

**Planning Commission Flagged Item No. 7**  
**Planned Development/Open Space Requirements**  
*Option for Open Space in High Density Residential*

*Consider adding Policy to TGPA (General Policy Section 2.2.5)*

2.2.5.23 - All residential subdivisions on High Density Residential land uses shall be required to include thirty (30) percent of the total site area in open Space as defined in the Zoning Ordinance.

*Consider adding revision to ZOU*

**17.30.080 Open Space**

**A. Applicability.** The provisions of this section apply to all residential subdivisions within the R1 and R20K, and R1A zones. This section does not apply to residential subdivisions that are otherwise subject to Chapter 17.28 (Planned Development Combining Zone) and its open space requirements.

**B. Open Space Requirement.** Thirty (30) percent of the total site area shall be set aside for open space that is commonly owned or publicly dedicated. Commonly owned open space, as defined in Article 8 (Open Space: Common) shall not include space occupied by infrastructure such as roads, parking lots, or above ground components of sewer and water treatment plants, or area set aside for the sole use of individual residents, such as private balconies and patios. Commonly owned open space may include land developed or set aside for:

1. Recreational purposes, such as parks, ball fields, golf courses, or picnic areas;
2. Passive purposes, such as gathering places, community gardens and landscaped areas;
3. Aesthetic purposes, such as naturally scenic areas;
4. Protection of agricultural or natural resources, including agricultural activities;
5. Pedestrian circulation, in compliance with Subsection D below; or
6. Natural or man-made lakes, ponds and other water features, which are included in the calculation of open space, but excluded from the calculation of base units and bonus density.

**C. Exceptions.** To facilitate and encourage development of moderate and lower income households, the following projects are exempt from the open space requirement:

1. Residential developments consisting of five or fewer lots or units;
2. Condominium conversions of existing structures;

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3. Existing sites within Community Regions that are zoned R1 or R20K, are served by public water and sewer, and that are three acre or less in size;
4. Existing sites within Rural Centers that are zoned R1 or R20K, are not served by public water and sewer, and are five acres or less in size.

**D. Pedestrian Circulation.** Pedestrian connections shall be provided to allow internal circulation for the residents of the development to access surrounding commercial, recreational, residential, and civic uses, or on-site open space areas.

**CHAPTER 17.28 — PLANNED DEVELOPMENT (-PD) COMBINING ZONE**

**Sections:**

- 17.28.010 Planned Development (-PD) Combining Zone Established
- 17.28.020 Applicability
- 17.28.030 Combination with Other Zones
- 17.28.040 Zone Change and Development Plan Requirements
- 17.28.050 Residential Development Requirements
- 17.28.060 Residential Density Bonuses for On-site Open Space
- 17.28.070 Condominium Conversions

**17.28.010 Planned Development (-PD) Combining Zone Established**

The Planned Development (-PD) Combining Zone implements the General Plan by providing innovative planning and development techniques that allow the use of flexible development standards; provide for a combination of different land uses which are complimentary, but may not in all aspects conform to the existing zoning regulations; allow clustering of intensive land uses to minimize impacts on various natural resources; avoid cultural resources where feasible; promote more efficient utilization of land; reflect the character, identity and scale of local communities; protect suitable land for agricultural uses; and minimize use compatibility issues and environmental impacts.

**17.28.020 Applicability**

The provisions of this Chapter shall apply to the following:

- A. Lands zoned or required by the General Plan to be zoned with the Planned Development (-PD) Combining Zone;

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- B. All newly constructed residential and non-residential condominium projects when design standards and Condominium Plans are not available, in compliance with Section 17.28.070.

**17.28.030      Combination with Other Zones**

- A. The –PD Combining Zone may only be added to a base zone through a zone change application in compliance with Chapter 17.63 (Amendments and Zone Changes).
- B. Residential development density shall be that allowed in the base zone, except as provided in Section 17.28.060 (Residential Density Bonuses for On-site Open Space) and Chapter 17.31 (Affordable Housing Requirements and Incentives). Where the base zone is designated as open space, the density shall be calculated based on the maximum density allowed under the General Plan land use designation.
- C. Allowed uses of a Development Plan shall only be those allowed in the base zone, as provided in Chapters 17.21 through 17.26 (Zones, Allowed Uses, and Zoning Standards), except for common area recreational facilities and similar uses.

**17.28.040      Zone Change and Development Plan Requirements**

- A. A Development Plan Permit application may be submitted with a zone change application to add the –PD Combining Zone, in which case the applications shall be processed concurrently in compliance with Section 17.52.040 (Development Plan Permit) and Chapter 17.63 (Amendments and Zone Changes). The review authority shall consider the zone change and development plan applications on their own merits and may consider approval of the zone change without approving the development plan.
- B. No use shall be allowed on lands zoned with the –PD Combining Zone unless a Development Plan Permit is approved by the Commission or Board. All subsequent permits for building, grading, or other development approvals must be found consistent with the approved Development Plan Permit.

**17.28.050      Residential Development Requirements**

All residential development projects in the –PD Combining Zone shall be subject to the following:

- A. **Open Space.** Except as provided in 17.28.050.B, below, thirty percent of the total site shall be set aside for open space that is commonly owned or publicly dedicated. Commonly owned open space, as defined in Article 8 (Open Space: Common) shall not include space occupied by infrastructure such as roads, parking lots, or above ground components of sewer and water treatment plants, or area set aside for the sole use of

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individual residents, such as private balconies and patios. Commonly owned Open Space may include land developed or set aside for:

1. Recreational purposes, such as parks, ball fields, golf courses, or picnic areas;
2. Passive purposes, such as gathering places, community gardens and landscaped areas;
3. Aesthetic purposes, such as naturally scenic areas;
4. Protection of agricultural or natural resources;
5. Pedestrian circulation, in compliance with Subsection D below; or
6. Natural or man-made lakes, ponds and other water features, which are included in the calculation of open space, but excluded from the calculation of base units and bonus density.

**B. Exemptions and Alternatives to the Onsite Open Space Requirement.** To facilitate and encourage development of ~~higher density housing types, including those~~ serving moderate and lower income households, exemptions and alternatives to the 30 percent onsite open space requirement are identified below.

1. Exempt Projects. The following projects are exempt from the open space requirement:
  - a. Residential planned developments consisting of five or fewer lots or units;
  - b. Condominium conversions of existing structures;
  - c. Projects within Community Regions or Rural Centers on existing sites three acres or less in size;
  - d. Residential Multi-Family (RM) zoned projects or the residential component of Mixed Use Developments.
2. Alternatives for Improved Open Space. The common open space requirement may be reduced to 15 percent of the total site for Planned Developments in the R1 and R20K zones, where:
  - a. The common open space is improved for active recreational uses, including but not limited to swimming pools, sport courts or sport fields, tot lots, clubhouse or meeting room facilities, and community gardens, or for passive recreational uses such as landscaped buffers or greenbelts; and

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- b. In addition to the common open space, additional area equal to 15 percent of the total site is devoted to open space areas reserved for the exclusive use of individual residents, such as unfenced private yards and patios or other alternative identified.
- 3. Open Space requirements for Planned Developments within Agricultural Districts. In order to conserve and promote agricultural activities and uses within the County, planned developments within Agricultural Districts may set aside open space for agricultural uses. The resulting agricultural area reserved for open space and may be used for any allowed agricultural use, include raising and grazing of animals, orchards, vineyards, community gardens and crop lands. The minimum size of the clustered residential lots in a planned development within an Agricultural District shall be not less than 20 acres.
- C. **Clustering.** Residential lots shall be clustered , where feasible, to promote integrated site design that considers natural features of the site, creates more area for open space and recreation, , avoids cultural resources, minimizes aesthetic impacts, maintains opportunities for commercial grazing, and minimizes loss of important agricultural lands.
- D. **Pedestrian Circulation.** Pedestrian connections shall be provided to allow internal circulation for the residents of the development to access surrounding commercial, recreational, residential, and civic uses, or on-site open space areas. Said connections can be counted toward the open space requirement in Subsection A, above.