

TOWN OF PARADISE VALLEY

BUILDING PAD HEIGHT

Non-Hillside Lots

Proposed Code Amendment

March 16, 2021



Input on Proposed Town Code Text Amendment



PROCESS

Amendments Town Code vs. Zoning Ordinance Required Processing:

Town Code Amendments – Town Council consideration and decision

- No formal Planning Commission recommendation
- Study Sessions and input as directed by Town Council

Zoning Ordinance Amendments – Town Council consideration and decision

- Planning Commission consideration and recommendation



HISTORY & BACKGROUND

Meetings on building pad heights, applicable Town Codes, resident concerns and feedback and development community

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|----------------------|---|
| ✓ January 23, 2020 | Town Council Work Study |
| ✓ January 30, 2020 | Town Council Development Retreat |
| ✓ May 14, 2020 | Town Council Work Study |
| ✓ June 25, 2020 | Town Council Work Study |
| ✓ September 15, 2020 | Planning Commission Work Study |
| ✓ December 15, 2020 | Planning Commission Work Study |
| ✓ January 21, 2021 | Joint Town Council & Planning Commission Work Study |
| ✓ February 2, 2021 | Planning Commission Work Study |
| ✓ February 16, 2021 | Planning Commission Work Study |
| ✓ February 25, 2021 | Town Council Study Session |



RESIDENT FEEDBACK

- Building pad heights, outdoor living & landscape areas block views
- Need to preserve and protect the character of the community
- Require applicants to build into and/or follow the contour of the land
- Drainage concerns from elevated properties
- Neighbor notification of new residential projects



DEVELOPMENT COMMUNITY FEEDBACK

- Keep 24' height restriction from lowest natural grade
- Open space criteria protects neighbor's views
- Building pads extending over sloped topography lowers the lowest natural grade and building heights
- Add regulations that only 2' of exposed fill can be seen outside of the building footprint.
- Limit fill outside of building pad to 2' to terrace landscape areas
- Update and or add definitions as needed
- Paradise Valley rules are restrictive enough and protect neighboring property views



SUMMARY OF WHAT WE HEARD

- 1. Provide amended code language that is clear and does not allow for unintended consequences**
- 2. Provide additional code language that deals with outdoor pad areas that are currently not addressed in the current code**
- 3. Provide additional definitions to make sure the various terms are specific and clear**

CURRENT CODE & PROPOSED CHANGES

Town Code Chapter 5 Building and Construction

1. For the purpose of this Article, the following terms shall have the meanings respectively ascribed to them in this Section:
 - a. Grading means any excavating or filling or otherwise changing the gradient of land.
 - b. Excavating means the removal of earthen material resulting in a lowering of the grade at that location.
 - c. Filling means dumping or depositing earthen material resulting in raising of the grade at that location.
 - d. ~~Earthen material means any rock, natural soil or any combination thereof.~~
 - e. Land disturbance or disturb the land or similar words means clearing, grading, grubbing, scraping, excavating, filling, uncovering, destabilizing, moving or otherwise modifying the earth's surface.
 - f. Vacant lot shall mean developed land upon which no person or persons reside or use for the purpose for which the land was developed.

PROPOSED ADDITIONS

G. BUILDING PAD MEANS THE TOTAL AREA UNDER ANY STRUCTURE OR IMPROVED OUTDOOR AREA CREATED BY EITHER DEPOSITING FILL, ENGINEERED OR OTHERWISE, OR BY CUTTING.

H. FINISHED FLOOR MEANS THE CONCRETE SURFACE OR OTHER SURFACE ON TOP THE BUILDING PAD WHERE A STRUCTURE OR OUTDOOR AREA IS CONSTRUCTED.

I.FINISHED FLOOR ELEVATION MEANS THE HEIGHT OF THE FINISHED FLOOR ONCE CONSTRUCTION HAS BEEN COMPLETED BUT BEFORE ANY FINISHES HAVE BEEN APPLIED.

J. IMPROVED OUTDOOR AREA MEANS IMPROVEMENTS INCLUDING, BUT NOT LIMITED TO, OUTDOOR LIVING SPACES, AUTO COURTS, RECREATIONAL AREAS AND LANDSCAPED AREAS.

CURRENT CODE

2. No land disturbance may occur on any lot or parcel in the Town without a grading permit being first obtained from the Town Engineer, and, if necessary, a hauling permit and payment of the hauling permit fees, as prescribed in the "Town of Paradise Valley Fee Schedule," except as otherwise provided herein. No grading permit may be issued without the following submittals, each in a form approved by the Town Engineer:
 - a. A grading plan prepared by a Civil Engineer.
 - a) Where excavation is to occur the top four (4) inches of excavated native soil shall remain on the site and shall be reused in a manner that takes advantage of the natural soil seed bank it contains.
 - b) The grading plan shall contain the preparing engineer's certification of the 100 year water surface elevation and finished floor elevation.
 - c) The building pad shall not exceed two (2) feet in height except where required to protect the building against flooding, in which case the pad shall be one (1) foot above the water surface elevation of the 100 year event.
 - d) A stabilization plan describing how areas potentially prone to erosion will be protected.
 - e) A drainage plan showing washes in an undisturbed state except for modifications approved by the Town Engineer that are required to accommodate storm water. Washes shall not be realigned except as approved by the Town Engineer and Community Development Director when necessary to accommodate storm water or to restore a disturbed wash

PROPOSED AMENDMENT

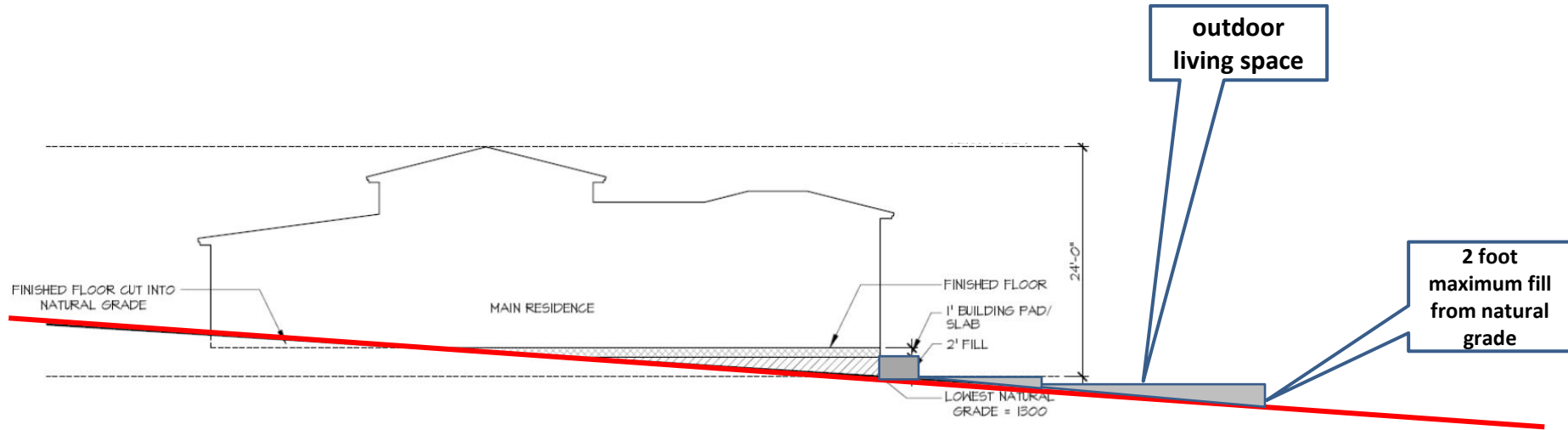
B) The grading plan shall contain the preparing engineer's certification of the 100 year water surface elevation and finished floor elevation, **THE FINISHED FLOOR ELEVATION SHALL NOT EXCEED EIGHT (8) INCHES IN HEIGHT ABOVE THE BUILDING PAD EXCEPT WHERE THE PREPARING ENGINEER CERTIFIES THAT ADDITIONAL HEIGHT UP TO MAXIMUM OF ONE (1) FOOT IS NECESSARY FOR STRUCTURAL PURPOSES.**

PROPOSED AMENDMENT

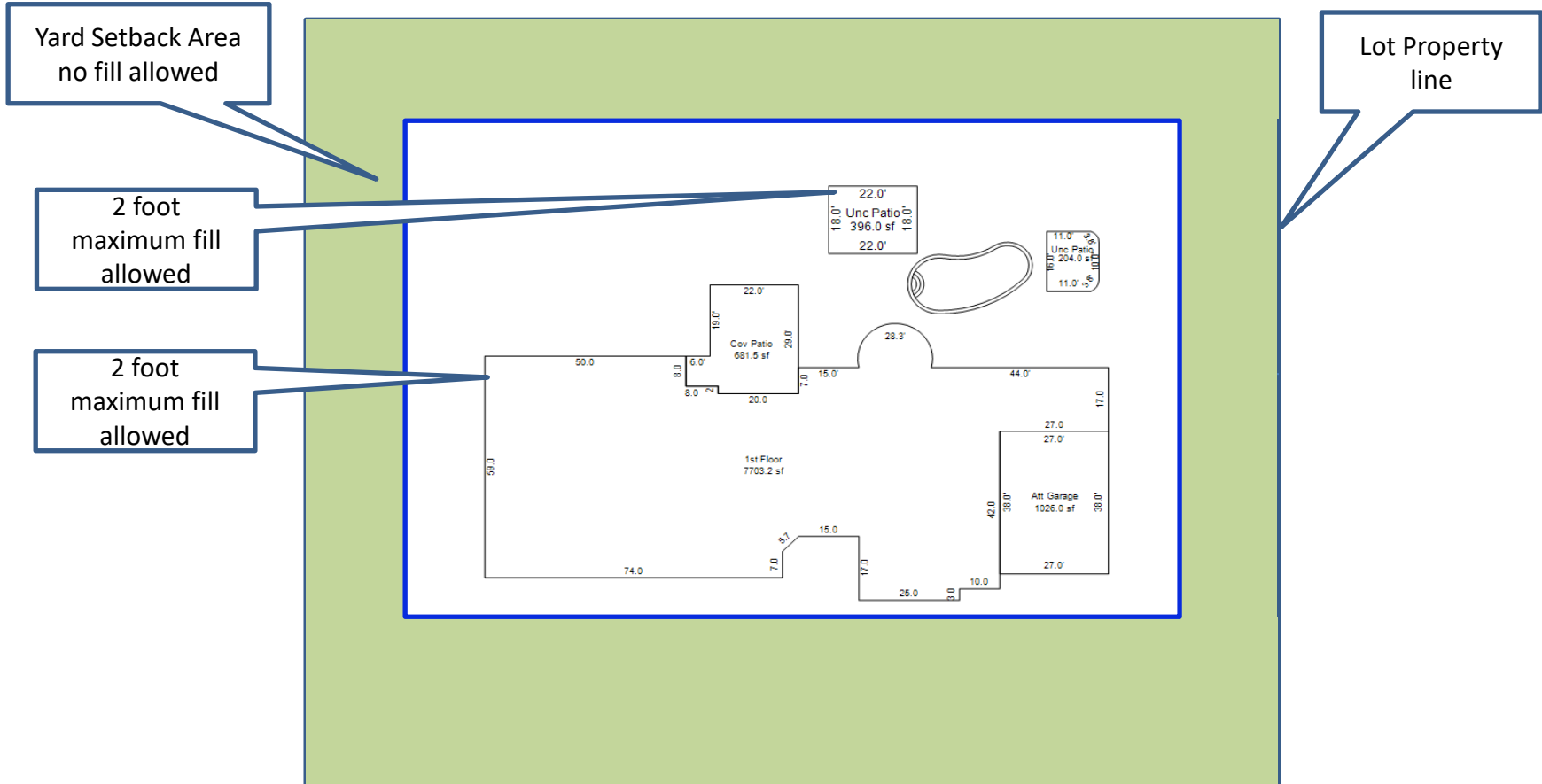
C) The Building Pad shall not exceed two (2) feet in height **AS MEASURED FROM LOWEST NATURAL GRADE UNDER THE STRUCTURE OR IMPROVED OUTDOOR AREA** except where required to protect the building against flooding, in which case the pad shall be one (1) foot MAXIMUM above the water surface elevation of the 100 year event **AT THE LOWEST NATURAL GRADE ADJACENT TO THE STRUCTURE OR IMPROVED OUTDOOR AREA.**

PROPOSED CODE AMENDMENT

GRAPHIC EXAMPLE



PROPOSED CODE AMENDMENT



PROPOSED CODE AMENDMENT

Addresses most resident concerns:

- ✓ Building pad heights, outdoor living & landscape areas block views
- ✓ Need to preserve and protect the character of the community
- ✓ Require applicants to build into and follow the contour of the land
- ✓ Drainage concerns from elevated properties

PROPOSED CODE AMENDMENT

Addresses most Development Community Feedback:

- ✓ Keep 24' height restriction from lowest natural grade
- ✓ Open space criteria protects neighbor's views
- ✓ Building pads extending over sloped topography lowers the lowest natural grade and building heights
- ✓ Add regulations that only 2' of exposed fill can be seen outside of the building footprint.
- ✓ Limit fill outside of building pad to 2' to terrace landscape areas
- ✓ Update and or add definitions as needed

NEXT STEPS

- **Planning Commission Discussion & Input**
- **Council Discussion & Input**
- **Town Council Consideration of Code Amendment**



QUESTIONS?

