

**Article 24 PBD Planned Block Development Overlay District**

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**2401 Purpose**

The PBD Planned Block Development Overlay District is intended to permit flexibility in land-use regulations and site development standards under control of the Planning Commission and City Council where flexibility or coordinated planning for a large site or a site under multiple ownership will enhance the potential for superior urban design.

**2402 Area Requirements**

Each PBD Overlay District shall include a minimum contiguous area of 60,000 square feet.

**2403 Status of PBD Planned Block Development Overlay District and Approved Plan**

Adoption of a PBD district proposal shall be by amendment to the zoning map, but the zoning map amendment shall not alter the use regulations or development standards of the underlying subdistrict. A Development Plan approving a Planned Block Development Plan and Text shall be adopted by the City Council at the same time as the zoning map amendment for the purpose of including conditions relating to the timing of development, transfer of FAR, design, modification and restriction of uses, modifications to site development standards, and other appropriate matters.

All development shall be in accord with the Planned Block Development Plan and Text, which may be amended as provided in the conditions of approval. The Planning Commission shall recommend, and the City Council shall approve, amendments to the Planned Block Development Plan and Text.

#### **2404 Allowable Modifications to Use Regulations and Development Standards of the Underlying Zoning District**

After a duly noticed public hearing, the following changes in use regulations and development standards may be approved as part of a Planned Block Development Plan and Text:

- A. Allowable FAR may be transferred between lots within the same zoning district in a Development Plan, provided that an instrument satisfactory to the City Attorney shall be recorded limiting FAR on parcels from which FAR is transferred.
- B. Regulations for specific use classifications may be modified by the Development Plan Text to accommodate appropriately sized accessory uses.
- C. Site development standards (not including maximum FAR, residential unit type regulations, and parking spaces required) of the base district or other overlay district with which a PBD district is combined may be modified by the Block Development Plan or Text.
- D. The Planned Block permit may restrict uses allowed in the underlying base district, but it can not allow additional uses that would not normally be permitted within the underlying base district in which the Planned Block permit is located.

#### **2405 Application for Designation**

- A. A proposed amendment to create a PBD Overlay District may be initiated by the Planning Commission, the City Council, or by 100 percent of the owners of the land area within the boundaries of the proposed Planned Block Development as prescribed by Article 45 and Article 43.

- B. An application initiated by property owners shall include:
1. A map indicating the proposed boundaries for the PBD Overlay District; the property of participating owners; and the zoning district designations.
  2. A Development Plan and Text consisting of a map and textual material as may be necessary to delineate land uses and locations, existing and projected building types and designs, height and FAR, including any proposals for transfer of FAR, site development requirements, existing and proposed open space, circulation, on-site and off-site parking, and any other pertinent information as prescribed by Article 43.
  3. A comparison between underlying district regulations and standards and any proposed modifications to these regulations and standards, together with resulting impacts on traffic-carrying capacity of affected streets.
  4. A statement of the reasons for any requested modifications to regulations or standards and a description of proposed means of mitigating any adverse effects.
  5. Any other informational items deemed necessary by the Planning Director in order to fully analyze and review the proposed development.

**2406 Adoption of PBD Overlay District and Development Plan**

- A. The Planning Commission shall hold a duly noticed public hearing on the application in accord with the provisions of Article 45 and Article 43. Following the hearing, the Commission may recommend approval of the Zoning Map Amendment and the Development Plan and Text if they implement the purposes for which designation of the PBD Overlay District is proposed, and shall transmit the application to the Council.
- B. The City Council shall hold a hearing as provided by Section 4506 on any application and plan transmitted to it by the Planning Commission.

- C. Following the hearing, the City Council may adopt a PBD Planned Block Development Overlay District for the area described in the application and a Planned Block Development Plan and Text only after making the following findings:
1. That the Development Plan and Text will enhance the potential for superior urban design in comparison with development under the regulations that would exist if the Development Plan and Text were not approved;
  2. That the Development Plan and Text is consistent with the adopted Land Use Element of the General Plan and other applicable policies, and that it is compatible with development in the area it will directly affect;
  3. That the Development Plan and Text includes adequate provisions for utilities, services, and emergency vehicle access, and public service demands will not exceed the capacity of existing systems;
  4. That traffic expected to be generated by development in accord with the Development Plan and Text will not exceed the capacity of affected streets; and
  5. That the Development Plan and Text will not significantly increase shading of adjacent land in comparison with shading from development under the regulations that would exist if the Planned Block Development Plan and Text were not approved.
- D. The City Council shall adopt each Planned Block Development District by ordinance pursuant to Article 45. The adopting ordinance shall include a reference to the approved Development Plan and Text for the district, a statement of purposes, and a list of the modifications to the base district regulations.

**2407 Effective Date; Lapse of Approvals; Time Extensions; Changed Plans**

- A. Effective Date. A Planned Block Development Plan and Text shall become effective on the same date the ordinance adopting the Planned Block Development District becomes effective.

- B. Lapse of Approvals. A Planned Block Development Plan and Text shall lapse two years after the effective date of approval or conditional approval, or at an alternate time specified as a condition of approval unless:
1. A grading permit has been issued and grading has been substantially completed and/or a building permit has been issued, and construction diligently pursued; or
  2. An occupancy permit has been issued; or
  3. The approval is extended; or
  4. In cases where a Planned Block Development Plan is approved concurrently with a Tentative Map and a Final Map or Parcel Map is recorded, the Planned Block Development Plan shall be effective for an additional 24 months from the date of recordation of the Final Map or Parcel Map.
- C. Time Extension. Upon application by the project applicant filed prior to the expiration of an approved or conditionally approved development plan and text, the time at which the development plan and text expires may be extended by the Planning Commission for a period or periods not to exceed a total of three years. Application for renewal shall be made in writing to the Planning Director no less than 30 days or more than 90 days prior to expiration.
- D. Changed Plans. A request for changes in conditions of approval of a development plan and text, or a change to the development plan and text that would affect a condition of approval, shall be treated as a new application. The Planning Director may waive the requirement for a new application if the changes requested are minor, do not involve substantial alterations or addition to the development plan and text or the conditions of approval, and are consistent with the intent of the approval or otherwise found to be in substantial conformance.

#### **2408 Zoning Map Designator**

Each PBD Planned Block Development Overlay District shall be shown on the zoning map by a "-PBD" designator applied to the base district designations, numbered and identified sequentially by order of enactment and referenced to the enacting ordinance.

#### **2409 Building Permits**

Proposed structures or alterations must be consistent with the adopted Planned Block Development Plan and Text for the issuance of building permits.