

**ORDINANCE NO. (O)21-11**

**AN ORDINANCE OF THE TOWN OF ORO VALLEY, ARIZONA, REMOVING A ZONING CONDITION REQUIRING A MINIMUM LOT SIZE OF 180,000 SQUARE FEET TO ENABLE THE STANDARD R1-144 MINIMUM LOT SEIZE OF 144,000 SQUARE FEET FOR AN AREA LOCATED IN PROXIMITY TO TORTOLITA MOUNTAIN CIRCLE, NORTH KING AIR DRIVE AND WEST TURTLE DOVE LANE INCLUDING PARCELS 219-16-001D, 219-16-003A, 219-16-005A, 219-16-005B, 219-16-007A, 219-16-007B, 219-15-001C, 219-15-001D, 219-15-001E, 219-15-0040, 219-15-0050, 219-15-0060, 219-16-001B, 219-16-0020, 219-15-007B, 219-15-007C, 219-15-007D, 219-16-016A, 219-16-016B, 219-16-016C, 219-15-009A, 219-15-008A, 219-15-008B, AND 219-12-0160**

**WHEREAS**, on April 7, 2004 the Mayor and Council approved Ordinance (O) 04-14A, which extended and increased the limits of the Town of Oro Valley by annexing several properties south of Tortolita Mountain Circle; and

**WHEREAS**, on July 21, 2004 the Mayor and Council approved Ordinance (O) 04-21 which translated the zoning of the properties annexed by Ordinance (O) 04-14A from Pima County Rural Homestead to Town of Oro Valley R1-144, the closest comparable Oro Valley zoning designation; and

**WHEREAS**, Pima County Rural Homestead zoning requires a minimum lot size of 180,000 square feet; and

**WHEREAS**, Town of Oro Valley R1-144 zoning requires a minimum lot size of 144,000 square feet; and

**WHEREAS**, a condition of approval for Ordinance (O) 04-21 maintained the minimum lot size of 180,000 square feet for the properties annexed by Ordinance (O) 04-14A; and

**WHEREAS**, the condition of approval maintaining the minimum lot size of 180,000 square feet created non-uniform development standards relative to similarly situated R1-144 properties in Oro Valley. This ordinance creates uniformity of zoning and rectifies the legal non-conforming status of multiple subject parcels; and

**WHEREAS**, the Planning and Zoning Commission held a meeting on November 2, 2021 and voted to recommend approval of removing the condition of approval for Ordinance (O) 04-21 maintaining the minimum lot size of 180,000 square feet for the properties annexed by Ordinance (O) 04-14A; and

**WHEREAS**, it is in the best interest of the Mayor and Council to remove the condition of approval for Ordinance (O) 04-21 maintaining the minimum lot size of 180,000 square feet for the properties annexed by Ordinance (O) 04-14A.

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

**SECTION 1.** The condition of approval for Ordinance (O) 04-21 maintaining the minimum lot size of 180,000 square feet for the properties annexed by Ordinance (O) 04-14A is hereby removed.

**SECTION 2.** All Oro Valley Ordinances, Resolutions, or Motions and part of Ordinances, Resolutions or Motions of the Council in conflict with the provisions 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 Mayor and Town Council of the Town of Oro Valley, Arizona, this 1<sup>st</sup> day of December, 2021.

**TOWN OF ORO VALLEY**

\_\_\_\_\_  
Joseph C. Winfield, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Michael Standish, Town Clerk

\_\_\_\_\_  
Tobin Sidles, Legal Services Director

PUBLISH: DAILY TERRITORIAL  
DECEMBER 7, 8, 9, 10, 2021

POSTED: 12/7/21 - 1/6/21