

CITY OF HOOD RIVER PLANNING APPLICATION INSTRUCTIONS

1. The attached application is for review of your proposed development as required by the Hood River Municipal Code (“Code”). Review is required to make sure that your proposal complies with the applicable provisions of the Code and that there are adequate capacities of public facilities to meet the needs of your development.
2. Prior to filing your application, you may be required to attend a pre-application conference with the Planning Department staff to discuss the criteria that your proposal must meet, and what you will need to submit with your application to make it complete. You may also be required to conduct a neighborhood meeting (mandatory for subdivisions and PUDs).
3. Once you have prepared and submitted your application, the application will first be reviewed for completeness. Completeness is based upon the requirements of State law (ORS 227.178) and the requirements in the Code for your development proposal. It is the applicant’s responsibility to provide persuasive evidence that the application complies with the approval criteria and applicable standards. Refusal to submit all or some of the missing information could result in a denial of the application.
4. When you are ready to submit your application, you may send it in to the Planning Department at P.O. Box 27, Hood River, OR 97031, or present it in person at the Planning Department at 301 Oak Street, Hood River, OR 97031. The following *must* be included in your application packet:
 - Completed application form
 - All required materials listed in the application form
 - Application fee
 - Appropriate number of copies of application and all support materials

If you have any questions about this process, please call the Planning Department at (541) 387-5210. Application forms, the City’s Code, public hearing timeline, and other useful information are available at the Planning Department’s website: <http://www.ci.hood-river.or.us/planning.html>

5. If the Planning Department determines that your application is “incomplete,” you will be informed in writing and provided with a list of missing or incomplete materials and options for completing the application. Incomplete applications become void 181 days after submittal.
6. If the Planning Department staff determines that an application is complete, the Planning Department will inform you that the application is “complete,” and the review process will begin. Review of your application may be administrative, with no public hearing, or it may be quasi-judicial, with a public hearing. For quasi-judicial review, applicants *are required* to attend the public hearing. All decisions on applications are subject to appeal.

File # _____
Fee _____
Date Rec'd _____

CITY OF HOOD RIVER PUD CONDITIONAL USE PERMIT APPLICATION

Submit the completed application **WITH TWELVE (12) ADDITIONAL COMPLETE COPIES** and appropriate fees to the City of Hood River Planning Department, 301 Oak Ave. (P.O. Box 27), Hood River, OR 97031. Please note the review criteria attached to this application. If you have any questions, please contact the Planning Department at (541) 387-5210.

APPLICANT:

Name: _____

Project Name: _____

Address: _____
(physical) _____

(mailing) _____

(email) _____

Telephone: _____ Cell Phone: _____

Signature: _____

PARCEL OWNER: (if different than applicant)

Name: _____

Address: _____
(mailing) _____

Telephone: _____ Cell Phone: _____

Signature: _____

**Authorization of parcel owner required.*

PARCEL INFORMATION:

Township _____ Range _____ Section _____ Tax Lot(s) _____

Current Zoning: _____ Parcel Size: _____

Property Location (cross streets or address): _____

REQUEST:

Type of PUD: Commercial Residential Mixed Use Proposed # of Units: _____

Bonus Density Requested : NO YES # of units: _____

30% Open Space Requirement fulfilled? YES NO Reason: _____

Neighborhood Meeting Requirement fulfilled? YES Date: _____ NO Reason: _____

File # _____
Fee _____
Date Rec'd _____

PLAN REQUIREMENTS: The plan accompanying the application shall include the following information. **Please use this as a check-off list to make sure your application is complete. Incomplete applications will not be accepted.**

- 1. Dimensions and orientation of the parcel.
- 2. Locations and heights of buildings and structures, both existing and proposed (scaled elevation drawings or photographs may be required).
- 3. Location and layout of parking and loading facilities.
- 4. Location of points of entry and exit and internal circulation patterns for vehicular and non-vehicular traffic.
- 5. Location of existing and proposed wall and fences and indication of their height and materials.
- 6. Proposed location and type of exterior lighting.
- 7. Proposed location and size of exterior signs.
- 8. Site specific landscaping, including percentage of total net area.
- 9. Location and species of trees greater than six inches in diameter when measured four feet above the ground, and an indication of which trees are to be removed.
- 10. Topographic map of the subject property using two foot contour intervals (five foot contour intervals may be allowed on steep slopes).
- 11. Natural drainage and other significant natural features.
- 12. Legal description of the lot.
- 13. Percentage of the lot covered by all proposed and remaining structures, to include asphalt concrete and Portland Cement Concrete.
- 14. Locations and dimensions of all easements and nature of the easements.
- 15. Service areas for uses such as loading and delivery.
- 16. Grading and drainage plan.
- 17. Other site elements which will assist in evaluation of the proposed use.
- 18. A brief narrative on the nature of the activity shall accompany the site plan, including the number of employees, the method of import and export, the hours of operation including peak times, and plans for future expansion.
- 19. Documentation of Neighborhood Meeting Requirement per 17.09.130

APPROVAL CRITERIA: On a separate sheet of paper, explain **in detail** how your proposal addresses each of the Conditional Use requirements. Yes/No answers are not acceptable. Please refer to the attached zoning criteria 17.06.030 and 17.16.040.

A. Conditional Use Criteria:

- _____ 1. Impact
- _____ 2. Nuisance
- _____ 3. Plan Consistency
- _____ 4. Scale
- _____ 5. Landscaping
- _____ 6. Performance Bonds
- _____ 7. Burden of Proof
- _____ 8. Final Plans

B. Additional (Site Plan Review) Criteria:

- _____ 1. Natural Features
- _____ 2. Air Quality
- _____ 3. Grading
- _____ 4. Public Facilities
- _____ 5. Traffic
- _____ 6. Storage
- _____ 7. Equipment Storage
- _____ 8. Compatibility
- _____ 9. Design
- _____ 10. Orientation
- _____ 11. Parking

C. Planned Unit Development (PUD) Criteria – Chapter 17.07:

- _____ 1. Compliance with Title 16 - Subdivisions
- _____ 2. Minimum 30% Open Space Requirement for Residential Developments
- _____ 3. Density
- _____ 4. If density bonus requested, a detailed list of the qualifying required architectural features
- _____ 5. Relationship to Natural and Physical Environment
- _____ 6. Private Outdoor Recreation Areas – Multi-Family Use
- _____ 7. Shared Outdoor Recreation Areas – Multi-Family Use
- _____ 8. Parking
- _____ 9. Drainage
- _____ 10. Flood Plain Dedication

Additional Criteria for Commercial and Industrial PUDs

- _____ 1. Privacy and Noise
- _____ 2. Housing as a Secondary Use as Appropriate
- _____ 3. Storefront Character
- _____ 4. Visual Relatedness of Surrounding Buildings
- _____ 5. Orientation

CHAPTER 17.06 CONDITIONAL USES

SECTIONS:

17.06.005	Purpose
17.06.010	Applicable Procedures
17.06.020	Application and Plan Requirements
17.06.030	Approval Criteria
17.06.035	Appeals
17.06.040	Time Limit on a Permit for a Conditional Use
17.06.050	Limitation on Reapplication
17.06.060	Revocation of Conditional Use Permit

17.06.005 Purpose

A conditional use permit is a mechanism by which the city may require specific conditions of development or of the use of land to ensure that designated uses or activities are compatible with other lawful uses in the same zone and in the vicinity of the subject property.

17.06.010 Applicable Procedures

The City shall process conditional use applications in accordance with *Review Procedures* (Chapter 17.09) and the following:

1. Pre-application Conference: Prior to submittal of a conditional use permit, application, the applicant or applicant's representative shall attend a pre-application conference.
2. Application: An applicant may submit an application for a conditional use permit at any time after completion of a required pre-application conference. The applicant shall submit a complete application as specified in application and plan requirements section of this chapter.
3. Quasi-Judicial Conditional Use: Applications shall be processed as a Quasi-Judicial application as set forth in the Quasi-Judicial Actions provisions (Section 17.09.040).
4. Changes: Changes to an approved or pre-existing conditional use that does not increase the density or impact of the use may be approved by the Planning Director. Changes that the Planning Director determines will increase the density or impact of the use shall be referred to the Planning Commission for a public hearing in accordance with the provisions of this chapter. Prior to review, a plan showing the desired changes must be submitted to the Planning Department.
5. Change in Use: As used in this chapter, change in use shall include, at a minimum, expansion of the use, expansion or alteration of the structure or developed area, change in the functional nature of the use, and/or change in the type of use.

17.06.020 Application and Plan Requirements

- A. An application for a conditional use permit shall be submitted by the owner of the subject property, or shall be accompanied by the owner's written authorization, on a form prescribed by the City and accompanied by the required filing fee. The application shall include a plan or drawing meeting the requirements below and a narrative explaining how the applicable criteria are satisfied or will be satisfied through conditions.
- B. The plan or drawing accompanying the application shall include the following information:

1. Dimensions and orientation of the parcel.
2. Locations and heights of buildings and structures, both existing and proposed. Scaled elevation drawings and photographs shall be required.
3. Location and layout of parking and loading facilities, including bicycle parking required pursuant to 17.20.040.
4. Location of points of entry and exit and internal circulation patterns for vehicular and non-vehicular traffic in compliance with the requirements of Chapter 17.20.
5. Location of existing and proposed wall and fences and indication of their height and materials.
6. Proposed location and type of exterior lighting.
7. Proposed location and size of exterior signs.
8. Site specific landscaping, including percentage of total net area.
9. Location and species of trees greater than six (6) inches in diameter when measured four (4) feet above the ground, and an indication of which trees are to be removed.
10. Topographic map of the subject property using two (2) foot contour intervals (five (5) foot contour intervals may be allowed on steep slopes).
11. Natural drainage and other significant natural features.
12. Legal description of the lot.
13. Percentage of the lot covered by all proposed and remaining structures, to include asphalt concrete and Portland Cement Concrete.
14. Locations and dimensions of all easements and nature of the easements.
15. Service areas for uses such as loading and delivery.
16. Grading and drainage plan.
17. Other site elements that will assist in evaluation of the proposed use.
18. A brief narrative on the nature of the activity shall accompany the site plan including the number of employees, the method of import and export, the hours of operation including peak times, and plans for future expansion.

17.06.030 Approval Criteria

A conditional use shall be granted if the Planning Commission finds that the proposed use conforms, or can be made to conform through conditions, with the following approval criteria. For purposes of this chapter, the surrounding area includes all property within the applicable notice area for a use. In addition, any property beyond the notice area may be included in the surrounding area if the hearing authority finds that it may be adversely impacted by the proposed use.

1. Conditional Uses: Conditional uses are subject to *Site Plan Review Decision Criteria* (Chapter 17.16) in addition to the following:
2. Impact: The location, size, design, and operating characteristics of the proposed use shall be made reasonably compatible with, and have minimal adverse impact on, the lawful development of abutting properties and the surrounding area, with consideration given to:
 - a. Any harmful effects on desirable neighborhood characteristics and livability.
 - b. Bicycle and pedestrian circulation, access and safety.
3. Nuisance: The use shall not generate significant off-site nuisance conditions including, but not limited to, noise, glare, odor, or vibrations.
4. Plan Consistency: The proposal shall be consistent with the Comprehensive Plan and the requirements of the Zoning Ordinance.
5. Scale: The site must be physically capable of accommodating the proposed use, including any needed landscaping, parking, and other requirements. The building

size, shape, and/or location may be changed if needed to assure the physical capability of the site.

6. Transportation: Adequate transportation facilities are available to serve the conditional use in terms of the function, capacity, and level of service identified in the Transportation System Plan (TSP).
7. Landscaping: Landscaping shall be in conformance with the landscape regulations of this title.
8. Performance Bonds: When needed to ensure performance of special conditions, bonds or other acceptable securities shall be required.
9. Burden of Proof: The applicant shall bear the burden of showing how the proposed use does conform or can be made to conform through conditions.
10. Final Plans: If the conditional use is approved, detailed final plans shall be submitted which indicate conformance to the conditions. The final plans shall be subject to approval by the City.

17.06.035 Appeals

Final decisions on conditional use permits may be appealed in accordance with the *Appeal Procedures* (Section 17.09.070) of this ordinance.

17.06.040 Time Limits on a Permit for a Conditional Use

The conditional use permit is valid for a period of two (2) years from the written notice of the final decision, or the decision on an appeal, whichever is later.

A single one (1) year extension may be granted by the director prior to the expiration date if the applicant can demonstrate that circumstances or conditions, not known or foreseeable at the time of original application, warrant an extension of the permit. The extension request must be received by the department no later than thirty (30) days prior to the expiration of the permit.

17.06.050 Limitation on Reapplication

No conditional use application shall be considered by the Planning Commission within a six (6) month period immediately following a previous denial of such request. An application may be denied without prejudice and a waiver of the six (6) month restriction granted. If conditions have changed to an extent that further consideration of an application is warranted, the hearing body, on its own motion, may consider new evidence and waive the six (6) month restriction.

17.06.060 Revocation of a Conditional Use Permit

1. Any conditional use permit shall be subject to denial or revocation by the Planning Commission if the application includes or included any false information, or if the conditions of approval have not been complied with or are not being maintained.
2. In order to consider revocation of a conditional use permit, the Planning Commission shall hold a public hearing as prescribed under *Review Procedures* (Chapter 17.09) of this title in order for the holder of a conditional use permit to show cause why the permit should not be revoked.
3. If the Planning Commission finds that the conditions of approval have not been complied with or are not being maintained, a reasonable time shall be given for making corrections. If corrections are not made, revocation of the conditional use permit shall become effective ten (10) days after the time specified.
4. Reapplication for a conditional use which has been revoked cannot be made within one (1) year after the date of the Planning Commission's action, except that the

Planning Commission may allow a new application to be considered if new evidence or a change in circumstances warrants it.

5. Abandonment of the use for over twenty-four (24) consecutive months shall void the conditional use. A single one (1) year extension may be granted by the director prior to the expiration date if the applicant can demonstrate that circumstances or conditions, not known or foreseeable at the time of original application, warrant an extension of the permit. The extension request must be received by the department no later than thirty (30) days prior to the expiration of the permit. If part of the conditional use is still being utilized, an additional conditional use will need to be obtained in order for expansion of the use.

CHAPTER 17.07 PLANNED DEVELOPMENTS

Legislative History: *Ord. 1904 (2006); Ord. 1918 (2006); Ord. 1924 (2006)*

SECTIONS:

17.07.010	Purpose
17.07.020	Applicability
17.07.030	Applicable Procedures
17.07.040	Applicability in Commercial and Industrial Zones
17.07.050	Allowed Uses
17.07.060	Applicability of the Base Zone Development Standards
17.07.070	Private Streets
17.07.080	Preliminary Development Plan Submission Requirements
17.07.090	Approval Criteria
17.07.100	Shared Open Space
17.07.110	Noncompliance and Bonding

17.07.010 Purpose

The purposes of the planned development are

1. To provide a means for creating planned environments that are equal or better than that resulting from traditional lot-by-lot land use development, through the application of flexible standards such as zero-lot lines, narrower streets, and other innovative planning practices;
2. To facilitate the efficient use of land;
3. To promote an economic arrangement of land use, buildings, circulation systems, open space, and utilities;
4. To preserve to the greatest extent possible the existing landscape features and amenities through the use of a planning procedure that can relate the type and design of a development to a particular site;
5. To encourage development that recognizes the relationship between buildings, their use, open space, and access ways, and thereby maximizes the opportunities for innovative and diversified living environments; and
6. To encourage commercial and industrial development that includes a mix of uses, is designed in a manner that mitigates impacts to surrounding uses, includes well designed buildings that contribute the character of Hood River, and includes a thoughtful site plan.

17.07.020 Applicability

A. **Zones.** The planned development designation is applicable to all zones.

B. **Minimum Site Size for Residential Development.** Residential development in the R-1 zone shall have a minimum parcel size of a half ($\frac{1}{2}$) acre to apply the planned development process. There is no minimum size for R-2 and R-3.

C. Density Calculations for a Planned Unit Development:

*All projects can get a 30% bonus density for affordable housing only.

SIZE	R-1	R-2	R-3
Infill PUDs	Total lot area divided by base zone. Infill projects are projects that do not require any roadways – public or private. ¹		
2 acres or less	Subtract 40% from total area before dividing for base density.	Subtract 30% from total area before dividing for base density.	Subtract 30% from total area before dividing for base density.
More than 2 acres	Subtract 50% from total area before dividing for base density.	Subtract 40% from total area before dividing for base density.	Subtract 30% from total area before dividing for base density.

For density calculation purposes the final number shall be rounded down to the next whole number if the calculation is .49 and rounded up to the next whole number if the calculation is .50.

*Prior to a project being accepted for inclusion in the 30%, the applicant’s justification to include a) how the units will not become second homes; b)how the units will be prevented from being resold at market value; c)how they will not be immediately “flipped” for a quick profit; d)what income range are the residents? shall be approved by the City and made part of the PUD approval.

D. Mandatory for Commercial and Industrial Developments. Developments with commercial uses that are greater than two and one half (2½) acres and developments with industrial uses greater than five (5) acres are required to use the planned development overlay. For projects that come under this category, the 30% open space requirement is not required.

17.07.030 Applicable Procedures

A. Approval Process.

1. Preliminary Development Plat Approval: Preliminary development plan approval shall be processed as a Quasi-Judicial Action.
2. Final Development Plan Approval: Final development plan approval shall be processed as a Ministerial Action.

B. Concurrency with Subdivision and Partition Application. If the application involves the division of land, the applicant shall file concurrently or file for subdivision or partition approval prior to applying for Planned Development approval. If filed concurrently, preliminary plat approval shall be processed along with preliminary plan approval, and the final development plan shall be submitted for approval and filed along with the final plat.

¹ For purposes of Infill PUDs a roadway is a road or driveway that serves more than two units.

- C. Time Limit on Filing of Final Development Plan.** Within two (2) years after the date of the Planning Commission approval of the preliminary development plan, the owner shall prepare and file with the Planning Director a final development plan. Action on the final development plan shall be ministerial by means of a Ministerial Action using following approval criteria:
1. The Planning Director shall approve the final development plan upon finding that the plan conforms with the preliminary development plan approved, or approved with conditions, by the Commission.
- D. Preliminary development plan changes.** The applicant may request modifications to the preliminary development plan. Approval is based on the following the procedures and criteria:
1. **Minor Modifications:** An application for approval of a minor modification shall be reviewed as an Administrative Action, and the review shall be limited in scope to the modification requested. A minor modification shall be approved, or approved with conditions, if the preliminary development plan continues to meet the applicable standards and criteria and is not a major modification as defined below. The modification shall be processed as a minor modification(s) if the Planning Director finds that all of the following criteria are met by the proposed changes listed below:
 - a. There will be no change in land use;
 - b. There will be no increase in the number of dwelling units;
 - c. There will be no change in the type and/or location of access ways, drives or parking areas that affect off-site traffic;
 - d. There will be less than a five percent (5%) change in the floor area proposed for nonresidential use where previously specified;
 - e. There will be a less than five percent (5%) change in the area reserved for common open space and/or usable open space; and
 - f. There will be a less than five percent (5%) change to specified setback requirements, provided the minimum setback standards of the land use district can still be met.
 2. **Major Modification:** An application for approval of a major modification shall be reviewed as a Quasi-Judicial Action, and the review shall be limited in scope to the modification requested. A major modification shall be approved, or approved with conditions, if the preliminary development plan will continue to meet all applicable criteria. All modifications to an approved development plan that are not minor modifications as provided above, shall be reviewed as a major modification.
- E. Extension.**
- Extensions shall be processed as Ministerial Actions. The Planning Director shall, upon written request by the applicant and payment of the required fee, grant an extension of the approval period for the final development plan not to exceed one (1) year provided that
1. No changes have been made on the preliminary development plan as approved by the Planning Commission and as modified pursuant to the modification section above;
 2. The applicant can show intent of applying for final development plan review within the one (1) year extension period; and
 3. There have been no changes to the applicable Comprehensive Plan policies and ordinance provisions on which the approval was based.

F. Phased Development.

1. The Planning Commission may approve a time schedule for developing a site in phases, but in no case shall the total time period for all phases be greater than five (5) years without reapplying for preliminary development plan review.
2. A phased development plan proposal shall be approved subject to the following conditions:
 - a. All public facilities associated with or necessary for the phase shall be constructed in conjunction with or prior to each phase; and
 - b. The development and occupancy of any phase shall not be dependent on the use of temporary public facilities. A temporary public facility is any facility not constructed to the applicable City or district standard.
 - c. The final phase shall be completed and ready for occupancy no later than five (5) years from the date of the final development plan approval.
3. If the final phase is not completed within the five (5) year time period, the Planned Development will be in noncompliance with this chapter.

17.07.040 Applicability in Commercial and Industrial Zones

- A. **By Election.** An applicant for a commercial or industrial project may elect to develop the project as a planned development, in compliance with the requirements of this chapter.
- B. **As Condition of Approval in Commercial and Industrial Developments.** An approval authority may apply the provisions of this chapter as a condition of approving any application for a commercial or industrial development.

17.07.050 Allowed Uses

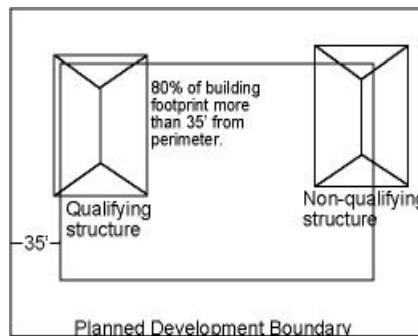
- A. **In Residential Zones.** Planned Developments in all residential zones may contain any of the following uses subject to the density provisions of the underlying zone and the density bonus provisions of this Chapter:
 1. All uses allowed outright or by condition in the underlying zoning district
 2. Single-family detached and attached residential units
 3. Duplex residential units
 4. Multi-family residential units
 5. Manufactured homes
 6. Public and institutional uses
 7. Indoor recreation facility such as athletic club, fitness center, racquetball court, swimming pool, tennis court, or similar use
 8. Outdoor recreation facility such as golf course, golf driving range, swimming pool, tennis court, or similar use
 9. Recreational vehicle storage area, for the Planned Unit Development residents only.
- B. **In Commercial Zones.** Planned Developments in all commercial zones may contain any of the uses permitted outright or as a conditional use in the underlying zone.
- C. **In Industrial zones.** Planned developments in industrial zones may contain any of the uses permitted outright or as a conditional use in the underlying zone.

17.07.060 Applicability of the Base Zone Development Standards

A. **Compliance to specific development standards.** The provisions of the base zone are applicable as follows:

1. **Lot Dimensional Standards:** The minimum lot size standards shall not apply. Minimum frontage standards do not apply to buildings interior to the Planned Development.
2. **Building Height:** Qualified commercial and industrial building heights may be increased on the interior of the site when the building setback is increased. On qualified buildings, the height may be increased one (1) foot for each additional foot of setback up to a maximum of one hundred twenty percent (120%) of the base zone height standard. To qualify, a building shall have eighty percent (80%) of the building footprint more than thirty-five (35) feet from the Planned Development site boundary. See Diagram "B" below. No height increases are allowed for residential buildings.

Diagram "B" – Planned Development Boundary



3. **Structure setback provisions:**
 - a. Front yard and rear yard setbacks for structures on the perimeter of the project shall be the same as that required by the underlying zone, unless increased in the Planned Development review process.
 - b. The side yard setback provisions shall not apply except that all detached structures shall otherwise meet the Oregon Structural Specialty Code requirements; and
 - c. Front yard and rear yard setback requirements in the base zone setback shall not apply to structures on the interior of the project except that:
 - (1.) A minimum front yard setback of twenty (20) feet is required for any garage structure which opens facing a street.

- (2.) A minimum front yard setback of eight feet is required for any garage opening for an attached single-family dwelling facing a private street as long as the required off-street parking spaces are provided.

B. Other Provisions of the Base Zone. All other provisions of the base zone shall apply except as modified by this chapter.

17.07.070 Private Streets

Private streets are allowed as part of a Planned Development when they conform to the following standards:

1. Private streets shall have a minimum improved width of ten (10) feet for each lane of traffic.
2. On-street parking spaces shall be improved to provide an additional eight (8) feet of street width.

17.07.080 Preliminary Development Plan Submission Requirements

A. Pre-Application Conference. Prior to submittal of a Planned Development application, the applicant, or the applicant's representative, shall attend a pre-application conference.

B. General Submission Requirements. The application shall contain all of the following:

1. A statement of planning objectives to be achieved by the Planned Development through the particular approach proposed by the applicant. This statement should include a description of the character of the proposed development and the rationale behind the assumptions and choices made by the applicant.
2. A development schedule indicating the approximate dates when construction of the Planned Development and its various phases are expected to be initiated and completed. The statement should include the anticipated rate of development; the approximated dates when each stage will be completed; and the area, location, and degree of development of common open space that will be provided at each stage.
3. A statement of the applicant's intentions with regard to the future selling or leasing of all or portions of the Planned Development.
4. A narrative statement documenting compliance with the applicable approval criteria contained in this Chapter.
5. A preliminary development plan.

C. Additional Information. In addition to the general information described in Subsection B above, the preliminary development plan, data, and narrative shall include the following information:

1. A map showing street systems, lot or partition lines, and other divisions of land for management use or allocation purposes;
2. Areas proposed to be conveyed, dedicated, or reserve for public streets, parks, parkways, playgrounds, school sites, public buildings, and similar public and semi-public uses;
3. A plot plan for each building site and common open space area, showing the approximate location of buildings, structures, and other improvements and indicating the open space around building and structures;

4. Elevation and perspective drawings of proposed structures with enough detail to shown design features;
5. The following plans and diagrams:
 - a. An off-street parking and loading plan;
 - b. A circulation diagram indicating proposed movement of vehicles, goods, and pedestrians within the Planned Development and to and from thoroughfares. Any special engineering features and traffic regulation devices shall be shown;
 - c. A landscaping and tree plan; and
6. A copy of all existing or proposed restrictions or covenants.

17.07.090 Approval Criteria

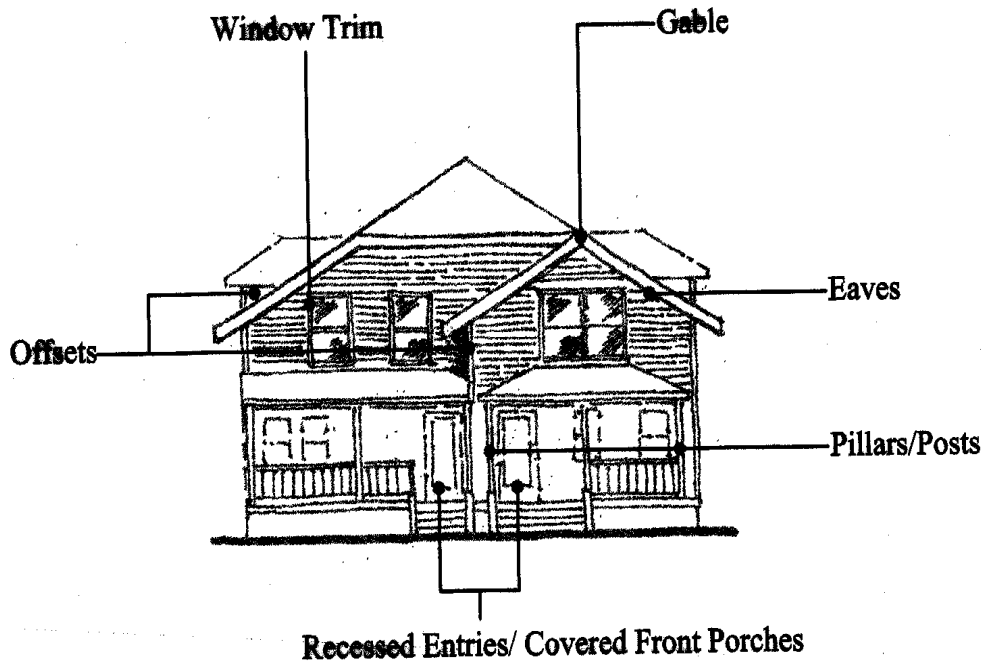
A. **Specific Planned Development Approval Criteria.** The following approval criteria shall apply to the planned development:

1. All the provisions of the land division provisions, Title 16, shall be met.
2. Except as noted, the Conditional Use Decision Criteria (Chapter 17.06) shall be the approval criteria. A Planned Development need not meet these requirements where a development plan provides alternative designs and methods, if acceptable to the Planning Commission, that promote the purpose of this section. In each case, the applicant must provide findings to justify the modification of the approval criteria in the *Conditional Use* chapter (Chapter 17.06). The developer may choose to provide, or the Commission may require, additional amenities, landscaping, or tree planting.
3. A minimum of thirty (30%) percent of a Planned Development site area shall be reserved as common open space. The thirty percent (30%) open space requirement shall be exempt in the Central Business district and the Heights Business District. Open space means an area intended for common use either privately owned and maintained or dedicated to the City. This area shall be designated for outdoor living and recreation or the retention of an area in its natural state. Open space may include swimming pools, recreation courts, patios, open landscaped areas, or greenbelts with pedestrian, equestrian, and bicycle trails. Open space does not include off-street parking or loading areas.
4. Unless authorized below, residential density shall be governed by the density established in the underlying zoning district. The Planning Commission may further authorize a residential density bonus not to exceed thirty-three (33%) percent as an incentive to enhance the architectural character of the development. The degree of distinctiveness and the desirability of variation achieved shall govern the amount of density increase that the Planning Commission may approve according to the following:

- a. A maximum of ten (10%) percent is allowed for the inclusion of at least six (6) of the architectural features listed below on all elevations, as appropriate for the proposed building type and style. Features may vary on rear/side/front elevations where appropriate.
 - b. A maximum of twenty (20%) percent is allowed for the inclusion of at least nine (9) of the architectural features listed below on all elevations, as appropriate for the proposed building type and style. Features may vary on rear/side/front elevations where appropriate.
 - c. A maximum of thirty-three (33%) percent is allowed for the inclusion of at least twelve (12) of the architectural features listed below on all elevations, as appropriate for the proposed building type and style. Features may vary on rear/side/front elevations where appropriate. See the following Diagram "C" for examples of architectural features.
 - (1.) Dormers
 - (2.) Gables
 - (3.) Recessed entries
 - (4.) Covered porch entries
 - (5.) Cupolas or towers
 - (6.) Pillars or posts
 - (7.) Eaves (min. 18-inch projection)
 - (8.) Off-sets in building face or roof (minimum 16 inches)
 - (9.) Window trim (minimum 4-inches wide)
 - (10.) Bay windows
 - (11.) Balconies
 - (12.) Decorative patterns on exterior finish (e.g., scales/shingles, wainscoting, ornamentation, and similar features)
 - (13.) Decorative cornices and roof lines (e.g., for flat roofs)
 - (14.) Façade articulation (Siding materials should only be changed along horizontal lines)
 - (15.) High quality exterior siding material. High quality means that there should be a single, clearly dominant material for all exterior walls. Brick, stucco, and stone front facades shall return at least eighteen (18) inches around sidewalls. Lap siding and shingles shall be exposed a maximum of five (5) inches. Heavier materials shall appear only below lighter appearing materials.)
 - (16.) An alternative feature providing visual relief, similar to options (1)-(15) above.
5. The following criteria shall apply to all Planned Developments unless otherwise specified as applicable only to certain specific uses:
- a. Relationship to the natural and physical environment:
 - (1.) The streets, buildings, and other site elements shall be designed and located to preserve the existing trees, topography, and natural drainage to the greatest degree possible.
 - (2.) Structures located on the site shall not be in areas subject to ground slumping and sliding.
 - (3.) There shall be adequate distance between on-site buildings and other on-site and off-site buildings on adjoining properties to provide for adequate light and air circulation and for fire protection.

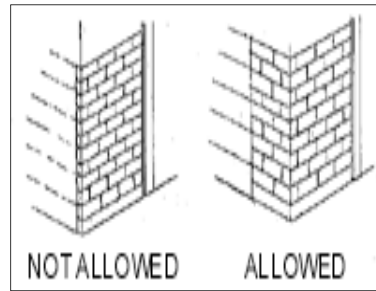
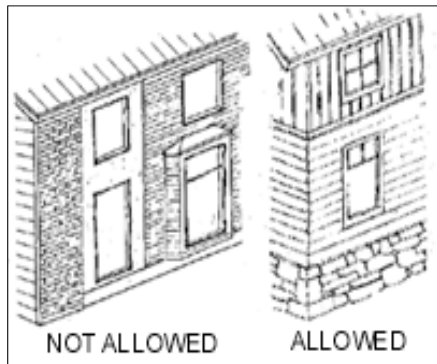
- (4.) The structures shall be oriented with consideration for the sun and wind directions, where possible.
- b. Private outdoor area – multi-family use:
 - (1.) Each ground-level residential dwelling unit shall have an outdoor private area (patio, terrace, porch) of not less than forty-eight (48) square feet.
 - (2.) Wherever possible, private outdoor open spaces should be oriented toward the sun.
 - (3.) Private outdoor spaces shall be screened or designed to provide privacy for the use of the space.
- c. Shared outdoor recreation areas – multi-family use:
 - (1.) Each multiple-dwelling development shall incorporate shared usable outdoor recreation areas within the development plan as follows:
 - (a.) Studio units up to and including two (2) bedroom units shall provide 200 square feet per unit.
 - (b.) Three or more bedroom units shall provide 300 square feet per unit.
 - (2.) Shared outdoor recreation space shall be readily observable from adjacent units for reasons of crime prevention and safety.
 - (3.) The required recreation space may be provided as follows:
 - (a.) All outdoor space;
 - (b.) Part outdoor space and part indoor space (e.g. an outdoor tennis court and indoor recreation room);
 - (c.) All public or common space; or
 - (d.) Part common space and part private (e.g. an outdoor tennis court, indoor recreation room, and balconies on each unit).
 - i. Where balconies are added to units, the balconies shall not be less than forty-eight (48) square feet.
- d. Parking: Up to one hundred percent (100%) of required off-street parking spaces for single-family attached dwellings may be provided on one or more common parking lots within the Planned Development.
- e. Drainage: All drainage provisions shall be subject to review and approval by the City Engineer and shall comply with all applicable provisions of the ORS and HRMC.
- f. Floodplain dedication: Where landfill and/or development is allowed within or adjacent to the one hundred (100) year floodplain, the City shall require consideration of the dedication of sufficient open land area for a greenway adjoining and within the floodplain. This area shall include portions of a suitable elevation for the construction of a pedestrian/bicycle pathway within the floodplain in accordance with the adopted pedestrian bicycle pathway plan.

Diagrams “C” – Examples of Architectural Features

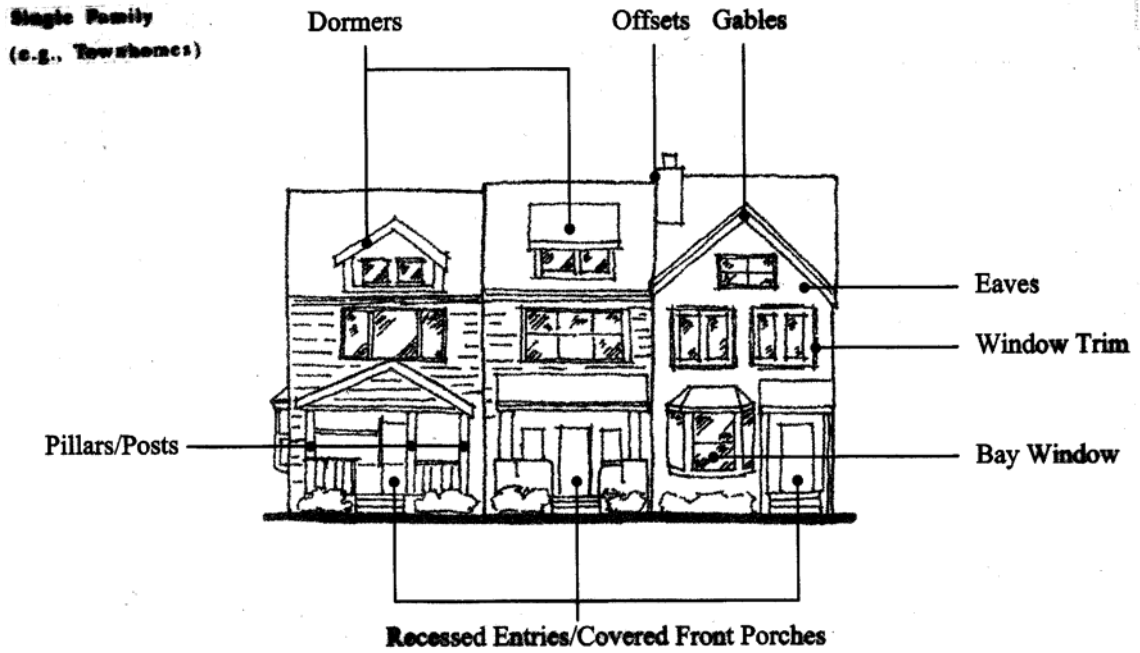


Example of Façade Articulation

Example of Exterior Siding Material



Examples of Architectural Features



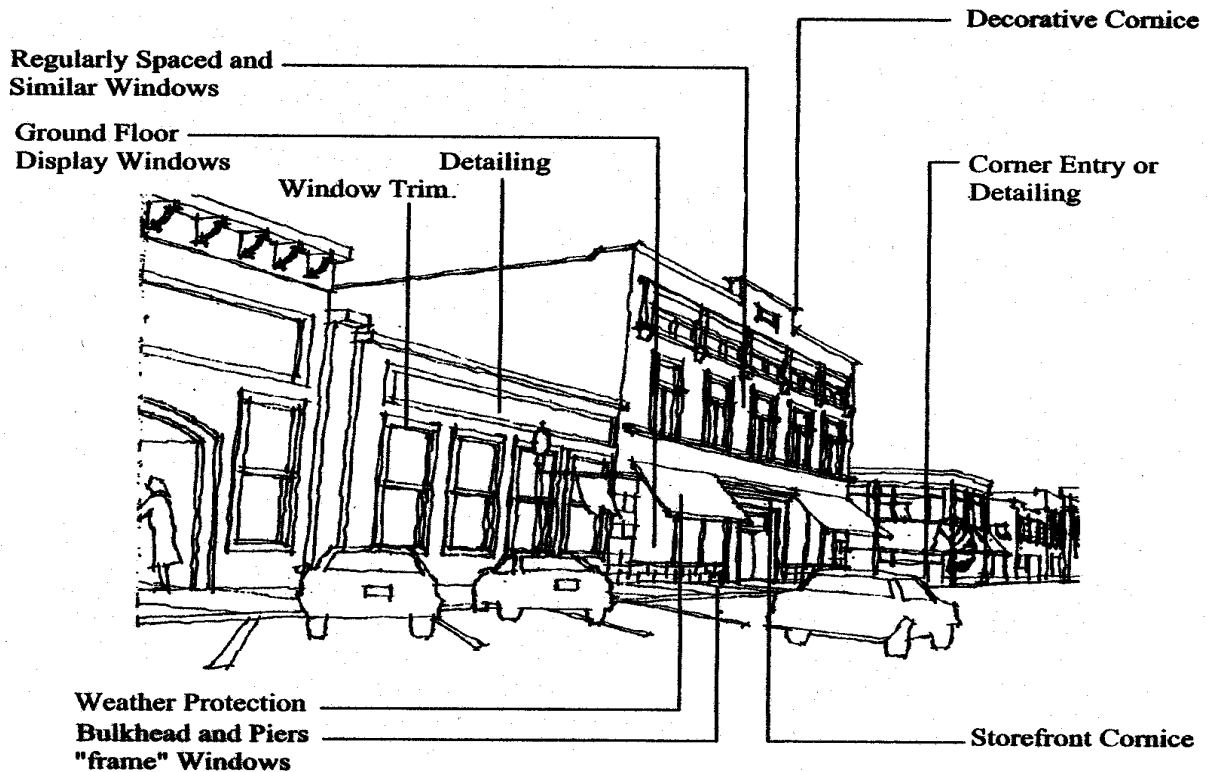
6. The following criteria shall apply to all Planned Developments unless otherwise specified as applicable only to certain specific uses:
 - a. Relationship to the natural and physical environment:
 - (5.) The streets, buildings, and other site elements shall be designed and located to preserve the existing trees, topography, and natural drainage to the greatest degree possible.
 - (6.) Structures located on the site shall not be in areas subject to ground slumping and sliding.
 - (7.) There shall be adequate distance between on-site buildings and other on-site and off-site buildings on adjoining properties to

- provide for adequate light and air circulation and for fire protection.
- (8.) The structures shall be oriented with consideration for the sun and wind directions, where possible.
- c. Private outdoor area – multi-family use:
- (4.) Each ground-level residential dwelling unit shall have an outdoor private area (patio, terrace, porch) of not less than forty-eight (48) square feet.
 - (5.) Wherever possible, private outdoor open spaces should be oriented toward the sun.
 - (6.) Private outdoor spaces shall be screened or designed to provide privacy for the use of the space.
- c. Shared outdoor recreation areas – multi-family use:
- (2.) Each multiple-dwelling development shall incorporate shared usable outdoor recreation areas within the development plan as follows:
 - (c.) Studio units up to and including two (2) bedroom units shall provide 200 square feet per unit.
 - (d.) Three or more bedroom units shall provide 300 square feet per unit.
 - (2.) Shared outdoor recreation space shall be readily observable from adjacent units for reasons of crime prevention and safety.
 - (3.) The required recreation space may be provided as follows:
 - (e.) All outdoor space;
 - (f.) Part outdoor space and part indoor space (e.g. an outdoor tennis court and indoor recreation room);
 - (g.) All public or common space; or
 - (h.) Part common space and part private (e.g. an outdoor tennis court, indoor recreation room, and balconies on each unit).
 - ii. Where balconies are added to units, the balconies shall not be less than forty-eight (48) square feet.
- g. Parking: Up to fifty percent (50%) of required off-street parking spaces for single-family attached dwellings may be provided on one or more common parking lots within the Planned Development as long as each single-family lot contains one (1) off-street parking space.
- h. Drainage: All drainage provisions shall be subject to review and approval by the City Engineer and shall comply with all applicable provisions of the ORS and HRMC.
- i. Floodplain dedication: Where landfill and/or development is allowed within or adjacent to the one hundred (100) year floodplain, the City shall require consideration of the dedication of sufficient open land area for a greenway adjoining and within the floodplain. This area shall include portions of a suitable elevation for the construction of a pedestrian/bicycle pathway within the floodplain in accordance with the adopted pedestrian bicycle pathway plan.

- B. Additional Criteria for Commercial and Industrial Development.** In addition to the specific Planned Development approval criteria above, Planned Developments with commercial and industrial uses shall meet the following criteria:
1. Commercial and industrial uses that abut existing residential zones shall be located on the site or be designed in a manner, to the maximum degree possible, to protect the private areas on the adjoining properties from view and noise.
 2. Commercial projects are encouraged to include housing as a secondary use, as appropriate.
 3. All commercial buildings shall contribute to the storefront character and visual relatedness of surrounding buildings. This criterion is met by providing all of the architectural features listed below along the front building elevation (i.e., facing the street), as applicable.
 - (1.) Corner building entrances on corner lots. Alternatively, a building entrance may be located away from the corner when the building corner is beveled or incorporates other detailing to reduce the angular appearance of the building at the street corner.
 - (2.) Regularly spaced and similar-shaped windows with window hoods or trim (all building stories).
 - (3.) Large display windows on the ground-floor (nonresidential uses only). Display windows shall be framed by bulkheads, piers, and a storefront cornice (e.g., separates ground-floor from second story, as shown below).
 - (4.) Decorative cornice at top of building (flat roof), or eaves provided with pitched roof.

[Note: the example shown below (Diagram “D” – Building Design Elements) is meant to illustrate required building design elements and should not be interpreted as a required architectural style.]

Diagram "D" – Building Design Elements



- d. Industrial developments shall be oriented on the site to minimize adverse impacts (e.g. noise glare, smoke, dust, exhaust, vibration, etc.) The following standards shall apply:
- (1.) Mechanical equipment, lights, emissions, shipping/receiving areas, and other components of an industrial use that are outside enclosed buildings shall be located away from residential areas, schools, parks, and other non-industrial areas to the maximum extent practicable; and
 - (2.) A landscape buffer, or other visual or sound barrier (fence, wall, landscaping, or combination thereof), maybe required to mitigate adverse impacts that cannot be avoided through building orientation standards alone.
- e. Industrial buildings oriented to the street shall have architectural features such as windows, pedestrian entrances, building off-sets, projections, detailing, change in materials, or similar features to break up and articulate large building surfaces and volumes.
- f. Industrial buildings shall have pedestrian-scale building entrances by including recessed entries, canopies, and/or similar features.

17.07.100 Shared Open Space

The following requirements shall apply to common open space in each planned Development:

1. The open space area shall be shown on the final development plan.
2. The open space shall be conveyed in accordance with one of the following methods:
 - a. By dedication to the City as publicly-owned and maintained as open space. Open space proposed for dedication must be acceptable to the City with regard to the size, shape, location, improvement, and budgetary and maintenance limitations; or
 - b. By leasing or conveying title (including beneficial ownership) to a corporation, home association, or other legal entity, with the City retaining the development rights to the property. The terms of such lease or other instrument of conveyance must include provisions suitable to the City Attorney for guaranteeing the following:
 - (1.) The continued use of such land for the intended purposes;
 - (2.) Continuity of property maintenance;
 - (3.) When appropriate, the availability of funds required for such maintenance;
 - (4.) Adequate insurance protection; and
 - (5.) Recovery for loss sustained by casualty and condemnation or otherwise.
 - c. By any method which achieves the objectives set forth above.

17.07.110 Noncompliance and Bonding

- A. **Noncompliance.** Noncompliance with an approved final development plan shall be a violation of this chapter.
- B. **Issuance of Occupancy Permits.** The development shall be completed in accordance with the approved final development plan including landscaping and recreation areas before any occupancy permits are issued. However, when the Planning Director determines that immediate execution of any feature of an approved final development plan is impractical due to climatic conditions, unavailability of materials, or other temporary condition, the occupancy permit may be issued on condition that the applicant post a performance bond or other surety acceptable to the City to secure execution of the feature at a time certain not to exceed one (1) year.