

Amendments to Article 13-19 and Chapter 14 of the Town Code

SECTION ONE. That Section 13-19-010 “Definitions” in Article 13-19 “PAD (PLANNED AREA DEVELOPMENT)” in Chapter 13 “ZONING” of the Town Code of the Town of Prescott Valley, Arizona be hereby amended to read as follows:

13-19-010 Definitions.

PAD (Planned Area Development) Districts, as defined more fully in Section 13-02-010(B), involve groups of structures designed for construction as a unified project under a plan to be approved under this Article of the Zoning Chapter.

(Ord. No. 37, Enacted, 09/04/80; Ord. No. 178, Rep&ReEn, 05/26/88; Ord. No. 375, Amended, 12/28/95; Ord. No. _____, Amended, / / /)

SECTION TWO. That Section 13-19-020 “Purpose” in Article 13-19 “PAD (PLANNED AREA DEVELOPMENT)” in Chapter 13 “ZONING” of the Town Code be hereby amended to read as follows:

13-19-020 Purpose.

...

B. Establish procedures ~~that would reduce inequities occurring when strict application of zoning regulations pertaining primarily to small lots are applied to large lots to provide flexibility in design, density and development requirements for development plans while ensuring that such flexibility does not adversely affect the intent and purpose of the General Plan of the Town of Prescott Valley.~~

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(Ord. No. 37, Enacted, 09/04/80; Ord. No. 178, Rep&ReEn, 05/26/88; Ord. No. 375, Amended, 12/28/95; Ord. No. _____, Amended, / / /)

SECTION THREE. That Section 13-19-030 “Initiation” in Article 13-19 “PAD (PLANNED AREA DEVELOPMENT)” in Chapter 13 “ZONING” of the Town Code be hereby amended to read as follows:

13-19-030 Initiation.

A. Action to ~~reclassify property to the~~ add a PAD District to a property may be initiated by the owner or owners of property, the Planning and Zoning Commission, or the Town Council.

B. A PAD District may be added to an existing district to meet the intent of this Article or may be processed concurrently with a request to change an underlying zoning district.

(Ord. No. 37, Enacted, 09/04/80; Ord. No. 178, Rep&ReEn, 05/26/88; Ord. No. _____, Amended, / / /)

SECTION FOUR. That Section 13-19-050 “Locations” in Article 13-19 “PAD (PLANNED

AREA DEVELOPMENT)” in Chapter 13 “ZONING” of the Town Code be hereby amended to read as follows:

13-19-050 Locations.

~~A PAD overlay zoning district may be established in any zoning district upon a finding by the Town Council, after receiving a recommendation from the Planning and Zoning Commission, that such a development will comply with the intent of this Article, and that the PAD overlay zoning district substantially complies with the intent and objectives of the General Plan and companion land development codes. A Planned Area Development for residential use may be established in all of the residential districts as provided in this Chapter. Planned Area Developments for other than residential use may be established in the Residential Service, Commercial and Industrial Districts as provided in this Chapter upon a finding by the Planning and Zoning Commission and the Town Council that such a development will comply with the intent and objectives of the Comprehensive Plan. If a proposed project requires rezoning, a request may be considered by the Commission simultaneously with its consideration of preliminary approval of the development plan.~~

(Ord. No. 37, Enacted, 09/04/80; Ord. No. 178, Rep&ReEn, 05/26/88; Ord. No. , Amended. / / /)

SECTION FIVE. That Section 13-19-060 “Plans Required and PAD Procedures” in Article 13-19 “PAD (PLANNED AREA DEVELOPMENT)” in Chapter 13 “ZONING” of the Town Code be hereby amended to read as follows:

13-19-060 Plans Required and PAD Procedures.

- A. No use shall be permitted in a PAD District until a Preliminary Development Plan and a Final Development Plan have been reviewed and approved by the Commission and Council respectively, in accordance with the provisions of this Article.
- B. All Preliminary Development Plans and Final Development Plans prepared for subdivisions shall be prepared in accordance with the requirements of the Subdivision Code in Chapter 14 of the Town Code.
- CB. Preliminary Development Plan: The applicant for a proposed PAD shall prepare a Preliminary Development Plan which shall contain necessary written and graphic information describing the general nature of the proposed development as required by the Town of Prescott Valley. The Preliminary Development Plan shall contain, at a minimum, the following information:
 - ...
 - 3. Proposed pattern of residential and/or commercial land uses, including areas to be conveyed, dedicated or reserved for parks, parkways, playgrounds, school sites, public buildings and other similar public and semi-public uses, and the underlying zoning district.
 - 4. A conceptual site plan for each building site and common open areas, showing the approximate location of all structures, buildings and improvements (except for single family detached units which shall be indicated by lot location only). The site plan shall also indicate the open spaces around buildings and structures.

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DC. The Preliminary Development Plan shall be submitted to the Community Development Department. Once the Department determines that the Plan substantially conforms to the submission requirements of this Section, the Plan shall be presented to the Planning and Zoning Commission at a future regular meeting [but not less than thirty (30) days from the date of filing].

ED. Preliminary Plan Review: The Planning Commission shall investigate and ascertain that the Preliminary Development Plans for a Planned Area Development meet the following conditions:

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4. That the proposed uses are or will be allowed in the underlying zoning district.

~~4. That the spacing between main buildings shall be at least equivalent to the spacing which would be required between buildings similarly developed under the terms of this Chapter on separate parcels.~~

~~5. That setbacks from exterior boundaries of the project will not be less than the minimum yards required in the District where located.~~

~~6. That the average lot area per dwelling unit contained in the site, exclusive of the area occupied by public streets, will not be less than the lot area required in the District in which the development is located.~~

EE. If the Commission finds that the proposed land uses illustrated on the Preliminary Development Plan ~~is~~ are not in conformity with the current or proposed underlying zoning district or does not otherwise meet the intent and objectives of the Comprehensive General Plan or objectives of this Chapter, the Commission shall give no further consideration, unless, within ten (10) days after the decision of the Commission is rendered, the applicant requests an appeal of the Commission decision to the Town Council. Within thirty (30) days of the request for an appeal, the Council shall hold a public hearing to affirm, reverse or modify the Commission decision. If the Council concurs with the decision of the Commission in denying the appeal of a proposed PAD, the Council shall give no further consideration. If the Council upholds the appeal and reverses the Commission decision, the applicant shall be required to prepare a Final Development Plan according to the provisions and procedures contained in this Article.

GF. If the Commission finds that the Preliminary Development Plan is consistent with the underlying zoning district and the objectives of the General Plan ~~of the Town of Prescott Valley~~, the applicant shall then prepare and submit a Final Development Plan. The Commission may require that the applicant modify, alter, adjust or amend the Preliminary Development Plan in a manner, and to an extent, as it may be necessary and appropriate to the public interest. The time period for which Preliminary Development Plan approvals shall be valid shall essentially be the same as for Preliminary Plat approvals in Town Code Subsection 14-02-030(F) (as amended).

HG. Final Development Plan: The Final Development Plan shall include ~~contain~~ all pertinent information relating to the proposed PAD and contained in the Preliminary Development Plan (as revised) and as may be required by the Town of Prescott Valley and may include, but not be limited to, any of the following information as required by the Community Development Department, the Planning and Zoning Commission, Town Council, or ~~and~~ the officer in charge of administering this Chapter.

1. ~~All information contained in the Preliminary Development Plan as refined and revised.~~
2. ~~Plans and elevations of all building types.~~
3. ~~Schematic grading plans including proposed treatment of slopes and drainage plans.~~
4. ~~The number of dwelling units by dwelling type.~~
5. ~~Projection of school enrollment generated by PAD.~~
6. ~~Street and lot patterns and building siting envelopes showing setback.~~
7. ~~Projection of traffic volumes within the PAD and vicinity.~~
8. ~~Proposed ownership, method of financing improvements and maintenance of open space.~~
9. ~~Evidence of consultation with affected public agencies.~~
10. ~~Any applicable standards of design and construction procedures for Plan submission that may be related to the Subdivision Code as set forth in Chapter 14 of the Town Code.~~

IH. The Final Development Plan shall be inspected by the Town of Prescott Valley for compliance with this Zoning Chapter and all other applicable regulations and ordinances.

~~I. All residential PADs shall be considered subdivisions, and the Final Development Plan shall be prepared in accordance with the requirements of the Subdivision Code in Chapter 14 of the Town Code.~~

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M. ~~The Council may waive certain pre-existing zoning regulations that may be applicable to the proposed area of development, if the Council determines that such a waiver does Upon the approval of the Final Development Plan by the Council, the PAD overlay zoning district may be applied to the proposed area of development and the strict application of the requirements of the underlying zoning district may be tailored to provide flexibility in design, density and development requirements of the approved Final Development Plan, provided the plan does not adversely affect the intent and purpose of the Comprehensive General Plan of the Town of Prescott Valley, nor adversely affect surrounding property (including property values). Such waivers may apply to:~~

1. ~~Lot size~~
2. ~~Height restrictions~~
3. ~~Bulk, yard and setback requirements (including granting of zero side and front yard setbacks in all residential districts).~~

~~Such action of the Council may include variations of any pre-existing zoning regulation where there exist unusual conditions relating to the property such as topography, drainage, flood hazards, peculiarity of shape of the site, and where approval of variations would promote the~~

~~general welfare of the neighborhood.~~

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(Ord. No. 37, Enacted, 09/04/80; Ord. No. 178, Rep&ReEn, 05/26/88; Ord. No. 375, Amended, 12/28/95; Ord. No. 442, Amended, 08/27/98; Ord. No. 647, Amended, 01/27/06; Ord. No. 751, Amended, 08/12/10, Ord. No. , Amended, / / /)

SECTION SIX. That Section 13-19-080 “Administrative PAD Amendment” in Article 13-19 “PAD (PLANNED AREA DEVELOPMENT)” in Chapter 13 “ZONING” of the Town Code be hereby enacted to read as follows:

13-19-080 PAD Amendments

A. Amendments: The following procedures shall be followed for any amendment to a PAD including amendments to the Development Phasing Schedule.

1. Major Amendments:

a. A PAD District applicant or his successors in interest may file a request for a major amendment with the Community Development Department.

b. The change will be deemed major if it involves any one (1) of the following:

(1) An increase in the approved totals of dwelling units or gross leasable area for the PAD District.

(2) A significant change in zoning boundaries as determined by the Community Development Director from those approved for the PAD District.

(3) Any change which could have significant impact on areas adjoining the PAD as determined by the Development Services Director.

(4) Any change which could have a significant traffic impact on roadways adjacent or external to the PAD as determined by the Community Development Director.

c. The Community Development Department will bring the major amendment before the Planning and Zoning Commission and Town Council and will submit background material relevant to the request.

2. Minor Amendments:

a. A PAD District applicant or his successors in interest may file a request for a minor amendment with the Community Development Department if the Community Development Director determines that the request is not major, as defined above.

b. The request will be routed for comment to any affected Town departments or other agencies for comment.

c. Upon receipt of comments or no later than ten (10) working days, the Community Development Director will determine whether to approve or deny the requested change.

d. If the requested change is approved, a letter of approval signed by the Town Manager will be mailed to the applicant with a copy filed for public record.

(Ord. No. , Enacted, / /)

SECTION SEVEN. That Section 14-01-020 “Definitions” in Article 14-01 “GENERAL PROVISIONS” in Chapter 14 “SUBDIVISIONS” of the Town Code be hereby amended to read as follows:

14-01-020 Definitions.

A. In this Chapter, unless the context otherwise requires:

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32. "Street" means any existing or proposed street, avenue, boulevard, road, lane, parkway, place, viaduct, easement for public vehicular access or other way which is a State, County or municipal roadway; or a street or way shown in a plat heretofore approved pursuant to law or approved by official action; or a street or way in a plat duly filed and recorded in the County Recorder's Office. A street includes all land within the street right-of-way lines, whether improved or unimproved, including such improvements as pavement, shoulders, curbs, gutters, sidewalks, parking space, bridges, viaducts, and landscaping.

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~~f. "Marginal Access Road" means a local street, located within the major street or highway right of way, parallel and adjacent to major traffic lanes, providing direct access to abutting property, intercepting local streets, and controlling access to major streets.~~

fg. "Cul-de-Sac" means a short local street having one end permanently terminated in a vehicular turnaround (or an equally convenient form of turning), and backing areas as may be recommended by the Town Engineer.

gh. "Parkway" means any of the street types which are intensively landscaped to provide attractive or scenic appearance, or located in a park or park-like area. The use of the facility may be restricted to non-commercial traffic.

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(Ord. No. 25, Enacted, 03/27/80; Ord. No. 178, Ren&Amd, 05/26/88, 17-01-020; Ord. No. 282, Amended, 10/22/92; Ord. No. 375, Amended, 12/28/95; Ord. No. , Amended, / /)

SECTION EIGHT. That Section 14-02-030 “Preliminary Plat Stage” in Article 14-02 “PLATTING PROCEDURES AND REQUIREMENTS” in Chapter 14 “SUBDIVISIONS” of the Town Code be hereby amended to read as follows:

14-02-030 Preliminary Plat Stage.

The Preliminary Plat stage of land and airspace subdivision includes detailed planning, submittal, review, and approval of the Preliminary Plat. To avoid delay in processing his application, the subdivider shall provide the department with all information essential to determine the character and general acceptability of the proposed development.

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C. Preliminary Plat Submission:

1. Twenty (20) copies of the Preliminary Plat, ~~an eight and one half by eleven (8 1/2x11) inch transparency~~ and other required supporting data prepared in accordance with requirements set forth in this Section shall be filed with the department at least twenty-one (21) days prior to the Commission meeting at which the subdivider desires to discuss the plat. Submission shall include fees as required by Section 14-01-030 of this Chapter. Copies of the Preliminary Plat shall be reproduced in the form of blue line or black line prints on a white background. The Preliminary Plat and all required supporting data shall also be provided in approved digital image format. Scheduling of the case for Commission hearing shall be dependent upon adequacy of data presented and completion of processing.

(Ord. No. 25, Enacted, 03/27/80; Ord. No. 178, Ren&Amd, 05/26/88, 17-02-030; Ord. No. 268, Amended, 12/12/91; Ord. No. 375, Amended, 12/28/95; Ord. No. 386, Amended, 07/11/96; Ord. No. 442, Amended, 08/27/98; Ord. No. ., Amended, / /)

SECTION NINE. That Section 14-02-040 “Information Required for Preliminary Plat Submittal” in Article 14-02 “PLATTING PROCEDURES AND REQUIREMENTS” in Chapter 14 “SUBDIVISIONS” of the Town Code be hereby amended to read as follows:

14-02-040 Information Required for Preliminary Plat Submittal.

- A. Form of Presentation: The information hereinafter required as part of the Preliminary Plat submittal shall be shown graphically or by note on plans, or by letter, and may comprise several sheets showing various elements of required data. All mapped data for the same plat shall be ~~drawn~~ produced at the same standard engineering scale, said scale having not more than one hundred (100) feet to an inch. Whenever practical, scale shall be adjusted to produce an overall drawing measuring twenty-two by thirty-six (22x36) inches and not exceeding thirty-two by forty-two (32x42) inches. The Preliminary Plat and all required supporting data shall also be provided in approved digital image format.

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(Ord. No. 25, Enacted, 03/27/80; Ord. No. 178, Ren&Amd, 05/26/88, 17-02-040; Ord. No. 268, Amended, 12/12/91; Ord. No. 375, Amended, 12/28/95; Ord. No. 563, Amended, 07/10/03; Ord. No. ., Amended, / /)

SECTION TEN. That Section 14-02-050 “Final Plat Stage” in Article 14-02 “PLATTING

PROCEDURES AND REQUIREMENTS” in Chapter 14 “SUBDIVISIONS” of the Town Code be hereby amended to read as follows:

14-02-050 Final Plat Stage.

This stage includes the final design of the subdivision, engineering of improvements, and submittal of the plat and plans by the subdivider for review and for action by the department, Commission, and Council.

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- D. Final Plat Submission: The subdivider shall file with the department ~~one (1)~~ two (2) Final Plat ~~linen mylar transparencies, one (1) mylar transparency,~~ and thirteen (13) copies thereof, together with a copy in an approved digital format and a letter of transmittal and recordation fee, at least twenty-one (21) days prior to the Council meeting at which consideration is desired. A fee for Final Plat and construction plan review will be in accordance with Section 14-01-030 of this Chapter.

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(Ord. No. 25, Enacted, 03/27/80; Ord. No. 178, Ren&Amd, 05/26/88, 17-02-050; Ord. No. 268, Amended, 12/12/91; Ord. No. 375, Amended, 12/28/95; Ord. No. , Amended, / /)

SECTION ELEVEN. That Section 14-02-060 “Information Required for Final Plat Submittal” in Article 14-02 “PLATTING PROCEDURES AND REQUIREMENTS” in Chapter 14 “SUBDIVISIONS” of the Town Code be hereby amended to read as follows:

14-02-060 Information Required for Final Plat Submittal.

- A. Method and Medium of Presentation: Size prerequisites for recording maps and plats that exceed a size of eight and one-half (8 1/2) by fourteen (14) inches shall be subject to the following restrictions:

1. A map or plat of a subdivision.

- a. Shall be ~~drawn in india~~ produced with permanent ink on a sheet or sheets of ~~linen~~ ~~or~~ mylar measuring twenty-four (24) by thirty-six (36) inches, with a left margin of two (2) inches.

...

- c. Shall also be provided in an approved digital format.

2. All other maps or plats.

- a. Shall be ~~drawn in india~~ produced with permanent ink on a sheet or sheets of ~~linen~~ ~~or~~ mylar measuring eighteen (18) by twenty-six (26) inches with a left margin of two (2) inches.

...

c. Shall also be provided in an approved digital format.

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(Ord. No. 25, Enacted, 03/27/80; Ord. No. 178, Renumbered, 05/26/88, 17-02-060; Ord. No. 375, Amended, 12/28/95; Ord. No. Amended, / /)

SECTION TWELVE. That Section 14-03-020 “Street Location and Arrangement” in Article 14-03 “SUBDIVISION DESIGN STANDARDS AND PRINCIPLES” in Chapter 14 “SUBDIVISIONS” of the Town Code be hereby amended to read as follows:

14-03-020 Street Location and Arrangement.

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F. ~~Where a proposed subdivision abuts or contains an existing or proposed major street, the department may require marginal access roads or reverse frontage with non-access easements along the major street or such other treatment as may be justified for protection of residential properties from the nuisance and hazard of high volume traffic, and to preserve the traffic function of the major street in other types of developments. Street locations and access shall conform to the provisions of Chapter 6 “Circulation Element” of the General Plan of the Town of Prescott Valley.~~

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I. ~~Alleys are required in all residential, commercial, and industrial subdivisions; however, this requirement may be waived by the Commission because of lot sizes, topography, or other circumstances.~~

I. Half streets shall be discouraged except where necessary to provide right-of-way required by the Town street and highway plan, to complete a street pattern already begun, or to ensure reasonable development of a number of adjoining parcels. Where there exists a platted half street abutting the tract to be subdivided, the remaining half shall usually be platted within the tract.

(Ord. No. 25, Enacted, 03/27/80; Ord. No. 178, Ren&Amd, 05/26/88, 17-03-020; Ord. No. , Amended, / /)

SECTION THIRTEEN. That Section 14-03-030 “Street Design” in Article 14-03 “SUBDIVISION DESIGN STANDARDS AND PRINCIPLES” in Chapter 14 “SUBDIVISIONS” of the Town Code be hereby amended to read as follows:

14-03-030 Street Design.

A. Minimum Required Right-of-Way Widths:

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~~4. Marginal access roads as required by current Town standards.~~

45. Alleys (when provided) - sixteen (16) feet wide where there is single-family residential on both sides, and twenty (20) feet wide if abutting commercial, multiple-family residential, or industrial districts. Alley intersections and sharp changes in alignment shall be avoided but, where necessary, corners shall be cut off fifteen (15) feet on each side to permit safe vehicular movement. Dead-end alleys are prohibited. All half alleys shall have a minimum width of twelve (12) feet.

56. Private access ways - as required by Town standards.

B. Grades:

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2. Minimum:

a. Concrete or asphalt streets with concrete gutters:

~~(1) Desirable 40%~~

(1)(2) Minimum 15% .5%

b. Concrete or asphalt streets without gutters:

(1) Minimum 35% 1%

...

C. ~~Vertical Curves~~ Horizontal Design:

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3. Between reverse curves there shall be a tangent section of centerline not less than one hundred (100) feet long, unless the radius exceeds six hundred (600) feet on collector streets, ~~or two hundred (200) feet on local streets [in which cases fifty (50) feet of tangent shall be required].~~ Low volume, low speed local streets may accommodate reverse curves without a tangent section between curves.

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~~8. At local street intersections, property line corners shall be rounded by circular arc, said arc having a minimum tangent length or radius of twelve (12) feet. A sixteen (16) foot by sixteen (16) foot triangle shall be provided at each corner of the intersection of two (2) major streets; and a fourteen (14) foot by eleven (11) foot triangle at each corner of the intersection of two (2) collector streets, or as approved by the Town Engineer.~~

89. Collector streets shall intersect the major streets at the midsection corners or as otherwise approved.

940. Local streets which are primary access to a subdivision shall intersect major streets at the

quarter mile corners, or as otherwise approved.

11. ~~Marginal access road openings to major streets at a local street intersection shall have a minimum thirty (30) foot wide separation island between the major street traffic lanes and marginal access road (which shall be provided within the major street right of way).~~

12. ~~Marginal access roads shall not intersect a major street nor a collector street.~~

(Ord. No. 25, Enacted, 03/27/80; Ord. No. 178, Ren&Amd, 05/26/88, 17-03-030; Ord. No. _____, Amended, / /)

SECTION FOURTEEN. That Section 14-03-040 “Block Design” in Article 14-03 “SUBDIVISION DESIGN STANDARDS AND PRINCIPLES” in Chapter 14 “SUBDIVISIONS” of the Town Code be hereby amended to read as follows:

14-03-040 Block Design.

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B. Maximum Length of Cul-de-Sac streets: ~~three~~ thirteen hundred twenty five (~~325~~ 1,325) feet, measured from the intersection of right-of-way lines to the extreme depth of the turning circle along the street centerline. Exceptions may be made where topography justifies, but shall not be made merely because the tract has restrictive boundary dimensions wherein provisions should be made for extension of street pattern to the adjoining unplatted parcel and a temporary turnaround installed.

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(Ord. No. 25, Enacted, 03/27/80; Ord. No. 178, Renumbered, 05/26/88, 17-03-040; Ord. No. _____, Amended, / /)

SECTION FIFTEEN. That Section 14-03-080 “Street Naming and Addressing” in Article 14-03 “SUBDIVISION DESIGN STANDARDS AND PRINCIPLES” in Chapter 14 “SUBDIVISIONS” of the Town Code be hereby amended to read as follows:

14-03-080 Street Naming and Addressing.

A. ~~After approval of a Preliminary Plat (and before submittal of a Final Plat), Before submittal of a Final Plat, the Community Development Department will provide the subdivider with the street naming and addressing standards set forth in Sections 1-11-040 and 1-11-080 of the Town Code and instructions for preparing and submitting the following: shall submit to the Building Department for review and approval a street naming and address numbering proposal which includes:~~

1. A map illustrating street layouts, the name proposed for each street, and the proposed address number for each adjacent lot, parcel and/or building; and
2. An alphabetical list of the proposed street names, together with an alternate name for each proposed name (and an English translation of any foreign language names).

B. Once the subdivider has submitted all of the information required in this section in accordance

~~with the~~ The department shall then determine compliance with the street name and addressing standards set forth in Sections 1-11-040 and 1-11-080 of the Town Code, the subdivider may incorporate the approved street names in the Final Plat. The Community Development Department will then input the approved addresses into the Town's permit system and database. ~~(as amended from time to time), shall amend or modify the proposal as needed to comply with said standards, then shall return the same to the subdivider for incorporation in the Final Plat.~~

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(Ord. No. 25, Enacted, 03/27/80; Ord. No. 49, Enacted, 01/22/81; Ord. No. 54, Amended, 06/25/81; Ord. No. 178, Renumbered, 05/26/88, 17-03-080; Ord. No. 350, Amended, 02/09/95; Ord. No. 350, Rep&ReEn, 02/09/95; Ord. No. , Amended, / /)