

SECTION 24.09.300 SPECIFIC PLAN OVERLAY ZONE

24.09.310 PURPOSES

The Specific Plan Overlay Zone is included in the Zoning Regulations to achieve the following purposes.

- A. To promote and protect the public health, safety, and welfare.
- B. To implement the objectives and policies of the General Plan.
- C. To safeguard and enhance environmental amenities and the quality of development.
- D. To attain the physical, social, and economic advantage resulting from comprehensive and orderly planned use of land resources.
- E. To lessen congestion and assure convenience of access; to secure safety from fire, flood, and other dangers; to provide for adequate light, air, sunlight, and open space; to promote and encourage conservation of scarce resources; to prevent overcrowding of land and undue concentration of population; to facilitate the creation of a convenient, attractive, and harmonious community; to attain a desirable balance of residential and employment opportunities; and to expedite the provision of adequate and essential public services.
- F. To facilitate development within the City in accordance with the General Plan by permitting greater flexibility and encouraging more creative and imaginative designs for major development projects subject to large-scale community planning.
- G. To promote more economical and efficient use of the land while providing a harmonious variety of housing choices and commercial and industrial activities, a high level of urban amenities, and preservation of natural and scenic qualities of open space.
- H. To provide a process for initiation, review, and regulation of large-scale comprehensively planned communities that affords the maximum flexibility to the developer within the context of an over-all development program and specific, phased development plans coordinated with the provision of necessary public services and facilities.

24.09.320 USE REGULATIONS: SP ZONE

- A. A Development Plan Text shall be prepared and submitted by the developer for approval. The Development Plan Text may incorporate uses by reference to specific base zone provisions, or may establish specific use lists with definitions pertaining thereto.
- B. Existing uses within the Specific Plan Zone at the time of its establishment shall be deemed allowable and incorporated in the Development Plan, unless terminated, discontinued, or changed pursuant to a specific time schedule incorporated in the Development Plan Text.
- C. Unless otherwise provided by the Development Plan Text, public utility facilities and publicly-owned facilities shall be allowable subject to a Conditional Use Permit.
- D. Unless otherwise provided by the Development Plan Text, accessory uses or facilities shall be subject to the same use regulation provisions as the principal use or facility.
- E. Each allowable use in the Specific Plan Zone shall be subject to a Site Plan Review.
- F. Temporary Use pursuant to Section 24.11.110 and Home Occupations pursuant to Section 24.11.200 shall be allowable in each Specific Plan.

24.09.330 PROPERTY DEVELOPMENT STANDARDS: SP ZONE

A. General Requirements

- 1. A Specific Plan Zone shall include a minimum area of 50 contiguous acres, under single ownership or otherwise subject to unified planning, construction, and development by a person, corporation, or other entity. Property owned by public utilities, local districts or local governments will not be counted toward the 50 acre minimum, but may be used as a connector of single ownership. The minimum acreage requirement may be reduced in cases where the Specific Plan Zone provides greater protection of the goals and objectives of the general plan.
- 2. A Specific Plan Zone shall be established upon application of a property owner, in accordance with procedures set forth in Section 24.19.600 (Zoning Map Amendment) and subject to the following provisions:
 - a. Submission of a Development Plan.
 - b. Determination by the Council upon recommendation of the Planning Commission that the establishment of the zone and approval of the Development Plan shall:

24.09.330 PROPERTY DEVELOPMENT STANDARDS: SP ZONE

A. General Requirements (cont.)

- 1) Provide for the development of a comprehensively planned community within the zone that is superior to development otherwise allowable under alternate regulations.
- 2) Provide for development within the zone in a manner consistent with the General Plan and with related development and growth policies of the City.
3. Provide for the construction, improvement, or extension of transportation facilities, public utilities, and public services required by development within the zone.
4. Development Plan:
 - a. There shall be no minimum yard requirement for individual lots except as established by a Development Plan, a Conditional Use Permit, or Site Plan Review.
 - b. There shall be no minimum usable open space requirement for individual lots, except as established by Development Plan, a Conditional Use Permit, or by Site Plan Review, and the Park Dedication Ordinance.
 - c. There shall be a maximum height of 35 feet or two stories within 50 feet of the exterior boundaries of the zone; the maximum height should be 50 feet or 4 stories whichever is less and no coverage requirement for individual lots, except as established by a Development Plan, a Conditional Use Permit, or by Site Plan Review.
 - d. The maximum number of dwelling units within a Specific Plan Zone shall not exceed the ability of the City to provide services in accordance with the General Plan and applicable local ordinances; provided that the distribution of units within the Zone and the maximum residential density on any individual site or within designated portions of the Zone shall be governed by the Development Plan, Conditional Use Permit, or Site Plan Review.

In the event the General Plan does not establish a maximum residential density for said site, the City Council upon recommendation of the Planning Commission, shall determine the appropriate density based on detailed review of the Development Plan and Text and the provisions of this Section.

B. Special Requirements

1. The Specific Plan Overlay Zone and all uses therein shall be designed and developed in a manner compatible with and complementary to existing and potential development in the general vicinity of the zone. Site planning on the perimeter shall provide for the mutual protection of the zone and surrounding property from potential adverse influences.

24.09.330 PROPERTY DEVELOPMENT STANDARDS: SP ZONE

B. Special Requirements (cont.)

2. All public streets within or abutting the development shall be dedicated and improved to City specifications for that particular classification of street. Private streets within the development shall be dedicated and improved to City specifications for that particular classification of street. Private streets within the development shall be irrevocably offered for dedication and maintained for their intended purpose by means acceptable to and enforceable by the City. Consideration of other forms of access, such as pedestrian ways, courts, plazas, driveways, horse trails, bike trails, or open parking lots offered for dedication may be made at the time of the Development Plan and Text consideration as a means of meeting requirements for open space or park dedication requirements.

24.09.340 PERFORMANCE STANDARDS: SP ZONE

- A. All development within a Specific Plan Overlay Zone shall relate harmoniously to the topography of the site, shall make suitable provision for the preservation of water course, drainage areas, canals, and similar features, and shall otherwise be so designed inasmuch as possible, to use and retain or enhance the natural features and amenities to the best advantage.
- B. Mechanical and electrical equipment, including air conditioners, antennas, pumps, heating or cooling or ventilating equipment, exterior lighting, or similar equipment shall be located and operated in a manner so as not to unreasonably disturb the peace, quiet, and comfort of neighboring residents. Excluding roof-mounted solar collector panels and decorative exterior lighting, all such equipment and devices shall be screened from view from an abutting street, and shall not be located in a street yard.
- C. All areas for storage of maintenance equipment, and all service areas including refuse storage and collection facilities, shall be enclosed by a fence, wall, and/or landscape screen.
- D. All uses within a Specific Plan Overlay Zone shall provide off-street parking and loading facilities pursuant to Section 24.13. The applicant may apply for and receive relief from Section 24.13 at the time of Site Plan Review consideration by the Planning Commission and approval of the City Council, when verified proof has been submitted through specific examples of existing projects and/or expert testimony that supports reduced parking standards or stalls.
- E. The proposed means for assuring continuing existence, maintenance and operation of the various common elements and facilities.

24.09.340 PERFORMANCE STANDARDS: SP ZONE (cont.)

- F. Additional site development regulations and performance standards applicable to individual uses or to designated portions of a Specific Plan Zone may be established by the Development Plan, Conditional Use Permit, or Site Plan Review approval pursuant to the Development Plan.

24.09.350 PRE-APPLICATION PROCEDURE

- A. Prior to submitting an application for a Specific Plan Overlay Zone, or implementation thereof, the applicant or prospective developer shall hold preliminary consultations with the Director of Planning and other City officials to obtain information and guidance before entering into binding commitments incurring substantial expense in the preparation of plans, surveys, and other data. Such preliminary consultations should be relative to a conceptual development plan which includes, but is not limited to, the following:
1. Proposed land uses to be developed within the zone.
 2. Development concepts to be employed.
 3. Schematic maps, illustrative material, and narrative sufficient to describe the general relationships between land uses, and the intended design character and scale of principal features.
 4. A preliminary time schedule for development, including quantitative data, such as population, housing units, land use acreage, and other data sufficient to illustrate phasing of development and potential impact on public service requirements.
- B. Following initial preliminary consultations pursuant to this section, the Director may require submission of a housing market analysis, satisfactory to the Director of Planning demonstrating the need for housing by price range and number of dwelling units. Such analysis may be requested as a part of the pre-application review procedure, may be made a requirement for submission of an application for a Specific Plan Overlay Zone or implementation thereof, or may be requested as part of the environmental assessment or EIR.
- C. Following initial preliminary consultations pursuant to this section, the Director may require submission of a commercial and/or industrial market analysis satisfactory to the Director of Planning for any proposed shopping center or major commercial and/or industrial uses, showing the need for such uses in the location required and the inadequacy of existing zoned sites to meet this need. The market analysis shall include, but not be limited to, the following:
1. Determination of potential trade area.
 2. Determination of potential employment area.

24.09.350 PRE-APPLICATION PROCEDURE SP ZONE (continued)

3. Estimates of existing and future population of the trade area.
4. Estimates of existing and future employment.
5. Determination of existing and potential effective buying power for the proposed commercial development.
6. Determination of the net potential customer buying power for the proposed commercial development.

Such analysis may be requested as part of the pre-application review procedure, and may be made a requirement of submission of an application for a Specific Plan Overlay Zone, or implementation thereof, or may be requested as part of the environmental assessment or EIR.

- D. Following initial preliminary consultation pursuant to this Section, the Director may require presentation of the conceptual development plan to the Planning Commission and City Council. Such presentation shall be for information purposes only, and shall be in addition to subsequent public review requirements pursuant to an application for a Specific Plan Overlay Zone, or implementation thereof, and submission of Development Plan.

24.09.360 DEVELOPMENT PLAN

- A. The Development to be submitted for the implementation of and/or with an application for a Specific Plan Overlay Zone shall include the following:
 1. A boundary survey map of the property and a calculation of the gross land area within the proposed zone. A tentative subdivision map may be substituted if the applicant proposes to subdivide the property.
 2. A topographic map and general grading concept plan with specific sections for sensitive areas, as determined by the Director of Planning and Public Works for the property and adjacent land within 100 feet of the property, shown at contour intervals not to exceed 2 feet for natural slopes of 2 percent or less. For natural slopes over 2 percent contour interval shall not exceed 5 feet.
 3. Maps and supporting tabulations showing the current General Plan land use designation, the current zoning classification, and the current land use within the proposed zone and on adjacent sites within 300 feet. The location of structures and other significant improvements shall be shown.
 4. A land use plan identifying areas within the proposed zone and uses to be developed therein, supported by proposed or projected acreage, population, housing units, employment, and such related planning and development data as the Director of Planning may require.

24.09.360 DEVELOPMENT PLAN SP ZONE (continued)

5. A development plan indicating the general phasing or anticipated schedule. Said plan shall indicate the total phasing of the Specific Plan and areas to be developed in phases and the anticipated time schedule for beginning of construction and for completion of each phase of development. Said plan shall include a pro rata share of amenities, parks, and open space. This is a generalized schedule and may be adjusted according to market constraints as the Specific Plan develops.
6. A circulation plan, showing existing and proposed public and private streets, pedestrian ways, trails, and related transportation access or circulation features required to serve the proposed development. The circulation plan shall be supported by schematic drawing.

24.09.370 ADOPTION OF ZONE AND DEVELOPMENT PLAN

- A. An application for a Specific Plan Overlay Zone, if required and the Development Plan submitted with the application shall be subject to review and approval in the same manner as prescribed in Section 24.19 (Administration).
- B. Each Specific Plan Zone established shall be indicated on the Zoning Map by the letter "SP" followed by a reference number identifying the Zone. The Development Plan as modified and approved by the City Council, is incorporated into this ordinance.

24.09.380 AMENDMENTS TO DEVELOPMENT PLAN

- A. A Development Plan may be amended in the same manner as provided by Section 24.19 (Administration) for a change of zone boundaries or for a change in the regulations applicable within a zone. Amendment of a Development Plan shall be subject to the same findings as prescribed for initial enactment or implementation of a Specific Plan Overlay Zone and adoption of the Development Plan applicable to the Specific Plan Overlay Zone.
- B. An amendment to a Development Plan may be initiated by the City Council or Planning Commission. An amendment may also be initiated by the applicant for the Specific Plan Overlay Zone or a successor thereto, provided such applicant or successor has, at the time of application for an amendment, a continuing controlling interest in development or management of uses within the Specific Plan Overlay Zone.

- A. The Director of Planning shall review each Specific Plan zone annually, and shall submit a report to the City Council containing the following:
1. A summary of the development status within the Specific Plan and an assessment of progress during the year toward completion of development authorized by the Development Plan including adherence to development schedules and phasing.
 2. A statement of any changes in land use and economic development trends, housing market indicators, commercial and industrial development rates, or programs for provision of public facilities and services which, in the opinion of the Director, vary significantly from those upon which the Development Plan were based, and which could adversely affect continued progress toward completion of development within the Specific Plan.
- B. A copy of the annual report of the Director shall be provided to the applicant and to such other interested parties or successors as deemed appropriate by the Director.