

MINUTES OF THE REGULAR MEETING
OF THE
PLANNING AND ZONING COMMISSION

March 24, 2022
9:30 a.m.

Gotowebinar.com
Phoenix, Arizona

MEMBERS PRESENT:

Mr. Jimmy Lindblom, Chairman
Mr. Lucas Schlosser, Vice Chairman
Mr. Greg Arnett
Mr. Kevin Danzeisen
Mr. Erik Hernandez
Ms. Kate McGee
Ms. Francisca Montoya

MEMBERS ABSENT:

Mr. Spike Lawrence
Mr. Jay Swart

STAFF PRESENT:

Mr. Darren Gérard, Planning Services Manager
Ms. Rachel Applegate, Senior Planner
Mr. Jose Castañeda, Planner
Ms. Rosalie Pinney, Recording Secretary

COUNTY AGENCIES:

Mr. Nikolaus Decker, County Attorney
Mr. David Anderson, Business Engagement Manager, OET
Ms. Alisha Bach, Technical Team
Ms. Pearl Duran, Technical Team

CONSENT:

S2021018

REGULAR:

DMP2021004, Z2021141

Chairman Lindblom made the standard announcements.

Mr. Gérard said staff received opposition to consent agenda items #2 – DMP2021004 and #3 - Z2021141. The cases need to be moved to the regular agenda.

CONSENT AGENDA

Preliminary Plat - S2021018

District 4

Project name: **Rose Estates Preliminary Plat**
Applicant: Rohit Tripathi, Arroundtown Developers, LLC
Request: Preliminary Plat for a residential subdivision with 601 lots, 40 tracts, and two parcels in the R1-6 RUPD zoning district
Location: Generally located a quarter of a mile from the northeast corner of 117th Ave. and Williams Dr. in the Peoria area

Maricopa County Planning and Zoning Commission Minutes
Meeting of March 24, 2022

Mr. Gérard presented the consent agenda.

Chairman Lindblom asked if anyone from the public wished to speak on this case. None.

COMMISSION ACTION: Commissioner Hernandez motioned to approve S2021018 on the consent agenda with conditions 'a'-'o'. Commissioner Montoya second. Approved 7-0. Ayes: McGee, Arnett, Hernandez, Montoya, Danzeisen, Schlosser, Lindblom.

- a. The Final Plat shall be in substantial conformance with the Preliminary Plat entitled "Rose Estates" consisting of ten full-size sheets, dated February 15, 2022, and stamped received February 16, 2022, except as modified by the following conditions.
- b. Development and use of the site shall in substantial conformance with the Narrative Report entitled "Rose Estates", consisting of six pages, dated February 12, 2022, and stamped received February 16, 2022, except as modified by the following conditions.
- c. Development of the site shall be generally consistent with the Landscape Plan entitled "Rose Estates", consisting of five pages, dated February 15, 2022, and stamped received February 16, 2022, except as modified by the following conditions.
- d. Concurrent with submittal of Final Plat, Improvement Plans shall be submitted to the Planning and Development Department.
- e. After Final Plat recordation and prior to any zoning clearance for building permits, the applicant shall obtain a final Grading and Drainage and Infrastructure permit from Maricopa County.
- f. Prior to Final Plat approval, Water and Wastewater Plans shall be submitted to and approved by the Maricopa County Department of Environmental Services (MCESD) subject to their procedures.
- g. The following Planning Engineering conditions shall apply:
 1. Drainage Waiver DRB2022001 has been submitted and is currently under review. The Drainage Waiver must be approved prior to final plat approval.
 2. A CLOMR has been submitted to the Flood Control District for approval. This CLOMR must be approved by FEMA before the Final Plat will be approved.
 3. Homes within the CLOMR area will be required to be raised to the current (non-CLOMR) regulatory flood elevation (RFE) until such time that the LOMR becomes effective (90-120 days after FEMA approval).

4. Residences within the existing Floodway boundaries shall not be issued building permits until such time that the LOMR becomes effective (90-120 days until after FEMA approves the LOMR).
5. Once the LOMR becomes effective, the finished floor elevations of any lots within the floodplain must be elevated up to or above the Regulatory Flood Elevation, based on the effective LOMR.
6. Any work/disturbance within the effective Zone AE floodplain will require a floodplain use permit issued (through PND) concurrent with the subdivision infrastructure permit.
7. At the time of building permit submittal, a geotechnical report will be required to certify that the proposed 1:1 scour protection slope is stable. Certification of all 1:1 slopes will be required – sections 1, 2, 4, 5, 7, 8, 9, and 10. Additionally sections 2, 3, and 5 show riprap steeper than the allowed 3:1. These must be addressed with the final infrastructure plans.
8. The Infrastructure Plans shall show the cross section for roadways that match updated Roadway Design Manual cross sections.
9. The developer shall design, furnish and install a traffic signal at the intersection of 117th Ave. and Pinnacle Peak Rd. as part of the project per the approved Traffic Impact Statement (TIS).
10. The Final Plat must illustrate the new traffic signal at the intersection of 117th Ave. and Pinnacle Peak Rd.
11. The applicant shall acknowledge, sign and date the MCDOT Stipulation to MCDOT to complete the TIA approval process prior to applying for any MCDOT permits.
12. Engineering review of planning and/or zoning cases is for conceptual design only. All development and engineering design shall be in conformance with Section 1205 of the Maricopa County Zoning Ordinance; Drainage Policies and Standards; Floodplain Regulations for Maricopa County; MCDOT Roadway Design Manual; and current engineering policies, standards and best practices at the time of application for construction.
13. Based on the conceptual design nature of the information submitted, changes to the site layout and/or a reduction in the number of building lots may be necessitated by the final engineering design of the subdivision drainage infrastructure.
14. Detailed Grading and Drainage (Infrastructure) Plans and Final Drainage Report must be submitted with the application for Final Plat Approval and Building Permits.

- h. Prior to or concurrent with the submittal of a Final Plat for any portion or phase of this development, a traffic impact analysis must be provided as deemed necessary by the Maricopa County Department of Transportation (MCDOT).
- i. Specific roadway cross-sections and pavement sections are not approved as shown on the Preliminary Plat. The number and width of lanes, including turn and auxiliary lanes, as well as pavement thickness, will be approved on construction improvement plans in conjunction with the Final Plat, in compliance with the Traffic Impact Statement (TIS) approved by the Maricopa County Department of Transportation (MCDOT).
- j. Prior to Final Plat approval or issuance of a grading permit, developer(s) and/or builder(s) shall establish emergency fire protection services, covering all real property contained within the project area during course of construction and shall obtain a 'will serve' letter substantiating coverage from the applicable Fire District servicing the project. This information shall be included in the narrative report for the Final Plat and the associated public report for the subdivision. The Final Plat shall contain a note referencing the will serve letter.
- k. Preliminary Plat approval shall expire two (2) years from the date of Commission approval. Any request for an extension of time shall be submitted prior to the expiration date and may be administratively approved in accordance with the Maricopa County Subdivision Regulations.
- l. The Final Plat shall include a note that states that there shall be no further division of land or parcels within the area of this subdivision plat without approval by the Board of Supervisors.
- m. Prior to the submission of a Final Plat, the developer shall obtain a Certificate of 100-year Assured Water Supply from the Arizona Department of Water Resources.
- n. Prior to the approval of any Final Plat, the developer shall abandon all Federal Patent Easements on the site.
- o. Prior to the approval of any Final Plat, the developer shall file a class I (literature review) and/or a Class III (Intensive and pedestrian) survey shall be conducted to determine if historic properties are present on the site with SHPO. The developer can obtain a list of qualified consultants or request a records search at <https://statemuseum.arizona.edu/crm>. If there is a federal or state nexus then consultation with SHPO shall be required.

REGULAR AGENDA

Development Master Plan - DMP2021004

District 4

Project name: **Hidden Waters Ranch**
Applicant: Kyle Barichello, RVI Planning & Landscape Architecture
Request: Development Master Plan Major Amendment of approx. 200 acres of the Hidden Waters Ranch DMP (ref: DMP2006007).
Location: Generally located south of the I-10 between 339th Ave. and 351st Ave. and north of Buckeye Rd.

Mr. Castañeda presented both DMP2021004 and Z2021141 and noted the Development Master Plan (DMP) amendment is primarily changes to a portion of the land uses from small lot residential to Industrial Employment Center and modifies certain stipulations as needed to reflect the proposed changes. The zone change will eliminate the residential zoning districts within the site and rezoning the areas to IND-2 PAD. Currently, these areas are zoned from R1-6, R1-7, R-2, and Rural-43 and small lot residential. There are no violations on the property. Since the publishing of the staff report staff received one letter of opposition from a resident located within 300 feet of the site. The opposition is opposed to any new commercial or residential development in the area. There is an update to condition 'e' regarding the impact fees. The proposed amendment to the DMP is an improvement to the Hidden Waters land use patterns. Hidden Waters was previously amended by a similar request that changed the north half of the DMP to Industrial. The existing zoning on the south currently allows for multi-family and small lot residential development adjacent to existing industrial zoning. Staff believes the request would create a more uniform area for industry and employment with immediate access onto a major transportation corridor. The proposed land uses are in line with policies, goals and objectives outlined in the area plan. The DMP amendment and zone change would be congruent with the existing land use designations. Staff recommends the commission adopt a motion recommending the Board of Supervisors to approve DMP2021004 and Z2021141.

Chairman Lindblom asked if this item was removed from the consent agenda because of the one letter in opposition. Mr. Castañeda said that's correct. The nature of the opposition was they didn't want any new residential or commercial development, and they moved out to that area to get away from it all.

Commissioner McGee asked were all the public participation and notifications completed as required by the applicant. Mr. Castañeda said the applicant did comply with posting the site and the notification procedures required for the DMP and zone change. The applicant also invited the public to a virtual meeting. The applicant tried to contact the individual opposed to address their concerns.

Mr. Kyle Barichello said he is with RVI Planning & Landscape Architecture speaking on behalf of the property owner. They originally held a neighborhood meeting with two residents in attendance who were curious about the process and how they were developing the area. There were no hard feelings from the attendees about the proposal, and indicated they would like to see it remain rural and realized growth is inevitable in the county. The development team attempted to call the person in

opposition multiple times to understand the oppositions concerns and also sent e-mails but haven't received any response. This site is already entitled for development from an existing approved plan back in 2008. Should this proposed amendment not be in front of you today, the property owners could develop this property as such.

Chairman Lindblom asked if anyone from the public wished to speak on this case. None.

COMMISSION ACTION: Vice Chair Schlosser motioned to approve DMP2021004 with conditions 'a'-'p'. Commissioner Hernandez second. Approved 7-0. Ayes: McGee, Arnett, Hernandez, Montoya, Danzeisen, Schlosser, Lindblom.

- a. Development shall be in substantial conformance with the Development Master Plan document entitled "Hidden Waters Ranch Development Master Plan Major Amendment #2", a bound document, dated revised February 10, 2022, and stamped received, including the exhibits, maps, and appendices, except as modified by the following stipulations.
- b. Changes to the Hidden Waters Ranch Development Master Plan with regard to use and intensity, or changes to any of the stipulations approved by the Maricopa County Board of Supervisors, shall be processed as a revised application with approval by the Board of Supervisors upon recommendation by the Maricopa County Planning and Zoning Commission. Revised applications shall be in accordance with the applicable Development Master Plan Guidelines, subdivision regulations, and zoning ordinance in effect at the time of application(s) submission. The Maricopa County Planning and Development Department may approve minor changes administratively as outlined in the Maricopa County Development Master Plan Guidelines in effect at the time of amendment. Non-compliance with the approved Hidden Waters Ranch Development Master Plan narrative report, maps, and exhibits, or the stipulations of approval will be treated as a violation in accordance with the provisions of the Maricopa County Zoning Ordinance.
- c. All stipulations of approval shall remain in effect in the event of a change in name of the Hidden Waters Ranch Development Master Plan.
- d. The property owner and their successors waive claim for diminution in value if the County takes action to rescind approval of this Development Master Plan due to noncompliance with any of the approved stipulations.
- e. Prior to approval of any zone change, the master developer shall enter into a development agreement with Maricopa County. Further, prior to approval of any zone change this development agreement shall be signed by both the master developer and the designated Maricopa County representative(s) and provided to the Maricopa County Planning and Development Department for public record.

- f. The master developer shall be responsible for the construction of all public and private on-site roads within the Hidden Waters Ranch Development Master Plan. Further, the Hidden Waters Ranch homeowners association shall be responsible for the maintenance and upkeep of all private roads, public open spaces and public facilities, washes, parks, roadway median landscaping, landscaping within public rights-of-way, and all pedestrian, bicycle, and multi-use paths.
- g. Prior to approval of each final plat, the master developer shall submit to the Maricopa County Planning and Development Department a landscape inventory and salvage plan which identifies and assesses the native vegetation within the development parcels, and which determines the preservation/disposition for each of the selected native vegetation.
- h. Landscaping of all common areas and open spaces, except for identified recreational areas, within Hidden Waters Ranch shall consist of indigenous and near-native plant species of a xeriphytic nature.
- i. Until annexation of the entire development master plan takes place, the master developer shall notify all future Hidden Waters Ranch Development Master Plan residents that they are not located within an incorporated city or town, and therefore will not be represented by, or be able to petition a citizen-elected municipal government. Notification shall also state that residents will not have access to municipally-managed services such as police, fire, parks, water, wastewater, libraries, and refuse collection. Such notice shall be included on all final plats, be permanently posted on the front door of all home sales offices on not less than an 8 ½ inch by 11 inch sign, and be included in all homeowner association covenants, conditions, and restrictions (CC & R's).
- j. All park facilities shall be completed concurrently with residential development of the respective plat on which the park is shown.
- k. One (1) elementary school site dedication at a minimum of 14.3 acres, shall be reserved for the Saddle Mountain Unified School District at the location identified on the Hidden Waters Ranch land use plan. If at a future date State Land areas adjacent to the amended areas of the DMP are rezoned from residential to industrial use, SMUSD leadership may agree to reduce or eliminate the school reservation.
- l. The following Maricopa County Department of Emergency Management stipulations shall apply:
 - 1. Any areas not covered by the existing Outdoor Warning Siren System used to alert residents within the 10-mile Emergency Planning Zone of the Palo Verde Nuclear Generating Station in time of emergency shall be required to include additional sirens, at the developer's cost, in order to provide adequate warning for the residents of that

development, using technical information concerning the siren system obtained from the Emergency Planning Department at the Palo Verde Nuclear Generating Station. In addition, adequate signage available from the Palo Verde Nuclear Generating Station Emergency Planning Department shall be required to be posted on the site to inform the public of the presence of a nuclear generating station in the vicinity and outlining actions to take upon receiving warning notification.

2. The developer shall ensure that public safety information regarding nuclear emergencies is initially provided to any new residents or building occupants. The applicant shall obtain this information from the Palo Verde Nuclear Generating Station – Emergency Planning Department. All costs associated with the duplication and dissemination of the initial distribution shall be assumed by the applicant. Thereafter, the Palo Verde Nuclear Generating Station will provide this public safety information annually.
- m. The following Flood Control District of Maricopa County stipulations shall apply:
1. The owner or his representative shall submit a Conditional Letter of Map Revision prior to any preliminary plat approvals.
- n. The following Engineering stipulations shall apply:
1. All development and engineering design shall be in conformance with the Drainage Regulation and current policies, standards and best practices at the time of application for construction. No variance from Drainage Regulations or drainage engineering design standards is granted or entitled under this DMP.
 2. Drainage review of planning, zoning and/or Development Master Plans cases is for conceptual design only and does not represent final design approval nor shall it entitle applicants to future designs that are not in conformance with Drainage Regulation and design policies and standards. Modeling submitted with this DMP is for conceptual level analysis only. All plats shall be submitted with appropriate and detailed model to reflect existing and proposed development conditions.
 3. Without the submittal of a precise plan of development, no development approval is inferred by this review, including, but not limited to drainage design, access and roadway alignments. These items will be addressed as development plans progress and are submitted to the County for further review and/or entitlement.

4. Any development must ensure that historic drainage patterns are maintained at the up and downstream limits of development.
 5. A traffic impact study must be submitted with any future entitlement application(s) (i.e. preliminary plat or plan of development) for the purpose of determining any offsite roadway improvements.
 6. Changes to previous right-of-way dedication requirements for Section Line and Mid-Section Alignments within the development site will be further evaluated at the time of future entitlement applications.
 7. Any development must provide for at least two (2) paved points of access to existing and improved public roads.
 8. Except as modified as part of this application or stipulated herein, the Drainage, Flood Control and Transportation (MCDOT) conditions of DMP2008006 shall remain in effect.
 9. Applicant to notify ADOT of proposed development through the Red Letter Process, RedLetter@azdot.gov, due to proximity and proposed access to I10 and the future I11 corridor.
 10. All development and engineering design shall be in conformance with Section 1205 of the Maricopa County Zoning Ordinance; Drainage Policies and Standards; Floodplain Regulations for Maricopa County; MCDOT Roadway Design Manual; and current engineering policies, standards and best practices at the time of application for construction.
- o. The following Luke Air Force Base condition shall apply:
1. The master developer shall notify future occupants/tenants that they are located near a military airport with the following language:

"You are locating in a residential dwelling outside the "territory in the vicinity of a military airport," however aircraft flying in this area are authorized to fly as low as 1,500 feet above the ground. You will be subject to direct overflights and noise by Luke Air Force Base jet aircraft in the vicinity.

Luke Air Force Base executes an average of approximately 165 overflights per day. Although Luke's primary flight paths are located within 20 miles from the base, jet noise will be apparent throughout the area as aircraft transient to and from the Barry M. Goldwater Gunnery Range and other flight areas.

Luke Air Force Base may launch and recover aircraft in either direction off its runways oriented to the southwest and northeast. Noise will be more noticeable during overcast sky conditions due to noise reflections off the clouds.

Luke Air Force Base's normal flying hours extend from 7:00 a.m. until approximately midnight, Monday through Friday, but some limited flying will occur outside these hours and during most weekends.

For further information, please check the Luke Air Force Base website or contact the Maricopa County Planning and Development Department."

Such notification shall be permanently posted on not less than a 3 foot by 5 foot sign in front of all leasing and home sales offices and be permanently posted on the front door of all leasing offices on not less than 8½ inch by 11 inch sign.

- p. At its discretion, the Maricopa County Planning and Development Department may administratively approve up to a 5% change in the gross area of any parcel that is subject to a planned area development zoning overlay. Such change, either individually or cumulatively, shall not result in a change of any land use category by 5% or greater. Changes greater than 5% either individually or cumulatively shall be processed as a revised application with approval by the Maricopa County Board of Supervisors upon recommendation by the Maricopa County Planning and Zoning Commission.

Zoning - Z2021141

District 4

Project name: **Hidden Waters Ranch**
Applicant: Kyle Barichello, RVI Planning & Landscape Architecture
Request: Zone change from Rural-43 PAD, R1-7 RUPD PAD, R1-6 RUPD PAD, R-2 RUPD PAD to IND-2 PAD
Location: Generally located south of the I-10 between 339th Ave. and 351st Ave. and north of Buckeye Rd.

Mr. Castañeda presented Z2021141 with DMP2021004 and noted to separate motions are needed.

Chairman Lindblom asked if anyone from the public wished to speak on this case. None.

COMMISSION ACTION: Vice Chair Schlosser motioned to approve Z2021141 with conditions 'a'-'s' with recommended changes to condition 'e'. Commissioner Hernandez second. Approved 7-0. Ayes: McGee, Arnett, Hernandez, Montoya, Danzeisen, Schlosser, Lindblom.

- a. Development of the site shall be in substantial conformance with the Zoning Exhibit entitled "Hidden Waters Ranch", consisting of 6 full-size sheets,

stamped received February 10, 2022, except as modified by the following conditions. Staff may determine slight refinements to remain in substantial conformance with the approved site plan. Minor and major amendments to the site plan will be determined in accordance with Chapter 3 of the Maricopa County Zoning Ordinance.

- b. Development of the site shall be in substantial conformance with the Narrative Report entitled "Major Zone Change Amendment application (PAD)", consisting of 17 pages, dated February 10, 2022, and stamped received February 10, 2022, except as modified by the following conditions.
- c. All transformers, back-flow prevention devices, utility boxes and all other utility related ground mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible. All HVAC units shall be ground-mounted or screened with a continuous parapet for commercial projects.
- d. The following Engineering conditions shall apply:
 - 1. Without the submittal of a precise plan of development, no development approval is inferred by this review, including, but not limited to drainage design, access and roadway alignments. These items will be addressed as development plans progress and are submitted to the County for further review and/or entitlement.
 - 2. Any development must ensure that historic drainage patterns are maintained at the up and downstream limits of development.
 - 3. A traffic impact study must be submitted with any future entitlement application(s) (i.e. preliminary plat or plan of development) for the purpose of determining any offsite roadway improvements.
 - 4. Changes to previous right-of-way dedication requirements for Section Line and Mid-Section Alignments within the development site will be further evaluated at the time of future entitlement applications.
 - 5. Any development must provide for at least two (2) paved points of access to existing and improved public roads.
 - 6. Except as modified as part of this application or stipulated herein, the Drainage, Flood Control and Transportation (MCDOT) conditions of Z2007073 shall remain in effect.
 - 7. Applicant to notify ADOT of proposed development through the Red Letter Process, RedLetter@azdot.gov, due to proximity and proposed access to I10 and the future I11 corridor.

8. All development and engineering design shall be in conformance with Section 1205 of the Maricopa County Zoning Ordinance; Drainage Policies and Standards; Floodplain Regulations for Maricopa County; MCDOT Roadway Design Manual; and current engineering policies, standards and best practices at the time of application for construction.
- e. The following Maricopa County Department of Transportation conditions shall apply:
1. The Developer has previously provided a Traffic Impact Study (TIS) that was previously approved under the original case #Z2007073. Subsequent TIS submittals shall comply with then MCDOT requirements and indicate offsite improvements necessary to accommodate the anticipated traffic demands. The TIS shall be updated with each development phase to reflect current conditions and any changes to the development plan. Since the only existing traffic generator in the area of this development is the truck stop at the SW corner of I-10 and 339th Ave., which also abuts this development, there is still a concern of how Hidden Waters traffic (Phase 1 – 2) and the truck stop traffic will interact, especially at the 339th Ave./Roosevelt St. intersection. MCDOT will require that Hidden Waters coordinate with the truck stop concerning off-site improvements prior to any plan or plat approval. Intersection improvement plans shall also include dual left turn lanes EB to NB and a right turn lane SB to EB and all underground conduit and pullboxes for the future signal. The project must comply with all recommendations in the MCDOT approved TIS.
 2. The Developer shall provide the ultimate full or half-width of right-of-way for all public roadways. Right-of-way shall be provided as follows:
 - A) Buckeye Road: 100 Feet (Half-width)
 - B) Harrison Street: 40 Feet (Half-width); 80 Feet (Full-width)
 - C) Van Buren Street: 65 Feet (Half-width); 130 Feet (Full-width)
 - D) Roosevelt Street: Western Boundary to 341st Avenue
55 Feet (Half-width); 110 Feet (Full-width)

(THE TIS NEEDS TO DOCUMENT NON-STANDARD R/W.)

 - E) 343rd Avenue, Buckeye Road to Van Buren Street:
40 Feet (Half-width); 80 Feet (Full-width)
 - 343rd Avenue, Van Buren Street to Northern Project Boundary:
55 Feet (Half-width); 110 Feet (Full-width)

(THE TIS NEEDS TO DOCUMENT NON-STANDARD R/W.)

- F) 339th Avenue: 100 Feet (Half-width)
- G) 335th Avenue: 40 Feet (Half-width)

The above references interior and perimeter roads. (The project boundary is the centerline of all perimeter roadways and/or roadway alignments.) Full-width right-of-way shall be provided where the entire roadway is within the development (interior roadways). Half-width right-of-way shall be provided where "half" of the roadway is within the development (perimeter roadways). Additional right-of-way shall be dedicated at any intersections where future dual left turn lanes are possible. The widened right-of-way section shall accommodate the length of the left turn lane, including reverse curves.

The Developer shall reserve sufficient right-of-way for transportation facilities in compliance with the MAG Hassayampa Study, including sufficient right-of-way for widening of I-10.

3. The Developer shall be responsible for design and construction of the ultimate full-width of all interior roadways, and the ultimate half-width of all perimeter roadways, unless approved otherwise by MCDOT. All roadways must meet all county standards in effect at the time they are improved. (This includes, but is not limited to the "MCDOT Roadway Design Manual," including TIS infrastructure requirements and the "Drainage Policies and Standards for Maricopa County.") Half-width roadways must be designed and constructed so as to safely carry two-way traffic until the ultimate roadway is constructed. Roadway improvement plans must be approved and permitted by MCDOT. The Developer shall relocate well site(s) and/or provide additional right-of-way in the event of conflict with any transportation facilities.
4. The Developer shall be responsible for design and construction of the ultimate full-width of all interior roadways, and the ultimate half-width of all perimeter roadways, unless approved otherwise by MCDOT. All roadways must meet all county standards in effect at the time they are improved. (This includes, but is not limited to the "MCDOT Roadway Design Manual," including TIS infrastructure requirements and the "Drainage Policies and Standards for Maricopa County.") Half-width roadways must be designed and constructed so as to safely carry two-way traffic until the ultimate roadway is constructed. Roadway improvement plans must be approved and permitted by MCDOT. The Developer shall relocate well site(s) and/or provide additional right-of-way in the event of conflict with any transportation facilities.
5. The Developer shall provide all-weather access to all parcels and lots, and on all arterial roadways.

6. The Developer shall provide and make available a minimum of two access points to each development phase and/or subdivision unit.
 7. The Developer shall design the development to promote pedestrian, bicycle and other alternative modes of transportation to public facilities within and adjacent to the site, by means in addition to the roadway system. Crossings of arterials at other than signalized intersections may be required to be grade separated. The Development shall prepare a comprehensive multimodal transportation and circulation plan (the "Multimodal Plan") which addresses public transit, bicycle, pedestrian, golf cart, equestrian, and other alternative uses. The Multimodal Plan must be approved before subsequent approval of any roadway improvement plans.
 8. If streetlights are provided, installation shall be provided by the Developer. If streetlights are within public rights-of-way, a Street Light Improvement District (SLID) or comparable authority shall be established to provide operation and maintenance. The Developer should contact the Office of Superintendent of Streets (602-506-8797) to initiate the SLID process.
 9. The Developer shall design landscaping to comply with all county requirements and to conform to the MCDOT Roadway Design Manual. The Developer (or as assigned to the Home Owner's Association (HOA)) shall be responsible for maintenance of landscaping within public rights-of-way.
 10. The Applicant shall provide a construction traffic circulation plan. The construction traffic circulation plan must be approved by MCDOT.
 11. The Applicant shall comply with all applicable local, state and federal requirements. (Dust control, noise mitigation, AZPDES, 404 permitting, etc.)
 12. The Developer shall provide written documentation of ADOT's review and response with each phase. ADOT documentation shall be received before any development phasing and/or final plat approval, or at the discretion of MCDOT.
- f. All interior streets within the proposed development are to be constructed to minimum County standards.
- g. The following Drainage Review stipulations shall apply:
1. All development and engineering design shall be in conformance with the Drainage Regulation, Drainage Policies and Standards

and current engineering policies, standards and best practices at the time of application for construction.

2. Drainage review of this zone change cases is for conceptual design only and does not represent final design approval nor shall it entitle applicants to future designs that are not in conformance with the Drainage Regulation and design policies and standards.
 3. All proposed construction within a delineated floodplain must obtain a floodplain use permit from the Flood Control District of Maricopa County.
- h. The following Flood Control District stipulations shall apply:
1. The effective floodplain and floodway limits need to be shown on both the final plat and the grading plan.
 2. The electronic HEC-RAS files for the final hydraulic calculations need to be provided.
 3. Calculations for the lowest floor elevation for the lots within the floodplain are needed.
 4. The lowest floor elevation for all lots within the floodplain must be shown on the grading plan.
 5. The lowest floor elevations for all lots within the floodplain must be at least two (2) feet above the 100-year water surface elevation. If this area is to be removed by a Letter of Map Revision (LOMR), then a Conditional Letter of Map Revision (CLOMR) will be needed. A LOMR will be required prior to the final plat approval of the built infrastructure if a CLOMR was issued by FEMA.
 6. A note needs to be added to the final plat listing the lots located within the floodplain. In addition, the note needs to state that until a LOMR is approved by the Federal Emergency Management Agency (FEMA), the finished floor will need to be elevated to the regulatory food elevation, and flood insurance will be required.
 7. No buildings will be allowed in the floodway.
- i. Prior to issuance of any permits for development of the site, the applicant/property owner shall obtain the necessary encroachment permits from the Maricopa County Department of Transportation (MCDOT) for landscaping or other improvements in the right-of-way.
- j. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.

- k. Development of the site shall be in compliance with all applicable Maricopa County Air Quality rules and regulations.
- l. An archeological survey shall be submitted to and approved by the Arizona State Historic Preservation Office prior to issuance of a grading permit. The applicant must contact the State office prior to initiating disturbance of the site. The applicant shall provide the Planning and Development Department with written proof of compliance with this stipulation.
- m. Development and use of the site shall comply with requirements for fire protection measures as deemed necessary by the applicable fire department. Prior to issuance of zoning clearance or Final Plat/Plan of Development approval, the applicant shall seek review and comment from the applicable fire protection agency, and shall provide written confirmation that the site will be developed in accordance with their requirements.
- n. Prior to zoning clearance or Final Plat approval, developer(s) and/or builder(s) shall establish emergency fire protection services, covering all real property contained within the project area during course of construction and shall obtain a 'will serve' letter substantiating coverage from the appropriate Fire Department servicing the site.
- o. The applicant or his successor shall obtain approval of any development plans from the Office of the Arizona State Fire Marshal prior to any construction.
- p. Amendments to the site plan and narrative report shall be processed as a revised application in accordance with Maricopa County Zoning Ordinance Article 304.9.
- q. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Planning and Zoning Commission to take action in accordance with Chapter 3 (Conditional Zoning).
- r. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation, Drainage Review Division, Planning and Development Department, or the Flood Control District of Maricopa County may be grounds for initiating a revocation of this Zone Change as set forth in the Maricopa County Zoning Ordinance.
- s. The property owner/s and their successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with stipulations.

Mr. Gérard announced the April 7th Commission hearing has been cancelled. We will go back to in-person attendance with a hybrid format at the Commission hearing on April 21. This will allow staff and the public for in-person attendance or to attend virtually.

Chairman Lindblom adjourned the meeting of March 24, 2022 at 9:54 a.m.

Prepared by Rosalie Pinney
Recording Secretary

March 24, 2022