Section 4.118. Standards applying to all Planned Development Zones:

(.03) Notwithstanding the provisions of Section 4.140 to the contrary, the Development Review Board, in order to implement the purposes and objectives of Section 4.140, and based on findings of fact supported by the record may:

A. Waive the following typical development standards:
   1. minimum lot area;
   2. lot width and frontage;
   3. height and yard requirements;
   4. lot coverage;
   5. lot depth;
   6. street widths;
   7. sidewalk requirements;
   8. height of buildings other than signs;
   9. parking space configuration and drive aisle design;
   10. minimum number of parking or loading spaces;
   11. shade tree islands in parking lots, provided that alternative shading is provided;
   12. fence height;
   13. architectural design standards;
   14. transit facilities; and
   15. On-site pedestrian access and circulation standards; and
   16. Solar access standards, as provided in section 4.137.

[Amended by Ord. #719, 6/17/13.]

B. The following shall not be waived by the Board, unless there is substantial evidence in the whole record to support a finding that the intent and purpose of the standards will be met in alternative ways:
   1. open space requirements in residential areas;
   2. minimum density standards of residential zones;
   3. minimum landscape, buffering, and screening standards;

C. The following shall not be waived by the Board, unless there is substantial evidence in the whole record to support a finding that the intent and purpose of the standards will be met in alternative ways, and the action taken will not violate any applicable federal, state, or regional standards:
   1. maximum number of parking spaces;
   2. standards for mitigation of trees that are removed;
   3. standards for mitigation of wetlands that are filled or damaged; and
Section 4.140. **Planned Development Regulations.**

(.01) **Purpose.**

A. The provisions of Section 4.140 shall be known as the Planned Development Regulations. The purposes of these regulations are to encourage the development of tracts of land sufficiently large to allow for comprehensive master planning, and to provide flexibility in the application of certain regulations in a manner consistent with the intent of the Comprehensive Plan and general provisions of the zoning regulations and to encourage a harmonious variety of uses through mixed use design within specific developments thereby promoting the economy of shared public services and facilities and a variety of complimentary activities consistent with the land use designation on the Comprehensive Plan and the creation of an attractive, healthful, efficient and stable environment for living, shopping or working.

B. It is the further purpose of the following Section:

1. To take advantage of advances in technology, architectural design, and functional land use design:

2. To recognize the problems of population density, distribution and circulation and to allow a deviation from rigid established patterns of land uses, but controlled by defined policies and objectives detailed in the comprehensive plan;

3. To produce a comprehensive development equal to or better than that resulting from traditional lot land use development.

4. To permit flexibility of design in the placement and uses of buildings and open spaces, circulation facilities and off-street parking areas, and to more efficiently utilize potentials of sites characterized by special features of geography, topography, size or shape or characterized by problems of flood hazard, severe soil limitations, or other hazards;

5. To permit flexibility in the height of buildings while maintaining a ratio of site area to dwelling units that is consistent with the densities established by the Comprehensive Plan and the intent of the Plan to provide open space, outdoor living area and buffering of low-density development.

6. To allow development only where necessary and adequate services and facilities are available or provisions have been made to provide these services and facilities.

7. To permit mixed uses where it can clearly be demonstrated to be of benefit to the users and can be shown to be consistent with the intent of the Comprehensive Plan.

8. To allow flexibility and innovation in adapting to changes in the economic and technological climate.