

## Chapter 4.5 Master Planned Developments

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- 4.5.100 Master Planned Development - Purpose**

The purposes of this Section are to:

1. Implement the Comprehensive Plan and applicable land use district(s) by providing a means for master planning large development sites;
2. Encourage innovative planning that results in projects that benefit the community (i.e., through compatible mixed use development, improved protection of open spaces, transportation options and consistent application of standards in phased developments);
3. Encourage developments that recognize the relationship between buildings, their use, open space, and transportation options, providing varied opportunities for innovative and diversified employment environments;
4. Facilitate the efficient use of land;
5. Promote an economic arrangement of land use, buildings, circulation systems, open space, and utilities;
6. Preserve to the greatest extent possible the existing landscape features, trees and amenities that may not otherwise be protected through conventional development;
7. Encourage energy conservation and improved air and water quality;
8. Assist the City in planning infrastructure improvements; and

9. Consolidate review of multiple land use applications, ex. site design review, conditional use and greenway conditional use permit.

#### **4.5.110 Master Planned Development - Applicability**

The master planned development designation is an overlay zone that may be applied over any of the City’s land use districts. An applicant may elect to develop a project as a master planned development in compliance with the requirements of this Chapter. In addition, the City may require that the following types of development be processed using the provisions of this Chapter:

1. Subdivisions of large residential sites (5 acres and larger).
2. Larger-scale Parks & Recreation uses, as identified in Section 2.5.160.
3. Subdivisions of large residential sites (3 acres or greater) with slopes in excess of 15%.
4. Large commercial developments (5 acres or greater) proposing mixed-use development.
5. Industrial developments (10 acres or greater).
6. Business Park developments.
7. Commercial developments added to the UGB to meet land needs identified in the Cottage Grove Economic Opportunities Analysis (2009) (10 acres or greater).
8. Industrial developments added to the UGB to meet land needs identified in the Cottage Grove Economic Opportunities Analysis (2009) (20 acres or greater).

#### **4.5.120 Master Planned Development - Review and Approvals Process**

**A. Review Steps.** There are three required steps to planned development approval, which may be reviewed individually or combined into one package for concurrent review:

1. The approval of a planned development overlay zone and concept plan;
2. The approval of a detailed development plan; and
3. The approval of a preliminary subdivision plat(s) and/or site design review application(s).

#### **B. Approval Process.**

1. The Master Planned Development (PD) overlay zone and Concept Plan shall be reviewed together using the Type III procedure in Section 4.1.400, the submission requirements in Section 4.5.170, and the approval criteria in Section 4.5.150.

2. The detailed development plan shall be reviewed using the Type III procedure in Section 4.1.400, to ensure substantial compliance with the approved concept plan.
3. Preliminary subdivision plats, conditional use permits and site design review applications for approved planned developments shall be reviewed using a Type III procedure, as governed by Section 4.2.400.
4. Steps 1-3, above, may be combined in any manner, so long as the decision-making sequence follows that in Section 4.5.120.A, above. Notification and hearings may be combined.

**4.5.130 Master Planned Development - Modification of District Standards (Chapter 2) and Design Standards (Chapter 3)**

The district standards in Chapter 2 and design standards of Chapter 3 may be modified through the master plan approval without the need for variances, except that the following standards within Chapters 2 and 3 shall not be modified:

- A. **Public improvement standards and engineering design criteria** shall not be modified without variance to such standards approved by the City Engineer. The City may grant such variances concurrently with other Planned Development approvals;
- B. **Residential densities**, as specified in Chapter 2; and
- C. **Uses not permitted or conditionally permitted** in the underlying zone are not allowed in master plans.

**4.5.140 Master Planned Development - Overlay Zone & 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 4.1.400. In addition, the applicant shall submit 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.
  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. Narrative report or letter documenting compliance with the applicable approval criteria contained in Section 4.5.150.

4. Special studies prepared by qualified professionals as required by the Community Development Director or Planning Commission to determine potential traffic, geologic, water quality, wetland, sensitive habitat, archeological, natural vegetation and other impacts, and required mitigation.

**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 plan (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.);
8. A copy of an approved State Access Permit, if taking new access onto a State Highway.

#### **4.5.150 Master Planned Development - Overlay Zone & Concept Plan Approval Criteria**

The City shall make findings that all of the following criteria are satisfied when approving or approving with conditions, the overlay zone and concept plan. The City shall make findings that all of the following criteria are satisfied when approving an application:

- A. Comprehensive Plan.** All relevant provisions of the Comprehensive Plan are met;
- B. Land Division Chapter.** All of the requirements for land divisions, as applicable, shall be met (Chapter 4.3);
- C. Chapter 2 and Chapter 3 Standards.** All of the land use, development, and design standards contained in Chapters 2 and 3 are met, except as may be modified in Section 4.5.130;

- D. Chapter 4 Standards.** Master plans that involve the creation of new parcels shall meet the standards established in Section 4.3 Land Divisions. Conditional uses within master plans shall comply with the criteria found in Chapter 4.4.400.A.
- E. Open Space.** Master plans shall contain a minimum of 15 percent open space. Public open space shall be integral to the master plan. Plans shall emphasize public gathering places such as plazas, neighborhood parks, trails, and other publicly accessible spaces that integrate land use and transportation and contribute toward a sense of place. Where public or common private open space is designated, 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 City 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.
  3. The open space shall meet the following minimum design standards:
    - a. Master plans shall contain open space that equal or exceeding 15 percent of the site area. The site area is defined as the lot or parcel on which the development to be located, after subtracting any required dedication of street right-of-way and other land for public purposes (e.g., public park or school grounds, etc.);
    - b. In meeting the common open space standard, the master plan shall contain one or more of the following: outdoor recreation area, protection of sensitive lands (e.g., trees preserved), play fields, outdoor playgrounds, outdoor dining areas, walking fitness courses, pedestrian amenities, or similar open space amenities for residents and/or employees. Sensitive lands such as prominent ridgelines, floodways or wetlands shall be considered of highest importance and shall be designated for protection as open space;
    - c. Historic buildings or landmarks that are open to the public may count toward meeting the open space requirements when approved by the planning commission;

- d. To receive credit under Section 4.5.150.D, a common open space area shall have an average width that is not less than 20 feet and an average length that is not less than 20 feet.

**4.5.160 Master Planned Development - Administrative Procedures**

**A. Land Use District Map Designation.** After a planned development overlay zone has been approved, the land use district map shall be amended in accordance with Chapter 4.7, to indicate the approved planned development designation for the subject development site. The approval of the planned development overlay zone shall not expire provided the time limits specified in (B) and (C) below are met.

**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 4.5.170 through 4.5.180. The City shall revoke the concept plan approval if this time limit has not been met.

**C. Extension.** The City shall, upon written request by the applicant and payment of the required fee, grant a written 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.

**4.5.170 Master Planned Development - 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. The detailed development plan may combine land division, land use review, site design review, and/or other applications for concurrent review and approval. The detailed development plan shall be reviewed using a Type III procedure.

**4.5.180 Master Planned Development - Detailed Development Plan Approval Criteria & Modifications**

The City shall approve the detailed development plan upon finding that the final plan conforms to the concept plan and required conditions of approval. If the detailed plan request combines

other land use and development applications, as provided in Section 4.5.170, those applications shall additionally be subject to the applicable approval criteria in Chapter 4. Minor changes to the approved concept plan may be approved with the detailed plan, when the approval body finds that the modification(s) is/are consistent with the criteria in A-H, below. Changes exceeding those in subsections A-H, below, must be reviewed as major modifications under Chapter 4.6.

- A. Increased residential densities** (overall or reallocated between development phases) by no more than 10 percent, provided such increase conforms to the underlying District;
- B. Increase in lot coverage or impervious surface** (overall or reallocated between development phases) by no more than 10 percent over that which is approved;
- C. Reduction in open space or landscaping** by no more than 10 percent of what was originally approved;
- D. Increase in overall automobile parking spaces** by no more than 10 percent;
- E. Land use.** No change in land use shall be permitted without a major modification to the concept plan;
- F. Proposals to add or increase lot coverage within an environmentally sensitive areas (sensitive lands) or areas subject to a potential hazard** shall require a major modification to the concept plan;
- G. Major changes in the location of buildings, proposed streets, parking lot configuration, utility easements, landscaping or other site improvements shall require a Major Modification pursuant to Chapter 4.6.** “Major” in this subsection means by more than 100 feet, or 15 percent, relative to setbacks; and
- H. Other substantial modifications** not listed in A-G, above, shall require approval of a major modification, in conformance with Chapter 4.6.

#### **4.5.190 Master Planned Development - Land Use Review, Site Design Review, Final Plat, and Building Permit Approvals**

- A. Land Use and Site Design Reviews.** For projects requiring land use or site design review, all such approvals must be final and appeal periods expired before the City issues building permits. Chapter 4.2 applies to site design review.
- B. Land Divisions.** For projects requiring a land division, the preliminary land division plats must be final and appeal periods expired before a final plat is approved and building permits issued. Chapter 4.3 applies to land divisions.
- C. Streamlined Review Option.** Applications for preliminary land division plats, land use reviews, and site design review applications that are part of an approved master planned development 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.