



*Town of Oro Valley  
Development and Infrastructure Services Department*

**Date:** November 9, 2015

**Subject:** Interpretation – Applicability of the Environmentally Sensitive Lands requirements to a Stone Canyon property (Parcel 219-20-002B) with a R1-144 (large lot single-family residential) zoning designation that uniquely enables a limited resort use if rezoned to Rancho Vistoso PAD – Resort designation, (OV1501603).

**APPLICABLE REFERENCES**

Section 27.10.B.1.b.ii of the Zoning Code provides the following:

- ii. *Rezoning applications, including new PAD applications, shall be subject to all the provisions of the ESL conservation system. Applications to amend PAD's or rezoning conditions in effect prior to adoption of the ordinance codified in this section are subject to all requirements herein when the proposed amendment includes changes to density, intensity or use unless at least twenty-five percent (25%) of the site has been developed with infrastructure and finished building pads.*

**INTERPRETATION**

The intent of the Zoning Code limitation in Section 27.10.B.1.b.ii is to ensure any Planned Area Development amendments proposing changes to the existing permitted density, intensity or uses comply with the requirements of the ESL conservation system.

The subject property (Parcel 219-200-02B) was a part of the original Ritz Carlton development plan approved in 2001 and was subsequently annexed into the Town in 2002. In accordance with State Law, a translational zoning was approved for the site from RH to R1-144 with the following condition:

*"Parking and parking related uses in conjunction with the adjacent resort are permitted"*

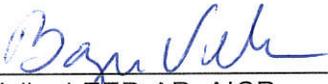
Therefore, the current zoning designation allows resort related uses. As such, a Planned Area Development Amendment for the property from R1-144 to Rancho Vistoso PAD – Resort would not constitute a change in density, intensity or use and thus would not require conformance with the provisions of the ESL conservation system.

However, a Planned Area Development Amendment to any other zoning district would be considered a change in density, intensity or use and would require conformance with the ESL conservation system.

*Oro Valley, it's in our nature.*

**APPEALS**

Persons aggrieved by a Zoning Interpretation may file an appeal to the Board of Adjustment within twenty (20) days from the date it is published on the Town's website, in accordance with Section 21.6.G of the Town of Oro Valley Zoning Code.

  
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Bayer Vella, LEED-AP, AICP  
Planning and Zoning Administrator

  
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Date