

**FINAL APPROVED PUD TEXT LANGUAGE
AS APPROVED BY CITY COUNCIL ON JUNE 9, 2009**

ORDINANCE NO. 3854

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, AMENDING ORDINANCE NO. 455, THE ZONING ORDINANCE OF THE CITY OF SCOTTSDALE, BY AND FOR THE PURPOSE OF AMENDING ARTICLE III. DEFINITIONS.; ARTICLE IV. DISTRICTS AND BOUNDARIES THEREOF, SEC. 4.100. DIVISION OF CITY INTO DISTRICTS; ENUMERATION.; ARTICLE V. DISTRICT REGULATIONS.; ARTICLE VIII. SIGN REQUIREMENTS.; ARTICLE X. LANDSCAPING REQUIREMENTS. FOR THE PURPOSE OF ESTABLISHING A PLANNED UNIT DEVELOPMENT ZONING DISTRICT, AS PROVIDED IN CASE NO. 9-TA-2007.

WHEREAS, the Planning Commission held a public hearing on April 22, 2009; and

WHEREAS, the City Council held hearing on June 9, 2009, and considered a text amendment to the Zoning Ordinance of the City of Scottsdale, Case No. 9-TA-2007; and

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Scottsdale, as follows:

Section 1. The Zoning Ordinance of the City of Scottsdale, is amended by adding a definition of Front Building Façade in Article III. Definitions., Section 3.100. The following definition is added in alphabetical order:

FRONT BUILDING FACADE SHALL MEAN THE EXTERIOR WALLS OF A BUILDING WHICH FACE A PUBLIC OR PRIVATE STREET.

Section 2. The Zoning Ordinance of the City of Scottsdale, is amended by amending Article IV. Districts and Boundaries Thereof, Sec. 4.100. Division of City into Districts; Enumeration., as follows:

Sec. 4.100. DIVISION OF CITY INTO DISTRICTS; ENUMERATION.

In order to classify, regulate, restrict and separate the use of land, buildings and structures and to regulate and to limit the type, height and bulk of buildings and structures and to regulate the areas of yards and other open areas around and between the buildings and structures and to regulate the density of dwelling units, the city is hereby divided into the following districts:

A. Residential districts:

- | | |
|--------|---|
| R1-190 | Single-family residential district--One hundred ninety thousand (190,000) square feet per lot |
| R1-130 | Single-family residential district--One hundred thirty thousand (130,000) square feet per lot |
| R1-70 | Single-family residential district--Seventy thousand (70,000) square feet per lot |
| R1-43 | Single-family residential district--Forty-three thousand (43,000) square feet per lot |
| R1-35 | Single-family residential district--Thirty-five thousand (35,000) square feet per lot |

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R1-18	Single-family residential district--Eighteen thousand (18,000) square feet per lot
R1-10	Single-family residential district--Ten thousand (10,000) square feet per lot
R1-7	Single-family residential district--Seven thousand (7,000) square feet per lot
R1-5	Single-family residential district--Four thousand seven hundred (4,700) square feet
R-2	Two-family residential district
R-3	Multifamily residential district, restricted
R-4	Townhouse residential district
R-4R	Resort district
R-5	Multiple-family residential district
M-H	Manufactured home district

B. Commercial districts:

S-R	Service-residential district
C-S	Shopping center district
C-1	Neighborhood commercial district
C-2	Central business district
C-3	Highway commercial district
C-4	General commercial district
SS	Support services district
C-O	Commercial office district
PCoC	Planned convenience center
PNC	Planned neighborhood center
PCC	Planned community center
PRC	Planned regional center
D	Downtown district
PBD	Planned block development district
P	Pedestrian overlay district

C. Industrial districts:

I-G	Garden industrial district
I-1	Industrial park district

D. Mixed use district:

PCD	Planned community development district
PCP	Planned commerce park district
PUD	PLANNED UNIT DEVELOPMENT DISTRICT

E. Supplementary districts:

P-1	Passenger automobile parking, limited
P-2	Passenger automobile parking
P-3	Parking district

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P-4	Parking district
PRD	Planned residential development
W-P	Western theme park district
OS	Open space district
H-P	Historic property
COS	Conservation open space district
ESL	Environmentally sensitive lands

Section 3. The Zoning Ordinance of the City of Scottsdale, is amended by adding a Planned Unit Development District in Article V. District Regulations., as follows:

SEC. 5.5000. PLANNED UNIT DEVELOPMENT (PUD) DISTRICT.

SEC. 5.5001. PURPOSE.

THE PURPOSE OF THE PLANNED UNIT DEVELOPMENT DISTRICT IS TO PROMOTE THE GOALS OF THE GENERAL PLAN, AREA PLANS, AND DESIGN GUIDELINES IN AREAS OF THE CITY THAT ARE DESIGNATED BY THE GENERAL PLAN FOR A COMBINATION OF LAND USES IN A MIXED-USE DEVELOPMENT PATTERN OF EITHER HORIZONTAL OR VERTICAL DESIGN. THIS ZONING DISTRICT RECOGNIZES THAT ADHERENCE TO A TRADITIONAL PATTERN OF DEVELOPMENT STANDARDS, I.E. HEIGHT, SETBACK, LOT COVERAGE, SPACE, BULK AND USE SPECIFICATIONS CONTAINED ELSEWHERE IN THIS CODE WOULD PRECLUDE THE APPLICATION OF THE MORE FLEXIBLE PUD CONCEPT. COMMERCIAL, EMPLOYMENT, HOSPITALITY, MULTI-FAMILY RESIDENTIAL, AND TOWNHOUSE RESIDENTIAL USES ARE ENCOURAGED TO BE PROVIDED WITH INTENSITIES AND DENSITIES THAT PROMOTE A MIX OF DAY AND NIGHTTIME ACTIVITIES. DEVELOPMENTS WITHIN THIS DISTRICT SHALL BE COMPATIBLE WITH DEVELOPMENT CHARACTERISTICS AS EXPRESSED IN THE CITY'S DESIGN STANDARDS AND POLICIES.

SEC. 5.5002. APPLICATION REQUIREMENTS – DEVELOPMENT PLAN (DP).

- A. AN APPLICATION FOR THE PUD DISTRICT SHALL COMPLY WITH THE SUBMITTAL REQUIREMENTS OF ARTICLE I ADMINISTRATION AND PROCEDURES OF THIS ZONING ORDINANCE.
- B. AN APPLICATION FOR THE PUD DISTRICT SHALL BE ACCOMPANIED BY A DP, THE ELEMENTS OF WHICH SHALL INCLUDE THE FOLLOWING:
 - 1. CHARACTER STATEMENTS, INCLUDING ENVIRONMENTAL RESPONSE, DESIGN PRINCIPLES, ARCHITECTURAL CHARACTER, SITE DEVELOPMENT CHARACTER, AND LANDSCAPE CHARACTER;
 - 2. A MASTER SITE PLAN, WITH A LAND USE BUDGET TABULATION, SHOWING THE LOCATION OF DEVELOPMENT COMPONENTS, THE INTENSITY OF DEVELOPMENT, RESIDENTIAL DENSITY, AND BUILDING HEIGHTS;
 - 3. AN OPEN SPACE PLAN;
 - 4. AN ARCHITECTURAL CONCEPTS AND DESIGN STANDARDS PLAN;

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5. BASIS OF DESIGN REPORTS FOR STORM WATER DRAINAGE, WATER SERVICE, AND WASTE WATER DISPOSAL; AND
6. ANY ADDITIONAL INFORMATION AS MAY BE REQUIRED BY THE PLANNING AND DEVELOPMENT SERVICES GENERAL MANAGER, OR DESIGNEE, SUCH AS:
 - A. A VIEW SHED ANALYSIS PLAN;
 - B. A PEDESTRIAN CIRCULATION PLAN;
 - C. A HARDSCAPE PLAN;
 - D. A LANDSCAPE PLAN;
 - E. A LIGHTING PLAN; AND/OR
 - F. A SIGNAGE PLAN.

SEC. 5.5003. APPROVALS REQUIRED.

A. PUD ZONING DISTRICT APPROVAL CRITERIA.

1. AS PART OF THE APPROVAL OR MODIFIED APPROVAL OF AN APPLICATION FOR A PUD DISTRICT, THE PLANNING COMMISSION SHALL RECOMMEND AND THE CITY COUNCIL SHALL FIND THAT THE FOLLOWING CRITERIA HAVE BEEN MET:
 - A. THE PROPOSED DEVELOPMENT PROMOTES REVITALIZATION, THE GOALS, POLICIES, AND GUIDELINES OF THE GENERAL PLAN, AREA PLANS, AND DESIGN GUIDELINES.
 - B. THE PROPOSED DEVELOPMENT'S USES, DENSITIES, OR DEVELOPMENT STANDARDS WOULD NOT OTHERWISE BE PERMITTED BY THE PROPERTY'S EXISTING ZONING.
 - C. THE PROPOSED DEVELOPMENT WILL BE COMPATIBLE WITH ADJACENT LAND USES AND PROMOTES THE STABILITY AND INTEGRITY OF ABUTTING OR ADJACENT RESIDENTIAL NEIGHBORHOODS.
 - D. THAT THERE IS ADEQUATE INFRASTRUCTURE AND CITY SERVICES TO SERVE THE DEVELOPMENT.
 - E. THAT THE PROPOSAL MEETS THE FOLLOWING LOCATION CRITERIA:
 - I. THE PROPOSED DEVELOPMENT IS NOT LOCATED WITHIN ANY AREA ZONED ENVIRONMENTALLY SENSITIVE LANDS ORDINANCE (ESL) NOR WITHIN THE BOUNDARIES OF THE DOWNTOWN PLAN.
 - II. THE PROPOSED DEVELOPMENT FRONTS ONTO A MAJOR OR MINOR ARTERIAL AND/OR MAJOR COLLECTOR STREET AS DESIGNATED IN THE CITY'S MASTER TRANSPORTATION PLAN.

B. AMENDED DEVELOPMENT STANDARDS.

1. TO ENCOURAGE SENSITIVITY TO SITE CONDITIONS AND PROVIDE FLEXIBILITY IN PLANNING, DEVELOPMENT STANDARDS OUTLINED IN SEC. 5.5005., EXCLUDING C. ALLOWABLE BUILDING HEIGHT AND D. EXCEPTION TO BUILDING HEIGHT, MAY BE AMENDED UPON RECOMMENDATION BY THE PLANNING COMMISSION AND A FINDING BY THE CITY COUNCIL THAT THE AMENDED DEVELOPMENT STANDARDS ACHIEVE THE PURPOSES OF THE PLANNED UNIT DEVELOPMENT DISTRICT BETTER THAN THE EXISTING STANDARDS.

C. DEVELOPMENT PLAN (DP).

1. APPROVAL.
 - A. DEVELOPMENT REVIEW BOARD CONSIDERATIONS.

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- I. THE DEVELOPMENT REVIEW BOARD SHALL REVIEW THE DP ELEMENTS AND MAKE A RECOMMENDATION TO THE PLANNING COMMISSION, BASED ON THE FOLLOWING CONSIDERATIONS:
 - (1) THE DESIGN CONTAINED IN THE DP IS COMPATIBLE WITH DEVELOPMENT IN THE AREA THAT IT MAY DIRECTLY AFFECT AND THE DP PROVIDES A BENEFIT TO THE CITY AND ADJACENT NEIGHBORHOODS.
 - (2) THE DP IS ENVIRONMENTALLY RESPONSIVE, INCORPORATES GREEN BUILDING PRINCIPLES, CONTRIBUTES TO THE CITY'S DESIGN GUIDELINES AND DESIGN OBJECTIVES, AND THAT ANY DEVIATIONS FROM THE DESIGN GUIDELINES MUST BE JUSTIFIED BY COMPENSATING BENEFITS OF THE DP.
 - (3) THE DP WILL NOT SIGNIFICANTLY INCREASE SOLAR SHADING OF ADJACENT LAND IN COMPARISON WITH A DEVELOPMENT THAT COULD BE DEVELOPED UNDER THE EXISTING ZONING DISTRICT.
 - (4) THE DP PROMOTES CONNECTIVITY BETWEEN ADJACENT AND ABUTTING PARCELS, AND PROVIDES OPEN SPACES THAT ARE VISIBLE AT THE PUBLIC RIGHT-OF-WAY AND USEFUL TO THE DEVELOPMENT.
 - B. UPON RECEIVING A RECOMMENDATION FROM THE DEVELOPMENT REVIEW BOARD, THE PLANNING COMMISSION SHALL MAKE A RECOMMENDATION TO THE CITY COUNCIL FOR CONSIDERATION OF THE DP.
2. AMENDMENTS.
- A. MINOR AMENDMENTS TO ACHIEVE A MORE SUITABLE DEVELOPMENT PLAN.
 - I. MINOR AMENDMENTS ARE ALLOWED:
 - (1) FOR A MAXIMUM OF TEN PERCENT (10%) OF ANY INDIVIDUAL DP PLAN ELEMENT.
 - (2) TO ADJUST THE LOCATION OF USES SHOWN ON THE DP.
 - II. MINOR AMENDMENTS DO NOT INCLUDE AN INCREASE ABOVE THE BUILDING HEIGHT(S) OR EXCEPTION TO BUILDING HEIGHT, OR RESIDENTIAL DENSITY, OR COMMERCIAL INTENSITY.
 - III. MINOR AMENDMENTS TO THE CITY COUNCIL APPROVED DP MAY BE APPROVED BY THE ZONING ADMINISTRATOR AS AN ADMINISTRATIVE ACTION.
 - B. MAJOR AMENDMENTS.
 - I. MAJOR AMENDMENTS ARE THOSE THAT INCREASE THE BUILDING HEIGHT(S), RESIDENTIAL DENSITY, COMMERCIAL INTENSITY, AND/OR THAT EXCEED TEN PERCENT (10%) OF ANY INDIVIDUAL DP PLAN ELEMENT.
 - II. APPROVAL OF ANY MAJOR AMENDMENTS WILL REQUIRE A PUBLIC HEARING IN ACCORDANCE WITH ARTICLE I OF THE ZONING ORDINANCE BY THE PLANNING COMMISSION AND THE CITY COUNCIL. IF THE DESIGN ELEMENTS ARE AFFECTED BY THE REQUEST TO AMEND THE DP, A PUBLIC HEARING BY THE DEVELOPMENT REVIEW BOARD SHALL BE REQUIRED. UPON RECEIVING A RECOMMENDATION FROM THE DEVELOPMENT REVIEW BOARD, THE PLANNING COMMISSION SHALL

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**MAKE A RECOMMENDATION TO THE CITY COUNCIL FOR
CONSIDERATION OF THE MAJOR AMENDMENT DP.**

- D. NO STRUCTURE OR BUILDING SHALL BE BUILT OR REMODELED UPON LAND IN THE PUD DISTRICT UNTIL DEVELOPMENT REVIEW BOARD APPROVAL HAS BEEN OBTAINED AS OUTLINED IN SECTION 1.900 OF ARTICLE I OF THE ZONING ORDINANCE, AND APPLICABLE PERMITS HAVE BEEN OBTAINED.**

SEC. 5.5004. USE REGULATIONS.

- A. PERMITTED USES. ALL PERMITTED USES OF THE COMMERCIAL OFFICE (C-O) DISTRICT AND THE PLANNED REGIONAL CENTER (PRC) DISTRICT, SHALL BE PERMITTED IN THE PUD DISTRICT WITH HORIZONTAL AND/OR VERTICAL COMBINATIONS OF MIXED-USES. RESIDENTIAL USES SHALL BE LIMITED TO MULTI-FAMILY DWELLINGS AND TOWNHOUSES.**
- B. USES SUBJECT TO CONDITIONAL USE PERMIT. SUBJECT TO THE APPROVAL OF A CONDITIONAL USE PERMIT, AS SPECIFIED IN ARTICLE I, ALL USES SUBJECT TO A CONDITIONAL USE PERMIT OF THE COMMERCIAL OFFICE (C-O) DISTRICT AND THE PLANNED REGIONAL CENTER (PRC) DISTRICT, EXCLUDING A BIG BOX DEVELOPMENT GREATER THAN 75,000 SQUARE FEET, MAY BE PERMITTED IN THE PUD DISTRICT.**
- C. WHERE THERE IS A CONFLICT BETWEEN THE COMMERCIAL OFFICE (C-O) DISTRICT AND THE PLANNED REGIONAL CENTER (PRC) DISTRICT PROVISIONS, THE LESS RESTRICTIVE PROVISION SHALL APPLY.**

SEC. 5.5005. DEVELOPMENT STANDARDS.

A. PUD DEVELOPMENT AREA.

1. GROSS ACREAGE.

A. THE MINIMUM GROSS SITE AREA OF ANY PUD DEVELOPMENT SHALL BE ONE-HALF (0.5) ACRE AND THE MAXIMUM GROSS SITE AREA SHALL BE FIFTEEN (15) ACRES, EXCEPT AS SPECIFIED IN SECTION 5.5005.A.1.B.

B. WHEN THE PUD IS THE MOST APPROPRIATE DISTRICT TO ACHIEVE MIXED-USE DEVELOPMENT, THE CITY COUNCIL MAY AUTHORIZE A PUD DEVELOPMENT IN A SITE AREA GREATER THAN FIFTEEN (15) GROSS ACRES UP TO A MAXIMUM OF TWENTY-FIVE (25) GROSS ACRES.

B. DENSITY AND INTENSITY.

- 1. THE OVERALL DENSITY OF RESIDENTIAL USES SHALL BE ESTABLISHED BY THE APPROVED DP.**
- 2. THE OVERALL INTENSITY OF COMMERCIAL USES SHALL NOT EXCEED 0.8 FLOOR AREA RATIO, EXCEPT AS PROVIDED IN SEC. 5.5005.B.3.**
- 3. THE CITY COUNCIL MAY APPROVE INTENSITY OF COMMERCIAL USES GREATER THAN 0.8 FLOOR AREA RATIO SUBJECT TO ANY OF THE FOLLOWING CRITERIA:**

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- A. THE PROPOSED DP PROVIDES IMPROVED DEDICATED PUBLIC OPEN SPACE.
- B. THE PROPOSED DP PROVIDES A PUBLIC PARKING FACILITY(IES).
- C. THE PROPOSED DP PROVIDES SHARED PARKING AS ESTABLISHED IN ARTICLE IX PARKING AND LOADING REQUIREMENTS.

C. ALLOWABLE BUILDING HEIGHT.

1. BUILDING HEIGHT:

- A. SHALL BE A MAXIMUM OF FORTY-EIGHT (48) FEET, EXCEPT AS OTHERWISE PROVIDED IN SECTION 5.5005.D. AND 5.5005.F

D. EXCEPTION TO BUILDING HEIGHT.

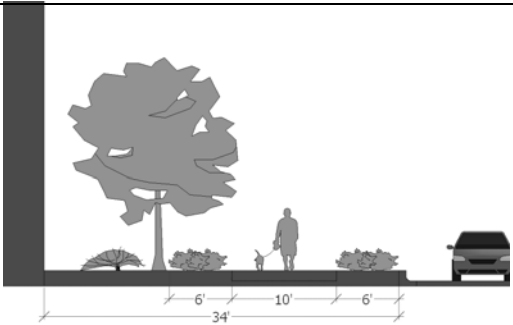
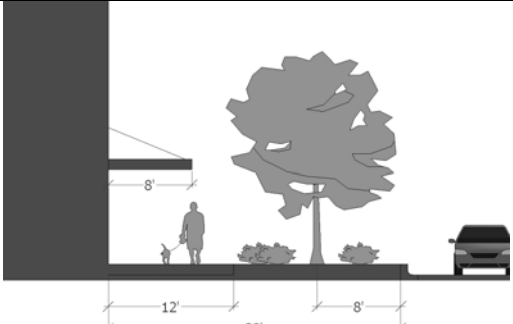

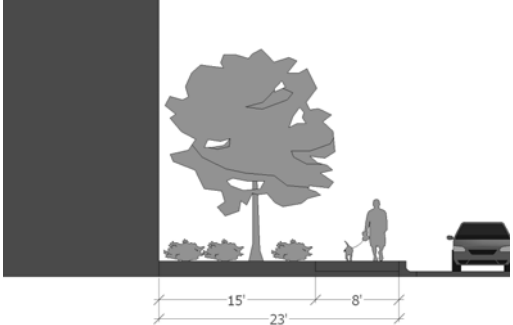
- 1. ARCHITECTURALLY INTEGRATED FEATURES, SUCH AS ROOF TOP MECHANICAL EQUIPMENT FOR UTILITY AND COMMUNICATION PURPOSES, ELEVATOR BULK HEAD, STAIRWELL, SCREEN WALL, RAILING, TRELIS AND PATIO COVER MAY EXCEED THE BUILDING HEIGHT UP TO TEN (10) FEET PROVIDED THAT THE AREA WITHIN THE SAID EXCEPTIONS DO NOT EXCEED A TOTAL OF THIRTY PERCENT (30%) OF A BUILDING'S ROOF AREA. HOWEVER, THE CITY COUNCIL MAY APPROVE EITHER GREATER MECHANICAL HEIGHT OR BUILDING ROOF AREA COVERAGE WHERE THE DP AND SUPPORTING MATERIALS DEMONSTRATE THE ALLOWABLE EXCEPTION CANNOT REASONABLY BE ACHIEVED.
- 2. ARCHITECTURALLY INTEGRATED, ACTIVE SOLAR SYSTEMS MAY EXCEED THIRTY PERCENT (30%) OF A BUILDING'S ROOF AREA SUBJECT TO DEVELOPMENT REVIEW BOARD APPROVAL.
- 3. ROOF TOP GARDEN STRUCTURES MAY EXCEED THE BUILDING HEIGHT UP TO FIVE (5) FEET.

E. BUILDING SETBACKS.

- 1. MINIMUM SETBACK. BUILDINGS ADJACENT TO PUBLIC AND PRIVATE STREETS SHALL BE SETBACK FROM THE BACK OF THE PLANNED CURB LINE, INCLUDING THE PLANNED CURB LINE FOR BUS BAYS AND TURN LANES, IN ACCORDANCE WITH SECTION 5.5005.E.TABLE A. THE PLANNED CURB LINE, INCLUDING THE PLANNED LOCATION FOR BUS BAYS AND TURN LANES, SHALL BE AS DESCRIBED IN THE SCOTTSDALE TRANSPORTATION MASTER PLAN AND THE DESIGN STANDARDS AND POLICIES MANUAL.

TABLE A			
BUILDING SETBACK FROM BACK OF THE PLANNED CURB ALONG STREETS			
STREET CLASSIFICATION TYPE AND USE	MINIMUM SETBACK	AVERAGE SETBACK	SETBACK DIAGRAM – THIS ILLUSTRATES SETBACKS, EXCLUDING

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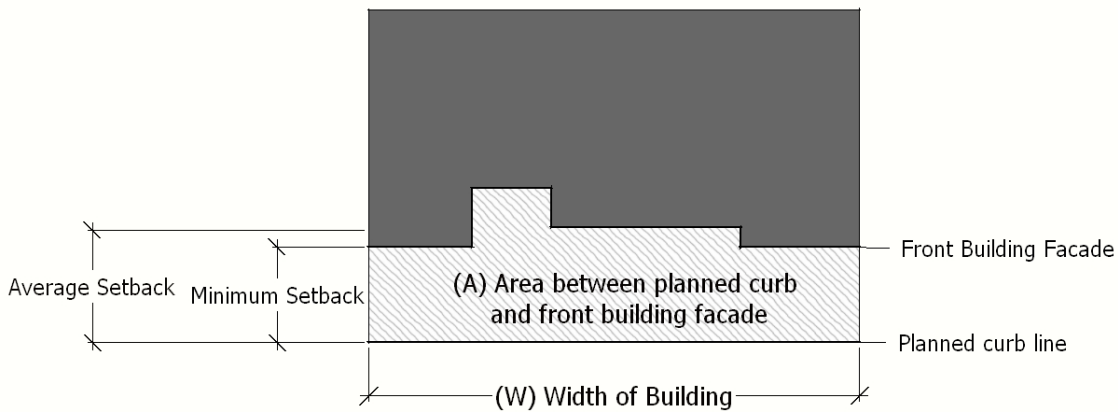
			AVERAGE SETBACK. DIMENSIONS ARE FOR ILLUSTRATIVE PURPOSES.
MAJOR AND MINOR ARTERIAL - RESIDENTIAL ON FIRST FLOOR ADJACENT TO THE STREET	34 FEET	40 FEET	
MAJOR AND MINOR ARTERIAL - RETAIL AND COMMERCIAL ON FIRST FLOOR ADJACENT TO THE STREET	28 FEET	32 FEET	
MAJOR AND MINOR COLLECTOR, LOCAL STREETS, AND UNCLASSIFIED STREETS (INCLUDING PRIVATE STREETS BUT EXCLUDING ALLEYS) - RESIDENTIAL ON FIRST FLOOR ADJACENT TO THE STREET	25 FEET	30 FEET	
MAJOR AND MINOR COLLECTOR, LOCAL STREETS, AND UNCLASSIFIED STREETS (INCLUDING PRIVATE STREETS BUT EXCLUDING ALLEYS) - RETAIL AND COMMERCIAL ON FIRST FLOOR ADJACENT TO THE STREET	23 FEET	28 FEET	

2. AVERAGE SETBACK. THE FRONT BUILDING FACADE SHALL BE PLACED TO ACHIEVE AN AVERAGE SETBACK AS SPECIFIED IN TABLE A. THE AVERAGE

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**SETBACK SHALL BE EQUAL TO THE LAND AREA LOCATED BETWEEN THE
PLANNED CURB LINE AND THE FRONT BUILDING FACADE DIVIDED BY THE
WIDTH OF THE FRONT BUILDING FACADE.**

AVERAGE SETBACK DIAGRAM – THIS DIAGRAM ILLUSTRATES SECTION 5.5005.E.2.



$$\frac{(A) \text{ Area}}{(W)} = \text{Average Setback (According to Table A)}$$

3. DESIGNATED SCENIC CORRIDOR OR BUFFERED SETBACK. WHERE A DESIGNATED SCENIC CORRIDOR OR A BUFFERED SETBACK IS EXISTING OR PLANNED THE SETBACK SHALL BE THE REQUIRED WIDTH OF THE DESIGNATED SCENIC CORRIDOR OR BUFFERED SETBACK. THE PLANNED UNIT DEVELOPMENT (PUD) DISTRICT AVERAGE SETBACK SHALL NOT APPLY.

F. BUILDING ENVELOPE.

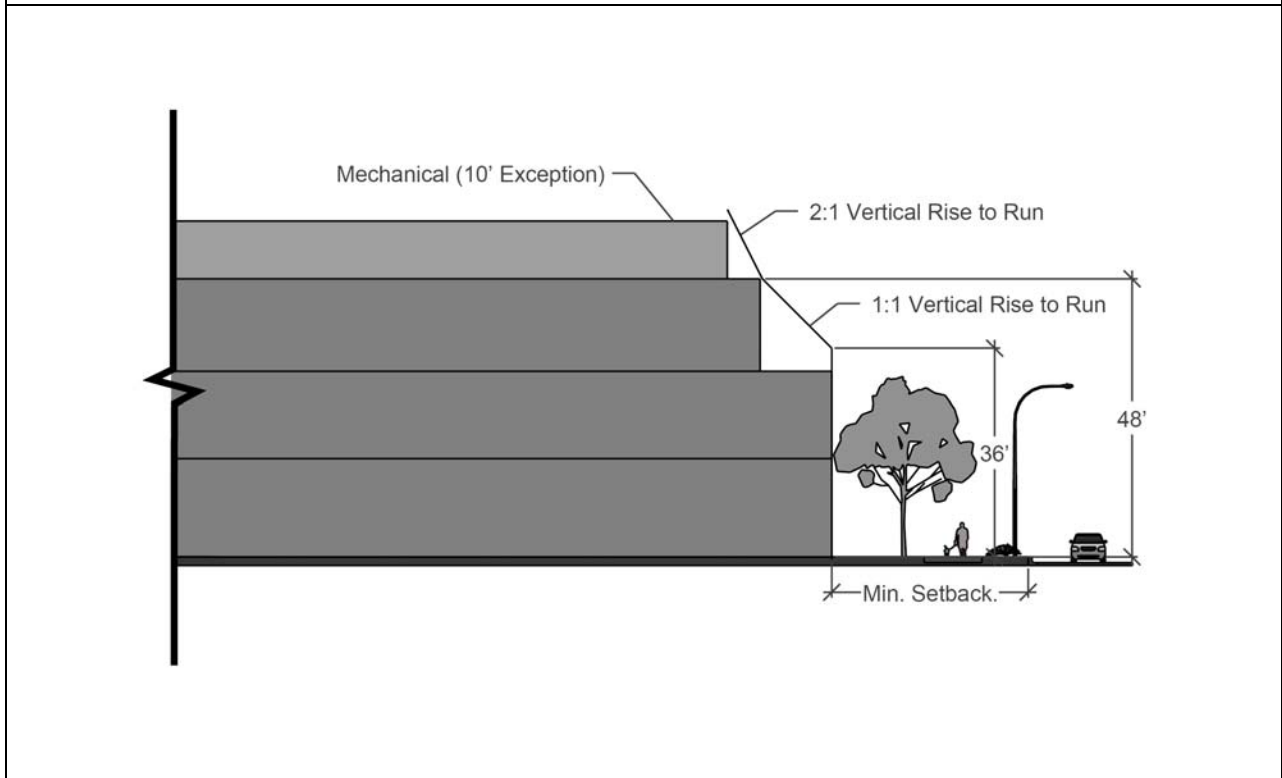
1. STARTING AT A POINT THIRTY-SIX (36) FEET ABOVE THE MINIMUM BUILDING SETBACK LINE, THE BUILDING ENVELOPE INCLINED STEPBACK PLANE SHALL

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SLOPE UPWARDS AT 1:1 (RATIO OF THE VERTICAL RISE TO THE HORIZONTAL RUN) TO A POINT MEASURED FORTY-EIGHT (48) FEET ABOVE THE MINIMUM BUILDING SETBACK LINE. THEREAFTER THE BUILDING ENVELOPE INCLINED STEPBACK PLANE SHALL SLOPE UPWARDS AT 2:1 (RATIO OF THE VERTICAL RISE TO THE HORIZONTAL RUN) ON ALL SIDES OF A PROPERTY ADJACENT TO PUBLIC AND PRIVATE STREETS.

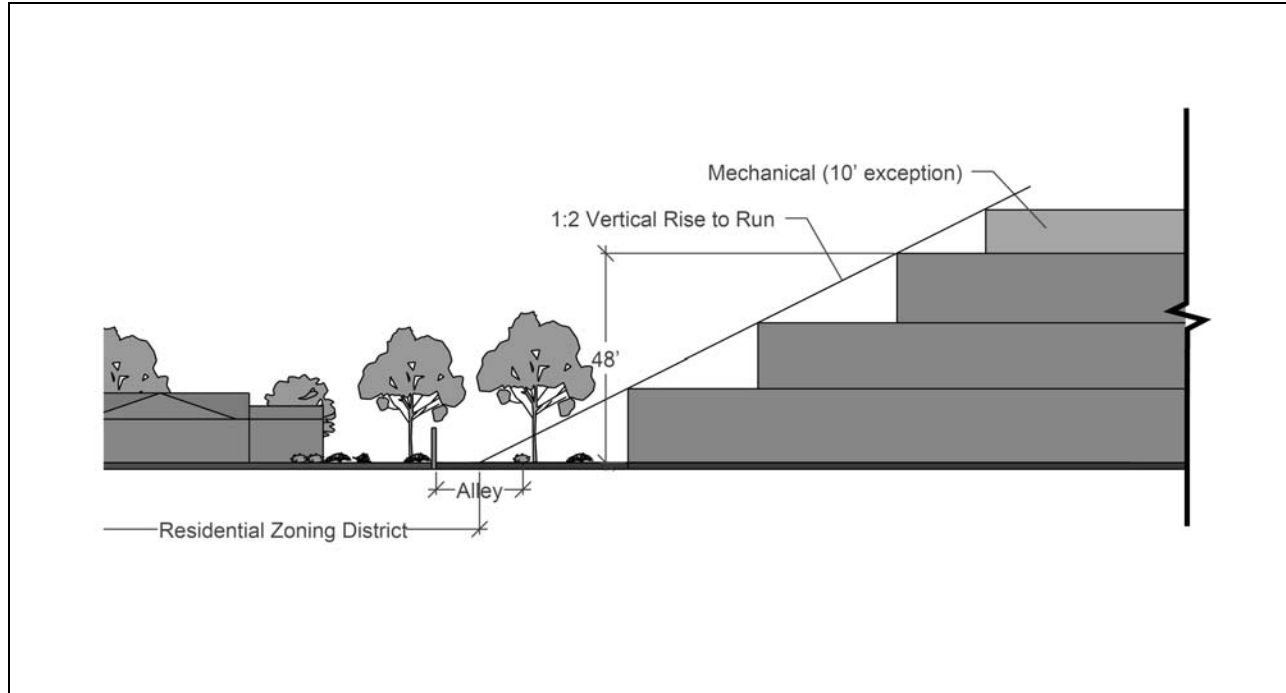
2. PUD DEVELOPMENTS ABUTTING OR ADJACENT TO A RESIDENTIAL ZONING DISTRICT SHALL HAVE A BUILDING ENVELOPE INCLINED STEPBACK PLANE OF 1:2 (RATIO OF THE VERTICAL RISE TO THE HORIZONTAL RUN) STARTING ON THE RESIDENTIAL ZONING DISTRICT BOUNDARY, EXCEPT AS SPECIFIED SECTION 5.5005.F.3.

BUILDING ENVELOPE DIAGRAM – THIS DIAGRAM ILLUSTRATES SECTION 5.5005.F.1.



BUILDING ENVELOPE DIAGRAM – THIS DIAGRAM ILLUSTRATES SECTION 5.5005.F.2.

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3. PUD DEVELOPMENTS ADJACENT TO A RESIDENTIAL ZONING DISTRICT, WHERE THE PROPERTIES ARE SEPARATED BY A MAJOR AND/OR MINOR ARTERIAL STREET AS CLASSIFIED BY THE SCOTTSDALE TRANSPORTATION MASTER PLAN AND THE DESIGN STANDARDS AND POLICIES MANUAL, SHALL COMPLY WITH SECTION 5.5005.F.1.

G. ENCROACHMENT BEYOND THE BUILDING ENVELOPE.

1. A MAXIMUM ENCROACHMENT OF FIFTEEN (15) FEET MAY BE ALLOWED FOR:
 - A. ARCHITECTURAL ORNAMENTS AND SIMILAR FEATURES, AND
 - B. TRELLIS, CANOPIES, BALCONIES, PATIOS AND PARTIAL OR FULL PATIO ENCLOSURES, COVERED WALKS, AND SCREEN WALLS.
2. ANY ENCROACHMENT INTO THE RIGHT-OF-WAY, ROADWAY EASEMENT, OR RIGHT-OF-WAY EASEMENT REQUIRES A CITY ISSUED ENCROACHMENT PERMIT AND/OR AGREEMENT.
3. THE REQUIREMENTS OF ARTICLE VII. GENERAL PROVISIONS SHALL NOT APPLY TO SECTION 5.5005.G.

H. SETBACK ABUTTING A RESIDENTIAL ZONING DISTRICT.

1. A SETBACK OF TWENTY (20) FEET SHALL BE PROVIDED ALONG THE PROPERTY LINE ABUTTING A RESIDENTIAL ZONING DISTRICT(S). THE SETBACK AREA SHALL BE LANDSCAPED AND MAY INCLUDE SPACE RESERVED FOR SERVICES SUCH AS REFUSE, RECYCLING, UTILITY BOXES, AND AMENITIES SUCH AS PLAYGROUND EQUIPMENT, PICNIC TABLES, AND SCREEN WALLS.

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I. RESIDENTIAL OPEN SPACE.

- 1. A PRIVATE OUTDOOR LIVING SPACE SHALL BE PROVIDED ADJOINING EACH DWELLING UNIT EQUAL TO A MINIMUM OF FIVE PERCENT (5%) OF THE GROSS FLOOR AREA OF THE DWELLING UNIT.**

- 2. A MINIMUM OF TEN PERCENT (10%) OF THE TOTAL GROSS SITE AREA OF THE DEVELOPMENT SHALL BE SET ASIDE AS COMMON OPEN SPACE FOR RECREATION USES, OR OTHER COMMON LANDSCAPED AND OPEN SPACE AREAS, UNLESS THE OVERALL RESIDENTIAL DENSITY OF THE DEVELOPMENT IS LESS THAN FIVE (5) DWELLING UNITS PER ACRE.**

J. LANDSCAPE IMPROVEMENTS. THE PROVISIONS OF ARTICLE X. LANDSCAPING REQUIREMENTS SHALL APPLY.

SEC. 5.5006. OFF-STREET PARKING AND LOADING.

- A. PARKING SHALL NOT BE LOCATED BETWEEN THE BUILDING AND THE STREET; AND SHALL NOT BE LOCATED BETWEEN THE AVERAGE BUILDING SETBACK LINE AND THE STREET.**

- B. ANY PORTION OF ABOVE GRADE PARKING THAT IS PROVIDED WITHIN STRUCTURED PARKING AND/OR PARKING GARAGES SHALL BE BUFFERED FROM STREET VIEWS AND RESIDENTIAL ZONING DISTRICT VIEWS BY BUILDING SPACES THAT ARE HABITABLE OR PROVIDE AN ARCHITECTURAL SCREEN. PROPOSED ARCHITECTURAL SCREENING SHALL BE SUBJECT TO DEVELOPMENT REVIEW BOARD APPROVAL.**

- C. THE PROVISIONS OF ARTICLE IX. PARKING AND LOADING REQUIREMENTS SHALL APPLY.**

SEC. 5.5007. SIGNS.

- A. THE PROVISIONS OF ARTICLE VIII. SIGN REQUIREMENTS SHALL APPLY EXCEPT A MASTER SIGN PLAN SHALL BE SUBMITTED AT THE TIME OF DEVELOPMENT REVIEW APPLICATION.**

Section 4. The Zoning Ordinance of the City of Scottsdale, is amended by amending Article VIII. Sign Requirements., as follows:

Sec. 8.501. Unspecified uses in C-1, C-2, C-3, C-4, C-S, D, PNC, PCC, PCoC, PCP, PRC and **PUD**.

Unspecified uses in C-1, C-2, C-3, C-4, C-S, D, PNC, PCC, PCP, PRC and **PUD** are allowed signs as follows:

- V. THE PROVISIONS OF ARTICLE VIII SHALL APPLY. IN ADDITION, A MASTER SIGN PROGRAM SHALL BE SUBMITTED AT THE TIME OF DEVELOPMENT REVIEW APPLICATION FOR ANY PUD PROJECT ZONING.**

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Section 5. The Zoning Ordinance of the City of Scottsdale, is amended by amending Article X. Landscaping Requirements., as follows:

Sec. 10.402. Additional requirements by zoning district.

2. For all development within the (C-1) neighborhood commercial district **AND (PUD) PLANNED UNIT DEVELOPMENT DISTRICT** all portions of required front yards **IN (C-1) NEIGHBORHOD COMMERCIAL DISTRICT AND SETBACKS IN (PUD) PLANNED UNIT DEVELOPMENT DISTRICT** shall be landscaped except for access drives and walks. Street trees shall be provided as approved by the Development Review Board.

Section 6. If any section, subsection, sentence, clause, phrase or portion of this ordinance or any part of the code adopted herein is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the Council of the City of Scottsdale this 9th day of June, 2009.

ATTEST:

CITY OF SCOTTSDALE, an Arizona
Municipal Corporation

By: _____
Carolyn Jagger
City Clerk

By: _____
W.J. "Jim" Lane
Mayor

APPROVED AS TO FORM:

By: _____
Deborah Robberson
City Attorney