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# FESTIVAL RANCH

## COMMUNITY MASTER PLAN

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Submitted by

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TOWN OF BUCKEYE  
COPY

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## I. INTRODUCTION

Festival Ranch is envisioned to be another in a series of high quality master planned communities by the Lyle Anderson Company. Festival Ranch is unique in its shape and size, its emphasis on quality of life through amenities, services and facilities, and its reliance on a Town Center concept and employment corridor for support uses. Festival Ranch will offer a wide variety of employment, residential, recreational and commercial and cultural opportunities in many settings with its own supporting infrastructure. The design of Festival Ranch is literally the result of many years of planning which, once implemented, will result in a master planned community that will truly be a special and unique place to live, work, shop, and play.

### A. PROJECT OVERVIEW

The Festival Ranch master planned community (hereinafter referred to as “Festival Ranch” or the “Property”) is comprised of approximately 10,105 acres. The site is located in the northern portion of the Town of Buckeye (the “Town”). It is bounded on the west by the Hassayampa River and on the north and east by State lands. The south edge of the Property is partially bisected by the Sun Valley Parkway and is bounded by a small portion of the White Tank Mountains, State lands, and private landowners. The site is traversed by several major infrastructure elements including the Central Arizona Project (C.A.P.), owned by the Bureau of Reclamation, and several electric transmission lines. There are also a few other private property owners clustered along the C.A.P. and a large State lands parcel in the southern half of the site. The Property is more particularly described in **Exhibit A**.

Festival Ranch benefits from exceptional views of the White Tanks and Vulture Mountain ranges as well as the Hassayampa River valleys. The Property rises in elevation from 1,500 feet above sea level at the southwest corner to 1,800 feet above sea level at the highest point in the north area of the Property.

Festival Ranch covers a vast area – approximately 10,105 acres in size and 11 miles long –where major land uses and infrastructure patterns were initially defined by the Festival Ranch Area Plan adopted in 1997. The Area Plan assigned land uses and densities based on the land’s inherent suitability, including its slope, potential accessibility and natural features. It responded to the defining features of the land, including the Hassayampa River along its west boundary, the C.A.P. Canal bisecting the Property, the relative isolation of the northern portions of the site, and the Property’s elongated shape along the Hassayampa River, which forces a predominant north-south road circulation.

The overall pattern of land uses within the adopted Area Plan may be summarized as follows:

- Higher density uses are located predominantly to the south, closer to existing roads and services.
- Lower density residential uses are located predominantly along the river and to the north, where rolling terrain, scenic views and relative seclusion are found.
- Golf is a major component of the plan and is used to define sub-communities and create enhanced value for the residents. The availability of groundwater and the eventual need for the re-use of wastewater will sustain a significant number of golf courses.
- The creation of “sense of place” is very important in so large a community, and to that end a major “town center” is proposed, where higher residential densities, town services, eventual transportation links, shopping and office uses will comprise a major village-like center for the community.
- Similarly, the provision of opportunities for employment and close-by commercial services is an important part of the creation of a full-spectrum community – rather than a “bedroom community” devoid of jobs and services.
- The river, the C.A.P. Canal and the major washes (such as Wagner Wash) form natural barriers that shape road and trail patterns, create opportunities for parks, golf courses and natural open space, and define neighborhoods.

Festival Ranch has been planned to accommodate approximately 24,176 units (2.4 du/ac) in a cohesive community with mixed income levels, employment opportunities, commercial services, recreational opportunities, and well-defined neighborhoods.

The Festival Ranch Community Master Plan (CMP) is the next step in actualizing Festival Ranch. This CMP is consistent with the directions established by the Area Plan, but takes a fresh look at how the various uses are to be composed and interrelated, how the “town center” is to be defined, and how the Festival Ranch community can be brought to a higher level of detail and specificity.

### **Plan History Summary**

Festival Ranch is part of a 48,000 acre incorporated area which comprises the northwest corner of the Town of Buckeye. The area proposed for Festival Ranch has been the subject of several land use studies dating back to before 1991. Plans which are applicable to the Festival Ranch area include:

- Rioeste General Development Plan, 1991; rev. 1992.
- North Buckeye General Development Plan, Town of Buckeye, 1993.
- Sun Valley Area Plan, March 1996.
- Festival Ranch Area Plan, June 1997.

These plans, along with other prior studies, contain analyses of environmental conditions (including soils and drainage), infrastructure (water supply, sewer, transportation, regional context), and Town planning policies. That data is either summarized in the **SITE ANALYSIS** section of this document or is set forth in the appendices.

### **Sun Valley Plan**

The Sun Valley Area Plan (1996) proposed a mix of residential, service, golf-recreational and employment uses that are substantially self-sustaining and self-contained. Within this mix, high-density cores were designated to create urban activity centers, while residential uses were located within defined "villages" having distinct visual appeal and design character. The Rioeste plan also promoted the development of a largely self-contained master-planned "satellite community." (Goal 2.1)

This approach promotes neighborhood variety and "sense of place," and development is segmented into interesting character-zones and sub-communities. Within these sub-areas, design guidelines are used to establish distinct streetscapes, identification signage, landscape design and architectural character.

### **Festival Ranch Area Plan**

The Festival Ranch Area Plan (1997) by LVA amended a portion of the adopted Sun Valley Area Plan (1996), specifically the area lying north of Sun Valley Parkway. This plan also superseded the Rioeste General Development Plan (1992), which covered substantially the same area between Sun Valley Parkway and Patton Road as is covered by this Festival Ranch plan. The Festival Ranch Area Plan was approved by the Buckeye Mayor and Town Council on June 17, 1997. It conforms to the Town of Buckeye's Development Guidelines and Procedures and Development Code (Aug. 1996), which define an "area plan" as follows:

*An Area Plan is a specific plan as provided in A.R.S. 9-461.08, the purpose of which is to define land uses, densities and other development features of a particular geographic area located within the Planned Community Land Use District.*

*An Area Plan is usually the first step in planning a large parcel of land. The landowner or group of owners who are proposing the Area Plan use the adopted policies of the General Plan to outline the development possibilities and estimate public facility needs.*

*The primary purpose of an Area Plan is to identify general land use, densities and public facility requirements. However, Area Plans may also define transportation corridors, solve compatibility problems between large land holdings, and address regional concerns like water use.*

## **Development Team**

The Development Team has been assembled with the specific charge to complete the planning and integrated design of a vision by Lyle Anderson Company. The Development Team is comprised of the owner, planners, landscape architects, archeologists, biologists, hydrologists, geologists, engineers, and legal counsel with significant experience in the planning and development of first-class master planned communities. The expertise gathered for this project will help to ensure that Festival Ranch will be a true asset to the Town, its residents, and the region.

The Festival Ranch design team is led by EDAW, Inc. along with Kimley-Horn and Associates, Inc. and Earl, Curley and Lagarde, and supported by LVA Urban Design Studio, and Fennemore Craig attorneys.

**EDAW Inc.** is a multi-disciplinary firm that has been a guiding force in the fields of planning, urban design, and landscape architecture for over half a century. EDAW's special emphasis upon the broad and increasingly complex issues of land use planning and design both encourages appropriate use of resources and enhances the environment.

Much of EDAW's work involves large-scale master planning for new communities worldwide. Each of these projects involves a comprehensive approach to planning, one that incorporates every aspect of environmental management and community building. Projects by EDAW include Celebration in Florida, Desert Mountain in Arizona, Ladera Ranch and Valencia Town Center in California, Las Campanas in New Mexico, and Summerlin Town Center in Nevada.

**Kimley-Horn and Associates, Inc.** (K-H) is a multi-disciplined consulting firm providing planning, engineering, transportation and environmental services throughout their 45 offices nationwide since 1967. The Phoenix division is currently working on projects like Douglas Ranch, a 35,000 acre project located just west of Festival Ranch. Infrastructure master planning, environmental services and transportation planning are a hallmark of Kimley-Horn.

**Earl, Curley and Lagarde (ECL)** is a law firm that concentrates its practice in the area of land use, zoning and municipal entitlements. The principles of this firm have over 50 combined years of experience in this field. The firm has been zoning counsel on such notable master planned communities of Desert Mountain, Anthem, Sun City Grand, Boulders and on major retail projects including Scottsdale Fashion Square, Arizona Mills and Arrowhead Regional Mall.

**LVA Urban Design Studio L.L.C. (LVA)** is a land use and urban design consulting firm that has been working with the Anderson Company throughout the planning process, including this work, and was the author of the adopted Festival Ranch Area Plan. Their many years of experience include master planning projects of all types and sizes throughout the Valley (including Anthem, Grayhawk, Estancia and Douglas Ranch) is most valuable, and they are an integral member of the planning for Festival Ranch.

**Fennemore Craig** is a multi-disciplined law firm providing expertise for Festival Ranch relating to water, utilities, contractual matters, and other matters related to the development of the property. Fennemore Craig's considerable Arizona experience and long time relationship with the Anderson companies contributes heavily to their value to the project.

## **B. COMMUNITY VISION STATEMENT**

### **Vision Statement**

Festival Ranch will be a new community in the West Valley providing a range of residential, employment and recreational opportunities. While part of a larger regional development, Festival Ranch should have it's own identity built on the Anderson brand as the Master Developer.

The Festival Ranch CMP provides a framework to preserve and celebrate the natural features of the Property including the Hassayampa River Valley, numerous washes within the site, and the regional open spaces of the White Tank and Vulture Mountain ranges.

Festival Ranch is envisioned to reinforce a new standard for development in the West Valley. It is the intent of the Development Team to define the quality of development in the region, establish the framework for responsible future development, and set new standards for future master planned communities in the region.

## C. GOALS AND OBJECTIVES

### **Environmental Sensitivity**

The Festival Ranch CMP has been planned to embrace and enhance the natural features of the Property including the Hassayampa River valley and numerous major and minor washes that traverse the site. In addition, the plant palette for Festival Ranch will consist of both native and non-native desert plant material to supplement the existing flora on the Property.

### **Phasing of Development**

The creation of a successful and environmentally sensitive master planned community requires a commitment to long range land use planning. As such, the community and all the associated infrastructure will be built in phases. Planning Units have been defined to allow for maximum flexibility in future development. The ultimate schedule of phasing will be dependent upon the market and economic conditions, absorption rates, and construction logistics.

### **Creation of Quality and Connected Neighborhoods**

The residents of Festival Ranch will generally be connected via internal linkages including multi-use and pedestrian pathways to schools, parks, shopping, and other community amenities. The CMP will provide residents with a means of traveling throughout the community without relying strictly on the automobile. The CMP provides for a variety of housing types and a private governance structure, which will establish quality control throughout the Property for the life of the project and beyond the last house built. Finally, the CMP will provide opportunities to accommodate ever-changing lifestyles and community needs.

### **Design and Creation of a Thematic Character**

The Festival Ranch CMP sets forth the framework to respond to the existing natural features of the Property including the Hassayampa River Valley, the many washes that cross the site, and the surrounding nearby White Tank and Vulture Mountain ranges. The CMP also establishes guidelines to enhance the site's unique qualities. By integrating a cohesive theme and by designing and using appropriate materials, colors, and forms, the long-term value of the Property will be preserved. The attention to these details is critical to the long-term success of Festival Ranch.

## D. SITE ANALYSIS

### Overview

The following section provides an overview of the Property's existing conditions and site characteristics.

The Property is an L-shaped site of approximately 10,000 acres in western Maricopa County. The site extends approximately 11-miles in the north-south direction and is approximately ½ mile wide at the top of the L, ¼ mile wide at its narrowest point. The southern portion of the parcel (the bottom of the L) is approximately 4 ½ miles wide. The parcel is located northwest of the White Tank Mountains and immediately east of the Hassayampa River.

The C.A.P. canal crosses the southern portion of the site and several high voltage electrical transmission lines traverse the site. Patton Road crosses the central portion of the site and Sun Valley Parkway crosses the southern-most portion of the Property. Several gravel roads run through portions of the Property. The site is used for limited grazing; portions are fenced and there are several cattle tank impoundment areas along the washes. Other than the cattle fencing, cattle watering impoundments and access roads, the site is undeveloped.

### Topography and Slope Analysis

Topography of the site varies with surface elevations ranging from approximately 1,430 feet above mean sea level (MSL) in the southwestern portion of the site to approximately 1,800 feet MSL in the northern portions. The Hassayampa River parallels and in some instances creates the western boundary of the Property. The river channel is an ephemeral sub-braided channel within a relatively wide flat geologic floodplain.

The eastern bank of the river is formed by high bluffs, with relief of over 100 feet in some localized areas. The side slopes of the bluffs give way to the wide flat geologic floodplain of the river channel. The slopes are bisected with a complex of valleys and ridgelines and numerous ephemeral drainages that form small alluvial fans extending into the geologic floodplain of the river channel.

The northern portion of the site slopes gently toward the Hassayampa River. The southern portion of the site is on the edge of an alluvial fan of the White Tanks Mountains and is bisected by the Wagner Wash with the land on each side of the wash sloping northerly or southerly to the wash. The southern portion of the site has several low hills. With the exception of the high bluff area along the river channel, the ephemeral washes are relatively shallow and wide sub-braided

channels. Localized areas along the banks of the river channel slope up to over thirty percent and areas in the interior of the site are nearly flat (1 percent slopes).

### **Regional Drainage Patterns**

The Festival Ranch property is split in two separate watersheds by a natural divide which is approximated by a gravel road through the site. The northern portion of the site, which lies west of the divide (Hassayampa Watershed), generally drains westerly to the Hassayampa River channel. Areas east of the divide (Wagner Wash Watershed) drain southerly towards the C.A.P. Canal.

The C.A.P. Canal has caused drainage patterns in the southern portion of the site to be altered. Many of the smaller south trending washes now must terminate at the Canal. The drainage ponds on the north side of the Canal and during major storm events overflow through channels constructed across the C.A.P. The Wagner Wash enters the Property from the north and crosses the C.A.P. within the aforementioned channels before continuing through the southern portion of the site to its confluence with the Hassayampa River.

The Sun Valley Parkway also disrupts local drainage patterns. Wagner Wash is the primary receiving drainage body in the southern portion of the site, with sub-drainages from the east and to a lesser extent from the north-northwest. Natural drainage patterns have also been altered in some areas by the construction of cattle tanks in the ephemeral washes.

## **Geology**

### **Soils Associations**

The soils within the Property are primarily clay to sandy loams with a mixture of rock and gravel formed on fan terraces. The river channel is a mixture of alluvial gravel and sand. The County Soil Survey maps the majority of the area as Tremont loam (either gravelly or sandy – map unit numbers 112 & 113) in the flat portions of the site, with Mohall loam (map unit 75) in some areas on the river valley's lower terraces and the Gunsight-Rillito complex (map units 70 and 71) along the steep valley slopes. The Hassayampa channel is mapped as the Antho-Carrizo-Mariposo complex and the wash bottoms are mapped as Gadsden clay (map unit 53). These soils are all relatively deep and well drained with varied permeabilities. Water tables are generally deep.

The soils noted in the developable areas do not appear to present significant limitations for building or roadway foundations and no significant impacts are anticipated.

### **Seismic**

Although there are potentially active faults and/or fault zones in the general vicinity of the Property, there are no known or mapped faults on the site that are younger than the tertiary age. The geologic information on the faults indicates that they have a relatively long reoccurrence interval, and the potential for large, structure-damaging earthquakes is relatively minor. Seismic activity should not have a significant impact on the design of structures located on the Property.

### **Hydrogeology**

The Property is located within the northwestern region of the Hassayampa Sub-Basin of the Phoenix Active Management Area (AMA). A report was prepared by Southwest Ground Water Consultants, Inc. (SGWC) in September 1999 to investigate water supply and ground water conditions for properties within this Sub-basin.

The SGWC report indicates that based on 1991 groundwater data, the top of the ground water table is approximately 1200 feet above mean sea level and the bottom is approximately at mean sea level. Historic readings have determined that the groundwater surface is relatively stable since pumping in the study area has been limited to stock wells and domestic wells. Therefore, the depth to groundwater within the boundaries of the Property is estimated to be 250 to 500 feet below the ground surface.

### **Biology**

#### **Vegetation**

The Property is located in the ecotone area between the Lower Colorado River Valley and Arizona Upland subdivisions of the Sonoran biographic province (Brown et al, 1994). Vegetation species noted within the site are typical of the composition of both subdivisions and include several succulents and woody species with very limited herbaceous vegetation. Generally, the vegetation patterns vary with site topography and soil conditions and are heavily influenced by localized moisture conditions.

The banks along the Hassayampa River and areas west of the north-south gravel access road can generally be classified as a member of the Paloverde-Cacti Series of the Arizona Upland Subdivision. The areas east of the access road and the largest portion of the southern part of the site are primarily creosotebush and can be classified as Creosote-White Bursage Series of the lower Colorado River Valley Subdivision. The transition zone between these communities is relatively abrupt across the majority of the site, but some areas exhibit a vegetation composition similar to the Mixed Scrub Series. The mixed scrub series is also evident in the ephemeral washes in the eastern portions of the site.

The paloverde-cacti areas exhibit a diverse mix of succulents and woody species with coverage densities ranging from approximately 25 percent to over 75 percent in the washes and along slopes with favorable aspect. The mixed scrub series also exhibits increased coverage densities, although species diversity is lower than the paloverde-cacti series. The Cresotebush – White Bursage series is an almost mono-typic community of very low coverage density. Grazing activity has influenced this series.

### **Faunal Biology**

The site is located within the Arizona Upland/Lower Colorado River Valley Subdivisions of the Sonoran Desert biotic community. These subdivisions contain vegetation communities and topographic features (incised drainages) that are typically utilized by wildlife species for cover and forage. Some avian species utilize the succulents and woody species for nesting as well as forage and cover.

Numerous site reconnaissances were conducted to evaluate the habitat potential of the site and to note sightings or identification of animal signs. The field reconnaissances were conducted at dawn and dusk (in conjunction with the owl surveys – see Protected Species section) as well as other periods during the daylight hours. The reconnaissances varied from specific protocol transect to general pedestrian meander traverses.

The site provides suitable habitat for small mammals, avian species and reptiles. Numerous sightings of passerine birds and small mammals were noted along the bluff area of the river channel and to a lesser extent along some of the ephemeral washes. Evidence of activity (scat and tracks) was also noted in these areas. The interior portion of the site exhibited significantly less wildlife activity. Sightings were limited to occasional avian species along the larger washes. Isolated evidence of wildlife activity (tracks) were noted in areas along the perimeter of the large open areas.

It appears that the majority of the site (the Cresotebush – Bursage community) provides only minimal habitat value. The paloverde-cacti areas provide suitable habitat for small mammals, reptiles and avian species. While the proximity of the public access road reduces the value of the habitat the area is still relatively isolated by the topography of the adjoining river channel banks.

### Protected Species

The United States Fish and Wildlife Service (USFWS) provided a listing of species noted as threatened or endangered under the Endangered Species Act. Additionally, Arizona Game and Fish Department (AGFD) provided information relating to species noted as Special Status Species. This information was used in the evaluation of the site.

The site was surveyed for the potential presence of the cactus ferruginous pygmy-owl (*Glaucidium brasilianum cactorum*) in 1999 and again in the spring of 2000. Both surveys were conducted according to the year 2000 protocol. Neither survey resulted in the identification of the species. While the site does contain vegetation communities that are considered suitable habitat, the Property is outside of the USFWS/AGFD indicated survey zones. Therefore, based on the negative results of the two surveys and the location of the site, no adverse impacts to the pygmy-owl are anticipated.

The site was also surveyed, according to AGFD protocol, for the presence of the Sonoran desert tortoise (*Gopherus agassizii*). No species or indications of species presence were noted during the field reconnaissance of the area.

### Historical/Archaeological Resources

Archival research at the State Historic Preservation Office (SHPO) and the Arizona State Museum (ASM) revealed no recorded sites within the Property. Several sites or surveys were noted within one mile of the site and one survey is recorded adjacent to the Property (the Central Arizona Project canal corridor).

In addition to the archival research, several areas within the site were field surveyed in 1998. Survey areas were selected based on their location to a previously discovered site or in areas that were deemed to have a higher potential for cultural artifacts. The surveys did not identify significant cultural resources, although several isolated occurrences were noted.

While it does not appear that the site is likely to contain significant cultural resources, the site will be surveyed in accordance with the guidelines established between SHPO and the Corps pursuant to obtaining a Section 404 authorization.

## II. RELATIONSHIP TO ADOPTED TOWN DEVELOPMENT CODE, LAND USE PLANS, GOALS AND POLICIES

### A. PURPOSE

Pursuant to the Development Code of the Town (the "Development Code"), the purpose of a Community Master Plan is to provide a means of regulating large master planned developments in the PC District. A Community Master Plan establishes land use designations and regulations, intensities, provisions for public facilities, design regulations, phasing schedules, and procedures for administration and implementation.

### B. CONFORMANCE WITH THE GENERAL PLAN AND AREA PLAN

As noted earlier, an Area Plan for Festival Ranch amending the General Plan of the Town (the "General Plan") was approved by the Buckeye Town Council in 1997. The Festival Ranch CMP is consistent with the approved Festival Ranch Area Plan, and the Community Goals of the North Buckeye General Development Plan (1993). Those goals are as follows:

#### A.1 Development Goals

- a. To actively promote Buckeye and its planning area as a regional location for a mix of economic uses, job creating enterprises, large planned area community development, and tourism.

*Festival Ranch will have mixed uses, with employment areas, commercial, planned residential and recreational uses.*

- b. To plan for the orderly growth of Buckeye.

*Festival Ranch presents a long-range plan for high quality and well conceived mixed-use projects.*

- c. To develop and encourage the application of sound, modern design principles and design standards.

*Festival Ranch will make extensive use of design guidelines and distinct "village" residential areas and well designed mixed use commercial areas.*

- d. To insure compatibility between urban land uses, existing agriculture, cultural resources and the natural environment.

*Festival Ranch will carefully integrate a Community Center and commercial nodes into residential settings, and also provide an extensive network of natural open space, golf courses and other recreational amenities.*

- e. To plan for a safe, efficient, attractive and economic transportation system which reflects regional and local needs.

*In addition to a system of boulevards and streets, Festival Ranch will provide opportunities for future transit nodes, and a network of paths and bikeways.*

## A-2 Environmental Goals

- a. To develop and implement plans for the preservation and enhancement of the area's character and natural environment.

*Festival Ranch will contain major open space corridors along the Hassayampa River, major washes and the C.A.P. Canal, as well as parks and trails.*

- b. To encourage urban and architectural designs that are appropriate to the future needs of Buckeye.

*Design Guidelines will establish design excellence and design diversity among the various residential and commercial areas.*

- c. To plan for a system of open spaces, parks, trails and recreational facilities which contribute to the enhancement of the area's character and the quality of life in Buckeye.

*Festival Ranch will provide an extensive system of parks, trails and preserved open spaces and other amenities for recreation.*

Festival Ranch also complies with the broader goals of successful community planning which are:

- Creation of a strong sense of community.
- Identification of the unique physical setting along the Hassayampa River to clearly distinguish Festival Ranch from other master planned communities.

- Creation of a sustainable community where residential, civic, cultural, educational, retail, recreational, and employment areas are located within close proximity to one another and are easily accessible.
- Provision of a hierarchy of public and private streets for a balanced mix of pedestrians and automobiles. Provision for integration of future mass transit opportunities.
- Provision of recreational amenities which are accessible to all and are appropriately placed within walking distance of residential areas, employment areas, and resorts.

**C. RELATIONSHIP OF THE CMP TO THE LAND USE DISTRICT MAP**

The Property has already been zoned Planned Community (PC) by the Town of Buckeye. This Community Master Plan application relies upon the existence of the PC zoning. The approval of a Community Master Plan ("CMP") was established by the Town to accommodate land uses and development standards approved by the Town as part of a Community Master Plan.

Pursuant to the Town's Development Code, the CMP establishes land use designations for the Property.

**D. RELATIONSHIP WITH THE DEVELOPMENT CODE**

The regulations and provisions for land use and property development standards contained in the CMP take precedence over regulations covering land use and property development standards in the Development Code. Administrative procedures and development standards contained in the Development Code not covered by the CMP remain applicable to development within the Property. In the event of a conflict between the provisions of the CMP and the Development Code, the provisions of the CMP shall prevail. If any provision of this CMP is held invalid such invalidity shall not affect other provisions which can be given effect without the invalid provision, and to this end the provisions of this CMP are declared to be severable.

**E. DEVELOPMENT AGREEMENT**

The CMP shall be adopted as part of a Development Agreement between the Town and the Applicant in accordance with Section 7-8-4 of the Development Code.

## **F. AMENDMENTS TO THE COMMUNITY MASTER PLAN**

Amendments to the CMP may be necessary from time to time for various reasons including to reflect changes in market conditions and development financing and/or to meet new requirements of one or more of the potential users or builders of any part of the Property. When changes or adjustments are necessary or appropriate from time to time, such changes shall, unless otherwise required by applicable law, be effectuated as a minor change to the CMP through the administrative approval of the Town's Planning and Development Director (the "Planning Director) which, after approval, shall be attached to the CMP as an addendum and become a part hereof. Minor changes shall not require notice or public hearings. Major changes shall be reviewed by the Development Board and approved by the Town Council subject to typically applicable notice and hearing requirements. Only the specific amendment request itself can be acted upon by the Development Board and Town Council.

The following shall be considered major changes:

- Substantial alterations to the list of permitted uses of the Property set forth in this CMP, as deemed to be substantial by the Planning Director,
- An overall increase in either residential units or commercial/mixed-use square footage for the total Property, except as otherwise allowed in the CMP.
- Increase in the number of residential dwelling units for any one planning unit greater than 20% of the total number allocated to such planning unit.
- A decrease in the number of residential dwelling units of any planning unit that would leave less than 20% of the total number allocated to such planning unit.
- Any reallocation of commercial/mixed use square footage (excluding resort and related uses) between or among any of Planning Units A and B greater than 20%; Planning Unit C, greater than 40%; Planning Units E and F, greater than 50%.
- New development standards which are less restrictive than the Town Development Code.

The following are examples of minor changes:

- Any reallocation of residential dwelling units or commercial/mixed-use square footage that does not meet the conditions set forth above.
- Minor alterations to the list of permitted uses of the Property set forth in this CMP, as deemed to be minor by the Planning Director.
- The addition of development standards that are: a) more restrictive than the Town of Buckeye Development Code, or b) less restrictive than development standards in the CMP but not less restrictive than the Town Development Code or more restrictive than the CMP.

**G. APPENDICES AND EXHIBITS**

Each Appendix and Exhibit referenced in the CMP is incorporated by this reference as if fully set forth herein.

### III. PLANS

A development of the magnitude contemplated by the CMP requires planning for both public and private infrastructure, as well as planning for the actual development, which such infrastructure supports. Detailed infrastructure planning for Festival Ranch will occur over time and at increasing levels of detail, to correspond to the nature and geographic scope of the planning objectives. The three levels of CMP planning are: **Project Master Plans, Planning Unit Plans, and Development Site Plans / Subdivisions.** Phasing will be addressed at the Planning Unit level.

#### A. SUMMARY OF DEVELOPMENT REVIEW PROCESS

This CMP is a more detailed level of information about the development of the Festival Ranch property than the Area Plan provided. The components of the Area Plan are the components of the CMP. Their position on the property is further detailed and are related more specifically to the Planning Units as shown in the Land Use table.

The following is a summarization of the development review process for Festival Ranch following approval of the CMP as they have been represented in this CMP text.

##### **Project Master Plans**

The first level of planning is Project Master Plans, which are included in this CMP submittal. They provide community-wide infrastructure plans for Festival Ranch and include Master Drainage Plan, Master Street and Circulation Plan, Master Domestic Water Plan, and Master Wastewater Plan. Changes to or refinements of the Project Master Plans are described in more detail below.

##### **Planning Units**

*Following approval of the CMP and the Project Master Plans, preparation of the individual Planning Unit plans can begin. The approved CMP and its Master Plans will be the basis for the planning work within the Planning Units. Changes to or refinements of an approved Project Master Plan(s) shall be reviewed as part of this second level of planning. Project Master Plans that contain elements which are being amended on another Project Master plan, shall be amended concurrently.*

Planning Unit plans are intended to address a complete Planning Unit. However, property along a common Planning Unit boundary may be included for simplification or expediency without causing the entire area of both Planning Units

to submit for review and approval. Depending on the size of the area to be included, an amendment of the Planning Unit boundaries may be necessary.

Once all of the Planning Unit plans for a particular Planning Unit are approved, specific site plans or subdivisions in that Planning Unit can be submitted to Festival Ranch Design Review Council and the Town of Buckeye for review and approval.

Any subsequent changes or refinements to either an approved Project Master Plan or a Planning Unit Plan shall be reviewed and approved according to the standards listed in Section II, Relationship to Adopted Development Code, Land Use Plans, Goals and Policies.

### **Development Site Plans / Subdivisions**

After a Planning Unit plan has been approved by the Town, a specific plan for a subdivision or a site plan can be approved by the Town for issuance of a permit for construction. It is at this time that specific construction plans and exact boundaries are established.

Residential subdivisions shall be reviewed and approved by the Town of Buckeye according to the procedures listed in Section V. Land Subdivision. New multi-residences, office, commercial, and industrial projects shall be required to submit to the Town of Buckeye Development Board for Site Plan approval according to procedures set forth in Section 7.8.4C. (Uses not requiring a use permit shall not be required to comply with the notice and posting provisions of Section 7.8.4C.5.).

Any new improvements or change in use proposed to an approved site plan will be classified as either a major amendment or a minor amendment and be approved by either the Development Board or at the Staff level respectively. An approved site plan or preliminary plat is valid for a period of two (2) years.

## **B. PROJECT MASTER PLANS**

Project Master Plans are required by the Town as part of the CMP approval and provide community-wide infrastructure plans for Festival Ranch. These Project Master Plans (Master Drainage Plan, Master Street and Circulation Plan, Master Domestic Water Plan, and Master Wastewater Plan) are attached as Appendices and are incorporated into the CMP by this reference. Changes to or refinements of the Project Master Plans shall be submitted to the Town Manager as part of the second level of infrastructure planning referred to as "Planning Unit Plans." Please refer to section titled Planning Unit Plans for more detail.

## Master Community Framework Concept

The broader community structure is depicted in the Master Community Framework Concept – a series of exhibits or written descriptions that conceptually portray the community framework and very general locations of centers, neighborhood boundaries, major open spaces and vehicular or pedestrian linkages. Festival Ranch is envisioned to include a variety of neighborhoods that are focused around a series of Centers. One of the Centers is envisioned to be the primary or ‘Town or Village’ Center. This ‘Center’ will serve the needs of the Festival Ranch community as well as the needs of the broader regional population.

The Master Community Framework Concept addresses the following key elements of the broader community structure: 1) the Centers and their relationship to the neighborhoods, 2) public facilities, 3) the pedestrian network and trails, and 4) recreational facilities.

The Master Community Framework Concept is comprised of, but not be limited to the following plans:

### *Site Opportunities and Constraints Plan*

This plan (set forth as **Exhibit B**) identifies and documents unique natural features, historical sites and significant areas of habitat. The plan will identify areas of unconstrained development potential, and areas where development needs to consider methods to minimize impact to features or site character.

### *Community Framework Plan*

The Community Framework Plan (set forth as **Exhibit C**) is a generalized graphic representation of the key elements of Festival Ranch. This exhibit will include the following information, or several plans as are needed to clearly portray the information described below:

Centers – Identification of the conceptual location and nature of the community’s major centers, set against a background of land use in the broad classifications (i.e. residential, commercial or mixed use). The specifics of density or intensity will be portrayed in future submittals at the site plan or plat level. This information is meant to provide the context for understanding the general distribution of land use throughout the community and the backdrop it creates for the broader framework issues such as streets and circulation, open space and pedestrian networks. The ideas and level of information in this plan shall be refined further as part of future Planning Unit Centers Plans and therefore do not constitute or require an amendment.

Public Facilities - The conceptual location, size and type of public facilities that would be included in the community. These should include, but not be limited to Schools; Police, Fire and Emergency Service facilities; Satellite Civic or Community Service facilities; and Parks and Open Space features. These may be defined in table format.

- *Schools*

The Property lies within the boundaries of the Wickenburg Elementary School District and the District has no current or proposed educational facilities on the Property. As plans for the development of each Planning Unit are formulated, the Developer will work with the Wickenburg (or other designated) School District to identify sites to accommodate the needs of students generated as a result of the development of the Property. The number of school sites (public or charter) and their general locations within each Planning Unit should be identified and be based upon student generation rates agreed upon by the Developer and the School District or as determined by the Town if the Developer and District cannot agree to determine the number of sites necessary.

- *Police, Fire, and Emergency Services*

At the time of submittal of each Planning Unit, the Developer should where possible, identify potential fire, police, and other emergency service sites which may be necessary to serve the Property (not each Planning Unit will require such facilities). Festival Ranch will identify a single two (2) acre police/fire station site to initially serve the first phase of development and the surrounding area. The final location of the police/fire station site will be determined as part of a coordinated effort between the Town and the Developer at the time of each Planning Unit and based upon applicable response time until the permanent site has been decided.

- *Satellite Civic or Community Service Facilities*

At the time of submittal of each Planning Unit, the Developer should, where possible, identify potential satellite civic or community service facilities. These may include community centers, recreation complexes, Town of Buckeye administrative or government annexes, public utility service centers, or public health facilities, which may be necessary to serve the property.

The first program and location of these facilities will be determined as part of a coordinated effort between the Town and Developer at the time of each Planning Unit submission.

- *Parks Open Space Areas*

Festival Ranch will create a strong sense of community through a system of parks designed to meet a variety of active and passive recreational needs. Each park will be programmed individually in terms of size, amenities, landscaping, and, where appropriate, incorporation of natural features. This system of parks may include regional, community, and neighborhood parks. A regional park and smaller community parks may include active and passive recreation areas, washes, and other natural features. Neighborhood parks may include the above uses in addition to linear greenbelts, pocket parks, and more intimate green spaces provided in select locations throughout the residential areas of the Property.

Festival Ranch will also provide a variety of open space areas throughout the Property. These open space areas may include any of the following land uses or features: natural area open spaces, floodways, drainageways, washes, paths and trails, golf courses, active and passive parks, view corridors, schools and other private and public recreation areas.

The locations of public facilities and the identification of Parks and Open Space Areas will be provided in the Planning Unit Public Facilities Plan. At the Community Framework level, these may be shown as simply as a list of facilities to be included in each planning unit, with the more specific location and program refinement to be determined as part of the Planning Unit Public Facilities Plan.

Pedestrian Network and Trails - The overall community trail concept showing the points to be connected, the potential corridors (i.e. along roadways or adjacent to washes) and the relative hierarchy of the trail system for the community shall be portrayed along with cross sections for public and private pathways and trails. Final path and trail location, including locations and design criteria and trail surface materials shall be refined further and documented in future Planning Unit Pathways and Trails Plan submittals.

Landscape - Concurrent with display of the community open space system, the conceptual treatment of landscape character will be portrayed in a very broad way. This may include natural, undisturbed open space to manicured or 'oasis' landscape treatments with a range of degrees or treatments in between. The ideas and level of information shall be refined further as part of future Planning Unit Landscape Plan submittals.

Subsequent to the Master Community Framework concept stage, the respective Planning Units will address in more detail each of the key community elements according to the Land Use Budget set forth as **Exhibit I** and discussed in more detail later in Section III. B. Planning Unit Plans.

### **Master Drainage Plan**

The Master Drainage Plan identifies, quantifies and maps drainage constraints within the boundaries of the Festival Ranch property. This plan addresses site hydrology, retention, and significant drainage features of the site, including mapped floodplains and analyzes the potential impacts to future development and land use densities.

The drainage system has been designed to utilize the existing washes for stormwater conveyance. Major washes are noted in **Exhibit B, Site Opportunities and Constraints Plan**. Wherever possible, the existing one hundred (100) year water surface elevations and one hundred (100) year floodplain limits on major washes will not be increased. Where modifications to these floodplains are necessary, processing will be required through the Federal Emergency Management Administration (FEMA) in the form of Conditional Letter of Map Revision (CLOMR) and Letter of Map Revision (LOMR) submittals.

For properties located in the Wagner Wash Watershed, all post development 100-year peak discharges leaving the Property will be reduced per Maricopa County Uniform Drainage Standards. This will be accomplished by a combination of retention and detention methods.

Properties located in the Hassayampa Watershed that directly discharge to the Hassayampa River do not require any retention/detention or a reduction in peak flows due to their proximity or direct connection to the Hassayampa River floodway. The resulting peak flow in the Hassayampa River will not be increased since the discharge hydrograph for the Festival Ranch hydrograph will occur hours before the peak discharge generated by upstream watershed. Sub-basins that do not discharge directly into the floodway of the Hassayampa River, will require retention or detention similar to the Wagner Wash Watershed. For urban developments, on-site two (2) hour - one hundred (100) year retention volume may be required.

The Master Drainage Plan for the Property prepared by Kimley-Horn and Associates, Inc., dated June, 2000 is set forth in the **Appendix** and is incorporated by this reference as if fully set forth herein. A detailed and refined analysis of the drainage system for each Planning Unit will be prepared and submitted with plans for the development of each Planning Unit. Options for alternative retention/detention designs will be reviewed at that time.

### Master Street and Circulation Plan

The Master Street Circulation Plan for the Property is set forth in **Exhibit D**. Conceptual locations of major roadways within the Property are provided in the Traffic Analysis set forth in the **Appendix** and is incorporated by this reference as if fully set forth herein. Roadway standards applicable to the Property, including roadway classifications for major and minor arterials, are set forth in **Exhibit E**. The phased development of the internal street network will be based on the phasing plan as determined for the project and constructed within the respective planning unit as development occurs. Private streets shall be addressed as local streets in individual plats.

The specific locations and phasing of street and circulation improvements, street lighting and signage standards shall be determined in each Planning Unit Street and Circulation Plan.

### Master Domestic Water Plan

The Master Domestic Water Plan meets the Town's requirements and provides general locations and sizes of the major water infrastructure needed to provide domestic water service to the Property. Sufficient groundwater is available for Festival Ranch according to recent groundwater studies. The water service infrastructure includes domestic wells, water transmission lines, booster pumping stations, pressure reducing valves, and water storage tanks for dedication to the Town.

The phased domestic water system is based on the densities and uses of the Community Master Plan. The approximate sizing and conceptual locations for the domestic wells, major water transmission mains, booster pump stations, pressure reducing valves, and water storage tanks are shown in **Exhibit F**. Actual on-site development will dictate the timing of water storage tank, transmission line, and booster pump station construction. A detailed analysis of the water distribution system for each Planning Unit will be completed with submission of each Planning Unit Domestic Water Plan.

The Master Domestic Water Plan for the Property prepared by Kimley-Horn and Associates, Inc. dated June, 2000, is set forth in the **Appendix** and is incorporated by this reference as if fully set forth herein. Final design and locations of water improvements shall be defined in each Planning Unit Domestic Water Plan.

## Master Wastewater Plan

The Master Wastewater Plan has been prepared in accordance with the requirements of the Town. The Master Wastewater Plan provides general locations and sizes of the major wastewater infrastructure needed to provide service for the Property. This infrastructure includes the development of a wastewater treatment facility, major sewer lines, and wastewater pumping stations where required due to the existing topography of the site for dedication to the Town.

The Property can generally be served by gravity collection lines with a limited number of lift stations to a single wastewater treatment facility located in the west-central portion of the site. This facility is proposed to be located in the southern portion of Unit C near the C.A.P. Canal.

The wastewater treatment facility will be designed to eventually produce an effluent suitable for the irrigation of golf courses and other landscaped areas in conformance with State and Maricopa County reuse regulations. The facility will be designed to provide preliminary, primary, secondary, and tertiary wastewater treatment, as well as disinfection. Through much of the year, the effluent will be pumped to on-site storage lakes or recharge wells for supply to irrigate the golf courses. Stabilized sludge will be hauled off-site for disposal at approved locations.

Based on the natural topography, property generally located in Units A, B & C will deliver effluent westerly, via gravity, to an interceptor main located near to the west Property boundary. This interceptor line will convey effluent south to a lift station located in the western portion of Unit C and will generally follow just outside the limits of the FEMA floodway of the Hassayampa River. This lift station will deliver sewage through a force main to the proposed treatment plant location. All sewage generated north of the C.A.P. within Unit D, will be delivered by gravity to a lift station located north of the C.A.P. in Section 14, Township 4 North, Range 4 West. This lift station will then deliver the sewage through a short force main to the proposed treatment plant location. Sewage from the portion of the Property located south of the C.A.P. Canal will be collected via gravity and conveyed to the southwesterly corner of the Community Master Plan. A lift station and force main will be installed to pump the sewage northerly over the C.A.P. canal to the proposed treatment plant location. Subject to Town approval and upon future development of the Sun Valley Master Plan located immediately to the south of the Festival Ranch project, this lift station may be decommissioned and sewage may be delivered via gravity to a future treatment facility located within the Sun Valley Development.

The approximate sizing and conceptual locations for the major sewer lines and lift stations are shown in **Exhibit G**, Master Wastewater Exhibit. Actual on-site development will dictate the timing and precise location of sewer line and lift station construction. A detailed analysis of the wastewater collection system for each Planning Unit will be completed with submission of each Planning Unit Wastewater Plan.

The Master Wastewater Plan for the Property prepared by Kimley-Horn and Associates, Inc., dated June, 2000 is set forth in the **Appendix** and is incorporated by this reference as if fully set forth herein. Final design and locations of wastewater improvements and or an alternative wastewater disposal and treatment solution shall be identified in each Planning Unit Wastewater Plan. Alternative wastewater disposal or treatment solutions shall be reviewed and approved by the Town Engineer, whose approval shall not be unreasonably withheld.

## C. PLANNING UNIT PLANS

The following Planning Unit Plans shall be submitted to the Town Manager, or designee, prior to the approval of any preliminary plat or Development Site Plan within each respective Planning Unit. The Town Manager, or designee, shall review the Planning Unit Plans for completeness and compliance with the requirements of this Section. The approximate location of Planning Unit boundaries is shown on the Planning Unit Plan as set forth in **Exhibit H**. The distribution of land uses and their intensities is set forth in **Exhibit I** and discussed in more detail later in Section IV. B. Land Use Budget. These boundaries may be modified from time to time subject to documentation of the changes to the Planning Director. The designation of the Planning Units depicted on the Planning Unit Plan is for reference only and does not suggest any particular sequence of development. The infrastructure, public facilities, and other community amenities will be built in phases and in many cases will be constructed concurrently with or at the time the adjacent parcels develop. The phasing for development infrastructure shall be identified in the various required Planning Unit infrastructure reports.

Planning Unit Plan submittals may be updated when necessary to reflect modifications, small exceptions thereto or to refine phasing within the respective Planning Unit. Planning Unit Plans are intended to address a complete Planning Unit. However, circumstances may arise where it is appropriate to consider a portion of an adjacent Planning Unit for simplification or expediency. Depending upon the size (when in excess of 200 acres) of the area to be included, an amendment of the Planning Unit boundaries may be necessary.

### *Planning Unit Framework Submission*

At the Planning Unit level, the concepts identified in the Master Community Framework Concept will be refined and articulated in a series of exhibits which portray the approximate location of proposed centers, the delineation of proposed neighborhoods and the Planning Unit's framework of open space, vehicular and pedestrian linkages. The Planning Unit Framework Submission will include multiple exhibits that address, but are not be limited to:

- Opportunity and Constraints Summary
- Centers
- Public Facilities
- Pathways and Trails
- Landscape (including Signage and Lighting)

### **Planning Unit Opportunities and Constraints Plan**

Identification and documentation of unique natural and man-made features, historical sites, significant areas of habitat and land use/ policy constraints. The plan shall identify areas of unconstrained development potential, and areas where development needs to consider methods to reduce overall impact to existing features or site character.

### **Planning Unit Centers Plan**

Festival Ranch will include a variety of neighborhoods that may be linked together by areas of community activity, which are envisioned to include commercial, retail, resort, higher density residential and recreational uses. Commercial core areas will serve the needs of the Festival Ranch community and in some cases the needs of the regional population.

Neighborhood cores may include focal points such as parks, schools, libraries, and other community facilities. Surrounding these cores, multiple neighborhoods with diverse housing types will contribute to the Festival Ranch goal of creating a balanced community. These neighborhood concepts will promote numerous opportunities for social interaction.

Villages and neighborhoods may also be concentrated around resort uses, which may include a destination-oriented resort with significant commercial, recreational, and cultural activities.

The conceptual location and character of a Planning Unit's centers, will be set against a background of Planning Unit's proposed land use in the broad classifications (i.e. residential, commercial or mixed use). The specifics of density or intensity will be portrayed in future submittals at the Site Plan or Plat level. The information is meant to provide the context for understanding the distribution of land use throughout the Planning Unit and the backdrop its creates for the broader framework issues such as Streets and Circulation, Open Space and Pedestrian Networks.

- a. The conceptual location, character and approximate land area of each proposed center
- b. A brief description of the purpose, character and envisioned role each center will play in the Planning Unit and larger Festival Ranch community
- c. Primary connections (vehicular and pedestrian) into the center
- d. Surrounding land use and boundaries of anticipated neighborhoods, including range of land use categories anticipated

- e. Major open space or park elements that may be included in the Planning Unit

### **Planning Unit Public Facilities Plan**

The Planning Unit Public Facilities Plan provides documentation and organization of the key public facilities that will support not only the Planning Unit under development, but, when appropriate, the overall community of Festival Ranch. The Plan shall show the conceptual location, size and type of any public facilities contemplated in the Master Public Facilities Plan. For the purposes of this Plan, Public facilities are made up four major elements:

- a. Schools
- b. Police, Fire and Emergency Services
- c. Civic Support or Satellite Facilities
- d. Parks and Open Space

The Planning Unit Public Facilities Plan should include but not be limited to:

- a. The approximate location of each facility, shown with a symbol
- b. Legend with each symbol, defining the facility, its anticipated size, character and role in the community
- c. The primary linkages (vehicular and pedestrian) to the facility
- d. Identification of major public and private common areas or drainage/open space systems.

### **Planning Unit Pedestrian Network and Trails Plan**

The Planning Unit Pathways and Trails Plan provides a more detailed study of the proposed network of pedestrian paths, bikeways and multi-purpose trails. The pathways and trails may be located near or adjacent to community streets and roads. Pathways and trails may also utilize wash features and natural arroyos and may be combined with the drainage system for the Property to allow joint use of underpass areas for grade separated crossings.

Pathway and trail surface materials may include, but not be limited to, natural soil, stabilized decomposed granite, concrete, and/or asphalt or other suitable materials.

The Plan would include but not be limited to:

1. Open Space Areas
  - a. Identification of public and private Open Space Areas, which may include, but shall not be limited to natural area open space, floodways, drainageways, arroyos, pathways and trails, golf courses, active and passive parks, view corridors, and other private and public recreation areas.
  - b. Conceptual golf course locations and design concepts.
  
2. Pathways and Trails
  - a. The conceptual locations, and type of pedestrian and trail facilities within the Planning Unit.
  - b. The potential ownership and maintenance entities for pedestrian and trail facilities within the Planning Unit if known.
  - c. The hierarchy of pedestrian improvements, pathways, and trails within the Planning Unit and their connecting points to adjoining Planning Units or regional systems.
  - d. Identification of at-grade and grade separated crossings, as necessary, within the Planning Unit.
  - e. Identification of surface materials which may include, but not be limited to, concrete, asphalt, stabilized decomposed granite, and earthen materials, as necessary.
  - f. Identification of locations where pathways and/or trails may be limited to one side of a roadway.
  - g. Provisions that address access to pedestrian improvements, pathways, and trails within the Planning Unit.
  - h. An implementation and phasing plan for the construction of pedestrian and trail facilities within the Planning Unit.

## Planning Unit Landscape Plan

The Planning Unit Landscape Plan entails articulation of elements that create the character and identity of a Planning Unit. This includes not only landscape elements but environmental graphics (signage) and lighting as well.

The Planning Unit Landscape Plan should include but not be limited to:

1. Landscaping
  - a. Proposed plant and landscape zones, including native plant relocation program and revegetation guidelines.
  - b. The conceptual plant types to be used within the Planning Unit, including landscaping within the public right-of-way. All landscaping shall conform to the Landscape Plant Palette discussed later in IV.C. Landscaping and as set forth in **Exhibit K**.
  - c. The potential ownership and maintenance entities for landscaping and irrigation systems within the Planning Unit if known.
  - d. Minimum and maximum heights of landscaping within sight distance triangles and safe stopping sight distance areas in the public right-of-way.
  - e. The proposed theme and corresponding design standards for landscaping within the Planning Unit.
2. Signage
  - a. Documentation of the signage hierarchy (showing form, size, categories) proposed for the Planning Unit, and the locational criteria for each category of directional, wayfinding, regulatory and identity.
  - b. The potential ownership and maintenance entities for signage within the Planning Unit if known.
  - c. The proposed theme and corresponding design standards for signage within the Planning Unit, including types of materials.
  - d. A statement that all traffic control signage meets the minimum Town requirements for public use.
  - e. A list of prohibited signs within the Planning Unit.

The overall approach to signage will be coordinated throughout the entire Property, with different areas within Planning Units potentially having their own themes. These areas may include urban, mixed-use entertainment areas, employment and commercial areas, parks and recreation areas, residential villages, residential hillsides, resort areas, pathways and trails, public and private roadways, and areas for temporary directional signage. Although there may be individual themes within different areas of the Property, continuity in appearance will be recognizable through the use of color, material, form, and character.

### 3. Lighting

- a. The conceptual location, size, height, intensity, and type of lighting fixtures for all land uses and Development Options within the Planning Unit, including street lighting.
- b. The potential ownership and maintenance entities for lighting within the Planning Unit if known.
- c. The proposed theme and corresponding design standards for lighting fixtures within the Planning Unit, including types of materials.
- d. Methods for shielding light from neighboring properties where required.
- e. Identification of areas where light fixtures may be prohibited.

This section of the Planning Unit Landscape Plan focuses on the quantity and quality of light envisioned for each Planning Unit within the Property. The concept is that there will be areas of varying lighting standards, even within an individual Planning Unit. Areas with varying lighting standards may include urban, mixed-use entertainment areas, employment and commercial areas, parks and recreation areas, residential villages, resort areas, and roadways. The objective of this plan is to set forth guidelines and development standards that will minimize light pollution, reduce glare, increase energy conservation, and maintain the quality of Festival Ranch's physical and aesthetic character.

### **Planning Unit Drainage Plan**

Each Planning Unit Drainage Plan shall demonstrate that runoff has been managed from upper watershed reaches to outlets. Each Planning Unit Drainage Plan will address any increase or decrease in runoff from upstream Planning Units or within the current Planning Unit that may occur as development progresses and densities change. Each Planning Unit Drainage Plan shall be prepared by a registered professional engineer who is licensed to practice in the State of Arizona.

1. The Planning Unit Drainage Plan shall contain the following:
  - a. Maps showing all those watersheds draining onto, or through, the Planning Unit, with estimates of peak flows for ten (10), fifty (50), and one hundred (100) year flood events.
  - b. Special flood hazard areas and flood insurance zones, including depths and velocities of flows.
  - c. Proposed measures necessary to comply with Town Ordinances and FEMA requirements in order to secure Letters of Map Revisions for development in Special Flood Hazard Areas.
  - d. Estimated peak flows and volumes of runoff exiting-the Planning Unit for both developed and undeveloped conditions.
  - e. Conceptual design of stormwater management systems which mitigate the flooding potential, including peak discharge reduction and storage facilities consistent with the Town's requirements and the approved Master Drainage Plan.
  - f. Basis of design for flood protection to all structures, in or out of Special Flood Hazard Areas.
  - g. Location and estimated size of all major drainage facilities, including any required retention/detention basins, channels, etc.
  - h. Proposed measures for protection necessary to mitigate high velocity damage to the stormwater management devices and adjacent lands.
  - i. An implementation and phasing plan for the establishment of the necessary drainage system within each respective Planning Unit.

### **Planning Unit Street and Circulation Plan**

The Planning Unit Street and Circulation Plan shall graphically illustrate, but not be limited to, the following components:

1. A plan showing the following elements (the Developer may elect to show individual elements on separate plans):

- a. Primary public and private streets and extended access ways, including street classification, required right-of-way, and improvements.
  - b. The locations of auxiliary lanes as determined by a traffic impact analysis submitted by the Developer.
  - c. The locations of potential bus bay pull-outs.
  - d. All intersections, including intersections for which traffic signals may be required and a statement regarding responsibility for signal participation by Development Site.
2. A street and circulation phasing plan that contains the following:
    - a. Proposed development sequence by Development Site.
    - b. Proposed roadway, drainage feature, and traffic signal construction schedule to accommodate each stage of phased development.
    - c. Phasing of required right-of-way dedications.
  3. Major access points for commercial development, including median breaks and driveways.
  4. A statement of conformance with the state air quality plan, as developed by M.A.G., for all proposed transportation improvements.

Each Planning Unit Street and Circulation Plan shall address any increase or decrease in traffic volumes from other Planning Units and within the current Planning Unit which may occur as development progresses and densities change.

### **Planning Unit Domestic Water Plan**

Each Planning Unit Domestic Water Plan shall address the following:

1. The conceptual location and size of all necessary domestic water system components, including both on- and off-site lines, pump stations, and storage facilities needed to serve the development. As each Planning Unit or community is brought on line, storage facilities and or wells will be constructed to provide redundancy in water supply so that the firm pumping requirements are maintained for the system.

2. An implementation and phasing plan for the construction of the necessary domestic water system.
3. A flow and pressure analysis of the proposed system which includes a simulation of the system operation for each pressure zone within the development using a computer model with average day demands, maximum day demands with estimated required fire flow peak and any requirements to meet the Insurance Service Office standards, and peak hour demands.
4. A plan showing preliminary development sites and rights-of-way, topographic contours and benchmarks, existing utilities, and fire hydrants within five hundred (500) feet of the proposed development, any features such as watercourses and drainage facilities which may influence the location of underground utilities, and a general layout of the proposed water mains and other required water facilities.
5. Anticipated golf course water supply, necessary infrastructure requirements, reclamation sources, and construction timing and responsibilities (if applicable).

Each Planning Unit Domestic Water Plan shall address any increase or decrease in water demand from other Planning Units and the current Planning Unit which may occur as development progresses and densities change. Each Planning Unit Domestic Water Plan shall include any off-site lines and shall be prepared by a registered professional engineer who is licensed to practice in the State of Arizona.

### **Planning Unit Wastewater Plan**

The Planning Unit Wastewater Plan shall address the following:

1. The conceptual location, size, type, and capacity of the necessary wastewater collection, transmission, treatment system components and effluent re-use/disposal facilities needed to serve the Planning Unit with wastewater demand generation factors based upon land use.
2. An implementation and phasing plan for the construction of the necessary wastewater system.
3. The calculations necessary to substantiate the selection of the sizes, types, and capacities of the wastewater transmission, wastewater treatment, and effluent re-use/disposal facilities.

Each Planning Unit Wastewater Plan shall accommodate the demands of the property that the system is designed to serve as well as any increase or decrease in wastewater generation that may occur in upstream Planning Units due to intensity changes. The Planning Unit Wastewater Plan shall include any off-site lines and shall be prepared by a registered professional engineer who is licensed to practice in the State of Arizona.

## D. DEVELOPMENT SITE PLANS

Development Site Plans shall be required for all developments within the Property with the exception of subdivision plats and single-family homes. Development Site Plans with all of the required information listed below shall be submitted to and be approved by the Festival Ranch Design Review Council (DRC) and then the Town Development Board prior to issuance of a building permit upon a showing that the Development Site Plan meets all of the development standards of the applicable Development Option as set forth in the CMP. It is noted that the standards and requirements of the DRC may be more restrictive than the provisions of this CMP. These standards may be located in Design Guidelines and C. C. & R.'s produced by the Developer and Town of Buckeye. The Development Board approval shall not be subject to the advertising, posting and notice provisions of Section 7-8-4.C of the Town Development Code. Any new improvements or change in use proposed to an approved site plan will be classified as either a major amendment or a minor amendment and be approved by either the Development Board or at the Staff level respectively. An approved site plan or preliminary plat is valid for a period of two (2) years.

### Information Required for Development Site Plans

- Name of project
- Location of project
- Location map, including area within one-half mile of site
- Name and mailing address of developer, including name and phone number of contact person
- Name and mailing address of engineer/architect, including name and phone number of contact person
- Date of plan preparation
- North arrow indicator
- Scale of not less than 1" to 100'
- Boundary line of property (bold) with dimensions
- Location, identification, and dimensions of existing and proposed data to a distance of 300' outside the site, unless otherwise stated
- Topographic contours at a minimum interval of two feet
- Adjacent streets and street rights-of-way to a distance of 150 feet
- On-site streets and street rights-of-way
- Ingress and egress points
- Traffic flow on- and off-site
- Setbacks, Utilities and utility rights-of-way or easements
- Buildings and structures
- Parking facilities (number of employee and non-employee parking spaces, existing and proposed)
- Retention areas (preliminary drainage calculations)
- Surface water drainage arrows
- Sidewalks, walkways, driveways, bikeways, and loading areas and docks
- Fences and walls
- Exterior signs
- Exterior refuse collection areas
- Exterior lighting
- Landscaping and hardscape features (conceptual)
- Site statistics including site square footage, percent of site coverage, zoning, percent open space
- Height of proposed buildings
- Gross square footage of existing and proposed structures
- Front, rear, and side elevations, with a description exterior materials to be used

## IV. LAND USE DESIGNATIONS, BUDGET AND DEVELOPMENT STANDARDS

### A. LAND USE DESIGNATIONS

#### Residential

The Residential land use designation is intended to provide for a variety of residential development types on a range of lot sizes and other public – quasi public uses that are appropriately located in a residential area. This designation includes eight (8) development options with minimum property development standards ("Development Options").

A key objective of the Festival Ranch CMP is to create a community plan that is flexible enough to provide a diverse range of residential housing types if warranted. Housing types and configurations are a specific response to a variety of income levels, family types, and lifestyle preferences. Opportunities for a diverse mix of housing sizes and types will create a distinct, vital, neighborhood fabric and add value to the overall Festival Ranch community. These housing types could range from low density, large lot or cluster home programs to high density, multi-family housing and related uses.

#### 1. Permitted Uses

*Note: Conditional Uses are designated with a "c" and require use permit approval.*

- a. Single or multi-family dwelling units, including senior housing (i.e. assisted and independent living and nursing homes);
- b. Publicly or privately owned and maintained parks, recreation areas, pathways, trails, and recreation centers;
- c. Public and private schools, including institutions of higher education;
- d. Religious facilities; (c)
- e. Golf courses;
- f. Guest houses, attached or detached;
- g. Temporary Uses including sales/marketing facilities, model home complexes, and related accessory uses;
- h. Facilities and storage, incidental to a construction project and located on the project site;
- i. Public utility buildings and facilities;
- j. Governmental and civic uses;
- k. Parking structures;
- l. Accessory buildings;

- m. Home occupations, subject to the following:
  - i. The number of employees shall be limited to one non-family member or permanent resident in addition to the principal occupant;
  - ii. Heavy machinery or outdoor storage shall not be permitted.
  - iii. Signage shall be limited to a maximum of six (6) square feet, non-lighted, and located on-site for the purpose of business identification only. Any signage allowed must comply with Design Guidelines.
- ~~n. Cellular antennae and similar facilities. (c)~~
- n. Wireless Communication Facilities in accordance with the standards contained in the Development Standards Section.
- o. Timeshare Units
- p. Resorts, Inns and Lodges (and all associated facilities including spa and golf uses.)
- q. Guest homes on R1 designated single family lots, subject to the following:
  - i. Guest homes shall not be for rental or to provide income.
  - ii. Kitchen facilities shall be limited to sink, hot plate and refrigerator.
- r. Extraction of aggregate for developer uses (c) subject to the following:
  - i. Only from within the floodplain limits.
  - ii. Obtaining all necessary local, state and federal permits.

**2. Accessory Uses**

Subordinate uses of a building, other structure or the land are allowed as accessory uses when the subordinate use is:

- a. Clearly incidental to the use of the main building, other structure, or use of land.

**3. Prohibited Uses**

- a. Adult uses

**4. Development Options**

One or more of the following Residential Development Options shall be selected at the point of or prior to subdivision preliminary plat submittal or Development Site Plan review and shall be subject to the development standards set forth herein for each respective Development Option. Diagrams describing the measurement of lot widths and depths are set forth in **Exhibit J**.

**Development Option 1**

Residential Development Option 1 is intended to create large, single-family sites (typically custom or semi-custom homes) often located in the more open, rural or amenitized portions of the community and will create a "rural" or "urban estate" character. Lots may be irregular in shape and size to conform to maximize views or privacy, respond to unique natural features or provide wildlife or habitat corridors.

Typically, these lots will designate maximum building areas that ensure minimum impact to natural vegetation and features.

**a. R1-43**

Min. Lot Size:	43,560 s.f.
Min. Lot Width and Depth:	150' (Flag lot width – 30')
Min. Front Setback:	
Front Garage:	35'
Side Garage:	20'
Living:	12'
Min. Side Setback:	20'; 40' aggregate;
Min. Rear Setback:	30'; 20' if adjacent to open space greater than 30' wide/deep
Projects:	Maximum 3' into any required setback
Max. Bldg. Height	35'
Max. Lot Coverage:	50%
Min. Separation of Bldgs.	
On Same Lot:	10'
Min. Separation of Bldgs.	
On Adjacent Lots:	40'

**b. R1-35**

Min. Lot Size:	35,000 s.f.
Min. Lot Width and Depth:	120' (Flag lot width - 20')
Min. Front Setback:	
Front Garage:	18'
Side Garage:	10'
Living:	12'
Min. Side Setback:	15' 30' aggregate; 5' additional setback for side abutting public street
Min. Rear Setback:	25'; 15' if adjacent to open space greater than 30' wide/deep
Projections:	Maximum 3' into any required setback
Max. Bldg. Height:	35'
Max. Lot Coverage:	60%
Min. Separation of Bldgs.	
On Same Lot:	10'
Min. Separation of Bldgs.	
On Adjacent Lots:	30'

**c. R1-18**

Min. Lot Size:	18,000 s.f.
Min. Lot Width and Depth:	100' (Flag lot width - 20')
Min. Front Setback:	
Front Garage:	18'
Side Garage:	10'
Living:	12'
Min. Side Setback:	7'; 20' aggregate; 5' additional setback for side abutting public street
Min. Rear Setback:	25'; 15' if adjacent to open space greater than 30' wide/deep
Projects:	Maximum 3' into any required setback
Max. Bldg. Height	35'
Max. Lot Coverage:	50%
Min. Separation of Bldgs.	
On Same Lot:	10'
Min. Separation of Bldgs.	
On Adjacent Lots:	14'

**Development Option 2**

Development Option 2 is intended for the development of detached and/or attached, single-family homes with a range of lot sizes depending on site characteristics and market conditions. Lot sizes and configurations may include standard, cluster, compact, alley-loaded, and semi-custom lots. Builder home types may include a variety of housing types, including zero lot line, zipper, wide-shallow, and others. The following options allow for greater housing diversity in owner-occupied, high amenity, single-family neighborhoods.

**d. R1-10**

Min. Lot Size:	10,000 s.f.
Min. Lot Width and Depth:	80' (Flag lot width - 20')
Min. Front Setback:	
Front Garage:	18'
Side Garage:	10'
Living:	12'
Min. Side Setback:	0'; 13' aggregate; Where a side yard setback is Provided, it must be a minimum of 5'; 5' additional setback for side abutting public street
Min. Rear Setback:	20' (15' with alley)
Projections:	Maximum 3' into any required setback
Max. Bldg. Height:	35'
Max. Lot Coverage:	55%
Min. Separation of Bldgs.	
On Same Lot:	10'
Min. Separation of Bldgs.	
On Adjacent Lots:	0'; 10' if setback is provided on at least one lot

**e. R1-6**

Min. Lot Size:	6,000 s.f.
Min. Lot Width and Depth:	60' (Flag lot width – 20')
Min. Front Setback:	
Front Garage:	18'
Side Garage:	10'
Living:	12'
Min. Side Setback:	0'; 13' aggregate; Where a side yard setback is provided, it must be a minimum of 5'; 5' additional setback for side abutting public street
Min. Rear Setback:	20' (15' with alley)
Projections:	Maximum 3' into any required setback
Max. Bldg. Height:	35'
Max. Lot Coverage:	50%
Min. Separation of Bldgs.	
On Same Lot:	10'
Min. Separation of Bldgs.	
On Adjacent Lots:	0'; 10' if setback is provided on at least one lot

**f. R1-4.5**

Min. Lot Size:	4,500 s.f.
Min. Lot Width and Depth:	50' (Flag lot width - 20')
Min. Front Setback:	
Front Garage:	18'
Side Garage:	10'
Living:	12'
Min. Side Setback:	0'; 10' aggregate; Where a side yard setback is provided, it must be a minimum of 5'; 5' additional setback for side abutting public street
Min. Rear Setback;	20'
Projections:	Maximum 3' into any required setback
Max. Bldg. Height:	30'

Max. Lot Coverage	60%
Min. Separation of Bldgs.	
On Same Lot:	10'
Min. Separation of Bldgs.	
On Adjacent Lots:	0'; 10' if setback is provided on at least one lot

**g. R1-3.5**

Min. Lot Size:	3,500 s.f.
Min. Lot Width and Depth:	45' (Flag lot width – 2')
Min. Front Setback:	
Front Garage:	18'
Side Garage:	10'
Living:	8'
Min. Side Setback:	0'; 5' aggregate; Where a side yard setback is provided, it must be a minimum of 5'; 5' additional setback for side abutting public street
Min. Rear Setback:	15' (10' with alley)
Projections:	Maximum 3' into any required setback
Max. Bldg. Height:	30'
Max. Lot Coverage:	60%
Min. Separation of Bldgs.	
On Same Lot:	10'
Min. Separation of Bldgs.	
On Adjacent Lots:	0'; 10' if setback is provided on at least one lot

**Development Option 3**

Development Option 3 allows for multi-family or attached, single-family residential uses intended to provide for the development of higher density duplexes, townhomes, rowhouses, condominiums, seniors' apartments, assisted living and congregate care facilities, and apartments. These residential types can provide balance to the community, allowing alternative housing opportunities for various lifestyles and income levels. Building configurations include front-loaded and alley-loaded multi-family housing types to create diversity within these neighborhoods. These residential types may be located

adjacent to high-intensity land uses such as resort, employment, business, and retail or be a principal land use within the Commercial/Mixed Use designation.

**h. R2-1**

Min. Subdivision Size:	One acre
Min. Lot Size:	1,000 s.f.
Min. Lot Width:	20'
Min. Lot Depth:	40'
Min. Front Setback:	18' or greater; or 3' or less
Min. Side Setback:	0'; where a side yard setback is provided, it must be a minimum of 5';
Min. Rear Setback:	3'
Max. Bldg. Height:	40'
Max. Lot Coverage:	80%
Min. Open Space:	10% open space within platted subdivision
Min. Separation of Bldgs. On Same Lot:	10'
Min. Separation of Bldgs. On Adjacent Lots:	0'; 10' if setback is provided on at least one lot

**i. R2-1A**

Min. Parcel Size:	One acre
Perimeter Setback:	20'
Projections:	Maximum 3' into any required setback
Max. Bldg. Height:	48' or 4 stories
Max. Site Coverage:	75%
Min. Open Space:	10% open space within parcel, not including setback area
Min. Separation of Bldgs. On Same Parcel:	10' for single story structure; 20' for structures exceeding a single story

## Commercial / Mixed Use

The Commercial / Mixed Use land designation is designed to accommodate general commercial, retail, employment, residential, civic, cultural, entertainment, recreational, and industrial uses.

The Commercial / Mixed Use land designation provides the opportunity to create economic vitality for the Town of Buckeye in general, and Festival Ranch in particular, by creating an expanded employment and commercial base.

### 1. Permitted Uses

*Note: Conditional Uses are designated with a "c" and require use permit approval if located within 1,000 feet of a residential use.*

- a. All uses permitted in the Residential Land Use Designation;
- b. Residential uses integrated above, below, or adjacent to commercial uses;
- c. Resorts, Inns and Lodges (and all associated facilities including spa and golf uses);
- d. Retail sales, specifically including but not limited to liquor sales and automobile sales.
- e. Professional, business, and administrative offices;
- f. Personal service businesses such as but not limited to beauty shops, barber shops, laundry and dry cleaning establishments;
- g. Bars (c) and restaurants;
- h. Night clubs (c);
- i. Banking and financial services;
- j. Child care facilities;
- k. Entertainment uses including museums, theaters, cinemas, auditoriums, and places of public assembly, excluding adult theaters and adult live entertainment;
- l. Sports facilities including, but not limited to, professional sports facilities;
- m. Hotels/motels;
- n. Health clubs;
- o. Copying and printing businesses;
- p. Self-storage facilities\*(c);
- q. Wholesale sales and distribution\*(c);
- r. Medical offices and clinical laboratories;
- s. Hospitals;
- t. Veterinary offices and clinical laboratories;
- u. Veterinary hospitals;
- v. Motion picture production, radio, and television broadcast studios;
- w. Manufacturing and assembly \*(c);

- x. Mortuaries and crematoriums;
- y. Convenience uses including drive-in uses;
- z. Gas/service stations, including automobile repair;
- aa. Recreational vehicles storage facilities \*(c).
- bb. Timeshare units
- cc. Landscape supply
- dd. Plant nurseries
- ee. Extraction of aggregate for developer uses (c) subject to the following:
  - i. Only from within the floodplain limits.
  - ii. Obtaining all necessary local, state and federal permits.

(Note: "\*" indicates an industrial use which requires a use permit.)

## 2. Accessory Uses

Subordinate uses of a building, other structure on the land are allowed as accessory uses when the subordinate use is:

- a. Clearly incidental to the use of the main building, other structure, or use of land.

## 3. Restricted Uses

- a. Adult uses

None of the adult uses defined herein shall be located within 1,320 feet of a residential use; a residential land use designation; public or private pre-school, kindergarten, elementary or secondary school; churches or parks. No adult business should be located within one (1) mile of another adult business. This distance shall be measured from the exterior walls of the adult business. Any adult use as defined herein shall also obtain the approval of the Festival Ranch Design Review Council and a conditional use permit from the Town of Buckeye.

## 4. Development Options

One or more of the following Commercial/Mixed Use Development Options shall be selected at the point of or prior to Development Site Plan review and shall be subject to the development standards set forth herein for each respective Development Option.

**Commercial/Mixed Use, Low**

Max. Height:	3 stories or 40'
Floor to Area Ratio (F.A.R.)	.2
Perimeter Setback:	20'

**Commercial/Mixed Use, Medium**

Max. Height:	4 stories or 60'
Floor to Area Ratio (F.A.R.)	.35
Perimeter Setback:	10'

**Commercial/Mixed Use, High**

Max. Height:	6 stories or 84'
Floor to Area Ratio (F.A.R.)	.6
Perimeter Setback:	0'

**Resort Overlay**

One thousand (1,000) resort rooms shall be permitted on the Property. Any resort use shall be designed and developed to fit into the unique and special environs of the Property and shall be subject to the development standards of the designated land use (i.e. Residential or Commercial/Mixed Use). Additional resort rooms shall be permitted on an exchange basis of one resort room for each 0.5 residential units.

**Definitions**

Definitions provided in the Development Code shall be utilized when interpreting the CMP unless an alternative definition is provided below or elsewhere in the CMP, in which case, the definitions contained in the CMP shall apply. In the event of a conflict between the definitions provided in the CMP and those provided in the Development Code, the definitions in the CMP shall prevail.

**Adult Uses:** Any establishment that offers live, transmitted, or recorded entertainment where specified anatomical areas can be seen by patrons. Such establishments may feature dancers, go-go dancers, exotic dancers, strippers, or other similar entertainers, any of whom perform topless or bottomless. Adult uses are also any establishment with a principal use characterized by the sale or distribution of merchandise with a predominant emphasis on the display, depiction, description, or relation to sexual activities or specified anatomical areas. Merchandise includes, but is not limited to, motion pictures, cassettes, films, books, magazines, posters, cards, pictures, periodicals, instruments, devices, equipment,

paraphernalia, or other similar products. For the purpose of this definition, one (1) percent or more of the merchandise constitutes a principal use.

**Building Height:** The vertical distance of a building as measured from finished grade to the highest point of the roof.

**Cluster/courtyard units:** A grouping of up to six (6) housing units around a privately owned common access area.

**Comprehensive Sign Plan:** The comprehensive sign plan is intended to allow signage which is not in strict compliance with the provisions of Tables E and F, but which is appropriate to the character of the development, provides adequate identification and information, provides a good visual environment and promotes traffic safety.

**Cut:** The land surface which is shaped through the removal of soil, rock, or other materials.

**Disturbed Area:** That area of natural ground that has been or is proposed to be altered through grading, cut and fill, removal of natural vegetation, placement of material, trenching, or by any means that causes a change in the undisturbed natural surface of the land or natural vegetation.

**Fill:** The deposit of soil, rock, or other materials placed by man.

**Finished Grade:** The final grade and elevation of the ground surface after grading is completed.

**Floor to Area Ratio (F.A.R.):** The floor area ratio shall be the ratio of the gross floor area of the building(s) (including stand-alone parking structures and hotels, lodges and resorts) to the gross land area of the site.

**Grading:** Any excavating, filling, or combination thereof, including the conditions resulting from any excavation or fill.

**Gross Area:** The area included within lot or parcel lines plus the adjacent dedicated right-of-way to the centerline of the roadway.

**Guest House:** An attached or detached building to be used for dwelling purposes situated on the same lot as a primary residence but may not be rented separately from the primary residences.

**Health Club:** A place or building where active exercise and related activities are performed utilizing weight control or muscle building equipment or apparatus for the purpose of physical fitness. It shall also mean a place or building which provides massage, exercise, and related activities with or without such equipment or apparatus.

**Hotel/Motel:** A public or private residence facility designed for occupancy by transients or as a residence for periods of less than one year. A hotel/motel shall contain rooms and/or units and shall customarily provide housekeeping, bellhop, laundry, and on-site recreation services. Hotel/motel uses shall be classified within the Land Use Budget as Commercial/Mixed Use and shall not count against the resort lodge or inn room allocation nor the residential dwelling unit allocation for the Property. The square footage of a hotel/motel shall be allocated toward the Commercial/Mixed Use square footage as set forth in the Land Use Budget.

**Lot Coverage:** The total structural coverage provided on a lot or site inclusive of all roofed areas or structures capable of supporting a roof divided by the net area of the lot or parcel. The first three feet of roof overhang or projection shall not be included in the lot coverage.

**Multiple Family Dwelling:** A building, or portion thereof, used for occupancy by two (2) or more families living independently of each other, with the units completely separated by a common wall, floor, and/or ceiling.

**Natural Grade:** The grade and elevation of the ground surface in its natural, undisturbed state.

**Net Area:** The area included within lot or parcel lines after all right-of-way dedications have been made.

**Open Space Area:** Natural area open space, floodways, drainageways, arroyos, paths and trails, golf courses, active and passive parks, view corridors, and other private and public recreation areas.

**Planning Director:** Person designated by the Town Manager as having the primary responsibility for administering and enforcing the CMP.

**Resort / Lodges / Inns:** A building or a group of buildings containing guest rooms and providing recreation activities such as golf, tennis, horseback riding, swimming, or spa related services for guests. A resort may be public or private and provide services customarily furnished by a hotel including restaurants, bars, and convention facilities. A resort may contain dwelling units (including Timeshare Units) in conjunction with guest rooms.

**Retaining Wall:** A wall used solely to retain more than eighteen (18) inches of material but not to support or to provide a foundation or wall for a building.

**Setback:** Measured from property line.

**Signature Architecture:** Buildings of architectural significance via their purpose or location in the community such as municipal use buildings, recreational facilities, religious facilities, educational facilities, resort facilities, etc. In addition, signature architecture includes icon buildings that may be other than previously listed such as, but not limited to, residential and commercial uses that are to be focal accents due to their location at intersections or at the axial alignment of transportation corridors. Due to their prominence, these facilities may have unique architectural elements, distinctive color, or overall form that celebrate their prominence and significance in the community.

**Spill:** To cause or allow earth or other material to fall, flow, or run down a slope, thereby creating a change in the natural appearance and topography.

**Timeshare Units:** Units in which a purchaser receives the right in perpetuity, for life, or for a term of years to the recurrent, exclusive use or occupancy of a lot, parcel, unit, or segment of real property, annually or on some other periodic basis, for a period of time that has been or will be allotted from the use or occupancy periods into which the unit has been divided, or a unit in which a license or contractual or membership right of occupancy is not coupled with an estate in the real property; except that a unit in which such right to exclusive use or occupancy is available only for intervals of more than thirty (30) days shall not be considered a timeshare unit. Each Timeshare Unit shall count against the Commercial/Mix Used square footage as set forth in the Land Use Budget, or each Timeshare Unit may count

against the Commercial/Mix Used square footage as set forth in the Land Use Budget, or each Timeshare Unit may count against the residential dwelling unit allocation for the Property at a rate of .5 residential dwelling unit per Timeshare Unit. The election to count Timeshare Units against the Commercial/Mixed Use square footage allocation or the residential dwelling unit allocation shall be made by the applicant at the time of Development Site Plan submittal.

**Wireless Communication Facility:** A facility for a commercial communications system designed and operated for the transmission and reception of signals to and from multiple transmitter locations to multiple reception locations. A typical system includes, but is not limited to, cellular telephone, personal communication service (PCS), paging services, and wireless broadband/internet services.

A Wireless Communication Facility may be, but is not limited to:

1. A freestanding structure designed solely for the use of wireless communication antennae, such as a monopole or lattice tower, and support equipment such as base stations and microwave dishes for transmission and reception.
2. Antennae attached to existing vertical elements, such as: buildings, utility poles and other structures.
3. New features designed as stealth antennae supports, including, but not limited to, church steeples, building elements, faux cacti or palm trees and flagpoles.

**B. LAND USE BUDGET**

Maximum intensities for the Land Use Designations described in **Section IV. A.** are provided in the Land Use Budget set forth in **Exhibit I.**

**Land Use Intensity – Residential**

A maximum of 24,176 residential units shall be permitted throughout the Property. The allocation of residential units within each Planning Unit shall be as set forth in the Land Use Budget (subject to transfers and documentation).

**Land Use Intensity - Commercial/Mixed Use**

A total of 7,187,410 square feet of gross floor area shall be permitted for all commercial/mixed-use development on the Property. The allocation of total gross floor area for commercial development within each Planning Unit shall be as set forth in the Land Use Budget (subject to transfers and documentation).

**Land Use Intensity – Resort Overlay**

A maximum of one thousand (1,000) resort rooms apart from the maximum residential unit cap shall be permitted on the Property. Additional resort rooms beyond the one thousand (1,000) room allotment are allowed with a reduction of 0.5 residential units from the maximum residential unit cap for each additional resort room.

*Note: Hotels/motel rooms are not counted as resort rooms.*

**Land Use Designation Locations**

The specific boundaries of each Land Use Designation within a Planning Unit shall be determined at the time of preliminary plat or Development Site Plan approval.

### **Land Use Intensity Transfers**

The owner of any portion of the Property may transfer residential dwelling units or commercial/mixed-use square footage and amend the preliminary allocation within Planning Units, and from one Planning Unit to another, subject to approved documentation listed in Section II, paragraph F.

### **Documentation of Intensity Transfer**

Any submittal to the Planning Director which includes a request for an intensity transfer shall include: (1) the written consent of the Owner(s); and (2) documentation which sets forth the reallocation of dwelling units or commercial/mixed-use square footage within the Land Use Budget and which indicates the Planning Units that will have a reduction or increase in the number of dwelling units or amount of commercial/mixed-use square footage. At the time of final plat approval or Development Site Plan approval, the Developer shall submit to the Planning Director documentation for inclusion in the Land Use Budget indicating the final status of intensity of the affected Planning Units.

## C. GENERAL DEVELOPMENT STANDARDS

The purpose of general development standards contained in the CMP is not to restrict imagination, innovation, or variety, but rather to assist in focusing on those elements of design which can produce a vital, economically viable community. This will include creative solutions that will develop a strong sense of community recognizable vital centers of varying sizes, diverse but compatible visual appearance, all while preserving property values, limiting land use conflicts, and promoting the public health, safety, and general welfare.

The use, construction, improvement, or other development of any portion of the Property shall be subject to all of the property development standards contained in the CMP, except as may be modified by each Planning Unit Plan. Modifications to these standards shall be fundamentally consistent with the intent of the respective Project Master Plan. Additional restrictions may be applied through the C.C.&R.'s or project design guidelines.

### Setback and Height Exceptions

- \* 1. Structure projections (bay windows, balconies, overhangs, etc.) will be allowed to extend into any setback provided that the projections will be no closer than three (3) feet to a property line. Further projection may be allowed by the Planning Director for buildings over two (2) stories provided that such projection will not adversely impact any adjacent properties.  
\* SEE 4/29/10  
Letter in  
front pocket
2. The height regulations of the CMP shall not apply to: spires, belfries, campaneiles, clock towers or other community icons; chimneys, cooling towers, elevator bulkheads, fire towers, monuments or stacks; radio or television aerials, wireless communication facilities or other functional elements, facilities, or necessary mechanical structures as long as the above features do not exceed seventy-five (75) feet in height from finished grade for all Development Options, except for the Commercial/Mixed-Use, High Development Option where such features shall not exceed one hundred (100) feet in height from finished design grade. If attached to a building, such features shall not occupy a horizontal area in excess of twenty-five (25) percent of the entire roof area of the building. In addition, height regulations of the CMP shall not apply to hospitals, resorts, signature architecture, or water tanks. "Primary Site", identified in (Exhibit N-1), will be allowed to 120 feet (a 110 feet monopole, and 10 feet of EMS antennas for the Town) in all Development Options without setback requirements.

**Residential Accessory Buildings, (including detached guest houses)**

1. Accessory buildings shall not:
  - a. Exceed the height of the primary residence;
  - b. Be located within ten (10) feet of the primary residence;
  - c. Be constructed and occupied prior to the construction of the primary residence.

**Air Quality**

1. Purpose and Intent

Air quality within the Town is a natural asset. It is the intent of the CMP to maintain air quality by controlling dust caused by new development and motor vehicle traffic.

2. Conformity

Each Planning Unit Street and Circulation Plan shall include a statement of conformance with the state air quality plan, as developed by the Maricopa Association of Governments for all proposed transportation improvements.

3. Construction

Maricopa County air quality regulations shall be adhered to for all construction activities on the Property,

4. Surface and Traffic Control

- a. Development plans shall be designed to reduce traffic flows and encourage efficient traffic circulation.
- b. Parking, loading, and vehicle storage areas shall be maintained in a manner that minimizes dust emissions.
- c. Vacant property which is not in its natural vegetative state and which was not disturbed prior to the adoption of the CMP shall be controlled to minimize dust emissions beyond the boundaries of the site to within the same levels as previously existed.
- d. Air blowers used for landscape maintenance having a fifty (50) cubic centimeter engine or larger shall be prohibited.

## Building Construction

### 1. General Requirements

- a. All buildings and structures, both existing and new, shall be maintained in a safe and sanitary manner.
- b. All construction or work for which a permit is required shall be subject to inspection by the Building Inspector, in accordance with the applicable provisions of the Uniform Building Code.

### 2. Uniform Codes Applicable to the Property

The following uniform codes are hereby made part of the CMP. In the event the Town adopts an updated version of any or all of the following uniform codes, the most-recently adopted version shall prevail.

UNIFORM BUILDING CODE, 1997 edition, published by the International Conference of Building Officials,

NATIONAL ELECTRICAL CODE, 1996 edition, published by the National Fire Protection Association,

UNIFORM PLUMBING CODE, 1997 edition, published by the International Association of Plumbing and Mechanical Officials, UNIFORM MECHANICAL CODE, 1997 edition, published by the International Association of Plumbing and Mechanical Officials,

UNIFORM FIRE CODE, 1991 edition, published by the International Conference of Building Officials and the Western Fire Chiefs Association,

UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS, 1997 edition, published by the International Conference of Building Officials, and any and all supplements to said codes.

UNIFORM FIRE CODE, 1997 edition, published by the International Fire Code Institute.

### 3. Licenses Required

The design and construction of buildings and the site development shall be under the supervision of licensed engineers, landscape architects, contractors, or architects when required by applicable state law. The Town shall enforce and require adherence to state laws governing such and may refuse to issue permits if drawings prepared by a registered professional are not submitted as part of the permit application, subject to State professional licensure laws.

## Residential Density

Gross density for the Property shall be in accordance with **Section IV. B.** and the companion Land Use Budget set forth in **Exhibit I.** Residential densities for the Property shall be allowed to vary within and between blocks. Although the overall maximum density is 2.4 du/ac, residential densities may range from approximately one (1) dwelling unit per ten (10) acres to fifty (50) dwelling units per acre.

## Floodplain and Drainage Management

### 1. Floodplain Management

The Maricopa County Flood Control District (the "FCD") is responsible for all floodplain management activities within the corporate limits of the Town. The FCD is authorized to exercise the powers and duties set forth in Title 45, Chapter 10, Article 4, Arizona Revised Statutes.

### 2. Drainage Provisions

#### a. General Requirements

Provisions for drainage shall meet the requirements of the Uniform Drainage Policies and Standards for Maricopa County as required. Drainage facilities shall be installed to provide for the adequate containment and disposal of surface water and to maintain any natural drainage course on the Property.

#### b. Drainage Report

Prior to approval of any commercial or residential development, a drainage report shall be submitted to and approved by the Town Engineer.

#### c. Drainage Clearance

Drainage clearance shall be required prior to permit issuance for any development or substantial improvement which may have an adverse effect on existing drainage.

#### d. Final Inspection

Drainage inspection approval shall be obtained prior to issuance of a permanent Certificate of Occupancy.

### 3. Drainage Design

#### a. General

The entire drainage detention/retention and runoff conveyance system shall be designed to eliminate or minimize storm water runoff effects and convey the runoff through the development with minimum detrimental effect. No system shall be approved if the effect changes the point of entry of drainage onto adjacent properties (except where the point of entry is directly into the Hassayampa River floodplain) during the runoff event.

#### b. Storm Frequency Criteria

The rainfall event based upon the one hundred (100) year storm frequency generating the peak discharge for the area contributing runoff to the development shall be used in designing the overall drainage system. Areas of inundation not critical to access may be designed to a 10-year criteria.

#### c. Detention/Retention of Storm Drainage

- i. The detention/retention system shall be designed to reduce the post-development peak discharge per Maricopa County Uniform Standards unless a direct discharge to the Hassayampa River floodplain is feasible.
- ii. On-site detention/retention facilities may include natural depressions or human-made basins. Dry wells are permitted subject to approval by the Town Engineer.
- iii. Individual lot detention/retention shall not be permitted in residential subdivisions.
- iv. A public utility easement shall not be designated for detention/retention without approval of affected utility companies.
- v. Off-site drainage shall either be to the street or to a designated wash or drainage structure with adequate capacity and outfall.
- vi. Detention/retention can occur in public areas and parks.

d. Storm Water Disposal

On-site runoff that has been detained/retained shall be disposed of within thirty-six (36) hours either by percolation, dry wells, catch basins, or drainage into an approved drainage way. One hundred (100) year peak discharge flows from the Property shall be reduced per Maricopa County Uniform Drainage Standards and shall be in the location and direction of the historic off-site flows (except as referred to in paragraph 3a above).

e. Finished Floor Elevation

Finished floors shall be elevated twelve (12) inches above the computed one hundred (100) year water surface elevation or adjacent drainageway, whichever is greater. A finished floor elevation may be other than the minimum permitted provided it is determined by technical data certified by a registered professional engineer who is licensed to practice in the State of Arizona to be the minimum necessary to be safe from inundation by the one hundred (100) year peak discharge flow. Finished floor elevation shall be referenced to a known benchmark.

f. Drainage Easements

Drainage easements or tracts may be required to preserve washes, streams and channels (drainageways). The width of the drainage easements or tracts shall be defined by the water surface during the 100-year storm event, and may include vegetative buffer areas. The need for a drainage easement or tract, and its width and location will be determined on a case by case basis.

## **Landscaping**

1. Purpose

Landscaping has a three-fold purpose: 1) to create a compatible aesthetic environment, 2) to provide shade, cooling and microclimate reduction of temperatures (i.e. reduce heat island effects) and 3) to maintain groundcover for control of dust and weeds and surface erosion.

## 2. Landscaping Required

All development within the Property shall meet or exceed the landscaping requirements of this Section and shall conform with the Landscape Plant Palette set forth in **Exhibit K**. The plant palette expands on the approved Arizona Department of Water Resources list to allow greater flexibility in design concepts while ensuring environmental sensitivity. The Landscape Plant Palette appropriately provides botanical diversity given the regional context.

- a. All commercial and industrial uses shall provide landscaping within the front setback area or between the building and the street frontage, whichever is less. On corner lots, landscaping is to be provided on both street frontages within the setback area or between the building(s) and the street frontages, whichever is less.
- b. Landscaping shall be provided by the Developer or subdivider between the public roadway improvements and the adjacent property line.
- c. Landscaping within the public right-of-way on Principal Arterial and collector streets shall consist of trees, shrubs and ground cover. The actual standard will be determined with the design of each Planning Unit as set forth in Environmental Planning Unit Plan.
- d. All landscape areas shall be finished with a natural topping material which may include, but not be limited to, the following: turf, groundcover, decomposed granite, river run rock, native soils or expanded shale.
- e. Residential uses shall be landscaped in accordance with the Landscape Plant Palette set forth in **Exhibit K**.

## 3. Irrigation and Maintenance

All landscaping improvements shall include a suitable method for irrigation.

## 4. Right-of-Way Encroachment

Landscaping allowed within sight distance triangles and safe stopping sight distance areas in the public right-of-way shall be a maximum height of three (3) feet. Landscaping in the public right-of-way not within sight distance triangles and safe stopping sight distance areas may exceed three (3) feet in height. Trees and turf may be allowed in the public right-of-way, subject to applicable governmental regulations. Trees within sight distance triangles

and safe stopping sight distance areas may be allowed in the public right-of-way if branches are trimmed up to six (6) feet above ground level. The Public Works Director shall have the authority to order removal of any landscaping or trees which, in the opinion of the Public Works Director, poses a hazard to the public.

## Lighting

### 1. Applicability

Indoor or outdoor lighting that is one hundred fifty (150) watts or less shall be exempt from the provisions of this Section.

### 2. General Standards

- a. Sources of illumination that are directly visible from a public street or residential property shall be minimized to reduce glare.
- b. Light intensity shall not exceed one (1) foot-candle on any adjacent property.

### 3. Lighting Requirements

- a. All fixtures are to be fully shielded. Metal halide and florescent fixtures shall be filtered. Mercury vapor fixtures are prohibited.
- b. Fixtures over two hundred (200) watts shall be directed downwards.
- c. The height of any fixture shall not exceed:
  - i. Fifteen (15) feet for residential uses;
  - ii. Twenty (20) feet for commercial uses;
  - iii. Forty (40) feet for industrial uses;
  - iv. Thirty-five (35) feet for any recreational or public use (ballfields and arenas exempted).

### 4. Street lighting requirements will be addressed by each Planning Unit Environmental Design Plan and may or may not include continuous lighting other than at major intersections.

5. Detailed guidelines and development codes will be established during the planning unit phase of the design review process to insure minimal light pollution, reduce glare, increase energy conservation, and maintain the quality of Festival Ranch's physical and aesthetic character.

## **Outdoor Storage**

### **1. General Standards**

- a. Storage of materials, supplies, or similar matter is prohibited outside an enclosed structure, unless associated with an industrial use, which shall be screened from view. Storage of inventory, materials, or other debris outside an enclosed building is prohibited in conjunction with a residential or commercial use.
- b. Storage associated with an industrial use shall only be allowed within the confines of a solid fence or landscape screen not less than six (6) feet in height, unless no practicable alternative is available.
- c. Merchandise which is offered for sale may be displayed beyond the confines of an enclosed structure, the area of which shall not exceed ten (10) percent of the principal building floor area, unless such merchandise is a type customarily displayed outdoors, such as automobiles, garden supplies, and seasonal sales.
- d. No display or storage of any type shall be permitted within the one-half (1/2) of the required front or side street setback nearest the street, nor within any required interior side or rear setback.

### **2. Vehicle Storage**

- a. Mobile or manufactured homes are allowed to be stored only in conjunction with an industrial use and shall be placed in the rear half of the lot and completely screened from view of a public street.
- b. Recreational vehicles shall be parked to the rear of the front setback line.
- c. Parking of commercial vehicles in residential districts is limited to one (1) commercial vehicle and shall not have more than a one (1) ton chassis, having a capacity of not more than ten thousand (10,000) pounds gross vehicle weight rating (GVVWR).

- d. Inoperable vehicles shall be stored only in conjunction with an industrial use completely screened from view of a public street.
  - e. There shall not be any type of vehicle stored on a vacant parcel of land except as is being actively used in conjunction with construction on the site on which the vehicle is being stored.
3. Temporary Storage

These regulations shall not be applicable to any storage being placed in a certain location less than twenty-four (24) hours, unless the storage constitutes a public hazard or nuisance.

### **Parking and Traffic Circulation**

1. Purpose

Contained herein are standards intended to provide for attractive, effectively developed parking, including, but not limited to, on-street, parallel, and diagonal parking with sufficient room for maneuvering and landscaping.

2. Traffic Access

- a. Every lot shall have access that is sufficient to afford a reasonable means of ingress and egress for emergency vehicles as well as for all those likely to need or desire access to the Property in its intended use.
- b. All driveway entrances and other openings onto streets within the Property shall be constructed so that:
  - i. Vehicles can enter and exit from the lot in question without posing any substantial danger to themselves, pedestrians, or vehicles traveling on abutting streets.
  - ii. Interference with the free and convenient flow of traffic in abutting or surrounding streets is minimized.
- c. Minimum lot width at the driveway access point on a single lot shall be twenty (20) feet. If two or more adjacent flag lots share a common driveway, the minimum combined lot width at the driveway access point shall be thirty (30) feet, as set forth in **Exhibit J**.

- d. Up to six (6) platted cluster/courtyard residential units may be accessed from a common private driveway, unless otherwise approved by the Town Engineer.
  - e. Unless no other practicable alternative is available, all driveways and other openings for commercial/mixed-use development shall be located in accordance with standards adopted by the Town or in the absence of such standards as approved by the Town Engineer.
    - i. Seventy-five (75) feet from a street intersection;
    - ii. Forty (40) feet from another access driveway;
  - f. Shared driveways for commercial/mixed-use development shall be encouraged.
3. Parking Requirements
- a. Standards
    - i. Off street parking spaces shall be provided as set forth in **Table A**. Loading spaces shall be provided as per **Table B**. Fractional results shall be rounded up to the nearest whole number if the fraction is 0.5 or greater.
    - ii. In the case of mixed uses, the total number of spaces shall be based on parking demand as determined by a parking study as set forth in **Section IV. C., Parking and Traffic Circulation**.
    - iii. Accessible parking spaces shall comprise five (5) percent of the total required spaces when over ten (10) spaces are required.
    - iv. An emergency access lane having twenty (20) feet of unobstructed width shall be provided when required by the Town of Buckeye. The twenty (20) foot width can consist of sixteen (16) feet of paved lane with two (2) foot shoulders on each side with plantings less than eighteen (18) inches in height within the shoulder area.
  - b. Design
    - i. To control dust and drainage, parking areas shall be constructed with dust-free materials including but not limited to stabilized, decomposed granite.

- ii. Dimension requirements as set forth in **Table C** shall be followed in the construction or modification of any parking area.
- iii. The preferred location for parking shall be the interior of the lot, exclusive of on-street parking.
- iv. Paving shall be provided to a sufficient thickness to withstand repeated vehicular traffic, except for single-family dwelling uses.

<b>TABLE A</b>	<b>PARKING SPACES REQUIRED</b> <i>(By Land Use Type)</i>
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	REQUIRED PARKING	MINIMUM SPACES <i>(To Be Provided By Development Site)</i>
<b>SINGLE FAMILY</b>	2	2
<b>MULTIPLE FAMILY</b>	1.5 per unit	4
<b>SENIOR HOUSING</b>		
Assisted Living	0.75 per unit	2
Independent Living	1.5 per unit	2
Nursing Home	.5 per bed	2
<b>COMMERCIAL (retail)</b>	2 <sup>(1)</sup>	4
<b>OFFICE</b>	1.5 <sup>(1)</sup>	2
<b>INDUSTRIAL</b>	1 <sup>(1)</sup>	4
<b>COMMERCIAL</b> (service establishment)	3 <sup>(1)</sup>	4
<b>PUBLIC ASSEMBLY</b>	3 <sup>(1)</sup>	10

<sup>(1)</sup> Parking spaces per 1,000 square feet of gross floor area.
--

**TABLE B**

**LOADING SPACES**

*(Required For New Development By Land Use Type)*

**LOADING SPACES**

*To Be Provided Per 10,000 Square Feet  
Of Gross Floor Area<sup>(1)</sup>*

SINGLE FAMILY	N/A
MULTIPLE FAMILY	N/A
COMMERCIAL	1
OFFICE	1
INDUSTRIAL	0.2
SERVICE ESTABLISHMENT	2
PUBLIC ASSEMBLY	1

<sup>(1)</sup> Loading spaces are to be to the rear or side of the building  
A minimum of one (1) loading space must be provided for any use type unless waived by the Planning Director upon a showing that the spaces are not necessary in the ordinary course of a particular use.

4. Parking Study Option

As an alternative to the requirements listed elsewhere in this Section, a parking plan may be submitted for approval by the Planning Director, which demonstrates that a mix of uses with varying peak parking demands results in a reduction of the total number of parking spaces that would otherwise be required to fulfill the intent and purpose of this Section. The Planning Director may require the study to be completed by a registered traffic engineer.

**TABLE C** PARKING / LOADING SPACE  
MINIMUM DESIGN REQUIREMENTS

	90 DEGREE SPACES <sup>(1)</sup>	60 DEGREE SPACES <sup>(1)</sup>	45 DEGREE SPACES <sup>(2)</sup>	LOADING SPACES
WIDTH (STD)	9'	9'	9'	12
WIDTH (ACC)	13'	13'	13'	N/A
LENGTH (STD)	18'	18'	18'	55
WIDTH (ACC)	18'	18'	18'	N/A
AISLE WIDTH	25'	20'	15'	25

<sup>(1)</sup> For 90 and 60 degree parking, aisle dimensions are 2 – way.

<sup>(2)</sup> For 45 degree parking, aisle dimensions are 1 – way.

**Screening / Fencing**

Most every land use has an aspect that should either be screened from public view or secured for safety reasons.

1. General Requirements

- a. Fences may be allowed within the public right-of-way to prevent pedestrian crossings upon approval of the Public Works Director. The height of any fence within the public right-of-way shall be a maximum of three (3) feet. The Public Works Director shall have the authority to order removal of any fence which, in the opinion of the Public Works Director, poses a threat to public safety.

- b. The height of any fence located between the principal structure and the rear or side property line shall not exceed six (6) feet within any residential designation and eight (8) feet within any commercial/mixed-use designation, unless associated with an industrial use, in which case the fence may extend to a height of ten (10) feet.
- c. Material used for fences shall be limited to those listed in **Table D**.

## 2. Required Screening

New development containing uses listed in Table D as shall provide screening as specified.

## 3. Roof-Mounted Equipment

All roof-mounted equipment shall be completely screened from view from ground level of adjacent property. The parapet, if provided, shall be architecturally compatible with the primary building.

## 4. Swimming Pool Enclosure

The following swimming pool enclosure regulations shall apply to the Property. Unless otherwise provided herein, swimming pools shall be entirely enclosed by a security fence or solid wall of not less than five (5) feet in height.

### a. Applicability

The provisions of this Section shall apply to the following:

- i. Swimming pools used in conjunction with single-family dwellings, including single-family cluster developments.
- ii. Swimming pools used in conjunction with a multiple-family use.
- iii. Swimming pools used in conjunction with a commercial or public use.
- iv. Swimming pools used in conjunction with a resort, lodge or inn, must demonstrate a secure perimeter, but may be permitted to develop alternative measures such as combination of building walls, self closing glass doors and perimeter fencing.

**TABLE D****REQUIRED SCREENING**

	MINIMUM HEIGHT REQUIRED FOR SCREENING / FENCING	MATERIALS ALLOWED TO BE USED FOR SCREENING / FENCING <sup>(1, 2)</sup>
REFUSE CONTAINER	6'	1
VEHICLE DISPLAY	2.5'	1,2,3
PARKING AREA	3'	1, 3
OUTDOOR STORAGE	6'	1, 4
MECHANICAL EQUIPMENT	3.5'	1, 3, 4
SWIMMING POOL ENCLOSURE	5.5'	1, 2, 4

<sup>(1)</sup> Materials for fence construction shall be limited to the following:

1. masonry block
2. wrought iron
3. landscape screen which will sufficiently provide screening within 6 months after installation.
4. Wood

<sup>(2)</sup> Other materials may be allowed upon the Planning Director finding that they are similar to those listed above.

b. Design

- i. The pool enclosure shall be set a minimum of thirty-six (36) inches from the edge of the water.
- ii. The protective fence or wall shall have no vertical opening larger than four (4) inches. Wrought iron and wood fences shall be constructed with at least fifty-four (54) inches between the horizontal members.
- iii. Gates shall be self-closing, self-latching, with latches being a minimum of fifty-four (54) inches above ground level. Gates shall swing out, away from pool. Those gates not used for normal access to and from the pool do not need to be self-closing if secured by a padlock or other similar device in lieu of a latch.

- iv. The protective fence or wall shall be located a minimum horizontal distance of fifty-four (54) inches from any structure, storage, or equipment that could be used to climb the wall or fence from the outside.
- v. The protective fence or wall shall contain no opening, handhold, or other means accessible from the exterior side of the enclosure that could be used to climb the wall or fence.
- vi. The protective fence or wall shall be constructed of block, wrought iron, wood, or other similar material approved by the Planning Director. Chain link material shall not be used as a protective fence.
- vii. All ground level doors with direct access to the pool area must be equipped with self-latching devices which shall be located at least fifty-four (54) inches above the floor and must be self-closing and must open in a direction away from the pool area.
- viii. All emergency escape and/or rescue windows of sleeping rooms with direct access to the pool area must be equipped with a self-closing and self-latching device located no less than fifty-four (54) inches above floor.
- ix. All other openable dwelling unit or guest room windows with access to the pool area must be equipped with: 1) screwed in place wire mesh screens, 2) keyed locks that prevent opening the window more than four (4) inches, or 3) self-closing and self-latching devices located no less than fifty-four (54) inches above the floor.

c. Owner Responsibility

It is the responsibility of the property owner to ensure that any pool enclosure fence and its appurtenances (i.e. gates, latching devices, locks, etc.) are maintained in safe and good working order.

## Signs

### 1. Permit Required

The placement of signs, except as listed below, shall require a sign permit issued by the Planning Director in accordance with the procedures set forth in the Development Code. Signs listed as follows are exempt from obtaining a permit:

- a. Political signs and banners;
- b. Directional and traffic signs, including temporary variable street construction signs;
- c. Window signs not exceeding twenty (20) percent of the window area;
- d. Signs not visible from off property or business;
- e. Signs pertaining to the lease, sale, or rental of land or buildings, the size of which are six (6) square feet or less for parcels up to five (5) acres and twenty-four (24) square feet or less for parcels more than five (5) acres.

## 2. Prohibited Signs

The following types of signs are prohibited:

- a. Signs with audible devices, moving parts, or flashing lights. This shall also include electronic messaging boards with moving words or letters;
- b. "Sandwich" or portable signs and outdoor banners displaying product information;
- c. Roof mounted signs or signs projecting above the roof line of a building;
- d. Signs placed within the public right-of-way;
- e. All signs mounted on, or applied to trees, utility poles, or public structures, except as otherwise provided;
- f. Any sign determined to be a safety hazard to the flow of traffic;
- g. Commercial signs remaining at an abandoned or vacant building for a period exceeding one hundred eighty (180) days.

## 3. Design Standards

- a. In general, signs shall not exceed the dimensions set forth in Table E and Table F and shall be located on the same parcel as the use for which they advertise, unless approved through a Comprehensive Sign Plan .

- b. Illuminated signs may be internally lighted in the Commercial/Mixed Use designation. The source of illumination of any sign is to be shielded so that it is not visible from or causes glare or reflection onto adjacent properties and streets.
  
- c. Detailed design guidelines and development codes will be established in the planning unit phase of the development review process to insure that signage is clear, compatible with the character and aesthetics of Festival Ranch, and provides essential identity and direction to facilities in the community.

**TABLE E**

**MAXIMUM SIZE ALLOWED  
FOR FREE – STANDING SIGNS**  
(By Land Use Type)

	MAXIMUM SIGN HEIGHT ALLOWED	MAXIMUM SIGN AREA (IN SQUARE FEET) ALLOWED
MULTIPLE FAMILY	3.5'	18
PUBLIC ASSEMBLY	3.5'	18
COMMERCIAL	20'	72
OFFICE	3.5'	18
SERVICE ESTABLISHMENT	15'	32
INDUSTRIAL	20'	48

**TABLE F**

**MAXIMUM SIZE ALLOWED  
FOR ATTACHED\* SIGNS**  
(By Land Use Type)

	SIGN AREA ALLOWED (IN SQUARE FEET) FOR EACH LINEAL FOOT OF BUILDING FACING THE STREET FRONTAGE <sup>(1)</sup>
MULTIPLE FAMILY	0.25
PUBLIC ASSEMBLY	0.25
COMMERCIAL	1.00
OFFICE	0.50
SERVICE ESTABLISHMENT	0.75
INDUSTRIAL	0.50

\* Attached signs shall be placed below roof eave line.

\* Each side of a building having a street frontage may be counted separate and used to place signs.

\* Buildings located over fifty (50) feet from the street frontage are allowed to double the allowed sign area amount.

<sup>(1)</sup> Maximum Sign Area may be further restricted through C. C. & R.'s.

## Topography

The provisions of this Section shall apply to all new development activities within the Property. The foregoing notwithstanding, regrading or reshaping activities in areas of disturbance which occurred prior to the adoption of the CMP shall be exempt from the provisions of this Section.

### 1. Grading

The purpose of this Section is to set forth the objectives and engineering standards for the grading and earthwork elements for the development of the Property. The grading elements include street and parking lot cut and fill limits, site grading limits, slope control or soil stabilization, mitigation of adverse conditions including boulder instability, slope instability, soil erosion, and drainage disruption, and landscaping of scarred areas due to grading.

#### a. General

A grading plan shall be approved by the Town Engineer prior to any grubbing, grading, or clearing. All grading shall be in accordance with all applicable M.A.G. standards and professional standards as well as the uniform building code, whichever is applicable to the site.

#### b. Cut and Fill

Cut and fill slopes, except for those required for roadway improvements, shall meet the following requirements:

- i. Cut and fill slopes shall not be steeper than 4:1, except stable rock which may be vertical. Steeper slopes will be allowed when justified by adequate engineering analysis and documentation, subject to approval by the Town Engineer.
- ii. Cut and fill slopes within drainage retention and detention basins shall be no steeper than 4:1. Steeper slopes will be allowed when justified by adequate engineering analysis and documentation, subject to approval by the Town Engineer.
- iii. The maximum height of cut is not to exceed eighty (80) feet and the maximum height of fill shall not exceed sixty (60) feet, unless otherwise approved by the Town Engineer. All exposed cuts and fills are subject to the mitigation criteria established herein.

c. Retaining Walls

Retaining walls may be used to reduce the horizontal distance required to construct cut and fill slopes. Retaining walls may include masonry, rigid concrete structures, earth filled bins, gabions, and any other form of structural elements used to retain and support cut or fill slopes.

Retaining walls up to twenty (20) feet shall be allowed. Retaining walls higher than twenty (20) feet must be approved by the Town Engineer. Retaining walls shall be designed by a registered civil or structural engineer who is licensed to practice in the State of Arizona.

d. Revegetation

Revegetation for landscaping or erosion and sediment control is an integral part of grading activity. Graded areas that are to be revegetated shall be revegetated with those plants included in the Landscape Plant Palette as set forth in **Exhibit K**.

e. Dust Control

All dust control activities shall comply with all Federal, state, and county dust control requirements.

## Utilities

1. Wastewater Facilities

Wastewater facilities for the Property shall conform to the Master Wastewater Plan and any refinements thereto contained in any Planning Unit Wastewater Plan.

2. Water Supply System

The water supply system for the Property shall conform to the Master Domestic Water Plan and any refinements thereto contained in any Planning Unit Domestic Water Plan.

3. Underground Service Lines

All new utility lines, including irrigation service lines, but not including transformers or enclosures containing equipment such as switches, meters or capacitors which are ground mounted, shall be placed underground in accordance with the specifications and policies of the respective utility company. Temporary lines may be erected above ground for a period not to exceed two (2) years (or four (4) years if built to power company residential standards) unless extended by the Planning Director for due cause up to an additional four (4) years.

4. Refuse Service

All commercial development shall provide refuse enclosures for solid waste collection in accordance with the following:

- a. Located so as to facilitate collection and minimize any negative impact on persons occupying the development site, neighboring properties, or public rights-of-way.
- b. Constructed according to specifications established by the Public Works Director to allow for collection without damage to the development site or the collection vehicle.

### **Public Area Improvements**

1. Purpose

The purpose of these requirements is to promote road safety, assure adequate access for fire and rescue vehicles, and promote adequate vehicular circulation.

2. Coordination of Streets

- a. All new streets required pursuant to the Master Street and Circulation Plan and each Planning Unit Street and Circulation Plan shall intersect with surrounding existing streets at safe and convenient locations.
- b. The Town may require temporary turnarounds to be constructed for temporary cul-de-sacs between development phases.

### 3. Street Layout

- a. All permanent dead end streets shall be developed as cul-de-sacs. Cul-de-sacs shall extend no further than six hundred (600) feet as measured from the center of the last intersection or intermediate turnaround and an oversized cul-de-sac (50' radius) is provided. This length may be exceeded with approval of the Fire Chief upon submittal of a Preliminary Plat.
- b. If automatic sprinkler systems are used for fire protection, cul- de-sacs shall extend no further than one thousand five hundred (1500) feet as measured from the center of the last intersection or intermediate turnaround and a 50' radius cul-de-sac is provided. This length may be exceeded with approval of the Fire Chief on cul-de-sacs serving twenty-five (25) or fewer residential units.
- c. Turnarounds shall be of either a circular, square or enlarged hammerhead configuration in accordance with the standards set forth in **Exhibit E**.
- d. The right-of-way of a cul-de-sac shall have a minimum radius of fifty (50) feet. The radius of the paved area of a turnaround shall be forty (40) feet. If the center of a circular turnaround is left unpaved, the area shall be landscaped and the pavement width shall be a minimum of sixteen (16) feet with mountable curb on each side of the street.
- e. Half streets (i.e., streets of less than the full right-of-way and pavement width) with a minimum pavement width of twenty four (24) feet to accommodate two-way traffic shall be allowed as an interim condition.

### 4. Street Intersections

- a. Streets shall intersect as nearly as practical at right angles, and no more than two (2) streets may intersect at any one (1) point. Arterials and collectors shall have no more than five (5) degrees from ninety (90) degrees at intersections. Collectors and local streets are allowed up to fifteen (15) degrees from ninety (90) degrees at intersections in accordance with Town standards.
- b. Where a centerline offset (jog) occurs at an intersection, the distance between centerlines of the intersecting streets shall be not less than one hundred fifty (150) feet.

- c. Except when no other alternative is practicable or legally possible, no two (2) collector streets may intersect with any other collector street on the same side at a distance of less than three hundred thirty (330) feet from centerline to centerline of the intersecting collector streets. When the intersected street is an arterial, the distance between intersecting collector streets shall be at least six hundred sixty (660) feet.

## 5. Street Design Standards

Streets shall be designed and constructed in accordance with the roadway standards set forth in **Exhibit E**. Typical cross-sections depicting roadway standards are also set forth in **Exhibit E**.

## 6. Right-of-Way Landscaping

Landscaping shall be provided in all public rights-of-way in conjunction with development of adjacent parcels. All right-of-way and drainage areas not used for street or sidewalk improvements shall be left in a natural state (if undisturbed) or improved with landscaping.

## 7. Bridges

All bridges shall be designed by a registered professional engineer who is licensed to practice in the State of Arizona in accordance with standard design criteria and approved by the Town Engineer.

## 8. Fire Hydrants

- a. All development within the Property shall include a system of fire hydrants which are constructed according to M.A.G. standards.
- b. The Fire Chief shall determine the precise location, number, and type of all hydrants depending on the location, building size, density and lot size of the subject development.
- c. Water lines that serve hydrants shall be at least six (6) inches in diameter if looped or eight (8) inches in diameter for dead-end lines. Unless no other practicable alternative is available, dead-end lines shall be allowed; provided, however, the maximum length of dead-end lines shall be one thousand five hundred (1,500) feet or as approved by the Town Engineer, with fire hydrants spaced along the alignment. A water system analysis shall be prepared to show that the farthest fire hydrant from the looped main on a dead-end line meets the minimum fire flow requirements.

- d. The maximum spacing for fire hydrants shall be five hundred (500) feet for detached residential land uses for homes less than 3,600 sq. ft. in size. The maximum spacing for attached residential, commercial/mixed-use, and resort land uses shall be pursuant to a plan prepared in accordance with the UFC and approved by the Fire Chief. If automatic sprinkler systems are used for fire protection, the maximum spacing for fire hydrants may be increased to one thousand (1,000) feet for detached residential land uses and seven hundred (700) feet for attached residential, commercial/mixed use, and resort land uses. Fire hydrants shall be located at maximum intervals of a quarter mile along unloaded traffic corridors.

#### 9. Lighting Requirements

All lighting for streets, sidewalks, and other common areas or facilities in all public rights-of-way shall be in accordance with the lighting standards as provided in the CMP.

#### 10. Non-Vehicular Circulation

Non-vehicular circulation improvements shall be in accordance with the Planning Unit Pedestrian and Trails Plan.

### **Wireless Communication Facilities**

The Festival Ranch CMP is designed as a series of neighborhoods and a Town Center which includes a mix of uses intended to create a sustainable community. In order to have an environment that utilizes current and future wireless technology, the Festival Ranch CMP includes provisions for the design, development and operation of wireless communication facilities that will serve the needs of the current and future residents and businesses.

Wireless Communication Facility standards are divided into two sections, one for Wireless Communication Facilities that will be approved as part of this CMP Amendment # 5 Telecommunications (Primary Sites') and one for Wireless Communication Facilities that will be developed in the future ("Secondary Sites").

For a Primary Site, in order to expedite the development of a wireless infrastructure, a site has been selected and identified as a primary location for a Wireless Communication Facility. This location will be approved as part of the CMP Amendment. The Primary Site is identified in Exhibit N-1. Specific locational and design information on the Primary Site shall be submitted to the Community Development Department for review. The Primary Site will be located in Planning Unit F. A site plan shall be reviewed and approved by the Community Planning & Development Board.

As Festival Ranch and the surrounding areas develop, Secondary Sites for Wireless Communication Facilities will be needed to add capacity for increased usage.

Wireless Communication Facilities that are located within the Festival Ranch CMP will be developed in accordance with the development standards contained in this section.

A. General Development Standards for all Wireless Communication Facilities:

1. All wireless communications companies shall be required to locate on the Primary Site in the Festival Ranch CMP unless an approved, independent RF (radio frequency) study confirms the need for Secondary Sites, or the Primary Site has been determined to be structurally full.
2. All freestanding structures, over 40 feet, shall be designed to accommodate a minimum of two wireless communications companies. Stealth sites, wherever possible, shall have preference and shall be designed to accommodate a minimum of two communications companies.
3. All freestanding structures shall be designed to accommodate interior cabling for the communications companies that locate on the freestanding structures.
4. Accessory equipment located on the ground shall be screened behind a solid masonry wall that will match other buildings on the site, including any painting and texturing. The wall shall be of sufficient height to screen the accessory equipment, but shall not exceed a maximum height of eight (8) feet.
  - a. Accessory equipment approved by the Town that is to be located within public right-of-way may be exempt from the masonry screen wall requirement if the wall will impact traffic visibility or if there is not sufficient area for the screen wall. In this case, an alternate screening plan shall be provided by the Landowner to the Community Development Director for review and approval
5. Accessory equipment located on the ground shall meet the setbacks requirements of the underlying district, unless the equipment is located within public right-of-way or within a walled compound. The location of the equipment in public right-of-way shall be subject to review and approval by the Community Development Director.
6. Antennae mounted to the roof of a structure shall not extend above the highest point of the building.

7. Antennae mounted to the sides of a building shall be painted to match the wall surface to which they are attached.
  8. Antennae mounted to the sides of a building shall not extend from the wall of the building more than fifteen inches.
  9. Antennae mounted to the sides of a building shall not extend above the top of the roofline.
  10. Antennae mounted to other vertical elements shall be painted to match the structure.
  11. Any exterior lighting at the site shall be fully shielded.
  12. Wireless Communication Facilities will be prohibited on lots where the primary use is single-family dwelling.
- B. The following Wireless Communication Facilities shall be classified as a Minor Use and shall follow the procedures in accordance with Section 7.4.4.B.2 of the Town of Buckeye Development Code:
1. Roof mounted antennae:
    - a. The top of the antennae and support structure shall not extend above the highest point of the building.
    - b. The antennae and support structure shall be enclosed as a stealth element that is compatible with the part of the building to which they are attached, as approved by the Community Development Department.
    - c. Any roof-mounted equipment, exclusive of the antennae, shall be screened in a manner that is architecturally compatible with the building.
    - d. Roof mounted antennae shall only be allowed on structures that have a flat roof element in the roof design, such as a flat roof with parapets or a mansard design to screen the flat portion of the roof.
  2. Wall mounted antennae, including antennae attached to equipment penthouses:
    - a. Shall be painted to match the color of the building to which they are attached.

- b. Shall not extend from the wall of the building more that fifteen inches.
  - c. Shall not extend above the top of the roofline.
3. Antennae attached to existing or replacement utility poles, either within or outside of public right-of-way:
- a. A replacement pole shall not be extended in height by more than ten feet to accommodate a Wireless Communication Facility.
  - b. The height of the extension shall be no greater than the maximum needed to accommodate the size of the antenna panels and the spacing required by the affected utility company.
  - c. For replacement poles, cabling shall be placed within the pole.
  - d. When an existing pole is utilized, cabling shall be placed within the pole unless the pole cannot practically accommodate interior cables. Any exterior cables shall be painted to match the pole or be enclosed within a shroud that is painted to match the pole.
  - e. The antenna array shall be limited to a single panel per sector.
  - f. Antennae may only be attached to 69Kv or higher poles.

4. Antennae attached to major power line transmission towers:

- a. The antenna array and any related equipment on a major utility transmission tower or pole shall be located below the power lines.
- b. Antenna and cabling shall be painted to match the existing structure.
- c. Ground equipment shall be vaulted in designated open space areas.

5. Stealth designed facilities that disguise the antenna array:

- a. Church steeples.

- b. Flagpoles.
  - c. Monopals (not to exceed 40'; If higher, see Section C)
  - d. Faux saguaro cacti(not to exceed 40'; If higher, see Section C)
  - e. Other similar stealth designs that, in the opinion of the Community Development Director, meet the intent of the stealth provisions of the Wireless Communication Facility standards.
6. Antennae attached to other existing vertical elements, including structures, ball field lights or other pole-like features:
- a. Exterior cabling shall be painted to match the structure on which they are located or enclosed within a shroud that is painted to match the structure on which they are located.
  - b. The maximum width of the antenna array shall not exceed four feet from center to center of antenna panels.
7. Co-location on an existing Wireless Communication Facility.
- C. The following Wireless Communication Facilities shall be classified as a Conditional Use and shall follow the procedures in accordance with Section 7.4.4.B.3 of the Town of Buckeye Development Code:
- 1. A new freestanding monopole or lattice tower. Freestanding structures shall only be allowed if the applicant has used commercially reasonable efforts and has determined that there is no ability to co-locate on an existing utility pole or to locate on an existing building.
    - a. The required setback shall be equal to the height of the tower (1:1) from residential property lines.
    - b. The required setback in commercial and mixed use zones shall follow the established guidelines in the CMP.
    - c. The freestanding structure shall not exceed 100 feet tall.
    - d. The array of antennae shall not exceed any more than 4' on any one side. Refer to Exhibit M-2 for clarification.

## V. LAND SUBDIVISION

### A. GENERAL PROVISIONS

The Property shall be subdivided in a manner that allows the newly created lots/parcels to be developed and used for the purposes set forth in this CMP. All lots/parcels shall be provided with public facilities and improvements for drainage, water, wastewater, and other public facilities as specified in the applicable Planning Unit Plans.

### B. STREET NAMING

The Developer shall have the authority to establish street names throughout the Property subject to Planning Director where conflicts with existing streets arise. The Developer shall indicate street names for public streets on all preliminary plats. Street signs shall be placed at all street intersections by the Developer and shall be in place when street paving is completed.

### C. LAND SPLITS

#### **Purpose**

The division of property is regulated to ensure that each parcel of land within Festival Ranch has sufficient public access, water and waste disposal provisions, and adequate parcel size and dimensions for the use(s) intended.

#### **Requirements**

The following requirements shall be met for any land split within the jurisdiction of the Town:

1. Parcel size and dimensions shall meet the requirements of the applicable Development Option.
2. Adequate access for ingress/egress shall be provided.
3. Adequate provision for utilities, including electric, water, and wastewater service shall be available and such availability shall be indicated on a survey submitted with a request for a land split.

## Approval

A request for a land split shall be approved by the Planning Director if the application meets all the requirements as stated in **Section V. C.**

### D. PRELIMINARY PLAT

#### Significance of Preliminary Plat Approval

Preliminary plat approval constitutes authorization to proceed with preparation of the final plat and the engineering plans and specifications for public improvements. Preliminary plat approval is based on the following terms:

1. The basic conditions under which approval of the preliminary plat is granted will not be substantially changed prior to the expiration date of the preliminary plat.
2. Approval is valid for a period of twenty-four (24) months from the date of Development Board approval to the date of submittal to the Town of a final plat. Six (6) month extensions of the preliminary plat approval may be granted by the Development Board upon receipt of a letter from the applicant prior to the expiration date indicating proper cause.

#### Required Information for Preliminary Plat

The information required as part of the preliminary plat submittal shall be shown graphically, by note on plans, or by written report, and may comprise several sheets showing various elements of required data. All mapped data for the same plat shall be drawn at the same standard engineering scale, said scale having not more than one hundred (100) feet to an inch. Whenever practical, scale shall be adjusted to produce an overall drawing measuring twenty-four (24) by thirty-six (36) inches.

1. Identification and Descriptive Data
  - a. Proposed name of subdivision and its location by section, township, and range; reference by dimension and beading to a section corner or quarter section corner.
  - b. Name, address, and phone number of applicant.
  - c. Name, address, and phone number of person preparing plat.

- d. Scale, north point, and date of preparation, including dates of any subsequent revisions.
  - e. A location map which shall show the relationship of the proposed subdivision to existing community facilities which serve or influence it, including main traffic arterials, public transportation lines, shopping areas, elementary and high schools, parks and playgrounds, and churches. This map may be on the preliminary plat if practicable, or if not, a separate map showing title, scale, north point, and site data.
  - f. Identification of applicable Development Option.
2. Existing Conditions Data
- a. Topography by contours or spot elevations related to U.S.G.S. survey datum, or other datum approved by the Town Engineer, shown on the same map as the proposed subdivision layout. Contour intervals shall be such as to adequately reflect the character and drainage of the land.
  - b. Location of water wells, streams, canals, irrigation laterals, private ditches, washes, lakes, or other water features; direction of flow; location and extent of areas subject to inundation, whether such inundation be frequent, periodic, or occasional.
  - c. Location, widths, and names of all platted streets, railroads, utility right-of-way of public record, public areas, permanent structures to remain, including Town utilities and municipal corporation lines within or adjacent to the tract. Two (2) copies of a preliminary title report showing the above shall be submitted.
  - d. Name, book, and page numbers of adjacent subdivisions, along with county assessor number of all adjacent parcels having a common boundary with the tract.
  - e. By note, the existing land use district classification of the subject and surrounding tracts.
  - f. By note, the acreage of the subject tract.
  - g. Boundaries of the tract to be subdivided shall be delineated and fully dimensioned.

- h. By note, reference to the recorded Master Covenants, Conditions and Restrictions for Festival Ranch.
3. Proposed Conditions Data
- a. Street layout, including location, width of public and private streets, alleys, crosswalks, centerline geometry, and easements; connections to adjoining platted tracts.
  - b. Typical lot dimensions (scaled); dimensions of all corner lots and lots of curvilinear sections of streets; each lot numbered individually; total number of lots.
  - c. Locations, width, and use of easements.
  - d. Designation of all land to be dedicated or reserved for public use with use indicated.
  - e. Typical lot details showing proposed setbacks.
  - f. Proposed water, sewer and non-potable water pipelines with respective sizes; locations of valves and fire hydrants.
  - g. Any updates to completed Planning Unit Plans necessary as a result of changes affecting domestic water, wastewater, drainage or street and circulation infrastructure.
4. Proposed Utility Methods
- a. Statement as to the type of wastewater disposal facilities and effluent re-use facilities, in general conformance to the respective Planning Unit Wastewater Plan.
  - b. Statement as to the type of domestic water facilities and the existence of a one hundred (100) year assured water supply as required by the Arizona Department of Water Resources, in general conformance with the respective Planning Unit Domestic Water Plan.
  - c. Preliminary Drainage Report which includes hydrologic calculations, the layout of proposed drainage system and locations of retention/detention areas.
  - d. Statement as to the provision of other utilities being supplied to the plat area such as electric, phone, gas, and irrigation.

## E. FINAL PLAT

### Significance of Final Plat Approval

Final plat approval constitutes authorization to proceed with recording of the final plat subject to any conditions imposed in the approval.

1. The final plat will not be changed without the approval of the Town Council.

### General Requirements for Filing

1. The final plat shall substantially conform to the approved preliminary plat. If not more than 5% more lots are added nor more than 20% removed from the preliminary plat, the final plat will be considered in substantial conformance with the preliminary plat. Additionally, the subdivision access point shall remain essentially the same and the general circulation within the subdivision must substantially conform to the preliminary plat for the final plat to be considered in substantial conformance to the preliminary plat.
2. Land uses proposed shall be in conformance with the CMP.
3. Prior to the approval of the final plat, the subdivider shall obtain approval from the applicable utility interests for easement location and width as required for utility purposes.

### Required Information for Final Plat

The final plat shall be drawn with India ink on linen or mylar, or in the alternative by electronic media, having a left-hand margin of two (2) inches on a sheet size of twenty-four (24) by thirty-six (36) inches. If more than two (2) sheets are required for the drafting of the final plat, an index sheet shall be filed showing the entire subdivision on one sheet and the portion thereof contained on the other sheets. Copies of the final plat shall be reproduced in the form of blue or black line prints on a white background. The final plat shall be drawn to a scale not to exceed one (1) inch equals one hundred (100) feet from an accurate survey.

1. Identification Data Required
  - a. A title which includes the name of the subdivision and its location by number of section, township, range, and county.
  - b. Name, address, and registration number of seal of the registered civil engineer or registered land surveyor preparing the plat.

- c. Scale, north arrow, and date of plat preparation.
  - d. A legal description of the property to be subdivided shall be shown on the cover sheet.
2. Survey Data Required
- a. Boundaries of the tract to be subdivided fully balanced and closed, showing all bearing and distances, determined by an accurate survey in the field. All dimensions shall be expressed in feet and decimals thereof.
  - b. Any excepted parcel(s) within the plat boundaries shall show all bearings and distances, determined by an accurate survey in the field. All dimensions shall be expressed in feet and decimals thereof.
  - c. Location and description of cardinal points to which all dimensions, angles, bearings, and similar data on the plat shall be referenced; each of two (2) corners of the subdivision traverse shall be tied by separate course and distance to separate section corner or quarter section corners.
  - d. Location of all physical encroachments upon the boundaries of the tract.
3. Descriptive Data Required
- a. Name, right-of-way lines, courses, lengths, width of all public streets, crosswalks, and utility easements; radii, points of tangency and central angles of all curvilinear streets; radii of all rounded street line intersections.
  - b. All drainage ways shall be shown on the plat. The rights-of-way of all major drainage ways, where in public right-of-way, as designated by the Town Engineer, shall be maintained by the public. These drainageways are shown in the Master Drainage Plan incorporated herein to the CMP.
  - c. All easements for rights-of-way provided for public services or utilities and any limitations of the easements. Construction within the easement shall be limited to utilities, and wood, wire, or removable type fencing.

- d. Location and dimensions of all lots.
  - e. All lots shall be numbered by consecutive numbers through the plat. "Exceptions," "tracts", and "private parks" shall be so designated, lettered or named, and clearly dimensioned.
  - f. Location, dimensions, bearing, radii, arcs, and central angles of all sites to be dedicated to the public with the use clearly indicated.
  - g. Location of all adjoining subdivisions with date, book, and page number of recordation noted, or if unrecorded or unsubdivided, so marked.
  - h. The recorded Master Covenants, Conditions and Restrictions for Festival Ranch shall be referenced on the final plat.
4. Dedication and Acknowledgment
- a. Dedication: Statement of dedication of non-private streets, crosswalks, drainage ways, pedestrian ways, and other easements for public use by the person holding title of record, by persons holding titles under a land contract, by spouse of said parties, lienholder and all other parties having an interest in the property. If lands dedicated are mortgaged, the mortgagee shall also sign the plat. Dedication shall include a written location by section, township, and range of the tract.
  - b. Acknowledgment of Dedication: Execution of dedication acknowledged and certified by a notary public.
5. Required Certifications
- a. Certification by the registered civil engineer or registered land surveyor making the final plat that the final plat is correct and accurate and that the monuments described in it have either been set or located as described. The certification shall be accompanied by the signature and seal of such civil engineer or surveyor.
  - b. Certification by the Planning Director that all lots shown upon the plat conform to the CMP and are suitable for the purpose for which they are subdivided.
  - c. Certification by the Town Engineer that all engineering conditions and requirements of the CMP have been complied with.
  - d. Certification by the Town Clerk of the date the final plat was approved

- d. Certification by the Town Clerk of the date the final plat was approved by the Town Council.
- e. Certification of recordation by the Maricopa County Recorder.

**F. SUBDIVISION DESIGN**

All subdivisions within the Property shall meet or exceed the minimum development standards set forth in the CMP.

**G. ENGINEERING AND CONSTRUCTION PLANS**

It shall be the responsibility of the subdivider to have a registered professional engineer who is licensed to practice in the State of Arizona, prepare a complete set of engineering plans and a Final Drainage Report in accordance with all applicable Town Codes and the CMP, for the construction of all required subdivision improvements. Such plans and Final Drainage Report shall be in conformance with the approved preliminary plat and Preliminary Drainage Report.

Engineering Plans and a Final Drainage Report shall be submitted to the Town Engineer for review and approval. The Town Engineer shall approve the plans and Final Drainage Report unless they fail to conform with one or more requirements of the CMP, or the plans differ substantially from the approved preliminary plat and Preliminary Drainage Report.

**H. RESPONSIBILITY FOR PUBLIC IMPROVEMENTS**

**Financial Guarantee**

The Town Council shall require the subdivider to guarantee that all required improvements will be completed in a manner satisfactory to the Town using either of the following methods:

1. A performance bond, an irrevocable letter of credit, assurance of construction of subdivision improvements, funds in a restricted escrow account, or other financial guarantee approved by the Town Attorney prior to the recordation of the final plat.

- a. The financial guarantee shall be one hundred (100) percent of the cost of the labor and materials necessary to complete the required subdivision improvements based upon a construction cost estimate prepared by a registered professional engineer who is licensed to practice in the State of Arizona.
  - b. The period within which required improvements must be completed shall be specified and shall not exceed two (2) years from the date of final approval.
2. As an alternative procedure, the Town Council may approve a Final Plat and the Planning Director may record the Final Plat but withhold the issuance of a Certificate of Occupancy until such time that all required subdivision improvements have been completed.

### **Inspection of Improvements**

Prior to the approval of the required improvements by the Town Engineer, an engineer retained by the applicant shall certify to the Town that all facilities and improvements to be dedicated to the Town have been constructed in accordance with the requirements of the CMP and applicable provisions of the Development Code. The Town Engineer shall also inspect all required improvements and certify that they comply with all specifications as set forth in the approved improvement plans. Any inspection expenses incurred by the Town shall be reimbursed by the applicant.

## VI. PROJECT GOVERNANCE

### A. PROJECT GOVERNANCE

The purpose of the Festival Ranch project governance structure is to insure that a workable and enforceable mechanism is in place to ensure that the vision for Festival Ranch is implemented. The governance structure combines a sense of stewardship with workable enforcement techniques. The governance structure can be used during the period of control by the Developer as well as after the Developer passes the powers of governance to the property owners within Festival Ranch. The governance structure also anticipates that some changes to the Festival Ranch plan may occur over time. The Festival Ranch CMP framework is broad enough to allow that refinement to occur to meet changing needs as the Property is developed.

Apart from the applicable Town Codes, rules, guidelines and official policies, project governance contemplates three elements:

#### **Governance Entities**

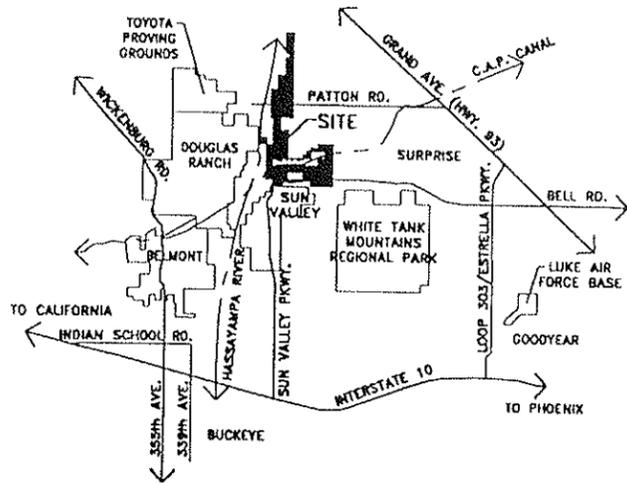
The creation of appropriate entities empowered with creation and administration of private governance processes, empowered by recorded covenants, conditions and restrictions (the "CC&Rs") which bind all present and future owners within Festival Ranch and provide for the perpetual support and maintenance of the Festival Ranch governance entities and processes.

#### **Design Standards**

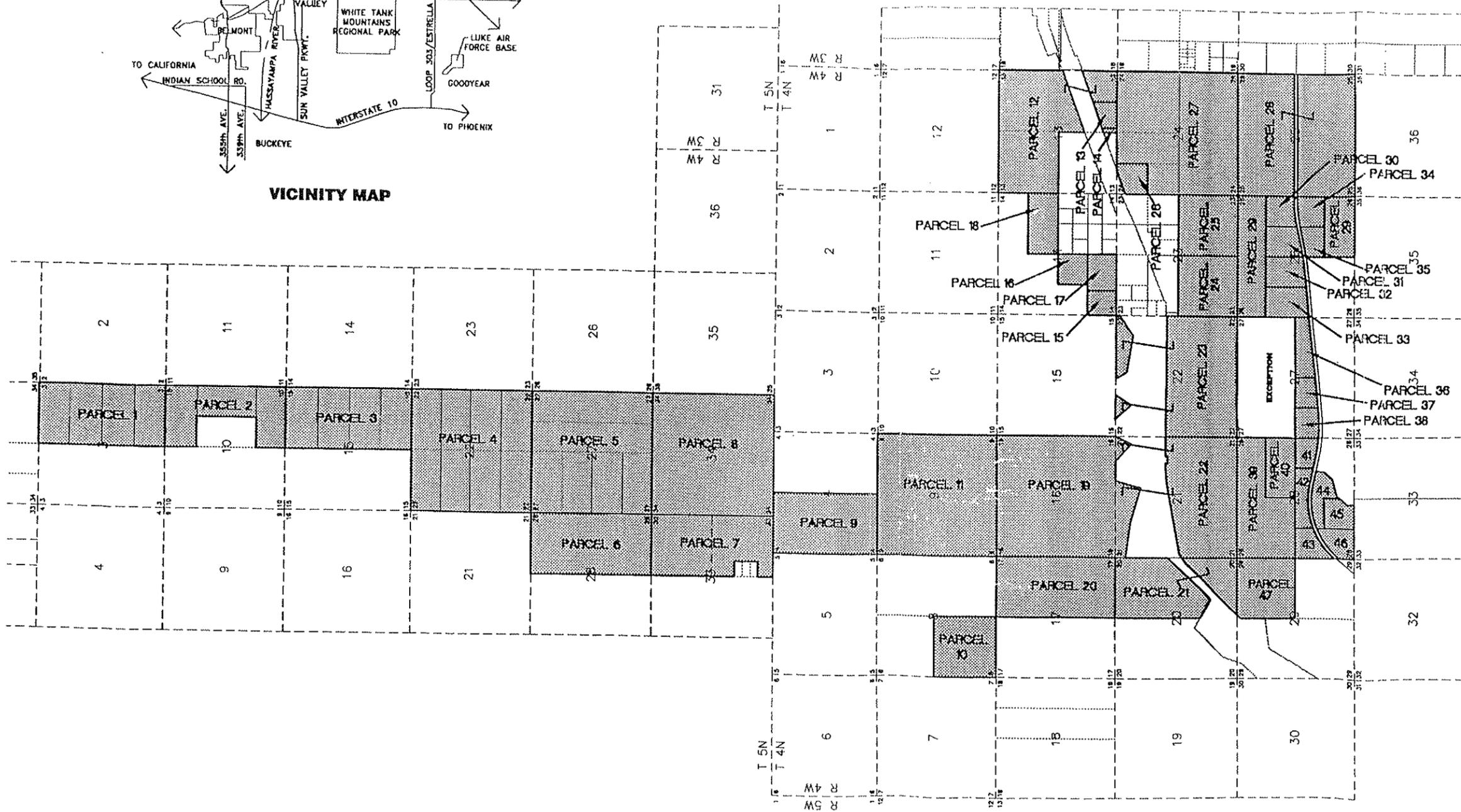
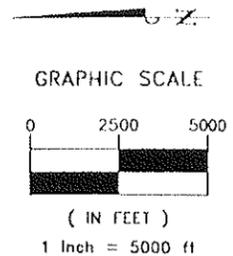
Enforceable architectural and landscape design standards shall be applicable to all development within the Property. Although intended to be created on a phased basis throughout the years of development of the Property, the general elements to be addressed in design review guidelines developed for Festival Ranch are set forth in **Exhibit M**.

#### **Common Area/Open Space Management**

Creation of a conceptual framework for ownership and management by various respective private governance entities of the broad matrix of location and character of common areas throughout the Property, including provisions for public access.



VICINITY MAP



LEGAL DESCRIPTION KEY MAP

FESTIVAL RANCH

Maricopa County,  
Arizona  
July, 2000

KIMLEY-HORN AND ASSOCIATES, INC.  
7600 North 15th Street, Suite 250  
Phoenix, Arizona 85020  
(602) 944-5500

**PARCEL NO. 1:**

Lots 1 and 2, the South half of the Northeast quarter and the Southeast quarter of Section 3, Township 5 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

**PARCEL NO. 2:**

The North half of the Northeast quarter, the Southeast quarter of the Northeast quarter, the Northeast quarter of the Southeast quarter and the South half of the Southeast quarter of Section 10, Township 5 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

**PARCEL NO. 3:**

The East half of Section 15, Township 5 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

**PARCEL NO. 4:**

All of Section 22, Township 5 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa, County, Arizona.

**PARCEL NO. 5:**

All of Section 27, Township 5 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

**PARCEL NO. 6:**

The East half of Section 28, Township 5 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

**PARCEL NO. 7:**

The Northeast quarter, the East half of the Southeast quarter, the East half of the West half of the Southeast quarter, the Northwest quarter of the Northwest quarter of the Southeast quarter, the North half of the Southwest quarter of the Northwest quarter of the Southeast quarter and the Southwest quarter of the Southwest quarter of the Southeast quarter of Section 33, Township 5 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

**PARCEL NO. 8:**

All of Section 34, Township 5 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

**PARCEL NO. 9:**

Lots 3 and 4, the South half of the Northwest quarter and the Southwest quarter of Section 4, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

**PARCEL NO. 10:**

The Southwest quarter of Section 8, township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

**PARCEL NO. 11:**

All of Section 9, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

**PARCEL NO. 12:**

Lots 1, 2 and 4 and the North half of Section 13, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona; and

**PARCEL NO. 13:**

That portion of Lot 3 of Section 13, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa county, Arizona, more particularly described as follows:

COMMENCING at the South quarter corner of said Section 13;

thence N89°38'47"E, 201.27 feet along the South line of said Section 13 to the POINT OF BEGINNING;

then N00°00'00"E, 699.89 feet to the Southerly right-of-way of the Granite Reef Aqueduct;

thence N68°40'56"E, 1194.17 feet along said aqueduct right-of-way to the NE corner of said Government Lot 3;

thence S00°21'30"E, 1127.13 feet along the East line of said Government Lot 3 to the South line of said Section 13;

thence S89°38'47"W, 1119.53 feet along said South line to the POINT OF BEGINNING.

**PARCEL NO. 14:**

That portion of Lot 3 of Section 13, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

BEGINNING at the South quarter corner of said Section 13;

thence N00°21'50"W, 621.06 feet along the North-South mid-section line of said Section 13 to the Southerly right-of-way of the Granite Reef Aqueduct;

thence N68°40'56"E, 220.28 feet along said aqueduct right-of-way;

thence S00°00'00"W, 699.89 feet to the South line of said Section 13;

thence S89°38'47"W, 201.27 feet along said South line to the POINT OF BEGINNING.

**PARCEL NO. 15:**

That portion of the Southwest quarter of the Southwest quarter of Section 14, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

BEGINNING at the Southwest corner of said Section 14;

thence N00°22'55"W, 1320.71 feet along the West line of said Section 14 to the Northwest corner of said Southwest quarter of the Southwest quarter;

thence N89°36' 8"E, 1093.31 feet along the North line of said Southwest quarter of the Southwest quarter;  
thence S00°00'00"W, 1321.07 feet to the South line of said Section 14;  
thence S89°37'10"W, 1084.51 feet along said South line to the POINT OF BEGINNING.

**PARCEL NO. 16:**

That portion of the Northeast quarter of the Southwest quarter of Section 14, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa county, Arizona, more particularly described as follows:

COMMENCING at the South quarter corner of said Section 14;

thence N00°25'51"W, 1321.51 feet along the North-South mid-section line of said Section 14 to the Southeast corner of said Northeast quarter of the Southwest quarter and the POINT OF BEGINNING;

thence S89°36'08"W, 1321.96 feet along the South line of said Northeast quarter of the Southwest quarter to the Southwest corner of said Northeast quarter of the Southwest quarter;

thence N00°24'23"W, 1321.11 feet along the West line of said Northeast quarter of the Southwest quarter to the East-West mid-section line of said Section 14;

thence N89°35'05"E, 1321.39 feet along said mid-section line to the center of said Section 14;

thence S00°25'51"E, 1321.51 feet along the North-South mid-section line of said Section 14 to the POINT OF BEGINNING.

**PARCEL NO. 17:**

That portion of the Southwest quarter of the southwest quarter and all of the Southeast quarter of the Southwest quarter of Section 14, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

BEGINNING at the South quarter corner of said Section 14;

thence S89°37'10"W, 1322.52 feet along the South line of said Section 14 to the Southeast corner of said Southwest quarter of the Southwest quarter;

thence continuing S89°37'10"W, 138.02 feet along said South line;

thence N00°00'00"E, 1321.07 feet to the North line of said Southwest quarter of the Southwest quarter;

thence N89°36'08"E, 228.64 feet along said North line of the Southwest quarter of the Southwest quarter to the Northwest corner of said Southeast quarter of the Southwest quarter;

thence N89°36'08"E, 1321.96 feet along the North line of said Southeast quarter of the Southwest quarter to the North-South mid-section line of said Section 14;

thence S00°25'51"E, 1321.51 feet along said mid-section line to the POINT OF BEGINNING.

**PARCEL NO. 18:**

The South half of the Northeast quarter of Section 14, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

**PARCEL NO. 19:**

All of Section 16, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

EXCEPT the mineral estate as reserved by the State of Arizona in Book 360 of Deeds, Page 6.

**PARCEL NO. 20:**

The East half of Section 17, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

**PARCEL NO. 21:**

Lots 1, 2, 3, 4, 8 and 9, the Northeast quarter of the Northeast quarter and the West half of the Northeast quarter of Section 20, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

**PARCEL NO. 22:**

Lots 1, 2, 3, 4, 5, 6 and 7; the Northeast quarter of the Southwest quarter, the South half of the Southwest quarter and the Southeast quarter of Section 21, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

**PARCEL NO. 23:**

Lots 1, 2, 3 and 4; and the south half of Section 22, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

**PARCEL NO. 24:**

The Southwest quarter of Section 23, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

**PARCEL NO. 25:**

The Southeast quarter of Section 23, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

EXCEPT all minerals, oil, gas and geothermal resources as reserved by the United States of America in the Patent to said land recorded in 85-411086, of Official Records and except coal and other minerals as reserved in 85-411087, of Official Records.

**PARCEL NO. 26:**

Lot 1 of Section 24, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

**PARCEL NO. 27:**

The Northeast quarter; the East half of the Northwest quarter; the Southwest quarter of the Northwest quarter and the south half of Section 24, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

EXCEPT all minerals, oil, gas and geothermal resources as reserved by the United States of America in the Patent to said land recorded in 85-411086, of Official Records and except coal and other minerals as reserved in 85-411087, of Official Records.

**PARCEL NO. 28:**

All of Section 25, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

EXCEPT all minerals, oil, gas and geothermal resources as reserved by the United States of America in the Patent to said land recorded in 85-411086, of Official Records and except coal and other minerals as reserved in 85-411087, of Official Records.

**PARCEL NO. 29:**

The North half of the North half and the South half of the Southeast quarter of Section 26, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

EXCEPT all minerals, oil, gas and geothermal resources as reserved by the United States of America in the Patent to said land recorded in 85-411086, of Official Records and except coal and other minerals as reserved in 85-411087, of Official Records.

**PARCEL NO. 30:**

That portion of the Northeast quarter of the Southeast quarter and all of the Southeast quarter of the Northeast quarter of Section 26, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

BEGINNING at the East quarter corner of said Section 26;

thence S89°37'49"W, 134.00 feet to a point marking the beginning of a tangent curve, having a radius of 5500.00 feet to the left;

thence along the arc of said curve, through a central angle of 12°25'44", having an arc distance of 1193.09 feet to the West line of said Northeast quarter of the Southeast quarter;

thence N00°23'23"W, 128.06 feet along said West line to the Southwest corner of said Southeast quarter of the Northeast quarter;

thence continuing N00°23'46"W, 1319.38 feet along the West line of said Southeast quarter of the Northeast quarter to the Northwest corner of said Southeast quarter of the Northeast quarter;

thence N89°33'40"E, 1318.95 feet along the North line of said Southeast quarter of the Northeast quarter to the East line of said Section 26;

thence S00°20'45"E, 1320.14 feet along said East line to the POINT OF BEGINNING;

EXCEPT all minerals, oil, gas and geothermal resources as reserved by the United States of America in the Patent to said land recorded in 85-411086, of Official Records and except coal and other minerals as reserved in 85-411087, of Official Records.

**PARCEL NO. 31:**

That portion of the Northwest quarter of the Southeast quarter and all of the Southwest quarter of the Northeast quarter of Section 26, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at the South quarter corner of said Section 26;

thence N00°26'46"W, 2201.21 feet along the North-South mid-section line of said Section 26 to the POINT OF BEGINNING;

thence continuing N00°26'46"W, 442.35 feet along said mid-section line to the center of said Section 26;

thence continuing N00°26'46"W, 1318.63 feet along said mid-section line to the Northwest corner of said Southwest quarter of the Northeast quarter;

thence N89°33'40"E, 1318.95 feet along the North line of said mid-section line to the Northwest corner of said Southwest quarter of the Northeast quarter;

thence N89°33'40"E, 1318.95 feet along the North line of said Southwest quarter of the Northeast quarter to the Northeast corner of said Northwest quarter of the Southeast quarter;

thence S00°23'23"E, 128.06 feet along the East line of said Northwest quarter of the Southeast quarter to a point on the arc of a curve, the central point of which bears S12°47'55"E, 5500.00 feet;

thence Westerly, along the arc of said curve, through a central angle of 01°20'27", having an arc distance of 128.71 feet;

thence S75°51'38"W, 969.76 feet to a point marking the beginning of a tangent curve, having a radius of 5500.00 feet to the right;

thence along the arc of said curve, through a central angle of 02°40'02", having an arc distance of 256.03 feet to the POINT OF BEGINNING;

EXCEPT all minerals, oil, gas and geothermal resources as reserved by the United States of America in the Patent to said land recorded in 85-411086, of Official Records and except coal and other minerals as reserved in 85-411087, of Official Records.

**PARCEL NO. 32:**

That portion of the Northeast quarter of the Southwest quarter and all of the Southeast quarter of the Northwest quarter of Section 26, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at the North quarter corner of said Section 26;

thence S00°26'46"E, 1318.63 feet along the North-South mid-section line of said Section 26 to the Northeast corner of said Southeast quarter of the Northwest quarter and the POINT OF BEGINNING;

thence continuing S00°26'46"E, 1318.63 feet along said mid-section line to the center of said Section 26;

thence continuing S00°26'46"E, 442.35 feet along said mid-section line to a point on the arc of a curve, the central point of which bears N11°28'20"W, 5500.00 feet;

thence Westerly, along the arc of said curve, through a central angle of 05°14'58", having an arc distance of 503.91 feet;

thence S83°46'38"W, 826.17 feet to the West line of said Northeast quarter of the Southwest quarter;

thence N00°24'04"W, 600.03 feet along said West line to the Southwest corner of said Southeast quarter of the Northwest quarter;

thence N00°25'54"W, 1319.09 feet along the West line of said Southeast quarter of the Northwest quarter to the Northwest corner of said Southeast quarter of the Northwest quarter;

thence N89°36'51"E, 1319.50 feet along the North line of said Southeast quarter of the Northwest Quarter to the POINT OF BEGINNING;

EXCEPT all minerals, oil, gas and geothermal resources as reserved by the United States of America in the Patent to said land recorded in 85-411086, of Official Records and except coal and other minerals as reserved in 85-411087, of Official Records.

**PARCEL NO. 33:**

That portion of the Northwest quarter of the Southwest quarter and all of the Southwest quarter of the Northwest quarter of Section 26, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

BEGINNING at the West quarter corner of said Section 26;

thence N00°25'01"W, 1319.56 feet along the West line of said Section 26 to the Northwest corner of said Southwest quarter of the Northwest quarter;

thence N89°36'51"E, 1319.50 feet along the North line of said Southwest quarter of the Northwest quarter to the Northeast corner of said Southwest quarter of the Northwest quarter;

thence S00°25'54"E, 1319.09 feet along the East line of said Southwest quarter of the Northwest quarter to the Northeast corner of said Northwest quarter of the Southwest quarter;

thence S00°24'04"E, 600.03 feet along the East line of said Northwest quarter of the Southwest quarter;

thence S83°46'38"W, 1327.26 feet to the West line of said Section 26;

thence N00°21'22"W, 734.54 feet along said West line to the POINT OF BEGINNING;

EXCEPT all minerals, oil, gas and geothermal resources as reserved by the United States of America in the Patent to said land recorded in 85-411086, of Official Records and except coal and other minerals as reserved in 85-411087, of Official Records.

**PARCEL NO. 34:**

That portion of the Northeast quarter of the Southeast quarter of Section 26, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

BEGINNING at the East quarter corner of said Section 26;

thence S00°20'01"E, 1320.07 feet along the East line of said Section 26 to the Southeast corner of said Southeast quarter of the Southeast quarter;

thence S89°33'24"W, 1316.49 feet along the South line of said Northeast quarter of the Southeast quarter to the Southwest corner of said Northeast quarter of the Southeast quarter,

thence N00°23'23"W, 1192.86 feet along the West line of said Northeast quarter of the Southeast quarter to a point on the arc of a curve, the central point of which bears S12°47'55"E, 5500.00 feet;

thence Easterly, along the arc of said curve, through a central angle of 12°25'44", having an arc distance of 1193.09 feet;

thence N89°37'49"E, 134.00 feet to the POINT OF BEGINNING;

EXCEPT all minerals, oil, gas and geothermal resources as reserved by the United States of America in the Patent to said land recorded in 85-411086, of Official Records and except coal and other minerals as reserved in 85-411087, of Official Records.

**PARCEL NO. 35:**

That portion of the Northwest quarter of the Southeast quarter of Section 26, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at the South quarter corner of said Section 26;

thence N00°26'46"W, 1321.78 feet along the North-South mid-section line of said Section 26 to the POINT OF BEGINNING;

thence continuing N00°26'46"W, 879.43 feet along said mid-section line to a point on the arc of a curve, the central point of which bears N11°28'20"W, 5500.00 feet;

thence Easterly, along the arc of said curve, through a central angle of 02°40'02", having an arc distance of 256.03 feet;

thence N75°51'38"E, 969.76 feet to a point marking the beginning of a tangent curve, having a radius of 5500.00 feet to the right;

thence along the arc of said curve, through a central angle of 01°20'27", having an arc distance of 128.71 feet to the East line of said Northwest quarter of the Southeast quarter,

thence S00°23'23"E, 1192.86 feet along said East line to the Southeast corner of said Northwest quarter of the Southeast quarter,

thence S89°33'24"W, 1316.49 feet along the South line of said Northwest quarter of the Southeast quarter to the POINT OF BEGINNING;

EXCEPT all minerals, oil, gas and geothermal resources as reserved by the United States of America in the Patent to said land recorded in 85-411086, of Official Records and except coal and other minerals as reserved in 85-411087, of Official Records.

**PARCEL NO. 36:**

That portion of the Northwest quarter of the Southeast quarter and a portion of the Northeast quarter of the Southeast quarter of Section 27, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

BEGINNING at the East quarter corner of said Section 27;

thence S00°21'22"E, 734.54 feet along the East line of said Section 27;  
thence S83°46'38"W, 1325.94 feet to the East line of said Northwest quarter of the Southeast quarter;  
thence continuing S83°46'38"W, 1326.02 feet to the North-South mid-section line of said Section 27;  
thence N00°19'15"W, 994.35 feet along said mid-section line to the center of said Section 27;  
thence N89°23'58"E, 1318.74 feet along the East-West mid-section line of said Section 27 to the Northwest corner of said Northeast quarter of the Southeast quarter;  
thence continuing N89°23'58"E, 1318.74 feet along said mid-section line to the POINT OF BEGINNING;  
EXCEPT all minerals, oil, gas and geothermal resources as reserved by the United States of America in the Patent to said land recorded in 85-411086, of Official Records and except coal and other minerals as reserved in 85-411087, of Official Records.

**PARCEL NO. 37:**

That portion of the Northeast quarter of the Southwest quarter of Section 27, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at the West quarter corner of said Section 27;  
thence N89°23'58"E, 1333.24 feet along the East-West mid-section line of said Section 27 to the Northwest corner of said Northeast quarter of the Southwest quarter and the POINT OF BEGINNING;  
thence continuing N89°23'58"E, 1333.24 feet along said mid-section line to the center of said Section 27;  
thence S00°19'15"E, 994.35 feet along the North-South mid-section line of said Section 27;  
thence S83°46'38"W, 1333.94 feet to the West line of said Northeast quarter of the Southwest quarter;  
thence N00°38'40"W, 1125.02 feet along said West line to the POINT OF BEGINNING;

EXCEPT all minerals, oil, gas and geothermal resources as reserved by the United States of America in the Patent to said land recorded in 85-411086, of Official Records and except coal and other minerals as reserved in 85-411087, of Official Records.

**PARCEL NO. 38:**

That portion of the Northwest quarter of the Southwest quarter of Section 27, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

BEGINNING at the West quarter corner of said Section 27;  
thence N89°23'58"E, 1333.24 feet along the East-West mid-section line of said Section 27 to the Northeast corner of said Northwest quarter of the Southwest quarter;  
thence S00°38'40"E, 1125.02 feet along the East line of said Northwest quarter of the Southwest quarter;  
thence S83°46'38"W, 243.78 feet to a point marking the beginning of a tangent curve, having a radius of 5500.00 feet to the right;

thence along the arc of said curve, through a central angle of  $11^{\circ}18'43''$ , having an arc distance of 1085.86 feet to the West line of said Section 27;

thence  $N00^{\circ}58'10''W$ , 1148.29 feet along said West line to the POINT OF BEGINNING;

EXCEPT all minerals, oil, gas and geothermal resources as reserved by the United States of America in the Patent to said land recorded in 85-411086, of Official Records and except coal and other minerals as reserved in 85-411087, of Official Records.

**PARCEL NO. 39:**

The North half of the Northeast quarter and the Northwest quarter of Section 28, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

**PARCEL NO. 40:**

The South half of the Northeast quarter of Section 28, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

**PARCEL NO. 41:**

That portion of the Northeast quarter of the Southeast quarter of Section 28, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

BEGINNING at the East quarter corner of said Section 28;

thence  $S00^{\circ}58'10''E$ , 1148.29 feet along the East line of said Section 28 to a point on the arc of a curve, the central point of which bears  $N05^{\circ}05'21''E$ , 5500.00 feet;

thence Westerly, along the arc of said curve, through a central angle of  $06^{\circ}51'17''$ , having an arc distance of 658.02 feet;

thence  $N78^{\circ}03'22''W$ , 679.22 feet to the West line of said Northeast quarter of the Southeast quarter;

thence  $N00^{\circ}38'10''W$ , 906.79 feet along said West line to the East-West mid-section line of said Section 28;

thence  $N89^{\circ}50'58''E$ , 1305.53 feet along said mid-section line to the POINT OF BEGINNING;

EXCEPT all minerals, oil, gas and geothermal resources as reserved by the United States of America in the Patent to said land recorded in 85-411086, of Official Records and except coal and other minerals as reserved in 85-411087, of Official Records.

**PARCEL NO. 42:**

That portion of the Northeast quarter of the Southwest quarter and that portion of the Northwest quarter of the Southeast quarter of Section 28, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at the West quarter corner of said Section 28;

thence  $N89^{\circ}50'58''E$ , 1319.02 feet along the East-west mid-section line of said Section 28 to the Northwest corner of said Northeast quarter of the Southwest quarter and the POINT OF BEGINNING;

thence continuing  $N89^{\circ}50'58''E$ , 1319.02 feet along said mid-section line to the center of said Section 28;

thence continuing N89°50'58"E, 1305.53 feet along said mid-section line to the Northeast corner of said Northwest quarter of the Southeast quarter;

thence S00°38'10"E, 906.79 feet along the East line of said Northwest quarter of the Southeast quarter;

thence N78°03'22"W, 733.05 feet to a point marking the beginning of a tangent curve, having a radius of 3300.00 feet to the left;

thence along the arc of said curve, through a central angle of 10°24'47", having an arc distance of 599.75 feet to a point on the North-south mid-section line of said Section 28 and a point on the arc of a curve, the central point of which bears S01°31'51"W, 3300.00 feet;

thence Westerly, along the arc of said curve, through a central angle of 23°24'32", having an arc distance of 1348.25 feet to the West line of said Northeast quarter of the Southwest quarter;

thence N00°18'02"W, 914.36 feet along said West line to the POINT OF BEGINNING;

EXCEPT all minerals, oil, gas and geothermal resources as reserved by the United States of America in the Patent to said land recorded in 85-411086, of Official Records and except coal and other minerals as reserved in 85-411087, of Official Records.

**PARCEL NO. 43:**

That portion of the Northwest quarter of the Southwest quarter and that portion of the southwest quarter of the Southwest quarter of Section 28, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

BEGINNING at the West quarter corner of said Section 28;

thence N89°50'58"E, 1319.02 feet along the East-West mid-section line of said Section 28 to the Northeast corner of said Northwest quarter of the Southwest quarter;

thence S00°18'02"E, 914.36 feet along the East line of said Northwest quarter of the Southwest quarter to a point on the arc of a curve, the central point of which bears S21°52'42"E, 3300.00 feet;

thence Southwesterly, along the arc distance of 838.94 feet to a point on the North line of said southwest quarter of the Southwest quarter and a point on the arc of a curve, the central point of which bears S36°26'39"E, 3300.00 feet;

thence Southwesterly, along the arc of said curve, through a central angle of 14° 33'58", having an arc distance of 838.94 feet to a point on the North line of said Southwest quarter of the Southwest quarter and a point on the arc of a curve, the central point of which bears S36° 26'39"E, 3300.00 feet;

thence Southwesterly, along the arc of said curve, through a central angle of 13° 59'11", having an arc distance of 805.56 feet to the West line of said Section 28;

thence N00°17'48"W, 550.26 feet along said West line to the Southwest corner of said Northwest quarter of the Southwest quarter;

thence continuing N00° 17'48"W, 1320.83 feet along said West line to the POINT OF BEGINNING.

EXCEPT all minerals, oil, gas and geothermal resources as reserved by the United States of America in the Patent to said land recorded in 85-411086, of Official Records and except coal and other minerals as reserved in 85-411087, of Official Records.

**PARCEL NO. 44:**

That portion of the Northeast quarter of the Southwest quarter and that portion of the Northwest quarter of the Southeast quarter and a portion of the Southwest quarter of the southeast quarter of Section 28, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at the South quarter corner of said Section 28;

thence N00°18'15"W, 636.58 feet along the North-South mid-section line of said Section 28 to the POINT OF BEGINNING;

thence continuing N00°18'15"W, 681.11 feet along said mid-section line to the Southeast corner of said Northeast quarter of the Southwest quarter;

thence S89°46'53"W, 1319.11 feet along the South line of said Northeast quarter of the Southwest quarter to the Southwest corner of said Northeast quarter of the Southwest quarter;

thence N00°18'02"W, 404.90 feet along the West line of said Northeast quarter of the Southwest quarter to a point on the arc of a curve, the central point of which bears S21°52'41"E, 3300.00 feet;

thence Easterly, along the arc of said curve, through a central angle of 23°24'32", having an arc distance of 1348.25 feet to the North-South mid-section line of said Section 28 and a point on the arc of a curve, the central point of which bears S01°31'51"W, 3300.00 feet;

thence Easterly, along the arc of said curve, through a central angle of 10°24'47", having an arc distance of 599.75 feet;

thence S78°03'22"E, 685.00 feet;

thence S17°29'18"W, 448.39 feet;

thence S40°12'01"W, 464.78 feet;

thence S73°35'21"W, 761.00 feet;

thence S40°51'55"W, 142.48 feet to the POINT OF BEGINNING;

EXCEPT all minerals, oil, gas and geothermal resources as reserved by the United States of America in the Patent to said land recorded in 85-411086, of Official Records and except coal and other minerals as reserved in 85-411087, of Official Records.

**PARCEL NO. 45:**

That portion of the Southeast quarter of the Southwest quarter of Section 28, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at the South quarter corner of said Section 28;

thence S89°42'47"W, 273.42 feet along the south line of said Section 28 to the POINT OF BEGINNING;

thence continuing S89°42'47"W, 1045.77 feet along said South line to the Southwest corner of said Southeast quarter of the Southwest quarter;

thence N00°18'02"W, 1319.26 feet along the West line of said Southeast quarter of the Southwest quarter to the Northwest corner of said Southeast quarter of the Southwest quarter;

thence N89°46'53"E, 1319.11 feet along the North line of said Southeast quarter of the Southwest quarter to the North-South mid-section line of said Section 28;

thence S00°18'15"E, 671.11 feet along said mid-section line;

thence S40°51'55"W, 445.95 feet;

thence S04°08'05"E, 301.48 feet to the POINT OF BEGINNING;

EXCEPT all minerals, oil, gas and geothermal resources as reserved by the United States of America in the Patent to said land recorded in 85-411086, of Official Records and except coal and other minerals as reserved in 85-411087, of Official Records.

**PARCEL NO. 46:**

That portion of the Southwest quarter of the Southwest quarter and that portion of the Northwest quarter of the Southwest quarter of Section 28, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

BEGINNING at the section corner common to Sections 28, 29, 32 and 33;

thence S89°33'13"W, 572.64 feet along the line common to Sections 29 and 32;

thence N50°42'22"W, 50.78 feet;

thence N39°17'38"E, 944.03 feet to a point marking the beginning of a tangent curve, having a radius of 3300.00 feet to the right;

thence along the arc of said curve through a central angle of 00°16'32", having an arc distance of 15.88 feet to the line common to Sections 28 and 29 and a point on the arc of a curve, the central point of which bears S50°25'49"E, 3300.00 feet;

thence Northeasterly along the arc of said curve through a central angle of 13°59'11", having an arc distance of 805.56 feet to the South line of said Northwest quarter of the Southwest quarter of Section 28, and a point on the arc of a curve, the central point of which bears S36°26'39"E, 3300.00 feet;

thence Northeasterly along the arc of said curve through a central angle of 14°33'58", having an arc distance of 838.94 feet to the East line of said Northwest quarter of the Southwest quarter of Section 28;

thence S00°18'02"E, 404.90 feet along the East line of said Northwest quarter of the Southwest quarter to the Northeast corner of said Southwest quarter of the Southwest quarter;

thence S00°18'02"E, 1319.26 feet along the East line of said Southwest quarter of the Southwest quarter to the line common to Sections 28 and 33;

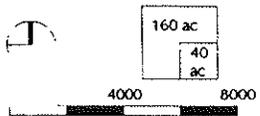
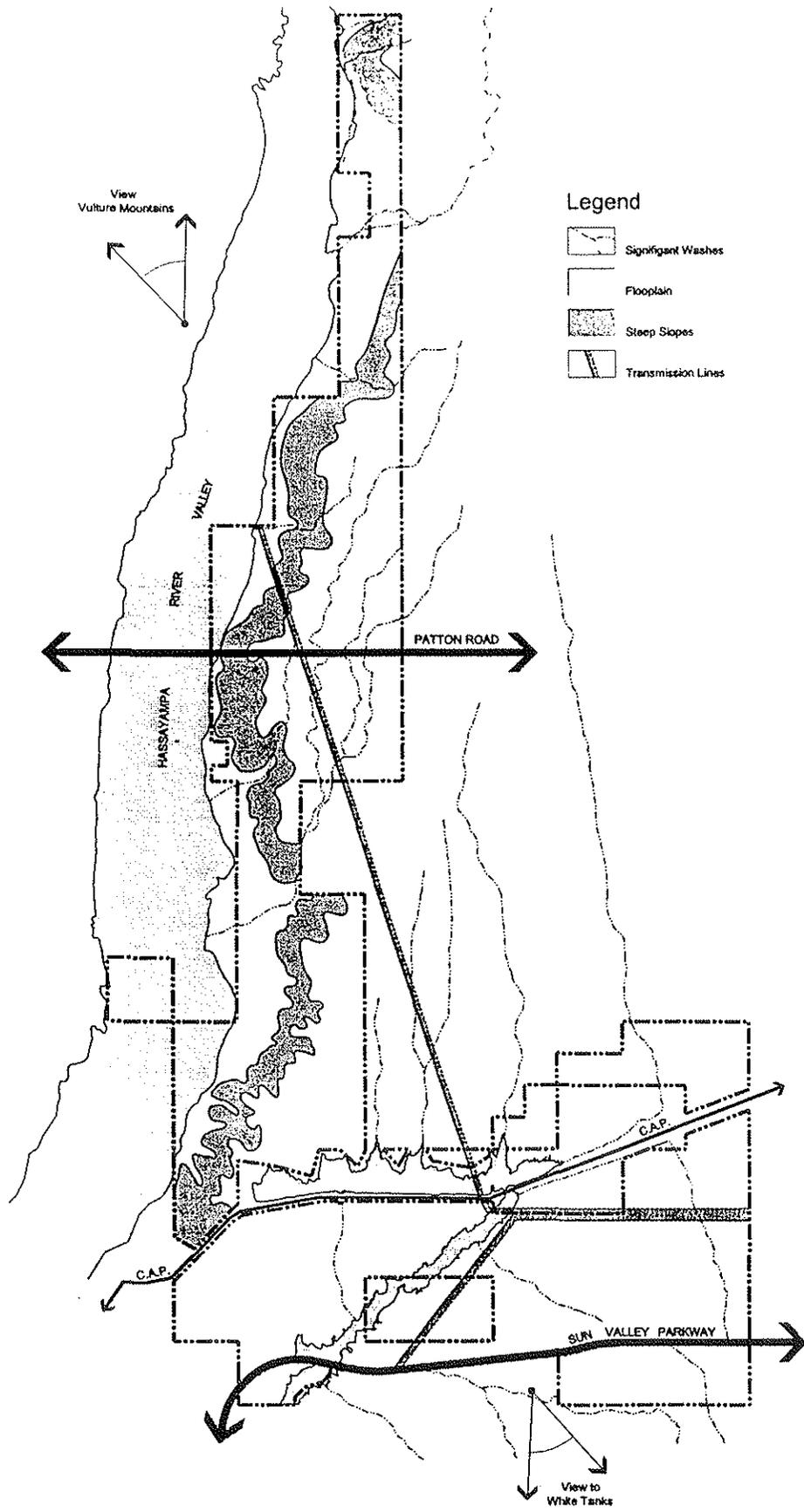
thence S89°42'47"W, 1319.19 feet along said line to the POINT OF BEGINNING;

EXCEPT all minerals, oil, gas and geothermal resources as reserved by the United States of America in the Patent to said land recorded in 85-411086, of Official Records and except coal and other minerals as reserved in 85-411087, of Official Records;

EXCEPT any portion lying within Section 29, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

**PARCEL NO. 47:**

Lot 1; the East half of the Northeast quarter and the Southwest quarter of the Northeast quarter of Section 29, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.



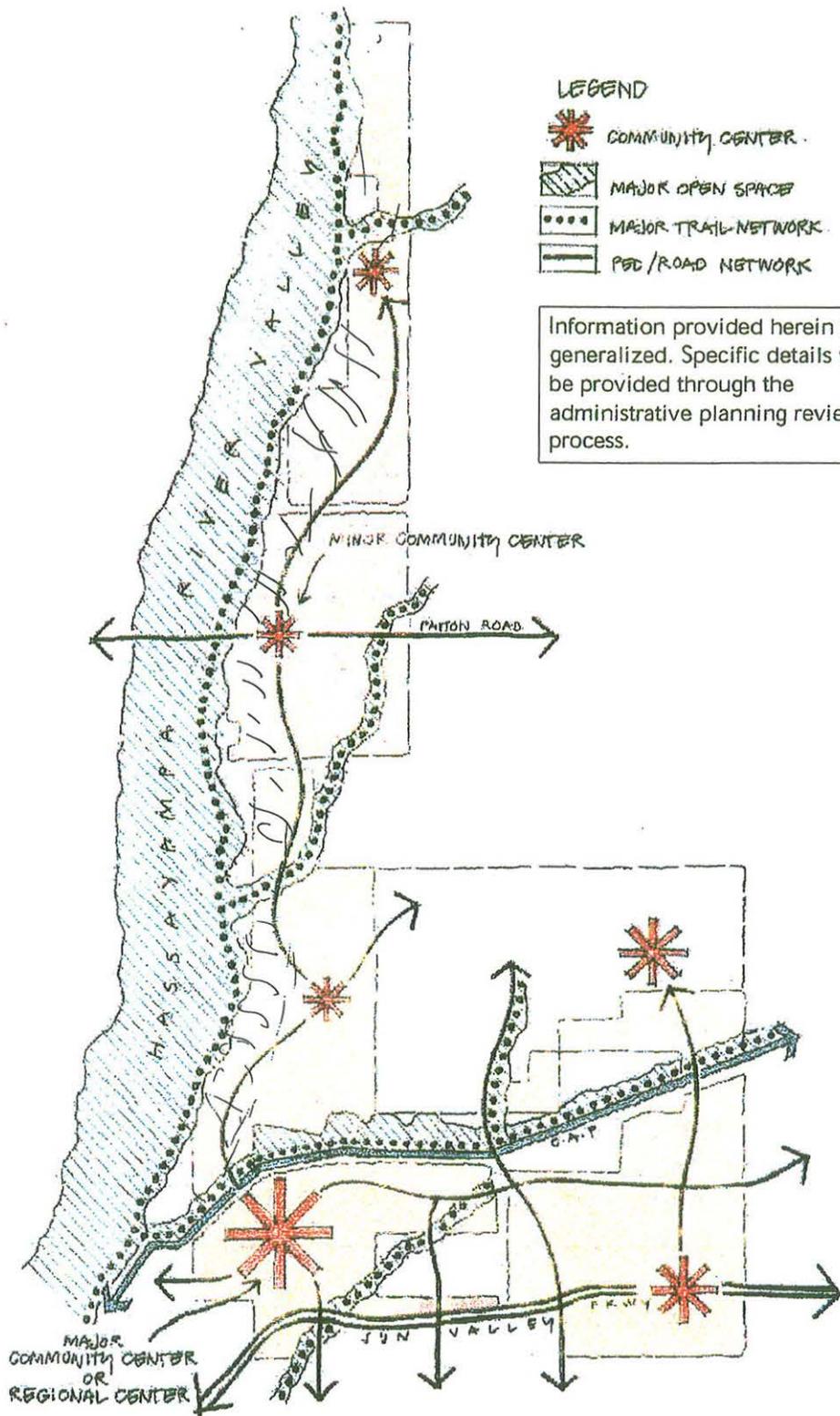
# Opportunities & Constraints Plan

Festival Ranch  
 Maricopa County, Arizona  
 July 2000

**EDAW**  
 LANDSCAPE ARCHITECTURE  
 PLANNING  
 URBAN DESIGN

753 Davis Street  
 San Francisco, CA 94111  
 TEL 415 433 1464  
 FAX 415 768 4875

EXHIBIT B



## Community Framework Plan

Festival Ranch  
 Maricopa County, Arizona  
 July 2000

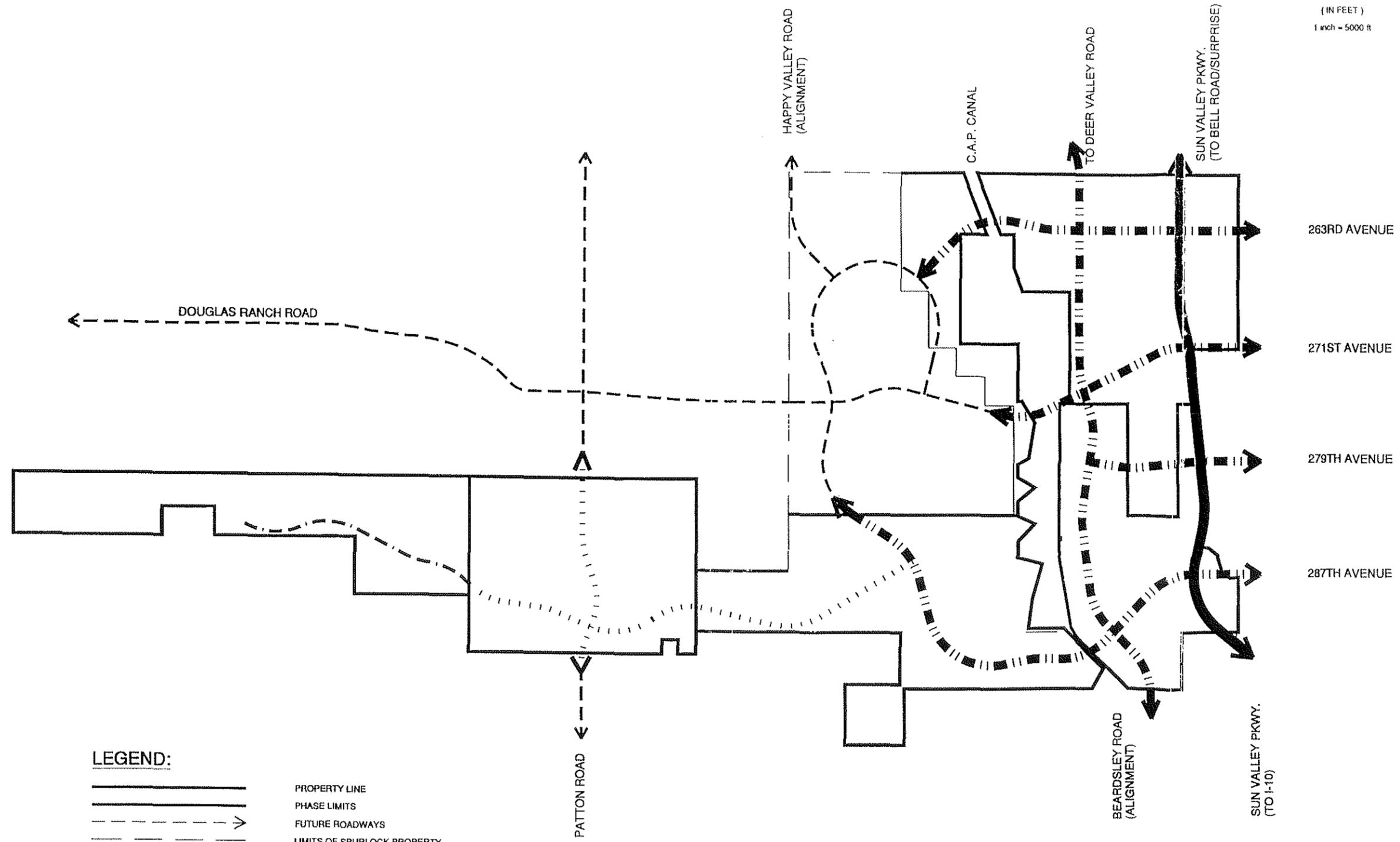
**EDAW**

LANDSCAPE ARCHITECTURE  
 PLANNING  
 URBAN DESIGN

753 Davis Street  
 San Francisco, CA 94111

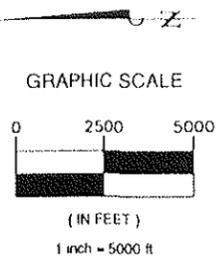
TEL 415 433 1484  
 FAX 415 788 4875

EXHIBIT C



**LEGEND:**

- PROPERTY LINE
- PHASE LIMITS
- FUTURE ROADWAYS
- LIMITS OF SPURLOCK PROPERTY
- PARKWAY
- MAJOR ARTERIAL
- MINOR ARTERIAL
- MAJOR COLLECTOR



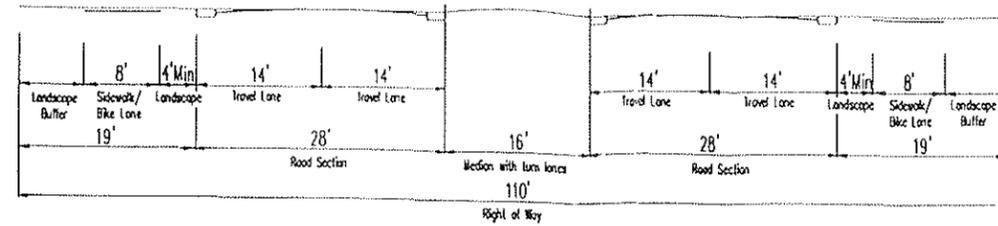
**MASTER STREET AND CIRCULATION PLAN**

**FESTIVAL RANCH**

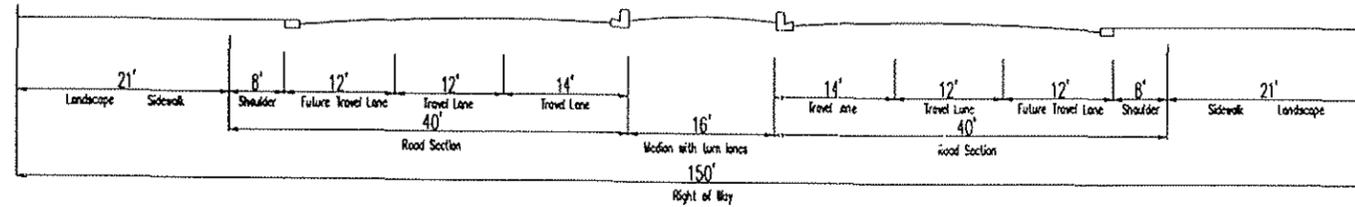
Maricopa County,  
Arizona  
July 2000

KIMLEY-HORN AND ASSOCIATES, INC.  
7600 North 15th Street, Suite 250  
Phoenix, Arizona 85020  
(602) 944-5500

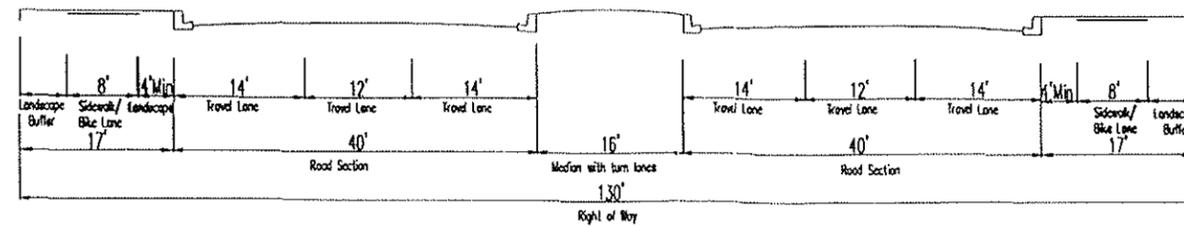
A-110  
Minor Arterial (Bike off Road)



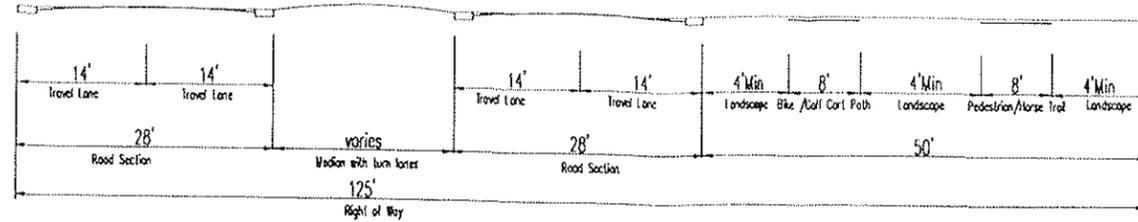
A-150  
Sun Valley Parkway Arterial



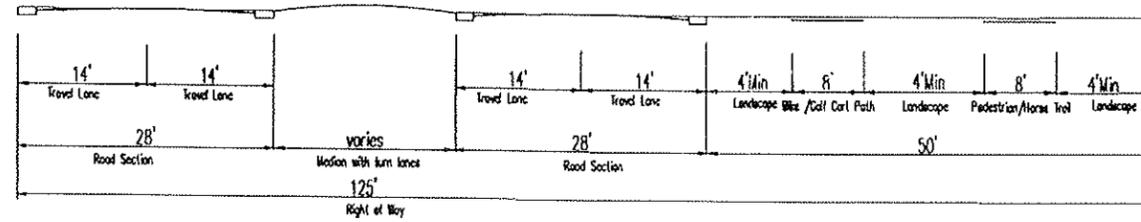
A-130  
Major Arterial (Bike Off Road)



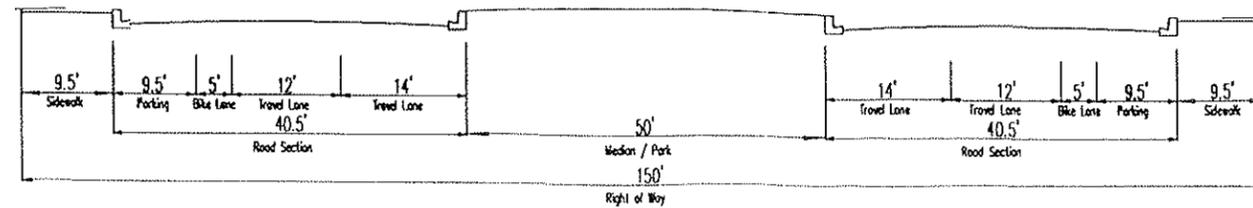
A -125  
Minor Arterial - Assymetric



C -125  
Parkway Collector - Assymetric



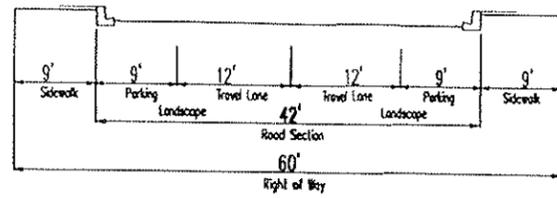
C -150  
Village Centre Shopping Street



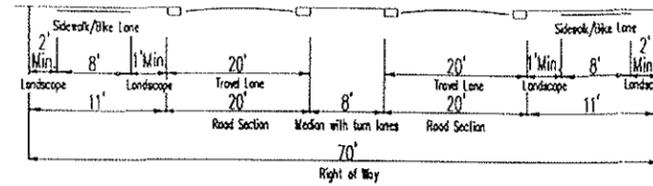
KIMLEY-HORN AND ASSOCIATES, INC.  
7600 North 15th Street, Suite 250  
Phoenix, Arizona 85020  
(602) 944-5500

STREET CROSS-SECTIONS  
FESTIVAL RANCH  
Maricopa County,  
Arizona  
July 2000

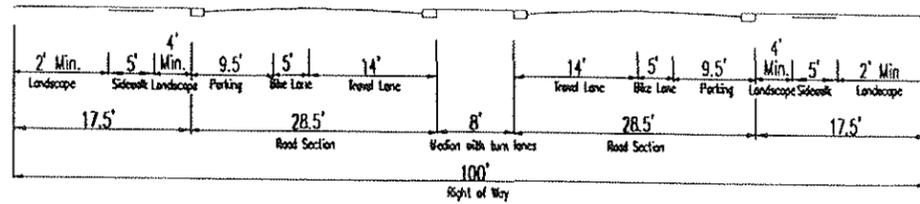
C-60  
Local Commercial (Parking Both Sides)



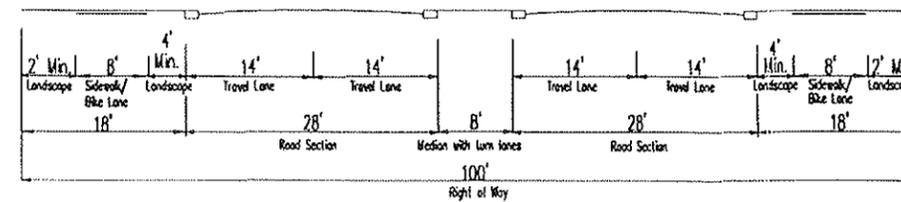
C-70  
Minor Collector (Bike off Road)



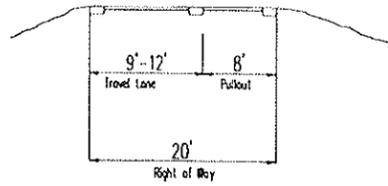
C-100  
Minor Collector (Street Parking)



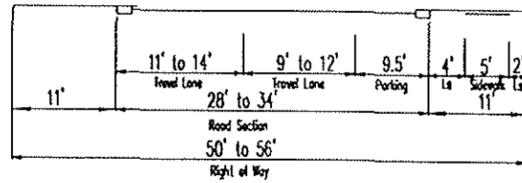
C-100  
Major Collector (Bike off Road)



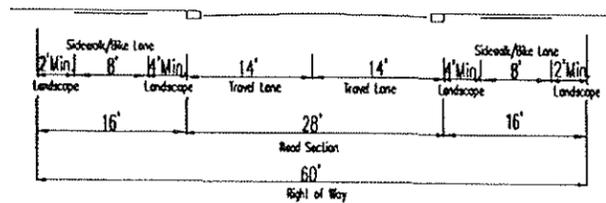
R-20  
Local Residential Ridgeline w/Pullout



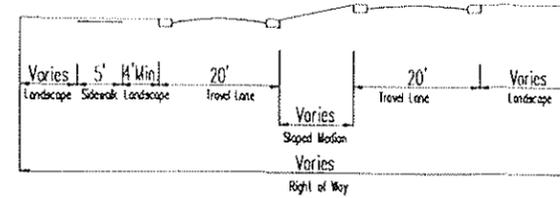
R-50  
Local Residential (Parking One Side)



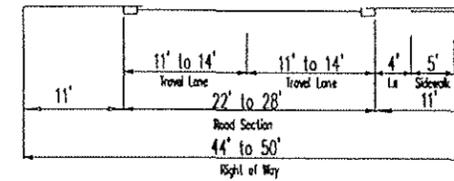
R-60  
Local Collector (Bike off Road)



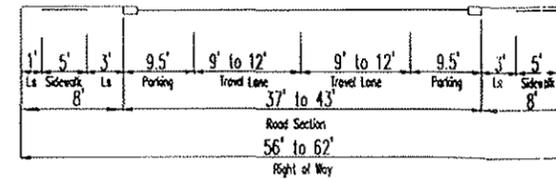
R-Varies  
Local Residential w/Split Median

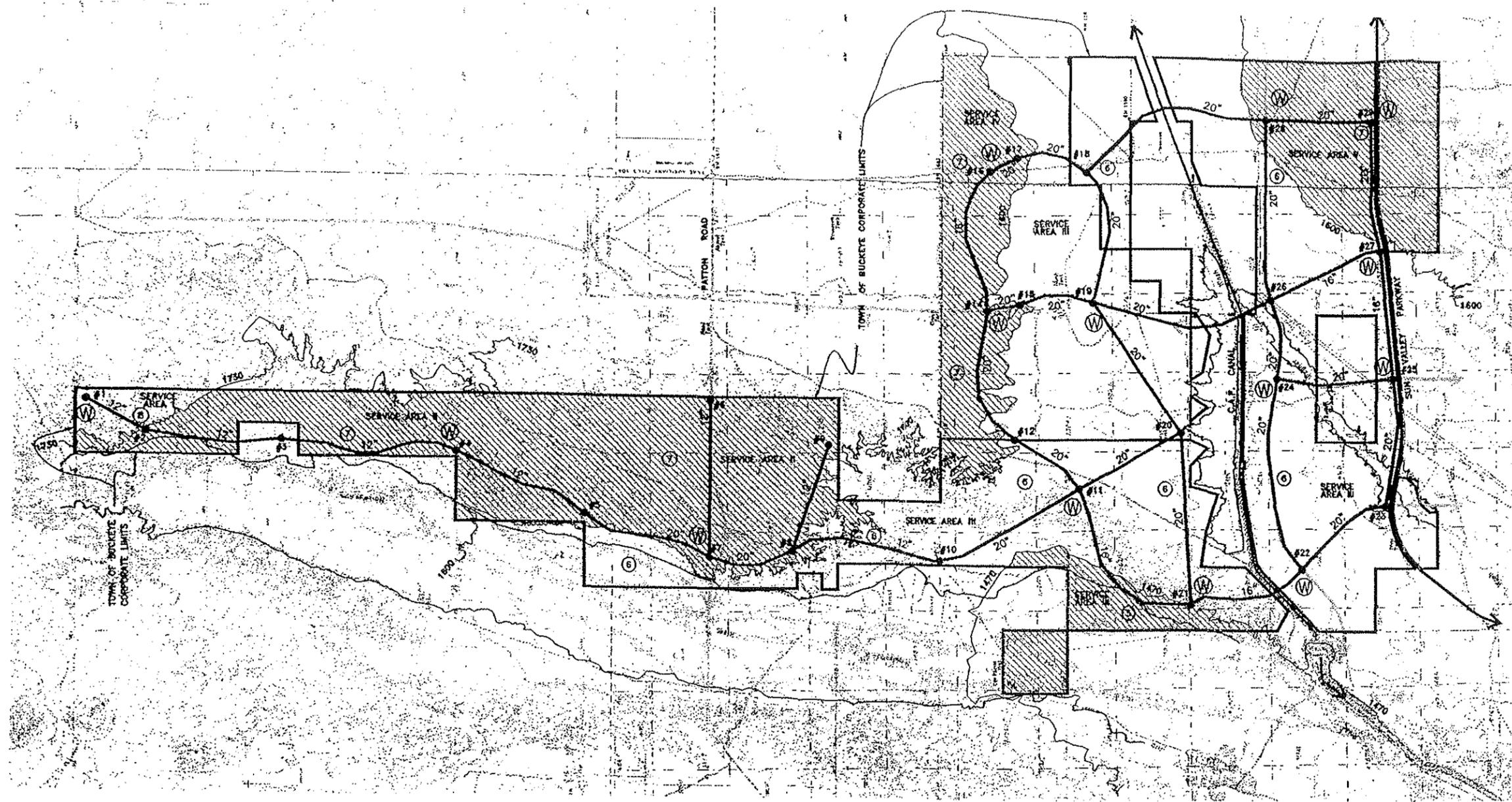
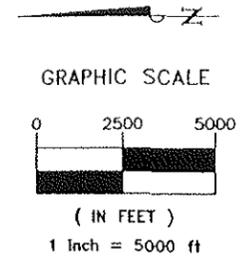


R-50  
Local Residential

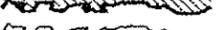


R-60  
Local Residential (Parking Both Sides)





**LEGEND**

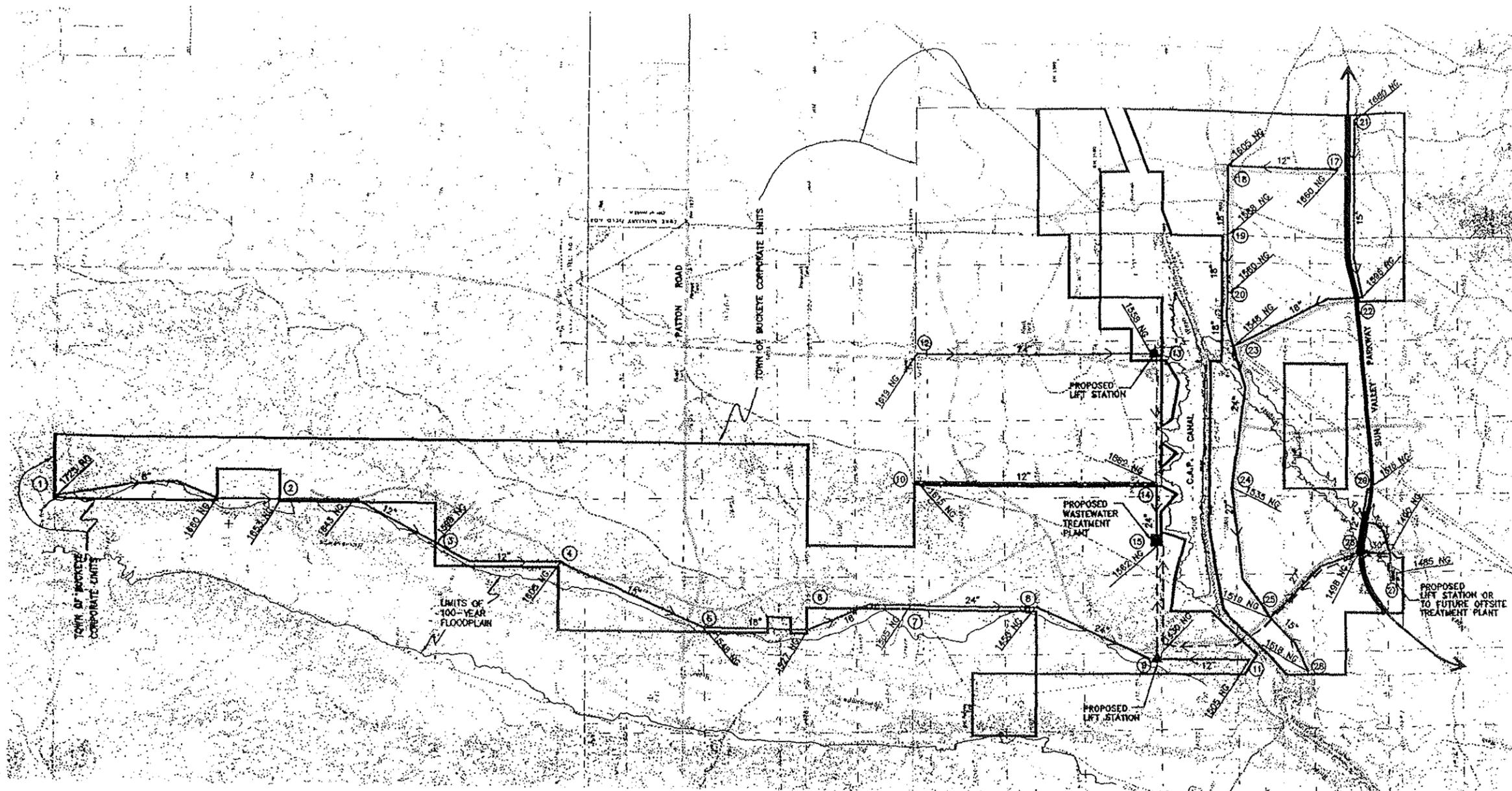
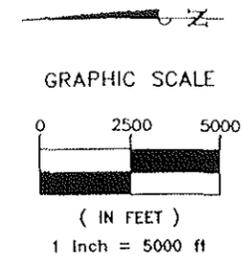
-  FESTIVAL RANCH PROPERTY
-  SPURLOCK PROPERTY BOUNDARY
-  PROPOSED ROADWAY ALIGNMENT
-  FUTURE ROADWAY ALIGNMENT
-  PROPOSED WATER DISTRIBUTION LINE
-  PROPOSED PRESSURE PLANE
-  100-YEAR FLOODPLAIN
-  PROPOSED WELL AND GROUND STORAGE TANK LOCATION
-  TOWN OF BUCKEYE PRESSURE ZONES
-  PROPOSED PRESSURE ZONE ELEVATION
-  WATER LINE NODE

**MASTER DOMESTIC WATER EXHIBIT**

**FESTIVAL RANCH**

Maricopa County,  
Arizona  
July, 2000

KIMLEY-HORN AND ASSOCIATES, INC.  
7600 North 15th Street, Suite 250  
Phoenix, Arizona 85020  
(602) 944-5500

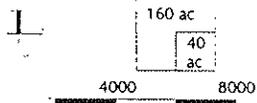
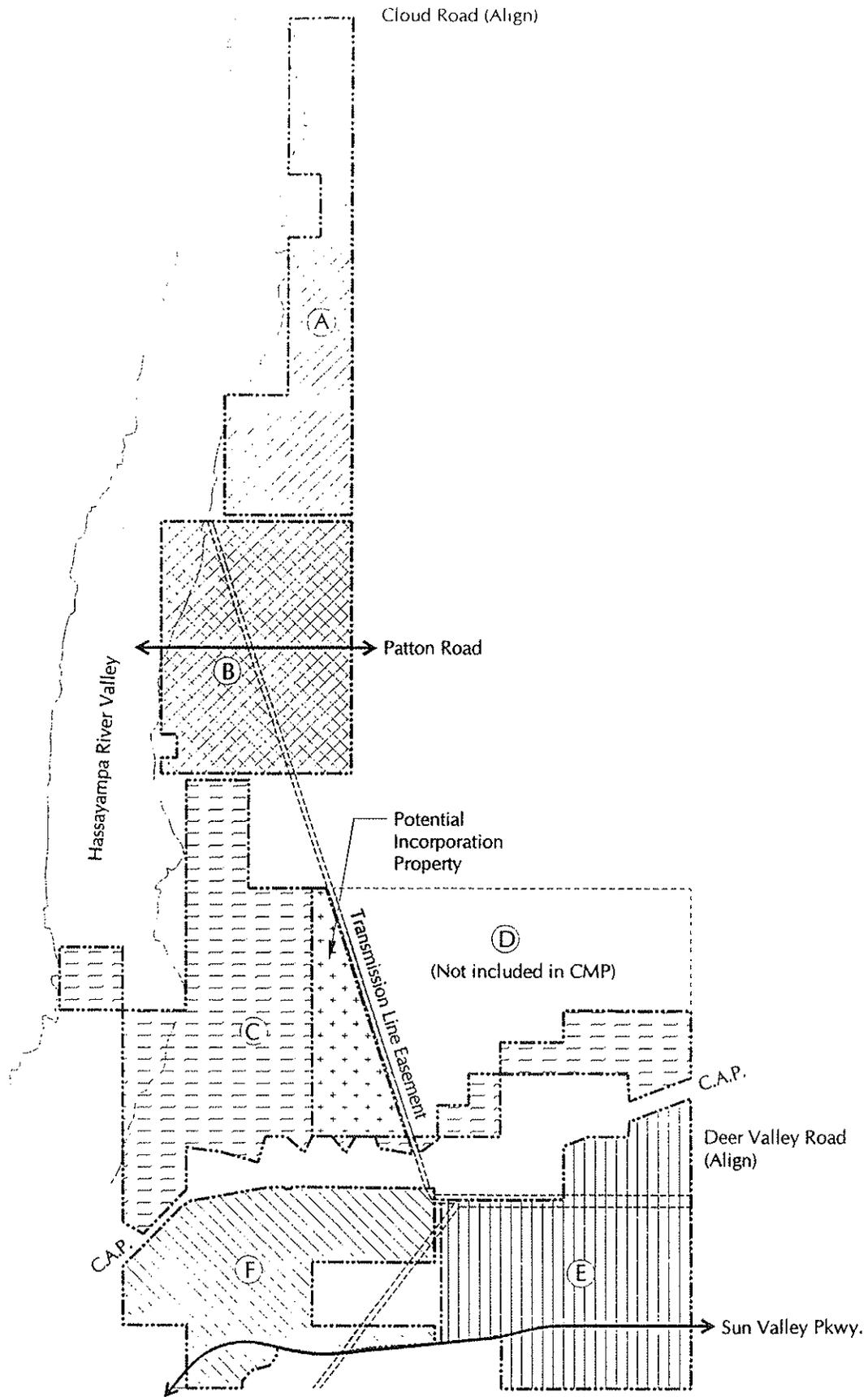


**LEGEND:**

- FESTIVAL RANCH BOUNDARY
- SPURLOCK PROPERTY BOUNDARY
- PROPOSED ROADWAY ALIGNMENT
- FUTURE ROADWAY ALIGNMENT
- PROPOSED WASTEWATER COLLECTION SYSTEM
- LIMITS OF 100-YEAR FLOODPLAIN
- FORCE MAIN
- PROPOSED WASTEWATER TREATMENT PLANT
- PROPOSED LIFT STATION
- SEWER NODES
- 
- APPROXIMATE EXISTING GROUND ELEVATION

**MASTER WASTEWATER EXHIBIT**  
**FESTIVAL RANCH**  
Maricopa County,  
Arizona  
July, 2000

KIMLEY-HORN AND ASSOCIATES, INC.  
7600 North 15th Street, Suite 250  
Phoenix, Arizona 85020  
(602) 944-5500



# Planning Unit Plan

Festival Ranch  
 Maricopa County, Arizona  
 July 2000

**EDAW**  
 LANDSCAPE ARCHITECTURE  
 PLANNING  
 URBAN DESIGN  
 753 Davis Street  
 San Francisco, CA 94111  
 TEL 415 433 1484  
 FAX 415 786 4875

**EXHIBIT "I"**

<b>Land Use Budget</b>							
Planning Unit	Total Project Acres	Commercial/Mixed Use Square Feet		Residential (1,2) Proposed Units		Resort (3) Rooms	Golf (6)
		SF	Transfer (4)	Units	Transfer (4)		
A	1,522	50,000	20%	1,500	20%		2
B	1,908	350,000	20%	3,000	20%		3
C	2,909	200,000	40%	6,000	20%		4
D (5)	<i>Not Included in the Festival Ranch CMP</i>						
E	2,147	3,697,680	50%	5,905	50%		2
F	1,619	2,889,730	50%	7,771	50%		3
<b>Total</b>	<b>10,105</b>	<b>7,187,410</b>		<b>24,176</b>		<b>1,000</b>	<b>14</b>

Source: EDAW (7.17.00; 9.28.00)

Notes:

1. Residential land uses may include such uses as parks, libraries, and schools. Fire stations, police stations, and religious facilities will be considered conditional uses.
2. Overall maximum residential density calculated at 2.4 du/gross ac. with a range of densities of 0 du/ac to 50 du/ac.
3. The resort overlay allows for up to 1000 rooms to be located in any of the planning areas. Additional resort rooms are possible at a reduction of overall residential units of .5 residential units for each additional resort unit. Resort uses may be allowed within residential zones.
4. Maximum allowable transfer of SF or units from within designated planning unit. Allowable units within planning units may not increase or decrease more than the indicated rate.
5. Planning Unit 'D' (Approx. 2,842 ac., 1,611,720 SF & 7,329 units) is excluded from this CMP submittal. However, parts or all of Planning Unit 'D' may be incorporated into the Festival Ranch Plan in the future.
6. Up to one (1) golf course may be transferred from one planning unit to another. Allowable golf courses within each planning unit may not increase or decrease my more than one (1) course.



## APPROVED LANDSCAPE PALETTE

### DESERT LANDSCAPE PALETTE

#### **Botanical Name**

#### **Common Name**

#### **Trees**

<i>Acacia abyssinica</i>	Abyssinian Acacia
<i>Acacia aneura</i>	Mulga
<i>Acacia berlandieri</i>	Berlandier Acacia
<i>Acacia coriacea</i>	
<i>Acacia erioloba</i>	Camel Thorn
<i>Acacia greggii</i>	Catclaw Acacia
<i>Acacia pendula</i>	Pendulous Acacia
<i>Acacia rigidula</i>	Black Brush Acacia
<i>Acacia schaffneri</i>	Twisted Acacia
<i>Acacia stenophylla</i>	Shoestring Acacia
<i>Acacia willardiana</i>	Palo Blanco
<i>Brachychiton popuneus</i>	Bottle Tree
<i>Bauhinia congesta</i>	Anacacho Orchid Tree
<i>Brahea armata</i>	Mexican Blue Palm
<i>Brahea edulis</i>	Guadalupe Palm
<i>Bursea hindsiana</i>	Copal
<i>Bursea microphylla</i>	Elephant Tree
<i>Butia capitata</i>	Jelly Palm
<i>Caesalpinia spp.</i>	Bird of Paradise
<i>Caesalpinia cacalaco</i>	Cascalote
<i>Callistemon viminalis</i>	Weeping Bottlebrush
<i>Canotia holacantha</i>	Crucifixion Thorn
<i>Casuarina cunninghamiana</i>	River She Oak
<i>Casuarina equisetifolia</i>	Horsetail Tree
<i>Casuarina stricta</i>	Coast Beefwood
<i>Catalpax tashkentensis</i>	Chilitapa
<i>Celtis reticulata</i>	Hackberry
<i>Cercidium spp.</i>	Palo Verde
<i>Cercidium 'Desert Museum'</i>	Hybrid Palo Verde
<i>Cercidium floridum</i>	Blue Palo Verde
<i>Cercidium microphyllum</i>	Foothills Palo Verde
<i>Cercocarpus betuloides</i>	Mountain Mahogany
<i>Cercidium praecox</i>	Palo Brea
<i>Cercis canadensis v. 'Texensis'</i>	Texas Redbud
<i>Cercis canadensis v. 'Mexicana'</i>	Mexican Redbud
<i>Cupressus arizonica</i>	Arizona Cypress
<i>Forestiera neomexicana</i>	Desert Olive
<i>Geijera parvifolia</i>	Australian Willow
<i>Holacantha Emoryi</i>	Crucifixion Thorn
<i>Leucaena retusa</i>	Golden Ball Lead Tree
<i>Nicotiana glauca</i>	Tree Tobacco
<i>Olneya tesota</i>	Ironwood

*Parkinsonia aculeata*  
*Pithecellobium flexibaule*  
*Pithecellobium mexicanum*  
*Pithecellobium pallens*  
*Populus fremontii*  
*Platanus wrightii*  
*Prosopis alba*  
*Prosopis chilensis*  
*Prosopis emoryi*  
*Prosopis glandulosa*  
*Prosopis pubescens*  
*Prosopis velutina (juliflora)*  
*Rhus ovata*  
*Rhus lanceolata*  
*Robinia pseudoacacia*  
*Sapindus saponaria*  
*Salix gooddingii*  
*Sambucus mexicana*  
*Sophora secundiflora*  
*Quercus buckleyi*  
*Quercus buckley 'Red Rock'*  
*Quercus emoryi*  
*Quercus suber*  
*Quercus turbinella*  
*Quercus spp.*

Mexican Palo Verde  
Texas Ebony  
Mexican Ebony  
Apes-earring  
Fremont Cottonwood  
Arizona Sycamore  
Argentine Mesquite  
Mesquite  
Emory Oak  
Texas Honey Mesquite  
Screwbean Mesquite  
Velvet Mesquite  
Sugar Sumac  
Prairie Flameleaf Sumac  
Black Locust  
Western Soapberry  
Goodding Willow  
Mexican Elderberry  
Texas Mountain Laurel  
Texas Red Oak  
Red Rock Oak  
Emory Oak  
Cork Oak  
Shrub Live Oak  
Heritage Live Oak

**Shrubs**

*Acacia angustissima hirta*  
*Acacia berlandieri*  
*Acacia constricta*  
*Acacia millefolia*  
*Acacia notabilis*  
*Acacia rigidula*  
*Abutilon incanum*  
*Abutilon palmeri*  
*Abutilon pringlei*  
*Ambrosia ambrosioides*  
*Ambrosia dumosa*  
*Ambrosia deltoidea*  
*Anisacanthus andersonii*  
*Anisacanthus thurberi*  
*Aniscanthus quadrifidus*  
*v. brevilobus*  
*Aniscanthus quadrifidus*  
*v. wrightii 'Mexican Flame'*  
*Asdepias linaria*  
*Asdepias subulata*  
*Asclepias tuberosa*  
*Baccharis glutinosa*  
*Bauhinia macarantnera*  
*Bauhinia ramosissima*

Fern Acacia  
Guajillo  
Whitethorn Acacia  
Santa Rita Acacia  
  
Blackbrush Acacia  
Indian Mallow  
Superstition Mallow  
Indian Mallow  
Canyon Ragweed  
White Bursage  
Bursage/Triangle Leaf Bursage  
Anderson's Honeysuckle  
Desert Honeysuckle  
  
Mountain Flame  
  
Flame Honesuckle  
Pineleaf Milkweed  
Desert Milkweed  
Butterfly Weed  
Seep Willow  
Orchid Tree  
Orchid Tree

<i>Bebbia juncea</i>	Chuckwalla's Delight
<i>Berberis haematocarpa</i>	Red Barberry
<i>Berberis trifoliolata</i>	Agarita
<i>Brickellia coulteri</i>	Brickellia
<i>Buddleia marrubifolia</i>	Wooly Butterfly Bush
<i>Caesalpinia gilliesii</i>	Desert Bird of Paradise
<i>Caesalpinia mexicana</i>	Mexican Bird of Paradise
<i>Caesalpinia pulcherrima</i>	Red Bird of Paradise
<i>Calliandra eriophylla</i>	Pink Fairy Duster
<i>Calliandra peninsularis</i>	Fairy Duster
<i>Callistemon citrinus</i>	Lemon Bottlebrush
<i>Callistemon phoeniceus</i>	Salt Resistant Bottlebrush
<i>Callistemon viminalis</i> cv. 'Captain Cook'	Dwarf Bottlebrush
<i>Calothamnus quadrifidus</i>	
<i>Calothamnus villosus</i>	Woolly Netbush
<i>Cassia</i> ( <i>Senna</i> is interchangeable)	
<i>Cassia artemisioides</i>	Feathery Cassia
<i>Cassia biflora</i>	Twin Flower Cassia
<i>Cassia goldmannii</i>	Goldmann's Cassia
<i>Cassia nemophila</i>	Desert Cassia
<i>Cassia phyllodinea</i>	Silver-leaf Cassia
<i>Cassia wislizenii</i>	Shrubby Cassia
<i>Ceanothus greggii</i>	Buck Brush
<i>Celtis pallida</i>	Desert Hackberry
<i>Chrysactinia mexicana</i>	Damianita
<i>Chrysothamnus nauseosus</i>	Rabbit Bush
<i>Condalia globosa</i>	Bittle Condalia
<i>Condalia spathulata</i>	Crucillo
<i>Condalia ericoides</i>	Javelina-bush
<i>Cordia boissieri</i>	Anacahuite
<i>Cordia parvifolia</i>	Small Leaf Cordia
<i>Coursetia glandulosa</i>	Coursetia
<i>Dalea bicolor</i> v. <i>argyrea</i>	Silver Dalea
<i>Dalea frutescens</i>	Black Dalea
<i>Dalea frutescens</i>	
'Sierra Negra' <i>TM</i>	Sierra Negra Dalea
<i>Dalea pulchra</i>	Indigo Bush
<i>Dalea versicolor</i> var. <i>sessilis</i>	Wislizenus Dalea
<i>Dicliptera suberecta</i>	Velvet Honeysuckle
<i>Dodonaea viscosa</i>	Hopbush
<i>Encelia farinosa</i>	Brittlebush
<i>Ephedra fasciculata</i>	Joint Fir
<i>Ephedra nevadensis</i> v. <i>aspera</i>	Boundary Ephedra
<i>Ephedra trifurca</i>	Mormon Tea
<i>Ephedra antisiphilitica</i>	Mormon Tea
<i>Ericameria laricifolia</i>	Turpentine Bush
<i>Ericameria linearifolia</i>	Turpentine Bush
<i>Eriogonum fasciculatum</i>	California Buckwheat
<i>Eriogonum fasciculatum</i> v. <i>poliofolium</i>	Wild Buckwheat
<i>Eriogonum wrightii</i>	Wright Buckwheat
<i>Erythrina flabelliformis</i>	Southwest Coralbean

<i>Euphorbia antisyphilitica</i>	Wax Plant, Candelilla
<i>Eysenhardtia orthocarpa</i>	Kidneywood
<i>Fallugia paradoxa</i>	Apache Plume
<i>Flourensia cernua</i>	Tarbush
<i>Genista hispanica</i>	Spanish Broom
<i>Gossypium thurberi</i>	Desert Cotton
<i>Gutierrezia microcephala</i>	Snakeweed
<i>Gutierrezia sarothrae</i>	Snakeweed
<i>Hamelia patens</i>	Fire Bush
<i>Haplopappus gooddingii</i>	Goldenweed
<i>Herissantia crispa</i>	Indian Mallow
<i>Horsfordia newberryi</i>	Horsfordia
<i>Hyptis emoryi</i>	Desert Lavender
<i>Isocoma heterophylla</i>	Jimmyweed
<i>Isocoma tenuisecta</i>	Burroweed
<i>Janusia gracilis</i>	Slender Janusia
<i>Krameria parvifolia</i>	Ratany
<i>Larrea tridentata</i>	Creosote Bush
<i>Leucophyllum candidum</i> 'Thunder Cloud' TM	Thunder Cloud Sage
<i>Leucophyllum frutescens</i>	Texas Sage
<i>Leucophyllum frutescens</i> 'Compacta'	Compact Texas Sage
<i>Leucophyllum frutescens</i> 'Green Cloud'	Green Cloud Sage
<i>Leucophyllum frutescens</i> 'White Cloud'	White Cloud Sage
<i>Leucophyllum frutescens</i> 'Rain Cloud'	Compact Texas Sage
<i>Leucophyllum laevigatum</i>	Chihuahuan Sage
<i>Leucophyllum langmaniae</i>	Sierra Madre Sage
<i>Leucophyllum langmaniae</i> 'Rio Bravo' TM	Rio Bravo Sage
<i>Leucophyllum pruinatum</i>	Fragrant Sage
<i>Leucophyllum pruinatum</i> 'Sierra Bouquet'	Sierra Bouquet Sage
<i>Leucophyllum revolutum</i> 'Sierra Magic' TM	Sierra Magic Sage
<i>Leucophyllum zygophyllum</i>	Blue Ranger
<i>Lippia (berlandieri)</i>	Mexican Oregano
<i>Lotus rigidus</i>	Desert Rock Pea
<i>Lycium andersonii</i>	Wolfberry
<i>Lycium brevipes</i>	Frutilla
<i>Lycium exsertum</i>	Desert-Thorn
<i>Lycium fremontii</i>	Fremont Lycium
<i>Maytenus phyllanthoides</i>	Mangle Dulce
<i>Melaleuca spp.</i>	Australian Myrtle
<i>Menodora scabra</i>	Menodora
<i>Mimosa biuncifera</i>	Wait-a-while
<i>Mimosa dysocarpa</i>	Mimosa/Velvet Pot Mimosa
<i>Perovskia atriplicifolia</i> cv. 'Heavenly Blue'	Russian Sage
<i>Parthenium incanum</i>	Mariola
<i>Plumbago scandens</i>	Plumbago
<i>Plumbago scandens</i>	Summer Snow
<i>Quercus chihuahuensis</i>	Chihuahuensis
<i>Quercus emoryi</i>	Emory Oak
<i>Quercus grisea</i>	Gray Oak
<i>Quercus oblongifolia</i>	Mexican Blue Oak
<i>Quercus toumeyi</i>	Toumey Oak

*Quercus turbinella*  
*Rhus choriophylla*  
*Rhus microphylla*  
*Rhus ovata*  
*Rhus tribolata*  
*Rhus virens*  
*Ruellia peninsularis*  
*Salazaria mexicana*  
*Salvia chamaedryoides*  
*Salvia clevelandii*  
*Salvia coccinea*  
*Salvia dorrii*  
*Salvia farinacea*  
*Salvia greggii*  
*Salvia leucantha*  
*Salvia leucophylla*  
*Salvia microphylla*  
*Sageretia wrightii*  
*Sophora arizonica*  
*Sophora formosa*  
*Sphaeralcea ambigua*  
*Trixis Californica*  
*Vauquelinia corymbosa*  
*Vauquelinia californica*  
*Westringia rosmariniformis*  
*Zauschneria californica*  
*Ziziphus obtusifolia*

Scrub Live Oak  
Mearns Sumac  
Littleleaf Sumac/Desert Sumac  
Sugarbush  
Skunkbush  
Evergreen Sumac  
Ruellia  
Paperbag Bush  
Blue Sage  
Chaparral Sage  
Cherry Red Sage  
Desert Sage  
Mealy-Cup Sage  
Autumn Sage  
Mexican Bush Sage  
Sage  
Salvia  
Spiny Sageretia  
Arizona Sopphora  
Sopphora  
Desert Globemallow  
Trixis  
Narrow-leaf Rosewood  
Arizona Rosewood  
Westringia  
California fuchsia  
Greythorn

### Groundcovers

*Abronia villosa*  
*Acacia redolens*  
*Allionia incarnata*  
*Amsonia palmeri*  
*Anigosanthos flavidus*  
*Anigosanthos manglesii*  
*Anigosanthos viridis*  
*Anisodonteia hypomandrum*  
*Archtotis acaulis*  
*Aquilegia chrysantha*  
*Argemone munita*  
*Argemone platyceras*  
*Argemone pleiancantha*  
*Artemisia ludoviciana*  
*Aster tanacetifolius*  
*Astrolepis cochisensis*  
*Astrolepis cochisensis*  
*Bahia absinthifolia*  
*Baileya multiradiata*  
*Berlandiera lyrata*  
*Buchloe dactyloides*

Sand-verbena  
Prostrate Acacia  
Trailing Windmills  
Amsonia  
Kangaroo Paw  
Kangaroo Paw  
Kangaroo Paw  
African Mallow  
African Daisy  
Golden-spurred Columbine  
Prickly Poppy  
Prickly Poppy  
Prickly Poppy  
Wormwood  
Purple Aster  
Cloak Fern  
Cloak Fern  
Bahia  
Desert Marigold  
Chocolate Flower  
Buffalo Grass

<i>Calylophus hartwegii</i>	Calylophus
'Sierra Sundrop'	Yellow Cups
<i>Camissonia brevips</i>	Heart-leaved Primrose
<i>Camissonia cardiophylla</i>	Indian Paintbrush
<i>Castilleja lanata</i>	Madagascar Periwinkle
<i>Catharanthus roseus</i>	Santa Maria
<i>Centaurium calycosum</i>	Basket Flower
<i>Centaurea rothrockii</i>	Winterfat
<i>Ceratoides lanata</i>	Lip Fern
<i>Cheilanthes lindheimeri</i>	Thistle
<i>Cirsium neomexicanum</i>	Farewell-to-Spring
<i>Clarkia amoena</i>	Sturt's Desert Pea
<i>Clianthus formosus</i>	Chinese-houses
<i>Collinsia heterophylla</i>	Ground Morning Glory
<i>Convolvulus mauritanicus</i>	Rain Lily
<i>Cooperia drummondii</i>	Desert Coreopsis
<i>Coreopsis bigelovii</i>	Bat Faced Cuphea
<i>Cupea llavea</i>	Sierra Gold Dalea
<i>Dalea capitata</i> 'Sierra Gold' TM	Sacred Datura/Jimsonweed
<i>Datura inoxia</i>	Bluedicks
<i>Dichelostemma pulchellum</i>	Larkspur
<i>Delphinium amabile</i>	Barestem Larkspur
<i>Delphinium scaposum</i>	Common Ditaxis
<i>Ditaxis lanceolata</i>	Ice Plant
<i>Dronsanthemum speciosum</i> 'Rosa'	Dyssodia
<i>Dyssodia acerosa</i>	Dyssodia
<i>Dyssodia pentachaeta</i>	Rattlesnake Weed
<i>Euphorbia albomarginata</i>	Prickly Stars
<i>Eriastrum diffusum</i>	Profusion Fleabane Daisy
<i>Erierson</i> 'Profusion'	Woolly Daisy
<i>Eriophyllum lanosum</i>	Woolly Daisy
<i>Eriophyllum wallacei</i>	Plains Lovegrass
<i>Erogrostis intermedia</i>	California Poppy
<i>Eschscholzia californica</i>	Mexican Gold Poppy
<i>Eschscholzia mexicana</i>	Arizona Blanketflower
<i>Gaillardia arizonica</i>	Indian Blanket
<i>Gaillardia puchella</i>	Desert Sunflower
<i>Geraea canescens</i>	Showy Blue Gilia
<i>Gilia leptantha</i>	Globe Amaranth
<i>Gomphrena globosa</i>	Wild Wisteria
<i>Hardenbergia comptoniana</i>	Wild Sunflower
<i>Helianthus annuus</i>	Everlasting Daisy
<i>Helichrysum bracteatum</i>	Tanglehead
<i>Heteropogon contortus</i>	Curly Mesquite
<i>Hilaria belangeri</i>	Tobosa
<i>Hilaria mutica</i>	Morning Glory
<i>Ipomoea cristulata</i>	Morning Glory
<i>Ipomoea leptotoma</i>	Arizona Poppy
<i>Kallstroemia grandiflora</i>	Goldfield
<i>Lasthenia chrysostoma</i>	Tidy Tips
<i>Layia platyglossa</i>	

<i>Lesquerella gordonii</i>	Yellow Blanket
<i>Linium grandiflora</i> cv. 'Rubrum'	Red Flax
<i>Linum lewisii</i>	Blue Flax
<i>Lupinus</i> spp.	Lupine
<i>Lupinus arizonicus</i>	Arizona Lupine
<i>Lupinus densiflorus</i>	Lupine
<i>Lupinus sparciflorus</i>	Lupine
<i>Lupinus succulentus</i>	Arroyo Lupine
<i>Lycurus phleoides</i>	Wolftail
<i>Machaeranthera canescens</i>	Blue Aster
<i>Machaeranthera gracilis</i>	Yellow Aster
<i>Machaeranthera tanacetifolia</i>	Purple Aster
<i>Machaeranthera tortifolia</i>	Mhave Aster
<i>Macfadyena unguis-cati</i>	Cat's Claw Vine
<i>Martynia</i> spp.	Devil's Claw
<i>Mascagnia lilacina</i>	Purple mascagnia (Vine)
<i>Mascagnia macroptera</i>	Yellow Orchid Vine
<i>Matricaria grandiflora</i>	Pineapple Weed
<i>Matthiola longipetal</i> cv. 'Bicornis'	Evening Scented Stock
<i>Maurandya antirrhiflora</i>	Snapdragon Vine
<i>Maurandya wislizeri</i>	Snapdragon Vine
<i>Melampodium leucanthum</i>	Blackfoot Daisy
<i>Merreria aurea</i>	Yuca Vine (Yellow)
<i>Mesembryanthemum</i> spp.	Ice Plant
<i>Mimulus bigelovii</i>	Bigelow's Monkeyflower
<i>Mimulus cardinalis</i>	Monkey Flower
<i>Mirabilis bigelovii</i>	Mirabilis
<i>Mirabilis coccinea</i>	Four-O Clock
<i>Mohavea confertiflora</i>	Ghost Flower
<i>Monarda austromontana</i>	Bee Balm
<i>Monoptilon belliodes</i>	Belly Flower
<i>Myoporum parvifolium</i>	Myoporum
<i>Oenothera berlandieri</i>	Mexican Evening Primrose
<i>Oenothera stubbei</i>	Saltillo Primrose
<i>Oryzopsis hymenoides</i>	Indian Ricegrass
<i>Panicum obtusum</i>	Vine Mesquite Grass
<i>Pentzia incana</i>	Karoo Bush
<i>Penstemon baccharifolius</i>	Rock Penstemon
<i>Penstemon barbatus</i>	Penstemon
<i>Penstemon cardinalis</i>	Penstemon
<i>Penstemon eatonii</i>	Firecracker Penstemon
<i>Penstemon fendleri</i>	Fendler Penstemon
<i>Penstemon grandiflorus</i>	Penstemon
<i>Penstemon palmeri</i>	Palmer's Penstemon
<i>Penstemon parryi</i>	Parry's Penstemon
<i>Penstemon pseudosoectabilis</i>	Desert Penstemon
<i>Penstemon setaceum</i> cv. 'Cupreum'	Purple Fountain Grass
<i>Penstemon spectabilis</i>	Royal Penstemon
<i>Penstemon strictus</i>	Penstemon
<i>Penstemon superbus</i>	Superb Penstemon

<i>Penstemon thurberi</i>	Penstemon
<i>Penstemon wrightii</i>	Penstemon
<i>Psilostrophe tagetina</i>	Paperflower
<i>Ratibida columnaris</i>	
<i>Scleropogon brevifolius</i>	Burrograss
<i>Senecio douglasii</i>	Threadleaf Groundsel
<i>Senna covesii</i>	Desert Senna
<i>Senna lindheimeriana</i>	Lindheirmer Senna
<i>Setaria species</i>	Brittlegrass
<i>Sporobolus cryptanarus</i>	Sand Drapseed
<i>Sporobolus wrightii</i>	Wright Sacaton
<i>Stephanomeria pauciflora</i>	Wire Lettuce
<i>Selaginella arizonica</i>	Spikemoss
<i>Tagetes palmeri (lemmoni)</i>	Mt.Lemmon Marigold
<i>Tagetes lucida</i>	Mexican Mint Marigold
<i>Teucrium chamaedrys cv. 'Prostrata'</i>	Germander
<i>Trichachne californica</i>	Cotton-top
<i>Tridens muticus</i>	Slim Tridens
<i>Tridens pilosus</i>	Hairy Tridens
<i>Tridens pulchellus</i>	Fluffgrass
<i>Typha angustifolia</i>	Narrow-leaved Cattail
<i>Verbena bipinnatifida</i>	Verbena
<i>Verbena peruviana</i>	Peruvian Verbena
<i>Verbena tenera</i>	Moss Verbena
<i>Verbena rigida</i>	Sandpaper Verbena
<i>Zephyranthes candida</i>	Zephyr Flower/Rain Lily
<i>Zephyranthes citrina</i>	Fairy Lily
<i>Zephyranthes grandiflora</i>	
<i>Zinnia acerosa</i>	Desert Zinnia
<i>Zinnia grandiflora</i>	Little Golden Zinnia

### Accents

<i>Agave americana</i>	Century Plant
<i>Agave colorata</i>	Mescal Ceniza
<i>Agave desmettiana</i>	Agave
<i>Agave deserti</i>	Desert Agave
<i>Agave murpheyi</i>	Murphy's Agave
<i>Agave parryi</i>	Parry's Agave
<i>Agave toumeyana</i>	Toumey's Agave
<i>Agave victoriae-reginae</i>	Royal Agave
<i>Agave vilmorianiana</i>	Octopus-Agave
<i>Asclepias subulata</i>	Desert Milkweed
<i>Bulbine frutescens</i>	Bulbine
<i>Carnegiea gigantea</i>	Saguaro
<i>Dasyllirion acrotriche</i>	Green Desert Spoon
<i>Dasyllirion leiophyllum</i>	Desert Spoon
<i>Dasyllirion longissimum</i>	Desert Spoon
<i>Dasyllirion wheeleri</i>	Desert Spoon
<i>Echinocereus engelmannii</i>	Engelmann's Hedgehog
<i>Echinocereus pectinatus v. rigidissimus</i>	Rainbow Cactus

<i>Echinocactus grusonii</i>	Golden Barrel Cactus
<i>Echinocactus horizonthalonius</i>	Turk's Head
<i>Euphorbia antisiphilitica</i>	Candelilla
<i>Euphorbia myrsinites</i>	Euphorbia
<i>Euphorbia rigida</i>	Gopher Plant
<i>Euphorbia tirucalli</i>	Pencil Bush
<i>Ferocactus acanthodes</i>	Fire Barrel
<i>Ferocactus wislizenii</i>	Fishhook Barrel
<i>Fouquieria macdougalii</i>	Chunari
<i>Fouquieria splendens</i>	Ocotillo
<i>Hesperaloe campanula</i>	Bell Flower
<i>Hesperaloe funifera</i>	Coahuilan Hesperaloe
<i>Hesperaloe parviflora</i>	Red Hesperaloe
<i>Hesperaloe parviflora</i> (Yellow)	Yellow Hesperaloe
<i>Lophocereus schottii</i>	Senita Cactus
<i>Lophocereus schottii</i> fa. <i>monstrosus</i>	Totem Pole Cactus
<i>Manfreda maculosa</i>	Manfreda
<i>Mammillaria grahami</i>	Pincushion Cactus
<i>Mammillaria gummifera</i>	Cream Cactus
<i>Mammillaria mainiae</i>	Pincushion Cactus
<i>Mammillaria microcarpa</i>	Pincushion Cactus
<i>Mammillaria wrightii</i>	Pincushion Cactus
<i>Neolloydia erectocentra</i>	
<i>Neolloydia intertexta</i>	
<i>Nolina texana</i>	Beargrass
<i>Nolina bigelovii</i>	Beargrass
<i>Nolina matapensis</i>	Tree Bear grass
<i>Nolina microcarpa</i>	Bear grass
<i>Opuntia acanthocarpa</i>	Buckhorn Cholla
<i>Opuntia basilaris</i>	Beavertail Prickly Pear
<i>Opuntia bigelovii</i>	Teddybear Cholla
<i>Opuntia chlorotica</i>	Pancake Prickly Pear
<i>Opuntia engelmannii</i>	Engelmann's Prickly Pear
<i>Opuntia ficus-indica</i>	Indian Fig Prickly Pear
<i>Opuntia fulgida</i>	Chainfruit Cholla
<i>Opuntia imbricata</i>	Tree Cholla
<i>Opuntia kleiniae</i>	Klein Cholla
<i>Opuntia leptocaulis</i>	Christmas Cactus
<i>Opuntia microdasys</i>	Bunny Ears
<i>Opuntia robusta</i>	Silver Dollar Prickly Pear
<i>Opuntia spinosior</i>	Cane Cholla
<i>Opuntia santa-rita</i>	Purple Prickly-Pear
<i>Opuntia violacea</i>	Purple Prickly Pear
<i>Opuntia violacea</i> v. <i>macrocentra</i>	Santa Rita Prickly Pear
<i>Pachycereus marginatus</i>	Mexican Organ Pipe
<i>Pedilanthus macrocarpus</i>	Lady Slipper
<i>Stenocereus marginatus</i>	Mexican Fence Post
<i>Stenocereus thurberi</i>	Organ Pipe Cactus
<i>Trichocereus candicans</i>	Argentine Trichocereus
<i>Yucca aloifolia</i>	Spanish Bayonet
<i>Yucca angustifolia</i>	Narrow Leaf Yucca

*Yucca baccata*  
*Yucca brevifolia*  
*Yucca carnerosana*  
*Yucca elata*  
*Yucca gloriosa*  
*Yucca macrocarpa*  
*Yucca recurvifolia*  
*Yucca rigida*  
*Yucca rostrata*  
*Yucca rupicola*  
*Yucca torreyi*  
*Washingtonia filifera*

Banana Yucca  
Joshua Tree  
Spanish Bayonet  
Soaptree Yucca  
Yucca  
Bigleaf Yucca  
Curveleaf Yucca  
Blue Yucca  
Beaked Yucca  
Twisted Leaf Yucca  
Torrey Yucca  
California Fan Palm

### Annual & Wildflowers

*Cassia covesii*  
*Cosmos bipinnatus*  
*Cosmos parviflorus*  
*Cosmos sulphureus*  
*Dimorphotheca sinuata*  
*Erigeron divergens*  
*Eupatorium greggii*  
*Evolvulus arizonicus*  
*Gaura lindeimeri*  
*Helipterum reseum*  
*Hesperocallis undulata*  
*Hibiscus coulteri*  
*Hymenoxys acaulis*  
*Ipomopsis longiflora*  
*Linaria Texana*  
*Linaria pinnifolia*  
*Linaria maroccana*  
*Linum lewisii*  
*Mentzelia involucreta*  
*Mentzelia lindleyi*  
*Melampodium leucanthum*  
*Mirabilis multiflora*  
*Nama demissum*  
*Nama hispidum*  
*Nemophila maculata*  
*Nemophila menziesii*  
*Oenothera caespitosa*  
*Oenothera deltoides*  
*Oenothera primiveris*  
*Orthocarpus purpurascens*  
*Papaver rhoeas*  
*Pectis papposa*  
*Perityle emoryi*  
*Phacelia campanularia*  
*Phacelia tanacetifolia*  
*Phantago insularis*

Desert Cassia  
  
Yellow Cosmos  
African Daisy  
Spreading Fleabane  
Eupatorium  
Arizona Blue Eyes  
Desert Orchid  
Pink Everlasting  
Ajo Lily  
Desert Rose mallow  
Angelita Daisy  
Pale Blue Trumpets  
Toadflax  
Toadflax  
Toadflax  
Blue Flax  
Morning Stars  
Blazing Stars  
Blackfoot Daisy  
Desert Four-O Clock  
  
Purple Mat  
Five Spot  
Baby Blue Eyes  
Turfed Evening Primrose  
Birdcage Evening Primrose  
Evening Primrose  
Owl's Clover  
Shirley Poppy  
Chinch Weed  
Rock Daisy  
California Bluebell  
Scorpion Weed  
Indian Wheat

<i>Platystemon californicus</i>	Cream Cups
<i>Portalacaria afra</i>	Elephant's Food
<i>Proboscidea altheaefolia</i>	Devil's Claw
<i>Proboscidea pariflora</i>	Devil's Claw
<i>Psilostrophe cooperie</i>	Paperflower
<i>Rafinesquia neomexicana</i>	Desert-chicory
<i>Romneya coulteri</i>	Matilija Poppy
<i>Senna covesii</i>	Desert Senna
<i>Salvia columbariae</i>	Chia
<i>Sisymbrium ambiguum</i>	Purple rocket
<i>Solanum xanti</i>	Solanum
<i>Stachys coccinea</i>	Red Mint, Betony
<i>Trithonia rotundifolia</i>	Mexican Sunflower
<i>Ursinia calenduliflora</i>	Ursinia
<i>Ursinia chrysanthemoides</i>	
<i>Ursinia speciosa</i>	
<i>Verbena gooddingii</i>	Goodding Verbena
<i>Verbesina enoelioides</i>	Golden Crown Beardt
<i>Viguiera annua</i>	Golden eye
<i>Viguiera deltoidea</i>	Goldeneye
<i>Viguiera tomentosa</i>	Golden Eye

### Grasses

<i>Aristida californica</i>	Threeawn Grass
<i>Aristida divricata</i>	Poverty Three-awn
<i>Aristida longiseta</i>	Red Three-awn
<i>Aristida wrightii</i>	Wright Threeawn
<i>Aristida purpurea</i>	Purple Threeawn
<i>Bouteloua aristioides</i>	Six Weeks Grama
<i>Bouteloua brevista</i>	Chino Grama
<i>Bouteloua chondrosiodes</i>	Sprucetop Grama
<i>Bouteloua cutipendula</i>	Sideoats Grama
<i>Bouteloua eriopoda</i>	Black Grama
<i>Bouteloua filiformis</i>	Slender Grama
<i>Bouteloua gracilis</i>	Blue Grama
<i>Bouteloua hirsuta</i>	Hairy Grama
<i>Erioneuton Pulchellum</i>	Fluffgrass
<i>Hillaria rigida</i>	Big Galleta
<i>Muhlenbergia capillaris</i>	Gulf Muhley
<i>Muhlenbergia dumosa</i>	Bamboo Muhley
<i>Muhlenbergia emersleyi</i>	Bull Grass
<i>Muhlenbergia lindeimeri</i>	Lindheimer Muhly
<i>Muhlenbergia porteri</i>	Bush Muhly
<i>Muhlenbergia rigens</i>	Deer Grass
<i>Muhlenbergia rigida</i>	Deer Grass
<i>Muhlenbergia rigida 'Nashville' TM</i>	Nashville Grass

*Setaria macrostachya*  
*Schismus barbatus*  
*Stipa speciosa*

Plains Bristlegrass  
Mediterranean Grass  
Desert Needlegrass

## "AGRARIAN" LANDSCAPE CHARACTER

### Trees

*Acacia farnesiana/smallerii*  
*Acacia salicina*  
*Albizia julibrissin*  
*Carya illinoensis*  
*Ceratonia siliqua*  
*Chilopsis linearis*  
*Chorisia speciosa*  
*Citrus aurantium*  
*Cupressus sempervirens*  
*Dalbergia sissoo*  
*Eucalyptus erythrocory*  
*Eucalyptus formanii*  
*Eucalyptus leucoxydon*  
*Eucalyptus microtheca*  
*Eucalyptus papauana*  
*Eucalyptus spathulata*  
*Eucalyptus torquata*  
*Fraxinus anomala*  
*Fraxinus greggii*  
*Fraxinus velutina*  
*Gleditsia tricanthos*  
*Jacaranda mimosifolia*  
*Lysiloma candida*  
*Lysiloma microphylla v. thornberi*  
*Olea europaea 'Swan Hill'*  
*Pinus eldarica*  
*Phoenix canariensis*  
*Phoenix dactylifera*  
*Pinus canariensis*  
*Pinus eldarica*  
*Pinus halepensis*  
*Pinus pinea*  
*Pinus roxburghii*  
*Pistachia atlantica*  
*Pistachia chinensis*  
*Pittosporum phillyraeoides*  
*Platanus wrightii*  
*Quercus Ilex*

Sweet Acacia  
Willow-leaf Acacia  
Silk Tree  
Pecan  
Carob Tree  
Desert Willow  
Silk Floss Tree  
Seville Orange  
Italian Cypress  
Sissoo Tree  
Red Cap Gum  
Forman's Eucalyptus  
White Ironbark  
Coolibah  
Ghost Gum  
Swamp Malee  
Coral Gum  
Single Leaf Ash  
Littleleaf Ash  
Arizona Ash  
Honey Locust  
Jacaranda  
Palo Blanco  
Desert Fern  
Olive  
Afghan Pine  
Canary Island Date Palm  
Medjool Date Palm  
Canary Island Date Palm  
Afghan Pine  
Allepo Pine  
Italian Stone Pine  
Chir Pine  
Mt. Atlas Pistache  
Chinese Pistache  
Willow Pittosporum  
Arizona Sycamore  
Holly Oak

*Quercus virginiana*  
*Rhus lancea*  
*Schinus molle*  
*Schinus terebinthifolius*  
*Sophora secundiflora*  
*Tamarix aphylla*  
*Tipuana tipu*  
*Ulmus parvifolia* v. 'sempervirens'  
*Unganadia speciosa*  
*Vitex agnus-castus*  
*Washingtonia filifera*  
*Washingtonia robusta*  
*Xylosma congestum*  
*Ziziphus jujuba*

Southern Live Oak  
 African Sumac  
 California Pepper Tree  
 Brazillian Pepper Tree  
 Texas Mountain Laurel  
 Athel Tree  
 Tipu Tree  
 Evergreen Elm  
 Mexican-buckeye  
 Chaste Tree  
 California Fan Palm  
 Mexican Fan Palm  
 Xylosma  
 Chinese Jujube

**Shrubs**

*Acacia craspedocarpa*  
*Acacia rigens*  
*Ancanthus mollis*  
*Alyosia gratissima*  
*Alyosia lycioides*  
*Alyosia macrostachya*  
*Alyosia wrightii*  
*Alyogyne huegelii*  
*Artemisia ludoviciana*  
*Artemisia lentiformis*  
*Atriplex canescens*  
*Atriplex hymenelytra*  
*Atriplex nummularia*  
*Bougainvillea 'Barbara Karst'*  
*Bougainvillea 'La Jolla'*  
*Bougainvillea 'San Diego Red'*  
*Bougainvillea spectabilis*  
*Bumelia lanuginose*  
*Calliandra californica*  
*Campsis radicans*  
*Convolvulus cneorum*  
*Cistus*  
*Dodonea viscosa 'Purpurea'*  
*Elastica decora*  
*Equisetum laevigatum*  
*Eremophila glabra*  
*Eremophila maculata*  
*Euryops pectinatus*  
*Euryops pectinatus 'Viridus'*  
*Fatsia japonica*  
*Feijoa sellowiana*  
*Jasminum mesnyi*  
*Jatropha cardiophylla*  
*Jatropha cinerea*

Leather-leaf Acacia  
 Needle Acacia  
 Acanthus  
 Bee Bush  
 Bee Bush  
 Sweet-stem  
 Orgenillo  
 Blue Hibiscus  
 White Sage  
 Quail Bush  
 Fourwing Saltbush  
 Desert Holly  
 Old Man Saltbush  
 Bougainvillea  
 Bush Bougainvillea  
 Bougainvillea  
 Bougainvillea  
 Gum Bumelia  
 Baja Fairy Duster  
 Common Trumpet creeper  
 Bush Morning Glory  
 Rockrose  
 Purple Hopbush  
 Rubber Plant  
 Horsetail  
 Emu Bush  
 Emu Bush  
 Goelen Euryops  
 Euryops Daisy  
 Japanese Aralia  
 Pineapple Guava  
 Primrose Jasmine  
 Limberbush  
 Lomboy

<i>Jatropha dioca</i>	Leatherstem
<i>Juniperus chinensis</i> varieties	Juniper
<i>Juniperus monosperma</i>	One-seed Juniper
<i>Justicia californica</i>	Chuparosa
<i>Justicia candicans</i> (ovata)	Red Honeysuckle
<i>Justicia spicigera</i>	Mexican Honeysuckle
<i>Justicia sonorae</i>	Palm Canyon Justicia
<i>Lantana camara</i>	Bush Lantana
<i>Myrtus communis</i>	True Myrtle
<i>Myrtus communis</i> cv. 'Compacta'	Dwarf Myrtle
<i>Myrtus communis</i> 'Boetica'	Twisted Myrtle
<i>Nandina domestica</i>	Heavenly Bamboo
<i>Nerium oleander</i> varieties	Oleander
<i>Pittosporum tobira</i>	Japanese Mock Orange
<i>Podocarpus macrophyllus</i>	Yew Pine
<i>Punica granatum</i> varieties	Pomegranate
<i>Punica granatum</i> 'Naya'	Dwarf Pomegranate
<i>Pyracantha coccinea</i>	Firethorn
<i>Robinia neomexicana</i>	New Mexican Locust
<i>Rosemarinus officinalis</i>	Rosemary
<i>Ruellia brittoniana</i>	Ruellia
<i>Strelitzia reginae</i>	Bird of Paradise
<i>Simmondsia chinensis</i>	Jojoba
<i>Tecomaria capensis</i>	Cape Honeysuckle
<i>Teucrium fruticans</i>	Bush Germander
<i>Tagetes lemmoni</i>	Spiny Sageretia
<i>Tecoma stans</i>	Yellow Bells
<i>Thamnosma montana</i>	Turpentine Broom
<i>Thevetia peruviana</i>	Yellow Oleander

### Groundcovers

<i>Antigonon leptopus</i>	Coral Vine, Queen's wreath
<i>Asparagus desiflorus</i> 'sprengeri'	Asparagus Fern
<i>Aspidistra elatior</i>	Cast Iron Plant
<i>Atriplex semibaccata</i>	Australian Saltbush
<i>Aucuba japonica</i>	Japanese Aucuba
<i>Baccharis</i> 'Centennial'	Centennial Baccharis
<i>Bougainvillea</i> spp.	Bougainvillea
<i>Callaeum macroptera</i>	Yellow Orchid Vine
<i>Campsis radicans</i>	Common Trumpet Creeper
<i>Carpobrotus chilensis</i>	Ice Plant
<i>Carpobrotus edule</i>	Hottentot Fig
<i>Cephalophyllum</i> 'Red Spike'	Red Spike Ice Plant
<i>Cissus trifoliata</i>	Grape Ivy
<i>Clematis drummondii</i>	Virgin's Bower
<i>Dalea greggii</i>	Trailing Dalea
<i>Drosanthemum speciosum</i>	Dewflower
<i>Fatshedera lizei</i>	Aralia Ivy
<i>Ficus pumila</i>	Creeping Fig
<i>Gazania rigens</i>	Trailing Gazania

*Gazania rigens* 'Sun Gold'  
*Gelsemium sempervirens*  
*Hedera canariensis*  
*Hedera helix*  
*Kennedia nigricans*  
*Lantana montevidensis*  
*Liriope muscari*  
*Mesembryanthemum crystallinum*  
*Ophiopogon japonicus*  
*Osteospermum fruticosum*  
*Plumbago auriculata*  
*Podranea ricasoliana*  
*Rhynchosia texana*  
*Rosa banksiae*  
*Rosemarinus officinalis* 'Prostratus'  
*Ruellia brittoniana* 'Katie'  
*Salvia sp.* 'Quicksilver'  
*Santolina chamaecyparissus*  
*Santolina virens*  
*Schizachyrium scoparium*  
*Sedum spp.*  
*Solanum jasminoides*  
*Stachys byzantina*  
*Trachelospermum asiaticum*  
*Vinca major*  
*Wedelia trilobata*

Gazania  
Yellow Flowering Jessamine  
Algerian Ivy  
English Ivy  
Black Yellow Vine  
Trailing Purple Lantana  
Lilyturf  
Common Ice Plant  
Mondo Grass  
Trailing African Daisy  
Cape Plumbago  
Pink Trumpet Vine  
Rosary Bead Vine  
Lady Bank's Rose  
Dwarf Rosemary  
Katie Ruellia  
Quicksilver Sage  
Lavender Cotton  
Green Santolina  
Little Bluestem  
Stonecrop  
Potatoe Vine  
Lamb's Ears  
Asiatic Jasmine  
Vinca  
Wedelia

**Accents**

*Aloe barbadensis*  
*Aloe marlothii*  
*Aloe saponaria*  
*Aloe striata*  
*Aspidistra elatior*  
*Cereus hildmannianus*  
*Cereus hildmannianus v. Montrose*  
*Cereus peruvianus*  
*Chamaerops humilis*  
*Cycas revoluta*  
*Cyperus alternifolius*  
*Dietes bicolor*  
*Dioon edule*  
*Philodendron selloum*  
*Sanseveria spp.*

Aloe Vera  
  
Aloe  
Coral Aloe  
Cast-iron Plant  
Hildmann's Cereus  
Curiosity Plant  
Night Blooming Cereus  
Mediterranean Fan Palm  
Sago Palm  
Umbrella Plant  
Fortnight Lily  
Mexican Sago  
Selloum Philodendron  
Mother-in-law's Tongue

**CC&Rs CONCEPTUAL OUTLINE  
(CONDITIONS, COVENANTS & RESTRICTIONS)**

**RECITALS**

**1. DEFINITIONS**

**2. RIGHTS OF ENJOYMENT**

- 2.1 Member's Right of Enjoyment
- 2.2 Delegation of Use
- 2.3 Waiver of Use
- 2.4 Use of Private Roadways for Access

**3. MEMBERSHIP**

- 3.1 Classification of Memberships
- 3.2 Regular Memberships
- 3.3 Special Memberships
- 3.4 Transfer of Memberships
- 3.5 Maximum Number of Memberships

**4. ASSOCIATION**

- 4.1 Purpose of Association
- 4.2 Membership in Association
- 4.3 Pledge of Voting Rights
- 4.4 Assignment of Developer's Voting Rights
- 4.5 Board of Directors
- 4.6 Board of Determination Binding
- 4.7 Approval of Members
- 4.8 Additional Provisions in Articles and Bylaws
- 4.9 Association Rules
- 4.10 Indemnification
- 4.11 Non-Liability of Officials
- 4.12 Easements
- 4.13 Accounting
- 4.14 Records
- 4.15 Managing Agent
- 4.16 Developer's Control of Association

**5. EASEMENTS**

- 5.1 Blanket Easements
- 5.2 Use of Common Areas
- 5.3 Exclusive Use Rights
- 5.4 Pedestrian Access Easement
- 5.5 Developer Easement

**6. ASSESSMENTS**

- 6.1 Creation of Lien and Personal Obligation
- 6.2 Purpose of Assessments
- 6.3 Regular Assessments
- 6.4 Special Assessments
- 6.5 Capital Improvement Assessments
- 6.6 Uniform Assessments
- 6.7 Exempt Property
- 6.8 Date of Commencement of Regular Assessments
- 6.9 Time and Manner of Payment; Late Charges and Interest
- 6.10 No Offsets
- 6.11 Homestead water
- 6.12 Reserves
- 6.13 Subordination of Lien
- 6.14 Certificate of Payment
- 6.15 Enforcement of Lien
- 6.16 Pledge of Assessment Rights as Security
- 6.17 Exemption of Unsold Lots
- 6.18 Payment of Assessments and Rental to the Developer

**7. INSURANCE**

- 7.1 Authority to Purchase
- 7.2 Member's Responsibility
- 7.3 Coverage
- 7.4 Required Provisions
- 7.5 Non-Liability of Association/Board/President
- 7.6 Premiums
- 7.7 Insurance Claims
- 7.8 Benefit

**8. DAMAGE AND DESTRUCTION OF COMMON AREAS**

- 8.1 Duty of Association
- 8.2 Automatic Reconstruction
- 8.3 Vote of Members
- 8.4 Excess Insurance Proceeds
- 8.5 Use of Reconstruction Assessments
- 8.6 Contract for Reconstruction
- 8.7 Insurance Proceeds Trust

**9. EMINENT DOMAIN**

- 9.1 Definition Taking
- 9.2 Representation in Condemnation Proceedings
- 9.3 Award for Common Areas

**10. MAINTENANCE, REPAIRS, AND REPLACEMENT**

- 10.1 Owner's Responsibility
- 10.2 Maintenance of Common Areas
- 10.3 Right of Access

**11. ARCHITECTURAL AND LANDSCAPE CONTROL**

- 11.1 Appointment of Design Review Committee
- 11.2 Development Standards
- 11.3 General Provisions
- 11.4 Approval and Conformity of Plans
- 11.5 Non-Liability for Approval of Plans
- 11.6 Inspection and Recording of Approval
- 11.7 Reconstruction of Common Areas
- 11.8 Additional Powers of the Board
- 11.9 Varying Standards

**12. USE AND OCCUPANCY RESTRICTIONS**

- 12.1 Residential Use
- 12.2 Violation of Law or Insurance
- 12.3 Signs
- 12.4 Animals
- 12.5 Nuisances
- 12.6 Boats and Motor Vehicles
- 12.7 Lights
- 12.8 Antennas
- 12.9 Garbage
- 12.10 Mining
- 12.11 Safe Condition
- 12.12 Fires
- 12.13 Clothes Drying Area
- 12.14 No Further Subdivision; Compounds
- 12.15 No Obstructions to Drainage
- 12.16 Entrance Gates
- 12.17 Rental Lots
- 12.18 Enforcement
- 12.19 Modification

**13. RIGHTS OF FIRST MORTGAGEES**

- 13.1 General Provisions
- 13.2 Liability for Assessments
- 13.3 No Personal Liability
- 13.4 Enforcement After Foreclosure Sale
- 13.5 Exercise of Owner's Rights
- 13.6 Subject to Declaration

**14. ANNEXATION OF ADDITIONAL PROPERTY**

- 14.1 Development of the Project
- 14.2 Supplemental Declarations
- 14.3 Annexation Without Approval of Association
- 14.4 Annexation After Transition Date

**15. EXEMPTION OF THE DEVELOPER FROM RESTRICTIONS**

**16. USE AND MANAGEMENT AGREEMENT; TRANSITION DATE;  
CONVEYANCE OF COMMON AREAS**

- 16.1 Use and Management Agreement
- 16.2 Transition Date
- 16.3 Conveyance of Common Areas

**17. COMMUNITY ASSOCIATIONS**

- 17.1 General Provisions

**18. REMEDIES**

- 18.1 General Remedies
- 18.2 Expenses of Enforcement
- 18.3 Legal Action
- 18.4 Effect on Mortgage
- 18.5 Limitations on the Developer's Liability

**19. AMENDMENT**

- 19.1 Amendment to Declaration
- 19.2 Effect on Amendment
- 19.3 Amendment of Plat
- 19.4 Required Approvals
- 19.5 Developer's Right to Amend

**20. GENERAL PROVISIONS**

- 20.1 Notices
- 20.2 Captions and Exhibits; Construction
- 20.3 Severability
- 20.4 Rule Against Perpetuities
- 20.5 Mortgage of Lots
- 20.6 Fire Protection
- 20.7 Power of Attorney

**21. RIGHTS AND OBLIGATIONS**

**SIGNATURE OF DEVELOPER**

**EXHIBITS**

- A - Legal Description of Parcel
- B - Partial Summary of Use and Management Agreement

**CONSENT AND RATIFICATION**

## **DESIGN REVIEW GUIDELINES – CONCEPTUAL OUTLINE**

- 1. INTRODUCTION**
- 2. FESTIVAL RANCH OVERVIEW**
- 3. COMMUNITY PLAN**
- 4. SITE PLAN**
  - 4.1 Building Envelope and Setbacks
  - 4.2 Natural Area
  - 4.3 Transitional Area
  - 4.4 Private Area
  - 4.5 Site Work
  - 4.6 Grading and Drainage
  - 4.7 Access Drive
  - 4.8 On-Site Parking
  - 4.9 Utilities
  - 4.10 Walls and Fences
  - 4.11 Swimming Pools and Spas
  - 4.12 Sports/Tennis Courts
  - 4.13 Exterior Recreational or Play Equipment
  - 4.14 Basketball Hoops
  - 4.15 Address Identification
  - 4.16 Exterior Holiday Decorations
  - 4.17 Exterior Ornamentation
  - 4.18 Electrical Meters, Landscape Controls, CATV Equipment Boxes, and Telephone Equipment Boxes
  - 4.19 Air Conditioning Equipment
  - 4.20 Propane Tanks
  - 4.21 Flag Poles and Exterior Sculpture
- 5. ARCHITECTURAL DESIGN**
  - 5.1 Diversity
  - 5.2 Building Sizes
  - 5.3 Foundations
  - 5.4 Floor Plans
  - 5.5 Elevations
  - 5.6 Heights and Massing
  - 5.7 Scale and Proportion
  - 5.8 Roof Design
  - 5.9 Roof Top Equipment
  - 5.10 Windows
  - 5.11 Entrances
  - 5.12 Porches, Front Courtyards, and Terraces
  - 5.13 Columns
  - 5.14 Chimneys
  - 5.15 Garages and Driveways

- 5.16 Carports
- 5.17 Exterior Materials
- 5.18 Interior Lighting
- 5.19 Exterior Lighting
- 5.20 Color Palette
- 5.21 Unique Architectural Features
  
- 6. ARCHITECTURAL DETAILS**
  - 6.1 Exterior Hardware and Accessories
  - 6.2 Skylights
  - 6.3 Antennae and Satellite Dishes
  - 6.4 Related Structures
  - 6.5 Solar Design and Wind Turns
  - 6.6 General Considerations
  - 6.7 Signs
  
- 7. LANDSCAPE DESIGN**
  - 7.1 Planting Design
  - 7.2 Landscape Materials
  - 7.3 Walls
  - 7.4 Berming
  - 7.5 Water Features
  - 7.6 Pools
  - 7.7 Irrigation
  - 7.8 Lighting
  - 7.9 Maintenance
  
- 8. CONSTRUCTION REGULATIONS**
  - 8.1 OSHA Compliance
  - 8.2 Construction Trailers
  - 8.3 Trash Receptacles and Debris Removal
  - 8.4 Sanitary Facilities
  - 8.5 Construction Access
  - 8.6 Vehicles and Parking Areas
  - 8.7 Conservation of Native Landscape
  - 8.8 Excavation Materials and Blasting
  - 8.9 Dust and Noise Control
  - 8.10 Material Deliveries
  - 8.11 Firearms
  - 8.12 Alcohol and Controlled Substances
  - 8.13 Fires and Flammable Materials
  - 8.14 Pets
  - 8.15 Preservation of Property
  - 8.16 Restoration of Property
  - 8.17 Construction Signage
  - 8.18 Daily Operation
  - 8.19 Site Visitation

- 9. DESIGN REVIEW PROCESS**
- 9.1 Design Review Process Overview
- 9.2 Pre-Design Meeting
- 9.3 Preliminary Design Submittal
- 9.4 Preliminary Design Review
- 9.5 Final Design Submittal
- 9.6 Site Inspection
- 9.7 Final Design Review
- 9.8 Re-Submittal of Plans
- 9.9 Pre-Construction Conference
- 9.10 Commencement of Construction
- 9.11 Inspections of Work in Progress
- 9.12 Subsequent Changes
- 9.13 Final Release
- 9.14 Nonwaiver
- 9.15 Right of Waiver
- 9.16 Exemptions
- 9.17 Design Review Fee and Deposit
- 9.18 Design Guidelines and Violation Fines
- 9.19 Legal Authority
- 9.20 Statement of Non-Liability

## **APPENDICE**

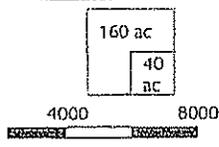
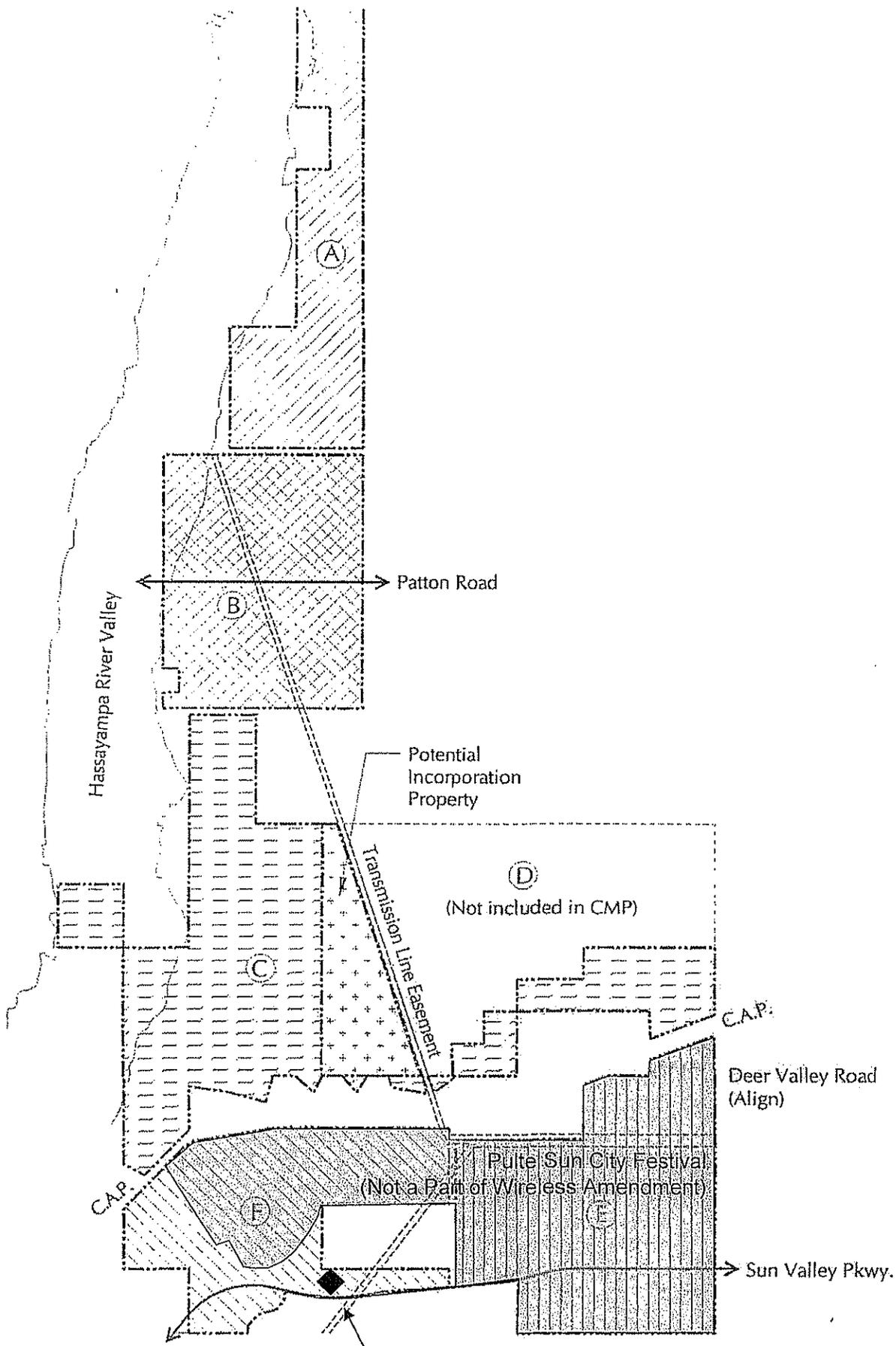
APPENDIX A - Festival Ranch Design Review Committee

APPENDIX B - Approved Plant List

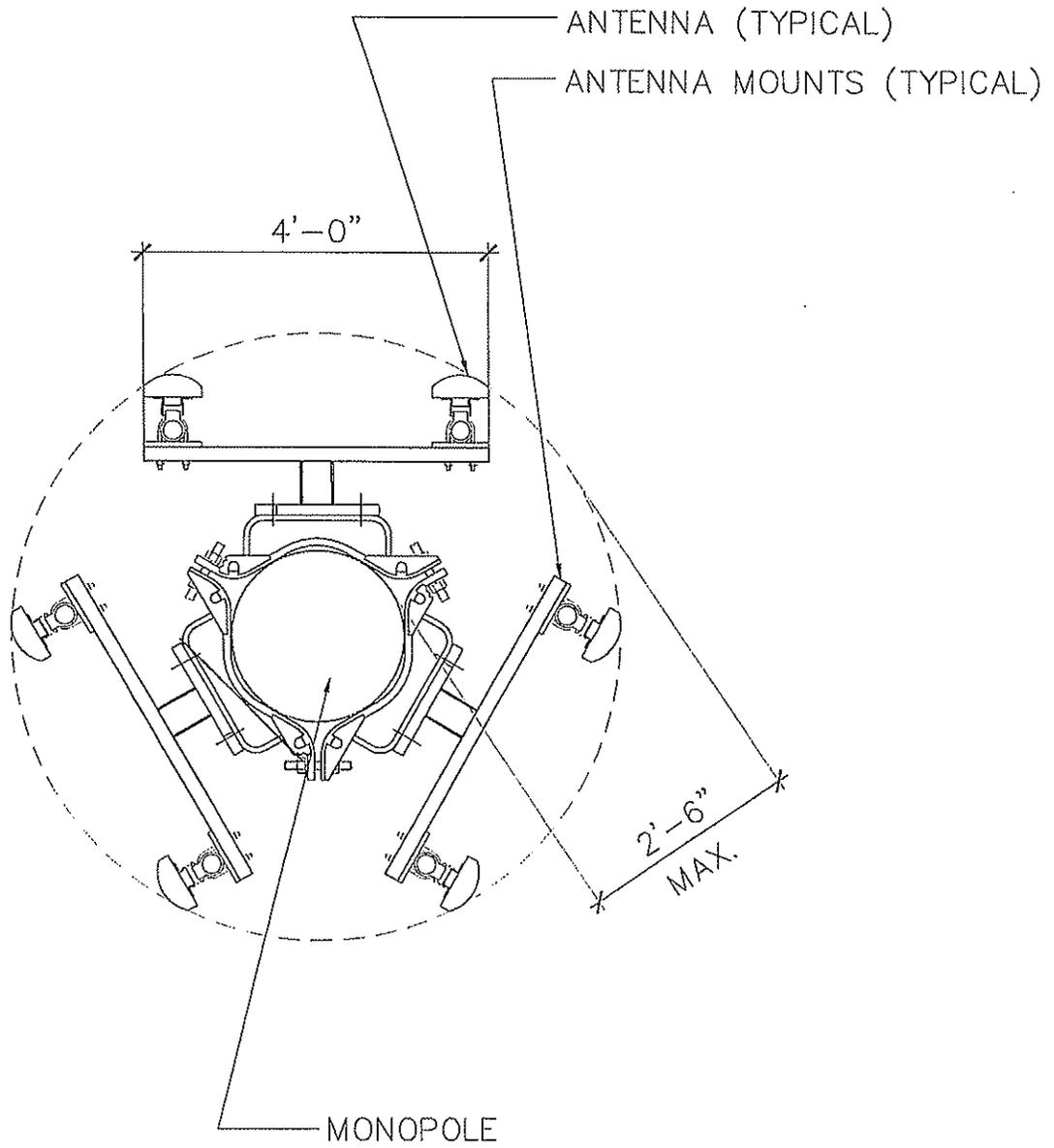
APPENDIX C - Prohibited Plant List

APPENDIX D - Design Review Submittal Form

APPENDIX E - Design Review Submittal Checklist



# Wireless Communication Facility – Primary Site



**Exhibit N-2**

**ANTENNA CONFIGURATION**

BUCKEYE COMMUNICATIONS

DATE: 07/19/07

**REPORT TO THE COMMUNITY PLANNING AND DEVELOPMENT BOARD  
AND THE TOWN COUNCIL**

**Prepared by the Planning and Development Department**

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**APPLICATION NO.:** CMP00-28 – Festival Ranch – Community Master Plan Approval

Development Board Hearing Date:

September 26, 2000

Town Council Hearing Date:

October 3, 2000

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**REQUEST:**

Mr. Stephen Earl of Earl, Curley and Lagarde, representing 10,000 West L.L.C., is requesting approval of a Community Master Plan for Festival Ranch.

**SITE LOCATION:**

The property is located north of Interstate 10; west of the White Tank Mountains; east of the Hassayampa River and extends for approximately 10 miles north and south of the Sun Valley Parkway.

**SITE SIZE:**

Subject request consists of approximately **10,105 acres**.

**CONFORMANCE TO ADOPTED LAND USE PLANS:**

**GENERAL PLAN:**

The proposed Community Master Plan reflects the goals and objectives of the General Plan and is consistent with its purpose and intent. Adoption of the Community Master Plan does not change the Land Use District Map of the Town of Buckeye. Rather, the Master Plan becomes an allowed use within the Planned Community Land Use District.

**AREA PLAN:**

In 1998 the Buckeye Town Council approved an Area Plan for Festival Ranch which amended the General Plan of the Town (the "General Plan"). The Festival Ranch Community Master Plan is consistent with said approved Festival Ranch Area Plan.

**DEVELOPMENT CODE:**

Regulations and provisions for development contained in the proposed Master Plan shall take precedence over regulations covering land uses and property development standards contained in the Buckeye Development Code.

**ADMINISTRATOR**

**RECOMMENDATION:**

Approve subject to stipulations listed under  
"Recommendation."

**EXISTING AND SURROUNDING ZONING:**

1. ON-SITE: Planned Community (Town of Buckeye)
- NORTH: Currently within the Town of Buckeye's Municipal Planning Area and is designated Planned Community.
- SOUTH: Currently within the Town of Buckeye's Municipal Planning Area, and designated Planned Community.
- EAST: Currently within unincorporated Maricopa County zoned Rural-43 and designated on the Town of Buckeye Land Use District Map as Planned Community.
- WEST: Beyond the Hassayampa River is currently in unincorporated Maricopa County with the designation of Rural-43 and the future site of Douglas Ranch.

**EXISTING AND SURROUNDING LAND USE:**

2. ON-SITE: Vacant undeveloped desert land
- NORTH: Vacant undeveloped desert land
- SOUTH: Vacant undeveloped desert land
- EAST: Vacant undeveloped desert land
- WEST: Vacant undeveloped desert land

**ADJACENT ROAD STATUS:**

3. A Planning Unit Street and Circulation Plan will be submitted that will address traffic volumes from other Planning Units and within the current Planning Unit that may occur as development progresses and densities change. Festival Ranch will promote road safety, assure adequate access for fire and rescue vehicles, and promote adequate vehicular circulation.

**EXISTING UTILITIES AND SERVICES STATUS:**

4. Development of the magnitude contemplated by the applicant requires planning for both the public and private infrastructure, as well as planning for the actual development, which such infrastructure supports. It is anticipated that infrastructure planning will occur at varying times and at varying levels of detail.

**AREA LAND USE ANALYSIS:**

5. Subject parcel is currently in the Town of Buckeye and is designated as Planned Community and is currently undeveloped desert land.
6. The property to the north is in the Town of Buckeye's Municipal Planning Area and designated Planned Community and is undeveloped desert land.
7. The property to the south is in the Town of Buckeye and is designated as Planned Community and is undeveloped desert land.
8. The property to the east is currently in unincorporated Maricopa County and zoned Rural-43 and designated on the Town of Buckeye Land Use District Map as Planned Community and is undeveloped desert land.
9. The property to the west beyond the Hassayampa River, is currently in unincorporated Maricopa County and the site of the future Douglas Ranch Development.
10. The proposed request is consistent and compatible with its surrounding uses.

**PLAN ANALYSIS:**

11. This application proposes Development Agreement/Master Plan approval of 10,105 acres located north of Interstate 10; west of the White Tank Mountains, east of the Hassayampa River and north/south of the Sun Valley Parkway.
12. The Planned Community Land Use District designation is designed to accommodate all land uses approved as part of a Community Master Plan, where specific uses, public services, densities, and design criteria have been identified and adopted.
13. Festival Ranch will include a variety of neighborhoods that may be linked together by areas of community activity, which are envisioned to include commercial, retail, resort, higher density residential and recreational uses.
14. The neighborhoods are all focused around a series of Centers. One of the Centers is envisioned to be the primary or "Town or Village" Center. This Center will serve the needs of the Festival Ranch community as well as the needs of the broader regional population.
15. Festival Ranch provides a framework to preserve and celebrate the natural features of the Property including the Hassayampa River Valley, numerous washes within the site and the regional open spaces of the White Tank and Vulture Mountain ranges.

16. Festival Ranch will be connected with internal linkages including multi-use and pedestrian pathways to schools, parks, shopping, and other community amenities.
17. Neighborhood cores may include focal points such as parks, schools, libraries, and other community facilities. Surrounding these cores, multiple neighborhoods with diverse housing types will contribute to the Festival Ranch goal of creating a balanced community. These neighborhood concepts will promote numerous opportunities for social interaction.
18. Villages and neighborhoods may also be concentrated around resort uses, which may include a destination-oriented resort with significant commercial, recreational, golf courses, and cultural activities.
19. The proposed resort overlay allows for up to 1,000 rooms to be located in any of the planning areas. Additional resort rooms are possible at a reduction of overall residential units of .5 residential units for each additional resort unit. Resort uses may be allowed within residential zones.
20. The Property lies within the boundaries of the Wickenburg Elementary School District and the District has no current or proposed educational facilities on the Property. As plans for the development of each Planning Unit are formulated, the Developer will work with the Wickenburg (or other designated) School District to identify sites to accommodate the needs of students generated as a result of the development of the Property.
21. At the time of submittal of each Planning Unit, the Developer should where possible, identify potential fire, police, and other emergency service sites which may be necessary to serve the Property (not each Planning Unit will require such facilities). Festival Ranch will identify a single two (2) acre police/fire station site to initially serve the first phase of development and the surrounding area.
22. At the time of submittal of each Planning Unit, the Developer should, where possible, identify potential satellite civic or community service facilities. These may include community centers, recreation complexes, Town of Buckeye administrative or government annexes, public utility service centers, or public health facilities, which may be necessary to serve the property.
23. The overall maximum residential density is calculated at 2.4 du/gross acre, with a range of densities of 0 du/ac to 50 du/ac.

24. The Town as part of the CMP approval, requires project Master Plans. These provide community-wide infrastructure plans for the Festival Ranch property. The Master Plans include:
- Master Drainage Plan. The Master Drainage Plan identifies, quantifies and maps drainage constraints within the boundaries of the Festival Ranch Property. This plan addresses site hydrology, retention, and significant drainage features of the site, including mapped floodplains and analyzes the potential impacts to future development and land use densities.
  - Traffic Analysis. This Plan consists of the circulation system including roadway standards applicable to the property and roadway classifications for major and minor arterials. The phased development of the internal street network will be based on the phasing plan as determined for the project and constructed within the respective planning unit as development occurs. Private streets shall be addressed as local streets in individual plats.
  - Master Domestic Water Plan. This Plan meets the Town's requirements and provides general locations and sizes of the major water infrastructure needed to provide domestic water service to the property. Sufficient groundwater is available for Festival Ranch according to recent groundwater studies. The water service infrastructure includes domestic wells, water transmission lines, booster pumping stations, pressure reducing valves, and water storage tanks for dedication to the Town.
  - Master Wastewater Plan. This Plan has been prepared in accordance with the requirements of the Town. The Master Wastewater Plan provides general locations and sizes of the major wastewater infrastructure needed to provide service for the property. This infrastructure includes the development of a wastewater treatment facility, major sewer lines, and wastewater pumping stations where required due to the existing topography of the site for dedication to the Town.

**CONFORMANCE TO ADOPTED LAND USE PLAN:**

25. The purpose of a Community Master Plan is to provide a means of regulating large master planned developments in the PC District. A Community Master Plan establishes land use designations and regulations, intensities, provisions for public facilities, design regulations, phasing schedules, and procedures for administration and implementation.

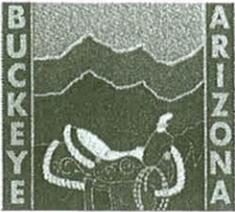
26. This request is substantially in compliance with the Town of Buckeye General Plan and Area Plan. Planned Community (PC) is the preferred medium to accomplish master planned development and does so through the review and approval of a Community Master Plan.
27. Overall, the CMP approach to the development of the Festival Ranch property results in a more cohesive development plan of conserved hillside and wash areas and residential uses which is consistent and, substantially in conformance with, the Town of Buckeye General Plan.
28. This Community Master Plan request will not adversely impact the public health, safety or welfare.

**RECOMMENDATION: (CMP00-28 – FESTIVAL RANCH CMP)**

The subject request generally follows the intent of the *Buckeye General Development Plan and is consistent with the Area Plan*. Furthermore, approval of this request (CMP00-28) would allow for a timely, efficient and orderly development of the property. Additionally, approval of this request will not adversely impact the surrounding area. Staff **recommends** that this request for a Community Master Plan for Festival Ranch property be **approved** subject to the following stipulations:

- a) Approval of this Community Master Plan (Application No. CMP00-28) is contingent upon the execution of a Development Agreement between the Town of Buckeye and the Developer;
- b) Development shall be in accordance with the Community Master Plan, dated July, 2000, and all appendices, including all changes necessary to comply with these approved stipulations;
- c) Provisions of the Buckeye Development Code not covered by the Development Agreement or the Community Master Plan remain applicable to the development of the property;
- d) A comprehensive signage package shall be submitted for approval to the Development Board;
- e) Design Standards (which include site plan, architectural and landscaping) shall be submitted for approval to the Development Board;
- f) Financial guarantee of subdivision improvements shall be approved by the Town Council;

- g) Developer shall create and record a set of Covenants, Conditions & Restrictions (CC&Rs) establishing an association which shall be responsible for the maintenance of all open space and landscape areas (including within rights-of-way). Said CC&Rs shall be reviewed and approved by the Planning Director prior to their recordation;
- h) The developer shall provide a letter from the appropriate school district(s) which certifies that the developer and the school district(s) have entered into an agreement to provide, or help to provide, adequate school facilities within the school districts' attendance area in a timely manner;
- i) Master Drainage Plan to be approved by the Town Engineer;
- j) Master Domestic Water Plan to be approved by the Town Engineer;
- k) Master Wastewater Master Plan to be approved by the Town Engineer;
- l) Traffic Analysis, to be approved by the Town Engineer; and
- m) Submission of six (6) copies of the Community Master Plan revised as necessary to comply with these approved stipulations prior to approval of any further applications or permits.



**COPY**

## Town of Buckeye

---

December 15, 2003

Steve Kunzweiler  
Project Manager  
Pulte Homes / Del Webb  
14780 W. Mountain View Blvd.  
Surprise, AZ 85374

**RE: Approval of Sun City Festival Units E & F, Planning Unit Plans Submittal**

Dear Mr.:

Your submittal concerning the Planning Unit Plans of Sun City Festival, Units E & F is approved by the Town of Buckeye, Community Development Department as of the date of this letter. The Community Development Department will maintain stamped and approved copies of this submittal on site for public viewing and use by the Department.

If you have any additional questions, please do not hesitate to contact me.

Sincerely,

Phil J. Garthright, AICP  
Senior Planner  
Community Development Department

Adan Zillbark

Infrastructure Amendment



COE & VAN LOO CONSULTANTS, INC.

Land Planning • Civil Engineering • Water Resources Engineering • Environmental Sciences • Landscape Architecture • Surveying • Construction Management

Founded 1958 by  
P.E. Coe, P.E. (1915-1977)  
H.W. Van Loo, P.E.

Amendment #1

April 26, 2004

Mr. Larry Harmer, APA, ASLA  
Town of Buckeye  
100 North Apache, Suite. A  
Buckeye, Arizona 85326

Re: Request for Administration Amendment  
Sun City Festival – Festival Ranch CMP  
CVL Project No.: 68-0001

Gentlemen:

In accordance with the provisions and requirements of the Festival Ranch Community Master Plan, Coe & Van Loo Consultants, Inc. on behalf of Pulte Homes, the developers of Sun City Festival, submits the following request for Administrative Amendments to the Festival Ranch CMP.

The first request is for an additional option to the typical local street improvement section for Festival Ranch. The optional Local Residential street section, as proposed for this CMP Amendment request, would comply with all elements of the original Local Residential Street Section R-44 except that, in place of the two 4 foot detached concrete sidewalks, one on each side, the sidewalks would be attached. (See attached **Exhibit A**)

The second request is for an amendment option to the minor collector street improvement section. The optional Minor Collector street section, as proposed for this CMP Amendment request, would increase the center median width from 8 feet to 15 feet. (See attached **Exhibit B**) With the increased median, the travel lanes would decrease from 20 feet both ways to 18 feet in both directions. In addition, the 8 foot sidewalk is proposed as a detached sidewalk, 6 feet behind the back of curb. This optional Minor Collector Street Section C-70 will allow for a wider median with turn lanes and a larger landscape tract adjacent to the back of curb, creating more space for lush landscaping.

Both of these requests are proposed as modified options and are not intended to replace the existing approved street sections. Greater flexibility will allow for diversity and visual interest within the development, creating character and a sense of place.

If there are questions regarding these amendment requests or if additional material is required, please contact me.

Sincerely,

COE & VAN LOO  
Consultants, Inc.

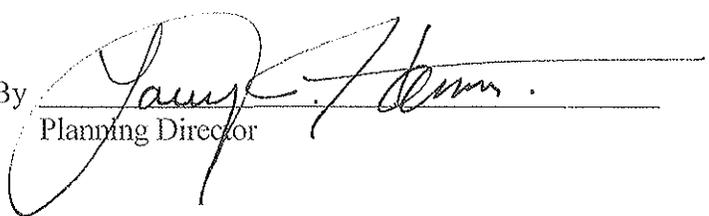


George Cannataro, AICP  
Senior Project Manager

GC:ar

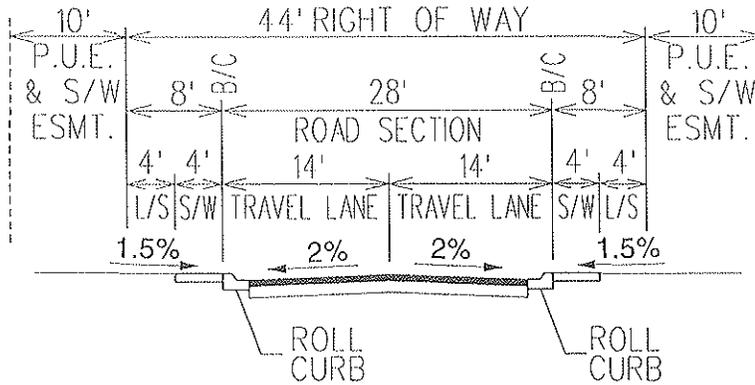
Agreed to and accepted as of 4 May, 2004

TOWN OF BUCKEYE

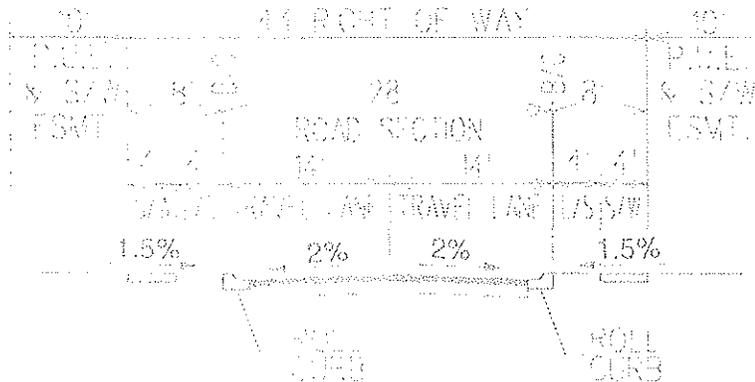
By   
Planning Director

cc: Phil Garthright, Town of Buckeye  
Stuart Barney  
Steve Kunzweiler

# SUN CITY FESTIVAL LOCAL ROAD SECTION

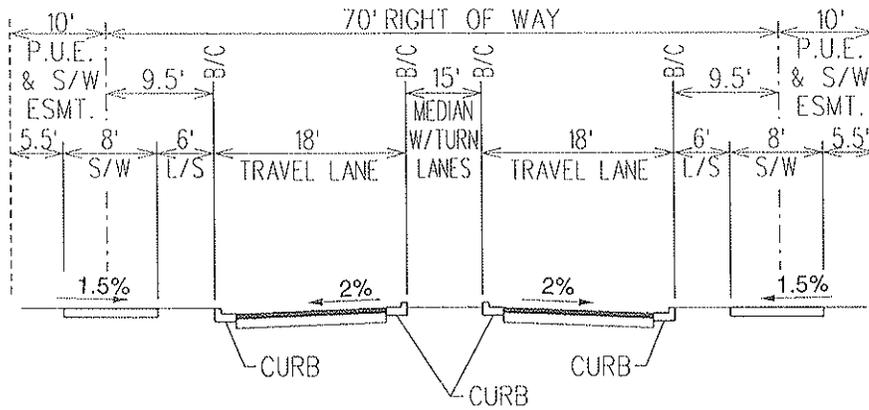


**R-44**  
**LOCAL RESIDENTIAL**  
 PARKING ONE SIDE ONLY  
**MODIFIED SECTION**  
 N.T.S.

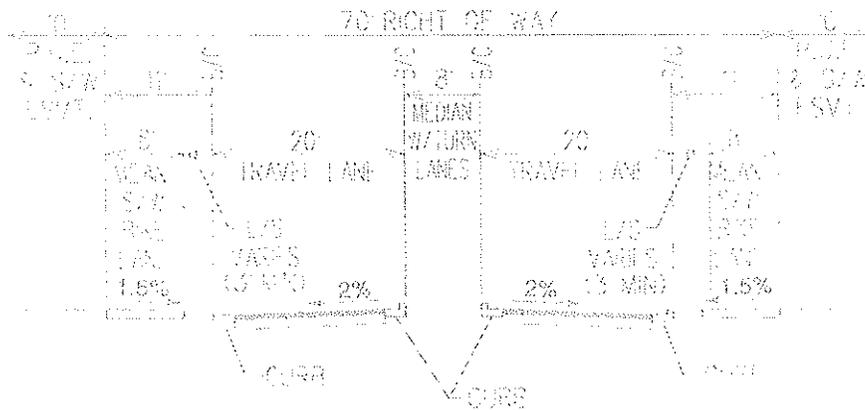


**R-44**  
**LOCAL RESIDENTIAL**  
 PARKING ONE SIDE ONLY  
**APPROVED SECTION**  
 N.T.S.

# SUN CITY FESTIVAL COLLECTOR ROAD SECTION



**C-70**  
**MINOR COLLECTOR (BIKE ON ROAD)**  
**MODIFIED SECTION**  
 N.T.S.



**C-70**  
**MINOR COLLECTOR (BIKE OFF ROAD)**  
**APPROVED SECTION**  
 N.T.S.



APRIL 26, 2004

EXHIBIT B

**TRANSMITTAL**

Mr. Larry Harmer, APA, ASLA  
Town of Buckeye  
100 North Apache, Suite. A  
Buckeye, Arizona 85326

Date: April 28, 2004  
Project Name: Festival Ranch  
Project Number: 68-0001-03  
Transmitting Via: Mail

THE FOLLOWING ARE SUBMITTED:

✓ ORIGINALS	✓ AS REQUESTED	FOR YOUR REPLY/ACTION
PRINTS	FOR YOUR INPUT	FOR YOUR INFORMATION/FILE
FEEES (SEE BELOW)	FOR YOUR APPROVAL	
OTHER (SEE BELOW)	FOR YOUR SIGNATURE	

NUMBER SUBMITTED	DATED	DESCRIPTION
1	04/26/04	Revised Sun City Festival Local Road Section Exhibit A

REMARKS OR REPLY:

Larry,

Attached is the revised Local Road Section Exhibit A that you had requested.

COPY TO:

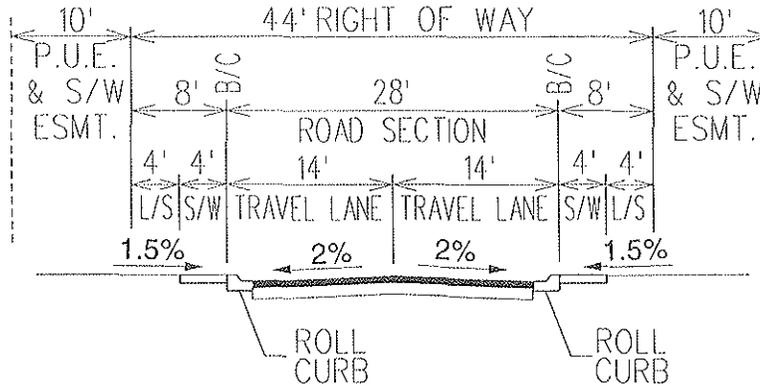
SINCERELY,  
COE & VAN LOO CONSULTANTS, INC.

RECEIVED BY: \_\_\_\_\_

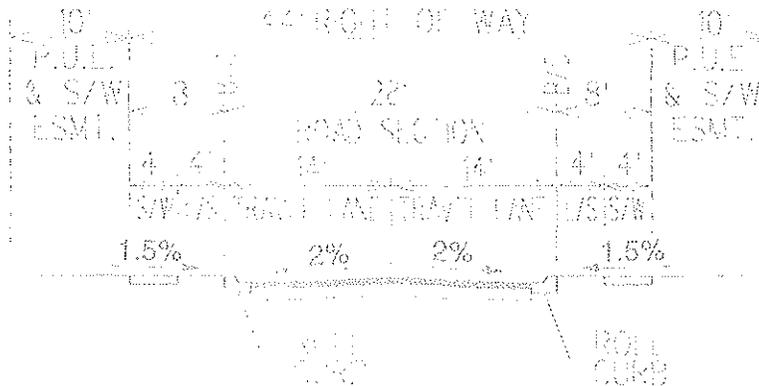
DATE \_\_\_\_\_

\_\_\_\_\_  
Jennifer Scott *Jennifer Scott* *AR*

# SUN CITY FESTIVAL LOCAL ROAD SECTION



**R-44**  
**LOCAL RESIDENTIAL**  
**MODIFIED SECTION**  
N.T.S.



**R-44**  
**LOCAL RESIDENTIAL**  
**APPROVED SECTION**  
N.T.S.



APRIL 26, 2004

EXHIBIT A

*Adrian Zalkind*

**LANDSCAPING AMENDMENT**



June 14, 2004

Amendment #2

**COPY**

Town of Buckeye  
Community Development Department  
110 East Irwin Avenue  
Buckeye, Arizona 85326

Attention: Mr. Larry Harmer, Community Development Director

Subject: Proposed Amendment to the Festival Ranch  
Community Master Plan  
Buckeye, Arizona

Dear Mr. Harmer:

I would like to propose the attached list of trees, shrubs, accents and groundcovers as an addition to the approved Festival Ranch Community Master Plan as well as the approved Sun City Festival, Planning Unit One Framework Plan.

As you may be aware, we now have three landscape architects working on the project in different capacities – one for the golf course, one for the marketing trail and yet another for streets, tracts, etc. These architects are Schmidt-Curley, Ten Eyck and Vollmer, respectively.

Not surprisingly, between the three of them, they managed to generate a plant list that isn't completely covered by the CMP or Framework Plan. Additionally, you will note that some of the suggested plant material is not ADWR approved. To that end, I've attached literature for your review that demonstrates their respective drought tolerances.

Your signature below represents the Town's authorization to add the attached plant list to the Festival Ranch CMP.

Thanks for your assistance in this matter. Please let me know if you

Sincerely,

Steve Kunzweiler  
Manager, Land Development

Larry Harmer  
Community Development Director

AMENDMENT #2  
(Landscaping)

# Ten Eyck landscape architects

DATE: June 1, 2004

plant palette

## Project Name : Sun City Festival - Plant Palette

### Non CMP Plant List

Trees		ADWR List	Approved Festival CMP list
Chilopsis linearis 'Des. Ameth.'	Desert Willow	y	n

Shrubs		ADWR List	Approved Festival CMP list
Baccharis 'Centennial'	Coyote Brush	y	n
Carissa macrocarpa	Natal Plum	n	n
Cassia nemophylla	Desert Cassia	y	n
Encelia frutescens	Green Brittlebush	y	n
Euphorbia antisyphilitica	Candelilla	y	n

Accents		ADWR List	Approved Festival CMP list
Bismarckia nobilis	Bismark Palm	n	n
Brahea armata	Mexican Blue Fan Palm	y	n
Butia capitata	Pindo Palm	y	n
Lupinus sparsifloris	Lupine	y	n
Opuntia bigelovii	Teddy Bear Cholla	y	n
Pedilanthus macrocarpus	Slipper Plant	y	n
Phoenix canariensis	Canary Island Palm	y	n
Trichocereus terscheckii	Cardon Grande	n	n

Groundcover & Vines		ADWR List	Approved Festival CMP list
Malephora luteola	Rocky Point Ice Plant	y	n
Verbena gooddingii	Gooding Verbena	n	n
Verbena pulchella	Moss Verbena	n	n

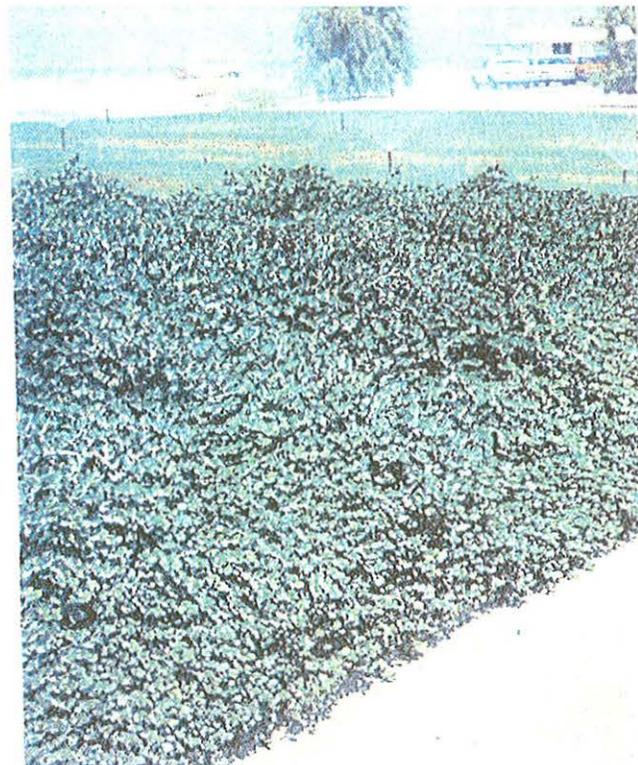
**CARISSA MACROCARPA*****Carissa macrocarpa*  
(*C. grandiflora*)**

Natal plum

Apocynaceae family



86

**COLD HARDINESS**

Low zone and warm pockets of the intermediate zone. Recovers rapidly from frosting, but damaged wood must be removed, compensating its form and value for cost of landscape uses.

**LANDSCAPE VALUE**

- Superb shrub for screening, banks, medians and hedging (formal and informal). Accepts shearing well.
- Large containers.

**CULTURAL REQUIREMENTS**

- **Exposure:** Full sun, including reflected heat to open shade.
- **Water:** **High drought tolerance**, especially after plant is established. Water every week or two during the warm season when plant is young and developing. Soak the root zone every month or two to maintain good foliage color after it fully develops.
- **Soil:** Any soil with good drainage. **Tolerates high soil temperatures.**
- **Propagation:** Cuttings.
- **Maintenance:** High pruning of young growth will improve thickness. Takes shearing well for formal effects.

**POSSIBLE PROBLEMS**

- Spines on branches are a hazard when planted too close to patios and walkways.
- When planted in colder areas, frost-damaged foliage remains unsightly until new spring growth begins. Recovers rapidly in spring from a winter freeze, but appearance may be ragged during winter.

**G**rows 1 to 7 feet (1 to 2 m) high, sometimes higher, with equal spread. Moderate to rapid growth, depending on available moisture during the warm season. South African evergreen shrub with an open form that becomes a thin leaning mound as it matures. Astringent, leathery bright green 3-inch (7.5-cm) oval leaves tolerate bright sun and harsh exposed locations. Fragrant five-petaled white jasmine-like flowers bloom continuously over the warm season. Pink to red edible fruit follow blossoms and, because of continuous bloom, are often present at the same time as flowers. Stout spines along branches and at ends of twigs can discourage trespassers.

“Givvans” have many special uses: *C. m.* ‘Boxwood Beauty’ is exceptionally compact. It grows up to 2 feet high and makes an excellent small trimmed hedge. *C. m.* ‘compacta’ ‘Ezzy’ has showy large fruits and bold foliage on a large plant up to 6 feet (2 m) tall. ‘Horizontalis,’ a trailing and spreading groundcover, grows 12- to 2 feet (4- to 6) cm with dense foliage. *C. m.* ‘Prostrata’ can spread vigorously to 2 feet (60 cm) high, but much wider if given the space. Prune out strong vertical shoots, which detract from its groundcover form. There are other cultivars with similar special qualities that appear in the nurseries from time to time.

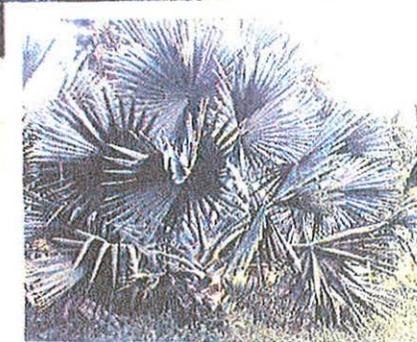


Scientific Name: *Bismarckia nobilis* (biz-mark-ee-uh no bil-iss)

Common Name(s): Bismarck palm

Typical Height: 30-60'  
Subfamily: Coryphoideae  
Tribe: Borasseae

Hardiness Zone: 10A-11  
Growth Rate: Slow (towards moderate after trunk development)  
Origin: Madagascar



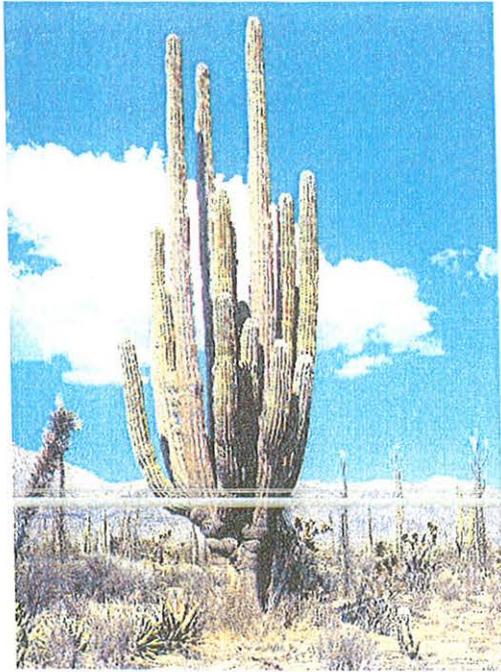
#### Landscape Characteristics

**Salt Tolerance:** Moderate  
**Drought Tolerance:** High  
**Soil Requirements:** Widely adaptable  
**Light Requirements:** Moderate, high  
**Nutritional Requirements:** Moderate  
**Uses:** Specimen tree  
**Propagation:** Seeds, often germinating in less than 2 months  
**Human Hazards:** None  
**Major Pest Problems:** None  
**Major Disease or Physiological Problems:** None

#### Morphology (Identifying Characteristics)

**Habit:** Solitary, massive; canopy of 20-30 leaves  
**Trunk or Stem characteristics:** Leaf bases adhere when young, later gray and fissured; often swollen at base  
**Leaf Type:** Costapalmate, induplicate, stiff and upright; divided to about 1/3 into approximately 20 segments; lop-sided hastula  
**Foliage Color:** Blue-green to bronze-green, slight red edge, waxy  
**Leaf Size:** To 10' in diameter  
**Petiole:** Waxy, stout, 4-8' long; winged at base and very sparsely toothed at edge  
**Crownshaft:** None  
**Inflorescence:** 4' long; branched; ultimate branches thick and catkin-like  
**Gender:** Separate male and female plants  
**Flower Color:** Cream  
**Fruit Size:** 1.5"  
**Fruit Color:** Brown  
**Irritant:** No

**Comments:** *Bismarckia* is one of the most beautiful and desirable fan palms for use in subtropical landscapes. Its bold and formal appearance dominates the area it inhabits. *Bismarckia* is particularly well-adapted to Florida conditions, and with only moderate fertilization the palm remains free of nutritional deficiencies. The bismarck palm is massive in aspect; even relatively young specimens may spread to 20' or more. Consequently, this beautiful palm is out-of-scale for small residential yards, and may make a small house appear even smaller. *Bismarckia* transplants with some difficulty, and it is one of the few palms that are regularly root-pruned in field nurseries. The loss of several older leaves is not infrequent shortly after installation. Young palms (before trunk development) are especially tolerant of being moved due to the burial and underground development of the seedling stem and should only be transplanted out of containers. Bismarcks have been used as far north as Sarasota along the Florida coast; freeze damage occurs but the palm generally recovers in a single season of growth.



Cardón

Cardon Grande is a large, upright cactus that grows much like a Saguaro. This plant is smaller than a Saguaro, however, reaching about 25' tall at maturity. Cardon Grande will eventually form multiple arms, some with diameters approaching 12" across. White flowers open at night, and appear through the spring nights. Plants are very drought tolerant once established, able to subsist on rainfall in all but the most xeric conditions. Full sun to part shade, needs well-drained soil.

Sources:

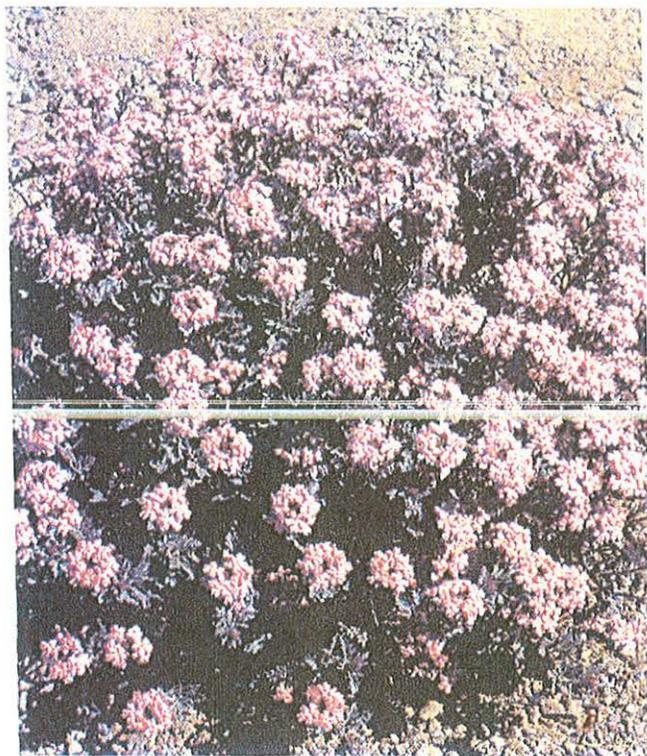
**Mountain States Wholesale Nursery.** [www.mswm.com](http://www.mswm.com)

**Roberts, Norman C.** Baja California Plant Field Guide. 1989. Natural History Publishing Company. La Jolla.

## Verbena gooddingii

Goodding verbena

Verbenaceae family



### COLD HARDINESS

All three zones.

### LANDSCAPE VALUE

Attractive addition to gardens of desert perennials or short-term annual flower.

### CULTURAL REQUIREMENTS

- **Exposure:** Full sun.
- **Water:** Well-tolerates few weeks of drought, but not at all year.
- **Soil:** Well-drained soil.
- **Propagation:** Seed or cuttings.
- **Maintenance:** Short-lived. Replace from time to time.

### POSSIBLE PROBLEMS

- Life span is variable.
- Can look lanky after period of heavy bloom.

Perennial though short-lived groundcover that grows at a moderate rate of seed with regular moisture to 15 inches (38 cm) high and 3 feet (1 m) wide. Makes an attractive mound of small, thick-cut leaves covered with short spikes of tiny pink-to-rose flowers. Blooms throughout spring and summer if moisture is present. Reseeds readily. Native to Sonora, Mexico (Southwest).

### COLD HARDINESS

Low and intermediate zones. Cold winters cause planted areas to look bare for two or more months but spring regrowth is rapid with frost on.

### LANDSCAPE VALUE

- Durable, low groundcover makes a fine-textured low carpet of purple over a long season with adequate soil moisture.
- Especially colorful for transitional zones.
- Combines well with wildflowers and other groundcovers of similar growth habit.
- Grosser control on slopes and banks.
- Both residential and commercial landscapes.
- Medium and better zones.

### CULTURAL REQUIREMENTS

- **Exposure:** Full to reflected sun.
- **Water:** Moderately drought-tolerant as an established plant but satisfactory landscape performance is dependent on water every couple weeks in every month.
- **Soil:** Grows well in a wide range of sandy to rocky, alkaline, and region soils if water is available and the soil contains little organic matter.
- **Propagation:** Seed or cuttings.
- **Maintenance:** Prune back frost-damaged plants in late winter. Naturalizes readily even if established plants are lost over winter. A fresh vigorous stand can be established from seedlings by periodic irrigation of the site.

### POSSIBLE PROBLEMS

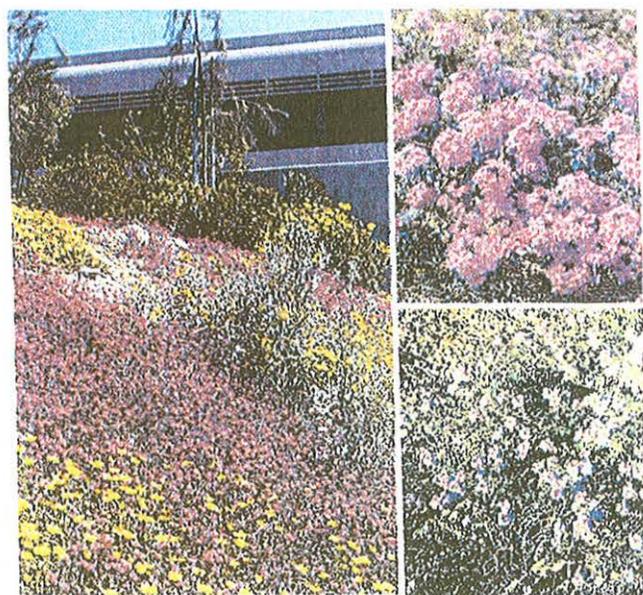
None observed.

Evergreen flat-growing perennial 6 to 12 inches (15 to 30 cm) tall and 2 to 5 feet (61 cm to 1.5 m) wide. Grows rapidly with regular water. Dark green leaves 4-inch (2.5 cm) long are divided

## Verbena pulchella gracilior (V. tenuisecta)

Moss verbena

Verbenaceae family



into three parts, finely and pinnately cut. Small flower clusters are blue to purple or violet (sometimes pink or white) and bloom from late winter into fall in warm low-desert locations. Flowers are most abundant in spring on drier sites. Native to South America.



**Town of Buckeye**  
**Community Development Department**  
**Planning Division**

Amendment # 3

---

**Report to the Town Council**

Meeting Date – February 7, 2006

Approved

---

**Subject:** CMP(A)05-10 Sun City Festival Mechanical Equipment Amendment

**Request:** To approve a major amendment to the Festival Ranch Community Master Plan to allow for mechanical equipment, such as air conditioning units, to be placed in a 5' side setback.

**Key items for consideration:**

- This will only apply to Pulte/Del Webb's homes in the active adult section of Festival Ranch.
- It is allowed in Sun City Grand in Surprise, which is a similar Pulte/Del Webb active adult community.
- It has been approved by the Assistant Fire Chief and is deemed to pose no threat to public safety.
- There is no known opposition to this project.
- Public hearing at Development Board Meeting – January 24, 2006

**Related references:**

- Festival Ranch Community Master Plan (CMP00-28) approved in 2000.

**Owner/  
Developer:** Pulte Homes, Inc.  
West Valley Division  
15111 North Pima Road, Suite 100  
Scottsdale, Arizona 85260  
Attn: Steve Kunzweiler  
Director of Planning & Development  
Phone: (480) 314-7970

**Background:** This item is considered to be a "major change" to the Community Master Plan, as defined in clause in the Festival Ranch Community Master Plan under Section 7-7-6 Subdivision Design, B. Lot Design, 2. Setbacks, letter "g", which states under letter "F", "Amendments to the Community Master Plan" (July 2000 version, p. 16):

*The following shall be considered major changes:*

- *New development standards which are less restrictive than the Town Development Code.*

This change would indeed be less restrictive than the Town Development Code, under Section 7-7-6 Subdivision Design, B. Lot Design, 2. Setbacks, letter "g", which states (December 15, 2005 version, p.74):

(A/C units)

*Mechanical equipment, such as air conditioners, may be constructed within the rear or side yards provided that in no case shall said mechanical equipment be nearer than five (5) feet to the property line within a required side yard.*

In order to process such a “major change”, according to procedure outlined in the “Amendments to the Community Master Plan” section of the Festival Ranch CMP (referenced above in paragraph 1):

*Major changes shall be reviewed by the Development Board and approved by the Town Council subject to typically applicable notice and hearing requirements.*

Thus, the Development Board approval of this item would be consistent with the procedure. It shall be presented to the Town Council after such approval.

The lots in the active adult community will not have walls along the property lines. Thus, there are no safety concerns regarding egress or fire department access to a home. Most importantly, Bob Costello, Assistant Fire Chief, is in support of the amendment. An email expressing his approval has been included as an attachment to this staff report.

Pulte/Del Webb did not want to have the air conditioning units placed in the rear of the homes because of noise concerns to nearby bedrooms. Also, the units placed in the side setback will have less of a visual impact than if placed in the backyard. Since there are no property line walls, the mechanical equipment would be highly visible when looking across the rear yards. The air conditioning units in the side setback will be screened with a block wall, so they will not be visible from the street.

Thus, the amendment would be inserted into Section IV of the Festival Ranch Community Master Plan titled “Land Use Designations, Budget and Development Standards” under item “C”, “General Development Standards: Setback and Height Exceptions” (July 200 version, p. 54):

- 3. *In areas where there is no side yard fencing along lot lines, mechanical equipment, such as air conditioners, may be placed within the 5’ side setback. In no case shall said mechanical equipment be nearer than two (2) feet to the property line within a required side yard. This shall only apply to lots in the Pulte/Del Webb active adult portions of the development.*

**Community Involvement:** In preparation for this meeting, the following requirements have been completed:

- 1. Site posted with public hearing information.....January 9, 2006
- 2. Mailing to nearby property owners.....January 9, 2006
- 3. Published in the Arizona Republic..... January 9, 2006

**Staff Recommendation:** The Community Development Department recommends approval.

**Responsible Department:** Town of Buckeye Community Development Department  
110 East Irwin Avenue  
Buckeye, Arizona 85326

**Staff Contact:**

---

Adam M. Zaklikowski  
Planner  
Phone: (623) 386-8299 Ext. 222  
azaklikowski@buckeyeaz.gov

**Approved by:**

---

Bob Bushfield, AICP  
Community Development Director  
Phone: (623) 386-8299 Ext. 227  
bbushfield@buckeyeaz.gov

**Attachments:**

Map of Pulte/Del Webb portion of Festival Ranch

*Note: All areas in light green are the active adult community parcels. Such areas would be the only areas affected by this CMP amendment.*

Sample plot plan  
Affidavit of Posting  
Photos of posting (2)  
Affidavit of Mailing List & Mailing  
Notification mailed to nearby landowners  
Copy of newspaper publication  
Approval email from Bob Costello

**EARL, CURLEY & LAGARDE, P.C.**  
ATTORNEYS AT LAW

Amendment # 4

Telephone (602) 265-0094  
Fax (602) 265-2195

3101 North Central Avenue  
Suite 1000  
Phoenix, Arizona 85012

March 29, 2006

Robert Bushfield  
Director, Community Development  
Town of Buckeye  
110 E. Irwin Avenue  
Buckeye, AZ 85326

Re: Request for Administrative Approvals of CMP Land Trade  
Anderson/Festival Ranch CMP and the Spurlock Ranch CMP

Dear Mr. Bushfield:

The purpose of this letter is to follow up your previous approval of the CMP land swap between the Festival and Spurlock CMP's. On August 2, 2005, you approved an administrative amendment to exchange two parcels of land that were very similar in size (562.643 ac. to Spurlock and 562.643 ac. to Festival) between the above referenced approved CMP's. In order to escrow, the two ownership groups agreed that the land going to Festival should include the powerline easement, which is not developable for residential. This increased the amount of land going to Festival by approximately 13 acres. The corrected amount of land that moved into the respective CMP's is as follows:

556.42 ac. - Spurlock; and 562.643 575 ac. - Festival (+18.58 ac.)

The basis for this exchange is fully detailed in the August 2, 2005 letter. Again, the Festival parcels that would be traded into the Spurlock Ranch CMP are Parcels 12, 15, 16, 17 & 18 as shown on the Festival Ranch Exhibit A and the Spurlock parcel that would be traded into the Festival Ranch CMP is the western portion of Section 15 abutting the east side of Festival Ranch Parcel 19 on the same exhibit and denoted with an asterisk. Both parcels are illustrated on Figure 13 of the Spurlock Ranch CMP as the subject of a potential land trade. Copies of the legal descriptions are attached.

Robert Bushfield  
March 29, 2006  
Page 2

Your approval of this revised administrative amendment would be appreciated. We have included a signature line below for your convenience if you would prefer not to prepare your own letter. The fee for the amendment has already been paid.

Very truly yours,



Stephen C. Earl

SCE/gvk

cc: S. Ruby  
T. Block  
G. Spurlock

Acknowledged and agreed to  
this 9<sup>th</sup> day of May, 2006

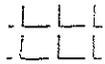
By: Robert Bushfield  
Robert Bushfield  
Director, Community Development

## Index Maps of Land Trade Property

# FESTIVAL RANCH

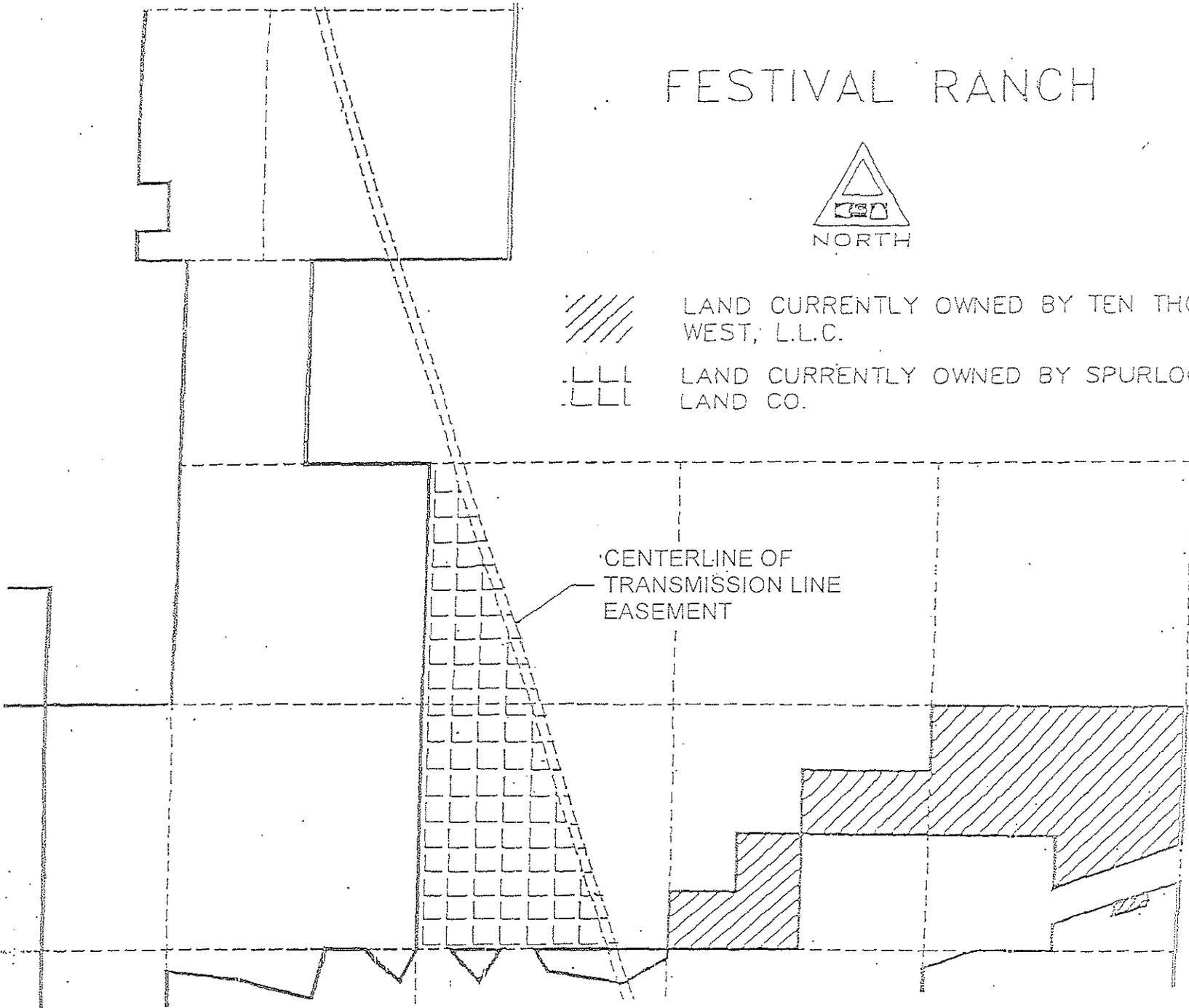


LAND CURRENTLY OWNED BY TEN THOUSAND WEST, L.L.C.



LAND CURRENTLY OWNED BY SPURLOCK LAND CO.

CENTERLINE OF TRANSMISSION LINE EASEMENT



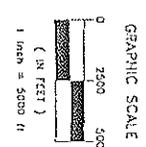
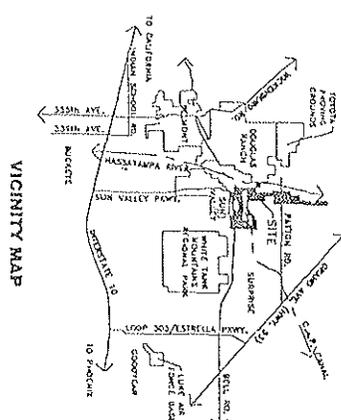
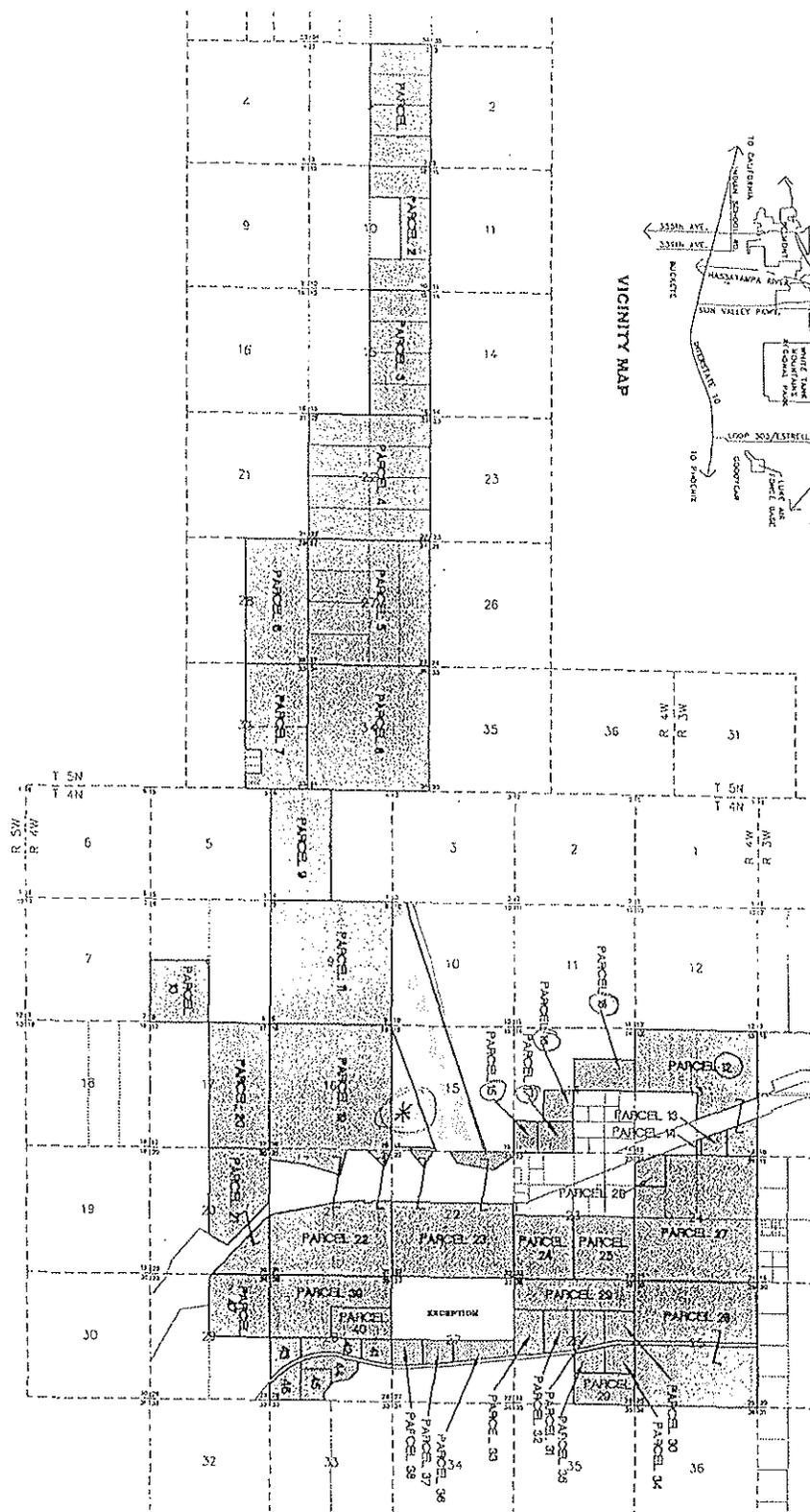


EXHIBIT A

LEGAL DESCRIPTION KEY MAP  
 FESTIVAL RANCH  
 Maricopa County,  
 Arizona  
 July, 2000

XIMLEY-HORN AND ASSOCIATES, INC.  
 7600 North 15th Street, Suite 250  
 Phoenix, Arizona 85020  
 (602) 944-5500

Land Transferred Into Spurlock CMP from Festival Ranch CMP

EXHIBIT A  
(1 of 7)

May 12, 2005

LEGAL DESCRIPTION FOR  
SUN CITY FESTIVAL  
LYLE ANDERSON PARCEL

That part of the Southeast Quarter of Section 13, Township 4 North, Range 4 West of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

Commencing at the G.L.O. Brass Cap marking the Southeast Corner of said Section 13, from which the G.L.O. Brass Cap marking the East Quarter Corner of said Section 13 bears North  $00^{\circ}24'51''$  East, a distance of 2,642.18 feet;

Thence North  $00^{\circ}24'51''$  East, along the East line of the Southeast Quarter of said Section 13, a distance of 1,633.09 feet to a point on the Southerly right-of-way line of the Central Arizona Project Canal and on the Northerly line of that certain parcel of land described in Instrument No. 2004-0549490, Maricopa County Records;

Thence along the Northerly line of that certain parcel of land described in Instrument No. 2004-0549490, Maricopa County Records, the following courses:

Thence South  $69^{\circ}27'38''$  West, departing said East line along said Southerly right-of-way line, a distance of 1,067.33 feet to the True Point of Beginning;

Thence South  $00^{\circ}00'00''$  East, departing said Southerly right-of-way line, a distance of 213.58 feet to a point on a line which is parallel with and 200.00 feet Southerly, as measured at right angles, from the Southerly right-of-way line of the Central Arizona Project Canal;

Thence South  $69^{\circ}27'38''$  West, along said parallel line, a distance of 464.53 feet;

Thence North  $00^{\circ}00'00''$  East, departing said parallel line, a distance of 213.58 feet to a point on the Southerly right-of-way line of the Central Arizona Project Canal;

Thence North  $69^{\circ}27'38''$  East, departing said Northerly line of that certain parcel of land described in Instrument No. 2004-0549490, Maricopa County Records, along said Southerly right of way line, a distance of 464.53 feet to the True Point of Beginning.

Containing 2.133 Acres, more or less.

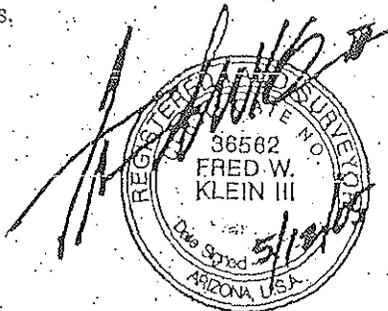
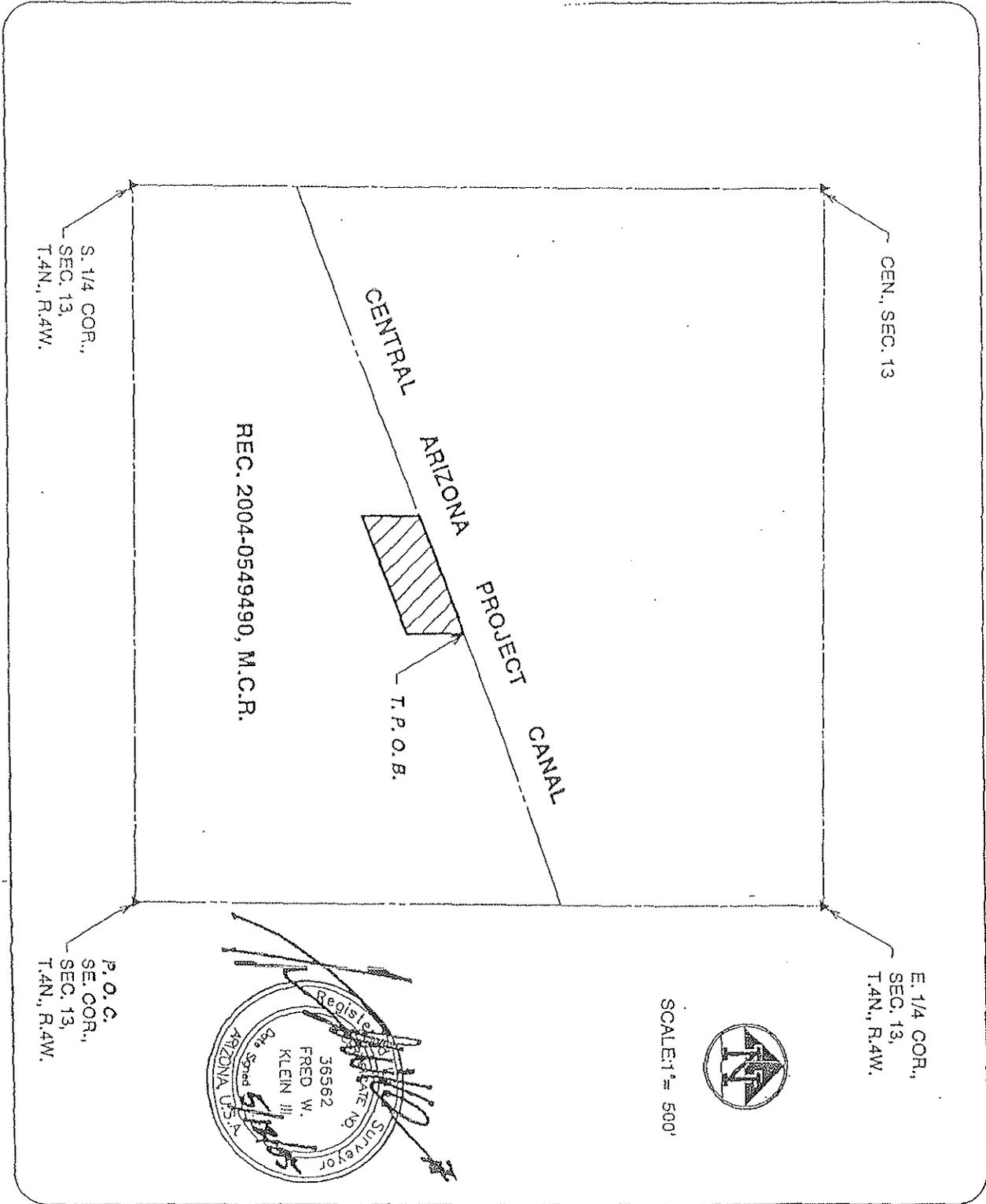


EXHIBIT A  
(2 of 7)



<p>EXHIBIT</p> <p>N:\680001\LAND\VEHLYE.DGN</p>	<p>SUN CITY FESTIVAL LYLE ANDERSON PARCEL</p>	<p>JOB NO 680038-01</p>
<p>4550 NORTH 12TH STREET PHOENIX, ARIZONA 85014 TELEPHONE (602) 264-6831</p>	<p><b>COE &amp; VAN LOO</b> PLANNING ENGINEERING LANDSCAPE ARCHITECTURE</p>	<p>SHEET 1 OF 1</p>

EXHIBIT A  
(3 of 7)

PARCEL DESCRIPTION  
FESTIVAL RANCH  
SWAP PARCEL 2

PARCEL A:

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 4 NORTH, RANGE 4 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, ACCORDING TO AN UNRECORDED ALTA SURVEY OF "SUN VALLEY", PREPARED BY, RANDY DELBRIDGE SURVEYING SERVICES, INC., DATED MARCH 15, 1995, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 14, FROM WHICH THE WEST QUARTER CORNER OF SAID SECTION BEARS, NORTH  $00^{\circ}01'28''$  WEST, A DISTANCE OF 2642.08 FEET:

THENCE NORTH  $00^{\circ}01'28''$  WEST ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 14, A DISTANCE OF 1321.04 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 14;

THENCE DEPARTING SAID WEST LINE, NORTH  $89^{\circ}57'26''$  EAST ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 14, A DISTANCE OF 1321.95 FEET;

THENCE DEPARTING SAID NORTH LINE, NORTH  $00^{\circ}02'37''$  WEST ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 14, A DISTANCE OF 1321.54 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 14;

THENCE DEPARTING SAID WEST LINE, NORTH  $89^{\circ}55'51''$  EAST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION, A DISTANCE OF 1321.22 FEET TO THE CENTER OF SAID SECTION 14;

THENCE DEPARTING SAID NORTH LINE, SOUTH  $00^{\circ}04'31''$  EAST ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 14, A DISTANCE OF 2644.29 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION 14;

THENCE DEPARTING SAID EAST LINE, SOUTH  $89^{\circ}58'52''$  WEST ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 14, A DISTANCE OF 2645.08 FEET TO THE POINT OF BEGINNING.

PARCEL A CONTAINS 5,241,872 SQUARE FEET, OR 120.34 ACRES, MORE OR LESS.

PARCEL B:

THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 4 NORTH, RANGE 4 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, ACCORDING TO AN UNRECORDED ALTA SURVEY OF "SUN

EXHIBIT A  
(4 of 7)

VALLEY", PREPARED BY RANDY DELBRIDGE SURVEYING SERVICES, INC., DATED MARCH 15, 1995, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST QUARTER CORNER OF SAID SECTION 14, FROM WHICH THE NORTHEAST CORNER OF SAID SECTION 14 BEARS NORTH 00°02'58" WEST, A DISTANCE OF 2639.86 FEET:

THENCE SOUTH 89°56'00" WEST ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 2636.60 FEET TO THE CENTER OF SAID SECTION 14:

THENCE DEPARTING SAID SOUTH LINE, NORTH 00°04'31" WEST ALONG THE WEST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 1322.11 FEET;

THENCE DEPARTING SAID WEST LINE, NORTH 89°58'50" EAST ALONG THE NORTH LINE OF THE SOUTH HALF OF SAID NORTHEAST QUARTER, A DISTANCE OF 2637.20 FEET TO THE EAST LINE OF SAID NORTHEAST QUARTER:

THENCE DEPARTING SAID NORTH LINE, SOUTH 00°02'58" EAST ALONG SAID EAST LINE, A DISTANCE OF 1319.93 FEET TO THE POINT OF BEGINNING.

PARCEL B CONTAINS 3,483.396 SQUARE FEET OR 79.97 ACRES, MORE OR LESS.

PARCEL C:

A PORTION OF SECTION 13, TOWNSHIP 4 NORTH, RANGE 4 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, ACCORDING TO AN UNRECORDED ALTA SURVEY OF "SUN VALLEY", PREPARED BY RANDY DELBRIDGE SURVEYING SERVICES, INC., DATED MARCH 15, 1995, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST QUARTER CORNER OF SAID SECTION 13, FROM WHICH THE SOUTHWEST CORNER OF SAID SECTION 13 BEARS SOUTH 00°00'21" WEST, A DISTANCE OF 2643.32 FEET;

THENCE NORTH 00°02'58" WEST ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 13, A DISTANCE OF 2639.86 FEET TO THE NORTHWEST CORNER OF SAID SECTION 13;

THENCE DEPARTING SAID WEST LINE, NORTH 89°59'32" EAST ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 2641.53 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 13;

THENCE NORTH 89°58'40" EAST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 13, A DISTANCE OF 2643.54 FEET TO THE NORTHEAST CORNER OF SAID SECTION 13;

THENCE DEPARTING SAID NORTH LINE, SOUTH 00°01'05" WEST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 2641.28 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 13;

EXHIBIT A  
(5 of 7)

THENCE SOUTH 00°00'21" WEST ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 13, A DISTANCE OF 153.08 FEET TO THE NORTHERLY LINE OF THE CENTRAL ARIZONA PROJECT;

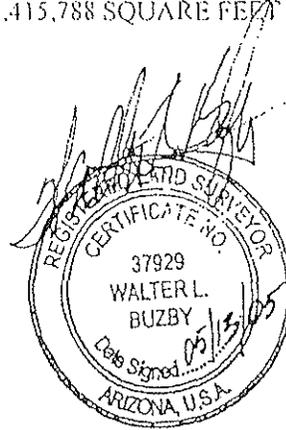
THENCE DEPARTING SAID EAST LINE, SOUTH 69°03'47" WEST ALONG SAID NORTHERLY LINE, A DISTANCE OF 2828.78 FEET TO THE WEST LINE OF SAID SOUTHEAST QUARTER;

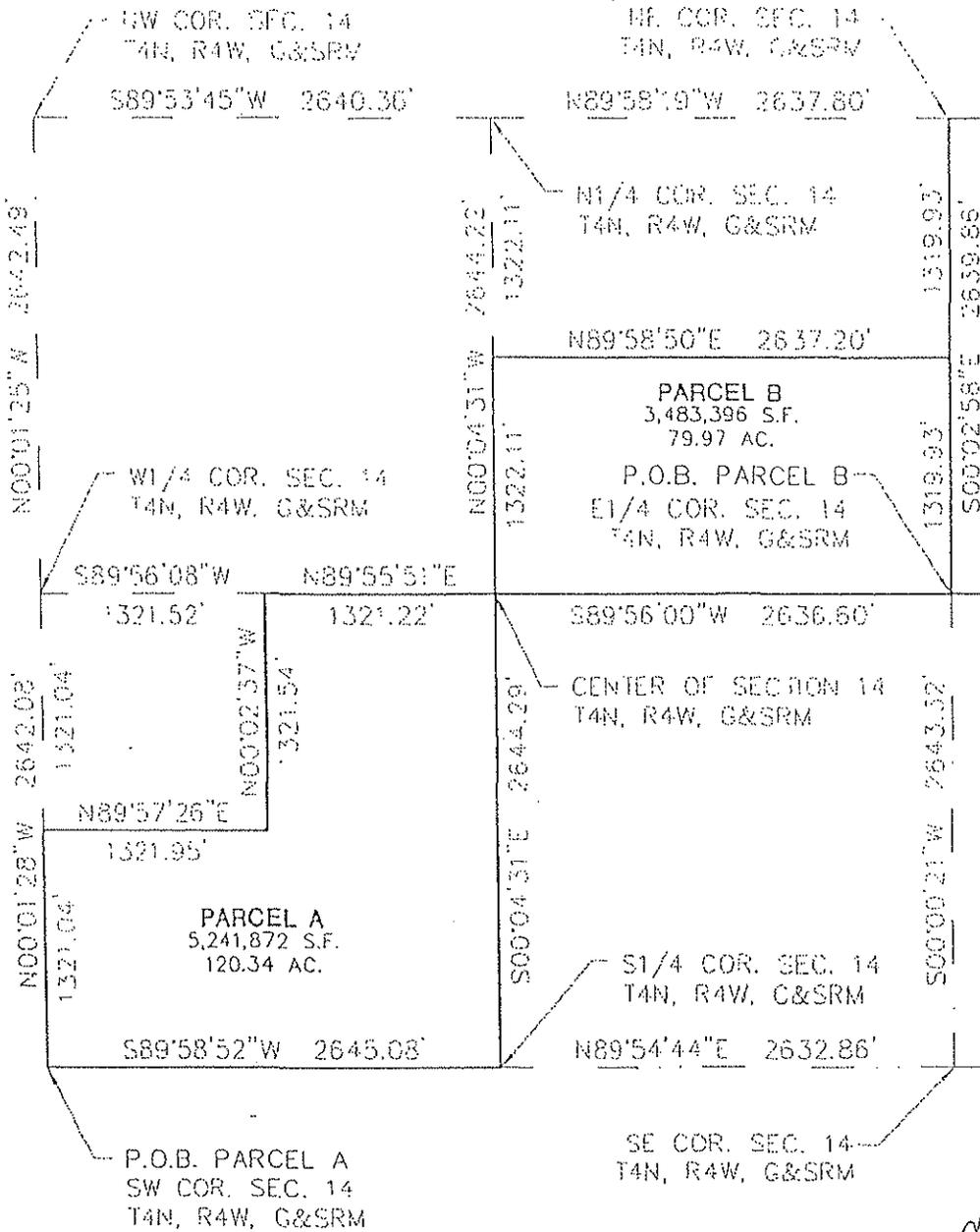
THENCE DEPARTING SAID NORTHERLY LINE, NORTH 00°00'37" WEST ALONG SAID WEST LINE, A DISTANCE OF 1163.92 FEET TO THE CENTER OF SAID SECTION 13;

THENCE DEPARTING SAID WEST LINE, NORTH 89°59'58" WEST ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 13, A DISTANCE OF 2639.73 FEET TO THE POINT OF BEGINNING.

PARCEL C CONTAINS 15,690,520 SQUARE FEET OR 360.20 ACRES, MORE OR LESS.

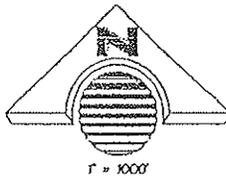
THE SUM OF SAID PARCELS A, B AND C CONTAINS 24,415,788 SQUARE FEET OR 560.51 ACRES, MORE OR LESS.



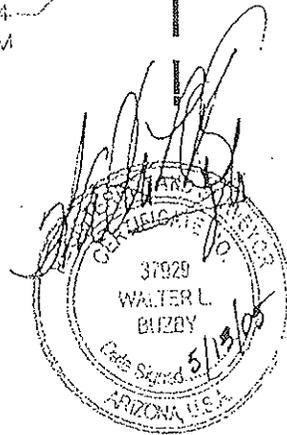


**LEGEND**

- PARCEL LINE
- SECTION LINE



1" = 1000'



**NOTE:**

ALL BEARINGS AND DISTANCES ARE BASED UPON AN UNRECORDED ALTA SURVEY PREPARED BY RANDY DELBRIDGE SURVEYING SERVICES, INC., DATED 3-15-95.

**HORIZON CONSULTANTS OF ARIZONA**

7878 NORTH 16TH STREET, SUITE 235  
PHOENIX, ARIZONA 85020  
PHONE (602) 870-1657  
FAX (602) 870-1660  
WWW.HORIZONSURVEYS.COM

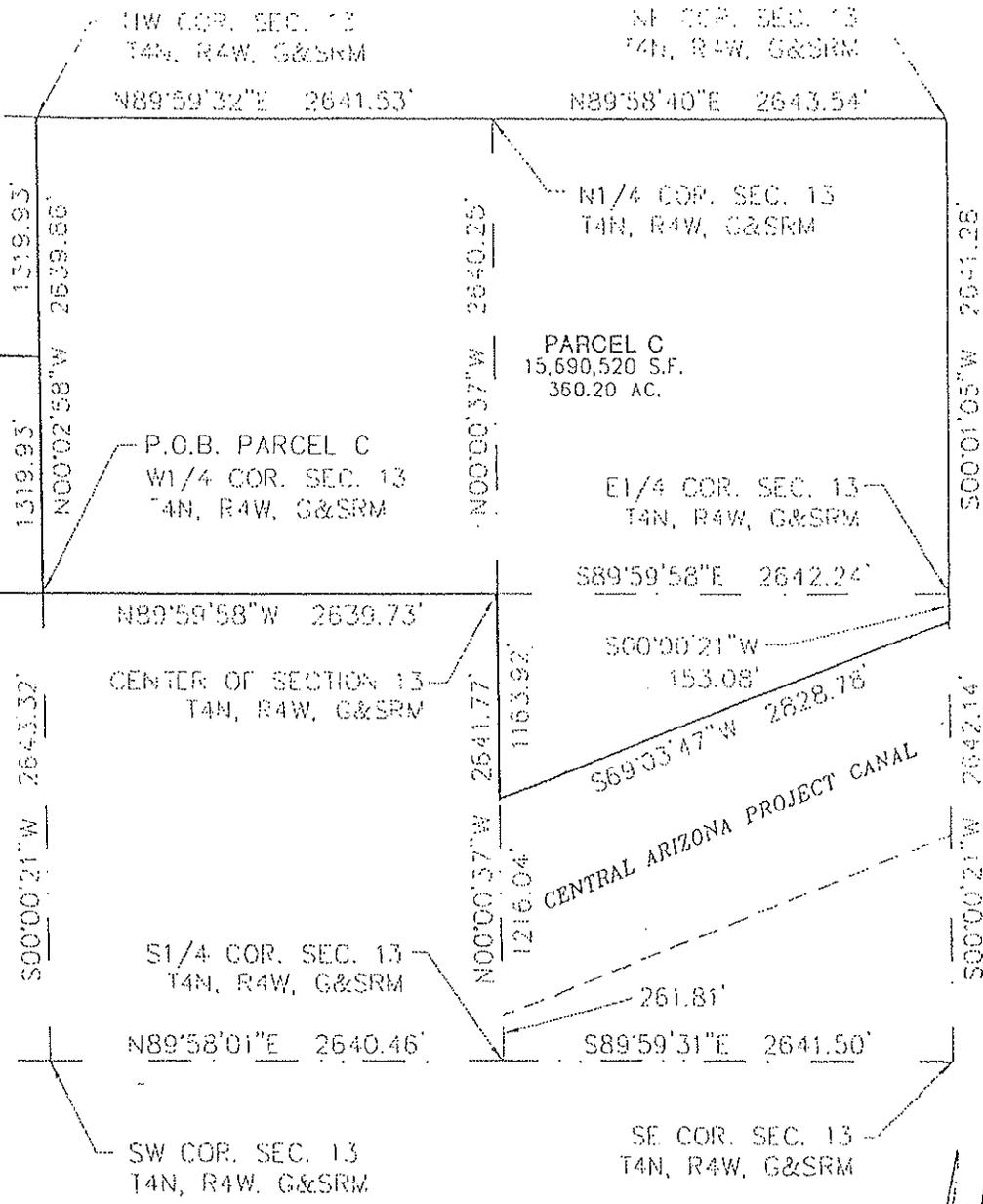


EXHIBIT TO ACCOMPANY  
PARCEL DESCRIPTION

SWAP PARCEL 2 - OFFSITE

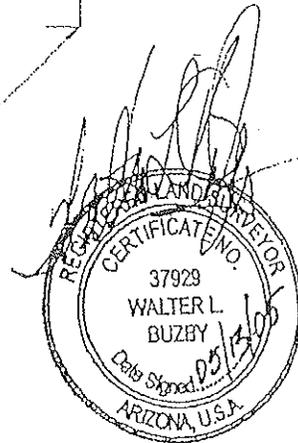
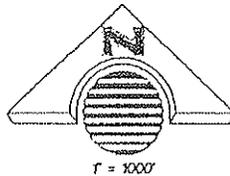
SCALE:	1"=1000'
JOB NO.:	A412.035
DWG:	A412.035_SWAP2
DRAWN BY:	WLB
DATE:	MAY, 2005
SHEET	1 OF 2

MATCH LINE SHEET 1



**LEGEND**

- PARCEL LINE
- SECTION LINE



**NOTE:**

ALL BEARINGS AND DISTANCES ARE BASED UPON AN UNRECORDED ALTA SURVEY PREPARED BY RANDY DELBRIDGE SURVEYING SURVICES, INC., DATED 3-15-95.

**HORIZON CONSULTANTS OF ARIZONA**

7878 NORTH 16TH STREET, SUITE 235  
 PHOENIX, ARIZONA 85020  
 PHONE (602) 870-1657  
 FAX (602) 870-1660  
 WWW.HORIZONSURVEYS.COM



EXHIBIT TO ACCOMPANY  
 PARCEL DESCRIPTION

SWAP PARCEL 2 - OFFSITE

SCALE:	1"=1000'
JOB NO.:	A412.035
DWG:	A412.035_SWAP2
DRAWN BY:	WLB
DATE:	MAY, 2005
SHEET 2 OF 2	

Land Transferred Into Festival Ranch CMP from Spurlock CMP

EXHIBIT B  
(1 of 3)

PARCEL DESCRIPTION  
FESTIVAL RANCH  
SWAP PARCEL 1

A PORTION OF THE WEST HALF OF SECTION 10, AND A PORTION OF SECTION 15, BOTH IN TOWNSHIP 4 NORTH, RANGE 4 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 10, FROM WHICH THE NORTH QUARTER CORNER OF SAID SECTION 10 BEARS SOUTH 89°40'30" EAST, A DISTANCE OF 2638.52 FEET;

THENCE SOUTH 89°40'30" EAST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 10, A DISTANCE OF 562.32 FEET TO THE WESTERLY LINE OF AN ELECTRIC EASEMENT, ACCORDING TO DOCUMENT NO. 93-411440, MARICOPA COUNTY RECORDS;

THENCE DEPARTING SAID NORTH LINE, SOUTH 17°46'42" EAST ALONG SAID WESTERLY LINE, A DISTANCE OF 5560.72 FEET TO A POINT THE SOUTH LINE OF SAID SECTION 10, FROM WHICH THE SOUTH QUARTER CORNER OF SAID SECTION 10 BEARS SOUTH 89°33'54" EAST, A DISTANCE OF 342.48 FEET;

THENCE CONTINUING SOUTH 17°16'42" EAST ALONG SAID WESTERLY LINE, A DISTANCE OF 824.34 FEET;

THENCE SOUTH 17°45'50" EAST ALONG SAID WESTERLY LINE, A DISTANCE OF 4735.55 FEET, TO A POINT ON THE SOUTH LINE OF SAID SECTION 15, FROM WHICH THE SOUTHEAST CORNER OF SAID SECTION 15 BEARS SOUTH 89°35'41" EAST, A DISTANCE OF 1251.13 FEET;

THENCE DEPARTING SAID WESTERLY LINE, NORTH 89°35'41" WEST ALONG THE SOUTH LINE OF SAID SECTION 15, A DISTANCE OF 1387.37 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION 15;

THENCE NORTH 89°35'43" WEST ALONG THE SOUTH LINE OF SAID SECTION 15, A DISTANCE OF 2637.37 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 15;

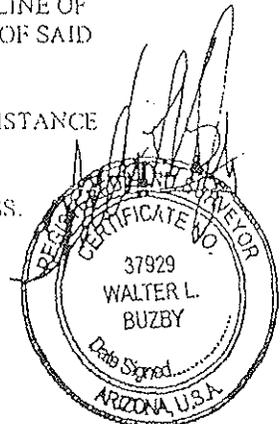
THENCE DEPARTING SAID SOUTH LINE, NORTH 00°20'21" EAST ALONG THE WEST LINE OF SAID SECTION 15, A DISTANCE OF 2642.11 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 15;

THENCE NORTH 00°22'17" EAST ALONG THE WEST LINE OF SAID SECTION 15, A DISTANCE OF 2641.73 FEET TO THE NORTHWEST QUARTER OF SAID SECTION 15;

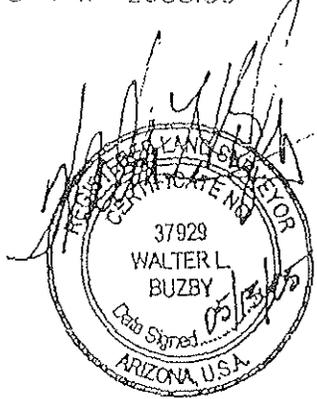
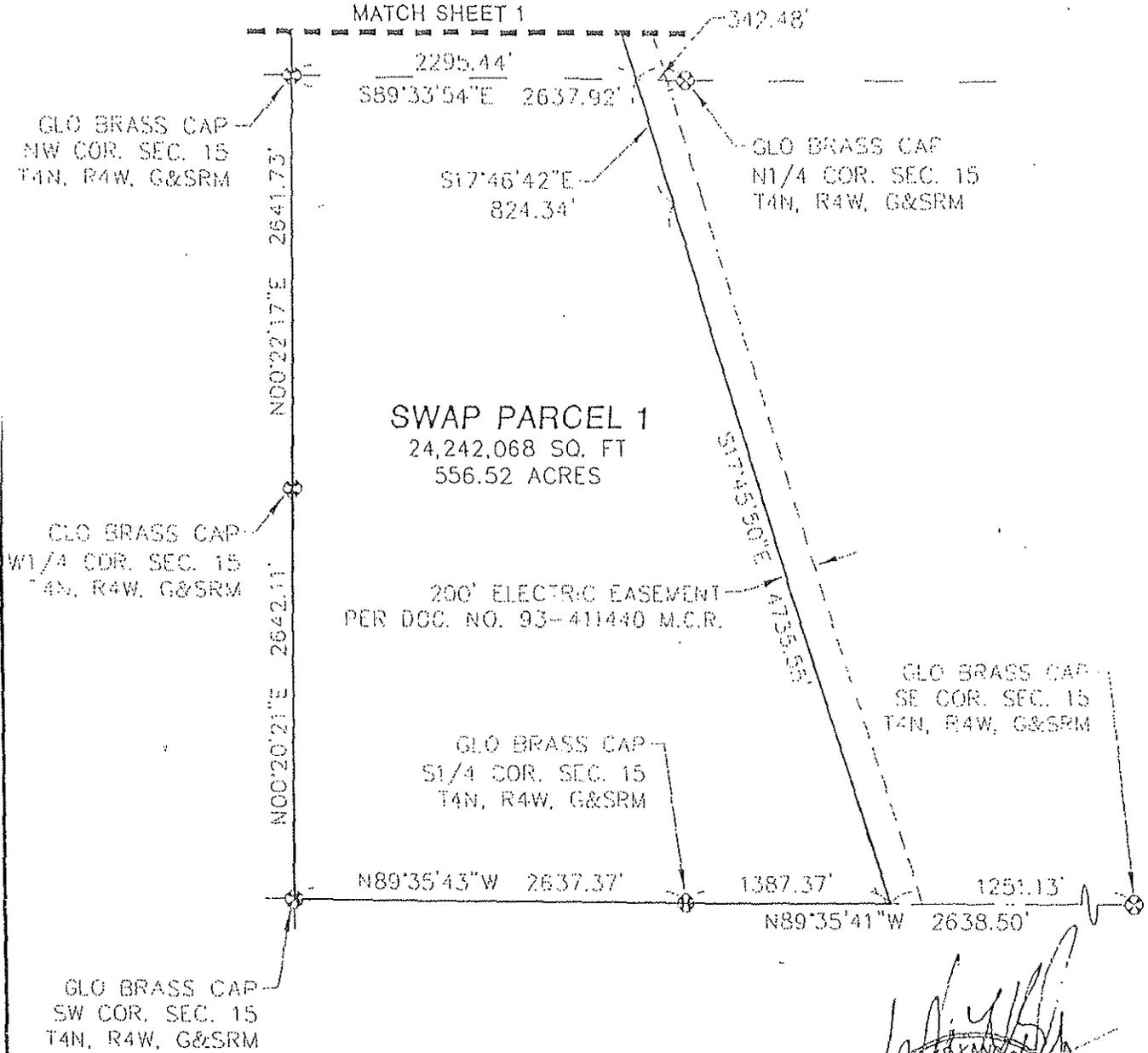
THENCE DEPARTING SAID WEST LINE, NORTH 00°24'10" EAST ALONG THE WEST LINE OF SAID SECTION 10, A DISTANCE OF 2641.90 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 10;

THENCE NORTH 00°21'39" EAST ALONG THE WEST LINE OF SAID SECTION 10, A DISTANCE OF 2639.15 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 24,242,068 SQUARE FEET OR 556.52 ACRES, MORE OR LESS.

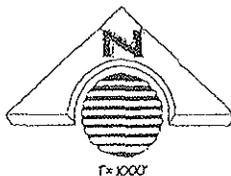


MATCH SHEET 1



**LEGEND**

- PARCEL LINE
- - - SECTION LINE
- · - · - EASEMENT LINE
- P.O.B. POINT OF BEGINNING
- M.C.R. MARICOPA COUNTY RECORDER



**HORIZON CONSULTANTS OF ARIZONA**

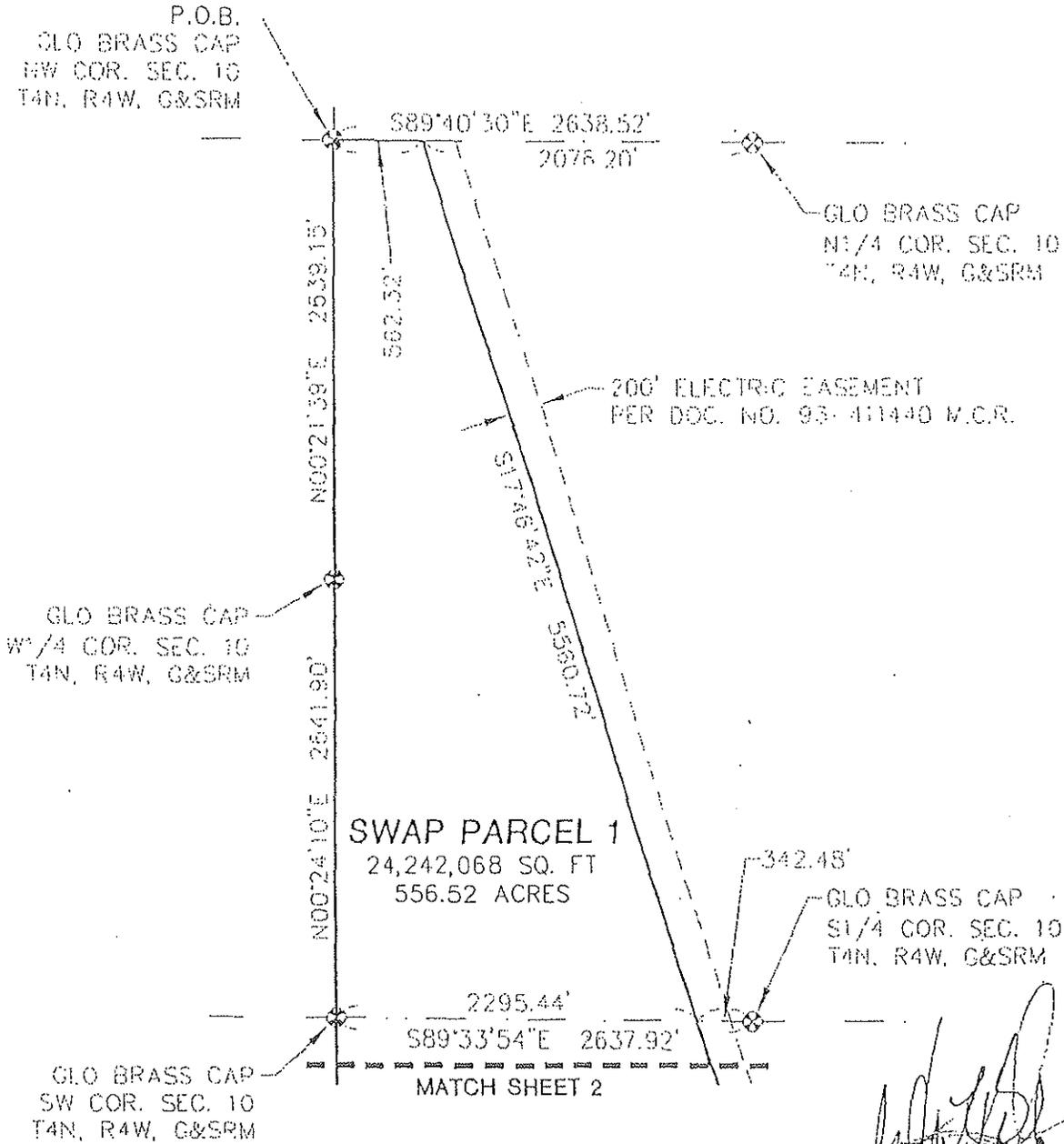
7878 NORTH 16TH STREET, SUITE 235  
PHOENIX, ARIZONA 85020  
PHONE (602) 870-1657  
FAX (602) 870-1660  
WWW.HORIZONSURVEYS.COM

EXHIBIT TO ACCOMPANY  
PARCEL DESCRIPTION

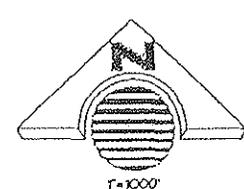
SWAP PARCEL 1

SCALE:	1"=1000'
JOB NO.:	A412035
DWG#:	A412.035_SWAP1
DRAWN BY:	JMF/WLB
DATE:	MAY, 2005
SHEET	2 OF 2





*[Signature]*  
 CERTIFICATE NO. 37929  
 WALTER L. BUZBY  
 MAR 13/00  
 ARIZONA, U.S.A.



 <p><b>HORIZON CONSULTANTS OF ARIZONA</b>          7878 NORTH 16TH STREET, SUITE 235          PHOENIX, ARIZONA 85020          PHONE (602) 870-1657          FAX (602) 870-1660          WWW.HORIZONSURVEYS.COM</p>	<p>EXHIBIT TO ACCOMPANY          PARCEL DESCRIPTION</p>	<p>SCALE: 1"=1000'          JOB NO.: A412.035          DWG: A412.035_SWAP1          DRAWN BY: JMR/WLB          DATE: MAY, 2005</p>
	<p>SWAP PARCEL 1</p>	<p>SHEET 1 OF 2</p>

Land West of Transmission Line Easement  
(1 of 2)

ALL OF SECTIONS 10 AND 15, TOWNSHIP 4 NORTH, RANGE 4 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT THAT PORTION OF SAID SECTIONS 10 AND 15 LYING EASTERLY OF THE CENTERLINE OF TRANSMISSION LINE RIGHT-OF-WAY AS DESCRIBED IN INSTRUMENT RECORDED AS 93-411440 OF OFFICIAL RECORDS, MARICOPA COUNTY, ARIZONA; AND

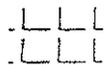
EXCEPT ALL MINERALS, OIL, GAS AND GEOTHERMAL RESOURCES AS RESERVED BY THE UNITED STATE OF AMERICA IN THE PATENT TO SAID LAND RECORDED AS 85-411086 OF OFFICIAL RECORDS; AND

EXCEPT ALL COAL AND OTHER MINERALS AS RESERVED AS 85-411087 OF OFFICIAL RECORDS

# FESTIVAL RANCH

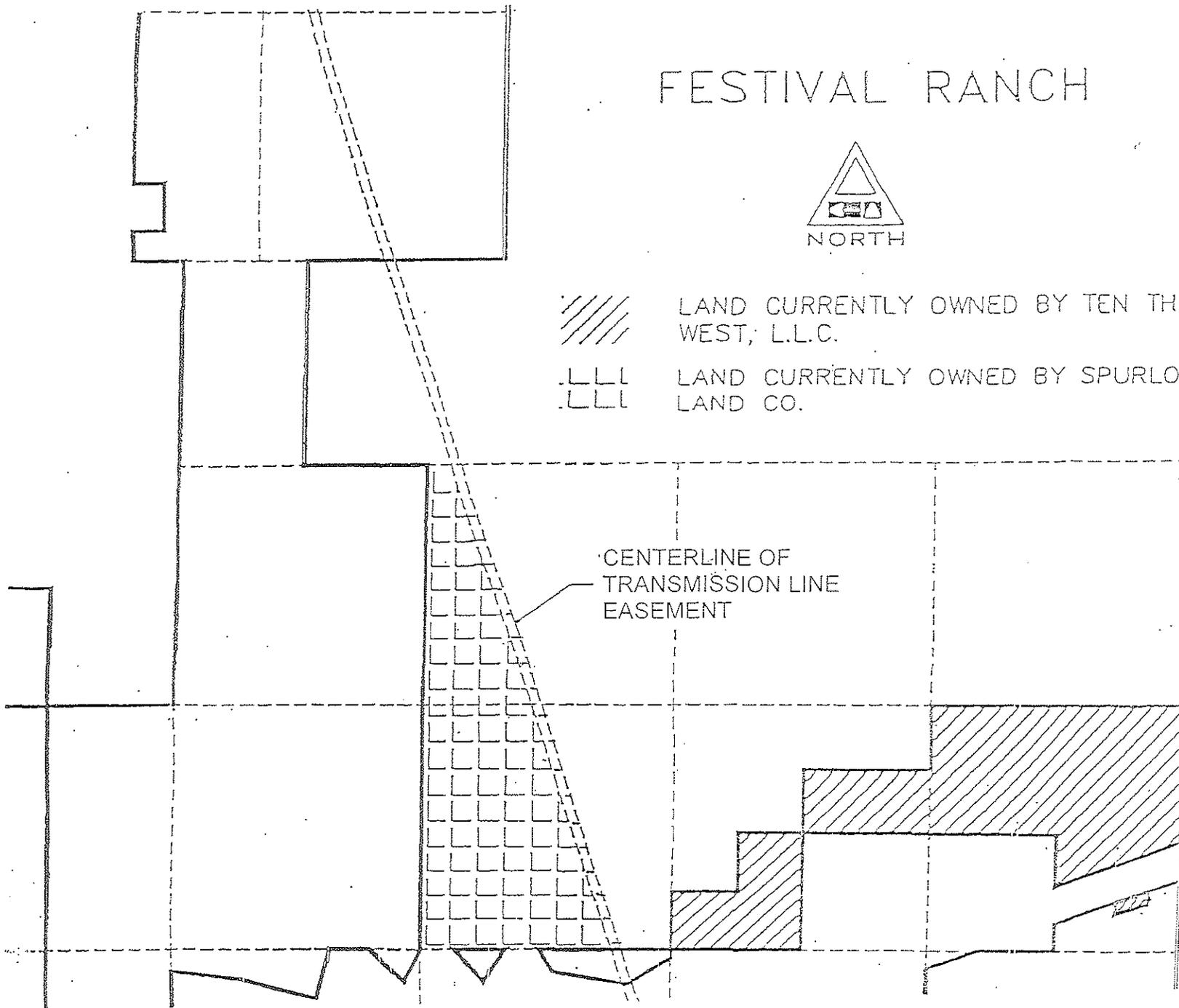


LAND CURRENTLY OWNED BY TEN THOUSAND WEST, L.L.C.



LAND CURRENTLY OWNED BY SPURLOCK LAND CO.

CENTERLINE OF TRANSMISSION LINE EASEMENT





## TOWN OF BUCKEYE

Community Development Department

Building Safety • Development Services • Plan Review • Planning & Zoning

---

January 24, 2008

**Delivered via Electronic Mail**

Gary Young  
Starbridge Communications  
2828 N. Central Avenue, Suite 1300  
Phoenix, AZ 85004

Dear Gary:

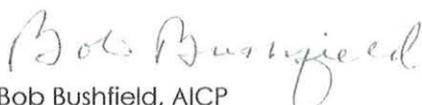
This letter serves as formal notification of approval of Case #CMP(A)06-04 FESTIVAL RANCH COMMUNITY DEVELOPMENT AMENDMENT #5 TELECOMMUNICATIONS.

The case was deemed to be a minor amendment to the Festival Ranch Community Development Ordinance as outlined in Town of Buckeye Ordinance #92-06 related to procedure of Community Development Director approval, thus requiring Community Development Director approval.

To clarify, this amendment shall only apply to the portion of the community developed by the Lyle Anderson Development Company. Pulte Homes has chosen not to participate in this amendment in regards to the Sun City Festival or Festival Foothills developments.

We look forward to working with you to implement the necessary telecommunications infrastructure in north Buckeye.

Sincerely,

  
Bob Bushfield, AICP  
Community Development Director

CC: Michael Tiffany, Tiffany & Bosco, P.A.  
Toby Block, Lyle Anderson Development Co.

# Amendment Exhibit A-1

## EXHIBITS

- A. Legal Description
- B. Opportunities & Constraints Plan
- C. Community Framework Plan
- D. Master Street and Circulation Plan
- E. Roadway Standards
- F. Master Domestic Water Plan
- G. Master Wastewater Plan
- H. Planning Unit Plan
- I. Land Use Budget
- J. Method of Lot Measurement
- K. Landscape Palette
- L. CC&R's – Conceptual Outline
- M. Design Review Guidelines – Conceptual Outline
- N. Wireless Communication Facility Location and Diagram (Added December 2007)

## APPENDICES

Master Drainage Plan  
Traffic Analysis  
Master Domestic Water Plan  
Master Wastewater Plan

Approved

JAN 24 2008

Town of Buckeye  
Planning and Zoning

## Exhibit A-2

- m. Home occupations, subject to the following:
  - i. The number of employees shall be limited to one non-family member or permanent resident in addition to the principal occupant;
  - ii. Heavy machinery or outdoor storage shall not be permitted.
  - iii. Signage shall be limited to a maximum of six (6) square feet, non-lighted, and located on-site for the purpose of business identification only. Any signage allowed must comply with Design Guidelines.
- ~~n. Cellular antennae and similar facilities. (c)~~
- n. Wireless Communication Facilities in accordance with the standards contained in the Development Standards Section.
- o. Timeshare Units
- p. Resorts, Inns and Lodges (and all associated facilities including spa and golf uses.)
- q. Guest homes on R1 designated single family lots, subject to the following:
  - i. Guest homes shall not be for rental or to provide income.
  - ii. Kitchen facilities shall be limited to sink, hot plate and refrigerator.
- r. Extraction of aggregate for developer uses (c) subject to the following:
  - i. Only from within the floodplain limits.
  - ii. Obtaining all necessary local, state and federal permits.

### 2. Accessory Uses

Subordinate uses of a building, other structure or the land are allowed as accessory uses when the subordinate use is:

- a. Clearly incidental to the use of the main building, other structure, or use of land.

### 3. Prohibited Uses

- a. Adult uses

### 4. Development Options

One or more of the following Residential Development Options shall be selected at the point of or prior to subdivision preliminary plat submittal or Development Site Plan review and shall be subject to the development standards set forth herein for each respective Development Option. Diagrams describing the measurement of lot widths and depths are set forth in **Exhibit J**.

Approved

## Exhibit A-3

against the Commercial/Mix Used square footage as set forth in the Land Use Budget, or each Timeshare Unit may count against the residential dwelling unit allocation for the Property at a rate of .5 residential dwelling unit per Timeshare Unit. The election to count Timeshare Units against the Commercial/Mixed Use square footage allocation or the residential dwelling unit allocation shall be made by the applicant at the time of Development Site Plan submittal.

**Wireless Communication Facility:** A facility for a commercial communications system designed and operated for the transmission and reception of signals to and from multiple transmitter locations to multiple reception locations. A typical system includes, but is not limited to, cellular telephone, personal communication service (PCS), paging services, and wireless broadband/internet services.

A Wireless Communication Facility may be, but is not limited to:

1. A freestanding structure designed solely for the use of wireless communication antennae, such as a monopole or lattice tower, and support equipment such as base stations and microwave dishes for transmission and reception.
2. Antennae attached to existing vertical elements, such as: buildings, utility poles and other structures.
3. New features designed as stealth antennae supports, including, but not limited to, church steeples, building elements, faux cacti or palm trees and flagpoles.

Approved

JAN 24 2008

Town of Buckeye  
Planning and Zoning

### C. GENERAL DEVELOPMENT STANDARDS

The purpose of general development standards contained in the CMP is not to restrict imagination, innovation, or variety, but rather to assist in focusing on those elements of design which can produce a vital, economically viable community. This will include creative solutions that will develop a strong sense of community recognizable vital centers of varying sizes, diverse but compatible visual appearance, all while preserving property values, limiting land use conflicts, and promoting the public health, safety, and general welfare.

The use, construction, improvement, or other development of any portion of the Property shall be subject to all of the property development standards contained in the CMP, except as may be modified by each Planning Unit Plan. Modifications to these standards shall be fundamentally consistent with the intent of the respective Project Master Plan. Additional restrictions may be applied through the C.C.&R.'s or project design guidelines.

#### Setback and Height Exceptions

1. Structure projections (bay windows, balconies, overhangs, etc.) will be allowed to extend into any setback provided that the projections will be no closer than three (3) feet to a property line. Further projection may be allowed by the Planning Director for buildings over two (2) stories provided that such projection will not adversely impact any adjacent properties.
2. The height regulations of the CMP shall not apply to: spires, belfries, campaneilles, clock towers or other community icons; chimneys, cooling towers, elevator bulkheads, fire towers, monuments or stacks; radio or television aerials, wireless communication facilities or other functional elements, facilities, or necessary mechanical structures as long as the above features do not exceed seventy-five (75) feet in height from finished grade for all Development Options, except for the Commercial/Mixed-Use, High Development Option where such features shall not exceed one hundred (100) feet in height from finished design grade. If attached to a building, such features shall not occupy a horizontal area in excess of twenty-five (25) percent of the entire roof area of the building. In addition, height regulations of the CMP shall not apply to hospitals, resorts, signature architecture, or water tanks. "Primary Site", identified in (Exhibit N-1), will be allowed to 120 feet (a 110 feet monopole, and 10 feet of EMS antennas for the Town) in all Development Options without setback requirements.

Approved

JAN 24 2008

Town of Buckeye  
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## Exhibit A-5

feet for detached residential land uses for homes less than 3,600 sq. ft. in size. The maximum spacing for attached residential, commercial/mixed-use, and resort land uses shall be pursuant to a plan prepared in accordance with the UFC and approved by the Fire Chief. If automatic sprinkler systems are used for fire protection, the maximum spacing for fire hydrants may be increased to one thousand (1,000) feet for detached residential land uses and seven hundred (700) feet for attached residential, commercial/mixed use, and resort land uses. Fire hydrants shall be located at maximum intervals of a quarter mile along unloaded traffic corridors.

Approved

### 9. Lighting Requirements

All lighting for streets, sidewalks, and other common areas or facilities in all public rights-of-way shall be in accordance with the lighting standards as provided in the CMP.

JAN 24 2008

### 10. Non-Vehicular Circulation

Non-vehicular circulation improvements shall be in accordance with the Planning Unit Pedestrian and Trails Plan.

### Wireless Communication Facilities

The Festival Ranch CMP is designed as a series of neighborhoods and a Town Center which includes a mix of uses intended to create a sustainable community. In order to have an environment that utilizes current and future wireless technology, the Festival Ranch CMP includes provisions for the design, development and operation of wireless communication facilities that will serve the needs of the current and future residents and businesses.

Wireless Communication Facility standards are divided into two sections, one for Wireless Communication Facilities that will be approved as part of this CMP Amendment # 5 Telecommunications (Primary Sites') and one for Wireless Communication Facilities that will be developed in the future ("Secondary Sites").

For a Primary Site, in order to expedite the development of a wireless infrastructure, a site has been selected and identified as a primary location for a Wireless Communication Facility. This location will be approved as part of the CMP Amendment. The Primary Site is identified in Exhibit N-1. Specific locational and design information on the Primary Site shall be submitted to the Community Development Department for review. The Primary Site will be located in Planning Unit F. A site plan shall be reviewed and approved by the Community Planning & Development Board.

## Exhibit A-6

Approved

As Festival Ranch and the surrounding areas develop, Secondary Sites for Wireless Communication Facilities will be needed to add capacity for increased usage.

Wireless Communication Facilities that are located within the Festival Ranch CMP will be developed in accordance with the development standards contained in this section.

A. General Development Standards for all Wireless Communication Facilities:

1. All wireless communications companies shall be required to locate on the Primary Site in the Festival Ranch CMP unless an approved, independent RF (radio frequency) study confirms the need for Secondary Sites, or the Primary Site has been determined to be structurally full.
2. All freestanding structures, over 40 feet, shall be designed to accommodate a minimum of two wireless communications companies. Stealth sites, wherever possible, shall have preference and shall be designed to accommodate a minimum of two communications companies.
3. All freestanding structures shall be designed to accommodate interior cabling for the communications companies that locate on the freestanding structures.
4. Accessory equipment located on the ground shall be screened behind a solid masonry wall that will match other buildings on the site, including any painting and texturing. The wall shall be of sufficient height to screen the accessory equipment, but shall not exceed a maximum height of eight (8) feet.
  - a. Accessory equipment approved by the Town that is to be located within public right-of-way may be exempt from the masonry screen wall requirement if the wall will impact traffic visibility or if there is not sufficient area for the screen wall. In this case, an alternate screening plan shall be provided by the Landowner to the Community Development Director for review and approval
5. Accessory equipment located on the ground shall meet the setbacks requirements of the underlying district, unless the equipment is located within public right-of-way or within a walled compound. The location of the equipment in public right-of-way shall be subject to review and approval by the Community Development Director.
6. Antennae mounted to the roof of a structure shall not extend above the highest point of the building.

# Exhibit A-7

7. Antennae mounted to the sides of a building shall be painted to match the wall surface to which they are attached.
8. Antennae mounted to the sides of a building shall not extend from the wall of the building more than fifteen inches.
9. Antennae mounted to the sides of a building shall not extend above the top of the roofline.
10. Antennae mounted to other vertical elements shall be painted to match the structure.
11. Any exterior lighting at the site shall be fully shielded.
12. Wireless Communication Facilities will be prohibited on lots where the primary use is single-family dwelling.
- B. The following Wireless Communication Facilities shall be classified as a Minor Use and shall follow the procedures in accordance with Section 7.4.4.B.2 of the Town of Buckeye Development Code:
  1. Roof mounted antennae:
    - a. The top of the antennae and support structure shall not extend above the highest point of the building.
    - b. The antennae and support structure shall be enclosed as a stealth element that is compatible with the part of the building to which they are attached, as approved by the Community Development Department.
    - c. Any roof-mounted equipment, exclusive of the antennae, shall be screened in a manner that is architecturally compatible with the building.
    - d. Roof mounted antennae shall only be allowed on structures that have a flat roof element in the roof design, such as a flat roof with parapets or a mansard design to screen the flat portion of the roof.
  2. Wall mounted antennae, including antennae attached to equipment penthouses:
    - a. Shall be painted to match the color of the building to which they are attached.

Approved

JAN 2-4 2008

Town of Buckeye  
Planning and Zoning

## Exhibit A-8

- b. Shall not extend from the wall of the building more than fifteen inches.
- c. Shall not extend above the top of the roofline.
- 3. Antennae attached to existing or replacement utility poles, either within or outside of public right-of-way:
  - a. A replacement pole shall not be extended in height by more than ten feet to accommodate a Wireless Communication Facility.
  - b. The height of the extension shall be no greater than the maximum needed to accommodate the size of the antenna panels and the spacing required by the affected utility company.
  - c. For replacement poles, cabling shall be placed within the pole.
  - d. When an existing pole is utilized, cabling shall be placed within the pole unless the pole cannot practically accommodate interior cables. Any exterior cables shall be painted to match the pole or be enclosed within a shroud that is painted to match the pole.
  - e. The antenna array shall be limited to a single panel per sector.
  - f. Antennae may only be attached to 69Kv or higher poles.
- 4. Antennae attached to major power line transmission towers:
  - a. The antenna array and any related equipment on a major utility transmission tower or pole shall be located below the power lines.
  - b. Antenna and cabling shall be painted to match the existing structure.
  - c. Ground equipment shall be vaulted in designated open space areas.
- 5. Stealth designed facilities that disguise the antenna array:
  - a. Church steeples.

Approved

JAN 24 2008

Town of Buckeye  
Planning and Zoning

# Exhibit A-9

- b. Flagpoles.
  - c. Monopalms (not to exceed 40'; If higher, see Section C)
  - d. Faux saguaro cacti(not to exceed 40'; If higher, see Section C)
  - e. Other similar stealth designs that, in the opinion of the Community Development Director, meet the intent of the stealth provisions of the Wireless Communication Facility standards.
6. Antennae attached to other existing vertical elements, including structures, ball field lights or other pole-like features:
- a. Exterior cabling shall be painted to match the structure on which they are located or enclosed within a shroud that is painted to match the structure on which they are located.
  - b. The maximum width of the antenna array shall not exceed four feet from center to center of antenna panels.
7. Co-location on an existing Wireless Communication Facility.

C. The following Wireless Communication Facilities shall be classified as a Conditional Use and shall follow the procedures in accordance with Section 7.4.4.B.3 of the Town of Buckeye Development Code:

1. A new freestanding monopole or lattice tower. Freestanding structures shall only be allowed if the applicant has used commercially reasonable efforts and has determined that there is no ability to co-locate on an existing utility pole or to locate on an existing building.

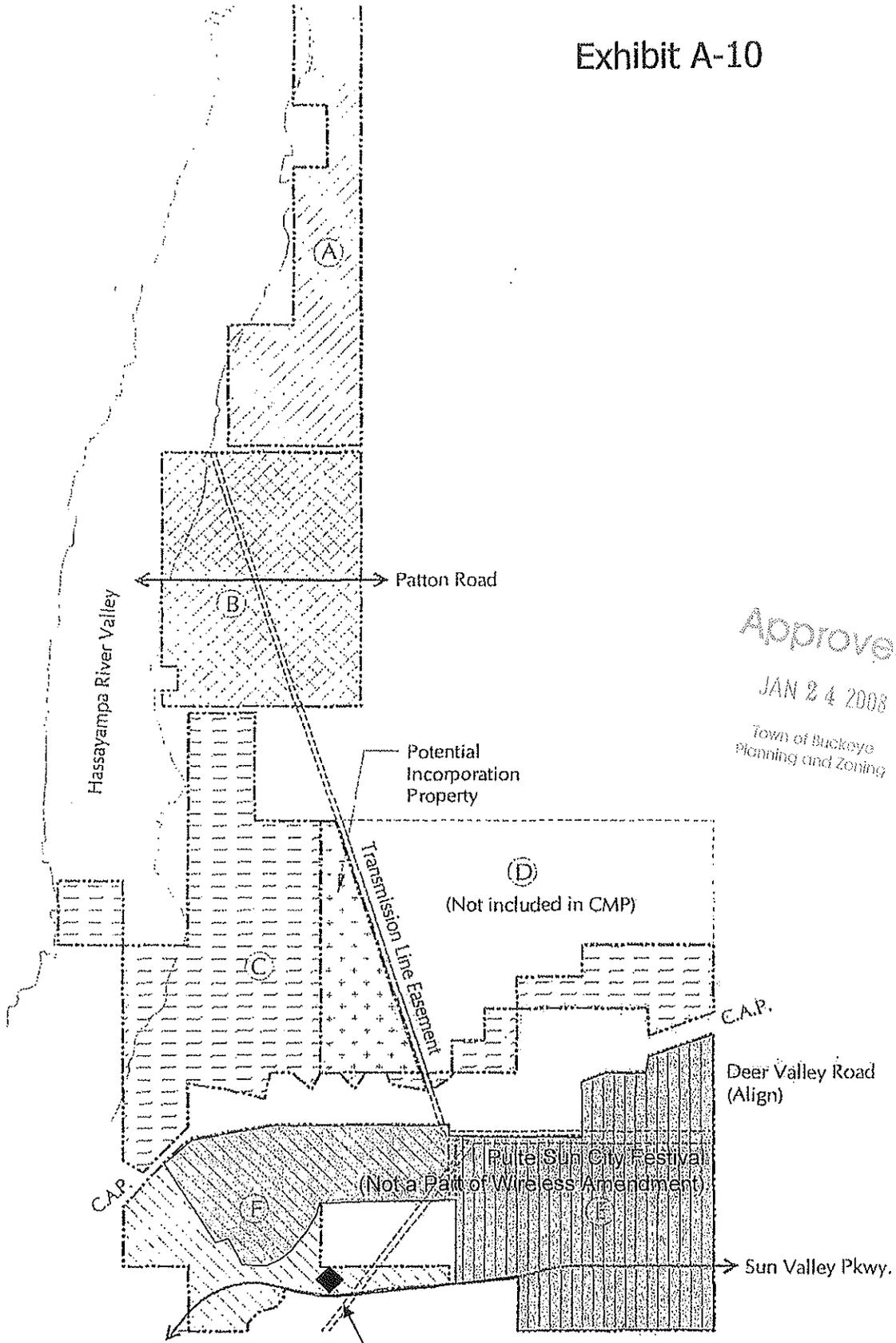
Approved

JAN 24 2008

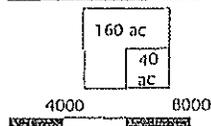
Town of Buckeye  
Planning and Zoning

- a. The required setback shall be equal to the height of the tower (1:1) from residential property lines.
- b. The required setback in commercial and mixed use zones shall follow the established guidelines in the CMP.
- c. The freestanding structure shall not exceed 100 feet tall.
- d. The array of antennae shall not exceed any more than 4' on any one side. Refer to Exhibit M-2 for clarification.

N

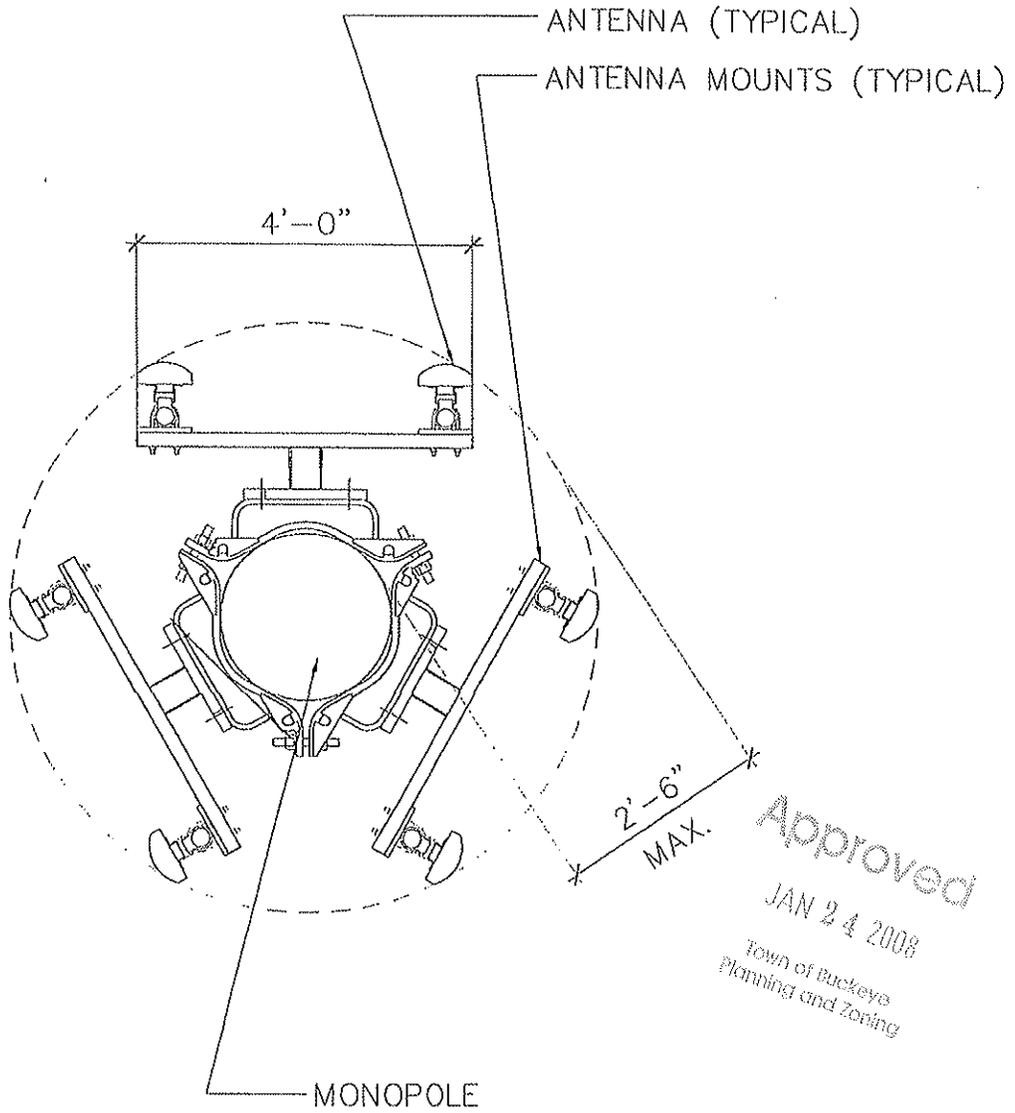


Approved  
 JAN 24 2008  
 Town of Buckeye  
 Planning and Zoning



Wireless Communication Facility –  
 Primary Site

# Exhibit A-11



Approved  
JAN 24 2008  
Town of Buckeye  
Planning and Zoning



## Exhibit N-2

### ANTENNA CONFIGURATION

BUCKEYE COMMUNICATIONS  
DATE: 07/19/07

CMP AMENDMENT #6

When recorded, return to:

Gust Rosenfeld PLC  
201 East Washington, Suite 800  
Phoenix, Arizona 85004-2327  
Attn: Scott W. Ruby, Esq.

**THIRD AMENDMENT TO DEVELOPMENT AGREEMENT  
(Festival Ranch)**

THIS THIRD AMENDMENT TO DEVELOPMENT AGREEMENT ("*Third Amendment*") is entered into on the 21 day of October, 2008, (the "*Effective Date*") by and between the TOWN OF BUCKEYE, an Arizona municipal corporation (the "*Town*") and PULTE HOME CORPORATION, a Michigan corporation ("*Owner*").

**RECITALS**

A. The Town and 10,000 West, LLC are parties to that certain Development Agreement dated October 4, 2000 and recorded in the Official Records of the Maricopa County Recorder's Office as Document Number 2000-0787937 (the "*Agreement*"). The property that is the subject of the Agreement is legally described and depicted on Exhibit A attached hereto and incorporated herein by this reference (the "*Land*"). The Agreement provided, among other things, for the approval by the Town of a Community Master Plan ("*Master Plan*") for the Land.

B. Pursuant to Section 23 of the Agreement, 10,000 West LLC assigned a portion of its right, title and interest in the Agreement and the Land to the Owner under a certain Assignment of Development Agreement dated May 17, 2004 and recorded in the Official Records of the Maricopa County Recorder's Office as Document Number 2004-0549497. The property assigned comprises approximately 3,133 acres and is legally described and depicted on Exhibit B attached hereto and incorporated herein by this reference (the "*Pulte Land*").

C. The Town and Owner are parties to that certain First Amendment to Development Agreement (Festival Ranch) dated February 16, 2006 and recorded in the Official Records of the Maricopa County Recorder's Office as Document Number 2006-0227389, which amended the Master Plan with respect to the Pulte Land.

D. The Town and 10,000 West, LLC are parties to that certain Second Amendment to Development Agreement (Festival Ranch) dated November 21, 2006 and recorded in the Official Records of the Maricopa County Recorder's Office as Document Number 2006-1574387, which amended the Master Plan with respect to the non-Pulte Land.

E. Owner has since acquired an additional 176 acres of property adjacent to the Pulte Land, which is legally described and depicted on Exhibit C attached hereto and incorporated herein by this reference (the “*Additional Pulte Land*”).

F. Owner and the Town desire to amend the Master Plan and the Agreement, as amended, for the Pulte Land by incorporating the Additional Pulte Land into the Master Plan and the Agreement, as amended, as part of the Pulte Land consistent with the land use designations shown on Exhibit D attached hereto and incorporated herein by this reference (the “*Land Use Designations*”).

## AGREEMENT

**NOW, THEREFORE**, in consideration of the premises above and the mutual covenants and agreements contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Town and Owner, intending to be legally bound, covenant and agree, for themselves, and their successors-in-ownership and assigns, as follows:

1. **Recitals.** The Recitals set forth above are acknowledged by the parties to be true and correct and are incorporated herein by this reference.
2. **Definitions.** Except as otherwise defined herein, all capitalized terms used herein shall have the meanings ascribed thereto in the Agreement.
3. **Non-Default and Waiver.** By executing this Third Amendment, Owner affirmatively asserts that the Town is not currently in default, nor has been in default at any time prior to the date of execution by Owner of this Third Amendment, under any of the terms or conditions of the Agreement, as amended. Owner knowingly and voluntarily forever releases and discharges the Town and all of its past and present elected officials, officers, directors, agents, employees, successors, assigns, attorneys, and representatives from (i) all rights, legal and equitable claims, causes of action, debts, accounts, and damages, known or unknown, asserted or unasserted, and of every nature and extent whatsoever (excluding claims for (A) development fee credits or reimbursement in connection with the dedication of public infrastructure to the Town and (B) operational shortfall payments under Section 11(b) of the Agreement, that Owner has against the Town under the Agreement, as amended, and arising from actions, omissions, delays or other events that occurred prior to the date of execution by Owner of this Third Amendment, and (ii) all rights, legal and equitable claims, causes of action, debts, accounts, and damages, known after due inquiry, asserted or unasserted, and of every nature and extent whatsoever, that Owner has against the Town, and arising from actions, omissions, delays or other events that occurred prior to the date of execution by Owner of this Third Amendment; provided, however, none of the releases and discharges above is intended to, and does not negate or otherwise relieve the Town of any executory contractual obligations under existing contracts. Owner on behalf of itself and all other parties having an interest in the Pulte Land or Additional Pulte Land intends to encumber the Pulte Land and Additional Pulte Land with the following agreements and waivers. Owner agrees and consents to all the conditions imposed by this Third Amendment and by signing this Third Amendment waives any and all claims, suits, damages, compensation and causes of action for diminution in value to the Pulte Land or Additional Pulte Land the owner of

the Pulte Land or Additional Pulte Land may have now or in the future under the provisions of Arizona Revised Statutes Sections 12-1134 through and including 12-1136 resulting from this Third Amendment, the Agreement, as amended, or from any "land use law" (as such term is defined in the aforementioned statute sections) expressly permitted or contemplated by this Third Amendment or the Agreement, as amended, to be enacted, adopted or applied by the Town now or hereafter. Owner acknowledges and agrees the terms and conditions set forth in this Third Amendment and the Agreement, as amended, cause an increase in the fair market value of the Pulte Land and Additional Pulte Land and such increase exceeds any possible reduction in the fair market value of the Pulte Land or Additional Pulte Land caused by any future land use laws, rules, ordinances, resolutions or actions expressly permitted or contemplated by this Third Amendment or the Agreement, as amended, and adopted or applied by the Town to the Pulte Land or Additional Pulte Land.

4. **Incorporation of Additional Pulte Land.** The Additional Pulte Land is hereby incorporated into the Master Plan and the Agreement, as amended, consistent with the Land Use designations as if, in all respects, the Additional Pulte Land were always a part of the Pulte Land for all purposes, and shall therefore be subject to and benefit from all the provisions of the Master Plan and the Agreement, as amended.

5. **Amendment to Section 5(c) of the Agreement.**

The ninth line of Section 5(c) of the Agreement is hereby amended to read as follows:

" . . . if material progress has NOT been made . . . ".

6. **Effect of Amendment.** Except as otherwise expressly provided in this Third Amendment, the Agreement and the First Amendment are affirmed and ratified and all terms and conditions of the Agreement and the First Amendment shall remain in full force and effect. Owner agrees that it will reimburse the Town for all reasonable fees and costs of the Town's professionals and consultants incurred in connection with this Third Amendment and the development of the Pulte Land and Additional Pulte Land.

7. **Conflicts of Interest.** The parties acknowledge that this Third Amendment is subject to cancellation pursuant to Arizona Revised Statutes Section 38-511.

IN WITNESS WHEREOF, the parties have executed this Third Amendment as of the date first above written.

TOWN:

TOWN OF BUCKEYE, ARIZONA, an Arizona  
municipal corporation

By:   
\_\_\_\_\_  
Jackie A. Meck, Mayor

ATTEST:

*Linda Garrison*

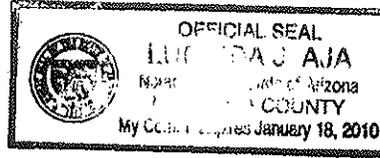
Linda Garrison, Town Clerk

APPROVED AS TO FORM:

*Scott W. Ruby*

Scott W. Ruby, Town Attorney

STATE OF ARIZONA )  
 ) ss.:  
County of Maricopa )



The foregoing instrument was acknowledged before me this 21<sup>st</sup> day of October 2008 by Jackie A. Meek, the Mayor of the Town of Buckeye, Arizona, an Arizona municipal corporation, on behalf thereof.

*Lucinda Aja*  
Notary Public

My Commission Expires:

01-18-2010

**OWNER:**

PULTE HOME CORPORATION, a Michigan corporation

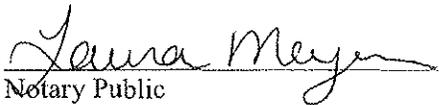
By:  \_\_\_\_\_

Name: Mike Brilz

Title: Vice President

STATE OF ARIZONA     )  
  ) ss.:  
COUNTY OF MARICOPA )

The foregoing Third Amendment was acknowledged before me this 20<sup>th</sup> day of October, 2008, by Mike Brilz, in his/her capacity as Vice President, on behalf of PULTE HOME CORPORATION, a Michigan corporation.

 \_\_\_\_\_  
Notary Public

My Commission Expires:

July 19, 2010



EXHIBIT A  
TO  
THIRD AMENDMENT TO DEVELOPMENT AGREEMENT  
(Festival Ranch)

(Legal Description and Depiction of the Land)

See following page(s).

**PARCEL NO. 1:**

Lots 1 and 2, the South half of the Northeast quarter and the Southeast quarter of Section 3, Township 5 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

**PARCEL NO. 2:**

The North half of the Northeast quarter, the Southeast quarter of the Northeast quarter, the Northeast quarter of the Southeast quarter and the South half of the Southeast quarter of Section 10, Township 5 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

**PARCEL NO. 3:**

The East half of Section 15, Township 5 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

**PARCEL NO. 4:**

All of Section 22, Township 5 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

**PARCEL NO. 5:**

All of Section 27, Township 5 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

**PARCEL NO. 6:**

The East half of Section 28, Township 5 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

**PARCEL NO. 7:**

The Northeast quarter, the East half of the Southeast quarter, the East half of the West half of the Southeast quarter, the Northwest quarter of the Northwest quarter of the Southeast quarter, the North half of the Southwest quarter of the Northwest quarter of the Southeast quarter and the Southwest quarter of the Southwest quarter of the Southeast quarter of Section 33, Township 5 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

**PARCEL NO. 8:**

All of Section 34, Township 5 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

**PARCEL NO. 9:**

Lots 3 and 4, the South half of the Northwest quarter and the Southwest quarter of Section 4, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

**PARCEL NO. 10:**

The Southwest quarter of Section 8, township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

**PARCEL NO. 11:**

All of Section 9, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

**PARCEL NO. 12:**

Lots 1, 2 and 4 and the North half of Section 13, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona; and

**PARCEL NO. 13:**

That portion of Lot 3 of Section 13, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa county, Arizona, more particularly described as follows:

COMMENCING at the South quarter corner of said Section 13;

thence N89°38'47"E, 201.27 feet along the South line of said Section 13 to the POINT OF BEGINNING;

then N00°00'00"E, 699.89 feet to the Southerly right-of-way of the Granite Reef Aqueduct;

thence N68°40'56"E, 1194.17 feet along said aqueduct right-of-way to the NE corner of said Government Lot 3;

thence S00°21'30"E, 1127.13 feet along the East line of said Government Lot 3 to the South line of said Section 13;

thence S89°38'47"W, 1119.53 feet along said South line to the POINT OF BEGINNING.

**PARCEL NO. 14:**

That portion of Lot 3 of Section 13, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

BEGINNING at the South quarter corner of said Section 13;

thence N00°21'50"W, 621.06 feet along the North-South mid-section line of said Section 13 to the Southerly right-of-way of the Granite Reef Aqueduct;

thence N68°40'56"E, 220.28 feet along said aqueduct right-of-way;

thence S00°00'00"W, 699.89 feet to the South line of said Section 13;

thence S89°38'47"W, 201.27 feet along said South line to the POINT OF BEGINNING.

**PARCEL NO. 15:**

That portion of the Southwest quarter of the Southwest quarter of Section 14, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

BEGINNING at the Southwest corner of said Section 14;

thence N00°22'55"W, 1320.71 feet along the West line of said Section 14 to the Northwest corner of said Southwest quarter of the Southwest quarter;

thence N89°36' 8"E, 1093.31 feet along the North line of said Southwest quarter of the Southwest quarter;  
thence S00°00'00"W, 1321.07 feet to the South line of said Section 14;  
thence S89°37'10"W, 1084.51 feet along said South line to the POINT OF BEGINNING.

**PARCEL NO. 16:**

That portion of the Northeast quarter of the Southwest quarter of Section 14, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa county, Arizona, more particularly described as follows:

COMMENCING at the South quarter corner of said Section 14;

thence N00°25'51"W, 1321.51 feet along the North-South mid-section line of said Section 14 to the Southeast corner of said Northeast quarter of the Southwest quarter and the POINT OF BEGINNING;

thence S89°36'08"W, 1321.96 feet along the South line of said Northeast quarter of the Southwest quarter to the Southwest corner of said Northeast quarter of the Southwest quarter;

thence N00°24'23"W, 1321.11 feet along the West line of said Northeast quarter of the Southwest quarter to the East-West mid-section line of said Section 14;

thence N89°35'05"E, 1321.39 feet along said mid-section line to the center of said Section 14;

thence S00°25'51"E, 1321.51 feet along the North-South mid-section line of said Section 14 to the POINT OF BEGINNING.

**PARCEL NO. 17:**

That portion of the Southwest quarter of the southwest quarter and all of the Southeast quarter of the Southwest quarter of Section 14, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

BEGINNING at the South quarter corner of said Section 14;

thence S89°37'10"W, 1322.52 feet along the South line of said Section 14 to the Southeast corner of said Southwest quarter of the Southwest quarter;

thence continuing S89°37'10"W, 138.02 feet along said South line;

thence N00°00'00"E, 1321.07 feet to the North line of said Southwest quarter of the Southwest quarter;

thence N89°36'08"E, 228.64 feet along said North line of the Southwest quarter of the Southwest quarter to the Northwest corner of said Southeast quarter of the Southwest quarter;

thence N89°36'08"E, 1321.96 feet along the North line of said Southeast quarter of the Southwest quarter to the North-South mid-section line of said Section 14;

thence S00°25'51"E, 1321.51 feet along said mid-section line to the POINT OF BEGINNING.

**PARCEL NO. 18:**

The South half of the Northeast quarter of Section 14, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

**PARCEL NO. 19:**

All of Section 16, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

EXCEPT the mineral estate as reserved by the State of Arizona in Book 360 of Deeds, Page 6.

**PARCEL NO. 20:**

The East half of Section 17, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

**PARCEL NO. 21:**

Lots 1, 2, 3, 4, 8 and 9, the Northeast quarter of the Northeast quarter and the West half of the Northeast quarter of Section 20, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

**PARCEL NO. 22:**

Lots 1, 2, 3, 4, 5, 6 and 7; the Northeast quarter of the Southwest quarter; the South half of the Southwest quarter and the Southeast quarter of Section 21, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

**PARCEL NO. 23:**

Lots 1, 2, 3 and 4; and the south half of Section 22, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

**PARCEL NO. 24:**

The Southwest quarter of Section 23, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

**PARCEL NO. 25:**

The Southeast quarter of Section 23, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

EXCEPT all minerals, oil, gas and geothermal resources as reserved by the United States of America in the Patent to said land recorded in 85-411086, of Official Records and except coal and other minerals as reserved in 85-411087, of Official Records.

**PARCEL NO. 26:**

Lot 1 of Section 24, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

**PARCEL NO. 27:**

The Northeast quarter; the East half of the Northwest quarter; the Southwest quarter of the Northwest quarter and the south half of Section 24, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

EXCEPT all minerals, oil, gas and geothermal resources as reserved by the United States of America in the Patent to said land recorded in 85-411086, of Official Records and except coal and other minerals as reserved in 85-411087, of Official Records.

**PARCEL NO. 28:**

All of Section 25, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

EXCEPT all minerals, oil, gas and geothermal resources as reserved by the United States of America in the Patent to said land recorded in 85-411086, of Official Records and except coal and other minerals as reserved in 85-411087, of Official Records.

**PARCEL NO. 29:**

The North half of the North half and the South half of the Southeast quarter of Section 26, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

EXCEPT all minerals, oil, gas and geothermal resources as reserved by the United States of America in the Patent to said land recorded in 85-411086, of Official Records and except coal and other minerals as reserved in 85-411087, of Official Records.

**PARCEL NO. 30:**

That portion of the Northeast quarter of the Southeast quarter and all of the Southeast quarter of the Northeast quarter of Section 26, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

BEGINNING at the East quarter corner of said Section 26;

thence S89°37'49"W, 134.00 feet to a point marking the beginning of a tangent curve, having a radius of 5500.00 feet to the left;

thence along the arc of said curve, through a central angle of 12°25'44", having an arc distance of 1193.09 feet to the West line of said Northeast quarter of the Southeast quarter;

thence N00°23'23"W, 128.06 feet along said West line to the Southwest corner of said Southeast quarter of the Northeast quarter;

thence continuing N00°23'46"W, 1319.38 feet along the West line of said Southeast quarter of the Northeast quarter to the Northwest corner of said Southeast quarter of the Northeast quarter;

thence N89°33'40"E, 1318.95 feet along the North line of said Southeast quarter of the Northeast quarter to the East line of said Section 26;

thence S00°20'45"E, 1320.14 feet along said East line to the POINT OF BEGINNING;

EXCEPT all minerals, oil, gas and geothermal resources as reserved by the United States of America in the Patent to said land recorded in 85-411086, of Official Records and except coal and other minerals as reserved in 85-411087, of Official Records.

PARCEL NO. 31:

That portion of the Northwest quarter of the Southeast quarter and all of the Southwest quarter of the Northeast quarter of Section 26, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at the South quarter corner of said Section 26;

thence N00°26'46"W, 2201.21 feet along the North-South mid-section line of said Section 26 to the POINT OF BEGINNING;

thence continuing N00°26'46"W, 442.35 feet along said mid-section line to the center of said Section 26;

thence continuing N00°26'46"W, 1318.63 feet along said mid-section line to the Northwest corner of said Southwest quarter of the Northeast quarter;

thence N89°33'40"E, 1318.95 feet along the North line of said mid-section line to the Northwest corner of said Southwest quarter of the Northeast quarter;

thence N89°33'40"E, 1318.95 feet along the North line of said Southwest quarter of the Northeast quarter to the Northeast corner of said Northwest quarter of the Southeast quarter;

thence S00°23'23"E, 128.06 feet along the East line of said Northwest quarter of the Southeast quarter to a point on the arc of a curve, the central point of which bears S12°47'55"E, 5500.00 feet;

thence Westerly, along the arc of said curve, through a central angle of 01°20'27", having an arc distance of 128.71 feet;

thence S75°51'38"W, 969.76 feet to a point marking the beginning of a tangent curve, having a radius of 5500.00 feet to the right;

thence along the arc of said curve, through a central angle of 02°40'02", having an arc distance of 256.03 feet to the POINT OF BEGINNING;

EXCEPT all minerals, oil, gas and geothermal resources as reserved by the United States of America in the Patent to said land recorded in 85-411086, of Official Records and except coal and other minerals as reserved in 85-411087, of Official Records.

PARCEL NO. 32:

That portion of the Northeast quarter of the Southwest quarter and all of the Southeast quarter of the Northwest quarter of Section 26, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at the North quarter corner of said Section 26;

thence S00°26'46"E, 1318.63 feet along the North-South mid-section line of said Section 26 to the Northeast corner of said Southeast quarter of the Northwest quarter and the POINT OF BEGINNING;

thence continuing S00°26'46"E, 1318.63 feet along said mid-section line to the center of said Section 26;

thence continuing S00°26'46"E, 442.35 feet along said mid-section line to a point on the arc of a curve, the central point of which bears N11°28'20"W, 5500.00 feet;

thence Westerly, along the arc of said curve, through a central angle of 05°14'58", having an arc distance of 503.91 feet;

thence S83°46'38"W, 826.17 feet to the West line of said Northeast quarter of the Southwest quarter;

thence N00°24'04"W, 600.03 feet along said West line to the Southwest corner of said Southeast quarter of the Northwest quarter;

thence N00°25'54"W, 1319.09 feet along the West line of said Southeast quarter of the Northwest quarter to the Northwest corner of said Southeast quarter of the Northwest quarter;

thence N89°36'51"E, 1319.50 feet along the North line of said Southeast quarter of the Northwest Quarter to the POINT OF BEGINNING;

EXCEPT all minerals, oil, gas and geothermal resources as reserved by the United States of America in the Patent to said land recorded in 85-411086, of Official Records and except coal and other minerals as reserved in 85-411087, of Official Records.

**PARCEL NO. 33:**

That portion of the Northwest quarter of the Southwest quarter and all of the Southwest quarter of the Northwest quarter of Section 26, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

BEGINNING at the West quarter corner of said Section 26;

thence N00°25'01"W, 1319.56 feet along the West line of said Section 26 to the Northwest corner of said Southwest quarter of the Northwest quarter;

thence N89°36'51"E, 1319.50 feet along the North line of said Southwest quarter of the Northwest quarter to the Northeast corner of said Southwest quarter of the Northwest quarter;

thence S00°25'54"E, 1319.09 feet along the East line of said Southwest quarter of the Northwest quarter to the Northeast corner of said Northwest quarter of the Southwest quarter;

thence S00°24'04"E, 600.03 feet along the East line of said Northwest quarter of the Southwest quarter;

thence S83°46'38"W, 1327.26 feet to the West line of said Section 26;

thence N00°21'22"W, 734.54 feet along said West line to the POINT OF BEGINNING;

EXCEPT all minerals, oil, gas and geothermal resources as reserved by the United States of America in the Patent to said land recorded in 85-411086, of Official Records and except coal and other minerals as reserved in 85-411087, of Official Records.

**PARCEL NO. 34:**

That portion of the Northeast quarter of the Southeast quarter of Section 26, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

BEGINNING at the East quarter corner of said Section 26;

thence S00°20'01"E, 1320.07 feet along the East line of said Section 26 to the Southeast corner of said Southeast quarter of the Southeast quarter;

thence S89°33'24"W, 1316.49 feet along the South line of said Northeast quarter of the Southeast quarter to the Southwest corner of said Northeast quarter of the Southeast quarter;

thence N00°23'23"W, 1192.86 feet along the West line of said Northeast quarter of the Southeast quarter to a point on the arc of a curve, the central point of which bears S12°47'55"E, 5500.00 feet;

thence Easterly, along the arc of said curve, through a central angle of 12°25'44", having an arc distance of 1193.09 feet;

thence N89°37'49"E, 134.00 feet to the POINT OF BEGINNING;

EXCEPT all minerals, oil, gas and geothermal resources as reserved by the United States of America in the Patent to said land recorded in 85-411086, of Official Records and except coal and other minerals as reserved in 85-411087, of Official Records.

**PARCEL NO. 35:**

That portion of the Northwest quarter of the Southeast quarter of Section 26, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at the South quarter corner of said Section 26;

thence N00°26'46"W, 1321.78 feet along the North-South mid-section line of said Section 26 to the POINT OF BEGINNING;

thence continuing N00°26'46"W, 879.43 feet along said mid-section line to a point on the arc of a curve, the central point of which bears N11°28'20"W, 5500.00 feet;

thence Easterly, along the arc of said curve, through a central angle of 02°40'02", having an arc distance of 256.03 feet;

thence N75°51'38"E, 969.76 feet to a point marking the beginning of a tangent curve, having a radius of 5500.00 feet to the right;

thence along the arc of said curve, through a central angle of 01°20'27", having an arc distance of 128.71 feet to the East line of said Northwest quarter of the Southeast quarter;

thence S00°23'23"E, 1192.86 feet along said East line to the Southeast corner of said Northwest quarter of the Southeast quarter;

thence S89°33'24"W, 1316.49 feet along the South line of said Northwest quarter of the Southeast quarter to the POINT OF BEGINNING;

EXCEPT all minerals, oil, gas and geothermal resources as reserved by the United States of America in the Patent to said land recorded in 85-411086, of Official Records and except coal and other minerals as reserved in 85-411087, of Official Records.

**PARCEL NO. 36:**

That portion of the Northwest quarter of the Southeast quarter and a portion of the Northeast quarter of the Southeast quarter of Section 27, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

BEGINNING at the East quarter corner of said Section 27;

thence S00°21'22"E, 734.54 feet along the East line of said Section 27;  
thence S83°46'38"W, 1325.94 feet to the East line of said Northwest quarter of the Southeast quarter;  
thence continuing S83°46'38"W, 1326.02 feet to the North-South mid-section line of said Section 27;  
thence N00°19'15"W, 994.35 feet along said mid-section line to the center of said Section 27;  
thence N89°23'58"E, 1318.74 feet along the East-West mid-section line of said Section 27 to the Northwest corner of said Northeast quarter of the Southeast quarter;  
thence continuing N89°23'58"E, 1318.74 feet along said mid-section line to the POINT OF BEGINNING;  
EXCEPT all minerals, oil, gas and geothermal resources as reserved by the United States of America in the Patent to said land recorded in 85-411086, of Official Records and except coal and other minerals as reserved in 85-411087, of Official Records.

**PARCEL NO. 37:**

That portion of the Northeast quarter of the Southwest quarter of Section 27, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at the West quarter corner of said Section 27;

thence N89°23'58"E, 1333.24 feet along the East-West mid-section line of said Section 27 to the Northwest corner of said Northeast quarter of the Southwest quarter and the POINT OF BEGINNING;

thence continuing N89°23'58"E, 1333.24 feet along said mid-section line to the center of said Section 27;

thence S00°19'15"E, 994.35 feet along the North-South mid-section line of said Section 27;

thence S83°46'38"W, 1333.94 feet to the West line of said Northeast quarter of the Southwest quarter;

thence N00°38'40"W, 1125.02 feet along said West line to the POINT OF BEGINNING;

EXCEPT all minerals, oil, gas and geothermal resources as reserved by the United States of America in the Patent to said land recorded in 85-411086, of Official Records and except coal and other minerals as reserved in 85-411087, of Official Records.

**PARCEL NO. 38:**

That portion of the Northwest quarter of the Southwest quarter of Section 27, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

BEGINNING at the West quarter corner of said Section 27;

thence N89°23'58"E, 1333.24 feet along the East-West mid-section line of said Section 27 to the Northeast corner of said Northwest quarter of the Southwest quarter;

thence S00°38'40"E, 1125.02 feet along the East line of said Northwest quarter of the Southwest quarter;

thence S83°46'38"W, 243.78 feet to a point marking the beginning of a tangent curve, having a radius of 5500.00 feet to the right;

thence along the arc of said curve, through a central angle of  $11^{\circ}18'43''$ , having an arc distance of 1085.86 feet to the West line of said Section 27;

thence  $N00^{\circ}58'10''W$ , 1148.29 feet along said West line to the POINT OF BEGINNING;

EXCEPT all minerals, oil, gas and geothermal resources as reserved by the United States of America in the Patent to said land recorded in 85-411086, of Official Records and except coal and other minerals as reserved in 85-411087, of Official Records.

**PARCEL NO. 39:**

The North half of the Northeast quarter and the Northwest quarter of Section 28, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

**PARCEL NO. 40:**

The South half of the Northeast quarter of Section 28, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

**PARCEL NO. 41:**

That portion of the Northeast quarter of the Southeast quarter of Section 28, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

BEGINNING at the East quarter corner of said Section 28;

thence  $S00^{\circ}58'10''E$ , 1148.29 feet along the East line of said Section 28 to a point on the arc of a curve, the central point of which bears  $N05^{\circ}05'21''E$ , 5500.00 feet;

thence Westerly, along the arc of said curve, through a central angle of  $06^{\circ}51'17''$ , having an arc distance of 658.02 feet;

thence  $N78^{\circ}03'22''W$ , 679.22 feet to the West line of said Northeast quarter of the Southeast quarter;

thence  $N00^{\circ}38'10''W$ , 906.79 feet along said West line to the East-West mid-section line of said Section 28;

thence  $N89^{\circ}50'58''E$ , 1305.53 feet along said mid-section line to the POINT OF BEGINNING;

EXCEPT all minerals, oil, gas and geothermal resources as reserved by the United States of America in the Patent to said land recorded in 85-411086, of Official Records and except coal and other minerals as reserved in 85-411087, of Official Records.

**PARCEL NO. 42:**

That portion of the Northeast quarter of the Southwest quarter and that portion of the Northwest quarter of the Southeast quarter of Section 28, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at the West quarter corner of said Section 28;

thence  $N89^{\circ}50'58''E$ , 1319.02 feet along the East-west mid-section line of said Section 28 to the Northwest corner of said Northeast quarter of the Southwest quarter and the POINT OF BEGINNING;

thence continuing  $N89^{\circ}50'58''E$ , 1319.02 feet along said mid-section line to the center of said Section 28;

thence continuing N89°50'58"E, 1305.53 feet along said mid-section line to the Northeast corner of said Northwest quarter of the Southeast quarter;

thence S00°38'10"E, 906.79 feet along the East line of said Northwest quarter of the Southeast quarter;

thence N78°03'22"W, 733.05 feet to a point marking the beginning of a tangent curve, having a radius of 3300.00 feet to the left;

thence along the arc of said curve, through a central angle of 10°24'47", having an arc distance of 599.75 feet to a point on the North-south mid-section line of said Section 28 and a point on the arc of a curve, the central point of which bears S01°31'51"W, 3300.00 feet;

thence Westerly, along the arc of said curve, through a central angle of 23°24'32", having an arc distance of 1348.25 feet to the West line of said Northeast quarter of the Southwest quarter;

thence N00°18'02"W, 914.36 feet along said West line to the POINT OF BEGINNING;

EXCEPT all minerals, oil, gas and geothermal resources as reserved by the United States of America in the Patent to said land recorded in 85-411086, of Official Records and except coal and other minerals as reserved in 85-411087, of Official Records.

**PARCEL NO. 43:**

That portion of the Northwest quarter of the Southwest quarter and that portion of the southwest quarter of the Southwest quarter of Section 28, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

BEGINNING at the West quarter corner of said Section 28;

thence N89°50'58"E, 1319.02 feet along the East-West mid-section line of said Section 28 to the Northeast corner of said Northwest quarter of the Southwest quarter;

thence S00°18'02"E, 914.36 feet along the East line of said Northwest quarter of the Southwest quarter to a point on the arc of a curve, the central point of which bears S21°52'42"E, 3300.00 feet;

thence Southwesterly, along the arc distance of 838.94 feet to a point on the North line of said southwest quarter of the Southwest quarter and a point on the arc of a curve, the central point of which bears S36°26'39"E, 3300.00 feet;

thence Southwesterly, along the arc of said curve, through a central angle of 14° 33' 58", having an arc distance of 838.94 feet to a point on the North line of said Southwest quarter of the Southwest quarter and a point on the arc of a curve, the central point of which bears S36° 26' 39"E, 3300.00 feet;

thence Southwesterly, along the arc of said curve, through a central angle of 13° 59' 11", having an arc distance of 805.56 feet to the West line of said Section 28;

thence N00°17'48"W, 550.26 feet along said West line to the Southwest corner of said Northwest quarter of the Southwest quarter;

thence continuing N00° 17'48"W, 1320.83 feet along said West line to the POINT OF BEGINNING.

EXCEPT all minerals, oil, gas and geothermal resources as reserved by the United States of America in the Patent to said land recorded in 85-411086, of Official Records and except coal and other minerals as reserved in 85-411087, of Official Records.

**PARCEL NO. 44:**

That portion of the Northeast quarter of the Southwest quarter and that portion of the Northwest quarter of the Southeast quarter and a portion of the Southwest quarter of the southeast quarter of Section 28, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at the South quarter corner of said Section 28;

thence N00°18'15"W, 636.58 feet along the North-South mid-section line of said Section 28 to the POINT OF BEGINNING;

thence continuing N00°18'15"W, 681.11 feet along said mid-section line to the Southeast corner of said Northeast quarter of the Southwest quarter;

thence S89°46'53"W, 1319.11 feet along the South line of said Northeast quarter of the Southwest quarter to the Southwest corner of said Northeast quarter of the Southwest quarter;

thence N00°18'02"W, 404.90 feet along the West line of said Northeast quarter of the Southwest quarter to a point on the arc of a curve, the central point of which bears S21°52'41"E, 3300.00 feet;

thence Easterly, along the arc of said curve, through a central angle of 23°24'32", having an arc distance of 1348.25 feet to the North-South mid-section line of said Section 28 and a point on the arc of a curve, the central point of which bears S01°31'51"W, 3300.00 feet;

thence Easterly, along the arc of said curve, through a central angle of 10°24'47", having an arc distance of 599.75 feet;

thence S78°03'22"E, 685.00 feet;

thence S17°29'18"W, 448.39 feet;

thence S40°12'01"W, 464.78 feet;

thence S73°35'21"W, 761.00 feet;

thence S40°51'55"W, 142.48 feet to the POINT OF BEGINNING;

EXCEPT all minerals, oil, gas and geothermal resources as reserved by the United States of America in the Patent to said land recorded in 85-411086, of Official Records and except coal and other minerals as reserved in 85-411087, of Official Records.

**PARCEL NO. 45:**

That portion of the Southeast quarter of the Southwest quarter of Section 28, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at the South quarter corner of said Section 28;

thence S89°42'47"W, 273.42 feet along the south line of said Section 28 to the POINT OF BEGINNING;

thence continuing S89°42'47"W, 1045.77 feet along said South line to the Southwest corner of said Southeast quarter of the Southwest quarter;

thence N00°18'02"W, 1319.26 feet along the West line of said Southeast quarter of the Southwest quarter to the Northwest corner of said Southeast quarter of the Southwest quarter;

thence N89°46'53"E, 1319.11 feet along the North line of said Southeast quarter of the Southwest quarter to the North-South mid-section line of said Section 28;

thence S00°18'15"E, 671.11 feet along said mid-section line;

thence S40°51'55"W, 445.95 feet;

thence S04°08'05"E, 301.48 feet to the POINT OF BEGINNING;

EXCEPT all minerals, oil, gas and geothermal resources as reserved by the United States of America in the Patent to said land recorded in 85-411086, of Official Records and except coal and other minerals as reserved in 85-411087, of Official Records.

**PARCEL NO. 46:**

That portion of the Southwest quarter of the Southwest quarter and that portion of the Northwest quarter of the Southwest quarter of Section 28, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

BEGINNING at the section corner common to Sections 28, 29, 32 and 33;

thence S89°33'13"W, 572.64 feet along the line common to Sections 29 and 32;

thence N50°42'22"W, 50.78 feet;

thence N39°17'38"E, 944.03 feet to a point marking the beginning of a tangent curve, having a radius of 3300.00 feet to the right;

thence along the arc of said curve through a central angle of 00°16'32", having an arc distance of 15.88 feet to the line common to Sections 28 and 29 and a point on the arc of a curve, the central point of which bears S50°25'49"E, 3300.00 feet;

thence Northeasterly along the arc of said curve through a central angle of 13°59'11", having an arc distance of 805.56 feet to the South line of said Northwest quarter of the Southwest quarter of Section 28, and a point on the arc of a curve, the central point of which bears S36°26'39"E, 3300.00 feet;

thence Northeasterly along the arc of said curve through a central angle of 14°33'58", having an arc distance of 838.94 feet to the East line of said Northwest quarter of the Southwest quarter of Section 28;

thence S00°18'02"E, 404.90 feet along the East line of said Northwest quarter of the Southwest quarter to the Northeast corner of said Southwest quarter of the Southwest quarter;

thence S00°18'02"E, 1319.26 feet along the East line of said Southwest quarter of the Southwest quarter to the line common to Sections 28 and 33;

thence S89°42'47"W, 1319.19 feet along said line to the POINT OF BEGINNING;

EXCEPT all minerals, oil, gas and geothermal resources as reserved by the United States of America in the Patent to said land recorded in 85-411086, of Official Records and except coal and other minerals as reserved in 85-411087, of Official Records;

EXCEPT any portion lying within Section 29, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

PARCEL NO. 47:

Lot 1; the East half of the Northeast quarter and the Southwest quarter of the Northeast quarter of Section 29, Township 4 North, Range 4 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

EXHIBIT B  
TO  
THIRD AMENDMENT TO DEVELOPMENT AGREEMENT  
(Festival Ranch)

(Legal Description and Depiction of the Pulte Land)

See following page(s).

December 4, 2002

LEGAL DESCRIPTION FOR  
THE WHITE TANK PROJECT  
FESTIVAL RANCH  
PARCELS E AND F

That part of Sections 13, 20, 21, 22, 23, 24, 25, 26, and 28, Township 4 North, Range 4 West, of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

Beginning at the Northeast Corner of said Section 24;

Thence South  $00^{\circ}26'24''$  West, along the East line of the Northeast Quarter of said Section 24, a distance of 2,640.87 feet to the East Quarter Corner thereof;

Thence South  $00^{\circ}23'56''$  West, along the East line of the Southeast Quarter of said Section 24, a distance of 2,639.68 feet to the Northeast Corner of said Section 25;

Thence South  $00^{\circ}23'04''$  West, along the East line of the Northeast Quarter of said Section 25, a distance of 2,642.69 feet to the East Quarter Corner thereof;

Thence South  $00^{\circ}24'50''$  West, along the East line of the Southeast Quarter of said Section 25, a distance of 2,641.16 feet to the Southeast Corner thereof;

Thence North  $89^{\circ}35'08''$  West, along the South line of the Southeast Quarter of said Section 25, a distance of 2,641.48 feet to the South Quarter Corner thereof;

Thence North  $89^{\circ}35'25''$  West, along the South line of the Southwest Quarter of said Section 25, a distance of 2,639.43 feet to the Southeast Corner of said Section 26;

Thence North  $89^{\circ}42'22''$  West, along the South line of the Southeast Quarter of said Section 26, a distance of 2,630.35 feet to the South Quarter Corner thereof;

Thence North  $00^{\circ}19'01''$  East, along the North-South mid-section line of said Section 26, a distance of 2,202.89 feet to a point on a 5,500.00 foot radius non-tangent curve, whose center bears North  $10^{\circ}40'03''$  West, said point also being on the centerline of "Sun Valley Parkway", as recorded in Book 309 of Maps, Page 12, Maricopa County Records;

Thence Southwesterly, along said curve and centerline, through a central angle of  $05^{\circ}15'04''$ , a distance of 504.08 feet;

Thence South  $84^{\circ}32'16''$  West, a distance of 2,153.47 feet to the East line of the Southeast Quarter of said Section 27;

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The White Tank Project  
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Thence North  $00^{\circ}24'17''$  East, departing said centerline, along the East line of the Southeast Quarter of said Section 27, a distance of 733.87 feet to the East Quarter Corner thereof;

Thence North  $00^{\circ}21'02''$  East, along the East line of the Northeast Quarter of said Section 27, a distance of 2,640.03 feet to the Northeast Corner thereof;

Thence North  $89^{\circ}44'50''$  West, along the North line of the Northeast Quarter of said Section 27, a distance of 2,633.23 feet to the North Quarter Corner thereof;

Thence North  $89^{\circ}29'15''$  West, along the North line of the Northwest Quarter of said Section 27, a distance of 2,642.45 feet to the Northwest Corner thereof;

Thence South  $00^{\circ}57'22''$  West, along the West line of the Northwest Quarter of said Section 27, a distance of 969.63 feet;

Thence South  $25^{\circ}02'40''$  West, a distance of 734.21 feet;  
Thence South  $47^{\circ}53'49''$  West, a distance of 1,529.32 feet;  
Thence South  $82^{\circ}46'17''$  West, a distance of 720.95 feet;  
Thence North  $74^{\circ}50'14''$  West, a distance of 371.53 feet;  
Thence North  $19^{\circ}21'24''$  West, a distance of 398.70 feet;  
Thence South  $70^{\circ}38'36''$  West, a distance of 248.27 feet;  
Thence North  $24^{\circ}46'06''$  West, a distance of 583.53 feet;  
Thence North  $52^{\circ}39'50''$  West, a distance of 239.24 feet;

Thence South  $74^{\circ}02'06''$  West, a distance of 460.64 feet to a point on a 5,085.00 foot radius non-tangent curve, whose center bears South  $64^{\circ}25'19''$  West;

Thence Northwesterly, along said curve, through a central angle of  $04^{\circ}28'57''$ , a distance of 397.82 feet;

Thence North  $30^{\circ}03'38''$  West, a distance of 2,586.05 feet to the beginning of a tangent curve of 3,915.00-foot radius, concave Northeasterly;

Thence Northwesterly, along said curve, through a central angle of  $20^{\circ}45'41''$ , a distance of 1,418.62 feet to a point on the Southerly right-of-way line of the "Central Arizona Project Canal";

Thence along the Southerly right-of-way line of the "Central Arizona Project Canal" the following courses:

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Thence North 44°33'22" East, a distance of 315.71 feet;  
Thence North 56°59'46" East, a distance of 496.13 feet;  
Thence North 80°26'29" East, a distance of 3,220.32 feet;  
Thence North 85°39'45" East, a distance of 497.23 feet;  
Thence South 89°08'59" East, a distance of 293.06 feet;  
Thence South 00°51'01" West, a distance of 74.97 feet;  
Thence South 89°07'56" East, a distance of 300.00 feet;  
Thence North 01°19'16" East, a distance of 75.03 feet;

Thence South 89°08'59" East, a distance of 6,130.87 feet to a point on the West line of the Northwest Quarter of said Section 23;

Thence South 00°22'19" West, departing said Southerly right-of-way line, along the West line of the Northwest Quarter of said Section 23, a distance of 468.31 feet to the West Quarter Corner of said Section 23;

Thence South 89°37'07" East, along the East West mid-section line of said Section 23, a distance of 5,278.03 feet to the West Quarter Corner of said Section 24;

Thence North 00°22'48" East, along the West line of the Northwest Quarter of said Section 24, a distance of 2,253.90 feet to a point on the Southerly right-of-way line of the "Central Arizona project Canal";

Thence North 69°28'05" East, along said Southerly right-of-way line, a distance of 1,086.54 feet to a point on the South line of the Southwest Quarter of said Section 13;

Thence South 89°37'17" East, along the South line of the Southwest Quarter of said Section 13, a distance of 1,625.24 feet to the South Quarter Corner thereof;

Thence North 00°24'03" East, along the North-South mid-section line, a distance of 621.31 feet to a point on the Southerly right-of-way line of the "Central Arizona Project Canal";

Thence North 69°27'38" East, along said Southerly right-of-way line, a distance of 1,296.88 feet;

Thence South 00°00'00" East, a distance of 213.58 feet to a point on a line which is parallel with and 200.00 feet Southerly, as measured at right angles, from the Southerly right-of-way line of the "Central Arizona Project Canal";

Thence North 69°27'38" East, along said parallel line, a distance of 464.53 feet;

Legal Description for  
The White Tank Project  
Festival Ranch  
Parcels E and F  
December 4, 2002

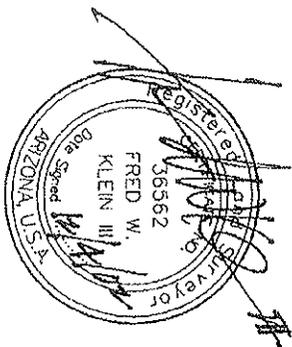
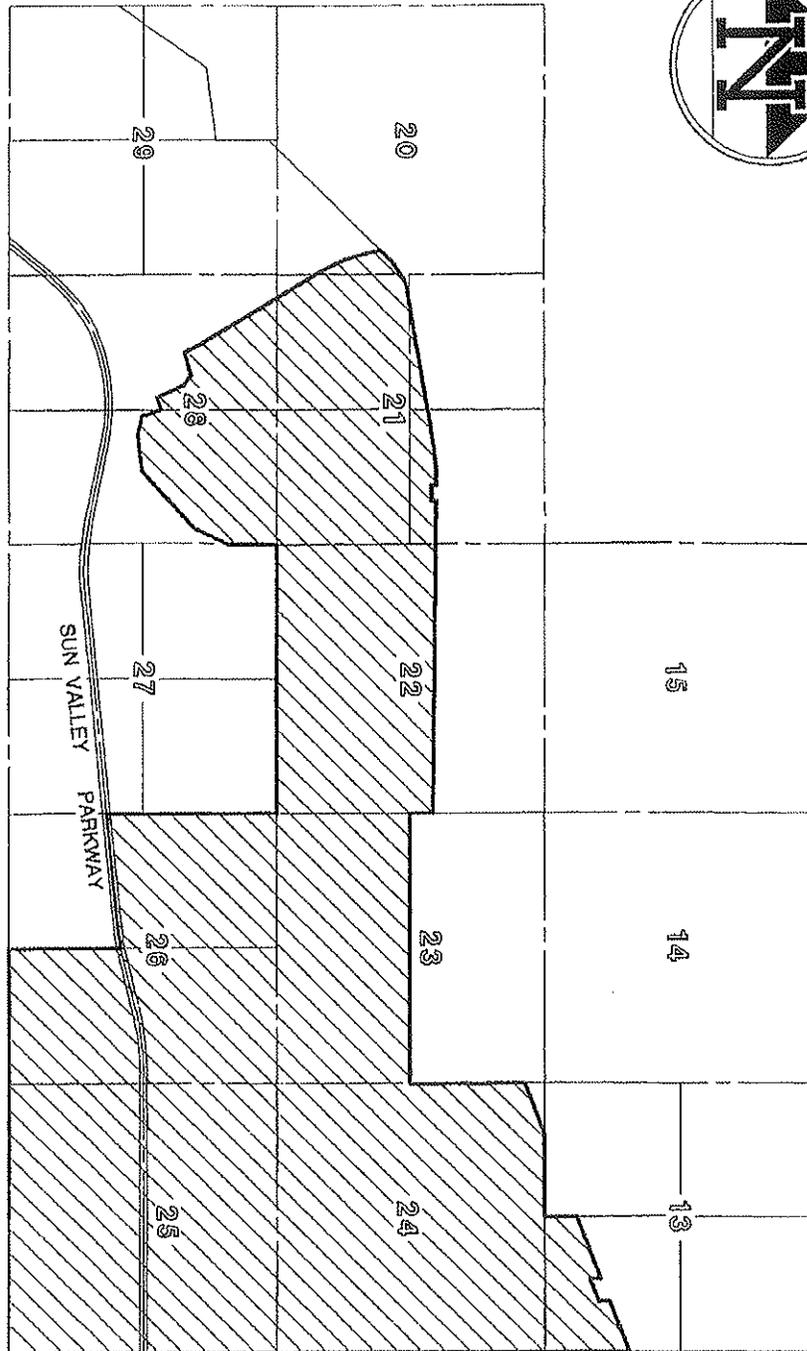
Thence North 00°00'00" East, a distance of 213.58 feet to a point on the Southerly right-of-way line of the "Central Arizona Project Canal";

Thence North 69°27'38" East, along said Southerly right-of-way line, a distance of 1,067.33 feet to a point on the East line of the Southeast Quarter of said Section 13;

Thence South 00°24'51" West, along said East line, a distance of 1,633.09 feet to the Point of Beginning.

Containing 3,133.419 Acres, more or less.





<b>EXHIBIT</b>	<b>FESTIVAL RANCH PARCELS E &amp; F</b>	JOB NO 680001
4550 NORTH 12TH STREET PHOENIX, ARIZONA 85014 TELEPHONE (602) 264-6831	<b>COE &amp; VAN LOO</b> PLANNING • ENGINEERING • LANDSCAPE ARCHITECTURE	SHEET 1 OF 1

**EXHIBIT C  
TO  
THIRD AMENDMENT TO DEVELOPMENT AGREEMENT  
(Festival Ranch)  
  
(Legal Description and Depiction of the Additional Pulte Land)**

See following page(s).

December 27, 2006

LEGAL DESCRIPTION FOR  
FESTIVAL RANCH  
FESTIVAL RANCH OUT PARCELS

Parcel No. HH:

That part of the North Half of Section 23, Township 4 North, Range 4 West of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

Beginning at the G.L.O. Brass Cap marking the West Quarter Corner of said Section 23, from which the G.L.O. Brass Cap marking the Northwest Corner of said Section 23 bears North  $00^{\circ}22'19''$  East, a distance of 2,639.59 feet;

Thence North  $00^{\circ}22'19''$  East, along the West line of the Northwest Quarter of said Section 23, a distance of 267.52 feet to a point on the Southerly right-of-way line of the Central Arizona Project Canal;

Thence along the Southerly right-of-way line of the Central Arizona Project Canal the following courses:

Thence South  $89^{\circ}36'50''$  East, departing said West line, a distance of 33.00 feet to a point on a line which is parallel with and 33.00 feet Easterly, as measured at right angles, from the West line of the Northwest Quarter of said Section 23;

Thence North  $00^{\circ}22'19''$  East, along said parallel line, a distance of 200.50 feet;

Thence South  $89^{\circ}06'32''$  East, a distance of 285.89 feet;

Thence North  $69^{\circ}27'36''$  East, a distance of 174.40 feet to a point on a line which is parallel with and 792.00 feet Southerly, as measured at right angles, from the North line of the South Half of the Northwest Quarter of said Section 23;

Thence South  $89^{\circ}36'50''$  East, along said parallel line, a distance of 178.21 feet to a point on a line which is parallel with and 660.00 feet Easterly, as measured at right angles, from the West line of the Northwest Quarter of said Section 23;;

Thence North  $00^{\circ}22'19''$  East, along said parallel line, a distance of 68.14 feet;

Thence North  $69^{\circ}27'36''$  East, departing said parallel line, a distance of 2,026.68 feet to a point on the North line of the South Half of the Northwest Quarter of said Section 23;

Legal Description for  
Festival Ranch  
Festival Ranch Out Parcels  
December 27, 2006

Thence South 89°36'50" East, along said North line, a distance of 90.13 feet to the Northeast Corner of the South Half of the Northwest Quarter of said Section 23;

Thence North 00°27'52" East, along the West line of the Northeast Quarter of said Section 23, a distance of 34.37 feet;

Thence North 69°28'27" East, departing said West line, a distance of 2,820.53 feet to a point on the East line of the Northeast Quarter of said Section 23;

Thence South 00°22'48" West, departing said Southerly right-of-way line along said East line, a distance of 2,360.46 feet to the G.L.O. Brass Cap marking the East Quarter Corner of said Section 23;

Thence North 89°37'07" West, along the South line of the Northeast Quarter of said Section 23, a distance of 2,636.85 feet to the Center of said Section 23;

Thence North 89°37'07" West, along the South line of the Northwest Quarter of said Section 23, a distance of 2,641.18 feet to the Point of Beginning.

Parcel No. I containing 163.973 Acres, more or less.

Parcel II:

That part of the Southwest Quarter of Section 13, Township 4 North, Range 4 West of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

Beginning at the G.L.O. Brass Cap marking the South Quarter Corner of said Section 13, from which the G.L.O. Brass Cap marking the Southeast Corner of said Section 13 bears South 89°34'54" East, a distance of 2,641.53 feet;

Thence North 89°37'17" West, along the South line of the Southwest Quarter of said Section 13, a distance of 1,625.24 feet to a Department of Interior Brass Cap on the Southerly right-of-way line of the Central Arizona Project Canal;

Thence North 69°27'37" East, departing said South line along said Southerly right-of-way line, a distance of 1,740.17 feet to a Department of Interior Brass Cap on the East line of the Southwest Quarter of said Section 13;

Thence South 00°24'03" West, departing said Southerly right-of-way line along said East line, a distance of 621.31 feet to the Point of Beginning.

Legal Description for  
Festival Ranch  
Festival Ranch Out Parcels  
December 27, 2006

Parcel No. 2 containing 11.591 Acres, more or less.

The total containing 175.564 Acres, more or less.

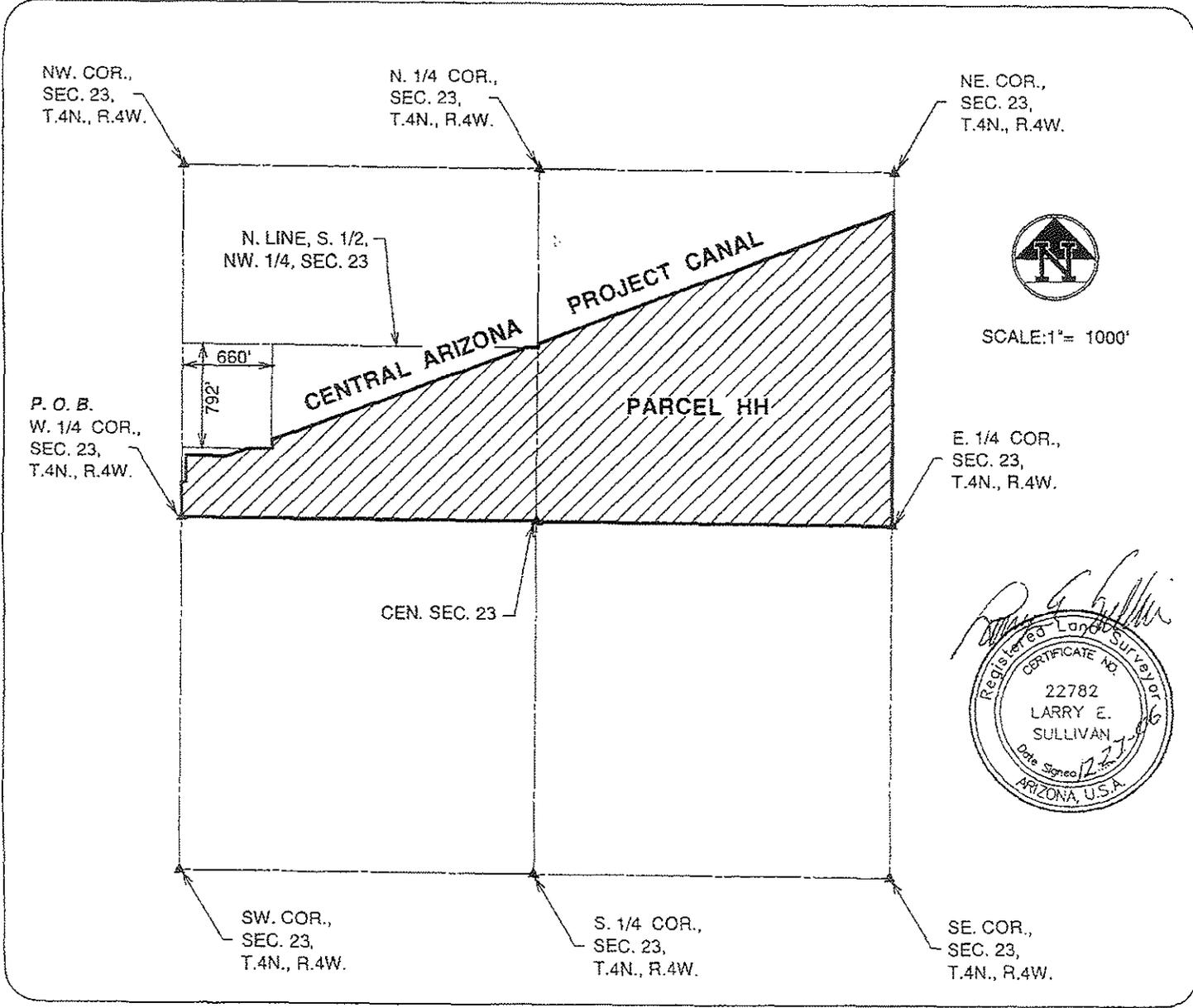
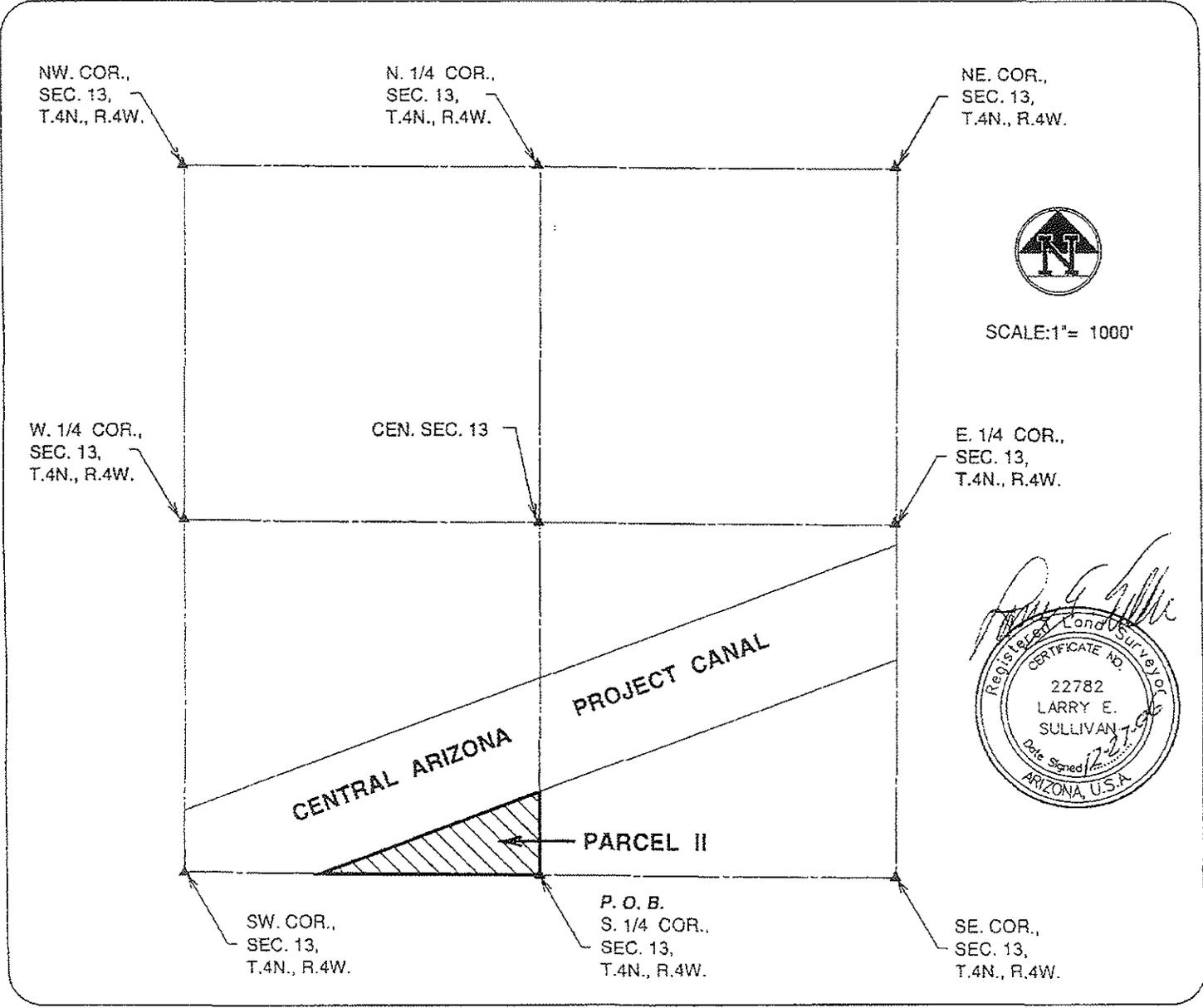


EXHIBIT	JOB NO	680001
	SHEET	1 OF 2
FESTIVAL RANCH FESTIVAL RANCH OUT PARCELS		
<b>COE &amp; VAN LOO</b> PLANNING • ENGINEERING • LANDSCAPE ARCHITECTURE		
N:\680001\LANDSCAPE\OUTS01.DGN	4550 NORTH 12TH STREET PHOENIX, ARIZONA 85014 TELEPHONE (602) 264-6831	



JOB NO 680001	FESTIVAL RANCH FESTIVAL RANCH OUT PARCELS	EXHIBIT N:\680001\LAND\ET\OUTS02.DGN
SHEET 2 OF 2	<b>COE &amp; VAN LOO</b> PLANNING • ENGINEERING • LANDSCAPE ARCHITECTURE	4550 NORTH 12TH STREET PHOENIX, ARIZONA 85014 TELEPHONE (602) 264-6831

EXHIBIT D  
TO  
THIRD AMENDMENT TO DEVELOPMENT AGREEMENT  
(Festival Ranch)

(Land Use Designations)

See following page(s).

**FESTIVAL RANCH  
CMP AMENDMENT  
INCORPORATION OF PARCELS HH AND II  
05/14/08**

**APPLICATION REQUEST**

This application is for the approval of an amendment to the Community Master Plan (CMP) of Festival Ranch to incorporate Parcels HH and II into the boundary limits of the CMP.

The area under consideration includes land owned by Pulte Homes and is comprised of Assessor Parcel Numbers 503-84-007E, 503-84-010C, 503-84-007B, 503-84-007F, 503-84-007H, 503-84-008P, and 503-84-008Q. Table 1 below and Exhibit A – ALTA, Exhibit B – Legal Description describe the area contributing to the expansion of the CMP.

**Table 1: Land Use Allocation**

	Land Area (Acres)	Dwelling Units Range (du/ac)	Target Density (du/ac)
Parcel HH	163.97	495- 500	3.04 du/ac
Parcel II	11.59	50 -55	4.31 du/ac
Total	175.56	550	3.13 du/ac

**LOCATION**

Parcels HH and II are located within the municipal planning area of the Town of Buckeye and are contiguous to the northern boundaries of Planning Unit One of Pulte's Festival Ranch (see Exhibits C & D - Conceptual Development Plan).

Parcel HH is generally located east of Desert Oasis Boulevard, north of Beardsley Parkway, and west of Desert Vista Boulevard. It lies within the North half of Section 23, Township 4 north, Range 4 West of the Gila and Salt River Meridian, AZ.

Parcel II is coterminous with and generally follows the CAP Canal boundary to the north. It lies within the southwest quarter of Section 13, Township 4 North, Range 4 West of the Gila and Salt River Meridian, Maricopa County, AZ.

## ZONING

The Maricopa County Assessor Maps designate Parcels HH and II as Planned Community (PC).

## DESCRIPTION OF PROPOSAL

The proposed amendment shall add approximately 175.56 acres to the Festival Ranch CMP.

Upon incorporation, Parcels HH and II shall be developed as part of Sun City Festival, the active adult portion of Festival Ranch. It will be incorporated into Planning Unit One of Sun City Festival or into Planning Unit E of the overall Festival Ranch CMP.

Whereas, Festival Ranch bears an overall maximum gross density of 2.4 du/ac, Exhibit I of the CMP specifies an allocation of 5,905 du's for Planning Unit E and 7,771 du's for Planning Unit F or an overall allocation of 13,676 du's between Planning Units E & F. Both Planning Unit E & F have provisions for 50% density transfer.

Upon approval of the proposed amendment, the overall dwelling units permissible within Planning Unit E of the CMP will be increased by 550 dwelling units – or an increase from a total number of 5,905 du's to 6,455 du's. Accordingly, the overall dwelling unit cap of Festival Ranch will be increased from 24,176 to 24,726 dwelling units.

The parcels in consideration were planned for in all of the approved planning unit master plans excluding the master community framework concept plan. Detailed planning of the parcels, including the master community framework concept plan, shall be performed at the preliminary plat stage.

The following amendments shall be made to the Festival Ranch Community Master Plan, CMP:

1. **Project Overview (pages 1 and 2 of the CMP):** Replace references to 10,124 acres with 10,300 acres (paragraphs 1 and 3). Replace reference to 24,176 units with 24,726 units.
2. **Site Analysis (page 7 of the CMP):** Replace reference to 10,124 acres with 10,300 acres (paragraph 2).
3. **Land Use Intensity (page 52 of the CMP):** Replace reference to 24,176 units with 24,726 units.
4. **Map Boundaries (Exhibits A, B, C, D, F, G, H of the CMP):** Amend boundaries of map to include Parcels HH & II.
5. **Land Use Budget:** Amend Exhibit I of the CMP.

6. **Planning Unit One Master Community Framework Concept:** Amend maps A thru J to include Parcels HH & II.

### **COMPLIANCE WITH THE TOWN OF BUCKEYE'S PARKS, TRAILS, AND OPEN SPACE MASTER PLAN**

The Festival Ranch Community Master Plan lays down an overall development scheme for the 10,124 acres included therein. It details a comprehensive program of community amenities that will be available throughout the various land uses. Pulte's Festival Ranch comprise of 3,308.979 acres of the overall master plan. Based on extensive research and market studies, the amenities planned are reflective of the lifestyle of today's active adult population.

The result is a critical balance of land use allocations vital to realize a logical and effective distribution of community facilities, parks, open space, and trails designated at precise locations within the community. As planned, the Sun City Festival open space plan presents an alternative to providing smaller parks within each neighborhood that may not have the capacity to support the amenities intended for the community. Substantial land use is appropriated for recreational areas that are combined into meaningful land configurations to accommodate a significant inventory of community facilities. Strategically located within the community, destination-oriented, resort-like facilities are provided with a generous offering of community amenities.

Appropriate to the lifestyle favored by the projected users, value-added amenities not generally offered by conventional residential developments are accessible to the residents of Sun City Festival, including two Championship Golf Courses, a 23-acre Recreational/Village Center in Planning Unit One, a 15-acre Recreational/Village Center in Planning Unit Two, and a 10-acre Recreational/ Village Center in Planning Unit Two.

Amenities centralized within the Recreational Center include a state-of-the-art fitness and wellness center consisting of 7,000 square feet of exercise and cardio-conditioning equipment, aerobics and massage rooms, swimming pools; reading/lounge rooms, dining; ballrooms; arts and crafts room; multi-purpose rooms; tennis courts; outdoor recreation spaces. Visiting relatives and grandchildren can also enjoy the outdoor playground structures available at the Recreation Center. The ASU Lifelong Learning Academy, a partnership between Pulte Homes and Arizona State University that will deliver academic and special interest classes to residents of Festival Ranch is also part of the Recreational Center.

The Village Center will include a golf clubhouse, restaurant, pro shop and supporting cart barn operation. The restaurant and golf operations will be open to the public.

Festival Ranch is a master planned community and as such compliance with the Town of Buckeye's Parks, Trails, and Open Space level of service is programmed from a master plan perspective. As such, not every section of the master planned community will have areas dedicated to local neighborhood parks or usable open space areas.

Significantly, Festival Ranch features an integrated system of trails, walkways, and pathways that effectively interlinks the various neighborhoods to the golf course, village center, recreational center, retail, and community facilities.

Essentially, what is proposed is a high-level master plan development scheme resulting from a creative balance of optimum open space provision and above-par amenities.

Thus, given the shared aspirations embodied in prevailing regulations and the builder's intent, a holistic approach to open space compliance is elevated from the strict compliance to a fixed set of formula to a higher level of service that gives credit to the **quality** of open space usage, thus yielding higher levels of residential well-being and experience.

Using the prescribed formulas outlined under Section 3.6 of the Parks, Trails, and Open Space Master Plan:

1. Project Acreage x Project Density = Project Dwelling Units (du's)
2. No. of Dwelling Units x Average Household Size (1.90) = New Population Base
3. New Population Base/1000 = Project Population Multiplier
4. Project Population Multiplier x Buckeye LOS (7) = Project Park Average needed

Applying the formulas specifically to Festival Ranch – Pulte Homes:

1. Festival Ranch – Pulte Homes = 3308.979 acres x 2.40 = 7941.54 du's
2. 7942 du's x 1.90 = 15,090
3. 15,090 / 1000 = 15.09
4. 23.34 x 7 = 105.63 acres

A total of 105.63 acres of project parks level of service is required of the overall Festival Ranch Community of Pulte Homes. Planning Unit 1 is comprised of 189.87 acres of parks, trails and open space level of service. Planning Unit 2 and Planning Unit 3 are comprised of a total of 1,400.94 acres and will include at least 10% of improved open space. Thus, a minimum of 140 acres will be added towards the parks level of service.

The overall golf course component of Festival Ranch – Pulte Homes is comprised of 391.20 acres. Section 3.6, page 3-17, first paragraph of the Town of Buckeye Parks, Trails and Open Space Master Plan states that golf courses may constitute up to 75% of the total parks project requirements. Thus, the golf course component of Festival Ranch – Pulte Homes will contribute 293.40 acres towards the overall community parks level of service.

In summary, Festival Ranch – Pulte Homes is comprised of a total of 623.27 acres of parks, trails and open space level of service while only a total of 105.63 acres is required of the overall community.

Overall, parks, trails and open space allocation within Festival Ranch – Pulte Homes considerably exceeds minimum Town requirements for open space and parks level of service, affirming the intent to ensure quality living conditions for residents.

## **WATER SUPPLY AND DISTRIBUTION**

A study of the water distribution system to serve the area was prepared by Coe & Van Loo, Consultants, Inc. (revised December 8, 2004). The out parcels in consideration were planned for in all of the approved planning unit plans. Detailed engineering of the parcels shall be completed at the preliminary plat stage

The onsite potable water infrastructure will consist of a system of water distribution mains, booster pump stations, pressure control valves, wells and storage tanks.

An amendment to the approved FESTIVAL RANCH PLANNING UNIT ONE DOMESTIC WATER PLAN & UPDATE TO MASTER DOMESTIC WATER PLAN, dated June 10, 2004 revised the previous master plan to include parcels HH and III. Table 4 of the amendment. (see Exhibit E – Table 4: Sun City Festival Potable Water Demand Calculations) included water demands from parcels HH and II. Demands were assumed to be from conventional housing and were determined to be 297,000 gallons per day (gpd) at average demand. The parcels are currently planned as active adult with an average day demand of 142,500 gpd, or 154,500 gpd less than planned.

## **WASTEWATER COLLECTION AND TREATMENT**

A study of the wastewater collection and treatment system to serve this area was prepared by Coe & Van Loo, Consultants, Inc. (revised February 24, 2004). Based on the natural topography, the wastewater collection infrastructure will consist of a system of gravity trunk sewer lines.

The trunk sewers will follow the street alignments and sewer easements, and may be internalized in the residential streets when possible. The downstream sewers through the Sun City Festival development have been sized to convey the wastewater flows from Parcels HH and II to the Festival Ranch Water Reclamation Facility (WRF), located at the southwest corner of the Festival Ranch Master Plan.

The approved FESTIVAL RANCH PLANNING UNIT ONE WASTEWATER PLAN & UPDATE TO MASTER WASTEWATER PLAN, dated February 24, 2004 included sewer service to parcels HH and II (see Exhibit F – Wastewater Calculations from the approved report). Demands were assumed to be from conventional housing and were determined to be 198,000 gpd at average day demand. The parcels are currently planned as active adult with an average day demand of 76,000 gpd, or 122,000 gpd less than planned.

## **CIRCULATION AND STREET IMPROVEMENTS**

Roadway improvements associated with Parcel HH include half street improvements for Desert Oasis Boulevard, functionally classified as a major arterial with 130-foot of right-of-way. Improvements include a 16-foot median with turn lanes, 40-foot travel lane from back of curb to back of curb on each side of the road, and an additional 10-foot sidewalk and public utility easement on each side of the road.

Parcel HH is bound on the east by Desert Vista Boulevard. Improvements to the roadway is included in the development of the adjacent Parcel N1 and L1-2, east of Desert Vista Boulevard.

Desert Vista Boulevard will be improved as residential collector with 70-foot right-of-way. Improvements include a 15-foot median, an 18-foot travel lane from back of curb to back of curb on each side of the road and an expanded collector easement of 10 feet on both sides of the road in addition to the 70-foot right-of-way.

Local residential streets shall be designed to have 44-foot of right-of-way with two 16-foot travel lanes on 32 feet of pavement from back of curb to back of curb and 4-foot wide attached sidewalks on both sides of the street. Subdivision entrance roads shall be expanded to 60-foot of right-of-way to incorporate a 10-foot median.

Improvements to the street system that bound the site will result in the expansion and linkage of the existing transportation system.

An update to the traffic access study, shall be prepared by TASK Engineering and shall be included in the formal submittal of the preliminary plat application of the parcels in consideration.

## **THEME WALL**

Consistent with the Sun City Festival Ranch Master Planned Community, the theme wall consists of 6" X 4" X 16" CMU block with mortar wash and 4" integral color slump block cap. The walls are enhanced with 4-foot voids at 32" o.c., 12" below the cap block. Wall colors are earth toned.

## **LANDSCAPE DESIGN CONCEPT**

The streetscape character will be formal with formally spaced street trees and large masses of shrubs and groundcovers. The neighborhood entries shall be identified with a signature tree species in a formal massing. The plant palette shall consist of low water use plants.

The extension of the community open space trail system into the parcels in consideration shall be detailed in the preliminary plat stage.

## **OFFSITE & ONSITE STORMWATER CONTROL**

A storm water analysis was prepared in the Planning Unit One Drainage Plan & Update to Master Drainage Plan by Coe & Van Loo Consultants, Inc. which includes a preliminary hydrology analysis for the proposed 163.97 acre site for Parcel HH. This analysis will need to be revised to model the retention/detention required for the proposed site. The proposed 11.59-acre site for Parcel II was not included in the above mentioned report and therefore will need to be added into the existing hydrology model.

## **EXISTING UTILITIES**

There is an existing high voltage electrical transmission easement south of Parcel HH and north of Beardsley Parkway for three SRP 500 KV lines, including towers and an access road.

The Central Arizona Project (CAP) Canal is found in the northern periphery of Sun City Festival. The CAP is designed to bring approximately 1.5 million acre-feet of Colorado River water per year to Pima, Pinal and Maricopa counties. It is a 336-mile long system of aqueducts, tunnels, pumping plants, and pipelines. It is the largest single resource of renewable water supplies in the State of Arizona.

## **DRY UTILITIES**

### **Communications**

Cox Communications or Accipter Communications can provide video, high-speed data and telephone services to Sun City Festival.

### **Natural Gas**

Southwest Gas will provide natural gas service to Sun City Festival.

### **Electricity**

Arizona Public Service (APS) will provide electrical service to Sun City Festival.

## **FIRE STATION**

A temporary fire and police station is planned less than a mile away from the site at the SEC of Beardsley Parkway and Canyon Springs Blvd. Approximate response time from this location is estimated to be two (2) minutes. The ultimate location of the fire station is proposed to be located at the SWC of Desert Oasis Boulevard and Mountain Ridge Blvd. Approximate response time from this location is estimated to be less than two (2) minutes.

**POLICE STATION**

The Town of Buckeye Police Department located at 100 N. Apache Road will respond to public safety calls of the residents of the proposed community.

**HOSPITAL**

The Del Webb Memorial Hospital located at Grand Avenue and Meeker Boulevard, approximately 11 miles east of Sun City Festival.

**PHASING**

Parcels HH and II are intended to be developed in two phases. The ultimate development schedule is contingent upon the prevailing market and economic conditions, absorption rates and industry factors at the time of consideration.