

- 9.8325** **Tentative Planned Unit Development Approval Criteria - Needed Housing.** The hearings official shall approve, conditionally approve, or deny the PUD application with findings and conclusions. Unless the applicant elects to use the general criteria contained in EC 9.8320 Tentative Planned Unit Development Approval Criteria - General, where the applicant proposes needed housing, as defined by the State statutes, the hearings official shall approve or approve with conditions a PUD based on compliance with the following criteria:
- (1) The applicant has demonstrated that the proposed housing is needed housing as defined by State statutes.
 - (2) The proposed land uses and densities within the PUD are consistent with the land use designation(s) shown on the comprehensive plan diagram, as refined in any applicable refinement plan.
 - (3) The PUD provides a buffer area between the proposed development and surrounding properties by providing at least a 30 foot wide landscape area along the perimeter of the PUD according to EC 9.6210(7).
 - (4) For areas not included on the city's acknowledged Goal 5 inventory, the PUD preserves existing natural resources by compliance with all of the following:
 - (a) The provisions of EC 9.6880 to EC 9.6885 Tree Preservation and Removal Standards, (not subject to modifications set forth in subsection (11) below).
 - (b) Natural resource areas designated on the comprehensive plan diagram as "Natural Resource" are protected.
 - (5) There shall be no proposed grading on portions of the development site that meet or exceed 20% slope.
 - (6) The PUD provides safe and adequate transportation systems through compliance with all of the following:
 - (a) EC 9.6800 through EC 9.6875 Standards for Streets, Alleys, and Other Public Ways (not subject to modifications set forth in subsection (11) below).
 - (b) Provision of pedestrian, bicycle and transit circulation among buildings located within the development site, as well as to adjacent and nearby residential areas, transit stops, neighborhood activity centers, office parks, and industrial parks, provided the city makes findings to demonstrate consistency with constitutional requirements. "Nearby" means uses within 1/4 mile that can reasonably be expected to be used by pedestrians, and uses within 2 miles that can reasonably be expected to be used by bicyclists.
 - (c) The street layout of the proposed PUD shall disperse motor vehicle traffic onto more than one public local street when the PUD exceeds 19 lots or when the sum of proposed PUD lots and the existing lots utilizing a local street as the single means of ingress and egress exceeds 19.
 - (7) The PUD complies with all of the following:
 - (a) EC 9.2000 through 9.3980 regarding lot dimensions and density requirements for the subject zone. Within the /WR Water Resources Conservation Overlay Zone or /WQ Water Quality Overlay Zone, no new lot may be created if more than 33% of the lot, as created, would be occupied by either:

1. The combined area of the /WR conservation setback and any portion of the Goal 5 Water Resource Site that extends landward beyond the conservation setback; or
 2. The /WQ Management Area.
- (b) EC 9.6500 through 9.6505 Public Improvement Standards.
 - (c) EC 9.6706 Development in Flood Plains through EC 9.6709 Special Flood Hazard Areas - Standards.
 - (d) EC 9.6710(6) Geological and Geotechnical Analysis.
 - (e) EC 9.6730 Pedestrian Circulation On-Site.
 - (f) EC 9.6735 Public Access Required.
 - (g) EC 9.6750 Special Setback Standards.
 - (h) EC 9.6775 Underground Utilities.
 - (i) EC 9.6780 Vision Clearance Area.
 - (j) EC 9.6791 through 9.6797 regarding stormwater flood control, quality, flow control for headwaters area, oil control, source control, easements, and operation and maintenance.

An approved adjustment to a standard pursuant to the provisions beginning at EC 9.8015 of this land use code constitutes compliance with the standard.

- (8) The applicant has demonstrated that wastewater service, transportation service, stormwater service, water service, and electrical service will be provided to the site prior to the need for those facilities and services. Where the facility or service is not already serving the site, this demonstration requires evidence of at least one of the following:
 - (a) Prior written commitment of public funds by the appropriate public agencies.
 - (b) Prior acceptance by the appropriate public agency of a written commitment by the applicant or other party to provide private services and facilities.
 - (c) A written commitment by the applicant or other party to provide for offsetting all added public costs or early commitment of public funds made necessary by development, submitted on a form acceptable to the city manager.
- (9) All proposed dwellings within the PUD are within 1/4 mile radius (measured from any point along the perimeter of the development site) of an accessible recreation area or open space that is at least 1 acre in size and will be available to residents.
- (10) Lots proposed for development with one-family detached dwellings shall comply with EC 9.2790 Solar Lot Standards (these standards may be modified as set forth in subsection (11) below).
- (11) The PUD complies with all applicable development standards explicitly addressed in the application except where the applicant has shown that a modification is consistent with the purposes as set out in EC 9.8300 Purpose of Planned Unit Development.
- (12) For any PUD located within or partially within the boundaries of the South Hills Study, the following additional approval criteria apply:
 - (a) No development shall occur on land above an elevation of 900 feet except that one dwelling may be built on any lot in existence as of August 1, 2001.
 - (b) Development shall be setback at least 300 feet from the ridgeline unless there is a determination by the city manager that the area is not needed as a connection to the city's ridgeline trail system. For purposes of this section, the ridgeline trail shall be considered as the line indicated as being the urban growth boundary within the South Hills Study plan area.
 - (c) Development shall cluster buildings in an arrangement that results in at least 40% of the development site being retained in 3 or fewer contiguous common open space areas. For purposes of this section, the term contiguous open space means open space that is uninterrupted by buildings, structures, streets, or other improvements.
 - (d) Residential density is limited as follows:

1. In the area west of Friendly Street, the maximum level of new development per gross acre shall be 8 units per acre.
2. In the area east of Friendly Street, the maximum level of new development per gross acre shall be limited to 5 units per acre.
3. Housing developed as Controlled Income and Rent Housing shall be exempt from the density limitations in subsections 1 and 2 above, but are subject to the other applicable development standards and review procedures.

(Section 9.8325, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02; administratively corrected April 18, 2003; amended by Ordinance No. 20297, enacted August 11, 2003, effective September 10, 2003; administratively corrected August 13, 2003; amended by Ordinance No. 20351, enacted November 14, 2005, effective January 1, 2006; by Ordinance No. 20353, enacted November 28, 2005, effective January 1, 2006; Ordinance No. 20369, enacted June 14, 2006, effective July 14, 2006; and amended by Ordinance 20430, enacted March 9, 2009, effective June 10, 2009; amended by Ordinance No. 20521, enacted January 13, 2014, effective March 1, 2014; amended by Ordinance 20584, effective August 24, 2017)