

ORDINANCE NO. (O)17-09

**AN ORDINANCE OF THE TOWN OF ORO VALLEY, ARIZONA,
AMENDING THE RANCHO VISTOSO PLANNED AREA
DEVELOPMENT TO REMOVE THE EXISTING ZONING
DESIGNATIONS OF COMMERCIAL (C-1), MEDIUM HIGH
DENSITY RESIDENTIAL, AND RECREATION AREA/GOLF
COURSE AND TO RECONFIGURE THE REMAINING ZONING
DESIGNATIONS OF OPEN SPACE AND MEDIUM DENSITY
RESIDENTIAL FOR THE 131-ACRE RESIDENTIAL
DEVELOPMENT LOCATED NORTH OF TANGERINE ROAD
AND WITHIN THE RANCHO VISTOSO BOULEVARD LOOP**

WHEREAS, the Applicant has requested a rezoning amendment to the Rancho Vistoso Planned Area Development (PAD) to remove the existing zoning designations of Commercial (C-1), Medium High Density Residential, and Recreation Area/Golf Course and to reconfigure the remaining zoning designations of Open Space and Medium Density Residential for the 131-acre residential development located north of Tangerine Road and within the Rancho Vistoso Boulevard Loop, attached hereto as Exhibit "A"; and

WHEREAS, the rezoning amendments to the PAD will improve the existing land use design to: 1) shrink the developable area from 250 acres to 131-acres; 2) better respect the floodplain boundaries and adjacent uses; 3) create approximately 600-acres of permanent open space; and 4) dedicate legal and continuous access for existing trails on the property; and

WHEREAS, the Planning and Zoning Commission held duly noticed public hearings on October 3, 2017, and November 8, 2017, and voted to recommend approval to the Town Council, subject to the conditions in Exhibit "B"; and

WHEREAS, the Town Council has duly considered the Applicant's proposal for the rezoning amendment to the Rancho Vistoso Planned Area Development (PAD) to remove the existing zoning designations of Commercial (C-1), Medium High Density Residential, and Recreation Area/Golf Course and to reconfigure the remaining zoning designations of Open Space and Medium Density Residential 1 for the 131-acre residential development located north of Tangerine Road and within the Rancho Vistoso Boulevard Loop, subject to the conditions in Exhibit "B"; and

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

Section 1. The amendment to the Rancho Vistoso Planned Area Development (PAD) to remove the existing zoning designations of Commercial (C-1), Medium High Density Residential, and Recreation Area/Golf Course and to reconfigure the remaining zoning designations of Open Space and Medium Density Residential for the 131-acre residential development located north of Tangerine

Road and within the Rancho Vistoso Boulevard Loop is hereby approved, subject to the conditions in Exhibit "B."

Section 2. 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.

Section 3. 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 6th day of December, 2017.

TOWN OF ORO VALLEY



Dr. Satish I. Hiremath, Mayor

ATTEST:



Michael Standish, Town Clerk

Date: 12/17/17

APPROVED AS TO FORM:



Tobin Sidles, Legal Services Director

Date: 12/17/17

PUBLISH: DAILY TERRITORIAL
DECEMBER 11, 12, 13, 14, 2017

POSTED: 12/11/17 - 1/10/18

EXHIBIT "A"

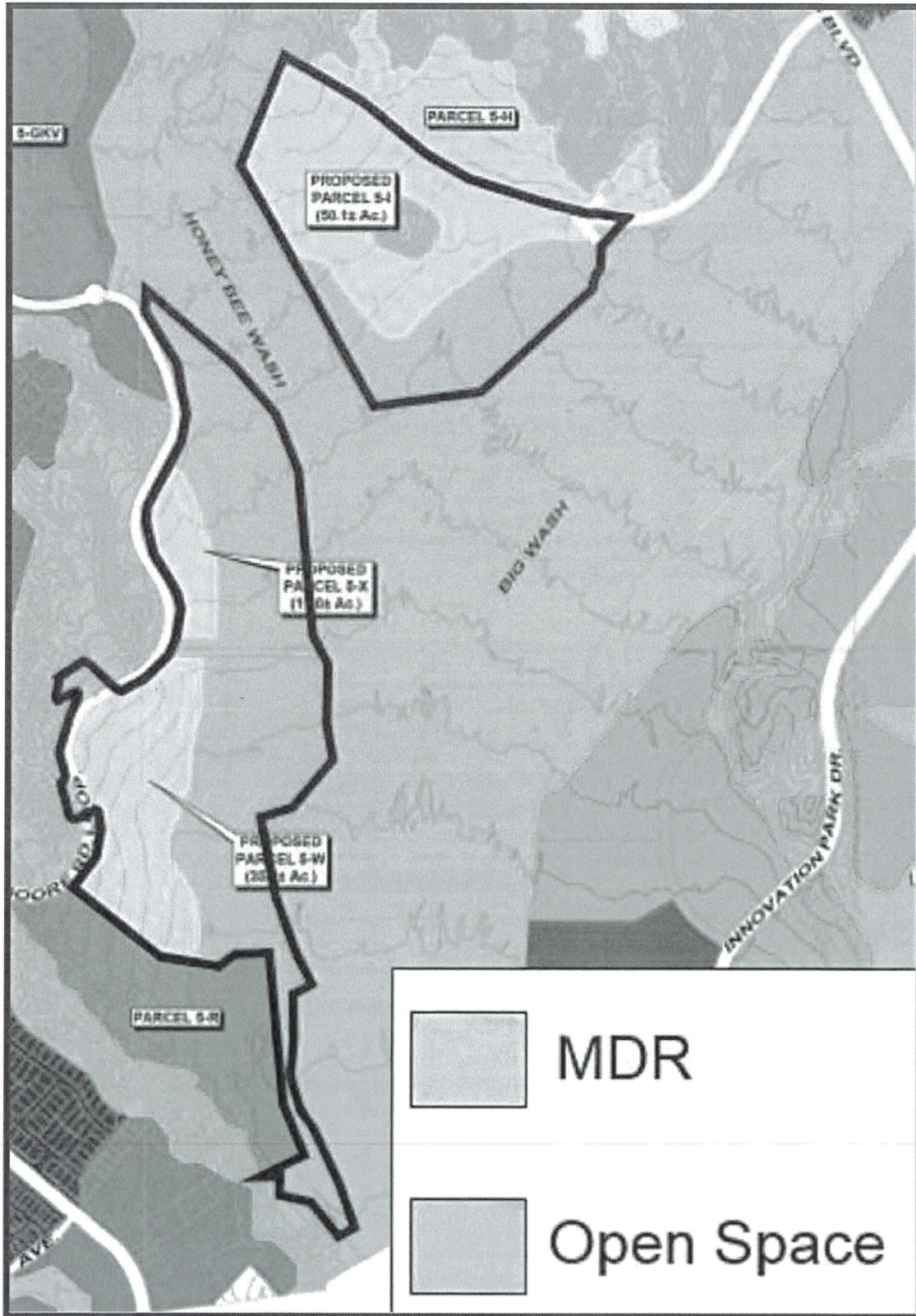


EXHIBIT "B"
Rezoning Conditions
Big Wash Development

Open Space and Trails

1. The open space area within the conservation easement as recorded at Seq. #20021670107 and depicted in Exhibit "C" shall be deeded in fee simple to Pima County within 120 days of rezoning approval.
2. The land for the future trailhead and vehicular and trail access depicted in Exhibit "C" shall be deeded in fee simple to the Town of Oro Valley within 120 days of rezoning approval. To ensure joint access in the future, the Planning and Zoning Administrator and Town Engineer shall review a modified route between Rancho Vistoso Boulevard and the Big Wash Trailhead as part of the Final Plats for Parcels 5H and/or 5I.
3. All open space areas and trails located outside of the Pima County conservation easement and proposed subdivision development boundaries as depicted in Exhibit "C" shall be dedicated to the public (Pima County or Oro Valley), for the purpose of ownership, maintenance and/or control, and recorded concurrently with the corresponding Final Plats for Parcels 5H, 5I, 5X, and/or 5W.
4. Trail No. 180 (located along the WAPA powerline as depicted on Exhibit "C") shall be dedicated to the Town of Oro Valley and recorded within 120-days of rezoning approval for use as a permanent, non-motorized public access. This action is subject to maintenance of the existing WAPA easement and resolution of any other significant WAPA considerations.
5. The Covenants, Conditions and Restrictions (CC&R's) for each of the proposed subdivisions shall include notification to future residents of all publicly accessible open space, trails, trailheads and other public recreational uses.
6. In addition to required neighborhood park(s), the developer(s) shall improve and/or initially fund, at the discretion of the Parks & Recreation Director, the existing public use trailhead depicted in Exhibit "D." The requirements below are to be applied independently to development on the western portion (accessed by Moore Road/Arrowsmith Road) and northern portion (accessed by Rancho Vistoso Blvd only) indicated in the Tentative Development Plan. All trailhead improvements described herein shall be funded by recreation impact fees as described below:
 - a. The trailhead improvements or initial funding provided by developer(s) shall not exceed the value of the required public recreation impact fee contribution for their subdivision project. The developer(s) shall receive corresponding recreation impact fee credits for said trailhead improvements or initial funding. The impact fee credits shall also be

applicable to design, permitting, or other costs associated with said trailhead improvements.

- b. The trailhead improvements or initial funding shall be completed and in place by the time thirty-five percent (35%) of the building permits are issued.
 - c. The trailhead improvements indicated in Exhibit "C" shall be installed in a manner and order at the sole discretion of the Parks & Recreation Director, acknowledging reasonable construction sequencing by developer(s).
 - d. If the Town applies additional recreation impact fee funds from other nearby development toward additional trailhead improvements, the next subdivision to develop shall install the additional trailhead improvements in addition to their required share, at the discretion of the Parks & Recreation Director.
 - e. The Town Parks & Recreation Director retains the right to pursue construction of any of the trailhead improvements by means other than those described above, in which case only the balance of any such required trailhead improvements described in this Condition shall apply to the developer(s).
7. The future developer(s) of Parcels 5W and/or 5X shall complete Phase 2 of the Rancho Vistoso Neighborhood 5 Community Park as shown in the approved Master Recreation Plan (see Attachment 8 of the Rezoning Staff Report). The recreational area shall be completed and in place by the time thirty-five percent (35%) of the building permits are issued for the future homes on these parcels.

Infrastructure

8. A 16-inch water main shall be installed within the access road right-of-way to Parcels 5H and 5I. This water main shall terminate outside of the property boundary for Parcel 5I at its southwest corner.
9. The developer shall grant a 20' access easement in the southern portion of Parcel 5W and in the area directly south of the Amphi School Site as shown on Exhibit "E." The alignment of the easement shall be such that the roadway grade will not prohibit access by a WB-50 design vehicle and shall be outside of the Pima County Conservation Easement.
10. The proposed two-lane roadway cross section providing access to parcels 5-H and 5-I shall consist of a 66-foot right-of-way/common area width with a 14-foot travel lane in each direction, 5-foot bike lanes, a 5-foot sidewalk along the north side and a 10-foot shared use path along the south side. The shared use path shall extend and connect to the trail-head facility.
11. Moore Road shall be extended from the Rancho Vistoso Parcel 5-GKV termination point to a point of connection with Arrowsmith Drive so as to create a looped road. Construction of the Moore Road loop extension shall be required

with construction of Parcel 5-W and/or 5-X, whichever occurs first. The loop road improvements shall consist of the following:

- a. The existing segment of Arrowsmith Drive, on the east side of Rancho Vistoso Boulevard shall be improved to include a westbound through/right-turn lane, a westbound left-turn lane, an eastbound through lane, 5-foot bike lanes, a 5-foot sidewalk on the north side and a 10-foot shared use path on the south side.
 - b. The new segment of the Moore Road extension from the Arrowsmith Drive point of connection to the Moore Road point of connection to the north shall include a minimum 62-foot right-of-way width. The roadway section shall consist of 14' travel lanes in each direction, 6-foot bike lanes, a 5-foot sidewalk on the north/west side a 10-foot shared use path on the south/east side and turn lanes where required. The roadway is to match the width and cross section of the 62-foot Moore Road right-of-way section constructed with Rancho Vistoso Parcel 5-GKV to the north.
 - c. To reduce traffic congestion associated with the future school site, the Arrowsmith/Moore Road extension shall be designed to accommodate future widening. In addition to the roadway section requirements identified in 10.b. above, the design shall include additional right-of-way width to accommodate future left-turn and right-turn lanes along the school property frontage with associated widening transitions. Additionally, the developer shall construct a 14-foot, at-grade landscaped median with the initial construction of the Arrowsmith/Moore Road extension along the school frontage. The ultimate right-of-way width and improvement details shall be determined during the final site planning and improvement plan stages of development for this project as approved by the Town Engineer.
12. A Traffic Impact Analysis (TIA) shall be provided at the time of each development of Parcel 5W and Parcel 5X. In addition to standard requirements, the TIA is to include a traffic signal and turn lane warrant analysis for the intersection of Rancho Vistoso Boulevard and Arrowsmith Drive. If development of Parcel 5-W or Parcel 5-X results in a traffic signal and/or a right turn lane being warranted, the developer shall improve the intersection at no cost to the public.
13. Private sewer improvements shall be required with construction of Parcels 5-H and 5-I. Required sewer improvements are to be in accordance with the sewer letter issued by the Pima County Regional Wastewater Reclamation Department, see Attachment 10 of the Rezoning staff report (Attachment 7). Improvement shall consist of the following:
- a. Construction of a private collection system and private lift station to serve to the proposed development.
 - b. Construction of a private force main to discharge into an existing gravity sewer manhole within Rancho Vistoso Boulevard.

14. Public sewer improvements shall be required with construction of Parcel 5-W and/or 5-X, whichever occurs first. Required sewer improvements are to be in accordance with the sewer letter issued by the Pima County Regional Wastewater Reclamation Department, see Attachment 10 of the Rezoning staff report (Attachment 7).

Improvements shall consist of the following:

- a. Construction of a public lift station to be located on either parcel 5-R or 5-W. The location of the lift station shall be coordinated with RWRD.
- b. Construction of a public force main to discharge into an existing gravity sewer manhole within Arrowsmith Drive.
- c. The public sewer improvements are to be designed to include capacity and connectivity for development of Parcel 5-R (Amphitheater School District) and developed Parcel 5-GKV (Alterra at Vistoso Trails).
- d. The gravity sewer line, lift station and force main are to be designed and constructed to RWRD standards.

Design

15. Rooftop colors shall be limited to desert earth tones and colors which blend with the natural environment to limit the visual impact to existing property owners.

16. Apartments are not permitted.

Exhibit "C"

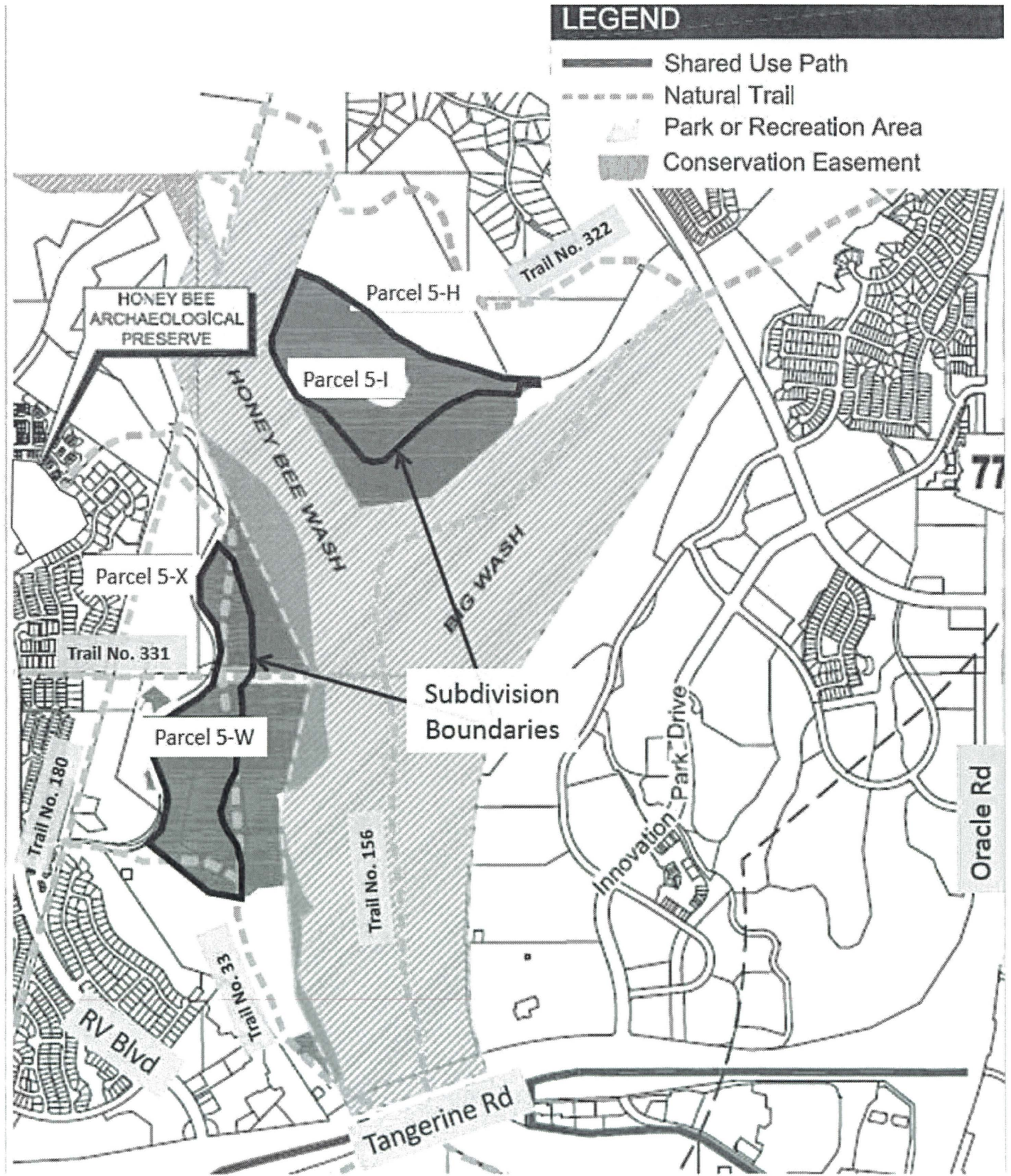


Exhibit "D"
Big Wash Trailhead



List of Improvements

1. Improved, dust free surface for public parking and access
2. Drainage infrastructure
3. 64 parking spaces
4. Equestrian trailer parking
5. Equestrian mounting block
6. Bike rack
7. Restroom facilities with low level lighting
8. Drinking fountain
9. Signage for park and trailhead rules
10. Directional signs on Rancho Vistoso Boulevard
11. Directional signs on the access road to the Big Wash Trailhead
12. Directional signs on the Big Wash Trailhead
13. Informational kiosk
14. Trash and recycle receptacles
15. Shaded seating area
16. Bicycle connection between the access road and trail access.
17. Connection to the Big Wash Trail
18. Animal waste collection station

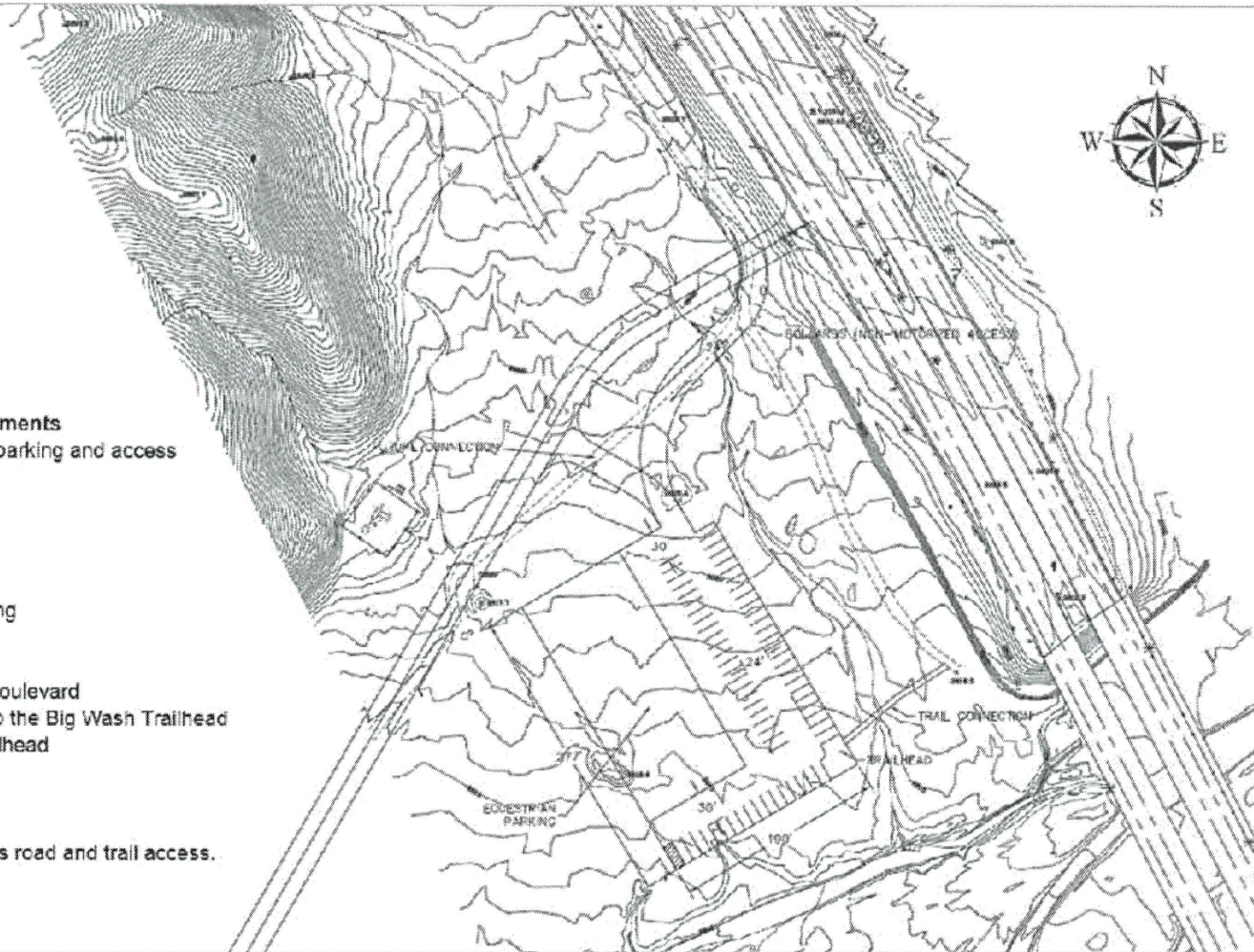


Exhibit "E"

