

ARTICLE 20. PLANNED UNIT DEVELOPMENTS

Sec. 2001. Purposes.

Planned unit developments involving the careful application of design are encouraged to achieve a more functional, esthetically pleasing, flexible, and harmonious living and working environment within the county which otherwise might not be possible by strict adherence to the regulations of this ordinance.

In certain instances the objectives of the zoning ordinance may be achieved by the development of planned units which do not conform in all respects with the land use pattern designated on the zoning map 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 county planning commission is empowered to grant use permits for planned unit developments, subject to review by the board of supervisors, provided that such developments comply with the regulations prescribed in this article.

Sec. 2002. Districts.

A planned unit development may be located in any district, except in the A and NRC Districts, upon the granting of a use permit in accordance with the provisions of this Article. Processing such a use permit shall be in accordance with the procedures for granting a conditional use permit in Article 19 of this Ordinance, except as modified in Section 2007 of this Article.

Sec. 2003. Permitted uses.

A planned unit development 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 use permitted in an R, RM, CN, PO or O District, as a permitted use or a conditional use, or any combination of such uses may be included in a planned unit development located in a R, or RM District.
- B. Any use permitted in any CS, ML, or MH District, as a permitted use or conditional use, or any combination of such uses may be located in a planned unit development located in an ML or MH District.
- C. Any use permitted in a CC or CT District, as a permitted or a conditional use, or any combination of such uses may be included in a planned unit development located in a CC District.
- D. Any use permitted within a CH or O District, as a permitted use or a conditional use, or any combination of such uses may be included in a planned unit development located within a CH District.

Sec. 2004. Site area.

No limitation except as may be required under Section 2007 of this Article.

Sec. 2005. Standards.

The standards of site area and dimensions, site coverage, yard spaces, heights of structures, 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 planned unit development is located if the applicant has demonstrated, by his design proposal, that the objectives of the Zoning Ordinance and the objectives of this Article will be achieved.

The average number of units per net acre may exceed the maximum number of units prescribed for the district and the maximum number of units indicated by the General Plan by twenty-five percent (25%) if the applicant can demonstrate, in the design proposal, that: 1) the objective for density bonuses found in Government Code Section 65864, and 2) the objectives of this Article and this Ordinance will be achieved. Since planned unit developments 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 the development goal.

(Ord. No. 269.40, § 1, 10-4-94)

Sec. 2006. Required conditions.

The following conditions will be required in planned unit developments:

- A. No use shall be permitted and no process, equipment or materials shall be employed which is found by the planning commission to be substantially injurious to persons or property located in the vicinity by reason of 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.

(Ord. No. 269.49, § 11, 12-7-99)

Sec. 2007. Use permit procedure.

The regulations prescribed in Article 19, Sections 1903 through 1921 shall control the procedure for making application for a use permit for a planned unit development, subject to the following exceptions:

- A. In lieu of the drawing of the site prescribed in Section 1903.A.5., the application shall be accompanied by a development plan of the entire planned unit development, drawn to an appropriate scale and showing the contours of the site in intervals of not more than five (5) feet; provisions for draining of surface waters; watercourses; railroad and 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 and heights of structures, and landscaped area.
- B. In addition to the data and drawings prescribed in Section 1903, 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 per net acre and per gross acre in the area or areas proposed to be devoted to residential use.
- C. When a planned unit development involves design proposals which would also necessitate the granting of exceptions to the regulations of the county subdivision ordinance, the Planning Commission may grant tentative approval of the proposal, subject to the condition that final approval may not be granted until the applicant submits and receives approval of a tentative map in accord with the procedures prescribed by the county subdivision ordinance. Where such tentative approval is requested by the applicant, the requirements of Paragraphs A and B of this Section may be waived, 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 equals two hundred feet (1"=200'), showing the general relationships contemplated among all public and private uses and existing physical features.
 - 2. A written statement setting forth the source of water supply, method of sewage disposal, means of drainage, dwelling types, nonresidential use, lot layout, public and private access, height of structures, lighting, landscaped areas and provisions for maintenance of landscaped areas, area to be devoted to various uses and population density per net acre and per gross acre contemplated by the applicant.
- D. The planning commission may grant a use permit for a planned unit development 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. The proposed location of the planned unit development is in accordance with the objectives of the zoning ordinance and the purposes of the district in which the site is located.
 - 2. The proposed location of the planned unit development and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.
 - 3. The proposed planned unit development will comply with each of the applicable provisions of this ordinance.
 - 4. The standards of population density, site area and dimensions, site coverage, yard spaces, heights of structures, distance between structures, off-street parking and off-street loading facilities and landscaped areas will produce an environment of stable and desirable character consistent with the objectives of the zoning ordinance.

5. The standards of population density, site area and dimensions, site coverage, yard spaces, heights of structures, distances between structures, off-street parking and off-street loading facilities will be such that the development will not generate more traffic than the streets in the vicinity can carry without congestion and will not overload utilities.
- E. The planning commission may deny an application for planned unit development. The county planning commission shall impose such conditions upon the granting of a use permit as are necessary for the protection of the public health, safety, and general welfare and as are necessary for carrying out the purposes and objectives of this ordinance. When a planned unit development involves design proposals which would also necessitate the granting of exceptions to the regulations of the county subdivision ordinance, the planning commission may grant tentative approval subject to the conditions that final approval may not be granted until the applicant submits and receives approval of a tentative map in accord with the procedures prescribed by the county subdivision ordinance.

(Ord. No. 269.65, § 145, 10-28-08)

Sec. 2008. Appeals.

The action of the Planning Commission may be appealed in the same manner as described Article 19 of this Ordinance.

(Ord. No. 269.40, § 1, 10-4-94)

Sec. 2009. Planned unit development to run with the land.

A planned unit development granted pursuant to the provisions of this article shall run with the land and shall continue to be valid upon change of ownership of the site or structure which was the subject of the planned unit development application unless the use is abandoned or discontinued for a period of time exceeding six (6) months pursuant to Article 17, Section 1711.E.

(Ord. No. 269.33, § 42, 9-21-82; Ord. No. 269.42, § 14, 5-7-96; Ord. No. 269.65, § 146, 10-28-08)

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