

## **CHAPTER 7 - PLANNED DEVELOPMENTS**

### **SEC. 7.0 PLANNED UNIT DEVELOPMENTS (PUD) AND PLANNED AREA DEVELOPMENTS (PAD)**

- A. A permit for a Planned Area Development (PAD) or a Planned Unit Development (PUD) may be approved by the Town Council after a public hearing. Prior to the Town Council's decision, the Planning Commission shall hold a public hearing and make a recommendation to the Council.
- B. No planned development permit shall be granted unless such development will meet the use limitations of the zoning district in which it is located and meet the density and other limitations of such districts, except as such requirements may be lawfully modified as provided by this ordinance. Compliance with the regulations of this ordinance in no way excuses a developer from the applicable requirements of the subdivision ordinance.
- C. Purpose: The purpose of planned developments is to provide developers the flexibility to plan for the development of large scale projects, while taking into consideration geographic characteristics, adjacent land uses, and community objectives.

### **SEC. 7.1 APPLICATIONS**

- A. Permits: No permit will be issued for any proposed building, structure or use within a planned development unless such building, structure or use complies with the approved development plan and with any conditions imposed in conjunction with its approval.
- B. Ownership: The development shall be in single or corporate ownership at the time of application, or the subject of an application filed jointly by all owners of the property.
- C. Landscaping: Landscaping, fencing and screening related to the uses within the site and to integrate the proposed development into its surroundings shall be planned and presented for approval, together with other required plans for the development.

- D. The landscape plan shall be prepared showing proposed tree and shrubbery plantings for the entire site to be developed, relocation of specimen native plants, and revegetation with native plant material to the approximate original densities on the site of all disturbed areas created by road and drainage improvements in the right-of-way. The landscape plan shall include an adequate maintenance schedule to assure plant survival at least two (2) years. Grading and drainage plans shall be submitted with the application.
- E. Signs: The size, location, design and nature of signs, if any, shall be detailed in the application.
- F. Design: It is the intent of this Section that site and building plans for planned developments shall be prepared by a designer or team of designers having professional competence in urban planning. The Town Council or Planning Commission may require the applicant to engage such professional expertise as a qualified designer or design team.
- G. Approval: The Town Council may approve or deny an application for a planned development and may attach conditions to secure compliance with the purposes set forth in this Section. Any applicant who submits an application for a planned development may not have another plan under consideration for the same property at the same time.
- H. Fees and Notice: The application shall be accompanied by the appropriate fee and the applicant is responsible for providing the Town with a list of the Maricopa County Assessor's tax parcel numbers and mailing labels with the names and addresses of all property owners within three hundred (300) feet of the subject property. The applicant is responsible for the accuracy of this list.

## **SEC. 7.2 SPECIAL DEVELOPMENT REGULATIONS**

- A. Uses:
  - 1. Planned Unit Developments may only contain those uses permitted in the zoning district in which they are located.
  - 2. Planned Area Developments may include uses other than those permitted in the underlying zone in which they are located.

3. Density: No density bonus may be permitted unless it can be shown that the development will provide particular benefits to the community, in which case no more than a ten (10) percent density bonus may be granted.
4. Specific regulations: Unless specifically addressed by the development plan, the development standards of the zone in which the planned development is proposed shall apply.
5. Open Spaces: Preservation, maintenance and ownership of required open spaces within the development shall be accomplished by either:
  - (a) Dedication of the land as a public park or parkway system; or
  - (b) Granting to the Town or other responsible entity acceptable to the Town, a permanent, open space easement on and over the said private open spaces to guarantee that the open space remain, with ownership and maintenance being the responsibility of an owners' association established with articles of association and bylaws which are satisfactory to the Town.
6. Timetable: The applicant must show intent to start construction within one year of either the approval of the project or of any necessary zoning district change, and intent to complete said construction, or approved stages thereof, within four (4) years from the date construction begins.
7. Approval: Upon approval of a planned development, construction shall proceed only in accordance with the plans and specifications approved by the Town Council or Planning Commission, and in conformity with any conditions attached by the Town as to its approval including phasing schedules.

### **SEC. 7.3 REVIEW CRITERIA**

- A. Before approval of any planned development, it must be demonstrated that the development will meet the following criteria:
- B. The proposed use of the particular location is necessary or desirable to provide a service or facility which will contribute to the general well being of the area.
- C. The proposed use will not be detrimental to the health, safety, or general welfare of persons living in its vicinity.
- D. The arrangement of structures and open spaces will assure that adjacent properties are not significantly adversely affected.
- E. The development is planned as one complex land use rather than as an aggregation of individual and unrelated buildings and uses.
- F. The property proposed for the planned development is adequate in size for the proposed development to accomplish the purposes of this section of this ordinance.
- G. The applicant may choose to submit a concept plan for approval prior to submitting a detailed development plan. In that case, the applicant will have to go through the same process for approval as a detailed development after obtaining approval of a concept plan.

### **SEC. 7.4 AMENDMENTS**

- A. Amendments to approved plans for planned developments may be made by following the procedures outlined herein for initial approval.