

# **SADDLEBACK HEIGHTS**

PEORIA, ARIZONA

*DEVELOPMENT BY:*  
**DIAMOND VENTURES**

## **PLANNED COMMUNITY DISTRICT**

**SUBMITTAL DATE**  
January 25, 2002

**REVISED: September 16, 2002**

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# SECTION I - SADDLEBACK HEIGHTS OVERVIEW

## 1.0 PROJECT OVERVIEW

### 1.0.1 CONTACT LIST

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## 1.0.2 VICINITY MAP

# Saddleback Heights

## Vicinity Map



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### 1.0.3 LEGAL DESCRIPTION



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

**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  
WP #011407  
Page 2 of 4  
See Exhibit "A"

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 "A"

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.

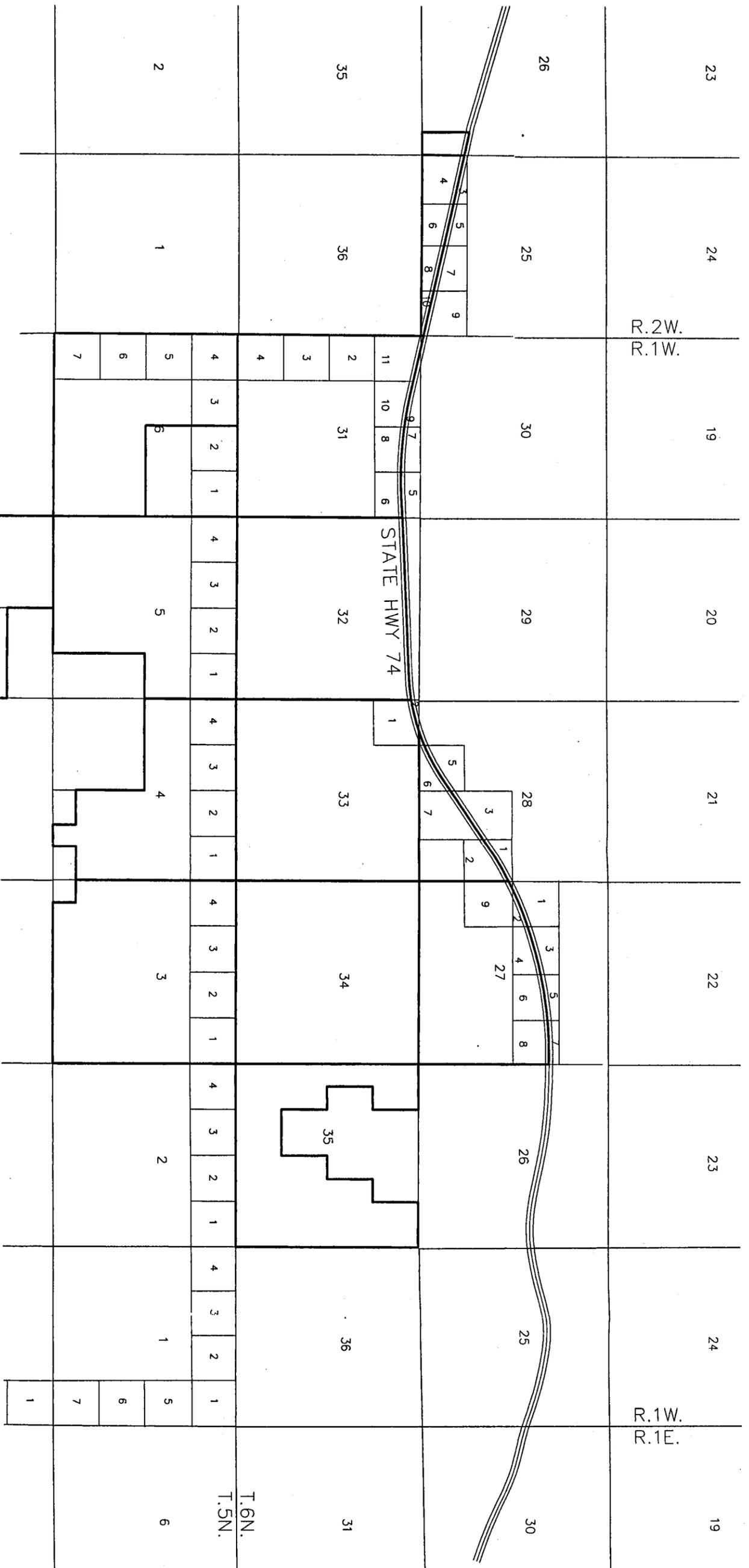
**TOGETHER WITH**

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.

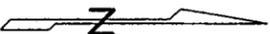
Y:\WP\Parcel Descriptions\011407 Saddleback Heights Existing Add Parcels.doc



**WOOD/PATEL**  
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*Scott A. Warren*



**EXHIBIT "A"**

PROPOSED SADDLEBACK HEIGHTS BOUNDARY

05-31-02

WP#011407

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## **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. 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. 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. The Saddleback Heights SAP allows for 5,409 dwelling units or approximately one (1) unit per acre on the gross acreage of the privately owned property and 786 dwelling units or approximately one (1) dwelling unit per acre on the gross acreage for the State Land. Consistent with the Saddleback Heights SAP, a total maximum of 6,195 dwelling units are permitted. 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. Given the very 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. Wastewater will be treated at a package treatment facility intended meet the needs of the Property with the possibility of expansion for other possible service area.

- 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.

- F. The development is fiscally sound, as demonstrated in the Cost Impact Analysis, and is consistent with adopted policies, infrastructure plans and applicable Capital Improvement Programs.

The Saddleback Heights PC District has demonstrated in the Cost Impact Analysis, that the project is fiscally sound.

#### **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 123<sup>rd</sup> Avenue (El Mirage Road) alignment. The western boundary is the 163<sup>rd</sup> (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 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 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.

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 5,409 residential dwelling units on approximately 5,296 acres creating an overall gross density of approximately 1.04 dwelling unit per acre per the City of Peoria's General Plan formula. The PC District also includes 756 acres of State Land included in the Saddleback SAP with a total of 786 dwelling units with a gross density of approximately 1.09 per the City of Peoria's General Plan Formula. The total acreage for the PC District,

including the State Land, is approximately 6,052 acres and the maximum number of dwelling units including State Land is 6,195 residential dwelling units. This creates a total overall gross density of approximately 1.05 dwelling units per acre per the City of Peoria's General Plan density 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 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.

In addition to the private land owned by Diamond, the Arizona State Land Department has authorized this land planning to occur on their behalf for the State Land included in the Saddleback Heights PC District.

### 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.

Vernon Swaback of Scottsdale, heads the Saddleback Heights Development Team. Mr. Swaback is a renowned land planner and a protégé of Frank Lloyd Wright. He and his firm, Swaback Partners, are known as experts in sensitive development of High Sonoran Desert. In addition, Mr. Swaback has been involved in several significant projects in Arizona including, among others, the master planning of Del Webb's Anthem, Arizona, WestWing Mountain in Peoria, Las Sendas in Mesa, the Arizona Biltmore in Phoenix, DC Ranch in Scottsdale, Eagle Mountain in Fountain Hills, and Scottsdale Mountain in Scottsdale.

#### **1.1.5 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.

#### **1.1.6 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 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.

## **1.2 COMMUNITY VISION**

### **1.2.1 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.

## **1.2.2 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 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 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.

### **1.3 PRE-EXISTING DEVELOPMENT CONDITIONS**

#### **1.3.1 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 hill forms, and rock outcroppings throughout the Property. (See **Existing Conditions Map 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 hill forms 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 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.

#### **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, 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.

### **1.3.5 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 EXISTING CONDITIONS MAP**

Saddleback  
Heights

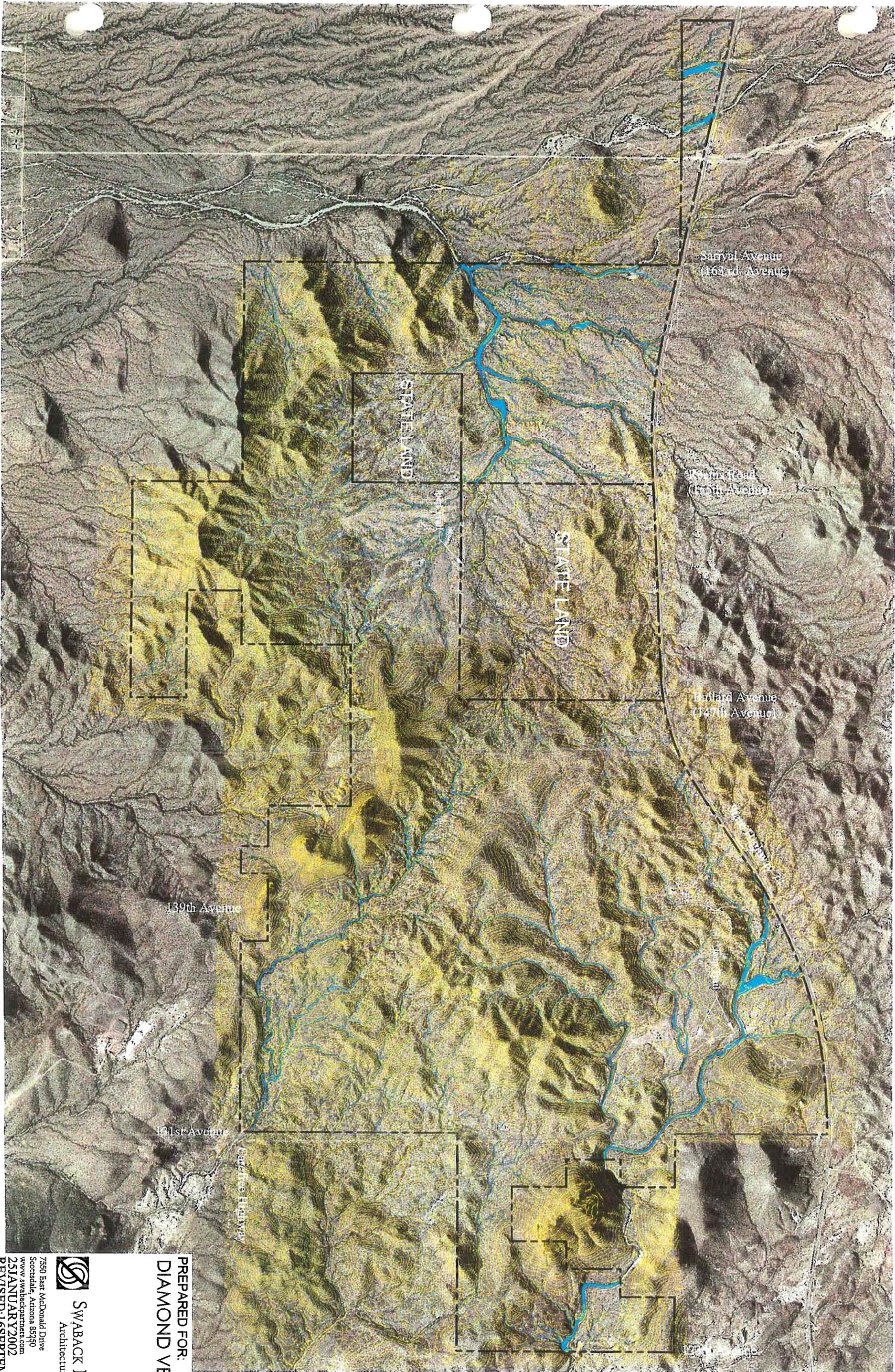
Existing  
Conditions Ma



TOPOGRAPHY

WASHES

PROPERTY LINE



PREPARED FOR:  
**DIAMOND VENTURES** INC.

9051 W KELTON  
SUITE 6  
PEORIA, AZ 85382

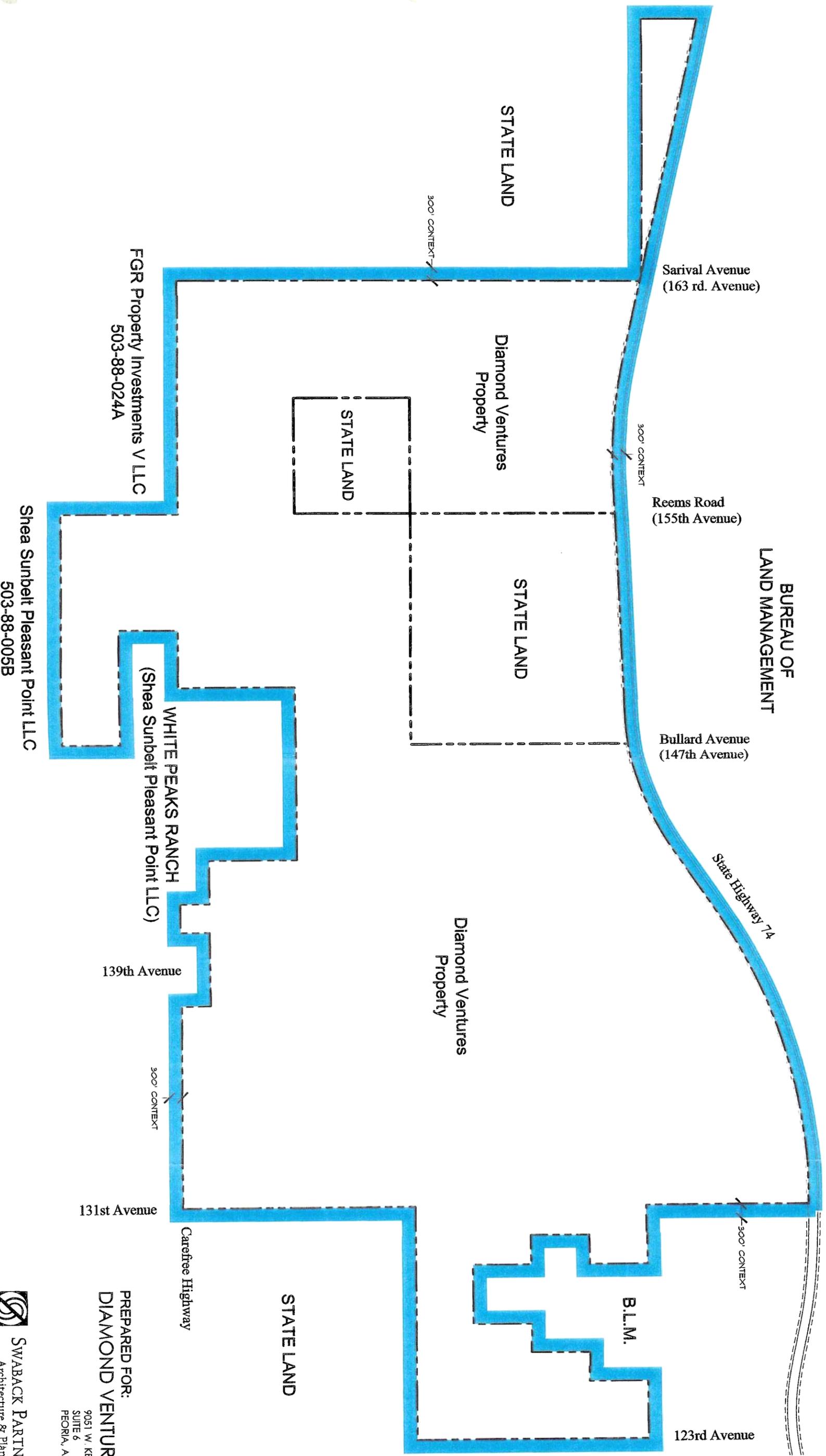
 **SWABACK PARTNERS** pllc  
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25 JANUARY 2002  
REVISED: 16 SEPTEMBER 2002  
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Fk: 480.367.2111  
Info@swabackpartners.co



N.T.S.

**1.4.2 BOUNDARY MAP**



FGR Property Investments V LLC  
503-88-024A

Shea Sunbelt Pleasant Point LLC  
503-88-005B

PREPARED FOR:  
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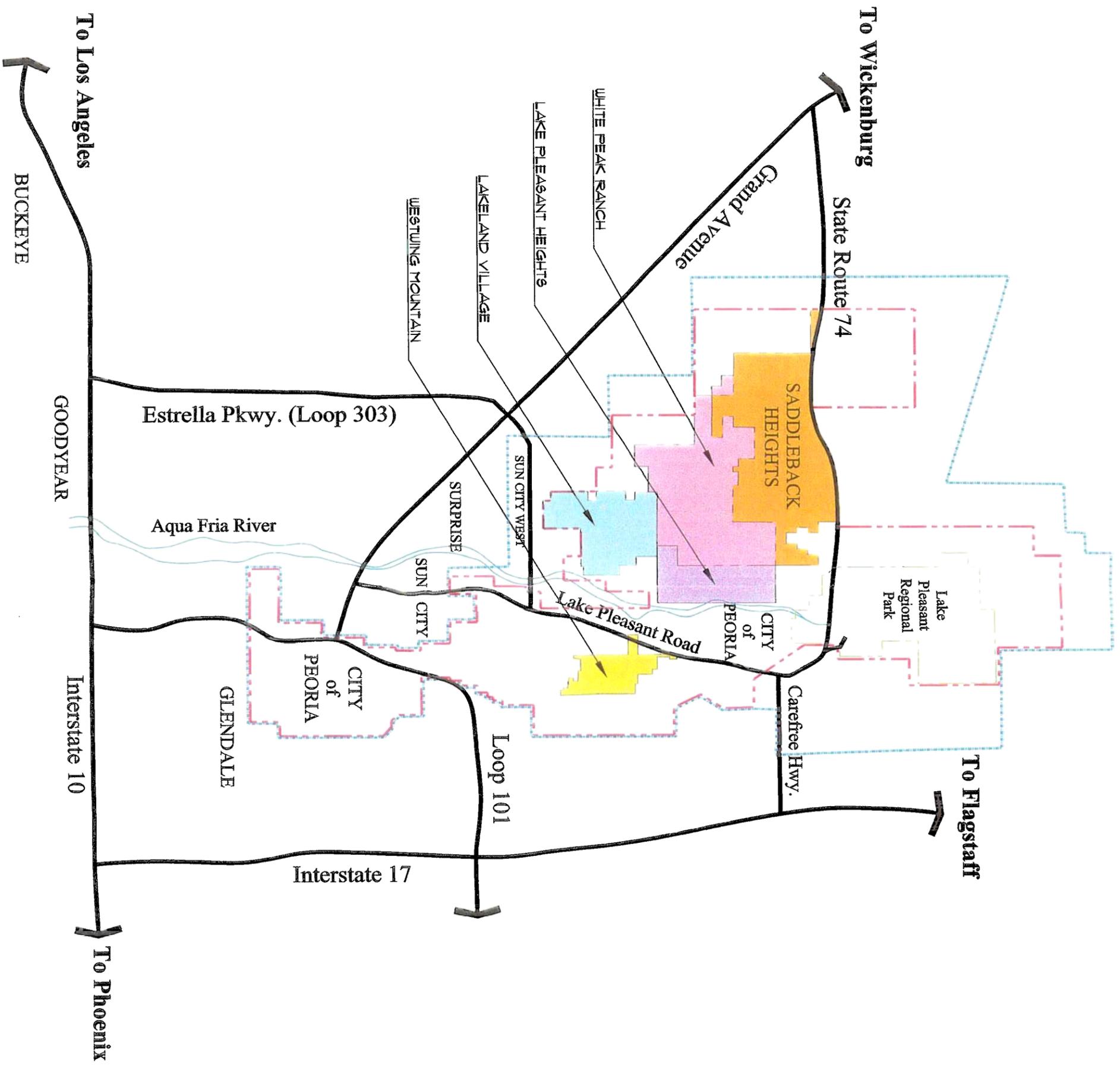
### 1.4.3 REGIONAL CONTEXT MAP

**Saddleback Heights**

**Regional Context Map**

**LEGEND**

- CITY OF PEORIA BOUNDARY
- CITY OF PEORIA PLANNING AREA



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## **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 'A' PERCENT DEVELOPABLE ACRES	DEVELOPMENT VILLAGE 'B' PERCENT DEVELOPABLE ACRES	DEVELOPMENT VILLAGE 'C' PERCENT DEVELOPABLE	DEVELOPMENT VILLAGE 'D' PERCENT DEVELOPABLE ACRES	DEVELOPMENT VILLAGE 'E' PERCENT DEVELOPABLE ACRES	DEVELOPMENT VILLAGE 'F' PERCENT DEVELOPABLE ACRES (STATE LAND)	DEVELOPMENT VILLAGE 'G' PERCENT DEVELOPABLE ACRES (STATE LAND)
COTTAGE (SC)	10% Maximum	5% Maximum	5% Maximum	5% Maximum	40% Maximum	5% Maximum	5% Maximum
MEDIUM DENSITY (SMD)	90% Maximum	45% Maximum	45% Maximum	20% Maximum	40% Maximum	50% Maximum	50% Maximum
LOW DENSITY (SLD)	45% Maximum	45% Maximum	45% Maximum	20% Maximum	0%	50% Maximum	50% Maximum
VERY LOW DENSITY (SVLD)	0% Minimum	20% Minimum	20% Minimum	5% Minimum	0%	10% Minimum	20% Minimum
RESIDENTIAL ESTATE (SRE)	0% Minimum	20% Minimum	20% Minimum	45% Minimum	0%	0% Minimum	20% Minimum

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

ZONING DISTRICT	SADDLEBACK RESIDENTIAL ESTATE (SRE) *		SADDLEBACK VERY LOW DENSITY (SVLD)		SADDLEBACK LOW DENSITY (SLD)			SADDLEBACK MEDIUM DENSITY (SMD)			SADDLEBACK COTTAGE (SC)	
	Saddleback Residential Estate Conventional	Saddleback Residential Estate (Cluster Option)	Saddleback Residential Very Low Density Conventional	Saddleback Residential Very Low Density (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 1 & Cluster)	Saddleback Residential Cottage (Attached)
Min. Parcel Size	-	5 Acres	-	5 Acres	-	5 Acres	5 Acres	-	5 Acres	5 Acres	5 Acres	5 Acres
Min. Lot Size (sq. ft.)	35,000	-	13,000	-	9,000	-	9,000	-	-	6,000	-	4,500
Min. Lot Width	110'	45'	75'	45'	60'	45'	45'	50'	45'	45'	35'	35'
Min. Front Yard Setback	30' to Face of Garage building 25' to 20' to garage if side entry	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	20', 12' with shared driveway	20', 12' with shared driveway
Side Yard Setback	30' Aggregate with 10' min. on least side	8' Aggregate, 0' allowed on one side with 8' min. on opposite side yard	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.	10' Aggregate, 0' allowed on one side with 10' 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.	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.	Aggregate, 0' allowed on one side with 15' min. on opposite side yard.
Rear Yard Setback	25'	15'	20'	15'	20'	15'	15'	15'	15'	15'	15'	15'
Maximum Height	28'	28'	28'	28'	28'	28'	28'	28'	28'	28'	28'	28'

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

## **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.

## HILLSIDE DEVELOPMENT STANDARDS

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### 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 Hillside Development Overlay District. The provisions of this Article may not be modified, except as expressly provided within this Article. ~~All rezoning applications including Planned Community (PC) and Planned Area Developments (PAD) shall conform with the provisions of this Article unless expressly modified through an approved PC or PAD District Standards/Guidelines Report and Development Plan.~~ FOR PURPOSES OF IMPLEMENTING THE SADDLEBACK HILLSIDE DEVELOPMENT STANDARDS, "PARCEL" SHALL MEAN A PORTION OR PLOT OF LAND, SUCH AS A SUBDIVISION PLAT OR SITE PLAN AREA, THAT IS A DIVISION OF A LARGER AREA, SUCH AS A DEVELOPMENT UNIT. WITHIN SADDLEBACK AND NOTWITHSTANDING ANYTHING IN THIS ARTICLE TO THE CONTRARY, THE HILLSIDE DEVELOPMENT OVERLAY DISTRICT SHALL BE APPLIED ON A PARCEL BY PARCEL BASIS, RATHER THAN ON THE BASIS OF INDIVIDUAL LOTS. DISTURBANCE AND DWELLING UNITS WITHIN SADDLEBACK HILLSIDE AREAS WILL COMPLY WITH TABLES-1 AND 2, BELOW. DISTURBANCE AND DWELLING UNITS THAT ARE ALLOWED WITHIN PRESERVED PUBLIC AND PRIVATE OPEN SPACE WILL BE CALCULATED AND HELD IN RESERVE SO THAT THEY CAN BE TRANSFERRED TO OTHER PARCELS WITHIN SADDLEBACK. SADDLEBACK WILL CREATE A PARCEL BY PARCEL ANALYSIS THAT WILL PERMIT PARCELS TO BALANCE THE AMOUNT OF DISTURBANCE ALLOWED AND DWELLING UNITS ALLOWED WITHIN THE PARCEL BASED ON TABLE-1 AND TABLE -2.

**SECTION 2 DENSITY**

- A. The maximum number of residential lots or units permitted within hillside development areas shall be the sum of the number of lots allowed by the zoning district, or the sum of the number of lots allowed in each slope category of land as shown by the following table, whichever is the lesser number.

**TABLE - 1  
DENSITY ALLOCATION**

<b>Slope of Land</b>	<b>Maximum Number of Lots Per Gross Acre</b>
10% to 15%	1.50 <sup>(1)</sup>
15% to 20%	1.00 <sup>(1)</sup>
20% to 25%	0.70
25% to 30%	0.50
30% to 35%	0.30
35% to 40%	0.20
40% & Over	0.10

(1) The allowable density within the 10-15% and 15-20% slope categories may exceed the Maximum Number of Lots Per Gross Acre shown above when density is transferred from a higher slope category. In no case shall the density exceed the sum of the number of lots allowed by the zoning district. SADDLEBACK CONTAINS UNIQUE MESAS AND PLATEAUS IN THE HILLSIDE AREAS THAT RESULT IN LOWER SLOPE CATEGORIES BEING FOUND IN HIGHER ELEVATIONS. THUS, SUBJECT TO SECTION 11, DENSITY AND DISTURBANCE MAY BE TRANSFERRED FROM A HIGHER SLOPE CATEGORY TO LOCATIONS OF HIGHER ELEVATION WITHIN THE 10-15% OR 15-20% SLOPE CATEGORIES.

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 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 Section 13

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

#### SECTION 4 GENERAL PROVISIONS FOR CONSTRUCTION ON A HILLSIDE LOT

- A. No residential lot or parcel within a Hillside Development Overlay District and having DISTURBANCE IN THE slope areas in excess of twenty percent (20%) shall be subdivided or split to provide less than ~~one acre~~ THREE THOUSAND FIVE HUNDRED (3,500) FEET. No residential lot or parcel within a Hillside Development Overlay District and having slope areas between ten and twenty percent (10-20%) shall be subdivided or split to provide more density than is permitted in Table 1, where no density transfer has occurred. In those situations where a density transfer is being utilized, the increased density permitted under Table 1 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 within the ten to fifteen (10-15%) slope category, no residential lot shall be subdivided or split to provide less than ~~ten thousand (10,000)~~ THREE THOUSAND FIVE HUNDRED (3,500) square feet. In those situations where density has been transferred from a higher slope category to a lower slope category within the fifteen to twenty percent (15-20%) slope category, no residential lot shall be subdivided or split to provide less than ~~thirty-two thousand (32,000)~~ THREE THOUSAND FIVE HUNDRED (3,500) square feet.
- C. No residential lot within the Hillside Development Overlay District and having slope areas in excess of fifteen percent (15%) shall have a front lot width less than ~~seventy-five (75)~~ THIRTY-FIVE (35) feet. The front lot width of all flag lots located within the 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~~-THREE hundred and fifty (350) feet from the front lot line of the flag lot.
- D. Building setbacks shall be as required by the zoning district.
- E. Maximum lot coverage by the main building and all accessory buildings shall not occupy more than that permitted by the zoning district ~~DEVELOPMENT OPTION~~. ~~or Table 2, whichever is the lesser area.~~
- F. No RESIDENTIAL building shall exceed a height of ~~twenty-eight (28)~~ THIRTY (30) feet, above the natural grade of the land at any section through the structure. NO NONRESIDENTIAL BUILDING SHALL EXCEED A HEIGHT OF FORTY-EIGHT (48) FEET, OR SIXTY (60) FEET WITH THE APPROVAL OF THE PLANNING AND ZONING

**COMMISSION, ABOVE THE NATURAL GRADE OF THE LAND AT ANY SECTION THROUGH THE STRUCTURE.**

- 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**

<b>Building Site Slope Category</b>	<b>Maximum Disturbed Area<sup>(2)</sup></b>	<b>Maximum Lot Coverage<sup>(4)</sup></b>
10% to 15%	25%	30% <sup>(3)</sup>
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) feet 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 located wholly or partially within three hundred (300) feet of the perimeter of the property.

The applicant shall be responsible for submitting to the Community Development Department a list of all property owners of record located wholly or partially within three hundred (300) feet of the affected property, two sets of first class stamped envelopes containing the name and mailing address of all property owners within three hundred (300) feet of the affected property and a completed affidavit of accuracy for the submittal package.

3. A copy of the appeal and complete file shall be transmitted to the hearing officer. The hearing officer shall hold a hearing and provide the applicant and 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.
4. The hearing officer shall have the authority to approve, deny or modify the request.

**B. Appeals to the City Council.**

1. An applicant, the City or any property owner within three hundred (300) feet of the affected property 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 Community Development Director.
2. A notice of the appeal shall be mailed at least fifteen (15) days prior to the Council meeting in which the appeal is heard to each property owner situated wholly or partially within three hundred (300) feet of the property to which the plan relates. The applicant shall provide the Community Development staff with the names and addresses and addressed and stamped envelopes for all property owners within three hundred (300) feet of the property. The 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 shall present their positions.
4. The City Council shall have the authority to affirm, overrule or modify the decision of the hearing officer.

**SECTION 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 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.

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

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**

<b>SADDLEBACK HEIGHTS SLOPE ACREAGE - TABLE 4</b>	
<b>State Land - Village "F"</b>	
<b>SLOPE CATEGORY</b>	<b>ACRES</b>
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
<b>TOTAL</b>	<b>160.03</b>

\*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.

<b>SADDLEBACK HEIGHTS SLOPE ACREAGE - TABLE 5</b>	
<b>State Land - Village "G"</b>	
<b>SLOPE CATEGORY</b>	<b>ACRES</b>
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
<b>TOTAL</b>	<b>579.95</b>

\*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.

<b>SADDLEBACK HEIGHTS DEVELOPMENT VILLAGE SLOPE CALCULATIONS- TABLE 6</b>							
<b>SLOPE CATEGORY</b>	<b>DEVELOPMENT VILLAGE 'A' TOTAL ACRES</b>	<b>DEVELOPMENT VILLAGE 'B' TOTAL ACRES</b>	<b>DEVELOPMENT VILLAGE 'C' TOTAL ACRES</b>	<b>DEVELOPMENT VILLAGE 'D' TOTAL ACRES</b>	<b>DEVELOPMENT VILLAGE 'E' TOTAL ACRES</b>	<b>DEVELOPMENT VILLAGE 'F' TOTAL ACRES (STATE LAND)</b>	<b>DEVELOPMENT VILLAGE 'G' TOTAL ACRES (STATE LAND)</b>
0% - 10%	315.39	314.57	306.36	190.52	57.91	95.81	188.71
10% - 15%	61.80	153.14	276.54	192.65	9.30	31.75	100.80
15% - 20%	38.23	141.13	259.69	216.09	5.10	14.28	80.73
20% - 25%	30.37	136.35	244.98	207.95	3.82	7.87	63.84
25% - 30%	24.82	137.47	216.14	181.97	2.97	4.61	51.12
30% - 35%	16.35	141.56	174.19	150.17	2.06	2.45	38.82
35% - 40%	8.58	133.92	117.77	109.57	1.09	1.38	27.13
40% +	10.71	325.85	155.91	187.19	1.08	1.87	28.80
<b>TOTAL</b>	<b>506.25</b>	<b>1484.00</b>	<b>1751.58</b>	<b>1436.12</b>	<b>83.33</b>	<b>160.03</b>	<b>579.95</b>

\*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 a 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 major washes 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 envelops 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.

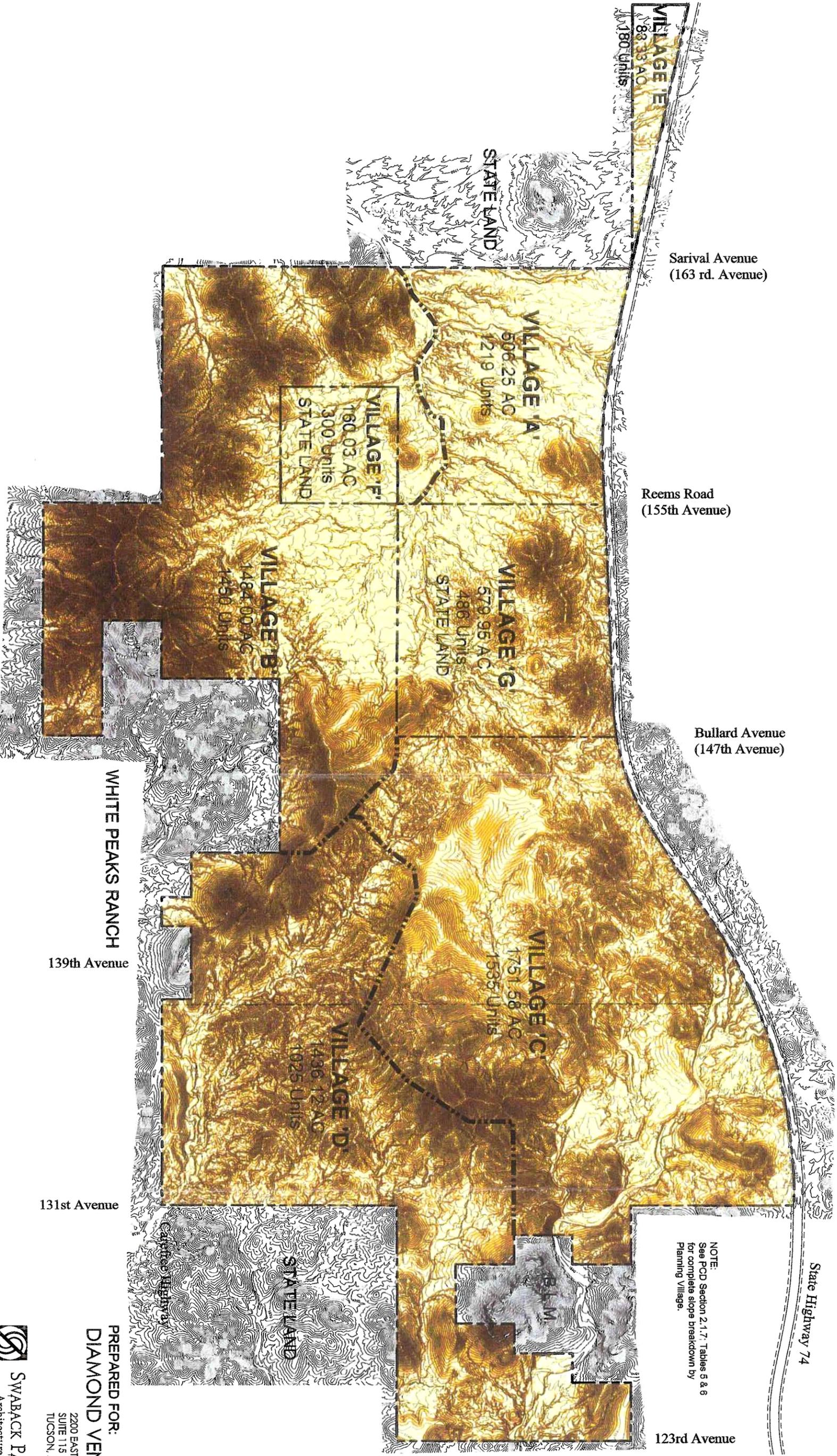
**RESORT OVERLAY DISTRICT**- The Resort Overlays denote areas that due to their natural features and scenic qualities may be preserved for resort development. Resort developments should preserve these qualities and provide a range of residential densities (including casitas, timeshare residential, and 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



SADDLEBACK HEIGHTS SLOPE ACREAGE	
0 - 10% = 1190.98 AC	40% + = 686.72 AC
10 - 15% = 697.52 AC	TOTAL = 5261.29 AC
15 - 20% = 657.79 AC	40% + = 868.91 AC
20 - 25% = 616.72 AC	TOTAL = 5261.29 AC
25 - 30% = 590.24 AC	35 - 40% = 482.50 AC
30 - 35% = 482.50 AC	30 - 35% = 281.19 AC
35 - 40% = 368.91 AC	25 - 30% = 229.17 AC
40% + = 686.72 AC	20 - 25% = 172.5 AC
TOTAL = 5261.29 AC	15 - 20% = 132.82 AC
0 - 10% = 100.03 AC	10 - 15% = 29.92 AC
10 - 15% = 29.92 AC	5 - 10% = 1.29 AC
15 - 20% = 13.32 AC	40% + = 1.87 AC
20 - 25% = 7.25 AC	TOTAL = 160.03 AC
25 - 30% = 4.28 AC	35 - 40% = 1.29 AC
30 - 35% = 2.91 AC	30 - 35% = 2.91 AC
35 - 40% = 1.29 AC	25 - 30% = 2.91 AC
40% + = 1.87 AC	20 - 25% = 2.91 AC
TOTAL = 160.03 AC	15 - 20% = 2.91 AC
0 - 10% = 209.48 AC	10 - 15% = 119.17 AC
10 - 15% = 119.17 AC	5 - 10% = 87.81 AC
15 - 20% = 87.81 AC	20 - 25% = 63.82 AC
20 - 25% = 63.82 AC	15 - 20% = 5.19 AC
25 - 30% = 5.19 AC	10 - 15% = 38.79 AC
30 - 35% = 38.79 AC	5 - 10% = 27.13 AC
35 - 40% = 27.13 AC	40% + = 28.79 AC
40% + = 28.79 AC	TOTAL = 679.88 AC

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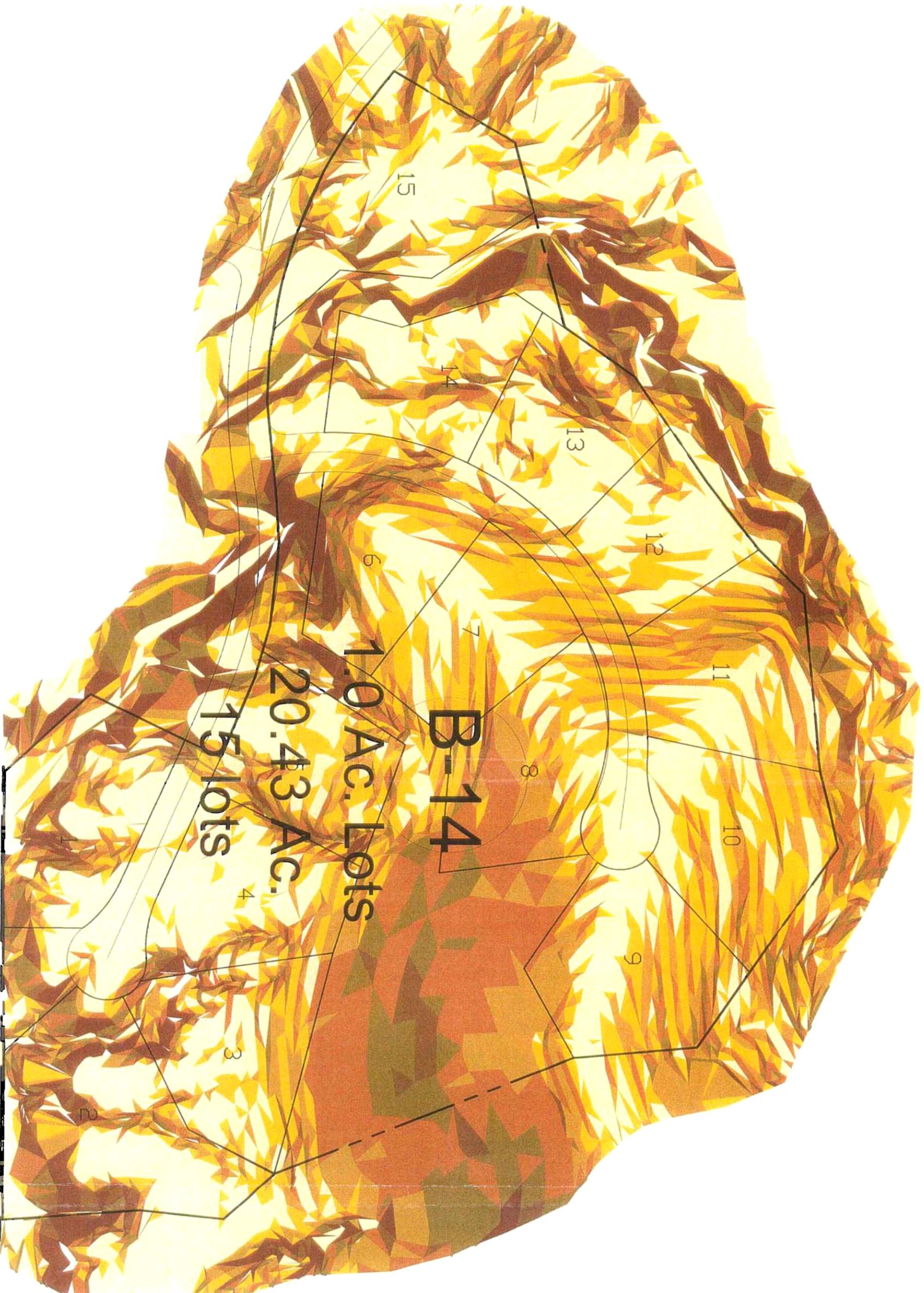
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**2.1.12 PARCEL SLOPE ANALYSIS EXAMPLE**

Saddleback  
Heights

Parcel  
Slope Analysis  
Example



**B-14**  
1.0 Ac. Lots  
20.43 Ac.  
15 lots

**Parcel B22**  
**SLOPE ACREAGE**

0 - 10% = 3.3 AC or 143,748 s.f.
10 - 15% = 4.9 AC or 213,444 s.f.
15 - 20% = 4.75 AC or 206,910 s.f.
20 - 25% = 3.70 AC or 161,172 s.f.
25 - 30% = 0.75 AC or 32,670 s.f.
30 - 35% = 0.65 AC or 28,314 s.f.
35 - 40% = 1.13 AC or 49,222.8 s.f.
40% + = 0.95 AC or 41,382 s.f.
<b>TOTAL = 20.43 AC</b>

**NOTE:**  
All Parcels shall comply with the Saddleback Heights Hillside Development Standards. See Attached chart for the applied versions of Table-1 and Table-2 of the Saddleback Heights Hillside Development Standards.

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**2.1.13 PARCEL SLOPE ANALYSIS EXAMPLE TABLE-7 & TABLE-8 MATRICES**

SADDLEBACK HEIGHTS			
HILLSIDE DEVELOPMENT OVERLAY TABLE - 7 DENSITY ALLOCATION PARCEL B-14		DENSITY ALLOCATION TABLE - 7 APPLIED	
SLOPE OF LAND	MAXIMUM NUMBER OF LOTS PER GROSS ACRE	NUMBER OF GROSS ACRE PER SLOPE CATEGORY	TOTAL NUMBER OF LOTS ALLOWED
10% - 15%	1.5	4.9	7.35
15% - 20%	1.0	4.75	4.75
20% - 25%	0.7	3.7	2.59
25% - 30%	0.5	0.75	0.375
30% - 35%	0.3	0.65	0.195
35% - 40%	0.2	1.13	0.226
40% - OVER	0.1	0.95	0.095
SUB TOTAL		16.83	16
0% - 10%	2	3.3	6.6
TOTAL		20.13	22

**SADDLEBACK HEIGHTS**

**HILLSIDE DEVELOPMENT OVERLAY  
TABLE - 8 DISTURBANCE AND COVERAGE  
PARCEL B-14**

**TABLE - 8 APPLIED**

<b>BUILDING SITE SLOPE CATEGORY</b>	<b>MAXIMUM DISTURBED AREA</b>	<b>MAXIMUM LOT COVERAGE</b>	<b>COMBINED DISTURBED AREA AND LOT COVERAGE</b>	<b>NUMBER OF GROSS ACRE PER SLOPE CATEGORY</b>	<b>COMBINED DISTURBED AREA AND LOT COVERAGE</b>	<b>TOTAL DISTURBANCE ALLOWED (ACRES)</b>
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
<b>SUB TOTAL</b>			<b>16.83</b>			<b>7.0</b>
0% - 10%	100%	100%	100%	3.3	100%	3.30
<b>TOTAL</b>			<b>20.13</b>			<b>10.9</b>

# 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 9**

LAND USE CATEGORY	DEVELOPMENT VILLAGE “A”	DEVELOPMENT VILLAGE “B”	DEVELOPMENT VILLAGE “C”	DEVELOPMENT VILLAGE “D”	DEVELOPMENT VILLAGE “E”	DEVELOPMENT VILLAGE “F” (State Land)	DEVELOPMENT VILLAGE “G” (State Land)
Saddleback Heights Residential Acreage	506.25	1484.00	1751.58	1436.12	0	160.03	549.95
Commercial Acreage	0	0	0	0	0	0	30
Mixed Use Acreage	0	0	0	0	83.33	0	0
Total Gross Acres	506.25	1484	1751.58	1436.12	83.33	160.03	579.95
Maximum Number of Residential Units	1219	1450	1535	1025	180	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 9** 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 137<sup>th</sup> 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.

### 3.9 PHASING PLAN

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 fifteen (15) years. Due to the time frame for build out of the community, all development and related infrastructure will be built in phases. Development is anticipated to begin on the northwest portion of the Property and move southeast. Phasing will begin in Village B with the major access being developed north to south from State Route 74 through Village A. This will create a natural open space entry that will allow people to both decompress from the 65 mph speed of SR 74 and will set the tone for the environmentally sensitive and diverse nature of the project. Phase 1, Village B, will likely take three years to develop. Phase 2 will include Village A and will also be approximately a three-year phase based on absorption and market. Phase 2 will also allow access out to the Sarival, 163<sup>rd</sup> Alignment. Phase 3 will be dependent on the sale and acquisition of Villages F & G from State Land. If they are placed in the five (5) year disposition and Diamond Ventures is able to acquire the Villages, they will be developed in conjunction with Village C. Development of Villages F & G will allow Phase 1 & 2 Villages B & A to connect infrastructure with Village C. This will allow Village C to develop with Phase 1 & 2 from the south and west and bring infrastructure from SR-74 from the north and east. This is anticipated to be approximately six year phase combining three villages. Village E & D would then be developed as Phase 4.

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 Phases 1-4. 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 Plan Section 3.10.6**. The phasing for

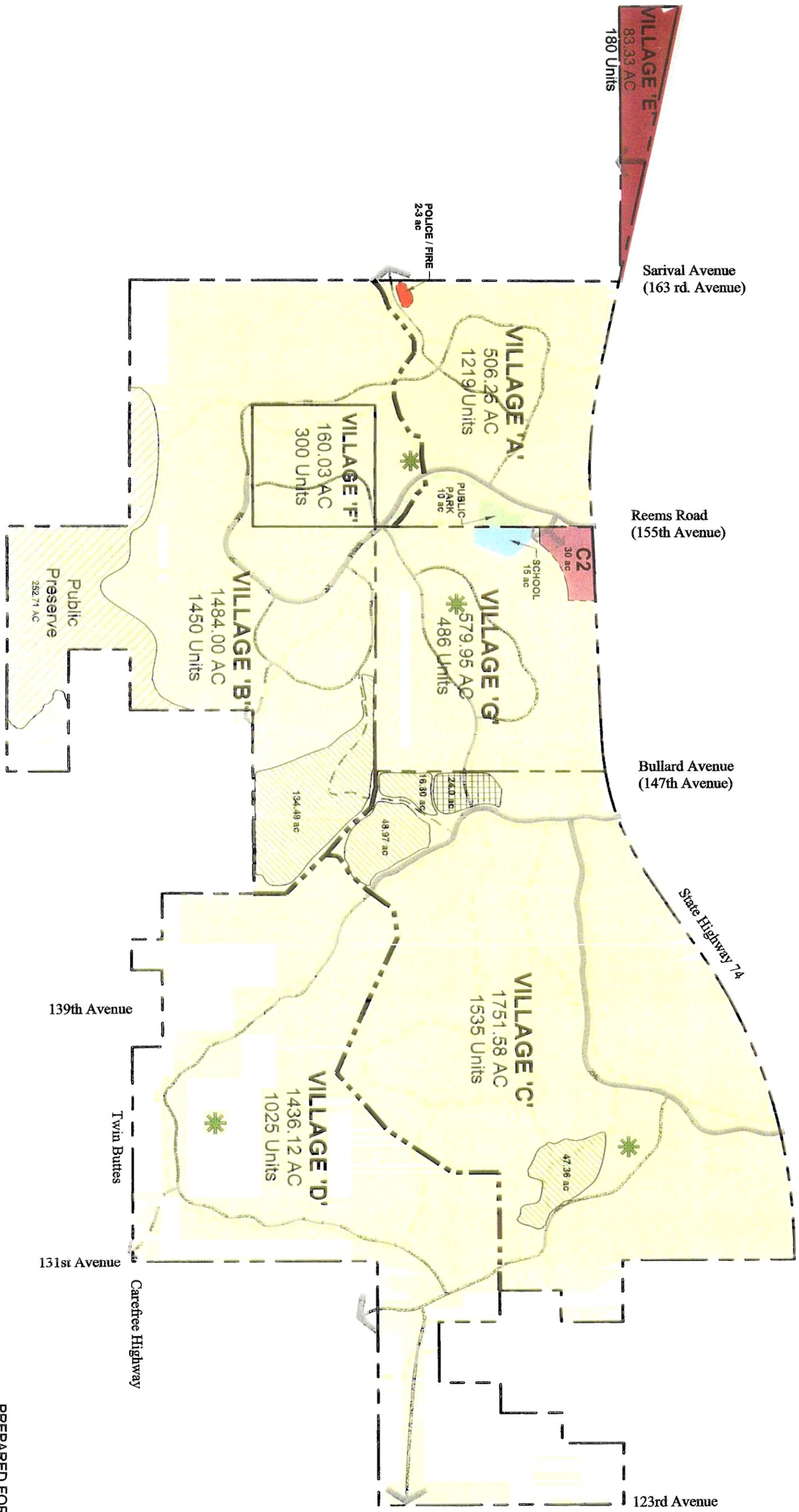
development infrastructure shall be identified and approved as part of the approval process for the various master plan studies referenced in Sections 3.5, 3.6, 3.7 and 3.8. Infrastructure plans will be updated subsequent to changes in the phasing plan and such revisions may be approved administratively.

**3.10 DEVELOPMENT PLAN - MAPS & PLANS**

**3.10.1 Zoning Map**

# Saddleback Heights

## Planned Community Plan



**LEGEND**

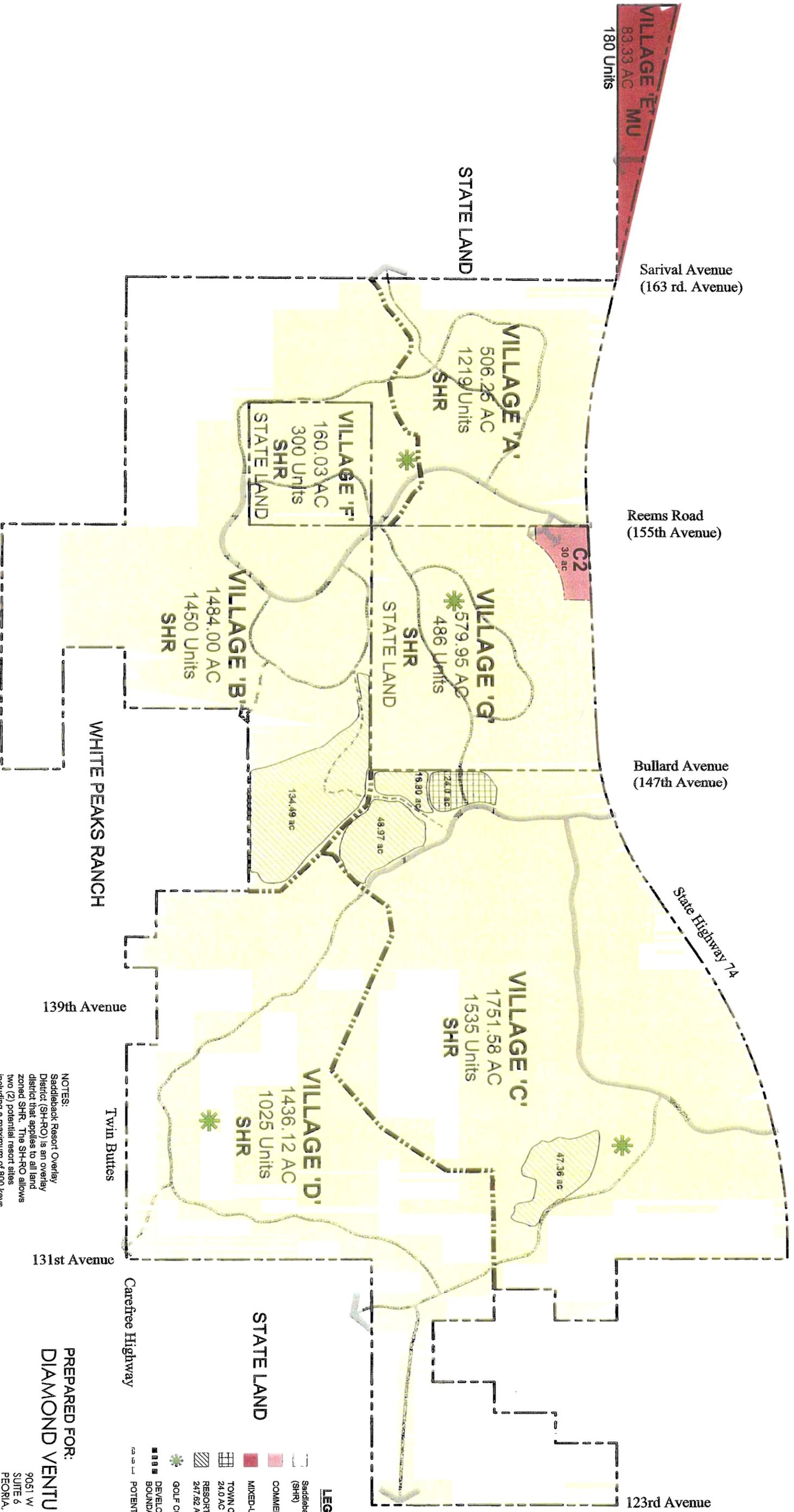
- Saddleback Heights Resident (SHR)
- Commercial (C2)
- Mixed-Use (MU)
- Public Preserve
- School
- Park
- Police / Fire
- Resort Overlay
- Town Center Overlay
- Potential Open Space Lin
- Golf Course Study Area
- Village Boundary
- Potential Road

**NOTES:**  
 Saddleback Resort Overlay Dist (SH-RO) is an overlay district that applies to all land zoned SHR. T SH-RO allows two (2) potential resort sites including a maximum 800 keys.  
 Resort Overlay may be relocated within the PCD boundary as a minor amendment.  
 Though four (4) potential golf course study areas exist within Saddleback, only three (3) may be developed.

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 N 1



**LEGEND**

	Saddleback Heights Resident (SHR)
	COMMERCIAL (C2)
	MIXED-USE (MU)
	TOWN CENTER OVERLAY 24.0 AC
	RESORT OVERLAY 247.62 AC
	GOLF COURSE STUDY AREA
	DEVELOPMENT VILLAGE BOUNDARY
	POTENTIAL ROAD

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 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.  
 Resort Overlay may be relocated within the PCD boundary as a minor amendment.  
 Through four (4) potential golf course study areas exist within Saddleback, only three (3) may be developed.

### **3.10.2 Planned Community Plan**

### 3.10.3 Open Space Plan

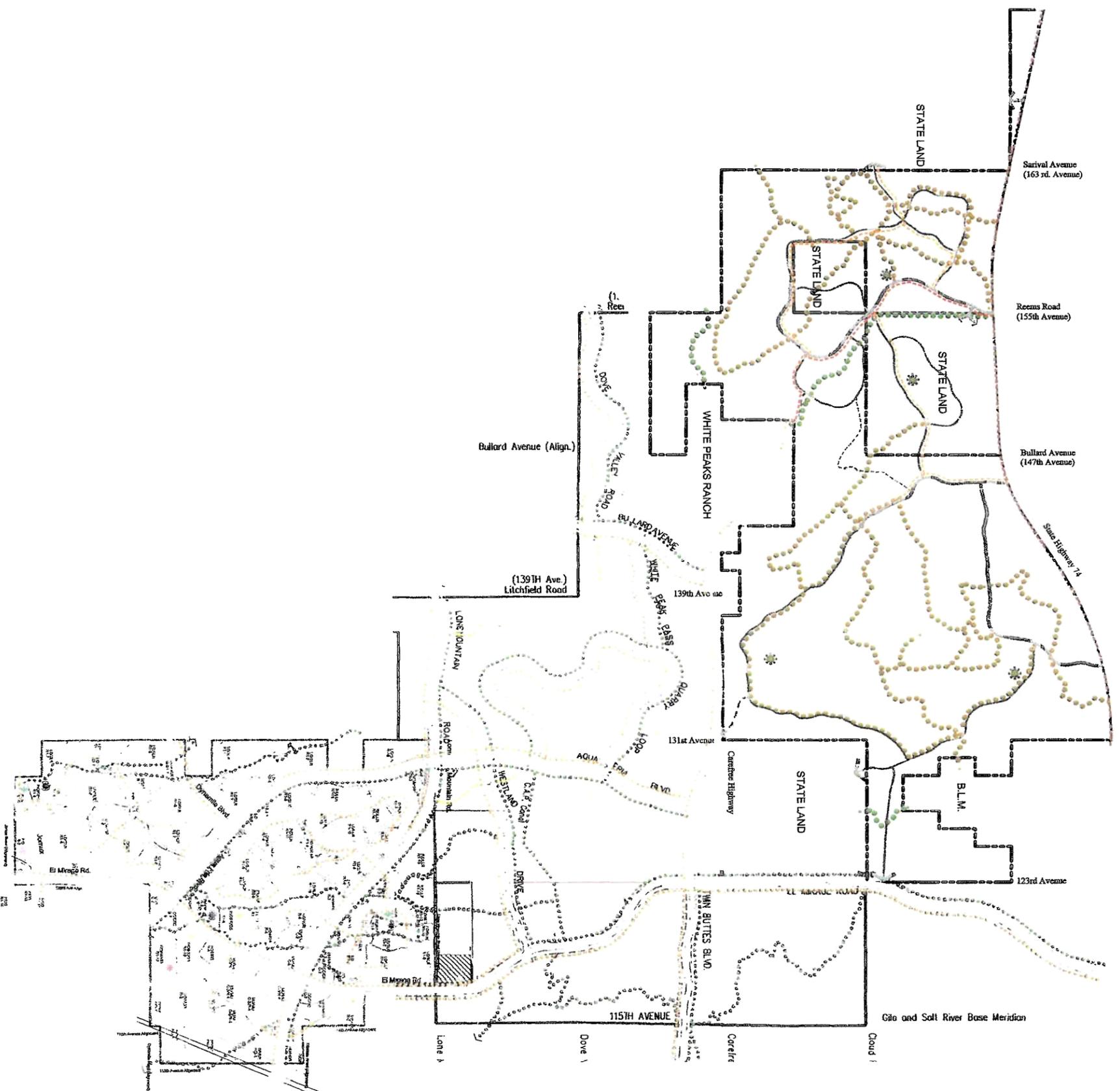
### **3.10.4 Paths & Trails Plan**



### **3.10.5 Paths & Trails Regional Context Map**

# Saddleback Heights

## Path & Trail Regional Context Map



- LEGEND**
- 10' WIDE CONCRETE PUBLIC MULTI-USE PATH
  - 8' WIDE CONCRETE PUBLIC MULTI-USE PATH
  - 8' WIDE CONCRETE PRIVATE MULTI-USE PATH
  - 6' WIDE NATURAL SURFACE PUBLIC PEDESTRIAN TRAIL
  - 6' WIDE NATURAL SURFACE PRIVATE TRAIL (3'-9" WIDTH VARIES)
  - Open Space Access
  - 8' Wide Concrete Multi-Use Trail
  - 8' Wide Natural Surface Pedestrian Trail
  - Private Trail (3'-9" Width Varies)
  - GOLF COURSE STUDY AREA

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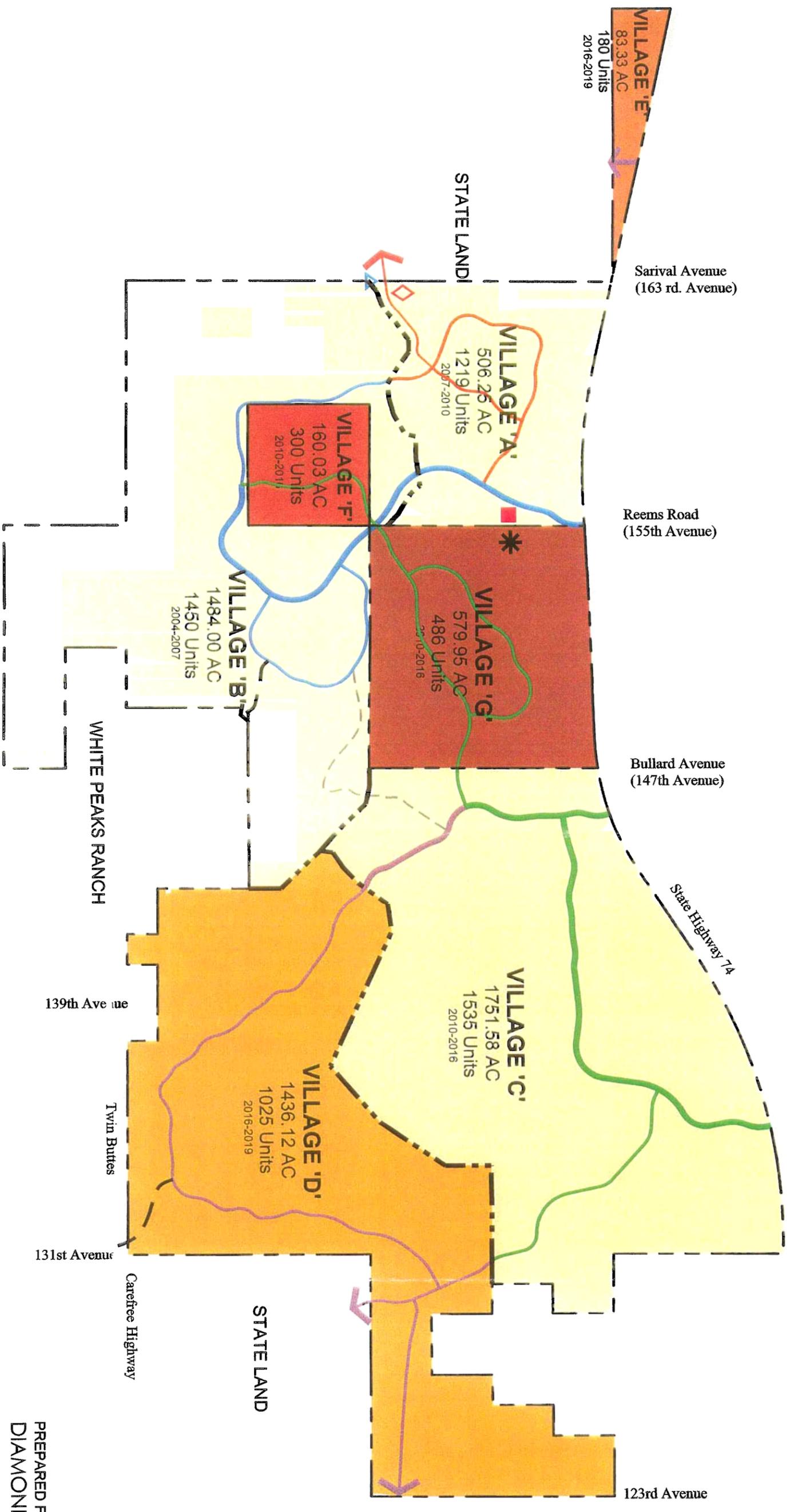
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### **3.10.6 Phasing Plan**

Phasing Plan



- LEGEND**
- VILLAGE 'A' - PHASE 2
  - VILLAGE 'B' - PHASE 1
  - VILLAGE 'C' - PHASE 3
  - VILLAGE 'D' - PHASE 4
  - VILLAGE 'E' - PHASE 4
  - VILLAGE 'F' - PHASE 3
  - VILLAGE 'G' - PHASE 3

- POTENTIAL ROAD
- PHASE '1' - 2004-2007 INFRASTRUCTURE
- PHASE '2' - 2007-2010 INFRASTRUCTURE
- PHASE '3' - 2010-1016 INFRASTRUCTURE
- PHASE '4' - 2016-2019 INFRASTRUCTURE
- GENERAL LOCATION OF PUBLIC PARK SITE
- GENERAL LOCATION OF SCHOOL SITE
- GENERAL LOCATION OF POLICE / FIRE
- GENERAL LOCATION OF WATER TREATMENT FACILITY & UTILITY CAMPUS

**NOTES:**  
 Development may occur in all or part of any village simultaneously.  
 Development sequence is currently thought to follow that set forth in this exhibit and the attached master plans; should timing or location of development change, related master plans will be revised administratively.  
 Villages F & G contain state land parcels that may develop a project entirely independent of the project currently designed in the attached master plans to do so.

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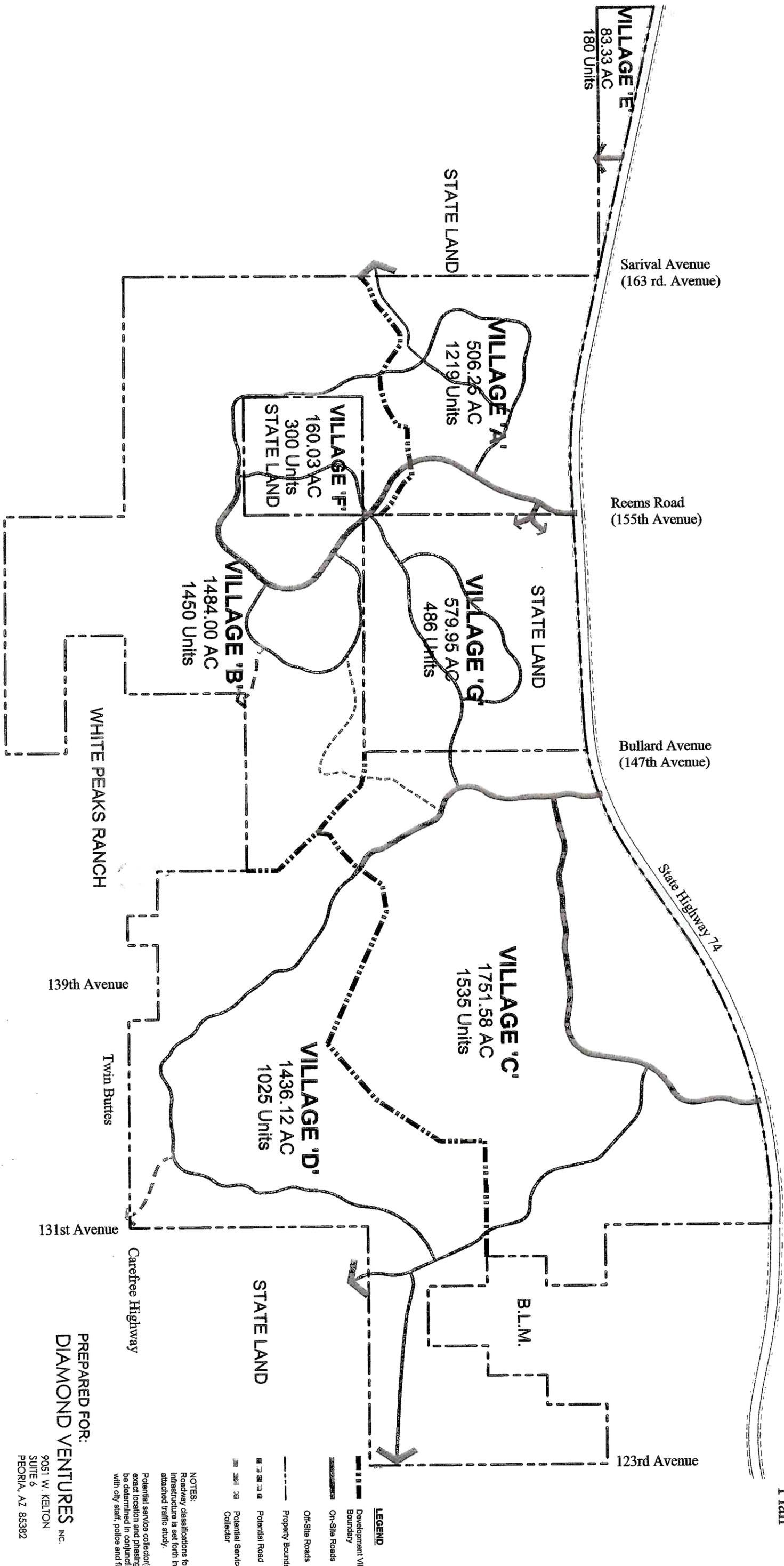


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### **3.10.7 Circulation Plan**

Saddleback Heights

Circulation Plan



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 25 JANUARY 2002  
 REVISED: 16 SEPTEMBER 2002

**3.10.8 Archaeology & Cultural/Historic Resources Map  
(See Report Submitted Under Separate Cover)**

### 3.10.9 Conceptual Land Use Plan



**TABLE - 10**  
**SADDLEBACK HEIGHTS**  
**CONCEPTUAL LAND USE MATRIX**  
**VILLAGE 'A'**

	<b>PARCEL</b>	<b>GROSS ACREAGE</b>	<b>DEVELOPMENT TYPE</b>	<b>DENSITY</b>	<b>UNITS</b>
<b>VILLAGE 'A'</b>	A1	41.78	MD	3.50	146
	A2	19.42	MD	3.50	68
	A3	12.09	MD	3.50	42
	A4	24.30	MD	3.50	85
	A5	24.79	MD	3.50	87
	A6	16.46	MD	3.50	58
	A7	49.01	MD	3.50	172
	A8	54.03	MD	3.50	189
	A9	38.82	MD	3.50	136
	A10	22.59	MD	3.50	79
	A11	25.94	MD	3.50	91
	A12	8.86	MD	3.50	31
	A13	3.81	MD	3.50	13
	A14	22.07	SC	5.00	110
	A15	20.70	MD	3.50	72
	A16	15.56	SCHOOL		0
<b>VILLAGE 'A' SUB TOTAL</b>		<b>400.23</b>			<b>1,379</b>
		<b>ACREAGE</b>	<b>DEVELOPMENT TYPE</b>	<b>DENSITY OF TYPE</b>	<b>UNITS</b>
		362.60	MD	3.50	1,269
		15.56	SCHOOL		0
		22.07	SC	5.00	110

**TABLE - 10**  
**SADDLEBACK HEIGHTS**  
**CONCEPTUAL LAND USE MATRIX**  
**VILLAGE 'B'**

	<b>PARCEL</b>	<b>GROSS ACREAGE</b>	<b>DEVELOPMENT TYPE</b>	<b>DENSITY</b>	<b>UNITS</b>
<b>VILLAGE 'B'</b>	B1	30.74	SC	5.00	154
	B2	6.31	MD	3.50	22
	B3	18.36	MD	3.50	64
	B4	40.29	MD	3.50	141
	B5	13.01	MD	3.50	46
	B6	11.67	VLD	2.00	23
	B7	15.31	VLD	2.00	31
	B8	37.54	MD	3.50	131
	B9	25.05	MD	3.50	88
	B10	27.62	MD	3.50	97
	B11	11.29	MD	3.50	40
	B12	73.87	VLD	2.00	148
	B13	12.23	MD	3.50	43
	B14	76.39	RE	1.00	76
	B15	15.08	VLD	2.00	30
	B16	50.09	RE	1.00	50
	B17	50.49	RE	1.00	50
	B18	68.17	RE	1.00	68
	B19	46.43	VLD	2.00	93
	B20	101.87	RE	1.00	102
	B21	94.02	VLD	2.00	188
	B22	71.31	VLD	2.00	143
<b>VILLAGE 'B' SUB TOTAL</b>		<b>897.14</b>			<b>1827</b>
		<b>ACREAGE</b>	<b>DEVELOPMENT TYPE</b>	<b>DENSITY OF TYPE</b>	<b>UNITS</b>
		327.69	VLD	2.00	655
		347.01	RE	1.00	347
		30.74	SC	5.00	154
		191.70	MD	3.50	671

**TABLE - 10**  
**SADDLEBACK HEIGHTS**  
**CONCEPTUAL LAND USE MATRIX**  
**VILLAGE 'C'**

	PARCEL	GROSS ACREAGE	DEVELOPMENT TYPE	DENSITY	UNITS
VILLAGE 'C'	C1.1	19.66	MD	3.50	69
	C1.2	37.43	MD	3.50	131
	C1.3	37.47	MD	3.50	131
	C1.4	10.95	MD	3.50	38
	C1.5	41.13	MD	3.50	144
<b>VILLAGE 'C1' SUB TOTAL</b>		<b>146.64</b>			<b>513</b>
	C2.1	22.50	MD	3.50	79
	C2.2	43.87	MD	3.50	154
	C2.3	18.51	MD	3.50	65
	C2.4	31.11	MD	3.50	109
	C2.5	39.05	MD	3.50	137
	C2.6	35.19	RE	1.00	35
	C2.7	16.82	RE	1.00	17
	C2.8	24.77	RE	1.00	25
	C2.9	63.56	LD	3.00	191
	C2.10	47.63	RE	1.00	48
	C2.11	16.16	RE	1.00	16
	C2.12	37.50	RE	1.00	38
	C2.13	33.81	LD	3.00	101
	C2.14	30.01	COMMERCIAL		0
	C2.15	5.00	PARK SITE		0
<b>VILLAGE 'C2' SUB TOTAL</b>		<b>465.49</b>			<b>1013</b>
<b>VILLAGE 'C' OVERALL SUB TOTAL</b>		<b>612.13</b>			<b>1526</b>
		<b>ACREAGE</b>	<b>DEVELOPMENT TYPE</b>	<b>DENSITY OF TYPE</b>	<b>UNITS</b>
		97.37	LD	3.00	292
		178.07	RE	1.00	178
		301.68	MD	3.50	1056
		30.01	COMMERCIAL		0
		5.00	PARK SITE		0

VILLAGE 'D'	PARCEL	GROSS ACREAGE	DEVELOPMENT TYPE	DENSITY	UNITS
	D1	25.60	LD	3.00	77
	D2	168.48	LD	3.00	505
	D3	31.36	LD	3.00	94
	D4	25.32	LD	3.00	76
	D5	17.88	LD	3.00	54
	D6	24.42	LD	3.00	73
	D7	45.05	LD	3.00	135
	D8	14.44	LD	3.00	43
	D9	50.95	LD	3.00	153
	D10	51.23	MD	3.50	179
	D11	39.91	MD	3.50	140
	D12	21.15	MD	3.50	74
	D13	12.76	LD	3.00	38
	D14	29.75	LD	3.00	89
	D15	45.99	LD	3.00	138
	D16	10.82	RE	1.00	11
	D17	25.57	LD	3.00	77
	D18	30.89	LD	3.00	93
	D19	12.70	LD	3.00	38
	D20	56.23	RE	1.00	56
	D21	12.38	CLUBHOUSE		0
	D22	34.93	RE	1.00	35
	D23	4.86	PARK		0
	D24	16.14	RE	1.00	16
	D25	31.05	RE	1.00	31
	D26	10.15	RE	1.00	10
	D27	11.96	VLD	2.00	24
	D28	50.58	VLD	2.00	101
	D29	26.41	VLD	2.00	53
	D30	10.39	RE	1.00	10
	D31	36.18	RE	1.00	36
	D32	9.39	RE	1.00	9
	D33	59.23	VLD	2.00	118
	D34	43.59	RE	1.00	44
	D35	20.48	RE	1.00	20
	D36	6.96	RE	1.00	7
	D37	20.05	RE	1.00	20
	D38	52.54	RE	1.00	53
	D39	44.58	MD	3.50	156
	D40	13.97	MD	3.50	49
	D41	76.93	LD	3.50	231
<b>VILLAGE 'D' SUB TOTAL</b>		<b>1333.25</b>			<b>3,167</b>
		<b>ACREAGE</b>	<b>DEVELOPMENT TYPE</b>	<b>DENSITY OF TYPE</b>	<b>UNITS</b>
		638.09	LD	3.00	1914
		358.90	RE	1.00	359
		170.84	MD	3.50	598
		148.18	VLD	2.00	296
		12.38	CLUBHOUSE		0
		4.86	PARK		0

	PARCEL	GROSS ACREAGE	DEVELOPMENT TYPE	DENSITY	UNITS
VILLAGE 'E'	E1	38.37	RE	1.00	38
	E2	35.88	RE	1.00	36
	E3	35.39	RE	1.00	35
	E4	67.47	RE	1.00	67
	E5	44.59	RE	1.00	45
	E6	88.71	RE	1.00	89
	E7	84.61	RE	1.00	85
	E8	74.52	RE	1.00	75
	E9	42.68	RE	1.00	43
	E10	29.46	RE	1.00	29
	E11	35.80	RE	1.00	36
	E12	18.98	RE	1.00	19
	E13	26.56	RE	1.00	27
	E14	43.43	RE	1.00	43
	E15	67.58	RE	1.00	68
	E16	18.32	RE	1.00	18
	E17	14.11	LD	3.00	42
	E18	34.75	LD	3.00	104
	E19	40.97	LD	3.00	123
	E20	70.69	VLD	2.00	141
<b>VILLAGE 'E' SUB TOTAL</b>		<b>912.87</b>			<b>1163</b>
		<b>ACREAGE</b>	<b>DEVELOPMENT TYPE</b>	<b>DENSITY OF TYPE</b>	<b>UNITS</b>
		89.83	LD	3.00	269
		752.35	RE	1.00	753
		70.69	VLD	2.00	141

PROJECT UNIT SUB TOTAL	ACREAGE		UNITS
VILLAGE 'A'	400.23		1379
VILLAGE 'B'	897.14		1827
VILLAGE 'C'	612.13		1526
VILLAGE 'D'	1333.25		3167
VILLAGE 'E'	912.87		1163
<b>PROJECT UNITS TOTALS</b>	<b>4155.62</b>		<b>9063*</b>

\* Maximum units capped at 6,195 per Section 3.1 – Land Use Plan and Table 7 of this document

LAND USE SUMMARY	PROJECTED PROJECT TOTALS	PUBLIC FACILITIES
SINGLE FAMILY HOMES	6,015 dus	Public Park (10 Acres)
APARTMENTS	180 dus	Police / Fire (2-3 Acres)
RETAIL	465,000 sq. ft.	Public Open Space (374 Acres)
SHOPPING CENTER	275,000 sq. ft.	
OFFICE	365,000 sq. ft.	
EMPLOYMENT	300,000 sq. ft.	
RESORT HOTEL	800 Rooms	
GOLF COURSE	54 Holes	
PROJECTED POPULATION	16,107 (Residents)	
ESTIMATED NADABURG ELEMENTARY SCHOOL DEMAND	997 (Students)	

SECTION IV- DEVELOPMENT AGREEMENT

**4.0 DEVELOPMENT AGREEMENT**

**CITY OF PEORIA, ARIZONA  
COUNCIL COMMUNICATION**

CC: 112-2R  
Amend No. \_\_\_\_\_

Date prepared: December 5, 2002

Council Meeting Date: December 17, 2002

TO: Terry Ellis, City Manager  
 FROM: Debra Stark, Community Development Director *VS*  
 THROUGH: Chad Daines, Planning Manager *CD*  
 PREPARED BY: Chris M. Jacques, Senior Planner  
 SUBJECT: Z 02-04 Saddleback Heights P.C.D.

Rezone a 6,052-acre parcel (9.5 square miles) zoned Single-Family Residential (R1-35), Suburban Ranch (SR-43), & General Agricultural (AG) to Planned Community District (PCD).

**Recommendation:**

The Mayor and Council concur with the Planning and Zoning Commission recommendation and adopt the attached Ordinance approving the subject rezone FROM Single-Family Residential (R1-35), Suburban Ranch (SR-43), & General Agricultural (AG) to Planned Community District (PCD), subject to the conditions contained in the Staff Report.

**Existing and Surrounding Land Use and Zoning: (Exhibit B)**

1.

Z 02-04	LAND USE	ZONING
On-Site:	Vacant	R1-35, SR-43, AG
North	Vacant (BLM)	AG
East	Vacant (Lake Pleasant Heights East)	AG, SR-43, R1-35
West	Vacant (ASLD)	AG, SR-43
South	Vacant (Vistancia - White Peak Ranch)	PCD

**CITY CLERK USE ONLY:**

Consent Agenda  
 Carry Over to Date: \_\_\_\_\_  
 Approved  
 Unfinished Business (Date heard previous: \_\_\_\_\_)  
 New Business

ORD. # 02-98 RES. # \_\_\_\_\_  
 LCON# \_\_\_\_\_ LIC. # \_\_\_\_\_  
 Action Date: 12-17-02

## **Background:**

### *Lake Pleasant Heights Specific Area Plan*

2. In 1994, the Mayor and City Council passed *Resolution 94-31*, thereby adopting the Lake Pleasant Heights Specific Area Plan ("SAP"). This Plan provided a loose land use and transportation framework encompassing approximately 9,000 acres overall (14 square miles) – which included the Torjelm/Noranda Properties ("Lake Pleasant Heights East") area. This SAP was accompanied by an Annexation and Development Agreement that established a set of basic land use rights and entitlements for the whole area.

### *Split in Ownership*

3. The original Lake Pleasant Heights SAP was recently split into two ownership groups. Diamond Ventures, Inc. retained most of the western 2/3 of the area (approx. 9.5 square miles) with the original owner, Torjelm, retaining most of the remaining 1/3 of the property. Each group subsequently sought and received approval for amendments to its portion of the original SAP. The approved ceiling of 6,500 residential homesites (for private land) was apportioned to each ownership.

### *Saddleback Heights Specific Area Plan*

4. On December 11, 2001, the Peoria City Council passed *Resolution 01-182* approving the Saddleback Heights SAP. The amendment was classified as 'minor' as it did not propose any changes to the boundaries of its portion nor entail any increase to the proportional allocation of units for the private lands.
5. The Saddleback Heights Specific Plan provided a land use and circulation framework that proposed an "enclave" concept community containing exclusive gated residential communities centered on a town center and resort overlay. The project incorporated commercial and mixed-use nodes for local needs, natural open space areas and the potential for three golf course developments.

## **Project Description:**

### *Planned Community District (PCD) Zoning*

6. Accordingly, the applicant is proposing to rezone 6,052 acres of undeveloped land from Suburban Ranch (SR-43), Single-Family Residential (R1-35) and General Agricultural (AG) to Planned Community Development (PCD). The proposed PCD was evaluated within the framework established by the approved Saddleback Heights SAP as discussed above.
7. Topographically, the area is located at the southern edge of the Hieroglyphic Mountain Range and contains diverse landforms including, rock outcroppings, rolling hill and ridge forms and pristine wash corridors supporting moderate stands of desert riparian vegetation species. The western PCD area is enclosed on the south and east with mountainous terrain gradually rising northward and eastward

rising from 1,600 to 2,300 feet (PCD, Page 78) creating a 'bowl effect' for the project. The applicant contends the rugged terrain provides the basis for the enclave community concept.

8. The PCD encompasses approximately 6,052 acres (9.5 square miles) overall which includes 756 acres under the administration of the State Land Department. The project proposes a maximum of 6,195 residential units (5,409 of which were proportionally allocated to the private land) thereby achieving an overall gross density of 1.05 dwellings per acre. Other components of the development include a maximum of 800 resort "keys" or units within the Resort Overlay District, a Town Center Overlay, an interconnecting network of public and private trails and public and private open space areas (including a *potential* of 3 golf courses). The phasing of the project would likely occur in the western one-third of the project (where the greatest unit concentration occurs) commencing at SR-74 and the Reems Road alignment (155<sup>th</sup> Avenue alignment). Overall, the project buildout is expected to occur over 15 years. In summary:

Land Use Summary	Saddleback Heights PCD
Gross Acres	6,052 (9.5 square miles)
Maximum Dwelling Units	6,195 (5409 Private, 786 State Land)
Gross Density	1.05 du's / acre
Projected Max. Population (using 2.3 p/p/h)	14,250
Residential Lot Size Range	4,500 sf "Cottage" to 35,000 sf "Estate" Lots
Public portion of open space	Approx. 375 acres
- Public Mountain Preserve	- Approx. 250 acres
- Public paths, trails & park	- Approx. 125 acres
Commercial/Employment Areas	Approx. 137 acres (24.0 acre Town Center & ~113-acres of C-2 Commercial / Mixed-Use.
Maximum Resort Keys/Units	800 rooms
Amenities	Up to 3 golf courses (54 holes)
Public Facilities	- 1 Neighborhood Park (10-acres) - 1 Joint Fire/Police Station (2-3 acres) - 1 K-8 School (Nadaburg School District)

### Development Agreement

9. The original Lake Pleasant Heights SAP included an accompanying Annexation and Development Agreement which established a set of basic land use rights and entitlements for the property including numerous contractual development provisions related to the development of the former Lake Pleasant Heights property. The recently approved Saddleback Heights SAP introduced a new land use and circulation concept for the area (the proportionate unit allocation did not change). Accordingly, staff has used that agreement as a starting point in its efforts to negotiate an amended and more appropriately structured agreement that adequately defines the obligations, costs, operations and timing for the project. The Development Agreement was introduced to the Council at its 11/19/02 Study Session. Accordingly, the Final Draft Agreement has been completed and is ready for action concurrent with this item.

## **Discussion/Analysis:**

### *PCD Land Use Plan*

10. The Saddleback Heights PC Plan (PCD, Page 98) is delineated into seven (7) separate 'development villages.' The conceptual land use mix within each development village is intended to conform with and implement the 'character' approved under the SAP. Development within each village shall follow the Zoning Map (PCD, Page 90). Most of the project has an underlying zoning designation of 'Saddleback Heights - Residential.' Subsequent platting within each SH-R area may select among five (5) development options (PCD, Page 37). To ensure that the cumulative options within each Village implement the SAP character, a composition matrix has been developed (PCD, Page 36) to provide controls on the amount of each option (by Village) which may be exercised. In any event, the Project will contain an overall Project density ceiling (6,195 units) and a Village-level density ceiling. Any changes to the PC Plan, including the shifting of units within each Village, shall be subject to Section 14-36-8 ("Amendments to an Approved PC District").
11. The PC Plan proposes approximately 137 acres of commercial and mixed-use land use at three nodes within the development. The Conceptual Land Use Map prescribes a 30-acre commercial node (C-2 standards) at SR-74 & Reems Road alignment in accordance with the approved SAP and the *Lake Pleasant Parkway Corridor Land Use Plan*. As described in the PCD document (Page 39), the Town Center Overlay is intended to provide a focal point for the community including the potential for an integration of office, retail, entertainment and residential uses. Given the overall low density of the Project, regional-level commercial needs will be satisfied at major nodes within the much larger and denser Vistancia (aka Lakeland Village & White Peak Ranch) development.

### *Circulation Plan*

12. The applicant proposes to develop an enclave community with limited access to developments to the south and east. The proposal initially created challenges relative to providing regional transportation access including access for public safety and sanitation vehicles. After numerous meetings with the City Engineer and the review of updated regional traffic modeling, the City Engineer has agreed in concept to the proposed Saddleback Heights Traffic Impact Analysis (TIA) and Circulation Plan. However, a phased TIA will be required to ensure that each phase functions as a "stand alone" system. Additionally, up to two additional north-south connections may be required for municipal service delivery at locations and phasing to be determined by the City Engineer.

### *Trails/Parks/Open Space*

13. The PCD Open Space Plan (PCD, Page 92) illustrates the public and private portions of open space linkages and areas, mountain preserve, a 10-acre

Neighborhood Park and potential golf course areas. The Plan will likely far exceed the minimum 600 acres of open space prescribed in the original development agreement. Of the 600 required acres, approximately 375 acres will be within the public domain including a 250-acre mountain preserve, a 10-acre neighborhood park, and trail and open space linkages to provide access to neighboring developments. The Development Agreement will specify the specific amount of preserve land to be dedicated as well as the necessary improvements to be completed prior to dedication.

14. The Community Services Department has required two public east-west trail corridors (along State Route 74 and along southern boundary) and two public north-south trail corridors through the development to provide access to a variety of user types and maintain connectivity with adjacent developments.
15. The Community Services Department has agreed that the given the low density and rugged terrain of the development, a Community Park site will not be needed within Saddleback Heights. However, Community Services has contended that this development will incur a residual impact on the Community Park in White Peak Ranch. Therefore, funding will be required (specified in development agreement) to assist with purchasing additional property for community parks in the White Peak development based on master plan standards.

### *Public Safety*

16. The development will reserve a site for a 2-3-acre joint Fire and Police facility in an unspecified location near the western border of the development. This site shall be deemed suitable by the Police and Fire Chiefs. Given the topography, most of the units will be located in the western part of the development. Additionally, west of the development is 2-3 square miles of flat, predominantly State Land that is designated on the Peoria General Plan for 2-5 du's/acre. The applicant is currently finalizing the structure of costs, obligations, operations, staffing and timing for providing public safety to the development and its environs through the Development Agreement.
17. During the initial stages of development, a temporary deployment is necessary. The City is committing to the level of service described below based on a number of variables that best estimate the demand for service in that area. The "estimate" of demand for service level was then tied to occupancy. Initially, police and fire coverage in that area would remain constant (current fire component at the Lake Station and one squad of officers) *until the developer pulls one-hundred (100) permits*. Thereafter, the coverage increases annually, over a six-year period, based on projected certificates of occupancy. Over that six-year period, the public safety staffing will increase to an additional police squad and a 24-hour two-person fire company.
18. The geographic location of this development creates unique service delivery challenges and initially the population base will not support the projected level of

service. To insure that this area receives an appropriate level of service and response times for the rest of the City are not impacted, the developer is contributing \$3,010,527 (adjusted for inflation) over that six-year period. In addition, if they fail to occupy approximately 200 units per year during that six-year period, they will pay a \$100,000 penalty per year. Within two years (projected as 2005), it was agreed that the Lake Station would be "relocated" to a central location on SR-74. All costs associated with the move will be borne by the developer.

### *Utilities*

19. The Master Potable Water Study and the Master Wastewater Study prepared on June 3, 2002, was deemed to be in substantial conformance with the City of Peoria standards. As the plans were prepared in consideration of the needs for this development only, prior to the approval of preliminary plats, the Plans will need to be reviewed and modified, as needed, to conform with regional water and wastewater infrastructure needs.
20. There are no current existing wastewater facilities on the site. The Saddleback Heights project will include the construction of a permanent wastewater treatment facility during Phase I of the development. This wastewater facility may ultimately be expanded to serve development north and west of the project. The subsequent site and location of all wastewater system components may vary due to the actual subdivision layout and lot yields. Staff has entered a stipulation herein to provide for the ultimate expansion of the wastewater treatment facility into the State Land portion of the PCD as there is no guarantee that Diamond Ventures, Inc. will be the successful bidder for these areas.
21. The offsite potable water for the project will be provided from CAWCD's proposed Hieroglyphic Mountains recharge facility through a "buy-in or purchase" of the existing capacity in the facility. This 50-acre recharge facility will be adjacent to the CAP aqueduct at the 163<sup>rd</sup> Avenue alignment. Transmission lines will deliver the production to a treatment plant along the western border of the project. A main booster pump station will be constructed at the treatment plant location to pump water to on-site storage tanks. The Utilities Department has commented that the water resources within Peoria's Assured Water Supply Designation for this development is sufficient to serve approximately 75% of the zoning (assuming full build out densities). If the development required additional potable water supplies, the developer must acquire, develop and pay the City for these water supplies prior to any development occurring on the property served by this additional water.

### *Hillside Requirements*

22. Recently, the City Council passed a text amendment (TA 02-03) allowing PCD and PAD development to proposed modifications to the Hillside standards through its Standards and Guidelines Report approved with the project. Accordingly, the Saddleback Heights PC Plan includes some modifications to the Hillside standards. For example, Saddleback has proposed that disturbance is calculated on a larger parcel-level area rather than individual lots to promote larger, contiguous and more

meaningful open space areas, particularly for its cluster developments. Another issue centered around the limitations of the existing Ordinance when applied to the development of golf courses, particularly to topography found in Saddleback which may be hilly (hillside) with high flatter plateau areas. The PC Plan includes language that permits golf courses to be re-contoured, albeit not necessarily to pre-existing contours. A Contour and Vegetation Plan will be required concurrently with the submittal of a Site Plan to ensure that the proposal is not detrimental to the intent of the Hillside Ordinance and advances the City's interests in providing for the protection of hillside areas.

### *Schools*

23. The applicant has coordinated its land use planning and data analysis efforts with the Nadaburg Elementary School District and the Peoria Unified School District. Accordingly, with respect to the projected generation of students, the proposal identifies an elementary school (Nadaburg School District) site in the northern part of the plan area (Village A) adjacent to the neighborhood park and multi-use trail. The Developer has signed an Assistance Agreement with PUSD and as such, the District does support the rezone (Exhibit C).

### **Findings:**

24. Based on the following findings:
- The request is consistent with the approved Saddleback Heights Specific Area Plan.
  - The request is consistent with all other General Plan elements.
  - The proposed zoning is consistent with the zoning of the surrounding area.

### **Planning & Zoning Commission Action:**

25. On December 5, 2002, the Planning and Zoning Commission voted unanimously to recommend approval of the request to rezone the subject area from Single-Family Residential (R1-35), Suburban Ranch (SR-43) and General Agricultural (AG) to Planned Community District subject to the conditions stated below:
- A. The development shall conform to the approved PC Standards Report and Development Plan dated September 16, 2002.
  - B. The development shall be limited to a maximum of 6,195 dwelling units (includes Private and State Land).
  - C. 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.

- D. 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.
- E. The Final Drainage Report shall address conditions and policies outlined in the North Peoria Area Drainage Master Plan (ADMP).
- F. The Final Drainage Report shall address the erosion hazard zone outlined in the North Peoria Area Drainage Master Plan (ADMP).
- G. Upon review of the Final Drainage Report, the final determination of basin location and size will be determined.
- H. 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.
- I. 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.
- J. 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.
- K. The Developer shall dedicate all right-of-way to the City of Peoria or ADOT as required by the City Engineer, including all "off-site" roads (SR-74, El Mirage, Sarival). Road improvements shall be per the approved Transportation Master Plan as determined by the City Engineer.
- L. The development shall include up to two additional north-south linkages for service delivery phased and located as determined by the City Engineer.
- M. The Paddleford Wastewater Treatment Plant depicted in the Master Plan shall be located on the western border of the Project to accommodate future expansion efforts 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.
- N. All water and wastewater treatment facilities (including water distribution systems, wastewater collection systems, wells, storage tanks, wastewater effluent re-use infrastructure, etc) shall be approved by the Maricopa County

Department of Environmental Services.

- O. Prior to Preliminary Plat approval, the Master Potable Water Study for Saddleback Heights (6/3/02) shall be reviewed and modified as needed to conform to regional water infrastructure needs.
- P. A detailed analysis of the proposed water recharge and recovery facility, including long-term sustainability, will be required prior to Preliminary Plat approval. This analysis shall also demonstrate how the City's redundant water supply requirement will be satisfied.
- Q. A conceptual design, which considers various potable water treatment technologies, will be required for water treatment facilities (if needed) prior to Preliminary Plat approval.
- R. A right-of-way map will be required for the off site water line route prior to preliminary plat approval.
- S. Water resources within Peoria's Assured Water Supply Designation for this development is sufficient to satisfy the potable water demands of approximately 75% of the zoning requested. If the development requires additional potable water supplies, the developer must acquire, develop and pay the City for these water supplies prior to any development occurring on property served by this additional water.
- T. Prior to Preliminary Plat approval, the Master Wastewater Study for Saddleback Heights (6/3/02) shall be reviewed and modified as needed to conform to regional wastewater infrastructure needs.
- U. A detailed analysis of the proposed water reuse system, including integration with a regional system, will be required prior to Preliminary Plat approval.
- V. A conceptual design, which considers wastewater treatment technologies, will be required for the proposed water reclamation facilities prior to preliminary plat approval.
- W. 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.
- X. In conformance with Peoria City Code, each property owner will be responsible for the maintenance of the sewer service connection from the sewer main to the building.
- Y. Items L-W shall be subject to the approval of the Peoria Utilities Director.

- Z. Any changes to the approved PC Standards Report and Development Plan or approved zoning stipulations shall be processed as an amendment to the application in accordance with Section 14-36 of the Zoning Ordinance.
- AA. The development agreement shall contain an affirmative statement indicating that the Fire Chief has continuing authority to review the level of service for this community throughout the course of development.

**Attachments:**

Exhibit A	Application
Exhibit B	Vicinity Map
Exhibit C	PUSD Letter of Support
Exhibit D	Land Use Map

**Other Attachments:**

PC Standards Report and Development Plan - dated 9/16/02 (Mayor & City Council)  
Ordinance



# PLANNING DIVISION

# REZONING

Community Development Department

APPLICATION # 70204 SUBMITTAL DATE: 1-29-02 FEES: \$21,412.80 ACCEPTED BY: LB  
 TYPE:  STANDARD  P.A.D.  AMENDED P.A.D.  P.U.D.  SPECIAL USE  
 PC DISTRICT

EXISTING ZONING: RI-35	PROPOSED ZONING: P.C. District
ADDRESS OF PROPERTY (if applicable): not applicable	
ZIP CODE:	
OWNER OF RECORD: First American Title Insurance Company Trust#4912 Bridgette Echave, Trustee	
ADDRESS: 1880 E. River Road, Suite 120	
CITY/STATE: Tucson, AZ	ZIP CODE: 85718
PHONE: 520/529-5050	FAX: 520/299-2890
OWNER'S SIGNATURE: See attached	
OTHER PARTIES OF INTEREST: Diamond Ventures, Inc., an Arizona corporation	
ADDRESS: 2280 E. River Road, Suite 115	
CITY/STATE: Tucson, AZ	ZIP CODE: 85718-6588
PHONE: 520/577-0200	FAX: 520/299-5602
INTEREST'S SIGNATURE: <i>J. M. M...</i>	
REPRESENTATIVE: Karrin Kunasek Taylor, Esq.	
ADDRESS: Biskind, Hunt & Taylor, P.L.C., 11201 N. Tatum Blvd., Ste. 330	
CITY/STATE: Phoenix, AZ	ZIP CODE: 85028
PHONE: 602/955-3452	FAX: 602/955-2272
EXISTING LAND USE: undeveloped	
PROPOSED LAND USE: Master Planned Community	
GENERAL LOCATION OF PROPERTY: South of Highway 74; north of Carefree Highway and Dove Valley Rd. alignments; east of 163rd Ave. (Sarival); and west of 123rd Ave. alignment.	
TAX PARCEL NUMBER: 503-88-1, 2, 3, 4, 5A, 9, 10, 11, 12, 13, 14, 15, 16 & 17	
GROSS ACREAGE OR SQUARE FEET: approximately 6,052 acres	
APPLICATION MUST BE SIGNED BY PROPERTY OWNER OF RECORD AND ALL OTHER PARTIES OF INTEREST, IE. TENANTS, OPTION HOLDERS, ETC. USE EXTRA SHEETS AS NEEDED	



***First American Title Insurance Company***

1880 East River Road, Suite 120 • Tucson, Arizona 85718 • (520) 529-5050

Outside Tucson 1-800-256-8707 • FAX (520) 299-2890

January 25, 2002

**VIA HAND DELIVERY**

Chad Daines  
Planning Director  
Planning Department  
City of Peoria  
8401 West Monroe  
Peoria, AZ 85345

***Re: Saddleback Heights, PC District Application, Letter of Authorization***

Dear Mr. Daines:

We are in the process of filing an application for Planned Community District ("PC District") zoning on the 6,052 acre Saddleback Heights property located generally south of Highway 74, north of the Carefree Highway and Dove Valley Road alignments, east of 163<sup>rd</sup> Avenue (Sarival) and west of 123<sup>rd</sup> Avenue alignment more particularly described on the attached legal description (the "Property"). This letter shall serve as authorization for Diamond Ventures, Inc., an Arizona corporation and beneficiary of the below referenced Trust, Gallagher & Kennedy, P.A., and Biskind, Hunt & Taylor, P.L.C. to act as authorized representatives on behalf of First American Title Company Trust 4912 in matters relating to the submittal and processing of an application for PC District zoning for the Property.

Sincerely,

FIRST AMERICAN TITLE  
INSURANCE COMPANY  
As Trustee of First American Title Insurance  
Company Trust #4912, and not personally

  
By: Bridgette Echave, Trustee

cc: Ken Abraham, Diamond Ventures, Inc.  
Tom Slood, Diamond Ventures, Inc.  
Dana Stagg Belknap, Esq., Gallagher & Kennedy  
Karrin Kunasek Taylor, Esq., Biskind, Hunt & Taylor

PC District Rezoning Application  
Page 2

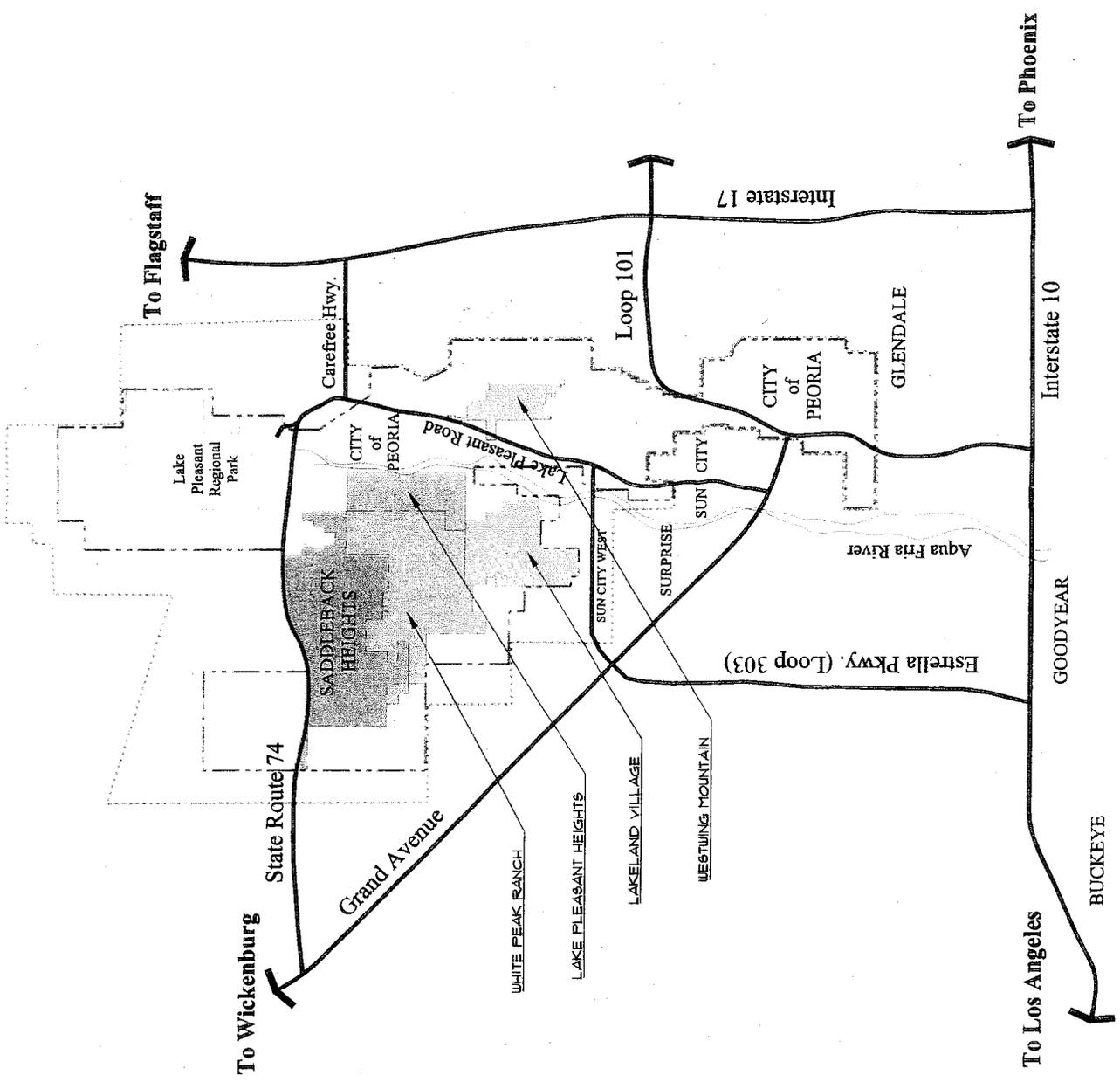
Owner of Record: Arizona State Land Department  
Address: 1616 W. Adams Street  
Phoenix, AZ 85007  
Phone: (602) 542-2647

Owners's Signature: \_\_\_\_\_

A handwritten signature in cursive script, appearing to read "Richard E. Cable", is written over a horizontal line.

Saddleback Heights  
 Regional Context Map

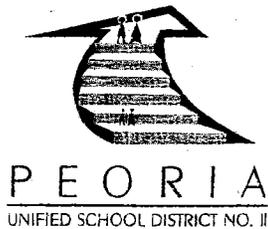
LEGEND  
 CITY OF PEORIA BOUNDARY  
 CITY OF PEORIA PLANNING AREA



PREPARED FOR:  
**DIAMOND VENTURES INC.**  
 9051 W. KELTON  
 SUITE 6  
 PEORIA, AZ 85302

**SWABACK PARTNERS PLLC**  
 Architecture & Planning  
 7950 East McDonald Drive  
 Scottsdale, Arizona 85250  
 www.swabackpartners.com  
 25 JANUARY 2002  
 info@swabackpartners.com  
 Ph: 480. Ex. 480.  
 REVISED: 16 SEPTEMBER 2002

Exhibit B



Mr. Chris Jacques  
Senior Planner  
City of Peoria  
8401 West Monroe Street  
Peoria, AZ 85345

September 26, 2002

RE: Saddleback Heights

Dear Mr. Jacques,

The Peoria Unified School District would like to keep the city informed of our communication with the developer of Saddleback Heights, Diamond Ventures, Inc. The purpose of this letter is to offer comments about the development and to inform the City of our newly obtained support for the project.

As we have made you aware in the past, on several occasions district staff and representatives of the developer have discussed the additional enrollment Saddleback Heights will bring to the District. We have stressed how important collaboration is in order to serve these students. The developer has been willing to work with us from the beginning and has recently signed a Developer Assistance Agreement.

Because of the Agreement, The Peoria Unified School District is pleased to support the rezoning of Saddleback Heights. We look forward to working with the developer and commend his concern and support for public education.

Sincerely,

A handwritten signature in cursive script that reads "Janell Brandhorst".

Janell Brandhorst  
Office of Research, Planning and Assessment

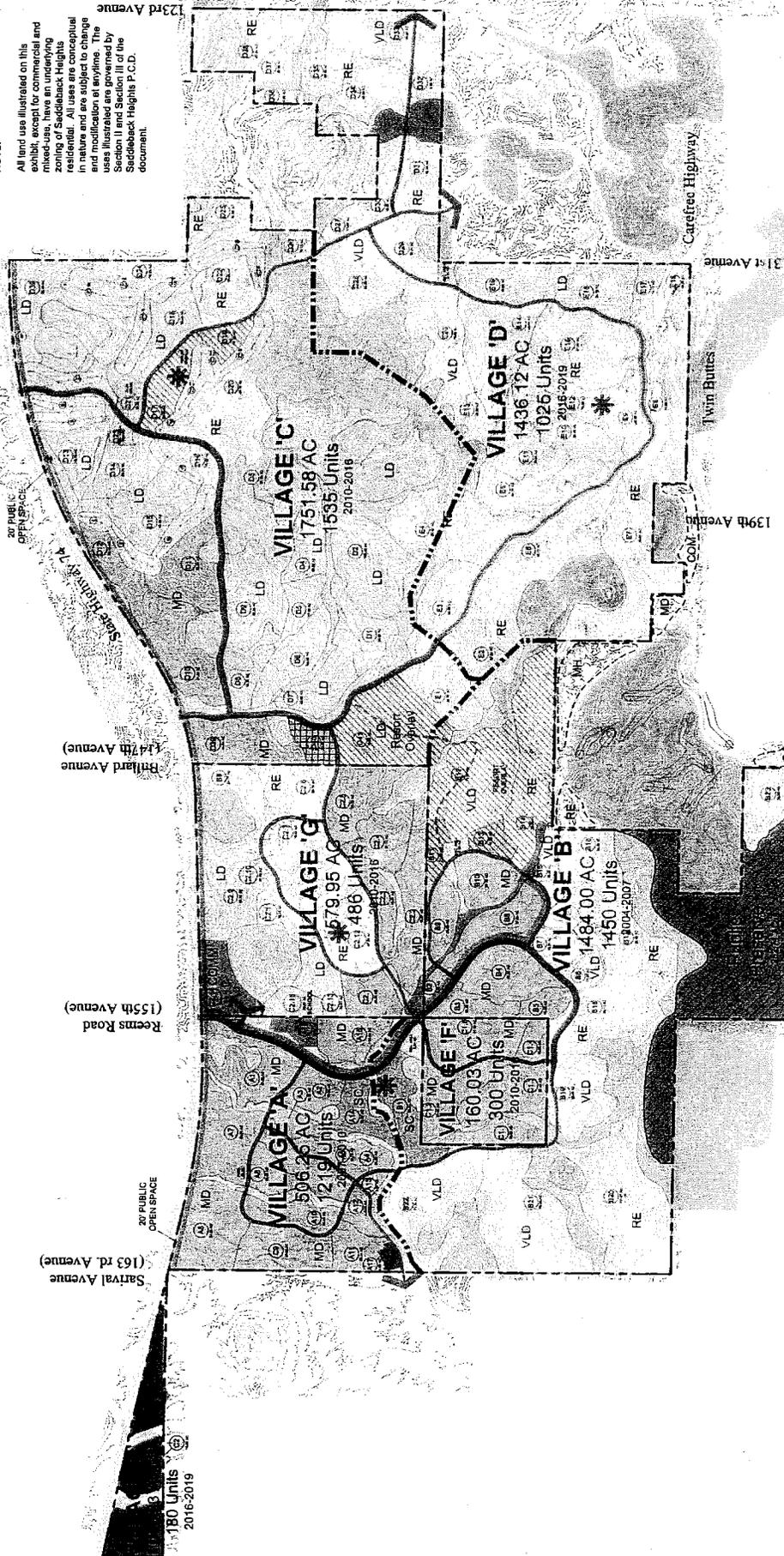
Exhibit C

# Saddleba Heights

## Conceptu Land Us Plan

**NOTE:**

All land uses illustrated on this exhibit, except for commercial and mixed-use, have an underlying residential. All uses are conceptual in nature and are subject to change or deletion. The program and uses illustrated are per the Section II and Section III of the Saddleba Heights P.C.D. document.



PREPARED FOR:  
**DIAMOND VENTURES INC**  
9051 W. KELTON  
SUITE 6  
PEORIA, AZ 85382

**SWABACK PARTNERS p.l.l.c.**  
Architecture & Planning  
2550 East McDonald Drive  
Peoria, Arizona 85382  
Ph: 480.387.4444  
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www.swabackpartners.com  
info@swabackpartners.com  
25 JANUARY 2002  
REVISED: 16 SEPTEMBER 2002