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## Article 207 Planned Area Development District

### Sections:

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### 207.01 Purpose

- A. The specific purpose of the Planned Area Development (PAD) District is to provide opportunities for creative and flexible development approaches—that accommodate, encourage, and promote innovatively designed developments involving a mixture of residential and/or non-residential land uses not prescribed within the zoning districts of the City.
- B. This zoning designation recognizes that adherence to the bulk and use specifications contained elsewhere in this Ordinance would prevent the application of such unique developments. Therefore, where PAD zoning is deemed appropriate or necessary, traditional zoning regulations are replaced by standards and design which fulfill the objectives of the Maricopa General Plan.
- C. The PAD zoning designation may be tailored to meet the specific development representations of an applicant, relative to permitted uses, design standards, and other details. Hence, a single PAD district may vary considerably from another district as they are evaluated and reviewed individually in accordance to their respected standards within.
- D. Such a planned development may be designed as a large-scale separate entity, able to function as an individual community, neighborhood, or mixed-use development; as a small-scale project which requires flexibility because of unique site circumstances or design characteristics; or as a transitional area between dissimilar land uses.

### 207.02 Applicability

- A. The size for any development utilizing the PAD process shall be a minimum 10 acres.

- B. The City Council may approve a PAD District that contains less than 10 acres upon a finding that special site characteristics exist and that the proposed development will result in specific community benefits.
  - 1. Any PAD less than 10 acres shall be at least 5 acres and for land uses other than conventional detached single-family.
- C. The provisions of this section are applicable to all land within the City limits or proposed for annexation to the City.

### 207.03 General Provisions

- A. **Ordinances.** Applications for a PAD development shall abide by this Zoning Ordinance and the provisions of the Subdivision Ordinance unless otherwise modified by the City Council at the time of zoning approval.
- B. **General Plan.** Residential densities for a PAD shall be consistent with the Maricopa General Plan.
- C. **Special Areas.** When located near a designated Village Center per the General Plan and as determined by staff, the PAD shall incorporate the goals and objectives for the area.
- D. **Open Space Reduction.** If workforce housing is provided, the percentage of open space shall be adjusted to allow the applicant flexibility in their design. In this instance, the minimum open space requirement shall be reduced by 5%. See Article 404.03 for more information about open space requirements.
- E. **Integration.** The project location, design and size are such that the development shall be well integrated with the surroundings, is planned and developed with the intention to harmonize with any existing development in the adjacent neighborhood.
  - 1. Non-residential development should seek to relate, both visually and functionally, with the surrounding neighborhood including providing diversity of land uses, varieties of character and multi-modal connectivity.
  - 2. If the proposed development departs from the community character of surrounding uses, the City may require additional buffering, landscape or setbacks, not to exceed similar zoning requirements, so that it will not be detrimental to adjacent properties.
- F. **Connection.** The PAD shall connect to the rest of the Maricopa community through the use of multi-modal transportation opportunities and the overall design and layout of the development.
- G. **Open space connection.** All PAD developments shall provide a pedestrian circulation system that connects open space areas within the development and creates pedestrian linkages with surrounding residential and commercial developments. Recreation space and multi-purpose pathways are employed as means to allow employees or customers from the adjacent neighborhood to access shopping, jobs and recreational opportunities for a healthy lifestyle.

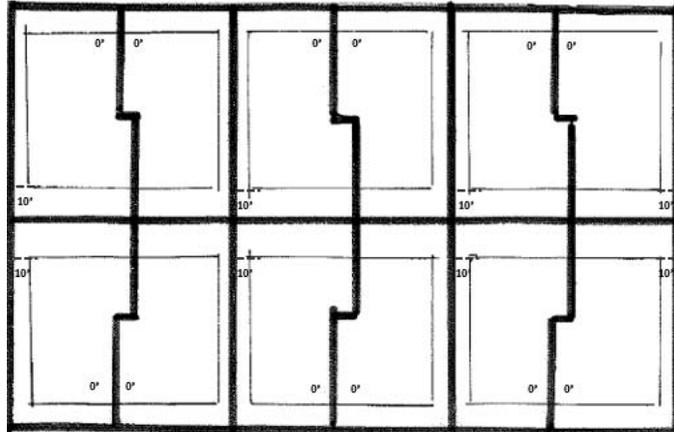
- H. Transitional buffering.** Provide separation setbacks, landscaping, walls or mixed-use areas to provide privacy and soften the impacts and edges between non-residential and residential areas where required.
- I. Impact mitigation.** Noise, glare, dust, and industrial emissions should be abated to acceptable residential levels at residential property lines. Exposure to hazardous materials of any type is prohibited outside of enclosed, controlled environment structures.
- J. Lot Size Variation.** Not one residential lot size category shall comprise more than 60% percent of the lots on PADs of 50 acres or more.
- K. Minimum Land Uses.** The PAD shall incorporate a variation of lot sizes and land uses according to Table 207.03 PAD Minimum Land Uses.

<b>TABLE 207.03: PAD MINIMUM LAND USES</b>		
<i>Minimum Acres</i>	<i>Minimum Residential Lot Types</i>	<i>Minimum Number of Land Uses</i>
0-49	1	1
50-100	2	1
101-200	3	2
201-499	3	3
500+	4	3

- (1) For the purposes of this Ordinance “distinctly different” shall be defined as a minimum of 1,100 square foot differential in lot area in combination with a lot width differential of 10 feet.
- (2) Open space is not an acceptable land use under the minimum required. See Article 404.03 for open space requirements.
- (3) Land Use Types for the purposes of this chart are defined as: Residential, Commercial, Office, Mixed-Use, Public Institutional, or Industrial.
- (4) The Planning and Zoning Commission, upon recommendation by the Zoning Administrator may reduce the minimum number of land uses if it is determined the site provides linkages and connectivity to adjacent existing varied land uses.

- L. Design Standards.** The homebuilder and/or parcel buyer shall be encouraged to develop “Master Architectural Design Standards & Guidelines”. The standards developed for the PAD shall not be any less than the minimum standards outlined in Maricopa’s Single Family Residential Design Guidelines when provided.
- M. Diversity.** Provide distinctive design and architectural diversity through creative and efficient site design in exchange for open space, increased recreational opportunities, and architectural enhancements and landscaping.
- N. Association.** All PAD developments shall form a master association (i.e. Homeowner’s Association, Property Management Association, Condominium Association, etc.)
- O. Design.** Adhering to the minimum design requirements prescribed within Section 207.06 is applicable to all proposed PAD’s.
- P. Zero Lot Line.** Zero lot line setbacks may be allowed under the following circumstances;
  - 1. The setback on the adjacent lot must be either 0 feet or 5 feet with an aggregate of 10 feet or greater.

2. The opposite side yard of no less than 10 feet must be kept perpetually free of permanent obstructions such as a storage shed or fence without a gate.
3. Similar zero lot line exceptions can be made for the rear yard for detached garages, but not for both the side and rear yards of the same lot.



**FIGURE 207.06: ZERO LOT LINE SETBACKS**

**207.04 Zoning Map Designation**

A PAD District shall be noted on the Zoning Map by the designation “PAD,” followed by the Case Number based on order of most recent adoption.

**207.05 Modifying Development and Land Use Regulations**

**A. Permitted Uses.**

1. Permitted uses shall be established by the approved PAD Plan. Land uses within a PAD District must be consistent with the General Land Use Plan, Land Use Category definitions, and policies of the Maricopa General Plan.
2. No use other than the uses called out within a PAD District shall be permitted and any use not listed within the PAD is considered a non-permitted use. Adding a new permitted use shall be reviewed administratively for meeting the intent of the PAD or shall go through the PAD amendment process as determined by the Zoning Administrator.

**B. Residential Unit Density.** The total number of dwelling units in a PAD Plan shall not exceed the maximum number permitted by the General Plan density for the total area of the PAD designated for residential use, excluding public facilities and permanent open space which is restricted from development by recorded covenants.

**C. Other Development Regulations.** General standards and regulations of other applicable City ordinances and regulations, including, but not limited to, the City drainage ordinance,

floodplain management ordinance, Subdivision Ordinance and Design Standards Manual shall not be amended by the PAD unless approved by the City Engineer.

1. In considering a proposed PAD, the Commission and/or City Council, with recommendation by the Zoning Administrator, may approve modifications of these provisions. Justification for such modification shall be supplied by the applicant in written form as part of the application submittal.

**207.06** PAD Design Elements

**A. Applicability.** The minimum design elements required is based on the size of the development and the land use type. The design elements listed below in Table 207.05.A and B are intended to guide the applicant on additional design elements to be incorporated into the PAD to provide justification for the deviations within the PAD.

<b>TABLE 207.05.A.: ADDITIONAL RESIDENTIAL PAD DESIGN ELEMENTS</b>	
<i>PAD Development Size (Acres)</i>	<i>Design Element Points</i>
0-49	4
50-100	5
101-200	6
201-499	7
500+	8
<b>TABLE 207.05.B.: ADDITIONAL NON-RESIDENTIAL PAD DESIGN ELEMENTS</b>	
<i>PAD Development Size (Acres)</i>	<i>Design Element Points</i>
0-49	4
50-100	5
101-200	6
201-499	7
500+	8

- (1) Request for lot coverage increase allowed up to 15% requires an additional 4 design elements from the minimum required.
- (2) Request for density increase allowed up to 20% requires an additional 3 design elements from the minimum required.
- (3) Request for reducing minimum lot area, setbacks, maximum building height or development type standards requires an additional 2 design elements from the minimum required.

**B. Design Elements.** The design elements listed in Table 207.05.C. are intended to guide the applicant on the appropriate required and additional design element options to be incorporated into the PAD. A PAD must justify deviations to the code by incorporating the appropriate number of design elements. As PADs are mixed-use in nature, every element in the table can be applied to the overall design element points received. Deviations of the design elements and rationale must be provided in the Development Narrative.

<b>TABLE 207.05.C.: PAD DESIGN ELEMENTS</b>		
<b>Residential Land Uses</b>		
<b>Required Elements</b>		
	Provide a sense of arrival utilizing landscaping, monumentation, decorative paving etc.	
	Provide a distinctive project theme.	
	Provide view fencing along arterial and collector streets when internal roadway abuts perimeter property line.	
	Buffer the rear property lines for all lots backing onto an arterial street by 10 feet or more (no rear yard setback to be less than 20 feet for single-story and 30 feet for two-story).	
	Provide a minimum 30-foot landscape parkway from R.O.W. line to fence in a common area when lots back onto an arterial street and 5 feet when backed to a local or collector.	
	Provide staggers or other visual breaks in perimeter fence walls at points no longer than 250-foot sections.	
	Provide irregular shaped retention basins, maximum 4:1 slope.	
	Enhance entry features with elements such as community signage, wall themes, and distinct landscape design.	
	Provide detached sidewalks within local ROW's.	
<b>Additional Design Elements</b>		<b>Value</b>
<b>Yards</b>	Provide wider side yards on at least 50% of lots dispersed throughout the subdivision – not less than 20 feet combined width.	1
	Provide deeper rear yard setbacks – 30-feet; 2 story.	1
	Group wider side yards on adjoining lot or arrange lots in another fashion to add diversity.	1
	Stagger front yard setback to achieve a range of 6 feet or more.	1
	Provide a minimum 30-foot total side yard setback width between homes for at least 50% of the total lots distributed throughout the subdivision.	2
<b>Architecture, Landscaping and Open Space</b>	Orient building envelope on corner lots to be angled rather than parallel with side property lines.	1
	Provide alternative garage locations (3.g. rear or side entry, off a private lane, etc.) for 10% of the houses.	2
	Provide alley loaded garage type standard to a minimum of 25% of the subdivision.	3
	Provide alternate driveway surfaces, such as exposed aggregate, tire strips, patterns or textures, etc.	2
	Provide landscape open spaces visible from arterial street and residential street view.	1
	Provide a 38% maximum lot coverage on at least 50% of the total lots, 42% maximum lot coverage on at least twenty-five percent (25%) of lots with the balance of the lots in a subdivision not to exceed forty-five (45%) lot coverage.	1
	Incorporate standard front porches, defined courtyards, or other defined front yard outdoor living spaces of at least sixty percent (60%) of the home elevations	2
	Single-story or combination 1 and 2 story homes on all corner lots.	1
	Limit the amount of 2 story homes along arterial and collector streets to no more than every third lot.	1
	Incorporate varied building height standards.	1
	Incorporate architectural enhancements to community mailboxes for residents such as lighting, shade, bulletin board, etc.	1
	Design and improve retention areas to be usable and ADA accessible.	2
	Add additional amenities interior to the project	2

<b>Streets, Connectivity and Parking</b>	Provide street patterns that minimize the impact of sequential garages, e.g. culs-de-sac, short block lengths, eyebrows, etc.	2
	Commit to a formal street grid with no greater than 1,600 linear feet in block perimeters.	1
	Provide a high level of connectivity, internal and external, to promote multi-modal efficiency and improve public healthy by encouraging physical activity by providing exercise stations throughout the PAD connected by a trail system and at least 140 intersections per square mile.	2
	Offer physically separated bicycle facilities on collector street sections.	2
	Include a pedestrian or bicycle through connection in at least 90% of any new cul-de-sac.	2
	Provide additional guest parking at the end of block or street.	2
	Add street calming elements as approved by Planning and the Transportation departments	1
<b>Community</b>	Provide a variety of mixed residential uses such as apartments, townhomes, detached and attached single family residential, auto courts, green courts, and other residential types.	3
	Designate mixed housing land use types including multi-family units with attention to affordability.	3
	Construct and convey to the HOA a clubhouse which includes an outdoor recreation area and an indoor area for meetings, exercise, entertainment, etc.	1
	Promote human comfort by providing shaded areas, courtyards, colonnades, and other areas as site amenities.	1
<b>Sustainability</b>	Building orientation that responds to climate and enables passive/active solar strategies and energy efficiency techniques.	1
	Use low-impact storm water design to reduce the size of retention basins.	2
	Provide a permanent and viable growing space or related facility such as greenhouses or raised bed gardens.	1
	Maintain washes in a natural state with native vegetation and topography	2
	Maintain the sites natural topography and features (only applicable to sites with topography changes greater than 5% across the site)	2
	Any other subdivision feature not listed as approved by the Zoning Administrator.	1

Non-Residential Land Uses		
Required Elements		
	Provide four-sided architecture especially for portions of building visible from arterial street.	
	Incorporate architectural and landscape elements at the pedestrian level.	
	Enhanced rear elevations along arterial and collector streets and open spaces.	
	Variety of roofing colors, textures, and shapes where available.	
	Durable exterior materials and finishes (brick, masonry, stone, stucco facades).	
	Provide at least 1 body color and 2 accent colors and/ or accent materials for each commercial, office or industrial building.	
	Provide at least 4 building materials and finishes (brick, masonry, metal, stone, stucco facades, etc.).	
	Break-up the main ridgelines on roof slopes.	
	Front building entrances accentuated by architectural elements, lighting and/ or landscaping. All front doors that open to the outside are well lit and visible from the street, parking area or neighboring units.	
Additional Design Elements		Value
Architecture, Landscaping and Open Space	Provide all front doors with one or more of the following usable entry transition elements attached or otherwise integrated: covered porches; arbors; pergola; low-walled, shaded front patio areas and courtyards.	2
	Highlight the character of the development by displaying signage and art displays appropriate to the development theme to act as a focal point.	2
	Prohibit series of roof slopes visible from arterial street, which are parallel with, or perpendicular to the street by limiting no more than two (2) adjacent lots having identical rear elevation roof lines.	1
	Incorporate varied building height standards.	1
	Vegetative screening, in addition to walls and fencing, when a residential subdivision is adjacent to a neighborhood commercial development.	1
	Architectural enhancements to transit stops such as lighting, shade, etc.	2
	Include outdoor furniture, shade structures to enhance pedestrian comfort, low-water use fountains to passively cool immediately adjacent outdoor areas, cool towers in appropriate areas, low water use shade tree bosque, lighting along sidewalks.	2
Streets, Connectivity and Parking	Along streets, maximize the experience of the pedestrian by providing fifty percent 50% shade along walkways, upgrading the walkway surface with decorative pavement, or using distinctive landscaping that integrates changes in grade, boulders, and accent flowering shrubs and ground covers.	3
	Minimize parking impact by locating parking on the sides or rear of building and not in front.	3
	Provide bike racks and lockers to accommodate for 15% of the anticipated users	2
	Shade 20% parking lots with permanent shade structures.	2

<b>Community</b>	Provide incubator space, ample opportunities and an array of resources or service programs to secure small/local business development; locate in close proximity to residential land uses.	1
	Commit to providing a publicly accessible meeting place (i.e. shops, cafes, makerspace, co-working, public square) that is within a ½ mile walk of 3 different land uses.	1
	Leverage unique site assets to yield market advantage for job creation. Show feasibility study within PAD Narrative.	2
	Integrate commercial and light manufacturing in ways to foster local production and market.	1
<b>Sustainability</b>	Install minimum 72 cell photovoltaic solar panel(s) to community building or parking shade structures over a minimum of 40% of parking spaces for PADs with 25 parking spaces or more or over a minimum of 30% of parking spaces for PADs with 24 spaces or less.	3
	Install pervious paving materials to 2 public parking areas to reduce storm water runoff.	2
	Any other design features – porte-cochere, extended porches or approved “Green” building design element approved by the Zoning Administrator as meeting the intent of the PAD.	1

**207.07 Procedures**

Please refer to Article 510 of this Code for PAD District administrative procedures. A PAD District must be adopted by the City Council as a rezoning, according to the procedures and criteria of Article 510, and the provisions of this Article. An application for a rezoning to the PAD District shall be accompanied by a PAD Plan, which will be processed according to the procedures and criteria in Article 510, and the provisions of this Article. Additional provisions for Planned Area Development subdivisions are in the Subdivision Ordinance.

**207.08 Review of Plans**

All applications for a PAD District shall be prepared and reviewed in accordance with this Code and the applicable provisions of the Subdivision Ordinance, the City of Maricopa Parks, Trails and Open Space Master Plan and all other applicable policies of the City. Once a PAD Plan has been approved through the zoning procedures established in Article 510 of this Code, all future improvements on the property governed by the PAD Plan shall follow the standards and approval criteria in the 500 Series, Administration and Permits, unless specifically modified by the approved PAD Plan. No project may be approved and no building permit issued unless the project, alteration, or use is consistent with the approved PAD Plan.

# Article 510 Planned Area Development Procedure

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## Sections:

510.01	Purpose
510.02	Applicability
510.03	Procedures
510.04	Required Findings
510.05	Conditions
510.06	Amendments of Approved Plans
510.07	Planned Area Development Plan Review
510.08	Failure to Comply with Conditions

### **510.01 Purpose**

In accordance with Article 207 of this Code, the Planned Area Development (PAD) District is intended to work in support with the Subdivision. Where PAD zoning is deemed appropriate or necessary, unique zoning regulations are created for the PAD to fulfill the objectives of the General Plan. Individual PAD Districts may be tailored to meet the specific development representations of an application. Hence, one PAD District may vary considerably from another PAD District. This Article provides procedures for establishing a PAD District sites in the City consistent with the General Plan.

### **510.02 Applicability**

PAD Districts may be applied to undeveloped or underdeveloped land in the City, including land proposed for redevelopment, and shall be processed as a Zoning Map amendment under the provisions of Article 509. The procedures in this Article shall apply to all proposals to establish a new PAD District and to all proposals to amend specific provisions of pre-existing PAD Overlays approved under the prior Code, in which case the procedures in this Article shall apply to the specific provisions being modified. Properties covered by a recorded Development Agreement shall not require compliance with provisions of this Zoning code, if the provisions are superseded by the Development Agreement.

### 510.03 Procedures

- A. **Applications:** Applicants for a PAD development shall be required to submit, for City approval, a “Preliminary Development Plan”.
- B. **Rezoning:** Any rezoning necessary for the development of a PAD shall be processed prior to or in conjunction with an application for a preliminary plat.
- C. **Decision-Making Body.** A PAD District must be adopted by the City Council in accordance with the public notice and review procedures of Section 509.03 of this Code. A public hearing before the Planning & Zoning Commission and City Council is required, and the Planning & Zoning Commission shall make a recommendation to the City Council prior to City Council consideration.
- D. **Procedure.** See Section 502 of this Ordinance for notification and hearing procedure.
- E. **Review Procedures.**
  - 1. **Rezoning.** An application for rezoning to a PAD District shall be processed as an amendment to the Zoning Map and shall include a PAD Plan.
  - 2. **PAD Plan.** The PAD Plan shall be accepted and processed as a part of and in the same manner as an amendment to the Zoning Map, although additional information is required to be submitted in order to determine that the intent of this Code, the Subdivision Ordinance, and the General Plan will be fulfilled. A PAD Plan is defined as the documents accompanying a PAD rezoning application and may include, but not limited to: a land use plan, a phasing plan, an open space and landscaping plan, engineering documentation and reports, a narrative explaining the proposal and expressing the design and character of the proposed development, development standards and uses, and any other documentation and imagery intended to support the proposed development being requested as identified in Section 510.03D. Once approved, the conditions of approval become a part of the PAD Plan, unless otherwise specified.
  - 3. **Preliminary Subdivision Plat.** A PAD may be submitted, processed, and reviewed prior to or concurrently with the submission of a preliminary subdivision plat application pursuant to Chapter 14 of the City Code, but no permits may be issued unless or until the PAD has been approved and a final plat has been approved and recorded with the Pinal County Recorder’s Office.
- F. **Initiation.** An amendment to reclassify property to a PAD District shall be initiated by a property owner or authorized agent or a motion of the Planning & Zoning Commission or the City Council. If the property is not under a single ownership, all owners must join the application, and a map showing the extent of ownership shall be submitted with the application.

G. **Application Content.** An application for a PAD, made on the prescribed form, shall be filed with the Development Services Department, accompanied by the required fee. Applications shall contain all of the following:

1. **Legal Description.** A legal description of the site and a statement of the gross number of acres, or square feet if less than one acre, contained therein.
2. **Title Report.** A title report not more than 60 days old verifying the description and the ownership of the property.
3. **Project Narrative.** A generalized narrative describing the location of the site, its total acreage, and the existing character and use of the site and adjoining properties; the concept of the proposed development, including proposed uses and activities, proposed residential densities if appropriate, and the general conformance of the proposed PAD to the General Plan.
4. **Development Schedule.** A development schedule, including anticipated timing for commencement and completion of each phase of development, tabulation of the total number of acres in each separate phase and percentage of such acreage to be devoted to particular uses, and an indication of the proposed number and type of dwelling units and open space by phase of development, if applicable.
5. **Maps and Diagrams.** Maps, diagrams, and other graphics necessary to establish the physical scale and character of the development and demonstrate the relationship among its constituent land uses, buildings and structures, public facilities, and open space. These graphics shall at a minimum indicate:
  - a. A map showing the perimeter boundaries of the project site, the ownership, the location and dimensions of any existing property lines and easements within the site, and all uses and structures within a 300-foot radius of the project area boundaries;
  - b. Demonstration that development is in conformity with the Maricopa Parks, Trails and Open Space Master Plan, the City's most current adopted transportation plans, and the General Plan, including but not limited to circulation of proposed movement of vehicles, goods, and pedestrians within the district and to and from adjacent areas, streets and driveways, sidewalks and pedestrian ways, transit stops, and off-street parking and loading areas;
  - c. A site plan indicating existing and proposed uses, location and dimension of buildings and structures, gross floor area of existing and proposed structures, identification of structures to be demolished or removed;
  - d. A detailed tabulation of the proposed number of lots, the lot dimensions, maximum building coverage including height(s),

minimum setbacks, landscaped areas, and parking spaces provided and required;

- e. A “Master Outdoor Lighting Plan” for all areas of the proposed development, including but not limited to pedestrian travel areas; and
- f. A “Master Signage Plan”, including the size and location of all proposed signs and deviations from the sign code if applicable.

- 6. ***Open Space and Landscaping Plan.*** An existing and proposed open space and landscaping plan including landscape concept and type of plant materials, recreation area, parking, service and other public areas used in common on the property and a description of intended improvements to and responsible party of the open space area maintenance, such as the HOA or City (if expressly agreed to by City).
- 7. ***Other Information.*** All provisions required by Article 207 of this Ordinance and any other information deemed necessary by the Zoning Administrator to ascertain if the project meets the required findings for a PAD Plan.

#### **510.04 Required Findings**

A PAD Plan and the re-zoning of a PAD District shall only be approved if all of the following findings are made:

- A. The proposed development is consistent with the General Plan, the Subdivision Ordinance, and any applicable specific plan or master plan, including the density and intensity limitations that apply;
- B. The subject site is physically suitable for the type and intensity of the land use being proposed;
- C. Adequate transportation facilities and public services exist or will be provided in accordance with the conditions of PAD plan approval, to serve the proposed development and the approval of the proposed development will not result in a reduction of traffic levels of service or public services so as to be a detriment to public health, safety, or welfare;
- D. The proposed development will not have a substantial adverse effect on surrounding land uses and will be compatible with the existing and planned land use character of the surrounding area;
- E. The development complies with applicable adopted design guidelines; and
- F. The proposed development carries out the intent of the Planned Area Development provisions by providing a more efficient use of the land and an excellence of

architecture and site design greater than that which could be achieved through the application of the base district regulations.

**G.** Residential densities shall be determined on the basis of the following:

1. The densities of the surrounding development;
2. The urban development goals and other policies of the General Plan;
3. The topography and character of the natural environment;
4. The impact of a given density on the specific site and adjacent properties.

**H. Minimum Lot Area.** Single-family residential developments may propose lotting arrangements with a portion of the site in parcels with less than a 5,000 square foot lot area when achieving a minimum of 6 points from the PAD Design Element Table.

**I. Modify Development Land Use Regulations**

1. ***Criteria for Modifications to Default Standards.*** At a minimum, the following criteria when evaluating all requests for modifications to Zoning Ordinance Standards and/or General Development Standards:

- a. The modification is consistent with the application of design requirements designated in the PAD;
- b. The modification will result in a project design that meets or exceeds the design goals and guidelines as expressed by the PAD; and
- c. The modification results in a building of superior architectural design, as determined by building form and massing, use of materials and colors, and relationship of the building to the building site;
- d. The modification is in accordance with the City of Maricopa adopted Building Code and adopted Design Standards Manual, as may be applicable.

2. ***Applicable Zoning Code.*** Development standards not established within the PAD Plan shall refer to the applicable zoning code.

### **510.05 Conditions**

In approving a PAD Plan, the City Council may impose reasonable conditions deemed necessary to:

- A.** Ensure that the proposal conforms in all significant respects with the General Plan and with any other applicable plans or policies that the City has adopted;

- B. Achieve the general purposes of this Code;
- C. Achieve the findings listed in Section 510.04;
- D. Mitigate any potentially significant impacts identified as a result of review of the proposed PAD Plan; or
- E. Any other conditions that are found to be necessary to ensure that the provisions of the General Plan and this Code are met.

The City Council may require reasonable guarantees and evidence that such conditions are being, or will be, complied with.

### **510.06 Amendments of Approved Plans**

- A. **Changed Plans.** Amendments to a PAD District or PAD Plan may be requested by the applicant or its successors. Amendments to an approved PAD Plan shall be classified as major or minor amendments. Upon receipt of an amendment application, the Zoning Administrator shall determine if the proposed amendment constitutes a major or minor amendment.
- B. **Major Amendments.** Any major amendment to the PAD shall be reviewed by the Zoning Administrator to determine if the proposed changes will be processed as a new application, or an amendment to the existing plan requiring modifications to only portions of the PAD Plan. An amendment will be deemed major if it involves one or more of the following changes:
  - 1. A change in the exterior boundary of the PAD District that is 10% or more of the existing PAD boundary;
  - 2. An increase in the number of dwelling units for the PAD District that is more than 10 percent greater than the maximum stated in the PAD Plan;
  - 3. A 10% increase in trip generation per a Traffic Impact Analysis (TIA) report;
  - 4. Any change in parks, public recreation areas, or school sites that is likely to negatively impact or burden the City's ability to provide parks and recreational facilities or the school district's ability to serve the future school-age population;
  - 5. Any change in phasing or timing that would have a significant impact on the completion of infrastructure improvements, parks, public recreation areas or school districts;
  - 6. Any change in land use or density that is likely to have a negative impact or create a burden on public facilities and utilities infrastructure;
  - 7. Any change resulting in a 20 percent or more increase in the allowable height of buildings, or increase to the number of stories allowed;

8. Any change in land use or density that is likely to negatively impact or burden circulation adjacent to the PAD District or the overall major street system, as determined by the City Engineer; or
9. Any other proposed change to the PAD Plan or the conditions of approval that substantively alters one or more of its components with potentially significant adverse consequences, as determined by the Zoning Administrator.

**C. Minor Amendments.** Amendments not meeting one or more of the criteria listed in Subsection (B) above shall be considered minor if they are consistent with the original findings and conditions of approval. Minor Amendments may be approved by the Zoning Administrator. The Zoning Administrator may, at his/her discretion, refer any request for an amendment to a PAD Plan that may generate substantial public interest to the Planning & Zoning Commission for a decision. Amendments to an approved PAD are considered minor and may be approved by the Zoning Administrator. Minor PAD amendments include, but are not limited to:

1. Changes in phasing, including the size and number of housing units in individual development units provided there is not a significant change in the overall development program that results in an increase in the number of units and/or non-residential floor area.
2. Any change resulting in less than a 20 percent increase in the allowable height of buildings.
3. Changes in the location and size of a school site provided the appropriate school district approves such a change in location and acreage.
4. Changes in the location and size of individual park sites provided the total park acres is not reduced and City standards for park service areas continue to be met with such changes.
5. Changes in the location or alignment of proposed roadways and other plan modifications to comply with adopted City policies. Should the proposed changes potentially impact surrounding uses, the Zoning Administrator shall determine if the request is processed as a Major or Minor Amendment.

#### **510.07 Planned Area Development Plan Review**

Development Plans for a PAD shall be accepted for planning and building permits or subdivisions only if they are consistent with an approved PAD Plan and any conditions of approval. No project may be approved, and no building permit issued unless the project, alteration or use is consistent with an approved PAD.

#### **510.08 Failure to Comply with Conditions**

Failure to comply with any PAD permit condition or development schedule is a violation of this Article and subject to Article 512, Enforcement. The Planning & Zoning Commission or City

Council may suspend the applicant's permit until such time as the applicant conforms to the conditions thereof.