

SECTION 18.5: PLANNED UNIT DEVELOPMENT

(Added by Ord. No. 1176, effective 12-14-67)

PURPOSE A.

In certain instances the objectives of the Zoning Ordinance may be achieved by the development of planned units which do not conform in all respects with the land use pattern designated on the zoning map or the zoning regulations prescribed by this Ordinance. A planned unit development may include a combination of different dwelling types and/or a variety of land uses which complement each other and harmonize with existing and proposed land uses in the vicinity. In order to provide locations for all well-planned developments which conform with the objectives of the zoning plan, although they deviate in certain respects from the zoning map and the zoning regulations, use permits may be granted for planned unit developments, provided the developments comply with the regulations prescribed in this Section.

PERMITTED USES B

A planned unit development shall include only those uses permitted either as permitted uses or special uses in the zone in which the planned unit development is located, subject to the following exceptions:

1. Any use permitted in an O, R-A, R-1, R-2, R-3, P-O or C-1 Zone, either as a permitted use or special use, or any combination of such uses, may be included in a planned unit development located in an O, R-A, R-1, R-2, R-3, P-O or C-1 Zone. The uses permitted in the M Zone are also permitted in a planned unit development located in an O, R-A, R-1, R-2, R-3, P-O or C-1 Zone.
2. Any use permitted in an M-1 or M-2 Zone as a permitted use, special use, or a use referred to in paragraph 35 of subsection A of Section 14 of this Ordinance, or any combination of such uses, may be located in a planned unit development located in an M-1 or M-2 Zone.
3. Any use permitted in an O, P-O, C-2 or M-1 Zone either as a permitted use or special use, or any combination of such uses, may be included in a planned unit development located in a C-2 Zone.

SITE AREA C.

The minimum site area for a planned unit development shall be five (5) acres.

STANDARDS D.

The standards of site area and dimensions, site coverage, yard spaces, height of structures, distances between structures, off-street parking and off-street loading facilities and landscaped areas need not be equivalent to the standards prescribed by the regulations for the zone in which the planned unit development is located if the applicant has demonstrated by his design proposal that the objectives of the Zoning Ordinance and the objectives of this Section will be achieved.

The average population density may exceed the maximum population density prescribed for the

zone and the maximum population density indicated by the General Plan if the applicant can demonstrate by its design proposals that the objectives of this Section will be achieved. If the planned unit development involves a subdivision of land, the applicant must show what changes in conventional street and lot design will be necessary to achieve his goal.

Zoning E.

A permit for a planned unit development shall only be granted when all of the property included in the proposed development has been zoned to the most restrictive zone which will allow all of the proposed uses in the development under subsection B of this Section.

PERMIT PROCEDURE F.

Permits for planned unit developments shall be applied for and processed pursuant to the procedure for granting special use permits referred to in paragraph B of Part II of Section 16 of this Ordinance, subject to the following exceptions.

1. Prior to submitting the application, an applicant shall submit to the Building and Planning Director a preliminary development plan of the entire planned unit development drawn to scale and showing the various elements required in paragraph 2 herein. If the planned unit development is a subdivision, the preliminary development plans shall be filed and processed in accordance with Article 7 of Chapter 1 of Part VII of the Ordinance Code of Tulare County. If the planned unit development is not a subdivision, the preliminary development plan shall be filed and processed in accordance with the requirements for preliminary site plans in Section 16.2 of this Ordinance. The application for the planned unit development permit shall not be filed until a written report of the recommendations of the Site Plan Review Committee has been prepared and furnished to the applicant.
2. The application shall be accompanied by a development plan for the entire planned unit development, drawn to scale and showing the following: contours of the site in intervals of not more than five (5) feet; provisions for draining of surface waters; water courses; railroad and public utility rights-of-way; streets, driveways and pedestrian walks; off-street parking and loading facilities; reservations and dedications for public uses; private uses including dwelling types, lot layout, locations and heights of structures, and landscaped area.
3. In addition to the data and drawings prescribed, the application shall be accompanied by a tabulation of the area proposed to be devoted to each land use and a tabulation of the average population density per net acre and per gross acre in any areas proposed to be devoted to residential use.
4. The Commission may recommend that the Board of Supervisors grant a permit for a planned unit development as the permit was applied for, or in modified form, if on the basis of the application and the evidence submitted, the Commission makes the following findings:
 - a. That the proposed location of the planned unit development is in accordance with the objectives of this Ordinance and the purposes of the zone in which the site is located.
 - b. That the proposed location of the planned unit development and the conditions under which it would be operated or maintained will not be detrimental to the

- public health, safety or welfare or materially injurious to properties or improvements in the vicinity.
- c. That the proposed planned unit development will comply with each of the applicable provisions of this Ordinance.
 - d. That the standards of population density, site area and dimensions, site coverage, yard spaces, heights of structures, distances between structures, off- street parking and off-street loading facilities and landscaped areas will produce an environment of stable and desirable character consistent with the objectives of this Ordinance.
 - e. That the standards of population density, site area and dimensions, site coverage, yard spaces, heights of structures, distances between structures, and off- street parking and off-street loading facilities will be such that the development will not generate more traffic than the streets in the vicinity can carry without congestion and will not overload utilities.
 - f. If applicable, that the proposed Planned Unit Development is consistent with Sections 7.2 and 7.3 of the Tulare County Hazardous Waste Management Plan, which identifies siting criteria for hazardous waste facilities. (Subsection added by Ord. No. 2918, effective 8-25-90.)
5. When the proposed planned unit development does not comply with the requirements of this section, the Commission may recommend that the Board of Supervisors deny the permit or may recommend that the permit be granted subject to such conditions as will assure compliance with the requirements of this Section. (Amended by Ord. No. 2591, effective March 15, 1985.)