

Applying for a **PLANNED COMMUNITY ZONE CHANGE**



City of Palo Alto

APPLYING FOR A PLANNED COMMUNITY ZONE CHANGE

What is a Planned Community district?

The Planned Community (PC) district is intended to accommodate developments for residential, commercial, professional, research, administrative, industrial, or other activities, including combinations of uses. It allows for flexibility under controlled conditions not attainable under other zone districts. The PC 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.

Where to apply

Department of Planning and Community Environment
City of Palo Alto Development Center
285 Hamilton Avenue
Corner of Hamilton Avenue and Bryant Street
Palo Alto, CA 94301
(650) 329-2441

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Questions and information

Application and Review
Review procedure

Department of Planning &
Development Services
City Hall, Fl. 5
(650) 329-2441

Building Code (Title 16)*
Zoning Ordinance (18.68/18.99)*

Division of Inspection Services
Development Center
(650) 329-2496

Traffic

Transportation
City Hall, Fl. 5
(650) 329-2520

Construction in
Public Right-of-Way

Public Works Department
City Hall, Fl. 6
(650) 329-2373

Fire Code (Title 15)*

Fire Department
City Hall, Fl. 6
(650) 329-2184

Utilities

Administration

Utilities Department
City Hall, Fl. 3
(650) 329-2273

Water/Gas/Wastewater

1007 Elwell Court
(650) 496-6982

Electric

3201 East Bayshore
(650) 566-4500

*Palo Alto Municipal Code (PAMC)

Required determinations

The Planning and Transportation Commission, prior to recommending approval of any PC district, and the City Council, prior to approving an ordinance designating and regulating any PC district, shall make all of the following required findings in addition to findings required by Chapter 18.98 (Amendments to Zoning Map and Zoning Regulations):

1. 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.
2. Development of the site under the provisions of the PC 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 and Transportation Commission and City Council, as appropriate, shall specifically cite the public benefits expected to result from use of the PC district.
3. 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.

Application procedure

Before submitting an application, make an appointment with the Zoning Administrator to discuss it. Submittal requirements:

1. Application forms: one for PC zone change and one for the Architectural Review Board (ARB).
2. Filing fees: see current Fee Schedule.
3. Environmental Impact Assessment (EIA): Submit EIA coversheet and twelve copies of completed worksheet.
4. Development Program Statement including:
 - a. A statement demonstrating the necessity of the application for the PC district, including information demonstrating the compliance of the proposed development with the "Required Determinations" listed on page 1.
 - b. A complete listing of all uses proposed or potentially to be included within the PC district.
 - c. A complete description of the nature of uses proposed and the condition or characteristics of occupancy, use, or operation, with particular reference to those conditions or characteristics which may warrant regulations differing from those regulations which might apply to such uses if they were located in other zoning districts.
 - d. A schedule or statement indicating the number, type, floor area, number of bedrooms, and the projected sale or rental price of all housing units proposed in the district.

- e. Such additional information as the Zoning Administrator may require to facilitate review and action by the Planning and Transportation Commission, ARB, and the City Council.
5. Development Plans (12 copies) drawn to scale of at least 1" = 20' and including (unless waived by the Zoning Administrator for cause):
- a. An aerial photograph of the site and adjacent land within 250 feet of the site. Information required in items (b) and (e) may be superimposed on the aerial photograph.
 - 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.
 - c. A map showing the existing and proposed topography of the proposed PC district.
 - d. A land use plan for the proposed PC district indicating the area proposed for each use or combination of uses identified by the "Development Program Statement" (4(b)).
 - e. A plot plan or plans for each building site in the proposed PC district. The plans shall show the location of all proposed buildings and principal site improvements, shall indicate the location of physical or natural site features including tree location, species, size, dripline area (including trees located on neighboring property that overhang the project site), public trees within 30 feet of the project site and any changes proposed to them. Also cross-sections of the subject property as it relates to adjacent property.
 - 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 facilities ease of access and circulation, whether on or off the site, shall be shown.
 - h. Parking and loading plan, showing the number of spaces and location, internal circulation, and dimensions of all parking and loading areas. The parking and loading plan shall be based upon the requirements of Chapter 18.83, "Off-Street Parking and Loading Requirements", and shall be supported by traffic engineering studies or relevant data, as may be required by the Zoning Administrator, demonstrating the feasibility and adequacy of the plan.
 - i. Preliminary design plans demonstrating that the entire development will have architectural unity and will be compatible with existing and proposed neighborhood development. The plans should include schematic floor plans, schematic exterior elevations, and section, and/or perspective drawings, necessary to indicate the height of proposed buildings (maximum height shall not exceed 50 feet) and the general appearance of the proposed structures. Such drawings need not show final architectural detail.

6. Development Schedule including:
 - a. Approximate date on which construction 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 if the proposed development is expected to require more than two years for completion and occupancy.
7. Names and addresses, with ZIP codes, typed or printed on mailing labels, of each owner of property within 300 feet of the subject property. Names and addresses are available in the Building Inspection Services Division.
8. Such additional information (including additional sets of plans) as the Zoning Administrator may deem pertinent and essential to the application.

Your application will not be considered complete until the Zoning Administrator determines that all of these submittal requirements have been met.

Plan check

Plans are routed to all concerned departments for a plan check and are reviewed by the Staff Project Review Committee. Plans must meet building Code and all other applicable codes and ordinance, except zoning regulations for regular zone districts, before being acted upon by the Planning Commission. After plan check, the applicant shall submit 17 additional copies of the plans (for the Planning and Transportation Commission and ARB) revised if necessary to meet codes and ordinances.

Review and approval procedure

1. The Planning and Transportation Commission will consider the application within 90 days of the date of filing the completed application. The Commission considers zone change applications on the last Wednesday of the month at 7:00 PM in the Council Chambers. The applicant is sent the agenda and staff report and advised to attend the meeting. Notices of the hearing will be sent to property owners and occupants within 300 feet of the exterior limits of the property involved at least 10 days before the hearing. The Planning and Transportation Commission, at its initial review, determines generally whether the proposed use is consistent with the Comprehensive Plan and whether the use is appropriate.
2. If the Planning and Transportation Commission recommends denial at its initial review, the PC district application goes directly to the City Council. If the Commission acts favorably in its review of the PC application, the Development Plan (except for single family and accessory uses) shall then be submitted to the ARB for approval. The ARB meets the first and third Thursday at 8:00 AM in the Council Chambers. The applicant is sent an agenda and advised to attend the ARB meeting. The project designer should also attend.
3. The Development Plan approved by the ARB is then returned to the Planning and Transportation Commission for final Commission review and recommendation before

being submitted to the City Council for final action. The Planning and Transportation Commission may recommend approval, approval subject to conditions, or denial. In addition to the requirements of Chapter 18.98 (“Amendments to the Zoning Map and Zoning Regulations”), the Planning and Transportation Commission shall review and consider all materials submitted by the applicant and shall recommend to the City Council, as appropriate, the specific regulations to be applied within the proposed PC district, as required by Section 18.68.110.

4. The Planning and Transportation Commission’s recommendation is forwarded to the City Council within 30 days. 15 copies of plans, revised if necessary to comply with the final Commission recommendation, shall be submitted by the applicant to the Department of Planning & Development Services prior to Council action. The City Council meets Mondays at 7:30 PM in the Council Chambers. The applicant is sent an agenda and advised to attend the meeting of the City Council. Applications that receive unanimous recommendation from the Planning and Transportation Commission are placed on the Council Consent Calendar. The City Council may approve, approve subject to conditions, or deny. The applicant is notified in writing of the action of the City Council. If the City Council approved the application for a PC district, it shall include in its ordinance the regulations described in Section 18.68.110, either as recommended by the Planning and Transportation Commission or as modified by the City Council.

Administrative approval, minor (D) changes

Under the Chapter 18.99, minor changes to an existing building or structure, or other improvements included in an approved PC plan may be diverted by the Director of Planning & Development Services for administrative approval, provided there is no change in use, no change in the character of the structure(s) and no exception or variance required. Also, no application shall be diverted for administrative approval if:

1. The proposed change is not minor when considered in conjunction with other minor changes to the same project approved or under consideration, even though such changes relate to different plans, buildings, or structures of the project.
2. In the opinion of the Director of Planning & Development Services, the proposed change will be controversial, or probably will be denied by the Director of Planning & Development Services or the City Council.

Submittal requirements, minor PC

The applicant shall submit the application forms and the required application fees for a minor PC change and a minor ARB review plus all or portions of Items (5) through (8) on pages 4-6, as the Zoning Administrator considers pertinent and essential to the application.

Review and approval procedure, minor PC

1. The diversion of an application shall suspend any time period requirements for action by the City Council, Planning and Transportation Commission, or ARB for 90 days or until the application is returned to its normal review procedure, whichever is less.
2. The Director of Planning & Development Services shall refer diverted applications directly to the ARB for review and recommendation although the appeal procedure for ARB actions shall not apply.
3. Upon receipt of the ARB recommendation, the Director of Planning & Development Services shall expeditiously approve or disapprove the application.
4. The Director of Planning & Development Services shall render the decision in writing, stating the reasons for the decision, and mail a copy to the applicant. Copies will also be forwarded to the City Council, and notice of the decision will be published in the *Palo Alto Weekly*.
5. Unless an appeal is filed within 10 days of the publication of notice of the determination in the *Palo Alto Weekly*, the decision of the Director of Planning & Development Services shall become final.
6. If the application is disapproved, the decision shall have no force and effect, and the application shall be returned to the normal review procedure.

Appeal procedure, minor PC

1. An appeal may be made to the Planning and Transportation Commission by any person, firm, or corporation aggrieved or affected by any determination of the Director of Planning & Development Services on an administrative approval of minor changes to a PC plan.
2. The appeal shall be in writing and shall be filed with the City Clerk within 10 days of the publication notice of the determination in the *Palo Alto Weekly*.
3. A file fee is required. The applicant must provide 24 additional sets of plans. See current Fee Schedule for fees.
4. The appeal must state the grounds for appeal.
5. Filing of an appeal with the City Clerk shall stop all proceedings of the action appealed until the appeal is decided.
6. A public hearing is held by the Planning and Transportation Commission within 3 months of the date of the filing of the appeal.
7. The Planning and Transportation Commission shall make findings and recommend to the City Council that the decision of the Director of Planning & Development Services be affirmed, changed, or modified.
8. Within 30 days of the recommendation of the Planning and Transportation Commission shall consider the appeal. The Council may, at its option, conduct a public hearing on the matter.
9. The City Council may reverse or affirm or may modify the determination, or requirements recommended by the Planning and Transportation Commission.
10. The decision of the City Council shall be effective immediately.

11. Notice of the Council's decision shall be mailed to the original applicant, to the person filing the appeal, and to any other person who has filed a written request with the City Clerk.

Public participation

Any interested person may inspect a Planned Community district file in the Planning Division and may appear and present his views at the meetings of the ARB and the City Council. Planning and Transportation Commission and City Council packets including agendas, minutes, and staff reports are available to the public in the City Clerk's office, the Planning Division, and at Palo Alto public libraries.

Approved plans

1. Approved plans are sent to the applicant at the Building Inspection Services Division.
2. The applicant must apply to the Zoning Administrator for conditional use permits for any uses allowed as conditional uses under the Development Plan and to the Building Inspection Services Division and the Fire Department for building and any other required permits.
3. 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 all applicable review and permit requirements in effect at the time of approval and permit issuance.

Change in development schedule

The Zoning Administrator may, without a public hearing, modify the time limits imposed by any adopted development schedule, provided that the modification is requested in writing by the property owner before the original time schedule expires. The schedule may not be extended more than one year, and only one such modification may be made. The applicant must show good cause for his request.