

## **Process for Review of Projects Utilizing SRP Canal Bank Right of Way**

*For additional information, please call the Planning Department at 602-262-7131, option #6.*

### **City of Phoenix Pre-submittal Consultations**

Planning Department rezoning applications and the Development Services Department site plan review:

1. Review the Canal Design guidelines found at the end of Section 507 Tab A Urban Design Principles in the Phoenix Zoning Ordinance. These guidelines include requirements, presumptions and considerations related to development on canal banks and adjacent to them. They cover seven topics: physical accessibility (both public and private), visual accessibility, landscaping features within canal rights-of-way, safety, power easements, adjacent land uses, and urban area and suburban area canalscape treatment design continuity.
2. In all residential, commercial, commerce park, and industrial districts, canal rights-of-way shall be treated as public street right-of-way for setback and landscaping purposes. However, if landscaping is placed in the canal right-of-way adjacent to development, the landscape setback may be reduced equal to the depth of the right-of-way landscaping, if at least ten feet are landscaped on the bank. If no landscaping is provided on the canal bank due to physical constraints, a 10 to 15 foot landscaped setback is required adjacent to the canal bank depending on the district. The setback area is not for parking or maneuvering.
3. Canal right-of-way of 25 feet will be counted as part of the gross area allowable for density if the project has complied with design guidelines for canal banks including landscaping of canal bank right-of-way. Canal bank right-of-way of 25 feet will also be counted as part of net area used to calculate allowable lot coverage when the development has complied with the design guidelines for canal bank development including landscaping of canal bank right-of-way. There is no additional open space requirement for landscaping the canal bank.
4. Eight-foot open wrought iron fences are allowed abutting canal rights-of-way as described in Guideline 7.2.4. This fence must be located on private property.
5. There will be additional fees for processing a project using canal bank rights-of-way by the City of Phoenix if the landscaping plan for the canal right-of-way is submitted on the same sheet as the landscaping plan for the entire development.
6. A use permit will be required for outside dining in canal bank rights-of-way. Outside dining must be accessible from the canal bank and unfenced from the canal bank so that pedestrians are not blocked from continuous passage along the canal bank.

### **Salt River Project Pre-submittal Consultations**

1. Contact the Property Management Division of SRP's Land Department at 602-236-8170 to set up a pre-submittal consultation. This division will coordinate discussions with power and water staff. At the initial meeting, if given the location of the site one week prior to the meeting, SRP staff will determine available right-of-way and the feasibility of development concepts. If the site is not identified one week prior to the meeting, SRP staff will determine the available right-of-way within one week of the meeting.
2. SRP charges a license fee for development on canal bank rights-of-way which is more than landscaping and pedestrian amenities such as use of rights-of-way for outside dining purposes or other commercial uses.
3. SRP also charges a \$500 fee for review of landscaping plans on the canal bank rights-of-way and requires submittal of 15 copies of plans to the Property Management Division. The initial review process takes three weeks. After initial review, SRP will provide a letter saying that the preliminary concept is feasible. A copy of this letter should be provided to the City of Phoenix at the time of preliminary site plan review submittal and at the time of filing for rezoning if a rezoning application is involved. The letter should include the specific amount of right-of-way available.

### **Joint License Agreements**

1. SRP requires the City of Phoenix to enter into a license agreement with them for all improvements made on the canal bank rights-of-way by the city or by a developer in accordance with the City's ordinance. This license agreement holds the city responsible for the proper installation and maintenance of any improvements per the approved plans and any liability resulting directly from the construction or installation of the improvements.
2. The city requires a license agreement with the property owner for property maintenance of the improvements. The city provides a liability insurance policy covering the city, SRP and property owner for liability related to the installation of the improvements and events related to their presence. The city also requires the property owner to post a bond or cash equal to \$.50 per square foot of landscaped area. Maintenance responsibility runs with the land. All license agreements require three copies of the approved plans, a legal description of the private adjacent property and a legal description of the SRP area to be improved.
3. Clearance areas: SRP requires a minimum of 15 feet from the water's edge to remain free of improvements so that a truck can drive down the canal bank. There are also access and clearance requirements for overhead utility poles and lines.
4. Plant materials: SRP provides an approved plant list. Landscaping must also be approved by the City of Phoenix Parks Department, as the city would be responsible for maintenance if the property owner defaulted.
5. Watering system: A permanent irrigation system must be installed that does not depend on a use of canal water. SRP canal rights-of-way must remain open for public access. They may not be fenced off for private use.
6. Cultural resource clearance: You may be required to obtain a cultural resource clearance if your project will change the look of the canal itself as a historic feature. Examples would include adding new pedestrian or motor vehicle bridges or major new recreational pathways with benches and public art. The other reason would be for a significant amount of excavation along a portion of a canal where archaeological sites might be present. (There is a list of general locations where these sites have been found and where clearance would be needed for excavation. Other locations would not need a cultural clearance.) Shallow trenching to bury drip irrigation lines would ordinarily not require clearance. SRP decides if clearance is necessary. If clearance is required, it takes about six weeks and costs about \$500 for the Bureau of Reclamation to do the work and notify the State Historic Preservation Office of the results.
7. The City of Phoenix Development Services Department will notify the Planning Department of a proposal requiring a license agreement. Planning will notify the Parks Department to review the landscaping, Risk Management to make an amendment to the insurance policy, and the Law Department to prepare the license agreement. Executed copies will be distributed to SRP, the property owner, and the Parks Department.