

### 50-14.7 Residential-Planned (R-P).

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#### A. Purpose.

The R-P district is established to provide a flexible development option for residential projects that integrate creative site design, provide a variety of housing types, provide unique on-site amenities, conserve natural features, increase pedestrian connectivity, or otherwise result in a final product that provides a greater level of public benefit than would be required under the existing zone district. Each R-P district requires approval of an R-P regulating plan that includes the location, type and intensity of proposed development and a description of public amenities or benefits included. Single-family residences, two-family residences and townhouses, as well as accessory uses, are permitted, as shown in Table 50-19.8, provided projects are compatible in scale and character with the surrounding neighborhood and are included in the approved R-P plan;

#### B. Examples.



#### C. Modifications.

An applicant may seek only the modifications in Table 50-14.7-1, based on demonstration of how the proposal supports the purpose of the R-P district as stated in subsection 50-14.7.A and the following desired R-P amenities:

1. Significant preservation and protection of natural resources and undeveloped areas, including wetlands, trees, key habitat, and wildlife areas.
2. A higher level of sustainability, demonstrated in buildings, site design, and transportation, than required by Section 50-28.
3. More efficient and effective use of streets, utilities, and public facilities to support high quality development at a lesser cost.
4. Recreational facilities that are open to the public, such as parks and playgrounds.
5. Accommodations for and linkages to mass transit.
6. Creative site design as appropriate for the site, such as New Urbanist design for a walkable community or conservation development for a rural neighborhood.
7. Bike lanes and trails within the development and connecting to other trails and destinations.
8. Pedestrian amenities such as benches, plazas, pedestrian-scaled lighting, traffic calming, and art.

Table 50-14.7-1: Modifications Allowed	
Chapter Requirement	Maximum Modification Allowed
Distance from property lines	Reduction in setbacks; minimum 5' setback from rights of way
Lot frontage	25% decrease
Lot area, general	20% decrease
Lot area, when clustering is used to preserve open space	Overall density of the R-P district should demonstrate a maximum of 20% decrease over base zone districts. Individual lot sizes are allowed up to a 50% decrease.
Building height	Up to a 5' increase
Landscaping	15% decrease
Street width	As determined by city engineer

**D. Applicability.**

An R-P district shall only be established in the RR-1, RR-2 and R-1 districts provided the property meets the requirements in Table 50-14.7-2;

TABLE 50-14.7-2: Characteristics of High-Density and Low-Density in R-P Areas	
Current zoning	RR-1, RR-2, R-1
Minimum lot size	4 acres

**E. Rezoning approval and regulating plan required.**

The establishment of an R-P district requires rezoning the property per Section 50-37.3 from a current zone district to R-P and the approval of an R-P plan per Section 50-37.11 that governs the uses, location, density, dimensional standards and character of the proposed project.

In accordance with the purpose of the R-P district, approval of the R-P plan is deemed to include subdivision approval; R-P districts are not required to submit a separate subdivision application under Section 50-37.5;

**F. Development standards.**

1. The development standards of the base zone district(s) where the property is located shall apply to any R-P zoned land unless waived or varied by the terms of an approved R-P regulating plan. The ordinance approving an R-P district and the approved regulating plan shall identify the previous base zone districts for each portion of the property;
2. Overall density in residential portions of the R-P shall follow the density requirements of the previous zone district unless modified as part of the R-P plan;
3. Minimum percentage of property (excluding common open space) used for residential purposes shall be 66 percent;
4. Common open space. Adequate provisions shall be made for the permanent preservation and maintenance of active or passive open space. Common open space shall not be less than 30 percent of the area of the project (not including right-of-way) and shall comply with the following requirements:

- (a) Common open space shall include the shore and bluff impact zones;
  - (b) Common open space shall include, where possible, lands within the Skyline Overlay;
  - (c) Common open space shall include, where possible, wetlands, floodplains, wildlife areas, steep slopes, rock outcrops, tree stands and areas unsuitable for development in their natural state;
  - (d) No more than one-quarter of the required common open space shall consist of wetlands;
  - (e) Common open space shall not include areas within 25 feet of any structure, any impervious surface, or the area between buildings within an individual cluster of buildings;
  - (f) At least 50 percent of the common open space shall be retained in a contiguous area;
  - (g) Where possible, the design should utilize features such as vegetation, fences, topography, roads or trails to delineate the boundary of the common open space to minimize potential physical encroachments into the common open space by adjacent homeowners;
  - (h) Common open space shall not include land within rights-of-way;
  - (i) Ownership of common open space. Common open space shall be owned and managed by a property owners association and shall be encumbered through an easement, restrictive covenant or other instrument suitable to the city;
5. All shoreland setbacks and other dimensional requirements from Section 50-18.1 (NR-O) shall continue to apply and cannot be varied through the R-P process;

**G. Required community meeting.**

The applicant shall hold at least one community meeting to discuss the plan before submitting the plan for review and approval by the city. Notice of the public meeting shall be mailed to all property owners within 350 feet outside the planning area boundaries, and the city shall provide the applicant with the names and address of those property owners upon request. The applicant shall submit with the application documentation that the community meeting has taken place, the date and time of the meeting, the number of attendees, any issues raised regarding the plan and any responses to those concerns incorporated in the plan;

**H. Required rezoning application and regulating plan contents.**

1. The rezoning application (approved per Section 50-37.3) shall include the following information:
  - (a) A concept map showing the property to be rezoned and general uses within the area;
  - (b) Maximum residential densities and maximum square footage for nonresidential land uses;
  - (c) Maximum building heights;
2. The regulating plan (approved per Section 50-37.11) shall cover all of the land in the proposed R-P district and shall regulate all future development in the R-P district. An approved R-P plan is required before any building permits may be issued within the R-P district. The R-P plan shall include maps and text describing the following information:
  - (a) General layout of development areas and building parcels in relation to the natural features to be protected and the proposed road, trail and bicycle circulation systems;
  - (b) Lot sizes and widths, building setbacks, and maximum building heights for all proposed development parcels;
  - (c) Previous base zone districts;
  - (d) A road, trail and bicycle circulation plan (including how the circulation may intersect with transit use) and a description of proposed road, trail and bike route widths, trail surfaces, a proposal for maintenance of each road and trail (which may include

dedication to and maintenance by the city), and a statement as to whether public access will be permitted on each road, trail, and bicycle route;

(e) A natural resources inventory and natural site features to be protected;

(f) Common open space to be provided, the location of that open space, a calculation of proposed open space as a percentage of the total land area in the R-P zone, a proposal for protection and maintenance of the open space over time and a statement as to whether public access to the open space shall be provided;

(g) Permitted and special uses for the site, which shall be consistent with those shown in Table 50-19.8; special uses listed in the R-P plan will need to apply for and receive a special use permit prior to building;

(h) Maximum residential densities and maximum square footage for nonresidential land uses;

(i) A plan describing the demand for and location of water, sewer, and utility service to the property, including any additional right-of-way needed to accommodate those utilities. In addition, the plan shall indicate all utilities that will be owned or maintained by the public, and if any of those services are to be provided by the city or a public or quasi-public district, and provide a statement as to whether the proposed facilities will meet the engineering and maintenance standards of that entity;

(j) Details on buffering or transitioning between uses of different intensities both on- and off-site;

(k) A plan for stormwater collection and treatment that includes a summary of land use and technical methods used to minimize storm water run-off from the site;

(l) Off street parking to be provided in driveways, surface lots and garages;

(m) Any public amenities, other than common open space, to be provided by the applicant, together with a statement as to whether those amenities shall be available for public use;

(n) Any required building types, form-based regulation or architectural design requirements, as well as a description of how those standards will be maintained and enforced over time;

(o) If a project involves construction over a period of time in two or more phases, a phasing plan demonstrating that each phase meets density requirements, open space requirements, and provision of public amenities. Phasing plan shall include an approximate time frame for each phase of development. The applicant shall provide agreements, contracts, covenants, deed restrictions, and sureties acceptable to the city attorney for the completion of the development according to the approved R-P plan;

(p) Cross sections demonstrating the proportions of buildings and the relationship between those buildings, pedestrian spaces, and the streetscape;

#### I. Previously approved developments.

All residential developments approved prior to November 19, 2010, as low-density planned developments pursuant to Sections 50-36.1 through 50-36.3 of the previous zoning code shall be treated as approved developments, and will be rezoned to the R-P zone district;

#### J. Amendments.

Applications to amend an existing R-P plan shall follow the process described in Section 50-37.3 if they relate to uses, densities, or height. All other amendments shall follow the process in Section 50-37.11. (Ord. No. 10044, 8-16-2010, § 6; Ord. No. 10096, 7-18-2011, § 9; Ord. No. 10192, 12-17-2012, § 4; Ord. No. 10286, 3-10-2014, § 1.)