

**ORDINANCE NO. (O)14-13**

**AN ORDINANCE OF THE TOWN OF ORO VALLEY, ARIZONA, APPROVING A REZONING REQUEST BY LAZARUS, SILVYN AND BANGS, P.C. ON BEHALF OF KENNETH OLSON FAMILY LIVING TRUST, TO REZONE FROM R1-144 TO RANCHO VISTOSO PAD MEDIUM DENSITY RESIDENTIAL FOR A 39 ACRE PROPERTY LOCATED ON THE NORTH SIDE OF MOORE ROAD BETWEEN YELLOW ORCHID DRIVE AND MYSTIC VIEW PLACE TO INCLUDE THE PROPERTY IN RANCHO VISTOSO NEIGHBORHOOD 10 AND ESTABLISH NEIGHBORHOOD DEVELOPMENT POLICIES FOR THE SUBJECT PROPERTY**

**WHEREAS**, Lazarus, Silvyn and Bangs, P.C. on behalf of Kenneth Olson Family Living Trust (the "Applicant"), applied for a rezoning from R1-144 to Rancho Vistoso Planned Area Development Medium Density Residential for an approximately 39 acre property located on the north side of Moore Road between Yellow Orchid and Mystic View Place to include the property in Rancho Vistoso Neighborhood 10 and establish neighborhood development policies for the subject property, see map of property as depicted on Exhibit "A" and PAD Amendment, including Rancho Vistoso Neighborhood 10 policies as depicted on Exhibit "B" attached hereto; and

**WHEREAS**, the subject property is traversed by two natural washes which will be conserved as part of the proposed development; and

**WHEREAS**, trails are proposed along the eastern wash (Highland Wash) and connecting the subdivision to Hohokam Park to the north; and

**WHEREAS**, the Applicant wishes to change the zoning to Rancho Vistoso Medium Density Residential (MDR) which will create a consistent zoning on the subject property with the surrounding area to the east and west within the Rancho Vistoso PAD, and compatible development with the existing homes to the south; and

**WHEREAS**, the Applicant's request for rezoning complies with the OVZCR; and

**WHEREAS**, the Applicant's request for rezoning complies with the applicable General Plan requirements; and

**WHEREAS**, on July 1, 2014, the Planning & Zoning Commission recommended approval for rezoning the property from R1-144 to Rancho Vistoso Medium Density Residential (MDR) with conditions; and

**WHEREAS**, the Town Council has duly considered the Applicant's request for rezoning of 39 acre property located on the north side of Moore Road between Yellow Orchid and Mystic View Place.

**NOW, THEREFORE BE IT ORDAINED** by the Mayor and Council of the Town of Oro Valley, Arizona that the rezoning requested by Lazarus, Silvyn and Bangs, P.C. on behalf of Kenneth Olson Family Living Trust to rezone the 39 acre property located on the north side of Moore Road between Yellow Orchid and Mystic View Place to include the property in Rancho Vistoso Neighborhood 10 and establish neighborhood development policies for the subject property is hereby approved with the conditions attached hereto as Exhibit "C".

**NOW THEREFORE BE IT FURTHER ORDAINED** that:

1. All Oro Valley ordinances, resolutions or motions and parts of ordinances, resolutions or motions of the Council in conflict with the provision of this Ordinance are hereby repealed.
2. 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, on this 1<sup>st</sup> day of October, 2014.

**TOWN OF ORO VALLEY**

  
Dr. Satish I. Hiremath, Mayor

**ATTEST:**

  
Julie K. Bower, Town Clerk

Date: 10/3/14

PUBLISH: DAILY TERRITORIAL  
OCTOBER 7, 8, 9, 10, 2014

**APPROVED AS TO FORM:**

  
Tobin Sidles, Legal Services Director

Date: 10/2/14

POSTED: 10/7/14 - 11/6/14

EXHIBIT "A"

MAP OF PROPERTY

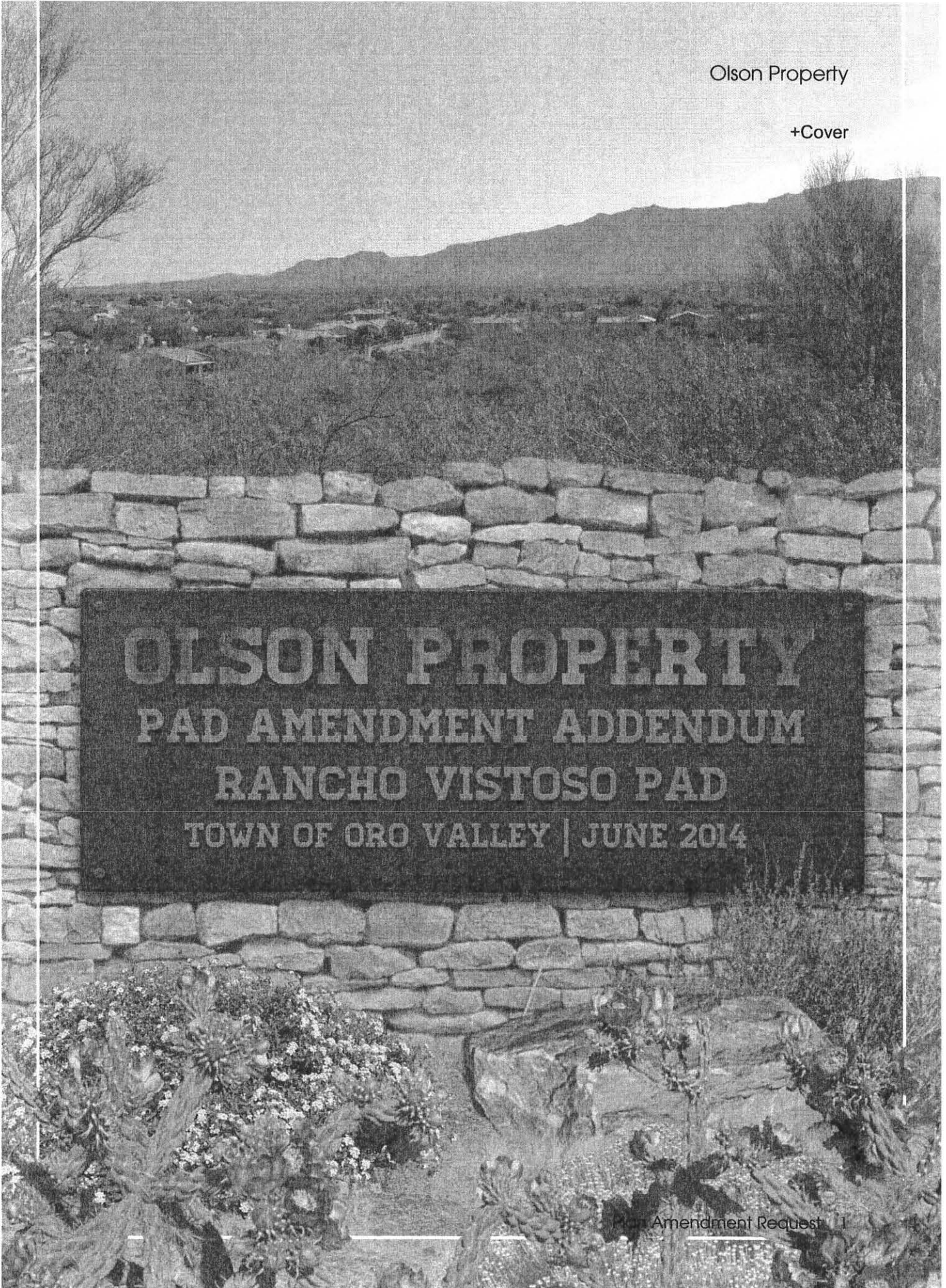


**EXHIBIT "B"**

**RANCHO VISTOSO PAD AMENDMENT**

Olson Property

+Cover



**OLSON PROPERTY**  
**PAD AMENDMENT ADDENDUM**  
**RANCHO VISTOSO PAD**  
**TOWN OF ORO VALLEY | JUNE 2014**

**Olson Property-39 Acres  
Rancho Vistoso PAD Amendment  
Town of Oro Valley**

*Submitted to:*

**Town of Oro Valley  
Planning Department**  
11,000 North La Canada Drive  
Tucson, Arizona 85737

*Prepared for:*

**Kenneth Olson Family Living Trust**  
610 West Moore Road  
Oro Valley, Arizona 85755

*Submitted by:*

**Lazarus, Silvyn, & Bangs, PC**  
4733 E Camp Lowell  
Tucson, Arizona 85712  
Phone: (520) 207-4464

*Prepared by:*

**The Planning Center**  
110 South Church Avenue, Suite 6320  
Tucson, Arizona 85701  
Telephone: (520) 623-6146

&

**Psomas**  
333 East Wetmore Road, Suite 405  
Tucson, Arizona 85705



June 2014

**Table of Contents**

- I. Purpose.....1
- II. Rancho Vistoso PAD.....1
- III. Project Proposal.....1
- IV. Proposed PAD Requests .....5
  - A. Section 1.1: Rancho Vistoso Development Program .....5
  - B. Section 1.2: RV PAD Policies .....6

**List of Exhibits**

- Exhibit 1: Location Map.....3**
- Exhibit 2: Planned Area Development Map .....4**
- APPENDIX A: Rancho Vistoso Table A Revisions.....8**
- APPENDIX A: RANCHO VISTOSO TABLE H REVISIONS .....9**



## **I. Purpose**

This document serves as an addendum to the Rancho Vistoso Planned Area Development (PAD). The purpose of this document is to amend the Rancho Vistoso PAD ("PAD") policies to include the Olson Property within Neighborhood 10 of the PAD. The Olson Property is located within the Southeast Quarter (1/4) of the Southeast Quarter (1/4) of Section 26, Township 11 South, Range 13 East, of the Gila and Salt River Meridian, Pima County, Arizona (the "Property"). The Property is approximately 39 acres located at 610 West Moore Road. The Property is surrounded on three sides by the PAD zoning, and Moore Road is located to the south. The Property is proposed to be developed as a single family residential subdivision, compatible with the existing surrounding development.

## **II. Rancho Vistoso PAD**

Rancho Vistoso is a Master Planned Community consisting of 7665 acres located north of Tucson and bounded on the south by Tangerine Road, on the east by Oracle Road and on the north by the Tortolita Mountains. A community plan, land use plan and policies were approved originally by Pima County in 1977. Since then, Rancho Vistoso has been annexed into the Town of Oro Valley. Rancho Vistoso has evolved over the years into a thriving community with shopping and retail, schools, parks, churches, natural open space, a trail system, a resort hotel, a Town Center and adult community and an office park.

## **III. Project Proposal**

As shown on Exhibit II.A: Rancho Vistoso Land Use Map, the Property is surrounded on the north, east and west by the PAD, Neighborhood 10; therefore the Property is proposed to be referred to as Unit AA of Neighborhood 10. Neighborhood 10 consists of residential densities varying from low to medium. The Property is surrounded by medium density to the east and west and low density to the northwest. A proposed school site and an existing Rancho Vistoso recreation facility (Hohokam Park) exist to the north. The Highland Wash runs through the northeast corner of the Property. In accordance with the recently approved general plan amendment (December 2013), Medium Density Residential ("MDR") with a maximum of 3.75 Residences Per Acre ("RAC") is appropriate for the Property.

The Property conceptual site plan consists of approximately 105 units with a density around 2.7 RAC. The Property concept includes a mix of 50-foot wide by 115 to 120-foot deep lots with one and two-story homes. Approximately 30 percent of the subdivision or 12.9 acres will remain open space in accordance with the Environmentally Sensitive Lands (ESL) incentives and requirements (Section 27.10). The washes along the western and eastern sides of the Property are designated as Critical Resource Areas (CRAs) on the ESL map and require a minimum 95%



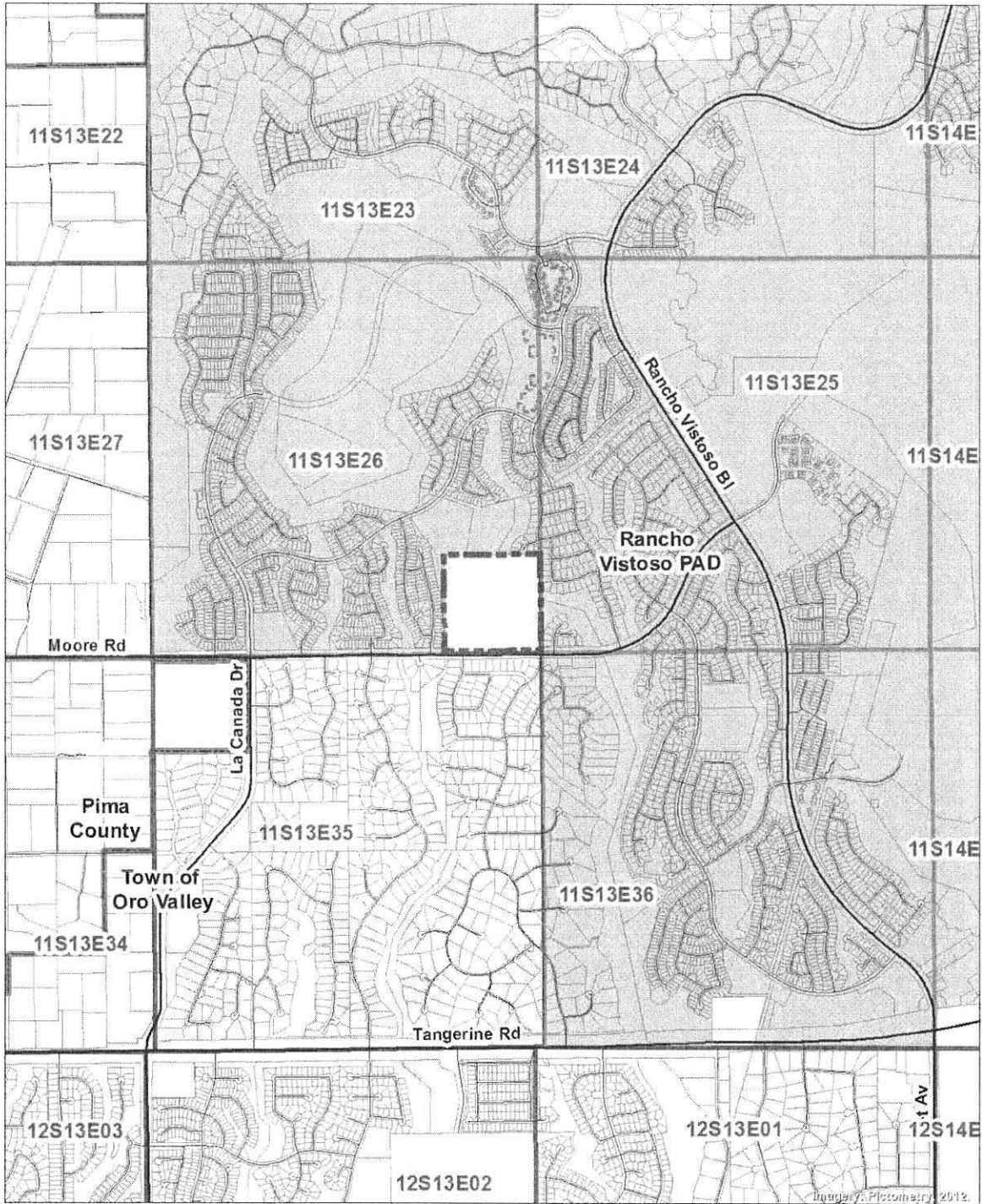


minimum open space. The remainder of the Property is designated Resource Management Area Tier I (25% minimum open space).





The dwelling unit cap for Rancho Vistoso PAD, Neighborhood 10 is 2,968 (per Table H of the PAD). There are currently approximately 1,400 existing and proposed homes. The additional 105 units proposed on the Property is within the Neighborhood 10 unit cap.



Exhibit 1: Location Map



**LEGEND**

-  PAD Amendment Boundary
-  Jurisdictional Boundaries
-  Township, Range & Section
-  Rancho Vistoso PAD

**Notes:**

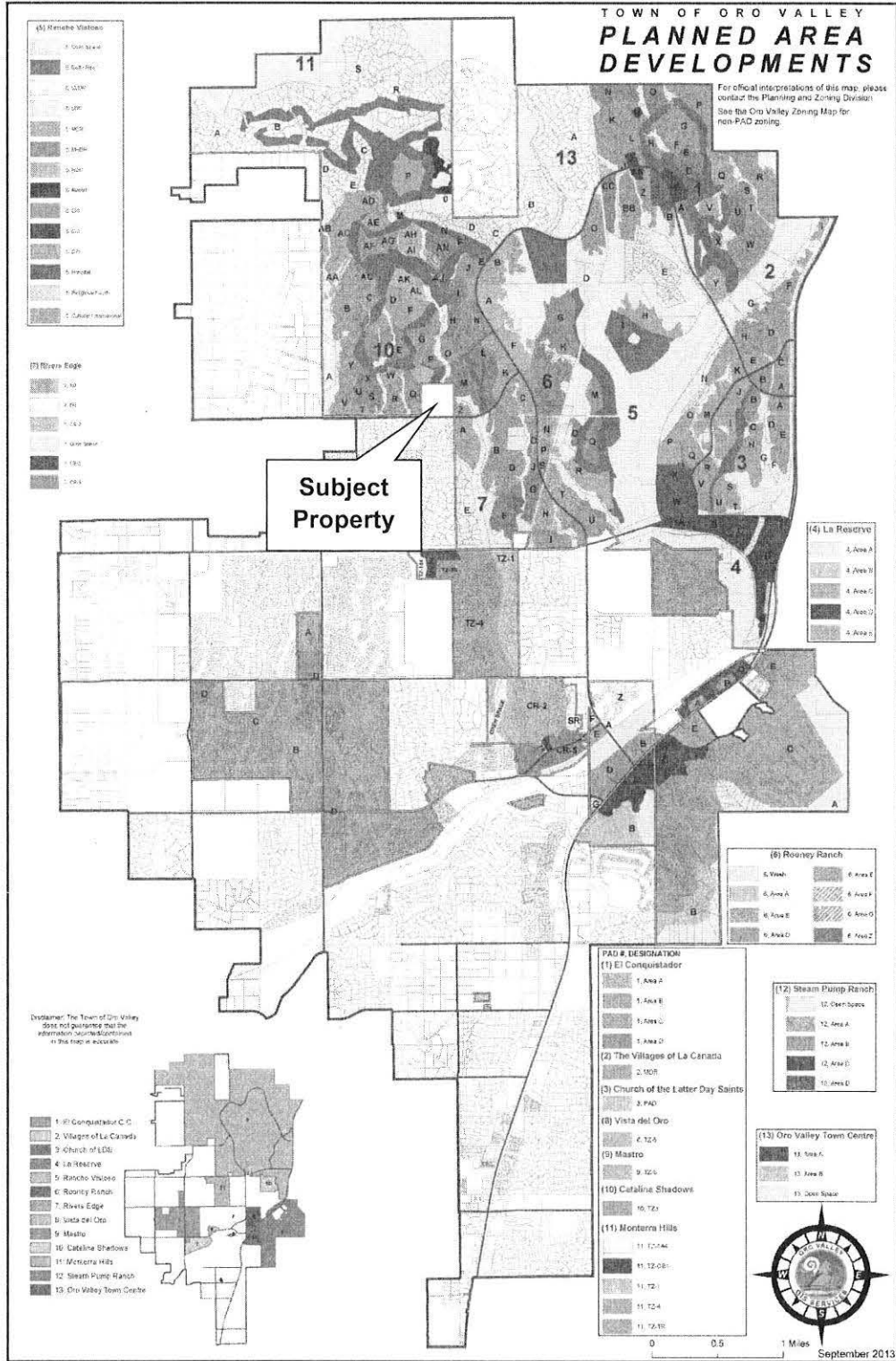
Project Site is located at:  
 Township 11S, Range 13E, and Section 26  
 Acreage: Approx. 39 AC  
 Parcel ID #:219-22-0040



FILE NAME: location\_6x8.mxd  
 SOURCE: Pima County GIS, 2014



## Exhibit 2: Planned Area Development Map



#### IV. Proposed PAD Requests

The following sections of the Rancho Vistoso ("RV") PAD require an amendment in order to facilitate this rezoning request for the Property:

##### A. Section 1.1: Rancho Vistoso Development Program

###### 1) RV PAD Acreage

Section 1.1.A, Section 1.1.D., and Section 1.1.E provide references to the overall acreage of the PAD consisting of 7,626 acres. The addition of the Olson Property would add approximately 39 acres for a total of 7,665 acres.

###### 2) Legal Description

Section 1.1.C: Add the following legal description: Southeast Quarter (1/4) of the Southeast Quarter (1/4) of Section 26, Township 11 South, Range 13 East, of the Gila and Salt River Meridian, Pima County, Arizona (the "Olson Property").

###### 3) Table A: RV PAD Land Use Summary

Create a new table as an addendum to Table A, the RV Land Use Summary to add in the additional 39 acres (the Property) to the overall total acres. See Appendix A for the entire redlined Table A.

**Table A: Rancho Vistoso Land Use Summary**

Neighborhood RAC/Other	10	Total	% of Total
2.7 RAC	39	39	0.05%
TOTAL	833.3	7711.3	1.0%

###### 4) Table H: Neighborhood 10 Land Use Summary

Modify Table H, the Land Use Summary of Neighborhood 10 to add the Property as Unit AA. See Appendix A for the entire redlined Table H.

**Table H: Rancho Vistoso Neighborhood 10 Land Use Summary**

Planning Unit	2.7	Total planning unit area	Per PAD	Per Plat	Projected
AA	39	39		105	
Total Acres	39	833.3	2968	1334	1044
% of TOTAL		4.6%		7.0%	



## **B. Section 1.2: RV PAD Policies**

The RV PAD policies contained in the RV PAD Section 1.2 govern the RV PAD. They include both general and neighborhood specific policies. The general policies apply to all development within the RV PAD. Neighborhood specific policies apply only to the indicated neighborhood. The following are policies that require revisions per the proposed Unit AA, Neighborhood #10.

### **1. Section 1.2.B. Planning Unit Policies**

The Property is proposed for Medium Density Residential in accordance with the existing Medium Density Residential General Plan Designation for the Property. The average density for MDR is 4.5 RAC. The maximum density if 6.0 RAC.

### **2. Section 1.2.C. Neighborhood #10 Policies:**

- a. The Neighborhood 10 Policies shall be modified for parcel "AA" as follows:
  - 1) The dwelling unit cap for Rancho Vistoso PAD Neighborhood 10 is 2,968 (per Table H of the PAD). There are currently approximately 1,400 existing and proposed homes. The additional 105 units proposed on this Property is within the Neighborhood 10 unit cap.
  - 2) All provisions of the Oro Valley Zoning Code, including the Environmentally Sensitive Lands (ESL) incentives and requirements (Section 27.10 of the Oro Valley Town Code) will apply. The existing washes along the western and eastern sides of the Property are designated as Critical Resource Areas (CRAs) on the ESL map and requires a minimum 95% minimum open space. The remainder of the Property is designated Resource Management Area Tier I (25% minimum open space).
  - 3) The Highland Wash will be owned and maintained by the Rancho Vistoso Master Homeowner's Association. This wash includes a section of Trail #326 on its east side as identified by the *Oro Valley Trails Task Force Report*. This trail section should be designated as a "permanent non-motorized public recreation easement," dedicated to the Town of Oro Valley.

### **3. Section 1.2.C. Neighborhood #10 Policies: Add specific policies for Planning Unit AA as follows:**

- b. The building setbacks shall be modified for parcel "AA". as follows:
  - 1) Front setbacks may be reduced to 10' where a home has a side entry garage located perpendicular to the front facade of the dwelling.



- 2) Front setbacks may be reduced to 10' where a dwelling has living space, porch or massing that sits in front of a garage that opens or faces directly onto an abutting street.
  - 3) Garages that open or face directly onto an abutting street shall have a minimum 20' garage setback.
  - 4) Dwellings with a side entry garage shall have an articulation (e.g. windows) on the side facing the street.
- a. Two-story homes shall be restricted as follows:
- 1) No more than two shall be built adjacent to each other along Moore Road.
  - 2) No more than three shall be built adjacent to each other along interior streets.
  - 3) Shall not be built on corner lots.

#### **4. Section 1.3.B.3: Medium Density (3-6 RAC) Residential**

- c. The Medium Density designation applies to the parcel "AA". The yard setbacks shall be modified as follows:
- i. Front: 20 feet except for the specific policies related to Planning Unit AA:
    - Front setbacks may be reduced to 10' where a home has a side entry garage located perpendicular to the front facade of the dwelling.
    - Front setbacks may be reduced to 10' where a dwelling has living space, porch or massing that sits in front of a garage that opens or faces directly onto an abutting street.
    - Garages that open or face directly onto an abutting street shall have a minimum 20' garage setback.
  - ii. Side 5 feet or 0 feet for common wall on zero lot line development
  - iii. Rear: 10 feet



**APPENDIX A: Rancho Vistoso Table A Revisions**

TABLE A RANCHO VISTOSO PLANNED AREA DEVELOPMENT LAND USE SUMMARY													
NEIGHBORHOOD RAC/OTHER	1	2	3	4	5	6	7	*10	11 NORTH	*11 SOUTH	*13	TOTAL	% OF TOTAL
0.5 RAC									62.7		230.1	292.8	3.8%
1.0 RAC								18.2	229.7			247.9	3.2%
1.5 RAC												0.0	0.0%
2.0 RAC					48.8				113.0		40.0	201.8	2.6%
2.7 RAC								39.0				39.0	0.5%
3.0 RAC							23.7		5.4			29.1	0.4%
3.1 RAC										32.3		32.3	0.4%
3.2 RAC										27.1		27.1	0.4%
3.7 RAC										26.8		26.8	0.3%
3.8 RAC								65.1				65.1	0.8%
3.9 RAC								21.5				21.5	0.3%
4.0 RAC					87.0		87.6			53.8		228.4	3.0%
4.2 RAC								21.6				21.6	0.3%
4.3 RAC								26.7				26.7	0.3%
4.5 RAC	362.8							28.3				391.1	5.1%
4.7 RAC								8.9				8.9	0.1%
4.8 RAC								26.4				26.4	0.3%
5.2 RAC								54.6	35.4			90.0	1.2%
5.5 RAC							20.5					20.5	0.3%
6.0 RAC	26.5							64.4				90.9	1.2%
6.1 RAC								5.6				5.6	0.1%
6.2 RAC								12.2				12.2	0.2%
6.4 RAC								37.8				37.8	0.5%
6.5 RAC	102.7				36.3		27.1	32.5				198.6	2.6%
6.6 RAC								24.2				24.2	0.3%
7.0 RAC											1.0	1.0	0.0%
7.1 RAC										24.0		24.0	0.3%
8.0 RAC					36.7		30.5	25.6				92.8	1.2%
8.2 RAC								8.4		14.7		23.1	0.3%
8.5 RAC	64.9											64.9	0.8%
9.1 RAC										10.4		10.4	0.1%
10.0 RAC							28.6	34.4	2.4	32.2		97.6	1.3%
10.5 RAC					42.0							42.0	0.5%
12.0 RAC					73.8							73.8	1.0%
20.0 RAC					41.8							41.8	0.5%
21.0 RAC						15.0	22.1					37.1	0.5%
COMMERCIAL	44.1	22.5	56.0	108.4	47.4	60.3	30.9	19.2		1.9	1.6	392.3	5.1%
OPEN SPACE	151.7	186.0	383.3	206.4	741.2	9.7	142.6	117.8	562.8	51.1	194.4	2747.0	35.6%
OFFICE PARK		131.8	238.6									370.4	4.8%
SCHOOLS					36.3		10.0	10.0				56.3	0.7%
RESORT									21.3			21.3	0.3%
HOSPITAL			67.8									67.8	0.9%
GOLF	180.3				150.1			54.6	242.0	101.7	17.9	746.6	9.7%
PARKS			6.0		95.8		8.5	21.7		2.5		134.5	1.7%
ROW/UTILITY	56.8	29.3	58.8	28.8	118.7	5.6	50.3	54.6	53.3	21.6	12.3	490.1	6.4%
OTHER	10.2											10.2	0.1%
<b>TOTAL</b>	<b>1,000.0</b>	<b>369.6</b>	<b>810.5</b>	<b>343.6</b>	<b>1,555.9</b>	<b>90.6</b>	<b>482.4</b>	<b>833.3</b>	<b>1,328.0</b>	<b>400.1</b>	<b>497.3</b>	<b>7711.3</b>	<b>100.0%</b>

Source: Information taken from existing Planned Area Development for those areas not affected by the PAD Amendment (Ordinance No. (O)96-25) by Gage Davis & Associates

\* Those neighborhoods affected by the PAD Amendment (Ordinance No. (O) 96-25) by The WLB Group, Inc.

Note: Errors in this table corrected on June 11, 2004.







## EXHIBIT "C"

### CONDITIONS OF APPROVAL

#### Planning

1. Lots abutting the western boundary of the developed area and within 948 feet of the north right of way line of Moore Road shall be restricted to one story in height, not to exceed 24 feet.
2. The developer shall designate the Highland Wash Trail #326 as a "permanent non-motorized public recreation easement" in a location approved by the Planning and Zoning Administrator and Town Engineer.
3. The developer shall construct a shared use path to provide access to the Hohokam Park to the north in a location approved by the Planning and Zoning Administrator and Town Engineer. This path shall be owned and maintained by the homeowners association.
4. A Cultural Resource Survey and Inventory Report prepared in accordance with Section 27.10.D.3.e. shall be completed prior to the approval of the Final Site Plan.
5. Lots highlighted on Attachment 7 of the Planning and Zoning Commission Staff Report dated July 1, 2014 shall be reconfigured to eliminate multiple rear yards abutting a side yard.

#### Engineering

1. The developer shall dedicate additional right-of-way along Moore Road to the Town of Oro Valley for an ultimate right-of-way of 150' as depicted by the Tentative Development Plan in Attachment 2.
2. Moore Road shall be widened from a two-lane section along the project frontage to a four-lane section including curbs, raised medians, a multi-use lane, and sidewalk to match the existing roadway section on both sides of the project.



# LOCATION MAP

OLSON PROPERTY REZONING (OV914-003)