

25.05: Planned Unit Developments

25.05.001 Planned Unit Development Requirements

A. Planned Unit as a Combining District

The PUD district shall act as a combining district primarily for, but not limited to, use with the Single Family Residential (R1) or Residential Mixed (RM) District as the base zoning district. The following regulations shall modify the regulations of the base zone with which the PUD district is combined. Except as modified herein, the base zone regulations apply.

B. Purpose

The purposes of a PUD district are as follows:

1. To further the public health, safety and general welfare in a time of increasing urbanization and of growing demand for housing of a variety of types and design;
2. To encourage innovations in residential and mixed-use development so that the growing demands for housing may be met by a greater variety in type, design and layout of dwellings and by the more efficient use of open space ancillary to the dwellings;
3. To create greater opportunities for better housing, more housing options, increased diversity of housing, commercial activities and recreation;
4. To encourage more efficient use of land, public services and to safeguard open space;
5. To provide an alternative procedure which can relate the type, design and layout of residential and mixed-use development to the particular site and the particular demand for housing at the time of development in a manner consistent with the preservation of the property values within established residential areas; and
6. To provide an alternative procedure under which a developer of real property may elect to proceed to develop his or her property by transfer of permitted dwelling units to contiguous or noncontiguous locations which are appropriate to carry out the purposes of this section.

C. Planned Developments Shown on Zoning Map

A PUD District Zone shall be noted on the County's Zoning Map.

25.05.002 Definitions

The following terms are used in this section. For definitions, see the Glossary in Chapter 25.09 of this Title.

- A. Approved Entity
- B. Common Improvements
- C. Common Open Space
- D. Homeowner Association
- E. Live Work Development
- F. Mixed Use Development
- G. Owner
- H. Planned Unit Development
- I. Residential Area to be Developed

25.05.003 Standards for PUD Projects

The minimum size for the proposed PUD project shall be one acre in size or two dwelling units, unless approved by the Board of Supervisors.

- A. Standards for lot size, lot coverage, setbacks, access, streets, parking spaces, open space and building ratios shall be determined pursuant to resolution of the County Planning Commission.
- B. Where public sewer and public water supplies are available, mixed residential development types shall be provided with an average parcel size and a density consistent with the General Plan.
- C. A recreational amenity shall be provided in a PUD consistent with the Natural and Cultural Resources element of the General Plan, which requires a ratio of five acres of parkland per 1,000 persons. The Planning Commission may allow the applicant to substitute the recreational amenity with contribution to a regional park account under the supervision of the Parks and Recreation Commission. The funding shall be consistent with § 23.15.008(D)(2).

25.05.004 Permitted Uses

The following uses may be permitted in an area containing a PUD combining district designation:

- A. Any use permitted in the underlying zone classification
- B. Two-family dwellings, single-family dwellings
- C. Multiple- (three or more) family dwellings, recreation uses
- D. Buildings and accessory uses to those listed in this section
- E. Mix of neighborhood commercial uses with residential uses
- F. Live-Work

25.05.005 Design Criteria

Design criteria for the PUD district shall be as follows:

A. **Building.** Building design should reflect the following factors:

1. Harmonious variations in materials, textures and colors shall complement and supplement the natural beauty and pleasant environment of the site and the individual unit.
2. Each building site should have ready access to common areas and facilities.

B. **Street design.** Street design should reflect the following factors:

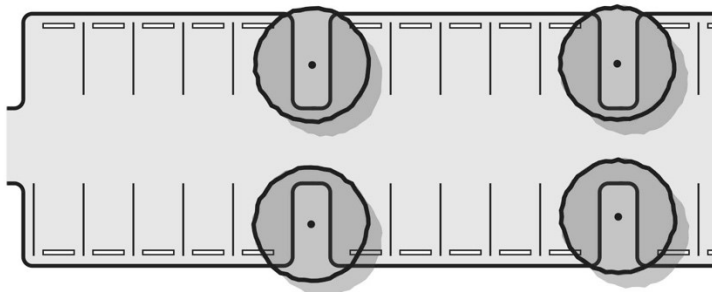
1. Dwelling areas shall only have limited access to major traffic arteries.
2. Discourage use of cul-de-sacs Demonstrate multi-modal connectivity and provide interconnectedness that enhances the neighborhood character.
3. Minimizes visual impacts in hillside areas.
4. Rights of way shall be no less than fifty six (56) feet with road widths of thirty six (36) feet from curb to curb unless narrower widths are allowed for street type or district in which the planned unit development is combined.
5. Build complete streets with sidewalks, street trees, pedestrian and bicycle access and facilities.



A typical “complete street” that provides for vehicles, pedestrians, and cyclists.

C. **Parking.** Parking shall reflect the following factors.

1. Occupant and guest car parking should be located so home sites are conveniently served.
2. Parking areas should be designed so that on the average not more than five spaces shall adjoin each other without intervening landscaped areas, as shown below.



- D. **Walks.** Walks should be designed so as to provide convenient access to recreation, service, parking and other common areas.
- E. **Setbacks.** Front, side and rear setback requirements for structures shall be those of the district with which the PUD is combined.
- F. **Open Space Areas.** Open space areas should be situated in such a manner as to avoid the crowding together of building uses and parking areas.

25.05.006 Legal Requirements

A PUD is not required to have areas of common ownership. In a planned unit development that does contain areas of common ownership, the subdivision plat, dedication, covenants and other recorded legal agreements must do all of the following:

- A. Legally create an automatic membership in a non-profit homeowner's association or another approved entity for the purpose of maintaining common improvements for which title is held by the homeowner's association or approved entity which is legally obligated to provide designated services to the owners of the lots created by the PUD.
- B. Place title to the common improvement areas in the homeowner's association or other approved entity, which gives each owner of the lots created by the PUD the right to use and enjoyment of the common improvements.
- C. Appropriately and permanently govern the use of common open space and improvements
- D. Give each owner of the lots created by the PUD the right to use and enjoyment of the common improvements subject to division (F) of this section.
- E. Give the homeowner's association or other approved entity responsibility for operation and maintenance of the common property.
- F. Place association charges on each lot created by the PUD so that sufficient funds are assured for maintenance and operation of common improvements and which charges shall be a lien on the property and provide adequate safeguards for the owners of lots created by the PUD against undesirable high charges. Where title to common open space is held by an approved entity other than the homeowner's association, each owner of lots created by the PUD may elect to use and enjoy such common property subject to the charges levied by the approved entity responsible for the ownership, maintenance and operation of the common property.
- G. Where any of the foregoing are not applicable, the developer may substitute alternative proposals. Property not contiguous to property where the residential component is located may be allowed to be described as a separate parcel for purposes of sale, lease or financing but the owner shall grant and cause to be recorded a permanent open space easement in favor of the county regarding such separate parcel. Under this circumstance, the recorded map shall include a statement that the density from a non- contiguous parcel was used and describe its location. The permanent open space easement on the non- contiguous parcel shall state that the subject parcel shall be restricted from further subdivision and shall state any other restriction imposed as a condition of project approval. All legal documents required under this section must be approved as to legal form by the County Counsel. All deed restrictions and association rules and regulations shall be enforceable by the county as well as by the homeowner's association or other approved entity.

- H. The owner of open space may enter into various agreements or leases related to the open space in furtherance of the objectives of the PUD as specified in this title.

25.05.007 Phased Development

- A. If the sequence of the construction of various portions of the development is to occur in stages, then the open spaces and the recreational facilities proposed for the entire development shall be developed in proportion to the number of dwelling units constructed.
- B. The open space that is created by a PUD zone change and a recorded map may be subdivided in order to encourage the designation of more open space or to facilitate the utilization of the open space.
- C. The open space of a PUD shall not be subdivided to create residential lots.
- D. At no time during the construction of the PUD project shall the number of constructed dwelling units per acres of developed land exceed the overall density per acre established in the PUD.

25.05.008 Procedure for Approval

- A. A PUD shall be adopted by ordinance by the Board of Supervisors.
- B. The procedure for obtaining approval of a PUD shall be in part governed by the provisions for zone changes.
- C. In addition to the procedures set forth relating to the zone changes, the applicant shall furnish at the time of submitting the zone change petition, the following information:
 - 1. The types of residences and commercial development to be constructed;
 - 2. Proposed phasing of construction is applicable;
 - 3. Location and proposed uses of open space;
 - 4. Legal requirements and documents required by § 25.05.006;
 - 5. Location and layout of parking areas; and
 - 6. Location of all existing vegetation and geological features to be retained.
 - 7. Confirmation of the intended base zoning district.
- D. In granting or denying the PUD request, the Board of Supervisors shall make the required findings on the following:

1. The proposed PUD is consistent with the General Plan, including the density and intensity limitations that apply;
 2. The subject site is physically suitable for the type and intensity of the land use being proposed;
 3. Adequate transportation facilities and public services exist or will be provided in accord with the conditions of development plan approval, to serve the proposed development; and the approval of the proposed development will not result in a reduction of traffic levels of service or public services so as to be a detriment to public health, safety, or welfare;
 4. The proposed PUD will not have a substantial adverse effect on surrounding land uses and will be compatible with the existing and planned land use character of the surrounding area;
 5. The proposed PUD is demonstratively superior to the development that could occur under the standards applicable to the underlying base zone, and will achieve superior community design, environmental preservation and/or substantial public benefit.
- E. In approving a PUD, the Board of Supervisors may impose reasonable conditions deemed necessary to:
1. Ensure that the proposal conforms in all significant respects with the General Plan and with any other applicable plans or policies that the County has adopted;
 2. Achieve the general purposes of this Title or the specific purpose of the zone in which the project is located;
 3. Achieve the findings listed above; or
 4. Mitigate any potentially significant impacts identified as a result of review conducted in compliance with the requirements of the California Environmental Quality Act.
- F. The applicant shall submit written verification that all conditions are accepted within 15 days of the approval of the planned unit development. Failure to accept the conditions shall void the approval of the planned unit development.
- G. In the event that approval is granted, the Board of Supervisors shall specify the drawings, specifications and form of performance bond that shall accompany the approval.
- H. If the tentative map for the planned unit development has expired and cannot be renewed, the PUD combining district shall be deemed expired no longer in effect and revert to only the base zoning district for the area shall be applicable.