

Chapter 17.36 PD PLANNED DEVELOPMENT COMBINING DISTRICT*

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* Prior history: Prior code Sections 10-405.110 through 10-405.160, 10-405.162 and 10-405.170 through 10-405.190, as added by Ord. 38 and amended by Ords. 210, 243 and 248.

17.36.010 Purpose.

The PD or planned development combining district is designed to accommodate various types of development, such as single-family residential developments, multiple housing development, neighborhood and community shopping centers, professional and administrative areas, commercial service centers, and industrial parks and other uses or a combination of uses which can be made appropriately a part of a planned development. The district is established to allow flexibility of design which is in accordance with the objectives and spirit of the general plan. (Ord. 289 1 (part), 1984)

17.36.020 Establishment.

A. PD combining districts may be established or removed from the zoning map upon the application of a property owner or owners, or upon the initiative of the city council or planning commission, in accordance with the procedures set forth in Chapter 17.74.

B. The following standards as usually prescribed by the zoning ordinance may, upon planning commission approval, be waived in a PD district without being processed under the variance procedure:

1. Minimum building site;
2. Minimum lot dimension;
3. Maximum building site coverage by buildings and structures;
4. Minimum yards;
5. Maximum building or structure height, bulk or massing;
6. Maximum height of fences and walls;
7. Signs;

8. Street or road widths dimensions;
9. Minimum floor area standards;
10. Any other minimum or maximum standards as usually required or applied with the exception of off-street parking requirements. (Ord. 313 1 (part), 1986; Ord. 289 1 (part), 1984)

17.36.030 General development plan.

An application for the establishment of a PD district shall be accompanied by a graphic general development plan which, if approved by the planning commission and city council, shall become a part of the zoning map of the city.

A. The graphic general development plan shall show the following information presented in graphic and schematic form and at a scale satisfactory to the city with a reduced reproducible print of the approved drawing suitable to the city for publication purposes:

1. Proposed land uses;
2. Location of buildings, structures and building groups;
3. A tabulation of proposed dwelling-unit density in residential areas;
4. A tabulation of floor area ratios and the maximum heights of proposed buildings;
5. Proposed circulation systems, including preliminary street cross-sections;
6. Proposed parks, playgrounds, school sites, and other open spaces;
7. Location and type of existing and proposed landscaping; identification of any existing trees to be removed;
8. An economic feasibility analysis of proposed commercial uses;
9. Development phasing (for entire project);
10. Relation to future land use in surrounding area, as proposed in the general plan;
11. Proposed off-street parking (ratio, locations, total number of spaces);
12. Any additional data required by the planning director as necessary to analyze the rezoning application.

B. The planning commission may waive the requirements of subsection A of this section, in whole or in part, when it deems such action to be in the best interests of the city, or when it determines that the information required is not relevant to or useful for the PD application at hand.

C. A PD district initiated by the planning commission or city council will require a graphic general development plan only if so determined by the initiating body. In such cases, the initiating body may require a graphic general development plan which contains all or only part of the required information as outlined in subsection A above.

D. The planning commission and city council may require such other information which, combined with the original information submitted, shall be for the purpose of ascertaining substantial conformity with the adopted general plan of the city and compatibility with the surrounding area.

E. In order to approve, conditionally approve, or recommend approval or conditional approval of a general development plan, the planning commission shall find that:

1. The planned development is substantially in conformance with the adopted city general plan;

2. If applicable, a final subdivision map for the proposed planned development can be recorded within two years of the expected date of adoption of the general development plan for the planned development;
3. That the total development in each individual development phase can exist as an independent unit, adequate assurance will be provided that such objective will be attained; that the uses proposed will not be detrimental to present and planned surrounding uses, as shown in the city's adopted general plan, but will have a beneficial effect which could not be achieved without being located in a PD district;
4. The streets and thoroughfares proposed are suitable and adequate to carry anticipated traffic, and proposed densities will not generate traffic in such amounts as to overload the street network outside the development;
5. Existing or proposed utility services and facilities and other public improvements are adequate for the population densities and land uses proposed;
6. The proposed ratios for off-street parking are consistent with the parking regulations of the city, as provided in Chapter 17.62 of this title;
7. The planned development will not have a detrimental and unmitigatable financial impact on the city or the Estero Municipal Improvement District. (Ord. 313 1 (part), 1985; Ord. 289 1 (part), 1984)

17.36.040 Conditional uses.

A use permit shall be required for any and all uses in a PD district. The planning commission shall not grant a use permit for any use or uses in a PD district unless it finds:

- A. Such use or uses substantially conform to the adopted general plan of the city;
- B. Such use or uses are shown on the approved general development plan for the particular PD district;
- C. That a specific development plan has been submitted which meets all of the requirements as outlined in Section [17.36.050](#) of this chapter. (Ord. 289 1 (part), 1984)

17.36.050 Specific development plan.

An application for a use permit in a PD district shall include and be accompanied by a specific development plan which, if approved by the planning commission, shall become a part of the use permit.

- A. Following adoption of a general development plan, no development, improvement or building construction within the planned development area covered by the adopted general development plan shall be commenced until the planning commission shall have approved a specific development plan for the entire planned development or, if the project is to be phased over several years, the first phase thereof.
- B. Within one year following the adoption of the general development plan for the proposed planned development, the applicant shall submit to the planning commission an application for approval of a specific development plan for the proposed planned development, or the first phase thereof, including time limitations for submitting successive phases. All phases of the specific development plan shall consist of the following:
 1. A map showing the existing topography and the proposed topography of the development at one-foot contour intervals, or as approved by staff;
 2. A map showing:
 - a. Vehicular/pedestrian/bicycle circulation,

- b. Parking areas and proposed parking ratios (off-street/on-street), all parking aisles, stall and curve radii dimensions, and landscaped areas,
 - c. Areas proposed for dedication for parks, parkways, school sites, playgrounds, public buildings,
 - d. Landscaped public open space,
 - e. Landscaped private open space;
3. A plot plan for each building site or sites showing:
- a. Approximate placement of all proposed buildings and structures,
 - b. Distances between all buildings and structures and distances between buildings and structures and property lines;
4. A detailed tabulation of the densities of persons and dwelling units;
5. Any or all of the following plans, diagrams and information, when deemed appropriate by the planning director:
- a. Off-street parking and loading plan,
 - b. Circulation diagram, indicating the proposed movement of vehicles, pedestrians, bicycles and goods within the PD district, and to and from adjacent public thoroughfares,
 - c. Any special engineering features and traffic-regulation devices needed to facilitate or insure the safety of movement of vehicles, pedestrians, bicycles and goods,
 - d. A landscaping and tree planting plan; such a plan shall show the approximate location, type, and size of plant materials to be installed,
 - e. Detailed engineering site-grading plans, including proposed finished grades and all public improvements, and site drainage,
 - f. Detailed engineering improvement plans for the provision of public utilities for the site, including provisions for off-site connections and facilities necessary to serve the site,
 - g. A written statement, describing the disposition of recreation and open space areas, including proposals for ownership, development and maintenance. (Ord. 313 1 (part), 1985; Ord. 289 1 (part), 1984)

17.36.060 Off-street parking requirements in a PD district.

A. The off-street parking requirements for land uses, as provided in Chapter 17.62, shall be those that apply to all off-street parking requirements in all PD developments and districts. The parking ratios and related standards contained within Chapter 17.62 are, for purposes of the PD district, considered minimum ratios and standards, and can be revised upward by the planning commission depending on certain factors including: type of project (apartment, townhouse/condominium, single-family), size of project (number of units, multifamily projects), and parking distribution in relation to units.

B. When the planning commission has determined that conditions allowing a deviation from the total number of required off-street parking spaces are present, the planning commission may grant up to a ten percent deviation, based upon the following information:

1. An impact analysis discussing all impacts resulting from the deviation from usual off-street parking requirements, alternative parking designs or strategies considered, and why they were deemed infeasible, and alternatives for mitigating negative impacts identified;
 2. A parking analysis which provides a clear, documentable rationale describing how and why the proposed parking design or strategy will work and specifically identifying where it has been successfully used in other comparable projects and cities.
- C. The planning commission will not consider the following reasons or conditions acceptable as the sole rationale for allowing a deviation from the provisions of the off-street parking requirements contained in Chapter 17.62:
1. The potential or estimated increase in or benefit to a project's revenue generation, cash flow, market value, marketing strategy, or financial feasibility;
 2. A desire or unsubstantiated need to increase the dwelling unit (residential uses) or square footage (office, retail, service, other uses) yield of a project by decreasing the required off-street parking ratio associated with the project or its individual uses. (Ord. 461 2 (part), 1999; Ord. 356 1, 1989; Ord. 289 1 (part), 1984)

17.36.070 General development criteria.

All planned developments under this chapter shall conform to the following general development criteria:

- A. All development should be designed and located to conserve energy resources. Such efforts might include, but are not limited to, the clustering or location of development to reduce driving time, and structural designs which maximize use of solar energy and reduce the use of electricity and fossil fuels. Both passive and active solar energy considerations shall be considered in design development.
- B. Clustering to reduce paving, grading, runoff and changes in vegetative cover shall be encouraged. When a significant change in vegetative cover is proposed or introduced, it must be demonstrated that restoration measures will provide for minimal adverse impact and for equal protection from erosion as that provided by vegetation before grading.
- C. Development should be so designed as to minimize adverse impact on primary San Francisco Bay wildlife resources, and to achieve a high degree of compatibility with wildlife habitat areas.
- D. Any lands whose sole means of access is via existing residential streets shall be limited to densities which will not produce substantial increases in traffic volumes on those streets. Traffic volumes exceeding twenty percent of existing volumes shall generally be considered substantial. Where more than one undeveloped site would contribute vehicular traffic to the street, the aggregate densities should not exceed the twenty-percent level. The twenty-percent level shall be used as a general guideline, and is intended to minimize adverse traffic impacts on existing neighborhood streets. Densities may be approved which would produce lesser or greater traffic volumes, depending upon the particular impact and possible mitigation as may be identified in any environmental impact report prepared for the planned development.
- E. All roads, buildings and other structural improvements or land coverage shall be located, sited and designed to fit the natural topography, and shall minimize grading and modification of existing land forms. Special consideration of soil characteristics shall be included in design of all physical improvements.
- F. Development shall be designed to minimize detracting from the scenic and visual quality of the city and the characteristics of existing major watercourses, established trees dominant vegetative communities and primary San Francisco Bay wildlife habitats.

- G. Vegetation for replacement of existing vegetation shall be compatible with surrounding vegetation and shall recognize climate, soil conditions and characteristics of the city.
- H. Underground utility lines shall be required, except where such undergrounding would result in significant adverse environmental impacts.
- I. It must be demonstrated that sufficient storm drainage, sewerage capacity and domestic water supply are available, and that adequate fire, police and school facilities either exist, or can be reasonably supplied to the development.
- J. Phased development shall be approved only if each phase is designed to stand as an independent development and each phase meets the requirements of this chapter. (Ord. 289 1 (part), 1984)

17.36.080 Design guidelines/standards.

The following design guidelines/standards shall be incorporated as a part of the specific development plan for the particular development, as approved by the planning commission. The design guidelines/standards shall become a part of the use permit.

A. Architectural Design Guidelines.

1. Siting (building sites; lot dimensions; site coverage; yards; site arrangements);
2. Scale and character (building and structure height; height of walls and fences; building massing; density; configuration; facade treatments; basic shapes of buildings);
3. Rooftop treatments;
4. Materials (materials palate);
5. Colors (colors palate);
6. Elevations and perspective drawings of all proposed structures. (Such drawings need not be the result of the final architectural decisions and need not be in detail. The purpose of such drawings is to indicate within stated limits the height of the proposed buildings and the general appearance of the proposed structure, to the end that the entire development will have architectural unity and be in harmony with surrounding developments.)

B. Landscape Design Guidelines.

1. Plant materials (plant material palate);
2. Paving (materials palate);
3. Site furnishings (furnishings palate);
4. Lighting;
5. Special features/elements;
6. Sketches and perspective drawings of all landscape plantings, materials, furnishings and special elements indicating how they will relate to and enhance the overall design of the planned development.

C. Signage Guidelines.

D. Prototypical Treatments. (Ord. 289 1 (part), 1984)

17.36.090 Open area and density per family unit.

Open area and density per family unit shall be as shown on the specific development plan for the development, as approved by the planning commission, providing that the total open area and average density per family unit shall conform to the adopted general plan of the city and the park dedication requirements of the city, as presented in Chapter 16.36 of the Foster City Municipal Code. (Ord. 289 1 (part), 1984)

17.36.100 Amendment of development.

A. Changes in the general development plan shall be considered the same as changes in the zoning map, and shall be made in accordance with the procedures set forth in Chapter 17.74.

B. Changes in the specific development plan shall be considered the same as changes to the use permit, and shall be made in accordance with the procedures set forth in Chapter 17.06. (Ord. 289 1 (part), 1984)

17.36.110 Development schedule.

An application for a use permit in a PD district shall be accompanied by a development schedule, indicating to the best of the applicant's knowledge the approximate date on which construction of the project can be expected to begin, the anticipated rate of development, and completion date. The development schedule, if approved by the planning commission, shall become a part of the specific development plan and shall be adhered to by the owner of the property in the PD district and any successors in interest. The use permit shall become null and void unless foundations are set within six months of the granting of the permit. Extensions may be granted at the discretion of the planning commission, not to exceed a cumulative total of two years, in annual extensions not to exceed one year. Compliance with the phasing schedule consists of filing subdivision map and use permit applications and actively pursuing city approval within the time permitted by the phasing schedule. (Ord. 289 1 (part), 1984)

17.36.120 Rezoning.

If, in the opinion of the planning commission, the owner or owners of property in a PD district are failing or have failed to meet an approved development schedule, the planning commission may initiate proceedings under Chapter 17.74 to rezone the property to another zoning district which conforms to the adopted general plan of the city. For good cause shown by the property owner, in writing, prior to the expiration of the original development schedule, the planning commission may extend the limits imposed by the development schedule in accordance with Chapter 17.74. (Ord. 289 1 (part), 1984)

17.36.130 Relationship of PD district to other ordinance.

Unless expressly provided otherwise in the PD zoning ordinance, the general provisions of the city zoning ordinance which apply to all zones also apply to PD districts. (Ord. 289 1 (part), 1984)

17.36.140 Application and fees.

Application for approval of a planned development in accordance with the provisions of this chapter shall be made by the owner or owners of the land involved, or any agent thereof, on forms prescribed by the city and shall be accompanied by fees to be established by resolution adopted by the city council. (Ord. 289 1 (part), 1984)

The Foster City Municipal Code is current through Ordinance 625, passed March 4, 2019.

Disclaimer: The City Clerk's Office has the official version of the Foster City Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.