

1013 PLANNED UNIT DEVELOPMENTS (3/24/05)

1013.01 PURPOSE

This section is adopted to: (3/24/05)

- A. Encourage a creative approach in the development of land and an efficient, aesthetic, and desirable use of open area, while maintaining the same population density permitted in the zoning district in which the project is located; (3/24/05)
- B. Allow flexibility in design, placement of buildings, use of open space, circulation facilities, and off-street parking areas; (3/24/05)
- C. Utilize the potential of sites characterized by special features of geography, topography, size, and shape; and (3/24/05)
- D. Allow a mixture of densities between zoning districts when more than one district is included in the development.

1013.02 AREA OF APPLICATION

- A. Planned unit developments may be established in urban and rural residential, commercial, or industrial districts on parcels of land which are suitable for and of sufficient size to be planned and developed in a manner consistent with the purpose of this section. (3/24/05)
- B. Developments on property in an Urban Low Density Residential, Mountain Recreational Resort, or Hoodland Residential District shall be developed as planned unit developments when at least one of the following criteria applies: (3/24/05)
 - 1. The site is larger than 1 acre and 10 percent or more of the site is designated Open Space on Map IV-6, X-MH-1, X-MH-2, X-MH-3, or X-MH-5 of the Comprehensive Plan; or (3/24/05)
 - 2. The proposed development includes attached single-family dwellings on more than 20 percent of the proposed lots. Developments in the R-2.5 zoning district are exempt. (3/24/05)

1013.03 PRIMARY USES

- A. Uses listed as primary uses in the zoning district in which the development is located. (3/24/05)

1013.04 ACCESSORY USES (3/24/05)

1. Recreational facilities, including, but not limited to, tennis courts, swimming pools, and playgrounds; (3/24/05)
2. Open space uses, including, but not limited to, nature trails, bird sanctuaries, and nature conservatories; (3/24/05)
3. Offices, buildings, and facilities required for the operation, administration, and maintenance of any planned unit development and for recreation purposes, such as golf courses, recreation rooms, and vehicle storage areas; (3/24/05)
4. Bus shelters, subject to Section 823. (3/24/05)

1013.05 CONDITIONAL USES

- A. The following conditional uses may be allowed in a residential zoning district subject to review by the Hearings Officer pursuant to Section 1300. Approval shall not be granted unless the proposal complies with Section 1203 and any applicable provisions of Section 800. (3/24/05)
 1. Churches, subject to Section 804; (3/24/05)
 2. Schools, subject to Section 805; (3/24/05)
 3. Libraries; (3/24/05)
 4. Community halls; (3/24/05)
 5. Convenience establishments of a commercial and service nature, including stores, laundry and dry-cleaning agencies and establishments, beauty shops, barber shops, and convenience grocery stores (but specifically excluding gas stations, repair garages, and drive-through eating and drinking establishments) provided: (3/24/05)
 - a. Such convenience establishments shall be an integral part of the general plan of development for the planned unit development and provide facilities related to the needs of the prospective residents. (3/24/05)
 - b. Such convenience establishments and their parking, loading, and maneuvering areas shall occupy an area not exceeding a ratio of one-half acre per 100 dwelling units. (3/24/05)

- c. Such convenience establishments shall be located, designed, and operated to efficiently serve frequent trade and service needs of persons residing in the planned unit development and not persons residing elsewhere. (3/24/05)
- d. Such convenience establishments shall not, by reason of their location, construction, manner or hour of operation, signs, lighting, parking arrangements, or other characteristics, have adverse effects on residential uses within or adjoining the zoning district or create traffic congestion or hazards to vehicular or pedestrian traffic. (3/24/05)
- e. Such convenience establishments are prohibited unless existing as a part of a planned unit development of a minimum of 100 dwelling units. No building permit for any convenience establishment shall be issued until a minimum of 100 dwelling units are constructed within a development. (3/24/05)

1013.06 DIMENSIONAL AND DEVELOPMENT STANDARDS (3/24/05)

- A. General: Development shall be subject to the applicable provisions of Sections 1000 and 1100. If there is a conflict between this section and the other provisions of Section 1000, this section shall govern. (3/24/05)
- B. Site Adaptation: To the maximum extent possible, the plan and design of the development shall assure that natural or unique features of the land and environment are preserved.
- C. Lot Arrangement: All lots within the development shall have reasonable access to open space or recreation areas.
- D. Minimum Lot Size: (3/24/05)
 - 1. Designated nonresidential tracts are exempt from the specified minimum lot size. (3/24/05)
 - 2. The maximum density permitted under Section 1012 shall not be exceeded. (3/24/05)

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

3. Minimum lot sizes for each zoning district apply as follows. There is no minimum lot size where none is specified. (3/24/05)
 - a. VTH: 2,000 square feet (3/24/05)
 - b. VR-4/5: 2,000 square feet (3/24/05)
 - c. VR-5/7: 4,000 square feet (3/24/05)
 - d. RR, RA-2, RRF-5, and FF-10: 2 acres (3/24/05)
- E. Maximum Number of Lots: In an RA-2, RRF-5, or FF-10 zoning district, the number of residential lots in a planned unit development shall not exceed 10. (3/24/05)
- F. Open Space: (3/24/05)
 1. A minimum of 20 percent of the gross site area shall be open space. (3/24/05)
 2. Open space tracts may include bicycle or pedestrian trails; natural or landscaped buffer areas; covered bus stops; significant natural vegetation or landscape features; and community recreation facilities, such as tennis courts, recreation buildings, or swimming pools. (3/24/05)
 3. Open space shall not include parking areas, except those areas in conjunction with recreation facilities, or roadways. (3/24/05)
 4. Filling or placement of debris within the open space area is prohibited, unless specifically authorized by the Planning Director. (3/24/05)
 5. Private vehicle access easements serving neighboring properties are prohibited within the open space area. (3/24/05)
 6. Developments shall be designed so that no dwelling unit is located more than 1000 feet from an open space area. (3/24/05)
 7. Individual open space areas should be large enough to be usable unless the open space is intended to protect significant natural features from impacts associated with use or development. As a guideline, a minimum of 5,000 square feet is suggested. (3/24/05)

8. Prior to final plat approval, all improvements associated with the open space, such as recreation centers, swimming pools, and tennis courts, shall be constructed or a surety shall be provided to the County pursuant to Section 1104. (3/24/05)

G. Community Services: (3/24/05)

1. The County may request the dedication of proposed open space land which is reasonably suited for use as a County or North Clackamas Parks and Recreation District (NCPRD) park or for recreation purposes, taking into consideration such factors as size, shape, topography, geology, access, location, and applicable Comprehensive Plan policies, when such dedication is consistent with the ability of the County or NCPRD to maintain such parks. (3/24/05)
2. Planned unit developments of 250 lots or dwelling units shall be required to dedicate land for school uses when determined necessary to meet the needs of the school district. This dedicated land may be calculated as part of the required open space. (3/24/05)

H. Minimum Yard Requirements: (3/24/05)

1. Perimeter Yard Setbacks: Yard setbacks from lot lines on the perimeter of the plat shall be the same as are required in the underlying zoning district. (3/24/05)
2. Minimum Side Yard Setbacks: None. (3/24/05)
3. Minimum Front Yard Setback: 20 feet. (3/24/05)
4. Minimum Rear Yard Setback: None. (3/24/05)

I. Maximum Lot Coverage: In the Urban Low Density Residential zones, the maximum lot coverage shall be 65 percent. (3/24/05)

J. Parking: (3/24/05)

1. A minimum of 2 off-street parking spaces per dwelling unit shall be provided. (3/24/05)
2. Off-street parking may be provided on each lot or in parking areas in proximity to the dwelling units they serve. (6/26/03)
3. Guest parking may be required after consideration of street type, width, traffic volume, transit amenities, and pedestrian circulation. (3/24/05)

4. Sufficient parking space may be required for storage of residents' recreational vehicles. If required, recreational vehicle parking shall be located so as to be compatible with the surrounding development. If located on the perimeter of the development, it shall be screened from adjacent properties.

K. Homeowners Association:

1. A nonprofit incorporated homeowners association, or an alternative acceptable to the Office of County Counsel, shall be required if other satisfactory arrangements, such as a County service district, have not been made for ownership of, improving, operating, and maintaining common facilities, including open space, roads, drives, service and parking areas, and recreation areas, and for snow removal and storage. The following principles shall be observed in the formation of any homeowners association and shall be reviewed by the Office of County Counsel: (3/24/05)
 - a. A homeowners association shall be incorporated prior to approval and recording of the final plat, or any portion thereof. (3/24/05)
 - b. Membership shall be mandatory for each home buyer and any successive buyer.
 - c. The open space restrictions shall continue in perpetuity. (6/26/03)
 - d. The homeowners association shall be responsible for liability insurance, local taxes, and the maintenance of recreational and other facilities. (6/26/03)
 - e. Homeowners shall pay their pro rata share of the cost, or the assessment levied by the association shall become a lien on the property. (3/24/05)
 - f. The homeowners association shall be able to adjust the assessment to meet changes needed. (6/26/03)
 - g. No change in open space use or dissolution of the homeowners association shall occur without a public hearing before the Hearings Officer and approval of the County. (3/24/05)
2. An alternative to a homeowners association may include deed restrictions or conservation easements when the County determines such will protect the purpose of this Ordinance and be in the public's interest. (3/24/05)

1013.07 REVIEW PROCEDURE (3/24/05)

- A. Planned unit developments are subject to review pursuant to Section 1105 or 1106. (3/24/05)