieu of the drawing of the site prescribed in Section 1403 G, the application shall be accompanied by a general development plan of the entire planned unit development, drawn to scale and showing provisions for the following: draining of surface waters, water courses, public utility rights-of-way, streets, driveways and pedestrian walks, off-street parking and loading facilities, reservations and dedications for public uses, private

uses including dwelling types, lot layout, locations, heights and elevations of structures and landscaped areas.

- B. In addition to the data and drawings prescribed in Section 1403 and paragraph A of this section the application shall be accompanied by a tabulation of the area proposed to be devoted to each land use and a tabulation of the average population density and number of housing units per net acre in the area or areas proposed to be devoted to residential use.
- C. When a PUD involves proposals which necessitate the filing of a tentative parcel map or subdivision map, and/or which would also necessitate the granting of exceptions of the regulations of the subdivision ordinance, the Planning Commission may grant tentative approval of the proposal. Where such tentative approval is requested by the applicant, the requirements of paragraphs A and B of this section may be waived temporarily, provided the applicant submits the following:
 - 1. In lieu of the drawing of the site prescribed in paragraph A of this section, the application shall be accompanied by a schematic drawing drawn to a minimum scale of one inch (1") equals one hundred feet (100'), showing the general relationships contemplated among all public and private uses and existing and proposed physical features. An alternate scale may be approved by the Planning Commission for projects of large scale.
 - 2. A written statement setting forth the source of water supply, method of sewage disposal, means of drainage, dwelling types, non-residential uses, lot layout, public and private access, height of structures, lighting, landscaped areas of provisions for maintenance of landscaped areas, area to be devoted to various uses and population density per net acre contemplated by the applicant.

Upon approval of a tentative subdivision map, in accordance with the procedures prescribed by the subdivision ordinance, the applicant shall submit a development plan in accordance with the requirements of paragraphs A and B of this section before the Commission may grant a final approval of the proposal.

- D. The City Clerk shall give written notice to the applicant of the time when the application will be considered by the Planning Commission.
- E. The Commission may grant a use permit for a PUD as the use permit was applied for or in modified form if, on the basis of the application and the evidence submitted, the Commission makes the following findings:
 - 1. That the proposed location of the PUD is in accordance with the objectives of the zoning ordinance.
 - 2. That the proposed location of the PUD and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety and welfare or materially injurious to properties or improvements in the vicinity.
 - 3. That the proposed PUD will comply with each of the applicable provisions of this section.

4. That the standards of housing density, site area and dimensions, site coverage, yard spaces, height of structure, distance between structures, off-street parking and off-street loading facilities, landscaped areas and street design will produce an environment of stable and desirable character consistent with the objectives of the zoning ordinance, and will not generate more traffic than the streets in the vicinity can carry without congestion and will not overload utilities.
 5. That the combination of different dwelling types and/or variety of land uses in the development will complement each other and will harmonize with existing and proposed land uses in the vicinity.
 6. That the proposed PUD will satisfactorily mitigate potential environmental impacts in accordance with the provisions of Section 1508 of this ordinance.
- F. The Planning Commission may deny an application for a use permit for a planned unit development.

SECTION 1608 REVIEW BY CITY COUNCIL

At the first regular meeting of the City Council held more than ten (10) days after a decision on a PUD application by the Planning Commission, the Council shall review the decision. The Council may affirm, reverse or modify the decision of the Planning Commission, provided that if a decision denying the use permit is reversed or a decision granting the use permit is modified, the Council shall, based on the record transmitted by the Planning Commission and such additional evidence as may be submitted, make the findings prerequisite to the granting of a use permit for a PUD as prescribed in paragraph E of this section. A PUD permit shall become effective immediately after it is granted by resolution of the City Council.