

ARTICLE 3.7 – PLANNED UNIT DEVELOPMENT

SECTION 3.7.001 - PURPOSE

The purpose of a Planned Unit Development is to provide opportunities for the innovative development of large areas of land by encouraging their development in a comprehensive, integrated manner, and by allowing modification of the standards for the underlying zone contained in the Land Development Code. Upon its approval by the Planning Commission Review Procedure, the Development Plan for the specific Planned Development shall become the basic document for regulating the use and development of the land. It is the further purpose of a Planned Unit Development to encourage development which meets at least one (1) of the following objectives:

- A. The clustering of development through density transfers in order to preserve a significant amount of open space for use by the residents of the development.
- B. The mixing of residential, civic, commercial, or industrial use types in a manner which reduces dependency on the automobile as the exclusive means of transportation and promotes other transportation options by providing housing, employment opportunities, shopping and personal service facilities, and schools in close proximity to each other.
- C. The mixing of residential densities within a master planned community offering recreational amenities and other neighborhood-serving uses.
- D. Any land development project that provides the mixing of use types, a community design, site plan, and exceptional architectural design that varies from the standard zoning district provisions of the Land Development Code while providing a superior community plan with development standards adequate to protect the public health, safety and welfare.

SECTION 3.7.002 - MINIMUM PLANNED UNIT DEVELOPMENT CRITERIA

- A. The minimum area shall be two (2) acres.
- B. For projects including residential uses, the minimum common open space to be provided, excluding public or private rights-of-way shall be twenty percent (20%) of the land area.

SECTION 3.7.003 - PERMITTED USES

Any use types which are either permitted or conditionally permitted within the various zones provided by Chapter 2 may be permitted within said Planned Unit Development. All use types which will be included within a Planned Unit Development shall be listed in the Development Plan.

SECTION 3.7.004 - REVIEW PROCEDURE

The application for a Planned Unit Development shall be subject to Planning Commission Review Procedure. The application shall be accompanied by any such information as listed on the application submittal checklist. The applicant may request that approval of the Development Plan and any related preliminary subdivision or partition plans be considered in the same proceeding.

- A. Prior to submission of an application for a Planned Unit Development, the prospective applicant shall submit to the Community Development Department/Planning Division a Concept Plan prepared in accordance with the standards provided in Section 3.7.005 below. Upon receipt of the Concept Plan, Staff shall schedule and hold a Concept Plan Review Conference with the

applicant. At said conference, the applicant or his authorized agent shall present the Concept Plan and receive comments from City Staff attending the conference. Representatives of the Community Development, Fire, Police, and Public Works Departments will be invited to attend and, at the discretion of and as deemed desirable and necessary by the Community Development Director/Planner, representatives from other County, public departments, or agencies, may be invited to attend the conference.

- B. The Planning Commission shall consider the Planned Unit Development Concept Plan applications at a public hearing, pursuant to the procedures in Chapter 9. Approval of the Concept Plan shall be subject to the criteria for Concept Plan approval found in Section 3.7.006. If requested by the applicant, the hearing body may consider the Development Plan and any related Preliminary Subdivision or Partition Plans at the same public hearing as the Concept Plan. Approval of the Development Plan shall be subject to the criteria in Section 3.7.009.
- C. The applicant must request approval of the Development Plan and any Preliminary Subdivision or Partition Plan within one (1) year; provided, however, that if the Development Plan provides for more than one (1) phase of development, only a Preliminary Subdivision or Partition Plan for the first phase need be submitted for approval.
- D. Development Plans submitted pursuant to Subsection C above shall be considered pursuant to the criteria of Section 3.7.009.
- E. Preliminary Subdivision or Partition Plans for a Planned Unit Development shall be reviewed pursuant to the applicable land division procedures and criteria of Chapter 4 of this Code, and must conform to the approved Development Plan.

SECTION 3.7.005 - CONCEPT PLAN CONTENT

A. General Narrative

A generalized narrative describing the location of the site, its total acreage, and the existing character and use of the site and adjoining properties; the concept of the proposed Planned Development, including proposed uses and activities, proposed residential densities if appropriate, proposed types and levels of public facilities and services, proposed transportation system including pedestrian and bicycle facilities, and physical land alteration required by the development; and the relation of the proposed Planned Development to the La Grande Comprehensive Plan.

B. General Site Plan

A generalized Site Plan showing the entire parcel with schematic indications of approximate locations of buildings, public and private rights-of-way, parking and loading areas, public and private open spaces, walkways, planting areas, etc.

SECTION 3.7.006 - CONCEPT PLAN APPROVAL CRITERIA

A. Soil Stability and Land Suitability

If there is a history of unstable soil characteristics in the area, this must be resolved prior to approval. The geologic conditions of the soil must be suitable to accept the development proposed.

If the proposed development is located on excessive slopes of over twenty-five percent (25%), engineering drawings must be submitted to satisfy engineering specifications. This requirement can be satisfied by submitting engineering drawings with the Development Plan provided that the Concept Plan is accompanied by a civil or geotechnical engineer's statement that the proposed

uses and improvements can be safely constructed without disturbance to slope stability and can avoid any negative impacts on surrounding properties resulting from geotechnical concerns associated with the development proposal.

If the site is within a flood hazard area, conditions as outlined by the Building Official and Flood Hazard Article must be met.

B. Fire Protection

The proposed development must have adequate ingress-egress for firefighting equipment. The circulation plan for the development must have adequate access for firefighting equipment; hydrant placement, fire flows, building sprinkler systems and any other fire suppression systems required by the Fire Chief.

C. Access

The development must be accessible by improved City public streets by automobile, walking, bicycling and public transit.

D. Ownership

The property must be under the ownership or control of a single entity with authority to take all actions and exercise full authority to develop the land.

E. Other Standards

The reviewing body may require that other standards deemed necessary by findings of fact be met (i.e. standards deemed necessary to protect the public health, safety, and welfare or to mitigate impacts on surrounding lands).

SECTION 3.7.007 - DEVELOPMENT PLAN CONTENT

A. Statement of Intent

An overall development scheme which states the development intentions of the landowner regarding the property, including but not limited to the following:

1. A statement of location and intensity of proposed uses and activities, including public and private open spaces.
2. A physical description of proposed facilities accommodating such uses, including types of buildings, structures and landscape, and circulation elements.
3. A statement of location and general configuration of lands to be dedicated for public open space and other public uses.
4. A general designation of utilities.
5. A statement detailing the consistency of the proposed development project with major public development programs, including but not limited to:
 - a. Freeways
 - b. Highways
 - c. Parks

- d. Pedestrian and bicycle facilities
- e. Open spaces
- f. Utility transmission lines
- g. Storm drainage facilities
- h. Phased schedules of proposed major public facilities
- i. Transit facilities.

B. Supporting Graphics

A Statement of Intent required above shall be supported by such graphics as are necessary to establish the physical scale and character of the development and demonstrate the relationship among its constituent land uses, buildings and structures, public facilities, and open space. Said graphics as a minimum shall indicate:

- 1. Perimeter boundaries of the site.
- 2. Streets and driveways.
- 3. Sidewalks and pedestrian ways and off-street parking and loading areas.
- 4. Location and approximate dimension of buildings and structures.
- 5. Utilization of buildings and structures, including activities and the number of living units.
- 6. Reservations for public uses, including schools, parks, playgrounds, and other open spaces.
- 7. Major landscaping proposals.

The Community Development Department/Planning Division may require graphics presenting additional information as is determined necessary to support the Statement of Intent.

C. Description of Surrounding Area

A statement which provides information on the character and use of the surrounding area within two hundred fifty feet (250') of the limits of the development.

D. Background Report

The purpose of the Background Report is to collect and present information pertinent to the actual execution and operation of the Planned Development. The contents of the Background Report may include, but are not limited to the following information:

- 1. A Preliminary Development Schedule including anticipated timing for commencement and completion of each phase of development, tabulation on the total area in each separate phase and percentage of such area to be devoted to particular uses, parking required and provided and an indication of the proposed number and type of dwelling units by phase of development.
- 2. A Preliminary Population Schedule, including estimated residential population for the entire project at its completion and for each type of dwelling unit for each phase of development,

calculation of the average residential density per gross acre and per net residential acre by phase, and estimated nonresidential uses included in the proposal and a statement supporting inclusion of such nonresidential uses.

3. A Utility Master Plan demonstrating required public utility sizing and appurtenances, connections to the City system and a statement relating the utility system designs to the requirements of City standards and any City Utility Master Plans.

SECTION 3.7.008 - SITE DESIGN AND DEVELOPMENT STANDARDS

- A. The site development standards contained in Chapter 5 for lot size and shape and building setbacks and yards, may be waived for a Planned Unit Development providing that the Development Plan for Planned Unit Development should indicate where the site development standards have been modified and should incorporate replacement standards designed to protect the public health, safety and welfare.
- B. Standards for roadway improvements contained in Chapter 6 shall apply to roads to be dedicated to the public on the final plat. Standards for roads that are to remain private roads, under the jurisdiction of a Homeowner's Association, shall meet requirements set by the Planning Commission, subject to a minimum requirement of forty foot (40') wide right-of-way, eight inches (8") of base rock, twenty-four foot (24') wide pavement, and two foot (2') wide gravel shoulders for a total improved top width of twenty-eight feet (28'), and adequate drainage facilities as required by the City.

SECTION 3.7.009 - DEVELOPMENT PLAN APPROVAL CRITERIA

A. General Criteria

The development scheme must assure that specific uses intended for the property are located in the area most suited for that use, in a manner compatible with adjacent uses and consistent with the approved Concept Plan.

B. Density Standards

1. The allowable number of dwelling units is calculated using the following steps:
 - a. Determine the total (gross) area of the site.
 - b. Subtract the area devoted to public streets, alleys, highways, and other necessary public facilities from the gross area figure derived in step 1 above to establish the net area.
 - c. Divide the net area figure by the required land area per dwelling for the applicable zone to derive the total maximum number of units possible on the site. Any dwelling unit fraction of one-half ($\frac{1}{2}$) or greater shall be rounded up to the next whole number.
2. **Density Bonus Applicability**

Only a Planned Unit Development shall be eligible to use the provisions of this section. The property shall also be located in one or more of the following zones.

 - a. HD Hillside Development Residential
 - b. RR-1 Rural Residential
 - c. R-1 Low Density Residential

- d. R-2 Medium Density Residential
 - e. R-3 High Density Residential
 - f. R-P Residential-Professional
3. Density Bonus Options
- a. Additional park land or common open space which:
 - 1. Exceeds a minimum of twenty percent (20%) of the total land area as common and private open space; or
 - 2. Exceeds a minimum of twenty percent (20%) of the total land area as public open space or park.

Density Bonus - A one percent (1%) density increase for every one percent of public or private open space or park which is provided over the twenty percent (20%) minimum up to a ten percent (10%) increase.
 - b. Design amenities including but not limited to pedestrian pathways, greenways, pedestrian plazas, landscaping design and quality that exceeds City standards, and architectural design.

Density Bonus - A maximum bonus of ten percent (10%) may be granted at the discretion of the review authority.
 - c. Low cost housing units which qualify and are approved for housing for low-income families or for the elderly under a Federal, State, or local program.

Density Bonus - One (1) unit per assisted unit up to a ten percent (10%) increase.
4. Density Bonus Requirements
- a. The maximum density bonus allowable is twenty percent (20%) over the density allowed in the base zone.
 - b. Conditions of approval shall be required to ensure that the density bonus provisions are satisfied.

SECTION 3.7.010 - AMENDMENT OF THE CONCEPT PLAN OR DEVELOPMENT PLAN

Any revisions from the approved Concept Plan or Development Plan shall be reviewed by the Community Development Department/Planning Division. Minor revisions (resulting in no change in the number of housing units) may be approved administratively by the Community Development Director/Planner. Major revisions (resulting in a change in the number of housing units) shall be referred to the Planning Commission for consideration pursuant to the procedures of Chapter 9 of this Code and the approval criteria of Section 3.7.006 or Section 3.7.009, as appropriate.

SECTION 3.7.011 - TIME LIMITS, EXTENSIONS AND REMOVAL OF PLANNED UNIT DEVELOPMENT OVERLAY ZONE

- A. Unless an extension is obtained pursuant to Section 3.7.011(B), a Planned Unit Development Plan must be submitted for approval within one (1) year of the approval of the Planned Unit Development Concept Plan; and development actions, such as construction of capital improvements, construction of common area facilities or sale of land must take place within one (1) year of final approval of the Planned Unit Development Plan, or be bonded.
- B. Prior to the expiration date of the time limit for the submission of a Planned Unit Development Plan or for initiation of development action established in Subsection A above, a Planned Unit developer may apply for a time extension on forms provided by the Community Development Department/Planning Division, accompanied by the fee established by Resolution of the City Council.

The application for a time extension must contain sufficient information in order to make the findings required by the Land Development Code. A maximum of three (3) such extensions may be granted by the Community Development Director/Planner upon a written finding that the facts upon which the approval of the Concept Plan or Development Plan, as appropriate, was based have not changed to an extent sufficient to warrant refiling of the Concept Plan or Development Plan, and upon a finding that no other development approval would be affected.

In no case shall the cumulative length of such extensions exceed three (3) years.