

Referral Draft – March 2011 Planned Development Ordinance - Proposed Amendments

22.22.145 – Planned Development

Planned Developments are intended to provide for flexibility in the application of development standards to proposed common interest development. The purpose is to allow consideration of innovation in site planning and project design, and more effective design responses to site features, land uses on adjoining properties, and environmental impacts, than the development standards of the underlying land use category would produce through the conventional development process. The County expects each planned development project to be of significantly higher design quality, including more effective and attractive pedestrian orientation, environmental sensitivity, energy efficiency, and the more efficient use of resources, than would be achieved through conventional design practices and standards.

- A. Where Allowed.** A Planned Development may be proposed on property within the Residential Multi-Family, Residential Single-Family, Recreation, Commercial Retail, Commercial Service, Office & Professional, and Industrial land use categories.
- B. Mandatory Project Features.** A Planned Development shall incorporate a minimum of two of the following four features:
1. The project will preserve, enhance, and/or create a significant natural feature(s) with a minimum area of one-half acre; or
 2. The project will provide a common open space or common amenity, for example, a significant plaza, park, common recreation facility, or a similar improved open space feature, including provisions for guaranteed long-term maintenance not at the expense of the County; or
 3. The project will provide integrated pedestrian and bicycle paths and facilities throughout common areas, linked to individual development units, and logically connected to the surrounding system outside the boundaries of the Planned Development; or
 4. The project will provide two or more Low Impact Development (LID) design features, such as roof cisterns with rain barrels and/or underground cisterns and/or rain gardens, bioretention facilities, roof gardens, green roofs and permeable pavements.
- C. Residential and Mixed-Use Planned Developments.**
1. Residential Planned Developments and any portion of Mixed-Use Planned Developments with a residential component within the Residential Multi-Family, Residential Single-Family, Recreation, Commercial Retail, and Office & Professional land use categories shall meet the following site criteria:
 - a. Minimum Lot Size.** As set forth in Section 22.22.140.D.
 - b. Parking Design and Location.** All parking is subject to the following standards.

- (1) Shall be screened from public streets and adjacent residential uses by landscaping or architectural screening.
- (2) Shall be located in clusters of not more than 6 adjoining spaces.
- (3) All parking structures shall have a pitched roof design with a minimum slope of 4:12.

c. Front Setbacks. For new residential neighborhoods, front setbacks may be modified as follows:

- (1) 15 feet minimum for residential structures and 10 feet minimum for covered porch for development of new residential neighborhood. All individual garages shall be setback 25 feet.
- (2) Where project is within an existing residential neighborhood, front setback shall be consistent with front setbacks on adjacent properties.

d. Common Recreation Area. Common recreation area available for use by the entire development shall be provided as follows:

- (1) 200 square feet minimum per unit.
- (2) Setbacks and private open space shall not be counted as common recreation area.
- (3) Shall abut at least 50% of all units, and those units must be oriented to have their main entry from common recreation area.
- (4) All units shall be a minimum 150 feet walking distance of common recreation area.
- (5) No common recreation area is required if the project is:
 - A) A total of four (4) residential units or less, and
 - B) Located within $\frac{1}{4}$ mile (1,320 feet) walking distance of a public park or facility with public open space (i.e., public school); and
 - C) Accessible to the public park or public open space by a dedicated pedestrian path such as a public sidewalk.

e. Common Recreation Area Landscaping. A maximum of 35% of the common recreation area may be irrigated turf.

f. Private Open Space.

- (1) 225 square feet minimum per unit in one contiguous and useable piece with a minimum dimension of 10 feet on all sides.
- (2) Shall be adjacent to each unit and be for the exclusive use of the residents of that unit.
- (3) Shall be oriented to the common recreation area as much as is feasible.
- (4) May include patios, decks, and balconies, but shall not include front porches required by Section 22.30.435 (Compact Single-Family).

g. Community Buildings/Facilities. Where a community building is available for use by the development, the following standards shall apply:

- (1) Shall be clearly incidental in use and size to the units.
- (2) Shall be commonly owned by the residents of the units.
- (3) Shall be architecturally consistent with project residential units.

h. Fencing. Fencing for both the common recreation area and the private open space shall be designed as follows:

- (1) Fencing within the common recreation area and in front yard private open space shall be a maximum height of three feet.
- (2) Fencing around side and rear yard private open space areas shall have a maximum height of six feet.
- (3) All fencing shall be wood, wrought-iron, or similar wood-appearing material.
- (4) All fencing shall be open or partial-open type.

2. **RSF Planned Development – Bonus Density.** For Residential Planned Developments in the RSF land use category, all bonus units allowed pursuant to Section 22.22.140 (Cluster Division), Section 22.24 (Transfer of Development Credits), and Section 22.12.080 (Inclusionary Housing), shall also meet the standards pursuant to Section 22.30.435 (Compact Single-Family).

3. **Detached Single-Family Housing.** Residential Planned Developments in the Residential Multi-Family, Recreation, Commercial Retail, and Office & Professional land use categories that propose a single-family detached residential style of development shall also be consistent with the standards of Section 22.30.430 (Compact Single-Family).

D. Commercial, Office, and Industrial Planned Developments. Commercial, Office, and Industrial Planned Developments and the commercial/office/industrial component of Mixed-Use Planned Developments within the Commercial Retail, Commercial Service, Office & Professional, and Industrial land use categories shall meet the following standards:

1. **Site Planning.** Site planning shall include buildings situated around plazas or courtyards that are designed to attract pedestrian movement, with vehicle circulation, storage and utilities located elsewhere on the perimeter.
 - a. Building entries shall be oriented to each other and so that pedestrian circulation is attractive and convenient. Landscaped sidewalks shall be used that are separated from vehicle circulation and loading.
 - b. Work bays shall be oriented away from fronting streets, or screened by landscaping.
 - c. Parking lots shall be limited in size by separating them into sub-areas divided by landscaping or structures.
 - d. Building orientation shall take advantage of active and passive solar opportunities.
 - e. Site planning shall avoid vehicle parking at the front of the lot between the buildings and the street.
 - f. The use of fences and walls shall be minimized except where required for screening outdoor storage and noise. When proposed, fences/walls shall be solid, attractive, two-sided, and designed for low maintenance, with materials and colors that are complementary to the building. No chain link fences with or without slats are allowed.
2. **Common Open Space.** Common open space shall be integrated into the overall design. Such spaces shall have a direct functional or visual relationship to the main building(s)

and not be of isolated or leftover character. The following shall not be considered usable common open space:

- a. Areas reserved for the exclusive use or benefit of an individual tenant or owner;
- b. Dedicated streets, alleys and other public rights -of-way;
- c. Vehicular drives, parking, loading and storage area; and
- d. Irregular or unusable narrow strips of land less than fifteen (15) feet in width.

3. Functional and Mechanical Features. Exposed storage areas, trash and garbage containers, exposed machinery installations, service areas, truck loading areas, utility buildings and structures, and similar accessory areas and structures shall be accounted for in the design of the commercial, office, or industrial planned development and made as unobtrusive as possible.

4. Driveways, Parking and Circulation. Principal vehicular access shall be from dedicated public streets, and access points shall be designed to encourage smooth traffic flow with controlled turning movements and minimum hazards to vehicular or pedestrian traffic. With respect to vehicular and pedestrian circulation, including walkways, interior driveways and parking, special attention shall be given to the location and number of access points to the public streets, the width of interior driveways and access points, the general interior circulation, the separation of pedestrian and vehicular traffic, the adequate provision for service by emergency vehicles, and the arrangement of parking areas that are safe and convenient, and, insofar as feasible, do not detract from the design of proposed buildings and structures and the neighboring properties.

E. Required Findings for Approval. The Review Authority may approve a Planned Development only after first making all of the following findings in addition to the findings required by Section 22.62.060.C.4:

1. The project complies with all applicable provisions of these ordinance regulations other than those modified by this Section;
2. The approved modifications to the development standards are necessary and appropriate to accommodate the superior design of the proposed project, its compatibility with adjacent land uses, and its successful mitigation of environmental impacts;
3. The project complies with all applicable County or Community design guidelines;
4. All public facilities, services, and utilities are adequate to serve the proposed project;
5. The location, size, site planning, building design features, and operating characteristics of the project are highly suited to the characteristics of the site and surrounding neighborhood, and will be compatible with the character of the site, and the land uses and development intended for the surrounding neighborhood by the General Plan;

6. The site is adequate for the project in terms of size, configuration, topography, and other applicable features, and has appropriate access to public streets with adequate capacity to accommodate the quantity and type of traffic expected to be generated by the use.
- F. Ownership and Maintenance.** The common area of all Planned Developments shall be owned either by a Homeowner's Association or in common by the owners of the separate interests who have rights to the beneficial use and enjoyment of the common area.
- G. Phasing.** If the construction of the Planned Development is to occur in phases, the common recreation area and common facilities shall be developed and made available in proportion to the number of dwelling units or nonresidential floor area occupied during any given stage. At no time during construction of the project shall the density of developed land exceed the overall density of the established land use category.
- H. Expiration.** Timeframes and time extensions for approved Planned Developments with concurrent tentative subdivision maps are prescribed by those timeframes associated with the approved tentative map. Timeframes and time extensions for approved Planned Developments with no concurrent tentative subdivision maps are prescribed by those timeframes associated with the approved Conditional Use Permit.
- I. Requests for Modifications to Standards.** The Director may approve an Adjustment pursuant to Section 22.70.030 to the standards set forth in this section, provided the following criteria are met:
1. The site is constrained due to unusual slope, topography, easements, or sensitive areas.
 2. The modification is consistent with the objectives of this Chapter
 3. The modification meets the Required Findings for Approval in Subsection 22.22.145E.

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22.30.435 – Residential – Compact Single-Family

In addition to complying with the Planned Development standards in Sections 22.22.145.C, Compact Single-Family projects in the Residential Single-Family and Residential Multi-Family land use categories shall comply with the following standards:

- A. **Minimum site area.** 20,000 square feet.
- B. **Unit size limits.** Dwellings shall be limited to 1,500 square feet of living area, except bonus units shall be limited to 800 square feet of living area.
- C. **Parking.** Parking shall be provided as follows. One parking space per unit shall be in a single garage structure containing no more than five spaces. Each space shall have a separate entrance and shall be separated by walls from other spaces.

Units 800 square feet in size or less	1 space
Units 801 to 1,000 square feet in size	1.5 spaces
Units over 1,000 square feet in size	2 spaces

- D. **Height.** The height of all structures shall be no greater than 28 feet. Roof slope shall be a minimum of 6:12 for all parts of the roof over 18 feet in height.
- E. **Second story.** Second story floor area cannot exceed 75 percent of first floor.
- F. **Distance between structures.** Six feet minimum is required between all structures.
- G. **Common Recreation Area.** In addition to the requirements for common recreation area for Planned Developments in Section 22.22.145.C.1.d, common recreation area shall be provided as follows:
 - 1. 300 square foot minimum per unit
 - 2. All units shall be a minimum 150 feet walking distance of common recreation area.
- H. **Attached covered porches.** A front porch of 80 square feet minimum per unit is required. The porch shall have a minimum dimension of eight feet on all sides.
- I. **Exceptions to unit size limitations**
 - 1. The required porch is not included in the unit size limitations. A rear or side porch may be allowed no larger than 100 square feet and are not counted in the unit size limitation.

2. Spaces with a ceiling height of six feet or less measured to the exterior walls, such as in a second floor area under the slope of the roof shall not be included in the unit size limitation.

J. Storage. A storage area of a minimum of 100 square feet shall be provided for each unit. The storage may not be attached to the dwellings but may be attached to the garage structure(s).

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22.22.140 - Cluster Division

At the option of the land division applicant, the minimum parcel sizes established by this Chapter for the Rural Lands, Recreation, Residential Rural, Residential Suburban, ~~and Residential Single-Family~~ and Residential Multi-Family categories may be decreased as provided by this Section.

- A. Permit requirement.** Conditional Use Permit approval in compliance with Section 22.62.060 through a public hearing held as set forth in Section 22.70.060, to occur at the same time as approval of a tentative map. Conditional Use Permit approval shall include conditions specifying a phasing schedule for the recordation of a final tract or parcel map, where applicable, the installation of required improvements and a date for termination of the entitlement in the event the use is not established within the specified schedule.
- B. Determining the number of parcels that can be clustered.** The number of buildable lots allowed in a cluster division shall be determined through the use of the parcel size tests in Sections 22.22.050 et seq. applicable to the land use categories in which the site is located. ~~In the Residential Single-Family land use category, the density shall be equal to the density allowed by Section 22.10.130.B. ; provided that~~ Where a minimum parcel size for new land divisions or a density for multi-family development is set by planning area standard, the number of lots to be clustered shall be determined by dividing the total site area by the minimum parcel size or density specified in the planning area standard. The actual size of the clustered lots shall then be determined by Subsection D.
- C. Density increase bonus.** The number of residential lots created by cluster division in the Residential Single-Family and Suburban categories within urban and village reserve lines may be increased from that resulting from application of the minimum parcel size standards of this Chapter by determining the allowed number of lots on the basis of gross density rather than net density, as follows:
- 1. ~~1. Residential single-family.~~**
 - ~~2-a.~~ One unit per 6,000 square feet of gross site area.
 - ~~b.~~ Where applications are consistent with Section 22.30.435 (Compact Single-Family) (see Sec. 22.30.430), the number of residential lots may be increased based on the total number of primary and secondary dwellings that would otherwise be allowed.
 - 2. Residential suburban.** One unit per acre of gross site area.

The density bonus provided by this Section may be decreased by the Review Authority on the basis of specific site characteristics through the Conditional Use Permit approval, where it is determined that the site or vicinity cannot support the number of units resulting from the bonus without significant adverse effects.

D. Lot size and open area requirements. The minimum size of lots created through cluster division shall be as specified in the following table:

Land Use Category	Area of Buildable Lots (1)		
	Minimum (2)	Maximum (4)	Open Space Parcel Minimum Area (3)
Rural Lands	1 Acre	10 Acres	90%
Recreation	6,000 Sq. Ft.	None	As set forth in Section 22.22.145.C90%
Residential Rural	20,000 Sq. Ft.	4 Acres	60%
Residential Suburban	10,000 Sq. Ft.	2.5 Acres	50%
Residential Single-Family	2,000 1,750 Sq. Ft.(5)	6,000 Sq. Ft.	40% As set forth in Section 22.22.145.C
Residential Multi-Family	None	2,000 Sq. Ft.	As set forth in Section 22.10.130.B.2

Notes:

- (1) Net area.
- (2) A minimum lot size less than 2-1/2 acres may be granted only when community water is provided. A minimum lot size less than one acre may be granted only when the leaching capacity of site soils for septic tank use is from 0 to 5 minutes per inch, or where community sewer is provided.
- (3) The minimum area is expressed as a percentage of the gross site area.
- (4) Larger parcel sizes may be approved by the Review Authority where requested by the applicant and justified based on specific site characteristics, provided that the minimum open space area requirement is met.
- (5) ~~Lot sizes smaller than 2,000 square feet may be allowed only where the project is consistent with Section 22.30.430 (Compact Single-Family)~~

~~**E. E. Design standards. Planned Developments.** A cluster division proposed within the Residential Single-Family, Residential Multi-Family, and Recreation land use categories shall be processed as and shall meet the requirements of Section 22.22.145 (Planned Development).~~

~~**E.F. Design standards.**~~

1. **Open space parcel required.** A cluster division shall include at least one open space parcel. ~~For land use categories other than Residential Single-Family and Multi-Family,~~ such parcel may be used for one of the allowable residential units, provided that the building site does not exceed 6,000 square feet and is defined on the recorded map. Otherwise, the open space parcel shall not be developed with structural uses ~~other than~~ except as follows: in RL, REC, RR, and RS -- agriculture accessory buildings. In RSF and RMF: community buildings, community residential accessory structures, parking structures, parking spaces and driveways. The open space parcel in all land use categories may be used for any of the following: Crop production or range land; historic, archaeological, or wildlife preserves, water storage or recharge; leach field or spray disposal area; scenic areas; protection from hazardous areas; public outdoor recreation; or other similar open space use.
2. **Guarantee of open space.** The required open space parcel shall be maintained as open space as long as the clustered lots exist, or such other period designated through Conditional Use Permit approval. Such period shall be guaranteed by open space

easement, or dedication of fee or partial fee title to a public or quasi-public agency. In the RSF, RMF, and REC land use categories, the open space parcel shall be held in common by the homeowners.

3. Site design.

- a. Site disturbance shall be minimized by clustering, road location along contours, and building site selection.
- b. Access to off-site roads shall be controlled, with parcels having access from interior roads wherever feasible.
- c. Development shall be designed to be consistent with the character of the immediate surrounding areas as designated in the Land Use Element.

4. Attached dwelling units. A cluster division in the Residential Single-Family category may incorporate attached dwelling units with not more than two units per structure where approved by the Review Authority.

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Definitions:

Planned Development. A specific type of development intended to provide flexibility in the application of development standards to projects, with an expectation for the project to be of significantly higher design quality, including more effective and attractive pedestrian orientation, environmental sensitivity, energy efficiency, and the more efficient use of resources, than would be achieved through conventional design practices and standards. Includes detached single-family residences on lots smaller than the minimum normally required in the Residential Single-Family, Residential Multi-Family, and Recreation land use categories. A Planned Development is distinguished by having either or both of the following features:

1. A common area owned either by an association or in common by the owners of the separate parcels who have rights to the use and enjoyment of the common area.
2. A power exists to enforce an obligation of the owners of the separate parcels with respect to the use and enjoyment of the common area by means of an assessment which may become a lien upon the interests.