

# Section 6.0300 Planned Developments

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## GENERAL

### 6.0301 PURPOSE

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The purpose and intent of this section is to allow an alternative to the traditional subdivision that encourages conservation of natural features by relating design to the existing landscape, efficient use of land and public services (particularly but not limited to situations where the existence of slopes, drainageways, or other natural features may preclude traditional subdivision design), and the creation of public and private common open space. A Planned Development (PD) is such a method of applying alternative development standards for residential developments.

### 6.0302 APPLICABILITY

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PD's shall be permitted for residential-only partition and subdivision developments in any of the following residential zones that permit residential development: VLDR-SW, LDR-5, LDR-7, LDR-PV, LDR-SW, TLDR and TR. Only those housing types permitted as allowed uses in each district shall be allowed in PDs.

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### **6.0303 TYPES OF PDS**

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PDs may include a mix of the housing types permitted within the primary plan district. Subdivision lot sizes are also variable and may consist of large, mixed size, or small lots provided the maximum density of the district is not exceeded. A “Large Lot” PD, for example, is a PD that creates larger than standard lot sizes for purposes of single detached and middle housing. No maximum lot size is stipulated.

### **6.0311 PD TENTATIVE PLAN APPROVAL CRITERIA**

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An application for a tentative PD plan approval shall be made in conjunction with an application for Land Division under **Section 6.0200** of the Community Development Code, except that it shall be processed under the Type III procedures. In addition, PDs that include elements that require Design Review under Article 7 shall submit for Design Review concurrent with the PD application. In approving a tentative PD plan, the approving authority shall find compliance with the applicable sections of the Community Development Code.

In addition to the above, the application shall clearly provide satisfaction to all of the following:

- A.** That the proposal needs to be processed as a PD instead of a standard subdivision or partition,
- B.** That the proposal implements the Purpose of this section (see **Section 6.0301**),
- C.** That all private open space areas have an approved conservation/maintenance plan,
- D.** That the Development Standards in this section are met, and
- E.** That the project design, building heights, bulk and scale is appropriate for this location, considering such elements as surrounding development and housing types, street system network and capacity, utility availability, and the physical and/or natural features of the site. Such project design shall include transitioning measures (lower to higher height, bulk, scale and density) or buffers, so that perimeter structures of the PD are both comparable and compatible with adjacent residential development. Note: In the case of Large Lot PDs, since the building bulks proposed for each lot may be larger and not comparable to adjacent residential development, buffering measures (such as increased vegetation and setbacks) may be required by the review body to ensure neighborhood compatibility and bulk separation.

### **6.0312 MODIFICATION OF TENTATIVE PD PLAN APPROVAL**

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Modification of the tentative PD plan approval shall be made under the Type II procedures unless it involves any of the following, in which case it shall be processed under the Type III procedures used for the tentative PD plan approval:

- A.** An increase in the number of dwelling units approved as part of the tentative plan.
- B.** A change in the mix of dwelling types.
- C.** A reduction in the amount of approved open space area by 5% or more. In no case, except by Type III variance, shall the amount of land designated as open space fall below 25% of the gross land area within the PD if there is no specified Special Purpose overlay district designation; 30% of the gross land area within the PD if there is a Floodplain, Hillside and Geologic Risk Overlay, Open Space, or Natural Resource Overlay designation.

## DEVELOPMENT STANDARDS

### 6.0320 SITE DEVELOPMENT REQUIREMENTS

- A. Site development standards of the underlying land use district, including maximum and minimum density standards, shall apply unless superseded by the standards of the PD Section or applicable Overlay District. The regulations of the PD Section shall prevail if there is a conflict. Maximum density does not apply to duplexes, triplexes, quadplexes, or cottage clusters.
- B. The regulations of the PD Section shall apply unless superseded by the standards of the Overlay Districts in Article 5. The regulations of the Overlay District(s) shall prevail if there is a conflict.
- C. Uses subject to a Special Use Review developed in conjunction with a residential PD shall be subject to the provisions of **Sections 8.0100** and **7.0000**. Such reviews would occur concurrently with the PD.
- D. Planned Developments may not prohibit Middle Housing Land Divisions (see **Section 6.0503(G)**).

### 6.0321 EXCEPTION TO SITE DEVELOPMENT AND ZONING STANDARDS

Exceptions to the following site development standards of the underlying land use district or applicable special purpose district provisions may be approved in accordance with this Article:

- A. Design performance Standards Exemption: The Safe Neighborhood Design Performance Standards do not apply.
- B. Table 6.0321 indicates overall limits for adjusting the underlying district dimensional standards dependent upon housing type.

**Table 6.0321 Standards Allowed for PD Residential Units Permitted in VLDR-SW, LDR-SW, LDR-PV, LDR-7, LDR-5, TR, and TLDR**

	Single Detached Dwelling	Duplex, Triplex, Quadplex	Townhouse	Cottage Cluster
<b>Standards</b>				
<b>Minimum site size</b>	None	None	None	None
<b>Minimum lot size</b>	3,500 sq. ft. (use underlying district standards for perimeter lots)	3,500 sq. ft. (use underlying district standards for perimeter lots)	None	3,500 sq. ft. (use underlying district standards for perimeter lots)
<b>Density range<sup>1</sup></b>	See underlying district	See underlying district	See underlying district	See underlying district
<b>Minimum lot dimensions<sup>2</sup></b>	None	None	None	None
<b>Minimum lot width/depth ratio</b>	None	None	None	None
<b>Minimum street frontage</b>	None	None	None	None
<b>Minimum yard setbacks: Interior lots</b>	3 feet	0 feet <sup>3</sup>	0 feet <sup>3</sup>	3 feet

<b>Minimum yard setbacks: Perimeter lots</b>	See underlying district	See underlying district	See underlying district	See underlying district
<b>Maximum lot coverage</b>	70%	70%	70%	70%
<b>Minimum building height</b>	See underlying district	See underlying district	See underlying district	See underlying district
<b>Maximum building height</b>	40 feet (See underlying district for perimeter lots)	45 feet or underlying district <sup>4</sup>	45 feet or underlying district <sup>4</sup>	40 feet (See underlying district for perimeter lots)
<b>Maximum number of attached units per structure</b>	NA	See underlying district and 10.0100	See underlying district	NA
<b>Building separation</b>	Per Building Code	Per Building Code	Per Building Code	8 ft.
<b>General lot utility easements<sup>5</sup></b>	None	None	None	None

**Table Notes**

1. Developments subject to Overlay Districts may also be restricted in density as per those Overlay Districts.
2. It shall be demonstrated for each lot that there is a building area of adequate space to accommodate the proposed dwelling type.
3. Structures with zero lot lines and/or common wall construction are subject to appropriate building and fire code standards at the time of building permit application.
4. Whichever is greater.
5. It shall be demonstrated that general utility facilities can be accommodated and, if necessary, general utility easements shall be provided.

**6.0322 PD LOT TRANSFER FOR SITES WITH HILLSIDE AND GEOLOGIC RISK OVERLAY**

To encourage the development of PDs in the Hillside and Geologic Risk Overlay, a lot transfer shall be provided.

**Table 6.0322 PD Density for Hillside and Geologic Risk Overlay Property**

<b>In areas of the lot(s) or parcel(s) that are:</b>	<b>Percentage of maximum lots from underlying zone:</b>
<b>HGRO</b>	100%
<b>HSS</b>	1 lot per acre*

There is no average lot size requirement. However, the total number of lots proposed for the entire PD shall be no less than 80% of the minimum allowed at single detached dwelling density on those portions of the property that are outside the Hillside and Geologic Risk Overlay with the exception of large lot PDs as provided in **Section 6.0329**. Refer to the Hillside and Geologic Risk Overlay (**Section 5.0200**) for other applicable development standards.

\*This lot must be transferred to another portion of the ownership outside the HSS. No dwelling units shall be constructed on slopes in the HSS, except as provided under **Section 5.0212**.

## **6.0324 OPEN SPACE AREAS**

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The approval authority shall evaluate proposed open space areas based on the following criteria:

- A.** For sites with no specified Special Purpose Overlay District designation as per subsection (B), a minimum of 25% of the gross land area within the PD shall be allocated as an open space area and shall be in public or private common ownership. Improved open spaces shall be subject to the applicable provisions of **Section 7.0400**.
- B.** For sites with a Hillside and Geologic Risk Overlay, Open Space Overlay District, or Natural Resource Overlay designation, a minimum of 30% of the gross land area within the PD shall be allocated as an open space area and shall be in public or private common ownership. Open space that conserves steep slopes and/or natural areas shall allow limited access to preserve its natural features.
- C.** Proposed natural open space areas shall be located to maximize the preservation of the features identified in subsection (G).
- D.** The open space areas may be either public open space or private common open space.
  - 1.** Public open space must comply with requirements of **Section 5.0500** of the Community Development Code.
  - 2.** Private open space shall comply with the following criteria:
    - a.** Open space easements transferring development rights are dedicated to the public;
    - b.** A conservation/maintenance plan is provided that maintains all natural open space areas in a natural condition with only minimal maintenance activity provided. The plan shall be approved by the City, maintained and implemented by the property owner, and kept as part of the City's site development file for the duration of the existence of the private open space area. This plan shall include:
      - i.** Identification and contact information of the party responsible for maintenance and oversight of the open space area;
      - ii.** Whether the open space area is to be actively or passively maintained and/or conserved;
      - iii.** Specific maintenance anticipated (as applicable) and timing thereof;
      - iv.** Anticipated conservation measures;
      - v.** Vegetation renewal or replacement plans, nuisance and/or dangerous vegetation removal plans; and
    - c.** There is a financial mechanism that ensures maintenance of any private open space area.
- E.** The approval authority may approve the dedication of open space areas or of open space easements in concurrence with an approved phased land division.
- F.** Open space areas that are not located in a Special Purpose Overlay District may be improved with active recreation uses or landscaping/passive recreation uses. Active recreation areas shall include, but are not limited to: swimming pools; tennis, basketball, volleyball and badminton courts; children's play areas; baseball and soccer fields, etc. Landscaping or passive recreation uses shall include, but are not limited to: picnic and barbecue facilities; reflection parks; vegetated stormwater facilities; lawn and other landscaped areas; and community gardens, etc. Active open space areas shall be of a sufficient size for the proposed

active use. Active and passive open space areas shall be made accessible to all residents of the development.

**G.** Proposed open space areas shall be located so as to encourage the conservation of natural features and the protection of steep slopes. The following topographic features, natural resources and other features shall be mapped and identified as part of the application:

**1.** Significant natural and cultural features:

- a.** Water resources, streams, drainageways, ponds, lakes, fish habitat or wetlands;
- b.** Historically or culturally significant sites;
- c.** Ecological or scientifically significant areas, such as Hogan Cedar trees;
- d.** Significant trees and significant tree groves;
- e.** Land areas within the Natural Resource Overlay;
- f.** Land areas designated High Slope Subarea of the HGRO map.

**2.** Other natural features:

- a.** Trees with a circumference of 25 inches or greater measured at a point 4.5 feet above the ground on the upslope side of the tree;
- b.** Geologic features;
- c.** Scenic views and landscapes;
- d.** Significant wildlife habitat.

### **6.0325 STREETS AND ACCESS, PUBLIC OR PRIVATE STATUS**

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All PD proposals shall include a future street/neighborhood circulation plan as per **Section 9.0700**. Streets provided within a PD shall be public streets, unless it is determined by the City that neighborhood connectivity is not necessary for the provision of access through the PD to other properties, either for purposes of public safety and/or efficiency of traffic circulation and access. Public paths and trails identified as transportation facilities in the Transportation System Plan shall be located within public rights-of-way or public access easements, unless otherwise approved by the City. Private streets may be allowed within a PD if the future street/neighborhood circulation plan demonstrates that connectivity is not necessary through the PD to other properties (as described above), and, the applicant can demonstrate how on-going maintenance of the private streets will be provided for. All streets and public paths and trails shall be designed and constructed according to applicable standards of **Appendix 5.000, Section A.5.400**-Streets and the Public Works Standards document.

### **6.0326 STREET TREES**

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Street trees shall be provided for all streets within a PD following the standards of **Section 9.1044** of the Community Development Code.

### **6.0327 REQUIRED BUFFERS AND TRANSITIONING**

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PDs are not exempt from applicable buffer provisions of **Section 9.0100**. However, natural and landscaped open space areas may substitute for required buffers via the alternative buffer plan provision of **Section 9.0110(F)(3)**. The transitioning of housing types (lower to higher bulk, scale and density) is required at the perimeter of PD's regardless of whether or not a buffer is required by **Section 9.0100**. Buffer or transition variations may be considered as part of alternative buffer plan proposals.

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**6.0328 FINAL PD PLAT**

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Final plats for a PD shall follow the standards, process, and timelines of **Section 6.0400**, Land Division Final Plat Requirements.

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**6.0329 ADDITIONAL STANDARDS FOR LARGE LOT PDS**

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- A.** Large Lot PDs are not limited to just areas covered by Overlays. In case of conflicts in standards, the more restrictive standards shall apply, with the exception of subsection (D) below, which applies in any case.
- B.** When clustering and/or attached housing are not proposed and site grading will not exceed the 55% of site limit (if Hillside and Geologic Risk Overlay) as per **Section 5.0210(B)**, the open space designation requirement is not required for Large Lot PDs. However, buffering or transition measures for compatibility purposes may be required by the review body for portions of Large Lot PDs, whether in Hillside and Geologic Risk Overlay or not, adjoining other developed areas.
- C.** A minimum site size of 2 acres is required for establishment of a Large Lot PD.
- D.** Large Lot PDs are not required to comply with minimum density or maximum lot size standards. Large Lot PDs shall, however, have a minimum average lot size that is the same or greater than at least twice the minimum density standard of the primary land use district where proposed. For example, the minimum average lot size in LDR-5 for a Large Lot PD would be 14,000 square feet per lot and in TLDR it would be 8,712 square feet per lot.
- E.** All PD requirements (except as authorized above) are still in effect for Large Lot PDs.