



*Town of Oro Valley
Community Development and Public Works*

Date: August 7, 2017

Subject: Zoning Interpretation – Setback measurement along Cañada Del Oro Wash for Nakoma Sky (OV1601351)

REQUEST

A zoning interpretation was requested by Keri Silvyn, Lazarus, Silvyn, & Bangs, P.C. The request is needed to determine if the required setback along the southern portion of the Nakoma Sky development may be measured from the current (existing) property line rather than a future property line; established following dedication of a portion of the property to Pima County for ongoing bank protection and maintenance.

APPLICABLE ZONING REFERENCES

The subject property is part of the Nakoma Sky Planned Area Development (adopted on January 21, 2014 and amended on November 2, 2015). The following excerpts pertain to this interpretation:

1. (Section II-W)

Any proposed changes to this PAD and Tentative Development Plan (TDP) shall be submitted to the Planning and Zoning Administrator, who shall review the item and ascertain whether the change is significant. A significant change shall be determined by, but not limited to, the following criteria:

- b. Any change to developments standards or zoning conditions related to building heights, setbacks, open space requirements, any reduction in open space, parking standards (as defined herein), floor area ratios and density (Section II-W).*

2. Development Standards (Section II.A.5)

a. The following setback requirement is for the Multiple Use, Independent Living and Commercial, Medical and Service Districts in Nakoma Sky:

1. *Minimum site setbacks*

- *Adjacent to Cañada Del Oro Wash- 50 feet*

Oro Valley, it's in our nature.

The following Oro Valley Zoning Code definitions are also relevant to this request:

3. Chapter 31 of the Town of Oro Valley Zoning code provides the following applicable definitions:

- *Setback -*
The shortest straight line distance in feet from the nearest property or lot boundary to a main or accessory building, structure, sign or the like located on the same property or lot.
- *Yard-*
Those required areas established by setbacks to provide an open space at grade level between a building and the adjoining lot lines unoccupied and unobstructed by any portion of a structure from the ground upward except as otherwise provided herein.

INTERPRETATION

The intent of setback requirements are to establish required yards that provide an unobstructed open space between a building and adjoining lots. Additionally, setback requirements are to be provided on private property.

As proposed, much of the yard established by this setback will be dedicated to Pima County for ongoing maintenance of the Cañada Del Oro Wash bank protection and remain as open space. As a result, the development will not meet the required fifty (50') foot setback on private property; however, physically the distance will be maintained. All other aspects of development (building height, open space requirements, density, etc.) will not be modified.

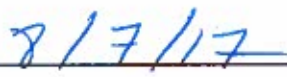
In summary, the yard established by the original southern setback will still be physically provided and the intent of the setback will continue to be met. As such, the southern setback will be measured from the current (existing) property line, as shown in Attachment 1. This will not constitute a significant change to the PAD.

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.

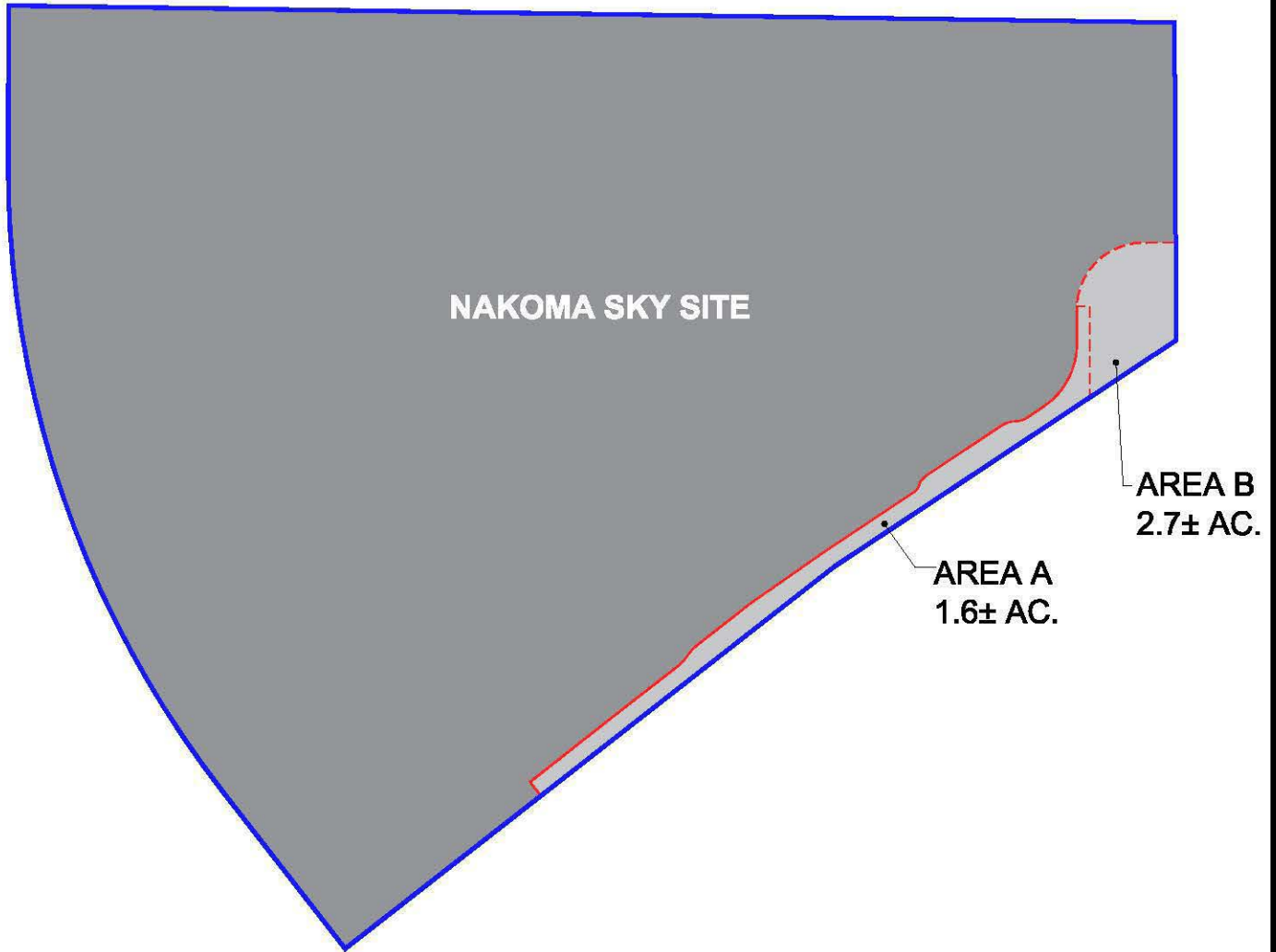


Bayer Vella, LEED-AICP
Planning and Zoning Manager



Date

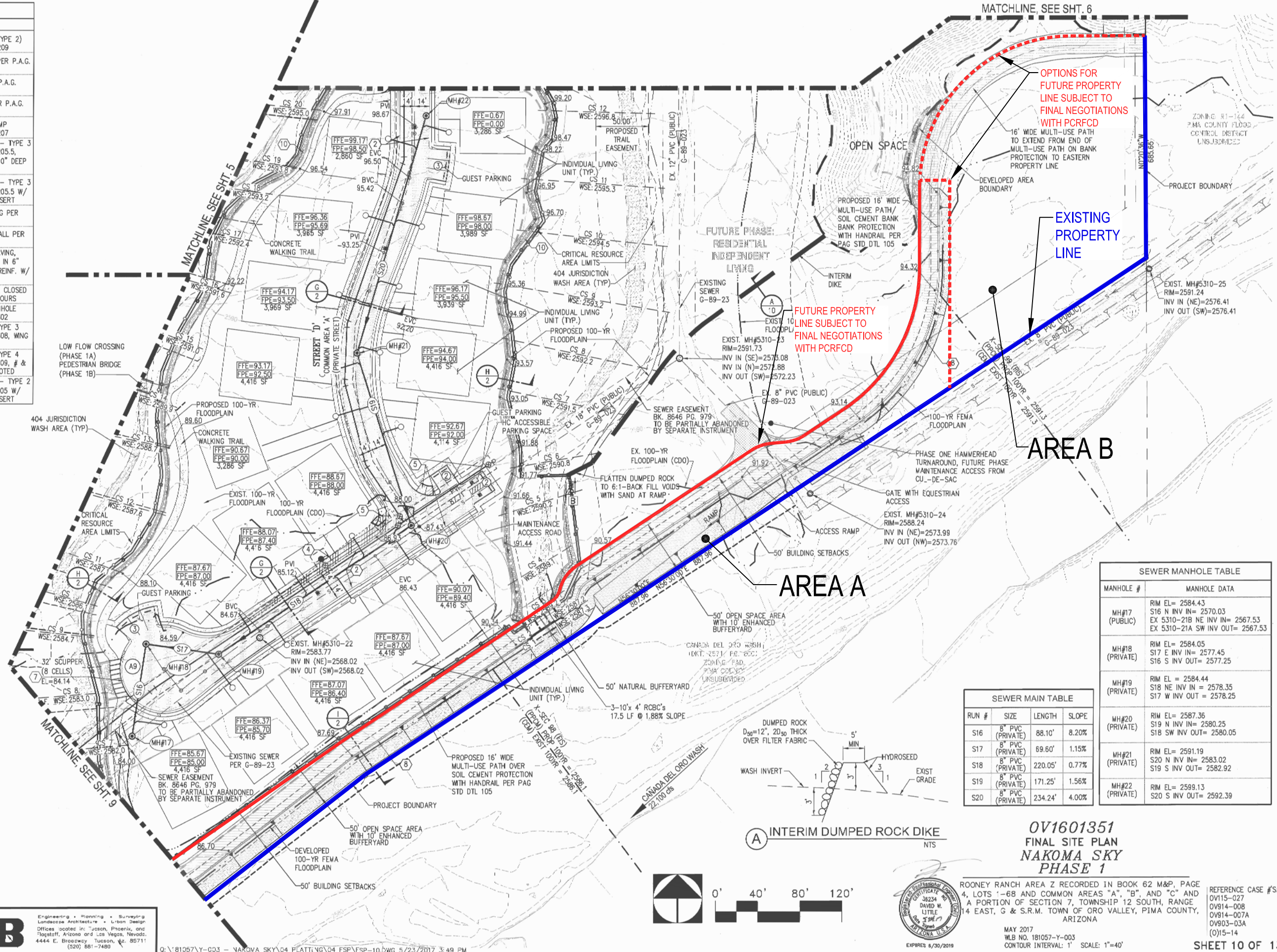
Oro Valley, it's in our nature.



LEGEND

- EXISTING PROPERTY LINE
- FUTURE PROPERTY LINE SUBJECT TO FINAL NEGOTIATIONS WITH PCRFC
- - - OPTIONS FOR FUTURE PROPERTY LINE SUBJECT TO FINAL NEGOTIATIONS WITH PCRFC

#	DESCRIPTION
1	NEW 6" VERT. CURB (TYPE 2) PER P.A.G. STD. DTL. 209
2	NEW 6" WEDGE CURB PER P.A.G. STD. DTL. 209
3	NEW CONC. HDR. PER P.A.G. STD. DTL. 213
4	NEW CONC. SDWLK. PER P.A.G. STD. DTL. 200
5	NEW CURB ACCESS RAMP PER P.A.G. STD. DTL. 207
6	NEW SDWLK. SCUPPER - TYPE 3 PER P.A.G. STD. DTL. 205.5, MODIFIED TO PROVIDE 10" DEEP OPENING AT THROAT
7	NEW SDWLK. SCUPPER - TYPE 3 PER P.A.G. STD. DTL. 205.5 W/ TRITON FIRST FLUSH INSERT
8	NEW BARRICADE RAILING PER P.A.G. STD. DTL. 105
9	NEW CONCRETE HEADWALL PER A.D.O.T. SD 6.30-2
10	ROCK FACED SLOPE PAVING, D ₅₀ =6" W/ 50% EMBED IN 6" CONCRETE OR GUNITE REINF. W/ 6x6 W1.4x1.4 WWF
11	PROPOSED GATE TO BE CLOSED DURING NON-VISITOR HOURS
12	NEW STORM DRAIN MANHOLE PER P.A.G. STD. DTL. 302
13	NEW CATCH BASIN - TYPE 3 PER P.A.G. STD. DTL. 308, WING LENGTH AS NOTED
14	NEW CATCH BASIN - TYPE 4 PER P.A.G. STD. DTL. 309, # & TYPE OF GRATES AS NOTED
15	NEW SDWLK. SCUPPER - TYPE 2 PER P.A.G. STD. DTL. 205 W/ TRITON FIRST FLUSH INSERT



MANHOLE #	MANHOLE DATA
MH#17 (PUBLIC)	RIM EL= 2584.43 S16 N INV IN= 2570.03 EX 5310-21B NE INV IN= 2567.53 EX 5310-21A SW INV OUT= 2567.53
MH#18 (PRIVATE)	RIM EL= 2584.05 S17 E INV IN= 2577.45 S16 S INV OUT= 2577.25
MH#19 (PRIVATE)	RIM EL= 2584.44 S18 NE INV IN= 2578.35 S17 W INV OUT= 2578.25
MH#20 (PRIVATE)	RIM EL= 2587.36 S19 N INV IN= 2580.25 S18 SW INV OUT= 2580.05
MH#21 (PRIVATE)	RIM EL= 2591.19 S20 N INV IN= 2583.02 S19 S INV OUT= 2582.92
MH#22 (PRIVATE)	RIM EL= 2589.13 S20 S INV OUT= 2592.39

RUN #	SIZE	LENGTH	SLOPE
S16	8" PVC (PRIVATE)	88.10'	8.20%
S17	8" PVC (PRIVATE)	69.60'	1.15%
S18	8" PVC (PRIVATE)	220.05'	0.77%
S19	8" PVC (PRIVATE)	171.25'	1.56%
S20	8" PVC (PRIVATE)	234.24'	4.00%



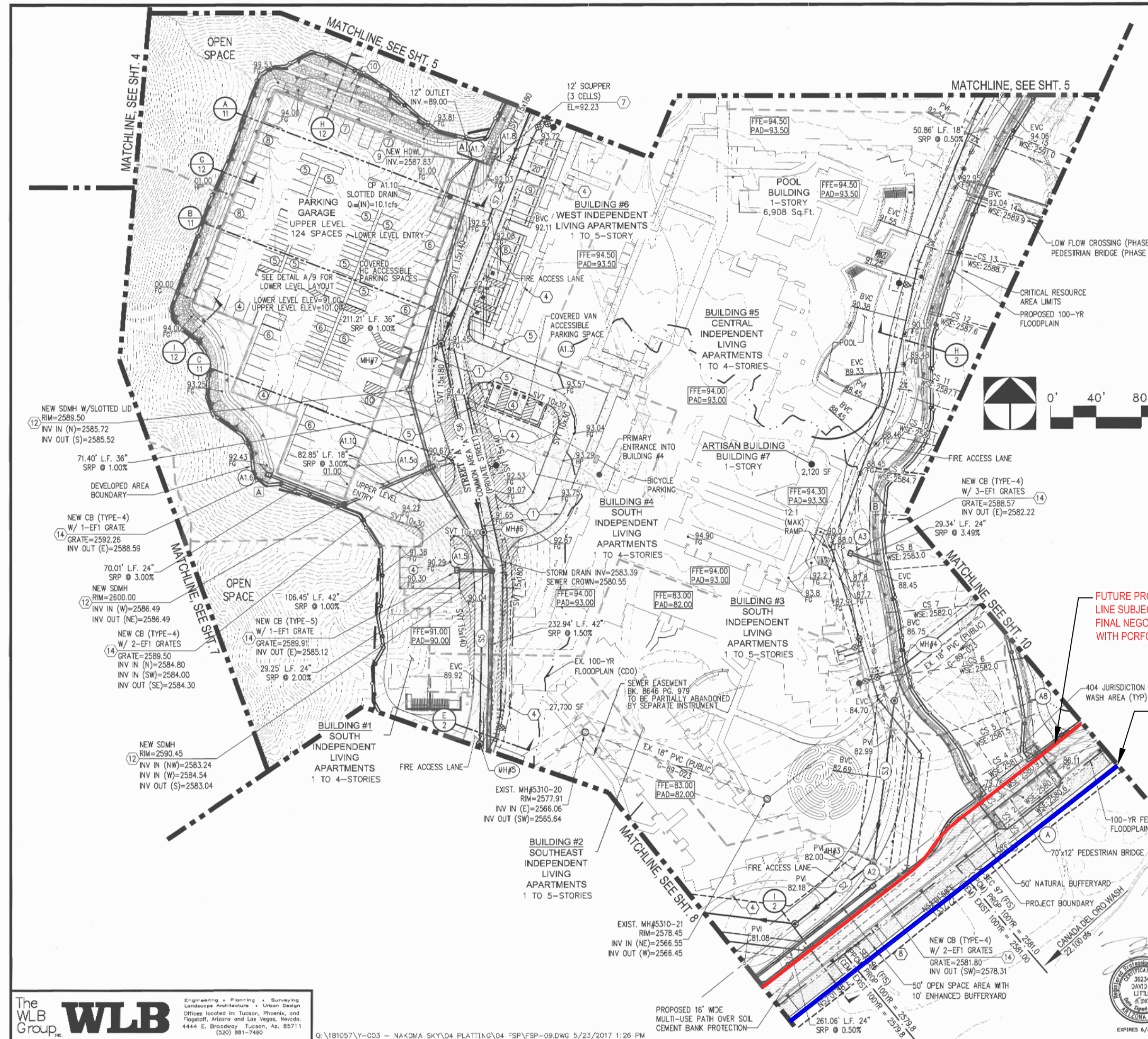
**OV1601351
FINAL SITE PLAN
NAKOMA SKY
PHASE 1**

ROONEY RANCH AREA Z RECORDED IN BOOK 62 M&P, PAGE 4, LOTS 1-68 AND COMMON AREAS "A", "B", AND "C" AND A PORTION OF SECTION 7, TOWNSHIP 12 SOUTH, RANGE 14 EAST, G & S.R.M. TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

REFERENCE CASE #S:
OV115-027
OV914-008
OV914-007A
OV903-03A
(0)15-14

MAY 2017
WLB NO. 181057-Y-003
CONTOUR INTERVAL: 1' SCALE: 1"=40'

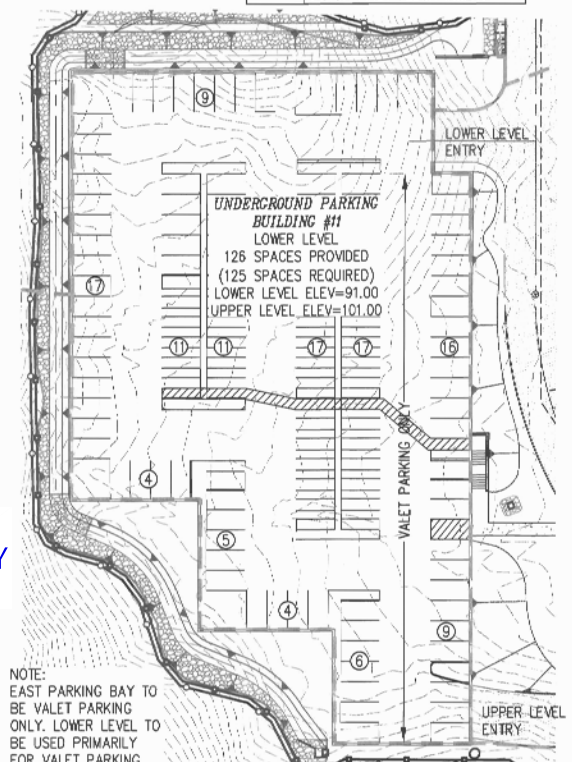
EXPIRES 6/30/2019



SEWER MANHOLE TABLE	
MANHOLE #	MANHOLE DATA
MH#3 (PUBLIC)	RIM EL= 2582.75 S3 N INV IN= 2566.59 S2 SW INV OUT= 2566.49
MH#4 (PUBLIC)	RIM EL= 2582.69 EX 5310-21A NE INV IN= 2567.05 S3 S INV OUT= 2566.95
MH#5 (PRIVATE)	RIM EL= 2589.45 S5 N INV IN= 2577.68 S4 SW INV OUT= 2577.58
MH#6 (PRIVATE)	RIM EL= 2590.59 S6 N INV IN= 2580.00 S5 S INV OUT= 2579.90
MH#7 (PRIVATE)	RIM EL= 2591.33 S7 N INV IN= 2583.70 S6 S INV OUT= 2583.60

SEWER MAIN TABLE			
RUN #	SIZE/MATERIAL	LENGTH	SLOPE
S2	18" PVC (PUBLIC)	219.03'	0.19%
S3	18" PVC (PUBLIC)	117.20'	0.19%
S5	8" PVC (PRIVATE)	187.36'	0.51%
S6	8" PVC (PRIVATE)	171.19'	3.33%
S7	8" PVC (PRIVATE)	232.83'	1.43%

KEYNOTES	
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10	ROCK FACED SLOPE PAVING, D ₅₀ =6" W/ 50% EMBED IN 6" CONCRETE OR GUNITE REINF. W/ 6x6 W.4x1.4 WWF
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12	NEW STORM DRAIN MANHOLE PER P.A.G. STD. DTL. 302
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14	NEW CATCH BASIN - TYPE 4 PER P.A.G. STD. DTL. 309, # & TYPE OF GRATES AS NOTED
15	NEW SDWLK. SCUPPER - TYPE 2 PER P.A.G. STD. DTL. 205 W/ TRITON FIRST FLUSH INSERT



(A) PARKING GARAGE LOWER LEVEL PLAN
126 TOTAL SPACES PROVIDED
1"=40'

0V1601351
FINAL SITE PLAN
NAKOMA SKY
PHASE 1

ROONEY RANCH AREA Z RECORDED IN BOOK 62 M&P, PAGE 4, LOTS -68 AND COMMON AREAS "A", "B", AND "C" AND A PORTION OF SECTION 7, TOWNSHIP 12 SOUTH, RANGE 14 EAST, G & S.R.M. TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

REFERENCE CASE #'S:
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0V914-008
0V914-007A
0V903-03A
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MAY 2017
WLB NO. 181057-Y-003
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SHEET 9 OF 13



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FUTURE PROPERTY LINE SUBJECT TO FINAL NEGOTIATIONS WITH PCRFCD

EXISTING PROPERTY LINE

SEWER MANHOLE TABLE	
MANHOLE #	MANHOLE DATA
MH#1 (PUBLIC)	RIM EL= 2586.17 S4 NE INV IN= 2567.50 S1 E INV IN= 2565.16 EX 5310-19A SW INV OUT= 2565.06
MH#2 (PUBLIC)	RIM EL= 2580.96 S2 NE INV IN= 2566.24 S1 W INV OUT= 2566.14
MH#23 (PUBLIC)	RIM EL= 2579.70 S21 N INV IN= 2564.50 EX 5310-18B E INV IN= 2563.67 S22 S INV IN= 2564.50 EX 5310-18A W INV OUT= 2563.67
MH#24 (PRIVATE)	RIM EL= 2571.33 S21 S INV OUT= 2567.81
MH#25 (PRIVATE)	RIM EL= 2579.59 S22 N INV OUT= 2571.00

SEWER MAIN TABLE			
R/JN #	SIZE/MATERIAL	LENGTH	SLOPE
S1	18" PVC (PUBLIC)	375.56'	0.26%
S2	18" PVC (PUBLIC)	98.07'	0.25%
S4	8" PVC (PRIVATE)	147.02'	6.86%
S21	8" PVC (PRIVATE)	41.33'	8.00%
S22	8" PVC (PRIVATE)	89.72'	7.24%



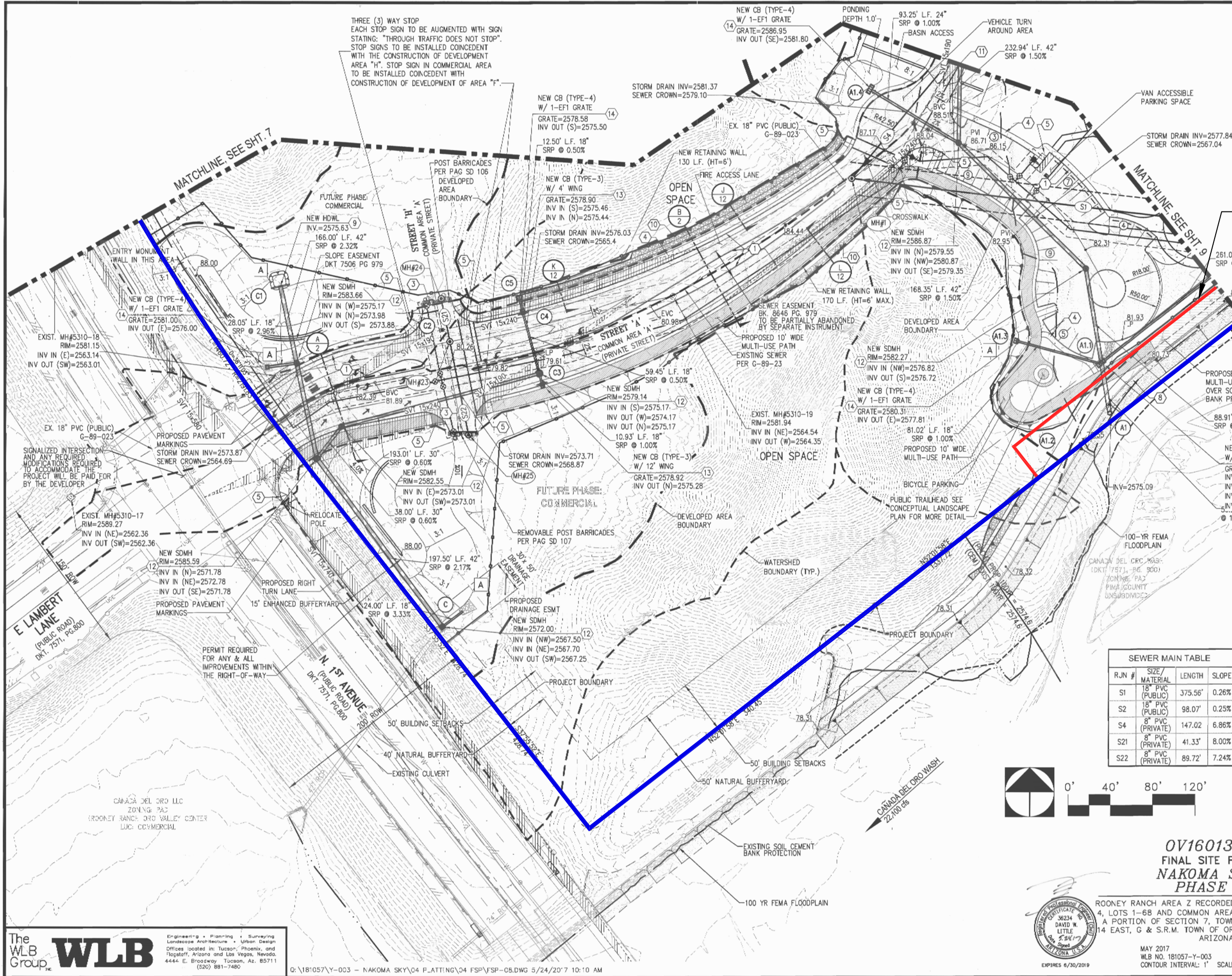
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