

GENERAL DEVELOPMENT COMMITTEE MINUTES

February 5, 2004

The General Development Committee of the City of Mesa met in the lower level meeting room of the Council Chambers, 57 East 1st Street, on February 5, 2004 at 9:00 a.m.

COMMITTEE PRESENT	COUNCIL PRESENT	OFFICERS PRESENT
Rex Griswold, Chairman Kyle Jones Claudia Walters	None	None

1. Hear a staff presentation regarding the draft Desert Uplands Development Standards.

Chairman Griswold announced that staff was present to provide information on proposed changes to the Desert Uplands Development Standards.

Planning Director John Wesley advised that three key issues have been the primary topics of discussion: lighting, which appears to be resolved; the plant palette, which requires Council consideration relative to “encouraging” the use of certain plants or establishing a specific percentage requirement for the preferred plant list; and the disturbance area, the principal area of concern for which staff has outlined three options regarding building envelope and open space alternative language:

- Option #1 would change the disturbance area from 40 percent to 50 percent, plus an additional 10 percent that would be revegetated.
- Option #2, proposed by the Home Builders Association of Central Arizona, provides for an overall disturbance area of 50 percent, some of which could include the common area and the balance on individual lots as necessary.
- Option #3 incorporates aspects of the Scottsdale model regarding environmentally sensitive lands and a chart establishing ratios that would determine the size of the building envelope based on the percent of common tract undeveloped natural area open space.

Mr. Wesley advised that implementation of Options #2 and #3 would require changes to the zoning ordinance, which would be an extensive and complicated process. He stated that staff’s recommendation was to select Option #1 and to add elements of Option #3 as guidelines in order to simplify the process. Mr. Wesley noted that the Spook Hill Neighborhood Action Association has proposed an alternative method of calculating the disturbance area acreage by excluding the unbuildable area prior to calculating the percentages and that material is included in the Committee’s packet.

Discussion ensued relative to the fact that a gated community is allowed to establish their own lighting standards; that City lighting standards apply to City streets surrounding a development; that the proposal incorporates an approximate 40 percent reduction in the lighting standard for collector streets leading up to a "dark skies" development; that a fully shielded light fixture will focus the light downward instead of out; that the proposal is a compromise that was agreed to by the residents, the City and the developer; and that if a subdivision developer opts to have public streets, the lighting level will be lower and utilize a 70-watt luminaire versus the typical 100-watt.

In response to a question from Chairman Griswold, Senior Planner Jo Ferguson stated that the City Plans Examiner would have the power to recommend refusal of a landscape plan that consisted of all bougainvilleas. She explained that the ordinance applies to the common areas within a subdivision, but the regulations would not apply to front yard landscaping as these areas are normally under the purview of the homeowners association (HOA). Ms. Ferguson noted that the majority of HOAs adopt the City's plant palette.

Ms. Ferguson stated that the City's Plans Examiners are experienced in negotiating with and making suggestions to developers, but noted that a building permit could not be denied if a developer refused to utilize a plant palette that conformed to the City's current plant list.

Additional discussion ensued relative to the fact that enforcing the City's preferred plant palette would be difficult; that consideration be given to establishing a 50/50 percentage as the minimum level of conformance to the plant palette; and that developers have expressed concern regarding the limited availability of some types of preferred trees and the lack of variety and color in the preferred plant palette.

Chairman Griswold stated that he would be willing to consider a 50/50 minimum requirement and a recommendation of 90/10 in regard to developer conformance with the City's preferred plant palette. He added that this approach would afford the City a level of enforcement and still provide sufficient leeway to the developer.

Chairman Griswold advised that the contentious area of concern was in regard to the amount of disturbance allowed on a piece of property. He noted that at joint meetings, builders and desert activists agreed that the common goal was desert preservation. Chairman Griswold commented that the percentages in Option #3 provide the developer with more buildable area on the lots when a larger amount of common area is preserved. He added that the percentages of 50 plus ten percent set aside, as indicated in Option #1, could be established as a starting point and increase incrementally so that a 13 percent set aside would enable development of 63 percent of the lots.

Ms. Ferguson noted that protection of environmental features would also require consideration. She advised that in response to a staff request for feedback, Jeff Blandford of Sonoran Desert Holdings addressed the disturbance issue in his email dated February 4, 2004 (see Attachment 1). Ms. Ferguson clarified that staff proposes the percentages as a guideline and that a specific percentage would be negotiated with each developer to determine what would be appropriate for the site based on the topography and any unique features.

In response to a comment from Committeemember Walters, Ms. Ferguson confirmed that staff recommended approval of Option #1 with Option #3 to be considered as a guideline for Planned Area Developments (PADs).

Committeemember Walters noted that the PAD approach appeared to be a more effective method of maintaining the desert environment. She expressed an interest in hearing the comments of the development community.

Mr. Wesley confirmed that Options #3 is being recommended as a guideline due to the fact that a change to the zoning ordinance would require a lengthy process in terms of the necessary notifications and Planning and Zoning hearings.

Further discussion ensued relative to the fact an individual constructing a home on a single lot would not be subject to these regulations or guidelines; that the proposed amendment to the Subdivision Regulations and the proposed guidelines apply to PADs; that staff would work with an applicant regarding an existing Desert Uplands parcel to gain compliance with the concepts, but the applicant would not be subject to the ordinance; that a four-acre parcel divided into four individual parcels would be subject to the building envelope standards and staff would review the configuration of undisturbed area; and that a 700-acre tract with a set aside of 50 percent of undisturbed natural desert could develop 100 percent of the lots.

2. Hear public comments about the draft Desert Uplands Development Standards.

Bill Jaffa of William S. Jaffa & Associates, a former Councilmember, advised that on November 26, 2003, he sent a letter (see Attachment 2) to the Mayor and Council, City Manager and Planning Department staff regarding his concerns relative to large lot development in the Desert Uplands. Mr. Jaffa distributed a copy of the letter to the Committee and then read the letter into the record. He expressed the opinion that the building envelope on R1-35 lots in the Desert Uplands should be a minimum of 70 percent.

William Puffer, representing the Spook Hill Neighborhood Action Association, said that the goal of the association was to preserve the desert character of the Desert Uplands area. He stated that his association has three concerns:

- Area residents prefer a minimum amount of street lighting or none at all.
- The 90/10 percent formula for plant revegetation of the common areas should be enforced rather than "suggested."
- The measurement standard of "undeveloped" open space should be changed to "undisturbed" open space to reflect the fact that "undeveloped" could refer to open space that has been disturbed and then revegetated.

Chairman Griswold noted that the responsible developers support enforcement of development standards.

Greg Allen, Allen Consulting Engineers, expressed concern in regard to the deletion of language in item (H) 1 that stated, "...shall remain undisturbed except for allowable driveway." Mr. Allen explained that this would narrow the area of the lot on which the home could be placed. He suggested that in item (H) 2 a specific flow, such as 25 cfs (cubic feet per second) or 50 cfs, be reflected in the sentence that reads, "Open space or drainage easement shall be provided for those lot areas with slopes of 15% or greater or natural area washes that may carry drainage."

Discussion ensued relative to the fact that the reason for deleting the wording in (H) 1 was to clarify that the driveway is included in the total undisturbed land and that the problem for the developers is the setback issue.

Mr. Allen concurred with the suggestion of Committeemember Walters that item (H) 1 be reworded to state, "There should be a minimum ten foot setback from any property line for the building envelope except for the driveway, that shall remain undisturbed."

Further discussion ensued relative to the fact that the wording in (H) 2 prohibits the rerouting of a small wash on a steeper lot and may result in a lot not being buildable; that most cities specify that flows of 25 cfs or 50 cfs can be rerouted; and that the current language is workable when considering one subdivision, but Las Sendas has many lots with washes in a number of subdivisions.

Ms. Ferguson clarified that the larger washes within Las Sendas, such as the 404, were already protected in a drainage easement and that the other smaller washes could be rerouted around the building pads. She stated that the proposed changes to the Desert Uplands Development Standards did not alter the current practice wherein significant washes and those identified by the Corps of Engineers are protected on the plat by a drainage easement.

Committeemember Walters noted that the concern being expressed by the development community is that the proposed language could be interpreted differently in the future. She suggested that the wording be stated more clearly to reflect the current practice and the intent.

In response to a question from Mr. Puffer, Ms. Ferguson confirmed that the proposed changes would not affect those lots already platted, except that the 40 percent building envelope increases to 50 percent plus the ten percent temporary construction and drainage improvement and these percentages would be applied to the existing platted lots to assist developers in the placement of larger, executive type homes. She added that the proposed change would not affect any area that has already been designated as protected.

Erin Patterson, Deputy Director, Home Builders Association of Central Arizona, advised that the changes recommended by her organization are included in the Committee's packet. She expressed the opinion that moving towards the Scottsdale model, a sliding scale approach, to clarify rights of ways and washes was a step in the right direction. Ms. Patterson stated that her organization requests that the document provide clearly stated regulations that will be reasonably and consistently enforced.

Carol Owens, a local activist involved in the rescue of native birds from development areas, stated that she concurred with Mr. Puffer's comment that the measurement standard should be "undisturbed land" as opposed to "undeveloped land." She requested that developers contact her in advance of blading desert areas so that native birds can be rescued. Ms. Owens added she would sign documents holding the developer harmless in the event she sustained an injury while on their property.

Discussion ensued relative to the fact that Planning staff could provide developers with information on Ms. Owens' bird rescue service; that Ms. Owens could place cards or flyers in the Building Services area; and that the Home Builders Association of Central Arizona could publicize this service in their newsletter.

Alan House, Owner of [j] PLAN, stated that as a provider of architectural review services to Las Sendas, the goals of his firm are to preserve the landscape, improve the property values and assist both the owner and the builder to construct a home within the CC&R's (Covenants, Conditions & Restrictions), the Design Guidelines and the Desert Uplands ordinance. He advised that the retaining walls being used in Las Sendas to maximize the livable square footage of homes do not add value to the subdivision. Mr. House added that increasing the building envelope from 40 percent to 50 percent was not the solution to the problem. He proposed that a building footprint be established at approximately 35 percent with an allowance for additional outdoor living space that would add value to the subdivision. Mr. House stated that the disturbed area affected by the outdoor living space could be revegetated in accordance with the stricter guidelines. He explained that owners of the high-end, executive type homes are willing to spend a substantial amount of money on landscaping. Mr. House expressed appreciation for the service provided by Ms. Ferguson, and he noted that the development community was grateful for her assistance.

Tom Fitzgerald, representing Belmont Homes, expressed disagreement with Mr. Puffer's earlier comments that codes are not being enforced. He advised that City of Mesa inspectors closed down four jobs in Las Sendas during the previous week. Mr. Fitzgerald noted that clients who purchase lots priced in the range of \$300,000 to \$500,000 do not want to be restricted to 3,000 square foot homes. He suggested that a 70 percent building envelope with strict revegetation standards would enable his clients to construct the larger homes suited to their lifestyles. Mr. Fitzgerald expressed the opinion that building restrictions imposed by the City of Mesa were discouraging the high-end homebuyers who could generate substantial sales tax revenue for the City. He added that both the clients and the developers desire to maintain and blend in with the desert environment.

In response to a question from Committeemember Walters, Ms. Ferguson advised that the building envelope was changed to 40 percent in 1999 as the result of an update. She noted that prior to 1999, the building envelope allowed 40 percent disturbance for amenities such as patios, pools, driveways, etc., in addition to the actual footprint of the home. Ms. Ferguson reported that her research of other cities indicated that the City of Mesa imposes greater restrictions on landforms below the 15 percent slope.

Chairman Griswold noted that the solution could be a sliding scale with strict revegetation regulations.

Aaron Davidson, President of Belmont Homes, stated that the regulation should be based on the footprint of the house and that the driveway be excluded as part of the disturbed area. He suggested that greater attention be given to the type of driveway. Mr. Davidson added that utilizing the entire 40 percent building envelope for the home forces high-end homes to the front of the lots in order to minimize the length of the driveway. He emphasized that high-end clients also want to maintain the integrity of the desert.

Chairman Griswold noted that an unintended consequence of locating homes closer to the street is that the opportunity for desert landscaping is minimized.

Ms. Ferguson referred to the first page of Attachment C, item 1, in the Committee's packet and noted that "driveways" could be included with underground utility corridors and drainage improvements in the revegetated portion of the undeveloped natural open space area. She explained that part of the reasoning for including the driveway in the building envelope was to

eliminate large, circular driveways, multiple driveways, parking bays and oversized driveways. Ms. Ferguson added that the City of Mesa's ordinance does not address driveway aesthetics.

In response to a series of questions from Committeemember Walters, Ms. Ferguson confirmed that Option #3 would be a guideline; that these guidelines could be utilized on a single lot in Las Sendas only if the guideline is incorporated into an update of Subdivision Regulations to include the larger building envelope, and at that time the language that applies to driveways and utility corridors could be addressed; that a revegetation standard has not been defined other than the vegetation is required to match the surrounding plant densities; that resources are not available to check and verify that revegetation matches the surrounding plant densities; and that Zoning Plans Reviewers have a good understanding of the typical plant materials utilized in revegetation.

Discussion ensued relative to the fact that in areas such as DC Ranch and Las Sendas, the revegetated landscape cannot be distinguished from the vegetated areas; that the revegetation of common areas and parkways accomplished by Mesa developers generally replicate the natural densities; and that other jurisdictions incorporate language in their ordinances to address a revegetation standard.

Kelly Shepherd of Momentum Construction expressed the opinion that the guidelines should be restrictive, but not prohibitive. He concurred with the comments of previous speakers that the restrictive building envelope is a difficult obstacle for developers when constructing a home to meet the demands of executive style housing. Mr. Shepherd also noted that the high prices commanded by premium lots depend on the preservation of the desert environment.

Michael Gallego of Anasazi Development stated that his firm is also experiencing difficulty in fitting the homes desired by their clients on the lots. He added that some Las Sendas lots are less than 35,000 square feet.

In response to a series of questions and concerns expressed by Committeemember Walters, Ms. Ferguson stated that zoning within Las Sendas was predominantly R1-35, but the lots referred to by Mr. Gallego are in R1-35 PADs that are permitted to vary in size as long as they do not exceed the allowable density. She noted that a few subdivisions also have platted lots that are less than 30,000 square feet. Ms. Ferguson advised that concern exists relative to a developer being able to place a reasonable custom home on a smaller lot while staying within the 40 percent building envelope or within the proposed 50 percent envelope. She noted that language contained in the current draft proposes a 50 percent envelope to address lots of less than a certain square footage. Ms. Ferguson also stated that consideration could be given to language that addresses the aesthetic aspect of driveways and the preferred types of materials for developments that presently do not have restrictions in place.

Committeemember Walters noted that Mr. Allen of Allen Engineering and others in the audience were indicating their willingness to work with staff to develop the necessary language.

Chairman Griswold noted that the driveways in Las Sendas are compatible with the desert environment. He suggested that a bonus density be established based on the use of certain driveway materials and the length of the driveway in order to encourage placement of the home on the lot in a manner that maintains a substantial area of desert landscape in the front.

3. Discuss and consider the draft Desert Uplands Development Standard.

Committeemember Walters noted that the discussion reflected the existence of a strong demand for high-end housing in the City of Mesa. Committeemember Walters stated that substantial input has been provided to staff, and she expressed the opinion that the draft could not be adopted until changes were incorporated into the proposal.

Chairman Griswold expressed the opinion that the Committee could move forward on Option #3 that provides for a 50 percent building envelope or a certain percentage of increase above 50 percent that would correlate to the amount of additional common area that is saved as undisturbed or revegetated at a higher standard. He suggested that except for the language regarding driveways, there was general agreement.

Committeemember Jones concurred with Chairman Griswold's comments regarding the consensus of opinion, but he expressed concern regarding the building envelope. He noted that space is required on the construction site for equipment and materials. Committeemember Jones stated that in addressing the driveway issue, an important consideration was utilization of the proper wording and language. He added that the ultimate goal was to maintain as much natural vegetation as possible.

Committeemember Jones encouraged the City's Building Safety Division not to strictly enforce the building envelope while the Committee and the Council attempt to resolve the issue. He added that gross violations should be enforced, but the inspectors should not be overzealous in the area of building envelopes.

Chairman Griswold noted that without a good revegetation plan or definition, the designation of undisturbed desert would be problematic.

Committeemember Walters noted that Option #3 is proposed as a guideline, not an ordinance.

Mr. Wesley asked whether the Committee preferred to implement the changes to the Subdivision Regulations with guidelines, or initiate changes to the zoning ordinance, which he added could result in other unintended consequences. He stated that staff was seeking direction from the Committee.

Chairman Griswold stated a preference to provide flexibility and he requested direction from staff in that regard. He commented that the development of four one-acre parcels would have a PAD, and the disturbed area would be revegetated to a higher standard. Chairman Griswold noted that allowing the developer to aggregate the disturbance on a 200-acre lot would enable a greater portion of the lot to be utilized. He asked if a major zoning change was required to implement these conditions.

Mr. Wesley responded that current procedures address the PAD development of four one-acre parcels, but additional guidelines would be required to accomplish the objectives discussed. He advised that staff would have to review the information to determine if the guidelines could be incorporated into the Subdivision Regulations or if a zoning change would be required.

Chairman Griswold noted that he would like to accomplish these changes as quickly as possible, but he preferred language that stipulates "enforcement" as opposed to "making a suggestion." He explained that developers could always apply for a variance. Chairman

Griswold commented that if the desert environment were not preserved, nothing would remain for future generations. He added that proper revegetation was difficult to distinguish from natural vegetation.

Committeemember Walters stated a preference for accomplishing the changes through the Subdivision Regulations rather than through Planning and Zoning. She also expressed the opinion that additional staff should not be hired outside of the budget cycle.

It was moved by Committeemember Walters, seconded by Chairman Griswold, that staff incorporate the changes discussed into the Subdivision Regulations and that the request for additional staff be brought forward during the regular budget cycle.

Carried unanimously.

Chairman Griswold excused Committeemember Walters from the remainder of the meeting at 10:36 a.m.

Mr. Allen stated the opinion that a consensus existed among the developers to accept a building envelope of 50 percent for R1-35 or larger, 60 percent for lots between 30,000 and 35,000 square feet, and 70 percent for lots less than 30,000 square feet, which would provide a minimum of 30 percent undisturbed area. He added that the driveway would not be included or, in the case of a long driveway, that only a maximum of 30 feet of driveway would be included.

Chairman Griswold also expressed the opinion that there was consensus regarding the building envelope. He noted that that the Desert Uplands Development Standards would not be finalized at this meeting, but he was optimistic that a final document could be presented for Council approval at the March 15th Regular Council Meeting.

In response to a question from Ms. Ferguson, Chairman Griswold noted that the original goal related to one-acre lots. He stated a preference that the guidelines not be designed to accommodate special circumstances that could be managed through variances. Chairman Griswold expressed the opinion that ordinances should be designed for general applications with provisions to permit consideration of exceptions.

4. Adjournment.

Without objection, the General Development Committee meeting adjourned at 10:38 a.m.

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the meeting of the General Development Committee of the City of Mesa, Arizona, held on the 5th day of February 2004. I further certify that the meeting was duly called and held and that a quorum was present.

BARBARA JONES, CITY CLERK

baa

Attachments

William S. Jaffa & Associates, P.C.
Certified Public Accountants
30 West First Street, Suite B
Mesa, Arizona 85201

WILLIAM S. JAFFA, CPA
JEANNE R. KENNEDY, CPA

TEL (480) 649-7146
FAX (480) 668-8380
www.jaffacpas.com

November 26, 2003

Mayor, All Councilmembers, Mr. Mike Hutchinson, Ms. Dorothy Chimel and Ms. Jocelyn Ferguson
City of Mesa
20 East Main
Mesa, AZ 85201

Dear Mayor, Councilmembers, Mr. Mike Hutchinson, Ms. Dorothy Chimel and Ms. Jocelyn Ferguson:

I am writing to you to address my concerns, and I believe the concerns that we all share, on development in the Desert Uplands, and the guidelines necessary that will promote planned development and generate revenues to our City.

My concerns are strictly associated with large lot development, R1-35 lots or larger, those size lots that generally promote executive housing and that consultants have repeatedly told us the City needs to promote to attract a better balance of housing development.

The Desert Uplands guidelines on building envelopes, 40% as now in place and, 50% as proposed, are not workable. A total disturbance of 75% should be allowed on a project by project basis where the land slope is between 0% to 5% (I believe this would mirror Scottsdale's guidelines), and a 60% minimum total disturbance should be allowed on an individual lot (and any requirements for water retention should be provided on the remaining 40% of the lot).

There is a reason developers are seeking approval of their plans in the County before addressing annexation of their land into the City, small developers are simply developing in the County, and larger lot owners in Las Sendas are either ignoring the envelope rules (no, the answer isn't that we need more lot inspectors) or are having to build ugly retention walls around their homes. The guidelines do not work for large lot development. Many folks are simply opting to purchase smaller lots that may be completely bladed, and at a fraction of the cost allow for the same amount of building area. These folks for the most part have concluded that it is ludicrous to pay for land that cannot be used. And remember, we're addressing for the most part, lots in privately gated walled communities or developments, that is, private land, that isn't viewable by the general public.

The current and proposed guidelines will continue to promote development outside of the City, and continue to result in a loss of significant revenues to the City, including impact fees, utility fees, federal and state sharing revenues, and sales tax revenues. And because the County allows large lot homeowners to have their own wells, and road development rules are far less stringent than Mesa standards, the current and proposed guidelines will continue to impose a huge cost to existing Mesa residents as the City annexes developed County property and is forced to upgrade infrastructure to City standards.

In a ten-year period that has seen one of the largest housing booms in the Valley, it is regrettable that the City has not been able to annex into its planning area, more land in the Desert Uplands. As most, if not all of you are aware, I worked with fervor while serving on the City Council and prior to that service, on the Planning and Zoning Commission, to empower residents, especially in the groves and Desert Uplands areas of our City. My reason for this behavior was due to my concerns that real estate development in the

City was of a lower quality than in other cities, and by empowering residents, development projects would be scrutinized more and hopefully held to a higher standard. We achieved success in the groves, in part because we did not impose special restrictions on individual lots to protect citrus trees. Only the borders of developments, those areas viewable by the general public, were required to have lines of citrus trees.

A few folks have been empowered too much to the detriment of the City's 440,000 plus residents. Recently, with the assistance of the City, developers and others who have demonstrated a commitment to excellent development in the City attended a round table meeting to discuss the Desert Uplands guidelines. I requested that these people be invited to attend because they have a proven track record for quality development in the City. Some of the attendees were Jeff Blandford, developer of Las Sendas, probably the most prestigious development in Mesa, Charles Hare, a senior member of Toll Brothers, a company that has developed million dollar plus homes in the groves, the State Trust Land Commissioner who is responsible for selling the 700+ acres of State land in the Desert Uplands (a parcel that Jeff Blandford and Toll Brothers is interested in purchasing), well-recognized private land planners and engineers, and members of my group interested in developing our City approved 40 acre plat (where every lot exceeds 35,000 square feet). All of those in attendance said the same thing. Building envelopes on R1-35 or larger lots in the Desert Uplands must be increased. Alan House, a planner for Jeff Blandford, has sent you all a letter stating that the building envelope should be 80% of the lot size; Charles Hare spoke to allowing disturbance to 75% of the total land in a development. My group sent you a letter stating that the building envelope should be a minimum of 70% (and requirements for water retention should be on the remaining 30% of the land).

For approximately eight years, the City has been studying these guidelines; this in a period of time when other cities, such as Scottsdale and Fountain Hills, have successfully adopted guidelines for large lot development. I agree with comments that the City Manager has made to me, "It's time to conclude this study." Not in another two or three months, but now. One senior staff member remarked to me, "I believe you're dealing with no-growth activists".

There is a reason some of you used to look at me funny at our council meetings when I made overly passionate remarks about development in the City.

Let's do the right thing to promote sensible managed growth. I'd let to get started on my house but I can't do it on a 50% building envelope.

Respectfully,

William S. Jaffa

Cityviewmail@aol.com
02/04/2004 05:49 PM

To: Jocelyn. Ferguson@cityofmesa.org
Subject: Re: 2-5-04 GDC Meeting - Desert Uplands Development Standards -
Building Enve...

Jo,
I apologize for getting this response back to you so late, but we have been buried with many issues lately, many of which apply to issues surrounding the Desert Uplands Area. I believe the "# 3 Draft dated 1-16-04" which allows for subdivision and or lot Undeveloped Natural Area Open Space needs to be adjusted to be consistent and encourage developers to do what's best for individual subdivisions. Our concept here is a subdivision and or lots will always total a minimum of 50% of Undeveloped Natural Area Open Space. It is important to encourage meaningful continuous open spaces which is our intent by changing the table. The way the table reads currently, a developer could set aside say 30% of common area within a subdivision but still be required to provide 40% Undeveloped Natural Area Open Space on each lot. This discourages the developer to set aside the 30% common area, which could be more meaningful to a particular subdivision than having more Undeveloped Natural Area Open Space on individual lots. See Below:

% of Common Tract Undeveloped Natural Area Open Space maintained withn the Subdivision (HOA maintained areas)	Maximum building envelope per lot based on % of Common Tract Undeveloped Natural Area Open Space
0-10%	50-60 %
10-25%	60-75 %
25 - 35 %	75 - 85 %
35 - 45 %	85 - 95 %
Over 45%	100%, subject to envelopes may be required to preserve environmental features identified on the preliminary subdivision plat map.

The other input is to allow your "#1 Current Draft Amendment" to be available for all existing approved subdivisions along with strict City enforcement to allow for more meaningful 50% building disturbances and a 10% temporary construction disturbance.

Once again, I apologize for getting this to you so late and I hope the input is useful for all parties in coming to a good sound solution that benefits everyone concerned.

Thank you.

Jeff Blandford