

**CHURCH OF THE LATTER DAY SAINTS
PLANNED AREA DEVELOPMENT DISTRICT
(PAD) #3**

Oro Valley, Arizona

**Amendment by Ordinance (O) 96-33
August 28, 1996**

As no PAD document ever existed for PAD #3, this document serves as the Church of the Latter Day Saints Planned Area Development document.

In 1983 the Oro Valley Town Council approved a 10 acre PAD rezoning for 1.66 acres for church use and 8.4 acres limited to R1-144 uses. In 1996 the Town Council approved a rezoning of 4 acres from PAD to PS&C, leaving a 6 acre PAD; 4.4 acres restricted to R1-144 and the original 1.6 acre church use. (See Exhibit A)



AMENDMENT HISTORY

Amendments pertaining to the Church of the Latter Day Saints PAD #3:

1. Ordinance: (O) 96-33
Date: August 28, 1996
Case #: OV9-96-3

ORDINANCE NO. (O)96-33

AN ORDINANCE AMENDING THE TOWN OF ORO VALLEY ZONING MAP BY CONDITIONALLY REZONING THAT PROPERTY KNOWN AS PUSCH RIDGE CHRISTIAN CHURCH, LOT 48, FURTHER DESCRIBED HEREIN, WHICH WAS PREVIOUSLY ZONED ORO VALLEY PLANNED AREA DEVELOPMENT (PAD) TO ORO VALLEY PRIVATE SCHOOLS AND CHURCHES (PS&C), AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.

WHEREAS, that certain real property known as Pusch Ridge Christian Church, Lot 48, approximately 4 acres in size, and further described by map and legal description in Exhibit "A" attached herewith, is currently zoned Planned Area Development in the Town of Oro Valley; and

WHEREAS, an application requesting that the property be rezoned to Oro Valley Private Schools and Churches has been filed with the Town; and

WHEREAS, the Planning and Zoning Commission, having considered said application and request at a duly noticed public hearing, in accordance with State Statute, and having made its recommendations to the Town Council; and

WHEREAS, the Oro Valley Town Council has considered the requested rezoning at a duly noticed public hearing and finds that it is consistent with the Town's General Plan and Ordinances,

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF ORO VALLEY:

SECTION 1: That certain real property, known as Pusch Ridge Christian Church, Lot 48, (4 acres), and further described by legal description and map in Exhibit "A" attached herewith, is hereby conditionally rezoned to Private Schools and Churches (PS&C) subject to those conditions, stipulations, plan for development and all other conditions of approval established in Exhibit "B" "Conditions for Approval of OV9-96-3, Pusch Ridge Christian Church".

SECTION 2: That all ordinances and parts of ordinances in conflict herewith be and the same are hereby repealed to the extent of such conflict.

SECTION 3: That this ordinance and the various parts thereof are hereby declared to be severable. If any section, sub-section, sentence, clause, word or phrase of this ordinance is, for any reason, held to be unconstitutional, such holdings shall not affect the validity of the remaining portion of this ordinance.

SECTION 4: Any person found guilty of violating any provision of this ordinance shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not to exceed one thousand dollars and/or by imprisonment. Each day that a violation continues shall be a separate offense punishable as hereinabove described.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Oro Valley, Arizona, this 28th day of August, 1996.

EXHIBIT "A"

LEGAL DESCRIPTION OF OV9-96-3 PUSCH RIDGE CHRISTIAN CHURCH

Pusch Ridge Christian Church, Lot 48, Linda Vista Citrus Tracts No. 2, approximately 4.006 acres, located on the north side of Calle Concordia approximately 1,000 feet east of Calle Buena Vista, in Section 24 Northwest, Township 12 South, Range 13 East.

EXHIBIT "B"

CONDITIONS FOR APPROVAL OF OV9-96-3 PUSCH RIDGE CHRISTIAN CHURCH

Commission Conditions:

1. All mature woody vegetation, including saguaros, must be preserved on-site;
2. Controlled access, either physically or secured through the school, to ensure that the parking lot does not create an undue hazard for the neighborhood.

Planning Staff Conditions:

1. All standard conditions for Non-PAD rezonings shall be imposed.
2. The following Special Conditions shall apply:
 - a. Significant and/or unique riparian habitat shall be maintained as natural open space;
 - b. The Carmack wash shall be preserved as natural open space;
 - c. Salvageable trees shall be either side-boxed or spaded and incorporated into the project landscaping;
 - d. The Tentative Development Plan will be revised to incorporate the conditions specified by staff and the Planning Commission as approved by the Town Council prior to adoption of a final zoning ordinance.
3. Arizona Game and Fish Department's guidelines for handling desert tortoise specimens shall be followed, if these animals are encountered during development.
4. Establish a conservation easement protecting the Carmack Wash from future development.
5. The development plan for this project shall be in substantial conformance with the tentative development plan approved by Mayor and Council.
6. Add a note to the Tentative Development Plan stating that all washes, and 100 year flood limits, shall be maintained by the Pusch Ridge Christian Church. These preserved vegetation areas are not to be included as developable areas and should be labeled on the TDP as common area or natural open space.
7. An on-the-ground archaeological survey shall be performed prior to the issuance of a grading permit. If resources are discovered, a disposition plan shall be submitted for Town review.
8. A revised TDP incorporating all Commission adopted conditions shall be submitted for staff review two weeks prior to Town Council review of OV9-96-3.

9. A restoration bond shall be posted to protect the Carmack Wash.

Public Work's Conditions:

1. The tentative plat should be revised to show the existing right-of-way width for Calle Concordia as 90 feet.
2. The future Development Plan and accompanying soils report, traffic statement and drainage report shall be prepared by a qualified registered engineer.

ORO VALLEY PLANNING AND DEVELOPMENT SERVICES
STANDARD CONDITIONS FOR **NON-P.A.D.** REZONINGS

OV9-96-3
PUSCH RIDGE CHRISTIAN CHURCH/CALLE CONCORDIA REZONING

Completion of the following requirements for a rezoning ordinance within the time frame specified herein from the date of approval by the Town Council:

1. Submittal of a complete hydraulic and hydrologic drainage report.
2. Approval of a development plan and/or recordation of a final plat as determined necessary by the appropriate Town Departments.
3. A suitable arrangement with Pima County Health Department or Pima County Wastewater Management for sewage disposal.
4. Recording a covenant holding the Town of Oro Valley harmless in the event of flooding.
5. Provision of development-related assurances as required by the appropriate Town departments.
6. Recording a covenant to remove only that vegetation that is necessary for building pads and accessory uses and the necessary roads and driveways and to salvage all healthy Palo Verde, Mesquite, Ironwood, Saguaros and Barrel Cacti for on-site landscaping purposes.
7. Recording any other development-related covenants as determined necessary by the appropriate Town departments.
8. Roads shall be constructed in conformance with the Town of Oro Valley standards.
9. Landscaping to consist of low water use and low pollen-producing vegetation.
10. Adherence to the Tentative Development Plan approved by the Oro Valley Town Council.
11. Significant change to the tentative development plan or conditions of rezoning, as defined by Sec. 3-104B, shall require re-review by the Planning Commission and Town Council in accordance with Chapter 3 of the Oro Valley Zoning Code Revised.
12. The relocation and/or extension of utilities pursuant to the development or redevelopment of the subject parcel will be at no cost to the Town of Oro Valley.
13. Dedication of public rights-of-way through plat recordation in accordance with current Town ordinances.
14. Posting Development Opportunity Assessments (DOAs) in an approved form as determined necessary by the appropriate Town departments.
15. Submittal of a traffic impact analysis in accordance with Sec. 9-110N, unless modified by the Town Engineer and Zoning Administrator.

16. Completion of the requirements for a zoning ordinance within 2 years from the date of approval by Town Council. If the specified time frame is not met and no extension is granted, this conditional approval shall lapse.

Rural or Residential

1-80 acres 2 years
over 80 acres 3 years

Non-Residential 2 years

17. All conditions which require revisions to the tentative development plan and/or site analysis must be completed prior to Town Council public hearing.

Rev. 11-29-89
 2-21-89
 1-31-90
 3-28-90
 4-16-90
 5-13-94

Adopted by Mayor and Council
Resolution No. (R)90-21
May 2, 1990

EXHIBIT "C"

Town Council Meeting: August 28, 1996

Town Engineer Conditions for Approval

Rezone: (Tentative Development Plan) Pusch Ridge Christian Church
OV9-96-03

RECOMMENDATIONS

Public Works department staff has reviewed the rezone request for this project and has no objections to approval subject to the following conditions:

1. The tentative plan shall be revised to show the existing right-of-way width for Calle Concordia as ninety feet.
2. The Development Plan and accompanying soils report, traffic statement and drainage report shall be prepared by a qualified registered engineer.

Town Engineer