

**Chapter 17.30
Planned Developments**

Sections:

- 17.30.010 Intent.**
- 17.30.020 Where required.**
- 17.30.030 Where permitted.**
- 17.30.040 Project initiation.**
- 17.30.050 Approval procedure.**
- 17.30.060 Application.**
- 17.30.070 General development standards.**
- 17.30.080 Residential district development standards.**
- 17.30.090 Mixed Uses.**
- 17.30.100 Minor adjustments.**
- 17.30.110 Enforcement.**

17.30.010 Intent. The intent of this chapter is:

- A. To produce development more appropriate in certain circumstances than that resulting from the usual application of this title and/or the long plat ordinance;
- B. To correlate the provisions of this title and other ordinances and codes of the city to permit developments which will provide a desirable and stable environment in harmony with that of the surrounding area and consistent with the comprehensive plan;
- C. To permit flexibility that will encourage a more creative approach in the development of land and will result in a more efficient, aesthetic and desirable environment;
- D. To permit flexibility in land use and density placement of buildings, arrangement of open space, circulation facilities and off-street parking areas, and to best utilize the potentials of sites characterized by special features of geography, topography, size or shape.
- E. Provide the applicant with reasonable assurance of ultimate approval before expenditure of complete design monies, while providing the City with assurances that the project will retain the character envisioned at the time of approval;
- F. Provide greater compatibility with surrounding land uses than what may occur with a conventional project.

17.30.020 Where required.

- A. This chapter shall be used for the processing of all future mobile/manufactured home parks in the R-3 Residential and C-1 Commercial zones within the city in accordance with Chapter 17.36.

- B. This may apply to and may regulate the development of any parcel or parcels of land within the city. In addition, this may apply to and may govern the development of multiple-family dwellings which are permitted uses in R-3 zones.
- C. In addition, planned development may be applicable to any developments in a commercial zone or an industrial zone which is a development of a parcel or parcels of property. Planned development is optional to the owners of property to be developed. Property owners may develop pursuant to this section or pursuant to the sections of this title regulating the zone in which the property is located.

17.30.030 Where permitted. Planned development shall be permitted in all zones in the city limits of Zillah, Washington.

17.30.040 Project initiation. Planned developments may be initiated in the following manner:

- A. By the owner of all property involved, if under one ownership; or
- B. By an application filed jointly by all owners having title to all of the property in the area proposed for the planned development project, if there is more than one owner.

17.30.050 Approval procedure. The approval of a planned development shall be by the City Council upon recommendation of the Hearing Examiner and shall conform to the following steps:

- A. **Pre-application Conference.** Before an application for a planned development may be submitted, the applicant may meet with the Planning Official and review the proposed project. The Planning Official will advise the applicant of the compatibility of the proposal with the intent and standards of the planned development section.
- B. **Preliminary Development Plan.** A preliminary development plan shall be submitted to the Hearing Examiner for recommendation. Before such recommendation, the commission shall determine whether such plans comply with the development policies of the comprehensive plan for the city and the intent of this section.
- C. **Public Hearings.** An open record public hearing shall be conducted by the Hearing Examiner, during which the Applicant shall be given the opportunity to present the proposed project and interested parties shall be allowed to make comments and submit written testimony. The recommendation of the Hearing Examiner along with a complete copy of the record shall be provided to the City Council for a Closed Record Public Hearing for review prior to their decision. The City Council will then review and issue a Notice of Decision.
- D. **Preliminary Approval.** Upon approval by the City Council, such preliminary approval of subsequent revision shall be binding as to the general intent and apportionment of land for buildings, stipulated use, and circulation pattern, but shall not be construed to render inflexible in ultimate design, such as precise densities, specific uses, or exact configuration of heights or structures.

- E. Final Development Plan.** The petitioner shall, within one year of the date of the preliminary approval, submit a final development plan of the proposed development for recommendation by the hearing examiner, provided that upon application by the petitioner, the planning official may grant an extension for a maximum of twelve additional months. If the final development plan is not filed within one year or within the extended time period, the planned development proposed shall become void. The Hearing Examiner may require modification of the planned development site plan and may add conditions of approval. The final development plan must be approved by the city council before it is effective.
- E. Part of Zoning Map.** The planned development resulting from the application of the provisions of this section shall be made a part of the zoning map, identified thereon by appropriate reference to the detailed planned development map and explanatory text, if any, either by number or by symbol and constitute a limitation on the use and design of the site.
- F. Fees.** Fees for staff review and processing of both preliminary and final development plans shall be as specified herein. If the city elects to utilize the services of an outside consultant for assistance in reviewing the plans, the developer shall pay all consult fees related to project.
- G. Expiration of Authorization.** Upon the abandonment of a particular project authorized under this chapter, or upon the expiration of three years from the final approval of a planned development which has not by then been completed or commenced with an extension of time for completion granted, the authorization shall expire and the land and the structures thereon may be used only for a lawful purpose permissible within the zone in which the planned development is located.

17.30.060 Application.

- A.** The Planning Official shall prescribe the form on which application shall be made for planned development projects and prescribe the type of information to be provided in the application by the applicant. No application shall be accepted unless it complies with such requirements and is verified by the signature of the applicant attesting thereto the correctness of information provided.
- B.** Submission requirements for preliminary development plans are as follows:
1. Written documents, including, but not limited to:
 - a. Legal description;
 - b. Environmental checklist (where applicable);
 - c. Statement of present ownership and present zoning;
 - d. Statement of intent as to final ownership, including any plans for rental, sale or combination thereof;
 - e. Tentative schedule of development;

- f. Statement of planning objectives to be achieved by the planned development, including a description of the character of the proposed development and an explanation of the factors that determined the particular scheme proposed;
- g. Description of the natural setting, including slope, topography, soil type, significant landforms, bodies of water, trees and other vegetation and surrounding structures;
- h. Specific quantitative information, such as number and types of structures, proposed density, amount of common open space amount of private open space, proposed uses not otherwise permitted in the zoning district;

2. Illustrative documents including, but not limited to:

- a. A vicinity map showing the proposed development in relation to surrounding development;
- b. Site plan showing contours, watercourses, natural features, tree cover, property lines, generalized land use with the size, location, heights and types of proposed uses, existing and proposed vehicular circulation system, the arrangement of common open space private open space and preliminary landscape treatment, and a preliminary utilities and drainage layout. One copy of the site plan shall be prepared as a colored rendering.

C. Submission requirements for final development plan are as follows:

1. Written documents including, but not limited to:

- a. All information required for the preliminary development plan;
- b. A description of programs for the continued maintenance of any common facilities, such as homeowner agreements and covenants;

2. Illustrative document including, but not limited to:

- a. All information required for the preliminary development plan;
- b. Landscape plans showing the type and size of all existing trees and vegetation to be retained and added;
- c. A plat map, if the development will result in a subdivision;
- d. Utilities and drainage plan;
- e. Architectural plans and renderings showing typical floor plans sufficient to indicate the basic architectural character of the development;
- f. Proposed treatment of the perimeter of the development, including specific materials and techniques.

17.30.070 General development standards. All planned development shall satisfy the minimum standards set forth in this section, as well as such other design standards as may be deemed necessary:

- A. Minimum site area: none smaller than that specified for the zone in which the parcel is located.
- B. Streets. Major streets within a planned development shall be functionally connected to existing or proposed streets to provide adequate ingress and egress, and shall normally conform to the zone requirement.
- C. Utilities. All new utilities shall be installed underground.
- D. Landscaping. All areas not devoted to buildings, structures, drives, walkways, bike paths, off-street parking or other authorized facilities shall be landscaped. All new construction and new uses shall require landscaping and maintenance of buffer areas. In addition, if any nonresidential new construction or new use is located across a street or adjacent to a residential zone, a sight-obscuring fence or landscaping of sufficient size to protect the residential zone from undue light or other incompatible influences shall be required.
- E. Fire Safety. All planned developments shall satisfy fire safety requirements established by the city fire department.

17.30.080 Residential district development standards. Development standards applicable to planned developments proposed for residential districts shall be as follows:

- A. Density allowance: a dwelling unit density equal to 1.2 times the underlying zone.
- B. Open Space. A minimum of twenty-five percent of the site shall be reserved as usable open space.
- C. Height: Thirty-five feet maximum, unless a variance approval is obtained.
- D. Uses. Permitted uses shall be limited to residential and accessory uses, neighborhood convenience uses, personal or professional services, recreational facilities and schools. The exact location, size and type of nonresidential use shall be specifically approved by the hearing examiner.
- E. Design.
 1. A buffer containing 10% landscaping shall be located along all boundaries of a planned development which are adjacent to a nonresidential district or an arterial;
 2. Any and all buildings, structures, walkways, signs, landscaping or lighting, including all new construction or substantial alteration or remodeling of existing construction, shall conform in exterior design to the Old World European Design standards adopted by the city or here and after amended.

17.30.090 Mixed Uses. Development standards applicable to planned developments proposed for commercial and industrial districts shall be as follows:

- A. Density: As designated by the City Council;
- B. Minimum lot frontage: As designated by the City Council;
- C. Setback requirements: As designated by the City Council;
- D. Open Space. A minimum of ten percent of the site shall be reserved as usable open space;
- E. Height: Fifty feet maximum, unless a waiver and approval is obtained from the City Council;
- F. Uses. Any combination of uses may be permitted except that uses otherwise permitted only in an industrial district may not be permitted in a commercial district;
- G. Design.
 - 1. For residential developments, development standards shall be as required for planned developments in residential districts.
 - 2. Residential development may be permitted only where it is determined that such residences will not be negatively impacted by commercial or industrial uses either on or off the proposed site.
 - 3. Any and all buildings, structures, walkways, signs, landscaping or lighting, including all new construction or substantial alteration or remodeling of existing construction, shall conform in exterior design to the Old World European Design standards adopted by the city or here and after amended.

17.30.100 Minor adjustments. In issuing building permits in connection with construction of a planned development, the Planning Official may make minor adjustments involving the location or dimension of a building, provided such adjustments shall not increase the total amount of square footage for parcels, nor decrease the amount of parking or loading facilities, nor permit buildings to locate closer to any boundary line, nor change any points of ingress or egress to the site.

17.30.110 Enforcement.

- A. In granting final approval for a planned development, the City Council, upon recommendation by the **Hearing Examiner**, may require adequate guarantee of compliance with all conditions of approval. Such guarantee may include, but is not limited to, performance bonds, lien agreements, or escrow accounts in an amount sufficient to ensure compliance.
- B. The development of an approved planned development shall be in accordance with the conditions of approval, all planned development standards and the approved plan. Failure to observe such conditions or standards shall be deemed a violation of this title.