

PD Technical Review and Recommendations Report

Executive Summary

ISSUE #1: Planned Development Permit used as a Process for Discretionary Review

The Zoning Ordinance requires submittal of a PD permit application for certain types of development, which appears to be a mechanism to allow an additional level of oversight. This is not in keeping with the purpose of the permit, which is to allow flexibility.

- **Recommendation 1A:** Use the Use Permit Process for Projects that Warrant Discretionary Review (i.e. multiple dwellings in the R-2, residential uses in the R Combining District, etc.)
- **Recommendation 1B:** Separate Planned Development Permits from Condominium Permits (Condo permit allows for necessary discretionary review)

ISSUE #2: Planned Development Permit used as a Process to Modify Standards

PDPs are used to grant relief from development standards and sign standards on a lot-by-lot basis, where other, more appropriate processes exist. They allow modification of the exact same standards as a Variance. There is no minimum project area for PDPs, and a Master Sign Program allows for modification to sign standards, so a PDP duplicates that ability.

- **Recommendation 2A:** Use the Variance Process for Modification of Development Standards on a Lot-by-Lot basis (Using Variance, or the City could establish a specific process for minor adjustments such as a Home Improvement Exemption)
- **Recommendation 1B:** Incorporate Provisions for Modifications to Sign Standards into the Master Sign Program (allowing some modifications through a MSP and others through a PDP is confusing and redundant)

ISSUE #3: Broad Application of the PD Permit Process

The general purpose of a PD Permit is to provide a vehicle for planned development within the City's existing zoning districts – when used as a process to allow modifications to development standards or achieve discretionary review, the purpose of the permit is not met.

Recommendations 1 and 2 suggest alternative processes for modification to development standards and discretionary review. With that, the PD Permit can be more appropriately used as a mechanism for development and redevelopment of larger parcels.

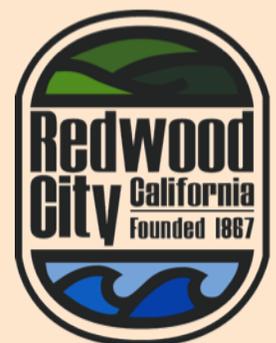
- **Recommendation 3A:** Narrow the Application of the PD Permit Process (to mid- or large sized residential, commercial, industrial or mixed-use projects)
- **Recommendation 3B:** Establish a Minimum Area Requirement (such as one acre, or create certain specific criteria about when a PD Permit could be used for smaller-sized sites).
- **Recommendation 3C:** Establish Required Findings or Approval Criteria for PD Permit Approval (currently no specific findings).
- **Recommendation 3D:** Allow Administrative Approval of Minor Amendments to PD Permits (reducing time and cost of administration, as well as reducing obstacles to maintenance and upgrading properties)

Redwood City
Planned Development

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October 2014

Prepared by
DYETT & BHATIA
Urban and Regional Planners



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Table of Contents

| | |
|---|-----------|
| Introduction | 1 |
| Purpose of Planned Development | 1 |
| Types of Planned Development | 2 |
| General Plan Context | 5 |
| Code Provisions..... | 7 |
| Planned Development Permit | 7 |
| Planned Community District/Permit..... | 9 |
| Variance..... | 11 |
| What Other Cities Are Doing | 13 |
| Issues and Recommendations | 17 |
| Issue #1: Planned Development Permit Used as Process for Discretionary Review | 17 |
| Issue #2: Planned Development Permit Used as Process for Modification to Standards | 18 |
| Issue #3: Broad Application of the PD Permit Process..... | 20 |
| Appendix A: Planned Development Requirements by Jurisdiction | 23 |
| San Carlos..... | 27 |
| Palo Alto | 28 |
| Mountain View..... | 30 |
| San Mateo | 32 |
| Belmont..... | 33 |

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Introduction

Planned Development (PD) is a planning tool that offers a degree of flexibility to allow for coordinated development and creativity in land planning, site design, and the protection of environmentally sensitive areas that would not be possible through strict application of conventional zone or land use regulations. They typically provide extensive flexibility for the applicant and the community to negotiate an appropriate land use and design approach.

PDs (also commonly known as a “planned-unit development,” “planned area development,” “cluster development,” or “master-planned development”) are most frequently used for residential and mixed-use developments, though they are also used for industrial or commercial developments in many jurisdictions. When properly utilized, PDs are a tool that can result in creative development projects that provide greater amenities than would likely result from conventionally developed land. They are one of a number of tools jurisdictions use to provide flexibility in land use and development regulations. PDs are generally used for large-scale, integrated developments, where the size and scale of the project would allow a quid-pro-quo where the City could gain a superior development project rather than for flexibility of specific standards on a project-by-project basis.

Redwood City’s Zoning Ordinance currently contains two sections that speak to PDs—Article 46, which covers Planned Development Permits, and Article 52, which includes provisions for Planned Community Districts and Permits. These regulations have helped the City approve developments that are catered to specific sites and conditions through providing modifications to other Zoning Ordinance requirements, such as lot coverage and setbacks. However, the City does not feel that those projects have always lived up to at least one of the basic tenets of Article 46—“to encourage the development of innovative projects which incorporate the highest quality architectural solutions, building materials and landscaping concepts.” The City has hired Dyett & Bhatia, Urban and Regional Planners, to review the existing Zoning Ordinance provisions and to work with the City to determine how the Planned Development Permit regulations can be updated to allow for more workable and practical implementation, and to more fully meet the goals outlined by the City.

PURPOSE OF PLANNED DEVELOPMENT

Planned developments are intended to create a process for bending rigid rules in favor of better site design and land use patterns. Standard subdivision and zoning ordinances include purposeful limitations and often prohibit mixed uses. Conventional ordinances also contain uniform site development standards that have a tendency to produce monotonous results and typically lack meaningful amounts of well-placed, accessible open space and recreational areas. PDs can also provide numerous other advantages, such as the flex-

ibility to develop an area around topography and resources, and the clustering of development to allow infrastructure, facilities, and open space areas to be concentrated. In this manner, a PD has the potential to offer more innovative land development and allow the integration of uses, which can minimize impacts to environmental resources and provide other benefits, such as reducing transit time between different types of uses within a community. Ultimately, the PD is promoted as a way to encourage a higher level of quality and more innovative design than conventional lot-by-lot zoning practices.

TYPES OF PLANNED DEVELOPMENT

Application of the PD process varies from one jurisdiction to the next, as they generally reflect the character and type of development patterns of the jurisdiction and as well as individual community goals. Planned development is frequently applied to larger parcels, often in conjunction with specific plans. It is often used for “greenfield” development in rapidly growing communities where a city wants to defer the details of site planning to private developers. However, in built out communities, it is also used to allow flexibility for infill development. It is unusual to find a community today that does not have some sort of planned development provisions in its zoning code. Planned developments can take many forms, ranging from residential developments on lots smaller than typically allowed, housing units are clustered and open space is provided, to office/business parks and commercial centers, and even mixed-use master planned communities that cover thousands of acres.

Residential Cluster or Small Lot Subdivisions

Residential cluster or small lot subdivisions allow residential development on lots smaller than what would otherwise be allowed. Small lot subdivisions are intended to encourage and allow for variety in housing types. Cluster subdivisions allow smaller lots on some parts of the site in exchange for permanently preserved open space or other common areas elsewhere on the site. This tool is typically used in rural areas or larger areas of greenfield development to accommodate allowed density while protecting sensitive natural features such as streams and riparian areas, vernal pools, ponds, and lakes, and to take into account hazard areas and areas of steep slope.

Employment or Commercial Centers

Non-residential PDs can be used to focus larger-scale development of employment or commercial centers within certain areas of a city or community. Business parks, hospitals, research and development facilities, light industrial, or commercial uses are, in this case, clustered in a complex of similar uses. The scale of the particular employment or commercial spaces may vary within the complex per owner/operator, or the entire complex may be utilized by one entity, such as some of the larger campuses of the technology companies in the Peninsula and Silicon Valley (e.g., Google).

Mixed Uses

Planned Development can also be used to allow a mix of residential and nonresidential uses. This can include diverse housing types as well as retail, entertainment and office

centers. Retail and service establishments, restaurants, schools, libraries, churches, recreation facilities, offices, and even industrial uses can be included in PDs. Downtown or village center development with apartments above shops and live-work arrangements are also possible. The extreme case is the master planned community, which usually involves substantial acreage and combines employment, office, retail, and entertainment centers with associated self-contained neighborhoods.

Waivers and Modifications

In a few jurisdictions, including Redwood City, the PD process is used to modify development standards on a lot-by-lot basis as a means of granting relief from zoning requirements. This type of application is better suited to a variance or modification process in which the review authority may grant waivers or modifications to the development standards when doing so is consistent with the purposes and objectives of the zoning ordinance.

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General Plan Context

Redwood City's General Plan establishes principles and policies that the City seeks to promote for future development, and which should be clearly imparted by the applicable Zoning Ordinance provisions. This Section provides an overview of the General Plan policies that most clearly promote the integrated development and quality design characteristics that are most likely to be achieved through the use of a planned development process.

The General Plan's vision for the City's built environment explicitly promotes the use of "innovative land use policies that reveal a continued commitment to land use balance and diversity." The City also values specific attention to the design of building and public spaces, respecting historic structures and places, and celebrates new designs that contribute to and enhance established neighborhoods and centers.

The following principles and policies from Redwood City's General Plan most clearly speak to the components of City's vision that may be best addressed through the use of planning tools that offer flexibility in exchange for integrated, high-quality design.

- BE-1.8: Require that new projects are integrated as seamlessly as possible into surrounding development, creating extensions of the urban fabric.
- BE-3.5: Require building and site frontages that define public streets with high-quality architectural and landscape design, including small-scale architectural elements and plane changes.
- BE-9.3: Require a variety of homes within any new residential master planned development, with the goal of establishing new opportunities for persons of varied income ranges, ages, lifestyles, and family needs.
- BE-11.4: Promote mixed-use developments that include higher-density residential units that transition sensitively with adjacent lower-density residential uses.
- BE-19.4: Encourage Employment Centers to incorporate accessory uses such as public open space and/or trails, transit amenities, childcare facilities, and supportive retail uses based on the size and location of the development.
- BE-19.8: Require that new and renovated industrial properties and structures exhibit quality design and continued to be maintained.
- BE-20.7: Encourage high-quality residential development in mixed-use areas within Gateway Centers.

Any approval for a PD Permit or Planned Community should be consistent with the aforementioned policies from the General Plan.

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Code Provisions

The current zoning ordinance offers a number of ways to introduce flexibility into zoning administration, including Planned Development Permits, Planned Community Districts, and Variances. Planned Development Permits (Article 46) and Planned Community District/Permits (Article 52) are two distinct types of approvals that fall under the realm of planned developments. Variances also offer zoning flexibility. A description of the requirements set forth in these sections of the Zoning Ordinance follows.

PLANNED DEVELOPMENT PERMIT

The Planned Development Permit process provides extensive flexibility in land use and design. A PD Permit may be issued for any use or structure located in any zoning district. The PD Permit process has been used by the City for a variety of projects of various type and size, including multi-family and condominium developments. While the PD Permit process may be initiated by a property owner, approval of a PD Permit is specifically *required* for certain types of projects, including the following:

- Multiple dwellings in the R-2 District – see Section 6.2, Permitted Uses
- FAR bonus for lots fronting on El Camino Real and lots fronting on Woodside Road between the intersections with El Camino Real and Alameda de las Pulgas in the CG (General Commercial) District – see Section 15.12, Floor Area Ratio
- Development in, on, or over water bodies for sites designated as TP-W (Tidal Plain – Water) – see Section 25.6, W (Water) Combining District
- Residential uses in an “R” Combining District (must also satisfy all requirements of the R-5 Zoning District) – see Section 25.7, R (Residential) Combining District
- Development on a site with an average slope that exceeds 30 percent – see Section 32.2, Supplementary Lot Are Requirements for Sloping Sites
- Seniors/Elderly housing developments, for which the maximum density may be doubled for more than 20 units – see Section 32.21, Conditional Exceptions to Density Requirements for Housing for Seniors/Elderly
- (Municipal Code) Section 30.134 of the Subdivision Ordinance: PD Permits required for condo developments
- Section 3.93 of the Sign Ordinance: PD Permits or Planned Community Permits required for modifications to the Sign Ordinance.
- Section 3.135 (Master Sign Program Applicability): A master sign program shall be required as a COA for any PD project and any proposed project with multiple commercial tenants.
- Section 30.117 and 30.118: Exceptions for lot design and street design in the Subdivision ordinance

Staff noted that the PD Permit process was initially used mostly for larger developments that allowed modifications to development standards in exchange for better design, though the process has become more of a catchall mechanism for waivers to development standards where the City has not been provided the same level of benefits.

Purpose

The purpose of the Planned Development Permit is to provide a vehicle for planned development within the City's existing zoning districts; to encourage flexibility of design and development of land in such a manner as to promote its most appropriate use; to encourage the development of innovative projects which incorporate the highest quality architectural solutions, building materials and landscaping concepts; to promote the most functional and aesthetic relationships between building structures, signs, open space and parking areas in residential, commercial and industrial zoning districts; to encourage the development of quality open space and recreational opportunities within projects, including providing for clustered development and increased open space; and to incorporate stormwater treatment provisions in site planning.

Review Authority

Projects that are less than one acre in size are reviewed by the Zoning Administrator, while projects that are one acre or more in size are reviewed by the Planning Commission.

Development Plan Required

Every application for a Planned Development Permit must be accompanied by a development plan that identifies proposed uses and includes site, building, landscape, signage, and stormwater plans.

Use and Development Standards; Modifications

The following development standards may be modified through the PD process "if it is determined that the proposed development will provide an environment of physical and functional desirability, in harmony with the character of the surrounding neighborhood or district."

1. Maximum heights for structure;
2. Maximum lot coverage;
3. Minimum building site sizes;
4. Minimum front, side, and rear yard setback requirements;
5. Signage ordinance regulations relating to the number, location, height, and size of signs;
6. Minimum number of parking spaces required and design of parking spaces and parking lots.

Lot or unit density regulations of the base zoning district may not be exceeded, nor can the amount of usable open space be reduced below the amount required by the basic governing district designation.

Uses that are conditionally permitted in the base zoning district may be permitted (without the requirement for a Use Permit), provided that the following conditions are met:

- The Zoning Administrator/Planning Commission determines that the predominant use in the proposed development will be a use that is permitted in the district.
- Proposed uses in addition to those otherwise permitted in the district are an integral part of the development, complement, and are intended primarily for the convenience of/service to the residents or occupants of the proposed development.

Findings/Criteria for Approval

In order to approve modifications to development standards, the review authority must find that the proposed development will provide an environment of physical and functional desirability, in harmony with the character of the surrounding neighborhood or district.

Article 46.4.A provides additional direction, noting that “the design and construction quality contained in all aspects of the development plan is expected to exceed the quality standards typically required for new developments located in similar zoning districts.” However, while this provides a conceptual notion of the goal to be achieved by granting these types of modifications, no other findings are required.

Amendment

Following issuance of a PD permit, the use and development of the site must comply with district regulations and any required permit conditions, including allowed modifications, unless a PD Permit Amendment is subsequently granted. PD permit amendments are issued by the Planning Commission unless the Zoning Administrator determines that the proposed change is minor whereas an Architectural Permit is required.

PLANNED COMMUNITY DISTRICT/PERMIT

The most open-ended option for flexibility is provided by the Planned Community District. Redwood City uses the Planned Community District and Permit as an alternative to the Specific Plan procedure established by Government Code Section 65450 et seq., and requires adoption of a Precise Plan and establishment of the associated area as a Planned Community (P) District for sites greater than 0.25 acre in area. Typically, however, this process has been used for larger-scale developments, such as the Kaiser Medical Center and Sequoia Hospital campuses. One of the City’s most recently approved Precise Plans—the Downtown Precise Plan—provides for a mixed-use development that includes Entertainment, Downtown Core, and Downtown General districts. The Downtown Precise Plan provides for various types of retail, business, office, residential, lodging, and live-work uses, as well as for civic uses and public open space. P Districts have also been used in the City for communities such as Redwood Shores, which included wetland restoration, residential units, a school, neighborhood park, and public access trails; and multi-family residential developments with common amenities, such as 885 Woodside Road.

Purpose

The Planned Community District is intended to provide for uses or a combination of uses that appropriately require flexibility under controlled conditions that are not otherwise attainable under the other zoning districts. A Precise Plan may be adopted by the City to delineate uses, relationships to other areas, intensity of use, circulation, design criteria, procedures for development review, and special conditions, and is typically used by the City for larger-scale projects that may involve a variety of uses or that require more flexibility than what is typically permitted by a Planned Development Permit.

Review Authority

The PC District/Permit process is distinguished from the Planned Development Permit, in that the Planned Community District requires legislative, rather than adjudicative, approval, which allows for the rezoning of the subject site as a new P District. A proposal to adopt or amend a Precise Plan may be initiated by the City Council, Planning Commission, or Planning Director or designee. Interested parties may request the initiation of adopting or amending a Precise Plan by submitting a request to the Planning Director or designee; the request must include materials to support why the proper functioning of the community requires the adoption of the Precise Plan as proposed.

Precise Plan and Planned Community Permit

A Precise Plan is adopted concurrently with the establishment of the P District. The Precise Plan delineates uses, relationships to other areas, intensity of use, circulation, design criteria, procedures for development review, and special conditions. The Precise Plan may recommend changes to the General Plan, in which case the Precise Plan and P District become effective upon approval of the General Plan amendment.

Where required by a Precise Plan, a Planned Community Permit must be submitted and approved by the Planning Director/designee or Planning Commission (as applicable) prior to development of any use within a P District following a public hearing on the application. For approval or recommendation of approval of the Planned Community Permit, the Planning Director or designee must find that the proposal implements the adopted Precise Plan and that its implementation will not be detrimental to the health, safety, peace, morals or general welfare of the public, property, or general welfare of the City.

Uses and Development Standards, Modifications

Permitted uses, allowed density and intensity, and development standards are as identified in the Precise Plan.

Findings/Criteria for Approval

Like Article 46, Article 52 does not provide specific findings for adoption of an area as a P District or for the Planned Community Permit. However, Section 52.10 does include general requirements for approval of a Planned Community Permit—that the proposal

implements the Precise Plan and that its establishment, maintenance, or operation of the use will not be detrimental to the health, safety, peace, morals, or general welfare of the those residing or working in the neighborhood, to property or improvements in the neighborhood, or to the general welfare of the City.

VARIANCE

A variance is the process by which an applicant can request deviation from the provisions of the zoning ordinance. Variances are typically used where there are special circumstances applicable to the subject property where the strict application of the ordinance would deprive the property of privileges enjoyed by other similar properties. Variances can also be given for signs.

Purpose

The purpose of the variance process is to provide a mechanism for modification to certain development standards.

Review Authority

The Zoning Administrator is the review authority for variances.

Use and Development Standards, Modifications

The Zoning Administrator may grant variances to height regulations, minimum building site areas, minimum average lot widths, minimum frontages, lot coverages, minimum pervious areas, yard requirements, and off-street parking and loading facilities.

Findings/Criteria for Approval

The Zoning Administrator may grant or conditionally grant a Variance only if he or she finds that: (1) strict application of the ordinance would deprive the subject property of privileges enjoyed by others in the vicinity and under identical zone classification as a result of special circumstances of the property (e.g., size, shape, topography, location); (2) the adjustment granted by the Variance would not constitute a grant of a special privilege that is inconsistent with other properties in the vicinity and zone; and (3) granting the Variance would not be contrary to the intent of the ordinance.

For variances to the Sign Ordinance, the Community Development Director or his or her designee may grant or conditionally grant a variance if findings can be made that the Variance does not grant special privileges and that there are special circumstances.

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What Other Cities Are Doing

The manner in which other cities incorporate flexibility into their zoning regulations and utilize the PD process varies by jurisdiction. This report reviews cities based on a variety of approaches that they offer. Some cities, such as Mountain View, have two separate processes for planned development, like Redwood City, and use them in a similar way with some variations, such as requiring a larger development size for Planned Community Districts. Other jurisdictions, such as San Carlos, Palo Alto, and Belmont have only one PD process that is used, and require establishment of a Planned Development/Community District on the Zoning Map. San Mateo uses the Special Use Permit process to PDs, and different requirements apply to residential and non-residential districts. Rezoning of the development area is not required.

Other processes for flexibility in development standards varies by jurisdiction. All jurisdictions include provisions for a variance with similar requirements. In addition, Palo Alto allows for a design enhancement exception for minor changes to development standards (e.g., setbacks, daylight plane, height, landscaping configurations) in order to enhance the design of a project without altering the function or use of the site. Approaches to planned development and variance processes are summarized below. More detailed information is included, organized by jurisdiction, in Appendix A.

APPLICABILITY

Generally, each of the PD processes used for the jurisdictions reviewed are applicable in all districts, though Mountain View also has some special requirements regarding the types of residential uses that may be approved through a Planned Unit Development (PUD) process. These uses include flag lots and lots that do not have the required frontage on a public street in the R1 zone; residential developments in the R2, R3, and R4 zones; development projects in any R zone that meet the definition of PUD and include deviations from setback standards of the zone district; and senior care facilities that warrant flexibility. However, none of the jurisdictions require use of the PD process for the types of specialized projects or additional oversight in that way that Redwood City uses the PD process.

SIZE REQUIREMENT

PDs are most frequently used for larger, more integrated developments that allow innovative uses that would not otherwise be possible through conventional zoning practices. Accordingly, some cities include a size requirement for PDs—San Carlos requires a minimum of 0.5 acre for mixed use and two acres for other district; Mountain View's PD process also requires different sizes for different types of uses (e.g., 10 acres for manufacturing uses and two acres for commercial uses). However, some cities include no size or use limitations on PDs in their Zoning Ordinance and incorporate a greater degree of public or community benefit. For example, Palo Alto has used PDs for projects as small as subdividing one lot into two or for constructing a multistory parking garage, as those projects

provided benefits that would not otherwise be allowed (i.e., preserving historic residences and providing public parking, landscape plaza, and public art). Inclusion of these requirements depends on the types of projects the PD process is intended to promote and the amount of land that is vacant or otherwise for development within a jurisdiction.

REVIEW AUTHORITY/PROCESS

The reviewing authority for approval of the PD varies by jurisdiction, with some requiring multiple levels of review by the Zoning Administrator or Director, Planning Commission, and City Council. Rezoning is a legislative action so any process that includes the establishment of a district requires City Council approval. Some cities, including Palo Alto and Mountain View also require design review by the Architectural/Design Review Board. Mountain View typically requires that applications for Precise Plans first be submitted to City Council to determine the appropriate timing of review; however, an exemption for this requirement applies for proposed developments for housing where a majority of units will be affordable to households earning less than the median income.

DEVELOPMENT PLAN REQUIREMENT

Each type of PD for each city reviewed requires submittal of either a Development Plan, Precise Plan, or Specific Plan. Information requirements differ by jurisdiction but typically include project boundaries, uses, development and/or design standards, density and intensity calculations, areas of open space, circulation network, and utilities information. Also required is a submittal of a description of the departures from the development standards of the underlying district and explanations regarding why the departures enhance the project, how the project contributes to the community, and how the project achieves the purpose of the underlying district even with the proposed departures, as well as an application for subdivision. Belmont requires submittal of a Conceptual Development Plan, followed by submittal of a Detailed Development Plan with the Conditional Use Permit that is required prior to developing within a PD District. This approach is similar to the use of a Planned Community Permit that is required by Redwood City and Mountain View for development with Planned Community Districts.

TYPE OF MODIFICATIONS ALLOWED

Each of the jurisdictions reviewed allow at least some modification of use allowances through the PD process. Some limitations are required by Redwood City and San Mateo, such as ensuring that the permitted use in the basic district remains the predominant use and that the additional use is integral and complementary to the development.

Flexibility of development standards is a common theme between the different cities, particularly for PDs that utilize rezoning. Typically density and open space must be consistent with either the underlying zoning district, if there is no rezoning, or the General Plan, if there is rezoning, but other development standards may be established through the PD process. Some jurisdictions do limit the type of development standards that may be modified. For instance, in San Mateo, different types of departures from the base standards are allowed for residential and non-residential PDs.

Palo Alto takes a somewhat different approach to ensure compatibility with adjacent development. While development standards may be established as part of the planned development, specific height and yard considerations are required for sites located within or 150 feet of residential districts.

FINDINGS/APPROVAL CRITERIA

All jurisdictions other than Redwood City have some level of specified findings for approval of a PD, while Redwood City's Zoning Ordinance provides only general statements regarding the purpose and intent. The level of detail included in the findings varies greatly between cities, though all cities require consistency with the General Plan and compliance with CEQA. San Carlos provides a very detailed set of factors for determining whether the development is demonstrably superior to what would be allowed without approval of the PD. Palo Alto also requires a specific set of findings and requires that the public benefits provided by the Planned Community District be listed. San Mateo has a different set of findings for residential development and nonresidential development.

AMENDMENT

Amendment of an approved PD Permit or District differs greatly by jurisdiction. Some cities (including Redwood City) have different processes depending on whether the amendment is major or minor. San Carlos, San Mateo, and Belmont utilize this method as well, with major amendments requiring a higher level of review and approval. Like Redwood City's PD amendment process, Belmont allows minor amendments to be processed by the Zoning Administrator. For amendments to Precise Plans or Districts, additional review is required, and the process is typically very similar to the original adoption process for the Precise Plan.

VARIANCES/WAIVERS

Each of the jurisdictions reviewed has a process for allowing a variance to development standards. Required findings are similar between all of the cities, including a showing of special circumstances of the property, that no special privilege will be afforded the property owner compared to others similarly situated, and consistency with the Zoning Ordinance/General Plan. Some cities, such as San Carlos, San Mateo, and Belmont require a showing of "hardship." Palo Alto specifically does not allow issuance of a variance for residential density or size of establishment or for expansion of grandfathered uses. However, Palo Alto's Zoning Ordinance does include design enhancement exceptions for deviations that would enhance the project design. In addition to the typical variances allowed, San Carlos and Belmont provide for waivers/administrative exceptions for up to 10 percent departures to the development standards based on specific circumstances of the site (in Belmont this is allowed only for commercial and manufacturing sites).

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Issues and Recommendations

ISSUE #1: PLANNED DEVELOPMENT PERMIT USED AS PROCESS FOR DISCRETIONARY REVIEW

In addition to allowing property owners to apply for a PD Permit for any use or structure, the Zoning Ordinance *requires* submittal of a PD Permit application for certain types of developments—sites with an average slope over 30 percent, development in, on or over water bodies, multiple dwellings in the R-2 District, and for Senior/Elderly housing seeking a density increase. The basis for requiring a PD Permit for these types of developments appears to be to insert an additional level of oversight for these uses, as they are typically more complicated, garner community interest, and/or would otherwise benefit from supplementary review.

While the PD Permit process does provide for discretionary review, including public notice and hearing, its purpose is to allow flexibility. In some instances where a PD Permit is required, there is no request for flexibility. The “blank check” modification allowances offered through the Planned Development process are not warranted or appropriate in instances where the City has determined that a particular type of development necessitates additional review.

Recommendation I-A: Utilize the Use Permit or Architectural Permit Review Process for Projects that Warrant Discretionary Review

Achieve discretionary review, including public notice and hearing, through the Use Permit or Architectural Permit process instead of the Planned Development process. This may necessitate some additional criteria or findings to address the issue under review. The following is a sample of when this could be applied:

- Multiple dwellings in the R-2 District– see Section 6.2, Permitted Uses
- FAR bonus for lots fronting on El Camino Real and lots fronting on Woodside Road between the intersections with El Camino Real and Alameda de las Pulgas in the CG (General Commercial) District – see Section 15.12, Floor Area Ratio
- Development in, on, or over water bodies for sites designated as TP-W (Tidal Plain – Water) – see Section 25.6, W (Water) Combining District
- Residential uses in an “R” Combining District (must also satisfy all requirements of the R-5 Zoning District) – see Section 25.7, R (Residential) Combining District
- Development on a site with an average slope that exceeds 30 percent – see Section 32.2, Supplementary Lot Area Requirements for Sloping Sites
- Seniors/Elderly housing developments, for which the maximum density may be doubled for more than 20 units – see Section 32.21, Conditional Exceptions to Density Requirements for Housing for Seniors/Elderly

Recommendation I-B: Separate Planned Development Permits from Condominium Permits

Common ownership projects require both a Condominium Permit and a Planned Development Permit which must be filed prior to, or concurrently with a Condominium Permit. Sections 30.134 through 30.139 of the Subdivision Ordinance details the administrative provisions for Condominium Permits including application requirements, development standards, the review authority, required findings, and appeal provisions. It is unclear the reason for or the effect of the requirement for concurrent processing of a Planned Development Permit. The blanket requirement for a Planned Development Permit should be removed, allowing common ownership developments to be processed through a Condominium Permit.

ISSUE #2: PLANNED DEVELOPMENT PERMIT USED AS PROCESS FOR MODIFICATION TO STANDARDS

Development Standards

The Planned Development process is currently used to grant relief from development standards on a lot-by-lot basis where other, more appropriate processes exist. Planned Development provisions allow for the modification of the following development standards:

1. Maximum heights for structure;
2. Maximum lot coverage;
3. Minimum building site sizes;
4. Minimum front, side, and rear yard setback requirements;
5. Signage ordinance regulations relating to the number, location, height, and size of signs;
6. Minimum number of parking spaces required and design of parking spaces and parking lots.

These are the same development standards that are allowed to be modified through a Variance.

There is no minimum project area for a Planned Development permit and the review authority for projects that are less than one acre in size is the Zoning Administrator.

As with Planned Development projects less than an acre in size, the Zoning Administrator is the review authority for Variances. Unlike PD permits, approval of Variances require specific findings including a showing of special circumstances of the property, that no special privilege will be afforded the property owner compared to others similarly situated.

Sign Standards

Modifications to sign standards may be approved through a master sign program. Division 14, Master Sign Programs, of the Advertising and Sign Ordinance requires a master sign program as a condition of approval for any Planned Development project.

Division 5.5, Modifications, of the Advertising and Sign Ordinance also allows modifications to sign standards. The mechanism for modifying sign standards pursuant to Division 5.5 is through a Planned Development Permit or Planned Community Permit.

These two divisions both allow modifications to sign standards through the Planned Development Permit process. The difference is the overarching “project” or motivation for the application. Under Division 14, Master Sign Programs, the “project” or the motivation for application is a Planned Development. A master sign program is part of the “project”. Under Division 5.5, Modifications, the “project” or the motivation for application is modification to sign standards. The Planned Development Permit is the mechanism for how to achieve it.

Planned Development and Planned Community permits should be used as a tool to accommodate integrated development with higher level of quality and more innovative design than conventional lot-by-lot zoning practices, not as a mechanism to simply allow modifications to specific sign or development standards.

Recommendation 2-A: Utilize the Variance Process for Modification of Development Standards on a Lot-by-Lot Basis

Modifications to development standards on a lot-by-lot basis should be processed as Variances rather than Planned Development permits. The Variance process allows for deviation from the same development standards that Planned Development permits allow and contain specific findings that tie the approval of the Variance to specific characteristics of the subject property.

Additionally, the City could establish an additional process for minor adjustments to development standards. This process would be intended to allow for a maximum specified adjustment or modification to certain development standards that could be considered very minor and noncontroversial in nature. This approach would allow an expeditious and less costly review process for small adjustments.

Recommendation 2-B: Incorporate Provisions for Modifications to Sign Standards into the Master Sign Program

A master sign program, which is required as a condition of approval of a Planned Development permit, allows for the modification of sign standards. Maintaining an additional process sign standard modification with the PD process is confusing and redundant. The Advertising and Sign ordinance should provide one mechanism to allow for modification to sign standards through a comprehensive sign plan, the master sign program. Where

appropriate, portions of Division 5.5, Modifications, of the Advertising and Sign Ordinance should be integrated into Division 14, Master Sign Programs.

ISSUE #3: BROAD APPLICATION OF THE PD PERMIT PROCESS

The broad application of the PD Permit process dilutes its effectiveness in achieving community objectives. The stated purpose of the Planned Development Permit is to provide a vehicle for planned development within the City's existing zoning districts; to encourage flexibility of design and development of land in such a manner as to promote its most appropriate use; to encourage the development of innovative projects which incorporate the highest quality architectural solutions, building materials and landscaping concepts; to promote the most functional and aesthetic relationships between building structures, signs, open space and parking areas in residential, commercial and industrial zoning districts; to encourage the development of quality open space and recreational opportunities within projects, including providing for clustered development and increased open space; and to incorporate stormwater treatment provisions in site planning. When used as a process to allow modification to development standards or to achieve discretionary review of projects on a lot-by-lot basis, the purpose of the Planned Development Permit is not met.

Recommendations under issues #1 and #2 recommend alternative processes for modification to development standards and discretionary review of projects on a lot-by-lot basis. With these roles assigned to other processes, the Planned Development Permit process can more appropriately be used as a mechanism for development and redevelopment of larger parcels where greater flexibility in design is desired than would be possible through strict application of conventional zone or land use regulations. It is with larger projects that a quid-pro-quo is possible that could allow the City to gain a superior development project in return for allowing modification of development standards. With its role clarified, the Planned Development Permit standards, allowances, review process, approval criteria, and other provisions can then be refined to focus specifically on implementing desirable land use concepts such as small-lot single-family development, mixed-use neighborhood centers, or employment complexes. The Planned Development Permit provisions would then define when the process can be used, and explain to what extent flexibility can be provided and how applications will be judged. The revised ordinance would narrow the broad grant of authority for Planned Development, replacing it with more specific and limited authority for specific development types.

Recommendation 3-A: Narrow the Application of the Planned Development Permit Process

The current broad application of the Planned Development Permit process dilutes its effectiveness. The City should clarify the type of development it hopes to achieve through the use of the Planned Development Permit process. Once this is done, the ordinance can be revised to more directly respond to the intended result.

The Zoning Ordinance contains two processes that are effective at allowing flexibility at the small and at the large ends of the development scale spectrum. The Variance process allows flexibility on a site-by-site basis where a particular site characteristic warrants

modification to a specific development standard. The Planned Community Permit/District provides a mechanism for large, comprehensive plan areas where multiple property owners may participate and the plans are not limited to sites under unified control. The process also includes extensive opportunity for public participation and review. The Planned Development Permit process therefore could be used to allow flexibility for mid-sized integrated development; tailored to mid-sized residential, commercial, industrial, or mixed-use projects. Multiple property owners could participate, but all would be required to be a part of the application.

Recommendation 3-B: Establish a Minimum Area Requirement

Larger properties allow greater opportunity to achieve superior development through flexible zoning. A minimum area of a Planned Development Permit should be established, reflective of the type of development the City is hoping to promote (see Recommendation 3-A). The minimum area could be one acre to reflect the current review threshold (Zoning Administrator vs. Planning Commission). Additionally, a provision could be included which enables the Planning Commission to approve a PD Permit for a project with less than the minimum area if specific findings are made.

Recommendation 3-C: Establish Required Findings or Approval Criteria for PD Permit Approval

Currently, Article 46 of the Zoning Ordinance describes the purpose of the PD Permit, submittal requirements, the general approval process, and the types of modifications that may be permitted. However, no specific findings are required to provide certainty regarding when such modifications should be approved or to provide a rationale for approving or denying the proposed project. There is no review criteria to guide the community, staff, and ultimately, decision-makers, in determining whether the proposed project meets the purpose and intent of the Planned Development ordinance.

The revised ordinance should identify specific findings or criteria to be met for approval indicating that the intent of the General Plan and other community goals are met, such as the provision of a variety of housing types, preservation of natural features, provision of public or recreational facilities, relationship to surrounding uses, and creativity in design and use of land. Implementation of Recommendation 3-A would allow required findings to be tailored to the specific development types the City is hoping to achieve through the PD Permit process.

A finding that the project will result in a superior development or public benefits not otherwise obtainable through applicable zoning districts could be required. Examples of desirable public benefits may be identified but the ordinance should not include a specific list. This approach is more appropriate as part of the Community Benefits Program the City is exploring which would allow development “bonuses” that increase the value of private property in exchange for the provision of specific benefits.

Recommendation 3-D: Allow Administrative Approval of Minor Amendments to PD Permits

Once a Planned Development Permit has been issued, no use can be established or no structure can be constructed or altered except in strict conformity with the Planned Development Permit unless a Planned Development Permit amendment has been approved. Such amendment must be approved by the Planning Commission unless the Zoning Administrator determines the proposed change is minor and an Architectural Permit is required. This restrictive approach to minor amendments and project revisions can increase the time and cost of administration and create obstacles to maintaining and upgrading properties even when such changes would help to achieve the City's land use and development objectives.

The revised ordinance should give more authority to the Zoning Administrator to approve minor amendments that are consistent with and would not change any original condition of approval of the Planned Development Permit. Thresholds for determining whether a proposed amendment is considered minor in nature can be included to provide certainty for the applicant, city, and neighbors as to what type of amendment may be approved by the Zoning Administrator and which warrants Planning Commission review.

Minor amendments could include changes that do not result in a change in project boundary, increase the number of dwelling units, increase nonresidential intensity (could be by a certain percentage), or change original conditions of approval.

Appendix A: Planned Development Requirements by Jurisdiction

Table A-1 provides a comparison between the Planned Development processes and requirements for Redwood City, San Carlos, Palo Alto, Mountain View, San Mateo, and Belmont. A description of the process for each jurisdiction follows.

| TABLE A-1: PLANNED DEVELOPMENT AND FLEXIBILITY PROCESSES BY JURISDICTION | | | | | | | | |
|---|---|--|--|--|--|--|--|--|
| | <i>Redwood City</i> | | <i>San Carlos</i> | <i>Palo Alto</i> | <i>Mountain View</i> | | <i>San Mateo</i> | <i>Belmont</i> |
| | <i>Planned Development</i> | <i>Planned Community/District</i> | <i>Planned Development</i> | <i>Planned Community District</i> | <i>Planned Unit Development</i> | <i>Planned Community/District</i> | <i>Planned Development (Special Use Permit)</i> | <i>Planned Unit Development (PD District)</i> |
| Minimum Size | N/A | 0.25 acre | 0.5 acre for Mixed-Use; 2 acres for other districts | N/A | 10 acres for manufacturing districts; 2 acres for residential districts; No size requirement for residential | N/A | N/A | N/A |
| Rezoning Required? | No | Yes | Yes | Yes | No | Yes | No | Yes |
| Review Authority | Projects <1 acre: Zoning Administrator 1 acre or more: Planning Commission | Planning Commission recommendation to City Council | Planning Commission recommendation to City Council | Planning Commission, then Architectural Review Board, back to Planning Commission, then to City Council for final approval | Design Review Board, and Zoning Administrator for less than 5 lots; Also City Council if more than 5 lots | Planning Commission recommendation to City Council | Planning Commission recommendation to City Council | Planning Commission recommendation to City Council |

| TABLE A-1: PLANNED DEVELOPMENT AND FLEXIBILITY PROCESSES BY JURISDICTION | | | | | | | | |
|---|---|---|---|---|--|--|---|--|
| | <i>Redwood City</i> | | <i>San Carlos</i> | <i>Palo Alto</i> | <i>Mountain View</i> | | <i>San Mateo</i> | <i>Belmont</i> |
| | <i>Planned Development</i> | <i>Planned Community/District</i> | <i>Planned Development</i> | <i>Planned Community District</i> | <i>Planned Unit Development</i> | <i>Planned Community/District</i> | <i>Planned Development (Special Use Permit)</i> | <i>Planned Unit Development (PD District)</i> |
| Development Plan Requirement | Development Plan | Precise Plan | PD Plan or Specific Plan; | Development Plan | Drawings/illustrations and descriptions regarding departures for development standards | Precise Plan | Development Plan | Conceptual Development Plan; Detailed Development Plan with Use Permit |
| Use/Development Standards/Modifications | Uses, with limitations; development standards; *not density or open space | Uses, density/intensity, development standards per Precise Plan | Uses; development standards; *not density or open space | Uses, development standards | Development standards only | Uses, development standards per Precise Plan | Uses, development standards (differ for residential and non-residential uses) | Uses, development standards, traffic circulation, landscaping, architecture, density per PD District |
| Findings/Approval Criteria | General requirements; no specific findings | General requirements; no specific findings | Specified findings; includes detailed factors for determining if development is demonstrably superior | Specified findings, including specific list of public benefits provided | Specified findings, including justifications for departures from standards | Specified findings | Specified findings; differ per residential and non-residential districts | Specified findings of beneficial effect, etc.; Specified findings for when administrative approval is allowed |

| TABLE A-1: PLANNED DEVELOPMENT AND FLEXIBILITY PROCESSES BY JURISDICTION | | | | | | | | |
|---|--|--|---|---|------------------------------------|--|---|---|
| | <i>Redwood City</i> | | <i>San Carlos</i> | <i>Palo Alto</i> | <i>Mountain View</i> | | <i>San Mateo</i> | <i>Belmont</i> |
| | <i>Planned Development</i> | <i>Planned Community/District</i> | <i>Planned Development</i> | <i>Planned Community District</i> | <i>Planned Unit Development</i> | <i>Planned Community/District</i> | <i>Planned Development (Special Use Permit)</i> | <i>Planned Unit Development (PD District)</i> |
| Amendment | By Planning Commission unless minor, then Zoning Administrator | Same process as adoption of Precise Plan | Major amendment from City Council; Minor amendment from Director (or Planning Commission) | Planning Commission, unless for minor changes subject to minor architectural review | Not specified in Zoning Ordinance. | Same process as adoption of Precise Plan | Major modifications to Planning Commission, then City Council | Planning Commission for major amendments; minor amendments by Zoning Administrator |
| Other Avenues for Modification of Development Standards | Variance | | Variance and Waiver process | Variance and Design Enhancement Exception | Variance | | Variance | Variance and administrative exception for 10-percent development standard relief for commercial and manufacturing sites |

SAN CARLOS

San Carlos uses the Planned Development process to create a PD District to facilitate orderly development of larger sites in the City, and to allow for better coordinated development and incorporate development standard crafted to respond to site conditions. It is also required to be used for adoption and administration of Specific Plans. San Carlos requires a minimum size of 0.5 contiguous acre for establishment of a Mixed-Use District or two contiguous acres for other districts, though City Council may approve a District smaller than the minimum area if rezoning to the PD would provide greater benefits to the general welfare of the City's residents due to a unique characteristics of the site or proposed use.

Review Authority

The Planning Commission is required to conduct a public hearing and provide its recommendation on the PD District to City Council, which may then adopt the PD District.

Development Plan Required

Establishment of a PD District requires submittal of an application for rezoning, which is processed as an amendment to the Zoning Map, as well as submittal of a Specific Plan or PD Plan. Submittal of a Tentative Subdivision Map and any supporting documents, when required by a PD, must be provided at the same time.

Use and Development Standards; Modifications

Any permitted or conditional use authorized by the Zoning Ordinance may be included in an approved PD Plan or Specific Plan, so long as it is consistent with the General Plan land use designations for the property. Open space and density requirements must be consistent with that required by the base district or permitted by the General Plan density for planned development designated for residential use (except where a density bonus is granted in compliance with the City's density bonus regulations). Minimum lot area, yard requirements, building heights, and other physical development standards must be prescribed by the PD Plan (e.g., land use, landscaping, architecture, density, minimum building site, minimum lot size, maximum lot coverage, height and setback requirements).

Findings/Criteria for Approval

San Carlos includes several required findings to be made for approval of the PD Plan and rezoning, including, but not limited to physical suitability and adequate facilities, as well as a detailed set of factors used to determine whether the development would be demonstrably superior to a development that would occur under the underlying base district.

Amendment

Amendments to a PD District or PD Plan or Specific Plan may be requested and will be classified as major or minor amendments, as determined by the Director. Major amendments are considered by the City Council and involve a public hearing for more significant

types of changes (e.g., PD District boundary changes, changes in land use or density that is likely to negatively impact or burden public facilities, utilities, or circulation). Minor amendments may be considered by the Director, who may refer the request for amendment to the Planning Commission if he/she determines that the amendment may generate substantial public interest.

Variance

In San Carlos, the Planning Commission may approve a Variance to modify dimensional and performance standards after conducting a public hearing. Findings required for approval include items, such as consistency with the General Plan, showing that the property has exceptional or extraordinary circumstances that do not generally apply to property in the vicinity, and that approval of the Variance is necessary to physical hardship that is not a result of the applicant's actions. Reasonable conditions may be required.

Waivers

San Carlos also includes provisions for Waivers that are intended to provide an alternate means of granting relief from the Ordinance's requirements. The Waiver provisions also establish procedures to make it easier to ensure compliance with State and Federal law, including the Americans with Disabilities Act, the Federal Fair Housing Act and the Federal Religious Land Use and Institutionalized Persons Act, which require that the Ordinance provide a process for approving reasonable accommodations of certain protected groups and uses.

The Waiver provisions authorize the Director to grant minor waivers or modifications to yard, height, lot coverage, landscaping, transparency and other development standards when so doing is consistent with the purposes of the Ordinance and with the General Plan. The waivers and modifications that these provisions authorize do not apply to lot area, width or depth; maximum number of stories; parking, residential density, or maximum floor area ratio (FAR).

PALO ALTO

Palo Alto uses one PD process—a Planned Community (PC) District—accommodate unified, comprehensively planned developments that are of substantial public benefit. Palo Alto's PC District requires a change to the Zoning Map.

Review Authority

The application materials are first reviewed by the Planning Commission, followed by the Architectural Review Board if the Planning Commission acts favorably to its initial review of the application. Upon approval by the Architectural Review Board, the Planning Commission then performs a final review and provides its recommendation, including specific regulations, to the City Council for final action.

Development Plan Required

Submittal of an application, development program statement, development plan, and development schedule is required to establish a PC District. The Zoning Ordinance provides detailed requirements for the information to be included as part of the development program statement, development plan, and development schedule submittal.

Use and Development Standards; Modifications

Any use may be permitted or established as a conditional use in a specific PC District as defined in the development plan and other requirements.

Findings/Criteria for Approval

Prior to making its recommendation to the City Council, the Planning Commission must find, and the City Council must find, in order to approve the PC District application, that the existing zoning would not provide sufficient flexibility to allow the development; that the public benefits (which must be specifically cited) to be provided by the PC District would not otherwise be attainable; and that the uses and applicable regulations would be consistent with the Comprehensive Plan and compatible with adjacent uses.

In addition, sites abutting or with any portion located within 150 feet of a residential district, or a Planning Commission District permitting single- or multi-family development are subject to additional height and yard requirements.

Amendment

An amendment to the PC District boundary may be initiated upon application by the property owner, or upon motion by City Council or the Planning Commission, and is heard by the Planning Commission, unless the application is for a minor change to a PC District development plan subject to minor architectural review. Amendments to regulations may be initiated only by motion of the City Council or Planning Commission.

Variance

Palo Alto allows a Variance to be granted to site development and parking and loading regulations (except for limitations on residential density and size of establishment, or for expansion of grandfathered uses), Precise Plans, and fence requirements. The findings required by Palo Alto are similar to those required by Redwood City and San Carlos, including the special circumstances of the property, inability to grant special privileges one property over similarly situated properties, consistency with the General Plan, and not detrimental to public health, safety, and general welfare. However, Palo Alto applies separate findings for flag lots.

Design Enhancement Exception

In addition to Variances, Palo Alto's Zoning Ordinance includes a design enhancement exception, which allows for minor changes to development standards (e.g., setbacks, daylight plane, height, landscaping configurations) in order to enhance the design of a project

without altering the function or use of the site. A similar exception for neighborhoods located within a neighborhood preservation combining district to foster retention of existing single-family structures and maintain existing historic and general character of the neighborhood.

MOUNTAIN VIEW

Like Redwood City, Mountain View utilizes two separate PD processes—a Planned Unit Development (PUD) Permit and Planned Community District process. The PUD Permit is intended to provide for comprehensive analysis of project-related impacts while allowing for non-traditional or unique site design. PUD Permits require a minimum project area of 10 acres of manufacturing districts, two acres for commercial districts, and may be any size in a residential district, though other requirements apply for residential districts (e.g., flag lots, R1 zones that do not have the required frontage on a public street).

The Planned Community (P) District is intended to be applied only to the areas that, by reason of proximity to specialized site conditions, require special consideration to be properly integrated into the community and adjacent developed districts, considering modern environmental and planning concepts and techniques. As in Redwood City, establishment of a P District in Mountain View requires rezoning of the area to a P District, may require adoption of a Precise Plan, and requires issuance of a Planned Community Permit prior to commencing development in the P District. No specific size requirements are provided by the Zoning Ordinance for P Districts.

Review Authority

Similar to Palo Alto's PD District process, the PUD Permit application is subject to design review. The Zoning Administrator conducts a public hearing, and for PUD Permits involving fewer than five lots, has approval authority. PUD permits involving five or more lots require the Zoning Administrator's recommendation to the City Council, who reviews the application concurrently with the consideration of the proposed subdivision and has final approval authority over the PUD permit application.

Applications for Precise Plans are first submitted to City Council to determine the appropriate timing of review (an exemption for this requirement applies for proposed developments for housing where a majority of units will be affordable to households earning less than the median income). The Environmental Planning Commission conducts a hearing and provides its recommendation to the City Council, who holds a second public hearing and takes final action on the Precise Plan. If specified in the Precise Plan, the Zoning Administrator will authorize the issuance of the required Planned Community Permit and may authorize administrative. As in Redwood City, the Zoning Administrator may authorize administrative approval of signs and minor changes that are in conformity with the Precise Plan without a Planned Community Permit.

Development Plan Required

A PUD Permit requires submittal of an application, as well as drawings/illustrations, and/or descriptions indicating any departures from the development standards of the underlying district and explanations regarding why the departures enhance the project, how the project contributes to the community, and how the project achieves the purpose of the underlying district even with the proposed departures. An application for subdivision is also required to accompany the PUD Permit application.

A Precise Plan may be initiated by the property owner/agent, the Director, City Council, or Environmental Planning Commission to delineate uses, intensity, design criteria, or special conditions, etc., for a P District. If a Precise Plan is initiated by an owner/agent, submittal of an application, and supporting materials and fee are required. Like Redwood City, Mountain View also requires issuance of a Planned Community Permit prior to development of any use within a P District.

Use and Development Standards; Modifications

The PUD Permit may allow for departures from development standards of the underlying zone district, but does not allow for a change to the allowable uses and does not include a zoning district change. Conversely, similar to Redwood City's P District, any use may be permitted, alone or in combination, in a P District in Mountain View. Height, area, and yard requirements may be imposed by the required Precise Plan or as conditions upon the granting of a Planned Community Permit (as with Redwood City).

Findings/Criteria for Approval

Similar to San Carlos and Palo Alto, Mountain View requires specific findings for approval of a PUD Permit, which include, but are not limited to, physical suitability of the site for the proposed type and intensity of use, compatibility with adjacent uses, and providing an integrated design that is superior to standard development thereby justifying the exceptions to the departures from development standards of the underlying district. Like Redwood City, Mountain View also requires that open space standards and intensity of use remain the same as the underlying district.

Mountain View's Zoning Ordinance provides findings for approval and amendment of a Precise Plan, including general findings of consistency/compliance with the General Plan and CEQA, as well as that the proposed plan promotes development of desirable character, harmonious with the existing and proposed development in the surrounding area (no specific criteria are included for such finding) and that the site has special conditions that can only be addressed by approval of the proposed Precise Plan/amendment. For issuance of a Planned Community Permit, the proposed use/development must be consistent with the applicable Precise Plan or demonstrate superior site and building design and computability with surrounding uses and developments, as well as comply with general consistency and applicability requirements.

Amendment

Procedures for amendment a PUD Permit are not specifically address in the Zoning Ordinance. For amendment of a Precise Plan, the same process as for adoption is required, and the application materials must include information that justifies the amendment, including why the amended plan is more suitable for the area than the existing plan.

Variance

Variances to development standards (dimensional standards, such as lot size, landscaping, setbacks, and structure height, and sign regulations) are allowed only when there are extraordinary circumstances that apply to the property and the property owner would otherwise be denied privileges enjoyed by others if strict application of the underlying district were applied. In Mountain View, variances are granted by the Zoning Administrator. Specific findings, akin to those required by Redwood City, San Carlos, and Palo Alto must be made in order for the Zoning Administrator to approve a variance.

SAN MATEO

San Mateo provides a PD process through issuance of a Special Use Permit for development that provides an environment of stable and desirable character. Within the PD process, there are two separate requirements for residential planned development and non-residential planned development. San Mateo requires permanently reserved open space and areas for off-street parking, and for residential development, open space and recreation areas to meet the needs of the residents must be included.

Review Authority

The development plan is submitted to the Zoning Administrator, who may require additional submittals as appropriate. The Planning Commission first reviews, conducts a public hearing, and provides a recommendation to City Council, who will conduct a hearing and make a decision on the PD application.

Development Plan Required

Submittal of a development plan is required for both residential and non-residential PDs and must include a detailed list of information. Additional materials, such as architectural review, subdivision approval, etc. are required with the development plan or following approval of the concept.

Use and Development Standards; Modifications

For residential and non-residential PDs, additional uses may be allowed if specified findings are made. Lot size and width requirements of the underlying zone are required for residential developments, unless the proposed development size is over one acre in size and specific, detailed findings are made. Like Redwood City, the unit density standards of the underlying zone must be maintained. However, the setbacks and floor area ratio (FAR) of the underlying district apply for residential PDs, unless specific findings are made, while the FAR requirements for the underlying district must be maintained for

non-residential PDs. Open space requirements for residential uses are based on the needs of the inhabitants and a minimum acreage per population, but are required as specified for the central business district for non-residential uses.

Findings/Criteria for Approval

Detailed findings are required for the various development standards, which differ depending on whether the PD application is for a residential or non-residential development.

Amendment

Any major modification of an approved development may be permitted with approval upon recommendation by the Planning Commission and approval of the City Council after duly noticed hearings are conducted.

Variance

San Mateo allows a variance from required development standards for setbacks, lot size, floor area ratio, parking, etc., upon a showing that, due to special conditions of the site, enforcement of the required standards would result in hardship. A detailed list of requirements for a finding so hardship are provided in the City's Zoning Ordinance.

BELMONT

Belmont uses a Planned Unit Development or PD District for all use types to provide flexibility of design. The PD District includes a change to the Zoning Map. This District also provides for Administrative Amendments to Detailed Development Plan approval by the Director for minor additions/projects.

Review Authority

The Director may approve minor projects or minor additions to the PD District by Administrative Amendment.

Development Plan Required

An application for establishment of a PD District must be accompanied by a Conceptual Development Plan in a schematic form that includes specified requirements. A Conditional Use Permit and a Detailed Development Plan, including detailed specifications and design standards, are required for all uses, projects, and /or additions in a PD District requiring Planning Commission approval.

Use and Development Standards; Modifications

Land uses, specified standards of development, including but not limited to circulation of traffic, landscaping, and architecture, and specific density must be specified for the PD District. Open space and density requirements are as specified in the Detailed Development Plan, but the total open area and average density must substantially conform to the City's General Plan.

Findings/Criteria for Approval

Specified findings that the development will have a beneficial effect that could not be achieved under other zoning districts, provisions for traffic, parking, and commercial facilities and that the economic impact created can be absorbed by the City are required for approval. Approval of a Conditional Use Permit is required in a similar manner as Planned Community Permit is required for a P District in Redwood City. Specific findings for when additions/projects may be approved administratively are provided for residential and non-residential PDs.

Amendment

Changes to the Conceptual Development Plan are considered changes in the Zoning Ordinance. Amendments to a Detailed Development Plan are treated as changes to the Conditional Use Permit/Design Review. Administrative approval of minor additions/projects may be provided by the Director.

Variance

Belmont allows variances to prevent or lessen practical difficulties and unnecessary physical hardships inconsistent with the objectives of the Zoning Ordinance resulting from strict interpretation of the regulations under specific circumstances. Administrative exceptions of up to 10-percent relief of the standards may be granted by the Director for commercial and manufacturing sites. All other variances require a hearing by Planning Commission. The findings required are similar to those for other cities.