

Chapter 98

Planned Unit Development

98.005 Purpose. The planned unit development (PUD) is intended to add flexibility to the subdivision standards and procedures of the Development Code in order to address topographic, economic or aesthetic factors encountered in the development process. It is the purpose of the PUD review process to allow new or innovative design and technology; to promote the most appropriate use of the land; to facilitate adequate and economical provisions for roads and public facilities; and to preserve the natural and scenic features of a site. Regardless of the provisions of this chapter, all planned unit developments within the city of Corvallis Urban Growth Boundary shall be reviewed pursuant to the Planned Unit Development standards contained in BCC Chapter 100. Also regardless of the provisions of this chapter, all planned unit developments in the Rural Residential zone shall comply with BCC 63.305(3). [Ord 26, Ord 90-0069, Ord 98.005, Ord 2007-0222]

98.010 Design Standards. A PUD is a specialized form of subdivision. A proposed PUD shall therefore conform to all subdivision and land partition standards of this code, except that certain standards may be varied as provided by this chapter. [Ord 90-0069]

98.105 Density of Development. (1) Parcels or lots smaller than the minimum parcel or lot size may be allowed in a PUD where open space and clustering of parcels or lots are proposed such that the overall density of the PUD is maintained at or less than the level allowed by the minimum parcel or lot size.

(2) The overall density of the PUD may be increased up to twenty-five (25) percent beyond that allowed by the minimum parcel or lot size where the proposed PUD contains areas allocated for a functional common area, such as a park, or the increase in density is warranted by the design and amenities incorporated in the proposed PUD. [Ord 26, Ord 90-0069, Ord 96-0118]

98.110 Off-Street Parking. The number of off-street parking spaces in a PUD may be reduced below the minimum required by this code if the nature of the proposed use warrants such reduction. [Ord 26, Ord 90-0069]

98.115 Uses. (1) In addition to permitted uses and uses allowed by conditional use permit in the zone, commercial uses may be allowed in a residential PUD, subject to approval of a conditional use permit. A conditional use permit for a commercial use in an approved PUD shall be approved by the Planning Commission.

(2) In addition to satisfying the conditional use permit requirements of BCC 53.215, an application for a conditional use permit in a PUD shall demonstrate that:

- (a) The use is primarily for the service and convenience of residents within the PUD; and
- (b) Such use shall not change or alter the predominate character of the PUD. [Ord 26, Ord 90-0069]

98.120 Parks. A common park area shall be designated in a residential PUD if the PUD is to be comprised of parcels or lots smaller than one acre in size. Such a park area shall be accessible to and available for use by the residents of the development, and shall be suitable for scenic or recreational purposes. [Ord 26, Ord 90-0069]

APPLICATION

98.205 Letter of Intention. The applicant shall inform the Planning Official in writing of the intention to apply for a PUD. A sketch plan and narrative must accompany the letter of intention with sufficient detail to outline the proposed PUD. [Ord 26, Ord 90-0069]

98.210 Pre-Application Conference. The Planning Official shall schedule a pre-application conference with the applicant no more than fourteen (14) 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 development plan. The applicant or Planning Official may request additional meetings. [Ord 26, Ord 90-0069]

98.215 Application for a PUD. A complete application for a PUD shall include the following documentation:

- (1) Fifteen copies of a PUD map that illustrates the following information:
 - (a) Existing topography, including identification of areas subject to slide, slump, erosion or flooding hazards.
 - (b) The location of existing structures, vegetation and natural features.
 - (c) Proposed location of buildings, roads, driveways and off-street parking.
 - (d) Proposed building types and density.
 - (e) Proposed open space areas, indicating use, ownership, and maintenance.
- (2) A vicinity map showing the plan in relation to the surrounding community.
- (3) A narrative that provides the following development details:
 - (a) Proof of ownership and a legal description of all lands included within the PUD.
 - (b) A phasing schedule, if the PUD will be platted in phases.
 - (c) A description of the general nature of the development.
 - (d) Copies of special agreements, covenants or restrictions governing the use, maintenance, and continued protection of common areas, roads and public facilities. [Ord 7, Ord 90-0069, Ord 92-0092]

REVIEW

98.305 Planning Commission Review. The Planning Commission shall conduct a public hearing for the purpose of reviewing the proposed PUD. The Planning Commission shall consider the provisions of the Development Code, and approve, approve with modifications or conditions, or deny the request. The decision shall be based upon findings justifying the decision. [Ord 26, Ord 90-0069]

98.310 Signing an Approved PUD Map. The applicant shall submit to the Planning Official a reproducible copy of the approved PUD map no larger than 11 x 17 inches. The Chairman of the Planning Commission shall sign and date the map. The Planning Official shall retain the map for County records. [Ord 90-0069]

98.315 Effect of Approval. No development shall occur in an approved PUD except in conformance with the approved Plan, and any applicable portions of the Development Code. Nonconforming development shall be considered a violation of the Development Code. [Ord 90-0069]

POST APPROVAL REVIEW

98.405 Modification of Approved Plan. A modification of an approved PUD plan which does not deviate by more than ten percent (10%) from approved parcel or lot size or dimensions may be approved by the Planning Official. A plat modification which exceeds this standard but otherwise substantially conforms to the approved PUD plan may be approved by the Planning Official, subject to notice

requirements pursuant to BCC 51.605 to 51.625. A modification which does not substantially conform to the approved PUD plan shall be reviewed pursuant to the procedures for initial PUD approval. [Ord 90-0069, Ord 96-0118]

98.410 Deadline for Completion. The applicant or successor in interest shall submit all final plat documents for subdivision of the PUD within two (2) years of the date of approval, or within the guidelines of an approved phasing schedule. [Ord 90-0069]

98.415 Extension of Deadline. An applicant may apply for an extension of the PUD deadline. The applicant must demonstrate that the deadline could not be met based upon reasons or conditions outside the applicant's control. The applicant must further demonstrate that substantial construction is reasonably likely to occur within the subsequent two year period or, if the deadline exceeded was established by an approved phasing schedule, must submit an updated phasing schedule for review and approval. An extension shall be subject to review by the Planning Commission. The Planning Commission may approve, amend, or deny the extension. [Ord 90-0069]

98.420 Monitoring Development. The Planning Official shall review each approved PUD on a annual basis to determine whether the PUD is developing on schedule or in compliance with its approved Plan. If the Planning Official determines that the PUD is not developing on schedule or in conformance with its approved plan, the Planning Official shall notify the owner in writing that the owner must apply for a modification to the approved plan or for an extension to the PUD deadline within sixty days of the mailing of the notice in order to bring the PUD into compliance. If the owner fails to apply for a modification or extension within that time period, or if the modification or extension is denied, the Planning Official may revoke the PUD. [Ord 26, Ord 90-0069]

VACATION OF PUD

98.505 Application. The PUD owner may apply for vacation of all or part of the PUD. If a portion of the PUD has been subdivided, the application must demonstrate that the vacation will not adversely impact road, water, or sewage disposal improvements constructed for the land within the subdivided portion of the PUD. [Ord 90-0069]

98.510 Planning Commission Review. The Planning Commission shall review and conduct a public hearing concerning the application for vacation of a PUD. Individual notice of the hearing shall be sent to all persons owning property within the approved PUD. The Planning Commission may approve, deny, or modify the request. [Ord 90-0069]