

0804141-10-2-1--
Palumboa

ORDINANCE NO 2014-25

AN ORDINANCE OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA ZONING PROPERTY FROM PLANNED COMMUNITY DISTRICT (PCD) ZONING TO PLANNED COMMUNITY DISTRICT (PCD) ZONING FOR A DEVELOPMENT KNOWN AS SADDLEBACK HEIGHTS; AMENDING THE ZONING MAP AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Peoria Planning and Zoning Commission held a public hearing on March 6, 2014 in zoning case Z02-04A.1 in the manner prescribed by law for the purpose of considering an amendment to the district boundaries of property within the City of Peoria, Arizona to provide for rezoning of a parcel of land as described below from a Planned Community District (PCD) zoning district to Planned Community District (PCD) zoning district as provided in Section 14-33 of Chapter 14 of the Peoria City Code (1977 edition);

WHEREAS, due and proper notice of such Public Hearing was given in the time, form, substance and manner provided by law including publication of such notice in the Peoria Times Newspaper on February 14, 2014; and

WHEREAS, the City of Peoria Planning and Zoning Commission has recommended to the Mayor and the Council of the City of Peoria, Arizona, the zoning of property as aforesaid and the Mayor and the Council of the City of Peoria, Arizona desires to accept such recommendation and rezone the property as described below as aforesaid.

NOW, THEREFORE BE IT ORDAINED by the Mayor and Council of the City of Peoria, Arizona that:

SECTION 1. A parcel of land in Peoria, Maricopa County, Arizona, which is more accurately described in Exhibits A and B to this Ordinance, is hereby conditionally rezoned from a Planned Community District (PCD) zoning district to a Planned Community District (PCD) zoning district.

SECTION 2. The amendment to the zoning herein provided be conditioned and subject to the following stipulations:

1. The development shall comply with the approved Saddleback Heights Planned Community District (PCD) Standards Report and Development Plan dated February 24, 2014, except as modified herein.

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2. The development shall be limited to a maximum 8,269 dwelling units on privately owned land and 786 dwelling units on State Land. The total development of Saddleback Heights is capped at 9,055 dwelling units.
3. A minimum of 600 acres of passive and active open space is required to be dedicated by the Developer. The location and size of dedicated open space areas shall be in substantial conformance with the Saddleback Heights Landform & Open Space Plan (Exhibit K) and Preservation Master Plan (Exhibit L) contained within the Saddleback Heights PCD and consistent with the requirements as set forth in the Development Agreement.
4. The Developer shall increase the minimum amount of open space by 5,000 square feet for each additional unit developed above 5,409 dwelling units. (A maximum of 328 additional acres of open space, for a cumulative total of 928 acres.)
5. The Developer shall submit a master open space table for the entire project indicating the anticipated number of dwelling units and projected amount of open space to be dedicated within each village at time of the first preliminary plat submittal.
6. As subsequent parcels develop within each village, the master open space table shall be updated by the Developer (at the time of preliminary plat and final plat) to reflect actual number of platted dwelling units and total amount of dedicated open space per parcel.
7. Modifications to washes that are not governed as part of the Saddleback 404 Permit, but identified on the Preservation Master Plan and carry flows less than 500cfs may be modified subject to the review and approval by the Planning Manager. Proposed modifications to the wash corridors shall be done in a manner that preserves to the extent possible, the naturalistic manner of the drainage corridor and revegetated with a similar plant palette and density that is consistent with the adjacent area.
8. Five conceptual park locations shown on the Conceptual Land Use Plan, Exhibit H, from which a minimum of two neighborhood parks are to be dedicated and improved by the Developer.
9. Amenities selected for Neighborhood Parks shall comply with the 2006 City of Peoria Parks Recreation Open Space and Trails (PROST) Master Plan Update, as amended or subsequently superseded.
10. The Developer will be responsible to form a Street Light Improvement District (SLID) for all parcels located within the master development that have internal public roadways. A SLID Assessment Diagram will be required as part of the Final Plat submittal.

11. A Final Drainage Report shall be submitted with the subdivisions. Note that the City of Peoria has adopted the Maricopa County Uniform Drainage Design Standards, Policies and Procedures and Drainage Design Manual for Maricopa County for drainage criteria.
12. The City of Peoria will accept the Pre vs. Post concept for this development. However, the developer shall demonstrate that reducing post-development peak discharges and runoff volumes to predevelopment conditions can be achieved.
13. The Final Drainage Report shall address conditions and policies outlined in the North Peoria Area Drainage Master Plan (ADMP).
14. The Final Drainage Report shall address the erosion hazard zone outlined in the North Peoria Area Drainage Master Plan (ADMP).
15. Upon review of the Final Drainage Report, the final determination of basin location and size will be determined.
16. Final drainage facility locations shall be dependent on the finalization and approval of the Master Traffic Study, as the recommendation and location of such roadway is critical to the location of drainage facilities.
17. The Final Drainage Report shall address operations and maintenance of the in-line basins, as such an item is critical to functionality of the system.
18. The development shall comply with the Stormwater Pollution Prevention criteria. This should include runoff control, erosion control and sediment control. These criteria are in the process of being revised as the State of Arizona has applied for primacy from EPA and the City of Peoria will soon be subject to additional requirements from the State that must be applied to all developments within our boundaries.
19. The Developer shall dedicate all right-of-way to the City of Peoria as required by the City Engineer. Road improvements shall be per the approved Transportation Master Plan as determined by the City Engineer.
20. The Padelford Wastewater Treatment Plant depicted in the Master Plan shall be generally located on the western border of the Project to accommodate future expansion efforts by others related to the development of State Land to the west and the overall intent to provide water and wastewater processing services to the northern Peoria region. The location of any such plant shall be determined by the Owner and the City of Peoria.
21. All water and wastewater treatment facilities (including water distribution systems, wastewater collection systems, wells, storage tanks, wastewater

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effluent re-use infrastructure, etc) shall be approved by the Maricopa County Department of Environmental Services.

22. Prior to Preliminary Plat approval, the Water and Wastewater Analysis for Saddleback Heights (February 2014) shall be reviewed and modified as needed to conform to regional water and wastewater infrastructure plans.
23. Water resource requirements for the requested zoning of the development appear to be sufficient to satisfy anticipated potable water demands as demonstrated by dedication or contribution by the owner in the form of recharge facility ownership capacity, recharge wells site(s), and water credits dedicated to the city and by participation in regional water supply projects. If the development requires additional potable water supplies, in accordance with the terms of the Development Agreement, the developer must cooperate with the city to provide those resources.
24. Final water and wastewater master plans shall be submitted and approved prior to the approval of any preliminary plats.
25. A detailed analysis of any proposed water reuse system, including integration with a regional system, will be required prior to Preliminary Plat approval.
26. A conceptual design, which considers wastewater treatment technologies, will be required for the proposed water reclamation facilities prior to preliminary plat approval for any parcels served by the facility.
27. Each residence and each property of any other kind shall have a direct connection to a City gravity collection system, unless determined otherwise by the City of Peoria Utilities Director.
28. The Developer shall submit a "Recreation and Amenities Master Plan" concurrently with the submittal of the first preliminary plat for each Village.
29. Outdoor recreational activities within the Town Center Overlay such as, but not limited to dining, entertainment, amphitheater and similar recreational activities with live music or amplified sound systems shall require a conditional use permit if located within 200 feet of a residential development.
30. The Developer shall modify Section 2.1.1.3 Development Standards to be consistent with the Section 2.1.1.11 Saddleback Heights Residential (SH-R) Development Standards Matrix (Table-2) as follows:
 - a. SC Cluster Category Lot Development Standards
 - i. Maximum Building Height shall be thirty (30) feet except as provided in Section 14-3-8 of the Zoning Ordinance.

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31. The Developer shall modify the Section 2.1.1.11 Saddleback Heights Residential (SH-R) Development Standards Matrix (Table-2) to be consistent with Section 2.1.1.3 Development Standards as follows:

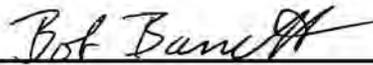
- a. Saddleback Residential Low Density (Attached):
 - i. Minimum Lot Size (sq. ft.) shall be 5,000 sq. ft.
 - ii. Eliminate 12' to garage if side entry setback
- b. Saddleback Residential Medium Density (Attached):
 - i. Eliminate 12' to garage if side entry setback
- c. Saddleback Residential Cottage (Cluster):
 - i. Side Yard Setback: All attached dwelling buildings shall be a minimum of 15 feet from the side property lines.

32. All product types within Saddleback Heights shall meet the minimum development standards within Section 2.1.1.3, except as modified above.

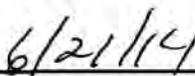
SECTION 3. Amendment of Zoning Map. The City of Peoria zoning map is herewith amended to reflect the change in districts referred to in Section 1 above and as defined by the Legal Description as represented in Exhibit A.

SECTION 4: Effective Date. This Ordinance shall become effective at the time and in the manner prescribed by law.

PASSED AND ADOPTED by the Mayor and Council for the City of Peoria, Arizona this 17th day of June, 2014.



Bob Barrett, Mayor



Date Signed

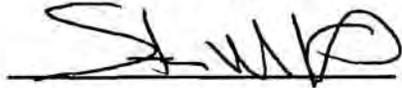
ATTEST:


Rhonda Geriminsky, City Clerk



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APPROVED AS TO FORM:

A handwritten signature in black ink, appearing to read 'S. Kemp', written over a horizontal line.

Stephen M. Kemp, City Attorney

Published in: Peoria Times
Pub. Dates: June 27, 2014

Effective Date: July 22, 2014

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June 17, 2014

EXHIBIT A
LEGAL DESCRIPTION



Darrel E. Wood, P.E., R.L.S.
Ashok C. Patel, P.E., R.L.S.
James S. Campbell, P.E.
Gordon W. R. Wark, P.E.
Thomas R. Gettings, R.L.S.
Randall Beck, P.E.
Timothy A. Huval, P.E.
Jack K. Moody, P.E.
Scott A. Nelson, R.L.S.
Richard L. Hiner, P.E.
Leslie J. Kland, P.E.
Curtis L. Brown, P.E., R.L.S.
Paul M. Haas, P.E.
Shimin Zou, Ph.D., P.E.
Michael T. Young, P.E.
Shawn D. Gustafson, P.E.
Joseph C. Daconta, P.E.
Robert S. Unger, R.L.S.
Steven J. Rinkevicius, P.E.
Sherrick H. Campbell, P.E.
James L. Condit, P.E.
Sandra J. Lie, P.E.
Joel E. McCarty, P.E.
Michael Weinberg, P.E.

Revised May 31, 2002
Revised December 27, 2001
December 20, 2001
WP #011407
Page 1 of 4
See Exhibit "B"

PARCEL DESCRIPTION
Proposed Saddleback Heights Boundary

EXISTING PARCELS

Lots 1 through 4, inclusive; the South half of the North half; and the North half of the South half; the North half of the Southwest quarter of the Southwest quarter; the Southeast quarter of the Southwest quarter of the Southwest quarter; the Southeast quarter of the Southwest quarter; the South half of the Southeast quarter of Section 3, Township 5 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

TOGETHER WITH

Lots 1 through 4, inclusive; the South half of the North half; and the North half of the Southeast quarter; the North half of the South half of the Southeast quarter; the East half of the Southeast quarter of the Southwest quarter of the Southeast quarter; the West half of the Southwest quarter of the Southeast quarter of the Southeast quarter of Section 4, Township 5 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

TOGETHER WITH

Lots 1 through 4, inclusive; the South half of the North half; the West half of the Southeast quarter; and the Southwest quarter of Section 5, Township 5 North, Range 1 West of the Gila and Salt River Base and Meridian; Maricopa County, Arizona.

TOGETHER WITH

Lots 3 through 7, inclusive; the Southeast quarter of the Northwest quarter; the Southeast quarter; and the East half of the Southwest quarter of Section 6, Township 5 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

TOGETHER WITH

The South half of the Northeast quarter; and the Northwest quarter of Section 8, Township 5 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

TOGETHER WITH

Parcel Description
Proposed Saddleback Helghts Boundary

Revised May 31, 2002
Revised December 27, 2001
December 20, 2001
WP #011407
Page 2 of 4
See Exhibit "B"

Lots 4, 6, 8 and 10, Section 25, Township 6 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

TOGETHER WITH

Lot 2, Section 26, Township 6 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

TOGETHER WITH

Lot 6, Section 30, Township 6 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

TOGETHER WITH

Lots 2, 4, 6, 8 and 9; the Southeast quarter; the East half of the Southwest quarter; and the Southwest quarter of the Southwest quarter of Section 27, Township 6 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

TOGETHER WITH

Lots 2, 6 and 7; and the Southeast quarter of the Southeast quarter of Section 28, Township 6 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

TOGETHER WITH

Lots 2, 3, 4, 6, 8, 10 and 11; the South half of the Northeast quarter; the Southeast quarter of the Northwest quarter; the Southeast quarter; and the East half of the Southwest quarter of Section 31, Township 6 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

TOGETHER WITH

Lot 1; the Southwest quarter of the Northwest quarter; the Southwest quarter; the East half of the Northwest quarter; and the East half of Section 33, Township 6 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

TOGETHER WITH

Parcel Description
Proposed Saddleback Heights Boundary

Revised May 31, 2002
Revised December 27, 2001
December 20, 2001
WP #011407
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See Exhibit "B"

All of Section 34, Township 6 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

TOGETHER WITH

The Northwest quarter of the Northwest quarter; the West half of the Southwest quarter of the Northwest quarter; the West half of the Southwest quarter; the Southeast quarter of the Southwest quarter; the East half of the East half; the West half of the Southeast quarter; the East half of the Southwest quarter of the Northeast quarter of Section 35, Township 6 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

TOGETHER WITH

The South 30 feet of the West 30 feet of the following described property:

Lots 1-7, inclusive; the Southwest quarter of the Northeast quarter; the South half of the Northwest quarter; the Southwest quarter; and the West half of the Southeast quarter of Section 1, Township 5 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

ADD PARCELS

Lots 1 and 2, inclusive; the South half of the Northeast quarter of Section 6, Township 5 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

TOGETHER WITH

All of Section 32, Township 6 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, lying South of the right of way of Arizona Highway 74.

Y:\WP\Parcel Descriptions\011407 Saddleback Heights Existing Add Parcels.doc



Scott A. Warren



PLANNED COMMUNITY DISTRICT



SADDLEBACK HEIGHTS



APPROVED: DECEMBER 17, 2002

CASE NO: Z 02-04

AMENDED: JULY 02, 2012

REVISED: FEBRUARY 24, 2014

SADDLEBACK HEIGHTS

PEORIA, ARIZONA

DEVELOPMENT BY:
DIAMOND VENTURES

**PLANNED COMMUNITY DISTRICT
(PCD)
AMENDMENT**

SUBMITTAL DATE
July 02, 2012
Revised: February 24, 2014

PREPARED BY:

HADLEY DESIGN GROUP, INC.

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APPENDIX C: - Saddleback Height Master Conservation Plan & Biological Evaluation

**APPENDIX D: - Archaeology & Cultural/Historic Resources Map
(See Report Submitted Under Separate Cover)**

SECTION I - SADDLEBACK HEIGHTS OVERVIEW

1.0 PROJECT OVERVIEW

1.0.1 CONTACT LIST

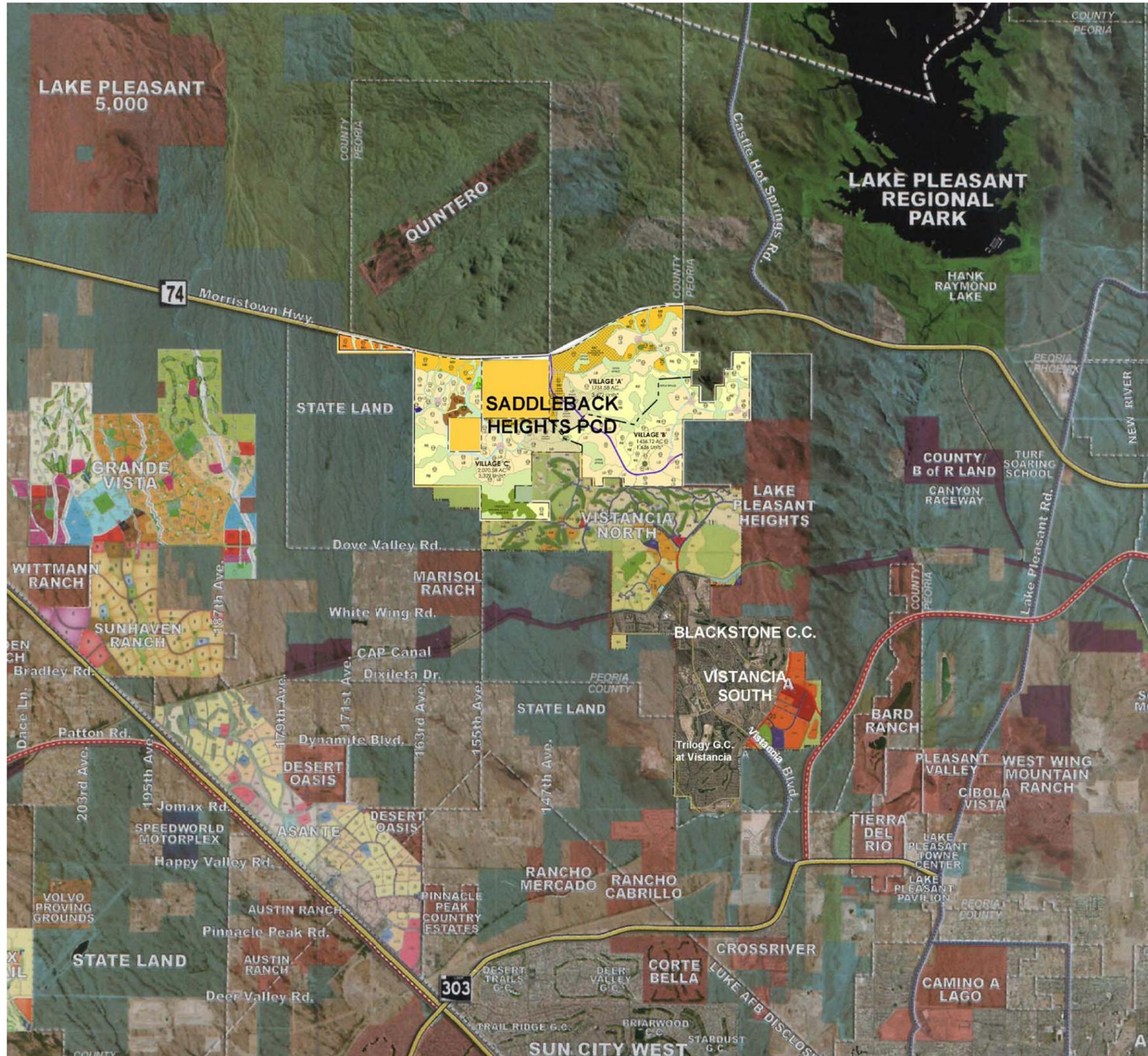
<u>DISCIPLINE</u>	<u>ADDRESS/TELEPHONE</u>	<u>CONTACT PERSON</u>	<u>E-MAIL</u>
Developer:	Diamond Ventures 2200 E. River Road Suite 155 Tucson, Arizona 85718 Phone: (520) 577-0200 Fax: (520) 299-5602	Mark Weinberg Chad Kolodisner	mweinberg@diamondven.com ckolodisner@diamondven.com
Planner:	Hadley Design Group, Inc. 7400 East McDonald Drive Suite 122 Scottsdale, Arizona 85250 Phone: (480)478-0096 Fax: (480) 478-0097	Jason Hadley	jhadley@hadleydesigngroup.com
Civil Engineer:	Wood-Patel Associates 2051 West Northern Avenue Suite 100 Phoenix, Arizona 85021 Phone: (602) 335-8500 Fax: (602) 335-8580	Mike Young	myoung@woodpatel.com
Legal Council:	Earl, Curley & Lagarde 3101 N. Central Avenue, Suite 1000 Phoenix, AZ 85012 Phone: 602-903-3077 Toll Free: 866-919-3621 Fax: 602-265-2195	Mike Curley	mcurley@ECLLAW.com
Traffic Engineer:	Trace Consulting 4645 N 12th Street # 202 Phoenix, AZ 85014 Phone: (602) 680-8264	Joe Perrin	jperrin@traceconsulting.us
Utility Engineer:	Wilson Engineers 9633 South 48th Street, Ste. 290 Phoenix, AZ 85044 Phone: 480-893-8860	Michael Johnson	Mike.Johnson@Wilson-engineers.com

1.0.2 VICINITY MAP – EXHIBIT A

SADDLEBACK HEIGHTS

Vicinity Map

Exhibit A



NORTH

SCALE: N.T.S.
DATE: 02 July 2012
Revised: 24 February 2014

PREPARED FOR:
DIAMOND VENTURES
2200 East River Road Suite 115
Tucson, Arizona 85718
Tel: 520.577.0200 Fax: 520.577.0201
www.diamondventures.com

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HADLEY DESIGN GROUP
7400 E. McDonald Drive Suite 122
Scottsdale, Arizona 85250
Tel: 480.478.0096 Fax: 480.478.0097
www.hadleydesigngroup.com

1.0.3 LEGAL DESCRIPTION EXHIBIT – B



Darrel E. Wood, P.E., R.L.S.
Ashok C. Patel, P.E., R.L.S.
James S. Campbell, P.E.
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Thomas R. Gettings, R.L.S.
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Sandra J. Lie, P.E.
Joel P. McCarty, P.E.
Michael Weinberg, P.E.

Revised May 31, 2002
Revised December 27, 2001
December 20, 2001
WP #011407
Page 1 of 4
See Exhibit "B"

PARCEL DESCRIPTION
Proposed Saddleback Heights Boundary

EXISTING PARCELS

Lots 1 through 4, inclusive; the South half of the North half; and the North half of the South half; the North half of the Southwest quarter of the Southwest quarter; the Southeast quarter of the Southwest quarter of the Southwest quarter; the Southeast quarter of the Southwest quarter; the South half of the Southeast quarter of Section 3, Township 5 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

TOGETHER WITH

Lots 1 through 4, inclusive; the South half of the North half; and the North half of the Southeast quarter; the North half of the South half of the Southeast quarter; the East half of the Southeast quarter of the Southwest quarter of the Southeast quarter; the West half of the Southwest quarter of the Southeast quarter of the Southeast quarter of Section 4, Township 5 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

TOGETHER WITH

Lots 1 through 4, inclusive; the South half of the North half; the West half of the Southeast quarter; and the Southwest quarter of Section 5, Township 5 North, Range 1 West of the Gila and Salt River Base and Meridian; Maricopa County, Arizona.

TOGETHER WITH

Lots 3 through 7, inclusive; the Southeast quarter of the Northwest quarter; the Southeast quarter; and the East half of the Southwest quarter of Section 6, Township 5 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

TOGETHER WITH

The South half of the Northeast quarter; and the Northwest quarter of Section 8, Township 5 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

TOGETHER WITH

Parcel Description
Proposed Saddleback Heights Boundary

Revised May 31, 2002
Revised December 27, 2001
December 20, 2001
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Page 2 of 4
See Exhibit "B"

Lots 4, 6, 8 and 10, Section 25, Township 6 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

TOGETHER WITH

Lot 2, Section 26, Township 6 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

TOGETHER WITH

Lot 6, Section 30, Township 6 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

TOGETHER WITH

Lots 2, 4, 6, 8 and 9; the Southeast quarter; the East half of the Southwest quarter; and the Southwest quarter of the Southwest quarter of Section 27, Township 6 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

TOGETHER WITH

Lots 2, 6 and 7; and the Southeast quarter of the Southeast quarter of Section 28, Township 6 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

TOGETHER WITH

Lots 2, 3, 4, 6, 8, 10 and 11; the South half of the Northeast quarter; the Southeast quarter of the Northwest quarter; the Southeast quarter; and the East half of the Southwest quarter of Section 31, Township 6 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

TOGETHER WITH

Lot 1; the Southwest quarter of the Northwest quarter; the Southwest quarter; the East half of the Northwest quarter; and the East half of Section 33, Township 6 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

TOGETHER WITH

Parcel Description
Proposed Saddleback Heights Boundary

Revised May 31, 2002
Revised December 27, 2001
December 20, 2001
WP #011407
Page 3 of 4
See Exhibit "B"

All of Section 34, Township 6 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

TOGETHER WITH

The Northwest quarter of the Northwest quarter; the West half of the Southwest quarter of the Northwest quarter; the West half of the Southwest quarter; the Southeast quarter of the Southwest quarter; the East half of the East half; the West half of the Southeast quarter; the East half of the Southwest quarter of the Northeast quarter of Section 35, Township 6 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

TOGETHER WITH

The South 30 feet of the West 30 feet of the following described property:

Lots 1-7, inclusive; the Southwest quarter of the Northeast quarter; the South half of the Northwest quarter; the Southwest quarter; and the West half of the Southeast quarter of Section 1, Township 5 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

ADD PARCELS

Lots 1 and 2, inclusive; the South half of the Northeast quarter of Section 6, Township 5 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

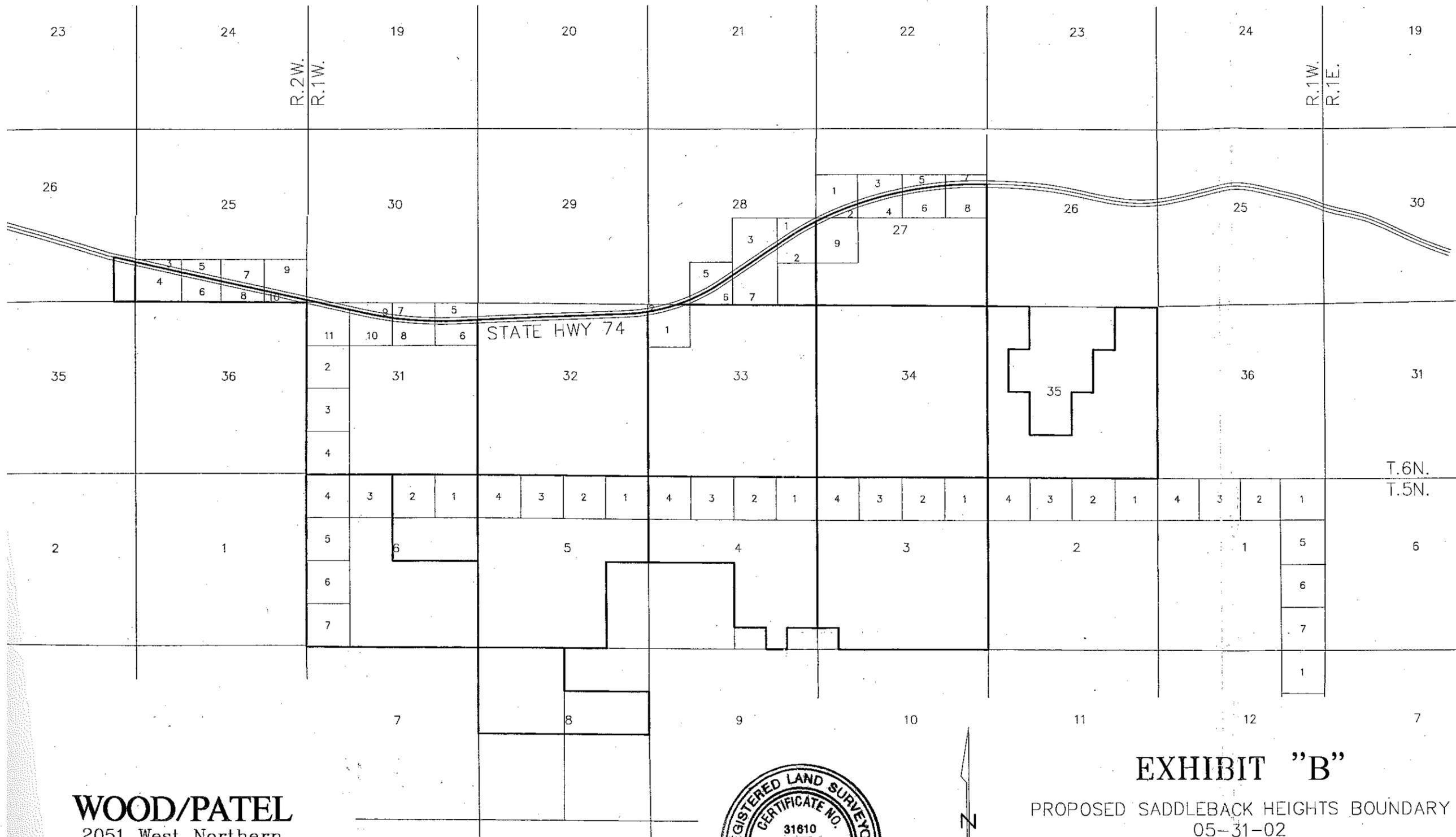
TOGETHER WITH

All of Section 32, Township 6 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, lying South of the right of way of Arizona Highway 74.

Y:\WP\Parcel Descriptions\011407 Saddleback Heights Existing Add Parcels.doc



Scott A. Warren



WOOD/PATEL
 2051 West Northern
 Phoenix, AZ 85021
 Phone: (602) 335-8500
 Fax: (602) 335-8580



Scott A. Warren

EXHIBIT "B"

PROPOSED SADDLEBACK HEIGHTS BOUNDARY
 05-31-02
 WP#011407
 PAGE 4 OF 4
 NOT TO SCALE

T:\2001\011407\SADDLEBACK\LEGALS\1407L1.DWG

1.1 INTRODUCTION

1.1.1 STATEMENT OF NECESSITY

The Saddleback Heights master planned community (hereinafter referred to as "Saddleback Heights" or the "Property"), which includes privately owned land, and Arizona State Trust Land ("State Land"), is planned and designed to be consistent with City of Peoria requirements. No changes to any element of the 756-acres of Arizona State Land are proposed via this amendment. The City of Peoria Planned Community District regulations require the inclusion of this Statement of Necessity to acknowledge and demonstrate how the proposed Saddleback Heights project complies with Peoria requirements. Several significant changes have occurred since the 2002 PCD Approval which necessitates updating the Land Use Plan. Several of the most significant changes in the area are as follows:

- 1) The nature and character of SR 74 has changed dramatically. In 2001, SR 74 was contemplated to be a four-lane road. ADOT has since that time radically changed the nature of the roadway and it is now planned to be a 10-lane highway of regional significance. Many of the land use changes proposed by this PCD Amendment respond to the change in character and function of SR 74.
- 2) In consultation with the City Transportation Department, it has been decided to alter the Circulation Element of the City of Peoria General Plan. The 2001 SAP and 2002 PCD contemplated, from a circulation standpoint, a "stand-alone" Master Plan which was deliberately isolated and not integrated into the circulation system of the region. This PCD amendment, and the City's amendment of the General Plan in 2011, will incorporate Bullard Avenue as a north/south arterial, with a potential, future interchange at SR 74 within the Saddleback Heights PCD. Bullard Avenue is planned to ultimately connect to El Mirage Road and the Loop 303. Land use changes have been made in this amendment in response to this circulation change.
- 3) A unique opportunity for an employment village in the land plan exists as a result of the change of SR 74 from 2-10 lanes and the proposed intersection of Bullard Avenue and SR 74. This amendment responds to these changes by providing 220 acres of employment-related land use at this strategic intersection.
- 4) In response to the changes above, including the need to transition higher density from the SR 74 and Bullard Avenue into the interior of the site, this amendment proposes a modest density increase from the 2002 approved 1 Du/Ac density to 1.56 Du/Ac. This density increase is consistent with other similarly situated and adjacent Master Plans.

- 5) The Arizona Corporation Commission has approved a certificated power line route for a regional scale 500-kV overhead transmission line a portion of which will be located along the frontage of Saddleback Heights, across SR 74 to the North. The transmission line may include steel monopole or lattice structures between 135 and 195 feet tall, visible from Saddleback Heights;
- 6) Since 2002, the developer has conducted extensive engineering, planning and site analyses. These studies provide the basis for a refinement and updating of the 2002 approved Saddleback Heights PCD.

The Land Use Element, including the Land Use Plan, is intended to provide general guidelines relating to the intended land uses, taking into account the unique nature of the subject property. These guidelines provide a basis from which the appropriate departments, commissions, and the City Council will review and implement the planning and development processes affecting the plan area. The approvals granted by the City Council should take into account any and all applicable Federal or State air quality and environmental conformity laws and regulations.

Below is description of how the proposed development District is consistent with the required findings as outlined in Section 14-36-6 of the City of Peoria Zoning Ordinance.

- A.** The Saddleback Planned Community District is in conformance with the General Plan.

The proposed Planned Community District ("PC District") zoning was designed to be consistent with the City of Peoria General Plan and more specifically, with the approved Saddleback Heights Specific Area Plan (the "Saddleback Heights SAP"). The proposed PC District zoning complies with all recommended land uses within the Saddleback Heights SAP.

The Saddleback Heights SAP designates a variety of land uses for the Property, including the State Land. Land use designations include: Residential Estate, Low Density Residential, Medium Density Residential, Resort Development Overlay, Town Center Overlay/Community Commercial and Mixed Use Development, as well as Mixed Use Business Park Overlay. The Saddleback Heights SAP allows for 8,269 dwelling units or approximately one and one-half (1.56) units per acre on the gross acreage of the privately owned property. The dwelling units on the Arizona State Land Department's 756 acres remain unchanged at 786 dwelling units or approximately one (1) dwelling unit per acre on

the gross acreage for the Arizona State Trust Land. Consistent with the Saddleback Heights SAP, a total maximum of 8,269 dwelling units are permitted as part of this PCD amendment. Other areas such as open space areas are also designated consistent with the Saddleback Heights SAP.

- B.** The streets and thoroughfares proposed in the Saddleback Heights PC District are in conformance with the General Plan Circulation Map and will be adequate to serve the proposed uses.

The Saddleback Heights PC District proposes a circulation system that mirrors the circulation system identified in the Saddleback Heights SAP and the recently updated City of Peoria General Plan Circulation Exhibit. Given the low density proposed for Saddleback Heights, together with the slopes and topography found on the site, the proposed circulation system will appropriately serve the proposed uses.

- C.** The residential development will promote compatible buildings and uses and will be compatible with the character of the surrounding area.

The Property is being planned with significant attention to the surrounding terrain and environmental features as well as the planned and proposed surrounding uses. Because there are no existing residential uses in the area, Saddleback Heights has a special responsibility to set a high standard of development for the area that fits with the environment. Significant attention is given to blending the development into the surrounding terrain. Use of various zoning categories that allow for larger lots with building envelopes as well as cluster-type development are intended to preserve both topography and natural vegetation. At the time of platting, selection of the appropriate zone and development type will occur which will take into account the unique features of the particular area.

- D.** The conceptual site locations proposed for public facilities such as schools, fire protection, law enforcement, water, wastewater, streets, public services and parks, are adequate to serve the

anticipated population within Saddleback Heights.

Significant attention is being given to the provision of infrastructure and site amenities. General locations are identified for potential school sites, fire and police facilities, water and wastewater infrastructure, streets and parks, all at a level intended to meet the needs and demands of the future residents of Saddleback Heights. It is anticipated that a ten (10) acre park site will be dedicated adjacent to a proposed elementary school site. Approximately eight (8) acres of the park site has potential for active recreation area and two (2) acres of the site has potential for children's educational/discovery area. Additionally, a site for fire and police facilities is designated.

- E. In the case of proposed commercial, industrial, institutional, recreational and other non-residential uses, or mixed uses, such development will be appropriate in area, location and overall planning for the purpose intended.

An appropriate mix of land uses is proposed for the Property including sustainable amounts of commercial, mixed use and recreational uses. These uses are located in areas envisioned by the approved Saddleback SAP. These locations are intended to maximize accessibility to the site by residents.

1.1.2 PHYSICAL SETTING OVERVIEW

Saddleback Heights is located within the City of Peoria (the "City") and is more particularly described in Section 1.0.3 of the Overview. State Highway 74 bounds the Property on the north. The Property's southern boundary is approximately the Carefree Highway and Dove Valley Road alignments. The eastern boundary is approximately the 123rd Avenue (El Mirage Road) alignment. The western boundary is the 163rd (Sarival) Avenue alignment. Topographically, the Property is located at the southern edge of the Hieroglyphic Mountain Range and two (2) miles to the southwest of Lake Pleasant. It contains diverse landforms including: pristine washes, rock outcroppings, rolling hill forms and significant ridge forms. These topographic features create a "Sonoran" desert setting with sufficient topographical relief to provide virtually every potential homesite with a dramatic view of desert terrain

and/or the surrounding mountain range. The western portion of the Property is bounded on the south by a mountain range and slopes gradually ascending northward, rising slightly in elevation as it approaches State Highway 74. Going eastward, the Property rises from 1,600 to 2,300 feet, consequently creating a “bowl” effect on the western 2,000 acres. The eastern portion of the Property is more undulating with topographical relief typically varying from 1,600 to 2,100 feet in elevation. The majority of this portion of the Property is characterized by gradually sloping ridges providing ideal locations for relatively low-density and appropriately planned and designed cluster residential development. The topographical relief on the Property also provides exceptional views in all directions including views of the central metropolitan Phoenix area, Lake Pleasant, Saddleback Mountain, the Hieroglyphic and Bradshaw Mountains to the north, as well as the distant Wickenburg Mountains to the West.

Saddleback Heights contains two drainage zones. The western 2,000 acres drains westerly through a clearly identifiable wash into the Padelford wash. The eastern and southeasterly portion of the Property drains eastward into the Agua Fria River basin.

Saddleback Heights is a comprehensively planned community that is shaped by the natural features of the land and designed with sensitivity toward the appropriate preservation of existing vegetation. Saguaro cactus is abundant and dominates the vegetation on the Property. There are also a variety of other forms of cacti such as Barrel and Cholla. Other types of desert vegetation include Palo Verde, Ironwood and Mesquite trees. To preserve the vegetation, on-site grading will be regulated in accordance with the Hillside Development Standards incorporated herein. Protected vegetation will be relocated as necessary. The thoughtful and deliberate planning effort undertaken for the Property will help ensure that Saddleback Heights will truly be a special and unique place to live.

A large portion of Saddleback Heights is planned as contiguous open space. The majority of this open space is contained in mountainous areas, wash corridors, and centrally located recreation areas found throughout the Property. Many acres of open space are also distributed among open space corridors and in the natural arroyos that are used to provide internal and external links for the Saddleback Heights community and the nearby regional destinations. The on-site open space network is intended to provide important links to regional open space, parks, potential school site(s), potential municipal use

sites, commercial sites, and a resort site(s). Other active recreation open space may include as many as three (3) championship golf courses. The golf courses will be designed to integrate with the site and will be developed as the market dictates.

The Saddleback Heights Planned Community District (the "Saddleback Heights PC District" or the "PC District") includes a variety of single-family residential home-sites that are linked through open space corridors, an extensive path and trails system, and a common thematic character that defines the Saddleback Heights community. The proposed PC District has a maximum density of 8,269 residential dwelling units on approximately 5,296 acres creating an overall gross density of approximately 1.56 dwelling unit per acre per the City of Peoria's General Plan formula. The PC District also includes the potential for a maximum 800 resort keys or units to be designated within the Resort Overlay District. The resort component will be developed as the market dictates. The intent of the PC District is to provide a comprehensive yet flexible framework that allows for a variety of housing opportunities and other complimentary land uses. This framework is intended to provide the inspiration and mechanics for the creation of a successful community that can evolve in the most appropriate fashion and ultimately result in a development that provides an appropriate urban edge for the City.

1.1.3 APPLICANT

The applicant for the Saddleback PC District is Diamond Ventures Inc., an Arizona corporation, based in Tucson (hereinafter referred to interchangeably as the "Developer" or "Diamond"). Diamond has diversified development experience, specializing in high-end residential communities and commercial development projects. Notable community developments include; Casa Contenta, The Canyons, Villago, Steam Pump Village at Oro Valley, as well as Pima Canyon, a 450-acre gated custom home enclave set at the foot of the Santa Catalina Mountains, and the Madera Reserve in Green Valley, which is situated in the foothills of the Santa Rita Mountains, just south of Tucson. Each of Diamond's residential communities reflects a commitment to stewardship through the thoughtful integration of homes and neighbors within their respective spectacular surroundings. Commercial development experience includes River Crossing, a mixed-use retail/residential project located at the crossroads of a major commercial thoroughfare in northwest Tucson; as well as Rio Nuevo, a professional office complex located in the heart of Tucson's

Rio Nuevo District. Although relatively new to the northwest valley, Diamond brings a wealth of experience and has brought together a development team with a proven track record of success in the highest quality communities.

No changes to any element of the 756-acres of Arizona State Land are proposed via this amendment. .

1.1.4 DEVELOPMENT TEAM

Diamond has assembled an experienced team of consultants (the "Development Team"). Each member of the Development Team is experienced in a variety of successful and high quality master planned communities and is comprised of planners, architects, hydrologists, engineers and legal counsel. The expertise gathered for this project will help to ensure that Saddleback Heights is appropriately planned and will be a true asset to the City and its residents.

Jason Hadley of Scottsdale heads the Saddleback Heights Planning Team. He and his firm, Hadley Design Group, are known as experts in sensitive development of High Sonoran Desert. In addition, Mr. Hadley has been involved in several significant projects in Arizona including, among others, the master planning of Del Webb's Anthem, Sun Valley South and Anthem Merrill Ranch, , Sun City Festival Ranch in Buckeye, and has worked extensively at Vistancia and West Wing Mountain in Peoria.

1.1.5 PROJECT BACKGROUND

The Property, as well as the surrounding properties known as Vistancia and Lake Pleasant Heights were originally owned by the Bureau of Land Management ("BLM"). Saddleback Heights was acquired from the BLM by Noranda Properties, Inc. and Group Three Properties, an Arizona general partnership over an approximate ten (10) year period. Prior to annexation into the City of Peoria, the Property was zoned Rural-43 in Maricopa County. An Annexation and Development Agreement was approved on December 7, 1993. The Property was subsequently annexed into the City and the Lake Pleasant Heights Specific Area Plan was approved in 1994 and on October 4, 1994, the Property was rezoned to R1-35.

In 2001, the privately held land included in the Lake Pleasant Heights Specific Area Plan ("Lake Pleasant Heights SAP") was split into two ownerships, with Diamond taking ownership of 5,296 acres and Group Three Properties retaining ownership on 1,085 acres. On December 6, 2001, Diamond received approval of a minor amendment to the Lake Pleasant Heights SAP. This amendment, the Saddleback Heights SAP, provides land use recommendations and guidelines specifically for the

Property. In December of 2011 a subsequent amendment to the Saddleback Heights SAP was approved.

The Vistancia project ("Vistancia") is located south of Saddleback Heights Property and received Council approval of PC District zoning on 7106 acres in 2001. The Vistancia PCD was recently amended in 2012 and approved by City Council in early May 2012

Saddleback Heights is an environmentally sensitive and unique property that is currently undeveloped. The approximately 5,296-acre site provides incredible opportunities to create a community set apart from the less dramatic land to the south and in other parts of Peoria and the West Valley. The Saddleback Heights PC District celebrates the recreational and natural qualities of the surrounding area while providing quality development that is integral to the physical and economic growth of the City.

1.1.6 REGIONAL CONTEXT

Saddleback Heights lies in the northwest portion of the City. The City's growth pattern has been moving to the northwest as many of the vacant lands south and east of the Property have been planned and are currently in various stages of development. The tremendous growth in the Phoenix metropolitan area and, more particularly, in the West Valley, has caused the City and the development community to thoughtfully plan and define future development in northwest Peoria. (See **Regional Context Exhibit C in Section 1.4.3.**)

Saddleback Heights is envisioned as a unique and environmentally sensitive desert master planned community, with great potential for residents who enjoy recreation given its proximity to Lake Pleasant, Saddleback Mountain and the vast amount of dramatic public land that surrounds the Property. Diamond intends to create a master planned community that embraces the diverse desert surroundings and builds on the successes achieved by Vistancia to the south.

1.2 COMMUNITY VISION

1.2.1 VISION STATEMENT

Saddleback Heights is planned to be a desert Master Planned Community that embraces the diverse desert environment it is in creating a strong identity and vision. This identity and vision will create a continuum of contiguous desert and mountain open space that links diverse residential neighborhoods and commercial uses including, but not limited to; a potential Town Center site, resort site(s), C-2 commercial site and regional mixed use development including a mixed use business park overlay located at SR 74 and 143rd Avenue (Bullard) alignment. The Saddleback Heights PC District has been sensitively designed to respond to the land and its many natural features and landforms, to preserve and celebrate these features, and to create a truly unique and spectacular place to live.

1.2.2 GOALS AND OBJECTIVES

1.2.2.1 Environmental Sensitivity

The Saddleback Heights PC District has been created to respond to and work with the Property and its natural features, using these features as the “centerpiece” around which the community and neighborhood are designed. An important part of this community design philosophy includes the use of native Sonoran desert plant material in the Saddleback Heights landscape palette. It also includes the utilization of relocated plant material from the Property as often as possible. Contiguous and connected open space with sensitivity to natural washes and ridgelines are also integral to the Saddleback Heights PC District.

1.2.2.2 Creation of Quality and Connected Neighborhoods

The Saddleback Heights PC District utilizes internal open space in the form of natural desert arroyos and mountain open space as pedestrian corridors to link residents and guests of Saddleback Heights to the paths and trails used for hiking and biking, community recreation elements, and potential school site(s), as well as recreation amenities, residential villages, and commercial, business park and Town Center elements. The Saddleback Heights PC District creates a path and trails system that provides an environmentally sensitive alternative to automobile use. The Saddleback Heights PC District responds to the diverse nature of the site with a variety of development types that allow for the sensitive and quality development of neighborhoods. The diverse housing types, created to respond to the natural washes and landforms, provide a residential variety that eliminates the sameness that is often found in less diverse and less environmentally responsive development.

1.2.2.3 Design and Creation of a Strong Identity and Character

The Saddleback Heights PC District responds to the land by creating land uses that work in conjunction with the natural landforms and features. The emphasis on resort lifestyle and desert master plan design will create a strong community character and identity. The character will be furthered by the use of colors, materials and forms that blend with and enhance the desert environment and that are designed to be comprehensive and timeless.

1.3 PRE-EXISTING DEVELOPMENT CONDITIONS

1.3.1 EXISTING CONDITIONS OVERVIEW

Saddleback Heights was formerly zoned R1-35 and was used for livestock grazing. The Property is currently zoned PCD and is vacant. Extensive jeep trails exist throughout the Property. Hikers, bikers, equestrians, and all terrain vehicles currently use the trails. In addition, there are significant natural features, including washes, ridgelines, rolling hillforms, and rock outcroppings throughout the Property. (See **Existing Conditions Map Exhibit D in Section 1.4.1**).

1.3.2 TOPOGRAPHY

The topography within Saddleback Heights ranges from approximately 1,600 to 2,300 feet in elevation. The majority of the Property ranges from 1,800 to 2,100 feet. The western portion of the Property (approximately 3,000 acres) is bound on the south by a mountain range with slopes gradually ascending northward, rising slightly in elevation as it approaches State Highway 74. Going eastward, the Property rises from 1,600 to 2,300 feet, consequently creating a "bowl" effect on the western 2,000 acres. A variety of hill forms ranging from minor to major in size are also present within the Property. The eastern portion of the Property (approximately 3,000 acres) is more undulating with topographical relief typically varying from 1,600 to 2,100 feet in elevation. The majority of this portion of the Property is characterized by sloping ridges and wash features. The ridgelines and hillforms create incredible views of the City of Phoenix and Saddleback

Mountain. The Project also has spectacular views of the site itself created by the many landforms.

1.3.3 GEOLOGY / SOILS

1.3.3.1 Soils Association

Soils within Saddleback Heights were identified from the Soils Survey of the Aguila-Carefree Area, parts of Maricopa and Pinal Counties, Arizona, published by the U.S. Natural Resources Conservation Service. The soils classified for the site is predominantly of Hydrologic Groups A and B.

Soil Group A is defined as soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well- to excessively-drained sands or gravelly sands. These soils have a high rate of water transmission.

Soil Group B is defined as soils having moderate infiltration rates when thoroughly wet, consisting chiefly of moderately deep to deep and moderately well to well-drained soils with moderately fine to moderately coarse textures. These soils have a moderate rate of water transmission.

1.3.3.2 Seismic

The Property lies on the edge of the Transition Zone geologic province, a mountainous area between the Basin and Range and Colorado Plateau geological provinces. Although there is evidence of some faulting within the Hieroglyphic Mountains to the north of the site, various geologic surveys have determined that these fault zones do not present a seismic hazard to the area.

1.3.4 HYDROLOGY

1.3.4.1. Drainage Patterns

The western 2,000 acres drains westerly through a clearly identifiable wash into the Padelford Wash. The eastern and southeasterly portion of the Property drains eastward into the Agua Fria River basin.

1.3.4.2 404 Permitting

With regard to U.S. Army Corps of Engineers (the "Corps") Section 404 permitting, delineation of jurisdictional waters has been prepared for the portion of Saddleback Heights owned by Diamond as shown on the **Boundary Map Exhibit E Section 1.4.2**, submitted to the Corp of Engineers and has been approved. The Property will require a permit if more than 0.5 acre of disturbance is required. **Section 1.4.2.**

1.3.5 BIOLOGY

1.3.5.1. Threatened or Endangered Species Habitat

The biology evaluation report gives no indication that the Property contains habitat for any threatened or endangered species. The majority of the Property could provide habitat for the desert tortoise and Gila Monster. The desert tortoise is a federal candidate 2 species and also listed on the State-listed species. The area supports low tortoise densities and none of the areas on the Property are known or believed to be a critical habitat. No population or density information is available for the Gila monster.

The site does generally support a sparse density of mule deer (approximately one animal per square mile). The site also contains a sparse density of javelina. The catchments throughout the site provide water for large and small game, as well as, a variety of non-game animals. No riparian habitat was found on the Property. However, Gambel quail and dove are found throughout the Property.

1.3.6 ARCHAEOLOGY & CULTURAL/HISTORIC RESOURCES

Archaeological research on the Property was undertaken in conjunction with federal requirements that sample surveys be conducted prior to the Property's transfer from BLM stewardship. An application for a right-of-entry has been applied for to perform an archaeological survey on the State Land portions of Saddleback Heights. *(See reports submitted under separate cover).*

1.3.7 NATIVE VEGETATION

The Property has an abundance of natural native vegetation. The majority of the plant materials are mature Sonoran vegetation. Desert plant material flourishes throughout the site. The plant material includes, Sage Brush, Brittle Bush, Creosote Brush, Jumping Cholla, Saguaro, Palo Verde, Ironwood, and Mesquite trees. Saguaro cacti dominates the site, combined with a rich mixture of other Sonoran plant materials provide an incredible natural desert landscape.

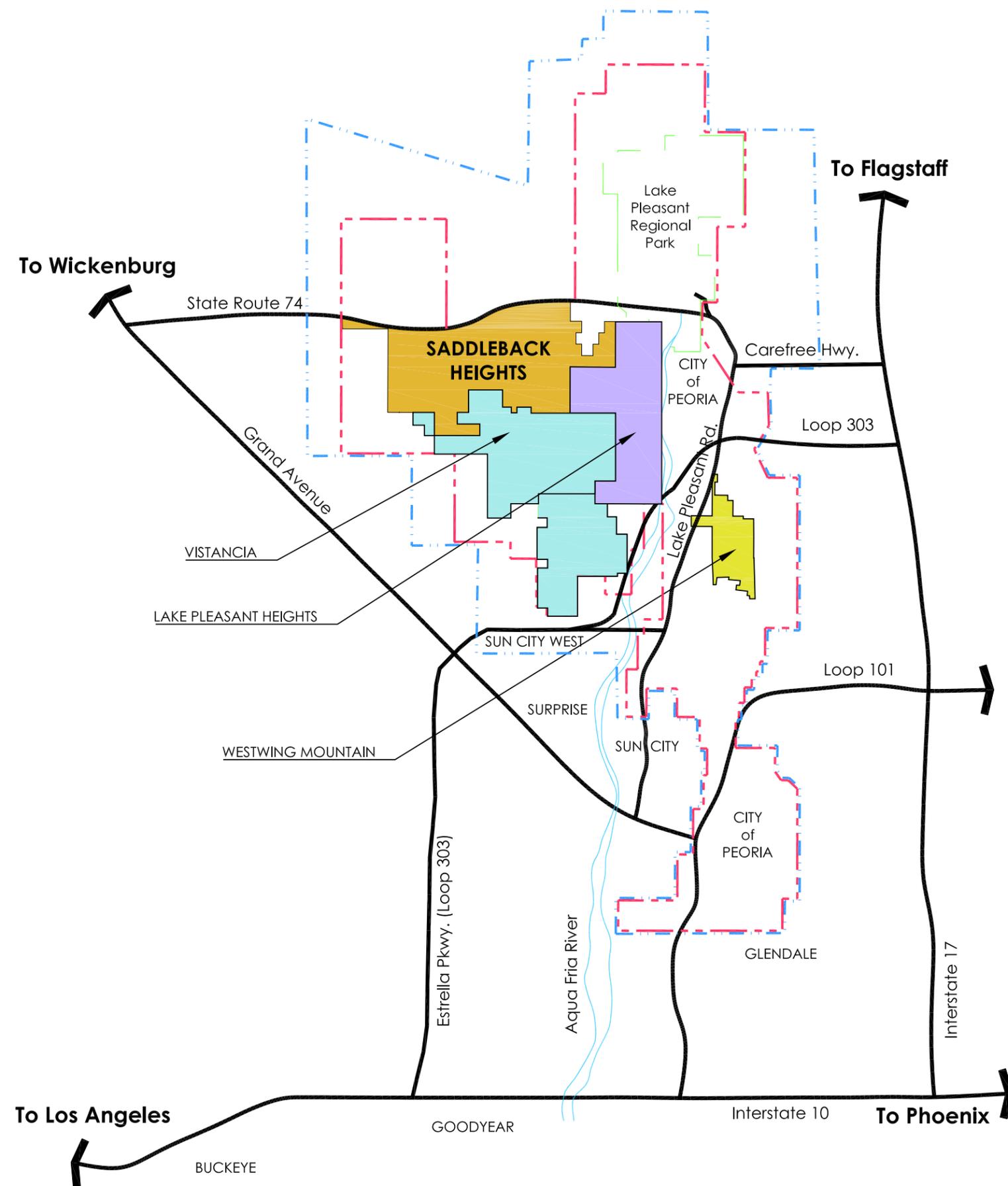
1.4 REFERENCE MAPS & PLANS

1.4.1 REGIONAL CONTEXT MAP EXHIBIT C

SADDLEBACK HEIGHTS

Regional Context Map

Exhibit C



LEGEND

- - - City of Peoria Boundary
- - - City of Peoria Planning Area



SCALE: N.T.S.
DATE: 02 July 2012
Revised: 24 February 2014

PREPARED FOR:



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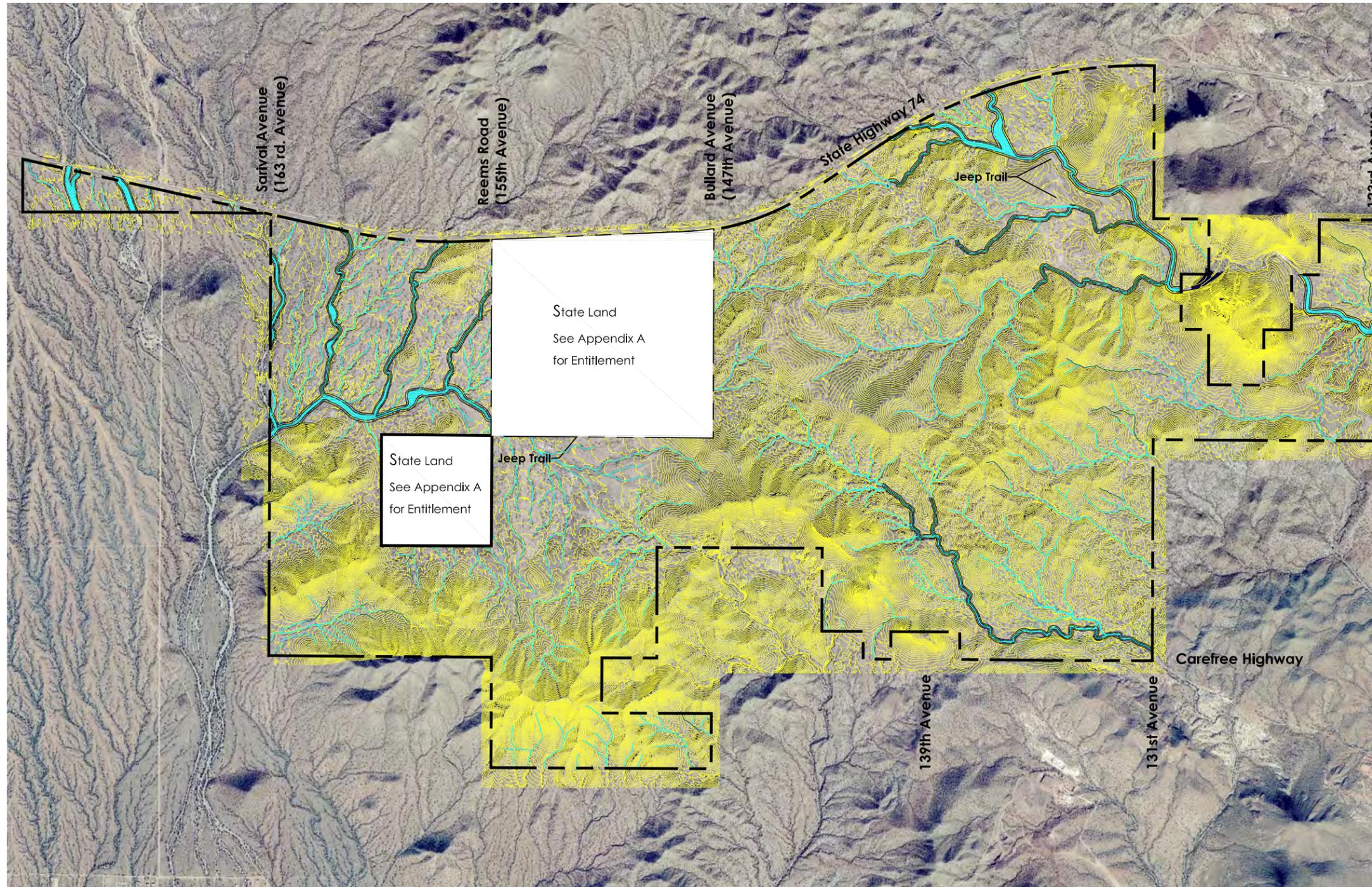
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1.4.2 EXISTING CONDITIONS MAP EXHIBIT D

SADDLEBACK HEIGHTS

Existing Conditions Map

Exhibit D



LEGEND

-  Topography
-  Washes
-  Saddleback Heights Boundary



SCALE: N.T.S.
DATE: 02 July 2012
Revised: 24 February 2014

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1.4.3 BOUNDARY MAP EXHIBIT E

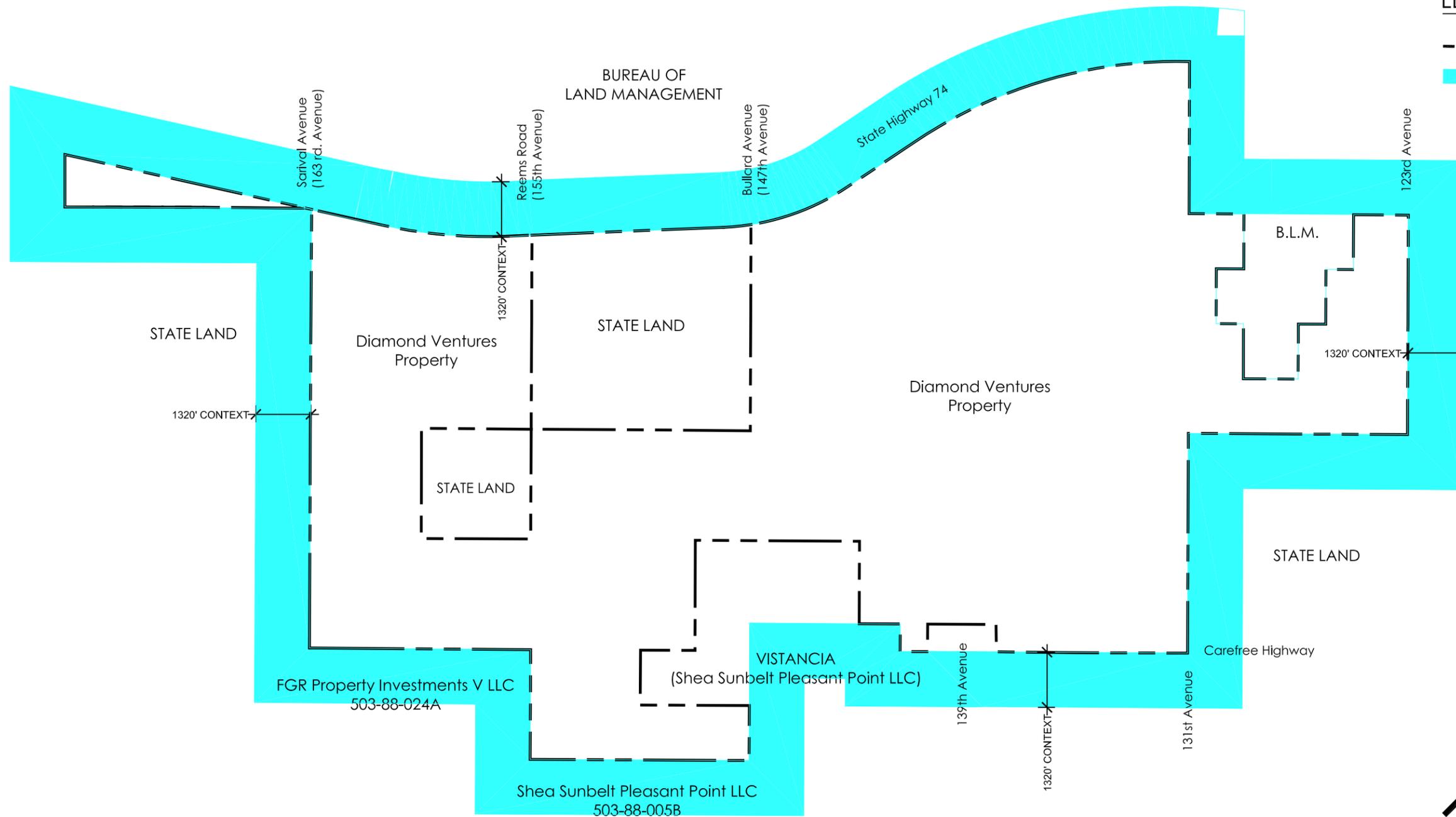
SADDLEBACK HEIGHTS

Boundary Map

Exhibit E

LEGEND

- Saddleback Heights Boundary
- █ 1320' Offset



NORTH

SCALE: N.T.S.
DATE: 02 July 2012
Revised: 24 February 2014

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SECTION II - SADDLEBACK HEIGHTS PCD STANDARDS PLAN

2.0 STANDARDS PLAN

2.0.1 OVERVIEW

The Saddleback Heights PC District has been created to respond to the natural landforms and topographic features of the Property. The design of the site is intended to create amenities out of the natural features and preserve them wherever possible. A continuum of open space is created by responding to the natural features to allow for an integrated system of open space that links the variety of land uses within the Property. Saddleback Heights is designed to create a unique blend of residential, commercial, mixed-use and recreational uses that respond to the diverse landforms of the Property and create a well balanced "desert master planned community".

No changes to any element of the 756-acres of Arizona State Land are proposed via this amendment. The Arizona State Land entitlement and circulation system remain as they were in the 2002 PCD approval. The development standards that govern the Arizona State Land are located in **Appendix A**.

2.0.2 CONFORMANCE TO SPECIFIC AREA PLAN

On December 5, 2011, the City Council approved the Amended Saddleback Heights SAP, which was a minor amendment to the Saddleback Heights SAP. The proposed Saddleback Heights PC District conforms to the Saddleback Heights SAP and City's General Plan.

The Saddleback Heights SAP designates a variety of land uses for the Property. Land use designations include: Residential Estate ("RE"), Low Density Residential ("LD"), Medium Density ("MD"), Resort Development Overlay ("RD"), Town Center Overlay or Community Commercial and Mixed Use Development. The Saddleback Heights SAP allows for 8,269 dwelling units or approximately 1.56 units per acre on the gross acreage of the privately owned property as shown on the Boundary Map Exhibit - E -

The Saddleback Heights SAP identifies a minimum of 600 acres of open space or eleven percent (11%) of the gross acres. Approximately 600

acres shall be allocated for Park/Open Space. This area may be located along major washes and areas of higher elevation not suitable for development and may include pedestrian, hiking, and equestrian trails. As part of this amended Saddleback Heights PCD allowing up to 8,269 residential units as part of the amended Saddleback Heights PCD, dedicated public open space will increase 5,000 sq. ft. for each additional developed unit exceeding 5,409 units, which could add as much as 328 acres of public dedicated open space. Dedication of the open space will occur at the time of Final Plat recordation.

The open space includes recreational amenities, as well as regional open space links and natural open space (NOS). In addition to the open space and other land uses, four potential golf course study areas have been identified, with the potential to develop any three of the four. The golf course study areas may develop as championship course as the market and development dictates.

The proposed Saddleback Heights PC District conforms to all aforementioned criteria. Additionally, the uses proposed on the State Land are consistent with the Saddleback Heights SAP. Furthermore the Saddleback Heights PC District provides further in-depth analysis to further identify and refine the goals and general criteria noted in the Saddleback Heights SAP.

2.0.3 STATEMENT OF CONFORMANCE WITH ADOPTED CODES AND POLICIES

Unless otherwise provided herein, the provisions of the PC District, the Saddleback Heights Development Agreement, the City of Peoria Zoning Ordinance (the "Zoning Ordinance"), the City Code and other City Council adopted policies in effect at the time of approval of the Saddleback Heights PC District shall govern and control the development of the Property.

The following development descriptions and standards are intended to direct the nature and intensity of residential and non-residential uses in Saddleback Heights. If the provisions of the Saddleback Heights Standards Plan (Section II) and the Saddleback Heights Development Plan (Section III) of the PC District (collectively, the "Standards Plan and Development Plan") are in conflict with the Zoning Ordinance or the City Code, the provisions of the Standards Plan and Development Plan shall govern and control. Unless expressly modified herein all municipal codes, policies and ordinances, in effect at the time of approval of the Saddleback Heights PC District shall apply.

2.1.0 SADDLEBACK RESIDENTIAL ZONING CATEGORIES

2.1.1.1 Intent

The Saddleback Heights Residential District (hereinafter "SH-R") is intended to allow residential development with a range of lot sizes, depending on topography and site constraints, as well as market conditions. This district includes five (5) development options ("Development Option"), which provide a range of residential lot sizes and establishes minimum property development standards. The "Development Options" include: Saddleback Residential Estate (SRE), Saddleback Very Low Density (SVLD), Saddleback Low Density (SLD), Saddleback Medium Density (SMD), and Saddleback Cottage (SC). The PC District further requires a mix of residential types within each Development Village to ensure a variety of lot sizes and housing products, see Table-1 on page 47 of this section. Certain essential and complementary uses are also permitted under conditions and standards that insure their compatibility with the character of the SH-R District. In addition, uses permitted in all Residential Land Use Categories may include residential and limited commercial development where deemed appropriate..

Limited Commercial Overlay (LCO)

The Limited Commercial Overlay areas are intended to provide an environment conducive to the establishment of professional offices, medical and legal services, and ancillary retail uses. Certain other types of uses are permitted under conditions and standards that ensure their compatibility with surrounding uses as well as nearby residential districts. The O-1 Districts provide for land use transition between more intensive commercial developments and the less intensive residential neighborhoods.

Limited commercial will consist of limited, convenience-oriented establishments that serve the surrounding neighborhood. Typical uses include supermarkets, bakeries, drugstores, video stores, and restaurants. Limited commercial should be restricted to areas that would provide services to the adjacent residential neighborhood, and it should not create a material increase in traffic beyond the design capacity of existing and planned infrastructure improvements. These sites shall not be larger than 25 acres nor have an a single tenant of greater than 75,000 sq.ft. These sites shall be located on either a minor arterial and collector intersection, or a collector to collector

intersection, or a minor arterial to minor arterial intersection. Secured linkages between the commercial and the adjacent neighborhood shall be provided to encourage access by pedestrians and via bicycles.

2.1.1.2 Permitted Principal Uses

- a. One residential dwelling unit per lot pursuant to the Development Options set forth in Section 2.1.1.3.
Publicly or privately owned and maintained parks, recreation areas, paths, trails and recreation centers;

Public and privately owned golf courses, including clubhouses, maintenance facilities and other accessory uses;

- d. Public and private schools, and day care facilities;

- e. Religious institutions;

- f. Detached guesthouses, including cooking and kitchen facilities;

- g. Temporary Uses including sales/marketing facilities, model home complexes and related accessory uses;

- h. Public and private utility uses and buildings, water pumping plants and storage tanks and electric substations; and

- i. Public and municipal buildings providing cultural, educational, administrative, fire and police protection services.

- j. Resort uses in conjunction with SH-RO District.

- k. All Limited Commercial Overlay (LCO) Uses are governed by the O-1 Commercial Uses as set forth in Article 14-9-3 of the Peoria Zoning Ordinance.

2.1.1.3 Development Village Composition Matrix

One or more of the following Development Options shall be selected at the point of or prior to subdivision plat or site plan submittal. See **Section 2.1.1.10, Table-1** for Development Options minimum mix per Development Village and **Section**

2.1.1.11, Table-2 for a Development Standards Matrix.

a. **Saddleback Residential Estate (SRE) Option:** The SRE option is intended to promote very low density development. The minimum lot size produces a very low density of population. The cluster category allows residences to be sited on their respective lots in a way that prevents unnecessary disturbance while preserving significant open space and geographical features. The principal land use is detached single-family dwellings and uses incidental or accessory thereto, together with recreational and educational facilities.

SRE lots shall include: (1) Use of either building envelopes or graded lots; (2) harmonious color and material palette within a coordinated framework; and (3) multiple and/or single homebuilders.

i. **SRE Conventional Category - Lot Development Standards**

Minimum lot area: Each SRE Conventional lot shall have a minimum area of ten thousand-five hundred (10,500) square feet.

Minimum width: Seventy-five (75) feet. For the purpose of these amended standards, "lot width" shall be defined as the ability to inscribe a circle with a diameter equal to the minimum lot width within the property lines, except as allowed for flag lots, as noted below.

Flag Lots: A "flag lot" shall be defined as an irregularly shaped lot, a portion of which fronts on a private access way and is only usable for a driveway providing ingress and egress. All flag lots shall provide a minimum width in the buildable portion of the lot determined by inscribing a circle with a diameter of seventy-five (75) feet within the property lines. The minimum width of the area not contained within the main building area shall be twenty (20) feet, except that where two or more lots share a common driveway the minimum lot width shall be twelve (12) feet.

Minimum front yard setback: On residences with a front-

entry garage, there shall be a front yard with a depth of not less than twenty (20) feet, as measured from the face of the garage to the property line, and there shall be a front yard with a depth of not less than fifteen (15) feet, as measured from the front of the residence to the property line.

On residences with a side-entry garage, there shall be a front yard with a depth of not less than fifteen (15) feet, as measured from the front of the residence to the property line.

Minimum total side yard setback: Twenty (20) feet (No less than a minimum ten (10) feet on the least side shall be provided).

Minimum rear yard setback: Twenty (20) feet.

Maximum building height: Thirty (30) feet (except as provided in Section 14-3-8 of the Zoning Ordinance)

ii. **SRE Cluster Category – Lot Development Standards**

Parcel Area: Parcels developed under the SRE Cluster Category shall have an area of not less than five (5) acres.

Minimum lot area: None.

Minimum width: Forty-five (45) feet. For the purpose of these standards, “lot width” shall be defined as the ability to inscribe a circle with a diameter equal to the minimum lot width within the property lines, except as allowed for flag lots, as noted below.

Flag Lots: A “flag lot” shall be defined as an irregularly shaped lot, a portion of which fronts on a private access way and is only usable for a driveway providing ingress and egress. All flag lots shall provide a minimum width in the buildable portion of the lot determined by inscribing a circle with a diameter of forty-five (45) feet within the property lines. The minimum width of the area not contained within the main building area shall be twenty

(20) feet, except that where two or more lots share a common driveway the minimum lot width shall be twelve (12) feet.

Minimum front yard setback: On residences with a front-entry garage, there shall be a front yard with a depth of not less than twenty (20) feet, as measured from the face of the garage to the property line, and there shall be a front yard with a depth of not less than ten (10) feet, as measured from the front of the residence to the property line.

On residences with a side-entry garage, there shall be a front yard with a depth of not less than twelve (12) feet, as measured from the front of the residence to the property line.

Minimum total side yard setback: Eight (8) feet. (Zero (0) feet allowed on one side if the opposite side yard measures at least eight (8) feet).

Minimum rear yard setback: Fifteen (15) feet.

Maximum building height: Thirty (30) feet (except as provided in Section 14-3-8 of the Zoning Ordinance)

c. **Saddleback Low Density (SLD) Option:** The SLD option is intended to promote low density development. The minimum lot size produces a low density of population. The principal land use is detached single-family dwellings and uses incidental or accessory thereto, together with recreational and educational facilities.

SLD lots shall include: (1) A variety of floor plans; (2) multiple elevations; (3) harmonious color and material palette within a coordinated framework; and (4) multiple and/or single homebuilders.

i. SLD Conventional Category - Lot Development Standards

Minimum lot area: Each SLD Conventional lot shall have a minimum area of seven thousand –five hundred (7,500) square feet.

Minimum width: Sixty (60) feet. For the purpose of these standards, “lot width” shall be defined as the ability to inscribe a circle with a diameter equal to the minimum lot width within the property lines, except as allowed for flag lots, as noted below.

Flag Lots: A “flag lot” shall be defined as an irregularly shaped lot, a portion of which fronts on a private access way and is only usable for a driveway providing ingress and egress. All flag lots shall provide a minimum width in the buildable portion of the lot determined by inscribing a circle with a diameter of sixty (60) feet within the property lines. The minimum width of the area not contained within the main building area shall be twenty (20) feet, except that where two or more lots share a common driveway the minimum lot width shall be twelve (12) feet.

Minimum front yard setback: On residences with a front-entry garage, there shall be a front yard with a depth of not less than twenty (20) feet, as measured from the face of the garage to the property line, and there shall be a front yard with a depth of not less than ten (10) feet, as

measured from the front of the residence to the property line.

On residences with a side-entry garage, there shall be a front yard with a depth of not less than twelve (12) feet, as measured from the front of the residence to the property line.

Minimum total side yard setback: Aggregate, Ten (10) feet. (Zero (0) feet allowed on one side if the opposite side yard measures at least ten (10) feet).

Minimum rear yard setback: Twenty (20) feet.

Maximum building height: Thirty (30) feet (except as provided in Section 14-3-8 of the Zoning Ordinance)

ii. **SLD Cluster Category – Lot Development Standards**

Parcel Area: Parcels developed under the SLD Cluster Category shall have an area of not less than five (5) acres.

Minimum lot area: None.

Minimum width: Forty-five (45) feet. For the purpose of these standards, “lot width” shall be defined as the ability to inscribe a circle with a diameter equal to the minimum lot width within the property lines, except as allowed for flag lots, as noted below.

Flag Lots: A “flag lot” shall be defined as an irregularly shaped lot, a portion of which fronts on a private access way and is only usable for a driveway providing ingress and egress. All flag lots shall provide a minimum width in the buildable portion of the lot determined by inscribing a circle with a diameter of forty-five (45) feet within the property lines. The minimum width of the area not contained within the main building area shall be twenty (20) feet, unless that portion of the lot less than twenty (20) feet in width contains no driveways, buildings or swimming pools; except that where two or more lots share a common driveway the minimum lot width shall

be twelve (12) feet.

Minimum front yard setback: On residences with a front-entry garage, there shall be a front yard with a depth of not less than twenty (20) feet, as measured from the face of the garage to the property line, and there shall be a front yard with a depth of not less than ten (10) feet, as measured from the front of the residence to the property line.

On residences with a side-entry garage, there shall be a front yard with a depth of not less than twelve (12) feet, as measured from the front of the residence to the property line.

Minimum total side yard setback: Aggregate, Eight (8) feet. (Zero (0) feet allowed on one side if the opposite side yard measures at least eight (8) feet).

Minimum rear yard setback: Fifteen (15) feet.

Maximum building height: Thirty (30) feet (except as provided in Section 14-3-8 of the Zoning Ordinance)

iii. SLD Attached Dwelling Units Category – Lot Development Standards

Parcel area: Parcels containing attached dwelling units shall have an area of not less than five (5) acres.

Minimum lot area: Each lot shall have a minimum area of five thousand (5,000) square feet.

Minimum width: thirty-five (35) feet. For the purpose of these standards, “lot width” shall be defined as the ability to inscribe a circle with a diameter equal to the minimum lot width within the property lines, except as allowed for flag lots, as noted below.

Flag Lots: A “flag lot” shall be defined as an irregularly shaped lot, a portion of which fronts on a private access

way and is only usable for a driveway providing ingress and egress. All flag lots shall provide a minimum width in the buildable portion of the lot determined by inscribing a circle with a diameter of forty-five (45) feet within the property lines. The minimum width of the area not contained within the main building area shall be twenty (20) feet, unless that portion of the lot less than twenty (20) feet in width contains no driveways, buildings or swimming pools; except that where two or more lots share a common driveway the minimum lot width shall be twelve (12) feet.

Minimum front yard setback: There shall be a front yard with a depth of not less than twenty (20) feet, as measured from the face of the garage to the property line, and there shall be a front yard with a depth of not less than ten (10) feet, as measured from the front of the residence to the property line.

Side setback: All attached dwelling buildings shall be a minimum of fifteen (15) feet from the side parcel.

Minimum rear yard setback: Fifteen (15) feet.

Maximum building height: Thirty (30) feet (except as provided in Section 14-3-8 of the Zoning Ordinance)

- d. **Saddleback Medium Density (SMD) Option:** The SMD option is intended to promote medium intensity detached and attached residential development. The minimum lot size produces a low density of population. The principal land use is detached and attached single-family dwellings and uses incidental or accessory thereto, together with recreational and educational facilities.

SMD lots shall include; (1) A variety of floor plans; (2) harmonious color and material palette within a coordinated framework; and (3) multiple and/or single home builders.

i. **SMD Conventional Category - Lot Development Standards**

Minimum lot area: Each SMD Conventional lot shall have

a minimum area of six thousand (6,000) square feet.

Minimum width: Fifty (50) feet. For the purpose of these standards, "lot width" shall be defined as the ability to inscribe a circle with a diameter equal to the minimum lot width within the property lines, except as allowed for flag lots, as noted below.

Flag Lots: A "flag lot" shall be defined as an irregularly shaped lot, a portion of which fronts on a private access way and is only usable for a driveway providing ingress and egress. All flag lots shall provide a minimum width in the buildable portion of the lot determined by inscribing a circle with a diameter of fifty (50) feet within the property lines. The minimum width of the area not contained within the main building area shall be twenty (20) feet, except that where two or more lots share a common driveway the minimum lot width shall be twelve (12) feet.

Minimum front yard setback: On residences with a front-entry garage, there shall be a front yard with a depth of not less than twenty (20) feet, as measured from the face of the garage to the property line, and there shall be a front yard with a depth of not less than ten (10) feet, as measured from the front of the residence to the property line.

On residences with a side-entry garage, there shall be a front yard with a depth of not less than twelve (12) feet, as measured from the front of the residence to the property line.

Minimum total side yard setback: Ten (10) feet. (Zero (0) feet allowed on one side if the opposite side yard measures at least ten (10) feet).

Minimum rear yard setback: Fifteen (15) feet.

Maximum building height: Thirty (30) feet (except as provided in Section 14-3-8 of the Zoning Ordinance)

ii. SMD Cluster Category – Lot Development Standards

Parcel Area: Parcels developed under the SMD Cluster Category shall have an area of not less than five (5) acres.

Minimum lot area: none.

Minimum width: Forty-five (45) feet. For the purpose of these standards, “lot width” shall be defined as the ability to inscribe a circle with a diameter equal to the minimum lot width within the property lines, except as allowed for flag lots, as noted below.

Flag Lots: A “flag lot” shall be defined as an irregularly shaped lot, a portion of which fronts on a private access way and is only usable for a driveway providing ingress and egress. All flag lots shall provide a minimum width in the buildable portion of the lot determined by inscribing a circle with a diameter of forty-five (45) feet within the property lines. The minimum width of the area not contained within the main building area shall be twenty (20) feet, except that where two or more lots share a common driveway the minimum lot width shall be twelve (12) feet.

Minimum front yard setback: On residences with a front-entry garage, there shall be a front yard with a depth of not less than twenty (20) feet, as measured from the face of the garage to the property line, and there shall be a front yard with a depth of not less than ten (10) feet, as measured from the front of the residence to the property line.

On residences with a side-entry garage, there shall be a front yard with a depth of not less than twelve (12) feet, as measured from the front of the residence to the property line.

Minimum total side yard setback: Eight (8) feet. (Zero (0) feet allowed on one side if the opposite side yard measures at least eight (8) feet).

Minimum rear yard setback: Fifteen (15) feet.

Maximum building height: Thirty (30) feet (except as provided in Section 14-3-8 of the Zoning Ordinance)

iii. SMD Attached Dwelling Units Category - Lot Development Standards

Parcel Area: Parcels containing attached dwelling units shall have an area of not less than five (5) acres.

Minimum lot area: Each lot shall have a minimum area of six thousand (6,000) square feet.

Minimum width: thirty-five (35) feet. For the purpose of these standards, "lot width" shall be defined as the ability to inscribe a circle with a diameter equal to the minimum lot width within the property lines, except as allowed for flag lots, as noted below.

Minimum front yard setback: There shall be a front yard with a depth of not less than twenty (20) feet, as measured from face of the garage to the property line, and there shall be a front yard with a depth of not less than ten (10) feet, as measured from the front of the residence to the property line.

Minimum total side yard setback: Eight (8) feet. (Zero (0) feet allowed on one side if the opposite side yard measures at least eight (8) feet).

Side setback: All attached dwelling buildings shall be a minimum of fifteen (15) feet from the side property lines.

Minimum rear yard setback: Fifteen (15) feet.

Maximum building height: Thirty (30) feet (except as provided in Section 14-3-8 of the Zoning Ordinance)

- e. Saddleback Cottage (SC) Option:** The SC option is intended to promote residential development on smaller lots as a mechanism to preserve significant open space and

geographic features. The principal land use is detached and attached single-family dwellings and uses incidental or accessory thereto, together with recreational and educational facilities.

SC lots shall include: (1) A variety of floor plans; (2) multiple elevations; (3) harmonious color and material palette within a coordinated framework; and (4) multiple and/or single home builders.

i. SC Conventional Category - Lot Development Standards

Minimum lot area: Each SC Conventional lot shall have a minimum area of four thousand five hundred (4,500) square feet.

Minimum width: Forty-five (45) feet. For the purpose of these standards, "lot width" shall be defined as the ability to inscribe a circle with a diameter equal to the minimum lot width within the property lines, except as allowed for flag lots, as noted below.

Flag Lots: A "flag lot" shall be defined as an irregularly shaped lot, a portion of which fronts on a private access way and is only usable for a driveway providing ingress and egress. All flag lots shall provide a minimum width in the buildable portion of the lot determined by inscribing a circle with a diameter of forty-five (45) feet within the property lines. The minimum width of the area not contained within the main building area shall be twenty (20) feet; except that where two or more lots share a common driveway the minimum lot width shall be twelve (12) feet.

Minimum front yard setback: On residences with a front-entry garage, there shall be a front yard with a depth of not less than twenty (20) feet, as measured from the face of the garage to the property line, and there shall be a front yard with a depth of not less than ten (10) feet, as measured from the front of the residence to the property line.

On residences with a side-entry garage, there shall be a front yard with a depth of not less than twelve (12) feet, as measured from the front of the residence to the property line.

Minimum total side yard setback: Eight (8) feet. (Zero (0) feet allowed on one side if the opposite side yard measures at least eight (8) feet).

Minimum rear yard setback: Fifteen (15) feet.

Maximum building height: Thirty (30) feet (except as provided in Section 14-3-8 of the Zoning Ordinance).

ii. SC Cluster Category – Lot Development Standards

Parcel Area: Parcels developed under the SC Cluster Category shall have an area of not less than five (5) acres.

Minimum lot area: None.

Minimum width: Thirty-five (35) feet. For the purpose of these standards, “lot width” shall be defined as the ability to inscribe a circle with a diameter equal to the minimum lot width within the property lines, except as allowed for flag lots, as noted below.

Flag Lots: A “flag lot” shall be defined as an irregularly shaped lot, a portion of which fronts on a private access way and is only usable for a driveway providing ingress and egress. All flag lots shall provide a minimum width in the buildable portion of the lot determined by inscribing a circle with a diameter of forty-five (45) feet within the property lines. The minimum width of the area not contained within the main building area shall be twenty (20) feet; except that where two or more lots share a common driveway the minimum lot width shall be twelve (12) feet.

Minimum front yard setback: On residences with a front-entry garage, there shall be a front yard with a depth of not less than twenty (20) feet, as measured from the face of the garage to the property line, and there shall be a front yard with a depth of not less than ten (10) feet, as measured from the front of the residence to the property line.

On residences with a side-entry garage, there shall be a front yard with a depth of not less than twelve (12) feet, as measured from the front of the residence to the property line.

Minimum total side yard setback: Eight (8) feet. (Zero (0) feet allowed on one side if the opposite side yard measures at least eight (8) feet).

Minimum rear yard setback: Fifteen (15) feet.

iii. SC Attached Dwelling Units Category – Lot Development Standards

Parcel Area: Parcels containing attached dwelling units shall have an area of not less than five (5) acres.

Minimum lot area: Each attached lot shall have a minimum area of four thousand five hundred (4,500) square feet.

Minimum width: Thirty-five (35) feet. For the purpose of these standards, "lot width" shall be defined as the ability to inscribe a circle with a diameter equal to the minimum lot width within the property lines, except as allowed for flag lots, as noted below.

Minimum front yard setback: There shall be a front yard with a depth of not less than twenty (20) feet, as measured from the face of the garage to the property line, and there shall be a front yard with a depth of not

less than ten (10) feet, as measured from front of the residence to the property line.

Side setback: All attached dwelling buildings shall be a minimum of fifteen (15) feet from the side property lines.

Minimum rear yard setback: Fifteen (15) feet.

Maximum building height: Thirty (30) feet (except as provided in Section 14-3-8 of the Zoning Ordinance)

2.1.1.4 Permitted Conditional Uses

Any of the permitted conditional uses set forth in the Zoning Ordinance Article 14-5-, subject to approval by the Commission in accordance with the provisions the Zoning Ordinance as well as cell towers as outlined in Article 14-3

2.1.1.5 Permitted Accessory Uses

Any of the permitted accessory uses set forth in Article 14-5- of the Zoning Ordinance.

2.1.1.6 Development Standards for Conditionally Permitted Uses

See Section 14-5-6 of the Zoning Ordinance.

2.1.1.7 Administrative Relief from Certain Property Development Standards (Article 14-39-15)

See Article14-39-15 of the Zoning Ordinance.

2.1.1.8 Property Development Standards for Accessory Buildings

See Article14-5-8 of the Zoning Ordinance.

2.1.1.9 Property Lot Coverage Standards.

All lot coverage for residential lots will be determined by area defined with the required building setbacks.

2.1.1.10 Saddleback Height Residential (SH-R) Development Village Composition Matrix.

SADDLEBACK HEIGHTS RESIDENTIAL DEVELOPMENT VILLAGE COMPOSITION MATRIX				
TABLE 1				
LAND USE CATEGORY	DEVELOPMENT VILLAGE 'A' PERCENT DEVELOPABLE	DEVELOPMENT VILLAGE 'B' PERCENT DEVELOPABLE ACRES	DEVELOPMENT VILLAGE 'C' PERCENT DEVELOPABLE ACRES	DEVELOPMENT VILLAGE 'D' PERCENT DEVELOPABLE ACRES
COTTAGE (SC)	50% Maximum	50% Maximum	50% Maximum	50% Maximum
MEDIUM DENSITY (SMD)	60% Maximum	60% Maximum	90% Maximum	60% Maximum
LOW DENSITY (SLD)	60% Maximum	60% Maximum	60% Maximum	60% Maximum
RESIDENTIAL ESTATE (SRE)	No Threshold	No Threshold	No Threshold	No Threshold

2.1.1.11 Saddleback Heights Residential (SH-R) Development Standards Matrix (Table -2).

TABLE - 2	SADDLEBACK RESIDENTIAL ESTATE (SRE)		SADDLEBACK LOW DENSITY (SLD)			SADDLEBACK MEDIUM DENSITY (SMD)			SADDLEBACK COTTAGE (SC)		
ZONING DISTRICT	Saddleback Residential Estate Conventional	Saddleback Residential Estate (Cluster Option)	Saddleback Residential Low Density Conventional	Saddleback Residential Low Density (Cluster Option)	Saddleback Residential Low Density (Attached)	Saddleback Residential Medium Density Conventional	Saddleback Residential Medium Density (Cluster Option)	Saddleback Residential Medium Density (Attached)	Saddleback Residential Cottage Conventional	Saddleback Residential Cottage (Cluster)	Saddleback Residential Cottage (Attached)
Min. Parcel Size	-	5 Acres	-	5 Acres	5 Acres	-	5 Acres	5 Acres	-	5 Acres	5 Acres
Min. Lot Size (sq. ft.)	10,500	-	7,500	-	5,000	6,000	-	6,000	4,500	-	4,500
Min. Lot Width	75'	45'	60'	45'	35'	50'	45'	35'	45'	35'	35'
Min. Flag Lot Width	20', 12' with shared driveway	20', 12' with shared driveway	20', 12' with shared driveway	20', 12' with shared driveway	20', 12' with shared driveway	20', 12' with shared driveway	20', 12' with shared driveway	-	20', 12' with shared driveway	20', 12' with shared driveway	-
Min. Front Yard Setback	20' to Face of Garage 15' to building 15' to garage if side entry	20' to Face of Garage 10' to building 12' to garage if side entry	20' to Face of Garage 10' to building 12' to garage if side entry	20' to Face of Garage 10' to building 12' to garage if side entry	20' to Face of Garage 10' to building	20' to Face of Garage 10' to building 12' to garage if side entry	20' to Face of Garage 10' to building 12' to garage if side entry	20' to Face of Garage 10' to building	20' to Face of Garage 10' to building 12' to garage if side entry	20' to Face of Garage 10' to building 12' to garage if side entry	20' to Face of Garage 10' to building
Side Yard Setback	20' Aggregate, 10' min. on least side yard.	8' Aggregate, 0' allowed on one side with 8' min. on opposite side yard.	10' Aggregate, 0' allowed on one side with 10' min. on opposite side yard.	8' Aggregate, 0' allowed on one side with 8' min. on opposite side yard.	15' min. side yard.	10' Aggregate, 0' allowed on one side with 10' min. on opposite side yard.	8' Aggregate, 0' allowed on one side with 8' min. on opposite side yard.	8' Aggregate, 0' allowed on one side with 8' min. on opposite side yard.	8' Aggregate, 0' allowed on one side with 8' min. on opposite side yard.	8' Aggregate, 0' allowed on one side with 8' min. on opposite side yard.**	All attached dwelling buildings shall be a minimum of 15 feet from the side property lines.
Rear Yard Setback	20'	15'	20'	15'	15'	15'	15'	15'	15'	15'	15'
Maximum Height *	30'	30'	30'	30'	30'	30'	30'	30'	30'	30'	30'

(* Except as provided in Section 14-3-8 of the Zoning Ordinance)

SEE SECTION 2.1.14 EXHIBIT I-1 THROUGH I-4 FOR CONCEPTUAL PRODUCT EXAMPLES

2.1.2 SADDLEBACK RESORT OVERLAY DISTRICT

2.1.2.1 Intent

The Saddleback Heights Resort Overlay District (hereinafter "SH-RO") is intended to allow a high quality, destination oriented resort and accessory uses. The resort(s) shall be designed and developed to fit into the unique and special environs of the Saddleback Property. The "SH-RO" District shall be a supplemental zoning district applying to the area shown as part of the Resort Overlay areas within Saddleback Heights as shown on the **Zoning Map Exhibit F Section 2.1.11**. Development within the "SH-RO" District shall be limited to a maximum of eight hundred (800) resort or hotel rooms in addition to the permitted uses set forth in **Section 2.1.1.2**. All permitted uses listed may only be developed as part of the development of the resort facility(s) and may not be developed as "stand alone" uses. Proposed uses are to complement the resort use and are not permitted until the resort has been approved.

2.1.2.2 Permitted Principal Uses

- a. Resort (and all associated facilities including but not limited to meeting facilities, spa, tennis and golf uses);
- b. Hotel (and all associated facilities including but not limited to meeting facilities, spa, tennis and golf uses);
- c. Retail stores;
- d. Restaurants and bars*
 - i. The exterior building wall shall not be located within one-thousand (1000) feet of the property lines of a state designated Local Alcohol Reception Center.
 - ii. The exterior building walls of the use shall be located at least two-hundred (200) feet from a residentially zoned property.
 - iii. Through the Conditional Use Permit (CUP) process, the conditions considered for imposition by the Planning and

Zoning Commission may include, but are not limited to, a restriction on operating hours, additional screening, relocation of any outdoor patio areas, live entertainment standards, noise and visual mitigation, and other measures appropriate to the relevant circumstances;

- e. Outdoor recreational activities including, but not limited to, dining, entertainment, horseback riding, swimming, tennis, volleyball, exercise and similar recreational activities;
- f. Timeshare or interval ownership residential units.
(Note: Separation requirements from Single Family Residential Districts, Schools and Religious Institutions are required per the Zoning Ordinance)

2.1.2.3 Permitted Conditional Uses

Same as SH-R District.

2.1.2.4 Permitted Accessory Uses

Same as SH-R District.

2.1.2.5 Property Development Standards for Residential Uses

Same as SH-R District.

2.1.2.6 Property Development Standards for Residential Accessory Buildings

Same as SH-R District.

2.1.2.7 Property Development Standards for Non-Residential Uses

Maximum Building Height: No building shall exceed forty-eight (48) feet or four (4) stories, sixty (60) feet or five (5) stories with approval by the Planning and Zoning Commission. The thirty (30) feet that is outlined in the Hillside Ordinance works well for residential homes, but may hinder commercial development. Building "up" not "out" is a more sensitive approach to

development, as it creates less overall disturbance. Under the non-residential uses, no building will be allowed to break adjacent prominent ridgeline profiles and, due to the mountain backdrop and rolling topography, a four-story building can be sensitively sited to fit with the character of the site.

2.1.3 COMMUNITY COMMERCIAL DISTRICT (C-2)

All C-2 zoned property within Saddleback Heights shall conform to the provisions of Article 14-9 of the Zoning Ordinance. Community Commercial denotes areas where the most intensive types of commercial employment development may take place. The commercial areas are intended to develop as the major commercial and service activity centers of the community.

Community Commercial areas should be located such that access will be provided by arterial roadways. Developments within these areas should be designed to be architecturally compatible with the residential components of the development. A full complement of services is contemplated within the Community Commercial areas, including but without limitation, grocery stores, drug stores, retail sales of apparel and accessories, sporting goods, theaters, bookstores, employment, medical etc.

Limited commercial will consist of limited, convenience-oriented establishments that serve the surrounding neighborhoods. Typical uses include supermarkets, bakeries, drugstores, video stores, and restaurants. Secured linkages between the neighborhood and the adjacent neighborhood should be provided to encourage access by pedestrians and via bicycles.

2.1.4 TOWN CENTER OVERLAY

2.1.4.1 Intent

The Saddleback Heights Town Center Overlay District (hereinafter "SH-TCO") is intended to provide a focal point for the community. The Town Center will reflect the high quality

enclave nature of the development by providing the opportunity for service and retail sales to meet the day to day needs of the residents and guests of Saddleback Heights, as well as, provide for professional offices, entertainment opportunities, and residential uses. Residential uses shall be encouraged to integrate with the retail, entertainment and office opportunities to create a cohesive living environment that takes advantage of daytime and nighttime activities. The Town Center shall be designed and developed to fit into the unique setting of Saddleback Heights. The "SH-TCO" District shall be a supplemental zoning district over portions of the residential zoned area of the within Saddleback as outlined in the **Zoning Map Exhibit F Section 2.1.11**.

2.1.4.2 Permitted Principal Uses

Note: For the purpose of this PCD, typical mitigation techniques for separation, sound proofing and other requirements for uses listed below will be required as described under conditional uses for each use in the Zoning Ordinance. A Conditional Use Permit(CUP) will be required for any outdoor dining if located within 300' of a residential use.

- a. Hospital for animals including grooming, boarding and lodging with a NRTL listed 45-49 dB STC sound mitigation wall for sound proofing.
 - i. Veterinarian and grooming services shall be restricted to the care and treatment of small animals during regular business hours.
 - ii. The commercial breeding of animals shall be prohibited. (Ord. No. 06-16)
 - iii. All activities shall be completely contained within enclosed buildings; the building shall be designed and constructed to achieve a Sound Transmission Control Value of 50 or greater.

- iv. All refuse shall be stored within a completely enclosed building.
- v. Outdoor runs or exercise pens shall be prohibited.
- vi. Overnight boarding services for household pets may be operated as an accessory use, provided no more than twenty-five percent (25%) of the total square footage of the establishment may be used as sleeping quarters for the boarded pets; and the area shall be constructed, maintained or operated so that the smell of the boarded animals does not create a nuisance off-site. (Ord. No. 06-16)
- vii. Veterinary Hospitals shall have no outdoor runs, pens or enclosures.
- viii. Veterinary Hospitals shall not be located closer than one hundred (100) feet to any street, residential district or existing restaurant, hotel or motel.
- ix. Veterinary Offices and Clinics (excluding animal boarding) shall be subject to all of the following additional requirements:
- x. Clinic activities shall be restricted to the medical care and treatment of small animals during regular office hours. The confinement of such animals on the premises shall be limited to essential and occasional overnight care.

- b. Municipal Uses.
- c. Studios for professional work or teaching of any form of commercial or fine arts. (All fabrication is conditional upon a use permit that addresses any nuisances, health, safety or welfare issues related to this use)
- d. Retail stores.
- e. Restaurants and bars.
- f. Outdoor recreational activities including, but not limited to, dining, entertainment, amphitheater and similar recreational activities.

- g. Residential uses that are physically integrated with the commercial establishments or within an integrated site plan.
- h. Movie theaters.
- i. Specialty Retail including but not limited to:
 - i. Antique store.
 - ii. Art Gallery.
 - iii. Bicycle store.
 - iv. Book store.
 - v. Camera store.
 - vi. Clothing store.
 - vii. Electronic equipment store.
 - viii. Florist.
 - ix. Gift shop.
 - x. Hobby or toy store.
 - xi. Import store.
 - xii. Jewelry store.
 - xiii. Music store.
 - xiv. Pet shop.
 - xv. Small appliance store.
 - xvi. Sporting goods store.
 - xvii. Stationery Store.
 - xviii. Swimming pool supply store.
- j. Banks.
- k. Theater for performing arts.
- l. Travel agency.
- m. Gasoline service stations-per Article 14-9.
- n. Community buildings and recreational facilities not publicly owned.

2.1.4.3 Permitted Conditional Uses

- a. Day Nursery or pre-school.
- b. Internalized community storage (with a two-story Maximum, above ground).

2.1.4.4 Permitted Accessory Uses

Permitted accessory uses within the SH-TCO shall be the same as allowed in the SH-R District.

2.1.4.5 Property Development Standards for Non-Residential Uses

- a. Minimum lot size and lot coverage shall be determined by the aggregate of buildings, required yards, off-street parking, and loading space and any other specific requirements applicable to the permitted use.
- b. Minimum lot width twenty (20) feet.
- c. Minimum lot depth forty (40) feet.
- d. Minimum front setback zero (0) feet back of sidewalk or five (5) feet back of curb.
- e. Minimum side yard setback of zero (0) feet. If a setback is provided, it must be a minimum of 5'.
- f. Minimum rear setback 15' from property line.

2.1.4.6 Property Development Standards for Residential Uses

The development standards for residential uses within the SH-TCO are intended to be multi-family, attached and single-family residential uses that are integrated with the commercial and retail uses of the Town Center. Residential uses shall be permitted above, below or beside non-residential uses to create true integration of the residential uses with non-residential uses. This will create the opportunity for vertical and horizontal integration of residential uses. In the event of a conflict between the development standards contained in §14-6 of the Zoning Ordinance and the SH-TCO development option, the development standards contained in the SH-TCO shall control.

- a. Minimum lot size 4,500 square feet.
- b. Minimum lot width twenty (20) feet.
- c. Minimum lot depth forty (40) feet.
- d. Maximum Height 4 stories or 48'.
- e. Maximum lot coverage seventy-five (75) percent.
- f. Minimum front setback zero (0) feet back of sidewalk or five (5) feet back of curb.
- g. Minimum side yard setback of zero (0) feet. If a setback is provided it must be a minimum of 5'.

- h. In addition to residential uses and criteria set forth in SH-R District residential dwellings may also be integrated above, below or beside non-residential uses.
- i. Minimum Open Space (may include setbacks), of 15% of the net parcel size for the first 3 stories or 40' and an additional 5% for each additional story.
- j. Above uses such as, office, retail, service, and entertainment uses.
- k. Parking shall be provided at two (2) off street parking space per dwelling unit.
- l. Minimum rear setback 15' from property line.

2.1.4.7 Property Development Standards for Residential Accessory Buildings

The development standards for residential accessory buildings shall be the same as those set forth in Article 14-5.

2.1.4.8 General Property Development Standards

Maximum Building Height: No building shall exceed seventy-four (74) feet or six (6) stories. Under the non-residential uses, no building will be allowed to break adjacent prominent ridgeline profiles and due to the mountain back drop and rolling topography a four-story building can be sensitively sited to protect views and fit with the character of the site.

2.1.5 MIXED USE DEVELOPMENT DISTRICT

2.1.5.1 Intent

The Saddleback Heights Mixed Use District (hereinafter "SH-MU") is intended to provide a variety of community and regional uses in one geographic area located at significant intersections that will allow both access and viability for the uses. Residential uses shall be permitted above, below or beside non-residential uses to create true integration of the residential uses with non-residential uses. This will create the opportunity for vertical and horizontal integration of residential uses. The mixed-use area will provide the opportunity for service and retail sales, office, employment, entertainment, parks and recreation, as well as, multi-family residential housing.

2.1.5.2 Permitted Principal Uses

- a. Hospitals and Medical Offices
- b. Employment
- c. Hospital for animals including grooming, boarding and lodging.
- d. Municipal Uses.
- e. Studios for professional work or teaching of any form of commercial of fine arts.
- f. Retail stores.
- g. Restaurants and bars.
- h. Outdoor recreational activities including, but not limited to, dining, entertainment, amphitheater and similar recreational activities.
- i. Residential uses that are physically integrated with the commercial establishments.
- j. Movie theaters.
- k. Gasoline Service Stations per Article 14-9.
- l. Specialty Retail including but not limited to:
- m. Antique store.
 - i. Art Gallery.
 - ii. Bicycle store.

- iii. Bookstore.
- iv. Barber shop
- v. Camera store.
- vi. Clothing store.
- vii. Electronic equipment store.
- viii. Florist.
- ix. Gift shop.
- x. Hobby or toy store.
- xi. Import store.
- xii. Jewelry store.
- xiii. Music store.
- xiv. Pet shop.
- xv. Small appliance store.
- xvi. Sporting goods store.
- xvii. Stationery Store.
- xviii. Swimming pool supply store.
- n. Banks.
- o. Theater for performing arts.
- p. Travel agency.
- q. Daycare facilities, pre-school.
- r. Churches.
- s. Community Colleges.
- t. Educational Campus.
- u. Community buildings and recreational facilities not publicly owned.
- v. Hospital (Medical)
- w. Employment

2.1.5.3 Permitted Conditional Uses (Per Article 14-9)

- a. Manufacturing.
- b. Wireless communication facilities.
- c. Research facilities.
- d. Mortuary.
- e. Automobile, body shops.
- f. Automobile, Sales (new & used).
- g. Automobile, service shop.

2.1.5.4 Permitted Accessory Uses

Permitted accessory uses shall be the same as allowed in the SH-R District.

2.1.5.5 Property Development Standards for Non-Residential in Uses Per C-2 Development Standards outlined in Article 14-09 of the Zoning Ordinance

2.1.5.6 Property Development Standards for Residential Uses (Including townhomes, cluster, auto or green court clusters, Row homes, 4-8 plex and duplex units),

- a. Minimum lot size 4,500 square feet.
- b. Minimum lot width twenty (20) feet.
- c. Minimum lot depth forty (40) feet.
- d. Maximum Height four (4) stories or forty-eight (48) feet.
- e. Maximum lot coverage seventy-five (75) percent.
- f. Minimum front setback zero (0) feet back of sidewalk or five (5) feet back of curb.
- g. Minimum side yard setback of zero (0) feet. If a setback is provided, it must be a minimum of five (5) feet.
- h. In addition to residential uses and criteria set forth in SH-R District, residential dwellings may also be integrated on above, below or beside non-residential uses.
- i. Minimum Open Space (may include setbacks) of 15% of the net parcel size for the first 3 stories or forty (40) feet and an additional 5% for each additional story.
- j. Above uses such as, office, retail, service, and entertainment uses.
- k. Parking shall be provided at two (2) off-street parking space per dwelling unit.
- l. Minimum rear setback 15' from property line.

2.1.5.7 Property Development Standards for Residential Accessory Buildings

Same as those set forth in Section 14-6 of the Zoning Ordinance and those outlined in SH-R District.

2.1.5.8 General Property Development Standards

Maximum Building Height: No building shall exceed seventy-four (74) feet approval by the Planning and Zoning Commission through the CUP Process outlined in Article 14-09.. Under the non-residential uses, no building will be allowed to break adjacent prominent ridgeline profiles and due to the mountain back drop and rolling topography a four-story building can be sensitively sited to protect views and fit with the character of the site.

2.1.6 MIXED USE BUSINESS PARK OVERLAY

2.1.6.1 Intent

The Saddleback Heights Business Park Overlay (hereinafter "SH-MU-BPO") is intended to provide variety of large and small employers and office parks in one geographic area located at the southeast corner of the intersection of 143rd Avenue (Bullard) and State Route 74 that will allow both access and viability for the uses. The uses will generally consist of offices, research and development; light manufacturing supported by ancillary uses (to the larger business park area) that could include hotels, eating and retail establishments. The uses may vary in intensity. Residential uses shall be permitted above, below or beside non-residential uses to create true integration of the residential uses with non-residential uses. This will create the opportunity for vertical and horizontal integration of residential uses. The mixed-use business park overlay area will provide the opportunity for service and retail sales, office, employment, entertainment, parks and recreation, as well as, multi-family residential housing.

2.1.6.2 Permitted Principal Uses

- a. Hospital and Medical Offices
- b. Professional Office and administrative buildings
- c. Hospital for animals including grooming, boarding and lodging.
- d. Municipal Uses.
- e. Studios for professional work or teaching of any form of commercial of fine arts.
- f. Retail stores.
- g. Restaurants and bars.
- h. Outdoor recreational activities including, but not limited to, dining, entertainment, amphitheater and similar recreational activities.
- i. Residential uses that are physically integrated with the commercial establishments.
- j. Movie theaters.
- k. Gasoline Service Stations with CUP per Article 14-09.
- l. Specialty Retail including but not limited to:
- m. Antique store.
 - i. Art Gallery.
 - ii. Bicycle store.
 - iii. Bookstore.
 - iv. Barber shop
 - v. Camera store.
 - vi. Clothing store.
 - vii. Electronic equipment store.
 - viii. Florist.
 - ix. Gift shop.
 - x. Hobby or toy store.
 - xi. Import store.
 - xii. Jewelry store.
 - xiii. Music store.
 - xiv. Pet shop.
 - xv. Small appliance store.
 - xvi. Sporting goods store.
 - xvii. Stationery Store.
 - xviii. Swimming pool supply store.
- n. Banks.
- o. Theater for performing arts.
- p. Travel agency.

- q. Daycare facilities, pre-school.
- r. Churches.
- s. Community Colleges.
- t. Educational Campus.
- u. Community buildings and recreational facilities not publicly owned.

2.1.6.3 Permitted Conditional Uses as outlined in Article 14-09.

- a. Wireless communication facilities, per Article 14-3, unless integrated into existing architecture

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2.1.6.4 Permitted Accessory Uses

Permitted accessory uses shall be the same as allowed in the SH-R District.

2.1.6.5 Property Development Standards for Non-Residential Uses

- a. Minimum lot size and lot coverage shall be determined by the aggregate of buildings, required yards, off-street parking, and loading space and any other specific requirements applicable to the permitted use.
- b. Minimum lot width twenty (20) feet.
- c. Minimum lot depth forty (40) feet.
- d. Minimum front setback zero (0) feet back of sidewalk or five (5) feet back of curb.
- e. Minimum side yard setback of zero (0) feet. If a setback is provided, it must be a minimum of 5'.
- f. Minimum rear setback 15' from property line.

2.1.6.6 Property Development Standards for Residential Uses

- a. Minimum lot size 4,500 square feet.
- b. Minimum lot width twenty (20) feet.
- c. Minimum lot depth forty (40) feet.
- d. Maximum Height four (4) stories or forty-eight (48) feet.
- e. Maximum lot coverage seventy-five (75) percent.

- f. Minimum front setback zero (0) feet back of sidewalk or five (5) feet back of curb.
- g. Minimum side yard setback of zero (0) feet. If a setback is provided, it must be a minimum of five (5) feet.
- h. In addition to residential uses and criteria set forth in SH-R District, residential dwellings may also be integrated on above, below or beside non-residential uses.
- i. Minimum Open Space (may include setbacks) of 15% of the net parcel size for the first 3 stories or forty (40) feet and an additional 5% for each additional story.
- j. Above uses such as, office, retail, service, and entertainment uses.
- k. Parking shall be provided at two (2) off-street parking space per dwelling unit.
- l. Minimum rear setback 15' from property line.

2.1.6.7 Property Development Standards for Residential Accessory Buildings

Same as those set forth in Section 14-5 of the Zoning Ordinance and those outlined in SH-R District.

2.1.6.8 General Property Development Standards

Maximum Building Height: No building shall exceed seventy-four (74) feet. The thirty (30) feet that is outlined in the Hillside Ordinance works well for residential homes, however that height may hinder commercial development.. Under the non-residential uses, no building will be allowed to break adjacent prominent ridgeline profiles and due to the mountain back drop and rolling topography a four-story building can be sensitively sited to protect views and fit with the character of the site.

ARTICLE 14-22A SADDLEBACK HEIGHTS HILLSIDE DEVELOPMENT OVERLAY DISTRICT

(Based Upon Revised Ord. No. 04-201)

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14-22A-16	DEFINITIONS

SECTION 14-22A-1 INTENT (Ord. No. 99-105)

- A. It is the purpose of this Article is to establish regulations which recognize that development of land in hilly or mountainous areas involves special considerations and unique situations which result from the slope of the land. These special considerations and unique situations include but are not limited to increased hazards to development from rock falls, storm water runoff, geologic hazards, increased limitations on vehicular travel, and increased difficulties in providing public services. In addition, steeply sloped lands introduce design limitations to roadways, cuts and fills, and building sites. In general, the more steeply the land slopes, the greater the hazard and development limitation.

The Saddleback Hillside Development Overlay District shall apply to all parcels within the PCD, **(See Zoning Map Exhibit F)**, less than five (5) gross acres in size which have over fifty percent (50%) of the gross area of the parcel having a slope of ten percent (10%) or greater. For those parcels not having fifty percent (50%) or greater of the gross parcel area within a Hillside Development Area or those parcels in excess of five (5) gross acres in size, the requirements of the "Saddleback Hillside Development Overlay District" shall be applied only to that portion of

the lot containing slopes of ten percent (10%) or greater. Where multiple slope categories (as defined below) exist within a parcel, requirements for the category that is found to be in the largest quantity shall apply to the applicable hillside area(s). Commercial, Office, Industrial and Resort Developments within the PCD shall comply with all applicable provisions of the Saddleback Hillside Development Overlay District. There may be instances where custom lots are within a development parcel that have met some or all of the provisions of this Hillside Development Overlay. In those instances, custom lots shall not be subject to those provisions that have already been met at the development parcel level. All other provisions that have not been met shall apply. The provisions of this Article may not be modified, except as expressly provided within this Article.

- B. Conservation features identified in Article 14-22B, as amended herein, shall be preserved in accordance with that Article.

SECTION 14-22A-2 DENSITY AND SLOPE CATEGORIES

- A. The maximum number of residential lots or units permitted within hillside development areas shall determined via the underlying zoning, as set forth in **Table 14-22A-2 – Density Allocation**, which identifies permitted densities per slope/landform Category.

The following slope categories are based on landform characteristics and the ability for development to occur in these areas. Landforms of less than 10% are identified as Flatlands and are not subject to these Hillside regulations. Landforms having slopes over 10% up to 15% are identified as Lower Transitional Lands. Landforms containing slopes over 15% up to 25% are identified as Upper Transitional Lands. Areas with slopes over 25% are identified as “Uplands”. Within the Uplands, are areas with slopes that are extremely rugged in terrain, offer very limited development opportunities, and/or contain land features specific upon themselves. **(See Figure the Conceptual Landform & Open Space Designation Plan Exhibit K)**. Each landform category contains specific development parameters that will serve as tool for the Developer and the City during the development process.

**TABLE – 14-22A-2
DENSITY ALLOCATION**

Slope of Land	Maximum Number of Lots Per Gross Acre
10% to 15% (Lower Transitional)	Per Land Use Category (See Table 1 within PCD)
Over 15% to 25% (Upper Transitional)	Per Land Use Category (See Table 1 within PCD)
Over 25% (Uplands)	Per Land Use Category (See Table 1 within PCD)

B. The transfer of density within a Hillside Development Area shall not be an assumed right and in no case shall a transfer of density occur without the approval of the Planning Manager according to the criteria set forth in the PCD. Approvals of a density transfer shall only be made upon a finding that the proposed transfer will not be detrimental to the intent of the Saddleback Hillside Development Overlay District and will advance the City’s interests in protecting a Hillside Development Area.

SECTION 14-22A-3 SLOPE DETERMINATION

- A. Slope Category Determination Study shall be required by the Community Development Department prior to the initiation of any Site Disturbance Activities for all land located within the PCD and shall be prepared pursuant to the requirements of this Section. (Ord. No. 05-44)
- B. A property owner subject to Subsection A above shall prepare a Slope Category Determination Study utilizing one of the two methodologies outlined in this Article. A property owner or authorized agent shall submit to the Planning Manager a Slope Category Determination Study pursuant to this Section, or request for a waiver from such, as follows:
 - 1. Simultaneously with a rezoning application;
 - 2. If a rezoning action is not required, simultaneously with a preliminary plat or site plan; or
 - 3. If a rezoning, plat, site plan, or minor land division is not required, prior to the issuance of any building permit or site grading permit.

- C. Applicants seeking a waiver from the provisions of this Section may request a waiver of the requirements for a Slope Category Determination Study to the Planning Manager. A written waiver request shall be submitted to the Planning Manager with an explanation of why a waiver is warranted and shall include such supporting materials as site photographs, site specific topography information and all other such information which may provide information on the request. The Planning Manager may approve or deny an application as submitted or may request additional information if necessary. It shall be the sole burden of the applicant requesting such a waiver to show that the subject property does not qualify as a Hillside Development Area under this Article. The Planning Manager may grant the requested waiver upon a finding that reasonable evidence exists that the subject site does not contain potential slope area that would qualify as a Hillside Development Area. Appeals from the Planning Manager decision pursuant to this paragraph may be appealed to the Administrative Hillside Hearing Officer subject to the provisions of Section 14-22A-13.
- D. Applicants may prepare a Slope Category Determination Study utilizing a methodology differing from those outlined in this Article, if acceptable to the Planning Manager. Applicants seeking to utilize an alternative methodology shall provide both a written explanation of the proposed alternative methodology and a graphical example of its use. If, upon review of the proposed alternative Slope Category Determination Study by the Planning Manager, the slope analysis is not acceptable, the applicant shall utilize one of the adopted methodologies contained herein. Appeals from the Planning Manager decision pursuant to this paragraph may be appealed to the Administrative Hillside Hearing Officer subject to the provisions of Article 14-39 of the Zoning Ordinance. (Ord. No. 05-44)
- E. To determine parcel density and the location and extent of slope categories, carry out one of the following procedures:
1. *Manual Slope Determination Method:*
 - a. Utilize a topographic map at a scale of two hundred (200) feet or less to the inch and with contours shown at two (2) foot intervals. Applicant may utilize maps containing contours at five (5) foot intervals for grades of more than twenty percent (20%). All contour lines shall be extended onto adjacent properties to a distance that establishes the overall slope of the land but in no case shall they be extended less than fifty (50) feet onto the adjacent properties.
 - b. The Hillside Development Area shall commence at the midpoint of the one hundred (100) foot horizontal dimensions used to determine the slope as illustrated by Figure 1, attached hereto and by this reference made a part hereof. The one hundred (100) foot slope determination lines shall be located perpendicular to the site or property contour bands. Those properties containing multiple slope planes should provide slope information for all such planes.
 - c. To determine those locations where slopes of ten percent (10%), fifteen percent (15%), twenty percent (20%), twenty-five percent (25%), thirty percent (30%), and thirty-five percent (35%) begin by the application of one hundred (100) foot straight lines that fall within each category. The one hundred (100) foot slope determination lines shall be

extended onto adjacent properties to a distance that establishes the overall slope of the land but in no case shall they be extended less than fifty (50) feet onto the adjacent properties.

- d. Connect the midpoints of each series of one hundred (100) foot lines of the same slope category to establish the limits of that slope category.
- e. Measure the areas resulting between each series of straight lines to determine the areas in each slope category.

2. Computer Generated Slope Determination Method:

- a. Utilize digital topographic information with contours shown at a maximum of two (2) foot intervals, except as established herein. Areas known or shown to contain slopes of more than twenty percent (20%) may utilize digital topographic information with contours shown at five (5) foot intervals.
- b. Utilizing a slope generating software application, slope categories shall be determined utilizing the slope categories established in Section 14-22A-2 of this Section.
- c. Computer generated slope analyses shall be prepared utilizing the following modeling parameters:
 - i) Maximum two (2) foot slope contour intervals for slopes less than twenty percent (20%);
 - ii) Maximum five (5) foot slope contour intervals for slopes more than twenty percent (20%);
 - iii) The slope analysis shall utilize the above noted slope contour interval through the modeling basis of grid evaluation to determine slope facets or contours;
 - iv) The analysis shall utilize a twenty-five (25) foot grid system.
- d. All data generated through the use of a computer generated slope determination shall be presented in both chart and graphical formats. The presentation of all graphical slope information shall be presented in a clear and easily understandable format.
- e. The final map shall be plotted at 1" = 200' and submitted to the Planning Manager for review. If the Planning Manager finds the analysis acceptable, the final slope determination map shall be approved. The Planning Manager may reject the analysis and require correction(s) to the digitized slope category lines to more accurately reflect the generalized slope conditions of the property or other revisions necessary to ensure compliance with this Article. Appeals from the decision of the Planning Manager may be filed for disposition by the Administrative Hillside Hearing Officer pursuant to Article 14-39 of the Zoning Ordinance. (Ord. No. 05-44)

3. *The Final Slope Category Map* resulting from either Section 14-22A-3.E.1 or Section 14-22A-3.E.2 shall be utilized in determining allowable densities, lot area, lot disturbance and lot coverage requirements. Preliminary Plats shall reflect proposed disturbance/coverage envelopes for each lot and shall contain tabular information necessary to determine compliance with this Article.

SECTION 14-22A-4 GENERAL PROVISIONS FOR HILLSIDE CONSTRUCTION

- A. In those situations where a density transfer is being utilized, the increased density permitted under Table 14-22A-2 shall only be permitted in an amount equal to the number of lots being transferred.
- B. In those situations where density has been transferred from a higher slope category to a lower slope category ALL minimum lot sizes shall be limited as shown in Table 2. The Planning Manager shall have authority to allow further reduced lot sizes by up to twenty percent (20%) provided that all dwelling units/development rights have been transferred off of slope categories greater than twenty percent (20%).

Table 14-22A-4

Slope Category	Minimum Lot Size
10% to 15%	Per underlying Zoning District and allocation outlined in Table 1
Over 15% to 25%	Per underlying Zoning District and allocation outlined in Table 1
Over 25%	Per underlying Zoning District and allocation outlined in Table 1

- C. No residential lot within the Saddleback Hillside Development Overlay District shall have a front lot width less than the zoning district allows. The front lot width of all flag lots located within the Saddleback Hillside Development Overlay District shall be measured from the point at which the drive access intersects with the main body of the lot or at a point not to exceed two hundred and fifty (250) feet from the front lot line of the flag lot.
- D. Building setbacks shall be as required by the zoning district.
- E. All development units and custom lots shall conform to the disturbance and open space requirements of Table 3. Individual lots in a subdivision that have already met the open space requirements of Table 3 shall not be required to provide additional open space. Additional open space may be required per the Saddleback Desert Lands Conservation Overlay, see Article 14-22B "Saddleback Desert Lands Conservation Overlay", which is found in Appendix G of this Document.

- F. Maximum lot coverage by the main building and all accessory buildings shall not occupy more than that permitted by the underlying zoning district or Table 3, whichever is the lesser area.
- G. No building shall exceed a height of THIRTY (30) feet, above the newly established or finished grade of the land at any section through the structure. Commercial buildings shall not exceed thirty-six (36) **(See figure 1 & 2)**. Mixed Use Business Park Overlay shall not exceed seventy-four (74) feet in height, or six (6) stories.
- H. Custom lots within a development parcel that has met the open space requirement are not subject to Table 14-22A-6. If a custom lot is within a development parcel that has not met any of the open space requirements for that parcel, then that custom lot shall conform to Table 14-22A-6 and an individual analysis of each lot shall be prepared prior to submitting construction documents for the house and lot. For custom lots within a development parcel which has met a portion of the open space requirements, the remainder of the open space requirement for that development parcel must be provided by the custom lots. In this instance, the total open space provided both by the development parcel and the custom lots within said development parcel shall conform to Table 14-22A-6. No building permit shall be issued prior to demonstrating compliance with an existing approved grading and drainage plan or approval of the grading and drainage plan and individual site analysis unique to the subject lot.
- I. All Hillside lots or parcels which abut a dedicated public open space or preserve area shall provide a one foot (1') non-vehicular access easement along the common property line.

SECTION 14-22A-5 HEIGHTS AND APPEARANCES

For development within hillside areas, the height of structures shall be determined by the following Sections and not by the definitions described in Section 14-2 of the Zoning Ordinance.

- A. No part of any structure shall penetrate an imaginary plane, the height of which is Thirty (30) feet, and (36) feet for commercial, measured vertically from any point of the building to any newly established or finished grade directly below that-point of the building **(see Figure 1, 2 & 3)**.
- B. No exposed face in any vertical plane (excluding walls) shall be allowed unless it is a rock feature or land form that appears natural. Where a rock feature or rock face remains, an engineer may be required to certify that the exposed face is stable. Where the natural grade is not restored back against the building and the exposed face is not of rock or a landform that appears natural, a combination of retaining walls and/or slope will be utilized to tie into existing grade **(See Figure 4 & 5)**.
- C. Materials used for exterior surfaces of all structures shall blend in color, hue and tone with the surrounding natural setting to avoid high contrasts.

1. Structures, walls, roofs and fences shall blend with the surrounding terrain and there shall be no material or colors used which have an LRV (Light Reflecting Value) greater than forty percent (40%). Mirror surfaces, or any treatment which changes ordinary glass into a mirror surface is prohibited. Bright untarnished copper or other metallic surfaces shall be treated so they are non-reflective.
2. All electrical service equipment and subpanels and all mechanical equipment including, but not limited to, air conditioning and pool equipment, solar panels, and antennas, shall not be visible from outside the property when viewed from the same or a lower elevation. Restrictions on visibility of solar panels and mechanical equipment may be modified if they are integrated into the roof design.

SECTION 14-22A-6 DISTURBED AREAS and HILLSIDE OPEN SPACE

A. **The Preservation Master Plan Exhibit L** identifies all significant landforms that will be preserved except to allow construction of trails or paths providing access into the featured open spaces, roads and utility crossings. All other areas and development parcels in every slope category are subject to disturbance in accordance to Table 14-22A-6. Within Table 14-22A-6, areas above the 25% slope line, disturbance is limited to areas within the development unit, parcel envelope, localized envelope, or individual custom lot only, and disturbance may not occur on lands outside the limits of the development unit or custom lot except for necessary infrastructure required to serve the proposed development. Mass grading is allowed within each slope category and that disturbance is also regulated by Table 14-22A-6. Specific criteria for development in hillside areas are detailed in the sections below.

1. Minimum lot size is determined by underlying zoning.
2. Cuts and fills are permitted within all slope categories. Exposed Cuts and Fills shall not exceed 30'. Due to the hilly nature of the property, cuts/fills may exceed 30' so long as the land is graded and countoured such that the final resulting exposed cut/fill does not exceed 18' in vertical height for any length greater than one thousand feet. Any resulting exposed cuts/fills exceeding 18' in vertical height for any length greater than 1,000 feet shall require approval from the Planning Manager. All walls must meet zoning ordinance requirements except where modified within this document.
3. Areas preserved per the provisions of the Saddleback Desert Lands Conservation Overlay count towards required minimum open space.
4. Alternative development options, such as cluster products, may be considered along with the associated development standards on a case-by-case basis with approval from the City's Hillside Hearing Officer.

Specific Criteria for areas within the 10-15% slope category, including criteria for grading, are described below.

1. Mass grading is allowed on 100% of the site per Table 14-22A-6.
2. Disturbance is allowed on 100% of the site per Table 14-22A-6.
3. 20% of site must remain as natural or recreated open space
4. Cuts and fills are permitted within all slope categories. Cuts and Fills shall not exceed 30', provided, however, that cuts/fills may exceed 30' so long as the land is graded and countoured such that the final resulting exposed cut/fill does not exceed 18' in vertical height. Any resulting exposed cuts/fills exceeding 18' in vertical height shall require approval from the Planning Manager. All walls must meet zoning ordinance requirements except where modified within this document.

Specific Criteria for areas within the 15%-25% slope category, including criteria for grading, is described below.

1. 75% of the site is eligible for mass grading
2. 100% of the site may be disturbed, but 25% of the site must be restored to look natural (re-vegetated with similar plant species and densities prior to disturbance) and remain as open space.
2. Cuts and fills are permitted within all slope categories. Cuts and Fills should not exceed 30', provided, however, that cuts/fills may exceed 30' so long as the land is graded and countoured such that the final resulting exposed cut/fill does not exceed 18' in vertical height for any length greater than one thousand feet. Any resulting exposed cuts/fills exceeding 18' in vertical height for any length greater than one thousand feet shall require approval from the Planning Manager. All walls must meet zoning ordinance requirements except where modified within this document.

Specific Criteria for areas above 25%, including criteria for grading, are described below.

1. 50% of the site may be disturbed. 50% must remain natural and undisturbed.
2. Disturbance is limited to areas within the development unit, parcel envelope, localized envelope, or individual custom lot only, and disturbance may not occur on lands outside the limits of the development unit or custom lot except for necessary infrastructure required to serve the proposed development.
3. Disturbance used to construct roadways and driveways will not be included site disturbance calculations.
4. Solid parcel boundary walls are not permitted except where adjacent to a right of way. Walls are restricted to the building envelopes only.
5. Alternative development options, such as cluster products, may be considered along with the associated development standards on a case-by-case basis with approval from the City's Hillside Hearing Officer.
6. Cuts and fills are permitted within all slope categories. Cuts and Fills should not exceed 30', provided, however, that cuts/fills may exceed 30' so long as the land is graded and countoured such that the final resulting exposed cut/fill does not exceed 18' in vertical height for any length greater than one thousand feet. Any resulting exposed cuts/fills exceeding 18' in vertical height for any length greater than one thousand feet shall

require approval from the Planning Manager. All walls must meet zoning ordinance requirements except where modified within this document.

7. *Envelope Types*. Grading/disturbance envelopes are the areas within which all grading and/or improvements must occur. The type of envelope to be used depends on the type of development and/or the land use. The three basic types of grading envelopes are described below. The envelopes are configured to preserve significant natural features such as wash corridors, specimen vegetation and/or major rock outcropping and to preserve scenic vistas or specific view opportunities.
 - a. *Custom Lot Building Envelopes* - Individual building envelopes for custom lots shall be required for all developments in hillside areas above the 25% slope line, or for all custom lots that have not met the open space requirements. These building envelopes shall be regulated by City of Peoria Code Enforcement and will designate the area that may be disturbed for all residential structures and amenities in the rear yard (i.e. pools, decks, ramadas, turf and retaining walls) in accordance with Table 14-22A-6. The balance of the lot outside this envelope shall be retained in its natural state with the exception that these areas may be enhanced by adding additional native vegetation. No more that 50% of the total lot area may be disturbed.
 - b. *Localized Envelope* - In certain areas, the development parcels may employ localized multi-building construction envelopes as opposed to comprehensive grading of the entire development parcel. These localized multi-building construction envelopes could entail the grading of small groups of lots while maintaining pockets of naturally vegetated open space within and around the parcel.
 - c. *Parcel Envelopes* - In areas which do not have significant land forms, washes or natural features, one or more development parcels may be graded to achieve the permitted density. These areas will be subject to the plant salvage and transplant standards established for Saddleback, as well as the site grading, drainage, and erosion control standards as defined in this document, the City's Design Manual, and **Article 14-22B "Saddleback Desert Lands Conservation Overlay" (Appendix "B")**.
- B. *Custom lots* - Shall be developed to provide for the minimum amount of ground disturbance (per the provisions set forth in this document) during the time of construction so as to prevent rock slides and falls, erosion and seepage. At final construction, disturbed areas shall be hidden or supported by retaining walls, buildings, finished surfaces or restored and landscaped to its original natural condition to the maximum extent possible. All cut and fill areas visible from offsite locations shall be treated with a natural staining or aging agent.
 - a. The maximum height of any cut or fill used to establish a building site or a driveway shall be thirty (30) feet. All cuts and fills must comply with the engineering provisions of the Peoria Codes and Ordinances. Similarly, the maximum height of any cut or fill used to establish a road or roadway shall be limited to thirty (30) feet and must comply with all Peoria Codes and Ordinances. Cuts may exceed 30' in rolling terrain,

where the hill is removed and the remaining cut or fill slope is less than 20', Cuts or fills above thirty (30) feet for any length greater than one hundred and fifty feet shall require approval from the Planning Manager. In slope areas in excess of 25%, all areas of cut or fill necessary to establish a public or private roadway and falling outside of the public right-of-way or private roadway easement (beyond the 10% allowance identified in paragraph e. below) shall not be counted against the total disturbed lot area of the individual lot or parcel. All roadway cuts and fills shall utilize retaining walls, stacked rock and boulders, re-vegetated slopes, or a combination of walls, rock and slope to minimize spill areas. All spill slope areas shall be re-vegetated and all retaining walls shall be designed to minimize the visual impact.

- b. The limits of construction and proposed disturbed areas shall be clearly designated on the property prior to and during construction with visible roping and shall conform to the approved individual site analysis plan. No disturbance outside the designated area shall take place.
- c. In the Uplands, all lots less than 24,000 sf. net area are eligible for 100% disturbance and are not subject to Table 3. All lots greater than 24,000 sf. Net area shall establish a construction envelope equal to the combined area of the maximum disturbed area and maximum lot coverage from Table 3, below.
- d. All surplus excavated material shall be removed from the lot.
- e. All land area above the twenty five percent (25%) slope line that may be used for roadways (public and private) that shall not be included in Disturbed Area calculations. The Disturbed Area of all other uses, including storm water retention areas and accessory use areas, shall not exceed the Maximum Disturbed Area as set forth in **Table 14-22A-6**.

Table 14-22A-6

Landform Category	Building Site Slope Category	Maximum Disturbed Area	Maximum Lot Coverage	Min. required Open Space
Lower Transitional	10% to 15%	100% Disturbance 100% available for Mass Grading	Per Underlying Zoning	20% Non-Natural 20% Natural
Upper Transitional	15% - 25%	100% Disturbance* 75% available for Mass Grading	Per Underlying Zoning	25% Natural or Non-Natural *(25% of total area must be restored to look natural)
Uplands	25%+	50% Disturbance	Per Underlying Zoning	50% Natural

- C. A minimum amount of open space must be provided within each development parcel. These areas will be counted towards the required parcel open space. Open space will be both natural and re-created through slope restoration and re-vegetation. Open space will be provided within each development parcel based upon minimum open space criteria set forth in Section 3.2 Open Space Plan of this PCD.

Open Space provided within these parcels can be natural, re-created (as defined below) or a combination thereof. Open space requirements will be calculated and determined at time of Plat.

1. Natural open space that is undisturbed and free from development will primarily be a visual amenity for the community. In addition, some natural open space areas may contain trails that link open space and development parcels within Saddleback. Significant drainage areas (as identified on **Exhibit I, Preservation Master Plan**) shall be set aside as open space (with the exception of potential road and utility crossings). They will be used as primary drainage ways, but also serve as migration corridors for animals, and potential trail corridors that link the open space throughout Saddleback.
2. Re-created, restored or “improved” open space will exist in a variety of types. These areas include parks, both active and passive, paseos, parcel open space and restored desert areas.

SECTION 14-22A-7 GRADING AND DRAINAGE

All proposed development within a Hillside Development Area shall be required to submit for and receive Grading and Drainage Plan approval through the City of Peoria Engineering per the development standards contain herein, prior to the commencement of any development or Site Disturbance Activities.

Grading of development areas must comply with the Hillside Development Standards incorporated herein. As noted earlier, mountain ridges of significance, as identified in **Exhibit I Preservation Master Plan**) shall not be graded or disturbed except to allow construction of roads, utilities, trails or paths providing access into the featured open spaces. Other significant features, such as large rock out croppings, and significant drainage areas, other than disturbances allowed under the Section 404 permit, shall be preserved except to allow construction of roads, utilities, trails or paths providing access to these significant areas. Cuts and fills are permitted within all slope categories. Cuts and Fills should not exceed 30', provided, however, that cuts/fills may exceed 30' so long as the land is graded and countoured such that the final resulting exposed cut/fill does not exceed 18' in vertical height for any length greater than one thousand feet.. Any resulting exposed cuts/fills exceeding 18' in vertical height for any length greater than one thousand feet shall require approval from the Planning Manager. All walls must meet zoning ordinance requirements except where modified within this document.

- A. Graded slopes within Saddleback will be characterized as follows into the following slope categories:
 - 1. Community Feature Slopes
 - 2. Neighborhood Slopes
 - 3. Residential Lot Slopes
 - 4. Golf Course Slopes and Grading

- B. Each of these slope categories are defined below, and contains its own set of standards. In addition, certain slopes may be characterized as “low visibility”, which are defined as slopes that are not readily visible from either public or private streets within the community. These slopes shall be subject to criteria that are appropriate to areas of low visibility. The following describes in detail each of the slope categories.
 - 1. Community Feature Slopes: Community Feature slopes are located within the community and are in highly visible areas. These slopes will most commonly be found along major roadways and between development parcels. Community Feature slopes will emphasize the look and character of the community. The landforms and landscape will mimic the character of the natural desert, and may be enhanced given the high visibility of these areas. Uniform slopes shall not be allowed and restoration and revegetation shall occur in a timely manner so as not to leave an undisturbed area exposed in a high visibility area. In some instances,

slopes found along community roadways, may not be readily visible; these slopes may be uniform.

2. **Neighborhood Slopes:** Neighborhood slopes are located primarily within the residential neighborhoods within the community. These slopes will be visible primarily from the specific neighborhood but may be visible from community collectors and arterial streets. These slopes shall feature the look and character of the community and reflect the natural character of the surrounding land. Uniform Neighborhood slopes are discouraged but may be permitted in areas of low visibility. Restoration and revegetation of these slopes shall occur in a timely manner so as not to leave an undisturbed area exposed in a visible area.
3. **Residential Lot Slopes:** Residential lot slopes exist within residential areas and are found on individual lots owned and maintained by the individual lot owner. Specific cut and fill slope criteria (Section 14-22A-7-D & Section 14-22A-7-E) have been established that will provide developers and home builders direction for developing both production and custom lots. Most of these slopes will not be visible from collector or arterial streets, Uniform slopes may be permitted and restoration/landscaping will occur with construction of each home.
4. **Golf Course Slopes and Grading:** Notwithstanding anything in this section to the contrary, the maximum height of any cut or fill used to establish a golf course shall not exceed sixty (60) feet without Planning Manager Approval. Cut and fill slopes will be recontoured. Concurrently with the submittal of the site plan for a golf course, a vegetation and contour plan will be submitted to the Planning Manager. The vegetation and contour plan shall require the approval of the Planning Manager: such approval shall be made only upon a finding that the vegetation and contour plan will not be detrimental to the intent of the Hillside Development Overlay District and upon a finding that the plan will advance the City's interest in protecting hillside development area.

C. Cut Slopes

1. Cuts should not be steeper than two to one (2:1) and must average 3:1 for Community Feature Slopes and Neighborhood Slopes. Steeper slopes will be allowed when use of boulder walls or other natural or natural looking material is used to stabilize slope. This average allows for all types of landscape planting including trees. Cut slopes vary in gradient from 2:1 to 4:1 but may be less to create flatter areas for landscape planting (**See Figure 6**). Cut slopes shall be re-vegetated in accordance with section 14-22A- 7-G.
2. Cuts in the Residential Lot Slopes area shall not be steeper than 2:1 on a side lot to side lot basis, up to 12' in height. Slopes greater than 12' in height in a side yard condition may not be steeper than 2:1 unless approved by the Planning Manager. Slopes shall not be steeper than 2:1 on a rear yard condition (**See figure 7**) **without Planning Manager approval.**

D. Fill Slopes

1. Fill slopes shall not be steeper in gradient than 1.5:1, but must average 3:1. Steeper slopes will be allowed when use of boulder walls or other natural or natural looking material is used to stabilize slope. This criterion applies to all Community Feature Slopes and Neighborhood Slopes. Fill slopes vary in gradient from 1.5:1 to 4:1 but may be less to create flatter areas for landscape planting. This average allows for landscape planting of all types, including trees (**See figure 8**).
2. Fill areas in the Residential Lot Slopes area shall not be steeper than 2:1 on a side lot to side lot basis, up to 12' in height. Slopes greater than 12' in height in a side yard condition may not be steeper than 2:1 unless approved by the Planning Manager. Slopes shall not be steeper than 2:1 on a rear yard condition (**See figure 9**).

E. Grade tie-ins

1. Where cut or fill slopes meet existing natural grade, transitions shall be made to mimic or follow the natural movement of the land. Areas where slopes meet natural grade, the slope should be rounded to avoid abrupt grade changes which create unnatural looking conditions. (**See figure 10**).

F. Landscape De-vegetation, Re-vegetation and Restoration

1. Devegetation: Devegetation shall occur per **Article 14-22B, Saddleback Desert Lands Conservation Overlay**. This process requires a Native Plant Permit or multiple Native Plant Permits which must be obtained prior to the destruction, mutilation, removal, or relocation of any protected native plant.
2. Re-vegetation: Re-vegetation shall occur where any area is disturbed for development, and will remain as open space or right of way. Areas of re-vegetation shall mimic the landscape character and match or exceed density of the area prior to disturbance in the following manner. These criteria are intended to supersede Article 14-35 at the discretion of the Planning Manager.
 - a. Community Feature Slopes: These slopes will emphasize the look and character of the community. The Developer is encouraged to re-vegetate these areas to higher plant densities than they were prior to development. These slopes shall feature a wide range of plant material, including plant material that may not have occurred prior to development. In appropriate areas, plant material that is typically found as part of the Oasis Area, as described in **Article 14-22B** shall be allowed. Community slopes that are characterized as "low visibility" may utilize a reduction of plant densities up to 15%.
 - b. Neighborhood Slopes: These slopes will also feature the look and character of the community and reflect the natural character of the surrounding land. Plant densities will be consistent with densities prior to disturbance. In highly visible areas, densities may be increased by as much as 25% to enhance the scenic quality of these highly

visible areas. Neighborhood slopes that are characterized as “low visibility” may utilize a reduction of plant densities up to 15%.

- c. Residential Lot Slopes: Residential lot slopes exist within residential areas and are owned and maintained by the individual lot owner. Specific criteria has been established both in the City’s Design Manual and Saddleback’s Codes Covenants and Restrictions to provide developers and home builders specific direction for landscape requirements on an individual lot basis.
3. Restoration: Restoration occurs where the desert has been damaged or destroyed due to factors outside of the development process. These areas may include, but are not limited to, areas that may have been damaged in a fire or other natural occurrence, disturbed by previous land owners, or areas that are noticeably different from their immediate surroundings. The Developer is committed to restoring previously damaged desert when part of a development parcel. Previously damaged areas that are restored, when part of a development parcel, shall count towards any Natural Open Space (NOS) that may be required for that particular development parcel. The developer, when the disturbed area is part of a development parcel’s open space, shall return the damaged desert area to the same landscape character as the immediate surrounding areas. If large scale and unforeseen damage occurs on the property after the approval date of this document, the City and Developer will work together to determine reasonable Restoration requirements. Salvaged plant material, from other areas of the community, may be used to restore any damaged area within Saddleback. The Developer shall not be required to perform any Restoration activities on the land dedicated to the City as designated open space.

SECTION 14-22A-8 DRIVEWAYS

- A. In the Uplands (areas above 25% in slope), to reduce the visual impact of driveways the following is intended to be an incentive to preserve the natural mountain vistas. Driveways surfaced with paving bricks, colored concrete or with exposed aggregate, colored to blend with existing native color of the site, shall only be included in disturbed area calculations at fifty percent (50%) of their total area.
- B. Any individual driveway cut greater than eight (8) feet in depth shall not have a length greater than one hundred (100) feet; and the maximum height of any cut or fill used to establish a driveway shall not exceed fifteen (15) feet, unless the driveway is designed to minimize disturbance to significant natural features.
- C. In the Uplands (area above 25% in slope) to reduce the visual impact of driveways the following is intended to be an incentive to preserve the natural mountain vistas. Driveways surfaced with paving bricks, colored concrete or with exposed aggregate, colored to blend with existing native color of the site, shall only be included in disturbed area calculations at fifty percent (50%) of their total area.

- D. Any Individual driveway cut greater than eight (8) feet in depth shall not have a length greater than one hundred (100) feet; and the maximum height of any cut or fill used to establish a driveway shall not exceed fifteen (15) feet, unless the driveway is designed to minimize disturbance to natural features.

SECTION 14-22A-9 PERIMETER WALLS, PRIVACY WALLS, RETAINING WALLS AND SPILL SLOPES

- A. The design of all retaining walls and ground coverings shall be prepared by a registered engineer or architect and shall be designed to blend with the surrounding environment and/or development in color, materials and style.
- B. Raw spill slopes are prohibited.
- C. All exposed disturbed area fill shall be contained behind retaining walls or covered with a natural rock veneer and treated with an aging agent and landscaped with indigenous plant material.
- D. Residential retaining walls shall not exceed ten (10) feet in height; non-residential retaining walls shall not exceed twelve(12) feet in height; if additional height is needed, the wall shall be offset at a minimum of four (4) feet or one (1) foot per one (1) foot of height, whichever is greater. View fences not exceeding 8' (eight) feet in height above the highest part of adjacent natural grade may be added to a retaining wall. Increases in the height of view fences may be granted by the Planning Manager provided that the retaining wall contains unique design and materials or other amenity features that, in the determination of the Planning Manager, mitigate the impact of the additional height. (Ord. No. 05-44)
- E. Fences or walls on lots within a hillside district shall be restricted to privacy walls attached to or directly screening a portion of the main residence. Privacy walls shall not exceed six (6) feet in height, shall be architecturally compatible with the main residence and shall be limited to the development envelope area only. Perimeter walls and fences surrounding a lot, tract or parcel shall be prohibited except as provided by Section F of this Article. Privacy walls shall not be erected on a retaining wall and shall be offset a minimum of four (4) feet when utilized.
- F. Within the ten to twenty-five percent (10-25%) slope category only, exceptions to the limitations on fences or walls may be permitted. In those instances where an exception is desired, applicants shall submit a detailed Wall Plan to the Planning Manager for review and action. In conjunction with the submittal of the Wall Plan to the Planning Manager, the applicant shall submit a copy of the Wall Plan to the Engineering Department for review and approval for conformance with all City Grading and Drainage requirements. Wall Plans shall indicate the proposed locations of walls or fences, the proposed materials, colors and design of any wall or fence, and fence construction and disturbance mitigation measures. Such plans shall be accompanied by a narrative explaining the reasons why such an exception should be made. Upon completion of the review of the Wall Plan by the Planning Manager, and following the review and approval of the Wall Plan by the Engineering Department, the Planning Manager may approve the Wall Plan. Wall Plans may be approved by the Planning Manager upon a

finding that the proposed location and design of the wall(s) is in accordance with this Article and further that the proposed wall will not be contrary to the intent and purpose of this Article.

- G. Perimeter walls or fences approved by the Planning Manager or designee within the ten to twenty-five percent (10-25%) slope category and abutting an open space area or tract, shall be a maximum of six feet eight inches (6'-8") in height with no more than three (3) feet being constructed of a solid or opaque material. That portion of the wall or fence not constructed of a solid or opaque material shall be open in design and may not include chain link or wood materials. Notwithstanding the foregoing, walls exceeding six (6) feet eight inches in height and constructed of solid or opaque material may be approved by the Planning Manager if the wall is for the purpose of screening non-residential uses.
- H. All fences and walls within a Hillside Development Area shall be required to obtain a fence permit from the Community Development Department, in addition to all other necessary City of Peoria permits, prior to the initiation of any fence or wall related construction activities.

SECTION 14-22A-10 LIGHTING, SEWERS, UTILITIES

- A. All outdoor lighting concepts, fixture types, lamps and wattage shall be indicated on the site plan.
- B. Connection to a public sewer system is required in connection with Chapter Twenty-Five (25) of the City Code where available.
- C. All, subdivision scale, on-site utilities shall be placed underground. Smaller utilities such as telecom pedestals, cable pedestals and transformers will be allowed to be above ground as well as other utilities based on reasonable utility and engineering standards.

SECTION 14-22A-11 MOUNTAIN RIDGE PROFILE

Within a hillside development area and above the twenty-five percent (25%) slope line, no construction shall occur which will alter the mountain top profile and no building or structure shall be constructed which will project above a ridge line of significance when viewed from adjacent properties not a part of Saddleback. Ridge lines of significance have been identified and indicated on **Exhibit L, Preservation Master Plan**.

Prior to the issuance of any building permits, cross-sections shall be submitted showing the relationship of the proposed development with established mountain top ridge lines and ridge lines of significance when applicable.

SECTION 14-22A-12 SUBMITTAL REQUIREMENTS FOR CONSTRUCTION IN THE HILLSIDE OVERLAY AREA

- A. In addition to drawings, plans, specifications and details necessary to obtain a building permit, the following documentary requirements and certifications shall be provided for staff review:
1. A topographic map at an appropriate scale on a 24" x 36" sheet presenting the total lot and a twenty (20) foot area beyond the property line shall be submitted with the application. This map shall show existing and proposed finished contours at two (2) foot intervals within a twenty (20) foot perimeter from any proposed building, five (5) foot intervals elsewhere. Existing contours shall be shown with dashed lines. This map shall show limits of excavation and fill, slope of cut and fill, total cubic yards of excavation and fill. The location and area of the sewage disposal systems, if public sewers are not provided.
 2. Detailed site plans and landscape plans at an appropriate scale, shall be submitted with each application and shall include, but not be limited to, the following: grade and slope in percent at all disturbed areas. Dimensions and calculations of all cut and fill for the building site, roads, drives, swimming pools, and the method of concealment for each fill or exposed cut. Dimensions of length and height of retaining walls, fences and other attachments; the location and grade of all drainage channels, swales, drain pipes, etc. The amount and degree of surface disturbance, destruction or removal of natural vegetation. Protected desert vegetation shall be preserved in an appropriate manner in accordance with the Saddleback Desert Lands Conservation Overlay district. (Article 14-22B)
 3. Cross sections at 1:1 scale, at two (2) or more locations perpendicular to the contours through the building site. Location of the cross-sections shall be clearly shown on the topographic map. Properties impacting ridge lines shall provide additional cross-sections indicating their relation and impact on such ridge lines as established in Section 14-22A-11.
 4. An overall excavation, grading and drainage plan shall be prepared in accordance with sound professional engineering practices and to address minimum standards adopted by the City. Said plans shall be prepared and certified by a professional engineer registered in the State of Arizona. If any drainage structures or culverts are involved, it will be necessary to include calculations for peak flows for a 100 year storm to establish appropriate drainage facilities, cross-sections and details. Storm water diverted from its original drainage pattern shall be returned to its natural course before leaving the property.
 5. Where possible and appropriate on less complex lots and lots with acceptable site conditions, the combining of the above maps into one drawing may be acceptable.
 6. The Planning Manager, or their designee, may require an accurate oblique view architectural rendering in color; showing the appearance of the building, lot, landscaping, and skyline. The Planning Manager may also require a model if determined necessary to evaluate the project. The model may be a three dimensional physical model or it may be a

computer generated model in a three dimensional format and presented by a series of prints or by a disc that can be viewed on a monitor. The rendering and the model will remain in the custody of the Planning Manager until a Certificate of Occupancy is issued. On the rendering or attached thereto, the applicant shall list all colors depicted on the exterior of all structures according to Section 14-22A-54.C.

7. Plans for any structure to be constructed on any land governed by these Hillside Regulations shall be sealed by a registered engineer or architect.
8. The plans for any hillside development of any kind or nature whatsoever, must be approved by the staff and appropriate permit(s) issued, before any grading, bulldozing, blasting, or movement of earth is commenced.

SECTION 14-22A-13 RESERVED

SECTION 14-22A-14 INSPECTIONS

- A. Inspections may be made to insure compliance with this Article.
- B. Prior to the inspection of property, an authorized employee shall attempt to obtain the consent of the property owner or representative pursuant to this Article. If consent is denied, the employee may conduct an inspection as permitted pursuant to applicable state or federal law.

SECTION 14-22A-15 ENFORCEMENT / COMPLIANCE

- A. Violations should be reported by the City to the property owner, together with a Compliance Order describing the measures required to correct the violation(s). Failure to comply with the terms of a Compliance Order shall constitute a violation of this Article.
- B. In those instances where a Site Disturbance Activity has commenced within a Hillside Development Area without an approved Slope Category Determination Study or where another violation of this Article has occurred, the City may issue a Stop Work Order to terminate immediately all development or construction related Site Disturbance Activity on the site, parcel or property. In addition, the City may revoke any or all of the permits issued by the City for the site, parcel or property. Upon the issuance of a Stop Work Order, the responsible party shall immediately terminate all activities on the site and then contact the City of Peoria Planning Division regarding what measures should be taken to eliminate any problems resulting from the development activity. Failure to comply with the terms of a Stop Work Order shall be a violation of this Article.
- C. Violations of this Article are subject to prosecution by the City of Peoria as a Misdemeanor violation under the City Code and shall be punishable as provided by law.

SECTION 14-22A-16 DEFINITIONS

Alter the Mountain Top Ridge Line. Means to alter or change the view or appearance of an established ridge line or ridge line of significance with cuts, fills or structures when viewed from a distance.

Construction Envelope. A specific area defined by the sum of the maximum allowable disturbed area plus the maximum coverage allowed for the lot or parcel.

Custom Lot. A lot which can be irregular in shape and size, and gives the lot owner the ability to design a completely unique home.

Cut. The land surface which is shaped through the removal of soil, rock, or other materials.

Disturbed Area. That area of natural ground that has been or is proposed to be altered through grading, cut and fill, removal of natural vegetation, placement of material, trenching, or by any means that causes a change in the undisturbed natural surface of the land or natural vegetation.

Disturbed Area Reclaimed. Disturbed areas may be reclaimed if they are restored to their natural Formatted: Font: Bold, Italic contours, vegetation and colors to the satisfaction of the Staff.

Fill. The deposit of soil, rock, or other materials placed by man.

Finished Grade or Newly Established Grade. The final grade and elevation of the ground surface after grading is completed.

Grading. Any excavating, or filling or combination thereof, including the conditions resulting from any excavation or fill.

Hillside Development Area. Building areas, other than sloped areas within washes and rivers, with a building site slope of ten percent (10%) or greater, measured as a vertical rise of ten (10) feet in a horizontal distance of one hundred (100) feet.

Landscape Development Areas: Areas within a site with different recommended plant palettes based on their proximity to natural open space, soil stabilization attributes and the desired visual character for the area.

1. **Oasis Area:** A landscaped area consisting of enclosed courtyards, similar semiprivate areas and other areas located within the Disturbed Area where the use of Native Sonoran, Sonoran Character and Arid Zone plants are strongly encouraged, but where Exotic Zone plants are also allowed.
2. **Transitional Areas:** A landscaped area consisting of open backyards, commercial and public areas, streetscapes and common areas where use of Arid Zone plants is limited to 30% by area and where a buffer of Native Sonoran Zone plants is required at the perimeter of the lot or parcel or between the Disturbed Area and Natural Open Space.
3. **Buffer Area:** A landscaped area consisting of open areas adjacent to preserved wash corridors and Natural Open Space areas where the use of plants is limited to the Native Sonoran Zone palette.

Mass Grading. A technique used to significantly alter the landforms of a relatively large area.

Natural Grade. The grade and elevation of the ground surface in its natural undisturbed state.

Natural Open Space. Areas dedicated for public ownership or retained in private ownership containing naturally occurring conservation features and accreted Sonoran Desert that have not been altered except to allow decomposed granite trails (private or public) in accordance with ADA

guidelines, roadways and utility easements as necessary.

Retaining Wall. A retaining wall is a wall used solely to retain more than eighteen inches (18") of material but not to support or to provide a foundation or wall for a building.

Site Disturbance Activity. Any action which results in a cutting of the natural soil grade, creation of an un-natural soil fill or movement of a significant natural landscape feature. A Site Disturbance Activity may include, but not be limited to the following activities: digging, trenching, filling, drilling, grading or clearing.

Slope Category Determination Study. A detailed study of the topography and slope of a development site, parcel or property. The study shall include a detailed graphic showing all slope areas on the site utilizing the methodologies established in this Article and shall be composed of both graphical, numerical and textual information.

Spill. To cause or allow earth or other material to fall, flow or run down a slope, thereby creating a change in the natural appearance and topography.

Vertical Exposed Face: A remaining unimproved exposed area of earth as a result of grading that is vertical in nature or appears to be vertical in nature (rising more than five (5) feet per every one (1) foot.

2.1.8 SLOPE ANALYSIS CALCULATIONS

SADDLEBACK HEIGHTS DEVELOPMENT VILLAGE SLOPE CALCULATIONS– TABLE 6				
SLOPE CATEGORY	DEVELOPMENT VILLAGE 'A' TOTAL ACRES	DEVELOPMENT VILLAGE 'B' TOTAL ACRES	DEVELOPMENT VILLAGE 'C' TOTAL ACRES	DEVELOPMENT VILLAGE 'D' TOTAL ACRES
0% - 10%	306.36	190.52	629.96	57.91
10% - 15%	276.54	192.65	214.94	9.30
15% - 20%	259.69	216.09	179.36	5.10
20% - 25%	244.98	207.95	166.87	3.82
25% - 30%	216.14	181.97	162.29	2.97
30% - 35%	174.19	150.17	157.91	2.06
35% - 40%	117.77	109.57	142.50	1.09
40% +	155.91	187.19	336.56	1.08
TOTAL	1751.58	1436.12	1990.25	83.33

*Acres are net and are in accordance with the ALTA survey prepared by Wood Patel in 2008.

2.1.9 GENERAL DEVELOPMENT STANDARDS

2.1.9.1 Landscape Standards

The landscape requirements for Saddleback Heights shall be as approved through the Landscape Plan for the Property in accordance with the provisions of Section 14-35 of the Zoning Ordinance. The Landscape Plan shall meet the minimum development standards established by Article 14-35 of the Zoning Ordinance or as otherwise may be approved by the Planning Manager through a Master Landscape Plan.

a. Landscape Design Concept

As mentioned in Section I team overview, the Saddleback Heights Development Team has a history of working in sensitive desert environs throughout the southwest United State, including Peoria, Arizona. The landscape standards for Saddleback Heights will be created to preserve the unique Sonoran desert and the biological communities within it. With an abundance of mature Sonoran and high Sonoran plant materials and species already within the project, it is natural to create landscape palettes and plans that celebrate the natural character of the high Sonoran landscape.

A true balance between the man-made and natural environments is always the desired effect. The Saddleback philosophy embraces that concept and strives to incorporate the diverse native plant palette found in the Sonoran desert and create a community with a character and texture as rich as the natural high Sonoran environment. The Team has studied, at length, the site and surrounding areas to understand the existing wildlife and native plant communities of Saddleback Heights and utilize that understanding to create the community landscape palettes.

The plant communities within Saddleback Heights and the Sonoran desert are strongly related to elevation. Within the project the diverse elevation, rolling terrain, and north-south exposure create uniquely diverse plant communities and landscape zones.

Where the natural desert has been disturbed, Saddleback will require revegetation using the Saddleback Landscape Palette. The existing mature plant materials that are available on the site will be a valuable resource. A temporary nursery will be established for the care of plant materials until they are transplanted.

Native plants will be the central theme of the community and the native plant material salvaged from the site will provide strong design and visual elements for Saddleback. It will allow development to seamlessly blend into the preserved natural desert areas with a similar maturity, size, and density of existing plant material.

b. Design Approach

As previously mentioned the Design Team has done extensive research of the project site and surrounding areas and have created design approach that utilizes the high Sonoran Vegetation. The five (5) concepts that form the landscape design approach of Saddleback are as follows:

- *Native vegetation is the predominant influence of design and shall be preserved or salvaged to greatest extent possible.*
- *Maintain simplistic and understated planting design.*

- *Native granular soils provide a consistent, desirable character and shall be maintained as a top dressing on all landscape areas.*
- *Revegetation shall maintain a density of the immediately adjacent natural desert.*
- *Allow a combination of native and desert adapted plant material within a restricted palette to increase color, texture and interest along residential.*

c. Landscape Area Definitions

Within the project, five (5) landscape classifications have been identified to create a hierarchy in the landscape. These areas are intended to transition the undisturbed natural desert areas with various development considerations. Landscape zones are intended to seamlessly blend various classifications yet establish a unique identity for the Saddleback project amongst similar desert oriented master planned communities. Specific plant species are designated for use in each of the following defined areas:

i. Undisturbed Areas

The natural, undisturbed desert must be preserved to the greatest extent possible. Development plans must clearly indicate limits of disturbance. These areas must be roped off and protected throughout the development process. No enhancement or alterations are allowed unless specifically identified and approved.

ii. Native Areas

Native areas are defined as areas planted with materials found in the Sonoran Desert (may not be indigenous to this property). Planting is intended to emulate native character and densities. Native areas are intended to abut other natural or undisturbed areas, wash corridors and arterial roads running through the project. These areas are intended to be low maintenance and naturalize with minimal supplemental irrigation.

iii. Riparian Areas

The landscape character of wash areas are intended to supplement and enhance the natural riparian character and unique plant palette found in wash corridors that run through the project. Modifications to native arroyos and proposed retention areas shall incorporate the specific palette and design criteria established for these unique plant communities.

iv. Transition Areas

Transition areas are distinguished by an expanded list of low water use plants that offer a wider range of color, texture, and compliment the native palettes. Plantings in this zone are generally found in greater densities than natural areas and require a permanent drip irrigation system. Transition areas include major streetscapes, recreation areas, commercial, residential parcels, and front yards. The transition palettes offer a wider range of plants to add shape, height, color, and texture diversity. Planting shall maintain a simplistic, understated design that reinforces the native character of Saddleback.

v. Private Areas

Private areas are defined as enclosed and semi-enclosed areas obscured from view by structures or walls above 3' in height. Planting within these areas may utilize a higher density and diversity of plants beyond those identified on restricted plant palettes. Plant restrictions include varieties that exceed 35' in height and those listed on the prohibited plant list.

d. Native Plant Inventory and Relocation Program

For each phase of development, a Native Plant Inventory and Relocation Program will be submitted for the preservation of all protected trees and cactus. The inventory shall be prepared on a proposed site plan with a photographic aerial overlay to clearly show native outcroppings and adjacent conditions. The site plan information will include property lines, grading limits, proposed facilities, interior lot lines, utilities and any required easements.

The relocation program must provide a summary of plants with their respected size and variety. Plants shall be classified as salvageable, unsalvageable or to remain in place. The relocation program shall also include location of a temporary nursery, temporary watering system, boxing technique, fencing, maintenance considerations and final cleanup.

Refer to construction guidelines for specific requirements and outline. Native Creosote, Jojoba, and Bursage shall also be made available for spading or replanting on other parcels prior to mass grading sites.

e. Turf Areas

Turf areas may be selectively used throughout the project in applications that demonstrate a functional recreational use. These include trail heads, pocket parks, retention basin, community parks, school, enclosed portions of residential yards and other public use areas. Turf areas shall be bordered by a concrete header or other hardscape element. Turf areas shall be installed as a non-pollinating hybrid (midiron or equal) and be over seeded with perennial rye between the months of November through May.

f. Shaping and Grading

All landscape areas disturbed by construction shall be fine graded and altered for a naturalistic random character that blends with native areas or adjacent facilities. Engineered grades shall be softened through the use of variable side slopes, rounded transition along top and toe, shaping to the finish surface to compliment native land forms and extend across property lines whenever possible.

g. Native Topdressings

Native granular soils are a predominant element of the landscape design that shall be preserved and replicated in landscape areas. Native soils consist of granular fines generally 2" and below. Topdressing along all revegetated landscape areas shall maintain a similar character and color. Remove all rocks above 2" in diameter and broom finish for a naturalistic character to blend with adjacent native undisturbed conditions. Decomposed granite may only be used on enclosed landscape areas.

h. Irrigation Design

The irrigation system is intended to be designed in a manner which is responsive to environmental considerations, the most important being water conservation. The goal of water conservation must be achieved through efficient application of water and water management.

An efficient irrigation system is made possible through proper design, incorporating latest technology and using water management tools. It is very important that the design allow for methods to manage the delivery and application of water to individual landscape areas.

2.1.9.2 Wall/Fencing Standards

The wall and fencing standards for the Property shall be in accordance with Section 14-3of the Zoning Ordinance or as otherwise may be approved by the Planning Manager through a Master Walls and Fence Plan.

2.1.9.3 Sign Standards

The sign standards for Saddleback Heights shall be as approved through a Comprehensive Sign Plan in accordance with the provisions of Article 14-34of the Zoning Ordinance and all signs shall be by separate permit or as otherwise approved by the Planning Manager through a Master Sign Plan.

2.1.10 AMENDMENTS

It is contemplated by the Developer and the City that the Saddleback Heights PC District may need to be amended from time to time as development occurs. Any amendment to the PC District shall be processed in accordance with the following criteria:

- a. Amendments to the PC District "Development Plan" or "Standards Report" may be requested by the applicant or its successors. Amendments to the approved PC District shall be delineated as major or minor amendments. Amendments to the approved PC "Development Plan" and "Standards Report" may be limited to one or more "development units" and any proposed change will not affect development units not included in the proposed amendment.
- b. Upon receipt of an amendment application to the Planning Division, the Planning Manager shall determine if the proposed amendment constitutes a major or minor amendment.
- c. Major Amendments. If the Planning Manger determines the amendment to be a major, the amendment request shall be processed in the manner set forth in Article 14-36-.
- d. An amendment will be deemed major if it involves any one of the following:
 - i. A change in the overall PC District Boundary; or
 - ii. An increase in the total number of approved dwelling units or gross leasable area (GLA) for the overall PC District; or
 - iii. A significant change to the approximate boundary of one or more "development unit(s)" from that approved in the PC District, as determined by the Planning Manger. A change to an individual development unit generally shall be deemed to be significant if it represents a 10% increase to the approximate gross area of the development unit as approved in the PC District.
 - iv. An increase of 10% or more of the approved number of projected dwelling units or gross leasable area (GLA) for an individual development unit.
 - v. Any change in land use or density that is likely to negatively impact or burden public facilities and utilities infrastructure as determined by the City Engineer.

- vi. Any change in land use or density that is likely to negatively impact or burden circulation adjacent to the PC District or to the overall major street system as determined by the City Engineer.
 - vii. Any other proposed change to the "Development Plan" and/or "Standards Report" which substantively alters one of more components of the PC District as determined by the Planning Manger.
- e. **Minor Amendments.** Amendments not meeting one or more of the criteria listed in subsection (D) shall be considered *minor*. If the Planning Manager determines the amendment to be *minor*, the Planning Manger may administratively act on the amendment and attach stipulations or conditions for approval thereto, to protect the public health, safety and welfare.
- i. If the amendment proposes a change to the Development Plan Map, notice of the proposed minor amendment shall be mailed to each owner of property as last disclosed by County Assessor records, situated wholly or partly within three hundred (300) feet to the affected development unit(s) to which the amendment relates. For purposes of giving mailed notice, the Planning Manger shall require the applicant to furnish the names and addresses and stamped/addressed envelopes of all affected property owners as determined above. If the amendment proposes any other change to the "Development Plan" or "Standards Report", including but not limited to, text changes or changes to the development standards of the "Standards Report," notice of the minor amendment shall be published within a newspaper of general circulation.
 - ii. If written protest to any minor amendment is received from any notified property owner within ten (10) days of the notification mailing date in the case of mailed notice, or within ten (10) days of the final date of advertising in the case of published notification, 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.

If written protest is not received as described above, the Planning Manger shall render a decision on the minor amendment request. The Planning Division decision shall be final unless appealed under Article 14-36. The Planning Manger or assigned designee, shall send copies of the decision to the applicant, interested parties of record and members of the Planning and Zoning Commission.

2.1.11 DEFINITIONS

CLUSTER UNITS – dwelling units that are designed into compact areas in order to preserve natural features and preserve open space areas. They may be attached or detached.

DEVELOPMENT VILLAGE – a sub-area defined by the PC District Planned Community Plan containing multiple parcels.

MIXED USE DEVELOPMENT – is intended to provide a variety of community and regional uses in one geographic area located at significant intersections that will allow both access and viability for the uses. Mixed-use development will provide the opportunity for service and retail sales, office, employment, entertainment, parks and recreation, as well as, multi-family residential housing.

MIXED USE BUSINESS PARK OVERLAY – is intended to provide a variety of community and regional uses in one geographic area located at significant intersections that will allow both access and viability for the uses. Mixed-use development will provide the opportunity for service and retail sales, medical, office, employment, entertainment, parks and recreation, as well as, multi-family residential housing.

PARCEL - A portion or plot of land such as a subdivision, plat or site plan, a division of a larger area, such as a Development Village.

RESORT OVERLAY DISTRICT- The Resort Overlays denote areas that due to their natural features and scenic qualities may be preserved for resort development. Resort developments should preserve these qualities and provide a range of residential densities (including casitas, timeshare residential, and other housing types) in association with a resort hotel that includes recreational/leisure activities in addition to appropriate supporting commercial/service uses. The underlying land use designation for the Resort Overlay is either Residential-Low Density or Residential-Medium Density.

TOWN CENTER OVERLAY – The Town Center may include restaurants, a theater, a grocery, light retail, and non-retail services such as small office(s). The scale of the Town Center is such that it serves the adjacent residents, with some opportunity to draw from outside the

immediate community. The smaller scale generates less traffic and allows the Town Center to be located on collector level roadway. The underlying land use designation is Residential-Medium Density.

2.1.12 ZONING MAP EXHIBIT F

SADDLEBACK HEIGHTS

Zoning Map

Exhibit F

LEGEND

-  Saddleback Heights Residential (SHR)
-  Limited Commercial Overlay
-  Mixed-Use (MU)
-  Town Center Overlay - 55.8 Ac.
-  Resort Overlay - 387.52 Ac.
-  Mixed-Use Business Park Overlay - 179.5 Ac.
-  Golf Course Study Area
-  Development Village Boundary
-  Arterial Road Alignment
-  Collector Road Alignment
-  Potential Road Alignment
-  Offsite Road Alignment
-  APS Certificated Corridor

NOTES:

1. Saddleback Resort Overlay District (SH-RO) is an overlay district that applies to all land zoned SHR. The SH-RO allows two (2) potential resort sites including a maximum of 800 keys.
2. Resort Overlay may be relocated within the PCD boundary as a minor amendment.
3. Though four (4) potential golf course study areas exist within Saddleback, only three (3) may be developed.
4. The "*" preceding the "Units" totals of each Village denotes that the unit totals within each village may vary provided the Total Units within the privately held acres does not exceed 8,269 Units.
5. Limited Commercial Overlay Maintains the underlying zoning of SHR until such time that the Overlay is designated for commercial development. The commercial development may not exceed 25 Acres or have a single tenant greater than 75,000 s.f.



NORTH

SCALE: N.T.S.
DATE: 02 July 2012
Revised: 24 February 2014

PREPARED FOR:

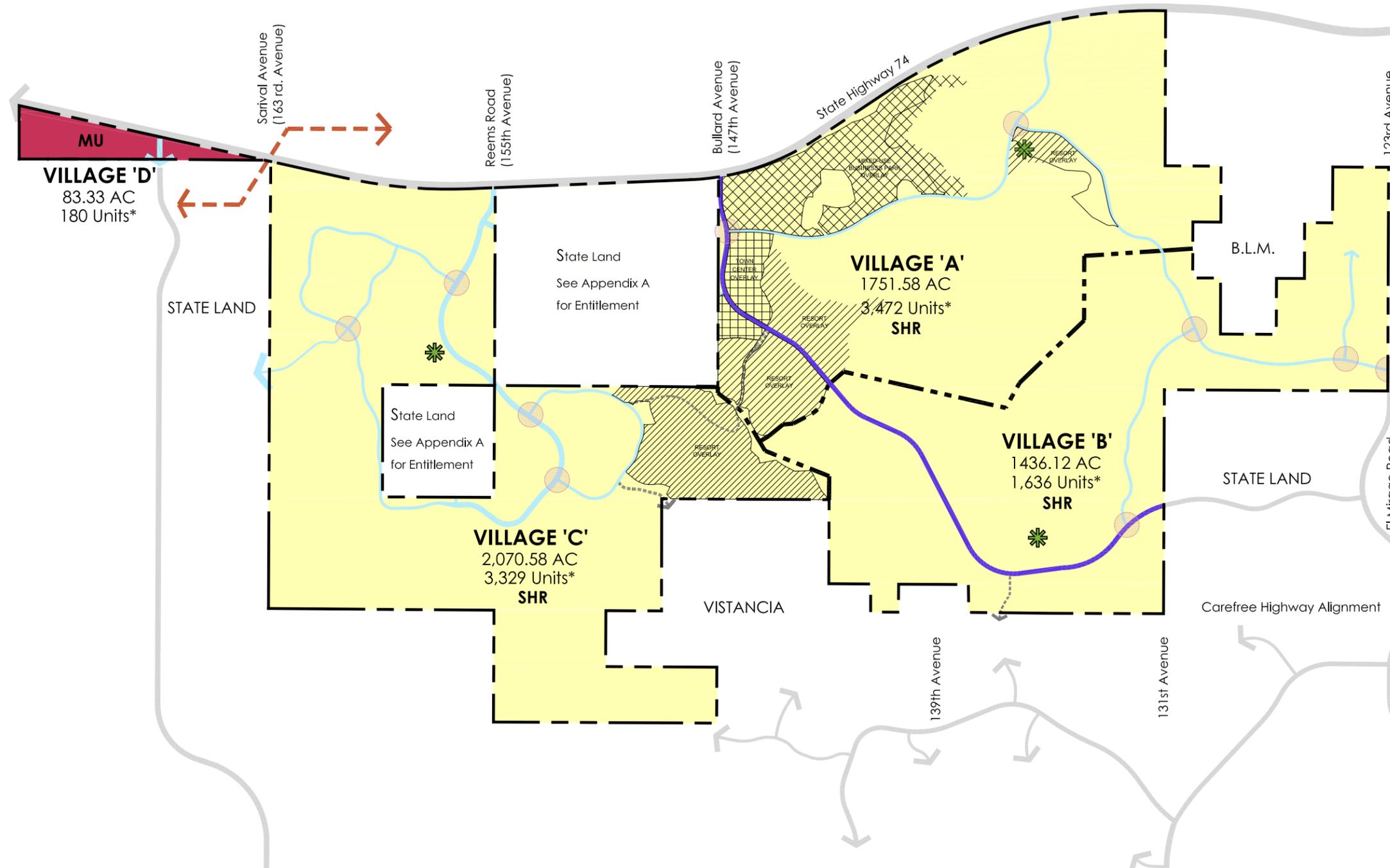


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2.1.13 PLANNED COMMUNITY PLAN EXHIBIT G

SADDLEBACK HEIGHTS

Planned Community Plan

Exhibit G

LEGEND

-  Saddleback Heights Residential (SHR)
-  Limited Commercial Overlay
-  Mixed-Use (MU)
-  School
-  Conceptual Park Location
-  Police / Fire
-  Town Center Overlay - 24.0 Ac.
-  Resort Overlay - 387.52 Ac.
-  Mixed-Use Business Park Overlay
-  Potential Open Space Links
-  Golf Course Study Area
-  Development Village Boundary
-  Arterial Road Alignment
-  Collector Road Alignment
-  Potential Road Alignment
-  Offsite Road Alignment
-  APS Certificated Corridor

NOTES:

1. Saddleback Resort Overlay District (SH-RO) is an overlay district that applies to all land zoned SHR. The SH-RO allows two (2) potential resort sites including a maximum of 800 keys.
2. Resort Overlay may be relocated within the PCD boundary as a minor amendment.
3. Though four (4) potential golf course study areas exist within Saddleback, only three (3) may be developed.
4. The "*" preceding the "Units" totals of each Village denotes that the unit totals within each village may vary provided the Total Units within the privately held acres does not exceed 8,269 Units.



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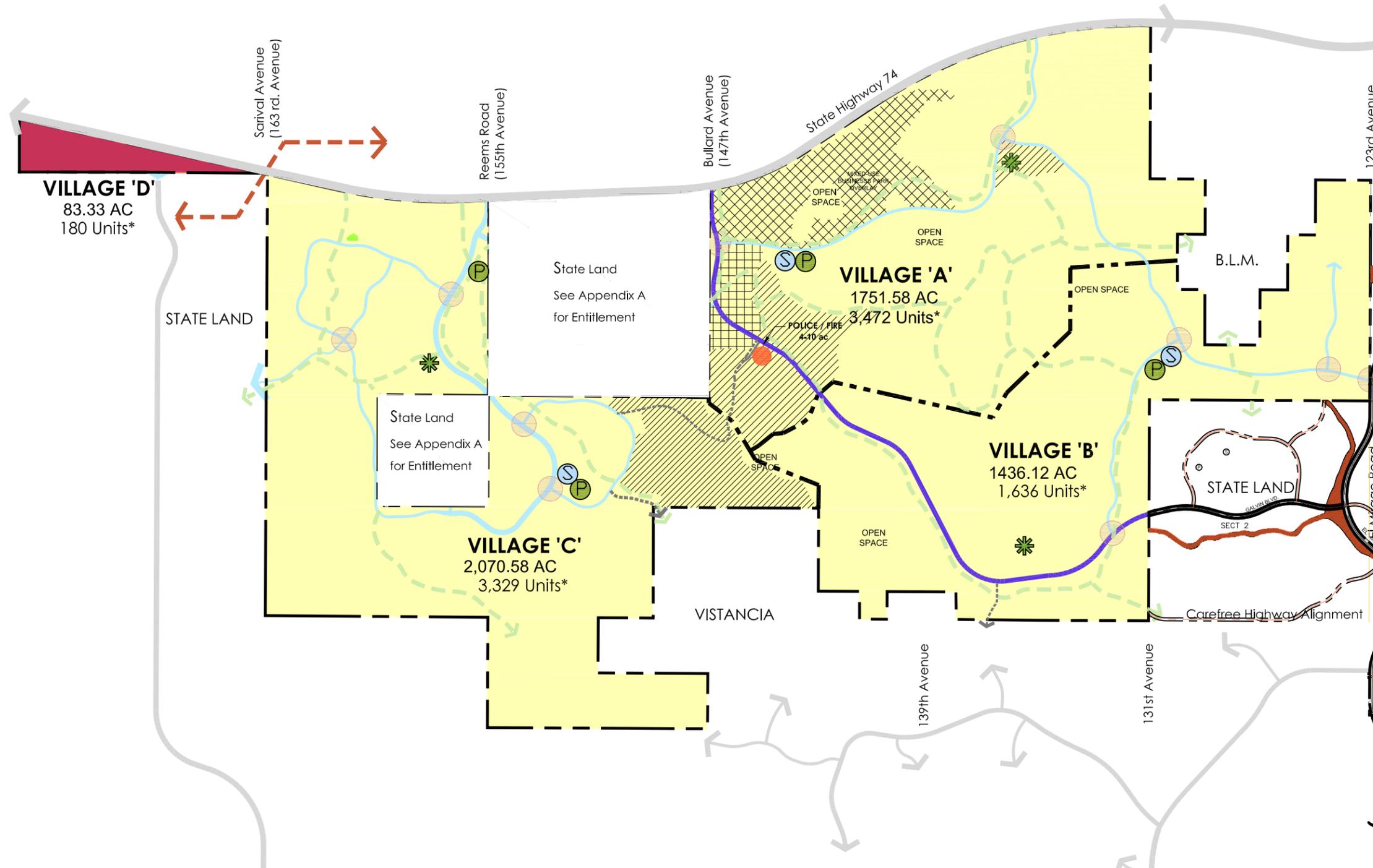


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2.1.14 CONCEPTUAL LAND USE PLAN EXHIBIT H

SADDLEBACK HEIGHTS

Conceptual Land Use Plan

Exhibit H

LEGEND

-  Open Space Area
-  Offsite Open Space Links
-  Conceptual Park Location
-  SRE - Res. (0 - 2.0 Du/Ac)
-  SLD - Res. (1.0 - 5.0 Du/Ac)
-  SMD - Res. (3.0 - 8.0 Du/Ac)
-  SC - Res. (6.0 - 12.0 Du/Ac)
-  Mixed Use (15 Du/Ac)
-  Limited Commercial Overlay
-  Community Commercial (Town Center Overlay)
-  Resort Overlay (Not To Exceed 800 Keys Total)
-  Mixed-Use Business Park Overlay
-  Potential School Location
-  Conceptual Police / Fire Location
-  Golf Course Study Area
-  Minor Arterial Alignment
-  Minor Collector Alignment
-  Potential Road Alignment
-  Offsite Road Alignment
-  APS Certificated Corridor



NOTE:

1. All land use illustrated on this exhibit, except for commercial and mixed-use, have an underlying zoning of Saddleback Heights residential. All uses are conceptual in nature and are subject to change and modification at anytime. The uses illustrated are governed by Section II and Section III of the Saddleback Heights P.C.D. document.
2. All School and Park locations are conceptual and are subject to change.



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2.1.15 CONCEPTUAL TYPICAL PRODUCT EXAMPLES EXHIBIT I1-4



SADDLEBACK HEIGHTS

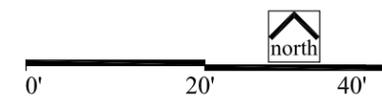
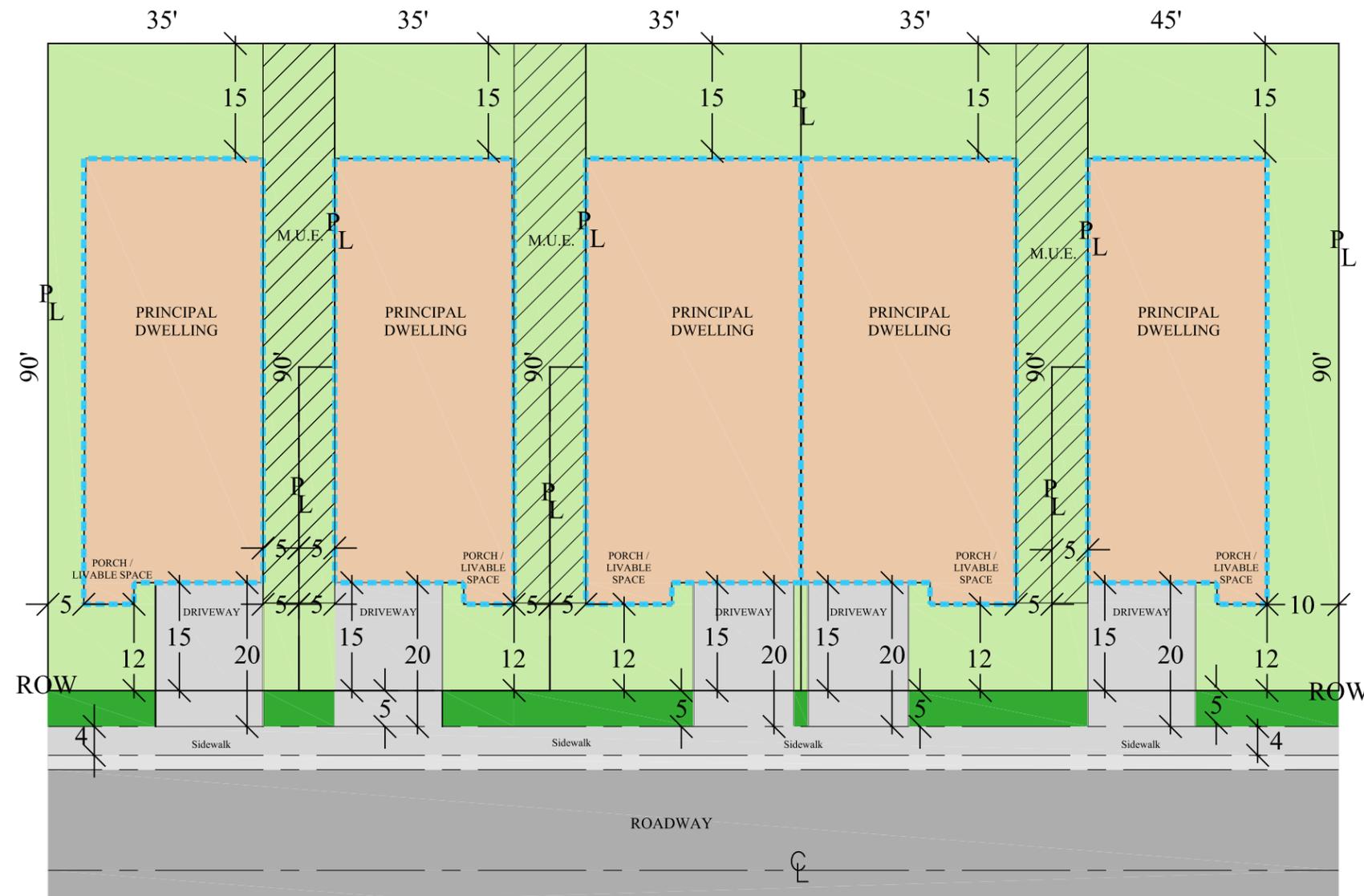
CONCEPTUAL CLUSTER - Z LOT EXAMPLE

Exhibit I -1

PRODUCT / LOT STANDARDS

Zoning District - Various	
Min. Lot S.f.	= 4,000
Min. Lot Width	= 35'
Min. Outdoor Living Area	= 500 S.F
Max. Lot Coverage	= 65%
Min. Front Setback	= 12'/20**
Min. Rear Yard Setback	= 15'
Min. Side Yard Setback	= 0'/5'
Max. Building Height	= 30'

*12' measured from ROW to side entry garage, porch or livable area. 20' measured from back of sidewalk to face of garage door.



Scale: 1"=20'
Date: 24.FEBRUARY.2014

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SADDLEBACK HEIGHTS

CONCEPTUAL SLD & SMD LOT EXAMPLES

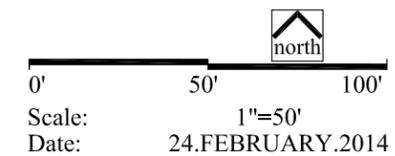
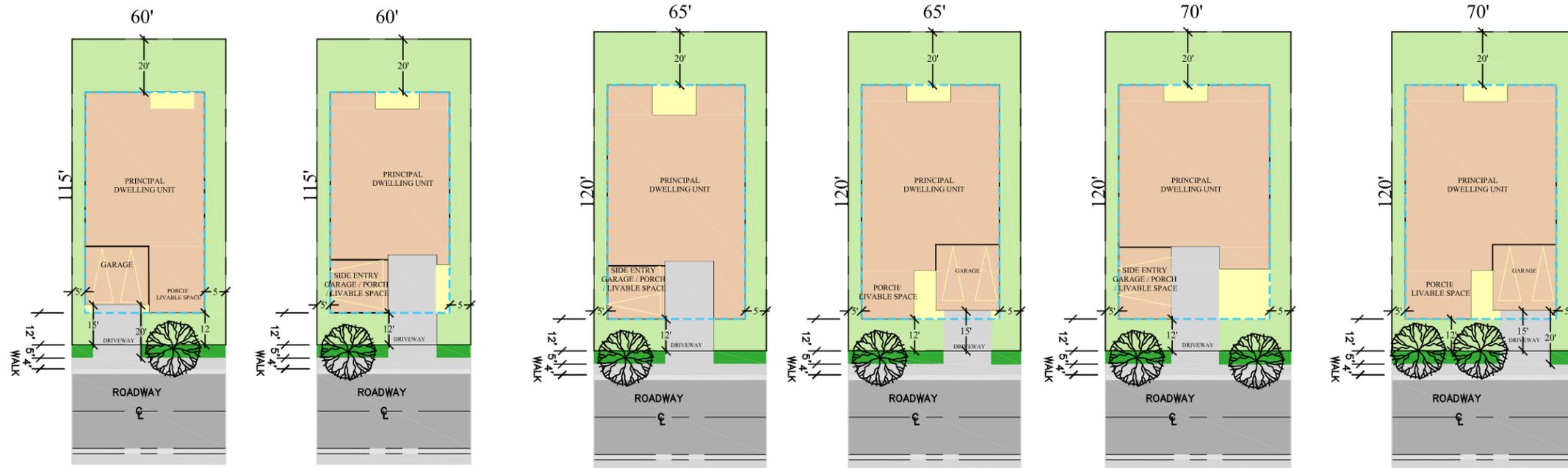
Exhibit I-2

PRODUCT / LOT STANDARDS

Zoning District - SLD & SMD

Min. Lot S.f.	= 4,500
Min. Lot Width	= 50'
Max. Lot Coverage	= 55%
Min. Front Setback	= 12'/20'*
Min. Rear Yard Setback	= 20'
Min. Side Yard Setback	= 10' aggregate
Max. Building Height	= 30'

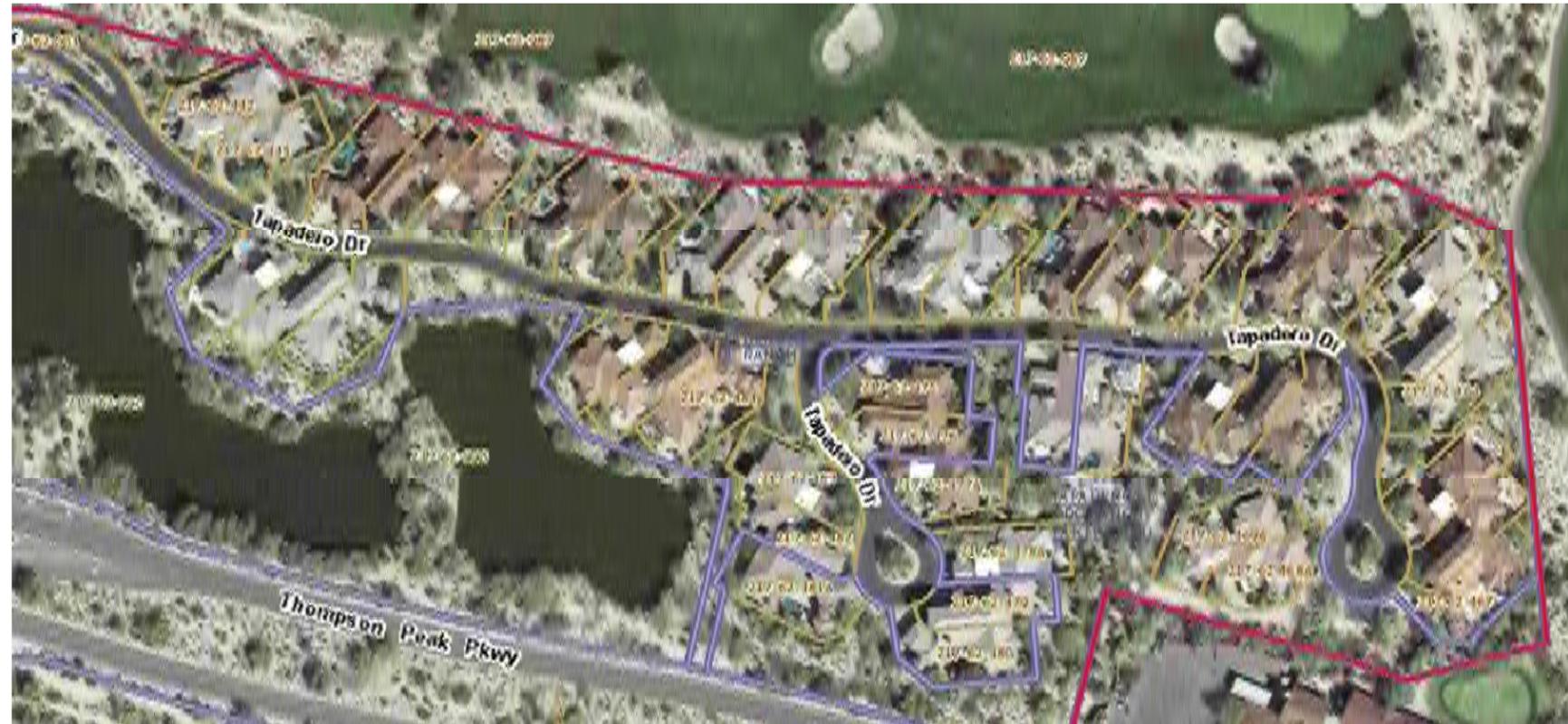
*12' measured from ROW to side entry garage, porch or livable area. 20' measured from back of sidewalk to face of garage door.



SADDLEBACK HEIGHTS

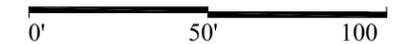
CONCEPTUAL COTTAGE & CLUSTER EXAMPLES

Exhibit I -3



PRODUCT / LOT STANDARDS

Zoning District - Various	
Min. Lot S.f.	= 3,500
Min. Lot Width	= 35'
Min. Outdoor Living Area	= 500 S.F
Max. Lot Coverage	= 65%
Min. Front Setback	= 12'/20**
Min. Rear Yard Setback	= 15'
Min. Side Yard Setback	= 0'/5'
Max. Building Height	= 30'



Scale: 1"=50'
Date: 24.FEBRUARY.2014

SADDLEBACK HEIGHTS

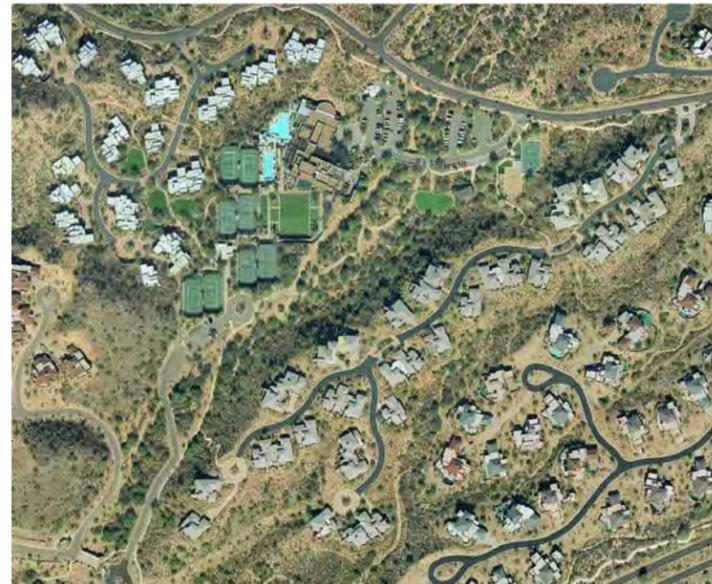
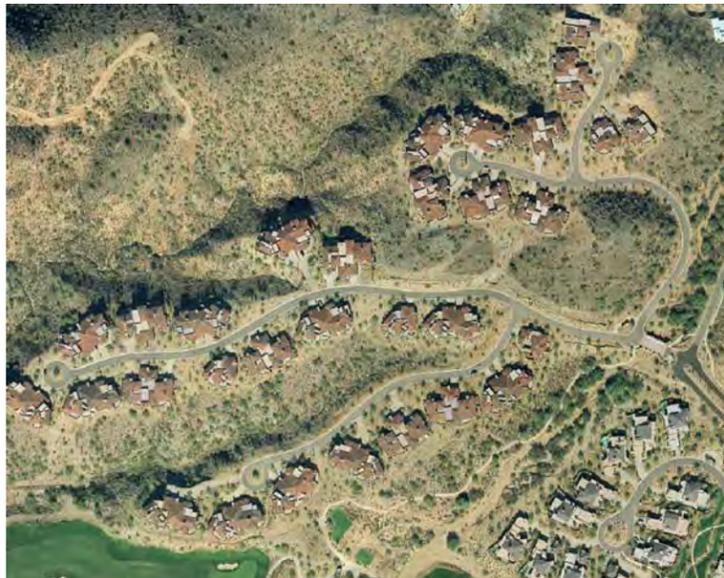
CONCEPTUAL COTTAGE & CLUSTER EXAMPLES

Exhibit I -4



PRODUCT / LOT STANDARDS

Zoning District - Various	
Min. Lot S.f.	= 3,500
Min. Lot Width	= 35'
Min. Outdoor Living Area	= 500 S.F
Max. Lot Coverage	= 65%
Min. Front Setback	= 12'/20**
Min. Rear Yard Setback	= 15'
Min. Side Yard Setback	= 0'/5'
Max. Building Height	= 30'



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2.1.16 SLOPE ANALYSIS EXHIBIT J

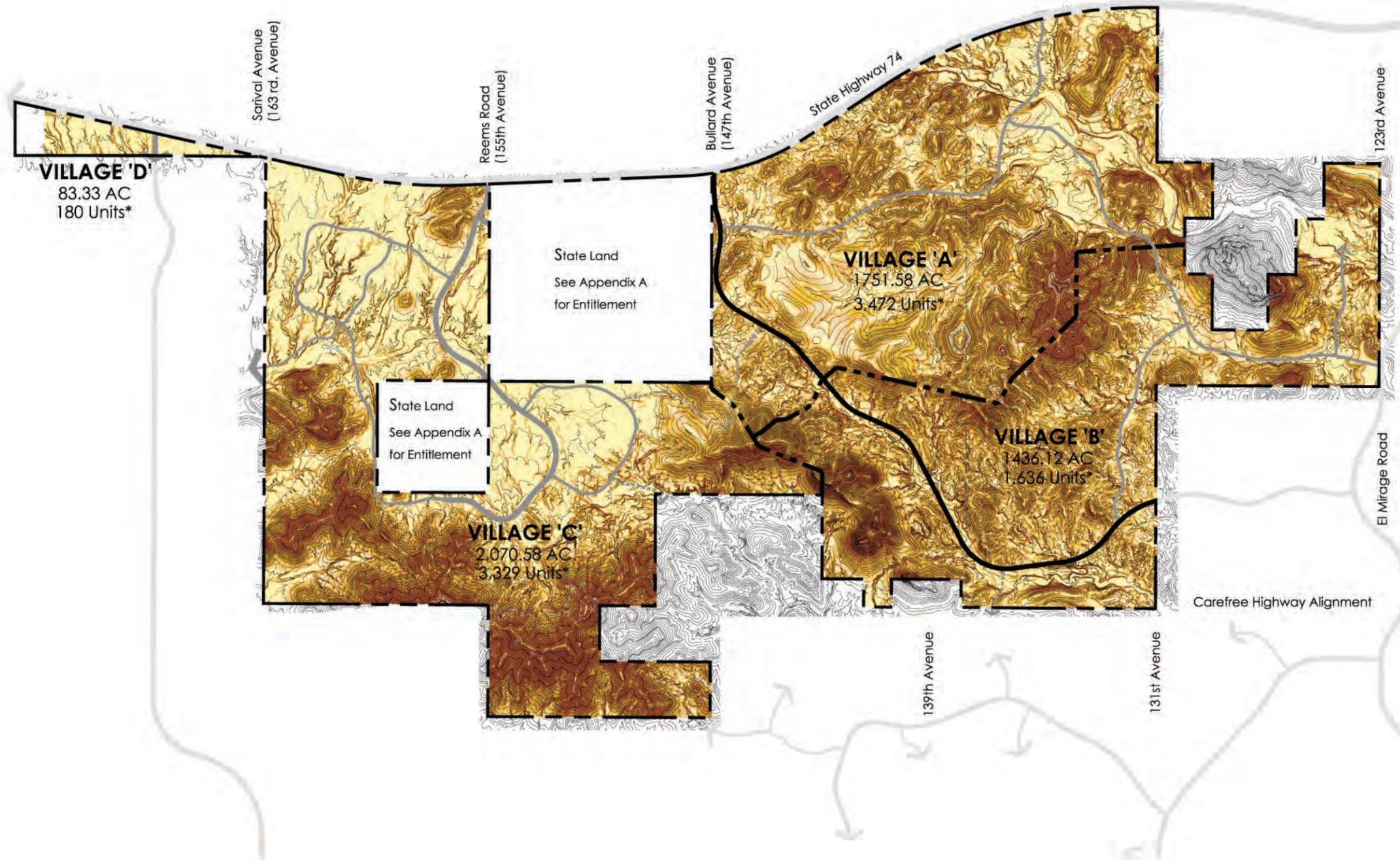
SADDLEBACK HEIGHTS

Slope Analysis

Exhibit J

LEGEND

Saddleback Heights - Slope Acreage	
0% - 10% = 1,190.95 Ac.	
10% - 15% = 697.52 Ac.	
15% - 20% = 657.73 Ac.	
20% - 25% = 616.72 Ac.	
25% - 30% = 560.24 Ac.	
30% - 35% = 482.50 Ac.	
35% - 40% = 369.91 Ac.	
40%+ = 685.72 Ac.	
Total = 5,261.28 Ac.	



NOTE:
See PCD Section 2.1.7; Tables 5 & 6 for complete slope breakdown by Planning Village.



SCALE: N.T.S.
DATE: 02 July 2012
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PREPARED FOR:

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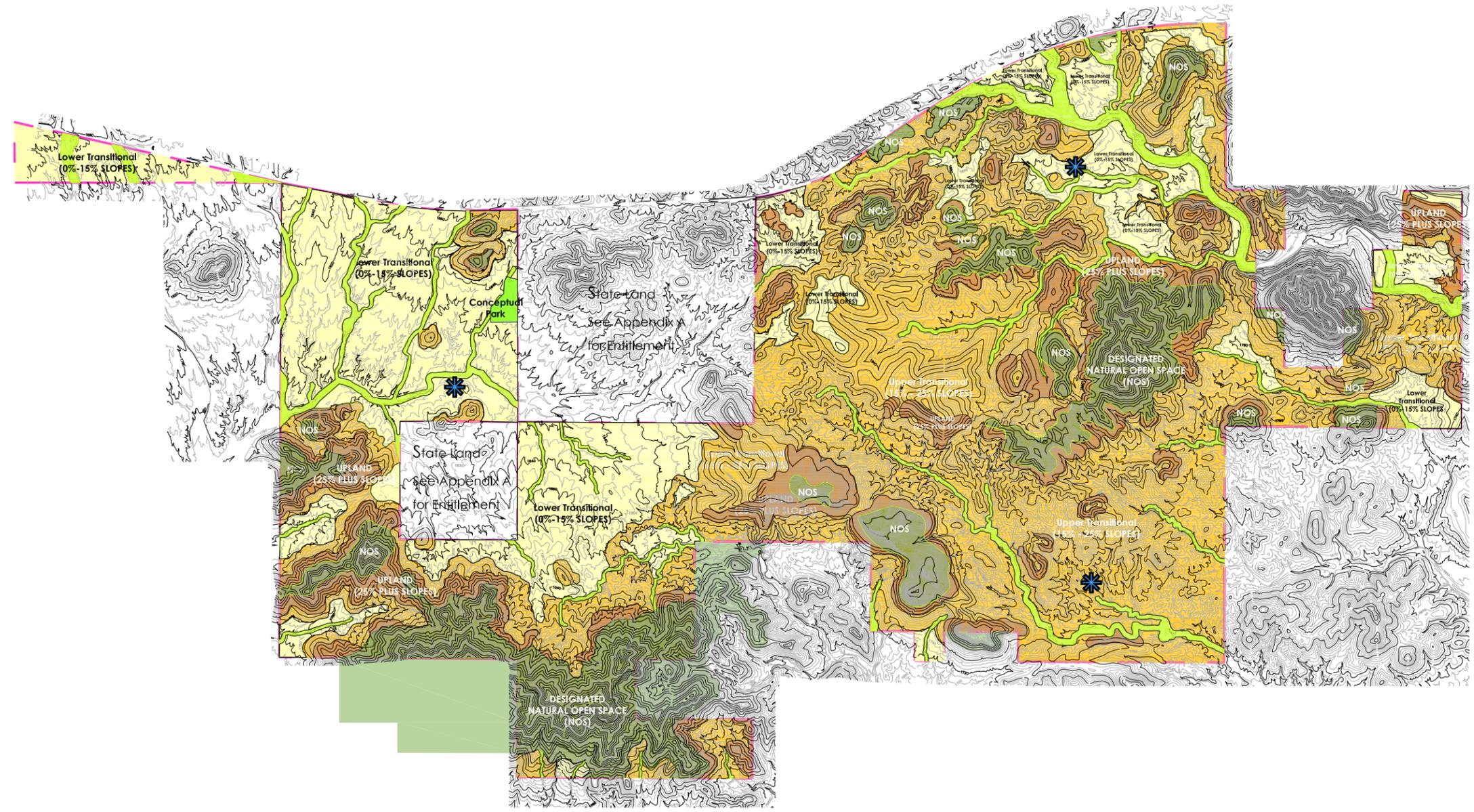
2.1.17 CONCEPTUAL LANDFORM & OPEN SPACE EXHIBIT K

SADDLEBACK HEIGHTS CONCEPTUAL LANDFORM & OPEN SPACE PLAN

Exhibit K

LEGEND

-  Lower Transitional (0% - 15% Slope Area)
-  Uper Transitional (15% - 25% Slope Area)
-  Uplands (25% Plus Slope Area)
-  Drainage / 404 Washes
-  Conceptual Open Space Area
-  Adjacent Open Space
-  Conceptual Park
-  Potential Golf Course Study Area



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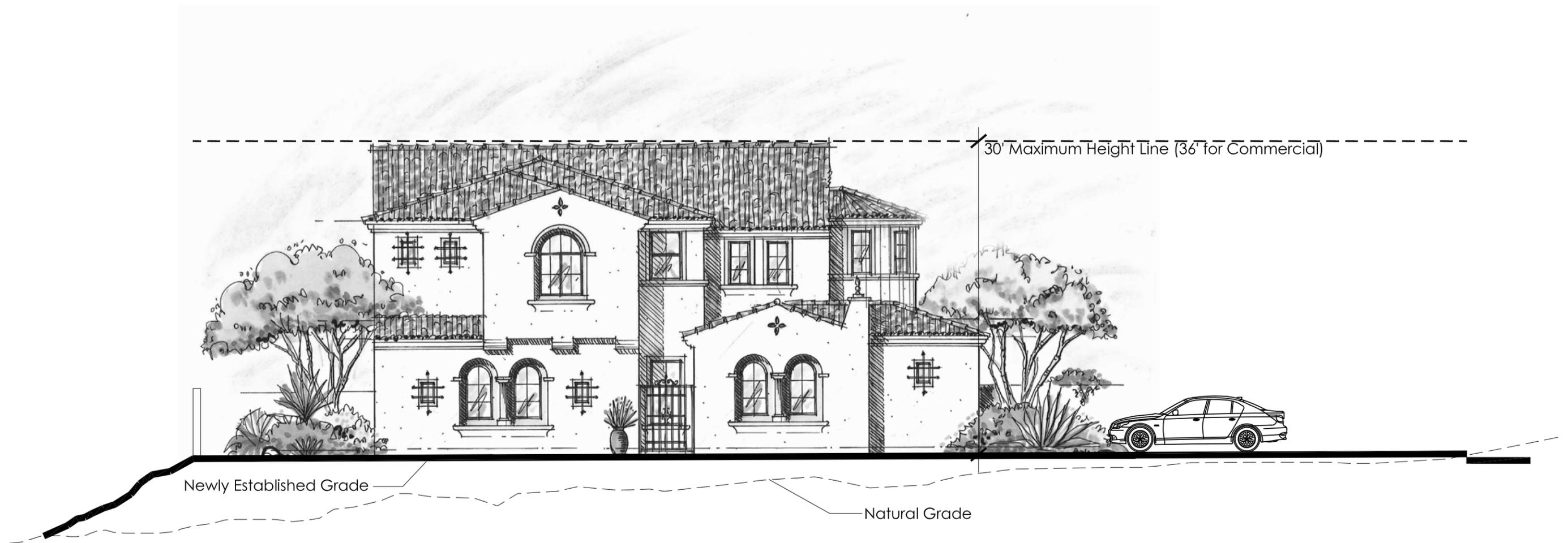
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2.1.18 HILLSIDE DEVELOPMENT FIGURES 1-10

SADDLEBACK HEIGHTS

Article 14-22A Hillside Development Overlay District

Figure 1 - Maximum Building Height
Non-Custom Residential



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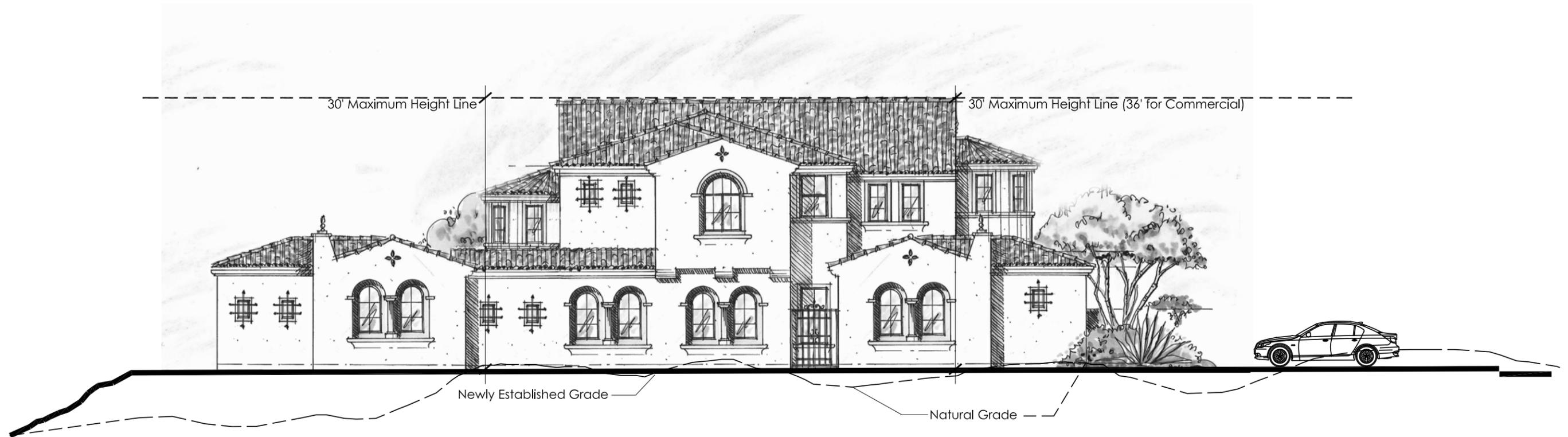
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SADDLEBACK HEIGHTS

Article 14-22A Hillside Development Overlay District

Figure 2 - Maximum Building Height
Custom Residential



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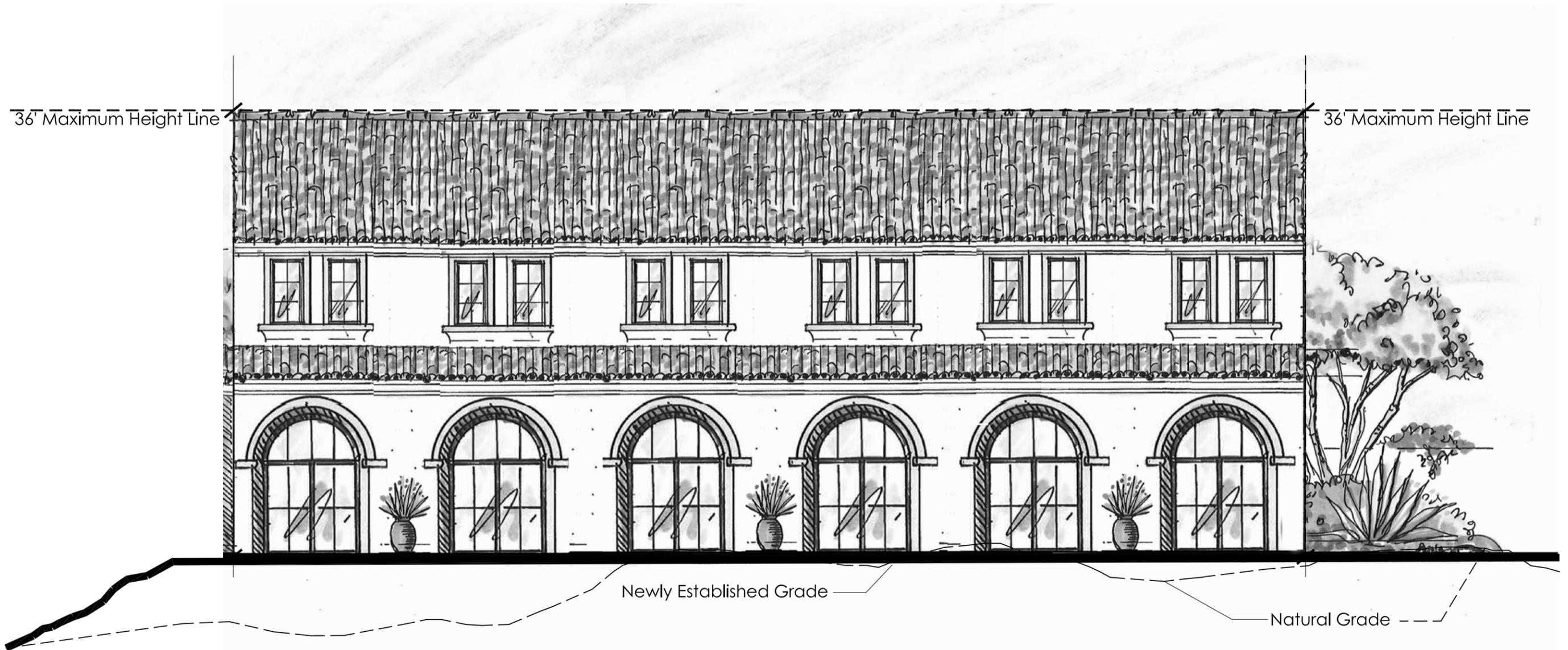
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SADDLEBACK HEIGHTS

Article 14-22A Hillside
Development Overlay
District

Figure 3 - Maximum Building Height
Non-Residential



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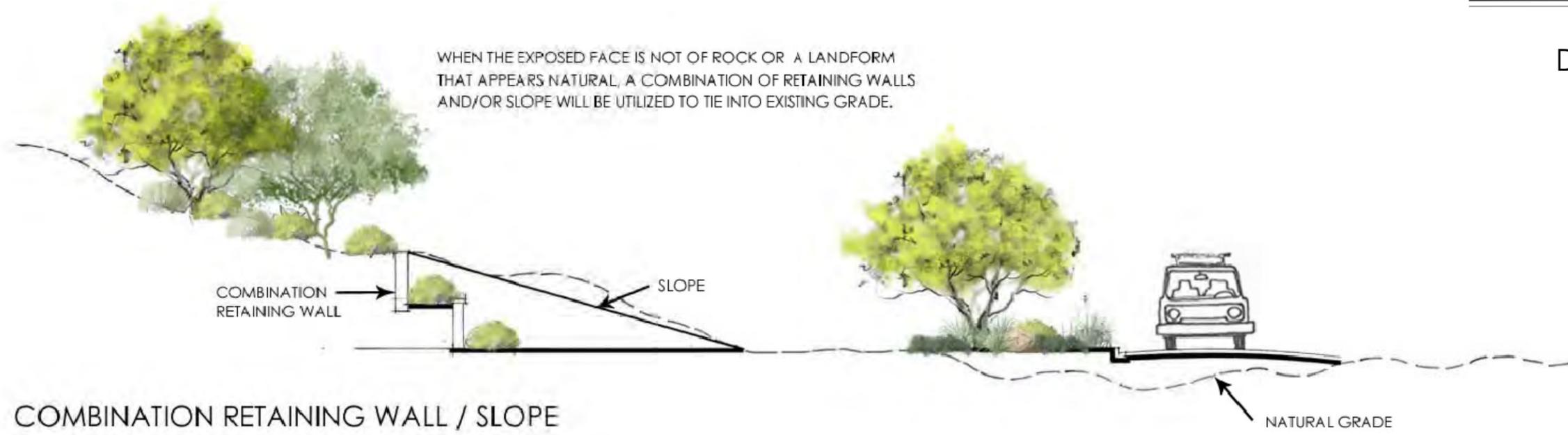
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SADDLEBACK HEIGHTS

Article 14-22A Hillside
Development Overlay

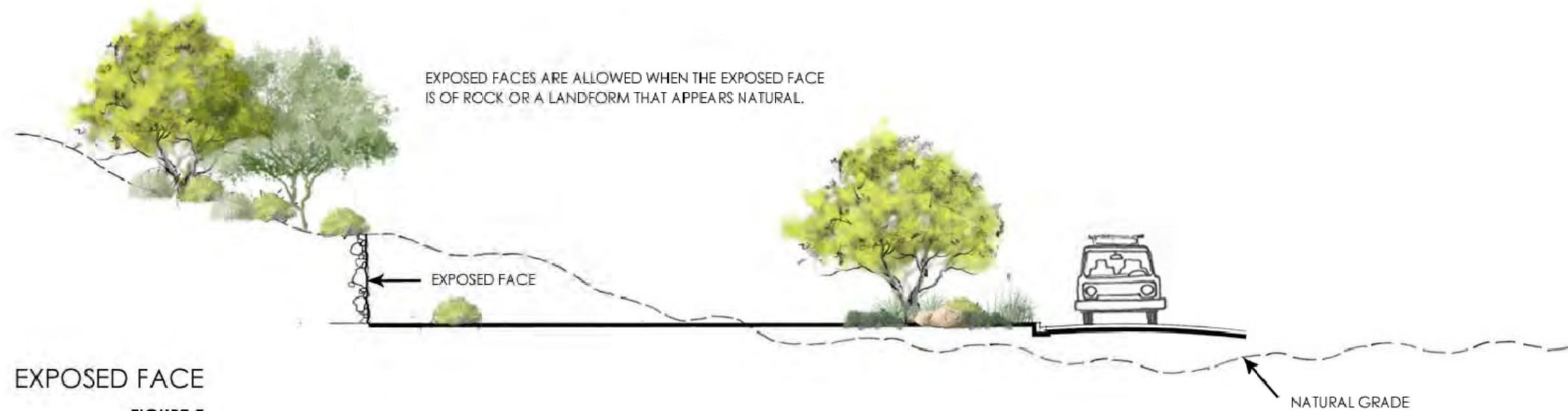
District

Figures 4 & 5



COMBINATION RETAINING WALL / SLOPE

FIGURE 4



EXPOSED FACE

FIGURE 5

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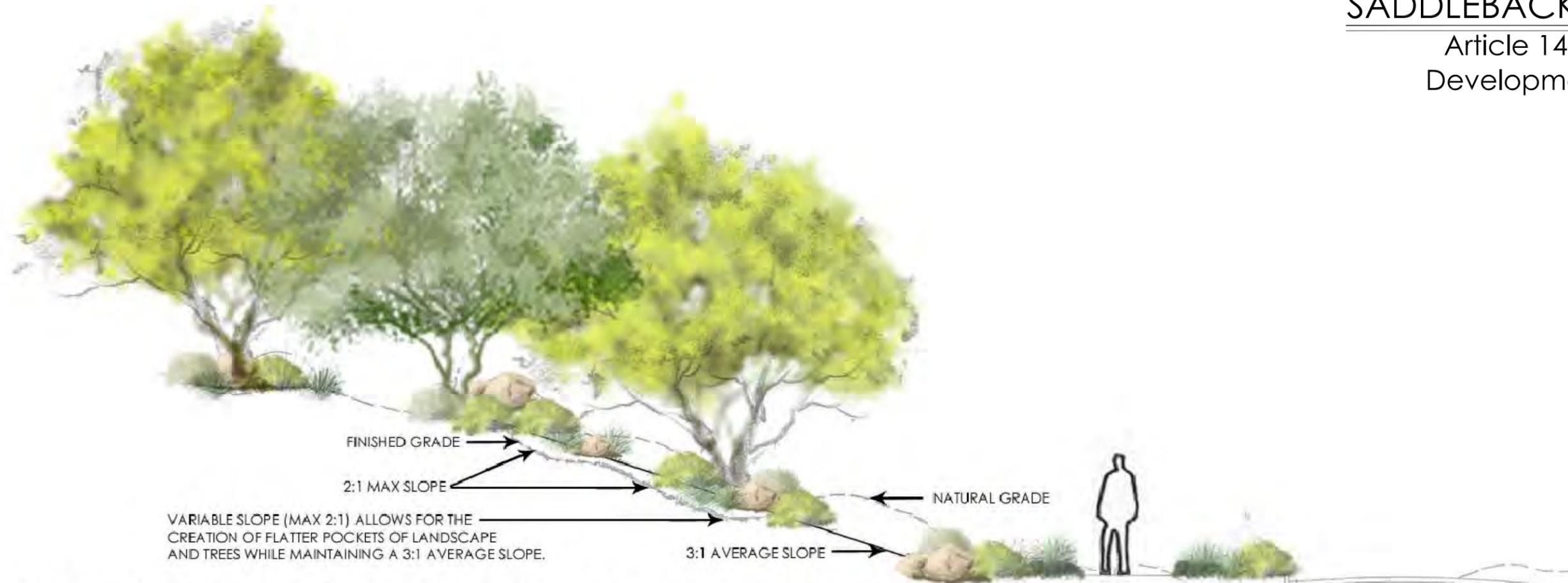
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SADDLEBACK HEIGHTS

Article 14-22A Hillside
Development Overlay

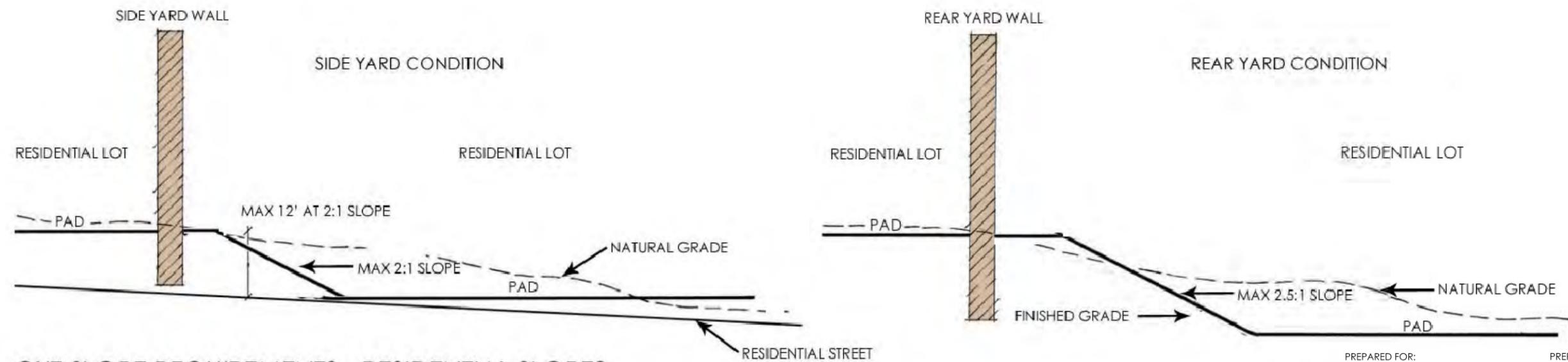
District

Figures 6 & 7



CUT SLOPE REQUIREMENTS - COMMUNITY AND NEIGHBORHOOD SLOPES

FIGURE 6



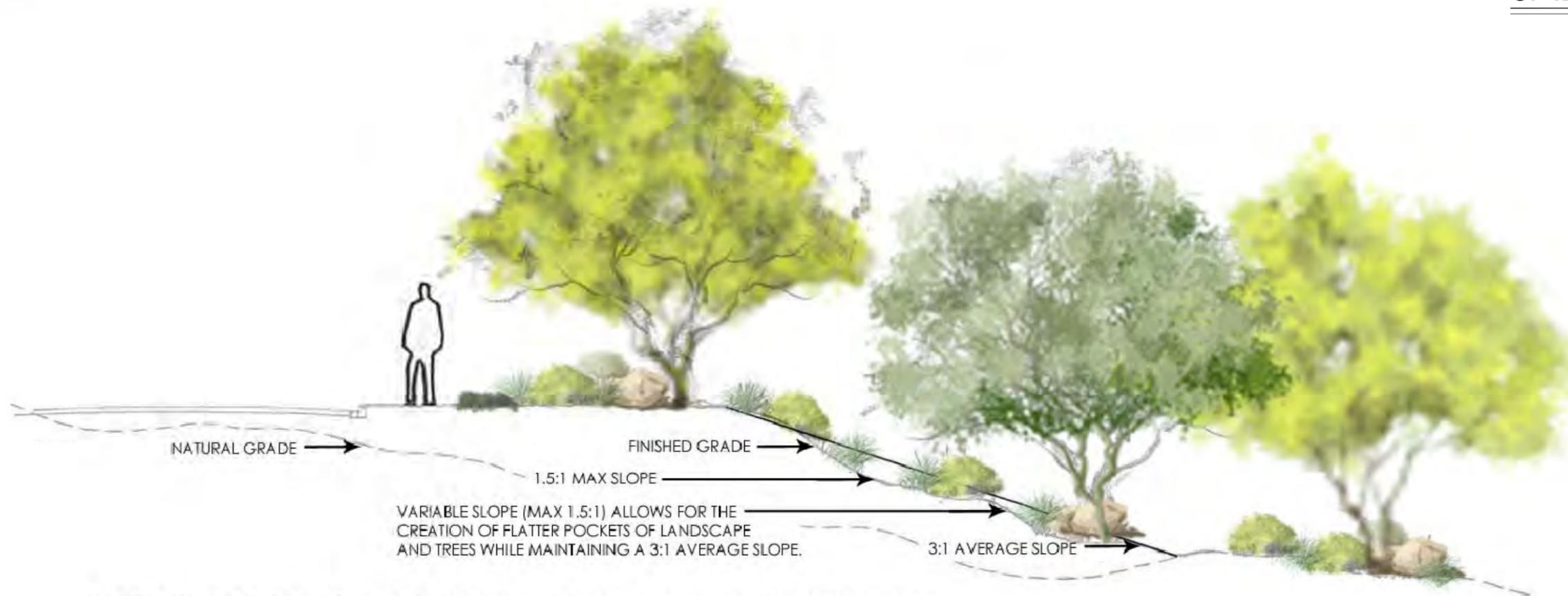
CUT SLOPE REQUIREMENTS - RESIDENTIAL SLOPES

FIGURE 7

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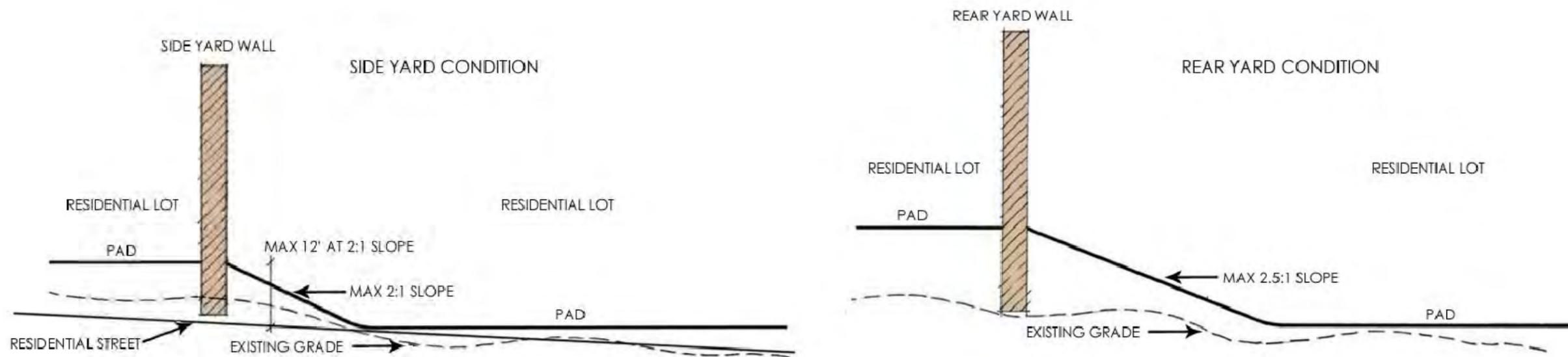
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FILL SLOPE REQUIREMENTS - COMMUNITY AND NEIGHBORHOOD SLOPES

FIGURE 8



FILL SLOPE REQUIREMENTS - RESIDENTIAL SLOPES

FIGURE 9

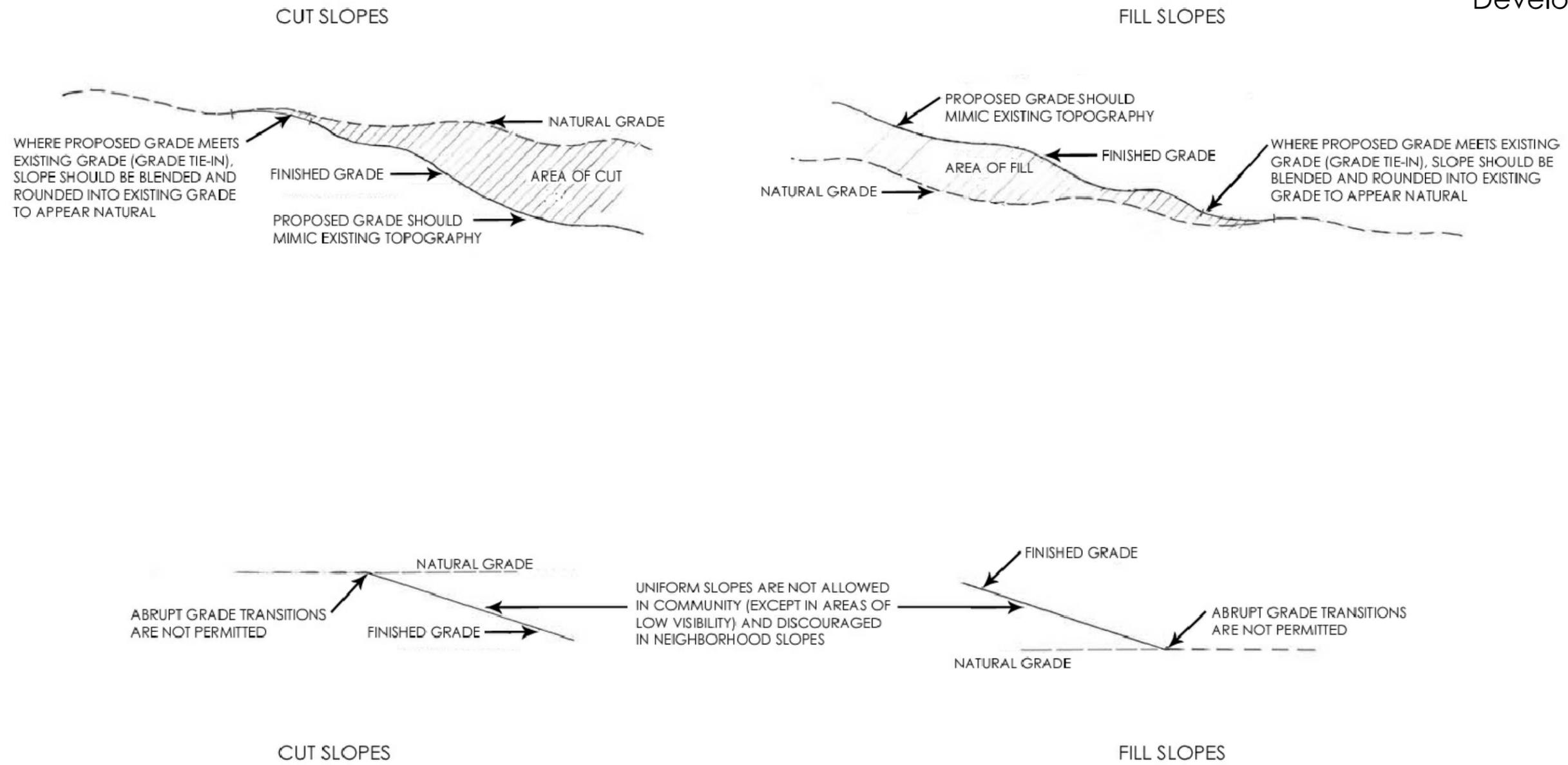
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SADDLEBACK HEIGHTS

Article 14-22A Hillside
Development Overlay
District
Figures 10



GRADE TIE-INS (CUT & FILL SLOPES)

FIGURE 10

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**2.1.19 PRESERVATION MASTER PLAN SPACE EXHIBIT L –
SEE APPENDIX C FOR THE MASTER CONSERVATION PLAN**

SADDLEBACK HEIGHTS

PRESERVATION MASTER PLAN

PLAN

Exhibit L

LEGEND

-  Designated Open Space
-  404 Washes/ Migration Corridors
-  Protected Ridges / Scenic Resources
-  Off Site NOS



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SECTION III SADDLEBACK HEIGHTS PCD DEVELOPMENT PLAN

3.0 DEVELOPMENT PLAN

3.1 LAND USE PLAN

The Planned Community Development Plan for Saddleback Heights (the "Development Plan") is divided into seven (4) distinct development villages (the "Development Villages") in accordance with the Planned Community District of the Zoning Ordinance. Two of the Development Villages contain a total of 756 acres of State Land that Saddleback Heights has included as a part of this submittal. The land uses outlined in this section are illustrated as part of the **Zoning Map Exhibit F Section 2.1.11, Planned Community Plan Exhibit G Section 2.1.12 and Conceptual Land Use Plan Exhibit H Section 2.1.13.**

SADDLEBACK HEIGHTS ZONING CATEGORY SUMMARY – TABLE 7

LAND USE CATEGORY	DEVELOPMENT VILLAGE "A"	DEVELOPMENT VILLAGE "B"	DEVELOPMENT VILLAGE "C"	DEVELOPMENT VILLAGE "D"
Saddleback Heights Residential Acreage	1751.58	1436.12	1990.25	0
Commercial Acreage	0	0	0	0
Mixed Use Acreage	0	0	0	83.33
Total Gross Acres	1751.58	1436.12	1990.25	83.33
Maximum Number of Residential Units*	3472	1636	3329	180

*Maximum units capped at 8,269 per Section 3.1

**Note that Overlays include:

Mixed-Use Business Park Overlay – 180 Acres

Limited Commercial Overlay – 25 Acres Maximum per site

Town Center Overlay – 56 Acres

Resort Overlay – 307 Acres

3.1.1 DEVELOPMENT OPTIONS AND DENSITY ALLOCATION

As referenced in Section 2.1.1.3, residential development options must be selected at the time of submittal of a preliminary plat or site plan. In addition to the residential development option, each Development Village at Saddleback Heights has a maximum unit cap that cannot be exceeded. At no time can the total number of units within the Saddleback Heights exceed 9,055 units, (including State Land) and 8,269 (excluding State Land). See **Table 7** for Development Village density caps.

3.1.2 SCHOOL CONSIDERATIONS

Saddleback Heights is located in both the Peoria Unified School District and in the Nadaburg Unified School District. The boundary between the two districts is the 137th Avenue, or Bullard Avenue alignment, which bisects the Property from north to south. The developer will provide facilities and/or impact fees as warranted by student population and as outlined in agreements to be drafted with both the Peoria Unified School District and in the Nadaburg Unified School District. The underlying zoning for any identified school site will be SH-R District. See **Section 2.1.12 Planned Community Plan Exhibit G** for potential 15 acre Nadaburg School Site within State Land Village E as well as three additional site, one in each of Villages A, B & C. Each school site is adjacent a potential park site as well.

3.2 OPEN SPACE PLAN

A **Conceptual Landform & Open Space Exhibit K** is provided in Section 2.1.16. The Open Space Plan was created to respond to and preserve the unique land forms, natural washes and rock outcroppings of the Property. The Open Space Plan represents a minimum of 600 acres of both passive and active open space areas and opportunities. The purpose of the open space plan for Saddleback Heights is to enhance community character and quality of life by providing connectivity, meaningful open space and recreational opportunities for residents of all ages. An emphasis is placed on concentrating open space recreation facilities within the interconnecting open space network.

Because Saddleback Heights has very unique landforms throughout the property, the open space within the project will be developed in conjunction and in harmony with the unique forms. As a result a hierarchy of public and private open space will be provided throughout Saddleback Heights in the form of linear open space, mountainous open space, an extensive trail/pathway network as well as connected focal parks and neighborhood parks. While Saddleback Heights is a master planned community, due to the nature of the physical features of the site, there will be extensive natural and enhanced natural open space. Each of these spaces and uses offers a destination for project residents. Areas utilized for drainage and retention will incorporate an informal or formal useable recreation elements. Open space programming will be finalized and submitted in detail during the preliminary plat process. Private open space areas will be owned and maintained by the Saddleback Heights Homeowner's Association (HOA), or another appropriate agency. Publicly Dedicated Open Spaces will be owned and maintained by the City of Peoria or other public entity.

The on-site open space network provides important links to the regional open space, parks, potential school site(s), potential municipal use sites, commercial sites, and a resort site(s).

3.2.1 REGIONAL OPEN SPACE

The Saddleback Heights PC District provides for both active and passive recreation and preserves the beauty of the existing mountains as amenities for residents of Saddleback Heights and the surrounding community to enjoy. The Saddleback Heights PC District utilizes internal open space in the form of natural desert arroyos and mountain open space as pedestrian corridors to link residents and guests of Saddleback Heights to the paths and trails used for hiking and biking, community recreation elements, and potential schools sites, as well as recreation amenities, residential villages, and commercial and Town Center elements. A minimum of 600 acres of Park/Open Space were approved in the 2002 Saddleback Heights PCD. If the Saddleback Heights PCD is amended to allow up to 8,269 residential units, dedicated public open space will increase 5,000 sq. ft. for each additional developed unit exceeding 5,409 units, which could add as much as 328 acres of public dedicated open space, as identified as part of the **Conceptual Landform & Open Space Exhibit K**. The mountainous open space is located within Village "B" and will act as a link between two public mountain open space areas within White Peak Ranch to the south and to create the opportunity for a regional trail link.

3.2.2 COMMUNITY RECREATION & OPEN SPACE

The Saddleback Heights PC District integrates private neighborhood park sites throughout the Property. The parks are designed to create community-gathering places. The parks, in conjunction with recreation centers, will allow for a wide range of recreational opportunities.

Neighborhood Parks

Neighborhood Parks are the largest of the developed open space at approximately 10-15 acres in size. Neighborhood Parks are intended to serve as a draw for the residents within each respective Neighborhood at Saddleback, serving as major gathering places and active

recreation areas for each of the Villages. Each Neighborhood Park will be designed to meet the needs of the community and thus will have similar as well as unique recreational programming. The Neighborhood Parks will provide multiple “recreational” amenities such as recreation complexes, tennis and basketball courts, baseball, soccer and/or softball fields, sand volleyball courts, multiple shade ramadas, restroom facilities and barbeque-grilling facilities. The Neighborhood Parks should be strategically located next to school sites, and provide access through the linear open space and trail systems along the collector and arterial streets, as well as internal open space paseos to provide connectivity for all residents. The exact programming of each Neighborhood Park will be determined as the Villages are further defined; however, each Neighborhood Park will include a minimum of three (3) program elements from the “Saddleback Heights Recreational Amenities List,” below.

Focal Parks

Focal Parks are neighborhood recreation areas designed and programmed to meet the recreational needs of both neighborhoods and the Village as a whole. Focal Parks will serve as neighborhood cores in some instances and in other instances serve as the unifying recreational and gathering element to bring multiple neighborhoods together as part of the greater Village. Focal Parks will range from one-quarter acre in size to more than an acre in size, with the smaller parks being sized for a single neighborhood and the larger parks being sized to serve multiple neighborhoods within the Village. The exact programming of each Focal Park will be determined as the Villages become further defined; however, each Focal Park will include a minimum of two (2) program elements from the “Saddleback Heights Recreational Amenities List,” below.

Linear Park

A comprehensive Linear Park network of pedestrian trails and pathways has been planned along the collector and arterial road systems as well as internally to the Villages and along wash and natural features. The Linear Parks will vary in width from 5' to 50'. The paths and trails within the Linear Park systems will serve as links to both internal recreational uses as well as to regional trails that may connect through adjacent developments. The Linear Park areas may have various "trail-heads" as well as respite areas with seating and shade areas. The systems will provide alternative transportation opportunities by connecting residents to one another, commercial centers, parks and educational facilities.

3.2.3 GOLF OPEN SPACE & COMMUNITY AMENITIES

Four potential golf course study areas have been identified, of which three total golf courses may be developed. Any or all of the golf course study areas may develop as championship courses as the market and development dictates. The location of the golf course study areas have been chosen to integrate into the residential development and compliment both the residential development and enhance the natural area open spaces in and adjacent to the development areas. Clubhouse and maintenance facilities are also associated with each of the three study areas. See **Conceptual Landform & Open Space Exhibit K** for the potential golf course locations.

SADDLEBACK HEIGHTS RECREATIONAL AMENITIES LIST

Each Village Park within Saddleback will have three (3) amenities from the list below developed within the park.

Each Focal Park within Saddleback shall have two (2) amenities from the list below developed within the park.

Amenities selected shall comply with the 2006 PROST, unless superseded or subsequently amended.

- Shaded Play Structures for 2-5 year olds
- Shaded Play Structures for 5-12 year olds
- Active Turf Area
 - Soccer Field(s)
 - Football Field(s)
- Passive Turf Area (min. 10,000 s.f.)
- Baseball/Softball Field(s)
- Barbeques/Grills
- Group Picnic Area
- Shade Ramada/Tensile Structure/Gazebo
- (4) or more benches
- Play Structure with Swings, Slides, and imaginative play
- Shade Structure Covered Play Structure with Swings, Slides, and imaginative play
- Half-court Basketball
- Full Court Basketball
- Sand Volleyball
- Tennis Court(s)

- Aquatic Center
- Swimming Pool Facility
- Restroom Facility
- Climbing Wall
- Recreation Center
- Interactive Water Play (splash pads and/or water jets)
- Interactive/Interpretive Garden
- Amphitheater
- Bocce ball courts
- Skate park
- Par course
- Path and trail head gathering areas
- Trail Head

3.3 PATHS AND TRAILS PLAN

The path and trails network at Saddleback Heights is comprehensive and is designed to link all internal land uses, as well as provide several regional connections. The paths and trails utilize open space corridors that include natural wash features, mountain open space and open space corridors to allow residents and guests to travel to virtually any destination within the Property via hiking or biking trails. Due to the nature of the community and natural terrain bikeways will be included as part of a multi-use path system and along the street. The above paths and trails are illustrated on the **Paths and Trails Plan Section 3.10.4 Exhibit M** and **Paths & Trails Regional Context Map 3.10.5 Exhibit N**.

3.4 CONCEPTUAL LAND USE PLAN & MATRIX

The Conceptual Land Use Plan for Saddleback Heights illustrates potential areas of residential development types, open space and recreation as well as all other land uses within the master planned community. A Conceptual Land Use Matrix also accompanies the plan to show potential intensities of use based on the approved Specific Area for Saddleback Heights. The plan and matrix illustrate a variety of land uses that may be created within the project and show paths and trails that utilize open space corridors that include natural wash features, mountain open space and open space corridors link the various uses and create a resort lifestyle community. The underlying zoning for Development Villages shown in the Conceptual Land Use Plan is detailed on the **Zoning Map Section 2.1.11 Exhibit F**. All uses shown within the SH-R zoning may shift within the Development Villages as long as the overall density cap within any given Development Village is not exceeded. **See Conceptual Land Use Plan Section 2.1.13 Exhibit H and Conceptual Land Use Matrix Section 3.10.7.**

3.5 CIRCULATION PLAN

The conceptual Master Circulation Plan and On-Site Traffic Analysis for Saddleback Heights shall be approved by the City Engineer or Designee, prior to approval of the PC District. The conceptual off-site traffic study shall be approved by the Engineering Department prior to the approval of the PC District. The developer is aware that collector level roads may not have access to SR 74 and that a frontage road or alternate alignment for the collectors within Saddleback may be required. See **Section 3.10.8 Circulation Plan Exhibit N**.

3.6 UTILITY PLANS

The Utilities Element explains the proposed provisions for major elements of the water, wastewater, and storm water systems for the plan area.

Currently, the plan area is not served by utilities such as water or sewer systems, nor is there in place a specific storm water drainage system. These utility elements, along with telephone and electrical service, are to be provided by the developer of the subject property pursuant to the Annexation and Development Agreement (or as amended) entered into between the developer and the City of Peoria. Final design of any required water treatment plant, waste-water treatment plant, storm water drainage systems, along with the design of other utility services, will establish sufficient capacity and detail in order to service the plan area. All design specifications shall comply with current criteria of governmental agencies having appropriate jurisdiction over the plan area, including those of the City of Peoria. Prior to commencement of construction of any facilities of the Utilities Element, a Utilities Element Master Plan will be submitted to the City for approval. The subject Master Plan should include a Master Drainage and Hydrology Plan; a Master Water Plan; and a Master Waste Water Plan. Upon completion of construction of the utilities infrastructure, the management and operation of same will be turned over to the City in accordance with the provisions of the Annexation and Development Agreement.

Water System

Water services to the area may be provided through one of the following:

1. Groundwater from existing or later developed wells;
2. Through an arrangement with the City of Peoria and their CAP allocation;
3. Through the inclusion of the area into a Replenishment District;
4. Through the developer's acquisition of a CAP allocation;
5. Through other methods acceptable to the City and developer.

The developer may also elect to work with the City and surrounding developments to create a regional water supply solution.

The developer may construct a facility for water treatment sufficient for the needs of the plan area on an as-needed basis.

This water treatment plant should be located at a site that takes into account the needs of the plan area as well as future City service objectives. The plant may be designed to accommodate future modular expansion by the City should it be deemed appropriate for the City to do so.

An appropriate integration of ground water and Central Arizona Project water should be developed in order to provide both primary and secondary sources of water supply.

Whenever possible, storage tanks providing gravity generated pressure systems should be utilized. Storage tanks should be located so as to minimize their visual impact. They should be designed so as to provide an appropriate blend with the natural surroundings. In cases where adequate water pressure cannot be generated by gravity, pressure pumps or booster pumps should be utilized.

Sewer System

There are no existing sanitary sewer facilities in the plan area. The developer is responsible for the construction of the waste-water infrastructure necessary to service the property. Said infrastructure

may be an on-site waste-water facility and/or utilization of the Jomax Waste-Water Treatment Facility, or a combination thereof. The City of Peoria will retain any and all rights to the effluent generated by the development. A final Water Balance will need to be created for the development prior to the city dedication of any of this water resource.

The location and design of the waste-water treatment plant should take into account the requirements of the plan area as well as future needs of the City. Design specifications should allow for modular expansion of the plant by the City if it deems appropriate to do so in the future.

Lift stations may be utilized throughout the plan area whenever the topography precludes a gravity fed system. Although Lift Stations may be utilized in the development, all efforts shall be made to coordinate with adjacent developments to make connections to gravity collection systems whenever feasible.

Notwithstanding the foregoing, changing technological developments with respect to waste-water collection and treatment should be explored. Phasing of development within the plan area may require the appropriate use of alternative, interim treatment facilities until such time as the economy of development warrants the construction of a more centralized treatment facility.

*Electrical/
Telecommunication*

All electrical and telecommunication services will be provided by public utility companies and all lines smaller than 69kv lines shall be placed underground.

SANITATION SERVICE

The City may elect to provide sanitation service itself or contract with one or more private parties to provide sanitation service (pursuant to City Code Section 22-20(C)).

3.7 PUBLIC SERVICES PLAN

FIRE/EMS/POLICE

The developer and the City will work together at the time of zoning to develop a cohesive plan for the provision of fire/emergency services and police services that results in the desired response times for the plan area. The plan may include the combined use of public and private services. On-site fire/emergency response and police facilities will be co-located if possible. Exhibit H – Conceptual Land Use Plan show a potential fire and police site located central to the community on Bullard Avenue.

3.8 DRAINAGE PLAN

Storm Water

The developer proposes to prepare a master drainage plan for the area to manage storm water. Existing major washes will be utilized as collectors of storm water to maintain current drainage to the extent that is reasonable and feasible.

All drainage plans shall be prepared so that the specifications outlined therein take into account at least the minimal drainage issues affecting adjoining properties. The drainage design shall not create new conditions that would adversely affect water flows onto adjoining properties. Final design specifications shall meet all appropriate City and county flood control criteria with respect to drainage prior to commencement of development for the respective phases or sub-phases of the plan area.

3.9 PHASING

A commitment to long range land use planning is needed for Saddleback Heights master planned community to be both successful and sustainable. It is anticipated Saddleback Heights will have an approximate build out of twenty-five (25) years. Due to the time frame

for build out of the community, all development and related infrastructure will be built in phases. Ultimately, the schedule of phasing will be dependent upon the market, economic conditions, absorption rates and construction logistics and, as such, all or parts of any Development Village(s) may be developed concurrently provided that the engineering master plans are revised to prove the viability of the development. Other land uses built in phases will include, but not be limited to: open space, recreation components and community amenities. These community amenities typically will be constructed concurrently with adjacent parcels throughout the project. Due to the complex nature of the site, the master developer may develop the project in "sub-projects" or villages simultaneously. The phasing plan for the Saddleback Heights PC District is set forth in the phasing for development infrastructure shall be identified and approved as part of the approval process for the various master plan studies referenced in Sections 3.5, 3.6, 3.7 and 3.8. Infrastructure plans will be updated subsequent to changes in the phasing plan and such revisions may be approved administratively.

3.10 DEVELOPMENT PLAN - MAPS & PLANS

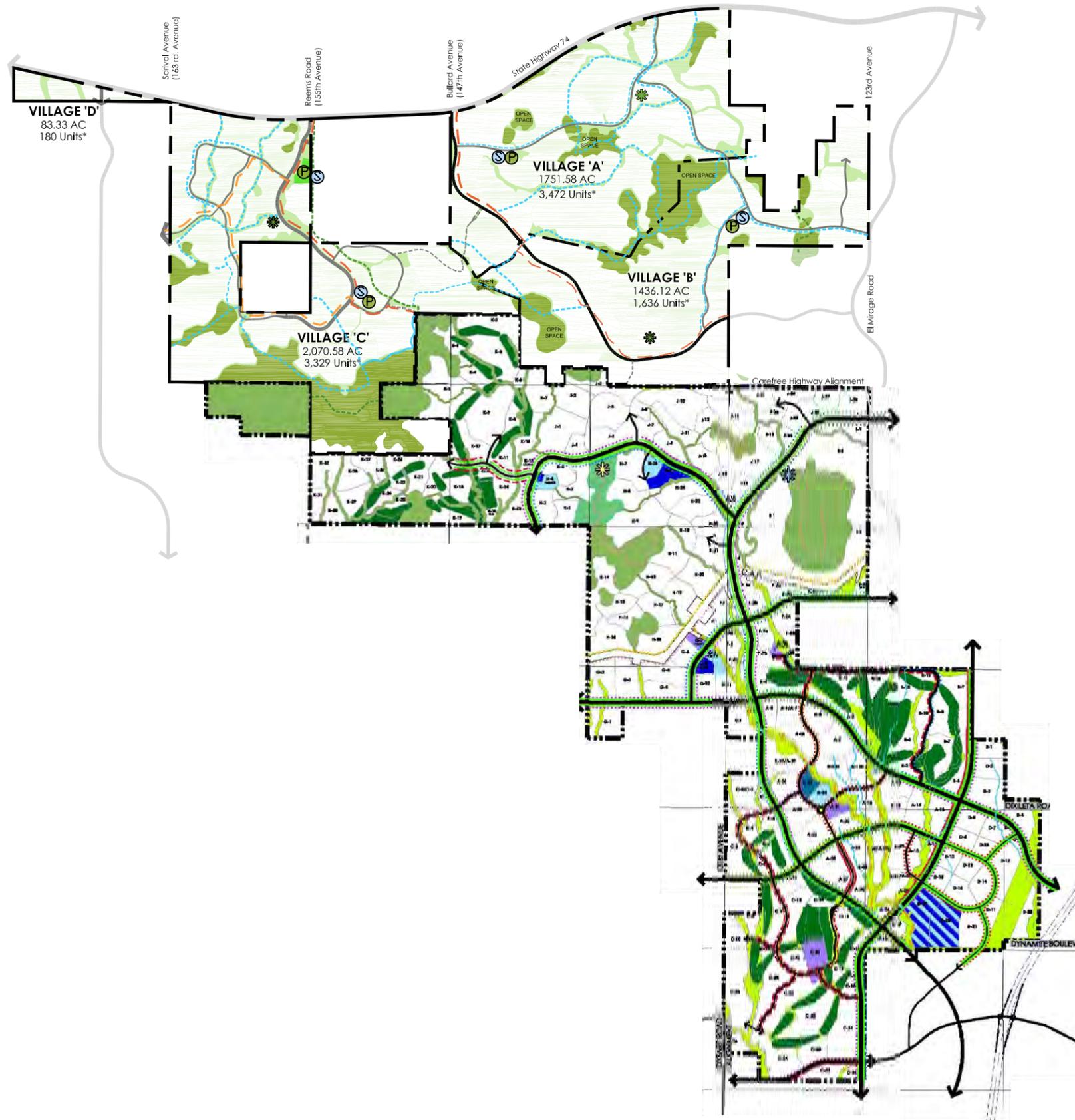
3.10.1 Paths & Trails Plan - Exhibit M

3.10.2 Paths & Trails Regional Context Map – Exhibit N

SADDLEBACK HEIGHTS

Regional Conceptual Paths and Trails Plan

Exhibit N



LEGEND

- 8' Wide Public Multi-Use Path
- 8' Wide Private Multi-Use Path
- 6' Wide Natural Surface Public Pedestrian Trail
- Trail (3' - 6' Width Varies)
- Development Village Boundary
- Potential Road Alignment
- Collector Road Alignment
- Minor Arterial Alignment

NOTES:

1. Bike lanes will be incorporated as part of the standard sections for Collector and Arterial roadways.
2. All path and trail materials will be selected as part of the Parks, Recreation, Open Space and Trails Plan (PROST) for Saddleback Heights.

VISTANCIA
Planned Community District
Parks / Open Space and
Trails Master Plan

OPEN SPACE TYPES	Acres
Community Open Space	577.7
Designated Open Space (DOS)	906.0
Golf Open Space	519.6
*Community Park (Preserve / Trailhead)	61.3
Community Park	41.0
Neighborhood Park	26.3
Private Park / Recreation Center	57.2
Public/Quasi Public (School)	47.7
Total Acres	47,217.5 Ac.

FACILITIES & USES

- 8' Wide Concrete Sidewalk
- 6' Wide Concrete Sidewalk - Public
- 6' Wide Decomposed Granite Trail
- 5' Sidewalk (Private)
- 5' Sidewalk (Public)
- Bike Lanes (Public)
- Bike Lanes (Private)
- **Public Multi-Use Trail
- **Regional Public Equestrian Trail
- Grade Separated Pedestrian Crossing
- Private Trail

*Preserve / Trailhead acreage is included in the Designated Open Space category; therefore, it is not counted twice for the overall total acreage.
**Not certain decided at final Plat. Improvements to be completed by lot and is not the responsibility of Master Developer or Homebuilder.
***Open space location and acreage is subject to further refinement, but will not vary by more than 10%.
****Additional private trails may be located in villages north of the C.A.P.

GREY|PICKETT
December 2011
Figure C-4 60



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SCALE: N.T.S.
DATE: 02 July 2012
Revised: 24 February 2014

3.10.3 Conceptual Land Use Matrix
Saddleback Heights
 Conceptual Land Use Matrix

	Parcel	Gross Acreage	Zoning Categories Allowed	Target Density	Units
Village 'A'	A1	14.70	SRE, SLD, SMD, SC, TCO	5.00	73
	A2	21.30	SRE, SLD, SMD, SC, RO	5.00	107
	A3	73.53	SRE, SLD, SMD, SC, RO	3.00	221
	A4	41.09	SRE, SLD, SMD, SC, TCO	5.00	205
	A5	80.52	SRE, SLD, SMD, RO	3.00	242
	A6	221.37	SRE, SLD, SMD, SC	1.00	221
	A7	142.06	SRE, SLD, SMD, SC	3.00	426
	A8	212.58	SRE, SLD, SMD, SC	5.00	1,063
	A9	20.25	SRE, SLD, SMD, SC	5.00	101
	A10	77.33	SRE, SLD, SMD, SC	3.00	232
	A11	22.08	SRE, SLD, SMD, SC	5.00	110
	A12	66.98	SRE, SLD, SMD, SC	3.00	201
	A13	24.14	SRE, SLD, SMD, SC, RO	5.00	121
	A14	19.58	SRE, SLD, SMD, SC	5.00	98
	A15	43.68	SRE, SLD, SMD, SC	1.00	44
	A16	32.49	SRE, SLD, SMD, SC	1.00	32
	A17	36.83	SRE, SLD, SMD, SC	3.00	110
	A18	63.99	SRE, SLD, SMD, SC	3.00	192
	A19	26.56	SRE, SLD, SMD, SC	5.00	133
	A20	64.76	SRE, SLD, SMD, SC	5.00	324
Village 'A' Sub Total		1,305.83			4,256
		Acreage	Projected Development Type	Target Density	Units

	0.00	RE	1.00	298
	0.00	LD	3.00	1,624
	0.00	MD	5.00	2,335
	0.00			4,256
	* Total Units in Village A are Capped			3,396

Saddleback Heights
Conceptual Land Use Matrix

	Parcel	Gross Acreage	Zoning Categories Allowed	Target Density	Units
Village 'B'	B1	40.00	SRE, SLD, SMD, SC	1.00	40
	B2	93.38	SRE, SLD, SMD, SC	3.00	280
	B3	71.59	SRE, SLD, SMD, SC	3.00	215
	B4	46.86	SRE, SLD, SMD, SC	1.00	47
	B5	35.80	SRE, SLD, SMD, SC	1.00	36
	B6	31.27	SRE, SLD, SMD, SC	1.00	31
	B7	83.88	SRE, SLD, SMD, SC	3.00	252
	B8	77.76	SRE, SLD, SMD, SC	3.00	233
	B9	39.28	SRE, SLD, SMD, SC	3.00	118
	B10	67.43	SRE, SLD, SMD, SC	3.00	202
	B11	18.98	SRE, SLD, SMD, SC	1.00	19
	B12	26.56	SRE, SLD, SMD, SC	1.00	27
	B13	43.43	SRE, SLD, SMD, SC	3.00	130
	B14	27.57	SRE, SLD, SMD, SC	3.00	83
	B15	34.75	SRE, SLD, SMD, SC	3.00	104
	B16	40.97	SRE, SLD, SMD, SC	3.00	123
	B17	70.69	SRE, SLD, SMD, SC	1.00	71

		SC		
B18	50.58	SRE, SLD, SMD, SC	3.00	152
B19	50.72	SRE, SLD, SMD, SC	3.00	152
B20	10.15	SRE, SLD, SMD, SC	1.00	10
B21	12.36	SRE, SLD, SMD, SC	1.00	12
B22	21.01	SRE, SLD, SMD, SC	1.00	21
B23	26.58	SRE, SLD, SMD, SC	3.00	80
B24	41.76	SRE, SLD, SMD, SC	1.00	42
B25	19.55	SRE, SLD, SMD, SC	1.00	20
B26	6.96	SRE, SLD, SMD, SC	1.00	7
B27	20.05	SRE, SLD, SMD, SC	1.00	20
B28	52.51	SRE, SLD, SMD, SC	1.00	53
B29	38.45	SRE, SLD, SMD, SC	3.00	115
Village 'B' Sub Total	1,200.88			2,694
	Acreage	Projected Development Type	Target Density	Units
	0.00	RE	1.00	455
	0.00	LD	3.00	2,239
	0.00			2,694
	* Total Units in Village B are Capped			1,636

Saddleback Heights
Conceptual Land Use Matrix

	Parcel	Gross Acreage	Zoning Categories Allowed	Target Density	Units
Village 'C'	C1	41.78	SRE, SLD, SMD, SC	5.00	209
	C2	19.42	SRE, SLD, SMD, SC	3.00	58
	C3	12.09	SRE, SLD, SMD, SC	3.00	36
	C4	49.01	SRE, SLD, SMD, SC	5.00	245
	C5	16.46	SRE, SLD, SMD, SC	3.00	49
	C6	54.03	SRE, SLD, SMD, SC	3.00	162
	C7	38.82	SRE, SLD, SMD, SC	3.00	116
	C8	22.59	SRE, SLD, SMD, SC	3.00	68
	C9	22.31	SRE, SLD, SMD, SC	3.00	67
	C10	3.63	SRE, SLD, SMD, SC		0
	C11	8.86	SRE, SLD, SMD, SC	3.00	27
	C12	24.79	SRE, SLD, SMD, SC	3.00	74
	C13	3.81	SRE, SLD, SMD, SC	3.00	11
	C14	24.39	SRE, SLD, SMD, SC	3.00	73
	C15	22.07	SRE, SLD, SMD, SC	6.00	132
	C16	10.21	SRE, SLD, SMD, SC		
	C17	27.32	SRE, SLD, SMD,	3.00	82

		SC		
C18	30.74	SRE, SLD, SMD, SC	6.00	184
C19	71.32	SRE, SLD, SMD, SC	3.00	214
C20	94.02	SRE, SLD, SMD, SC	1.00	94
C21	101.87	SRE, SLD, SMD, SC	1.00	102
C22	46.43	SRE, SLD, SMD, SC	3.00	139
C23	68.17	SRE, SLD, SMD, SC	3.00	205
C24	11.67	SRE, SLD, SMD, SC	3.00	35
C25	50.49	SRE, SLD, SMD, SC	3.00	151
C26	50.09	SRE, SLD, SMD, SC	3.00	150
C27	15.31	SRE, SLD, SMD, SC	3.00	46
C28	13.02	SRE, SLD, SMD, SC	3.00	39
C29	40.29	SRE, SLD, SMD, SC	3.00	121
C30	18.36	SRE, SLD, SMD, SC	3.00	55
C31	6.31	SRE, SLD, SMD, SC	5.00	32
C32	37.54	SRE, SLD, SMD, SC	3.00	113
C33	15.08	SRE, SLD, SMD, SC	3.00	45
C34	27.62	SRE, SLD, SMD, SC	3.00	83
C35	25.21	SRE, SLD, SMD, SC	5.00	126
C36	11.38	SRE, SLD, SMD, SC	5.00	57

	C37	12.23	SRE, SLD, SMD, SC, RO	3.00	37
	C38	73.89	SRE, SLD, SMD, SC, RO	3.00	222
	C39	76.39	SRE, SLD, SMD, SC, RO	3.00	229
	C40	38.95	SRE, SLD, SMD, SC	1.00	39
Village 'C' Sub Total		1,337.97			3,929
		Acreage	Projected Development Type	Target Density	Units
		0.00	RE	1.00	235
		0.00	LD	3.00	2,708
		0.00	MD	5.00	668
		0.00	SC	6.00	317
		4.0-10.0	Police/Fire ⁽¹⁾		0
		10.21	Park		0
		14.21 – 20.21			3,928
	* Total Units in Village C are Capped				3,057

(1) The Police/Fire station may be relocated to Village 'A' or 'B' depending on the direct need of the City.

	Parcel	Gross Acreage	Development Type	Target Density	Units
Village 'D'	D1	26.73	MU		
	D2	19.80	MU		
	D3	21.36	MU		
Village 'D' Sub Total		67.89			0
		Acreage	Development Type	Target Density	Units
		67.89	MU		180
		67.89			180

(*1) Parcel contains a Resort Overlay, that if executed will result in resort keys being allocated to the site. A maximum number of 800 Resort Keys are allocated for the entire project.

(*2) Open Space Acres to be a minimum of 600 acres. More acreage may be added as part of the zoning and platting process and/or finalization of the development agreement. All Open Space location illustrated on the PCD is conceptual and subject to change.

(*3) Developable acres include potential golf course acres and may be adjusted based on detail study during the zoning and platting process. The above developable acres for each parcel may not total 4,521 due to acreage contained in washes, natural features and golf that may not be included at this time.

(*4) All infrastructure is conceptual and subject to change.

(*5) The Minimum Density Threshold has been set at 1.0 dwelling units per acre based on the gross acreage and will ultimately be governed by the zoning of the property.

(*6) Total units will not exceed 8,269 or approximately 1.56 dwelling units per gross acre.

* Maximum units capped at 8,269 per Section 3.1 – Land Use Plan and Table 7 of this document

LAND USE SUMMARY	PROJECT TOTALS	PUBLIC FACILITIES
SINGLE FAMILY HOMES	8,089* DU	Public Park (10 Acres)
APARTMENTS	180 DU	Police / Fire (4-10 Acres)
RETAIL	138,300 sq. ft. (approx.)	Public Open Space (600 Ac)
SHOPPING CENTER	275,000 sq. ft. (approx.)	
OFFICE	750,000 sq. ft. (approx.)	
EMPLOYMENT	1,000,000 sq. ft. (approx.)	
RESORT HOTEL	800 Rooms	
GOLF COURSE	54 Holes	
PROJECTED POPULATION	21,500	
ESTIMATED ELEMENTARY SCHOOL DEMAND	2,894	

3.10.4 Circulation Plan Exhibit O

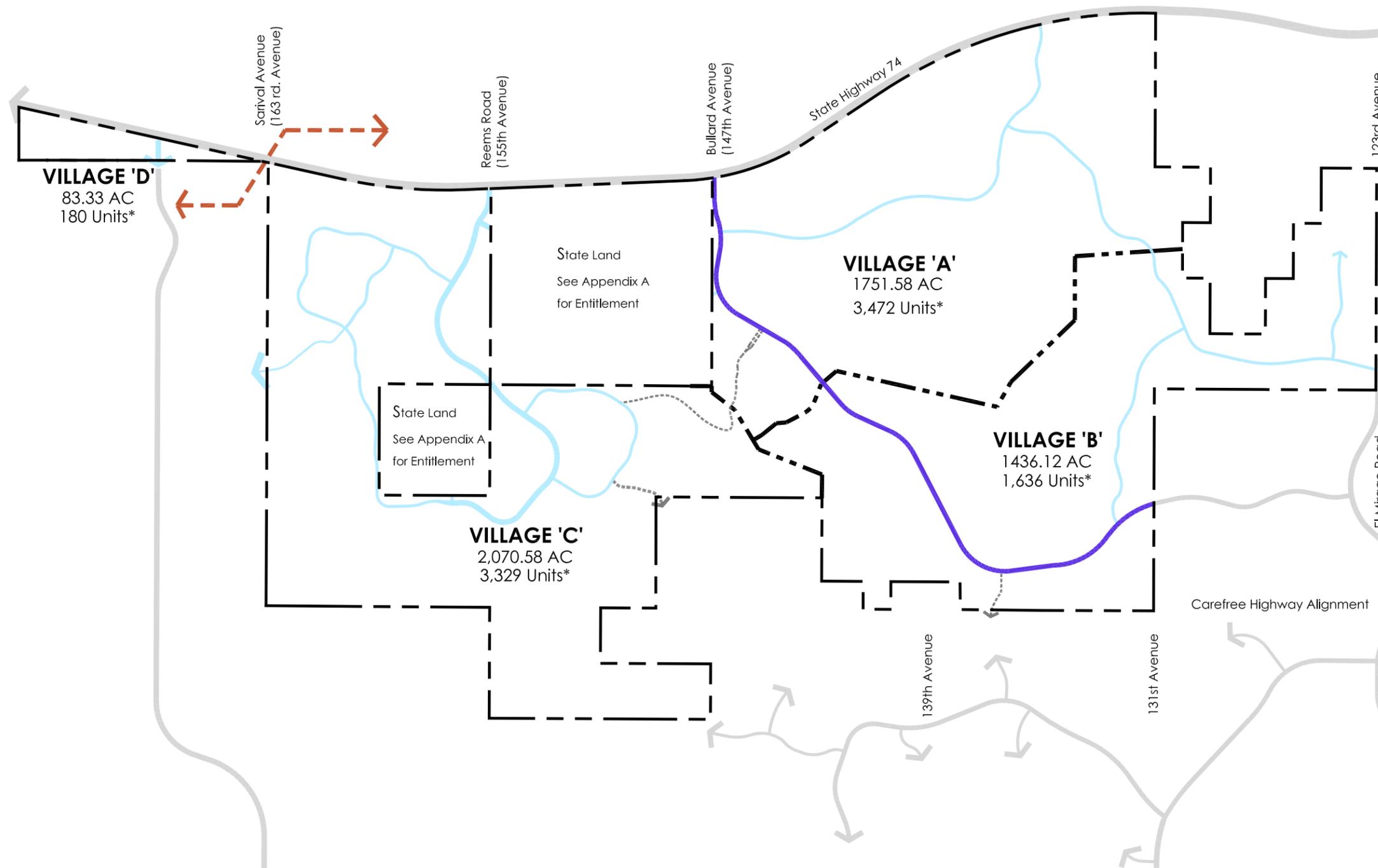
SADDLEBACK HEIGHTS

Circulation Plan

Exhibit O

LEGEND

- Saddleback Heights Boundary
- - - Development Village Boundary
- Minor Arterial Road Alignment
- Minor Collector Road Alignment
- Potential Road Alignment
- Offsite Road Alignment
- ← - - APS Certificated Corridor



NOTES:

1. Roadway classifications for all infrastructure is set forth in the attached traffic study.
2. Potential service collector(s) exact location and phasing to be determined in conjunction with City staff, police and fire.



NORTH

SCALE: N.T.S.
DATE: 02 July 2012
Revised: 24 February 2014

PREPARED FOR:

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SECTION IV- DEVELOPMENT AGREEMENT

4.0 DEVELOPMENT AGREEMENT

(See Agreement Under Separate Cover)s

APPENDIX A: - Approved PCD Governing Arizona State Land Trust Land Sections within Saddleback Heights

SECTION I - SADDLEBACK HEIGHTS OVERVIEW

1.0 PROJECT OVERVIEW

1.0.1 CONTACT LIST

<u>DISCIPLINE</u>	<u>ADDRESS/TELEPHONE</u>	<u>CONTACT PERSON</u>	<u>E-MAIL</u>
Contact: Arizona State Land Department	1616 West Adams Street Phoenix, Arizona 85007 Phone: (602) 542-6331	Mark Edelman	medelman@land.az.gov

1.0.5 PROJECT BACKGROUND

The Property, as well as the surrounding properties known as White Peak Ranch, Lake Pleasant Heights and Lakeland Village were originally owned by the Bureau of Land Management (“BLM”). Saddleback Heights was acquired from the BLM by Noranda Properties, Inc. and Group Three Properties, an Arizona general partnership over an approximate ten (10) year period. Prior to annexation into the City of Peoria, the Property was zoned Rural-43 in Maricopa County. An Annexation and Development Agreement was approved on December 7, 1993. The Property was subsequently annexed into the City and the Lake Pleasant Heights Specific Area Plan was approved in 1994 and on October 4, 1994, the Property was rezoned to R1-35.

In 2001, the privately held land included in the Lake Pleasant Heights Specific Area Plan (“Lake Pleasant Heights SAP”) was split into two ownerships, with Diamond taking ownership of 5,296 acres and Group Three Properties retaining ownership on 1,085 acres. On December 6, 2001, Diamond received approval of a minor amendment to the Lake Pleasant Heights SAP. This amendment, the Saddleback Heights SAP, provides land use recommendations and guidelines specifically for the Property as well as 756 acres of contiguous State Land.

As noted previously, several other specific area plans or zonings have been approved or are in the process of being approved. The remaining portion of the original Lake Pleasant Heights SAP, under the ownership of Group Three Properties is currently under review as a major General Plan Amendment and Specific Area Plan for Lake Pleasant Heights (East). This Plan consists of approximately 3,263 areas and includes additional State Land.

The White Peak Ranch project (“White Peaks”) is located south of Saddleback Heights Property and received Council approval of PC District zoning on 3,985 acres in 2001. A third master planned community in the vicinity is the 3,121 acre Lakeland Village (“Lakeland”) which is located southeast of the Property. A Development Master Plan and zoning was approved the Lakeland property by the Maricopa County Board of Supervisors. The Lakeland property was subsequently annexed into the City of Peoria and received equivalent zoning in the City in 2001.

Saddleback Heights is an environmentally sensitive and unique property that is currently undeveloped. The approximately 6,052-acre site provides incredible opportunities to create a community set apart from the less dramatic land to the south and in other parts of Peoria and the West Valley. The Saddleback Heights PC District celebrates the recreational

and natural qualities of the surrounding area while providing quality development that is integral to the physical and economic growth of the City.

1.0.6 REGIONAL CONTEXT

Saddleback Heights lies in the northwest portion of the City. The City's growth pattern has been moving to the northwest as many of the vacant lands south and east of the Property have been planned and are currently in various stages of development. The tremendous growth in the Phoenix metropolitan area and, more particularly, in the West Valley, has caused the City and the development community to thoughtfully plan and define future development in northwest Peoria. (See **Regional Context Section 1.4.3.**)

Saddleback Heights is envisioned as a unique and environmentally sensitive enclave community, with great potential for resort lifestyles given its proximity to Lake Pleasant, Saddleback Mountain and the vast amount of dramatic public land that surrounds the Property. Diamond intends to create a community that will define the quality of development in environmentally significant areas of the region by setting a new level of development standards for future master planned communities in the City, the Valley and the Southwest United States.

1.1 COMMUNITY VISION

1.1.1 VISION STATEMENT

Saddleback Heights is planned to be a desert enclave community with a strong resort lifestyle identity and vision. This identity and vision will create a continuum of contiguous desert and mountain open space that links diverse residential neighborhoods and commercial uses including, but not limited to; a potential Town Center site, resort site(s), C-2 commercial site and regional mixed use development. The Saddleback Heights PC District has been sensitively designed to respond to the land and its many natural features and landforms, to preserve and celebrate these features, and to create a truly unique and spectacular place to live.

1.1.2 GOALS AND OBJECTIVES

1.1.2.1 Environmental Sensitivity

The Saddleback Heights PC District has been created to respond to and work with the Property and its natural features, using these features as the "centerpiece" around which the community and neighborhood are designed. An important part of this

community design philosophy includes the use of native Sonoran desert plant material in the Saddleback Heights landscape palette. It also includes the utilization of relocated plant material from the Property as often as possible. Contiguous and connected open space with sensitivity to natural washes and ridgelines are also integral to the Saddleback Heights PC District.

1.1.2.2 Creation of Quality and Connected Neighborhoods

The Saddleback Heights PC District utilizes internal open space in the form of natural desert arroyos and mountain open space as pedestrian corridors to link residents and guests of Saddleback Heights to the paths and trails used for hiking and biking, community recreation elements, and potential school site(s), as well as recreation amenities, residential villages, and commercial and Town Center elements. The Saddleback Heights PC District creates a path and trails system that provides an environmentally sensitive alternative to automobile use. The Saddleback Heights PC District responds to the diverse nature of the site with a variety of development types that allow for the sensitive and quality development of neighborhoods. The diverse housing types, created to respond to the natural washes and landforms, provide a residential variety that eliminates the sameness that is often found in less diverse and less environmentally responsive development.

1.1.2.3 Design and Creation of a Strong Identity and Character

The Saddleback Heights PC District responds to the land by creating land uses that work in conjunction with the natural landforms and features. The emphasis on resort lifestyle and desert enclave design will create a strong community character and identity. The character will be furthered by the use of colors, materials and forms that blend with and enhance the desert environment and that are designed to be comprehensive and timeless.

1.2 PRE-EXISTING DEVELOPMENT CONDITIONS

1.2.1 EXISTING CONDITIONS OVERVIEW

Saddleback Heights was formerly zoned agriculture (AG) and was used for livestock grazing. The Property is currently zoned R1-35 and is vacant. Extensive jeep trails exist throughout the Property. Hikers, bikers, equestrians, and all terrain vehicles currently use the trails. In addition, there are significant natural features, including washes,

ridgelines, rolling hillforms, and rock outcroppings throughout the Property. (See **Existing Conditions Map Section 1.4.1**).

1.2.2 TOPOGRAPHY

The topography within Saddleback Heights ranges from approximately 1,600 to 2,300 feet in elevation. The majority of the Property ranges from 1,800 to 2,100 feet. The western portion of the Property (approximately 3,000 acres) is bound on the south by a mountain range with slopes gradually ascending northward, rising slightly in elevation as it approaches State Highway 74. Going eastward, the Property rises from 1,600 to 2,300 feet, consequently creating a “bowl” effect on the western 2,000 acres. A variety of hill forms ranging from minor to major in size are also present within the Property. The eastern portion of the Property (approximately 3,000 acres) is more undulating with topographical relief typically varying from 1,600 to 2,100 feet in elevation. The majority of this portion of the Property is characterized by sloping ridges and wash features. The ridgelines and hillforms create incredible views of the City of Phoenix and Saddleback Mountain. The Project also has spectacular views of the site itself created by the many landforms.

1.2.3 GEOLOGY / SOILS

1.2.3.1 Soils Association

Soils within Saddleback Heights were identified from the Soils Survey of the Aguila-Carefree Area, parts of Maricopa and Pinal Counties, Arizona, published by the U.S. Natural Resources Conservation Service. The soils classified for the site is predominantly of Hydrologic Groups A and B.

Soil Group A is defined as soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well- to excessively-drained sands or gravelly sands. These soils have a high rate of water transmission.

Soil Group B is defined as soils having moderate infiltration rates when thoroughly wet, consisting chiefly of moderately deep to deep and moderately well to well-drained soils with moderately fine to moderately coarse textures. These soils have a moderate rate of water transmission.

1.2.3.2 Seismic

The Property lies on the edge of the Transition Zone geologic province, a mountainous area between the Basin and Range and

Colorado Plateau geological provinces. Although there is evidence of some faulting within the Hieroglyphic Mountains to the north of the site, various geologic surveys have determined that these fault zones do not present a seismic hazard to the area.

1.2.4 HYDROLOGY

1.3.4.1. Drainage Patterns

The western 2,000 acres drains westerly through a clearly identifiable wash into the Padelford Wash. The eastern and southeasterly portion of the Property drains eastward into the Agua Fria River basin.

1.3.4.2 404 Permitting

With regard to U.S. Army Corps of Engineers (the “Corps”) Section 404 permitting, a draft delineation of jurisdictional waters has been prepared for the portion of Saddleback Heights owned by Diamond as shown on the Boundary Map **Section 1.4.2**. The Property will likely require an Individual Permit, since it is likely that more than 0.5 acres of jurisdictional waters will be impacted by development on the Property. An additional delineation will be performed for the State Land parcels within Villages F & G as shown on the Boundary Map **Section 1.4.2**.

1.2.5 BIOLOGY

1.3.5.1. Threatened or Endangered Species Habitat

The biology evaluation report gives no indication that the Property contains habitat for any threatened or endangered species. The majority of the Property could provide habitat for the desert tortoise and Gila Monster. The desert tortoise is a federal candidate 2 species and also listed on the State-listed species. The area supports low tortoise densities and none of the areas on the Property are known or believed to be a critical habitat. No population or density information is available for the Gila monster.

The site does generally support a sparse density of mule deer (approximately one animal per square mile). The site also contains a sparse density of javelina. The catchments throughout the site provide water for large and small game, as well as, a variety of non-game animals. No riparian habitat was found on

the Property. However, Gambel quail and dove are found throughout the Property.

1.4 REFERENCE MAPS & PLANS

SECTION II - SADDLEBACK HEIGHTS STANDARDS PLAN

2.0 STANDARDS PLAN

2.0.1 OVERVIEW

The Saddleback Heights PC District has been created to respond to the natural landforms and topographic features of the Property. The design of the site is intended to create amenities out of the natural features and preserve them wherever possible. A continuum of open space is created by responding to the natural features to allow for an integrated system of open space that links the variety of land uses within the Property. Saddleback Heights is designed to create a unique blend of residential, commercial, mixed-use and recreational uses that respond to the diverse landforms of the Property and create a well balanced “desert enclave” community.

The Saddleback Heights PC District also includes 756 acres of State Land that was included in the Saddleback Heights Specific Area Plan (the “Saddleback Heights SAP”). The State Land is contained in two “Development Villages”, the 160 acre Village F, and the 596 acre Village G as shown on the Zoning Map **Section 3.10.1**. Villages F and G have been designed to allow them to be developed separately from the remainder of the Saddleback Heights privately owned land with no adverse effect on either property.

2.0.2 CONFORMANCE TO SPECIFIC AREA PLAN

On December 6, 2001, the City Council approved the Saddleback Heights SAP, which was a minor amendment to the Lake Pleasant Heights SAP. The proposed Saddleback Heights PC District conforms to the Saddleback Heights SAP and City’s General Plan.

The Saddleback Heights SAP designates a variety of land uses for the Property, including the State Land. Land use designations include: Residential Estate (“RE”), Low Density Residential (“LD”), Medium Density (“MD”), Resort Development Overlay (“RD”), Town Center Overlay or Community Commercial and Mixed Use Development. The Saddleback Heights SAP allows for 5,409 dwelling units or approximately 1.04 units per acre on the gross acreage of the privately owned property as shown on the Boundary Map **Section 1.4.2** and 786 dwelling units or approximately 1.09 units per acre on the gross acreage State Land. Total

overall density of both privately held and Arizona State Trust Land per the City of Peoria General Plan formula is 1.05 units per acre.

The Saddleback Heights SAP identifies a minimum of 600 acres of open space or eleven percent (11%) of the gross acres. The open space includes recreational amenities, as well as regional open space links. In addition to the open space and other land uses, four potential golf course study areas have been identified, with the potential to develop any three of the four. The golf course study areas may develop as championship course as the market and development dictates.

The proposed Saddleback Heights PC District conforms to all aforementioned criteria. Additionally, the uses proposed on the State Land are consistent with the Saddleback Heights SAP. Furthermore the Saddleback Heights PC District provides further in-depth analysis to further identify and refine the goals and general criteria noted in the Saddleback Heights SAP.

2.0.3 STATEMENT OF CONFORMANCE WITH ADOPTED CODES AND POLICIES

Unless otherwise provided herein, the provisions of the PC District, the Saddleback Heights Development Agreement, the City of Peoria Zoning Ordinance (the “Zoning Ordinance”), the City Code and other City Council adopted policies in effect at the time of approval of the Saddleback Heights PC District shall govern and control the development of the Property.

The following development descriptions and standards are intended to direct the nature and intensity of residential and non-residential uses in Saddleback Heights. If the provisions of the Saddleback Heights Standards Plan (Section II) and the Saddleback Heights Development Plan (Section III) of the PC District (collectively, the “Standards Plan and Development Plan”) are in conflict with the Zoning Ordinance or the City Code, the provisions of the Standards Plan and Development Plan shall govern and control. Unless expressly modified herein all municipal codes, policies and ordinances, in effect at the time of approval of the Saddleback Heights PC District shall apply.

2.1.1 SADDLEBACK RESIDENTIAL ZONING CATEGORIES

2.1.1.1 Intent

The Saddleback Heights Residential District (**hereinafter “SH-R”**) is intended to allow residential development with a range of lot sizes, depending on topography and site constraints, as well as market conditions. This district includes five (5) development

options (“Development Option”), which provide a range of residential lot sizes and establishes minimum property development standards. The “Development Options” include: Saddleback Residential Estate (SRE), Saddleback Very Low Density (SVLD), Saddleback Low Density (SLD), Saddleback Medium Density (SMD), and Saddleback Cottage (SC). The PC District further requires a mix of residential types within each Development Village to ensure a variety of lot sizes and housing products, see **Table-1** on page 35 of this section. Certain essential and complementary uses are also permitted under conditions and standards that insure their compatibility with the character of the SH-R District.

2.1.1.2 Permitted Principal Uses

- a. One residential dwelling unit per lot pursuant to the Development Options set forth in Section 2.1.1.3.
 - b. Publicly or privately owned and maintained parks, recreation areas, paths, trails and recreation centers;
 - c. Public and privately owned golf courses, including clubhouses, maintenance facilities and other accessory uses;
 - d. Public and private schools, and day care facilities;
 - e. Religious institutions;
 - f. Detached guesthouses, including cooking and kitchen facilities;
 - g. Temporary Uses including sales/marketing facilities, model home complexes and related accessory uses;
 - h. Public and private utility uses and buildings, water pumping plants and storage tanks and electric substations; and
 - i. Public and municipal buildings providing cultural, educational, administrative, fire and police protection services.
- g. Resort uses in conjunction with SH-RO District.

2.1.1.3 Development Options

One or more of the following Development Options shall be

selected at the point of or prior to subdivision plat or site plan submittal. See **Section 2.1.1.10, Table-1** for Development Options minimum mix per Development Village and **Section 2.1.1.11, Table-2** for a Development Standards Summary.

- a. **Saddleback Residential Estate (SRE) Option:** The SRE option is intended to promote residential uses that are sensitive to the environment. The minimum lot size produces a very low density of population. The cluster category allows residences to be sited on their respective lots in a way that prevents unnecessary disturbance while preserving significant open space and geographical features. The principal land use is detached single-family dwellings and uses incidental or accessory thereto, together with recreational and educational facilities.

SRE lots shall include: (1) building envelopes for each lot except for cluster option; (2) site specific plans for each lot; (3) harmonious color and material palette within a coordinated framework; and (4) multiple and/or single home builders.

i. SRE Conventional Category - Lot Development Standards

Minimum lot area: Each SRE Conventional lot shall have a minimum area of thirty-five thousand (35,000) square feet.

Minimum width: One hundred ten (110) feet. For the purpose of these standards, “lot width” shall be defined as the ability to inscribe a circle with a diameter equal to the minimum lot width within the property lines, except as allowed for flag lots, as noted below.

Flag Lots: A “flag lot” shall be defined as an irregularly shaped lot, a portion of which fronts on a private access way and is only usable for a driveway providing ingress and egress. All flag lots shall provide a minimum width in the buildable portion of the lot determined by inscribing a circle with a diameter of one hundred ten (110) feet within the property lines. The minimum width of the area not contained within the main building area shall be twenty (20) feet, except that where two or more lots share a common driveway the minimum lot width shall be twelve (12) feet.

Minimum front yard setback: On residences with a front-entry garage, there shall be a front yard with a depth of not less than thirty (30) feet, as measured from the face of the garage to the property line, and there shall be a front yard with a depth of not less than twenty-five (25) feet, as measured from the front of the residence to the property line.

On residences with a side-entry garage, there shall be a front yard with a depth of not less than twenty (20) feet, as measured from the front of the residence to the property line.

Minimum total side yard setback: Thirty (30) feet. (No less than a minimum ten (10) feet on the least side shall be provided.

Minimum rear yard setback: Twenty-five (25) feet.

Maximum building height: Thirty (30) feet (except as provided in Section 14-3-8 of the Zoning Ordinance)

ii. SRE Cluster Category – Lot Development Standards

Parcel Area: Parcels developed under the SRE Cluster Category shall have an area of not less than five (5) acres.

Minimum lot area: None.

Minimum width: Forty-five (45) feet. For the purpose of these standards, “lot width” shall be defined as the ability to inscribe a circle with a diameter equal to the minimum lot width within the property lines, except as allowed for flag lots, as noted below.

Flag Lots: A “flag lot” shall be defined as an irregularly shaped lot, a portion of which fronts on a private access way and is only usable for a driveway providing ingress and egress. All flag lots shall provide a minimum width in the buildable portion of the lot determined by inscribing a circle with a diameter of forty-five (45) feet within the property lines. The minimum width of the area not contained within the main building area shall be twenty (20) feet, except that where two or more lots share a common driveway the minimum lot width shall be twelve (12) feet.

Minimum front yard setback: On residences with a front-entry garage, there shall be a front yard with a depth of not less than twenty (20) feet, as measured from the face of the garage to the property line, and there shall be a front yard with a depth of not less than ten (10) feet, as measured from the front of the residence to the property line.

On residences with a side-entry garage, there shall be a front yard with a depth of not less than twelve (12) feet, as measured from the front of the residence to the property line.

Minimum total side yard setback: Eight (8) feet. (Zero (0) feet allowed on one side if the opposite side yard measures at least eight (8) feet).

Minimum rear yard setback: Fifteen (15) feet.

Maximum building height: Thirty (30) feet (except as provided in Section 14-3-8 of the Zoning Ordinance)

- b. Saddleback Very Low Density (SVLD) Option:** The SVLD option is intended to promote very low density development. The minimum lot size produces a very low density of population. The cluster category allows residences to be sited on their respective lots in a way that prevents unnecessary disturbance while preserving significant open space and geographical features. The principal land use is detached single-family dwellings and uses incidental or accessory thereto, together with recreational and educational facilities.

SVLD lots shall include: (1) Use of either building envelopes or graded lots; (2) harmonious color and material palette within a coordinated framework; and (3) multiple and/or single homebuilders.

i. SVLD Conventional Category - Lot Development Standards

Minimum lot area: Each SVLD Conventional lot shall have a minimum area of thirteen thousand (13,000) square feet.

Minimum width: Seventy-five (75) feet. For the purpose of these amended standards, “lot width” shall be defined as the ability to inscribe a circle with a diameter equal to the minimum lot width within the property lines, except as allowed for flag lots, as noted below.

Flag Lots: A “flag lot” shall be defined as an irregularly shaped lot, a portion of which fronts on a private access way and is only usable for a driveway providing ingress and egress. All flag lots shall provide a minimum width in the buildable portion of the lot determined by inscribing a circle with a diameter of seventy-five (75) feet within the property lines. The minimum width of the area not contained within the main building area shall be twenty (20) feet, except that where two or more lots share a common driveway the minimum lot width shall be twelve (12) feet.

Minimum front yard setback: On residences with a front-entry garage, there shall be a front yard with a depth of not less than twenty (20) feet, as measured from the face of the garage to the property line, and there shall be a front yard with a depth of not less than fifteen (15) feet, as measured from the front of the residence to the property line.

On residences with a side-entry garage, there shall be a front yard with a depth of not less than fifteen (15) feet, as measured from the front of the residence to the property line.

Minimum total side yard setback: Twenty (20) feet (No less than a minimum ten (10) feet on the least side shall be provided).

Minimum rear yard setback: Twenty (20) feet.

Maximum building height: Thirty (30) feet (except as provided in Section 14-3-8 of the Zoning Ordinance)

ii. SVLD Cluster Category – Lot Development Standards

Parcel Area: Parcels developed under the SVLD Cluster Category shall have an area of not less than five (5) acres.

Minimum lot area: None.

Minimum width: Forty-five (45) feet. For the purpose of these standards, “lot width” shall be defined as the ability to inscribe a circle with a diameter equal to the minimum lot width within the property lines, except as allowed for flag lots, as noted below.

Flag Lots: A “flag lot” shall be defined as an irregularly shaped lot, a portion of which fronts on a private access way and is only usable for a driveway providing ingress and egress. All flag lots shall provide a minimum width in the buildable portion of the lot determined by inscribing a circle with a diameter of forty-five (45) feet within the property lines. The minimum width of the area not contained within the main building area shall be twenty (20) feet, except that where two or more lots share a common driveway the minimum lot width shall be twelve (12) feet.

Minimum front yard setback: On residences with a front-entry garage, there shall be a front yard with a depth of not less than twenty (20) feet, as measured from the face of the garage to the property line, and there shall be a front yard with a depth of not less than ten (10) feet, as measured from the front of the residence to the property line.

On residences with a side-entry garage, there shall be a front yard with a depth of not less than twelve (12) feet, as measured from the front of the residence to the property line.

Minimum total side yard setback: Eight (8) feet. (Zero (0) feet allowed on one side if the opposite side yard measures at least eight (8) feet).

Minimum rear yard setback: Fifteen (15) feet.

Maximum building height: Thirty (30) feet (except as provided in Section 14-3-8 of the Zoning Ordinance)

- c. **Saddleback Low Density (SLD) Option:** The SLD option is intended to promote low density development. The minimum lot size produces a low density of population. The principal land use is detached single-family dwellings and

uses incidental or accessory thereto, together with recreational and educational facilities.

SLD lots shall include: (1) A variety of floor plans; (2) multiple elevations; (3) harmonious color and material palette within a coordinated framework; and (4) multiple and/or single homebuilders.

i. SLD Conventional Category - Lot Development Standards

Minimum lot area: Each SLD Conventional lot shall have a minimum area of nine thousand (9,000) square feet.

Minimum width: Sixty (60) feet. For the purpose of these standards, “lot width” shall be defined as the ability to inscribe a circle with a diameter equal to the minimum lot width within the property lines, except as allowed for flag lots, as noted below.

Flag Lots: A “flag lot” shall be defined as an irregularly shaped lot, a portion of which fronts on a private access way and is only usable for a driveway providing ingress and egress. All flag lots shall provide a minimum width in the buildable portion of the lot determined by inscribing a circle with a diameter of sixty (60) feet within the property lines. The minimum width of the area not contained within the main building area shall be twenty (20) feet, except that where two or more lots share a common driveway the minimum lot width shall be twelve (12) feet.

Minimum front yard setback: On residences with a front-entry garage, there shall be a front yard with a depth of not less than twenty (20) feet, as measured from the face of the garage to the property line, and there shall be a front yard with a depth of not less than fifteen (15) feet, as measured from the front of the residence to the property line.

On residences with a side-entry garage, there shall be a front yard with a depth of not less than twelve (12) feet, as measured from the front of the residence to the property line.

Minimum total side yard setback: Ten (10) feet. (Zero (0) feet allowed on one side if the opposite side yard

measures at least ten (10) feet).

Minimum rear yard setback: Twenty (20) feet.

Maximum building height: Thirty (30) feet (except as provided in Section 14-3-8 of the Zoning Ordinance)

ii. SLD Cluster Category – Lot Development Standards

Parcel Area: Parcels developed under the SLD Cluster Category shall have an area of not less than five (5) acres.

Minimum lot area: None.

Minimum width: Forty-five (45) feet. For the purpose of these standards, “lot width” shall be defined as the ability to inscribe a circle with a diameter equal to the minimum lot width within the property lines, except as allowed for flag lots, as noted below.

Flag Lots: A “flag lot” shall be defined as an irregularly shaped lot, a portion of which fronts on a private access way and is only usable for a driveway providing ingress and egress. All flag lots shall provide a minimum width in the buildable portion of the lot determined by inscribing a circle with a diameter of forty-five (45) feet within the property lines. The minimum width of the area not contained within the main building area shall be twenty (20) feet, unless that portion of the lot less than twenty (20) feet in width contains no driveways, buildings or swimming pools; except that where two or more lots share a common driveway the minimum lot width shall be twelve (12) feet.

Minimum front yard setback: On residences with a front-entry garage, there shall be a front yard with a depth of not less than twenty (20) feet, as measured from the face of the garage to the property line, and there shall be a front yard with a depth of not less than ten (10) feet, as measured from the front of the residence to the property line.

On residences with a side-entry garage, there shall be a front yard with a depth of not less than twelve (12) feet, as measured from the front of the residence to the property line.

Minimum total side yard setback: Eight (8) feet. (Zero (0) feet allowed on one side if the opposite side yard measures at least eight (8) feet).

Minimum rear yard setback: Fifteen (15) feet.

Maximum building height: Thirty (30) feet (except as provided in Section 14-3-8 of the Zoning Ordinance)

iii. SLD Attached Dwelling Units Category – Lot Development Standards

Parcel area: Parcels containing attached dwelling units shall have an area of not less than five (5) acres.

Minimum lot area: Each lot shall have a minimum area of nine thousand (9,000) square feet.

Minimum width: thirty-five (35) feet. For the purpose of these standards, “lot width” shall be defined as the ability to inscribe a circle with a diameter equal to the minimum lot width within the property lines, except as allowed for flag lots, as noted below.

Minimum front yard setback: There shall be a front yard with a depth of not less than twenty (20) feet, as measured from the face of the garage to the property line, and there shall be a front yard with a depth of not less than ten (10) feet, as measured from the front of the residence to the property line.

Side setback: All attached dwelling buildings shall be a minimum of fifteen (15) feet from the side parcel.

Minimum rear yard setback: Fifteen (15) feet.

Maximum building height: Thirty (30) feet (except as provided in Section 14-3-8 of the Zoning Ordinance)

d. Saddleback Medium Density (SMD) Option: The SMD option is intended to promote medium intensity detached and

attached residential development. The minimum lot size produces a low density of population. The principal land use is detached and attached single-family dwellings and uses incidental or accessory thereto, together with recreational and educational facilities.

SMD lots shall include; (1) A variety of floor plans; (2) harmonious color and material palette within a coordinated framework; and (3) multiple and/or single home builders.

i. SMD Conventional Category - Lot Development Standards

Minimum lot area: Each SMD Conventional lot shall have a minimum area of six thousand (6,000) square feet.

Minimum width: Fifty (50) feet. For the purpose of these standards, “lot width” shall be defined as the ability to inscribe a circle with a diameter equal to the minimum lot width within the property lines, except as allowed for flag lots, as noted below.

Flag Lots: A “flag lot” shall be defined as an irregularly shaped lot, a portion of which fronts on a private access way and is only usable for a driveway providing ingress and egress. All flag lots shall provide a minimum width in the buildable portion of the lot determined by inscribing a circle with a diameter of fifty (50) feet within the property lines. The minimum width of the area not contained within the main building area shall be twenty (20) feet, except that where two or more lots share a common driveway the minimum lot width shall be twelve (12) feet.

Minimum front yard setback: On residences with a front-entry garage, there shall be a front yard with a depth of not less than twenty (20) feet, as measured from the face of the garage to the property line, and there shall be a front yard with a depth of not less than fifteen (15) feet, as measured from the front of the residence to the property line.

On residences with a side-entry garage, there shall be a front yard with a depth of not less than twelve (12) feet,

as measured from the front of the residence to the property line.

Minimum total side yard setback: Ten (10) feet. (Zero (0) feet allowed on one side if the opposite side yard measures at least ten (10) feet).

Minimum rear yard setback: Fifteen (15) feet.

Maximum building height: Thirty (30) feet (except as provided in Section 14-3-8 of the Zoning Ordinance)

ii. SMD Cluster Category – Lot Development Standards

Parcel Area: Parcels developed under the SMD Cluster Category shall have an area of not less than five (5) acres.

Minimum lot area: none.

Minimum width: Forty-five (45) feet. For the purpose of these standards, “lot width” shall be defined as the ability to inscribe a circle with a diameter equal to the minimum lot width within the property lines, except as allowed for flag lots, as noted below.

Flag Lots: A “flag lot” shall be defined as an irregularly shaped lot, a portion of which fronts on a private access way and is only usable for a driveway providing ingress and egress. All flag lots shall provide a minimum width in the buildable portion of the lot determined by inscribing a circle with a diameter of forty-five (45) feet within the property lines. The minimum width of the area not contained within the main building area shall be twenty (20) feet, except that where two or more lots share a common driveway the minimum lot width shall be twelve (12) feet.

Minimum front yard setback: On residences with a front-entry garage, there shall be a front yard with a depth of not less than twenty (20) feet, as measured from the face of the garage to the property line, and there shall be a front yard with a depth of not less than fifteen (15) feet, as measured from the front of the residence to the property line.

On residences with a side-entry garage, there shall be a front yard with a depth of not less than twelve (12) feet, as measured from the front of the residence to the property line.

Minimum total side yard setback: Eight (8) feet. (Zero (0) feet allowed on one side if the opposite side yard measures at least eight (8) feet).

Minimum rear yard setback: Fifteen (15) feet.

Maximum building height: Thirty (30) feet (except as provided in Section 14-3-8 of the Zoning Ordinance)

iii. SMD Attached Dwelling Units Category – Lot Development Standards

Parcel Area: Parcels containing attached dwelling units shall have an area of not less than five (5) acres.

Minimum lot area: Each lot shall have a minimum area of six thousand (6,000) square feet.

Minimum width: thirty-five (35) feet. For the purpose of these standards, “lot width” shall be defined as the ability to inscribe a circle with a diameter equal to the minimum lot width within the property lines, except as allowed for flag lots, as noted below.

Minimum front yard setback: There shall be a front yard with a depth of not less than twenty (20) feet, as measured from face of the garage to the property line, and there shall be a front yard with a depth of not less than ten (10) feet, as measured from the front of the residence to the property line.

Side setback: All attached dwelling buildings shall be a minimum of fifteen (15) feet from the side property lines.

Minimum rear yard setback: Fifteen (15) feet.

Maximum building height: Thirty (30) feet (except as provided in Section 14-3-8 of the Zoning Ordinance)

- e. **Saddleback Cottage (SC) Option:** The SC option is intended to promote residential development on smaller lots

as a mechanism to preserve significant open space and geographic features. The principal land use is detached and attached single-family dwellings and uses incidental or accessory thereto, together with recreational and educational facilities.

SC lots shall include: (1) A variety of floor plans; (2) multiple elevations; (3) harmonious color and material palette within a coordinated framework; and (4) multiple and/or single home builders.

i. SC Conventional Category - Lot Development Standards

Minimum lot area: Each SC Conventional lot shall have a minimum area of four thousand five hundred (4,500) square feet.

Minimum width: Forty-five (45) feet. For the purpose of these standards, “lot width” shall be defined as the ability to inscribe a circle with a diameter equal to the minimum lot width within the property lines, except as allowed for flag lots, as noted below.

Flag Lots: A “flag lot” shall be defined as an irregularly shaped lot, a portion of which fronts on a private access way and is only usable for a driveway providing ingress and egress. All flag lots shall provide a minimum width in the buildable portion of the lot determined by inscribing a circle with a diameter of forty-five (45) feet within the property lines. The minimum width of the area not contained within the main building area shall be twenty (20) feet; except that where two or more lots share a common driveway the minimum lot width shall be twelve (12) feet.

Minimum front yard setback: On residences with a front-entry garage, there shall be a front yard with a depth of not less than twenty (20) feet, as measured from the face of the garage to the property line, and there shall be a front yard with a depth of not less than ten (10) feet, as measured from the front of the residence to the property line.

On residences with a side-entry garage, there shall be a front yard with a depth of not less than twelve (12) feet, as measured from the front of the residence to the property line.

Minimum total side yard setback: Eight (8) feet. (Zero (0) feet allowed on one side if the opposite side yard measures at least eight (8) feet).

Minimum rear yard setback: Fifteen (15) feet.

Maximum building height: Thirty (30) feet (except as provided in Section 14-3-8 of the Zoning Ordinance).

ii. SC Cluster Category – Lot Development Standards

Parcel Area: Parcels developed under the SC Cluster Category shall have an area of not less than five (5) acres.

Minimum lot area: None.

Minimum width: Thirty-five (35) feet. For the purpose of these standards, “lot width” shall be defined as the ability to inscribe a circle with a diameter equal to the minimum lot width within the property lines, except as allowed for flag lots, as noted below.

Flag Lots: A “flag lot” shall be defined as an irregularly shaped lot, a portion of which fronts on a private access way and is only usable for a driveway providing ingress and egress. All flag lots shall provide a minimum width in the buildable portion of the lot determined by inscribing a circle with a diameter of forty-five (45) feet within the property lines. The minimum width of the area not contained within the main building area shall be twenty (20) feet; except that where two or more lots share a common driveway the minimum lot width shall be twelve (12) feet.

Minimum front yard setback: On residences with a front-entry garage, there shall be a front yard with a depth of not less than twenty (20) feet, as measured from the face of the garage to the property line, and there shall be a front yard with a depth of not less than ten (10) feet, as

measured from the front of the residence to the property line.

On residences with a side-entry garage, there shall be a front yard with a depth of not less than twelve (12) feet, as measured from the front of the residence to the property line.

Minimum total side yard setback: Eight (8) feet. (Zero (0) feet allowed on one side if the opposite side yard measures at least eight (8) feet).

Minimum rear yard setback: Fifteen (15) feet.

iii. SC Attached Dwelling Units Category – Lot Development Standards

Parcel Area: Parcels containing attached dwelling units shall have an area of not less than five (5) acres.

Minimum lot area: Each attached lot shall have a minimum area of four thousand five hundred (4,500) square feet.

Minimum width: Thirty-five (35) feet. For the purpose of these standards, “lot width” shall be defined as the ability to inscribe a circle with a diameter equal to the minimum lot width within the property lines, except as allowed for flag lots, as noted below.

Minimum front yard setback: There shall be a front yard with a depth of not less than twenty (20) feet, as measured from the face of the garage to the property line, and there shall be a front yard with a depth of not less than ten (10) feet, as measured from front of the residence to the property line.

Side setback: All attached dwelling buildings shall be a minimum of fifteen (15) feet from the side property lines.

Minimum rear yard setback: Fifteen (15) feet.

Maximum building height: Thirty (30) feet (except as provided in Section 14-3-8 of the Zoning Ordinance)

2.1.1.4 Permitted Conditional Uses

Any of the permitted conditional uses set forth in the Zoning Ordinance Section 14-5-3, subject to approval by the Commission in accordance with the provisions of Section 14-24 of the Zoning Ordinance.

2.1.1.5 Permitted Accessory Uses

Any of the permitted accessory uses set forth in Section 14-5-4 of the Zoning Ordinance.

2.1.1.6 Development Standards for Conditionally Permitted Uses

See Section 14-5-6 of the Zoning Ordinance.

2.1.1.7 Minor Variances from Certain Property Development Standards

- a. A Minor Variance is defined as a variance from the front, rear or side yard setbacks contained in Sections 2.1.1.3(a), 2.1.1.3(b), 2.1.1.3(c), 2.1.1.3(d), and 2.1.1.3 (e), respectively, of an amount not greater than ten percent (10%) of the required setback.
- b. Upon application by a property owner, the planning manager of the City (the “Planning Manager”) may authorize a Minor Variances from the required yard setbacks pursuant to Article 14-5 of the Zoning Ordinance.

2.1.1.8 Property Development Standards for Accessory Buildings

See Section 14-5-7 of the Zoning Ordinance.

2.1.1.9 Property Lot Coverage Standards.

All lot coverage for residential lots will be determined by area defined with the required building setbacks.

2.1.1.10 Saddleback Height Residential (SH-R) Development Village Composition Matrix.

SADDLEBACK HEIGHTS RESIDENTIAL DEVELOPMENT VILLAGE COMPOSITION MATRIX – TABLE 1							
LAND USE CATEGORY						DEVELOPMENT VILLAGE 'F' PERCENT DEVELOPABLE ACRES (STATE LAND)	DEVELOPMENT VILLAGE 'G' PERCENT DEVELOPABLE ACRES (STATE LAND)
COTTAGE (SC)						5% Maximum	5% Maximum
MEDIUM DENSITY (SMD)						50% Maximum	50% Maximum
LOW DENSITY (SLD)						50% Maximum	50% Maximum
VERY LOW DENSITY (SVLD)						10% Minimum	20% Minimum
RESIDENTIAL ESTATE (SRE)						0% Minimum	20% Minimum

2.1.1.11 Saddleback Heights Residential (SH-R) Development Standards Matrix (Table –2).

Note: A Minimum of 20% of developable land within the SRE Category will have lots that have a minimum of 35,000 square feet.

TABLE - 2	SADDLEBACK RESIDENTIAL ESTATE (SRE)		SADDLEBACK LOW DENSITY (SLD)			SADDLEBACK MEDIUM DENSITY (SMD)			SADDLEBACK COTTAGE (SC)		
ZONING DISTRICT	Saddleback Residential Estate Conventional	Saddleback Residential Estate (Cluster Option)	Saddleback Residential Low Density Conventional	Saddleback Residential Low Density (Cluster Option)	Saddleback Residential Low Density (Attached)	Saddleback Residential Medium Density Conventional	Saddleback Residential Medium Density (Cluster Option)	Saddleback Residential Medium Density (Attached)	Saddleback Residential Cottage Conventional	Saddleback Residential Cottage (Cluster)	Saddleback Residential Cottage (Attached)
Min. Parcel Size	-	5 Acres	-	5 Acres	5 Acres	-	5 Acres	5 Acres	-	5 Acres	5 Acres
Min. Lot Size (sq. ft.)	10,500	-	7,500	-	5,500	6,000	-	6,000	4,500	-	4,500
Min. Lot Width	75'	45'	60'	45'	35'	50'	45'	35'	45'	35'	35'
Min. Flag Lot Width	20', 12' with shared driveway	20', 12' with shared driveway	20', 12' with shared driveway	20', 12' with shared driveway	20', 12' with shared driveway	20', 12' with shared driveway	20', 12' with shared driveway	-	20', 12' with shared driveway	20', 12' with shared driveway	-
Min. Front Yard Setback	20' to Face of Garage 15' to building 15' to garage if side entry	20' to Face of Garage 10' to building 12' to garage if side entry	20' to Face of Garage 10' to building 12' to garage if side entry	20' to Face of Garage 10' to building 12' to garage if side entry	20' to Face of Garage 10' to building 12' to garage if side entry	20' to Face of Garage 10' to building 12' to garage if side entry	20' to Face of Garage 10' to building 12' to garage if side entry	20' to Face of Garage 10' to building 12' to garage if side entry	20' to Face of Garage 10' to building 12' to garage if side entry	20' to Face of Garage 10' to building 12' to garage if side entry	20' to Face of Garage 10' to building
Side Yard Setback	20' Aggregate, 10' min. on least side yard.	8' Aggregate, 0' allowed on one side with 8' min. on opposite side yard.	10' Aggregate, 0' allowed on one side with 10' min. on opposite side yard.	8' Aggregate, 0' allowed on one side with 8' min. on opposite side yard.	15' min. side yard.	10' Aggregate, 0' allowed on one side with 10' min. on opposite side yard.	8' Aggregate, 0' allowed on one side with 8' min. on opposite side yard.	8' Aggregate, 0' allowed on one side with 8' min. on opposite side yard.	8' Aggregate, 0' allowed on one side with 8' min. on opposite side yard.	8' Aggregate, 0' allowed on one side with 8' min. on opposite side yard.	-
Rear Yard Setback	20'	15'	20'	15'	15'	15'	15'	15'	15'	15'	15'
Maximum Height *	30'	30'	30'	30'	30'	30'	30'	30'	30'	30'	30'

(* Except as provided in Section 14-3-8 of the Zoning Ordinance)

2.1.2 SADDLEBACK RESORT OVERLAY DISTRICT

2.1.2.1 Intent

The Saddleback Heights Resort Overlay District (hereinafter “SH-RO”) is intended to allow a high quality, destination oriented resort and accessory uses. The resort(s) shall be designed and developed to fit into the unique and special environs of the Saddleback Property. The “SH-RO” District shall be a supplemental zoning district applying to the area shown as part of the Resort Overlay areas within Saddleback Heights as shown on the Zoning Map **Section 3.10.1**. Development within the “SH-RO” District shall be limited to a maximum of eight hundred (800) resort or hotel rooms in addition to the permitted uses set forth in **Section 2.1.1.2**.

2.1.2.2 Permitted Principal Uses

- a. Resort (and all associated facilities including but not limited to meeting facilities, spa, tennis and golf uses);
- b. Hotel (and all associated facilities including but not limited to meeting facilities, spa, tennis and golf uses);
- c. Retail stores;
- d. Restaurants and bars;
- e. Outdoor recreational activities including, but not limited to, dining, entertainment, horseback riding, swimming, tennis, volleyball, exercise and similar recreational activities;
- f. Timeshare or interval ownership residential units.

2.1.2.3 Permitted Conditional Uses

Same as SH-R District.

2.1.2.4 Permitted Accessory Uses

Same as SH-R District.

2.1.2.5 Property Development Standards for Residential Uses

Same as SH-R District.

2.1.2.6 Property Development Standards for Residential Accessory Buildings

Same as SH-R District.

2.1.2.7 Property Development Standards for Non-Residential Uses

Maximum Building Height: No building shall exceed forty-eight (48) feet or four (4) stories, sixty (60) feet or five (5) stories with approval by the Planning and Zoning Commission. The thirty (30) feet that is outlined in the Hillside Ordinance works well for residential homes, but may hinder commercial development. Building “up” not “out” is a more sensitive approach to development, as it creates less overall disturbance. Under the non-residential uses, no building will be allowed to break adjacent prominent ridgeline profiles and, due to the mountain backdrop and rolling topography, a four-story building can be sensitively sited to fit with the character of the site.

2.1.3 COMMUNITY COMMERCIAL DISTRICT (C-2)

All C-2 zoned property within Saddleback Heights shall conform to the provisions of Article 14-13 of the Zoning Ordinance in effect at the time of approval of the Saddleback Heights PC District.

2.1.4 TOWN CENTER OVERLAY

2.1.4.1 Intent

The Saddleback Heights Town Center Overlay District (hereinafter “SH-TCO”) is intended to provide a focal point for the community. The Town Center will reflect the high quality enclave nature of the development by providing the opportunity for service and retail sales to meet the day to day needs of the residents and guests of Saddleback Heights, as well as, provide for professional offices, entertainment opportunities, and residential uses. Residential uses shall be encouraged to integrate with the retail, entertainment and office opportunities to create a cohesive living environment that takes advantage of daytime and nighttime activities. The Town Center shall be designed and developed to fit into the unique setting of Saddleback Heights. The “SH-TCO” District shall be a supplemental zoning district over portions of the residential

zoned area of the within Saddleback as outlined in the **Zoning Map Section 3.10.1**.

2.1.4.2 Permitted Principal Uses

- a. Hospital for animals including grooming, boarding and lodging.
- b. Municipal Uses.
- c. Studios for professional work or teaching of any form of commercial or fine arts.
- d. Retail stores.
- e. Restaurants and bars.
- f. Outdoor recreational activities including, but not limited to, dining, entertainment, amphitheater and similar recreational activities.
- g. Residential uses that are physically integrated with the commercial establishments or within an integrated site plan.
- h. Movie theaters.
- i. Specialty Retail including but not limited to:
 - i. Antique store.
 - ii. Art Gallery.
 - iii. Bicycle store.
 - iv. Book store.
 - v. Camera store.
 - vi. Clothing store.
 - vii. Electronic equipment store.
 - viii. Florist.
 - ix. Gift shop.
 - x. Hobby or toy store.
 - xi. Import store.
 - xii. Jewelry store.
 - xiii. Music store.
 - xiv. Pet shop.
 - xv. Small appliance store.
 - xvi. Sporting goods store.
 - xvii. Stationery Store.
 - xviii. Swimming pool supply store.
- j. Banks.
- k. Theater for performing arts.
- l. Travel agency.
- m. Gasoline service stations.
- n. Community buildings and recreational facilities not publicly owned.

2.1.4.3 Permitted Conditional Uses

- a. Day Nursery or pre-school.
- b. Game center.
- c. Internalized community storage.

2.1.4.4 Permitted Accessory Uses

Permitted accessory uses within the SH-TCO shall be the same as allowed in the SH-R District.

2.1.4.5 Property Development Standards for Non-Residential Uses

- a. Minimum parcel size and lot coverage shall be determined by the aggregate of buildings, required yards, off-street parking, and loading space and any other specific requirements applicable to the permitted use.
- b. Minimum lot width twenty (20) feet.
- c. Minimum lot depth forty (40) feet.
- d. Minimum front setback zero (0) feet back of sidewalk or five (5) feet back of curb.
- e. Minimum side yard setback of zero (0) feet. If a setback is provided, it must be a minimum of 5'.
- f. Minimum rear setback 15' from property line.

2.1.4.6 Property Development Standards for Residential Uses

The development standards for residential uses within the SH-TCO are intended to be multi-family, attached and single-family residential uses that are integrated with the commercial and retail uses of the Town Center. Residential uses shall be permitted above, below or beside non-residential uses to create true integration of the residential uses with non-residential uses. This will create the opportunity for vertical and horizontal integration of residential uses. In the event of a conflict between the development standards contained in §14-6 of the Zoning Ordinance and the SH-TCO development option, the development standards contained in the SH-TCO shall control.

- a. Minimum parcel size 4,500 square feet.
- b. Minimum lot width twenty (20) feet.
- c. Minimum lot depth forty (40) feet.
- d. Maximum Height 4 stories or 48'.
- e. Maximum lot coverage seventy-five (75) percent.
- f. Minimum front setback zero (0) feet back of sidewalk or five (5) feet back of curb.

- g. Minimum side yard setback of zero(0) feet. If a setback is provided it must be a minimum of 5’.
- h. In addition to residential uses and criteria set forth in SH-R District residential dwellings may also be integrated above, below or beside non-residential uses.
- i. Minimum Open Space (may include setbacks), of 15% of the net parcel size for the first 3 stories or 40’ and an additional 5% for each additional story.
- j. Above uses such as, office, retail, service, and entertainment uses.
- k. Parking shall be provided at two (2) off street parking space per dwelling unit.
- l. Minimum rear setback 15’ from property line.

2.1.4.7 Property Development Standards for Residential Accessory Buildings

The development standards for residential accessory buildings shall be the same as those set forth in the as SH-R District.

- a. Minimum parcel size 4,500 square feet.
- b. Minimum lot width twenty (20) feet.
- c. Minimum lot depth forty (40) feet.
- d. Maximum Height 4 stories or 48’.
- e. Maximum lot coverage seventy-five (75) percent.
- f. Minimum front setback zero (0) feet back of sidewalk or five (5) feet back of curb.
- g. Minimum side yard setback of zero(0) feet. If a setback is provided it must be a minimum of 5’.
- h. In addition to residential uses and criteria set forth in SH-R District residential dwellings may also be integrated above, below or beside non-residential uses.
- i. Minimum Open Space (may include setbacks), of 15% of the net parcel size for the first 3 stories or 40’ and an additional 5% for each additional story.
- j. Above uses such as, office, retail, service, and entertainment uses.
- k. Parking shall be provided at two (2) off street parking space per dwelling unit.
- l. Minimum rear setback 15’ from property line.

2.1.4.8 General Property Development Standards

Maximum Building Height: No building shall exceed forty-eight

(48) feet or four (4) stories, sixty (60) feet or five (5) stories with approval by the Planning and Zoning Commission. The thirty (30) feet that is outlined in the Hillside Ordinance works well for residential homes, but may hinder commercial development. Building “up” not “out” is a more sensitive approach to development, as it creates less overall disturbance. Under the non-residential uses, no building will be allowed to break adjacent prominent ridgeline profiles and due to the mountain back drop and rolling topography a four-story building can be sensitively sited to protect views and fit with the character of the site.

2.1.5 MIXED USE DEVELOPMENT DISTRICT

2.1.5.1 Intent

The Saddleback Heights Mixed Use District (hereinafter “SH-MU”) is intended to provide a variety of community and regional uses in one geographic area located at significant intersections that will allow both access and viability for the uses. Residential uses shall be permitted above, below or beside non-residential uses to create true integration of the residential uses with non-residential uses. This will create the opportunity for vertical and horizontal integration of residential uses. The mixed-use area will provide the opportunity for service and retail sales, office, employment, entertainment, parks and recreation, as well as, multi-family residential housing.

2.1.5.2 Permitted Principal Uses

- a. Hospital for animals including grooming, boarding and lodging.
- b. Municipal Uses.
- c. Studios for professional work or teaching of any form of commercial of fine arts.
- d. Retail stores.
- e. Restaurants and bars.
- f. Outdoor recreational activities including, but not limited to, dining, entertainment, amphitheater and similar recreational activities.
- g. Residential uses that are physically integrated with the commercial establishments.
- h. Movie theaters.
- i. Gasoline Service Stations.
- j. Specialty Retail including but not limited to:

- k. Antique store.
 - i. Art Gallery.
 - ii. Bicycle store.
 - iii. Bookstore.
 - iv. Barber shop
 - v. Camera store.
 - vi. Clothing store.
 - vii. Electronic equipment store.
 - viii. Florist.
 - ix. Gift shop.
 - x. Hobby or toy store.
 - xi. Import store.
 - xii. Jewelry store.
 - xiii. Music store.
 - xiv. Pet shop.
 - xv. Small appliance store.
 - xvi. Sporting goods store.
 - xvii. Stationery Store.
 - xviii. Swimming pool supply store.
- l. Banks.
- m. Theater for performing arts.
- n. Travel agency.
- o. Daycare facilities, pre-school.
- p. Churches.
- q. Community Colleges.
- r. Educational Campus.
- s. Community buildings and recreational facilities not publicly owned.

2.1.5.3 Permitted Conditional Uses

- a. Manufacturing.
- b. Wireless communication facilities.
- c. Research facilities.
- d. Mortuary.
- e. Automobile, body shops.
- f. Automobile, Sales (new & used).
- g. Automobile, service shop.

2.1.5.4 Permitted Accessory Uses

Permitted accessory uses shall be the same as allowed in the SH-R District.

2.1.5.5 Property Development Standards for Non-Residential Uses

- a. Minimum parcel size and lot coverage shall be determined by the aggregate of buildings, required yards, off-street parking, and loading space and any other specific requirements applicable to the permitted use.
- b. Minimum lot width twenty (20) feet.
- c. Minimum lot depth forty (40) feet.
- d. Minimum front setback zero (0) feet back of sidewalk or five (5) feet back of curb.
- e. Minimum side yard setback of zero (0) feet. If a setback is provided, it must be a minimum of 5’.
- f. Minimum rear setback 15’ from property line.

2.1.5.6 Property Development Standards for Residential Uses

- a. Minimum parcel size 4,500 square feet.
- b. Minimum lot width twenty (20) feet.
- c. Minimum lot depth forty (40) feet.
- d. Maximum Height four (4) stories or forty-eight (48) feet.
- e. Maximum lot coverage seventy-five (75) percent.
- f. Minimum front setback zero (0) feet back of sidewalk or five (5) feet back of curb.
- g. Minimum side yard setback of zero (0) feet. If a setback is provided, it must be a minimum of five (5) feet.
- h. In addition to residential uses and criteria set forth in SH-R District, residential dwellings may also be integrated on above, below or beside non-residential uses.
- i. Minimum Open Space (may include setbacks) of 15% of the net parcel size for the first 3 stories or forty (40) feet and an additional 5% for each additional story.
- j. Above uses such as, office, retail, service, and entertainment uses.
- k. Parking shall be provided at two (2) off-street parking space per dwelling unit.
- l. Minimum rear setback 15’ from property line.

2.1.5.7 Property Development Standards for Residential Accessory Buildings

Same as those set forth in Section 14-6 of the Zoning Ordinance and those outlined in SH-R District.

2.1.5.8 General Property Development Standards

Maximum Building Height: No building shall exceed forty-eight (48) feet or four (4) stories, sixty (60) feet or five (5) stories with

approval by the Planning and Zoning Commission. The thirty (30) feet that is outlined in the Hillside Ordinance works well for residential homes, but may hinder commercial development. Building “up” not “out” is a more sensitive approach to development, as it creates less overall disturbance. Under the non-residential uses, no building will be allowed to break adjacent prominent ridgeline profiles and due to the mountain back drop and rolling topography a four-story building can be sensitively sited to protect views and fit with the character of the site.

2.1.6 HILLSIDE DEVELOPMENT STANDARDS

HILLSIDE DEVELOPMENT STANDARDS

Summary

The Saddleback Hillside Development Standards have been created to provide meaningful open space by protecting sensitive lands, including wash features, hillside areas, significant rock outcroppings, and major ridgelines. These standards set up the framework to create a parcel by parcel disturbance calculation that will allow the unique landforms of Saddleback to be sensitively developed and create meaningful open space in both revegetated and natural open space. The Saddleback Hillside Development Standards conform to the City of Peoria's Hillside Development Overlay District (Article 14-22-A of the Peoria Zoning Ordinance), which is repeated in its entirety following this summary, except as noted in the capitalized and deleted text contained below. The capitalized and deleted text expressly modify the Hillside Development Overlay District for Saddleback, as permitted by Section 14-36-2 and Section 14-22A-1 of the Peoria Zoning Ordinance. References below to the "Hillside Development Overlay District" shall mean the Saddleback Hillside Development Standards, and the Saddleback Hillside Development Standards shall mean the Hillside Development Overlay District as modified below.

SECTION 1 INTENT

- A. It is the purpose of this Section to establish regulations which recognize that development of land in hilly or mountainous areas involves special considerations and unique situations which result from the slope of the land. These special considerations and unique situations include but are not limited to increased hazards to development from rock falls, storm water runoff, geologic hazards, increased limitations on vehicular travel, and increased difficulties in providing public services. In addition, steeply sloped lands introduce design limitations to roadways, cuts and fills, and building sites. In general, the more steeply the land slopes, the greater the hazard and development limitation.
- B. The Hillside Development Overlay District is an overlay district that applies to all land wherever the natural terrain of any lot or parcel or any portion thereof has a slope of ten percent (10%) or greater. The Hillside Development Overlay District shall apply to all lots or parcels less than five (5) gross acres in size which have over fifty percent (50%) of the gross area of the lot or parcel having a slope of ten percent (10%) or greater. For those ~~lots or~~ parcels not having fifty percent (50%) or greater of the gross lot or parcel area within a Hillside Development Area or those lots or parcels in excess of five (5) gross acres in size, the requirements of the Hillside Development Overlay District shall be applied only to that portion of the ~~lot~~ PARCEL containing slopes of ten percent (10%) or greater. Commercial, Office, Industrial and Resort Developments shall comply with all applicable provisions of the

There shall be no more lots created than permitted by the slope category, except that lots not placed in a slope category may be placed in a lower slope category so long as the total number of lots in the Hillside Development Area shall not exceed the sum of the lots permitted in each slope category. Lots shall comply with the underlying zoning requirements or as set forth in Section 2.C.

- B. Lots may be transferred to land outside of the Hillside Development Area if under the same ownership and abutting the Hillside Development Area from which lots may be transferred or land if under different ownership within a project submitted under a single development proposal and abutting the Hillside Development Area from which lots may be transferred. When all of the allowable dwelling units are transferred from a Hillside Development Area above the ten percent (10%) slope line to a non-hillside development area, resulting in a minimum fifty (50) acre undisturbed area above the ten percent (10%) slope line, the density transfer from the Hillside Development Area to the non-hillside development area may occur at a rate of 1:1.25 allowable dwelling units.
- C. The transfer of density within a Hillside Development Area shall not be an assumed right and in no case shall a transfer of density occur without the approval of the Planning Manager. Approvals of a density transfer shall be made only upon a finding that the proposed transfer will not be detrimental to the intent of the Hillside Development Overlay District and upon a finding that the transfer will advance the City's interests in protecting a Hillside Development Area.

SECTION 3 SLOPE DETERMINATION

- A. A Slope Category Determination Study shall be required by the Community Development Department prior to the initiation of any Site Disturbance Activities for all land located north of Deer Valley Road and shall be prepared pursuant to the requirements of this Section.
- B. A property owner subject to Subsection A above shall prepare a Slope Category Determination Study utilizing one of the two methodologies outlined in this Article. A property owner or authorized agent shall submit to the Planning Manager a Slope Category Determination Study pursuant to this Section, or request for a waiver from such, as follows:
 - 1. Simultaneously with a rezoning application;
 - 2. If a rezoning action is not required, simultaneously with a preliminary plat or site plan; or
 - 3. If a rezoning, plat, site plan, or minor land division is not required, prior to the issuance of any building permit or site grading permit.
- C. Applicants seeking a waiver from the provisions of this Section may request a waiver of the requirements for a Slope Category Determination Study to the Planning Manager. A written waiver request shall be submitted to the Planning Manager with an explanation of why a waiver is warranted and shall include such supporting materials as site photographs, site specific topography information and all other such information which may provide information on the request. The Planning Manager may approve or deny an application as submitted or may request additional information if necessary. It shall be the sole burden of the applicant requesting such

a waiver to show that the subject property does not qualify as a Hillside Development Area under this Article. The Planning Manager may grant the requested waiver upon a finding that reasonable evidence exists that the subject site does not contain potential slope area that would qualify as a Hillside Development Area. Appeals from the Planning Manager decision pursuant to this paragraph may be appealed to the Administrative Hillside Hearing Officer subject to the provisions of Section 13.

- D. Applicants may prepare a Slope Category Determination Study utilizing a methodology differing from those outlined in this Article, if acceptable to the Planning Manager. Applicants seeking to utilize an alternative methodology shall provide both a written explanation of the proposed alternative methodology and a graphical example of its use. If, upon review of the proposed alternative Slope Category Determination Study by the Planning Manager, the slope analysis is not acceptable, the applicant shall utilize one of the adopted methodologies contained herein. Appeals from the Planning Manager decision pursuant to this paragraph may be appealed to the Administrative Hillside Hearing Officer subject to the provisions of Section 13.
- E. To determine parcel density and the location and extent of slope categories, carry out one of the following procedures:
1. Manual Slope Determination Method:
 - a. Utilize a topographic map at a scale of two hundred (200) feet or less to the inch and with contours shown at two (2) foot intervals. Applicant may utilize maps containing contours at five (5) foot intervals for grades of more than twenty percent (20%). All contour lines shall be extended onto adjacent properties to a distance that establishes the overall slope of the land but in no case shall they be extended less than fifty (50) feet onto the adjacent properties.
 - b. The Hillside Development Area shall commence at the midpoint of the one hundred (100) foot horizontal dimensions used to determine the slope as illustrated by Figure 1, attached hereto and by this reference made a part hereof. The one hundred (100) foot slope determination lines shall be located perpendicular to the site or property contour bands. Those properties containing multiple slope planes should provide slope information for all such planes.
 - c. To determine those locations where slopes of ten percent (10%), fifteen percent (15%), twenty percent (20%), twenty-five percent (25%), thirty percent (30%), and thirty-five percent (35%) begin by the application of one hundred (100) foot straight lines that fall within each category. The one hundred (100) foot slope determination lines shall be extended onto adjacent properties to a distance that establishes the overall slope of the land but in no case shall they be extended less than fifty (50) feet onto the adjacent properties.
 - d. Connect the midpoints of each series of one hundred (100) foot lines of the same slope category to establish the limits of that slope category.

- e. Measure the areas resulting between each series of straight lines to determine the areas in each slope category.
 - f. Figure 2, attached hereto and by this reference made a part hereof, illustrates the method used in calculating the slope categories.
2. Computer Generated Slope Determination Method:
- a. Utilize digital topographic information with contours shown at a maximum of two (2) foot intervals, except as established herein. Areas known or shown to contain slopes of more than (20%) may utilize digital topographic information with contours shown at five (5) foot intervals.
 - b. Utilizing a slope generating software application, slope categories shall be determined utilizing the slope categories established in Section 2 of this Section.
 - c. Computer generated slope analyses shall be prepared utilizing the following modeling parameters:
 - 1. Maximum two (2) foot slope contour intervals for slopes less than twenty (20) percent;
 - 2. Maximum five (5) foot slope contour intervals for slopes more than twenty (20) percent;
 - 3. The slope analysis shall utilize the above noted slope contour intervals through the modeling basis of grid evaluation to determine slope facets or contours;
 - 4. The analysis shall utilize a twenty-five (25) foot grid system.
 - d. All data generated through the use of a computer generated slope determination shall be presented in both chart and graphical formats. The presentation of all graphical slope information shall be presented in a clear and easily understandable format.
 - ~~e. Utilizing the resulting slope map and data, the applicant shall manually draw slope category lines approximating the generalized slope conditions of the property. The resulting slope map shall be computer digitized to determine the area within each slope category which shall approximate the amount of land within each slope category (within five (5) percent) which resulted from the initial computer analysis generated pursuant to subsection c above. The comparison of slope category acres between the two slope maps shall be made in sections of the property no larger than 300 acres.~~
 - f. The final map shall be plotted at 1" = 200' and submitted to the Planning Manager for review. If the Planning Manager finds the analysis acceptable, the final slope determination map shall be approved. The Planning Manager may reject the analysis and require correction(s) to the digitized slope category lines to more accurately

- G. All hillside ~~lots~~ PARCELS shall conform to Table 2 and an individual analysis of each ~~lot or parcel~~ shall be prepared prior to recording the final plat or minor land division. For existing lots of record as of the date of adoption of this ordinance, an individual site analysis shall be submitted prior to the approval of any development permits. Following review and approval of the Slope Category Determination Study by the Planning Division, the individual site analysis shall be submitted in conjunction with a grading and drainage plan. No building permit shall be issued prior to approval of the grading and drainage plan and individual site analysis.
- H. All Hillside lots or parcels which abut a dedicated public open space or preserve area shall provide a one foot (1') non-vehicular access easement along the common property line.
- I. CLUSTERING OF RESIDENTIAL LOTS SHALL BE UTILIZED TO PRESERVE HILLSIDE AREAS. THE CLUSTERING OF LOTS SHALL NOT INCREASE THE UNDERLYING DENSITY ALLOWED BY THE SADDLEBACK HEIGHTS PC DISTRICT. SPECIAL DEVELOPMENT STANDARDS FOR CLUSTER RESIDENTIAL DEVELOPMENT ARE AS FOLLOWS:
1. THE UNDERLYING ZONING DISTRICT AND PROPOSED USE IS FOR SINGLE-FAMILY DWELLING UNITS.
 2. THE MINIMUM AREA OF THE DEVELOPMENT IS FIVE (5) ACRES.
 3. THE MINIMUM LOT SIZE OF A CLUSTERED LOT IS 3,500 SQUARE FEET.
 4. THE UNDISTURBED AREA SHALL BE MAINTAINED PERMANENTLY AS UNIMPROVED OPEN SPACE.
 5. THE MODIFIED DEVELOPMENT STANDARDS USED PURSUANT TO THIS SECTION SHALL BE APPROVED CONCURRENTLY WITH THE PRELIMINARY PLAT.
 6. THE APPLICANT MUST DEMONSTRATE TO THE PLANNING MANAGER THAT THE CLUSTER RESIDENTIAL DEVELOPMENT WILL NOT BE DETRIMENTAL TO THE INTENT OF THE HILLSIDE DEVELOPMENT OVERLAY DISTRICT AND THAT IT WILL ADVANCE THE CITY'S INTERESTS IN PROTECTING A HILLSIDE DEVELOPMENT AREA.

SECTION 5 HEIGHTS AND APPEARANCES

For development within hillside areas, the height of structures shall be determined by the following Sections and not by the definitions described in Section 2 of the Zoning Ordinance.

- A. No part of any structure shall penetrate an imaginary plane, the height of which is ~~twenty-eight (28)~~ THIRTY (30) feet (FOR RESIDENTIAL STRUCTURES) OR FORTY-EIGHT (48) FEET (FOR NONRESIDENTIAL STRUCTURES), OR SIXTY (60) FEET, IF APPROVED BY THE PLANNING AND ZONING COMMISSION (FOR NONRESIDENTIAL STRUCTURES) measured vertically from any point outside of the building where the face of the building or support intersects natural ground (see Figure 3), except that:

Where natural grade is not restored back against the building, no exposed face in any vertical plane shall exceed a height of ~~twenty-eight (28)~~ THIRTY (30) feet (FOR RESIDENTIAL STRUCTURES) OR FORTY-EIGHT (48) FEET (FOR NONRESIDENTIAL STRUCTURES), OR SIXTY (60) FEET, IF APPROVED BY THE PLANNING AND ZONING COMMISSION (FOR NONRESIDENTIAL STRUCTURES) measured from the lowest exposed base.

- B. Materials used for exterior surfaces of all structures shall blend in color, hue and tone with the surrounding natural setting to avoid high contrasts.
1. Structures, walls, roofs and fences shall blend with the surrounding terrain and there shall be no material or colors used which have an LRV (Light Reflecting Value) greater than forty percent (40%).
 2. Mirror surfaces, or any treatment which changes ordinary glass into a mirror surface is prohibited. Bright untarnished copper or other metallic surfaces shall be treated so they are non-reflective.
 3. All electrical service equipment and subpanels and all mechanical equipment including, but not limited to, air conditioning and pool equipment, solar panels, and antennas, shall not be visible from outside the property when viewed from the same or a lower elevation. Restrictions on visibility of solar panels and mechanical equipment may be modified if they are integrated into the roof design.
- C. The principal and accessory buildings, excluding chimneys, shall not exceed forty (40) feet from the highest point of the building to the lowest exposed base of a supporting structure (see Figure 3). The subterranean portion of a structure is not included in the total height calculation.

SECTION 6 DISTURBED AREA

Lots shall be developed to provide for the minimum amount of ground disturbance during the time of construction so as to prevent rock slides and falls, erosion and seepage. At final construction, disturbed areas shall be hidden or supported by retaining walls, buildings, finished surfaces or restored and landscaped to its original natural condition to the maximum extent possible. All cut and fill areas visible from off-site locations shall be treated with a natural staining or aging agent.

- A. All buildings, structures and roads shall to the fullest extent practicable, utilize the natural contours of the land so as to minimize the disturbed area.
- B. The maximum height of any cut or fill used to establish a building site or a driveway shall not exceed ~~fifteen (15)~~ TWENTY (20) feet and must comply with the provisions

of the Peoria Building Codes. The maximum height of any cut or fill used to establish a road or roadway shall not exceed thirty (30) feet. All areas of cut or fill necessary to establish a public or private roadway and falling outside of the public right-of-way or private roadway easement shall be counted against the total disturbed lot area of the individual lot or parcel. All roadway cuts shall be re-vegetated and all roadway fills shall utilize retaining walls to minimize spill areas. All spill slope areas shall be re-vegetated and all retaining walls shall be designed to minimize the visual impact of any required retaining wall.

- C. The limits of construction and proposed disturbed areas shall be clearly designated on the property prior to and during construction with visible roping and shall conform to the approved individual site analysis plan. No disturbance outside the designated area shall take place.
- D. All surplus excavated material shall be removed from the lot.
- E. The total disturbed area in each parcel, including driveway and accessory use areas, shall not exceed the combined disturbed area and ~~lot~~ coverage as set forth in Table 2.

TABLE – 2

Building Site Slope Category	Maximum Disturbed Area⁽²⁾	Maximum Lot Coverage⁽⁴⁾
10% to 15%	25%	30% ⁽³⁾
15% to 20%	20%	25%
20% to 25%	20%	20%
25% to 30%	15%	15%
30% to 35%	12%	10%
35% to Over	10%	7.5%

(2) MAXIMUM DISTURBED AREA SHALL BE CALCULATED ON A PARCEL BY PARCEL BASIS. MAXIMUM DISTURBED AREA CALCULATIONS SHALL NOT APPLY TO AREA USED FOR IMPROVED GOLF COURSE.

(3) The Maximum ~~Lot~~ Coverage in the ten to fifteen percent (10-15%) slope category may be increased up to a maximum of forty percent (40%) when density has been transferred from a higher slope category FOR RESIDENTIAL DEVELOPMENT OR WHEN DISTURBED AREA HAS BEEN TRANSFERRED FROM A HIGHER SLOPE CATEGORY FOR NONRESIDENTIAL DEVELOPMENT.

(4) MAXIMUM COVERAGE WILL BE DETERMINED BY THE DEVELOPMENT OPTION EXERCISED.

- F. The Maximum Disturbed Area for each individual ~~lot or~~ parcel shall be the sum of the amount of disturbance allowed within each of the individual slope categories found on the ~~lot or~~ parcel. Permitted disturbed area from a higher slope category may be transferred to the ten to fifteen percent (10-15%) slope category only with the sum of

the transferable disturbed area and the permitted disturbed area comprising the new Maximum Disturbed Area figure.

The transfer of a disturbed area allowance to the ten to fifteen percent (10-15%) slope category shall only occur when accompanying the actual transfer of dwelling units FOR RESIDENTIAL DEVELOPMENT AND TRANSFER OF DISTURBED AREA AND DEVELOPMENT RIGHTS FOR NONRESIDENTIAL DEVELOPMENT; and ~~disturbed area shall only be transferable at an amount equal to the Maximum Disturbed Area for a minimum lot size parcel.~~ DISTURBED AREA MAY BE TRANSFERRED TO ANY LAND WITHIN THE 10-15% SLOPE CATEGORY OF THE HILLSIDE DEVELOPMENT AREA THAT IS UNDER THE SAME OWNERSHIP. The transfer of disturbed area within a Hillside Development Area shall not be an assumed right and in no case shall a transfer of disturbed occur without the approval of the Planning Manager. Approvals of a disturbed area transfer shall be made only upon a finding that the proposed transfer will not be detrimental to the intent of the Hillside Development Overlay District and upon a finding that the transfer will advance the City's interests in protecting a Hillside Development Area. THE LOCATION OF THE MAXIMUM DISTURBED AREA SHALL REQUIRE THE APPROVAL OF THE PLANNING MANAGER; SUCH APPROVAL SHALL BE MADE ONLY UPON A FINDING THAT THE PROPOSED LOCATION WILL NOT BE DETRIMENTAL TO THE INTENT OF THE HILLSIDE DEVELOPMENT_OVERLAY DISTRICT AND UPON A FINDING THAT THE LOCATION WILL ADVANCE THE CITY'S INTEREST IN PROTECTING A HILLSIDE DEVELOPMENT AREA.

- G. Within the ten to fifteen percent (10-15%) slope area only, the amount of disturbed area being transferred may exceed one hundred percent and any excess disturbable area may be transferred to a ~~lot~~ PARCEL other than the receiving ~~lot~~ PARCEL. In no case shall excess permitted disturbed area be transferred to ~~lots~~ PARCELS or portions of a ~~lot~~ PARCEL above the fifteen percent (15%) slope line. In those cases where an increase in the maximum ~~lot~~ coverage is desired due to a transfer of density, the maximum ~~lot~~ coverage shall only be increased on the ~~lots~~ PARCELS receiving density transferred from a higher slope area. In those cases where all of the density has been transferred from a higher slope category to the ten to fifteen (10-15%) slope area, all ~~lots~~ PARCELS OR PORTIONS THEREOF within the ten to fifteen (10-15%) slope category may utilize the increased ~~lot~~ coverage allowance.
- H. A disturbed area (up to 50% over Table 2, for slope areas over 10%) may be excluded from disturbed area calculations when the applicant has committed to comply with the following restoration conditions:
1. The restored area shall be re-contoured to match pre-existing contours.
 2. The restored area shall be re-vegetated to its pre-development condition utilizing native plant types arranged and placed at a density matching the surrounding native desert.
 3. The restoration area shall be treated with an aging agent approved by the Planning Manager and restored with indigenous desert material.

4. The restoration plan and process shall be prepared by a registered engineer or landscape architect and shall be approved prior to issuance of a building permit.
 - I. NOTWITHSTANDING ANYTHING IN THIS SECTION TO THE CONTRARY, THE MAXIMUM HEIGHT OF ANY CUT OR FILL USED TO ESTABLISH A GOLF COURSE SHALL NOT EXCEED FORTY (40) FEET. CUT AND FILL SLOPES WILL BE RE-CONTOURED. CONCURRENTLY WITH THE SUBMITTAL OF A SITE PLAN FOR A GOLF COURSE, A VEGETATION AND CONTOUR PLAN WILL BE SUBMITTED TO THE PLANNING MANAGER. THE VEGETATION AND CONTOUR PLAN SHALL REQUIRE THE APPROVAL OF THE PLANNING MANAGER; SUCH APPROVAL SHALL BE MADE ONLY UPON A FINDING THAT THE VEGETATION AND CONTOUR PLAN WILL NOT BE DETRIMENTAL TO THE INTENT OF THE HILLSIDE DEVELOPMENT OVERLAY DISTRICT AND UPON A FINDING THAT THE PLAN WILL ADVANCE THE CITY'S INTEREST IN PROTECTING A HILLSIDE DEVELOPMENT AREA.

SECTION 7 GRADING AND DRAINAGE

All proposed development within a Hillside Development Area shall be required to submit for and receive Grading and Drainage Plan approval through the City of Peoria Engineering and Public Works Department prior to the commencement of any development or Site Disturbance Activities.

SECTION 8 DRIVEWAYS

- A. If any portion of a driveway grade is more than twenty percent (20%), the entire residence and all accessory buildings over one hundred twenty (120) square feet of roof area shall be protected with an approved fire sprinkling system.
- B. Driveways with turning radii of less than forty (40) feet may be used provided all structures are protected with an approved fire sprinkling system.
- C. To reduce the visual impact of driveways the following is intended to be an incentive to preserve the natural mountain vistas. Driveways surfaced with paving bricks, colored concrete or with exposed aggregate, colored to blend with existing native color of the site, shall only be included in disturbed area calculations at 50% of their total area.
- D. Any driveway cut greater than eight (8) feet in depth shall not have a length greater than one hundred (100) feet; and the maximum height of any cut or fill used to establish a driveway shall not exceed fifteen (15) feet.

SECTION 9 PERIMETER WALLS, PRIVACY WALLS, RETAINING WALLS AND SPILL SLOPES

- A. The design of all retaining walls and ground coverings shall be prepared by a registered engineer or architect and shall be designed to blend with the surrounding environment and/or development in color, materials and style.
- B. Raw spill slopes are prohibited.
- C. All exposed disturbed area fill shall be contained behind retaining walls or covered with a natural rock veneer and treated with an aging agent and landscaped with indigenous plant material.
- D. RESIDENTIAL Retaining walls shall not exceed six (6) feet in height; NON-RESIDENTIAL RETAINING WALLS SHALL NOT EXCEED EIGHT (8) FEET: if additional height is needed, the wall shall be offset at a minimum of four (4) feet or one (1) foot per one (1) foot of height, whichever is greater.
- E. Fences or walls on lots within a hillside district shall be restricted to privacy walls attached to or directly screening a portion of the main residence. Privacy walls shall not exceed six (6) feet in height, shall be architecturally compatible with the main residence and shall be limited to the development envelope area only. Perimeter walls and fences surrounding a lot, tract or parcel shall be prohibited except as provided by SUB-Section F of this SECTION. Privacy walls shall not be erected on a retaining wall and shall be offset a minimum of four (4) feet when utilized.
- F. Within the ten to fifteen percent (10-15%) slope category only, exceptions to the limitations on fences or walls may be permitted. In those instances where an exception is desired, applicants shall submit a detailed Wall Plan to the Planning Manager for review and action. In conjunction with the submittal of the Wall Plan to the Planning Manager, the applicant shall submit a copy of the Wall Plan to the Public Works / Engineering Department for review and approval for conformance with all City Grading and Drainage requirements. Wall Plans shall indicate the proposed locations of walls or fences, the proposed materials, colors and design of any wall or fence, and fence construction and disturbance mitigation measures. Such plans shall be accompanied by a narrative explaining the reasons why such an exception should be made. Upon completion of the review of the Wall Plan by the Planning Manager, and following the review and approval of the Wall Plan by the Public Works / Engineering Department, the Planning Manager may approve the Wall Plan. Wall Plans may be approved by the Planning Manager upon a finding that the proposed location and design of the wall(s) is in accordance with this Article and further that the proposed wall will not be contrary to the intent and purpose of this Article.
- G. Perimeter walls or fences approved by the Planning Manager within the ten to fifteen (10-15%) slope category and abutting an open space area or tract, shall be a maximum of six feet eight inches (6'-8") in height with no more than three (3) feet being constructed of a solid or opaque material. That portion of the wall or fence not constructed of a solid or opaque material shall be open in design and may not include chain-link or wood materials. NOTWITHSTANDING THE FOREGOING, WALLS EXCEEDING SIX (6) FEET EIGHT (8) INCHES IN HEIGHT AND CONSTRUCTED OF SOLID OR OPAQUE MATERIAL MAY BE APPROVED BY

THE PLANNING MANAGER IF THE WALL IS FOR THE PURPOSE OF SCREENING NON-RESIDENTIAL USES.

- H. All fences and walls within a Hillside Development Area shall be required to obtain a fence permit from the Community Development Department, in addition to all other necessary City of Peoria permits, prior to the initiation of any fence or wall related construction activities.

SECTION 10 LIGHTING, SEWERS, UTILITIES

- A. All outdoor lighting concepts, fixture types, lamps and wattage shall be indicated on the site plan.
- B. Connection to a public sewer system is required in connection with chapter twenty-five (25) of the City Code where available.
- C. Private individual lot sewer systems shall be designed by a registered engineer.
- D. All on-site utilities shall be placed underground.

SECTION 11 MOUNTAIN RIDGE PROFILE

- A. Within a hillside development area and above the twenty percent (20%) slope line, no construction shall occur which will alter the mountain top profile and no building or structure shall be constructed which will project above a ridge line of significance when viewed from adjacent properties. Ridge lines of significance shall be identified in the hillside analysis accompanying the project submittal for a subdivision or shall be shown on the individual site analysis plan for individual lots. Upon review of the project submittal, the Planning Manager or their designee, shall determine the ridges of significance for the site. Ridge lines of significance shall include, but not be limited to the following, and may include ridge lines or ridge line complexes which meet the criteria listed below:
 - 1. Ridge lines and ridge line complexes which are visible from existing and/or planned collector and arterial roadways,
 - 2. Ridge lines and ridge line complexes which are visible from surrounding vantage points when viewed from a location with an elevation difference of a maximum of three hundred (300) vertical feet from the property line of the subject parcel/structure,
 - 3. Ridge lines and ridge line complexes which have a vertical height increase of more than three hundred (300) feet as measured from the point of the ten percent (10%) slope line of the ridge or ridge complex, and
 - 4. Other significant ridge lines or ridge line complexes as determined during the site analysis process.
- B. Prior to the issuance of any building permits, cross-sections shall be submitted showing the relationship of the proposed development with established mountain top ridge lines and ridge lines of significance when applicable.

SECTION 12

SUBMITTAL REQUIREMENTS FOR CONSTRUCTION ON A HILLSIDE LOT

- A. In addition to drawings, plans, specifications and details necessary to obtain a building permit, the following documentary requirements and certifications shall be provided for staff review:
1. A topographic map at an appropriate scale on a 24" x 36" sheet presenting the total lot and a twenty (20) foot area beyond the property line shall be submitted with the application. This map shall show existing and proposed finished contours at two (2) foot intervals within a twenty (20) foot perimeter from any proposed building, five (5) foot intervals elsewhere. Existing contours shall be shown with dashed lines. This map shall show limits of excavation and fill, slope of cut and fill, total cubic yards of excavation and fill. The location and area of the sewage disposal systems, if public sewers are not provided.
 2. Detailed site plans and landscape plans at an appropriate scale, shall be submitted with each application and shall include, but not be limited to, the following: grade and slope in percent at all disturbed areas. Dimensions and calculations of all cut and fill for the building site, roads, drives, swimming pools, septic systems and the method of concealment for each fill or exposed cut. Dimensions of length and height of retaining walls, fences and other attachments; the location and grade of all drainage channels, swales, drain pipes, etc. The amount and degree of surface disturbance, destruction or removal of natural vegetation. Protected desert vegetation shall be preserved in an appropriate manner.
 3. Cross sections at 1:1 scale, at two (2) or more locations perpendicular to the contours through the building site. Location of the cross-sections shall be clearly shown on the topographic map. Properties impacting ridge lines shall provide additional cross-sections indicating their relation and impact on such ridge lines as established in Section 9.
 4. An overall excavation, grading and drainage plan shall be prepared in accordance with sound professional engineering practices and to address minimum standards adopted by the City. Said plans shall be prepared and certified by a professional engineer registered in the State of Arizona. If any drainage structures or culverts are involved, it will be necessary to include calculations for peak flows for a 100 year storm to establish appropriate drainage facilities, cross-sections and details. Storm water diverted from its original drainage pattern shall be returned to its natural course before leaving the property.
 5. Where possible and appropriate on less complex lots and lots with acceptable site conditions, the combining of the above maps into one drawing may be acceptable.
 6. The Planning Manager, or their designee, may require an accurate oblique view architectural rendering in color; showing the appearance of the building, lot, landscaping, and skyline. The Planning Manager may also require a model if determined necessary to evaluate the project. The model may be a three dimensional physical model or it may be a computer generated model

in a three dimensional format and presented by a series of prints or by a disc that can be viewed on a monitor. The rendering and the model will remain in the custody of the Planning Manager until a Certificate of Occupancy is issued. On the rendering or attached thereto, the applicant shall list all colors depicted on the exterior of all structures according to Section 4.B.

7. Plans for any structure to be constructed on any land governed by these Hillside Regulations shall be sealed by a registered engineer or architect.
8. The plans for any hillside development of any kind or nature whatsoever, must be approved by the staff and appropriate permit(s) issued, before any grading, bulldozing, blasting, or movement of earth is commenced.

SECTION 13 ADMINISTRATIVE APPEALS

A. Appeal to the Hearing Officer.

1. Decisions of the Community Development staff arising from the administration of the requirements contained in THE SADDLEBACK HILLSIDE DEVELOPMENT STANDARDS may be appealed by the applicant or any property owner within three hundred (300) of the affected property to a hearing officer(s). Applications for variances from the provisions of THE SADDLEBACK HILLSIDE DEVELOPMENT STANDARDS may be filed by the property owner for consideration by the hillside hearing officer(s). Appeals or requests for variance shall be in writing and shall specifically set forth those decisions of the Community Development staff which are being appealed or the basis of the variance request. The application shall be filed with the Community Development Director. Applications for a variance from the conditions of SADDLEBACK HILLSIDE DEVELOPMENT STANDARDS shall be in writing and shall specifically set forth those provisions of the SADDLEBACK HILLSIDE DEVELOPMENT STANDARDS from which a variance is being sought.

Upon receipt of the written appeals application, the Community Development Director shall make a determination as to the nature of the appeal and shall determine the appropriate appeal hearing officer to hear the case. Those appeals of a technical nature such as utility locations, final grading and drainage or heights of cut and fill shall be heard by the City engineer or their designee, acting in the capacity of hearing officer. All other appeals including slope category determination, allowable densities, lot coverage and disturbance calculations shall be heard by the Administrative Hillside Hearing Officer. The Administrative Hillside Hearing Officer shall be the City Manager or designee.

2. Upon receipt of a completed hillside interpretation or variance application, the Community Development Director or their designee shall fix a reasonable date, not to exceed thirty (30) calendar days from the date which the application was received, for hearing the action. Notice of the action shall be advertised in the local newspaper at least fifteen (15) days prior to the hearing date. The property to which the action applies shall be posted with a notice of the hearing and first class stamped letters indicating the time, date and location of the hearing shall be mailed to all property owners of record

SECTION 15

ENFORCEMENT/ COMPLIANCE

- A. Violations should be reported by the City to the property owner, together with a Compliance Order describing the measures required to correct the violation(s). Failure to comply with the terms of a Compliance Order shall constitute a violation of this Article.
- B. In those instances where a Site Disturbance Activity has commenced within a Hillside Development Area without an approved Slope Category Determination Study or where another violation of this Article has occurred, the City may issue a Stop Work Order to terminate immediately all development or construction related Site Disturbance Activity on the site, parcel or property. In addition, the City may revoke any or all of the permits issued by the City for the site, parcel or property. Upon the issuance of a Stop Work Order, the responsible party shall immediately terminate all activities on the site and then contact the City of Peoria Planning Division what measures should be taken to eliminate any problems resulting from the development activity. Failure to comply with the terms of a Stop Work Order shall be a violation of this Article.
- C. Violations of this Article are subject to prosecution by the City of Peoria as a Misdemeanor violation under the City Code and shall be punishable as provided by law.

SECTION 16

DEFINITIONS

Alter the Mountain Top Ridge Line - Means to alter or change the view or appearance of an established ridge line or ridge line of significance with cuts, fills or structures when viewed from a distance.

Cut - The land surface which is shaped through the removal of soil, rock, or other materials.

Disturbed Area - That area of natural ground that has been or is proposed to be altered through grading, cut and fill, removal of natural vegetation, placement of material, trenching, or by any means that causes a change in the undisturbed natural surface of the land or natural vegetation.

Disturbed Area Reclaimed - Disturbed areas may be reclaimed if they are restored to their natural contours, vegetation and colors to the satisfaction of the Staff.

Fill - The deposit of soil, rock, or other materials placed by man.

Finished Grade - The final grade and elevation of the ground surface after grading is completed.

Grading - Any excavating, or filling or combination thereof, including the conditions resulting from any excavation or fill.

Hillside Development Area - Building areas with a building site slope of ten percent (10%) or greater, measured as a vertical rise of ten (10) feet in a horizontal distance of one hundred (100) feet.

Natural Grade - The grade and elevation of the ground surface in its natural undisturbed state.

Retaining Wall - A retaining wall is a wall used solely to retain more than eighteen inches (18") of material but not to support or to provide a foundation or wall for a building.

Site Disturbance Activity - Any action which results in a cutting of the natural soil grade, creation of an un-natural soil fill or movement of a significant natural landscape feature. A Site Disturbance Activity may include, but not be limited to the following activities: digging, trenching, filling, drilling, grading or clearing.

Slope Category Determination Study - A detailed study of the topography and slope of a development site, parcel or property. The study shall include a detailed graphic showing all slope areas on the site utilizing the methodologies established in this Article and shall be composed of both graphical, numerical and textual information.

Spill - To cause or allow earth or other material to fall, flow or run down a slope, thereby creating a change in the natural appearance and topography.

2.1.7 SLOPE ANALYSIS

A Slope Analysis is included in this submittal in **Slope Analysis Map Section 2.1.11**. Slopes range from minor inclines to steep hillsides. The majority of developable areas on the western portion of the site are within the minor incline slope conditions and the majority of developable areas in the eastern portion is more diverse and includes all of the slope ranges. Also included in Section 2.1.12 is the Parcel Slope Analysis Example and in Section 2.1.12 and Section 2.1.13 is the Parcel Slope Analysis Plan and Matrix respectively. Sections 2.1.12 and 2.1.13 provide an example and methodology for the parcel by parcel slope analysis and implementation of Tables-1 & 2 of the Saddleback Heights Hillside Development Standards.

SADDLEBACK HEIGHTS SLOPE ACREAGE – TABLE 3	
Exclusive of State Land	
SLOPE CATEGORY	ACRES
0% - 10%	1190.95
10% - 15%	697.52
15% - 20%	657.73
20% - 25%	616.72
25% - 30%	560.24
30% - 35%	482.50
35% - 40%	369.91
40% +	685.72
TOTAL	5261.28

The methodology used for calculating the acreage within each slope category as set forth in **Table 3** is in accordance with Section 14-22A-2(B) of the Saddleback Height Hillside Development Standards.

SLOPE ANALYSIS– STATE LAND ALLOCATIONS

SADDLEBACK HEIGHTS SLOPE ACREAGE – TABLE 4	
State Land – Village “E”	
SLOPE CATEGORY	ACRES
0% - 10%	100.03
10% - 15%	29.92
15% - 20%	13.32
20% - 25%	7.25
25% - 30%	4.28
30% - 35%	2.31
35% - 40%	1.26
40% +	1.67
TOTAL	160.03

*Acres are net and are in accordance with the ALTA survey prepared by Erie & Associates, Inc. on 4-24-01

The methodology used for calculating the acreage within each slope category as set forth in *Table 3* is in accordance with Section 14-22A-2(B) of the Saddleback Height Hillside Development Standards.

SADDLEBACK HEIGHTS SLOPE ACREAGE – TABLE 5	
State Land – Village “F”	
SLOPE CATEGORY	ACRES
0% - 10%	209.48
10% - 15%	119.17
15% - 20%	87.61
20% - 25%	63.82
25% - 30%	5.19
30% - 35%	38.78
35% - 40%	27.13
40% +	28.79
TOTAL	579.95

*Acres are net and are in accordance with the ALTA survey prepared by Erie & Associates, Inc. on 4-24-01

The methodology used for calculating the acreage within each slope category as set forth in *Table 3* is in accordance with Section 14-22A-2(B) of the Saddleback Height Hillside Development Standards.

SADDLEBACK HEIGHTS DEVELOPMENT VILLAGE SLOPE CALCULATIONS– TABLE 6							
SLOPE CATEGORY						DEVELOPMENT VILLAGE 'E' TOTAL ACRES (STATE LAND)	DEVELOPMENT VILLAGE 'F' TOTAL ACRES (STATE LAND)
0% - 10%						95.81	188.71
10% - 15%						31.75	100.80
15% - 20%						14.28	80.73
20% - 25%						7.87	63.84
25% - 30%						4.61	51.12
30% - 35%						2.45	38.82
35% - 40%						1.38	27.13
40% +						1.87	28.80
TOTAL						160.03	579.95

*Acres are net and are in accordance with the ALTA survey prepared by Erie & Associates, Inc. on 4-24-01

The methodology used for calculating the acreage within each slope category as set forth in *Table 4, Table 5, and Table 6* is in accordance with Section 14-22A-2(B) of the Saddleback Heights Hillside Development Standards using a 20 foot grid to computer process digital aerial topography in AutoDesk Land Development Desktop.

2.1.8 GENERAL DEVELOPMENT STANDARDS

2.1.8.1 Landscape Standards

The landscape requirements for Saddleback Heights shall be as approved through the Landscape Plan for the Property in accordance with the provisions of Section 14-35-1 of the Zoning Ordinance. The Landscape Plan shall meet the minimum development standards established by Article 14-35 of the Zoning Ordinance or as otherwise may be approved by the Planning Manager through a Master Landscape Plan.

a. Landscape Design Concept

As mentioned in Section I team overview, the Saddleback Heights Development Team has a history of working in sensitive desert environs throughout the southwest United State, including Peoria, Arizona. The landscape standards for Saddleback Heights will be created to preserve the unique Sonoran desert and the biological communities within it. With an abundance of mature Sonoran and high Sonoran plant materials and species already within the project, it is natural to create landscape palettes and plans that celebrate the natural character of the high Sonoran landscape.

A true balance between the man-made and natural environments is always the desired effect. The Saddleback philosophy embraces that concept and strives to incorporate the diverse native plant palette found in the Sonoran desert and create a community with a character and texture as rich as the natural high Sonoran environment. The Team has studied, at length, the site and surrounding areas to understand the existing wildlife and native plant communities of Saddleback Heights and utilize that understanding to create the community landscape palettes.

The plant communities within Saddleback Heights and the Sonoran desert are strongly related to elevation. Within the project the diverse elevation, rolling terrain, and north-south exposure create uniquely diverse plant communities and landscape zones.

Where the natural desert has been disturbed, Saddleback will require revegetation using the Saddleback Landscape Palette. The existing mature plant materials that are available on the site will be a valuable resource. A temporary nursery will be established for the care of plant materials until they are transplanted.

Native plants will be the central theme of the community and the native plant material salvaged from the site will provide strong design and visual elements for Saddleback. It will allow development to seamlessly blend into the preserved natural desert areas with a similar maturity, size, and density of existing plant material.

b. Design Approach

As previously mentioned the Design Team has done extensive research of the project site and surrounding areas and have created design approach that utilizes the high Sonoran Vegetation. The five (5) concepts that form the landscape design approach of Saddleback are as follows:

- *Native vegetation is the predominant influence of design and shall be preserved or salvaged to greatest extent possible.*
- *Maintain simplistic and understated planting design.*
- *Native granular soils provide a consistent, desirable character and shall be maintained as a top dressing on all landscape areas.*
- *Revegetation shall maintain a density of the immediately adjacent natural desert.*
- *Allow a combination of native and desert adapted plant material within a restricted palette to increase color, texture and interest along residential.*

c. Landscape Area Definitions

Within the project, five (5) landscape classifications have been identified to create a hierarchy in the landscape. These areas are intended to transition the undisturbed natural desert areas with various development considerations. Landscape zones are intended to seamlessly blend various classifications yet establish a unique identity for the Saddleback project amongst similar desert oriented master planned communities. Specific plant species are designated for use in each of the following defined areas:

i. Undisturbed Areas

The natural, undisturbed desert must be preserved to the greatest extent possible. Development plans must clearly indicate limits of disturbance. These areas must be roped off and protected throughout the development process. No enhancement or alterations are allowed unless specifically identified and approved.

ii. Native Areas

Native areas are defined as areas planted with materials found in the Sonoran Desert (may not be indigenous to this property). Planting is intended to emulate native character and densities. Native areas are intended to abut other natural or undisturbed areas, wash corridors and arterial roads running through the project. These areas are intended to be low maintenance and naturalize with minimal supplemental irrigation.

iii. Riparian Areas

The landscape character of wash areas are intended to supplement and enhance the natural riparian character and unique plant palette found in wash corridors that run through the project. Modifications to native arroyos and proposed retention areas shall incorporate the specific palette and design criteria established for these unique plant communities.

iv. Transition Areas

Transition areas are distinguished by an expanded list of low water use plants that offer a wider range of color, texture, and compliment the native palettes. Plantings in this zone are generally found in greater densities than natural areas and require a permanent drip irrigation system. Transition areas include major streetscapes, recreation areas, commercial, residential parcels, and front yards. The transition palettes offer a wider range of plants to add shape, height, color, and texture diversity. Planting shall maintain a simplistic, understated design that reinforces the native character of Saddleback.

v. Private Areas

Private areas are defined as enclosed and semi-enclosed areas obscured from view by structures or walls above 3' in height. Planting within these areas may utilize a higher density and diversity of plants beyond those identified on restricted plant palettes. Plant restrictions include varieties that exceed 35' in height and those listed on the prohibited plant list.

d. Native Plant Inventory and Relocation Program

For each phase of development, a Native Plant Inventory and Relocation Program will be submitted for the preservation of all protected trees and cactus. The inventory shall be prepared on a proposed site plan with a photographic aerial overlay to clearly show native outcroppings and adjacent conditions. The site plan information will include property lines, grading limits, proposed facilities, interior lot lines, utilities and any required easements.

The relocation program must provide a summary of plants with their respected size and variety. Plants shall be classified as salvageable, unsalvageable or to remain in place. The relocation program shall also include location of a temporary nursery, temporary watering system, boxing technique, fencing, maintenance considerations and final cleanup.

Refer to construction guidelines for specific requirements and outline. Native Creosote, Jojoba, and Bursage shall also be made available for spading or replanting on other parcels prior to mass grading sites.

e. Turf Areas

Turf areas may be selectively used throughout the project in applications that demonstrate a functional recreational use. These include trail heads, pocket parks, retention basin, community parks, school, enclosed portions of residential yards and other public use areas. Turf areas shall be bordered by a concrete header or other hardscape element. Turf areas shall be installed as a non-pollinating hybrid (midiron or equal) and be over seeded with perennial rye between the months of November through May.

f. Shaping and Grading

All landscape areas disturbed by construction shall be fine graded and altered for a naturalistic random character that blends with native areas or adjacent facilities. Engineered grades shall be softened through the use of variable side slopes, rounded transition along top and toe, shaping to the finish surface to compliment native land forms and extend across property lines whenever possible.

g. Native Topdressings

Native granular soils are a predominant element of the landscape design that shall be preserved and replicated in landscape areas. Native soils consist of granular fines generally 2” and below. Topdressing along all revegetated landscape areas shall maintain a similar character and color. Remove all rocks above 2” in diameter and broom finish for a naturalistic character to blend with adjacent native undisturbed conditions. Decomposed granite may only be used on enclosed landscape areas.

h. Irrigation Design

The irrigation system is intended to be designed in a manner which is responsive to environmental considerations, the most important being water conservation. The goal of water conservation must be achieved through efficient application of water and water management.

An efficient irrigation system is made possible through proper design, incorporating latest technology and using water management tools. It is very important that the design allow for methods to manage the delivery and application of water to individual landscape areas.

2.1.8.2 Wall/Fencing Standards

The wall and fencing standards for the Property shall be in accordance with Section 14-3-14 of the Zoning Ordinance or as otherwise may be approved by the Planning Manager through a Master Walls and Fence Plan.

2.1.8.3 Sign Standards

The sign standards for Saddleback Heights shall be as approved through a Comprehensive Sign Plan in accordance with the provisions of Section 14-34-8(c) of the Zoning Ordinance and all signs shall be by separate permit or as otherwise approved by the Planning Manager through a Master Sign Plan.

2.1.8.4 Wash Protection Standards

Saddleback Heights is committed to sensitive development that

preserves natural features including the washes, the rock outcroppings, and the mature Sonoran vegetation that are found throughout the project. In keeping with the above outlined concept for the development we have created a wash protection standard for the major washes contained within the community. Significant or major washes are often deemed significant or major in other Valley municipalities at the 750 c.f.s. or greater, 100 year event flow rate. At Saddleback Heights the significant or major washes are deemed so at the 500 c.f.s. or greater 100 year event flow rate, and as such will be protected as follows. Disturbance within major washes shall be limited to disturbance needed for wash crossing with roads, utilities and path and trail crossings. This will allow Saddleback to develop sensitively and efficiently while preserving the major wash features of the site. The major washes may also be disturbed in order to apply wash protection and enhance the major washes for both public safety and aesthetic reasons. The channelization design of the wash shall be reviewed and approved administratively by the City.

2.1.9 AMENDMENTS

It is contemplated by the Developer and the City that the Saddleback Heights PC District may need to be amended from time to time as development occurs. Any amendment to the PC District shall be processed in accordance with the following criteria:

- a.** Amendments to the PC District “Development Plan” or “Standards Report” may be requested by the applicant or its successors. Amendments to the approved PC District shall be delineated as major or minor amendments. Amendments to the approved PC “Development Plan” and “Standards Report” may be limited to one or more “development units” and any proposed change will not affect development units not included in the proposed amendment.
- b.** Upon receipt of an amendment application to the Planning Division, the Planning Manager shall determine if the proposed amendment constitutes a major or minor amendment.
- c.** Major Amendments. If the Planning Manger determines the amendment to be a major, the amendment request shall be processed in the manner set forth in Sections 14-36-4 & 5.
- d.** An amendment will be deemed major if it involves any one of the following:

- i. A change in the overall PC District Boundary; or
 - ii. An increase in the total number of approved dwelling units or gross leasable area (GLA) for the overall PC District; or
 - iii. A significant change to the approximate boundary of one or more “development unit(s)” from that approved in the PC District, as determined by the Planning Manger. A change to an individual development unit generally shall be deemed to be significant if it represents a 10% increase to the approximate gross area of the development unit as approved in the PC District.
 - iv. An increase of 10% or more of the approved number of projected dwelling units or gross leasable area (GLA) for an individual development unit.
 - v. Any change in land use or density that is likely to negatively impact or burden public facilities and utilities infrastructure as determined by the City Engineer.
 - vi. Any change in land use or density that is likely to negatively impact or burden circulation adjacent to the PC District or to the overall major street system as determined by the City Engineer.
 - vii. Any other proposed change to the “Development Plan” and/or “Standards Report” which substantively alters one of more components of the PC District as determined by the Planning Manger.
- e. **Minor Amendments.** Amendments not meeting one or more of the criteria listed in subsection (D) shall be considered *minor*. If the Planning Manager determines the amendment to be *minor*, the Planning Manger may administratively act on the amendment and attach stipulations or conditions for approval thereto, to protect the public heath, safety and welfare.
- i. If the amendment proposes a change to the Development Plan Map, notice of the proposed minor amendment shall be mailed to each owner of property as last disclosed by County Assessor records, situated wholly or partly within three hundred (300) feet to the affected development unit(s) to which the amendment relates. For purposes of giving mailed notice, the Planning Manger shall require the

applicant to furnish the names and addresses and stamped/addressed envelopes of all affected property owners as determined above. If the amendment proposes any other change to the “Development Plan” or “Standards Report”, including but not limited to, text changes or changes to the development standards of the “Standards Report,” notice of the minor amendment shall be published within a newspaper of general circulation.

- ii.** If written protest to any minor amendment is received from any notified property owner within ten (10) days of the notification mailing date in the case of mailed notice, or within ten (10) days of the final date of advertising in the case of published notification, 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.

If written protest is not received as described above, the Planning Manger shall render a decision on the minor amendment request. The Planning Division decision shall be final unless appealed under Section 14-36-9. The Planning Manger or assigned designee, shall send copies of the decision to the applicant, interested parties of record and members of the Planning and Zoning Commission.

2.1.10 DEFINITIONS

CLUSTER UNITS – dwelling units that are designed into compact areas in order to preserve natural features and preserve open space areas. They may be attached or detached.

DEVELOPMENT VILLAGE – a sub-area defined by the PC District Planned Community Plan containing multiple parcels.

MIXED USE DEVELOPMENT – is intended to provide a variety of community and regional uses in one geographic area located at significant intersections that will allow both access and viability for the uses. Mixed-use development will provide the opportunity for service and retail sales, office, employment, entertainment, parks and recreation, as well as, multi-family residential housing.

PARCEL - A portion or plot of land such as a subdivision, plat or site plan, a division of a larger area, such as a Development Village.

RESORT OVERLAY DISTRICT- The Resort Overlays denote areas that due to their natural features and scenic qualities may be preserved for resort development. Resort developments should preserve these qualities and provide a range of residential densities (including casitas, timeshare residential, and other housing types) in association with a resort hotel that includes recreational/leisure activities in addition to appropriate supporting commercial/service uses. The underlying land use designation for the Resort Overlay is either Residential-Low Density or Residential-Medium Density.

TOWN CENTER OVERLAY – The Town Center may include restaurants, a theater, a grocery, light retail, and non-retail services such as small office(s). The scale of the Town Center is such that it serves the adjacent residents, with some opportunity to draw from outside the immediate community. The smaller scale generates less traffic and allows the Town Center to be located on collector level roadway. The underlying land use designation is Residential-Medium Density.

2.1.11 SLOPE ANALYSIS

SADDLEBACK HEIGHTS

Slope Analysis

State Land - Villages E & F

LEGEND

State Land Village "F" - Slope Acreage

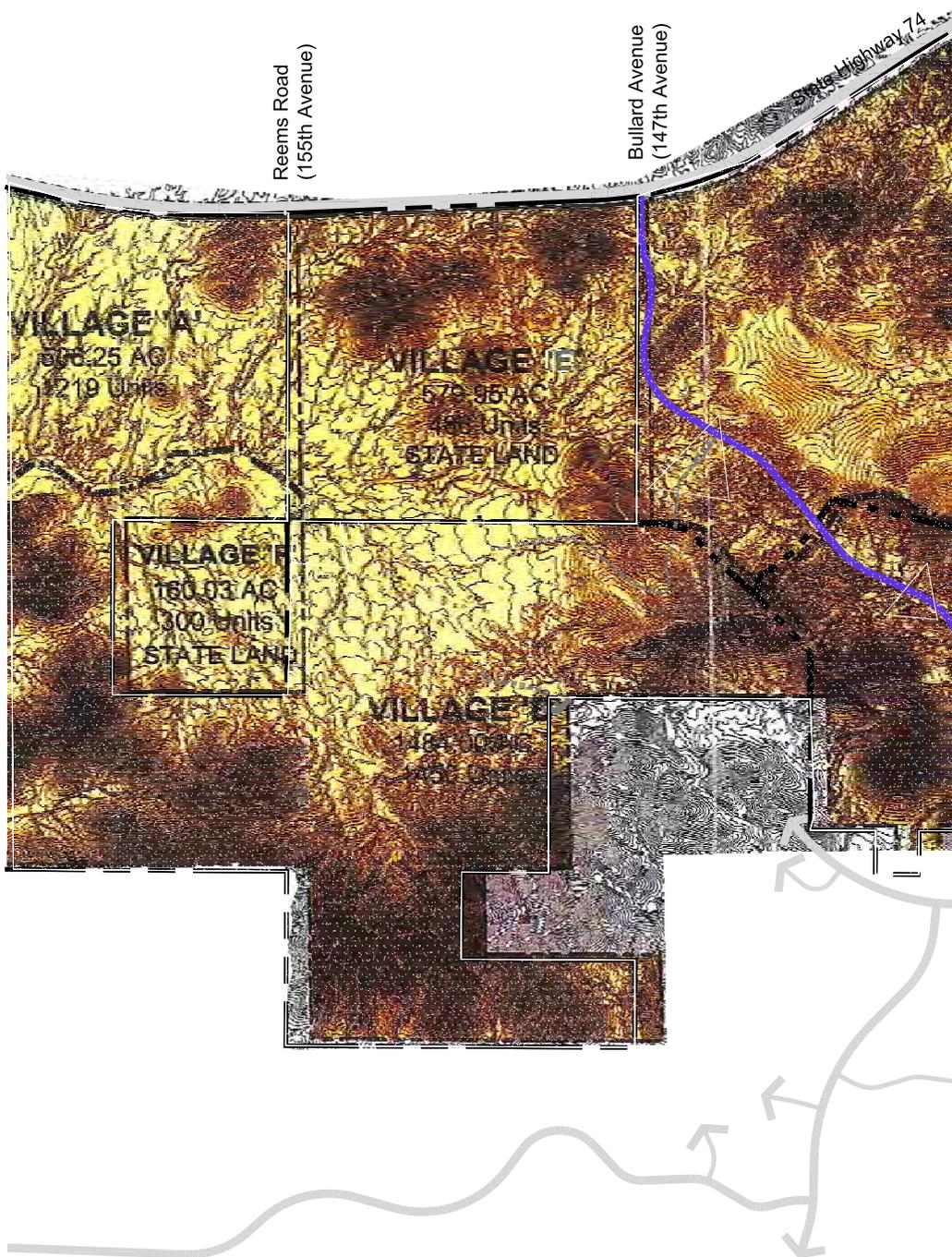
0% - 10% = 100.03 Ac.
10% - 15% = 29.92 Ac.
15% - 20% = 13.32 Ac.
20% - 25% = 7.25 Ac.
25% - 30% = 4.28 Ac.
30% - 35% = 2.31 Ac.
35% - 40% = 1.26 Ac.
40%+ = 1.67 Ac.

Village "F" Total = 160.03 Ac.

State Land Village "G" - Slope Acreage

0% - 10% = 209.48 Ac.
10% - 15% = 119.17 Ac.
15% - 20% = 87.61 Ac.
20% - 25% = 63.82 Ac.
25% - 30% = 5.19 Ac.
30% - 35% = 38.78 Ac.
35% - 40% = 27.13 Ac.
40%+ = 28.79 Ac.

Village "G" Total = 579.95 Ac.



NORTH

SCALE: N.T.S.

APPROVED: 2002

REVISED: 24 February 2014

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SADDLEBACK HEIGHTS

HILLSIDE DEVELOPMENT OVERLAY
TABLE 1 DENSITY ALLOCATION
PARCEL B-14

DENSITY ALLOCATION TABLE 1 APPLIED

SLOPE OF LAND	MAXIMUM NUMBER OF LOTS PER GROSS ACRE	NUMBER OF GROSS ACRE PER SLOPE CATEGORY	MAXIMUM NUMBER OF LOT PER GROSS ACRE	TOTAL NUMBER OF LOTS ALLOWED
10% - 15%	1.5	4.9	1.5	7.35
15% - 20%	1.0	4.75	1.0	4.75
20% - 25%	0.7	3.7	0.7	2.59
25% - 30%	0.5	0.75	0.5	0.375
30% - 35%	0.3	0.65	0.3	0.195
35% - 40%	0.2	1.13	0.2	0.226
40% - OVER	0.1	0.95	0.1	0.095
	SUB TOTAL	16.83		16
0% - 10%	2	3.3	2	6.6
	TOTAL	20.13		22

SADDLEBACK HEIGHTS

HILLSIDE DEVELOPMENT OVERLAY
TABLE 1 DISTURBANCE AND COVERAGE
PARCEL B-14

TABLE 2 APPLIED

BUILDING SITE SLOPE CATEGORY	MAXIMUM DISTURBED AREA	MAXIMUM LOT COVERAGE	COMBINED DISTURBED AREA AND LOT COVERAGE	NUMBER OF GROSS ACRE PER SLOPE CATEGORY	COMBINED DISTURBED AREA AND LOT COVERAGE	TOTAL DISTURBANCE ALLOWED (ACRES)
10% - 15%	25%	30%	55%	4.9	55%	2.70
15% - 20%	20%	25%	45%	4.75	45%	2.14
20% - 25%	20%	20%	40%	3.7	40%	1.48
25% - 30%	15%	15%	30%	0.75	30%	0.23
30% - 35%	12%	10%	22%	0.65	22%	0.14
35% - 40%	10%	7.5%	17.5%	1.13	18%	0.20
40% - OVER	10%	7.5%	17.5%	0.95	18%	0.17
SUB TOTAL				16.83		7.0
0% - 10%	100%	100%	100%	3.3	100%	3.30
TOTAL				20.13		10.9

SECTION III SADDLEBACK HEIGHTS– DEVELOPMENT PLAN

3.0 DEVELOPMENT PLAN

3.1 LAND USE PLAN

The Planned Community Development Plan for Saddleback Heights (the “Development Plan”) is divided into seven (7) distinct development villages (the “Development Villages”) in accordance with the Planned Community District of the Zoning Ordinance. Two of the Development Villages contain a total of 756 acres of State Land that Saddleback Heights has included as a part of this submittal. The land uses outlined in this section are illustrated as part of the **Zoning Map Section 3.10.1** and the **Planned Community Plan Section 3.10.2**

SADDLEBACK HEIGHTS ZONING CATEGORY SUMMARY – TABLE 7							
LAND USE CATEGORY						DEVELOPMENT VILLAGE “E” (State Land)	DEVELOPMENT VILLAGE “F” (State Land)
Saddleback Heights Residential Acreage						160.03	549.95
Commercial Acreage						0	30
Mixed Use Acreage						0	0
Total Gross Acres						160.03	579.95
Maximum Number of Residential Units						300	486

3.1.1 DEVELOPMENT OPTIONS AND DENSITY ALLOCATION

As referenced in Section 2.1.1.3, residential development options must be selected at the time of submittal of a preliminary plat or site plan. In addition to the residential development option, each Development Village at Saddleback Heights has a maximum unit cap that cannot be exceeded by more than 10% without a major amendment to the Saddleback Heights PC District. At no time can the total number of units within the Saddleback Heights

exceed 6,195 units, (including State Land) and 5,409 (excluding State Land). See **Table 7** for Development Village density caps.

3.1.2 SCHOOL CONSIDERATIONS

Saddleback Heights is located in both the Peoria Unified School District and in the Nadaburg Unified School District. The boundary between the two districts is the 137th Avenue, or Bullard Avenue alignment, which bisects the Property from north to south. The developer will provide facilities and/or impact fees as warranted by student population and as outlined in agreements to be drafted with both the Peoria Unified School District and in the Nadaburg Unified School District. The underlying zoning for any identified school site will be SH-R District. See **Section 3.10.2 Planned Community Plan** for potential 15 acre Nadaburg School Site within State Land Village G.

3.2 OPEN SPACE PLAN

A Conceptual Open Space Plan (the “Open Space Plan”) is provided in **Section 3.10.3**. The Open Space Plan was created to respond to and preserve land forms, natural washes and rock outcroppings of the Property. The Open Space Plan represents a minimum of 600 acres of both passive and active open space areas and opportunities. The on-site open space network provides important links to the regional open space, parks, potential school site(s), potential municipal use sites, commercial sites, and a resort site(s).

3.2.1 REGIONAL OPEN SPACE

The Saddleback Heights PC District provides for both active and passive recreation and preserves the beauty of the existing mountains as amenities for residents of Saddleback Heights and the surrounding community to enjoy. The Saddleback Heights PC District utilizes internal open space in the form of natural desert arroyos and mountain open space as pedestrian corridors to link residents and guests of Saddleback Heights to the paths and trails used for hiking and biking, community recreation elements, and potential schools sites, as well as recreation amenities, residential villages, and commercial and Town Center elements. A 252.7 acre public preserve area and a total of 374.45 acres or 62% of the required 600 acres of open space has been identified as part of the Conceptual Open Space Plan Section 3.10.3. The mountainous open space is located within Village “B” and will act as a link between two public mountain open

space areas within White Peak Ranch to the south and to create the opportunity for a regional trail link.

3.2.2 COMMUNITY RECREATION & OPEN SPACE

The Saddleback Heights PC District integrates private neighborhood park sites throughout the Property. The parks are designed to create community-gathering places. The parks, in conjunction with recreation centers, will allow for a wide range of recreational opportunities. By way of example, these uses could include one, but not be limited to one or more of the following uses: basketball, tennis, volleyball and tot lots, etc., linked through an extensive paths and trails system. The underlying zoning for the parks and recreation centers shall be SH-R. A public park of ten (10) acres is planned within Village A, adjacent the fifteen (15) acre school site on Village G. The park may contain eight (8) acres of field and active park open space and two (2) acres of interpretive or educational passive open space.

The parks and recreation centers are located to serve the residents in each of the residential villages including State Land, see **Section 3.10.3** for potential private and public open space locations. They are located to so residents may walk and bike to them without traveling outside the “neighborhood.” They are also located along the major path and trails system where possible. The parks and recreation areas will be owned and maintained by the Saddleback Heights homeowners association.

3.2.3 GOLF OPEN SPACE & COMMUNITY AMENITIES

Four potential golf course study areas have been identified, of which three total golf courses may be developed. Any or all of the golf course study areas may develop as championship courses as the market and development dictates. The location of the golf course study areas have been chosen to integrate into the residential development and compliment both the residential development and enhance the natural area open spaces in and adjacent to the development areas. Clubhouse and maintenance facilities are also associated with each of the three study areas. See **Section 3.10.3** for the potential golf course locations.

3.3 PATHS AND TRAILS PLAN

The path and trails network at Saddleback Heights is comprehensive and is designed to link all internal land uses, as well as provide several regional connections. The paths and trails utilize open space corridors that include natural wash features, mountain open space and open space corridors to allow residents and guests to travel to virtually any destination within the Property via hiking or biking trails. Due to the resort enclave nature of the community and natural terrain bikeways will be included as part of the 10' multi-use path system. No bike lanes will be provided "on street". This reduces and need for automobile traffic within the community and creates a truly pedestrian friendly community. The above paths and trails are illustrated on the **Paths and Trails Plan Section 3.10.4** and **Paths & Trails Regional Context Map 3.10.5**.

3.4 CONCEPTUAL LAND USE PLAN & MATRIX

The Conceptual Land Use Plan for Saddleback Heights illustrates potential areas of residential development types, open space and recreation as well as all other land uses within the master planned community. A Conceptual Land Use Matrix also accompanies the plan to show potential intensities of use based on the approved Specific Area for Saddleback Heights. The plan and matrix illustrate a variety of land uses that may be created within the project and show paths and trails that utilize open space corridors that include natural wash features, mountain open space and open space corridors link the various uses and create a resort lifestyle community. The underlying zoning for Development Villages shown in the Conceptual Land Use Plan is detailed on the **Zoning Map Section 3.10.1**. All uses shown within the SH-R zoning may shift within the Development Villages as long as the overall density cap within any given Development Village is not exceeded. **See Conceptual Land Use Plan Section 3.10.6** and **Conceptual Land Use Matrix Section 3.10.7**.

3.5 CIRCULATION PLAN

The conceptual Master Circulation Plan and On-Site Traffic Analysis for Saddleback Heights shall be approved by the Public Works Director prior to approval of the PC District. The conceptual off-site traffic study shall be approved by the Public Works Director prior to the approval of the PC District.

3.6 UTILITY PLANS

The conceptual Master Potable Water Study and Report and the Master Wastewater Study and Report shall be approved by the Utilities Director prior to the approval of the PC District.

The potable water for the project will be provided from participation in CAWCD's proposed Hieroglyphic Hills recharge facility. This 50-acre recharge facility will be adjacent to the Central Arizona Project ("CAP") aqueduct at the 163rd Avenue alignment. The proposed recharge facility will be capable of recharging 35,000 acre-feet per year. Recovery wells and a 20-inch transmission line paralleling the 16-inch Quintero waterline will deliver the required production to the western edge of the project.

The Saddleback Heights Development will be constructed within Pressure Zones 8W, 10W, and 12W. The development within Pressure Zone 10W (ground elevations between 1,788 to 1,988) will be served utilizing the pressures available from the proposed onsite storage tanks. A main booster pump station, within (Zone 10W), will be located at the proposed water treatment site, which will pump water to the two onsite storage tanks. If development occurs within the higher elevations of Pressure Zone 12W (ground elevations 1,988 to 2,188), additional booster pump stations will be needed to serve those junctions in the higher pressure zone. Development in Pressure Zone 8W (ground elevations between 1,588 to 1,788) will be served through PRV's from Zone 10W.

There are no current existing wastewater facilities on the site. The Saddleback Heights project will be served by a regional wastewater treatment facility located on the western edge of the property. This wastewater facility will ultimately be expanded to serve development to the west and north of the Saddleback Heights project.

3.7 PUBLIC SERVICES PLAN

Police and fire service to the Property will be provided by the Peoria Police and Fire Departments, respectively. The Saddleback Land Use Plan will be amended as needed to designate a site for municipal uses such as a Police/Fire Station Joint Use facility, see **Planned Community Plan, Section 3.10.2** for proposed location. Satellite fire station site(s) will be located as deemed appropriate based on need and response times.

3.8 DRAINAGE PLAN

The conceptual Master Drainage Plan and Report for Saddleback Heights shall be approved by the Public Works Director prior to approval of the PC District.

3.10 DEVELOPMENT PLAN - MAPS & PLANS

3.10.1 Zoning Map

SADDLEBACK HEIGHTS

Zoning Map

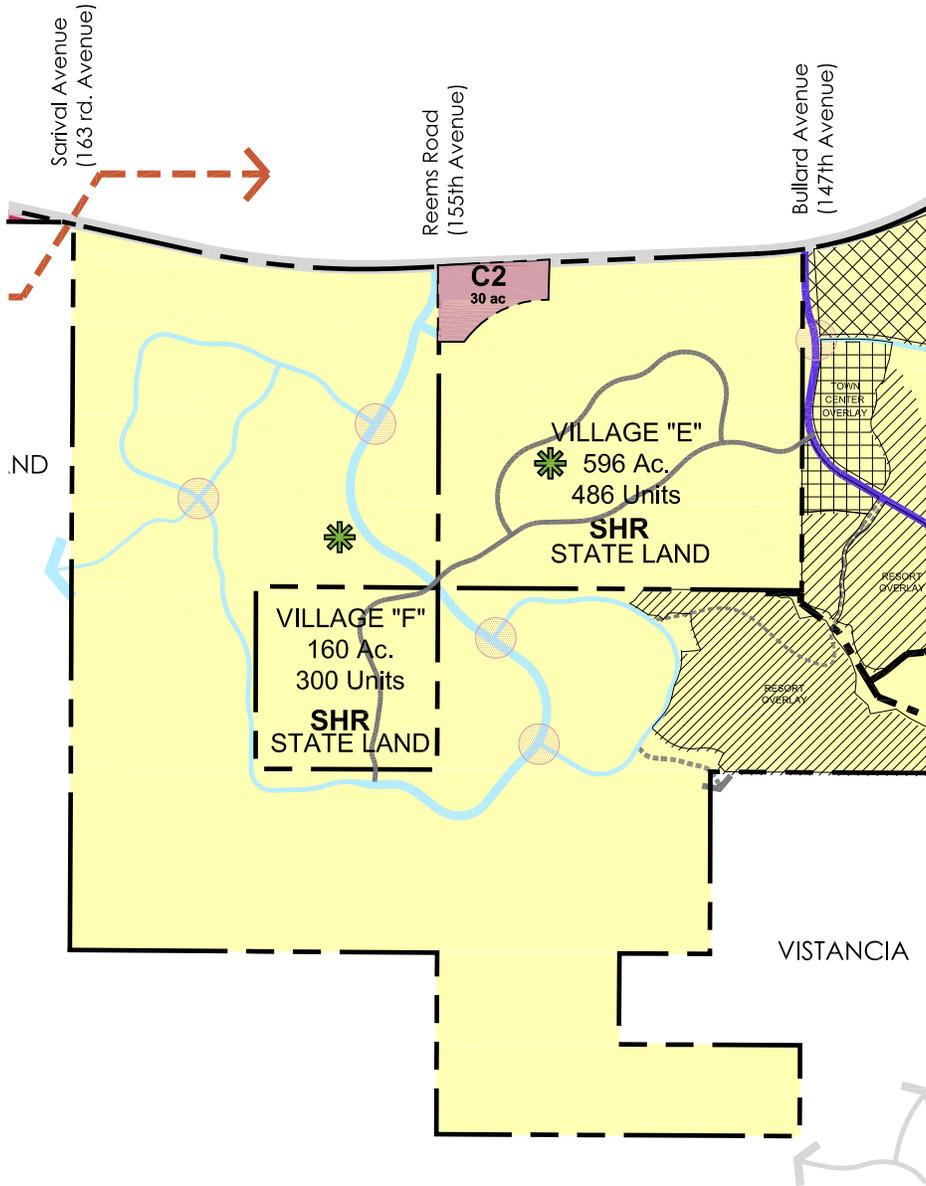
State Land - Villages E & F

LEGEND

-  Saddleback Heights Residential (SHR)
-  Community Commercial (C2)
-  Town Center Overlay - 55.8 Ac.
-  Resort Overlay - 387.52 Ac.
-  Mixed-Use Business Park Overlay - 179.5 Ac.
-  Golf Course Study Area
-  Development Village Boundary
-  Arterial Road Alignment
-  Collector Road Alignment
-  Potential Road Alignment
-  Offsite Road Alignment
-  APS Certificated Corridor
-  ←

NOTES:

1. Saddleback Resort Overlay District (SH-RO) is an overlay district that applies to all land zoned SHR. The SH-RO allows two (2) potential resort sites including a maximum of 800 keys.
2. Resort Overlay may be relocated within the PCD boundary as a minor amendment.
3. Though four (4) potential golf course study areas exist within Saddleback, only three (3) may be developed.
4. The "m" preceding the "Units" totals of each Village denotes that the unit totals within each village may vary provided the Total Units within the privately held acres does not exceed 8,269 Units.
5. Limited Commercial Overlay Maintains the underlying zoning of SHR until such time that the Overlay is designated for commercial development. The commercial development may not exceed 25 Acres or have a single tenant greater than 75,000 s.f.



NORTH

SCALE: N.T.S.
DATE: 02 July 2012
Revised: 24 February 2014

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3.10.2 Planned Community Plan

SADDLEBACK HEIGHTS

Planned Community Plan

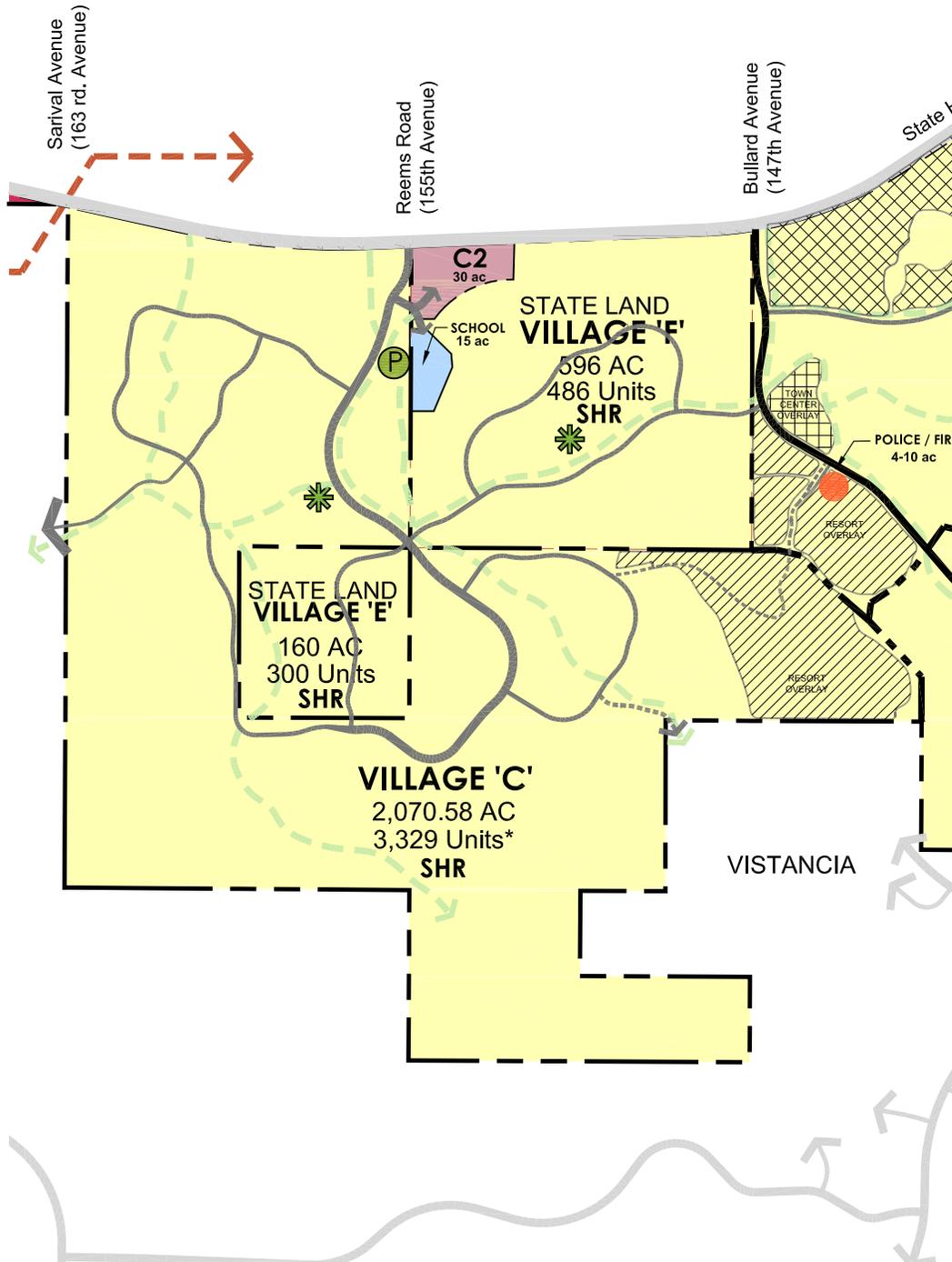
State Land Villages E & F

LEGEND

-  Saddleback Heights Residential (SHR)
-  Commercial (C2)
-  Mixed-Use (MU)
-  School
-  Potential Park
-  Police / Fire
-  Town Center Overlay - 24.0 Ac.
-  Resort Overlay - 247.62 Ac.
-  Mixed-Use Business Park Overlay
-  Potential Open Space Links
-  Golf Course Study Area
-  Development Village Boundary
-  Arterial Road Alignment
-  Collector Road Alignment
-  Potential Road Alignment
-  Offsite Road Alignment
-  APS Certificated Corridor

NOTES:

1. Saddleback Resort Overlay District (SH-RO) is an overlay district that applies to all land zoned SHR. The SH-RO allows two (2) potential resort sites including a maximum of 800 keys.
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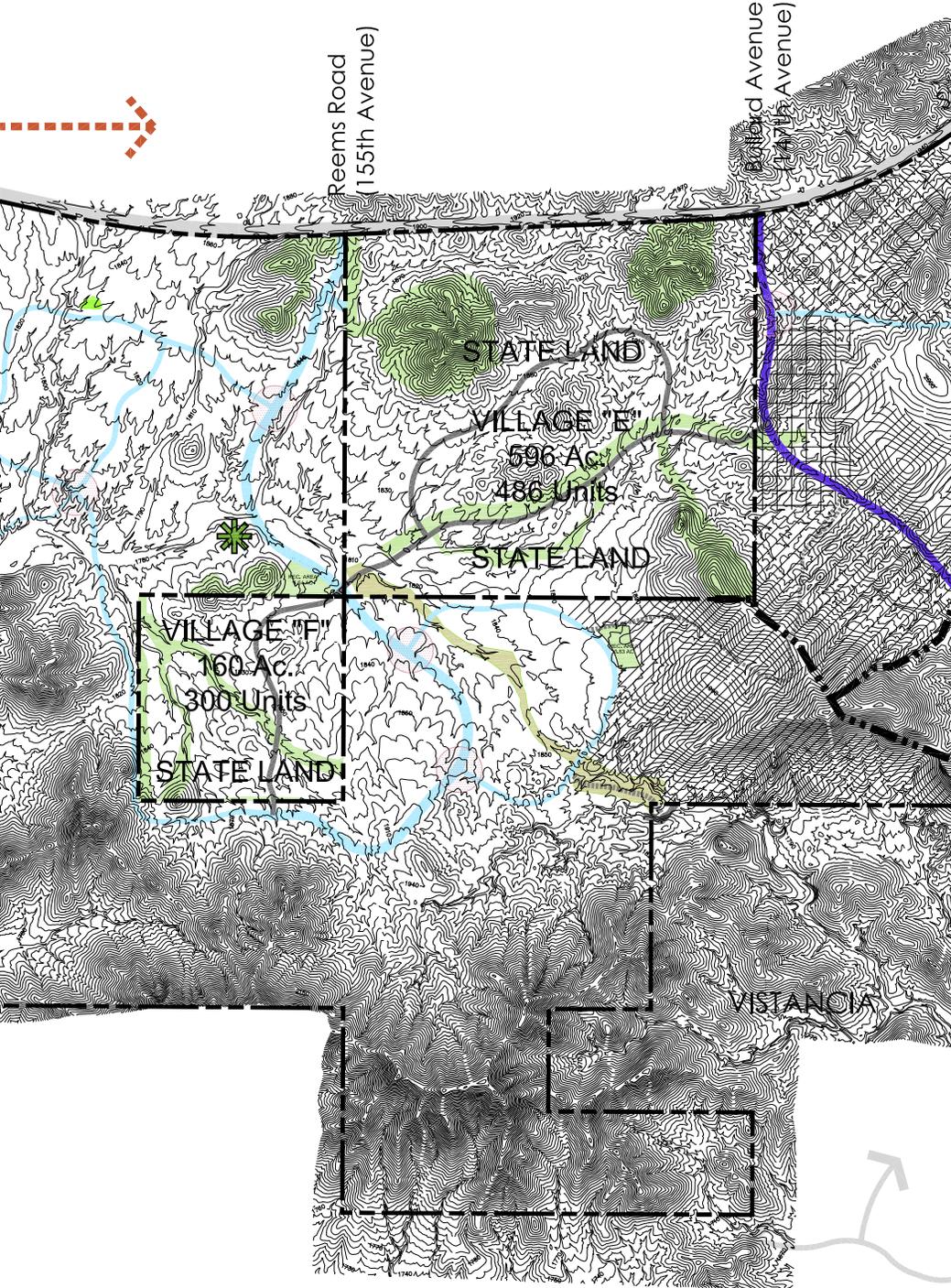
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3.10.3 Open Space Plan

SADDLEBACK HEIGHTS

Open Space Plan State Land Villages E & F



LEGEND

-  OPEN SPACE PRIVATE AREAS
-  PUBLIC PRESERVE - 252.71 AC
-  PUBLIC OPEN SPACE AREA - 364.45 AC
-  OFFSITE OPEN SPACE LINKS
-  GOLF COURSE STUDY AREA
-  POTENTIAL ROAD



NORTH

SCALE: N.T.S.
APPROVED: 2002
Revised: 24 February 2014

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3.10.4 Paths & Trails Plan

SADDLEBACK HEIGHTS

Conceptual Paths and Trails

Plan

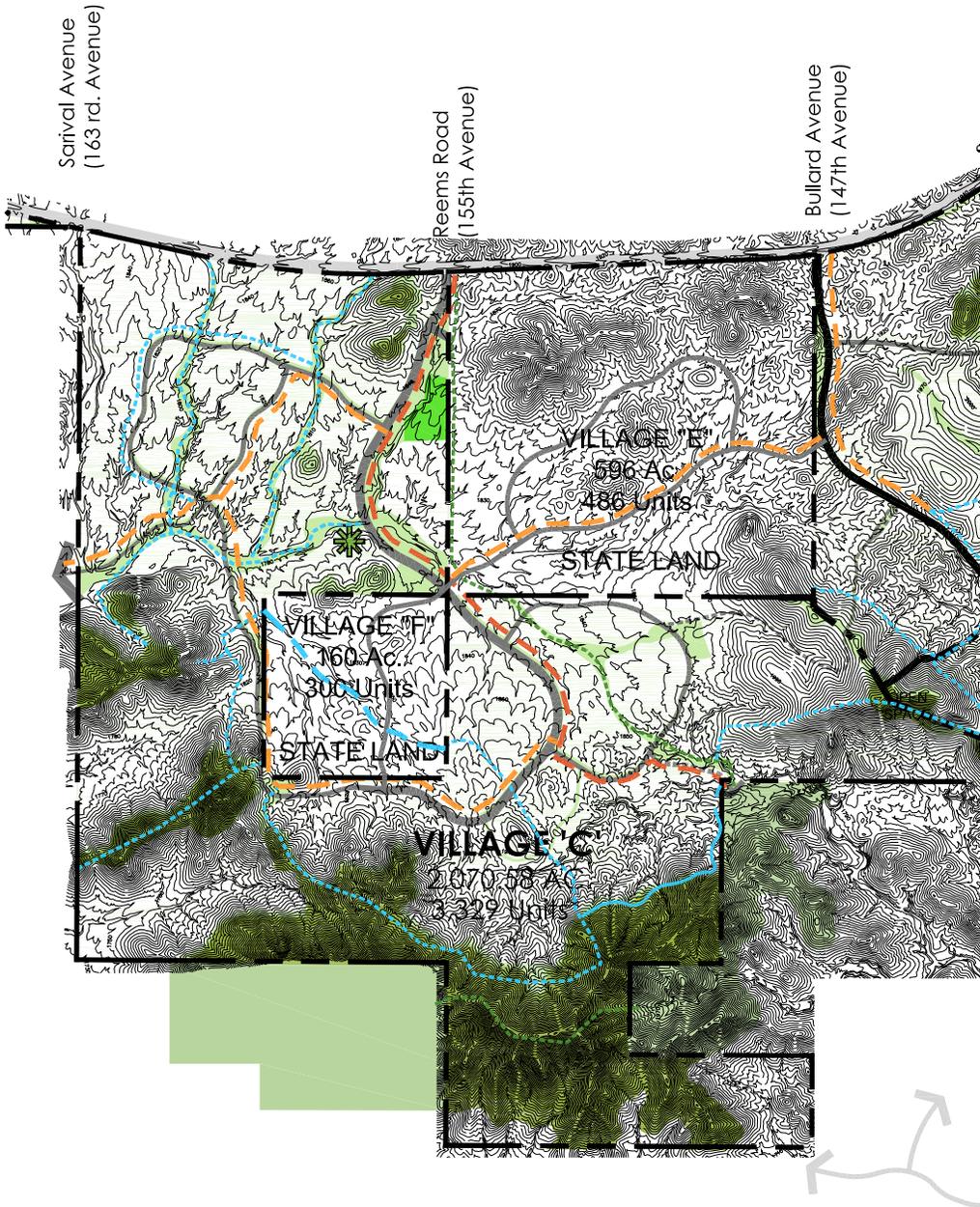
State Land Villages E & F

LEGEND

-  8' Wide Public Multi-Use Path
-  8' Wide Private Multi-Use Path
-  6' Wide Natural Surface Public Pedestrian Trail
-  Private Trail (3' - 6' Width Varies)
-  Development Village Boundary
-  Potential Road Alignment
-  Collector Road Alignment
-  Minor Arterial Alignment

NOTES:

1. Bike lanes will be incorporated as part of the standard sections for Collector and Arterial roadways.
2. All path and trail materials will be selected as part of the Parks, Recreation, Open Space and Trails Plan (PROST) for Saddleback Heights.



NORTH

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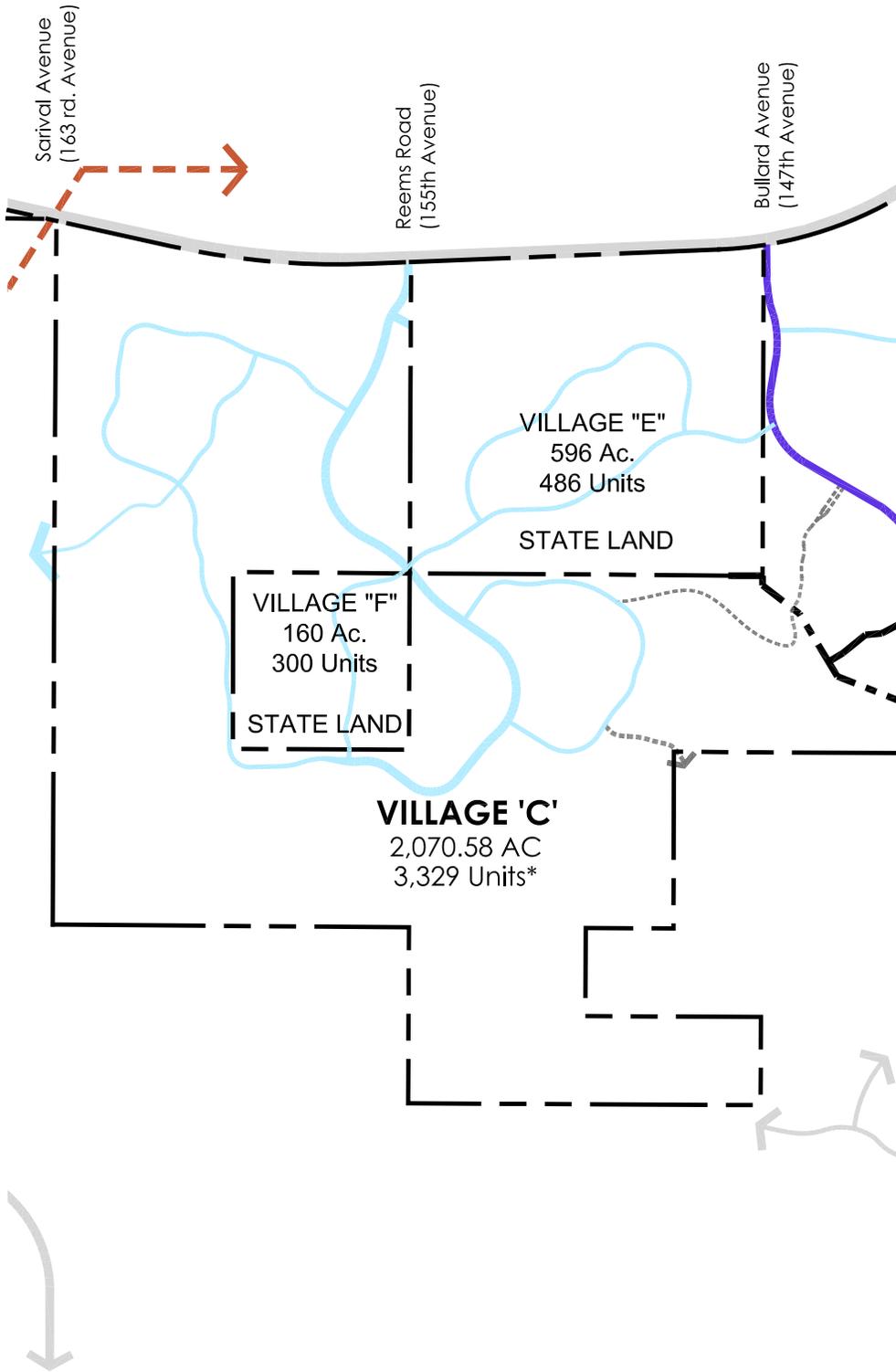
3.10.5 Circulation Plan

SADDLEBACK HEIGHTS

Circulation Plan State Land Villages E & F

LEGEND

-  Saddleback Heights Boundary
-  Development Village Boundary
-  Minor Arterial Road Alignment
-  Minor Collector Road Alignment
-  Potential Road Alignment
-  Offsite Road Alignment
-  APS Certificated Corridor



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3.10.6 Conceptual Land Use Plan

LEGEND

-  Private Open Space Area
-  Natural Open Space Preserve
-  Offsite Open Space Links
-  Potential Park Location
-  RE - Res. (0 - 2.0 Du/Ac)
-  LD - Res. (1.0 - 5.0 Du/Ac)
-  MD - Res. (3.0 - 8.0 Du/Ac)
-  SC - Res. (6.0 - 12.0 Du/Ac)
-  Mixed Use (15 Du/Ac)
-  Limited Commercial Overlay
-  Community Commercial (Town Center Overlay)
-  Resort Overlay (Not To Exceed 800 Feet Total)
-  Mixed-Use Business Park Overlay
-  School
-  Police / Fire (4-10 ac)
-  Golf Course Study Area
-  Minor Arterial Alignment
-  Minor Collector Alignment
-  Potential Road Alignment
-  Offsite Road Alignment
-  APS Certificated Corridor

Reems Road
(155th Avenue)

Bullard Avenue
(147th Avenue)



VISTANCIA



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SCALE: N.T.S.
 DATE: 02 July 2012
 Revised: 24 February 2014

APPENDIX B: - Saddleback Heights Desert Conservation Lands Ordinance

ARTICLE 14-22B SADDLEBACK DESERT LANDS CONSERVATION OVERLAY

(Ord. No. XX-XXX)

CONTENTS

14-22B-1	INTENT
14-22B-2	APPLICABILITY
14-22B-3	DEFINITIONS
14-22B-4	APPLICABILITY AND APPROVAL PROCESS
14-22B-5	CONSERVATION STANDARDS
14-22B-6	NATIVE PLANT PERMIT
14-22B-7	INSPECTIONS
14-22B-8	ENFORCEMENT
14-22B-9	APPEALS

SECTION 14-22B-1 INTENT

The purpose of the Saddleback Desert Lands Conservation Overlay (DLCO) is to identify and protect the unique and environmentally sensitive Sonoran Desert lands in the City and to provide appropriate and reasonable controls for the development of such lands. Specifically, these lands are located within Saddleback, **see the Preservation Master Plan Exhibit L within the Saddleback Heights PCD**. The DLCO is intended to:

- A. Identify sensitive desert conservation features and resources.
- B. Protect Peoria's distinctive desert landscapes and wildlife habitats.
- C. Protect people and property from hazardous conditions characteristic of environmentally sensitive lands and their development.
- D. Integrate conservation design into the development of sensitive desert lands and employ development standards and guidelines that equitably balance conservation and development objectives.

In addition, the DLCO is intended to implement the goals, policies and objectives of the City of Peoria General Plan and the Saddleback PCD. The overlay establishes a holistic approach to evaluating the environmental conditions of each site that allows both City staff and the development community a better basis for determining conservation areas. The overlay also establishes criteria for determining conservation priorities based on the potential to expand or extend a regional open space corridor, the opportunity to provide a link to an existing or future trail system, the possibility of expanding an existing open space, or the possibility of creating a buffer zone between different intensities of uses.

The DLCO not only preserves sensitive and unique desert features, but also native plants and plant communities in order to enhance the City's aesthetic appeal by conserving distinctive scenic character. Native plant communities are also protected because they thrive in the local desert environment and provide soil stabilization to fragile desert soils, stabilization that is lost after development activity that disturbs plants and top soil layers. Canopied plants such as palo verde provide nurturing shade and protection for lower level plants. Native plants identified for preservation are chosen on the basis of their slow growth habit, the fact that the plant alone or in combination with others provides unique wildlife habitat and soil stabilization support, its rarity in this environment, and its proven success rate for salvage in this region.

Finally, the DLCO establishes standards and design guidelines for development within desert areas and adjacent to conservation areas. These regulations and guidelines vary by landform type in order to address the four distinctive types of geography (Desert Floor, Bajada, Floodplain and Upland, as consistent with the landforms as part of Section 14-22A Saddleback Hillside Overlay District, included in this document) found in the Peoria desert areas. The classification system assumes a single vegetation type in Peoria, Lower Sonoran, consisting of creosote, bursage, and saltbush associations. The DLCO is to be applied in conjunction with the 2003 International Urban-Wildland Interface Code (IUWIC). In cases where there is conflicting provisions the Saddleback Heights DLCO will take precedence.

Saddleback will be designed to incorporate community level private amenities and open spaces to be utilized by its residents. There will be an abundance of usable natural open space throughout the project and the residents of Saddleback will have great opportunities to enjoy extensive passive and active recreational uses.

Given the village concept of this master plan, the requirements of this article be analyzed at the village level. Until such time that a village level plan is provided by the Developer and approved by the Planning Manager, the open space requirements for each subdivision shall be reviewed on a standalone basis per the provisions of this article.

Shall it be determined that a development parcel does not contain any conservation features, the developer may seek, and the Planning Manager may provide, a waiver to exclude such development parcel from the provisions of this article.

SECTION 14-22B-2 APPLICABILITY

A. The Saddleback Desert Lands Conservation Overlay (DLCO) establishes a special overlay zoning district, which applies to specific resources and environmental conditions Saddleback. In order to accomplish the purpose of this district, the City of Peoria shall apply these provisions to these lands that contain any of the following special conservation features and resources:

B. Conservation Features:

1. **Bajada:** Cone-shaped alluvial fans that have coalesced into a continuous slope along the front of a mountain (a compound alluvial fan)

2. **Cultural Resource:** Prehistoric and historic sites identified according to standards established by the State Historic Preservation Office. Includes artifacts such as rock walls, etc.
3. **Floodplain:** Flat or nearly flat land adjacent to streams or rivers that receives periodic flooding. Consists of the channel and the flood fringe.
4. **Inselberg Peak:** The prominent peaks which jut out of a typically flatland area. These are landmark features whose rugged vertical form contrasts sharply with the horizontal ground plain.
5. **Mountainous Area:** Areas such as the Hieroglyphic Mountain Range which include numerous peaks, rugged topography, steep slopes and small v-bottomed washes flowing out of the area. The limits of a mountainous area is established when more than 60% of the area has slopes of 25% or greater.
6. **Primary Peak:** Prominent peaks that are visual landmarks from various points of view and rise at least 400 feet above the surrounding base elevation.
7. **Riparian Vegetation:** Native vegetation that grows where there is a concentration of sustainable drainage water resulting in larger plants, greater species diversity and greater density. Generally found parallel to washes, rivers, tanks and springs.
8. **Riverine Area:** Environmentally diverse riparian areas associated with rivers and major washes (e.g. the New River, the Agua Fria River, Morgan City Wash).
9. **Rock/Boulder Formation:** Formations including escarpments, cliffs or pinnacles which consist of exposed rock faces with limited vegetative cover.
10. **Significant Vegetation Area:** A stand of Sonoran Desert vegetation that is thirty percent more concentrated than the general aspect of the immediate context area and difficult to salvage due to slope, rocky soil conditions or exposed roots due to an adjacent wash. Generally located adjacent to a wash or other source of water and maintains the character of the site best when protected in place.
11. **Significant Vegetation Specimen:** A native tree with an 8" or greater caliper trunk and multi-trunk in good health, a saguaro over 20 feet in height and/or multiple arms or crest or other unusual configuration in good health, or other mature protected species, such as Ocotillo.
12. **Skyline Ridge:** See Exhibit L in the PCD Preservation Masterplan
13. **Spring:** A permanent small stream or source of water coming out of the ground where the aquifer meets the ground surface.
14. **Talus Slope (or Alluvial Fan):** A slope strewn with a layer of loose rock debris, usually over unconsolidated soils.

15. **Terrace:** An extensive land area characterized by slopes leading to a relatively level surface and situated at a uniformly higher elevation than adjacent land on at least one side.
16. **Unstable Slope:** A slope that exhibits one or more of the following conditions: boulder collapse, boulder rolling, rock falls, slope collapse and talus slopes.
17. **Wash, Jurisdictional:** A wash that is governed by the United States Army Core of Engineers ("USACOE"), and is included as part of the permit ("404 Permit") obtained through Section 404 of the United States Federal Water Pollution Control Act, or commonly known as the "Clean Water Act".
18. **Wash, Non-Jurisdictional:** These are washes not governed by the USACOE and are not subject to the provisions of the 404 Permit.
19. **Wildlife Corridor:** Open space linkages that connect wildlife populations that are separated by human activity (such as roads or other development). These Corridors provide a number of benefits, including 1) permit animals to move between remaining habitats allowing depleted populations to be replenished and promoting genetic exchange; 2) provide escape routes from fire, predators, and human disturbances, thus reducing the risk that catastrophic events, such as fire or disease, will result in population or species extinction; 3) serve as travel paths for individual animals as they wander throughout their home ranges in search of food, water, mates, and other needs, or for dispersing juveniles in search of new home ranges.
20. **Wildlife Habitat:** Locations where native wildlife has a tendency to congregate due to provision of food, shelter and/or water.

SECTION 14-22B-3 DEFINITIONS

- A. **Archaeologist:** A person engaged in the study of human activity, primarily through the study of its material remains, which includes structures still standing, and has received certification from the Register of Professional Archaeologists.
- C. **Alter:** Change or modify natural vegetation and/or topography by removal, cuts, fills, grading or the building of structures.
- D. **Conservation:** Open space that may be moderately modified from its natural condition due to surrounding development, but where certain effort is made to retain and maintain as much of the character as possible. Such areas may be improved with paths, trails, trailheads and similar features intended to carefully intertwine people with the open space. For comparison, see also *Preservation*.
- E. **Conservation Features or Areas:** Individual conservation features, defined above, and/or areas of the highest significance and preservation priority.

- F. **Cultural Resources:** A broad assortment of assets, which includes buildings, sites, structures, objects, and districts that are of historic, cultural, architectural, or archaeological significance. Examples of such resources include petroglyphs, jewelry, textiles, pottery, projectiles, tools, irrigation canals, and pit houses. This includes artifacts, records, and material remains related to such resources. These assets may be included in or eligible for inclusion in the National Register.
- G. **Cut:** A land surface, which is shaped through the removal of soil, rock, or other materials.
- H. **Desert Lands Conservation Report (DLCR):** A submittal required with any development application to the City for property within the Saddleback Desert Lands Conservation Overlay area, which contains an overview of the conservation features and items of specific interest as they pertain to the intent of the Saddleback Desert Lands Conservation Overlay.
- I. **Destroy:** To kill, or cause the death of any protected native plant by any means.
- J. **Developer:** the property owner or his representative that is undertaking the development of land subject to the Saddleback Desert Lands Conservation Overlay District.
- K. **Disturbed Area:** That area of natural ground that has been or is proposed to be altered through grading, construction, cut and fill, removal of natural vegetation, placement of material, trenching, or by any means that causes a change in the undisturbed natural surface of the land or natural vegetation. The Disturbed Area is coterminous with the Disturbed Area identified in the Saddleback Hillside Development Overlay District of this code and shall be subject to the same requirements of that Article.
- L. **Disturbed Area, “Reclaimed” or “Restored”:** Disturbed areas that have been restored to their natural contours, vegetation and colors to the satisfaction of the City of Peoria.
- M. **Fill:** The deposition of soil, rock or other materials place by man.
- N. **Finished Grade or Newly Established Grade:** The final grade and elevation of the ground surface after grading is completed. (All grading must comply with the provisions set forth Article 14-22A “Saddleback Hillside Development Overlay District”)
- O. **Grade, Natural:** The elevation through any section of a site on an undisturbed lot at the time of adoption of this overlay by City Council. On lots that have been disturbed previously, the natural grade is the pre-existing grade if it can be determined; otherwise it shall be determined by an average of off-site elevations at points taken around the boundary of the site. All determinations shall have been made by an engineer, registered landscape architect, or land surveyor licensed to practice in the State of Arizona.
- P. **Grading:** Any excavating, or filling or combination thereof, including the conditions resulting from an excavation or fill.
- Q. **Habitat Preservation Plan:** An official document submitted as part of a Master Conservation Plan (MCP) containing wildlife habitat and corridor identification and

conservation / protection procedures as supported by the Arizona Game & Fish Department.

- R. **Habitat Survey:** An official document submitted as part of a Desert Lands Conservation Report (DLCR) containing correspondence from the Arizona Game & Fish Department that identifies known or potential wildlife living on a given property.
- S. **Habitat Value:** The suitability of the landscape to support wildlife, considering site conditions. Suitability shall be ascertained by comparing similar sites and conditions and may require returning the habitat as closely to its original condition as possible when natural conditions have been changed.
- T. **Landform Type.**
 - 1. **Desert Floor Landform Type:** Characterized in general by level plains and expanses that typically occupy the broad lowlands floodplains between desert mountain ranges. The area is dominated by low growing shrubs, such as creosote and bursage, and supports larger shrubs and trees, such as palo verde and ironwood, and cacti, such as saguaro. Because the uplands support a greater diversity and density of plants, wildlife density and diversity are higher and important wildlife resources occur in both wash and upland areas. The terrain is relatively flat, with typical slopes of less than five (5) percent, although the slope of this landform classification extends up to ten (10) percent. Soils are generally deep and alluvial. This landform is not listed in the companion Saddleback Hillside Development Overlay District for Saddleback as the slope of this land is less than 10% and therefore not considered hillside.
 - 2. **Bajada Landform Type:** Characterized as the irregular terrain near or at the base of mountain ridges or isolated mountain outcrops. This area is located in the transition zone between the Desert Floor and the Upland landform types and exhibits relatively high vegetation density and diversity. The lower portions of alluvial fans dominated by palo verde and mixed cacti vegetation typify this area, such as the bases of low mountain ranges. Saguaro is a visually dominant and important component of this area. Higher density and diversity of vegetation results in higher wildlife density and diversity that is dispersed between both wash and upland areas. It is comprised primarily of bedrock materials with land slopes generally in the range of ten (10) to twenty-five (25) percent. Drainage courses are typically well incised. Typical hazards include boulder rolling, rock falls, debris movement and general slope instability. The surface movement of materials occurs as a result of both gravity and water transport. The surface material size includes large boulders, rocks and gravel, as well as grainy soil materials. The Bajada landform is generally consistent with the Lower and Upper Transitional landform in the companion Saddleback Hillside Development Overlay District.
 - 3. **Upland Landform Type:** Consists of the higher elevation rugged areas, with relatively steep slope and high vegetation density and diversity. These areas include mountains, hills, buttes, or escarpments predominantly composed of bedrock materials. The slope is greater than twenty-five (25) percent, and in many cases is greater than thirty-five (35) percent. Upper portions of alluvial fans and the foothills of low mountains dominated by palo verde and mixed cacti vegetation typify this area. The saguaro is a visually

dominant and important component of this area and higher density and diversity of vegetation results in higher wildlife density and diversity. Streambeds are typically narrow, rocky and incised. Drainage courses are relatively poorly defined on the slopes, but collect into deep canyon bottom courses strewn with large-sized rubble. Typical hazards include boulder rolling, rock falls, debris movement and general slope instability. Soils are generally shallow and rocky. Cultural resource sites are smaller and more scattered. There are a greater number of petroglyphs and few sites related to prehistoric agricultural uses. This landform includes the Uplands landforms in the companion Saddleback Hillside Development Overlay District.

- U. **Landscape Character Zone:** An association of plants that create an identifiable landscape character, and further defined by specific plant palettes found in the Desert Lands Conservation Guide.
1. **Tonto Upland:** Landscape character zone that represents indigenous plants typically found in the desert of the northern Phoenix metropolitan areas.
 2. **Sonoran Desert Upland:** Landscape character zone with an associated plant list which represents plants that are generally native to the southwest deserts or have the appearance of being native to those deserts.
 3. **Lower Sonoran Desert:** Landscape character zone where plants are generally compatible with the look of an arid landscape. The associated plant list is a broader representation of drought tolerant plants and includes nonnatives that are considered appropriate for the area.
 4. **Exotic Zone Desert Oasis:** Landscape character zone where plants are permitted which are not included on the other landscape character zone lists, as long as they are not on the prohibited plants list. The use of these plants is limited to Oasis Landscape Development Areas and areas included in the Disturbed Area.
- V. **Landscape Development Areas:** Areas within a site with different recommended plant palettes based on their proximity to natural open space, soil stabilization attributes and the desired visual character for the area.
1. **Oasis Area:** A landscaped area consisting of enclosed courtyards, semiprivate areas and other areas located within the Disturbed Area where the use of Native Sonoran, Sonoran Character and Arid Zone plants are encouraged, but Desert Oasis plants are also allowed. These areas may also include special public areas, such as, but not limited to, parks, plazas, neighborhood open space, etc.
 2. **Lush Desert Edge:** A landscaped area consisting of open backyards, commercial and public areas, streetscapes and common areas where use of Arid Zone plants is generally limited to 30% by area and where a buffer of Native Sonoran Zone plants is required at the perimeter of the lot or parcel or between the Disturbed Area and Natural Open Space.

3. **Riparian Area:** A landscaped area consisting of open areas adjacent to preserved wash corridors and natural open space areas where the use of plants is limited to the Tonto Upland palette. Open areas used for recreation, including active and passive areas, parks, and neighborhood open space are not included in this area.
- W. **Master Conservation Plan (MCP):** A submittal which contains the identification and proposed conservation measures for protected landforms, native plants, wildlife habitats, open spaces and cultural resources.
- X. **Mature Trees:** Healthy, full-bodied trees of the following minimum sizes: Eight (8) feet in height with a four (4) inch caliper trunk measured six (6) inches above grade for smaller and measured twelve (12) inches above grade for larger species. Multi-trunk species shall be measured in the same manner as single-trunk species, but must have a minimum diameter of one (1) inch.
- Y. **Mutilate:** To deface, maim, damage or disfigure any protected native plant by shooting, chopping, pushing over, burning, cutting or any other means.
- Z. **Native Plant Permit:** A type of permit issued by the State of Arizona Department of Agriculture and by the City of Peoria for the purpose of removing from the premises, relocating on the premises, or destroying any protected native plant.
- AA. **Native Plant Preservation Plan:** A development plan specifying the proposed treatment of plants with Protected Plant Status for which a native plant permit is required. This plan shall identify the location of the on-site nursery and shall establish an approximate amount of time each plant, or group of plants, is expected to remain in the nursery. A method for tracking the amount of time each plant or group of plants will remain in the nursery shall also be provided.
- BB. **Natural Open Space:** Areas containing naturally occurring conservation features of the Sonoran Desert that have not been altered or have minimal disturbance for roads, utilities, trails and pedestrian pathways providing access to feature areas.
- CC. **Plant Protection:** Any project that contains specified on the Protected Native Plant List is required to submit a Native Plant Preservation Plan detailing the existing location and proposed treatment of each protected plant. Optimally, protected plants should remain in place.
- DD. **Plant Salvaging:** Healthy plants, meeting minimum standards as defined by the Protected Plant Status, which must be removed due to construction, are required to be salvaged unless the applicant can demonstrate how conditions such as poor health make successful relocation impossible. Salvaged plants are expected to be replanted within the project.
- EE. **Preservation:** Similar to *Conservation* but is more closely related to a wilderness area in that these open spaces are intended to remain in their natural, untouched state regardless of surrounding development. In some instances, unpaved hiking trails and trailheads may be utilized to gain limited access to these areas; however, park-like amenities such as

water, restrooms, lighting, directional signage, improved parking or educational facilities are not likely to be present.

FF. **Private Buffer:** An area located adjacent to a public or private preserve open space edge that is used as an undisturbed or enhanced landscape setback. The buffer may be platted as common open space for the development or as individual lots. The area shall contain no improvements or be used for any purpose other than a landscaped setback.

GG. **Protected Plant Status:** Native cacti which are three (3) feet or greater in height and native trees which are four (4) inches or greater in caliper.

HH. **Relocate:** To transplant a protected native plant to another location on the premises.

II. **Remove:** To transport a protected native plant from the premises on which it has been growing.

JJ. **Restore:** To replant areas of burned, damaged or disturbed Sonoran Desert vegetation and topographical features with trees and plants of the same species, size, density and placement as the surrounding area; and re-contour, as necessary, to appear similar to or to match the character of nearby slopes.

KK. **Retaining Wall:** A wall used solely to retain twelve (12) or more inches of material but not to support or to provide a foundation or wall for a building.

LL. **Ridge Line:** That line running along the highest elevation between mountain peaks.

MM. **Rip Rap:** A bank protection measure composed of rock, cobble or rubble of differing sizes to protect against erosion or scour.

NN. **Spill:** To cause or allow earth or other material to fall, flow or run down a slope, thereby creating a change in the natural appearance and topography.

OO. **Undisturbed Natural Desert:** Naturally occurring Sonoran Desert vegetation and topographical features, including washes, are not altered except to allow for roads, utilities, trails and pedestrian pathways providing access to feature areas. Vegetation is not pruned or removed, except to remove a fire hazard, in order to retain a natural habitat for native animal species. Dead trees or cacti also form an integral part of the wildlife habitat.

PP. **Unique Feature:** A unique and identifiable feature that varies from the immediate surroundings, such as springs, tanks, saddles, expansive saguaro or cholla forests, boulder outcrop, escarpment, etc.

QQ. **Unsalvageable Plant:** means a protected native plant that cannot be successfully relocated due to any of the following:

1. Deteriorated health from disease, infestation, or natural causes; or

2. Physical constraints related to plant location, orientation, or general condition which obstruct and/or prevent the application of approved relocation techniques.

SECTION 14-22B-4 APPLICABILITY AND APPROVAL PROCESS

A. Single Residential Lot Development

The development of a single-family custom home shall not require a Desert Lands Conservation Report or Master Conservation Plan. The developer of a single-family custom home shall indicate on the site plan the location of conservation features to be preserved. Development of individual custom residential lots within an existing master planned community will be evaluated in accordance with the approved DLCR or MCP for the subject parcel or overall master plan, depending upon the level of approval currently established for the community. In the event that a MCP has not been approved for the parcel, each individual custom lot will be evaluated independently and will be required to provide a modified MCP for the subject lot. The Planning Manager or designee shall have the authority to modify the criteria required for the MCP. In the event that any lot has been prematurely cleared or graded prior to issuance of a building permit, the Planning & Community Development Department shall have the authority to establish appropriate revegetation and salvage criteria, which may include the use of historical aerial photos.

B. Development Parcels

All Development Parcels (excluding Custom Residential Lot Development Parcels) shall provide an MCP at the time of preliminary plat. If property is being rezoned prior to preliminary plat, then a DLCR shall be provided at the time of rezoning to establish areas of interest and a general concept of conservation measures.

Phased developments size may provide a DLCR for the overall project; however an MCP shall be submitted with each smaller parcel at the time of preliminary plat.

C. Custom Residential Lot Development Parcels

Custom Residential Lot Developments are only required to submit a DLCR with the required Minor Land Division. Each individual lot owner or developer will be required to provide a MCP with their building permit application. The MCP will establish conservation measures for any qualified landforms, cultural resources or vegetation existing on site. In the event that any lot has been prematurely cleared or graded prior to issuance of a building permit, but after the Minor Land Division, the Planning & Community Development Department has the authority to establish appropriate revegetation / salvage criteria, which may include the use of historical aerial photos.

D. Desert Lands Conservation Report

Desert Lands Conservation Reports are intended to be concept reports that describe areas of interest for conservation features and methods of preservation for projects of all types and sizes. This report is typically the first of two reports to be submitted to the City prior to site development. The second, more detailed report is the Master Conservation Plan (MCP).

A Desert Lands Conservation Report (DLCR) shall be prepared by certified professionals in each particular topic area being analyzed in the report (e.g. engineer, landscape architect,

biologist, botanist, arborist, etc) and shall be submitted in accordance with Sections 14-22B-4A-H of this Article. DLCR submittal requirements are provided in the Desert Lands Conservation Process Guide.

E. Master Conservation Plan

A Master Conservation Plan (MCP) is intended to provide a site specific analysis of conservation features on a given property. Unlike the DLCR, the MCP will provide specific details regarding the variety of native vegetation on site, the number and species of vegetation to be salvaged, salvage and revegetation plans, habitat preservation, unique landforms including washes and hillside areas to be protected, and other related site elements requiring preservation.

The Master Conservation Plan (MCP) shall be prepared by certified professionals in each particular topic area being analyzed in the report (e.g. engineer, landscape architect, biologist, botanist, arborist, etc) and shall be submitted in accordance with Sections 14-22B-4A-H of this Article. MCP submittal requirements are provided in the Desert Lands Conservation Process Guide.

F. Site Inspection

For those sites with particularly complex conditions, the City may request a site inspection of the property by City staff. The applicant shall distribute copies of the Existing Conditions Data Report for the on-site meeting. Applicants, their site designers, and the landowner will participate in the site inspection. The purpose of this visit is to review the property's existing conditions and special features, to identify potential site design issues, and to provide an informal opportunity to discuss site design concepts, including the prioritization of conservation features, and possible locations for buildings and street alignments.

G. Approval Process

The Staff shall review all DLCR and MCP documents for completeness and shall evaluate the extent to which the document and any recommendations satisfy the requirements and overall intent of this ordinance. Revisions to the document(s) may be required by staff.

All DLCO applications shall require either a Certificate of No Effect, Certificate of Appropriateness, or approved mitigation plan before final project approval may be obtained. If review of the submitted documentation indicates that no cultural resources are likely to be present, staff may issue a Certificate of No Effect. If a DLCR/MCP indicates that cultural resources are present or are likely to be present on the site, the Cultural Resources portion of DLCR/MCP shall require review by the Historic Preservation Commission. The Commission's purview shall include validation of all archaeological surveys, archaeological reports, and archaeological mitigation plans.

Appeals of the decision(s) regarding a DLCR or MCP will be addressed in the same manner as the development request which it accompanies. Approvals of the DLCR shall be valid for the same period of time accorded to the accompanying development request. After a period of one year from the submittal date of the MCP the Planning Manager shall determine the

continued sufficiency of the MCP for future development planning applications. The Planning Manager or designee shall not approve any DLCR or MCP unless the City has received a Waiver of Proposition 207 from the Owner or Owners of the property that is the subject of the DLCR or MCP or has determined that the absence of such a Waiver of Proposition 207 is consistent with the City's General Plan and Zoning goals and regulations.

(Section 14-22B-4 amended by Ordinance No. 07-14, enacted April 17, 2007 and effective May 17, 2007.)

SECTION 14-22B-5 CONSERVATION STANDARDS

In order to preserve sensitive environmental conditions, retain and protect meaningful desert open space, and conserve ecological and aesthetic resources, all development within the affected DLCO area shall be subject to requirements for the preservation of Natural Open Space (NOS) and native plants. In Hillside Areas, requirements of the Hillside Overlay District and the DLCO shall be coordinated as specified herein. The required NOS area shall not exceed the percentages shown in the following NOS Slope/Landform Matrix.

A. Natural Open Space

1. Natural Open Space (NOS) within each development shall be in accordance and not in addition to the open space provisions of Article 14-22A Saddleback Hillside Development Overlay District, when conservation features are present, and as depicted below. Development Parcels are only required to provide up to the minimum NOS as shown on the table below. Development Parcels that do not contain conservation features are not required to provide NOS per the Saddleback Desert Lands Conservation Overlay, but are still subject to the provisions of the Saddleback Hillside Development Overlay District.

NOS Slope / Landform Matrix

Table 2 (Ord. No. 05-44)			
NOS SLOPE / LANDFORM MATRIX			
LANDFORM TYPE	SLOPE RANGE	MINIMUM REQUIRED NOS	MAXIMUM* REQUIRED NOS
Desert Floor	0%-10%	0%	25%
Bajada	10%-15%	10%	25%
	15%-20%		30%
	20%-25%		40%
Upland	25%-30%	40%	50%
	30%-35%		60%
	35%+		70%
NOTE: Usable Open Space requirements of this ordinance may be satisfied by accessible NOS containing dedicated trails, floodway areas or reserved or dedicated steep slope areas. *In no event shall the developer/builder/owner be required to exceed the Maximum Required			

2. The NOS acreage shall be comprised of the conservation features listed and defined in this Article in the following priority:
 - a. Wash corridor or protected hillside,
 - b. expansion or extension of an open space / wildlife corridor,
 - c. increases in the size of an existing or adjacent open space area,
 - d. creation of a linkage to an existing or planned trail, or
 - e. the provision of a public access point (trailhead) to existing or planned natural open space.
3. In the event that the combined area of all required NOS exceeds the maximum required acreage, the following criteria, listed in order of priority shall be used to guide the determination of which features shall be preserved:
 - a. Conservation Features;
 - b. Land that expands or extends a regional open space or drainage corridor;
 - c. Land that abuts existing and/or planned open space;
 - d. Land that allows opportunity to provide a link to existing or future trail systems; and
 - e. Land that provides a non-motorized access route from the nearest public right-of way to an open space area.
4. Where the lot size is twenty-four thousand (24,000) square feet or less, NOS shall be allowed on individual lots however, the NOS on private lots cannot be utilized to satisfy project NOS requirements.
5. Any NOS being considered for dedication to the City of Peoria, regardless of size and location, will be reviewed by the Community Services and Planning & Community Development Departments for a recommendation as to the acceptance or rejection of the dedication.
6. Whether the NOS is located on individual lots or in common tracts, the boundaries of disturbed areas shall be delineated to prevent encroachment into NOS areas and / or conservation easements.
7. Identification of NOS shall be coordinated with the Saddleback Hillside Overlay District, Article 14-22A.

8. Within areas identified as NOS, no grading or other disturbance shall occur except the minimum grading required for trails, roadways and utility easements. No walls are permitted within the NOS except where needed for paths, trails, roads or other similar necessary elements. Restoration of the Disturbed Area not used to support buildings, paths or trails or Oasis is mandatory and shall follow plans reviewed and approved by the City. Restored Disturbed Area within NOS, approved by the City, shall count towards NOS acreage requirements.
9. Saddleback will provide multiple public access locations as referenced in **Figure C-4** of the Saddleback PCD. Individual parcels within the master plan development will not be required to provide additional public access to adjacent NOS areas.
10. The total combined length of lots per street backing up to the NOS shall not exceed 1,000 feet without incorporating one of the edge treatments described in this Article or providing a visual or wildlife corridor to the NOS.

B. Edge Treatments

1. Transitions from the built to natural environment play an important role in the development of Saddleback. These areas provide both a scenic value and a physical connection between the two areas. It is important to provide both visual and physical access to natural public open space, yet at the same time provide appropriate separation for both humans and desert wildlife. Development parcels adjacent to natural open space dedicate to the public, are encouraged to provide open space edge treatments using the following considerations, or combination of the following considerations.
 - a. Single loaded public street with non-gated public access.
 - b. Improved park space a minimum of 200' wide designed to blend with the natural open space.
 - c. Cul-de-sacs designed to open onto open space.
 - d. Alternative wall and fence designs that prevent abrupt transitions between the built and natural environments.
 - e. Defined trailheads with signage / wayfinding, parking, water and shade provisions.
 - f. Substantially alternating lot depths places in clusters straight-line edge development. Alternating lot depths shall articulate no less than 20% of the average lot depth within the parcel.
 - g. Alternative building placement and / or lot widths for the nearest two rows of homes or the nearest commercial or non-residential building to promote increased views into the natural open space. To qualify, lot widths and / or setbacks shall be increased by no less than 50%.
 - h. Creation of a useable greenbelt or paseo along the edge of development
 - i. Enhanced native landscaping located along the edge of the development and placed and maintained in a manner that does not result in an easily identified manicured landscaped edge.
 - j. A creative alternative not included in this Article that satisfies the intent of this ordinance. Such alternative shall be approved in writing by the Planning Manager or designee.

C. Rivers and Washes

1. All Washes shall meet the provisions of the approved Saddleback 404 Permit.
2. An undisturbed area of fifteen (15) feet minimum and measured from the delineated wash edge per the Saddleback 404 Permit, shall be preserved on both sides of a wash that is governed by the Saddleback 404 Permit.
3. Washes that are not governed as part of the Saddleback 404 Permit, identified on the **Preservation Master Plan (See Exhibit L in the PCD)**, and carry flows less than 500 cfs, may be modified subject to the review and approval by the Planning Manager. Proposed modifications to the wash corridors shall be done in a manner that preserves to the extent possible, the naturalistic manner of the drainage corridor and re-vegetated with a similar plant palette and density that is consistent with the adjacent area. Significant non-jurisdictional washes (washes greater than 500 cfs) shall utilize a minimum area of twenty-five (25) feet on each side of the wash measured from the centerline of the wash. Areas used to convey drainage, that are not part of an engineered channel, are encouraged to provide an area fifty (50) feet average width to allow for wildlife passage.
4. No major structural changes or improvements shall be allowed in rivers and washes governed by the Saddleback 404 Permit except those as allowed under the permit. Where changes are made, protected plants shall be left in place except as follows:
 - a. to prevent erosion from channelization or combination of smaller washes;
 - b. to allow wash crossings of roadways, trails and utility easements. Trails and utilities may cross washes, but shall not be placed in the wash bed running within and parallel to the wash bottom exceeding 300' in length. Public utility easements shall be restored when construction is completed;
 - c. to prevent wash migration, where structures are placed behind the required wash setback; and
 - d. to allow discharge from adjacent retention or drainage facilities, as approved by the City Engineer as part of a drainage system improvement plan resulting from a drainage study performed by an engineer registered in the State of Arizona.

D. Wildlife Habitat

Wildlife corridors shall be established along both sides of washes identified as part of the 404 Permit and those identified on the **Preservation Master Plan (See Exhibit L in the PCD)**. As described above.

1. Linear utility lines may be placed parallel to washes identified as part of the 404 Permit. Utility corridors shall be restored using indigenous plants so that there is no net loss of habitat function or value.

E. Scenic Resources

1. For the purposes of this ordinance, a Scenic Resource is a broad term used to describe the characteristics of an area based on the given geographic location and local visual resources. Scenic Resources within Saddleback have been identified and are depicted on the Saddleback **Preservation Master Plan (See Exhibit L in the PCD)**. Scenic Resources may be comprised of any combination of the following:
 - a. Scenic roadways in mountainous terrain
 - b. Large natural area with surface water, undisturbed vegetation and eco-systems, cultural resources, and / or unfragmented wildlife habitat.
 - c. Areas with unaltered ridgelines or distinct views of undisturbed ridgelines.
 - d. Areas with particularly dense populations of specific native plant populations such as saguaro cacti.
2. Methods of protection of scenic resources or incorporating such resources into a development may vary on a case-by-case basis depending upon the nature of the resource and its scale. Such methods shall be described in the Desert Lands Conservation Report and detailed in the Master Conservation Plan and in conjunction with the Saddleback Hillside Development Overlay District. Typical conservation methods shall include, but not be limited to, absolute preservation (i.e. leave in natural state), strategic placement and design of buildings, planned / prohibited access, unique building and wall standards intended to preserve desirable views.

F. Archaeological Resources

1. Preliminary Archaeological Site Review

Provide a report, to be submitted with the Existing Conditions Data Report, from the Arizona State Museum, the State Historic Preservation Office (SHPO), or an Archaeologist that reviews all of the available archaeological information for the site. This record check shall: determine whether the site has been field surveyed for cultural resources; identify any previously-recorded archaeological or historic resources known to exist on the property; state the probability that buried archaeological resources not visible from the surface would be discovered on the site; and make a recommendation as to whether an archaeological survey of the site is needed.

2. Archaeological Survey; Duties of the Archaeologist

If an archaeological survey of the site is recommended then the following tasks shall be completed by an Archaeologist.

- a. Complete a field survey and submit the results with the Existing Conditions Data Report. Any cultural resources identified shall be entered by the Archaeologist making the discovery into the Arizona State Museum site file system.
- b. Describe and map archaeological and historic sites identified on the property in either the records check or the field survey.

- c. The Archaeologist shall complete an archaeological report that:
 - i. Determines the significance of the reported cultural resource(s);
 - ii. Assesses the impact of the proposed development on the cultural resource(s). If the resource cannot be preserved in place or protected by acceptable means, it must be mitigated;
 - iii. Makes a determination that the cultural resource must be either preserved/protected or mitigated;
 - iv. Identifies mitigation measures and a mitigation plan that have been reviewed and approved by the City and/or SHPO.
3. Any proposed mitigation measures shall be reviewed and approved by SHPO, having primary responsibility, and/or the City, as the Certified Local Government with jurisdiction, prior to the commencement of any activity on the site.

G. Native Plants

1. No person shall destroy, mutilate, remove, or relocate any protected native plant on land that is subject to the provisions of this Article without first obtaining all required Native Plant Permit(s).
2. Protected Native Plant List – See <http://www.azda.gov/ESD/nativeplants.htm>
For the purpose of consistency with the Arizona Department of Agriculture (AZDA), the City of Peoria recognizes the AZDA's protected plant lists as the City's official list. A current copy of this list shall be on file with the Planning and Community Development Department and a link to the AZDA list can be found on the Planning Division's website. The AZDA maintains the lists and descriptions provided below. Please contact the Planning and Community Development Department or visit <http://www.azda.gov/ESD/nativeplants.htm> for specific permitted plants listed by name.
 - a. Highly Safeguarded Native Plants: includes those species of native plants and parts of plants, including the seeds and fruit, whose prospects for survival in this state are in jeopardy or which are in danger of extinction throughout all or a significant portion of their ranges, and those native plants which are likely within the foreseeable future to become jeopardized or in danger of extinction throughout all or a significant portion of their ranges. This category also includes those plants resident to this state and listed as endangered, threatened, or category 1 in the federal Endangered Species Act of 1973.
 - b. Salvage Restricted Native Plants: includes those native plants which are not included in the highly safeguarded category but are nevertheless subject to a high potential for damage by theft or vandalism.

- c. **Salvage Assessed Native Plants:** includes those native plants which are not included in either the highly safeguarded or salvage restricted categories but nevertheless have a sufficient value if salvaged to support the cost of salvage tags and seals.
 - d. **Harvest Restricted Native Plants:** includes those native plants which are not included in the highly safeguarded category but are subject to excessive harvesting or overcutting because of the intrinsic value of their by-products, fiber or woody parts.
3. **Drought-Tolerant Plant List – See**
<http://www.azwater.gov/AzDWR/WaterManagement/AMAs/LowWaterUsePlantList.htm>

For the purpose of consistency with the Arizona Department of Water Resources (ADWR), the City of Peoria recognizes the ADWR low-water plant list as the City's official list and will be used in conjunction with the Protected Native Plant List. A current copy of this list shall be on file with the Planning and Community Development Department and a link to the ADWR list can be found on the Planning Division's website. Please contact the Planning and Community Development Department or visit: <http://www.azwater.gov/AzDWR/WaterManagement/AMAs/LowWaterUsePlantList.htm>

4. **Prohibited Plant List**

Certain plants that do well in the Sonoran Desert present a distinctly non-desert appearance and/or pose potential hazards to the native vegetation, wildlife and landscape due to their invasive nature, high pollen production, and / or their high water demand. Because of this, the following Sample Prohibited Plant Species List has been provided. This list, though not exhaustive, provides guidance for certain types of plants of which should be avoided.

- 5. Deviations from the Protected or Prohibited Plant Species Lists may be made by the City if sufficient support from a registered landscape architect or botanist is provided. Such modifications shall be approved on a case-by-case basis if it is determined that the inclusion or exclusion of a particular plant species will deter from the desert appearance or poses a threat to the surrounding habitat, landscape, or general population (e.g. users in parking areas, parks or other open space amenities).

6. **Protected Native Plant List**

Protected Native Plant List

<i>Botanical Name</i>	<i>Common Name</i>
<i>TREES</i>	
Cercidium floridum	Blue Palo Verde
Cercidium microphyllum	Foothills Palo Verde
Chilopsis linearis	Desert Willow
Juniperus mono sperma	One-Seeded Juniper
Olneya tesota	Ironwood
Populus fremontii	Fremont Cottonwood

Prosopis velutina	Velvet Mesquite
SHRUBS	
Acacia constricta	Whitethorn Acacia
Acacia greggii	Catclaw Acacia
Celtis pallida	Desert Hackberry
Larea tridentada	Creosote
CACTI / SUCCULENTS / ACCENTS	
Carnegiea gigantean	Saguaro
Ferocactus species	Barrel Cactus
Fouquieria splendens	Ocotillo
Peniocereus greggii	Desert Night-Blooming Cereus
Yucca baccata	Banana Yucca/Blue Yucca/Datil Yucca
Yucca elata	Soaptree Yucca

7. Native Sonoran Desert vegetation should not be heavily pruned or removed from areas identified as Natural Open Space unless demonstrated to the City that a health, safety or welfare issue exists. This includes removal of dead trees or cacti as they are commonly used as habitat.
8. The prohibited plant species list shall be provided by the Developer to all purchasers of property within the development. Exceptions to the Prohibited Plant Species List may be approved by the Planning Manager or designee.

SAMPLE PROHIBITED PLANT SPECIES LIST

Botanical Name	Common Name
TREES	
Brachychiton populneus	Bottle Tree
Eucalyptus sp. (except those specifically identified in Arid Character Zone – see Desert Lands Conservation Guide)	Eucalyptus
Olea sp.	Olive Tree
Parkinsonia aculeata	Jerusalem Thorn/Mexican Palo Verde
Pinus sp.	All species of Pine
Prosopis chilensis (prohibited in parking areas only)	Chilean Mesquite
Rhus lancea	African Sumac
Washingtonia sp.	Fan Palm
SHRUBS	
Oleander sp. (except petite varieties)	Oleander
Thevetia peruviana	Yellow Oleander

GROUNDCOVERS, PERENNIALS, VINES, ETC.	ANNUALS,
Cenchrus ciliaris or Pennisetum cileare	Buffel Grass
Cynodon dactylon (except in private backyards, enclosed courtyards, and public use areas buffered from Native Sonoran Zones by Sonoran Character Zones - see Desert Lands Conservation Guide)	Common Bermuda Grass
Eragrostis lehmanniana	Lehmann's Lovegrass
Gutierrezia sarothrae	Snakeweed
Hordeum jubatum	Foxtail Barley
Pennisetum sp.	Fountain Grass

- H. Native plant materials being salvaged for public or quasi-public uses may, at the City's discretion, be replanted off-site for local public projects, right-of-way improvements or other government uses which may include storage at a City-operated nursery.
1. Excess salvageable native plant material from private development projects may be donated at no cost by the developer to the City for use in local public projects, right-of-way improvements or other government uses which may include storage at a City operated nursery. The developer shall contact private nurseries and salvage companies prior to offering any materials to the City. The City will, at its discretion, obtain only those desirable plant materials which are at risk of being destroyed.
 2. All materials donated to the City for municipal use or for distribution to other government projects shall be only those materials in excess of the minimum required salvaged materials and those which cannot be located elsewhere on the subject property for reasons of survivability or health of the species.
 3. The City shall adhere to the adopted Native Plant Salvage & Donation Protocol when acquiring native plant materials from public, quasi-public or private sources.

SECTION 14-22B-6 NATIVE PLANT PERMIT

The process of preparing a site for development that contains native plants is authorized by a Native Plant Permit and guided by a Native Plant Preservation Plan (NPPP), which is commonly included within the Master Conservation Plan.

- A. The Native Plant Preservation Plan shall be prepared by a botanist that has received a formal education in Botany, Biology or Ecology, a Licensed Landscape Architect or Certified arborist. The plan shall contain information and procedures listed in the Desert Lands Conservation Process Guide which addresses the following items:

1. Plant Inventory
 2. Plant tagging,
 3. Plant salvaging,
 4. Establishing and managing the temporary salvage plant nursery, and
 5. Transplanting the salvaged plants.
- B. The Native Plant Permit authorizes a process for preservation and salvaging of native plants. The process includes the following activities:
1. Preparation of a Native Plant Preservation Plan,
 2. Plant Inventory,
 3. Acquisition of a Native Plant Permit,
 4. Tagging of all native plants as to disposition,
 5. Establish the temporary native plant nursery,
 6. Move native plants to be salvaged to the nursery,
 7. Care of plants in nursery,
 8. Transplant the salvaged plants, and
 9. Termination of the temporary native plant nursery and restoration of the nursery site.
- C. Responsibility for obtaining permit.

In no instance shall destruction of plants with Protected Plant Status occur prior to issuance of all required Native Plant Permits unless the Planning Manager or his/her designee agrees to allow preliminary at-risk grading. Such decision will be based on a report by a registered landscape architect or arborist providing an assessment of the salvageability given the time of year, and concurrence from the Planning & Community Development Department.

D. Action on applications.

Applications may be approved, conditionally approved, or denied. Where the Planning Manager or designee determines that the application is in conformance with the provisions of this Article, a permit shall be issued, with such conditions attached as necessary to insure that the Native Plant Preservation Plan is successfully accomplished. Where it is determined that the application is not in conformance with the provisions of this Article, the application shall be denied. Action taken on applications may be appealed to the hearing officer appointed by the City Manager according to the procedures specified in this Article.

E. Timing of Permit approval.

For proposed development, the Native Plant Permit shall not be issued until the necessary development approvals have been secured.

F. Modification

It shall be prohibited to modify, alter, or amend an approved Native Plant Permit or an accompanying Native Plant Preservation Plan without reapplication for a Native Plant Permit according to the provisions of this Article.

G. Expiration

1. All permits, site plans, conditional use permits and preliminary plat approvals issued by the City have a defined expiration period. Approved Native Plant Permits shall expire if the work authorized under the provisions of this Article has not commenced within the expiration date of the associated development application. Request to extend the expiration period may be made to the Planning Manager or designee.
2. Work shall be completed within the time period specified on the Native Plant Permit. The Planning Manager or designee shall have the authority to grant a project-specific time extension for completion of the work upon written request of the applicant. Failure to comply with the time limitation without an extension authorized by the city shall require application for a new permit pursuant to the provisions of this Article.

H. Plants to be tagged; requirements.

1. All plants with Protected Plant Status scheduled to remain in place or authorized for destruction or relocation by the approved Native Plant Permit must be tagged and numbered prior to permit submittal. Tags shall be color-coded according to the following schedule so that the status of each plant affected by the development proposal may be easily identified:
 - a. Plants proposed for destruction shall be tagged with blue plastic tape
 - b. Plants proposed for relocation shall be tagged with red plastic tape
 - c. Plants proposed to remain shall be tagged with white plastic tape.
2. Tags required by this Article shall be affixed in a visible and uniform location (preferably the north side) on the plant. Once affixed, the tags shall not be removed until the plants are removed, relocated, or destroyed in compliance with the Native Plant Permit and a final inspection has been made.
3. Tag numbers shall correspond to the site plan and the plant inventory.
4. Tag numbers shall be transferred to the side of the box when site boxing is completed.

I. Compliance with approved permit; revocation.

All work authorized by a permit issued in conformance with the terms of this Article shall be completed as authorized. Failure to comply with the conditions of permit approval or the approved Native Plant Preservation Plan shall constitute a violation of the Native Plant Permit and may be punishable by permit revocation and/or citation under the authority of this Article.

J. Inspections.

All aspects of the work performed as a result of a Native Plant Permit issued under the provisions of this Article shall be subject to inspection by the City. Specific Inspections shall be performed 1) following completion of tagging, 2) following completion of relocation of plants to the plant nursery, and 3) following completion of all transplanting and removal of the nursery. Inspections may be performed by City personnel or may be required of the developer. Developer's inspections shall be signed and certified by one of the professionals listed as responsible for preparation or assisting in the preparation of the Native Plant Preservation Plan.

K. Destruction or restoration

1. A Native Plant Permit shall not be issued after a violation resulting in destruction, removal, or relocation of plants with Protected Plant Status has been discovered until such time as a restoration program has been approved and the property has been restored with plants included on the Protected Native Plant List of equivalent type, size, density, distribution, and condition as existed on the property prior to the violation. A program for restoration of the site shall be determined by the Planning Manager or designee and shall be based on the expected type, size, density, distribution, and condition of plants with Protected Plant Status within the vegetation communities in which the violation occurred. Appeal of a decision made by the Planning Manager or designee regarding a restoration program shall be heard by the Hearing Officer appointed by the City Manager. Appeal of a decision made by the Hearing Officer regarding a restoration program may be made to the City Council in accordance with the rules and procedures established in this Article.

2. Waiver of restoration requirement.

The Planning & Community Development Director or designee may waive or modify the restoration requirement in this Article if, and only if it will further the purpose of this Article.

SECTION 14-22B-7 INSPECTIONS

A. In order to ensure compliance with this Article, inspections may be made by the Planning Manager or designee consistent with law.

B. If such inspection reveals that any property or portion of a project is not in compliance with the requirements of this Article, the Planning Manager or designee shall report the discrepancy to the property owner, developer or their representative and shall order work on the project stopped or corrective action taken as appropriate.

SECTION 14-22B-8 APPEALS

A. Appeal to the Hearing Officer

1. Decisions arising from the administration of this Article may be appealed to the Hearing Officer, which shall be appointed by the City Manager to hear such appeals. The appeals shall be in writing and set forth the specific decision being appealed. The appeal shall be filed with the Planning & Community Development Director.
2. The Hearing Officer shall hold a hearing and provide the applicant and Planning & Community Development staff an opportunity to present their position. Such hearings shall be informal and the rules of evidence and civil procedure shall not apply. Such hearings shall be noticed in accordance with Article 14-39.

B. Appeals to the City Council

1. An applicant or the City may appeal the decision of the Hearing Officer to the City Council. The appeal shall be in writing and shall specifically set forth the decision of the hearing officer which is being appealed. The appeal shall be filed with the Planning & Community Development Director.
2. A notice of the appeal shall be mailed at least ten (10) days prior to the council meeting in which the appeal is heard to each property owner situated wholly or partially within the radius defined by Article 14-39 of the property to which the plan relates. The Planning & Community Development staff shall be responsible for mailing such notices.
3. A copy of the appeal letter, decision of the Hearing Officer and supporting material shall be transmitted to the City Council. At a regularly scheduled Council meeting the applicant and the Hearing Officer or designated staff member shall present their positions.
4. The City Council shall act upon the appeal within sixty (60) days after the appeal is filed with the Planning & Community Development Director, or at the next regularly scheduled City Council meeting, whichever date is later.

APPENDIX C: - Saddleback Heights Master Conservation Plan

SECTION I - SADDLEBACK HEIGHTS MASTER CONSERVATION PLAN (MCP)

1.0 PROJECT OVERVIEW

1.0.1 CONTACT LIST

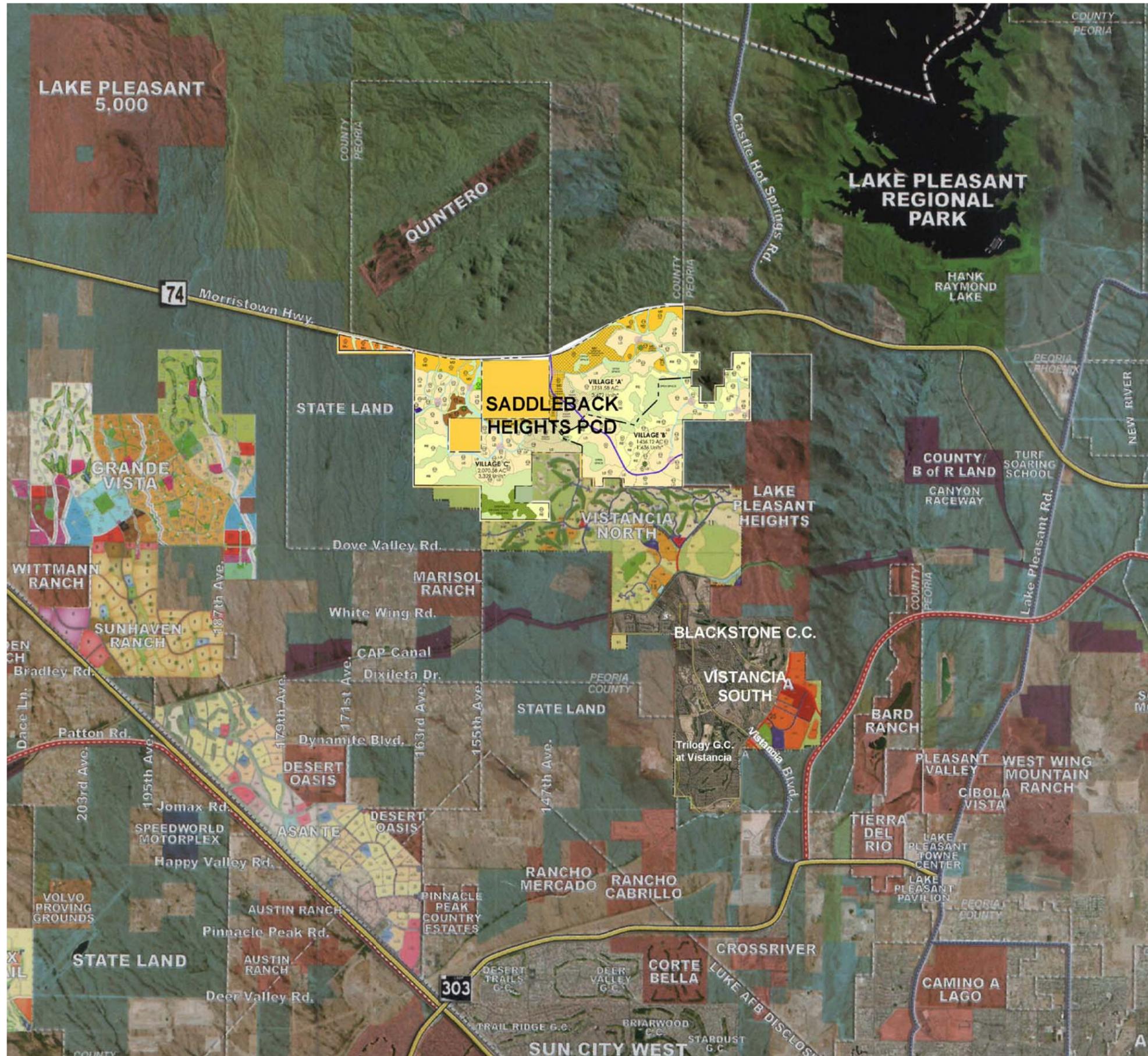
<u>DISCIPLINE</u>	<u>ADDRESS/TELEPHONE</u>	<u>CONTACT PERSON</u>	<u>E-MAIL</u>
Developer:	Diamond Ventures 2200 E. River Road Suite 155 Tucson, Arizona 85718 Phone: (520) 577-0200 Fax: (520) 299-5602	Mark Weinberg Chad Kolodisner	mweinberg@diamondven.com ckolodisner@diamondven.com
Planner:	Hadley Design Group, Inc. 7400 East McDonald Drive Suite 122 Scottsdale, Arizona 85250 Phone: (480)478-0096 Fax: (480) 478-0097	Jason Hadley	jhadley@hadleydesigngroup.com
Civil Engineer:	Wood-Patel Associates 2051 West Northern Avenue Suite 100 Phoenix, Arizona 85021 Phone: (602) 335-8500 Fax: (602) 335-8580	Mike Young	myoung@woodpatel.com
Legal Council:	Earl, Curley & Lagarde 3101 N. Central Avenue, Suite 1000 Phoenix, AZ 85012 Phone: 602-903-3077 Toll Free: 866-919-3621 Fax: 602-265-2195	Mike Curley	mcurley@ECLLAW.com
Traffic Engineer:	Trace Consulting 4645 N 12th Street # 202 Phoenix, AZ 85014 Phone: (602) 680-8264	Joe Perrin	jperrin@traceconsulting.us
Utility Engineer:	Wilson Engineers 9633 South 48th Street, Ste. 290 Phoenix, AZ 85044 Phone: 480-893-8860	Michael Johnson	Mike.Johnson@Wilson-engineers.com

VICINITY MAP – EXHIBIT A

SADDLEBACK HEIGHTS

Vicinity Map

Exhibit A



NORTH

SCALE: N.T.S.
DATE: 02 July 2012
Revised: 24 February 2014

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OVERVIEW

It is the purpose of the Saddleback Heights Master Conservation Plan (“MCP”) to establish guideline that builds on the Saddleback Heights Hillside Development Overlay District, as well as the Saddleback Heights Desert Land Conservation Ordinance. In creating the plan we recognize that development of land in sensitive areas including natural features such as washes, hillforms or mountainous areas as well as other natural features such as archeological features and wildlife corridors, requires special considerations and that the forms create unique situations for development. The MCP encompasses the entirety of the Saddleback Heights property, including all four landform types identified in the DLCO (Desert Floor, Bajada, Floodplain and Upland). The plan establishes “conservation” and “preservation” areas that protect the various forms while working in conjunction with the development standards set forth in the DLCO and Hillside Ordinances. The protection of certain forms and features is established to enhance the project for its residents and the community at large and occur within all three slope categories established in the Saddleback Heights Hillside Ordinance (Lower Transitional, Upper Transitional and Uplands. The areas outlined within the Master Conservation Plan create guidelines for conservation within Saddleback Heights and will be further refined and updated as more detailed design is completed through the platting and development process. Concurrent with the platting of the first phase, a detail Desert Lands Conservation Report (DLCR) will be submitted as a companion piece to this Plan. The Preservation Master Plan illustrates sensitive conservation and resources of the property including:

- ❖ Natural Open Space (NOS)
 - Washes with flows over 500 c.f.s that are to be preserved or involved in further study
 - Rock outcroppings to be preserved
 - High slope areas to be preserved
 - Skyline Ridges to be preserved
 - Open space areas to be preserved
 - Open space areas preserved to connect to neighboring and/or regional open space links
 - Wildlife habitats and/or corridors
 - Area the preserve Scenic Character

A large portion of Saddleback Heights is planned as contiguous Natural Area Open space. The majority of this Natural Open Space is contained in mountainous areas, 404 designated wash corridors, and Scenic Resources areas found throughout the Property. Many acres of passive and active recreational open space are also distributed among open space corridors and in the natural arroyos that are used to provide internal and external links for the Saddleback Heights community and the nearby regional destinations. The on-site open space network is intended to provide important links to regional open space and parks from all the land uses with the project. Other active recreation open space may include as many as three (3) championship golf courses designated in three distinct development Villages. The golf courses will be designed to integrate with the site and will be developed as the market dictates. Area within Saddleback Heights that are owned by Arizona State Land Department are not included in or governed by this document.

REGIONAL CONTEXT

Saddleback Heights lies in the northwest portion of the City. The City's growth pattern has been moving to the northwest as many of the vacant lands south and east of the Property have been planned and are currently in various stages of development. The tremendous growth in the Phoenix metropolitan area and, more particularly, in the West Valley, has caused the City and the development community to thoughtfully plan and define future development in northwest Peoria. (See Regional Context Exhibit B)

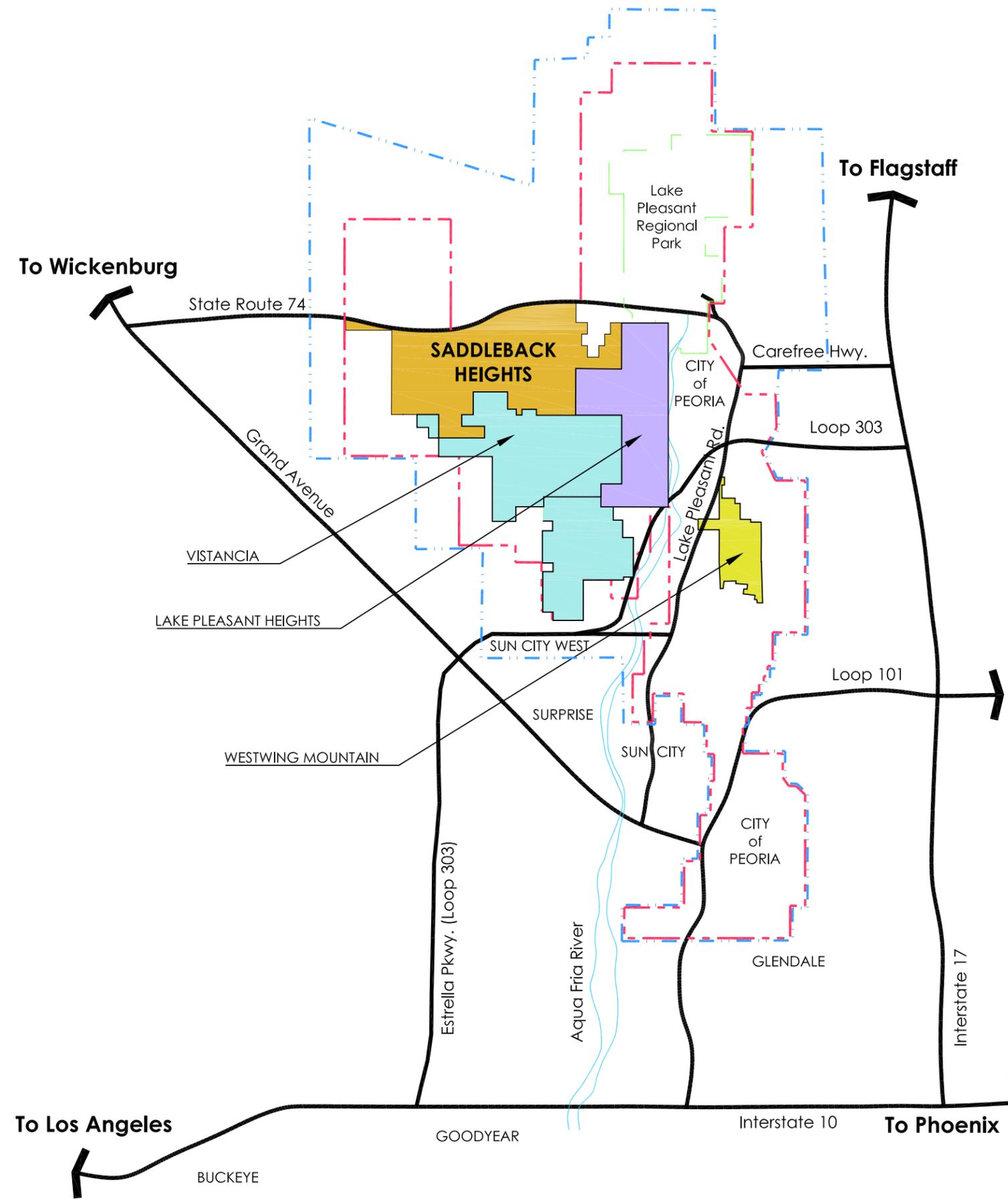
Saddleback Heights is envisioned as a unique and environmentally thoughtful desert master planned community, with great potential for residents who enjoy recreation given its proximity to Lake Pleasant, Saddleback Mountain and the vast amount of dramatic public land that surrounds the Property. Saddleback will be master planned community that embraces the diverse desert surroundings and buildings on the successes of adjacent projects, while preserving scenic resources, natural open space, and washes as well as wildlife corridors and other natural features.

REGIONAL CONTEXT – EXHIBIT B

SADDLEBACK HEIGHTS

Regional Context Map

Exhibit B



LEGEND

- City of Peoria Boundary
- City of Peoria Planning Area



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PHYSICAL SETTING

Saddleback Heights is located within the City of Peoria (the "City"). State Highway 74 bounds the Property on the north. The Property's southern boundary is approximately the Carefree Highway and Dove Valley Road alignments as well as Vistancia. The eastern boundary is approximately the 123rd Avenue (El Mirage Road) alignment. The western boundary is the 163rd (Sarival) Avenue alignment, adjacent to Arizona State Land. Topographically, the Property is located at the southern edge of the Hieroglyphic Mountain Range and two (2) miles to the southwest of Lake Pleasant. It contains diverse landforms including: pristine washes, rock outcroppings, rolling hill forms and significant ridge forms. These topographic features create a "Sonoran" desert setting with sufficient topographical relief to provide virtually every potential homesite with a dramatic view of desert terrain and/or the surrounding mountain range. The western portion of the Property is bounded on the south by a mountain range and slopes gradually ascending northward, rising slightly in elevation as it approaches State Highway 74. Going eastward, the Property rises from 1,600 to 2,300 feet, consequently creating a "bowl" effect on the western 2,000 acres. The eastern portion of the Property is more undulating with topographical relief typically varying from 1,600 to 2,100 feet in elevation. The majority of this portion of the Property is characterized by gradually sloping ridges providing ideal locations for relatively low-density residential development. The topographical relief on the Property also provides exceptional views in all directions including views of the central metropolitan Phoenix area, Lake Pleasant, Saddleback Mountain, the Hieroglyphic and Bradshaw Mountains to the north, as well as the distant Wickenburg Mountains to the West.

Drainage

Saddleback Heights contains two drainage zones. The western 2,000 acres drains westerly through a clearly identifiable wash into the Padelford wash. The eastern and southeasterly portion of the Property drains eastward into the Agua Fria River basin.

Vegetation

Saddleback Heights is a comprehensively planned community that is shaped by the natural features of the land and designed with sensitivity toward the appropriate preservation of existing vegetation. Saguaro cactus is abundant and dominates the

vegetation on the Property. There are also a variety of other forms of cacti such as Barrel and Cholla. Other types of desert vegetation include Palo Verde, Ironwood and Mesquite trees. To preserve the vegetation, on-site grading will be kept to a minimum and protected vegetation will be relocated as necessary. The thoughtful and deliberate planning effort undertaken for the Property will help ensure that Saddleback Heights will truly be a special and unique place to live.

Seismic

The Property lies on the edge of the Transition Zone geologic province, a mountainous area between the Basin and Range and Colorado Plateau geological provinces. Various geologic surveys have determined that these fault zones do not present a seismic hazard to the area.

Soils Association

Soils within Saddleback Heights were identified from the Soils Survey of the Aguila-Carefree Area, parts of Maricopa and Pinal Counties, Arizona, published by the U.S. Natural Resources Conservation Service. The soils classified for the site is predominantly of Hydrologic Groups A and B.

Soil Group A is defined as soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well- to excessively-drained sands or gravely sands. These soils have a high rate of water transmission.

Soil Group B is defined as soils having moderate infiltration rates when thoroughly wet, consisting chiefly of moderately deep to deep and moderately well to well-drained soils with moderately fine to moderately coarse textures. These soils have a moderate rate of water transmission.

EXISTING CONDITIONS OVERVIEW

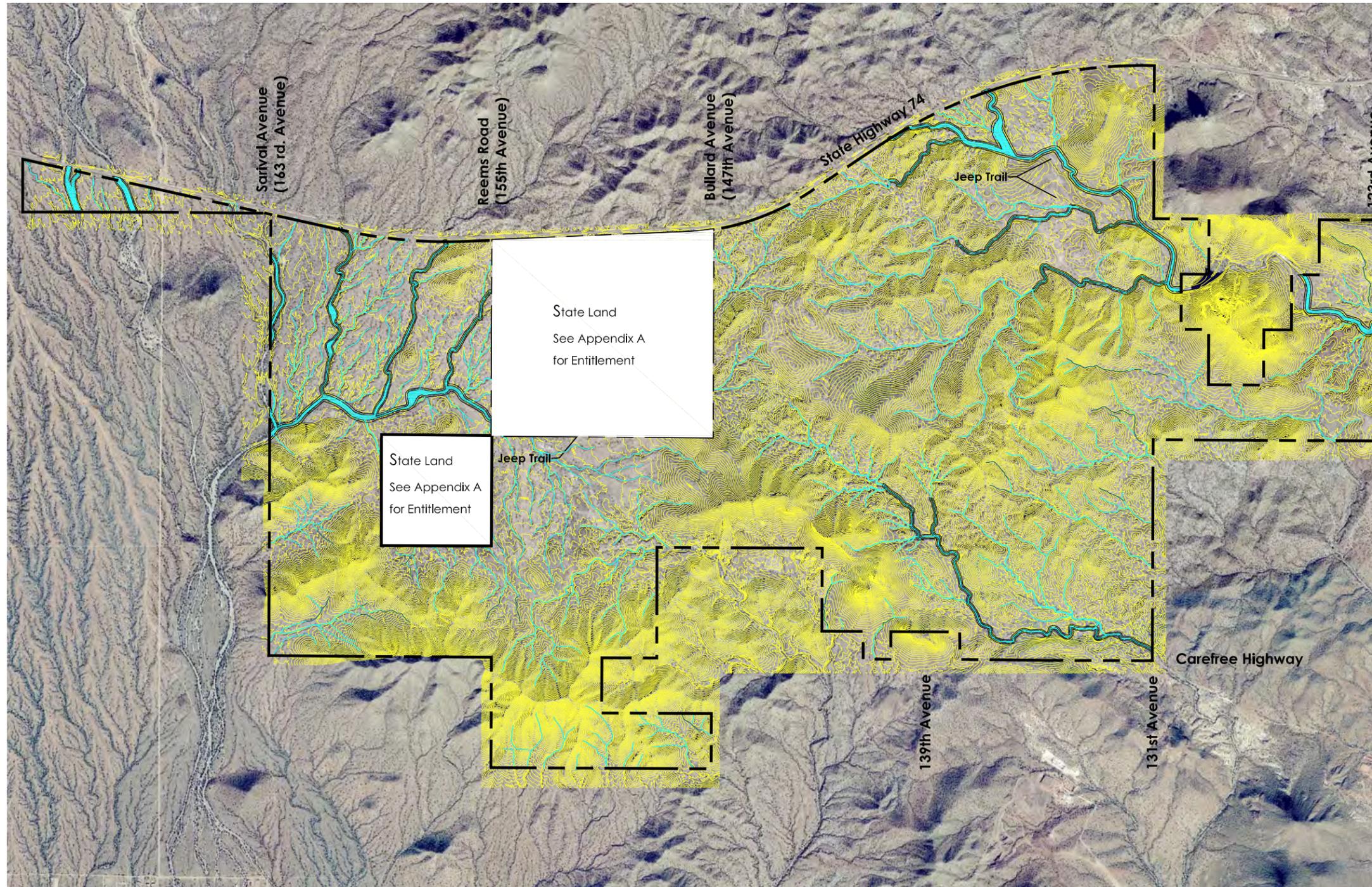
Saddleback Heights was formerly zoned R1-35 and was used for livestock grazing. The Property is currently zoned PCD and is vacant. Extensive jeep trails exist throughout the Property. Some the existing trails will be enhanced and/or maintained as part of the development of Saddleback Heights. In addition, there are significant natural features, including washes, ridgelines, rolling hillforms, and rock outcroppings throughout the Property. (See Existing Conditions - Exhibit C)

EXISTING CONDITIONS – EXHIBIT C

SADDLEBACK HEIGHTS

Existing Conditions Map

Exhibit C



LEGEND

-  Topography
-  Washes
-  Saddleback Heights Boundary



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Natural Open Space and Open Space

The Saddleback Heights PCD identifies a minimum of 600 acres of open space or eleven percent (11%) of the gross acres. This area may be located along major washes and areas of higher elevation not suitable for development and may include pedestrian, hiking, and equestrian trails. Dedicated Natural Open Space will increase 5,000 sq. ft. for each additional developed unit exceeding 5,409 units up to 8,269 residential units, which could add as much as 328 acres of Natural Open Space Dedicated to the City. (See Natural Open Space – Exhibit D)

The open space includes recreational amenities, as well as regional open space links and natural open space (NOS). In addition to the open space and other land uses, four potential golf course study areas have been identified, with the potential to develop any three of the four. The golf course study areas may develop as championship course as the market and development dictates.

In order to preserve sensitive environmental conditions, retain and protect meaningful desert open space, and conserve ecological and aesthetic resources, all development within the affected MCP area shall be subject to requirements for the preservation of Natural Open Space (NOS) and native plants. In Hillside Areas, requirements of the Hillside Overlay District and the DLCO shall be coordinated as specified herein. The required NOS area shall not exceed the percentages shown in the following NOS Slope/Landform Matrix.

- a. Natural Open Space (NOS) within each development shall be in accordance and not in addition to the open space provisions of Article 14-22A Saddleback Hillside Development Overlay District, when conservation features are present, and as depicted below. Development Parcels are only required to provide up to the minimum NOS as shown on the table below. Development Parcels that do not contain conservation features are not required to provide NOS per the Saddleback Desert Lands Conservation Overlay, but are still subject to the provisions of the Saddleback Hillside Development Overlay District.

NOS Slope / Landform Matrix

Table 2 (Ord. No. 05-44)			
NOS SLOPE / LANDFORM MATRIX			
LANDFORM TYPE	SLOPE RANGE	MINIMUM REQUIRED NOS	MAXIMUM* REQUIRED NOS
Desert Floor	0%-10%	0%	25%
Bajada	10%-15%	10%	25%
	15%-20%		30%
	20%-25%		40%
Upland	25%-30%	40%	50%
	30%-35%		60%
	35%+		70%

NOTE: Usable Open Space requirements of this ordinance may be satisfied by accessible NOS containing dedicated trails, floodway areas or reserved or dedicated steep slope areas.
*In no event shall the developer/builder/owner be required to exceed the Maximum Required NOS.

- b. Within areas identified as NOS, no grading or other disturbance shall occur except the minimum grading required for trails, roadways and utility easements. No walls are permitted within the NOS except where needed for paths, trails, roads or other similar elements. Restoration of the Disturbed Area not used to support buildings, paths or trails or Oasis areas shall follow plans reviewed and approved by the City. Restored Disturbed Area within NOS, approved by the City, shall count towards NOS acreage requirements.

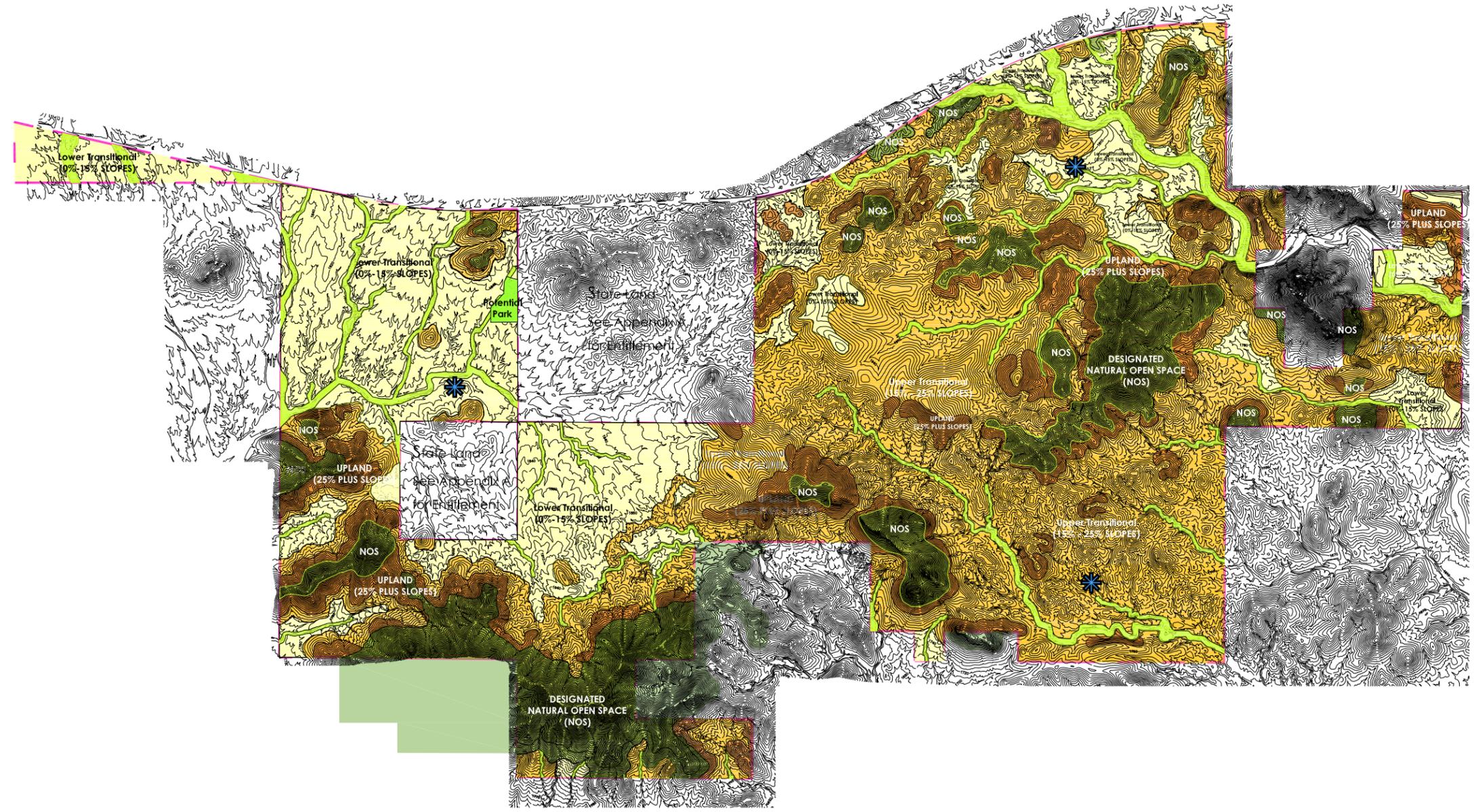
CONCEPTUAL LAND FORM & NATURAL OPEN SPACE – EXHIBIT D

SADDLEBACK HEIGHTS CONCEPTUAL LANDFORM & NATURAL OPEN SPACE PLAN

Exhibit D

LEGEND

-  Lower Transitional (0% - 15% Slope Area)
-  Uper Transitional (15% - 25% Slope Area)
-  Uplands (25% Plus Slope Area)
-  Drainage / 404 Washes
-  Conceptual Open Space Area
-  Adjacent Open Space
-  Potential Park Location
-  Potential Golf Course Study Area



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Washes and Wash Preservation

The western 2,000 acres drains westerly through a clearly identifiable wash into the Padelford Wash. The eastern and southeasterly portion of the Property drains eastward into the Agua Fria River basin.

With regard to U.S. Army Corps of Engineers (the "Corps") Section 404 permitting, delineation of jurisdictional waters has been prepared for the portion of Saddleback Heights owned by Diamond as shown on the Boundary Map Exhibit of the Saddleback Heights MCP, submitted to the Corp of Engineers and has been approved. The Property will require a permit if more than 0.5 acre of disturbance is required.

1. An undisturbed area of fifteen (15) feet average and measured from the delineated wash edge per the Saddleback 404 Permit, shall be preserved on both sides of a wash that is governed by the Saddleback 404 Permit.
2. Washes that are not governed as part of the Saddleback 404 Permit, identified on the Preservation Master Plan (See Exhibit L in the PCD), and carry flows less than 500 cfs, may be modified subject to the review and approval of the Planning Manager. Proposed modifications to the wash corridors shall be done in a manner that preserves to the extent possible, the naturalistic manner of the drainage corridor and re-vegetated with a similar plant palette and density that is consistent with the adjacent area. Significant non-jurisdictional washes (washes greater than 500 cfs) shall utilize a minimum area of twenty-five (25) feet on each side of the wash measured from the centerline of the wash. Areas used to convey drainage that are not part of an engineered channel, are encouraged to provide an area fifty (50) feet average width to allow for wildlife passage.

Wildlife Habitat

Wildlife corridors shall be established within washes identified as part of the 404 Permit and those identified on the Preservation Master Plan (Exhibit E). As described above.

Linear utility lines may be placed parallel to washes identified as part of the 404 Permit or with floodplains. Utility corridors shall be restored using indigenous plants so that there is no net loss of habitat function or value.

The biology evaluation report, attached in Appendix X, gives no indication that the Property contains habitat for any threatened or endangered species.

The site does generally support a sparse density of mule deer (approximately one animal per square mile). The site also contains a sparse density of javelina. The catchments throughout the site provide water for large and small game, as well as, a variety of non-game animals. No riparian habitat was found on the Property. However, Gambel quail and dove are found throughout the Property. **SEE THE BIOLOGICAL EVALUATION – EXHIBIT F ATTACHED FOR DETAILED ANALYSIS**

Scenic Resources & Skyline Ridges

Resource is a broad term used to describe the characteristics of an area based on the given geographic location and local visual resources. Scenic Resources within Saddleback have been identified and are depicted on the Saddleback Preservation Master Plan-Exhibit E. Scenic Resources within Saddleback Heights are comprised as a combination of the following:

1. Significant ridges and washes along SR 74 that frame and enhance the scenic nature of the corridor
 - a. Areas with unaltered ridgelines or distinct views of undisturbed ridgelines that are preserved within all three Development Villages
 - b. Several Areas with particularly dense populations of native saguaro cacti
 - c. Skyline Ridges*

Each of the above are preserved through a combination of, preservation (i.e. leave in natural state), strategic placement and design of buildings, planned / prohibited access to preserve desirable views, dedicated open space, common area open space or preservation within privately owned open space.

*Note that Saddleback Heights is a part of the southern portion of the Hieroglyphic Mountain Range that continues to the south of the site onto Vistancia, there are no ridgelines that would truly be considered Skyline Ridges, however, Saddleback as preserved the landform the extents, upward and off-site to the south that actually falls on Vistancia. In addition, Saddleback will preserve the secondary ridge that separate Villages A & B as illustrated on the Preservation Master Plan (Exhibit E).

Hillside Open Space

The Preservation Master Plan (Exhibit E) identifies all significant landforms that will be preserved except to allow construction of trails or paths providing access into the featured open spaces, roads and utility crossings. All other areas are subject to disturbance in accordance to Table 1 below. In areas above the 25% slope line, disturbance is limited to areas within the development unit, parcel envelope, localized envelope, or individual custom lot only, and disturbance may not occur on lands outside the limits of the development unit or custom lot except for necessary infrastructure required to serve the proposed development and all disturbance will be in accordance with Table-1. Specific criteria for development in hillside is detailed within Article 14-22A- Saddleback Heights Hillside Development Overlay District.

Table 1

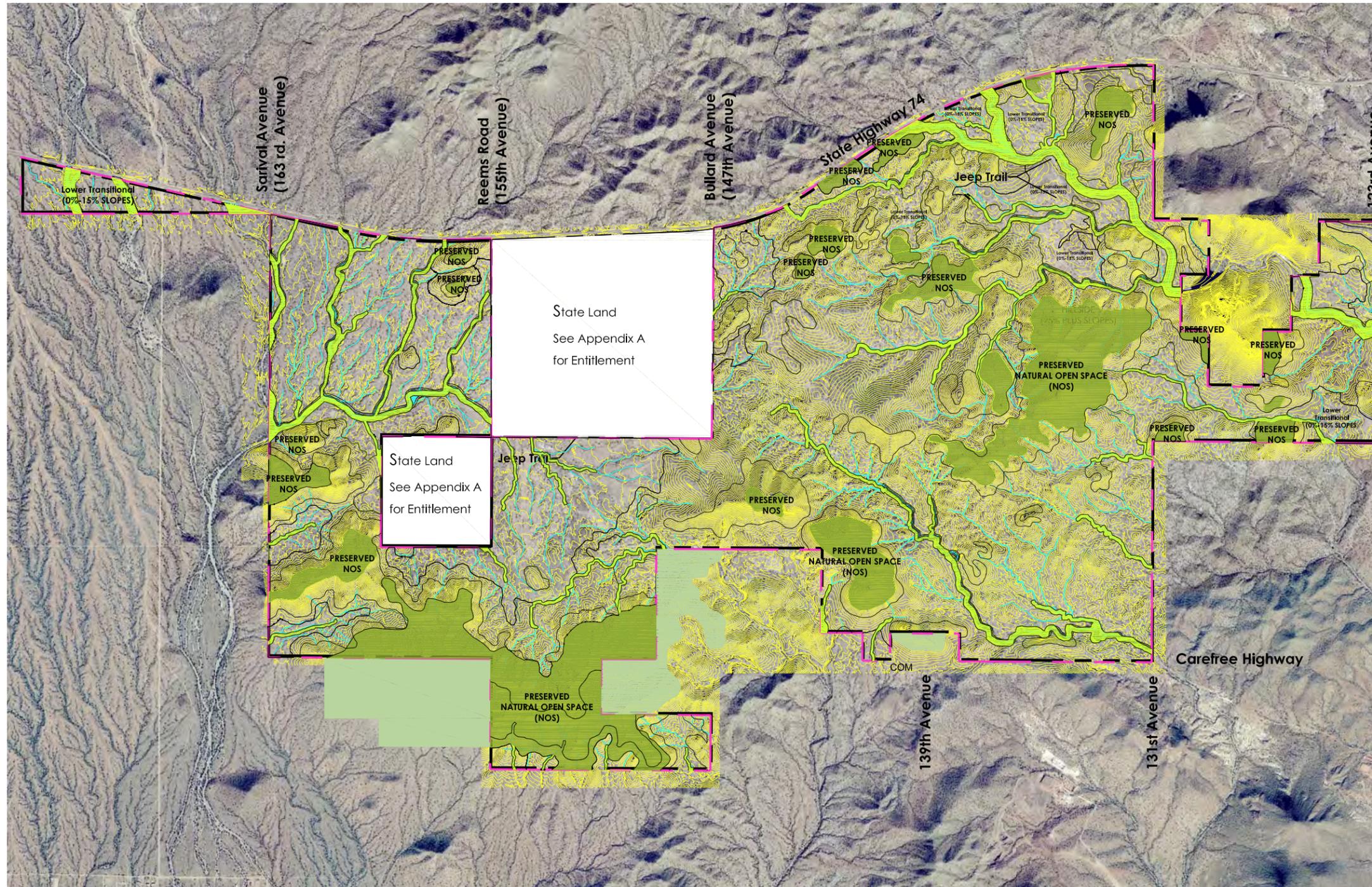
Landform Category	Building Site Slope Category	Maximum Disturbed Area	Maximum Lot Coverage	Min. required Open Space
Lower Transitional	10% to 15%	100% Disturbance 100% available for Mass Grading	Per Underlying Zoning	15% Non-Natural 0% Natural
Upper Transitional	15% - 25%	100% Disturbance* 75% available for Mass Grading	Per Underlying Zoning	25% Natural or Non-Natural *(25% of total area must be restored to look natural)
Uplands	25%+	50% Disturbance 40% available for Mass Grading	Per Underlying Zoning	40% Natural

PRESERVATION MASTER PLAN – EXHIBIT E

SADDLEBACK HEIGHTS

Preservation Master Plan

Exhibit E



LEGEND

-  Drainage / 404 Washes
-  Preserved Natural Open Space



SCALE: N.T.S.
 DATE: 02 July 2012
 Revised: 24 February 2014

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ARCHAEOLOGY & CULTURAL/HISTORIC RESOURCES

Archaeological research on the Property was undertaken in conjunction with federal requirements that sample surveys be conducted prior to the Property's transfer from BLM stewardship. (See **ARCHAEOLOGY & CULTURAL/HISTORIC RESOURCES Exhibit G Attached**)

Native Plant Preservation Plan

The Property has an abundance of natural native vegetation. The majority of the plant materials are mature Sonoran vegetation. Desert plant material flourishes throughout the site. The plant material includes, Sage Brush, Brittle Bush, Creosote Brush, Jumping Cholla, Saguaro, Palo Verde, Ironwood, and Mesquite trees. Saguaro cacti dominates the site, combined with a rich mixture of other Sonoran plant materials provide an incredible natural desert landscape. As part of the platting process, a Native Plant inventory will be created for each development area that is included in or affected by the plat. MCP will provide specific details regarding the variety of native vegetation on site, the number and species of vegetation to be salvaged, salvage and revegetation plans, habitat preservation, unique landforms including washes and hillside areas to be protected, and other related site elements requiring preservation.

Each phase of development is required to prepare and submit a Native Plant Preservation Plan including a Native Plan Inventory and Relocation Program for the preservation of all protected trees and cactus. The inventory shall be prepared on a proposed site plan with a photographic aerial overlay to clearly show native outcroppings and adjacent conditions. The site plan information must include property lines, grading limits, proposed facilities, interior lot lines, utilities and any required easements.

The relocation program will provide a summary of plants with their respected size and variety. Plants shall be classified as salvageable, unsalvageable or to remain in place. The relocation program shall also include location of a temporary nursery, temporary watering system, boxing technique, fencing, maintenance considerations and final cleanup.

As part of the Desert Lands Conservation Map, specific construction guidelines and requirements will be outlined. Native Creosote, Jojoba, and Bursage shall also be made available for spading or replanting on other parcels prior to mass grading sites.

Saddleback Height will establish temporary plant nursery as part of the finalization of the first phase Desert Lands Conservation Map where salvaged plants will be placed and cared for while they await planting.

SAMPLE NATIVE PLANT PRESERVATION PLAN CHECKLIST

1. Native Plant Preservation Plan Narrative and Application Form.
2. Three (3) copies of the site plan aerial with plat overlay indicating the location by tag number of each plant, which is required to be protected per the Protected Native Plant List.
3. Three (3) copies of the plant inventory performed by a salvage contractor*, (which corresponds to the tag number on the site plan) indicating the following:
 - a. Plant type
 - b. Plant size in caliper inches
 - c. Plant salvage ability
 - d. Whether the plant will remain in place, be moved to another location, or be destroyed*
4. Plant nursery location
5. Copy of vicinity map indicating the location of the parcel or site within Saddleback Heights.
6. Notice when plant materials have been tagged in the field for City Staff review with the following:
 - a. Plastic tape to correspond to the determinations made in 3.d. above:
 - White tape - remain in place
 - Red tape - moved to another location
 - Blue tape - destroyed
 - b. Tag numbers that correspond to the site plan and to the plant inventory
 - c. Tag number is to be transferred to the side of the box when side boxing is completed
7. Letter of Authorization from the property owner identifying the salvage contractor for the project and verifying that all plants are to be re-planted on site.
8. A copy of the form notifying the Arizona Department of Agriculture, Native Plant Section at 602-542-4373, of the Notice of Intent to Clear Land.

* Unsalvageable Plant: means a protected native plant that cannot be successfully relocated due to any of the following:

- a. Deteriorated health from disease, infestation, or natural causes; or
- b. Physical constraints related to plant location, orientation, or general condition which obstruct and/or prevent the application of approved relocation techniques.

Plant Resources

1. Protected Native Plant List – See
<http://www.azda.gov/ESD/nativeplants.htm>
For the purpose of consistency with the Arizona Department of Agriculture (AZDA), the City of Peoria recognizes the AZDA's protected plant lists as the City's official list. A current copy of this list shall be on file with the Planning and Community Development Department and a link to the AZDA list can be found on the Planning Division's website. The AZDA maintains the lists and descriptions provided below. Please contact the Planning and Community Development Department or visit <http://www.azda.gov/ESD/nativeplants.htm> for specific permitted plants listed by name.
2. Drought-Tolerant Plant List – See
<http://www.azwater.gov/AzDWR/WaterManagement/AMAs/LowWaterUsePlantList.htm>
3. For the purpose of consistency with the Arizona Department of Water Resources (ADWR), the City of Peoria recognizes the ADWR low-water plant list as the City's official list and will be used in conjunction with the Protected Native Plant List. A current copy of this list shall be on file with the Planning and Community Development Department and a link to the ADWR list can be found on the Planning Division's website. Please contact the Planning and Community Development Department or visit: <http://www.azwater.gov/AzDWR/WaterManagement/AMAs/LowWaterUsePlantList.htm>

Protected Native Plant List

Protected Native Plant List

<i>Botanical Name</i>	<i>Common Name</i>
TREES	
Cercidium floridum	Blue Palo Verde
Cercidium microphyllum	Foothills Palo Verde
Chilopsis linearis	Desert Willow
Juniperus mono sperma	One-Seeded Juniper
Olneya tesota	Ironwood
Populus fremontii	Fremont Cottonwood
Prosopis velutina	Velvet Mesquite
SHRUBS	
Acacia constricta	Whitethorn Acacia
Acacia greggii	Catclaw Acacia
Celtis pallida	Desert Hackberry
Larea tridentada	Creosote
CACTI / SUCCULENTS / ACCENTS	
Carnegiea gigantean	Saguaro
Ferocactus species	Barrel Cactus
Fouquieria splendens	Ocotillo
Peniocereus greggii	Desert Night-Blooming Cereus
Yucca baccata	Banana Yucca/Blue Yucca/Datil Yucca
Yucca elata	Soaptree Yucca

SAMPLE PROHIBITED PLANT SPECIES LIST

<i>Botanical Name</i>	<i>Common Name</i>
TREES	
Brachychiton populneus	Bottle Tree
Eucalyptus sp. (except those specifically identified in Arid Character Zone - see Desert Lands Conservation Guide)	Eucalyptus
Olea sp.	Olive Tree
Parkinsonia aculeata	Jerusalem Thorn/Mexican Palo Verde
Pinus sp.	All species of Pine
Prosopis chilensis (prohibited in parking areas only)	Chilean Mesquite
Rhus lancea	African Sumac
Washingtonia sp.	Fan Palm
SHRUBS	
Oleander sp. (except petite varieties)	Oleander
Thevetia peruviana	Yellow Oleander
GROUNDCOVERS, ANNUALS, PERENNIALS, VINES, ETC.	
Cenchrus ciliaris or Pennisetum cileare	Buffel Grass
Cynodon dactylon (except in private backyards, enclosed courtyards, and public use areas buffered from Native Sonoran Zones by Sonoran Character Zones - see Desert Lands Conservation Guide)	Common Bermuda Grass
Eragrostis lehmanniana	Lehmann's Lovegrass
Gutierrezia sarothrae	Snakeweed
Hordeum jubatum	Foxtail Barley
Pennisetum sp.	Fountain Grass

- B. Native plant materials being salvaged for public or quasi-public uses may, at the City's discretion, be replanted off-site for local public projects, right-of-way improvements or other government uses which may include storage at a City-operated nursery.

1. Excess salvageable native plant material from private development projects may be donated at no cost by the developer to the City for use in local public projects, right-of-way improvements or other government uses which may include storage at a City operated nursery. The developer shall contact private nurseries and salvage companies prior to offering any materials to the City. The City will, at its discretion, obtain only those desirable plant materials which are at risk of being destroyed.
2. All materials donated to the City for municipal use or for distribution to other government projects shall be only those materials in excess of the minimum required salvaged materials and those which cannot be located elsewhere on the subject property for reasons of survivability or health of the species.
3. The City shall adhere to the adopted Native Plant Salvage & Donation Protocol when acquiring native plant materials from public, quasi-public or private sources.

DEFINITIONS

- A. **Archaeologist:** A person engaged in the study of human activity, primarily through the study of its material remains, which includes structures still standing, and has received certification from the Register of Professional Archaeologists.
- C. **Alter:** Change or modify natural vegetation and/or topography by removal, cuts, fills, grading or the building of structures.
- D. **Conservation:** Open space that may be moderately modified from its natural condition due to surrounding development, but where certain effort is made to retain and maintain as much of the character as possible. Such areas may be improved with paths, trails, trailheads and similar features intended to carefully intertwine people with the open space. For comparison, see also *Preservation*.
- E. **Conservation Features or Areas:** Individual conservation features, defined above, and/or areas of the highest significance and preservation priority.
- F. **Cultural Resources:** A broad assortment of assets, which includes buildings, sites, structures, objects, and districts that are of historic, cultural, architectural, or archaeological significance. Examples of such resources include petroglyphs, jewelry, textiles, pottery, projectiles, tools, irrigation canals, and pit houses. This includes artifacts, records, and material remains related to such resources. These assets may be included in or eligible for inclusion in the National Register.
- G. **Cut:** A land surface, which is shaped through the removal of soil, rock, or other materials.
- H. **Desert Lands Conservation Report (DLCR):** A submittal required with any development application to the City for property within the Saddleback Desert Lands Conservation Overlay area, which contains an overview of the conservation features and items of specific interest as they pertain to the intent of the Saddleback Desert Lands Conservation Overlay.
- I. **Destroy:** To kill, or cause the death of any protected native plant by any means.
- J. **Developer:** the property owner or his representative that is undertaking the development of land subject to the Saddleback Desert Lands Conservation Overlay District.

- K. **Disturbed Area:** That area of natural ground that has been or is proposed to be altered through grading, construction, cut and fill, removal of natural vegetation, placement of material, trenching, or by any means that causes a change in the undisturbed natural surface of the land or natural vegetation. The Disturbed Area is coterminous with the Disturbed Area identified in the Saddleback Hillside Development Overlay District of this code and shall be subject to the same requirements of that Article.
- L. **Disturbed Area, "Reclaimed" or "Restored":** Disturbed areas that have been restored to their natural contours, vegetation and colors to the satisfaction of the City of Peoria.
- M. **Fill:** The deposition of soil, rock or other materials place by man.
- N. **Finished Grade or Newly Established Grade:** The final grade and elevation of the ground surface after grading is completed. (All grading must comply with the provisions set forth Article 14-22A "Saddleback Hillside Development Overlay District")
- O. **Grade, Natural:** The elevation through any section of a site on an undisturbed lot at the time of adoption of this overlay by City Council. On lots that have been disturbed previously, the natural grade is the pre-existing grade if it can be determined; otherwise it shall be determined by an average of off-site elevations at points taken around the boundary of the site. All determinations shall have been made by an engineer, registered landscape architect, or land surveyor licensed to practice in the State of Arizona.
- P. **Grading:** Any excavating, or filling or combination thereof, including the conditions resulting from an excavation or fill.
- Q. **Habitat Preservation Plan:** An official document submitted as part of a Master Conservation Plan (MCP) containing wildlife habitat and corridor identification and conservation / protection procedures as supported by the Arizona Game & Fish Department.
- R. **Habitat Survey:** An official document submitted as part of a Desert Lands Conservation Report (DLCR) containing correspondence from the Arizona Game & Fish Department that identifies known or potential wildlife living on a given property.
- S. **Habitat Value:** The suitability of the landscape to support wildlife, considering site conditions. Suitability shall be ascertained by comparing similar sites and conditions and may require returning the habitat as closely to its original condition as possible when natural conditions have been changed.

BIOLOGICAL EVALUATION – EXHIBIT F

BIOLOGICAL EVALUATION

**SADDLEBACK HEIGHTS
5,000-ACRE PROPERTY
IN MARICOPA COUNTY, ARIZONA**

Prepared for:

DIAMOND VENTURES
2200 E. River Road, Suite 115
Tucson, Arizona 85718

Prepared by:



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May 2013
Project No. 0846.03

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FIGURES

(follow text)

Figure 1. Vicinity Map
Figure 2. Aerial Overview and Ground Photo Locations

APPENDICES

(follow text)

Appendix A. USFWS List of Endangered, Threatened, Proposed, Candidate, and Conservation Agreement Species for Maricopa County
Appendix B. Representative Photographs of the Project Site
Appendix C. AGFD HDMS Report On-line Environmental Review Tool Results

1. INTRODUCTION

WestLand Resources, Inc. (WestLand) was retained by Diamond Ventures Inc. to conduct a Biological Evaluation (BE) for the proposed Saddleback Heights residential development (the Project) in support of the Saddleback Heights Master Conservation Plan. The proposed Project is located on approximately 5,500 acres immediately south of the Morrison New River Highway/AZ State Route 74 (AZ SR 74) in portions of Sections 3, 4, 5, 6, and 8 of Township 5N, Range 1W, Sections 27, 28, 31, 32, 33, 34, and 35 of Township 6N Range 1W, and Sections 26 and 25 of Township 6N Range 2W in Maricopa County, Arizona (the Project Site; *Figure 1*). Saddleback Heights will consist of up to 8,269 residential units and a minimum of 600 acres, or 11 percent of the total area, is intended to remain undisturbed as open space.

The purpose of this BE is to determine the potential for occurrence of federally listed (endangered or threatened) or candidate species for federal listing (collectively special status species) or proposed or designated critical habitat have the potential to occur within the Project Site.

2. METHODS

The list of species considered in this analysis was obtained from the U.S. Fish and Wildlife Service (USFWS) list of special status species for Maricopa County (2013; *Appendix A*) and includes species listed as threatened or endangered, species considered as candidates for listing, species with an extant conservation agreement, and delisted species. Delisted species are not considered further in this analysis.

The potential for special status species to occur in the Project Site was evaluated based on: 1) a review of information from the Arizona Game and Fish Department (AGFD) Heritage Data Management System (HDMS; AGFD 2013); 2) evaluation of the known geographic range and distribution of Listed Species; 3) review of information regarding the habitat requirements of Listed Species; and 4) field observations of environments present during our Project Site visit and comparisons of these observations with habitat requirements of Listed Species. HDMS data and USFWS databases were accessed to ascertain if the project area contains or is adjacent to any designated or proposed critical habitat.

Prior to a field visit, WestLand obtained occurrence records from the AGFD's Online Environmental Review Tool which provides documented occurrences of special status species and/or designated or proposed critical habitat (per AGFD; see *Appendix B*). The request for this project looked at the project area and within 3 miles of the Project Site boundary. Seventeen special-status species are listed by the USFWS for Maricopa County (USFWS 2013; *Appendix A*).

WestLand biologists visited the Project Site on March 18, 2013 to collect information with regard to the nature and extent of habitat within the project. This effort included compilation of preliminary list of plant species observed during the site visit and an assessment of vegetation communities and environments that might support Listed Species. WestLand documented and evaluated physical features and biological characteristics of the Project Site in order to compare those characteristics with habitats known to support Listed Species.

During the screening analysis, WestLand made determinations for each species with regard to the likelihood that each of the special status species evaluated was present, might potentially occur, was unlikely to occur, or had no potential to occur. Each of these categories is described below.

- 1) Present: Habitat characteristics suitable for the taxon are present within the analysis area, the taxon has been recently recorded within the analysis area, and the taxon is expected to occupy the analysis area on a regular basis.
- 2) Possible: Habitat characteristics suitable for the taxon are present in the analysis area, the currently known geographic and elevational distribution of the taxon includes the analysis area, but the taxon has not been documented within the analysis area.
- 3) Unlikely: Habitat characteristics suitable or marginally suitable for the taxon are present within the analysis area, the analysis area is outside, but in the vicinity of the currently known geographic or elevational distribution of the taxon, and this distribution is not considered highly restricted (see below). Taxa are also considered unlikely to be present within the analysis area if suitable habitat characteristics are not present, but the taxon of interest is highly mobile (e.g. most bats and birds), and thus could pass over or through the analysis area.
- 4) None: The analysis area is outside of the currently known geographic or elevational distribution of the taxon, and habitat characteristics suitable for the taxon are not present. Taxa with highly restricted ranges and limited mobility (e.g., springsnails) are considered to have no potential to occur if the site is outside their known ranges, even if the suitable habitat characteristics are present onsite.

3. PROJECT SITE DESCRIPTION

The Project Site is situated in the northwest portion of Peoria, Arizona along the southwestern flank of the Hieroglyphic Mountains. Elevations within the Project Site range from approximately 1,700 to 2,400 feet above mean sea level. The topography generally consists of gently to moderately sloped rolling hills, with occasional, isolated steep rock outcrops. The Project Site is traversed by numerous unnamed arroyos and washes that primarily drain to the west, forming the headwaters of Padelford Wash (in part) and to the east with all drainages eventually discharging to the Agua Fria River. There are no perennial or intermittent water features (e.g., springs, creeks, wetlands) on the Project Site. We identified (from USGS 7.5" topographic maps) and investigated two mine adits on the Project Site. We are aware of no natural caves or other features on that project site that might provide suitable bat roost habitat. The Project Site is crossed by numerous dirt roads and off-road vehicle trails. An aerial overview of the Project Site is provided in *Figure 2*.

The entire Project Site is mapped within the Arizona upland subdivision of the Sonoran desertscrub biotic community (Brown and Lowe 1994). The majority of the Project Site supports upland Sonoran desert vegetation consisting largely of foothill palo verde (*Parkinsonia microphyllum*), creosote (*Larrea tridentata*), triangleleaf bursage (*Ambrosia deltoidea*), and brittlebush (*Encelia farinose*), with occasional

whitethorn acacia (*Acacia constricta*), catclaw acacia (*A. greggii*), and ocotillo (*Fouquieria splendens*). The dominant cactus species observed were saguaro (*Carneria giganteus*), barrel cactus (*Ferocactus wislizenii*), prickly pear cactus (*Opuntia engelmannii*), and cane cholla (*O. spinosior*). Vegetation occurring along larger washes of the Project Site is representative of typical xeroriparian Sonoran desertscrub species. Velvet mesquite (*Prosopis velutina*), foothill palo verde, desert ironwood (*Olneya tesota*), and catclaw acacia (*A. greggii*) are the dominant species, with canyon ragweed (*Ambrosia ambrosioides*), whitethorn acacia (*Acacia constricta*), and globemallow (*Sphaeralcea ambigua*) occurring less frequently. We provide representative photographs of upland and xeroriparian vegetation with their relative location on the Project Site in **Appendix B** and **Figure 2**, respectively.

4. RESULTS

4.1 AGFD HDMS REVIEW TOOL

The AGFD HDMS Environmental Review Tool (AGFD 2013) search identified the occurrence of four Listed Species within 3 miles of the Project Area; desert pupfish (*Cyprinodon macularius*; endangered), southwestern willow flycatcher (*Empidonax traillii extimus*; endangered), yellow-billed cuckoo (*Coccyzus americanus*; candidate) and desert tortoise – Sonoran population (*Gopherus morafkai*; candidate). No critical habitat occurs within the Project Site (see **Appendix C**). Only one of these species is known to occur on habitats similar to the habitat found within and immediately adjacent to the project area.

As outlined in greater detail in **Table 1**, 16 of the 17 special-status species are not expected to occur or are unlikely to occur and have been eliminated from further review. The project site is outside their known geographic range or does not support their preferred habitats. Only Sonoran desert tortoise has the potential, and is in fact expected, to utilize habitats within the project area. We discuss Sonoran desert tortoise in greater detail in the following section.

4.2 SONORAN DESERT TORTOISE (*GOPHERUS MORAFKA*)

The Sonoran desert tortoise is identified as a candidate species by the USFWS. A candidate species is a species that the USFWS considers warranted but precluded by higher priority listing actions (USFWS 2010, 2012). Candidate species are not afforded protection under the ESA. As part of a legal settlement with environmental groups, the USFWS has agreed to make a determination in 2015 as to whether or not Sonoran desert tortoise should be listed as threatened or endangered. If they decide listing is warranted, they will publish a proposal to list and a determination regarding designation of critical habitat. A final rule would be expected to be published after public comment and input in 2016.

Sonoran desert tortoises occur throughout much of the central and southwestern portions of the Arizona. The northeastern extent of their range abuts the Salt River in Gila County, while the easternmost records are located along the middle San Pedro River drainage in Cochise County. Tortoises have been recorded as far southwest as the Yuma Proving Ground, the Barry M. Goldwater Range, and the Cabeza Prieta National Wildlife Refuge (AGFD 2010).

Table 1. Special Status Species Screening Analysis for the Saddleback Heights Analysis Area. Species range and habitat data were obtained primarily from information provided by Arizona Game and Fish Department (AGFD) Heritage Data Management System (HDMS) online abstracts, unless otherwise specified.

Species and ESA Status	Known Geographic Range and Habitat Preference(s)	Potential to occur within the Analysis Area
Plants		
<p>Acuna cactus (<i>Echinomastus erectocentrus</i> var. <i>acunensis</i>)</p> <p>Federal Listing Status: Proposed Endangered</p> <p>Critical Habitat: Proposed</p>	<p>Range: Known to occur as small, isolated localities in western Pima, southwestern Maricopa, and central Pinal counties.</p> <p>Habitat: This species grows on open, typically rounded knolls and ridges between sandy washes within Sonoran desertscrub vegetation communities.</p> <p>Elevation: 1,200-3,775 ft.</p> <p>Reference(s): AGFD 2011a; ARPC 2001</p>	<p>Potential to occur: None; the Analysis Area contains potential habitat and falls within the elevation for the species, but the known species distribution and proposed critical occurs much further south in southwestern Maricopa and central Pinal counties.</p>
<p>Arizona Cliffrose (<i>Purshia subintegra</i>)</p> <p>Federal Listing Status: Endangered</p> <p>Critical Habitat: No</p>	<p>Range: Known to occur in central Arizona at four locations: the Burro Creek Drainage, Horseshoe Lake, Verde Valley, and near the community of Bylas, within the San Carlos Indian Reservation.</p> <p>Habitat: This species grows exclusively in limestone soils formed from tertiary lake-bed deposits.</p> <p>Elevation: 2,120-4,000 ft.</p> <p>Reference(s): AGFD 2001b</p>	<p>Potential to occur: None; the Analysis Area is located outside of this species' currently known range, and lacks the necessary tertiary limestone lake-bed substrate.</p>
Fish		
<p>Desert pupfish (<i>Cyprinodon macularius</i>)</p> <p>Federal Listing Status: Endangered</p> <p>Critical Habitat: Yes</p>	<p>Range: Historically occurred throughout the lower Gila River basin in the U.S. and Mexico. No natural populations persist in Arizona; currently managed at discreet natural and artificial refuge sites.</p> <p>Habitat: Shallow waters of springs, small streams, and marshes.</p> <p>Elevation: < 4,000 ft.</p> <p>Reference(s): AGFD 2001a</p>	<p>Potential to occur: None; the site visit determined that the Analysis Area contains no perennial or intermittent aquatic features that could support fish. There is no critical habitat in the vicinity of the Analysis Area.</p>

Table 1. Special Status Species Screening Analysis for the Saddleback Heights Analysis Area. Species range and habitat data were obtained primarily from information provided by Arizona Game and Fish Department (AGFD) Heritage Data Management System (HDMS) online abstracts, unless otherwise specified.

Species and ESA Status	Known Geographic Range and Habitat Preference(s)	Potential to occur within the Analysis Area
<p>Gila topminnow (<i>Poeciliopsis occidentalis occidentalis</i>)</p> <p>Federal Listing Status: Endangered</p> <p>Critical Habitat: No</p>	<p>Range: Historically distributed throughout the Gila River basin.</p> <p>Habitat: Headwater springs, vegetated margins and backwater areas of intermittent to perennial streams and rivers.</p> <p>Elevation: < 4,500 ft.</p> <p>Reference(s): AGFD 2001c</p>	<p>Potential to occur: None; None; the site visit determined that the Analysis Area contains no perennial or intermittent aquatic features that could support fish.</p>
<p>Razorback sucker (<i>Xyrauchen texanus</i>)</p> <p>Federal Listing Status: Endangered</p> <p>Critical Habitat: Yes</p>	<p>Range: Endemic to large rivers throughout the Colorado River Basin. Natural populations occur in Lake Mohave, Green River Basin, and upper Colorado River Basin. Designated critical habitat includes parts of the Colorado, Gila, Salt, and Verde rivers.</p> <p>Habitat: Found in a variety of slow-water habitats in medium to large rivers, including backwaters. In impoundments, prefer depths of one meter over mud, sand, or gravel.</p> <p>Elevation: <6,000 ft</p> <p>Reference(s): AGFD 2002a</p>	<p>Potential to occur: None; the site visit determined that the Analysis Area contains no perennial or intermittent aquatic features that could support fish. There is no critical habitat in the vicinity of the Analysis Area.</p>
<p>Roundtail chub (<i>Gila robusta</i>)</p> <p>Federal Listing Status: Candidate</p> <p>Critical Habitat: No</p>	<p>Range: Historically found throughout the larger tributaries of the greater Colorado River Basin from Wyoming to Arizona. Populations in the Lower Colorado River Basin (i.e., Little Colorado, Bill Williams, and Gila River populations) are considered a distinct population segment and are a candidate species.</p> <p>Habitat: Inhabit mid-elevation streams and rivers of moderate temperatures. Adults use deep pools, up to 2.0 meters deep, adjacent to riffles and runs. Cover is usually present and consists of large boulders, woody debris, and undercut banks, bedrock, and root masses.</p> <p>Elevation: 1,000–7,500 ft</p> <p>Reference(s): AGFD 2002b</p>	<p>Potential to occur: None; the site visit determined that the Analysis Area contains no perennial or intermittent aquatic features that could support fish.</p>

Table 1. Special Status Species Screening Analysis for the Saddleback Heights Analysis Area. Species range and habitat data were obtained primarily from information provided by Arizona Game and Fish Department (AGFD) Heritage Data Management System (HDMS) online abstracts, unless otherwise specified.

Species and ESA Status	Known Geographic Range and Habitat Preference(s)	Potential to occur within the Analysis Area
<p>Woundfin (<i>Plagopterus argentissimus</i>)</p> <p>Federal Listing Status: Endangered</p> <p>Critical Habitat: Yes</p>	<p>Range: Historically found throughout the Lower Colorado River Basin downstream of the Grand Canyon. Currently, the native population can only be found in the Virgin River. Experimental populations exist in designated reaches of the Verde, Gila, San Francisco, and Hassayampa rivers, as well as Tonto Creek.</p> <p>Habitat: Generally found in shallow, turbid, fast-moving waters. The species also has a tolerance for high salinity and relatively warm temperatures.</p> <p>Elevation: < 4,500 ft.</p> <p>Reference(s): AGFD 2000</p>	<p>Potential to occur: None; the Analysis Area is located outside of this species' currently known range, and the site visit determined that the Analysis Area contains no perennial or intermittent aquatic features that could support fish. There is no critical habitat in the vicinity of the Analysis Area.</p>
Reptiles		
<p>Tucson shovel-nosed snake (<i>Chionactis occipitalis klauberi</i>)</p> <p>Federal Listing Status: Candidate</p> <p>Critical Habitat: No</p>	<p>Range: Currently known from Pima County in the Avra and Santa Cruz valleys and from western Pinal and southeastern Maricopa counties.</p> <p>Habitat: Creosote-mesquite flood plains with soils described as soft, sandy loams with sparse gravel.</p> <p>Elevation: 785-1,662 ft.</p> <p>Reference(s): AGFD 2010a, Wood et al., 2008</p>	<p>Potential to occur: Unlikely; the Analysis Area contains limited potential for suitable habitat along desert washes (i.e., valley flats with soft, sandy loams) but occurs outside of currently recognized range of this subspecies (Wood et al. 2008).</p>
<p>Sonoran desert tortoise (<i>Gopherus morafkai</i>)</p> <p>Federal Listing Status: Candidate</p> <p>Critical Habitat: No</p>	<p>Range: Occurs throughout Arizona's Sonoran Desert within appropriate habitat. Eastern edge of range extends to the middle San Pedro River.</p> <p>Habitat: Found primarily on rocky slopes and bajadas of Mojave and Sonoran desertscrub; also associated with caliche caves (shelter sites) along lower Sonoran desert washes.</p> <p>Elevation: < 7,800 ft.</p> <p>Reference(s): AGFD 2010b</p>	<p>Potential to occur: Possible; the Analysis Area is within know distributional range and contains suitable habitat, i.e. Sonoran desertscrub vegetation, potential shelter sites along desert washes, and burrows. No tortoise or spoor were observed during field surveys.</p>

Table 1. Special Status Species Screening Analysis for the Saddleback Heights Analysis Area. Species range and habitat data were obtained primarily from information provided by Arizona Game and Fish Department (AGFD) Heritage Data Management System (HDMS) online abstracts, unless otherwise specified.

Species and ESA Status	Known Geographic Range and Habitat Preference(s)	Potential to occur within the Analysis Area
Birds		
<p>California Least Tern (<i>Sterna antillarum browni</i>)</p> <p>Federal Listing Status: Endangered</p> <p>Critical Habitat: No</p>	<p>Range: Primarily California, but there are transient migrants with occasional breeding in Arizona. Recorded in Mohave, Maricopa, and Pima counties.</p> <p>Habitat: Nests in shallow depressions on open sandy beaches, sand bars, gravel pits, or exposed flats along shorelines of inland rivers and lakes.</p> <p>Elevation: < 2,000 ft</p> <p>Reference(s): USFWS 2013</p>	<p>Potential to occur: None; the Analysis Area lacks shoreline habitat and shallow water foraging habitat required for this species.</p>
<p>Mexican spotted owl (<i>Strix occidentalis lucida</i>)</p> <p>Federal Listing Status: Threatened</p> <p>Critical Habitat: Yes</p>	<p>Range: Patchily distributed in forested mountains and steep canyons with sheer faces throughout Arizona.</p> <p>Habitat: This species typically nests in dense old growth mixed conifer forests.</p> <p>Elevation: 4,100 – 9,000 ft.</p> <p>Reference(s): AGFD 2005</p>	<p>Potential to occur: None; the Analysis Area is located outside of this species' currently occupied range and no potential habitat is present. There is no critical habitat in the vicinity of the Analysis Area.</p>
<p>Yellow-billed cuckoo (<i>Coccyzus americanus</i>)</p> <p>Federal Listing Status: Candidate</p> <p>Critical Habitat: No</p>	<p>Range: A late spring migrant from South America, cuckoos breed throughout the western U.S. They occur in west, central and southeastern Arizona.</p> <p>Habitat: Typically associated with rivers and streams supporting dense, humid, riparian woodlands (e.g., cottonwood, willow, tamarisk galleries, and mesquite bosques). In southeastern Arizona they are known to nest along intermittent streams supporting dense stands of mesquite and netleaf hackberry.</p> <p>Elevation: < 6,500 ft.</p> <p>Reference(s): AGFD 2011b, Corman and Wise-Gervais 2005</p>	<p>Potential to occur: Unlikely; the Analysis Area lacks suitable riparian habitat for nesting and/or foraging. However, the Analysis Area is situated roughly four miles southwest of the Agua Fria River, where this species is known to occur. The species may pass through the Analysis Area during migration periods.</p>

Table 1. Special Status Species Screening Analysis for the Saddleback Heights Analysis Area. Species range and habitat data were obtained primarily from information provided by Arizona Game and Fish Department (AGFD) Heritage Data Management System (HDMS) online abstracts, unless otherwise specified.

Species and ESA Status	Known Geographic Range and Habitat Preference(s)	Potential to occur within the Analysis Area
<p>Southwestern willow flycatcher (<i>Empidonax traillii extimus</i>)</p> <p>Federal Listing Status: Endangered</p> <p>Critical Habitat: Yes</p>	<p>Range: A neotropical migrant that winters in Mexico and Central America and breeds throughout the greater southwestern U.S. Breeds very locally along the middle Gila, Salt, and Verde rivers; middle to lower San Pedro River; and upper San Francisco River near Alpine.</p> <p>Habitat: Cottonwood/willow and/or tamarisk riparian communities along rivers and streams; prefer riparian areas with dense under- and mid-story vegetation that is ≥ 10 ft. in height, with or without canopy cover, and in close proximity to surface water.</p> <p>Elevation: < 8,500 ft.</p> <p>Reference(s): AGFD 2002c</p>	<p>Potential to occur: Unlikely; the Analysis Area is completely lacking the riparian communities and vegetation structured required by this species to nest and/or forage. However, the Analysis Area is situated roughly four miles southwest of Lake Pleasant and the Agua Fria River, where this species is known to occur. The species may pass through the Analysis Area along migration routes. There is no critical habitat in the vicinity of the Analysis Area.</p>
<p>Sprague’s pipit (<i>Anthus spragueii</i>)</p> <p>Federal Listing Status: Candidate</p> <p>Critical Habitat: No</p>	<p>Range: Within Arizona, this species winters primarily in San Rafael, Sonoita, and Sulpher Springs valleys. Less commonly, individuals have been seen in grassy fields along the Colorado River, and in grass or alfalfa fields near Phoenix. Considered rare and sparse as a winter resident in southeastern AZ. Less commonly, individuals have been seen in grassy fields along the Colorado River, and in grass or alfalfa fields near Phoenix.</p> <p>Habitat: This species prefers to nest in plains, prairies, and meadows that consist mainly of native grasses. They tend to be found in areas of intermediate vegetation height with low cover of woody shrubs.</p> <p>Elevation: < 5,000 ft.</p> <p>Reference(s): AGFD 2010c</p>	<p>Potential to occur: None; the Analysis Area is located outside of this species’ currently occupied range and no suitable habitat is present.</p>

Table 1. Special Status Species Screening Analysis for the Saddleback Heights Analysis Area. Species range and habitat data were obtained primarily from information provided by Arizona Game and Fish Department (AGFD) Heritage Data Management System (HDMS) online abstracts, unless otherwise specified.

Species and ESA Status	Known Geographic Range and Habitat Preference(s)	Potential to occur within the Analysis Area
<p>Yuma Clapper Rail (<i>Rallus longirostris yumanensis</i>)</p> <p>Federal Listing Status: Endangered</p> <p>Critical Habitat: No</p>	<p>Range: Lower Colorado River and tributaries from the Gulf of California to Topock Marsh (Havasu National Wildlife Refuge)</p> <p>Habitat: Freshwater or brackish marshes. Prefer the tallest, densest stands of cattails and bulrushes and inhabit the area where standing water is replaced by moist soils.</p> <p>Elevation: < 4,500 ft</p> <p>Reference(s): AGFD 2006, Corman and Wise-Gervais 2005</p>	<p>Potential to occur: None; the Analysis Area is located outside of this species' currently occupied range and no suitable habitat is present.</p>
Mammals		
<p>Lesser long-nosed bat (<i>Leptonycteris curasoae yerbabuena</i>)</p> <p>Federal Listing Status: Endangered</p> <p>Critical Habitat: No</p>	<p>Range: A summer migrant that winters in Central America, Lesser Long-nosed bats are found locally in the U.S. only in southern Arizona and extreme southwestern New Mexico from April to late-September.</p> <p>Habitat: Sonoran desertscrub through semi-desert grasslands and into oak woodlands where columnar cacti and agaves occur. Roosts in caves, abandoned mines and occasionally old buildings. Forages at night on nectar, pollen, and on the fruit of columnar cacti and agaves.</p> <p>Elevation: 1,600 – 7,500 ft.</p> <p>Reference(s): AGFD 2011c, Hoffmeister 1986</p>	<p>Potential to occur: Unlikely; the Analysis Area occurs outside of the extreme northwestern extent of the species' recognized range. Nearest known records are from the vicinity of Phoenix \geq 20 miles to the southeast. During field reconnaissance, WestLand biologists determined that no agaves occur on site, but saguaro cacti are common, providing potential foraging habitat. Two mine features occur in the Analysis Area and after investigation, WestLand determined that neither adit provided adequate roosting habitat for this species.</p>
<p>Sonoran Pronghorn (<i>Antilocapra americana sonoriensis</i>)</p> <p>Federal Listing Status: Endangered</p> <p>Critical Habitat: No</p>	<p>Range: Known from the Cabeza Prieta National Wildlife Refuge, Organ Pipe Cactus National Monument, Barry M. Goldwater Gunnery Range, and the Tohono O'odham Indian Reservation.</p> <p>Habitat: Broad intermountain alluvial valleys with creosote-bursage and palo verde-mixed cacti associations.</p> <p>Elevation: 2,000-4,000 ft.</p> <p>Reference(s): AGFD 2002d</p>	<p>Potential to occur: None; the Analysis Area occurs well outside of the currently known distributional and ecological range of this species.</p>

Sonoran desert tortoises are closely associated with the Arizona Upland and Lower Colorado River subdivisions of the Sonoran desertscrub biotic community (AGFD 2010). Sonoran desert tortoise requires adequate shelter sites to escape extreme winter and summer temperatures. The Sonoran population typically excavates or modifies burrows under rocks and boulders, but also excavates under shrubs or open ground and uses rock crevices and caliche caves along dry arroyos for shelter. Sonoran desert tortoises are observed most commonly on rocky, steep slopes and bajadas at elevations between 510 to 5,300 feet (AGFD 2010b).

The Project Site is within the Sonoran desert tortoise's known elevational and distributional range and supports suitable habitat that is similar to habitats where this species has been observed in the vicinity of the project. AGFD (2013) HDMS report indicates desert tortoise has been documented within three miles of the Project Site. Arizona upland vegetation with rocky slopes, where desert tortoises are typically found, is present within the Project Site and WestLand identified several potential shelter sites located along desert washes. Planned development activities on the Project Site are expected to impact resident Sonoran desert tortoise.

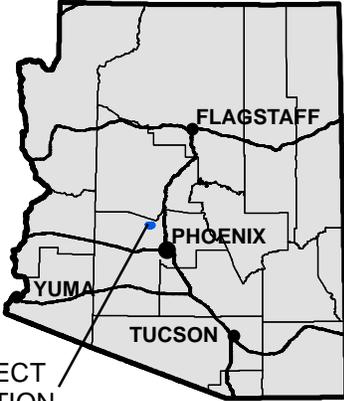
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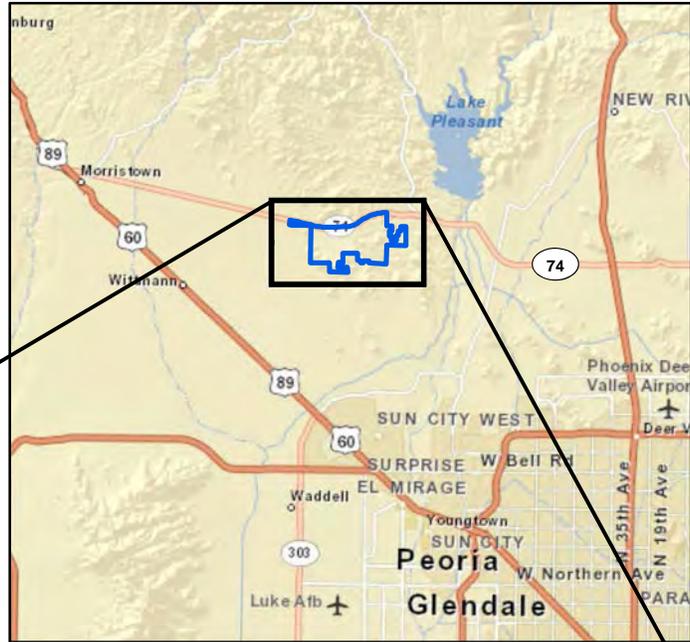
FIGURES

ARIZONA

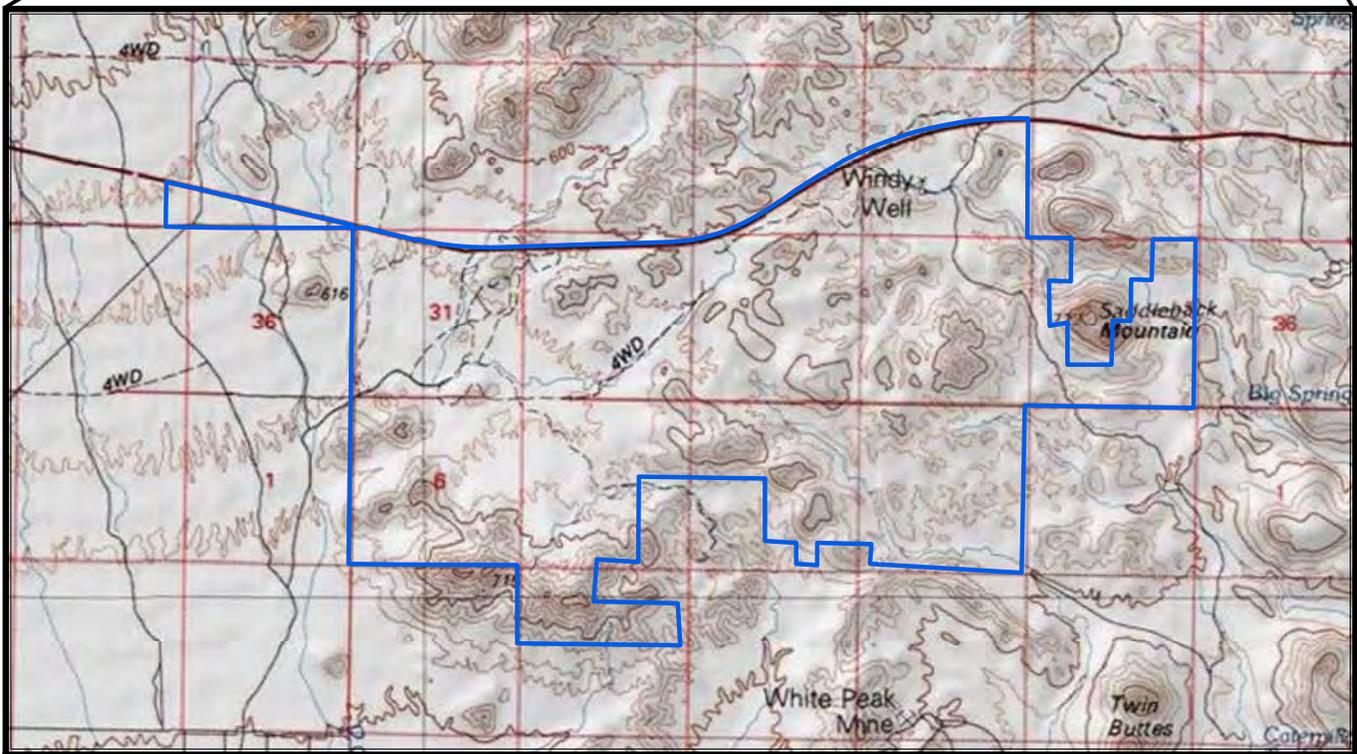


PROJECT LOCATION

SADDLEBACK HEIGHTS AREA



Approximate Scale 1 Inch = 10 Miles



T5N, R1W, Portions of Sections 2-8 and 10,
 T5N, R2W, Portions of Sections 1 and 12,
 T6N, R1W, Portions of Sections 27-28 and 30-35,
 T6N, R2W, Portions of Sections 25-26 and 35-36,
 Maricopa County, Arizona,
 Hieroglyphic Mountains SW and
 Baldy Mountain USGS 7.5' Quadrangles

Legend

Project Area

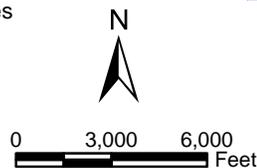
DIAMOND VENTURES INC.

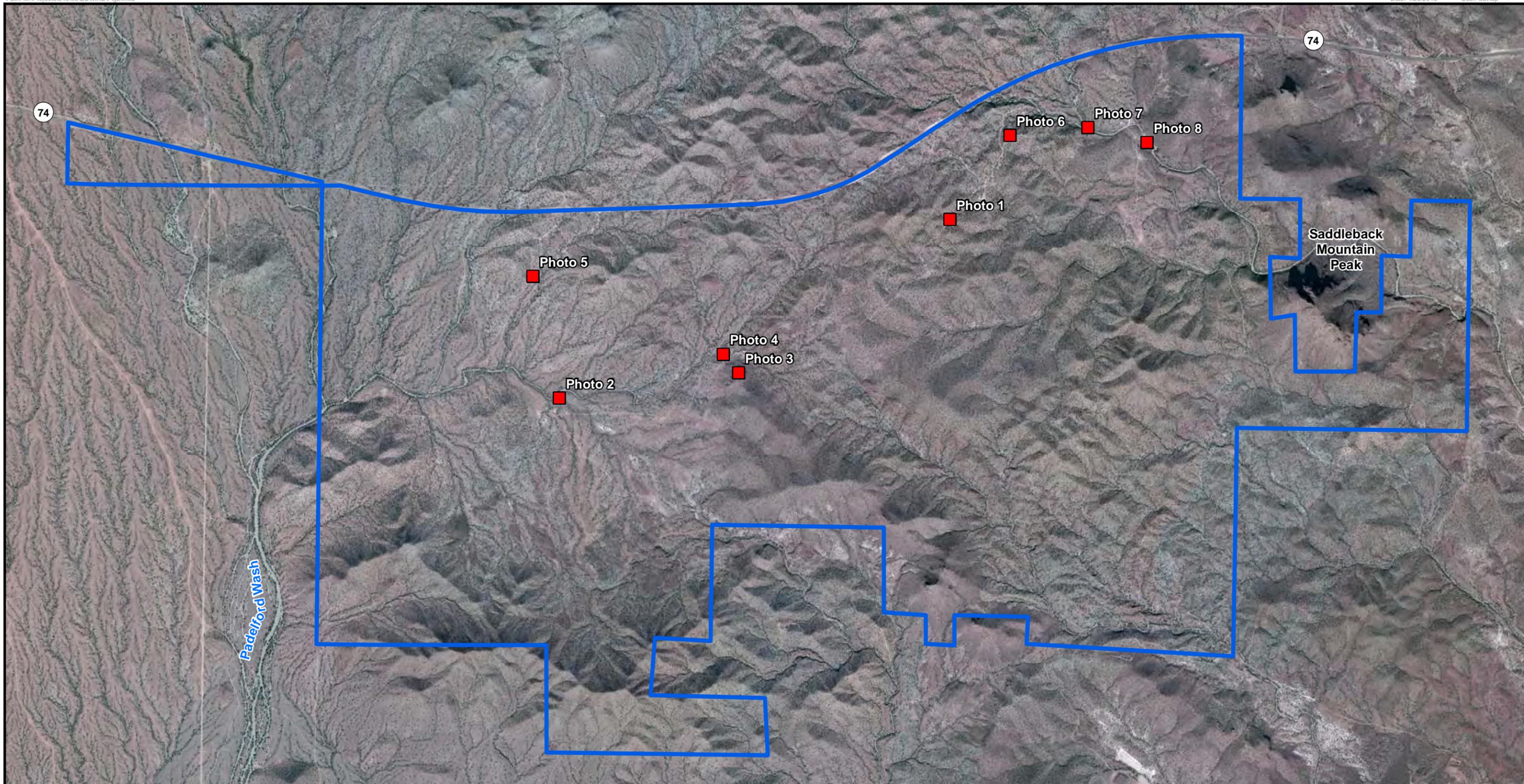
Biological Evaluation

VICINITY MAP

Figure 1

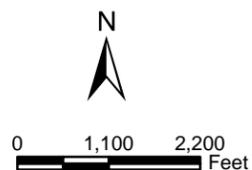
WestLand Resources, Inc.
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 4001 E. Paradise Falls Drive
 Tucson, Arizona 85712 (520) 206-9585





T5N, R1W, Portions of Sections 2-8 and 10,
 T5N, R2W, Portions of Sections 1 and 12,
 T6N, R1W, Portions of Sections 27-28 and 30-35,
 T6N, R2W, Portions of Sections 25-26 and 35-36,
 Maricopa County, Arizona,
 Photo Source: Microsoft November 2010

WestLand Resources, Inc.
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Legend

- Ground Photo Locations
- Project Area

DIAMOND VENTURES INC.
 Biological Evaluation
 AERIAL OVERVIEW AND
 GROUND PHOTO LOCATIONS
 Figure 2

APPENDIX A

USFWS LIST OF ENDANGERED,
THREATENED, PROPOSED,
CANDIDATE, AND CONSERVATION
AGREEMENT SPECIES
FOR MARICOPA COUNTY

Maricopa County

COMMON NAME	SCIENTIFIC NAME	STATUS	DESCRIPTION	COUNTY	ELEVATION	HABITAT	COMMENTS
Acuna cactus	<i>Echinomastus erectocentrus</i> var. <i>acunensis</i>	Proposed Endangered	Less than 12 inches tall; spine clusters borne on tubercles, each with a groove on the upper surface. 2-3 central spines and 12 radial spines. Radial spines are dirty white with maroon tips. Flowers pink to purple.	Maricopa, Pima, Pinal	1,198 to 3,773 ft	Well drained knolls and gravel ridges in Sonoran desertscrub.	Immature plants distinctly different from mature plants. Immatures are disc-shaped or spherical and have no central spines until they are about 1.5 inches. Critical habitat is being proposed for a total of 53,720 ac in Maricopa, Pima, and Pinal counties (77 FR 60510).
Arizona cliffrose	<i>Purshia subintegra</i>	Endangered	Evergreen shrub of the rose family (Roseaceae). Bark pale gray and shreddy. Young twigs covered with dense hairs. Leaves have 1-5 lobes and edges curl downward (revolute). Flowers: 5 petals, white or yellow <0.5 inches long.	Graham, Maricopa, Mohave, Yavapai	< 4,000 ft	White limestone soils derived from tertiary lakebed deposits.	Occurs across central Arizona: in the Burro Creek drainage, near Bylas, near Cottonwood in the Verde Valley, and at Horseshoe Lake.
California Least Tern	<i>Sterna antillarum browni</i>	Endangered	Smallest of the North American terns. Body length is 21-24 cm (8-9 inches) with a wingspan of 45-51 cm (18-20 inches). Has black crown and loreal stripe on head, snowy white forehead and underside, and gray upperparts. Outer two primaries black, yellow or orange bill with black tip, and orange legs. Males have a wider dark loreal stripe but sexes mostly distinguished by behavior.	Maricopa, Mohave, Pima	< 2,000 ft	Open, bare or sparsely vegetated sand, sandbars, gravel pits, or exposed flats along shorelines of inland rivers, lakes, reservoirs, or drainage systems.	Breeding occasionally documented in Arizona; migrants may occur more frequently. Feeds primarily on fish in shallow waters and secondarily on invertebrates. Nests in a simple scrape on sandy or gravelly soil.

COMMON NAME	SCIENTIFIC NAME	STATUS	DESCRIPTION	COUNTY	ELEVATION	HABITAT	COMMENTS
Desert pupfish	<i>Cyprinodon macularius</i>	Endangered	Small (2 inches) smoothly rounded body shape with narrow vertical bars on the sides. Breeding males blue on head and sides with yellow on tail. Females and juveniles tan to olive colored back and silvery sides.	Cochise, Graham, Maricopa, Pima, Pinal, Santa Cruz, Yavapai	< 4,000 ft	Shallow springs, small streams, and marshes. Tolerates saline and warm water.	Two subspecies are recognized: Desert Pupfish (<i>C.m. macularis</i>) and Quitobaquito Pupfish (<i>C.m. eremus</i>). Critical habitat includes Quitobaquito Springs, Pima County, portions of San Felipe Creek, Carrizo Wash, and Fish Creek Wash, Imperial County, California.
Gila topminnow	<i>Poeciliopsis occidentalis occidentalis</i>	Endangered	Small (2 inches), guppy-like, live bearing, lacks dark spots on its fins. Breeding males are jet black with yellow fins.	Cochise, Gila, Graham, La Paz, Maricopa, Pima, Pinal, Santa Cruz, Yavapai	< 4,500 ft	Small streams, springs, and cienegas vegetated shallows.	Species historically also occurred in backwaters of large rivers but is currently isolated to small streams and springs.
Lesser long-nosed bat	<i>Leptonycteris curasoae yerbabuena</i>	Endangered	Elongated muzzle, small leaf nose, and long tongue. Yellowish brown or gray above and cinnamon brown below. Tail minute and appears to be lacking. Easily disturbed.	Cochise, Gila, Graham, Greenlee, Maricopa, Pima, Pinal, Santa Cruz, Yuma	1,600-7,500 ft	Desert scrub habitat with agave and columnar cacti present as food plants.	Day roosts in caves and abandoned tunnels. Forages at night on nectar, pollen, and fruit of paniculate agaves and columnar cacti. This species is migratory and is present in Arizona usually from April to September and south of the border the remainder of the year.
Mexican spotted owl	<i>Strix occidentalis lucida</i>	Threatened	Medium sized with dark eyes and no ear tufts. Brownish and heavily spotted with white or beige.	Apache, Cochise, Coconino, Gila, Graham, Greenlee, Maricopa, Mohave, Navajo, Pima, Pinal, Santa Cruz, Yavapai	4,100-9,000 ft	Nests in canyons and dense forests with multi-layered foliage structure.	Generally nest in older forests of mixed conifer or ponderosa pine/gambel oak type, in canyons, and use variety of habitats for foraging. Sites with cool microclimates appear to be of importance or are preferred. Critical habitat was finalized on August 31, 2004 (69 FR 53182) in Arizona in Apache, Cochise, Coconino, Gila, Graham, Greenlee, Maricopa, Navajo, Pima, Pinal, Santa Cruz, and Yavapai counties.
Razorback sucker	<i>Xyrauchen texanus</i>	Endangered	Large, up to 3 feet long and up to 6 lbs, high sharp-edged keel-like hump behind the head. Head flattened on top. Olive-brown above to yellowish below.	Coconino, Gila, Graham, Greenlee, La Paz, Maricopa, Mohave, Pinal, Yavapai, Yuma	< 6,000 ft	Riverine and lacustrine areas, generally not in fast moving water and may use backwaters.	Big River fish also found in Horseshoe reservoir (Maricopa County). Critical habitat includes the 100-year floodplain of the river through the Grand Canyon from confluence with Paria River to Hoover Dam; Hoover Dam to Davis Dam; Parker Dam to Imperial Dam. Also Gila River from Arizona/New Mexico border to Coolidge Dam; and Salt River from Hwy 60/SR77 Bridge to Roosevelt Dam; Verde River from FS boundary to Horseshoe Lake (59 FR 13374).

COMMON NAME	SCIENTIFIC NAME	STATUS	DESCRIPTION	COUNTY	ELEVATION	HABITAT	COMMENTS
Sonoran pronghorn	<i>Antilocapra americana sonoriensis</i>	Endangered	Upperparts tan; underparts, rump, and two bands across the neck are white. Male has two black cheek pouches. Hoofed with slightly curved black horns having a single prong. Smallest and palest of the pronghorn subspecies.	Maricopa, Pima, Yuma	2,000-4,000 ft	Broad intermountain alluvial valleys with creosote-bursage and palo verde-mixed cacti associations.	Typically, bajadas are used as fawning areas and sandy dune areas provide food seasonally. Cacti (jumping cholla) appears to make up substantial part of diet. This subspecies also occurs in Mexico.
Southwestern willow flycatcher	<i>Empidonax traillii extimus</i>	Endangered	Small passerine (about 6 inches) grayish-green back and wings, whitish throat, light olive-gray breast and pale yellowish belly. Two wingbars visible. Eye-ring faint or absent.	Apache, Cochise, Coconino, Gila, Graham, Greenlee, La Paz, Maricopa, Mohave, Navajo, Pima, Pinal, Santa Cruz, Yavapai, Yuma	< 8,500 ft	Cottonwood/willow and tamarisk vegetation communities along rivers and streams.	Riparian-obligate bird that occupies migratory/breeding habitat from late April-Sept. Critical habitat was finalized on October 19, 2005 in Apache, Cochise, Gila, Graham, Greenlee, Maricopa, Mohave, Pima, Pinal, and Yavapai counties (70 FR 60886). Revised critical habitat was proposed August 15, 2011 (76 FR 50542) and includes river segments in counties currently designated plus those in La Paz, Santa Cruz, and Yuma counties. The 2005 critical habitat designation remains in effect until the current proposal is finalized. Training seminar/permits required for those conducting call playback surveys.
Woundfin	<i>Plagopterus argentissimus</i>	Endangered	Small (4 inches) silver minnow with fairly large fins and a sharp dorsal fin spine.	Maricopa, Mohave	< 4,500 ft	Inhabits shallow, warm, turbid, fast-flowing water. Tolerates high salinity.	Native population only in Virgin River. Designated critical habitat includes the Virgin River and its 100-year floodplain (65 FR 4140). Experimental non-essential populations (50 FR 30188) designated in portions of the Verde, Gila, San Francisco, and Hassayampa rivers and Tonto Creek. Species also occurs in Washington County, UT and Clark County, NV.
Yuma clapper rail	<i>Rallus longirostris yumanensis</i>	Endangered	Water bird with long legs and short tail. Long, slender decurved bill. Mottled brown or gray on its rump. Flanks and undersides are dark gray with narrow vertical stripes producing a barring effect.	Gila, La Paz, Maricopa, Mohave, Pinal, Yuma	< 4,500 ft	Fresh water and brackish marshes.	Species is associated with dense emergent riparian vegetation. Requires wet substrate (mudflat, sandbar) with dense herbaceous or woody vegetation for nesting and foraging. Channelization and marsh destruction are primary sources of habitat loss.

COMMON NAME	SCIENTIFIC NAME	STATUS	DESCRIPTION	COUNTY	ELEVATION	HABITAT	COMMENTS
Roundtail chub	<i>Gila robusta</i>	Candidate	Member of the minnow family Cyprinidae and characterized by streamlined body shape. Color usually olive gray with silvery sides and a white belly. Breeding males develop red or orange coloration on the lower half of the cheeks and on the bases of paired fins. Individuals may reach 49.0 cm (19.3 in) but usually average 25-30 cm (9.8 - 11.8 in).	Apache, Coconino, Gila, Graham, Greenlee, La Paz, Maricopa, Mohave, Navajo, Pinal, Yavapai	1,000-7,500 ft.	Cool to warm waters of rivers and streams, often occupy the deepest pools and eddies of large streams.	Historical range of roundtail chub included both the upper and lower Colorado River basins. A 2009 status review determined that the lower Colorado River basin roundtail chub population segment (Arizona and New Mexico) qualifies as a distinct vertebrate population segment (DPS). Populations in the Little Colorado, Bill Williams, and Gila River basins are considered candidate species.
Sonoran desert tortoise	<i>Gopherus morafkai</i>	Candidate	Large herbivorous reptile with domed shell and round stumpy hind legs. The carapace is a dull brown or grey color and the plastron is unhinged, often pale yellow in coloration. Sonoran desert tortoises generally have a flatter carapace than tortoises in the Mohave population. Active in spring and during the monsoon; dormant in winter and mid-summer months.	Cochise, Gila, Graham, La Paz, Maricopa, Mohave, Pima, Pinal, Santa Cruz, Yavapai, Yuma	< 7,800 ft	Primarily rocky (often steep) hillsides and bajadas of Mohave and Sonoran deserts but may encroach into desert grassland, juniper woodland, interior chaparral habitats, and even pine communities. Washes and valley bottoms may be used in dispersal.	Desert tortoises that occur east and south of the Colorado River in Arizona are known as the Sonoran desert tortoise. Individuals are found throughout their historic range; but populations are becoming increasingly fragmented due to threats to their habitat in valley bottoms, which are used for dispersal and exchange of genetic material.
Sprague's pipit	<i>Anthus spragueii</i>	Candidate	Small, sparrow-sized bird (10-15 cm in length), with buff and blackish streaking on the crown, nape, and underparts. Has a short bill with a blackish upper mandible, a buffy face with a large eye ring, white outer tail feathers and pale to yellowish legs.	Cochise, Maricopa, La Paz, Santa Cruz, Yuma	<5,000 ft	Strong preference to native grasslands with vegetation of intermediate height and lacking woody shrubs.	Rare in Arizona. Few individuals of this elusive species have been sighted during October through March. Native grass fields are rare in Arizona but cultivated, dry Bermuda grass, alfalfa fields mixed with patches of dry grass, or fallow fields appear to support the species during wintering. They will not use mowed or burned areas until the vegetation has had a chance to grow. There are no breeding records in Arizona.

COMMON NAME	SCIENTIFIC NAME	STATUS	DESCRIPTION	COUNTY	ELEVATION	HABITAT	COMMENTS
Tucson shovel-nosed snake	<i>Chionactis occipitalis klauberi</i>	Candidate	Small snake (10-17 inches total length) in the family Colubridae, with a shovel-shaped snout and an inset lower jaw. Overall coloring mimics coral snakes, with pale yellow to cream-colored body, 21 or more black or brown saddle-like bands across the back, and orange-red saddle-like bands in between. The subspecies is distinguished from the other subspecies in that these secondary orange-red crossbands are suffused with dark pigment, making them appear brown or partly black, and the black and red crossbands do not encircle the entire body.	Maricopa, Pima, Pinal	785-1,662 ft	Sonoran Desertscrub; associated with soft, sandy soils having sparse gravel.	Found in creosote-mesquite floodplain environments, finds refuge under desert shrubs, active during crepuscular (dawn and dusk) and daylight hours.
Yellow-billed cuckoo	<i>Coccyzus americanus</i>	Candidate	Medium-sized bird with a slender, long-tailed profile, slightly down-curved bill that is blue-black with yellow on the lower half. Plumage is grayish-brown above and white below, with rufous primary flight feathers.	Apache, Cochise, Coconino, Gila, Graham, Greenlee, La Paz, Maricopa, Mohave, Navajo, Pima, Pinal, Santa Cruz, Yavapai, Yuma	< 6,500 ft	Large blocks of riparian woodlands (cottonwood, willow, or tamarisk galleries).	Neotropical migrant that winters primarily in South America and breeds primarily in the U.S. (but also in southern Canada and northern Mexico). As a migrant it is rarely detected; can occur outside of riparian areas. Cuckoos are found nesting statewide, mostly below 5,000 feet in central, western, and southeastern Arizona. Concern for cuckoos are primarily focused upon alterations to its nesting and foraging habitat. Nesting cuckoos are associated with relatively dense, wooded, streamside riparian habitat, with varying combinations of Fremont cottonwood, willow, velvet ash, Arizona walnut, mesquite, and tamarisk. Some cuckoos have also been detected nesting in velvet mesquite, netleaf hackberry, Arizona sycamore, Arizona alder, and some exotic neighborhood shade trees.

COMMON NAME	SCIENTIFIC NAME	STATUS	DESCRIPTION	COUNTY	ELEVATION	HABITAT	COMMENTS
American peregrine falcon	<i>Falco peregrinus anatum</i>	Delisted	A crow-sized falcon with slate blue-gray on the back and wings, and white on the underside; a black head with vertical "bandit's mask" pattern over the eyes; long pointed wings; and a long wailing call made during breeding. Very adept flyers and hunters, reaching diving speeds of 200 mph.	Apache, Cochise, Coconino, Gila, Graham, Greenlee, La Paz, Maricopa, Mohave, Navajo, Pima, Pinal, Santa Cruz, Yavapai, Yuma	3,500-9,000 ft	Areas with rocky, steep cliffs, primarily near water, where prey (primarily shorebirds, songbirds, and waterfowl) concentrations are high. Nests are found on ledges of cliffs, and sometimes on man-made structures such as office towers and bridge abutments.	Species recovered with over 1,650 breeding birds in the US and Canada.
Arizona agave	<i>Agave arizonica</i>	Delisted	Member of the agave family. Has rosettes of bright green leaves, 17-24cm long and 2-4cm wide, broadest in the middle. Flowers are small, pale yellow, and jar shaped.	Gila, Maricopa, Yavapai	3,600-5,800 ft	Occurs on open slopes in chaparral or juniper grasslands. Prefers shallow, cobbled, and gravelly soils on steep slopes.	Arizona agave is a hybrid produced by a crossing of two other common agave species (<i>A. chrysantha</i> x <i>A. toumeyana</i> ssp. <i>toumeyana</i>).
Bald eagle	<i>Haliaeetus leucocephalus</i>	Delisted	Large, adults have white head and tail. Height 28 to 38 inches; wingspan 66 to 96 inches. Juveniles and subadults are dark brown with varying degrees of white mottling on chest, wings, and head.	Apache, Coconino, Gila, Graham, La Paz, Maricopa, Mohave, Pinal, and Yavapai	Varies	Large trees or cliffs near water (reservoirs, rivers, and streams) with abundant prey.	Nationwide and throughout the State of Arizona, the bald eagle is currently not listed under the Endangered Species Act. On September 30, 2010, the U.S. District Court dissolved an injunction that led to the bald eagle in the Sonoran Desert Area of central Arizona being placed on the Endangered Species list in 2008. This determination is presently (January 2011) under judicial consideration. Bald eagles are protected under the Bald and Golden Eagle Protection Act (Eagle Act) and other Federal and state statutes. The word "disturb" under the Eagle Act was recently clarified, as well as the implementation of new regulations requiring permits to incidentally "take" eagles. Retrieve more information on management and life history at http://SWBEMC.org .

COMMON NAME	SCIENTIFIC NAME	STATUS	DESCRIPTION	COUNTY	ELEVATION	HABITAT	COMMENTS
California brown pelican	<i>Pelecanus occidentalis californicus</i>	Delisted	Large, dark gray-brown water bird with webbed feet, pouch underneath its long bill, and wingspan of 7 ft. Adults have a white head and neck, brownish black breast, and silver gray upper parts.	Gila, La Paz, Maricopa, Mohave, Pinal, Yuma	Varies	Coastal land and islands; species found occasionally around Arizona's lakes and rivers.	Considered an uncommon transient in Arizona. Most observations recorded along the Colorado River and in the Gila Valley. Individuals known to wander up from Mexico in summer and fall. No breeding has been documented in Arizona. Delisted on November 17, 2009 (74 FR 59444).

APPENDIX B

REPRESENTATIVE PHOTOGRAPHS



Photo 1. Representative photo of the upland vegetation community within the Analysis Area.



Photo 2. Representative photo of the xeroriparian vegetation community that occurs along the larger washes within the Analysis Area.



Photo 3. Overview of the Analysis Area. Photo was taken from atop a rock outcrop roughly 1200 meters South of the SR 74. Photo taken facing North.



Photo 4. One example of the potential Sonoran desert tortoise habitat that occurs throughout the Analysis Area.



Photo 5. Photo taken at a mine adit centrally located within the Analysis Area. Photo shows that no adequate roosting habitat for LLNB is present.



Photo 6. Photo taken at a mine adit located in the eastern portion of the Analysis Area, near the Windy Well. This adit was a hole roughly 15 feet deep had no drifts; thus it does not provide adequate roosting habitat for LLNB.



Photo 7. This photo shows Windy Well, which was dry and has been out of operation for some time. The vegetation community of the surrounding area receives no supplemental water as a result of the presence of the well.



Photo 8. This photo shows a depression within a major wash that looks to hold water for a period of time following flow events. It was dry at the time of field reconnaissance. It also represents the only evidence of water ponding that was encountered during the site visit.

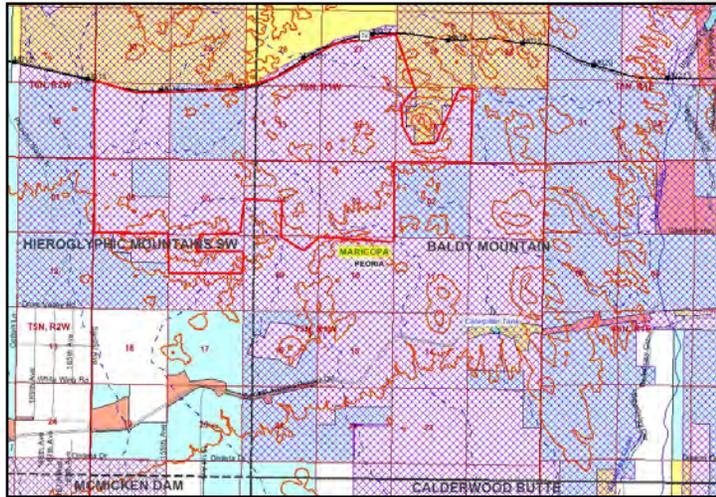
APPENDIX C

**AGFD HDMS REPORT
ON-LINE ENVIRONMENTAL
REVIEW TOOL RESULTS**

Arizona's On-line Environmental Review Tool

Search ID: 20130416020160
 Project Name: Saddleback Heights East
 Date: 4/16/2013 5:58:56 PM

Project Location



Project Name: Saddleback Heights East
Submitted By: Mike Wendell
On behalf of: PRIVATE
Project Search ID: 20130416020160
Date: 4/16/2013 5:58:49 PM
Project Category: Development Within Municipalities (Urban Growth), Residential subdivision and associated infrastructure, New construction
Project Coordinates (UTM Zone 12-NAD 83): 372977.069, 3742192.498 meter
Project Length: 31006.875 meter
County: MARICOPA
USGS 7.5 Minute Quadrangle ID: 1157
Quadrangle Name: HIEROGLYPHIC MOUNTAINS SW
Project locality is currently being scoped

Location Accuracy Disclaimer

Project locations are assumed to be both precise and accurate for the purposes of environmental review. The creator/owner of the Project Review Receipt is solely responsible for the project location and thus the correctness of the Project Review Receipt content.

The Department appreciates the opportunity to provide in-depth comments and project review when additional information or environmental documentation becomes available.

Special Status Species Occurrences/Critical Habitat/Tribal Lands within 3 miles of Project Vicinity:

Name	Common Name	FWS	USFS	BLM	State
<i>Agosia chrysogaster chrysogaster</i>	Gila Longfin Dace	SC	S	S	
Bat Colony					
<i>Coccyzus americanus</i>	Yellow-billed Cuckoo (Western U.S. DPS)	PS:C*	S		WSC
<i>Cyprinodon macularius</i>	Desert Pupfish	LE			WSC
<i>Empidonax traillii extimus</i>	Southwestern Willow Flycatcher	LE			WSC
<i>Gopherus morafkai</i>	Sonoran Desert Tortoise	C*	S		WSC
<i>Haliaeetus leucocephalus</i> (wintering pop.)	Bald Eagle - Winter Population	SC,BG A	S	S	WSC
<i>Haliaeetus leucocephalus</i> pop. 3	Bald Eagle - Sonoran Desert Population	SC,BG A	S	S	WSC
<i>Macrotus californicus</i>	California Leaf-nosed Bat	SC	S	S	WSC
<i>Myotis velifer</i>	Cave Myotis	SC		S	
<i>Rana yavapaiensis</i>	Lowland Leopard Frog	SC	S	S	WSC

Arizona's On-line Environmental Review Tool

Search ID: 20130416020160

Project Name: Saddleback Heights East

Date: 4/16/2013 5:58:56 PM

Please review the entire receipt for project type recommendations and/or species or location information and retain a copy for future reference. If any of the information you provided did not accurately reflect this project, or if project plans change, another review should be conducted, as this determination may not be valid.

Arizona's On-line Environmental Review Tool:

1. This On-line Environmental Review Tool inquiry has generated recommendations regarding the potential impacts of your project on Special Status Species (SSS) and other wildlife of Arizona. SSS include all U.S. Fish and Wildlife Service federally listed, U.S. Bureau of Land Management sensitive, U.S. Forest Service sensitive, and Arizona Game and Fish Department (Department) recognized species of concern.
2. These recommendations have been made by the Department, under authority of Arizona Revised Statutes Title 5 (Amusements and Sports), 17 (Game and Fish), and 28 (Transportation). These recommendations are preliminary in scope, designed to provide early considerations for all species of wildlife, pertinent to the project type you entered.
3. This receipt, generated by the automated On-line Environmental Review Tool does not constitute an official project review by Department biologists and planners. Further coordination may be necessary as appropriate under the National Environmental Policy Act (NEPA) and/or the Endangered Species Act (ESA).

The U.S. Fish and Wildlife Service (USFWS) has regulatory authority over all federally listed species under the ESA. Contact USFWS Ecological Services Offices: <http://arizonaes.fws.gov/>.

Phoenix Main Office
2321 W. Royal Palm Road, Suite 103
Phoenix, AZ 85021
Phone 602-242-0210
Fax 602-242-2513

Tucson Sub-Office
201 North Bonita, Suite 141
Tucson, AZ 85745
Phone 520-670-6144
Fax 520-670-6154

Flagstaff Sub-Office
323 N. Leroux Street, Suite 101
Flagstaff, AZ 86001
Phone 928-226-0614
Fax 928-226-1099

Disclaimer:

1. This is a preliminary environmental screening tool. It is not a substitute for the potential knowledge gained by having a biologist conduct a field survey of the project area.
2. The Department's Heritage Data Management System (HDMS) data is not intended to include potential distribution of special status species. Arizona is large and diverse with plants, animals, and environmental conditions that are ever changing. Consequently, many areas may contain species that biologists do not know about or species previously noted in a particular area may no longer occur there.
3. Not all of Arizona has been surveyed for special status species, and surveys that have been conducted have varied greatly in scope and intensity. Such surveys may reveal previously undocumented population of species of special concern.
4. HDMS data contains information about species occurrences that have actually been reported to the Department.

Arizona Game and Fish Department Mission

To conserve, enhance, and restore Arizona's diverse wildlife resources and habitats through aggressive protection and

management programs, and to provide wildlife resources and safe watercraft and off-highway vehicle recreation for the enjoyment, appreciation, and use by present and future generations.

Project Category: Development Within Municipalities (Urban Growth), Residential subdivision and associated infrastructure, New construction

Project Type Recommendations:

All degraded and disturbed lands should be restored to their natural state. Vegetation restoration projects (including treatments of invasive or exotic species) should have a completed site-evaluation plan (identifying environmental conditions necessary to re-establish native vegetation), a revegetation plan (species, density, method of establishment), a short and long-term monitoring plan, including adaptive management guidelines to address needs for replacement vegetation.

Based on the project type entered; coordination with Arizona Department of Environmental Quality may be required (<http://www.azdeq.gov/>).

Based on the project type entered; coordination with Arizona Department of Water Resources may be required (<http://www.water.az.gov/adwr/>)

Based on the project type entered; coordination with County Flood

Control districts may be required.

Based on the project type entered; coordination with State Historic Preservation Office may be required (<http://azstateparks.com/SHPO/index.html>)

Based on the project type entered; coordination with U.S. Army Corps of Engineers may be required (<http://www.spl.usace.army.mil/regulatory/phonedir.html>)

Communities can actively support the sustainability and mobility of wildlife by incorporating wildlife planning into their regional/comprehensive plans, their regional transportation plans, and their open space/conservation land system programs. An effective approach to wildlife planning begins with the identification of the wildlife resources in need of protection, an assessment of important habitat blocks and connective corridors, and the incorporation of these critical wildlife components into the community plans and programs. Community planners should identify open spaces and habitat blocks that can be maintained in their area, and the necessary connections between those blocks to be preserved or protected. Community planners should also work with State and local transportation planning entities, and planners from other communities, to foster coordination and cooperation in developing compatible development plans to ensure wildlife habitat connectivity. The Department's guidelines for incorporating wildlife considerations into community planning and developments can be found at <http://www.azgfd.gov/hgis/guidelines.aspx>.

Development plans should provide for open natural space for wildlife movement, while also minimizing the potential for wildlife-human interactions through design features. Please contact Project Evaluation Program for more information on living with urban wildlife.

During planning and construction, minimize potential introduction or spread of exotic invasive species. Invasive species can be plants,

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animals (exotic snails), and other organisms (e.g. microbes), which may cause alteration to ecological functions or compete with or prey upon native species and can cause social impacts (e.g. livestock forage reduction, increase wildfire risk). The terms noxious weed or invasive plants are often used interchangeably. Precautions should be taken to wash all equipment utilized in the project activities before and after project activities to reduce the spread of invasive species. Arizona has noxious weed regulations (Arizona Revised Statutes, Rules R3-4-244 and R3-4-245). See Arizona Department of Agriculture website for restricted plants <http://www.azda.gov/PSD/quarantine5.htm>. Additionally, the U.S. Department of Agriculture has information regarding pest and invasive plant control methods including: pesticide, herbicide, biological control agents, and mechanical control:

<http://www.usda.gov/wps/portal/usdahome>. The Department regulates the importation, purchasing, and transportation of wildlife and fish (Restricted Live Wildlife), please refer to the hunting regulations for further information http://www.azgfd.gov/h_f/hunting_rules.shtml.

During the planning stages of your project, please consider the local or regional needs of wildlife in regards to movement, connectivity, and access to habitat needs. Loss of this permeability prevents wildlife from accessing resources, finding mates, reduces gene flow, prevents wildlife from re-colonizing areas where local extirpations may have occurred, and ultimately prevents wildlife from contributing to ecosystem functions, such as pollination, seed dispersal, control of prey numbers, and resistance to invasive species. In many cases, streams and washes provide natural movement corridors for wildlife and should be maintained in their natural state. Uplands also support a large diversity of species, and should be contained within important wildlife movement corridors. In addition, maintaining biodiversity and ecosystem functions can be facilitated through improving designs of structures, fences, roadways, and culverts to promote passage for a variety of wildlife.

Hydrological considerations: design culverts to minimize impacts to

channel geometry, or design channel geometry (low flow, overbank, floodplains) and substrates to carry expected discharge using local drainages of appropriate size as templates. Aquatic wildlife considerations: reduce/minimize barriers to migration of amphibians or fish (e.g. eliminate falls). Terrestrial wildlife: washes and stream corridors often provide important corridors for movement. Overall culvert width, height, and length should be optimized for movement of the greatest number and diversity of species expected to utilize the passage. Culvert designs should consider moisture, light, and noise, while providing clear views at both ends to maximize utilization. For many species, fencing is an important design feature that can be utilized with culverts to funnel wildlife into these areas and minimize the potential for roadway collisions. Guidelines for culvert designs to facilitate wildlife passage can be found at <http://www.azgfd.gov/hgjs/guidelines.aspx>.

Minimization and mitigation of impacts to wildlife and fish species due to changes in water quality, quantity, chemistry, temperature, and alteration to flow regimes (timing, magnitude, duration, and frequency of floods) should be evaluated. Minimize impacts to springs, in-stream flow, and consider irrigation improvements to decrease water use. If dredging is a project component, consider timing of the project in order to minimize impacts to spawning fish and other aquatic species (including spawning seasons), and to reduce spread of exotic invasive species. We recommend early direct coordination with Project Evaluation Program for projects that could impact water resources, wetlands, streams, springs, and/or riparian habitats.

Planning: consider impacts of lighting intensity on mammals and birds and develop measures or alternatives that can be taken to increase human safety while minimizing potential impacts to wildlife. Conduct wildlife surveys to determine species within project area, and evaluate proposed activities based on species biology and natural history to determine if artificial lighting may disrupt behavior patterns or habitat use.

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The Department recommends that wildlife surveys are conducted to determine if noise-sensitive species occur within the project area. Avoidance or minimization measures could include conducting project activities outside of breeding seasons.

The Department requests further coordination to provide project/species specific recommendations, please contact Project Evaluation Program directly.

The construction or maintenance of water developments should include: incorporation of aspects of the natural environment and the visual resources, maintaining the water for a variety of species, water surface area (e.g. bats require a greater area due to in-flight drinking), accessibility, year-round availability, minimizing potential for water quality problems, frequency of flushing, shading of natural features, regular clean-up of debris, escape ramps, minimizing obstacles, and minimizing accumulation of silt and mud.

Trenches should be covered or back-filled as soon as possible. Incorporate escape ramps in ditches or fencing along the perimeter to deter small mammals and herptefauna (snakes, lizards, tortoise) from entering ditches.

Project Location and/or Species recommendations:

Heritage Data Management System records indicate that one or more listed, proposed, or candidate species or Critical Habitat (Designated or Proposed) have been documented in the vicinity of your project (refer to page 1 of the receipt). Please contact:

Ecological Services Office
US Fish and Wildlife Service
2321 W. Royal Palm Rd.
Phoenix, AZ 85021-4951
Phone: 602-242-0210
Fax: 602-242-2513

Recommendations Disclaimer:

1. Potential impacts to fish and wildlife resources may be minimized or avoided by the recommendations generated from information submitted for your proposed project.
2. These recommendations are proposed actions or guidelines to be considered during **preliminary project development**.
3. Additional site specific recommendations may be proposed during further NEPA/ESA analysis or through coordination with affected agencies.
4. Making this information directly available does not substitute for the Department's review of project proposals, and should not decrease our opportunity to review and evaluate additional project information and/or new project proposals.
5. The Department is interested in the conservation of all fish and wildlife resources, including those Special Status Species listed on this receipt, and those that may have not been documented within the project vicinity as well as other game and nongame wildlife.
6. **Further coordination requires the submittal of this initialed and signed Environmental Review Receipt with a cover letter and project plans or documentation that includes project narrative, acreage to be impacted, how construction or project activity(s) are to be accomplished, and project locality information (including site map).**
7. Upon receiving information by AZGFD, please allow 30 days for completion of project reviews. Mail requests to:

**Project Evaluation Program, Habitat Branch
Arizona Game and Fish Department
5000 West Carefree Highway
Phoenix, Arizona 85086-5000
Phone Number: (623) 236-7600
Fax Number: (623) 236-7366**

Arizona's On-line Environmental Review Tool

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2. Unauthorized attempts to upload information or change information on this website are strictly prohibited and may be punishable under the Computer Fraud and Abuse Act of 1986 and/or the National Information Infrastructure Protection Act .
3. The Department reserves the right at any time, without notice, to enhance, modify, alter, or suspend the website and to terminate or restrict your access to the website.
4. This Environmental Review is based on the project study area that was entered. The review must be redone if the project study area, location, or the type of project changes. If additional information becomes available, this review may need to be reconsidered.
5. A signed and initialed copy of the Environmental Review Receipt indicates that the entire receipt has been read by the signer of the Environmental Review Receipt.

Security:

The Environmental Review and project planning web application operates on a complex State computer system. This system is monitored to ensure proper operation, to verify the functioning of applicable security features, and for other like purposes. Anyone using

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This website maintains a record of each environmental review search result as well as all contact information. This information is maintained for internal tracking purposes. Information collected in this application will not be shared outside of the purposes of the Department.

If the Environmental Review Receipt and supporting material are not mailed to the Department or other appropriate agencies within six (6) months of the Project Review Receipt date, the receipt is considered to be null and void, and a new review must be initiated.

Print this Environmental Review Receipt using your Internet browser's print function and keep it for your records. Signature of this receipt indicates the signer has read and understands the information provided.

Signature: _____

Date: _____

Proposed Date of Implementation: _____

Arizona's On-line Environmental Review Tool

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Project Name: Saddleback Heights East

Date: 4/16/2013 5:58:56 PM

Please provide point of contact information regarding this Environmental Review.

City, State, Zip: _____

Application or organization responsible for project implementation

Phone: _____

Agency/organization: _____

E-mail: _____

Contact Name: _____

Address: _____

City, State, Zip: _____

Phone: _____

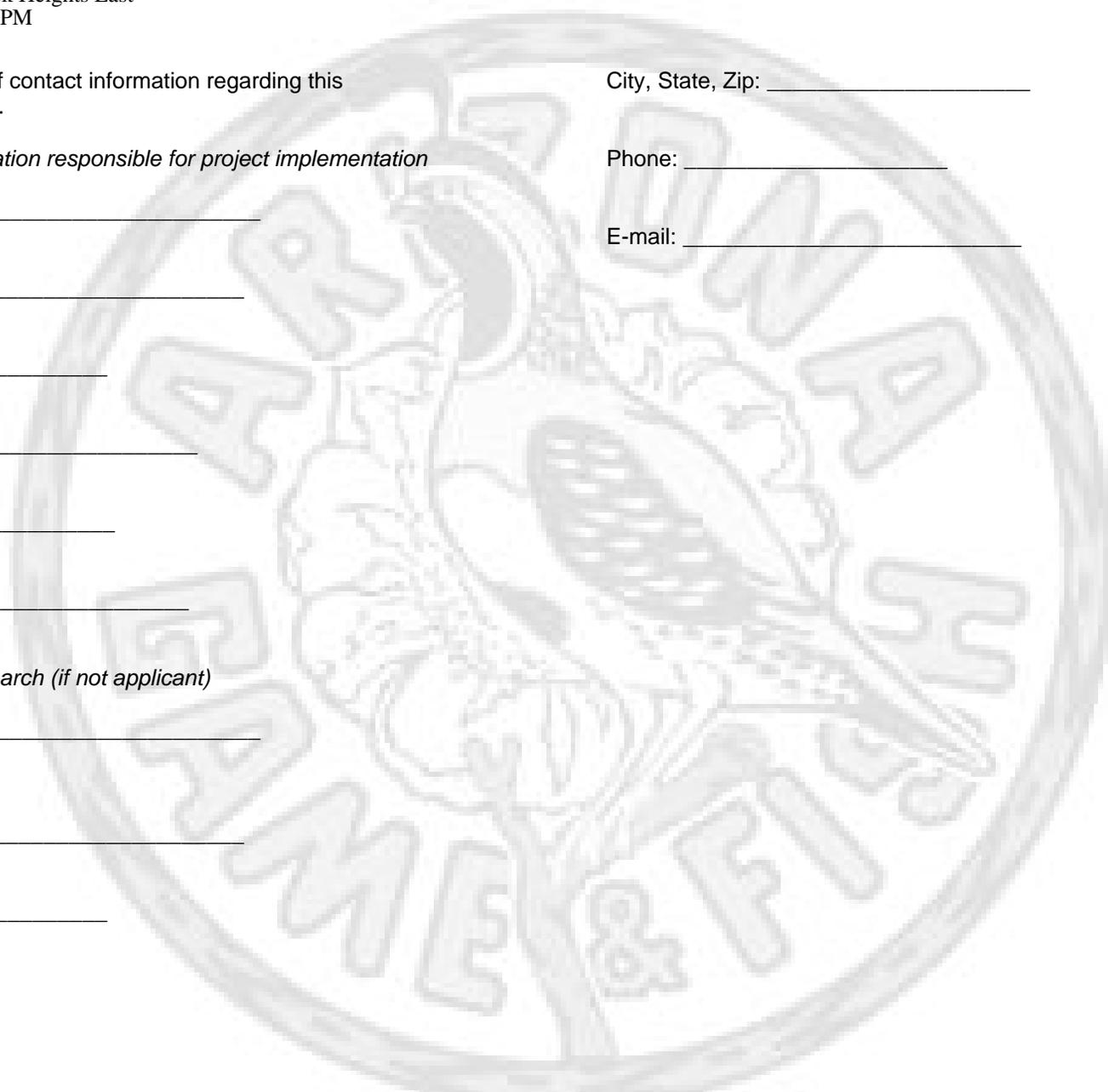
E-mail: _____

Person Conducting Search (if not applicant)

Agency/organization: _____

Contact Name: _____

Address: _____



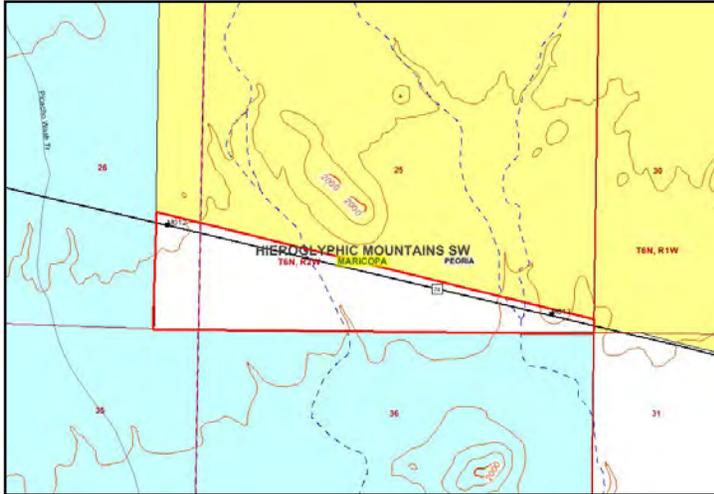
Arizona's On-line Environmental Review Tool

Search ID: 20130416020161

Project Name: Saddleback Heights West

Date: 4/16/2013 6:03:16 PM

Project Location



Project Name: Saddleback Heights West

Submitted By: Mike Wendell

On behalf of: PRIVATE

Project Search ID: 20130416020161

Date: 4/16/2013 6:03:03 PM

Project Category: Development Within Municipalities (Urban Growth), Residential subdivision and associated infrastructure, New construction

Project Coordinates (UTM Zone 12-NAD 83): 368176.396, 3743880.702
meter

Project Length: 4158.604 meter

County: MARICOPA

USGS 7.5 Minute Quadrangle ID: 1157

Quadrangle Name: HIEROGLYPHIC MOUNTAINS SW

Project locality is currently being scoped

Location Accuracy Disclaimer

Project locations are assumed to be both precise and accurate for the purposes of environmental review. The creator/owner of the Project Review Receipt is solely responsible for the project location and thus the correctness of the Project Review Receipt content.

The Department appreciates the opportunity to provide in-depth comments and project review when additional information or environmental documentation becomes available.

Special Status Species Occurrences/Critical Habitat/Tribal Lands within 3 miles of Project Vicinity:

Name	Common Name	FWS	USFS	BLM	State
Bat Colony					
Gopherus morafkai	Sonoran Desert Tortoise	C*	S		WSC
Haliaeetus leucocephalus (wintering pop.)	Bald Eagle - Winter Population	SC, BG A	S	S	WSC
Macrotus californicus	California Leaf-nosed Bat	SC	S	S	WSC

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Please review the entire receipt for project type recommendations and/or species or location information and retain a copy for future reference. If any of the information you provided did not accurately reflect this project, or if project plans change, another review should be conducted, as this determination may not be valid.

Arizona's On-line Environmental Review Tool:

1. This On-line Environmental Review Tool inquiry has generated recommendations regarding the potential impacts of your project on Special Status Species (SSS) and other wildlife of Arizona. SSS include all U.S. Fish and Wildlife Service federally listed, U.S. Bureau of Land Management sensitive, U.S. Forest Service sensitive, and Arizona Game and Fish Department (Department) recognized species of concern.
2. These recommendations have been made by the Department, under authority of Arizona Revised Statutes Title 5 (Amusements and Sports), 17 (Game and Fish), and 28 (Transportation). These recommendations are preliminary in scope, designed to provide early considerations for all species of wildlife, pertinent to the project type you entered.
3. This receipt, generated by the automated On-line Environmental Review Tool does not constitute an official project review by Department biologists and planners. Further coordination may be necessary as appropriate under the National Environmental Policy Act (NEPA) and/or the Endangered Species Act (ESA).

The U.S. Fish and Wildlife Service (USFWS) has regulatory authority over all federally listed species under the ESA. Contact USFWS Ecological Services Offices: <http://arizonaes.fws.gov/>.

Phoenix Main Office
2321 W. Royal Palm Road, Suite 103
Phoenix, AZ 85021
Phone 602-242-0210
Fax 602-242-2513

Tucson Sub-Office
201 North Bonita, Suite 141
Tucson, AZ 85745
Phone 520-670-6144
Fax 520-670-6154

Flagstaff Sub-Office
323 N. Leroux Street, Suite 101
Flagstaff, AZ 86001
Phone 928-226-0614
Fax 928-226-1099

Disclaimer:

1. This is a preliminary environmental screening tool. It is not a substitute for the potential knowledge gained by having a biologist conduct a field survey of the project area.
2. The Department's Heritage Data Management System (HDMS) data is not intended to include potential distribution of special status species. Arizona is large and diverse with plants, animals, and environmental conditions that are ever changing. Consequently, many areas may contain species that biologists do not know about or species previously noted in a particular area may no longer occur there.
3. Not all of Arizona has been surveyed for special status species, and surveys that have been conducted have varied greatly in scope and intensity. Such surveys may reveal previously undocumented population of species of special concern.
4. HDMS data contains information about species occurrences that have actually been reported to the Department.

Arizona Game and Fish Department Mission

To conserve, enhance, and restore Arizona's diverse wildlife resources and habitats through aggressive protection and

management programs, and to provide wildlife resources and safe watercraft and off-highway vehicle recreation for the enjoyment, appreciation, and use by present and future generations.

Project Category: Development Within Municipalities (Urban Growth), Residential subdivision and associated infrastructure, New construction

Project Type Recommendations:

All degraded and disturbed lands should be restored to their natural state. Vegetation restoration projects (including treatments of invasive or exotic species) should have a completed site-evaluation plan (identifying environmental conditions necessary to re-establish native vegetation), a revegetation plan (species, density, method of establishment), a short and long-term monitoring plan, including adaptive management guidelines to address needs for replacement vegetation.

Based on the project type entered; coordination with Arizona Department of Environmental Quality may be required (<http://www.azdeq.gov/>).

Based on the project type entered; coordination with Arizona Department of Water Resources may be required (<http://www.water.az.gov/adwr/>)

Based on the project type entered; coordination with County Flood

Control districts may be required.

Based on the project type entered; coordination with State Historic Preservation Office may be required (<http://azstateparks.com/SHPO/index.html>)

Based on the project type entered; coordination with U.S. Army Corps of Engineers may be required (<http://www.spl.usace.army.mil/regulatory/phonedir.html>)

Communities can actively support the sustainability and mobility of wildlife by incorporating wildlife planning into their regional/comprehensive plans, their regional transportation plans, and their open space/conservation land system programs. An effective approach to wildlife planning begins with the identification of the wildlife resources in need of protection, an assessment of important habitat blocks and connective corridors, and the incorporation of these critical wildlife components into the community plans and programs. Community planners should identify open spaces and habitat blocks that can be maintained in their area, and the necessary connections between those blocks to be preserved or protected. Community planners should also work with State and local transportation planning entities, and planners from other communities, to foster coordination and cooperation in developing compatible development plans to ensure wildlife habitat connectivity. The Department's guidelines for incorporating wildlife considerations into community planning and developments can be found at <http://www.azgfd.gov/hgis/guidelines.aspx>.

Development plans should provide for open natural space for wildlife movement, while also minimizing the potential for wildlife-human interactions through design features. Please contact Project Evaluation Program for more information on living with urban wildlife.

During planning and construction, minimize potential introduction or spread of exotic invasive species. Invasive species can be plants,

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animals (exotic snails), and other organisms (e.g. microbes), which may cause alteration to ecological functions or compete with or prey upon native species and can cause social impacts (e.g. livestock forage reduction, increase wildfire risk). The terms noxious weed or invasive plants are often used interchangeably. Precautions should be taken to wash all equipment utilized in the project activities before and after project activities to reduce the spread of invasive species. Arizona has noxious weed regulations (Arizona Revised Statutes, Rules R3-4-244 and R3-4-245). See Arizona Department of Agriculture website for restricted plants <http://www.azda.gov/PSD/quarantine5.htm>. Additionally, the U.S. Department of Agriculture has information regarding pest and invasive plant control methods including: pesticide, herbicide, biological control agents, and mechanical control:

<http://www.usda.gov/wps/portal/usdahome>. The Department regulates the importation, purchasing, and transportation of wildlife and fish (Restricted Live Wildlife), please refer to the hunting regulations for further information http://www.azgfd.gov/h_f/hunting_rules.shtml.

During the planning stages of your project, please consider the local or regional needs of wildlife in regards to movement, connectivity, and access to habitat needs. Loss of this permeability prevents wildlife from accessing resources, finding mates, reduces gene flow, prevents wildlife from re-colonizing areas where local extirpations may have occurred, and ultimately prevents wildlife from contributing to ecosystem functions, such as pollination, seed dispersal, control of prey numbers, and resistance to invasive species. In many cases, streams and washes provide natural movement corridors for wildlife and should be maintained in their natural state. Uplands also support a large diversity of species, and should be contained within important wildlife movement corridors. In addition, maintaining biodiversity and ecosystem functions can be facilitated through improving designs of structures, fences, roadways, and culverts to promote passage for a variety of wildlife.

Hydrological considerations: design culverts to minimize impacts to

channel geometry, or design channel geometry (low flow, overbank, floodplains) and substrates to carry expected discharge using local drainages of appropriate size as templates. Aquatic wildlife considerations: reduce/minimize barriers to migration of amphibians or fish (e.g. eliminate falls). Terrestrial wildlife: washes and stream corridors often provide important corridors for movement. Overall culvert width, height, and length should be optimized for movement of the greatest number and diversity of species expected to utilize the passage. Culvert designs should consider moisture, light, and noise, while providing clear views at both ends to maximize utilization. For many species, fencing is an important design feature that can be utilized with culverts to funnel wildlife into these areas and minimize the potential for roadway collisions. Guidelines for culvert designs to facilitate wildlife passage can be found at <http://www.azgfd.gov/hgjs/guidelines.aspx>.

Minimization and mitigation of impacts to wildlife and fish species due to changes in water quality, quantity, chemistry, temperature, and alteration to flow regimes (timing, magnitude, duration, and frequency of floods) should be evaluated. Minimize impacts to springs, in-stream flow, and consider irrigation improvements to decrease water use. If dredging is a project component, consider timing of the project in order to minimize impacts to spawning fish and other aquatic species (including spawning seasons), and to reduce spread of exotic invasive species. We recommend early direct coordination with Project Evaluation Program for projects that could impact water resources, wetlands, streams, springs, and/or riparian habitats.

Planning: consider impacts of lighting intensity on mammals and birds and develop measures or alternatives that can be taken to increase human safety while minimizing potential impacts to wildlife. Conduct wildlife surveys to determine species within project area, and evaluate proposed activities based on species biology and natural history to determine if artificial lighting may disrupt behavior patterns or habitat use.

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The Department recommends that wildlife surveys are conducted to determine if noise-sensitive species occur within the project area. Avoidance or minimization measures could include conducting project activities outside of breeding seasons.

The Department requests further coordination to provide project/species specific recommendations, please contact Project Evaluation Program directly.

The construction or maintenance of water developments should include: incorporation of aspects of the natural environment and the visual resources, maintaining the water for a variety of species, water surface area (e.g. bats require a greater area due to in-flight drinking), accessibility, year-round availability, minimizing potential for water quality problems, frequency of flushing, shading of natural features, regular clean-up of debris, escape ramps, minimizing obstacles, and minimizing accumulation of silt and mud.

Trenches should be covered or back-filled as soon as possible. Incorporate escape ramps in ditches or fencing along the perimeter to deter small mammals and herptofauna (snakes, lizards, tortoise) from entering ditches.

Project Location and/or Species recommendations:

Heritage Data Management System records indicate that one or more listed, proposed, or candidate species or Critical Habitat (Designated or Proposed) have been documented in the vicinity of your project (refer to page 1 of the receipt). Please contact:

Ecological Services Office
US Fish and Wildlife Service
2321 W. Royal Palm Rd.
Phoenix, AZ 85021-4951
Phone: 602-242-0210
Fax: 602-242-2513

Recommendations Disclaimer:

1. Potential impacts to fish and wildlife resources may be minimized or avoided by the recommendations generated from information submitted for your proposed project.
2. These recommendations are proposed actions or guidelines to be considered during **preliminary project development**.
3. Additional site specific recommendations may be proposed during further NEPA/ESA analysis or through coordination with affected agencies.
4. Making this information directly available does not substitute for the Department's review of project proposals, and should not decrease our opportunity to review and evaluate additional project information and/or new project proposals.
5. The Department is interested in the conservation of all fish and wildlife resources, including those Special Status Species listed on this receipt, and those that may have not been documented within the project vicinity as well as other game and nongame wildlife.
6. **Further coordination requires the submittal of this initialed and signed Environmental Review Receipt with a cover letter and project plans or documentation that includes project narrative, acreage to be impacted, how construction or project activity(s) are to be accomplished, and project locality information (including site map).**
7. Upon receiving information by AZGFD, please allow 30 days for completion of project reviews. Mail requests to:

**Project Evaluation Program, Habitat Branch
Arizona Game and Fish Department
5000 West Carefree Highway
Phoenix, Arizona 85086-5000
Phone Number: (623) 236-7600
Fax Number: (623) 236-7366**

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1. This Environmental Review and project planning website was developed and intended for the purpose of screening projects for potential impacts on resources of special concern. By indicating your agreement to the terms of use for this website, you warrant that you will not use this website for any other purpose.
2. Unauthorized attempts to upload information or change information on this website are strictly prohibited and may be punishable under the Computer Fraud and Abuse Act of 1986 and/or the National Information Infrastructure Protection Act .
3. The Department reserves the right at any time, without notice, to enhance, modify, alter, or suspend the website and to terminate or restrict your access to the website.
4. This Environmental Review is based on the project study area that was entered. The review must be redone if the project study area, location, or the type of project changes. If additional information becomes available, this review may need to be reconsidered.
5. A signed and initialed copy of the Environmental Review Receipt indicates that the entire receipt has been read by the signer of the Environmental Review Receipt.

Security:

The Environmental Review and project planning web application operates on a complex State computer system. This system is monitored to ensure proper operation, to verify the functioning of applicable security features, and for other like purposes. Anyone using

this system expressly consents to such monitoring and is advised that if such monitoring reveals possible evidence of criminal activity, system personnel may provide the evidence of such monitoring to law enforcement officials. Unauthorized attempts to upload or change information; to defeat or circumvent security measures; or to utilize this system for other than its intended purposes are prohibited.

This website maintains a record of each environmental review search result as well as all contact information. This information is maintained for internal tracking purposes. Information collected in this application will not be shared outside of the purposes of the Department.

If the Environmental Review Receipt and supporting material are not mailed to the Department or other appropriate agencies within six (6) months of the Project Review Receipt date, the receipt is considered to be null and void, and a new review must be initiated.

Print this Environmental Review Receipt using your Internet browser's print function and keep it for your records. Signature of this receipt indicates the signer has read and understands the information provided.

Signature: _____

Date: _____

Proposed Date of Implementation: _____

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Please provide point of contact information regarding this Environmental Review.

City, State, Zip: _____

Application or organization responsible for project implementation

Phone: _____

Agency/organization: _____

E-mail: _____

Contact Name: _____

Address: _____

City, State, Zip: _____

Phone: _____

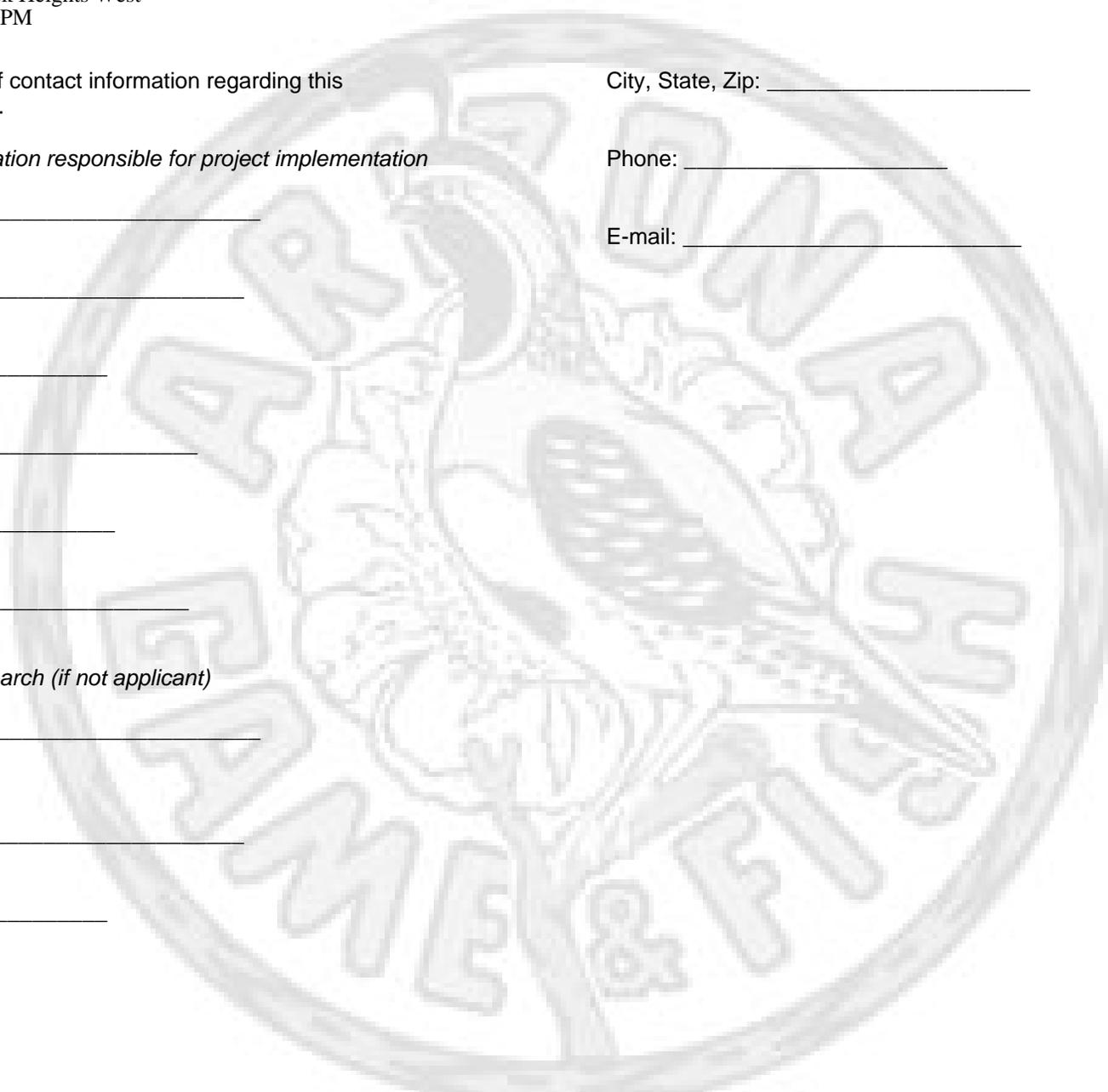
E-mail: _____

Person Conducting Search (if not applicant)

Agency/organization: _____

Contact Name: _____

Address: _____



ARCHAEOLOGY & CULTURAL/HISTORIC RESOURCES - EXHIBIT G
(SUBMITTED UNDER SEPARATE COVER)

**APPENDIX D: - Archaeology & Cultural/Historic Resources Map
(See Report Submitted Under Separate Cover)**