

**RESOLUTION NO. 22-37**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARICOPA, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK AND ENTITLED "2022 AMENDMENTS TO TITLE 18: ZONING," REGARDING THE RULES AND REGULATIONS RELATING TO ZONING WITHIN THE CITY OF MARICOPA AND AMENDING SECTION 2.15.060(J)(2), SECTION 18.60, SECTION 18.140.070, SECTION 18.170.050(A), SECTION 18.175.050(A) AND (C) OF THE MARICOPA CITY CODE.**

**WHEREAS**, the City Council previously adopted Ordinances which established rules and regulations related to zoning within the City of Maricopa; and

**WHEREAS**, staff for the City has provided some amendments to those Ordinances which update the rules and regulations related to rules of order and procedure, planned area development district, common procedures, amendments to the General Plan and amendments to the Zoning Map; and

**WHEREAS**, the City Council believes that declaring such document a public record and adopting its provisions by reference will be in the City's best interests.

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and City Council of the City of Maricopa, Arizona as follows:

That certain document filed with the city clerk and entitled "2022 Amendments to Title 18: Zoning," regarding the update of rules and regulations relating to rules or order and procedure, planned area development district, common procedures, amendments to the General Plan and amendments to the Zoning Map and amending Section 2.15.060(J)(2), Section 18.60, Section 18.140.070, Section 18.170 .050(A) and Section 18.175.050(A) and (C) of the Maricopa City Code, is hereby declared to be a public record, and an electronic copy shall remain on file in the office of the City Clerk of the City of Maricopa for examination by the public.

**PASSED AND ADOPTED** by the City Council of the City of Maricopa, Arizona this 19<sup>th</sup> day of July, 2022.

APPROVED:

  
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Vincent Manfredi  
Vice Mayor

ATTEST:

Vanessa Bueras

Vanessa Bueras, MMC  
City Clerk



APPROVED AS TO FORM:

D. M. Fitzgibbon

Denis Fitzgibbon  
City Attorney

## **Chapter 18.60**

### **PLANNED AREA DEVELOPMENT DISTRICT**

Sections:

- 18.60.010 Purpose.**
- 18.60.020 Applicability.**
- 18.60.030 General provisions.**
- 18.60.040 Zoning map designation.**
- 18.60.050 Modifying development and land use regulations.**
- 18.60.060 PAD design elements.**
- 18.60.070 Procedures.**
- 18.60.080 Review of plans.**

#### **18.60.010 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 nonresidential 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 title 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. [Ord. 20-11 §2(207.01); Res. 20-31.]

#### **18.60.020 Applicability.**

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

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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 five 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. [Ord. 20-11 §2(207.02); Res. 20-31.]

### **18.60.030 General provisions.**

A. *Ordinances.* Applications for a PAD development shall abide by this title and the provisions of MCC Title [17](#), Subdivisions, 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 five percent. See MCC [18.90.030](#) 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. Nonresidential 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 nonresidential and residential areas where required.

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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 18.60.030, PAD Minimum Land Uses.

**Table 18.60.030 PAD Minimum Land Uses**

Minimum Acres	Minimum Residential Lot Types	Minimum Number of Land Uses
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 title "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 MCC [18.90.030](#) 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 and 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 MCC [18.60.060](#) is applicable to all proposed PADs.

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 zero feet or five 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.

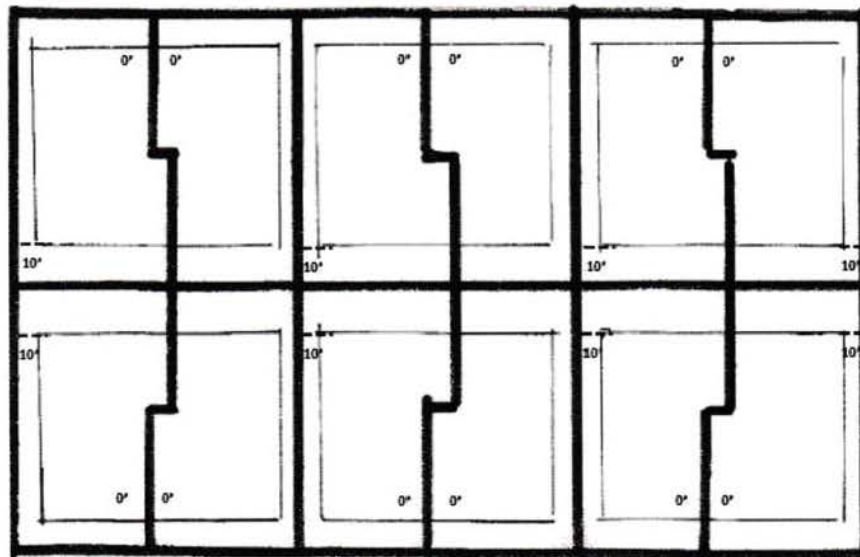


Figure 18.60.030. Zero Lot Line Setbacks

[Ord. 20-11 §2(207.03); Res. 20-31.]

#### **18.60.040 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. [Ord. 20-11 §2(207.04); Res. 20-31.]

#### **18.60.050 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 nonpermitted 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, MCC Title 17, Subdivisions, 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. [Ord. 20-11 §2(207.05); Res. 20-31.]

## **18.60.060 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 Tables 18.60.060(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.

**Table 18.60.060(A) Additional  
Residential PAD Design Elements**

<b>PAD Development Size (Acres)</b>	<b>Design Element Points</b>
0 – 49	4
50 – 100	5
101 – 200	6
201 – 499	7
500+	8

**Table 18.60.060(B) Additional  
Nonresidential PAD Design Elements**

<b>PAD Development Size (Acres)</b>	<b>Design Element Points</b>
0 – 49	4
50 – 100	5
101 – 200	6
201 – 499	7
500+	8

(1) Request for lot coverage increase allowed up to 15 percent requires an additional four design elements from the minimum required.

(2) Request for density increase allowed up to 20 percent requires an additional three design elements from the minimum required.

(3) Request for reducing minimum lot area, setbacks, maximum building height or development type standards requires an additional two design elements from the minimum required.

B. *Design Elements.* The design elements listed in Table 18.60.060(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 from 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.

**Table 18.60.060(C) PAD Design Elements**

<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).	



Table 18.60.060(C) PAD Design Elements

Residential Land Uses		
	Provide a minimum 30-foot landscape parkway from ROW line to fence in a common area when lots back onto an arterial street and five 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 ROWs.	
Additional Design Elements		Value
Yards	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
Architecture, Landscaping and Open Space	Orient building envelope on corner lots to be angled rather than parallel with side property lines.	1
	Provide alternative garage locations (e.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 25% of lots with the balance of the lots in a subdivision not to exceed 45% lot coverage.	1

Table 18.60.060(C) PAD Design Elements

Residential Land Uses		
	Incorporate standard front porches, defined courtyards, or other defined front yard outdoor living spaces of at least 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
Streets, Connectivity and Parking	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 health 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
Community	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 multifamily 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

Table 18.60.060(C) PAD Design Elements

Residential Land Uses		
	Promote human comfort by providing shaded areas, courtyards, colonnades, and other areas as site amenities.	1
Sustainability	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 site's 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
Nonresidential 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



Table 18.60.060(C) PAD Design Elements

Residential Land Uses		
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 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 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 15% of the anticipated users.	2
	Shade 20% of parking lots with permanent shade structures.	2
Community	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 one-half 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



**Table 18.60.060(C) PAD Design Elements**

<b>Residential Land Uses</b>		
	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

[Ord. 20-11 §2(207.06); Res. 20-31.]

### **18.60.070 Procedures.**

Please refer to Chapter [18.180](#) MCC 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 Chapter [18.180](#) MCC, and the provisions of this chapter. 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 Chapter [18.180](#) MCC, and the provisions of this chapter. Additional provisions for Planned Area Development subdivisions are in MCC Title [17](#), Subdivisions. [Ord. 20-11 §2(207.07); Res. 20-31.]

### **18.60.080 Review of plans.**

All applications for a PAD District shall be prepared and reviewed in accordance with this title and the applicable provisions of MCC Title [17](#), Subdivisions, 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 Chapter [18.180](#) MCC, all future improvements on the property governed by the PAD plan shall follow the standards and approval criteria in Division 5, Chapters [18.135](#) through [18.190](#) MCC, 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.