

Amended December 2, 2008 by Apache County Board of Supervisors

ARTICLE 20. MASTER PLANNED COMMUNITY ZONE

Section 2001. Purpose and Objectives

The Master Planned Community Zone is intended to provide for mixed-use development. Uses must complement and be compatible with the orderly development of the project as well as surrounding land uses. The Master Planned Community Zone may be developed in distinct pods or can be integrated with a mix of uses being interspersed with one another, including multiple uses within the same structure. The density of residential development and intensity of nonresidential development shall be consistent with the recommendations of the Apache County Comprehensive Plan. The provisions of this article are intended to establish a zone that will:

1. Provide a mechanism to incorporate and implement the goals and intent of the Apache County Comprehensive Plan in a manner that is not possible in conventional zoning classifications;
2. Allow for a mixture of complementary land uses based upon the road networks in order to assure safe and efficient transportation patterns;
3. Provide for an orderly and creative arrangement of land uses in relation to each other and to the surrounding community;
4. Provide for the mobility of all inhabitants by walking, biking, or other means of transportation with diminished emphasis on vehicular traffic;
5. Maintain mobility along traffic corridors and state highways;
6. Provide transitions between high traffic corridors and low-density residential development;
7. Create a development demonstrating architectural and aesthetic quality via an approval process that is more rigorous than the requirements for rezoning to other zones but no more onerous than is necessary to enable thorough analysis;
8. Minimize the negative environmental impacts of new development;
9. Promote the efficient use of land resulting in networks of utilities, streets, and all other infrastructure features that maximize the allocation of physical and natural resources;
10. Stage development of this type in a manner which can be accommodated by the timely and immediate provision of public utilities, public facilities, public services, and public road improvements; and

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Section 2002. Uses

A. General.

Uses shall provide an orderly relation and function to other uses in the development and to existing land uses, as well as with due regard to the Comprehensive Plan of Apache County. Development within the zone shall be limited to those uses specifically requested as part of the Master Development Plan and approved by the Board of Supervisors, unless otherwise specifically noted in the approval of the Master Planned Community Zone.

B. Commercial and Office Uses.

A minimum of five (5) percent and a maximum of twenty (20) percent of the Master Planned Community Zone shall consist of various commercial uses. Land use calculations shall be calculated by gross area for Master Planned Community Zones that contain a vertical mixture of uses and shall be calculated by total project land area for Master Planned Community Zones that contain a horizontal mixture of uses.

C. Residential uses

A minimum of fifty (50) percent and a maximum of seventy-five (75) percent of the Master Planned Community Zone shall consist of residential uses with a maximum of fifteen (15) percent being multi-family uses.. Land use calculations shall be calculated by gross area for Master Planned Community Zones that contain a vertical mixture of uses and shall be calculated by total project land area for Master Planned Community Zones that contain a horizontal mixture of uses.

D. Open Space

The Master Planned Community Zone shall require open space be provided on a per unit calculation with a minimum of ten (10) percent of the gross acreage in the development. For the purposes of this article, open space shall include areas within the Master Planned Community Zone designed and intended for the active and passive recreational needs of the residential and employment based population of the Master Planned Community Zone or for the public in general. A minimum of five (5) percent shall be fully developed active parks, playgrounds and recreational facilities and parkways. Open space shall be owned and maintained by a homeowners' association or similar body and shall not be part of individual residential lots.

Section 2003. General Conditions

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A. Traffic Study

A traffic study shall be required including required, information on internal capture rates is required as part of the traffic study.

B. Code Provisions

Whenever there is a conflict or difference between the provisions of this article and those of other articles of the Apache County Zoning Ordinance, the provisions of this article shall prevail. The respective provisions found elsewhere in the Apache County Zoning Ordinance shall govern subjects not covered by this article.

C. Water and Sewer

Public water, including fire protection, shall be required for all Master Planned Community Zones in accordance with Arizona laws. Public sewer or a private sewage treatment plant maintained by the Homer Owner's Association with sufficient capacity shall be required for all Master Planned Community Zones.

D. Variance requests

Applications requesting rezoning to the Master Planned Community Zone must identify all variance requests in the rezoning application and represent such requests in the Master Development Plan. Variances shall be limited to the requirements of the Apache County Zoning Ordinance.

E. Residential Density

The Master Planned Community Zone is not intended to increase the overall residential density for a particular property and shall not exceed the density outlined in the Apache County Comprehensive Plan. The residential density of a Master Planned Community Zone shall be limited to four (4) dwelling units for single family and ten (10) multi-family dwelling units per acre. Residential areas, open space, vertical mixed-use areas, and commercial areas shall be included in the per acre calculation of residential density.

Section 2004. Procedures

A. Pre-application Meeting

Before submitting an application for rezoning to Master Planned Community Zone, the applicant shall confer with the Director to determine the feasibility for the proposed plan and its relationship to the Apache County Comprehensive Plan and the Apache County Zoning Ordinance.

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B. Master Development Plan

To enable a thorough analysis of an application for the Master Planned Community Zone, the application requirements exceed those of other zones. In addition to the standard requirements, applications for the Master Planned Community Zone shall include a Master Development Plan. To avoid duplication, the information required for the Master Development Plan can be combined with the standard requirements to amend the official zoning map. The Master Development Plan shall include:

1. The Uniform Plan. This is a plan of the project showing the location of proposed zones and the general trajectories of the various thoroughfares. At a minimum, the Uniform Plan shall differentiate between the following zones and the calculations for each:
 - a. Residential Zones
 - b. Multifamily Zones
 - c. Commercial Zones
 - d. Open Space Zones
 - e. Roadway and other public facilities/services

The applicant may develop zones that are more specific and or modify the name of the zones to better represent the theme of the proposed Master Planned Community Zone. An application is required to include each of the zones listed above.

2. Land Use Standards. A matrix of text and or diagrams that regulate the permitted uses and performance standards for each zone shall be identified in the Uniform Plan. Regulations of the Apache County Zoning Ordinance that are not listed in the Land Use Standards shall default to the standards identified in other Articles, which will be determined by the Director in any case in which applying the regulations of other articles would be unclear. At a minimum, the following shall be established for each zone identified in the Uniform Plan:
 - a. Permitted uses
 - b. Minimum lot size
 - c. Minimum lot width
 - d. Minimum setbacks
 - e. Minimum building separation
 - f. Buffers and impervious surface setbacks
 - g. Maximum height
 - h. Maximum building coverage
 - i. Parking and loading requirements
 - j. Public and private roadways
 - k. Open Space/Public Facilities dedicating:

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1. 1-acre/640 acres for future vol. fire department and library.
2. 20-acres/640 acres for public school facilities.

3. Community Standards. The community standards are a written code that will be utilized by the developer to ensure continuity throughout the life of the project. All Master Planned Community Zones shall require the establishment of a Home Owner’s Association board responsible for the enforcement of the community standards. The community standards are intended to produce visual compatibility among various building types and shall be required prior to the issuance of any building permit. At a minimum, the Community Standards shall address lighting, signage, fences, landscaping, road ways, all public facilities, building materials, building colors, and other architectural features.

4. Additional Requirements. Text and or diagrams providing the following information:
 - a. A construction-phasing schedule for phased projects including a maximum time for 100 percent completion;
 - b. Method of water and sewer service, including verification of capacity;
 - c. A summary of the anticipated maintenance and ownership of all streets, public facilities and open spaces;
 - d. Proposed amount and general location of open space and types of use;
 - e. Proposed maximum number of residential dwelling units by type and minimum lot size. Examples include, but are not limited to single family detached, single family attached, townhomes, Condos, Timeshares and apartments. Information on lot size shall be classified by the following:
 - (1) Lots over 18,000 sq. ft.
 - (2) Lots 12,000 to 18,000 sq. ft.
 - (3) Lots 6,000 to 11,999 sq. ft.
 - (4) Lots less than 6,000 sq. ft.
 - (5) Any unit not located on a individual lot
 - f. Proposed maximum gross floor area devoted to commercial uses;
 - g. Typical information on landscape features in relation to streets, parking areas, sidewalks, building footprints, trees per acre and utilities;
 - h. A plan identifying the existing tree canopy. Some information available from the County's GIS data is acceptable for the rezoning stage;

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- i. Existing topography with contour intervals no greater than 4 feet. Some information available from the County's GIS data is acceptable for the rezoning stage;
- j. State waters, wetlands, and floodplains; and
- k. A summary of issues related to connectivity. The information shall include available information on private and public streets; vehicular parking and loading areas; Traffic control and markings; the provision of bicycle parking areas, paths, sidewalks, and other similar features; and interconnections to adjoining property.

2005. Criteria for Approval

A. Standard Criteria.

In considering and acting upon applications for rezoning to the Master Planned Community Zone, the Planning Commission and the Board of Supervisors shall consider and base their recommendation and decision, respectively, on the general considerations and special considerations described in Article 11 of the Apache County Zoning Ordinance. However, the Planning and Zoning Commission and the Board of Supervisors will additionally consider the extent to which the proposal follows the recommendations and requirements of this article.

B. Design Criteria.

In addition to the standard criteria, the following design criteria will be used to evaluate the rezoning application's conformity with the purpose and intent of this Article. Appropriate criteria that have not been incorporated into the Master Development Plan will be utilized to develop recommended zoning conditions as part of the review process.

- 1. General Site Design
 - a. The minimum size for a Master Planned Community Zone shall not be less than 640 acres.
 - b. A functional town center, community green, park, or other focal point shall be included to create character and identity.
 - c. Perimeter setbacks and buffers shall protect the privacy and amenity of adjoining uses both existing and anticipated.
 - d. The Master Planned Community Zone shall incorporate multi-modal transportation elements in the development, depending on the foreseeable needs of future residents and users of the site, and the relationship of the project site to the community at large. Such multi-modal elements may include provisions for mass transit stops or stations, car-pooling lots, pedestrian and bicycle paths and lanes, bicycle parking areas, and other similar provisions.
 - e. A grid system of streets is preferred over cul-de-sac designs. Block length shall be conducive to pedestrian traffic.

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- f. Interconnections to adjoining property, whether developed or undeveloped, shall be included and incorporated into the design where appropriate per the Apache County Engineer Road Standards. Proposed parcels shall be arranged and designed so as to allow for the opening of future streets and provide access to those areas not presently served by streets.

2. Aesthetic Quality

- a. When appropriate, streets shall terminate at a focal point, which may be a civic building, principal use, church, bell tower, gazebo, or other similar feature.
- b. The location and width of residential garage doors shall be designed so as to not dominate the streetscape. Standards on garage width and garage setbacks shall be used to ensure that garage doors do not dominate the streetscape.
- c. Attached housing shall be designed to reduce the monolithic nature of the structure.
- d. Fences, walls, and berms shall be designed and maintained in relationship with the character of the surrounding land uses and structures. Retaining walls shall be constructed of architectural masonry or faced with rock, brick, and/or constructed to blend with adjacent surroundings.
- e. Detention and retention structures are not allowed in areas subject to view from a public street if not used both for aesthetic purposes and designed so as to not require a fenced enclosure.
- f. Master Planned Community Zones are encouraged to utilize creative methods for storm water management, when such methods provide additional open space opportunities.
- g. Service and loading zones shall be located to minimize visibility from public streets and neighboring properties.

3. Site Development

- a. Transitions at property edges shall seem natural for the surrounding terrain.
- b. Cut and fill slopes shall be rounded where they meet natural grade so that they blend with the natural slope.

4. Parking

- a. Decorative fences or walls, plantings, berms, or other similar features shall be used to screen surface parking lots from public view or soften their visual impact.
- b. The location and design of parking structures shall minimize their visibility from the street or other public areas.

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- c. Surface parking lots shall be oriented behind or to the side of a building when possible. Surface parking lots shall not be located on street corners.
5. Pedestrian Scale
- a. For predominantly nonresidential areas, activities such as shops, offices or other commercial space shall be located along the ground level of street frontage.
 - b. For nonresidential uses, corner buildings shall make a strong tie to the building lines of each street. However, this does not preclude angled or sculpted building corners or an open plaza at the corner. Vertical focal points to visually “anchor” corners are encouraged.
 - c. Comfortable and attractive street furniture shall be provided in public spaces for public enjoyment, comfort, and convenience. These may include seats and benches, drinking fountains, trash receptacles, information kiosks, directories, or other similar features.
 - d. Nonresidential building entrances shall be visible from the street, well lit, and easily accessible. Articulation, such as canopies and roof forms, shall be used to further identify entrances.
 - e. Clear pedestrian and visual paths shall be established using a combination of covered arcades, covered walkways, courtyards, landscape patterns, consistent paving materials, minimal interruption of pedestrian paths, and other similar features.
 - f. Sidewalks shall be present in all residential areas. In all areas, sidewalks shall be present along both sides of all streets.
6. Landscape and Natural Environment
- a. Specific emphasis shall be placed on the preservation or planting of trees between buildings and the street.
 - b. Existing topography, significant tree cover, state waters, and other natural features shall be considered and incorporated into the project design.
 - c. Required open space shall be distributed throughout the project.
7. Built Environment
- a. The height of any structure shall be compatible with the existing buildings in the area, and proposed structures within the project site.
 - b. Limitations on the height, size, and type of exterior signage shall produce an overall theme that is compatible with proposed buildings and surrounding property.

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2006. Amendments

A. Conformance to Approved Master Development Plan

All further development of the property shall conform to the approved Master Development Plan, regardless of any change in ownership, unless the County approves minor or major amendments.

B. Minor Amendments

The Director may approve minor amendments to the approved Master Development Plan, which are in compliance with the provisions and intent of this article, and do not depart from the principal concept of the approved Master Development Plan. Minor amendments are those determined by the Director of the Department of Planning and Development to meet the purpose and intent of the Master Planned Community Zone, which would not affect adjacent properties. Minor amendments shall be approved as part of the land disturbance permitting process. The Director of the Community Development Department may require the applicant to provide written justification for the minor amendment if such justification is not evident within the land disturbance permit itself.

C. Major Amendments

Should the Director determine that a requested change or deviation from the approved Master Development Plan departs from the principles of the Master Development Plan and would affect adjacent properties, the proposed modification will be classified as a major amendment. The applicant may apply for approval of a major amendment to the Board of Supervisors as an application for modification of conditions of zoning, as established in Article 11 of the Apache County Zoning Ordinance.