

404 MASTER PLANNING

Master Planning through the Site Analysis (Master Planning - Site Analysis) or Planned Development (Master Planning - Planned Development) is provided to encourage development which best utilizes the existing on- and off-site characteristics, to encourage flexibility and a creative approach in land development with a more efficient, aesthetic and desirable use of open space, and to establish desirable physical links within a community. It is not the intent of this Section to require full engineering or landscape drawings prior to receiving approval of a requested use. Preliminary (conceptual) plans shall be submitted with the Master Plan application. Prior to issuance of permits final drawings will be required.

Master planning may be processed through a two step process consisting of a preliminary review and a final review. Final review shall be through a Type I procedure, unless otherwise specified by the Review Authority in the preliminary approval.

404-1 Type I, Site Analysis of a New Use or Expansion of an Existing Use

Site Analysis is the review of an entire site, including contiguous property under the same ownership.

404-1.1 On-site analysis is required for all development except:

- A. Development exempt from the public facilities standards of Section 501-2;
- B. A detached dwelling on a Lot of Record in the R-5 and R-6 Districts;
- C. One duplex on an approved duplex lot (Section 430-13.3) if the proposed dwelling is exempt from public facilities standards;
- D. A single dwelling outside the UGB.

404-1.2 Except as provided in 404-1.1 Off-Site Analysis is required of all new development and expansions which exceed fifty (50) percent of the existing development.

404-1.3 Where required, an On-Site Analysis including the area within fifty (50) feet of the proposed development and future site, if any, shall contain the requirements as listed in Table I, below.

TABLE I

	Immediate Site	Future Site (Area of site not affected by the immediate development)
Topography	Two (2) foot minimum contour intervals unless provided otherwise by Section 410 or Section 421-3.1, as applicable	Ten (10) foot intervals.
Soils and Geology	Soil Map Survey Legend Percent of slope Soil Description* Soil limiting features Depth to seasonal or apparent water table. Depth to bedrock 120-123* Depth to soil fragipan (X) Pg. 8-49* Other restrictive features	Sq. ft. of disturbed soil area Soil description of graded or excavated areas Hazards (Wetness, etc.) Restrictive features, Kind of fill
Drainage	Surface flow direction Depth to seasonal or apparent water table. Off-Site impact to adjacent land and/or drainage ditch.	Flow Direction Off-Site impact to adjacent land and/or drainage ditch.
Vegetation	Sizes, species, location of trees 6" caliper or greater DBH General groups other species	General groupings and characteristics
Views and Vistas when identified on the applicable Community or Rural Plan	General description of objects, range limitation potential obstruction	General
Sun Exposure	Shadow Plan, or sufficient information to demonstrate compliance with Section 427-3, as applicable	Sun Direction, or sufficient information to demonstrate compliance with Section 427-3, as applicable
Structures	Location & Description	Approximate Location
Open Space	Section 405	

* Soil Information from Soil Conservation, Soil Survey Report, Washington County, July, 1982.

404-1.4 Off-Site Analysis

Where required, an off-site analysis inside the UGB shall include at a minimum:

- A. The land in an area created by an equal extension of the dimensions and configuration of the Master Plan in each direction (N, NE, E, SE, S, SW, W and NW) from the site.
- B. Where this extension crosses a limited access arterial or freeway, the road shall serve as one boundary.
- C. An analysis in this extended area shall show in conceptual form all items required by the On-Site Analysis, Future Site, (Table I) at the same scale as the On-Site Analysis and Master Plan. An aerial photograph identifying these areas is an acceptable data base.

404-2 Modification of Standards through the Site Analysis

Front, side and rear yard setbacks and lot dimensions (does not include lot area) may be reduced up to ten (10) percent, when the Review Authority finds, based on evidence in the record, that the modification is necessary to retain natural or topographic features, such as mature trees, drainage swales, slopes, ridge lines, or rock outcropping.

404-3 Type II, Site Analysis Inside the UGB

The public facilities requirements of a Type I Site Analysis may be reviewed through a Type II process only to determine whether the public facilities requirements can be met.

404-4 Planned Development

The Planned Development review process provides flexibility in standards and the location of permitted uses, compensated through innovative design and the dedication of public or private open space. The Planned Development review process shall not be utilized in transit oriented districts.

404-4.1 Only those uses allowed within the Primary District are permitted.

404-4.2 The Planned Development is processed through a Type II procedure, except where Type III process is required for a Planned Development.

404-4.3 A Planned Development in the R-5 District requires a Type III process.

404-4.4 Modification of Standards through the Planned Development.

Upon submission of an on- and off-site Site Analysis as described in Section 404-1, when the request conforms to the standards of this Code, the following modifications may be allowed:

- A. Standards regarding interior private streets, parking requirements, building lot coverage, yard requirements, building height (except the building height

standards of Section 427-3), and landscaping may be modified if the applicant submits written evidence and site and building plans to support the requested modifications and there is a finding by the Review Authority that all of the following can be achieved by the submitted plans:

- (1) The site design utilizes progressive concepts which reduce such major alterations of the site, such as excavations, retaining walls, steep road cuts and fill, and extensive grading;
- (2) The site design retains to the greatest extent feasible existing natural features, such as drainage swales, slopes, ridgelines, rock outcroppings, vistas, natural plant formations and trees;
- (3) The site design complies with the following standards for recreational facilities:
 - (a) Provision of one (1) or more of the following active recreational facilities: playgrounds, bike and pedestrian trails, swimming pools, tennis courts and similar facilities.
 - (b) For development sites that are less than one (1) acre in size, provision of at least two (2) of the following passive recreation improvements may be substituted for the active recreational facilities: a bench or benches for seating; public art, such as a statue; a water feature such as a fountain; a gazebo; or picnic table(s) with a barbecue.
 - (c) A facility or amenity that is required by another Code standard (including accessways, internal sidewalks and walkways) shall not count as a Planned Development recreational facility.
 - (d) A recreational facility may be placed within the Planned Development open space or within a building (e.g. fitness center), but shall not be located within an area utilized for another Code-required use or activity (including accessways required by Section 408, private and public street rights-of-way) except for required yard areas.
- (4) The gross acreage of the development site, excluding existing public road rights-of-way, shall be used to calculate the minimum required ground-level open space based on the following area requirements.
 - (a) Twenty (20) percent on sites between zero (0) and ten (10) acres;
 - (b) Fifteen (15) percent on sites between ten (10) and fifty (50) acres; and
 - (c) Ten (10) percent on sites greater than fifty (50) acres.
 - (d) When an indoor recreational facility is provided, such as a fitness center or swimming pool, the floor area of the facility may be used to satisfy the open space requirements of (4)(a) through (c) above.

- (e) Each required open space area shall maintain a minimum dimension of 10 feet and a minimum area of 1,000 square feet.
 - (f) Open space required by the provisions of the standards of Section 404-4 shall be located within a one-quarter (1/4) mile of ninety (90) percent of the dwelling units affected by any reduction in standards.
 - (g) For security purposes, the open space shall be adequately illuminated during hours of darkness.
 - (h) Open space required by the standards of Section 404-4 shall not be located within public or private rights-of-way.
 - (i) Open space tracts shall be free from all structural encroachments (i.e., roof overhangs, awnings and other architectural features) of structures on abutting properties.
- (5) The open space shall be improved and landscaped to reflect the intended character of the development, and as approved by the Review Authority and shall be in addition to that required by Section 405-1 (Open Space) and other Code standards, including the landscaping and screening and buffering requirements of Sections 407 and 411. However, Industrial and Commercial Planned Development proposals shall be allowed to use flood plain, drainage hazard, or riparian open space on the subject property to offset up to fifty (50) percent of this open space, provided that the area counted for offset is not used for parking (see Section 421-12);

404-4.5 Allowed Modifications

Upon a finding that the applicant's plan achieves all of the preceding criteria, the Review Authority may modify the identified standards within the following prescribed limits:

- A. Front, side and rear yards may be reduced to zero provided the:
 - (1) Building code standards are met;
 - (2) Primary District's driveway setback standard is not reduced and other applicable standards of the Primary District are met; and
 - (3) Standards of Sections 411 and 430-147 are met;
- B. The reduction of private roadway pavement width may be made if provisions are made to provide off-street parking in addition to that required in the Off-Street Parking Section of this Code. In no event can the reduction exceed that approved by the appropriate fire district;
- C. Height limitations may be increased up to one-hundred (100) feet;
- D. Parking requirements may be reduced up to thirty (30) percent as provided in Section 413-14;

- E. Lot size requirements may be reduced or eliminated. However, this modification shall not allow increased density;
 - F. Lot dimension requirements may be reduced or eliminated; and
 - G. The land use districts, as designated by the Community Plan for the subject site, may float within the boundaries of the proposed planned development.
- 404-4.6 The Planned Development process shall allow for the creation of attached dwelling units without limitation in all residential districts, except for Planned Developments less than two (2) acres located within the R-5 District, in which case the structure type shall be limited to duplexes. Attached dwellings in the R-5 District must meet the Planned Development Standards.

405 OPEN SPACE

405-1 The following categories identified in the Site Analysis, Section 404-1, shall be preserved as open space, except as may be otherwise provided:

- 405-1.1 Confirmed land movement hazard areas, as identified through the application of the standards of Section 410, or mapped as a Significant Natural Area on the Community Plan;
- 405-1.2 Areas confirmed to have severe erosion potential due to soil type, geologic structure and vegetation, as identified through the application of the standards of Section 410, or mapped as a Significant Natural Area on the Community Plan;
- 405-1.3 Bodies of water such as rivers or lakes;
- 405-1.4 Land within the Flood Plain, Drainage Hazard Area or riparian zone, except as provided in Sections 421 and 422; or
- 405-1.5 Other specific areas identified for open space within the Community Plan.

405-2 Protection

Site Planning and development shall avoid disturbance of identified open space resources. Full use should be made of density transfers, siting of structures and roads, and other appropriate means in designing the development around the open space.

405-3 Classification

- 405-3.1 Private Open Space - Areas intended for the private use of an individual owner or group of owners (owners' association).
- 405-3.2 Public Open Space - Areas intended for common and public use either privately or publicly owned and maintained.

405-4 Maintenance

At a minimum, maintenance shall include the following:

- 405-4.1 In natural areas, areas of undisturbed vegetation or areas replanted with vegetation after construction and woodlands, woodland swamps or wetlands, maintenance is limited to removal of litter and hazardous plant materials. Except as provided by Section 421, natural water courses are to be maintained as free-flowing.

Stream channels shall be maintained so as not to alter flood plain or drainage hazard area levels, except as provided by Section 421;

- 405-4.2 For garden plots which are the division of open space into plots for cultivation as gardens by residents, maintenance may be limited to weeding and fallowing;

- 405-4.3 For recreational areas which are areas designed for specific active recreational uses such as totlots, tennis courts, swimming pools, ballfields, and similar uses, maintenance shall insure that no hazards, nuisances, or unhealthy conditions exist;
- 405-4.4 For greenways which are linear green belts linking residential areas with other open-space areas, maintenance shall insure that there exist no hazards, nuisances, or unhealthy conditions. These greenways may contain bicycle paths, footpaths, and bridle paths. Connecting greenways between residences and recreational areas are encouraged;
- 405-4.5 For lawn areas which are grass with or without trees, maintenance may be limited to mowing to insure neatness and usability.

405-5 Ownership Maintenance

Open space areas shall be maintained so that their use and enjoyment as open space are not diminished or destroyed. Open space areas may be owned, preserved and maintained as required by this Section by any of the following mechanisms or combinations thereof:

- 405-5.1 Dedication of open space to an appropriate public agency, when a public agency is willing to accept the dedication.
- 405-5.2 Ownership of the open space by a homeowners' association or property owner(s) assuming full responsibility for its maintenance.
- 405-5.3 Dedication of development rights of open space to an appropriate public agency with ownership remaining with the applicant or owner or homeowners' association. Maintenance responsibility shall remain with the property owner.
- 405-5.4 Deed-restricted private ownership which prevents development of the open space land and provides for maintenance.