

ORDINANCE NO. (O)22-04

**AN ORDINANCE OF THE TOWN OF ORO VALLEY, ARIZONA,
ENABLING THE APPLICANT USE OF THE “MIXED USE”
FLEXIBLE DESIGN OPTION ENABLED BY THE TOWN’S
ENVIRONMENTALLY SENSITIVE LANDS (ESL)
REQUIREMENTS OF THE ORO VALLEY ZONING CODE**

WHEREAS, on March 31, 1981, the Mayor and Council approved Ordinance (O) 81-58, which adopted that certain document entitled “Or Valley Zoning Code Revised” (OVZCR); and

WHEREAS, on January 19, 2011, the Mayor and Council approved Ordinance (O) 11-01, which adopted that certain document entitled “Environmentally Sensitive Lands (ESL) Ordinance”; and

WHEREAS, Town West Realty (Applicant), has requested use of the “Mixed-use” Flexible Design Option enabled by ESL; and

WHEREAS, the Planning and Zoning Commission held a duly noticed public hearing on January 6, 2022 and voted to recommend conditional approval to the Town Council with the conditions listed in Attachment 1 in Town Council staff report for November 2, 2022 Public Hearing; and

WHEREAS, the Town Council has duly considered the Applicant’s proposal for the PAD amendment to the Rancho Vistoso PAD.

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

SECTION 1. Town West Realty has been granted use of the ESL “Mixed-use” Flexible Design Option

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parts of ordinances, resolutions or motions of the Council in conflict with the provision of this Ordinance are hereby repealed.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 2nd day of November, 2022.

TOWN OF ORO VALLEY

Joseph C. Winfield, Mayor

ATTEST:

APPROVED AS TO FORM:

Michael Standish, Town Clerk

Tobin Sidles, Legal Services Director

Date: _____

Date: _____

EXHIBIT “A”



Via email: mSPAETH@orovalleyaz.gov

December 1, 2021

Michael Spaeth
Senior Planner, Town of Oro Valley
11000 N. La Canada Drive
Oro Valley, AZ 85737

Re: Oro Valley Marketplace Environmentally Sensitive Lands (ESL)

Dear Michael:

As part of the PAD amendment and Conceptual Site Plan process, the owners of Oro Valley Marketplace/Oro Valley Village Center are proposing a mixed-use project pursuant to Section 27.10.F.2.c.iii.h of the Oro Valley Zoning Code. Therefore, we are formally opting into the ESL provision as stated above and requesting use of the Mixed-use Flexible Design Option. Feel free to contact me if you have any questions.

Best regards,

A handwritten signature in blue ink that reads 'Keri Silvyn'.

Keri L. Silvyn, Esq.
Lazarus & Silvyn, P.C.