

## Chapter 18.38

### PC PLANNED COMMUNITY DISTRICT REGULATIONS

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#### **18.38.010 Specific Purposes**

The PC planned community district is intended to accommodate developments for residential, commercial, professional, research, administrative, industrial, or other activities, including combinations of uses appropriately requiring flexibility under controlled conditions not otherwise attainable under other districts. The planned community district is particularly intended for unified, comprehensively planned developments which are of substantial public benefit, and which conform with and enhance the policies and programs of the Palo Alto Comprehensive Plan.

(Ord. 3048 (part), 1978)

#### **18.38.020 Applicability of Regulations**

The specific regulations of this chapter, and the additional regulations and procedures established by Chapters 18.40 to 18.80, inclusive, shall apply to all planned community districts. Notwithstanding the regulations of Chapters 18.40 to 18.80, inclusive, where specific regulations are adopted pursuant to Sections 18.38.110 and 18.38.120, the specific regulations so adopted shall apply to that planned community district.

(Ord. 3108 § 22, 1979; Ord. 3070 § 3, 1978; Ord. 3048 (part), 1978)

### **18.38.030 Permitted Uses**

Any use may be permitted in any specific PC district; provided such use shall be specifically listed as a permitted use and shall be located and conducted in accord with the approved development plan and other applicable regulations adopted pursuant to this chapter to govern each specific PC district.

(Ord. 3048 (part), 1978)

### **18.38.040 Conditional Uses**

Any use may be established as a conditional use in any specific PC district, provided such use shall be specifically listed as a conditional use subject to the provisions of Chapter 18.76 (Permits and Approvals), and shall be located and conducted in accord with the approved development plan and other applicable regulations adopted pursuant to this chapter to govern each specific PC district.

(Ord. 4826 § 108, 2004; Ord. 3048 (part), 1978)

### **18.38.050 Establishment of Districts**

Planned community districts may be established, modified, or removed from the Zoning Map, and the regulations applicable to any specific PC district may be established, modified, or deleted in accord with Chapter 18.80.

All PC districts shall be identified on the zoning map with the letter coding “PC” followed by a specific reference number identifying each separate district. All use regulations, development plans, development schedules, and other regulatory provisions adopted pursuant to this chapter, or pursuant to Chapter 18.80, which apply to any specific PC district, shall be considered to be a part of this title as if fully set forth in this title, and shall be identified by reference to the corresponding designation of each specific PC district on the zoning map.

(Ord. 3048 (part), 1978)

### **18.38.060 Required Determinations**

The planning commission, prior to recommending approval of any PC district application, and the city council, prior to approving an ordinance designating and regulating any PC district, shall make all of the following required findings with respect to the application, in addition to findings required by Chapter 18.80:

- (a) The site is so situated, and the use or uses proposed for the site are of such characteristics that the application of general districts or combining districts will not provide sufficient flexibility to allow the proposed development.
- (b) Development of the site under the provisions of the PC planned community district will result in public benefits not otherwise attainable by application of the regulations of general districts or combining districts. In making the findings required by this section, the planning commission and city council, as appropriate, shall specifically cite the public benefits expected to result from use of the planned community district.
- (c) The use or uses permitted, and the site development regulations applicable within the district shall be consistent with the Palo Alto Comprehensive Plan, and shall be

compatible with existing and potential uses on adjoining sites or within the general vicinity.

(Ord. 3048 (part), 1978)

### **18.38.065 Application Process**

- (a) The applicant for a PC district shall initially submit to the planning commission a development program statement, development plan, and a development schedule which are described in Sections 18.38.080, 18.38.090, and 18.38.100. The plot plans, landscape development plan, and design plan in the development plan should only be preliminary during this phase of review by the planning commission.
- (b) If the planning commission acts favorably in its initial review of the PC application, the development plan shall be submitted to the architectural review board for review, except in the case of single-family and accessory uses. In this phase, a detailed plot plan, landscape development plan, and design plan of the development plan are required. The architectural review board shall make a recommendation on the development plan based on the findings for architectural review in Section 18.76.020(d).
- (c) The development plan as approved by the architectural review board is then returned to the planning commission for final planning commission review and recommendation before being submitted to the city council for final action.

(Ord. 4826 § 109, 2004; Ord. 3048 (part), 1978)

### **18.38.070 Application Requirements**

In addition to the provisions of Chapter 18.80, each application for a PC district shall be accompanied by a development program statement, a development plan, and a development schedule.

The development plan shall, as approved by the city council, become a part of the zoning regulations applicable within the respective PC district. Subsequent changes in the development plan shall be made in accord with Chapter 18.80, or, for minor changes, through the architectural review process, as set forth in Section 18.76.020(b)(3)(D).

The development schedule shall, as approved by the city council, become a part of the zoning regulations applicable within the respective PC district. Subsequent changes in the development schedule, if included as part of the regulations, shall be made in accord with Chapter 18.80 or, for minor changes, through the architectural review process, as set forth in Section 18.76.020(b)(3)(D); provided, that specifically authorized changes may be made by the director pursuant to Section 18.38.130.

(Ord. 4826 § 110, 2004; Ord. 3048 (part), 1978)

### **18.38.080 Development Program Statement**

The purpose of the development program statement shall be to describe the proposed use or uses to be conducted in the district in a manner sufficient to enable preparation and consideration of regulations governing permitted uses, conditional uses, site use and development regulations, off-

street parking and loading requirements, and other special regulations which may be appropriate to govern development, use, and maintenance of the site or sites included within the PC district.

The development program statement shall include the following:

- (a) A statement by the applicant demonstrating the necessity of the application for the PC district, including information demonstrating the compliance of the proposed development with the required determinations set forth in Section 18.38.060;
- (b) A complete listing of all uses proposed, or potentially to be included, within the PC district, incorporating insofar as possible the terminology used in other parts of this title to define, describe, and regulate permitted uses and conditional uses, and the definitions pertinent thereto;
- (c) A complete description of the nature of uses proposed, and the conditions or characteristics of occupancy, use, or operation, with particular reference to those conditions or characteristics which may warrant regulation differing from those regulations which might apply to such uses if located in one or more general districts within the city;
- (d) A schedule or statement indicating number, type, floor area, number of bedrooms, and projected sale or rental price of all housing units proposed in the district;
- (e) Such additional information as the director may prescribe as necessary, in his judgment, to facilitate review and action on the application by the planning commission, the architectural review board, and the city council.

(Ord. 3048 (part), 1978)

### **18.38.090      Development Plan**

The development plan submitted with the application for a PC district shall include the following, unless waived by the director for cause:

- (a) An aerial photograph of the site and adjacent land within two hundred fifty feet of the site, at a scale to be prescribed by the director. The director may specify that information required by subsections (b) through (i) be superimposed on the aerial photograph, or a duplicate copy thereof;
- (b) A map showing any public or private streets, proposed building sites, and any areas proposed to be dedicated or reserved for parks, parkways, paths, playgrounds, school sites, public buildings and other such uses. Compliance with this requirement shall not be construed to relieve the applicant from compliance with the subdivision code in Title 21, or any other applicable ordinances of the city;
- (c) A map showing the existing and proposed topography of the proposed district at contour intervals as determined appropriate by director;
- (d) A land use plan for the proposed district indicating the areas proposed for each use or combination of uses identified by the development program statement;
- (e) A plot plan or plans for each building site in the proposed district, or any portion thereof, in such form as required by the director. The required plans shall show the

location of all proposed buildings and principal site improvements, shall indicate dimensions of buildings, site lines, and improvements, and shall indicate the location of physical or natural site features, including trees, and any changes proposed thereto.

- (f) A landscape development plan, showing the boundaries and location of proposed landscaped areas and exterior site improvements, including but not limited to lights, swimming pools, and service and refuse areas.
- (g) A circulation plan, indicating the proposed movement of vehicles, goods, and pedestrians within the district, and to and from adjacent public thoroughfares. Any special engineering features and traffic regulation devices needed to insure safety or to facilitate ease of access and circulation, whether on or off the site, shall be shown.
- (h) A parking and loading plan, showing the number of spaces and the location, internal circulation and dimensions of all parking and loading areas. The parking and loading plan shall be based upon the requirements of Chapters 18.52 and 18.54, unless requested modifications to meet the needs of the individual project are supported by traffic engineering studies or relevant data, as may be required by the director, demonstrating the feasibility and adequacy of the plan.
- (i) Preliminary design plans, including such schematic floor plans, schematic exterior elevations and sections, and/or perspective drawings, as may be necessary to indicate the height of proposed buildings and the general appearance of the proposed structures to the end that the entire development will have architectural unity and will be compatible with existing and proposed neighborhood development. Such drawings need not show final architectural detail. Construction drawings and contract plans, subsequently submitted with applications for required permits or other construction approvals pursuant to approved PC district regulations, shall conform substantially to the preliminary design plans, and shall be subject to all applicable review and permit requirements in effect at the time of approval and permit issuance.

(Ord. 3108 § 20, 1979; Ord. 3048 (part), 1978)

### **18.38.100 Development Schedule**

The development schedule submitted with the application for a PC district shall include the following:

- (a) A schedule, indicating to the best of the applicant's knowledge, the approximate date on which construction or development is expected to begin, the duration of time required for completion of the development, and the approximate date or dates of occupancy;
- (b) A phasing program, indicating, in the event the proposed development within the district is expected to require more than two years for completion and occupancy, a logical or programmed sequence of phases and incorporating a schedule as described in subsection (a) for each phase of development.

(Ord. 3048 (part), 1978)

### 18.38.110 Action by Commission

In addition to the requirements of Chapter 18.80, the planning commission shall review and consider all materials submitted by the applicant pursuant to this chapter, and shall prepare and recommend to the city council, as appropriate, the specific regulations to be applied within the proposed planned community district. The specific regulations may modify those regulations contained in Chapters 18.40 to 18.80, inclusive, as is appropriate to meet the individual district and shall include the following:

- (a) **Permitted Uses.** A listing of all uses to be permitted generally within the district, or the uses to be permitted in specific locations within the district as shown on the development plan;
- (b) **Conditional Uses.** A listing of all uses to be conditionally allowed within the district, or the uses to be permitted in specific locations within the district as shown on the development plan;
- (c) **Site Development Regulations.** Maximum or minimum regulations, as appropriate, governing site dimensions, required yards and distances between buildings, site coverage, building height, residential density, and floor area ratio, open space requirements, accessory facilities and uses, and other aspects of the proposed development within the district. The regulations may be in text, or by reference to the development plan, or both. In no event shall the maximum height exceed fifty feet except as provided in Chapter 18.76 (Permits and Approvals);
- (d) **Parking and Loading Requirements.** Regulations establishing off-street parking and loading requirements for the district, and governing design, location, screening, landscaping and operation of parking and loading activities. The regulations may be by reference to Chapters 18.52 and 18.54, or in text if the regulations of Chapters 18.52 and 18.54 are modified for the individual district, or both;
- (e) **Special Requirements.** Additional regulations, as may be appropriate to assure a harmonious relationship between uses within the district, and a compatible relationship with existing or potential uses within adjoining districts, may be recommended by the commission. Such regulations may include additional height limitations, yard requirements, landscaping and screening, provisions governing outdoor activities, and other requirements;
- (f) **Development Plan and Development Schedule.** The development plan submitted pursuant to Section 18.38.090 and the development schedule submitted pursuant to Section 18.38.100, as amended or approved by the planning commission, shall be recommended for inclusion in the regulations applicable to the PC planned community district;
- (g) **Definitions.** Definitions applicable specifically to the regulations recommended for the district may be included.

(Ord. 4826 § 111, 2004: Ord. 3108 § 21, 1979: Ord. 3048 (part), 1978)

### 18.38.120 Action by Council

In the event the city council adopts an ordinance pursuant to Chapter 18.80 establishing a specific PC planned community district, the council shall include the regulations described in Section 18.38.110, either as recommended by the planning commission or as modified by the council.

(Ord. 3048 (part), 1978)

### 18.38.130 Change in Development Schedule

For good cause shown by the property owner in writing and unless otherwise specified by the specific applicable regulations for the district, prior to the expiration of the original time schedule for the development, the director may, without a public hearing, modify the time limits imposed by any adopted development schedule; provided, that such modification shall not extend the schedule by more than one year; and provided, that only one such modification may be made.

(Ord. 3048 (part), 1978)

### 18.38.140 Failure to Meet Development Schedule

Sixty days prior to the expiration of the development schedule, the director shall notify the property owner in writing of the date of expiration and advise the property owner of Section 18.38.130.

Failure to meet the approved development schedule, including an extension, if granted, shall result in:

- (a) The expiration of the property owner's right to develop under the PC district. The director shall notify the property owner, the city council, the planning commission and the building official of such expiration; and
- (b) The director's initiating a zone change for the property subject to the PC district in accordance with Chapter 18.80. The property owner may submit a new application for a PC district concurrently with the director's recommendation for a zone change.

(Ord. 3418 § 1, 1983; Ord. 3345 § 21, 1982; Ord. 3048 (part), 1978)

### 18.38.150 Special Requirements

Sites abutting or having any portion located with one hundred fifty feet of any R-E, R-1, R-2, RM, or any PC district permitting single-family development or multiple-family development shall be subject to the following additional height and yard requirements:

- (a) **Parking Facilities.** The maximum height shall be equal to the height established in the most restrictive adjacent zone district.
- (b) **All Other Uses.** The maximum height within one hundred fifty feet of any R-E, R-1, R-2, RM, or applicable PC district shall be thirty-five feet; provided, however, that for a use where the gross floor area excluding any area used exclusively for parking purposes, is at least sixty percent residential, the maximum height within one hundred fifty feet of an RM-40 district shall be fifty feet.
- (c) Sites sharing any lot line with one or more sites in any R-E, R-1, R-2, RM or applicable PC district, a minimum interior yard of 10 feet shall be required, and a solid wall or

fence between 5 and 8 feet in height shall be constructed and maintained along the common site line. Where a use in a PC district where the gross floor area, excluding any area used exclusively for parking purposes, is at least sixty percent residential, the interior yard shall be at least as restrictive as the interior yard requirements of the most restrictive residential district abutting each such side or rear site line. The minimum interior yard shall be planted and maintained as a landscaped screen.

- (d) On any portion of a site in the PC district which is opposite from a site in any R-E, R-1, R-2, RM or applicable PC district, and separated therefrom by a street, alley, creek, drainage facility or other open area, a minimum yard of 10 feet shall be required. Where a use in a PC district where the gross floor area, excluding any area used exclusively for parking purposes, is at least sixty percent residential, the minimum yard requirement shall be at least as restrictive as the yard requirements of the most restrictive residential district opposite such site line. The minimum yard shall be planted and maintained as a landscaped screen, excluding areas required for access to the site.
- (e) Sites sharing any lot line with one or more sites in any R-E, R-1, R-2, RM or any residential PC district shall be subject to a maximum height established by a daylight plane beginning at a height of ten feet at the applicable side or rear site lines and increasing at a slope of three feet for each six feet of distance from the side or rear site lines until intersecting the height limit otherwise established for the PC district; provided, however, that for a use where the gross floor area excluding any area used exclusively for parking purposes, is at least sixty percent residential, the daylight planes may be identical to the daylight plane requirements of the most restrictive residential district abutting each such side or rear site line until intersecting the height limit otherwise established for the PC district. If the residential daylight plane, as allowed in this section, is selected, the setback regulations of the same adjoining residential district shall be imposed.

(Ord. 3683 §§ 12, 13, 1986; Ord. 3465 §§ 40, 44, 1983; Ord. 3418 §§ 2 and 3, 1983; Ord. 3130 §§ 11, 25(f), 1979; Ord. 3108 § 9, 1979; Ord. 3048 (part), 1978)

### **18.38.160 Inspections**

Each PC district shall be inspected by the building division at least once every three years for compliance with the PC district regulations and the conditions of the ordinance under which the district was created.

(Ord. 3345 § 23, 1982)

### **18.38.170 Recycling Storage**

All new development, including approved modifications that add thirty percent or more floor area to existing uses, shall provide adequate and accessible interior areas or exterior enclosures for the storage of recyclable materials in appropriate containers. The design, construction and accessibility of recycling areas and enclosures shall be subject to architectural review approval pursuant to Chapter 18.76 (Permits and Approvals).

(Ord. 4826 § 112, 2004; Ord. 4069 § 12, 1992)