



**PUBLIC NOTICE
PLANNING & ZONING COMMISSION**

Meets

Wednesday, September 18, 2024

6:00 PM

**ELOY CITY COUNCIL CHAMBERS
595 NORTH C STREET
ELOY, ARIZONA 85131**

AGENDA

- I. Call to Order**
- II. Roll Call**
- III. Pledge of Allegiance**
- IV. Motion to approve the August 21, 2024, meeting minutes of the Planning and Zoning Commission**
 - A. August 21, 2024, Regular Meeting Minutes of the Planning and Zoning Commission.
- V. New Business: Possible discussion and/or action on the following:**
 - A. Conduct a public hearing and make a recommendation to the Eloy City Council on Case No. RZPAD2006-035.A1: Picacho View II Planned Area Development-NextEra. The proposed Amendment to the Zoning Map will modify the Picacho View II Planned Area Development to permit Solar, Utility Scale Generation, and Battery Energy Storage System Facilities as an allowed use. Consisting of approximately 1,040 acres of land, the site is located between W Kenyon RD, W Harmon RD, S Tweedy RD, and S Curry RD.
 - B. Conduct a public hearing and make a recommendation to the Eloy City Council on Case No. RZPA2007-007.A1 Steven Farms Planned Area Development - NextEra. The proposed Amendment to the Zoning Map will modify the Steven Farms Planned Area Development to permit Solar, Utility Scale Generation, and Battery Energy Storage System Facilities as an allowed use. Consisting of approximately 640 acres of land, the site is located between W Harmon RD, W Hotts RD, S Eleven Mile Corner Road, and S Tweedy RD.
 - C. Conduct a public hearing and make a recommendation to the Eloy City Council on Case No. CUP2024-002: Eloy Valley I and II Solar Energy Center. The proposed Conditional Use Permit is to allow Solar, Utility Scale Generation, and Battery Energy Storage System Facilities on an irregularly shaped property containing approximately 2,237 acres site zoned Rural Residential (RR-20) and Estate Residential (R1-43), and located between W Shay RD, W Pretzer RD, S Sunshine RD, and S Tweedy RD.
- VI. Old Business: Possible discussion and/or action on the following:**

- A. Conduct a public hearing and make a recommendation to the Eloy City Council on Case No. ZTA2024-001: Residential Walls and Fences, to amend Chapter 21 Zoning, Article IV. General Development Regulations, Section 21-4-2.10: Fences and Hedges, and other applicable articles and sections of the Zoning Ordinance, to incorporate requirements for opaque walls and fences on residential lots with an area of one (1) acre and less, excluding property zoned with a Planned Area Development Overlay.
- B. Conduct a public hearing and make a recommendation to the Eloy City Council on Case No. ZTA2024-002: Planning and Zoning Commission Responsibilities and Reasonable Accommodations, to amend Chapter 21 Zoning, Article V. Administration, Section 21-5-3 Planning and Zoning Commission, and Section 21-5-4: Board of Adjustment, and other applicable Articles and sections of the Zoning Ordinance, pertaining to the construct, powers, and responsibilities of the Planning and Zoning Commission and Board of Adjustment.
- C. Conduct a public hearing and make a recommendation to the Eloy City Council on Case No. ZTA2024-003: Historic Preservation Overlay and Miscellaneous Modifications, to amend Chapter 21 Zoning: Article II. Zoning Districts, including sections therein, to modify the title of the Planned Area Development (PAD) zone, and to incorporate the Historic Preservation Overlay (HP) zone, including the related processes and requirements; and Article VI. Zoning Procedures, to add Historic Preservation procedures, processes, criteria, standards, and guidelines.
- D. Conduct a public hearing and make a recommendation to the Eloy City Council on Case No. ZTA2024-004: Development Standards and Building Heights Exceptions, a request by the City of Eloy for a Text Amendment to the City of Eloy's Zoning Ordinance to amend Chapter 21 Zoning: Article II. Zoning Districts, to add building height exception allowances and modify the development standard tables of all zones to restate the provisions and provide clarity, remove conflicts, and add square footage allowance for the residential component of a mixed-use development; in addition, to amend Article IV. General Development Regulations to incorporate provisions and regulations pertaining to allowing building height exceptions for appurtenances, projections, and structures above the building height of a property's zone.

VII. Informational Item:

- A. Planning and Zoning Commission members and Staff will give updates on relevant events and activities they have attended since the last meeting and any future events, activities, potential future agenda items. These items are for information only - no action will be taken.

VIII. Communications:

IX. Motion to Adjourn

POSTED BY SEPTEMBER 13, 2024, AT ELOY CITY HALL, ELOY POST OFFICE, AND CITY WEBSITE: www.elayaz.gov

THE FACILITY WILL BE OPEN TO THE PUBLIC 30 MINUTES PRIOR TO THE START OF THE MEETING AND SEATING WILL BE AVAILABLE FOR "REASONABLY ANTICIPATED ATTENDANCE."

A handwritten signature in cursive script that reads "Mary Myers". The signature is written in black ink and is positioned above a solid horizontal line.

Mary Myers, MMC, CPM
City Clerk

INDIVIDUALS WITH SPECIAL ACCESSIBILITY NEEDS MAY CONTACT LORENA LaSALDE-RIOS, ADA COORDINATOR FOR THE CITY OF ELOY AT 520-466-9201 OR 520-466-7455 (TDD). IF POSSIBLE, SUCH REQUESTS SHOULD BE MADE 72 HOURS IN ADVANCE. ONE OR MORE MEMBERS OF THE COMMISSION AND/OR STAFF MAY PARTICIPATE BY TELEPHONIC OR VIDEO MEANS.



**ELOY PLANNING AND ZONING COMMISSION
CITY HALL
595 NORTH C STREET
ELOY, AZ 85131
Regular Meeting
WEDNESDAY, AUGUST 21, 2024
SUMMARIZED MEETING MINUTES**

PRESENT: Chairperson Steven Paulson
Vice-Chairperson Conrad Tolson
Commissioner Edward Saucedo
Commissioner Allen Crawford (via telephone)
Ex-Officio Andrew Sutton

ABSENT: None.

STAFF: Dan Symer, Community Development Director
Belinda Cota, Planner

I. Call to Order

Chairperson Steven Paulson called the meeting to order at 6:05 p.m.

II. Roll Call

*One or more Planning and Zoning Commission members may attend by telephone.
As stated above, a formal roll call was conducted to confirm the members present.

III. Pledge of Allegiance

Chairperson Paulson led the recitation of the Pledge of Allegiance.

IV. Motion to approve the July 17, 2024, regular meeting minutes of the Planning and Zoning Commission

Commissioner Crawford moved to approve the July 17, 2024, Regular meeting minutes. Second, by Vice-Chairperson Tolson, the motion was carried by a vote of four (4) to zero (0) by Chair Paulson, Vice-Chairperson Tolson, Commissioner Crawford, and Commissioner Saucedo.

V. Old Business: Possible discussion and/or action on the following:

Note: These are summary action minutes only. A complete copy of the meeting audio is available on the City of Eloy website, search agendas, minutes and public notices: [Agendas, Minutes & Public Notices | Eloy, AZ - Official Website \(eloyaz.gov\)](#)

- A. Conduct a public hearing and make a recommendation to the Eloy City Council on Case No. RZPAD2004-018.A1: Rancho Del Sol Brillante Planned Area Development - Milligan Energy Center. The proposed Zoning Map Amendment is to modify the Rancho Del Sol Brillante Planned Area Development to permit Solar, Utility Scale Generation, and Battery Energy Storage System Facility as an allowed use. Generally, the site is located north of Shay Road, south of Interstate 10 (I-10), east of Eleven Mile Corner Road, and one-half mile west of the State Highway 87/Barrett Road alignment.**

Chairperson Paulson opened the public hearing.

There was public participation, and each individual had the opportunity to express their view on the case.

Chairperson Paulson closed the public hearing.

Commissioner Crawford moved to approve Case No. RZPAD2004-018.A1. Second, by Commissioner Chairperson Paulson, the motion was carried by a vote of four (4) to zero (0) by Chairperson Paulson, Vice-Chairperson Tolson, Commissioner Crawford, and Commissioner Saucedo.

VI. New Business: Possible discussion and/or action on the following:

- A. Conduct a public hearing and make a recommendation to the Eloy City Council on Case No. CUP2024-003: AT&T AZL01563, a request by Smartlink, as the applicant on behalf of AT&T, for a Conditional Use Permit to collocate on the existing 180-foot tall city-owned lattice tower antenna and site located at 95 W. 7th St.**

Chairperson Paulson opened the public hearing.

Mr. Jaimes Caciola gave a brief PowerPoint presentation.

There were no further questions, Chairperson Paulson closed the public hearing.

Commissioner Crawford moved to approve Case No. CUP2024-003. Second, by Vice-Chairperson Tolson, the motion was carried by a vote of four (4) to zero (0) by Chairperson Paulson, Vice-Chairperson Tolson, Commissioner Crawford, and Commissioner Saucedo.

VII. CONTINUANCES

Chairperson Paulson read the following agenda items into the record.

- A. Request by City Staff to continue Case No. ZTA2024-001: Residential Walls and Fences, to the September 18, 2024, Planning and Zoning Commission meeting.**

Note: These are summary action minutes only. A complete copy of the meeting audio is available on the city of Eloy website, search agendas, minutes and public notices: [Agendas, Minutes & Public Notices | Eloy, AZ - Official Website \(elayaz.gov\)](https://www.elayaz.gov)

Commissioner Crawford moved to continue Case No. ZTA2024-001 to the September 19, 2024, Planning and Zoning Commission meeting. Second, by Vice-Chairperson Tolson, the motion was carried by a vote of four (4) to zero (0) by Chairperson Paulson, Vice-Chairperson Tolson, Commissioner Crawford, and Commissioner Saucedo.

B. Request by City Staff to continue Case No. ZTA2024-002: Planning and Zoning Commission Responsibilities and Reasonable Accommodations to the September 18, 2024, Planning and Zoning Commission meeting.

Commissioner Crawford moved to continue Case No. ZTA2024-002 to the September 19, 2024, Planning and Zoning Commission meeting. Second, by Vice-Chairperson Tolson, the motion was carried by a vote of four (4) to zero (0) by Chairperson Paulson, Vice-Chairperson Tolson, Commissioner Crawford, and Commissioner Saucedo.

C. Request by City Staff to continue Case No. ZTA2024-003: Historic Preservation Overlay and Miscellaneous Modifications to the September 18, 2024 Planning and Zoning Commission meeting.

Commissioner Crawford moved to continue Case No. ZTA2024-003 to the September 19, 2024, Planning and Zoning Commission meeting. Second, by Vice-Chairperson Tolson, the motion was carried by a vote of four (4) to zero (0) by Chairperson Paulson, Vice-Chairperson Tolson, Commissioner Crawford, and Commissioner Saucedo.

D. Request by City Staff to continue Case No. ZTA2024-004: Development Standards and Building Heights Exceptions, a request by the City of Eloy for a Text Amendment to the City of Eloy's Zoning Ordinance to amend Chapter 21-Zoning: Article II. Zoning Districts, to the September 18, 2024, Planning and Zoning Commission meeting.

Commissioner Crawford moved to continue Case No. ZTA2024-004 to the September 19, 2024, Planning and Zoning Commission meeting. Second, by Vice-Chairperson Tolson, the motion was carried by a vote of four (4) to zero (0) by Chairperson Paulson, Vice-Chairperson Tolson, Commissioner Crawford, and Commissioner Saucedo.

VIII. INFORMATIONAL ITEM:

- A.** Planning and Zoning Commission members and staff will give updates on relevant events and activities they have attended since the last meeting and any future events, activities, and potential agenda items. These items are for information only – no action will be taken.

Mr. Symer communicated the following information:

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- The next Planning and Zoning Commission meeting is scheduled for Wednesday, September 18, 2024, at 6:00 p.m.
- Staff will initiate a Zoning Text Amendment to allow Data Centers within the Business Parks (BP) and the Light Industrial (IL) Zoning Districts. Data Centers are only allowed in one location through a Planned Area Development (PAD).

Ex-Officio Sutton communicated the following information:

- City Council recommended approving the Sawtooth Energy Solar project; and
- City Council recommended approving the Conditional Use Permit for the Milligan Energy Center Solar project per Resolution 24-1587.

IX. MOTION TO ADJOURN

With no further business to discuss, the Planning and Zoning Commission meeting adjourned at 7:00 p.m.

CITY OF ELOY

REQUEST FOR COMMISSION ACTION

Agenda Item: **V.A.**

Date: **9/18/2024**

Date submitted:
08/27/2024

Action: Other

Subject: Conduct a public hearing and make a recommendation to the Eloy City Council on Case No. RZPAD2006-035.A1: Picacho View II Planned Area Development-NextEra. The proposed Amendment to the Zoning Map will modify the Picacho View II Planned Area Development to permit Solar, Utility Scale Generation, and Battery Energy Storage System Facilities as an allowed use. Consisting of approximately 1,040 acres of land, the site is located between W Kenyon RD, W Harmon RD, S Tweedy RD, and S Curry RD.

TO: Planning and Zoning Commission

FROM: Dan Symer, Belinda Cota

RECOMMENDATION:

The staff recommends that the Planning and Zoning Commission recommend to the City Council the approval of Case No. RZPAD2006-035.A1: Picacho View II Planned Area Development-NextEra in accordance with the attached Conditions of Approval and find that the Planned Area Development Approval Criteria have been met.

DISCUSSION:

Request:

The applicant, Pew and Lake, PLC, c/o Ralph Pew, on behalf of NextEra Energy Resources, LLC and Linkmark, LLC, has applied for a Zoning Map Amendment to modify the existing Picacho View II Planned Area Development (PAD). The amendment incorporates Solar, Utility-Scale Generation, and Battery Energy Storage Facility, also known as Solar Generation Facility, in the Zoning Ordinance (hereafter, "Utility-Scale Solar") as an allowed use on approximately 1,040 acres of land.

Context

Farms and vacant land primarily surround the site. The surrounding properties are primarily zoned single-family residential and there is a dairy farm within Unincorporated Pinal County. The General Plan land use map designations, zoning, and land uses of the property abutting and adjacent to the property are identified in the table below and in the attachments.

Direction	General Plan Land Use Map Designation	Existing Property Zoning	Existing Use of the Property
North	Medium and Low-Density Residential	Estate Residential (R1-43/PAD)	Agricultural
South	Estate Density Residential	General Rural (GR) (Unincorporated Pinal County)	Caballero Dairy
East	Community Commercial, Medium, and Estate Density Residential	Estate Residential (R1-43)	Agricultural
West	Estate Density Residential and Medium Density Residential	Rural Residential (RR-20), Estate Residential (R1-43/PAD), General Rural (GR) (Unincorporated Pinal County)	Agricultural

Zoning Ordinance Issues for Consideration:

In determining whether to approve, approve with conditions, or deny the proposed Official Zoning Map amendments, issues for consideration shall include but not limited to (Staff's analysis of the consideration is included in bold italic text, and the applicant's analysis is included in their narrative, attached):

A. Consistency (or lack thereof) with the adopted Eloy General Plan, and other adopted plans;

- ***The Utility Scale Solar use may also be allowed in any zoning district and land use designations when incorporated as an allowed use of a PAD zone. Adding the Utility Scale Solar to the PAD will assist in providing for a more sustainable community as specified in the General Plan Goal 3.1.1.1. It should be noted that according to the applicant, the Utility Scale Solar use is interim until such time that the development of the property for the zones and uses specified in the PAD is more viable and utilities are available.***

B. Compatibility with the existing zoning and conforming uses of nearby property and with the character of the neighborhood;

- ***The proposed Zoning Map Amendment and associated uses are consistent and compatible with the abutting and adjacent properties and character of the area/neighborhood. The PAD amendment will allow that property to be developed with a Utility-Scale Solar development for interim use. In accordance with the Zoning Ordinance, with the development of the property as a Utility-Scale Solar use, landscape buffers and setbacks that are 75 feet and greater will be provided to provide transitional buffers adjacent to streets and property zoned with the residential district.***

C. Suitability of the subject property for uses permitted by the proposed zoning district;

- ***The property is relatively flat farmland. To develop it as a Utility-Scale Solar site and to develop it in the future for the uses allowed in its designated zoning, the property owner/developer will be required to provide all necessary infrastructure improvements to serve the property.***

D. Suitability of the subject property for uses permitted by the existing zoning district; and

- ***The approximate 1,040-acre site is currently zoned in various districts with the PAD Overlay. The property may be developed under its existing zoning designations, provided that the property owner/developer provides all necessary infrastructure improvements to serve it. The property may also be developed as a Utility-Scale Solar site with limited infrastructure improvements.***

E. Availability of sewer and water facilities.

- ***The approximate 1,040-acre subject site currently does not have immediate Eloy water or sewer/wastewater service to the site. The nearest water and waste service lines are located in S. Sunshine Boulevard, approximately 600 feet south of the W. Milligan Road and S. Sunshine Boulevard intersection. Several private well locations exist on the site. With the development of the property as a Utility Scale Solar use, the property owner/developer will be required to provide septic infrastructure for sewer/wastewater for any occupiable buildings and a minimum of 25,000-gallon water storage tank for landscaping, restrooms, fire suppression, etc. purposes. When the property is developed for any other use, the property owner/developer will be required to provide all sewer/wastewater***

and water facilities to serve the development in accordance with city, county, and state requirements.

Approval Criteria for a PAD:

In determining whether to approve, approve with conditions, or deny a proposed Zoning Map Amendment for a PAD, the City Council shall make a determination in accordance with the provisions specified below (Staff analysis of the considerations included in bold italic text, and the applicant's analysis is included in their narrative, attached):

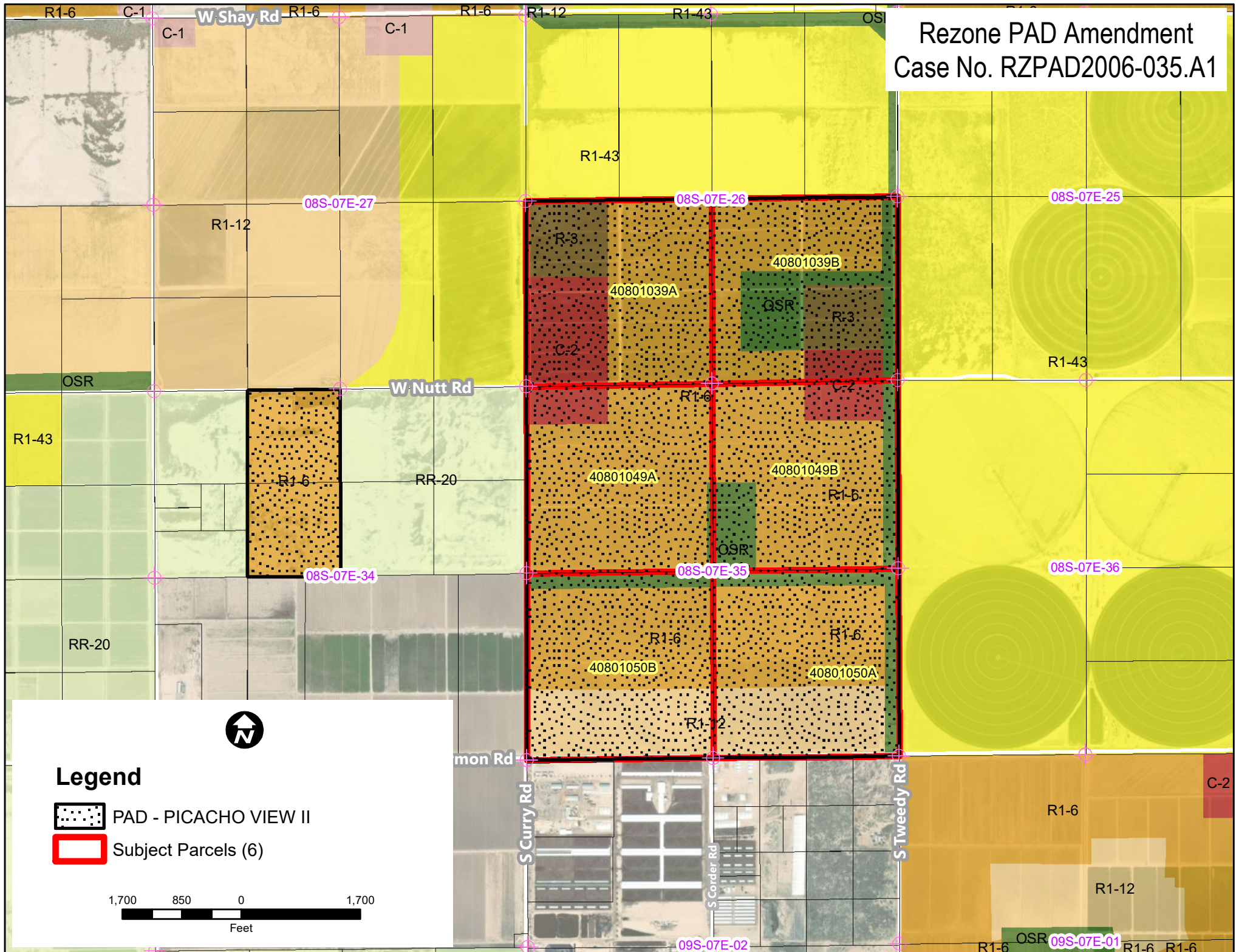
A. A PAD District may be approved only when the City Council determines that the proposed PAD would result in a greater benefit to the City as a whole than would development under conventional zoning district regulations and would not adversely affect the existing and/or future permissible uses of adjacent properties. Such greater benefits may include the implementation of adopted planning policies/design standards, natural resources preservation/conservation enhanced provision of utilities, urban design, neighborhood/community amenities, or an overall level of increased development quality.

- ***The incorporation of the Utility Scale Solar facility as an allowed use in the Picacho View II PAD will assist in providing a sustainable community through the provision of enhanced/alternative utility-scale solar energy production (GP Goal 3.1.1.1.). The proposed modifications to the PAD are not anticipated to alter the City Council's previous determination of the PAD Approval Criteria when the Picacho View II PAD was originally approved.***

FISCAL IMPACT:

There is no anticipated fiscal impact on the proposed changes.

Rezone PAD Amendment
Case No. RZPAD2006-035.A1



Eloy Valley Energy Center, LLC
Picacho View II Planned Area Development
NWC of Harmon and Tweedy Roads
Eloy, Arizona

PAD First Amendment

Project Narrative

Submitted by:

Pew & Lake, PLC
Ralph Pew/Vanessa MacDonald
1744 South Val Vista Drive, Suite 217
Mesa, AZ 85204
480-461-4670

On behalf of:



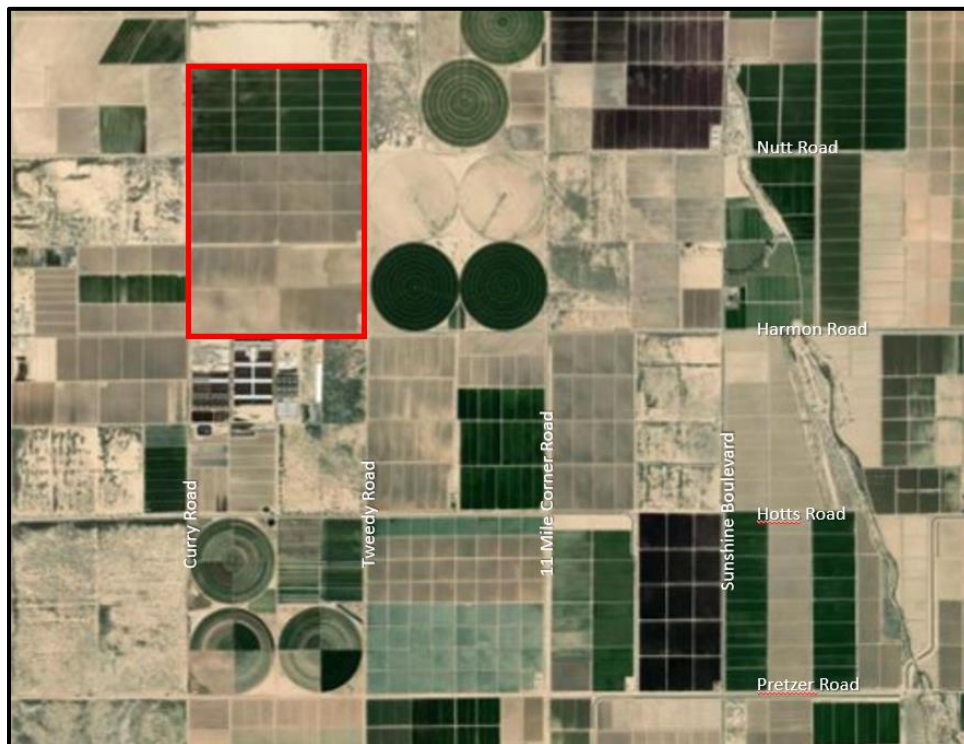
Submitted to:

The City of Eloy
Community Development Department
595 North C Street, Suite 102
Eloy, AZ 85131
Case No. RZPAD2006-035.A1

July 30, 2024

Introduction

Pew & Lake, PLC (the “Applicant”) on behalf of NextEra Energy Resources, LLC (“NextEra”) and Linmark, LLC (the “Property Owner”), is pleased to submit this project narrative to the City of Eloy (the “City”) for a request to amend the Picacho View II PAD, to allow a Solar, Utility Scale Generation and Battery Energy Storage System Facility (the “Project”) as an allowed use on the Property as defined below. The Project is proposed to be developed on approximately 960 acres of land located at the northwest corner of Harmon and Tweedy Roads (the “Property”). The Property is shown below and is comprised of six (6) Pinal County Assessor parcel numbers (408-01-039A, -039B, -049A, -049B, -050A and -050B) all of which are under the ownership of a single entity. A parcel map that identifies the properties by their Accessory Parcel Numbers (APN) is included in Attachment 1.



About NextEra Energy Resources, LLC.

NextEra Energy Resources, LLC (together with its affiliated entities, "NextEra Energy Resources") is a clean energy leader and is one of the largest wholesale generators of electric power in the U.S., with approximately 30,000 megawatts of total net generating capacity in 40 states and Canada. NextEra Energy Resources is the world's largest

generator of renewable energy from the wind and sun and a world leader in energy storage. NextEra Energy Resources offers a wide range of clean energy solutions to help businesses and customers across the country meet their emissions reduction goals. Through its energy investments, NextEra creates high paying jobs in the communities it serves. Within the State of Arizona, NextEra has an existing energy storage site and seven solar generation facilities in various stages of development.

With the development of this land within the City of Eloy, NextEra is planning to develop a 150-megawatt utility scale solar generation facility. The Project's major facilities include photovoltaic (PV) fields of solar arrays, BESS inverter stations, and a network of circuits that will route power to a Project substation that will be owned and operated by Arizona Public Service. 150 megawatts is enough electricity to power 31,000 homes. Increasing the capability of power grid is vitally important in Arizona, and especially in Pinal County.

Request

The Applicant is requesting approval of a Zoning Map Amendment of the existing Picacho View II PAD to expand the uses permitted within the base zoning districts of the Picacho View II PAD as authorized in Section 2.7.4(A) of the City's Zoning Ordinance, to include Solar, Utility Scale Generation and Battery Energy Storage System Facilities land use (hereinafter "Utility Scale Solar") and to establish development standards consistent with Section 21-3-1.39 of the City of Eloy Zoning Ordinance (the "Ordinance"). In addition, the standards incorporated in to the PAD specify that any buildings or structures constructed on the Property as part of the Utility Scale Solar Facility are to comply with the Industrial Development Requirements and Guidelines of Sections 21-2-5.5 and 21-2-5.6 of the Ordinance, except that the landscape provisions of Section 21-2-5.6.B are replaced with the landscape provisions of Section 21-3-1.39 of the Ordinance. The primary purpose of the design guidelines and the additional standards is to ensure the development complies with a design continuity, limits the use of reflective and unfinished materials, provides effective screening of equipment, and complies with the outdoor lighting and sign requirements of the Ordinance, if provided.

The Applicant, NextEra and Property Owner acknowledge and agree that the development of the Project must adhere to the development standards of the Solar Ordinance, as fully incorporated into the amendment to the Picacho View II PAD.

In addition to the above modifications, clerical changes have been incorporated into the PAD provisions to provide clarity, minimize the need for future interpretation of the plans and requirements, and to maintain conformance with the Code of the City of Eloy. These changes typically include modification to applicable references, widths, titles, format and timing. It should be noted that no substantive changes to the Picacho View II PAD are being proposed.

Zoning Map Amendment; Issues for Consideration

As established in Section 21-6-6.4 of the Ordinance, approval of a Zoning Map Amendment requires careful consideration of certain issues. The issues outlined in Section 21-6-6.4 are shown below in bold text, with the manner in which this application addresses the issue immediately following in italics.

A. Consistency (or lack thereof) with the adopted Eloy General Plan, and other adopted plans;

Response: The General Plan land use designations on this property are Low-, Medium- and Medium-High Density Residential; Community Commercial and Parks/Open Space, designations that virtually mirror the zoning designations on the property. The proposed amendment to the PAD will not alter the compatibility of the existing PAD with the current General Plan land use designations.

There are other elements within the Eloy General Plan that are advanced with the proposed PAD amendment. The elements are shown below along with the way in which this proposed amendment is consistent with each element.

General Plan Element	Goal	Consistency
Land Use	Goal 1: Provide a range of residential, employment and supportive land uses to encourage and maintain a sustainable community.	The proposed addition of a utility scale solar facility as an allowed use on the property serves to introduce a supportive land use to the community. While employment or residential uses are currently impractical on the Property, the proposed solar use can serve the community by leveraging the existing 230Kv power lines that are near the property to bring forth an innovative, interim use of the property in a manner that is sustainable and that has minimal impact to the property and nearby properties.
Environmental Planning	Goal 2: Strive to enhance and maintain regional and local air and water quality	The development of an interim, utility scale solar facility on the property may contribute to

		cleaner air in the community by creating a stream of clean, renewable energy that can enhance the current electrical grid and supplement the current hydroelectric and fossil fuel generation systems.
Economic Prosperity	Goal 2: Brand Eloy as a prime regional location for business, community growth and capital investment.	NextEra intends to make a significant capital investment in the City of Eloy to implement this proposed use. The Picacho View II Pad area is a small part of a much larger solar generation project for which NextEra is seeking approval. The NextEra project will implement the solar ordinance that was adopted by the city in 2023, and that provided a cohesive and coherent tool for solar development in the City of Eloy.

B. Compatibility with the existing zoning and conforming uses of nearby property and with the character of the neighborhood;

Response: The proposed amendment introduces a use that will be developed in a manner that is sensitive to the zoning and uses of nearby properties. The project will be designed to provide transitional buffers where the property abuts residential zoning districts as required by Sections 21-3-1.39, 21-2-5.5 and 21-2-5.6 of the Ordinance. The solar ordinance and industrial regulations and guidelines ensure development that integrates meaningful setbacks, effective screening and lighting guidelines that will protect nearby properties from any perceived impacts from the proposed use of the property.

Moreover, this particular part of the City is not a neighborhood in the traditional sense. There are no residences nearby, and there is only a single agricultural business, Caballero Dairy Farm, located directly south of the subject property. The dairy farm lies in unincorporated Pinal County. There is no public infrastructure (water or sewer) in this part of the city, which makes the development of a traditional neighborhood in the near future highly unlikely. The interim use of the subject property for a utility scale solar generation facility will

not detract from the ability of nearby properties to be developed for residential uses.

C. Suitability of the subject property for uses permitted by the proposed zoning district;

Response: This amendment does not introduce any new zoning districts to the PAD. Rather, as stated above, the proposed amendment will simply add an additional use to the list of permitted uses in the Picacho View II PAD.

D. Suitability of the subject property for uses permitted by the existing zoning district; and

Response: The property, in its current condition, is not suitable for the development envisioned in the Picacho View II PAD. There are no public water or sewer services available to serve the property, nor is there an assured supply of water to the site. Without the availability of these critical services, the mix of uses envisioned in the Picacho View II PAD will simply not be achieved any time soon.

E. Availability of sewer and water facilities.

Response: As previously noted, there are no water or sewer services in this part of the city at this time. The lack of public utilities at the property will not impact the ability of the property to be used for utility scale solar. The small amount of water required for the use will be delivered to the site from off-site resources and contained in storage tanks to serve fire suppression and landscape irrigation needs. There is no need for sewer services on the property as there are no buildings planned for this project.

Surrounding Context, Land Use Designations and Uses

As shown on the table below, the Property is surrounded by land of various General Plan land use designations and zoning districts. The Property is currently fallow agricultural land and is surrounded by the same, except for a dairy farm to the south.

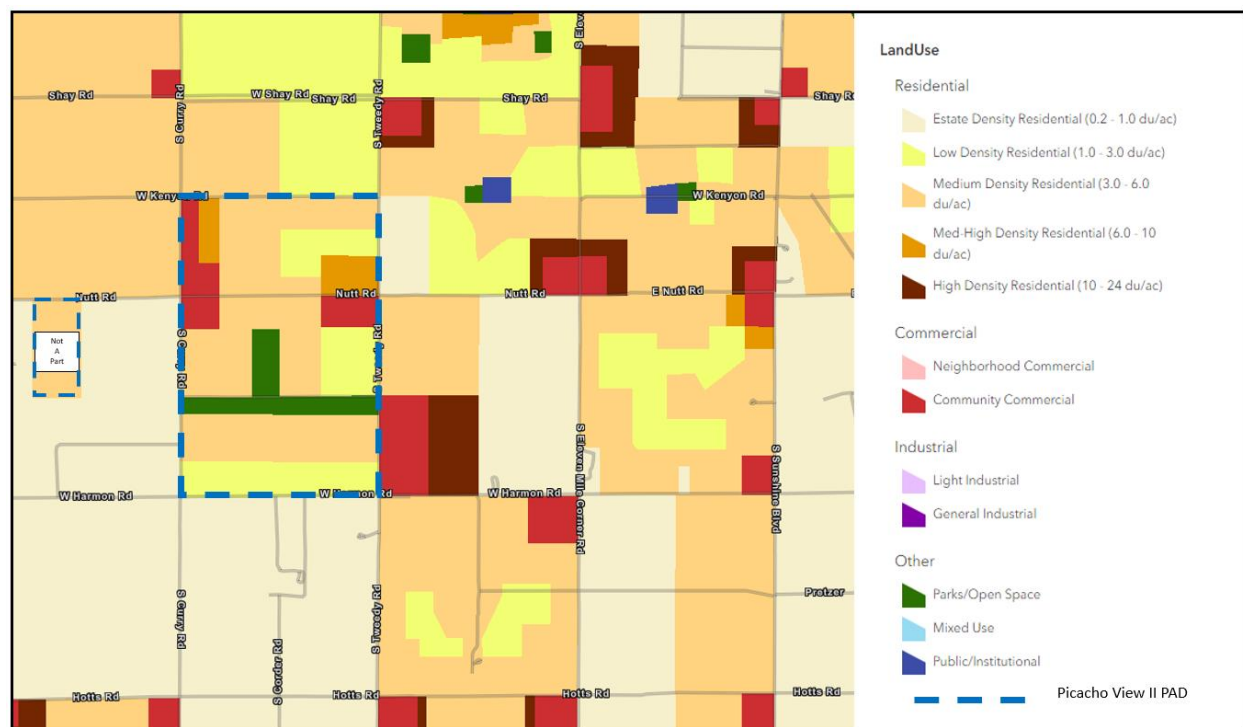
Direction	Existing General Plan Designation	Existing Zoning	Existing Use
North	Medium and Low Density Residential	R1-43/PAD	Agricultural
South	Estate Density Residential	General Rural (GR) (Pinal County)	Caballero Dairy

East	Community Commercial, Medium and Estate Density Residential	R1-43	Agricultural
West	Estate Density Residential and Medium Density Residential	RR-5, R1- 43/PAD, None	Agricultural
Subject Property	Low, Medium and Medium- High Density Residential; Community Commercial and Parks/Open Space	R1-12, R1-6, R-4, OSR, C-2	Agricultural

General Plan Land Use Designation

The City of Eloy General Plan land use designations on the Property are shown on the next page and contemplate residential development of various densities, open space, and commercial development along Curry and Tweedy Roads.

City of Eloy General Plan Map

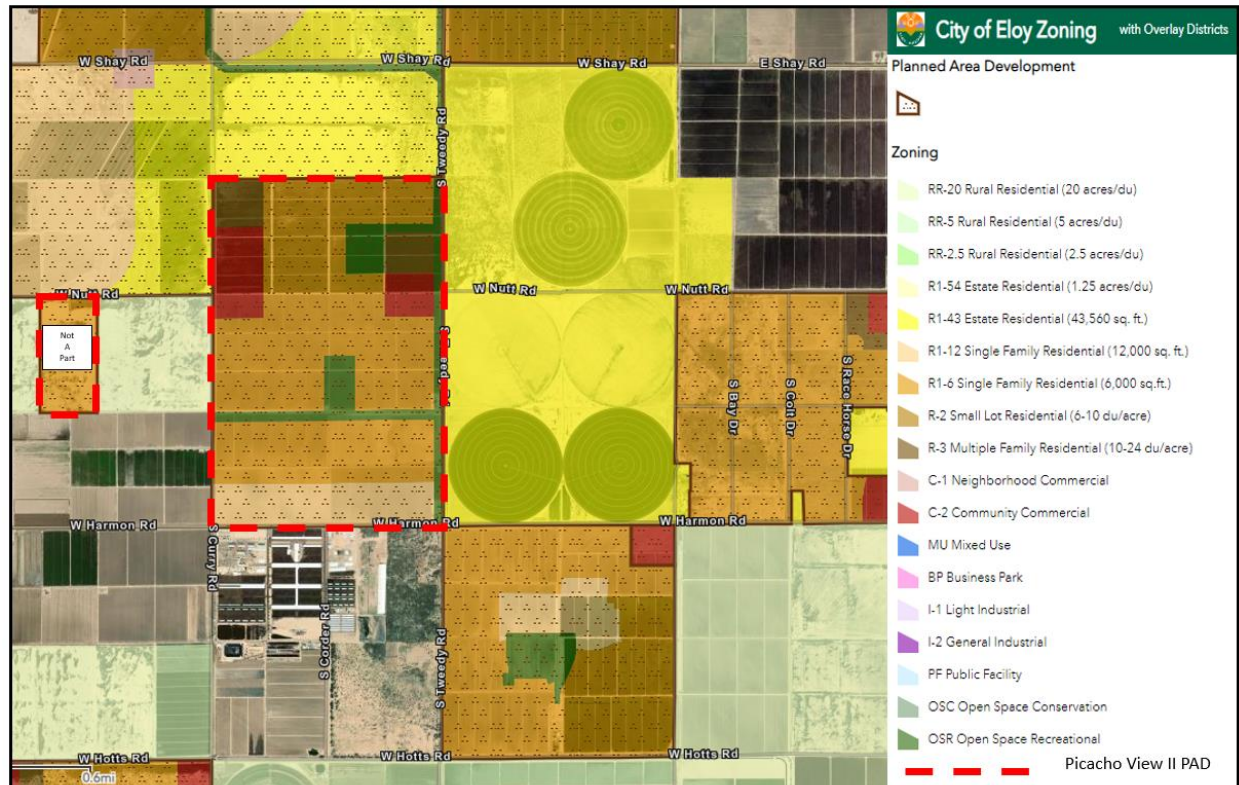


Existing Zoning

In 2006, the City of Eloy approved Zoning Ordinance No. 06-646, which established the Picacho View II PAD on the Property (case RZPAD06-35). The Picacho View II Planned

Area Development remains in effect today on approximately 1,040 acres of property owned by the Property Owner. The Picacho View II PAD provides for a variety of uses on the Property including residential uses, open spaces, and commercial uses along the arterial roadways, as shown on the City of Eloy Zoning Map below. The existing PAD zoning is consistent with the General Plan Land Use.

City of Eloy Zoning Map



It is important to note that while the Picacho View II PAD encompasses 1,040 acres as shown in the graphic above, the request discussed in this narrative is applicable only to the 960 acres identified in the introductory paragraph of this narrative. It is not the intent of the Applicant, NextEra or Property Owner to develop utility scale solar uses on the smaller, western portions of the Linmark Property. The permitted uses on those parcels will remain unchanged upon the approval of this PAD amendment request.

Solar Energy in Eloy- Background Information

On August 28, 2023, the City of Eloy approved Ordinance No. 23-950, which amended Section 21-3-1.39 of the City of Eloy Zoning Ordinance, incorporating Utility Scale Solar facilities as a use and related provisions in to the Ordinance. Section 21-3-1.39 of the

Ordinance prescribes locational and other criteria for the establishment of Utility Scale Solar facilities.

In accordance with these provisions, the criteria for Utility Scale Solar Facilities indicate that proposed uses must be: 1) located south of Interstate 10, 2) located approximately ½ mile from an Interstate 10 traffic interchange and a minimum of two thousand two hundred feet (2,200') from the southern right-of-way boundary of Interstate-10, and 3) for formal, complete applications filed with the City after March 1, 2024, the project must be located contiguous to an existing and/or approved Utility Scale Solar facility for a minimum distance of two thousand six hundred feet (2,600')

The Property is appropriately located within the distances prescribed by the Ordinance. As shown in the graphic below, the Property, at its northernmost point, is south of and approximately 17,300 feet (3.28 miles) from Interstate 10. Accordingly, it meets the first two criteria. Since this complete application was submitted to the City prior to March 1, 2024, the contiguity requirement of the Ordinance does not apply to this request.



Project Information

It is NextEra's intent to develop a Utility Scale Generation and Battery Energy Storage System ("BESS") facility on the Property consistent with requirements and standards of the Solar Ordinance. Most of the Property will be devoted to the installation of solar panels, in a configuration known as an "array". Shown on the next page is a representation of what the arrays will look like on the Property.



The solar arrays will be placed on the Property and oriented in a manner that will capture as much of the sun's energy as possible. The arrays may be stationary or tracking panels—those that move with the sun to capture most of its energy resource. There is little disturbance to the ground beneath the arrays, and there is little-to-no water required for the generation of solar energy.

The BESS units will be placed on the Property to capture excess energy that is produced by the solar arrays. Simply put, the BESS units allow all the power generated by the solar arrays to be stored and transmitted when needed to provide for the consistent delivery of energy to the power grid.



In addition to the solar arrays and BESS units, the property will contain interior drive aisles and perimeter improvements that will secure the property while providing an aesthetically pleasing appearance.

PAD Development Standards

Development of the Utility Scale Solar will comply with the requirement of Section 21-3-1.39 of the Ordinance, except as modified. The amended PAD development standards are as follows:

1. Utility Scale Solar facilities shall comply with Section 21-3-1.39 (Solar, Utility-Scale Generation, and Battery Energy Storage System Facilities) of the Ordinance, as amended, except as modified below:
 - a) The Utility Scale Solar shall be limited to the locations indicated on Exhibit 18 of the PAD: Interim Use Project Plan: Utility Scale Solar Conceptual Site Plan.
 - b) Interior setbacks to property within the PAD that are not adjacent to a street: 0-feet.
 - c) Rear setbacks to property within the PAD that are not adjacent to a street: 0-feet.
 - d) Perimeter fence color: sage green that has color equivalency with a LRV of 40% or less
 - e) The development shall comply with the Industrial Development Requirements and Guidelines and Additional Standards of Sections 21-2-5.5 and 21-2-5.6 of the Ordinance, as amended, except that only the landscape provisions of Section 21-2-5.6.B are replaced with the landscape provisions of Section 21-3-1.39 of the Ordinance.
 - f) Access gates in a fence shall comply with the setback requirements of provisions of Section 21-3-1.39 of the Ordinance (75-feet, except where 100-feet is required), and the minimum distance from the right-of-way and privately dedicated streets to the gate access call/key box (if provided) shall be 50-feet.

The purpose of these standards is to maintain compliance with Section 21-3-1.39 of the Ordinance, while allowing the development of the facilities to abut internal property lines of the PAD that are not adjacent streets. Also, the standards limit the location of the facility to the six (6) parcels shown on Exhibit 18 of the Picacho View II PAD, and as Exhibit 1 of this narrative. Finally, the standards require compliance with the Industrial Development Requirements and Guidelines and Additional Standards. The primary purpose of the Design Guidelines and the additional standards is to ensure the development complies with a design continuity, limits the use of reflective and unfinished materials, provides effective screening of equipment and is compliant with the outdoor lighting and sign requirements of the Ordinance, if provided.

Additional Standards

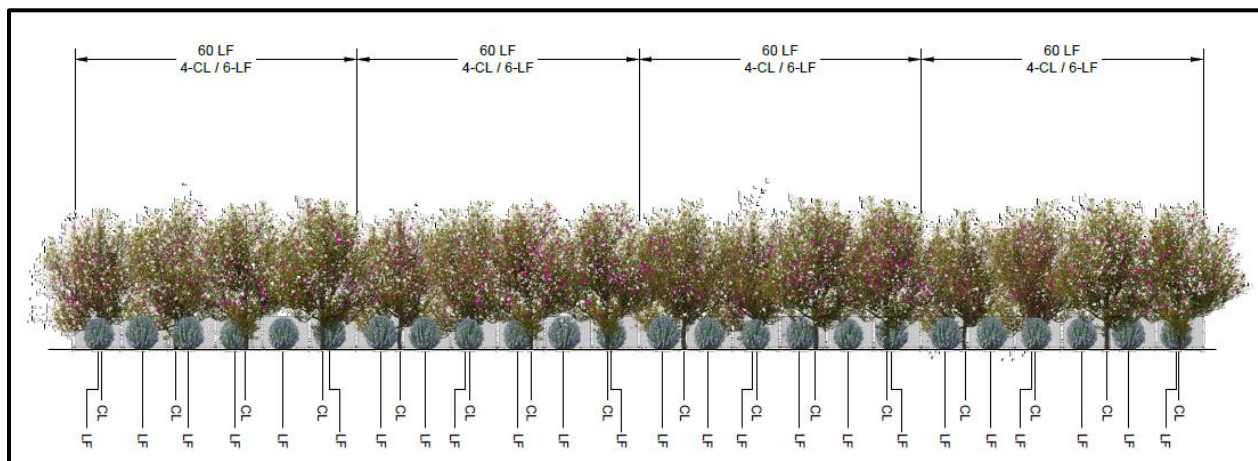
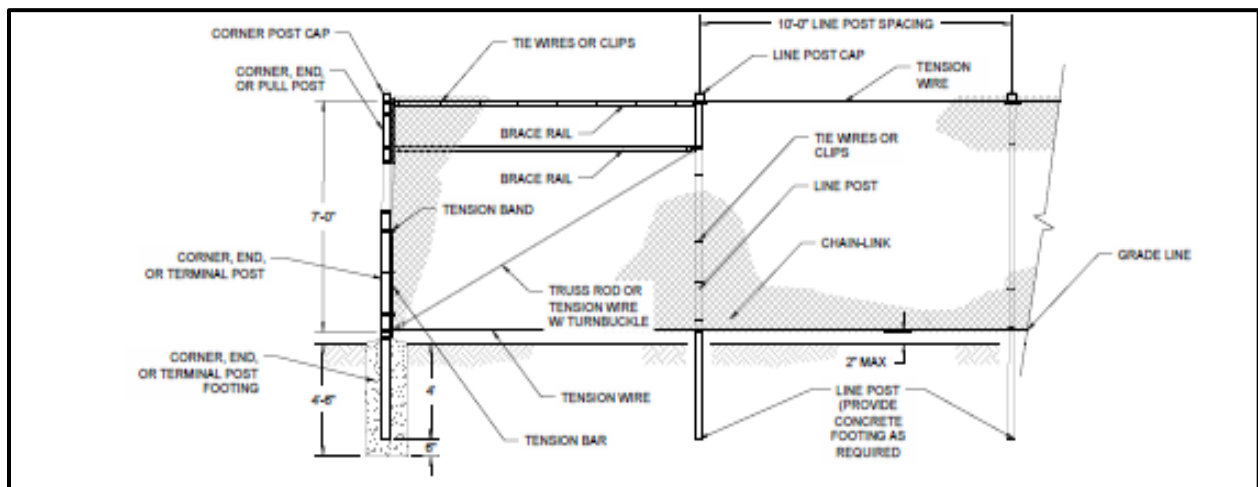
Perimeter Landscape Treatment

Landscape improvements will be provided in accordance with the Ordinance. NextEra will work with City Staff to create a drought-tolerant landscape palette that will be installed and served by a drip irrigation system that provides irrigation on a regularly scheduled

basis to ensure continuous vegetative health and growth. A landscape plan demonstrating the landscape buffer along the perimeter of the development will be provided during the site planning process.

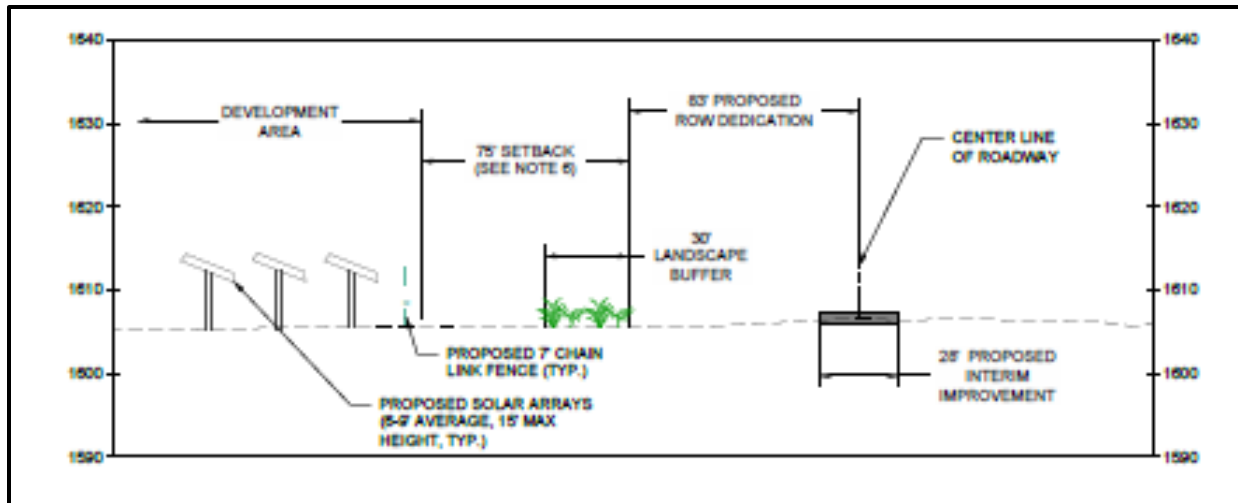
Perimeter Security

Perimeter fencing will be provided in accordance with the Ordinance, and PAD standards. Elevations showing the fence detail and how it interacts with the required landscaping are shown below and on the next page.



Roadway Dedications and Improvements

NextEra will dedicate right-of-way and provide improvements in accordance with the Ordinance. Below is an example cross-section demonstrating the proposed improvements adjacent to Harmon Road.



Conclusion

The Project will comply with the requirements of the Solar Ordinance and the Picacho View II PAD, and is appropriately located in the southwest part of the City and near regionally significant power distribution lines.

The proposed amendment introduces a use that will be developed in a manner that is sensitive to the zoning and uses of nearby properties. The project will be designed to provide transitional buffers where the property abuts residential zoning districts, and adherence to the solar ordinance and industrial regulations and guidelines will ensure development that integrates meaningful setbacks, effective screening and lighting guidelines that will protect nearby properties from any perceived impacts from the proposed use of the property. Finally, the interim use of the subject property for a utility scale solar generation facility will not detract from the ability of nearby properties to be developed according to their current zoning and planned uses.

Attachment 1- Pinal County Assessor Parcel Numbers



PICACHO VIEW II

PLANNED AREA DEVELOPMENT PRELIMINARY DEVELOPMENT PLAN

Case No. RZPAD2006-035

FIRST AMENDED

Case No. RZPAD2006-035.A1

Original PAD: October, 2006

1st Amendment: Insert Resubmittal Date July 30, 2024
October, 2006

Prepared For:
City of Eloy
628 N. Main Street 595
North C Street
Eloy, Arizona 85231

Prepared By:

**Linmark,
L.L.C. and AXIS
CORP.**

Original Picacho View II Planned Area Development Preliminary Development Plan

Prepared By:

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AXIS CORP.
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SWCA, Environmental Consultant
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Tucson, AZ. 85701

Approved by the City of Eloy, Arizona in October 2006
Ordinance No.

1st Amendment Picacho View II Planned Area Development Preliminary Development Plan

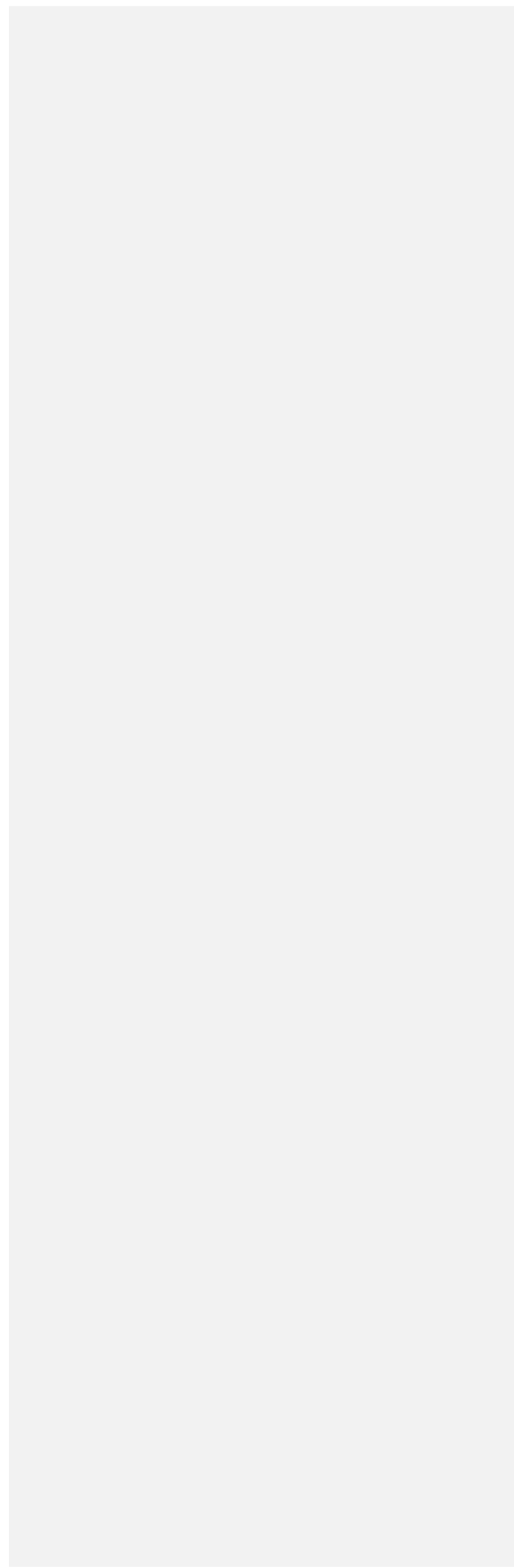
Prepared By:

Pew & Lake, PLC
By W. Ralph Pew and
Vanessa MacDonald

Approved by the City of Eloy, Arizona in INSERT Month

|

Ordinance No.: 2024-##



RESOLUTION NO.

~~A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF ELOY, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK AND ENTITLED "PICACHO VIEW II PLANNED AREA DEVELOPMENT PRELIMINARY DEVELOPMENT PLAN."~~

~~BE IT RESOLVED by the Mayor and Council of the City of Eloy, Arizona, that certain document entitled "PICACHO VIEW II PLANNED AREA DEVELOPMENT PRELIMINARY DEVELOPMENT PLAN," three copies of which are on file in the office of the City Clerk, is hereby declared to be a public record, and said copies are ordered to remain on file with the City Clerk.~~

~~PASSED AND ADOPTED by the Mayor and Council of the City of Eloy, Arizona,~~

~~this ____ day of 2006.~~

~~Mayor, City of Eloy~~

~~ATTEST:~~

~~City Clerk~~

~~APPROVED AS TO FORM:~~

~~City Attorney~~

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APPENDICES

Appendix A: Legal Description
Appendix B: Pinal County Assessor Numbers
Appendix C: Arizona Game & Fish Letter
Appendix D: Cultural Resources Archival Review
Appendix E: Preliminary Environmental and Biological Analysis
Appendix F: Plant Palette List

LIST OF EXHIBITS

Exhibit 1: Location Map
Exhibit 2: Vicinity Map
Exhibit 3: Aerial Photo
Exhibit 4: (intentionally left blank)
Exhibit 5: Existing Zoning (Context Plan)
Exhibit 6: Existing Utilities Plan - Water and Sewer
Exhibit 7: Soils and Topography Map
Exhibit 8: (intentionally left blank)
Exhibit 9: Existing Utilities Plan - Electric and Gas
Exhibit 10: Land Use Plan (Site Plan)
Exhibit 11: Circulation Plan
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Exhibit 14: (intentionally left blank)
Exhibit 15: Concept Grading Plan
Exhibit 16: Landscape Concept Plan
Exhibit 17: Parks, Recreation, and Trails Map
Exhibit 18: Interim Use Project Plan: Utility Scale Solar Conceptual Site Plan

I. STATEMENT OF FINDINGS

A. Introduction

Location: Picacho View II **Planned Area Development (PAD)** is a master planned community comprised of residential, commercial and recreational land uses. Located within the City of Eloy in Pinal County, the approximately 1040-acre site is located south of Interstate 10, and just east of Toltec Highway. The Planned Area Development area is approximately 40 miles south of the City of Phoenix, and just minutes east of the City of Casa Grande. The plan is located about 40 miles northwest of the City of Tucson metropolitan area (See Exhibit 1: Regional Map). The Planned Area Development project area includes T8S, R7E, Section 35, and portions of Sections 26, and 34. The Pinal County Assessor tax parcel numbers are indicated in Appendix B, and the Legal Description is provided in Appendix A.

The availability of suitable land and accessibility to transportation corridors will attract Pinal County's growing population to Picacho View ~~II~~. Picacho View II is readily accessible via existing and proposed roadways. Currently, access is available from Interstate 10 and the Toltec Highway. The site is also accessible via Nutt Road (See Exhibit 2: Vicinity Map).

First Amendment. The first amendment to the Picacho View II PAD is to add the **Solar, Utility Scale Generation and Battery Energy Storage System Facilities land use** (hereinafter "Utility Scale Solar") as an allowed use to the underlying base zones of the PAD overlay in accordance with the provisions of Section 21-2.7.4.A. of the Eloy Zoning Ordinance (hereinafter "Ordinance"). In addition, the amendment includes the Interim Use Project Plan: Utility Scale Solar Conceptual Site Plan (Exhibit 18).

The Utility Scale Solar use is intended to be an interim use of the property until such time that the development patterns, market demands, and water, sewer and other utility services become available in this area to allow the property to develop in accordance with Picacho View II PAD. The use is to be limited to Parcel 1 and 3 of the PAD as described in Appendix A: Legal Description and shown in Exhibit 18 in accordance with the provision of Section IV.C.3.d. of this PAD Preliminary Development Plan.

As part of the amendment, clerical modifications have been incorporated to provide clarity to the PAD, to minimize the need for future interpretation of the plans provisions, and to maintain conformance with the City of Eloy's Code.

Purpose: The primary purpose of the ~~This~~ plan focuses on optimizing the site by creating recreational opportunities, a mix of housing products, and densities, a Public or HOA Park, and business and retail centers opportunities. Furthermore, the plans interim purpose is to accommodate opportunities for Utility Scale Solar uses. Ultimately when the Picacho View II PAD is developed for its primary purpose, ~~The~~ the community will provide vitality and foster a high quality of life. Development will be balanced with open space and public or private recreational amenities. The office and retail areas will reduce the need for excessive travel, and will provide opportunities for alternative transportation modes, such as pedestrian and bike travel.

Responsible planning will be ensured through the adoption of this Planned Area Development which reflects thorough and comprehensive land use planning. This Plan includes the flexibility to anticipate and adequately adapt to future needs of the community.

Picacho View II is environmentally suitable for development. The parcel is relatively flat, with no major geologic formations on site.

B. Plan Objectives

The objectives of the Picacho View II Planned Area Development include, but are not limited to the following:

- Utilize the City of Eloy's Planned Area Development Process to plan and promote the development of a large-scale, master-planned, intergenerational community and Utility Scale Solar uses.
- Facilitate a compact development pattern.
- Manage and control growth through an efficient development community.
- Opportunities for affordable housing shall be provided.
- Opportunities for a variety of single-family residential developments, including large lots and custom homes shall be provided.
- New high-quality residential environments will be provided.
- Multi-family housing shall be developed in close proximity to community parks and open space areas.
- Construct developer-financed City or HOA parks in conjunction with new residential development by providing infrastructure, housing density, and development agreement assurances.
- Residential developments shall provide pedestrian linkages to schools, parks, and community services through the community's roadway and park/trail system.
- Residential development shall be located in suitable areas.
- Commercial, and office employment centers shall be scaled and located to complement the community.
- Plan neighborhood commercial nodes convenient to residential areas.
- Opportunities for Utility Scale Solar uses

C. Alternate Planning Tools

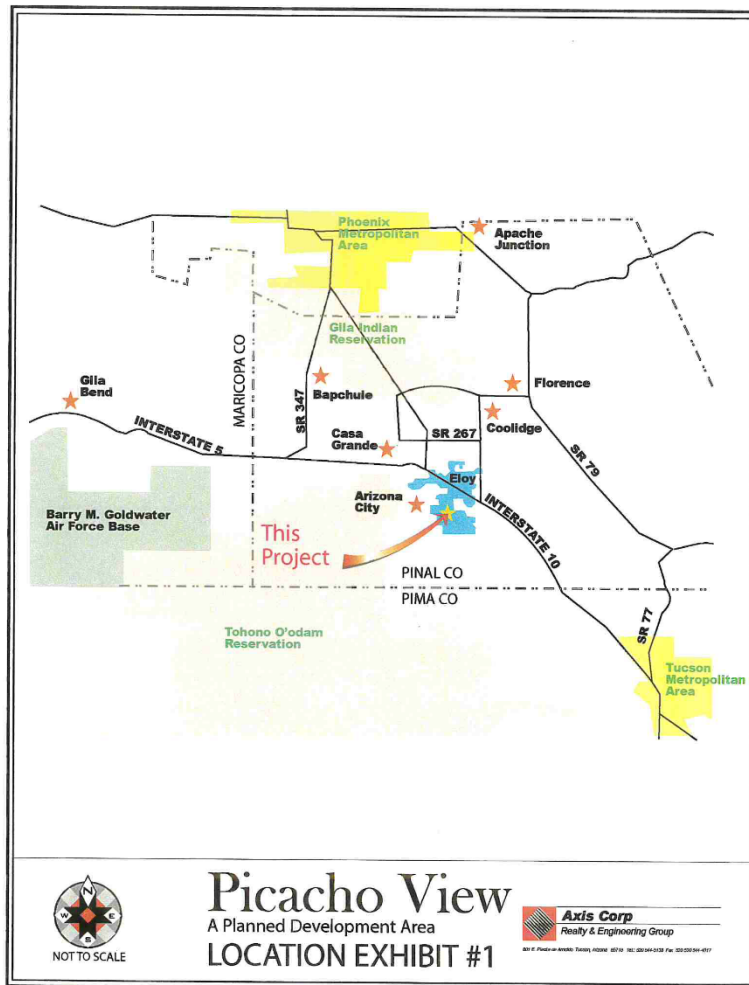
The Picacho View II Planned Area Development establishes a reliable, flexible, and cost effective framework for development of this property. The Planned Area Development is the appropriate planning tool capable of maintaining the structure of the City of Eloy's regulations while allowing the flexibility to respond to current and future development conditions. The Planned Area Development includes Development Regulations, and Design Guidelines, which are compatible with the City of Eloy Development Code Ordinance, in order to ensure quality, and a coordinated development.

Traditional zoning does-is not the most effective planning tool to promote coordinated development, nor does it provide the flexibility to responsively adapt to current and future community needs or market conditions. Conventional zoning

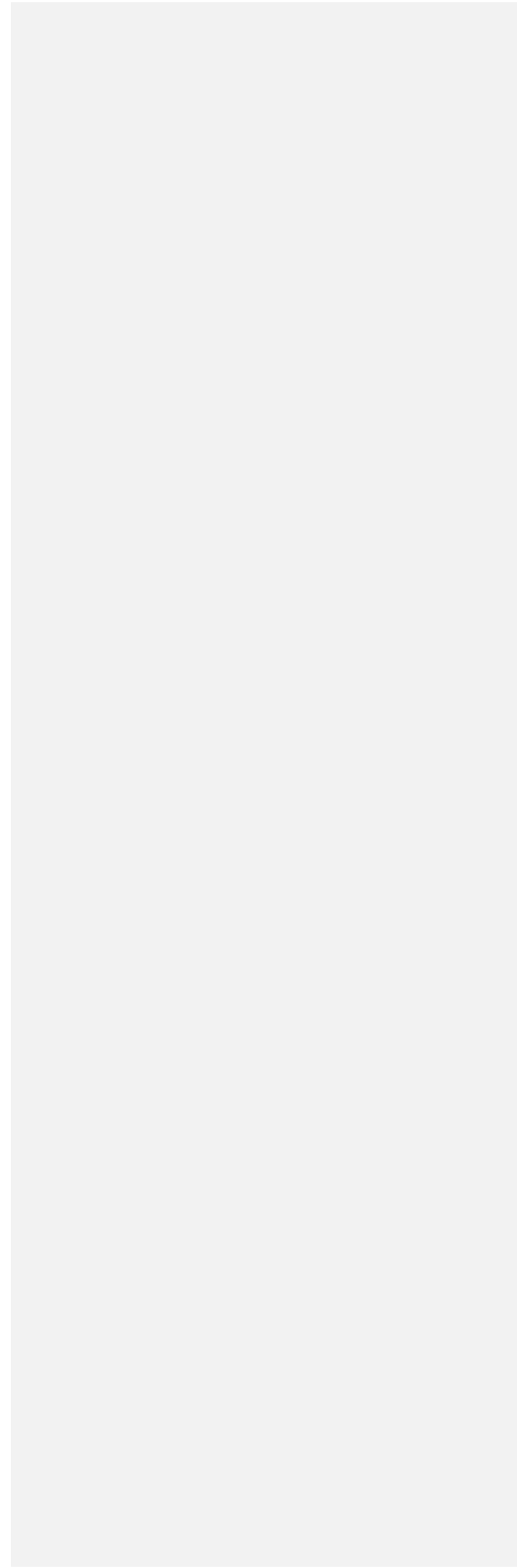
categories apply to the entire city and can be less appropriate for land planning than a detailed Planned Area Development designed for the site and surrounding land uses.

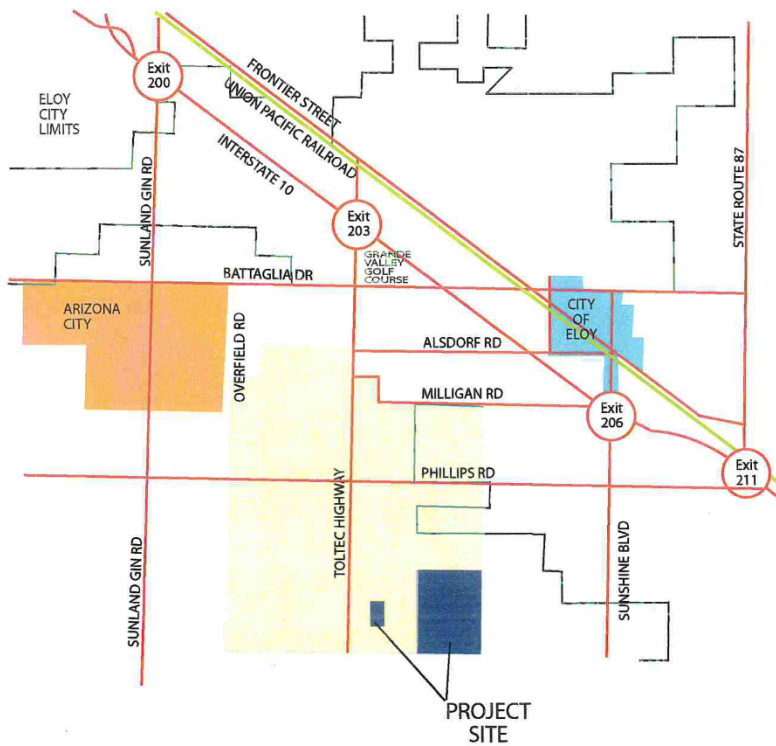
D. Plan Consistency

This plan is consistent with the logical extension of the Eloy Valley P.A.D. zoning. This Planned Area Development is being adopted in conformance with the City of



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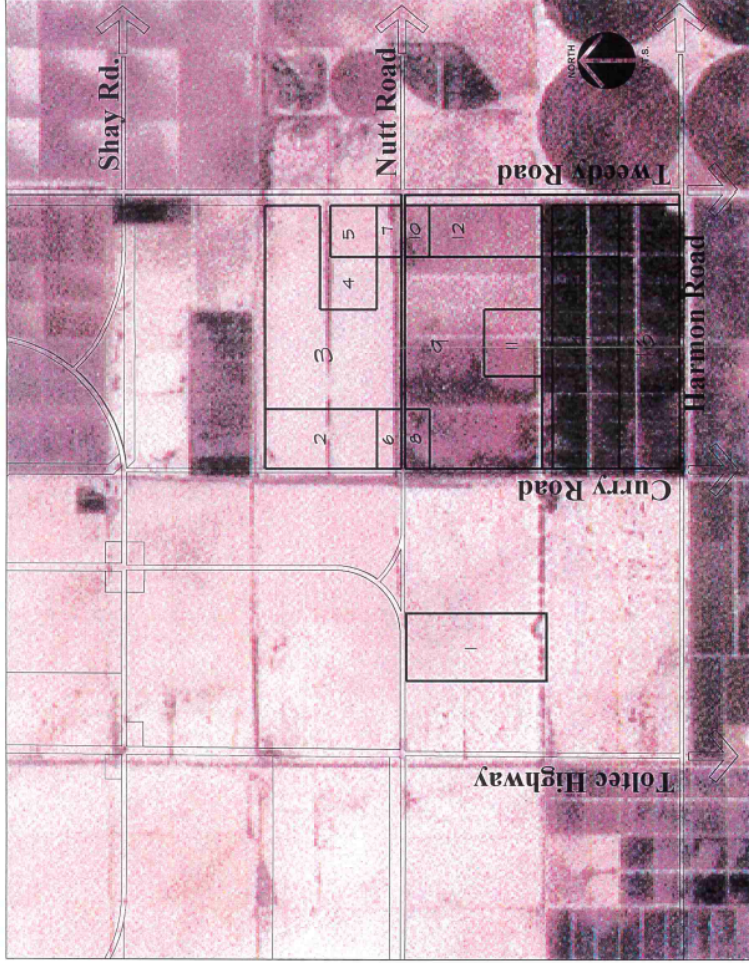


Picacho View II

A Planned Area Development

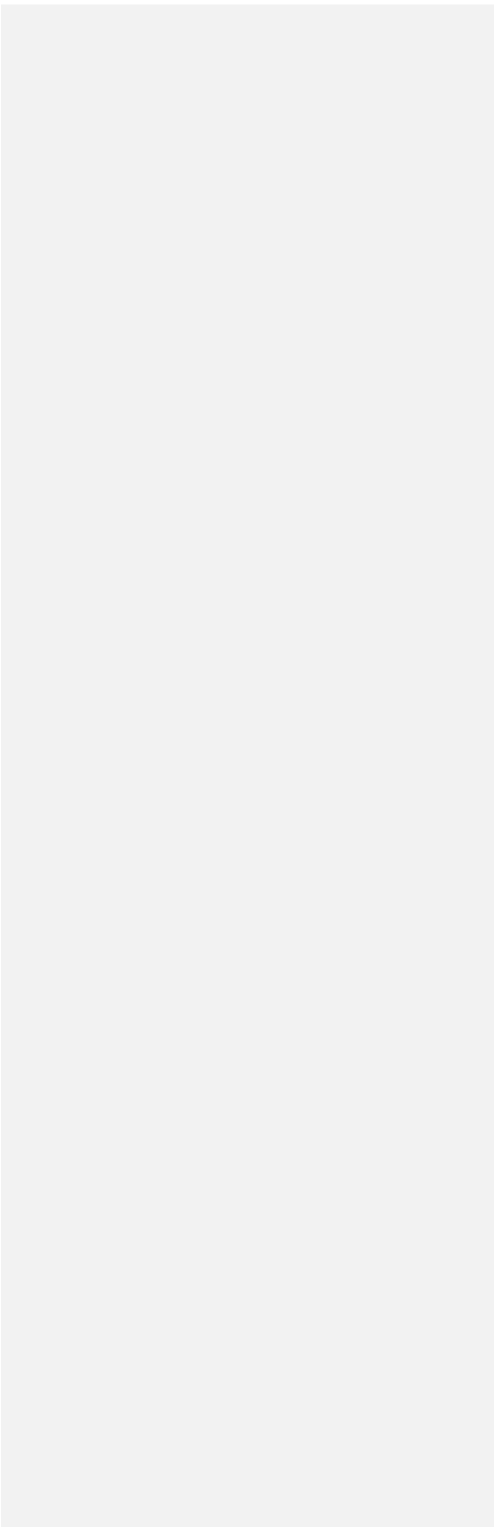
EXHIBIT # 2: VICINITY MAP

Aerial Photo
Exhibit #3



Picacho View II
A Planned Area Development

Axis Corp
Realty & Engineering Group
801 E. Picacho de Arroyo, Tucson, Arizona 85718 TEL: 520/544-0139



E.

Zoning Code Consistency

The Picacho View II Planned Area Development is consistent with the ~~City of Eloy Zoning Code Ordinance~~ regarding relative importance of surrounding public and private interests (See Exhibit 5: Existing Zoning). The Planned Area Development provides needed zoning and regulatory guides that supplement the City's existing ordinances.

E.F. Community Benefits

The Planned Area Development will enhance the broad-based planning efforts in the region and should increase surrounding property values by:

- ~~providing homes priced at or above comparable values in the general area;~~
- ~~Creating a quality recreational facility and improving the overall street and utility infrastructure that is anticipated to will enhance property values on and off-site;~~
- ~~It will also address long-range community goals regarding transportation, school sites, concentration of recreational activities, and wastewater treatment; and~~
- Incorporate Utility Scale Solar as important renewable energy source on an interim basis until such time that the development patterns, market demands and water, sewer and other utility services become available in this area to allow the property to be developed in accordance with the Pichacho View II PAD primary purpose.

~~When the PAD is developed, it will continue to provide needed long-range residential and recreational opportunities for the City of Eloy.~~

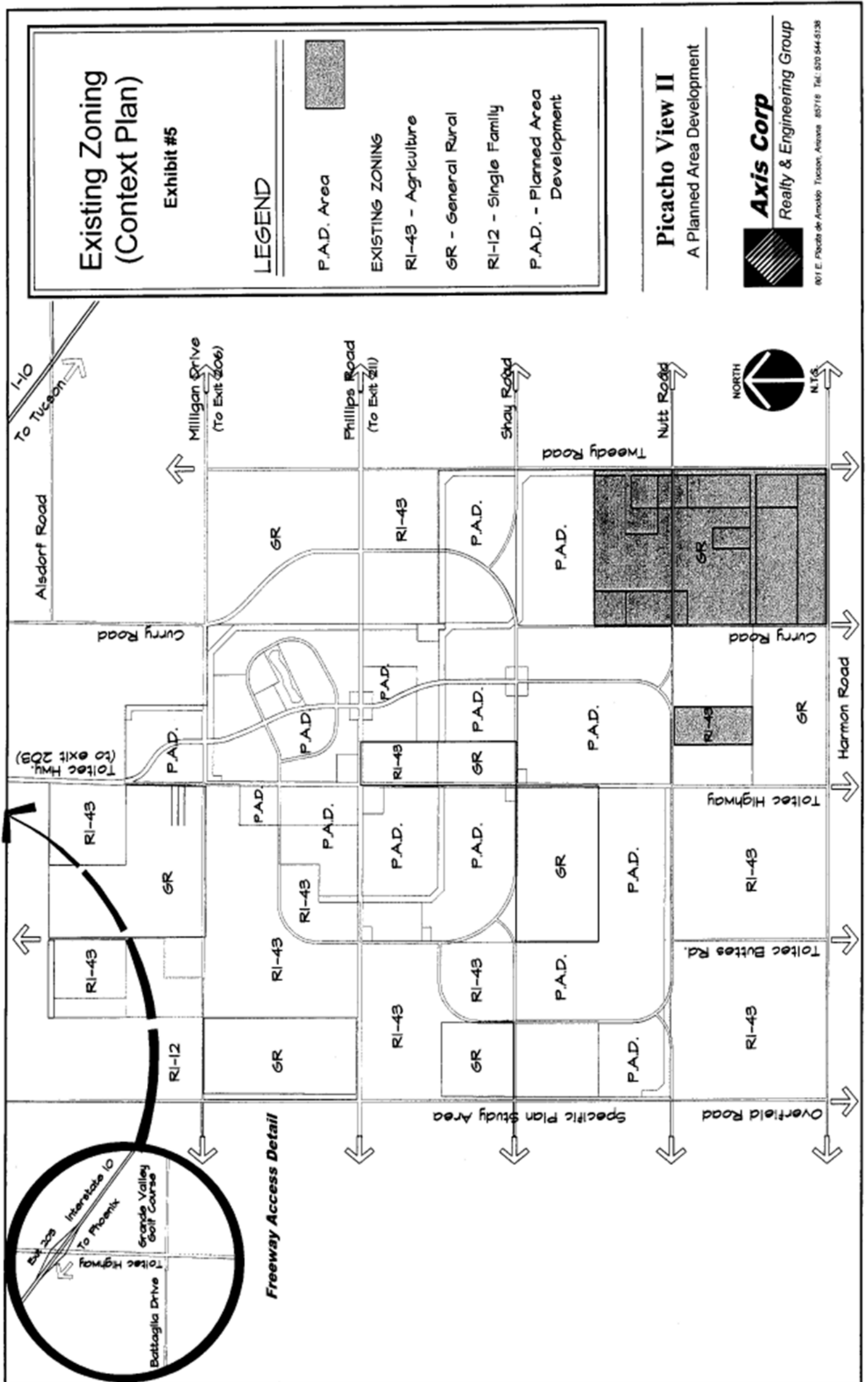
The share of the tax supported cost of public services for the Planned Area Development area shall be effectively reduced. This development will pay its fair share of all necessary public improvements. Its approval will lock in a long-term public and private commitment to a regional growth scenario. The Eloy area is experiencing rapid growth and will continue to do so for some time. The area is currently impacted by piecemeal development. This plan will set the trend towards more precise planning, and integrate all development components into a comprehensive, phased package. It will contribute to upgrading regional facilities as well as assuring a long-term commitment to a designated set of land uses.

As the population in Eloy increases, the demand for housing and services increase. The community's needs will be met with this residential development which includes a City or HOA recreation amenity, office and commercial facilities. This plan will provide for

the long-term needs of the increasing population as well as assure that the community will be built out as planned.

F.G. Context Compatibility

The Picacho View II Planned Area Development is a project which addresses present and future growth in the City of Eloy and provides the framework for appropriate land uses and the provision of needed services. The plan provides for sensitivity to the region, the neighborhood, and the site.



Some of the properties in the City of Eloy are in the initial planning phases of development. Undeveloped land adjoins the Planned Area Development property to the south. The property to the north is privately held and undeveloped. Properties to the east and west are largely undeveloped, with the exception of Arizona City. Existing zoning in the area is primarily agricultural and Planned Area Development.

G.H. Environmental Suitability

The Eloy General Plan classified the Picacho View II Planned Area Development Area as part of a larger assessment to identify those areas least and most suitable for urban development and to focus urbanizing development on those areas where impact on the environment was minimized.

The examination of these features utilized a Geographic Information System (GIS) platform to perform an analysis of seven key environmentally suitable layers. The layers selected include:

- Topography and Slope
- Soil Conditions
- Land Subsidence
- Vegetation and Habitat
- Rivers, Streams, and Canals
- 100-Year Floodplain
- Natural Resource Land Ownership (where BLM and State Trust Lands may limit development)

The key development characteristics of each environmental feature were assigned a "development suitability" rating ranging from 0 to 3. The rating is based on the presence of positive or negative attributes to guide future development. The suitability ratings were as follows:

- 0 - Not suitable for development
- 1 - Least suitable for development
- 2 - Moderately suitable for development
- 3 - Highly suitable for development

The conclusion of the Eloy General Plan indicated that the Picacho View II Planned Area Development Area rated as being "highly suitable for development".

I. Public Services Suitability

Transportation System

Primary vehicular access to the proposed development will be through I-10 and the interchanges that provide access into the area. At this time, there are three interchanges that are expected to be used by residents of this development.

They are Exit 200 - Sunland Gin Road, Exit 203 - Toltec Highway, and Exit 206 - Sunshine Blvd. A new interchange at Battaglia Drive has been recommended for further analysis in both the Small Area Transportation Study and the General Plan Update and is discussed in the future conditions section of this study. Other roadways that will be impacted by the project are Battaglia Drive, Frontier Street, and SR87. Milligan Drive and Phillips Road are also proposed to provide access for the project. These roadways are described below. They are currently discontinuous unpaved roadways with very low traffic volumes in the study area. A physical inventory of these roadways is as follows:

Existing Roadways

- Sunland Gin Road is a paved two-lane collector roadway that extends south from Frontier Street, connecting to I-10 with a diamond interchange and continuing south through Arizona City to serve the agricultural areas beyond the community. Freeway commercial services are located on both sides of the interstate and interchange. Stop control is on Sunland Gin Road at Frontier Street and Battaglia Drive, which is a four-way stop.
- Toltec Highway is located three miles east of Sunland Gin Road. It is a paved, two-lane collector roadway that extends south from Frontier Road through the project site and beyond to serve the agricultural area. Toltec Road also has a traffic interchange with I-10 and freeway commercial services located on both sides of the freeway. Toltec Highway is stop-controlled at Frontier Street and at Battaglia Drive, which is a four-way stop.
- Sunshine Boulevard is located three miles east of Toltec Highway and provides connection to I-10. This roadway is also a paved, two-lane roadway that continues south through the agricultural area. The roadway provides access to commercial uses north of I-10 and continues into the town center. It is designated as an arterial roadway between I-10 and Frontier Street and a collector between Frontier and Battaglia. Sunshine Blvd is stop-controlled at Frontier Street.
- Battaglia Drive is a paved, two-lane collector roadway that extends from SR 87 on the east to Chuichu Road, five miles west of Sunland Gin Road, providing alternate access to Interstate 8 and the west side of Casa Grande. Battaglia Drive crosses over I-10 without connection to the freeway. A major area employment center is located along both sides of the roadway between I-10 and Frontier Street.
- Frontier Street is an arterial roadway that extends from SR 87, on the east side of the study area into the City of Casa Grande, northwest of the area. It is a two-lane divided roadway from SR 87 to Tryon Avenue, a four-lane divided roadway from Tryon Avenue Eleven Mile Road, a five-lane section with center left-turn lane to Battaglia Drive, and then continues northwesterly into Casa Grande as a two-lane, undivided roadway. This roadway serves as a primary access into the center commercial district of Casa Grande and is used as an alternate route to Interstate 10.
- State Route 87 is a paved, two-lane state highway that provides access to the

Cities of Coolidge and Florence, north of Eloy. This state highway extends north from Florence providing a connection to State Route 60 that continues east into the Globe/Miami area and west to Apache Junction.

Water Facilities

The existing City of Eloy water system consists of the following facilities:

- 3 - 1.0 million gallon reservoirs
- 2 - booster stations
- 4 - well sites

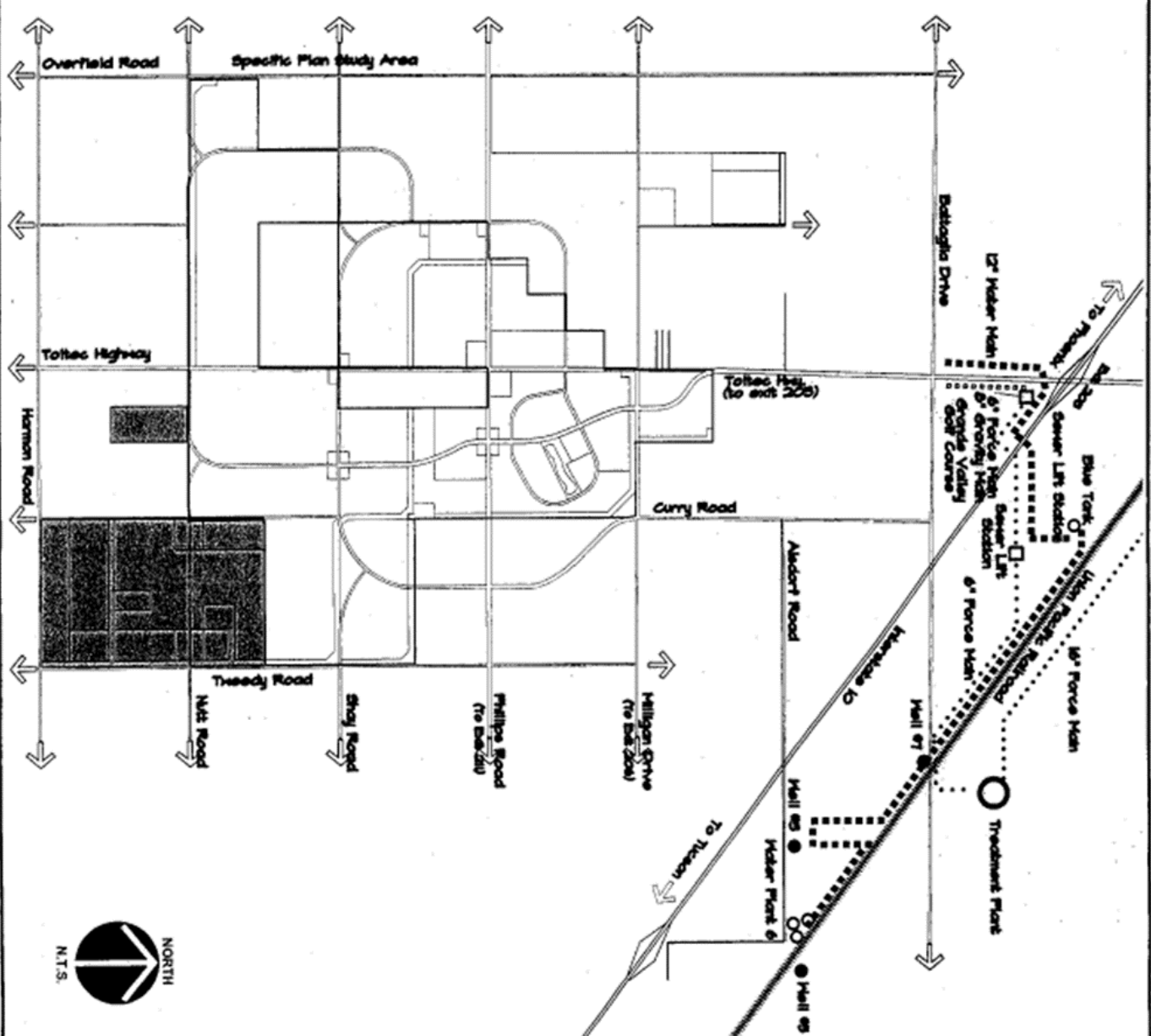
These four (4) wells are named as follows:

- Well # 3 (a new well is currently being constructed to replace the existing Well# 3)
- Well # 5
- Well # 6
- Well # 7

The Eloy area is served entirely by two booster stations, Water Plant 6 and Blue Tank (See Exhibit 6: Existing Utilities Plan - Water and Sewer). Three of the existing wells (3, 6, and 7) can pump to either water plant while well# 5 pumps directly into the north reservoir at Water Plant 6. A new well has recently been drilled to replace the existing well# 3 (the original well# 3 will remain in service as an emergency back-up). Currently the entire Eloy system is served by pressure due to the lack of elevation difference across the city. Due to the lack of elevation change, Eloy has not been separated into typical pressure zones for the water service area.

Water Plant 6 consists of two 1.0 million gallon reservoirs, a well (# 6), and booster pumps. The pressure range at the booster pumps is set at approximately 45-65 pounds per square inch (psi). Water Plant 6 is at an approximate elevation of 1562 feet. This equates to an average high water elevation of 1690 feet.

Blue Tank consists of one 1.0 million gallon reservoir and booster pumps. The pressure range at the booster pumps is set at approximately 49-63 psi.



Existing Public Utilities Plan Water & Sewer Exhibit #6

LEGEND

Water	
Sewer Force Main	
Sewer Gravity Main	

Picacho View II
A Planned Area Development



Axis Corp
Realty & Engineering Group

801 E. Placita de Arroyo Tucson, Arizona 85718 Tel: 520 544-9138

Blue Tank is at an approximate elevation of 1523 feet. This equates to an average high water elevation of 1652 feet. New pressure zones would need to be developed in order to serve the project.

The nearest water main to the Picacho View II property is located approximately 5 miles north of the boundary in Toltec Road. This is a 12-inch main that is tied to the Blue Tank booster system.

Sewer Facilities

The existing City of Eloy sewer system consists of the following facilities:

- ~~I-1~~ -2.0 million gallon per day treatment plant
- 4 - Sewer lift stations
- ~~A-1-~~ combination of gravity and pressure mains

Eloy is primarily served by individual septic systems in the older areas and by a 2.0 million gallon a day extended aeration treatment facility (See Exhibit 6: Existing Utilities Plan- Water and Sewer). Recently two sewer lift stations and approximately 7 miles of force main (10 and 16-inch HDPE) were constructed to convey flows to the existing treatment facility. The first lift station is located east of Sunland Gin Road behind the Petro truck wash and pumps to a second lift station located at Highway 84 and Maricopa Road. The second lift station pumps directly to the wet well at the head of the treatment plant. These lift stations have been designed to serve the Petro truck stop, Blue Beacon truck wash, some existing commercial and residential areas ~~which-that~~ are currently on individual septic systems, and some future platted communities.

There are two smaller lift stations that currently convey flow from Toltec Road and the I-10 area to a gravity main that leads to the treatment plant. Both of these force mains are 6-inch.

The nearest sewer main to the Picacho View II property is located approximately 5 miles north of the boundary in a subdivision east of Toltec Road. This is an 8-inch main that conveys flows to the first of the two lift stations that feed the treatment plant.

II. SITE ANALYSIS AND INVENTORY

A. Existing Land Uses

1. **Site Location in Regional Context:** The project site consists of approximately 1040 acres, located primarily within the incorporated city limits of Eloy, Arizona (See Exhibit 2: Vicinity Map). The Picacho View II Planned Area Development site is currently zoned for agricultural and general rural uses with one parcel as single family residential uses (See Exhibit 5: Existing Zoning).
2. **Existing Land Uses on Site:** The site is currently vacant and undeveloped agricultural land. Several paved and unpaved roads, utility easements, and irrigation ditches are located on the site.
3. **Surrounding Property Within ¼ Mile Radius:** Existing land uses within ¼ mile include the Planned Area Development of Eloy Valley, with the majority of the adjacent area vacant, or agricultural.

B. Topography

1. **General:** Picacho View II is an area of land approximately 1040 acres in size located on the south side of I-10 and southeast of Arizona City in Eloy, Arizona. The area topography ranges in elevation from 1590 feet to 1570 feet and slopes to the northwest at a rate of approximately 0.23%.
2. **Restricted Peaks & Ridges:** There are no restricted peaks or ridges designated ~~in by the~~ Pinal County ~~Zoning Code~~ for unincorporated land in the vicinity of the Project.
3. **Rock Outcrops:** There are no rock outcrops on the site. This information was compiled from ~~examination~~ an examination of aerial photographs at 1"=40' scale and verified by an on-site investigation.
4. **Slopes of 15% or Greater:** The topography of the site is generally flat, gradually sloping from the east to the west (See Exhibit 7: Soils and Topography Map). There are no significant slopes greater than 15% and the average slope of the area is 0.23%.

C. Hydrology

1. **Off-Site Hydrology:** The Picacho View II area is often referred to as the Santa Cruz Flats, and it is located in the area where the broad, sandy channel of Santa Cruz River disappears, and as a consequence, relatively large floods in the past have overtopped the remaining banks of the Santa Cruz River and spread out over the valley floor.

Soils and Topography Map

Exhibit #7

LEGEND

- Y1 - Mid to late Holocene basin terraces
- Y2 - Active stream channels
- M2 - Late Pleistocene-early Holocene basin terraces
- Contour Line (10 foot intervals)

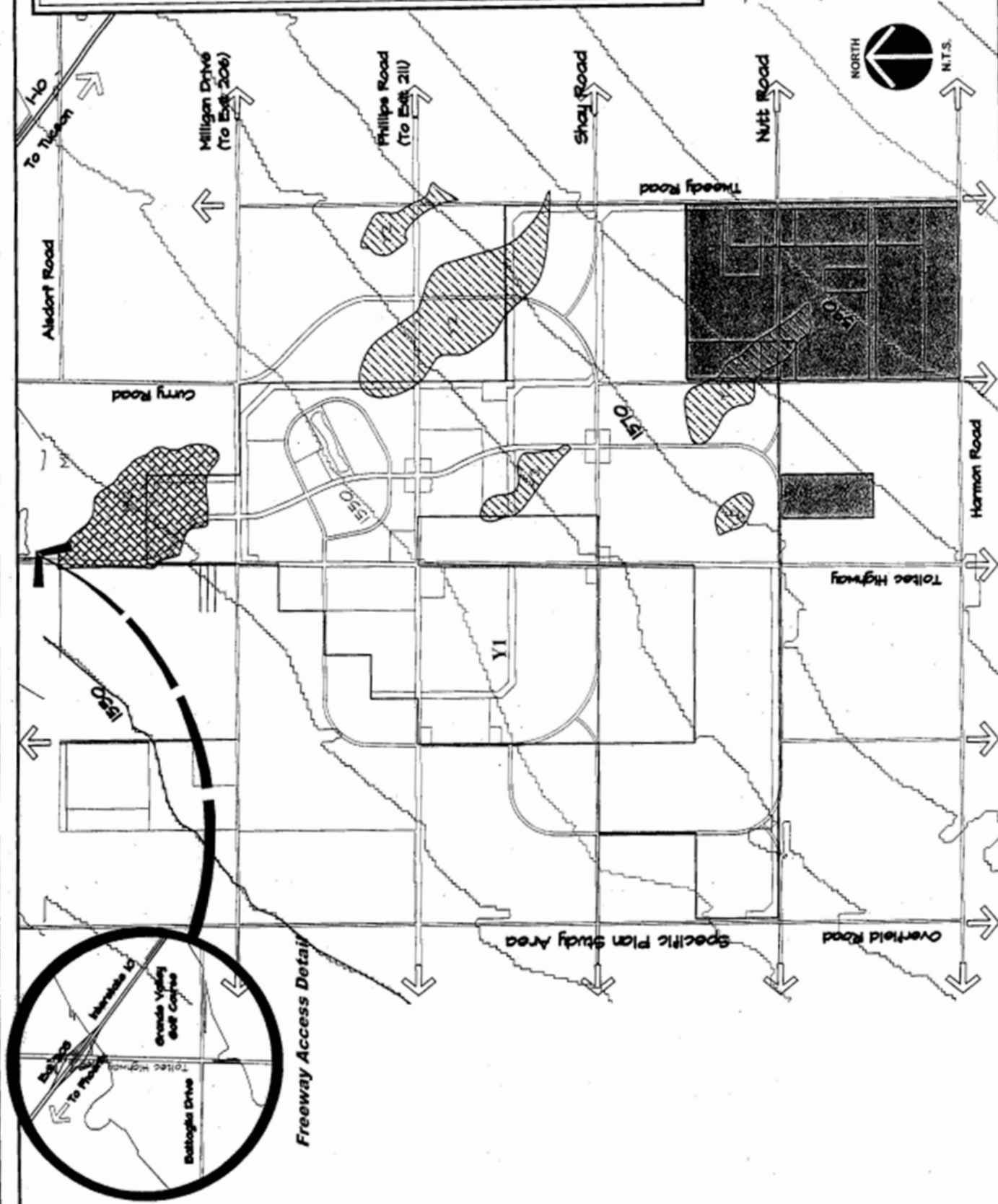
Picacho View II

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However, the recent extreme floods of 1983 and 1993 did not cause widespread flooding of the Picacho View II area, and instead, these extreme floods followed the Greene Canal and bypassed this area. Consequently, neither the Santa Cruz River, nor the Greene Canal, currently flows through the Picacho View II area. The topography is relatively flat, with slopes averaging less than 3 percent, and trending toward the west and northwest. In general, there are no well-defined watercourses within the Picacho View II area, and locally derived floodwaters spread out over wide areas as shallow sheet flow.

2. **Off-Site Features That May Affect or May be Affected by the Site:** Two off-site features that may affect this project are the Lower Santa Cruz Levee and the Greene Canal.

In 2001, the U.S. Army Corps of Engineers and the Pima County Flood Control District completed the construction of a 7-mile-long levee along the right-hand bank of the Santa Cruz River, between Sanders Road and Avra Valley Road. This flood-control project removed approximately 4,500 acres from the 100-year flood plain, and may have increased flood peaks downstream from Sanders Road. The increase in flooding caused by this flood-control project is not known.

During the 1983 flood, the Greene Canal, located south of Picacho Peak and near the Pinal Air Park, became much wider and deeper, and resulted in capturing nearly all of the flow in the Santa Cruz River. Consequently, the Picacho View II area received little flooding in 1983, and later during the 1993 flood, except locally along roadways and irrigation ditches.

The Federal Emergency Management Agency (FEMA) is currently restudying the flood plain along the Santa Cruz River, including the segment passing the northern end of the Picacho View II area, to see what effects, if any, these two factors may have on flood hazards within this area.

3. **Upstream Watersheds With 100-Year Discharges Greater Than 100 cfs:** Off-site watersheds having existing 100-year flood peaks greater than 100 cfs can be found in the Drainage Report prepared by Arroyo Engineering.

4. **On-Site Hydrology:**

- a) 100-Year Floodplains Less Than or Equal to 100 cfs: Flood plains from watersheds producing 100-year flood peaks less than 100 cfs were not delineated.
- b) Sheet Flooding Areas with Their Average Depth: The control and elimination of sheet flow will be overcome prior to the development of the Picacho View II area. During relatively small, frequent storms, sheet flow is generally intercepted and conveyed by roads and irrigation canals. However, during relatively large, infrequent storms, it is believed that floodwater-carrying capacities of these roadway ditches and irrigation canals may be exceeded, and widespread flooding may occur. Consequently, it is believed that the entire Picacho View II area is subject to shallow sheet flooding. Although the depths of flooding have not been computed, it is believed that flow depths will generally vary from 0.5 feet to 2.0 feet during a 100-year flood.

- c) Federally Mapped Floodways and Floodplains: Based on the current FEMA Pinal County FIRM (Map Numbers 04077 1175 C and 0950 C), the majority of the Picacho View II area is designated in an unshaded Zone C, meaning these are areas outside the 100-year flood plain and will experience only minimal flooding.
- d) Peak Discharges Entering and Leaving the Site: Existing watersheds that exit the north and west sides of the Picacho View II area can be found in the Drainage Report prepared by Arroyo Engineering.

5. **Existing Drainage Conditions Along Downstream Property Boundary:** There are two significant constructed features located along, or near, the downstream property boundary that may be affected by the site. These are Arizona City and a portion of the CAIDD Canal located immediately west of, and is running parallel to, Lamb Road. Both Arizona City and the CAIDD Canal are similar to the Picacho View II area, in that they are also subject to shallow sheet flow. However, it is also believed that drainage conditions in Arizona City and near the CAIDD Canal will improve as a result of the development of Picacho View II because future flood peaks will be significantly reduced by the construction of on-site stormwater retention basins, as well as the construction of regional drainage channels that will deliver flood waters to specific downstream locations where they can be picked up at the edge of this development and carried farther downstream for disposal.

D. Vegetation

1. **Vegetation Inventory and Description:** The subject area is within the Lower Colorado River Valley subdivision of the Sonoran Desert scrub biotic community. However, the subject area consists mainly of agricultural lands. As such, diversity of vegetation generally is less than that found in typical Lower Colorado River Valley subdivision habitats, creating an open canopy and bare ground throughout significant portions of the area. Vegetation that was commonly noted in the subject area includes mesquite (*Prosopis velutina*), Mexican palo verde (*Parkinsonia aculeata*), burroweed (*Isocoma tenuisecta*), Russian thistle (*Salsoa* sp.), desert broom (*Baccharis sarothroides*), mustard species (*Sisymbrium* sp.), Johnson grass (*Sorghum halepense*), and aster species (*Helianthus* sp.). Generally speaking, irrigation canals occur along the Section gridlines throughout the subject area. Vegetation diversity and tree density and stature increases along these canals due to the presence of ephemeral water supply provided there. Vegetation noted only along these canals includes cottonwood (*Populus* sp.) and arrowweed (*Pulchea purpurascens*). The subject area has been highly disturbed due to agricultural activities, with large areas of monoculture (cotton) present and many disturbance-type species present along roadways (i.e. Russian thistle, desert broom, and Johnson grass). No saguaros (*Carnegiea gigantea*) were noted within approximately 1/4 mile of the ROW.
2. **Vegetative Densities:** Vegetative densities on-site were measured from aerial photographs and verified during field investigations. Densities are expressed as percent canopy coverage. Vegetative canopy coverage for shrubs and trees were calculated. Grasses and other groundcovers were not considered. Vegetation densities were divided into three categories:

- | | |
|-------------------|---------|
| a) High Density | 71%-100 |
| b) Medium Density | 31%-70% |
| c) Low Density | 0%-30% |

Vegetation densities found on the project were classified as Low Density (0% - 30%) and therefore the Picacho View II site is well suited for development. The site's natural drainage patterns have been altered by agricultural activities, and consequently, the quantity and quality of vegetation have been significantly decreased. The majority of the site contains very low-density coverage. Due to the low vegetative density, the site's desert scrub vegetation and negligible riparian communities provide negligible wildlife value.

E. Wildlife

- General Wildlife:** Wildlife that was noted during the site evaluation included black-tailed jackrabbit (*Lepus californicus*), desert cottontail (*Sylvilagus audubonii*), common raven (*Corvus corax*), red-winged blackbird (*Agelaius phoeniceus*), American kestrel (*Falco sparverius*), prairie falcon (*Falco mexicanus*), red-tailed hawk (*Buteo jamaicensis*), loggerhead shrike (*Lanius ludovicianus*), turkey vulture (*Cathartes aura*), and mourning dove (*Zenaidura macroura*).
- Endangered Species Investigation:** The USFWS lists 18 special-interest species (federally endangered, threatened, proposed, and candidate species, and species with federal conservation agreements) as occurring or suspected to occur within Pinal County. Upon initial review of the list and subject area, it was determined that there is low to no potential for the occurrence of any of the species found on this list and there is no designated critical habitat within the subject area. These species have ranges that do not include the project area and/or are found in habitats dissimilar to those within the proposed project area, and therefore, are not expected to occur within the proposed project area. These determinations were based upon field habitat analysis and review of information available regarding the species, comparisons of information with habitats available at the project site, and the known ranges of the species. Therefore, no adverse effects are expected to occur due to proposed project activities.
- Letter from the Arizona Game and Fish Department:**

(See Appendix C)

F. Soils

- Soils Testing:**
 - Soils Types: Descriptions of the soil types found on the property and shown on Exhibit 7: Soils and Topography Map, are as follows:
 - Y2 - Active stream channels
 - YI - Mid to late Holocene basin terraces
 - M2 - Late Pleistocene - early Holocene basin terraces
 - M1 - Oldest terrace in the basin; mid-Pleistocene in age

- b. General Description of the Picacho Basin: The Picacho View II Planned Area Development is within the Picacho Basin, a large and complex graben surrounded by horsts and half-horsts, which are now the Picacho, Casa Grande, Silverbell and Sacaton mountains. It formed mainly in response to late Miocene extension. Internal drainage probably persisted until about 3 million years ago. Several thousand meters of sediments fill the basin; 2000 meters of evaporites and claystone form the bulk of the basin fill (Scarborough and Pierce, 1978). The upper 200 meters or so of basin fill was deposited by a gradually aggrading, regionally integrated drainage system. Young alluvium of the Santa Cruz River is up to 30 meters thick and is found within 3.2 kilometers of the modern channel (Poo 1986). Although the Picacho Basin does have external drainage, extremely low stream gradients and a lack of long-term downcutting have resulted in playa-like sediments, eolian deposits, and a lack of significant elevation differences between terraces. Unlike basins upstream, the Picacho Basin has not been incised significantly during the Quaternary.

Compaction-related earth fissures can be found in the Picacho Basin. However, the highest densities of fissures can be found around the perimeter of the Picacho Basin. The highest potential for fissure development is probably in those areas.

Soil shrink-swell and soil collapse are potential design issues in the Picacho Basin. This is due to the high percentage of montmorillonite clay with the terraces. Potential for collapsing soils in the basin can be inferred from landforms in other basins known to have these soils. Holocene fan skirts and aprons commonly have collapsing soils (S. Slaff, 1986, unpub. report).

G. Traffic

1. **Existing and Proposed Off-Site Traffic:** The Picacho View II Master Plan Transportation Study, prepared by CLA, addresses the existing and proposed off-site traffic counts for the development of the PAD as originally contemplated.

- 4.2. Utility Scale Solar: To address the interim Utility Scale Solar use of the property, a Traffic Impact Statement (TIS) was prepared specific to the interim use. The TIS finding indicates that the anticipated impact of the property for an interim Utility Scale Solar facility has negligible impact on the current traffic in the area once the use is developed.

H. Sewers

1. **Location of Existing Public Sewers:** There are no existing public sewer facilities within the plan area that allow for a permanent long-term solution for wastewater treatment (See Exhibit 6: Existing Utilities Plan - Water and Sewer). Currently, the City of Eloy is conducting a sewer master plan study to define the location and funding mechanisms of regional collection and treatment facilities. Picacho View II will participate in those regional offsite facilities on an equitable "fair share" basis.

I. Schools

1. **Existing Schools:** The Picacho View II Planned Area Development area is served by the Eloy School District, the Santa Cruz Valley Union High School District, the Toltec School District, and the Casa Grande High School District.

J. Recreation and Trails:

1. **Parks, Recreation Areas, and Trails:** There are currently no parks or trails in the Planned Area Development Area. The nearest recreation area is the Grande Valley Golf Course located approximately 5.0 miles from the northern border of the Picacho View II project.

K. Cultural/Archaeology/Historic Resources

1. Cultural Resources:

SWCA Environmental Consultants conducted a cultural resources archival review of the property in March of 2006 (see appendices). Their report concludes that, based on past experience, the landscape, and the fact that the majority of the area has been utilized for agriculture, archaeological site-density in the project is expected to be low.

The Arizona State Museum recommends an archaeological surface inspection, prior to grading operations, to determine if additional important prehistoric or historic sites are on the land. The requirement to conduct archaeological survey for clearance only pertains to projects that fall under federal nexus (i.e. National Pollutant Discharge Elimination System (NPDES) or Section 404 of the Clean Water Act).

Additionally, pursuant to Arizona Revised Statute 41-844, should mortuary remains be uncovered during project clearance activities, work should stop at that location and a qualified archaeologist should be brought in to examine the remains.

2. Archaeological Resources:

File records of past archaeological surveys, and recommendations for future reports are addressed by the Arizona State Museum.

L. Air Quality

Air quality is an important concern in the City of Eloy and Pinal County. Seasonal winds and continued farming present challenges for the area's particulate matter (PM10) condition, as well as unpaved roads and shoulders. These are a few of the factors that have contributed to the area's air quality issues. The standard for PM10 is currently an 8-hour measure, which may potentially expand to a 24-hour measure by the Environmental Protection Agency (EPA) requirements. The result may be that the Phoenix and Tucson metropolitan area will change to "non-attainment" status. The air quality conditions have not affected the County's status as a designated "attainment" area for three criteria pollutants: carbon monoxide, ozone, and particulate matter (PM10). To enforce the requirements of the Clean Air Act (CAA) and its subsequent amendments, the EPA is charged with administering national ambient air quality standards. In Pinal County, there are four air-monitoring stations surrounding and within the study area. The local monitoring sites are at Eleven-Mile Corner (County Fairground), the Casa Grande Department of Economic Security Building, the Casa Grande Airport in Casa Grande, and

the City Complex in Eloy.

The Arizona Department of Environmental Quality (ADEQ) recommends paving or providing a topical treatment on dirt roads when they exceed 250 trips per day. The Environmental Planning Element seeks to mitigate this problem proactively by discouraging new development that will place additional traffic burdens on dirt roads.

Land use designations and urban area patterns included in the Land Use Plan endeavor to reduce unnecessary automobile trips that increase carbon monoxide levels. Bicycle lanes and trail systems are included to help decrease automobile trips. However, even with these land use strategies to minimize air quality impacts from new development, the continued presence of irrigated farming, travel on dirt roads, and seasonal winds will continue to dominate as the source of PM10.

Picacho View II lies within an "attainment" area for air quality. Localized air quality impacts result from elevated PM10 levels that originate from farming, automobile, and industrial dust and particulate matter. While the Pinal County area meets air quality standards today, future development may be impacted as the result of a stricter PM10 standard the EPA imposed within the Phoenix and Tucson metropolitan areas.

M. Electric and Gas Utilities

Existing electric and gas utilities, found on or within close proximity to Picacho View II, are depicted on Exhibit 9. The project falls within the service areas of Arizona Public Service Company, and Southwest Gas Corporation. "Will Serve" letters from these companies may be attained by contacting the appropriate engineering or administrative representative within the respective utility company.

Existing Utilities Plan Gas and Electric, Exhibit #9

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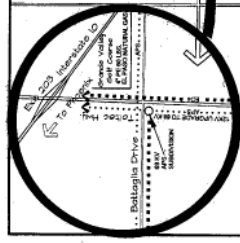
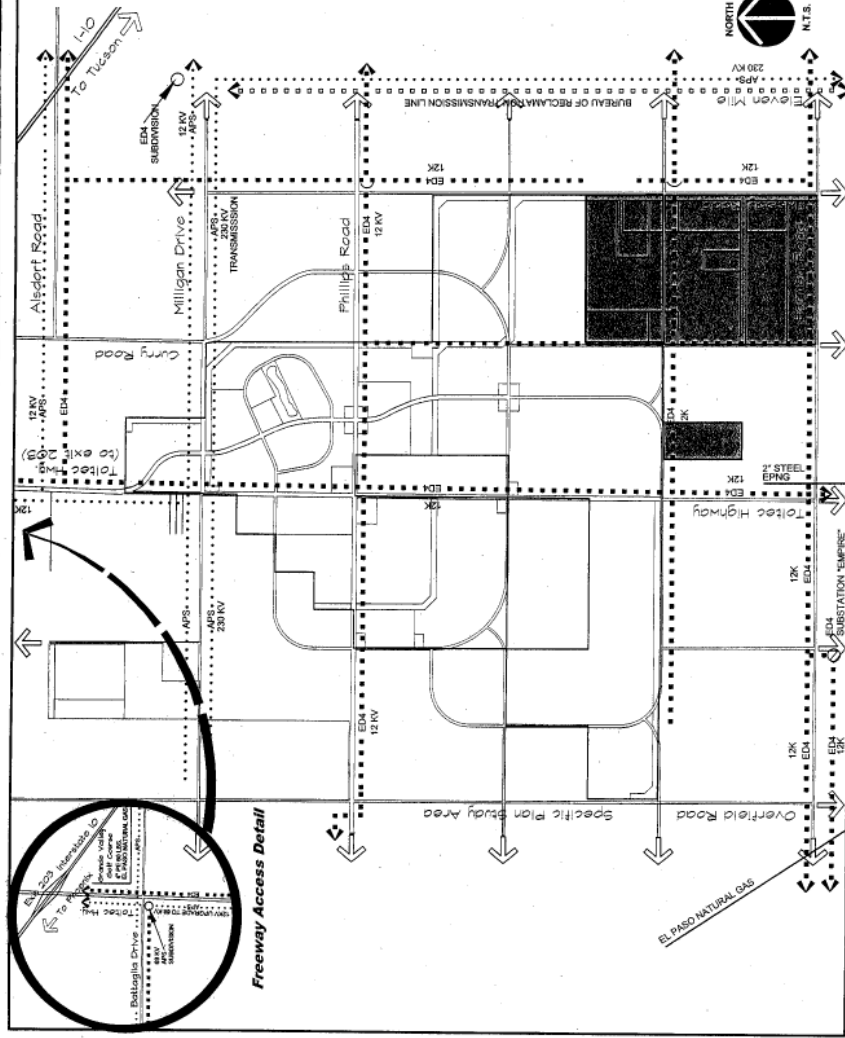
.....	ELECTRIC DISTRICT NO. 4
.....	ARIZONA PUBLIC SERVICE
.....	BUREAU OF RECLAMATION TRANSMISSION LINE
=====	EL PASO(S.N. GAS)
=====	NATURAL GAS

Picacho View II A Planned Area Development



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III. DEVELOPMENT PLAN

A. Purpose and Intent

Picacho View II ~~PAD~~ is a planned ~~R~~esidential, ~~R~~ecreational, and ~~C~~ommercial/~~R~~etail centered community. The proposed development plan includes open space and recreational facilities and could include one 18-hole golf course subject to amending this PAD. Recreational facilities are planned as an integral part of all residential development areas, as well as at future school sites. Private recreational facilities will also be provided throughout the project in conjunction with residential subdivisions. A system of pedestrian, bicycle and equestrian trails is also provided throughout the project.

As an interim use of the property, the Development Plan contemplates the property to be used as a Utility Scale Solar facility until such time that the development patterns, market demands, and water, sewer, and other utility services become available in the area. In the event the Utility Scale Solar land use is implemented on those portions of Picacho Valley II PAD identified Parcel 1 and 3 in Appendix A and shown on Exhibit 18, it shall conform to all design elements and criteria specified in Section IV.C.3.d of this PAD Preliminary Development Plan.

This section contains a description of plan goals, combined with various Picacho View II components. These components provide the rationale for development regulations found in Section IV.

The project ~~D~~evelopment ~~P~~lan is the result of thorough site analysis and research. As a result, the plan resolves, as much as possible, the development related issues in the form of proposed physical plans, improvements, guidelines for future development, technical information, and regulations.

B. Goals

In recognizing the major development issues, the landowners' objectives and the City of Eloy's requirements, a set of ~~D~~evelopment ~~P~~lan goals have been established:

- Implement and clarify the goals and the policies of the City of Eloy
- Ensure coordinated, responsible planning through the use of cohesive procedures, regulations, standards and guidelines
- Provide a ~~D~~evelopment ~~P~~lan which is a general and logical estimate of how development will occur
- Process and adopt a Picacho View II which will provide a conceptual understanding of development and future growth for the region and the Picacho View II area
- Provide land uses, based on current, anticipated, and future demands with a range of opportunities
- Provide a backbone infrastructure system and public facilities to support development in an efficient manner
- Utilize the drainage ways as a community amenity for recreation and open space
- Provide a land use plan that not only respects the adjacent land uses, but will contribute to the overall quality of the community
- Incorporate and implement standards that are economical for the developer and are consistent with the City of Eloy's standards, and can ~~be~~ reasonably accommodated in the project

Commented [DS1]: Moved all standards and references to the standard to Section IV.C.3. below.

- Provide an infrastructure system, including, but not limited to, sewer, water, and drainage systems that will adequately serve full build-out of the development
- Provide, within the Picacho View II, a community image that enhances the existing surrounding neighborhood
- Establish Design Guidelines covering four topic areas including site planning, landscape architecture, architecture, and signage to ensure a quality appearance and identity for Picacho View II
- Establish a conceptual landscaping treatment with recurring elements to unify the development and reinforce the circulation and open space components of a project
- Enhance the existing City of Eloy community atmosphere
- Promote the new development as a pedestrian oriented community
- Develop Design Guidelines for the project that will provide for and encourage variations in the design of all structures
- Provide opportunities for Utility Scale Solar as an interim land use on portions of the PAD.

C. Land Use Plan

The Picacho View II community encompasses approximately 1040 acres and is divided into low, medium, and high density land use planning areas (See Exhibit 10: Land Use Plan). The proposed primary land use allocation is summarized in Table 1. The acreage of the planning areas are gross acreages and include land to be allocated to the residential circulation system. As much as possible, the design of the project presents the areas as planned residential/recreational areas adjacent to the centralized parks, and retail/office centers. All land uses are integrated, if possible, regarding circulation, infrastructure, open space, drainage-ways, environmental resources, visual setting, development standards, and guidelines. There are a total of 5 different land use categories, including 3 residential, 1 commercial, and 1 open space categories.

A golf course may be developed, to provide a portion of the community's recreational focus, and could include buildings which provide activities such as dining, meeting space, pool/health spa, tennis, casitas, timeshare units, and social activities. If a golf course is added to the PAD, an amendment will be processed that indicates the exact location of the use, per the Eloy Zoning Ordinance PAD requirements. In addition, open space found within and along the drainage-ways may provide additional area for the community's recreation, open space, and golf.

Commented [DS2]: The solar is not a land use category, it is an allowed use within these categories. It is not no different than retail, office, or auto sales uses in the commercial category.

**TABLE III-IA
PICACHO VIEW II LAND USE BY POD**

POD	ZONING	ACRES	% of Total	Dwelling Units/Acre	DWELLING UNITS
1	RI-6	80	8%	6	480
2	R-4	27	3%	10	270
3	RI-6	175	16%	6	1050
4	OSR	42	4%	0	0
5	R-4	20	2%	10	200
6	C-2	40	4%	0	0
7	C-2	15	1.5%	0	0
8	C-2	15	1.5%	0	0
9	RI-6	200	19%	6	1200
10	C-2	15	1.5%	0	0
11	OSR	20	2%	0	0
12	RI-8	53	5%	4	212
13	OSR	48	4.5%	0	0
14	RI-6	135	13%	6	810
15	RI-8	40	4%	4	160
16	RI-12	100	9.5%	3	300

	Subtotal	1025			
Arterial Right--Of-way		15	1.5%		
TOTAL ACRES		1040	100%		
TOTAL DWELLING UNITS					4,682
GROSS DENSITY					4.5

Note: Actual Acreages will change at the time Block, or Individual, plats are prepared due to the conceptual nature of the land plan measurements, and the accuracy by which the final plats are surveyed and prepared.

Note: The maximum number of dwelling units permitted in a Planning Area/POD shall be that number established in Table III-IA, which also establishes the maximum overall density and number of dwelling units permitted in the Picacho View II PAD.

One public or private, 18-hole golf course could be proposed for the Picacho View II community. The course would provide a major site amenity fulfilling recreational needs as well as providing open space. It would also allow for residential/resort opportunities in the form of casitas and/or timeshare units. The golf course would be watered by well water in accordance with Arizona Department of Water Resources Policies. The proposed golf course would provide opportunities to integrate the fairways into the overall drainage system, incorporating flood control and detention techniques within designated floodplain areas.

D. Circulation Concept Plan

- 1. General Description:** All internal roads will be designated for City, or District ownership, operation and maintenance unless designated as a private roadway in the subdivision process, and will be sized accordingly to both their scale and character. The general alignment for the primary street network for the Plan Area has been delineated on Exhibit 11: Circulation Plan.

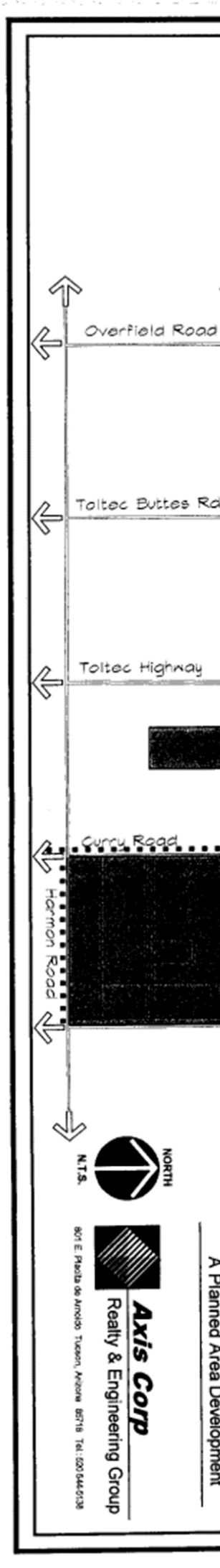
Private streets would be identified on a case-by-case basis by the individual builder. Private streets would be appropriate in cases such as gated communities, and shall be built to City Standards.

The private street cross-sections may vary depending upon their functional requirements and specific settings subject to approval by the City Engineer and Fire District. For example, private streets for courtyard and cluster residential projects can be served by a relatively narrow street having a minimum 32' right-of-way width. Private streets may also have sidewalks on one side of the street, and off-street parallel visitor parking.

In addition, innovative design is encouraged for local streets and development to minimize automobile traffic and place emphasis on pedestrian-oriented communities. Such innovations include multiple use private drives and hammerhead designs for clustered projects.

- 2. Proposed Street Cross-Sections:** The project will utilize four (4) different street cross-sections. Right-of-Way and pavement widths (curb-to-curb) will be in accordance with the City of Eloy Small Area Transportation Study, or as approved by the City Engineer, and shall be constructed to City Standards.

The Arterial Blvd. will be the widest utilized in the community and will initially be comprised of two travel lanes. This street section allows two (2) separate 5' bike lanes within the curb-to-curb width. Curbs shall be vertical.



If traffic demands warrant, the Arterial Blvd. will be widened to accommodate 4 or 6 divided traffic lanes, median, utility easements, and pedestrian walks.

The Collector Street will provide direct access to many of the planning areas. This street cross-section will consist of two (2) travel lanes, two (2) bike lanes within the curb-to-curb width, and a sidewalk on both sides of the street.

The public Local Street will be utilized within the majority of the planning areas and will be the predominant subdivision street and provide direct access to individual residential lots. Curbs may be wedge, vertical or roll. This street cross-section will consist of two (2) travel lanes and may accommodate off-street visitor parking. Curbs in this case shall be wedge or roll, and no-parking signs will be posted opposite the designated visitor parking areas. Sidewalks will be provided on both sides of the street.

Private Residential Streets consist of two (2) travel lanes and may accommodate visitor off-street parking. Curbs in this case shall be roll, ribbon, or wedge.

3. **Change in ADT:** The Project will generate additional ADT's over the course of development as described in the Traffic Analysis Study prepared by CLA.

Evaluation of the interim roadway cross-sections included within the Circulation Plan indicate the capacity of the interim Primary Blvd. can convey up to 15,000 ADT's with restricted access and at level of service "C".

4. **Transit Routes:** No mass transit bus routes or attendant facilities are proposed.

5. **Emergency Access:** Emergency access will be provided to all planning areas. Emergency access may consist of graded, all-weather access roads, with a minimum width according to City Code.

6. **Improvements for a Utility Scale Solar development:** Prior to the issuance of the first building or encroachment/right-of-way permit, whichever is first, the property owner of a Utility Scale Solar development shall dedicate right-of-way, and submit construction documents/improvement plans to construct roadway improvements and provide landscape improvements in accordance with Section 21-3-1.39 of the Ordinance, and Section IV.G.3.d.

E. Public Facilities

1. Water System:

The Picacho View II community may be served by multiple wells, surface storage tanks, and booster systems. The distribution will consist of main lines of sufficient size to serve both domestic demand and fire flow. Existing farming supply wells may be incorporated into the water system to the extent allowed by physical condition and water quality. Additional wells may be drilled to augment the water supply and add reliability to the overall distribution system. As facilities are completed, they will be dedicated, owned and operated by the City of Eloy.

Water Quality: The Arizona Department of Water Resources (DWR) manages groundwater quality in the Eloy Sub-basin. The DWR completed its third Management Plan for the Pinal County Active Management Area in December 1999. In the Pinal County Active Management Area, the majority of the groundwater supplies are of acceptable quality for most uses. The quality of groundwater from the City wells is generally good and secondary treatment is not required for most wells. Eloy's proposed water sources meet the water quality standards established by the Arizona Department of Environmental Quality.

Assured Water Supply: The City has Designation of Assured Water Supply and has the authority to deliver water to customers within its Service Area. The City would expand its Service Area to include Picacho View II.

2. **Sewer Service:** The Picacho View II project will include installation of significant sewage collection infrastructure. Each phase or portion of the project will include design and installation of its own sewage collection system to City standards. Each substituent collection system will then be connected to laterals and mains which may then be connected to a regional offsite treatment plant.
3. **Community Facilities District (District):** If deemed economically feasible, the master developer, or builders, may petition the City to form a Community Facilities District to acquire existing public facilities, or construct new public facilities.
4. **Other Utilities:** Gas, electric, and telephone services exist in the vicinity of the Plan Area. For conceptual layout of these utilities, see Exhibit 9: Existing Utilities Plan • Electric and Gas. Final design shall take place at the time of actual construction, subdividing, and site development. Actual service facility design will be coordinated with the individual utility companies.
5. **Public Schools:** The maximum population of Picacho View II is not expected to exceed 14,500 residents. Using the actual City of Tucson public school ratios of 47,000 residents per high school, 25,000 residents per middle school, and 6,800 residents per elementary school, there could be approximately two elementary schools located within the community. Based on the above estimates, up to 30 acres for future public school sites may be reserved, at the time of platting, anywhere in the residential portion of the Picacho View II area.

F. Water Resources Concept Plan

1. Response to Existing Conditions:

The Drainage Concept Plan represents a conceptual approach for addressing the major off-site and on-site storm-water flows which traverse the site (See Picacho View II Master Drainage Study, prepared by Arroyo Engineering). Planning-level analysis indicates that the overall drainage scheme should function in a manner which will provide for the adequate collection, conveyance, and discharge of major flows within and across the Picacho View II property. The Drainage Concept Plan is comprised of the following drainage- infrastructure:

There are four major components to the Drainage Concept Plan: Regional Drainage Channels, Roadside Drainage Channels, On-Site Stormwater Retention/Detention Basins, and Regional Stormwater Basins. All of these major drainage components must be constructed as part of a unified plan, on a sub-watershed basis, prior to development and construction.

The regional drainage channels generally consist of a continuous channel that intercepts sheet flow at the upstream side of the project, and then conveys this runoff through the development until it releases these flows at the downstream side of the project. These regional drainage channels will maintain the existing flow patterns by not diverting runoff to other nearby drainage basins. Furthermore, these regional drainage channels will also serve as the outfall for the roadside drainage channels, described more fully below.

Roadside drainage channels generally consist of a network of relatively small channels that parallel the major roadways, and which will serve as the drain into which roadway runoff will be discharged. These roadside drainage channels will serve as a replacement for an underground storm drain system. Furthermore, these roadway drainage channels will also provide areas of landscaped open space that will be irrigated, in part, by water-harvesting techniques. Excess runoff that flows in and along these roadside drainage channels will be disposed of in the regional drainage channels mentioned briefly above. A key element needed to ensure the success of this Drainage Concept Plan is the construction of on-site retention/detention basins, all of which will be designed to hold the entire volume of runoff produced on-site during a 100-year, two-hour storm. Off-site runoff produced elsewhere will be allowed to bypass these basins without having to be retained or held. In addition, these basins will be designed so that they will be emptied within 36 hours, either by percolation, dry wells, or by draining into an approved drainage way after the storm has passed.

Furthermore, these on-site retention/detention basins will also provide areas of landscaped open space that will be irrigated, in part, by water-harvesting techniques. Individual lot retention/detention basins may be used in residential subdivisions when the minimum lot size exceeds one (1) standard acre, otherwise the basins will be built within common areas owned and maintained by the Home Owner's Association.

The regional drainage channels will be designed so that they release floodwaters at substantially the location and with equal or smaller magnitude as found under existing conditions. To help accomplish this goal the downstream ends of each of the regional drainage channels will be designed to include a regional stormwater basin that will provide an open-space area where floodwaters can be allowed to spread out and then discharge onto the adjoining downstream areas. These regional stormwater basins will also provide areas of hydroseeded open space that will be irrigated by seasonal rains.

All of these systems and facilities will be phased in as adjacent or affected development occurs. Since these conceptual systems were prepared at a planning level of analysis, details regarding the specific sizes of the individual elements have

not been prepared beyond what is indicated on each typical cross-section. A range of possible widths and depths of these systems has been provided. A preliminary design and phasing scheme, incorporating a detailed assessment of the steps required to fully implement these systems, will be necessary at the improvement plan review and approval stage.

If constructed channels require some form of bank stabilization, a range of potential options are: rock, soil cement, or concrete. Constructed drainageways shall include revegetation by hydroseeding within or adjacent to the channel. The drainageway design shall provide for maintenance access (16' wide) along one side of the channel unless the channel bottom is drivable. The maintenance access will also serve as part of the overall community's pedestrian trail system.

2. **Effect Upon Site Drainage Patterns.** The Picacho View II anticipates overall improvement in the efficiency of drainage patterns of the site. Creation of detention basins and on-site washes will help to alleviate substantial and long-standing flooding problems for the site.

A drainage report for the Picacho View II phase, region, or plat area must be approved by the City Engineer prior to the issuance of grading permits or any other permits for development activity within a particular phase, region, or plat. Said report should be in general conformance with the Master Concept Drainage Plan.

G. Grading Concept

1. **Mass Grading.** Development within the Picacho View II Area may be mass graded as necessary to implement infrastructure and home site development (See Exhibit 15: Concept Grading Plan).
2. **Open Space Resources.** The Picacho View II is designed as a recreational and retail/commercial based residential community. Open space is an important opportunity from an environmental perspective as well an amenity in terms of quality of life. This plan has identified areas of open space and has attempted to utilize a "multiple use" of open space. Multiple use may consist of drainage, retention basins, recreation, trails, utility systems, and irrigation channels.

Revegetated (by hydroseeding) drainageways will help maintain aesthetics, and some of the golf course fairway areas may be located adjacent to such drainageways. The recreational/open space land use in conjunction with the drainageways will provide a larger area for community benefit.

H. Landscape Concept

These Landscape provisions of this Section are supplementary to the Ordinance, and are intended to enhance those regulations. These requirements shall not circumvent or supersede the Ordinance. The Design Guidelines are intended to be guidelines between the Master Developer and the builders and are not intended to replace the City's regulatory requirements in any manner.

Consistent with the overall project, areas of revegetation will include drought- tolerant and indigenous plant materials. All preliminary plats and development/site plans will require a concept landscape plan that is approved by a registered Landscape Architect retained by the Master Developer, and the Architectural Review Committee (ARC), and is in general conformance with the Landscape Concept Plan (See Exhibit 16: Landscape Concept Plan).

Retention basins will be hydroseeded or landscaped per Master Developer standards with suitable plant ~~materials~~materials and comply with the landscape requirement of the ordinance. The Picacho View II plant palette includes plant species identified and listed in the Recommended Plant Palette List. All plants utilized in the right-of-way shall be on the Arizona Department of Water Resources Active Management Area Plant List for Pinal County.

All plant materials for Picacho View II are to be selected from nursery stock selected from the Recommended Plant Palette List (See Appendix F). In addition, prohibited plants for the Picacho View II are also identified in Appendix F.

Utility Scale Solar development shall confirm to the landscape dimensional, quantities and design requirements of Section 21-3-1.39 of the Ordinance and Section IV.G.3.d of this PAD Preliminary Development Plan.

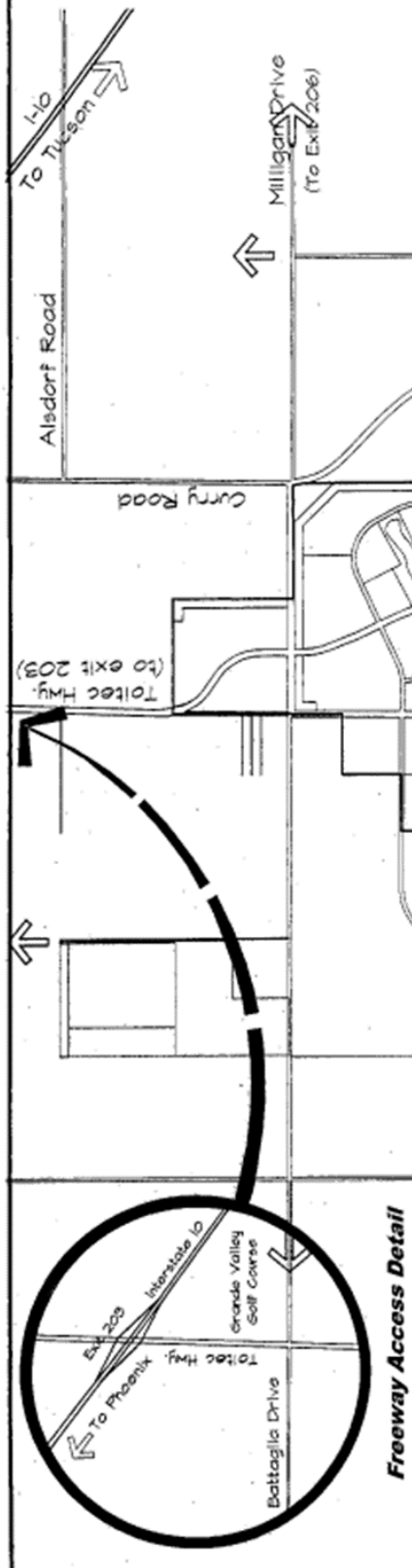
I. Parks, Recreation, and Trails Concept

The Picacho View II is a recreation-based community. The major recreational elements for Picacho View II include: openspace, regional and neighborhood parks, possible golf

Concept
Grading Plan

Exhibit #15

LEGEND



course, and the pedestrian/bike path system associated with the entry drive and the local collectors (See Exhibit 17: Parks, Recreation, and Trails Map). Trails will be non-lighted, meandering paths, made of compacted earth or decomposed granite. All recreational facilities may be non-lighted, except for those owned and operated by the City of Eloy.

Regional Parks: The Picacho View II designates regional parks located in the master-planned community (See Exhibit 17: Parks, Recreation, and Trails Map). Unless accepted by the City for ownership and maintenance, these parks will be constructed at the Master Developer's expense, and will be owned and operated by the Home Owner's Association (HOA). Parking requirements may be met using a combination of on-street and off-street parking.

Neighborhood and Mini Parks: Neighborhood and mini parks of approximately 1 acre in size will be provided for every 220 homes. Two or more parks may be combined to form a larger park to accommodate several subdivisions of less than 220 homes, or a large subdivision exceeding 220 homes. All parks will consist of a professionally landscaped play area including trees and grass. Play equipment is mandatory, including barbeques, a ramada, and a picnic table as a minimum. Those parks exceeding 2 acres in size will include either soccer, or baseball fields to the greatest extent that their size will permit. In addition to the above, those parks exceeding 3 acres will provide for off-street parking. All parks may be non-lighted unless owned and operated by the City.

Trail Systems: Multi-purpose trails serving walking, biking, and equestrian modes of transportation are incorporated within the community. In addition, walking trails are shown located within the regional drainage channels (See Exhibit 17: Parks, Recreation, and Trails Map).

Paseos: Paseos, averaging 60 feet in width and containing an 8-foot wide sidewalk, will be located by the Master Developer at the time of platting. They will generally be located between major subdivision developments of 500 units or more, and where subdivision drainage and/or utility easements can be incorporated and street sidewalks do not provide access to a regional park.

Pedestrian and Bike Paths: Pedestrian and bike paths and/or refuge areas shall be provided. These facilities will be within the project's major boulevards as indicated on the proposed street cross-sections.

~~6'-8'~~ wide, meandering, sidewalks along arterial and collector streets should be designed and located no closer than ~~3'-5'~~ to automobile travel lanes. Sidewalks in subdivisions (4'-5' wide) may be located against the curbs. The width provisions of this paragraph shall apply, unless a greater standard has been adopted by the City of Eloy City Council and is in effect at the time of the submittal of the Preliminary Plat or Development/Site Plan. Any Preliminary Plat or Development/Site Plan that has expired shall comply with applicable standards at the time of a reinstatement of the approval, or when a new approval is granted. These provisions do not apply to the development of a Utility Scale Solar development, unless sidewalks are required in accordance with Section 21-3-1.39 of the Ordinance, and Section IV.C.3.d. of this PAD.

A cart path separate from the public street network will be associated with golf

courses, and will not be allowed in conjunction with public streets except at crossings. The final alignment of this path through the course shall be determined at final golf course phase design. The golf cart path may be parallel to the streets, but must be physically separated by a minimum of ~~3~~⁴'-0" wide landscape buffer.

Open Space: The Picacho View II community will contain at least 15% usable open space comprised of the parks, the regional drainage/trail system, Paseos, and stormwater retention/detention areas which provide passive/active recreation uses. A potential golf course would be in addition to this 15% usable open space.

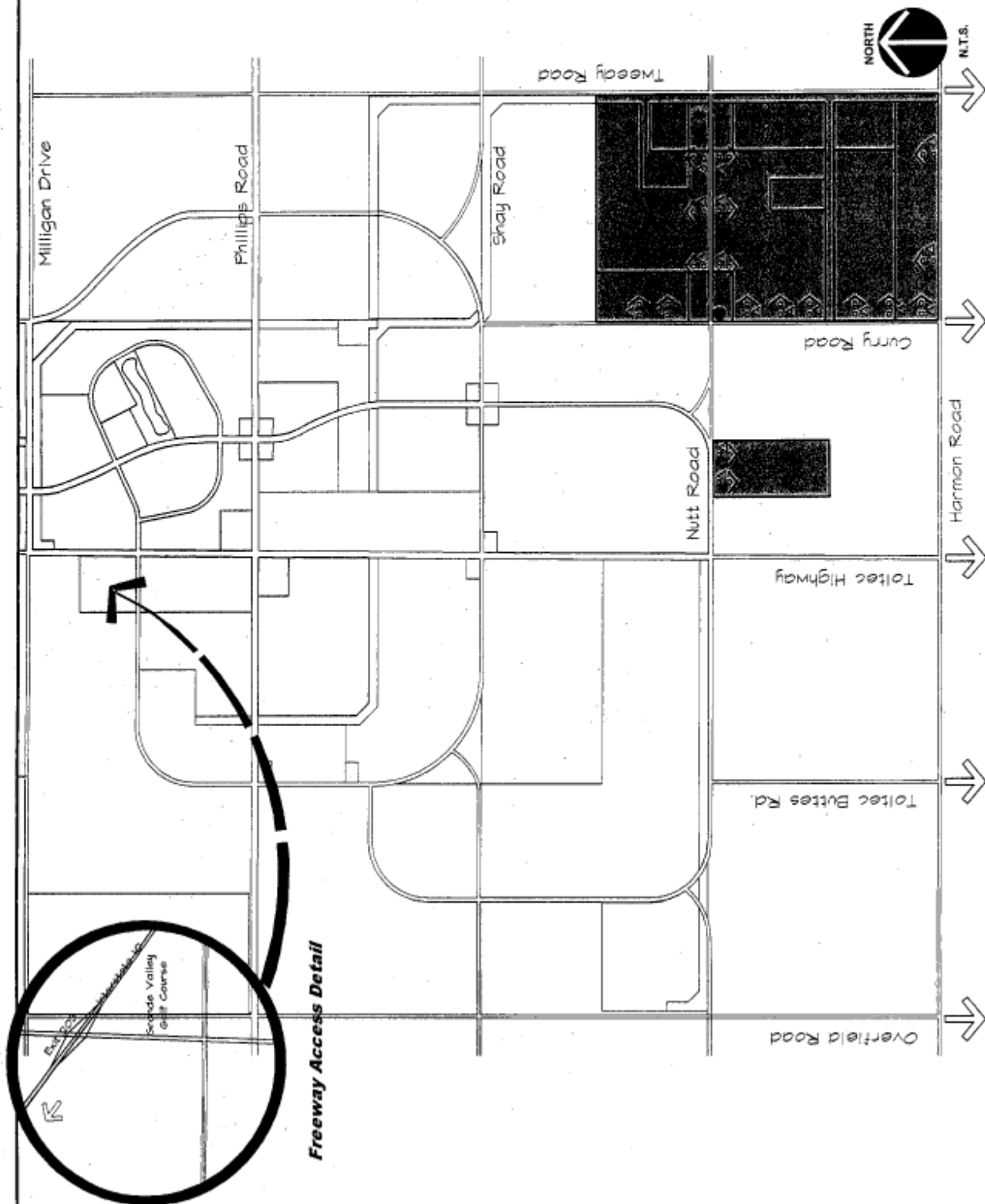
Landscape
Concept Plan
Exhibit #16

LEGEND

- Primary Entry Features
- Secondary Entry Features
- Residential Entry Features
- Residential Streetscape

Picacho View II
A Planned Area Development

Axis Corp
Realty & Engineering Group
801 E. Pinalta de Arizola Tucson, Arizona 85718 Tel: 520-544-5138



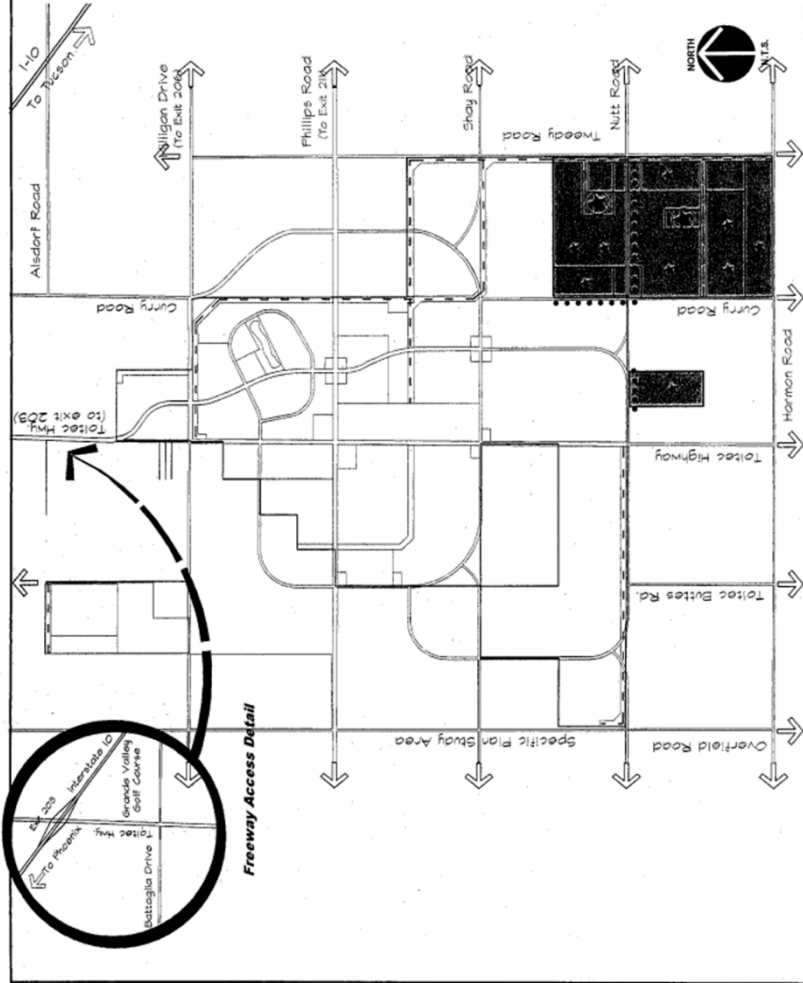
Parks, Recreation & Trails Map Exhibit #17

LEGEND

-  Bike and/or Pedestrian System
-  Pedestrian Trail
-  Multi-Purpose Trail
-  Regional Parks (minimum 30 acres in size)
-  Mini & Neighborhood Parks (minimum 1 acre in size, actual number and locations to be determined at time of platting)

Picacho View II A Planned Area Development

Axis Corp
Realty & Engineering Group
801 E. Pinal de Arizal Tucson, Arizona 85718 Tel: 520-544-5338



IV. DEVELOPMENT REGULATIONS

A. Purpose and Intent:

These regulations will serve as the primary mechanism for implementation of the land uses for the Picacho View II Planned Area Development area after adoption by the City of Eloy. This Planned Area Development will abide by applicable City of Eloy Regulations currently adopted, and later amended, that are not included or specifically addressed within this document or the recorded Development Agreement. Primary ~~land-use zoning~~ district designations for the Planned Area Development shall be as follows:

- Residential (RI-12, RI-8, RI-6, R-4)
- Commercial /Retail/ (C-2)
- Park/Open Space/Drainage (OSR)

B. Definitions

The terms and definitions used in this Plan shall meet those defined in the Eloy Zoning Code, with the following exceptions:

1. Builder: The builder is the purchaser of a development area, or portions of a development area, who will either build or provide for buildings within their areas of leasehold interest or ownership.
2. Building Coverage (Lot Coverage): Building coverage includes all buildings; excludes driveways, service walks, porches, balconies, and trellises.
3. Building ~~Story~~ Stezy Story: The portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above.
4. Desert Trees: Mesquite, Palo Verde, Ironwood, Live Oak, and other trees listed in the Southern Arizona Water Resource Association.
5. Design Review Committee (DRC): A committee consisting of three regular members to be formed by the Master Developer. The committee may consist of representatives from the landowners, homebuilders, homeowners association, and land planner/landscape architect consultants. Duties include the review of all proposals for construction, and to ensure that such proposals meet the intent and development philosophy of the community.
6. District: Community Facilities District (CFO) or Municipal Improvement District (**MID**), or other financing district.
7. Dwelling Unit Cap: The maximum number of dwelling units pennitted within the Planned Area Development.

8. Golf Course: Those areas established for playing golf and associated activities, including fairways, lighted driving range, clubhouse, and maintenance facilities.
9. Gross Acres: The total number of acres within a planning area or subdivision, including schools, roads, parks, drainage, retention, and easements.
10. Master Developer: The owner/primary developer or assigns responsible for overall community development, planning and construction of basic infrastructures such as roads, water, sanitary sewer, dry utilities, and drainage facilities.
11. Mini Park: A small neighborhood park, approximately 1 acre in size, which will be provided for every 220 homes. Two or more mini parks may be combined to form a larger park to accommodate several subdivisions of less than 220 homes.
12. Planning Area: A designated sub-area of the Planned Area Development with Specific permitted uses and regulations covering development; also referred to as "pods" in the Planned Area Development.
13. Sub-Planning Area: Sometimes referred to as "sub-pod" or "sub-area." A further breakdown of a Planning Area or Pod such as in the event caused by subdividing or platting the larger planning area.
14. Utility Scale Solar: is a solar generated electrical power plant, inclusive of the equipment necessary to generate, store and convey the generated electricity and the facilities and structure to maintain and operate the power plant and electric storage system. Solar, Utility Scale Generation, and Battery Energy Storage System Facilities may incorporate several abutting and adjacent properties that are planned as a single development as interim use in the Picacho View II PAD.

C. General Provisions:

4. If an issue, condition, or situation arises or occurs that is not addressed by this plan, ~~these the property's corresponding zoning district designation~~ regulations of the City of Eloy Zoning Code ~~that are applicable~~ will govern. The zones used in this plan are: for the following land use designations:

1.

RI-12: Low Density Residential	(1.0 - 4.0 du/ac)
RI-8: Medium Density Residential	(4.0 - 6.5 du/ac)
RI-6: Medium Density Residential	(4.0- 6.5 du/ac)
R-4: High Density Residential	(10.0 - 24.0 du/ac)
C-2: Commercial	
OSR: Park/Open Space/Drainage	

The maximum number of dwelling units permitted in a Planning Area/POD shall be that number established in Table III-IA of this PAD. The maximum number of dwelling units permitted in the Picacho View II PAD is 4,682.

2. Variations to City of Eloy Development Standards:

This PAD allows for a variation of the zoning district development standard for the R-4, R1-6, R1-8, and R1-12 residential zoning designations. In these designations, the development standards shall be in accordance with the "Development Standards for Residential Zoning Districts" table (attached).

If an issue, condition, or situation arises or occurs that is not covered or provided for in this Planned Area Development, those regulations of the City of Eloy Zoning Code that are applicable for the most similar issue, condition, or situation, including the General Regulation of the Ordinance, shall be used by the Planning Director/Community Development Director ~~as guidelines~~ to resolve the unclear issue, condition, or situation. This provision shall not be used to permit uses or procedures not specifically authorized by this Planned Area Development or the City of Eloy Zoning Code.

<u>Development Standards for Residential Zoning Districts</u>				
<u>Development Standard</u>	<u>R1-12</u>	<u>R1-8</u>	<u>R1-6</u>	<u>R-4</u>
<u>Minimum Lot depth</u>	<u>110'</u>	<u>110'</u>	<u>110'</u>	<u>70'</u>
<u>Minimum lot width</u>	<u>85'</u>	<u>70'</u>	<u>50'</u>	<u>30'</u>
<u>Minimum lot area</u>	<u>12,000</u>	<u>8,000</u>	<u>6,000</u>	<u>2,250</u>
<u>Min. Front Setback</u>	<u>20'</u>	<u>20'</u>	<u>20'</u>	<u>20'</u>
<u>Min. Side Setback</u>	<u>10'</u>	<u>7.5'</u>	<u>5'</u>	<u>per City code</u>
<u>Min. Corner Setback</u>	<u>20'</u>	<u>15'</u>	<u>15'</u>	<u>10'</u>
<u>Min. Rear Setback</u>	<u>20'</u>	<u>20'</u>	<u>20'</u>	<u>15'</u>
<u>Maximum Height</u>	<u>30' / 2 stories</u>	<u>30' / 2 stories</u>	<u>30' / 2 stories</u>	<u>35' / 3 stories</u>
<u>Max. Lot Coverage</u>	<u>Not Applicable</u>	<u>Not Applicable</u>	<u>Not Applicable</u>	<u>Not Applicable</u>

Notes:

Side Setbacks may be reduced to 15" for side-entry garages.

Commented [DS3]: Missing not reference.

3. Additional Allowed and Conditional Use in the Picacho View II PAD:

a. Factory Built Homes:

Factory Built homes (constructed in conformance with the requirements of the State of Arizona) are allowed in all residential designations. Factory Built and site-built housing may be mixed within the same subdivision. Architectural review by the Master Developer's DRC will be required. Factory Built homes must be 1080 square feet, or larger.

b. Golf Course and Resort:

A golf course is a "conditional use" requiring the approval of a Conditional Use Permit in all of the underlying zoning districts. The golf course could be accompanied by a resort lodging facility (including timeshare units). Similarly, resort lodging, including casitas and timeshare units, could be a conditional use on any of the land use designations either with or without a golf course.

c. Schools:

Public, private, or charter schools are allowed in any underlying zoning district of the Picacho View II PAD overlay zone. Potential school sites will be reserved at the time of individual or block platting, subject to the approval of the Eloy Planning Director/Community Development Director, and consultation with the appropriate School District.

d. Utility Scale Solar (Solar, Utility Scale Generation and Battery Energy Storage System Facilities):

Utility Scale Solar is allowed in all underlying zoning districts of the Picacho View II PAD overlay zone, and the development of the use shall conform with the following:

- i. Section 21-3-1.39 (Solar, Utility-Scale Generation, and Battery Energy Storage System Facilities) of the Ordinance, as amended, except as modified below:
 - a) The facilities shall be limited to the locations indicated on Exhibit 18
 - b) Interior setbacks to property within the PAD that are not adjacent to a street: 0 feet.
 - c) Rear setbacks to property within the PAD that are not adjacent to a street: 0 feet.
 - d) Perimeter fence color: sage green color that has color equivalency with a LVR 40% or less.e) [The development shall comply with the Industrial Development Requirements and Guidelines and Additional Standards of Sections 21-2-5.5 and 21-2-5.6 of the Zoning Ordinance, as amended, except that only landscape provisions of 21-2-5.6.B. are replaced with the landscape provisions of Section 21-3-1.39. of the Ordinance.]
 - f) Access gates in a fence shall comply with the setback requirements of

Commented [D54]: Without this provision, the side setback of 21-3-1.39 would apply to internal property and the properties would need to be combined as one lot to avoid the side and rear setbacks.

Commented [D55]: This is for any building or structure and screening

provisions of Section 21-3-1.39. of the Ordinance, and minimum distance from right-of-way and privately dedicated streets to the gate access call/key box (if provided) shall be 50 feet.

3. ~~Factory Built Homes:~~

~~Factory Built homes (constructed to UBC Standards) will be allowed in all residential designations. Factory Built and site-built housing may be mixed within the same subdivision. Architectural review by the Master Developer's DRC will be required. Factory Built homes must be 1080 square feet, or larger.~~

4. ~~Golf Course and Resort Overlay:~~

~~If approved by PAD amendment, a golf course could be a "conditional use" in Picacho View II on any of the underlying land use designations. The golf course could be accompanied by a resort lodging facility (including timeshare units). Similarly, resort lodging, including casitas and timeshare units, could be a conditional use on any of the land use designations either with or without a golf course.~~

5. ~~Schools Overlay:~~

~~Potential school sites will be reserved at the time of individual or block platting, subject to the approval of the Eloy Planning Director, and consultation with the appropriate School District. Public, private, or charter schools may be developed in Picacho View II on any of the underlying residential land use designations.~~

-

Commented [DS6]: This is to ensure traffic is not held up by vehicles entering the development.

Development Standards for Residential Zoning Districts

Development Standard	R1-12	R1-8	R1-6	R-4
Minimum Lot depth	110'	110'	110'	70'
Minimum lot width	85'	70'	50'	30'
Minimum lot area	12,000	8,000	6,000	2,250
Min. Front Setback	20'	20'	20'	20'
Min. Side Setback	10'	7.5'	5'	per City code
Min. Corner Setback	20'	15'	15'	10'
Min. Rear Setback	20'	20'	20'	15'

Maximum Height	30' 1-2 stories	30' 1-2 stories	30' 1-2 stories	35' / 3 stories
Max. Lot Coverage	Not Applicable	Not Applicable	Not Applicable	Not Applicable

6. _____ 6. _____

Notes:

Side Setbacks may be reduced to 15" for side-entry garages.

Commented [DS7]: Missing not reference.

Encroachment into Regulatory Floodplains:

Encroachment into the ~~newly created~~-regulatory floodplains (i.e. those with a 100-year flow of more than 100 cfs), and sheet flooding areas, will be allowed in accordance with the Pinal County Flood Plain Regulations.

7. Monuments and Signage:

The Master Developer will submit a Master ~~Monumentation and~~ Signage ~~Plan Program~~ at the time of the first ~~preliminary~~ plat (block or individual) for review and concurrent approval with the ~~platting process~~first final plat for the PAD. This provision does not apply to the development of a Utility Scale Solar facility, including any plat necessary to accommodate the facility's development.

D. Public Facilities Regulation

1. Utility Lines:

New Utility lines within the project will be placed underground to provide an attractive and marketable development. Exceptions to this general rule may occur as a result of specific utility company rules and regulations, or where the costs of undergrounding, due to the size and nature of a specific installation, are prohibitive. Additionally, temporary overhead lines may be used on an interim basis, until development occurs immediately adjacent to the overhead line, subject to review and approval by the Planning Director/~~Community Development Director~~ and City Engineer.

2. Street Lights:

Local/Residential streets will have low intensity mailbox, coach, or other light located on individual residences, maintained by the HOA, or homeowner. Arterial/Collector streets will be lighted at major, or key intersections, as approved by the City Engineer, and maintained by the City. All lighting shall meet the City's "Dark Sky" ordinance.

E. Hydrology/Drainage Regulations

1. Encroachment into Regulatory Floodplains:

Encroachment into the ~~newly created~~-floodplains (i.e. those with a 100- year flow of more than 100 cfs) will be allowed per Pinal County Flood Plain Regulations.

2. Maintenance:

All retention basins and channelized drainages shall be attended to and maintained so as to preserve their hydrologic integrity, function and efficiency, and to represent suitably aesthetic features. Unless accepted by the City for ownership and maintenance, regional drainage systems will be maintained by the HOA; similarly, onsite subdivision retention/detention basins will be maintained by the HOA.

3. Channel and Roadway Grades:

Due to the extremely flat topography associated with Picacho View II, the minimum slopes for channel and roadway drainage shall be 0.15%.

F. Archaeological Regulations

Prior to grading activities, appropriate measures will be taken to either avoid or mitigate, through an approved Data Recovery Plan, impacts to sites that are determined to be "scientifically significant." Archaeological sites, deemed significant, will be recorded and, if needed, mitigated to City of Eloy and Arizona State Museum guidelines.

G. Vegetation Preservation/Salvage Regulations:

Disturbance will be mitigated through the following measures: This applies to native vegetation as protected in the Arizona Native Plant Law: *Carnegiea gigantea* (Saguaro), *Cercidium microphyllum* (Foothill Palo Verde), *Cercidium floridium* (Blue Palo Verde), *Ferocactus species* (Barrel Cactus), and *Prosopis species* (Velvet Mesquite).

1. Saguaros shall be preserved in place where practical as a first option. As a second option, all healthy, moveable specimens shall be relocated to other approved locations within the development pod they originally occupied. Every effort shall be made to preserve existing saguaros. Unhealthy or non-salvageable specimens that are destroyed as a result of development of the property shall be replaced on a one to one basis within the development pod where the original specimen was located. Saguaro survival shall be monitored, and any saguaros which die within five years from the date of transplantation or placement shall be replaced by a minimum three-to-five foot high saguaro specimen.

2. A ~~landscape plan~~ separate native plant plan, prepared by a Registered Landscape Architect or a native plant salvage contractor approved by the Planning Director/Community development Director shall provided provide at the time of tentative with each preliminary plat

or development/site plan submittal, unless it is not specificial required by the Planning Director/Community Development Director, that contains an inventory of all trees on the site that have a two-inch caliper size or greater single trunk size, or one inch average multi-trunk size, measure one (1) foot above grade. The inventory shall include documentation of the existence or absence of endangered or threatened plant species on the site. The landscaping plan will provide for either the transplanting, preserving, or planting of at least as many trees as were originally inventoried on the site. Newly planted nursery trees will pertain to all construction activity within the plan area. submittal, which contains an inventory of all trees on the site of two-inch caliper size or greater. The inventory shall include documentation of the existence or absence of endangered or threatened plant species on the

~~site. The landscaping plan will provide for either the transplanting, preserving, or planting of at least as many trees as were originally inventoried on the site. Newly planted nursery trees will pertain to all construction activity within the plan area.~~

3. A mitigation plan shall be developed for protected/endangered species in the event they are found on-site during the construction process.
4. Utility Scale Solar Provisions. Any plant material that is to be salvaged and relocated, or is required to be planted to replace a destroyed plant, as specified above, to accommodate the development of Utility Scale Solar facilities, shall utilized to comply with the landscape requirements of the Utility Scale Solar of Section 21-3-1.39 of the Ordinance. Any extra plants shall comply with section IV.G.1. and 2 and shall be planted within the setback per Section 21-3-1.39 of the Ordinance.

V. DESIGN GUIDELINES

A. Regulatory Requirements and Provisions

1. The Design Guidelines of this Section are supplementary to the City of Eloy's Eloy Code regulations (e.g. Building, Zoning, etc.), and are intended to enhance those regulations. These Design Guidelines shall not circumvent or supersede the City of Eloy's Eloy Code regulations. The Design Guidelines are intended to be guidelines between the Master Developer and the builders and are not intended to be replaces the City's regulatory requirements in any manner.
2. The Design Guidelines of this Section do not apply to Utility Scale Solar facilities. These uses/facilities shall be developed in accordance with Section IV.C.3.d. The Design Guidelines are supplementary to the City of Eloy Building Codes and Zoning Codes, intended to enhance those regulations. The Design Guidelines shall not circumvent or supersede the City of Eloy Building Codes. The Design Guidelines are intended to be guidelines between the Master Developer and the builders and are not intended to be regulatory in any manner.

A.B. Design Review

Design Review Committee: The Master Developer will establish a Design Review Committee (DRC) before ~~any building development begins the submittal of any preliminary plat or development/site plans for the PAD, excluding any preliminary plat or development/site plan necessary to construct a Utility Scale Solar facility.~~ -The DRC functions will be to refine these guidelines, establish review procedures, and administer the design review process for Picacho View II. It may consist of 3 regular members and one alternate member. The DRC may consist of representatives from the Master Developer including his architect, or landscape architect consultant. The DRC has the authority to interpret the Guidelines in the event the Guidelines may not be explicit in a particular situation. The DRC may also amend the Guidelines by a 2/3 majority vote.

Design Review Procedures: Establishment of review procedures will be based on the following guidelines:

- Pre-design meeting with the builder, owner, and/or architect to offer direction in preparing preliminary plans.
- Review of preliminary plan submittal to determine general conformance with these guidelines.
- Review fees (if any) may be established by the DRC.
- Following preliminary approval, a review of the final submittal containing information detailed enough to allow the DRC to determine compliance with these guidelines.

- The right to inspect all work in progress and give notice of non-compliance shall be reserved by the DRC.
- The right of final approval for all completed construction to assure consistency with these guidelines.

Geographic Review Zones: For the purpose of design review, Picacho View II is divided into four project review zones. The level of design review and areas of concern vary depending on location. The major review areas will be:

Zone 1 • Theme Area: This project area will be reviewed extensively because of the project's prominent location in the community. Specifically, the Master Developer **will** be reviewing the following areas:

- The perimeter edge treatments of the Village Center and Commercial areas as they relate to landscaping, fencing, architecture, and building placement;
- Front and rear privacy walls that conform to the architecture;
- The use of details fountains and hardscaping in recreational areas;
- Off-site views of the project and all structures from adjacent major streets.

Zone 2 • Elevation Enhancement Area: This Zone is visible from the major arterial streets. Typically, major areas of review are edge conditions:

- One story or low profile roofs that slope away from the corner lot;
- Rear and side yard fencing or wall details;
- Two story building locations;
- Architecture elevations of rear and side of homes;
- Landscaping and entry monumentation.

Zone 3 - Streetscape Identity Area: The purpose of this zone is to ensure a common landscape design treatment along the major roadways throughout the Picacho View II project. These major roadway design elements will create a consistent theme linkage between each project that helps create the Desert Village environment. The review areas include the following:

- Entry Statements and monumentation at primary and secondary entries;
- Streetscape treatment;
- Signing, temporary and permanent;
- Walls and fencing;
- Slope planting and common space elements.

Zone 4 - Minimal Review Area: These areas are the least visually prominent areas in Picacho View II. This level of review by the Master Developer will be the least stringent. The major areas of review will be:

- Overall conformance and compatibility with the design guidelines;
- Compatibility with adjacent projects;
- Plotting of homes should avoid repetitive roof planes when identical floor plans

are frequently used;

- **Commer** lots at collector streets will be reviewed with the same level of review as Zone 2.

Commented [DS8]: Moved up

B.C. Site Planning

Purpose and Concept: Picacho View II will be developed as a Desert Community incorporating different product types and different site uses. The placement of buildings, roads, and utilities will have a major influence over the character of Picacho View II. This requires an understanding of existing site opportunities and constraints. Issues of building form, orientation, coverage, setbacks, parking, utilities, loading docks, storage areas, and access are involved. Density flexibility for residential land use pods shall be encouraged as an incentive to promote quality design that fosters a sense of community by integrating recreational features and open space. The density flexibility option shall be exercised on a pod by pod basis to assure the best use of terrain, views, and other site elements. Site plans for Utility Scale Solar shall conform to Section 21-3-1.39 of the Ordinance and Section IV.G.3.d. of this PAD.

Open space features will serve to provide an improved sense of neighborhood identity and cohesiveness. Additionally, this will provide a natural visual interruption of the built environment, enhancing its aesthetic quality from both on and off site.

VILLAGE CENTER AND COMMERCIAL DESIGN CRITERIA

Product Image: The village center should be placed in a highly visible location and reflect the image of the entire Picacho View II development. With this building is a vertical design element, such as a tower. The southwestern desert planting design should be strongly expressed in concert with this feature.

Retail and office structures are intended to be complimentary to the village center development. A sense of excitement should be reflected and created by the use of high quality materials reflecting the southwestern desert theme.

Commercial structures should be a mix of one, two, and other multi-story construction. In addition, a pedestrian circulation network of public sidewalks and major theme intersections is encouraged.

Priority Elevations: The village center and commercial buildings will be seen from most angles and will require a continuity of colors, materials, and details on all elevations. The incorporation of similar character stucco walls, roof styles, and other components is encouraged.

Parking Areas: Parking areas are recommended to be located along internal street frontages for ease of access and to create a sense of expanded streetscape by combining street and perimeter parking landscaping. No parking shall occur within 15 feet of any travel lane. Views of the parking areas should be filtered from traffic by landscaping within the required setback. Screening should be achieved by massing of trees and shrubs or by using berms or screen walls of sufficient height.

Parking access from major streets should be minimized. Entries should be located as far

as possible from street intersections. Retail complex entries can be clearly delineated through the use of plant massing, repetition of elements of a theme, and patterned concrete or pavers to differentiate them from sidewalks.

Service Areas: To the extent practical, service areas should be concealed from view behind buildings or through the use of landscaping or screening walls in keeping with the Desert Community theme of Picacho View II.

Utilities: To the extent practical, all new utility lines shall be underground. If existing utility lines need to be upgraded or moved, they shall be re-installed underground if economically feasible. All 12kv lines shall be placed underground.

GOLF COURSE AND OPEN SPACE/DRAINAGEWAYS CRITERIA

Product Image: Golf course within Picacho View II should be designed with a natural vegetative character. Open Space/Drainageways will include a plant material buffer using hydroseeding.

Parking and Service Areas: Golf course parking and service area regulations shall be the same as identified for the village center and commercial structures.

RESIDENTIAL DESIGN CRITERIA

Product Image: Homes will promote the southwestern architectural image of the Picacho View II Planned Area Development. Careful attention shall be given to the building massing, scale, and form in their relation to public areas.

Priority Elevations: The homes will represent a continuity of colors, materials and details on elevations. Priority in articulation should be given to those sides visible from streets and open spaces. The builder will submit street scene elevations of the differences and variety of building types and elevations to the DRC.

Building Setbacks and Orientation: The design of residential developments can be unique and provide varied streetscape appearances. Providing plans with differing setbacks fosters a variety of elevations.

Projects should be planned carefully to maximize the felling of open space within the development. Design approaches include curving streets, orienting the road axis to open areas and the creation of views.

Garages: Front entry garages are allowed if the garage is set back a minimum of 20 feet from the front property line. Side entry garages should be set back a minimum of 8 feet (except for LDR, where the requirement is 15'). Deeper setbacks are encouraged. The primary garage ~~face~~ facing the street on side entry garages must be articulated with window openings, shadow relief, etc.

Garages should have a single story mass at the front of the building to provide an architectural transition to two-story massing. Side-entry garages are encouraged to break up the monotony of all garage doors being parallel to the street.

Front Privacy Walls: Front privacy walls finished to match the buildings are encouraged. Tiles, ceramic tile details, repetition of the cornice band detail, and use of accent trim color bands are also encouraged.

Rear Elevations: Rear facades which can be seen from open community areas will have "front elevation" quality. Houses on corner lots should be joined by a side yard wall of uniform design and color as the main residence. The wall should comprise a coordinated architectural connection with the house when visible from streets or open spaces.

STREET DESIGN CRITERIA

Street Standards: A comprehensive circulation system provides the framework for the Picacho View II community structure. Major goals include:

- Ease of movement between neighborhoods, varying land uses, and surrounding areas.
- Maintenance of a circulation system, based on clearly differentiated major and residential collectors, according to traffic needs.
- Access drives for public use areas shall be coordinated to promote the efficient flow of traffic. Opposing intersections should be spaced a minimum of one hundred and fifty (150) feet apart to minimize left turn conflicts.
- Enhance transportation routes through a comprehensive landscape.
- Planned neighborhood street systems to serve local traffic demands, discouraging non-neighborhood traffic.

C.D. Architectural Guidelines:

Character/Design Details: The architectural character of Picacho View II is reminiscent of the styles and feeling of the Sonoran Desert. It is the intent of the Master Developer to encourage variety and individuality within a framework of Desert Community styles.

Southwestern architectural styles, reflective of historic settlements in the area, or other compatible styles approved by the Master Developer of the Design Review Committee are strongly recommended for all site-built structures within Picacho View II.

The following suggested style vocabularies for site-built structures within Picacho View II, are derived from the design heritage of Southern Arizona and the Sonoran Desert:

- A. Mediterranean
- B. Spanish Colonial
- C. Territorial
- D. Pueblo
- E. Southwest Traditional

The recommended styles have many similarities of scale, proportion, massing, and color that are uniquely appropriate to the southwest. Each of the styles has a common bond of detailing and plan form that is related to the environmental design requirements of the region.

Each of the styles is rarely found in its pure form. Cultural blending, environmental responses, and the availability of building materials have produced a unique regional character. Contemporary interpretations can be successful if the traditions of scale, proportion, and materials are blended with honest concern for climate control.

Materials: Stucco will be the primary wall surface material utilized throughout Picacho View II for site built structures. A smooth, sand or lace finish stucco finish look is typical. Accent materials and colors used to compliment the stucco are encouraged in moderation. The uses of tile, wood, or brick are permitted as design accents only.

- Recommended primary building materials include:
 - Concrete or Adobe Block;
 - Cement Stucco over Concrete Block or Wood Frame;
 - Slump Block (mortar wash only);
 - Natural Stone.
- Recommended accent building materials include:
 - Adobe and Fired Adobe Brick;
 - Mud Stucco over Stabilized Adobe Block;
 - Split Face Concrete Block;
 - Brick and Mortar Washed Brick.
- All exposed building materials must be finished.
- All exposed wood shall be treated with a preservative, stained or painted
- The use of wood by-products or simulated wood siding materials is prohibited.
- No reflective building materials shall be used.

Color Palette: Color is intended to act as a primary theme conveying element. In general, wall colors should be predominantly off-white, muted earth tones or light pastels with contrasting accents. The Master Developer will provide a list of recommended colors. Buildings are encouraged to have several colors; one base color with accent colors. The accent colors would typically be used on the cornice bands and window articulation.

Roofs and Pitches: Roof styles are to complement the selected architectural style. Actual colors will be subject to the Master Developer review. Roof slopes should harmonize the building mass with its plan. The slope of all pitched roofs shall be no flatter than 3:12 ratio. Simple short roof overhangs are appropriate for Spanish Colonial, Southwest Traditional and Mediterranean styles. Flat roofs with parapets are suitable for Territorial and Pueblo styles.

Windows: The proportion of windows to exterior surface will be carefully considered by the Design Review Committee for each elevation. Window design should be appropriate for the chosen architectural style. Windows are typically rectangular, round, or arched headed openings. Recessed windows are an important characteristic of Spanish Colonial, Mediterranean, and Pueblo styles. Projecting windows may be used to add articulation to wall surfaces. Territorial and Southwest Traditional style windows are set flush with the wall surface. Silver, gold, or mill finish window frames are prohibited.

Doors: Doors, like windows in Southwestern architecture, are typically rectangular or round headed. Doors should relate to the selected architectural style. The doorway should be fully recessed in order to convey the appearance of thick, protective exterior walls in Spanish Colonial, Mediterranean, and Pueblo styles. In Territorial and Southwest Traditional architectural styles, doors are set flush with the wall surface. Southwestern doors are traditionally wood with a "heavy" look as well as being detailed.

Garage Doors: The design of the garage doors should relate to the main building architectural style. Colors should be selected from the approved color palette. The design treatments include color accents and architectural features such as pediments, molding, small roofs, overhangs, and furr-outs to recess the garage door.

Columns and Archways: When used, stucco columns should be square, rectangular or round, and appear massive in thickness. Capitals and column bands are encouraged. At the bottom of the column, a base should be incorporated into all columns. The column height should be 4-5 times the width of the column.

The use of arches is appropriate for select southwestern architectural styles. Arches may have variations such as semi-circular, parabolic, or flat, and shall be in regular series with columns as supports or walls. Covered walks, patios, and colonnades should be enriched by having textured paving.

Chimneys: Chimneys should continue the same texture and materials of the building. The chimney caps should repeat the fascia cornice band or other treatment which integrates the trim colors. Caps are encouraged along with accents. Decorative metal caps that match the trim colors are permitted.

Gutter and Downspouts: Exposed gutters will be colored to match the roof or wall material. Exposed downspouts will be colored to match the surfaces to which they are attached.

Skylights: Skylights are to be designed as an integral part of the roof. Skylight glazing shall be clear or solar bronze. White glazing is prohibited. Skylight framing materials must be colored to match or blend with the roof.

Mailboxes: Mailboxes should be coordinated within each individual development area. Their color and materials should be coordinated with the structure(s) it serves. Other standards for mailboxes will be reviewed by the Master Developer.

Exterior Lighting: All exterior building lighting will be a consistent southwestern desert theme. Energy conserving lamps are encouraged.

Solar Panels: Solar panels are discouraged but will be reviewed by the Master Developer.

Awnings: Fabric awnings are permitted in moderation. Metal awnings will be reviewed by the Master Developer.

Mechanical Equipment: All air conditioning/heating equipment, soft water tanks,

electric self-timer boxes for sprinklers or exterior lighting will be screened.

Security Gates and Gate Arms: Security gates and gate arms will be subject to review by the Master Developer. Approval by the appropriate jurisdictional fire department is also required.

D. Landscape

Purpose and Concept: The purpose of establishing Landscape Architectural Design Guidelines is to provide a reference for planning and designing of development. The intent of these guidelines is not to require rigid adherence to a particular landscape style or to limit the range of materials or colors. More correctly, the guidelines should be used to achieve continuity and a standard of quality throughout the larger visual context.

A landscape planting theme will be established creating a community framework for all common and public areas. Consistent landscape planting will be encouraged to use native southwestern plants and other drought tolerant species (See Appendix F). This landscape structure will provide each development area with a separate identity, as well as act to link the various areas together in a cohesive community. Landscaping should be in compliance with the City of Eloy landscape ordinance.

Streetscape Concept: The streetscape is among the most prominent landscape elements within the project. The intent is to provide unity and variety while drawing upon the natural desert and riparian heritage of the property. There are two levels of streetscape treatment in Picacho View II:

Primary Corridors: The primary corridors through the project set the overall community theme. Thematic plantings and treatments will be consistent along these corridors. Design review for these areas will be consistent with the Geographic Review Zone 3 found in this section. Recommended plant materials are listed in Appendix F: Zone #1.

Interior Project Streets: Individual neighborhoods may feature landscaping or street tree themes to create neighborhood identity. Plants are to be selected from the Appendix F: Zone #2 plant palette with each development choosing one street tree.

Entry Feature Statement: Picacho View II contains a series of entry features with an integrated design of landscape, hardscape, monumentation, and signage. Entry features aid in defining the community's character and presents an introduction to the development. The hierarchy of these entry features is as follows:

Primary, or "Major" Entry Statements: The Primary Entry Statements serve as a gateway to the project. The statement, seen from a distance, provides the backdrop for the project name and logo. It signifies arrival and establishes the theme of the development.

Secondary, or "Village" Entry Statements: The Secondary Entry Statements also signify the arrival into Picacho View II, or a Village. The design of these

statements will be similar to the Primary

Statements but smaller in scale. The Secondary Statements may be along the main collector roads, or entry roads, and will identify a cluster of subdivisions using a village name, or identify Picacho View II.

Subdivision Entry Statements: Each individual builder subdivision may have a unique entry feature to provide individual identity to the development. Entry features may include a combination of some of the following elements: entrance paving (such as bomanite), fountains, distinctive landscape treatment, planters, special wall treatment, etc.. Geographic Review Zone 2 and Landscape Zone #1 plant palette applies to all entries.

Project Edges: The project edges are an important landscape element within the project. The boundary of the project should not be an abrupt edge, but should be a gradual transition to the adjoining landscape. The intent is to provide unity and variety while drawing upon the natural desert and riparian heritage of the property.

Where Picacho View II adjoins an off-site roadway, treatment may be required to screen residents from traffic. The use of dense plantings of native evergreens and shrubs will be used for sound attenuation and visual screening. A fence or wall screened on both sides by native plant material may be used in combination as well. Plants for projects edges should be selected from Zone #1 plant palette found in Appendix F.

Picacho View II property adjoining residential or school areas will require a landscape treatment to preserve the privacy of Picacho View II residents. In these areas visual screening and noise buffering are suggested. Dense hedges or walls are permitted.

Hardscape Design Elements: Hardscape design elements serve aesthetic as well as functional uses. Elements such as paving, mailboxes, benches, bus shelters, and trash receptacles create opportunities to reinforce the design theme of Picacho View II.

The following are characteristics to be used in evaluating all hardscape items:

- Security, safety, comfort, and convenience of the user, including the disabled.
- Simple in function and design.
- Compatible in form, color, and scale with surroundings and other street furniture.
- Furniture should be placed to minimize safety, policing, and security hazards.
- Cost effective.
- Street furniture should be incorporated in park or landscape spaces and off street amenity areas to the greatest extent possible.

Drainageways and Retention/Detention Basins: Drainageways and retention/detention basins form the major open space within the community. It is important for drainageways to remain as contiguous as possible so that they can function effectively as corridors. In addition, the open space provides visual relief along vehicular routes and creates and enhances the value of adjacent residential neighborhoods.

Hydrological site elements can have multi-purpose uses, such as areas for golf, drainage, open space, recreational trails, and buffers between different land uses. Contiguous wash

systems can provide linkages between larger open space areas and housing uses.

Drainageway revegetation treatments shall be used wherever possible. Stabilization of washes shall be used when the hydrology of the situation demands it. Native river rock should be used along the wash slopes to further stabilize slopes when required. Altered wash slopes and retention/detention basins shall be planted with hydroseed or bank covers and shrubs to prevent excessive erosion and create a more natural appearance.

Revegetation and Erosion: Graded areas subject to substantial erosion shall be revegetated prior to seasonal rains for erosion control. Revegetation shall be with native plant materials and/or a native seed mix (See Appendix F).

E. Monumentation and Signage

Purpose and Concept: A quality monumentation and signing program will be developed and administered by the Master Developer to inform and direct the prospective buyer. Both monuments and signs will reflect the desert theme. In addition to the Picacho View II Planned Area Development, or the City of Eloy requirements that apply to monuments and signage, the Master Developer will review and apply further conditions as outlined below.

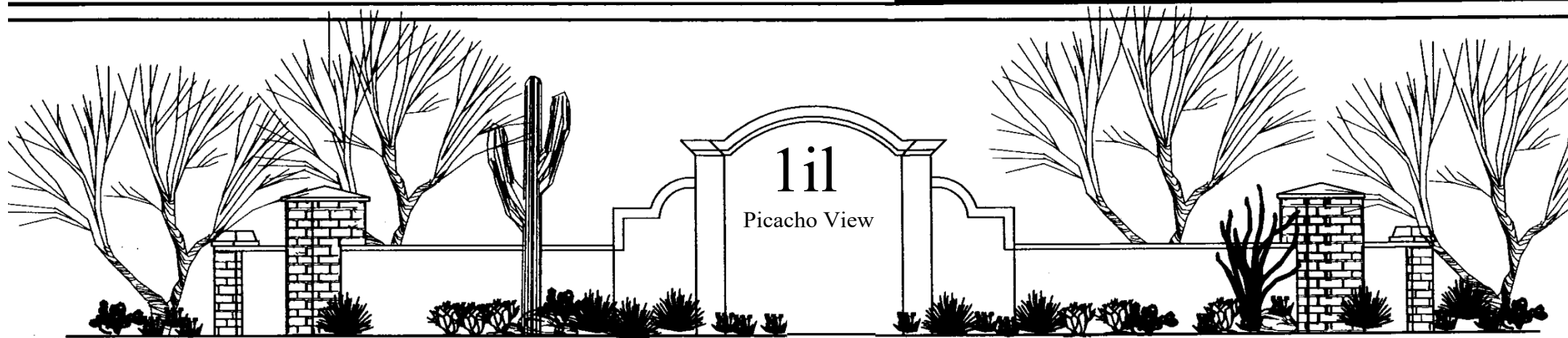
Major Monumentation: Areas along the main entry of Picacho View II, and at key designated intersection locations, are designated at the primary entry and at key identification points for Picacho View II. These features will depict the style of Picacho View II. Towers, theme walls, the use of theme landscaping and flowering plant material, with splashes of color, will portray the desert flavor of Picacho View II.

Village Monumentation: Smaller scale Entry/Village monuments may identify a cluster of subdivisions along collector streets within the residential communities, or identify entry into Picacho View II. These features may contain the same design elements as the Major Monumentation although they will be presented on a smaller scale.

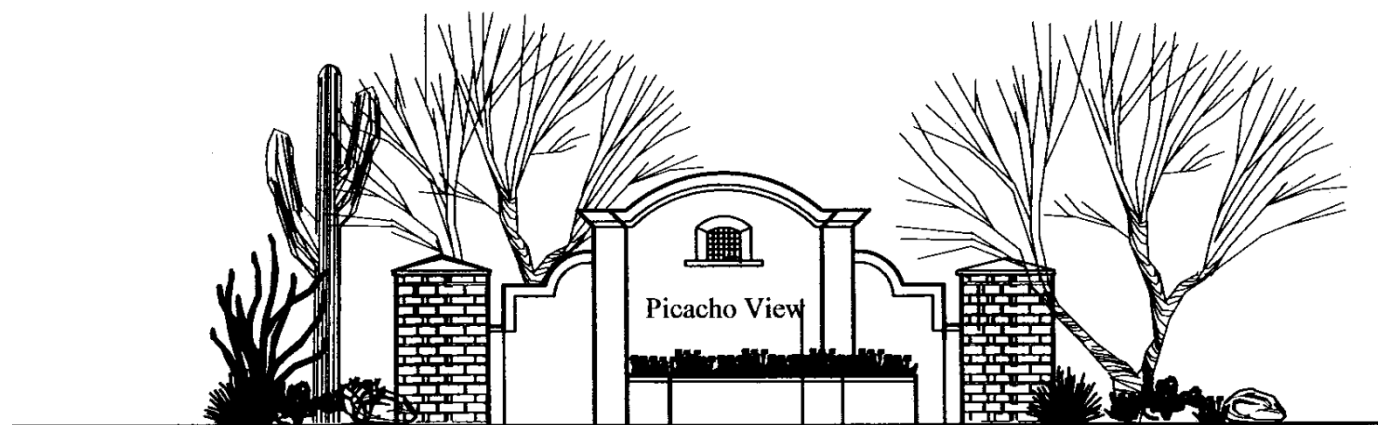
Subdivision Monumentation: These smaller scale entry monuments may be incorporated into each neighborhood by the project builder. Design of this feature should be consistent with the materials of Picacho View II. Entry designs may be reviewed by the Master Developer. Signing will reflect the character of each neighborhood while conforming to the overall Picacho View II southwestern desert theme.

Street Signs: Street signs installed by the Master Developer will be the standard street signs approved by the City of Eloy, or a "custom-designed" sign approved by the Master Developer, and the City of Eloy's Planning Director and Engineer.

Directional and Commercial Signage: Signs for any given development parcel must be submitted to the Master Developer for approval prior to submittal to the City of Eloy for any sign permits. The Master Developer is responsible for final interpretation of the guidelines and may, at its discretion, modify them to accommodate any unforeseen circumstances. The City of Eloy sign code shall govern signs.



Primary Signage Elevation
Scale, 1"=6'-0"



Secondary Signage Elevation
Scale, 1"=6'-0"

Entry Monument Wall Schematics

Picacho View

A Planned Area Development

NOTES:

- I. ALL PERMANENT SIGNS AND WALLS SHALL BE SUBJECT TO A SEPARATE REVIEW AND PERMITTING PROCESS WITH THE CITY OF TUCSON.
2. WALL DESIGN IS SCHEMATIC.



Axis CoTJ

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VI. PLANNED AREA DEVELOPMENT IMPLEMENTATION

A. Purpose

The regulations and guidance contained within the Planned Area Development—, prescribe the implementation of development. Procedures for the administration of Specific Plan provisions are contained in this section. This chapter also provides information regarding general administration, subdivision, amendment ~~procedures~~, procedures, and the linkage between these elements.

The base zoning districts of the Picacho View II Planned Area Development will be implemented through the subdivision process. The subdivision process will allow for the creation of lots as tentative plat maps which will allow for implementation of the project phasing. The Picacho View II Planned Area Development, and other official City of Eloy ordinances, policies, maps, and regulations will guide the platting.

The Utility Scale Solar use will be implemented through the requirements of Section IV.C.3.d. of the PAD.

B. Definitions

Entities must be identified in order to assign responsibility for implementation of the improvements for Picacho View II. These entities are the Master Developer, District, and the Builder.

The Master Developer and/or the District are the entities responsible for insuring that the basic infrastructure facilities are planned and constructed to serve the development areas within the Picacho View II Planned Area Development.

The Builder is the purchaser of a development area, or portions of a development area, who will build infrastructure or provide for buildings within their areas of leasehold interest or ownership.

C. General Implementation Responsibilities

Implementation of the Picacho View II Planned Area Development shall be the responsibility of the Master Developer, District, ~~or~~ Builder, or Utility Scale Solar developer.

D. Roadway Phasing

The circulation system will be implemented in phases as development occurs. The required major street improvements as shown on the Planned Area Development Circulation Map will be provided by the Master Developer, the District, or Builder, in phases and built to City of Eloy standards.

The City will work cooperatively with the Master Developer to obtain other sources of financing for offsite roadway improvements such as from state or federal funding sources. Timing of the improvements will be based on measured ADT's generated by development within the project. The design process will begin within nine months of measured ADT's which exceed the service level requiring additional road capacity;

Construction of said phased expansion will begin within 18 months of the ADT measurement. Impact to offsite road improvements will be in accordance with the Traffic Impact Analysis Report, prepared by CLA, dated May 2006, or as later amended. The Master Developer, District, or Builder will be responsible for constructing 100% of the onsite streets. Any expansion required of the 1-10 overpass structure will be the responsibility of ADOT.

The property owner/developer of the Utility Solar Utility Scale Solar use shall dedicate right of way, make improvements, and provide internal roadway emergency response access as provided in Section 21-3-1.39 of the Ordinance.

E. Drainage and Flood Control Phasing

The drainage system will be implemented in phases as development occurs. The required regional drainage channels, roadside drainage channels, on-site stormwater retention basins, and regional stormwater retention basins will be provided by the Master Developer in accordance with the Hydrology Report, prepared by Arroyo Engineering, dated May 2006, or as later amended. These facilities may be installed in phases, and will be built to City of Eloy Standards.

The drainage plan identifies areas that are owned or controlled by other property owners, and which may require assistance by the City of Eloy to acquire easements across portions of these lands in order to allow for the construction of a complete drainage system. Acquisition assistance will be at the discretion of the City, and all costs will be borne by the Master Developer. Costs associated with offsite regional drainage construction will be shared among the benefiting properties on an equitable, "fair share" basis.

F. Public Utilities Phasing

Sewer System Implementation: The Picacho View II project will include installation of significant onsite sewage infrastructure including lift-stations and collector-main lines. Each phase or portion of the project will include design and installation of its own onsite sewage collection system; and each of these onsite systems will then be connected to a new offsite regional treatment facility. Currently, the City of Eloy is preparing a sewer system master plan which will define where these regional treatment facilities will be located, and how they will be phased and funded. Picacho View II will participate on an equitable "fair share" basis in those facilities.

Water Distribution System: The Picacho View II project will be served by an onsite and offsite water distribution system. Each phase or portion of the project will include design and installation of its own onsite water distribution system; and each of these onsite systems will then be connected to new offsite regional facilities. The onsite distribution system will consist of main lines of sufficient size to serve both domestic demand and fire flow. The Master Developer, District, or Builders will be responsible for design and construction of all on-site systems to improve them.

Currently, the City of Eloy is preparing a sewer system master plan which will define where the regional water supply facilities will be located, and how they will be phased and funded. Picacho View II will participate on an equitable "fair share" basis in those facilities.

"Dry" Utilities: Electric, telephone, gas, and cable television utilities shall be furnished to the site in accordance with servicing provisions and financial contributions mandated by each individual service provider. The Master Developer or Builder will bear all applicable costs for spine infrastructure in accordance with these provisions.

The phasing of these utilities shall largely be the province of each service provider and will be determined at actual development review and processing.

APPENDICES

WILL BE ATTACHED AT A LATER DATE

Commented [DS9]: All Appendices and Exhibit shall be include with the 2nd submittal.

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APPENDICES

Picacho View II Planned Area Developmen

PICACHO VIEW II
PLANNED AREA DEVELOPMENT
PRELIMINARY DEVELOPMENT PLAN

Case No. RZPAD2006-035

FIRST AMENDED

Case No. RZPAD2006-035.A1

Original PAD: October, 2006

1st Amendment: July 30, 2024

Prepared For:
City of Eloy
595 North C Street
Eloy, Arizona 85231

Original Picacho View II Planned Area Development Preliminary Development Plan

Prepared By:'

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Approved by the City of Eloy, Arizona in October 2006
Ordinance No.

1st Amendment Picacho View II Planned Area Development Preliminary Development Plan

Prepared By:

Pew & Lake, PLC

By W. Ralph Pew and
Vanessa MacDonald

Approved by the City of Eloy, Arizona in **INSERT Month**
Ordinance No.: 2024-##

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APPENDICES

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Appendix B: Pinal County Assessor Numbers

Appendix C: Arizona Game & Fish Letter

Appendix D: Cultural Resources Archival Review

Appendix E: Preliminary Environmental and Biological Analysis

Appendix F: Plant Palette List

LIST OF EXHIBITS

- Exhibit 1: Location Map
- Exhibit 2: Vicinity Map
- Exhibit 3: Aerial Photo
- Exhibit 4: (intentionally left blank)
- Exhibit 5: Existing Zoning (Context Plan)
- Exhibit 6: Existing Utilities Plan - Water and Sewer
- Exhibit 7: Soils and Topography Map
- Exhibit 8: (intentionally left blank)
- Exhibit 9: Existing Utilities Plan - Electric and Gas
- Exhibit 10: Land Use Plan (Site Plan)
- Exhibit 11: Circulation Plan
- Exhibit 12: (intentionally left blank)
- Exhibit 13: (intentionally left blank)
- Exhibit 14: (intentionally left blank)
- Exhibit 15: Concept Grading Plan
- Exhibit 16: Landscape Concept Plan
- Exhibit 17: Parks, Recreation, and Trails Map
- Exhibit 18: Interim Use Project Plan: Utility Scale Solar Conceptual Site Plan

I. STATEMENT OF FINDINGS

A. Introduction

Location: Picacho View II Planned Area Development (PAD) is a master planned community comprised of residential, commercial and recreational land uses. Located within the City of Eloy in Pinal County, the approximately 1040-acre site is located south of Interstate 10, and just east of Toltec Highway. The Planned Area Development area is approximately 40 miles south of the City of Phoenix, and just minutes east of the City of Casa Grande. The plan is located about 40 miles northwest of the City of Tucson metropolitan area (See Exhibit 1: Regional Map). The Planned Area Development project area includes T8S, R7E, Section 35, and portions of Sections 26, and 34. The Pinal County Assessor tax parcel numbers are indicated in Appendix B, and the Legal Description is provided in Appendix A.

The availability of suitable land and accessibility to transportation corridors will attract Pinal County's growing population to Picacho View II. Picacho View II is readily accessible via existing and proposed roadways. Currently, access is available from Interstate 10 and the Toltec Highway. The site is also accessible via Nutt Road (See Exhibit 2: Vicinity Map).

First Amendment. The first amendment to the Picacho View II PAD is to add the Solar, Utility Scale Generation and Battery Energy Storage System Facilities land use (hereinafter “Utility Scale Solar”) as an allowed use to the underlying base zones of the PAD overlay in accordance with the provisions of Section 21-2.7.4.A. of the Eloy Zoning Ordinance (hereinafter “Ordinance”). In addition, the amendment includes the Interim Use Project Plan: Utility Scale Solar Conceptual Site Plan (Exhibit 18).

The Utility Scale Solar use is intended to be an interim use of the property until such time that the development patterns, market demands, and water, sewer and other utility services become available in this area to allow the property to develop in accordance with Picacho View II PAD. The use is to be limited to Parcel 1 and 3 of the PAD as described in Appendix A: Legal Description and shown in Exhibit 18 in accordance with the provision of Section IV.C.3.d. of this PAD Preliminary Development Plan.

As part of the amendment, clerical modifications have been incorporated to provide clarity to the PAD, to minimize the need for future interpretation of the plans provisions, and to maintain conformance with the City of Eloy's Code.

Purpose: The primary purpose of the plan focuses on optimizing the site by creating recreational opportunities, a mix of housing products, and densities, a Public or HOA Park, and business and retail center opportunities. Furthermore, the plans interim purpose is to accommodate opportunities for Utility Scale Solar uses. Ultimately when the Picacho View II PAD is developed for its primary purpose, the community will provide vitality and foster a high quality of life. Development will be balanced with open space and public or private recreational amenities. The office and retail areas will reduce the need for excessive travel, and will provide opportunities for alternative transportation modes, such as pedestrian and bike travel.

Responsible planning will be ensured through the adoption of this Planned Area Development which reflects thorough and comprehensive land use planning. This Plan includes the flexibility to anticipate and adequately adapt to future needs of the community.

Picacho View II is environmentally suitable for development. The parcel is relatively flat, with no major geologic formations on site.

B. Plan Objectives

The objectives of the Picacho View II Planned Area Development include, but are not limited to the following:

- Utilize the City of Eloy's Planned Area Development Process to plan and promote the development of a large-scale, master-planned, intergenerational community and Utility Scale Solar uses.
- Facilitate a compact development pattern.
- Manage and control growth through an efficient development community.
- Opportunities for affordable housing shall be provided.
- Opportunities for a variety of single-family residential developments, including large lots and custom homes shall be provided.
- New high-quality residential environments will be provided.
- Multi-family housing shall be developed in close proximity to community parks and open space areas.
- Construct developer-financed City or HOA parks in conjunction with new residential development by providing infrastructure, housing density, and development agreement assurances.
- Residential developments shall provide pedestrian linkages to schools, parks, and community services through the community's roadway and park/trail system.
- Residential development shall be located in suitable areas.
- Commercial, and office employment centers shall be scaled and located to complement the community.
- Plan neighborhood commercial nodes convenient to residential areas.
- Opportunities for Utility Scale Solar uses

C. Alternate Planning Tools

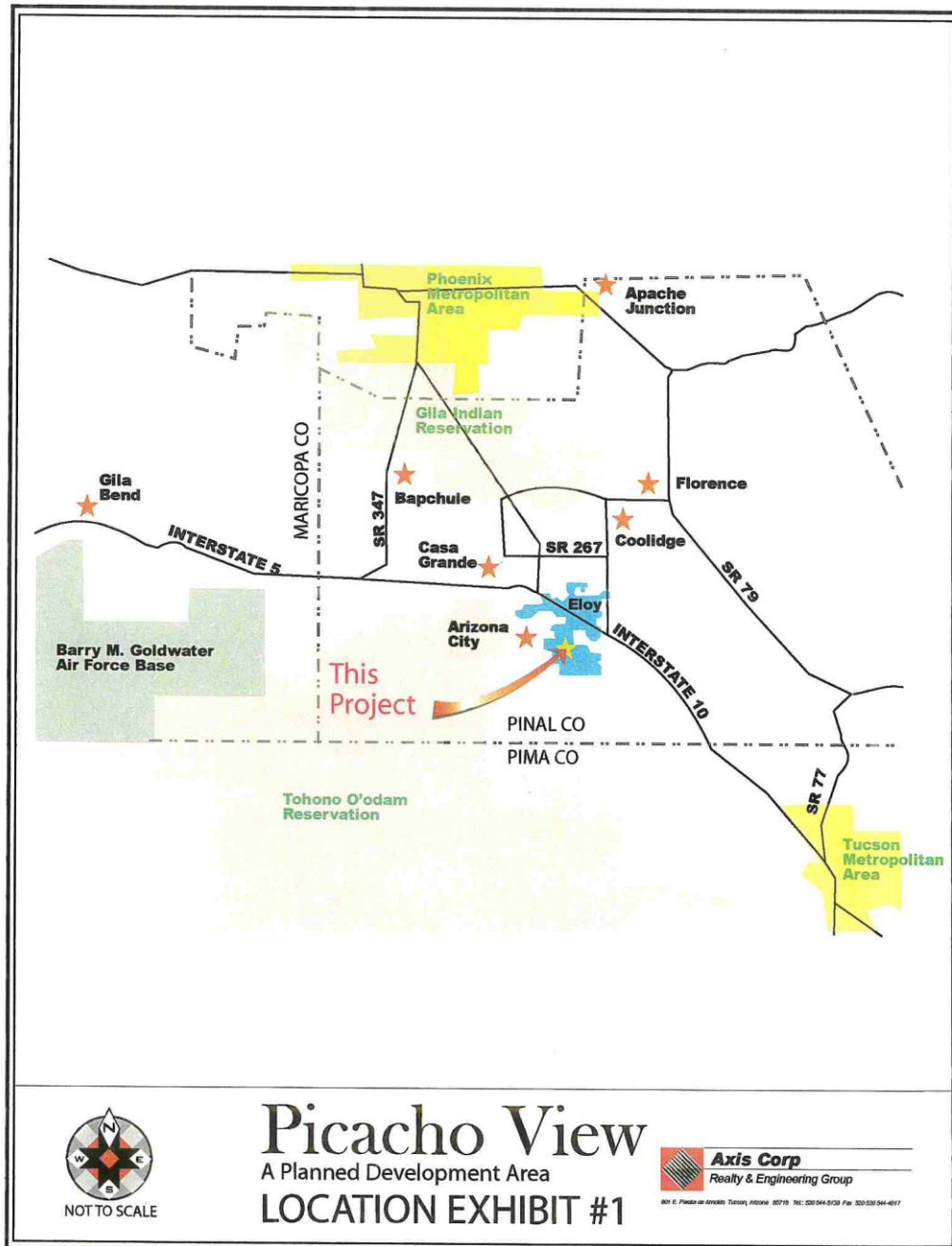
The Picacho View II Planned Area Development establishes a reliable, flexible, and cost effective framework for development of this property. The Planned Area Development is the appropriate planning tool capable of maintaining the structure of the City of Eloy's regulations while allowing the flexibility to respond to current and future development conditions. The Planned Area Development includes Development Regulations, and Design Guidelines, which are compatible with the Ordinance, in order to ensure quality, and a coordinated development.

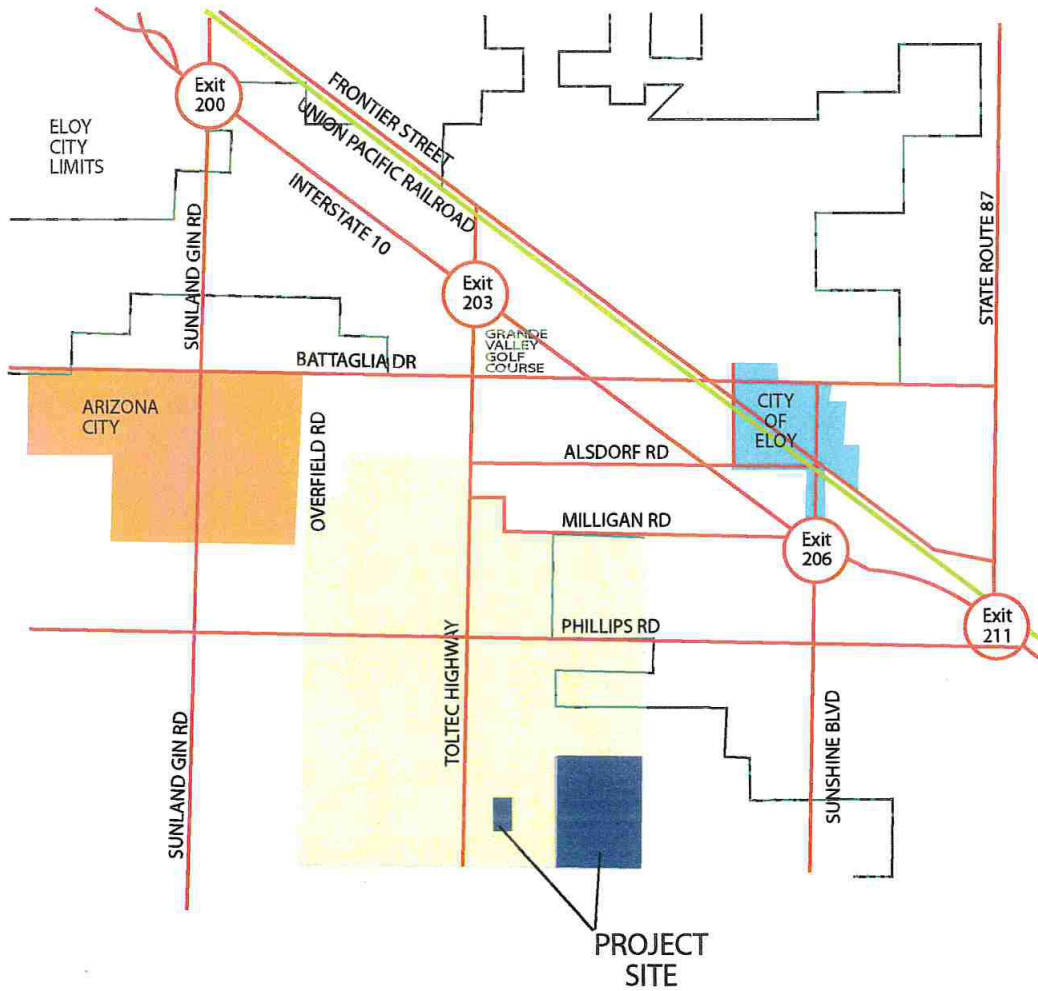
Traditional zoning is not the most effective planning tool to promote coordinated development, nor does it provide the flexibility to responsively adapt to current and future community needs or market conditions. Conventional zoning categories apply to the entire city and can be less appropriate for land planning than a detailed

Planned Area Development designed for the site and surrounding land uses.

D. Plan Consistency

This plan is consistent with the logical extension of the Eloy Valley P.A.D. zoning. This Planned Area Development is being adopted in conformance with Section 21-2.7 of the Ordinance Overlay Zoning Districts, Planned Area Development (PAD), and Preliminary Development Plan.





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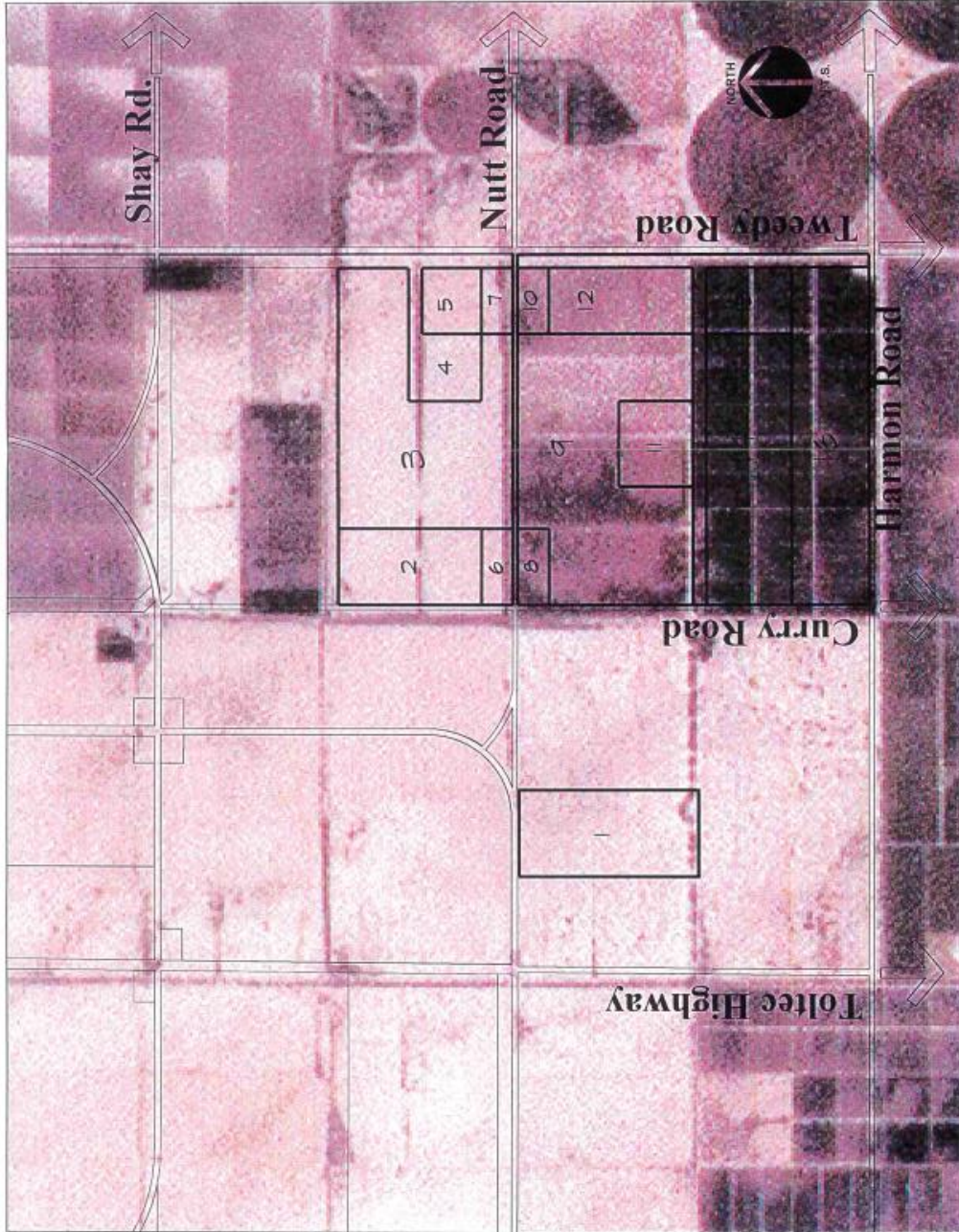
NOT TO SCALE

Picacho View II

A Planned Area Development

EXHIBIT # 2: VICINITY MAP

Aerial Photo
Exhibit #3



Picacho View II
A Planned Area Development



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E.

Zoning Code Consistency

The Picacho View II Planned Area Development is consistent with the Ordinance regarding relative importance of surrounding public and private interests (See Exhibit 5: Existing Zoning). The Planned Area Development provides needed zoning and regulatory guides that supplement the City's existing ordinances.

F. Community Benefits

The Planned Area Development will enhance the broad-based planning efforts in the region and should increase surrounding property values by:

- providing homes priced at or above comparable values in the general area;
- Creating a quality recreational facility and improving the overall street and utility infrastructure that is anticipated to enhance property values on and off-site;
- Address long-range community goals regarding transportation, school sites, concentration of recreational activities, wastewater treatment; and
- Incorporate Utility Scale Solar as important renewable energy source on an interim basis until such time that the development patterns, market demands and water, sewer and other utility services become available in this area to allow the property to be developed in accordance with the Picacho View II PAD primary purpose.

When the PAD is developed, it will continue to provide needed long-range residential and recreational opportunities for the City of Eloy.

The share of the tax supported cost of public services for the Planned Area Development area shall be effectively reduced. This development will pay its fair share of all necessary public improvements. Its approval will lock in a long-term public and private commitment to a regional growth scenario. The Eloy area is experiencing rapid growth and will continue to do so for some time. The area is currently impacted by piecemeal development. This plan will set the trend towards more precise planning, and integrate all development components into a comprehensive, phased package. It will contribute to upgrading regional facilities as well as assuring a long-term commitment to a designated set of land uses.

As the population in Eloy increases, the demand for housing and services increase. The community's needs will be met with this residential development which includes a City or HOA recreation amenity, office and commercial facilities. This plan will provide for the long-term needs of the increasing population as well as assure that the community will be built out as planned.

G. Context Compatibility

The Picacho View II Planned Area Development is a project which addresses present and future growth in the City of Eloy and provides the framework for appropriate land uses and the provision of needed services. The plan provides for sensitivity to the region, the neighborhood, and the site.

Existing Zoning (Context Plan)

Exhibit #5

LEGEND

P.A.D. Area

EXISTING ZONING

RI-43 - Agriculture

GR - General Rural

RI-12 - Single Family

P.A.D. - Planned Area
Development

Picacho View II

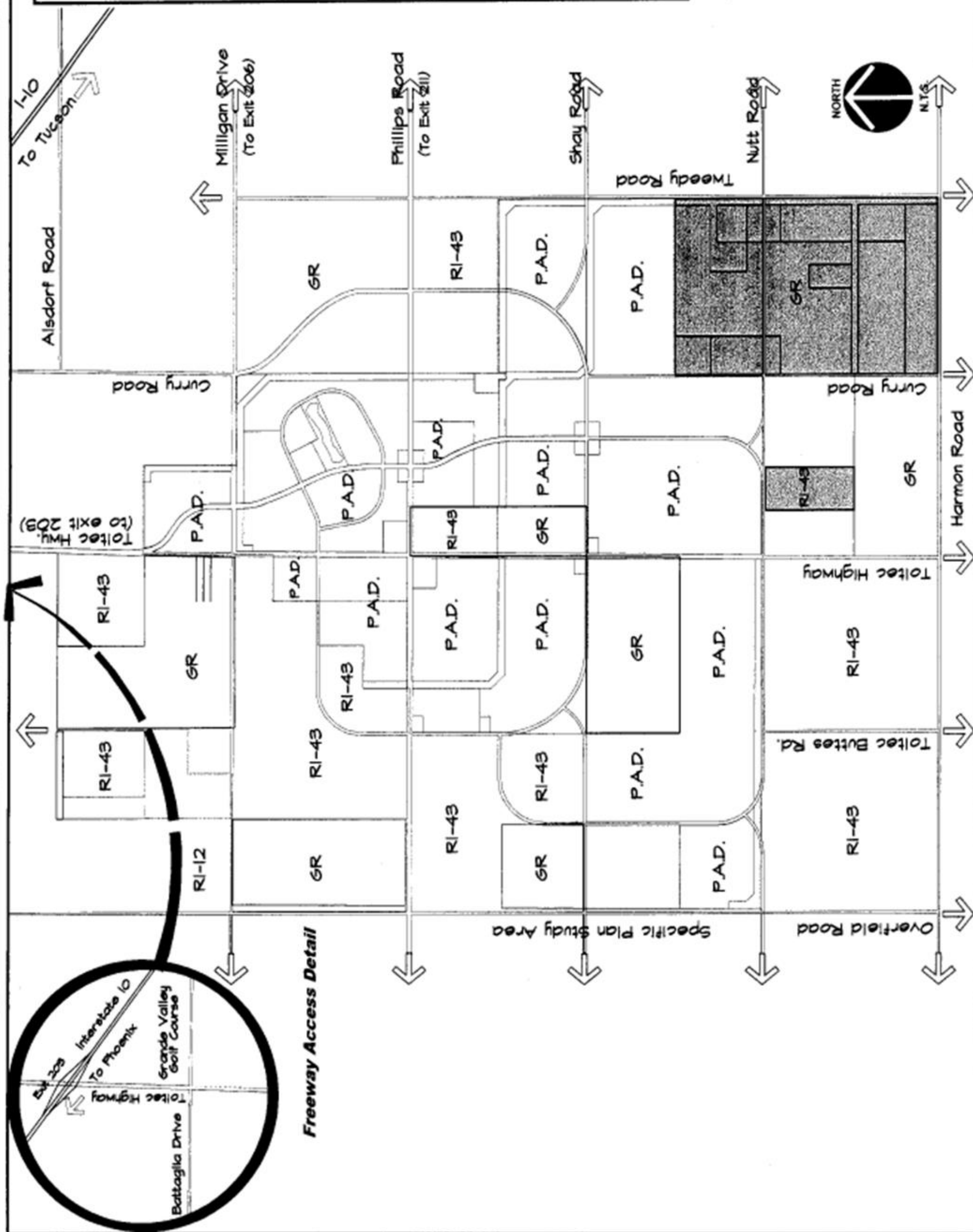
A Planned Area Development



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Some of the properties in the City of Eloy are in the initial planning phases of development. Undeveloped land adjoins the Planned Area Development property to the south. The property to the north is privately held and undeveloped. Properties to the east and west are largely undeveloped, with the exception of Arizona City. Existing zoning in the area is primarily agricultural and Planned Area Development.

H. Environmental Suitability

The Eloy General Plan classified the Picacho View II Planned Area Development Area as part of a larger assessment to identify those areas least and most suitable for urban development and to focus urbanizing development on those areas where impact on the environment was minimized.

The examination of these features utilized a Geographic Information System (GIS) platform to perform an analysis of seven key environmentally suitable layers. The layers selected include:

- Topography and Slope
- Soil Conditions
- Land Subsidence
- Vegetation and Habitat
- Rivers, Streams, and Canals
- 100-Year Floodplain
- Natural Resource Land Ownership (where BLM and State Trust Lands may limit development)

The key development characteristics of each environmental feature were assigned a "development suitability" rating ranging from 0 to 3. The rating is based on the presence of positive or negative attributes to guide future development. The suitability ratings were as follows:

- 0 Not suitable for development
- 1 Least suitable for development
- 2 Moderately suitable for development
- 3 Highly suitable for development

The conclusion of the Eloy General Plan indicated that the Picacho View II Planned Area Development Area rated as being "highly suitable for development".

I. Public Services Suitability

Transportation System

Primary vehicular access to the proposed development will be through I-10 and the interchanges that provide access into the area. At this time, there are three interchanges that are expected to be used by residents of this development.

They are Exit 200 - Sunland Gin Road, Exit 203 - Toltec Highway, and Exit 206 - Sunshine Blvd. A new interchange at Battaglia Drive has been recommended for further analysis in both the Small Area Transportation Study and the General Plan Update and is discussed in the future conditions section of this study. Other roadways that will be impacted by the project are Battaglia Drive, Frontier Street, and SR87. Milligan Drive and Phillips Road are also proposed to provide access for the project. These roadways are described below. They are currently discontinuous unpaved roadways with very low traffic volumes in the study area. A physical inventory of these roadways is as follows:

Existing Roadways

- Sunland Gin Road is a paved two-lane collector roadway that extends south from Frontier Street, connecting to I-10 with a diamond interchange and continuing south through Arizona City to serve the agricultural areas beyond the community. Freeway commercial services are located on both sides of the interstate and interchange. Stop control is on Sunland Gin Road at Frontier Street and Battaglia Drive, which is a four-way stop.
- Toltec Highway is located three miles east of Sunland Gin Road. It is a paved, two-lane collector roadway that extends south from Frontier Road through the project site and beyond to serve the agricultural area. Toltec Road also has a traffic interchange with I-10 and freeway commercial services located on both sides of the freeway. Toltec Highway is stop-controlled at Frontier Street and at Battaglia Drive, which is a four-way stop.
- Sunshine Boulevard is located three miles east of Toltec Highway and provides connection to I-10. This roadway is also a paved, two-lane roadway that continues south through the agricultural area. The roadway provides access to commercial uses north of I-10 and continues into the town center. It is designated as an arterial roadway between I-10 and Frontier Street and a collector between Frontier and Battaglia. Sunshine Blvd is stop-controlled at Frontier Street.
- Battaglia Drive is a paved, two-lane collector roadway that extends from SR 87 on the east to Chuichu Road, five miles west of Sunland Gin Road, providing alternate access to Interstate 8 and the west side of Casa Grande. Battaglia Drive crosses over I-10 without connection to the freeway. A major area employment center is located along both sides of the roadway between I-10 and Frontier Street.
- Frontier Street is an arterial roadway that extends from SR 87, on the east side of the study area into the City of Casa Grande, northwest of the area. It is a two-lane divided roadway from SR 87 to Tryon Avenue, a four-lane divided roadway from Tryon Avenue to Eleven Mile Road, a five-lane section with center left-turn lane to Battaglia Drive, and then continues northwesterly into Casa Grande as a two-lane, undivided roadway. This roadway serves as a primary access into the center commercial district of Casa Grande and is used as an alternate route to Interstate 10.
- State Route 87 is a paved, two-lane state highway that provides access to the

Cities of Coolidge and Florence, north of Eloy. This state highway extends north from Florence providing a connection to State Route 60 that continues east into the Globe/Miami area and west to Apache Junction.

Water Facilities

The existing City of Eloy water system consists of the following facilities:

- 3 - 1.0 million gallon reservoirs
- 2 - booster stations
- 4 - well sites

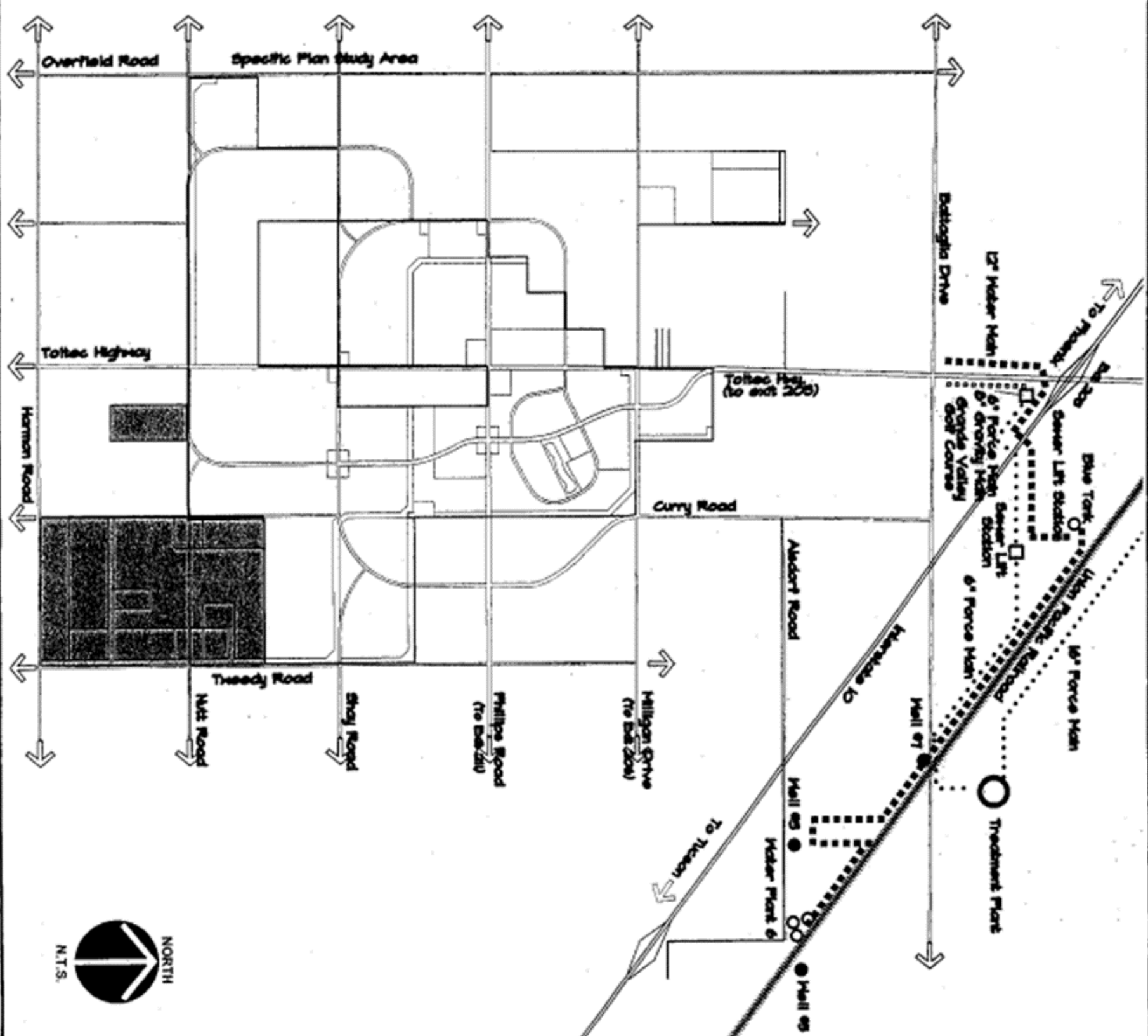
These four (4) wells are named as follows:

- Well # 3 (a new well is currently being constructed to replace the existing Well# 3)
- Well # 5
- Well # 6
- Well # 7

The Eloy area is served entirely by two booster stations, Water Plant 6 and Blue Tank (See Exhibit 6: Existing Utilities Plan - Water and Sewer). Three of the existing wells (3, 6, and 7) can pump to either water plant while well# 5 pumps directly into the north reservoir at Water Plant 6. A new well has recently been drilled to replace the existing well# 3 (the original well# 3 will remain in service as an emergency back-up). Currently the entire Eloy system is served by pressure due to the lack of elevation difference across the city. Due to the lack of elevation change, Eloy has not been separated into typical pressure zones for the water service area.

Water Plant 6 consists of two 1.0 million gallon reservoirs, a well (# 6), and booster pumps. The pressure range at the booster pumps is set at approximately 45-65 pounds per square inch (psi). Water Plant 6 is at an approximate elevation of 1562 feet. This equates to an average high water elevation of 1690 feet.

Blue Tank consists of one 1.0 million gallon reservoir and booster pumps. The pressure range at the booster pumps is set at approximately 49-63 psi.



Existing Public Utilities Plan Water & Sewer Exhibit #6

LEGEND

- Water
- Sewer Force Main
- Sewer Gravity Main

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Blue Tank is at an approximate elevation of 1523 feet. This equates to an average high water elevation of 1652 feet. New pressure zones would need to be developed in order to serve the project.

The nearest water main to the Picacho View II property is located approximately 5 miles north of the boundary in Toltec Road. This is a 12-inch main that is tied to the Blue Tank booster system.

Sewer Facilities

The existing City of Eloy sewer system consists of the following facilities:

- 1 2.0 million gallon per day treatment plant
- 4 - Sewer lift stations
- 1- combination of gravity and pressure mains

Eloy is primarily served by individual septic systems in the older areas and by a 2.0 million gallon a day extended aeration treatment facility (See Exhibit 6: Existing Utilities Plan- Water and Sewer). Recently two sewer lift stations and approximately 7 miles of force main (10 and 16-inch HDPE) were constructed to convey flows to the existing treatment facility. The first lift station is located east of Sunland Gin Road behind the Petro truck wash and pumps to a second lift station located at Highway 84 and Maricopa Road. The second lift station pumps directly to the wet well at the head of the treatment plant. These lift stations have been designed to serve the Petro truck stop, Blue Beacon truck wash, some existing commercial and residential areas that are currently on individual septic systems, and some future platted communities.

There are two smaller lift stations that currently convey flow from Toltec Road and the I-10 area to a gravity main that leads to the treatment plant. Both of these force mains are 6-inch.

The nearest sewer main to the Picacho View II property is located approximately 5 miles north of the boundary in a subdivision east of Toltec Road. This is an 8-inch main that conveys flows to the first of the two lift stations that feed the treatment plant.

II. SITE ANALYSIS AND INVENTORY

A. Existing Land Uses

1. **Site Location in Regional Context:** The project site consists of approximately 1040 acres, located primarily within the incorporated city limits of Eloy, Arizona (See Exhibit 2: Vicinity Map). The Picacho View II Planned Area Development site is currently zoned for agricultural and general rural uses with one parcel as single family residential uses (See Exhibit 5: Existing Zoning).
2. **Existing Land Uses on Site:** The site is currently vacant and undeveloped agricultural land. Several paved and unpaved roads, utility easements, and irrigation ditches are located on the site.
3. **Surrounding Property Within ¼ Mile Radius:** Existing land uses within ¼ mile include the Planned Area Development of Eloy Valley, with the majority of the adjacent area vacant, or agricultural.

B. Topography

1. **General:** Picacho View II is an area of land approximately 1040 acres in size located on the south side of I-10 and southeast of Arizona City in Eloy, Arizona. The area topography ranges in elevation from 1590 feet to 1570 feet and slopes to the northwest at a rate of approximately 0.23%.
2. **Restricted Peaks & Ridges:** There are no restricted peaks or ridges designated by Pinal County for unincorporated land in the vicinity of the Project.
3. **Rock Outcrops:** There are no rock outcrops on the site. This information was compiled from an examination of aerial photographs at 1"=40' scale and verified by an on-site investigation.
4. **Slopes of 15% or Greater:** The topography of the site is generally flat, gradually sloping from the east to the west (See Exhibit 7: Soils and Topography Map). There are no significant slopes greater than 15% and the average slope of the area is 0.23%.

C. Hydrology

1. **Off-Site Hydrology:** The Picacho View II area is often referred to as the Santa Cruz Flats, and it is located in the area where the broad, sandy channel of Santa Cruz River disappears, and as a consequence, relatively large floods in the past have overtopped the remaining banks of the Santa Cruz River and spread out over the valley floor.

Soils and Topography Map

Exhibit #7

LEGEND

- Y1 - Mid to late Holocene basin terraces
- Y2 - Active stream channels
- M2 - Late Pleistocene - early Holocene basin terraces
- Contour Line (10 foot intervals)

Picacho View II

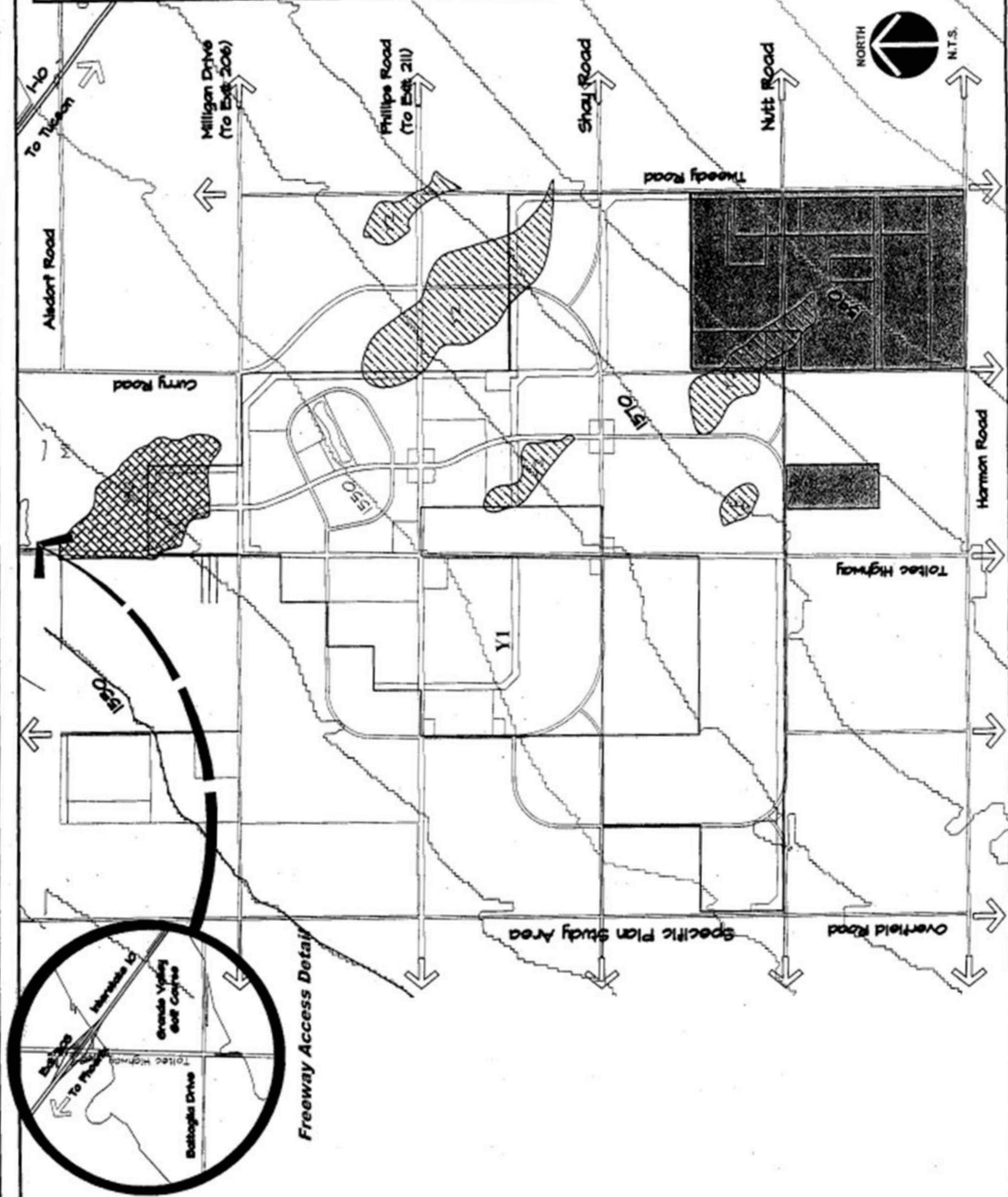
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Freeway Access Detail

Specific Plan Study Area

Overfield Road

Toltec Highway

Harmon Road

Nutt Road

Shay Road

Phillips Road
(To Exit 211)

Milligan Drive
(To Exit 206)

Curry Road

Alsdorf Road

To Tucson

To Phoenix

To Phoenix

To Phoenix

To Phoenix

To Phoenix

However, the recent extreme floods of 1983 and 1993 did not cause widespread flooding of the Picacho View II area, and instead, these extreme floods followed the Greene Canal and bypassed this area. Consequently, neither the Santa Cruz River, nor the Greene Canal, currently flows through the Picacho View II area. The topography is relatively flat, with slopes averaging less than 3 percent, and trending toward the west and northwest. In general, there are no well-defined watercourses within the Picacho View II area, and locally derived floodwaters spread out over wide areas as shallow sheet flow.

2. **Off-Site Features That May Affect or May be Affected by the Site:** Two off-site features that may affect this project are the Lower Santa Cruz Levee and the Greene Canal.

In 2001, the U.S. Army Corps of Engineers and the Pima County Flood Control District completed the construction of a 7-mile-long levee along the right-hand bank of the Santa Cruz River, between Sanders Road and Avra Valley Road. This flood-control project removed approximately 4,500 acres from the 100-year flood plain, and may have increased flood peaks downstream from Sanders Road. The increase in flooding caused by this flood-control project is not known.

During the 1983 flood, the Greene Canal, located south of Picacho Peak and near the Pinal Air Park, became much wider and deeper, and resulted in capturing nearly all of the flow in the Santa Cruz River. Consequently, the Picacho View II area received little flooding in 1983, and later during the 1993 flood, except locally along roadways and irrigation ditches.

The Federal Emergency Management Agency (FEMA) is currently restudying the flood plain along the Santa Cruz River, including the segment passing the northern end of the Picacho View II area, to see what effects, if any, these two factors may have on flood hazards within this area.

3. **Upstream Watersheds With 100-Year Discharges Greater Than 100 cfs:** Off-site watersheds having existing 100-year flood peaks greater than 100 cfs can be found in the Drainage Report prepared by Arroyo Engineering.

4. **On-Site Hydrology:**

- a) 100-Year Floodplains Less Than or Equal to 100 cfs: Flood plains from watersheds producing 100-year flood peaks less than 100 cfs were not delineated.
- b) Sheet Flooding Areas with Their Average Depth: The control and elimination of sheet flow will be overcome prior to the development of the Picacho View II area. During relatively small, frequent storms, sheet flow is generally intercepted and conveyed by roads and irrigation canals. However, during relatively large, infrequent storms, it is believed that floodwater-carrying capacities of these roadway ditches and irrigation canals may be exceeded, and widespread flooding may occur. Consequently, it is believed that the entire Picacho View II area is subject to shallow sheet flooding. Although the depths of flooding have not been computed, it is believed that flow depths will generally vary from 0.5 feet to 2.0 feet during a 100-year flood.

- c) Federally Mapped Floodways and Floodplains: Based on the current FEMA Pinal County FIRM (Map Numbers 04077 1175 C and 0950 C), the majority of the Picacho View II area is designated in an unshaded Zone C, meaning these are areas outside the 100-year flood plain and will experience only minimal flooding.
- d) Peak Discharges Entering and Leaving the Site: Existing watersheds that exit the north and west sides of the Picacho View II area can be found in the Drainage Report prepared by Arroyo Engineering.

5. **Existing Drainage Conditions Along Downstream Property Boundary:** There are two significant constructed features located along, or near, the downstream property boundary that may be affected by the site. These are Arizona City and a portion of the CAIDD Canal located immediately west of, and is running parallel to, Lamb Road. Both Arizona City and the CAIDD Canal are similar to the Picacho View II area, in that they are also subject to shallow sheet flow. However, it is also believed that drainage conditions in Arizona City and near the CAIDD Canal will improve as a result of the development of Picacho View II because future flood peaks will be significantly reduced by the construction of on-site stormwater retention basins, as well as the construction of regional drainage channels that will deliver flood waters to specific downstream locations where they can be picked up at the edge of this development and carried farther downstream for disposal.

D. Vegetation

1. **Vegetation Inventory and Description:** The subject area is within the Lower Colorado River Valley subdivision of the Sonoran Desert scrub biotic community. However, the subject area consists mainly of agricultural lands. As such, diversity of vegetation generally is less than that found in typical Lower Colorado River Valley subdivision habitats, creating an open canopy and bare ground throughout significant portions of the area. Vegetation that was commonly noted in the subject area includes mesquite (*Prosopis velutina*), Mexican palo verde (*Parkinsonia aculeata*), burroweed (*Isocoma tenuisecta*), Russian thistle (*Salsoa* sp.), desert broom (*Baccharis sarothroides*), mustard species (*Sisymbrium* sp.), Johnson grass (*Sorghum halepense*), and aster species (*Helianthus* sp.). Generally speaking, irrigation canals occur along the Section gridlines throughout the subject area. Vegetation diversity and tree density and stature increases along these canals due to the presence of ephemeral water supply provided there. Vegetation noted only along these canals includes cottonwood (*Populus* sp.) and arrowweed (*Pulchea purpurascens*). The subject area has been highly disturbed due to agricultural activities, with large areas of monoculture (cotton) present and many disturbance-type species present along roadways (i.e. Russian thistle, desert broom, and Johnson grass). No saguaros (*Carnegiea gigantea*) were noted within approximately 1/4 mile of the ROW.
2. **Vegetative Densities:** Vegetative densities on-site were measured from aerial photographs and verified during field investigations. Densities are expressed as percent canopy coverage. Vegetative canopy coverage for shrubs and trees were calculated. Grasses and other groundcovers were not considered. Vegetation densities were divided into three categories:

- | | |
|-------------------|---------|
| a) High Density | 71%-100 |
| b) Medium Density | 31%-70% |
| c) Low Density | 0%-30% |

Vegetation densities found on the project were classified as Low Density (0% - 30%) and therefore the Picacho View II site is well suited for development. The site's natural drainage patterns have been altered by agricultural activities, and consequently, the quantity and quality of vegetation have been significantly decreased. The majority of the site contains very low-density coverage. Due to the low vegetative density, the site's desert scrub vegetation and negligible riparian communities provide negligible wildlife value.

E. Wildlife

1. **General Wildlife:** Wildlife that was noted during the site evaluation included black-tailed jackrabbit (*Lepus californicus*), desert cottontail (*Sylvilagus audubonii*), common raven (*Corvus corax*), red-winged blackbird (*Agelaius phoeniceus*), American kestrel (*Falco sparverius*), prairie falcon (*Falco mexicanus*), red-tailed hawk (*Buteo jamaicensis*), loggerhead shrike (*Lanius ludovicianus*), turkey vulture (*Cathartes aura*), and mourning dove (*Zenaida macroura*).
2. **Endangered Species Investigation:** The USFWS lists 18 special- interest species (federally endangered, threatened, proposed, and candidate species, and species with federal conservation agreements) as occurring or suspected to occur within Pinal County. Upon initial review of the list and subject area, it was determined that there is low to no potential for the occurrence of any of the species found on this list and there is no designated critical habitat within the subject area. These species have ranges that do not include the project area and/or are found in habitats dissimilar to those within the proposed project area, and therefore, are not expected to occur within the proposed project area. These determinations were based upon field habitat analysis and review of information available regarding the species, comparisons of information with habitats available at the project site, and the known ranges of the species. Therefore, no adverse effects are expected to occur due to proposed project activities.
3. **Letter from the Arizona Game and Fish Department:**

(See Appendix C)

F. Soils

1. **Soils Testing:**
 - a. **Soils Types:** Descriptions of the soil types found on the property and shown on Exhibit 7: Soils and Topography Map, are as follows:
 1. Y2 - Active stream channels
 2. YI - Mid to late Holocene basin terraces
 3. M2 - Late Pleistocene - early Holocene basin terraces
 4. M1 - Oldest terrace in the basin; mid-Pleistocene in age

- b. General Description of the Picacho Basin: The Picacho View II Planned Area Development is within the Picacho Basin, a large and complex graben surrounded by horsts and half- horsts, which are now the Picacho, Casa Grande, Silverbell and Sacaton mountains. It formed mainly in response to late Miocene extension. Internal drainage probably persisted until about 3 million years ago. Several thousand meters of sediments fill the basin; 2000 meters of evaporites and claystone form the bulk of the basin fill (Scarborough and Pierce, 1978). The upper 200 meters or so of basin fill was deposited by a gradually aggrading, regionally integrated drainage system. Young alluvium of the Santa Cruz River is up to 30 meters thick and is found within 3.2 kilometers of the modern channel (Poo 1986). Although the Picacho Basin does have external drainage, extremely low stream gradients and a lack of long- term downcutting have resulted in playa-like sediments, eolian deposits, and a lack of significant elevation differences between terraces. Unlike basins upstream, the Picacho Basin has not been incised significantly during the Quaternary.

Compaction-related earth fissures can be found in the Picacho Basin. However, the highest densities of fissures can be found around the perimeter of the Picacho Basin. The highest potential for fissure development is probably in those areas.

Soil shrink-swell and soil collapse are potential design issues in the Picacho Basin. This is due to the high percentage of montmorillonite clay with the terraces. Potential for collapsing soils in the basin can be inferred from landforms in other basins known to have these soils. Holocene fan skirts and aprons commonly have collapsing soils (S. Slaff, 1986, unpub. report).

G. Traffic

1. **Existing and Proposed Off-Site Traffic:** The Picacho View II Master Plan Transportation Study, prepared by CLA, addresses the existing and proposed off-site traffic counts for the development of the PAD as originally contemplated.
2. **Utility Scale Solar:** To address the interim Utility Scale Solar use of the property, a Traffic Impact Statement (TIS) was prepared specific the interim use. The TIS finding indicates that the anticipated impact of the property for an interim Utility Scale Solar facility has negligible impact on the current traffic in the area once the use is developed.

H. Sewers

1. **Location of Existing Public Sewers:** There are no existing public sewer facilities within the plan area that allow for a permanent long-term solution for wastewater treatment (See Exhibit 6: Existing Utilities Plan - Water and Sewer). Currently, the City of Eloy is conducting a sewer master plan study to define the location and funding mechanisms of regional collection and treatment facilities. Picacho View II will participate in those regional offsite facilities on an equitable "fair share" basis.

I. Schools

- 1. Existing Schools:** The Picacho View II Planned Area Development area is served by the Eloy School District, the Santa Cruz Valley Union High School District, the Toltec School District, and the Casa Grande High School District.

J. Recreation and Trails:

- 1. Parks, Recreation Areas, and Trails:** There are currently no parks or trails in the Planned Area Development Area. The nearest recreation area is the Grande Valley Golf Course located approximately 5.0 miles from the northern border of the Picacho View II project.

K. Cultural/Archaeology/Historic Resources

1. Cultural Resources:

SWCA Environmental Consultants conducted a cultural resources archival review of the property in March of 2006 (see appendices). Their report concludes that, based on past experience, the landscape, and the fact that the majority of the area has been utilized for agriculture, archaeological site-density in the project is expected to be low.

The Arizona State Museum recommends an archaeological surface inspection, prior to grading operations, to determine if additional important prehistoric or historic sites are on the land. The requirement to conduct archaeological survey for clearance only pertains to projects that fall under federal nexus (i.e. National Pollutant Discharge Elimination System (NPDES) or Section 404 of the Clean Water Act).

Additionally, pursuant to Arizona Revised Statute 41-844, should mortuary remains be uncovered during project clearance activities, work should stop at that location and a qualified archaeologist should be brought in to examine the remains.

2. Archaeological Resources:

File records of past archaeological surveys, and recommendations for future reports are addressed by the Arizona State Museum.

L. Air Quality

Air quality is an important concern in the City of Eloy and Pinal County. Seasonal winds and continued farming present challenges for the area's particulate matter (PM₁₀) condition, as well as unpaved roads and shoulders. These are a few of the factors that have contributed to the area's air quality issues. The standard for PM₁₀ is currently an 8-hour measure, which may potentially expand to a 24-hour measure by the Environmental Protection Agency (EPA) requirements. The result may be that the Phoenix and Tucson metropolitan area will change to "non-attainment" status. The air quality conditions have not affected the County's status as a designated "attainment" area for three criteria pollutants: carbon monoxide, ozone, and particulate matter (PM₁₀). To enforce the requirements of the Clean Air Act (CAA) and its subsequent amendments, the EPA is charged with administering national ambient air quality standards. In Pinal County, there are four air-monitoring stations surrounding and within the study area. The local monitoring sites are at Eleven-Mile Corner (County Fairground), the Casa Grande Department of Economic Security Building, the Casa Grande Airport in Casa Grande, and

the City Complex in Eloy.

The Arizona Department of Environmental Quality (ADEQ) recommends paving or providing a topical treatment on dirt roads when they exceed 250 trips per day. The Environmental Planning Element seeks to mitigate this problem proactively by discouraging new development that will place additional traffic burdens on dirt roads.

Land use designations and urban area patterns included in the Land Use Plan endeavor to reduce unnecessary automobile trips that increase carbon monoxide levels. Bicycle lanes and trail systems are included to help decrease automobile trips. However, even with these land use strategies to minimize air quality impacts from new development, the continued presence of irrigated farming, travel on dirt roads, and seasonal winds will continue to dominate as the source of PM10.

Picacho View II lies within an "attainment" area for air quality. Localized air quality impacts result from elevated PM10 levels that originate from farming, automobile, and industrial dust and particulate matter. While the Pinal County area meets air quality standards today, future development may be impacted as the result of a stricter PM10 standard the EPA imposed within the Phoenix and Tucson metropolitan areas.

M. Electric and Gas Utilities

Existing electric and gas utilities, found on or within close proximity to Picacho View **II**, are depicted on Exhibit 9. The project falls within the service areas of Arizona Public Service Company, and Southwest Gas Corporation. "Will Serve" letters from these companies may be attained by contacting the appropriate engineering or administrative representative within the respective utility company.

Existing Utilities Plan Gas and Electric,

Exhibit #9

LEGEND

.....	ELECTRIC DISTRICT NO. 4
.....	ARIZONA PUBLIC SERVICE
.....	BUREAU OF RECLAMATION TRANSMISSION LINE
=====	EL PASO(S.W. GAS) NATURAL GAS

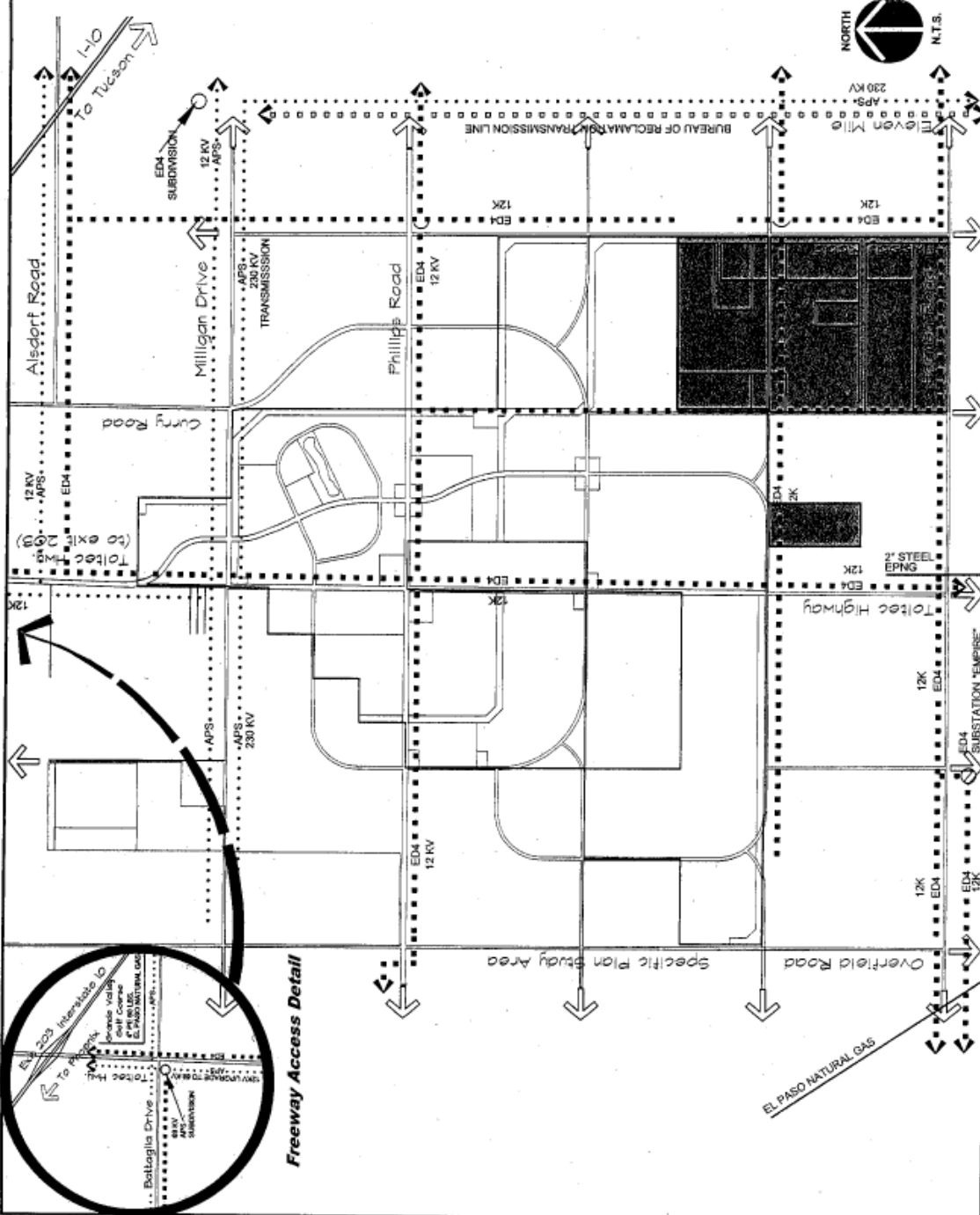
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Freeway Access Detail

III. DEVELOPMENT PLAN

A. Purpose and Intent

Picacho View II PAD is a planned Residential, Recreational, and Commercial/Retail centered community. The proposed development plan includes open space and recreational facilities and could include one 18-hole golf course subject to amending this PAD. Recreational facilities are planned as an integral part of all residential development areas, as well as at future school sites. Private recreational facilities will also be provided throughout the project in conjunction with residential subdivisions. A system of pedestrian, bicycle and equestrian trails is also provided throughout the project.

As an interim use of the property, the Development Plan contemplates the property to be used as a Utility Scale Solar facility until such time that the development patterns, market demands, and water, sewer, and other utility services become available in the area. In the event the Utility Scale Solar land use is implemented on those portions of Picacho Valley II PAD identified Parcel 1 and 3 in Appendix A and shown on Exhibit 18, it shall conform to all design elements and criteria specified in Section IV.C.3.d of this PAD Preliminary Development Plan.

This section contains a description of plan goals, combined with various Picacho View II components. These components provide the rationale for development regulations found in Section IV.

The project Development Plan is the result of thorough site analysis and research. As a result, the plan resolves, as much as possible, the development related issues in the form of proposed physical plans, improvements, guidelines for future development, technical information, and regulations.

B. Goals

In recognizing the major development issues, the landowners' objectives and the City of Eloy's requirements, a set of Development Plan goals have been established:

- Implement and clarify the goals and the policies of the City of Eloy
- Ensure coordinated, responsible planning through the use of cohesive procedures, regulations, standards and guidelines
- Provide a Development Plan which is a general and logical estimate of how development will occur
- Process and adopt a Picacho View II which will provide a conceptual understanding of development and future growth for the region and the Picacho View II area
- Provide land uses, based on current, anticipated, and future demands with a range of opportunities
- Provide a backbone infrastructure system and public facilities to support development in an efficient manner
- Utilize the drainage-ways as a community amenity for recreation and open space
- Provide a land use plan that not only respects the adjacent land uses, but will contribute to the overall quality of the community
- Incorporate and implement standards that are economical for the developer and are consistent with the City of Eloy's standards, and can be reasonably accommodated in the project
- Provide an infrastructure system, including, but not limited to, sewer, water, and

- drainage systems that will adequately serve full build-out of the development
- Provide, within the Picacho View II, a community image that enhances the existing surrounding neighborhood
- Establish Design Guidelines covering four topic areas including site planning, landscape architecture, architecture, and signage to ensure a quality appearance and identity for Picacho View II
- Establish a conceptual landscaping treatment with recurring elements to unify the development and reinforce the circulation and open space components of a project
- Enhance the existing City of Eloy community atmosphere
- Promote the new development as a pedestrian oriented community
- Develop Design Guidelines for the project that will provide for and encourage variations in the design of all structures
- Provide opportunities for Utility Scale Solar as an interim land use on portions of the PAD.

C. Land Use Plan

The Picacho View II community encompasses approximately 1040 acres and is divided into low, medium, and high density land use planning areas (See Exhibit 10: Land Use Plan). The proposed primary land use allocation is summarized in Table 1. The acreage of the planning areas are gross acreages and include land to be allocated to the residential circulation system. As much as possible, the design of the project presents the areas as planned residential/recreational areas adjacent to the centralized parks, and retail/office centers. All land uses are integrated, if possible, regarding circulation, infrastructure, open space, drainage-ways, environmental resources, visual setting, development standards, and guidelines. There are a total of 5 different land use categories, including 3 residential, 1 commercial, and 1 open space categories.

A golf course may be developed, to provide a portion of the community's recreational focus, and could include buildings which provide activities such as dining, meeting space, pool/health spa, tennis, casitas, timeshare units, and social activities. If a golf course is added to the PAD, an amendment will be processed that indicates the exact location of the use, per the Eloy Zoning Ordinance PAD requirements. In addition, open space found within and along the drainage-ways may provide additional area for the community's recreation, open space, and golf.

Land Use Plan

Exhibit #10

LEGEND

Low Density Residential
(1.0 to 4.0 du/ac.)

RI-12

Medium Density Residential
(4.0 to 6.5 du/ac.)

RI-8

Medium Density Residential
(4.0 to 6.5 du/ac.)

RI-6

High Density Residential
(10.0 to 24.0 du/ac.)

R-4

Commercial

C-2

Open Space

OSR

Note: All planning area sizes (acreage) are conceptual only, and may change at the time of platting or development plan.

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Shay Rd.

Nutt Road

Tweedy Road



Harmon Road

Toltec Highway

2 R-4 27 ac.

3 RI-6 175 ac.

4 OSR 42 ac.

5 R-4 20 ac.

6 C-2 40 ac.

7 C-2 15 ac.

8 C-2 15 ac.

9 RI-6 200 ac.

10 C-2 15 ac.

11 OSR 20 ac.

12 RI-8 53 ac.

13 OSR 48 ac.

14 RI-6 135 ac.

15 RI-8 40 ac.

16 RI-12 100 ac.

1 RI-6 80 ac.

**TABLE III-IA
PICACHO VIEW II LAND USE BY POD**

POD	ZONING	ACRES	% of Total	Dwelling Units/Acre	DWELLING UNITS
1	RI-6	80	8%	6	480
2	R-4	27	3%	10	270
3	RI-6	175	16%	6	1050
4	OSR	42	4%	0	0
5	R-4	20	2%	10	200
6	C-2	40	4%	0	0
7	C-2	15	1.5%	0	0
8	C-2	15	1.5%	0	0
9	RI-6	200	19%	6	1200
10	C-2	15	1.5%	0	0
11	OSR	20	2%	0	0
12	RI-8	53	5%	4	212
13	OSR	48	4.5%	0	0
14	RI-6	135	13%	6	810
15	RI-8	40	4%	4	160
16	RI-12	100	9.5%	3	300

	Subtotal	1025			
Arterial Right-Of-way		15	1.5%		
TOTAL ACRES		1040	100%		
TOTAL DWELLING UNITS					4,682
GROSS DENSITY					4.5

Note: Actual Acreages will change at the time Block, or Individual, plats are prepared due to the conceptual nature of the land plan measurements, and the accuracy by which the final plats are surveyed and prepared.

Note: The maximum number of dwelling units permitted in a Planning Area/POD shall be that number established in Table III-IA, which also establishes the maximum overall density and number of dwelling units permitted in the Picacho View II PAD.

One public or private, 18-hole golf course could be proposed for the Picacho View II community. The course would provide a major site amenity fulfilling recreational needs as well as providing open space. It would also allow for residential/resort opportunities in the form of casitas and/or timeshare units. The golf course would be watered by well water in accordance with Arizona Department of Water Resources Policies. The proposed golf course would provide opportunities to integrate the fairways into the overall drainage system, incorporating flood control and detention techniques within designated floodplain areas.

D. Circulation Concept Plan

- 1. General Description:** All internal roads will be designated for City, or District ownership, operation and maintenance unless designated as a private roadway in the subdivision process, and will be sized accordingly to both their scale and character. The general alignment for the primary street network for the Plan Area has been delineated on Exhibit 11: Circulation Plan.

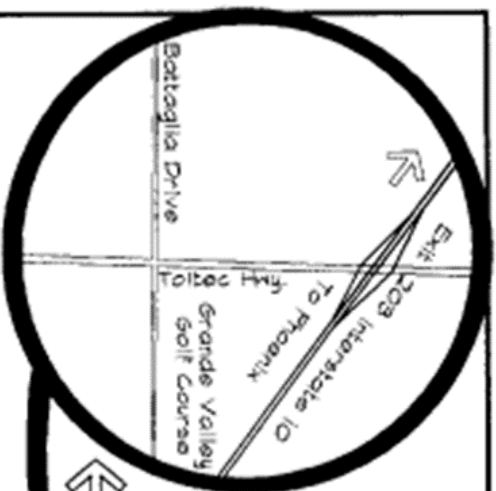
Private streets would be identified on a case-by-case basis by the individual builder. Private streets would be appropriate in cases such as gated communities, and shall be built to City Standards.

The private street cross-sections may vary depending upon their functional requirements and specific settings subject to approval by the City Engineer and Fire District. For example, private streets for courtyard and cluster residential projects can be served by a relatively narrow street having a minimum 32' right-of-way width. Private streets may also have sidewalks on one side of the street, and off-street parallel visitor parking.

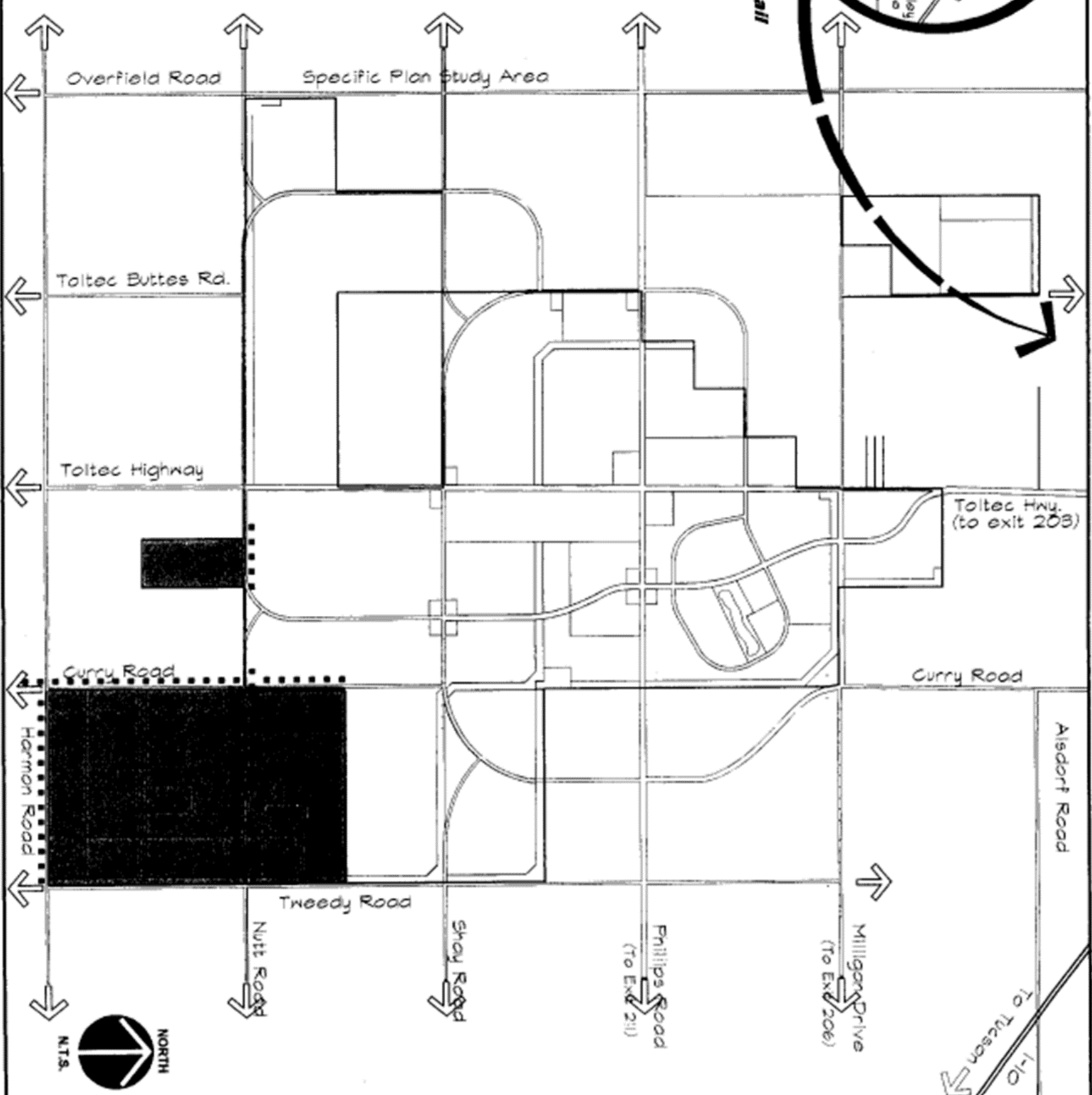
In addition, innovative design is encouraged for local streets and development to minimize automobile traffic and place emphasis on pedestrian-oriented communities. Such innovations include multiple use private drives and hammerhead designs for clustered projects.

- 2. Proposed Street Cross-Sections:** The project will utilize four (4) different street cross-sections. Right-of-Way and pavement widths (curb-to-curb) will be in accordance with the City of Eloy Small Area Transportation Study, or as approved by the City Engineer, and shall be constructed to City Standards.

The Arterial Blvd. will be the widest utilized in the community and will initially be comprised of two travel lanes. This street section allows two (2) separate 5' bike lanes within the curb-to-curb width. Curbs shall be vertical.



Freeway Access Detail



Circulation Plan

Exhibit #11

LEGEND

- Arterial Blvd.
130' wide
- Collector Street
(To be shown on block plan)
80'-90' wide
- Public or Private
Local Street
50' wide

(Public or Private Residential Street locations are schematic only; final locations to be determined at the time of platting or development plan)

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If traffic demands warrant, the Arterial Blvd. will be widened to accommodate 4 or 6 divided traffic lanes, median, utility easements, and pedestrian walks.

The Collector Street will provide direct access to many of the planning areas. This street cross-section will consist of two (2) travel lanes, two (2) bike lanes within the curb-to-curb width, and a sidewalk on both sides of the street.

The public Local Street will be utilized within the majority of the planning areas and will be the predominant subdivision street and provide direct access to individual residential lots. Curbs may be wedge, vertical or roll. This street cross-section will consist of two (2) travel lanes and may accommodate off-street visitor parking. Curbs in this case shall be wedge or roll, and no-parking signs will be posted opposite the designated visitor parking areas. Sidewalks will be provided on both sides of the street.

Private Residential Streets consist of two (2) travel lanes and may accommodate visitor off-street parking. Curbs in this case shall be roll, ribbon, or wedge.

3. **Change in ADT:** The Project will generate additional ADT's over the course of development as described in the Traffic Analysis Study prepared by CLA.

Evaluation of the interim roadway cross-sections included within the Circulation Plan indicate the capacity of the interim Primary Blvd. can convey up to 15,000 ADT's with restricted access and at level of service "C".

4. **Transit Routes:** No mass transit bus routes or attendant facilities are proposed.
5. **Emergency Access:** Emergency access will be provided to all planning areas. Emergency access may consist of graded, all-weather access roads, with a minimum width according to City Code.
6. **Improvements for a Utility Scale Solar development:** Prior to the issuance of the first building or encroachment/right-of-way permit, whichever is first, the property owner of a Utility Scale Solar development shall dedicate right-of-way, and submit construction documents/improvement plans to construct roadway improvements and provide landscape improvements in accordance with Section 21-3-1.39 of the Ordinance, and Section IV.G.3.d.

E. Public Facilities

1. Water System:

The Picacho View II community may be served by multiple wells, surface storage tanks, and booster systems. The distribution will consist of main lines of sufficient size to serve both domestic demand and fire flow. Existing farming supply wells may be incorporated into the water system to the extent allowed by physical condition and water quality. Additional wells may be drilled to augment the water supply and add reliability to the overall distribution system. As facilities are completed, they will be dedicated, owned and operated by the City of Eloy.

Water Quality: The Arizona Department of Water Resources (DWR) manages groundwater quality in the Eloy Sub-basin. The DWR completed its third Management Plan for the Pinal County Active Management Area in December 1999. In the Pinal County Active Management Area, the majority of the groundwater supplies are of acceptable quality for most uses. The quality of groundwater from the City wells is generally good and secondary treatment is not required for most wells. Eloy's proposed water sources meet the water quality standards established by the Arizona Department of Environmental Quality.

Assured Water Supply: The City has Designation of Assured Water Supply and has the authority to deliver water to customers within its Service Area. The City would expand its Service Area to include Picacho View II.

2. **Sewer Service:** The Picacho View II project will include installation of significant sewage collection infrastructure. Each phase or portion of the project will include design and installation of its own sewage collection system to City standards. Each substituent collection system will then be connected to laterals and mains which may then be connected to a regional offsite treatment plant.
3. **Community Facilities District (District):** If deemed economically feasible, the master developer, or builders, may petition the City to form a Community Facilities District to acquire existing public facilities, or construct new public facilities.
4. **Other Utilities:** Gas, electric, and telephone services exist in the vicinity of the Plan Area. For conceptual layout of these utilities, see Exhibit 9: Existing Utilities **Plan** • Electric and Gas. Final design shall take place at the time of actual construction, subdividing, and site development. Actual service facility design will be coordinated with the individual utility companies.
5. **Public Schools:** The maximum population of Picacho View II is not expected to exceed 14,500 residents. Using the actual City of Tucson public school ratios of 47,000 residents per high school, 25,000 residents per middle school, and 6,800 residents per elementary school, there could be approximately two elementary schools located within the community. Based on the above estimates, up to 30 acres for future public school sites may be reserved, at the time of platting, anywhere in the residential portion of the Picacho View II area.

F. Water Resources Concept Plan

1. Response to Existing Conditions:

The Drainage Concept Plan represents a conceptual approach for addressing the major off-site and on-site storm-water flows which traverse the site (See Picacho View II Master Drainage Study, prepared by Arroyo Engineering). Planning-level analysis indicates that the overall drainage scheme should function in a manner which will provide for the adequate collection, conveyance, and discharge of major flows within and across the Picacho View II property. The Drainage Concept Plan is comprised of the following drainage- infrastructure:

There are four major components to the Drainage Concept Plan: Regional Drainage Channels, Roadside Drainage Channels, On-Site Stormwater Retention/Detention Basins, and Regional Stormwater Basins. All of these major drainage components must be constructed as part of a unified plan, on a sub-watershed basis, prior to development and construction.

The regional drainage channels generally consist of a continuous channel that intercepts sheet flow at the upstream side of the project, and then conveys this runoff through the development until it releases these flows at the downstream side of the project. These regional drainage channels will maintain the existing flow patterns by not diverting runoff to other nearby drainage basins. Furthermore, these regional drainage channels will also serve as the outfall for the roadside drainage channels, described more fully below.

Roadside drainage channels generally consist of a network of relatively small channels that parallel the major roadways, and which will serve as the drain into which roadway runoff will be discharged. These roadside drainage channels will serve as a replacement for an underground storm drain system. Furthermore, these roadway drainage channels will also provide areas of landscaped open space that will be irrigated, in part, by water-harvesting techniques. Excess runoff that flows in and along these roadside drainage channels will be disposed of in the regional drainage channels mentioned briefly above. A key element needed to ensure the success of this Drainage Concept Plan is the construction of on-site retention/detention basins, all of which will be designed to hold the entire volume of runoff produced on-site during a 100-year, two-hour storm. Off-site runoff produced elsewhere will be allowed to bypass these basins without having to be retained or held. In addition, these basins will be designed so that they will be emptied within 36 hours, either by percolation, dry wells, or by draining into an approved drainage way after the storm has passed.

Furthermore, these on-site retention/detention basins will also provide areas of landscaped open space that will be irrigated, in part, by water-harvesting techniques. Individual lot retention/detention basins may be used in residential subdivisions when the minimum lot size exceeds one (1) standard acre, otherwise the basins will be built within common areas owned and maintained by the Home Owner's Association.

The regional drainage channels will be designed so that they release floodwaters at substantially the location and with equal or smaller magnitude as found under existing conditions. To help accomplish this goal the downstream ends of each of the regional drainage channels will be designed to include a regional stormwater basin that will provide an open-space area where floodwaters can be allowed to spread out and then discharge onto the adjoining downstream areas. These regional stormwater basins will also provide areas of hydroseeded open space that will be irrigated by seasonal rains.

All of these systems and facilities will be phased in as adjacent or affected development occurs. Since these conceptual systems were prepared at a planning level of analysis, details regarding the specific sizes of the individual elements have

not been prepared beyond what is indicated on each typical cross-section. A range of possible widths and depths of these systems has been provided. A preliminary design and phasing scheme, incorporating a detailed assessment of the steps required to fully implement these systems, will be necessary at the improvement plan review and approval stage.

If constructed channels require some form of bank stabilization, a range of potential options are: rock, soil cement, or concrete. Constructed drainageways shall include revegetation by hydroseeding within or adjacent to the channel. The drainageway design shall provide for maintenance access (16' wide) along one side of the channel unless the channel bottom is drivable. The maintenance access will also serve as part of the overall community's pedestrian trail system.

2. **Effect Upon Site Drainage Patterns.** The Picacho View II anticipates overall improvement in the efficiency of drainage patterns of the site. Creation of detention basins and on-site washes will help to alleviate substantial and long-standing flooding problems for the site.

A drainage report for the Picacho View II phase, region, or plat area must be approved by the City Engineer prior to the issuance of grading permits or any other permits for development activity within a particular phase, region, or plat. Said report should be in general conformance with the Master Concept Drainage Plan.

G. Grading Concept

1. **Mass Grading.** Development within the Picacho View II Area may be mass graded as necessary to implement infrastructure and home site development (See Exhibit 15: Concept Grading Plan).
2. **Open Space Resources.** The Picacho View II is designed as a recreational and retail/commercial based residential community. Open space is an important opportunity from an environmental perspective as well an amenity in terms of quality of life. This plan has identified areas of open space and has attempted to utilize a "multiple use" of open space. Multiple use may consist of drainage, retention basins, recreation, trails, utility systems, and irrigation channels.

Revegetated (by hydroseeding) drainageways will help maintain aesthetics, and some of the golf course fairway areas may be located adjacent to such drainageways. The recreational/open space land use in conjunction with the drainageways will provide a larger area for community benefit.

H. Landscape Concept

These Landscape provisions of this Section are supplementary to the Ordinance, and are intended to enhance those regulations. These requirements shall not circumvent or supersede the Ordinance. The Design Guidelines are intended to be guidelines between the Master Developer and the builders and are not intended to replace the City's regulatory requirements in any manner.

Consistent with the overall project, areas of revegetation will include drought- tolerant and indigenous plant materials. All preliminary plats and development/site plans will require a concept landscape plan that is approved by a registered Landscape Architect retained by the Master Developer, and the Architectural Review Committee (ARC), and is in general conformance with the Landscape Concept Plan (See Exhibit 16: Landscape Concept Plan).

Retention basins will be hydroseeded or landscaped per Master Developer standards with suitable plant materials and comply with the landscape requirement of the ordinance. The Picacho View II plant palette includes plant species identified and listed in the Recommended Plant Palette List. All plants utilized in the right-of-way shall be on the Arizona Department of Water Resources Active Management Area Plant List for Pinal County.

All plant materials for Picacho View II are to be selected from nursery stock selected from the Recommended Plant Palette List (See Appendix F). In addition, prohibited plants for the Picacho View II are also identified in Appendix F.

Utility Scale Solar development shall confirm to the landscape dimensional, quantities and design requirements of Section 21-3-1.39 of the Ordinance and Section IV.G.3.d of this PAD Preliminary Development Plan.

I. Parks, Recreation, and Trails Concept

The Picacho View II is a recreation-based community. The major recreational elements for Picacho View II include: open space, regional and neighborhood parks, possible golf

Concept Grading Plan

Exhibit #15

LEGEND

Mass Graded
Development



Picacho View II

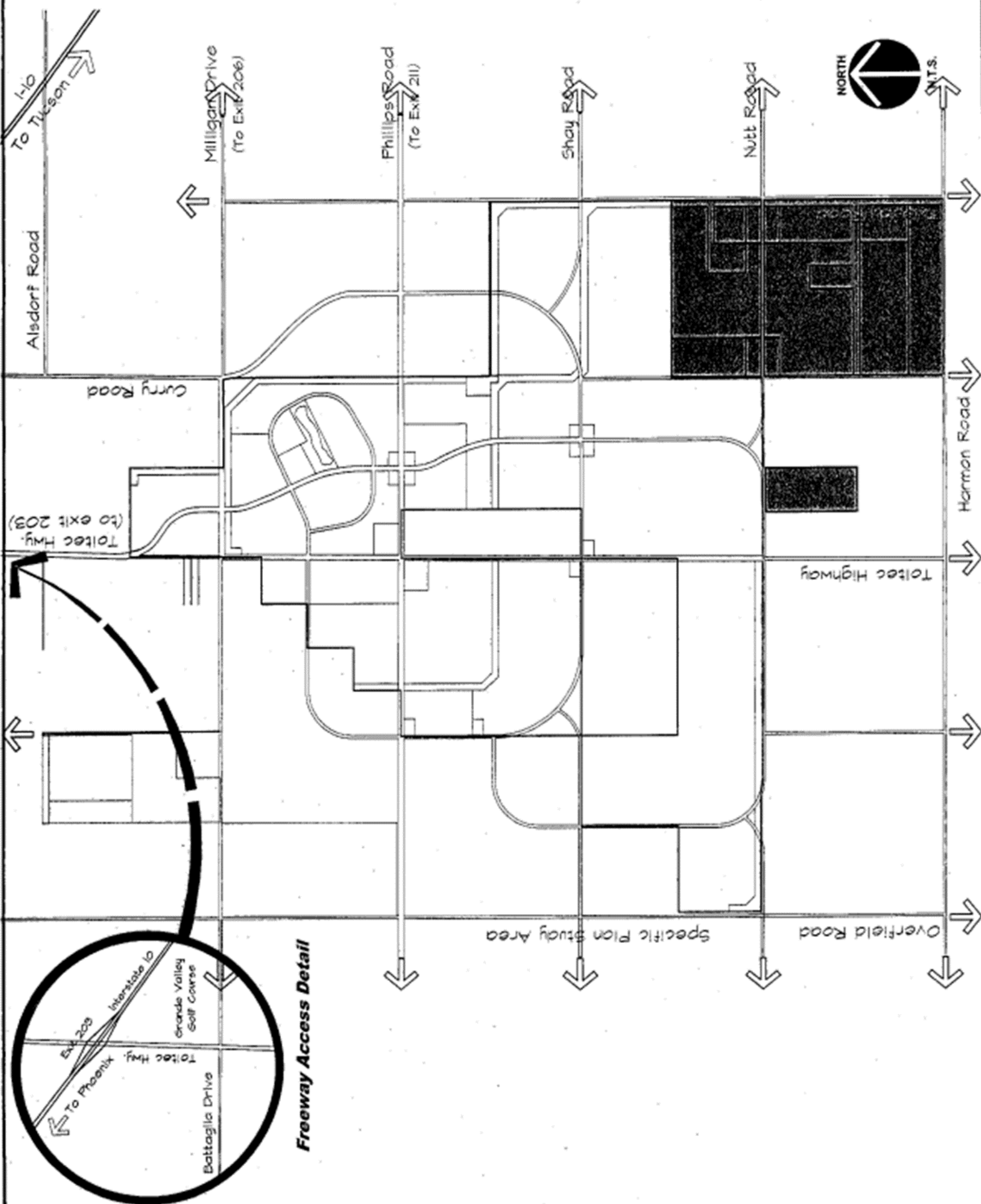
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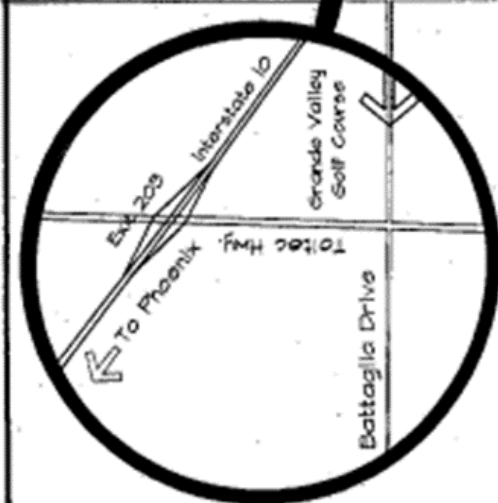
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Freeway Access Detail



course, and the pedestrian/bike path system associated with the entry drive and the local collectors (See Exhibit 17: Parks, Recreation, and Trails Map). Trails will be non-lighted, meandering paths, made of compacted earth or decomposed granite. All recreational facilities may be non-lighted, except for those owned and operated by the City of Eloy.

Regional Parks: The Picacho View II designates regional parks located in the master-planned community (See Exhibit 17: Parks, Recreation, and Trails Map). Unless accepted by the City for ownership and maintenance, these parks will be constructed at the Master Developer's expense, and will be owned and operated by the Home Owner's Association (HOA). Parking requirements may be met using a combination of on-street and off-street parking.

Neighborhood and Mini Parks: Neighborhood and mini parks of approximately 1 acre in size will be provided for every 220 homes. Two or more parks may be combined to form a larger park to accommodate several subdivisions of less than 220 homes, or a large subdivision exceeding 220 homes. All parks will consist of a professionally landscaped play area including trees and grass. Play equipment is mandatory, including barbeques, a ramada, and a picnic table as a minimum. Those parks exceeding 2 acres in size will include either soccer, or baseball fields to the greatest extent that their size will permit. In addition to the above, those parks exceeding 3 acres will provide for off-street parking. All parks may be non-lighted unless owned and operated by the City.

Trail Systems: Multi-purpose trails serving walking, biking, and equestrian modes of transportation are incorporated within the community. In addition, walking trails are shown located within the regional drainage channels (See Exhibit 17: Parks, Recreation, and Trails Map).

Paseos: Paseos, averaging 60 feet in width and containing an 8-foot wide sidewalk, will be located by the Master Developer at the time of platting. They will generally be located between major subdivision developments of 500 units or more, and where subdivision drainage and/or utility easements can be incorporated and street sidewalks do not provide access to a regional park.

Pedestrian and Bike Paths: Pedestrian and bike paths and/or refuge areas shall be provided. These facilities will be within the project's major boulevards as indicated on the proposed street cross-sections.

8' wide, meandering, sidewalks along arterial and collector streets should be designed and located no closer than 5' to automobile travel lanes. Sidewalks in subdivisions (4'-5' wide) may be located against the curbs. The width provisions of this paragraph shall apply, unless a greater standard has been adopted by the City of Eloy City Council and is in effect at the time of the submittal of the Preliminary Plat or Development/Site Plan. Any Preliminary Plat or Development/Site Plan that has expired shall comply with applicable standards at the time of a reinstatement of the approval, or when a new approval is granted. These provisions do not apply to the development of a Utility Scale Solar development, unless sidewalks are required in accordance with Section 21-3-1.39 of the Ordinance, and Section IV.C.3.d. of this PAD.

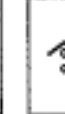
A cart path separate from the public street network will be associated with golf

courses, and will not be allowed in conjunction with public streets except at crossings. The final alignment of this path through the course shall be determined at final golf course phase design. The golf cart path may be parallel to the streets, but must be physically separated by a minimum of 4'-0" wide landscape buffer.

Open Space: The Picacho View II community will contain at least 15% usable open space comprised of the parks, the regional drainage/trail system, Paseos, and stormwater retention/detention areas which provide passive/active recreation uses. A potential golf course would be in addition to this 15% usable open space.

Landscape Concept Plan Exhibit #16

LEGEND

-  Primary Entry Features
-  Secondary Entry Features
-  Residential Entry Features
-  Residential Streetscape

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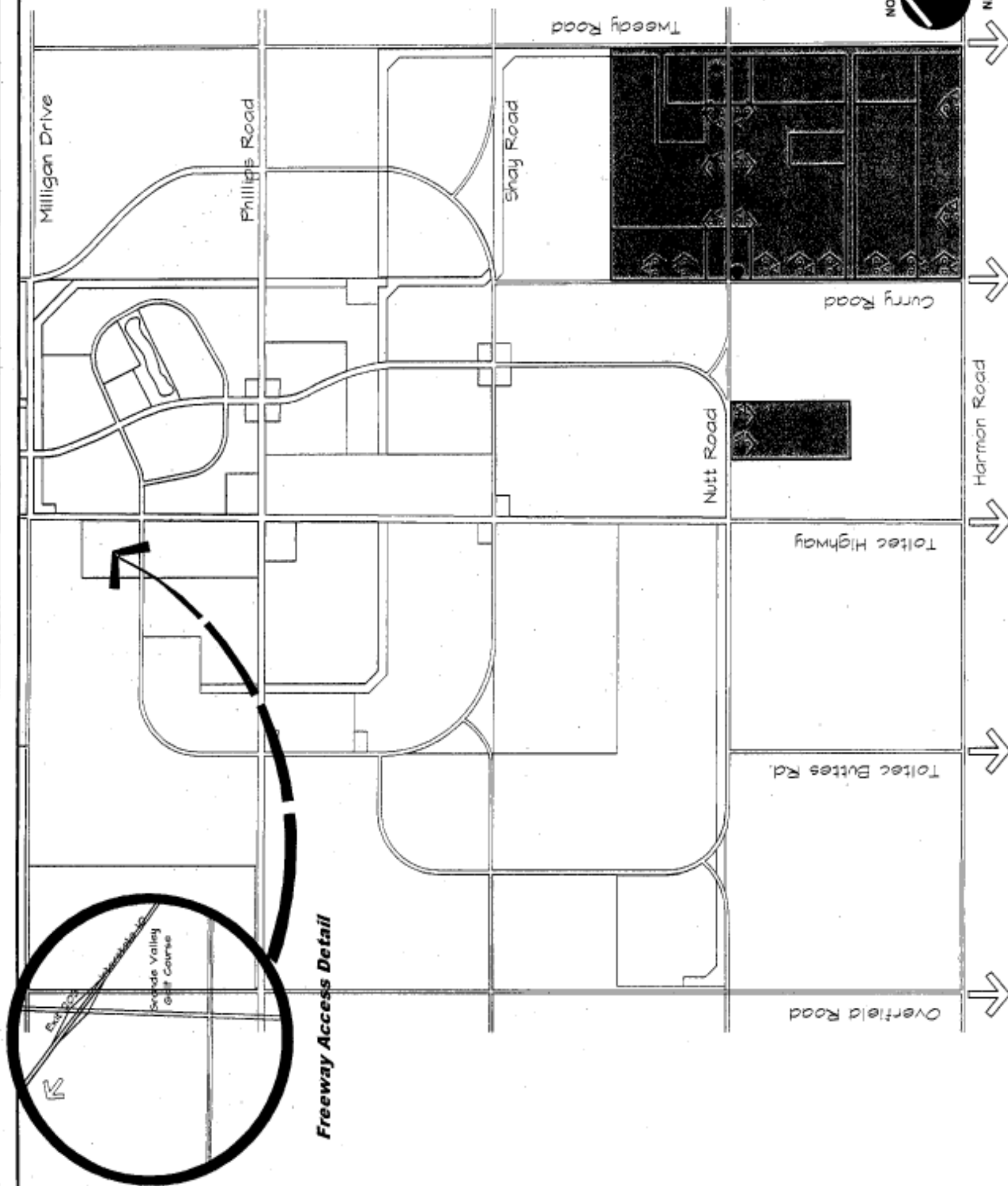


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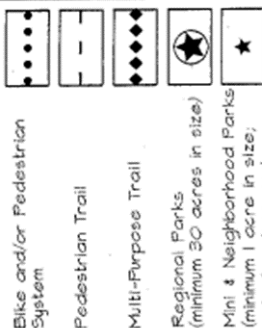
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Freeway Access Detail

Parks, Recreation & Trails Map Exhibit #17

LEGEND



Picacho View II

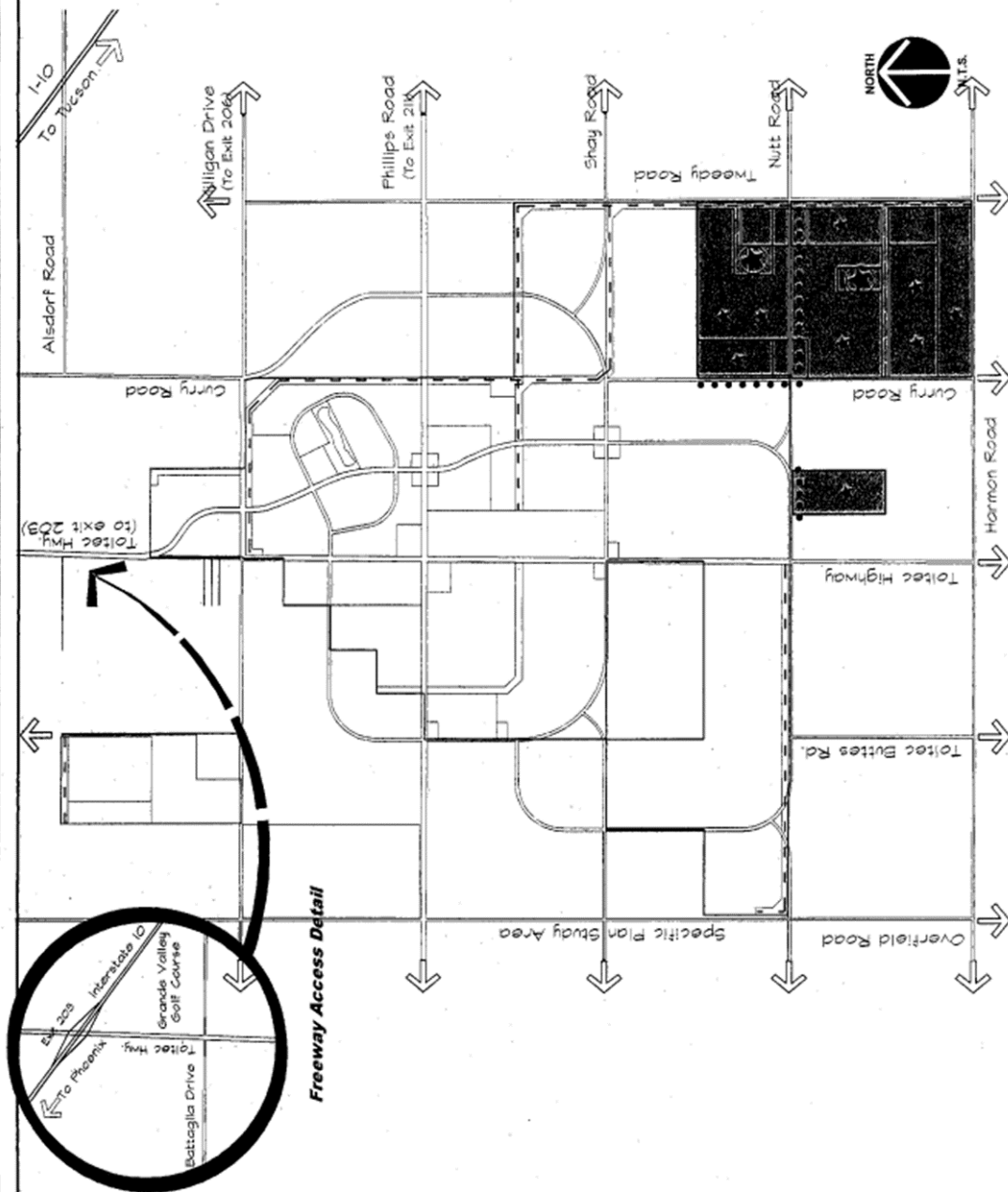
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IV. DEVELOPMENT REGULATIONS

A. Purpose and Intent:

These regulations will serve as the primary mechanism for implementation of the land uses for the Picacho View II Planned Area Development area after adoption by the City of Eloy. This Planned Area Development will abide by applicable City of Eloy Regulations currently adopted, and later amended, that are not included or specifically addressed within this document or the recorded Development Agreement. Primary zoning district designations for the Planned Area Development shall be as follows:

- Residential (R1-12, R1-8, R1-6, R-4)
- Commercial /Retail/ (C-2)
- Park/Open Space/Drainage (OSR)

B. Definitions

The terms and definitions used in this Plan shall meet those defined in the Eloy Zoning Code, with the following exceptions:

1. **Builder:** The builder is the purchaser of a development area, or portions of a development area, who will either build or provide for buildings within their areas of leasehold interest or ownership.
2. **Building Coverage (Lot Coverage):** Building coverage includes all buildings; excludes driveways, service walks, porches, balconies, and trellises.
3. **Building Story:** The portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above.
4. **Desert Trees:** Mesquite, Palo Verde, Ironwood, Live Oak, and other trees listed in the Southern Arizona Water Resource Association.
5. **Design Review Committee (DRC):** A committee consisting of three regular members to be formed by the Master Developer. The committee may consist of representatives from the landowners, homebuilders, homeowners association, and land planner/landscape architect consultants. Duties include the review of all proposals for construction, and to ensure that such proposals meet the intent and development philosophy of the community.
6. **District:** Community Facilities District (CFO) or Municipal Improvement District (**MID**), or other financing district.
7. **Dwelling Unit Cap:** The maximum number of dwelling units permitted within the Planned Area Development.
8. **Golf Course:** Those areas established for playing golf and associated activities,

including fairways, lighted driving range, clubhouse, and maintenance facilities.

9. **Gross Acres:** The total number of acres within a planning area or subdivision, including schools, roads, parks, drainage, retention, and easements.
10. **Master Developer:** The owner/primary developer or assigns responsible for overall community development, planning and construction of basic infrastructures such as roads, water, sanitary sewer, dry utilities, and drainage facilities.
11. **Mini Park:** A small neighborhood park, approximately 1 acre in size, which will be provided for every 220 homes. Two or more mini parks may be combined to form a larger park to accommodate several subdivisions of less than 220 homes.
12. **Planning Area:** A designated sub-area of the Planned Area Development with Specific permitted uses and regulations covering development; also referred to as "pods" in the Planned Area Development.
13. **Sub-Planning Area:** Sometimes referred to as "sub-pod" or "sub-area." A further breakdown of a Planning Area or Pod such as in the event caused by subdividing or platting the larger planning area.
14. **Utility Scale Solar:** is a solar generated electrical power plant, inclusive of the equipment necessary to generate, store and convey the generated electricity and the facilities and structure to maintain and operate the power plant and electric storage system. Solar, Utility Scale Generation, and Battery Energy Storage System Facilities may incorporate several abutting and adjacent properties that are planned as a single development as interim use in the Picacho View II PAD.

C. General Provisions:

1. If an issue, condition, or situation arises or occurs that is not addressed by this plan, the property's corresponding zoning district designation regulations of the City of Eloy Zoning Code will govern. The zones used in this plan are:

RI-12: Low Density Residential	(1.0 - 4.0 du/ac)
RI-8: Medium Density Residential	(4.0 - 6.5 du/ac)
RI-6: Medium Density Residential	(4.0- 6.5 du/ac)
R-4: High Density Residential	(10.0 - 24.0 du/ac)
C-2: Commercial	
OSR: Park/Open Space/Drainage	

The maximum number of dwelling units permitted in a Planning Area/POD shall be that number established in Table III-IA of this PAD. The maximum number of dwelling

units permitted in the Picacho View II PAD is 4,682.

2. Variations to City of Eloy Development Standards:

This PAD allows for a variation of the zoning district development standard for the R-4, R1-6, R1-8, and R1-12 residential zoning designations. In these designations, the development standards shall be in accordance with the "Development Standards for Residential Zoning Districts" table (attached).

If an issue, condition, or situation arises or occurs that is not covered or provided for in this Planned Area Development, those regulations of the City of Eloy Zoning Code that are applicable for the most similar issue, condition, or situation, including the General Regulation of the Ordinance, shall be used by the Planning Director/Community Development Director to resolve the unclear issue, condition, or situation. This provision shall not be used to permit uses or procedures not specifically authorized by this Planned Area Development or the City of Eloy Zoning Code.

Development Standards for Residential Zoning Districts				
Development Standard	R1-12	R1-8	R1-6	R-4
Minimum Lot depth	110'	110'	110'	70'
Minimum lot width	85'	70'	50'	30'
Minimum lot area	12,000	8,000	6,000	2,250
Min. Front Setback				
Min. Side Setback	10'	7.5'	5'	per City code
Min. Corner Setback	20'	15'	15'	10'
Min. Rear Setback	20'	20'	20'	15'
Maximum Height	30' / 2 stories	30' / 2 stories	30' / 2 stories	35' / 3 stories
Max. Lot Coverage	Not Applicable	Not Applicable	Not Applicable	Not Applicable

Notes:

Side Setbacks may be reduced to 15" for side-entry garages.

3. Additional Allowed and Conditional Use in the Picacho View II PAD:

a. Factory Built Homes:

Factory Built homes (constructed in conformance with the requirements of the

State of Arizona) are allowed in all residential designations. Factory Built and site-built housing may be mixed within the same subdivision. Architectural review by the Master Developer's DRC will be required. Factory Built homes must be 1080 square feet, or larger.

b. Golf Course and Resort:

A golf course is a "conditional use" requiring the approval of a Conditional Use Permit in all of the underlying zoning districts. The golf course could be accompanied by a resort lodging facility (including timeshare units). Similarly, resort lodging, including casitas and timeshare units, could be a conditional use on any of the land use designations either with or without a golf course.

c. Schools:

Public, private, or charter schools are allowed in any underlying zoning district of the Picacho View II PAD overlay zone. Potential school sites will be reserved at the time of individual or block platting, subject to the approval of the Eloy Planning Director/Community Development Director, and consultation with the appropriate School District.

d. Utility Scale Solar (Solar, Utility Scale Generation and Battery Energy Storage System Facilities):

Utility Scale Solar is allowed in all underlying zoning districts of the Picacho View II PAD overlay zone, and the development of the use shall conform with the following:

- i. Section 21-3-1.39 (Solar, Utility-Scale Generation, and Battery Energy Storage System Facilities) of the Ordinance, as amended, except as modified below:
 - a) The facilities shall be limited to the locations indicated on Exhibit 18
 - b) Interior setbacks to property within the PAD that are not adjacent to a street: 0 feet.
 - c) Rear setbacks to property within the PAD that are not adjacent to a street: 0 feet.
 - d) Perimeter fence color: sage green color that has color equivalency with a LVR 40% or less.e) The development shall comply with the Industrial Development Requirements and Guidelines and Additional Standards of Sections 21-2-5.5 and 21-2-5.6 of the Zoning Ordinance, as amended, except that only landscape provisions of 21-2-5.6.B. are replaced with the landscape provisions of Section 21-3-1.39. of the Ordinance.
 - f) Access gates in a fence shall comply with the setback requirements of provisions of Section 21-3-1.39. of the Ordinance, and minimum distance from right-of-way and privately dedicated streets to the gate access call/key box (if provided) shall be 50 feet.

6. Encroachment into Regulatory Floodplains:

Encroachment into the regulatory floodplains (i.e. those with a 100-year flow of more than 100 cfs), and sheet flooding areas, will be allowed in accordance with the Pinal County Flood Plain Regulations.

7. Monuments and Signage:

The Master Developer will submit a Master Signage Program at the time of the first preliminary plat (block or individual) for review and concurrent approval with the first final plat for the PAD. This provision does not apply to the development of a Utility Scale Solar facility, including any plat necessary to accommodate the facility's development.

D. Public Facilities Regulation

1. Utility Lines:

New Utility lines within the project will be placed underground to provide an attractive and marketable development. Exceptions to this general rule may occur as a result of specific utility company rules and regulations, or where the costs of undergrounding, due to the size and nature of a specific installation, are prohibitive. Additionally, temporary overhead lines may be used on an interim basis, until development occurs immediately adjacent to the overhead line, subject to review and approval by the Planning Director/Community Development Director and City Engineer.

2. Street Lights:

Local/Residential streets will have low intensity mailbox, coach, or other light located on individual residences, maintained by the HOA, or homeowner. Arterial/Collector streets will be lighted at major, or key intersections, as approved by the City Engineer, and maintained by the City. All lighting shall meet the City's "Dark Sky" ordinance.

E. Hydrology/Drainage Regulations

1. Encroachment into Regulatory Floodplains:

Encroachment into the floodplains (i.e. those with a 100- year flow of more than 100 cfs) will be allowed per Pinal County Flood Plain Regulations.

2. Maintenance:

All retention basins and channelized drainages shall be attended to and maintained so as to preserve their hydrologic integrity,

function and efficiency, and to represent suitably aesthetic features. Unless accepted by the City for ownership and maintenance, regional drainage systems will be maintained by the HOA; similarly, onsite subdivision retention/detention basins will be maintained by the HOA.

3. Channel and Roadway Grades:

Due to the extremely flat topography associated with Picacho View II, the minimum slopes for channel and roadway drainage shall be 0.15%.

F. Archaeological Regulations

Prior to grading activities, appropriate measures will be taken to either avoid or mitigate, through an approved Data Recovery Plan, impacts to sites that are determined to be "scientifically significant." Archaeological sites, deemed significant, will be recorded and, if needed, mitigated to City of Eloy and Arizona State Museum guidelines.

G. Vegetation Preservation/Salvage Regulations:

Disturbance will be mitigated through the following measures: This applies to native vegetation as protected in the Arizona Native Plant Law: *Carnegiea gigantea* (Saguaro), *Cercidium microphyllum* (Foothill Palo Verde), *Cercidium floridum* (Blue Palo Verde), *Ferocactus species* (Barrel Cactus), and *Prosopis species* (Velvet Mesquite).

1. Saguaros shall be preserved in place where practical as a first option. As a second option, all healthy, moveable specimens shall be relocated to other approved locations within the development pod they originally occupied. Every effort shall be made to preserve existing saguaros. Unhealthy or non-salvageable specimens that are destroyed as a result of development of the property shall be replaced on a one to one basis within the development pod where the original specimen was located. Saguaro survival shall be monitored, and any saguaros which die within five years from the date of transplantation or placement shall be replaced by a minimum three-to-five foot high saguaro specimen.
2. A separate native plant plan, prepared by a Registered Landscape Architect or a native plant salvage contractor approved by the Planning Director/Community development Director shall provide with each preliminary plat or development/site plan submittal, unless it is not specifically required by the Planning Director/Community Development Director, that contains an inventory of all trees on the site that have a two-inch caliper size

or greater single trunk size, or one inch average multi-trunk size, measure one (1) foot above grade. The inventory shall include documentation of the existence or absence of endangered or threatened plant species on the site. The landscaping plan will provide for either the transplanting, preserving, or planting of at least as many trees as were originally inventoried on the site. Newly planted nursery trees will pertain to all construction activity within the plan area.

3. A mitigation plan shall be developed for protected/endangered species in the event they are found on-site during the construction process.
4. Utility Scale Solar Provisions. Any plant material that is to be salvaged and relocated, or is required to be planted to replace a destroyed plant, as specified above, to accommodate the development of Utility Scale Solar facilities, shall utilized to comply with the landscape requirements of the Utility Scale Solar of Section 21-3-1.39 of the Ordinance. Any extra plants shall comply with section IV.G.1. and 2 and shall be planted within the setback per Section 21-3-1.39 of the Ordinance.

V. DESIGN GUIDELINES

A. Regulatory Requirements and Provisions

1. The Design Guidelines of this Section are supplementary to the City of Eloy's Eloy Code regulations (e.g. Building, Zoning, etc.), and are intended to enhance those regulations. These Design Guidelines shall not circumvent or supersede the City of Eloy's Eloy Code regulations. The Design Guidelines are intended to be guidelines between the Master Developer and the builders and are not intended to be replaces the City's regulatory requirements in any manner.

2. The Design Guidelines of this Section do not apply to Utility Scale Solar facilities. These uses/facilities shall be developed in accordance with Section IV.C.3.d.

B. Design Review

Design Review Committee: The Master Developer will establish a Design Review Committee (DRC) before the submittal of any preliminary plat or development/site plans for the PAD, excluding any preliminary plat or development/site plan necessary to construct a Utility Scale Solar facility. The DRC functions will be to refine these guidelines, establish review procedures, and administer the design review process for Picacho View II. It may consist of 3 regular members and one alternate member. The DRC may consist of representatives from the Master Developer including his architect, or landscape architect consultant. The DRC has the authority to interpret the Guidelines in the event the Guidelines may not be explicit in a particular situation. The DRC may also amend the Guidelines by a 2/3 majority vote.

Design Review Procedures: Establishment of review procedures will be based on the following guidelines:

- Pre-design meeting with the builder, owner, and/or architect to offer direction in preparing preliminary plans.
- Review of preliminary plan submittal to determine general conformance with these guidelines.
- Review fees (if any) may be established by the DRC.
- Following preliminary approval, a review of the final submittal containing information detailed enough to allow the DRC to determine compliance with these guidelines.
- The right to inspect all work in progress and give notice of non-compliance shall be reserved by the DRC.
- The right of final approval for all completed construction to assure consistency with these guidelines.

Geographic Review Zones: For the purpose of design review, Picacho View II is divided into four project review zones. The level of design review and areas of concern vary depending on location. The major review areas will be:

Zone 1 • Theme Area: This project area will be reviewed extensively because of the project's prominent location in the community. Specifically, the Master Developer **will** be reviewing the following areas:

- The perimeter edge treatments of the Village Center and Commercial areas as they relate to landscaping, fencing, architecture, and building placement;
- Front and rear privacy walls that conform to the architecture;
- The use of details fountains and hardscaping in recreational areas;
- Off-site views of the project and all structures from adjacent major streets.

Zone 2 • Elevation Enhancement Area: This Zone is visible from the major arterial streets. Typically, major areas of review are edge conditions:

- One story or low profile roofs that slope away from the corner lot;
- Rear and side yard fencing or wall details;
- Two story building locations;
- Architecture elevations of rear and side of homes;
- Landscaping and entry monumentation.

Zone 3 - Streetscape Identity Area: The purpose of this zone is to ensure a common landscape design treatment along the major roadways throughout the Picacho View II project. These major roadway design elements will create a consistent theme linkage between each project the helps create the Desert Village environment. The review areas include the following:

- Entry Statements and monumentation at primary and secondary entries;
- Streetscape treatment;
- Signing, temporary and permanent;
- Walls and fencing;
- Slope planting and common space elements.

Zone 4 - Minimal Review Area: These areas are the least visually prominent areas in Picacho View II. This level of review by the Master Developer will be the least stringent. The major areas of review will be:

- Overall conformance and compatibility with the design guidelines;
- Compatibility with adjacent projects;
- Plotting of homes should avoid repetitive roof planes when identical floor plans are frequently used;
- Corner lots at collector streets will be reviewed with the same level of review as Zone 2.

C. Site Planning

Purpose and Concept: Picacho View II will be developed as a Desert Community incorporating different product types and different site uses. The placement of buildings, roads, and utilities will have a major influence over the character of Picacho View II. This requires an understanding of existing site opportunities and constraints. Issues of building form, orientation, coverage, setbacks, parking, utilities, loading docks, storage areas, and access are involved. Density flexibility for residential land use pods shall be encouraged as an incentive to promote quality design that fosters a sense of community by integrating recreational features and open space. The density flexibility option shall be exercised on a pod by pod basis to assure the best use of terrain, views, and other site elements. Site plans for Utility Scale Solar shall conform to Section 21-3-1.39 of the Ordinance and Section IV.G.3.d. of this PAD.

Open space features will serve to provide an improved sense of neighborhood identity and cohesiveness. Additionally, this will provide a natural visual interruption of the built environment, enhancing its aesthetic quality from both on and off site.

VILLAGE CENTER AND COMMERCIAL DESIGN CRITERIA

Product Image: The village center should be placed in a highly visible location and reflect the image of the entire Picacho View II development. With this building is a vertical design element, such as a tower. The southwestern desert planting design should be strongly expressed in concert with this feature.

Retail and office structures are intended to be complimentary to the village center development. A sense of excitement should be reflected and created by the use of high quality materials reflecting the southwestern desert theme.

Commercial structures should be a mix of one, two, and other multi-story construction. In addition, a pedestrian circulation network of public sidewalks and major theme intersections is encouraged.

Priority Elevations: The village center and commercial buildings will be seen from most angles and will require a continuity of colors, materials, and details on all elevations. The incorporation of similar character stucco walls, roof styles, and other components is encouraged.

Parking Areas: Parking areas are recommended to be located along internal street frontages for ease of access and to create a sense of expanded streetscape by combining street and perimeter parking landscaping. No parking shall occur within 15 feet of any travel lane. Views of the parking areas should be filtered from traffic by landscaping within the required setback. Screening should be achieved by massing of trees and shrubs or by using berms or screen walls of sufficient height.

Parking access from major streets should be minimized. Entries should be located as far as possible from street intersections. Retail complex entries can be clearly delineated through the use of plant massing, repetition of elements of a theme, and patterned concrete or pavers to differentiate them from sidewalks.

Service Areas: To the extent practical, service areas should be concealed from view

behind buildings or through the use of landscaping or screening walls in keeping with the Desert Community theme of Picacho View II.

Utilities: To the extent practical, all new utility lines shall be underground. If existing utility lines need to be upgraded or moved, they shall be re-installed underground if economically feasible. All 12kv lines shall be placed underground.

GOLF COURSE AND OPEN SPACE/DRAINAGEWAYS CRITERIA

Product Image: Golf course within Picacho View II should be designed with a natural vegetative character. Open Space/Drainageways will include a plant material buffer using hydroseeding.

Parking and Service Areas: Golf course parking and service area regulations shall be the same as identified for the village center and commercial structures.

RESIDENTIAL DESIGN CRITERIA

Product Image: Homes will promote the southwestern architectural image of the Picacho View II Planned Area Development. Careful attention shall be given to the building massing, scale, and form in their relation to public areas.

Priority Elevations: The homes will represent a continuity of colors, materials and details on elevations. Priority in articulation should be given to those sides visible from streets and open spaces. The builder will submit street scene elevations of the differences and variety of building types and elevations to the DRC.

Building Setbacks and Orientation: The design of residential developments can be unique and provide varied streetscape appearances. Providing plans with differing setbacks fosters a variety of elevations.

Projects should be planned carefully to maximize the felling of open space within the development. Design approaches include curving streets, orienting the road axis to open areas and the creation of views.

Garages: Front entry garages are allowed if the garage is set back a minimum of 20 feet from the front property line. Side entry garages should be set back a minimum of 8 feet (except for LDR, where the requirement is 15'). Deeper setbacks are encouraged. The primary garage facade facing the street on side entry garages must be articulated with window openings, shadow relief, etc.

Garages should have a single story mass at the front of the building to provide an architectural transition to two-story massing. Side-entry garages are encouraged to break up the monotony of all garage doors being parallel to the street.

Front Privacy Walls: Front privacy walls finished to match the buildings are encouraged. Tiles, ceramic tile details, repetition of the cornice band detail, and use of accent trim color bands are also encouraged.

Rear Elevations: Rear facades which can be seen from open community areas will

have "front elevation" quality. Houses on corner lots should be joined by a side yard wall of uniform design and color as the main residence. The wall should comprise a coordinated architectural connection with the house when visible from streets or open spaces.

STREET DESIGN CRITERIA

Street Standards: A comprehensive circulation system provides the framework for the Picacho View II community structure. Major goals include:

- Ease of movement between neighborhoods, varying land uses, and surrounding areas.
- Maintenance of a circulation system, based on clearly differentiated major and residential collectors, according to traffic needs.
- Access drives for public use areas shall be coordinated to promote the efficient flow of traffic. Opposing intersections should be spaced a minimum of one hundred and fifty (150) feet apart to minimize left turn conflicts.
- Enhance transportation routes through a comprehensive landscape.
- Planned neighborhood street systems to serve local traffic demands, discouraging non-neighborhood traffic.

D. Architectural Guidelines:

Character/Design Details: The architectural character of Picacho View II is reminiscent of the styles and feeling of the Sonoran Desert. It is the intent of the Master Developer to encourage variety and individuality within a framework of Desert Community styles.

Southwestern architectural styles, reflective of historic settlements in the area, or other compatible styles approved by the Master Developer of the Design Review Committee are strongly recommended for all site-built structures within Picacho View II.

The following suggested style vocabularies for site-built structures within Picacho View II, are derived from the design heritage of Southern Arizona and the Sonoran Desert:

- A. Mediterranean
- B. Spanish Colonial
- C. Territorial
- D. Pueblo
- E. Southwest Traditional

The recommended styles have many similarities of scale, proportion, massing, and color that are uniquely appropriate to the southwest. Each of the styles has a common bond of detailing and plan form that is related to the environmental design requirements of the region.

Each of the styles is rarely found in its pure form. Cultural blending, environmental responses, and the availability of building materials have produced a unique regional character. Contemporary interpretations can be successful if the traditions of scale, proportion, and materials are blended with honest concern for climate control.

Materials: Stucco will be the primary wall surface material utilized throughout Picacho View II for site built structures. A smooth, sand or lace finish stucco finish look is typical. Accent materials and colors used to compliment the stucco are encouraged in moderation. The uses of tile, wood, or brick are permitted as design accents only.

- Recommended primary building materials include:
 - Concrete or Adobe Block;
 - Cement Stucco over Concrete Block or Wood Frame;
 - Slump Block (mortar wash only);
 - Natural Stone.
- Recommended accent building materials include:
 - Adobe and Fired Adobe Brick;
 - Mud Stucco over Stabilized Adobe Block;
 - Split Face Concrete Block;
 - Brick and Mortar Washed Brick.
- All exposed building materials must be finished.
- All exposed wood shall be treated with a preservative, stained or painted
- The use of wood by-products or simulated wood siding materials is prohibited.
- No reflective building materials shall be used.

Color Palette: Color is intended to act as a primary theme conveying element. In general, wall colors should be predominantly off-white, muted earth tones or light pastels with contrasting accents. The Master Developer will provide a list of recommended colors. Buildings are encouraged to have several colors; one base color with accent colors. The accent colors would typically be used on the cornice bands and window articulation.

Roofs and Pitches: Roof styles are to complement the selected architectural style. Actual colors will be subject to the Master Developer review. Roof slopes should harmonize the building mass with its plan. The slope of all pitched roofs shall be no flatter than 3:12 ratio. Simple short roof overhands are appropriate for Spanish Colonial, Southwest Traditional and Mediterranean styles. Flat roofs with parapets are suitable for Territorial and Pueblo styles.

Windows: The proportion of windows to exterior surface will be carefully considered by the Design Review Committee for each elevation. Window design should be appropriate for the chosen architectural style. Windows are typically rectangular, round, or arched headed openings. Recessed windows are an important characteristic of Spanish Colonial, Mediterranean, and Pueblo styles. Projecting windows may be used to add articulation to wall surfaces. Territorial and Southwest Traditional style windows are set flush with the wall surface. Silver, gold, or mill finish window frames are prohibited.

Doors: Doors, like windows in Southwestern architecture, are typically rectangular or round headed. Doors should relate to the selected architectural style. The doorway should be fully recessed in order to convey the appearance of thick, protective exterior walls in Spanish Colonial, Mediterranean, and Pueblo styles. In Territorial and Southwest Traditional architectural styles, doors are set flush with the wall surface. Southwestern

doors are traditionally wood with a "heavy" look as well as being detailed.

Garage Doors: The design of the garage doors should relate to the main building architectural style. Colors should be selected from the approved color palette. The design treatments include color accents and architectural features such as pediments, molding, small roofs, overhangs, and furr-outs to recess the garage door.

Columns and Archways: When used, stucco columns should be square, rectangular or round, and appear massive in thickness. Capitals and column bands are encouraged. At the bottom of the column, a base should be incorporated into all columns. The column height should be 4-5 times the width of the column.

The use of arches is appropriate for select southwestern architectural styles. Arches may have variations such as semi-circular, parabolic, or flat, and shall be in regular series with columns as supports or walls. Covered walks, patios, and colonnades should be enriched by having textured paving.

Chimneys: Chimneys should continue the same texture and materials of the building. The chimney caps should repeat the fascia cornice band or other treatment which integrates the trim colors. Caps are encouraged along with accents. Decorative metal caps that match the trim colors are permitted.

Gutter and Downspouts: Exposed gutters will be colored to match the roof or wall material. Exposed downspouts will be colored to match the surfaces to which they are attached.

Skylights: Skylights are to be designed as an integral part of the roof. Skylight glazing shall be clear or solar bronze. White glazing is prohibited. Skylight framing materials must be colored to match or blend with the roof.

Mailboxes: Mailboxes should be coordinated within each individual development area. Their color and materials should be coordinated with the structure(s) it serves. Other standards for mailboxes will be reviewed by the Master Developer.

Exterior Lighting: All exterior building lighting will be a consistent southwestern desert theme. Energy conserving lamps are encouraged.

Solar Panels: Solar panels are discouraged but will be reviewed by the Master Developer.

Awnings: Fabric awnings are permitted in moderation. Metal awnings will be reviewed by the Master Developer.

Mechanical Equipment: All air conditioning/heating equipment, soft water tanks, electric self-timer boxes for sprinklers or exterior lighting will be screened.

Security Gates and Gate Arms: Security gates and gate arms will be subject to review by the Master Developer. Approval by the appropriate jurisdictional fire department is also required.

D. Landscape

Purpose and Concept: The purpose of establishing Landscape Architectural Design Guidelines is to provide a reference for planning and designing of development. The intent of these guidelines is not to require rigid adherence to a particular landscape style or to limit the range of materials or colors. More correctly, the guidelines should be used to achieve continuity and a standard of quality throughout the larger visual context.

A landscape planting theme will be established creating a community framework for all common and public areas. Consistent landscape planting will be encouraged to use native southwestern plants and other drought tolerant species (See Appendix F). This landscape structure will provide each development area with a separate identity, as well as act to link the various areas together in a cohesive community. Landscaping should be in compliance with the City of Eloy landscape ordinance.

Streetscape Concept: The streetscape is among the most prominent landscape elements within the project. The intent is to provide unity and variety while drawing upon the natural desert and riparian heritage of the property. There are two levels of streetscape treatment in Picacho View II:

Primary Corridors: The primary corridors through the project set the overall community theme. Thematic plantings and treatments will be consistent along these corridors. Design review for these areas will be consistent with the Geographic Review Zone 3 found in this section. Recommended plant materials are listed in Appendix F: Zone #1.

Interior Project Streets: Individual neighborhoods may feature landscaping or street tree themes to create neighborhood identity. Plants are to be selected from the Appendix F: Zone #2 plant palette with each development choosing one street tree.

Entry Feature Statement: Picacho View II contains a series of entry features with an integrated design of landscape, hardscape, monumentation, and signage. Entry features aid in defining the community's character and presents an introduction to the development. The hierarchy of these entry features is as follows:

Primary, or "Major" Entry Statements: The Primary Entry Statements serve as a gateway to the project. The statement, seen from a distance, provides the backdrop for the project name and logo. It signifies arrival and establishes the theme of the development.

Secondary, or "Village" Entry Statements: The Secondary Entry Statements also signify the arrival into Picacho View II, or a Village. The design of these statements will be similar to the Primary

Statements but smaller in scale. The Secondary Statements may be along the main collector roads, or entry roads, and will identify a cluster of subdivisions using a village name, or identify Picacho View II.

Subdivision Entry Statements: Each individual builder subdivision may have a unique entry feature to provide individual identity to the development. Entry features may include a combination of some of the following elements: entrance paving (such as bomanite), fountains, distinctive landscape treatment, planters, special wall treatment, etc.. Geographic Review Zone 2 and Landscape Zone # I plant palette applies to all entries.

Project Edges: The project edges are an important landscape element within the project. The boundary of the project should not be an abrupt edge, but should be a gradual transition to the adjoining landscape. The intent is to provide unity and variety while drawing upon the natural desert and riparian heritage of the property.

Where Picacho View II adjoins an off-site roadway, treatment may be required to screen residents from traffic. The use of dense plantings of native evergreens and shrubs will be used for sound attenuation and visual screening. A fence or wall screened on both sides by native plant material may be used in combination as well. Plants for projects edges should be selected from Zone #1 plant palette found in Appendix F.

Picacho View II property adjoining residential or school areas will require a landscape treatment to preserve the privacy of Picacho View II residents. In these areas visual screening and noise buffering are suggested. Dense hedges or walls are permitted.

Hardscape Design Elements: Hardscape design elements serve aesthetic as well as functional uses. Elements such as paving, mailboxes, benches, bus shelters, and trash receptacles create opportunities to reinforce the design theme of Picacho View II.

The following are characteristics to be used in evaluating all hardscape items:

- Security, safety, comfort, and convenience of the user, including the disabled.
- Simple in function and design.
- Compatible in form, color, and scale with surroundings and other street furniture.
- Furniture should be placed to minimize safety, policing, and security hazards.
- Cost effective.
- Street furniture should be incorporated in park or landscape spaces and off street amenity areas to the greatest extent possible.

Drainageways and Retention/Detention Basins: Drainageways and retention/detention basins form the major open space within the community. It is important for drainageways to remain as contiguous as possible so that they can function effectively as corridors. In addition, the open space provides visual relief along vehicular routes and creates and enhances the value of adjacent residential neighborhoods.

Hydrological site elements can have multi-purpose uses, such as areas for golf, drainage, open space, recreational trails, and buffers between different land uses. Contiguous wash systems can provide linkages between larger open space areas and housing uses.

Drainageway revegetation treatments shall be used wherever possible. Stabilization of washes shall be used when the hydrology of the situation demands it. Native river rock should be used along the wash slopes to further stabilize slopes when required. Altered

wash slopes and retention/detention basins shall be planted with hydroseed or bank covers and shrubs to prevent excessive erosion and create a more natural appearance.

Revegetation and Erosion: Graded areas subject to substantial erosion shall be revegetated prior to seasonal rains for erosion control. Revegetation shall be with native plant materials and/or a native seed mix (See Appendix F).

E. Monumentation and Signage

Purpose and Concept: A quality monumentation and signing program will be developed and administered by the Master Developer to inform and direct the prospective buyer. Both monuments and signs will reflect the desert theme. In addition to the Picacho View II Planned Area Development, or the City of Eloy requirements that apply to monuments and signage, the Master Developer will review and apply further conditions as outlined below.

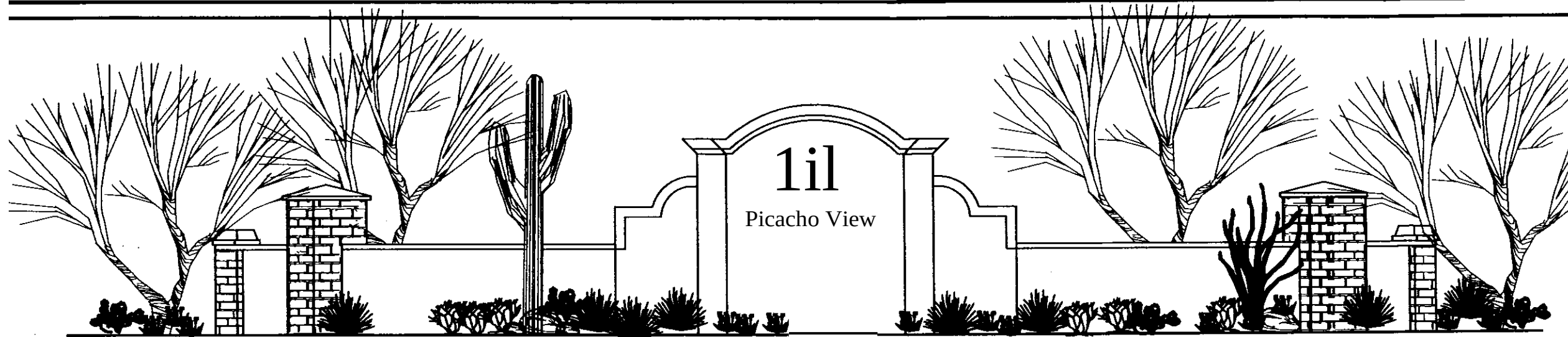
Major Monumentation: Areas along the main entry of Picacho View II, and at key designated intersection locations, are designated at the primary entry and at key identification points for Picacho View II. These features will depict the style of Picacho View II. Towers, theme walls, the use of theme landscaping and flowering plant material, with splashes of color, will portray the desert flavor of Picacho View II.

Village Monumentation: Smaller scale Entry/Village monuments may identify a cluster of subdivisions along collector streets within the residential communities, or identify entry into Picacho View II. These features may contain the same design elements as the Major Monumentation although they will be presented on a smaller scale.

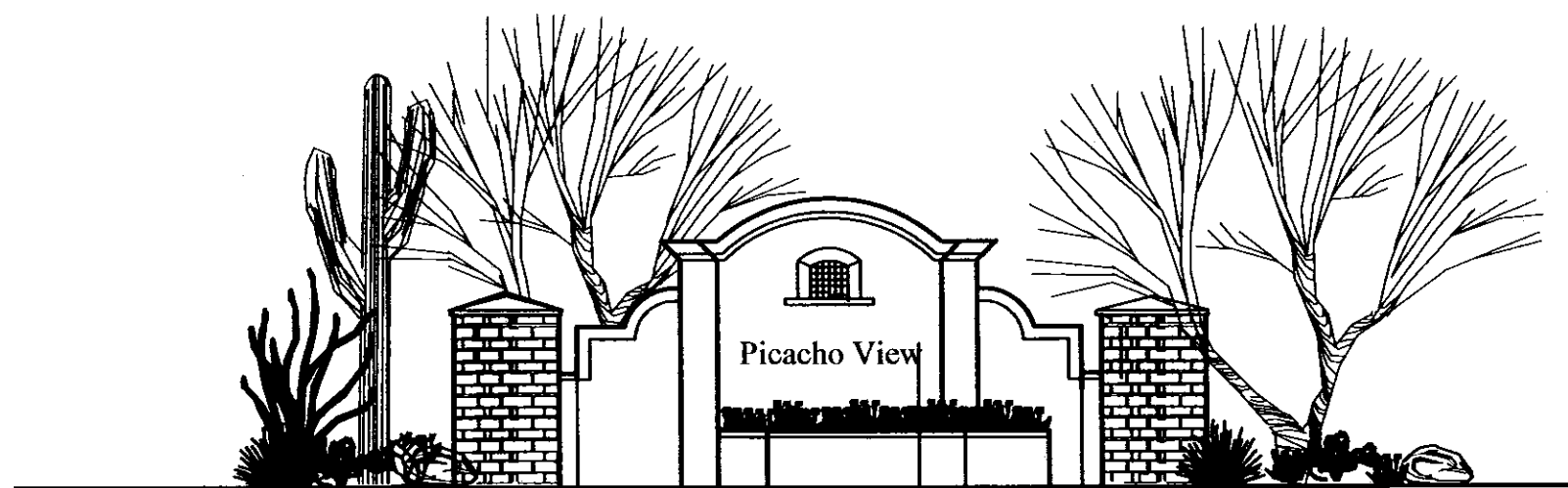
Subdivision Monumentation: These smaller scale entry monuments may be incorporated into each neighborhood by the project builder. Design of this feature should be consistent with the materials of Picacho View II. Entry designs may be reviewed by the Master Developer. Signing will reflect the character of each neighborhood while conforming to the overall Picacho View II southwestern desert theme.

Street Signs: Street signs installed by the Master Developer will be the standard street signs approved by the City of Eloy, or a "custom-designed" sign approved by the Master Developer, and the City of Eloy's Planning Director and Engineer.

Directional and Commercial Signage: Signs for any given development parcel must be submitted to the Master Developer for approval prior to submittal to the City of Eloy for any sign permits. The Master Developer is responsible for final interpretation of the guidelines and may, at its discretion, modify them to accommodate any unforeseen circumstances. The City of Eloy sign code shall govern signs.



Primary Signage Elevation
Scale, 1"=6'-0"



Secondary Signage Elevation
Scale, 1"=6'-0"

Entry Monument
Wall Schematics

Picacho View

A Planned Area Development

NOTES:

1. ALL PERMANENT SIGNS AND WALLS SHALL BE SUBJECT TO A SEPARATE REVIEW AND PERMITTING PROCESS WITH THE CITY OF ELOY.

2. WALL DESIGN IS SCHEMATIC.



Axis CoTJ

Realty & Engineering Group

801 E. Placita de AmokJo Tucson, Arizona 85718 Tel.: 520 544-5138

VI. PLANNED AREA DEVELOPMENT IMPLEMENTATION

A. Purpose

The regulations and guidance contained within the Planned Area Development. prescribe the implementation of development. Procedures for the administration of Specific Plan provisions are contained in this section. This chapter also provides information regarding general administration, subdivision, amendment procedures, and the linkage between these elements.

The base zoning districts of the Picacho View II Planned Area Development will be implemented through the subdivision process. The subdivision process will allow for the creation of lots as tentative plat maps which will allow for implementation of the project phasing, The Picacho View II Planned Area Development, and other official City of Eloy ordinances, policies, maps, and regulations will guide the platting.

The Utility Scale Solar use will be implemented through the requirements of Section IV.C.3.d. of the PAD.

B. Definitions

Entities must be identified in order to assign responsibility for implementation of the improvements for Picacho View II. These entities are the Master Developer, District, and the Builder.

The Master Developer and/or the District are the entities responsible for insuring that the basic infrastructure facilities are planned and constructed to serve the development areas within the Picacho View II Planned Area Development.

The Builder is the purchaser of a development area, or portions of a development area, who will build infrastructure or provide for buildings within their areas of leasehold interest or ownership.

C. General Implementation Responsibilities

Implementation of the Picacho View II Planned Area Development shall be the responsibility of the Master Developer, District, Builder, or Utility Scale Solar developer.

D. Roadway Phasing

The circulation system will be implemented in phases as development occurs. The required major street improvements as shown on the Planned Area Development Circulation Map will be provided by the Master Developer, the District, or Builder, in phases and built to City of Eloy standards.

The City will work cooperatively with the Master Developer to obtain other sources of financing for offsite roadway improvements such as from state or federal funding sources. Timing of the improvements will be based on measured ADT's generated by development within the project. The design process will begin within nine months of measured ADT's which exceed the service level requiring additional road capacity;

Construction of said phased expansion will begin within 18 months of the ADT measurement. Impact to offsite road improvements will be in accordance with the Traffic Impact Analysis Report, prepared by CLA, dated May 2006, or as later amended. The Master Developer, District, or Builder will be responsible for constructing 100% of the onsite streets. Any expansion required of the 1-10 overpass structure will be the responsibility of ADOT.

The property owner/developer of the Utility Solar Utility Scale Solar use shall dedicate right of way, make improvements, and provide internal roadway emergency response access as provided in Section 21-3-1.39 of the Ordinance.

E. Drainage and Flood Control Phasing

The drainage system will be implemented in phases as development occurs. The required regional drainage channels, roadside drainage channels, on-site stormwater retention basins, and regional stormwater retention basins will be provided by the Master Developer in accordance with the Hydrology Report, prepared by Arroyo Engineering, dated May 2006, or as later amended. These facilities may be installed in phases, and will be built to City of Eloy Standards.

The drainage plan identifies areas that are owned or controlled by other property owners, and which may require assistance by the City of Eloy to acquire easements across portions of these lands in order to allow for the construction of a complete drainage system. Acquisition assistance will be at the discretion of the City, and all costs will be borne by the Master Developer. Costs associated with offsite regional drainage construction will be shared among the benefiting properties on an equitable, "fair share" basis.

F. Public Utilities Phasing

Sewer System Implementation: The Picacho View II project will include installation of significant onsite sewage infrastructure including lift-stations and collector-main lines. Each phase or portion of the project will include design and installation of its own onsite sewage collection system; and each of these onsite systems will then be connected to a new offsite regional treatment facility. Currently, the City of Eloy is preparing a sewer system master plan which **will** define where these regional treatment facilities will be located, and how they will be phased and funded. Picacho View II will participate on an equitable "fair share" basis in those facilities.

Water Distribution System: The Picacho View II project will be served by an onsite and offsite water distribution system. Each phase or portion of the project will include design and installation of its own onsite water distribution system; and each of these onsite systems will then be connected to new offsite regional facilities. The onsite distribution system will consist of main lines of sufficient size to serve both domestic demand and fire flow. The Master Developer, District, or Builders will be responsible for design and construction of all on-site systems to improve fire flow.

Currently, the City of Eloy is preparing a sewer system master plan which will define where the regional water supply facilities will be located, and how they will be phased and funded. Picacho View II will participate on an equitable "fair share" basis in those facilities.

"Dry" Utilities: Electric, telephone, gas, and cable television utilities shall be furnished to the site in accordance with servicing provisions and financial contributions mandated by each individual service provider. The Master Developer or Builder will bear all applicable costs for spine infrastructure in accordance with these provisions.

The phasing of these utilities shall largely be the province of each service provider and will be determined at actual development review and processing.

APPENDICES

WILL BE ATTACHED AT A LATER DATE

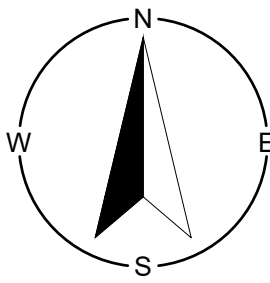
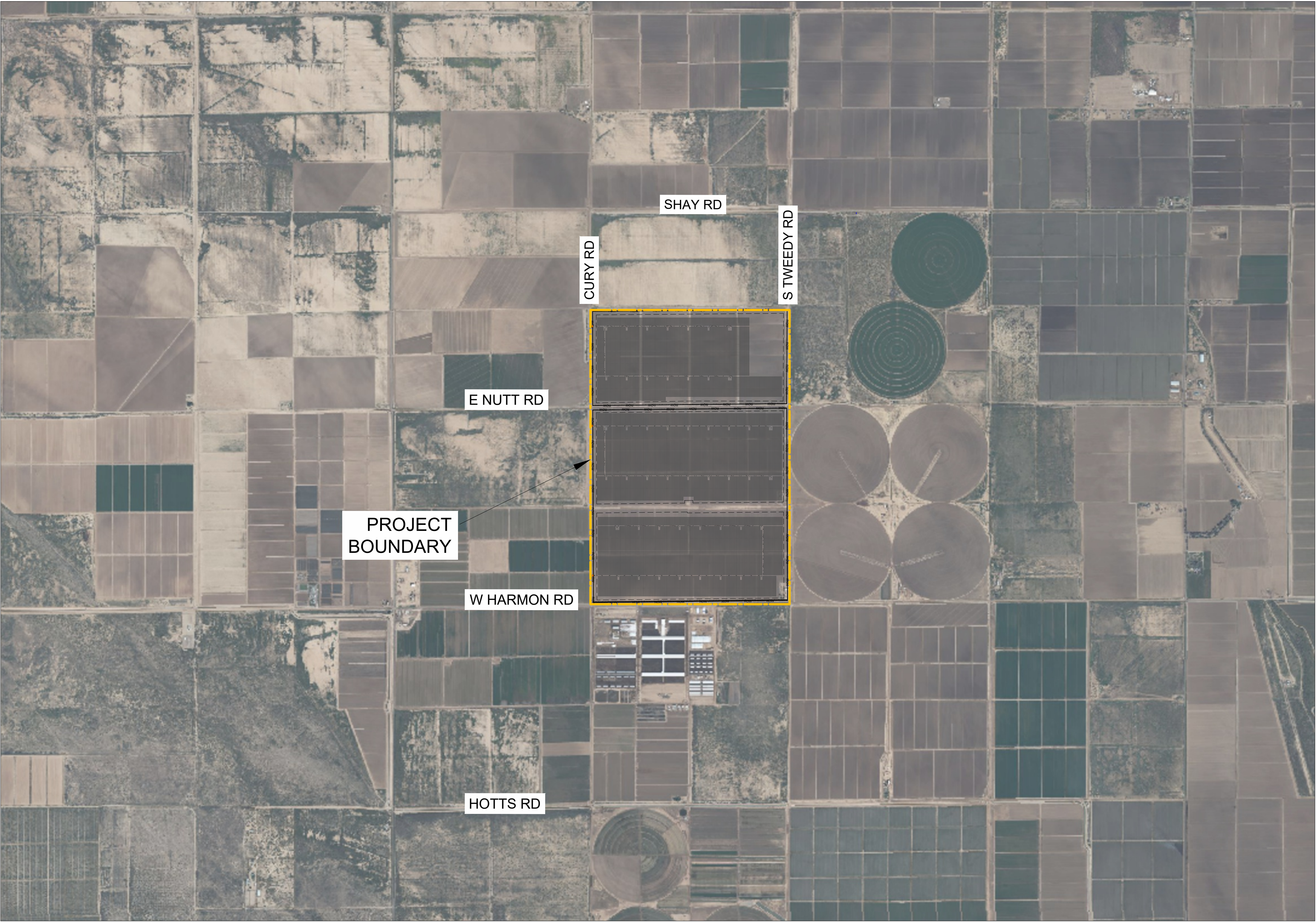
APPENDICES

Picacho View II Planned Area Development

PICACHO VIEW II PAD

Interim Use Project Plan: Utility Scale Solar Conceptual Development Plan

SITE LAYOUT



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SITE LOCATION
ELOY, AZ

DRAWING ISSUE	DATE	DB	CB
DEVELOPMENT PLANS	07/15/2024	RL	DJ
#	1		

PROJECT NO : 23015
DRAWING TITLE
TITLE SHEET

DRAWING NUMBER
C000



DEMOLITION NOTES

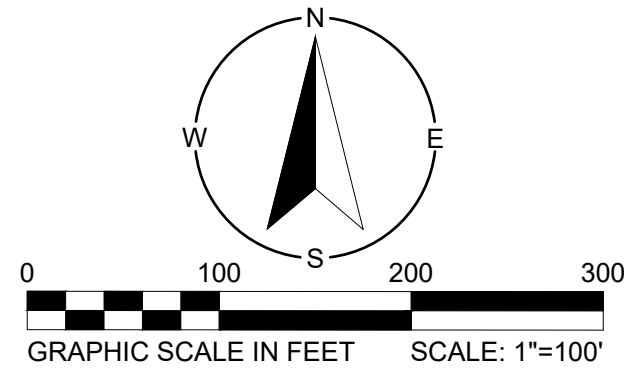
1. THERE SHALL BE NO DEMOLITION OUTSIDE THE MARKED LIMITS OF DISTURBANCE UNLESS SPECIFICALLY CALLED FOR IN THE PLANS.
2. EXISTING VEGETATION WITHIN THE LIMIT OF DISTURBANCE SHALL BE PROTECTED WHEN POSSIBLE DURING CONSTRUCTION.
3. REMOVAL OF ANY EXISTING ITEMS SHALL BE COORDINATED WITH APPLICABLE FEDERAL, STATE, COUNTY, CITY, LOCAL AGENCIES, UTILITY COMPANIES, OR LANDOWNERS.
4. ALL SECTION LINES WILL HAVE HALF STREET RIGHT-OF-WAY DEDICATIONS.
5. ALL ROADS IN THE DEDICATED RIGHTS-OF-WAY WILL BE DOUBLE CHIPPED SEALED AND 28' IN WIDTH.

FIRE NOTES

1. WATER STORAGE TANK OF (20,000 TO 30,000 GAL) SHALL BE PROVIDED WITHIN 1000 FT OF THE BESS, UNLESS AN EXISTING WELL IS ACCESSIBLE WITHIN 1000 FT.
2. ALL WEATHER ROADS AND DRIVE SURFACES SHALL BE A MINIMUM OF 4-IN AGGREGATE COMPACTED TO 95% AND 12-IN NATIVE SOIL COMPACTED TO 95% PER IFC 2018. ALL ROADS SHALL BE ABLE TO SUPPORT A 75,000 LB APPARATUS.
3. KNOX BOXES SHALL BE PROVIDED AT ALL LOCKED GATES.
4. ROAD TURNING RADII SHALL COMPLY WITH INTERNATIONAL FIRE CODE REQUIREMENTS.
5. FENCE SETBACK FROM ARRAY IS ADEQUATE TO ALLOW FIRE ACCESS AROUND THE PERIMETER OF THE SITE.

LEGEND

- CUP PROJECT BOUNDARY
- SHEET MATCHLINE
- EXISTING PROPERTY BOUNDARY
- SURVEYED CENTER LINE
- EXISTING ROAD
- R/W EXISTING RIGHT OF WAY
- EAS EXISTING TRANSMISSION EASEMENT
- OH EXISTING OVERHEAD LINES
- PROPOSED SETBACK
- PROPOSED RIGHT-OF-WAY DEDICATION
- PROPOSED VEGETATED BUFFER
- PROPOSED FENCE
- PROPOSED GATE
- PROPOSED ROAD
- PROPOSED N-S AXIS TRACKER
- PROPOSED INVERTER
- PROPOSED CULVERT



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PROJECT NAME
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PAD CONCEPTUAL PLAN
SITE LOCATION
ELOY, AZ

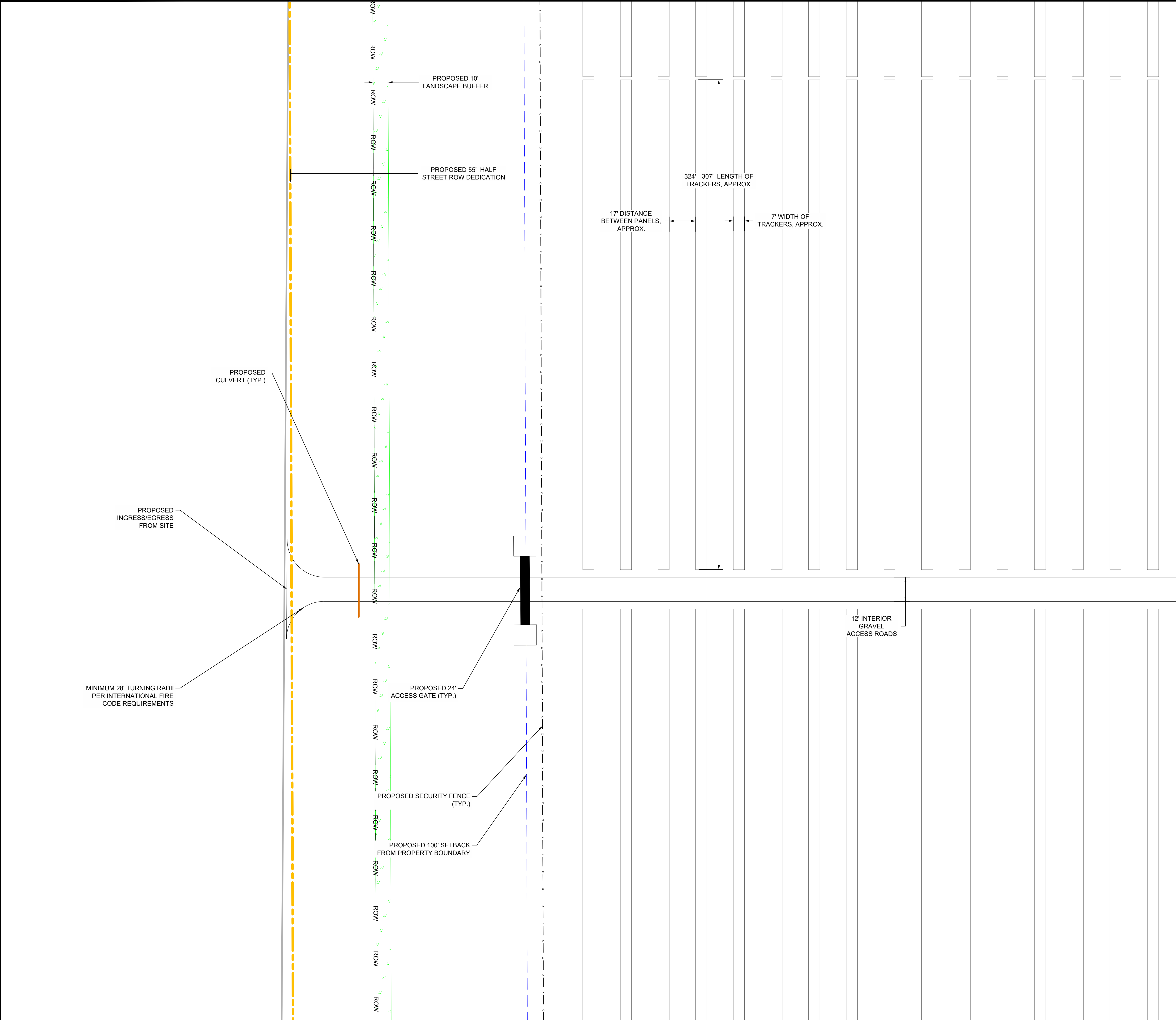
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PROJECT NO.: 23015

DRAWING TITLE
INSET 1

DRAWING NUMBER

C201



DEMOLITION NOTES

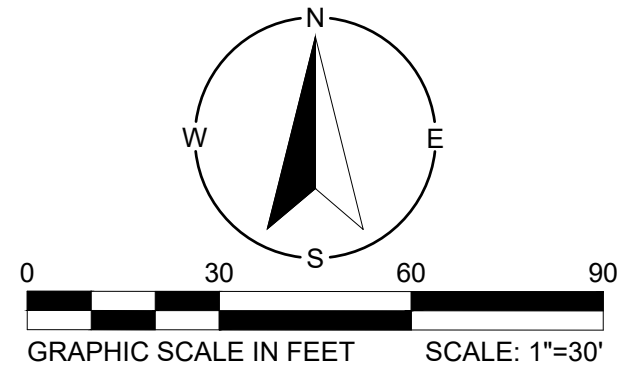
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LEGEND

- CUP PROJECT BOUNDARY
- SHEET MATCHLINE
- EXISTING PROPERTY BOUNDARY
- SURVEYED CENTER LINE
- EXISTING ROAD
- R/W — EXISTING RIGHT OF WAY
- EAS — EXISTING TRANSMISSION EASEMENT
- OH — EXISTING OVERHEAD LINES
- PROPOSED SETBACK
- ROW — PROPOSED RIGHT-OF-WAY DEDICATION
- PROPOSED VEGETATED BUFFER
- X — PROPOSED FENCE
- PROPOSED GATE
- PROPOSED ROAD
- PROPOSED N-S AXIS TRACKER
- PROPOSED INVERTER
- PROPOSED CULVERT



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PROJECT NAME
PICACHO VIEW II
PAD CONCEPTUAL PLAN
SITE LOCATION
ELOY, AZ

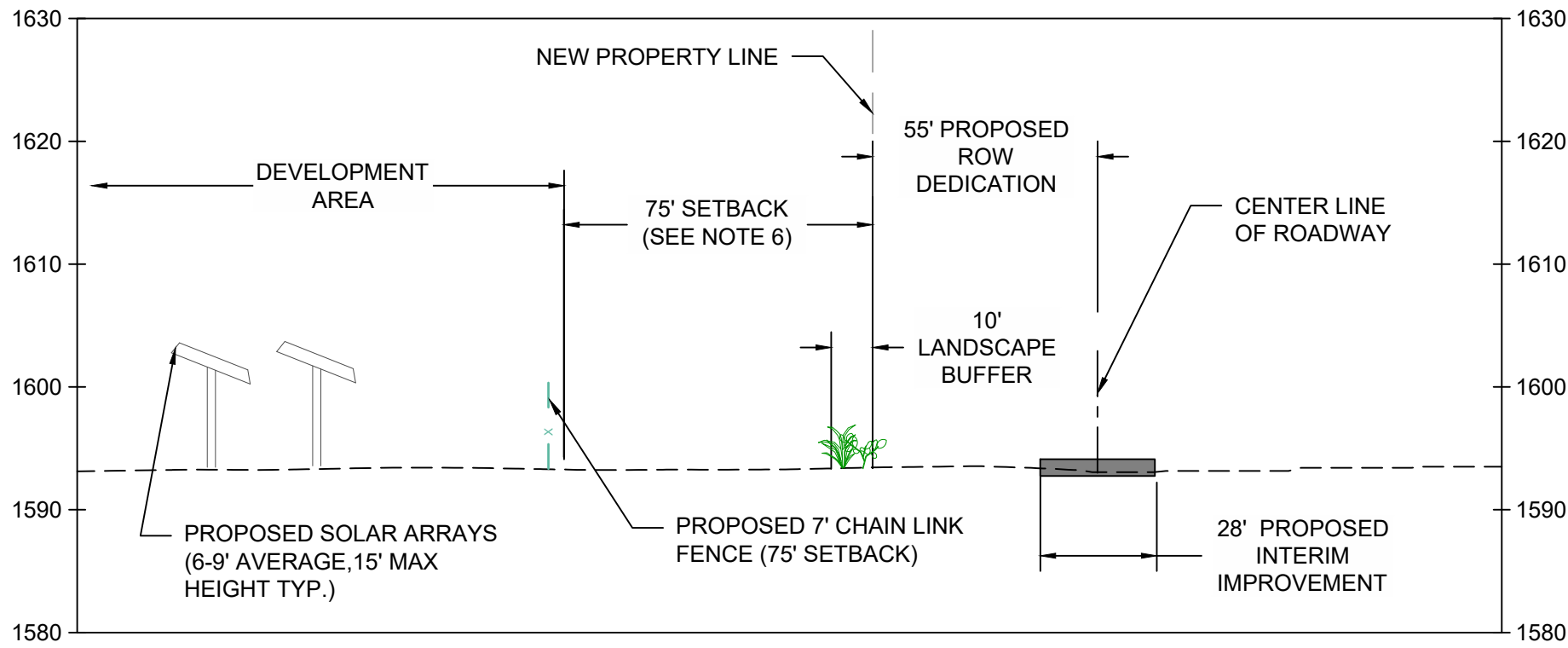
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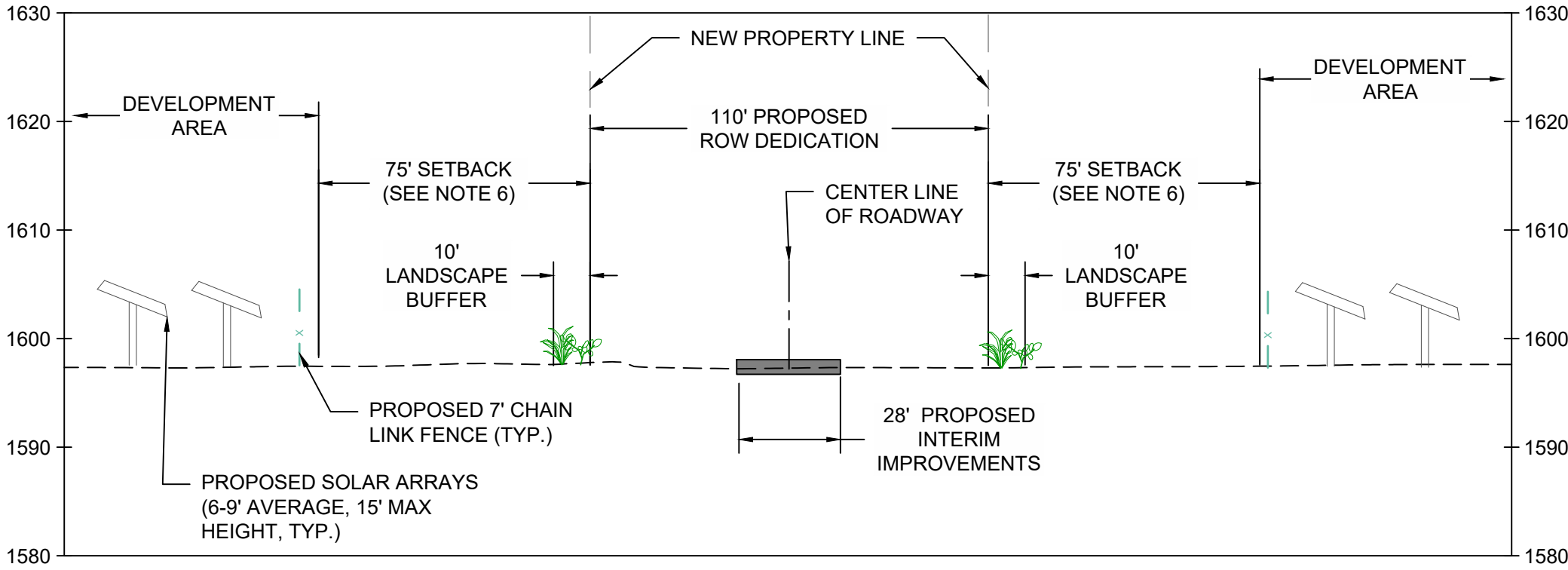
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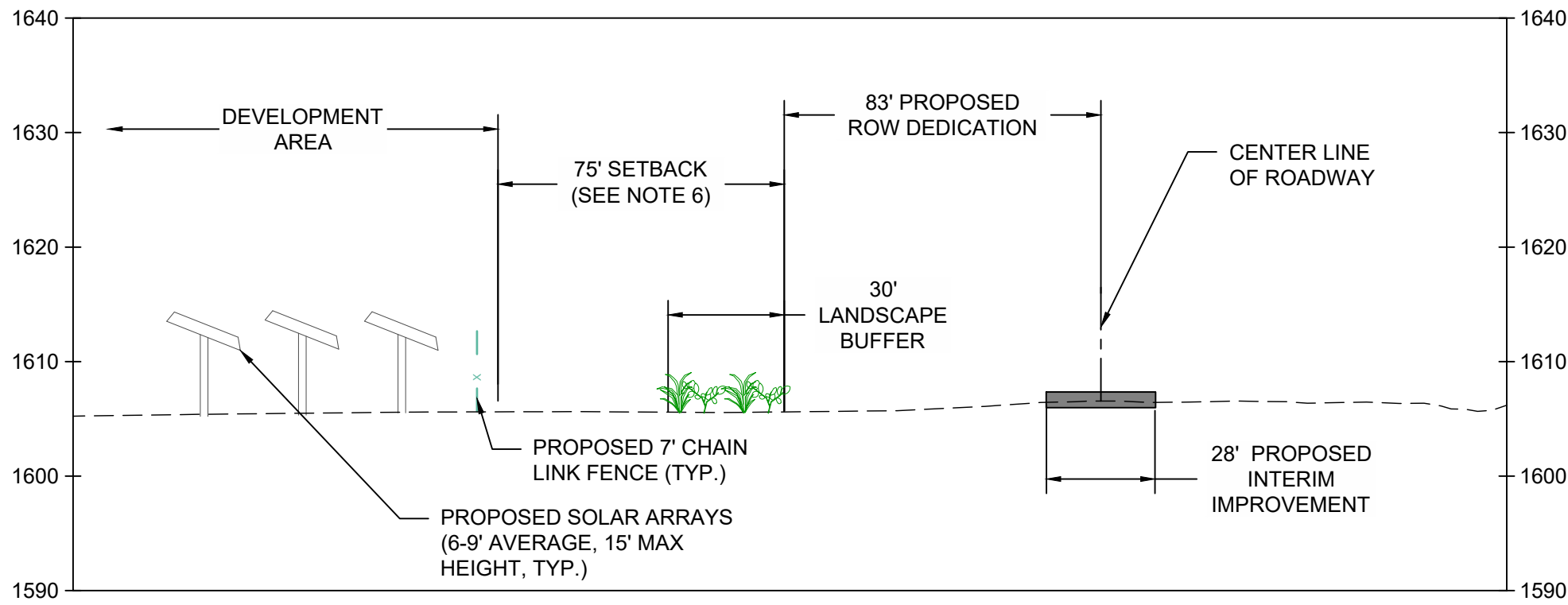
C203



A
- 55' HALF ROAD RIGHT-OF-WAY DEDICATION - TYPICAL SECTION



B
- 110' FULL ROAD RIGHT-OF-WAY DEDICATION -TYPICAL SECTION



C
- 83' HALF ROAD RIGHT-OF-WAY DEDICATION - TYPICAL SECTION

- NOTES:
1. THE INTENT OF THESE SECTIONS ARE TO VERIFY THE LOCATION OF RIGHT-OF-WAY DEDICATIONS, SETBACKS, AND LANDSCAPE BUFFERS. LOCATIONS AND OFFSETS OF FENCES AND ARRAYS RELATIVE TO RIGHT-OF-WAY DEDICATIONS AND SETBACKS ARE SUBJECT TO CHANGE.
 2. THE HEIGHT OF THE ARRAYS VARIES BETWEEN 6-9 FEET DEPENDING ON RELATIVE GRADES AND SLOPES.
 3. THE HEIGHT OF THE CHAIN LINK FENCE IS 7' POWDER COATED PER UTILITY SCALE GENERATION ORDINANCE.
 4. THE HEIGHT OF THE SOLAR ARRAYS IS SHOWN IN DETAIL ON SHEET C401.
 5. THE PUBLIC ROADWAYS ADJACENT TO THE PROJECT WILL BE IMPROVED WITH 28-FOOT DOUBLE CHIP SEAL ROADS.
 6. SETBACK SHALL BE INCREASED TO ONE-HUNDRED FEET (100') WHERE ADJACENT TO EXISTING RESIDENTIAL HOMES OR PROPERTY ZONED R1-12, R1-6, R-2, AND R-3, AND SIMILAR PAD ZONING.

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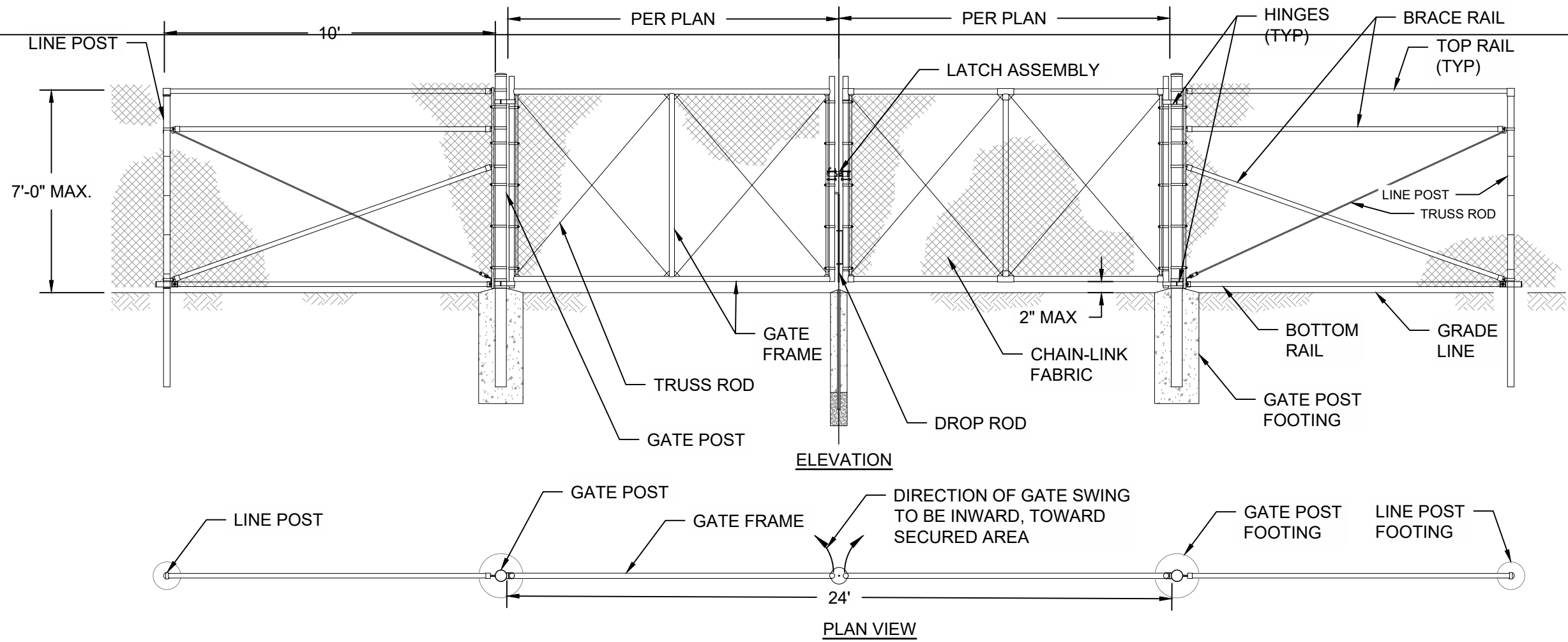
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PROJECT NAME
**PICACHO VIEW II
PAD CONCEPTUAL PLAN**
SITE LOCATION
ELOY, AZ

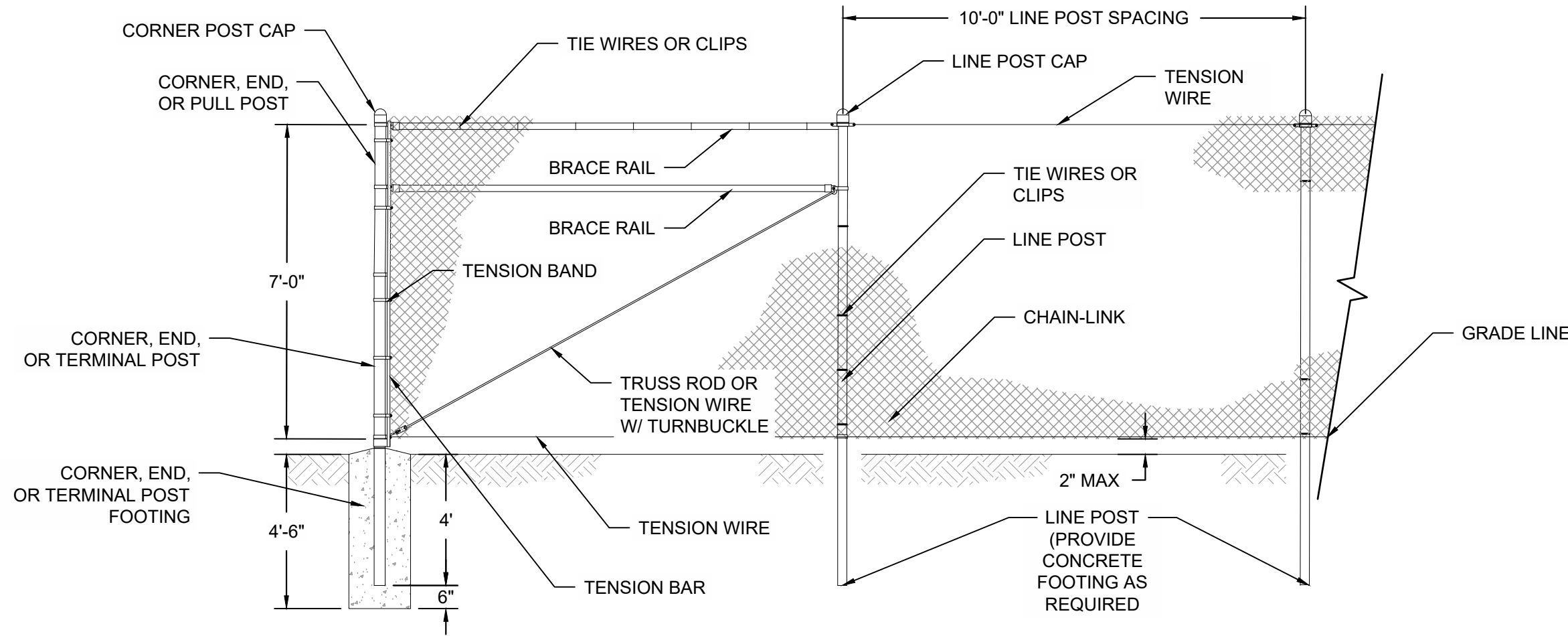
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PROJECT NO.: 23015
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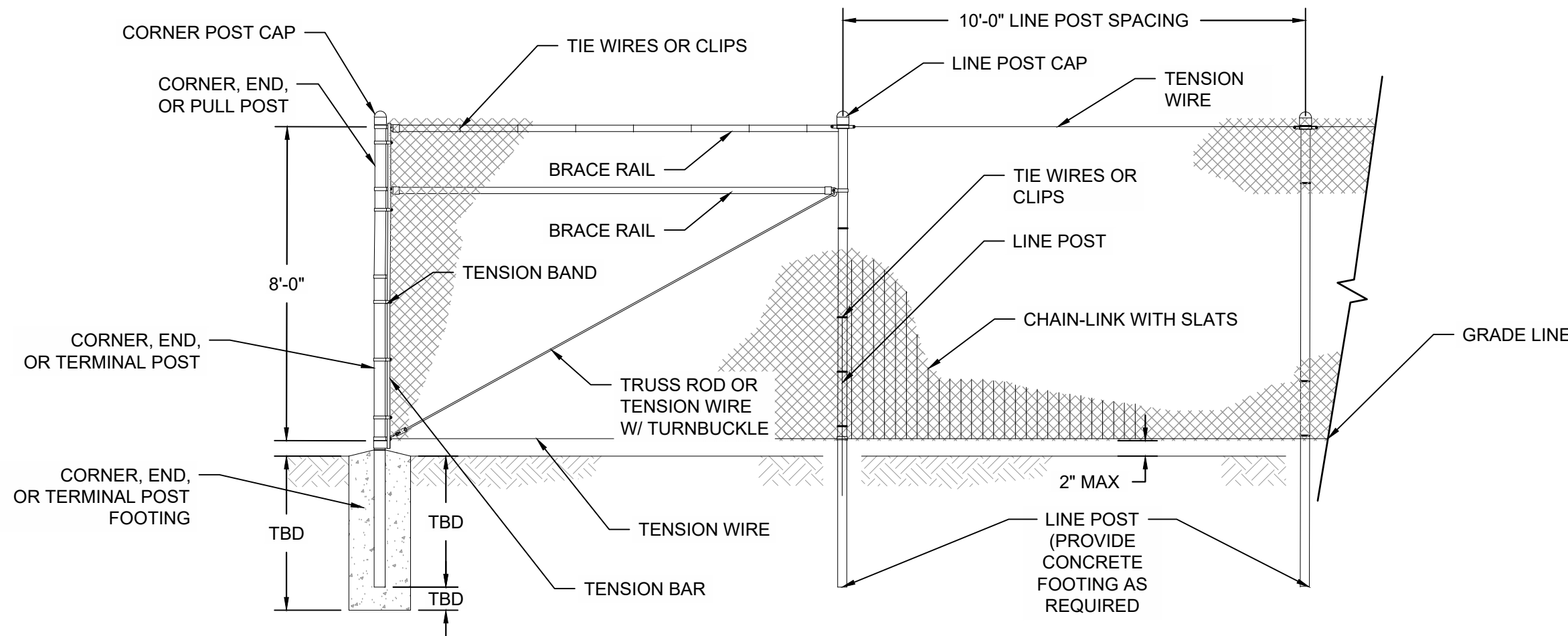
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1 TYPICAL 24' ACCESS GATE
SCALE: N.T.S.



2 TYPICAL PV POWDER-COATED PERIMETER FENCE
SCALE: N.T.S.



3 BESS & SUBSTATION POWDER-COATED PERIMETER FENCE
SCALE: N.T.S.

- NOTES:
- BATTERY ENERGY STORAGE SYSTEM AND SUBSTATION PERIMETER FENCE WILL BE IMPROVED WITH SLATS TO INCREASE OPACITY.
 - SLATS WILL INCREASE WIND LOAD. WIND STUDIES MUST BE COMPLETED TO DETERMINE POST FOOTING DEPTHS.
 - PV PERIMETER FENCE AND BESS/SUBSTATION FENCES SHALL BE SAGE GREEN WITH LVR < 40%.

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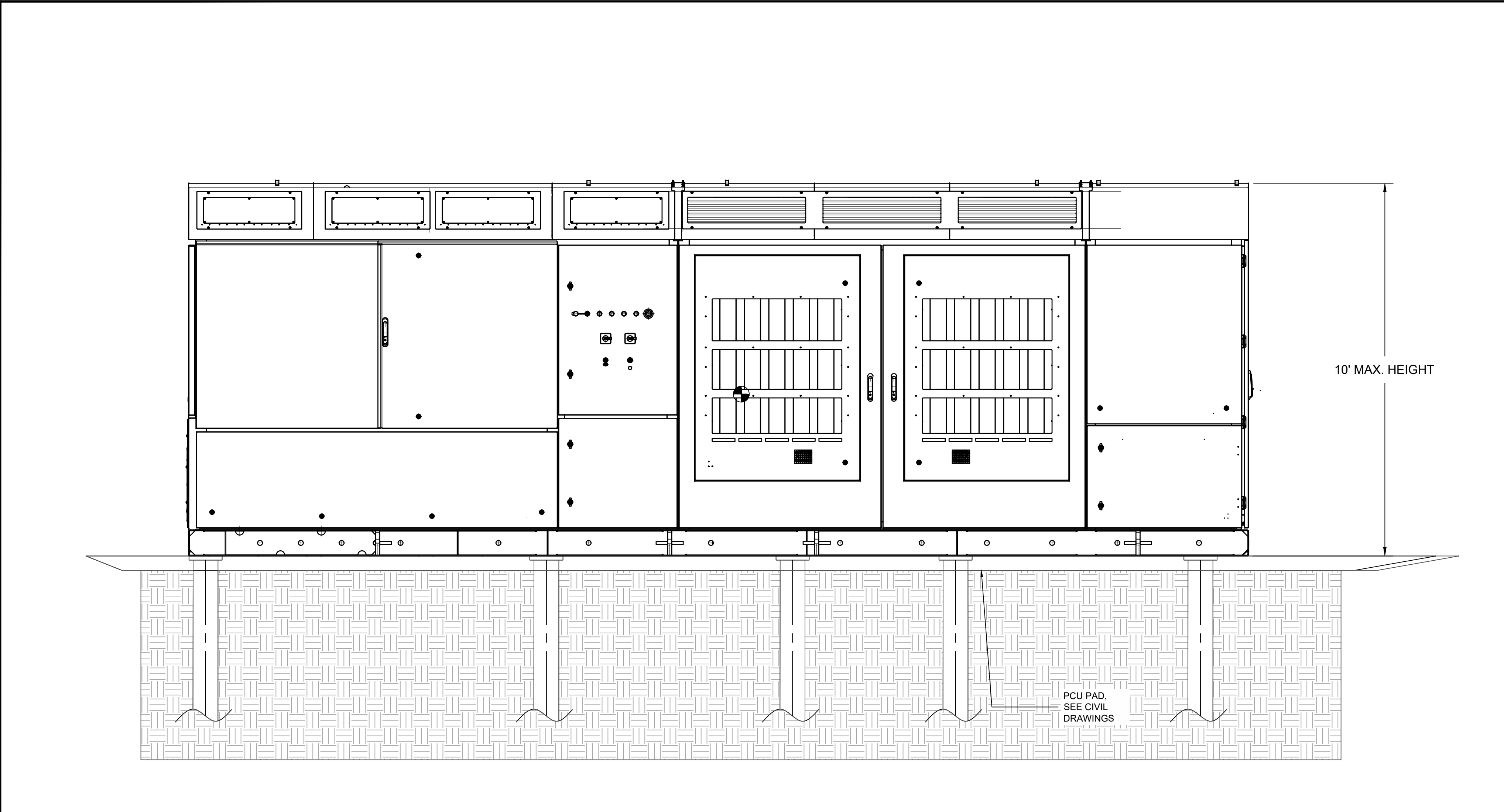
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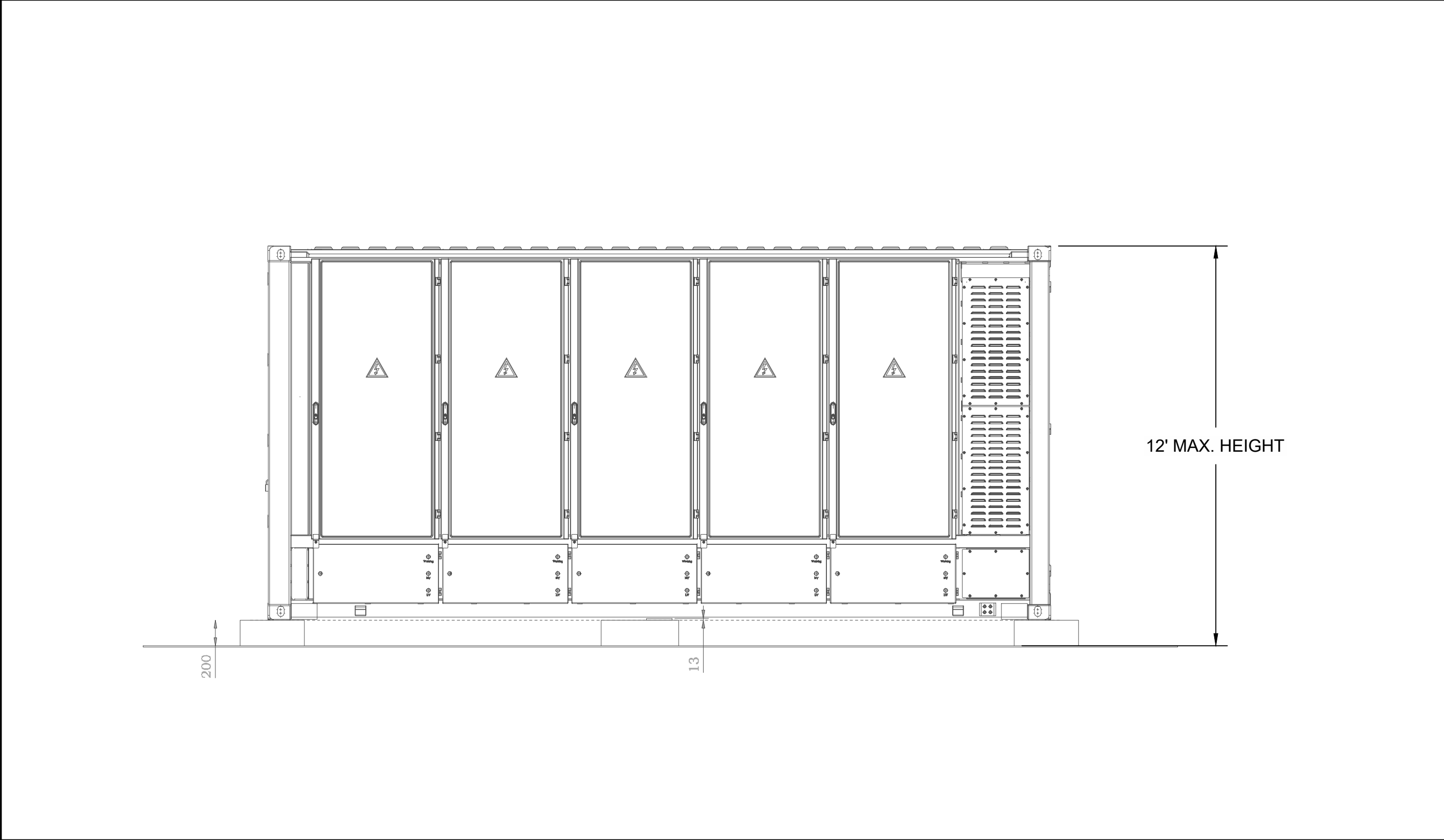
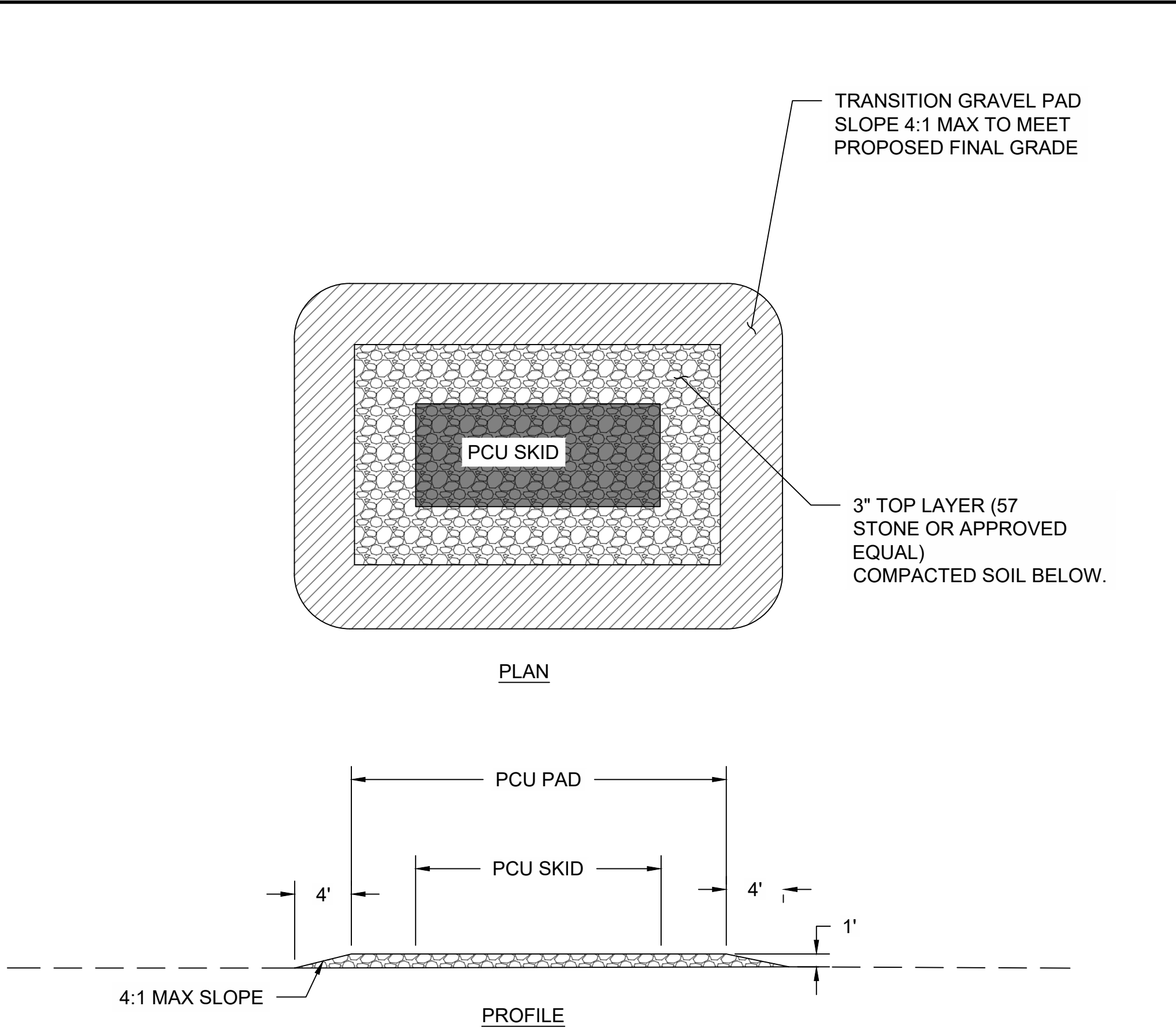
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PROJECT NO : 23015
DRAWING TITLE
**FENCE & GATE
DETAILS**

DRAWING NUMBER
C401

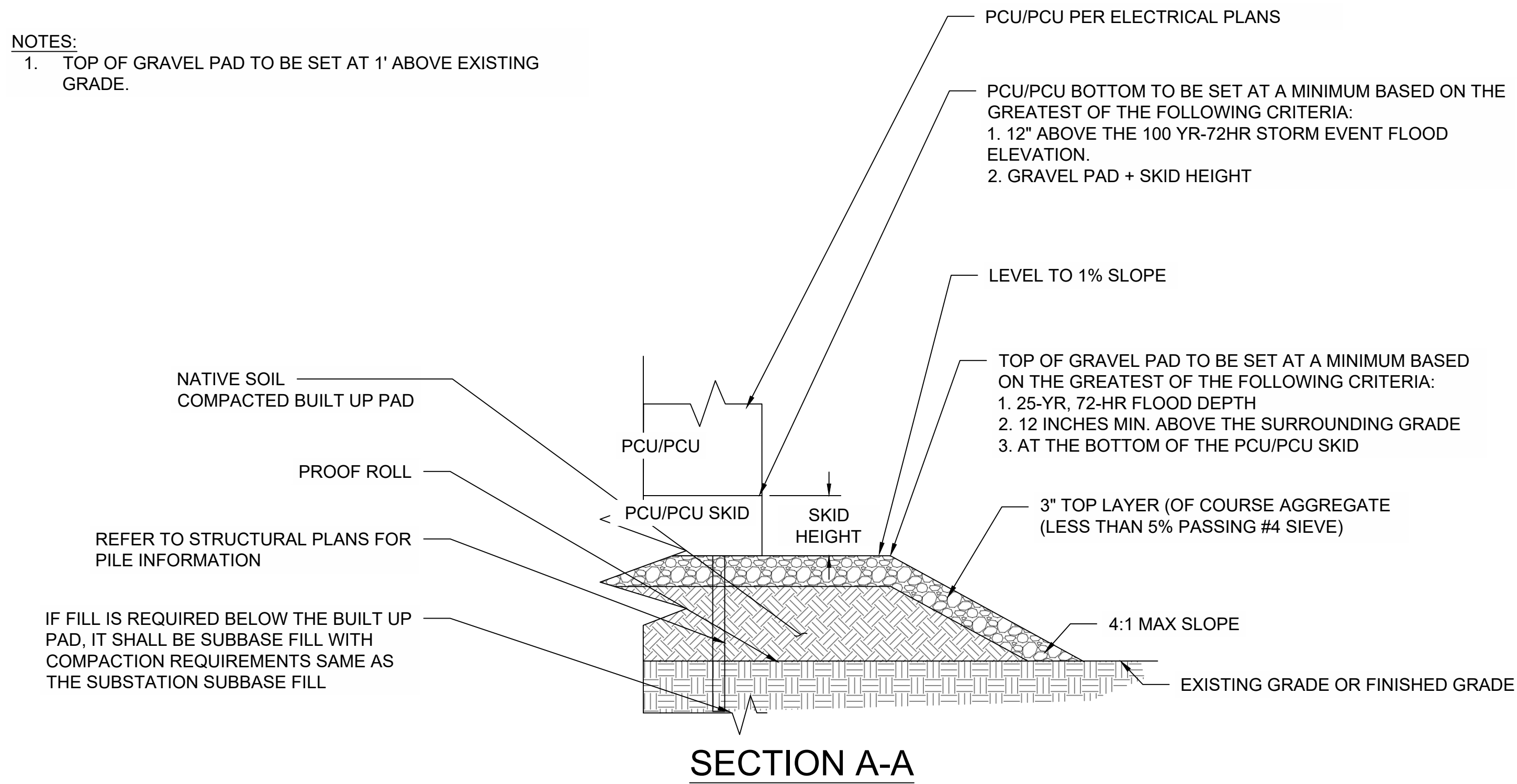


1 TYPICAL POWER CONVERSION UNIT PROFILE
SCALE : N.T.S



2 TYPICAL BESS ENCLOSURE
SCALE : N.T.S

NOTES:
1. TOP OF GRAVEL PAD TO BE SET AT 1' ABOVE EXISTING GRADE.



3 TYPICAL PCU SKID DETAIL
SCALE : N.T.S

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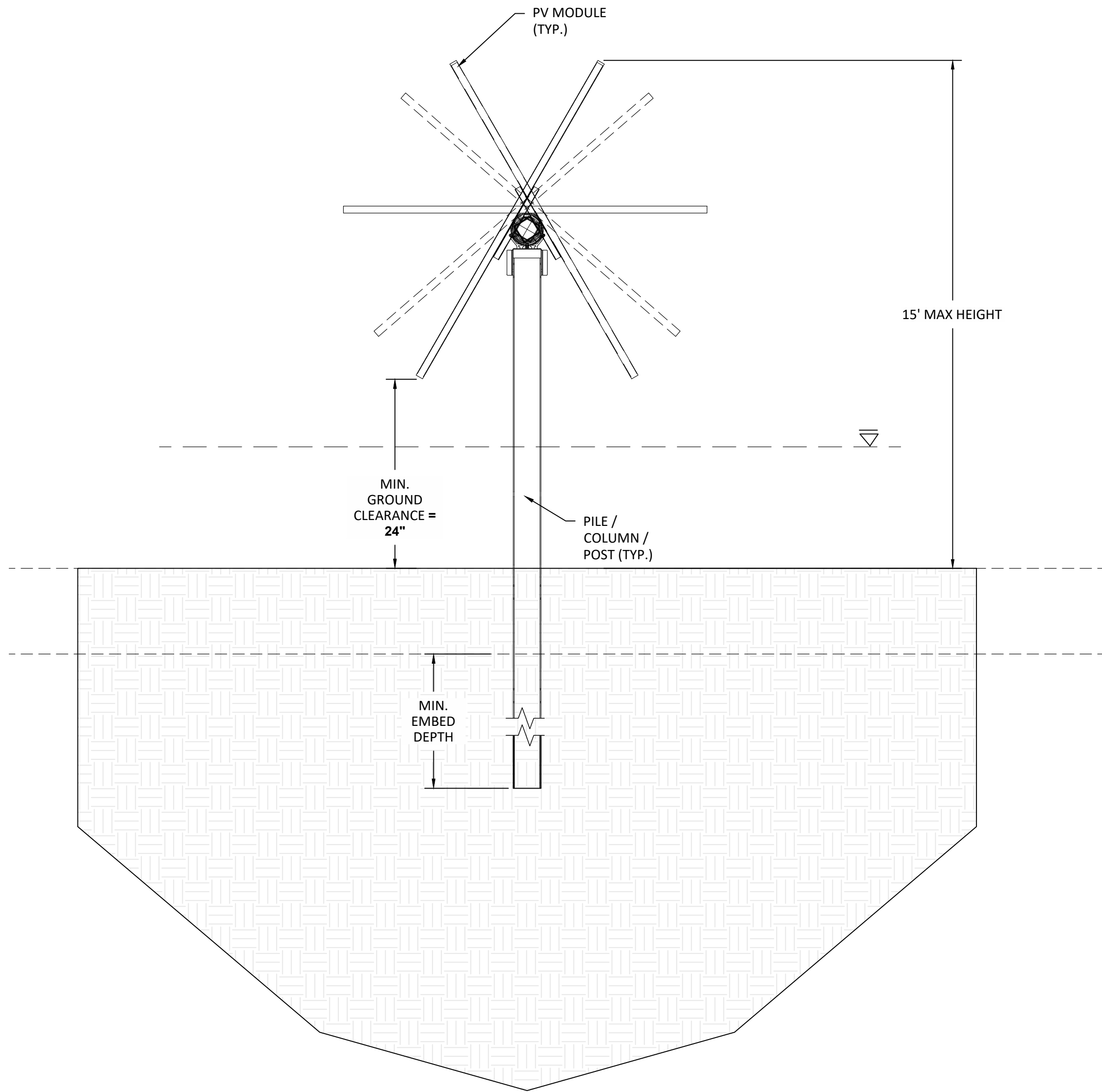
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PAD CONCEPTUAL PLAN**
SITE LOCATION
ELOY, AZ

DRAWING ISSUE	DATE	DB	CB
DEVELOPMENT PLANS	07/15/2024	RL	DJ

PROJECT NO : 23015

DRAWING TITLE
**INVERTER &
BESS DETAILS**

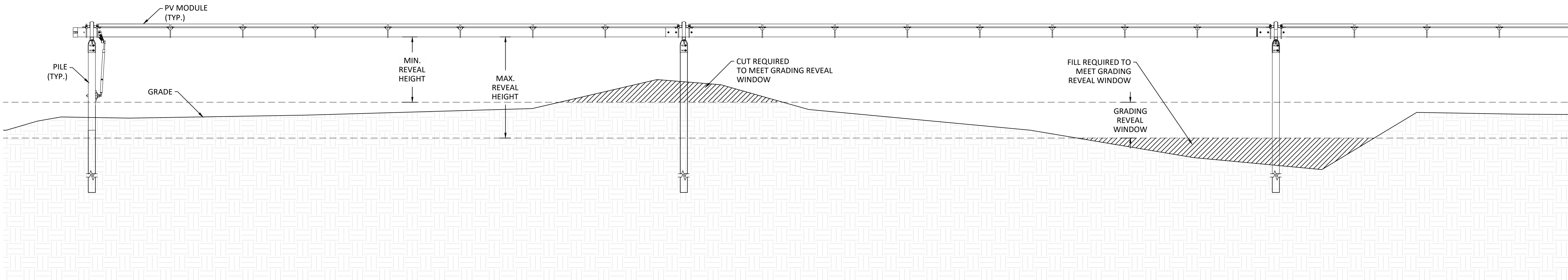
DRAWING NUMBER
C402



1 TYPICAL PV MODULE SECTION DETAIL
SCALE : N.T.S



3 TYPICAL SOLAR FIELD
SCALE : N.T.S



2 TYPICAL PV MODULE ELEVATION ENLARGED VIEW
SCALE : N.T.S

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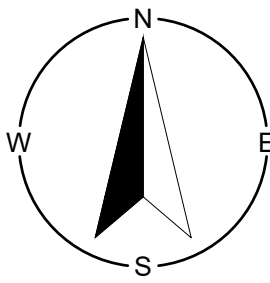
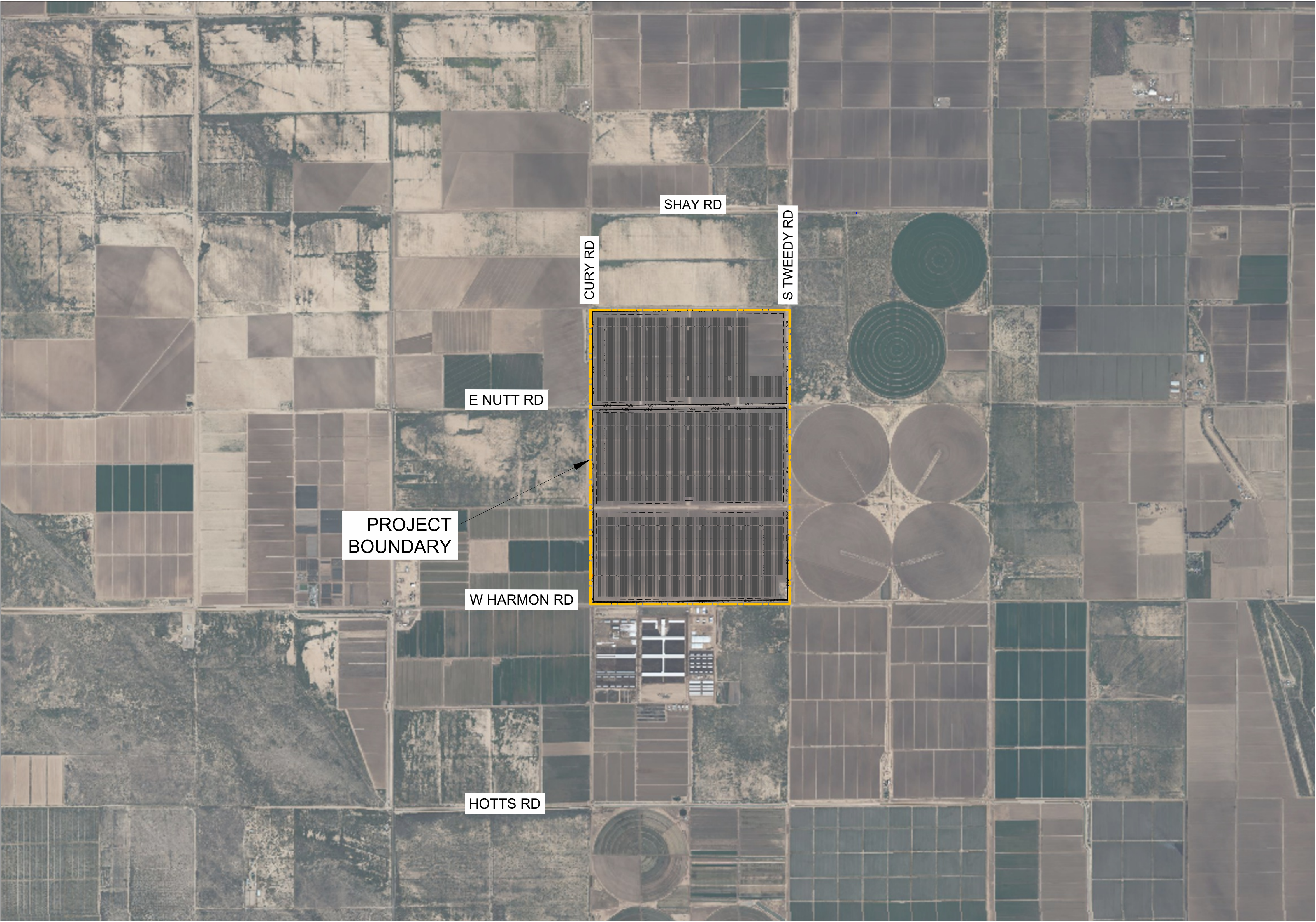
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DRAWING TITLE
**SOLAR ARRAY
DETAILS**

DRAWING NUMBER
C403

PICACHO VIEW II PAD

Interim Use Project Plan: Utility Scale Solar Conceptual Development Plan

SITE LAYOUT



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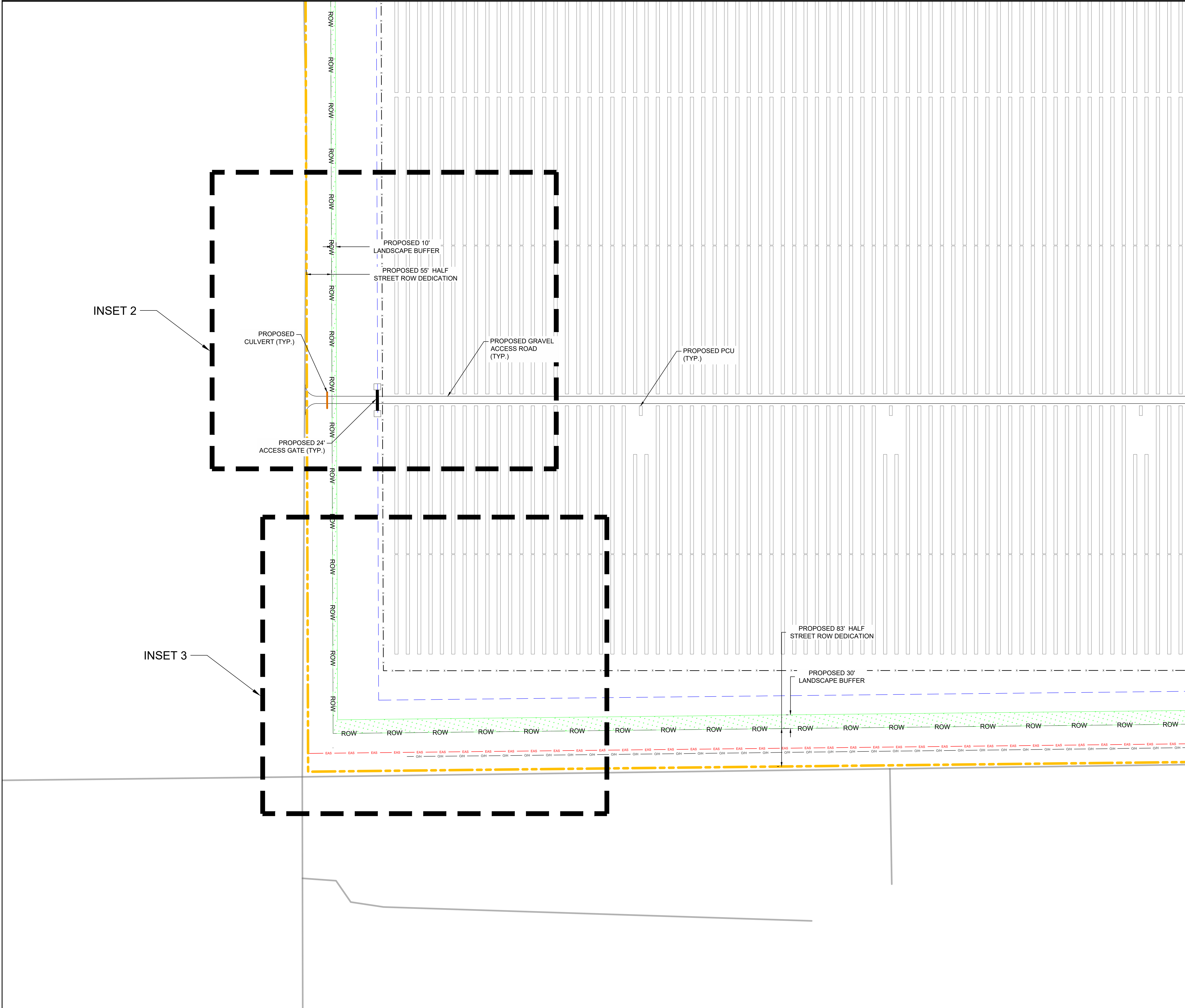
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PAD CONCEPTUAL PLAN**
SITE LOCATION
ELOY, AZ

DRAWING ISSUE	DATE	DB	CB
DEVELOPMENT PLANS	07/15/2024	RL	DJ
1			

PROJECT NO : 23015
DRAWING TITLE
TITLE SHEET

DRAWING NUMBER
C000





DEMOLITION NOTES

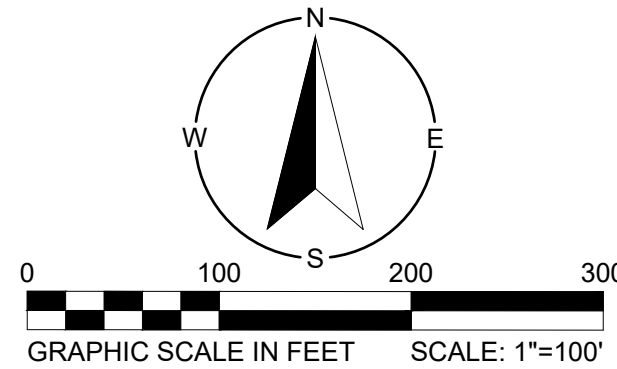
1. THERE SHALL BE NO DEMOLITION OUTSIDE THE MARKED LIMITS OF DISTURBANCE UNLESS SPECIFICALLY CALLED FOR IN THE PLANS.
2. EXISTING VEGETATION WITHIN THE LIMIT OF DISTURBANCE SHALL BE PROTECTED WHEN POSSIBLE DURING CONSTRUCTION.
3. REMOVAL OF ANY EXISTING ITEMS SHALL BE COORDINATED WITH APPLICABLE FEDERAL, STATE, COUNTY, CITY, LOCAL AGENCIES, UTILITY COMPANIES, OR LANDOWNERS.
4. ALL SECTION LINES WILL HAVE HALF STREET RIGHT-OF-WAY DEDICATIONS.
5. ALL ROADS IN THE DEDICATED RIGHTS-OF-WAY WILL BE DOUBLE CHIPPED SEALED AND 28' IN WIDTH.

FIRE NOTES

1. WATER STORAGE TANK OF (20,000 TO 30,000 GAL) SHALL BE PROVIDED WITHIN 1000 FT OF THE BESS, UNLESS AN EXISTING WELL IS ACCESSIBLE WITHIN 1000 FT.
2. ALL WEATHER ROADS AND DRIVE SURFACES SHALL BE A MINIMUM OF 4-IN AGGREGATE COMPACTED TO 95% AND 12-IN NATIVE SOIL COMPACTED TO 95% PER IFC 2018. ALL ROADS SHALL BE ABLE TO SUPPORT A 75,000 LB APPARATUS.
3. KNOX BOXES SHALL BE PROVIDED AT ALL LOCKED GATES.
4. ROAD TURNING RADII SHALL COMPLY WITH INTERNATIONAL FIRE CODE REQUIREMENTS.
5. FENCE SETBACK FROM ARRAY IS ADEQUATE TO ALLOW FIRE ACCESS AROUND THE PERIMETER OF THE SITE.

LEGEND

- CUP PROJECT BOUNDARY
- SHEET MATCHLINE
- EXISTING PROPERTY BOUNDARY
- SURVEYED CENTER LINE
- EXISTING ROAD
- R/W EXISTING RIGHT OF WAY
- EAS EXISTING TRANSMISSION EASEMENT
- OH EXISTING OVERHEAD LINES
- PROPOSED SETBACK
- ROW PROPOSED RIGHT-OF-WAY DEDICATION
- PROPOSED VEGETATED BUFFER
- PROPOSED FENCE
- PROPOSED GATE
- PROPOSED ROAD
- PROPOSED N-S AXIS TRACKER
- PROPOSED INVERTER
- PROPOSED CULVERT



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CONSTRUCTION

CLIENT

NEXTERA
ENERGY
RESOURCES

PROJECT NAME

PICACHO VIEW II
PAD CONCEPTUAL PLAN

SITE LOCATION
ELOY, AZ

DATE	DB	CB	RL	DJ					
07/15/2024									
DRAWING ISSUE									
DEVELOPMENT PLANS									
#									
1									

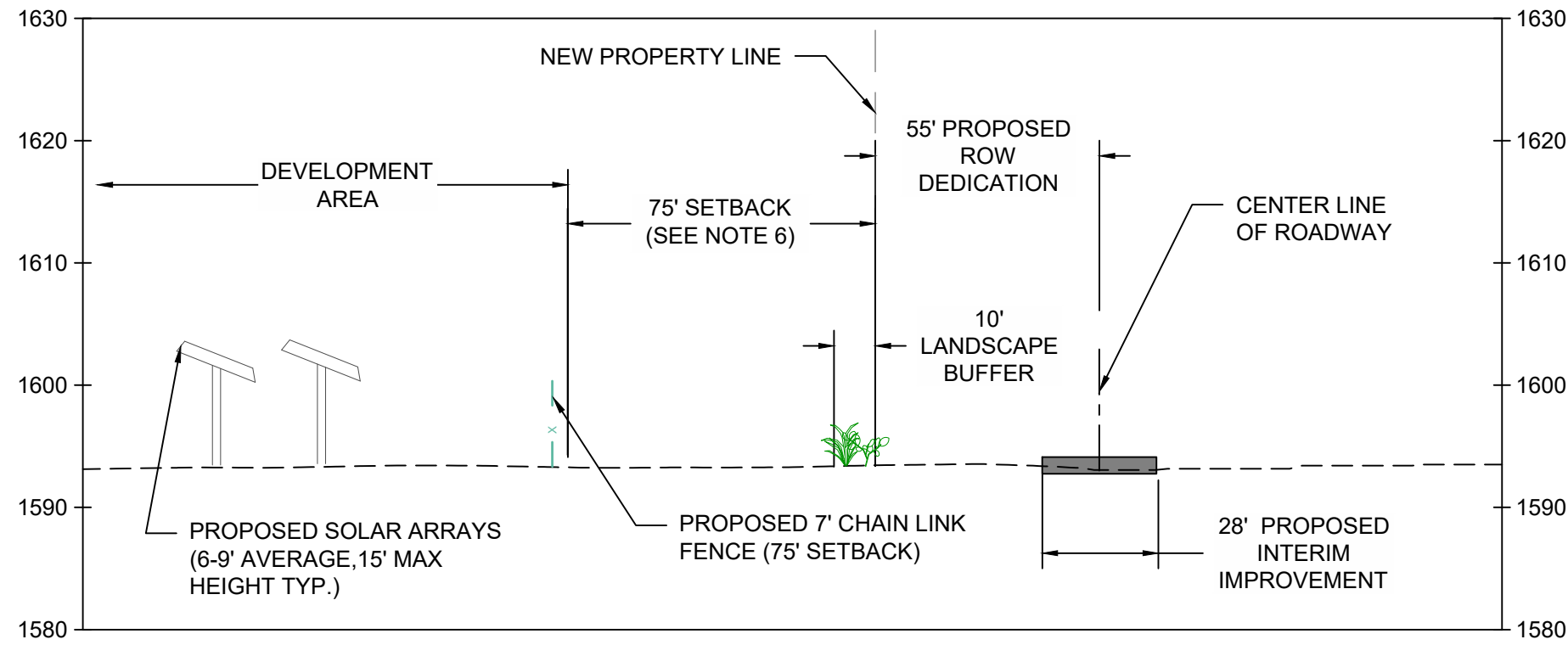
PROJECT NO.: 23015

DRAWING TITLE
INSET 1

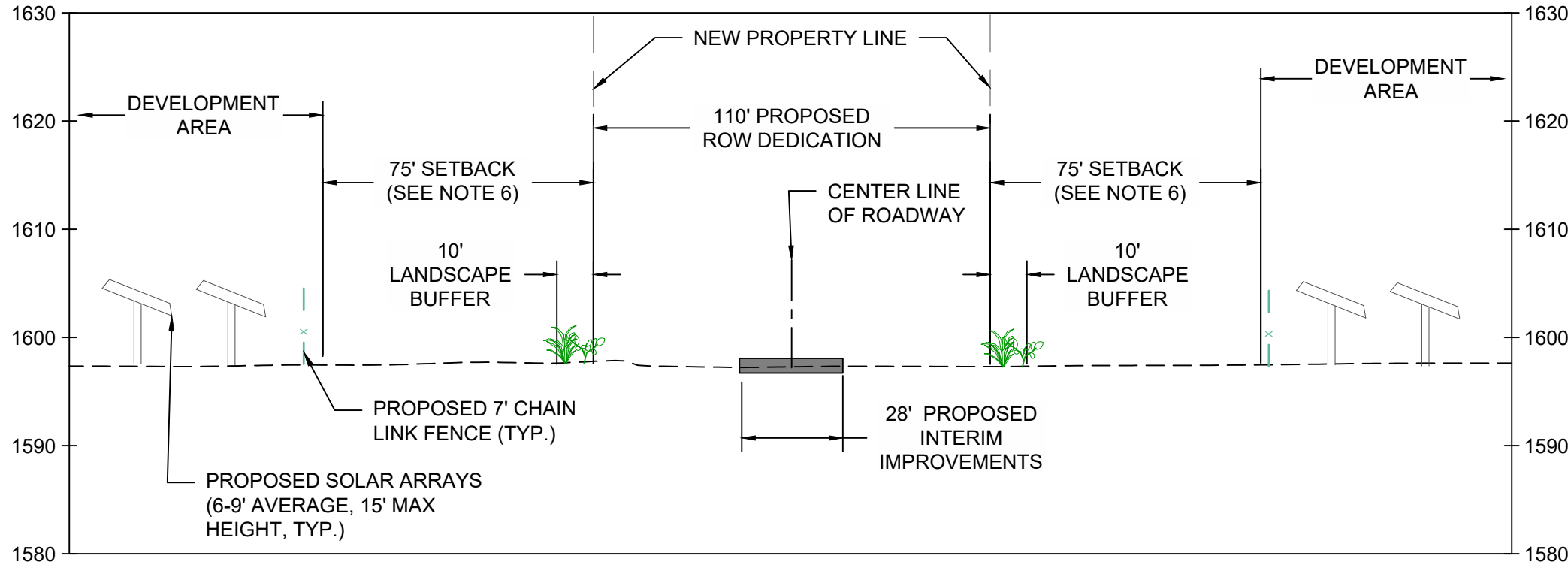
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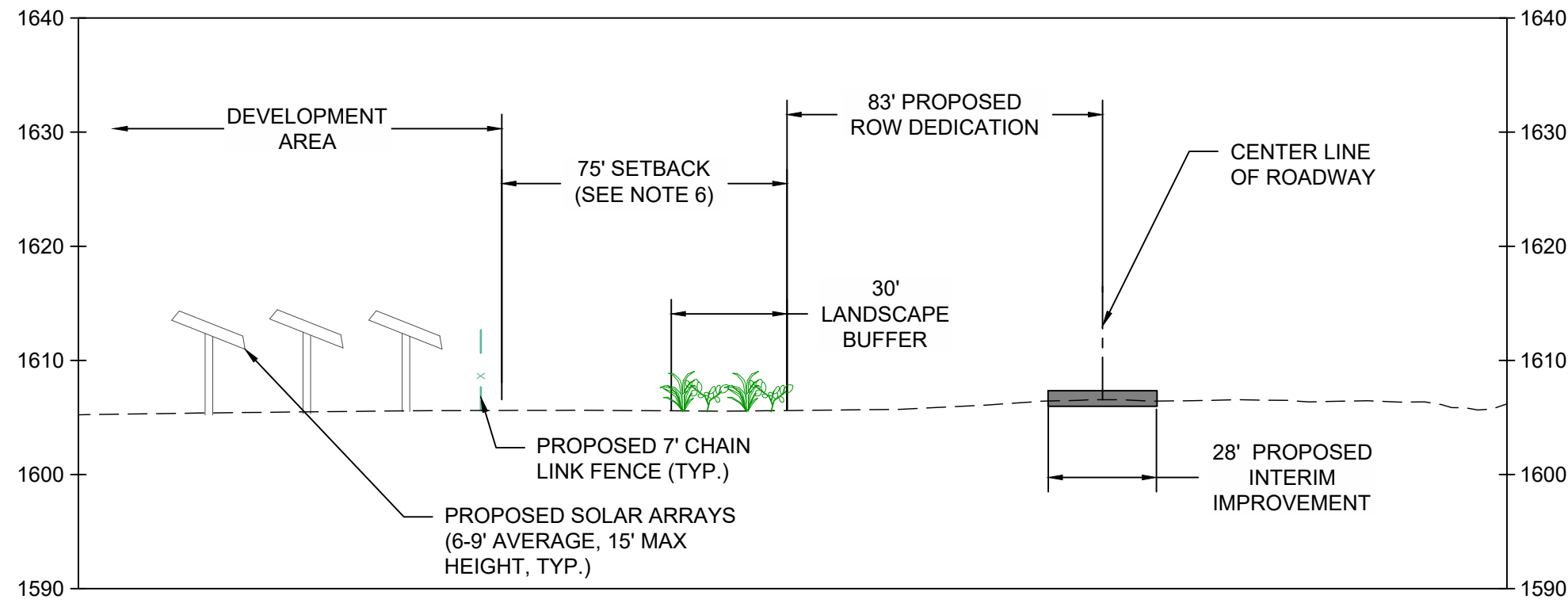




A
- 55' HALF ROAD RIGHT-OF-WAY DEDICATION - TYPICAL SECTION



B
- 110' FULL ROAD RIGHT-OF-WAY DEDICATION -TYPICAL SECTION



C
- 83' HALF ROAD RIGHT-OF-WAY DEDICATION - TYPICAL SECTION

- NOTES:
1. THE INTENT OF THESE SECTIONS ARE TO VERIFY THE LOCATION OF RIGHT-OF-WAY DEDICATIONS, SETBACKS, AND LANDSCAPE BUFFERS. LOCATIONS AND OFFSETS OF FENCES AND ARRAYS RELATIVE TO RIGHT-OF-WAY DEDICATIONS AND SETBACKS ARE SUBJECT TO CHANGE.
 2. THE HEIGHT OF THE ARRAYS VARIES BETWEEN 6-9 FEET DEPENDING ON RELATIVE GRADES AND SLOPES.
 3. THE HEIGHT OF THE CHAIN LINK FENCE IS 7' POWDER COATED PER UTILITY SCALE GENERATION ORDINANCE.
 4. THE HEIGHT OF THE SOLAR ARRAYS IS SHOWN IN DETAIL ON SHEET C401.
 5. THE PUBLIC ROADWAYS ADJACENT TO THE PROJECT WILL BE IMPROVED WITH 28-FOOT DOUBLE CHIP SEAL ROADS.
 6. SETBACK SHALL BE INCREASED TO ONE-HUNDRED FEET (100') WHERE ADJACENT TO EXISTING RESIDENTIAL HOMES OR PROPERTY ZONED R1-12, R1-6, R-2, AND R-3, AND SIMILAR PAD ZONING.

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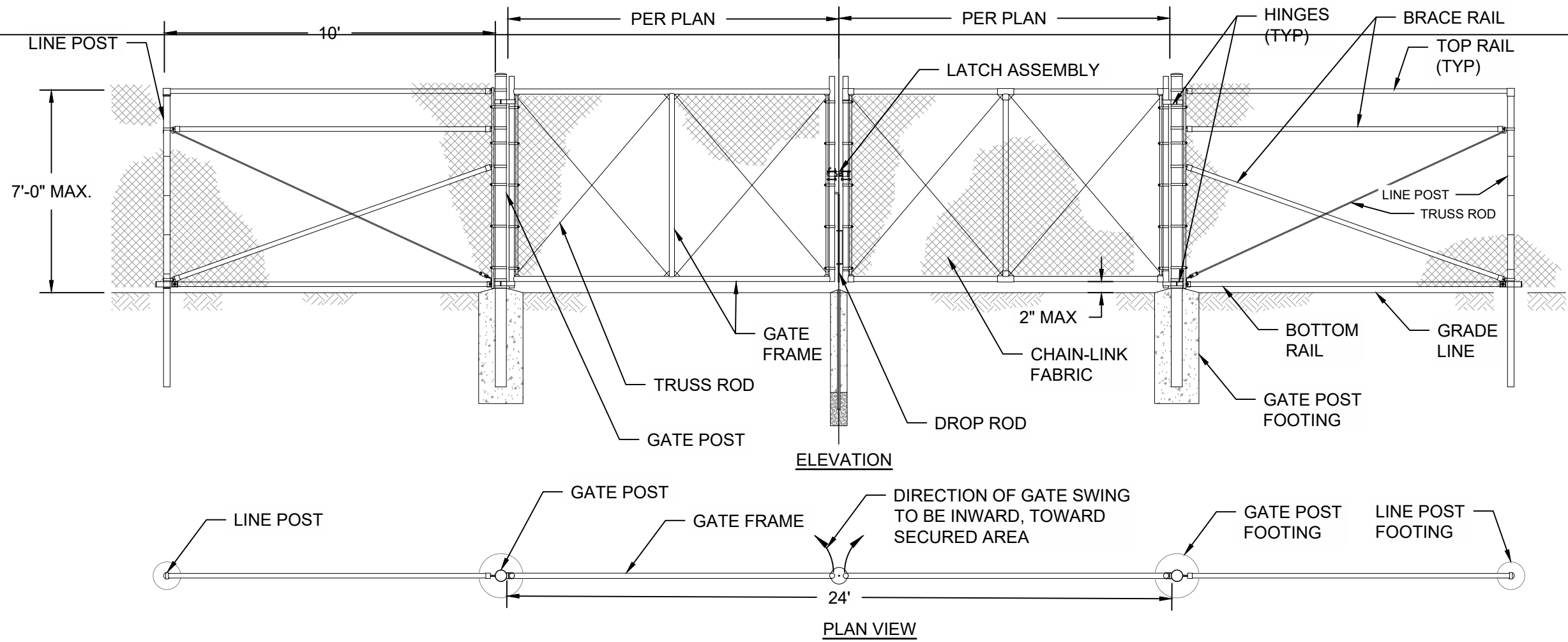
CLIENT
Nextera
ENERGY
RESOURCES

PROJECT NAME
**PICACHO VIEW II
PAD CONCEPTUAL PLAN**
SITE LOCATION
ELOY, AZ

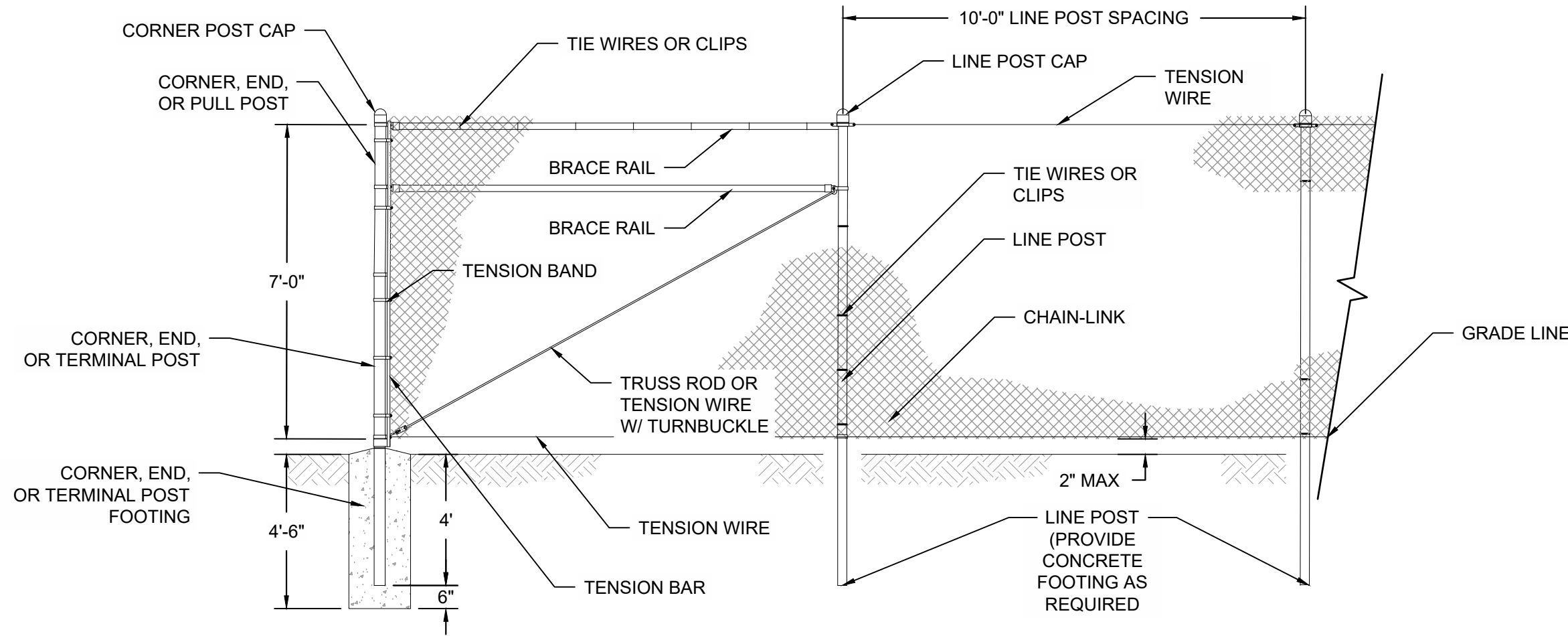
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1	DEVELOPMENT PLANS	07/15/2024	RL	DJ

PROJECT NO.: 23015
DRAWING TITLE
ROAD SECTIONS

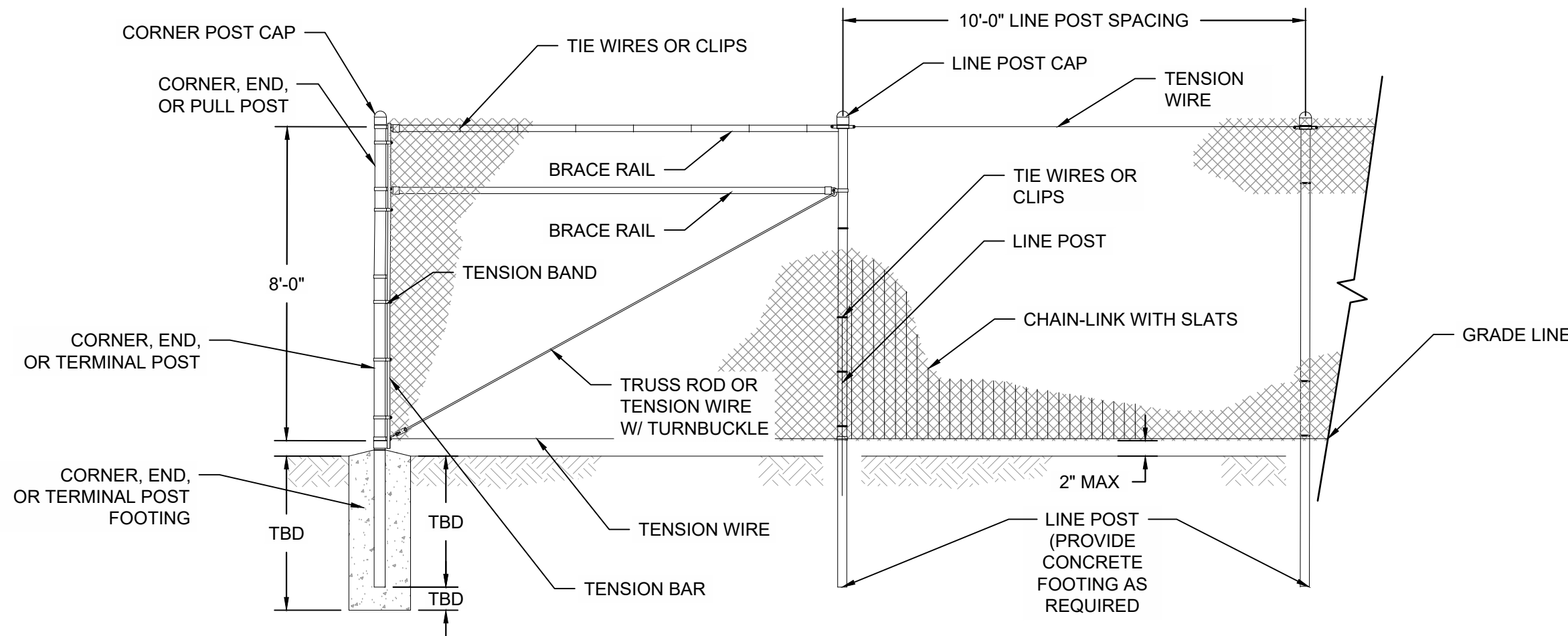
DRAWING NUMBER
C400



1 TYPICAL 24' ACCESS GATE
SCALE: N.T.S.



2 TYPICAL PV POWDER-COATED PERIMETER FENCE
SCALE: N.T.S.



3 BESS & SUBSTATION POWDER-COATED PERIMETER FENCE
SCALE: N.T.S.

- NOTES:
1. BATTERY ENERGY STORAGE SYSTEM AND SUBSTATION PERIMETER FENCE WILL BE IMPROVED WITH SLATS TO INCREASE OPACITY.
 2. SLATS WILL INCREASE WIND LOAD. WIND STUDIES MUST BE COMPETED TO DETERMINE POST FOOTING DEPTHS.
 3. PV PERIMETER FENCE AND BESS/SUBSTATION FENCES SHALL BE SAGE GREEN WITH LVR < 40%.

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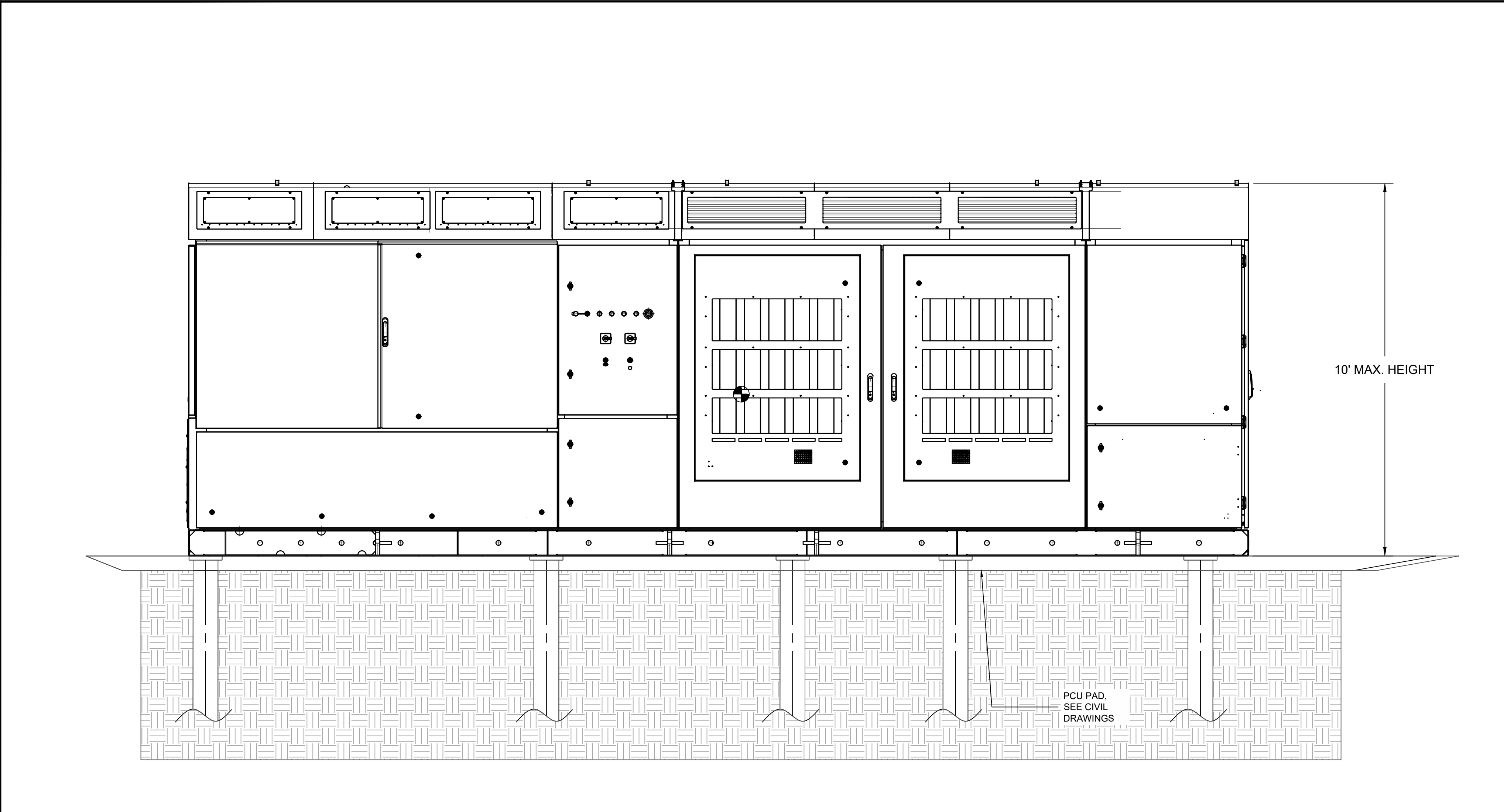
CLIENT
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PROJECT NAME
**PICACHO VIEW II
PAD CONCEPTUAL PLAN**
SITE LOCATION
ELOY, AZ

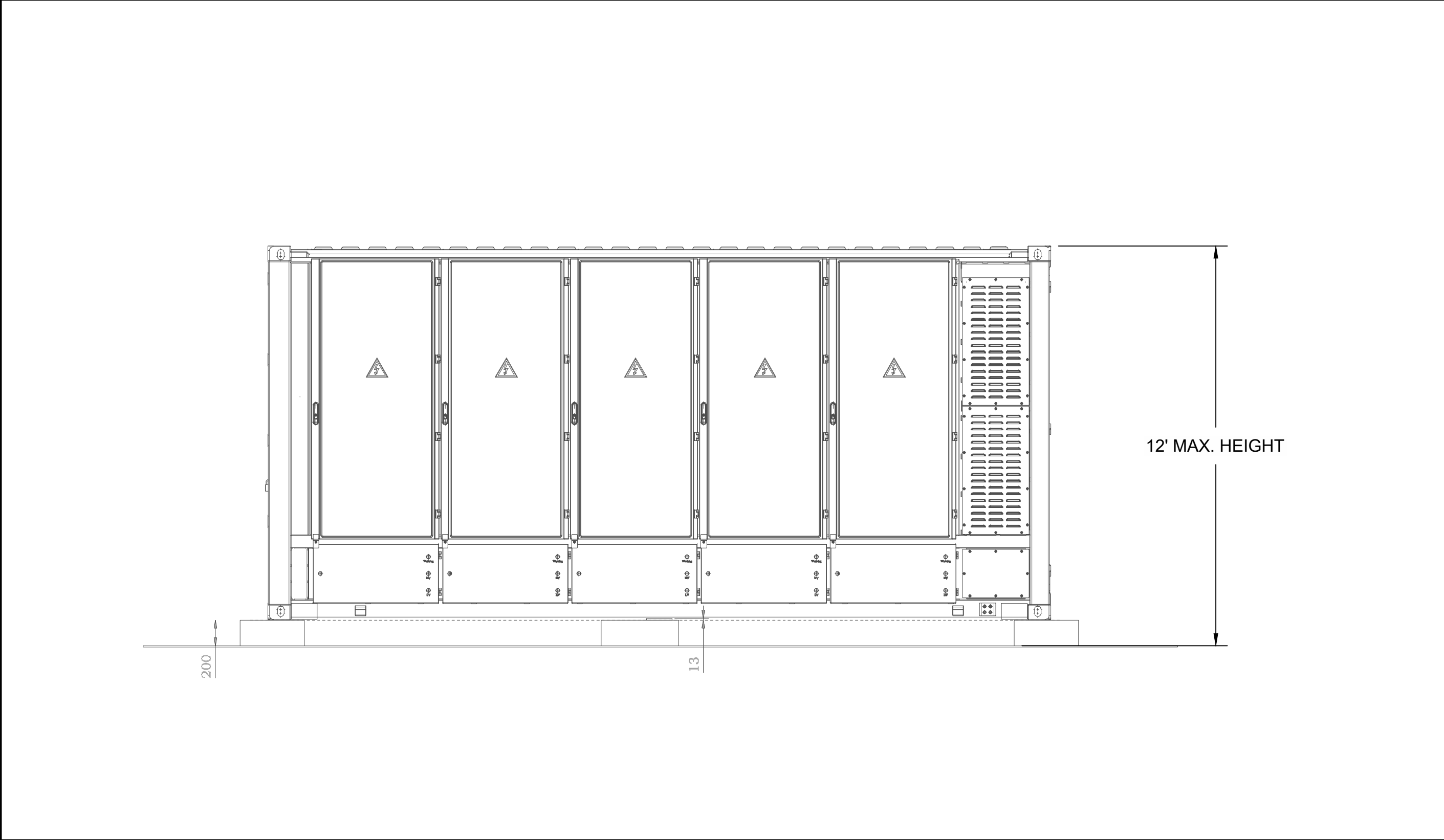
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					RL	DJ			
1	DEVELOPMENT PLANS	07/15/2024							

PROJECT NO : 23015
DRAWING TITLE
**FENCE & GATE
DETAILS**

DRAWING NUMBER
C401

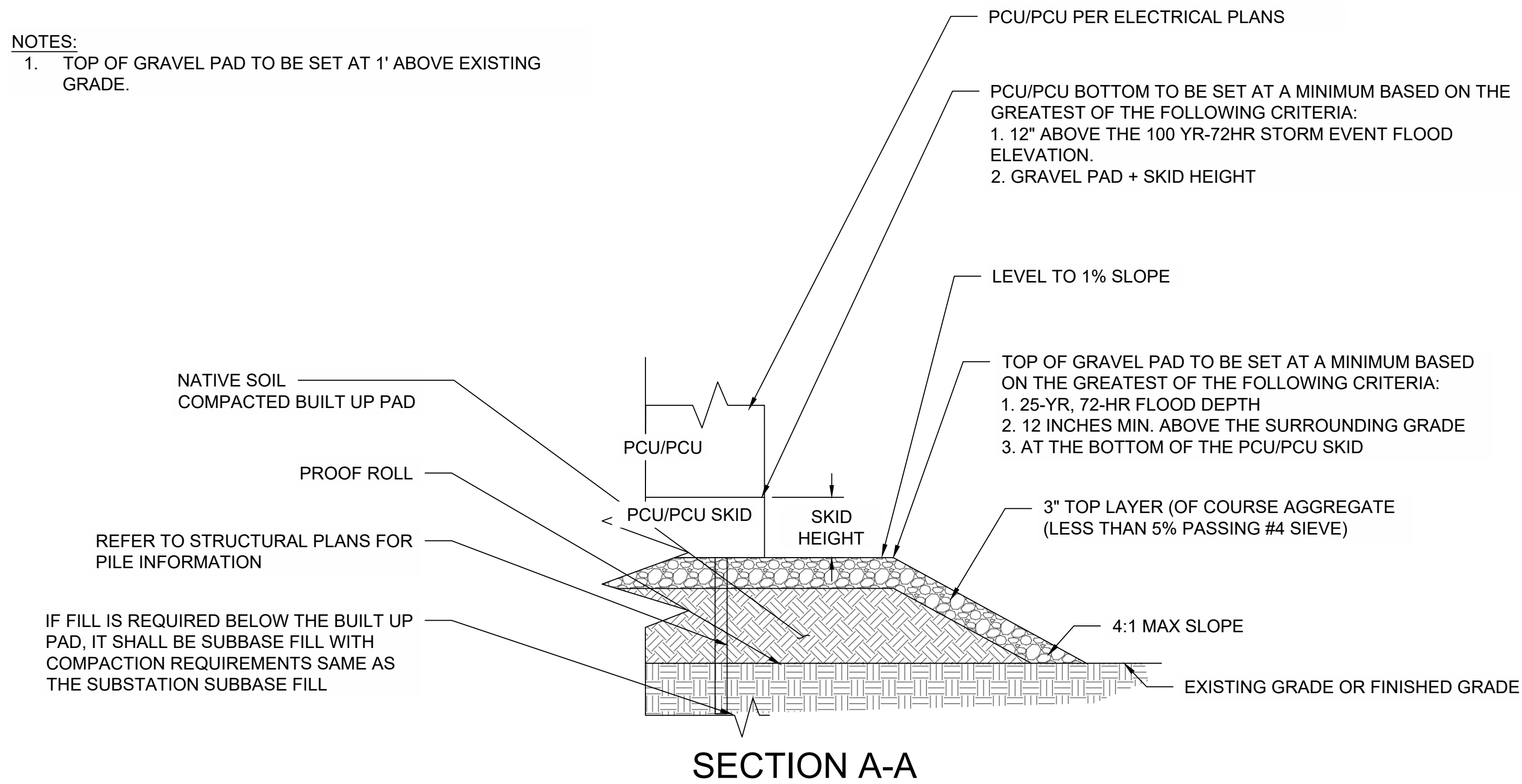


1 TYPICAL POWER CONVERSION UNIT PROFILE
SCALE : N.T.S



2 TYPICAL BESS ENCLOSURE
SCALE : N.T.S

NOTES:
1. TOP OF GRAVEL PAD TO BE SET AT 1' ABOVE EXISTING GRADE.



3 TYPICAL PCU SKID DETAIL
SCALE : N.T.S

TRANSITION GRAVEL PAD
SLOPE 4:1 MAX TO MEET
PROPOSED FINAL GRADE

PCU SKID

3" TOP LAYER (57
STONE OR APPROVED
EQUAL)
COMPACTED SOIL BELOW.

PLAN

PCU PAD

PCU SKID

4'

4'

1'

4:1 MAX SLOPE

PROFILE

PCU/PCU PER ELECTRICAL PLANS

PCU/PCU BOTTOM TO BE SET AT A MINIMUM BASED ON THE
GREATEST OF THE FOLLOWING CRITERIA:
1. 12" ABOVE THE 100 YR-72HR STORM EVENT FLOOD
ELEVATION.
2. GRAVEL PAD + SKID HEIGHT

LEVEL TO 1% SLOPE

TOP OF GRAVEL PAD TO BE SET AT A MINIMUM BASED
ON THE GREATEST OF THE FOLLOWING CRITERIA:
1. 25-YR, 72-HR FLOOD DEPTH
2. 12 INCHES MIN. ABOVE THE SURROUNDING GRADE
3. AT THE BOTTOM OF THE PCU/PCU SKID

3" TOP LAYER (OF COURSE AGGREGATE
(LESS THAN 5% PASSING #4 SIEVE))

4:1 MAX SLOPE

EXISTING GRADE OR FINISHED GRADE

SECTION A-A

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PROJECT NAME
PICACHO VIEW II
PAD CONCEPTUAL PLAN
SITE LOCATION
ELOY, AZ

	DATE	DB	CB
	07/15/2024	RL	DJ

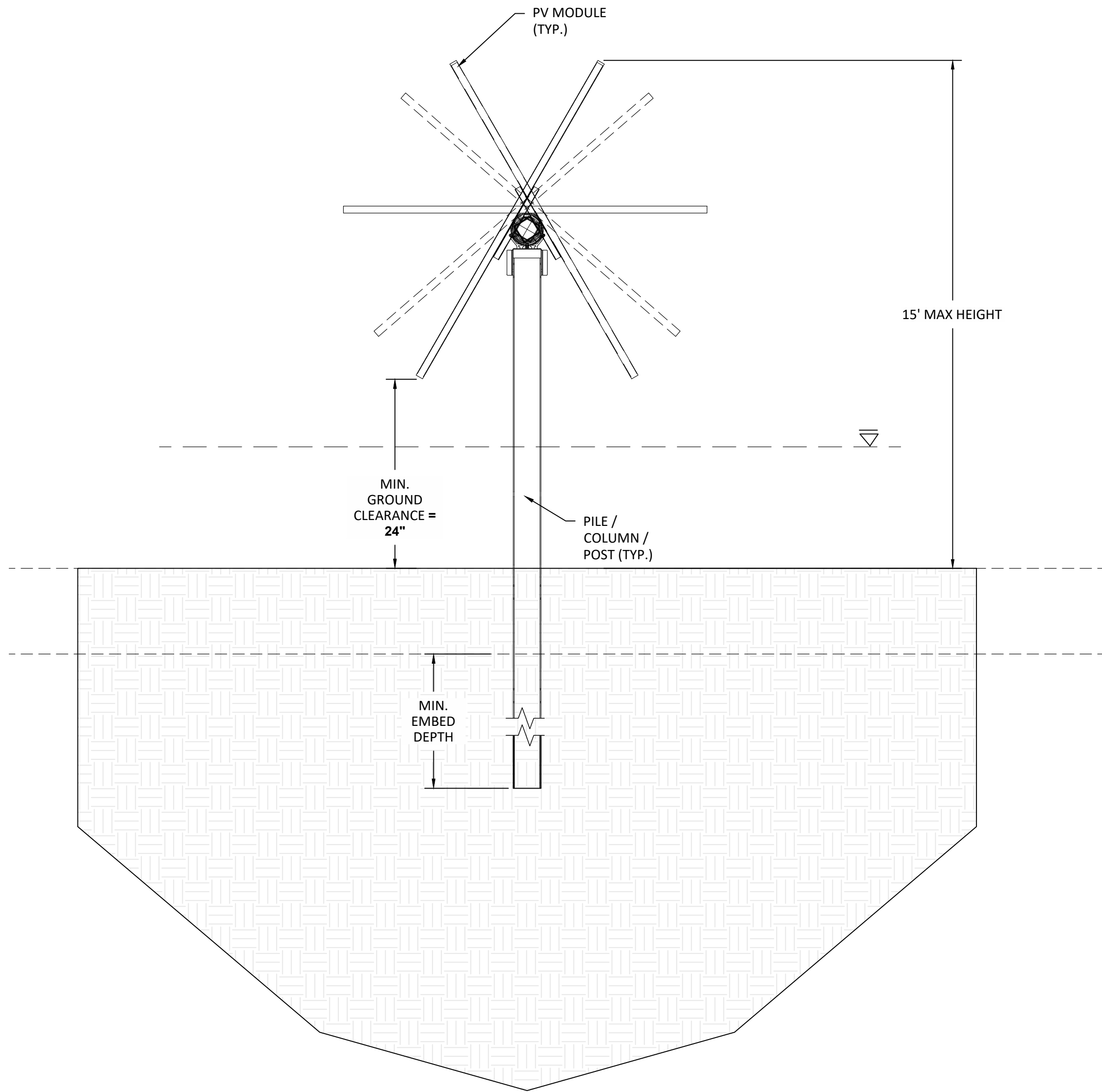
DRAWING ISSUE	DEVELOPMENT PLANS								
#	1								

PROJECT NO : 23015

DRAWING TITLE
INVERTER &
BESS DETAILS

DRAWING NUMBER
C402

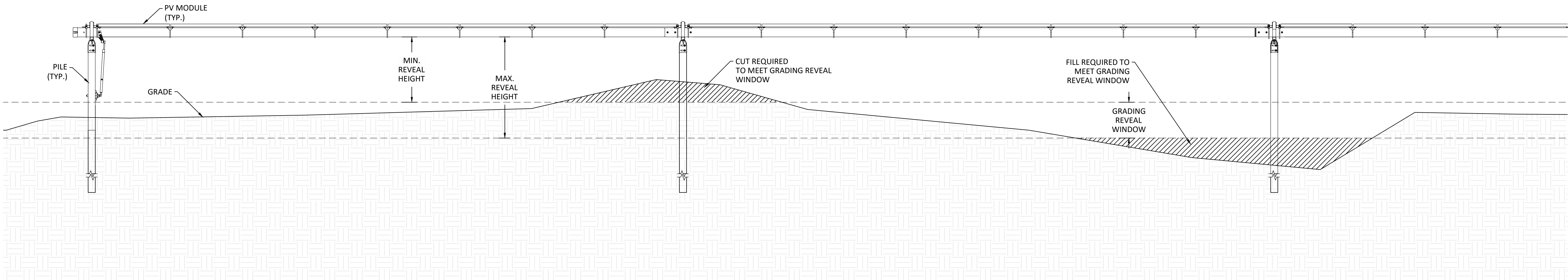
8/28/2023 2:19:18 PM VM07-CIV-11 23015-Linmark-C400-SECTIONS-ELOY.dwg



1 TYPICAL PV MODULE SECTION DETAIL
SCALE : N.T.S



3 TYPICAL SOLAR FIELD
SCALE : N.T.S



2 TYPICAL PV MODULE ELEVATION ENLARGED VIEW
SCALE : N.T.S

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PAD CONCEPTUAL PLAN
SITE LOCATION
ELOY, AZ

#	DRAWING ISSUE	DATE	DB	CB
1	DEVELOPMENT PLANS	07/15/2024	RL	DJ

PROJECT NO : 23015
DRAWING TITLE
SOLAR ARRAY
DETAILS

DRAWING NUMBER
C403

**NextEra Energy Resources
Picacho View II PAD Amendment Request
NWC of Harmon and Tweedy Roads
PZPAD2006-035.A1
Public Participation Report
July 23, 2024**

Purpose:

The purpose of the Public Participation Report is to provide the City of Eloy staff with information regarding the efforts made by the Applicant to inform citizens and property owners in the vicinity concerning the Applicant's request to the City of Eloy for the following:

1. Approval of a Conditional Use Permit to allow for the development of a Solar, Utility Scale Generation and Battery Energy Storage System Facilities on property within the City of Eloy. The entire property is shown on Page 3 of this plan along with the parcel numbers of the subject property.

By providing opportunities for citizen participation, the applicant has ensured that those affected by this application will have an adequate opportunity to learn about and comment on the proposed development plans for this property.

Contact Information:

The individuals who have coordinated the Public Participation activities are as follows:

W. Ralph Pew
Pew & Lake, PLC.
1744 S. Val Vista Drive, Suite 217
Mesa, AZ 85204
(480)461-4670 (office)
(480)461-4676 (fax)
Ralph.pew@pewandlake.com

Stephane Rush and Kyle Whittier
NextEra Energy Resources
700 Universe Blvd., A3
Juno Beach, FL 33408
(561)601-7072
stephanie.rush@nexteraenergy.com
kyle.whittier@nexteraenergy.com

Actions:

In order to provide effective citizen participation in conjunction with this application, the following actions have been taken to provide opportunities for feedback from surrounding property owners:

1. The applicant held a neighborhood meeting for this project on July 1, 2024. The meeting was held at 6:00 p.m. in the Community Room at Eloy City Hall. Notification procedures for the neighborhood meeting complied with the procedures set forth in Section 21-6-2.3.E of the Zoning Ordinance.

2. The notification list for the neighborhood meeting included all property owners within 300' of the subject property using addresses received from the Pinal County Assessor's office using the most recent tax statement information.
3. Pursuant to Section 21-6-2.3.F of the City of Eloy Zoning Ordinance, a summary of the neighborhood meeting is attached to this Public Participation Report. The summary includes:
 - a. The neighborhood meeting notification letter.
 - b. The notification list that was used
 - c. A sign-in sheet containing the name and contact information of those in attendance.
 - d. A summary of how the applicant responded to the concerns identified during the meeting.
 - e. A copy of the PowerPoint presentation that was used at the meeting
4. A website for this NextEra project has been created and is accessible at www.elayvalleysolar.com.
5. An e-mail distribution list was collected at the neighborhood meeting in an effort to have continued dialogue with those in attendance at the meeting concerning changes, if any, to the proposed development plans.

Schedule:

Formal Conditional Use Permit Extension Request: February 22, 2024

Neighborhood Meeting- July 1, 2024

Follow-Up Submittals- As requested

Eloy Planning & Zoning Commission- TBD

Eloy City Council- TBD

NextEra Energy Resources
Eloy Valley Solar Project
CUP2024-002, RZPAD2006-035.A1 and RZPAD2007.A1
Summary of Neighborhood Meeting
Location: Eloy City Hall Community Room
July 1, 2024

NOTE: This document is intended to be a summary of the general concepts discussed at the neighborhood meeting. It is not intended to be a verbatim account of the meeting.

The meeting began at 6:12p.m. and lasted until 6:53. There were 2 neighbors in attendance: Greg and Jackie Vernon.

Attendees from the development team included: Ralph Pew and Vanessa MacDonald, Pew & Lake, PLC; Doug Cole, Highground Consulting; Kyle Whittier, Stephanie Rush and Naomi Morrison, NextEra Energy Resources.

Speaking from a PowerPoint (Attached to this summary), Mr. Pew discussed the following concepts:

1. Introduction of NextEra Energy Resources and the development team
2. Overview of City of Eloy entitlement processes
3. Discussion of three (3) requests to City of Eloy
4. Review of the Eloy Solar Ordinance and its requirements and standards
5. Overview of the vicinity map
6. Overview of different components of Eloy Valley Solar project
7. Overview of Conditional Use Permit area
8. Overview of Picacho View II PAD Amendment Area
9. Overview of Steven Farms PAD Amendment Area
10. Features and Benefits of the Eloy Valley Solar Project
11. Discussion of landscaping design along different frontages
12. Compliance of the Project with the adopted Solar Ordinance

After Mr. Pew completed the PowerPoint presentation, Mr. and Mrs. Vernon asked questions and provided comments. The questions and comments posed by attendees are shown below in bold text, with Mr. Pew's answers shown in italics.

1. **Mr. Vernon indicated that he was concerned about how the roadway in front of his property was going to be treated. He lives in unincorporated Pinal County (22840 South Tweedy Road) and doesn't believe that there is an easement in front of his property. He also indicated that there is a 4-foot grade difference from his property to the subject property, and said that when it rains, Tweedy is "like a river".**

RESPONSE: Mr. Pew responded that the NextEra team will work with the City of Eloy Engineers to understand the drainage requirements and required roadway dedication and improvements.

2. **Ms. Vernon asked what happens to the batteries when they are no longer useful?**

RESPONSE: The NextEra team discussed the method that is used to recycle batteries. The original manufacturer receives the batteries from NextEra and reuses the usable components in the making of new batteries.

3. The Vernon's also expressed concern about the noise generated by the BESS units.

RESPONSE: Mr. Pew discussed the screening techniques required by the City of Eloy, and the NextEra team indicated that a noise study will be completed and that, when warranted, silencers can be placed on the BESS cabinets to mitigate noise. Additionally, NextEra agreed to locate the BESS units away from the Vernon property during the site planning process.

4. The Vernon's are also concerned that the fencing will block their views.

RESPONSE: Mr. Pew discussed the setback of the solar arrays from their property (proposed at 75-feet) and that the 7-foot fence height is a requirement of the City of Eloy.

5. The Vernon's also were concerned about the possibility of heat emission from the solar arrays.

RESPONSE: The NextEra team responded that there is no empirical data to show that heat is increased by solar arrays.

6. The Vernon's mentioned the work of Mr. George Franklin, a retired engineer from NASA who believes that solar panels are incubators of tornados and thunderstorms.

RESPONSE: Mr. Pew responded that he hadn't heard of Mr. Franklin's work but understands that many communities, including the City of Eloy, are allowing its development within their municipal boundaries.

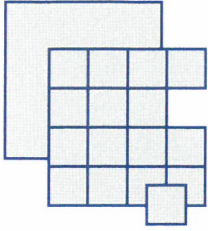
7. Ms. Vernon expressed a desire for the City of Eloy to be smart about what is happening with farmland in the area. She mentioned that if we remove farmland for solar we will be increasing our food dependence on Mexico.

RESPONSE: Mr. Pew agreed that food independence is important, but that these properties are not likely to be continued for farming due to the water issues in our state.

With the discussion moving towards general solar comments rather than site-specific comments, Mr. Pew adjourned the meeting with the commitment to Vernon's to stay in touch throughout the entitlement process.

Summary Attachments:

- a) Neighborhood Meeting Notification Letter
- b) Neighborhood Meeting notification list
- c) Neighborhood Meeting notification map
- d) Neighborhood Meeting Sign-In sheet
- e) PowerPoint presentation used at Neighborhood Meeting.



Pew & Lake, P.L.C.
Real Estate and Land Use Attorneys

W. Ralph Pew
Certified Real Estate Specialist
Sean B. Lake
Reese L. Anderson

June 17, 2024

NOTICE OF NEIGHBORHOOD MEETING; PZPAD2007-007.A1

Dear Neighbor,

Pew & Lake, PLC, on behalf of NextEra Energy Resources, LLC, is pleased to invite you to a neighborhood meeting regarding the development of approximately 640 acres of property in the City of Eloy. The property is located on the north side of Hotts Road between Eleven Mile Corner and Tweedy Roads. The property is shown below and is comprised of three Pinal County Parcel numbers (408-11-001A, 408-11-001C and 408-11-001D, all of which are under the ownership of a single entity called BT Eloy, LLC.



We have applied for an amendment to the existing Steven Farms Planned Area Development (PAD) document that established the allowed uses on this property. Specifically, our application to the City of Eloy is for:

- **Approval of an amendment to the 2007 Steven Farms PAD (case RZPAD07-007) to expand the uses allowed within the base zoning districts, as authorized in Section 2.7.4(A) of the City's Zoning Ordinance, to include Solar, Utility Scale Generation and Battery Energy Storage System Facilities and to establish development standards consistent with Section 21-3-1.39 of the City of Eloy Zoning Ordinance.**

Approval of this request will allow NextEra Energy Resources to develop a utility scale solar project that will include solar panels, battery energy storage systems and connections to the 230kV power lines near the property.

This letter has been sent to property owners within 300-feet of the proposed development, as required by the City of Eloy Zoning Ordinance. A neighborhood meeting is scheduled to provide property owners in this area with an opportunity to learn about the proposed development, ask questions and provide comments and input on the proposed development.

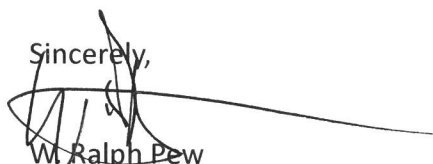
This neighborhood meeting will be on the date, time and location shown below:

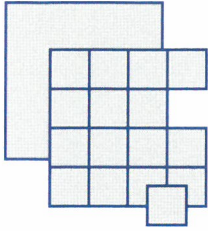
Date: July 1, 2024 Time: 6:00 p.m. Place: Eloy City Hall, Community Room Community Room 595 C Street Eloy, AZ 85131
--

Should you like to provide comments or learn more about the Project, please feel free to reach out to me at the phone number below or send your questions and/or comments via email to EloyValleySolar@nexteraenergy.com. Written comments or questions may also be mailed to Stephanie Rush, NextEra Energy Resources, LLC, 700 Universe Blvd. A3, Juno Beach, FL 33408. For additional information, please visit the Project website at: www.elyovalleysolar.com. The City of Eloy has assigned this case to Mr. Daniel Symer, Community Development Director, who may be reached at dsymer@EloyAZ.gov. Please let any one of us know if you have questions or concerns regarding this proposed development.

A summary of the neighborhood meeting, as well as any additional comments received, will be part of the public record for this case and provided to the Planning Commission and City Council as part of the public record for this project.

Sincerely,


W. Ralph Pew
Pew & Lake, PLC



Pew & Lake, P.L.C.
Real Estate and Land Use Attorneys

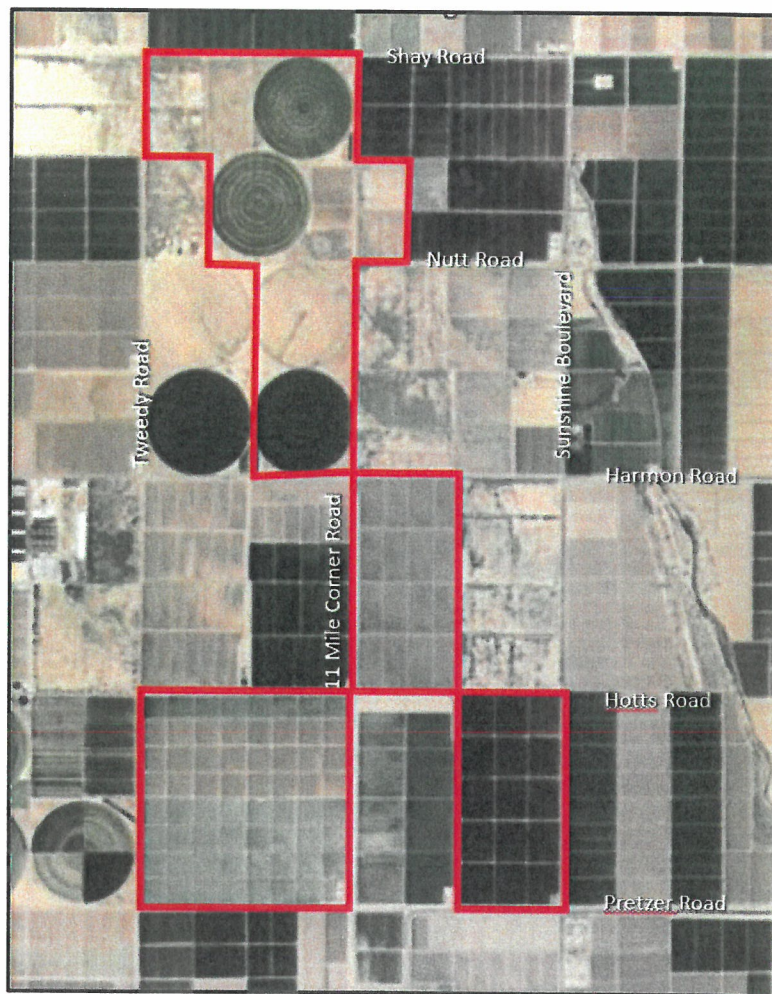
June 17, 2024

W. Ralph Pew
Certified Real Estate Specialist
Sean B. Lake
Reese L. Anderson

NOTICE OF NEIGHBORHOOD MEETING; CUP2024-002

Dear Neighbor,

Pew & Lake, PLC, on behalf of NextEra Energy Resources, LLC, is pleased to invite you to a neighborhood meeting regarding the development of approximately 2,237 acres of property in the City of Eloy. The property is located generally between Tweedy and Sunshine Roads, and between Pretzer and Shay Roads. The approximate boundaries of the property are shown below. The property is comprised of 23 different Pinal County parcels owned by various landowners.



Specifically, our application to the City of Eloy is for:

- **Approval of a Conditional Use Permit (CUP) to allow Solar, Utility Scale Generation and Battery Energy Storage System Facilities on 2,237 acres. The proposed use is to be developed in accordance with Section 21-3-1.39 of the City of Eloy Zoning Ordinance.**

Approval of this request will allow NextEra Energy Resources to develop a utility scale solar project that will include solar panels, battery energy storage systems and connections to the 230kV power lines near the property.

This letter has been sent to property owners within 300-feet of the proposed development, as required by the City of Eloy Zoning Ordinance. A neighborhood meeting is scheduled to provide property owners in this area with an opportunity to learn about the proposed development, ask questions and provide comments and input on the proposed development.

This neighborhood meeting will be on the date, time and location shown below:

Date: July 1, 2024

Time: 6:00 p.m.

**Place: Eloy City Hall, Community Room
595 C Street
Eloy, AZ 85131**

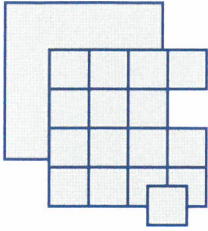
Should you like to provide comments or learn more about the Project, please feel free to reach out to me at the phone number below or send your questions and/or comments via email to EloyValleySolar@nexteraenergy.com. Written comments or questions may also be mailed to Stephanie Rush or Kyle Whittier, NextEra Energy Resources, LLC, 700 Universe Blvd. A3, Juno Beach, FL 33408. For additional information, please visit the Project website at: **www.eloyvalleysolar.com**. The City of Eloy has assigned this case to Mr. Daniel Symer, Community Development Director, who may be reached at dsymer@EloyAZ.gov. Please let any one of us know if you have questions or concerns regarding this proposed development.

A summary of the neighborhood meeting, as well as any additional comments received, will be part of the public record for this case and provided to the Planning Commission and City Council as part of the public record for this project.

Sincerely,



W. Ralph Pew
Pew & Lake, PLC



Pew & Lake, P.L.C.
Real Estate and Land Use Attorneys

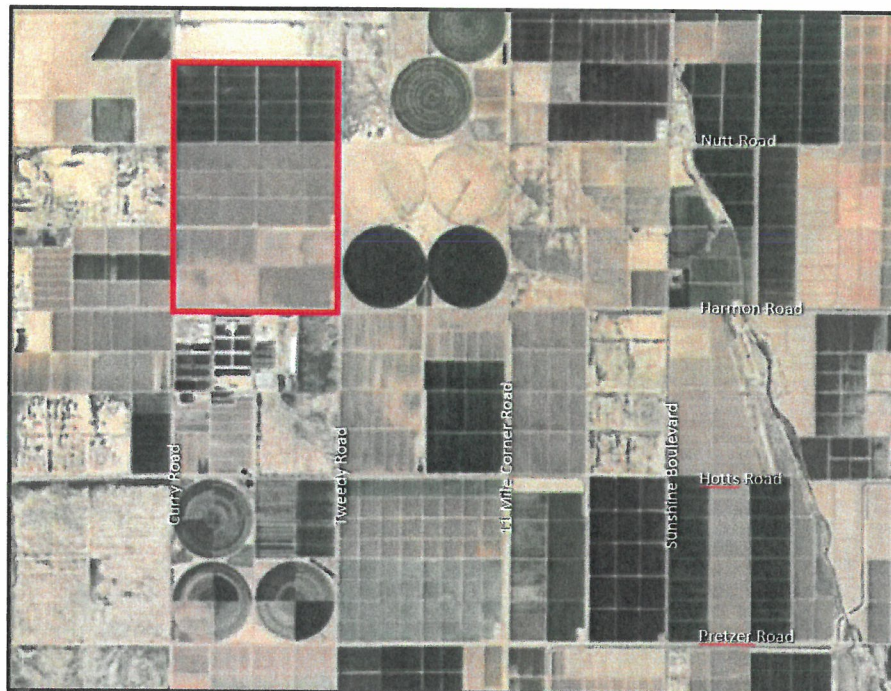
W. Ralph Pew
Certified Real Estate Specialist
Sean B. Lake
Reese L. Anderson

June 17, 2024

NOTICE OF NEIGHBORHOOD MEETING; PZPAD2006-035.A1.

Dear Neighbor,

Pew & Lake, PLC, on behalf of NextEra Energy Resources, LLC, is pleased to invite you to a neighborhood meeting regarding the development of approximately 960 acres of property in the City of Eloy. The property is located on the north side of Harmon Road, between Curry and Tweedy Roads. The property is shown below and is comprised of six Pinal County Parcel numbers (408-01-039A, -039B, -049A, -049B, -50A and -050B), all of which are under the ownership of a single entity called Linmark, LLC.



We have applied for an amendment to the existing Planned Area Development (PAD) document that established the allowed uses on this property. Specifically, our application to the City of Eloy is for:

- **Approval of an amendment to the 2006 Picacho View II PAD (case RZPAD06-35) to expand the uses allowed within the base zoning districts, as authorized in Section 2.7.4(A) of the City's Zoning Ordinance to include Solar, Utility Scale Generation and Battery Energy Storage System Facilities and to establish development standards consistent with Section 21-3-1.39 of the City of Eloy Zoning Ordinance.**

Approval of this request will allow NextEra Energy Resources to develop a utility scale solar project that will include solar panels, battery energy storage systems and connections to the 230kV power lines near the property.

This letter has been sent to property owners within 300-feet of the proposed development, as required by the City of Eloy Zoning Ordinance. A neighborhood meeting is scheduled to provide property owners in this area with an opportunity to learn about the proposed development, ask questions and provide comments and input on the proposed development.

This neighborhood meeting will be on the date, time and location shown below:

Date: July 1, 2024

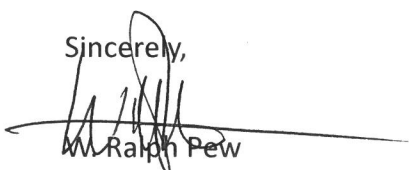
Time: 6:00 p.m.

**Place: Eloy City Hall, Community Room
595 C Street
Eloy, AZ 85131**

Should you like to provide comments or learn more about the Project, please feel free to reach out to me at the phone number below or send your questions and/or comments via email to EloyValleySolar@nexteraenergy.com. Written comments or questions may also be mailed to Stephanie Rush, NextEra Energy Resources, LLC, 700 Universe Blvd. A3, Juno Beach, FL 33408. For additional information, please visit the Project website at: www.elyovalleysolar.com. The City of Eloy has assigned this case to Mr. Daniel Symer, Community Development Director, who may be reached at dsymer@EloyAZ.gov. Please let any one of us know if you have questions or concerns regarding this proposed development.

A summary of the neighborhood meeting, as well as any additional comments received, will be part of the public record for this case and provided to the Planning Commission and City Council as part of the public record for this project.

Sincerely,



W. Ralph Pew

Pew & Lake, PLC

CABALLERO ACRES LLLP
4960 S GILBERT RD STE 1-621
CHANDLER, AZ 85249

LINMARK LLC
13125 N 75TH PL
SCOTTSDALE, AZ 85260

GM GABRYCH FAMILY LTD PSHI...
16700 N THOMPSON PEAK PK...
SCOTTSDALE, AZ 85260

CABALLERO ACRES LLLP
4960 S GILBERT RD STE 1-621
CHANDLER, AZ 85249

MATHES WILLIAM O
4830 N 68TH PL
SCOTTSDALE, AZ 85251

GM GABRYCH FAMILY LTD PSHI...
16700 N THOMPSON PEAK PK...
SCOTTSDALE, AZ 85260

THREE C ELOY
4960 S GILBERT RD STE 1-621
CHANDLER, AZ 85249

GULF STREAM PROPERTIES LL...
3452 E ALOE DR
CHANDLER, AZ 85286

GM GABRYCH FAMILY LTD PSHI...
16700 N THOMPSON PEAK PK...
SCOTTSDALE, AZ 85260

THREE C ELOY LLC
4960 S GILBERT RD STE 1-621
CHANDLER, AZ 85249

LINMARK LLC
13125 N 75TH PL
SCOTTSDALE, AZ 85260

GM GABRYCH FAMILY LTD PSHI...
16700 N THOMPSON PEAK PK...
SCOTTSDALE, AZ 85260

THREE C ELOY LLC
4960 S GILBERT RD STE 1-621
CHANDLER, AZ 85249

LINMARK LLC
13125 N 75TH PL
SCOTTSDALE, AZ 85260

GM GABRYCH FAMILY LTD PSHI...
16700 N THOMPSON PEAK PK...
SCOTTSDALE, AZ 85260

BONNELL FAMILY LIVING TRUS...
12345 DESERT MIRAGE CIR
EL MIRAGE, AZ 85335

,

BEN FATTO LTD PSHIP & VIEL G...
3850 E BASELINE RD STE 114
MESA, AZ 85206

BONNELL JOHN HAMER
12345 DESERT MIRAGE CIR
EL MIRAGE, AZ 85335

GM GABRYCH FAMILY LTD PSHI...
16700 N THOMPSON PEAK PK...
SCOTTSDALE, AZ 85260

BT ELOY LLC
200 DRYDEN RD E STE 2000
DRESHER, PA 19025

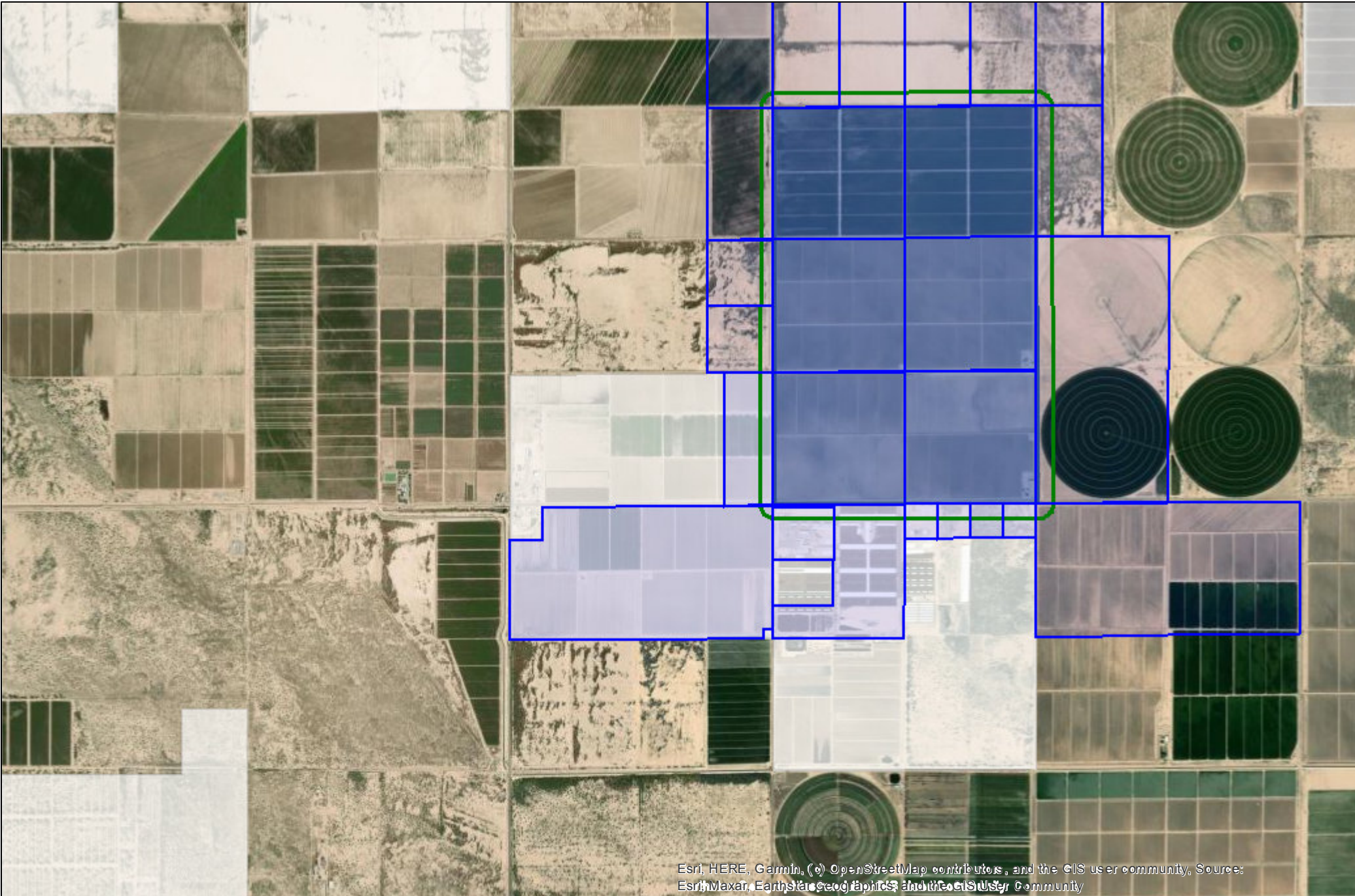
LINMARK LLC
13125 N 75TH PL
SCOTTSDALE, AZ 85260

MCC HOLDINGS LLC
4960 S GILBERT RD STE 1-621
CHANDLER, AZ 85249

LINMARK LLC
13125 N 75TH PL
SCOTTSDALE, AZ 85260

LINMARK LLC
13125 N 75TH PL
SCOTTSDALE, AZ 85260

HNF ENTERPRISES INC
911 WILSON RANCH PL
CEDAR PARK, TX 78613



Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community. Source: Esri, Maxar, Earthstar GeoGraphics, and the GIS User Community

Disclaimer: Pinal County does not guarantee that any information contained within this dataset or map is accurate, complete, or current. This data is for informational use only and does not constitute a legal document for the description of these properties. The Pinal County disclaims any responsibility or liability for any direct or indirect damages resulting from the use of this data. The boundaries depicted within this dataset or map are for illustrative purposes only. Users should independently research, investigate, and verify all information before relying on this map or using this map in the preparation of legal documents.

Neighborhood Meeting Sign-In Sheet

Applicant:

Pew & Lake on behalf of NextEra Energy Resources

Property Location:

Between Shay and Pretzer Roads and Curry and Sunshine
Blvd.: 3,837 acres

Date:

July 1, 2024

Meeting Location:

Eloy City Hall, Community Room
595 C Street, Eloy, AZ 85131

Time:

6:00 p.m.

Cases: CUP2024-002, RZPAD2006-035.A1 and
RZPAD2007-007.A1

#	NAME	ADDRESS	ZIP	Email	PHONE
1	Greg & Jackie Vernon	22840 S. Tweedy Rd Eloy	85131	Jackie5vernon@gmail.com Gregoryk.vernon814@gmail	520 251-1740 520 251-2358
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					

An aerial photograph of a large-scale solar farm. The image shows multiple long, parallel rows of solar panels stretching across a flat, arid landscape. The panels are dark blue and mounted on metal racks. The ground between the rows is sandy and sparsely vegetated. In the background, there are some distant structures and a clear blue sky.

Eloy Valley Solar Project Neighborhood Meeting

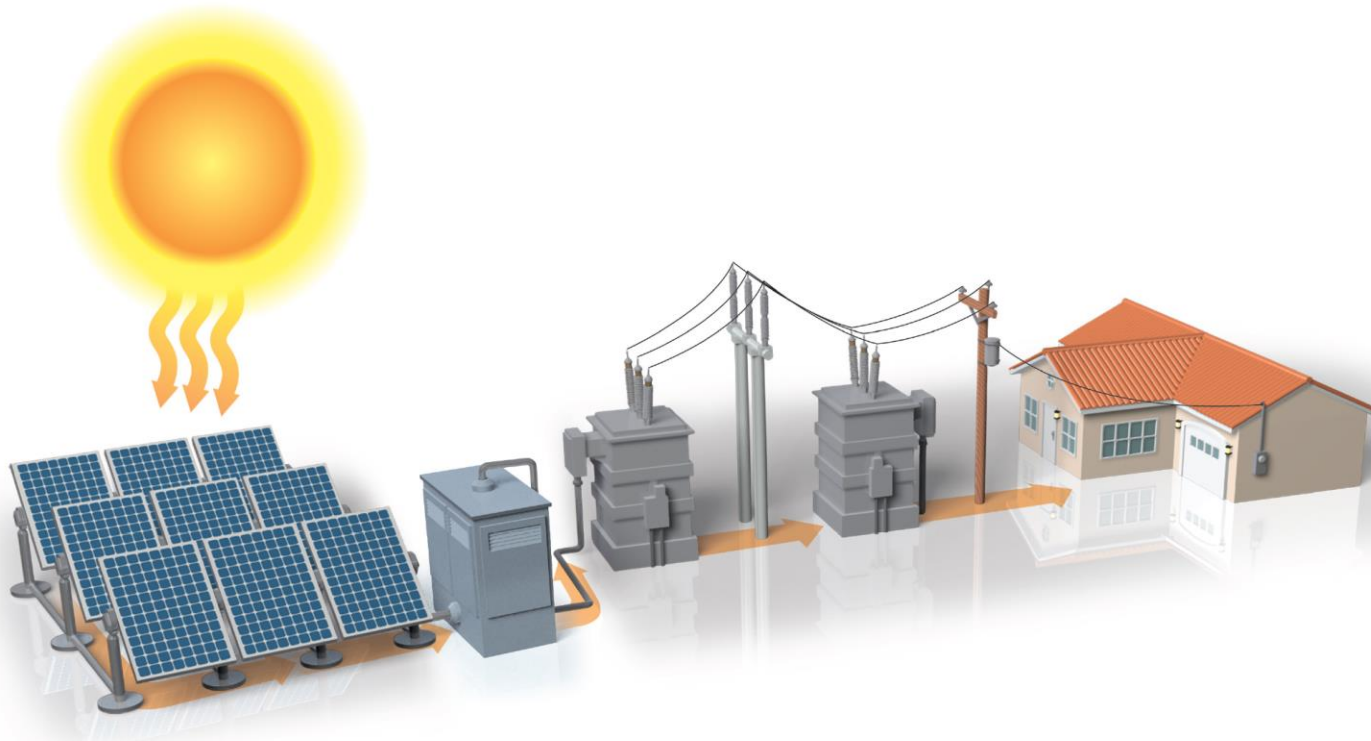
July 1, 2024 - City of Eloy - CUP2024-002, RZPAD2006-035.A1 and RZPAD2007-007.A1

Introductions



- **Pew & Lake, PLC**
 - Ralph Pew
 - Vanessa MacDonald
- **NextEra Energy Resources**
 - Stephanie Rush

How solar panels convert solar energy to electricity



As sunlight hits the solar panels, the solar radiation is converted into direct current (DC) electricity.



The direct current is collected on cables from each "string" of panels and flows into power inverters, where it is converted into alternating current (AC) electricity, which is suitable for use by homes and businesses.



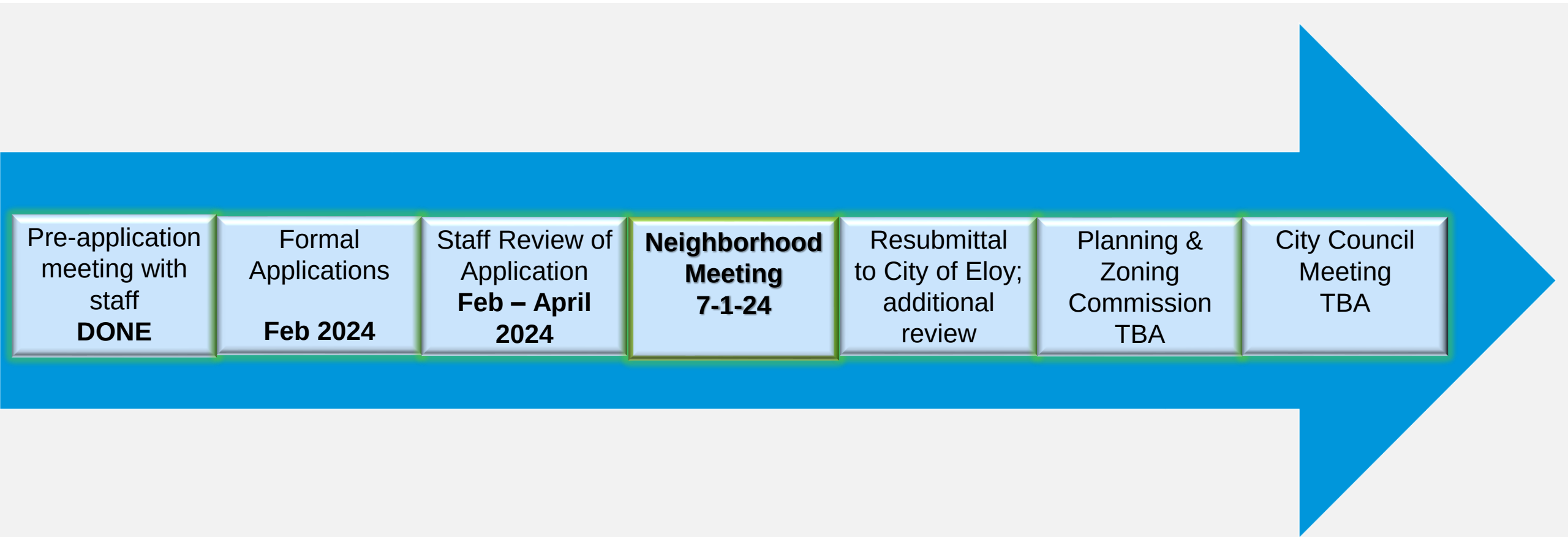
The AC electricity from the power inverters is again collected using a series of cables and delivered to a central electrical substation where it passes through a power transformer. The transformer boosts the voltage of the current to match the voltage at the point of delivery at the local utility substation.



The local utility distributes the electricity to homes and businesses along its electrical grid.

City of Eloy Entitlement Processes

After this process is complete, the Site Planning process will take another 4 to 6 months.



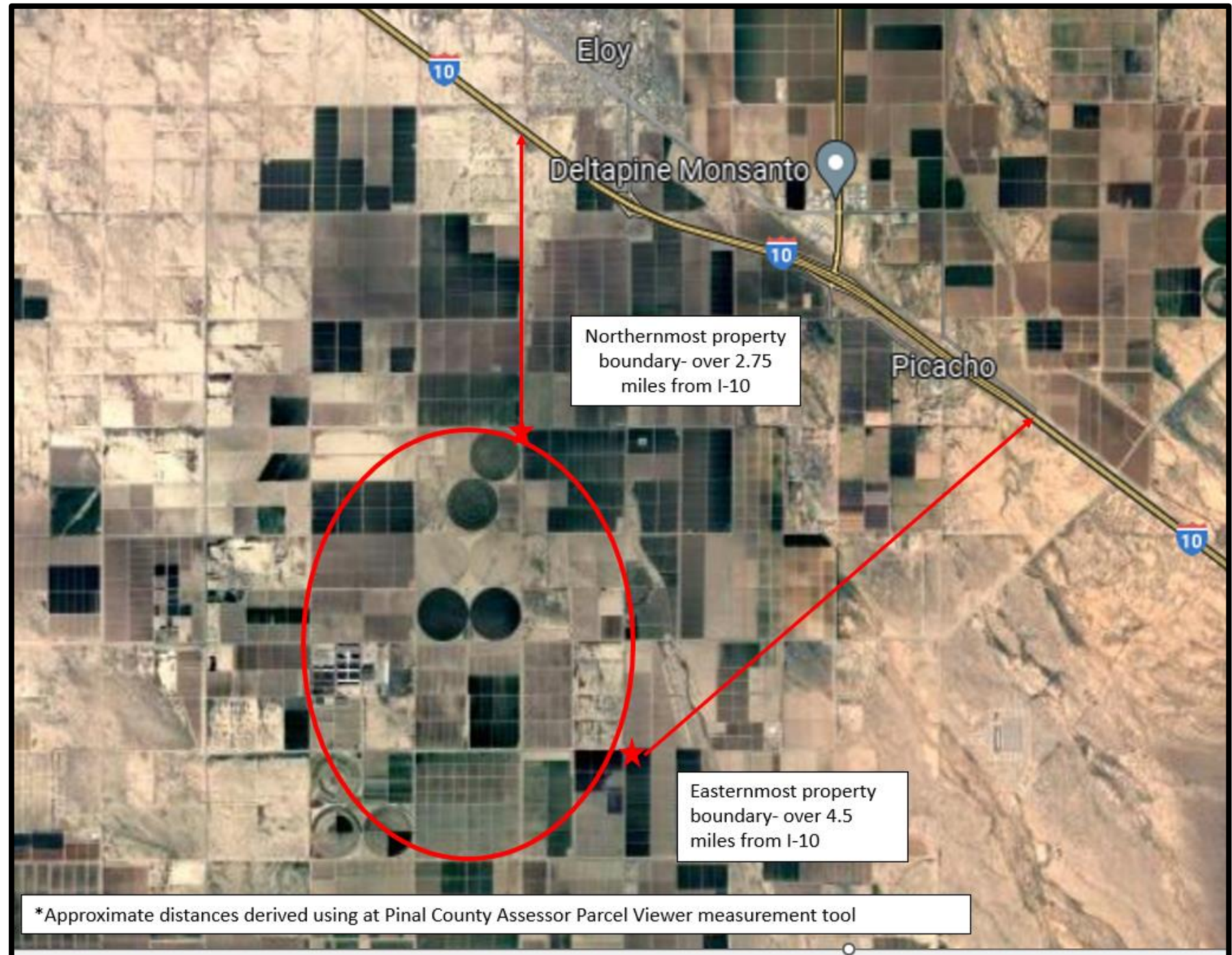
- 1. Request for a Conditional Use Permit (CUP) to allow Utility Scale Solar Generation and Battery Energy Storage System facilities on 2,237 acres. (CUP2024-002)**
- 2. Request for a Zoning Map Amendment to the Picacho View II Planned Area Development (PAD) to allow Utility Scale Solar Generation and Battery Energy Storage System facilities on 960 acres. (RZPAD2006-035.A1)**
- 3. Request for a Zoning Map Amendment to the Steven Farms Planed Area Development (PAD) to allow Utility Scale Solar Generation and Battery Energy Storage System Facilities on 640 acres. (RZPAD2007-007.A1)**

Eloy Solar Ordinance

(Ord. No. 23-950, approved August 28, 2023)

- **Incorporated Utility Scale Solar as a use in the City**
- **Prescribed locational requirements for utility scale solar facilities**
 - South of I-10
 - A minimum of 2,200-feet from the southern freeway right-of way
 - Established development standards
 - Prescribed landscaping, fencing and right-of-way dedication details
- **Established de-commissioning procedures**

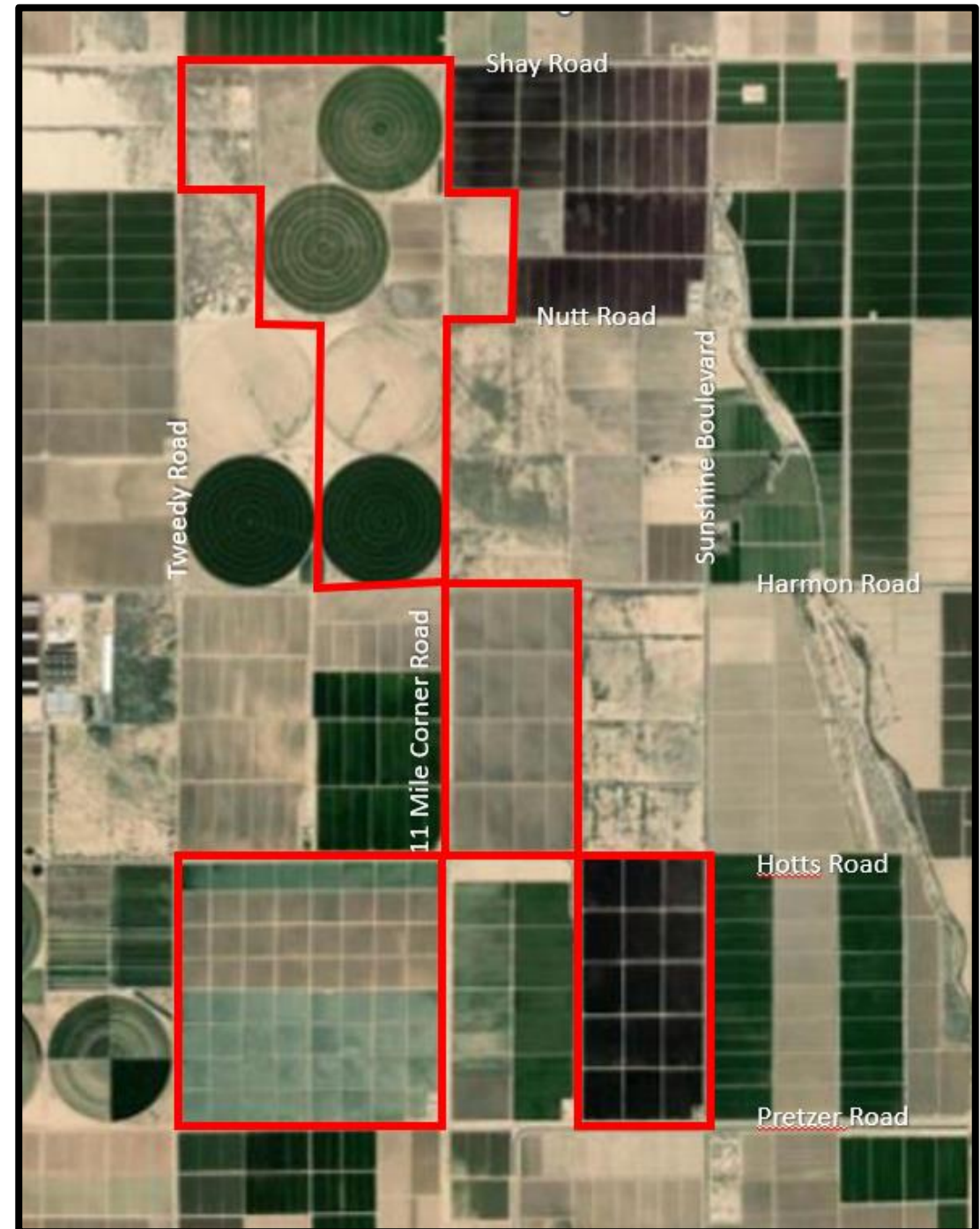
Vicinity Map – Entire project



Project Map- Conditional Use Permit Application

(CUP2024-002)

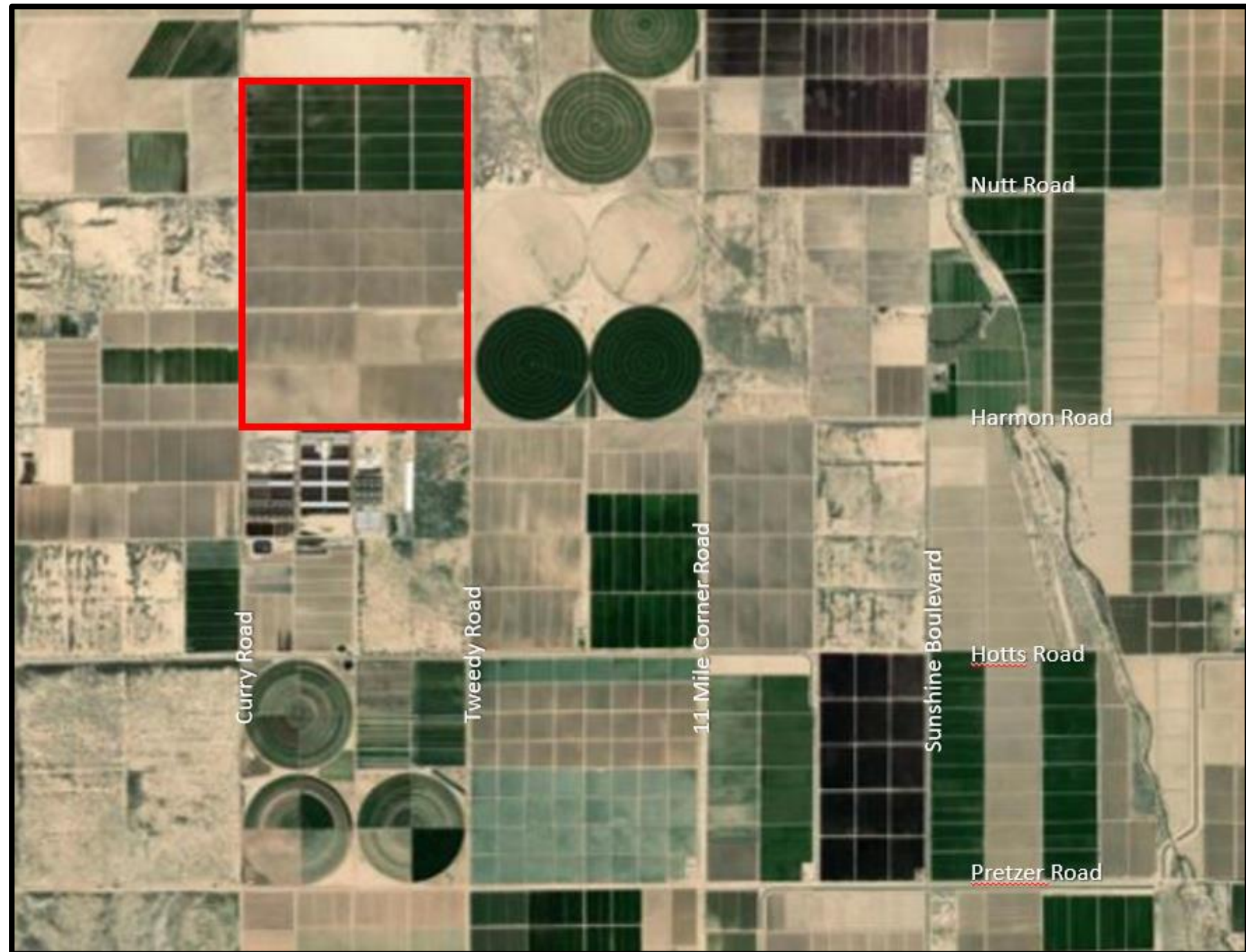
- Approximately 2,237 acres
- 23 different parcels
- Various landowners



Project Map- Picacho View II PAD Amendment

(RZPAD2006-035.A1)

- Approximately 960 acres
- 6 different parcels
- Owned by Linmark, LLC



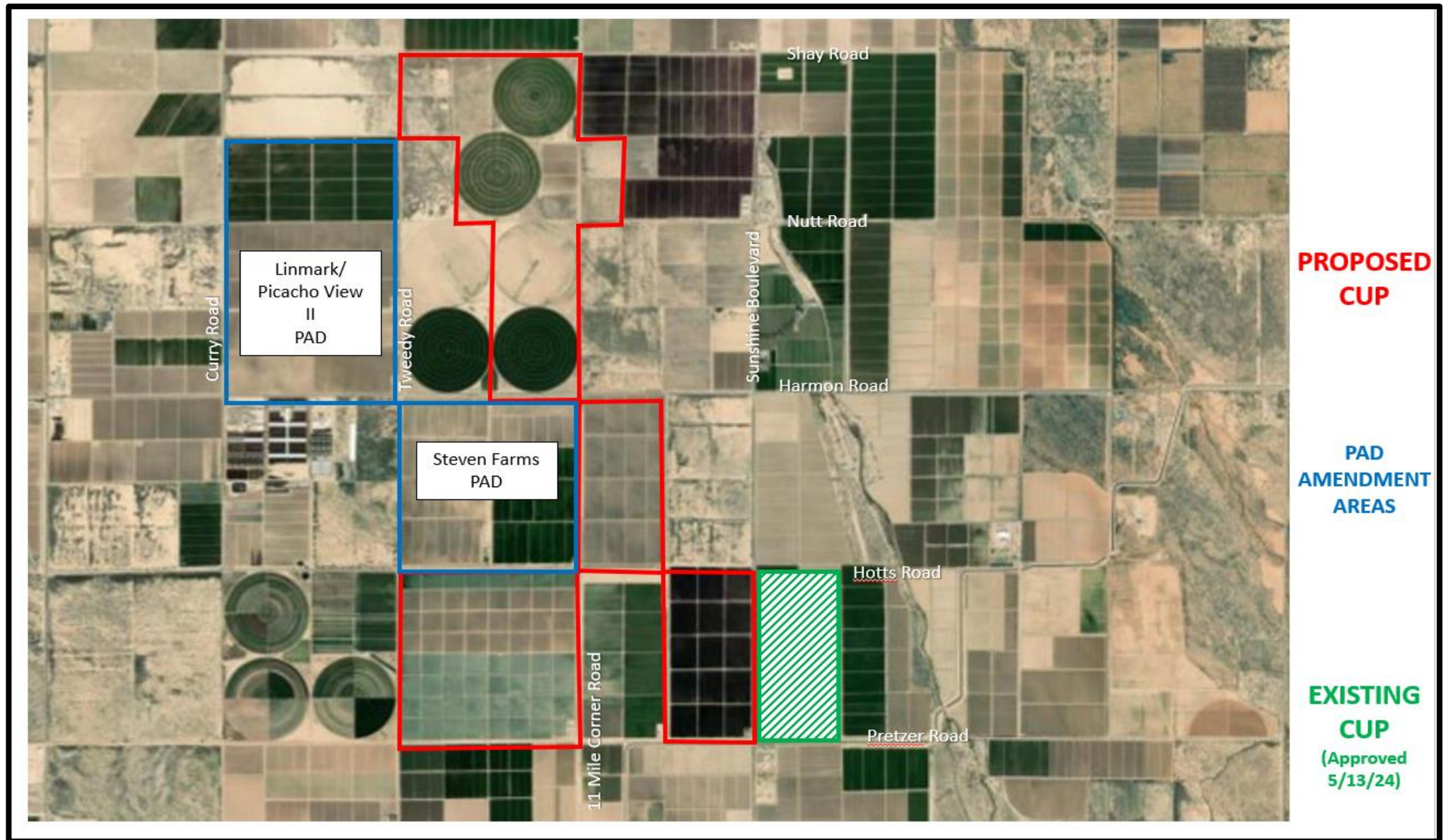
Project Map- Steven Farms PAD Amendment

(RZPAD2007-007.A1)

- Approximately 640 acres
- 3 different parcels
- Owned by BT Eloy, LLC



Project Map- Eloy Valley Solar (+/- 4,150 acres)



Eloy Valley Solar Overview

- **Generates up to 400 megawatts of photovoltaic solar energy**
- **Provides up to 400 megawatts of battery energy storage**
- **400 megawatts of solar can power 83,000 homes for a day***
- **Creates no air or water pollution**
- **Uses no water to generate electricity**

NEXTERA[®]
ENERGY
RESOURCES



Key	Botanical Name	Common Name	Size	Container	Mature Height	Comments
CM	<i>Cassipouira mexicana</i>	Mexican Bird of Paradise	#2	Cont.	16-ft	
OV	<i>Ododea viscosa</i>	Hop Bush	#2	Cont.	12-ft	
LY	<i>Larrea tridentata</i>	Creosote Bush, Greasewood	#1	Cont.	6-ft	
LF	<i>Leucophyllum frutescens</i> 'Green Cloud'	Texas Sage	#1	Cont.	6 to 8-ft	
PF	<i>Pinkiflossia florida</i>	Blue Palo Verde	#2	Cont.	25-ft	
PR					25 ft. min.	

1. ALL LANDSCAPED AREAS SHALL BE FINISHED WITH A PRE-EMERGENT HERBICIDE PRIOR TO PLACEMENT OF:
 - 1.1. GROUNDCOVER PLANTINGS (70% OF TOTAL LANDSCAPE AREA; PLANTING DESIGNS 2 AND 3);
 - 1.2. "MULCH" 2" OF DECOMPOSED GRANITE (REMAINING 70% OF TOTAL LANDSCAPE AREA; 100% OF PLANTING DESIGN 4, B, AND C).
2. CONTRACTOR SHALL WORK WITH THE CITY TO CHOOSE APPROPRIATE GROUND COVER PLANTS AND PLANT OPTIONS.
3. LABELLED DISTANCES AND DATES FOR MAINTENANCE: CONTRACTOR SHALL PROVIDE DISTANCES AND CALCULATE NUMBER OF REQUIRED PLANTINGS BASED ON PLANTING DESIGN (INCLUDED ON THIS SHEET) INDICATED FOR EACH GENERAL AREA SHOWN ON SITES L&H AND L&O2.
4. PLANTING DESIGNS A, B, AND C WERE DEVELOPED TO PROVIDE ONE TREE AND THREE SHRUBS FOR EVERY 30'-0". ALONG STREET FLAUNTATIONS.
5. PLANTING DESIGN D AND E WERE DEVELOPED TO INCREASE PLANTINGS ALONG RESIDENTIAL STREET FRONTS.
6. BUFFERES AS REQUIRED PER PCIDS: SEE 2.340-040.
7. TREES AND SHRUBS HAVE BEEN SELECTED FROM THE ADMP LOW WATER USE/ROUNDOUP TOLERANT PLANT LIST. FINAL ACTION PLANTING SPECIFICATIONS TO BE PROVIDED BY THE CITY.

[illegible]

CONCEPTUAL LANDSCAPE PLAN
ELOY VALLEY SOLAR I & II
CITY OF ELOY, AZ
CUP LANDSCAPING
DESIGN SECTIONS

DATE: 02/13/2024

0 20 40

SCALE IN FEET

SHEET

LA 05

THANK YOU! QUESTIONS?

Conditional Use Permit Findings (Sec. 21-6-7.4; Eloy Zoning Ordinance)

- ***The proposed use will not be detrimental to the health, safety, or general welfare of persons living or working in the vicinity, to adjacent property, to the neighborhood, or to the public in general;***
- ***The proposed use conforms with the purposes, intent, and policies of the adopted Eloy General Plan and its policies and any applicable area or neighborhood plan officially adopted by the City Council;***
- ***The proposed use conforms with the conditions, requirements, or standards prescribed by this chapter and any other local, State, or Federal requirements; and***
- ***The proposed use shall conform to the character of the neighborhood, within the same zoning district, in which it is located. Consideration shall include the location, type and height of the buildings or structures and the type and extent of landscaping and screening on the site.***

Conditional Use Permit Findings (Sec. 21-6-7.4; Eloy Zoning Ordinance)

- *Adequate utilities, access roads, drainage, fire protection and other necessary facilities shall be provided.*
- *Adequate measures shall provide ingress and egress so designed to minimize traffic hazards and traffic congestion on public roads.*
- *The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke, or gas.*
- *The proposed use shall not be injurious to the use and enjoyment of the property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair the property values within the neighborhood.*
- *The establishment of the proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.*

NextEra Energy Resources in Arizona

Invested \$20 billion in the Copper State



Investing in Arizona since 2012

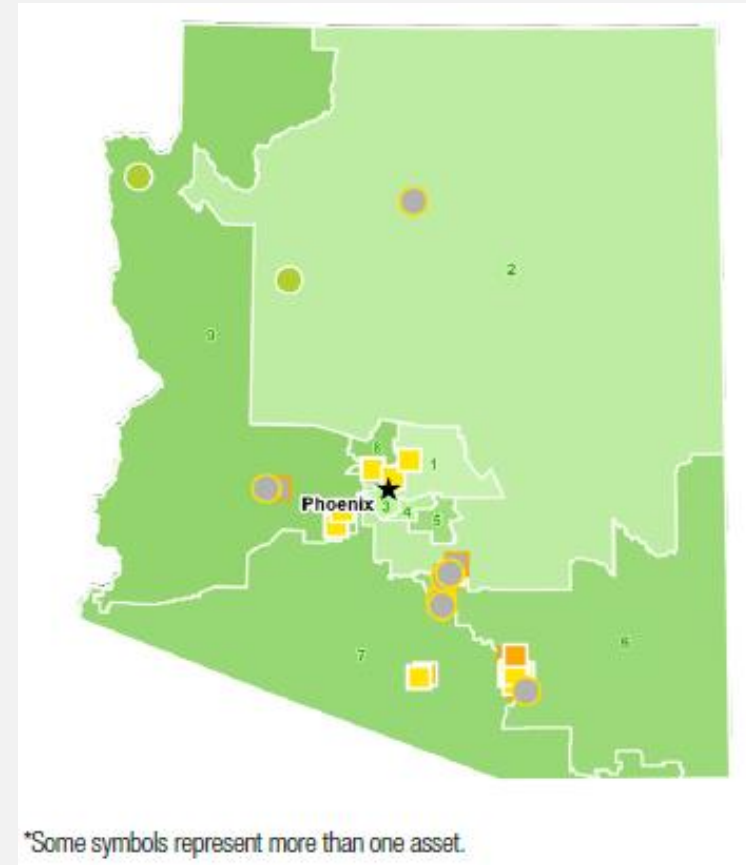
Own and operate two wind energy centers

Own and operate five utility-scale solar energy centers

Own and operate one battery energy storage system

Developing additional renewable energy projects:

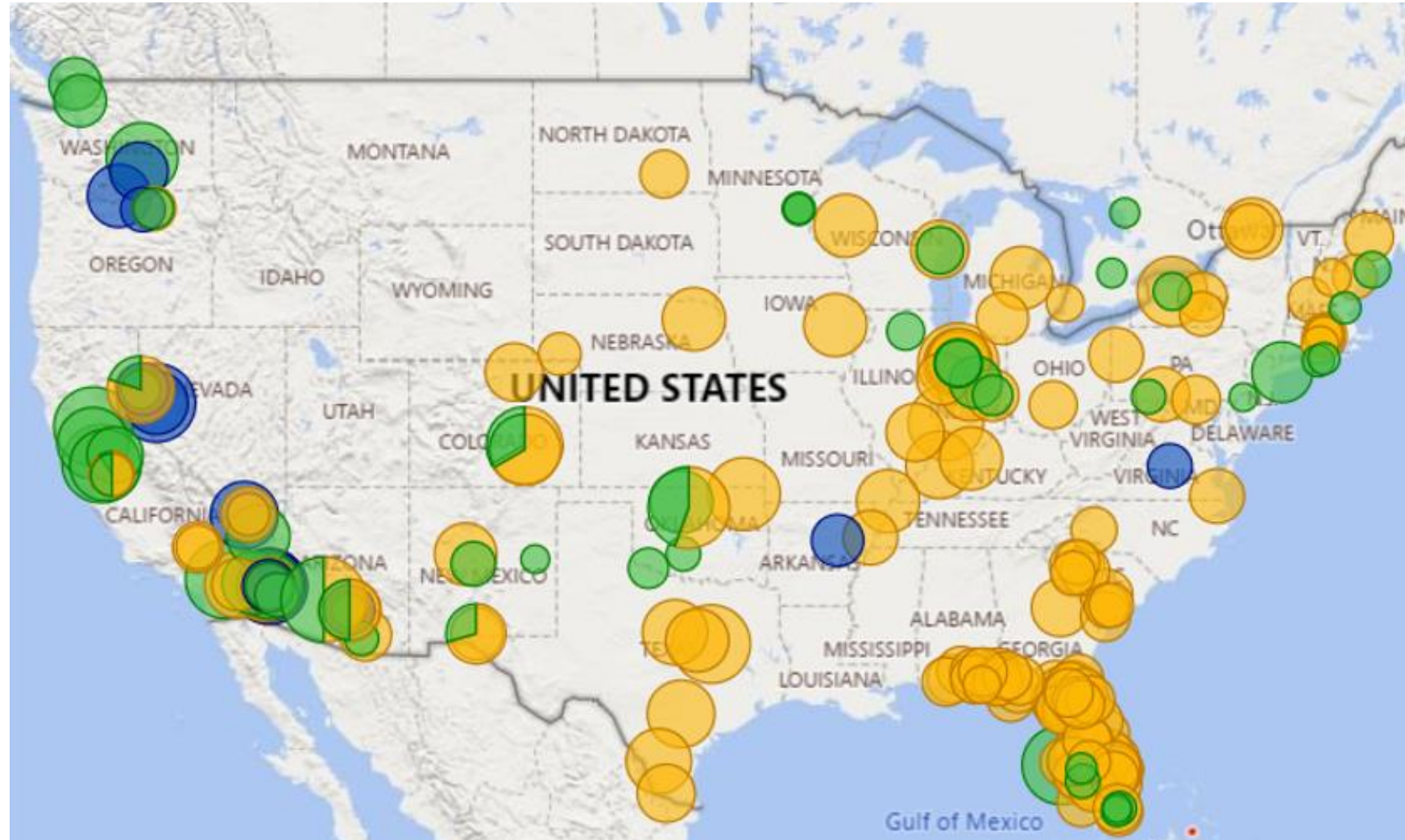
- One wind energy center in construction
- Five utility-scale solar projects in development
- Seven battery energy storage systems in development



Legend: ● Wind ● Utility-Scale Solar ■ Distributed Energy Resources ■ Battery Energy Storage ■ Development/Construction

Map of our solar and battery energy storage sites

More than 107 sites and over
39 battery energy storage
projects



Conditions of Approval for Zoning Map Amendment:

Case No. RZPAD2006-035.A1

1st Amendment to the Picacho View II Planned Area Development-NextEra

These stipulations are in order to protect the public health, safety, and welfare of the City of Eloy.

SITE DEVELOPMENT

1. **APPLICABILITY.** Case No. RZPAD2006-035.A1, 1st Amendment to the Picacho View II Planned Area Development-NextEra, and Conditions of Approval herein shall supersede all previous approvals, including Ordinance No. 06-646.
2. **CONFORMANCE TO DEVELOPMENT PLAN.** The development shall conform to the Development Plan, entitled "1st Amendment to the Picacho View II Planned Area Development-NextEra," which is on file with the City Clerk and made a public record by Resolution No. *(To Be Determined at the City Council Hearing)* and incorporated into these stipulations and ordinance by reference as if fully set forth herein. Any proposed significant change to the Development Plan, as determined by the Zoning Administrator, shall be subject to additional action and public hearings before the Planning and Zoning Commission and City Council. Where there is a conflict between the Development Plan and these stipulations, these stipulations shall prevail.
 - 2.a. The location of the Utility Scale Generation and Battery Energy Storage System Facility improvements, and substation adjacent to West Kenyon Road and South Tweedy Road shall comply with the setback requirements of Utility Scale Solar Development Standards of the Zoning Ordinance.
 - 2.b. All perimeter walls and fencing, including entry gates, shall be set a minimum of 50 feet from right-of-way.
3. **CONFORMANCE TO AMENDED DEVELOPMENT STANDARDS.** The development shall conform to the amended development standards included in the Development Plan. Any change to the development standards shall be subject to additional public hearings before the Planning and Zoning Commission and City Council.
4. **SCREENING.** All equipment and structures to store (e.g. batteries, etc.) and to convey electricity (e.g. substations, batteries, etc., but, excluding transmission towers) shall be screened by a minimum seven foot tall opaque wall, fence, or chain-link fence with opaque slates on all sides subject to the approval of the Community Development Director.
5. **EASEMENTS.** No development shall be constructed in publicly dedicated easements without an encroachment permit. The property owner/developer shall obtain approval from the City of an easement release for any easement determined by the City Engineer or the Community Development Director that needs to be removed to accommodate the development of the property. The property owner/developer shall dedicate all easements necessary to serve the development as determined by the City Engineer or the Community Development Director.
6. **INTERNAL ROADWAYS.** All internal roadways for a Solar, Utility Scale Generation and Battery Energy Storage System Facility shall be compacted to withstand a minimum gross vehicle weight of 75,000 pounds, and comply with the most recent Fire Code requirements of the Eloy City Code applicable at the time of permit issuance.

7. OPEN SPACE. For uses other than a farm or Solar, Utility Scale Generation and Battery Energy Storage System Facility: 1) A minimum of fifteen percent (15%) of the net property acreage of the Picacho View II Planned Area Development-NextEra shall be provided as Open Space Conservation (OSC) and/or Open Space Recreation (OSR) zoned and/or designated area; and 2) The developer shall provide an update to the total, and location of, the Open Space Conservation (OSC) and/or Open Space Recreation (OSR) that been zoned and/or designated with each preliminary plan and/or site plan application.

MASTER PLANS AND STUDIES

8. MASTER INFRASTRUCTURE PLANS. Prior to the submittal of any preliminary plat, or site plan, for any part of the property for a use other than a farm or a Solar, Utility Scale Generation and Battery Energy Storage System Facility, the property owner/developer shall submit the new Master Infrastructure Plans specified below for the entire Rancho Del Sol Brillante Planned Area Development Center, by a registered engineer licensed to practice in Arizona. The aforementioned Master Infrastructure Plans shall be accepted/approved by the City of Eloy's City Engineer prior to receiving approval of any preliminary plat, or site plan. The Master Infrastructure Plans shall be sealed by the registrant no more than 30 days before the submittal date to the City, and shall be prepared to conform to the standards specified by the City of Eloy's City Engineer. Each Master Infrastructure Plan shall include a complete description and plans of the infrastructure improvements, any project phasing of the improvements, and identifying the timing and parties responsible for the construction of the improvements. The following Master Infrastructure Plans shall be submitted:
 - a. Master Transportation Systems Plan
 - b. Master Drainage Systems Plan
 - c. Master Water Systems Plan
 - d. Master Wastewater Systems Plan
9. TRAFFIC IMPACT ANALYSIS. With each site plan or preliminary plat submittal, the property owner/developer shall submit a Traffic Impact Analysis by a registered Traffic Engineer licensed to practice in Arizona for review and acceptance by the City Engineer. At a minimum, the Traffic Impact Analysis shall address on-site and off-site traffic flows, project impacts, and mitigation measures, anticipated trip generations, and level of service.

INFRASTRUCTURE

10. WATER RESERVOIR. Prior to, or concurrent with, the issuance of any building permit for a Solar, Utility Scale Generation, and Battery Energy Storage System Facility, the property owner/developer shall obtain permits to construct a minimum 25,000-gallon water reservoir tank on the property near the battery storage facilities and substation. The water reservoir tank shall be operational and filled with water prior to any Final Inspection for the development project.
11. WASTEWATER. The developer shall provide sewer connections, or a septic field in accordance with Pinal County requirements, for all sink(s) and toilet(s)/lavatory room(s) provided on the property for the Solar, Utility Scale Generation and Battery Energy Storage System Facility. No temporary portable toilet(s) or similar facilities will be allowed on site, except during construction. All portable toilet(s) or similar facilities shall be removed prior to receiving a final inspection for the associate building permit activities.

12. STANDARDS OF IMPROVEMENTS.

- a. With the development of the property for a Solar, Utility Scale Generation and Battery Energy Storage System Facility, the property owner/developer shall construct improvements as required by the Zoning Ordinance and the City Engineer. All required infrastructure improvements shall be constructed in accordance with the Eloy City Code, and the applicable Maricopa Association of Governments (MAG) Uniform Standard Specifications and Details for Public Works Construction, Maricopa Association of Governments (MAG) Uniform Standard Specifications and Details for Public Works Construction.
- b. With the development of any other use, the improvements (curb, gutter, sidewalk, curb ramps, driveways, pavement, concrete, water, wastewater, etc.) shall be constructed in accordance with the applicable City of Eloy City Code, accepted/approved Master Infrastructure Plans, and Maricopa Association of Governments (MAG) Uniform Standard Specifications and Details for Public Works Construction, Maricopa Association of Governments (MAG) Uniform Standard Specifications and Details for Public Works Construction, or other standard specifications and details for public works construction accepted by the City Engineer.

13. CONSTRUCTION COMPLETED. Prior to issuance of any Certificate of Occupancy or Certification of Shell Building, or Final Inspection, whichever is first, for the development project, the property owner shall complete all the infrastructure and improvements required by the Eloy City Code and these stipulations.

CITY OF ELOY

REQUEST FOR COMMISSION ACTION

Agenda Item: **V.B.**

Date: **9/18/2024**

Date submitted:
08/27/2024

Action: Other

Subject: Conduct a public hearing and make a recommendation to the Eloy City Council on Case No. RZPA2007-007.A1 Steven Farms Planned Area Development - NextEra. The proposed Amendment to the Zoning Map will modify the Steven Farms Planned Area Development to permit Solar, Utility Scale Generation, and Battery Energy Storage System Facilities as an allowed use. Consisting of approximately 640 acres of land, the site is located between W Harmon RD, W Hotts RD, S Eleven Mile Corner Road, and S Tweedy RD.

TO: Planning and Zoning Commission

FROM: Dan Symer, Belinda Cota

RECOMMENDATION:

The staff recommends that the Planning and Zoning Commission recommend to the City Council the approval of Case No. RZPA2007-007.A1 Steven Farms Planned Area Development - NextEra in accordance with the attached Conditions of Approval and find that the Planned Area Development Approval Criteria have been met.

DISCUSSION:

Request:

The applicant, Pew and Lake, PLC, c/o Ralph Pew, on behalf of NextEra Energy Resources, LLC and BT Eloy, LLC, has applied for a Zoning Map Amendment to modify the existing Steven Farms Planned Area Development (PAD). The amendment incorporates Solar, Utility-Scale Generation, and Battery Energy Storage Facility, also known as a Solar Generation Facility, in the Zoning Ordinance (hereafter, "Utility-Scale Solar") as an allowed use on approximately 640 acres of land.

Context

Farms and vacant land primarily surround the site. The surrounding properties are primarily zoned single-family residential and there is a dairy farm within Unincorporated Pinal County. The General Plan land use map designations, zoning, and land uses of the property abutting and adjacent to the property are identified in the table below and in the attachments.

Direction	General Plan Land Use Map Designation	Existing Property Zoning	Existing Use of the Property
North	Community Commercial, High Density Residential, Estate Density Residential	Estate Residential (R1-43)	Agricultural
South	Community Commercial, High Density Residential, Medium Density Residential	Rural Residential (RR-20)	Agricultural
East	Estate Density Residential	Estate Residential (R1-43)	Agricultural
West	Estate Density Residential	General Rural (GR) (Unincorporated Pinal County)	Agricultural

Zoning Ordinance Issues for Consideration:

In determining whether to approve, approve with conditions, or deny the proposed Official Zoning Map amendments, issues for consideration shall include but not limited to (Staff's analysis of the consideration is included in bold italic text, and the applicant's analysis is included in their narrative, attached):

A. Consistency (or lack thereof) with the adopted Eloy General Plan, and other adopted plans;

- ***The Utility Scale Solar use may also be allowed in any zoning district and land use designations when incorporated as an allowed use of a PAD zone. Adding the Utility Scale Solar to the PAD will assist in providing for a more sustainable community as specified in the General Plan Goal 3.1.1.1. It should be noted that according to the applicant, the Utility Scale Solar use is interim until such time that the development of the property for the zones and uses specified in the PAD is more viable and utilities are available.***

B. Compatibility with the existing zoning and conforming uses of nearby property and with the character of the neighborhood;

- ***The proposed Zoning Map Amendment and associated uses are consistent and compatible with the abutting and adjacent properties and character of the area/neighborhood. The PAD amendment will allow that property to be developed with a Utility-Scale Solar development for interim use. In accordance with the Zoning Ordinance, with the development of the property as a Utility-Scale Solar use, landscape buffers and setbacks that are 75 feet and greater will be provided to provide transitional buffers adjacent to streets and property zoned with the residential district.***

C. Suitability of the subject property for uses permitted by the proposed zoning district;

- ***The property is relatively flat farmland. To develop it as a Utility-Scale Solar site and to develop it in the future for the uses allowed in its designated zoning, the property owner/developer will be required to provide all necessary infrastructure improvements to serve the property.***

D. Suitability of the subject property for uses permitted by the existing zoning district; and

- ***The approximate 640-acre site is currently zoned in various districts with the PAD Overlay. The property may be developed under its existing zoning designations, provided that the property owner/developer provides all necessary infrastructure improvements to serve it. The property may also be developed as a Utility-Scale Solar site with limited infrastructure improvements.***

E. Availability of sewer and water facilities.

- ***The approximate 640-acre subject site currently does not have immediate Eloy water or sewer/wastewater service to the site. The nearest water and waste service lines are located in S. Sunshine Boulevard, approximately 600 feet south of the W. Milligan Road and S. Sunshine Boulevard intersection. Several private well locations exist on the site. With the development of the property as a Utility Scale Solar use, the property owner/developer will be required to provide septic infrastructure for sewer/wastewater for any occupiable buildings and a minimum of 25,000-gallon water storage tank for landscaping, restrooms, fire suppression, etc. purposes. When the property is developed for any other use, the property owner/developer will be required to provide all sewer/wastewater and water facilities to serve the development in accordance with city, county, and state requirements.***

Approval Criteria for a PAD:

In determining whether to approve, approve with conditions, or deny a proposed Zoning Map Amendment for a PAD, the City Council shall make a determination in accordance with the provisions specified below (Staff analysis of the considerations included in bold italic text, and the applicant's analysis is included in their narrative, attached):

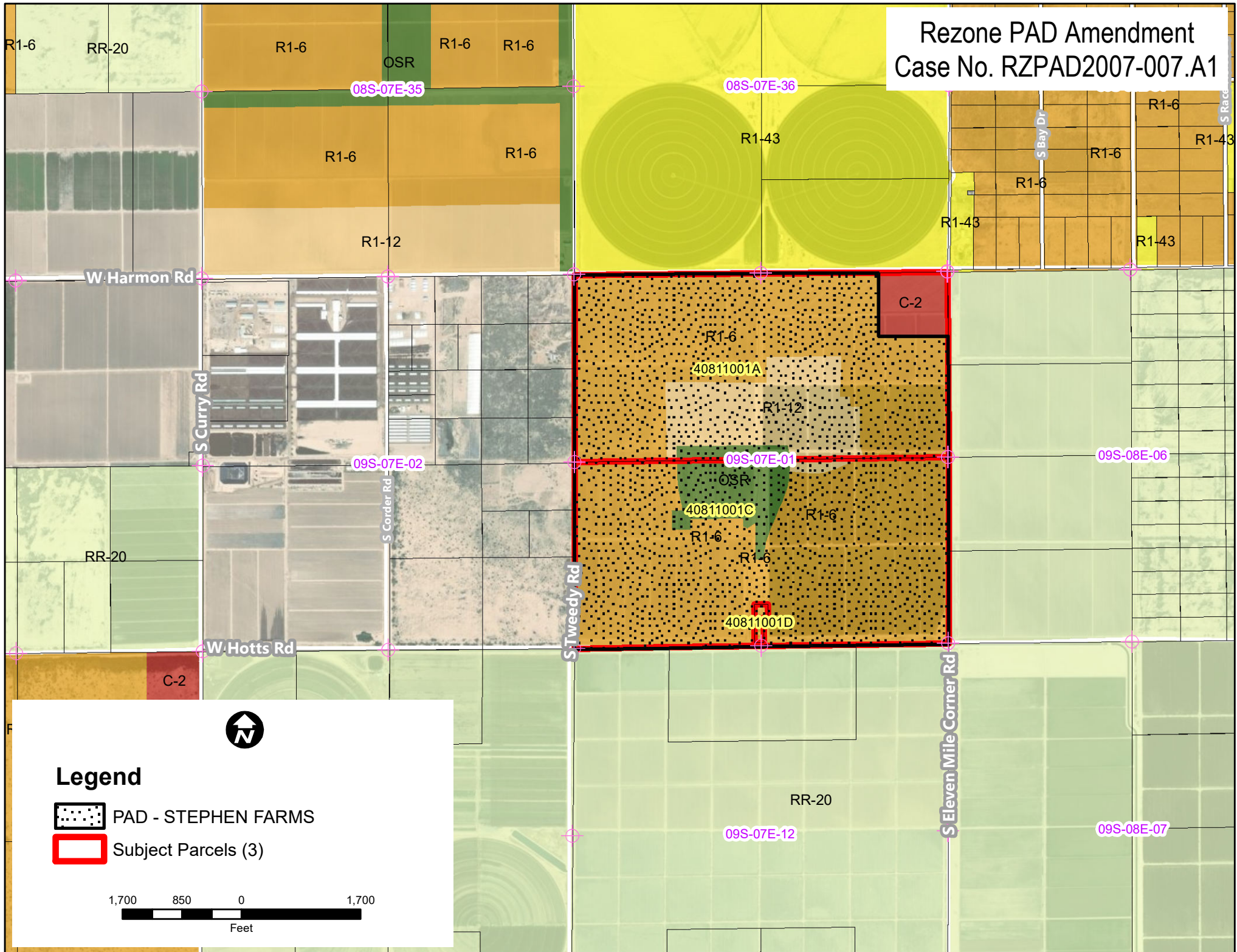
A. A PAD District may be approved only when the City Council determines that the proposed PAD would result in a greater benefit to the City as a whole than would development under conventional zoning district regulations and would not adversely affect the existing and/or future permissible uses of adjacent properties. Such greater benefits may include the implementation of adopted planning policies/design standards, natural resources preservation/conservation enhanced provision of utilities, urban design, neighborhood/community amenities, or an overall level of increased development quality.

- ***The incorporation of the Utility Scale Solar facility as an allowed use in the Steven Farms PAD will assist in providing a sustainable community through the provision of enhanced/alternative utility-scale solar energy production (GP Goal 3.1.1.1.). The proposed modifications to the PAD are not anticipated to alter the City Council's previous determination of the PAD Approval Criteria when the Steven Farms PAD was originally approved.***

FISCAL IMPACT:

There is no anticipated fiscal impact on the proposed changes.

Rezone PAD Amendment Case No. RZPAD2007-007.A1



Eloy Valley Energy Center, LLC
BT Eloy, LLC Property
NEC of Hotts and Tweedy Roads
Eloy, Arizona

**Steven Farms PAD Amendment
Project Narrative**

Submitted by:

Pew & Lake, PLC
Ralph Pew/Vanessa MacDonald
1744 South Val Vista Drive, Suite 217
Mesa, AZ 85204
480-461-4670

On behalf of:



Submitted to:

The City of Eloy
Community Development Department
595 North C Street, Suite 102
Eloy, AZ 85131

Case No. RZPAD2007-007.A1

July 30, 2024

Introduction

Pew & Lake, PLC (the “Applicant”) on behalf of NextEra Energy Resources, LLC (“NextEra”) and BT Eloy, LLC (the “Property Owner”), is pleased to submit this project narrative to the City of Eloy (the “City”) for a request to amend the Steven Farms PAD, to allow a Utility-Scale Solar Generation and Battery Energy Storage System (the “Project”) as an allowed use on the Property as defined below. The Project is proposed to be developed on approximately 640 acres of land located at the northeast corner of Hotts and Tweedy Roads (the “Property”). The Property is shown below and is comprised of three (3) Pinal County Assessor parcel numbers (408-11-001A, 408-11-001C and 408-11-001D) all of which are under the ownership of a single entity. A parcel map that identifies the properties by their Pinal County Assessor parcel numbers is included in **Attachment 1** of this narrative.



About NextEra Energy Resources, LLC.

NextEra Energy Resources, LLC (together with its affiliated entities, "NextEra Energy Resources") is a clean energy leader and is one of the largest wholesale generators of electric power in the U.S., with approximately 30,000 megawatts of total net generating capacity in 40 states and Canada. NextEra Energy Resources is the world's largest generator of renewable energy from the wind and sun and a world leader in energy storage. NextEra Energy Resources offers a wide range of clean energy solutions to help businesses and customers across the country meet their emissions reduction goals.

Through its energy investments, NextEra creates high paying jobs in the communities it serves. Within the State of Arizona, NextEra has an existing energy storage site and seven solar generation facilities in various stages of development.

With the development of this land as well as other properties within the City of Eloy, NextEra is planning to develop a 400-megawatt utility scale solar generation facility. The Project's major facilities include photovoltaic (PV) fields of solar arrays, BESS inverter stations, and a network of circuits that will route power to a Project substation that will be owned and operated by Arizona Public Service. 400 megawatts is enough electricity to power 83,000 homes. Increasing the capability of power grid is vitally important in Arizona, and especially in Pinal County.

Request

The Applicant is requesting approval of a Zoning Map Amendment of the existing Steven Farms PAD to expand the uses permitted within the base zoning districts of the Steven Farms PAD as authorized in Section 2.7.4(A) of the City's Zoning Ordinance, to include Solar, Utility Scale Generation and Battery Energy Storage System Facilities land use (hereinafter "Utility Scale Solar") and to establish development standards consistent with Section 21-3-1.39 of the City of Eloy Zoning Ordinance (the "Ordinance"). In addition, the standards incorporated in to the PAD specify that any buildings or structures constructed on the Property as part of the Utility Scale Solar Facility are to comply with the Industrial Development Requirements and Guidelines of Sections 21-2-5.5 and 21-2-5.6 of the Ordinance, except that the landscape provisions of Section 21-2-5.6.B are replaced with the landscape provisions of Section 21-3-1.39 of the Ordinance. The primary purpose of the design guidelines and the additional standards is to ensure the development complies with a design continuity, limits the use of reflective and unfinished materials, provides effective screening of equipment, and complies with the outdoor lighting and sign requirements of the Ordinance, if provided.

The Applicant, NextEra and Property Owner acknowledge and agree that the development of the Project must adhere to the development standards of the Solar Ordinance, as fully incorporated into the amendment to the Steven Farms PAD.

In addition to the above modifications, clerical changes have been incorporated into the PAD provisions to provide clarity, minimize the need for future interpretation of the plans and requirements, and to maintain conformance with the Code of the City of Eloy. These changes typically include modification to applicable references, widths, titles, format and timing. It should be noted that no substantive changes to the Steven Farms PAD are being proposed.

Zoning Map Amendment Issues for Consideration

As established in Section 21-6-6.4 of the Ordinance, approval of a Zoning Map Amendment requires careful consideration of certain issues. The issues outlined in Section 21-6-6.4 are shown below in bold text, with the manner in which this application addresses the issue immediately following in italics.

A. Consistency (or lack thereof) with the adopted Eloy General Plan, and other adopted plans;

Response: The General Plan land use designations on this property are Low and Medium Density Residential and Community Commercial, designations that virtually mirror the zoning designations on the property. The proposed amendment to the PAD will not alter the compatibility of the existing PAD with the current General Plan land use designations.

There are other elements within the Eloy General Plan that are advanced with the proposed PAD amendment. The elements are shown below along with the way in which this proposed amendment is consistent with each element.

General Plan Element	Goal	Consistency
Land Use	Goal 1: Provide a range of residential, employment and supportive land uses to encourage and maintain a sustainable community.	The proposed addition of a utility scale solar facility as an allowed use on the property serves to introduce a supportive land use to the community. While employment or residential uses are currently impractical on the Property, the proposed solar use can serve the community by leveraging the existing 230Kv power lines that are near the property to bring forth an innovative, interim use of the property in a manner that is sustainable and that has minimal impact to the property and nearby properties.
Environmental Planning	Goal 2: Strive to enhance and maintain regional and local air and water quality	The development of an interim, utility scale solar facility on the property may contribute to

		cleaner air in the community by creating a stream of clean, renewable energy that can enhance the current electrical grid and supplement the current hydroelectric and fossil fuel generation systems.
Economic Prosperity	Goal 2: Brand Eloy as a prime regional location for business, community growth and capital investment.	NextEra intends to make a significant capital investment in the City of Eloy to implement this proposed use. The Steven Farms PAD area is a small part of a much larger solar generation project for which NextEra is seeking approval. The NextEra project will implement the solar ordinance that was adopted by the city in 2023, and that provided a cohesive and coherent tool for solar development in the City of Eloy.

A. Compatibility with the existing zoning and conforming uses of nearby property and with the character of the neighborhood;

Response: The proposed amendment introduces a use that will be developed in a manner that is sensitive to the zoning and uses of nearby properties. The project will be designed to provide transitional buffers where the property abuts residential zoning districts as required by Sections 21-3-1.39, 21-2-5.5 and 21-2-5.6 of the Ordinance. The solar ordinance and industrial regulations and guidelines ensure development that integrates meaningful setbacks, effective screening and lighting guidelines that will protect nearby properties from any perceived impacts from the proposed use of the property.

Moreover, this particular part of the City is not a neighborhood in the traditional sense. There is only a single residence located directly west of the subject property, in unincorporated Pinal County. There is no public infrastructure (water or sewer) in this part of the city, which makes the development of a traditional neighborhood in the near future highly unlikely. The interim use of the subject property for a utility scale solar generation facility will not detract from the ability of nearby properties to be developed for residential uses.

B. Suitability of the subject property for uses permitted by the proposed zoning district;

Response: This amendment does not introduce any new zoning districts to the PAD. Rather, as stated above, the proposed amendment will simply add an additional use to the list of permitted uses in the Steven Farms PAD.

C. Suitability of the subject property for uses permitted by the existing zoning district; and

Response: The property, in its current condition, is not suitable for the development envisioned in the Steven Farms PAD. There are no public water or sewer services available to serve the property, nor is there an assured supply of water to the site. Without the availability of these critical services, the mix of uses envisioned in the Steven Farms PAD will simply not be achieved any time soon.

D. Availability of sewer and water facilities.

Response: As previously noted, there are no water or sewer services in this part of the city at this time. The lack of public utilities at the property will not impact the ability of the property to be used for utility scale solar. The small amount of water required for the use will be delivered to the site from off-site resources and contained in storage tanks to serve fire suppression and landscape irrigation needs. There is no need for sewer services on the property as there are no buildings planned for this project.

Surrounding Context, Land Use Designations and Uses

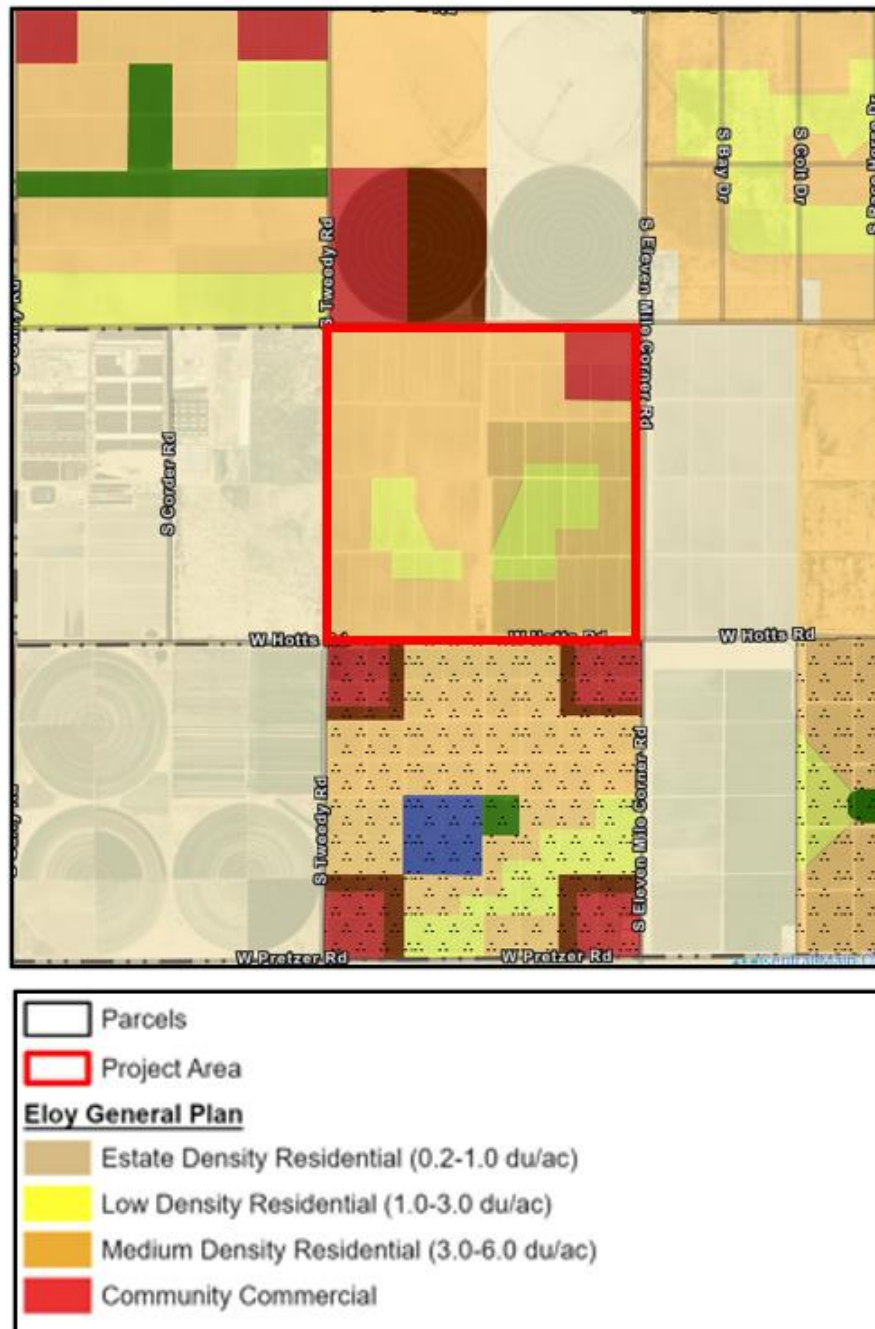
As shown on the table below, the Property is surrounded by land of various General Plan land use designations and zoning districts. The Property is currently fallow agricultural land and is surrounded by the same.

Direction	Existing General Plan Designation	Existing Zoning	Existing Use
North	Community Commercial, Estate Density Residential	R1-43	Agricultural
South	Community Commercial, Medium Density residential	RR-20	Agricultural
East	Estate Density residential	RR-20	Agricultural
West	Estate Density Residential	(GR) Pinal County	Agricultural
Subject Property	Low and Medium Density Residential, Community Commercial	R1-6, R1-12, Open Space, C-2 (Steven Farms PAD)	Agricultural

General Plan Land Use Designation

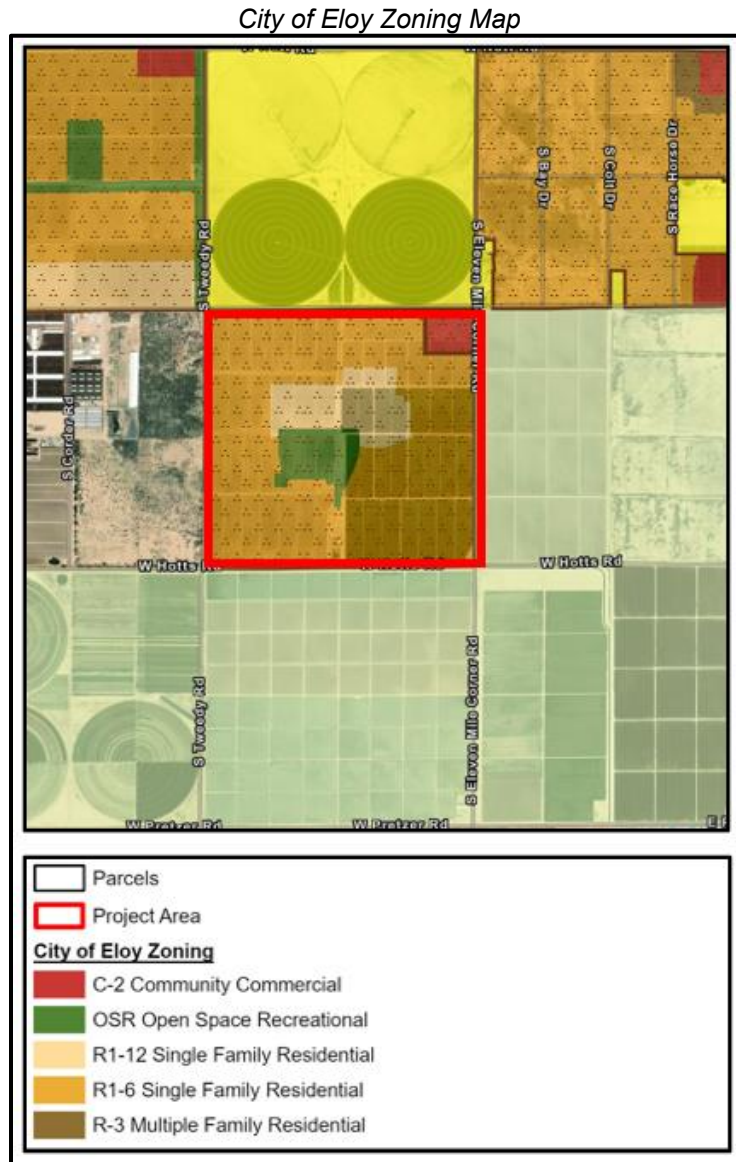
The City of Eloy General Plan land use designations on the Property are shown on the next page and contemplate residential development of various densities, with commercial development at the southwest corner of Harmon and Eleven Mile Corner Roads.

City of Eloy General Plan Map



Existing Zoning

In 2006, the City of Eloy approved the Steven Farms Planned Area Development (the “PAD”) on the Property. The PAD remains in effect today on the entire 640 acres of land owned by the Property Owner. The Steven Farms PAD provides for a variety of uses on the Property including residential uses, open space, and commercial uses at the southwest corner of Harmon and Eleven Mile Corner Road, as shown on the City of Eloy Zoning Map below. The existing PAD zoning is consistent with the General Plan Land Use.

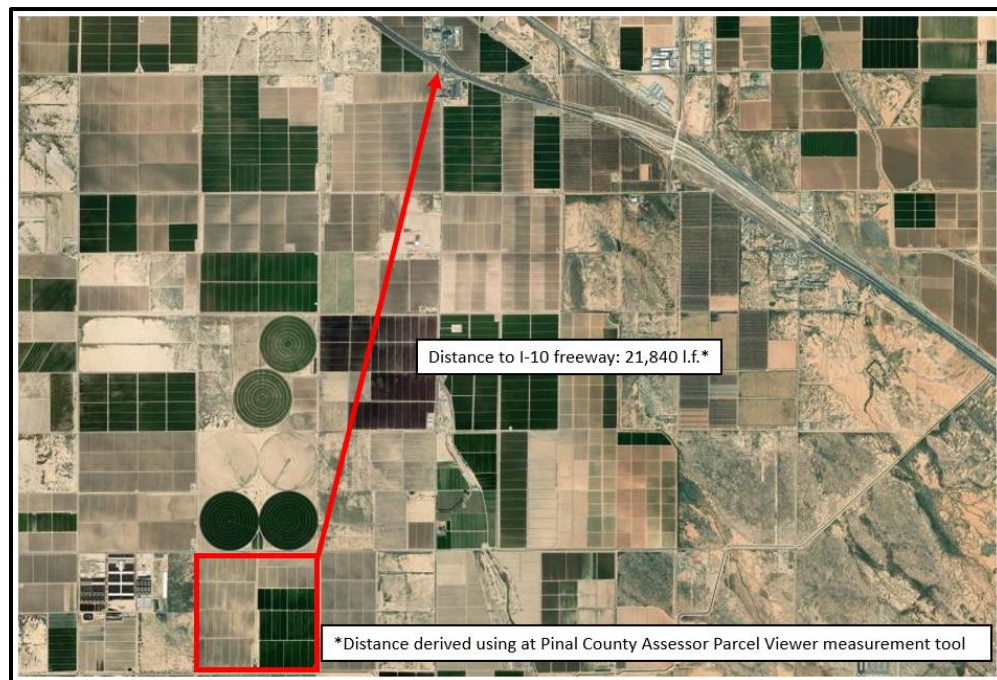


Solar Energy in Eloy; Background Information

On August 28, 2023, the City of Eloy approved Ordinance No. 23-950, which amended Section 21-3-1.39 of the City of Eloy Zoning Ordinance, incorporating Utility Scale Solar facilities as a use and related provisions in to the Ordinance. Section 21-3-1.39 of the Ordinance prescribes locational and other criteria for the establishment of Utility Scale Solar facilities.

In accordance with these provisions, the criteria for Utility Scale Solar Facilities indicate that proposed uses must be: 1) located south of Interstate 10, 2) located approximately $\frac{1}{2}$ mile from an Interstate 10 traffic interchange and a minimum of two thousand two hundred feet (2,200') from the southern right-of-way boundary of Interstate-10, and 3) for formal, complete applications filed with the City after March 1, 2024, the project must be located contiguous to an existing and/or approved Utility Scale Solar facility for a minimum distance of two thousand six hundred feet (2,600')

The Property is appropriately located within the distances prescribed by the Solar Ordinance. As shown in the graphic on the next page, the Property, at its northernmost point, is south of and approximately 21,840 feet from Interstate 10. Accordingly, it meets the first two criteria. Since this complete application was submitted to the City prior to March 1, 2024, the contiguity requirement of the Ordinance does not apply to this request.



It is also important to note that eastern boundary of the Property is directly below the existing 230KV transmission lines that parallel Eleven Mile Corner Road.

Project Information

It is NextEra's intent to develop a Utility Scale Generation and Battery Energy Storage System ("BESS") facility on the Property consistent with requirements and standards of the Solar Ordinance. Most of the Property will be devoted to the installation of solar panels, in a configuration known as an "array". Shown on the next page is a representation of what the arrays will look like on the Property.



The solar arrays will be placed on the Property and oriented in a manner that will capture as much of the sun's energy as possible. The arrays may be stationary or tracking panels—those that move with the sun to capture most of its energy resource. There is little disturbance to the ground beneath the arrays, and there is little-to-no water required for the generation of solar energy.

The BESS units will be placed on the Property to capture excess energy that is produced by the solar arrays. Simply put, the BESS units allow all the power generated by the solar arrays to be stored and transmitted when needed to provide for the consistent delivery of energy to the power grid.



In addition to the solar arrays and BESS units, the property will contain interior drive aisles and perimeter improvements that will secure the property while providing an aesthetically pleasing appearance.

Development Standards

Development of the Utility Scale Solar will comply with the requirement of Section 21-3-1.39 of the Ordinance, except as modified. The amended PAD development standards are as follows:

1. Utility Scale Solar facilities shall comply with Section 21-3-1.39 (Solar, Utility-Scale Generation, and Battery Energy Storage System Facilities) of the Ordinance, as amended, except as modified below:
 - a) The Utility Scale Solar shall be limited to the locations indicated on Exhibit N of the PAD: Interim Use Project Plan: Utility Scale Solar Conceptual Site Plan.
 - b) Interior setbacks to property within the PAD that are not adjacent to a street: 0-feet.
 - c) Rear setbacks to property within the PAD that are not adjacent to a street: 0-feet.
 - d) Perimeter fence color: sage green that has color equivalency with a LRV of 40% or less
 - e) The development shall comply with the Industrial Development Requirements and Guidelines and Additional Standards of Sections 21-2-5.5 and 21-2-5.6 of the Ordinance, as amended, except that only the landscape provisions of Section 21-2-5.6.B are replaced with the landscape provisions of Section 21-3-1.39 f the Ordinance.
 - f) Access gates in a fence shall comply with the setback requirements of provisions of Section 21-3-1.39 of the Ordinance (75-feet, except where 100-feet is required), and the minimum distance from the right-of-way and privately dedicated streets to the gate access call/key box (if provided) shall be 50-feet.

The purpose of these standards is to maintain compliance with Section 21-3-1.39 of the Ordinance, while allowing the development of the facilities to abut internal property lines of the PAD that are not adjacent streets. Also, the standards limit the location of the facility to the parcels shown on Exhibit N of the Steven Farms PAD, and as Attachment 1 of this narrative. Finally, the standards require compliance with the Industrial Development Requirements and Guidelines and Additional Standards. The primary purpose of the Design Guidelines and the additional standards is to ensure the development complies with a design continuity, limits the use of reflective and unfinished materials, provides effective screening of equipment and is compliant with the outdoor lighting and sign requirements of the Ordinance, if provided.

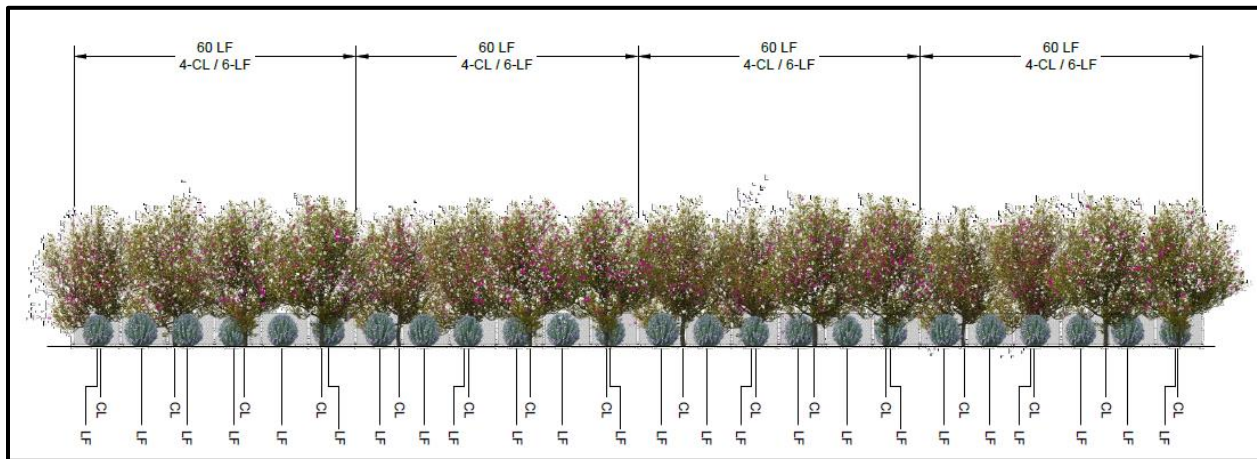
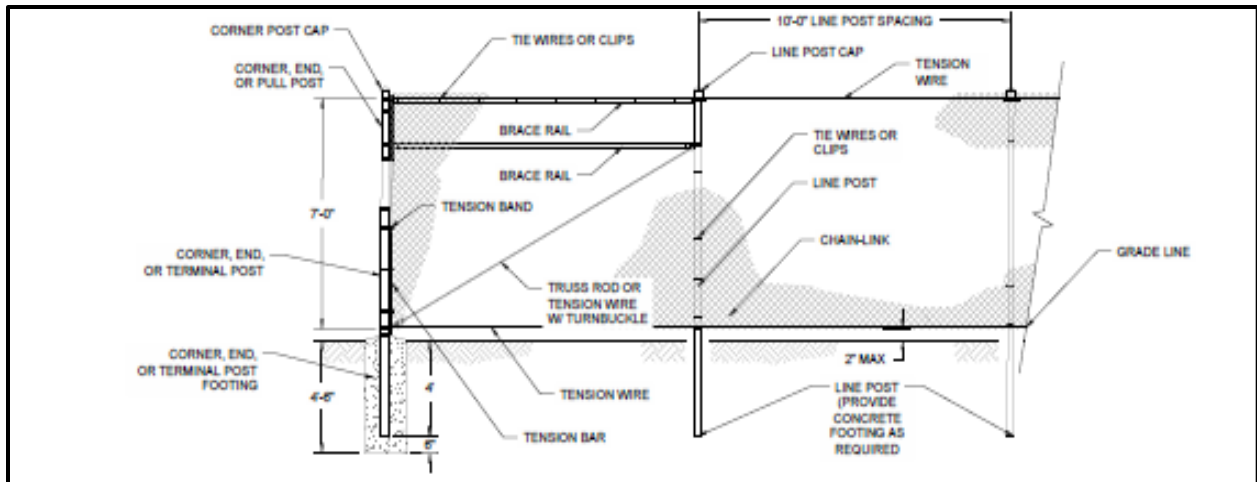
Additional Standards

Perimeter Landscape Treatment

Landscape improvements will be provided in accordance with the Ordinance. NextEra will work with City Staff to create a drought-tolerant landscape palette that will be installed and served by a drip irrigation system that provides irrigation on a regularly scheduled basis to ensure continuous vegetative health and growth. A landscape plan demonstrating the landscape buffer along the perimeter of the development will be provided during the site planning process.

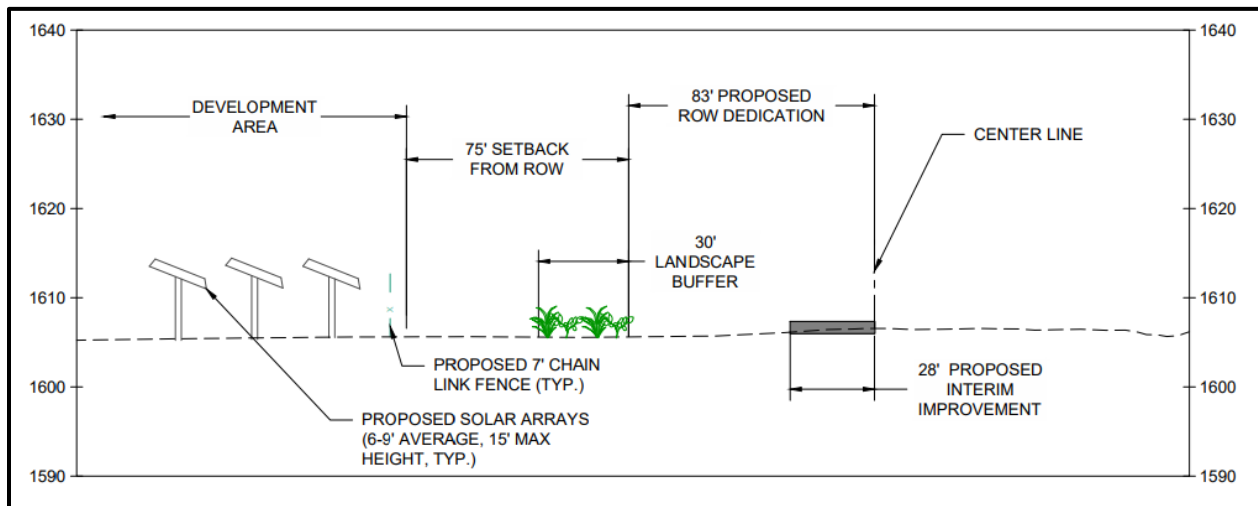
Perimeter Security

Perimeter fencing will be provided in accordance with the Solar Ordinance, and PAD standards. Elevations showing the fence detail and how it interacts with the required landscaping are shown on the next page.



Roadway Dedications and Improvements

NextEra will dedicate right-of-way and provide improvements in accordance with the Ordinance. On the next page is an example cross-section demonstrating the proposed improvements adjacent to Harmon Road.



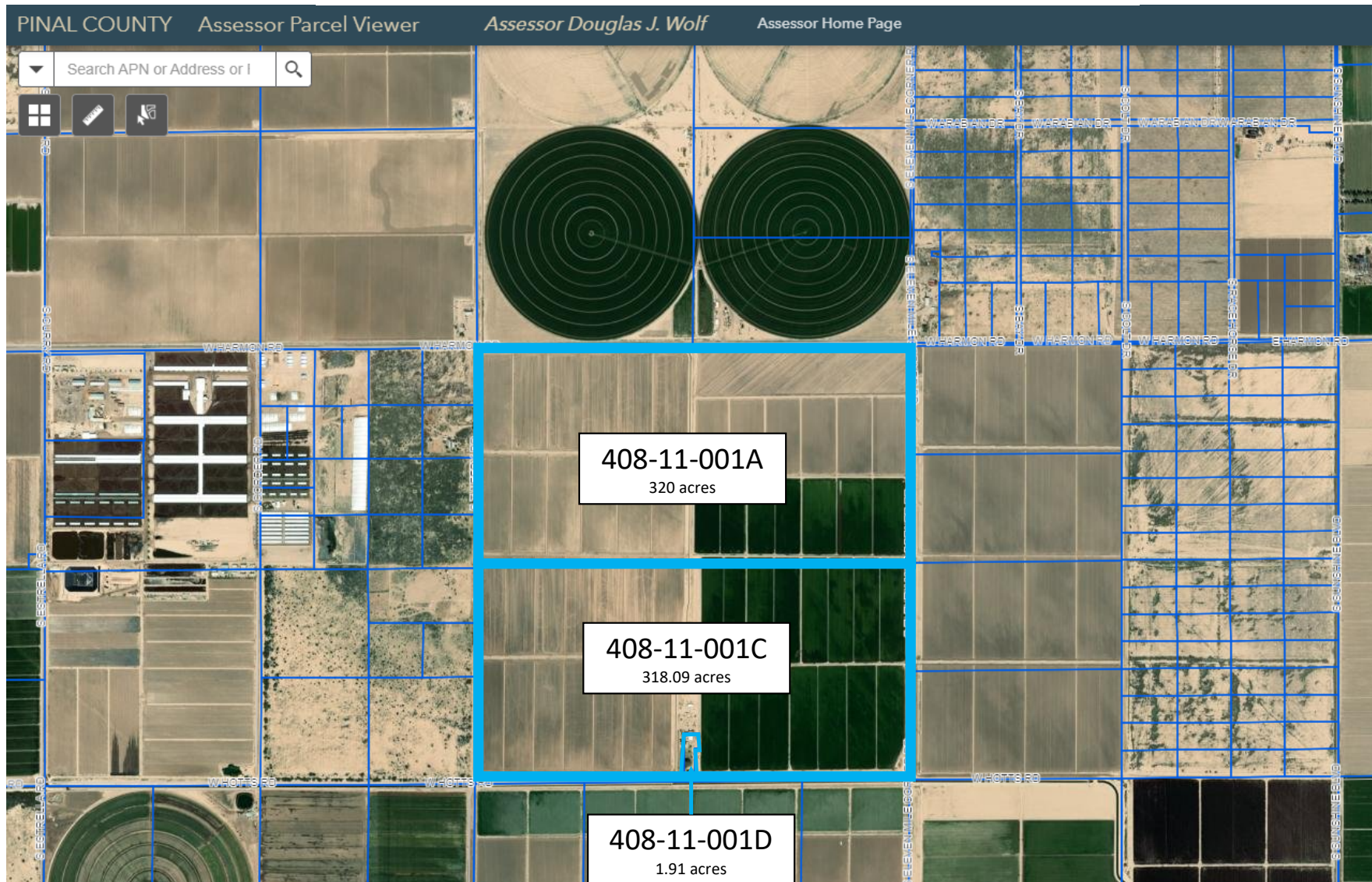
The roadways located along the project boundary will be improved as required in Section G.11 of the Solar Ordinance.

Conclusion

The Project will comply with the requirements of the Solar Ordinance and the Steven Farms PAD, and is appropriately located in the southwest part of the City and near regionally significant power distribution lines.

The proposed amendment introduces a use that will be developed in a manner that is sensitive to the zoning and uses of nearby properties. The project will be designed to provide transitional buffers where the property abuts residential zoning districts, and adherence to the solar ordinance and industrial regulations and guidelines will ensure development that integrates meaningful setbacks, effective screening and lighting guidelines that will protect nearby properties from any perceived impacts from the proposed use of the property. Finally, the interim use of the subject property for a utility scale solar generation facility will not detract from the ability of nearby properties to be developed according to their current zoning and planned uses.

Attachment 1- Pinal County Assessor Parcel Numbers





Planned Area Development

December 21, 2006

April 4, 2007

July 6th, 2007

Prepared For:

City of Eloy

595 North C Street, Suite 104

Eloy, Arizona 85131

Prepared By:

Pew & Lake, PLC

By W. Ralph Pew and

Vanessa MacDonald

Development Team

Owner:

BT Fuqua, LLC

Scott Moore, Executive Vice President-Arizona Division

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Landscape Architect:

Coe & Van Loo Consultants. Inc. Tim Starkey, RLA

4550 North 12th Street Phoenix, AZ 8501 4

(602) 222-2866

Case No. PZPAD2007-007

Ordinance No. 2007-696

First Amendment

Case No. RZPAD2007-007.A1
Ordinance No. 2024-##

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<u>Utility Scale Solar Conceptual Development Plan</u>	<u>Exhibit N</u>



1.0 INTRODUCTION

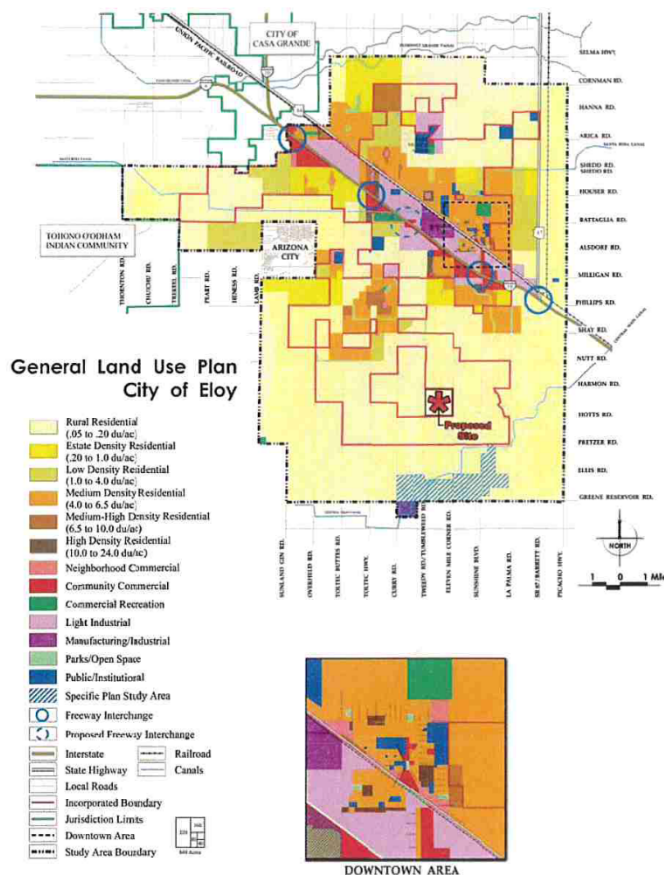
1.1 Purpose of Intent Location

The property is bounded by Harmon Road to the north, Eleven Mile Corner Road to the east, Hotts Road to the south and Tweedy Road to the west. Currently, the Property.

1.1.2 Purpose of Intent

The Development Team for The City Council approved Ordinance No. 07-696 to rezone Steven Farms is requesting a rezoning of 635.15 gross acres of the subject property to Single Residence (R1-1-2, R 1-8, and R 1-6) and to rezone 20.76 gross acres (18.00 net) of the subject property to Community Commercial [C-2].

The site is bounded by Harmon Road to the north, Eleven Mile Corner Road to the east, Hotts Road to the south and Tweedy Road to the west. In 2018, The City of Eloy updated its zoning ordinance and map that redesignated the previously approved Single-family (R1-8) zoning of the property to Single family (R1-6) in Ordinance No. 18-880.



The first amendment to the Steven Farms PAD is to add the Solar, Utility Scale Generation and Battery Energy Storage System Facilities land use (hereinafter "Utility Scale Solar") as an allowed use to the underlying base zones of the PAD overlay in accordance with the provisions of Section 21-2.7.4.A of the Eloy Zoning Ordinance (hereinafter "Ordinance"). In addition, the amendment includes the Interim Use Project Plan: Utility Scale Solar Conceptual Site Plan (Exhibit N).

—This Planned Area Development (PAD) Overlay responds to the existing and future needs of the community by providing new residential units, a centralized open space, **and** community commercial and the opportunity for Utility Scale Solar use as an interim use of the Property. —This application and related narrative is presented to fulfill the objectives and requirements of the City of Eloy Zoning Ordinance and to secure successful rezoning and establishment of a PAD Overlay District for the subject property called Steven Farms. See Exhibits A and B.

Underlying the proposal is the intent to develop an interim Utility Scale Solar use and then efficiently develop a location that will contribute to a sense of place and a better quality of life in the City of Eloy. Providing quality residential housing in an area of projected commercial growth creates a sustainable balance among residential, employment, and commercial land uses in the expanding community, thus reducing and commercial uses ensures that the future neighborhood will be relatively self-sustaining, will maximize land use, and will reduce drive times and traffic congestion. By containing valuable open space for the neighborhood, Steven Farms will meet the outdoor enjoyment needs of the local residents.



Exhibit C

PARCEL	ZONING	LOT DATA				
		LOT SIZE	GROSS ACRES	PERCENT	MASTER PLANNED UNITS	DENSITY
1	R1-6	50 x 110	61.90	10.7%	247	3.99 DU/AC
2	R1-6	50 x 110	17.91	3.3%	75	4.19 DU/AC
3	R1-6	50 x 110	16.31	2.7%	63	3.86 DU/AC
4	R1-6	50 x 110	57.99	11.0%	254	4.38 DU/AC
5	R1-6	50 x 110	39.76	8.1%	187	4.70 DU/AC
6	R1-6	60 x 120	21.97	4.2%	97	4.42 DU/AC
7		PARK	50.17			
8	R1-12	100 x 120	32.03	2.9%	74	2.31 DU/AC
9	R1-6	50 x 110	48.24	7.9%	221	4.58 DU/AC
10	R1-6	50 x 110	37.56	7.7%	160	4.26 DU/AC
11	R1-12	100 x 120	40.86	3.6%	83	2.03 DU/AC
12	R1-6	60 x 120	37.10	5.6%	128	3.45 DU/AC
13	R1-6	50 x 110	36.54	7.0%	162	4.43 DU/AC
14	R1-6	50 x 110	59.13	11.5%	264	4.46 DU/AC
15	R1-6	50 x 110	15.62	2.7%	63	4.03 DU/AC
16	R1-6	50 x 110	25.57	4.6%	105	4.11 DU/AC
17	R1-6	50 x 110	36.49	6.6%	154	4.22 DU/AC
18	C-2	COMM	20.76			
TOTAL			655.91	100%	2337	3.56 DU/AC

NOTES:

- 21.6% OPEN SPACE WILL BE PROVIDED.
- GROSS DENSITY DOES NOT INCLUDE THE COMMERCIAL SITE (20.76) ACRES. INDIVIDUAL PARCEL AREAS AND LOT TYPES MAY CHANGE DURING PLATTING, HOWEVER, STEVEN FARMS WILL ADHERE TO THE FOLLOWING STIPULATIONS AS STATED IN THE MAJOR GENERAL PLAN AMENDMENT (GPA05-19): THE TOTAL NUMBER OF LOTS WILL NOT EXCEED 2,493 AND A MINIMUM OF 21.66% OPEN SPACE WILL BE PROVIDED.

1.23 Description of Proposal

The primary zoning requested for this PAD Overlay original zoning requested for this PAD Overlay that was approved in ordinance 07-696 approved that the property is Low Density Residential (R1-12) for approximately 72.89 acres and Medium Density Residential (R1-8, R1-6) for approximately 562.26 acres. In Ordinance No. 18-880, the City changed the R1-8 zoning to R1-6. The purpose of this zoning district is described by the City of Eloy Zoning Ordinance:

...to provide for detached single residence development in areas where adequate public facilities and services are available. The intent of this district is to encourage a traditional neighborhood environment.

The secondary Zoning request approved in Ordinance 07-696 for the remaining 18.00 net acres of this PAD Overlay is Community Commercial (C-2] (See Exhibit C) and is described by the City of Eloy Zoning Ordinance as follows:

...to provide a location for general business and commercial uses. The intent of this district is to allow for larger commercial uses to satisfy the needs of the community-at-large

while providing for a broad range of commercial activities.

As an exceptional development proposition, Steven Farms will offer value-themed architecture and architectural continuity within the area. The site will consist of varying single-family housing types and floor plans, with an emphasis on a common architectural theme. Together, varied streetscapes and front elevations of the homes, integrated open spaces, and recreational amenities will contribute to the aesthetic diversity of the project.



Exhibit D



Exhibit C

The applicant plans to create Steven Farms PAD provides flexibility for a single-family residential subdivision with an accessory commercial element, all of which will be supported by public water and sewer after the productive renewable energy life of the Utility Scale Solar use. The project is within the City's Designated Management Area for the wastewater system according to the 208 plan. One of the main goals of the project is to develop the site with public water and sewer facilities by extending service lines from the Eloy Valley Planned Area Development located to the northwest of the site. All water and sewer facilities will be consistent with the City's master water and wastewater plans.

The project area will include improved road construction and integrated drainage facilities. See Exhibit D. The Utility Scale Solar use will conform to all right-of-way dedications, interim roadway improvements and internal engineering roadway access as required by Section 21-3-1.39 of the Ordinance in accordance with 5.6 of this PAD.

Open space tracts, parks, and drainage ways are included within the Low Density and Medium Density Residential

zoning classification. The project consists of approximately 16 neighborhoods that contain approximately 2,337 single-family dwelling units. Each neighborhood is defined by open space and pocket parks and linked by internal collector roads. The combination of location, access, and surrounding development creates a need and opportunity for quality housing and commercial services. A commercial element of 20.76 gross acres

(18.00 net) will be located in the northeast corner of the project site, at the intersection of Harmon Road and Eleven Mile Corner Road.

The proposed commercial development is appropriately located at the intersection of future arterial roadways and close to existing and future residential development. The proximity of residential neighborhoods will help ensure the businesses' economic viability as well as bring goods and services closer to consumers. The architectural design for the commercial development will be established during the site plan review process. See Exhibit C.

1.3.4 Relationship to Surrounding Properties

The area surrounding the Steven Farms project site is designated as Rural Residential and is either uncultivated or is engaged in agricultural operation. The project site is surrounded by improved dirt roads with high-power and local-power lines bordering most of the site.

A previously approved Eloy Valley PAD, located adjacent to the northwest, will allow roughly 20,000 dwelling units on 4,509 acres. The Eloy Valley PAD has predestined this area to an increase in residential density and will be key in extending public water and sewer facilities as well as improving roads to the previously unattainable southern portion of the City's limits. See Exhibit D.



Exhibit D

2.0 LOCATION AND ACCESSIBILITY

2.1 Location

Steven Farms consists of three parcels with an approximately 656-gross-acre area of Section 1, Township 9 South, Range 7 East, assessor parcel numbers 408-11-001A, 408-11-001C and 408-11-001D, in Pinal County, Arizona. It is served by Harmon Road to the north, Eleven Mile Corner Road to the east, Hotts Road to the south, and Tweedy Road to the west.

2.2 Legal Description

408-11-001A
N1/2 OF SEC 1 -9S-7E

408-11-001 C S1/2 OF SEC 1-9S-7E EXC BEG S 1/2 CR SEC 1 W-120 11 N-73.38 POB N-538.24 E-191.18 S-182.29 W-55.33 S-354.36 W- 1 37.41 POB SEC SEC 1-9S-7E

408-11-001 D BEGS 1 /2 CR SEC 1 W-120.11 N-73.38 POB N-538.24 E-191.18 S-182.29 W-55.33 S-354.36 W-137.41 POB SEC 1-9S-7E

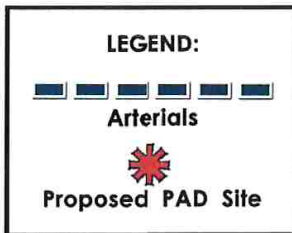


Exhibit E

2.3 Roadways and Circulation

Steven Farms is conveniently located approximately four miles southwest of Interstate 10, which provides direct access to the City of Eloy downtown area as well as to Phoenix and Tucson. State Route 87 intersects and ends at Interstate 10 roughly five miles to the northeast. Arterial streets that service the site are Harmon and Hotts Roads to the north and south as well as Eleven Mile Corner and Tweedy Roads to the east and west. Collector streets will access the site from these arterial streets. See Exhibit E.

The surrounding road infrastructure has the ability to support the demands of the proposed future project in terms of legal access and right-of-way availability. Construction methods and techniques of all streets within the subject property shall be in accordance with the City of

Eloy Subdivision Design Standards. All streets will be constructed, installed, and maintained by the developer until the final inspection and acceptance by the City of Eloy. The Steven Farms Homeowners' Association will maintain the landscape tracts on the arterials and collectors. The commercial site will be responsible for its own maintenance.

3.0 EXISTING SITE CONDITIONS

3.1 Natural Characteristics

3.1.1 Existing Land Use Vegetation

The site is undeveloped, but the land has been disturbed by man-made activities. The existing land use pattern within the vicinity of the property consists of agricultural uses. The site also contains bare ground and farming vegetation.

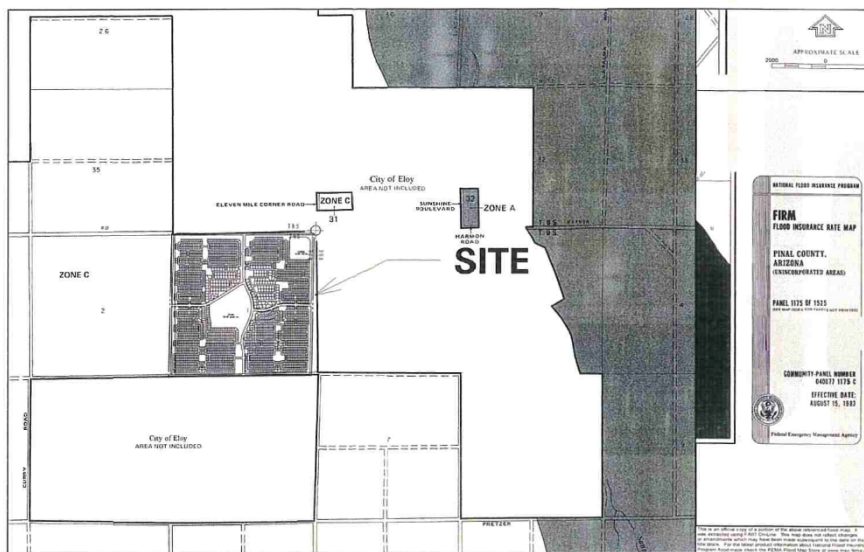
3.1.2 Existing Topography

Historically, the site was used as farmland and graded for flood irrigation; the site is relatively flat and drains from a southeasterly to a northwesterly direction with an approximately 20-foot change in elevation.



3.1.3 Existing Drainage Patterns

Steven Farms PAD site ~~is at the time of the adoption of Ordinance No. 07-696 was~~ classified as Flood Zone C- "Areas of minimal flooding" (no shading), according to the Pinal County, Arizona Unincorporated Areas Flood Insurance Rate Map (FIRM) panel 1175-1525, community panel number 04007 1175 C, effective August 15, 1983. See Exhibit F. ~~The developer acknowledges that they will need to comply with any modifications to the FEMA FIRM Flood Zone Maps and the requirements of Pinal County Flood Control District and regulations.~~



STEVEN FARMS

Exhibit F

3.2 General Plan Land Use and Zoning

3.2.1 ~~Consistency with Pinal County Comprehensive Plan and the City of Eloy General Plan~~

~~This project supports the current Pinal County Comprehensive Plan that states, "Pinal County welcomes a projected 60% increase in population in the next decade." The approval of the Eloy Valley PAD indicates a substantial~~

~~demand for homes that are affordable, yet of comparable quality to those available in Maricopa County. As residential development occurs, the demand for commercial and employment uses will be realized. This growth is the first step in creating an economically sustainable development pattern in this portion of Pinal County.~~

The ~~proposed residential use of this site is consistent~~existing zoning as shown on Exhibit C and associated Lot Data Table reflect consistency with the existing Housing Element of the Eloy General Plan. The Plan states, "The City should encourage the development of housing that creates a sense of place, fosters the creation of distinct neighborhoods, and recognizes the natural features (e.g. flood plains) of the land through appropriate preservation of open space and the integral development of community facilities (e.g. recreation, trail systems, etc.). " Steven Farms further accentuates the General Plan by offering an array of densities and providing an accessory commercial element. The General Plan states, "The City should allow and encourage the mixing of various residential densities and the integration at commercial uses through mixed use and planned area development (PADs)."

Steven Farms is consistent with other planned communities that have been approved in the area. It will provide a balance of single- family detached homes for a variety of market segments, from "starter" homes to family and retirement residential homes. This potential diversity in market segmentation will contribute to a healthy and sustainable community. At the northeast corner, a commercial site has been provided at the intersection of Harmon Road and Eleven Mile Corner Road that will provide for the local shopping needs of the immediate area. Generally, designation of commercial land in the immediate area has been limited; but, the rise of residential communities will create the demand for services.

3.2.23.2.1—Existing ZoningThe Utility Scale Solar use proposed by this First Amended Steven Farms PAD is an expansion of allowed uses under Section 2.7.4(A) of the Ordinance within the existing zoning districts of the Approved PAD and because there is no proposed change to the existing zoning districts the Steven Farms PAD remains consistent with the Cit of Eloy’s General Plan.

The property is currently under Pinal County jurisdiction with a Land Use Designation of General Rural [GR], which allows for uses such as the following:

~~...single-family dwelling unit, commercial agricultural uses, public and quasi-public uses, fruit and vegetable or agricultural products packing or processing plant, livestock sales yard or auction yard, a stand limited to 200 square feet for the sale of farm products, public riding stables and boarding stables, accessory building or use, housing for seasonal farm labor, and private stable and dairy.~~



Exhibit D

~~A request for annexation into the City of Eloy has been submitted.~~

~~A Major General Plan Amendment was approved by the City of Eloy City Council on November 14, 2005. The subject property has a Land Use designation of Low Density Residential (1.0 to 4.0 dwelling units per acre [du/ac]) with a target of 2.0 du/ ac, Medium Density Residential (4.0 to 6.0 du/ac) with a target of 4.0 du/ac, and Community Commercial. See Exhibit D.~~

3.3 Existing Community Facilities and Services

3.3.1 Schools

Steven Farms is served by the Eloy Elementary District, the Toltec Elementary District, and the Santa Cruz Valley Union High School District.

3.3.2 Parks

There are no existing parks in the immediate vicinity.

3.3.3 Libraries

Library services are available to the residents through the Eloy Public Library. The Library is approximately five miles from the site.

3.3.4 Golf Courses

The nearest golf course is the Grande Valley Golf course located approximately eight miles away.

3.3.5 Airports

Eloy Municipal Airport is located approximately 10 miles away. Sky Harbor International Airport, located in Phoenix, is approximately 60 miles away.

3.3.6 Police, Fire Protection, and Ambulance Service

It is anticipated that the development will be a contributing factor in improving road conditions and infrastructure to this and neighboring parcels, thereby increasing the service level of the area and providing safer access for emergency vehicles and services. Tax and permit fee revenues will contribute to the support and maintenance of police, fire, and emergency operations. Eloy Police Department and Eloy Fire District will respond to calls from Steven Farms.

3.3.7 Hospital

No hospital exists in the City of Eloy at this time. The residents for Steven Farms can use the Casa Grande Regional Medical Center. which is approximately 15 miles away.

3.4 Existing Infrastructure and Utilities

The site is currently undeveloped and in agricultural production. Several concrete ditches and dirt road exist. Farming structures occupy the site as well as a manufactured home.

3.4.1 Existing Water Facilities

No existing water lines are connected to the site. The proposed project has the potential to be adequately served by public water facilities. The area has existing wells on site with the potential to create more as needed. With the development of the Eloy Valley PAD project to the northwest, community water services should be easily extended.

3.4.2 Existing Wastewater Facilities

The site is currently using a septic wastewater system.

3.4.3 Existing Roadway Conditions

The existing roads are dirt and are maintained by Pinal County.

4.0 IMPACTS OF THE PROPOSED PLANNED AREA DEVELOPMENT

4.1 Regional Benefits

One of the main goals Steven Farms intends to meet is to contribute to a sense of place and better quality of life in the City of Eloy. This objective will be achieved by setting high standards for a lasting development and by providing a distinctive, livable community that features affordability and variety.

Steven Farms will positively affect the region by providing quality residential housing with an accessory commercial element in an area of high growth.

4.2 Community Integration

Steven Farms is designed to help realize the goals and objectives of the City of Eloy's General Plan. Implementation of the project will result in the integration of an exceptional neighborhood that is compatible with existing and anticipated land uses in the area. Steven Farms will complement the proposed Eloy Valley PAD as well as set standards of quality for the area.

4.3 Environmental Impacts

The proposed project presents comprehensive solutions for water, sewer, and infrastructure. Specific engineering design and studies have been undertaken to provide the framework for future detailed engineering design improvements. Likewise, opportunities for integrated solutions to drainage, utilities, and traffic circulation as well as improvements to the open space network are offered by the development.

4.4 Socioeconomic Trends

Steven Farms is designed to respond to the prevailing socioeconomic trends and development pressures within the region. The City of Eloy is preparing for a tremendous growth rate. The variety of housing options offered by Steven Farms is a definitive response to the variable market, economic, and social requirements within the area.

5.0 PROPOSED LAND USE AND DEVELOPMENT

5.1 Land Use Plan

The proposed land use plan for Steven Farms presents viable strategies for a sustainable development. It reflects a comprehensive understanding of exiting site conditions and constraints and considers the unique characteristics inherent to the site. Steven Farms

will incorporate several distinct designs features into its land plan to ensure long term growth of community property values. Value- added amenities will increase the desirability of the development.

The proposed PAD is for an interim Utility Scale Solar use and then a primarily residential community organized about a central open space. The requested zoning of Low Density Residential has a typical lot size of 100' X 120' (12,000 s.f.) containing 157 units and a density of 2.15 du/ ac. The Medium Density Residential proposes two typical lot sizes, 50' X 110' (5,500 s.f.) and 60' X 120' [7,200 s.f.) containing 2,180 units and a density of 3.87 du/ac. Steven Farms proposes approximately 2,337 lots and a gross density of 3.68 du/ac.

Individual parcel areas and lot types may change during platting; however. Steven Farms will adhere to the following stipulations as stated in the Major General Plan Amendment

(GPA05-19): the total number of lots will not exceed 2,493 and a minimum of 21.60% open space will be provided. A neighborhood commercial center of 18.00 net acres is proposed on the corner of two future major arterial roads, Harmon Road and Eleven Mile Corner Road. See Exhibit C.



Exhibit C

PARCEL	ZONING	LOT SIZE	LOT DATA			DENSITY
			GROSS ACRES	PERCENT	MASTER PLANNED UNITS	
1	R1-6	50 x 110	61.90	10.7%	247	3.99 DU/AC
2	R1-6	50 x 110	17.91	3.3%	75	4.19 DU/AC
3	R1-6	50 x 110	16.31	2.7%	63	3.86 DU/AC
4	R1-6	50 x 110	57.99	11.0%	254	4.38 DU/AC
5	R1-6	50 x 110	39.76	8.1%	187	4.70 DU/AC
6	R1-6	60 x 120	21.97	4.2%	97	4.42 DU/AC
7		PARK	50.17			
8	R1-12	100 x 120	32.03	2.9%	74	2.31 DU/AC
9	R1-6	50 x 110	48.24	7.9%	221	4.58 DU/AC
10	R1-6	50 x 110	37.56	7.7%	160	4.26 DU/AC
11	R1-12	100 X 120	40.86	3.6%	83	2.03 DU/AC
12	R1-6	60 x 120	37.10	5.6%	128	3.45 DU/AC
13	R1-6	50 x 110	36.54	7.0%	162	4.43 DU/AC
14	R1-6	50 x 110	59.13	11.5%	264	4.46 DU/AC
15	R1-6	50 x 110	15.62	2.7%	63	4.03 DU/AC
16	R1-6	50 x 110	25.57	4.6%	105	4.11 DU/AC
17	R1-6	50 x 110	36.49	6.6%	154	4.22 DU/AC
18	C-2	COMM	20.76			
TOTAL			655.91	100%	2337	3.56 DU/AC

NOTES:

1. 21.6% OPEN SPACE WILL BE PROVIDED.
 2. GROSS DENSITY DOES NOT INCLUDE THE COMMERCIAL SITE (20.76) ACRES.
- INDIVIDUAL PARCEL AREAS AND LOT TYPES MAY CHANGE DURING PLATTING, HOWEVER, STEVEN FARMS WILL ADHERE TO THE FOLLOWING STIPULATIONS AS STATED IN THE MAJOR GENERAL PLAN AMENDMENT (GPA05-19): THE TOTAL NUMBER OF LOTS WILL NOT EXCEED 2,493 AND A MINIMUM OF 21.60% OPEN SPACE WILL BE PROVIDED.

A variety of active and passive common areas will be designed within this community that will range from open space for recreation areas and mini parks within the individual neighborhoods; open space and trail corridors adjacent to the collector roads; and a centralized community park with ramadas, picnic areas, sports fields, and other recreational equipment. Open space and landscape tracts within the residential component will be owned and maintained by the Steven Farms Homeowners' Association. The commercial site will be responsible for its own maintenance.

5.1.1 Parcel Plan

Specific design and development of each parcel will comply with the current City of Eloy Subdivision Ordinance and the design

guidelines for Low Density Residential, Medium Density Residential, and Community Commercial. See Exhibits C and G.

5.2 Design Criteria

Project guidelines and theme elements are intended to guide the builder in a coordinated vision for the community. Each building will select home design specifics within the overall context provided. The builder will be encouraged to offer as much variety as possible in home design and building materials. The Covenants, Conditions and Restrictions (CC&R's) will provide design guidelines, including the following:

A minimum of three (3) floor plans, each with a minimum of three (3) varied front elevations will be used for each parcel throughout Steven Farms to provide a variety of housing alternatives and increase visual interest. The overall community character of the Steven Farms PAD will utilize a Spanish vernacular, typified by the use of stucco and tile. The goal of this project is to fit into the existing fabric of the surrounding community.

Steven Farms will consist of identifiable neighborhood areas with coherent design themes within the context of the community theme established by entry features, walls, and landscape elements. The community will have a combination of one and two-story homes. Building materials will include concrete tile and parapet roofs, earthen paint tones, and other compatible materials, selected for durability and ease of maintenance.

5.2.1 Single-Family Residential Design Criteria

The majority of the site will be dedicated to the establishment of an organized, coherent residential community endowed with a distinctive, attractive character and inviting aesthetic appeal. The site will consist of varying detached single-family housing types and floor plans, with the emphasis on a common architectural theme. Assorted lot frontages and setbacks will contribute to the aesthetic diversity as well as integrated open spaces and recreational amenities. The goal is to provide a range of housing choices and prices within the same community. This objective encourages a healthy diversity of residents and concurrent absorption of multiple housing products. See Exhibits H, I, and J.

5.2.2 Community Commercial Criteria

The site will occupy a Community Commercial Center (C-2) and will furnish only those uses listed in Article 7 of the City of Eloy Zoning Ordinance. The commercial land use designation will assist in supporting the residential component by bringing goods and services close to residential neighborhoods out to a radius of two miles or slightly greater. As with all commercial sites, it is expected that the City's revenues will increase through both property and sales taxes. See Exhibits K and L.

The proposed commercial facility is appropriately located at the intersection of what will soon become arterial roadways and close to existing and future residential development. The proximity to residential neighborhoods will help ensure the businesses' economic viability as well as bring goods and services closer to consumers.

5.2.3 Utility Scale Solar design criteria, perimeter landscape treatment, perimeter security, lighting and noise elements will be compliant with Section 21-3-1.39 of the Ordinance 5.6 of this PAD.

5.3 Circulation

The project intends to have standard City rights-of-way throughout the site on the arterials, collectors, and local streets. All primary project access roads in Steven Farms will be public roadways. Construction methods and techniques of all streets within the subject property shall be employed in accordance with the City of Eloy Subdivision Ordinance. The public local street will be utilized within the planning area. It will be the predominant subdivision street and provide direct access to individual residential lots.

While construction methods and techniques of all roadways within Steven Farms are to be built to the City of Eloy standards, the arterial and collector roads have been enhanced with additional landscape buffers. These buffers are provided, in some cases, to include flood control, drainage or retention elements, and structures and public utility easements (PUE).

5.4 Comprehensive Open Space and Amenity Plan

5.4.1 Master Landscape/Open Space Plan

The Steven Farms open space has been designed to enhance the quality of life for the residents as well as the surrounding area of the City of Eloy. The well-planned neighborhoods are designed around the open spaces to ensure that recreational and leisure activities will be accessible. The central Neighborhood Park is intended to be a community-wide focal point featuring the most extensive recreational facilities. It will be both an aesthetic and useable amenity for all residents.

Open space will be at least 21.60% of the residential area (137.19 acres); approximately 50.17 acres of the open space will be dedicated to a centralized Neighborhood Park and the remainder will be dispersed throughout the neighborhoods. If the school district wants a school site, the Neighborhood Park has more than enough usable area to accommodate such a request. The intention is to integrate the school site with the Neighborhood Park, to maximizing open space and recreational amenities in to one area, rather than separate it into minor entities. While some of the open space is located on the perimeter to help with drainage issues, the majority of it is interior to the community in the form of pocket parks, the central Neighborhood Park, and



Exhibit M



landscaped tracts. See Exhibit M.



5.4.2 Trails, Open Space, Parks and Recreation System

The recreation and open space concept for Steven Farms PAD will provide a minimum of 137.19 acres of open space, which is 21.60% of the residential area. While most of the open space areas are distributed throughout the Steven Farms project for all residents, the community is organized about a Neighborhood Park centrally located at the intersection of the community collector streets. This highly visible park space will serve as the "common green" for the community, helping establish a neighborhood identity. Through the articulation of the project design components in the form of columns, accent walls, and park amenities, it will also create a sense

of place. From this central open space, the community trails system will radiate north and south along open space corridors adjacent to the collector streets, connecting the smaller pocket parks and open space areas throughout the community. Open space areas will be designed to accommodate both recreational activities as well as the functional needs of the community such as drainage ways and storm water retention. Additional open spaces in the form of pocket parks will be provided for storm water retention and neighborhood recreation.

Steven Farms has been master planned to offer residents abundant open space with a variety of recreational activities. These facilities are distributed throughout Steven Farms to provide ease of access and visual variety. Each residential neighborhood is close to either a pocket park or the Neighborhood Park. Pocket parks are improved with turf areas and play structures. The Neighborhood Park is improved with turf areas, shade ramada,



play structures, and an activity field. All parks are outfitted with landscape materials and construction details that will match throughout the community.

Generous open space and landscape elements are also provided at community entryways, along the perimeter arterial roads, and along the interior collector with landscaped medians, community-themed structures, and landscaping.

The area drainage requirements allow for drainage ways that act as buffers and trail systems along the boundaries of the community.

5.4.3 Signage

Signage for all uses within Steven Farms shall meet the City of Eloy's Zoning Ordinances: " All signs shall be structurally designed, constructed, erected and maintained in accordance with all applicable provisions and requirements of the City of Eloy adopted codes and ordinances" (Article 15.2). Correspondingly, signage within the approved Steven Farms PAD may deviate from the requirements of the

Articles if "an approved comprehensive sign package and all proposed signage within the PAD are in compliance with that comprehensive sign package" (Article 15.9).

5.4.4 Lighting

Provisions for outdoor lighting within the development will be designed with minimized intensity. The primary entry nodes will be provided with pole-mounted lighting fixtures while the homes will be illuminated with low- mounted lighting fixtures that emit low level, non-glare light. All outdoor lighting will comply with the Ordinance.

5.5 Architecture

This application is for the rezoning and site-specific ordinance/stipulations for future site development and construction. Due to market fluctuations, we do not include specific housing details such as styles, material, and dwelling size. Additionally, the builder(s) are not selected at this time.

5.6 Utility Scale Solar (Solar, Utility Scale Generation and Battery Energy Storage System Facilities)

Utility Scale Solar is allowed in all underlying zoning districts of the Steven Farms PAD overlay zone, and the development of the use shall conform with the following:

- i. Section 21-3-1.39 (Solar, Utility-Scale Generation, and Battery Energy Storage System Facilities) of the Ordinance, as amended, except as modified below:
 - a) The facilities shall be limited to the locations indicated on Exhibit N
 - b) Interior setbacks to property within the PAD that are not adjacent to a street: 0 feet.
 - c) Rear setbacks to property within the PAD that are not adjacent to a street: 0 feet.
 - d) Perimeter fence color: sage green color that has color equivalency with a LVR 40% or less.) The development shall comply with the Industrial Development Requirements and Guidelines and Additional Standards of Sections 21-2-5.5 and 21-2-5.6 of the Zoning Ordinance, as amended, except that only landscape provisions of 21-2-5.6.B. are replaced with the landscape provisions of Section 21-3-1.39. of the Ordinance.
 - f) Access gates in a fence shall comply with the setback requirements of provisions of Section 21-3-1.39. of the Ordinance, and the minimum distance from right-of-way and privately dedicated streets to the gate access call/key box (if provided) shall be 50 feet.

5.6.1 Definition of Utility Scale Solar

Utility Scale Solar: is a solar-generated electrical power plant, inclusive of the equipment necessary to generate, store, and convey the generated electricity and the facilities and structure to maintain and operate the power plant and electric storage system. Solar, Utility Scale Generation, and Battery Energy Storage System Facilities may incorporate several abutting and adjacent properties that are planned as a single development as an interim use in the Steven Farms PAD.

6.0 DRAINAGE

6.1 Existing Floodplain Conditions

According to the Flood Insurance Rate Map (FIRM) Community Panel Number 04007711 75C, revised August 15, 1983, the site lies within Zone C, which FEMA defines as "Areas of minimal flooding (no shading)."

6.2 Proposed Improvements and Floodplain Solution

As noted in Section 6.1, the site does not require special floodplain solutions.

6.2.1 Off-Site Storm Water Flows

Off-site storm water that impacts the site originates from the existing farm fields south and southeast of the site. To manage off-site storm water, intercepting channels are proposed to divert flow safely around the site. The flow will be discharged at the natural outlet of the site in the existing flow condition. Culverts will safely pass the 100-year flow below road crossings.

6.2.2 On-Site Storm Water Retention

The common area open space tracts within Steven Farms will provide on-site storm water retention as required by Pinal County Ordinance 100798-DO. Retention for the site will be provided to contain storm water runoff generated from the 100-year, 2-hour storm. The storm water runoff will not be allowed to pond a depth greater than three feet, measured from the bottom of the basin to the high 100-year, 2-hour water surface elevation in retention basins. Retention basins will be designed to drain in 36 hours per Pinal County's requirements. A portion of the open space will be high and dry.

7.0 INFRASTRUCTURE IMPROVEMENTS

7.1 Traffic Impact Analysis

A Preliminary Traffic Impact Analysis has been conducted by TASK Engineering and the report has been submitted to the City of Eloy.

7.2 Water Service

The proposed project can be adequately served by public water facilities. The Steven Farms Water Master Plan does not address using existing wells to supply water to the project. Existing irrigation wells on the property must be converted to supply wells for the City of Eloy. The draft water master plan being prepared by MMLA Psomas indicated that two wells and a water storage facility will be located on the property. The location of water supply facilities will be addressed during the preliminary platting process. Per the City of Eloy design standards, each well site will be a minimum of 120' X 120', and each will have a production capacity of 1.5 X Average Day demands, or 1.144 gpm.

The study also does not address existing storage facilities to supply water to the project. The draft water master plan indicates that a reservoir site will be located on the property, but the current lotting layout does not reflect this. The location of the reservoir site will be addressed during the preliminary platting process. The facility will require approximately five acres.. With the development of the Eloy Valley Plan to the northeast, community services should easily be extended.

7.2.1 Interim Water Service for Utility Scale Solar

As noted in the Development Plan provided as Exhibit N, storage tanks will be provided throughout the development to provide both landscape irrigation and fire suppression needs.

7.3 ___ Wastewater/Sanitary Sewer

It is anticipated that the principal source for sewer discharge will be through the extension of sewer lines from the Eloy Valley project, which ultimately connects to the City's aeration treatment facility that processes 2 million gallons per day. The natural topography of the site slopes from southeast to northwest towards the Eloy Valley site, which will aid in the connection of the sewer facilities with minimal ancillary equipment.

8.0 PUBLIC UTILITIES

New utilities lines within the project will be placed underground to provide an attractive and marketable development. Exceptions to this rule may occur as a result of specific utility company rules and regulations, or where the costs of undergrounding, due to the size and nature of a specific installation, are prohibited. Additionally, temporary overhead lines may be used on an interim basis, subject to review and approval by the City, until development occurs immediately adjacent to the overhead line.

8.1 Electrical Services

Steven Farms and properties in the vicinity are currently served by Arizona Public Service Electrical District Number 4 (ED-4).

8.2 Natural Gas

This property and others in the area will have service by Southwest Gas Corporation

8.3 Telephone

This property and others in the area are currently serviced by Qwest Communications. As this area develops, new service lines will be provided by Qwest. Cellular Telephone Monopoles will be allowed in all commercial zones and on light poles in public recreational facilities, subject to Eloy Zoning Ordinance.

8.4 Cable TV

Eagle West Communications. Inc. provides cable television to the area.

8.5 Water

It is planned that water services for Steven Farms will be provided through the City of Eloy. A water master plan will be needed to better determine on-site water campus needs and the amount of off-site water infrastructure required.

8.6 Sewer

It is anticipated that sewer lines will be extended from the Eloy Valley project.

8.7 Solid Waste

The City of Eloy will provide service to Steven Farms.

9.0 MANAGAMENT AND MAINTENANCE

A Homeowners' Association (HOA) will be created to manage and maintain common areas and open spaces owned by the HOA. The HOA will assume maintenance responsibility for median landscaping and landscaping within public rights-of-way adjacent to all major, minor arterial, and collector roadways within the community boundary. Residents of Steven Farms will automatically be members of the HOA and will be required to pay annual dues for the operation and maintenance of the community facilities.

10.0 DEVELOPMENT SCHEDULE

This site will be developed in several phases. It is anticipated that roadway infrastructure engineering will commence following acceptance of the rezoning process. Steven Farms will follow the Eloy Valley project due to the sewer constraint.

11.0 COVENTANTS, CONDITIONS AND RESTRICTIONS

The developer will create and record a set of Covenant, Conditions and Restrictions (CC&R's) establishing a Homeowners' Association (HOA), which will be responsible for the maintenance of the perimeter walls, signage, landscape buffers, and landscaping in all common areas and rights-of-way.

12.0 CITIZEN REVIEW PROCESS

A neighborhood information meeting was offered and no one responded to the mailings. Notice for this meeting was sent to all property owners within 300 feet of the property line, any neighborhood associations, and the City of Eloy.

In connection with the proposed Utility Scale Solar use being added as an allowed use within each of thee underlying zoning districts in the Steven Farms, PAD, a neighborhood meeting will be held to present this proposal to Property Owners in the vicinity and notice will be provided to neighboring Property Owners as required by the City of Eloy in its Zoning Procedures.

13.0 CONCLUSION

First Amended Steven Farms PAD proposes to expand the permitted uses within all existing zoning discripts to include a Utility Scale Solar use and is-also provide a diverse residential community that will contribute to the orderly growth and development of this portion of Eloy. It will also demonstrate a design quality that will meet and raise expectations for residential communities in the area.

Steven Farms is consistent with the Eloy General Plan, with applicable provisions of the City Zoning Ordinance, with current City policies, and with local approved Planned Area Developments.

Development of the property will contribute to needed arterial roadway improvements and support the current plans underway for provision of water and sewer service in this vicinity.

We respectfully request approval of the First Amended Steven Farms Planned Area Development.



Directory of Exhibits

Vicinity Map	Exhibit A
General Land Use Plan	Exhibit B
Preliminary Development Plan	Exhibit C
Surrounding Properties and Zoning	Exhibit D
Area Traffic and Circulation	Exhibit E
FIRM Map	Exhibit F
Preliminary Land Use Tabulations	Exhibit G
Single Residence Standards	Exhibit H
Typical Lot Layout	Exhibit I
Single Residence Permitted Uses	Exhibit J
Commercial Development Standards	Exhibit K
Commercial Permitted Uses	Exhibit L
Master Landscape Plan	Exhibit M
<u>Interim Use Project Plan:</u>	
<u>Utility Scale Solar Conceptual Development</u>	<u>Exhibit N</u>



Planned Area Development

Prepared For:

**City of Eloy
595 North C Street, Suite 104
Eloy, Arizona 85131**

Prepared By:

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By W. Ralph Pew and
Vanessa MacDonald**

Development Team (2006)

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Case No. PZPAD2007-007

Ordinance No. 2007-696

First Amendment

Case No. RZPAD2007-007.A1

Ordinance No. 2024-##

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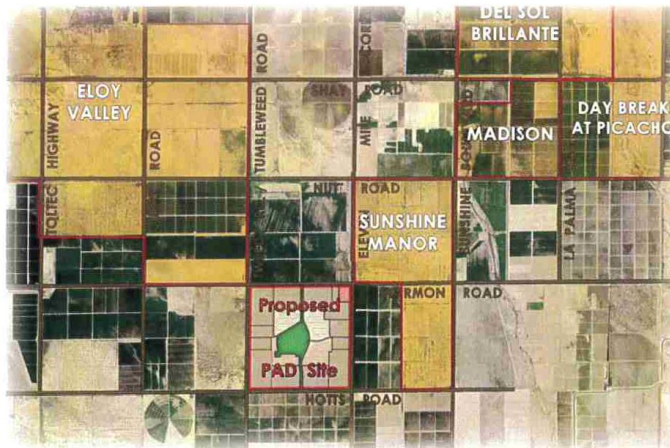
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1.0 INTRODUCTION

1.1 Location

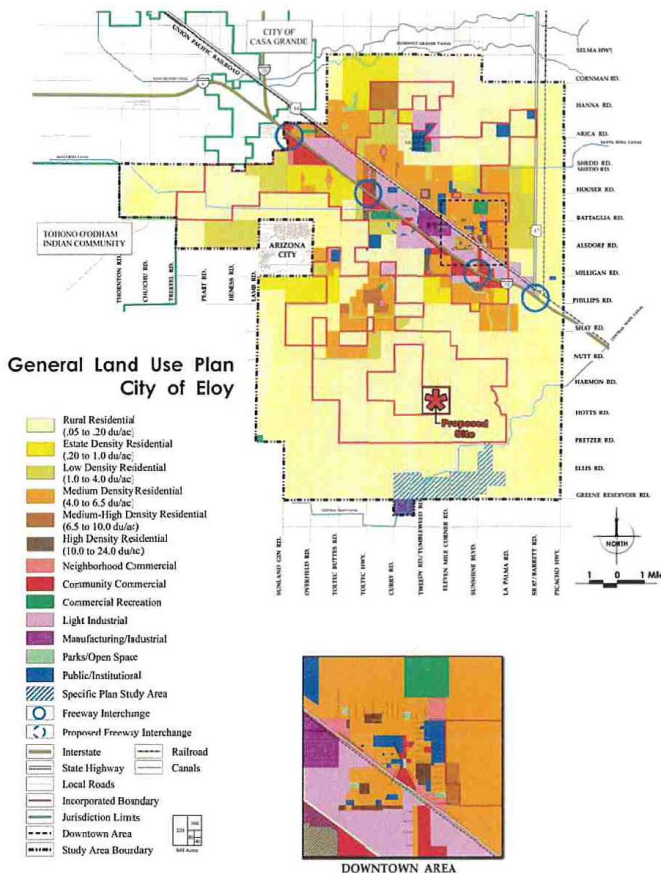
The property is bounded by Harmon Road to the north, Eleven Mile Corner Road to the east, Hotts Road to the south and Tweedy Road to the west, Currently, the Property.

1.2 Purpose of Intent

The City Council approved Ordinance No. 07-696 to rezone Steven Farms, 635.15 gross acres of property to Single Residence (R1-12, R 1-8, and R 1-6) and to rezone 20.76 gross acres (18.00 net) of the subject property to Community Commercial [C-2).

In 2018, The City of Eloy updated its zoning ordinance and map that redesignated the previously approved Single-family (R1-8) zoning of the property to Single family (R1-6) in Ordinance No. 18-880.

The first amendment to the Steven Farms PAD is to add the Solar, Utility Scale Generation and Battery Energy Storage System Facilities land use (hereinafter "Utility Scale Solar") as an allowed use to the underlying base zones of the PAD



overlay in accordance with the provisions of Section 21-2.7.4.A of the Eloy Zoning Ordinance (hereinafter "Ordinance"). In addition, the amendment includes the Interim Use Project Plan: Utility Scale Solar Conceptual Site Plan (Exhibit N).

This Planned Area Development (PAD) Overlay responds to the existing and future needs of the community by providing new residential units, a centralized open space, community commercial and the opportunity for Utility Scale Solar use as an interim use of the

Property. This application and related narrative is presented to fulfill the objectives and requirements of the City of Eloy Zoning Ordinance and to secure successful rezoning and establishment of a PAD Overlay District for the subject property called Steven Farms. See Exhibits A and B.

Underlying the proposal is the intent to develop an interim Utility Scale Solar use and then efficiently develop a location that will contribute to a sense of place and a better quality of life in the City of Eloy. Providing quality residential housing in an area of projected commercial growth creates a sustainable balance among residential, employment, and commercial land uses in the expanding community, thus reducing and commercial uses ensures that the future neighborhood will be relatively self-sustaining, will maximize land use, and will reduce drive times and traffic congestion. By containing valuable open space for the neighborhood, Steven Farms will meet the outdoor enjoyment needs of the local residents.



Exhibit C

LOT DATA						
PARCEL	ZONING	LOT SIZE	GROSS ACRES	PERCENT	MASTER PLANNED UNITS	DENSITY
1	R1-6	50 x 110	61.90	10.7%	247	3.99 DU/AC
2	R1-6	50 x 110	17.91	3.3%	75	4.19 DU/AC
3	R1-6	50 x 110	16.31	2.7%	63	3.86 DU/AC
4	R1-6	50 x 110	57.99	11.0%	254	4.38 DU/AC
5	R1-6	50 x 110	39.76	8.1%	187	4.70 DU/AC
6	R1-6	60 x 120	21.97	4.2%	97	4.42 DU/AC
7		PARK	50.17			
8	R1-12	100 x 120	32.03	2.9%	74	2.31 DU/AC
9	R1-6	50 x 110	48.24	7.9%	221	4.58 DU/AC
10	R1-6	50 x 110	37.56	7.7%	160	4.26 DU/AC
11	R1-12	100 X 120	40.86	3.6%	83	2.03 DU/AC
12	R1-6	60 x 120	37.10	5.6%	128	3.45 DU/AC
13	R1-6	50 x 110	36.54	7.0%	162	4.43 DU/AC
14	R1-6	50 x 110	59.13	11.5%	264	4.46 DU/AC
15	R1-6	50 x 110	15.62	2.7%	63	4.03 DU/AC
16	R1-6	50 x 110	25.57	4.8%	105	4.11 DU/AC
17	R1-6	50 x 110	36.49	6.6%	154	4.22 DU/AC
18	C-2	COMM	20.76			
TOTAL			655.91	100%	2337	3.56 DU/AC

NOTES:

1. 21.6% OPEN SPACE WILL BE PROVIDED.
2. GROSS DENSITY DOES NOT INCLUDE THE COMMERCIAL SITE (20.76) ACRES. INDIVIDUAL PARCEL AREAS AND LOT TYPES MAY CHANGE DURING PLATTING; HOWEVER, STEVEN FARMS WILL ADHERE TO THE FOLLOWING STIPULATIONS AS STATED IN THE MAJOR GENERAL PLAN AMENDMENT (GPA05-19): THE TOTAL NUMBER OF LOTS WILL NOT EXCEED 2,493 AND A MINIMUM OF 21.60% OPEN SPACE WILL BE PROVIDED.

OPEN SPACE WILL BE PROVIDED.

1.3 Description of Proposal

The original zoning requested for this PAD Overlay that was approved in ordinance 07-696 approved that the property is Low Density Residential (R1-12) for approximately 72.89 acres and Medium Density Residential (R1-8, R1-6) for approximately 562.26 acres. In Ordinance No. 18-880, the City changed the R1-8 zoning to R1-6. The purpose of this zoning district is described by the City of Eloy Zoning Ordinance:

...to provide for detached single residence development in areas where adequate public facilities and services are available. The intent of this district is to encourage a traditional neighborhood environment.

The Zoning request approved in Ordinance 07-696 for the remaining 18.00 net acres of this PAD Overlay is Community Commercial (C-2] (See Exhibit C) and is described by the City of Eloy Zoning Ordinance as follows:

...to provide a location for general business and commercial uses. The intent of this district is to allow for larger commercial uses to satisfy the needs of the community-at-large while providing for a broad range of

commercial activities.

As an exceptional development proposition, Steven Farms will offer value-themed architecture and architectural continuity within the area. The site will consist of varying single-family housing types and floor plans, with an emphasis on a common architectural theme. Together, varied streetscapes and front elevations of the homes, integrated open spaces, and recreational amenities will contribute to the aesthetic diversity of the project.

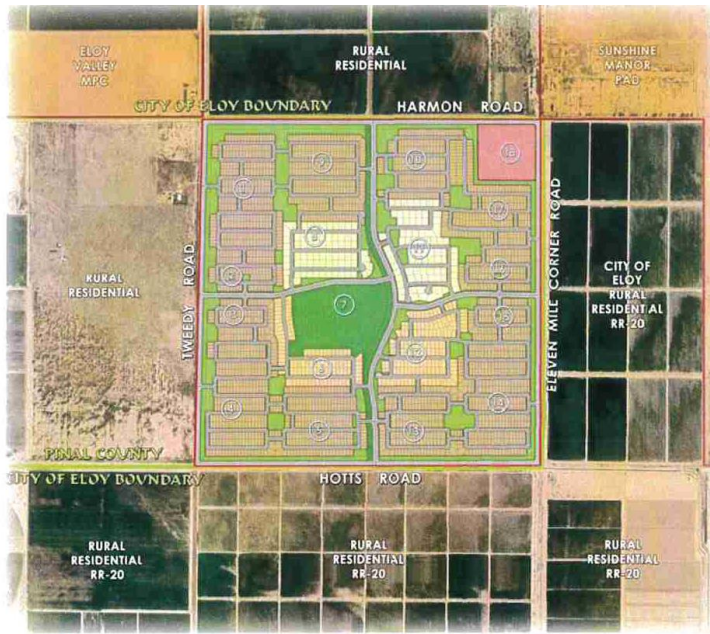


Exhibit D



Exhibit C

The Steven Farms PAD provides flexibility for a single-family residential subdivision with an accessory commercial element, all of which will be supported by public water and sewer after the productive renewable energy life of the Utility Scale Solar use. The project is within the City's Designated Management Area for the wastewater system according to the 208 plan. One of the main goals of the project is to develop the site with public water and sewer facilities by extending service lines from the Eloy Valley Planned Area Development located to the northwest of the site. All water and sewer facilities will be consistent with the City's master water and wastewater plans.

The project area will include improved road construction and integrated drainage facilities. See Exhibit D. The Utility Scale Solar use will conform to all right-of-way dedications, interim roadway improvements and internal engineering roadway access as required by Section 21-3-1.39 of the Ordinance in accordance with 5.6 of this PAD.

Open space tracts, parks, and drainage ways are included within the Low Density and Medium Density Residential zoning classification. The project consists of approximately 16

neighborhoods that contain approximately 2,337 single-family dwelling units. Each neighborhood is defined by open space and pocket parks and linked by internal collector roads. The combination of location, access, and surrounding development creates a need and opportunity for quality housing and commercial services. A commercial element of 20.76 gross acres (18.00 net) will be located in the northeast corner of the project site, at the intersection of Harmon Road and Eleven Mile Corner Road.

The proposed commercial development is appropriately located at the intersection of future arterial roadways and close to existing and future residential development. The proximity of residential neighborhoods will help ensure the businesses' economic viability as well as bring goods and services closer to consumers. The architectural design for the commercial development will be established during the site plan review process. See Exhibit C.

1.4 Relationship to Surrounding Properties

The area surrounding the Steven Farms project site is designated as Rural Residential and is either uncultivated or is engaged in agricultural operation. The project site is surrounded by improved dirt roads with high-power and local-power lines bordering most of the site.

A previously approved Eloy Valley PAD, located adjacent to the northwest, will allow



roughly 20,000 dwelling units on 4,509 acres. The Eloy Valley PAD has predestined this area to an increase in residential density and will be key in extending public water and sewer facilities as well as improving roads to the previously unattainable southern portion of the City's limits. See Exhibit D.

2.0 LOCATION AND ACCESSIBILITY

2.1 Location

Steven Farms consists of three parcels with an approximately 656-gross-acre area of Section 1, Township 9 South, Range 7 East, assessor parcel numbers 408-11-001A, 408-11-001C and 408-11-001D, in Pinal County, Arizona. It is served by Harmon Road to the north, Eleven Mile Corner Road to the east, Hotts Road to the south, and Tweedy Road to the west.

Exhibit D

2.2 Legal Description

408-11-001A
N1/2 OF SEC 1 -9S-7E

408-11-001 C S1/2 OF SEC 1-9S-7E EXC BEG S 1/2 CR SEC 1 W-120 11 N-73.38 POB
N-538.24 E-191.18 S-182.29 W-55.33 S-354.36 W- 1 37.41 POB SEC SEC 1-9S-7E

408-11-001 D BEGS 1 /2 CR SEC 1 W-120.11 N-73.38 POB N-538.24 E-191.18 S-
182.29 W-55.33 S-354.36 W-137.41 POB SEC 1-9S-7E

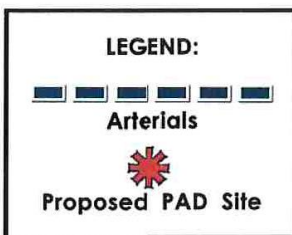


Exhibit E

Eloy Subdivision Design Standards. All streets will be constructed, installed, and maintained by the developer until the final inspection and acceptance by the City of Eloy. The Steven Farms Homeowners' Association will maintain the landscape tracts on the arterials and collectors. The commercial site will be responsible for its own maintenance.

2.3 Roadways and Circulation

Steven Farms is conveniently located approximately four miles southwest of Interstate 10, which provides direct access to the City of Eloy downtown area as well as to Phoenix and Tucson. State Route 87 intersects and ends at Interstate 10 roughly five miles to the northeast. Arterial streets that service the site are Harmon and Hotts Roads to the north and south as well as Eleven Mile Corner and Tweedy Roads to the east and west. Collector streets will access the site from these arterial streets. See Exhibit E.

The surrounding road infrastructure has the ability to support the demands of the proposed future project in terms of legal access and right-of-way availability. Construction methods and techniques of all streets within the subject property shall be in accordance with the City of

3.0 EXISTING SITE CONDITIONS

3.1 Natural Characteristics

3.1.1 Existing Land Use Vegetation

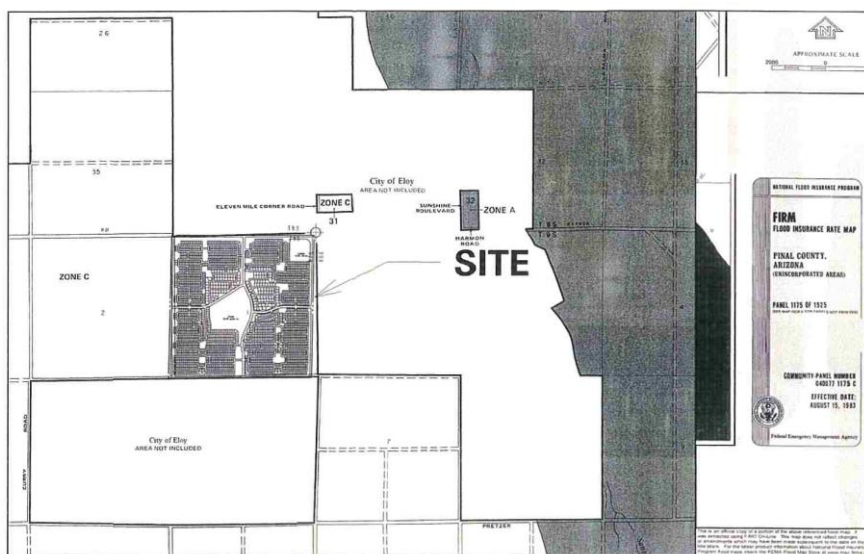
The site is undeveloped, but the land has been disturbed by man-made activities. The existing land use pattern within the vicinity of the property consists of agricultural uses. The site also contains bare ground and farming vegetation.

3.1.2 Existing Topography

Historically, the site was used as farmland and graded for flood irrigation; the site is relatively flat and drains from a southeasterly to a northwesterly direction with an approximately 20-foot change in elevation.

3.1.3 Existing Drainage Patterns

Steven Farms PAD site at the time of the adoption of Ordinance No. 07-696 was classified as Flood Zone C- "Areas of minimal flooding" (no shading), according to the Pinal County, Arizona Unincorporated Areas Flood Insurance Rate Map (FIRM) panel 1175-1525, community panel number 04007 1175 C, effective August 15, 1983. See Exhibit F. The developer acknowledges that they will need to comply with any modifications to the FEMA FIRM Flood Zone Maps and the requirements of Pinal County Flood Control District and regulations.



STEVEN FARMS

Exhibit F

3.2 General Plan Land Use and Zoning

The existing zoning as shown on Exhibit C and associated Lot Data Table reflect consistency with the existing Housing Element of the Eloy General Plan. The Plan states, "The City should encourage the development of housing that creates a sense of place, fosters the creation of distinct neighborhoods, and recognizes the natural features (e.g. flood

plains) of the land through appropriate preservation of open space and the integral

development of community facilities (e.g. recreation, trail systems, etc.). " Steven Farms further accentuates the General Plan by offering an array of densities and providing an accessory commercial element. The General Plan states, "The City should allow and encourage the mixing of various residential densities and the integration at commercial uses through mixed use and planned area development (PADs)."

Steven Farms is consistent with other planned communities that have been approved in the area. It will provide a balance of single- family detached homes for a variety of market segments, from "starter" homes to family and retirement residential homes. This potential diversity in market segmentation will contribute to a healthy and sustainable community. At the northeast corner, a commercial site has been provided at the intersection of Harmon Road and Eleven Mile Corner Road that will provide for the local shopping needs of the immediate area. Generally, designation of commercial land in the immediate area has been limited; but, the rise of residential communities will create the demand for services.

3.2.1 The Utility Scale Solar use proposed by this First Amended Steven Farms PAD is an expansion of allowed uses under Section 2.7.4(A) of the Ordinance within the existing zoning districts of the Approved PAD and because there is no proposed change to the existing zoning districts the Steven Farms PAD remains consistent with the City of Eloy's General Plan.

3.3 Existing Community Facilities and Services



Exhibit D

3.3.1 Schools

Steven Farms is served by the Eloy Elementary District, the Toltec Elementary District, and the Santa Cruz Valley Union High School District.

3.3.2 Parks

There are no existing parks in the immediate vicinity.

3.3.3 Libraries

Library services are available to the residents through the Eloy Public Library. The Library is approximately five miles from the site.

3.3.4 Golf Courses

The nearest golf course is the Grande Valley Golf course located approximately eight miles away.

3.3.5 Airports

Eloy Municipal Airport is located approximately 10 miles away. Sky Harbor International Airport, located in Phoenix, is approximately 60 miles away.

3.3.6 Police, Fire Protection, and Ambulance Service

It is anticipated that the development will be a contributing factor in improving road conditions and infrastructure to this and neighboring parcels, thereby increasing the service level of the area and providing safer access for emergency vehicles and services. Tax and permit fee revenues will contribute to the support and maintenance of police, fire, and emergency operations. Eloy Police Department and Eloy Fire District will respond to calls from Steven Farms.

3.3.7 Hospital

No hospital exists in the City of Eloy at this time. The residents for Steven Farms can use the Casa Grande Regional Medical Center, which is approximately 15 miles away.

3.4 Existing Infrastructure and Utilities

The site is currently undeveloped and in agricultural production. Several concrete ditches and dirt road exist. Farming structures occupy the site as well as a manufactured home.

3.4.1 Existing Water Facilities

No existing water lines are connected to the site. The proposed project has the potential to be adequately served by public water facilities. The area has existing wells on site with the potential to create more as needed. With the development of the Eloy Valley PAD project to the northwest, community water services should be easily extended.

3.4.2 Existing Wastewater Facilities

The site is currently using a septic wastewater system.

3.4.3 Existing Roadway Conditions

The existing roads are dirt and are maintained by Pinal County.

4.0 IMPACTS OF THE PROPOSED PLANNED AREA DEVELOPMENT

4.1 Regional Benefits

One of the main goals Steven Farms intends to meet is to contribute to a sense of place and better quality of life in the City of Eloy. This objective will be achieved by setting high standards for a lasting development and by providing a distinctive, livable community that features affordability and variety.

Steven Farms will positively affect the region by providing quality residential housing with an accessory commercial element in an area of high growth.

4.2 Community Integration

Steven Farms is designed to help realize the goals and objectives of the City of Eloy's General Plan. Implementation of the project will result in the integration of an exceptional neighborhood that is compatible with existing and anticipated land uses in the area. Steven Farms will complement the proposed Eloy Valley PAD as well as set standards of quality for the area.

4.3 Environmental Impacts

The proposed project presents comprehensive solutions for water, sewer, and infrastructure. Specific engineering design and studies have been undertaken to provide the framework for future detailed engineering design improvements. Likewise, opportunities for integrated solutions to drainage, utilities, and traffic circulation as well as improvements to the open space network are offered by the development.

4.4 Socioeconomic Trends

Steven Farms is designed to respond to the prevailing socioeconomic trends and development pressures within the region. The City of Eloy is preparing for a tremendous growth rate. The variety of housing options offered by Steven Farms is a definitive response to the variable market, economic, and social requirements within the area.

5.0 PROPOSED LAND USE AND DEVELOPMENT

5.1 Land Use Plan

The proposed land use plan for Steven Farms presents viable strategies for a sustainable development. It reflects a comprehensive understanding of exiting site conditions and constraints and considers the unique characteristics inherent to the site. Steven Farms will incorporate several distinct designs features into its land plan to ensure long term growth of community property values. Value- added amenities will increase the desirability of the development.

The proposed PAD is for an interim Utility Scale Solar use and then a primarily residential community organized about a central open space. The requested zoning of Low Density Residential has a typical lot size of 100' X 120' (12,000 s.f.) containing 157 units and a density of 2.15 du/ ac. The Medium Density Residential proposes two typical lot sizes, 50' X 110' (5,500 s.f.) and 60' X 120' [7,200 s.f.) containing 2,180 units and a density of 3.87 du/ac. Steven Farms proposes approximately 2,337 lots and a gross density of 3.68 du/ac.

Individual parcel areas and lot types may change during platting; however, Steven Farms will adhere to the following stipulations as stated in the Major General Plan Amendment

(GPA05-19): the total number of lots will not exceed 2,493 and a minimum of 21.60% open space will be provided. A neighborhood commercial center of 18.00 net acres is proposed on the corner of two future major arterial roads, Harmon Road and Eleven Mile Corner Road. See Exhibit C.



Exhibit C

LOT DATA						
PARCEL	ZONING	LOT SIZE	GROSS ACRES	PERCENT	MASTER PLANNED UNITS	DENSITY
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10	R1-6	50 x 110	37.56	7.7%	160	4.26 DU/AC
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12	R1-6	60 x 120	37.10	5.6%	128	3.45 DU/AC
13	R1-6	50 x 110	36.54	7.0%	162	4.43 DU/AC
14	R1-6	50 x 110	59.13	11.5%	264	4.46 DU/AC
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16	R1-6	50 x 110	25.57	4.6%	105	4.11 DU/AC
17	R1-6	50 x 110	36.49	6.6%	154	4.22 DU/AC
18	C-2	COMM	20.76			
TOTAL			655.91	100%	2337	3.56 DU/AC

NOTES:

1. 21.6% OPEN SPACE WILL BE PROVIDED.
 2. GROSS DENSITY DOES NOT INCLUDE THE COMMERCIAL SITE (20.76) ACRES.
- INDIVIDUAL PARCEL AREAS AND LOT TYPES MAY CHANGE DURING PLATTING; HOWEVER, STEVEN FARMS WILL ADHERE TO THE FOLLOWING STIPULATIONS AS STATED IN THE MAJOR GENERAL PLAN AMENDMENT (GPA05-19): THE TOTAL NUMBER OF LOTS WILL NOT EXCEED 2,493 AND A MINIMUM OF 21.60% OPEN SPACE WILL BE PROVIDED.

A variety of active and passive common areas will be designed within this community that will range from open space for recreation areas and mini parks within the individual neighborhoods; open space and trail corridors adjacent to the collector roads; and a centralized community park with ramadas, picnic areas, sports fields, and other recreational equipment. Open space and landscape tracts within the residential component will be owned and maintained by the Steven Farms Homeowners' Association. The commercial site will be responsible for its own maintenance.

5.1.1 Parcel Plan

Specific design and development of each parcel will comply with the current City of Eloy Subdivision Ordinance and the design

guidelines for Low Density Residential, Medium Density Residential, and Community Commercial. See Exhibits C and G.

5.2 Design Criteria

Project guidelines and theme elements are intended to guide the builder in a coordinated vision for the community. Each building will select home design specifics within the overall context provided. The builder will be encouraged to offer as much variety as possible in home design and building materials. The Covenants, Conditions and Restrictions (CC&R's) will provide design guidelines, including the following:

A minimum of three (3) floor plans, each with a minimum of three (3) varied front elevations will be used for each parcel throughout Steven Farms to provide a variety of housing alternatives and increase visual interest. The overall community character of the

Steven Farms PAD will utilize a Spanish vernacular, typified by the use of stucco and tile. The goal of this project is to fit into the existing fabric of the surrounding community.

Steven Farms will consist of identifiable neighborhood areas with coherent design themes within the context of the community theme established by entry features, walls, and landscape elements. The community will have a combination of one and two-story homes. Building materials will include concrete tile and parapet roofs, earthen paint tones, and other compatible materials, selected for durability and ease of maintenance.

5.2.1 Single-Family Residential Design Criteria

The majority of the site will be dedicated to the establishment of an organized, coherent residential community endowed with a distinctive, attractive character and inviting aesthetic appeal. The site will consist of varying detached single-family housing types and floor plans, with the emphasis on a common architectural theme. Assorted lot frontages and setbacks will contribute to the aesthetic diversity as well as integrated open spaces and recreational amenities. The goal is to provide a range of housing choices and prices within the same community. This objective encourages a healthy diversity of residents and concurrent absorption of multiple housing products. See Exhibits H, I, and J.

5.2.2 Community Commercial Criteria

The site will occupy a Community Commercial Center (C-2) and will furnish only those uses listed in Article 7 of the City of Eloy Zoning Ordinance. The commercial land use designation will assist in supporting the residential component by bringing goods and services close to residential neighborhoods out to a radius of two miles or slightly greater. As with all commercial sites, it is expected that the City's revenues will increase through both property and sales taxes. See Exhibits K and L.

The proposed commercial facility is appropriately located at the intersection of what will soon become arterial roadways and close to existing and future residential development. The proximity to residential neighborhoods will help ensure the businesses' economic viability as well as bring goods and services closer to consumers.

5.2.3 Utility Scale Solar design criteria, perimeter landscape treatment, perimeter security, lighting and noise elements will be compliant with Section 21-3-1.39 of the Ordinance 5.6 of this PAD.

5.3 Circulation

The project intends to have standard City rights-of-way throughout the site on the arterials, collectors, and local streets. All primary project access roads in Steven Farms will be public roadways. Construction methods and techniques of all streets within the subject property shall be employed in accordance with the City of Eloy Subdivision

Ordinance. The public local street will be utilized within the planning area. It will be the predominant subdivision street and provide direct access to individual residential lots.

While construction methods and techniques of all roadways within Steven Farms are to be built to the City of Eloy standards, the arterial and collector roads have been enhanced with additional landscape buffers. These buffers are provided, in some cases, to include flood control, drainage or retention elements, and structures and public utility easements (PUE).

5.4 Comprehensive Open Space and Amenity Plan

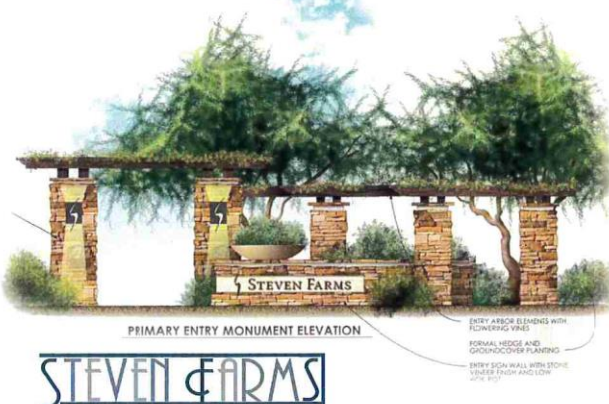
5.4.1 Master Landscape/Open Space Plan

The Steven Farms open space has been designed to enhance the quality of life for the residents as well as the surrounding area of the City of Eloy. The well-planned neighborhoods are designed around the open spaces to ensure that recreational and leisure activities will be accessible. The central Neighborhood Park is intended to be a community-wide focal point featuring the most extensive recreational facilities. It will be both an aesthetic and useable amenity for all residents.

Open space will be at least 21.60% of the residential area (137.19 acres); approximately 50.17 acres of the open space will be dedicated to a centralized Neighborhood Park and the remainder will be dispersed throughout the neighborhoods. If the school district wants a school site, the Neighborhood Park has more than enough usable area to accommodate such a request. The intention is to integrate the school site with the Neighborhood Park, to maximizing open space and recreational amenities in to one area, rather than separate it into minor entities. While some of the open space is located on the perimeter to help with drainage issues, the majority of it is interior to the community in the form of pocket



Exhibit M



parks, the central Neighborhood Park, and landscaped tracts. See Exhibit M.

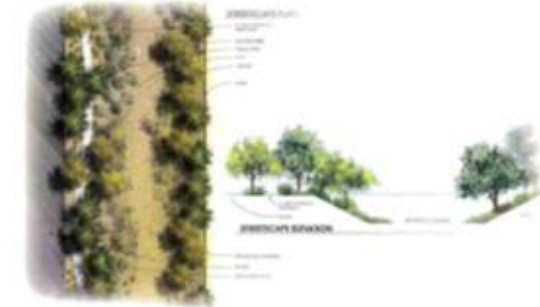


5.4.2 Trails, Open Space, Parks and Recreation System

The recreation and open space concept for Steven Farms PAD will provide a minimum of 137.19 acres of open space, which is 21.60% of the residential area. While most of the open space areas are distributed throughout the Steven Farms project for all residents, the community is organized about a Neighborhood Park centrally located at the intersection of the community collector streets. This highly visible park space will serve as the "common green" for the community, helping establish a neighborhood identity. Through the articulation of the project design components in the form of columns, accent walls, and park amenities, it will also create a sense

of place. From this central open space, the community trails system will radiate north and south along open space corridors adjacent to the collector streets, connecting the smaller pocket parks and open space areas throughout the community. Open space areas will be designed to accommodate both recreational activities as well as the functional needs of the community such as drainage ways and storm water retention. Additional open spaces in the form of pocket parks will be provided for storm water retention and neighborhood recreation.

Steven Farms has been master planned to offer residents abundant open space with a variety of recreational activities. These facilities are distributed throughout Steven Farms to provide ease of access and visual variety. Each residential neighborhood is close to either a pocket park or the Neighborhood Park. Pocket parks are improved with turf areas and play structures. The Neighborhood Park is improved with turf areas, shade ramada,



play structures, and an activity field. All parks are outfitted with landscape materials and construction details that will match throughout the community.

Generous open space and landscape elements are also provided at community entryways, along the perimeter arterial roads, and along the interior collector with landscaped medians, community-themed structures, and landscaping.

The area drainage requirements allow for drainage ways that act as buffers and trail systems along the boundaries of the community.

5.4.3 Signage

Signage for all uses within Steven Farms shall meet the City of Eloy's Zoning Ordinances: "All signs shall be structurally designed, constructed, erected and maintained in accordance with all applicable provisions and requirements of the City of Eloy adopted codes and ordinances" (Article 15.2). Correspondingly, signage within the approved Steven Farms PAD may deviate from the requirements of the

Articles if "an approved comprehensive sign package and all proposed signage within the PAD are in compliance with that comprehensive sign package" (Article 15.9).

5.4.4 Lighting

Provisions for outdoor lighting within the development will be designed with minimized intensity. The primary entry nodes will be provided with pole-mounted lighting fixtures while the homes will be illuminated with low-mounted lighting fixtures that emit low level, non-glare light. All outdoor lighting will comply with the Ordinance.

5.5 Architecture

This application is for the rezoning and site-specific ordinance/stipulations for future site development and construction. Due to market fluctuations, we do not include specific housing details such as styles, material, and dwelling size. Additionally, the builder(s) are not selected at this time.

5.6 Utility Scale Solar (Solar, Utility Scale Generation and Battery Energy Storage System Facilities)

Utility Scale Solar is allowed in all underlying zoning districts of the Steven Farms PAD overlay zone, and the development of the use shall conform with the following:

- i. Section 21-3-1.39 (Solar, Utility-Scale Generation, and Battery Energy Storage System Facilities) of the Ordinance, as amended, except as modified below:
 - a) The facilities shall be limited to the locations indicated on Exhibit N
 - b) Interior setbacks to property within the PAD that are not adjacent to a street: 0 feet.
 - c) Rear setbacks to property within the PAD that are not adjacent to a street: 0 feet.
 - d) Perimeter fence color: sage green color that has color equivalency with a LVR 40% or less.) The development shall comply with the Industrial Development Requirements and Guidelines and Additional Standards of Sections 21-2-5.5 and 21-2-5.6 of the Zoning Ordinance, as amended, except that only landscape provisions of 21-2-5.6.B. are replaced with the landscape provisions of Section 21-3-1.39. of the Ordinance.
 - f) Access gates in a fence shall comply with the setback requirements of provisions of Section 21-3-1.39. of the Ordinance, and the minimum distance from right-of-way and privately dedicated streets to the gate access call/key box (if provided) shall be 50 feet.

5.6.1 Definition of Utility Scale Solar

Utility Scale Solar: is a solar-generated electrical power plant, inclusive of the equipment necessary to generate, store, and convey the generated electricity and the facilities and structure to maintain and operate the power plant and electric storage system. Solar, Utility Scale Generation, and Battery Energy Storage System Facilities may incorporate several abutting and adjacent properties that are planned as a single development as an interim use in the Steven Farms PAD.

6.0 DRAINAGE

6.1 Existing Floodplain Conditions

According to the Flood Insurance Rate Map (FIRM) Community Panel Number 04007711 75C, revised August 15, 1983, the site lies within Zone C, which FEMA defines as "Areas of minimal flooding (no shading)."

6.2 Proposed Improvements and Floodplain Solution

As noted in Section 6.1, the site does not require special floodplain solutions.

6.2,1 Off-Site Storm Water Flows

Off-site storm water that impacts the site originates from the existing farm fields south and southeast of the site. To manage off-site storm water, intercepting channels are proposed to divert flow safely around the site. The flow will be discharged at the natural outlet of the site in the existing flow condition. Culverts will safely pass the 100-year flow below road crossings.

6.2.2 On-Site Storm Water Retention

The common area open space tracts within Steven Farms will provide on-site storm water retention as required by Pinal County Ordinance 100798-DO. Retention for the site will be provided to contain storm water runoff generated from the 100-year, 2-hour storm. The storm water runoff will not be allowed to pond a depth greater than three feet, measured from the bottom of the basin to the high 100-year, 2-hour water surface elevation in retention basins. Retention basins will be designed to drain in 36 hours per Pinal County's requirements. A portion of the open space will be high and dry.

7.0 INFRASTRUCTURE IMPROVEMENTS

7.1 Traffic Impact Analysis

A Preliminary Traffic Impact Analysis has been conducted by TASK Engineering and the report has been submitted to the City of Eloy.

7.2 Water Service

The proposed project can be adequately served by public water facilities. The Steven Farms Water Master Plan does not address using existing wells to supply water to the project. Existing irrigation wells on the property must be converted to supply wells for the City of Eloy. The draft water master plan being prepared by MMLA Psomas indicated that two wells and a water storage facility will be located on the property. The location of water supply facilities will be addressed during the preliminary platting process. Per the City of Eloy design standards, each well site will be a minimum of 120' X 120', and each will have a production capacity of 1.5 X Average Day demands, or 1.144 gpm.

The study also does not address existing storage facilities to supply water to the project. The draft water master plan indicates that a reservoir site will be located on the property, but the current lotting layout does not reflect this. The location of the reservoir site will be addressed during the preliminary platting process. The facility will require approximately five acres.. With the development of the Eloy Valley Plan to the northeast, community services should easily be extended.

7.2.1 Interim Water Service for Utility Scale SolarAs noted in the Development Plan provided as Exhibit N, storage tanks will be provided throughout the development to provide both landscape irrigation and fire suppression needs.

7.3 Wastewater/Sanitary Sewer

It is anticipated that the principal source for sewer discharge will be through the extension of sewer lines from the Eloy Valley project, which ultimately connects to the City's aeration treatment facility that processes 2 million gallons per day. The natural topography of the site slopes from southeast to northwest towards the Eloy Valley site, which will aid in the connection of the sewer facilities with minimal ancillary equipment.

8.0 PUBLIC UTILITIES

New utilities lines within the project will be placed underground to provide an attractive and marketable development. Exceptions to this rule may occur as a result of specific utility company rules and regulations, or where the costs of undergrounding, due to the size and nature of a specific installation, are prohibited. Additionally, temporary overhead lines may be used on an interim basis, subject to review and approval by the City, until development occurs immediately adjacent to the overhead line.

8.1 Electrical Services

Steven Farms and properties in the vicinity are currently served by Arizona Public Service Electrical District Number 4 (ED-4).

8.2 Natural Gas

This property and others in the area will have service by Southwest Gas Corporation

8.3 Telephone

This property and others in the area are currently serviced by Qwest Communications. As this area develops, new service lines will be provided by Qwest. Cellular Telephone Monopoles will be allowed in all commercial zones and on light poles in public recreational facilities, subject to Eloy Zoning Ordinance.

8.4 Cable TV

Eagle West Communications. Inc. provides cable television to the area.

8.5 Water

It is planned that water services for Steven Farms will be provided through the City of Eloy. A water master plan will be needed to better determine on-site water campus needs and the amount of off-site water infrastructure required.

8.6 Sewer

It is anticipated that sewer lines will be extended from the Eloy Valley project.

8.7 Solid Waste

The City of Eloy will provide service to Steven Farms.

9.0 MANAGAMENT AND MAINTENANCE

A Homeowners' Association (HOA) will be created to manage and maintain common areas and open spaces owned by the HOA. The HOA will assume maintenance responsibility for median landscaping and landscaping within public rights-of-way adjacent to all major, minor arterial, and collector roadways within the community boundary. Residents of Steven Farms will automatically be members of the HOA and will be required to pay annual dues for the operation and maintenance of the community facilities.

10.0 DEVELOPMENT SCHEDULE

This site will be developed in several phases. It is anticipated that roadway infrastructure engineering will commence following acceptance of the rezoning process. Steven Farms will follow the Eloy Valley project due to the sewer constraint.

11.0 COVENTANTS, CONDITIONS AND RESTRICTIONS

The developer will create and record a set of Covenant, Conditions and Restrictions (CC&R's) establishing a Homeowners' Association (HOA), which will be responsible for the maintenance of the perimeter walls, signage, landscape buffers, and landscaping in all common areas and rights-of -way.

12.0 CITIZEN REVIEW PROCESS

A neighborhood information meeting was offered and no one responded to the mailings. Notice for this meeting was sent to all property owners within 300 feet of the property line, any neighborhood associations, and the City of Eloy.

In connection with the proposed Utility Scale Solar use being added as an allowed use within each of thee underlying zoning districts in the Steven Farms, PAD, a neighborhood meeting will be held to present this proposal to Property Owners in the vicinity and notice will be provided to neighboring Property Owners as required by the City of Eloy in its Zoning Procedures.

13.0 CONCLUSION

First Amended Steven Farms PAD proposes to expand the permitted uses within all existing zoning disctricts to include a Utility Scale Solar use and also provide a diverse residential community that will contribute to the orderly growth and development of this portion of Eloy. It will also demonstrate a design quality that will meet and raise expectations for residential communities in the area.

Steven Farms is consistent with the Eloy General Plan, with applicable provisions of the Ordinance, with current City policies, and with local approved Planned Area Developments.

Development of the property will contribute to needed arterial roadway improvements and support the current plans underway for provision of water and sewer service in this vicinity.

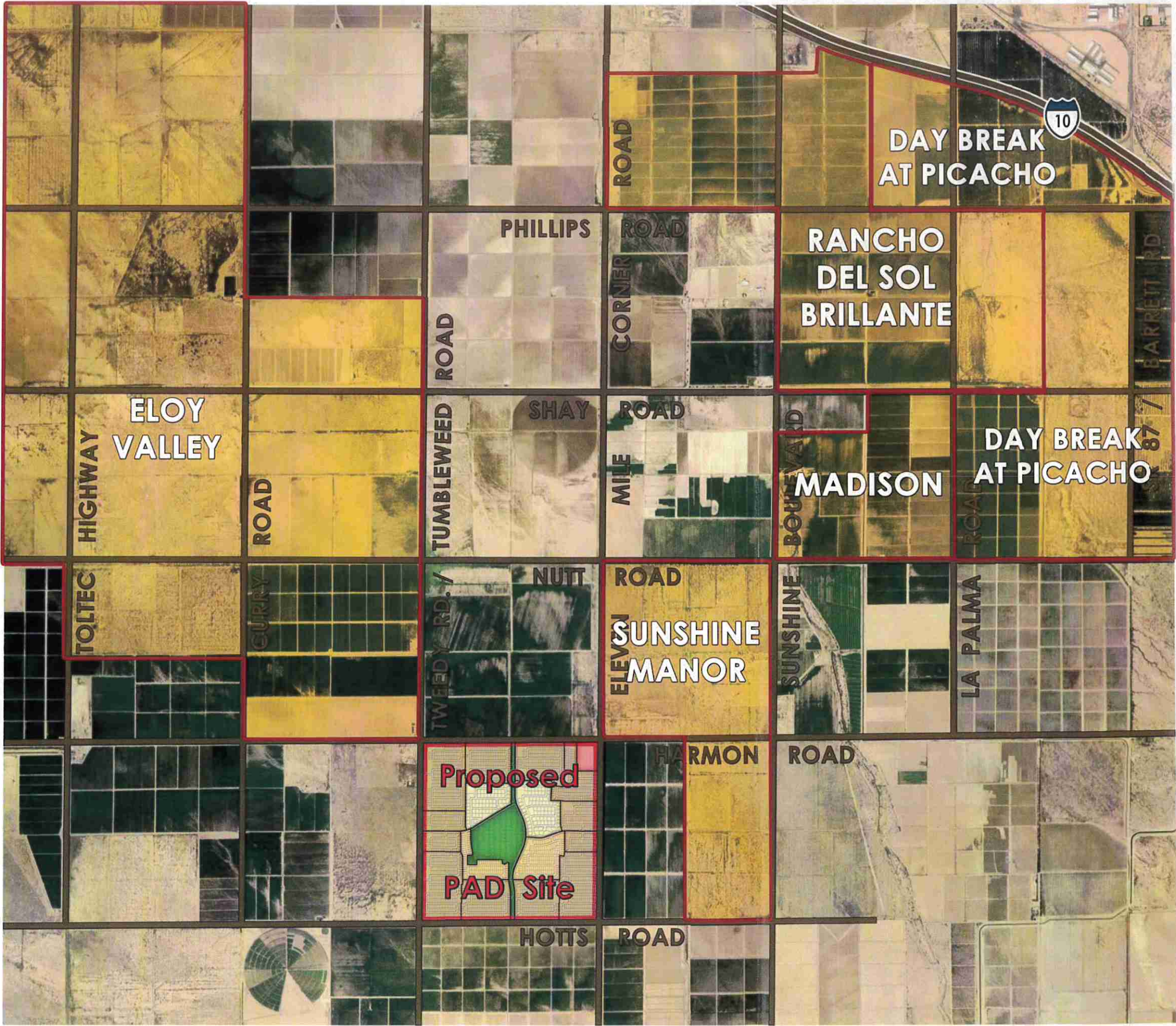
We respectfully request approval of the First Amended Steven Farms Planned Area Development.



Directory of Exhibits

Vicinity Map	Exhibit A
General Land Use Plan	Exhibit B
Preliminary Development Plan	Exhibit C
Surrounding Properties and Zoning	Exhibit D
Area Traffic and Circulation	Exhibit E
FIRM Map	Exhibit F
Preliminary Land Use Tabulations	Exhibit G
Single Residence Standards	Exhibit H
Typical Lot Layout	Exhibit I
Single Residence Permitted Uses	Exhibit J
Commercial Development Standards	Exhibit K
Commercial Permitted Uses	Exhibit L
Master Landscape Plan	Exhibit M
Interim Use Project Plan:	
Utility Scale Solar Conceptual Development	Exhibit N

Vicinity Map



N.T.S.

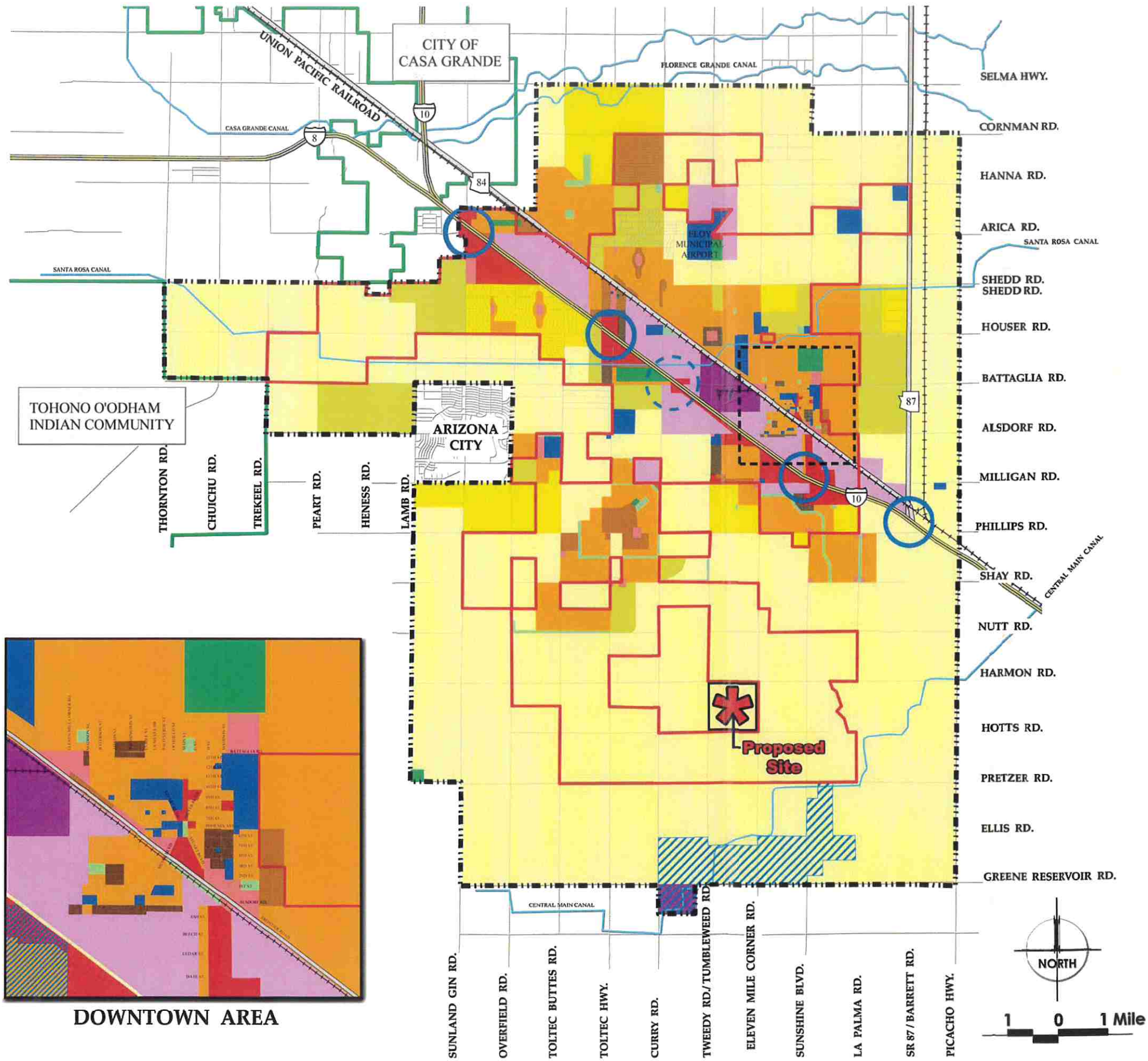
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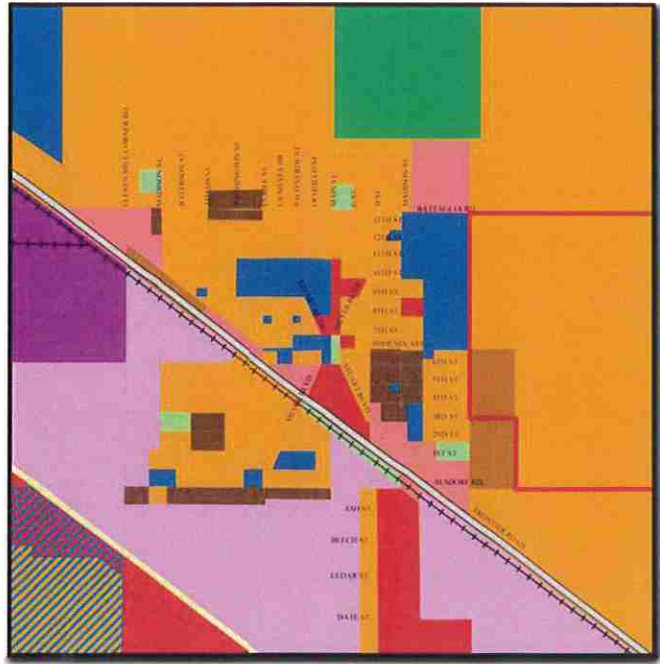
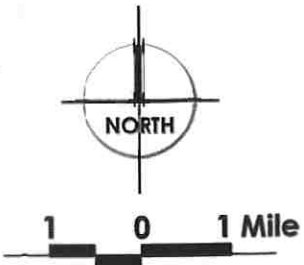
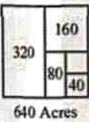
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exhibit A

General Land Use Plan City of Eloy



- Rural Residential (.05 to .20 du/ac)
- Estate Density Residential (.20 to 1.0 du/ac)
- Low Density Residential (1.0 to 4.0 du/ac)
- Medium Density Residential (4.0 to 6.5 du/ac)
- Medium-High Density Residential (6.5 to 10.0 du/ac)
- High Density Residential (10.0 to 24.0 du/ac)
- Neighborhood Commercial
- Community Commercial
- Commercial Recreation
- Light Industrial
- Manufacturing/Industrial
- Parks/Open Space
- Public/Institutional
- Specific Plan Study Area
- Freeway Interchange
- Proposed Freeway Interchange
- Interstate
- State Highway
- Local Roads
- Incorporated Boundary
- Jurisdiction Limits
- Downtown Area
- Study Area Boundary
- Railroad
- Canals



DOWNTOWN AREA

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exhibit B

□

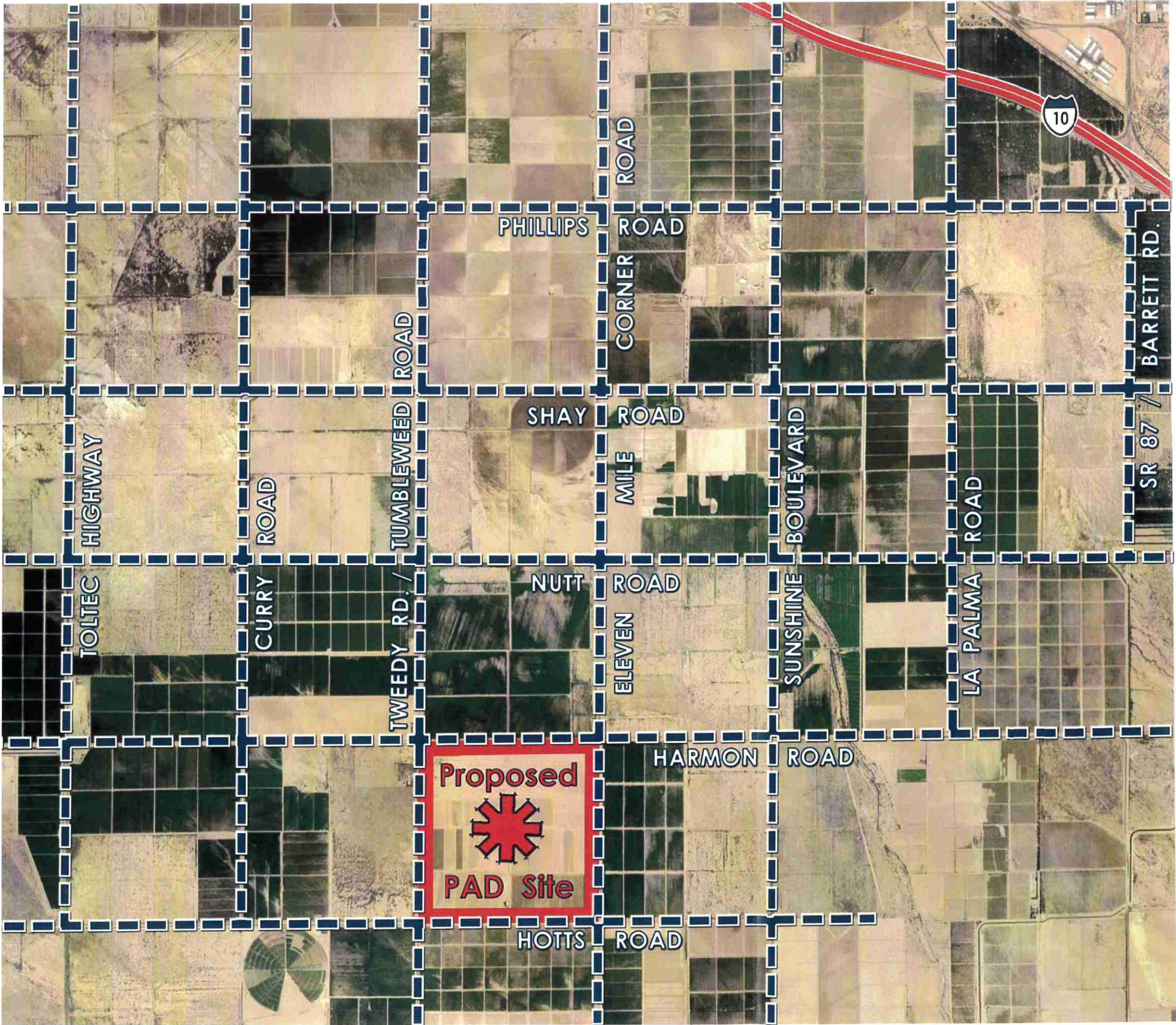


Exhibit C- Preliminary Development Plan- Residential



Exhibit D- Surrounding Properties and Zoning

Area Traffic & Circulation



LEGEND:

Arterials

Proposed PAD Site

NORTH

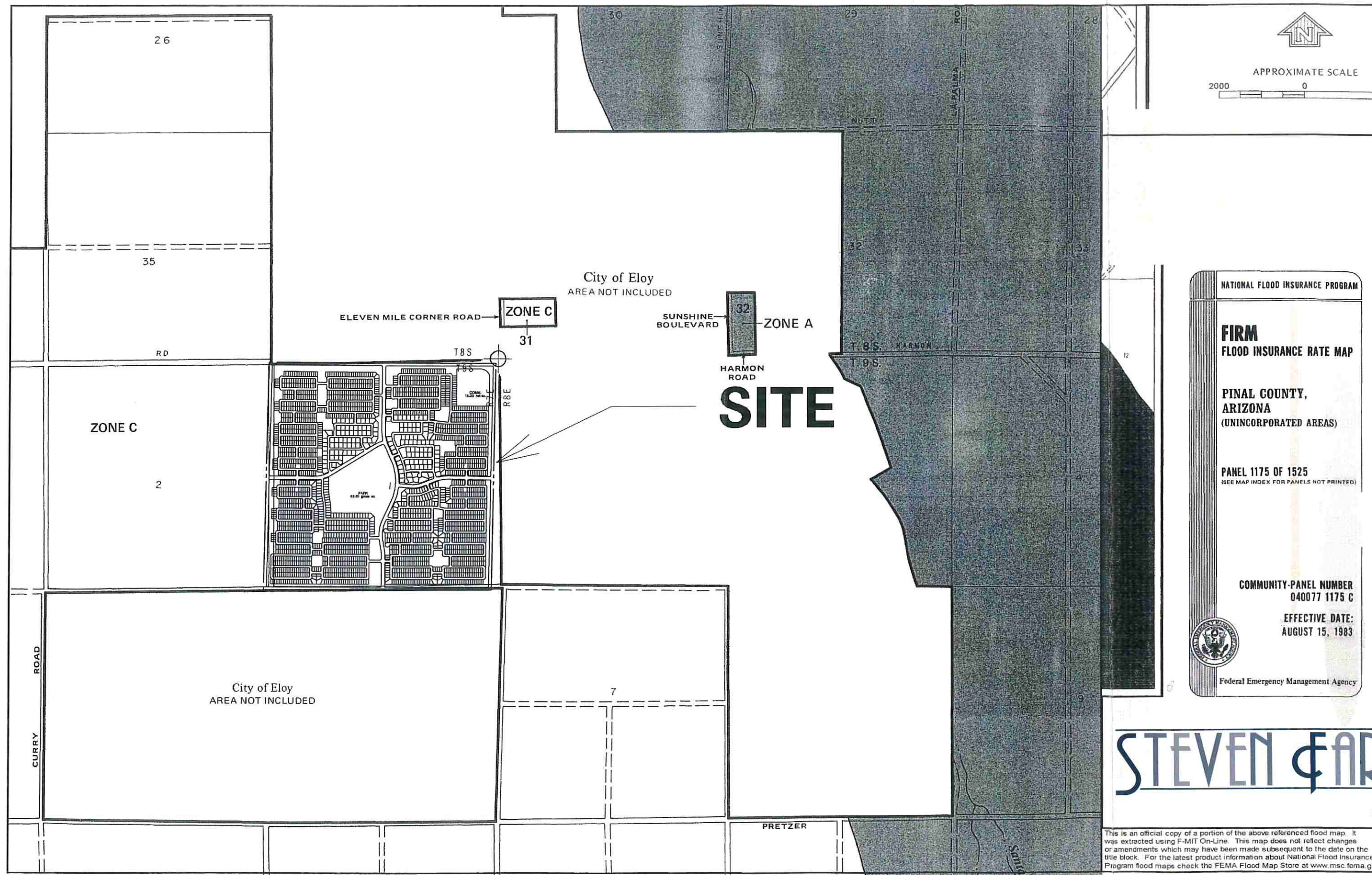
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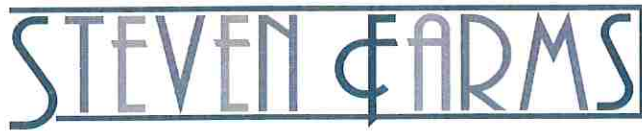
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exhibit E



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exhibit F

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov



Steven Farms PAD
Preliminary Land Use Tabulations

Land Use Designation	Gross Acres
Low Density Residential	72.89
Medium Density Residential	562.26
Community Commercial*	20.76
TOTAL	655.91

DENSITY CALCULATION

Gross Residential Area	635.15 ac
Dwellings units	2337 du
Gross Density	3.68 du/ac

OPEN SPACE CALCULATION

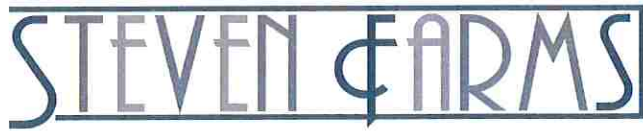
Open Space Calculations	Acres	%	Area
Net Residential**	635.15ac	21.60%	137.19ac

Notes:

*Community Commercial has a net acreage of 18.00 acres.

**Net residential area = Gross residential area minus (-) gross Community Commercial.

Individual parcel areas and lot types may change during platting; however, Steven Farms will adhere to the following stipulations as stated in the Major General Plan Amendment (GPA05-19): the total number of lots will not exceed 2,493 and a minimum of 20% open space will be provided.



Single Residence Standards

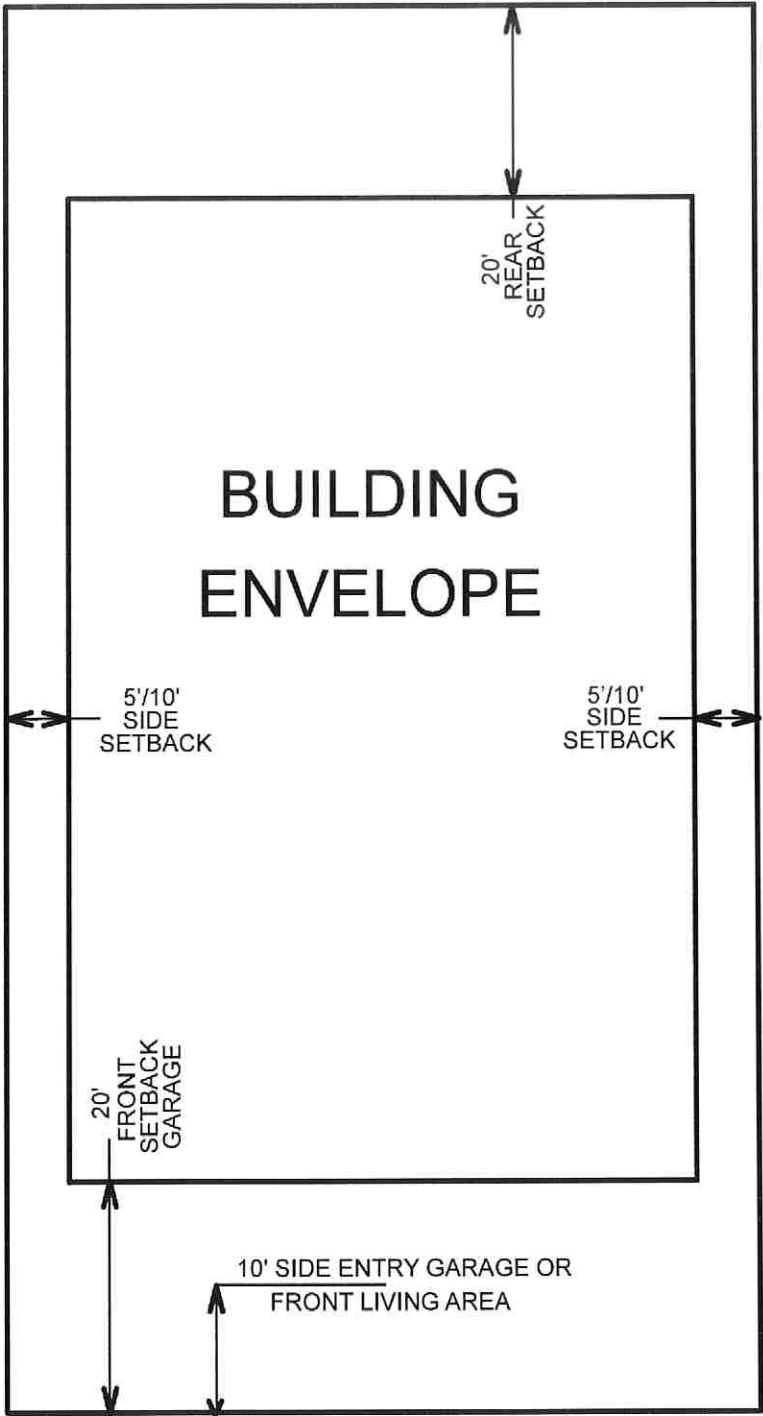
City of Eloy Standards

	R1-6	R1-8	R1-12
Typical Lot	60' X 100'	80' X 100'	100' X 120'
% Distribution	NA	NA	NA
Typical Area	6,000 sf	8,000 sf	12,000 sf
Minimum Width	60'	80'	100'
Minimum Depth	NA	NA	NA
Building Setbacks			
Front	20'	20'	20'
Side Street Side	20'	20'	20'
Rear	25'	25'	25'
Minimum Side Yard Setbacks	5' & 10'	7' & 10'	10'
Maximum Height	35'	35'	35'
Building Coverage	40%	35%	30%

Steven Farms Proposed Standards

	50' X 110'	60' X 120'	100' X 120'
Typical Lot	50' X 110'	60' X 120'	100' X 120'
% Distribution	83.7%	9.8%	6.5%
Typical Area	5,500 sf	7,200 sf	12,000 sf
Minimum Width	50'	60'	100'
Minimum Depth	110'	120'	120'
Building Setbacks			
Front	20'/10' for living area or side entry garage	20'/10' for living area or side entry garage	20'/10' for living area or side entry garage
Side Street Side	10' landscape tract	10' landscape tract	10' landscape tract
Rear	20'	20'	20'
Minimum Side Yard Setbacks	5' & 10'	5' & 10'	10' & 10'
Maximum Height	35'	35'	35'
Building Coverage	50%	45%	30%

Typical Lot Layout
50' Width

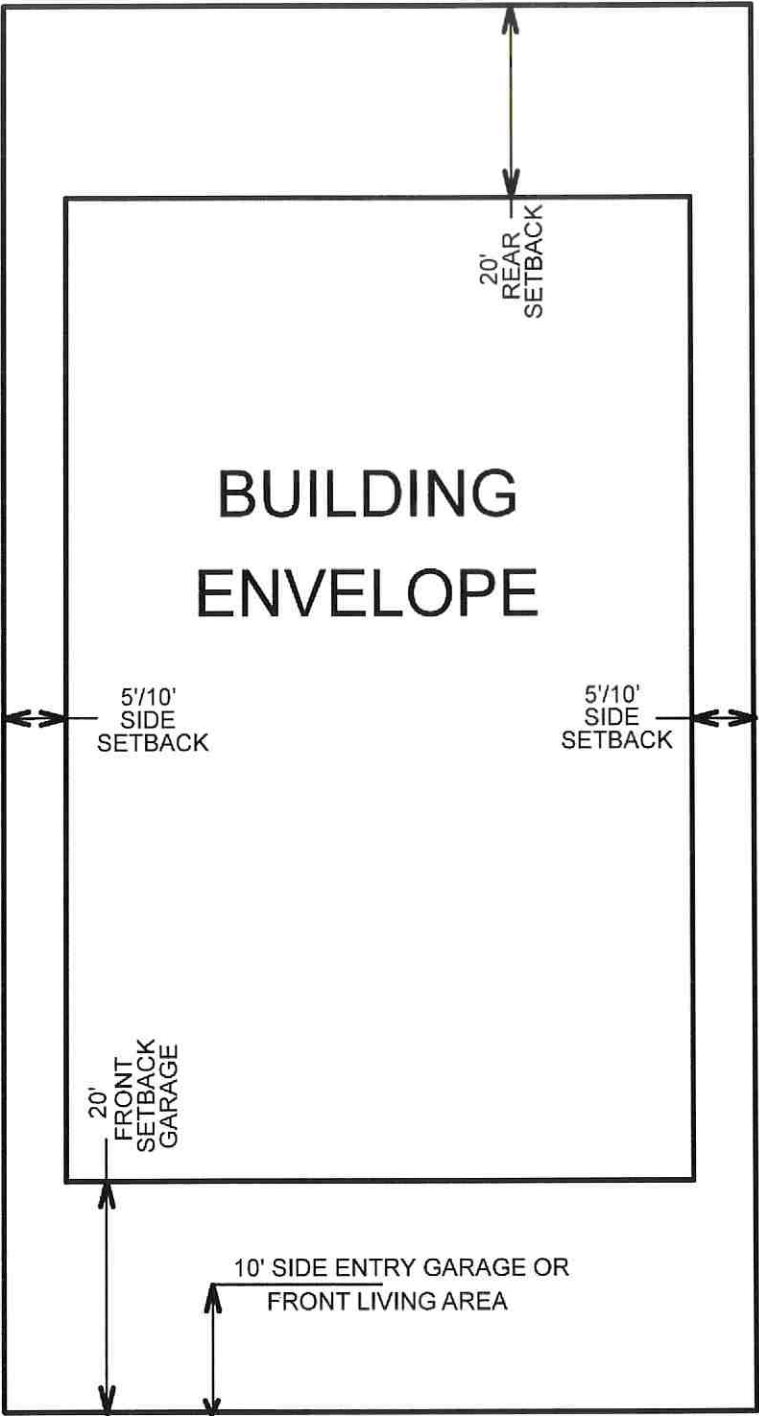


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exhibit I-1

Typical Lot Layout 60' Width

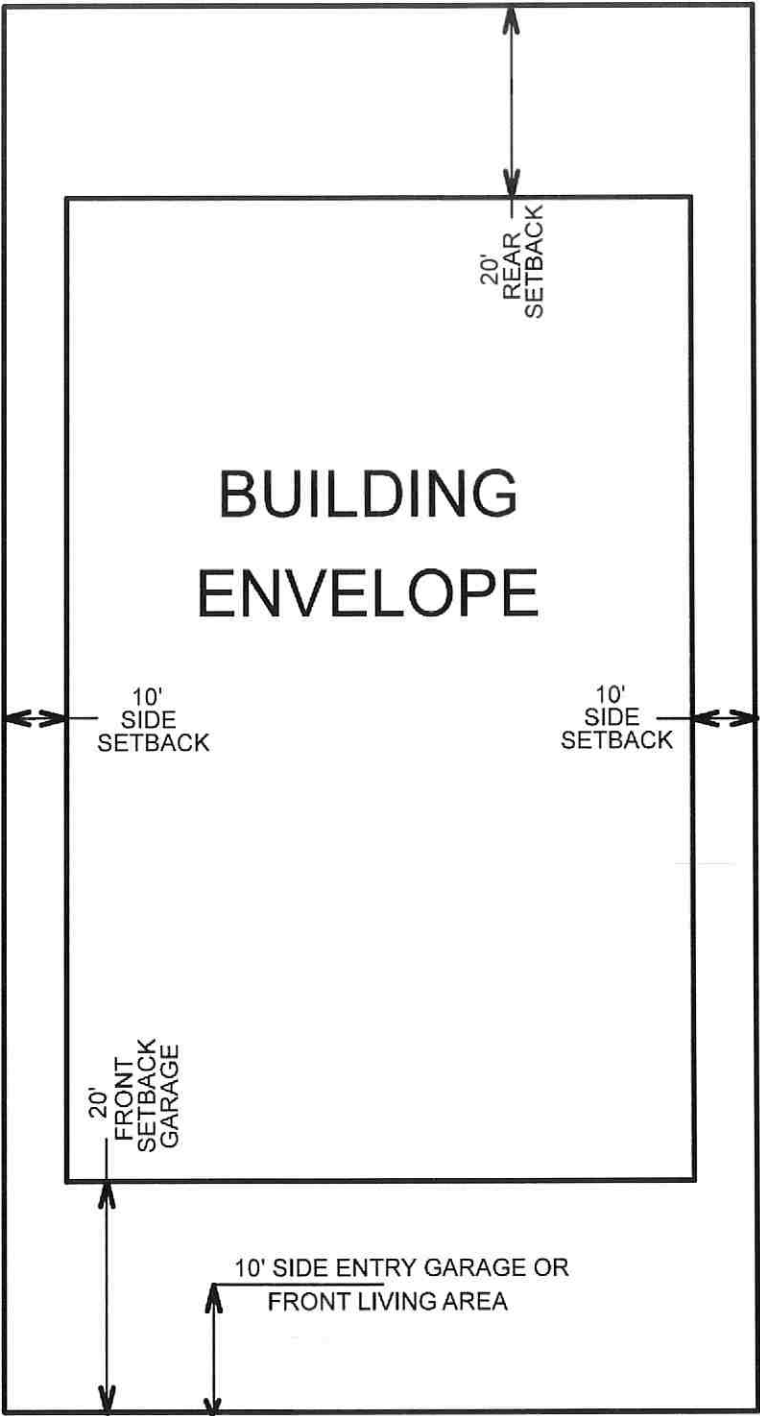


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exhibit I-2

Typical Lot Layout
100' Width

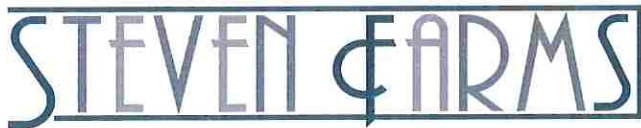


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exhibit I-3



Single Residence Permitted Uses R1-12, R1-8, and R1-6

Residential Permitted Uses

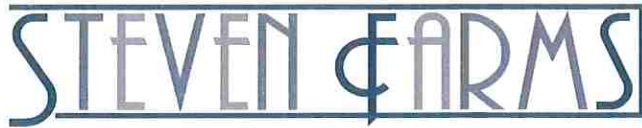
- One single detached dwelling per lot of record.
- Temples, mosques, synagogues, or churches, including clergy housing.
- Public schools (K – 12).
- Public Parks and playgrounds.
- Public and private open space preserves.
- Public utility services, but not including business offices, repair or storage facilities, wastewater treatment plants, booster stations, and generating plants.
- Satellite dish antennas for private residential use provided that they are located within the buildable area of the rear yard, are less than eight (8) feet in height, are ground mounted, and screened from both the public and adjacent property views. This does not apply to dishes under 24" in diameter.
- Publicly owned or operated facilities.
- Home-based day care with no more than six (6) children not related to the proprietor with a maximum of ten (10) children total.
- Home occupations as prescribed in Chapter 11 of the Eloy Zoning Ordinance.
- Accessory buildings and accessory uses as prescribed in Chapter 11 of the Eloy Zoning Ordinance.
- Assisted living facilities and group care homes for the elderly and handicapped, provided that:
 1. No such home is located on a lot that is within one thousand-two hundred (1,200) feet of another group home for the handicapped and elderly care;
 2. No such home contains more than six (6) residents;
 3. Such home is licensed by the State of Arizona Department of Health Services;
 4. Such home is registered with, and administratively approved by the City, as to compliance with the standards of the Eloy Zoning Ordinance.



Commercial Development Standards C – 2

Standard	
Front Setback	30'
Interior Side Setback	10'
Street Side Setback	10'
Rear Setback	10'*
Area (Sq Ft)	10,000'
Maximum Bldg. Height	35'
Maximum Lot Coverage	60%
Minimum Lot Width	150'

* If the property line or adjoining street abuts a residential zone the setback shall be 25 feet.



Commercial Permitted Uses C – 2

Community Commercial Permitted Uses

- Those uses permitted in the “C – 1” Neighborhood Commercial Zoning District.
- Day care centers including the required outdoor play area.
- Medical, dental, and clinical laboratories.
- Hospital and outpatient clinics
- General Office and retail uses.
- Convenience market with the sale or dispensing of gasoline.
- Drive-through window facilities.
- Dry-cleaning facility.
- Large-scale retail stores, not to exceed 80,000 square feet, individually, and not to exceed 150,000 square feet in a group commercial development such as: supermarkets, retail drug store, video store, dry good and notions store, appliance store, home or hardware store, floor and wall covering store, furniture store, bicycle and sporting good store, and apparel store.
- Restaurants including drive-in and drive-through facilities.
- Bank and financial institutions with drive-through windows and outdoor teller facilities.
- Hotels and motels.
- Movie theatres (excluding drive-in movie theatres), dance halls, and bowling alleys.
- Household, sickroom or office equipment rental and services.
- Car wash facilities, auto part stores, and auto service stations; but not including semi-truck washing or polishing, semi-truck servicing or semi-truck tires.
- Outdoor display areas for the sale of new or used automobiles, passenger trucks, boats, trailer and recreational vehicles provided all sales and repair activities are conducted within a building.
- Outdoor display areas for the sale of new manufactured homes provided all units are ground mounted, anchored and finished in a manner representative of the actual finished product.
- General auto repair, including auto painting and body repair, provided all repair operations are conducted within a building including an outside vehicle storage area to be used only for vehicles under repair which shall be screened from any street or surrounding property.
- Nurseries, flower and plant sales, provided all incidental equipment and supplies including fertilizer and empty cans, are kept within a completely enclosed building or within an area enclosed on all sides by a solid fence or wall at least six (6) feet in height and no goods, materials or objects are stacked higher than the fence or wall.

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- Mini-storage facility provided they are used solely for dead storage purposes with no outdoor open storage allowed.
- Black smith shops, welding shops, contractors offices and contractors equipment yards provided the yard area is enclosed on all sides by a solid fence or wall at least six (6) feet in height and no supplies, products, materials or equipment are stacked higher than the fence or wall.
- Night watchmen quarters, as a security provision, as an accessory use to a permitted commercial use with City approval.
- Businesses engaged in wholesaling, assembly or manufacturing must be within a completely enclosed building and must have a retail component on-site.
- Semi-truck washes and/or semi-truck polishing, semi-truck servicing, or semi-truck tires only when ancillary to a travel plaza/truck stop and in accordance with the provisions outlined in Sec. 7.2 (B) (8).
- Outdoor sales and displays are prohibited, except where one (1) or more of the following conditions are present:
 1. Products and services displayed outdoors are customary, accessory, and incidental to those sold and displayed in a primary business being conducted in a permanent building on the property.
 2. Outdoor sales and displays do not interfere with pedestrian access ways, fire lanes, required parking spaces, driveways, landscape areas or traffic visibility at driveway entries and street intersections.
- Small-animal hospital or clinics, confined to completely enclosed sound-attenuated facilities, subject to:
 1. Animals shall not be boarded or lodged except for short periods of observation incidental to care or treatment.
 2. No kennel or exercise runs will be permitted.

Conceptual Master Landscape and Trail Plan

3 July 2007
Job # 050088
Page.1



Planting Palette

TREES

<i>Acacia salicina</i>	Weeping Acacia
<i>Olea europaea</i> 'Swan Hill'	Fruitless Olive
<i>Prosopis chilensis</i>	Chilean Mesquite
<i>Quercus virginiana</i> 'Heritage'	Heritage Live Oak

SHRUBS

<i>Caesalpinia pulcherrima</i>	Red Bird of Paradise
<i>Calliandra californica</i>	Baja Fairy Duster
<i>Convolvulus cneorum</i>	Silver Bush
<i>Dalea frutescens</i> 'Sierra Negra'	Black Dalea
<i>Dodonaea viscosa</i> 'purpurea'	Purple Hopseed Bush
<i>Justicia spicigera</i>	Mexican Honeysuckle
<i>Leucophyllum</i> 'Thundercloud'	'Thundercloud' Silverleaf
<i>Muhlenbergia capilaris</i>	Regal Mist Deer Grass
<i>Psilostrophe cooperi</i>	Paper flower
<i>Ruellia brittoniana</i>	Garden Ruellia

ACCENTS

<i>Agave vilmoriniana</i>	Octopus Agave
<i>Dasyliion wheeleri</i>	Desert Spoon
<i>Hesperaloe parviflora</i>	Red Yucca

GROUNDCOVERS

<i>Baccharis hybrid</i> 'Stam'	Thompson Dwarf Broom
<i>Euphorbia rigida</i>	Gopher plant
<i>Lantana sp.</i> 'New Gold'	Gold Trailing Lantana
<i>Rosmarinus prostratus</i>	Trailing Rosemary
<i>Glandularia pulchella</i>	Rock Verbena
<i>Cynodon dactylon</i>	'Princess 77'
	Hybrid Bermuda

Legend

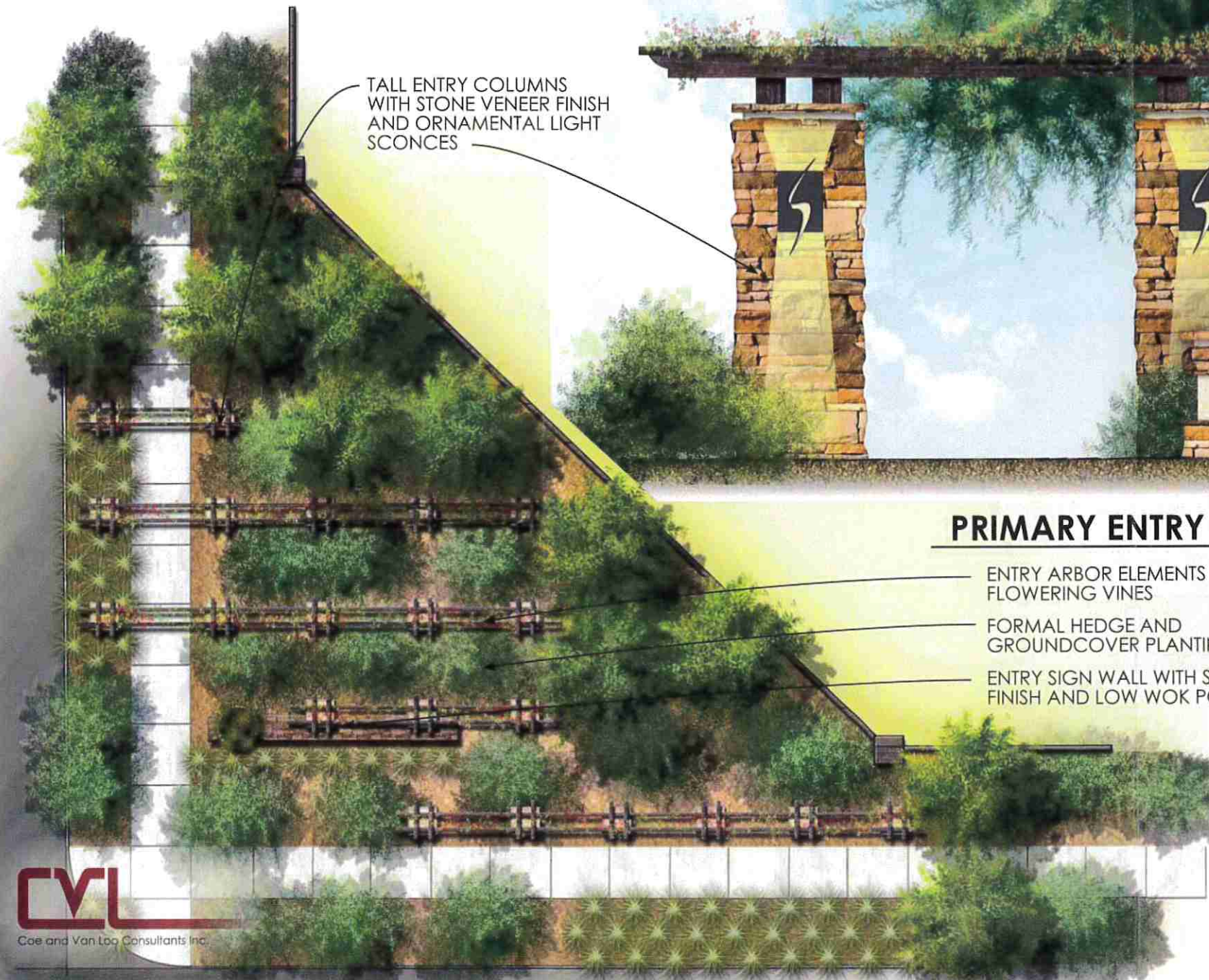
- 6' MINIMUM CONCRETE PATH
- POCKET PARK
- RAMADA

exhibit M1

Primary Entry Monument

8 December 2006
Job # 050088
Page.2

PRIMARY ENTRY MONUMENT PLAN

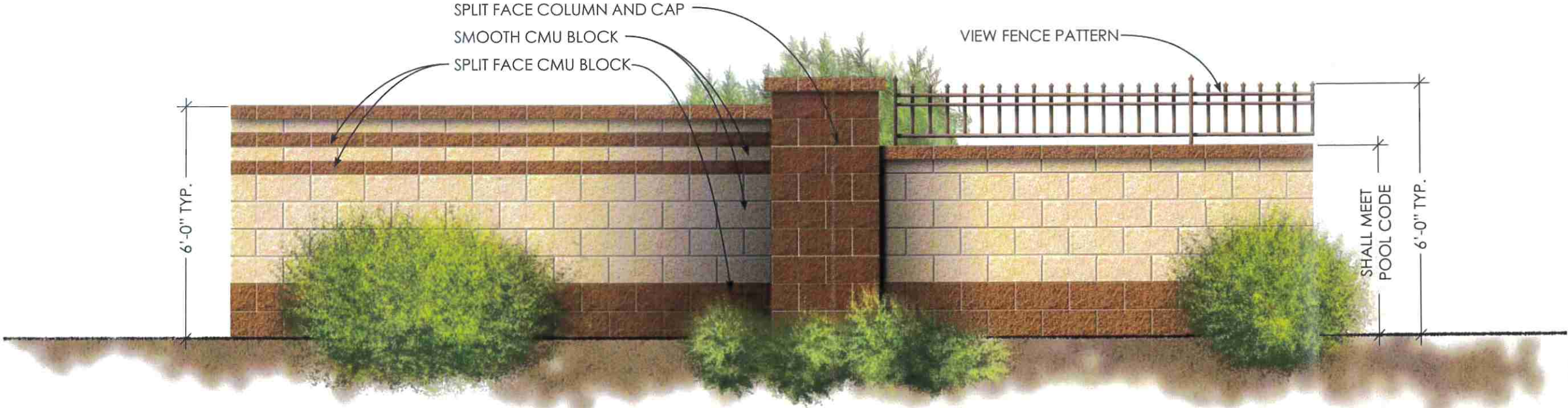


TALL ENTRY COLUMNS
WITH STONE VENEER FINISH
AND ORNAMENTAL LIGHT
SCONCES

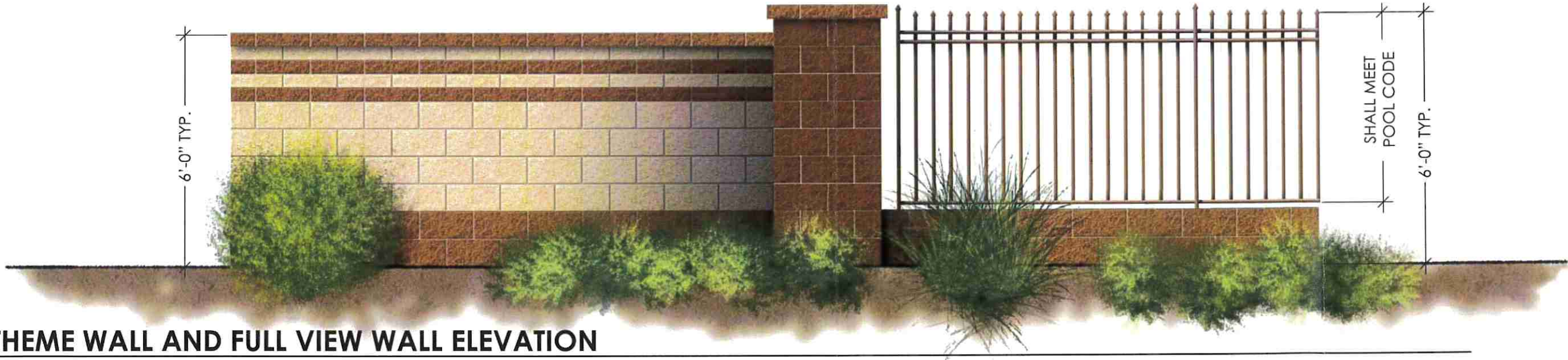
PRIMARY ENTRY MONUMENT ELEVATION

ENTRY ARBOR ELEMENTS WITH
FLOWERING VINES
FORMAL HEDGE AND
GROUND COVER PLANTING
ENTRY SIGN WALL WITH STONE VENEER
FINISH AND LOW WOK POT

ENTRY ARBOR ELEMENTS WITH
FLOWERING VINES
FORMAL HEDGE AND
GROUND COVER PLANTING
ENTRY SIGN WALL WITH STONE
VENEER FINISH AND LOW
WOK POT



THEME WALL AND PARTIAL VIEW WALL ELEVATION



THEME WALL AND FULL VIEW WALL ELEVATION

exhibit M3

Streetscape Along Channel

8 December 2006
Job # 050088
Page.6

STREETSCAPE PLAN

6' MEANDERING
SIDEWALK

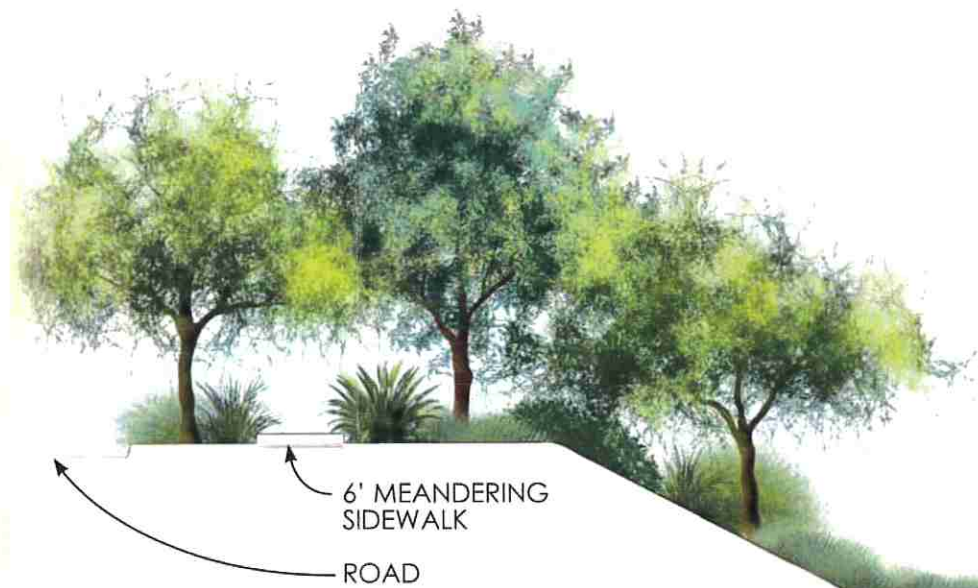
ACCENT TREE

THEME TREE

D.G.

SHRUBS

WALL



STREETSCAPE ELEVATION

DRAINAGE CHANNEL

ROAD

GROUND COVER

STEVEN FARMS PAD

Interim Use Project Plan: Utility Scale Solar Conceptual Development Plan

SITE LAYOUT

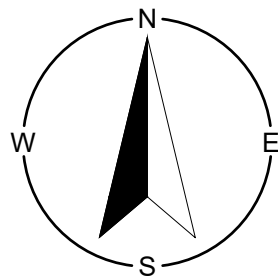


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PROJECT NAME
**STEVEN FARMS
PAD CONCEPTUAL PLAN**
SITE LOCATION
ELOY, AZ

#	DRAWING ISSUE	DATE	DB	CB
1	DEVELOPMENT PLANS	07/15/2024	RL	DJ

PROJECT NO : 23015
DRAWING TITLE
TITLE SHEET

DRAWING NUMBER
C000



DEMOLITION NOTES

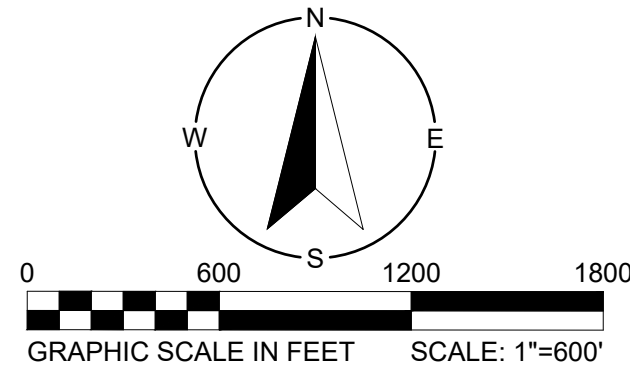
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FIRE NOTES

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LEGEND

- CUP PROJECT BOUNDARY
- - - SHEET MATCHLINE
- EXISTING PROPERTY BOUNDARY
- - - SURVEYED CENTER LINE
- EXISTING ROAD
- R/W — EXISTING RIGHT OF WAY
- EAS — EXISTING TRANSMISSION EASEMENT
- OH — EXISTING OVERHEAD LINES
- - - PROPOSED SETBACK
- ROW — PROPOSED RIGHT-OF-WAY DEDICATION
- ▨ PROPOSED VEGETATED BUFFER
- X — PROPOSED FENCE
- ▬ PROPOSED GATE
- ▬ PROPOSED ROAD
- ▬ PROPOSED N-S AXIS TRACKER
- ▬ PROPOSED INVERTER
- PROPOSED CULVERT



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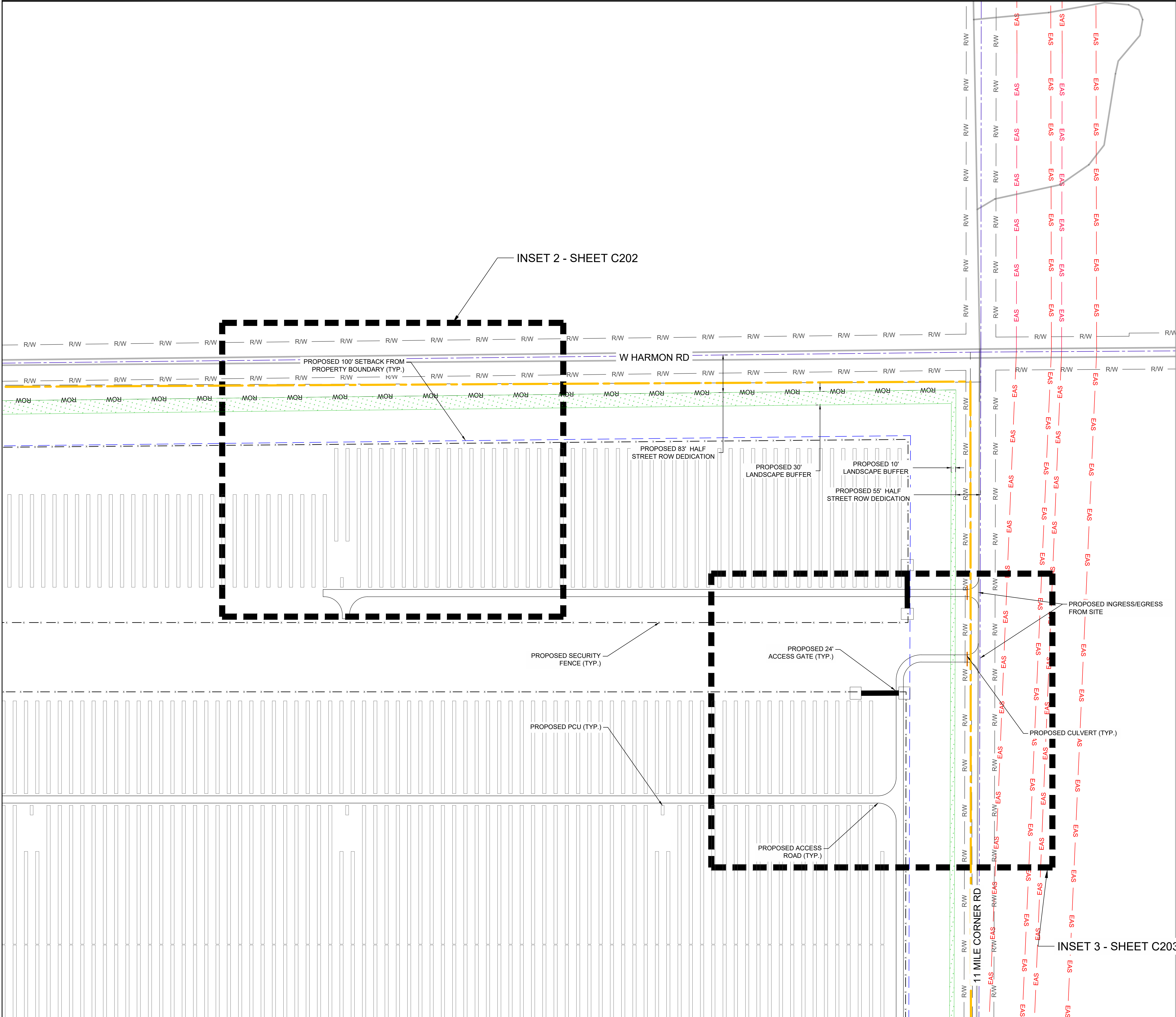
PROJECT NAME
STEVEN FARMS
PAD CONCEPTUAL PLAN
SITE LOCATION
ELOY, AZ

DRAWING ISSUE	#	DATE	DB	CB
DEVELOPMENT PLANS	1	07/15/2024	RL	DJ

PROJECT NO.: 23015
DRAWING TITLE
SITE PLAN

DRAWING NUMBER

C200

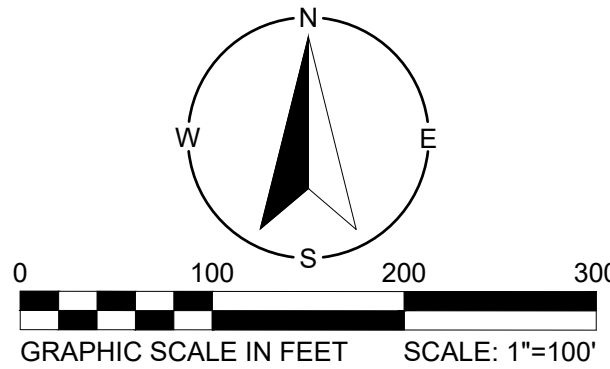


INSET 2 - SHEET C202

INSET 3 - SHEET C203

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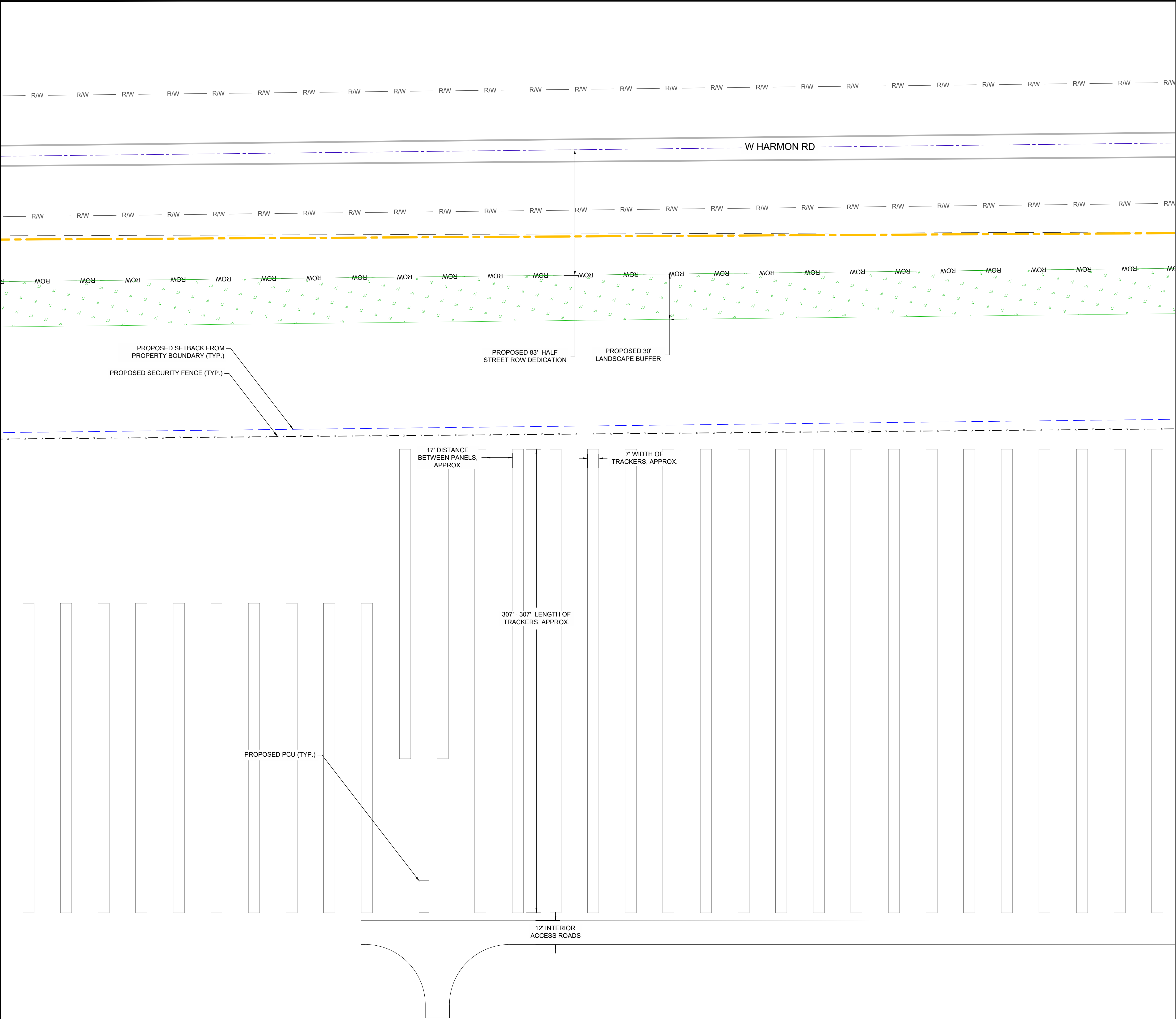
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NEXtera
ENERGY
RESOURCES

PROJECT NAME
STEVEN FARMS
PAD CONCEPTUAL PLAN
SITE LOCATION
ELOY, AZ

DRAWING ISSUE	DATE	DB	CB
1	07/15/2024	DJ	

PROJECT NO.: 23015
DRAWING TITLE
INSET 1

DRAWING NUMBER
C201



DEMOLITION NOTES

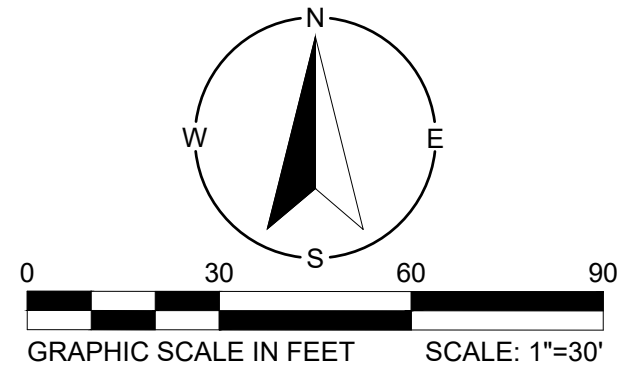
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- PROPOSED INVERTER
- PROPOSED CULVERT



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PROJECT NAME
STEVEN FARMS
PAD CONCEPTUAL PLAN
SITE LOCATION
ELOY, AZ

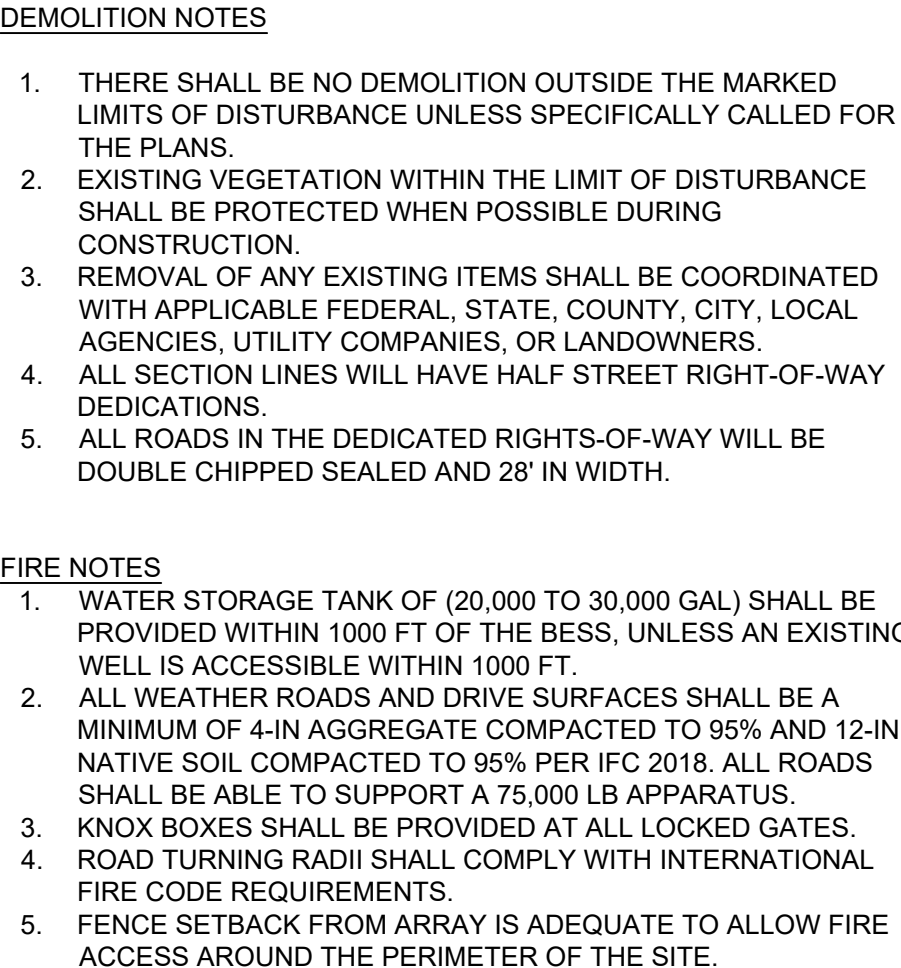
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DEVELOPMENT PLANS	07/15/2024	RL	DJ
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PROJECT NO : 23015

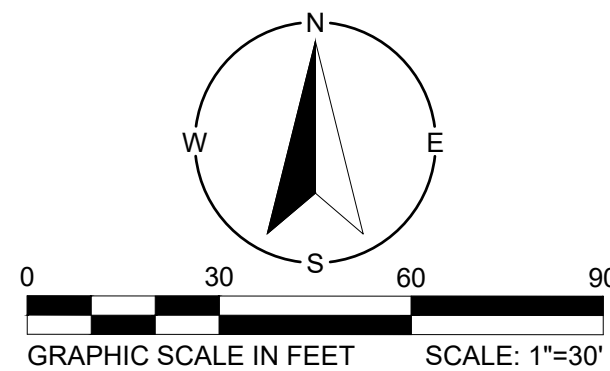
DRAWING TITLE
INSET 2

DRAWING NUMBER

C202



	CUP PROJECT BOUNDARY
	SHEET MATCHLINE
	EXISTING PROPERTY BOUNDARY
	SURVEYED CENTER LINE
	EXISTING ROAD
	EXISTING RIGHT OF WAY
	EXISTING TRANSMISSION EASEMENT
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PAD CONCEPTUAL PLAN

SITE LOCATION
ELOY, AZ

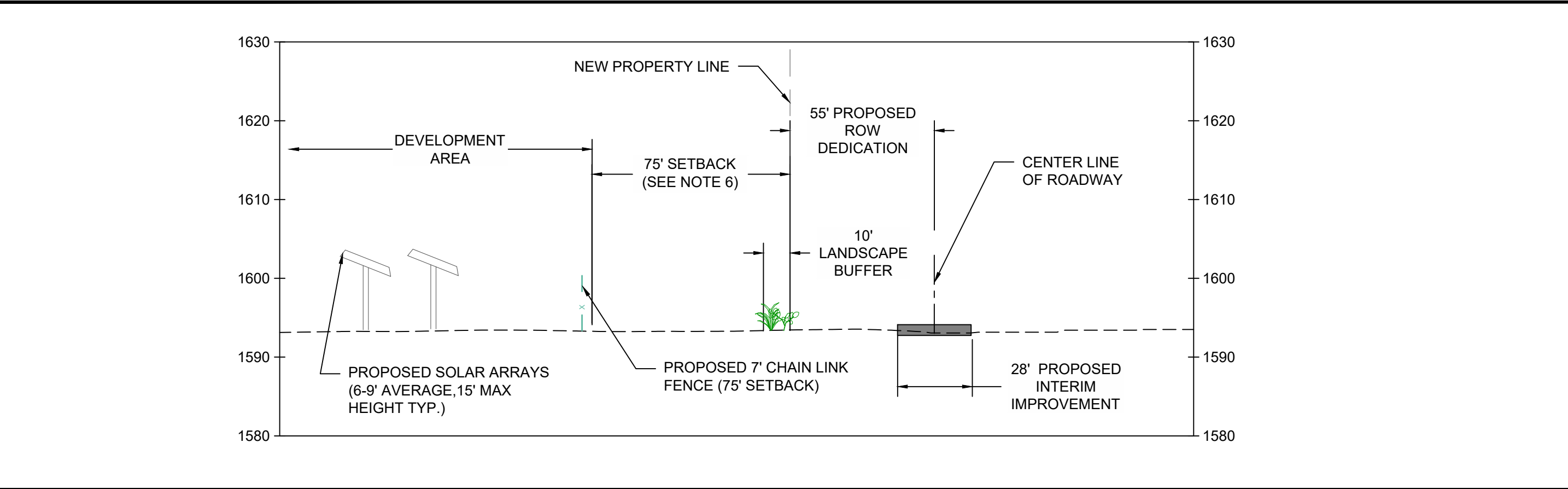
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PROJECT NO.: 23015

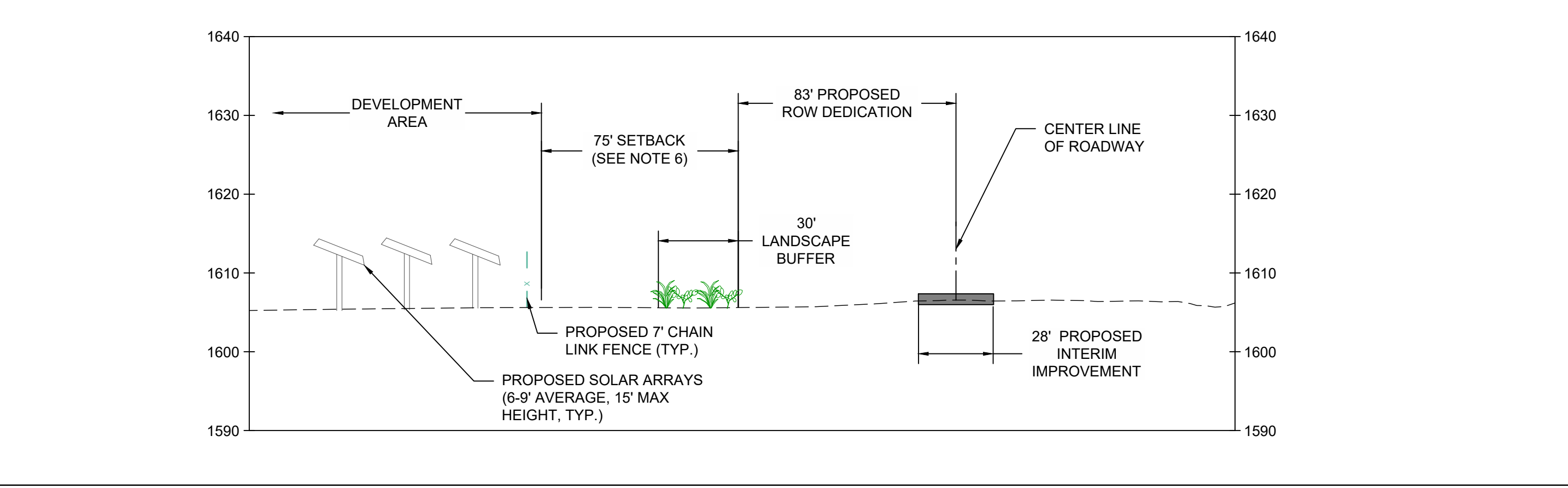
DRAWING TITLE
INSET 3

DRAWING NUMBER

C203



A
- 55' HALF ROAD RIGHT-OF-WAY DEDICATION - TYPICAL SECTION



B
- 83' HALF ROAD RIGHT-OF-WAY DEDICATION - TYPICAL SECTION

- NOTES:
1. THE INTENT OF THESE SECTIONS ARE TO VERIFY THE LOCATION OF RIGHT-OF-WAY DEDICATIONS, SETBACKS, AND LANDSCAPE BUFFERS. LOCATIONS AND OFFSETS OF FENCES AND ARRAYS RELATIVE TO RIGHT-OF-WAY DEDICATIONS AND SETBACKS ARE SUBJECT TO CHANGE.
 2. THE HEIGHT OF THE ARRAYS VARIES BETWEEN 6-9 FEET DEPENDING ON RELATIVE GRADES AND SLOPES.
 3. THE HEIGHT OF THE CHAIN LINK FENCE IS 7' POWDER COATED PER UTILITY SCALE GENERATION ORDINANCE.
 4. THE HEIGHT OF THE SOLAR ARRAYS IS SHOWN IN DETAIL ON SHEET C401.
 5. THE PUBLIC ROADWAYS ADJACENT TO THE PROJECT WILL BE IMPROVED WITH 28-FOOT DOUBLE CHIP SEAL ROADS.
 6. SETBACK SHALL BE INCREASED TO ONE-HUNDRED FEET (100') WHERE ADJACENT TO EXISTING RESIDENTIAL HOMES OR PROPERTY ZONED R1-12, R1-6, R-2, AND R-3, AND SIMILAR PAD ZONING.

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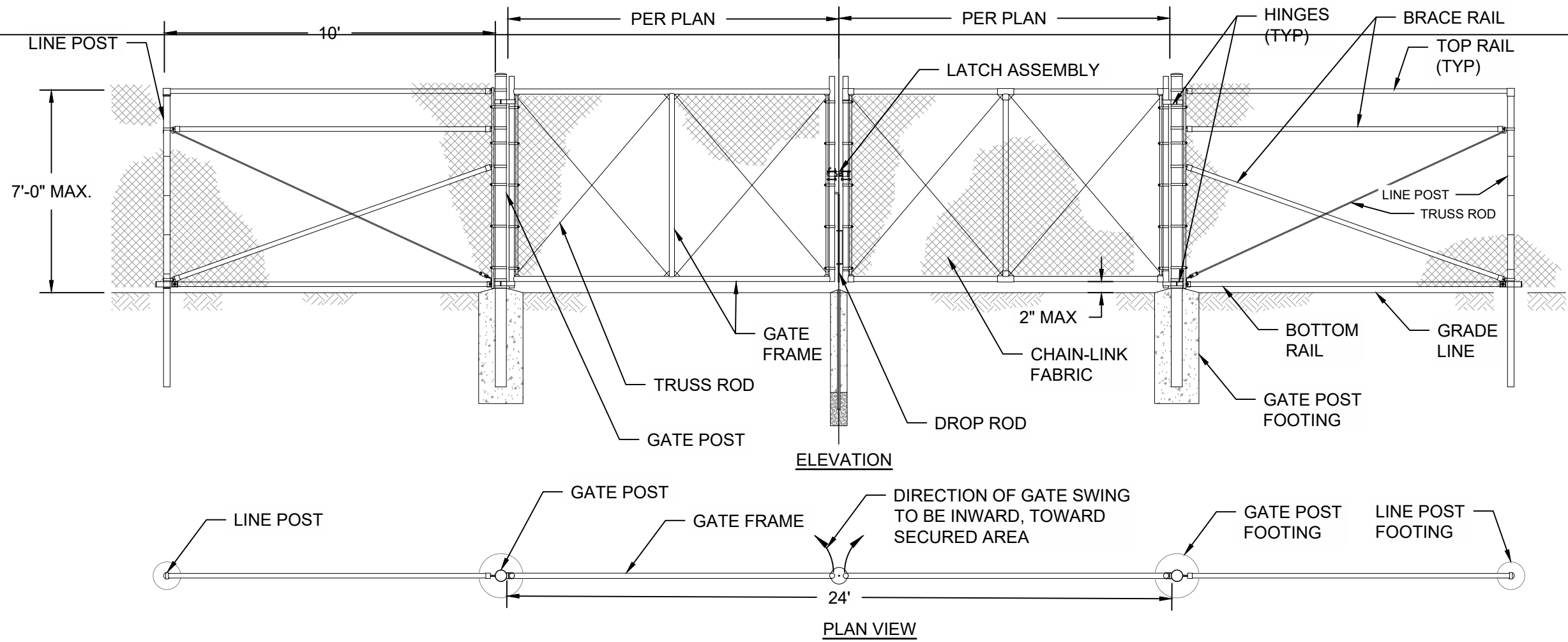
CLIENT
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PROJECT NAME
**STEVEN FARMS
PAD CONCEPTUAL PLAN**
SITE LOCATION
ELOY, AZ

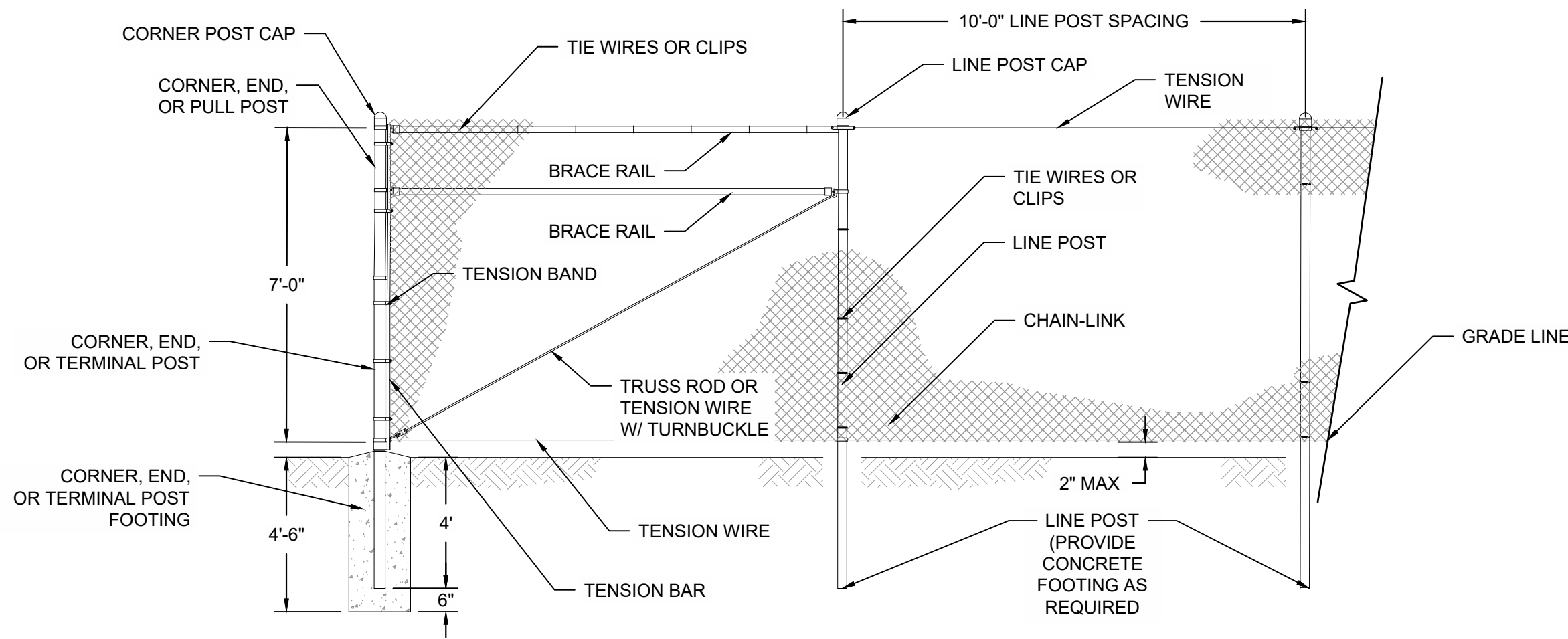
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DEVELOPMENT PLANS	07/15/2024	RL	DJ
1			

PROJECT NO : 23015
DRAWING TITLE
ROAD SECTIONS

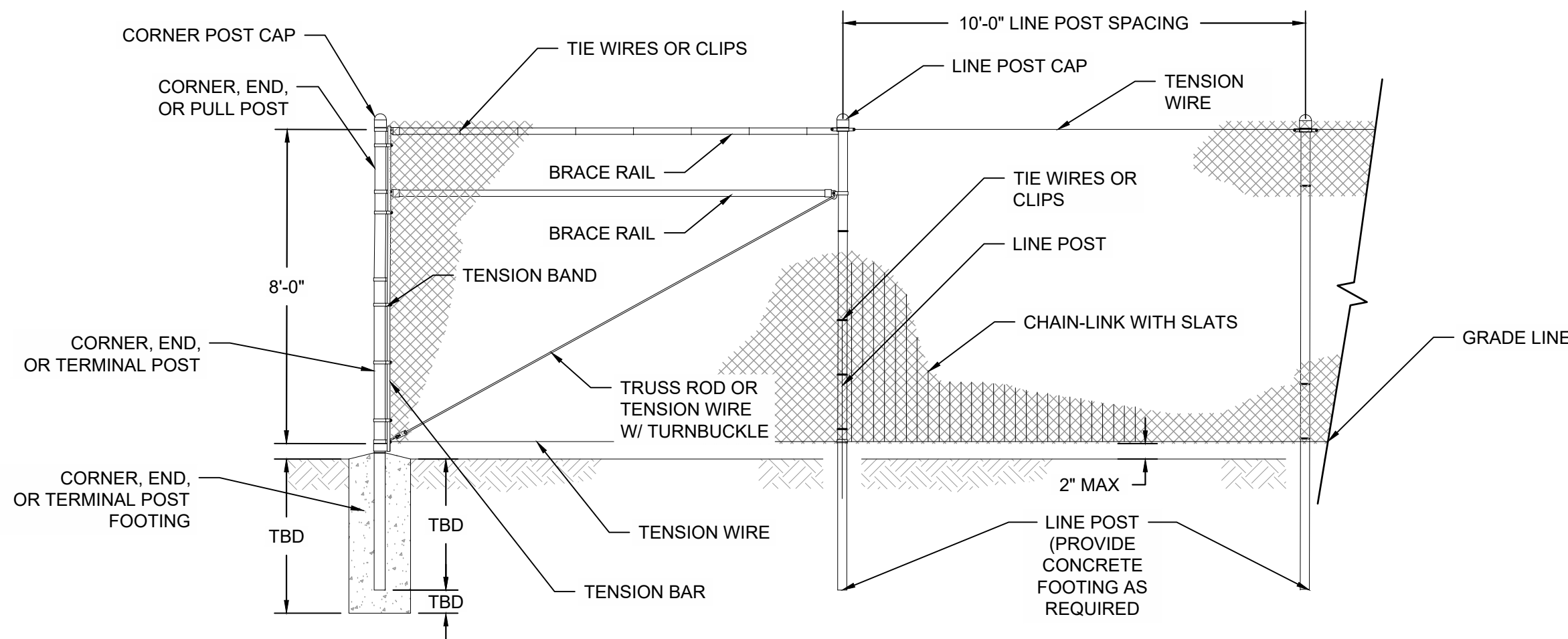
DRAWING NUMBER
C400



1 TYPICAL 24' ACCESS GATE
SCALE: N.T.S.



2 TYPICAL PV POWDER-COATED PERIMETER FENCE
SCALE: N.T.S.



3 BESS & SUBSTATION POWDER-COATED PERIMETER FENCE
SCALE: N.T.S.

- NOTES:
- BATTERY ENERGY STORAGE SYSTEM AND SUBSTATION PERIMETER FENCE WILL BE IMPROVED WITH SLATS TO INCREASE OPACITY (NOT SHOWN IN PLAN).
 - SLATS WILL INCREASE WIND LOAD. WIND STUDIES MUST BE COMPLETED TO DETERMINE POST FOOTING DEPTHS.
 - PV PERIMETER FENCE AND BESS/SUBSTATION FENCES SHALL BE SAGE GREEN WITH LVR < 40%.

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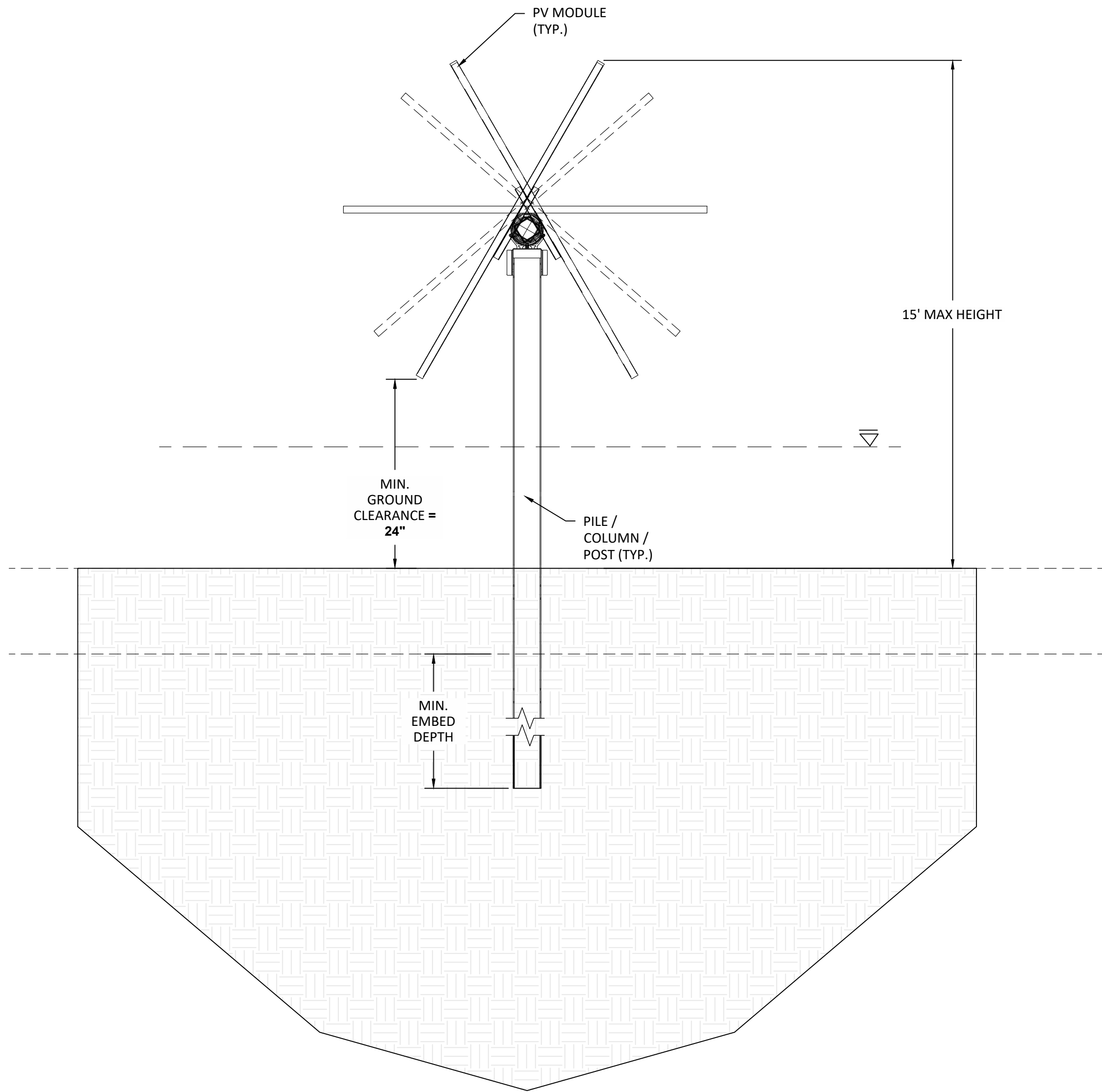
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PROJECT NAME
**STEVEN FARMS
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SITE LOCATION
ELOY, AZ

DRAWING ISSUE	DATE	DB	CB
1	07/15/2024	RL	DJ

PROJECT NO : 23015
DRAWING TITLE
**FENCE & GATE
DETAILS**

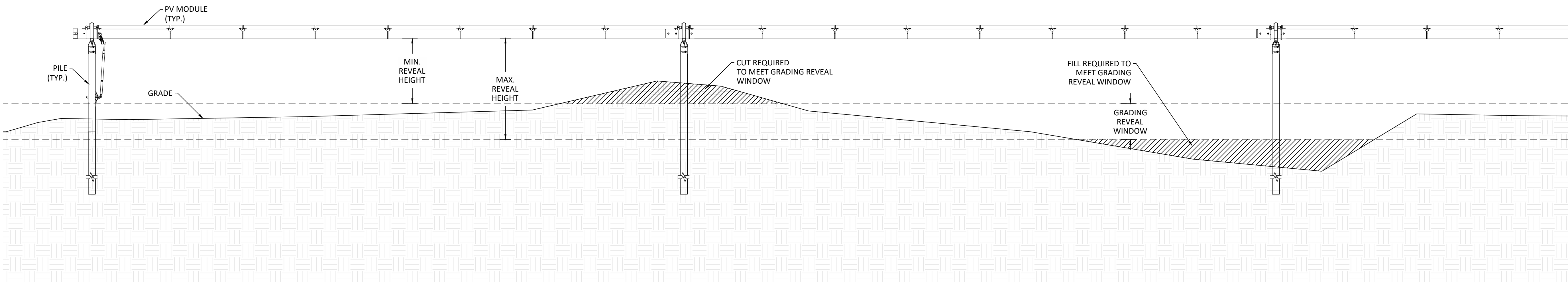
DRAWING NUMBER
C401



1 TYPICAL PV MODULE SECTION DETAIL
SCALE : N.T.S



3 TYPICAL SOLAR FIELD
SCALE : N.T.S



2 TYPICAL PV MODULE ELEVATION ENLARGED VIEW
SCALE : N.T.S

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PROJECT NO : 23015
DRAWING TITLE
**SOLAR ARRAY
DETAILS**

DRAWING NUMBER
C402

STEVEN FARMS PAD

Interim Use Project Plan: Utility Scale Solar Conceptual Development Plan

SITE LAYOUT

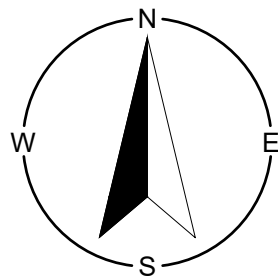


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PROJECT NAME
**STEVEN FARMS
PAD CONCEPTUAL PLAN**
SITE LOCATION
ELOY, AZ

#	DRAWING ISSUE	DATE	DB	CB
1	DEVELOPMENT PLANS	07/15/2024	RL	DJ

PROJECT NO : 23015
DRAWING TITLE
TITLE SHEET

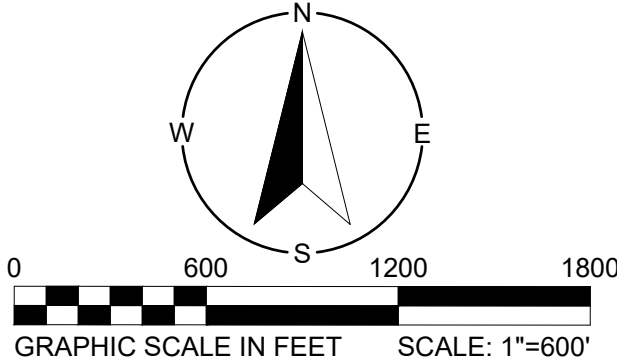
DRAWING NUMBER
C000



- DEMOLITION NOTES**
1. THERE SHALL BE NO DEMOLITION OUTSIDE THE MARKED LIMITS OF DISTURBANCE UNLESS SPECIFICALLY CALLED FOR IN THE PLANS.
 2. EXISTING VEGETATION WITHIN THE LIMIT OF DISTURBANCE SHALL BE PROTECTED WHEN POSSIBLE DURING CONSTRUCTION.
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 4. ALL SECTION LINES WILL HAVE HALF STREET RIGHT-OF-WAY DEDICATIONS.
 5. ALL ROADS IN THE DEDICATED RIGHTS-OF-WAY WILL BE DOUBLE CHIPPED SEALED AND 28' IN WIDTH.

- FIRE NOTES**
1. WATER STORAGE TANK OF (20,000 TO 30,000 GAL) SHALL BE PROVIDED WITHIN 1000 FT OF THE BESS, UNLESS AN EXISTING WELL IS ACCESSIBLE WITHIN 1000 FT.
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- LEGEND**
- CUP PROJECT BOUNDARY
 - SHEET MATCHLINE
 - EXISTING PROPERTY BOUNDARY
 - SURVEYED CENTER LINE
 - EXISTING ROAD
 - R/W EXISTING RIGHT OF WAY
 - EAS EXISTING TRANSMISSION EASEMENT
 - OH EXISTING OVERHEAD LINES
 - PROPOSED SETBACK
 - PROPOSED RIGHT-OF-WAY DEDICATION
 - PROPOSED VEGETATED BUFFER
 - PROPOSED FENCE
 - PROPOSED GATE
 - PROPOSED ROAD
 - PROPOSED N-S AXIS TRACKER
 - PROPOSED INVERTER
 - PROPOSED CULVERT



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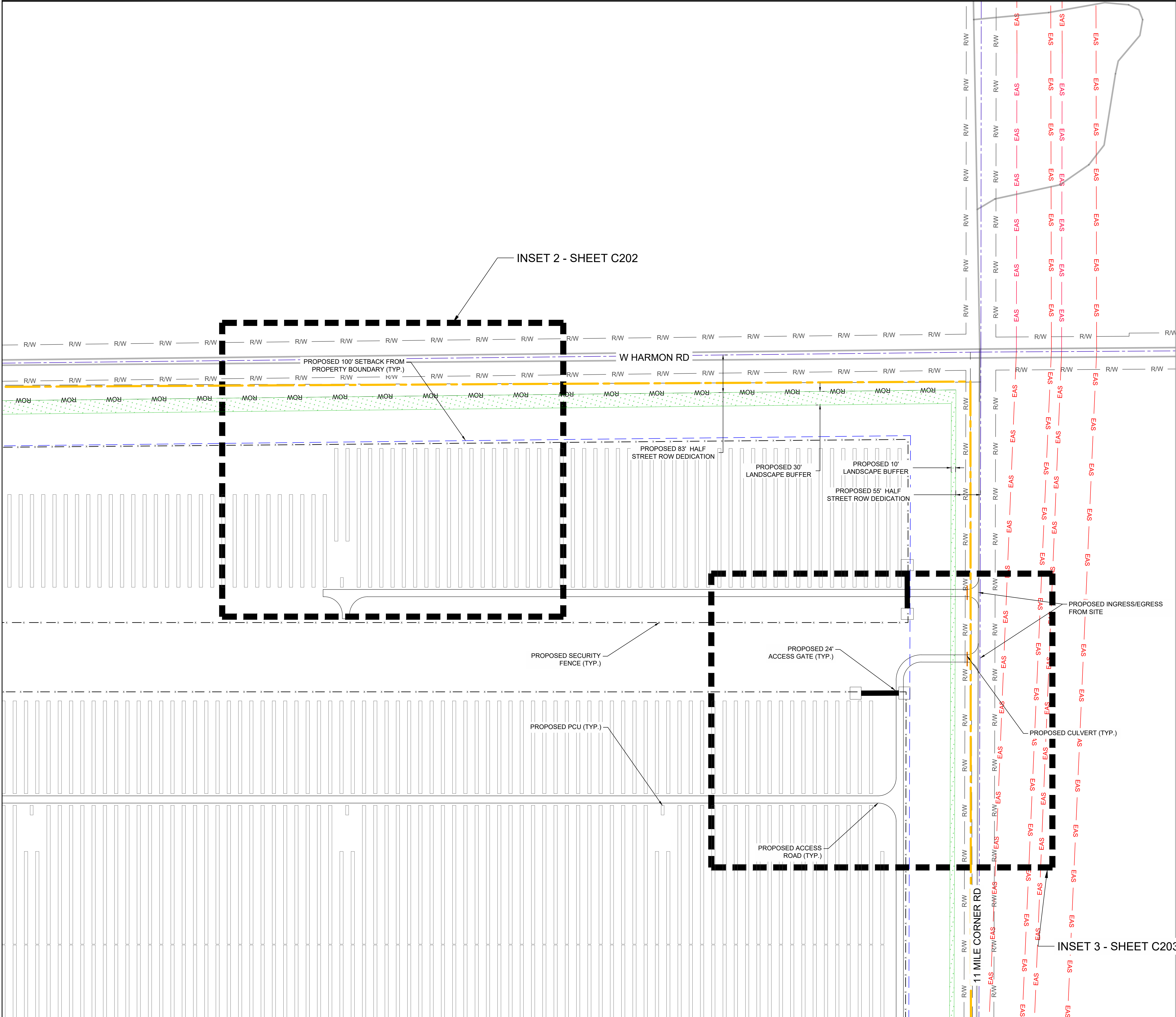
CLIENT
Nextera
ENERGY
RESOURCES

PROJECT NAME
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PAD CONCEPTUAL PLAN**
SITE LOCATION
ELOY, AZ

DRAWING ISSUE	#	DATE	DB	CB
DEVELOPMENT PLANS	1	07/15/2024	RL	DJ

PROJECT NO.: 23015
DRAWING TITLE
SITE PLAN

DRAWING NUMBER
C200



INSET 2 - SHEET C202

INSET 3 - SHEET C203

DEMOLITION NOTES

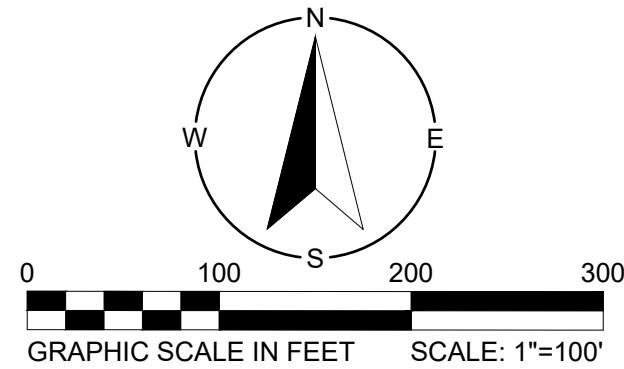
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- PROPOSED VEGETATED BUFFER
- X — PROPOSED FENCE
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CLIENT

NEXtera
ENERGY
RESOURCES

PROJECT NAME

STEVEN FARMS
PAD CONCEPTUAL PLAN

SITE LOCATION
ELOY, AZ

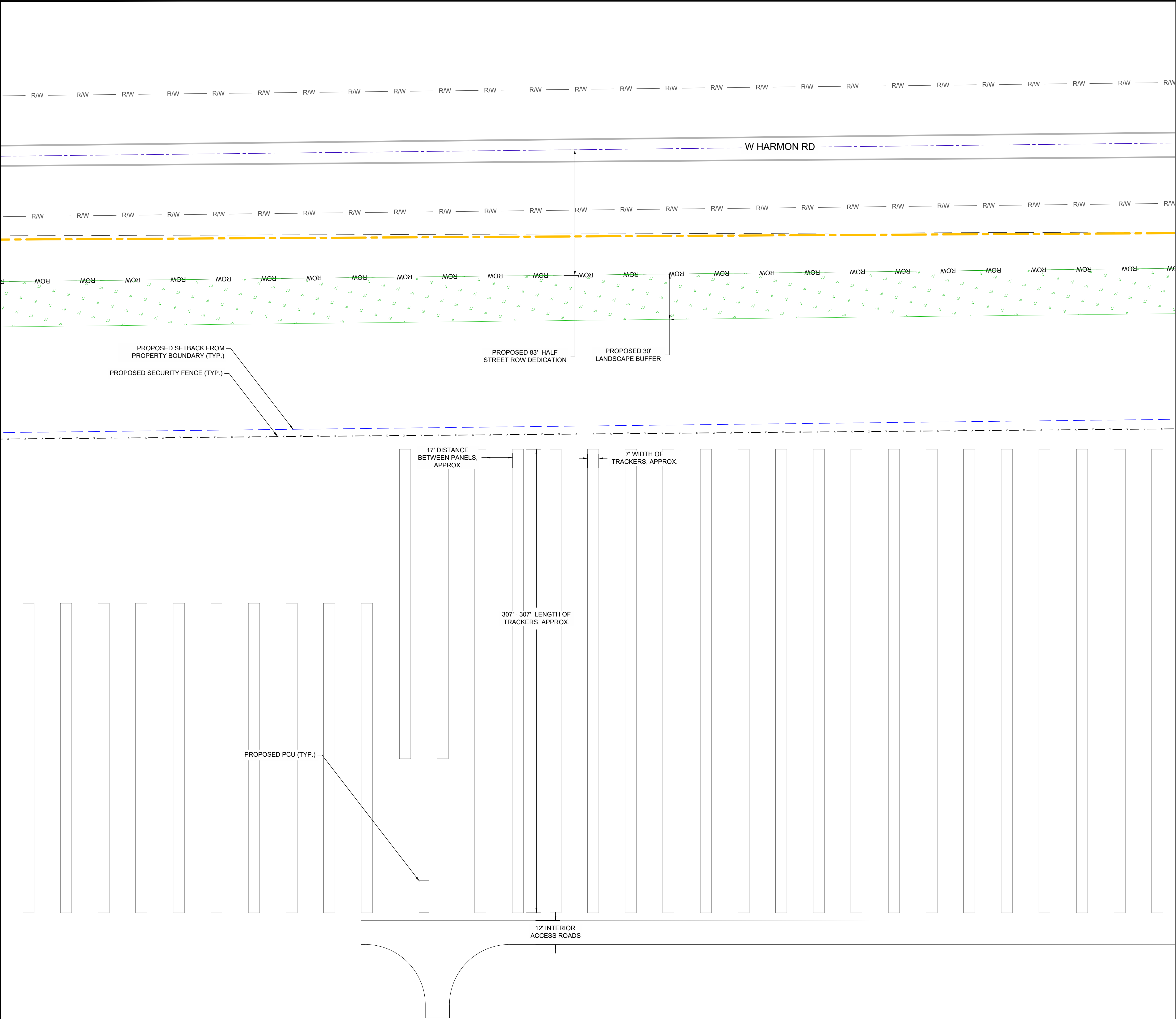
#	DATE	DB	CB
1	07/15/2024	RL	DJ

PROJECT NO : 23015

DRAWING TITLE
INSET 1

DRAWING NUMBER

C201



DEMOLITION NOTES

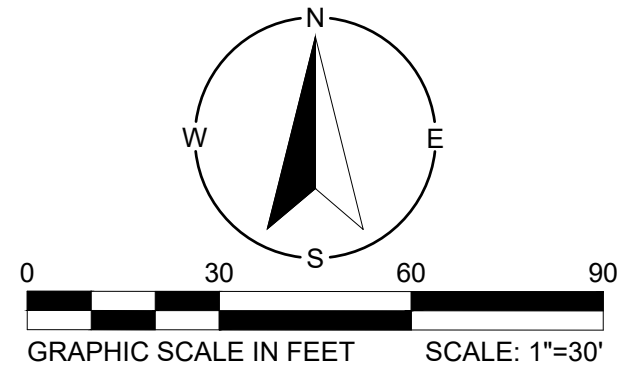
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CLIENT



PROJECT NAME
STEVEN FARMS
PAD CONCEPTUAL PLAN
SITE LOCATION
ELOY, AZ

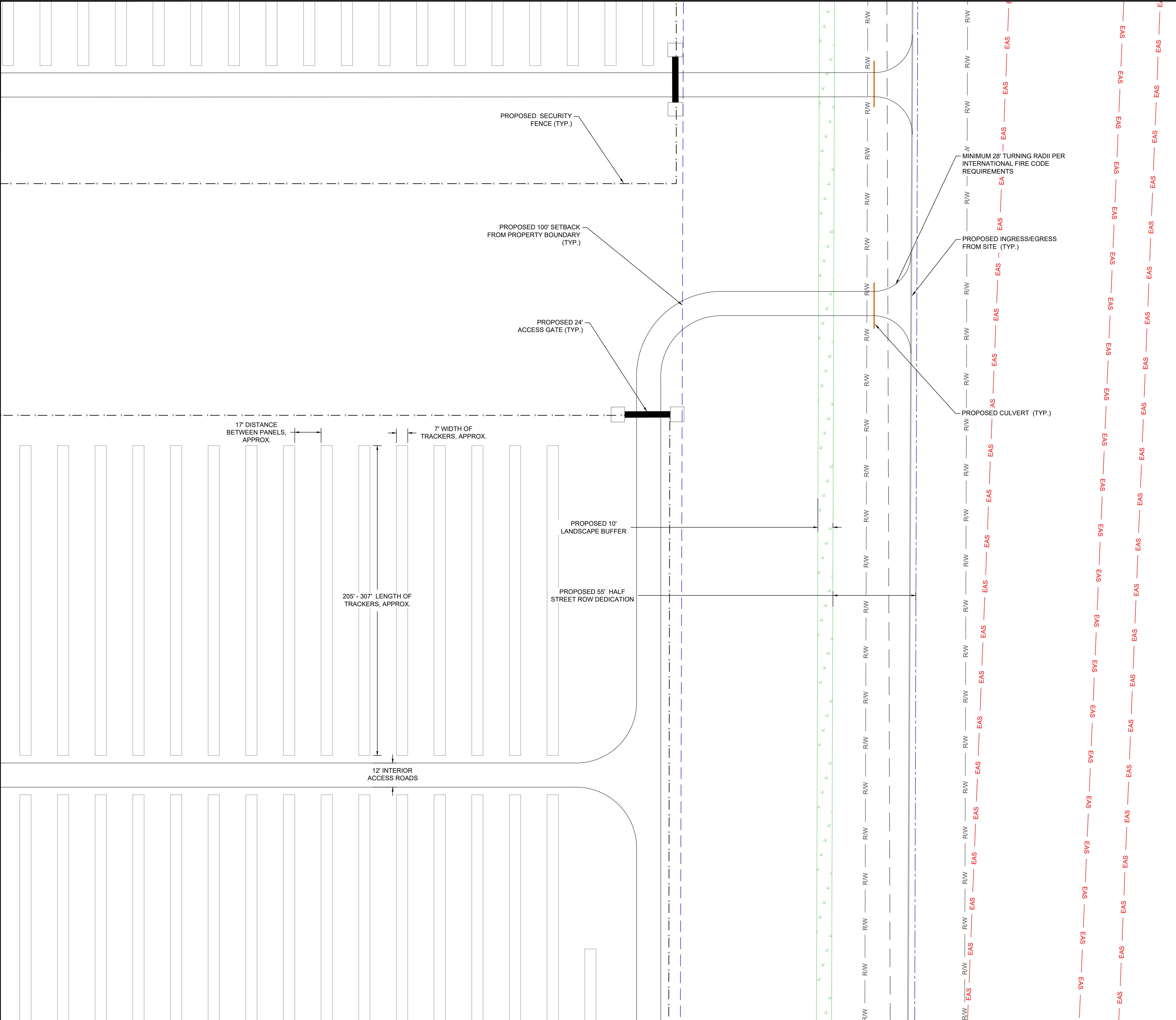
DRAWING ISSUE	DATE	DB	CB
DEVELOPMENT PLANS	07/15/2024	RL	DJ
#	1		

PROJECT NO : 23015

DRAWING TITLE
INSET 2

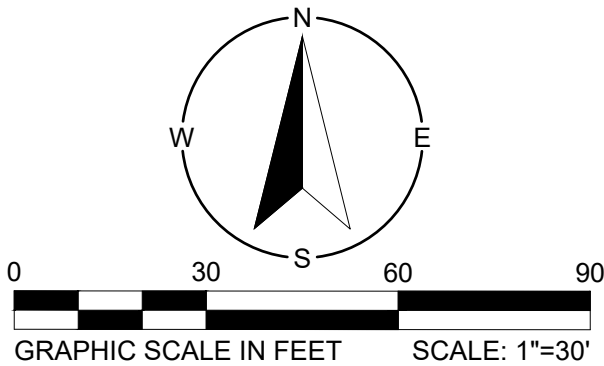
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C202



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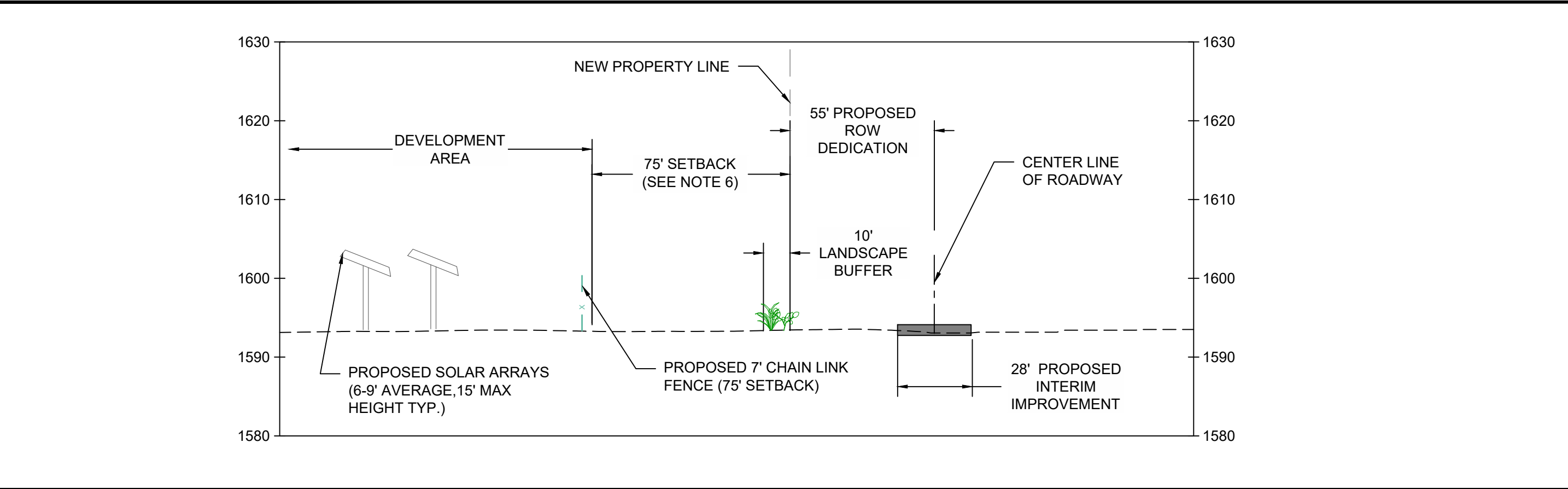
PROJECT NAME
STEVEN FARMS
PAD CONCEPTUAL PLAN
SITE LOCATION
ELOY, AZ

DATE	DB	CB
07/15/2024	RL	DJ

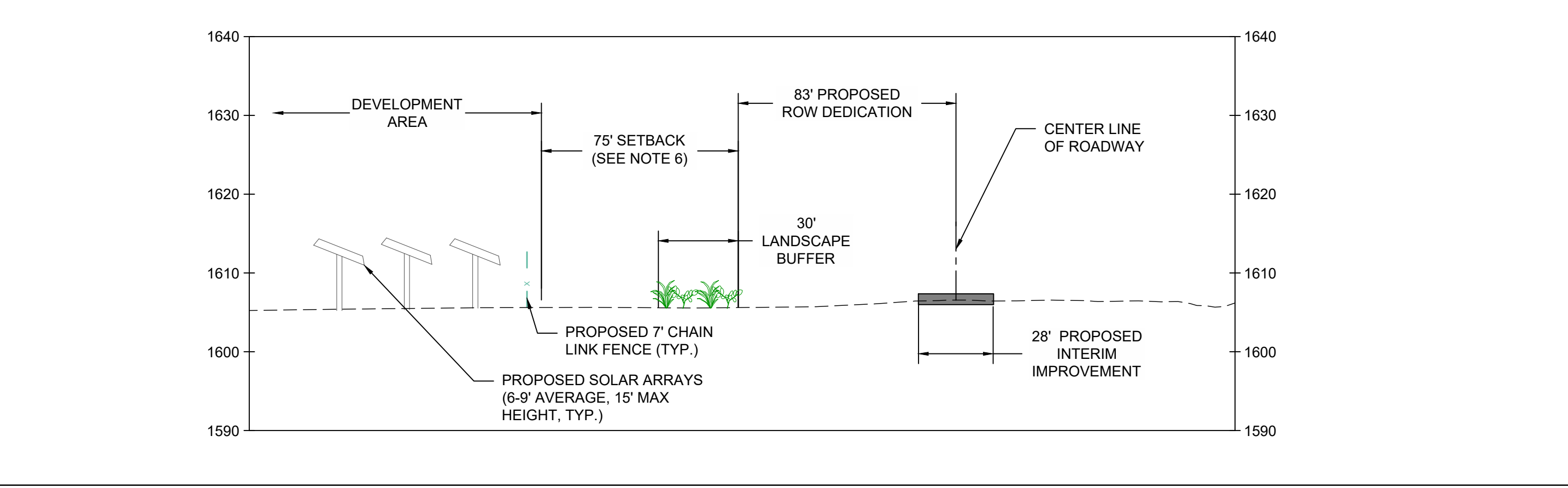
DRAWING ISSUE	#
DEVELOPMENT PLANS	1

PROJECT NO.: 23015
DRAWING TITLE
INSET 3

DRAWING NUMBER
C203



A
- 55' HALF ROAD RIGHT-OF-WAY DEDICATION - TYPICAL SECTION



B
- 83' HALF ROAD RIGHT-OF-WAY DEDICATION - TYPICAL SECTION

- NOTES:
1. THE INTENT OF THESE SECTIONS ARE TO VERIFY THE LOCATION OF RIGHT-OF-WAY DEDICATIONS, SETBACKS, AND LANDSCAPE BUFFERS. LOCATIONS AND OFFSETS OF FENCES AND ARRAYS RELATIVE TO RIGHT-OF-WAY DEDICATIONS AND SETBACKS ARE SUBJECT TO CHANGE.
 2. THE HEIGHT OF THE ARRAYS VARIES BETWEEN 6-9 FEET DEPENDING ON RELATIVE GRADES AND SLOPES.
 3. THE HEIGHT OF THE CHAIN LINK FENCE IS 7' POWDER COATED PER UTILITY SCALE GENERATION ORDINANCE.
 4. THE HEIGHT OF THE SOLAR ARRAYS IS SHOWN IN DETAIL ON SHEET C401.
 5. THE PUBLIC ROADWAYS ADJACENT TO THE PROJECT WILL BE IMPROVED WITH 28-FOOT DOUBLE CHIP SEAL ROADS.
 6. SETBACK SHALL BE INCREASED TO ONE-HUNDRED FEET (100') WHERE ADJACENT TO EXISTING RESIDENTIAL HOMES OR PROPERTY ZONED R1-12, R1-6, R-2, AND R-3, AND SIMILAR PAD ZONING.

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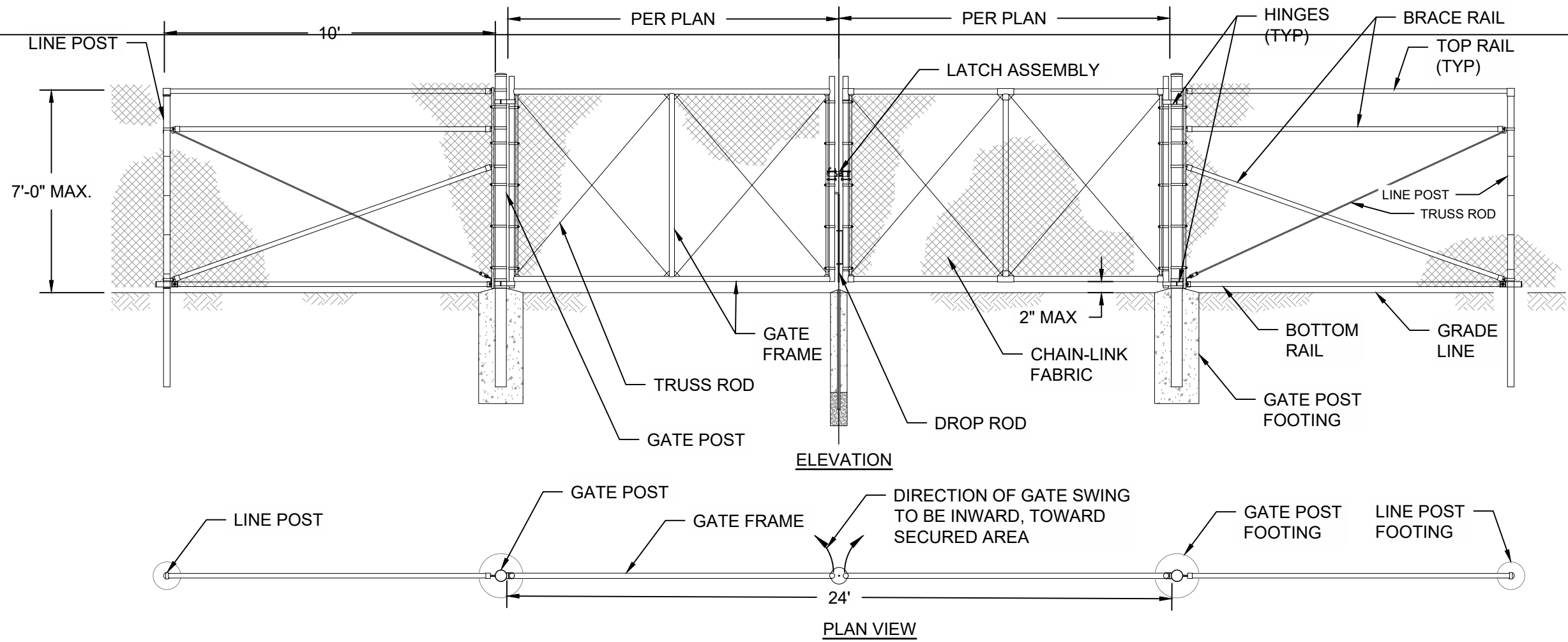
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SITE LOCATION
ELOY, AZ

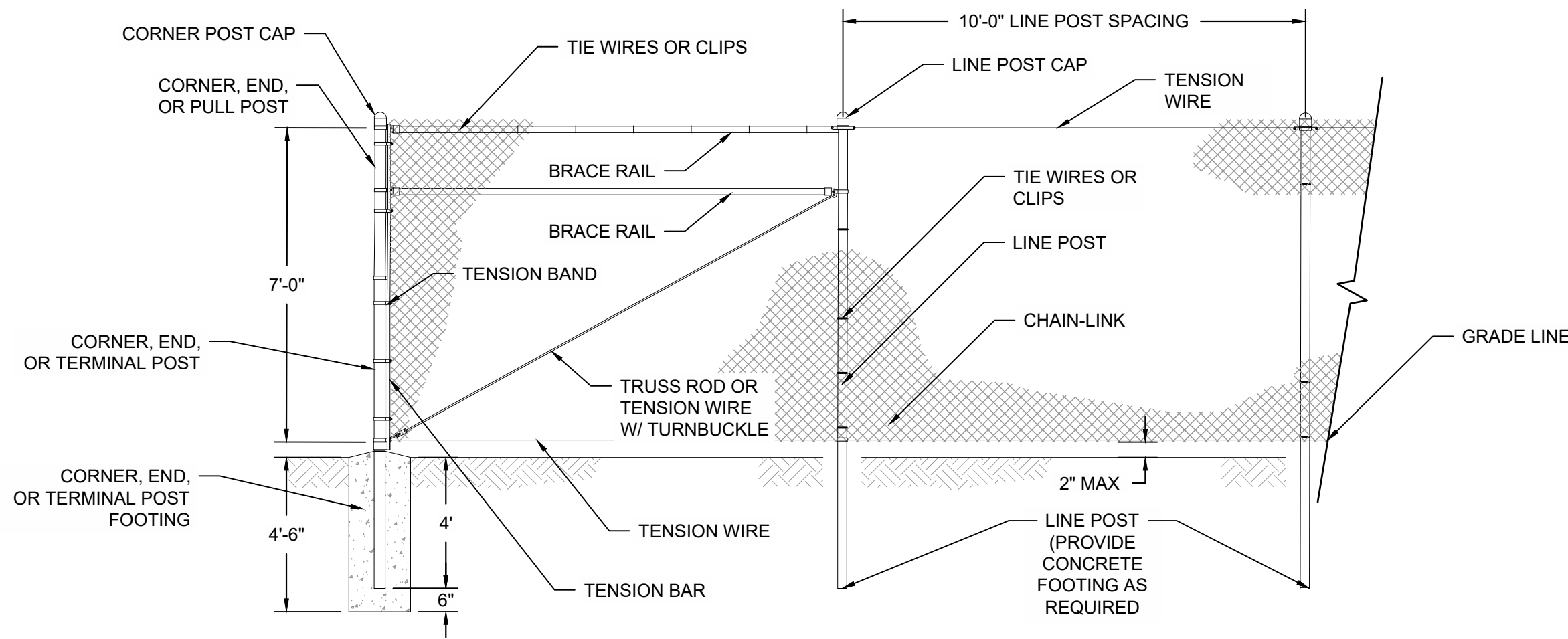
DRAWING ISSUE	DATE	DB	CB
DEVELOPMENT PLANS	07/15/2024	RL	DJ
1			

PROJECT NO : 23015
DRAWING TITLE
ROAD SECTIONS

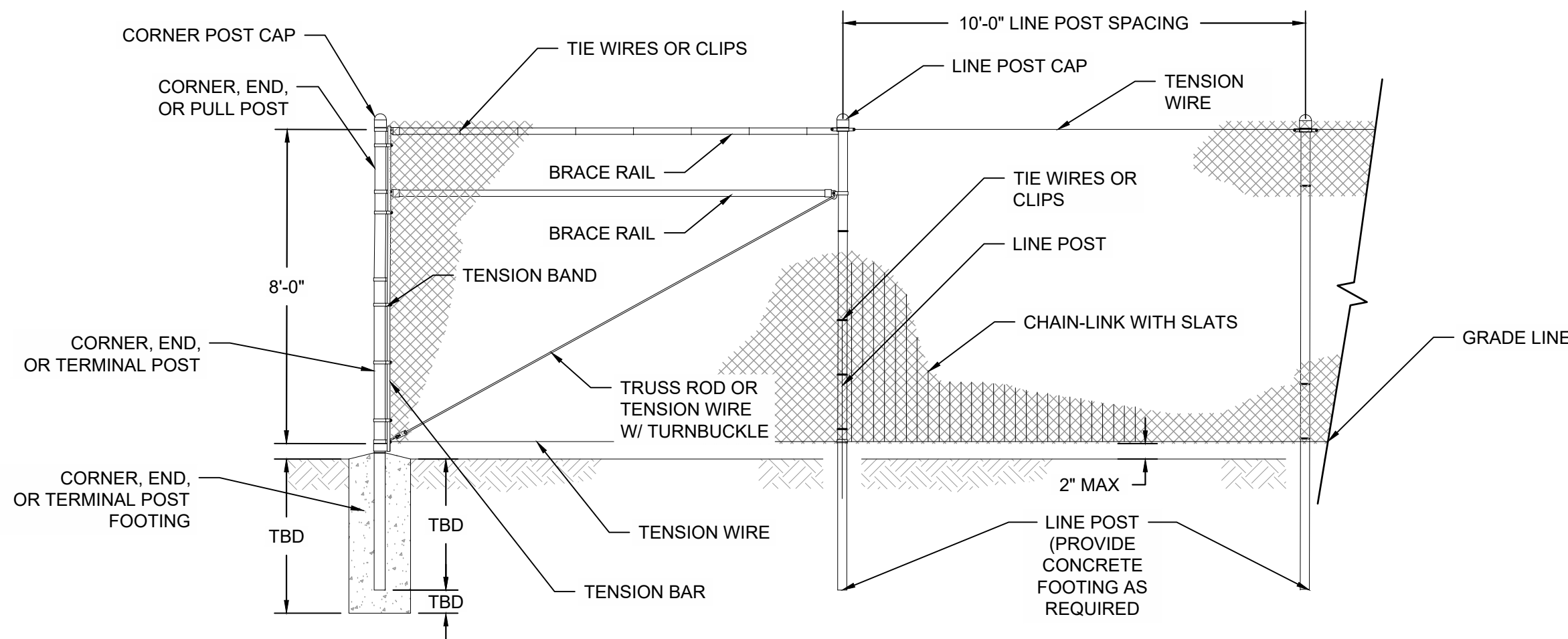
DRAWING NUMBER
C400



1 TYPICAL 24' ACCESS GATE
SCALE: N.T.S.



2 TYPICAL PV POWDER-COATED PERIMETER FENCE
SCALE: N.T.S.



3 BESS & SUBSTATION POWDER-COATED PERIMETER FENCE
SCALE: N.T.S.

- NOTES:
- BATTERY ENERGY STORAGE SYSTEM AND SUBSTATION PERIMETER FENCE WILL BE IMPROVED WITH SLATS TO INCREASE OPACITY (NOT SHOWN IN PLAN).
 - SLATS WILL INCREASE WIND LOAD. WIND STUDIES MUST BE COMPLETED TO DETERMINE POST FOOTING DEPTHS.
 - PV PERIMETER FENCE AND BESS/SUBSTATION FENCES SHALL BE SAGE GREEN WITH LVR < 40%.

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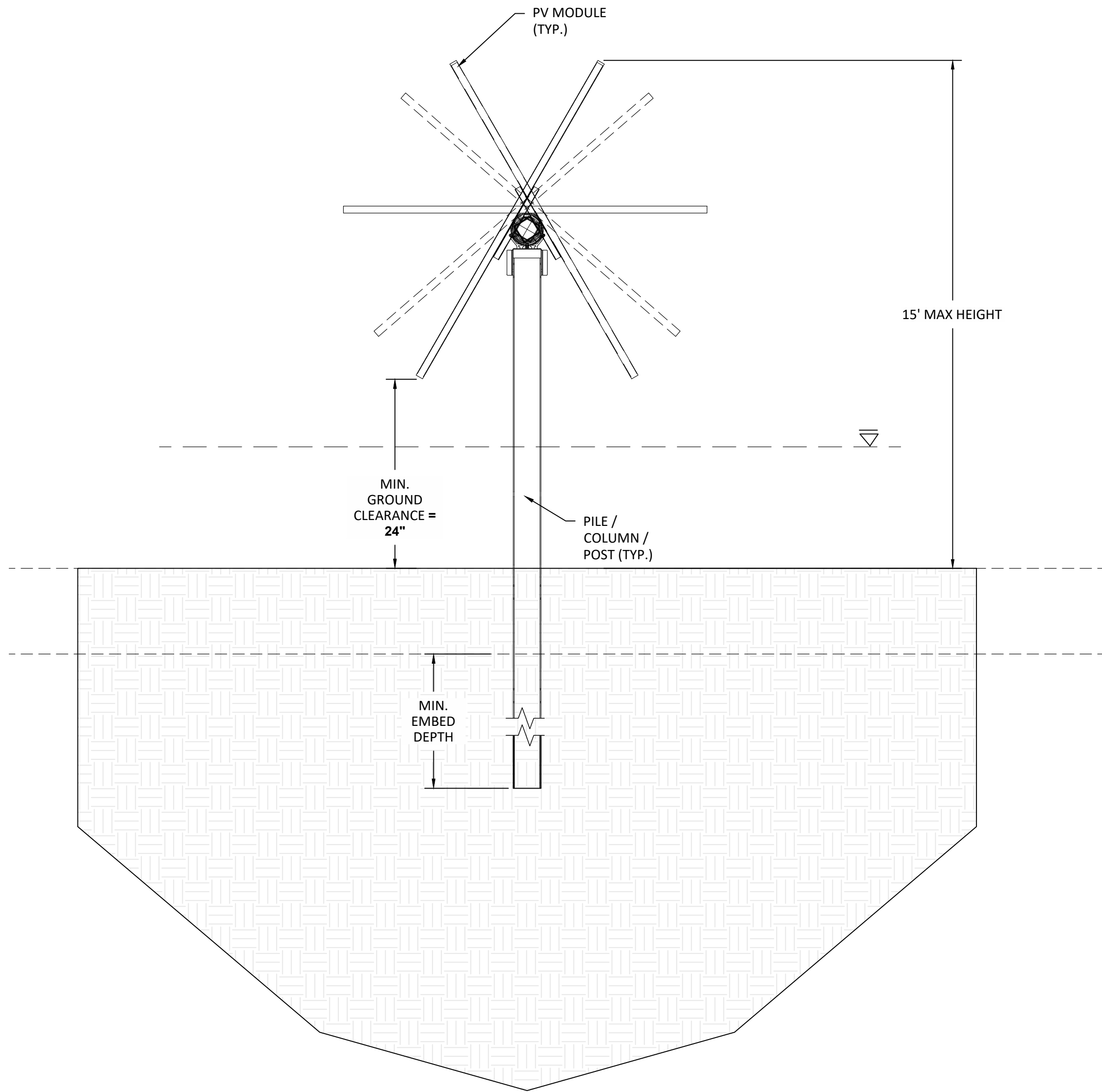
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					RL	DJ			
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PROJECT NO : 23015
DRAWING TITLE
**FENCE & GATE
DETAILS**

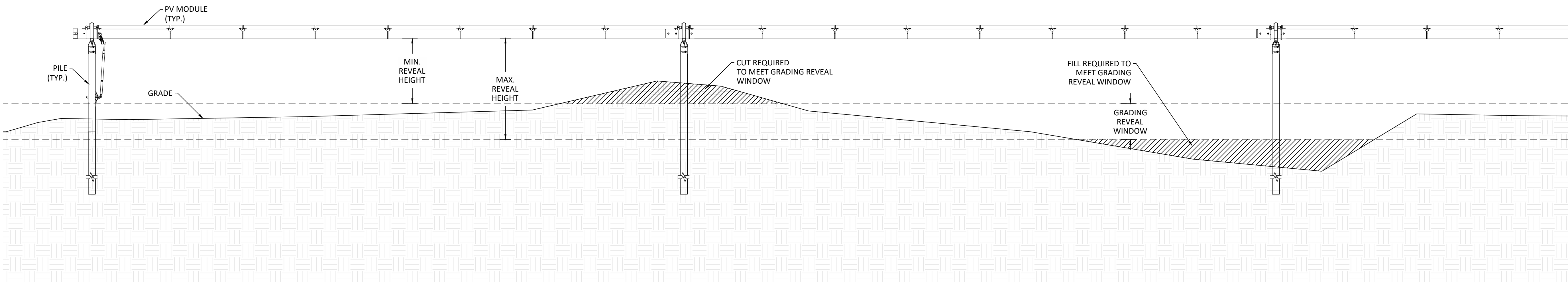
DRAWING NUMBER
C401



1 TYPICAL PV MODULE SECTION DETAIL
SCALE : N.T.S



3 TYPICAL SOLAR FIELD
SCALE : N.T.S



2 TYPICAL PV MODULE ELEVATION ENLARGED VIEW
SCALE : N.T.S

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PROJECT NO : 23015
DRAWING TITLE
**SOLAR ARRAY
DETAILS**

DRAWING NUMBER
C402

**NextEra Energy Resources
Zoning Map Amendment to
Steven Farms PAD
NEC of Hotts and Tweedy Roads
Public Participation Plan and Report
June 4, 2024**

Purpose:

The purpose of the Public Participation Plan is to provide the City of Eloy staff with information regarding the efforts made by the Applicant to inform citizens and property owners in the vicinity concerning the Applicant's request to the City of Eloy for the following:

1. Amendment of the Steven Farms Planned Area Development (PAD) to allow the development of a Solar, Utility Scale Generation and Battery Energy Storage System Facilities on property within the City of Eloy. The 640-acre property includes Pinal County Assessor Parcel numbers 408-11-001A, 408-11-001C and 408-11-001D.

By providing opportunities for citizen participation, the applicant will ensure that those affected by this application will have an adequate opportunity to learn about and comment on the proposed development plans for this property.

Contact Information:

Those coordinating the Public Participation activities are as follows:

W. Ralph Pew
Pew & Lake, PLC.
1744 S. Val Vista Drive, Suite 217
Mesa, AZ 85204
(480)461-4670 (office)
(480)461-4676 (fax)
Ralph.pew@pewandlake.com

Stephanie Rush
NextEra Energy Resources
700 Universe Blvd., A3
Juno Beach, FL 33408
(561)601-7072
Stephanie.Rush@nexteraenergy.com

Actions:

In order to provide effective citizen participation in conjunction with this application, the following actions will be taken to provide opportunities for feedback from surrounding property owners:

1. The applicant will hold a neighborhood meeting for this project after the formal application has been submitted to the City of Eloy. The neighborhood meeting will comply with the procedures set forth in Section 21-6-2.3.E of the Zoning Ordinance. The General Public will be invited to come and learn more about the proposed request and have the ability to provide any comments or recommendations for improvements to the Project's scope or design/development, etc.

The Neighborhood Meeting will be held in person on July 1, 2024, at 6:00 p.m., in the Community Room at Eloy City Hall, 595 C Street, Eloy, AZ 85131.

2. The notification list for the neighborhood meeting will include all property owners within 300' of the subject property using addresses received from the Pinal County Assessor's office using the most recent tax statement information.
3. An e-mail distribution list will be collected at the neighborhood meeting in an effort to have continued dialogue with those in attendance at the meeting concerning changes, if any, to the proposed development plans.
4. Pursuant to Section 21-6-2.3.F of the City of Eloy Zoning Ordinance, a summary of the neighborhood meeting will be provided to the Community Development Department at least 7 calendar days before the first public hearing on this request and will include the notification list that was used, a sign-in-sheet, and a summary of how the applicant addressed the concerns identified during the meeting.
5. A website for this NextEra project has been created and is accessible at www.elayvalleysolar.com.

Schedule:

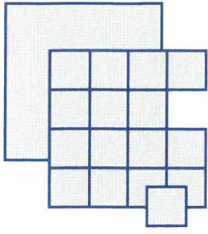
Formal PAD Amendment Application Submittal: February 27, 2024

Neighborhood Meeting- July 1, 2024

Follow-Up Submittals- As requested

Eloy Planning & Zoning Commission- TBD

Eloy City Council- TBD



Pew & Lake, P.L.C.
Real Estate and Land Use Attorneys

W. Ralph Pew
Certified Real Estate Specialist
Sean B. Lake
Reese L. Anderson

June 17, 2024

NOTICE OF NEIGHBORHOOD MEETING; PZPAD2007-007.A1

Dear Neighbor,

Pew & Lake, PLC, on behalf of NextEra Energy Resources, LLC, is pleased to invite you to a neighborhood meeting regarding the development of approximately 640 acres of property in the City of Eloy. The property is located on the north side of Hotts Road between Eleven Mile Corner and Tweedy Roads. The property is shown below and is comprised of three Pinal County Parcel numbers (408-11-001A, 408-11-001C and 408-11-001D, all of which are under the ownership of a single entity called BT Eloy, LLC.



We have applied for an amendment to the existing Steven Farms Planned Area Development (PAD) document that established the allowed uses on this property. Specifically, our application to the City of Eloy is for:

- **Approval of an amendment to the 2007 Steven Farms PAD (case RZPAD07-007) to expand the uses allowed within the base zoning districts, as authorized in Section 2.7.4(A) of the City's Zoning Ordinance, to include Solar, Utility Scale Generation and Battery Energy Storage System Facilities and to establish development standards consistent with Section 21-3-1.39 of the City of Eloy Zoning Ordinance.**

Approval of this request will allow NextEra Energy Resources to develop a utility scale solar project that will include solar panels, battery energy storage systems and connections to the 230kV power lines near the property.

This letter has been sent to property owners within 300-feet of the proposed development, as required by the City of Eloy Zoning Ordinance. A neighborhood meeting is scheduled to provide property owners in this area with an opportunity to learn about the proposed development, ask questions and provide comments and input on the proposed development.

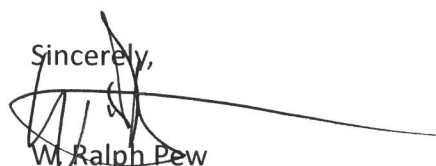
This neighborhood meeting will be on the date, time and location shown below:

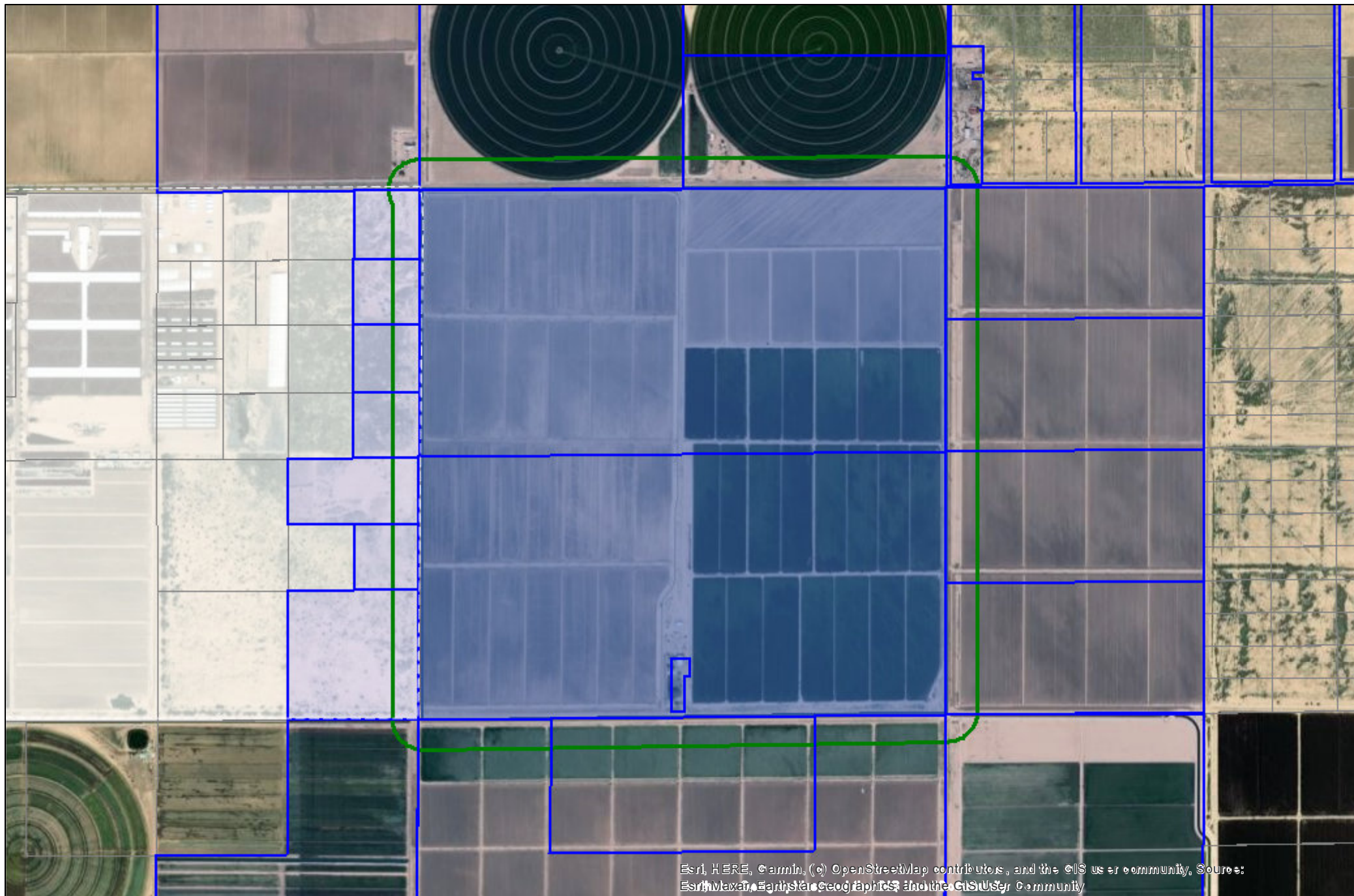
Date: July 1, 2024 Time: 6:00 p.m. Place: Eloy City Hall, Community Room Community Room 595 C Street Eloy, AZ 85131
--

Should you like to provide comments or learn more about the Project, please feel free to reach out to me at the phone number below or send your questions and/or comments via email to EloyValleySolar@nexteraenergy.com. Written comments or questions may also be mailed to Stephanie Rush, NextEra Energy Resources, LLC, 700 Universe Blvd. A3, Juno Beach, FL 33408. For additional information, please visit the Project website at: www.eloyvalleysolar.com. The City of Eloy has assigned this case to Mr. Daniel Symer, Community Development Director, who may be reached at dsymer@EloyAZ.gov. Please let any one of us know if you have questions or concerns regarding this proposed development.

A summary of the neighborhood meeting, as well as any additional comments received, will be part of the public record for this case and provided to the Planning Commission and City Council as part of the public record for this project.

Sincerely,


W. Ralph Pew
Pew & Lake, PLC



Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

Disclaimer: Pinal County does not guarantee that any information contained within this dataset or map is accurate, complete, or current. This data is for informational use only and does not constitute a legal document for the description of these properties. The Pinal County disclaims any responsibility or liability for any direct or indirect damages resulting from the use of this data. The boundaries depicted within this dataset or map are for illustrative purposes only. Users should independently research, investigate, and verify all information before relying on this map or using this map in the preparation of legal documents.

SAIA FAMILY LTD PSHIP
2120 E 6TH ST STE 16
TEMPE, AZ 85288

ELOY 660 LLC ETAL
3850 E BASELINE RD STE 114
MESA, AZ 85206

ASKA RESOURCES LLC
PO BOX 1010
QUEEN CREEK, AZ 85142

DESERT VISTA INVESTMENTS ...
7400 E MCDONALD DR STE 121
SCOTTSDALE, AZ 85250

DONLEY JOHN PATRICK & MELI...
10475 W QUARTZ DR
CASA GRANDE, AZ 85193

AMOROSO JAMES T
PO BOX 155
AVALON, CA 90704

BORMAN CORY & PAMELA
589 48TH AVE SW
BACKUS, MN 56435

NGUYEN DZUNG
3327 E JOSEPH WAY
GILBERT, AZ 85295

VERNON GREGORY K & JACQU...
22840 S TWEEDY RD
ELOY, AZ 85131

DONLEY JOHN & MELINDA REV...
10475 W QUARTZ DR
CASA GRANDE, AZ 85193

KILE VERNON EDWARD & ARLE...
30095 E VISTA GRANDE RD
MARANA, AZ 85658

Steven Farms
PAD
Amendment

CITY OF ELOY

REQUEST FOR COMMISSION ACTION

Agenda Item: **V.C.**

Date: **9/18/2024**

Date submitted:
08/27/2024

Action: Other

Subject: Conduct a public hearing and make a recommendation to the Eloy City Council on Case No. CUP2024-002: Eloy Valley I and II Solar Energy Center. The proposed Conditional Use Permit is to allow Solar, Utility Scale Generation, and Battery Energy Storage System Facilities on an irregularly shaped property containing approximately 2,237 acres site zoned Rural Residential (RR-20) and Estate Residential (R1-43), and located between W Shay RD, W Pretzer RD, S Sunshine RD, and S Tweedy RD.

TO: Planning and Zoning Commission

FROM: Dan Symer, Belinda Cota

RECOMMENDATION:

The staff recommends that the Planning and Zoning Commission find that the Conditional Use Permit Criteria have been met and recommend to the City Council that Case No. CUP2024-002: Eloy Valley I and II Solar Energy Center be approved in accordance with the attached Conditions of Approval.

DISCUSSION:

Request:

The applicant, Pew and Lake, PLC, c/o Ralph Pew, on behalf of NextEra Energy Resources, LLC ("NextEra") and various property owners, has submitted an application for a Conditional Use Permit (CUP) to allow a Solar, Utility Scale Generation, and Battery Energy Storage System Facility on an irregularly shaped property containing approximately 2,237 acres site zoned Rural Residential (RR-20) and Estate Residential (R1-43), and located between W Shay RD, W Pretzer RD, S Sunshine RD and S Tweedy RD.

Context

The site is primarily surrounded by farms and vacant land. The General Plan land use map designations adjacent to the site are primarily Estate Density Residential, Low Density Residential, Medium Density Residential, Medium-High Density Residential High Density Residential, and Community Commercial. The surrounding properties are primarily zoned Rural Residential (RR-20), Estate Residential (R1-43), Single-Family Residential (R1-6) Multiple Family Residential (R-3), and General Commercial.

Background

In August 2023, the City Council adopted Ordinance 23-950, which amended the Zoning Ordinance and established criteria for all Utility-Scale Solar developments. These provisions provide guidance to applicants, staff, and appointed and elected officials in the City of Eloy pertaining to the location and use of specific development standards for these types of developments. If this request is approved, the applicant will be subject to the provisions of Section 21-3-1.39 as well as any other conditions.

Conditional Use Permit Criteria

Conditional Use Permits, which may be revocable, conditional, or valid for a specified time period, may be granted only when expressly allowed after the Planning and Zoning Commission has made a recommendation and City Council has found as follows (Staff's analysis of the consideration is included in bold italic text, and the applicant's analysis is included in their narrative, attached):

A. The proposed use will not be detrimental to the health, safety, or general welfare of persons living or working in the vicinity, to adjacent property, to the neighborhood, or to the public in general;

- ***The proposed Utility Scale Solar facility will not be detrimental to the health, safety, or general welfare of persons living or working in the vicinity, to adjacent property, to the neighborhood, or to the public in general. Also, the developer will be required to provide a minimum 25,000-gallon onsite water tank to assist in providing fire protection onsite fire fighting service.***

B. The proposed use conforms with the purposes, intent, and policies of the adopted Eloy General Plan and its policies and any applicable area, neighborhood, or other plan officially adopted by the City Council;

- ***The proposed Utility Scale Solar facility use is consistent with specific goals and policies in the Eloy General Plan. In addition, as part of the Site Plan and permit application and approval processes, the developer will be required to demonstrate compliance with all applicable requirements.***

C. The proposed use conforms with the conditions, requirements, or standards prescribed by this chapter and any other applicable local, State, or Federal requirements; and

- ***The application narrative and plans submitted with this CUP demonstrate general compliance with the applicable CUP criteria. The developer will be required to demonstrate compliance with all finite applicable requirements as part of the site plan and permit application and approval processes. In addition, the developer is required to maintain compliance with these standards until the facilities are decommissioned and removed.***

D. The proposed conditional use shall conform to the character of the neighborhood, within the same zoning district, in which it is located. In making such a determination, consideration shall include the location, type and height of the buildings or structures and the type and extent of landscaping and screening on the site.

- ***The proposed Utility Scale Solar facility is located in an area of the City that is primarily undeveloped and used for agricultural uses. In conformance with the property development standards for the Utility Scale Solar facility use, the improvements will be setback a minimum of 75 feet, with larger setbacks (minimum of 100 feet) provided adjacent to properties with higher density residential zoning. Also, the developer will be provided landscaped buffers in accordance with the zoning ordinance provisions around the entire perimeter of the development. The development's structures will conform with the building heights allowance of the zoning ordinance, and the utility poles proposed to be generally consistent with the height of other utility poles in the area.***

E. Adequate utilities, access roads, drainage, fire protection, and other necessary facilities shall be provided.

- ***With the development of the proposed Utility-Scale Solar facility, the developer will be required to demonstrate conformance with all City of Eloy and the Eloy Fire District requirements, including providing street, utility, drainage, and fire protection improvement for the development.***

F. Adequate measures shall provide ingress and egress so designed as to minimize traffic hazards and traffic congestion on the public roads.

- ***The proposed Utility-Scale Solar facility access locations have been reviewed by City Engineering staff, and the locations are not anticipated to cause a traffic hazard or traffic congestion on the abutting public streets. To assist in reducing traffic hazards and congestion, Conditions of Approval have been incorporated requiring that the access gates to the facility be set back to a minimum of 50 feet right-of-way. The minimum 50 set back will allow vehicles to exit the roadways before being stopped so that the access gates into the facility may be open.***

G. The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke, or gas.

- ***The proposed Utility-Scale Solar facility is not anticipated to produce noxious or offensive vibration, noise, odor, dust, smoke, or gas. The equipment cabinet will contain air conditioning units for cooling purposes, but the noise should be minimal and not have an impact on any adjacent properties.***

H. The proposed use shall not be injurious to the use and enjoyment of the property in the immediate vicinity for the purposes already permitted, nor substantially diminishes or impair the property values within the neighborhood.

- ***The proposed Utility-Scale Solar facility is not anticipated to be injurious to the use and enjoyment of the property in the immediate vicinity for the purposes already allowed, nor substantially diminish or impair the property values.***

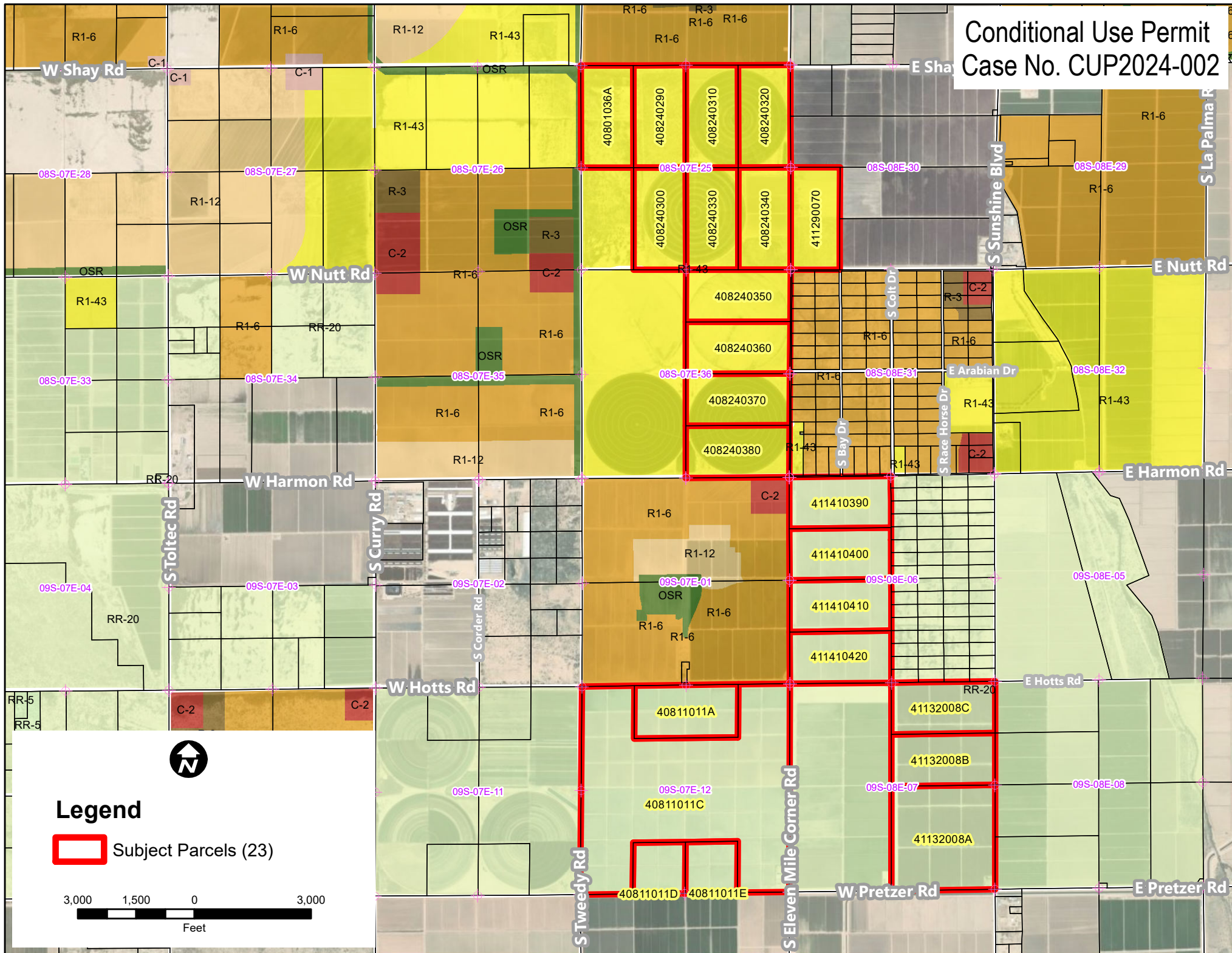
I. The establishment of the proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.

- ***The proposed Utility-Scale Solar facility is not anticipated to impede the orderly development and improvement of surrounding property.***

FISCAL IMPACT:

There is no anticipated fiscal impact on the proposed changes.

Conditional Use Permit
Case No. CUP2024-002



Eloy Valley Energy, LLC
Eloy Valley I and II Solar Energy Center
Approximately 2,237 acres
Eloy, Arizona

Conditional Use Permit Project Narrative

Submitted by:

Pew & Lake, PLC
Ralph Pew/Vanessa MacDonald
1744 South Val Vista Drive, Suite 217
Mesa, AZ 85204
480-461-4670

On behalf of:



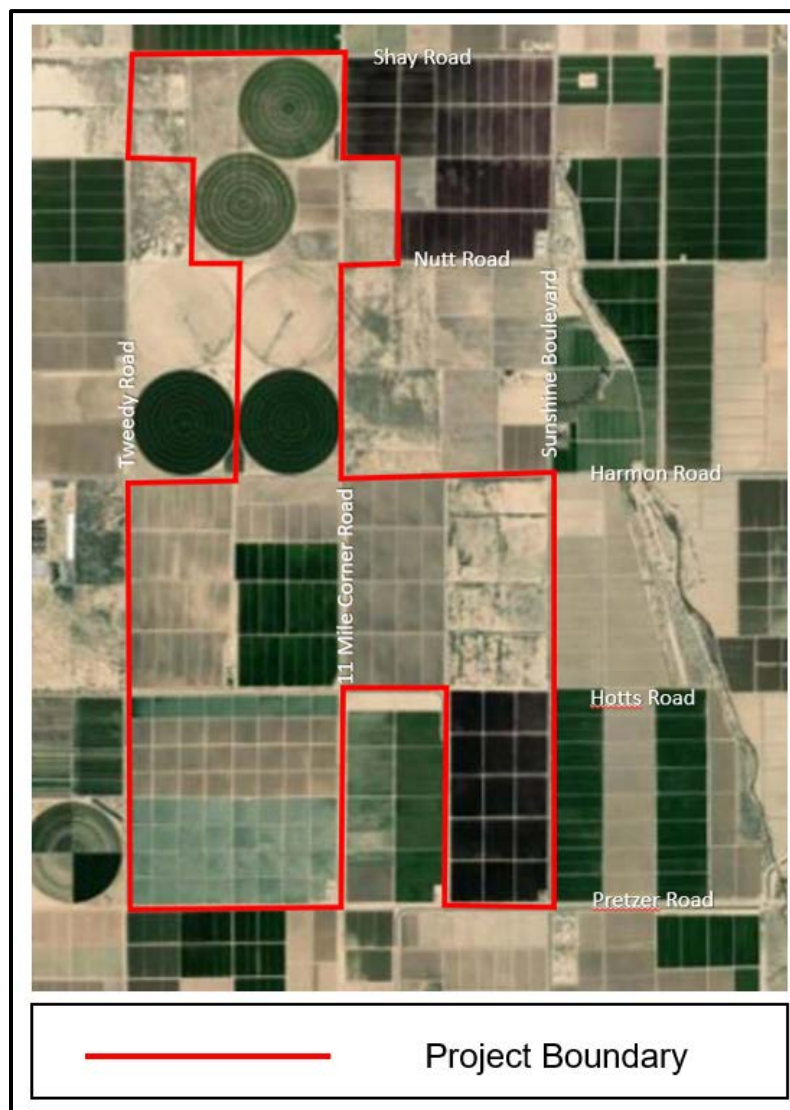
Submitted to:

The City of Eloy
Community Development Department
595 North C Street, Suite 102
Eloy, AZ 85131

July 30, 2024

Introduction

Pew & Lake, PLC (the “Applicant”) on behalf of NextEra Energy Resources, LLC (“NextEra”) and various property owners, is pleased to submit this project narrative to the City of Eloy (the “City”) for a request for a Conditional Use Permit to allow the development of a Utility-Scale Solar Generation and Battery Energy Storage System (the “Project”). The Project is proposed to be developed on approximately 2,237 acres of property located generally between Tweedy Road and Sunshine Boulevard, and between Pretzer and Shay Roads (the “Property”). The Property is shown below and is comprised of 23 Pinal County Assessor parcels owned by various landowners. The approximate boundaries of the project area are shown below, outlined in red. A parcel map that identifies the properties by their Pinal County Assessor Parcel Number (APN) is included as **Attachment 1**, and a table of the associated property owners is provided in **Attachment 2** of this narrative.



About NextEra Energy Resources, LLC

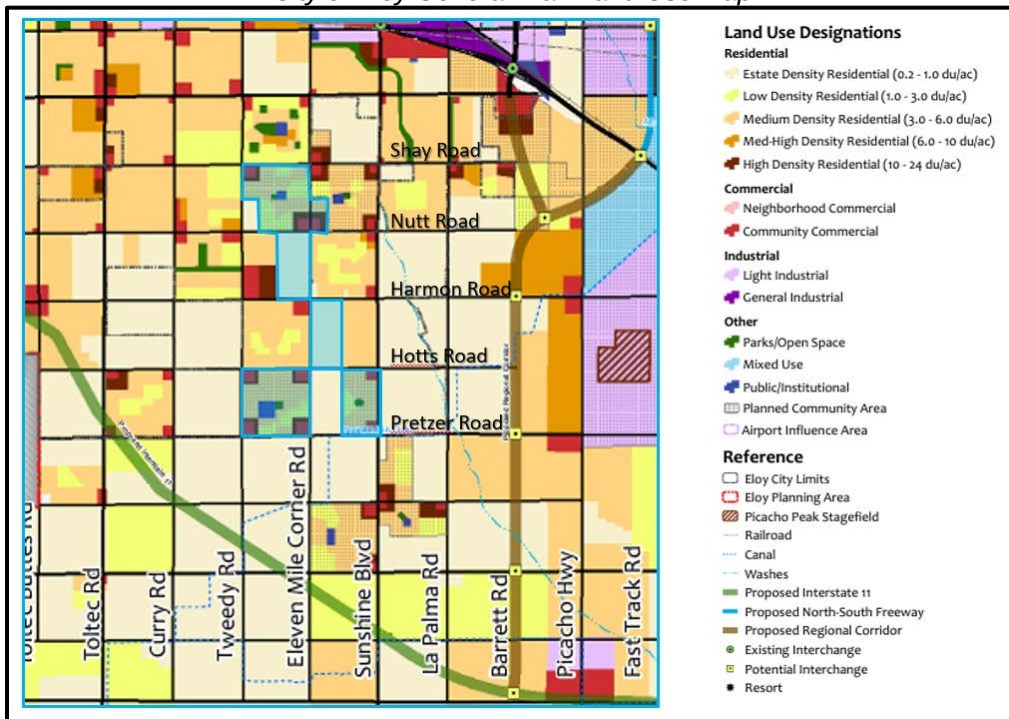
NextEra Energy Resources, LLC (together with its affiliated entities, "NextEra Energy Resources") is a clean energy leader and is one of the largest wholesale generators of electric power in the U.S. NextEra Energy Resources is the world's largest generator of renewable energy from the wind and sun and a world leader in battery storage. NextEra Energy Resources offers a wide range of clean energy solutions to help businesses and customers across the country meet their emissions reduction goals. Through its energy investments, NextEra creates high paying jobs in the communities it serves. Within the State of Arizona, NextEra has an existing energy storage site and seven solar generation facilities in various stages of development.

With the development of this land as well as other properties within the City of Eloy, NextEra is planning to develop a 400-megawatt utility scale solar generation facility. The Project's major facilities include photovoltaic (PV) fields of solar arrays, BESS inverter stations, and a network of circuits that will route power to a Project substation that will be owned and operated by Arizona Public Service. 400 megawatts is enough electricity to power 83,000 homes. Increasing the capability of power grid is vitally important in Arizona, and especially in Pinal County.

Existing Land Use Designations, Zoning and Uses

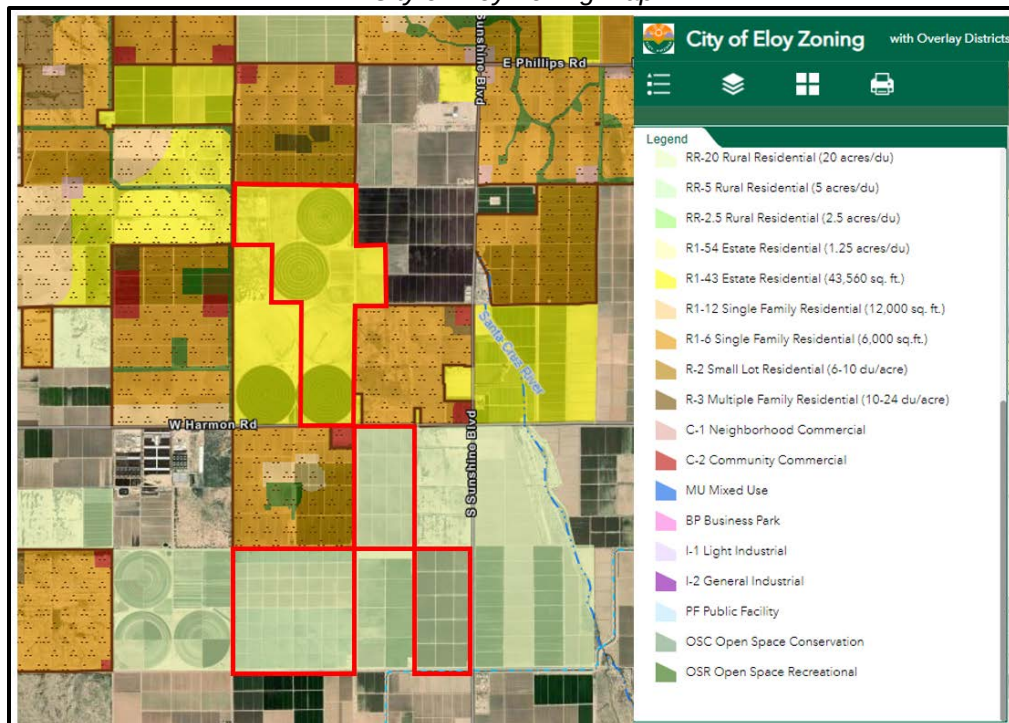
As shown in the graphic on the next page, the Property, shaded in blue, is comprised of land with various General Plan land use designations including Low, Medium and Medium High Density Residential; Community Commercial, Public/Institutional and Open Space.

City of Eloy General Plan Land Use Map



As shown below, the Property is zoned RR-20 and R1-43. As shown on Table 2.2-1 of the City of Eloy Zoning Ordinance (the “Zoning Ordinance”), both of these zoning districts allow Utility Scale Solar Generating facilities and Battery Energy Storage System facilities as allowed uses, with the approval of a Conditional Use Permit by the Eloy City Council.

City of Eloy Zoning Map



The Property is currently agricultural land and is unremarkable in its topography.

Solar Energy in Eloy- Background Information

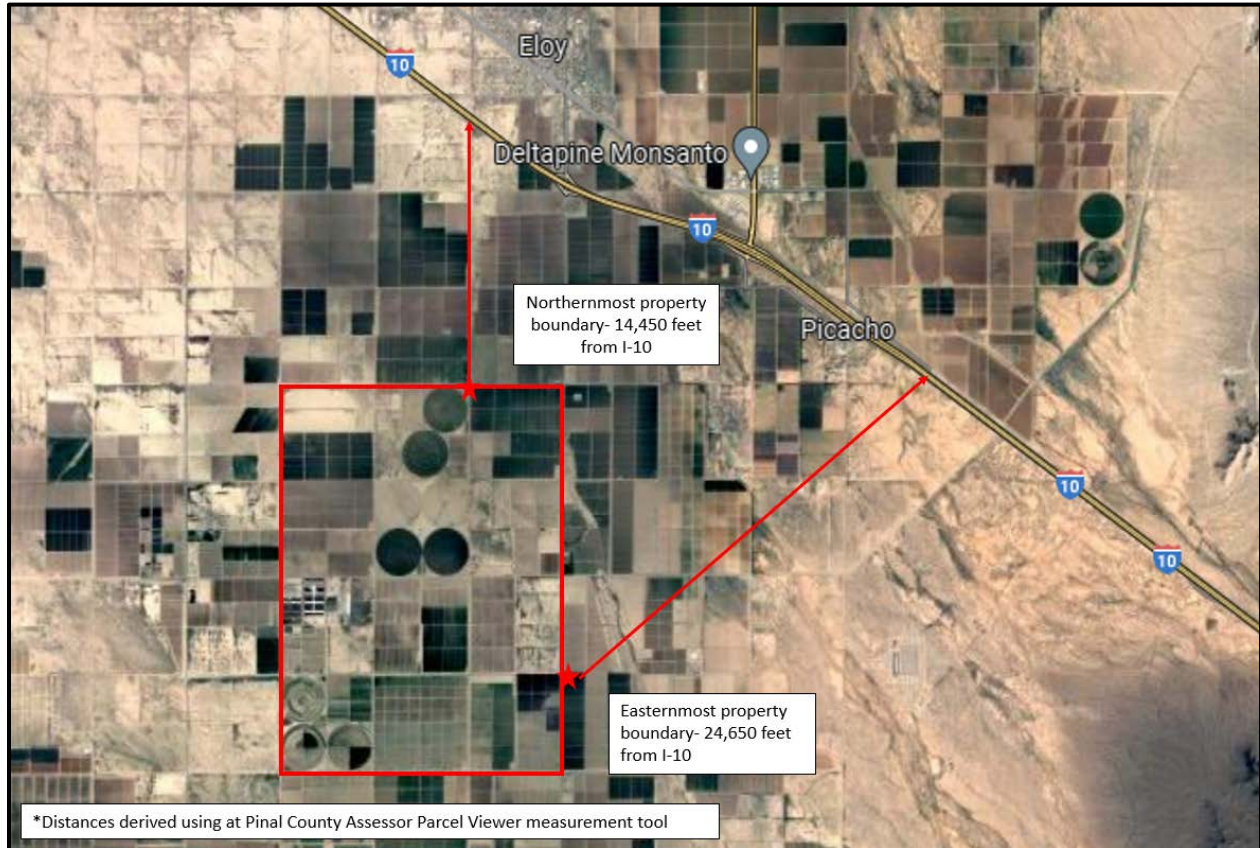
As can be imagined with a Project of this size and scope, the Property involved in the proposed development has been entitled at various times for various uses.

In 2023, the City of Eloy re-examined the Zoning Ordinance and found that the existing provisions did not adequately guide the development of solar generation facilities. On August 28, 2023, after careful deliberation, the City of Eloy approved Ordinance No. 23-950, which enhanced and clarified Section 21-3-1.39 of the Zoning Ordinance, to incorporate the Solar, Utility Scale Generation and Battery Energy Storage System Facilities provisions in the Ordinance, (the “Solar Ordinance”). The Solar Ordinance prescribes locational and other criteria for the establishment of Utility Scale Generation and Battery Energy Storage System (“BESS”) facilities, while also prescribing end-of-operation protocols. Public hearings on the amendment focused on the appropriate locations for solar energy facilities in the City of Eloy, as well as the need to avoid a “checkerboard” or “patchwork” locations of solar facilities across the City.

In addition to locational criteria, the Solar Ordinance a) specifies the types of properties that are appropriate for utility scale solar development, b) establishes development standards for such facilities, and 3) enumerates conditions of approval that will be imposed on every utility scale solar development within the City of Eloy. Additionally, with the adoption of the Solar Ordinance, the City established an aggregate limit of acreage within the City (16% of the total acreage within the City) that may be used for utility-scale solar development.

The Solar Ordinance prescribes appropriate locations for utility-scale solar developments. The criteria indicate that proposed uses must be: 1) located south of Interstate 10, 2) located approximately ½ mile from an Interstate 10 traffic interchange and a minimum of two thousand two hundred feet (2,200') from the southern right-of-way boundary of Interstate-10 and 3) For formal, complete applications filed with the City after March 1, 2024, the project must be located contiguous to an existing and/or approved utility scale solar generation facility for a minimum distance of two thousand six hundred feet (2,600')

The Property that is the subject of this request is appropriately located within the distances prescribed by the Zoning Ordinance. As shown in the graphic on the next page, the Property, at its northernmost point, is south of and approximately 14,450 feet from Interstate 10. At its easternmost point it is approximately 24,650 feet (4.66 miles) from I-10. Accordingly, the project meets the first two criteria. The proposed project area is contiguous to the approved Eloy Valley Solar I generation facility that was approved in 2022 in case CUP2022-22, and that was recently extended to 2026 (CUP2022-022.E2). The length of contiguity is approximately one mile and extends along Sunshine Boulevard.



Request

The Applicant is requesting the following:

Approval of a Conditional Use Permit to allow Solar, Utility Scale Generation and Battery Energy Storage System Facilities on approximately 2,237 acres. The proposed use is to be developed in accordance with Section 21-3-1.39 of the City of Eloy Zoning Ordinance.

Project Information

It is NextEra's intent to develop a Utility Scale Generation and BESS facility on the Property consistent with the requirements and standards contained in the Solar Ordinance. As shown on the Conceptual Development Plan provided in the application materials, most of the property will be devoted to the installation of solar panels, in a

configuration known as an “array”. Shown on the next page is a representation of what the arrays will look like on the property:



The solar arrays will be placed on the Property and oriented in a manner that will capture as much of the sun's rays as possible. The arrays may be stationary or tracking panels—those that move with the sun to capture the most of its resource. There is little disturbance to the ground beneath the arrays, and there is little-to-no water required for the generation of solar energy. Water will be provided for the required landscape improvements, routine maintenance and cleaning, and fire protection as required by the Eloy Fire District.

The BESS units will be located on the Property to capture excess energy that is produced by the solar arrays. Simply put, the BESS units allow all the power generated by the solar arrays to be stored and transmitted when needed to provide for the consistent delivery of energy to the power grid.



In addition to the solar arrays and BESS units, the property will contain interior drive aisles, and 26-foot fire access roads and perimeter fencing and landscaping that will secure the property while providing an aesthetically pleasing appearance.

Within the formal application materials, detailed information is provided on the minimal impact of this project on traffic, stormwater drainage and City of Eloy utilities.

Development Standards

As shown below and in Table 3-1-1-1 of the Solar Ordinance, the proposed utility scale solar facility and related BESS facility **will comply** with the following development standards:

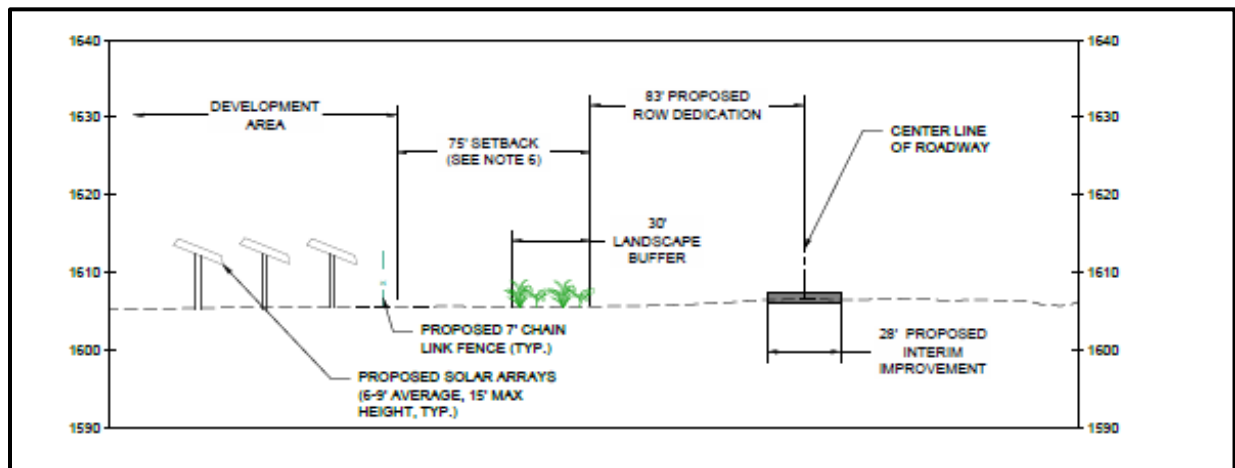
	Minimum
Project Size	160 acres
Project Width	1,300 linear feet
Front Setback ¹	75-feet
Side Setback ¹	75-feet
Street Side Setback ¹	75-feet
Rear Setback ¹	75-feet
	Maximum
Landscape Setback (Harmon Road)	30-feet
Landscape setback (others)	10-feet
Lot Coverage ²	5%
Building Height, Primary	Per underlying zoning district
Building Height, Accessory ³	15-feet

- 1- A setback of one hundred feet (100') shall occur between the utility scale solar generation project and any existing adjacent residential homes or acreage zoned R1-12, R1-6, R-2, and R-3.
- 2- Freestanding, ground mounted solar arrays shall not count toward the lot coverage percentage. All inverters, inverter pads, BESS containers and on-site project substations are to be included in the lot coverage percentage determination.
- 3- Does not apply to poles and other facilities associated with on-site substation uses.

Additional Standards

Perimeter Landscape Treatment

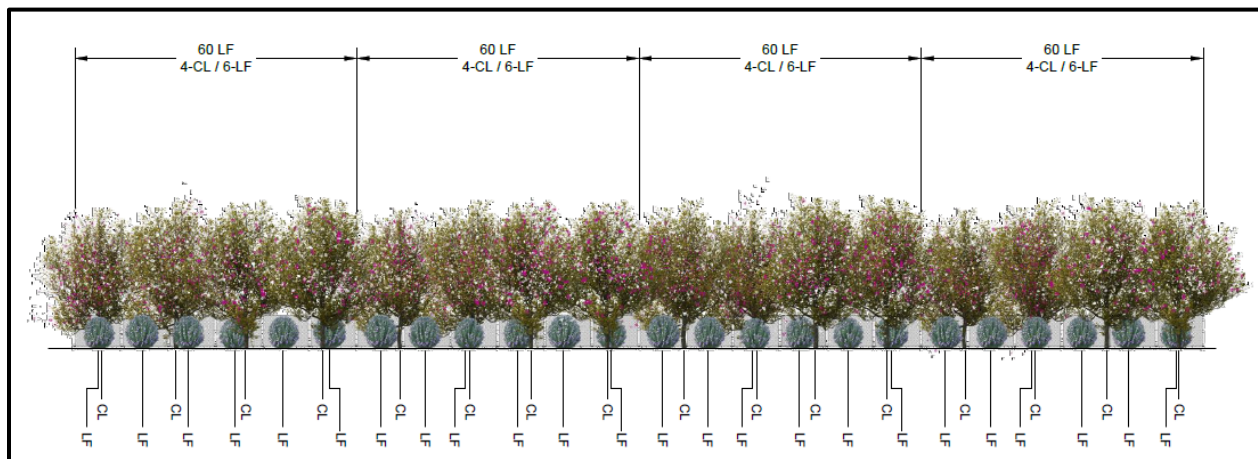
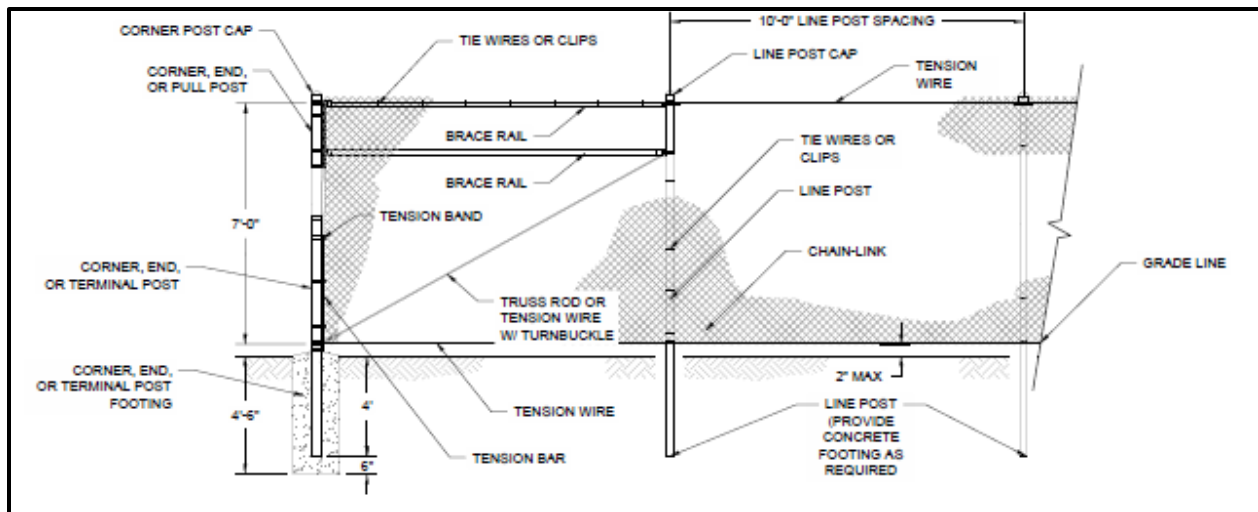
As required in Section G.2 of the Solar Ordinance, NextEra will work with City Staff to create a drought-tolerant landscape palette that will be installed as a minimum 10-foot landscape buffer along the arterial roadways, with the exception of Pretzer and Harmon Roads and Sunshine Boulevard, which will have at least a 30-foot buffer, as shown below:



The buffer will be served with a drip irrigation system using water from on-site storage tanks and will be irrigated on a regularly scheduled basis from water stored on the site to ensure continuous vegetative health and growth. A landscape plan demonstrating the general locations and sizes of the landscape buffers is included in the application materials.

Perimeter Security

As required in Section G.3 of the Solar Ordinance, the entire perimeter of the facility will be enclosed with a sage green, powder coated, chain link fence with a light reflective value (LRV) less than 40%, that is a minimum of 7-feet high as shown in the elevation drawing below. Fencing shall be located outside of the required setback. Elevations showing the fence detail and how it interacts with the required landscaping are shown below.



Roadway Dedications

As required in Section G.10 of the Solar Ordinance, NextEra will dedicate the required 55-foot, half-street right-of-way adjacent to the Property boundaries along Hotts, Eleven Mile Corner, Tweedy, Shay and Nutt Roads, as shown in the table on the next page. The dedication along Pretzer, Harmon and Sunshine Boulevard will be increased so that a 30-foot landscape area will be improved as required in Section G.11 of the Solar Ordinance. A summary of the dedications and associated landscape buffers in the Project area is shown below.

Summary of Dedication and Landscape Requirements		
Roadway Name	Half-Street Dedication Width	Half-Street Landscape Buffer Width
Hotts Road	55-feet	10-feet
Eleven Mile Corner Road	55-feet	10-feet

Nutt Road	55-feet	10-feet
Shay Road	55-feet	10-feet
Tweedy Road	55-feet	10-feet
Harmon Road	83-feet	30-feet
Pretzer Road	83-feet	30-feet
Sunshine Boulevard	83-feet	30-feet

Conditional Use Permit Findings

As previously noted, Utility Scale Solar Energy facilities are permitted uses in the RR-20 and R1-43 zoning districts with the approval of a Conditional Use Permit (“CUP”). This application demonstrates that the proposed development addresses the required CUP findings outlined in Section 21-6-7.4 of the Zoning Ordinance. Each of the findings is shown below in *italics*, and the manner in which this proposed development meets each finding is shown in **bold text**.

- A. *The proposed use will not be detrimental to the health, safety, or general welfare of persons living or working in the vicinity, to adjacent property, to the neighborhood, or to the public in general;*

Response: The development of this Property for Solar, Utility Scale Generation and Battery Energy Storage System Facilities will not be detrimental to the health, safety or welfare of individuals living or working in this vicinity. There are no residential developments within the immediate vicinity of this project, and there are no major employers in this area. There is, however, a single residence at the northwest corner of Hotts and Tweedy Roads, and a dairyfarm on the south side of Harmon Road. The nearest solar energy facilities have been found to be a safe and passive use, without the emission of smoke, noise or vibration, exceeding that of ambient conditions. Additionally, the Traffic Impact Statement provided with the application materials indicates that upon development, there will be little to no traffic impact on the immediate vicinity.

- B. *The proposed use conforms with the purposes, intent, and policies of the adopted Eloy General Plan and its policies and any applicable area, neighborhood, or other plan officially adopted by the City Council;*

Response: The proposed use advances the following Goals of the City of Eloy General Plan as discussed below:

Land Use Element Goal 3.1.1.1- Provide a range of residential, employment and supportive land uses to encourage and maintain a sustainable community.

RESPONSE: The Property, that has historically been used for agriculture, is no longer sustainable for that use due to the amount of water required for agricultural uses. The approval of the proposed Conditional Use Permit will allow the property to be used for a Solar, Utility Scale Generation and Battery Energy Storage System Facility. Furthermore, it would allow the Property Owner and NextEra Energy Resources to use their property for a sustainable and productive use, with little to no impact on municipal resources. After the useful lifetime of this Project, the property owner anticipates that residential uses will still be appropriate in this area.

Economic Prosperity Element Goal 3.10.1.2- Brand Eloy as a prime regional location for business, community growth and capital investment.

RESPONSE: The size and magnitude of this Project represents a significant capital investment on the part of NextEra and reinforces its belief in the City of Eloy as an appropriate location for its facilities. In addition to NextEra's investment in Eloy, the energy generated by this solar facility may be able to provide clean energy for businesses that desire renewable, no/low emission energy sources, which may spur new business growth within the City and region.

- C. The proposed use conforms with the conditions, requirements, or standards prescribed by this chapter and any other applicable local, State, or Federal requirements; and*

Response: The Project has been designed to comply with the City of Eloy Zoning Ordinance and more specifically the Solar Ordinance. In addition, NextEra will comply with requirements established by the State of Arizona and Federal regulations pertaining to the generation and delivery of solar energy to the electrical grid.

- D. The proposed conditional use shall conform to the character of the neighborhood, within the same zoning district, in which it is located. In making such a determination, consideration shall include the location, type and height of the buildings or structures and the type and extent of landscaping and screening on the site.*

Response: The Solar Ordinance has anticipated the effect of solar facilities on adjacent properties and prescribes measures for the security, screening and landscaping of properties with solar generation facilities. In addition, the developer agrees to comply with the City's Industrial Development Requirements and Guidelines for any buildings and structures that may be developed with the facility. These measures are intended to mitigate any effects on adjacent or nearby properties. NextEra intends to comply with the requirements of the Solar Ordinance so that the Property is effectively

screened and secure. The perimeter landscaping has been designed with trees and shrubs selected from the Arizona Department of Water Resources (ADWR) low water use/drought tolerant plant list to reduce the amount of water required for them to flourish. The trees and shrubs will be regularly irrigated with water stored on-site to ensure their continuous growth.

- E. Adequate utilities, access roads, drainage, fire protection, and other necessary facilities shall be provided.*

Response: There are adequate utilities for this Project. The use generates its own electricity, and creates little demand for solid waste, law enforcement or other municipal services. What little water is required for the site will be trucked into the site and stored on the premises to be used for both irrigation and fire suppression. The developer has been in discussions with the City of Eloy Fire District to develop fire suppression and safety protocols for the project that will be implemented during the site planning process. Additionally, the arterial roadways adjacent to the property will be improved with a double chip-seal surface as required by the Solar Ordinance.

- F. Adequate measures shall provide ingress and egress so designed as to minimize traffic hazards and traffic congestion on the public roads.*

Response: The entrances to the various array fields have been designed so that they meet the City's requirements for separation from the established intersections and will pose no hazard or congestion on the adjacent roadways. According to the Traffic Impact Statement provided with the application materials, the proposed use does not warrant any modifications to the traffic controls in the area.

Gated Driveway and Street Entrances will be setback as follows:

1. The minimum distance from a right-of-way and privately dedicated streets: the greater of the minimum right-of-way and privately dedicated streets setback, or 75 feet.
2. The minimum distance from a right-of-way and privately dedicated street to the gate access call/key box (if provided): 50-feet.

- G. The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke, or gas.*

Response: Utility scale solar generation facilities are inherently passive uses. The arrays quietly rotate as they follow the arc of the sun's movements throughout the day. BESS units are equipped with silencing equipment, and the BESS areas will be screened with eight-foot tall fencing with slats to further provide sound mitigation. Consequently, there is little noise generated by the BESS units or arrays that exceeds that of ambient conditions. There is no potential for the emission of vibration, odor, smoke or gas from the proposed use. The drive aisles will be decomposed granite

so that there is only minimal dust emitted from the infrequent workers that may visit the site.

- H. The proposed use shall not be injurious to the use and enjoyment of the property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair the property values within the neighborhood.*

Response: The development of a utility scale solar generation facility on this Property will not be injurious to the use and enjoyment of the property in the immediate vicinity for the reasons set forth in Response A (above) and Response I (below). Existing agricultural and dairy properties in the area will still be able to flourish, while the homeowners of the sporadic residences in the area will maintain the ability to enjoy the use of their property without impact from this Project.

- I. The establishment of the proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.*

Response: The development of this property for utility scale solar generation facilities will not impede the development of surrounding properties. The properties surrounding the Project area are primarily zoned for agricultural, dairy or large lot development, with the exception of two Planned Area Developments (PAD): the Picacho View II PAD and the Steven Farms PAD. The owners of the properties within these PAD's are requesting PAD amendments to allow for the development of solar generation facilities on their property. The properties surrounding the entire NextEra project area may be developed for large-lot residences or other residential uses without impact from this Project since the buffering techniques that are required by the Solar Ordinance adequately address the need to mitigate impacts on adjacent residential properties.

Conditions of Approval

The Applicant, NextEra and the Property Owners acknowledge and agree that pursuant to Section G of the Solar Ordinance, the City may impose Conditions of Approval on the Project. These conditions include, but are not limited, to:

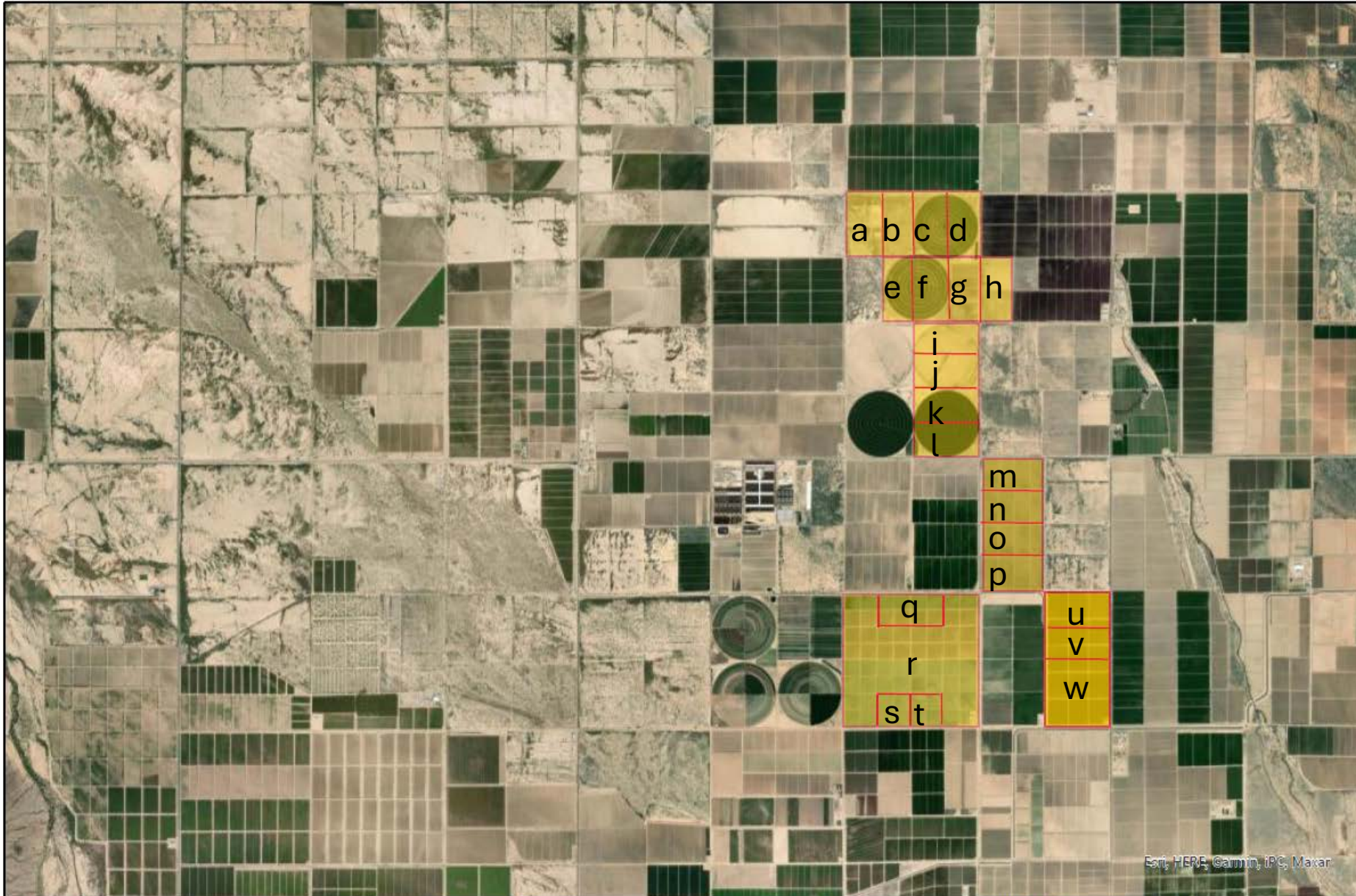
1. Pre and Post Construction Property Maintenance.
2. Perimeter Landscape Treatments
3. Perimeter security measures
4. Lighting
5. Noise
6. Construction/Building Inspections
7. Pre-Operational Training

8. Regulatory Compliance
9. Land Use Impacts and Mitigations
10. Minor and Major Arterial Road Dedications
11. Interim Arterial Road Improvements

Conclusion

The Project is in compliance with the requirements of the Solar Ordinance and is located in the southwest part of the City (where solar uses have been deemed to be appropriate) and near regionally significant power distribution lines.

The proposed solar generation facility on this Property will provide a range of benefits for the City of Eloy. The facility will contribute to the production of clean, renewable energy for the City and surrounding areas, where electrical demand is increasing. The proposed facility will also allow the Property to be productive in a manner that uses little-to-no water, unlike its previous agricultural uses. Development of the facility will generate a positive economic effect in the form of local short-term job creation and activity from Project contractors transacting with local businesses. The Applicant expects the Project will generate over 200 construction jobs and, once operational, will require a full-time operation and maintenance team. NextEra is committed to using local contractors and materials to the greatest extent possible for the development of the facility



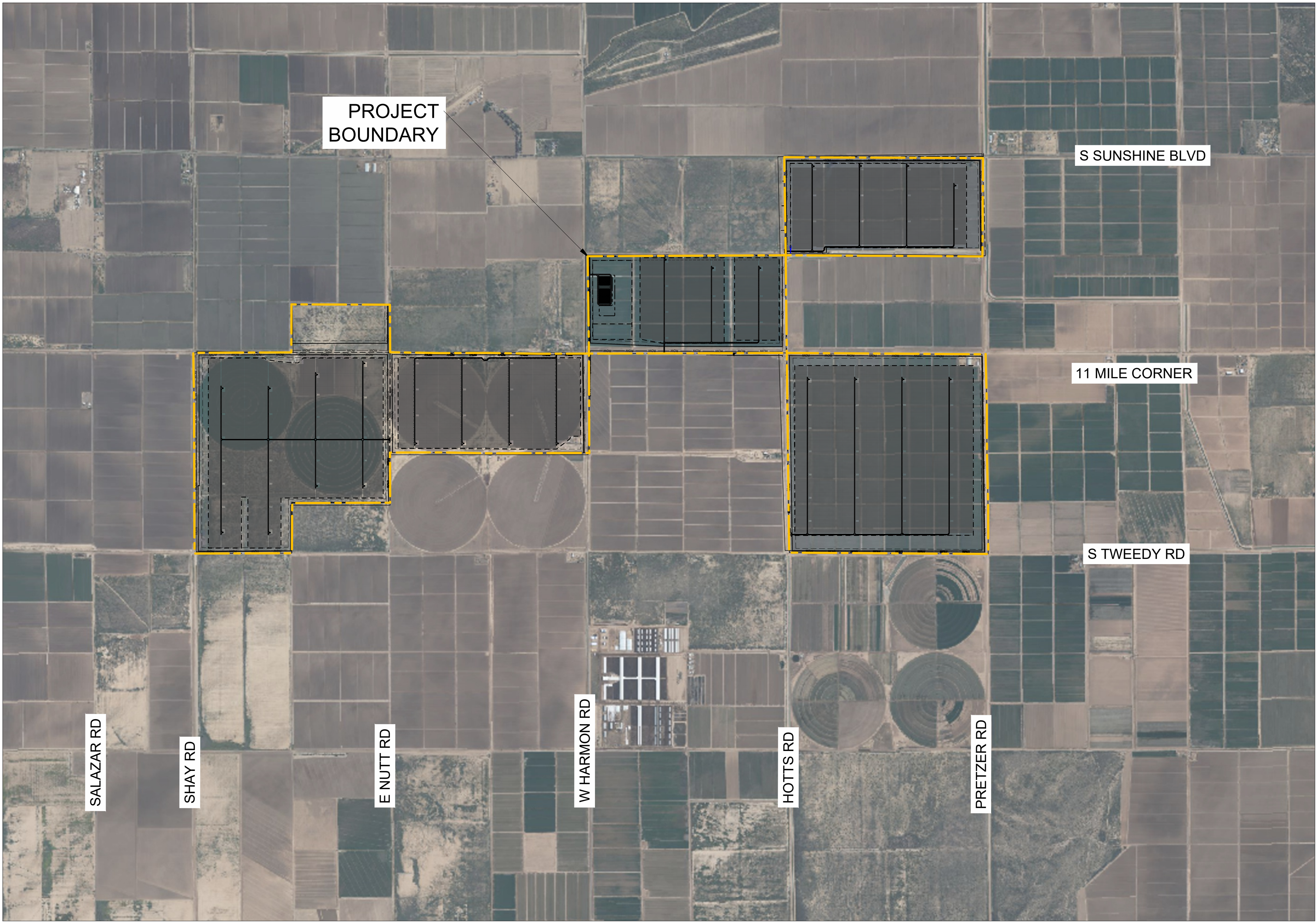
Attachment 1
Pinal County Parcel Numbers

- a- 408-01-036A
- b- 408-24-0290
- c- 408-24-0310
- d- 408-24-0320
- e- 408-24-0300
- f- 408-24-0330
- g- 408-24-0340
- h- 411-29-0070
- i- 408-24-0350
- j- 408-24-0360
- k- 408-24-0370
- l- 408-24-0380
- m- 411-41-0390
- n- 411-41-0400
- o- 411-41-0410
- p- 411-41-0420
- q- 408-11-011A
- r- 408-11-011C
- s- 408-11-011D
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- u- 411-32-008C
- v- 411-32-008B
- w- 411-32-008A

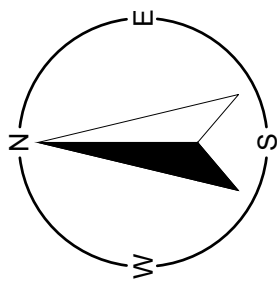
ELOY VALLEY SOLAR I & II

CONDITIONAL USE PERMIT CONCEPTUAL DEVELOPMENT PLAN

SITE LAYOUT



Case No. CUP2024-002
Date: 09/18/2024



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ENERGY
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PROJECT NAME
**ELOY VALLEY SOLAR I & II
CUP CONCEPTUAL DEVELOPMENT PLAN**
SITE LOCATION
ELOY, AZ

#	DRAWING ISSUE	DATE	DB	CB
1	DEVELOPMENT PLANS	07/01/2024	RL	DJ

PROJECT NO : 23015
DRAWING TITLE
TITLE SHEET

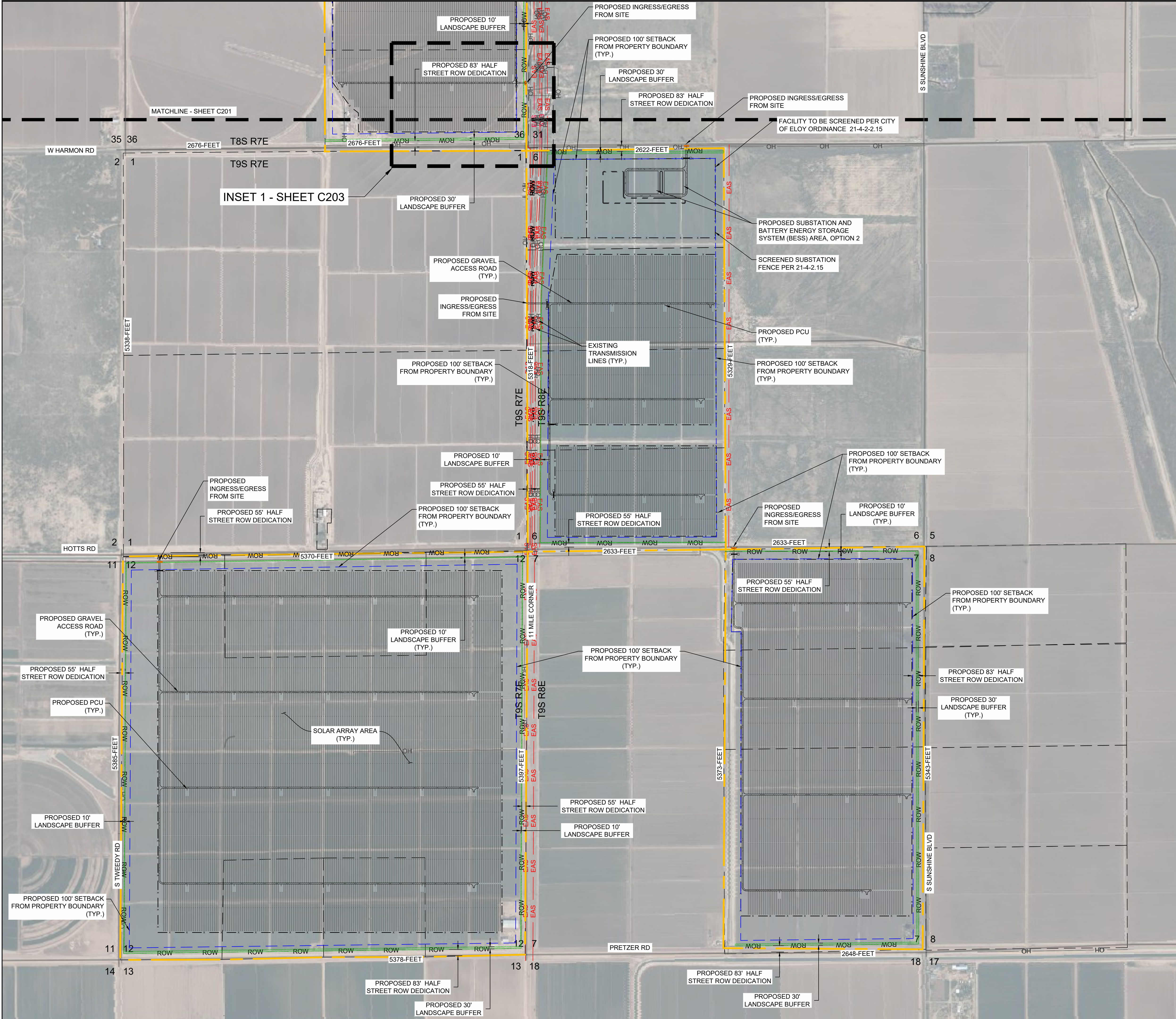
DRAWING NUMBER
C000



23015-ELOY1-0

DRAWING NUMBER

C200



DEMOLITION NOTES

1. THERE SHALL BE NO DEMOLITION OUTSIDE THE MARKED LIMITS OF DISTURBANCE UNLESS SPECIFICALLY CALLED FOR IN THE PLANS.
2. EXISTING VEGETATION WITHIN THE LIMIT OF DISTURBANCE SHALL BE PROTECTED WHEN POSSIBLE DURING CONSTRUCTION.
3. REMOVAL OF ANY EXISTING ITEMS SHALL BE COORDINATED WITH APPLICABLE FEDERAL, STATE, COUNTY, CITY, LOCAL AGENCIES, UTILITY COMPANIES, OR LANDOWNERS.
4. ALL SECTION LINES WILL HAVE HALF STREET RIGHT-OF-WAY DEDICATIONS.
5. ALL ROADS IN THE DEDICATED RIGHTS-OF-WAY WILL BE DOUBLE CHIPPED SEALED AND 28" IN WIDTH.

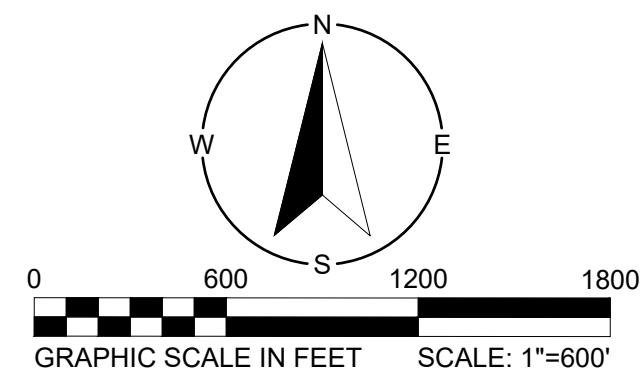
FIRE NOTES

1. WATER STORAGE TANK OF (20,000 TO 30,000 GAL) SHALL BE PROVIDED WITHIN 1000 FT OF THE BESS, UNLESS AN EXISTING WELL IS ACCESSIBLE WITHIN 1000 FT.
2. ALL WEATHER ROADS AND DRIVE SURFACES SHALL BE A MINIMUM OF 4-IN AGGREGATE COMPACTED TO 95% AND 12-IN NATIVE SOIL COMPACTED TO 95% PER IFC 2018. ALL ROADS SHALL BE ABLE TO SUPPORT A 75,000 LB APPARATUS.
3. KNOX BOXES SHALL BE PROVIDED AT ALL LOCKED GATES.
4. ROAD TURNING RADII SHALL COMPLY WITH INTERNATIONAL FIRE CODE REQUIREMENTS.
5. FENCE SETBACK FROM ARRAY IS ADEQUATE TO ALLOW FIRE ACCESS AROUND THE PERIMETER OF THE SITE.

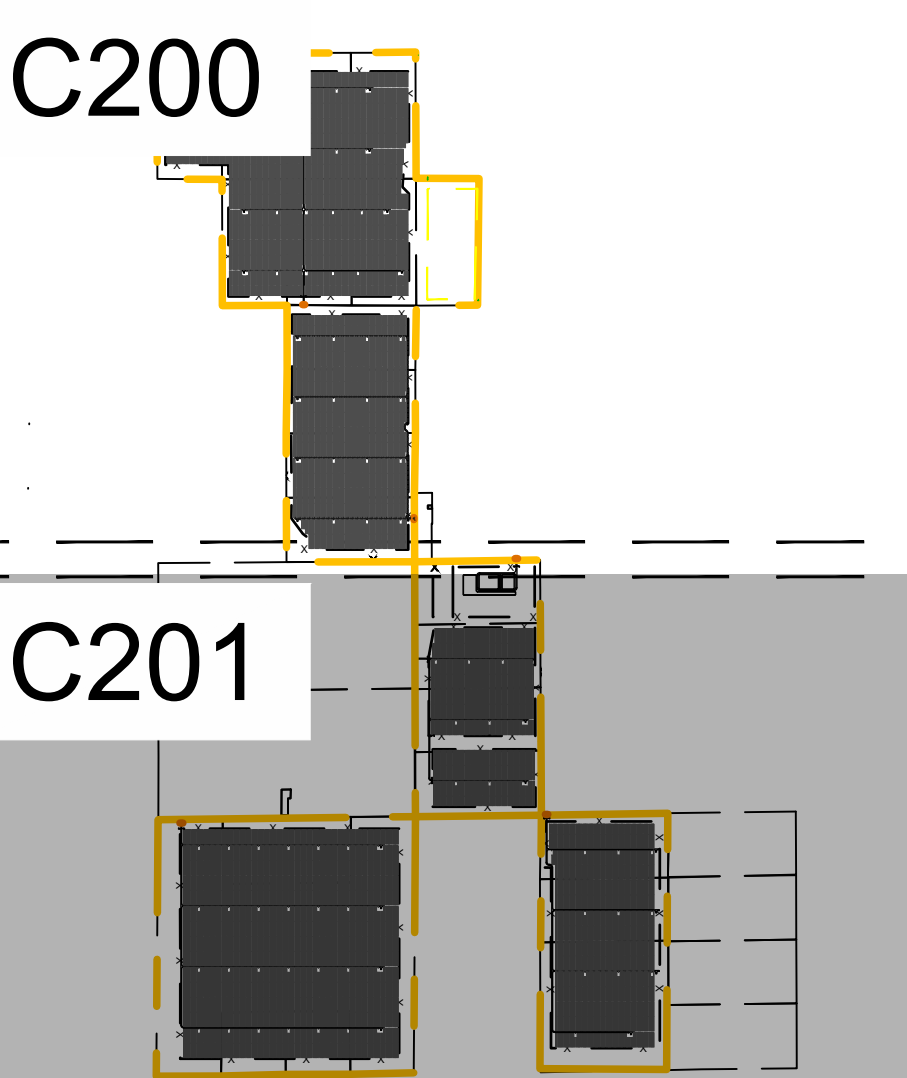
LEGEND

- CUP PROJECT BOUNDARY
- SHEET MATCHLINE
- EXISTING PROPERTY BOUNDARY
- SURVEYED CENTER LINE
- EXISTING ROAD
- EXISTING RIGHT OF WAY
- EXISTING TRANSMISSION EASEMENT
- EXISTING OVERHEAD LINES
- PROPOSED SETBACK
- PROPOSED RIGHT-OF-WAY DEDICATION
- PROPOSED VEGETATED BUFFER
- PROPOSED FENCE
- PROPOSED GATE
- PROPOSED ROAD
- PROPOSED N-S AXIS TRACKER
- PROPOSED INVERTER
- PROPOSED CULVERT

Case No. CUP2024-002
Date: 09/18/2024



KEY MAP



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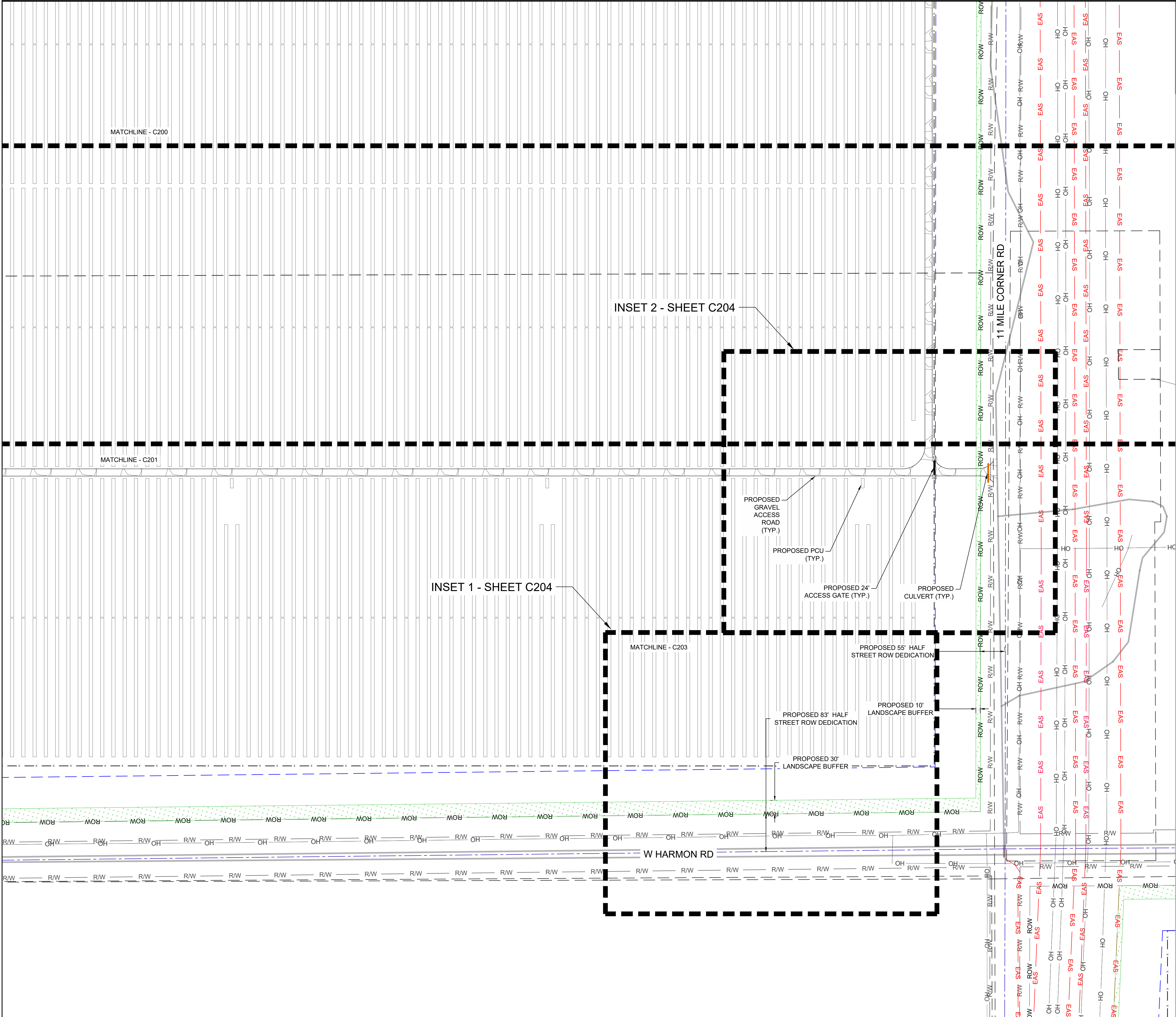
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ENERGY
RESOURCES

ELOY VALLEY SOLAR I & II
CUP CONCEPTUAL DEVELOPMENT PLAN

SITE LOCATION
ELOY, AZ

PROJECT NAME	ELOY VALLEY SOLAR I & II
DATE	07/01/2024
DRAWING ISSUE	DEVELOPMENT PLANS
#	1
DRAWING TITLE	SITE PLAN
DRAWING NUMBER	C201



DEMOLITION NOTES

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FIRE NOTES

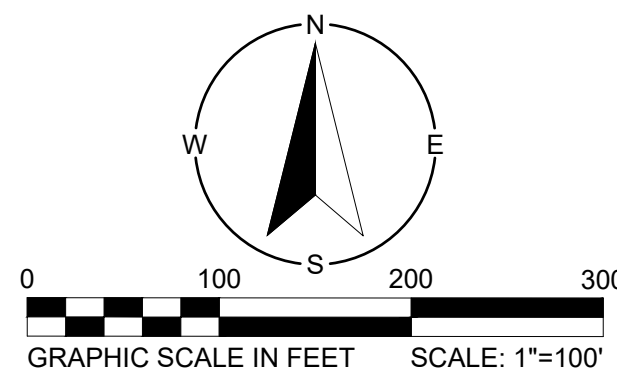
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LEGEND

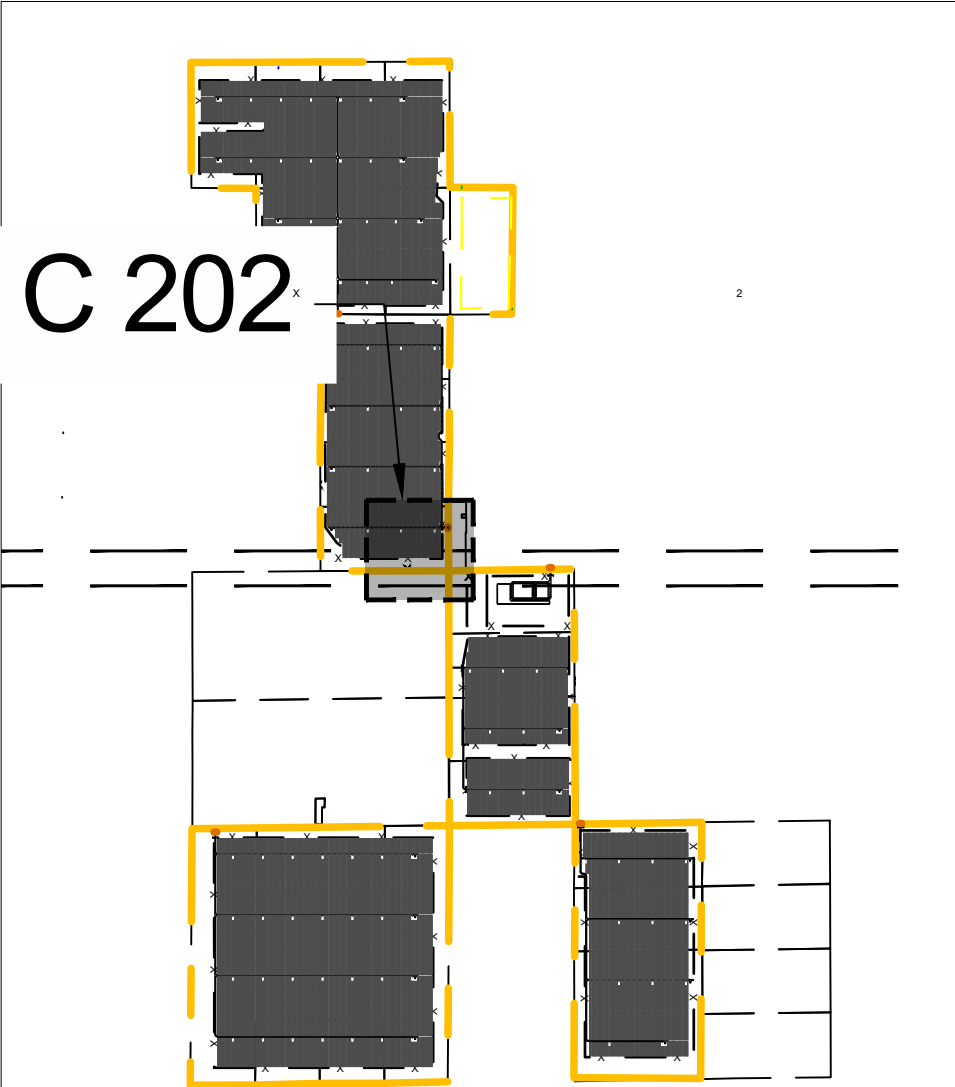
- CUP PROJECT BOUNDARY
- SHEET MATCHLINE
- EXISTING PROPERTY BOUNDARY
- SURVEYED CENTER LINE
- EXISTING ROAD
- EXISTING RIGHT OF WAY
- EXISTING TRANSMISSION EASEMENT
- EXISTING OVERHEAD LINES
- PROPOSED SETBACK
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Case No. CUP2024-002

Date: 09/18/2024



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RESOURCES

PROJECT NAME

ELOY VALLEY SOLAR I & II
CUP CONCEPTUAL DEVELOPMENT PLAN

SITE LOCATION

ELOY, AZ

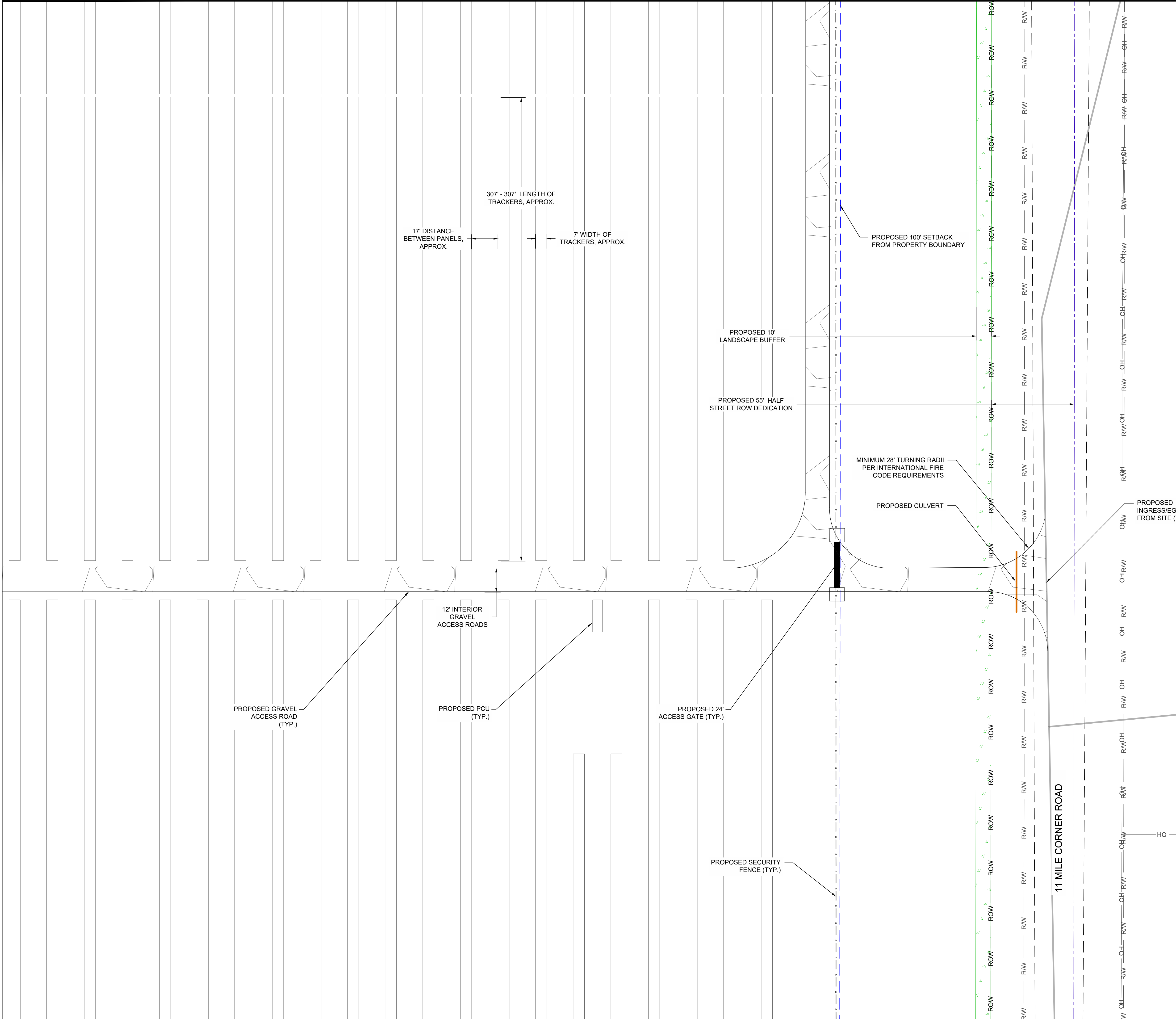
DATE	DB	CB
07/01/2024	DJ	
DRAWING ISSUE	#	
DEVELOPMENT PLANS	1	

PROJECT NO.: 23015

DRAWING TITLE
INSET 1

DRAWING NUMBER

C202



DEMOLITION NOTES

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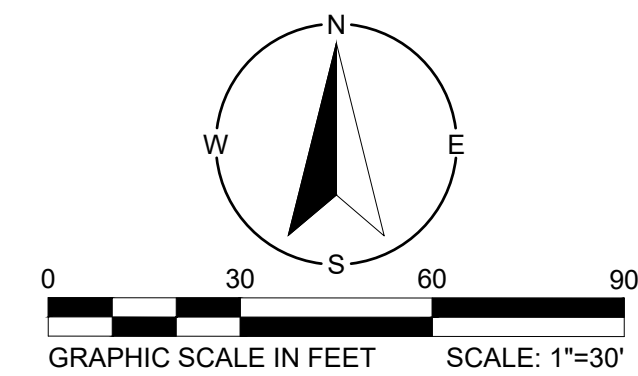
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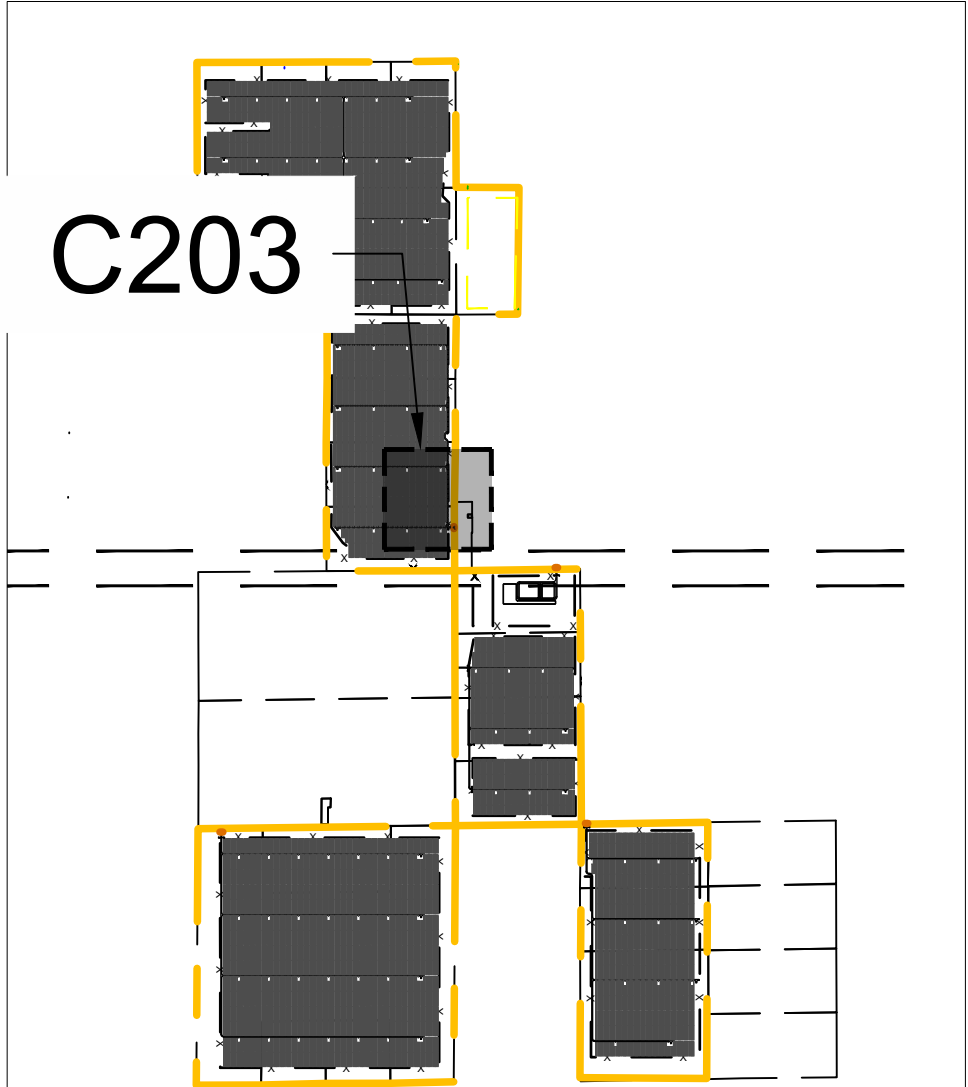
LEGEND

- CUP PROJECT BOUNDARY
- SHEET MATCHLINE
- EXISTING PROPERTY BOUNDARY
- SURVEYED CENTER LINE
- EXISTING ROAD
- R/W EXISTING RIGHT OF WAY
- EAS EXISTING TRANSMISSION EASEMENT
- OH EXISTING OVERHEAD LINES
- PROPOSED SETBACK
- PROPOSED RIGHT-OF-WAY DEDICATION
- PROPOSED VEGETATED BUFFER
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- PROPOSED INVERTER
- PROPOSED CULVERT

Case No. CUP2024-002
Date: 09/18/2024



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PROJECT NAME
ELOY VALLEY SOLAR I & II
CUP CONCEPTUAL DEVELOPMENT PLAN

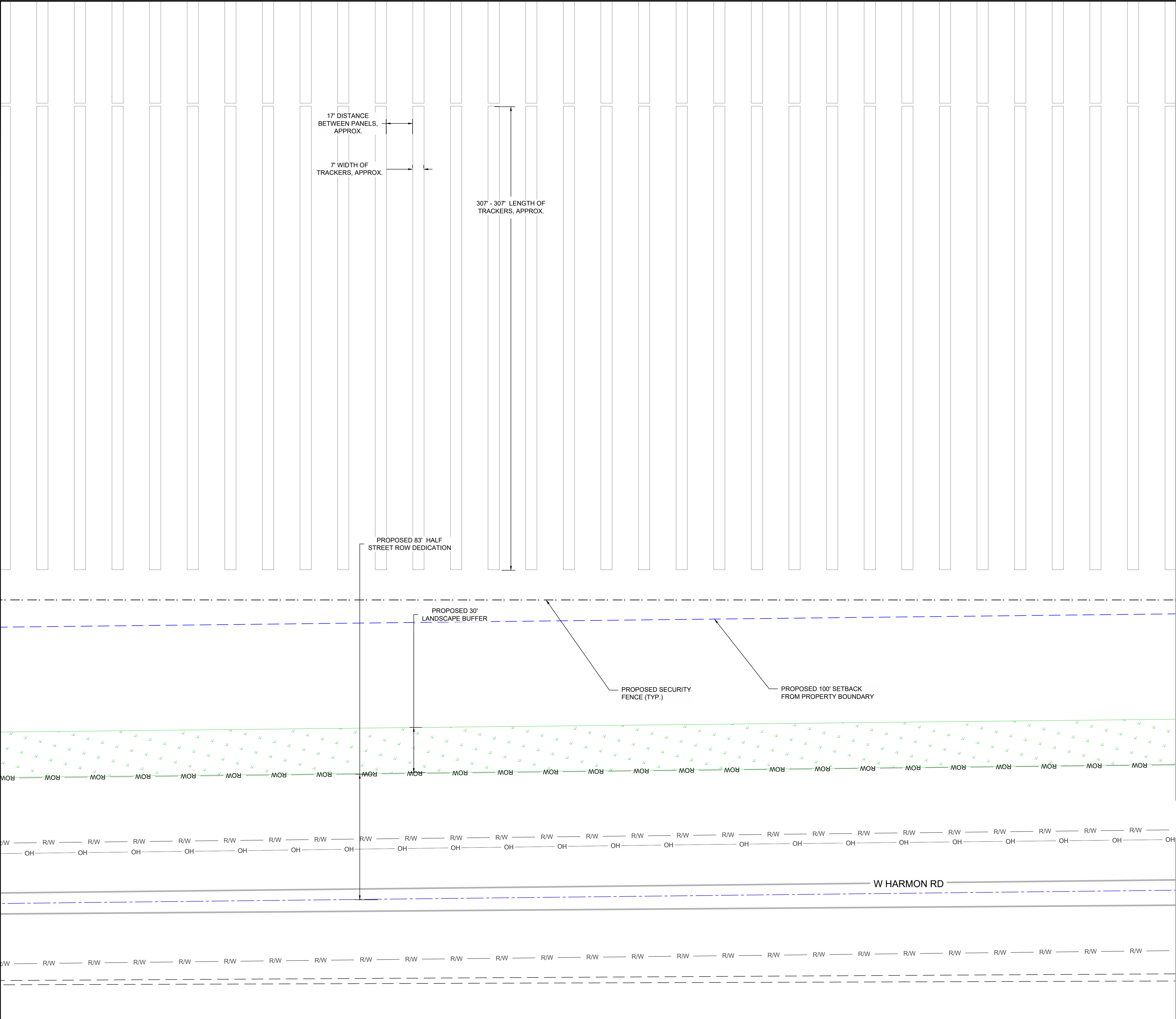
SITE LOCATION
ELOY, AZ

DATE	DB	CB
07/01/2024	RL	DJ
DRAWING ISSUE	#	
DEVELOPMENT PLANS	1	

PROJECT NO.: 23015
DRAWING TITLE
INSET 2

DRAWING NUMBER

C203



DEMOLITION NOTES

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FIRE NOTES

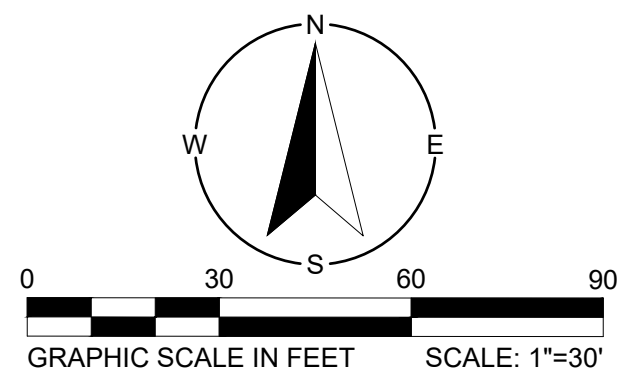
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LEGEND

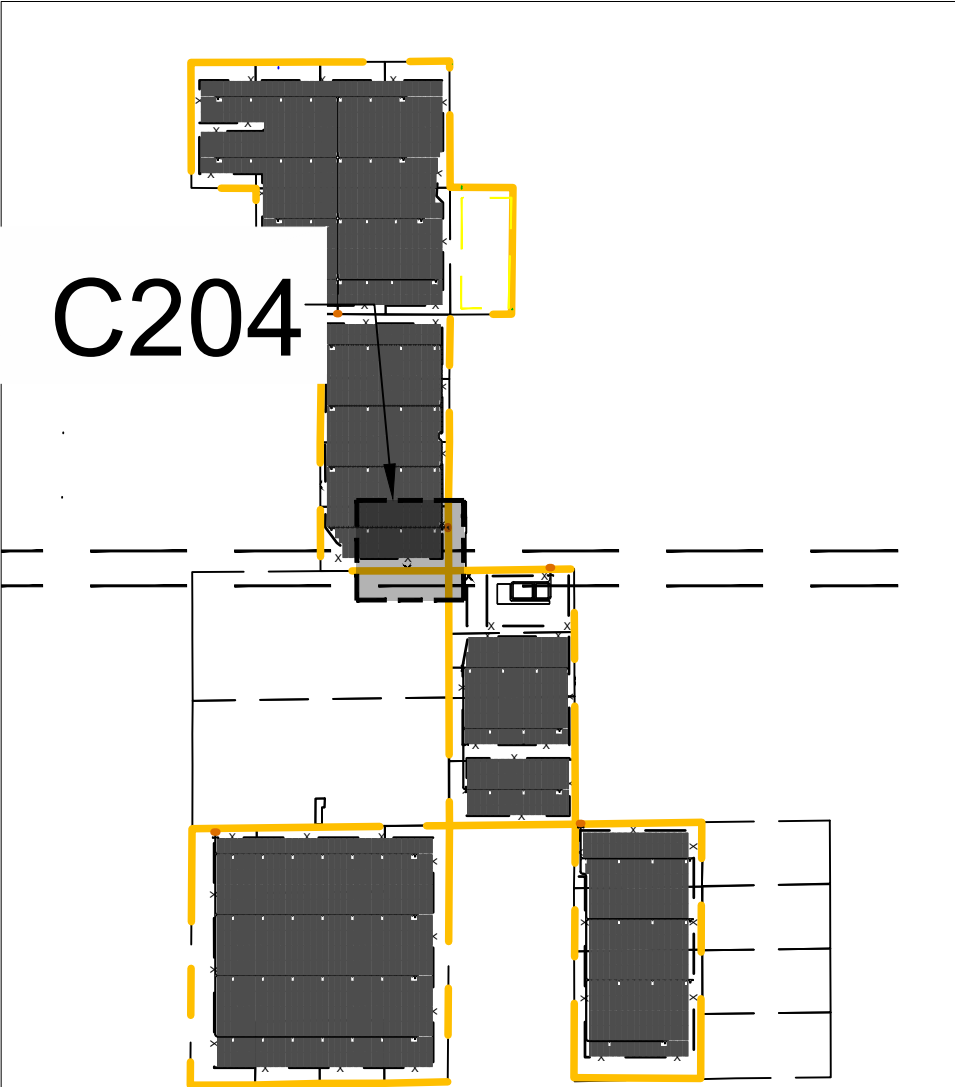
- CUP PROJECT BOUNDARY
- SHEET MATCHLINE
- EXISTING PROPERTY BOUNDARY
- SURVEYED CENTER LINE
- EXISTING ROAD
- R/W EXISTING RIGHT OF WAY
- EAS EXISTING TRANSMISSION EASEMENT
- OH EXISTING OVERHEAD LINES
- PROPOSED SETBACK
- ROW PROPOSED RIGHT-OF-WAY DEDICATION
- PROPOSED VEGETATED BUFFER
- X PROPOSED FENCE
- PROPOSED GATE
- PROPOSED ROAD
- PROPOSED N-S AXIS TRACKER
- PROPOSED INVERTER
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Case No. CUP2024-002

Date: 09/18/2024



KEY MAP



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RESOURCES

PROJECT NAME
ELOY VALLEY SOLAR I & II
CUP CONCEPTUAL DEVELOPMENT PLAN

SITE LOCATION
ELOY, AZ

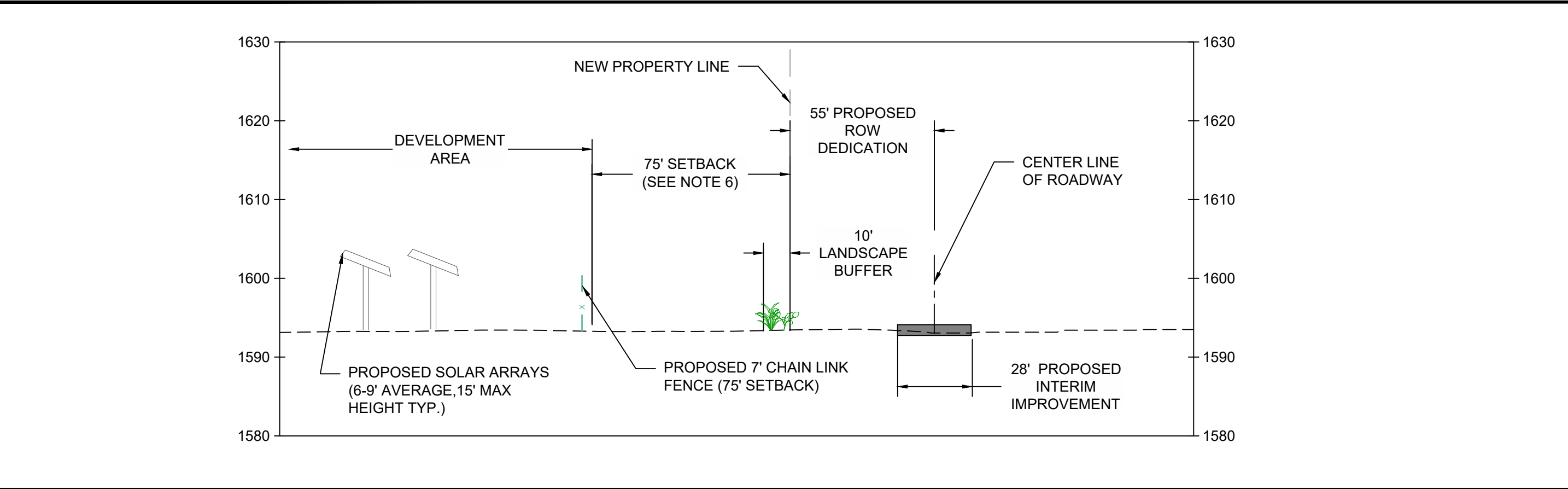
DATE	DB	CB	DJ	RL					
07/01/2024									
DRAWING ISSUE									
DEVELOPMENT PLANS									
#									
1									

PROJECT NO.: 23015

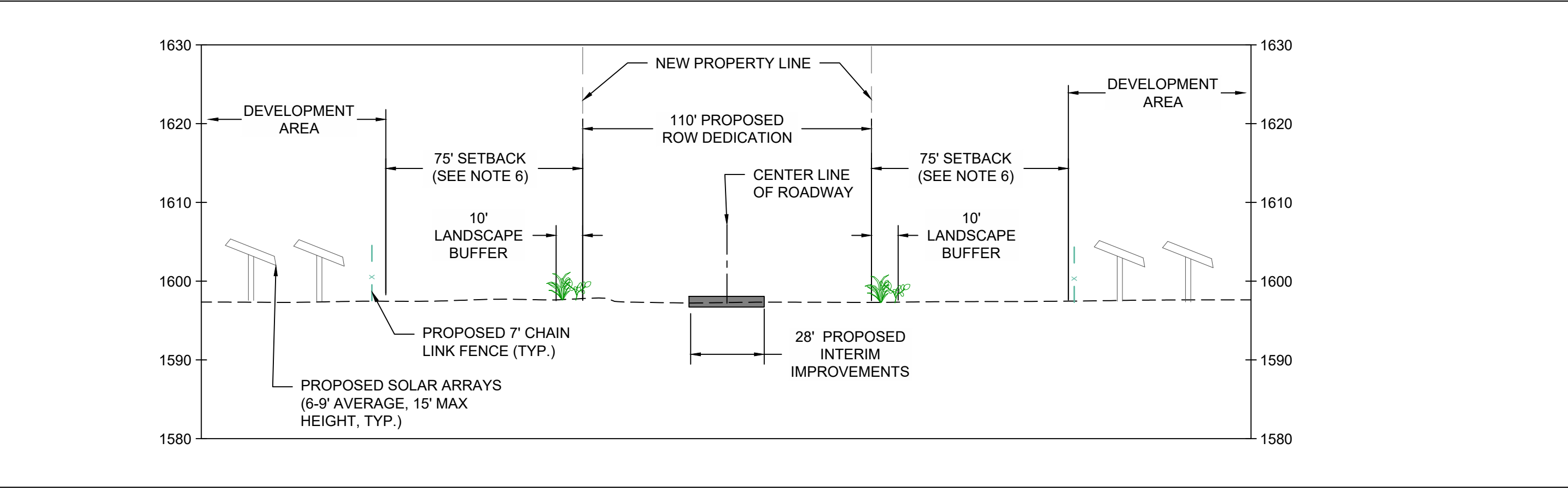
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INSET 3

DRAWING NUMBER

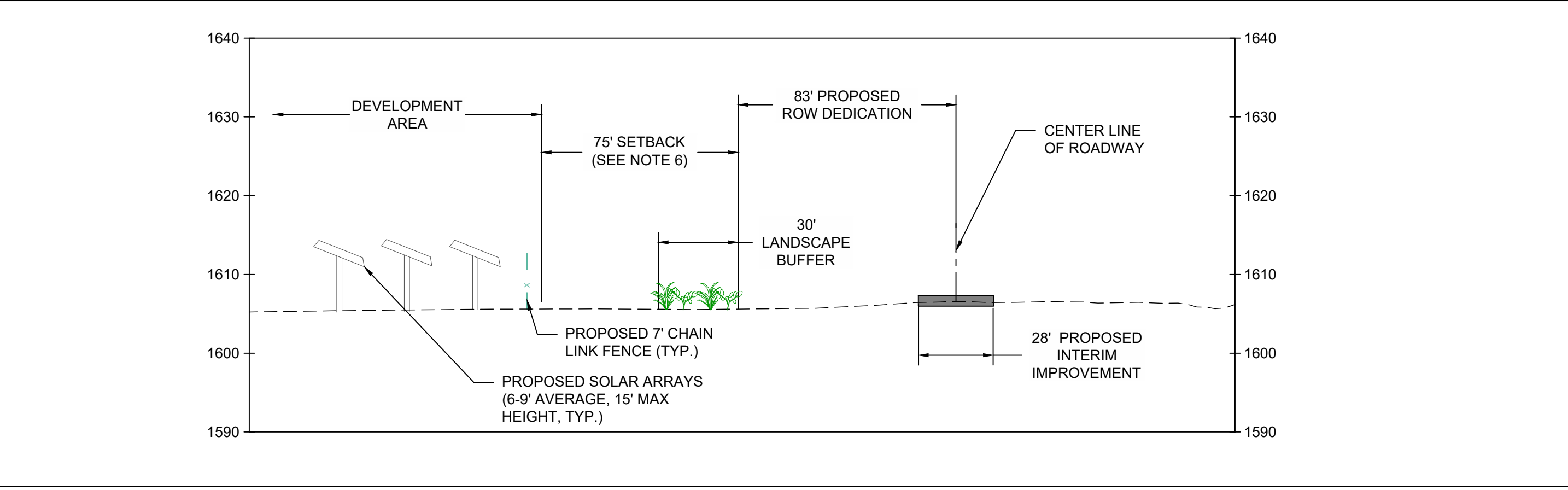
C204



A
- 55' HALF ROAD RIGHT-OF-WAY DEDICATION - TYPICAL SECTION



B
- 110' FULL ROAD RIGHT-OF-WAY DEDICATION -TYPICAL SECTION



C
- 83' HALF ROAD RIGHT-OF-WAY DEDICATION - TYPICAL SECTION

- NOTES:**
1. THE INTENT OF THESE SECTIONS ARE TO VERIFY THE LOCATION OF RIGHT-OF-WAY DEDICATIONS, SETBACKS, AND LANDSCAPE BUFFERS. LOCATIONS AND OFFSETS OF FENCES AND ARRAYS RELATIVE TO RIGHT-OF-WAY DEDICATIONS AND SETBACKS ARE SUBJECT TO CHANGE.
 2. THE HEIGHT OF THE ARRAYS VARIES BETWEEN 6-9 FEET DEPENDING ON RELATIVE GRADES AND SLOPES.
 3. THE HEIGHT OF THE CHAIN LINK FENCE IS 7' POWDER COATED PER UTILITY SCALE GENERATION ORDINANCE.
 4. THE HEIGHT OF THE SOLAR ARRAYS IS SHOWN IN DETAIL ON SHEET C401.
 5. THE PUBLIC ROADWAYS ADJACENT TO THE PROJECT WILL BE IMPROVED WITH 28-FOOT DOUBLE CHIP SEAL ROADS.
 6. SETBACK SHALL BE INCREASED TO ONE-HUNDRED FEET (100') WHERE ADJACENT TO EXISTING RESIDENTIAL HOMES OR PROPERTY ZONED R1-12, R1-6, R-2, AND R-3, AND SIMILAR PAD ZONING.

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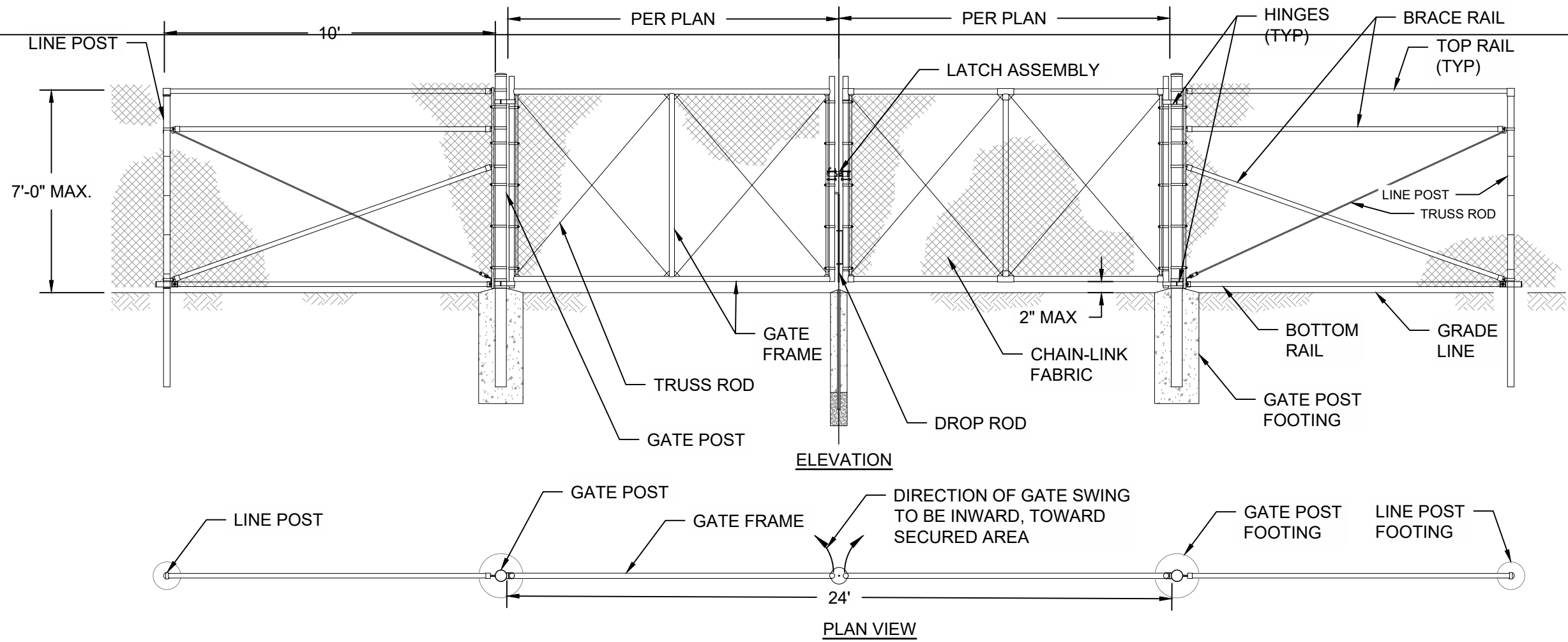
PROJECT NAME
**ELOY VALLEY SOLAR I & II
CUP CONCEPTUAL DEVELOPMENT PLAN**
SITE LOCATION
ELOY, AZ

DRAWING ISSUE	DATE	DB	CB
DEVELOPMENT PLANS	07/01/2024	RL	DJ
#	1		

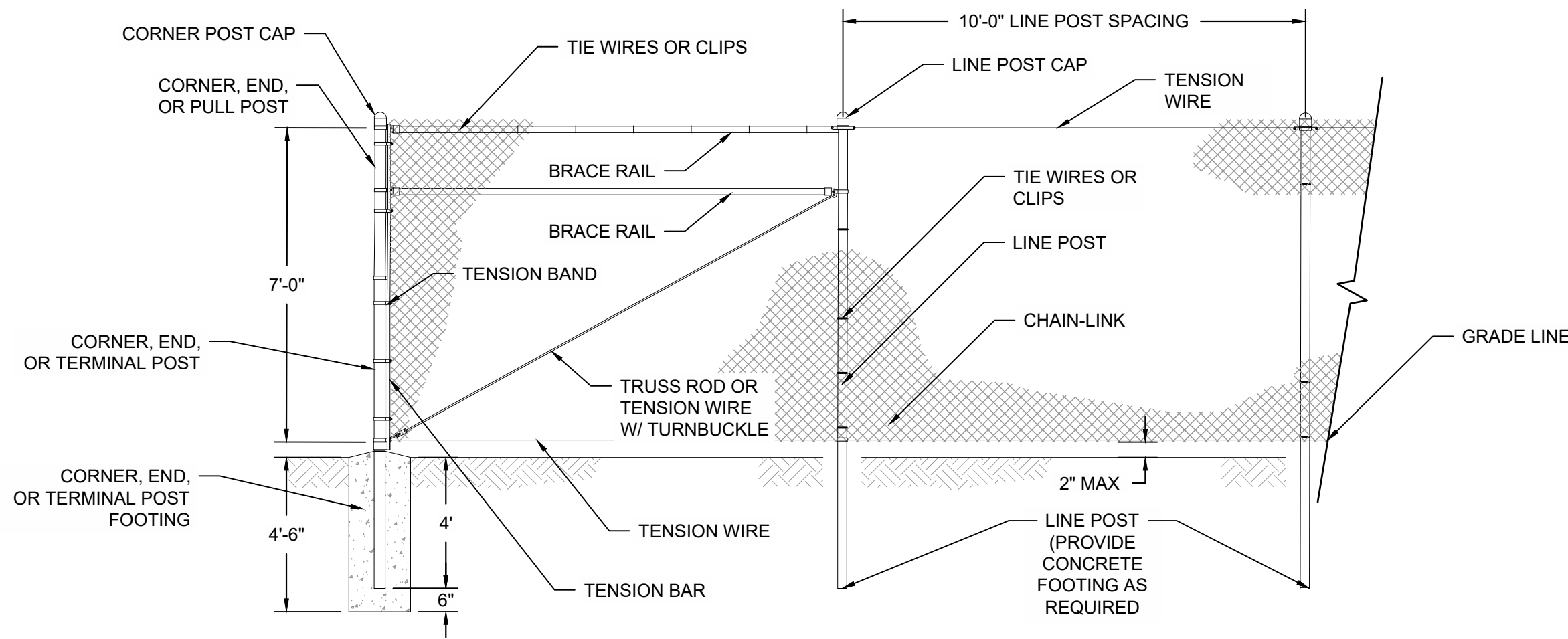
PROJECT NO : 23015
DRAWING TITLE
ROAD SECTIONS

DRAWING NUMBER
C400

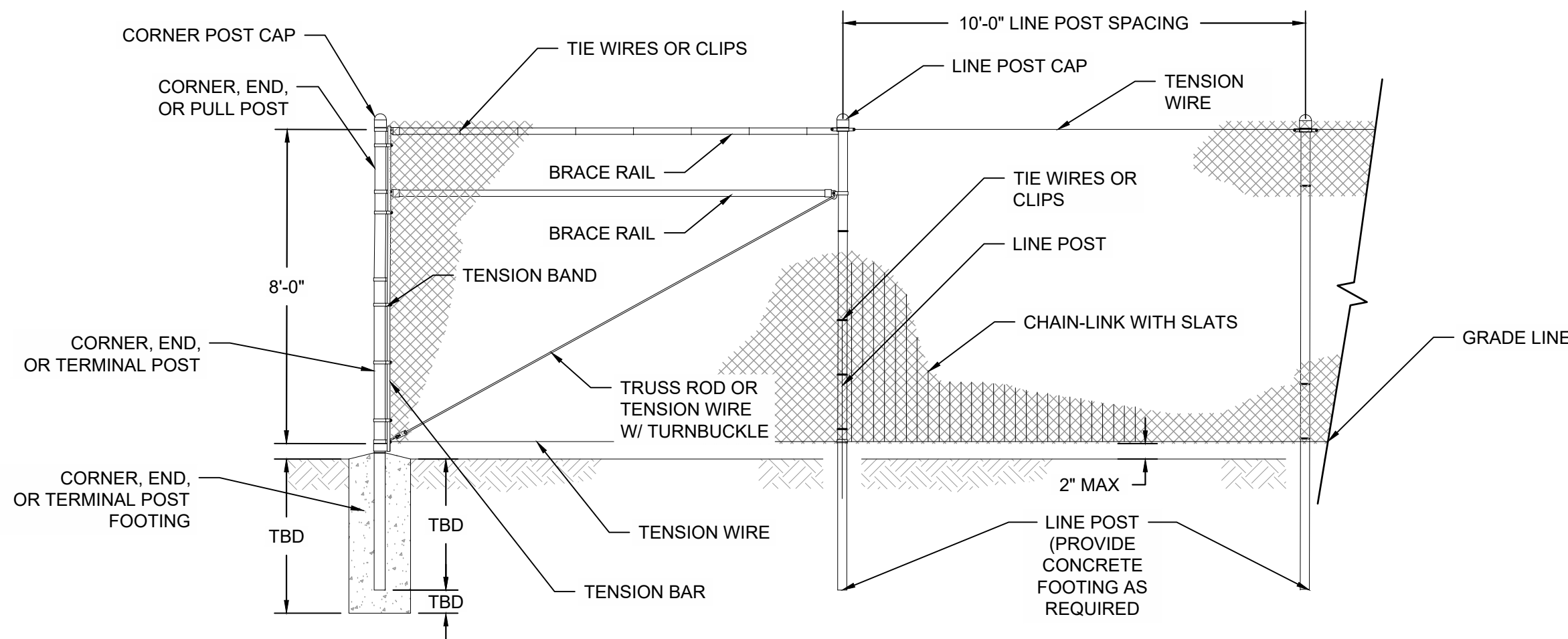
Case No. CUP2024-002
Date: 09/18/2024



1 TYPICAL 24' ACCESS GATE
SCALE: N.T.S.



2 TYPICAL PV POWDER-COATED PERIMETER FENCE
SCALE: N.T.S.



3 BESS & SUBSTATION POWDER-COATED PERIMETER FENCE
SCALE: N.T.S.

- NOTES:
- BATTERY ENERGY STORAGE SYSTEM AND SUBSTATION PERIMETER FENCE WILL BE IMPROVED WITH SLATS TO INCREASE OPACITY.
 - SLATS WILL INCREASE WIND LOAD. WIND STUDIES MUST BE COMPLETED TO DETERMINE POST FOOTING DEPTHS.
 - PV PERIMETER FENCE AND BESS/SUBSTATION FENCES SHALL BE SAGE GREEN WITH LVR < 40%.

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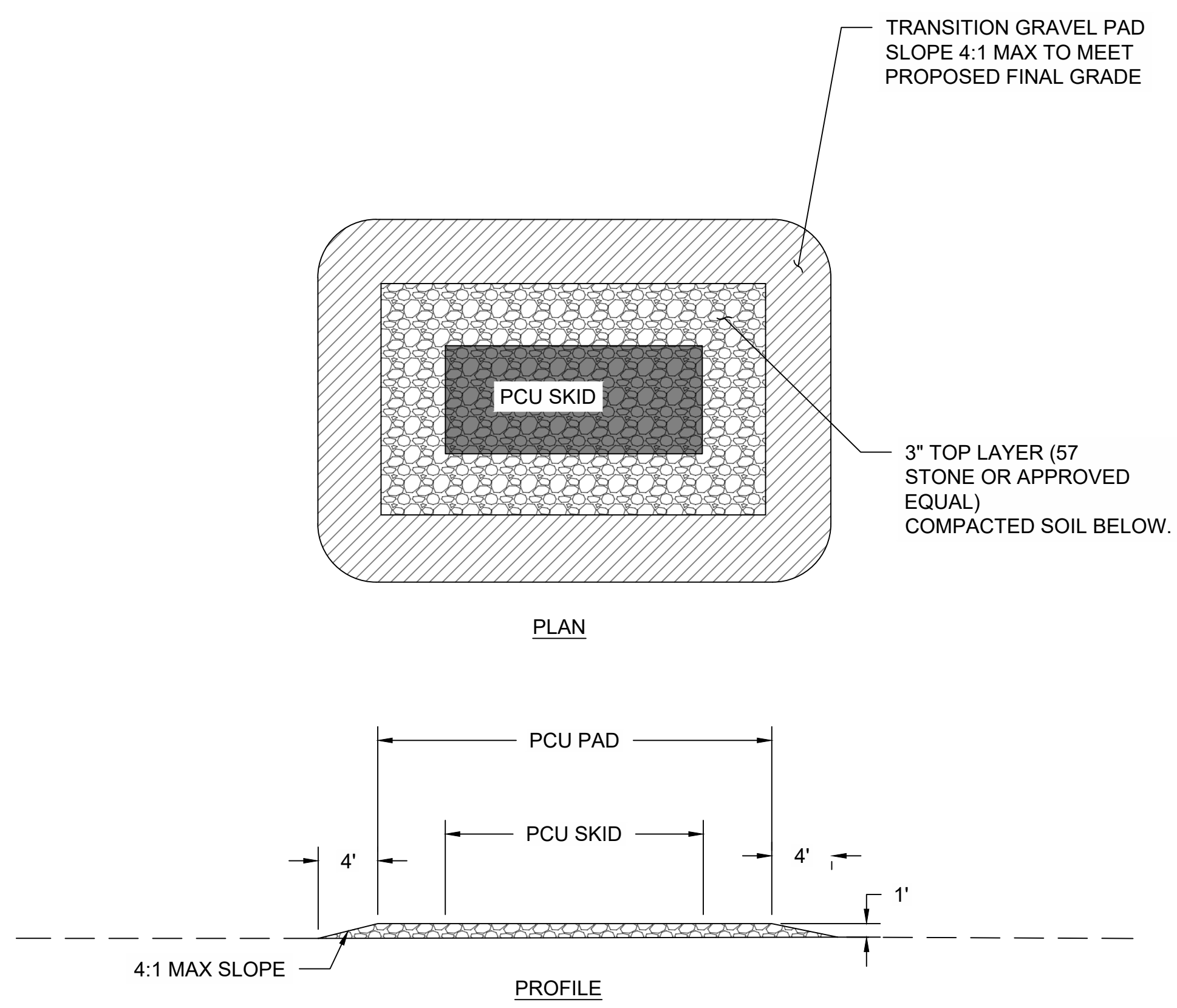
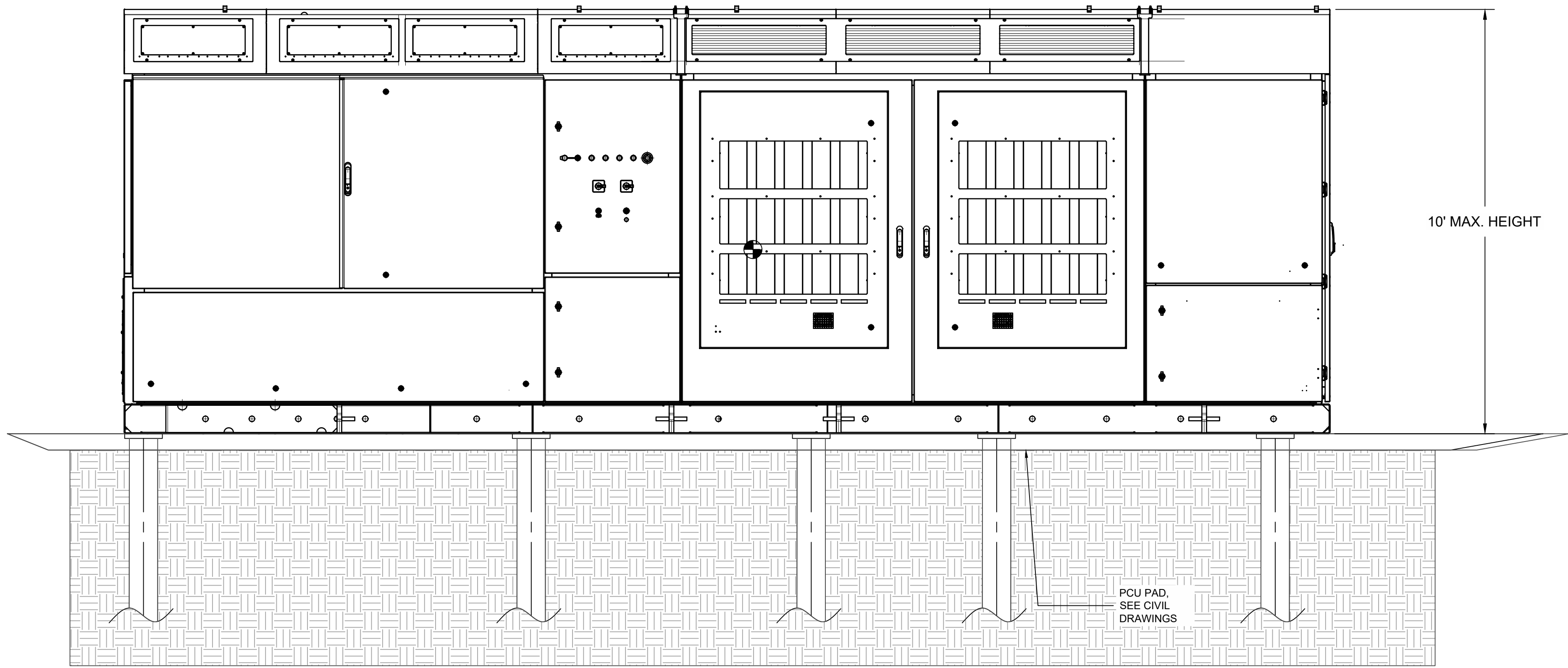
PROJECT NAME
**ELOY VALLEY SOLAR I & II
CUP CONCEPTUAL DEVELOPMENT PLAN**
SITE LOCATION
ELOY, AZ

#	DRAWING ISSUE	DATE	DB	CB					
					RL	DJ			
1	DEVELOPMENT PLANS	07/01/2024							

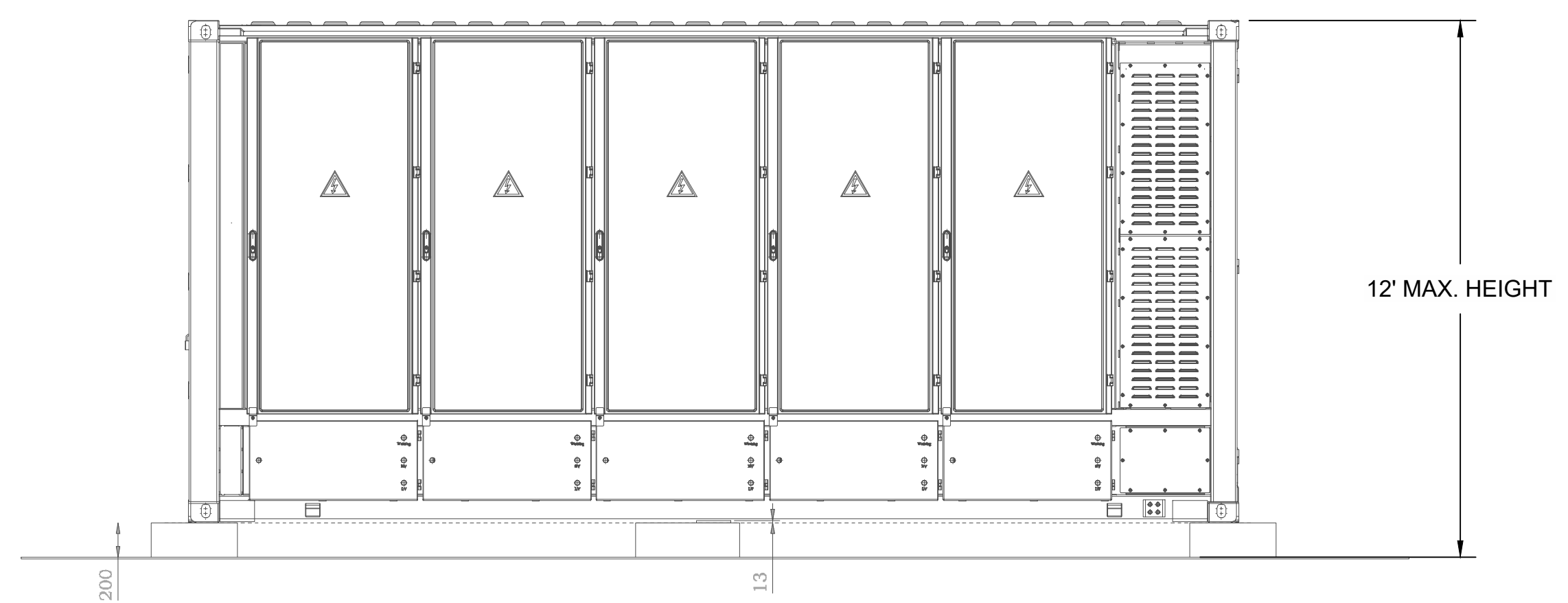
PROJECT NO : 23015
DRAWING TITLE
**FENCE & GATE
DETAILS**

DRAWING NUMBER
C401

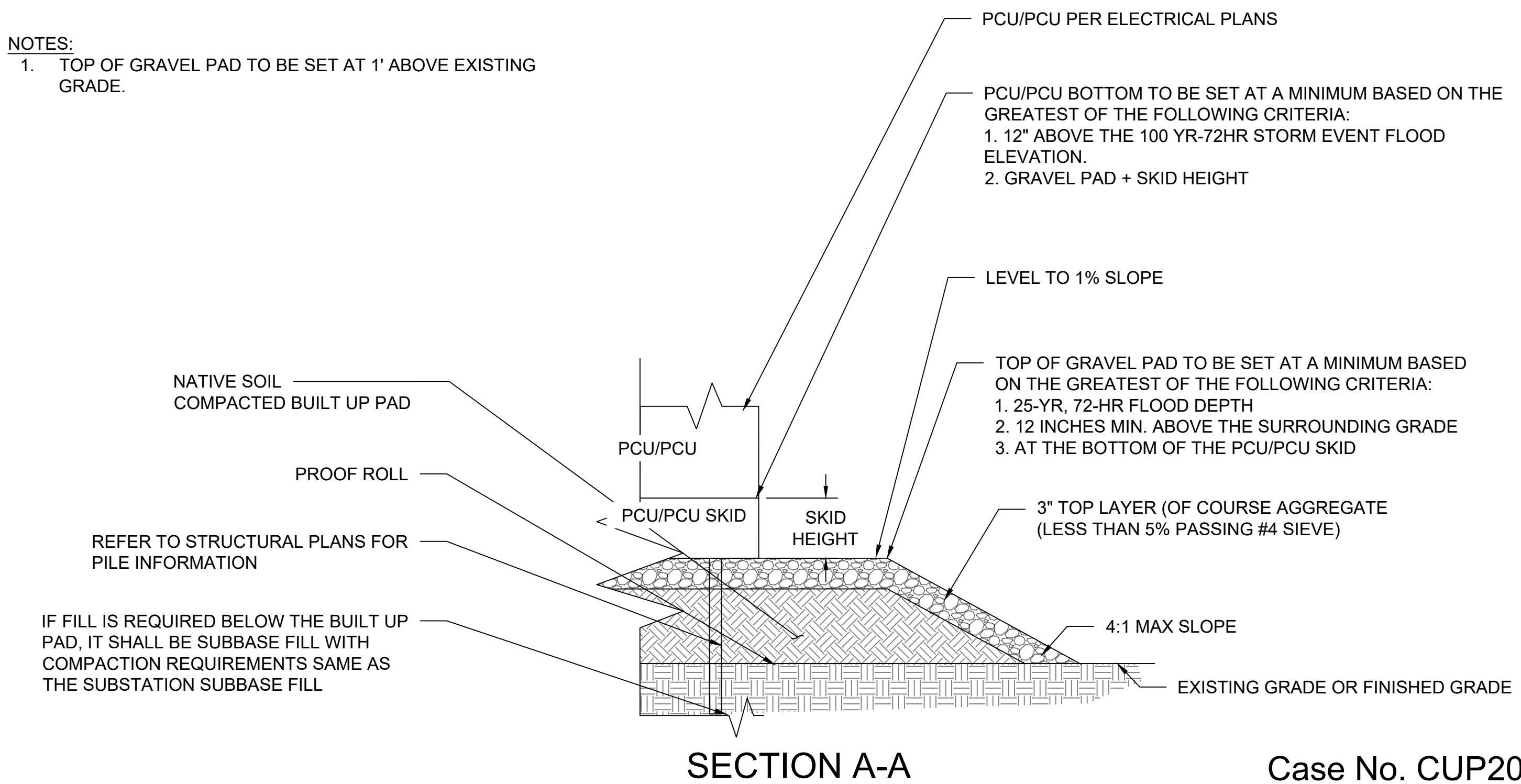
Case No. CUP2024-002
Date: 09/18/2024



1 TYPICAL POWER CONVERSION UNIT PROFILE
SCALE : N.T.S



NOTES:
1. TOP OF GRAVEL PAD TO BE SET AT 1' ABOVE EXISTING GRADE.



3 TYPICAL PCU SKID DETAIL
SCALE : N.T.S

2 TYPICAL BESS ENCLOSURE
SCALE : N.T.S

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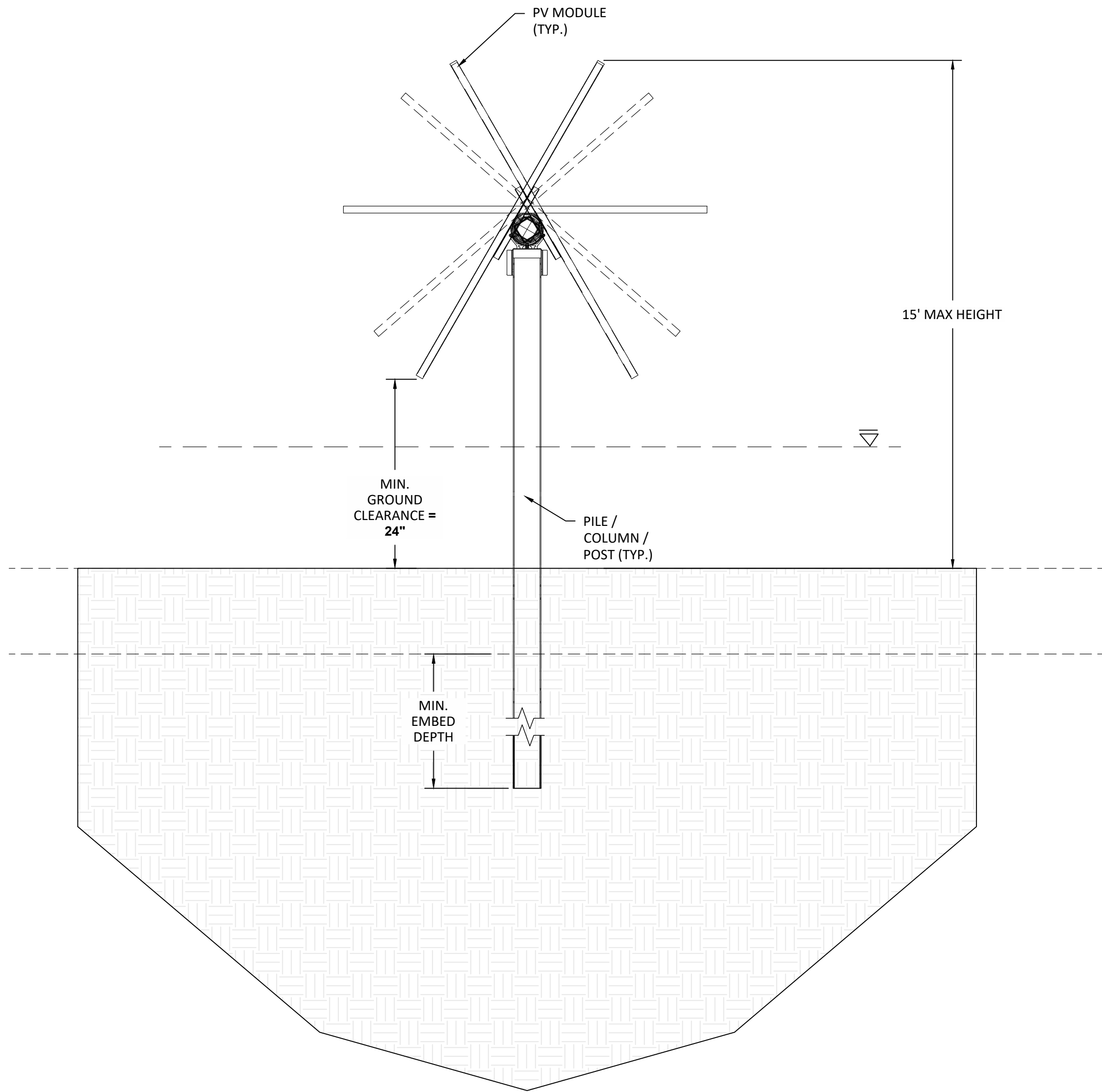
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RESOURCES

PROJECT NAME
**ELOY VALLEY SOLAR I & II
CUP CONCEPTUAL DEVELOPMENT PLAN**
SITE LOCATION
ELOY, AZ

DRAWING ISSUE	DATE	DB	CB
DEVELOPMENT PLANS	07/01/2024	RL	DJ
#	1		

PROJECT NO : 23015
DRAWING TITLE
**INVERTER &
BESS DETAILS**

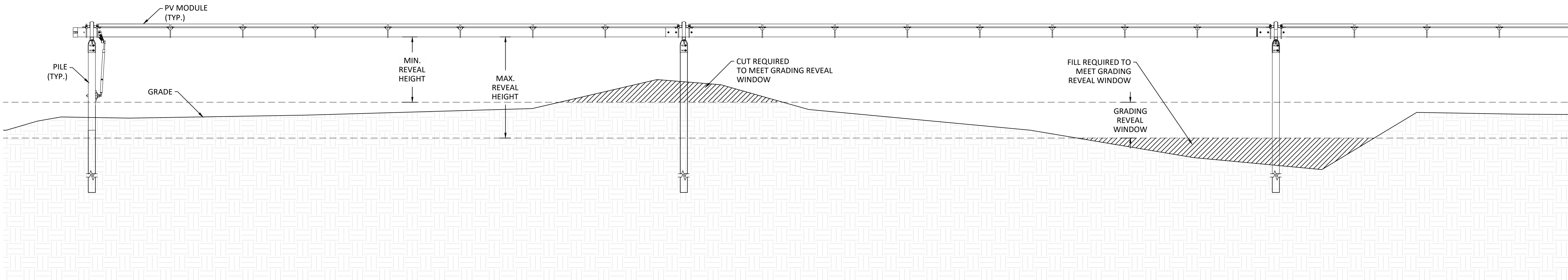
DRAWING NUMBER
C402



1 TYPICAL PV MODULE SECTION DETAIL
SCALE : N.T.S



3 TYPICAL SOLAR FIELD
SCALE : N.T.S



2 TYPICAL PV MODULE ELEVATION ENLARGED VIEW
SCALE : N.T.S

Case No. CUP2024-002
Date: 09/18/2024

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ENERGY
RESOURCES

PROJECT NAME
**ELOY VALLEY SOLAR I & II
CUP CONCEPTUAL DEVELOPMENT PLAN**
SITE LOCATION
ELOY, AZ

#	DRAWING ISSUE	DATE	DB	CB
1	DEVELOPMENT PLANS	07/01/2024	RL	DJ

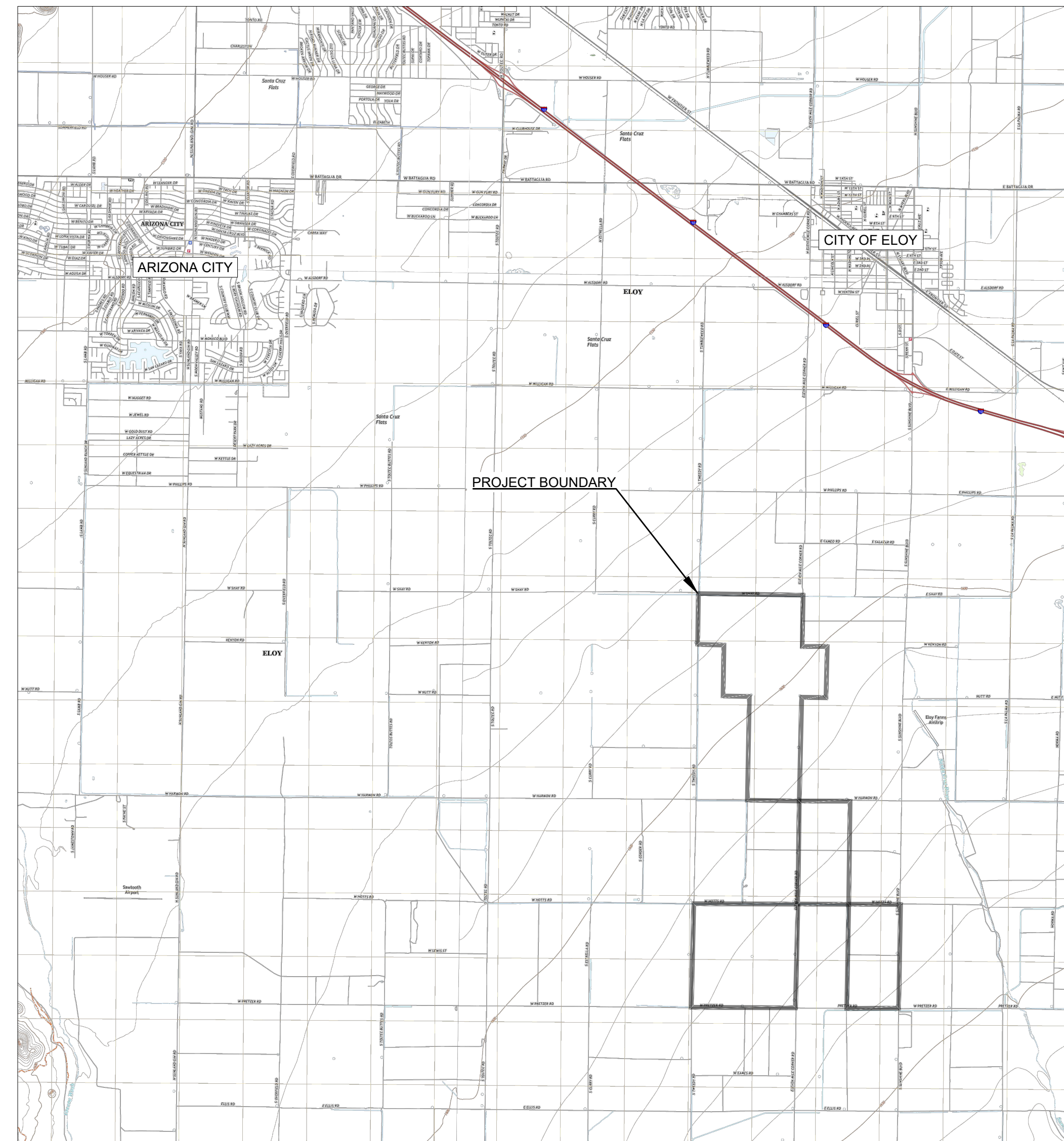
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DRAWING TITLE
**SOLAR ARRAY
DETAILS**

DRAWING NUMBER
C403

CONCEPTUAL LANDSCAPE PLAN

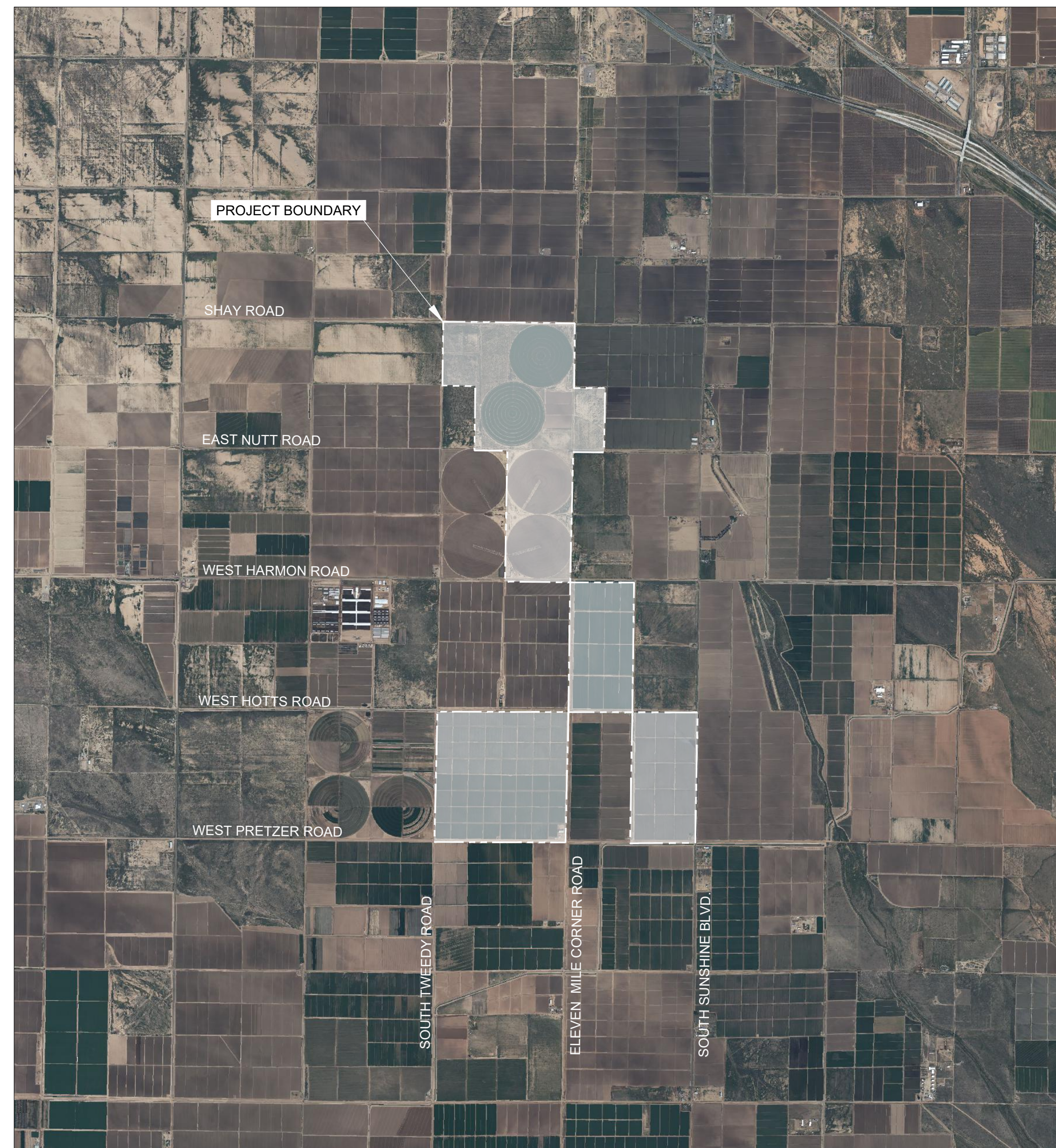
ELOY VALLEY SOLAR I & II

CITY OF ELOY, ARIZONA



1 SITE LOCUS PLAN

BASE MAP SOURCE: <https://ngmdb.usgs.gov/topoview/viewer/#>



2 ORTHO-PHOTOGRAPH

BASE MAP SOURCE: <https://maps.viewprogis.com/ecp/kingsmountain-nc#>

SHEET INDEX

LA.01: COVER

LA.02: CUP LANDSCAPING KEY PLAN

LA.03: CUP LANDSCAPING KEY PLAN

LA.04: CUP LANDSCAPING LAYOUTS

LA.05: CUP LANDSCAPING SECTIONS

TOTAL CUP LANDSCAPING AREA = 28.6 ACRES

Case No. CUP2024-002
Date: 09/18/2024

PREPARED BY:

SWCA[®]

ENVIRONMENTAL CONSULTANTS

**SWCA Environmental Consultants
Landscape Architecture**

20 E. Thomas Rd, Suite 1700
(P) 602.274.3831

Phoenix, AZ 85013 www.swca.com

REPAIRED FOR:

[illegible]

CONCEPTUAL LANDSCAPE PLAN
ELOY VALLEY SOLAR I & II
CITY OF ELOY, AZ

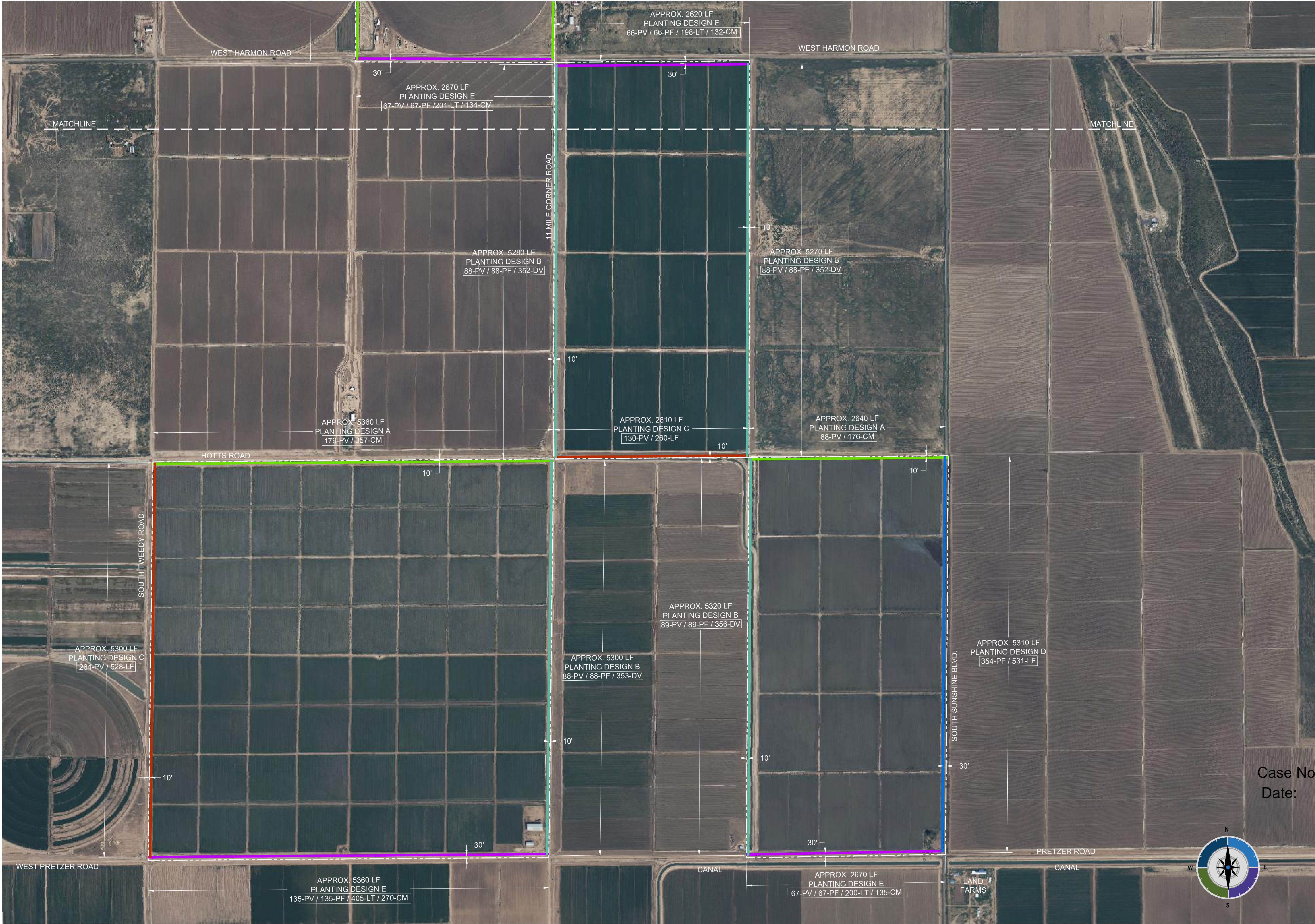
COVER SHEET

COVER SHEET

DATE: 02/13/2024

SHEET
LA.01

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PREPARED BY:
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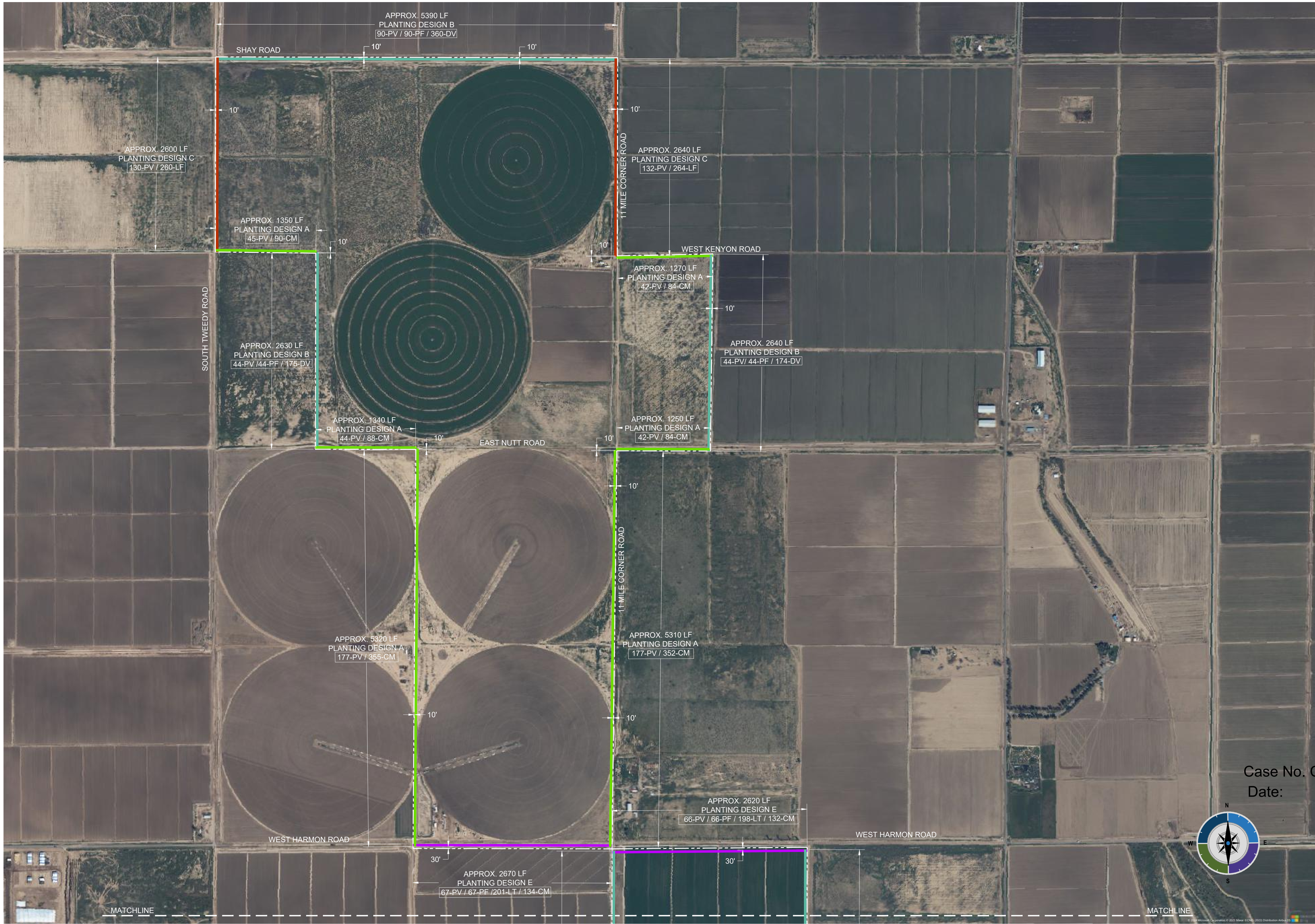
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REV	DATE	DESCRIPTION	DATE	DATE	DATE

CONCEPTUAL LANDSCAPE PLAN
ELOY VALLEY SOLAR I & II
CITY OF ELOY, AZ
CUP LANDSCAPING KEY PLAN

Case No. CUP2024-002
Date: 09/18/2024

DATE: 02/13/2024
0 600 1200
SCALE IN FEET
SHEET
LA.02

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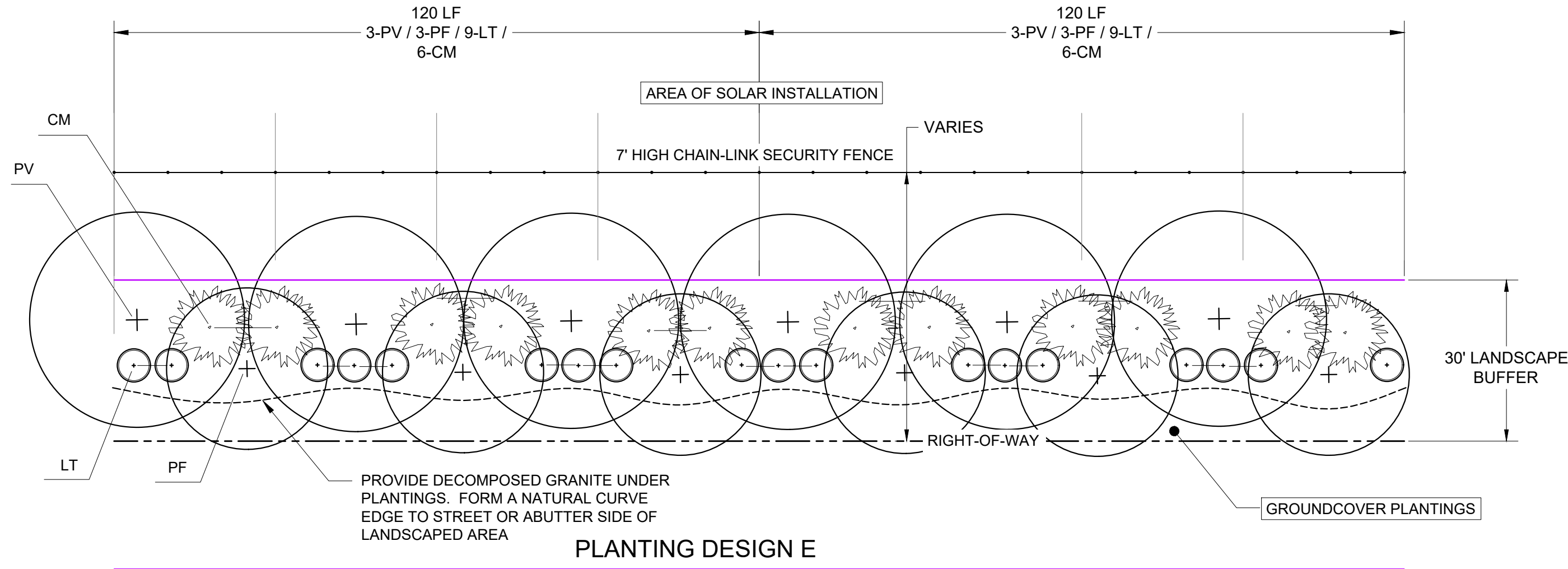
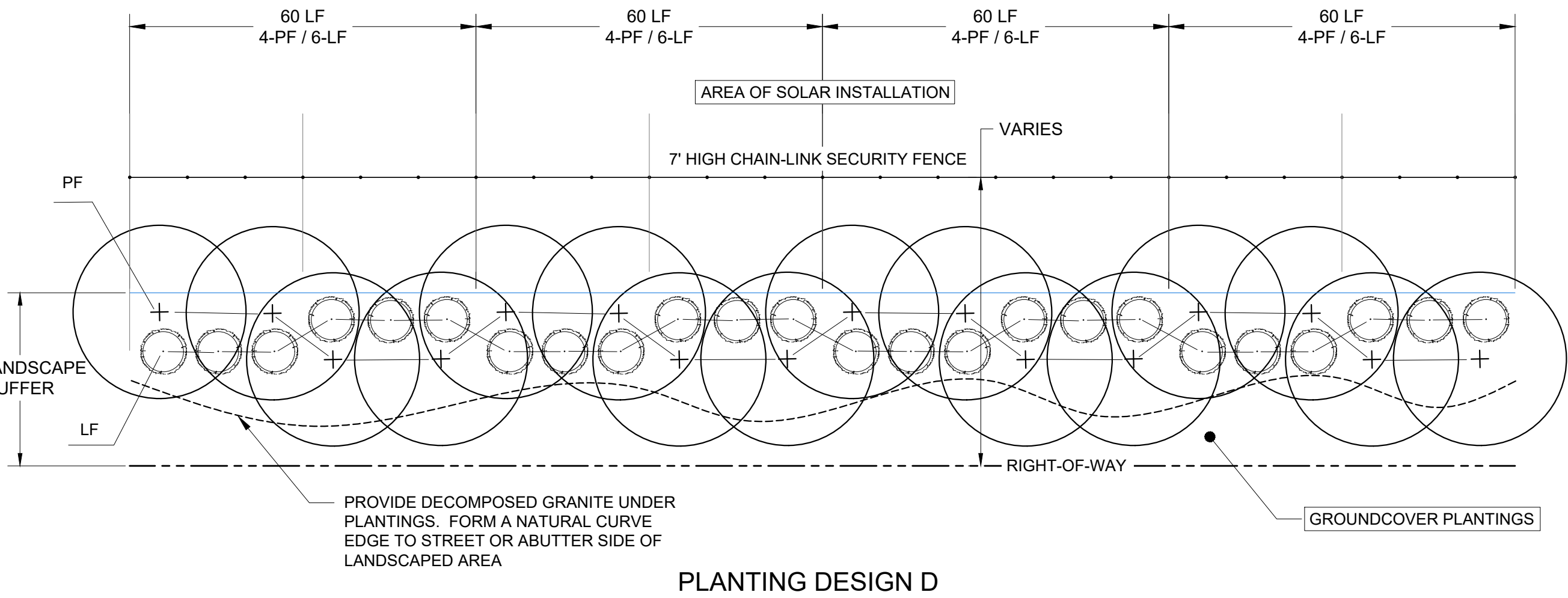
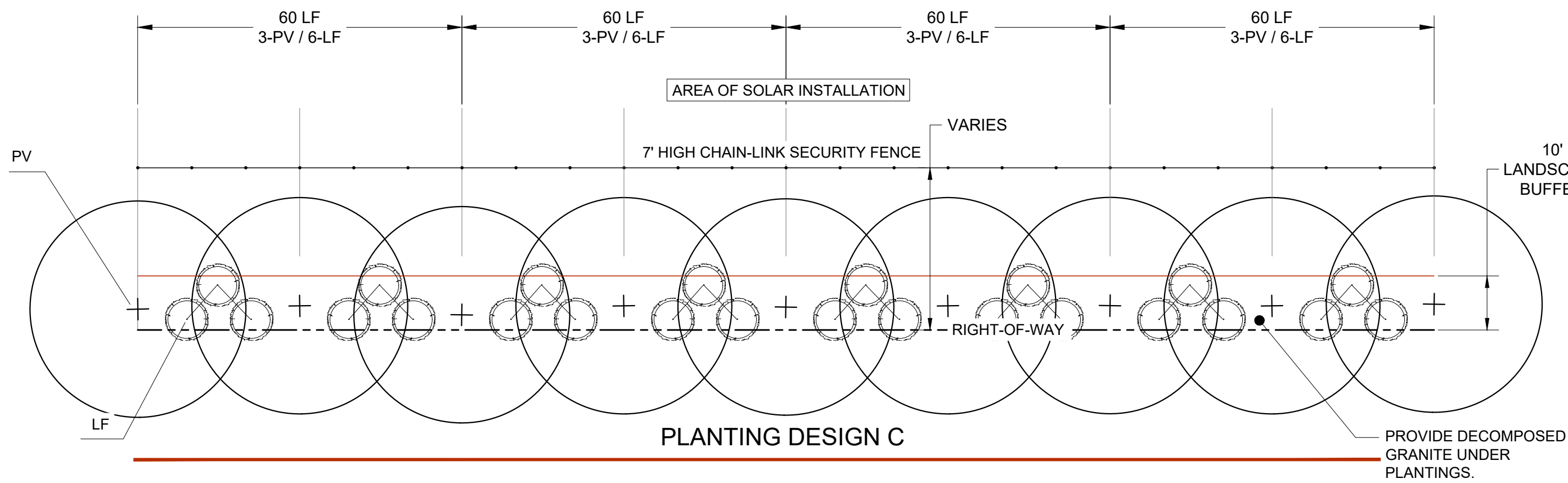
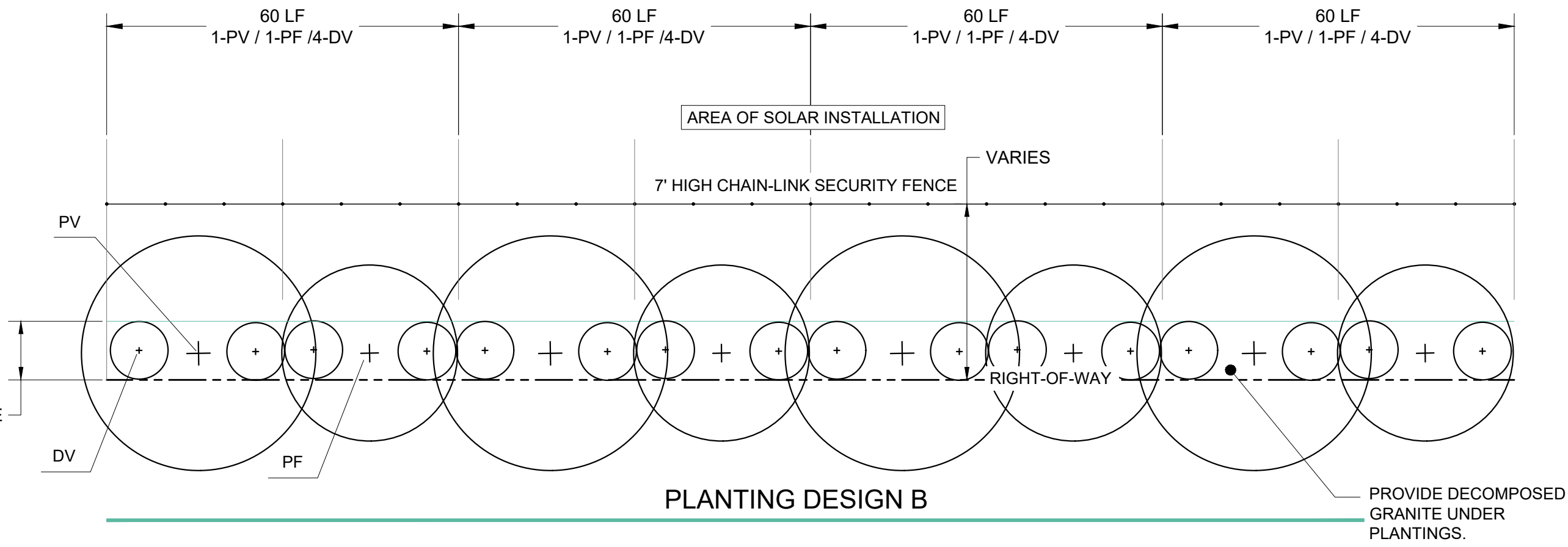
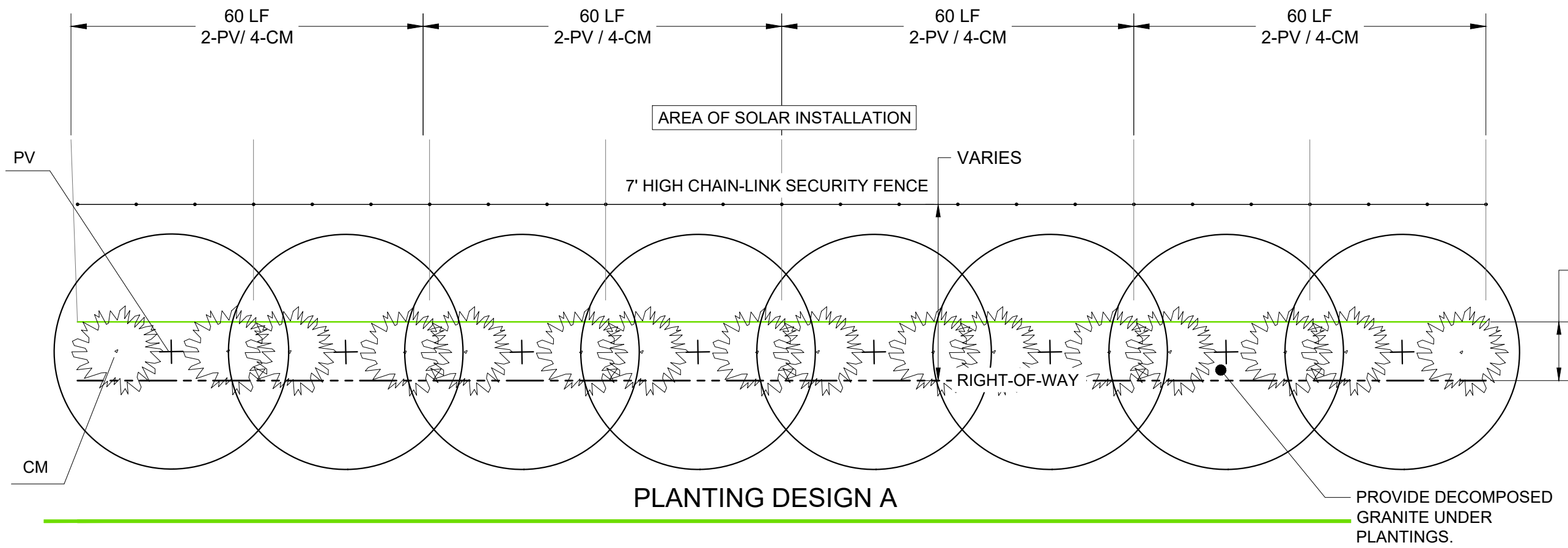
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CONCEPTUAL LANDSCAPE PLAN
ELOY VALLEY SOLAR I & II
CITY OF ELOY, AZ
CUP LANDSCAPING KEY PLAN

Case No. CUP2024-002
Date: 09/18/2024

DATE: 02/13/2024
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SCALE IN FEET
SHEET
LA.03

Plotted By:Paula Green, Sheet Set:Kha, Layout:LA.04 Landscape Layouts June 11, 2024, 09:27:46am C:\Users\Paula.Green\OneDrive - SWCA\2024 Projects - SWCA\2024 Projects - Paula.Green\83528.01 Eloy CUP Landscape\CADD\PlanSheets\83528 Landscape Detail Plan.dwg



PLANT SCHEDULE

Key	Botanical Name	Common Name	Size	Container	Mature Height	Comments
CM	Caesalpinia mexicana	Mexican Bird of Paradise	#2	Cont.	15-ft	
DV	Dodonea viscosa	Hop Bush	#2	Cont.	12-ft	
LT	Larrea tridentata	Creosote Bush, Greasewood	#1	Cont.	6-ft	
LF	Leucophyllum frutescens 'Green Cloud'	Texas Sage	#1	Cont.	6 to 8-ft	
PF	Parkinsonia florida	Blue Palo Verde	#2	Cont.	25-ft	
PV	Prosopis velutina	Velvet mesquite	#2	Cont.	30 to 50-ft	

NOTES:

- ALL LANDSCAPED AREAS SHALL BE FINISHED WITH A PRE-EMERGENT HERBICIDE PRIOR TO PLACEMENT OF:
 - GROUNDCOVER PLANTINGS (27% OF TOTAL LANDSCAPE AREA; PLANTING DESIGNS D AND E).
 - MULCH: 2" OF DECOMPOSED GRANITE (REMAINING 73% OF TOTAL LANDSCAPE AREA; 100% OF PLANTING DESIGNS A, B, AND C).
- CONTRACTOR SHALL WORK WITH THE CITY TO CHOOSE GROUNDCOVER PLANT MATERIAL OPTIONS.
- LABELED DISTANCES AND PLANT COUNTS ARE APPROXIMATE. CONTRACTOR TO FIELD VERIFY DISTANCES AND CALCULATE NUMBER OF REQUIRED PLANTS BASED ON PLANTING DESIGN (INCLUDED ON THIS SHEET) INDICATED FOR EACH GENERAL AREA SHOWN ON SHEET LA.01 AND LA.02.
- PLANTING DESIGNS A, B, AND C WERE DEVELOPED TO PROVIDE ONE TREE AND THREE SHRUBS FOR EVERY 30-FT. ALONG STREET FRONTAGES. PLANTING DESIGNS D AND E WERE DEVELOPED TO INCREASE PLANTINGS ALONG RESIDENTIAL STREET FRONTAGES.
- BUFFERS AS REQUIRED PER PCDSC SEC. 2.340.040.
- TREES AND SHRUBS HAVE BEEN SELECTED FROM THE ADWR LOW WATER USE/DROUGHT TOLERANT PLANT LIST, PINAL ACTIVE MANAGEMENT AREA.
- PROPERTY LINES TO BE DETERMINED AFTER ROW DEDICATION.

Case No. CUP2024-002
Date: 09/18/2024

PREPARED BY:
SWCA
ENVIRONMENTAL CONSULTANTS
SWCA Environmental Consultants
Landscape Architecture
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Phoenix, AZ 85013 www.swca.com

PREPARED FOR:
NEXTERA
ENERGY
RESOURCES

CHECKED BY:	REV	DATE	DESIGNED BY:	DESCRIPTION	DRAWN BY:	APPR

CONCEPTUAL LANDSCAPE PLAN
ELOY VALLEY SOLAR I & II
CITY OF ELOY, AZ
CUP LANDSCAPING LAYOUTS

DATE: 02/13/2024
0 20 40
SCALE IN FEET
SHEET
LA.04



Key	Botanical Name	Common Name	Size	Container	Mature Height	Comments
CM	Caesalpinia mexicana	Mexican Bird of Paradise	#2	Cont.	15-ft	
DV	Dodonea viscosa	Hop Bush	#2	Cont.	12-ft	
LT	Larrea tridentata	Creosote Bush, Greasewood	#1	Cont.	6-ft	
LF	Leucophyllum frutescens 'Green Cloud'	Texas Sage	#1	Cont.	6 to 8-ft	
PF	Parkinsonia florida	Blue Palo Verde	#2	Cont.	25-ft	
PV	Prosopis velutina	Velvet mesquite	#2	Cont.	30 to 50-ft	

1. ALL LANDSCAPED AREAS SHALL BE FINISHED WITH A PRE-EMERGENT HERBICIDE PRIOR TO PLACEMENT OF:
 - 1.1. GROUNDCOVER PLANTINGS (27% OF TOTAL LANDSCAPE AREA; PLANTING DESIGNS D AND E).
 - 1.2. MULCH: 2" OF DECOMPOSED GRANITE (REMAINING 73% OF TOTAL LANDSCAPE AREA; 100% OF PLANTING DESIGNS A, B, AND C).
2. CONTRACTOR SHALL WORK WITH THE CITY TO CHOOSE GROUNDCOVER PLANT MATERIAL OPTIONS.
3. LABELED DISTANCES AND PLANT COUNTS ARE APPROXIMATE. CONTRACTOR TO FIELD VERIFY DISTANCES AND CALCULATE NUMBER OF REQUIRED PLANTINGS FOR PLANTING DESIGN (INCLUDE ON THE SHEET INDICATED FOR EACH GENERAL AREA SHOWN ON SHEET LA.01 AND LA.02.
4. PLANTING DESIGNS A, B, AND C WERE DEVELOPED TO PROVIDE ONE TREE AND THREE SHRUBS FOR EVERY 30'-FT. ALONG STREET FRONTS. PLANTING DESIGNS D AND E WERE DEVELOPED TO INCREASE PLANTINGS ALONG RESIDENTIAL STREET FRONTS.
5. BUFFERS AS REQUIRED PER PCODS SEC. 2.340.040.
6. TREES AND SHRUBS HAVE BEEN SELECTED FROM THE ADWR LOW WATER USE/DROUGHT TOLERANT PLANT LIST, PINAL ACTIVE MANAGEMENT AREA.
7. PROPERTY LINES TO BE DETERMINED AFTER ROW DEDICATION.

LA.05



NextEra Energy Resources
Conditional Use Permit Request
Located between Shay and Pretzer Roads, and Tweedy Road and Sunshine
Boulevard
CUP2024-002
Public Participation Report
July 23, 2024

Purpose:

The purpose of the Public Participation Report is to provide the City of Eloy staff with information regarding the efforts made by the Applicant to inform citizens and property owners in the vicinity concerning the Applicant's request to the City of Eloy for the following:

1. Approval of a Conditional Use Permit to allow for the development of a Solar, Utility Scale Generation and Battery Energy Storage System Facilities on property within the City of Eloy. The entire property is shown on Page 3 of this plan along with the parcel numbers of the subject property.

By providing opportunities for citizen participation, the applicant has ensured that those affected by this application will have an adequate opportunity to learn about and comment on the proposed development plans for this property.

Contact Information:

The individuals who have coordinated the Public Participation activities are as follows:

W. Ralph Pew
Pew & Lake, PLC.
1744 S. Val Vista Drive, Suite 217
Mesa, AZ 85204
(480)461-4670 (office)
(480)461-4676 (fax)
Ralph.pew@pewandlake.com

Stephane Rush and Kyle Whittier
NextEra Energy Resources
700 Universe Blvd., A3
Juno Beach, FL 33408
(561)601-7072
stephanie.rush@nexteraenergy.com
kyle.whittier@nexteraenergy.com

Actions:

In order to provide effective citizen participation in conjunction with this application, the following actions have been taken to provide opportunities for feedback from surrounding property owners:

1. The applicant held a neighborhood meeting for this project on July 1, 2024. The meeting was held at 6:00 p.m. in the Community Room at Eloy City Hall. Notification procedures for the neighborhood meeting complied with the procedures set forth in Section 21-6-2.3.E of the Zoning Ordinance.

2. The notification list for the neighborhood meeting included all property owners within 300' of the subject property using addresses received from the Pinal County Assessor's office using the most recent tax statement information.
3. Pursuant to Section 21-6-2.3.F of the City of Eloy Zoning Ordinance, a summary of the neighborhood meeting is attached to this Public Participation Report. The summary includes:
 - a. The neighborhood meeting notification letter.
 - b. The notification list that was used
 - c. A sign-in sheet containing the name and contact information of those in attendance.
 - d. A summary of how the applicant responded to the concerns identified during the meeting.
 - e. A copy of the PowerPoint presentation that was used at the meeting
4. A website for this NextEra project has been created and is accessible at www.elayvalleysolar.com.
5. An e-mail distribution list was collected at the neighborhood meeting in an effort to have continued dialogue with those in attendance at the meeting concerning changes, if any, to the proposed development plans.

Schedule:

Formal Conditional Use Permit Extension Request: February 22, 2024

Neighborhood Meeting- July 1, 2024

Follow-Up Submittals- As requested

Eloy Planning & Zoning Commission- TBD

Eloy City Council- TBD

NextEra Energy Resources
Eloy Valley Solar Project
CUP2024-002, RZPAD2006-035.A1 and RZPAD2007.A1
Summary of Neighborhood Meeting
Location: Eloy City Hall Community Room
July 1, 2024

NOTE: This document is intended to be a summary of the general concepts discussed at the neighborhood meeting. It is not intended to be a verbatim account of the meeting.

The meeting began at 6:12p.m. and lasted until 6:53. There were 2 neighbors in attendance: Greg and Jackie Vernon.

Attendees from the development team included: Ralph Pew and Vanessa MacDonald, Pew & Lake, PLC; Doug Cole, Highground Consulting; Kyle Whittier, Stephanie Rush and Naomi Morrison, NextEra Energy Resources.

Speaking from a PowerPoint (Attached to this summary), Mr. Pew discussed the following concepts:

1. Introduction of NextEra Energy Resources and the development team
2. Overview of City of Eloy entitlement processes
3. Discussion of three (3) requests to City of Eloy
4. Review of the Eloy Solar Ordinance and its requirements and standards
5. Overview of the vicinity map
6. Overview of different components of Eloy Valley Solar project
7. Overview of Conditional Use Permit area
8. Overview of Picacho View II PAD Amendment Area
9. Overview of Steven Farms PAD Amendment Area
10. Features and Benefits of the Eloy Valley Solar Project
11. Discussion of landscaping design along different frontages
12. Compliance of the Project with the adopted Solar Ordinance

After Mr. Pew completed the PowerPoint presentation, Mr. and Mrs. Vernon asked questions and provided comments. The questions and comments posed by attendees are shown below in bold text, with Mr. Pew's answers shown in italics.

1. **Mr. Vernon indicated that he was concerned about how the roadway in front of his property was going to be treated. He lives in unincorporated Pinal County (22840 South Tweedy Road) and doesn't believe that there is an easement in front of his property. He also indicated that there is a 4-foot grade difference from his property to the subject property, and said that when it rains, Tweedy is "like a river".**

RESPONSE: Mr. Pew responded that the NextEra team will work with the City of Eloy Engineers to understand the drainage requirements and required roadway dedication and improvements.

2. **Ms. Vernon asked what happens to the batteries when they are no longer useful?**

RESPONSE: The NextEra team discussed the method that is used to recycle batteries. The original manufacturer receives the batteries from NextEra and reuses the usable components in the making of new batteries.

3. The Vernon's also expressed concern about the noise generated by the BESS units.

RESPONSE: Mr. Pew discussed the screening techniques required by the City of Eloy, and the NextEra team indicated that a noise study will be completed and that, when warranted, silencers can be placed on the BESS cabinets to mitigate noise. Additionally, NextEra agreed to locate the BESS units away from the Vernon property during the site planning process.

4. The Vernon's are also concerned that the fencing will block their views.

RESPONSE: Mr. Pew discussed the setback of the solar arrays from their property (proposed at 75-feet) and that the 7-foot fence height is a requirement of the City of Eloy.

5. The Vernon's also were concerned about the possibility of heat emission from the solar arrays.

RESPONSE: The NextEra team responded that there is no empirical data to show that heat is increased by solar arrays.

6. The Vernon's mentioned the work of Mr. George Franklin, a retired engineer from NASA who believes that solar panels are incubators of tornados and thunderstorms.

RESPONSE: Mr. Pew responded that he hadn't heard of Mr. Franklin's work but understands that many communities, including the City of Eloy, are allowing its development within their municipal boundaries.

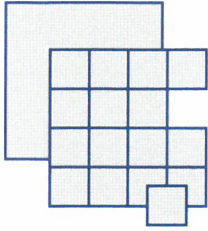
7. Ms. Vernon expressed a desire for the City of Eloy to be smart about what is happening with farmland in the area. She mentioned that if we remove farmland for solar we will be increasing our food dependence on Mexico.

RESPONSE: Mr. Pew agreed that food independence is important, but that these properties are not likely to be continued for farming due to the water issues in our state.

With the discussion moving towards general solar comments rather than site-specific comments, Mr. Pew adjourned the meeting with the commitment to Vernon's to stay in touch throughout the entitlement process.

Summary Attachments:

- a) Neighborhood Meeting Notification Letter
- b) Neighborhood Meeting notification list
- c) Neighborhood Meeting notification map
- d) Neighborhood Meeting Sign-In sheet
- e) PowerPoint presentation used at Neighborhood Meeting.



Pew & Lake, P.L.C.
Real Estate and Land Use Attorneys

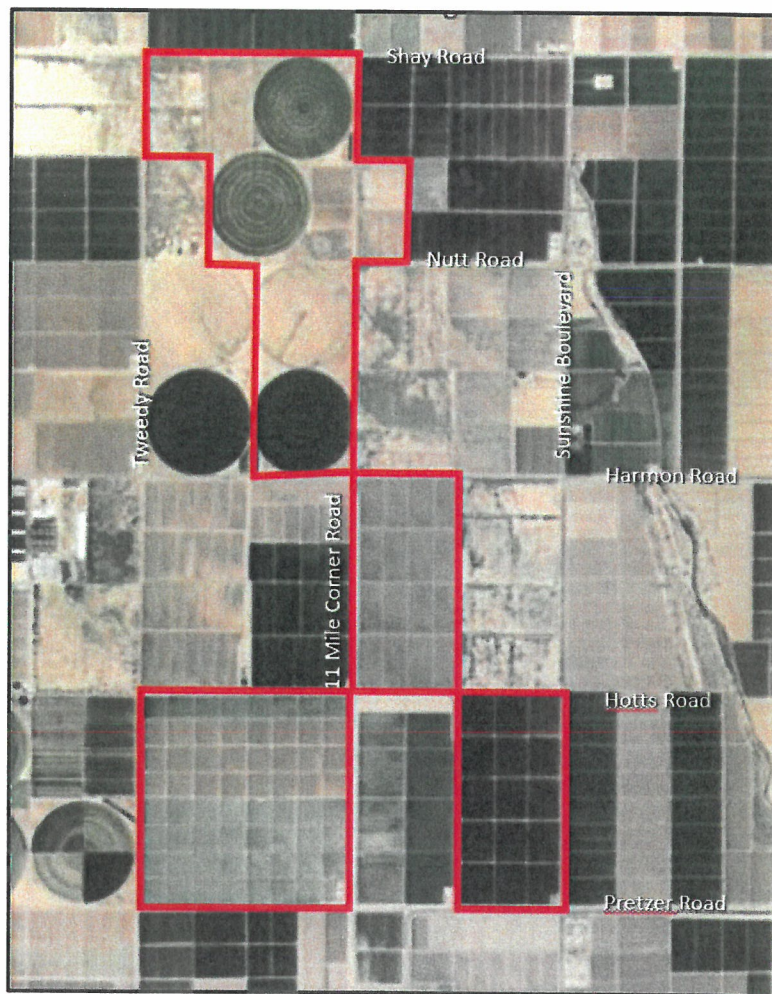
June 17, 2024

W. Ralph Pew
Certified Real Estate Specialist
Sean B. Lake
Reese L. Anderson

NOTICE OF NEIGHBORHOOD MEETING; CUP2024-002

Dear Neighbor,

Pew & Lake, PLC, on behalf of NextEra Energy Resources, LLC, is pleased to invite you to a neighborhood meeting regarding the development of approximately 2,237 acres of property in the City of Eloy. The property is located generally between Tweedy and Sunshine Roads, and between Pretzer and Shay Roads. The approximate boundaries of the property are shown below. The property is comprised of 23 different Pinal County parcels owned by various landowners.



Specifically, our application to the City of Eloy is for:

- **Approval of a Conditional Use Permit (CUP) to allow Solar, Utility Scale Generation and Battery Energy Storage System Facilities on 2,237 acres. The proposed use is to be developed in accordance with Section 21-3-1.39 of the City of Eloy Zoning Ordinance.**

Approval of this request will allow NextEra Energy Resources to develop a utility scale solar project that will include solar panels, battery energy storage systems and connections to the 230kV power lines near the property.

This letter has been sent to property owners within 300-feet of the proposed development, as required by the City of Eloy Zoning Ordinance. A neighborhood meeting is scheduled to provide property owners in this area with an opportunity to learn about the proposed development, ask questions and provide comments and input on the proposed development.

This neighborhood meeting will be on the date, time and location shown below:

Date: July 1, 2024

Time: 6:00 p.m.

**Place: Eloy City Hall, Community Room
595 C Street
Eloy, AZ 85131**

Should you like to provide comments or learn more about the Project, please feel free to reach out to me at the phone number below or send your questions and/or comments via email to EloyValleySolar@nexteraenergy.com. Written comments or questions may also be mailed to Stephanie Rush or Kyle Whittier, NextEra Energy Resources, LLC, 700 Universe Blvd. A3, Juno Beach, FL 33408. For additional information, please visit the Project website at: **www.eloyvalleysolar.com**. The City of Eloy has assigned this case to Mr. Daniel Symer, Community Development Director, who may be reached at dsymer@EloyAZ.gov. Please let any one of us know if you have questions or concerns regarding this proposed development.

A summary of the neighborhood meeting, as well as any additional comments received, will be part of the public record for this case and provided to the Planning Commission and City Council as part of the public record for this project.

Sincerely,



W. Ralph Pew
Pew & Lake, PLC

ELOY 660 LLC ETAL
3850 E BASELINE RD STE 114
MESA, AZ 85206

7TH STREET PROPERTIES LLC
23300 TELEGRAPH RD
SOUTHFIELD, MI 48033

ELOY 660 LLC ETAL
3850 E BASELINE RD STE 114
MESA, AZ 85206

7TH STREET PROPERTIES LLC
23300 TELEGRAPH RD
SOUTHFIELD, MI 48033

WALKER PLOW LTD PSHIP LLP
PO BOX 1652
HIGLEY, AZ 85236

ASKA RESOURCES LLC
PO BOX 1010
QUEEN CREEK, AZ 85142

7TH STREET PROPERTIES LLC
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SOUTHFIELD, MI 48033

WALKER PLOW LTD PSHIP LLP
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HIGLEY, AZ 85236

BEN FATTO LTD PSHIP ETAL
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MESA, AZ 85206

DESERT VISTA INVESTMENTS ...
7400 E MCDONALD DR STE 121
SCOTTSDALE, AZ 85250

ELOY 660 LLC ETAL
3850 E BASELINE RD STE 114
MESA, AZ 85206

DONLEY JOHN PATRICK & MELI...
10475 W QUARTZ DR
CASA GRANDE, AZ 85193

DONLEY JOHN PATRICK & MELI...
10475 W QUARTZ DR
CASA GRANDE, AZ 85193

ELOY 660 LLC ETAL
3850 E BASELINE RD STE 114
MESA, AZ 85206

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7TH STREET PROPERTIES LLC
23300 TELEGRAPH RD
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CASA GRANDE, AZ 85193

HOT SUN 5 LLC
7400 E MCDONALD DR STE 121
SCOTTSDALE, AZ 85250

7TH STREET PROPERTIES LLC
23300 TELEGRAPH RD
SOUTHFIELD, MI 48033

SAIA FAMILY LTD PSHIP
2120 E 6TH ST STE 16
TEMPE, AZ 85288

BT ELOY LLC
200 DRYDEN RD E STE 2000
DRESHER, PA 19025

BT ELOY LLC
200 DRYDEN RD E STE 2000
DRESHER, PA 19025

DONLEY JOHN PATRICK & MELI...
10475 W QUARTZ DR
CASA GRANDE, AZ 85193

BT ELOY LLC
200 DRYDEN RD E STE 2000
DRESHER, PA 19025

SUNSHINE MANOR II LLC ETAL
3946 E HAZELWOOD ST
PHOENIX, AZ 85018

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SOUTHFIELD, MI 48033

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GILLEY SYLVIA
1314 W CAMELBACK RD
PHOENIX, AZ 85013

7TH STREET PROPERTIES LLC
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DONLEY JOHN & MELINDA REV...
10475 W QUARTZ DR
CASA GRANDE, AZ 85193

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PHOENIX, AZ 85018

KILE VERNON EDWARD & ARLE...
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MARANA, AZ 85658

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CASA GRANDE, AZ 85193

SUNSHINE MANOR II LLC ETAL
3946 E HAZELWOOD ST
PHOENIX, AZ 85018

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3946 E HAZELWOOD ST
PHOENIX, AZ 85018

7TH STREET PROPERTIES LLC
23300 TELEGRAPH RD
SOUTHFIELD, MI 48033

SUNSHINE MANOR II LLC ETAL
MAIL RETURN
,

SUNSHINE MANOR II LLC ETAL
3946 E HAZELWOOD ST
PHOENIX, AZ 85018

7TH STREET PROPERTIES LLC
23300 TELEGRAPH RD
SOUTHFIELD, MI 48033

SUNSHINE MANOR II LLC ETAL
3946 E HAZELWOOD ST
PHOENIX, AZ 85018

SUNSHINE MANOR II LLC ETAL
3946 E HAZELWOOD ST
PHOENIX, AZ 85018

7TH STREET PROPERTIES LLC
23300 TELEGRAPH RD
SOUTHFIELD, MI 48033

SUNSHINE MANOR II LLC ETAL
3946 E HAZELWOOD ST
PHOENIX, AZ 85018

SUNSHINE MANOR II LLC ETAL
MAIL RETURN
,

7TH STREET PROPERTIES LLC
23300 TELEGRAPH RD
SOUTHFIELD, MI 48033

SUNSHINE MANOR II LLC ETAL
MAIL RETURN
,

DONLEY JOHN & MELINDA REV...
10475 W QUARTZ DR
CASA GRANDE, AZ 85193

SUNSHINE MANOR II LLC ETAL
3946 E HAZELWOOD ST
PHOENIX, AZ 85018

SUNSHINE MANOR II LLC ETAL
3946 E HAZELWOOD ST
PHOENIX, AZ 85018

BEN FATTO LLC
3850 E BASELINE RD STE 114
MESA, AZ 85206

SUNSHINE MANOR II LLC ETAL
3946 E HAZELWOOD ST
PHOENIX, AZ 85018

SUNSHINE MANOR II LLC ETAL
3946 E HAZELWOOD ST
PHOENIX, AZ 85018

BEN FATTO LLC
3850 E BASELINE RD STE 114
MESA, AZ 85206

SUNSHINE MANOR II LLC ETAL
3946 E HAZELWOOD ST
PHOENIX, AZ 85018

DONLEY JOHN & MELINDA REV...
10475 W QUARTZ DR
CASA GRANDE, AZ 85193

GM GABRYCH FAMILY LTD PSHI...
16700 N THOMPSON PEAK PK...
SCOTTSDALE, AZ 85260

SUNSHINE MANOR II LLC ETAL
3946 E HAZELWOOD ST
PHOENIX, AZ 85018

,

BEN FATTO LTD PSHIP & VIEL G...
3850 E BASELINE RD STE 114
MESA, AZ 85206

DONLEY JOHN & MELINDA REV...
10475 W QUARTZ DR
CASA GRANDE, AZ 85193

LINMARK LLC
13125 N 75TH PL
SCOTTSDALE, AZ 85260

VIEL GLUCK LTD PSHIP ETAL
1223 S CLEARVIEW AVE STE 10...
MESA, AZ 85209

SUNSHINE MANOR II LLC ETAL
3946 E HAZELWOOD ST
PHOENIX, AZ 85018

HNF ENTERPRISES INC
911 WILSON RANCH PL
CEDAR PARK, TX 78613

VIEL GLUCK LTD PSHIP ETAL
1223 S CLEARVIEW AVE STE 10...
MESA, AZ 85209

SUNSHINE MANOR II LLC ETAL
3946 E HAZELWOOD ST
PHOENIX, AZ 85018

VIEL GLUCK LTD PSHIP ETAL
1223 S CLEARVIEW AVE STE 10...
MESA, AZ 85209

VIEL GLUCK LTD PSHIP ETAL
1223 S CLEARVIEW AVE STE 10...
MESA, AZ 85209

SUNSHINE MANOR II LLC ETAL
3946 E HAZELWOOD ST
PHOENIX, AZ 85018

VIEL GLUCK LTD PSHIP ETAL
1223 S CLEARVIEW AVE STE 10...
MESA, AZ 85209

BEN FATTO LLC
3850 E BASELINE RD STE 114
MESA, AZ 85206

SUNSHINE MANOR II LLC ETAL
3946 E HAZELWOOD ST
PHOENIX, AZ 85018

VIEL GLUCK LTD PSHIP ETAL
1223 S CLEARVIEW AVE STE 10...
MESA, AZ 85209

JLC FAMILY INVESTMENTS LLC ...
6859 E REMBRANDT AVE STE 1...
MESA, AZ 85212

SUNSHINE MANOR II LLC ETAL
3946 E HAZELWOOD ST
PHOENIX, AZ 85018

VIEL GLUCK LTD PSHIP ETAL
1223 S CLEARVIEW AVE STE 10...
MESA, AZ 85209

GM GABRYCH FAMILY LTD PSHI...
16700 N THOMPSON PEAK PK...
SCOTTSDALE, AZ 85260

BEN FATTO LLC
3850 E BASELINE RD STE 114
MESA, AZ 85206

LONGFELLOW DAREN
25885 S SUNSHINE BLVD
ELOY, AZ 85131

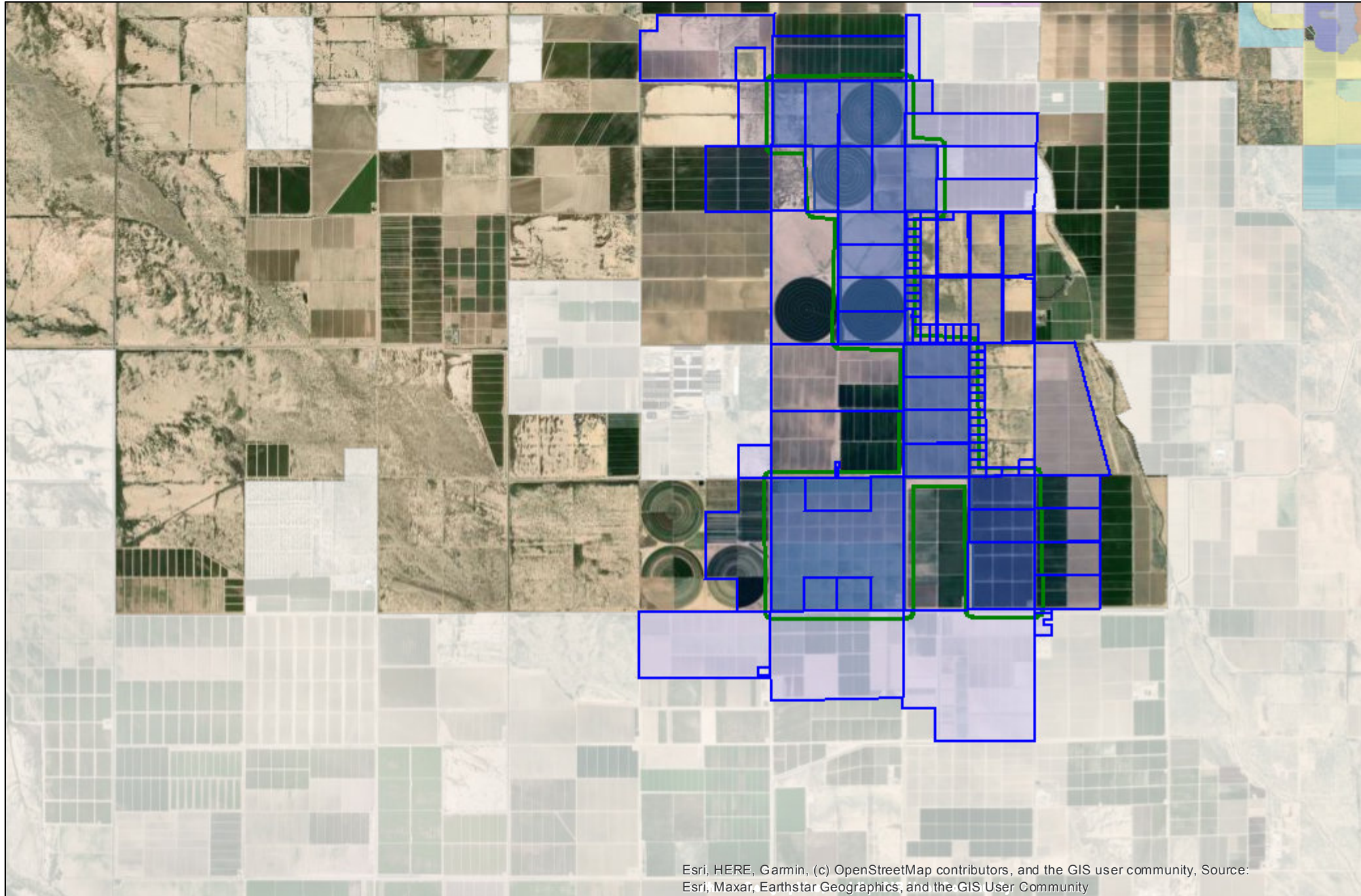
,

BEN FATTO LLC
3850 E BASELINE RD STE 114
MESA, AZ 85206

DONLEY JOHN PATRICK & MELI...
10475 W QUARTZ DR
CASA GRANDE, AZ 85193

DONLEY JOHN PATRICK & MELI...
10475 W QUARTZ DR
CASA GRANDE, AZ 85193

WALKER PLOW LTD PSHIP LLP
PO BOX 1652
HIGLEY, AZ 85236



Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, Source:
Esri, Maxar, Earthstar Geographics, and the GIS User Community

Disclaimer: Pinal County does not guarantee that any information contained within this dataset or map is accurate, complete, or current. This data is for informational use only and does not constitute a legal document for the description of these properties. The Pinal County disclaims any responsibility or liability for any direct or indirect damages resulting from the use of this data. The boundaries depicted within this dataset or map are for illustrative purposes only. Users should independently research, investigate, and verify all information before relying on this map or using this map in the preparation of legal documents.

Neighborhood Meeting Sign-In Sheet

Applicant:

Pew & Lake on behalf of NextEra Energy Resources

Property Location:

Between Shay and Pretzer Roads and Curry and Sunshine
Blvd.: 3,837 acres

Date:

July 1, 2024

Meeting Location:

Eloy City Hall, Community Room
595 C Street, Eloy, AZ 85131

Time:

6:00 p.m.

Cases: CUP2024-002, RZPAD2006-035.A1 and
RZPAD2007-007.A1

#	NAME	ADDRESS	ZIP	Email	PHONE
1	Greg & Jackie Vernon	22840 S. Tweedy Rd Eloy	85131	Jackie5vernon@gmail.com Gregoryk.vernon814@gmail	520 251-1740 520 251-2358
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					

An aerial photograph of a large-scale solar farm. The image shows multiple long, parallel rows of solar panels stretching across a flat, arid landscape. The panels are dark blue and mounted on metal racks. The ground between the rows is sandy and sparsely vegetated. In the far distance, a range of mountains is visible under a clear, bright blue sky. The perspective is from a high angle, looking down the length of the solar array.

Eloy Valley Solar Project Neighborhood Meeting

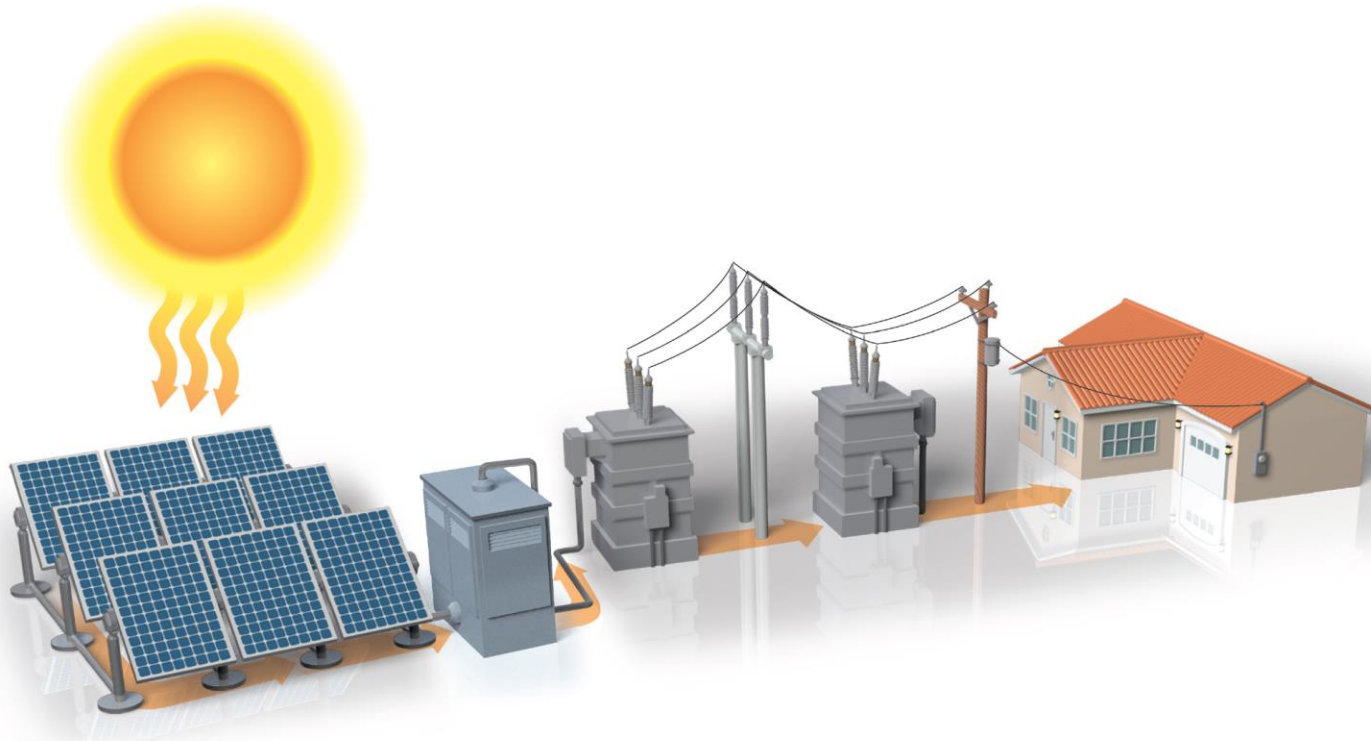
July 1, 2024 - City of Eloy - CUP2024-002, RZPAD2006-035.A1 and RZPAD2007-007.A1

Introductions



- **Pew & Lake, PLC**
 - Ralph Pew
 - Vanessa MacDonald
- **NextEra Energy Resources**
 - Stephanie Rush

How solar panels convert solar energy to electricity



As sunlight hits the solar panels, the solar radiation is converted into direct current (DC) electricity.



The direct current is collected on cables from each "string" of panels and flows into power inverters, where it is converted into alternating current (AC) electricity, which is suitable for use by homes and businesses.



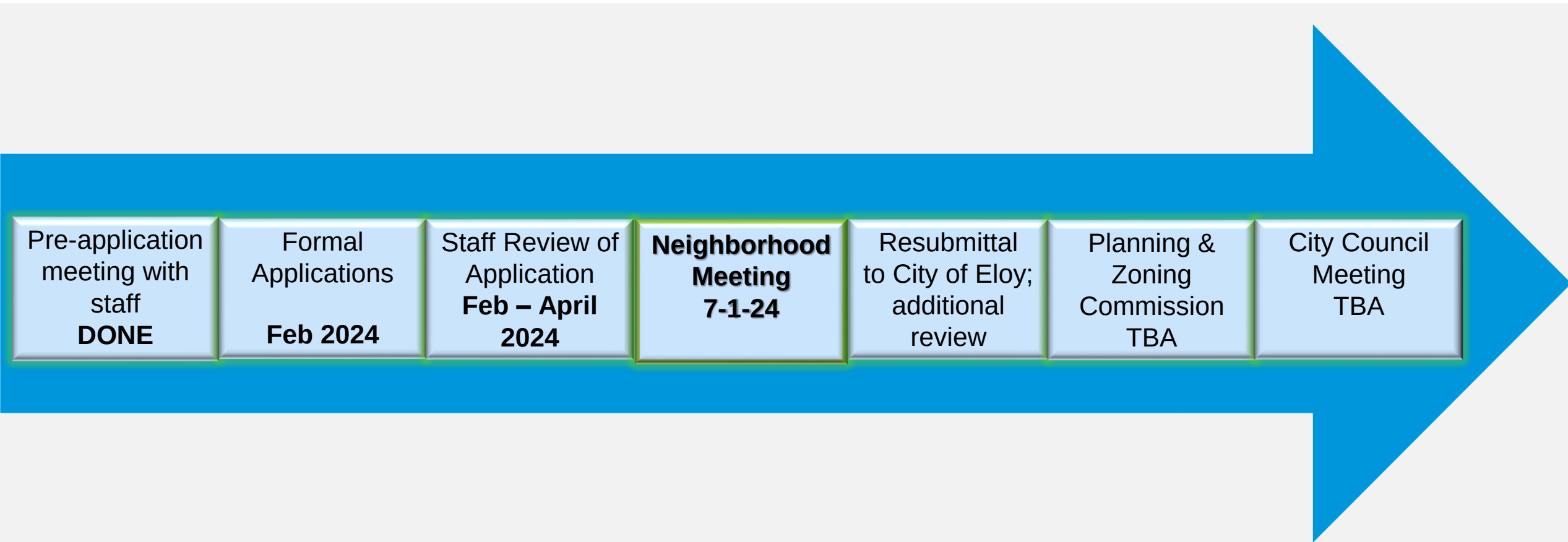
The AC electricity from the power inverters is again collected using a series of cables and delivered to a central electrical substation where it passes through a power transformer. The transformer boosts the voltage of the current to match the voltage at the point of delivery at the local utility substation.



The local utility distributes the electricity to homes and businesses along its electrical grid.

City of Eloy Entitlement Processes

After this process is complete, the Site Planning process will take another 4 to 6 months.



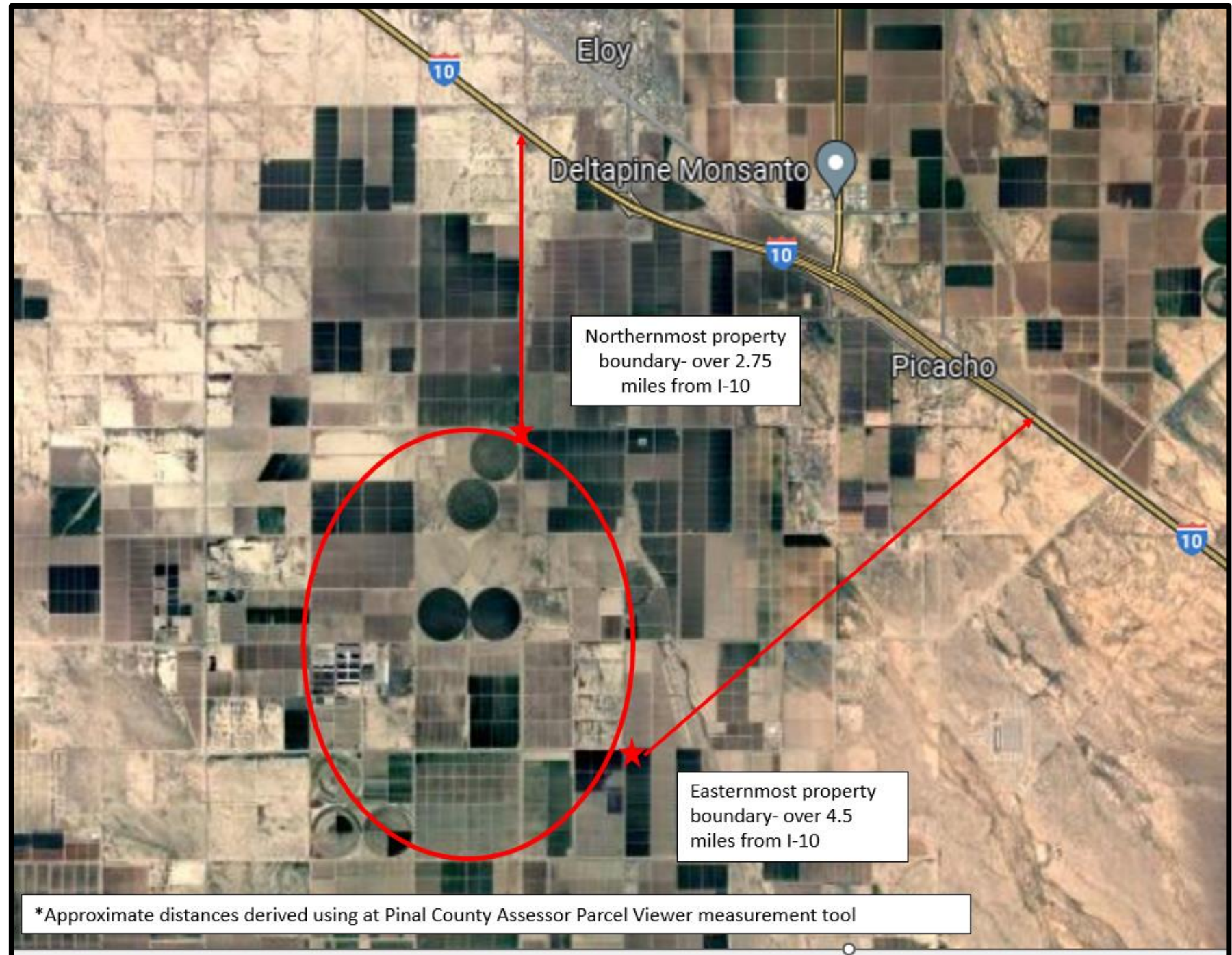
- 1. Request for a Conditional Use Permit (CUP) to allow Utility Scale Solar Generation and Battery Energy Storage System facilities on 2,237 acres. (CUP2024-002)**
- 2. Request for a Zoning Map Amendment to the Picacho View II Planned Area Development (PAD) to allow Utility Scale Solar Generation and Battery Energy Storage System facilities on 960 acres. (RZPAD2006-035.A1)**
- 3. Request for a Zoning Map Amendment to the Steven Farms Planed Area Development (PAD) to allow Utility Scale Solar Generation and Battery Energy Storage System Facilities on 640 acres. (RZPAD2007-007.A1)**

Eloy Solar Ordinance

(Ord. No. 23-950, approved August 28, 2023)

- **Incorporated Utility Scale Solar as a use in the City**
- **Prescribed locational requirements for utility scale solar facilities**
 - South of I-10
 - A minimum of 2,200-feet from the southern freeway right-of way
 - Established development standards
 - Prescribed landscaping, fencing and right-of-way dedication details
- **Established de-commissioning procedures**

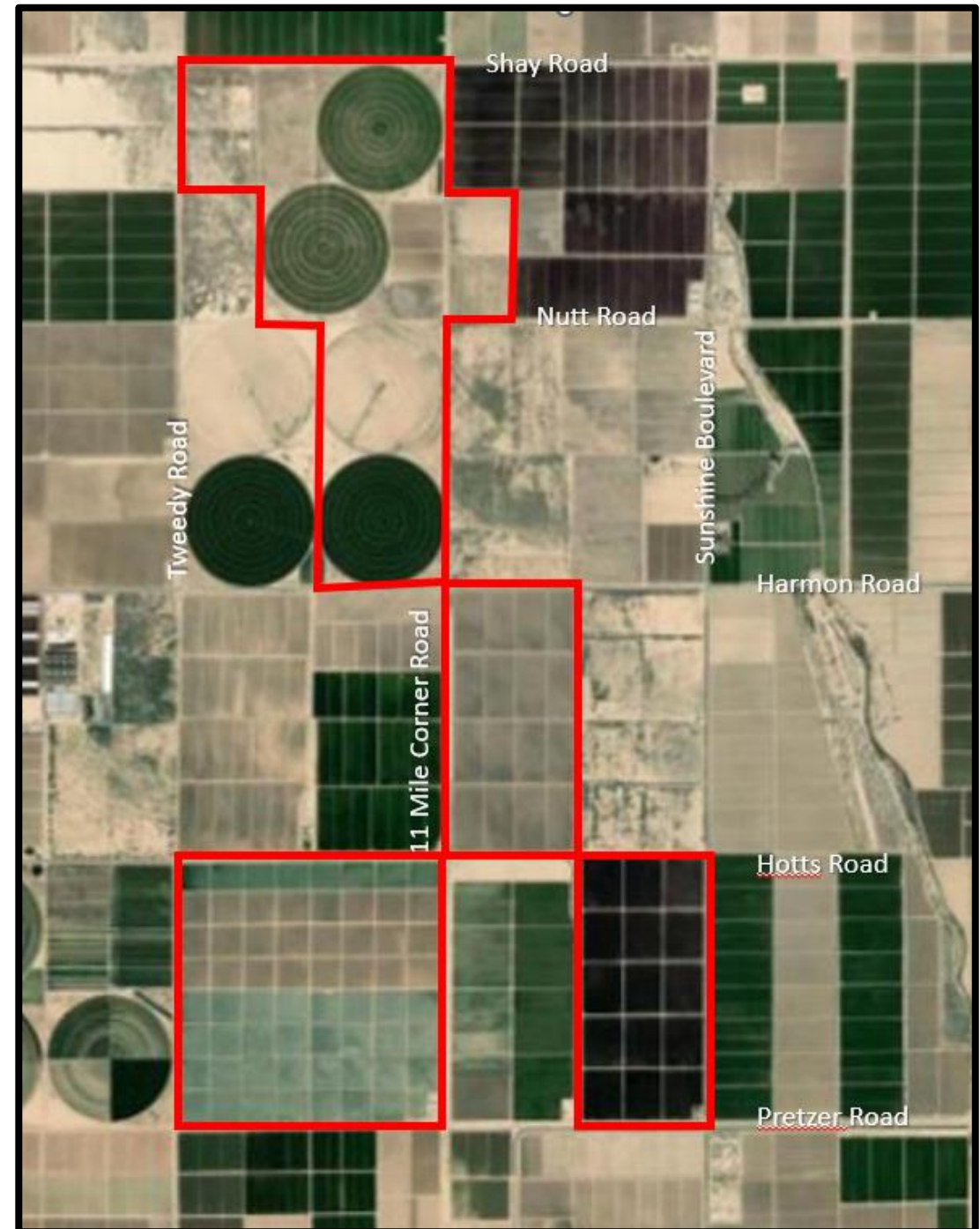
Vicinity Map – Entire project



Project Map- Conditional Use Permit Application

(CUP2024-002)

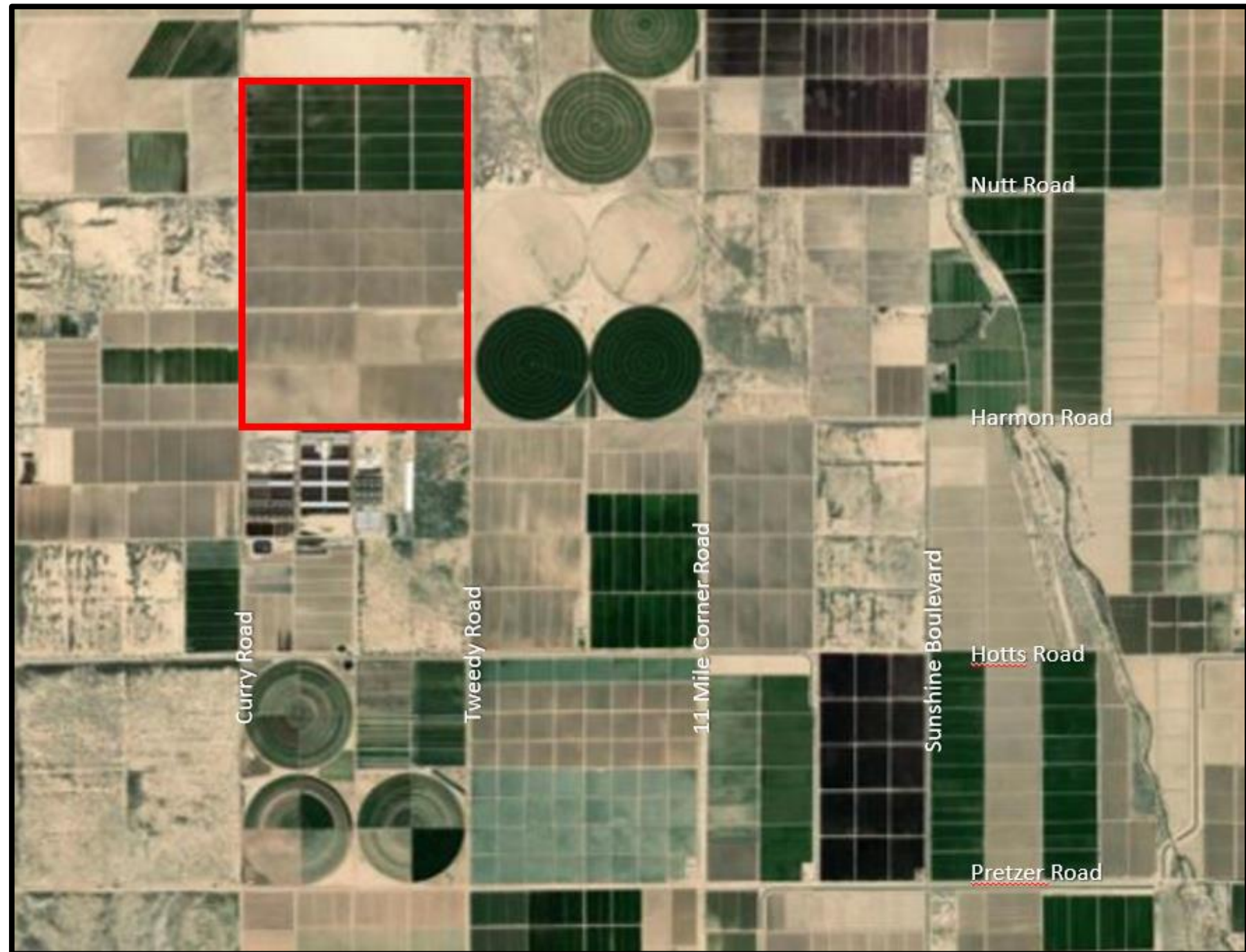
- Approximately 2,237 acres
- 23 different parcels
- Various landowners



Project Map- Picacho View II PAD Amendment

(RZPAD2006-035.A1)

- Approximately 960 acres
- 6 different parcels
- Owned by Linmark, LLC



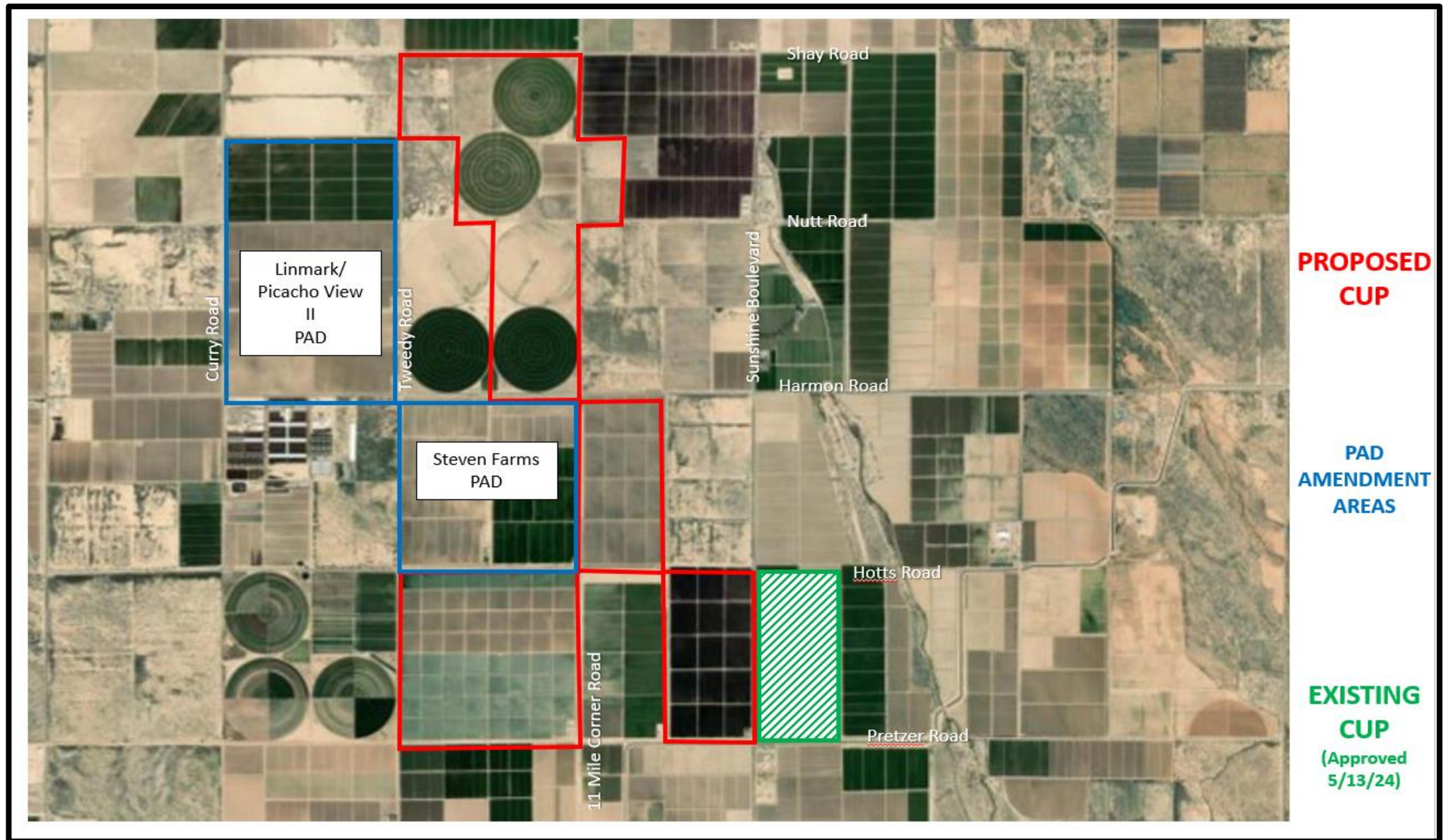
Project Map- Steven Farms PAD Amendment

(RZPAD2007-007.A1)

- Approximately 640 acres
- 3 different parcels
- Owned by BT Eloy, LLC



Project Map- Eloy Valley Solar (+/- 4,150 acres)



Eloy Valley Solar Overview

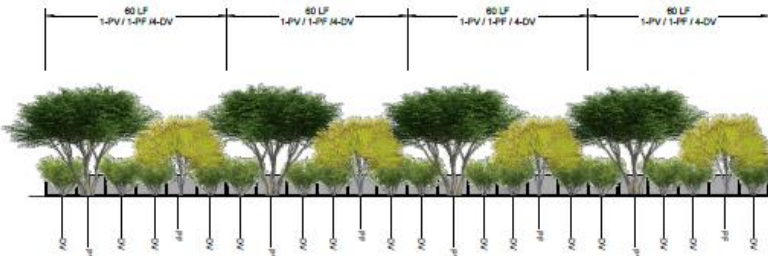
- **Generates up to 400 megawatts of photovoltaic solar energy**
- **Provides up to 400 megawatts of battery energy storage**
- **400 megawatts of solar can power 83,000 homes for a day***
- **Creates no air or water pollution**
- **Uses no water to generate electricity**

Landscaping

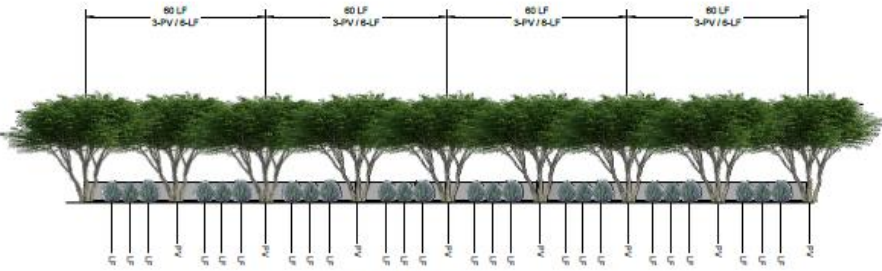
Printed By: Public Green, Sheet: 01, Date: 06/11/2024, 09:27:11am, C:\Users\Public\Green\Drawings - SWCA\2024 Phoenix Public Green\010501-01 Eloy Cup Landscape\010501-01 Eloy Cup Landscape\010501-01 Eloy Cup Landscape.dwg



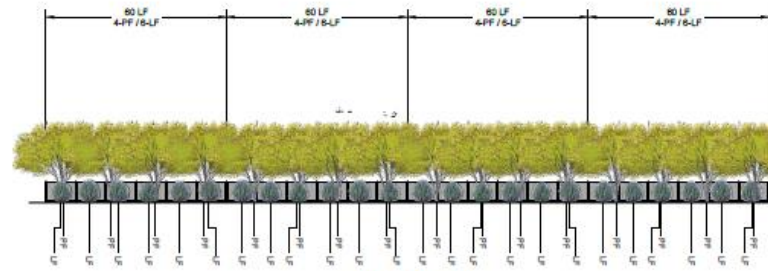
PLANTING DESIGN A



PLANTING DESIGN B



PLANTING DESIGN C



PLANTING DESIGN D



PLANTING DESIGN E

PLANT SCHEDULE

Key	Botanical Name	Common Name	Size	Container	Mature Height	Comments
CM	Caesalpinia mexicana	Mexican Bird of Paradise	#2	Cont.	15-ft	
DV	Dodonaea viscosa	Hop Bush	#2	Cont.	12-ft	
LT	Larrea tridentata	Crocodile Bush, Greasewood	#1	Cont.	6-ft	
LF	Leucophyllum frutescens 'Green Cloud'	Texas Sage	#1	Cont.	6 to 8-ft	
PF	Parinsonia florida	Blue Palo Verde	#2	Cont.	25-ft	
PV	Prosopis juliflora	Velvet mesquite	#2	Cont.	30 to 50-ft	

NOTES:

- ALL LANDSCAPED AREAS SHALL BE FINISHED WITH A PRE-EMERGENT HERBICIDE PRIOR TO PLACEMENT OF:
 - 1.1. GROUND COVER PLANTINGS (75% OF TOTAL LANDSCAPE AREA, PLANTING DESIGNS D AND E).
 - 1.2. MULCH: 2" OF DECOMPOSED GRANITE (REMAINING 75% OF TOTAL LANDSCAPE AREA, 100% OF PLANTING DESIGNS A, B, AND C).
- CONTRACTOR SHALL WORK WITH THE CITY TO CHOOSE GROUND COVER PLANT MATERIAL OPTIONS.
- LABELED DISTANCES AND PLANT COUNTS ARE APPROXIMATE. CONTRACTOR TO FIELD VERIFY DISTANCES AND CALCULATE NUMBER OF REQUIRED PLANTS BASED ON PLANTING DESIGN (INCLUDED ON THIS SHEET) INDICATED FOR EACH GENERAL AREA SHOWN ON SHEET LA.01 AND LA.02.
- PLANTING DESIGNS A, B, AND C WERE DEVELOPED TO PROVIDE ONE TREE AND THREE SHRUBS FOR EVERY 30'-FT. ALONG STREET FRONTAGES. PLANTING DESIGNS D AND E WERE DEVELOPED TO INCREASE PLANTINGS ALONG RESIDENTIAL STREET FRONTAGES.
- SUPPLIES AS REQUIRED PER PGDSC SEC. 2.340.04C.
- TREES AND SHRUBS HAVE BEEN SELECTED FROM THE ADWR LOW WATER USE/ROUGHT TOLERANT PLANT LIST, PINAL ACTIVE MANAGEMENT AREA.
- PROPERTY LINES TO BE DETERMINED AFTER ROW DEDICATION.

DESIGNED BY:	DATE:	APPROVED BY:

CONCEPTUAL LANDSCAPE PLAN ELOY VALLEY SOLAR I & II CITY OF ELOY, AZ CUP LANDSCAPING DESIGN SECTIONS

THANK YOU! QUESTIONS?

Conditional Use Permit Findings (Sec. 21-6-7.4; Eloy Zoning Ordinance)

- ***The proposed use will not be detrimental to the health, safety, or general welfare of persons living or working in the vicinity, to adjacent property, to the neighborhood, or to the public in general;***
- ***The proposed use conforms with the purposes, intent, and policies of the adopted Eloy General Plan and its policies and any applicable area or neighborhood plan officially adopted by the City Council;***
- ***The proposed use conforms with the conditions, requirements, or standards prescribed by this chapter and any other local, State, or Federal requirements; and***
- ***The proposed use shall conform to the character of the neighborhood, within the same zoning district, in which it is located. Consideration shall include the location, type and height of the buildings or structures and the type and extent of landscaping and screening on the site.***

Conditional Use Permit Findings (Sec. 21-6-7.4; Eloy Zoning Ordinance)

- *Adequate utilities, access roads, drainage, fire protection and other necessary facilities shall be provided.*
- *Adequate measures shall provide ingress and egress so designed to minimize traffic hazards and traffic congestion on public roads.*
- *The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke, or gas.*
- *The proposed use shall not be injurious to the use and enjoyment of the property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair the property values within the neighborhood.*
- *The establishment of the proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.*

NextEra Energy Resources in Arizona

Invested \$20 billion in the Copper State



Investing in Arizona since 2012

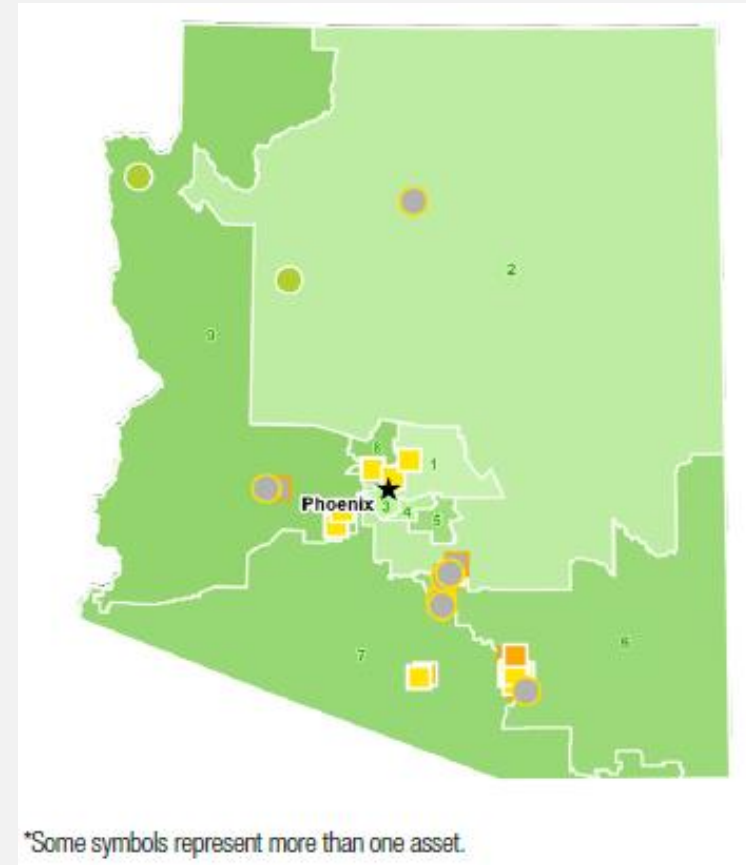
Own and operate two wind energy centers

Own and operate five utility-scale solar energy centers

Own and operate one battery energy storage system

Developing additional renewable energy projects:

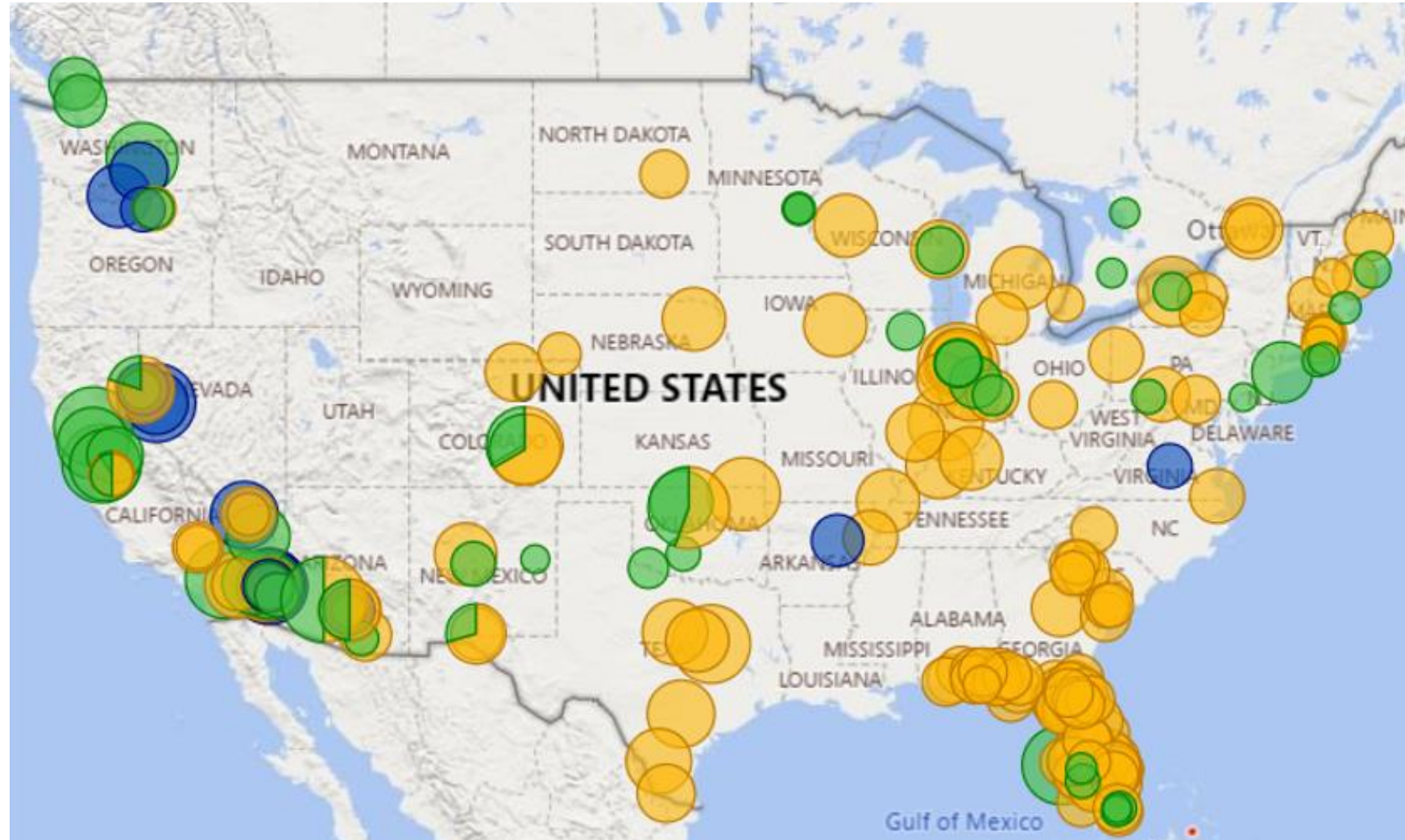
- One wind energy center in construction
- Five utility-scale solar projects in development
- Seven battery energy storage systems in development



Legend: ● Wind ● Utility-Scale Solar ■ Distributed Energy Resources ■ Battery Energy Storage ■ Development/Construction

Map of our solar and battery energy storage sites

More than 107 sites and over
39 battery energy storage
projects



Conditions of Approval for Conditional Use Permit:

Case No. CUP2024-002

Eloy Valley I and II Solar Energy Center

These stipulations are in order to protect the public health, safety, and welfare of the City of Eloy.

SITE DEVELOPMENT

1. **DEVELOPMENT.** The Site Plan, Building Plans, and Construction of the Eloy Valley I and II Solar Energy Center shall be in compliance with the Conditional Use Permit Narrative, Conceptual Site Plan and Conceptual Landscape Plan (dated September 18, 2024) and the Eloy Zoning Ordinance.
 - 1.a. The location of the Utility Scale Generation and Battery Energy Storage System Facility improvements, and substation shall comply with the setback requirements of Utility Scale Solar Development Standards of the Zoning Ordinance.
 - 1.b. All perimeter walls and fencing, including entry gates, shall be set a minimum of 50 feet from the right-of-way.
2. **MODIFICATIONS.** Any major changes or modifications to the subject CUP shall be reviewed and processed following those procedures outlined in the Eloy Zoning Ordinance, as may be amended from time to time. The Zoning Administrator or designee may administratively approve minor amendments and will determine the difference between major and minor amendments.
3. **SITE PLAN.** The Property Owner/Developer shall submit and receive the Zoning Administrator or designee's approval for the Site Plan prior to submitting the construction documents for any part of the subject property.
4. **EXPIRATION.** The Conditional Use Permit (Case No. CUP2024-002) shall expire on October 28, 2026, unless the Conditional Use Permit has been used or extended by the City Council.
5. **WATER RESERVOIR.** Prior to, or concurrent with, the issuance of any building permit for a Solar, Utility Scale Generation, and Battery Energy Storage System Facility, the property owner/developer shall obtain permits to construct a minimum 25,000-gallon water reservoir tank on the property near the battery storage facilities and substation. The water reservoir tank shall be operational and filled with water prior to any Final Inspection for the development project.
6. **INTERNAL ROADWAYS.** All internal roadways for a Solar, Utility Scale Generation and Battery Energy Storage System Facility shall be compacted to withstand a minimum gross vehicle weight of 75,000 pounds, and comply with the most recent Fire Code requirements of the Eloy City Code applicable at the time of permit issuance.
7. **SCREENING.** All equipment and structures to store (e.g. batteries, etc.) and to convey electricity (e.g. substations, batteries, etc., but, excluding transmission towers) shall be screened by a minimum seven foot tall opaque wall, fence, or chain-link fence with opaque slates on all sides subject to the approval of the Community Development Director.
8. **STANDARDS OF IMPROVEMENTS.**
 - a. With the development of the property for a Solar, Utility Scale Generation and Battery Energy Storage System Facility, the property owner/developer shall construct improvements as required by the Zoning Ordinance and the City Engineer. All required infrastructure improvements shall be constructed in accordance with the Eloy City Code, and the applicable

Maricopa Association of Governments (MAG) Uniform Standard Specifications and Details for Public Works Construction, Maricopa Association of Governments (MAG) Uniform Standard Specifications and Details for Public Works Construction.

- b. With the development of any other use, the improvements (curb, gutter, sidewalk, curb ramps, driveways, pavement, concrete, water, wastewater, etc.) shall be constructed in accordance with the applicable City of Eloy City Code, accepted/approved Master Infrastructure Plans, and Maricopa Association of Governments (MAG) Uniform Standard Specifications and Details for Public Works Construction, Maricopa Association of Governments (MAG) Uniform Standard Specifications and Details for Public Works Construction, or other standard specifications and details for public works construction accepted by the City Engineer.
9. **CONSTRUCTION COMPLETED.** Prior to issuance of any Certificate of Occupancy or Certification of Shell Building, or Final Inspection, whichever is first, for the development project, the property owner shall complete all the infrastructure and improvements required by the Eloy City Code and these stipulations.

CITY OF ELOY

REQUEST FOR COMMISSION ACTION

Agenda Item: **VI.A.**

Date: **9/18/2024**

Date submitted:
08/20/2024

Action: Other

Subject: Conduct a public hearing and make a recommendation to the Eloy City Council on Case No. ZTA2024-001: Residential Walls and Fences, to amend Chapter 21 Zoning, Article IV. General Development Regulations, Section 21-4-2.10: Fences and Hedges, and other applicable articles and sections of the Zoning Ordinance, to incorporate requirements for opaque walls and fences on residential lots with an area of one (1) acre and less, excluding property zoned with a Planned Area Development Overlay.

TO: Planning and Zoning Commission

FROM: Dan Symer

RECOMMENDATION:

The staff recommends that the Planning and Zoning Commission approve Case No. ZTA2024-001: Residential Wall and Fences to amend Chapter 21-Zoning: Article IV. General Development Regulations, Section 21-4-2.10: Fences and Hedges, and other applicable articles and sections of the Zoning Ordinance.

DISCUSSION:

Request

A request by the City of Eloy as the applicant for a City Council initiated Text Amendment to the City of Eloy's Zoning Ordinance to amend Chapter 21-Zoning: Article IV. General Development Regulations, Section 21-4-2.10: Fences and Hedges, and other applicable articles and sections of the Zoning Ordinance. The purpose of the amendment is to incorporate property development standard requirements for opaque walls and fences on lots with a size of one (1) acre or less when a dwelling unit (Single-family Attached or Detached, Duplex, Modular Home, Manufactured Home, or similar as determined by the Zoning Administrator) is developed, substantially modified, or when an accessory

structure is developed, excluding property zoned with the Planned Area Development Overlay.

Summary of Proposed Standards

The proposed property development standards incorporate requirements for opaque walls and fences on residential lots with an area of one (1) acre or less that are used for Single-Family Attached or Detached Homes, Duplexes, Modular Homes, Manufactured Homes, or similar dwelling units. Except for properties zoned with the Planned Area Development (PAD) Overlay, these standards would apply to the development of a dwelling unit on a lot or parcel, as well as to the construction of an addition or accessory structure with a building valuation greater than sixty (60) percent of the appraised value of the subject property on a lot or parcel with a dwelling unit.

The required wall or fence is to enclose the rear, side, or street-side yard, or a portion thereof, and shall have a minimum height of five (5) feet, unless it is abutting an open space area where lower walls and fences are allowed. Lower opaque walls and fences may be provided when a lot abuts an open space, as follows:

- A minimum of four (4) foot tall opaque wall or fence is allowed abutting or adjacent to an open space area that is greater than fifty (50) feet, but less than one hundred (100) feet in width;
- A minimum of two (2) foot tall opaque wall or fence is allowed abutting or adjacent to an open space area that is greater than one hundred (100) feet, but less than two hundred (200) feet in width; and
- A solid opaque fence or wall is not required between a lot or parcel abutting or adjacent to an open space area that is equal to, or greater than, one hundred (100) feet and less than two hundred (200) feet in width.

In addition, the proposed standard allows a property owner/developer to request the City Council to approve modifications to the standards as part of a Final Plat application. Also, minor editorial modifications have been incorporated.

Discussion

The purpose of the proposed Text Amendment is to establish uniformity between new subdivisions that adhere to modern industry development standards and older, previously undeveloped subdivisions undergoing a resurgence in development activity. Throughout Eloy, several subdivisions were platted before the current industry standard of enclosing, screening, and securing rear, side, and street side yards with opaque fences and walls. Many of these lots are in older subdivisions, are individually owned, and do not have private requirements, such as Covenants, Conditions, and Restrictions (CC&Rs), that mandate walls and fences in accordance with current industry standards. Therefore, to establish uniformity between new and older subdivisions, the proposed regulation incorporates requirements for side, street-side, and rear yards to be enclosed with opaque walls and fences, while allowing for lower opaque fencing adjacent to open space areas. The reason for permitting lower opaque fencing adjacent

to open space areas is to provide variety in wall and fence design, enhance the visual appearance of open space areas, allow property owners to enjoy views of these areas, and facilitate natural surveillance in accordance with Crime Prevention Through Environmental Design (CPTED) principles.

As previously stated, the proposed requirements would not apply to properties zoned with the Planned Area Development (PAD) Overlay. Developments with a PAD are intended to have a unique character implemented through flexible development standards that support innovative land planning and architectural design. To allow similar design flexibility in the requirements for opaque walls and fences in new subdivisions not zoned with the PAD, the proposed standards allow property owners or developers to request modifications to the standards from the City Council as part of a Final Plat application.

It should be noted that some PAD developments, such as Robson Ranch, have "Protected Development Rights" in accordance with previous approvals and the Arizona Revised Statutes. These rights allow developers and property owners to develop and maintain compliance with the development standards originally approved for the project, regardless of modifications to the Eloy Zoning Ordinance. Therefore, the proposed standards and requirements would not apply to such approvals.

Issues for Consideration

In determining whether to approve, approve with conditions, or deny proposed text amendments, issues for consideration shall include but not be limited to (Staff's analysis of the consideration is included in bold italic text):

A. The proposed amendment will promote the public health, safety, and general welfare;

- ***The proposed amendment incorporates requirements for opaque walls and fences on lots and parcels with new dwellings and substantial modifications to existing residential properties. This amendment assists in promoting public health, safety, and general welfare throughout the city and for its residents by:***
 - ***Securing rear, side, and street side yards;***
 - ***Allowing for the visual enjoyment and CPTED surveillance of open space areas;***
 - ***Promoting consistent development standards and implementation while allowing for diversity; and***
 - ***Promoting the appearance of a well-kept and maintained community while enhancing the character and stability of the residential areas of the City.***

B. The proposed amendment is consistent with the adopted Eloy General Plan and the stated purposes of this chapter; and

- ***The proposed amendment is consistent with the General Plan through the incorporation of updated and new standards and guidelines to which developments are to adhere. This is an effort to achieve an economical and visually sustainable community by promoting consistent industry standards and enhancing and maintaining property values (General Plan Goals 3.1.1.1 and 3.1.1.2).***

C. The proposed amendment is necessary or desirable because of changing conditions, new planning concepts, or other social or economic conditions.

- ***The proposed amendment to require walls and fences to enclose rear, side, and street-side yards on lots of one (1) acre or less that are used for dwelling units is necessary and desirable. This amendment aims to create uniformity between new subdivisions, which adhere to modern industry development standards, and older, previously undeveloped subdivisions that are experiencing a resurgence in development activity. Furthermore, the proposed standards are intended to provide mitigation and screening from street noise, as well as to address issues of sight and glare.***

Community Involvement and Citizen Review Report

On Monday, August 5, 2024, staff held an Open House in the City Hall Community Room, and a One-on-One meeting took place on August 7, 2024, in the Community Development Conference Room. No members of the public attended either meeting. Both meetings were published in the Pinal Central Dispatch using a minimum 1/8 page ad on July 18, 2024, on the City of Eloy website, and on the City's website calendar. Additionally, the LED community notification signs outside the Community Services Department building on Main Street and the Toltec Community Center were used to provide information about the meetings and to inform the public that the proposed amendments were available for review.

Alongside Eloy's standard notification procedures, the amendment information was emailed to the home-building community that obtained building permits for Single-Family Attached or Detached Homes, Duplexes, Modular Homes, or Manufactured Homes in 2023 and up to the present date in 2024, excluding those located in PAD areas. As of September 11, 2024, staff has not received any comments on the proposed amendment.

FISCAL IMPACT:

There is no anticipated fiscal impact on the proposed changes.

ZTA2024-001 Residential Walls and Fences

Modification to Chapter 21 Zoning of the Eloy Code

How to read this document.

- *Sections and italic text are instructions* to the City Clerk and the City's codifier for amending the Eloy Code.
- Double Underlined blue text are additions to the Eloy Code.
- ~~Crossed-out red text are deletions~~ to the Eloy Code.
- Table format modifications are implemented as shown in the revised table.
- New figures are signified with a thick blue border

Section 1.: Amend Chapter 21 Zoning, Article IV. General Development Regulations, Section 21-4-2.10: Fences and Hedges, as follows:

21-4-2.10: ~~FENCES AND HEDGES~~ FENCES, HEDGES AND WALLS:

A. Opaque walls and fences required.

1. A lot or parcel without the Planned Area Development Overlay (PAD) having a net lot area of one (1) acre, or less, and used to provide a single-family attached or detached dwelling, duplex dwelling, modular home dwelling, manufactured home, or similar dwelling as determined by the Zoning Administrator, shall have an opaque fence or wall in accordance with the following:
 - a. Vacant and undeveloped lots and redevelopment/replacement of an existing dwelling unit. Prior to receiving a final inspection, a solid opaque wall or fence with a minimum height of five (5) feet, unless a lower height is allowed in subsection A.1.a.i., A.1.a.ii., or A.1.a.iii. of this section, shall be constructed to enclose the rear yard, side yard(s), and street side yard(s) or portion(s) of the yard thereof, with the development of a dwelling unit(s).
 - i. A minimum of four (4) foot tall solid opaque wall or fence is allowed between a lot or parcel abutting or adjacent to an open space area that is greater than fifty (50) feet and less than one hundred (100) feet in width (The open space area width is measured abutting the lot.).
 - ii. A minimum of two (2) foot tall solid opaque wall or fence is allowed abutting or adjacent to an open space area that is equal to, or greater than, one hundred (100) feet and less than two hundred (200) feet in width (The open space area width is measured abutting the lot.).

- iii. A solid opaque fence or wall is not required between a lot or parcel abutting or adjacent to an open space area that is equal to, or greater than, one hundred (100) feet and less than two hundred (200) feet in width (The open space area width is measured abutting the lot.).
 - b. Developed lots. Where a lot or parcel contains a dwelling unit, an opaque wall or fence with a minimum height of five (5) feet, unless a lower height that is allowed in subsection A.1.a.i., A.1.a.ii., or A.1.a.iii. of this section, shall be constructed with the development of an accessory structure, an addition to a dwelling unit, or modification to an existing dwelling unit if the accessory structure, the addition, or modification to the dwelling unit has a building valuation equal to, or greater than, sixty percent (60%) of the appraised value of the property at the time of the building permit application. The appraised value of the lot or parcel is the amount assigned to the property by Pinal County's Assessor at the most recent assessment.
- 2. Chain link fences with slat, screen, or similar applications and material as determined by the Zoning Administrator shall not be allowed for the solid opaque area of a fence required by subsection A.1. of this section.
- 3. The City Council may approve a modification to the requirements of subsection A.1. with the adoption of a Resolution of the Council concurrent with the final plat approval. When modifications are approved by the City Council, the modifications shall be noted on the final plat, including the final plat case number and Resolution number.

A. B. Approvals and Permits Permit Required:

- 1. Fences or walls shall not be constructed without first making an application for and securing an approval from the Community Development Department. The application shall include a site plan and elevations showing fence materials, colors, heights and gates. The site plan shall show the location of the fence and include survey or plat information that shows: property lines, setbacks, easements and rights-of-way. This requirement does not apply to fences that are located a minimum of ten (10) feet behind any property line of the subject parcel.
- 2. In addition, fences greater than ~~six~~ seven (7') feet ~~(6')~~ in height or retaining walls extending ~~more than four feet (4')~~ two (2) feet, or greater, in height require a building permit and supporting structural calculations prepared by ~~a~~ an Arizona licensed ~~structural~~ engineer. Retaining concrete block walls shall adhere to adopted Building Codes.

B. C. Locations: All hedges shall be located entirely upon the private property of the persons, firms, or corporations planting the hedge. All fences shall be located entirely upon the private property of the persons, firms, or corporations constructing, or causing the construction, of such fence unless the owner of the adjoining property agrees, in writing, that such fence may be erected on the division line of the respective properties. Fences are not required to be set back from the property line except as otherwise specified in this chapter. A fence shall be treated as an accessory use and will not be allowed without a primary use on the site.

C. D. Approved Fence Materials: All fences shall be constructed with conventional fencing materials such as masonry, concrete, preformed concrete sections, treated wood, decorative metal, stone and vinyl. These materials ~~should~~ shall be non-reflective desert tones ~~have earth tones~~ with an equivalent color that has a light reflective value equal to, or less than, sixty percent (60%). Within

Residential, Industrial and Aviation Overlay Zoning Districts, chain link fences may be allowed with the approval of the Community Development Director. Chain link fencing is only permitted in Commercial Zoning Districts if it is inside of a fence that is constructed of allowed materials. Mesh affixed to chain link fencing shall not constitute "view obscuring". Wire fences, including, but not limited to, hog wire and chicken wire may be used for animal enclosures but cannot be used for a perimeter fence.

~~D.~~ E. **Finished Elevations:** Any fence that is constructed to have only one elevation "finished", which shall be defined as not having its supporting members significantly visible, shall be erected so that the finished elevation of the fence is exposed to the adjacent property or street.

~~E.~~ F. **Fence and Hedge Height Standards:**

1. Fences or hedges located between the front yard building setback line and the front property line of a lot may not exceed four feet (4') in height in any zoning district, except as modified by Section 21-4-2.11. Hacienda-style front arches and gates cannot be erected without the approval of the Community Development Director.
2. In areas behind a required front yard building setback and within the required rear and side yards, the maximum height of fences shall be six feet (6'), in a residential district and ten feet (10') in a nonresidential district.

~~F.~~ G. **Measuring Fence ~~And~~ and Hedge Heights:** The height of any fence or hedge shall be calculated to the uppermost points as follows: In required yards abutting a street, the height of the fence or hedge shall be the height measured from the curb or finished grade of the street. On non-street property lines, the height may be measured from the finished grade on either side of the fence or hedge. Where two (2) lots abut one another, or a lot abuts a street or open space tract, but have differing finish grades, the fence or hedge height shall meet the requirements in Section ~~21-4-2.10-E~~ 21-4-2.10.F on the high side and can be a maximum of two feet (2') higher on the low side (Figure 21-4-2.10.G.).

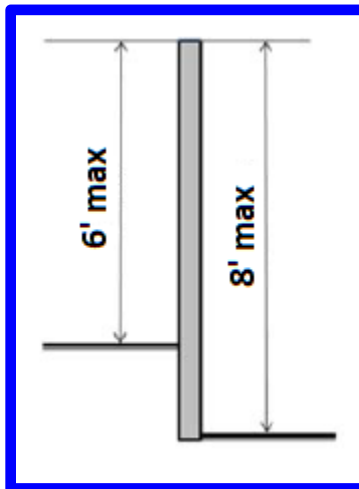


Figure 21-4-2.10.G. – Residential-to-Residential and Residential-to-Street or Openspace Tract

~~G.~~ H. **Undulating Fence Required:** All fences along arterial and collector streets with a continuous length greater than two hundred feet (200') shall use an undulating pattern at minimum intervals of one hundred feet (100') or at every other side lot line, whichever is less in distance, to provide variety

and visual interest. The undulation depth from the street line shall be a minimum of three feet (3'). Alternate patterns to the above requirements may be approved by the Reviewing Authority as specified in Section 21-6-3 during preliminary and final plat, site plan and/or development plan review process.

~~H~~. I. Exemptions: The following are exempt from the height restrictions for fences and hedges:

1. Schools and other public or quasi-public institutions when necessary for the safety or restraint of the occupants, including correctional facilities.
2. Temporary construction sites which are enclosed for security purposes.
3. An agriculture activity in zoning districts that allow agricultural uses.
4. Uses in the ranchette residential districts, resort districts and planned area development districts.
5. Fence materials and height requirements other than specified elsewhere in this article may be approved by the Reviewing Authority as specified in Section 21-6-3 during the preliminary and final plat, site plan and/or development plan review process.

~~I~~. J. Use of Barbed Wire and Concertina Wire:

1. Barbed or concertina wire fences shall be prohibited in all zoning districts except in the General Industrial (I-2) District.
2. Barbed or concertina wire fences shall be allowed in the General Industrial (I-2) District if the barbed wire is located eight feet (8') or more above grade and a special permit has been considered and approved by the Reviewing Authority as specified in Section 21-6-3.
3. Barbed or concertina wire fences shall be allowed on temporary construction sites, provided that the barbed wire is located eight feet (8') or more above grade. Temporary barbed or concertina wire fencing located on construction sites shall be removed from the site at the time of final inspection, or a certificate of occupancy will not be issued.

~~J~~. K. Maintenance: Every fence or hedge will be maintained in a condition of reasonable repair and shall not be allowed to become and remain in a condition of disrepair, damage, or unsightliness, or constitute a nuisance, public or private. Any fence, or a portion of any fence, which is removed shall be restored to its original or upgraded condition relative to construction, material and finish whenever exposed to any street or any adjoining property.

~~K~~. L. Other Residential Requirements:

1. Corner Lots and Key Lots:
 - a. On a corner lot contiguous to a key lot, fences and hedges cannot exceed three feet (3') in height on the rear lot line extending ten feet (10') from the street. They also cannot exceed three feet (3') in height on the lot line along the street, extending ten feet (10') from the rear lot line.
 - b. On a key lot contiguous to a corner lot, fences and hedges cannot exceed three feet (3') in height on the side lot line which contiguous with the rear yard of the corner lot, extending ten feet (10') from the lot line along the street.

2. Gates Required: In those instances where a fence is erected as an enclosure, which restricts access from the front to rear yard, a gate shall be a minimum of three feet (3') in width. The location of such ingress points shall be positioned at any point paralleling the front line between the side lot line and the principal structure.
3. Tennis Courts: Fencing of outdoor tennis courts may be chain link and shall not exceed sixteen feet (16') in height and shall conform to the principal building setback requirement of the zoning district.
4. Swimming Pools: All swimming pools shall be enclosed by the fences of a single-family residential building or by a solid fence, a chain link or wrought iron fence not less than five feet (5') nor more than six feet (6') in height. Chain link fences for swimming pools cannot be used as perimeter fences. If the design or the material of the fence or gate is such that there are openings, such openings shall be of a size to prohibit a spherical object four inches (4") in diameter from passing through or under the fence or gate. All gates shall be substantially the same height as the wall or the fence and shall be self-closing and self-latching and be constructed in such a manner as to prevent uninvited access.
5. Noise Attenuation Fence Required: Residential subdivisions which are adjacent to a transportation corridor shall erect a masonry noise attenuation fence between the homes in the subdivision and the transportation corridor. The fence shall be eight feet (8') in height and shall be constructed of a minimum of six inch (6") thick concrete block or earthen berm. A transportation corridor shall be defined as any ~~major~~ arterial street, truck route, Interstate 10 and the Union Pacific Railroad.

CITY OF ELOY

REQUEST FOR COMMISSION ACTION

Agenda Item: **VI.B.**

Date: **9/18/2024**

Date submitted:
08/20/2024

Action: Other

Date requested:
9/18/2024

Subject: Conduct a public hearing and make a recommendation to the Eloy City Council on Case No. ZTA2024-002: Planning and Zoning Commission Responsibilities and Reasonable Accommodations, to amend Chapter 21 Zoning, Article V. Administration, Section 21-5-3 Planning and Zoning Commission, and Section 21-5-4: Board of Adjustment, and other applicable Articles and sections of the Zoning Ordinance, pertaining to the construct, powers, and responsibilities of the Planning and Zoning Commission and Board of Adjustment.

TO: Planning and Zoning Commission

FROM: Dan Symer

RECOMMENDATION:

Staff recommends that the Planning and Zoning Commission approve Case No. ZTA2024-002: Planning and Zoning Commission Responsibilities and Reasonable Accommodations, to amend Chapter 21 Zoning, Article V. Administration, Section 21-5-3 Planning and Zoning Commission, and Section 21-5-4: Board of Adjustment, and other applicable Articles and Sections of the Zoning Ordinance, to update the provisions and to remove conflicts between the sections and with Chapter 2 ARTICLE IV. Commissions, Boards and Bureaus Administration, and other applicable Articles, Divisions, and sections pertaining to the construct, powers, and responsibilities of the Planning and Zoning Commission and Board of Adjustment; and to enable the Board of Adjustment to review applications and grant modifications to the property development standards of the Zoning Ordinance to provide for reasonable accommodation for individuals with a disability protected under federal and Arizona Fair Housing laws (42 U.S.C. § 3600 et seq. and A.R.S. § 41-1491 et seq.)

DISCUSSION:

Request

A request by the City of Eloy as the applicant for a City Council-initiated Text Amendment to Chapter 21-Zoning, Article V. Administration of the Eloy Code, to remove and update conflicting provisions between Chapters 2 and 21 to facilitate the consolidation of the Airport Advisory Board, Board of Adjustment, and Revitalization Commission within the purview of the Planning and Zoning Commission. In addition, the request includes modifications to the Board of Adjustment provisions to allow for a request to amend the development standard to provide for reasonable accommodation by both the Arizona and Federal Fair Housing Acts. Also, the request includes allowing the Board of Adjustment to hear and decide appeals concerning the Zoning Administrator's interpretation and enforcement of Chapter 15. Subdivisions.

Purpose

The purpose of the proposed amendment is to facilitate the necessary modifications to Chapter 21 Zoning, Article V. Administration, is to align with the associate amendment request to Chapter 2 (Case No. CCTA2024-001, attached) that consolidates the duties and responsibilities of the Airport Advisory Board, the Board of Adjustment, and the Revitalization Commission under the Planning and Zoning Commission. This amendment (Case No. ZTA2024-002) removes and updates conflicting provisions between Chapters 2 and 21. Secondly, the purpose of this amendment is to incorporate provisions that would allow the Board of Adjustment to review and make decisions on requests for modifications to the property development standards to facilitate reasonable accommodations in accordance with both the Arizona and Federal Fair Housing Acts. Finally, the purpose of the amendment is to incorporate provisions to allow the Board of Adjustment to hear and decide a property owner's appeal of the Zoning Administrator's interpretation and enforcement of Chapter 15. Subdivisions.

Discussion and Summary of Proposed Standard

This proposed amendment to the Zoning Ordinance is necessary to align and remove redundancies and conflicts between Chapter 2, Article IV: Commissions, and Chapter 21 Zoning. It complements a separate amendment to the Eloy Code's Chapter 2, Article IV: Commissions, to consolidate the duties and responsibilities of the Airport Advisory Board, Board of Adjustment, and Revitalization Commission within the purview of the Planning and Zoning Commission.

For reference purposes, the recommended revised scope and purpose of the Planning and Zoning Commission is to act as an advisory board to the City Council on various matters, including airport and airpark planning and development, architectural and site plan guidelines, code enforcement, public and private development review, downtown improvements, historic preservation, infrastructure guidelines, land use, redevelopment, public art, and zoning matters. This scope includes the duties of the Board of Adjustment and other issues assigned by the City Council within the realm of planning and zoning powers available to cities in Arizona.

Regardless of whether the City Council chooses to initiate the consolidation of the duties and responsibilities of the aforementioned boards/commissions into the purview of the Planning and Zoning Commission, modifications to Chapter 2, Article IV: Commissions, Boards, and Bureaus, and Chapter 21 Zoning are still necessary to remove redundancies and conflicts within the Eloy Code.

New duties and responsibilities are proposed to be added to the Board of Adjustment. In accordance with both the Arizona and Federal Fair Housing Acts, methods to request reasonable accommodations for dwellings are necessary. The U.S. Housing and Urban Development Department generally describes reasonable accommodation as "a change, exception, or adjustment to a rule, policy, practice, or service that may be necessary for a person with disabilities to have an equal opportunity to use and enjoy a dwelling." Currently, the Zoning Ordinance does not contain provisions to allow for reasonable accommodation requests; furthermore, Section §9-462.04 of the Arizona Revised Statutes requires that any modification to a property development standard of ten (10) percent or greater requires a public hearing.

The proposed modifications would enable individuals with disabilities to submit requests for reasonable accommodation that would modify the property development standards of the Zoning Ordinance for a lot or parcel. In addition, the revised provisions would empower the Board of Adjustment to hear and decide on these requests for reasonable accommodations. Furthermore, the proposed modifications would allow the Board of Adjustment to impose reasonable conditions in a decision to approve a variance and reasonable accommodation.

Additionally, the proposed modification involves allowing the Board of Adjustment to hear and decide appeals concerning the Zoning Administrator's interpretation and enforcement of the subdivision ordinance (Chapter 15 Subdivisions) of the Eloy Code. The provision provides a method for the property owner to have due process regarding the interpretation and enforcement of the subdivision ordinance.

Issues for Consideration

In determining whether to approve, approve with conditions, or deny proposed text amendments, issues for consideration shall include but not be limited to (Staff's analysis of the consideration is included in bold italic text):

A. The proposed amendment will promote the public health, safety, and general welfare;

- ***The proposed amendment achieves the aforementioned consideration by providing for the coordination of land use, new development, redevelopment, historic preservation, and airport considerations through a single commission. This would allow for a comprehensive approach and analysis of related land use, development, and operation considerations. Also, the consolidation provides a single point of contact for the public to provide comments on the aforementioned considerations.***

- ***The proposed amendment achieves the aforementioned consideration by allowing persons with qualifying disabilities to request reasonable accommodation modifications to the property standards that are necessary for the person(s) to have housing that accommodates their needs.***
- ***The proposed amendment achieves the aforementioned consideration by incorporating provisions that allow the Board of Adjustment to review and decide on appeals of the interpretation and enforcement of the subdivision ordinance (Chapter 15 Subdivisions) of the Eloy Code.***

B. The proposed amendment is consistent with the adopted Eloy General Plan and the stated purposes of this chapter and

- ***The proposed amendment aligns with the General Plan by coordinating land use, new development, redevelopment, historic preservation, and airport considerations through a single commission, which would allow for a comprehensive analysis of information to provide a recommendation to the City Council in order to achieve a sustainable community (General Plan Goal 3.1.1.2). Furthermore, the amendment incorporates provisions to allow reasonable accommodation in accordance with both the Arizona and Federal Fair Housing Acts, which contribute to providing a range of residential uses (General Plan Goal 3.1.1.1).***

C. The proposed amendment is necessary or desirable because of changing conditions, new planning concepts, or other social or economic conditions.

- ***The proposed amendment is necessary to provide for a comprehensive and coordinated approach to land use, new development, redevelopment, historic preservation, and airport considerations. Furthermore, the consolidation of responsibilities under the Planning and Zoning Commission allows the Commission to evaluate various social and economic considerations that contribute to a sustainable community.***

Community Involvement and Citizen Review Report

On Monday, August 5, 2024, staff held an Open House in the City Hall Community Room, and a One-on-One meeting took place on August 7, 2024, in the Community Development Conference Room. No members of the public attended either meeting. Both meetings were published in the Pinal Central Dispatch using a minimum 1/8-page ad on July 18, 2024, on the City of Eloy website and the City's website calendar. The LED community notification signs outside the Community Services Department building on Main Street and the Toltec Community Center also provided information about the meetings. They informed the public that the proposed amendments were available for review.

FISCAL IMPACT:

There is not a fiscal impact on the proposed changes.

Case No. ZTA2024-002: Planning and Zoning Commission and Board of Adjustment Responsibilities and Reasonable Accommodations

Modification to Chapter 21 Zoning of the Eloy Code

How to read this document.

- *Sections and italic text are instructions* to the City Clerk and the City's codifier for amending the Eloy Code.
- Double Underlined blue text are additions to the Eloy Code.
- ~~Crossed-out red text are deletions~~ to the Eloy Code.
- Table format modifications are implemented as shown in the revised table.

Section 1.: Amend Chapter 21 Zoning, Article V. Administration, Section 21-5-3 Planning and Zoning Commission:, subsections, et al therein, as follows:

21-5-3: PLANNING AND ZONING COMMISSION:

~~See City Code Chapter 2, Article IV, Sections 2-69 through 2-79.~~

A. The Planning and Zoning Commission and its' construct and authority are established in accordance with provisions of Chapter 2 Administration, Article IV. Commissions, Boards and Bureaus, Division 1. Planning and Zoning Commission of the Eloy Code.

21-5-3.1: POWERS AND DUTIES:

A. The Planning and Zoning Commission shall have the following powers and duties set forth in Chapter 2 Administration, Article IV. Commissions, Boards and Bureaus, Division 1. Planning and Zoning Commission, Division 2. Board of Adjustment, and as follows:

- ~~A.~~ 1. Initiate, conduct hearings, and make recommendations to the City Council on a proposed adoption or amendments amendment to the General Plan ~~map and text~~, pursuant to section 21-6-4 of this chapter;
- ~~B.~~ 2. Initiate, conduct hearings, and make recommendations to the City Council on a proposed ~~amendments to the~~ Zoning Map Amendment and ~~to the text~~ Zoning Ordinance Text Amendment to of this chapter, pursuant to sections 21-6-5 and 21-6-6 of this chapter;
- ~~C.~~ 3. Initiate, conduct hearings, and make recommendations to the City Council on a proposed adoption or amendments amendment to a specific plans or specific area plans Specific Plan, pursuant to sections 21-6-4 and 21-6-6 of this chapter;

- ~~D.~~ 4. Initiate, conduct hearings, and make recommendations to the City Council on ~~a~~ proposed ~~conditional-use-permits~~ Conditional Use Permits, pursuant to section 21-6-7 of this chapter;
- ~~E.~~ 5. Initiate, conduct hearings, and make recommendations to the City Council on proposed ~~modifications~~ modifications, including revocations, to approved ~~conditional-use-permits~~ Conditional Use Permits;
- ~~F.~~ 6. Initiate, conduct hearings, and make recommendations to the City Council on proposed preliminary plats, pursuant to chapter 15, "Subdivisions", of ~~this~~ the Eloy Code;
- ~~G.~~ 7. Initiate, conduct hearings, and ~~make recommendations to the City Council on proposed final plats, pursuant to chapter 15, "Subdivisions", of this Code~~ approve, approve with conditions, or deny an application for a Certificate of Appropriateness or Certificate of Economic Hardship, pursuant to section 21-6-13 of this chapter;
- ~~H.~~ 8. Conduct hearings ~~Hear~~ and decide ~~site-plan-review~~ Site Plan Application decisions, including imposing reasonable Condition(s)-of-Approval on an application ~~decisions~~ brought forth by the Community Development Director due to special circumstances of the application, pursuant to section 21-6-11 of this chapter;
- 9. Conduct hearings and decide on appeals of the Community Development Director's, or his/her designee's, decision, or Condition(s)-of-Approval for a Certificate of No Effect or a Site Plan Application brought forth by the property owner, or their authorized agent, pursuant to section 21-6-13 of this chapter;
- ~~I.~~ 10. On an annual ~~basis~~ basis, review and make recommendations to the Mayor and City Council concerning the General Plan as well as plans for the development of any land outside the City's planning area, which in the opinion of the commission, is substantially related to the planning of the City;
- ~~J.~~ 11. To conduct a public meeting as the required "~~citizen-review~~ Citizen Review" session prior to a public hearing on any application for ~~a~~ the adoption or amendment of the General Plan, rezoning of property, adoption or amendment of a ~~specific plan~~ Specific Plan, ~~or~~ a Zoning Ordinance ~~text~~ Text Amendment, and/or ~~map-amendment~~ a Zoning Map Amendment initiated by the City. ~~The purpose of the citizen-review process is to provide an opportunity for citizen involvement and public awareness~~;
- ~~K.~~ 12. To confer and advise with other City, County, regional, or State planning agencies, boards and commissions;
- ~~L.~~ 13. Exercise such other powers and perform such other duties as are provided by law and directed by the City Council.

~~21-5-3.2: MEMBERSHIP:~~

~~See city Code Chapter 2-70.~~

~~21-5-3.3: TERM OF OFFICE:~~

~~See city Code Chapter 2-70.~~

~~21-5-3.4: NONATTENDANCE:~~

See city Code Chapter 2-70.

21-5-3.5: REMOVAL:

See city Code Chapter 2-70.

21-5-3.6: PLANNING AND ZONING COMMISSION ORGANIZATION:

—A.—The Planning and Zoning Commission shall consist of five (5) members, two (2) alternate members and one ex-officio non-voting City Council member. Alternate members shall only take part in those hearings where a regular member is absent and when appointed to do so by the chair. There shall never be more than five (5) members at any one time participating in a hearing of the Planning and Zoning Commission.

—B.—Officers: The Planning and Zoning Commission shall elect a Chairperson and Vice Chairperson from among its own members at its first meeting in January each year. The Chairperson shall preside at all meetings and shall take such actions as necessary to preserve order and the integrity of all proceedings before the Planning and Zoning Commission. The Vice Chairperson shall perform the duties of the Chairperson in the latter's absence or disability.

—C.—Meetings: Meetings of the Planning and Zoning Commission shall be open to the public. Public input shall be permitted in public meetings on matters before the commission. The minutes of the proceedings, showing the vote of each member and records of its examinations and other official actions, shall be kept and filed with the Office of the City Clerk as a public record.

—D.—Quorum: Three (3) members of the Planning and Zoning Commission shall constitute a quorum for the transaction of business. No matter may be considered by the commission unless there are three (3) or more members present who are eligible/qualified to vote on the matter. The affirmative vote of at least the majority of the quorum present and voting shall be required to pass a motion. If a member has been present for the entire presentation of an issue that member may abstain from voting only because they have a conflict of interest. If a member has a conflict of interest, he/she shall declare said conflict of interest prior to the presentation and/or shall abstain from all discussion and deliberation on the matter in question. One or more members of the Planning and Zoning Commission may attend by telephonic means.

—E.—Rules And Regulations: The Planning and Zoning Commission shall follow "Robert's Rules of Order" for the conduct of its meetings in the event of a procedural dispute. The Planning and Zoning Commission may make and publish bylaws to govern its proceedings and to provide for its meetings. The bylaws are to be reviewed by the City Attorney and approved by the City Council.

Section 2.: Amend Chapter 21 Zoning, Article V. Administration, 21-5-4: Board of Adjustment, subsections, et al. therein, as follows:

21-5-4: BOARD OF ADJUSTMENT:

See City Code Chapter 2, Article IV, Sections 2-80 through 2-88.

A. The Board of Adjustment and its' construct and authority are established in accordance with provisions of Chapter 2 Administration, Article IV. Commissions, Boards and Bureaus, Division 2. Board of Adjustment of the Eloy Code.

21-5-4.1: POWERS AND DUTIES:

A. The Board of Adjustment shall have the following powers and duties set forth in Chapter 2 Administration, Article IV. Commissions, Boards and Bureaus, Division 2. Board of Adjustment, and as follows:

~~In addition to any authority granted to the Board of Adjustment by Arizona State law, the Board shall have the following powers and duties:~~

- ~~A. 1.~~ 1. Appeal ~~Of~~ for Zoning Administrator Decision: To hear and decide appeals in which it is alleged that there is an error in an order, requirement or decision made by the Zoning Administrator in the enforcement of this chapter and Chapter 15 Subdivisions. This power shall include the power to reverse, affirm, or modify, wholly or partly, any order, requirement or decision of the Zoning Administrator properly appealed to the Board, and make such order, requirement, decision or determination as is necessary.
 - a. An appeal shall stay all proceedings in the matter appealed from, unless the person from whom the appeal is taken certifies in writing to the Board that the stay would cause imminent peril to life or property. In such case, proceedings shall not be stayed, except by a restraining order granted by the Board or by a court of record on application and notice to the person from whom the appeal is taken. The Board shall fix a reasonable time for hearing the appeal and give notice thereof.
- ~~B. 2.~~ Request ~~For~~ for Variances: To hear and decide requests for variances from the terms of this chapter. The Board of Adjustment may impose reasonable conditions in a decision to approve a variance. ~~chapter, only if, because of special circumstances applicable to the property, including its size, shape, topography, location, or surroundings, the strict application of this chapter will deprive such property of privileges enjoyed by other property of the same classification in the same zoning district. Any variance granted is subject to such conditions as will assure that the adjustment authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the same zoning district in which such property is located.~~
- ~~C. —~~ a. Justification ~~For~~ for Variance: A variance from the terms of this chapter may only be granted upon the presentation of evidence demonstrating that the specific requirements established by State Statutes have been satisfied:
 - ~~1. i.~~ i. There exist special circumstances or conditions regarding the land or building for which the variance or adjustment is sought, which do not apply generally to other land or buildings in the same zoning district; and
 - ~~2. ii.~~ ii. The above special circumstances or conditions are preexisting and are not created or self-imposed; and

- ~~3.~~ iii. The variance is necessary for the preservation of substantial property rights. Without a variance, the property cannot be used for purposes otherwise allowed in the same zoning district and the variance or adjustment, as granted, is the minimum adjustment that will accomplish this purpose; and
- ~~4.~~ iv. The granting of the adjustment will not be materially detrimental to persons residing or working in the vicinity, to adjacent property, or to the neighborhood or the public welfare.

~~D.~~ b. Prohibited Actions: The Board of Adjustment may not:

- ~~1.~~ i. Make any changes in the uses ~~permitted~~ allowed in any zoning classification or zoning district; or
- ~~2.~~ ii. Make any changes in the terms of this chapter, provided the restrictions in this paragraph shall not affect the authority to grant variances pursuant to State Statutes.

3. Reasonable Accommodation for a Disability.

- a. A Reasonable accommodation from a development standard of this Chapter for a disability shall not be authorized unless the Board shall find upon sufficient evidence all of the following:
 - i. The requested accommodation has been made by or on behalf of one (1) or more individuals with a disability protected under federal and Arizona fair housing laws (42 U.S.C. § 3600 et seq. and A.R.S. § 41-1491 et seq.);
 - ii. The requested accommodation is necessary to afford an individual with a disability equal opportunity to use and enjoy a dwelling;
 - iii. The standard or requirement unduly restricts the opportunity for a person with a disability from finding adequate housing within the City of Eloy;
 - iv. The requested accommodation does not fundamentally alter the nature and purpose of the City of Eloy Zoning Ordinance of the City of Eloy;
 - v. The requested accommodation will not impose an undue financial or administrative burden on the City, as "undue financial or administrative burden" is defined in federal and Arizona fair housing laws (42 U.S.C. § 3600 et seq. and A.R.S. § 41-1491 et seq.) interpretive case law;
 - vi. The profitability or financial hardship of the owner/service provider of a facility shall not be considered in determining whether to grant a reasonable accommodation for a disability;
 - vii. The requested accommodation shall not, under the specific facts of the application, result in a direct threat to the health or safety of other individuals or substantial physical damage to the property of others; and
 - viii. The requested accommodation shall comply with all applicable building and fire codes.

b. The Board of Adjustment may impose reasonable conditions in a decision to approve a reasonable accommodation for a disability.

~~E.—Membership: See City Code Chapter 2-81.~~

~~F.—Term Of Office: See City Code Chapter 2-81.~~

~~G.—Nonattendance: See City Code Chapter 2-81.~~

~~H.—Removal: See City Code Chapter 2-81.~~

~~I.—Organization Of Board Of Adjustment:~~

- ~~1.—Chairpersons: The Board shall elect a Chairperson and a Vice Chairperson from the members of the Board at the first meeting held in each calendar year. The Chairperson shall preside at all meetings, administer oaths and take evidence. The Vice Chairperson shall perform the duties of the Chairperson in the latter's absence or disability.~~
- ~~2.—Meetings: Meetings of the Board of Adjustment will be called as needed by the Chair of the Board. Meetings of the Board shall be open to the public, and public input shall be taken at the discretion of the Chairman. The minutes of the proceedings, showing the votes of each member and records of its examinations and other official actions, shall be kept and filed with the City Manager, City Council, and with the Office of the City Clerk as a public record.~~
- ~~3.—Quorum: Three (3) members of the Board shall constitute a quorum for the transaction of business. No matter may be considered by the Board unless there are three (3) or more members present who are eligible/qualified to vote on the matter. The affirmative vote of at least the majority of the quorum present and voting shall be required to pass a motion. If a member has been present for the entire presentation of an issue that member may abstain from voting only because they have a conflict of interest. If a member has a conflict of interest he/she shall declare said conflict of interest prior to the presentation and shall abstain from all discussion and deliberation on the matter in question. One or more members of the Board of Adjustment may attend by telephonic means.~~
- ~~4.—Rules And Regulations: The Board shall follow "Robert's Rules of Order" for the conduct of its meetings in the event of a procedural dispute. The Board may make and publish bylaws to govern its proceedings and to provide for its meetings. The bylaws are to be reviewed by the City Attorney and approved by the City Council.~~

21-5-4.2: APPEALS OF A BOARD OF ADJUSTMENT DECISION

~~J. A. Appeals Of Board Of Adjustment Decision: A person aggrieved by a decision of the Board of Adjustment or an officer or department of the City of Eloy affected by a decision of the Board may, at any time within thirty (30) days after the Board has rendered its decision, file a complaint for special action in Superior Court to review the Board's decision.~~

- ~~1. An appeal shall stay all proceedings in the matter appealed from unless the person from whom the appeal is taken obtains relief from the Superior Court, which it has upon finding that such a stay would cause imminent peril to life or property. If relief is provided, the~~

proceedings shall not be stayed, unless by a restraining order granted by the Arizona Appellate Court of record.

Section 3.: Amend Chapter 21 Zoning, Article V. Administration, 21-5-7: Revitalization Commission, to delete the section, subsection, et al., as follows:

21-5-7: REVITALIZATION COMMISSION:

~~There is hereby established a City of Eloy Revitalization Commission that is intended to strengthen Eloy as a social, cultural and economic center of Pinal County. See City Code Chapter 2, Article IV, Sections 2-105 through 2-105.5.~~

21-5-7.1: POWERS AND DUTIES:

~~The Downtown Advisory Commission shall have the following powers and duties:~~

~~—A.—Input And Guidance: Providing input and guidance to City staff, Planning and Zoning Commission and City Council on matters that pertain and are specific to downtown Eloy. These may include, but not be limited to; the Main Street and Frontier Street Facade Improvement Program, landscape designs in the rights-of-way, public artwork, infrastructure needs, parking options/requirements, architectural standards/designs, special projects, special events/festivals and community gatherings, design and construction of public improvements and/or buildings, and adopt-a-street campaigns.~~

~~—B.—Input From Community: Soliciting, accepting and reporting input from the community to the City Council.~~

~~—C.—Funding And Budgets: Funding and budgets for special projects conducted by the City or other government or utility agency in the Downtown Core, including any infrastructure earmarked in the Eloy Capital Improvement Program.~~

~~—D.—Revisions: Reviewing, interpreting and modifying revisions to the downtown streetscape standards.~~

~~—E.—Membership: See City Code Chapter 2-105.1~~

~~—F.—Term Of Office: See City Code Chapter 2-105.1~~

~~—G.—Nonattendance: See City Code Chapter 2-105.1~~

~~—H.—Removal: See City Code Chapter 2-105.1~~

~~—I.—Organization Of The Downtown Advisory Commission:~~

~~—1.—Chairpersons: The commission shall elect a Chairperson and a Vice Chairperson from the members of the commission at the first meeting held in each calendar year. The Chairperson shall preside at all meetings, administer oaths and take evidence. The Vice Chairperson shall perform the duties of the Chairperson in the latter's absence or disability.~~

~~—2.— Meetings: Meetings of the Downtown Advisory Commission will be held on the second Wednesday of each month and shall be open to the public, and public input shall be taken at the discretion of the Chairman. The minutes of the proceedings, showing the votes of each member and records of it examinations and other official actions, shall be kept and filed with the City Manager, City Council, and with the Office of the City Clerk as a public record.~~

~~—3.— Quorum: Five (5) members of the commission shall constitute a quorum for the transaction of business. No matter may be considered by the commission unless there are five (5) or more members present who are eligible/qualified to vote on the matter. The affirmative vote of at least the majority of the quorum present and voting shall be required to pass a motion. If a member has been present for the entire presentation of an issue that member may abstain from voting only because they have a conflict of interest. If a member has a conflict of interest he/she shall declare said conflict of interest prior to the presentation and shall abstain from all discussion and deliberation on the matter in question.~~

~~—4.— Rules And Regulations: The Downtown Advisory Commission shall follow "Robert's Rules of Order" for the conduct of its meetings in the event of a procedural dispute. The commission may make and publish bylaws to govern its proceedings and to provide for its meetings. The bylaws are to be reviewed by the City Attorney and approved by the City Council.~~

CCTA2024-001 Modifications to the Boards and Commission Provisions

Modification to Chapter 2 Administration of the Eloy Code

How to read this document.

- *Sections and italic text are instructions* to the City Clerk and the City's codifier for amending the Eloy Code.
- Double Underlined blue text are additions to the Eloy Code.
- ~~Crossed-out red text are deletions~~ to the Eloy Code.

Section 1.: Amend Chapter 2 Administration, Article IV. Commissions, Boards and Bureaus, as follows:

ARTICLE IV. COMMISSIONS, BOARDS AND BUREAUS

Division 1. Planning ~~And~~ and Zoning Commission

2-69: Established

2-70: Appointment ~~Of of~~ Members; Filling ~~Of of Vacancies~~ Vacancies; and Removal of Members

2-71: Meetings; Organization; Procedures of the Planning and Zoning Commission

2-72: Duties ~~And~~ and Functions of the Planning and Zoning Commission

2-73: Establishing a Subcommittee of the Planning and Zoning Commission and its Duties

2-74: Appointment of Members; Filling of Vacancies; and Removal of Members of a Subcommittee

2-75: Meetings; Organization; Procedures of the Subcommittee:

~~2-73~~ 2-76 - 2-79: Reserved

Division 2. Board ~~Of of~~ Adjustment

2-80: Established

2-81: ~~Membership; Terms; Vacancies~~ Board of Adjustment Members

2-82: Meetings; Organization; Procedures of the Board of Adjustment

2-83: Duties and Functions of the Board of Adjustment

~~2-83~~ 2-84: Appeals of the Board of Adjustment

~~2-84~~ 2-85 - 2-88: Reserved

Division 3. Parks, Recreation ~~And~~ and Library Advisory Board

2-89: Established; Membership; Terms; Vacancies

2-90: Meetings; Organization; Procedures

2-91: Duties ~~And~~ and Responsibilities

2-92 - 2-95: Reserved

Division 4. ~~Airport Advisory Board~~ Reserved

~~2-99: Established~~

~~2-100: Appointment; Vacancies~~

~~2-100.1: Meetings; Quorum~~

~~2-100.2: Organization; Procedures~~

~~2-100.3: Actions, Recommendations Advisory In Nature~~

~~2-100.4: Powers And Duties~~

Division 5. Pension Board

2-101: Established ~~For~~ for Public Safety Retirement System

2-102: Membership; Terms; Powers; Procedures

2-102.1: Meetings; Quorum

2-102.2: Organization; Conduct ~~Of~~ of Meetings

2-103 - 2-104: Reserved

~~Division 6. Revitalization Commission~~

~~2-105: Established~~

~~2-105.1: Membership; Terms; Vacancies~~

~~2-105.2: Meetings; Organization; Procedures; Decisions~~

~~2-105.3: Actions, Recommendations Advisory In Nature~~

~~2-105.4: Powers And and Duties~~

2-105.5: Responsibilities

2-105.6: Designation Of Landmarks Or Historic Districts

2-105.7: Certificate Of Appropriateness Required

2-105.8: Criteria For Approval Of Certificate Of Appropriateness

2-105.9: Certificate Of Appropriateness Application Procedure

2-105.10: Hardship Criteria

2-105.11: Hardship Application Procedure

2-105.12: Maintenance And and Repair Required

2-105.13: Violation; Penalty

2-105.14: Appeals

2-105.15: Fees

Section 2.: Amend Chapter 2 Administration, Article IV. Commissions, Boards and Bureaus, Division 1. Planning and Zoning Commission, as follows:

DIVISION 1. PLANNING AND ZONING COMMISSION¹

Notes

1. See also section 21-5-3 of this Code.

2-69: ESTABLISHED:

A. There is established a Planning and Zoning Commission for the City.

2-70: APPOINTMENT OF MEMBERS; FILLING OF ~~VACANCIES~~ VACANCIES; AND REMOVAL OF MEMBERS:

- A. The Planning and Zoning Commission shall be composed ~~of six (6) members (five (5) voting members and one (1) ex officio nonvoting member). One (1) alternate member shall also serve, substituting as necessary, as a voting member when any of the five (5) voting members are not present at any Planning and Zoning Commission meeting. of:~~

1. Seven (7) voting members;

2. One (1) ex officio non-voting City Council member; and

3. One (1) alternate member, which shall substitute, as necessary, a voting member when any of the seven (7) voting members are not present at any Planning and Zoning Commission meeting.
- ~~B. All five (5) voting members and one (1) alternate member of the Planning and Zoning Commission shall be appointed by a majority vote of the City Council to a term of three (3) years.~~
- B. All seven (7) voting members and the one (1) alternate member shall have an interest in the planned growth and development of the City. At least one (1) of the voting member shall also have an interest in airport and airpark planning and development; at least one (1) of the voting member shall also have interests in redevelopment/revitalization and historic preservation; and, at least one (1) of the voting member shall also have interests in economic development and housing.
- C. All Planning and Zoning Commission's seven (7) voting members and one (1) alternate member shall be appointed for a term of three (3) years by a majority vote of the City Council members present.
- ~~C. D. All full-time~~ Any current or previous voting ~~Members~~ member of the Commission that is, or has, ~~serving~~ served on the Planning and Zoning Commission, as of the effective date of Ordinance No. 21-908, shall serve no more than three (3) terms ~~from the starting date of the members' initial term~~, except members currently serving on the Planning and Zoning Commission who have completed more than three (3) terms ~~at on~~ the effective date of Ordinance No. 21-908. Currently serving members of the Planning and Zoning Commission who have completed more than three (3) terms may be appointed to one (1) additional three (3) year term ~~retroactive to January 31, 2021.~~
- ~~D. A City Council member shall be appointed by a majority vote of the members of the City Council to serve as an ex officio member of the Commission without a vote. This appointment shall be made at the first regular meeting of the City Council subsequent to the Mayor and City Council elections.~~
- E. The City Council shall appoint one of its members by a majority vote of those present to serve as an ex officio member of the Planning and Zoning Commission. This appointment shall be made at the first regularly scheduled City Council meeting after the start of a new calendar year. Each term of the ex officio member of the Planning and Zoning Commission shall be for one (1) year.
- F. In order to be eligible for appointment to the Planning and Zoning Commission, a person shall reside in the City for at least six (6) months. Furthermore, a member shall maintain residency for the duration of the term to which he or she has been appointed.
- ~~E. G.~~ Absence from two (2) consecutive meetings without formal consent of the ~~Commission~~ Planning and Zoning Commission shall be deemed to constitute the retirement of such member and the position shall thereupon be declared vacant. ~~Minutes of the Commission shall be filed with the City Clerk, City Manager and City Council.~~
- H. Any voting or alternate member of the Planning and Zoning Commission may resign from the Commission by providing written notice to the City Clerk. The ex officio member of the Planning and Zoning Commission may resign from the Planning and Zoning Commission by providing written notice the City Clerk and the Mayor,
- ~~F. I.~~ Vacancies on the ~~Commission~~ Planning and Zoning Commission occurring otherwise than by expiration of the term shall be filled in the manner herein ~~set forth for the unexpired term of the member leaving the Commission; to a new three (3) year term, not include a vacancy of the ex officio member of the Planning and Zoning Commission.~~

J. Upon the vacancy of the ex officio member of the Planning and Zoning Commission, the City Council shall appoint a new ex officio member of the Planning and Zoning Commission to complete the remainder of vacated term in the manner set forth herein.

~~G. In order to be eligible for appointment to the Planning and Zoning Commission, a person must have resided in the City for six (6) months. Furthermore, a member must maintain residency for the duration of the term to which he or she has been appointed.~~

K. The City Council may remove a member of the Commission prior to the expiration of the member's term by a majority vote of all members of the City Council, regardless of the number of City Council members present at the time of the vote.

2-71: MEETINGS; ORGANIZATION; PROCEDURES OF THE PLANNING AND ZONING COMMISSION:

A. The Planning and Zoning Commission shall ~~prepare~~ approve its schedule of regular monthly meetings at the start of each calendar year. However, the meetings shall be held on an as needed basis as determined by the Community Development Director. ~~All meetings shall at all times be open to the; the time and place of said meetings shall be posted in accordance with any currently applicable Arizona State Statutes regulating public meetings and proceedings (Open Meeting Laws). Special meetings may be called by the Chairperson on twenty four (24) hours' notice. Three (3) members of the Commission shall constitute a quorum for the exercise of the powers and authority conferred upon it.~~

B. Special meetings of the Planning and Zoning Commission may be called by the Chairperson on a minimum twenty-four (24) hours' notice.

C. All Planning and Zoning Commission meetings and hearings shall be open to the public, except closed executive sessions that are allowed for the applicable purposes specified in the Arizona Revised Statutes.

D. The time and place of Planning and Zoning Commission meetings and hearings shall be posted in accordance with the currently applicable Arizona State Statutes regulating public meetings and proceedings (Open Meeting Laws).

E. Four (4) members of the Planning and Zoning Commission shall constitute a quorum for the exercise of the powers and authority conferred upon it.

~~B. F.~~ At the first meeting after appointment, and at the first meeting held in any calendar year ~~thereafter~~, the members of the Commission shall elect a Chairperson and Vice Chairperson. ~~"Robert's Rules of Order" shall govern the conduct of meetings in the event of a procedural dispute.~~ The term of the elected Chairperson and Vice Chairperson shall begin at the second meeting held in the calendar year. If the Chairperson or Vice Chairperson position becomes vacant, the members of the Commission shall elect a new Chairperson or Vice Chairperson to fulfill the remainder of that vacated term.

G. "Robert's Rules of Order" shall govern the conduct of Planning and Zoning Commission meetings in the event of a procedural dispute.

H. The Community Development Director or his/her designee shall serve as staff liaison and secretary to the Planning and Zoning Commission.

- I. The minutes of the Planning and Zoning Commission shall be filed with the City Clerk as a public record.

2-72: DUTIES AND FUNCTIONS OF THE PLANNING AND ZONING COMMISSION:

~~A. It shall be the duty of the Commission to make a survey of the City and prepare and present to the Council a general plan to guide development and a zoning ordinance and official zoning map of all incorporated land within the City. The Commission shall further perform such other duties in connection with the planning and zoning of the City as are consistent with the Constitution and the laws of the State.~~

A. The Planning and Zoning Commission acts as an advisory board to the City Council on, airport and airpark planning and development, architectural, site plan and subdivision guidelines, policies and requirements, code enforcement, design and development review of public and private development, downtown improvements, historic preservation, infrastructure guidelines, needs and policies, land use, redevelopment, revitalization, public art and its placement, zoning matters, matters assigned to the Commission by the City Council, and any other matter within the scope of the planning and zoning powers available to cities in Arizona.

B. The Planning and Zoning Commission shall hold a public hearing(s) or public meeting(s) as required by law and make recommendations to the City Council on all matters concerning or related to the Commission's Powers and Duties specified in subsection A of this section, and Chapters 21 of the Eloy Code. Planning and Zoning Commission may continue any matter to a later date.

C. The Planning and Zoning Commission shall hold a public hearing(s) as required by law and make decisions on Historic Preservation, Preliminary Plat(s), and Site Plan(s) applications as set forth in the Commission's Powers and Duties specified in Chapters 16 and 21 of the Eloy Code.

D. The Planning and Zoning Commission may make recommendations to the City Council for the placement of Historic Markers and plaques at locations of significant events that occurred at least fifty (50) years ago and comply with the National Register Criteria for Evaluation.

E. The voting and alternate members of the Planning and Zoning Commission shall perform all powers and duties that are assigned to the Board of Adjustment specified in Chapter 21 of the Eloy Code, including holding public hearings related thereto.

1. In such matters assign to the Board of Adjustment:

a. The voting and alternate members of the Planning and Zoning Commission shall separately convene as the Board of Adjustment.

b. The Chairperson and Vice Chairperson of the Planning and Zoning Commission shall serve as the Chairperson and Vice Chairperson of the Board of Adjustment.

2. The ex officio non-voting City Council member on the Planning and Zoning Commission shall not participate as part of the Board of Adjustment when the voting and alternate members of the Planning and Zoning Commission convene to performing the powers and duties of the Board.

~~B. F. The Commission, prior to submitting any planning or zoning recommendations to the Council, shall hold public meetings at City Hall at which time citizens may appear and be heard, either for or against said proposed planning or zoning recommendations. Notice of such public meetings or and hearings shall be provided in accordance with State laws Arizona Revised Statutes.~~

2-73: ESTABLISHING A SUBCOMMITTEE OF THE PLANNING AND ZONING COMMISSION AND ITS DUTIES:

- A. By a majority vote of all voting members of the Planning and Zoning Commission, the Commission may adopt a Resolution forming a subcommittee(s) to review, discuss and study information, receive public comments, and provide comments and recommendations to the City Staff and the Planning and Zoning Commission for a specific task(s) related to:
1. The General Plan;
 2. Specific Area Plans;
 3. The Zoning Ordinance;
 4. Design and Development guidelines and requirements;
 5. Airport and Airpark planning and development;
 6. Historic Preservation;
 7. Downtown Planning and Improvements;
 8. Redevelopment and Revitalization;
 9. Infrastructure Improvements;
 10. Master Plans; or
 11. Subject(s) assigned by the City Council.
- B. In the adoption of a Resolution to form a subcommittee(s), the Planning and Zoning Commission shall specify the task(s) assigned and the maximum length of time that the subcommittee is to exist to perform the task(s). The maximum timeframe without being extended that a subcommittee can be created for:
1. The purposes of the creation, adoption or readoption of a General Plan: three (3) years.
 2. The purposes of the creation, adoption or readoption of a Specific Plan or Master Plan: two (2) years.
 3. Any other purpose that a subcommittee maybe created, or when a timeframe is not specified in the Resolution that created the subcommittee: 1 year from the date of the Resolution's adoption.
- C. By majority vote of all Planning and Zoning Commission members, the Commission may adopt a Resolution to: 1) set a date to disband a subcommittee prior to the date specified by the Resolution that created, or extended, the subcommittee, if stated, or in accordance with subsection B.3.; or, 2) extend the subcommittee to a new date.
1. Maximum number of times that a subcommittee may be extended: two (2) times.

2. Maximum timeframe of subcommittee created for the purpose of the creating, adopting or readopting the General Plan, Specific Plan or Master Plan first extension: one (1) year.
 3. Maximum timeframe of the first extension of subcommittee create for any other purpose: 182 days
 4. Maximum timeframe of the second extension of subcommittee create for any other purpose: 63 days
- D. Without further action by the Planning and Zoning Commission, a subcommittee shall automatically disband upon the date specified to have completed the assigned task in the Resolution adopted by the Commission, or in accordance with subsection B. of this section.

2-74: APPOINTMENT OF MEMBERS; FILLING OF VACANCIES; AND REMOVAL OF MEMBERS OF A SUBCOMMITTEE:

- A. A subcommittee shall consist of any three (3) of the eight (8) members (voting and alternate) of the Planning and Zoning Commission. Only current members of the Planning and Zoning Commission may serve on a Planning and Zoning Commission subcommittee(s).
- B. A member of a subcommittee who's term has expired and has not have been reappointed, has been removed, resigns, or retires from the Planning and Zoning Commission shall no-longer be a member of a subcommittee without further action by the Planning and Zoning Commission.
- C. The Chairperson of the Planning and Zoning Commission shall appoint the Chairperson and Vice Chairperson.
- D. By a majority vote of the members present, Planning and Zoning Commission shall replace a vacancy on a subcommittee, or remove a member of a subcommittee.

2-75: MEETINGS; ORGANIZATION; PROCEDURES OF THE SUBCOMMITTEE:

- A. The subcommittee shall adopt its schedule of regular meetings at its first meeting. However, the meetings shall be held on an as-needed basis as determined by the Community Development Director.
- B. Special meetings of subcommittee may be called by the Chairperson on a minimum twenty-four (24) hours' notice.
- C. All subcommittee meetings shall be open to the public, except closed executive sessions that are allowed for the applicable purposes specified in the Arizona Revised Statutes.
- D. The time and place of a subcommittee meeting shall be posted in accordance with any currently applicable Arizona State Statutes regulating public meetings and proceedings (Open Meeting Laws).
- E. Two (2) members of the subcommittee shall constitute a quorum for the exercise of the powers and authority conferred upon it.
- F. "Robert's Rules of Order" shall govern the conduct of Planning and Zoning Commission meetings in the event of a procedural dispute.

G. The Community Development Director or his/her designee shall serve as staff liaison and secretary to the subcommittee.

H. The minutes of the subcommittee shall be filed with the City Clerk and to the Planning and Zoning Commission.

2-73 2-76 - 2-79: RESERVED:

Section 3.: Amend Chapter 2 Administration, Article IV. Commissions, Boards and Bureaus, Division 2. Board of Adjustment, as follows:

DIVISION 2. BOARD OF ADJUSTMENT ¹

Notes

1. See also section 21-5-4 of this Code

2-80: ESTABLISHED:

A. There is hereby established a Board of Adjustment ~~composed of six (6) members (5 voting members and 1 ex-officio nonvoting member).~~ The Board shall carry out its duties pursuant to Arizona Revised Statutes, Section §9-462.06 and any amendments thereto.

2-81: ~~MEMBERSHIP; TERMS; VACANCIES:~~ BOARD OF ADJUSTMENT MEMBERS

~~A. All voting members of the Board of Adjustment shall be appointed by a majority vote of the members of the City Council to a term of three (3) years.~~

A. All voting and alternate members of the Planning and Zoning Commission shall serve as the members of the Board of Adjustment.

~~B. All Members serving on the Board of Adjustment, as of the effective date of Ordinance No. 21-908, shall serve no more than three (3) terms from the starting date of the members' initial term, except members who have completed more than three (3) terms at the effective date of Ordinance No. 21-908 may be appointed to one (1) additional three (3) year term retroactive to January 31, 2021.~~

~~C. A City Council member shall be appointed by a majority vote of the members of the City Council to serve as an ex-officio member of the Board but shall have no vote on any matter before the Board. This appointment shall be made at the first regular meeting of the City Council subsequent to the Mayor and City Council elections.~~

- ~~D. Absence from two (2) consecutive meetings without formal consent of the Board shall be deemed to constitute the retirement of such member and the position shall thereupon be declared vacant. Minutes of the Board shall be filed with the City Clerk, City Manager and the City Council.~~
- ~~E. Vacancies on the Board, occurring otherwise than by expiration of the term, shall be filled in the manner herein set forth for the unexpired term of the member leaving the Board.~~
- ~~F. In order to be eligible for appointment to the Board of Adjustment, a person must have resided in the City for six (6) months. Furthermore, a member must maintain residency for the duration of the term to which he or she has been appointed.~~

2-82: MEETINGS; ORGANIZATION; PROCEDURES OF THE BOARD OF ADJUSTMENT:

- A. The Board of Adjustment shall approve its schedule of regular monthly meetings at the start of each calendar year. Meetings of the Board of Adjustment shall be held on an ~~as-needed~~ as-needed basis as determined by the Community Development Director. ~~All meetings shall at all times be open to the public. The time and place of said meetings shall be posted in accordance with any currently applicable Arizona State Statutes regulating public meetings and proceedings (Open Meeting Laws). Special meetings may be called by the Chairperson on twenty four (24) hours' notice. Three (3) members of the Board shall constitute a quorum for the exercise of the powers and authority conferred upon it.~~
- ~~B. At the first meeting after appointment and at the first meeting held in any calendar year thereafter, the members of the Board shall elect a chairperson and vice chairperson. "Robert's Rules of Order" shall govern the conduct of meetings in the event of a procedural dispute.~~
- B. Special meetings of the Board of Adjustment may be called by the Chairperson on a minimum twenty-four (24) hours' notice.
- C. The Board of Adjustment meetings shall be open to the public, except closed executive sessions that are allowed for the applicable purposes specified in the Arizona Revised Statutes.
- D. The time and place of a Board of Adjustment meeting shall be posted in accordance with any currently applicable Arizona State Statutes regulating public meetings and proceedings (Open Meeting Laws).
- E. Four (4) members of the Board of Adjustment shall constitute a quorum for the exercise of the powers and authority conferred upon it.
- F. The Chairperson and Vice Chairperson of the Planning and Zoning Commission shall serve as the Chairperson and Vice Chairperson of the Board of Adjustment.
- G. "Robert's Rules of Order" shall govern the conduct of Board of Adjustment meetings in the event of a procedural dispute.
- ~~G. H.~~ The Chairperson and Vice Chairperson shall have the power to administer oaths and take evidence. ~~Minutes of the Board's proceedings showing the vote of each member and records of its examinations and other official actions shall be filed in the office of the Board as a public record.~~
- I. The Community Development Director or his/her designee shall serve as staff liaison and secretary to the Board of Adjustment.

J. The minutes of the Board of Adjustment shall be filed with the City Clerk as a public record.

2-83: DUTIES AND FUNCTIONS OF THE BOARD OF ADJUSTMENT:

A. The Board of Adjustment shall hold a public hearing(s) as required by law and to carry out its duties pursuant to Arizona Revised Statutes, Section §9-462.06, any amendments thereto, and those assigned to the Board of Adjustment specified in Chapter 21 of the Eloy Code.

~~2-83: APPEALS:~~

~~Appeals from decisions of the Board of Adjustment shall be governed by Arizona Revised Statutes, Section 9-462.06 and any amendments thereto.~~

~~2-84~~ 2-83 - 2-88: RESERVED:

Section 4.: Amend Chapter 2 Administration, Article IV. Commissions, Boards and Bureaus, Division 4. Airport Advisory Board, to amend the division, as follows:

DIVISION 4. ~~AIRPORT ADVISORY BOARD~~ RESERVED

~~2-99: ESTABLISHED:~~

~~There is hereby established an airport advisory board consisting of six (6) members (5 voting members and 1 ex officio nonvoting member) appointed by the city council, who shall meet as hereinafter provided, to consider and deliberate upon matters of concern to the city council and citizens that affect the operation and efficiency of the airport toward the end of providing an optimum level of services within available resources, using the airport master plan as a basic guide.~~

~~2-100: APPOINTMENT; VACANCIES:~~

- ~~A. The airport advisory board shall be composed of six (6) members (5 voting members and 1 ex officio nonvoting member).~~
- ~~B. All Members of the Airport Advisory Board shall be appointed by a majority vote of the members of the City Council to a term of three (3) years. Members serving on the Airport Advisory Board, as of the effective date of this Ordinance No. 21-908, shall serve no more than three (3) terms.~~
- ~~C. A city council member shall be appointed by a majority vote of the members of the city council to serve as an ex officio member of the board without a vote. This appointment shall be made at the first regular meeting of the city council subsequent to the mayor and city council elections.~~

- ~~D. Absence from two (2) consecutive meetings without formal consent of the board shall be deemed to constitute the retirement of such member and the position shall thereupon be declared vacant. Minutes of the board shall be filed with the city clerk, city manager and the city council.~~
- ~~E. Vacancies on the board occurring otherwise than by expiration by term shall be filled in the manner herein set forth for the unexpired term of the member leaving the board.~~
- ~~F. In order to be eligible for appointment to the airport advisory board, a person must have resided in the city for six (6) months. Furthermore, a member must maintain residency for the duration of the term to which the member has been appointed.~~

~~2-100.1: MEETINGS; QUORUM:~~

~~The board shall hold regular quarterly meetings, which shall at all times be open to the public. The time and place of said meetings shall be posted in accordance with any currently applicable Arizona state statutes regulating public meetings and proceedings (open meeting laws). Special meetings may be called by the chairperson on twenty four (24) hours' notice. Three (3) members of the board shall constitute a quorum for the exercise of the powers and authority conferred upon it.~~

~~2-100.2: ORGANIZATION; PROCEDURES:~~

~~At the first meeting after appointment and at the first meeting held in any calendar year thereafter, the members of the board shall elect a chairperson and vice chairperson. "Robert's Rules Of Order" shall govern the conduct of meetings in the event of a procedural dispute.~~

~~2-100.3: ACTIONS, RECOMMENDATIONS ADVISORY IN NATURE:~~

~~All discussion, deliberation, actions and recommendations of the board shall be advisory to the council, and such advisories as the board may from time to time make, shall be forwarded to the city council through the city manager.~~

~~2-100.4: POWERS AND DUTIES:~~

- ~~A. It shall be the duty of the airport advisory board to prepare and submit to the city council recommendations for the improvement, equipping, maintenance and operation of the Eloy municipal airport.~~
- ~~B. The airport advisory board, subject to the approval of the city council, may recommend regulations and establish fees and charges for the operation of the municipal airport.~~
- ~~C. The airport advisory board shall have periodic inventories made of airport services that exist or may be needed and interpret the needs of the public to the city council and to the city manager.~~
- ~~D. The airport advisory board shall aid in coordinating airport services with the programs of other governmental agencies and voluntary organizations.~~

- ~~E. The airport advisory board shall review the effectiveness of airport programs with the city manager and the city council.~~

Section 5.: Amend Chapter 2 Administration, Article IV. Commissions, Boards and Bureaus, Division 6. Revitalization Commission, to delete the division, as follows:

DIVISION 6. REVITALIZATION COMMISSION

2-105: ESTABLISHED:

~~There is hereby established a Revitalization Commission (formerly Downtown Advisory Commission) for the City. The Commission shall provide recommendations upon matters of concern that implement the City's strategic objectives for both potentially historic structures and the revitalization/redevelopment of buildings and structures within the City. These objectives shall be achieved using adopted plans, standards, ordinances, guidelines and other supportive directives previously adopted by the City Council.~~

2-105.1: MEMBERSHIP; TERMS; VACANCIES:

- ~~A. The Commission shall consist of eight (8) members (7 voting members and 1 nonvoting members) who may be, but are not required to be, qualified by experience and training to consider matters pertaining, but not limited to, architecture, historic architecture, landscape architecture, engineering, economic development, marketing, real estate, law, finance, banking, historian, contractor, etc., and/or who own commercial or industrial land within the City. Commission members may not be currently employed by the City during any portion of their term.~~
- ~~B. All voting Members serving on the Revitalization Commission (formerly Downtown Advisory Commission), as of the effective date of Ordinance No. 21-908, shall serve no more than three (3) terms.~~
- ~~C. A City Council member shall serve as an ex-officio member, but shall have no vote on any matter before the Commission. The City Council member shall be appointed by a majority vote of the members of the City Council. This appointment shall be made at the first regularly scheduled meeting of the City Council subsequent to the Mayor and City Council elections.~~
- ~~D. All voting members of the Revitalization Commission shall be appointed to serve staggered and overlapping terms by a majority vote of the members of the City Council.~~
- ~~E. Absence from two (2) consecutive Commission Meetings without formal consent of the Commission shall be deemed to constitute the retirement of such member and the position shall thereupon be declared vacant.~~

~~F. Vacancies on the Commission, occurring otherwise than by expiration of the departing member's term, shall be filled in the manner set forth herein for that remaining portion of their unexpired term.~~

~~G. In order to be eligible for appointment to the Revitalization Commission, a person may reside in the City and/or work in the City or may be involved in a profession or with an entity that would be advantageous for representation on the Commission.~~

2-105.2: MEETINGS; ORGANIZATION; PROCEDURES; DECISIONS:

~~A. Meetings shall be held on an as-needed basis as determined by the Community Development Director. The time and place of said meetings shall be posted in accordance with any currently applicable Arizona State Statutes regulating public meetings and proceedings (open meeting laws). Special meetings may be called by the chairperson on twenty four (24) hours' notice. Four (4) members of the Commission shall constitute a quorum for the exercise of the powers and authority conferred upon it.~~

~~B. The time and place of said Commission meetings shall be posted in accordance with any currently applicable Arizona state statutes regulating public meetings and proceedings (open meeting laws). Special meetings may be called by the Chairperson on twenty four (24) hours' notice.~~

~~C. At the first meeting held in any calendar year, the members of the Commission shall elect a Chairperson and Vice Chairperson to serve for that calendar year. "Robert's Rules of Order" shall govern the conduct of meetings in the event of a procedural dispute.~~

~~D. The City's Community Development Director shall designate a staff person to assist in recording the proceedings of the Commission meetings. The Community Development Department shall transcribe the proceedings and transmit them to Commission members prior to the next scheduled meeting to be reviewed and approved.~~

~~E. The Chairperson shall provide notice of a meeting to the members of the Commission a minimum of four (4) calendar days preceding the meeting.~~

2-105.3: ACTIONS, RECOMMENDATIONS ADVISORY IN NATURE:

~~All discussion, deliberation, actions and recommendations of the Commission shall be advisory to the City Council, and such advisories as the Commission may from time to time make, shall be forwarded to the City Council through the City Manager.~~

2-105.4: POWERS AND DUTIES:

~~It shall be the duty of the Commission to prepare and submit to the City Council recommendations for the revitalization/redevelopment of buildings and structures within the City, and serve as the Historic Preservation Commission.~~

2-105.5: RESPONSIBILITIES:

The responsibilities of the Commission shall include:

- A. ~~Promulgation of rules and regulations as necessary for the conduct of its business.~~
- B. ~~Review of criteria for the identification of significant historic, architectural, and cultural landmarks and for the delineation of historic districts.~~
- C. ~~Review existing surveys of significant historic, architectural and cultural landmarks and historic districts within the City and periodically update the survey.~~
- D. ~~Recommending to the City Council the designation of identified structures or resources as landmarks and historic districts.~~
- E. ~~Acceptance on behalf of the City of the donation of facade easements and development rights; the making of recommendations to the City Council concerning the acquisition of facade easements or other interests in real property as necessary to carry out the purposes of this chapter.~~
- F. ~~Increasing public awareness of the value of historic, cultural and architectural preservation by developing and participating in public education programs.~~
- G. ~~Making recommendations to the City Council concerning the utilization of state, federal or private funds to promote the preservation of landmarks and historic districts within the City, and recommending programs and projects for the revitalization/redevelopment of buildings within the City to improve the aesthetics of buildings to further enhance the economic base of the community.~~
- H. ~~Recommending acquisition of a landmark structure by the City where its preservation is essential to the purposes of this chapter and where private preservation is not feasible.~~
- I. ~~Approval or disapproval of applications for certificates of appropriateness pursuant to this chapter.~~
(Ord. 21-908, 5-24-2021)

2-105.6: DESIGNATION OF LANDMARKS OR HISTORIC DISTRICTS:

- A. ~~Individual Property: The Revitalization Commission may recommend to the City Council that an individual property be designated as a landmark if it:~~
 - 1. ~~Possesses special character or historic or aesthetic interest or value as part of the cultural, political, economic or social history of the locality, region, state or nation; or~~
 - 2. ~~Is identified with historic personages; or~~
 - 3. ~~Embodies the distinguishing characteristics of an architectural style; or~~
 - 4. ~~Is the work of a designer whose work has significantly influenced an age; or~~
 - 5. ~~Because of a unique location or singular physical characteristic, represents an established and familiar visual feature of the community.~~
- B. ~~Group of Properties:~~

1. ~~The Revitalization Commission may recommend to the City Council that a group of properties be designated as an historic district if it:~~
 - a. ~~Contains several properties which meet one or more of the criteria for designation of a landmark; and~~
 - b. ~~By reason of possessing such qualities, it constitutes a district section of the City; and~~
 - c. ~~The majority of owner(s) of the properties concur with the designation.~~
 2. ~~The boundaries of each historic district designated henceforth shall be specified in detail and shall be filed, in writing, in the City Clerk's office for public inspection.~~
- C. ~~Notice of Proposed Designation: Notice of a proposed designation shall be sent by registered mail to the owner(s) of the property proposed for designation, either by the Commission or by the owner, describing the property proposed and announcing a public hearing by the Commission to consider the designation. Where the proposed designation involves so many owners that individual notice is infeasible, notice may instead be published at least once in a newspaper of general circulation at least fifteen (15) calendar days prior to the date of public hearing. Once the Commission has issued notice of a proposed designation, no building permits shall be issued by the City's Chief Building Official until the Commission has made its decision.~~
- D. ~~Public Hearing: The Commission shall hold a public hearing prior to designation of any landmark or historic district. The testimony or documentary evidence at the hearing will become part of a record regarding the historic, architectural, or cultural importance of the proposed landmark or historic district. The record may also contain staff reports, public comments or other evidence offered outside of the hearing.~~
- E. ~~Notify City Council and County Recorder: The Commission shall forward notice of each proposed property designated as a landmark and of the boundaries of each designated historic district to the City Council for final designation, and subsequently to the office of the Pinal County Recorder for recordation, as appropriate. (Ord. 21-908, 5-24-2021)~~

2-105.7: CERTIFICATE OF APPROPRIATENESS REQUIRED:

No person shall carry out any exterior alteration, restoration, reconstruction, demolition, new construction or moving of a landmark, or property within a historic district, nor shall any person make any material change in the appearance of such a property, its light fixtures, signs, sidewalks, fences, steps, paving or other exterior elements visible from a public street or alley which affect the appearance and cohesiveness of the historic landmark or historic district, without first obtaining a certificate of appropriateness from the Revitalization Commission.

2-105.8: CRITERIA FOR APPROVAL OF CERTIFICATE OF APPROPRIATENESS:

A. ~~Principles for Consideration:~~

1. ~~In passing upon an application for a certificate of appropriateness, the Revitalization Commission shall not consider changes to interior spaces, unless they are open to the public, or to architectural features that are not visible from a public street or alley.~~
2. ~~The Commission's decision shall be based upon the following principles:~~
 - a. ~~Properties, which contribute to the character of the historic district, shall be retained, with their historic features altered as little as possible;~~
 - b. ~~Any alteration of existing historic landmark properties shall be compatible with its historic character. Any alteration of existing properties within a historic district shall be compatible with its historic character as well as with the surrounding district; and~~
 - c. ~~New construction shall be compatible with the district in which it is located.~~
- B. ~~Compatibility Factors: In applying the principle of compatibility, the Commission shall consider the following factors:~~
 1. ~~The general design character and appropriateness to the property of the proposed alteration or new construction.~~
 2. ~~The scale of proposed alteration or new construction in relation to the property itself, surrounding properties and the neighborhood.~~
 3. ~~Texture, materials, color and their relation to similar features of other properties in the neighborhood.~~
 4. ~~Visual compatibility with surrounding properties, including proportion of the property's front facade, proportion and arrangement of windows and other openings with the facade, roof shape, and the rhythm of spacing of properties on streets, including setback.~~
 5. ~~The importance of historic, architectural or other features to the significance of the property.~~
- C. ~~Guide to Rehabilitation Work: As a guide to rehabilitation work, the Commission shall utilize the latest published edition of the Secretary of the Interior's Standards for Rehabilitation.~~

2-105.9: CERTIFICATE OF APPROPRIATENESS APPLICATION PROCEDURE:

- A. ~~Contents of Application: Prior to the commencement of any work requiring a certificate of appropriateness, the owner shall file an application for such a certificate with the Revitalization Commission. The application shall contain:~~
 1. ~~Name, address and telephone number of applicant.~~
 2. ~~Location and photographs of property.~~
 3. ~~Elevation drawings of proposed changes, if available.~~
 4. ~~Perspective drawings, including relationship to adjacent properties, if available.~~

5. ~~Where the proposal includes signs with lettering, a scale drawing showing the type of lettering to be used, all dimensions and colors, a description of materials to be used, method of illumination and a plan showing the sign's location on the property.~~
 6. ~~Any other information, which the Commission may deem necessary in order to visualize the proposed work.~~
- B. ~~Building Permit: No building permit shall be issued for such proposed work until a certificate of appropriateness has first been issued by the Revitalization Commission. The certificate of appropriateness required by this chapter shall be in addition to, and not in lieu of, any building permit that may be required by any other ordinance of the City.~~
- C. ~~Commission Action; Hearing: The Commission shall approve, deny or approve the permit with modifications/stipulations within twenty-one (21) calendar days from receipt of the completed application. The Community Development Director, at his/her discretion, may direct the Commission to hold a public hearing on the application at which an opportunity will be provided for proponents and opponents of the application to present their views.~~
- D. ~~Commission Decisions: All decisions of the Commission shall be in writing. A copy shall be transmitted to the applicant by registered mail and a copy filed with the City Clerk's office for public inspection. The Commission's decision shall state the reasons for denying or modifying any application.~~

2-105.10: HARDSHIP CRITERIA:

- A. ~~Proposed Demolition: An applicant whose certificate of appropriateness for a proposed demolition has been denied may apply for relief on the grounds of hardship. In order to prove the existence of hardship, the applicant shall establish that:~~
- ~~—1. The property is incapable of earning a reasonable return, regardless of whether that return represents the most profitable return possible;~~
 - ~~—2. The property cannot be adapted for any other use, whether by the current owner or by a purchaser, which could result in a reasonable return; and~~
 - ~~—3. Efforts to find a purchaser interested in acquiring the property and preserving it have failed.~~
- B. ~~Proposed Alteration: An applicant whose certificate of appropriateness for a proposed alteration has been denied may apply for relief on the grounds of hardship. In order to prove the existence of hardship, the applicant shall establish that the property is incapable of earning a reasonable return, regardless of whether that return represents the most profitable return possible.~~

2-105.11: HARDSHIP APPLICATION PROCEDURE:

- A. ~~Right to Commence Hardship Process: After receiving written notification from the Commission of the denial of a certificate of appropriateness, an applicant may commence the hardship process. No building permit or demolition permit shall be issued unless the Commission makes a finding that a hardship exists.~~

- B. ~~Hearing: The Commission may hold a public hearing on the hardship application at which an opportunity will be provided for proponents and opponents of the application to present their views.~~
- C. ~~Seeking Alternative: The applicant shall consult in good faith with the Commission, local preservation groups and interested parties in a diligent effort to seek an alternative that will result in preservation of the property.~~
- D. ~~Commission Decision: All decisions of the Commission shall be in writing. A copy shall be sent to the applicant by registered mail and a copy filed with the City Clerk's office for public inspection. The Commission's decision shall state the reasons for granting or denying the hardship application.~~

2-105.12: MAINTENANCE AND REPAIR REQUIRED:

- A. ~~Ordinary Maintenance and Repair Allowed: Nothing in this chapter shall be construed to prevent the ordinary maintenance and repair of any exterior architectural feature of a landmark or property within a historic district, which does not involve a change in design, material, color or outward appearance.~~
- B. ~~Deterioration of Exterior Architectural Features: No owner or person with an interest in real property designated as a landmark or included within a historic district shall permit the property to fall into a serious state of disrepair so as to result in the deterioration of any exterior architectural feature which would, in the judgment of the Revitalization Commission, produce a detrimental effect upon the character of the historic district as a whole or the life and character of the property itself.~~
- C. ~~Examples of Deterioration: Examples of such deterioration include:~~
 - 1. ~~Deterioration of exterior walls or other vertical supports.~~
 - 2. ~~Deterioration of roofs or other horizontal members.~~
 - 3. ~~Deterioration of exterior chimneys.~~
 - 4. ~~Deterioration or crumbling of exterior stucco or mortar.~~
 - 5. ~~Ineffective waterproofing of exterior walls, roofs or foundation, including broken windows or doors.~~
 - 6. ~~Deterioration of any feature so as to create a hazardous condition, which could lead to the claim that demolition, is necessary for the public safety.~~

2-105.13: VIOLATION; PENALTY:

- A. ~~Any person found guilty of violating any provision of this chapter shall be guilty of a misdemeanor and shall be punished in accordance with Section 1-8 of this Code.~~
- B. ~~Any person who demolishes, alters, constructs or permits a designated property to fall into a serious state of disrepair in violation of this chapter shall be required to restore the property and its site to~~

~~its appearance prior to the violation. Any action to enforce this subsection shall be brought by the City Attorney. This civil remedy shall be in addition to, and not in lieu of, any criminal prosecution and penalty.~~

~~2-105.14: APPEALS:~~

~~Any person aggrieved by a decision of the Revitalization Commission relating to hardship or a certificate of appropriateness may, within fifteen (15) calendar days of the decision, file a written application with the City Council for review of the decision.~~

~~2-105.15: FEES:~~

~~No fees required.~~

CITY OF ELOY

REQUEST FOR COMMISSION ACTION

Agenda Item: **VI.C.**

Date: **9/18/2024**

Date submitted:
08/20/2024

Action: Other

Date requested:
9/18/2024

Subject: Conduct a public hearing and make a recommendation to the Eloy City Council on Case No. ZTA2024-003: Historic Preservation Overlay and Miscellaneous Modifications, to amend Chapter 21 Zoning: Article II. Zoning Districts, including sections therein, to modify the title of the Planned Area Development (PAD) zone, and to incorporate the Historic Preservation Overlay (HP) zone, including the related processes and requirements; and Article VI. Zoning Procedures, to add Historic Preservation procedures, processes, criteria, standards, and guidelines.

TO: Planning and Zoning Commission

FROM: Dan Symer

RECOMMENDATION:

The staff recommends that the Planning and Zoning Commission approve Case No. ZTA2024-003: Historic Preservation Overlay and Miscellaneous Modifications, to amend the following of Chapter 21 Zoning: Article II. Zoning Districts, Section 21-2-1.1: Zoning Districts were established to update the provisions and incorporate the Historic Preservation Overlay zone to amend Article II. Zoning Districts, Section 21-2-7.1: Planned Area Development (PAD) to update the title of the PAD zone; and Article II. Zoning Districts, to add Historic Preservation Overlay (HP) zone, and related processes and requirements; and Article VI. Zoning Procedures, to add Historic Preservation procedures, processes, criteria, standards, and guidelines.

DISCUSSION:

Request

A request by the City of Eloy as the applicant for a City Council-initiated Text Amendment to Chapter 21-Zoning of the Eloy Code, also referred to as the City of Eloy's Zoning

Ordinance, to incorporate the Historic Preservation Overlay zone with the related processes, requirements, criteria, standards, and guidelines. Furthermore, the amendment includes modifying the Planned Area Development (PAD) title to include "Overlay."

Purpose

The purpose of the amendment is to create a new overlay zone called the Historic Preservation Overlay (HP). The objective of this overlay zone is to implement the General Plan through the recognition, preservation, and enhancement of landscape features, objects, structures, and sites that represent distinctive events, and cultural, political, architectural, and archaeological elements (hereafter "Resources") that have historical and heritage significance within the Eloy. Furthermore, the amendment is intended to encourage the economic reuse of resources when appropriate, to promote cultural awareness through the recognition and preservation of resources, and to provide for the education and general welfare of the public. It should be noted that the proposed amendment to the Zoning Ordinance is also necessary to align and remove redundancies and conflicts between Chapter 2, Article IV: Commissions, and Chapter 21, Zoning pertaining to the historical preservation provisions. In addition, the amendment includes modifying the title of the Planned Area Development (PAD) to include "Overlay."

Discussion and Summary of Proposed Standards

Many of the existing historic preservation provisions are located in historical Code's Chapter 2, Article IV: Commissions, Board and Bureaus under the Revitalization Commission duties. Upon approval of the associated Eloy Code amendment (CCTA2024-001 Modifications to the Boards and Commission Provisions), the provisions will be removed from the Eloy Code. Therefore, they need to be relocated to the appropriate location in the Zoning Ordinance. Furthermore, the Staff's review of the existing provisions found that they need to be updated to conform to current standards and regulations.

In accordance with the enabling zoning provisions of Section §9.462.01 of the Arizona Revised Statutes that address historic preservation zoning, the proposed Historic Preservation Overlay (HP) would be created with updated regulations that are consistent with the State and National guidelines and criteria. Furthermore, the method to apply for designation would be incorporated, which would follow the existing rezoning process. In addition, the application process for designation, modifications, and economic hardship determinations would be incorporated into the zoning procedures section of the Zoning Ordinance that houses the process for all other applications. Also, provisions would be incorporated into the Historic Preservation Overlay (HP) to allow for modification to the land use and property development standards to assist in zoning compliance and preservation. The proposed regulations also include:

- Providing a clear method for property owners to obtain a Landmark or Historic District designation;

- Aligning the regulations with the provisions, guidelines, and publications of the Arizona State Historic Preservation Office and the U.S. Department of the Interior's National Park Service's National Register Criteria for Evaluation;
- Incorporate regulations to accommodate zoning provisions that may be necessary to ensure the property is able to maintain compliance with the Zoning Ordinance property development standards and to allow uses that are vital to the Landmark's preservation; and
- A method to identify and track properties that have received a Landmark or Historic District designation.

The amendment also incorporates modifying the title of the PAD. The PAD is an overlay district that is frequently confused by the public as a primary zone instead of an overlay. To be consistent with other overlay zones of the Eloy Zoning Ordinance and to assist with elevating the confusion, the proposed amendment would add "Overlay" to the PAD title.

Issues for Consideration

In determining whether to approve, approve with conditions, or deny proposed text amendments, issues for consideration shall include but not be limited to (Staff's analysis of the consideration is included in bold italic text):

A. The proposed amendment will promote the public health, safety, and general welfare;

- ***The proposed amendment promotes public health, safety, and general welfare by allowing property owners and the City Council to zone properties with the HP overlay. This overlay requires landmarks and properties within the historic district to be maintained and prevents them from falling into a state of disrepair. Furthermore, the provisions of the proposed ordinance mandate that any modifications or additions to the property be in accordance with a preservation plan. This plan is to be included with the adoption of an Amendment to the Zoning Map (rezoning application) to rezone the property with the HP overlay. Additionally, the proposed amendment allows for the designation, acknowledgment, and preservation of properties associated with distinctive events and elements of cultural, political, architectural, archaeological, and historical significance. This is intended to provide a record of past events, ideas, occurrences, significant persons, and styles for future generations to celebrate, learn about, mourn, and remember Eloy's past.***

B. The proposed amendment is consistent with the adopted Eloy General Plan and the stated purposes of this chapter; and

- ***The proposed amendment aligns with the General Plan by focusing on the protection, preservation, rehabilitation, and adaptive reuse of historical***

and cultural landmarks and resources (General Plan Goal 3.9.1.2). Additionally, it requires the adoption of preservation plans that include guidelines and standards for reviewing new construction, as well as for the maintenance, upkeep, repair, and preservation of landmarks and properties within the historic district (General Plan Objective 3.9.5.4).

C. The proposed amendment is necessary or desirable because of changing conditions, new planning concepts, or other social or economic conditions.

- ***The proposed amendment is necessary to implement a zoning method that aligns with the General Plan's goals and objectives, as well as the community's desire to preserve and maintain properties eligible for landmark and historic district designation. Additionally, the amendment establishes processes and procedures to ensure that property owners maintain their properties according to a preservation plan and applicable requirements once a property is zoned with the HP overlay, which acknowledges landmarks and historic districts are designations.***

Community Involvement and Citizen Review Report

On Monday, August 5, 2024, staff held an Open House in the City Hall Community Room, and a One-on-One meeting took place on August 7, 2024, in the Community Development Conference Room. No members of the public attended either meeting. Both meetings were published in the Pinal Central Dispatch using a minimum 1/8-page ad on July 18, 2024, on the City of Eloy website and the City's website calendar. Additionally, the LED community notification signs outside the Community Services Department building on Main Street and the Toltec Community Center provided information about the meetings and informed the public that the proposed amendments were available for review.

FISCAL IMPACT:

There is no anticipated fiscal impact on the proposed changes.

ZTA2024-003 Historic Preservation Overlay and Miscellaneous Modifications

Modification to Chapter 21 Zoning of the Eloy Code

How to read this document.

- *Sections and italic text are instructions* to the City Clerk and the City’s codifier for amending the Eloy Code.
- Double Underlined blue text are additions to the Eloy Code.
- ~~Crossed-out red text are deletions~~ to the Eloy Code.
- Table format modifications are implemented as shown in the revised table, including shading of cells.

Section 1.: Amend Chapter 21 Zoning, Article II. ZONING DISTRICTS, Section 21-2-1.1: ZONING DISTRICTS ESTABLISHED; including modifications to the table format and shading, as follows:

21-2-1.1: ZONING DISTRICTS ESTABLISHED:

All lands located within the incorporated limits of the City of Eloy are hereby zoned and organized into a coordinated set of Residential and Non-Residential Zoning Districts and Overlay Districts. These districts are established to implement the goals, objectives and policies of the Eloy General Plan and to conserve and promote the public health, safety and general welfare. Residential Zoning Districts are primarily intended to create, maintain and promote a variety of neighborhoods that allow a range of compatible densities to accommodate the desired physical character of the City. Nonresidential Districts uses are also allowed to improve the overall quality of life by providing a convenience of services and goods for Eloy residents and provide public facilities necessary to create a healthy and safe environment in which to live. Overlay Districts are intended to address specific unique land use and development regulation situations and alternatives.

~~—TABLE 2.1-1~~

~~ZONING DISTRICTS ESTABLISHED~~

<u>TABLE 21-2-1.1: ZONING DISTRICTS ESTABLISHED</u>		
Abbreviation	Zoning District	Previous Zoning
Residential Districts:		
(RR-20)	Rural Residential; minimum 20 acres per du	Rural Residential

(RR-5)	Rural Residential; minimum 5 acres per du	Rural Residential
(RR-2.5)	Rural Residential; minimum 2.5 acres per du	New
(R1-54)	Estate Residential; minimum 54,450 sq. ft. per du	New
(R1-43)	Estate Residential; minimum 43,560 sq. ft. per du	Estate Residential
(R1-12)	Single-Family Residential; minimum 12,000 sq. ft. per du	Low Density Residential
(R1-6)	Single-Family Residential; minimum 6,000 sq. ft. per du	Medium Density Residential
(R-2)	Small Lot Residential; 6 - 10 dus per acre	Medium High Density Residential
(R-3)	Multiple-Family Residential; 10 - 24 dus per acre	High Density Residential
Commercial and Mixed- Use Districts:		
(C-1)	Neighborhood Commercial District	Neighborhood Commercial
(C-2)	General Commercial District	Community Commercial
(MU)	Mixed-Use	New
Business and Industrial Districts:		
(BP)	Business Park	New
(I-1)	Light Industrial	Light Industrial
(I-2)	General Industrial	General Industrial
Open Space Districts:		
(OSC)	Open Space Conservation District	Open Space Conservation
(OSR)	Open Space Recreation District	Open Space Recreation
Overlay Zoning Districts:		
(PAD)	Planned Area Development Overlay	Planned Area Development
(MHS)	Manufactured Home Overlay Subdivision	Manufactured Home
(MHP)	Manufactured Home Park	Manufactured Home
(RVP)	Recreational Vehicle Park	New
(AO)	Aviation Overlay	Airport
(DCO)	Downtown Core Overlay	Community Core
(PF)	Public Facilities District	New
(HP)	Historic Preservation Overlay	New

Section 2.: Amend Chapter 21 Zoning, Article II. Zoning Districts, Section 21-2-7.1: PLANNED AREA DEVELOPMENT (PAD);, as follows:

21-2-7.1: PLANNED AREA DEVELOPMENT [OVERLAY](#) (PAD):

Section 3.: Amend Chapter 21 Zoning, Article II. Zoning Districts, to add Sections 21-2-7.23 through 21-2-7.36 and subsection therein in numerical order, as follows:

21-2-7.23: HISTORIC PRESERVATION OVERLAY (HP):

21-2-7.24: GENERAL PURPOSE:

A. The purpose of the Historic Preservation Overlay (HP) zone is to assist in implementing the General Plan for the recognition, preservation, and enhancement of landscape features, objects, structures, and sites that represent distinctive events, and elements of cultural, political, architectural, and archaeological significance (hereafter “Resources”) that have historic and heritage significance within the City. Furthermore, the HP zone is intended to encourage the economic reuse of resources when appropriate, promote cultural awareness through the recognition and preservation of the Resources, and provide for the education and general welfare of the public.

21-2-7.25: CRITERIA TO REZONE TO THE HISTORIC PRESERVATION OVERLAY (HP):

- A. In addition to the Issues for Consideration criteria for a Zoning Map Amendment of Article VI of this Chapter, to be eligible to be zoned with the Historic Preservation Overlay:
1. The City Council shall first find that the property(ies) identified in the application meets the criteria to be designated a Landmark or Historic District as specified in this Chapter; and
 2. The Resources on the property occurred at least fifty (50) years ago; younger properties may be eligible when a significant event or improvement has occurred on the property that complies with the National Register Criteria for Evaluation.

21-2-7.26: CRITERIA FOR LANDMARKS OR HISTORIC DISTRICTS:

A. Landmarks.

1. The City Council may designate a Resource(s) as a Landmark that complies with the following criteria:
 - a. The Resource possesses special character or historic or aesthetic interest or value as part of the cultural, political, economic or social history of the locality, region, state or nation;
 - b. The Resource is identified with historic personages or events;
 - c. The Resource embodies the distinguishing characteristics of an architectural style;
 - d. The Resource is the work of a designer whose work has significantly influenced an age; or
 - e. Because of a Resources unique location or singular physical characteristic, represents an established and familiar visual feature of the community.

B. Historic District.

1. The City Council may designate several properties as a Historic District that complies with the following criteria:
 - a. Contains several properties which meet one or more of the criteria for designation of a landmark;
 - b. By reason of possessing such qualities, it constitutes a district section of the City; and
 - c. The majority of owner(s) of the properties concur with the designation.

21-2-7.27: NOTIFICATION REQUIREMENTS FOR CITY INITIATED APPLICATIONS

- A. The Community Development Director shall notify the property owner(s) by registered mail of an application initiated by the City Council, Planning and Zoning Commission, or the Zoning Administrator within 15 days of the application submittal to zone the property with the HP overlay.

21-2-7.28: STAY OF BUILDING PERMITS

- A. The Building Official shall not issue any building permits, and no construction or demolition activity shall occur unless allowed by the Building Official for emergency purposes, on a property that the City Council or Planning and Zoning Commission has initiated an application, or that application has been submitted to rezone the property to the HP overlay. The stay of the building permit and construction or demolition activity shall remain in place until the City Council has made a decision on the application, the application has been withdrawn, or one (1) year has passed since the City Council or Planning and Zoning Commission initiated the application.
- B. By a majority vote of those present, the City Council may extend the stay of the building permits, and construction and demolition activity on the property of an application for a period not to exceed four (4) months from the stay's expiration date. The stay of the building permits, and construction and demolition activity for an application on a property may be extended no more than twice.

21-2-7.29: USE STANDARDS

- A. The applicable underlying zoning district's use regulations shall apply to the HP Overlay, except that the City Council may approve additional land uses included as part of the Landmark's Historic Preservation Plan. To approve additional land uses, the City Council shall find that the proposed land use(s) are necessary to:
 1. Maintain the integrity of the Landmark's purpose for which it received its designation;
 2. Maintain the economic vitality of the Landmark; and
 3. Promote the general welfare of the public.
- B. The City Council may impose requirements on additional land uses.

21-2-7.30: DEVELOPMENT STANDARDS AND MODIFICATIONS

- A. The applicable underlying zoning district's development standards shall apply to the HP Overlay, except that the City Council may approve modifications to the development standards as part of the Landmark's or Historic District's Preservation Plan. To approve modifications to the development standards, the City Council shall find that the proposed modifications are necessary to:
1. Maintain the integrity of the Landmark on the property for which it received its designation:
 2. Maintain the integrity of the properties of the Historic District for which it received its designation:
 3. Maintain the economic vitality of the Landmark or Historic District; and
 4. Allow the Landmark or Historic District to maintain conformance with the Historic Preservation Plan.
- B. If there is a conflict between the development standards of the Historic Preservation Plan and the development standards of the underlying district, the development standards of the Preservation Plan shall control.

21-2-7.31: HISTORIC PRESERVATION PLAN

- A. All Zoning Map Amendment applications to zone property with the HP Overlay zone shall include a Historic Preservation Plan that is to be approved by the City Council as part of the application to zone property to the HP Overlay. The Historic Preservation Plan is to include a comprehensive set of documents for the proposed Landmark or Historic District that involves compiling information about the Resource(s), which may include information about the archaeological assets, building(s), historical events, improvement, sites, structures, etc. The Historic Preservation Plan typically includes such information as Historic Structure Reports, Conditions Assessment Reports, archaeological surveys, and technical analyses. Furthermore, the Plan is essential for addressing present conditions, providing an action plan for the future use and preservation of the Resource(s) and implementing the plan recommendations. All Historic Preservation Plan shall include a set of guidelines for additions, modifications, repairs, rehabilitation, and restoration of the resource. In addition, the Historic Preservation Plan shall include modifications to the land use and development standards that are necessary to maintain and preserve the integrity and economic vitality of the Resource(s). For additional information and submittal requirements, refer to the Historic Preservation Plan Submittal Guide and Zoning Map Amendment Application checklist available from the Community Development Department.
- B. Modification to a Historic Preservation Plan. A modification to the land use, development standards, and design standards of a Historic Preservation Plan shall be processed with a Zoning Map Amendment and receive the approval of the City Council.

21-2-7.32: RECORDATION OF ORDINANCE

- A. The City Clerk shall cause the Ordinance adopted by the City Council to rezone the property with HP Overlay to be recorded in the Office of the Pinal County Recorder. The Ordinance shall include a map of the boundaries of the HP overlay.

21-2-7.33: CERTIFICATE OF APPROPRIATENESS OR CERTIFICATE OF NO EFFECT, WHEN REQUIRED:

- A. Ordinary maintenance or repair of any structure or site improvement zoned with the HP Overlay that does not alter or modify the historic character of the structure or property does not require the approval Certificate of No Effect or a Certificate of Appropriateness.
- B. No person shall carry out any exterior alteration, restoration, reconstruction, demolition, new construction, move of a Landmark or structures in a Historic District, or make modifications of any material change to the appearance of property, including its light fixtures, signs, sidewalks, fences, steps, paving, roof, or other exterior elements visible from a public street or alley which affect the appearance and cohesiveness of the Landmark or Historic District, without first obtaining a Certificate of No Effect from the Community Development Director or Certificate of Appropriateness from the Planning and Zoning Commission.
- C. An application for a Certificate of Appropriateness or Certificate of No Effect shall be submitted and decided upon in accordance with the provisions and procedures of Article VI. Zoning Procedures of this Chapter.

21-2-7.34: CERTIFICATE FOR ECONOMIC HARDSHIP:

- A. A property owner may submit a Certificate of Economic Hardship when:
 - 1. The Certificate of Appropriateness for a proposed alteration has been denied; or
 - 2. The Landmark or contributing property in a Historic District is damaged or destroyed by fire, flood, or similar abnormal and identifiable event.
- B. An application for a Certificate for Economic Hardship shall be submitted and decided upon in accordance with the provisions and procedures of Article VI. Zoning Procedures of this Chapter.

21-2-7.35: MAINTENANCE AND REPAIR REQUIRED:

- A. Maintenance and upkeep of Resources and properties of a Historic District is required.
- B. Nothing in this chapter shall be construed to prevent the ordinary maintenance and repair of any exterior architectural feature of a Landmark or property within a Historic District, which does not involve a change in design, material, color or outward appearance.
- C. No owner or person with an interest in real property designated as a Landmark or included within a Historic District shall allow the property to fall into a serious state of disrepair so as to result in the deterioration of any exterior architectural feature which would, in the judgment of the Planning and

Zoning Commission, produce a detrimental effect upon the character of the Landmark or Historic District as a whole or the life and character of the property itself.

C. Examples of such deterioration include:

1. Deterioration of exterior walls or other vertical supports.
2. Deterioration of roofs or other horizontal members.
3. Deterioration of exterior chimneys.
4. Deterioration or crumbling of exterior stucco or mortar.
5. Ineffective waterproofing of exterior walls, roofs or foundation, including broken windows or doors.
6. Deterioration of any feature so as to create a hazardous condition, which could lead to the claim that demolition is necessary for public safety.

21-2-7.36: FEES:

- A. There shall be no fees for a Zoning Map Amendment application to zone property to the HP Overlay, a Certificate of No Effect, a Certificate of Appropriateness, or a Certificate for Economic Hardship.

21-2-7.36: VIOLATION; PENALTY:

- A. Any person found guilty of violating any provision of this chapter shall be guilty of a misdemeanor and shall be punished in accordance with Section 1-8 of the Eloy Code.
- B. Any person who demolishes, alters, constructs, or permits a designated property to fall into a serious state of disrepair in violation of this chapter shall be required to restore the property and its site to their appearance prior to the violation. The City Attorney shall bring any action to enforce HP Overlay. This civil remedy shall be in addition to, and not in lieu of, any criminal prosecution and penalty.

Section 4.: Amend Chapter 21 Zoning, Article VI. ZONING PROCEDURES, to add Section 21-6-13 HISTORIC PRESERVATION, and subsections therein in numerical order, as follows:

21-6-13: HISTORIC PRESERVATION:

21-6-13.1: PURPOSE:

- A. The purpose of this section 21-6-13 is to provide procedures for the review of a Certificate of No Effect, Certificate of Appropriateness, and Certificate for Economic Hardship for property zoned with the Historic Preservation Overlay.

21-6-13.1: APPLICATION PROCESS:

- A. Pre-Application Conference: Prior to the submission of an application for a Certificate of No Effect, Certificate of Appropriateness, or Certificate for Economic Hardship, all applicants are required to schedule a meeting with the Zoning Administrator, as set forth in section 21-6-2.1, "Pre-Application Meeting", of this article.
- B. Application Submittal: A complete application for a Certificate of No Effect, Certificate of Appropriateness, and Certificate for Economic Hardship approval shall be submitted to the Zoning Administrator as required by Section 21-6-2.2 Application Submittal (Administrative Completeness Review) of this Article, and Section 21-6-13.2 Required Application Information.

21-6-13.2: REQUIRED APPLICATION INFORMATION

- A. Application Information for a Certificate of No Effect, Certificate of Appropriateness, Certificate of Hardship:
 - 1. Contents of Application: Prior to the commencement of any work for modifications, the owner shall file an application for a Certificate of No Effect, Certificate of Appropriateness, or Certificate of Hardship to the Zoning Administrator and obtain the appropriate approvals and issuance of the appropriate Certificate. The application shall contain:
 - a. Name, address, and telephone number of the applicant.
 - b. Location and photographs of the property.
 - c. Site Plan drawings of proposed changes, if available.
 - d. Elevation drawings of proposed changes, if available.
 - e. Perspective drawings, including relationship to adjacent properties, if available.
 - f. Where the proposal includes signs with lettering, a scale drawing showing the type of lettering to be used, all dimensions and colors, a description of materials to be used, method of illumination, and a plan showing the sign's location on the property.
 - g. Any other information that the Community Development Director may deem necessary in order to visualize the proposed work or justify the proposed hardship.

21-6-13.3: BUILDING AND DEMOLITION PERMITS

- A. No building or demolition permit shall be issued for any proposed work until the associated Certificate of No Effect, Certificate of Appropriateness, or Certificate of Hardship has been issued. The Certificate of No Effect, Certificate of Appropriateness, and Certificate of Economic Hardship is in addition to, and not in lieu of, any building or demolition permit that may be required by Chapter 5 Buildings of the Eloy Code.

21-6-13.4: CRITERIA AND DECISION FOR CERTIFICATE OF NO EFFECT:

- A. The Community Development Director may approve an application and issue a Certificate of No Effect if:

1. It is determined the proposed modification is minor and clearly within the context of the adopted Historic Preservation Plan, and
 2. The property owner, or the owner authorized agent, agrees to modifications to the proposed work that are necessary for compliance with the Historic Preservation Plan, and
 3. The proposed modification will not diminish, eliminate, or adversely affect the Landmark or District of the subject property; or,
 4. The proposed modification is in an area of the proposed property that not covered by the Historic Preservation Plan, and the Community Development Director determines the proposed work will not diminish, eliminate, or adversely affect the Landmark or the District.
- B. An application that does not comply with the criteria for a Certificate of No Effect shall be sent to the Planning and Zoning Commission for a decision on a Certificate of Appropriateness for the proposed modifications. The Community Development Director may require additional information to be provided for the Planning and Zoning Commission to review the request as a Certificate of Appropriateness.

21-6-13.5: CRITERIA AND DECISION FOR CERTIFICATE OF APPROPRIATENESS:

- A. The Planning and Zoning Commission may approve an application and issue a Certificate of Appropriateness for modifications to a Landmark or Historic District upon finding that the criteria have been met.
- B. Criteria for a Certificate of Appropriateness to make modifications to a Landmark or a property within a Historic District:
1. The proposed alterations are consistent with the applicable Historic Preservation Plan;
 2. The proposed alterations to a Landmark or contributing property of a Historic District shall be compatible with its historic character, and the historic features altered as little as possible;
 3. The proposed alterations or additions are consistent with the applicable Standards and Guidelines of Section 21-6-13.7.
- C. Addition Criteria for property within a Historic District.
1. Alterations of non-contributing properties within a historic district shall be compatible with the Historic District.

21-6-13.6: COMPATIBILITY CONSIDERATION.

- A. In applying the principle of compatibility, the Planning and Zoning Commission shall consider the following:
1. The general design character and appropriateness to the property of the proposed alteration or new construction;
 2. The scale of proposed alteration or new construction in relation to the property itself, surrounding properties, and the neighborhood;

3. Texture, materials, color, and their relation to similar features of other properties in the neighborhood;
4. Visual compatibility with surrounding properties, including the proportion of the property's front facade, proportion and arrangement of windows and other openings with the facade, roof shape, and the rhythm of spacing of properties on streets, including setback; and
5. The importance of historic, architectural, or other features to the significance of the property.

21-6-13.7: STANDARDS AND GUIDELINES.

- A. The following standards and guidelines shall be used in the review and decisions pertaining to cultural resource studies and Certificate of Appropriateness:
 1. Archeology and Historic Preservation: Secretary of the Interior's Standards and Guidelines as currently amended and annotated by the National Park Service.
 2. The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings.
 3. Guidelines and preservation briefs and other similar best practice documents published by the National Park Service.

21-6-13.8: EXPIRATION OF A CERTIFICATE OF NO EFFECT AND CERTIFICATE OF APPROPRIATENESS

- A. The approval of a Certificate of Appropriateness and a Certificate of No Effect shall expire two (2) years from the date of issuance, unless the related construction work has begun. If work has begun and it has been over two years, the Certificate of No Effect shall expire when the Building Permit(s) has expired, or if a Building Permit is not required, there has not been any documented construction activity within 182 days and the work has not been completed.

21-6-13.9: CRITERIA AND DECISION FOR CERTIFICATE FOR ECONOMIC HARDSHIP:

- A. Proposed Alteration: An applicant whose Certificate of Appropriateness for a proposed alteration has been denied may apply for relief on the grounds of economic hardship. In order to prove the existence of economic hardship, the applicant shall establish that the property is incapable of earning a reasonable return, regardless of whether that return represents the most profitable return possible.
- B. Proposed Demolition.
 1. An applicant whose Certificate of Appropriateness for a proposed alteration has been denied:
 - a. Shall consult in good faith with the Planning and Zoning Commission, local preservation groups, and interested parties in a diligent effort to seek an alternative that will result in the preservation of the property. Evidence of the applicant's good faith effort shall be submitted with the application for a Certificate for Economic Hardship.
 - b. May apply for relief on the grounds of economic hardship to demolish a Landmark or improvement within a Historic District on the grounds of hardship. In order to prove the existence of an economic hardship, the applicant shall establish that:

- i. The property is incapable of earning a reasonable return, regardless of whether that return represents the most profitable return possible;
 - ii. The property cannot be adapted for any other use, whether by the current owner or by a purchaser, which could result in a reasonable return; and
 - iii. Efforts to find a purchaser interested in acquiring the property and preserving it have failed.
- 2. The Community Development Director may approve or refer an Certificate of Economic Hardship to demolish a Landmark, or a structure or improvements in a Historic District to the Planning and Zoning Commission upon consultation with the Building Official and Fire Marshal, finds that it has been damaged or destroyed by fire, flood, or similar abnormal and identifiable event, and more than fifty percent (50%) of the current assessed value.

21-6-13.10: APPEALS:

- A. Any person aggrieved by a decision of the Planning and Zoning Commission on an application for a Certificate of Appropriateness or Certificate of Economic Hardship may, within fourteen (14) calendar days submit to the City Clerk a request for the City Council for review of the Commission's decision. The City Council shall review the application de novo, and may uphold, reverse, or the decision.

CITY OF ELOY

REQUEST FOR COMMISSION ACTION

Agenda Item: **VI.D.**

Date: **9/18/2024**

Date submitted:
08/20/2024

Action: Other

Date requested:
9/18/2024

Subject: Conduct a public hearing and make a recommendation to the Eloy City Council on Case No. ZTA2024-004: Development Standards and Building Heights Exceptions, a request by the City of Eloy for a Text Amendment to the City of Eloy's Zoning Ordinance to amend Chapter 21 Zoning: Article II. Zoning Districts, to add building height exception allowances and modify the development standard tables of all zones to restate the provisions and provide clarity, remove conflicts, and add square footage allowance for the residential component of a mixed-use development; in addition, to amend Article IV. General Development Regulations to incorporate provisions and regulations pertaining to allowing building height exceptions for appurtenances, projections, and structures above the building height of a property's zone.

TO: Planning and Zoning Commission

FROM: Dan Symer

RECOMMENDATION:

The staff recommends that the Planning and Zoning Commission approve Case No. ZTA2024-004: Development Standards and Building Heights Exceptions, to amend Chapter 21 Zoning: Article II. Zoning Districts, to add building height exception allowances and modify the development standard tables of all zones to restate the provisions and provide clarity, remove conflicts, and add square footage allowance for the residential component of a mixed-use development; Article IV. General Development Regulations, to incorporate provisions and regulations pertaining to allowing building height appurtenances, projections, and structures above the building height of a

properties zone, which includes: chimneys, mechanical penthouses, and bulkheads for stairwells, elevator shafts, skylights, condensers, conveyor systems, cooling towers, gas and chemical holders, sports light poles and fixtures, grain elevators, fire towers, silos, water tanks, smokestacks transmission towers, windmills, unoccupiable belfries, building towers, cupolas, domes, spires or other similar structures.

DISCUSSION:

A request by the City of Eloy as the applicant for a Zoning Administrator-initiated Text Amendment to Chapter 21-Zoning of the Eloy Code, also referred to as the City of Eloy's Zoning Ordinance, to provide clarity, remove conflicts, incorporate residential square footage allowance to Mixed-use development, and to allow building height exceptions for appurtenances, projections, and use related structures.

Purpose

The purpose of the amendment is to simplify, clarify, and revise existing property development standards to eliminate the need for interpretations, eliminate conflicts and irrelevant provisions, and reformat the development standard tables. Furthermore, the purpose of the amendment incorporates building height exceptions that are customary or essential to building design to comply with building codes, land uses, and industry standards and requirements.

Discussion and Summary of Proposed Standard

Several provisions in the existing property development standards need to be simplified, clarified, and revised to eliminate the need for interpretation. In addition, the Mixed Use zone that In addition, when the Zoning Ordinance was substantially updated in 2018, the allowance for building height exceptions for appurtenances, projections, and structures above the building height of a property's zone was not incorporated with the update. The building height exceptions appear to have been an oversight when the ordinance was adopted since several older buildings and structures exist in the City that are or have appurtenances, projections, and structures above the allowed building height.

Building height exceptions are typical and customary to zoning ordinances allowances. Furthermore, many communities have provisions in their ordinances to allow exceptions on a case-by-case approval. There are various reasons for such allowances and building exceptions, although the use of a building, land, and conformance to the Building Code are typically the primary reasons. Some examples include chimney and ventilation clearance, places of Worship towers, unoccupied architectural features, agricultural, industrial, and manufacturing necessities, mechanical and utility screening, roof access and equipment, roof overruns, etc. Another such example is amateur radio towers owned by licensed persons. The Federal Communication Corporation (FCC) mandates that local governments allow for exceptions to the building height provision for amateur radio towers so that licensed operators may receive signals.

The proposed amendment includes building height exception allowance for clock towers,

amateur radio towers chimneys, mechanical penthouses, and bulkheads for stairwells, elevator shafts, skylights, conveyor systems, cooling towers, gas and chemical holders, sports light poles and fixtures, grain elevators, fire towers, silos, water tanks, smokestacks transmission towers, windmills, unoccupiable belfries, building towers, cupolas, domes, spires and other similar structures as determined by the Zoning Administration. Section 8, page 15, of the proposed amendment (attached) specifies the proposed height exceptions and associated regulations, including setback requirements for residential property for specific allowances. It should be noted that the proposed amendment incorporates the ability for a property owner to request approval of a Conditional Use Permit for an alternative building height exception.

Issues for Consideration

In determining whether to approve, approve with conditions, or deny proposed text amendments, issues for consideration shall include but not be limited to (Staff's analysis of the consideration is included in bold italic text):

A. The proposed amendment will promote the public health, safety, and general welfare; The proposed amendment promotes public health, safety, and general welfare by allowing exceptions to building height regulations that are necessary to comply with the city's building and fire codes. This includes provisions for structures that extend above roofs to accommodate mechanical equipment, building exhaust, and ventilation. Additionally, the amendment would permit architectural features, structures, and design elements for architectural composition and scale of buildings, screen undesirable features, and incorporate elements that are customary for specific uses, such as places of worship.

B. The proposed amendment is consistent with the adopted Eloy General Plan and the stated purposes of this chapter and

The proposed amendment aligns with the General Plan by establishing standards that support the development of a sustainable community by removing barriers and allowing building height exceptions that are typically necessary to maintain and lure commercial, employment, and industrial uses and developments to enhance Eloy's economic vitality and growth (General Plan Goals 3.1.1.2, 3.3.1.3, and 3.10.1.1).

C. The proposed amendment is necessary or desirable because of changing conditions, new planning concepts, or other social or economic conditions.

The proposed amendment is both necessary and desirable. It allows structures and equipment to extend above roofs to accommodate mechanical equipment, building exhaust, and ventilation, which are needed to ensure compliance with the city's building and fire codes. Additionally, the amendment permits features, structures, and exceptions that are typically necessary to promote and attract commercial, employment, and industrial uses, thereby fostering an economically sustainable community.

Community Involvement and Citizen Review Report.

On Monday, August 5, 2024, staff held an Open House in the City Hall Community Room, and a One-on-One meeting took place on August 7, 2024, in the Community Development Conference Room. No members of the public attended either meeting. Both meetings were published in the Pinal Central Dispatch using a minimum 1/8 page

ad on July 18, 2024, on the City of Eloy website and on the City's website calendar. Additionally, the LED community notification signs outside the Community Services Department building on Main Street and the Toltec Community Center provided information about the meetings and informed the public that the proposed amendments were available for review.

Staff did receive one verbal set of comments from representatives of Freepoint Eco-Systems pertaining to the proposed width/diameter of the silos. The individuals stated that to achieve the heights proposed, a large width/diameter is necessary, such as a diameter of up to forty-two (42) feet. The staff followed up on comments and researched silo widths, and reviewed manufacturer information. Depending on the volume and purpose of the silo storage (gas, liquid, grains, dry materials, etc.), a variety of silo heights and diameters are available to achieve the needs of the user, including diameters greater than forty-two (42) feet. To address the comments, and in response to staff findings, the proposed footprint area of any individual silo was increased from 200 square feet (a width/diameter of approximately fourteen (14) feet) to 625 feet (a width/diameter of twenty-five (25) feet). The staff opines that greater widths/diameters may be warranted based on industry needs, although they may have an imposing visual impact. Therefore, obtaining a Conditional Use Permit approved by the City Council to allow alternatives to be reviewed in a case-by-case situation is a more appropriate approach to address individual and unique needs. The proposed amendment already incorporates a Conditional Use Permit for such considerations. Staff findings and modifications were shared with the representatives of Freepoint Eco-Systems, and no additional comments have been provided.

FISCAL IMPACT:

There is no anticipated fiscal impact on the proposed changes.

Case No. ZTA2024-004: Development Standards and Building Heights Exceptions

Modification to Chapter 21 Zoning of the Eloy Code

HOW TO READ THIS DOCUMENT

- *Sections and italic text are instructions* to the City Clerk and the City's codifier for amending the Eloy Code.
- Double Underlined blue text are additions to the Eloy Code.
- ~~Crossed-out red text are deletions~~ to the Eloy Code.
- Graphics/Figures that are being deleted are indicated with an "X" over the graphic/figure.
- Graphics/Figures that are being added are indicated with a border  around the graphic/figure.
- Tables that are being deleted are indicated with an "X" over the Tables.
- Tables that are being added are indicated with a thick border  around the Tables.
- Table format modifications are to modified as as shown in the revised table.

Section 1. *Amend Chapter 21 Zoning, Article II Zoning Districts. Section 21-2-2.4: Residential Development Standards, including the formatting of the table, incorporating the title, notes and shading as part of the table, as follows:*

21-2-2.4: RESIDENTIAL DEVELOPMENT STANDARDS:

- A. The development standards identified in Table ~~2-2-2~~ 21-2-2.4.B. of this section apply to all principal uses and structures in Residential Districts, except as otherwise expressly stated in this chapter. General exceptions to these regulations and rules for measuring compliance are identified in section 21-6-9 of this chapter and section 21-2-1.3 of this article, respectively. Regulations pertaining to accessory uses and structures are identified in section 21-3-2 of this chapter.
- B. The provisions of Article IV. General Development Regulations shall apply to property zoned a Residential District specified in Section 21-2-2.2.

TABLE 2.2-2
RESIDENTIAL DISTRICT DEVELOPMENT STANDARD

Table 21-2-2.4.B. Residential District Development Standards										
Zoning District	Density, Maximum (Dwelling Units/Gross Acre)	Lot Dimensions, Minimum		Minimum Setbacks ^{9,10} <u>Setbacks</u> ^{10,11}				<u>Separation between buildings and structures on the same lot or parcel</u>	Lot Coverage, Maximum	Building Height, Maximum
		Lot Area	Lot Width ¹	Front	Side	Street Side	Rear			
RR-20	1 du/20 acres	871,200 sq. ft.	660'	60'	60'	60	60'	<u>Section 21-3-2.4.</u>	10%	35'
RR-5	1 du/5 acres	217,800 sq. ft.	330'	50'	30'	50	50'		15%	35'
RR-2.5	1 du/2.5 acres	108,900 sq. ft.	225'	40'	25'	50	40'		15%	35'
R1-54	1 du/1.25 acres	54,450 sq. ft.	150'	30'	20'	40	30'		20%	35'
R1-43	1 du/1 acre	43,560 sq. ft.	145'	30'	20'	40	30'		25%	35'
R1-12	1 du/12,000 sq. ft.	12,000 sq. ft.	75'	20' ²	10'	20	20'		30%	30'
R1-6	1 du/6,000 sq. ft.	6,000 sq. ft.	60' <u>50'</u>	20'	5'-w/15' <u>aggregate</u> ⁴ <u>5'</u> ⁴	<u>15</u> ^{3,5}	20'		40%	30'
R-2	<u>Single-family Attached</u> ¹⁵ : <u>12 dus/acre</u>	<u>2500 sq. ft.</u>	<u>25'</u>	<u>15'</u> ³	<u>0</u> ^{12, 13}	<u>10</u> ^{3,4,5}	<u>25'</u> ⁸		<u>75%</u>	<u>35'</u>
	Single-family Detached detached : 10 dus/acre	3,500 sq. ft.	35'	15' ³	5' ⁴ <u>5'</u> ⁴	10' <u>10</u> ^{3,4}	10'		50%	35'
	All other uses: 12 dus/acre	7,000 sq. ft. <u>site</u> ⁶ <u>site</u> ⁷	-	10' <u>10</u> ¹³	10' ⁵ <u>10'</u> ⁶	10' <u>10</u> ^{3,4}	10' ^{5,8} <u>25'</u> ^{8,9}	<u>10'</u> ¹⁴	50% ⁻⁷ <u>50%</u>	35'
R-3	Multiple family residential: 10 du minimum; 24 du maximum	7,000 sq. ft. <u>site</u> ⁶ <u>site</u> ⁷	-	10' <u>10</u> ¹³	10' ⁵ <u>10'</u> ⁶	10' <u>10</u> ^{3,4}	10' ^{5,8} <u>25'</u> ^{8, 9}	<u>10'</u> ¹⁴	60%	40'
Notes: <u>1. Lot width is measured at the front setback.</u> <u>2. Front setback of fifteen (15) feet for side entry garages and/or covered front porch is allowed.</u>										

3. A Setback shall be twenty (20) feet for front entry garages and carports.
4. A minimum fifteen (15) foot interior side setback shall be provided abutting a subdivision tract that is less than ten (10) feet wide where the tract abuts a right-of-way or private street tract. A five (5) foot interior side setback is allowed abutting a subdivision tract that is ten (10) feet wide or greater where the tract abuts a right-of-way or private street tract. The subdivision tract shall be owned by the homeowner association.
5. For all corner lots adjacent to a public right-of-way or private street, the minimum street side yard setback shall be twenty (20) feet between dwelling units with common walls.
7. For condominium uses within a single parcel, the minimum lot area required shall be seven-hundred (700) square feet per dwelling unit.
8. A ten (10) foot minimum rear yard setback is allowed when abutting a property with Small Lot Residential (R-2).
9. A ten (10) foot minimum rear yard setback is allowed when abutting a property with Multiple Family Residential (R-3).
10. The space in any required yard shall be open and unobstructed, except for the ordinary projections of chimney flues, awnings, open outside stairways and balconies, window sills, belt courses, cornices, eaves and other architectural features, provided such features shall not project farther than 3 feet into any required yard, and provided further, that in no case shall such projections be nearer than five (5) feet to the property line or an adjacent projection from any adjacent lot.
11. Bay windows, including their cornices and eaves, may project into any required yard not more than three (3) feet, provided the sum of such projections on any wall does not exceed $\frac{1}{3}$ the length of the wall; and provided, that in no case shall such projections be nearer than five (5) feet to the property line or an adjacent projection from any adjacent lot.
12. A five (5) foot side setback shall be provided on the end lot abutting an interior side property line. The end lot contains the last unit on either end of a roll of consecutive attached units on individual lots.
13. A minimum ten (10) foot interior side setback shall be provided abutting a subdivision tract that is less than ten (10) feet wide where the tract abuts a right-of-way or private street tract. A five (5) foot interior side setback is allowed abutting a subdivision tract that is ten (10) feet wide or greater where the tract abuts a right-of-way or private street tract. The subdivision tract shall be owned by the homeowner association.
14. The separation requirement only applies to buildings.
15. Excludes condominium developments

Notes:

- ~~1. Lot width is measured at front setback.~~
- ~~2. Front setback shall be 15 feet for side entry garages and/or covered front porch.~~
- ~~3. Front setback shall be 20 feet for front entry garages and carports.~~
- ~~4. For all corner lots adjacent to a public right-of-way, the minimum street side yard setback shall be 20~~
- ~~5. 0 feet for dwelling units with common walls.~~
- ~~6. For single-family attached uses within a single parcel, the minimum individual lot area per dwelling unit shall be 1,500 square feet.~~
- ~~7. For single-family attached uses within a single parcel, the maximum individual lot/dwelling unit coverage shall be 95 percent.~~
- ~~8. Minimum rear yard setback shall be 25 feet when adjacent to all other zoning districts except R-3.~~

9. ~~The space in any required yard shall be open and unobstructed, except for the ordinary projections of chimney flues, awnings, open outside stairways and balconies, window sills, belt courses, cornices, eaves and other architectural features, provided such features shall not project farther than 3 feet into any required yard, and provided further, that in no case shall such projections be nearer than 5 feet to the property line or an adjacent projection from any adjacent lot.~~
10. ~~Bay windows, including their cornices and eaves, may project into any required yard not more than 3 feet, provided the sum of such projections on any wall does not exceed $\frac{1}{3}$ the length of the wall; and provided, that in no case shall such projections be nearer than 5 feet to the property line or an adjacent projection from any adjacent lot.~~

Section 2. *Amend Chapter 21 Zoning, Article II Zoning Districts. Section 21-2-3.4: Commercial and Mixed-Use Development Standards, including the formatting of the table, incorporating the title, notes and shading as part of the table, as follows:*

21-2-3.4: COMMERCIAL AND MIXED-USE DEVELOPMENT STANDARDS:

- A. The following development standards identified in ~~table 2.3-2~~ Table 21-2-3.4.B. of this section apply to all principal uses and structures in Commercial and Mixed-Use Districts, except as otherwise expressly stated in this chapter. General exceptions to these regulations and rules to determine compliance are identified in section 21-6-9 of this chapter and section 21-2-1.3 of this article, respectively.
- B. The provisions of Article IV. General Development Regulations shall apply to property zoned a Commercial and Mixed-Use District specified in Section 21-2-3.2.

~~TABLE 2.3-2~~

~~—COMMERCIAL AND MIXED-USE DISTRICTS DEVELOPMENT STANDARDS~~

<u>Table 21-2-3.4.B.</u> <u>Commercial and Mixed-Use Districts Development Standards</u>			
Zoning District	C-1	C-2	MU
Lot dimensions, maximum:			
Size of use or user	25,000 sq. ft.	-	7,000 sq. ft. (minimum)
Residential density, minimum	X	X	3 units <u>units</u> ⁷
Setbacks, minimum:			

Front	15'	20' ¹	0' ¹
Side	10' ²	15' ²	0' ¹
Side, adjacent to residential	20' ¹	30' ¹	30' ^{1,3}
Street side	10'	10'	10'
Rear	10'	20'	10' ⁴
Rear, adjacent to residential	20'	30'	30' ³
Lot coverage, maximum	40%	60%	-
Building height, maximum	35'	35' ⁵	35' ^{5,6}

Notes:

1. Front and side setback for street facing parking areas shall be a minimum of fifteen (15) feet.
2. Zero setbacks are permitted for structures if adjacent structures also have zero setbacks and regulations of the Building Code in force at the time of the review are met.
3. Fifteen (15) foot setbacks are allowed if adjacent parcel is zoned R-2 or R-3.
4. Rear setback can be reduced to five (5) feet if adjacent to a public alley.
5. Unless otherwise permitted through a conditional use permit.
6. Building height may be increased to forty-five (45) feet for development that contains vertical mixed-use with residential above ground floor commercial uses.
7. Residential uses shall be horizontally or vertically integrated within a commercial development as part of a Development Plan. For each one (1) gross square foot of commercial floor, three (3) gross square feet of residential floor area, including the gross floor area of interior amenities and common areas, is allowed.

Notes:

- ~~—1.— Front and side setback for street facing parking areas shall be a minimum of 15 feet.~~
- ~~—2.— Zero setbacks are permitted for structures if adjacent structures also have zero setbacks and regulations of the Building Code in force at the time of the review are met.~~
- ~~—3.— 15 foot setbacks are permitted if adjacent parcel is zoned R2 or R3.~~
- ~~—4.— Rear setback can be reduced to 5 feet if adjacent to a public alley.~~
- ~~—5.— Unless otherwise permitted through a conditional use permit.~~
- ~~—6.— Building height may be increased to 45 feet for development that contains vertical mixed-use with residential above ground floor commercial uses.~~

Section 3. Amend Chapter 21 Zoning, Article II Zoning Districts. Section 21-2-4.3: Public Facilities Development Standards, including the formatting of the table, incorporating the title, and shading as part of the table, as follows:

21-2-4.3: PUBLIC FACILITIES DEVELOPMENT STANDARDS:

A. Public facility oriented uses and/or structures are permissible in Residential, Commercial or Industrial Zoning Districts. As such, development standards for most public facility uses will utilize the principal uses and structures identified for Residential Districts (section 21-2-2.4, ~~table 2-2-2~~ [Table 21-2-2.4.B.](#) of this article), Commercial Districts (section 21-2-3.4, ~~table 2-3-2~~ [Table 21-2-3.4.B.](#) of this article) or Industrial Districts (section 21-2-5.4, table 2.5-2 of this article) except as otherwise expressly stated in this chapter. Additional public facility development standards are found in ~~table 2-4-1~~ [Table 21-2-4.3.B.](#) of this section.

B. [The provisions of Article IV. General Development Regulations shall apply to property zoned a Public Facilities District \(PF\).](#)

~~TABLE 2-4-1~~

TABLE OF PUBLIC FACILITIES DEVELOPMENT STANDARDS

Table 21-2-4.3.B. Public Facilities Development Standards	
Standard	PF
Lot area	No requirement
Lot width	No requirement
Lot depth	No requirement
Front yard setback	None, except when abutting a Residential Zone, then the front yard setback to a building or parking area shall be the required setback of the abutting Residential Zone. Where a PF use is or will abut 2 or more different Residential Zones, the more stringent setback shall apply, but may be waived by the Zoning Administrator, based on the buffering between the 2 uses
Side and rear yard setback	None, except when abutting a Residential Zone, then the side or rear setback to a building or parking area is 10 feet. The required side and rear yard setback shall be increased by 1/2 foot horizontal distance for each vertical foot by which the structure exceeds 20 feet in height

Building height	35 feet; except where a setback of 100 feet can be provided, the building height may be a maximum of 55 feet. If the abutting zoning district allows buildings taller than 35 feet, the height of the abutting zoning district may be applied to the abutting PF Zoning District.
Lot coverage	No maximum requirement

Section 4. Amend Chapter 21 Zoning, Article II Zoning Districts. Section 21-2-5.4: Industrial Development Standards, including the formatting of the table, incorporating the title, notes and shading as part of the table, as follows:

21-2-5.4: INDUSTRIAL DEVELOPMENT STANDARDS:

A. Following development standards identified in ~~table 2.5-2~~ [Table 2.5-2-5.4.B.](#) of this section apply to all principal uses and structures in Industrial Districts, except as otherwise expressly stated in this chapter. General exceptions to these regulations and rules to determine compliance are identified in section 21-6-9 of this chapter and section 21-2-1.3 of this article, respectively. Regulations governing accessory uses and structures are identified in section 21-3-2 of this chapter.

B. [The provisions of Article IV. General Development Regulations shall apply to property zoned an Industrial District specified in Section 21-2-5.2.](#)

TABLE 2.5-2
BUSINESS AND INDUSTRIAL DISTRICTS DEVELOPMENT STANDARDS

Table 2.5-2-5.4.B. Business and Industrial Districts Development Standards			
Zoning District	BP	I-1	I-2
Lot dimensions, minimum:			
Lot width	60'	100'	100'
Setbacks, minimum:			
Front	20' ¹	20' ¹	30' ¹
Side	15' ²	15' ²	20' ²
Side, adjacent to residential	30' ¹	50' ¹	75' ¹
Street side	10'	15'	15'
Rear	15'	15'	20'

	Rear, adjacent to residential	30'	50'	75'
	Lot coverage, maximum	50%	60%	60%
	Building height, maximum	45'	45'	55'
<u>Notes:</u> <u>1. Front and side setback for street facing parking areas shall be a minimum of fifteen (15) feet.</u> <u>2. Zero setbacks are permitted for structures if adjacent structures also have zero setbacks and regulations of the Building Code in force at the time of the review are met.</u>				

Notes:

- ~~—1.— Front and side setback for street facing parking areas shall be a minimum of 15 feet.~~
- ~~—2.— Zero setbacks are permitted for structures if adjacent structures also have zero setbacks and regulations of the Building Code in force at the time of the review are met.~~

Section 5. *Amend Chapter 21 Zoning, Article II Zoning Districts. Section 21-2-6.4: Open Space Development Standards, including the formatting of the table, incorporating the title, notes and shading as part of the table, as follows:*

21-2-6.4: OPEN SPACE DEVELOPMENT STANDARDS:

- A. Following development standards identified in Table 2.5-2-6.4.B. of this section apply to all principal uses and structures in the Open Space District, except as otherwise expressly stated in this chapter. General exceptions to these regulations and rules to determine compliance are identified in section 21-6-9 of this chapter and section 21-2-1.3 of this article, respectively. Regulations governing accessory uses and structures are identified in section 21-3-2 of this chapter.
- B. The provisions of Article IV. General Development Regulations shall apply to property zoned an Open Space District specified in Section 21-2-6.2.

TABLE 2.6-2
PARK/OPEN SPACE DISTRICT DEVELOPMENT STANDARDS

Table 2.6-2-6.4.B. Open Space District Development Standards		
Zoning District	OSC	OSR
Lot dimensions, maximum <u>minimum</u> :	20 acres	5 acres
Size of use or user (square feet)	20 acres	5 acres
Setbacks, minimum:		
Front	60'	60'
Side	30'	30'
Rear	60'	60'
Lot coverage, maximum	5%	5%
Building height, maximum	24'	24'

Section 6. Amend Chapter 21 Zoning, Article II Zoning Districts. Section 21-2-7.8: Manufactured Home Development Standards:, including the formatting of the table, incorporating the title, notes and shading as part of the table, as follows:

21-2-7.8: MANUFACTURED HOME DEVELOPMENT STANDARDS:

- A. The development standards identified in ~~table 2.7-1~~ Table 21-2-7.8.B of this section apply to all principal uses and structures in Manufactured Home Districts, except as otherwise expressly stated in this chapter. Where there is a conflict between the development standards of the overlay zone and the underlying district, the development standard of the overlay zone shall apply. General exceptions to these regulations and rules for measuring compliance are identified in section 21-6-9 of this chapter and section 21-2-1.3 of this article respectively. Regulations governing accessory uses and structures are identified in section 21-3-2 of this chapter.
- B. The provisions of Article IV. General Development Regulations shall apply to property zoned a Manufactured Home Overlay District specified in Section 21-2-7.6.

~~TABLE 2.7-1~~

~~MANUFACTURED HOME DEVELOPMENT STANDARDS~~

TABLE 21-2-7.8.B.

Manufactured Home Development Standards

Manufactured Home Residential	Spaces/ Gross Acre	Minimum Site Net Acre Size	Lot Width ¹	Front Setback	Side Setback	Side Setback (Street)	Rear Setback	Lot Coverge, Coverage, Maximum	Building Height, Maximum
		Minimum lot/space size							
		Minimum Number of Spaces Space							
Manufactured home subdivision standards	10	3 acre site	40'	15' ^{2,3}	5' ⁴	10'	10'	45%	30'
		5,000 sq. ft. per lot							
MHP:									
Manufactured Home Park (MHP)	10	3 acre site	40'	15' ^{2,3}	5' ⁴	10'	10'	50% (space)	30'
		3,000 sq. ft. per space							
		=							
Recreational Vehicle Park (RVP)	18	2 acre site	28'	10'	5'	5'	5'	-	20'
		1,200 sq. ft. per space							
		=							
Tiny House Park (THP)	10	10,800 sq. ft.	10'	10'	10'	10'	50%	35'	
		=							
		(5) 5 spaces							

Notes:

- [1. Lot width is measured at front setback.](#)
- [2. Front setback shall be fifteen \(15\) feet for side entry garages and/or covered front porch.](#)
- [3. Front setback shall be twenty \(20\) feet for front entry garages and carports.](#)
- [4. For all corner lots adjacent to a public right-of-way, the minimum street side yard setback shall be ten \(10\) feet, as determined based on the provisions of the Eloy City Code, Chapter 5, Buildings.](#)

Notes:

- 1. Lot width is measured at front setback.
- 2. Front setback shall be 15 feet for side entry garages and/or covered front porch.
- 3. Front setback shall be 20 feet for front entry garages and carports.
- 4. For all corner lots adjacent to a public right-of-way, the minimum street side yard setback shall be 10 feet, as determined based on the provisions of the Eloy City Code, Chapter 5, Buildings.

Section 7. Amend Chapter 21 Zoning, Article II Zoning Districts. Section 21-2-7.22: Density, Area, Building and Yard Regulations; including the formatting of the table, incorporating the title, notes and shading as part of the table, as follows:

21-2-7.22: DENSITY, AREA, BUILDING AND YARD REGULATIONS: DOWNTOWN CORE OVERLAY DEVELOPMENT STANDARDS:

Table 2.7-4 of this section specifies the minimum lot sizes, minimum lot width, maximum building heights, minimum yard setbacks, and maximum lot coverage percentages:

—TABLE 2.7-4

—ZONING ORDINANCE SUMMARY DOWNTOWN

—CORE DISTRICT OVERLAY (DCO) DISTRICT

A. The development standards identified in Table 21-2-7.22.B. of this section apply to all principal uses and structures in Downtown Core District Overlay (DCO), except as otherwise expressly stated in this chapter. Where there is a conflict between the development standards of the overlay zone and the underlying district, the development standard of the overlay zone shall apply.

B. The provisions of Article IV. General Development Regulations shall apply to property zoned a Downtown Core District Overlay (DCO).

District	Lot Area	Area/DU	Width	Building Height	Minimum Yard Setback				Lot Coverage
					Front	Side	Street Side	Rear	
Single-family	5,000-sq.-ft. *2,500-sq.-ft.	2,500-sq.-ft.	50' *25'	35'	20'	7', 5' *0'	10'	20'	50%

residence or duplex									
Triplex, multi-, townhomes	5,000-sq.-ft.	2,000-sq.-ft.	50'	40'	15'	7', 5'	15'	20'	50%
Non-residential uses	5,000-sq.-ft. *2,500-sq.-ft.	**2,500-sq.-ft.	50' *25'	40'	0', 20' TBD	0'	10' or TBD	20' or TBD	50% two-story; 60% one-story

Notes:

- * Zero lot line option.
- ** Dwelling portion if mixed-use.
- 1. Recorded lots may not be subdivided, split or otherwise revised in area or dimension to qualify for overlay flexibility.
- 2. Zero lot line design approaches may be acceptable, subject to:
 - a. Building Code firewall requirements.
 - b. Acceptance by affected adjacent property owner.
- 3. Street side yard setbacks shall not impede the traffic visibility triangle as determined by the City Engineer pursuant to section 21-4-2.11 of this chapter.
- 4. Multi-family, triplex, duplex and townhome projects may combine parcels for zero lot line development. Minimum setbacks required on end units, to be determined during site plan review.
- 5. All development approvals are contingent upon providing adequate parking, as determined by the Community Development Director, which may include parking under upper floors, alley access parking, joint/shared use and stacked parking.

TABLE 21-2-7.8.B. Downtown Core District Overlay Standards									
Use	Minimum Lot Area	Area/DU	Lot Width	Building Height	Minimum Setback				Lot Coverage
					Front	Side	Street Side	Rear	
Single-Family	5,000 sqft.	5,000 sqft.	50'	35'	20'	5'	10'	20'	50%

<u>Detached Dwelling¹</u>									
<u>Duplex¹</u>	<u>5,000 sqft.</u>	<u>2,500 sqft.</u>	<u>25'</u>	<u>35'</u>	<u>20'</u>	<u>5'</u>	<u>10'</u>	<u>20'</u>	<u>50%</u>
<u>Single-Family Attached Dwelling¹</u>	<u>2,500 sqft.</u>	<u>2,500 sqft.</u>	<u>25'</u>	<u>35'</u>	<u>20'</u>	<u>0'³</u>	<u>10'</u>	<u>20'</u>	<u>50%</u>
<u>Multiple family Dwelling¹</u>	<u>5,000 sqft.</u>	<u>2,000 sqft.</u>	<u>50'</u>	<u>40'</u>	<u>15'</u>	<u>5'</u>	<u>15'</u>	<u>20'</u>	<u>50%</u>
<u>Non-residential uses and mixed use¹</u>	<u>5,000 sqft.</u>	<u>2,500 sqft.</u>	<u>50'</u>	<u>40'</u>	<u>20'</u>	<u>0'⁴</u>	<u>10'</u>	<u>20'</u>	<u>50% two-story; 60% one-story</u>
<u>Zero lot line Non-residential uses^{1,2} and mixed use^{1,2, 5}</u>	<u>2,500 sqft</u>	<u>2,500 sqft.</u>	<u>25'</u>	<u>40'</u>	<u>0'</u>	<u>0'⁴</u>	<u>10'</u>	<u>20'</u>	<u>50% two-story; 60% one-story</u>

1. No lot or parcel may be subdivided, split or otherwise revised to have lower area or dimension than allowed in this table to qualify for overlay flexibility.

2. Zero lot line standards.

a. Zero lot line design approaches may be acceptable, upon:

i. Compliance with the Building and Fire Code requirements.

ii. Abutting development that is constructed with a zero setback from the same property line, or the property owner obtains a five (5) foot wide private use and maintenance easement from the property owner of the abutting lot of zero setback property line.

c. Street side yard setbacks shall not impede the traffic visibility triangle as determined by the City Engineer pursuant to section 21-4-2.11 of this chapter.

d. To accommodate Multi-family, duplex and single-family attached dwelling developments, lots and parcel may combine parcels for zero lot line development. Minimum setbacks required on end units, to be determined during site plan review.

- e. All development approvals are contingent upon providing adequate parking, as determined by the Community Development Director, which may include parking under upper floors, alley access parking, joint/shared use and stacked parking
- f. Access to parking shall not be provide through the front yard of a lot or parcel less that fifty (50) feet in width.
- 3. A five (5) foot side setback shall be provided on the end lot abutting an interior side property line. The end lot contains the last unit on either end of a roll of consecutive attached units on individual lots.
- 4. A minimum 10 foot interior side setback shall be provided abutting a subdivision tract that is less than ten (10) feet wide where the tract abuts a right-of-way or private street tract. A five (5) foot interior side setback is allowed abutting a subdivision tract that is ten (10) feet wide or greater where the tract abuts a right-of-way or private street tract. The subdivision tract shall be owned by the homeowner association.
- 5. Non-residential and residential area of a mixed use development shall be horizontally or vertically integrated on the same lot. For each one (1) gross square foot of commercial floor, three (3) gross square feet of residential floor area (including the gross floor area of interior amenities and common area) is allowed.

Section 8. *Amend Chapter 21 Zoning, Article IV. General Development Regulations, to add Section 21-4-2.16. Allowed Building Height Projections and Appurtenance, subsections et al therein, as follows:*

21-4-2.16. Allowed Building Height Appurtenances, Projections, and Structures:

- A. The following appurtenances, projections, and structures, are permitted to exceed the maximum building height allowed by a property's designated zone up to a maximum of fifteen (15) feet in all non-residential zones specified in Table 2.1-1 and the Multiple-Family Residential (R-3) zone, and up to a maximum of five (5) feet in all other zones for: Chimneys, elevator bulkheads, roof-mounted mechanical and utility equipment (including architectural screening), stairwells bulkheads, and unoccupiable belfries, building towers, cupolas, domes, spires, or other similar appurtenances as determined by the Zoning Administration. The maximum total area allowed for all appurtenance, projections, and structures attached to a building is twenty-five (25) percent of the aforementioned building's horizontal roof area.
- B. Clock towers, amateur radio towers owned by licensed persons, flagpoles, and roof-mounted solar-energy collectors are permitted to exceed the maximum building height allowed by a property's designated zone up to a maximum of fifteen (15) feet in all non-residential zones specified in Table 2.1-1 and the Multiple-Family Residential (R-3) zone, and up to a maximum of five (5) feet in all other zones.
- C. Conveyor systems, cooling and condensing towers, gas and chemical holders, grain elevators, fire towers, silos, and water tanks, used in the agriculture, distribution, manufacturing and recycling, and smokestacks transmission towers, windmills or other similar structures as determined by the Zoning Administration are allowed a maximum height of one-hundred twenty-five (125) feet in the General Industrial (I-2) zone, and seventy-five (75) feet in all other zones.
 - a. All structures specified in subsection C. of this section shall be setback a minimum of:
 - i. The greater setback of the lot or parcels designate zone, or one -half (0.5) foot for each one (1) foot of height from each property line; and
 - ii. Five (5) feet for each one (1) foot of height lot or parcel zoned a Residential District
 - b. The maximum footprint of any one structure, excluding conveyor systems, specified in subsection C. of this section, excluding conveyor systems: six hundred twenty-five (625) square feet.
 - c. The maximum lot coverage of all structures used on a site that is specified in subsection C. of this section: twenty-five (25) percent of the net lot area.
- D. Light poles and fixtures for sports fields (baseball, softball, football, soccer, and other similar fields as determined by the Zoning Administrator) are allowed a maximum height of ninety (90) feet.
- E. Alternative development standards to those specified in this section may be permitted by the City Council with the approval of a Conditional Use Permit. To approve the alternative development

standards, the City Council shall find that the Conditional Use Permit criteria and the following additional criteria have been met:

1. The alternative development standards do not allow:

a. Structures or appurtenance that negatively impact airport activities and flight patterns;

b. Occupiable space (as defined by the Building Code) above the maximum building height allowed by a property's designated zone.

2. The alternative development standards are necessary for the structure(s) or appurtenance(s) to facilitate the operations and functions of the lot's or parcel's primary use.

Section 9. *Amend Chapter 21 Zoning, Article VI. Zoning Procedures, 21-6-7: Conditional Use Permit, Section 21-6-7.2. TYPES OF CONDITIONAL USES, as follows:*

21-6-7.2: TYPES OF CONDITIONAL USES:

A. The City Council may grant a conditional use permit in accordance with the procedures stated in this section 21-6-7 for the following uses:

~~A. 1.~~ Only those uses that are enumerated as conditional uses in a zoning district, as set forth in article II of this chapter, or

~~B. 2.~~ Non-specified uses as determined by the Zoning Administrator, per subsections ~~21-2-2.3H, 21-2-3.3G, 21-2-4.2G~~ 21-2-2.3.H., 21-2-3.3.G., 21-2-4.2.G., 21-2-5.3.G. of this chapter, upon a finding that the proposed use is materially similar to other conditional uses within the same zoning district, in accordance with the procedures and standards set forth in this section 21-6-7.

Section 10. *Amend Chapter 21 Zoning, Article IX. Definitions and Acronyms, 21-9-1: DEFINITIONS, pertaining to the term Dwelling, Multi-Family, as follows:*

DWELLING, MULTI-FAMILY: ~~A single building containing three (3) or more dwelling units~~ Any three (3) or more dwelling units, exclude the uses regulated by the Manufactured Home Overlay Districts (manufactured homes, tiny homes, or recreational vehicles), on an individual lot for occupancy by families living independently of each other. Within apartments, the building and land are under single ownership and dwelling units are rented or leased. Within a condominium, ownership consists of the airspace within a unit and the building(s) and all land within the development are under common ownership.