

ORDINANCE NO. (O) 11-17

AN ORDINANCE OF THE TOWN OF ORO VALLEY ARIZONA, REPEALING ORO VALLEY TOWN CODE SECTION 3-5-4, DEVELOPMENT REVIEW BOARD AND SECTION 3-6-9, ART REVIEW COMMISSION; ADOPTING NEW ORO VALLEY TOWN CODE CHAPTER 3, ADMINISTRATION, ARTICLE 3-5, PLANNING AND ZONING, SECTION 3-5-4, CONCEPTUAL DESIGN REVIEW BOARD; REPEALING ALL RESOLUTIONS, ORDINANCES AND RULES OF THE TOWN OF ORO VALLEY IN CONFLICT THEREWITH; PRESERVING THE RIGHTS AND DUTIES THAT HAVE ALREADY MATURED AND PROCEEDINGS THAT HAVE ALREADY BEGUN THEREUNDER

WHEREAS, the Town of Oro Valley is a political subdivision of the State of Arizona vested with all associated rights, privileges and benefits and is entitled to the immunities and exemptions granted municipalities and political subdivisions under the Constitution and laws of the State of Arizona and the United States; and

WHEREAS, on September 27, 1989, the Mayor and Council adopted Ordinance No. (O) 89-21, adopting that certain document entitled “Oro Valley Town Code, Chapter 3, Administration”; and

WHEREAS, the creation of the Conceptual Design Review Board (CDRB) and the design review process were approved by Mayor and Council on December 1, 2010; and

WHEREAS, the Town wishes to adopt a new Article 3-5, Planning and Zoning, Section 3-5-4, Conceptual Design Review Board (CDRB) and repeal the current Section 3-5-4, Development Review Board; and

WHEREAS, the Town wishes to repeal Article 3-6, Advisory Boards, Section 3-6-9, Art Review Commission.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Oro Valley, Arizona that:

SECTION 1. The existing Chapter 3, Administration, Article 3-5, Planning and Zoning, Section 3-5-4, Development Review Board, of the Oro Valley Town Code is hereby repealed.

SECTION 2. The new Chapter 3, Administration, Article 3-5, Planning and Zoning, Section 3-5-4, Conceptual Design Review Board, of the Oro Valley Town Code, is hereby adopted as follows with additions in ALL CAPS and deletions in ~~strikethrough-text~~.

Chapter 3. Administration

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Article 3-5 PLANNING AND ZONING

Sections:

- 3-5-1 Planning and Zoning Commission
- 3-5-2 Town Zoning Code
- 3-5-3 Planning and Zoning Director
- 3-5-4 ~~Development Review Board~~ CONCEPTUAL DESIGN REVIEW BOARD
- 3-5-5 Board of Adjustment

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~~Section 3-5-4 Development Review Board~~

- ~~A. There is hereby established a development review board for the Town of Oro Valley to consist of five to seven members; each of whom shall be a resident of the town.~~
- ~~B. Seven members shall be appointed by the council and shall serve at the pleasure of the council for two year terms, provided nothing herein shall affect the expiration of the current terms of the development review board. The effective date of this structure shall be June 30, 1996.~~
- ~~C. A planning commission member shall be appointed by the planning commission.~~
- ~~D. The members of the development review board shall serve without compensation; however, members may be reimbursed for actual expenses incurred in connection with their duties upon authorization or ratification by the board and approval of the expenditures by the council.~~
- ~~E. The town engineer and zoning administrator, or their designated representatives, and one member of the council appointed by the council as a liaison to the development review board shall meet with the board on a regular basis in order to offer advice and technical assistance but shall not vote.~~

Section 3-5-4 CONCEPTUAL DESIGN REVIEW BOARD

- A. THERE IS HEREBY ESTABLISHED A CONCEPTUAL DESIGN REVIEW BOARD (CDRB) FOR THE TOWN OF ORO VALLEY TO CONSIST OF UP TO NINE (9) VOTING MEMBERS; EACH OF WHOM SHALL BE A RESIDENT OF THE TOWN.
- B. THE MEMBERS SHALL BE APPOINTED BY THE COUNCIL AND SHALL SERVE AT THE PLEASURE OF THE COUNCIL FOR A MAXIMUM OF TWO (2) THREE YEAR TERMS.
- C. THE MEMBERS OF THE CDRB SHALL SERVE WITHOUT COMPENSATION; HOWEVER, MEMBERS MAY BE REIMBURSED FOR ACTUAL EXPENSES INCURRED IN CONNECTION WITH THEIR DUTIES

UPON AUTHORIZATION OR RATIFICATION BY THE BOARD AND APPROVAL OF THE EXPENDITURES BY THE COUNCIL.

D. THE PLANNING AND ZONING ADMINISTRATOR OR THEIR DESIGNATED REPRESENTATIVES, AND ONE MEMBER OF THE TOWN COUNCIL APPOINTED BY THE TOWN COUNCIL AS A LIAISON TO THE CDRB SHALL MEET WITH THE BOARD ON A REGULAR BASIS IN ORDER TO OFFER ADVICE AND TECHNICAL ASSISTANCE BUT SHALL NOT VOTE.

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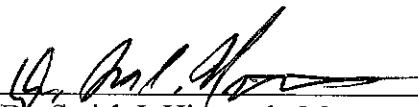
SECTION 3. The exiting Chapter 3, Administration, Article 3-6, Advisory Boards, Section 3-6-9, Art Review Commission, of the Oro Valley Town Code is hereby repealed.

SECTION 4. All Oro Valley ordinances, resolutions, or motions and parts of ordinances, resolutions or motions of the Council in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 5. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.


PASSED AND ADOPTED by the Mayor and Council of the Town of Oro Valley, Arizona 1st day of June, 2011.

TOWN OF ORO VALLEY



Dr. Satish I. Hiremath, Mayor

ATTEST:

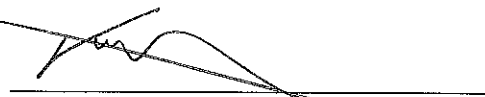


Julie K. Bower, Town Clerk

Date: 6/6/11

PUBLISH: DAILY TERRITORIAL
JUNE 6, 7, 8, 9, 2011

APPROVED AS TO FORM:



Tobin Rosen, Town Attorney

Date: 6/6/11

POSTED: 6/6/11 - 7/6/11