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**AGENDA
REGULAR MEETING
SARATOGA PLANNING COMMISSION
Wednesday, July 11, 2012**

**REGULAR MEETING – 7:00 P.M. – CIVIC THEATER/COUNCIL CHAMBERS AT 13777
FRUITVALE AVENUE**

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF MINUTES

Action Minutes from the Regular Planning Commission Meeting of June 27, 2012

COMMUNICATIONS FROM COMMISSION & PUBLIC

Oral Communications on Non-Agendized Items

Any member of the Public will be allowed to address the Planning Commission for up to three (3) minutes on matters not on this agenda. The law generally prohibits the Planning Commission from discussing or taking action on such items. However, the Planning Commission may instruct staff accordingly regarding Oral Communications under Planning Commission direction to Staff.

Oral Communications – Planning Commission Direction to Staff

REPORT OF APPEAL RIGHTS

If you wish to appeal any decision on this Agenda, you may file an “Appeal Application” with the City Clerk within fifteen (15) calendar days of the date of the decision, pursuant to Municipal Code 15-90.050 (b).

PUBLIC HEARING

All interested persons may appear and be heard at the above time and place. Applicants and their representatives have a total of ten minutes maximum for opening statements. Members of the Public may comment on any item for up to three minutes. Applicants and their representatives have a total of five minutes maximum for closing statements.

1. ZOA12-0009 Zoning Amendment. Staff Contact: James Lindsay (408)868-1231

Recommended action:

1. Provide comments on the preliminary draft changes to Article 15-16.
2. Continue the public hearing to July 25, 2012.

NEW BUSINESS

DIRECTOR/COMMISSION COMMUNICATION

ADJOURNMENT TO THE NEXT MEETING

- Wednesday, July 25, 2012 at 7:00 p.m. in the Council Chambers/Civic Theater
13777 Fruitvale Avenue, Saratoga, CA

In accordance with the Ralph M. Brown Act, copies of the staff reports and other materials provided to the Planning Commission by City Staff in connection with this agenda are available at the office of the Community

Development at 13777 Fruitvale Avenue, Saratoga, CA 95070. Note that copies of materials distributed to the Planning Commission concurrently with the posting of the agenda are also available on the City website at www.saratoga.ca.us. Any materials distributed by staff after the posting of agenda are available for public review at the Community Development Department at the time they are distributed to the Planning Commission.

In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this meeting, please contact the City Clerk at (408) 868-1269 or ctclerk@saratoga.ca.us. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting (28 CFR 35.102-35.104 ADA Title II).

CERTIFICATE OF POSTING OF AGENDA

I, Abby Ayende, Office Specialist III for the City of Saratoga, declare that the foregoing agenda for the meeting of the Planning Commission was posted and available for public review on July 3, 2012 at the City of Saratoga, 13777 Fruitvale Ave., Saratoga, CA 95070 and on the City's website at www.saratoga.ca.us.

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**ACTION MINUTES
REGULAR MEETING
SARATOGA PLANNING COMMISSION
Wednesday, June 27, 2012**

**REGULAR MEETING – 7:00 P.M. – CIVIC THEATER/COUNCIL CHAMBERS AT 13777
FRUITVALE AVENUE**

PLEDGE OF ALLEGIANCE

ROLL CALL

ABSENT

Commissioner Reis

APPROVAL OF MINUTES

Action Minutes from the Regular Planning Commission Meeting of June 13, 2012 (**Approved, 6:0:1**)

COMMUNICATIONS FROM COMMISSION & PUBLIC

Oral Communications on Non-Agendized Items

Any member of the Public will be allowed to address the Planning Commission for up to three (3) minutes on matters not on this agenda. The law generally prohibits the Planning Commission from discussing or taking action on such items. However, the Planning Commission may instruct staff accordingly regarding Oral Communications under Planning Commission direction to Staff.

Oral Communications – Planning Commission Direction to Staff

REPORT OF APPEAL RIGHTS

If you wish to appeal any decision on this Agenda, you may file an “Appeal Application” with the City Clerk within fifteen (15) calendar days of the date of the decision, pursuant to Municipal Code 15-90.050 (b).

PUBLIC HEARING

All interested persons may appear and be heard at the above time and place. Applicants and their representatives have a total of ten minutes maximum for opening statements. Members of the Public may comment on any item for up to three minutes. Applicants and their representatives have a total of five minutes maximum for closing statements.

1. Ordinance Amendment ZOA12-0008 (City-Wide) - City initiated amendments to Articles 7-30 (Noise Control) and 15-19 (Commercial Regulations) to the City Code establishing new regulations for outdoor music. Staff Contact: Christopher Riordan (408) 868-1235.

Recommended action:

Adopt a resolution recommending the City Council adopt an ordinance modifying Articles 7-30 (Noise Control) and 15-19 (Commercial Regulations) establishing new regulations for outdoor music. (**Continued to July 10, 2012 study session and July 25, 2012 hearing, 6:0:1**)

2. Application PDR12-0008; 19227 San Marcos Road (397-13-004); Gregory Howell; The applicant requests approval to replace a 1,428 square foot home with a new 5,721 square foot two-story home. Staff Contact: Cynthia McCormick (408) 868-1230.

Recommended action:

Adopt Resolution No. 12-028 approving the project subject to conditions of approval. (**Approved as amended 6:0:1, Landscape Screening. The owner/applicant shall install landscaping to screen**)

the home from the property to the east to the satisfaction of the Community Development Department.

3. Application PDR 12-0009; 14875 Baranga Lane (397-18-039); Gregory Howell; The applicant requests approval to replace a 3,261 square foot home with a new 5,957 square foot single-story home. Staff Contact: Cynthia McCormick (408) 868-1230.

Recommended action:

Adopt Resolution No. 12-029 approving the project subject to conditions of approval. **(Approved as amended, 6:0:1, Compliance with Plans. The development shall be located and constructed to include those features, and only those features, as shown on the Approved Plans denominated Exhibit "A" with the removal of the etching on the entryway. All proposed changes to the Approved Plans must be submitted in writing with plans showing the changes, including a clouded set of plans highlighting the changes. Such changes shall be subject to approval in accordance with City Code.)**

4. Applications ANX10-0002, ZOA09-0009, CUP10-0005; 22600 Mount Eden Road; (503-12-001; 503-10-044,065,067; 503-11-008,009; 503-74-001,002,003,004); Garrod Trust - The applicant is requesting the City annex approximately 68 acres with an accompanying Development Agreement, Zoning Amendment to apply the Agricultural Preserve/Open Space Overlay Zoning, a Combined Williamson Act, and a Use Permit for the 119 acre Garrod Trust properties to be inside City boundaries. Staff Contact: Christopher Riordan (408) 868-1235.

Recommended action:

1. Adopt Resolution #12-031 recommending that the City Council approve a Development Agreement, a Combined Williamson Act Contract, and an Ordinance adding Agricultural Preserve/Open Space overlay zoning to all the Garrod Trust properties to be annexed to the City.

2. Adopt Resolution #11-010 approving a Use Permit governing the use of the 119 acre Garrod Trust properties to be inside City boundaries (to become effective upon Final Approval of Annexation).

(Approved as amended, 6:0:1, revised text to Conditional Use Permit Condition #15. Commercial stable means a commercial stable providing shelter for horses owned and used by someone other than the occupant or owner of the residence and including but not limited to boarding stables, riding schools, related shows, lessons, clinics and similar activities.

5. Application GRE10-0001; 15269 Bohlman Road (517-14-003); James Campagna - The Applicant is requesting a Grading Exception for 11,100 cubic yards of grading to repair existing landslides and soil erosion on a site located at 15269 Bohlman Road. Staff Contact: Christopher Riordan (408) 868-1235.

Recommended action:

Adopt Resolution No. 12-030 approving the project subject to conditions of approval. **(Approved as amended, 6:0:1, with a condition to be added to the resolution that states that upon issuance of a grading permit the current project will extinguish the existing variance entitlement for retaining wall height within the area of the grading project.**

6. Application ZOA12-0007; City Wide; 13777 Fruitvale Avenue; City of Saratoga - Zoning Amendment for Wireless Telecommunications Facilities. Staff Contact: Christopher Riordan (408)868-1235

Recommended action:

Adopt a resolution recommending that the City Council adopt an ordinance which would add Article 15-44 (Wireless Telecommunications Facilities) establishing design review findings for wireless telecommunications facilities to the City Code. **(Approved as amended 6:0:1, Finding #b. Add the word "existing" so that the finding reads "compatible height with the existing surrounding environment."**

NEW BUSINESS

DIRECTOR/COMMISSION COMMUNICATION

ADJOURNMENT TO THE NEXT MEETING

- Wednesday, July 11, 2012 at 7:00 p.m. in the Council Chambers/Civic Theater
13777 Fruitvale Avenue, Saratoga, CA

In accordance with the Ralph M. Brown Act, copies of the staff reports and other materials provided to the Planning Commission by City Staff in connection with this agenda are available at the office of the Community Development at 13777 Fruitvale Avenue, Saratoga, CA 95070. Note that copies of materials distributed to the Planning Commission concurrently with the posting of the agenda are also available on the City website at www.saratoga.ca.us. Any materials distributed by staff after the posting of agenda are available for public review at the Community Development Department at the time they are distributed to the Planning Commission.

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CERTIFICATE OF POSTING OF AGENDA

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REPORT TO THE PLANNING COMMISSION

Meeting Date:	July 11, 2012
Application:	ZOA12-0009 – Zoning Amendment
Location:	City Wide
Applicant/Owner:	City of Saratoga
Staff Planner:	James Lindsay, Community Development Dir.

RECOMMENDED ACTION:

1. Provide comments on the preliminary draft changes to Article 15-16.
2. Continue the public hearing to July 25, 2012.

BACKGROUND:

At its May 16, 2012 meeting, the City Council directed the Planning Commission to update the regulations within Article 15-16 P-C District with the following provisions:

- Specific findings on public benefit to the community;
- Updates to Article 15-16 P-C District would create boundaries for exceptions;
- Updates would enhance transparency and clarity in the project review process.

The May 16th City Council staff report, meeting minutes, and the existing text of Article 15-16 have all been provided as attachments to this report.

SUMMARY:

Staff has completed a preliminary draft of changes to Article 15-16 for the Planning Commission's review. Given the extent of the changes, an early review by the Planning Commission is warranted. The City Attorney's Office and staff will continue to refine the text and incorporate comments received from the Commission to prepare the final draft to be presented at the July 25th meeting.

ATTACHMENTS:

1. Preliminary Draft Updates to Article 15-16
2. 5/16/12 City Council staff report
3. 5/16/12 City Council minutes
4. Current text of Article 15-16

***Preliminary Review Draft
July 11, 2012 Planning Commission Meeting***

Article 15-16 - P-C: PLANNED COMBINED ~~COMMUNITY~~ DISTRICT

15-16.010 - Purposes of Article.

The purpose of the P-C combined district is to provide the City the authority to modify standards of development in an underlying zoning district so as to achieve the following objectives:

- a) To provide a means of guiding development or redevelopment of properties in areas of the City that are uniquely suited for a variety in design and development patterns.
- b) To provide greater flexibility of land use and design for developments that provide a public benefit that would not otherwise be attainable through strict application of the zoning regulations.
- c) To encourage innovative designs in developments that achieve specific goals and policies of the General Plan that would otherwise be difficult through strict application of the zoning regulations due to unique site characteristics.

It is not the intent of the P-C district to allow more residential units than would normally be allowed by other residential zoning districts which are consistent with the General Plan.

~~In certain instances, the objectives of the Zoning Ordinance may be achieved by the development of a residential community primarily for a common green development or for persons desiring smaller residences or dwelling units than economically feasible under existing zoning districts, and which combines a number of uses in order to develop a living environment in conformity with the General Plan. The planned community district is intended to accomplish this purpose and may include a combination of single or multiple dwelling uses together with ancillary uses of recreational centers, social halls, restaurants, medical centers and other related facilities. In order to provide locations for well-planned community facilities which conform with the objectives of the Zoning Ordinance, although they may deviate in certain respects from existing district regulations, property may be rezoned to a new combined residential district, provided the development complies with the regulations prescribed in this Article.~~

15-16.020 - Combination with other districts.

A planned ~~community~~ combined district may be combined with any ~~R-1 district or any R-M~~ zoning district upon the granting of a change of zone to a combined district in accord with the provisions of this Article. A planned ~~community~~ combined district shall be designated by the symbol "P-C" following the district designation.

15-16.030 - Permitted and conditional uses.

Except for uses listed as permitted or conditional in the underlying zoning district, no use shall be established or changed upon property with which the P-C district is combined unless approved as part of the development plan provided pursuant to Section 15-16.060(a)(1). ~~The following permitted uses shall be allowed in a P-C district:~~

- ~~(a) Single family, two family or three family dwellings, or a combination thereof, together with all other permitted uses in an R-1 district, shall be permitted in an R-1 district which is combined with a P-C district. The dwelling units shall be single-story unless otherwise approved by the Planning Commission.~~
- ~~(b) Single family and multi-family dwellings, or a combination thereof, together with all other permitted uses in an R-M district, shall be permitted in an R-M district combined with a P-C district. The dwelling units shall be single-story unless otherwise approved by the Planning Commission.~~
- ~~(c) Community centers, private recreational centers, social halls, lodges, clubs, restaurants and medical centers, to be used by the residents of the planned community district and their guests.~~

15-16.040 - Conditional uses.

~~The following conditional uses may be allowed in a P-C district, upon the granting of a use permit pursuant to Article 15-55 of this Chapter:~~

- ~~(a) All conditional uses as may be allowed in an R-1 district, may be allowed in an R-1 district which is combined with a P-C district.~~
- ~~(b) All conditional uses as may be allowed in an R-M district, may be allowed in an R-M district which is combined with a P-C district.~~

15-16.050 - Standards.

- ~~(a) Standards for of site area and dimensions, site coverage, density of dwelling units, residential density setback areas, types of structures, distances between structures, fences, walls and hedges, signs and off-street parking facilities shall in the aggregate be at least equivalent to the standards prescribed by the~~

~~regulations for the district with which a planned community district is combined~~
be consistent with the General Plan.

- (b) Height of structures shall not exceed the maximum height of any building prescribed by the regulations for the district which the district is combined.
- (c) Except as provided for in (a) and (b) above the ~~The Planning Commission~~ City Council shall have authority to grant exceptions to the regulations in this Chapter pertaining to ~~site frontage, width and depth, site coverage, front, side and rear setback areas, distances between structures, fences, walls and hedges, and accessory structures at the time of tentative subdivision approval,~~ development standards without compliance with the provisions of Article 15-70 of this Chapter relating to variances.
- ~~(c) Any P-C area shall contain a common green unless specifically waived by the Planning Commission.~~

15-16.060 - Reclassification procedure.

The procedure set forth in Article 15-85 of this Chapter shall apply to applications for a change of zone to a ~~combined~~ planned ~~community~~ combined district, subject to the following ~~exceptions and~~ provisions:

- ~~(a) Each reclassification to a planned community district shall be a conditional reclassification in accord with Section 15-85.090, and each such conditional reclassification shall in all cases include the following minimum conditions:~~
 - ~~(1) That the entire site shall be developed in accord with a final site development plan previously approved by the Planning Commission and that building permits shall have been issued and construction commenced on all structures shown on such site development plan or particular units thereof no later than one year from the date of adoption of the Reclassification Ordinance.~~
 - ~~(2) The owner shall be required to enter into a written contract with the City, secured by good and sufficient bond or bonds, agreeing to be responsible for the care, maintenance and operation of all areas, buildings and facilities not dedicated to public use, but intended for the common use of the residents of the development.~~
- ~~(b) Each application for a reclassification shall be accompanied by a tentative map for either site approval or subdivision approval in accordance with the provisions contained in the Subdivision Ordinance, together with the proposed procedure to be followed to insure the care, maintenance and operation of all~~

~~common areas covered by the agreement referred to in subsection (a)(2) of this Section.~~

(a) The drawing to be furnished with the application, as required under Section 15-85.030, shall be a general site development plan of the entire development drawn to scale ~~and showing the contours of the site at intervals of not more than five feet,~~ and shall in addition include all of the following information:

(1) Proposed land uses, ~~population densities,~~ building intensities and parking areas, ~~particularly showing those areas and buildings, if any, intended for the common use or benefit of all residents of the development.~~

(2) Proposed circulation pattern, indicating both public and private streets.

(3) Proposed parks, playgrounds, ~~school sites,~~ and other open spaces.

(4) General delineation and location of each and every building and structure, the proposed use of each building and structure and a schedule for the construction of each building and structure.

(5) Any other information deemed necessary by the Community Development Director. ~~Relation of the development to future land use in the surrounding area and to the General Plan.~~

(b) The Planning Commission may recommend and the City Council may adopt a change of zone to a planned ~~community~~ combined district as applied for or in modified form if, on the basis of the application and the evidence submitted, the Commission and/or the Council make the finding that the change is required to achieve the objectives of the Zoning Ordinance set forth in Section 15-05.020, and make the following additional findings:

(1) That the proposed location of the planned ~~community~~ combined district is in accord with the objectives of the General Plan and the purposes of the district in which the site is located.

~~(2) That the proposed planned community district will comply with each of the applicable provisions of this Chapter.~~

(2) That standards ~~of site area and dimensions, site coverage, setback areas, heights of structures, distance between structures, fences, walls and hedges, signs, rights-of-way and off-street parking facilities~~ for the development will produce an environment of stable and desirable character consistent with the objectives of the Zoning Ordinance and the General Plan.

- (3) That the ~~combination of different~~ uses in the development will ~~compliment~~ complement each other and will harmonize with existing and proposed land uses in the vicinity.
- (4) The application of the combined district furthers one or more of the purposes contained within Section 15-16.010.

15-16.070 - Design review.

All structures for multi-family and ~~conditional~~ commercial uses in a planned ~~community~~ overlay district shall be subject to design review approval pursuant to Article 15-46 of this Chapter. Single-family structures shall be subject to design review approval when required under the provisions of Article 15-45 of this Chapter.

~~15-16.080 - Dedication of common green.~~

~~Where a planned community district is combined with an R-1 20,000 or an R-1-40,000 district, in lieu of the owner setting aside areas for the common benefit of the residents and remaining obligated for the care, maintenance and operation of the same, he may instead dedicate such areas or portions thereof to the City for public parks or recreation uses, so long as no less than fifty percent of the entire site area is either dedicated or set aside for private common use or any combination thereof. Each site development plan which shows any proposed dedication for park or recreation use shall first be submitted to the Parks and Recreation Commission for a report and recommendation prior to action thereon by the Planning Commission. Nothing herein contained shall preclude the City from refusing to accept any offer of dedication not deemed~~



SARATOGA CITY COUNCIL

MEETING DATE: May 16, 2012

AGENDA ITEM:

DEPARTMENT: Community Development

CITY MANAGER: Dave Anderson

PREPARED BY: James Lindsay

DIRECTOR: James Lindsay

SUBJECT: Provide Direction on P-C District Modifications

RECOMMENDED ACTION:

Provide direction to the Planning Commission on updating the regulations within Article 15-16, P-C District.

BACKGROUND:

Article 15-16 (Planned Community P-C District) of the City Code was created in 1964 and was updated once in 2006 for city-wide changes related setback areas and second-units. A Planned Community District is similar to Planned Unit Development (PUD) which is specifically referred to in California land use law as a means by which cities may create a unique set of zoning standards for property(ies) included within a development. The consideration of a PUD is typically a legislative act by the local agency versus a permit approved by a planning commission. The P-C District was enacted in Saratoga during a time when much of the City was still open land that could be subdivided into housing tracts containing a “combination of single or multiple dwelling uses together with ancillary uses of recreational centers, social halls, restaurants, medical centers and other related facilities.” The City’s residential areas are now predominately built-out and there are no meaningful opportunities for developments of this scale within the City.

DISCUSSION:

The City has historically utilized Section 15-55.030 (Variation from Standards for Conditional Uses) to grant some flexibility in zoning standards for conditional uses through the use permit process. This flexibility was only granted when a conditional use was required for a property but the development standards in the underlying zoning district unduly restricted the use from efficient operation. Recent examples include variations granted for churches, private schools and stables on residentially zoned land. Quasi-public uses develop at much different standards than single family homes.

Other typical methods of providing flexibility as to zoning standards are through the variance process (which requires very narrowly defined findings) and the PUD processes which requires legislative action by the City Council. Another flexible zoning tool is an overlay zone (such as the City’s existing P-C District which can provide standards that are unique to a particular area within a pre-existing zoning district (not only residential, but community facility, commercial and other districts).

The City Council may wish to consider updating the existing P-C District so that can be used to grant design flexibility for a greater variety of uses and projects similar to the process discussed

above and not rely exclusively on Section 15-55.030 – Variation from Standards for Conditional Uses.

FISCAL IMPACT:

None, staff will prepare any ordinance modifications directed by the City Council.

ATTACHMENTS:

1. Article 15-16

MILLER/CAPPELLO MOVED TO APPROVE A \$1625 COMMUNITY EVENT GRANT REQUEST FOR THE INDEPENDENCE DAY CELEBRATION.
MOTION PASSED 5-0-0.

10. Provide Direction on P-C District Modifications

Recommended action:

Provide direction to the Planning Commission on updating the regulations within Article 15-16 P-C District.

Community Development Director James Lindsay presented the staff report.

Mayor Page invited public comment on the item.

The following people requested to speak:

Kathleen Casey

Jeff Schwartz, San Marcos Road

No one else requested to speak on the item.

CAPPELLO/LO MOVED TO DIRECT THE PLANNING COMMISSION TO UPDATE THE REGULATIONS WITHIN ARTICLE 15-16 P-C DISTRICT WITH THE FOLLOWING PROVISIONS:

- SPECIFIC FINDINGS ON PUBLIC BENEFIT TO THE COMMUNITY;
- UPDATES TO ARTICLE 15-16 P-C DISTRICT WOULD CREATE BOUNDARIES FOR EXCEPTIONS;
- UPDATES WOULD ENHANCE TRANSPARENCY AND CLARITY IN THE PROJECT REVIEW PROCESS.

MOTION PASSED 5-0-0.

11. The Fall 2012 Saratogan

Recommended action:

Accept report and direct staff accordingly.

Mainini Cabute, Administrative Analyst II in the City Manager's Office, presented the staff report.

Vice Mayor Hunter expressed concerns that the Saratogan is difficult to find in the Recreation Activity Guide, noted that she liked the feature of the Parks and Recreation Commission, and suggested that the newsletter include a listing of upcoming events.

Council Member Cappello said he liked the proposals for the newsletter theme and primary article topics. He suggested including descriptions and status updates of capital improvement projects that are underway.

Council Member Miller suggested adding information about the City's Community Emergency Response Team. Additionally, an update on potential changes to the City's street sweeping would be a good topic once the changes are decided upon.

Saratoga, California, Code of Ordinances >> Chapter 15 - ZONING REGULATIONS >> Article 15-16 - P-C: PLANNED COMMUNITY DISTRICT >>

Article 15-16 - P-C: PLANNED COMMUNITY DISTRICT

Sections:

- [15-16.010 - Purposes of Article.](#)
- [15-16.020 - Combination with other districts.](#)
- [15-16.030 - Permitted uses.](#)
- [15-16.040 - Conditional uses.](#)
- [15-16.050 - Standards.](#)
- [15-16.060 - Reclassification procedure.](#)
- [15-16.070 - Design review.](#)
- [15-16.080 - Dedication of common green.](#)

15-16.010 - Purposes of Article.

In certain instances, the objectives of the Zoning Ordinance may be achieved by the development of a residential community primarily for a common green development or for persons desiring smaller residences or dwelling units than economically feasible under existing zoning districts, and which combines a number of uses in order to develop a living environment in conformity with the General Plan. The planned community district is intended to accomplish this purpose and may include a combination of single or multiple dwelling uses together with ancillary uses of recreational centers, social halls, restaurants, medical centers and other related facilities. In order to provide locations for well-planned community facilities which conform with the objectives of the Zoning Ordinance, although they may deviate in certain respects from existing district regulations, property may be rezoned to a new combined residential district, provided the development complies with the regulations prescribed in this Article.

15-16.020 - Combination with other districts.

A planned community district may be combined with any R-1 district or any R-M district upon the granting of a change of zone to a combined district in accord with the provisions of this Article. A planned community district shall be designated by the symbol "P-C" following the district designation.

15-16.030 - Permitted uses.

The following permitted uses shall be allowed in a P-C district:

- (a) Single-family, two-family or three-family dwellings, or a combination thereof, together with all other permitted uses in an R-1 district, shall be permitted in an R-1 district which is combined with a P-C district. The dwelling units shall be single-story unless otherwise approved by the Planning Commission.
- (b)

Single-family and multi-family dwellings, or a combination thereof, together with all other permitted uses in an R-M district, shall be permitted in an R-M district combined with a P-C district. The dwelling units shall be single-story unless otherwise approved by the Planning Commission.

- (c) Community centers, private recreational centers, social halls, lodges, clubs, restaurants and medical centers, to be used by the residents of the planned community district and their guests.

15-16.040 - Conditional uses.

The following conditional uses may be allowed in a P-C district, upon the granting of a use permit pursuant to Article [15-55](#) of this Chapter:

- (a) All conditional uses as may be allowed in an R-1 district, may be allowed in an R-1 district which is combined with a P-C district.
- (b) All conditional uses as may be allowed in an R-M district, may be allowed in an R-M district which is combined with a P-C district.

(Amended by Ord. 245 § 2 (Att. A) (part), 2006)

15-16.050 - Standards.

- (a) Standards of site area and dimensions, site coverage, density of dwelling units, setback areas, types of structures, distances between structures, fences, walls and hedges, signs and off-street parking facilities shall in the aggregate be at least equivalent to the standards prescribed by the regulations for the district with which a planned community district is combined.
- (b) The Planning Commission shall have authority to grant exceptions to the regulations in this Chapter pertaining to site frontage, width and depth, site coverage, front, side and rear setback areas, distances between structures, fences, walls and hedges, and accessory structures at the time of tentative subdivision approval, without compliance with the provisions of Article [15-70](#) of this Chapter relating to variances.
- (c) Any P-C area shall contain a common green unless specifically waived by the Planning Commission.

(Amended by Ord. 245 § 2 (Att. A) (part), 2006)

15-16.060 - Reclassification procedure.

The procedure set forth in Article [15-85](#) of this Chapter shall apply to applications for a change of zone to a combined planned community district, subject to the following exceptions and provisions:

- (a) Each reclassification to a planned community district shall be a conditional reclassification in accord with Section [15-85.090](#), and each such conditional reclassification shall in all cases include the following minimum conditions:
 - (1) That the entire site shall be developed in accord with a final site development plan previously approved by the Planning Commission and that building permits shall have been issued and construction commenced on all structures shown on such site development plan or particular units thereof no later than one year from the date of adoption of the Reclassification Ordinance.

- (2) The owner shall be required to enter into a written contract with the City, secured by good and sufficient bond or bonds, agreeing to be responsible for the care, maintenance and operation of all areas, buildings and facilities not dedicated to public use, but intended for the common use of the residents of the development.
- (b) Each application for a reclassification shall be accompanied by a tentative map for either site approval or subdivision approval in accordance with the provisions contained in the Subdivision Ordinance, together with the proposed procedure to be followed to insure the care, maintenance and operation of all common areas covered by the agreement referred to in subsection (a)(2) of this Section.
- (c) The drawing to be furnished with the application, as required under Section [15-85.030](#), shall be a general site development plan of the entire development drawn to scale and showing the contours of the site at intervals of not more than five feet, and shall in addition include all of the following information:
 - (1) Proposed land uses, population densities, building intensities and parking areas, particularly showing those areas and buildings, if any, intended for the common use or benefit of all residents of the development.
 - (2) Proposed circulation pattern, indicating both public and private streets.
 - (3) Proposed parks, playgrounds, school sites, and other open spaces.
 - (4) General delineation and location of each and every building and structure, the proposed use of each building and structure and a schedule for the construction of each building and structure.
 - (5) Relation of the development to future land use in the surrounding area and to the General Plan.
- (d) The Planning Commission may recommend and the City Council may adopt a change of zone to a planned community district as applied for or in modified form if, on the basis of the application and the evidence submitted, the Commission and the Council make the finding that the change is required to achieve the objectives of the Zoning Ordinance set forth in Section [15-05.020](#), and make the following additional findings:
 - (1) That the proposed location of the planned community district is in accord with the objectives of the General Plan and the purposes of the district in which the site is located.
 - (2) That the proposed planned community district will comply with each of the applicable provisions of this Chapter.
 - (3) That standards of site area and dimensions, site coverage, setback areas, heights of structures, distance between structures, fences, walls and hedges, signs, rights-of-way and off-street parking facilities for the development will produce an environment of stable and desirable character consistent with the objectives of the Zoning Ordinance and the General Plan.
 - (4) That the combination of different uses in the development will compliment each other and will harmonize with existing and proposed land uses in the vicinity.

(Amended by Ord. 245 § 2 (Att. A) (part), 2006)

15-16.070 - Design review.

All structures for multi-family and conditional uses in a planned community district shall be subject to design review approval pursuant to Article [15-46](#) of this Chapter. Single-family structures shall be subject to design review approval when required under the provisions of Article [15-45](#) of this Chapter.

15-16.080 - Dedication of common green.

Where a planned community district is combined with an R-1-20,000 or an R-1-40,000 district, in lieu of the owner setting aside areas for the common benefit of the residents and remaining obligated for the care, maintenance and operation of the same, he may instead dedicate such areas or portions thereof to the City for public parks or recreation uses, so long as no less than fifty percent of the entire site area is either dedicated or set aside for private common use or any combination thereof. Each site development plan which shows any proposed dedication for park or recreation use shall first be submitted to the Parks and Recreation Commission for a report and recommendation prior to action thereon by the Planning Commission. Nothing herein contained shall preclude the City from refusing to accept any offer of dedication not deemed to be in the best interests of the City.