



# LAND DIVISION

## INFORMATION GUIDE

### Planned Developments, Ch. 33.638 & 33.665

#### What is the purpose of these regulations?

The intent of the regulations is to allow for creative development while assuring that development will complement the existing neighborhood character. Planned Developments can also be a way to achieve minimum or maximum density requirements on a site that has natural constraints such as large areas of trees, seeps, springs, streams, flood hazard, or potential landslide hazard areas. The Planned Development regulations replace the **Planned Unit Development** (PUD) regulations that were previously available to provide development flexibility in some circumstances.

#### Where do these regulations apply?

A Planned Development may be proposed on sites in all zones. The Planned Development option allows different types of flexibility depending on which base zone covers your site. Planned Developments may accompany a land division, or they may be proposed without a land division. However, if streets or tracts are created as part of the Planned Development, the application must include a land division.

#### What advantages do Planned Developments have for applicants?

Planned Developments allow applicants to propose housing types and lot dimensions that are not allowed under the base zone regulations. In addition, development standards can be modified under the Planned Development option. Finally, small-scale commercial uses can be proposed in residential zones, and development potential can be transferred from one portion of a site to another, or from one site to another.

#### What advantages do Planned Developments have for neighborhoods?

Neighborhoods are assured that development approved in Planned Development will be reviewed with the intent of ensuring compatibility with the surrounding area. Development proposals must demonstrate that they visually integrate into the surrounding area and include architectural features that complement positive characteristics of surrounding development. Differences in appearance must be mitigated, and potential impacts on surrounding residential areas must be minimized.

#### What are the steps in the process for completing a Planned Development?

The required steps will vary based on the procedure type required and whether or not the proposal includes a land division.

- The neighborhood contact requirement must be met for all Planned Developments. The applicant must contact the neighborhood association for the area and, if requested, attend a meeting to discuss the proposal (see the Required Neighborhood Contact handout and Zoning Code Section 33.700.025 for more information).
- A pre-application conference is required for Planned Developments processed through the Type III procedure.
- Planned Developments are processed through a Type IIx or Type III review procedure. See Zoning Code Section 33.665.200 to determine the procedure for your proposal. The applicant must provide a plan that meets the approval criteria relevant to the proposal. The approval criteria will depend on the base zone and type of Planned Development that is proposed (see Zoning Code Section 33.665.300).
- If the Planned Development includes a land division, a final plat review must be completed to finalize the land division.

- After these steps have been completed, the applicant may apply for development permits.

## What are the application requirements for my Planned Development?

The application requirements for Planned Developments are fully described in the handout *Planned Development Application Requirements* and Zoning Code Section 33.730.060.D. These are the same requirements for a land division proposal, with the exception that information about a proposed lot layout is not needed for Planned Developments that do not include a land division. In addition, applications for Planned Developments must include the following supplemental information (see Zoning Code Section 33.665.250):

- Photographs that show the characteristics of the surrounding neighborhood; and
- Either proposed building elevations and locations or proposed standards regulating development on the lots. Enough detail must be provided to show that the approval criteria are met; and
- A landscape plan is often required.

## Frequently Asked Questions

### Q How does a Planned Development affect density requirements for the site?

**A** Minimum and maximum density requirements for the site must be met. However, the Planned Development allows development to be clustered in a portion of the site or to be transferred across zone lines.

### Q Can I make changes to my Planned Development once it is approved?

**A** There are two types of changes to Planned Developments: minor changes, and major changes. The thresholds that define these changes are described in Zoning Code section 33.665.500. Changes must be approved through either a Type IIx or a Type III procedure, depending on the type of change, and the level of procedure that originally approved the Planned Development .

### Q If there is an approved Planned Development for my property, do I have to use it, or can I develop the property or divide the land into a configuration allowed by right under the base zone?

**A** If the Planned Development included a land division that has already been platted, then you must re-plat the property to a configuration allowed by the base zone, through a new land division process. If the Planned Development did not include a land division, then you may choose to develop the property to the base zone standards rather than using the approved Planned Development.

### Q What regulations apply to a previously approved Planned Unit Development (PUD)?

**A** Any proposed changes to a PUD approved under regulations in effect prior to July 2002 will be processed through the regulations of Zoning Code Chapter 33.668 Review of Changes to an Approved Planned Unit Development.

For more information visit or call the Planning and Zoning staff at the  
Development Services Center at 1900 SW 4th Avenue, Suite 1500, 503-823-7526

For current Portland Zoning Code visit [www.portlandonline.com/zoningcode](http://www.portlandonline.com/zoningcode)

Information is subject to change.