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## **Chapter 9.67 Planned Development Permits**

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### **9.67.010 – Purpose**

The Planned Development process is intended to facilitate development of properties where greater flexibility in design is desired to provide a more efficient use of land than would be possible through strict application of land use district regulations. This process is also intended to serve as an alternative site planning process that encourages the more creative and imaginative planning, consistent with the density and intensity of uses allowed by the General Plan, within the framework of a single cohesive development plan .

### **9.67.020 – Planned Development Permits**

The Commission shall review and the Council shall act upon all initial applications for preliminary development plans and significant revisions to previously approved preliminary development plans for Planned Developments. However, a recommendation for denial by the Commission shall terminate any application for a Planned Development, unless it is appealed in accordance with the provisions of this Title. The Commission shall review and act upon all applications for final development plans for Planned Developments. The Development Review Committee shall review all applications for preliminary or final development plans prior to their review by the Commission or Council.

### **9.67.030 – Required Findings**

Prior to approving a request for a Planned Development, the reviewing authority shall find that all of the following are true:

- A. The proposed development is consistent with the General Plan and any applicable plan.
- B. The physical characteristics of the site have been adequately assessed and that the site for the proposed development is adequate in size and shape to accommodate said use and all yards, open spaces, setbacks, walls and fences, parking areas, loading areas, landscaping and other features.

- C. The site for the proposed development has adequate access, meaning that the site design and development plan conditions consider the limitations of existing streets and highways and provide improvement to accommodate the anticipated requirements of the proposed development.
- D. Adequate public services and facilities exist, or will be provided in accordance with the conditions of development plan approval, to serve the proposed development and that the approval of the proposed development will not result in a reduction of such public services to properties in the vicinity to be a detriment to the public health, safety and welfare.
- E. The proposed development, as conditioned, will not have a substantial adverse effect on surrounding property or the permitted use thereof, and will be compatible with the existing and planned land use character of the surrounding area.
- F. The improvements required per the conditions of development plan approval, and the manner of development adequately address all natural and manmade hazards associated with the proposed development and the project site including, but not limited to, flood, seismic, fire and slope hazards.
- G. The proposed development carries out the intent of the Planned Development provisions by providing a more efficient use of the land and an excellence of design greater than that which would be achieved through the application of conventional development standards.

#### **9.67.040 – Concurrent Subdivision Applications**

Applications for a Planned Development shall not constitute an application for subdivision. If a subdivision of land is proposed in conjunction with a Planned Development project, separate application, review and findings shall be made in accordance with the provisions of this Code.

In the event a tentative subdivision map application is concurrently filed with a Planned Development application, expiration of an approved or conditionally approved Planned Development site plan shall terminate all proceedings of any associated land use application. No final subdivision map or parcel map of all or any portion of the real property included within such a Planned Development site plan shall be filed for record without first processing a new Planned Development site plan.

#### **9.67.050 – Development Plans**

A detailed site plan or development plan shall be submitted with all Planned Development proposals. All such development plans shall contain sufficient detail to depict the manner in which the proposed development complies with the provisions of this article and that of Division 8 of this Title.

Planned Development requests for mixed use projects or projects with more than five hundred (500) dwelling units may be submitted in two stages. The first stage shall be referred to as a Preliminary Development Plan and the second stage shall be referred to as a Final Development Plan. Preliminary Development Plans and Final Development Plans are defined as follows:

- A. **Preliminary Development Plan.** A preliminary Development Plan (PDP) functions as a development suitability analysis and a comprehensive plan of the proposed developments. The PDP:

1. Identifies and quantifies the constraints and opportunities for development as follows:
  - a. The physical characteristics of the site,
  - b. Available public services and facilities,
  - c. The capacity of the existing circulation system, and
  - d. The existing and planned land use of adjacent properties
2. Establishes a list of specific limits, parameters and planning objectives to guide development based on the identified development constraints and opportunities.
3. Describes one or more potential development schemes derived from the limits, parameters and planning objectives controlling the development. Each proposed development scheme shall describe:
  - a. Proposed land uses and approximate distribution of such land uses,
  - b. Proposed density of residential uses,
  - c. Estimated population,
  - d. Estimated service demands,
  - e. The anticipated impact on the existing circulation system,
  - f. The anticipated impact on the adjacent properties,
  - g. The relationship of the plan to the various elements of the General Plan, and
  - h. The anticipated types of uses.
4. Sets forth in the form of a written text, maps and/or diagrams, a detailed plan of development based upon the application of the established limits, parameters and planning objectives controlling development. Said plan shall describe in detail the following:
  - a. Proposed land uses and building types, the functional arrangement of such uses and building types and relationship to size, site grading, circulation, lighting, paving, parking, screening, setbacks, recreation and open space areas, and adjacent properties,
  - b. How the established limits, parameters and planning objectives have been adhered to,
  - c. The level of public services and facilities required by the proposed development and the program for providing, operating and maintaining such services and facilities,
  - d. Access and circulation requirements,

- e. Known man-made and natural hazards and methods for mitigation of such hazards,
- f. Significant natural features and areas to be retained for common open space, and provisions for the preservation, conservation, utilization and maintenance of such areas, and
- g. How the plan conforms to the objectives of the General Plan and the Planned Development provisions of this Code.

**B. Final Development Plan.** The Final Development Plan is a detailed site plan which sets forth the location and dimensions of all uses and structures in sufficient detail to permit recordation and preparation of construction drawings.

The Final Development Plan shall comply with all approved Preliminary Development Plans. If no such Preliminary Development Plan has been approved, the Final Development Plan shall also meet the requirements for Preliminary Development Plans for the project site.

**C. Application Procedures for Phased Development:**

- 1. An applicant may file the Preliminary with the Final Development Plan, with the consent of the Director.
- 2. An application for a Preliminary Development Plan shall encompass all the land included within the Planned Development. A Final Development Plan may be for a portion of the land included within the Planned Development or a phase thereof, provided that:
  - a. Each phase shall function as a complete and separate development from the remaining phases, and
  - b. Any densities proposed or open space areas provided within the subject phase shall not result from a transfer of density from adjoining phases.

**D. Pre-application Conference.** Prior to the formal submission of a Planned Development application, the applicant shall meet with the Development Review Committee in order to acquaint the applicant with the procedural requirements of the Planned Development provisions of this Code and to discuss the general acceptability of the plan and its compatibility with applicable policies, issues and development regulations. The pre-application conference shall be required for mixed use, phased development plans only.

**E. Conformance of Plans.** Each Final Development Plan shall substantially conform to the Preliminary Development Plan.

**9.67.060 – Amendment**

Refer to Article 5, Chapter 9.83 Permit Amendments.

**9.67.070 – Revocation**

Refer to Article 5, Chapter 9.84 Permit Revocations.

**9.67.080 – Fees**

The application shall be accompanied by a fee established by resolution of the Council to cover the cost of handling and processing the application as prescribed in this Chapter