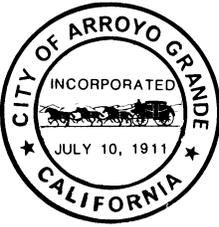


**Appendix B: Draft Development Code Amendment
Staff Report and Ordinance**



MEMORANDUM

TO: CITY COUNCIL

FROM: TERESA MCCLISH, COMMUNITY DEVELOPMENT DIRECTOR

BY: MATTHEW DOWNING, ASSISTANT PLANNER

SUBJECT: CONSIDERATION OF DEVELOPMENT CODE AMENDMENT 12-005; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE AMENDING PORTIONS OF TITLE 16 OF THE ARROYO GRANDE MUNICIPAL CODE, REGARDING PLANNED DEVELOPMENTS

DATE: MEETING DATE

RECOMMENDATION:

It is recommended the City Council introduce an Ordinance amending portions of Title 16 of the Development Code regarding Planned Developments.

IMPACT ON FINANCIAL AND PERSONNEL RESOURCES:

It is estimated that the proposed Development Code Amendment will result in increased cost savings as a result of reduced staff time required to investigate and administer regulations of the City's Planned Development districts.

BACKGROUND:

PD-1.1: Oak Park Acres Planned Development

PD-1.1 is known as the Oak Park Acres Planned Development. Oak Park Acres was the first Planned Development rezoning within Arroyo Grande. It covers approximately 262 acres and is located in the northwest portion of the City. Oak Park Acres is generally bound by West Branch Street to the southwest, Oak Park Boulevard to the northwest, and the Rancho Grande Planned Development to the northeast and southeast. Oak Park Acres was rezoned and a Tentative Subdivision Map was approved on September 14, 1976 by Ordinance 140 C.S. Several Ordinances have been adopted to amend various portions of the planned development.

Oak Park Acres includes a total of 304 dwelling units, 38.5 acres of highway-serving commercial and office uses, and the protection of numerous acres of land for green space and drainage facilities. Oak Park Acres was amended to provide clarification of commercial land uses and also clarified provisions of the green space, including permitted uses.

PD-1.2: Rancho Grande Planned Development

PD-1.2 is known as the Rancho Grande Planned Development. Rancho Grande was the second Planned Development rezoning within Arroyo Grande. It covers approximately 415

acres and is located in the northerly portion of the City. Rancho Grande is generally bounded by West Branch Street and Highway 101 to the south, the Arroyo Grande City limits and unincorporated land to the north, PD-1.1 to the west, and PD-1.3 to the east. Rancho Grande was rezoned and a development plan for the area was approved on October 10, 1978 by Ordinance 186 C.S. The Arroyo Grande Council approved a subdivision map for Rancho Grande on November 8, 1983. Several Ordinances have been adopted to amend various portions of the original development plan of Rancho Grande since its original approval.

Rancho Grande includes three phases. The three phases total 354 dwelling units, 40 cluster dwelling units, and 44 acres of commercial uses. The commercial acreage was meant to serve the South San Luis Obispo County region. Rancho Grande also included an unplanned residential area totaling 133 residential dwelling units. These have since been constructed and are generally bound by James Way to the north, Rancho Parkway to the west, the Five Cities Center to the south, and Royal Oaks to the east. The 40 cluster dwelling units have yet to be developed, but are to be located to the northeast of the James Way/La Canada intersection. Rancho Grande includes areas for the preservation of open space and drainage facilities. Amendments to Rancho Grande have provided clarification of commercial land uses and open space provisions.

PD-1.2.1: Los Robles de Rancho Grande

Los Robles de Rancho Grande, identified as PD-1.2.1 for the purposes of this Development Code Amendment, is Tract 1994. It is the first of three phases of the Rancho Grande Planned Development. Los Robles constitutes approximately 83 acres. It totals 75 of the 354 dwelling units permitted in Rancho Grande. The Los Robles de Rancho Grande Design Manual was designed to help implement development standards and conditions of approval associated with the Rancho Grande Planned Development, including mitigation measures identified in the Rancho Grande Environmental Impact Report.

PD-1.2.2: The Highlands at Rancho Grande

The Highlands at Rancho Grande, identified as PD-1.2.2 for the purposes of this Development Code Amendment, is Tract 1834. It is the second phase of Rancho Grande. The Highlands constitutes 224 of the 354 dwelling units permitted in Rancho Grande. The Highlands at Rancho Grande Design Manual was created to aid in the implementation of development standards and mitigation measures. The Design Manual was also developed to help property owners quickly build upon their lots by including building plans preapproved by The Highlands Architectural Advisory Committee. Property owners wishing to utilize this streamlined review submitted the preapproved building plans to the Committee who approved the plans without much discretionary review.

PD-1.2.3: Las Jollas de Rancho Grande

Las Jollas de Rancho Grande, identified as PD-1.2.3 for the purposes of this project, is Tract 1997. It is the final phase of Rancho Grande. Las Jollas constitutes 57 of the 354 dwelling units permitted in Rancho Grande. The Las Jollas de Rancho Grande Design Manual was designed to aid in the implementation of development standards and mitigation measures of the phase of Rancho Grande. It totals 68 pages. The Design Manual

includes aspects of property development such as color palettes acceptable to the Design Committee of Las Jollas de Rancho Grande.

PD-1.3: Royal Oaks Planned Development

PD-1.3 is known as the Royal Oaks Planned Development. It was the third Planned Development rezoning within Arroyo Grande. Royal Oaks covers approximately 132 acres and is located near the center of the City limits. It is generally bound by Rancho Grande to the west and additional residential development to the north, south, and east. Royal Oaks was rezoned on May 19, 1987 by Ordinance 355 C.S. It covers 132 acres and contains 234 residential units and drainage facilities. Royal Oaks has been amended a number of times. This was done to accommodate the location and construction of a church on one of the larger lots. The church facility is located on the border of Royal Oaks and the unplanned portion of Rancho Grande, to the west of the Rodeo Drive/Grace Lane intersection.

PD-1.4: Wildwood Ranch Planned Development

PD-1.4 is known as the Wildwood Ranch Planned Development. It was the fourth Planned Development rezoning within Arroyo Grande. Wildwood Ranch covers approximately 31 acres and is located slightly northeast of the City center. It is accessed from Corbett Canyon Road and is surrounded by other residential development of varying densities. Wildwood Ranch was rezoned on March 25, 1980 by Ordinance 214 C.S. A specific development plan was approved identifying the location of both single-family and duplex units within the development. Wildwood Ranch allows for a total of 65 dwelling units between the single-family and duplex units. It is also the only Planned Development in Arroyo Grande to not have been amended following initial approval by the City Council.

PD-1.5: Okui Planned Development

PD-1.5 is known as the Okui Planned Development. It was the fifth and final Planned Development rezoning within Arroyo Grande. Okui covers approximately 13.5 acres and is generally bound by Soto Sports Complex and Berry Gardens Specific Plan area to the north, Farroll Avenue to the south, Golden West Place to the east, and the Arroyo Grande/Grover Beach City limits to the west. Okui was rezoned on April 10, 1990 by Ordinance 214 C.S. A development plan was approved identifying the locations of residential lots within the development. Okui originally contained 30 single-family dwelling units. The City Council approved a 10.3-acre residential subdivision directly east of Okui on November 25, 2003. The new subdivision was classified as part of Okui and added 65 residences to the existing development. Okui contains 95 dwelling units along with park and drainage facilities.

ANALYSIS OF ISSUES:

Proposed Ordinance

Exhibit "A" to the attached proposed Ordinance includes text amendments necessary to codify appropriate development standards for each of the Planned Development districts into Title 16 of the Arroyo Grande Municipal Code (AGMC). Much of these regulations have remained the same. To ensure a clean revision to AGMC Section 16.44.010, the ordinance repeals this Section and replaces it in its entirety.

Included in this amendment is the addition of AGMC Subsection 16.44.010.U. This Subsection, referred to as the Supremacy Clause, ensures that if a conflict should arise between the development information included in the Ordinance and regulations set forth in any contract, deed restriction, or other instrument used to limit development, the strictest regulations shall apply. This has been included to help ensure consistency between future development in these areas and the intent of the Council at the time of approval.

Arroyo Grande Planned Development Guidebook

As an additional part of this Development Code Amendment, staff has created a Planned Development Guidebook (Attachment 1) to help administer the more intricate regulations for the Planned Developments. This Guidebook will compliment the proposed Development Code Amendment by organizing the in-depth details of the City's Planned Developments in a convenient and easy-to-use document. The Guidebook has the advantageous ability to be easily edited as new or changed information becomes available, whereas further Development Code Amendments are required to update the information included in the proposed Ordinance.

ALTERNATIVES:

The following alternatives are provided for the Council's consideration:

- Introduce the Ordinance;
- Modify and introduce the Ordinance;
- Do not introduce the Ordinance; or
- Provide direction to staff.

ADVANTAGES:

The proposed Ordinance will place appropriate development regulations related to the City's Planned Developments into the Municipal Code. This will result in reduced staff time necessary to research property development information when requested. It will also help to ensure consistency associated with the information discovered and passed along to inquiring members of the public.

DISADVANTAGES:

No disadvantages were identified as a result of the proposed Ordinance.

ENVIRONMENTAL REVIEW:

Staff has reviewed this project in compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines and the City of Arroyo Grande Rules and Procedures for Implementation of CEQA. Based on this review, staff has determined that the project is exempt per Section 15061(b)(3) of the CEQA Guidelines.

PUBLIC NOTIFICATION AND COMMENTS:

A notice of public hearing was published in the Tribune and posted in front of City Hall on DAY OF WEEK, MONTH DAY, YEAR. Additionally, the agenda was posted in front of City

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Hall on DAY OF WEEK, MONTH DAY, YEAR, and the agenda and staff reports were posted on the City's website on DAY OF WEEK, MONTH DAY, YEAR.

Attachments:

1. Arroyo Grande Planned Development Guidebook

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE AMENDING PORTIONS OF TITLE 16 OF THE ARROYO GRANDE MUNICIPAL CODE (DEVELOPMENT CODE AMENDMENT 12-005), REGARDING PLANNED DEVELOPMENT ZONING DISTRICTS

WHEREAS, the City Council adopted the updated General Plan which became effective November 10, 2001 and requires a comprehensive review and necessary revisions to the Arroyo Grande Municipal Code and Zoning Map for consistency, in accordance with Government Code Section 65860; and

WHEREAS, the City Planning Commission held a public hearing on (month) (day), (year) and recommended approval of the proposed amendments to the Arroyo Grande Municipal Code for the purposes of General Plan consistency and implementation of its goals and policies; and

WHEREAS, the City Council has considered Development Code Amendment 12-005 at a duly noticed public hearing on (month) (day), (year), in accordance with the Arroyo Grande Municipal Code, at which time all interested persons were given the opportunity to be heard; and

WHEREAS, the City Council has reviewed and considered the information and public testimony presented at the public hearings, Planning Commission recommendations, staff reports, and all other information and documents that are part of the public record; and

WHEREAS, the City Council finds, after due study, deliberation and public hearing, the following circumstances exist:

- A. The proposed revisions to Title 16 are required to ensure consistency with the objectives, policies and implementation measures of the General Plan, particularly the land use element, and is therefore desirable to implement the provisions of the General Plan.
- B. The proposed revisions to Title 16 will not adversely affect the public health, safety, and welfare or result in an illogical land use pattern.
- C. The proposed revisions to Title 16 satisfy the intent of the Municipal Code and provide for internal consistency;
- D. The proposed revisions to Title 16 are within the scope of the Program EIR prepared for the 2001 General Plan Update, and the potential environmental impacts of the proposed amendment are less than significant.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Arroyo Grande, as follows:

SECTION 1: The above recitals and findings are true and correct.

SECTION 2: Arroyo Grande Municipal Code Section 16.44.010 is hereby repealed in its entirety and replaced as shown in Exhibit "A" attached hereto and incorporated herein by this reference.

SECTION 3: If any section, subsection, subdivision, paragraph, sentence, or clause of this Ordinance or any part thereof is for any reason held to be unlawful, such decision shall not affect the validity of the remaining portion of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, or clause thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, or clause be declared unconstitutional.

SECTION 5: Upon adoption of this Ordinance, the City Clerk shall file a Notice of Determination.

SECTION 6: A summary of this Ordinance shall be published in a newspaper published and circulated in the City of Arroyo Grande at least five (5) days prior to the City Council meeting at which the proposed Ordinance is to be adopted. A certified copy of the full text of the proposed Ordinance shall be posted in the office of the City Clerk. Within fifteen (15) days after adoption of the Ordinance, the summary with the names of those City Council Members voting for and against the Ordinance shall be published again, and the City Clerk shall post a certified copy of the full text of such adopted Ordinance.

SECTION 7: This Ordinance shall take effect thirty (30) days after its adoption.

On motion by Council Member _____, seconded by Council Member _____, and by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

the foregoing Ordinance was adopted this ____ day of (month), (year).

TONY FERRARA, MAYOR

ATTEST:

KELLY WETMORE, CITY CLERK

APPROVED AS TO CONTENT:

STEVEN ADAMS, CITY MANAGER

APPROVED AS TO FORM:

TIMOTHY J. CARMEL, CITY ATTORNEY

EXHIBIT “A”

[Note to codifier: please incorporate into existing Section 16.04.070 the following deletions, amendments and additions to “Definitions”]

Section 16.44.010 – Planned development (PD) district.

A. Purpose and Intent. Planned development (PD) districts have been established more flexible than those contained elsewhere in this title. The purpose of establishing these districts has been to grant or require diversification in the location of structures and other site elements, which were believed to be appropriately compatible, while ensuring adequate standards relating to the public health, safety, welfare, comfort and convenience.

B. Applicability. The planned development district shall apply to existing planned development of record (listed below) and pending applications complete as of the effective date of this title. No new planned development districts shall be created subsequent to the effective date of this title. All ordinances approving or amending a planned development, along with relevant zoning information shall be kept in the community development department and city clerk’s offices.

C. PD-1.1 – Oak Park Acres Planned Development. Refer to Table 16.44.010(A) for minimum site development standards.

Table 16.44.010(A) Oak Park Acres Planned Development (PD-1.1) Minimum Site Development Standards	
1. Maximum Density Mixed Use Projects	Determined during review of proposed development.
2. Minimum Lot Size	Parcel #7: 6,000 sq. ft. (7,000 for corner lots). Parcel #9: 10,000 sq. ft. if cluster development is used. Parcel #10: 40,000 sq. ft. Parcel #11: 40,000 sq. ft.
3. Minimum Lot Width	Parcel #7: 70 feet* Parcel #9: 80 feet* Parcel #10: 120 feet* Parcel #11: 120 feet*
4. Minimum Lot Depth	Parcel #7: 100 feet* Parcel #9: 100 feet* Parcel #10: 200 feet* Parcel #11: 200 feet*
4. Minimum Front Yard Setback	Parcel #7: 20 feet* Parcel #9: 25 feet* Parcel #10: 35 feet* Parcel #11: 35 feet*
5. Minimum Interior Side Yard Setback	Parcel #7: 5 feet* Parcel #9: 5 feet one side, 10 feet other side* Parcel #10: 10% of lot width*

	Parcel #11: 10% of lot width*
6. Minimum Street Side Yard Setback	Parcel #7: 15 feet* Parcel #9: 15 feet* Parcel #10: 15% of lot width* Parcel #11: 15% of lot width*
7. Minimum Rear Yard Setback	Parcel #7: 10 feet (1-story) 15 feet (2-story)* Parcel #9: 20 feet* Parcel #10: 25 feet* Parcel #11: 25 feet*
8. Maximum Lot Coverage	Parcel #7: 40%* Parcel #9: 30%* Parcel #10: 35%* Parcel #11: 35%*
9. Maximum height for buildings and structures	30' or 2 stories, whichever is less. 14' for accessory buildings
10. Floor Area Ration (FAR)	Use residential floor area ratios in chapter 16.32.

* Note: Compare to similar residential standards based on minimum lot size.

D. PD-1.2 – Rancho Grande Planned Development. Refer to Table 16.44.010(B) for minimum site development standards.

Table 16.44.010(B) Rancho Grande Planned Development (PD-1.2) Minimum Site Development Standards	
1. Maximum Density Mixed Use Projects	Determined during review of proposed development
2. Minimum Lot Size	Parcel #7: 6,000 sq. ft. (7,000 for corner lots). Parcel #9: 10,000 sq. ft. if cluster development is used. Parcel #10: 40,000 sq. ft. Parcel #11: 40,000 sq. ft.
3. Minimum Lot Width	All corner lots shall have a minimum overall width of 70 feet.
4. Minimum Lot Depth	Parcel #7: 100 feet* Parcel #9: 100 feet* Parcel #10: 200 feet* Parcel #11: 200 feet*
4. Minimum Front Yard Setback	Los Robles de Rancho Grande: <ul style="list-style-type: none"> • 20 feet The Highlands at Rancho Grande: <ul style="list-style-type: none"> • Lots 1-7, 36-61, 102-107, and 141-142: front setbacks shall vary from 15 feet to 25 feet. • All other lots: 20 feet. Las Jollas de Rancho Grande: <ul style="list-style-type: none"> • 20 feet
5. Minimum Interior Side Yard Setback	Los Robles de Rancho Grande: <ul style="list-style-type: none"> • 10 feet The Highlands at Rancho Grande: <ul style="list-style-type: none"> • 10% of lot width, but no more than 10 feet Las Jollas de Rancho Grande: <ul style="list-style-type: none"> • 10% of lot width, but no more than 10 feet

6. Minimum Street Side Yard Setback	<p>Los Robles de Rancho Grande:</p> <ul style="list-style-type: none"> • 10 feet <p>The Highlands at Rancho Grande:</p> <ul style="list-style-type: none"> • 10 – 15 feet* <p>Las Jollas de Rancho Grande:</p> <ul style="list-style-type: none"> • 10 – 15 feet*
7. Minimum Rear Yard Setback	<p>Los Robles de Rancho Grande:</p> <ul style="list-style-type: none"> • 25 feet <p>The Highlands at Rancho Grande:</p> <ul style="list-style-type: none"> • 20% of lot depth, but no more than 25 feet <p>Las Jollas de Rancho Grande:</p> <ul style="list-style-type: none"> • 20 % of lot depth, but no more than 25 feet • All structures shall be set back a minimum of 30 feet from the boundary with Oak Park Acres
8. Open Space Setback	20' from boundaries of all open space
9. Maximum Lot Coverage	<p>Los Robles de Rancho Grande:</p> <ul style="list-style-type: none"> • 10,000 sq. ft. < Lot < 20,000 sq. ft.: (Lot Size – 10,000) X (.05) + 3,500. • Lot > 20,000 sq. ft.: (Lot Size – 20,000) X (.04) + 4,000. • Total maximum: 6,000 sq. ft. • Minimum floor area: 1,750 sq. ft. <p>The Highlands at Rancho Grande:</p> <ul style="list-style-type: none"> • Lot < 10,000 sq. ft.: (Lot Size – 6,000) X (.275) + 2,400 sq. ft. • 10,000 sq. ft. < Lot < 20,000 sq. ft.: (Lot Size – 10,000) X (.05) + 3,500. • Lot > 20,000 sq. ft.: (Lot Size – 20,000) X (.04) + 4,000. • Total maximum: 6,000 sq. ft. • Minimum floor area: 1,750 sq. ft. <p>Las Jollas de Rancho Grande:</p> <ul style="list-style-type: none"> • Lot < 10,000 sq. ft.: (Lot Size – 6,000) X (.275) + 2,400 sq. ft. • 10,000 sq. ft. < Lot < 20,000 sq. ft.: (Lot Size – 10,000) X (.05) + 3,500. • Lot > 20,000 sq. ft.: (Lot Size – 20,000) X (.04) + 4,000. • Total maximum: 6,000 sq. ft. • Minimum floor area: 1,750 sq. ft.
10. Maximum height for buildings and structures	<p>Los Robles de Rancho Grande:</p> <ul style="list-style-type: none"> • Lots 25-28: 27 feet above natural grade, but not to exceed 19 feet above the highest point on the lot • Lots 29-55 & 59-73: 19 feet above natural grade • All other lots: 27' above natural grade • Accessory structure/garage: 14 feet above natural grade <p>The Highlands at Rancho Grande:</p>

	<ul style="list-style-type: none"> • Lots 1, 4-10, 12, 14, 21, 22, 36, 40, 42, 44, 45, & 48: 19 feet • Lots 3, 11, 13, 15, 17, 18, 19, 20, 23, 27-29, 35, 41, 43, 46, & 47: 21 feet • Lots 2, 16, 30, 31, & 34: 25 feet-6 inches • All other lots: 27 feet above natural grade • Accessory structure/garage: 14 feet above natural grade <p>Las Jollas de Rancho Grande:</p> <ul style="list-style-type: none"> • Lots 7-14, 36-40, & 44-49: 19 feet • All other lots: 27 feet above natural grade • Accessory structure/garage: 14 feet above natural grade
11. Floor Area Ration (FAR)	Use residential floor area ratios in chapter 16.32.

* Note: Compare to similar residential standards based on minimum lot size.

E. PD-1.3 – Royal Oaks Planned Development. Refer to Table 16.44.010(C) for minimum site development standards.

Table 16.44.010(C) Royal Oaks Planned Development (PD-1.3) Minimum Site Development Standards	
1. Maximum Density Mixed Use Projects	Determined during review of proposed development
2. Minimum Lot Size	7,200 sq. ft.
3. Minimum Lot Width	Residential parcels: 70 feet*
4. Minimum Lot Depth	Residential parcels: 100 feet*
4. Minimum Front Yard Setback	Residential parcels: 20 feet*
5. Minimum Interior Side Yard Setback	Residential parcels: 5 feet*
6. Minimum Street Side Yard Setback	Residential parcels: 15 feet*
7. Minimum Rear Yard Setback	Residential parcels: 10 feet (1-story); 15 feet (2-story)*
8. Maximum Lot Coverage	Residential parcels: 40% Church parcel: 13%
9. Maximum height for buildings and structures	Residential parcels: 30 feet or 2 stories, whichever is less* Church parcel: 69 feet* Accessory buildings: 14 feet*
10. Floor Area Ration (FAR)	Use residential floor area ratios in chapter 16.32.

* Note: Compare to similar residential standards based on minimum lot size.

F. PD-1.4 – Wildwood Ranch Planned Development. Refer to Table 16.44.010(D) for minimum site development standards.

Table 16.44.010(D) Wildwood Ranch Planned Development (PD-1.4) Minimum Site Development Standards	
1. Maximum Density Mixed	Refer to development plan for standards

Use Projects	
2. Minimum Lot Size	Refer to development plan for standards
3. Minimum Lot Width	Refer to development plan for standards
4. Minimum Lot Depth	Refer to development plan for standards
4. Minimum Front Yard Setback	Refer to development plan for standards
5. Minimum Interior Side Yard Setback	Refer to development plan for standards
6. Minimum Street Side Yard Setback	Refer to development plan for standards
7. Minimum Rear Yard Setback	Refer to development plan for standards
8. Maximum Lot Coverage	Refer to development plan for standards
9. Maximum height for buildings and structures	Refer to development plan for standards
10. Floor Area Ration (FAR)	Refer to development plan for standards

G. PD-1.5 – Okui Planned Development. Refer to Table 16.44.010(E) for minimum site development standards.

Table 16.44.010(E) Okui Planned Development (PD-1.5) Minimum Site Development Standards	
1. Maximum Density Mixed Use Projects	Determined during review of proposed development
2. Minimum Lot Size	Residential parcels: 6,000 sq. ft. Churches/public uses: 20,000 sq. ft.
3. Minimum Lot Width	Residential parcels: 60 feet Churches/public uses: 100 feet
4. Minimum Lot Depth	90 feet
4. Minimum Front Yard Setback	20 feet; 15 feet with approval of a total development plan
5. Minimum Interior Side Yard Setback	5 feet
6. Minimum Street Side Yard Setback	10 feet
7. Minimum Rear Yard Setback	Lots 3-9: 15 feet All other lots: 10 feet
8. Maximum Lot Coverage	40%
9. Maximum height for buildings and structures	Lots 1-9: Limited to single-story construction not to exceed 15 feet in height above the natural grade of the lot. All other lots: 30 feet or 2 stories, whichever is less. Accessory buildings: 14 feet
10. Floor Area Ration (FAR)	Use residential floor area ratios in chapter 16.32.

H. Adoption and Amendment of Plans. Adoption and amendment of planned development ordinances shall occur in the manner set forth in this title for amendments to zoning districts (Section 16.16.040). Amendments to a general or specific development plan relating to an approved planned development shall occur in the manner set forth for conditional use permits (Section 16.16.050). Specific development

plans shall be required of the developer as part of an application to amend or change zoning to the planned development (PD) district.

I. Development Plans and Amendments.

1. Specific development plans shall be presented, considered and approved as part of the rezoning application process. If a subdivision is required, the development plans and the tentative subdivision map shall be submitted simultaneously.
2. The development plans shall include any or all of the following items where applicable:
 - a. A detailed statement of all uses proposed to be established and an indication of the areas to be occupied by each use, as well as the resulting population and building intensities. The statement shall also include the proposed disposition and use of all areas indicated by the plan as common areas, open spaces, recreation or park areas, school sites, and other such private or public facilities;
 - b. The total development plan, showing the dimensions and locations of proposed structures, buildings, streets, parking, yards, playgrounds, school sites, recreational areas, open spaces, and other public or private facilities;
 - c. Detailed engineering site plans, including the proposed finished grades and drainage facilities;
 - d. Landscaping plans, in detail, excepting typical single-family lot residential areas of ten thousand (10,000) square and over. The street tree planting requirements of the city may be waived; provided, that the development plan or covenants provide adequate alternatives to the satisfaction of the planning commission and city council. Please refer to Chapter 16.84, Water Efficient Landscape Requirements, for rules and regulations regarding landscape and irrigation, including limitations on the percentage of turf/lawn that can be placed in landscape areas.
 - e. Architectural drawings demonstrating the design and character of the proposed structures, buildings, uses and facilities, and the physical relationship of all elements;
 - f. Detailed engineering plans for the provision of public utilities for the development, including, but not limited to, water, sewer, drainage, street lighting, and fire hydrants;
 - g. Other pertinent information as may be deemed necessary by the community development director, planning commission, and/or city council to determine that the contemplated arrangement of uses make it desirable to apply regulations and requirements differing from those ordinarily applicable pursuant to the provisions of this title;

- h. A development schedule indicating the time when the commencement and completion of the construction will occur under the approved development plan; and
 - i. A statement requesting modification of regulations and requirements differing from those ordinarily applicable pursuant to the provisions of this title.
3. The development plan shall meet or exceed the minimum requirements set forth in other portions of this title for land uses corresponding to the land uses proposed.
 4. Density transfers shall be permitted subject to planning commission and city council approval.

J. Permitted Uses. The following uses shall be permitted in the planned development (P-D) district pursuant to approval by the city council of the planned development ordinance for the area in question:

1. Single-family dwellings, duplexes, and multiple-family residential structures, including clusters, condominiums, townhouses, and similar concepts;
2. Commercial uses and commercial residential uses compatible with the total development plan, including, but not limited to, mobilehome parks, restaurants, specialty shops, motels, and convention facilities;
3. Accessory buildings and uses as shown on the development plan, to be constructed with, or subsequent to, the construction of the main building;
4. Accessory buildings, such as garages, guest houses, or cabanas, subject to the lot coverage requirements set forth in subsection H of this section; and
5. Public and private park and/or recreation facilities, public and private schools, and public utility buildings and structures and uses, not including service, corporation, or storage yards.

K. Maximum Allowable Building Size and Height.

1. No new structure, expansion of an existing structure to an adjacent structure or modification of an existing structure shall be permitted nor shall any business license or other permit be issued or renewed, that would allow the creation of a retail store or business with a total space occupying more than one hundred two thousand five hundred (102,500) square feet.
2. The maximum allowable height for a building or structure within the P-D district shall be as shown on the development plan for the P-D district or as recommended by the planning commission. In no case shall any structure be of such height or location as to obscure any view due to elevation differential of building sites.
3. Accessory buildings within the P-D district shall not exceed one story and fourteen (14) feet in height.

L. Minimum Building Site and Lot Width.

1. Minimum building site and minimum lot width for any permitted use other than single-family residences shall be as shown on the development plan, or shall conform to minimum requirements as set forth in other sections of this title with relation to land use.
2. Minimum lot sizes may be reduced by two thirds, providing the area of reduction is devoted to common area, open space, green belt, or other recreational uses.

M. Maximum Building Site Coverage by Buildings and Structures.

1. The maximum coverage of a building site by all structures including accessory buildings permitted in the P-D district, but not including uncovered patios or swimming pools, shall not exceed thirty (30) percent for the P-D district, or as shown on the development plan.
2. Where lot sizes have been reduced as provided for in subsection G of this section, the maximum building coverage may be increased directly in ratio to the reduction of lot size.

N. Minimum Yards Required. The front, side and rear yard shall be shown on the development plan or as recommended by the planning commission. If front, side and rear yards are not represented on the development plan, then yard requirements shall conform to the minimum requirements as set forth in other sections of this title.

1. Additional Setbacks Required.
 - a. In PD-1.2, a twenty (20) foot setback is required from all boundaries of open space adjacent to the development.
 - b. A minimum setback of fifteen (15) feet is required from Rancho Parkway.

O. Fences, Walls and Access. Fences and walls may be shown on the development plan and approved or required by the planning commission in the P-D district. If such fences and walls are not shown, the following shall apply:

1. Fences, hedges and walls not to exceed six feet in height may occupy any side or rear yard, provided:
 - a. That such fences, hedges and walls do not extend into any required front yard setback, and in the case of a corner lot, such fence does not extend into the required side yard setback adjacent to the street. Such fences, hedges and walls shall not exceed three feet in height in aforementioned required setbacks,
 - b. That if there is over one-foot difference in elevation between contiguous buildings sites, the six-foot maximum height shall be a combination of the difference in elevation plus the height of the fence, providing that regardless of any difference in elevation, a fence not to exceed forty (40) inches may be built in such areas, and further providing that if written approval of the adjoining property owner is obtained, and a permit is obtained from the city community development department, such fence may be built to a maximum of six feet above the finished grade;
2. Fences exceeding six feet in height to enclose a court area, tennis court, or similar area, may be erected subject to obtaining a

conditional use permit, if such fence is constructed of open mesh wire and is on the rear one-half of a lot:

3. A six-foot fence shall be required surrounding a swimming pool. Upon securing a conditional use permit, any such fence may be erected exceeding the required height in this subdivision;
4. Access to any parking area, ponding area, or public street shall be shown on the development plan.

P. Required Minimum Off-Street Parking.

1. All residential uses shall have a minimum of two garage spaces.
2. All other uses shall have off street parking provided as required by the provisions of Chapter 16.56

Q. Utilities.

1. Utility lines in the P-D district, including, but not limited to electric, communications, street lighting, and cable television, shall be required to be placed underground except that electric utility lines shall be required to be placed underground only to the extent required for so-called streamline installation. Where streamline installation is used, the service lines running from the transmission lines to each residence or other service unit shall be placed underground, and only the transmission lines may be above ground, on streamline poles which contain transformers. Transmission lines may be placed underground at the option of the developer or utility with the concurrence of the planning commission. Where transmission lines are placed underground, appurtenances and associated equipment such as, but not limited to, surface mounted transformers, pedestal mounted terminal boxes and meter cabinets, and concealed ducts may be placed above ground provided such appurtenances are landscaped to the satisfaction of the planning commission.
2. The developer or builder shall be responsible for complying with the requirements of this subsection, and he shall make the necessary arrangements with the utility companies for the installation of such facilities.
3. Utility lines that do not provide service to the areas being developed, but which pass through or alongside such areas, may be placed above ground only after plans for such installation have been submitted to and approved by the planning commission.

R. Variation from Minimum Requirements. Variations from minimum requirements referred to in subsection (D)(2) of this section may be permitted in the planned development (P-D) district. The approval of any plan that requires such variations shall be approved by not less than a majority vote of the total membership of the planning commission upon a finding that such variations will produce any one or more of the following results:

1. Reduce the area and unsightliness of cut and fill banks;
2. Reduce the danger of erosion;

3. Create a better community environment through the dedication of public areas, rearrangement of lot sizes, or reforestation of barren areas; or
4. Create other improvements or permit the use of techniques which will produce a more desirable and livable community than can be obtained by strict compliance with such minimum requirements.

S. Grading. No construction or grading shall be done until both development plans and subdivision plans have been adopted as set forth in this title; provided, however, minor grading which is necessary for the enjoyment or safety of the existing use shall be allowed as a matter of right and subject only to city laws pertaining to grading.

T. Subdivision. In the P-D district, where from the nature of the size, location, shape or topography of the parcel of land, or where from the nature of the improvements of development shown on the development plan, or any combination of these factors, it appears to the community development director that a future division of ownership or subdivision of the parcel would be required for orderly development, the community development director may require the filing of a tentative subdivision map, as provided in the land division provisions of this title, and the performing of any other acts required in such regulation. Where any requirement of the land division provisions requires any specific act of the land owner or subdivider, the approval of any development plan shall not become effective until compliance has been made with such subdivision provisions.

U. Reversionary Clause. Any land classified as a P-D district shall revert to its former classification in the event that any portion of the development is not commenced within one year from the effective date of the ordinance classifying the land into a P-D district. If rezoning is initiated by the planning commission or city council, such reversion shall not take effect.

V. Supremacy Clause. These regulations intended to conflict with regulations set forth in any contract, deed restriction, or other instrument used to limit development on any lot within the planned development (PD) districts. Where such conflicts exist, the strictest regulations shall apply.