



Town of Oro Valley
Community Development and Public Works

Date: August 2, 2016

Subject: Interpretation – Applicability of the Environmentally Sensitive Lands requirements NWC of Vistoso Highlands Drive and Rancho Vistoso Boulevard (OV1601699)

REQUEST

A zoning interpretation was submitted regarding the applicability of the Environmentally Sensitive Lands Ordinance (ESLO) to a proposed rezoning application from commercial to residential.

APPLICABLE ZONING 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 PADs 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. hat all rezoning applications are subject to ESLO requirements.*

INTERPRETATION

The zoning provision is clear in that ESLO applies to the proposed rezoning application on the basis that 1) the request consists of a change in use and 2) the site has little to no onsite infrastructure (e.g., building pads, roadways, etc.).

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-AP, AICP
Planning and Zoning Administrator

8/5/16

Date

Oro Valley, it's in our nature.