

ORDINANCE NO. 88-12

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIDGECREST AMENDING CHAPTER XX OF THE MUNICIPAL CODE AS IT RELATES TO PLANNED UNIT DEVELOPMENT ZONING OVERLAY DISTRICTS.

THE CITY COUNCIL OF THE CITY OF RIDGECREST DOES ORDAIN AS FOLLOWS:

SECTION 1. Purpose and Scope

This ordinance amends the Ridgecrest Municipal Code by amending Section 20-23 as it relates to Planned Unit Development Zoning Overlay Districts.

SECTION 2. Findings

The Council finds the following:

(a) The Ridgecrest Planning Commission conducted a duly noticed public hearing to consider the Municipal Code changes listed below. The Commission concluded that: the changes promote the health, welfare, and safety of the community; the changes are consistent with the general plan and elements thereof; and the changes would not result in any significant adverse environmental impact. The Commission approved the changes on the basis of these findings.

(b) The Council conducted a duly noticed public hearing.

(c) This ordinance promotes the health, welfare, and safety of the community by providing for the orderly and harmonious development of working and living conditions within the city.

(d) This ordinance is consistent with the general plan and elements thereof.

(e) This ordinance will not result in any significant adverse environmental impact and a negative declaration is approved.

SECTION 3. Amendment

Section 20-23 of the Ridgecrest Municipal Code is hereby amended and reenacted to read as follows:

"Section 20-23 Planned Unit Development Zoning Overlay District

20-23.1 Purpose and Intent

This section is intended to allow diversification in the relationship of various land uses, buildings, structures, lot sizes, setbacks, open space and subsequent design. The planned unit development, hereinafter sometimes "PUD", provides an integrated development by offering the opportunity for cohesive design when flexible regulations are applied. It offers the opportunity to provide a more functional, aesthetically pleasing and harmonious living and working environment within the City which otherwise might not be possible by

strict application and adherence to the other provisions of this Code. In all instances, however, the planned unit development shall conform in all respects with the General Plan. A planned unit development normally consists of individually-owned lots together with common areas (open space, recreation and sometimes street improvements), which are owned in common by the lot owners.

Section 20-23.2 Application and Fee

(a) The following information shall be supplied by the applicant for a PUD.

1. A preliminary development plan, drawn to a reasonable scale on 24-inch by 36-inch standard sheets, which shall indicate:
 - i. The proposed use or uses of all land within the subject area and the conceptual architectural design of all typical buildings and structures proposed in the development.
 - ii. A circulation plan for all vehicular or pedestrian ways.
 - iii. Landscaping, parking, recreation areas, and other proposed common or open space areas.
 - iv. General indication of drainage and utility provisions to serve the development.
 - v. Location and type of all proposed and existing structures, and indicating the location of all known and proposed easements.
2. A statement of reasons for including, in part or whole, any commercial, office, or other nonresidential uses in the development.
3. A statement concerning any public or quasi-public, recreational and educational areas within the development, including anticipated financing, development and maintenance.
4. Approximate location and number of dwelling units.
5. A statement indicating how and why the proposed development conforms to the General Plan.
6. A statement requesting the overlay signed by the owner (in fee) of the subject land and the owner of any option to purchase the property or any portion thereof, if any.
7. Preliminary title report or other proof of ownership.

(b) The City may initiate a PUD for a specific parcel or area without providing development plans when the purpose of such zone change is determined to serve the best interests of the City.

(c) The application shall be accompanied by a fee set by a resolution of the City Council.

Section 20-23.3 Procedure

(a) The Community Development Director shall review the application with the applicant and appropriate City departments to determine whether the proposal meets the requirements of this section. When the proposal satisfies the general requirements of this section, the Community Development Director shall schedule the proposal for hearing by the Commission.

(b) The Commission shall conduct a duly noticed public hearing to consider the proposal. The notice shall be given and the hearing shall be conducted in the same manner as notices are given and hearings are conducted for zone amendments.

(c) If the Commission approves a proposal, the Council shall conduct a duly noticed public hearing to consider the proposal. The notice shall be given and the hearing shall be conducted in the same manner as notices are given and hearings are conducted for zone amendments. The decision of the Council shall be final.

Section 20-23.4 Required Findings

In approving and adopting the PUD application the Commission and the Council shall find the following:

(a) The applicant intends to start construction within two years from the effective date of the PUD;

(b) The proposed planned unit development is in compliance with the General Plan;

(c) In the case of residential, commercial, and/or office development, that such development will constitute an urban environment of sustained desirability and stability, and that it will be in harmony with the character of the surrounding neighborhood and community;

(d) The development of a harmonious, integrated plan justifies exceptions from the normal application of this Code;

(e) The conditions placed upon this development are necessary to achieve the purpose and intent of this code.

Section 20-23.5 PUD Standards

(a) The final development plan for the PUD shall include the following minimum information.

1. A site plan showing location and general dimensions of all proposed streets, parking area, pedestrian ways, recreational and common use facilities, general landscaping features, and the locations, number of stories and number of dwelling units of proposed buildings.

2. Conceptual elevations or perspective drawings showing general architectural appearance of proposed buildings.

3. Preliminary plans of all proposed utilities including but not limited to water, sewer, communications, power and natural gas.

4. Preliminary drainage plan providing engineering information to determine adequacy.

5. A general statement indicating planned phases and timing of implementation.

6. A general statement of proposed provisions for maintenance and operation of common facilities.

(b) There is no minimum site area for a PUD. The underlying zone minimum site area shall govern.

(c) A PUD shall include only those uses allowed as either permitted or conditional uses in the zoning district which the PUD overlays, subject to the following:

1. The number of dwelling units or commercial sites within the development does not exceed the number of dwelling units or commercial sites permitted by the underlying zoning;
2. The uses permitted by the PUD overlay are not more intensive than those permitted by the underlying zoning; and
3. Gross area may be used in determining the number of units per acre allowed under the PUD.

(d) Any residential condominium development proposed as part of a PUD shall meet the site requirements of Chapter 19.

(e) The minimum common open space, not including streets or parking, in a PUD shall be 10 percent of the net site area used for industrial or commercial development, this area to be used for landscaping and walkways or 20 percent of the net site area used for multi-family residential or single-family condominium development, this area to be used for landscaping, walkways, and common recreational areas.

(f) All roof-mounted heating and cooling equipment proposed for any commercial or industrial structure located within a PUD shall be screened from public view by a parapet or other structural feature designed to match other portions of the building.

(g) Open area and density per dwelling unit shall be as shown on the final development plan for the PUD. The permitted number of dwelling units may be distributed without applying the regulations of the underlying zone or zones, provided the development shall conform with the requirements of the general plan.

(h) All common areas, including open spaces, community recreation facilities, common walkways, parking areas, private streets, sidewalks, curbs and gutters and all improvements as required by Chapter 19 which are not dedicated and accepted, may be constructed only upon provision for preservation and future maintenance in a manner acceptable to the City.

(i) All areas outside the property lines between sidewalks and the property lines shall be maintained through maintenance districts or deed restrictions to guarantee the perpetual maintenance of right-of-way landscaping. All documents must be referred to the City Attorney and the Planning Commission for approval of their sufficiency.

Section 20-23.6 Latitude of Regulations

The Commission may require in the development plan: standards, regulations, limitations, conditions and restrictions more restrictive than those specified elsewhere in this Code and which are designed to protect and maintain property values and community, 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 so expressed in relation to use or 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 accordance with a landscaping plan;
- (f) Construction of fences, walls and floodlighting of an approved design;
- (g) Limitations upon the 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 structure by general classification, and specific designation.
- (k) Architectural design of buildings and structures;
- (l) Schedule of time or phasing for construction and establishment of the proposed buildings, structures or land uses or any stage of development thereof.
- (m) Requiring of performance bonds to insure development as approved, if deemed necessary by the Commission;
- (n) Submit private deed restrictions, as approved by the Department of Real Estate, that are necessary to assure the continued viability and maintenance of the proposed development.

Section 20-23.7 Development Plan Modification

The final development plan may be modified only by submitting an application and following the same procedure as is required in the initial review.

The City Engineer and Director may authorize minor modifications to an approved PUD, provided the modification is in substantial compliance with the approved final development plan.

Section 20-23.8 Termination of the PUD

The applicant shall commence construction no later than one year from the effective date of the PUD. If construction has not been commenced, the PUD shall become null and void and the land use classification shall revert to the designation in effect immediately before the PUD overlay. Extensions of time to commence construction may be granted by the Commission with the approval of the Council upon presentation of proof of substantial hardship that inhibits the commencement of the development. Any such extension shall not exceed two years.

APPROVED AND ADOPTED this 1st day of June 1988, by the following vote:

AYES: Mayor Mower, Councilmembers Bergens, Corlett, Condos and Lilly.

NOES: None.

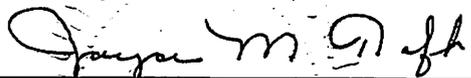
ABSTAIN: None.

ABSENT: None.



Michael R. Mower, Mayor

ATTEST:



Joyce M. Taft, City Clerk

