

## CHAPTER 29 PLANNED UNIT DEVELOPMENT

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**29.1.0 PURPOSE.** The purpose of this Chapter is to provide opportunities for innovation, creativity and flexibility in land development. It is intended to encourage the use of new techniques and technology resulting in a more creative approach to development of land that will realize economies of scale and permit flexibility that provides for aesthetic diversification of site layout and spatial arrangements between geographic features, structures, circulation patterns, utilities and open space. Furthermore, it is the purpose of this chapter to:

- (1) Encourage development that enhances the quality of life while protecting the health, safety and welfare of residents.
- (2) Encourage variety in housing opportunities.
- (3) Encourage the development of a viable economic base.
- (4) Encourage development of land uses that will be compatible with and complement existing or proposed adjacent land uses.
- (5) Provide guidelines for development of planned unit developments.

**29.2.0 PERMITTED USES.** The planned unit development district may be approved for any use or combination of uses permitted by this title except combinations of residential and industrial uses. Uses permitted in any specific PUD district shall be enumerated in the ordinance establishing such a district.

**29.3.0 MINIMUM SITE AREA.** The minimum site area for a PUD is ten (10) acres.

**29.4.0 RELATIONSHIP TO ADJACENT AREAS.** The design and layout of a PUD shall take into account the relationship of the site to the surrounding areas.

- (1) The perimeter of the PUD shall be so designed as to minimize any undesirable impact on adjacent properties.
- (2) Setbacks from the property line of a PUD shall be comparable to those of the existing development of adjacent properties or to the type of development, which may be permitted on adjacent properties.

**29.5.0 PHASED DEVELOPMENT.** Development of a planned unit development may be phased, in which case all the property anticipated for PUD development shall be submitted as a preliminary PUD showing a conceptual depiction of the eventual development through all phases. Subsequent to legislative approval of the preliminary PUD plan, portions of the development may be submitted as a final PUD for review and approval.

**29.6.0 COMBINED PRELIMINARY AND FINAL PUD.** In all cases, the preliminary PUD and final PUD may be combined and processed as a final PUD.

**29.7.0 CONCURRENT PLATTING.** Plats for PUD's requiring platting may be processed concurrently with the PUD approval procedures.

**29.8.0 DESIGN STANDARDS AND REQUIREMENTS.**

- (1) **SUBDIVISION REQUIREMENTS.** If land or structures within a proposed PUD are to be sold to more than one person, partnership, firm or corporation, or are to include the dedication of land, then the proposed PUD shall be subject to the short plat or major subdivision ordinances.
- (2) **RIGHT OF WAY REQUIREMENTS.** County policy with regards to the dedication of right-of-way and right-of-way improvements may be waived in a PUD.
- (3) **ZONING REQUIREMENTS.** A Planned unit development shall be exempt from the minimum lot size and setback standards of this title, except where on-site parking is located in front of a structure that portion of the structure shall be setback 20 feet from the property line.
- (4) **DENSITY.** The basic density in a planned unit development shall be established for each land use as provided in the zoning districts. The Planning Commission may recommend and the Board of Commissioners may authorize a density not more than twenty percent greater than what is otherwise permitted following findings that the amenities or design features which promote the purposes of this chapter are provided.
- (5) **LOT REQUIREMENTS.** Minimum lot areas, lot dimensions, building heights, lot coverage and yard requirements shall be as established on the approved development plan.
- (6) **OPEN SPACE REQUIREMENTS.** The PUD shall provide not less than thirty-five (35) percent of the gross land area for common open space.
- (7) **SETBACKS BETWEEN BUILDINGS.** A distance between all structures shall at a minimum comply with the standards prescribed by the most current edition of the Uniform Building and Fire Codes as adopted by the County.

**29.9.0 PROCEDURE FOR APPROVAL OF PLANNED UNIT DEVELOPMENTS.**

The approval of a planned unit development shall be by the Board of Commissioners, upon recommendation of the Planning Commission and shall be processed in accordance with the following procedures:

- (1) Who may apply. Any owner or group of owners of contiguous property acting jointly may submit an application for a PUD.
- (2) Pre-application. Prior to the acceptance of an application for PUD approval a pre application conference between representatives of the County and the potential applicant is required. This conference shall be set by the Planning Department at the request of the potential applicant. The purpose of the pre application conference is to acquaint the applicant with various code requirements affecting PUD districts.
- (3) Application. The applicant shall file a PUD district application for preliminary plan approval with the County Planner. All applications will be processed in accordance with the provisions of Amendments and Rezones. The application shall be accompanied by the following:
  - (a) A filing fee in an amount equal to the rezone fee.
  - (b) A completed SEPA checklist.
  - (c) A vicinity map.
  - (d) Twelve copies of maps and drawings comprising the preliminary plan.
- (4) Preliminary Plan. The preliminary PUD district plan shall indicate or include the following:
  - (a) Written documents including but not limited to:
    - (i) a legal description,
    - (ii) statement of present ownership,
    - (iii) statement of intent, including any plans for selling or renting the property,
    - (iv) a timetable of development, including a phasing schedule if project will be developed in phases,
    - (v) provisions to assure maintenance of all common areas, and
    - (vi) proposed restrictive covenants, if any.
  - (b) Relationship of the property to the surrounding area including identification of land use and zoning of both the site and vicinity properties.
  - (c) Names and dimensions of streets bounding, traversing or touching upon the site.
  - (d) Location and width of proposed streets and pedestrian ways, arrangement of common off-street parking and recreational vehicle storage areas.
  - (e) Location, layout and conceptual landscape design of all common yards, open space and recreational areas.
  - (f) Proposed method of street lighting and signing.
  - (g) Existing and proposed utility systems, including irrigation plan.

- (h) Existing site conditions, showing contours at five foot intervals and location of significant geographic features.
  - (i) Approximate building locations, buildable areas and building heights.
- (5) Public hearing Before the Planning Commission. Following a public hearing, the Planning Commission may recommend approval or denial of the application and accompanying PUD plans or may recommend imposition of such conditions of approval as are necessary to insure conformity to all applicable regulations and the purposes of the PUD district. A PUD may be recommended for approval only when it has been determined that:
- (a) the PUD district development will be compatible with nearby developments and uses,
  - (b) peripheral treatment insures proper transition between PUD uses and nearby external uses and developments,
  - (c) the development will be consistent with the comprehensive plan and the purposes of the PUD district, and
  - (d) the public health, safety and welfare have been served.

**29.10.0 EFFECTIVE PRELIMINARY PLANNED UNIT DEVELOPMENT**

**APPROVAL.** Legislative approval of a preliminary PUD shall constitute a zone change of the subject property from the former zoning designation to a planned unit development zone. The ordinance establishing a PUD zone will enumerate the uses permitted and the zone.

**29.11.0 PRELIMINARY PUD APPROVAL EXPIRATION.**

Preliminary PUD approval shall be effective for five (5) years from the date of approval by the Board of Commissioners during which time a final PUD or the first phase of a staged PUD shall be submitted for approval. If the final PUD or initial phase is not submitted within the five year approval period, the preliminary PUD shall be null and void, unless the Board of Commissioners grants an extension not to exceed a one year period. A one year extension of the preliminary PUD approval does not require a public hearing. In a phased PUD, successive phases are to be approved and constructed within five years of the previously approved phase.

**29.12.0 FINAL PUD APPLICATION.**

After receiving preliminary approval, the applicant may submit a detailed final development plan in conformity to the approved preliminary PUD. The procedures for final PUD approval shall be as those prescribed for preliminary PUD approval. Detailed development plans shall contain the following information:

- (1) Vicinity map.
- (2) A detailed site plan in conformance with the approved preliminary plan showing land uses and vehicular and pedestrian circulation.
- (3) Boundary survey of the entire property or the development phase.
- (4) Construction specification for streets and pedestrian ways including a typical roadway section showing location of all utilities.

- (5) Location and height of all buildings indicating either the dimensions or the limits within which buildings will be constructed.
- (6) Preliminary engineering plans for water, sewer, storm drainage, electric power, telephone and gas.
- (7) Preliminary subdivision plat if the property is to be subdivided.
- (8) Landscape plans for open space, common areas, streets, pedestrian ways and recreational facilities.
- (9) Location, arrangement and dimensions of parking facilities and loading areas.
- (10) Preliminary architectural plans and elevations of typical buildings and structures.
- (11) Covenants, property owner agreements or other provisions which will govern the use, maintenance and perpetual care of the PUD and all of its open space and property held in common.

**29.13.0 EXPIRATION OF TIME LIMITS.** Construction of improvements in a PUD shall begin within one (1) year from the date of final PUD approval by the Board of Commissioners. An extension of time for improvements (streets and utilities) may be requested in writing by the applicant, and such request may be granted by the Board of Commissioners for a period of one year. If construction does not occur within five (5) years from the legislative approval, the PUD district designation shall be dropped from the official zoning map and zoning shall revert to the former district designation.

**29.14.0 CHANGES AND MODIFICATIONS.**

- (1) Major changes in the approved final development plan shall be considered as a new application for preliminary approval. Major changes include:
  - (a) Change in use.
  - (b) Major realignment of vehicular circulation patterns.
  - (c) Increase in density or relocation of density pattern.
  - (d) Reduction of open space.
  - (e) Change in exterior boundaries except survey adjustments.
  - (f) Increase in building height.
- (2) The planning director may approve changes in the development plan which are minor in nature and are consistent with the approved plan.

**29.15.0 BUILDING PERMITS.** No building permits shall be issued until final PUD or phase approval has been granted by the Board of Commissioners. The construction and development of all common areas and open space of each project phase shall be completed to coincide with the completion of structures. For example, when 25 percent of the structures are completed, 25 percent of the common areas are required to be completed.