

SECTION 424. "PAD" ZONE, PLANNED AREA DEVELOPMENT

A. PURPOSE.

The Planned Area Development (PAD) zoning district is intended to provide an alternative to the conventional zoning and development processes in the City of Cottonwood, Arizona (City), in order to achieve the following purposes:

1. To ensure orderly planning and review procedures that will result in superior design, with variety in architectural and site design using techniques including, but not limited to, variations in building styles, setbacks, lot arrangements, and site planning;
2. To promote economical, innovative, and efficient land use, with emphasis on utilizing existing infrastructure, improving amenities, with appropriate and harmonious variety, creative design, and sensitivity to the surrounding land uses and the natural environment;
3. To provide for a zoning district that encompasses a broad range of land uses including, but not limited to single-family and multi-family residential, professional and administrative offices, retail, service, hotel and resort, light industrial or employment, recreational, and any public or semi public use or combination of uses through the adoption of a Master Development Plan (MDP) which sets forth land-use relationships, development standards, and goals consistent with the Cottonwood General Plan;
4. To encourage a more creative approach to land utilization by creating efficient, aesthetic, and desirable developments, which may be characterized by incorporating special features of the geography, topography, size, uses, or shape of a particular property into its site planning;
5. To permit flexibility in design standards so that a PAD produces a choice in the type of environment, living units, commercial installations, and other facilities available to the public while maximizing efficient, aesthetic, and desirable use of open space;
6. To promote a unique yet compatible development that is in harmony with the surrounding land uses and the goals of the City of Cottonwood General Plan; and
7. To provide a device for averaging residential density over an entire parcel and placing no restrictions on lot size or dwelling types, as long as the total density does not exceed the maximum approved in the MDP.

B. GENERAL REQUIREMENTS AND STANDARDS.

1. The land uses and design of the proposed PAD shall be consistent with the General Plan.
2. Submittal of an MDP is required as part of the PAD approval process. All PAD rezoning applications are subject to the provisions of Section 301 of the Zoning Ordinance, with the exception of subsection D.1.b., which shall be replaced with the

requirement for the submission of a MDP. All PADs are subject to the provisions of Sections 303, 304, 305, and 306 of the City of Cottonwood Zoning Ordinance, the Subdivision Ordinance, and Ordinance Number 144, pertaining to off-site improvements and any other applicable regulations.

3. The approved PAD and MDP, not the prior underlying zoning district, shall determine uses within the PAD. Each PAD shall be limited by the approved MDP to a maximum number of dwelling units and/or gross commercial/industrial square footage, or FAR.
4. Residential development in a PAD may provide for a variety of housing types and permitted uses. Parcel densities within the PAD may be flexible as long as the maximum number of dwelling units for the entire PAD established by the MDP is not exceeded.
5. Commercial development in a PAD may provide for a variety of commercial and/or industrial/employment uses. The total square footage or FAR for commercial/industrial uses may be flexible from parcel to parcel within the maximum allowable number of square feet or FAR of commercial/industrial usage for the entire PAD as established by the MDP.
6. Section 404, General Provisions, of the Zoning Ordinance shall apply for any general development standards not specifically a part of the PAD approval.

C. PERMITTED USES.

1. All uses designated on the approved MDP together with permitted accessory uses.
2. Uses Subject to a Conditional Use Permit designated on the approved MDP and in accordance with Section 302 of this Ordinance.

D. PROPERTY DEVELOPMENT STANDARDS.

The following development standards shall apply to all development and construction permitted within a PAD.

1. There is no minimum size for a proposed PAD site, however, if proposed for an in-fill or redevelopment site, the size of a PAD will be reviewed in the context of the property's location and surrounding uses.
2. Minimum building setbacks from all boundary property lines which form the perimeter of the PAD shall be equal to the abutting City zoning district, or when abutting a County zoning district as established by the approved MDP.
3. Land uses on the perimeter of the PAD shall be designed and developed to be compatible with and complementary to the existing and planned development reflected on the General Plan in the immediate vicinity of the proposed PAD.
4. There shall be no minimum lot size requirement for individual lots or dwelling units.

5. Required open space
 - a. Open space shall not be less than 30 percent of the gross acreage, of the parcels within the PAD proposed for residential development excluding public and private road rights-of-way and not less than 10 percent of the gross acreage and 10 percent of the parking over 10 spaces of the parcels within the PAD proposed for commercial or industrial development excluding public and private road rights-of-way, unless off-setting community benefits are demonstrated and approved in the MDP. Specific parcel allocations of open space may be required as part of the 30 percent and 10 percent overall requirements.
 - b. Open space shall be conceptually depicted on the MDP as:
 - (1) Dedicated municipal use, public park, and school sites;
 - (2) Bike paths, equestrian, and/ or hiking trails;
 - (3) Public or private park and recreation areas;
 - (4) Floodway or floodplain areas;
 - (5) Retention basins required to comply with the one-hundred (100) year storm, per Ordinance number 172, shall be counted as open space when improved or landscaped to be a cohesive and integral element of the overall landscape plan;
 - (6) In residential areas of a PAD landscaped front yards contributing to the overall streetscape design; and
 - (7) Development site enhancements, including landscapes and hardscaped areas, plazas, and courtyards.
 - c. Required open space shall not include any of the following:
 - (1) Dedicated streets, alleys and other public rights-of-way, except that all landscaping within rights-of-way shall be included;
 - (2) Vehicular driveways, parking, loading, and storage areas;
 - (3) Reservation of municipal use, public park, or school sites which the governmental entity shall be required to purchase; only if such sites are dedicated shall they constitute open space as defined above;
 - (4) Concrete or rock lined areas designed primarily as a drainage channel; and
 - (5) Back yards within residential areas of a PAD.
6. Building heights, setbacks, and separations shall be reviewed and approved based upon compatibility with adjacent land uses, the placement of buildings within the parcel, and conformance with building codes and fire safety requirements.

7. A PAD which includes only one housing type, such as all detached or all attached units, or one type of commercial use, shall not be considered inconsistent with the stated purposes and objectives of this section and shall not be the sole basis for denial or approval of the PAD.
8. Parking, landscaping, lighting, and signage standards shall meet the requirements of the applicable sections of the Zoning Ordinance, unless otherwise approved as part of the MDP design criteria.
9. Circulation, General
 - a. The arrangement, character, extent, grade, width, and location of all roadways, streets, bike paths, or trails shall conform to applicable City standards, unless adjusted for specific topographical or developmental conditions in accordance with a traffic engineering study approved as part of the MDP.
 - b. Where such is not shown on the General Plan, adopted transportation plan, specific area plan or preliminary plans, the arrangement of streets, bike paths, and trails shall provide continuation or appropriate projection of existing streets bike paths and trails in surrounding areas. Streets, bike paths, and trails shall be designed to make the best use of the land features and open space requirements of this Ordinance, in addition to meeting public safety issues.
 - c. Each parcel design shall provide for adequate traffic circulation that incorporates the adopted City street functional classification system to handle the projected traffic volumes on the streets.
 - d. The minimum width of right-of-way, measured from lot line to lot line, shall be as established in the MDP. Proposed streets shall extend or project existing streets at their same or greater width, but not at a width less than prescribed by established standards, unless it can be demonstrated that a narrower street will serve the function of efficient site planning and convenience for the residents/occupants and still satisfy public safety issues.
10. Colors, Materials, Architectural Style, and Appearance
 - a. The Development Review Board shall be responsible for approval of the layout and design of buildings and structures within the proposed PAD, in accordance with Section 304 C of the Zoning Ordinance.
11. The PAD narrative report shall identify the ownership and maintenance responsibilities for common areas and landscaping within rights-of-way and shall provide for a homeowners association, a maintenance improvements district, or other mechanism to assure long-term maintenance of common areas and rights-of-way, if needed (as appropriate).

E. PHASING OF DEVELOPMENT.

1. A PAD plan may be constructed in phases and the PAD narrative shall specify the phases of development, locations and timing of on-site and off-site improvements for

each phase, as well as, an estimated range of time for beginning and completion of each phase. Each phase must comply with all provisions of this Section 424 of the Zoning Ordinance, or as otherwise approved in the phasing plan of the approved MDP.

2. Requests for modifications to the phasing plan approved as part of the MDP shall be subject to Zoning Administrator approval with a right of appeal to the City Council.
3. The applicant may enter into a development agreement with the City providing for the timing, sizing, and funding of phased infrastructure improvements required for the PAD or may use any alternative mechanism acceptable to the City.

F. OPERATING AND MAINTENANCE REQUIREMENTS FOR PLANNED AREA DEVELOPMENT.

1. In the event that certain land areas or structures are provided within the PAD for private recreational use or as service facilities, the owner of such land and buildings shall establish an arrangement to assure a continued standard of maintenance consistent with the conditions of PAD approval.
2. All utility lines, except electric utility lines 69KV or larger, shall be installed underground.
3. Development within a PAD shall conform to all conditions and standards of PAD approval. The PAD applies to the subject property and change in ownership or successors in interest does not constitute a change in agreed upon standards and requirements. Section 404 General Provisions of the City of Cottonwood Zoning Ordinance shall apply for any general development standards not specifically a part of the PAD approval.

G. APPLICATION AND PROCEDURES.

1. Preapplication

The developer is required to meet with appropriate City staff in a pre-application meeting prior to making application for a PAD to discuss the development concept, the review and approval process, and the submittal requirements.

2. Application

- a. The developer shall complete the necessary application forms from the Planning and Zoning Department and submit the required filing fee, along with ten (10) copies of the MDP and narrative report.
- b. The PAD application and MDP shall include the following as well as a narrative report:
 - (1) Proposed name of development;
 - (2) Name, address, and telephone number of property owner and applicant;

- (3) Legal description of the PAD area;
 - (4) Context exhibit showing adjacent land uses and special site conditions;
 - (5) A conceptual development plan for the PAD area; and
 - (6) Description of the proposed land use areas and the development standards for each use and/or parcel within the PAD including:
 - a) Proposed dwelling unit type, total land area, and maximum density of residential use areas;
 - b) Proposed uses other than residential, total land area, and maximum square footages/floor area ratios associated with commercial/ industrial uses;
 - c) A preliminary parcel data table;
 - d) Proposed public streetscape and open space improvements and their relationships to the overall development;
 - e) Building heights, minimum lot areas, setbacks, and all other development standards;
 - f) A conceptual description of architectural theme, colors, and exterior building materials proposed for use in the PAD;
 - g) A conceptual description of the landscaping treatment, plant materials, fences, walls, and other open space improvements;
 - h) Proposed location of arterial, collector, or local streets, whether public or private, within a preliminary master circulation plan;
 - i) Proposed location and use of all lands proposed to be dedicated for public purposes including parks, stormwater retention areas, and school sites; and
 - j) Preliminary master water, sewer, and drainage reports.
- c. The narrative report shall include the following:
- (1) A description of the objectives to be achieved by the development concept, including, but not limited to:
 - a) The manner in which the proposed MDP meets or exceeds the intent of the PAD District;
 - b) The proposed overall design rationale, as well as architectural and site design concepts, including style, colors, type of materials, and rationale for placement of structures to maximize views and take advantage of the natural characteristics of the PAD site;
 - c) Specific concepts by which the proposed MDP will make an orderly transition from existing or planned adjacent development including varied setbacks and façade treatment, open space elements, screening of parking areas, and landscaping of the public or private open spaces and recreational facilities; and
 - d) A discussion of visual, traffic, or drainage impacts and compatibility with surrounding land uses and consistency with the General Plan.

- (2) A statement describing the terms and conditions under which the PAD would be developed and maintained subsequent to development. Such statement shall include any conditions, performance standards, and other reasonable restrictions as may be necessary to insure the development and maintenance of the property in accordance with the approved MDP.
- (3) Design criteria for the PAD including all development standards.
- (4) Phasing Plan.

3. Review Process

- a. Staff will circulate the MDP and narrative report to the municipal departments and any other agency that may be affected by or have comments to the application.
- b. Staff will schedule a Code Review Board meeting in which the MDP and narrative report shall be evaluated and discussed. Representatives from each municipal department and/or reviewing agency shall be invited to participate in the meeting, including the developer and their representatives.
- c. At the Code Review Board Meeting, the developer shall receive input as to staff recommendations, compliance with the intent of the PAD Ordinance, and/or apparent constraints, prior to the finalization of submittal materials required as part of the PAD Review.
- d. Within fourteen (14) days following the Code Review Board meeting, the developer shall be apprised if Staff will require additional studies, or broadened scope of studies, beyond those enumerated in the MDP application requirements, such as a Multi-modal Circulation Plan, Drainage Concept Plan, Soils Report, Traffic Impact Analysis, or any other studies that the City staff determines is reasonably necessary for the review and approval of the proposed PAD.
- e. Upon receipt of the comments, the Planning and Zoning Department shall compile the comments and respond to the developer or agents in writing in a reasonable time period as to how the proposed PAD relates to the following:
 - (1) Conformance to the General Plan;
 - (2) Suitability of the PAD for development and constraints or stipulations; and
 - (3) Preliminary requests for improvements and major dedications required by the City.
- f. The developer shall conduct a neighborhood meeting for citizen review and participation in accordance with the provisions of Section 301 B. of the Zoning Ordinance prior to the public hearing presentation to the Planning and Zoning Commission.

H. PLANNING AND ZONING COMMISSION REVIEW AND HEARING.

1. The application shall be filed, reviewed, noticed, and processed in accordance with Section 301 of the City Zoning Code.
2. Upon receipt of a complete PAD application, Staff shall prepare a report and package for the Planning and Zoning Commission.
3. The Planning and Zoning Commission shall review the Staff report, related maps, reports, and data, as well as, conduct a public hearing, which may include the staff report and presentation, a presentation and question and answer session with the developer and/or their representatives, and public comment.
4. In considering applications for a PAD approval, the Commission may consider the following:
 - a. Conformance to the General Plan;
 - b. The impact of the PAD on the existing and anticipated traffic and parking conditions;
 - c. The adequacy of the MDP and narrative report with respect to proposed land uses and development standards;
 - d. Pedestrian and vehicular ingress and egress, including handicapped accessibility;
 - e. Design criteria;
 - f. Conceptual landscaping proposal;
 - g. Provisions for utilities;
 - h. Site drainage and grading;
 - i. Open space and/or public land dedications; and
 - j. Non-motorized circulation.
5. The Commission shall consider oral and/or written statements from the developer and their representatives, the public, City staff, and its own members. The Commission may question the developer and approve, disapprove, carry over the discussion, request additional information, and/or recommend stipulations of PAD approval.
6. If the Commission determines that the proposed PAD will not be detrimental to the health, safety, or welfare of the community, and is in harmony with the purposes and intent of this Ordinance, and the General Plan, the Commission may recommend to the City Council by motion that the PAD be approved. The recommendation may include any conditions and stipulations determined to be reasonably necessary for implementation of the PAD.

I. CITY COUNCIL CONSIDERATION AND HEARING.

1. The City Council, following the report and recommendation of the Planning and Zoning Commission, shall consider the PAD request. The request shall be processed and considered as set forth in Section 301 F. Amendments or Zone Changes of the City of Cottonwood Zoning Ordinance.
2. In its deliberations on the PAD, the Council shall consider oral and/or written statements from the developer, their representatives, City staff, the public, and its own members. The Council's review shall encompass the same spectrum of considerations as did that of the Planning and Zoning Commission. The City Council may approve, deny, carry over the request, or impose conditions and stipulations on the PAD approval. Approvals shall be for a specific development site, not a particular developer.

J. BUILDING PERMIT ISSUANCE.

No building permit will be issued for any portion of a PAD that has not received Development Review Board approval as required and that has not provided required financial assurances or dedications for such portion of the PAD.

K. METHOD FOR WITHDRAWING AN APPLICATION FOR PAD APPROVAL.

Any application for a PAD may be withdrawn by the applicant in writing at any time prior to approval by the City Council.

L. AMENDMENTS TO PAD APPROVAL.

1. A request for an amendment to an approved PAD shall be processed as either a minor amendment or major amendment.
2. An application for a PAD amendment will be routed for review by all affected City departments or agencies and upon receipt of review comments, the Zoning Administrator will determine whether the requested change meets any one of the following criteria for a major amendment:
 - a. An increase in the total number of dwelling units of more than 5 percent above the original approval;
 - b. An increase in the gross leasable square feet/FAR within a PAD of more than 10 percent above the original approval;
 - c. A reconfiguration in land use designation boundaries and/or parcel sizes that increases or decreases the size of any land use designation boundaries and/or parcel sizes by more than 20 percent; and
 - d. Any other change which could have a significant impact on areas adjoining the PAD, including a significant traffic impact on roadways adjacent or external to the PAD.

3. All major amendments to a PAD shall be reviewed and approved by the Planning and Zoning Commission and City Council following the same procedure as prescribed for the original approval.
4. Any PAD Amendment application, including a rearrangement of parcels within a PAD that does not meet any of the above criteria shall be processed as a minor amendment. A minor amendment shall be reviewed by all affected City departments and agencies and may be administratively approved by the Zoning Administrator.

M. DENIAL OF PAD REQUEST.

If an application for a PAD is denied, the Zoning Administrator shall have the authority to refuse to accept a new application for a PAD on the same site, or a portion of the site, within ninety days after the date of denial.