

## DIVISION 13 – SPECIFIC PLANS

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### **CHAPTER 17.130 – SPECIFIC PLANS**

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#### **17.130.010 – Purpose. (NEW)**

The Specific Plan designation serves as a planning tool to enhance development options when current zoning does not adequately provide for an optimal design or development program. The purpose of this Chapter is to establish uniform procedures for the adoption and implementation of a Specific Plan. The intent of the Specific Plan designation is as follows:

- A. To promote comprehensive planning for quality land development, with a viable program for building the infrastructure necessary to support it;
- B. To encourage a more efficient use of the land;
- C. To encourage a range of housing and employment activities so as to give imagination and variety in the physical development pattern of the City;
- D. To encourage the implementation of sustainable community design principles as well as use of renewable construction materials and incorporation of environmental friendly design concepts whenever possible;
- E. To facilitate development within the City in accordance with the General Plan by permitting greater flexibility and encouraging more creative design development projects.

#### **17.130.020 – Applicability. (NEW)**

The minimum project area for a Specific Plan shall be three (3) acres. A Variance shall not be permissible to deviate from this requirement. The project area may be one property under single ownership, or a combination of adjoining lots subject to a unified planning concept. For a Specific Plan initiated by the City, the area can extend over several blocks of land.

**17.130.030 – General Procedures. (FULLY UPDATED)**

A. Application.

1. Applications for a Specific Plan shall be made on the appropriate form. The Community Development Director shall determine the minimum filing procedures, content and form of materials which must be submitted before the Planning Commission and City Council can review and take action on the request. The filing procedures and applications shall be published and made available to the public. No petition shall be received unless it complies with all filing requirements.
2. The following may submit or initiate an application for a Specific Plan or Specific Plan Amendment:
  - a. A majority of the City Council or Planning Commission;
  - b. The Community Development Director; or
  - c. An owner or authorized applicant of property for which a Specific Plan is sought. If the property is under more than one ownership, all of the owners or their authorized agents shall join in filing the application. The Community Development Director shall also have the authority to initiate expanding the boundaries.

B. Records. Applications filed pursuant to this Chapter shall be numbered consecutively in the order of their filing and shall be part of the permanent official records of the Planning Commission and City Clerk.

C. Public Notices. Public notices shall be provided and processed in a manner consistent with the provisions of California Government Code Section 65090 and/or 65091 as required, and shall be given by the methods specified as follows:

1. Publish a notice once in a newspaper of general circulation in the City a minimum ten (10) days prior to each public hearing. The notice shall include the date, time, place of hearing and location of the property and the nature of the request.
2. Mail a notice, postage prepaid, to the applicant and to owners of all properties within a specified radius:
  - a. The notice shall be mailed a minimum ten (10) days prior to each public hearing. The applicant shall use the last known name and address of such owners as shown upon the last assessment roll of the City.
  - b. The mailing radius shall be 500 feet of the exterior boundaries of the specific plan boundary. The Community Development Director may direct the applicant to increase the mailing radius, but in no event shall it be greater than 700 feet.
  - c. If the number of effected properties exceed 1,000, the Community Development Director or City Clerk may, in lieu of a mailed or written notice, provide notice by placing a display advertisement of at least one-eighth (1/8) page in at least one newspaper of general circulation.

3. Post the property. A minimum of one (1) notice shall be posted along each street frontage. The posting shall be placed in the ground or on a fence, wall or building façade that is set back no more than ten (10) feet from the street property line. If the number of effected properties exceeds five (5), the Community Development Director or City clerk may remove this requirement.
- D. Public Hearings. Public hearings as provided for in this Chapter shall be held before the Planning Commission at the time and place for which public notice has been given as before required in this Chapter.
1. At the Planning Commission public hearing, the Planning Commission may recommend the City Council approve the Specific Plan, approve with revisions, or deny
  2. At the City Council public hearing, the City Council may approve or deny the Specific Pan, or refer the Specific Plan back to the Planning Commission for further consideration.
- E. Decisions. The Planning Commission shall make its recommendation or decision by Resolution. The City Council shall make its decision by Ordinance or Resolution in compliance with state law (Government Code Section 65453).

**17.130.040 – Preparation and Content. (FULLY UPDATED)**

The Specific Plan shall include detailed information in the form of text and diagrams, organized in compliance with State law (Government Code Section 65451). The following information shall be provided:

- A. Boundary Survey Map. The Specific Plan shall include the property or project area with a calculation of the gross land area covered by the Plan. A Tentative Tract or Parcel Map may be substituted if processed concurrently;
- B. Land Uses and Development Standards. The Specific Plan shall include the distribution, location, and extent of land uses proposed within the proposed area, including open space areas. The Specific Plan shall also include development standards, design requirements and landscape guidelines by which development would proceed;
- D. Infrastructure. The Specific Plan shall show the location of existing public utilities on and adjacent to the area. In addition, it shall show the distribution, extent, intensity, and location of major components of public and private circulation/transportation, drainage, energy, sewers, solid waste disposal, water, and other essential facilities proposed on and adjacent to the area covered by the plan and needed to support the land uses described in the plan;
- E. General Plan. The Specific Plan shall include a discussion of the relationship of the Specific Plan to the goals, policies, and objectives of the General Plan;
- F. Administrative Procedures. The Specific Plan shall address the procedures and conditions for amending, adjusting standards, and interpreting the Specific Plan, consistent with Section 17.130.030 (Specific Plans – General Procedures) of this Chapter;

- G. Implementation measures. The Specific Plan shall include a program of implementation measures, including financing, regulations, programs, and public works projects, necessary to carry out the proposed land uses, infrastructure, and development and conservation standards and criteria; and
- H. Additional information. The Specific Plan shall contain additional information deemed to be necessary by the Community Development Director.

**17.130.050 – Specific Plans, the General Plan and the Zoning Code and Map. (FULLY UPDATED)**

A. Specific Plans and the General Plan:

- 1. The Specific Plan shall be consistent with the General Plan. If the General Plan needs to be amended to be consistent, then an application for a General Plan Amendment shall be submitted concurrent with the Specific Plan.
- 2. General Plan Land Use Map. The Specific Plan shall be consistent with the General Plan's Land Use Map. If a General Plan needs to be amended to be consistent, then an application for a General Plan Land Use Map Amendment shall be submitted concurrent with the Specific Plan. In cases where the Specific Plan is not consistent with any existing category listed in the General Plan Land Use Map, a new category shall be added.

B. Specific Plans and the Zoning Code and Map:

- 1. In connection with the approval of a Specific Plan, the Zoning Map shall be amended by an Ordinance adopted by the City Council to rezone and reclassify the area covered by the Specific Plan. The Specific Plan district shall be indicated on the Zoning Map by an SP designation and a number.
- 2. An existing zone, or zones, may be specified as the underlying base zone(s) for the area covered by a Specific Plan. Exceptions to the zoning and development standards of the base zone(s) shall be provided in the Specific Plan.
- 3. The Specific Plan zoning and development standards shall, upon adoption, supersede the zoning previously established for the area covered by the Specific Plan. Violations of the Specific Plan zoning and development standards shall carry the same penalties and shall be enforceable in the same manner as other violations of this Title.
- 4. Unless otherwise provided in a Specific Plan, adoption of a Specific Plan shall have no effect upon other requirements under state law or the EMMC for development approval including, but not limited to, subdivision maps, grading, design, engineering, and location.

**17.130.060 – Necessary Findings. (FULLY UPDATED)**

Before a Specific Plan may be granted, the Planning Commission (on recommendation) and City Council shall make all of the following findings:

- A. The Specific Plan will not be detrimental to the public health, safety or welfare or injurious to the City;

- B. The subject property (or properties) proposed for the Specific Plan has unique characteristics such as topography, location, size or surroundings that are enhanced by special land use and development standards;
- C. The Specific Plan provides for pedestrian, bicycle and transit access to, and where feasible, within the property, including connection to City or regional networks;
- D. The Specific Plan results in development of desirable character and use types that will be compatible with the surrounding area and provides effective buffering from adjacent uses as found necessary; and
- E. The Specific Plan is consistent with purpose, goals and policies of the City's General Plan, Zoning Code and its Comprehensive Design Guidelines.

**17.130.070 – Time Period. (NEW)**

A Specific Plan shall become effective 30 days following the second reading of the Ordinance.

**17.130.080 – Appeals. (FULLY UPDATED)**

Denials of the Planning Commission regarding this Chapter are appealable to the City Council. Refer to Section 17.10.100 (General Regulations – Ability to Appeal) of this Title for additional information.

**17.130.090 – Amendments. (NEW)**

- A. An adopted Specific Plan may be amended through the same procedure specified by this Chapter for the adoption of a Specific Plan.
- B. The Specific Plan may be amended as often as deemed necessary by the City Council, in compliance with state law (Government Code Section 65453).

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