

# JUNCTION CITY PLANNING COMMISSION

## AGENDA ITEM SUMMARY



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### Discussion: Planned Unit Development (PUD) Process

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Meeting Date: February 18, 2015  
Department: Planning  
www.junctioncityoregon.gov

Agenda Item Number: 6b  
Staff Contact: Jordan Cogburn  
Contact Telephone Number: 541-998-1253

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#### ISSUE STATEMENT

It is anticipated that an application for a Planned Unit Development (PUD) will come before the Planning Commission in the near future. The last PUD application to come before the Planning Commission was The Reserve in 2007. This agenda item is an opportunity to discuss the review process and components of a PUD.

#### BACKGROUND

PUD's can offer more flexibility in land use regulations than a traditional subdivision. Chapter 17.65 of the Junction City Municipal Code sets forth provisions for PUD requirements and process. Land use regulations can be modified through the PUD process. Design approve is required for a PUD. The intent of a PUD is to offer an opportunity to " *preserve natural features, harmonious variety of uses, the economy of shared services and facilities, and a development more compatible with the surrounding area are a few of the common benefits attained from a planned unit development (17.65.010).*" However, the PUD is still required to meet provisions of the Comprehensive Plan and Zoning Code.

#### COMMITTEE REVIEW AND/OR RECOMMENDATION

Not Applicable

#### RELATED CITY POLICIES

Junction City Municipal Code, Chapter 17.65 (see Attachment A)

#### PLANNING COMMISSION OPTIONS

Review the information presented and request further details about the PUD process, if desired.

#### ATTACHMENTS

A. JCMC Chapter 17.65

#### FOR MORE INFORMATION

Staff Contact: Jordan Cogburn  
Telephone: 541-998-2153  
Staff E-Mail: [jcplanning@ci.junction-city.or.us](mailto:jcplanning@ci.junction-city.or.us)

**Chapter 17.65**  
**PLANNED UNIT DEVELOPMENT (PUD)**

Sections:

- [17.65.010](#) Purpose.
- [17.65.020](#) Ownership.
- [17.65.030](#) General requirements.
- [17.65.040](#) Procedures.
- [17.65.050](#) Pre-preliminary conference (stage 1).
- [17.65.060](#) Preliminary approval (stage 2).
- [17.65.070](#) Final approval (stage 3).
- [17.65.080](#) Changes and modifications.
- [17.65.090](#) Modification and adherence to the approved planned unit development.
- [17.65.100](#) Revocation.

**17.65.010 Purpose.**

The purpose of a planned unit development is to permit greater flexibility in land use regulations, thereby allowing the developer to use a more creative approach in the development of land. Density requirements, setbacks and other land use regulations may be adjusted to allow for a more desirable living environment. Preservation of natural features, harmonious variety of uses, the economy of shared services and facilities, and a development more compatible with the surrounding area are a few of the common benefits attained from a planned unit development.

The PUD approach is expected to result in development that is superior to what could be obtained through ordinary lot-by-lot development. It is not intended to circumvent conventional land use regulations.

In return for greater flexibility in site development, the PUD introduces some special requirements and standards for design approval. These conditions will be employed to maximize quality of site design. They will not be used to cause undue delays nor unwarranted increase in costs, when compared to more conventional development. The PUD process will not be used as a device to force a decrease in residential density below that otherwise allowed by the comprehensive plan and underlying zoning. [Ord. [1037](#) § 1, 1997; Ord. [950](#) § 68, 1991.]

**17.65.020 Ownership.**

The tract or tracts of land included in a proposed planned unit development may be in one ownership or control, or the subject of a joint application by owners of all the property included. The holder of a valid written real estate option contract shall be deemed the owner of such land for the purpose of this section. The planning commission may require satisfactory evidence of such contract of purchase. [Ord. [1037](#) § 1, 1997; Ord. [950](#) § 69, 1991.]

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### **17.65.030 General Requirements.**

The following general requirements will apply to planned unit developments:

A. A planned unit development shall be allowed in all zones as a conditional use according to the procedures set forth for such uses. Minimum site area shall be two acres to qualify for a PUD.

B. As a condition of approval of a planned unit development, the planning commission may require the following:

1. A performance bond or other securities acceptable to the city to ensure that a planned unit development is completed as submitted.
2. An economic impact statement if the planned unit development is of a sufficient size and economic complexity.
3. An environmental impact study if the planned unit development is large enough to have critical impact upon the land and environment.
4. Areas for parks or playgrounds, sized according to prevailing statewide and local government standards, shall be permanently reserved within the PUD or provided for off site.
5. Streets be designed and constructed according to city standards and dedicated to the city.
6. Easements for the orderly extension, maintenance, repair or replacement of public utilities.
7. Adequate guarantee must be provided to ensure permanent retention of common open space and recreation areas which may be required as conditions of PUD approval. This guarantee may be satisfied by creation of a nonprofit homeowners' association to ensure maintenance of the area, or by development of the space to city specifications and acceptance of it by the city, in which case it would be available for general public use.

C. Whenever a planned unit development is subject to Chapter [16.05](#) JCMC, the procedures and regulations of Chapter [16.05](#) JCMC shall apply. [Ord. [1170](#) § 4, 2007; Ord. [1037](#) § 1, 1997; Ord. [950](#) § 70, 1991.]

### **17.65.040 Procedures.**

A. Application. A letter of intent to develop a planned unit development along with a conditional use permit application shall be filed with the city administrator. The applicant shall also pay an application fee as established by the city council.

B. Stage Review. There shall be a three-stage review process when approving a planned unit development application:

1. Pre-preliminary conference (Stage 1).

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2. Preliminary approval (Stage 2).
3. Final approval (Stage 3).

C. Fees. The following fees as provided or otherwise approved by council [resolution](#) shall accompany each stage of review:

1. Pre-preliminary conference (no fee).
2. Preliminary approval (\$100.00).
3. Final approval (\$75.00). [Ord. [1037](#) § 1, 1997; Ord. [950](#) § 71, 1991.]

#### **17.65.050 Pre-preliminary conference (stage 1).**

A. Before preparing a preliminary plan map and preliminary plan program, the applicant of a proposed planned unit development shall meet with the city staff at a conference scheduled at a time most convenient for both parties. At the conference, the developer shall provide basic information, such as a schematic drawing, showing the general relationship contemplated among all public and private uses and existing physical features, and written statements regarding the source of water supply, method of sewage disposal, dwelling types, lot layout, public and private access, nonresidential uses, and provisions for maintenance of landscaped areas, parks and open spaces. In return, the city staff shall provide the developer applicable standards and regulations.

B. If the staff and applicant reach a satisfactory agreement, the applicant may proceed to stage 2, preliminary approval. [Ord. [1037](#) § 1, 1997; Ord. [950](#) § 72, 1991.]

#### **17.65.060 Preliminary approval (stage 2).**

A. The applicant shall submit to the planning commission four copies of the preliminary plan map for the proposed planned unit development. The plan map shall show the following information:

1. Legally described property lines.
2. Section lines.
3. Existing streets, buildings, watercourses, tree masses, sanitary and storm sewers, water mains, culverts and other existing underground facilities.
4. Location and size of the nearest water main and sewer outlet.
5. Title of the proposed planned unit development and the name of the developer.
6. Ownership of adjoining parcels within 300 feet of the proposed planned unit development.
7. Contours referred to a city engineer's bench mark with intervals sufficient to determine the character and topography of the land to be developed.
8. North point, scale and date.

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9. Location and size of all proposed streets, buildings, sanitary sewer or other sewage disposal facilities, water mains, stormwater facilities, sidewalks, parks, open spaces and signs.

B. A preliminary plan program or outline of the following shall accompany the preliminary plan map:

1. Proposed ownership and maintenance of streets.
2. Drafts of appropriate restrictive covenants and drafts of documents providing for the maintenance of any common space, or required dedications or reservations of public open spaces and any dedications of development rights.
3. A list of the types of buildings proposed.
4. The amount of land area to be devoted to the various types of buildings and a calculation of the average residential density per net acre.
5. The nature of all proposed signs.
6. All landscaping plans.
7. Plans or written statements regarding grades of proposed streets, width and type of pavement, type of sanitary sewer or other sewage disposal facilities and any grading plans.
8. A stage development schedule setting forth a schedule thereof if the final development plan is to be developed in stages.

C. Upon receiving the preliminary plan map and program, the planning commission shall review the proposed planned unit development and shall seek to determine that all of the following conditions are met:

1. The planned unit development will be consistent with the comprehensive plan of the city. Specifically, this includes:
  - a. Information indicating how the housing provided in the PUD relates to Junction City area housing needs. All PUD proposals may, consistent with the density allowed by underlying zoning, propose housing concepts including townhouses, condominium-owned multifamily units, mixtures of housing types and lot sizes, multiplex construction, mobile homes or other kinds of dwellings manufactured off site.
  - b. Description of the municipal service and utilities needed at initial and later phases of PUD occupancy, and whether it is consistent with the city's capital facilities plan.
  - c. Indication that the streets required off site are provided already, or planned and funded by appropriate city or county agencies. Sufficient access will be required to

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meet vehicular movement and storage generated by the proposed development. Continuity with future streets in adjoining developments and dedication of sufficient arterial street right-of-way for the proposed development and other developments generally anticipated in the capital facilities plan.

d. Assurance that if density of the development in the PUD's initial stages does not warrant public sewer or water connections, that the layout allows for later increases of density to a level that makes such connections financially feasible.

e. Deed restrictions to support future assessments to provide services necessary for urban densities of development.

2. The planned unit development can be developed in harmony with the surrounding area, and between uses within the PUD itself. Specifically:

a. Height, bulk and density of buildings not radically different from those anticipated on adjacent or facing properties. Exceptions could be made if the PUD were in a transitional area between a higher-intensity district and a lower-intensity residential district.

b. Preservation of natural and cultural assets within the area.

c. Density bonuses of 15 percent may be granted by the planning commission as an incentive to go through the PUD process, and providing at least three of the following:

i. Landscaping.

ii. Public open space.

iii. Provision of low cost housing.

iv. Enhancement of public enjoyment of natural or cultural assets on site.

v. Solar energy protection.

3. The time table for the completion of the planned unit development is within reason.

D. If, in the opinion of the planning commission, the foregoing provisions are satisfied, the planned unit development proposal shall be processed for a public hearing according to Chapter [17.130](#) JCMC.

E. After the hearing, the planning commission shall determine whether the proposal still conforms to the permit criteria according to this section.

F. The planning commission may approve or place conditions upon approving the preliminary plan map and preliminary plan program as suggested in JCMC [17.65.030](#)(B), or any other conditions it deems necessary.

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G. The planning commission may deny the planned unit development application or return the planned unit development to the applicant for revisions.

H. If the preliminary plan map and preliminary plan program are approved, the applicant may proceed to final approval (Stage 3). [Ord. [1037](#) § 1, 1997; Ord. [950](#) § 73, 1991.]

**17.65.070 Final approval (stage 3).**

A. Within one year after the approval of the preliminary plan map and preliminary plan program, the applicant shall submit to the city a final plan map and final plan program, for the entire development or when submission in stages has been authorized pursuant to JCMC

[17.65.060](#)(B)(8) for the first stage of development. If the preliminary plan map and preliminary plan program for a planned unit development are consolidated for processing with a partition or subdivision tentative plan at the request of the applicant, then the time frame for submission to the city of a final plan map and final plan program shall be the same as for the final land division approval.

B. The final plan map and final plan program shall include all information included in the preliminary plan map and program.

C. The final plan program shall include all fully drafted, properly executed legal documents for dedication or reservation of public facilities, and for the creation of a nonprofit homeowners' association.

D. The planning commission shall review the final plan map and program and shall determine whether they conform to all applicable criteria in JCMC [17.65.060](#)(C) and all major respects with the approved preliminary plan map and program.

E. The planning commission may approve, deny or return the application for the planned unit development proposal to the applicant for revision. The applicant shall resubmit the revised plan within 30 days.

F. The decision of the planning commission shall become final 10 days after the date of the decision, unless appealed to the city council. [Ord. [1170](#) § 5, 2007; Ord. [1037](#) § 1, 1997; Ord. [950](#) § 74, 1991.]

**17.65.080 Changes and modifications.**

A. Major changes in the final plan map and final plan program from the preliminary plan map and program shall be considered the same as a new application and shall follow the procedures specified in JCMC [17.65.040](#).

B. Minor changes in the final plan map and final plan program may be approved by the city staff. Minor changes may include minor shifting of the location of proposed streets, public or private ways, utility easements, parks or other open spaces. Such minor changes shall not increase the density, boundary lines, use, location or amount of land devoted to specific land uses. [Ord. [1037](#) § 1, 1997; Ord. [950](#) § 75, 1991.]

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**17.65.090 Modification and adherence to the approved planned unit development.**

A. All building permits in a planned unit development shall be issued only on the basis of the approved final plan map and final plan program.

B. All public site dedications for the entire site and regulations regarding a homeowners' association, if proposed, shall be properly recorded prior to the issuance of any building permit. [Ord. [1037](#) § 1, 1997; Ord. [950](#) § 76, 1991.]

**17.65.100 Revocation.**

A. In the event of a failure to comply with the approved final plan map and final plan program, the planning commission may, after notice and hearing, revoke a planned unit development application.

B. The findings of the planning commission shall become final 30 days after the date of decision unless appealed to the city council in accordance with JCMC [17.150.120](#). [Ord. [1037](#) § 1, 1997; Ord. [950](#) § 77, 1991.]