33.820 Conditional Use Master Plans

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33.820.010 Purpose

A conditional use master plan is a plan for the future development of a use that is subject to the conditional use regulations. Expansions of the use may have impacts on surrounding neighborhoods and on public services that are better addressed through the review of the master plan than through reviewing the expansions individually over time. In addition, by creating long term plans, some impacts may be prevented that would have occurred with uncoordinated piecemeal expansions. The development of a master plan is intended to provide the surrounding neighborhoods and the City with information about, and an opportunity to comment on, the use's plans for future development. The plan also enables the operator of the use and the City to address the effects of the future development. Finally, an approved master plan is intended to ensure that the use will be allowed to develop in a manner consistent with the plan. Master plans may be completed at various levels of detail. Generally, the more specific the plan, the less review that will be required as the future uses and development are built.

33.820.020 What Is Covered by a Master Plan

A. **Present uses.** A conditional use master plan is for the entire use, including portions of the use on lands where the use is allowed by right, and all affiliates on or abutting the site. For the purpose of this chapter, an affiliate means any entity that is related to the use in such a way that either the use or the entity controls the other, or both are under control of a third party. Control means the power to decide and direct the use of land, structures, and other resources.

B. **Proposed and potential uses.** The conditional use master plan covers any specific uses or development proposals being requested, called the "proposed use" in this chapter, and possible future uses or development, called the "possible future uses."

C. **Boundaries.** The conditional use master plan may encompass lands not presently controlled by the use. The plan will not take effect for those lands until they are under control of the applicant.

33.820.030 When a Master Plan Is Required

A conditional use master plan is required as part of a conditional use review in the situations listed below.

A. **Large conditional uses.** The conditional use contains over 500,000 square feet of floor area and either:

1. The use proposes to expand the amount of floor area over 10 percent from the amount that existed at the last conditional use review, or if there was no review, then January 1, 1991 or

2. The use expands its site area beyond the site area that existed on January 1, 1991. For this regulation, site area means all land used by the use and its affiliates including vacant land within the ownership.

B. **When required as part of a conditional use review.** The review body, as part of a conditional use review, may require a master plan in conjunction with any future expansions of the use if there has been a history of site area expansions and these are likely to continue. Also, the master plan may be required for future expansion of the use if there has been a history of floor area expansions for functions of the use which draw additional people to the site, and these are likely to continue.

C. **Voluntarily.** An applicant may also voluntarily submit a master plan as part of a conditional use review.

33.820.040 Procedure

Conditional use master plans are processed through a Type III procedure as part of the conditional use review. The applicant is encouraged to work with surrounding property owners, residents, recognized organizations, and City bureaus during the formulation of the master plan.

33.820.050 Approval Criteria

Requests for conditional use master plans will be approved if the review body finds that the applicant has shown that all of the following approval criteria are met:

A. The master plan contains the components required by 33.820.070;

B. The proposed uses and possible future uses in the master plan comply with the applicable conditional use approval criteria; and

C. The proposed uses and possible future uses will be able to comply with the applicable requirements of this Title, except where adjustments are being approved as part of the master plan.

33.820.060 Duration of the Master Plan

The master plan must include proposed uses and possible future uses that might be proposed for at least 3 years and up to 10 years. An approved master plan remains in effect until development allowed by the plan has been completed or the plan is amended or superseded.

33.820.070 Components of a Master Plan

The applicant must submit a master plan with all of the following components. The review body may modify the proposal, especially those portions dealing with development standards and review procedures. The greater the level of detail in the plan, the less need for extensive reviews of subsequent phases. Conversely, the more general the details, the greater the level of review that will be required for subsequent phases.

A. **Boundaries of the use.** The master plan must show the current boundaries and possible future boundaries of the use for the duration of the master plan.

B. **General statement.** The master plan must include a narrative that addresses the following items:

1. A description in general terms of the use's expansion plans for the duration of the master plan;
2. An explanation of how the proposed uses and possible future uses comply with the conditional use approval criteria; and
3. An explanation of how the use will limit impacts on any adjacent residentially zoned areas. The impacts of the removal of housing units must also be addressed.

C. **Uses and functions.** The master plan must include a description of present uses, affiliated uses, proposed uses, and possible future uses. The description must include information as to the general amount and type of functions of the use such as office, classroom, recreation area, housing, etc. The likely hours of operation, and such things as the approximate number of members, employees, visitors, special events must be included. Other uses within the master plan boundary but not part of the conditional use must be shown.

D. **Site plan.** The master plan must include a site plan, showing to the appropriate level of detail, buildings and other structures, the pedestrian, bicycle, and vehicle circulation system, vehicle and bicycle parking areas, open areas, existing trees to be preserved, and other required items. In addition to the application requirements in 33.730.060.C, the site plan must also include:

1. All existing improvements that will remain after development of the proposed use;
2. All improvements planned in conjunction with the proposed use;
3. Conceptual plans for possible future uses; and
4. Pedestrian, bicycle, and transit facilities including pedestrian and bicycle circulation between:
    a. Major buildings, activity areas, and transit stops within the master plan boundaries and adjacent streets and adjacent transit stops; and
    b. Adjacent developments and the proposed development.

E. **Development standards.** The master plan may propose standards that will control development of the possible future uses that are in addition to or substitute for the base

zone requirements and the requirements of Chapters 32.32 and 32.34 of the Sign Code. These may be such things as height limits, setbacks, FAR limits, landscaping and tree preservation requirements, parking requirements, sign programs, view corridors, or facade treatments. Standards more liberal than those of the code require adjustments.

F. **Phasing of development.** The master plan must include the proposed development phases, probable sequence for proposed developments, estimated dates, and interim uses of property awaiting development. In addition the plan should address any proposed temporary uses or locations of uses during construction periods.

G. **Transportation and parking.** The master plan must include information on the following items for each phase.

1. Projected transportation impacts. These include the expected number of trips (peak, events, and daily), an analysis of the impact of those trips on the adjacent street system, and proposed mitigation measures to limit any projected negative impacts. Mitigation measures may include improvements to the street system or specific programs and strategies to reduce traffic impacts such as encouraging the use of public transit, carpools, vanpools, and other alternatives to single occupant vehicles.

2. Projected parking impacts. These include projected peak parking demand, an analysis of this demand compared to proposed on-site and off-site supply, potential impacts to the on-street parking system and adjacent land uses, and mitigation measures.

H. **Street vacations.** The master plan must show any street vacations being requested in conjunction with the proposed use and any possible street vacations that might be requested in conjunction with future development. (Street vacations are under the jurisdiction of the City Engineer. Approval of the master plan does not prejudice City action on the actual street vacation request.)

I. **Adjustments.** The master plan must specifically list any adjustments being requested in conjunction with the proposed use or overall development standards and explain how each adjustment complies with the adjustment approval criteria.

J. **Other discretionary reviews.** When design review or other required reviews are also being requested, the master plan must specifically state which phases or proposals the reviews apply to. The required reviews for all phases may be done as part of the initial master plan review, or may be done separately at the time of each new phase of development. The plan must explain and provide enough detail on how the proposals comply with the approval criteria for the review.

K. **Review procedures.** The master plan must state the procedures for review of possible future uses if the plan does not contain adequate details for those uses to be allowed without a conditional use review.

33.820.080 Implementation

A. **Conforming to the plan.** Uses and development that are in conformance with detailed aspects of the plan are not required to go through another conditional use review. Uses and development subject to less detailed parts of the plan are subject to the level of conditional use review stated in the master plan. They will be approved if they are found

to comply with the master plan. Other required land use reviews must still be completed unless they were also approved as part of the master plan.

B. Not conforming to the plan. Uses that are not in conformance with the master plan require an amendment to the plan. Development that is not in conformance with the plan and does not meet the following requires an amendment to the plan. Development that is not in conformance with the plan and does meet all of the following is allowed:

1. All conditions of approval must be met;
2. One of the following must be met:
   a. Complies with the development standards of this Title, or
   b. Does not comply with the development standards of this Title, but an adjustment or modification to the development standards has been approved through a land use review;
3. Does not increase the floor area by more than 1,500 square feet;
4. Does not increase the exterior improvement area by more than 1,500 square feet, except that fences, handicap access ramps, on-site pedestrian circulation systems, ground mounted solar panels, and parking space increases allowed by 33.820.080.B.6 below, are exempt from this limitation;
5. Will not result in a net gain or loss of site area;
6. Will not increase the net number of parking spaces by more than 1 space or 4 percent of the total number of parking spaces, whichever is greater. However, the individual or cumulative addition of more than 5 parking spaces is not allowed without an amendment to the plan; and
7. Will not result in a net loss in the number of parking spaces except as follows:
   a. Sites may decrease the number of spaces as follows:
      (1) No reduction in shared parking spaces is allowed;
      (2) 1 space or 4 percent of the total number of parking spaces may be removed, whichever is greater; and
      (3) An individual or cumulative removal of parking spaces in excess of 5 spaces is not allowed without an amendment to the plan. The cumulative loss of parking is measured from the time the use became a conditional use, July 16, 2004, or the last conditional use review of the use, whichever is most recent, to the present.
      (4) Removal of parking from sites with 4 or fewer required spaces is not allowed without an amendment to the plan.

33.820.090 Amendments to Master Plans

Amendments to the master plan are required for any use or development that is not in conformance with the plan, except as stated in 33.820.080, above. The approval criteria of 33.820.050 apply. The thresholds and procedures for amendments are stated below.

A. Type III procedure. Unless the master plan specifically provides differently, amendments to a master plan that require a Type III procedure are:

1. Any proposed development on the site that is within 400 feet of the master plan boundaries, unless a greater distance is stated in the master plan;
2. A proposed expansion of the approved boundary;
3. A proposed reduction in the approved boundary that affects a condition of approval, or takes the site out of conformance, or further out of conformance, with a development standard.
4. Proposals that increase the amount, frequency, or scale of a use over 10 percent of what was approved (Examples include the number of students, patients, or members; the number of helicopter flights; number or size of special events.);
5. New uses not covered in the plan which will draw more people to the site, except for those which are replacing another use so that there is no net increase;
6. Increases in the overall floor area of development on the site over 10 percent;
7. Increases or decreases greater than 10 percent in the amount of approved or required parking; and
8. Proposed uses or development which were reviewed, but were denied because they were found to not be in conformance with the plan.

B. Type II procedure. Unless the master plan specifically provides differently, amendments to a master plan not specifically stated in Subsection A. above are processed through a Type II procedure.

33.820.100 Existing Plans

A. Plans in effect. Master plans that were approved by the City prior to January 1, 1991 are deemed to be in conformance with this chapter and continue in effect until their expiration dates. Approved master plans that do not have an expiration date continue in effect until development allowed by the plan has been completed.

B. Plans being formulated. Master plans submitted after the implementation date of this Title which were required because of conditions of a land use approval prior to the implementation date, will be reviewed by the City in accordance with the original conditions. If the master plan is approved, it is then subject to the regulations of Subsection A. above.

(Amended by: Ord. No. 170704, effective 1/1/97; Ord. No. 171219, effective 7/1/97; Ord. No. 175204, effective 3/1/01; Ord. No. 176469, effective 7/1/02; Ord. No. 177028, effective 12/14/02; Ord. No. 177422, effective 6/7/03; Ord. 178509, effective 7/16/04; Ord. No. 183598, effective 4/24/10; Ord. No. 184235, effective 11/26/10; Ord. No. 186053, effective 1/1/15.)