

TOWN OF PINETOP-LAKESIDE

ORDINANCE NO. 06-286

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PINETOP-LAKESIDE, ARIZONA, REPEALING ORDINANCE NO. 06-273 AND ADOPTING CERTAIN CORRECTIONS AND CHANGES TO THE PINETOP-LAKESIDE TOWN CODE RELATING TO SUBDIVISIONS, AND SETTING THE EFFECTIVE DATE.

WHEREAS, Ordinance 06-273 was passed and adopted by the Town Council on July 20, 2006 adopting certain corrections and changes to the Pinetop-Lakeside Town Code relating to Subdivisions; and

WHEREAS, Referendum Petition Number 06-005 was taken out, circulated and filed with the Town Clerk requesting that the qualified voters consider the Changes and Corrections to the Town Code relating to Subdivisions, which Referendum Petition had the effect of staying the adoption of those corrections and changes; and

WHEREAS, citizens and Town staff have worked together to make changes and corrections to the subdivision code and now propose this new, revised version for Town Council consideration and approval; and

WHEREAS, the Town Council has adopted Resolution No. 06-881 declaring that document known as “Certain Corrections and Changes to the Pinetop-Lakeside Town Code Relating to Subdivisions” to be a public record; and said document is available for public inspection, three (3) copies of which are on file in the office of the Town Clerk; and

WHEREAS, the Town is authorized by Title 9, Chapter 2, Article 3 to adopt amendments to the Town Code or any ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Pinetop-Lakeside, Arizona, as follows:

Section 1. That document known as “Certain Corrections and Changes to the Pinetop-Lakeside Town Code Relating to Subdivisions dated November 16, 2006” three copies of which are on file in the office of the Town Clerk of the Town of Pinetop-Lakeside, Arizona, which document was made a public record by Resolution No. 06-881 of the Town of Pinetop-Lakeside, Arizona, is hereby referred to, adopted and made a part hereof as if fully set out in this Ordinance.

Section 2. This Ordinance shall become effective on the 18th day of December 2006.

PASSED AND ADOPTED by the Town Council of the Town of Pinetop-Lakeside, Arizona, this 16th day of November 2006.

TOWN OF PINETOP-LAKESIDE

/s/ LARRY VICARIO, Mayor

ATTEST:

/s/ LU ANNE FROST, Town Clerk

APPROVED:

/s/ JACK BARKER, Town Attorney

**CERTAIN CORRECTIONS AND CHANGES
TO THE PINETOP-LAKESIDE TOWN CODE
RELATING TO SUBDIVISIONS AND ZONING
DATED NOVEMBER 16, 2006**

Section 1. Section 16.04.060 (Definitions) of the Town Code is amended to read as follows:

16.04.060 Definitions.

90. Planned Unit Development (PUD): A development in which flexibility can be permitted in the zoning standards in order to encourage: 1) more creativity and sustainable design; 2) provide usable open spaces within and about the development; 3) provide moderate income housing; 4) provide desired commercial uses in a mixed use concept; and, 5) enhance the residential character of the Town.

Section 2. Section 16.12.060 (Planned unit development (PUD)) of the Town Code is amended to read as follows:

16.12.060 Planned unit development (PUD).

A. Residential Fringe Planned Unit Development “RF-PUD:” Designed to contain a mixture of residential land uses ranging in density from single family dwellings to multiple family dwellings including condominiums, town homes/patio homes, apartments, and cluster developments.

1. The overall project density, individual area and the specific building and yard regulations shall be determined through the P.U.D. rezoning process.
2. Open space equivalent to thirty (30%) percent of the net acres shall be provided.
3. Compliance with the additional provisions for PUD developments as outlined in Chapter 17.72 of the Zoning Ordinance.

B. Mixed-Use Planned Unit Development “MU-PUD.” May contain a mixture of residential land uses along with commercial land uses that provide for the daily needs of the neighborhood.

1. The amount of open space and the residential density permitted depends on the percentage of the overall project that is devoted to commercial land uses and moderate income housing provided and shall be determined through the P.U.D. rezoning process.
2. Open space equivalent to a minimum of ten (10%), fifteen (15%), or twenty (20%) percent of the net acres shall be provided depending on the land use mix as determined through the PUD rezoning process.

C. Residential Infill Planned Unit Development “RI-PUD”: Designed to permit single residential or cluster developments, town homes/patio homes and condominiums if appropriately designed.

1. The overall project density shall not exceed four (4 du/ac) dwelling units per acre with the individual area and the specific building and yard regulations determined through the P.U.D. rezoning process.
2. Open space equivalent to fifteen (15%) percent of the net acres shall be provided.
3. Compliance with the additional provisions for PUD developments as outlined in Chapter 17.72 of the Zoning Ordinance.

Section 3. Section 16.24.040 (Open space requirements) of the Town Code is amended to read as follows:

16.24.040 Open space requirements.

1. The development, through the Planned Unit Development (PUD) process as described in the Zoning Ordinance, upon the requisite findings, may vary the minimum lot area and minimum lot width from the standards specified in the zoning district(s), in effect over the area considered for subdivision provided that such variations are approved by the Town Council prior to or in conjunction with the preliminary plat approval for the subdivision.

B. Open Space Design Standards.

3. Retention or detention basins, which are required in accordance with the subdivision drainage report, shall qualify as open space only if they are landscaped, multi-tiered and designed to be used as an active multi-use area. All recreational facilities, play equipment, and amenities within the basin shall be located at least one (1) foot above the 50-year storm level. Terracing, berming and contouring may be required to naturalize and enhance the aesthetics of the basin. Basin slopes shall not exceed a three to one (3h:1v) slope.

Table 3 - Open Space Requirements

TYPE OF DEVELOPMENT	REQUIRED PERCENTAGE OF OPEN SPACE
Rural Residential (R-Low 1 acre & larger)	0 % (1 - 15 lots in size) 5% (16 or more lots)
Suburban Residential (R1-2)	5% (1 - 40 lots in size) 10% (41 - 80 lots in size) 15% (over 80 lots in size)
Suburban Residential (R1-4 & MH-4)	10% (1 - 40 lots in size) 15% (41 - 80 lots in size) 20% (over 80 lots in size)
Urban Residential (R1-6 & MH-6)	15% (1 - 59 lots in size) 20% (over 60 lots in size)
Multiple Family Development (R-2 & R-3)	25% (20% must be for amenities or recreational purposes)
Mountainside Development	Sum of required undisturbed per slope categories for all lots.
Residential fringe PUD	30%
Mixed-use PUD	minimum 10%, 15% or 20%
Residential Infill PUD	15%

16.24.080 Street design.

Table 6 Street Cross Section Design

Roadway Classification	Zoning District	R./W Width	Pavement Width ¹	Curb Type	# Drive Lanes ²	Sidewalk or Pathway & Location	On-Street Parking	Landscape Strip	Esmt Required
Arterial Street (Hwy 260)	----	150 - 250	64	Vertical	2 + turn	S/W @ b.o.c. each side	No	20	None
Collector Street	----	60 - 80	40	Vertical	1 + turn	S/W @ 10' b.o.c. each side	No	10	8' PUE & S/W esmt.
Local Street Rural Res.	R1-Low PUD	50	24	Ribbon	1	Path @ 7' b.o.c. 1-side	No	13	None
Local Street Suburban Res.	R1-2 PUD	50	28	Ribbon	1	Path @ 5' b.o.c. 1-side	1-side	11	None
Local Street Suburban Res.	R1-4, MH-4, PUD	50	24	Roll	1	S/W @ b.o.c. ⁷ 1-side	No	13 & 8	8' PUE both sides
Local Street Suburban Res.	R1-4, MH-4, PUD	50	28	Roll	1	S/W @ b.o.c. ⁷ 1-side	1-side	11 & 6	8' PUE both sides
Local Street Suburban Res.	R1-4, MH-4, PUD	60	36	Roll	1	S/W @ b.o.c. ⁷ 1-side	2-sides	12 & 7	8' PUE both sides
Local Street Urban Res.	R1-6, MH-6, PUD	60	36	Vertical	1	S/W @ b.o.c. ⁷ 2-side	2-sides	7 & 7	8' PUE both sides
Local Street Commercial	----	60	40	Vertical	1 + turn	S/W @ b.o.c. ⁷ 2-side	2-sides	5 & 5	8' PUE both sides

9. PUD developments with densities in the same density range, or greater, as permitted by the other Town zoning districts shall provide the same street cross sections.