

Chapter 14.704 Planned Unit Development Overlay Zone

14.704.100 Purpose and Intent

The purpose of the Planned Unit Development Zone is to establish a process to foster creative, efficient, and comprehensive design of site development. The overlay zone is to be used in conjunction with any zoning classification within the urban growth area boundary or within a rural limited development area zone. These regulations provide flexibility in site design and offer incentives in order to:

1. Encourage imaginative design and the creation of permanent open space.
2. Preserve and enhance special site features.
3. Encourage the conservation of natural features, wildlife habitat, and critical areas.
4. Encourage development of a variety of housing types.
5. Facilitate the development of mixed-use projects.
6. Encourage the development of street, pedestrian and bicycle paths that contribute to a system of fully connected routes.
7. Promote land use patterns that support a sense of community.
8. Facilitate the economical and adequate provision of public services.
9. Provide for diverse and convenient recreational opportunities.
10. Provide a variety of environments for living, working, and recreation.

14.704.110 Applications and Process

1. Planned unit developments shall be initiated by the owner of all property involved, if under one ownership, or by joint application of all owners having title to all the property in the area proposed for planned unit development.
2. The planned unit development process entails a preliminary and final phase, as follows:
 - a. The preliminary phase examines the planned unit development plan for compliance with the requirements of the zone. The preliminary planned unit development is considered through a public hearing before the Hearing Examiner. Once approved, the planned unit development is a binding plan that defines the concept of the development and uses to be allowed. The planned unit development approval is valid for a 5-year period, which may be extended by submitting a time extension request to the Division. Any extension of time must be requested by the applicant, in writing, before expiration of the original approval, stating specific reasons for such a request.
 - b. The final planned unit development plan is reviewed administratively by the Division of Building and Planning. The applicant must submit the detailed and technical information required to demonstrate that all County standards, requirements, and conditions of approval have been met.

14.704.120 Preliminary Planned Unit Developments

The preliminary planned unit development shall have a site development plan, including, but not limited to, the following:

1. The exact boundaries and legal description of the property to be developed.
2. The name of the proposed planned unit development.
3. Date, north arrow, and scale of the drawing.
4. Names, addresses, and telephone numbers of the owner(s), applicant(s), engineer, and surveyor.
5. The general location of all proposed improvements that are to be constructed on the land, including, but not limited to, all residential and nonresidential structures, building heights, recreational facilities, walls, fences, refuse areas, streets, walks and public transit facilities.
6. Setbacks to the property line, roadways, and the planned unit development perimeter.
7. Location of pedestrian and bicycle circulation systems.
8. Common open spaces showing size and functions upon completion.

9. A description of the method of ownership and responsibility for maintenance of all common open space.
10. The location and dimension of off-street parking facilities, public and private, including transit facilities for nonresidential uses.
11. Location and size of all public and semipublic sites if applicable (i.e., schools, churches, parks, plazas, etc.).
12. A tabulation of densities within each project area, phase or sector.
13. If applicable, a subdivision map showing land divisions. The preliminary and final subdivision map shall comply with the county subdivision ordinance and state subdivision regulations.
14. A proposed phasing and/or timing schedule.
15. Topographical map of existing terrain at a minimum 10-foot contour level, including 100-year flood plains identified under the National Flood Insurance program.
16. Natural features to be retained, such as natural slopes, stands of trees, etc.
17. All critical areas.

14.704.130 Final Planned Unit Developments

1. Prior to expiration of the preliminary planned unit development, approval of a final planned unit development plan is required. Approval of the final planned unit development shall be administrative. A final planned unit development differs from the preliminary planned unit development in the amount of detailed information provided. In addition to all of the information required for a preliminary planned unit development, the final planned unit development plan shall include the following items.
 - a. Approved road plans.
 - b. Drainage systems.
 - c. Typical building footprints.
 - d. A tabulation of the percentage of total building coverage in the development.
 - e. A schematic landscaping plan indicating the type and the size of plant material to be used, and the method for providing permanent maintenance to all planted areas and open spaces.
2. Any planned unit development not finalized before the expiration of the preliminary planned unit development approval shall become void, unless a time extension is granted. Construction shall not commence until a planned unit development has been given final approval.

14.704.140 Phased Planned Unit Developments

1. A planned unit development may be developed in phases, subject to an approved phasing schedule. All construction and improvements not completed within 5 years of approval of the phased final planned unit development are subject to compliance with updated County standards through a time extension action. Any planned unit development where construction has not commenced before expiration of the final planned unit development approval shall become void.
2. Each phase of the proposed development must contain the required parking spaces, common open space, landscape, and utility areas necessary for creating and sustaining a desirable and stable environment for that phase of the development.

14.704.150 Modifications

1. The Hearing Examiner may require modifications to the application for a planned unit development to ensure that the spirit and intent of this chapter is accomplished.
2. A substantial modification to the approved preliminary or final planned unit development plan shall only be approved through a change of condition application process. All modifications which are not minor, shall be considered substantial.
3. A minor modification to the preliminary or final planned unit development plan may be approved administratively by the Division. Minor modifications shall be consistent with the following requirements:
 - a. The modification shall be limited to minor shifting of the location of buildings, proposed streets, utility easements, or common open space.

- b. The modification shall not:
 - i. Enlarge the boundaries of the approved planned unit development plan.
 - ii. Change the approved uses.
 - iii. Change the general location or amount of land devoted to a specific land use.
 - iv. Increase the residential densities.

14.704.210 Uses

Uses for the planned unit development overlay zone shall include single-family, multi-family and other uses as may be permitted in the underlying zone(s). Accessory uses and structures ordinarily associated with a permitted use shall be allowed.

14.704.300 Development Standards

Prior to the issuance of a building permit, evidence of compliance with provisions of this chapter, when applicable, shall be provided to the Division.

14.704.310 Density

- 1. The total units permitted in a planned unit development shall be determined as follows.
 - a. In any planned unit development, the number of dwelling units per acre of land shall not exceed that which is permitted by the underlying zone(s), except as approved for density bonus by the Hearing Examiner subject to the following procedures. However, this does not preclude an applicant from transferring density from one portion of the development to another portion of the development, so long as the total project does not exceed the maximum density of all zoning classifications included within the project boundary.

Residential density shall be determined by the following formula:

$$\begin{array}{ccccccc} \text{Net Development} & & \text{Maximum number of} & & \text{Density Bonus} & & \text{Total Units} \\ \text{Factor} & \times & \text{units per acre allowed} & + & \text{Earned} & = & \text{Permitted} \\ & & \text{in underlying zone} & & & & \end{array}$$

- b. The net development factor is the acreage of the planned unit development area minus the area set aside for, or existing in, any of the following:
 - i. Schools.
 - ii. Commercial and/or industrial uses.
 - iii. Single-family residential platted areas, if determining net development factor for the multifamily portion of a mixed single-family, multifamily development.
 - iv. Natural water bodies, including lakes, streams, swamps, marshes, and bogs which are not incorporated in the common open space plan of the planned unit development.
 - v. 75% of areas having slopes that exceed 40%.
 - vi. Public or private streets.
- 2. Bonus Density: The following units per acre may be cumulatively earned as additional density to the maximum base unit density of the underlying zone.
 - a. Common Open Space.
 - i. 0.3 unit-per-acre bonus if at least 50% of the dry, common open space has a slope of 10% or less.
 - ii. 0.5 unit-per-acre bonus if significant recreation areas are developed and equipped with at least 2 of the following features: hard surface biking, hiking or walking trails connecting the entire development; improved playfields, sport courts; swimming or wading pool; or children's play areas that incorporate play structures/equipment and are at least 10,000 square feet in size.
 - b. Environmental Concern.
 - i. 0.3 unit-per-acre bonus if general public access is provided to lake or river; to trails, 0.1 unit-per-acre bonus; to scenic viewpoint, 0.1 unit-per-acre bonus.

- ii. 1.0 unit-per-acre bonus if 40% or more of the existing, healthy trees over 10 inches in diameter, are retained on the site. Tree diameter shall be measured at 6 feet above the ground. This bonus shall only apply in forested areas where the density of the above-described trees is equal or greater than 10 trees per acre.
- c. Internal Circulation and Parking.
- i. 0.2 unit-per-acre bonus if nonresidential parking areas are kept small (10 to 20 spaces in a group) and interspersed with landscaping, or provided within or under main buildings.
 - ii. 0.5 unit-per-acre bonus if provision is made for an internal bike and pedestrian system physically separated from roadways.
 - iii. 1.0 unit-per-acre bonus for an interconnected roadway system without cul-de-sacs.
 - iv. 0.5 unit-per-acre bonus for an ungated development allowing through access to the public.
 - v. 0.5 unit-per-acre bonus if at least 1/2 of the required parking is covered or 1 unit-per-acre bonus if all the required parking is covered.
- d. Public Service and Facility Availability.
- i. 0.3 unit-per-acre bonus if public transit is available within 1/4-mile walking distance of the majority of dwelling units and offices.
 - ii. 0.2 unit-per-acre bonus if off-site convenience shopping facilities are functionally accessible within reasonable walking distance (approximately 1/4-mile).
 - iii. 0.5 unit-per-acre bonus if special facilities for public transit are incorporated into the design (e.g., sheltered, lighted waiting/loading facilities, including benches and park-and-ride spaces).
- e. Housing.
- i. 0.5 unit-per-acre bonus if the development features a mix of at least 3 of the following housing types: Detached, single-family residences; attached, single-family residences; manufactured homes; duplexes; townhouses and apartments.
 - ii. 1.0 unit-per-acre bonus for mixed income housing where at least 20% of the units are set aside for households making less than 80% of the median income of the County as defined by the Department of Housing and Urban Development (HUD).

14.704.320 Lot Standards

Lot standards may vary from that required by the underlying zone, provided the following standards are met.

1. Minimum Lot Area: Every lot utilized for residential purposes shall have a minimum area of 1,600 square feet.
2. Minimum Frontage: Each lot utilized for residential purposes shall have a minimum width of 30 feet with 30 feet minimum frontage on a public or private street, or pedestrian access. Reduced frontage standards shall not be used to create flag lot configurations. Minimum frontage for commercial or industrial planned unit developments shall be per the underlying zone.
3. Minimum Yards: Yard setbacks shall be as approved on the preliminary planned unit development site plan, except that the minimum setbacks of the underlying zone shall apply to exterior project boundaries.
4. Maximum Building Coverage: A maximum of 60% of the site may be utilized for building coverage.
5. Maximum Building Height: Building height maximums of the underlying zone may be waived on an individual building, through the public hearing process, to allow greater flexibility with the development. Consideration shall be given to adjacent land uses and building heights as well as building relationships within the development.

14.704.330 Parking, Signage, and Landscaping Standards

Parking, signage and landscaping standards shall be as provided in chapter 14.802, Off-Street Parking and Loading Standards; chapter 14.804, Signage Standards; and chapter 14.806, Landscaping and Screening Standards.

14.704.340 Storage Standards

All storage in the planned unit development zone shall be within a closed building, except for the storage of retail products that are for sale or rent, which may be stored outdoors during business hours only. Outdoor storage of retail products shall not be within any required front or side yard nor in any public street or road right-of-way.

14.704.350 Refuse Storage

All outdoor trash, garbage and refuse storage areas shall be screened on all sides from public view and, at a minimum, be enclosed with a 5½-foot-high concrete block, masonry wall, or sight-obscuring fence with a sight-obscuring gate for access. Single family and duplex residences shall be exempted from this provision.

14.704.360 Mechanical Equipment

All rooftop mechanical equipment shall be completely screened from view.

14.704.365 Utilities

All utilities shall be underground.

14.704.375 Required Open Space

1. Required Open Space: A minimum of 10% of the total area of the planned unit development shall be designated and maintained as common open space. Required landscape areas and stormwater facilities shall not be used in the calculation of open space.
2. Types of Open Space: Land dedicated for open space should be usable for either greenbelts that serve as a buffer between land uses, using existing vegetation and new plant materials, active or passive recreational activities, or for protecting environmentally-sensitive areas or critical areas. Inappropriate open space includes the design of areas that do not meet the intent and purpose of this chapter, such as open space areas that are not accessible to residents of the development, or do not function for active/passive recreation or do not conserve wildlife habitat or other natural features.
3. Maintenance and Ownership of Common Open Space: The applicant shall choose 1 or any combination of the following methods of administering common open space:
 - a. Dedication of common open space to the County, which is subject to formal County acceptance.
 - b. Establishment of an association or nonprofit corporation of all property owners or corporations within the project area to ensure ownership of and responsibility for perpetual maintenance of all common open space.
 - c. Retention of ownership, control and responsibility for maintenance of all common open space by the applicant. All privately owned common open space shall continue to conform to its intended use and remain as expressed in the Site Development Plan by the inclusion in all deeds of appropriate restrictions to ensure that the common open space is permanently preserved according to the Site Development Plan. Said deed restrictions shall run with the land and be for the benefit of present as well as future property owners in the planned unit development and shall contain a prohibition against future divisions or segregations without further County approvals.
4. Phasing: Where methods 3a or b above are to be employed, required improvements shall be completed prior to transfer of ownership. Where improvements are not completed in accordance with these requirements, building permits and/or approval of permitted structures, may be withheld

upon notification to the Building Official by the Planning Director, pending completion of said improvements.

5. Phasing: All common spaces, as well as public and recreational facilities, shall be specifically included in the phasing schedule and be constructed and fully improved by the applicant at an equivalent or greater rate than the construction of structures.