



Title 9: Zoning

Public Draft Dated
October 31,
2011

Chapter 9: Overlay Zoning Districts

This chapter establishes overlay zoning districts for the purposes of providing supplemental use regulations and/or development standards to address special or unique issues or characteristics of the area.

This page intentionally left blank.

Title 9, Chapter 9

Table of Contents

Article A. Purpose and Intent of Overlay Zoning Districts

9-9A-1 Purpose and Intent	9-9A-1
9-9A-2 Designation on Zoning Map	9-9A-1
9-9A-3 Applicability of Standards	

Article B. Planned Unit Development (PUD) Overlay Zone

9-9B-1 Purpose and Intent	9-9B-1
9-9B-2 Form and Content of Planned Unit Development Zones.....	9-9B-1
9-9B-3 Adoption of Planned Unit Development Overlay Zones.....	9-9B-2

Article C. Naval Air Station Lemoore (NASL) Overlay Zone

9-9C-1 Purpose	9-9C-1
9-9C-2 Applicability	9-9C-1
9-9C-3 Development Standards	9-9C-1

This page intentionally left blank.

Chapter 9: Overlay Zoning Districts

Article A: Purpose and Intent of Overlay Zoning Districts

Sections:

- 9-9A-1 Purpose and Intent
- 9-9A-2 Designation on Zoning Map
- 9-9A-3 Applicability of Standards

Draft Zoning Code Changes:

- *This article establishes the overall intent and function of the city's overlay zoning districts. Each overlay district is then established in articles b and c.*

9-9A-1 Purpose and Intent

This chapter establishes a series of overlay zoning districts. These overlay zoning districts supplement the land use regulations and/or development standards of the corresponding underlying base zoning district by recognizing distinct areas of the city that have special, unique, or important social, architectural, site, neighborhood, environmental, or compatibility issues or characteristics that, because of their nature, require special considerations not otherwise adequately provided by the underlying base zoning district applicable to the property.

9-9A-2 Designation on Zoning Map

As described in chapter 9-3 (zoning districts and map), overlay zoning districts shall be designated on the city zoning map by their representative symbol along with the base zoning district in a format determined by the planning director. For example, a planned development overlay zoning district combined with a medium-density residential base zoning district would be shown on the zoning map with the medium-density residential shown as the underlying district and the overlay shown with an outline.

9-9A-3 Applicability of Standards

The provisions of this chapter shall apply to all parcels of land located within the designed boundaries of an overlay district as illustrated on maps contained on the city zoning map. In the event of a conflict with the regulations of the underlying base zoning district and the overlay zoning district, the provisions of the overlay zoning district shall apply. Where an overlay zoning district is silent, the regulations of other sections of this title shall apply.

This page intentionally left blank.

Chapter 9: Overlay Zoning Districts

Article B: Planned Unit Development (PUD) Overlay Zoning Districts

Sections:

- 9-9B-1 Purpose and Intent
- 9-9B-2 Form and Content of Planned Unit Development Overlay Zones
- 9-9B-3 Adoption of Planned Unit Development Overlay Zones

Draft Zoning Code Changes:

- *This article identifies each planned unit development in the city. As new planned unit developments are created, they are to be listed in this article for future reference.*
- *In 2001, all contiguous land greater than five acres of multi-family or greater than ten acres of single-family was overlaid with a planned unit development designation. The intent of this application was to provide for detailed master planning of future subdivisions and provide a review process for the design of subdivision and future homes in the subdivision. With the adoption of the new general plan, the use of planned unit developments as an overlay district is no longer necessary and is proposed to be removed over vacant non-entitled properties. Design standards for subdivisions and future homes have been built into the general plan and this zoning code.*

9-9B-1 Purpose and Intent

This article establishes the planned unit development (PUD) overlay zone for the purpose of providing project-specific architectural and development standards for new development of residential subdivisions in the city. The PUD is intended to allow some flexibility in the zoning district development standards with special consideration and review.

9-9B-2 Form and Content of Planned Unit Development Overlay Zones

A. Form and Adoption of New Planned Unit Development Overlay Zones

Subsequent to the adoption of this title, all new planned unit development overlay zones shall be established by ordinance of the city council. The ordinance shall include, or shall reference in a separate document, all of the components for a planned unit development as described in subsection B below.

B. Required Components

Each new planned unit development overlay zone shall, at a minimum, contain the following components:

1. Performance and development requirements related to yards, lot area, intensity of development on each lot, parking, landscaping, and signs;
2. Time, phasing, and sequence of development projects;
3. Infrastructure plan;

4. Circulation plan;
5. Master home plan design and pre-plot; and
6. Other design standards appropriate for the specific site and development.

C. Requirements for Existing Planned Unit Developments

Existing planned unit development overlay zones need not be modified to include these components unless the underlying tentative subdivision map has expired or the project proponent is requesting a significant change in the project design as determined by the planning director. Otherwise, the conditions of approval for the tentative map shall serve as the plan for the development.

9-9B-3 Adoption of Planned Unit Development Overlay Zones

The planned unit development overlay zones listed in table 9-9B-3-1 (planned unit development overlay zones) are hereby adopted into this code by reference.

TABLE 9-9B-3-1 – PLANNED UNIT DEVELOPMENT OVERLAY ZONES				
Number	Name	Date Approved	Resolution Number	Average Density
9402	Pierce Financial & Insurance, Tract 704	July 5, 1994	9422	
2002-01	Phase II of Country Club Villas	December 3, 2001	2002-41	3.47 du/ac
2003-1	East Village, Tract 791, Jim Clark	April 1, 2003	2003-12	3.73 du/ac
2003-02	Robert Frisone, Tract 797	October 7, 2003	2003-38	4.31 du/ac
2004-01	Terrence B. Flatley, County Tract 817	September 7, 2004	2004-47	3.6 du/ac
2004-02	Fairway Courtyards, Tract 820	September 7, 2004	2004-48	8.5 du/ac
2004-03	Lennar Homes, Tract 821	February 15, 2005	2005-08	3.94 du/ac
2004-04	Coker Ellsworth, Tract 752	February 1, 2005	2005-04	3.94 du/ac
2004-05	Silva Estates 10, Daley Enterprises	March 15, 2005	2005-11	3.85 du/ac
2005-01	Victory Village Phases I & II, Centex Homes & Ashlan Development	June 6, 2006	2006-28	3.98 du/ac
2006-02	Badasci, Tract 872	May 2, 2006	2006-15	2.92 du/ac

STAFF TO PROVIDE SETBACK AND OTHER DEVELOPMENT STANDARDS FOR EACH PUD FOR INCORPORATION.

Chapter 9: Overlay Zoning Districts

Article C: Naval Air Station Lemoore (NASL) Overlay Zone

Sections:

- 9-9C-1 Purpose
- 9-9C-2 Applicability
- 9-9C-3 Development Standards

Draft Zoning Code Changes:

- *This article establishes a special overlay zoning district for property in the vicinity of Naval Air Station Lemoore as described in the general plan.*
- *This overlay limits the height of buildings to 150 feet and places a requirement on new construction to provide a minimum level of noise attenuation on interior spaces of buildings.*

9-9C-1 Purpose

This article establishes the naval air station Lemoore (NASL) overlay zoning district for the purpose of recognizing the potential adverse impacts on the population from Naval Air Station Lemoore and establishing special development regulations to ensure public health, safety, and welfare.

9-9C-2 Applicability

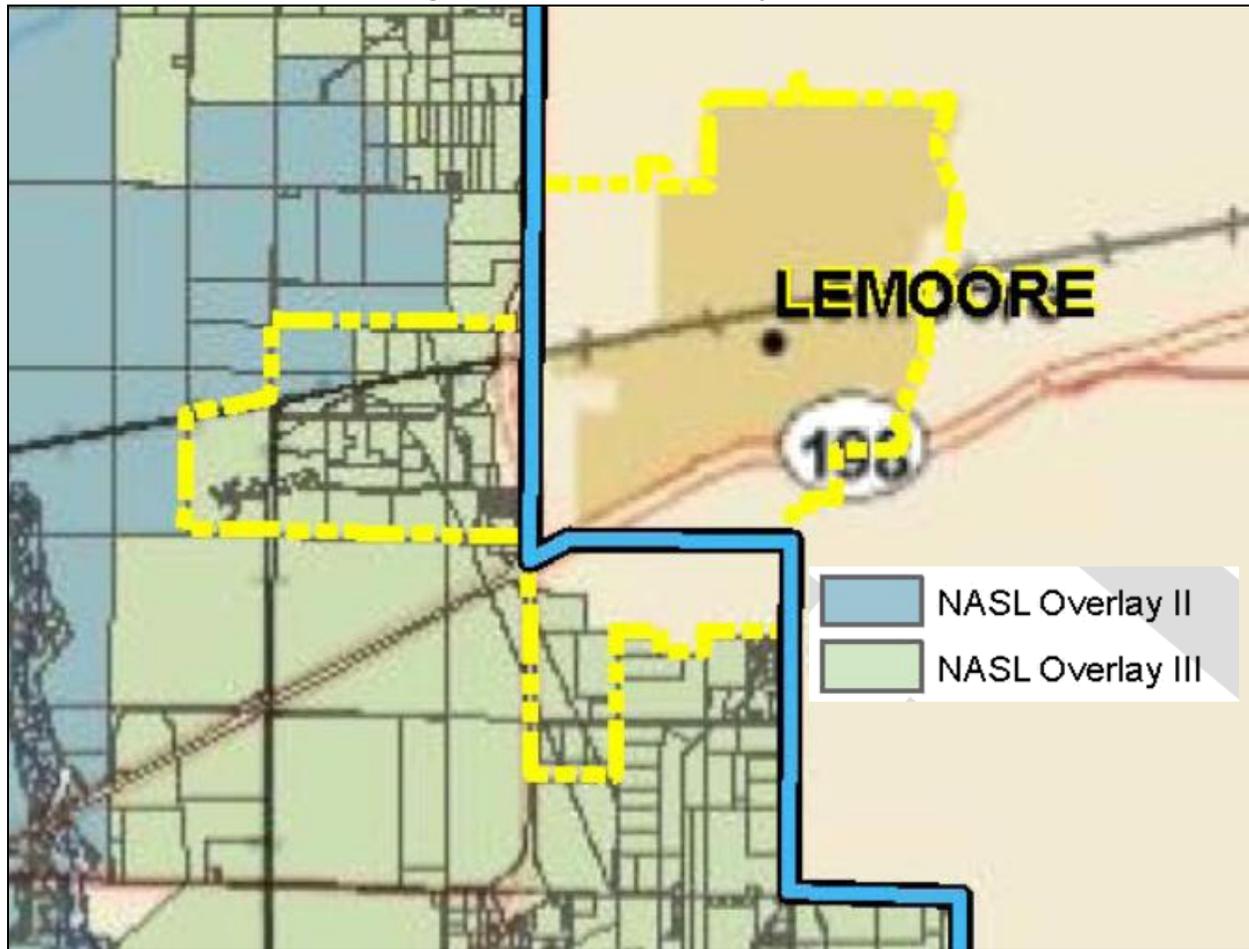
The regulations of the naval air station Lemoore (NASL) overlay zone as provided in this article shall apply to those properties as designated on the zoning map, generally west of State Highway 41 and south of the city limits, which fall in the military influence area (MIA).

9-9C-3 Development Standards

A. Overlay Areas

Lands within the NASL overlay zoning district are broken down into overlay areas I, II, and III, as described in the JLUS. Overlay I areas are the most restrictive, applying to accident potential zones (APZs) and areas experiencing aircraft noise greater than seventy-five decibels (>75 dB CNEL). Overlay II areas are those experiencing aircraft noise between sixty-five and seventy-five decibels (65–75 dB CNEL). Overlay III areas are those that experience aircraft noise less than sixty-five decibels (<65 dB CNEL). Figure 9-9C-3-A illustrates the location of these overlay areas. While there are no overlay I areas within the NASL overlay zoning district, there are properties within overlay II and overlay III, as well as low-level flight tracking.

Figure 9-9C-3-A: NASL Overlay Areas



B. Height Limit

Restrictions on the height of structures within the NASL overlay zone are necessary to ensure that structures will not impair flight safety. To that end, no structure shall be built and no tree shall be allowed to grow above a height of one hundred fifty feet (150').

C. Construction Requirements

Development located within overlay II and overlay III of the NASL overlay zone where aircraft noise exceeds sixty-five decibels (65dB CNEL) shall be constructed so as to attain an indoor noise level of forty-five decibels (45 dB CNEL). New residences shall be constructed in accordance with noise attenuation standards of the city-adopted building code.

D. Development Review and Notification Required

Applications for development, including conditional use permits, site plan and architectural review, tentative maps, rezones, and general plan amendments, within the NASL overlay zone shall be routed to Naval Air Station Lemoore and the Federal Aviation Administration for notification and review when involving tall structures.

E. Disclosure Requirements

All new subdivisions of land within the NASL overlay zone through tentative map as provided in article 8-7F (tentative maps) shall be required, as a condition of approval, to record at time of final or parcel map an easement on all lots created. Such easement shall identify that the property is near a military installation subject to high aircraft noise, low level aircraft, aircraft tests, and/or other military-related issues within overlays II and III.

This page intentionally left blank.