

Chapter 11 Planned Community District

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11-11-1: Purpose and Intent

The purposes of the Planned Community (PC) District are to:

- A. Accommodate large-scale, unified and comprehensively planned developments that encourage and promote innovative and sustainable residential and non-residential land uses;
- B. Allow flexibility for innovative and high quality development while meeting the goals of the Mesa General Plan and establishing planning and development control parameters tailored to the opportunities and constraints of the property;
- C. Conserve scarce energy resources, using technologies, materials and designs that are sustainable;
- D. Provide for creative and high quality design and materials, for buildings and landscape, to accomplish efficient, aesthetic, sustainable, and desirable development that highlights special features of the geography, topography, size, or shape of a particular property and that include exceptional public amenities and facilities;
- E. Provide environmental improvements that mitigate air and storm water pollution. Provide shade and reduce the effects of the urban heat island.

- F. Ensure that areas designated mixed use/community in the Mesa General Plan develop with one or more villages or urban cores that contain an appropriate variety and mix of employment, office, retail, medical, educational, community service, tourism, entertainment, open space, recreational, and residential uses to provide center(s) with a sense of place within the community;
- G. Ensure that residential neighborhoods utilize a variety of housing types and densities that contain parks and schools that are located within convenient walking or bicycling distance from all homes, and neighborhood village centers with shops, restaurants, service uses, schools, and other civic uses that provide each neighborhood an individual identity and foster community interaction;
- H. Ensure that demands on streets, utilities and other public infrastructure do not exceed the capacity of existing or planned facilities, and ensure that the development will accommodate new and future technologies for utilities and other public infrastructure;
- I. Provide reasonable assurances to the City and land developer that the proposed development may be planned and carried out in one or more phases over an extended period, in accord with an approved Community Plan; and
- J. Provide for cohesive development patterns that integrate well with surrounding development; and encourage a variety of transportation options.

11-11-2: Land Use and Development Regulations

- A. **General Plan and Zoning.** PC Districts may be established within areas designated mixed use/community or mixed use/residential in the Mesa General Plan. The PC District and adopted Community Plan are the zoning for the property. The adopted Community Plan also is the principal reference for implementation and review of future development within the boundary of the overall site. All development that takes place within the boundaries of a PC District shall be governed by and built in accordance with the adopted Community Plan or approved amendments to the Community Plan.
- B. **Minimum Area.** The minimum area required for a PC District is 160 contiguous acres.
- C. **Permitted Uses and Land Use Groups.** The permitted and conditional land uses for a PC District shall be listed in, and established by, an adopted Community Plan. As part of the Community Plan, the uses shall be individually listed for each development unit, and the uses shall be grouped into land use groups. A land use group may be subdivided into sub-land use groups. Such groups may be based in whole or in part on existing Mesa Base Zoning Districts or may be new categories. In addition to listing all permitted uses

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in the land use groups and any sub-land use groups, the Community Plan shall have a narrative describing the intent and purpose for each.

1. ***The Community Plan.*** The Community Plan may establish any land use as a conditional use that requires review and approval of Council Use Permit, Special Use Permit, or Administrative Use Permits in accordance with [Chapter 70](#) of this Title.
2. ***Land Use Budget.*** In the Community Plan, the land use groups and any sub-land use groups shall be designated for each development unit, and have a minimum and maximum range (the land use budget) for each designated land use group and/or the budget may be specific to sub-land use groups or individual land uses. The land use budget shall be expressed in the following manner:
 - a. Dwelling units (DU) shall be used as the measure to express the number of residences.
 - b. The density of a residential project, expressed as a ratio of the number of dwelling units per acre (DU /AC), shall be the measure of the intensity of a Residential Land Use.
 - c. Gross Floor Area (GFA) shall be the measure used to express the amount of mixed and non-residential land use.
 - d. Floor Area Ratio (FAR) shall be the measure used to express the intensity of development for all mixed and non-residential land uses.
 - e. The approved Community Plan may include additional measures for the land use budget.
 - f. The amounts (e.g. DU, GFA) and intensities (e.g. DU /AC, FAR), expressed in minimum and maximum ranges, for each land use group (and any sub-land use groups or specific land uses) for the development units, in aggregate, shall not exceed the total adopted for the Community Plan.
3. ***Development Unit Land Use Plan.*** With the approval of each development unit there shall be a Development Unit Land Use Plan that shall identify:
 - a. The general location for the land use group and any sub-land use group (and may identify general locations for specific uses),

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- b. The approximate amount of acreage for such group (or specific use),
 - c. The intensity of development proposed at each location.
4. **Site Plan.** With the approval of each Site Plan the permitted uses shall be specified on the Site Plan by reference to sub-land use group(s) or specific uses. Permitted uses at a specific site shall be limited to those specified on the approved Site Plan; all other uses are prohibited.
- D. **Development Standards.** The Community Plan shall specify General Development Standards, as defined in [Chapter 87](#), for the PC District.
1. **Application of the General Development Standards.** The General Development Standards shall apply to each development unit, site plan, and all development in the PC District.
 2. **Zoning Ordinance Standards as Default Standards.** Site plans and improvements to individual lots or sites shall conform with the standards set forth in the Zoning Ordinance (the Zoning Ordinance Standards) for the district or use most nearly approximating the proposed uses, where applicable, and intensities of use unless the approved General Development Standards for the adopted Community Plan include a specific standard.
 - a. **Modifications to Default Standards.** The Community Plan may establish a process that authorizes the Zoning Administrator to grant minor modifications to an applicable Zoning Ordinance Standard and/or General Development Standards.
 - b. **Criteria for Modifications to Default Standards.** The Zoning Administrator shall use, at a minimum, the following criteria when evaluating all requests for minor modifications to Zoning Ordinance Standards and/or General Development Standards:
 - i. The minor modification is consistent with the application of design requirements designated in the Community Plan; and
 - ii. The minor modification is consistent with the implementation of the Community Plan and the Development Unit Plan; and
 - iii. The minor modification will result in a project design that meets or exceeds the design goals and guidelines as expressed by the Community Plan; and

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- iv. The minor modification results in a building of superior architectural design, as determined by building form and massing, use of materials and colors, and relationship of the building to the building site; and
 - v. The minor modification is in accord with the Mesa Building Code and adopted Engineering Division requirements, as may be applicable.
- E. **Standards not in the Zoning Ordinance.** Modifications to development standards not established within the Zoning Ordinance shall be in accordance with procedures and processes established in the Mesa City Code. With the application of the PC District, certain modifications may be sought in accordance with [9-5-3\(C\)](#), [9-6-7\(C\)](#), and [9-8-4\(C\)](#).

11-11-3: Application Requirements

- A. **Pre-Submittal Conference.** A pre-submittal conference with the City Planning Director and Engineer, or their designees, is required prior to submittal of an application for PC District zoning. The applicant shall provide a description of the boundary of the proposed PC District, a conceptual land use summary and budget, proposed development units, project narrative, proposed General Development Standards, and any proposed modifications that may be sought in accordance with sections [9-5-3\(C\)](#), [9-6-7\(C\)](#), and [9-8-4\(C\)](#).
- B. **Application and Submittal Requirements.** In addition to the requirements for rezoning amendments as described in Chapter 76 of this Title, each application for rezoning to the PC District shall be accompanied by the following information. Submittals that fail to include all of the items listed in the below subsections shall not be scheduled for consideration.
1. An application form, available in the Planning Division office, and payment of required fees.
 2. A map showing the ownership of the property within the proposed PC District, and a current Title report for the property.
 3. The name(s) and current address(s) of the applicant, owner, and developer.
 - a. If the applicant, owner or developer is a corporation, the names and current addresses of the principal officers and members of its board of directors shall be submitted in addition to the information required above.

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- b. If the applicant, owner or developer is a partnership, the names and current addresses of the general and managing partners shall be submitted in addition to the information required above.
 - c. A material change in any of the information regarding the identity of the applicant, owner or developer or in any address thereof shall be filed with the City within 30 days of the change.
 4. A legal description with dimensions and bearings of the proposed PC District boundary.
 5. A narrative describing and explaining how the proposed PC District and Community Plan complies with and meets the purpose, intent, and requirements of the Mesa General Plan and the PC District. This narrative shall be separate from the Community Plan.
 6. Development Schedule shall be submitted as part of the Community Plan that includes the following:
 - a. The timeframe in which construction or development is expected to begin and the estimated duration of time required for completion of all development including public infrastructure improvements necessary to serve the Community,
 - b. Anticipated phasing, including phasing of infrastructure improvements, if the project will not be developed as one unit, including a plan for the interim use, maintenance and management of the undeveloped phase or phases;
 - c. The anticipated completion of development for each development unit; and
 - d. Anticipated initiation and completion dates for each phase or development unit, in no greater than three-year increments.
 7. A Community Plan, which shall include all the minimum required elements listed in Section 11-11-4.
- C. **Evaluation.** The Planning & Zoning Board and City Council shall consider at a minimum the following goals and objectives when evaluating the proposed Community Plan. The proposed Community Plan should:

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1. Conform to applicable policies, land use map designations, and land use definitions of the Mesa General Plan;
2. Conform to the purposes and intents of the PC District as listed in section 11-11-1
3. Provide the following when the PC District is located on a site designated as mixed use/community on the Mesa General Plan land use map:
 - a. A mix of land uses in a wide variety of building forms which creates a complete community environment; and
 - b. An appropriate mix of non-residential uses, including commercial, employment (such as office and industrial), and public/semi-public, in addition to multiple forms of residential uses; and
 - c. One or more areas designated as villages or urban cores that will serve and complement surrounding residential development.
4. Provide a combination of land uses that are arranged and designed in such a manner as to be well integrated with other land uses, the immediate surrounding area, the planned thoroughfare system, and other public facilities such as water and sewer systems, parks, schools, transit routes and utilities.
5. Include adequate provisions and sites for schools, playgrounds, parks, trails, and other recreational facilities that are adequate to serve the anticipated population and interconnected with other public open spaces and recreational resources within the city.
6. Adequately, reasonably, and conveniently integrate into existing and planned streets, transit systems, and public services, utilities, and public facilities and will not result in a reduction in service levels to adjacent properties.
7. Promote development that is appropriate to and well integrated with its environmental setting, including existing vegetation, soils, geology, topography, and drainage patterns.
8. Preserve, where possible, any significant historical, cultural, and archaeological features of the site.
9. Provide superior design and environmental sustainability in comparison with development reviewed under other base zoning district regulations.

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10. Provide a level of detail that adequately describes the relative quality and design themes of the built environment of the project, both at completion and during the phased implementation of the Community Plan.
 11. Be compatible with, and not detrimental to, adjacent properties or the surrounding neighborhood(s).
- D. **Conditions.** The City Council may place conditions on its approval of a PC District, Community Plan, and/or modifications to either a PC District or a Community Plan. Such conditions of approval may include, but are not limited to: conditions to ensure implementation of the Community Plan in accordance with the Mesa General Plan, and other applicable plans and policies adopted by the City; conditions to achieve the purposes and intents described in section 11-11-1; and, conditions requiring additional or different approval processes for development units, design guidelines, site plans, and/or areas within the PC District.

11-11-4: Community Plan Required

- A. **Contents.** A Community Plan shall be submitted concurrently with the application for the PC District, and shall include the following:
1. **Community Plan Map.** A map, which may consist of multiple sheets, drawn to a suitable scale and that includes the following elements:
 - a. The boundary with dimensions and bearings of the proposed PC District.
 - b. Division of the entire site into separate land development increments, referred to as Development Units. The size and number of Development Units shall be sufficient to provide understanding of the pattern, phasing and intensity of development authorized by the Community Plan.
 - c. The approximate location of proposed freeways, parkways, arterial streets, and streets which provide connectivity between development units and other major transportation and transit corridors.
 - d. Major drainage elements within the proposed PC District and vicinity.
 - e. Existing and proposed utility corridors.

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- f. Any major trails and/or bikeways, including their proposed connections to conceptual trail locations identified in the Mesa General Plan and other relevant documents.
 - g. Location of any known significant historical, cultural, and archaeological features of the site.
2. **Land Use Regulations.** Permitted land uses, land use groups, and any sub-land use groups, as described in 11-11-2(C), and a Land Use budget, as described in 11-11-2(C)(1).
3. **Master Developer.** The Community Plan shall identify a Master Developer or other entity that shall be designated to ensure all future development requests are in compliance with the land use budget and in compliance with the provisions of the Community Plan.
4. **Community Facilities Element.** A narrative describing the estimated need for community facilities, including public schools, parks, open space, fire stations, police substations and other similar community facilities, by type and land area.
5. **Infrastructure Element.** Major street system and transportation plan, and Utilities and storm water drainage master plans.
6. **General Development Standards.** Defined in [Chapter 87](#) of this Title.
7. **Design Guidelines.** Community Plan Design Guidelines for the development of the property, including illustrations of proposed architectural, urban design, streetscape, and landscape concepts, thematic design elements such as architectural materials, building colors and landscape plants, and any proposed variation from [Chapter 30](#), General Site Development Standards. The Community Plan Design Guidelines may describe broadly based design or architectural themes and concepts, sufficient to convey an idea and general pattern of development. With the application of the Development Units and Development Unit Design Guidelines shall be submitted that are consistent with, and provide further detail to, the Community Plan Design Guidelines.
8. **Supplemental Reports.** Each Community Plan shall be accompanied by the following supplemental reports, as determined by the Planning Director and City Engineer at the time of the Pre-Submittal Conference.
 - a. Traffic impact analysis, soils engineering report, geology report, and/or drainage report.

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- b. Additional information as necessary to facilitate understanding, review and action on the application by the Planning & Zoning Board and the City Council.
 9. ***Requirements and Administration for Future Development Unit Plans.*** Consistent with, and in addition to the requirements in this Chapter, the Community Plan shall set forth additional elements for the Development Unit Plans, additional submittal and process requirements for Development Unit Plans and amendments thereto, and additional criteria for reviewing Development Unit Plans. Such additional requirements shall include, but are not limited to, the process and public body or position that reviews, and may approve, future Development Unit Plans. Such additional elements and criteria shall include, but are not limited to, criteria and requirements to ensure that future development plans will facilitate development compatible with adjacent properties and surrounding neighborhoods, will facilitate the implementation of the Community Plan, will facilitate appropriate transitions between differing developments, and will not overburden the transportation system, utility infrastructure or community facilities. If a Development Unit Plan Application is filed prior to the approval of the Community Plan, such a Development Unit Plans may be approved by City Council with the approval of the Community Plan.
 10. ***Requirements and Administration for Future Site Plans.*** Consistent with, and in addition to the requirements of this Chapter, the Community Plan shall set forth additional elements required of Site Plan Review, additional submittal and process requirements for a site plan, Site Plan Modification, and additional criteria for review or modification of site plans. Such additional requirements shall include, but are not limited to, specifying how Site Plan Review requirements will be administered within a development unit, and set forth the review and approval process for Site Plan Review. Such additional elements and criteria shall include, but are not limited to, criteria and requirements to ensure that site plans will facilitate development compatible with adjacent properties and surrounding neighborhoods, will facilitate the implementation of the Community Plan, will facilitate appropriate transitions between differing developments, and will not overburden the transportation system, utility infrastructure or community facilities.
- B. **Review of PC District and Community Plans.** The PC District and Community Plan shall be reviewed, and a recommendation to City Council shall be made, by the Planning & Zoning Board. The Community Plan Design Guidelines shall also be reviewed, and a

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recommendation to City Council shall be made, by the Planning & Zoning Board. The PC District and Community Plan shall be reviewed, and are subject to approval by City Council. These processes shall be in accordance with the requirements of this [Chapter 76](#) of this Title.

11-11-5: Review and Consideration of Development Unit Plans

- A. **Pre-Submittal Conference.** A Pre-Submittal Conference with the City Planning Director and Engineer, or their designee, is required prior to submittal of a Development Unit Plan Application.
- B. **Consideration of Request.** Development Unit Plans shall be reviewed, and are subject to approval, in accordance with the requirements and process established by the adopted Community Plan. The Development Unit Plans include, but are not limited to, Development Unit Design Guidelines and a Development Unit Land Use Plan.
- C. **Development Unit Design Guidelines.** Development Unit Design Guidelines shall be submitted that are consistent with, and provide further detail to, the Community Plan Design Guidelines. The Development Unit Guidelines shall include design themes, additional standards and concepts unique to the development unit, and shall be of sufficient detail to ensure cohesive, integrated, high-quality design. All site plans and development shall conform to, and be consistent with, the approved Development Unit Design Guidelines.
- D. **Development Unit Land Use Plan.** A Development Unit Land Use Plan, as described in 11-11-2(C)(3), shall be of sufficient detail to ensure the compatibility of future development in the unit and compatibility with properties surrounding the unit, to ensure appropriate transitions between differing developments, to ensure that development will not overburden the transportation system, utility infrastructure or community facilities, and to facilitate the implementation of the Community Plan. All site plans and development shall conform to, and be consistent with, the approved Development Unit Land Use Plan.
- E. **Review of Development Unit Plans.** Applications for Development Unit Plans within an adopted PC District shall only be approved if the application and supporting materials are consistent with the approved Community Plan, as well as any conditions or modifications of the Community Plan that were imposed by the City Council. In addition to the requirements and criteria established in this Chapter and Community Plan to evaluate development units. Development Unit Plans shall be consistent with the approved Community Plan as follows:

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1. The land use budget for a development unit shall remain identical to, or within the range established by the approved Community Plan budget for that development unit.
2. Development Unit Plans shall be consistent with any major or minor amendments of the Community Plan.
3. All other relevant policies and guidelines as outlined in the Community Plan shall remain as adopted.

11-11-6: Site Plan Review

- A. **Pre-Submittal Conference.** A Pre-Submittal Conference with the City Planning Director and Engineer, or their designee, is required prior to submittal of a site plan application.
- B. **Site Plan Approval Required.** All non-single residence development within a PC District shall require an approved site plan. All single residence developments shall meet this requirement through the subdivision process as required by [Chapter 6, of Title 9](#) of the Mesa City Code. For all development requiring an approved site plan, no building permit shall be issued for such sites until there is an approved site plan.
- C. **Site Plan Review.** All sites shall be reviewed, and be subject to approval, by the Planning Director and his/her designees, unless otherwise designated by the adopted Community Plan.
- D. **Review and Conditions.** Site plans shall be reviewed for consistency with the requirements of this Chapter, the Community Plan and Development Unit Plans. Unless otherwise specified in the Community Plan, conditions may be imposed on the approval of any site plan as may be deemed necessary to ensure that the site is designed in a way to facilitate compatibility with adjacent property and to ensure that the development will be in accordance with the Community Plan, the General Development Standards, Community Plan Design Guidelines, Development Unit Design Guidelines, and the Land Use Budget. The Community Plan may establish additional criteria for such conditions. Consistent with this Chapter and any additional criteria established in the Community Plan such conditions may include:
 1. Revised building setbacks;
 2. Revised landscaping;
 3. Revised on-site parking and loading spaces;

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4. Height and area limitations on structures;
 5. Limited vehicular access;
 6. Placement and/or installation of walls, fences and screening devices;
 7. Installation of noise attenuating construction; and
 8. Off-site improvements in public rights-of-way adjacent to the subject property.
- E. **Required Information.** All applications for Site Plan Review for development within an approved PC District shall include drawings (drawn to scale) and other supporting materials and documents, as determined by the Community Plan. Additional materials and plans may be requested, as needed, by the Planning Director to determine the full compatibility of the project to neighboring development.
- F. **Land Use Budget Update.** The Master Developer shall review all site plans prior to submittal to ensure compliance with the land use budget. All site plans shall be submitted with a chart, approved by the Master Developer, updating the land use budgets for the Community Plan and the applicable Development Unit Plan.
- G. **Permitted Uses.** The permitted uses shall be limited to those identified on the site plan as described in Section 11-11-2(C)(4).
- H. **Appeal of a Site Plan Review Decision Made by a City Board or the Planning Director.** The applicant, any owner of property within 750 feet of the boundaries of the Site Plan Review case or the City Manager (or his designee) may appeal a Site Plan Review decision. The appeal shall be made in writing, specifying the grounds for the appeal, within 15 business days of the decision. An appeal from a decision by a City board shall be forwarded to the City Council for review and consideration. An appeal from a decision by the Planning Director shall be forwarded to the Planning and Zoning Board (unless specified otherwise in the Community Plan for review and consideration. It shall be the responsibility of the applicant to complete all citizen participation requirements. The appellate body shall rehear the request, and shall have the ability to affirm, reverse or modify the previous decision.

11-11-7: Expiration and Renewal of Site Plan Reviews

- A. **Expiration.** The approval of a site plan shall expire 2 years following the date of the approval, unless a building permit has been issued and construction diligently pursued.

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- B. **Extension.** Site plan approval may be extended once for a period of not more than an additional two years by the Planning Director. Application for an extension shall be made in writing not less than 30 days after and not more than 60 days before the expiration of the original approval. The Planning Director may extend a site plan approval if the site plan remains consistent with the purpose and intent of this Chapter, the Community Plan, and the applicable Development Unit Plan.
- C. **New Application.** If the approval of a site plan expires and an extension to the approval is not, or cannot, be granted, a new application for Site Plan Review shall be filed.

11-11-8: Amendments to an Approved PC District

- A. **Initiation.** Amendments to a Community Plan may be requested by the Master Developer or an owner of property located within a PC District. Amendments requested by a property owner shall provide documentation that notice of such request has been provided to the Master Developer.
- B. **Limitation of Affected Area.** Amendments to the approved Community Plan may be limited to one or more development units and any proposed change will not extend to, or affect, another development unit unless specifically included in the area to be affected by the proposed amendment.
- C. **Land Use Budget Transfer.** A Community Plan may establish the process and criteria for permitting an unused portion of a development units' land use budget to be transferred to another development unit. To allow such transfers, the Community Plan must establish criteria to categorize transfers as major amendments or minor amendments. Such criteria shall be consistent with the requirements of this Chapter.
- D. **Major Amendments.** The Planning Director shall determine if the proposed amendment constitutes a major or minor amendment. If the Planning Director determines an amendment to be major, the amendment request shall be processed as an amendment to the PC District and Community Plan. An amendment will be deemed major if it involves any one of the following:
1. A change in the overall PC District boundary.
 2. A change to the permitted uses in the PC District or any development unit.
 3. A change to the General Development Standards.

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4. An increase in the total number of approved dwelling units, floor area ratio (FAR) or gross floor area (GFA) for the overall PC District.
 5. A significant change to the boundary or gross area of a development unit from that approved in the PC District, as determined by the Planning Director. A 10 percent increase or decrease to the gross area of a development unit as approved in the PC District shall automatically be determined a significant change.
 6. Any change to the land use budget for the PC District. Any change to the land use budget for a particular development unit, except if the change is a result of an approved Land Use Budget Transfer.
 7. Any change in land use intensity that is likely to negatively impact or burden public facilities, transportation systems, major street systems, and utilities infrastructure as determined by the appropriate department head.
 8. Any proposed change to the Community Plan that substantively alters one or more components or required elements of the PC District or Community Plan as determined by the Planning Division.
- E. **Minor Amendments.** Amendments not meeting one or more of the criteria listed in above subsections shall be considered minor. If the Planning Division determines the amendment to be minor, the Planning Director may administratively act on the amendment and attach stipulations or conditions of approval thereto.
- F. **Notice.** Unless otherwise provided for in the Community Plan, notice of the proposed minor amendment shall be mailed, or otherwise made as determined by the Planning Director, to each owner of property as last disclosed by county assessor records, situated wholly or partly within 750 feet of the affected development unit(s) to which the amendment relates. For purposes of giving mailed notice, if required, the Planning Division shall require the applicant to prepare the letters, and stamp and address the envelopes of all affected property owners as determined above. The fully prepared letters will then be submitted to Planning Division staff, who will place the envelopes in the mail.
- G. **Written protest.** If written protest to any minor amendment is received from any notified property owner within 15 days of the notification mailing date and such protest cannot be resolved, then the minor amendment shall be reclassified as a major amendment. No additional application shall be required, however, all provisions governing major amendments shall then apply.

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- H. **Planning Director Decision.** If written protest is not received as described above, the Planning Director shall render a decision on the minor amendment request. The Planning Director's decision shall be final unless appealed under section 11-11-9. The Planning Director or assigned designee shall send copies of the decision to the applicant, interested parties of record and members of the Planning & Zoning Board.

11-11-9: Administrative Decision Appeals

- A. **Appeal to Planning and Zoning Board.** An action or decision by the Planning Director on minor amendments may be appealed by the applicant, or by an owner of property located within 750 feet of the area affected by the minor amendment. The appeal shall be filed within 15 days from the date of the Planning Director's decision.
1. Appeals shall be made in writing and submitted to the Planning Director, and
 2. Appeals shall include: the specific items being appealed, the conclusion the appellant believes should occur and why the initial decision should be changed. The Planning Division will submit a report and any background material regarding the appeal to the Planning & Zoning Board. The applicant associated with the action being appealed shall be informed by the Planning Division of the date, time and location of the appeal hearing.
 3. The applicant shall notify adjacent property owners of the Planning and Zoning Board meeting in the same manner as described in Section 11-11-8.
 4. The Planning and Zoning Board's decision on the appeal will be sent to the applicant and interested parties of record. The decision of the Planning and Zoning Board will be final, unless the applicant or an owner of property within 750 feet of the area affected by the minor amendment initiates an appeal to the City Council in accordance with Sub-section (B) of this Section.
- B. **Appeal to Council.** The applicant or an owner of property located within 750 feet of the area affected by the minor amendment or any action or decision involving a development unit plan or an appeal of a minor amendment to a Community Plan.
1. The appeal shall be filed within 15 days of the board's decision.
 2. Appeals shall be made in writing and submitted to the Planning Director, and shall include: the specific items being appealed, the conclusion the appellant believes should occur, and why the initial decision should be changed.

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3. City Council's review on appeal is de novo. The City Council may consider any information before it when hearing an appeal under this Section. City Council may remand the matter for further proceedings or may affirm, reverse, or modify the decision.

11-11-10: Supplementary Provisions

- A. For the PC District, Community Plan, Development Unit Plan, Site Plan Review, and amendment thereto, notice and citizen participation shall be in accordance with Article 7, Administration this Ordinance, except an adopted Community Plan may modify these notice and citizen participation requirements for approvals and amendments that the Community Plan establishes are to be subject to approval by the Planning Director or designee.
- B. The owner(s) of property located in the PC District shall notify all prospective purchasers of the existence of the PC District and the Community Plan. Upon approval of the PC District, the owner(s) shall record a notice in the County Recorder's Office that provides notice to purchasers that the property is subject to the PC District and a Community Plan and that the development and use of the property is subject to other property owner's use of the Land Use Budget in the development unit.
- C. Prior to or with the approval of a PC District, there shall be a Development Agreement that includes Development Unit Phasing Schedule, Infrastructure Phasing Plan, and other terms to ensure that the future development fulfills the purposes of this Chapter and the Community Plan.

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