

### **9-01.03-80 [Planned Development Zone]**

A PD zone may be used only in combination with another zone. When a PD zone is combined with another zone, the following regulations shall apply;

A. Purpose – The purpose of the PD zone is to permit the application a new technology and greater freedom in design in land development than may be possible under a strict interpretation of the provisions of this code. The sue of these provisions is dependent upon the submission of an acceptable plan and satisfactory assurances it will be carried out. Such plan should accomplish substantially the same objectives as are proposed by the Comprehensive Plan for the area.

B. General Requirements – The following requirements shall govern the use of a PD zone;

1. A PD zone may be established in combination with any other zone;
  2. A PD zone may contain only a planned development which has been approved in accordance with the provisions of this section;
  3. A planned development may include any uses permitted outright or conditionally in any zone with the following exceptions:
    - a. Residential uses shall not be permitted in an LI zone;
    - b. Uses permitted in an LI zone shall not be permitted in an R, GR, LDR, DT or GC zone;
  4. Requirements pertaining to area, density, yards, or similar dimensional standards shall be guided by the standards of the zone in which the planned development is proposed;
  5. No building shall exceed a height which is greater than fourth-five (45) feet without voter approval in accord with the County ordinance. With voter approval, the Planning Commission may approve an allowable height of up to fifty percent (50%) greater than that of the maximum building height limitation of the zone in which the plan is proposed. Such height increases may be approved by the Planning Commission provided that the proposed height is not detrimental, incompatible or otherwise undesirable with respect to existing or future surrounding area development, and provided that one of the following can be found to exist:
    - a. That the height increase can be justified on the basis of unique lot characteristics, topographical conditions, or other natural features; or
    - b. That the height increase can be justified on the basis of amenities provided or concessions made by the developer for which some bonus incentive is warranted;
  6. For a planned development in a residential zone the total floor area of all commercial uses other than hotels, motels, trailer parks, resorts, and similar accommodations shall not exceed more than directly related in purpose and function to the remainder of the planned development;
  7. In a residential zone where commercial uses are being developed in conjunction with residential percent (25%) of the residential units have been developed;
  8. A planned development shall have a minimum of 15,000 square feet, exclusive of street right-of-way.
- C. The Type III review procedure shall be used when a proposal for a planned development is submitted for consideration. In addition:
1. An applicant shall submit at least five (5) copies of a preliminary plan of a planned development to the City Administrator or his/her designee for study at least thirty (30) days prior to the Planning Commission meeting at which it will be discussed. The preliminary plan shall include the following information:
    - a. Proposed use, location, dimensions, height, and type of construction of all buildings. Proposed number of dwelling units, if any, to be located in each building;

- b. Proposed circulation pattern including the location, width, and surfacing of streets, private drives, and sidewalks; the location of any curbs; the status of street ownership; and the location of parking areas and the number of spaces therein;
  - c. Proposed use of all open spaces including a plan for landscaping;
  - d. Proposed grading and drainage pattern;
  - e. Proposed method and plan for provision of water supply, sewage disposal, and electrical facilities;
  - f. Economic and supporting data to justify any commercial and industrial development in an area not so zoned;
  - g. Relationship of the proposed development to the surrounding area and to the Comprehensive Plan;
  - h. Proposed road improvements and supporting data to show that the proposed improvements are adequate for anticipated traffic.
2. Prior to consideration of the preliminary plan, copies shall be sent to any applicable agency or interest which may include the Columbia County Health Department; the City Engineering department; the City Public Works Department; the County Engineering Department; any other utility districts or fire districts in the area where the proposed development would be located; any cities which may be affected by the proposed development; the State Highway Department; and to any other appropriate federal, state, or local agencies. Officials of these agencies shall be given at least ten (10) days to review the plan, suggest revisions, and return the plans to the City of Vernonia;
3. Planned Development Approval Criteria: The Planning Commission shall consider the preliminary development plan at a meeting, at which time the comments of persons receiving the plan for study shall be reviewed. In considering the plan, the Planning Commission shall seek to determine that:
  - a. There are special physical conditions or objectives of the development which warrant a departure from the standard code requirements;
  - b. The proposed development will not be inconsistent with the Comprehensive Plan provisions or zoning objectives of the area;
  - c. The area at least two hundred and fifty (250) feet from the outside boundary of the lot upon which the development is proposed, is or can be planned to be in substantial harmony with the proposal;
  - d. The plan can be completed within a reasonable period of time;
  - e. Any proposed commercial or industrial development can be justified economically;
  - f. The streets are adequate to support the anticipated traffic and the development will not overload the streets outside the planned area;
  - g. Proposed utility and drainage facilities are adequate for the population densities and type of development proposed and will not create a drainage or pollution problem outside the planned area;
4. The Planning Commission may approve, deny or recommend revision of the preliminary plan of the planned development;
5. If the preliminary plan for the planned development is approved, the Planning Commission may attach conditions it finds necessary to carry out the purposes of this chapter. These conditions may include the following:
  - a. Increasing the required setbacks;
  - b. Limiting the height of buildings;
  - c. Controlling the location and number of vehicular access points;
  - d. Establishing new streets, increasing the right-of-way of roadway width of existing streets, requiring curbs and sidewalks, and, in general, improving the traffic circulation system;

- e. Increasing the number of parking spaces and improving design standards for parking areas;
- f. Limiting the number, size, location, and lighting of signs;
- g. Designating sites for open space and recreational development, and, in general improving landscaping requirements;
- h. Requiring additional view obscuring screening or fencing;
- i. Requiring performance bonds to assure that the planned development is completed as approved within the time limit as established by the Planning Commission;
- j. Requiring appropriate contractual agreement with the County or with special districts to assure development of streets, curbs, gutters, sidewalks, and all utilities to acceptable standards;

6. If the Planning Commission approves the preliminary plan of the planned development, the applicant may initiate a request for an amendment to the Zoning Map to establish a PD zone in combination with another zone. Amendment procedure shall be as specified in Section. 9-01.09-10 to 9-01.09-20 of this chapter. If the Planning Commission finds to the contrary, it may recommend the application be denied, or returned to the applicant for revision;

7. If the Planning Commission denies a request for approval of a preliminary plan for a planned development, the applicant may appeal the decision to the City Council in accordance with the Type III appeal provisions. In the event that the City Council approves the preliminary plan, the City Council shall remand the application to the Planning Commission for reconsideration.

D. Approval of an amendment and any provisions of the approval to establish a PD zone shall constitute final approval of the plan for the planned development. Building permits for all or any portion of a planned development shall be issued on the basis of the approved plan. An application for a building permit shall be preceded or accompanied by submission of any required bonds or deeds for public dedication or contractual agreements for development or public facilities.

E. Any change in the approved plan shall be submitted to the Planning Commission for processing as an amendment to the ordinance in accordance with Section 9-01.10-60.

F. If no building permits have been issued within one (1) year of the date of final approval of the planned development, it shall be terminated unless a request to extend the time limit is approved by the Planning Commission.

G. Upon abandonment of a Planned Development, the Planned Development Zone may be nullified and further use of the property and structures thereon shall be in accordance with the existing zone.

H. If a development authorized under this section has not been substantially completed within two (2) years from the date of its final approval and a request to extend the time limit has not been approved by the Planning Commission, the Planned Development Zone may be nullified and further use of the property and structures thereon shall be used in accordance with the existing zone.