

Chapter 16.36

PLANNED DEVELOPMENT OVERLAY DISTRICT

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16.36.010 Purpose.

The purpose and intent of the planned development overlay district regulations contained in this chapter is to provide for a type of development that allows for greater flexibility than otherwise allowed under normal zoning regulations and standards in return for a coordinated development that provides public benefits not otherwise part of the development process. The planned development overlay district is not a mechanism to circumvent City standards, rather it is a tool to allow for creative and imaginative design that will promote amenities beyond those expected in conventional development. The planned development overlay district is intended to further accomplish the following purposes:

A. To encourage imagination and a greater mix of housing variety and even sometimes a mix of residential and commercial or professional office land uses designed in a complementary manner that emphasizes synergy.

B. Simplify the processing of proposed projects by providing a method of concurrent review of land use, subdivision and siting considerations.

C. To insure that the goals and objectives of the City's General Plan are promoted without the discouragement of innovation by application of

restrictive development standards.

D. Encourage diversity in housing types, styles, and price ranges, but with design standards that maintain community character.

E. Encourage the use of more common open space areas and the inclusion of other amenities in project design than likely under conventional development standards

F. Encourage the efficient use of land, particularly those parcels that are unique in physical characteristics or other circumstances to warrant special methods of development.

G. Encourage variety and avoid monotony in large developments by allowing greater freedom in selecting the means to provide access, light, open space, and conveniences. (Ord. 606, 1999)

16.36.020 Land Use Regulations.

Planned Developments are permitted in any district. The planning commission and city council may permit any use in the PD district which is compatible with the purposes of this title, the neighborhood and general vicinity of the proposed project, and in keeping with protection of the public health, safety and general welfare. No use other than an existing use is permitted in a PD Overlay District except in accord with a valid PD Plan or Specific Plan. Any permitted or conditional use authorized by this Title may be included in an approved PD Plan or an adopted Specific Plan, consistent with the General Plan. (Ord. 606, 1999)

16.36.030 Development Plan Regulations, Objectives and Evaluations

A. Regulations

1. Minimum Area. There is no minimum site area for a PD District. The appropriateness of using a PD District shall be determined by the Director of Planning in his/her sole discretion on a case-by-case basis based upon the specific characteristics of the site and the need to provide additional zoning control by establishing site specific conditions of approval and standards for a specific PD District.

2. Residential Density. The total number of

dwelling units in a PD shall not exceed the number permitted for the underlying zoning district or by the General Plan density for the total area of parcels designated for residential use and for open space. The density bonus provisions of Section 16.16.070 may apply.

3. Development Standards. Development standards defined in Chapters 16.16, 16.20, 16.24 and 16.26 will apply.

4. Road Widths and Standards shall be as defined in the City of Ripon's Standard Specifications and Standard Details per the type of density being proposed. All streets, whether public or private shall meet City of Ripon standards.

5. Latitude of Regulations. The Planning Commission may recommend and the City Council may adopt as part of the preliminary development plans, and may require in the final development plan; standards, regulations, limitations and restrictions which are either more or less restrictive than those specified within an alternate zoning district which would be applicable if the PD district were not proposed, and which are designed to protect and maintain property values and community amenities in the subject community, and which would foster and maintain the health, safety and general welfare of the community. If standards, regulations, limitations and restrictions which are less strict than those specified in the code are proposed, the applicant shall prepare alternate plans, as determined necessary by the Director of Planning, which comply with the applicable standards, regulations, limitations and restrictions, to allow a comparison of floor area ratio or densities between the proposed plan and the plan which complies with all applicable standards. The floor area ratio or densities of the proposed project shall be limited to be comparable with the alternate plan, unless otherwise approved by the Planning Commission or City Council, as a result of demonstrated benefits to the project and/or neighborhood resulting from the proposed plan. The standards, regulations, limitations and restrictions may include, but are not

limited to the following:

- a. Height limitations on buildings and structures;
- b. Percent coverage of land by buildings and structures;
- c. Parking ratios and areas expressed in relation to use of various portions of the property and/or building floor area;
- d. The location, width and improvement of vehicular and pedestrian access to various portions of the property including portions within abutting streets;
- e. Planting and maintenance of trees, shrubs, plants and lawns in accordance with a landscaping plan;
- f. Construction of fences, walls and floodlighting of an approved design;
- g. Limitations upon the size, design, number, lighting and location of signs and advertising structures;
- h. Arrangement and spacing of buildings and structures to provide appropriate open spaces around same;
- i. Location, design, screening and size of off-street loading areas and docks;
- j. Uses of buildings and structures by general classification, and by specific designation when there are unusual requirements for parking, or when use involves noise, dust, odor, fumes, smoke, vibration, glare or radiation incompatible with present or potential development of surrounding property;
- k. Architectural design of buildings and structures;
- l. Schedule of time for construction and establishment of the proposed buildings, structures, or land uses or any stage of development thereof; and
- m. Requiring of performance bonds to ensure development as approved.

B. Design Objectives - To achieve design and aesthetic quality for large-scale integrated developments, infill developments, and/or General

Plan special areas of concern, the following design objectives shall be met:

1. Building bulk, height, land coverage, visual appearance from adjacent land, and design compatibility with existing adjoining development and land which will remain, shall be considered and controlled.

2. A development's design should successfully integrate individual buildings and the building groups with the surrounding development, other physical features in the area, and existing development which will remain.

3. The design of structures should provide for harmonious composition of mass, scale, color, and textures, with special emphasis on the transition from one (1) building type to another, termination of groups of structures, relationships to streets, exploitation of views, and integration of spaces and building forms with the topography of the site and the urban or suburban character of the area.

4. Provisions shall be made for an efficient, direct and convenient system of pedestrian circulation, together with landscaping and appropriate treatment of any public areas or lobbies.

5. Off-street parking and loading areas should be integrated into the overall vehicular circulation system.

C. Evaluations. When approving and adopting the rezoning application, the preliminary development plan or the final development plan, the Planning Commission and/or the City Council as the case may be, shall be satisfied that:

1. The applicant intends to start construction within two (2) years from the effective date of the ordinance for the zoning change and plan approval;

2. The proposed planned unit development is consistent with the General Plan;

3. In the case of residential development, it will constitute a residential environment of sustained desirability and stability, and will be in harmony with the character of the surrounding neighborhood and community;

4. In the case of commercial development, it is needed at the proposed location to provide adequate commercial facilities of the type proposed, and that traffic congestion will not likely be created by the proposed center, or will be obviated by presently projected improvements and by demonstrable provisions in the plan for entrances and exits, and by internal provisions for traffic and parking, and that the development will be an attractive and efficient center which will fit harmoniously into and will have no adverse effects upon the adjacent or surrounding developments;

5. The development of a harmonious, integrated plan justifies exceptions from the normal application of the code.

16.36.040 Requirements for a Planned Development Application.

The designation of an area with a PD Overlay District may be initiated by the property owner, or by the property owners authorized agent, the Planning Commission, or City Council. A fee, as specified by resolution of the City Council, shall be required. If the property is not under single ownership, all owners shall join in the application, and a map showing the ownerships must be submitted with the plans and materials. The Planned Development Application shall consist of the following, except as may be waived in writing by the Director of Planning:

A. A development plan drawn to scale, indicating:

1. The metes and bounds of the boundary of the subject property together with dimensions of lands to be divided;

2. The location, widths and types of improvements for all streets, driveways, pedestrian ways and utilities;

3. The location, height, number of stories, use and number of dwelling units for each proposed building or structure;

4. The location and design of vehicle parking areas;

5. The location and design of proposed landscaping, except for proposed single family residential development;

6. The location and design of all storm drainage and sewage disposal facilities;

7. The location and extent of all proposed land uses;

8. The Circulation plan for all vehicular and pedestrian ways;

I. In addition, the development plan shall be accompanied by:

1. Elevations of all buildings and structures;

2. A statement indicating the stages of development proposed for the entire development;

3. A written legal description of the subject area;

4. A feasibility analysis of all public and semipublic recreational and educational areas and facilities proposed to be located within the development, stating anticipated financing, development and maintenance;

5. A residential density analysis of the subject area, and the estimated population resulting therefrom;

6. A statement of how the proposed development conforms to, and is consistent with the General Plan;

7. A request for zoning change signed by the owner, and by the owner of any option to purchase the property or any portion thereof, if any;

8. A statement of the stages of development proposed for the entire development, indicating the sequence of units and explaining why each unit standing by itself would constitute reasonable and orderly development in relation to the entire contemplated development;

9. A fiscal analysis explaining the anticipated property tax, sales tax and other revenues to the City in relation to the anticipated cost of providing necessary urban services to the proposed development;

10. A written statement of the applicant's intentions regarding future sale or lease of all

portions of the property within the PD Overlay District proposed for development;

11. If the property is proposed to be subdivided, a parcel map or tentative subdivision map is to be filed concurrently with the PD application;

12. Any additional drawings or information as may be required by the Planning Director, Planning Commission or City Council at the time of any public hearing.

16.36.050 Interim Exceptions

If any land has been zoned PD District but no development plan approved thereon, the following may be approved:

A. Single Family Dwelling. Where it is established to the satisfaction of the Director of Planning that a vacant parcel of land is a legal lot and the one (1) detached single family dwelling proposed to be located thereon is consistent with the General Plan, the dwelling may be placed on the lot without being subject to the application submittal, development plan review and approval provisions of this chapter.

B. Nonconforming Use. Until a final development plan is approved, any nonconforming use lawfully existing at the time of the establishment of the PD district on that property may be repaired, rebuilt, extended, or enlarged in accordance with Section 16.08.050 of this code.

16.36.060 Adoption of a PD Overlay District.

PD Overlay District/ PD Plan applications shall be reviewed using the public hearing review procedure specified in Section 16.08.030 with the following modifications:

A. Planning Commission action is to consider an application for designation to the PD Overlay District (rezone) and at the same time consider the proposed PD plan or Specific Plan accompanying the application. The Planning Commission shall recommend approval/denial of the application by the City Council.

B. The City Council shall hold a public hearing to review the Planning Commission's recommendation and take final action.

C. The approval of a PD Overlay District shall be subject to the adoption of an ordinance by the City Council. The effective date for any approved PD Overlay District shall be thirty (30) days after adoption of the ordinance approving the agreement.

D. Within ten (10) days of the adoption of the ordinance approving a PD Overlay District, or any modification or cancellation of it, the City Clerk shall have the agreement, the modification or notice of cancellation recorded with the county recorder.

16.36.070 District Zoning Map Designation.

A PD Overlay District may be combined with any other district. Each PD Overlay District is to be shown on the district zoning map by adding a "PD" designation to the base district. (Ord. 606, 1999)

16.36.080 Status of PD Plan.

The effective date of a PD plan is the same date as the ordinance creating the PD Overlay District for which it was approved and expires two years after the effective date unless a building permit is issued and construction is diligently pursued. (Ord. 606, 1999)