

ORDINANCE NO. (O)18-09

**AN ORDINANCE OF THE TOWN OF ORO VALLEY, ARIZONA,
APPROVING A REZONING REQUEST BY LAZARUS, SILVYN &
BANGS, P.C., FOR A 16.1 ACRE PROPERTY LOCATED NEAR
THE NORTHWEST CORNER OF TANGERINE ROAD AND LA
CANADA DRIVE TO BE REZONED FROM R1-144 TO R1-10 AND
A REQUEST TO UTILIZE THE REDUCED LOT WIDTH AND
REDUCED BUILDING SETBACK FLEXIBLE DESIGN OPTIONS**

WHEREAS, Lazarus, Silvyn & Bangs, P.C., (the “Applicant”), applied for a rezoning from R1-144 to R1-10 for a 16.1 – acre property located near the northwest corner of Tangerine Rd and La Cañada Dr., see map of property as depicted on Exhibit “A” attached hereto; and

WHEREAS, the current zoning of R1-144 allows one lot per 144,000 square feet; and

WHEREAS, the Applicant wishes to change the zoning to R1-10 to develop a 27 – lot residential subdivision; and

WHEREAS, the Application also requests use of two flexible design options enabled by the Environmentally Sensitive Lands regulations: 1) reduced lot widths from 80 feet to 70 feet, and 2) reduced building setbacks; 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 May 1, 2018, the Planning & Zoning Commission recommended approval subject to conditions for rezoning the property from R1-144 to R1-10 and two flexible design options with conditions; and

WHEREAS, the Town Council has duly considered the Applicant’s request for rezoning for a 16.1 – acre property located near the northwest corner of Tangerine Road and La Canada Drive.


NOW, THEREFORE BE IT ORDAINED by the Mayor and Council of the Town of Oro Valley, Arizona that the rezoning requested by the Applicant, applied for a rezoning and requested flexible design options for the property located near the northwest corner of Tangerine Road and La Canada Drive is hereby approved with the conditions attached hereto as Exhibit “B”.

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parts of ordinances, resolutions or motions of the Council in conflict with the provision of this Ordinance are hereby repealed.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.

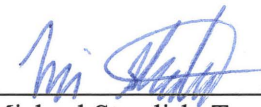
PASSED AND ADOPTED by the Mayor and Council of the Town of Oro Valley, Arizona, on this 6th day of June, 2018.

TOWN OF ORO VALLEY



Dr. Satish I. Hiremath, Mayor

ATTEST:



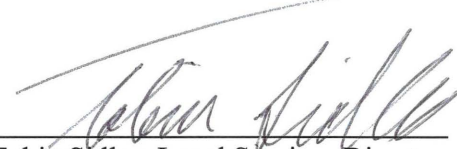
Michael Standish, Town Clerk

Date: 6/8/18

PUBLISH: DAILY TERRITORIAL

JUNE 11, 12, 13, 14, 2018

APPROVED AS TO FORM:



Tobin Sidles, Legal Services Director

Date: 6/8/18

POSTED: 6/11/18 - 7/11/18

EXHIBIT "A"

MAP OF PROPERTY

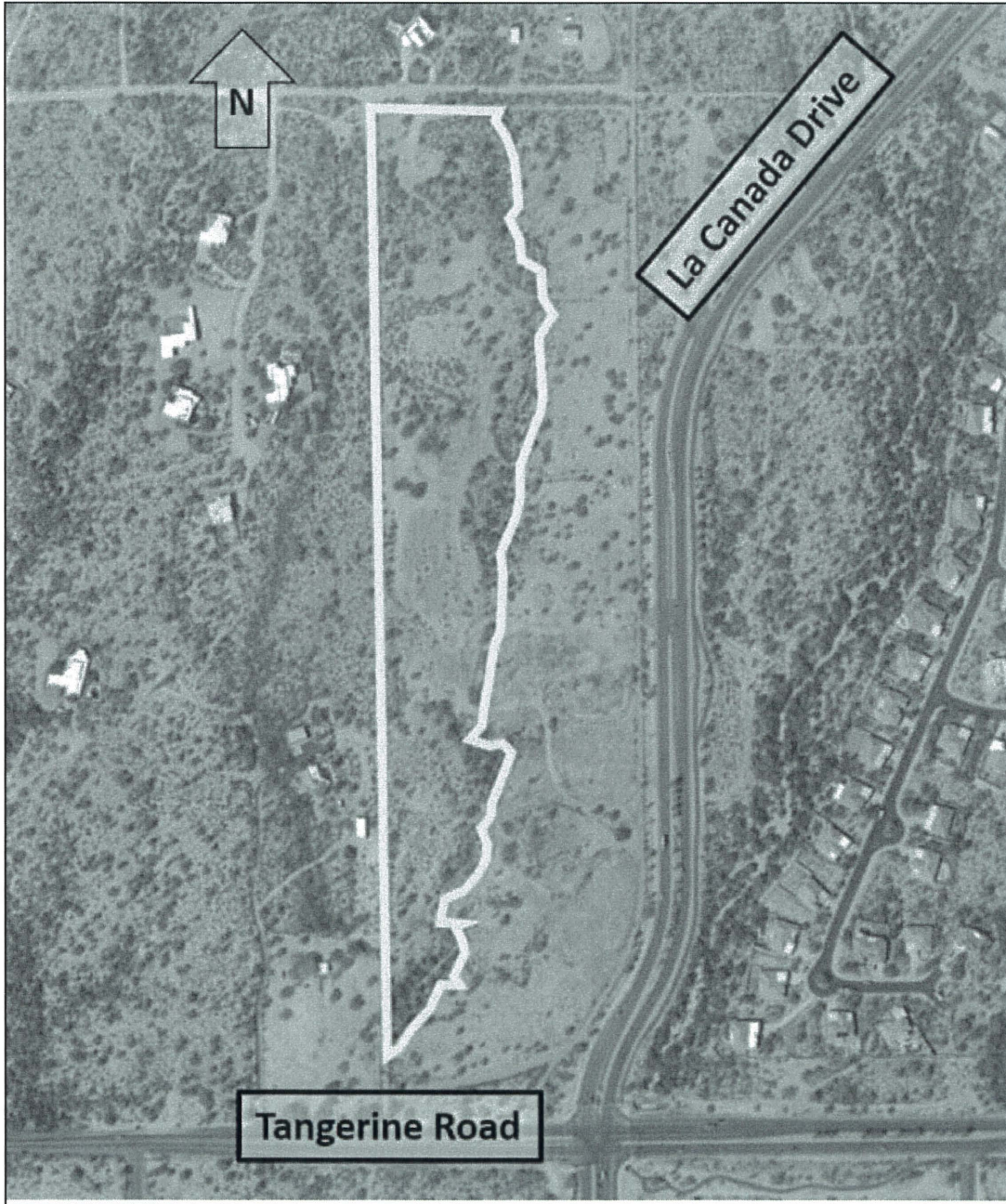


EXHIBIT "B"

CONDITIONS OF APPROVAL

PLANNING

1. Homes on Lots 1-7 and 24-26 as shown on the rezoning Tentative Development Plan (dated 5-1-18) are limited to 1-story.
2. Homes on Lots 1-7 as shown on the rezoning Tentative Development Plan (dated 5-1-18) are limited to a minimum lot size of 12,000 sf.
3. The applicant shall restore the wash along the eastern boundary of the property. The required restoration of the wash shall be completed prior to 35% of building permits within the subdivision (10 homes) being issued.
4. Enhanced buffer yards (western and northern boundaries) shall include a minimum of 50% 24-inch box trees or salvaged trees as shown in Site Analysis Exhibit II-15-A.
5. The subdivisions governing C, C and R's shall include an acknowledgement of livestock properties, and associated impacts, within the area.
6. Address all comments in letter dated 4/17/2018

ENGINEERING

7. Primary access shall be provided on Sunkist Road.
8. Provide an updated Traffic Impact Analysis documenting the required access from Sunkist Road, including verification of the corresponding existing left-turn lane capacity along La Cañada Drive.
9. The developer shall improve Sunkist Road along the property frontage and shall tie-into the portion of Sunkist Road improved by the La Canada Ridge subdivision to the east. Sunkist Road improvements shall include an all-weather access drainage crossing, asphalt pavement and a concrete sidewalk along the south side of the street.