

TOWN OF PARADISE VALLEY

Case BA-25-05

4474 E Valley Vista Lane

**Hillside color and sport court lighting
Variance**

Board of Adjustment

June 4, 2025



TODAY'S GOAL

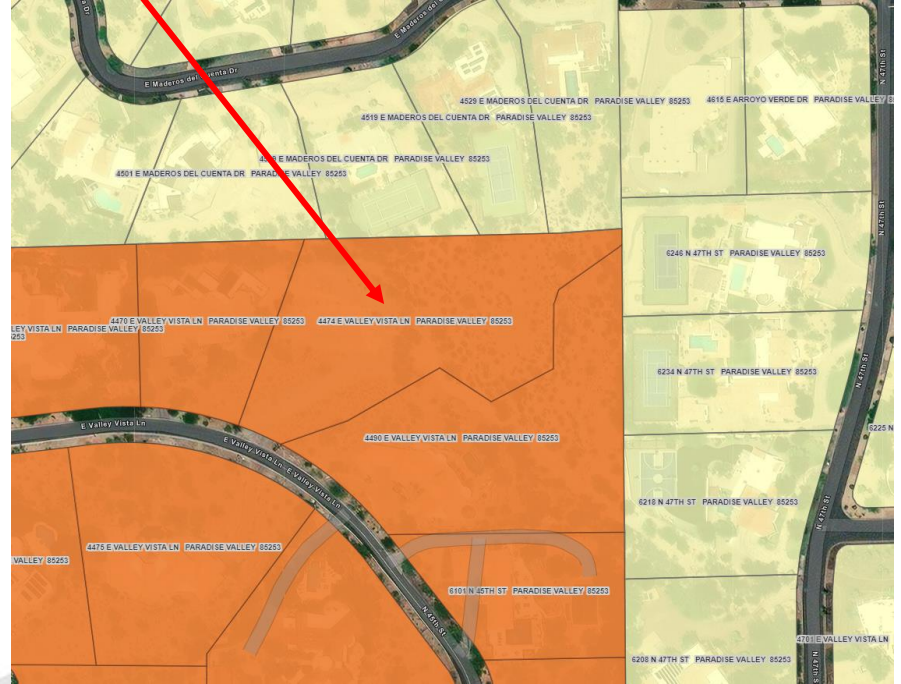
- Review and take action on variance request:
 - To exceed the maximum allowable LRV (Light Reflecting Value) of thirty-eight (38) percent and not blend in with surrounding environment and to allow for an illuminated game court.



AGENDA

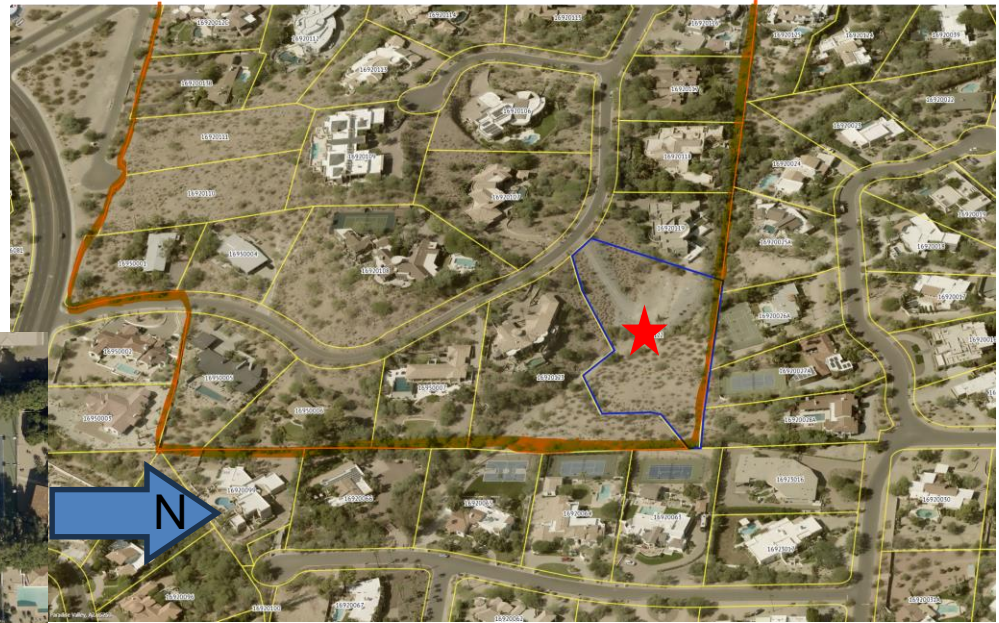
- Background
- Scope of Request
- Analysis & Recommendation
- Action



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SITE CONDITIONS

- Zoned R-43 Hillside
- 95,610 sq ft
(2.195 ac)
- Platted in Maricopa County in 1994 Lot 1 Saguaro



SITE CONDITIONS

- Undeveloped lot until recent permit.
- Hillside Building Committee Review hearings:
 - Concept Review October 12, 2022
 - Formal Review April 12, 2023
 - Combined Review April 16, 2025



HISTORY

- Undeveloped lot until recent permit
- Hillside Building Committee Review hearings:
 - Concept Review October 12, 2022
 - Formal Review April 12, 2023
 - Combined Review April 16, 2025
- Ongoing Construction

TOWN HILLSIDE REQUIREMENTS

- Article XXII, Hillside Development Regulations
 - Section 2207 DEVELOPMENT STANDARDS
 - II. ARCHITECTURAL STANDARDS.
 - D. Materials used for exterior surfaces such as structures, walls, roofs and fences shall *blend with the surrounding natural setting* and avoid high contrasts. There shall be no paint or material colors used which have a **LRV** (*Light Reflecting Value*) greater than thirty-eight (38) percent. Materials and color used for exterior surfaces are subject to Hillside Building Committee review and approval. The applicant must demonstrate how *the materials and colors used for the exterior surfaces blend in with the natural surroundings and settings*. Limited use of contrasting accent colors (in excess of 38% LRV) for small elements, including, but not limited to items such as doors and window mullions, may be allowed upon explicit approval of the Hillside Building Committee.



TOWN HILLSIDE REQUIREMENTS

- Article XXII, Hillside Development Regulations
 - Section 2208 OUTDOOR LIGHTING
 - A. Purpose: The intent of these lighting requirements is to *preserve the low light level conditions* that are inherently characteristic of the desert. The objective is to allow only the quantity and level of lighting necessary for safety, security and the enjoyment of outdoor living while *protecting against direct glare and excessive lighting*; protecting the ability to view the *night sky*; and *preventing light trespass*.
 - G. Prohibitions. In addition to the limitations noted above, the following lights or lighting effects are *strictly prohibited*:
 1. Colored lamps or bulbs and string and unshielded rope lights; except that temporary holiday lighting shall be permitted between *October 15th & January 15th*.
 2. *Tennis court and sport court lighting*.
 3. Any temporary lighting that violates the provisions of this lighting section.
 4. Exterior lights, except security lighting, that illuminate the adjoining mountainside such that the mountainside is visible from off the property between sunset and sunrise.



SCOPE OF REQUEST

- Variance Request from Article XXII, Hillside Development Regulations :
 - To exceed the maximum allowable LRV (Light Reflecting Value) of thirty-eight (38) percent and not blend in with surrounding environment
 - To allow *strictly prohibited lights or lighting effects* for tennis court and sport court lighting.



SITE CONDITIONS (EXHIBITS)

Exhibit A: Site Context Map

Identifies the higher-sloped areas on the adjacent property compared to the subject property



Exhibit B: USGS Topographic Map

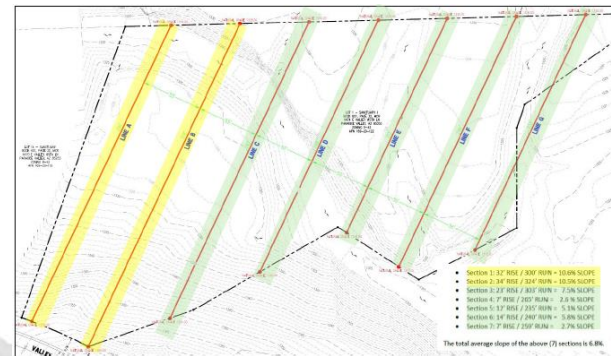
90% has a slope of less than 10%



Exhibit C: Hillside Slope Analysis

Average slope is 6.8% across seven representative cross sections.

Building pad slope is approximately 3.7%



HILLSIDE APPROVED MATERIALS

- Hillside Formal Review
April 12, 2023

Materials approved meet the
Light Reflection Value
requirements at the lightest
levels LRV 36-38%



VALLEY VISTA LN HOMES

E Valley Vista LN Homes



SITE PHOTOS

Pre-development Photos



SITE PHOTOS

Neighbor to the left
4470 E Valley Vista LN



SITE PHOTOS

Neighbor to the left
4490 E Valley Vista LN



ANALYSIS

- “There are no special circumstances applicable to the property, which may include circumstances related to the *property’s size, shape, topography, location, or surroundings*; and” (Town Code Section 2-5-3(C)4).
 - The property is *not burdened* with adverse topographical features which incumbrance the development from meeting compliance with color and LRV requirements. The addition of sport court lighting is in direct conflict with the intent and objective of the Section 2208 Outdoor Lighting to maintain low light levels and protect the ability to view the night sky. Exhibits showing the home does not meet Hillside zoning designation could be used to apply for removal from Hillside zoning (provided the home designed under hillside can meet non-hillside).



ANALYSIS

- “That the special circumstances applicable to the property were not self-imposed or created by the property owner; and” (Town Code Section 2-5-3(C)4).
- The property is not burdened with adverse topographical features which incumbrance the development from meeting compliance with color and LRV requirements. The addition of sport court lighting would be in direct conflict with the intent and objective of the Section 2208 Outdoor Lighting to maintain low light levels and protect the ability to view the night sky.



ANALYSIS

- “That the strict application of the Zoning Ordinance will deprive the property of privileges enjoyed by other property of the same classification in the same zoning district” (Town Code Section 2-5-3(C)4).
- The property is at the edge of the Hillside zoning designation and the adjacent properties to the north and east are not Hillside. The home is highly visible from the street and the highly visible to the two adjacent Hillside designated neighbors. The adjacent homes with Hillside zoning classification meet the material, color, and LRV requirements. Neighboring homes within Hillside have sport courts and do not have sport court lights.



ANALYSIS

- Property hardships do not exist
 - Section 2207 of the Town Zoning Ordinance states that materials used on exterior surfaces of the home including walls, roofs, and fences shall blend with the surrounding natural setting. In addition, paint and material colors cannot exceed a light reflection value or LRV of 38%.
 - Section 2208 of the Town Zoning Ordinance regulates and limits the amount and level of lighting necessary for safety, security and enjoyment of outdoor living while protecting against direct glare and light pollution which reduces the ability to view the night sky. With this intent the code strictly prohibits tennis court and sport court lighting.



STAFF RECOMMENDATION

MOTION

Denial of Case No. BA-25-05, a request by Ty Utton (Rose law Group), on behalf of the property owners of 4474 E Valley Vista Lane; for a variance from, Article XXII, Hillside Development Regulations to exceed the maximum allowable LRV (Light Reflecting Value) of thirty-eight (38) percent and not blend in with surrounding environment and to allow for an illuminated game court.

REASONS FOR DENIAL

- Staff finds that there are no property hardships that warrant the variance and that the request does not meet all three variance criteria.

POSSIBLE ACTIONS

1. Deny the variance request
2. Approve variance request with following stipulations:
 - a) Continuance to or *Special Meeting* a September 3rd to enable the applicant provide a material/color sample with specific LRV.
 - b) The applicant must obtain the required Hillside Review and building permits and inspections from the Town's Building Division.
3. Continue for further review

QUESTIONS?

