

**ORDINANCE NO. (O)24-04**

**AN ORDINANCE OF THE TOWN OF ORO VALLEY, ARIZONA,  
REZONING AN APPROXIMATELY .69-ACRE PROPERTY  
LOCATED ON VISTOSO HIGHLANDS DR., APPROXIMATELY  
¼-MILE WEST OF RANCHO VISTOSO BLVD., FROM OPEN  
SPACE TO RECREATION/GOLF COURSE**

**WHEREAS**, the Applicant has requested that the approximately .69-acre property located on Vistoso Highlands Dr., approximately ¼-mile west of Rancho Vistoso Blvd., be rezoned from Open Space to Recreation/Golf Course to enable development of parking, refuse, and recreation facilities; and

**WHEREAS**, the Applicant's request for a rezoning complies with the Oro Valley Zoning Code Revised and is found to be in conformance with the Town's adopted General Plan including future land use designations; and

**WHEREAS**, the Planning and Zoning Commission held a duly noticed public hearing on February 6, 2024, and voted to recommend conditional approval of the rezoning, as depicted in Exhibit "A", with the conditions attached hereto as Exhibit "B"; and

**WHEREAS**, the Town Council has duly considered the Applicant's proposal for the rezoning.

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

**SECTION 1.** The rezoning of the approximately .69-acre property located on Vistoso Highlands Dr., approximately ¼-mile west of Rancho Vistoso Blvd., from Open Space to Recreation/Golf Course, as depicted in the attached Exhibit "A", to enable development of parking, refuse, and recreation facilities is hereby authorized and approved subject to the conditions in Exhibit "B". The applicant's Site Analysis is hereby included as Exhibit "C".

**SECTION 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.

**SECTION 3.** All Oro Valley Ordinances, Resolutions, or Motions and parts of Ordinances, Resolutions or Motions of the Council in conflict with the provisions of this Ordinance are hereby repealed.

**SECTION 4.** In compliance with ARS § 9-802, the exhibits to this Ordinance are on file at the Town Clerk's Office.

**PASSED AND ADOPTED** by Mayor and Town Council of the Town of Oro Valley, Arizona, this 20<sup>th</sup> day of March, 2024.

**TOWN OF ORO VALLEY**

E-SIGNED by Joseph C. Winfield  
on 2024-04-05 16:35:59 GMT

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Joseph C. Winfield, Mayor

**ATTEST:**

E-SIGNED by Michael Standish  
on 2024-04-05 17:10:43 GMT

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Michael Standish, Town Clerk

Date: \_\_\_\_\_

**APPROVED AS TO FORM:**

E-SIGNED by Tobin Sidles  
on 2024-04-05 16:53:05 GMT

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Tobin Sidles, Legal Services Director

Date: \_\_\_\_\_

# EXHIBIT "A"

Existing



Proposed



# EXHIBIT “B”

1. In order to minimize the time during which public access to the Vistoso Trails Nature Preserve (“Preserve”) is interrupted, applicant will:
  - a. Leave open to the public the existing parking lot (“Old Lot”) at 955 W Vistoso Highlands Dr. (“Property”), and the existing trail on the adjacent parcel 219-19-1840 (“Old Trail”) until a temporary parking is established on Town property.
  - b. For the new Preserve trail (“New Trail”) as identified on DP 2301236 and located south of the Easement Area south of the Property, the final improved paved New Trail will be provided prior to public closure of the Old Trail, and is subject to Parks & Recreation Director and Planning Manager approval. The new trail must be built in accord with the following:
    - i. Paved with the same integrated color concrete used on the exiting path.
    - ii. Positioned in a manor to preserve the rock outcrop and all mature native trees in place.
    - iii. Disturbance to cactus is to be minimized and transplanting is required if unavoidable.
    - iv. Design new trail connections to existing trails that enable a gradual merger rather than a t-intersection or abrupt transition.
  - c. For the new Preserve public parking lot (“New Lot”), grading and temporary improvements of the New Lot, subject to Town Engineer and Parks & Recreation Director approval, shall occur prior to the demolition of the Old Lot in order to limit interruption to available Preserve parking.
  - d. Prior to the issuance of the Certificate of Occupancy for the apartments, all components of the New Lot shall be constructed to include 21 spaces on a decomposed granite (or similar) surface, a paved connection to Vistoso Highlands Drive, two ADA paved parking spaces, and an ADA compliant path to the existing trails within the Preserve. Final design, installation, and inspection shall be subject to Parks and Recreation Director, Town Engineer, and Planning Manager approval.
  - e. Applicant will be responsible for the cost of constructing the Preserve public parking lot (“New Lot”), with the following conditions: for any cost of construction above \$50,000.00, applicant will receive Parks development impact fee credits, and the applicant’s total costs to construct the parking lot shall not exceed the amount of the project’s total Parks Impact Fee plus \$50,000.00.
2. The proposed natural trail on Town property near the west side of parcel 219-19-1840 is not required and must be removed from all plans.

# EXHIBIT “C”

Click image below for applicant's Site Analysis document

