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PUD/P1

Planned Unit District

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NOTE: The City has other regulations, which may affect individual properties, including, but not limited to hillside development, structures over 17-ft. in height, development in excess of 6,000 sq. ft., tree protection, grading, and public art. Please review the Project Checklist available on the City of Lafayette web site at www.lovelafayette.org for an overview of regulations that might apply. You may consult Planning Services Division staff to ascertain which rules and regulations apply to any given project.

Article 1. Planned Unit District

6-1101 General.

All land in the planned unit district (map symbol P-1) shall be used in accordance with the regulations of this chapter. (Ord. 51 § 1 (part), 1971)

6-1102 Purpose.

It is recognized that an integrated development provides an opportunity for cohesive design when flexible regulations are applied; whereas the application of conventional regulations, designed primarily for individual lot development, to an integrated development may create a monotonous and stultified neighborhood. This planned unit district is intended to allow diversification in the relationship of various uses, buildings, structures, lot sizes and open spaces while ensuring substantial compliance with the general plan and the intent of this code in requiring adequate standards necessary to satisfy the requirements of the public health, safety and general welfare. These standards shall be observed without unduly inhibiting the advantages of integrated site planning. (Ord. 51 § 1 (part), 1971)

6-1103 Application.

An application for rezoning to the P-1 district shall contain:

- (a) A preliminary development plan, drawn to scale, which shall indicate:
 - (1) The proposed use or uses of all lands within the subject area,
 - (2) Existing natural land features and topography of the subject area,
 - (3) A circulation plan for all vehicular and pedestrian ways,
 - (4) The metes and bounds of the subject property,
 - (5) The location and dimensions of all existing structures,
 - (6) Landscaping, parking areas and typical proposed structures,
 - (7) The anticipated grading for the development;
- (b) A written legal description of the subject area;
- (c) A preliminary report indicating provision for storm drainage, sewage disposal and public utilities;
- (d) An economic feasibility report and analysis of all commercial and industrial uses, if any, proposed to be located within the development;
- (e) A feasibility analysis of all public, quasi-public, recreational and educational areas and facilities proposed to be located within the development. This analysis shall include a statement of anticipated financing, development and maintenance;
- (f) A residential density analysis of the subject area, and the estimated population resulting there from;
- (g) A statement indicating how and why the proposed development conforms to the general plan;
- (h) A statement requesting the zoning change, signed by the owners in fee of the subject land and the owners of any option to purchase the property or any portion thereof, if any;
- (i) Schematic drawings showing the architectural design of all apartment houses and nonresidential buildings and structures proposed in the development;
- (j) Any additional information as may be required by the planning commission or the city council at the time of any public hearing.

(Ord. 51 § 1 (part), 1971)

6-1104 Procedure.

An application for rezoning to this district shall be processed in accordance with the applicable provisions of Title 7 of the Government Code of the State of California. The preliminary development plan, as approved by the city council, shall be filed with the planning commission, and shall, by reference, be incorporated into and thereby become a part of the ordinance rezoning the subject property into the P-1

district. After the effective date of such ordinance, no grading or land clearing shall take place, nor shall any building or structure be erected, moved or altered on the subject property, except in compliance with the final development plan as approved by the planning commission. (Ord. 51 § 1 (part), 1971)

6-1105 Final development plan.

The final development plan shall contain or be accompanied by:

- (a) The metes and bounds of the subject property, together with the dimensions of the parcels, if any, into which the property is to be divided;
- (b) The location, grades, widths and types of improvements proposed for all streets, driveways, pedestrian ways and utilities;
- (c) The location, height, number of stories, use and number of dwelling units for each proposed building or structure;
- (d) The location and design of vehicle parking areas;

- (e) The location and design of proposed landscaping except for proposed single-family residential development;
- (f) The location and design of all storm drainage and sewage disposal facilities;
- (g) An engineer's statement of the proposed grading;
- (h) The location and extent of all proposed land uses;
- (i) Elevations of all buildings and structures other than single-family residences;
- (j) A statement indicating procedures and programming for the development and maintenance of semipublic or public areas, buildings and structures;
- (k) A statement indicating the stages of development proposed for the entire project;
- (l) Any additional drawings or information which may be required by the planning commission at the time of any public hearing on the plan.

(Ord. 51 § 1 (part), 1971)

6-1106 Final development plan approval.

The final development plan shall be submitted to the planning commission for approval using the same procedure required for a use permit application. An appeal from the planning commission decision may be taken to the city council in accordance with the provisions of Part 1 of this title. If no appeal is taken, the decision of the planning commission becomes final. (Ord. 51 § 1 (part), 1971)

6-1107 Latitude of regulations.

The planning commission may recommend and the city council may adopt as part of the preliminary development plan, and may require in the final development plan, standards, regulations, limitations and restrictions either more or less restrictive than those specified elsewhere in this title, and which are designed to protect and maintain property values and community amenities near the subject property, and which would foster and maintain the health, safety and general welfare of the city, including and relating to, but not limited to, the following:

- (a) Height limitations on buildings and structures;
- (b) Percent coverage of land by buildings and structures;
- (c) Parking ratios and areas expressed in relation to use of various portions of the property and/or building floor area;
- (d) the location, width and improvement of vehicular and pedestrian access to various portions of the property, including portions within abutting streets;
- (e) Planting and maintenance of trees, shrubs, plants and lawns in accord with a landscaping plan;
- (f) Construction of fences, walls and floodlighting of an approved design;
- (g) Limitations upon size, design, number, lighting and location of signs and advertising structures;
- (h) Arrangement and spacing of buildings and structures to provide appropriate open spaces around same;

- (i) Location and size of off-street loading areas and docks;
- (j) Uses of buildings and structures by general classification, and specific designation when there are unusual requirements for parking, or when use involves noise, dust, odor, fumes, smoke, vibration, glare or radiation incompatible with present or potential development of surrounding property;
- (k) Architectural design of buildings and structures;
- (l) Schedule of time for construction and establishment of the proposed buildings, structures, or land uses or any stage of development thereof;
- (m) Performance bonds to ensure development as approved.

(Ord. 51 § 1 (part), 1971)

6-1108 Required findings.

In approving and adopting the rezoning application with the preliminary development plan, and subsequently the final development plan, the planning commission and/or the city council, as the case may be, shall find the following:

- (a) That the applicant intends to start construction within two and one-half years from the effective date of zoning change;
- (b) That the proposed planned unit development substantially conforms to the general plan;
- (c) that, in the case of residential development, such development will constitute a residential environment of sustained desirability and stability, and that it will be in harmony with the character of the surrounding neighborhood and community;
- (d) That, in the case of commercial development, such development is needed at the proposed location to provide adequate commercial facilities of the type proposed; that traffic congestion will not likely be created by the proposed use, or will be obviated by presently projected improvements and by demonstrable provisions in the plan for proper entrances and exits, and by internal provisions for traffic and parking; that said development will be attractive and efficient and will fit harmoniously into and will have no adverse effects upon the adjacent or surrounding development;
- (e) That, in the case of proposed industrial development, such development is fully in conformity with the applicable performance standards, and will constitute an efficient and well-organized development, with adequate provisions for truck access service and necessary storage; and that such development will have no adverse effect upon adjacent or surrounding development;
- (f) That the development of a harmonious, integrated plan justifies exceptions from the normal application of this title.

(Ord. 51 § 1 (part), 1971)

6-1109 Termination of zoning.

If, within 18 months of the effective date of the establishment of the P-1 district and the preliminary development plan, a final development plan is not submitted to the planning commission, the P-1 district shall become null and void and the land use district classification shall revert back to the designation in effect immediately before the rezoning to P-1. If, within 12 months after the approval by the planning commission of the final development plan, the construction specified in said final development plan has not been commenced, then the P-1 district shall become null and void and the land use district classification shall revert back to the designation in effect immediately before rezoning the P-1. The city council may grant one extension for not more than one year upon a showing of good cause.

(Ord. 51 § 1 (part), 1971)

6-1110 Uses permitted.

Any land uses may be permitted in the P-1 district provided such use or uses are in harmony with each other and serve to fulfill the function of the planned unit development while substantially complying with the general plan. (Ord. 51 § 1 (part), 1971)

6-1111 Residential density.

The general plan shall be used as the guide in establishing residential densities. In establishing residential densities those areas set aside for churches, schools, streets, commercial use or other nonresidential use shall not be included in the net development area for purposes of computing residential densities. The area set aside for common open space, outdoor recreational use or parks shall be included in the net development area for purposes of computing residential densities. (Ord. 51 § 1 (part), 1971)

6-1112 Final development plan modifications.

The final development plan may be modified by submitting an application for such modification according to the same procedure as is required in the initial review and approval of the final development plan. The flexibility of ordinance requirement, ordinarily required in other districts, permitted in any initial approval of a P-1 district shall not be considered as precedent-setting, or as a lone compelling reason for approving any modifications. Any application for modification may be approved only after it has been found that it does not deviate from the intent and purpose of this district, and that provisions of Section 6-1108 and 6-1111 have been met. (Ord. 51 § 1 (part), 1971)

6-1113 Planned unit development on hillside land.

In developing hillside land as that term is defined in Section 6-2002(a)(1) of this title, the city encourages development by means of the planned district (P-1) zoning classification. The maximum number of dwelling units permitted for hillside land classified planned district (P-1) is that which would have been permitted by the land use regulations applicable to the property immediately before being classified planned district, including the application of the provisions of Section 6-2004 of this title. (Ord. 175 § 4, 1976)