

## Chapter 100

### Planned Unit Development in Corvallis Urban Fringe

#### 100.100 Scope and Purpose.

(1) All applications for land divisions in the Urban Residential (UR) and Flood Plain Agriculture (FPA) zones within the Corvallis urban growth boundary are subject to the provisions of this chapter. Applications for partitions and subdivisions of land between the Corvallis city limits and urban growth boundary shall comply with the applicable provisions of BCC Chapters 64, 95, 97, and this chapter. The procedures, standards, and criteria in this chapter shall be applied when the requirements in another section of this code are not consistent with the provisions of this chapter.

(2) The procedures and requirements of this chapter are established to accomplish the following purposes:

- (a) To insure, to the greatest extent possible, that land within the urban growth boundary is used for or kept available for urban uses;
- (b) To establish standards that provide for the efficient and orderly transition of land within the urban growth boundary to planned urban uses considering existing natural features and planned future uses;
- (c) To allow new or innovative design and technology; to promote appropriate land use; to facilitate adequate and economic provision of public and / or private services and facilities; and
- (d) To protect the natural features of the site.

(3) Creation of a parcel for any of the purposes listed in subsection (a) below is exempt from the requirements of Chapter 100, provided the requirements of this section are met.

- (a) To be exempt from Chapter 100, the parcel shall be created for only publicly owned open space; a publicly owned park; a publicly owned recreation facility; or undeveloped open space owned by a nonprofit land conservation organization, until the property is annexed to the city.
- (b) For a parcel created pursuant to and for the purposes of the provisions in subsection (a) of this section, the property owner shall sign a deed covenant to be recorded into the County Deed Records prior to creation of the parcel prohibiting use of that parcel for residential development or any use other than publicly owned open space, publicly owned park, publicly owned recreation facility or undeveloped open space owned by a not-for-profit land conservation organization, until the property is annexed to the city.
- (c) Development and use of the property shall be subject to the approval requirements of the zone.
- (d) A request for an exemption pursuant to this section shall be accompanied by a statement from the public entity or nonprofit land conservation organization proposing to acquire the property indicating intent to acquire the property and describing the proposed use of the property.
- (e) Land divided under this section shall be considered in calculating the number of residential lots or parcels that may be created on the remainder parcel pursuant to BCC 100.205(7).
- (f) Creation of a parcel under this section does not disqualify the parent parcel from the density bonus provision of BCC 100.205(7)(b); however, a parcel created under this section shall not be used to justify a density bonus if the parcel is sold, rather than donated, to the receiving public entity.

[Ord. 2001-0168, Ord 2005-0209, Ord 2005-0210, Ord 2012-0244]

**100.105 Letter of Intent to Partition or Subdivide.** The applicant shall inform the Planning Official in writing of the intention to apply for a partition or subdivision and request a pre-application conference. A sketch plan and narrative must accompany the letter of intention with sufficient detail to outline the development plan.

**100.110 Pre-application Conference.** The Planning Official shall schedule a pre-application conference within twenty-one days following receipt of the letter of intention. Representatives of public and private agencies may attend or may submit such information and recommendations that will assist the applicant in preparing the application. The applicant or Planning Official may request additional meetings. The Planning Official shall provide written documentation of the substance of the meeting to the applicant within ten working days after the meeting.

**100.150 Application Requirements.**

- (1) In addition to the development standards and application requirements for partitions and subdivisions contained in Chapters 64, 95, and 97, an application for a land division within the Corvallis urban growth boundary shall contain the following information and documentation:
  - (a) The location of existing structures, including building types, driveways, and off-street parking;
  - (b) The location of all Natural Features identified on the Corvallis Urban Fringe Natural Hazards Map, Riparian Corridors and Wetlands Map, and Significant Vegetation Map;
  - (c) Soils and soil characteristics, including shrink-swell potential, erosion hazard, slide potential, and any other potential limitations, using USDA Soil Conservation Service information or field studies prepared from specific site data;
  - (d) The location of any known sensitive or endangered species of flora or fauna, or significant historic or cultural resource on the property;
  - (e) Any proposed open spaces, including proposed ownership, use, and maintenance;
  - (f) The location of existing utility systems including sanitary sewer, storm sewer, drainageways, and water, where appropriate. Additionally, the location of all planned utility systems including sanitary sewer, storm sewer, drainageways, and water, shown in adopted Corvallis facility plans, and how the proposal can accommodate these facilities;
  - (g) Any proposed significant topographic changes including contours at intervals sufficient to indicate topographic conditions (generally two or five foot contours), including identification of areas subject to slide, slump, erosion or flooding hazards;
  - (h) Any measures proposed to mitigate Code-allowed impacts to natural feature areas shown on the Corvallis Urban Fringe Natural Hazards Map and/or the Riparian Corridors and Wetlands Map;
  - (i) The proposed circulation system including roads, bikeways, and access to roads. Public or private ownership of each facility shall be clearly identified. The current condition of public facilities shall be identified, as well as the proposed standard to which the facility will be improved or constructed by the applicant. Additionally, the location of all planned roads and trails shown in adopted Corvallis facility plans such as the Corvallis Transportation Plan and the Parks and Recreation Master Plan, and how the proposal can accommodate these facilities;
  - (j) The proposed plan for managing stormwater from the site, consistent with BCC 99.650 through 99.680;
  - (k) An urban conversion plan, as described in BCC 64.310;
  - (l) A narrative that provides:
    - (A) A phased development schedule if the development is to be phased;
    - (B) A schedule for construction of all improvements;
    - (C) The proposed method for providing water supply for each parcel or lot;
    - (D) The proposed method for providing sewage disposal for each parcel or lot;
    - (E) A description of the impact of the proposed development on water, sewer, fire protection, law enforcement, schools, hospitals, solid waste disposal, and other services;

- (F) A description of all community facilities or systems including a maintenance program for all proposed systems; and
  - (G) A copy of tentative covenants, conditions, and restrictions, if any, proposed by the applicant.
  - (H) A description of the impact of the proposed development on Natural Features shown on the Corvallis Urban Fringe Natural Hazards Map and/or Riparian Corridors and Wetlands Map, and the proposed methods for protecting these Natural Features.
- (2) The Planning Official, in the application process, may waive any of the requirements of this section where it is determined, in the judgment of the Planning Official, that the information is not necessary to properly evaluate the application. The Planning Official may require additional information deemed necessary to evaluate the application.

[Ord 2005-0209, Ord 2005-0210, Ord 2005-0211, Ord 2011-0240, Ord 2012-0244]

### **100.205 Design Standards.**

- (1) **General.** An application for a Planned Unit Development shall comply with all applicable development standards of this code.
- (2) **Access.**
- (a) Streets and roads interior to the proposed development shall be located and aligned according to the provisions of Chapter 99, Chapter 83 (Floodplain Management Overlay) and Chapter 88 (Natural Features Overlay in the Corvallis Urban Fringe) and constructed to the applicable urban standards identified in the Corvallis Transportation Plan and Corvallis Land Development Code. Streets and roads interior to the development shall be constructed to full urban standards concurrent with the approval of the land division and development of the property except as provided in BCC 100.205(2)(b) or (d).
  - (b) In exceptional circumstances, the approving authority may allow construction of streets and roads to a transitional standard. Construction to a transitional standard may only be allowed if the approving authority finds that exceptional engineering considerations make it not practical to construct streets or roads to urban standards concurrent with the proposed development. The approving authority shall consult with the City and County Engineers in making a determination to allow a transitional standard.
  - (c) If an exception is granted under 100.205(2)(b), the approving authority shall impose conditions that specify how streets will be improved to the applicable urban standards with subsequent development of the property. The conditions of approval shall provide mechanisms that insure that the financial obligation of present and future owners of the property to fully finance the construction of streets and roads to the applicable urban standards is met. These conditions may include but are not limited to:
    - (A) Posting of a financial guarantee;
    - (B) An irrevocable petition for public improvements;
    - (C) An agreement to participate in future Improvement Districts;
    - (D) Specific provisions in covenants, conditions, and restrictions that specify the future obligation of the property owner(s) and which are attached to the property; and
    - (E) Other means deemed necessary and appropriate by the approving authority.
  - (d) If a street or road is allowed by Benton County to be constructed within a Natural Feature mapped on the Corvallis Urban Fringe Natural Hazards Map and/or Riparian Corridors and Wetlands Map, the road shall be constructed with 10-ft. wide travel lanes and with no on-street parking and no park strips for the portion of the street within the natural feature.

**(3) Sewage Disposal.**

- (a) The sewage disposal system for the proposed development shall comply with the provisions of Chapter 99 and the requirements of the Oregon Department of Environmental Quality. The sewage disposal area may be located on-site or off-site. A deed restriction shall be placed on each property in the PUD which requires structures with individual sewage disposal systems to be connected to the City of Corvallis sewer system at the expense of the property owner when it is available to the property and which also states the owner, or future owner, will not remonstrate against connection to the city sewage disposal system.
- (b) Conditions of approval shall require installation of city standard sewer lines and other applicable system improvements that can be connected to the city sewage system when the property is annexed to the city or when city services otherwise become available.
- (c) The requirement for installation of city standard sewer lines and other system improvements may be modified or waived if the approving authority finds that, because of the length of time before city services may be available, site characteristics, and / or engineering considerations, it is not practical to install these improvements concurrent with the proposed development. The approving authority shall consult with the County Sanitarian and City and County Engineers in making this determination. In all cases, community systems, if utilized, shall be constructed to City of Corvallis standards and designed to be incorporated into the City system. Community systems, if utilized by the developer, will be designed and constructed to City of Corvallis standards, be publicly owned and maintained, or if privately owned, provide adequate assurances through a formal agreement that provide for adequate levels of ongoing maintenance and operation and will ensure a smooth transition to public ownership.
- (d) If city standard sewer lines and other applicable system improvements are not required with approval of the application, the approving authority shall impose conditions that provide mechanisms that insure, to the greatest extent possible, that the financial obligation of present and future owners of the property to fully finance urban level sewage system improvements is met. These conditions may include but are not limited to:
  - (A) Posting of a financial guarantee;
  - (B) An irrevocable petition for public improvements;
  - (C) An agreement to participate in future Improvement Districts;
  - (D) Specific provisions in covenants, conditions, and restrictions that specify the future obligation of the property owner(s) and which are attached to the property; and
  - (E) Other means deemed necessary and appropriate by the approving authority.

**(4) Water.**

- (a) The water supply for the development shall comply with the provisions of Chapter 99 and the requirements of the Oregon Health Division. The water source may be located on-site or off-site. A deed restriction shall be placed on each property in the PUD which requires the water supply to be connected to the City of Corvallis water system at the expense of the property owner when it is available to the property and which also states the owner, or future owner, will not remonstrate against connection to the city water system.
- (b) Conditions of approval shall require the installation of city standard water lines and other applicable system improvements that can be connected to the city water system when the property is annexed to the city or when city services otherwise become available.
- (c) The requirement for installation of city standard water lines and other system improvements may be modified or waived if the approving authority finds that, because of the length of time before city services may be available, site characteristics, and / or engineering considerations, it is not practical to install these improvements concurrent with the proposed development. The approving authority shall consult with the County Sanitarian and City and County Engineers in making this determination. In all cases, community systems, if utilized, shall be

constructed to City of Corvallis standards and designed to be incorporated into the City system. Community systems, if utilized by the developer, will be designed and constructed to City of Corvallis standards, be publicly owned and maintained, or if privately owned, provide adequate assurances through a formal agreement that provide for adequate levels of ongoing maintenance and operation and will ensure a smooth transition to public ownership.

- (d) If city standard water lines and other applicable system improvements that can be connected to the city water system are not required with the approval of the application, the approving authority shall impose conditions that insure, to the greatest extent possible, that the financial obligation of present and future owners of the property to fully finance urban level water system improvements is met. These conditions may include but are not limited to:
  - (A) Posting of a financial guarantee;
  - (B) An irrevocable petition for public improvements;
  - (C) An agreement to participate in future Improvement Districts;
  - (D) Specific provisions in covenants, conditions, and restrictions that specify the future obligation of the property owner(s) and which are attached to the property; and
  - (E) Other means deemed necessary and appropriate by the approving authority.

**(5) Drainage.**

- (a) Natural drainageways necessary to convey storm water through and from the subject property shall be reserved or dedicated to the public for such purposes. The area required to be dedicated or reserved for future drainageway shall be identified as determined by the Corvallis Land Development Code.
- (b) Drainage improvements shall be designed and approved pursuant to BCC 99.650 through 99.680, and shall be constructed to the applicable City of Corvallis urban standards.
- (c) In exceptional circumstances, the approving authority may allow construction of drainage improvements to a transitional standard. Construction to a transitional standard may only be allowed if the approving authority finds that exceptional engineering considerations make it not practical to construct improvements to urban standards concurrent with the proposed development. The approving authority shall consult with the City and County Engineers in making a determination to allow a transitional standard.
- (d) If an exception is granted under 100.205(5)(b), the approving authority shall impose conditions that specify how the drainage system will be improved to the applicable urban standards with subsequent development of the property. The conditions of approval shall provide mechanisms that insure, to the greatest extent possible, that the financial obligation of present and future owners of the property to fully finance urban standard drainage improvements is met. These conditions may include but are not limited to:
  - (A) Posting of a financial guarantee;
  - (B) An irrevocable petition for public improvements;
  - (C) An agreement to participate in future Improvement Districts;
  - (D) Specific provisions in covenants, conditions, and restrictions that specify the future obligation of the property owner(s) and which are attached to the property;
  - (E) Other means deemed necessary and appropriate by the approving authority.

[Ord 2011-0240]

## **(6) Parcel or Lot Size**

- (a) Parcels or lots created shall be located in a manner that allows for the orderly and efficient transition of the entire property to urban uses. All parcels or lots shall be designed such that “Highly Protected” Natural Features identified on the Corvallis Urban Fringe Riparian Corridors and Wetlands Map and Significant Vegetation Map are contained entirely on the remainder parcel and/or the exception parcel authorized by subsection (A) of this section. If the number of lots or parcels allowed by the zoning cannot reasonably be accommodated outside of the Significant Vegetation area, then the proposed lots or parcels may include the least amount of Significant Vegetation necessary to allow reasonable layout of the land division. Proposed parcels or lots containing Natural Features shall be designed so that subsequent development will comply with the Natural Features provisions of Chapters 83 and 88. Parcels or lots shall be the minimum size necessary to provide for reasonable development and for the provisions of streets, sewage disposal, water, drainage, and other improvements pursuant to the applicable provisions of this code. Parcels and lots shall contain a minimum of 5,000 square feet and a maximum of 20,000 square feet, except that the remainder parcel resulting from the creation of these parcels and lots need not comply with the 20,000 square foot maximum. In addition, the following exceptions apply:
- (A) A one-time exemption to the maximum parcel size of 20,000 square feet shall be allowed to create one parcel with a minimum size of 1 acre, subject to the following:
    - (i) Only tracts, as defined in BCC 51.020, that are at least 10 acres in the UR-5-and FPA zones or 20 acres in the UR-10 zone shall qualify for such exemption.
    - (ii) All areas on the proposed new exemption parcel that are identified as riparian corridor or wetlands are protected through one of the permanent means listed in BCC 100.205(7)(b)(A)(v).
    - (iii) A parcel or lot created pursuant to this subsection shall count as one of the parcels permitted in subsection (b). All other lots or parcels created pursuant to this chapter shall comply with the minimum and maximum size requirements in subsection (a) above.
    - (iv) The owner of a tract is eligible for only one exemption in subsection (A) above for the entire tract as it existed on November 6, 1998. The remaining portions of the tract will not be eligible for the exemption. As a condition of approval, the owner shall sign a deed covenant to be recorded into the County Deed Records against all lots and parcels contained in the tract as it existed on November 6, 1998. The covenant shall notify all future owners contained in the tract that those lots and parcels shall not be eligible for the exemptions allowed by subsection (A) above.
  - (B) A lot or parcel allowed pursuant to BCC 64.305(3).
  - (C) Creation of lots or parcels within a UR-2, UR-1, or UR-0.5 zone established pursuant to BCC 64.307.

## **(7) Number of Parcels or Lots**

- (a) The maximum number of parcels or lots that may be created from an existing parcel is determined by dividing total acreage of the subject property, as it existed on the effective date of these provisions, November 6, 1998, by the minimum parcel size or the allowable density

specified in the zoning district and taking the resulting whole number of parcels or lots. For example: (a) a 29.9 acre parcel in a UR-5 zone could be divided into five lots; and (b) an 89.9 acre parcel in a UR-10 zone could be divided into eight lots. A tract or tracts created for purposes of protecting natural features, providing open space, or other similar purpose, shall be allowed in addition to the allowed number of lots or parcels provided the tract(s) are designated as “not developable” on the plat.

- (b) A density bonus, in addition to the maximum number of parcels or lots prescribed by subsection (a) above, may be approved through the processes described in subsection (A) or subsection (B), below. If density bonuses are claimed pursuant to *both* subsection (A) and subsection (B), each density bonus shall be justified through actions affecting mutually exclusive land areas.
  - (A) A density bonus shall be allowed in exchange for permanent protection of the entire area of the subject tract designated Highly Protected Natural Resource on the Corvallis Urban Fringe Riparian Corridors and Wetlands Map and Significant Vegetation Map, as follows:
    - (i) For every acre permanently protected (in accordance with the provisions of BCC 100.205(7)(b)(v)(a) through (c)), one additional acre shall be added to the “total acreage” used in the calculation of the maximum number of parcels or lots in subsection (7)(a) of this section.
    - (ii) The maximum increase in allowable parcels or lots through this process shall be 40%.
    - (iii) Additional parcels or lots allowed pursuant to this subsection shall be between 5,000 and 20,000 square feet in size and shall be located outside of all Highly Protected features shown on the Corvallis Urban Fringe Riparian Corridors and Wetlands Map and Significant Vegetation Map.
    - (iv) The additional (whole) parcels or lots allowed pursuant to this subsection may be transferred to other land zoned Urban Residential within the Corvallis Urban Fringe, provided the receiving property is approved for the additional density through the criteria and procedures for a conditional use permit (BCC 53.205 through 53.235), and provided the additional lots or parcels will not impact natural features shown on the Corvallis Urban Fringe Natural Hazards Map, Riparian Corridors and Wetlands Map, and Significant Vegetation Map. Transferred rights will be established through the notice of conditional use approval referencing both the receiving and sending parent parcels. The proposed location and dimensions of the proposed lots or parcels shall be presented at the time of conditional use application; however, actual subdivision or partition may occur at a later time (prior to the expiration date of the conditional use approval).
    - (v) Permanent protection of the Natural Resource area(s) shall be achieved by means of:
      - (a) A conservation easement benefiting, or a gift to, a governmental land management agency or nonprofit corporation organized for the purpose of land or environmental conservation. The applicant shall provide a letter from the benefiting entity demonstrating intent to accept the proposed easement or gift and to manage the land to preserve and/or enhance the natural resource functions identified on the Corvallis Urban Fringe Riparian Corridors and

Wetlands Map or Significant Vegetation Map, contingent on approval of the proposal;

- (b) Dedication to Benton County. The applicant shall provide a letter from the Board of Commissioners demonstrating intent to accept the proposed dedication, contingent on approval of the proposal. Benton County is not bound to accept proposed dedications, but will place priority on accepting lands consistent with the mission of the Benton County Parks System Comprehensive Plan or other adopted plans; or
  - (c) Dedication, or reservation for future easement, to the City of Corvallis. The applicant shall provide a letter from the City of Corvallis stating intent to accept the proposed future easement, contingent on approval of the proposal. A reservation for future easement shall include use restrictions to ensure the natural features are preserved prior to dedication;
  - (vi) To be eligible for a density bonus, the area of significant vegetation shall either:
    - (a) Be in essentially the same ecological condition as described for the site in the Corvallis Natural Features Inventory; or
    - (b) Have been altered through restoration activities consistent with the restoration recommendations for the site contained in the Natural Features Inventory.
  - (vii) The provisions allowing a density bonus shall not be available to a property which has been granted compensation or waiver of land use regulation pursuant to Ballot Measure 37.
  - (viii) For any property obtaining a density bonus pursuant to this section, the property owner shall sign a covenant waiving all right to claims for compensation or waiver of land use regulation pursuant to Ballot Measure 37.
- (B) A density bonus may be approved through the PUD approval when it is found that the PUD provides amenities, as defined in (i) through (viii) below, that warrant a density bonus. The number of lots may be increased up to twenty-five (25) percent beyond the maximum allowed by the zoning designation prior to any other increases in allowable density (such as pursuant to subsection (A) above). All lots shall conform to all other development standards of this Code. In order for a development to be eligible for a density bonus, it must be demonstrated that the development will provide an overall public benefit beyond the minimum level necessary to support the development of the PUD and beyond what is required by the Benton County Development Code and other applicable regulations, and that the development will provide at least one of the following amenities:
- (i) **Park/Open Space:** A bonus may be allowed if the proposed PUD contains areas allocated for park or recreation use. The park or open space shall be compatible with the applicable City or County Master Plan. If the proposed park is within or abutting the developed area of the PUD, the park shall be developed and dedicated to the City, County or other public entity prior to issuance of building or manufactured home placement permits. If a park or open space is explicitly delineated on an acknowledged City or County Master Plan and is on the undeveloped portion of the property then the land for the park or open space shall be dedicated to the City, County or other public entity as a condition of



final plat approval. If the park or open space is not explicitly delineated in the City or County Master Plan, the land for the park need not be dedicated, but only reserved on the final plat. In the latter case, the reservation on the final plat may include limitations on uses within the reserved area to maintain the public park values of the land.

- (ii) Trails: A bonus may be allowed if the proposed PUD contains a trails system connecting the PUD to public amenities such as other trails, parks and school facilities. The trail shall be compatible with the applicable City or County Master Plan. If the proposed trail is within the developed area of the PUD, the trail shall be developed and dedicated to the City, County or other public entity prior to issuance of building or manufactured home placement permits. If a trail is explicitly delineated on an acknowledged City or County Master Plan and is on the undeveloped portion of the property then the land for the trail shall be dedicated to the City, County or other public entity as a condition of final plat approval. If the trail is not explicitly delineated in the City or County Master Plan, the land for the trail need not be dedicated, but only reserved on the final plat. In the latter case, the reservation on the final plat may include limitations on uses within the reserved area to maintain the public trail values of the land.
- (iii) Infrastructure: A bonus may be allowed if public facilities such as street improvements, or utilities are provided that are in excess of those required under the provisions of this code. The infrastructure elements shall be constructed at the time of the initial PUD development, and shall meet the applicable City or County public improvement standards.
- (iv) Restoration: This bonus may be allowed if the applicant implements a restoration plan for natural features identified on the Corvallis Urban Fringe Natural Hazards Map and/or Riparian Corridors and Wetlands Map. The restoration plan shall include both near-term (the first five years) and long-term (in perpetuity) methods that will be used to ensure restoration is well-established and is managed over time. Financial resources and responsibility shall be clearly defined, to ensure long-term management.
- (v) Urban Development Pattern: This bonus is based on an urban development pattern that proposes all of the lots be 8,000 square feet or smaller laid out in a manner that allows the proposed development to be consistent with the City of Corvallis' Comprehensive Plan designation and Land Development Code provisions.
- (vi) Affordable Housing: This bonus is based on providing affordable housing, as defined in the definition chapter of the City of Corvallis' Land Development Code.
- (vii) Other Amenities: The decision making body and the developer may identify and agree upon other amenities which meet the goal of this provision, through this review and approval process.
- (viii) Covenants: Any amenities, as described above, which are the basis for a density bonus shall be constructed as part of the PUD and accepted by the applicable public agency, or guaranteed by restrictive covenants that run with the land affected by the PUD approval, or by posting of a financial guarantee,

an irrevocable petition for public improvements, an agreement to participate in future Improvement Districts, specific provisions in covenants, conditions, and restrictions that specify the future obligation of the property owner(s) and which are attached to the property, or other means deemed necessary and appropriate by the approving authority. Terms of the covenants may include initial commitment of the amenity, on-going maintenance or long term future commitments. The form, content, and terms of the covenants are subject to approval by the County through the PUD approval process.

**(8) Clustering of Parcels or Lots.**

- (a) Parcels or lots created under the provisions of this chapter shall be clustered except as allowed in (6)(a)(A) through (C) above. For purposes of this chapter, “cluster” is defined as: “A development technique wherein lots and parcels are generally arranged together along a road, street, or cul-de-sac.”
- (b) The clustering required by subsection (a) of this section may be split into two or more clusters if necessary to avoid or minimize incursion into natural features designated as “High Protection” on the Corvallis Urban Fringe Natural Hazards Map, Riparian Corridors and Wetlands Map and/or Significant Vegetation Map.
- (c) The land division shall be designed such that any natural features designated as “High Protection” on the Corvallis Urban Fringe Natural Hazards Map, Riparian Corridors and Wetlands Map and Significant Vegetation Map will be located on the remainder parcel or lot, and/or on the exception parcel or lot allowed pursuant to subsection (6)(a)(A) of this section, and will not be located on the clustered parcels or lots.

**(9) Use of Parcels or Lots.** Subject to the standard approval provisions of this code, all parcels or lots may contain any of the uses permitted in the zoning district, including a single-family residence and accessory uses in the Urban Residential zone.

**(10) Utilities.** All utilities shall be installed underground by the developer at the time that services are available and prior to road construction, if feasible. If utilities are allowed to be located within Natural Features shown on the Corvallis Urban Fringe Natural Hazards Map and/or Riparian Corridors and Wetlands Map, the utilities shall be located above ground if doing so will reduce the impact to the Natural Features and still be acceptable to the Public Works Director.

**(11) Service Districts.** Phases of the Planned Development shall identify the parcels or lots that are to be served by service districts for sewage and water systems prior to the provision of city services. Prior to the formation of a service district, the applicant shall submit documentation showing how the district will operate, including finances, rules, and ownership. A review shall be completed by the Planning Official, County Engineer, and County Counsel to determine the feasibility of the district. [Ord 99-0154; 2001-0168, Ord 2005-0209, Ord 2005-0210, Ord 2005-0211, Ord 2012-0244]

**100.305 Review Procedure.** Applications subject to the provisions of this chapter shall be reviewed pursuant to the applicable procedures for partitions and subdivisions contained in BCC Chapters 95, 97, and 100.

**100.405 Conditions of Approval.** In addition to the applicable conditions of approval for partitions and subdivisions contained in BCC Chapters 95, 97, and 99, the following conditions may be required for approval of Planned Developments within the Corvallis urban growth boundary:

- (1) The approving authority may impose any other conditions deemed necessary to comply with applicable provisions of this code or state or federal law;
- (2) The property owner(s) may be required to enter into agreement(s) providing for guarantees for the future provision of all improvements on the property at full city standards;

- (3) The property owner(s) may be required to enter into a planned development agreement with the county;
- (4) The property owner(s) shall be required to record a covenant prohibiting further division of the parcel or lot until annexation occurs when the parcel or lot, as it existed on the effective date of these provisions (November 6, 1998), has been divided into the maximum number or lots or parcels allowed pursuant to BCC 100.205(6);
- (5) The property owner(s) may be required to annex to existing adjacent service districts, to create new service districts, or to provide an alternative suitable method approved by the approving authority, for the monitoring, maintenance, and repair of the following services:
  - (a) Streets;
  - (b) Street lights;
  - (c) Water systems;
  - (d) Sewage disposal systems;
  - (e) Storm drainage;
  - (f) Police services in addition to those normally provided by the Sheriff;
  - (g) Park maintenance and improvements; and
  - (h) Other services determined to be necessary by the approving authority.
- (6) At time of annexation, a public or private service district shall be dissolved upon inspection of improvements and a determination that the system served by the service district meets City standards.

**100.505. Extension of Effective Period.**

An extension of the preliminary approval period for an application subject to the provisions of this chapter shall be subject to the applicable approval extension provisions and procedures of Chapter 95 for partitions and Chapter 97 for subdivisions.

**100.610 Final Plat Approval and Filing.**

Final plat approval and filing shall be subject to the applicable provisions and procedures of Chapter 95 for partitions and Chapter 97 for subdivisions.

**100.615 Final Plat Signatures.**

Final plat signatures shall be subject to the applicable provisions and procedures of Chapter 95 for partitions and Chapter 97 for subdivisions.

**100.620 Final Plat Approval by the Board.**

Final plat approval by the Board of County Commissioners shall be subject to the applicable provisions and procedures of Chapter 95 for partitions and Chapter 97 for subdivisions.

**100.625 Filing the Final Plat.**

The final plat shall be filed subject to the applicable provisions and procedures of Chapter 95 for partitions and Chapter 97 for subdivisions. [Ord 98-0141]