City of Arcata
Community Development Department

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www.cityofarcata.org

PLANNED DEVELOPMENT PERMIT

OVERVIEW

A Planned Development Permit is required for any residential development on sites one acre or larger, and for all properties that have a :PD Combining Zone overlay, prior to development. They may also be requested for any residential, commercial, industrial, or mixed-use development. If the property does not have a :PD Combining Zone overlay and a Planned Development Permit is required, the subject property must be rezoned with the :PD overlay. This requires action by the City Council. Please see staff for more information about :PD overlay zoning.

Planned Development Permits are intended to provide a method whereby land uses may be designed and developed as a single unit. The PD Permit allows for site planning techniques that result in more efficient land use and a better living environment than is otherwise possible through strict application of the development standards identified in Article 2 (Zoning Districts and Allowable Land Uses). The purpose is to ensure that development meets high environmental quality, public health and safety standards; uses City's resources efficiently; and is consistent with the purpose, intent, goals, policies, programs, and land use designations of the General Plan, the Local Coastal Program, and any applicable specific plan.

TYPES OF PLANNED DEVELOPMENTS

The uses within a Planned Development are divided into the following three categories:

Type "A" Planned Developments. Type "A" Planned Developments are those developments that are limited to uses that are permitted outright in the zoning district and involve no exceptions to the development standards of the zoning district;

Type "B" Planned Developments. Type "B" Planned Developments are those developments that are limited to uses which are permitted outright or conditionally permitted in the zoning district and may involve exceptions to the development standards of the zoning district; and

Type "C" Planned Developments. Type "C" Planned Developments may include uses that are not permitted outright or conditionally permitted in the zoning district, provided that the development will include other uses that are either permitted outright or conditionally permitted in the zoning district. Type "C" Planned Developments may involve exceptions to the development standards of the zoning district.

HOW TO APPLY

Planned Development Permit applications are available at the Community Development Department, or on the Department's website at www.cityofarcata.org Staff can assist you with the materials needed for a complete application packet. Submit the completed application packet along with the application fee to the Department for processing.

THE PROCESS

Step 1: Application Filing and Initial Review

Once your application has been submitted and fees collected, staff will perform an initial application review. Please follow the attached checklist carefully when preparing your application as this is what staff relies on to determine completeness. Should your application be found incomplete, you or your designated agent will be contacted and advised what items must be submitted before processing can continue.

Preliminary Review Option: Applicants can pay a fee to get the permit review process started rather than waiting until all required items are submitted for staff to begin review of your project. This will provide you with an assessment of how the proposed planned development complies with applicable standards. The application must be complete to proceed beyond that.

Step 2: Environmental Review

The assigned planner will review the project in accordance with the California Environmental Quality Act (CEQA) to determine if the project is statutorily or categorically exempt from CEQA, or if it is subject to CEQA and further environmental review is required. If the project is exempt from CEQA, then Step 2 is complete. If the project is not exempt from CEQA, then an initial study will be prepared, which determines the required environmental document that must be prepared and circulated for agency and public comment.

Step 3: Department and Agency Referrals

Once your application has been accepted as complete, the assigned planner will send copies of your application materials to other City departments and public agencies having jurisdiction or authority over your project. If the responding Departments or agencies identify issues to be resolved prior to the continued processing of your application, or if additional information is required by those Departments or agencies, you or your designated agent will be advised as to what is needed. These Department and agency comments may affect the form and content of the environmental document.

Step 4: Planning Commission/ Zoning Administrator Staff Report

Staff will prepare a written report that describes the proposed project, discusses the legal findings, presents staff's recommendations, and lists conditions for approval. The findings will determine whether the location and the use is in accord with the objectives and purposes of the code; that the use will not be detrimental to the public health, safety, or welfare; and, that the project is consistent with the General Plan, Local Coastal Land Use Plan, and any other specific plan (§ 9.72.070 G). A copy of the staff report will be sent to you prior to the public hearing.

Step 5: Conditions of Approval and Findings
The review authority may approve a Planned Development Permit only after first making the required findings as appropriate for the type of Planned Development Permit (§9.72.070.G). In approving a Planned Development Permit, the review authority may impose any conditions (e.g. the placement, height, nature and extent of use, buffers, landscaping and maintenance, off-site improvements etc.) deemed reasonable and necessary to carry out the purposes of the Land Use Code and ensure that approval will comply with the required findings. The violation of any required condition may constitute grounds for permit revocation.

A Planned Development that proposes an exception to the requirements of the Land Use Code must provide development amenities that offset any exceptions to an equal or greater degree, as determined by the review authority. These amenities may include: affordable housing, amount and design of open space, minimizing site disturbance, provision of day care or recreational facilities, etc. (§9.72.070.H).

Step 6: Public Notice and Hearing
The Zoning Administrator may grant Type "A" Planned Development Permits that are exempt from CEQA. The Planning Commission may grant Type "A" Planned Development Permits that are not exempt from CEQA reviews, Type "B" and Type "C" Planned Development Permits.

The notice for a Type "A" Planned Development Permit that is exempt from CEQA will state that the Zoning Administrator will decide whether to approve or disapprove the application on a date specified in the notice, and that a public hearing will be held only if requested in writing by any interested person prior to that date. If a public hearing is requested, the Zoning Administrator will refer the application to the Planning Commission for hearing and decision (§ 9.72.080 E).

A Notice of Public Hearing will be sent to all property owners within 300 feet of your property if the project is exempt from CEQA. For projects not exempt from CEQA, notice will be sent to all property owners within 500 feet of your property. The notice, which must be mailed at least 10 calendar days prior to the hearing will state the date, time, and place for the public hearing. You and/or your agent should attend the public hearing in case there are project specific questions. At the public hearing, any person may present verbal and/or written testimony for or against the project. The review authority will take into account the whole record, including all of the public testimony before making a decision. The review authority may make a decision at the hearing, or may continue the matter if more information is needed.

Step 7: Appeals
Zoning Administrator actions are appealable to the Planning Commission and Planning Commission actions are appealable to the City Council by you as the applicant, or any other adversely affected person. Appeals to the Planning Commission must be filed with the Community Development Department; appeals to the City Council must be filed with the City Clerk both within 10 calendar days of the actual date of the final decision. Appeals must be submitted in writing and be accompanied by the required fees.

EXPIRATION OF PERMITS

A Planned Development Permit may specify a time for project completion acceptable to the review authority. If not specified in the permit, the completion period shall not exceed 36 months unless extensions are granted per Subsection 9.79.070.B.2 of this code. If construction of the project has not commenced within the applicable development completion period, the Planned Development Permit shall automatically be terminated and deemed void, with no further action required by the City.

For Staff Use Only

☐ Type A
☐ Type B
☐ Type C

Initials:_____

Planned Development Permit Application Checklist

Visit the Community Development Department page at www.cityofarcata.org. Select Land Use Code from the menu and then see § 9.72.070 for complete Planned Development permit regulations.

☐ Preliminary Review Option: Applicants can pay a fee to get the permit review process started rather than waiting until all required items are submitted for staff to begin review of your project.

Talk with Arcata Community Development Department Planning Staff to determine which of the following items must be submitted along with a completed and signed application form. **Incomplete or inaccurate information will cause a delay in permit processing.**

- ☐ Application form with signatures of all owners of the affected parcels.
- ☐ Application fee deposit as indicated on the application form.
- ☐ One hard copy and one electronic disk copy compatible with MS WORD of the Development Plan. Additional copies may be required for agency distribution. Include the information listed on the following page.
- ☐ To request an exemption from the California Environmental Quality Act (CEQA), submit justification and evidence to support a CEQA exemption; or
- ☐ For projects not exempt from CEQA, submit a CEQA checklist. See staff for a Negative Declaration or Environmental Impact Report determination.
- ☐ A statement explaining how major site development problems such as flooding, access, seismic hazards, if any, will be mitigated.
- ☐ An explanation of the nature of the proposed development and the deviations from regulations otherwise applicable to the property that are being requested in conjunction with the development.
- ☐ Proposed agreements, associations, deed restrictions, by-laws and articles of Incorporation, which relate to the preservation or maintenance of open space, landscaping, and other common areas or facilities.
- ☐ Written responses to the appropriate findings found in § 9.72.070G. Provide one hard copy and one electronic disk copy compatible with MS WORD.
- ☐ If approval of the Historic and Design Review Commission is required (§ 9.72.040), see the Historic and Design Review Application Checklist for submittal requirements.
- ☐ Additional information as may be required by Staff and/or the Planning Commission to adequately evaluate the proposed development.

Subject to changes or additions at any time. Applications may require additional information for continued processing.

The Development Plan shall include a map or set of maps no smaller than 8½" X 11" and no larger than 24" X 36". The Development Plan shall also include written descriptions on 8½" X 11" paper. If maps larger than 11" X 17" are submitted, Staff may request additional copies as the City can only reproduce pages that are 11" x17" or smaller.

- ❑ Include the following information on the Development Plan:
  - ❑ The division of land for the sale of individual property, if any.
  - ❑ Existing contours at two (2) foot intervals if the existing slope is less than ten percent (10%) and at not less than five (5) foot intervals if the existing slope is greater than or equal to ten percent (10%)
  - ❑ Location of existing structures, major trees and other natural features.
  - ❑ Proposed automobile, equestrian, and bicycle access and pedestrian ways.
  - ❑ Lot design and easements.
  - ❑ Areas proposed to be dedicated or reserved for parks, parkways, playgrounds, school sites, and public or quasi-public buildings.
  - ❑ Areas proposed for commercial uses, loading and off-street parking spaces, multi- and single-family dwellings, and all other uses proposed to be within the project area.
  - ❑ Proposed location of buildings on the land, including all dimensions necessary to indicate the size of structure, setbacks, and yard areas.
  - ❑ Proposed landscaping, fencing and screening.
  - ❑ Detailed elevations for structures.
  - ❑ Provisions for drainage of surface waters; watercourses and sewage disposal plans.
  - ❑ A schedule for the development of units to be constructed in progression and a description of the design principles for buildings and streetscapes.
  - ❑ Tabulation of total area of the proposed project site and proposed project and percent thereof designated for various uses.
  - ❑ The number and type of dwelling units proposed by dwelling type and estimated residential population by type of dwelling.
  - ❑ Proposed retail sales area if any.

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