Federal Emergency Management Agency

Washington, D.C. 20472

July 19, 2017

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

IN REPLY REFER TO:
Case No.: 17-09-0673R
Community Name: Town of Paradise Valley, AZ
Community No.: 040049

The Honorable Michael Collins
Mayor, Town of Paradise Valley
6401 East Lincoln Drive
Paradise Valley, AZ 85253

Dear Mayor Collins:

We are providing our comments with the enclosed Conditional Letter of Map Revision (CLOMR) on a proposed project within your community that, if constructed as proposed, could revise the effective Flood Insurance Study report and Flood Insurance Rate Map for your community.

If you have any questions regarding the floodplain management regulations for your community, the National Flood Insurance Program (NFIP) in general, or technical questions regarding this CLOMR, please contact the Director, Mitigation Division of the Federal Emergency Management Agency (FEMA) Regional Office in Oakland, California, at (510) 627-7175, or the FEMA Map Information eXchange (FMIX) toll free at 1-877-336-2627 (1-877-FEMA MAP). Additional information about the NFIP is available on our website at http://www.fema.gov/nfip.

Sincerely,

Patrick "Rick" F. Sacbibit, P.E., Branch Chief
Engineering Services Branch
Federal Insurance and Mitigation Administration

List of Enclosures:
Conditional Letter of Map Revision Comment Document

cc: The Honorable W.J. "Jim" Lane
Mayor, City of Scottsdale

Mr. Paul Mood, P.E.
Town Engineer
Town of Paradise Valley

Ms. Ashley Couch
Stormwater Manager
City of Scottsdale

Mr. Len Erie, P.E.
President
Erie & Associates, Inc.

Federal Emergency Management Agency

Washington, D.C. 20472

CONDITIONAL LETTER OF MAP REVISION
COMMENT DOCUMENT

COMMUNITY INFORMATION		PROPOSED PROJECT DESCRIPTION	BASIS OF CONDITIONAL REQUEST
COMMUNITY	Town of Paradise Valley Maricopa County Arizona	BRIDGE FILL CHANNELIZATION	FLOODWAY HYDRAULIC ANALYSIS NEW TOPOGRAPHIC DATA
	COMMUNITY NO.: 040049		
IDENTIFIER	PV Triangle/Scottsdale Rd. & Indian Bend Wash	APPROXIMATE LATITUDE & LONGITUDE: 33.553, -111.927 SOURCE: USGS QUADRANGLE DATUM: NAD 83	

AFFECTED MAP PANELS

TYPE: FIRM* NO.: 04013C1770L DATE: November 4, 2015

* FIRM - Flood Insurance Rate Map

FLOODING SOURCE(S) AND REACH DESCRIPTION

Indian Bend Wash - from approximately 835 feet downstream of Scottsdale Road to approximately 2,240 feet upstream of Scottsdale Road

PROPOSED PROJECT DESCRIPTION

Flooding Source	Proposed Project	Location of Proposed Project
Indian Bend Wash	A 6 bay, 42'-span, 10.33'-high Con-arch Bridge	At Scottsdale Road
	Fill Placement	At Scottsdale Road
	Drainage Swale	From approximately 125 feet east of Northern Avenue and Golf Drive intersection to Northern Avenue and Golf Drive intersection

SUMMARY OF IMPACTS TO FLOOD HAZARD DATA

Flooding Source	Effective Flooding	Proposed Flooding	Increases	Decreases
Indian Bend Wash	Zone AE	Zone AE	Yes	Yes
	Floodway	Floodway	Yes	Yes
	BFEs*	BFEs*	Yes	Yes

* BFEs - Base (1-percent-annual-chance) Flood Elevations

COMMENT

This document provides the Federal Emergency Management Agency's (FEMA's) comment regarding a request for a CLOMR for the project described above. This document is not a final determination; it only provides our comment on the proposed project in relation to the flood hazard information shown on the effective National Flood Insurance Program (NFIP) map. We reviewed the submitted data and the data used to prepare the effective flood hazard information for your community and determined that the proposed project meets the minimum floodplain management criteria of the NFIP. Your community is responsible for approving all floodplain development and for ensuring that all permits required by Federal or State/Commonwealth law have been received. State/Commonwealth, county, and community officials, based on their knowledge of local conditions and in the interest of safety, may set higher standards for construction in the Special Flood Hazard Area (SFHA), the area subject to inundation by the base flood). If the State/Commonwealth, county, or community has adopted more restrictive or comprehensive floodplain management criteria, these criteria take precedence over the minimum NFIP criteria.

This comment is based on the flood data presently available. If you have any questions about this document, please contact the FEMA Map Information eXchange (FMIX) toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the LOMC Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426. Additional Information about the NFIP is available on the FEMA website at http://www.fema.gov/nfip.

Patrick "Rick" F. Sacbibit, P.E., Branch Chief
Engineering Services Branch
Federal Insurance and Mitigation Administration

Federal Emergency Management Agency
Washington, D.C. 20472

CONDITIONAL LETTER OF MAP REVISION COMMENT DOCUMENT (CONTINUED)

OTHER COMMUNITIES AFFECTED BY THIS CONDITIONAL REQUEST

CID Number: 045012 **Name:** City of Scottsdale, Arizona

AFFECTED MAP PANELS

TYPE: FIRM* NO.: 04013C1770L DATE: November 4, 2015

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CONDITIONAL LETTER OF MAP REVISION COMMENT DOCUMENT (CONTINUED)

COMMUNITY INFORMATION

To determine the changes in flood hazards that will be caused by the proposed project, we compared the hydraulic modeling reflecting the proposed project (referred to as the proposed conditions model) to the hydraulic modeling used to prepare the Flood Insurance Study (FIS) (referred to as the effective model). If the effective model does not provide enough detail to evaluate the effects of the proposed project, an existing conditions model must be developed to provide this detail. This existing conditions model is then compared to the effective model and the proposed conditions model to differentiate the increases or decreases in flood hazards caused by more detailed modeling from the increases or decreases in flood hazards that will be caused by the proposed project.

The table below shows the changes in the BFEs:

BFE Comparison Table

Flooding Source: Indian Bend Wash		BFE Change (feet)	Location of maximum change
Effective vs. Existing	Maximum increase	2.13	Approximately 1,300 feet upstream of Scottsdale Road
	Maximum decrease	1.33	Approximately 430 feet downstream of Scottsdale Road
Existing vs. Proposed	Maximum increase	0.09	Approximately 2,240 feet upstream of Scottsdale Road
	Maximum decrease	1.42	Approximately 985 feet upstream of Scottsdale Road
Effective vs. Proposed	Maximum increase	1.97	Approximately 1,300 feet upstream of Scottsdale Road
	Maximum decrease	1.35	Approximately 430 feet downstream of Scottsdale Road

Increases due to the proposed project that exceed those permitted under Paragraphs (c)(10) or (d)(3) of Section 60.3 of the NFIP regulations must adhere to Section 65.12 of the NFIP regulations. With this request, your community has complied with all requirements of Paragraph 65.12(a) of the NFIP regulations. Compliance with Paragraph 65.12(b) also is necessary before FEMA can issue a Letter of Map Revision when a community proposes to permit encroachments into the effective regulatory floodway that will cause BFE increases in excess of those permitted under Paragraph 60.3(d)(3).

The table above shows BFE increases caused by existing development in the floodplain/regulatory floodway. These BFE increases exceed those permitted under Paragraph 60.3(d)(3) of the NFIP regulations. Therefore, our Regional Office in Oakland, CA will review the existing development as a potential violation of the NFIP regulations. This comment on the proposed project does not consider changes to the existing development that may be necessary to resolve the potential violation.

NFIP regulations Subparagraph 60.3(b)(7) requires communities to ensure that the flood-carrying capacity within the altered or relocated portion of any watercourse is maintained. This provision is incorporated into your community's existing floodplain management ordinances; therefore, responsibility for maintenance of the altered or relocated watercourse, including any related appurtenances such as bridges, culverts, and other drainage structures, rests with your community. We may request that your community submit a description and schedule of maintenance activities necessary to ensure this requirement.

This comment is based on the flood data presently available. If you have any questions about this document, please contact the FEMA Map Information eXchange (FMIX) toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the LOMC Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426. Additional Information about the NFIP is available on the FEMA website at http://www.fema.gov/nfip.

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CONDITIONAL LETTER OF MAP REVISION COMMENT DOCUMENT (CONTINUED)

COMMUNITY INFORMATION (CONTINUED)

DATA REQUIRED FOR FOLLOW-UP LOMR

Upon completion of the project, your community must submit the data listed below and request that we make a final determination on revising the effective FIRM and FIS report. If the project is built as proposed and the data below are received, a revision to the FIRM and FIS report would be warranted.

• Form 1, entitled "Overview & Concurrence Form". Detailed application and certification forms must be used for requesting final revisions to the maps. Therefore, when the map revision request for the area covered by this letter is submitted, Form 1 must be included. If as-built conditions differ from the proposed plans, please submit new forms, which may be accessed at http://www.fema.gov/plan/prevent/fhm/dl_mt-2.shtm, or annotated copies of the previously submitted forms showing the revised information.

• Form 2, entitled "Riverine Hydrology & Hydraulics Form"

• Form 3, entitled "Riverine Structures Form"

• Hydraulic analyses, for as-built conditions, of the base (1-percent-annual-chance) flood and the regulatory floodway, together with a topographic work map showing the revised floodplain and floodway boundaries. Please ensure that the revised information ties in with the current effective information at the downstream and upstream ends of the revised reach.

• An annotated copy of the FIRM, at the scale of the effective FIRM, that shows the revised floodplain and floodway boundary delineations shown on the submitted work map and how they tie into the floodplain and floodway boundary delineations shown on the current effective FIRM at the downstream and upstream ends of the revised reach

• As-built plans, certified by a registered professional engineer, of all proposed project elements

• A copy of the public notice distributed by your community, stating its intent to revise the regulatory floodway, or a signed statement by your community that it has notified all affected property owners and affected adjacent jurisdictions

• Documentation of the individual legal notices sent to property owners who will be affected by any widening/shifting of the base floodplain and/or any BFE increases along Indian Bend Wash

• Evidence that your community has, prior to approval of the proposed encroachment, adopted floodplain management ordinances that incorporate the increased BFEs and revised floodway boundary delineations to reflect the post-project conditions, as stated in Paragraph 65.12(b)

This comment is based on the flood data presently available. If you have any questions about this document, please contact the FEMA Map Information eXchange (FMIX) toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the LOMC Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426. Additional Information about the NFIP is available on the FEMA website at http://www.fema.gov/nfip.

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CONDITIONAL LETTER OF MAP REVISION COMMENT DOCUMENT (CONTINUED)

COMMUNITY INFORMATION (CONTINUED)

• FEMA's fee schedule for reviewing and processing requests for conditional and final modifications to published flood information and maps may be accessed at http://www.fema.gov/plan/prevent/fhm/frm_fees.shtm. The fee at the time of the map revision submittal must be received before we can begin processing the request. Payment of this fee can be made through a check or money order, made payable in U.S. funds to the National Flood Insurance Program, or by credit card (Visa or MasterCard only). Please forward the payment, along with the revision application, to the following address:

LOMC Clearinghouse
3601 Eisenhower Avenue, Suite 500
Alexandria, VA 22304-6426

After receiving appropriate documentation to show that the project has been completed, FEMA will initiate a revision to the FIRM and FIS report. Because the flood hazard information (i.e., base flood elevations, base flood depths, SFHAs, zone designations, and/or regulatory floodways) will change as a result of the project, a 90-day appeal period will be initiated for the revision, during which community officials and interested persons may appeal the revised flood hazard information based on scientific or technical data.

This comment is based on the flood data presently available. If you have any questions about this document, please contact the FEMA Map Information eXchange (FMIX) toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the LOMC Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426. Additional Information about the NFIP is available on the FEMA website at http://www.fema.gov/nfip.

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Engineering Services Branch
Federal Insurance and Mitigation Administration

Federal Emergency Management Agency
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CONDITIONAL LETTER OF MAP REVISION COMMENT DOCUMENT (CONTINUED)

COMMUNITY INFORMATION (CONTINUED)

COMMUNITY REMINDERS

We have designated a Consultation Coordination Officer (CCO) to assist your community. The CCO will be the primary liaison between your community and FEMA. For information regarding your CCO, please contact:

Mr. Jeffrey D. Lusk
Director, Mitigation Division
Federal Emergency Management Agency, Region IX
1111 Broadway, Suite 1200
Oakland, CA 94607-4052
(510) 627-7175

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Patrick "Rick" F. Sacbibit, P.E., Branch Chief
Engineering Services Branch
Federal Insurance and Mitigation Administration

ORDINANCE NUMBER 2017-___

AN ORDINANCE OF THE TOWN OF PARADISE VALLEY, ARIZONA; AMENDING THE PARADISE VALLEY ZONING ORDINANCE, ARTICLE II, DEFINITIONS, AND ARTICLE IX, CLUSTER PLAN DISTRICT.

BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PARADISE VALLEY, ARIZONA AS FOLLOWS:

Section 1. Article II, Definitions, Section 201, is hereby amended as follows (with deletions shown as ~~strikethroughs~~ and additions shown in **bold type**):

Cluster Plan (CP) District: A development approach that may be used in the R-43 or R-35 Cluster Plan zoning district that retains the same house per acre ratio as the R-43 or R-35, zoning districts permitting reduced lot sizes in order to allow undeveloped land to be preserved as open space. This approach may be utilized to preserve natural features ~~or~~**, to** provide greater than normal setbacks from heavily traveled thoroughfares **or to allow flexibility in the development of parcels on the perimeter of the Town**.

Section 2. Article IX, Cluster Plan District, is hereby amended as follows (with deletions shown as ~~strikethroughs~~ and additions shown in **bold type**):

Article IX CLUSTER PLAN DISTRICT

Section 901. Purpose:

The purpose of this section is to provide a zoning district as an alternate zoning to R-43 and R-35 single family residential districts, and thereby making provisions for variations in lot sizes within tracts of eight (8) acres or more while maintaining the necessary requirements for open space within each tract as a whole, in order to preserve the natural beauty of the Town of Paradise Valley:

1. A cluster plan may be approved only for the following reasons:

   (a) To preserve areas which have natural features of scenic beauty of significance to the general public.

(b) To provide greater than normal residential setbacks from heavily traveled thoroughfares without reducing the number of residential lots that might otherwise be created within the provisions of this Ordinance.

(c) To allow flexibility for development of parcels on the perimeter of the Town which lack physical access to Town streets and which meet the criteria set forth in the first paragraph of Section 912.

Nothing in this article shall confer upon any applicant a right or claim to have a cluster plan approved as a matter of course. Such approval shall vest in the sound discretion of the Town Planning Commission (hereinafter called Commission), and of the Town Council at a public hearing with due regard to the public safety, health, morals, and welfare of the Town.

Section 902. Variation in Lot Sizes:

The owner of a tract of land in a R-43 or R-35 Residential Zoning District may, upon obtaining the approval of a cluster plan in accordance with the provisions of this Article, vary the lot sizes within the tract of land from those required by the applicable zoning district. Applications for the approval of such cluster plans shall be made in accordance with the provisions of Section 908.

Section 903. Maximum Number of Lots:

The maximum number of lots within a tract of land that may be authorized under this Article shall be computed by dividing the "gross acreage" as that term is hereinafter defined, by the maximum lot area requirement of the single family dwelling district in which the lot is located. The term "gross acreage" as used herein, shall include the land within the exterior boundaries of a tract, less the following:

1. The area comprising easements of record for public utilities facilities such as electric transmission lines, sewer lines, and water mains, except in those cases where the owner shall satisfy the Commission that the existence of the easement does not prevent the use of the area comprising the easement for development;

2. An area representing probable street rights of way if the tract were to be developed as a subdivision without regard to the provisions of this Article.

   Gross acreage shall not include any portion of the tract, which the owner does not propose to alienate, either as a lot sold to a purchaser, or as common lands conveyed to trustees. The Commission may by rule adopt regulations calculated to insure compliance by the owner with the provisions of the proposed cluster plan pertaining to conveyance of lots and common lands.

Section 904. Inclusion of Common Lands.

Lands shall be set aside from the remainder of the tract for common use by all of the owners of the residential lots, in accordance with the provisions of this section, and such common lands shall be included in the gross acreage for purposes of computing the maximum number of lots

authorized under this Article. Except in the case of bridle paths designated as such in the cluster plan, no animals other than domestic pets shall be permitted on common lands. Common lands shall be set aside only for the following uses:

1. Private recreational facilities, such as swimming pools, which are limited to the use of the owners or occupants of the lots located within the tract, or their guests;

2. Parks and parkway areas, and areas which have natural features of scenic beauty worthy of preservation;

3. Bridle paths, golf courses, or hiking trails for the use of the owners of the said lots, or for the use of the general public.

Section 905. Conveyance of Common Lands:

All common land designated in the plan as such, or whose acreage shall be utilized in the determination of the maximum number of lots that are authorized, shall be conveyed in fee simple by warranty deed from the owner to trustees. A proposed form of trust indenture shall be included in each application for approval of a cluster plan. Such trust indenture shall provide, among other things, that the trustee shall hold title for the sole benefit, use, and enjoyment of the lot owners, present and future, of said subdivision for a term of years certain, which term shall not be less than twenty (20) years. The trust indenture shall further provide that upon the expiration of the said term of years, or upon the cessation of the subdivision, fee simple title to the said land shall be vested in said lot owners as tenants in common. In addition, there shall be included in the plan a proposed form of covenant for inclusion in the deeds to the lots, which covenant shall provide a suitable means for the maintenance and upkeep of the common lands, and shall obligate the lot owner and his successors for a proportionate share of the cost of such upkeep and maintenance. By including the form of such a covenant in the plan, the owner represents and warrants that such a covenant will be included in the original deed to each lot in such a manner as to run with the land and bind succeeding lot owners. The warranty deeds and trust indentures shall be attached as exhibits to the cluster plan together with the opinion of an attorney admitted to practice in Arizona, addressed to the Commission, to the effect that the said deeds and trust indentures comply in form and in substance with the provisions of this Ordinance. The indentures shall be recorded in the office of the Maricopa County Recorder simultaneously with the recording of the final plat of the subdivision, as provided in the subdivision regulations of the Town. Each deed from the owner to a purchaser of a lot, which is subject to the cluster plan, shall include the covenant.

Section 906. Minimum Reduced Size of lots:

No lot developed under the provisions of this section shall be reduced in area or frontage below the minimum standards set forth in the following table **except as set forth in Section 912**:

Density	Minimum Reduced Area	Minimum Reduced Frontage
R-43 (one acre)	20,000 sq. ft.	120 feet

R-35 (35,000 sq. ft.)	20,000 sq. ft.	100 feet

Section 907. Maintenance of Average Lot Size:

Lots developed under this Article may be reduced in area below the minimum lot size required by the residential district zone in which the subdivision is located (but not below the minimum standards set forth in the preceding paragraph) provided that the gross acreage, when divided by the number of lots created, shall equal the minimum lot size required by the applicable district.

Section 908. Cluster Plan Procedure:

The owner of any tract of land comprising an area of not less than eight (8) acres may submit to the Commission a re-zoning request for a cluster plan for the use and development of all of the said tract of land for residential purposes; the plan shall include all information which the Commission may by rule require, and shall include a request that the entire tract in question be zoned "CP." No cluster plan shall be submitted to the Commission for its approval until a preliminary plat of the tract, which is the subject of the cluster plan, has likewise been submitted, as required by the subdivision regulations of the Town. The preliminary plat shall show in detail each variation from lot size otherwise required which is sought under the proposed cluster plan.

Every cluster plan submitted under this section shall be considered by the Commission at a public hearing. Such public hearing shall be held only after one publication of a public notice of the time, place and date of such hearing is given in a newspaper of general circulation in the Town of Paradise Valley at least fifteen (15) days prior to such hearing, and after there has been posted on the affected property at least fifteen (15) days prior to the said hearing a notice of the hearing.

The Commission shall, after such public hearing, submit to the Town Council its recommendation of approval or disapproval of the cluster plan. Approval of a cluster plan shall not be recommended by the Commission until it shall have also approved the preliminary plat for subdivision of the land, which is the subject of the cluster plan in accordance with the subdivision regulations of the Town.

Upon submission of the Commission's recommendation, the Town Council shall arrange to hold its public hearing to consider whether the cluster plan shall be approved. Like notice for the hearing of the plan before the Town Council shall be given as is the case of the hearing of the plan before the Commission.

Section 909. Other Provisions Applicable.

If the Town Council shall approve the cluster plan, development in conformity with the plan may be undertaken, even though the location of the buildings to be erected in the area, and the yards and open spaces contemplated by the plan, depart in respect herein above authorized from the district regulations of the district in which the tract is located. Such development of the tract shall be subject to the applicable provisions of the Town subdivision regulations pertaining to the installation of required improvements and submission of the final plat. In the event that the approval of the preliminary plat becomes void by reason of the lapse of time under the provisions

of the Town subdivision regulations, the approval of the cluster plan by the Town Council shall likewise become void.

Land use within any tract zoned "CP" shall be subject to all other applicable provisions of this Ordinance, and of other ordinances of the Town, except as herein expressly otherwise provided. Notwithstanding the fact that a cluster plan may have been approved for lots located in either and R-43 or an R-35 district, which plan permits one or more of said lots to be varied below the minimum area regulation applicable to the district in which they are located; (a) no guest house shall be permitted on any such lot which does not meet the minimum area regulations applicable to the district in which it is located, without regard to the provisions of this article **except as set forth in Section 912**; (b) no horses shall be kept on a lot located in an R-43 district unless such lot meets the minimum area regulations applicable to the district without regard to the provisions of this article.

Section 910. Variance and Re-Zoning.

No variance from a plan approved under the provisions of this article shall be granted by the Board of Adjustment of the Town. No application for re-zoning of all or any portion of a tract zoned "CP" shall be entertained. All land designated as common land in the cluster plan finally approved by the Town Council shall be used for no other purpose than a common land.

Section 911. Rescission of Cluster Plan Approval:

The owner of a tract of land for which a cluster plan has been approved may apply to the Commission and to the Town Council, in accordance with the procedure set forth in Section 908 of this article, to rescind the approval of the cluster plan. If the Commission and the Town Council shall be satisfied that the land use of the tract is consistent with, or will be substantially restored to, the use required by the zoning in effect on the tract at the time the cluster plan was approved, they may approve the application for rescission. In the event of such approval, the use of the land within the tract shall be governed by the provisions applicable to the district in which the tract is located as of the date the cluster plan was approved.

Section 912. Cluster Plan Adjacent to Major Arterial Streets and Floodways:

The provisions of this Section 912 shall apply only to parcels of eight (8) acres or more that meet the following criteria: (1) the parcel is adjacent to a major arterial roadway with average daily traffic greater than 35,000 vehicles per day, (2) the parcel is adjacent to the Indian Bend Wash; and, (3) the parcel is not adjacent to an R-43 district.

For parcels that meet the criteria of the preceding paragraph, and not withstanding any other provision in this Ordinance to the contrary, the following shall apply:

1. The minimum lot size shall be 12,000 square feet.

2. The maximum number of stories shall be one.

3. The minimum lot frontage shall be 100 feet.

4. **Side yard setbacks with street frontage and front yard setbacks for primary buildings shall be 20 feet.**

5. **Rear yard setbacks for primary buildings shall be 25 feet.**

6. **Side yard setbacks with no street frontage for primary buildings shall be 7 feet.**

7. **The maximum floor area ratio shall not exceed 50%.**

8. **Rear yard setbacks (with or without street frontage) for accessory buildings and structures and pools shall be 10 feet.**

9. **Side yard setbacks (with or without street frontage) for accessory buildings and structures and pools shall be 7 feet.**

10. **Front yard setbacks for garage structures that do not have a garage door facing the street shall be 10 feet, provided that for all square footage of any such garage between the 10 foot and 20 foot front yard setback there shall be at least an equal amount of square footage behind the 20 foot setback that shall not be enclosed.**

11. **The height of structures shall be measured as the vertical distance from the Regulatory Flood Elevation, as defined in Section 5-11-1 of the Town Code, adjacent to the parcel.**

Section 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance or any part of these amendments to the Town Code adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section 4. This ordinance shall become effective in the manner provided by law.

PASSED AND ADOPTED by the Mayor and Council of the Town of Paradise Valley, Arizona, this _____ day of _____, 2017.

_____
Michael Collins, Mayor

SIGNED AND ATTESTED THIS _____ DAY OF _____ 2017.

ATTEST:

_____
Duncan Miller, Town Clerk

APPROVED AS TO FORM:

_____
Andrew Miller, Town Attorney

PRELIMINARY PLAT FOR

THE VILLAS AT CHENEY ESTATES

A PORTION OF LAND LOCATED IN THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 3 NORTH, RANGE 4 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA

NOTES

1. ALL ELECTRIC, NATURAL GAS, TELEPHONE AND CABLE TV SERVICE LINES WILL BE INSTALLED UNDERGROUND EXCEPT AS REQUIRED BY THE UTILITY PROVIDERS. NO POWER POLES EXIST ON SITE
2. CONSTRUCTION WITHIN UTILITY EASEMENTS, EXCEPT BY PUBLIC AGENCIES AND UTILITY COMPANIES SHALL BE LIMITED TO WOOD AND WIRE OR REMOVABLE SECTION TYPE FENCING AND MUST BE IN CONFORMANCE WITH APPLICABLE DEED RESTRICTIONS, TOWN CODES, AND MAG SPECS AND STANDARD DETAILS.
3. THE ELEVATION OF ANY PAD FOR A BUILDING OR STRUCTURE WITHIN THE BASE FLOOD LIMITS OF AN AREA OF SPECIAL HAZARD MUST BE IN ACCORDANCE WITH ARTICLE 5–11 OF THE TOWN OF PARADISE VALLEY TOWN CODE, FLOODPLAIN ADMINISTRATION.
4. TRACT A IS A PRIVATE DRIVE AND CONTAINS AN EASEMENT FOR PUBLIC & PRIVATE WATER AND SEWER LINES, NATURAL GAS, ELECTRIC, TELEPHONE, CABLE TELEVISION, DRAINAGE, REFUSE COLLECTION, AND EMERGENCY AND SIMILAR SERVICE TYPE VEHICLES.
5. CC&R'S FOR THIS DEVELOPMENT ARE AS PER THE "THE VILLAS AT CHENEY ESTATES" DECLARATION OF COVENANTS, RESTRICTIONS AND EASEMENTS AS RECORDED IN DOCUMENT NO. _____ M.C.R.
6. THOSE PORTIONS OF TRACT A & LOT 8 WHICH WILL BE DRIVABLE SURFACES TO BE UTILIZED ONLY BY EMERGENCY VEHICLES SHALL BE CONSTRUCTED WITH MATERIALS TO BE APPROVED BY THE FIRE MARSHAL.

DEDICATION

STATE OF ARIZONA
COUNTY OF MARICOPA } SS

KNOW ALL MEN BY THESE PRESENTS:

_____; _____, AS LEGAL
NAME OF OWNER(S) STATUS (I.E: HUSBAND, WIFE, CORPORATION, ETC.)

OWNERS OF SAID REAL PROPERTY, HAVE SUBDIVIDED UNDER THE NAME OF THE VILLAS AT CHENEY ESTATES.
(NAME OF SUBDIVISION)

A SUBDIVISION LOCATED IN THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 3 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA
(LEGAL DESCRIPTION)

AS SHOWN AND PLATTED HEREON AND HEREBY PUBLISH THIS PLAT AND HEREBY DECLARE THAT THIS PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF THE LOTS AND TRACTS CONSTITUTING SAME AND EACH LOT AND TRACT SHALL BE KNOWN BY THE NUMBER OR NAME GIVEN EACH RESPECTIVELY ON THIS PLAT, TRACT A IS HEREBY DEDICATED AS A PRIVATE ROADWAY AND SHALL BE OWNED BY THE HOMEOWNER ASSOCIATION OF THIS SUBDIVISION. NOTHING HEREIN SHALL BE CONSTRUED TO BE A DEDICATION OF TRACT A TO THE PUBLIC. EASEMENTS ARE HEREBY DEDICATED FOR THE PURPOSES SET FORTH ON THIS PLAT.

IN WITNESS WHEREOF:

_____; AS OWNERS, HAVE HEREUNTO AFFIXED THEIR

SIGNATURE THIS_____DAY OF _____, 20___.

_____ _____
(NAME OF OWNER) (NAME OF OWNER)

LEGAL DESCRIPTION

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 3 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE BRASS CAP IN HAND HOLE MARKING THE SOUTHEAST CORNER OF SAID SECTION 34, FROM WHICH THE BRASS CAP IN HAND HOLE MARKING THE EAST QUARTER CORNER OF SAID SECTION 34 BEARS NORTH 00°00'00" EAST, A DISTANCE OF 2,640.81 FEET;

THENCE NORTH 00°00'00" EAST, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 34, A DISTANCE OF 40.00 FEET TO A POINT ON A LINE WHICH IS PARALLEL WITH AND 40.00 FEET NORTHERLY, AS MEASURED AT RIGHT ANGLES, FROM THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 34;

THENCE NORTH 89°45'30" WEST, ALONG SAID PARALLEL LINE, A DISTANCE OF 77.05 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING NORTH 89°45'30" WEST, A DISTANCE OF 784.84 FEET;

THENCE NORTH 37°11'31" EAST, A DISTANCE OF 1,318.29 FEET TO A POINT ON A LINE WHICH IS PARALLEL WITH AND 65.00 FEET WESTERLY, AS MEASURED AT RIGHT ANGLES, FROM THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 34;

THENCE SOUTH 00°00'00" EAST, ALONG SAID PARALLEL LINE, A DISTANCE OF 1,041.48 FEET TO THE BEGINNING OF A TANGENT CURVE OF 12.00 FOOT RADIUS, CONCAVE NORTHWESTERLY;

THENCE SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 90°14'30", A DISTANCE OF 18.90 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 419,740 SQUARE FEET OR 9.636 ACRES, MORE OR LESS.

BASIS OF BEARING

THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 34 AS SHOWN IN BOOK 158, PAGE 28 MARICOPA COUNTY RECORD. SAID LINE BEARS NORTH 89 DEGREES 45 MINUTES 30 SECONDS WEST.

SITE DATA

EXISTING ZONING	R-43
PROPOSED ZONING	R-43 CP (CLUSTER PLAN)
GROSS AREA	9.636 AC
TOTAL UNITS	8

*NOTE:
FRONT YARD SETBACKS FOR GARAGE STRUCTURES THAT DO NO HAVE A GARAGE DOOR FACING THE STREET SHALL BE 10 FEET, PROVIDED THAT FOR ALL SQUARE FOOTAGE OF ANY SUCH GARAGE BETWEEN THE 10 FOOT AND 20 FOOT FRONT YARD SETBACK THERE SHALL BE AT LEAST AN EQUAL AMOUNT OF SQUARE FOOTAGE BEHIND THE 20 FOOT SETBACK THAT SHALL NOT BE ENCLOSED.

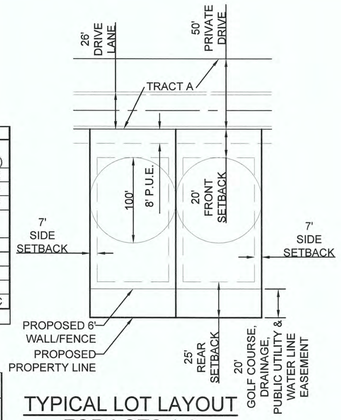
KEY MAP
(NOT-TO-SCALE)

LOT AREA TABLE	
LOT #	SQUARE FT
1	21,941
2	14,443
3	17,866
4	18,116
5	19,360
6	39,362
7	12,794
8	26,980
TOTAL	170,862

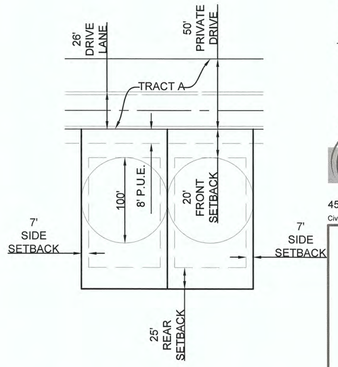
SITE SUMMARY TABLE		
PROPOSED ZONING	R-43-CP (CLUSTER PLAN)	
GROSS AREA (SQ. FT.) ACRES	419,740	9.636
LOCAL ROADWAYS (SQ. FT.) ACRES	25,883	0.594
**NET AREA (SQ. FT.) ACRES	393,857	9.042
ASSESSORS PARCEL NUMBER (APN#)	174-36-002X / 174-36-188A	
MIN LOT WIDTH / MIN LOT AREA	100'/12,000 SF	
MINIMUM LOT AREA PROVIDED	12,581	
TOTAL NUMBER OF LOTS	8	
TOTAL NUMBER OF TRACTS	4	
DENSITY PROVIDED PER GROSS AREA	0.830	DU/AC
** NET AREA IS GROSS AREA MINUS PRIVATE ROADWAYS		

R 43-CP (CLUSTER PLAN)	
REGULATION	PROPOSED ZONING DISTRICT REGULATIONS
MAX. BUIDLING HEIGHT	24' / SINGLE STORY
MIN. FRONT YARD SETBACK*	20' OR 10' WITH FRONT YARD SIDE ENTRY GARAGES
MIN. SIDE YARD SETBACK	7'
MIN. STREET-SIDE YARD SETBACK	20'
MIN. REAR YARD SETBACK	25'
MIN. LOT AREA	12,000 SQ. FT.
MIN. LOT WIDTH	100'

TRACTS	AREA ACRES	S.F.	DESCRIPTION
A	0.59	25,883	PRIVATE DRIVE/EASEMENT FOR PUBLIC & PRIVATE UTLITIES & EASEMENT FOR EMERGENCY & SERVICE TYPE VEHICLES
B	0.24	10,358	OPEN SPACE / LANDSCAPE TRACT / STORM WATER RETENTION
C	4.88	212,648	GOLF COURSE/DRAINAGE /WATER LINE AND PUBLIC UTILITY EASEMENT
TOTAL	5.71	248,888	



TYPICAL LOT LAYOUT
FOR LOTS 1-6
N.T.S.



TYPICAL LOT LAYOUT
N.T.S.

FRONT:	20'
SIDE:	7'
CORNER SIDE:	20'
REAR:	25'

ACKNOWLEDGMENTS

STATE OF ARIZONA
COUNTY OF MARICOPA } SS

BEFORE ME THIS _____ DAY OF _____, 20_____, THE FOLLOWING PERSONS APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, _____ AND _____, WHO ACKNOWLEDGED (A) THEMSELVES TO BE _____, AND _____; AND ACKNOWLEDGED (B) THEMSELVES TO BE THE LEGAL OWNERS OF THE PROPERTY PLATTED HEREON; AND ACKNOWLEDGED (C) THAT THEY, AS LEGAL OWNERS, EXCECUTED THIS INSTRUMENT FOR THE PURPOSES HEREIN CONTAINED.

IN WITNESS WHEREOF, I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES:_____

SIGNATURE: _____
NOTARY PUBLIC

DRAINAGE EASEMENT RESTRICTIONS

PURSUANT TO A.R.S. 9–463.01 (C), AND SECTION 6–4 (E)(J), 8–7–1 ET. SEQ. AND 6–3–8 OF THE CODE OF ORDINANCES OF THE TOWN OF PARADISE VALLEY, DRAINAGE EASEMENTS ARE FOR THE PURPOSE OF ALLOWING STORM, FLOOD AND OTHER WATERS TO PASS OVER, UNDER, OR THROUGH THE LAND SET ASIDE FOR SUCH EASEMENTS, AND NOTHING WHICH MAY, TO ANY DEGREE, IMPEDE OR OBSTRUCT THE FLOW OF SUCH WATER, SHALL BE CONSTRUCTED, PLACED, PLANTED OR ALLOWED TO GROW ON OR IN SUCH EASEMENTS. THE MAINTENANCE AND CLEARING OF THESE DRAINAGE EASEMENTS SHALL BE THE SOLE RESPONSIBILITY AND DUTY OF THE OWNER OF THE PROPERTY ON WHICH SAID EASEMENTS ARE PLATTED. HOWEVER, IF THE TOWN DEEMS IT TO BE IN THE BEST INTERESTS OF THE HEALTH, SAFETY, OR WELFARE OF THE TOWN OF PARADISE VALLEY, THE TOWN OF PARADISE VALLEY MAY CONSTRUCT AND/OR MAINTAIN DRAINAGE FACILITIES ON OR UNDER SUCH EASEMENTS. AGENTS AND EMPLOYEES OF THE TOWN OF PARADISE VALLEY SHALL HAVE FREE ACCESS TO AND FROM ALL PORTIONS OF SUCH EASEMENTS AT ALL TIMES.

NOTICE REGARDING WATER SERVICE

THIS SUBDIVISION IS LOCATED WITHIN THE BERNEIL WATER COMPANY SERVICE AREA AND AN APPLICATION FOR THE ASSURED WATER SUPPLY CERTIFICATE IS IN PROGRESS.

APPROVAL

APPROVED BY THE TOWN COUNCIL OF THE TOWN OF PARADISE VALLEY, ARIZONA THIS

_____ DAY OF _____, 2017.

BY: _____
MAYOR

ATTEST: _____
TOWN CLERK

_____
TOWN ENGINEER

_____
PLANNING DIRECTOR

CERTIFICATION

THIS IS TO CERTIFY THAT (1) THE SURVEY OF THE PREMISES DESCRIBED AND PLATTED HEREIN WERE MADE UNDER MY DIRECTION DURING THE MONTH OF _____, 20____, AND (2) THIS PLAT IS CORRECT AND ACCURATE, AND (3) THE MONUMENT OR MONUMENTS SHOWN HEREIN HAVE BEEN LOCATED AS DESCRIBED.

_____
REGISTERED LAND SURVEYOR

PRELIMINARY PLAT FOR THE VILLAS AT CHENEY ESTATES

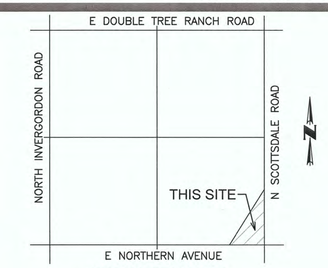
A PORTION OF LAND LOCATED IN SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 3 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN,
MARICOPA COUNTY, ARIZONA

OWNER
TOWN TRIANGLE, LLC
7070 E 5436 EAST LAFAYETT BLVD
PHOENIX, AZ 85015
CONTACT: JARRETT JARVIS

OWNER
FOLKMAN PROPERTIES, LLC
2422 E PALO VERDE DR
PHOENIX, AZ 85016

CVL DESIGN TEAM
CVL CONSULTANTS, INC.
4550 N. 12TH STREET
PHOENIX, AZ 85014
PHONE: (602) 285-4768
CONTACT: FRED FLEET, P.E.

DEVELOPER
GEOFFREY H EDMUNDS & ASSOCIATES, INC.
7070 E FOOTHILLS DRIVE
PARADISE VALLEY, AZ 85253
PHONE: (480) 315-6700
CONTACT: GEOFFREY EDMUNDS



VICINITY MAP
(NOT-TO-SCALE)

PROJECT NARRATIVE

THIS PROJECT IS PROPOSED AS A SINGLE FAMILY DETACHED RESIDENTIAL DEVELOPMENT WITH PRIVATE STREETS AND PUBLIC AND PRIVATE UTILITIES. THE PROJECT PROPOSES A TOTAL OF 8 LOTS AND A GROSS DENSITY OF 0.830 DU/AC. THE PROPOSED ZONING IS R43-CP (CLUSTER PLAN)

UTILITIES

TELEPHONE	- CENTURY LINK
ELECTRIC	- ARIZONA PUBLIC SERVICE COMPANY
SEWER	- TOWN OF PARADISE VALLEY
WATER	- THE BERNEIL WATER CO.
FIRE	- TOWN OF PARADISE VALLEY
POLICE	- TOWN OF PARADISE VALLEY
GAS	- SOUTHWEST GAS
CABLE TELEVISION	- COX COMMUNICATIONS

BENCHMARK

FOUND 3" PARADISE VALLEY BRASS CAP IN HANDHOLE 0.9' DOWN NO STAMPING, BEING THE NORTH QUARTER CORNER OF SECTION 3, T2N, R4E OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA. (MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION POINT NAME 2456–1)
ELEVATION = 1311.035 (NAVD 88)

SHEET INDEX

SHEET 01 - COVER SHEET / NOTES / KEY MAP / SITE DATA TABLE / TRACT TABLE / TYPICAL LOT DETAIL
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SHEET 03 - SITE PLAN

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Civil Engineering . Water Systems . Wastewater Treatment . Land Planning . Energy . Land Survey . Landscape Architecture . Construction Management

REGISTERED PROFESSIONAL ENGINEER (CIVIL)
CERTIFICATE NO. 16237
FRED EVERETT FLEET
DATE SIGNED 8/4/17
ARIZONA U.S.A.
Expires 12/31/17

SHEET 01 OF 03

1-01-02881-01

DATE: 8/4/2017

N:\01\02881\01\CADD\Preliminary\P.B.\PRE-PLAT.01.dwg

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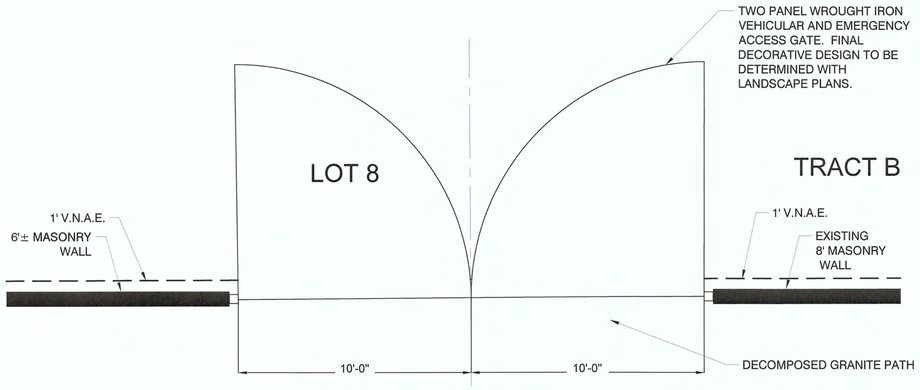
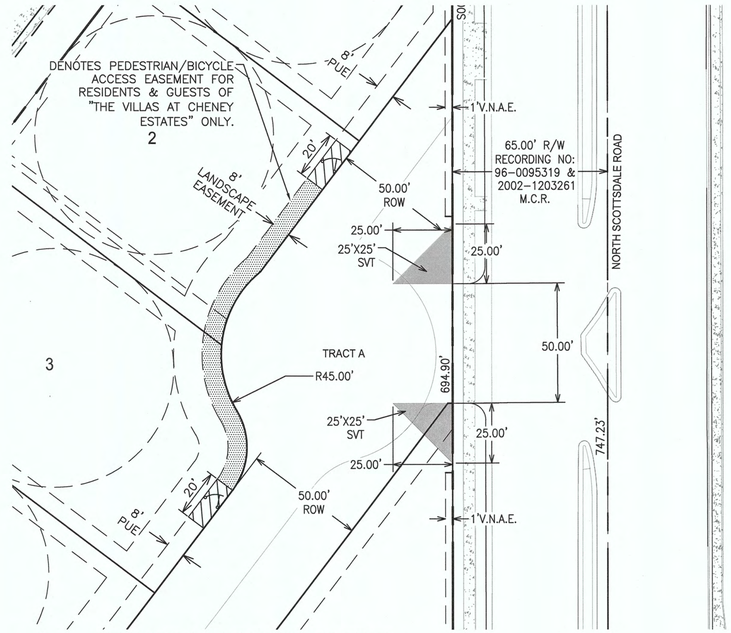


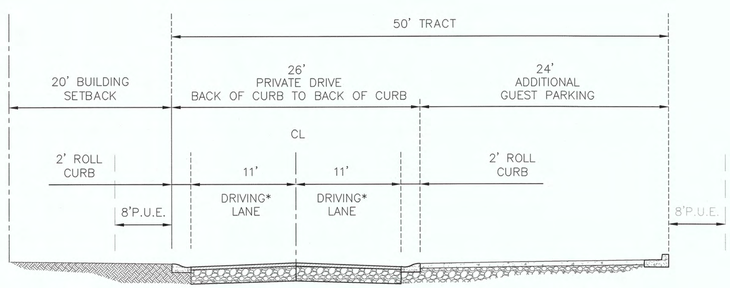
1 FIRE LANE GATE PLAN - ACCESS FROM SCOTTSDALE ROAD

1/4" = 1'-0"



SITE VISIBILITY TRIANGLE DETAIL

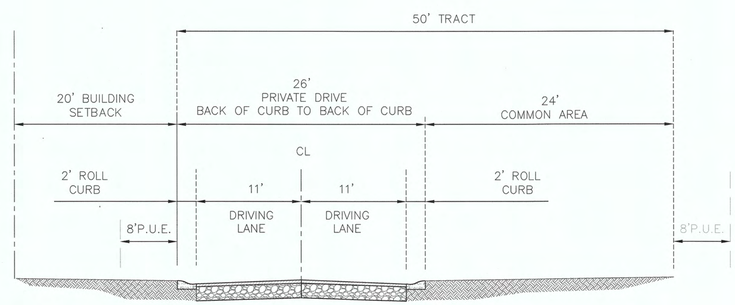
SCALE: 1"=30'



LOCAL PRIVATE ROAD WITH PARKING (ROLL CURB)

N.T.S.

* THERE ARE NO ON-STREET PARKING RESTRICTIONS



LOCAL PRIVATE ROAD (ROLL CURB)

N.T.S.

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CONTACT: JARRETT JARVIS

OWNER

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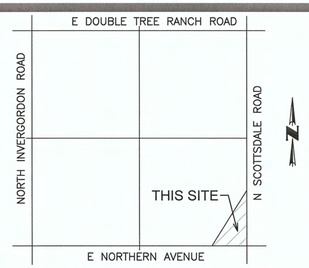

VICINITY MAP

(NOT-TO-SCALE)

LEGEND

- PROPOSED LOTS
- PROPOSED ROW
- PROPOSED CENTER LINE
- (S.V.T.) SIGHT VISIBILITY TRIANGLE
- 1' V.N.A.E. — (V.N.A.E.) INDICATES VEHICULAR NON-ACCESS EASEMENT
- 8' P.U.E. — (P.U.E.) INDICATES PUBLIC UTILITY EASEMENT
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- PROPOSED SEWER
- PROPOSED PEDESTRIAN/BICYCLE ACCESS EASEMENT
- PROPOSED LANDSCAPE EASEMENT

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REGISTERED PROFESSIONAL ENGINEER (CIVIL) CERTIFICATE NO. 16237 FRED EVERETT FLEET DATE SIGNED 4 AUG 2017 ARIZONA U.S.A. Expires 12/31/17

SHEET 02 OF 03

1-01-02881-01

DATE: 8/4/2017

N:\01\02881\01\CADD\Preliminary\P.B.PRE-PLAT.01.dwg

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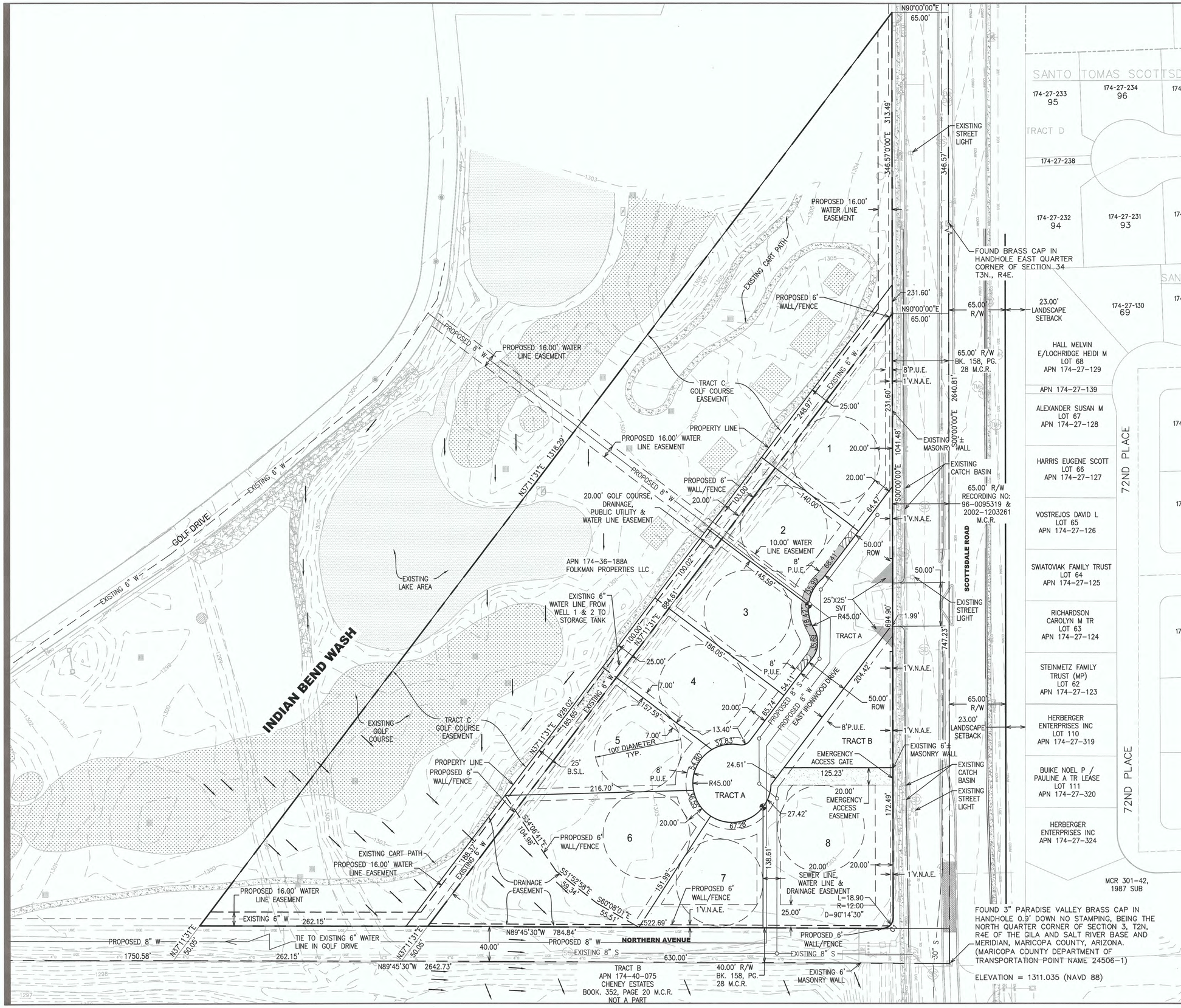

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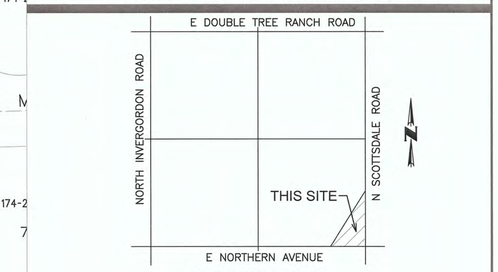

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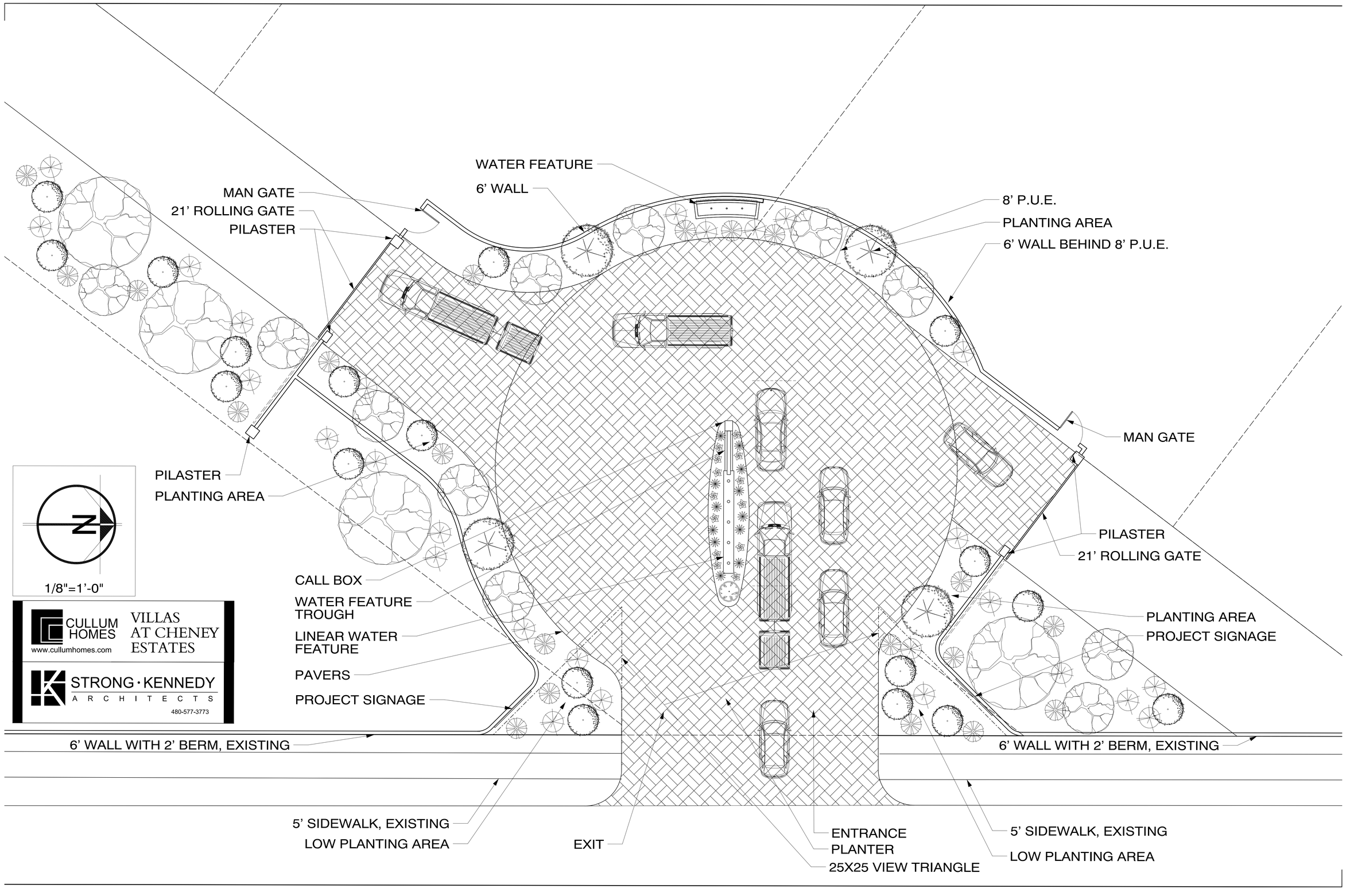
WATER FEATURE
6' WALL
MAN GATE
21' ROLLING GATE
PILASTER
8' P.U.E.
PLANTING AREA
6' WALL BEHIND 8' P.U.E.
MAN GATE
PILASTER
PLANTING AREA
PILASTER
21' ROLLING GATE
CALL BOX
WATER FEATURE TROUGH
LINEAR WATER FEATURE
PAVERS
PROJECT SIGNAGE
PLANTING AREA
PROJECT SIGNAGE
1/8"=1'-0"
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VILLAS AT CHENEY ESTATES
STRONG · KENNEDY
ARCHITECTS
480-577-3773
6' WALL WITH 2' BERM, EXISTING
6' WALL WITH 2' BERM, EXISTING
5' SIDEWALK, EXISTING
LOW PLANTING AREA
EXIT
ENTRANCE
PLANTER
25X25 VIEW TRIANGLE
5' SIDEWALK, EXISTING
LOW PLANTING AREA