

Chapter 4.5 — Master Planned Developments

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4.5.100 Purpose.

Purpose. The purposes of this Section are to:

- Implement the Development standards of Chapter 2, Section 2.5 by providing a means for master planning large development sites;
- Encourage innovative planning that results in more mixed-use development, improved protection of open spaces, transportation options, and site phasing of development;
- Encourage developments that recognize the relationship between buildings, their use, open space, and transportation options, providing varied opportunities for innovative and diversified employment environments;
- Facilitate the efficient use of land;
- Promote an economic arrangement of land use, buildings, circulation systems, open space, and utilities;
- Preserve to the greatest extent possible the existing landscape features and amenities that may not otherwise be protected through conventional development;
- Encourage energy conservation and improved air and water quality; and
- Assist the City in planning infrastructure improvements.

4.5.200 Applicability.

The master planned development designation is an overlay zone which may be applied over any of the City's land use districts as noted in Chapter 2 for projects proposed at or over 40-acres. An applicant may also elect to develop a project as a master planned development in compliance with the requirements of this chapter. The review and approval process for Master Planned Developments are also applicable to requests for Specific Area Plans.

4.5.300 Review and Approvals Process.

- A. Review Steps.** There are three required steps to a Master Planned Development approval, which may be completed individually or combined for concurrent review:
1. The approval of a Master Planned Development concept plan;

2. The approval of a detailed development plan, which may include a preliminary subdivision plan; and
3. The approval of a final development plan i.e. final plat(s) and/or site design review approval(s).

B. Approval Process.

1. The Master Planned Development (MPD) Concept Plan shall be reviewed using the Type III procedure in Section 4.1.500, the submission requirements in Section 4.5.400, and the approval criteria in Section 4.5. 500.
2. The detailed development plan and preliminary subdivision plan shall be reviewed using the Type II procedure in Section 4.1.400, to ensure substantial compliance with the approved concept plan.
3. Preliminary subdivision plats and site design review applications for approved planned developments shall be reviewed using a Type II procedure, as governed by Section 4.2.400.
NOTE: This variation from the standard procedures of Chapter 4.2 - Site Design Review, and Chapter 4.3 - Land Divisions is intended to streamline review for projects which have received the required Master Planned Development approvals.
4. Steps 1-3, above, may be combined in any manner, so long as the decision-making sequence follows that in subsection A, above. Notification and hearings may be combined.

The design standards of Chapter 3 apply to all master planned developments. Variances shall conform to the standards and procedures of Chapter 5.1 - Variances.

4.5.350 Modifications to Development Standards

The standards of Chapter 2 and Chapter 3 may be modified through the Master Plan Development process without the need for variance under Chapter 5.1. In evaluating this criterion, the Planning Commission shall consider whether the proposal, on balance, exceeds the City's minimum requirements and provides greater community benefits than would otherwise occur under the base Development Code requirements. In evaluating community benefits, the Planning Commission shall apply the following criteria. The City may deny an application for Master Planned Development concept plan approval that does not meet all the following criteria:

- A. Comprehensive Plan.** The modification does not conflict with the Comprehensive Plan. A Master Planned Development may exceed the maximum residential density (minimum lot size) permitted by the underlying zone, provided that the overall density of the project (average of total dwelling units per acre) is not greater than the density permitted by the underlying zone.
- B. Purpose and Intent of Development Code.** The modification equally or better meets the purpose and intent of the Development Code section(s) to be modified, as compared to a project that strictly conforms to code standards.
- C. Public Benefit.** The modification provides a net benefit to the public by one or more of the following:
 1. Greater variety of housing types or lot sizes than would be achieved under the base

Development Code standards;

2. More open space or more usable open space than would be required under the base Development Code standards;
3. Greater protection of natural features than would be required under the base Development Code standards;
4. Avoidance of natural hazards (e.g., geological hazards, river resources, or flood hazards); and
5. Improved transportation connectivity, such as the provision of pathways and/or other transportation facilities, that would not otherwise be provided pursuant to base Development Code requirements.

D. Engineering Design Standards. Modifications to the City's Engineering Design Standards require separate variance to such standards approved by the City Engineer. The City may grant such variances concurrently with the Master Planning Development.

4.5.400 Overlay Zone and Concept Plan Submission.

- A. General Submission Requirements.** The applicant shall submit an application containing all of the general information required for a Type III procedure, as governed by Section 4.1.500. In addition, the applicant shall submit the following:
1. A statement of planning objectives to be achieved by the Master Planned Development through the 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 Master Planning Development and its various phases are expected to be initiated and completed.
 3. A statement of the applicant's intentions regarding the future selling or leasing of all or portions of the planned development.
 4. Narrative report or letter documenting compliance with the applicable approval criteria contained in Section 4.5.500.
 5. Maintenance plan for any common areas or lands not dedicated to a public agency or owned in fee simple.
 6. Special studies prepared by qualified professionals may be required by the Planning Official, Planning Commission, or City Council to determine potential traffic, geologic, noise, environmental, natural resource, and other impacts, and required mitigation. If the Transportation Planning Rule would be applicable an analysis is required.
- B. Additional Information.** In addition to the general information described in Subsection "A" above, the concept plan, data, and narrative shall include the following exhibits and information:

1. Existing Conditions map, as defined in Section 4.2.500 - Site Design Review Application Submission Requirements;
2. Conceptual site plan (e.g., general land use, building envelopes, circulation, open space, utility connections, and other information necessary to convey the concept plan);
3. Grading concept (for hillside or sloping properties, or where extensive grading is anticipated);
4. Landscape concept (e.g., shows retention of existing vegetation and general planting areas);
5. Architectural concept (e.g., information sufficient to describe architectural styles, building heights, and general materials);
6. Sign concept (e.g., locations, general size, style and materials of signs);
7. Copy of all existing covenants and restrictions, and general description of proposed restrictions or covenants (e.g., for common areas, access, parking, etc.).

4.5.500 Concept Plan Approval Criteria

The City shall make findings that all the following criteria are satisfied when approving or approving with conditions, the overlay zone and concept plan. The City shall make findings that not all the criteria are satisfied when denying an application:

- A. **Comprehensive Plan.** The proposal conforms to the Comprehensive Plan.
- B. **Land Division Chapter.** Except as may be modified under Section 4.5.350, all the requirements for land divisions, under Chapter 4.3, are met.
- C. **Chapter 2 and 3 Standards.** Except as may be modified under Section 4.5.350, all the applicable requirements of Chapter 2 and Chapter 3 are met.
- D. **Requirements for Common Open Space.** Thirty (30) percent of the total buildable site area shall be designated as Common Open Space. The following standards apply:
 1. The open space area shall be shown on the final plan and recorded with the final plat or separate instrument; and
 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 open space. Open space proposed for dedication to the City must be acceptable to the Planning Official with regard to the size, shape, location, improvement, environmental condition (i.e., the applicant may be required to provide a level one environmental assessment), and budgetary and maintenance abilities;
 - 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 (e.g., maintenance, property tax payment, etc.) suitable to the City.

4.5.600 Administrative Procedures.

- A. Land Use District Map Designation.** After a Master Planned Development has been approved, the land use district map shall be amended in accordance with Chapter 4.7 Map and Text Amendments, to indicate the approved Master Planned Development designation for the subject development site. The approval of the Master Planned Development shall not expire.
- B. Time Limit on Filing of Detailed Development Plan.** Within three (3) years after the date of approval of the concept plan, the applicant or his or her successor shall prepare and file with the City a detailed development plan, in conformance with Section 4.5.300.
- C. Extension.** The City shall, upon written request by the applicant and payment of the required fee, grant an extension of the approval period not to exceed one year provided that:
1. No changes have been made on the original conceptual development plan as approved;
 2. The applicant can show intent of applying for detailed development plan review within the one-year extension period;
 3. There have been no changes to the applicable Comprehensive Plan policies and ordinance provisions on which the approval was based; and
 4. The extension request is made before expiration of the original approval period.

4.5.700 Detailed Development Plan Submission Requirements.

The contents of the detailed development plan shall be determined based on the conditions of approval for the concept plan. At a minimum, the detailed development plan shall identify the final proposed location of all lots, tracts, parcels, open space, rights-of-way, building envelopes and other features, prior to approval of a development permit (e.g., Land Division, Development Review, Site Design Review, etc.). The detailed development plan shall be reviewed using a Type III procedure.

4.5.800 Detailed Development Plan Approval Criteria.

The City shall approve the detailed development plan upon finding that the final plan conforms with the concept plan and required conditions of approval. Minor changes to the approved concept plan may be approved with the detailed plan, consistent with the following criteria:

- A.** Increased residential densities (for residential plans) or lot coverage by no more than 15 percent, when such change conforms to the Comprehensive Plan;
- B.** A reduction to the amount of open space or landscaping by no more than 10 percent;
- C.** An increase in lot coverage by buildings or changes in the amount of parking by no more than 15 percent. Greater changes require a major modification (Chapter 4.6);
- D.** No change in land use shall be permitted without approving a major modification to the concept

plan (Chapter 4.6);

- E. No change which places development within environmentally sensitive areas or areas subject to a potential hazard shall be approved without approving a major modification to the concept plan (Chapter 4.6); and
- F. The location of buildings, proposed streets, parking lot configuration, utility easements, landscaping or other site improvements shall be as proposed on the concept plan, or as modified through conditions of approval. Changes in the location or alignment of these features by more than 100 feet shall require approval of a major modification, in conformance with Chapter 4.6.
- G. Other substantial modifications made to the approved conceptual development plan shall require approval of either a minor modification or major modification, in conformance with Chapter 4.6.

4.5.900 Development Review and Building Permit Approvals.

Upon receiving detailed development plan approval, the applicant may apply for a development permit (e.g., Land Division, Development Review, Site Design Review, etc.). Building permits shall not be issued until all required development permits have been issued and appeal periods have ended.

- A. Chapter 4.2 applies to developments requiring Development Review or Site Design Review.
- B. Chapter 4.3 applies to Land Divisions.
- C. Streamlined review option. Preliminary subdivision plats and site design review applications for approved master planned developments may be reviewed using a Type II procedure, rather than the conventional Type III procedure. This shall be the applicant's option. The variation from the standard procedures of Chapter 4.2 - Site Design Review, and Chapter 4.3 - Land Divisions is intended to streamline review of projects that have received Master Planned Development approvals, since those projects have previously been subject to public review and hearings.