

Supplemental Corrections to Final CMP

Section 2—Introduction (Pages 2-17)

- Pg. 4; ¶ 2 (Recreation Centers)

- Correction – Consistency within CMP.

- Original:
 - Neighborhood recreation ~~facilities~~ will be constructed within groupings of multiple neighborhoods and facilitate postal needs, overflow parking, and contain passive amenities that will serve 700 to 1,500 individual dwelling units.

- Correction:
 - Neighborhood recreation **centers** will be constructed within groupings of multiple neighborhoods and facilitate postal needs, overflow parking, and contain passive amenities that will serve 700 to 1,500 individual dwelling units.
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- Pg. 12; ¶ 2 (Natural Constraints)

- Correction – Staff and P&Z Commission recommendation.

- Original:
 - **Natural Constraints** - Generally, the constraints stem from the topography and slope of the land. The property slopes approximately 3% across the entire grade from a high elevation point of nearly 4,800 feet along the western boundaries, to a low elevation point approximately 3,800 feet along the eastern boundaries. Along the slope lines, the property rises and falls from south to north with ridgelines and natural stormwater sheds. Much of the acreage has wide vast sloping plateaus, while other areas are rugged and full of what is best described as canyons between the ridgelines. The property also includes rolling hillsides and terracing gentle hills and valleys. Soil conditions at and below the surface of the land may also impact development of the Project.

- Correction:
 - **Natural Constraints** - Generally, the constraints stem from the topography and slope of the land. The property slopes approximately 3% across the entire grade from a high elevation point of nearly 4,800 feet along the western boundaries, to a low elevation point approximately 3,800 feet along the eastern boundaries. Along the slope lines, the property rises and falls from south to north with ridgelines and natural stormwater sheds. Much of the acreage has wide vast sloping plateaus, while other areas are rugged and full of what is best described as canyons between the ridgelines. The property also includes rolling hillsides and terracing gentle hills and valleys. Soil conditions at and below the surface of the land may also impact development of the Project. **Concurrently with the**

submittal of the first PUP, El Dorado will submit a plan that addresses ways to minimize potential conflicts between the project and wildlife known to be in the area, which must be approved by the Zoning Administrator, and which may include some of the practices identified by the Arizona Game & Fish Department as well as other methods identified by El Dorado.

- **Pg. 15; ¶ 4**

- **Correction – Comply with DA.**

- **Correction – Staff and P&Z Commission recommendation.**

- Original:

- As amended, the Annexation Development Agreement applies to the Project or portions thereof and remains effective until December 31, 2025. The Annexation Development Agreement meets the requirements of Section Three - A Community Master Plan Approval of the City of Benson Zoning Regulations, allowing the Developer to submit this Final CMP; however, El Dorado and the City of Benson have negotiated new terms memorialized in “The Villages at Vigneto Development Agreement.” The ~~new agreement~~ will terminate and replace the Annexation Development Agreement (1993) and all its amendments and addendums as it pertains to property that is subject to this Final CMP ~~when approved~~ by City Council.

- Correction:

- As amended, the Annexation Development Agreement applies to the Project or portions thereof and remains effective until ***the earlier to occur of the date this Final CMP is approved by City Council or*** December 31, 2025. The Annexation Development Agreement meets the requirements of Section Three – A Community Master Plan Approval of the City of Benson Zoning Regulations, allowing the Developer to submit this Final CMP; however, El Dorado and the City of Benson have negotiated new terms memorialized in “The Villages at Vigneto Development Agreement,” ***which is recorded in the Official Records of Cochise County as Document Number 2016-09416.*** The ***Villages at Vigneto Development Agreement*** will terminate and replace the Annexation Development Agreement and all its amendments and addendums as it pertains to property that is subject to this Final CMP ***upon approval*** by City Council ***of this Final CMP.***

- **Pg. 16; ¶ 2 (Arizona Department of Water Resources (ADWR) Water Allocation)**

- **Correction – Comply with DA.**

- Original:

- Arizona Department of Water Resources (ADWR) Water Allocation - By Decision and Order No.41-401803.0001, which was issued in 2008, the Arizona Department of Water Resources (“ADWR”) designated the City as having an adequate water supply in the amount of 13,474 acre-feet per year within its service area. The City has allocated 12,000 acre-feet per year of water to the Project, which is sufficient to meet the projected demand for Vigneto.
- Correction:
 - Arizona Department of Water Resources (ADWR) Water Allocation - By Decision and Order No. 41-401803.0001, which was issued in 2008, the Arizona Department of Water Resources (“ADWR”) designated the City as having an adequate water supply. **(See Section 5.4.2 City’s Designation of Adequate Water Supply of the Villages at Vigneto Development Agreement).**

Section 3—Final Community Master Plan & Development Plan

(Pages 18-35)

- **Pg. 18; ¶ 3; bullet 2**

- **Correction – Comply with DA.**

- Original:
 - This Final CMP is not intended to interfere with, abrogate, or annul any easements, covenants or other agreements between parties, except that if this Final CMP imposes a greater restriction for a given criteria, this Final CMP shall control.
- Correction:
 - This Final CMP is not intended to interfere with, abrogate, or annul any easements, covenants or other agreements between ***El Dorado and other private*** parties, except that if this Final CMP imposes a greater restriction for a given criteria, this Final CMP shall control.

- **Pg. 19; bullet at top of page**

- **Correction – Comply with DA.**

- Original:
 - In the event of a conflict between the Final CMP and any other land use entitlements approved specifically for the property on which the Project will be developed as of the date this Final CMP is approved, this Final CMP shall control.
- Correction:
 - In the event of a conflict between the Final CMP and any other land use

entitlements *(except for the Villages at Vigneto Development Agreement)* approved specifically for the property on which the Project will be developed as of the date this Final CMP is approved, this Final CMP shall control. ***In the event of a conflict between the Final CMP and the Villages at Vigneto Development Agreement regarding an issue, then the document that more specifically addresses the issue shall control.***

- **Pg. 23/24; ¶ 5; bullet 6**

- **Correction – Consistency within CMP.**

- Original:

- Coordinate with ~~Montgomery and Associates (or a similar water resource consulting firm if Montgomery and Associates is unavailable)~~ on location and size of wells to serve the Planning Unit and treatment requirements given physical availability and water quality conditions.

- Correction:

- Coordinate with a **hydrogeology firm** for location and size of wells to serve the Planning Unit and treatment requirements given physical availability and water quality conditions.

- **Pg. 26; bullet 2**

- **Correction – Consistency within CMP.**

- Original:

- Coordinate with ~~Montgomery and Associates (or a similar water resource consulting firm if Montgomery and Associates is unavailable)~~ to develop methodologies, sizing, preferred locations, and phasing for disposal and recharge of effluent.

- Correction:

- Coordinate with a hydrogeology firm **or a similar water resource consulting firm to develop methodologies**, sizing, preferred locations, and phasing for disposal and recharge of effluent.

- **Pg. 27; ¶ 1 (Drainage PUMP); bullet 6**

- **Correction – Consistency within CMP.**

- Original:

- A strategic sub-regional stormwater facilities evaluation for a cluster of ~~PUPs.~~

- Correction:

- A strategic sub-regional stormwater facilities evaluation for a cluster of **Planning Units**.
- **Pg. 27; ¶ 2 (Traffic and Roadways PUMP); bullet 1**
- **Correction – Consistency within CMP.**
 - Original:
 - A Traffic Impact Analysis (“TIA”) performed in general accordance with the requirements established by Developer and the Arizona Department of Transportation, the City of Benson, locally accepted standards and industry practice. According to the Arizona Department of Transportation, this study will be categorized as a Type II, large multi-phased development. Therefore, the opening year for each phase, 5 years after opening and 15 years after opening will be considered the study horizon periods. As a minimum, all CMP driveways with access to SR-90, all state highways, signalized highway intersections, and major unsignalized highway intersections as specified by ADOT, within a minimum of 1 mile from SR-90 will be analyzed. The TIA will include the following components:
 - Correction:
 - A Traffic Impact Analysis (“TIA”) performed in general accordance with the requirements established by Developer and the Arizona Department of Transportation, the City of Benson, locally accepted standards and industry practice. According to the Arizona Department of Transportation, this study will be categorized as a Type II, large multi-phased development. Therefore, the opening year for each **Region**, 5 years after opening and 15 years after opening will be considered the study horizon periods. **(See Exhibit 6: Planning Units Map for depiction of Regions)**. As a minimum, all CMP driveways with access to SR-90, all state highways, signalized highway intersections, and major unsignalized highway intersections as specified by ADOT, within a minimum of 1 mile from SR-90 will be analyzed. The TIA will include the following components:
- **Pg. 29; ¶ 1 (Block Approval of Preliminary Plat)**
- **Correction – Consistency within CMP.**
 - Original:
 - ~~**Block Approval of Preliminary Plat** – With approval of the Zoning Administrator, applicant may desire to create the preliminary plat showing streets and “lot blocks”.~~
 - Correction:

- **Preliminary Block Plat Approval - Zoning Administrator, is authorized to approve a Preliminary Block Plat showing streets and “lot blocks”. Lot blocks are areas within a Preliminary Block Plat that include multiple lots defining lot depth but not lot width.**

- **Pg. 29; ¶ 4 (Planning & Zoning Approval of Preliminary Plat)**

- **Correction – Consistency within CMP.**

- Original:

- **Planning & Zoning Approval of Preliminary Plat** - Once planning staff has determined that the proposed preliminary plat is in compliance with all City requirements, the planning staff will prepare a staff report describing and evaluating the proposed preliminary plat and place it on Planning and Zoning Commission’s agenda for the meeting immediately following Staff’s preparation of the report.

- Correction:

- **Planning & Zoning Approval of Preliminary Plat** - Once planning staff has determined that the proposed preliminary plat is in compliance with all **Final CMP** requirements, the planning staff will prepare a staff report describing and evaluating the proposed preliminary plat and place it on Planning and Zoning Commission’s agenda for the meeting immediately following Staff’s preparation of the report.

- **Pg. 32; ¶ 1**

- **Correction – Consistency within CMP.**

- Original:

- In addition to the final plat and applicable review fees, the following documents must be submitted ~~separately, in~~ the form (print or electronic) and quantity the City of Benson requests and with a separate fee:

- Correction:

- In addition to the final plat and applicable review fees, the following documents must be submitted separately **if not previously approved**, in the form (print or electronic) and quantity the City of Benson requests and with a separate fee:

- **Pg. 32; ¶ 2 (Approval of Final Plat)**

- **Correction – Consistency within CMP.**

- Original:

- **Approval of Final Plat** - Once planning staff has determined that the proposed final plat is in compliance with all City requirements, the planning staff will prepare a staff report describing and evaluating the proposed Final Plat and place it on the Planning and Zoning Commission's agenda for the meeting immediately following Staff's preparation of the report. If there is inadequate time to make it onto the agenda of the next regularly scheduled meeting immediately following Staff's preparation of the report, then it will be on the agenda of the first available meeting thereafter. Upon ~~approval~~ and signature by the Planning & Zoning Commission, the final plat shall be forwarded to the City Council and placed on the agenda of the City Council's next regularly scheduled meeting immediately following ~~approval~~ and signature by the Planning and Zoning Commission. If there is inadequate time to make it onto the agenda of the next regularly scheduled meeting immediately following the Planning and Zoning Commission's ~~approval~~ and signature, then it shall set for the agenda of the first available meeting thereafter.

- Correction:

- **Approval of Final Plat** - Once planning staff has determined that the proposed final plat is in compliance with all City requirements, the planning staff will prepare a staff report describing and evaluating the proposed Final Plat and place it on the Planning and Zoning Commission's agenda for the meeting immediately following Staff's preparation of the report. If there is inadequate time to make it onto the agenda of the next regularly scheduled meeting immediately following Staff's preparation of the report, then it will be on the agenda of the first available meeting thereafter. Upon **recommendation** and signature by the Planning & Zoning Commission, the final plat shall be forwarded to the City Council and placed on the agenda of the City Council's next regularly scheduled meeting immediately following **recommendation** and signature by the Planning and Zoning Commission. If there is inadequate time to make it onto the agenda of the next regularly scheduled meeting immediately following the Planning and Zoning Commission's **recommendation** and signature, then it shall set for the agenda of the first available meeting thereafter.

- **Pg. 33; ¶ 5 (Site Plans)**

- **Correction – From P&Z work study session.**

- Original:

- Site Plans - Site Plan(s) may be submitted concurrently with or following submittal of the PUP for the portion of the Project within which such Site Plan(s) are located. A site plan approved by ~~the Planning and Zoning Commission or~~ the Zoning Administrator, shall be considered the primary condition for the establishment of any building, or structure to be constructed on a development

site, except for residential subdivisions which utilize the Preliminary Plat process and multi-family residences consisting of less than five units per lot, which will be handled with a site plan submitted to the Zoning Administrator in conjunction with the building permit application.

- Correction:
 - **Site Plans** - Site Plan(s) may be submitted concurrently with or following submittal of the PUP for the portion of the Project within which such Site Plan(s) are located. ***A site plan approved by the Planning and Zoning Commission or Zoning Administrator, shall be considered the primary condition for the establishment*** of any building, or structure to be constructed on a development site, except for multi-family residences consisting of less than ***ten*** units, which ***may*** be handled with a site plan submitted to the Zoning Administrator in conjunction with the building permit application.

- **Pg. 35; ¶ 2 (Zoning Administrator Approval of Site Plan)**

- **Correction – From P&Z work study session.**
- **Correction – Staff and P&Z Commission recommendation.**

- Original:
 - **Zoning Administrator Approval of Site Plan** - The Zoning Administrator shall be authorized to review and approve Site Plans submitted in conjunction with the establishment of any building, structure or use involving improvements of any value.
- Correction:
 - **Planning and Zoning Commission or Zoning Administrator Approval of Site Plan** - The Zoning Administrator shall be authorized to review and approve site plans submitted in conjunction with the establishment of any building, structure or use involving improvements:
 - ***Value less than \$600,000***
 - ***Acreage less than five (5) acres***
 - ***No more than three (3) suites.***
 - ***For site plans exceeding any of the above thresholds, the Planning and Zoning Commission shall have the authority to approve.***
 - ***All platting shall be approved by the Planning and Zoning Commission.***

- ***For Site Plans that do not remain within the limits of authority of Zoning Administrator, the planning staff will prepare a staff report describing and evaluating the proposed site plan in conformance with the Final CMP and place it on the Planning and Zoning Commission’s agenda for the next available P&Z hearing. If there is inadequate time to make it onto the agenda of the next regularly scheduled meeting, then it shall be placed on the agenda of the first available meeting thereafter.***

- **Pg. 35; ¶ 3 (Expiration of Site Plan)**

- **Correction – Consistency within CMP.**

- Original:
 - **Expiration of Site Plan** - The Site Plan approval expires two years from the date of approval and may be extended for 24 months from the expiration date of original approval by the ~~Commission~~ upon written request from the developer, 30 days prior to expiration of original approval.
- Correction:
 - **Expiration of Site Plan** - The site plan approval expires two years from the date of approval and may be extended for 24 months from the expiration date of original approval by the ***Planning and Zoning Commission or Zoning Administrator, whichever body approved the original site plan,*** upon written request from the Developer, 30 days prior to expiration of original approval.

Section 4—Master Planning & Design Standards (Pages 36-104)

- **Pg. 37; ¶ 2 (Emergency Services)**

- **Correction – Comply with DA.**

- Original:
 - **Emergency Services** – There will be emergency services provided for the first phase of development. The emergency services including timing, phasing, size, and location within the initial phases of the first Planning Unit will adhere to the Villages at Vigneto Development Agreement ~~as negotiated between the Developer and the City of Benson staff, police and fire chiefs.~~
- Correction:
 - **Emergency Services** – There will be emergency services provided for the first phase of development. The emergency services including timing, phasing, size, and location within the initial phases of the first Planning Unit will adhere to ***Section 5.9 Fire Protection and Emergency Services and 5.10 Police of the Villages at Vigneto Development Agreement.***

- **Pg. 47; ¶ 3 (Water Wells)**

- **Correction – Consistency within CMP.**

- Original:

- **Water Wells** - New groundwater wells will be drilled and developed to serve drinking water needs. The preferred location for the new wells is in the northeast portion of Vigneto. However, the ~~final~~ location and spacing of the wells will be determined with the first Planning Unit Plan.

- Correction:

- **Water Wells** - New groundwater wells will be drilled and developed to serve water needs. The preferred location for the new wells is in the northeast portion of Vigneto. However, the *anticipated* location and spacing of the wells will be determined with the first Planning Unit Plan. ***Wells may be located within the City’s designated service area.***

- **Pg. 48; ¶ 2 (Potable Water Demand Criteria)**

- **Correction – From P&Z work study session.**

- Original:

- **Potable Water Demand Criteria** - The potable water system demand criteria for Vigneto are described below in terms of the demand assumptions. The demand criteria for potable water are used to determine the total build-out water demands for Vigneto. Demand and residency estimates are based on typical engineering criteria for similar systems in southern Arizona, the Tucson Water Design Standards, and the Arizona Department of Water Resources (“ADWR”) generic demand calculator. Values have been adjusted based on engineering best practice for similar type projects in Southern Arizona. The demand and residency criteria will be accepted by the City of Benson upon approval of this Final CMP. If modifications to these criteria are proposed in the future they will be presented for approval by the City Engineer through the Potable Water PUMP.

- Correction:

- **Potable Water Demand Criteria** - The potable water system demand criteria for Vigneto are described below in terms of the demand assumptions. The demand criteria for potable water are used to determine the total build-out water demands for Vigneto. Demand and residency estimates are based on typical engineering criteria for similar systems in southern Arizona, the Tucson Water Design Standards, and the Arizona Department of Water Resources (“ADWR”) generic demand calculator. Values have been adjusted based on engineering

best practice for similar type projects in Southern Arizona. The demand and residency criteria will be accepted by the City of Benson upon approval of this Final CMP. If modifications to these criteria are proposed in the future they will be presented for approval by the City Engineer through the Potable Water PUMP. ***Updates or modifications to this criteria as adopted by the City of Benson, will be incorporated in the next Potable Water PUMP.***

- **Pg. 52; ¶ 3 (ADWR Decision and Order 2008)**

- **Correction – Comply with DA.**

- Original:

- **ADWR Decision and Order 2008** - The City of Benson is approved for a Designation of Adequate Water Supply of 13,474 acre feet of ground water per year. ~~Of this total, 12,000 acre feet of water per year has been allocated to the property now called The Villages at Vigneto (Formerly known as Whetstone Ranch).~~ As technological advancements have occurred water demands for residential developments have declined.

- Correction:

- **ADWR Decision and Order 2008** - The City of Benson is approved for a Designation of Adequate Water Supply of 13,474 acre feet of ground water per year. ***(See Section 5.4.2 City’s Designation of Adequate Water Supply of the Villages at Vigneto Development Agreement)***. As technological advancements have occurred water demands for residential developments have declined.

- **Pg. 63/64; ¶ 2 (Preliminary Water Balance Analysis)**

- **Correction – Consistency within CMP.**

- Original:

- **Preliminary Water Balance Analysis** - Based on the preliminary wastewater flow and reclaimed water demand projections the average annual volume of reclaimed water available for recharge is approximately 2,780 af/yr. The recharge volume is calculated by the difference between the available reclaimed water and the reclaimed water demands. The available reclaimed water is 95% of the 5,520 af/yr of approximate wastewater flows treated at the WWTP, which is calculated to be approximately 5,250 af/yr. The reclaimed water demand is estimated at approximately 2,470 af/yr. The difference between 5,250 af/yr and ~~2,780~~ af/yr yields the average annual recharge volume of ~~2,710~~ af/yr.

- Correction:
 - **Preliminary Water Balance Analysis** - Based on the preliminary wastewater flow and reclaimed water demand projections the average annual volume of reclaimed water available for recharge is approximately 2,780 af/yr. The recharge volume is calculated by the difference between the available reclaimed water and the reclaimed water demands. The available reclaimed water is 95% of the 5,520 af/yr of approximate wastewater flows treated at the WWTP, which is calculated to be approximately 5,250 af/yr. The reclaimed water demand is estimated at approximately 2,470 af/yr. The difference between 5,250 af/yr and **2,470** af/yr yields the average annual recharge volume of **2,780** af/yr.

- **Pg. 67; ¶ 1 (Mobility, Access, and Connectivity)**
- **Correction – Consistency within CMP.**
 - Original:
 - **Mobility, Access, and Connectivity** - The lifestyle of the residents within Vigneto depends largely on the degree of mobility/access that the roadways, ~~multi-purpose~~ pathways, and sidewalks provide.
 - Correction:
 - **Mobility, Access, and Connectivity** - The lifestyle of the residents within Vigneto depends largely on the degree of mobility/access that the roadways, **multi-modal** pathways, and sidewalks provide.

- **Pg. 69; ¶ 2 (Controlled Access)**
- **Correction – Comply with DA.**
 - Original:
 - **Controlled Access** - Controlled access points may be constructed on public rights-of-way for security and traffic calming purposes at points to be determined by the Developer. ~~These access points will consist of a control arm (or similar device) that allows drivers to enter using an electronic release of the control arm. As a security measure cameras may be used at these points to document the driver’s license plate. The City will grant the Developer license to construct control arm devices on tracts of public rights of way. The improvements on the licensed tracts will be non-city owned and will be operated and maintained by the Developer. Where it is warranted, stop signs may be used at these controlled access points.~~
 - Correction:

- **Controlled Access – Pursuant to Section 5.2.5 Traffic Calming Measures/Multi-Modal Pathways in the Villages at Vigneto Development Agreement**, controlled access points may be constructed on public rights-of-way for security and traffic calming purposes at points to be determined by the Developer.

- **Pg. 73; ¶ 1 (4.A.ix Sewer Treatment Plant)**

- **Correction – Comply with DA.**

- Original:

- Treatment of sewer for the Project will occur at the Waste Water Treatment Plant (“WWTP”) also known as “Whetstone Ranch Water Reclamation Facility”. A Conceptual Design and Phasing Study, prepared by PercWater, was completed in February 2004. A Copy of this approved plan (209 pages) will be provided upon request. The first phase of the WWTP was constructed with a capacity of 250,000 gallons per day (“gpd”). The WWTP will be expanded in conformance with the approved SEAGO Section 208 Water Quality Management Plan. A Copy of this approved plan (176 pages) will be provided upon request.

- Correction:

- A Conceptual Design and Phasing Study, prepared by PercWater, was completed in February 2004. A Copy of this approved plan (209 pages) will be provided upon request. The first phase of the WWTP was constructed with a capacity of 250,000 gallons per day (“gpd”). The WWTP will be expanded in conformance with the approved SEAGO Section 208 Water Quality Management Plan. A Copy of this approved plan (176 pages) will be provided upon request. ***See Section 5.5 Wastewater of the Villages at Vigneto Development Agreement.***

- **Pg. 75; ¶ bullet at top of page**

- **Correction – From P&Z work study session.**

- Original:

- Encourage the recharge of effluent ~~for~~ the region’s wastewater treatment plants to replenish the aquifer.

- Correction:

- Encourage the recharge of effluent ***and reclaimed water from*** the region’s wastewater treatment plants to replenish the aquifer.
- ***Encourage the use of a storm-water collection intended for recharge.***

- **Pg. 85; ¶ 4 (Public Roadway Improvements)**

- **Correction – Comply with DA.**

- Original:

- **Public Roadway Improvements** - Landscaping shall be provided by the Developer between the public roadway improvements and the adjacent property line. Landscaping within the public right-of-way (including medians) on arterial and collector streets shall include one (1) tree and three (3) shrubs for each twenty (20) feet of street frontage and achieve a minimum fifty percent (50%) vegetative coverage at mature plant size. A minimum of sixty percent (60%) of the required trees shall be fifteen (15) gallon or larger. Landscaped areas along major arterial streets shall be contoured or bermed to provide variations in grade. Maintenance of landscaping within the rights-of-way will adhere to the terms of the ~~New Development Agreement.~~

- Correction:

- **Public Roadway Improvements** - Landscaping shall be provided by the Developer between the public roadway improvements and the adjacent property line. Landscaping within the public right-of-way (including medians) on arterial and collector streets shall include one (1) tree and three (3) shrubs for each twenty (20) feet of street frontage and achieve a minimum fifty percent (50%) vegetative coverage at mature plant size. A minimum of sixty percent (60%) of the required trees shall be fifteen (15) gallon or larger. Landscaped areas along major arterial streets shall be contoured or bermed to provide variations in grade. Maintenance of landscaping within the rights-of-way will adhere to the terms of *the Villages at Vigneto Development Agreement.*

- **Pg. 85/86; ¶ 5 (Developed Open Space)**

- **Correction – Comply with DA.**

- Original:

- **Developed Open Space** - Landscaping within Vigneto shall achieve a minimum fifty percent (50%) vegetative coverage (plant size at maturity) for all landscape areas. A minimum of sixty percent (60%) of the required trees shall be fifteen (15) gallon or larger. Any natural open space is exempt from this requirement. Maintenance of developed open space will adhere to the terms in the ~~New Development Agreement.~~

- Correction:

- **Developed Open Space** - Landscaping within Vigneto shall achieve a minimum fifty percent (50%) vegetative coverage (plant size at maturity) for all landscape areas. A minimum of sixty percent (60%) of the required trees shall be fifteen

(15) gallon or larger. Any natural open space is exempt from this requirement. Maintenance of developed open space will adhere to the terms in ***the Villages at Vigneto Development Agreement***.

- **Pg. 99; ¶ 1 (On-Street Parking)**

- **Correction – From P&Z work study session.**

- Original:

- **On-street Parking** - On-street parking will be prohibited on local roadways regardless of public or private status of the roadway. Parking courts will be used for visitors within high density (6 du/ac or more) subdivisions. No parking signs will be placed along the local streets. On-street parking prohibition enforcement on local roadways will be enforced by HOA.

- Correction:

- **On-Street Parking** - On-street parking will be prohibited on local roadways regardless of public or private status of the roadway. Parking courts will be used for visitors within high density (6 du/ac or more) subdivisions if required, and approved by City Engineer. **“No Parking”** signs will be placed along the local streets. On-street parking prohibition on local roadways will be enforced by HOA.

- **Pg. 100; ¶ 6 (Private Roadways)**

- **Correction – Consistency within CMP.**

- Original:

- **Private Roadways** - Private roadways are allowed as an alternative to public right-of-way. Private roadways contained in the plat shall have the right reserved to public utilities to install and maintain facilities within the roadway boundaries. Private roadway tracts shall extend from back-of-curb to back-of-curb and shall be dedicated as a tract on the final plat. ~~Private roadways will include an 8-foot public utility easement (“PUE”) on one side of the roadway tract and an option for a 12-foot water line easement on the opposite side if the domestic water line is to be located behind the curb.~~

- Correction:

- **Private Roadways** - Private roadways are allowed as an alternative to public right-of-way. Private roadways contained in the plat shall have the right reserved to public utilities to install and maintain facilities within the roadway boundaries. Private roadway tracts shall extend from back-of-curb to back-of-curb and shall be dedicated as a tract on the final plat.

- **Pg. 101; ¶ 1 (Controlled Access Roadways)**

- **Correction – Comply with DA.**

- Original:

- **Controlled Access Roadways** - Controlled access points may be constructed on public rights-of-way for security and traffic calming purposes at points to be determined by the Developer. ~~These access points will consist of a control arm (or similar device) that allows drivers to enter using an electronic release of the control arm. As a security measure cameras may be used at these points to document the driver's license plate. The City will grant the Developer license to construct control arm devices on tracts of public rights-of-way. The improvements on the licensed tracts will be non-city owned and will be operated and maintained by the Developer. Where it is warranted, stop signs may be used at these controlled access points.~~

- Correction:

- **Controlled Access Roadways – Pursuant to Section 5.2.5 Traffic Calming Measures/Multi-Modal Pathways in the Villages at Vigneto Development Agreement**, controlled access points may be constructed on public rights-of-way for security and traffic calming purposes at points to be determined by the Developer.

- **Pg. 103; ¶--first full bullet**

- **Correction – From P&Z work study session.**

- Original:

- All air conditioning units/mechanical equipment shall be ~~ground mounted and be allowed within side or rear setback.~~

- Correction:

- All air conditioning units/mechanical equipment may be ***roof mounted or ground mounted. If ground mounted, equipment will be allowed within the side or rear setback.***

Section 5—Sign Regulations (Pages 105-107)

- **Pg. 105; ¶ 2**

- **Correction – From P&Z work study session.**

- **Correction – Staff and P&Z Commission recommendation.**

- Original:
 - **Introduction** - A Conceptual Monuments Master Plan and a Conceptual Signage Master Plan for the Project will be submitted to the Zoning Administrator for approval at the time of the first Planning Unit Plan submittal. The conceptual master plans submitted with the first Planning Unit Plan will show placement and theme of monuments and signs throughout the Project. See The Monument Master Plan (Exhibit 13) and Signage Master Plan (Exhibit 14) for general location and placement of monuments and signage for the Villages at Vigneto.

If the Conceptual Monuments Master Plan or Signage Master Plan varies from Section Fifteen - Sign Regulations of the City of Benson Zoning Regulations, approval by the Planning & Zoning Commission and the City Council may be required by Zoning Administrator.

- Correction:
 - **Introduction** - A Conceptual Monuments Master Plan and a Conceptual Signage Master Plan for the Project will be submitted to the Zoning Administrator for approval at the time of the first Planning Unit Plan submittal. The conceptual master plans submitted with the first Planning Unit Plan will show placement and theme of monuments and signs throughout the Project. See The Monument Master Plan (Exhibit 13) and Signage Master Plan (Exhibit 14) for general location and placement of monuments and signage for the Villages at Vigneto. If the Conceptual Monuments Master Plan or Signage Master Plan varies from Section Fifteen - Sign Regulations of the City of Benson Zoning Regulations, approval by the Planning & Zoning Commission and the City Council may be required by Zoning Administrator.

The following criteria will supplement Section Fifteen – Sign Regulations of the City of Benson Zoning Regulations:

Project entryway signs shall be allowed for the Villages at Vigneto. Such signs shall be limited to a maximum sign area of one hundred (100) square feet per sign, and there shall not be a sign area of more than two hundred (200) square feet of such sign per entrance. A maximum of two (2) such signs shall be permitted at any one (1) entrance. The total number of such signs shall not exceed the total number of entrances to the Development.

Section 6—Outdoor Lighting Regulations (Page 108)

- **Pg. 108; ¶ 3**
- **Correction – From P&Z work study session.**

- Original:
 - The following lighting conditions will supplement the dark skies provisions in Section Seventeen - Outdoor Lighting Regulations of the City of Benson Zoning Regulations:
 - ~~Indoor or outdoor~~ lighting that is 75 watts or less shall be exempt from these provisions;
- Correction:
 - The following lighting conditions will supplement the dark skies provisions in Section Seventeen - Outdoor Lighting Regulations of the City of Benson Zoning Regulations:
 - **Landscape** lighting that is **50** watts or less shall be exempt from these provisions;

Section 7—Land Use & Development Standards (Pages 109-150)

- **Pg. 109; ¶ 3; bullet 3**
- **Correction – Comply with DA.**
 - Original:
 - The Developer may increase the Project’s developable acres, provided the Dwelling Unit Cap is not exceeded;
 - Correction:
 - The Developer may increase the Project’s developable acres, provided the Dwelling Unit Cap is not exceeded ***per Section 4.4 Additional Property of the Villages at Vigneto Development Agreement;***
- **Pg. 112; ¶ 1 (The Land Use Budget)**
- **Correction – Comply with DA.**
 - Original:
 - **The Land Use Budget** - will be updated and submitted to the Zoning Administrator with the submittal of each PUP to reflect the current projected acreages and density for the CMP. The density within the CMP will in no event exceed 28,000 units unless approved as a major amendment by City Council. ~~The Open Space~~ of the Final CMP will not be less than 20% for the entire property within the Final CMP. Additional property may be added to the CMP and approved by the Zoning Administrator so long as dwelling units do not exceed ~~28,000 units.~~
 - Correction:

- **The Land Use Budget** – Will be updated and submitted to the Zoning Administrator with the submittal of each *PUP, site plan, or subdivision plat* to reflect the current projected acreages and density for the CMP. **(Per Section 8.16.2 Update of Land Use Budget of the Villages at Vigneto Development Agreement)**. The density within the CMP will in no event exceed 28,000 units unless approved as a major amendment by City Council. The **usable open space** of the Final CMP will not be less than 20% for the entire property within the Final CMP. Additional property may be added to the CMP and approved by the Zoning Administrator so long as dwelling units do not exceed 28,000 units **per Section 4.4 Additional Property of the Villages at Vigneto Development Agreement**.

- **Pg. 124; ¶ 2 (7.B.ii.b Developed Open Space)**

- **Correction – From City Council work study session.**

- Original:

- **7.B.ii.b Developed Open Space** - Approximately 280 acres of the Project will be developed for active and passive recreation activities (“Developed Open Space”). Developed Open Space may take many forms including, but not limited to:

- Community, Regional and Neighborhood Parks
- Golf and related uses
- Agri-Business
- Recreation Centers
- Amphitheater
- Neighborhood Trails
- Regional Trails
- Utility Corridors
- Flood Management (Detention/Retention)
- Recharge Facilities
- Effluent Storage and Equalization Ponds
- Human Contact Lakes



- Correction:

- **7.B.ii.b Developed Open Space** - Approximately 280 acres of the Project will be developed for active and passive recreation activities (“Developed Open Space”). Developed Open Space may take many forms including, but not limited to:

- Community, Regional and Neighborhood Parks
- Golf and related uses
- Agri-Business
- Recreation Centers
- Amphitheater
- Neighborhood Trails
- Regional Trails
- Utility Corridors
- Flood Management (Detention/Retention)
- Recharge Facilities
- Effluent Storage and Equalization Ponds
- Human Contact Lakes
- Roads and other vehicle access



- **Pg. 128; ¶ 2 (7.C.i Residential Development Standards)**

- **Correction – Building Official, Fire Chief, and P&Z Commission recommendation.**

- Original:

- Residential Development options are intended for the development of detached and attached, single-family homes with a range of lot sizes depending on site characteristics and market conditions. Lot sizes and configurations may include, but are not limited to: front loaded duplex, front loaded lots, rear loaded lots with detached or attached garages, and front or rear loaded “z” lots, cluster lots and auto court lots. Builder home types will include a variety of housing options, including zero lot line, wide-shallow, and others. The residential low, medium and high-density options allow for greater housing diversity in owner-occupied, high amenity, single-family neighborhoods. ~~The City will not mandate the installation of sprinkler systems in individual homes until such installation is required by the State of Arizona through the State’s adoption of a version of the International Building Code (or similar code) that requires such installation. Notwithstanding the foregoing, the Developer may elect to install sprinkler systems in individual homes at any time.~~

- Correction:
 - Residential Development options are intended for the development of detached and attached, single-family homes with a range of lot sizes depending on site characteristics and market conditions. Lot sizes and configurations may include, but are not limited to: front loaded duplex, front loaded lots, rear loaded lots with detached or attached garages, and front or rear loaded “z” lots, cluster lots and auto court lots. Builder home types will include a variety of housing options, including zero lot line, wide-shallow, and others. The residential low, medium and high-density options allow for greater housing diversity in owner-occupied, high amenity, single-family neighborhoods. ***Fire sprinkler suppression systems will not be required in individual homes until 1) the current State prohibition against residential fire sprinkler enforcement is lifted and 2) building codes requiring sprinkler systems in individual homes are duly adopted by the City and in effect. The Developer will encourage home builders to offer fire sprinkler suppression systems as an option until such time as fire sprinklers become mandatory.***

- **Pg. 131; ¶ NA (Development Standards Table)**

- **Correction – From P&Z work study session.**

- Original:
 - See Attachment 1 – Development Standards Table.
- Correction:
 - See Attachment 1 – Development Standards Table.

- **Pg. 132; ¶ 1 (Building Height)**

- **Correction – From P&Z work study session.**

- Original:
 - (1) **Building height** to be measured from the highest finished grade adjacent to the building. Exceptions to building height limitations include:
- Correction:
 - (1) **Building height** to be measured from the highest finished grade adjacent to the building, ***to the highest point on the roof***. Exceptions to building height limitations include:

- **Pg. 142; ¶ 3**

- **Correction – From P&Z work study session.**

- Original:
 - NA—this will be inserted just after **Keeping of Livestock and Pets** section.
- Correction:
 - ***Community Gardening – Community gardening may be made available by the HOA for cooperative gardening activities on property owned by the HOA of ¼ of an acre or more. Plots in a community garden may be leased or reserved by individuals/groups and the produce may be sold at public markets. Gardening in residential areas will adhere to the CC&Rs of the neighborhood.***

- **Pg. 147; ¶ NA (Schedule of Required Off-Street Parking)**

- **Correction – From P&Z work study session.**

- Original:

Churches, theaters, auditoriums, assembly halls, meeting rooms, community centers, libraries, civic clubs, museums, stadiums, outdoor sports arenas	1 per 4 seats plus 1 per 3 employees
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Restaurants, night clubs, bars	1 per 4 seats or 1 per 100 bar square feet of usable floor area (whichever is greater) plus 1 per 3 employees
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- Correction:

Churches, theaters, auditoriums, assembly halls, meeting rooms, community centers, libraries, civic clubs, museums, stadiums, outdoor sports arenas	1 per 3 seats plus 1 per 3 employees
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Restaurants, night clubs, bars	1 per 3 seats or 1 per 100 bar square feet of usable floor area (whichever is greater) plus 1 per 3 employees
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Section 8—CMP Compliance (Pages 151-155)

- **Pg. 152; ¶ 5 (Section Ten—I-1 Light Industry District)**

- Correction – Consistency within CMP.

- Original:

- **Section Ten – I-1 Light Industry District:** Pursuant to Section Three A of the Zoning Regulations, this Final CMP specifies alternative development methods and standards other than provided in the underlying zoning district. Thus, this section does not apply to the Project because alternative development methods govern development within the Project and because the uses permitted in the ~~B-2 General Business District~~ are established in this Final CMP and are consistent with Section Ten.

- Correction:

- **Section Ten – I-1 Light Industry District:** Pursuant to Section Three A of the Zoning Regulations, this Final CMP specifies alternative development methods and standards other than provided in the underlying zoning district. Thus, this section does not apply to the Project because alternative development methods govern development within the Project and because the uses permitted in the **I-1 Light Industry District** are established in this Final CMP and are consistent with Section Ten.

- Pg. 154; ¶ 13 (Future Updates)

- Correction – Comply with DA.

- Original:

- **Future Updates** – ~~Future updates and/or amendments to the codes listed above will apply to the Project, provided that such code updates and/or amendments have been duly adopted by the appropriate publishing agency and the City and are reasonably applied, and unless mandated by superior legal authority, will not apply to any structures for which a permit already has been issued.~~

- Correction:

- **Future Updates - Future updates of, and amendments to, existing building, construction, plumbing, mechanical, electrical, drainage, and similar construction and safety-related codes, such as the International Building Code, which updates and amendments are generated by a nationally recognized construction safety organization or by the county, state, or federal government, or by the Pima Association of Governments, provided that such building or safety code updates and amendments have been duly adopted by the appropriate publishing agency and the City and are reasonably applied, and unless mandated by superior legal authority, shall not apply to any structures for which a permit already has been issued.**

Appendix A—Definitions (Pages 158-167)

- **Pg. 159; ¶ 10 (Building Height)**

- **Correction – Consistency within CMP.**

- Original:

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

- Correction:

- **Building Height** - The vertical distance of a building as measured from the **highest** finished grade **adjacent the building**, to the highest point of the roof. ***(See exceptions in footnote 1 on page 132).***

- **Pg. 162; ¶ 9 (Lot Coverage)**

- **Correction – Consistency within CMP.**

- Original:

- **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.~~

- Correction:

- **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 two feet of roof overhang or projection shall not be included in the lot coverage for: Low Density Detached; Low/Medium Density Detached; Medium Density Detached/Attached; Medium/High Density Attached (Residential Columns 1-4) in the Development Standards Table on page 131. The first four feet of roof overhang or projection shall not be included in the lot coverage for High Density Attached and Non-Residential product on the Development Standards Table on page 131.***

- **Pg. 166; ¶ 13 (Suite)**

- **Correction – Staff and P&Z Commission recommendation.**

- Original:

- NA—this will be inserted in Appendix A: Definitions Section.

- Correction:

- **Suite** – ***Individual tenant space in a non-residential building.***

Appendix B—Legal Descriptions (Pages 168-182)

- **Pg. 168-182; Appendix B: Legal Descriptions**
- **Correction – Comply with DA.**
 - Original:
 - Replaced by Attachment 2 – Legal Descriptions.
 - Correction:
 - See Attachment 2 – Legal Descriptions.

Appendix C—Plant List (Pages 183-187)

- **Pg. 183 ; ¶ Trees:**
- **Correction – From P&Z work study session.**
 - Correction:

TREES

<u>Botanical Name</u>	<u>Common Name</u>
Acacia aneura	Mulga
Acacia salicina	Shoestring Acacia
Albizia julibrissin	Mimosa (Silk Tree)
Arbutus unedo	Strawberry Tree
Bauhinia lunarioides	White Orchid Tree
Brahea armata	Mexican Blue Palm
Caesalpinia gilliesii	Yellow Bird of Paradise
Callistemon citrinus	Bottlebrush
Cedrus deodora	Deodar Cedar
Celtis occidentalis	Common Hackberry
Celtis pallida	Desert Hackberry
Celtis reticulata	Netleaf Hackberry
Cercis canadensis v. mexicana	Mexican Redbud
Cercis occidentalis	Western Redbud
Cercocarpus spp.	Mountain Mahogany
Chilopsis linearis	Desert Willow

Chitalpa tashkentensis	Chitalpa
Cordia boissieri	Texas Olive
Cupressus arizonica	Arizona Cypress
Cupressus forbesii	Tecate Cypress
Cupressus sempervirens	Italian Cypress
Elaeagnus angustifolia	Russian Olive
Eucalyptus papuana	Ghost Gum
Eucalyptus spp.	Eucalyptus
Eysenhardtia orthocarpa	Kidneywood
Forestiera neomexicana	Desert Olive
Fraxinus greggii	Little-leaf Ash
Fraxinus hybrid	Fan West Ash
Fraxinus velutina 'Rio Grande'	Arizona Ash
Juglans major	Arizona Walnut
Juniperus monosperma	One Seed Juniper
Juniperus spp.	Juniper
Koelreuteria paniculata	Goldenrain Tree
Lagerstroemia spp.	Crape Myrtle
Leucaena retusa	Golden Ball Lead Tree
Olea europaea 'Swan Hill'	Fruitless Olive

- **Pg. 184 ; ¶ Grasses;**
- **Correction – From P&Z work study session.**
 - Correction:

GRASSES

<u>Botanical Name</u>	<u>Common Name</u>
Achnatherum hymenoides	Indian Rice grass
Aristida purpurea	Purple Three-Awn
Bothriochloa barbinodis	Cane Beardgrass
Bouteloua	Side-oats Grama
Bouteloua gracilis	Blue Grama Grass
Digitaria californica	Arizona Cottontop
Elytrigia elongata 'Jose Select'	Jose Select Tall Wheatgrass
Muhlenbergia capellensis	Muhly Grass
Muhlenbergia capillaris	Regal Mist
Muhlenbergia emersleyi	Bull Grass
Muhlenbergia spp.	Muhly/Deer Grass

Nassella tenuissima	Mexican Feather Grass
Nolina matapensis	Tree Bear Grass
Nolina microcarpa	Bear Grass
Panicum virgatum 'Prairie Sky'	Prairie Sky
Pennisetum setaceum 'Rubrum'	Purple Fountain Grass
Sporobolus airoides	Alkali Sacaton
Sporobulos wrightii	Big Sacaton
Festuca spp.	Fescue
Lolium spp.	Ryegrass
Cynodon dactylon spp.	Bermuda Grass