

## Chapter 4.5 - Master Planned Developments

### Sections:

- 4.5.100 Purpose
- 4.5.200 Applicability
- 4.5.300 Review and Approvals Process
- 4.5.400 Modifications to Development Standards
- 4.5.500 Concept Plan Submission
- 4.5.600 Concept Plan Approval Criteria
- 4.5.700 Concept Plan and Expiration
- 4.5.800 Detailed Development Plan Submission
- 4.5.900 Detailed Development Plan Criteria
- 4.5.1000 Subsequent Development Reviews

#### **4.5.100 Purpose.** The purposes of Chapter 4.5 are to:

- A. Implement the Comprehensive Plan by providing a means for master planning large development sites as an alternative to piecemeal subdivision development;
- B. Encourage innovative planning that results in projects that benefit the community, for example, through greater efficiency in land use, improved protection of open spaces, transportation efficiency, and housing choices;
- C. Encourage housing options for a range of household sizes, incomes, and lifestyles;
- D. Encourage mixed-use development and diversified employment opportunities;
- E. Promote an economic arrangement of land use, buildings, circulation systems, open space, and utilities;
- F. Preserve to the greatest extent possible the existing landscape features and amenities that may not otherwise be protected through conventional development;
- G. Encourage energy efficiency and improved air and water quality;
- H. Implement public facility master plans; and
- I. Provide flexibility in development standards, consistent with the above purposes.

#### **4.5.200 Applicability.** The master planned development designation may be applied over any of the

City’s residential zoning districts. It is an option available to developers of land.

#### **4.5.300 Review and Approvals Process**

**A. Review Steps.** There are three required steps to master planned development approval, which may be completed individually or combined for concurrent review:

1. Application for master planned development concept plan approval;
2. Application for detailed development plan approval, which may include a preliminary subdivision plan; and
3. Application(s) for final development plan (e.g., final plat and/or site design review) approval.

**B. Approval Process.**

1. The master planned development concept plan shall be reviewed pursuant to the Type III procedure in Section 4.1.400, the submission requirements in Section 4.5.500, and the approval criteria in Section 4.5.600.
2. The detailed development plan and preliminary subdivision plan shall be reviewed using the Type II procedure in Section 4.1.300 to ensure substantial compliance with the approved concept plan.
3. Site design review applications for approved planned developments shall be reviewed using a Type II procedure in Section 4.1.300 to ensure substantial compliance with the approved concept plan.
4. Steps 1-3, above, may be combined in any manner, so long as the decision-making sequence follows the above order. Notification and hearings may be combined.

**4.5.400 Modifications to Development Standards.** The standards of Article 2 and Article 3 may be modified through the master plan development process without the need for variance under Chapter 4.7. In evaluating this criterion, the Baker City Planning Commission shall consider whether the proposal, on balance, exceeds the City’s minimum requirements and provides greater community benefits than would otherwise occur under the base Development Code requirements. In evaluating community benefits, the Planning Commission shall apply the following criteria; the City may deny an application for Master Planned Development concept plan approval that does not meet all of the following criteria:

**A. Comprehensive Plan.** The modification does not conflict with the Comprehensive Plan. A Master Planned Development may exceed the maximum residential density (minimum lot size) permitted by the underlying zone, provided that the overall density of the project (average of total dwelling units per acre) is not greater than 110 percent of the density permitted by the underlying zone.

- B. Purpose and Intent of Development Code.** The modification equally or better meets the purpose and intent of the Development Code section(s) to be modified, as compared to a project that strictly conforms to code standards.
- C. Public Benefit.** The modification provides a net benefit to the public by one or more of the following:
1. Greater variety of housing types or lot sizes than would be achieved under the base Development Code standards;
  2. More open space or more usable open space than would be required under the base Development Code standards;
  4. Greater protection of natural features than would be required under the base Development Code standards;
  5. Avoidance of natural hazards (e.g., geological hazards, river resources, or flood hazards); and
  6. Improved transportation connectivity, such as the provision of pathways and/or other transportation facilities, that would not otherwise be provided pursuant to base Development Code requirements.
- D. Engineering Design Standards.** Modifications to the City’s Engineering Design Standards require separate variance to such standards approved by the City Engineer. The City may grant such variances concurrently with the master planned development.

#### 4.5.500 Concept Plan Submission

- A. General Submission Requirements.** An application for a Concept Development Plan shall follow the submission requirements for a Type III review under Section 4.1.400, and shall include all of the following:
1. Statement of planning objectives to be achieved by the master planned development through the particular approach proposed by the applicant. This statement should include a description of the character of the proposed development and the rationale behind the assumptions and choices made by the applicant;
  2. Development schedule indicating the approximate dates when construction of the project and its various phases, if any, including public facilities, are expected to be initiated and completed;
  3. Statement of the applicant's intentions with regard to the future selling or leasing of all or portions of the planned development;
  4. Narrative report or letter documenting compliance with the applicable approval criteria

contained in Section 4.5.600;

5. Maintenance plan for any common areas or lands not dedicated to a public agency or owned in fee simple; and
6. Additional reports or studies prepared by qualified professionals, as required by the City Manager, to determine potential project impacts and mitigation, if any, related to: transportation; public facilities; geologic or other hazards; architecture; noise, light, solar access, air quality, or similar concerns; and natural features.

**B. Additional Information.** In addition to the general information described in subsection A, above, the concept plan, data, and narrative shall include all of the following exhibits and information:

1. Existing conditions map, as defined in Section 4.2.00 Site Design Review - Application Submission Requirements;
2. Conceptual site plan (e.g., general land use, building envelopes, circulation, open space, utility connections, and other information necessary to convey the concept plan);
3. Grading concept (for hillside or sloping properties, or where extensive grading is anticipated);
4. Landscape concept (e.g., shows retention of existing vegetation and general planting areas);
5. Architectural concept (e.g., plans illustrate architectural styles, building heights, and general materials);
6. Sign concept plan (e.g., locations, general size, style, and materials of signs), as applicable; and
7. Copy of all existing covenants and restrictions, and a general description of proposed restrictions or covenants (e.g., for common areas, access, parking, etc.).

**4.5.600 Concept Plan Approval Criteria.** The City, in approving or approving with conditions a Concept Plan, shall make findings that all of the following criteria are met. The City must deny an application where not all of the criteria are met.

- A. Comprehensive Plan.** The proposal conforms to the Comprehensive Plan;
- B. Land Division Chapter.** Except as may be modified under Section 4.5.400, all of the requirements for land divisions, under Chapter 4.3, are met;
- C. Article 2 and Article 3 Standards.** Except as may be modified under Section 4.5.400, all of the requirements of Article 2 and Article 3 are met;

- D. Open Space.** Master plans shall contain a minimum of 20 percent open space, which may be public, private, or a combination of public and private open space. Such open space shall be integral to the master plan and connect to a majority of the proposed residential lots. Plans shall provide space for both active and passive recreational uses, and may include, but are not limited to, neighborhood parks, pathways/trails, natural areas, plazas, and play fields. Open space areas shall be shown on the final plan and recorded with the final plat or separate instrument; the open space shall be conveyed in accordance with one of the following methods:
1. By dedication to the City as publicly owned and maintained open space. Open space proposed for dedication to the City must be acceptable to the Planning Commission with regard to the size, shape, location, improvement, environmental condition (i.e., the applicant may be required to provide an environmental assessment), and approved by City Council based on budgetary, maintenance, and liability considerations; or
  2. By leasing or conveying title (including beneficial ownership) to a corporation, homeowners' association, or other legal entity. The terms of such lease or other instrument of conveyance must include provisions for maintenance and property tax payment acceptable to the City. The City, through conditions of approval, may also require public access be provided, where the open space is deemed necessary, based on impacts of the development and to meet public recreational needs pursuant to the Comprehensive Plan.
- E. Modifications to Standards.** Modifications to Code standards must conform to the criteria in Chapter 4.6.

#### 4.5.700 Concept Plan and Expiration

- A. Filing.** Upon approval of a concept plan, the approved plan, including any conditions of approval, shall be binding on future uses and development of the property, except where an approval expires.
- B. Expiration.** Except as provided by subsection C, below, a concept plan shall become void three years after the date of approval if the applicant, or successor, has not filed with the City an application for detailed development plan and final plat approval in conformance with Sections 4.5.800 and 4.5.900.
- C. Extension.** The City may grant extensions of the concept plan approval period, not to exceed one year per extension, provided that the extension request is made before expiration of the master planned development approval, the applicant can show intent of applying for detailed development plan review within the one-year extension period, and there have been no substantive changes to the applicable Comprehensive Plan policies and ordinance provisions on which the approval was based.

**4.5.800 Detailed Development Plan Submission.** Detailed development plan submittal requirements are determined based on the conditions of approval for the concept plan. At a minimum, the detailed development plan submittal shall meet the minimum requirements for final plat submission under Chapter 4.3 and shall contain information demonstrating compliance with the concept plan. The detailed development plan and preliminary subdivision plan shall be reviewed using the Type II procedure in Section 4.1.300 to ensure substantial conformance to the approved concept plan. Where the proposal is for a multifamily development, Site Design Review is required, pursuant to Chapter 4.2. Site Design Reviews on detailed development plans shall be processed through the Type II procedure.

**4.5.900 Detailed Development Plan Criteria.** Approval of the detailed development plan shall be based upon a finding that the final plan substantially conforms to the concept plan, including any concept plan conditions of approval. Minor changes to the approved concept plan may be approved with the detailed plan where the City Manager finds that the modification is necessary to correct an error or to address changes in circumstances beyond the applicant's control that have occurred since the date of project approval. Other changes must be reviewed as major modifications under Chapter 4.5.

**4.5.1000 Subsequent Development Reviews.** Notwithstanding the provisions of Section 4.2.300, where the City has previously approved a development project in concept as part of a master planned development approval, as determined by the City Manager, subsequent land use applications for the same project may be processed through a Type I review.