



FINAL DRAFT

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Section 27.10 Environmentally Sensitive Lands

A. Purpose

The Environmentally Sensitive Lands (ESL) regulations implement the Oro Valley General Plan by conserving natural, scenic, hillside, and cultural resources. This has been accomplished in a comprehensive manner by accounting for environmental, archeological and historic resources, economic development, and housing policies. These regulations protect the public health, safety and general welfare by:

1. Conserving the Sonoran Desert and Heritage

- a. Conserving the Town's natural and cultural resources in a comprehensive manner.
- b. Utilizing current science of conservation biology and cultural resources treatment as represented in Pima County's Sonoran Desert Conservation Plan.
- c. Providing the greatest degree of preservation for the richest and most diverse ESL resources, including those described as "significant resource areas", and "key" and "essential" habitat in the General Plan.
- d. Enabling the long-term survival of native plants and animals by maintaining ecosystem functions necessary for their survival. Emphasis is placed on conserving landscape connections to ensure the continued viability of animal and plant communities.
- e. Managing public access and use of environmentally sensitive open spaces to maintain conservation value.

2. Preserving Land Values

- a. Recognizing the importance of natural, scenic, and cultural resource conservation in sustaining Oro Valley's identity as a desired place to live, work, and visit.
- b. Insuring conservation of the Sonoran Desert and scenic resources that enhance property values.

3. Implementing Community Planning and Design Expectations

- a. Developing a comprehensive ESL conservation system for the entire land area within Oro Valley in a manner that promotes interconnected open space.
- b. Planning for land conservation and sustainable development by identifying specific environmental resources and applying regulations that account for General Plan growth expectations.
- c. Enabling the conservation of wildlife habitat and other identified resources through context sensitive site design.
- d. Utilizing flexible design tools to enable a range of housing opportunities to accommodate the varied needs of residents.
- e. Respecting efforts to ensure financial stability by establishing a diverse economy as specified in the Town's Community Economic Development Strategy.



4. Protecting Lives and Property

Protecting human life and property from recognized hazards including steep and unstable slopes and soils, flood and erosion hazards.

5. Utilizing an Equitable Regulatory Approach

- a. Applying new ESL regulations only to future rezonings and respecting existing development rights.
- b. Ensuring land use intensity and density can be achieved in harmony with conservation goals through the application of meaningful incentives and flexible development options.
- c. Provide opportunities for property owners not subject to ESL requirements to voluntarily opt in and thereby achieve greater zoning flexibility and conservation of environmental resources.

Purpose statements specific to an individual ESL resource are provided in relevant sections herein.

B. Applicability

1. General

- a. The provisions of ESL only apply to properties where specified environmental conditions are identified on the ESL Planning Map or described herein.
- b. ESL regulates specific types of development applications at various stages of the development approval process as delineated below:
 - i. All subdivision plat, development plan, conditional use permit, and permit applications subject to the Oracle Road Scenic Corridor, Tangerine Road Corridor Overlay Districts, Cultural Resource Category, and Tier III Scenic Resources Category shall comply with those respective requirements in Section 27.10.D.3.
 - 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 ordinance adoption of ESL are subject to all requirements herein when the proposed amendment includes changes to density, intensity or use unless at least 25% of the site has been developed with infrastructure and finished building pads.
- c. All development activity on applicable properties shall comply with provisions specified in Tables 27.10-1A or -1B, ESL Applicability, respectively.



TABLE 27.10-1A Applicability for Non-Rezoning/Non-PAD Amendment Projects

Table 27.10-1A						
Environmentally Sensitive Lands, Section 27.10 Applicability For Non-Rezoning/Non-PAD Amendment Projects						
Section Title and Notes	Code Section 27.10	Single Family R1-300, 144, 43, 36, 20 Custom Homes	Subdivision Plat	Development Plan / Site Plan	Conditional Use Permit	Off Site Improvement Permit
ESLS						
Application Incentive	B.3	Y	Y	Y	Y	N
Major Wildlife Linkage	D.2.a	N	N	N	N	N
Critical Resource Areas	D.2.b	N	N	N	N	N
Core Resource Areas	D.2.c	N	N	N	N	N
Resource Management Areas	D.2.d	N	N	N	N	N
Cultural Resources	D.2.e	N	Y	Y	Y	Y
Tier 1 Scenic Resources	D.2.f	Y	Y	Y	Y	N
Scenic Resource Viewshed, Vegetation and Landscape Standards for properties in the Oracle Road Scenic Corridor Overlay District. ¹ See Section D.2.f.iv.a).(1) for Specific Information	D.2.f ORSCOD	Y ¹	Y ¹	Y ¹	Y	N
Scenic Resource Viewshed, Vegetation and Landscape Standards for properties in the Tangerine Corridor Overlay District. ² See Section D.2.f.iv.a).(2) for Specific Information	D.2.f TCOD	Y ²	Y ²	Y ²	Y	N
Tier 2 Scenic Resources La Cholla Boulevard and First Avenue Scenic Corridors	D.2.f Tier 2	N	N	N	N	N
Tier 3 Scenic Resources Specified Arterial Roadways and Town Parks	D.2.f Tier 3	Y	Y	Y	Y	Y
ORSCOD Standards	D.2.f.v.a).(1)	Y ¹	Y	Y	Y	Y
TRCOD Standards	D.2.f.v.a).(2)	Y ²	Y	Y	Y	Y
Tier 2 Scenic Corridors	D.2.f.v.b)	N	N	N	N	N
Tier 3 Roadways and Public Parks	D.2.f.v.c)	Y	Y	Y	Y	Y
Scenic Resources Design Guidelines	Addendum H	Y	Y	Y	Y	Y
Hillside Area Category	D.2.g	N	N	N	N	N
Hillside Development Zone	Addendum J	Y	Y	Y	Y	N
Open Space Requirements	E.1-4	N	N	N	N	N
Riparian Habitat Overlay Ordinance	Addendum J	Y	Y	Y	Y	Y
ESOS Use and Development Standards	F.1	N	N	N	N	N
Development Balance and Incentives ⁴ Only Available When ESLS Is Applied to Property	F.2 ⁴	N	N	N	N	N
ESOS Design Standards	F.3	N	N	N	N	N
Mitigation	G.1-6	Y	Y	Y	Y	Y



TABLE 27.10-1B Applicability for Rezonings and PAD Amendments

Table 27.10-1B			
Environmentally Sensitive Lands, Section 27.10 Applicability For Rezonings and PAD Amendments			
Section Title and Notes	Code Section 27.10	Rezoning or Certain PAD Amendments¹	General Plan Amendment
<u>ESLS</u>			
Application Incentive	B.3	N	N
Major Wildlife Linkage	D.2.a	Y	Y
Critical Resource Areas	D.2.b	Y	Y
Core Resource Areas	D.2.c	Y	Y
Resource Management Areas	D.2.d	Y	Y
Cultural Resources	D.2.e	Y	Y
Scenic Resources	D.2.f	Y	Y
Hillside Area Category	D.2.g	Y	Y
Hillside Development Zone	Addendum J	N	N
Open Space Requirements	E.1-4	Y	Y
Riparian Habitat Overlay Zone	Addendum J	N	N
ESOS Use and Development Standards	F.1	Y	Y
Development Balance and Incentives	F.2	Y	Y
ESOS Design Standards	F.3	Y	Y
Mitigation	G.1-6	Y	Y

d. Applicability is further established in each ESL section.

2. Exceptions

- a. This Section does not apply retroactively to any development, residential or commercial, with an approved development plan or final plat prior to the date of adoption of the ESL.

Applications for a conditional use permit, development plan or preliminary plat for properties with zoning established prior to (effective date of this ordinance) are exempt from the ESL Conservation Category open space requirements, Hillside Area Category, Tier II Scenic Resources Category, ESOS Use and Conservation Development, and Mitigation requirements. In this case, the Hillside and Riparian Habitat Overlay District regulations in effect at the time of ESL adoption (included in Addendum H, Original Code sections) must be utilized unless the property owner chooses to use ESL provisions, as provided herein.

- b. This Section 27.10 does not apply to PADs and PAD amendments approved by the Town Council prior to (the effective date of this ordinance). However specific provisions and regulations in place prior to ESL adoption including Oracle and Tangerine Scenic Corridors, Riparian Habitat Overlay District, and cultural resource requirements continue to apply to PAD's and PAD amendments approved prior to the adoption of the ESL conservation system.



3. ESL Application Incentive for Properties not Subject to All ESL Requirements

- a. The development regulations in any zoning district may be modified, as provided in Section 27.10.F, if the property owner develops in accordance with Table 27.10-1B and all applicable provisions of 27.10E and F. This includes non-rezoning and non-pad projects where compliance would not otherwise be required.
- b. Such modifications to development regulations may only be granted in conjunction with the applicability provisions in 27.10F.2.b and the process specified in 27.10F.2c.

C. Environmentally Sensitive Lands (ESL) Regulations and Maps

1. ESL Resource Identification

ESL regulations address properties where specific environmental conditions exist. The ESL Maps, which are available at the Oro Valley Planning Division, have two components: Resource Science Map and the ESL Planning Map.

2. Adopted ESL Maps

a. Resource Science Map

i. Elements

Resource Science Maps identify the location of conservation categories that include specific resources as defined herein. Resource types include wildlife corridors, riparian areas, distinct vegetation, and critical habitats.

Known, biologically-based, sensitive resources and associated conservation categories are consistent with Pima County's Sonoran Desert Conservation Plan. Each has been identified in Oro Valley through field review by resource professionals.

ii. Usage

The Resource Science Map is not a regulatory land use map. It is the basis for creating and maintaining the regulatory ESL Planning Map.

If an amendment to the ESL Planning Map is approved containing changes to the location of sensitive resources, the Resource Science Map shall be administratively updated by the Town as necessary.

b. ESL Planning Map

i. Elements

The Planning Map is constructed by merging the Resource Science Map with adopted General Plan land use and growth area designations. Six categories, each corresponding to specific conservation requirements in these regulations, are identified on the Planning Map including: Major Wildlife Linkage; Critical Resource Area; Core Resource Area; Resource Management Area-1; Resource Management Area-2; and Resource Management Area-3.



The Resource Management Area category, in response to adopted land use policy, specifies three levels of conservation based on planned growth patterns. The categories and associated tiers are further described in Section D.2.

ii. Usage

The ESL Planning Map is a regulatory land use map that shall be applied to relevant development applications and properties as outlined in Section B, Applicability.

c. Existing Overlay District Maps Adopted prior to the ESL Regulations

i. Elements

The Existing Overlay Maps include the Riparian Habitat Overlay District, Tangerine Road Corridor Overlay District, and the Oracle Road Scenic Corridor Overlay District.

ii. Usage

The Overlay Districts elements remain as regulatory land use map that shall be applied to relevant development applications and properties as outlined in Section B, Applicability.

3. Unmapped Resources

- a. The adopted ESL maps do not include the following environmentally sensitive resource categories: Scenic Resource Areas, Cultural Resources and Hillside Areas. Identification and conservation of these three resource types is addressed in Section D.
- b. Minor wildlife linkages, rock outcrop locations, and areas of distinct vegetation are anticipated to be identified as part of the development application review process. Discovery of these resource types requires their conservation in accordance with Section D, Table 27.10-2.

4. ESL Map Amendments

- a. If the location and quality of environmentally sensitive resources naturally change over time to the extent that resource threshold criteria are not achieved, or resources have been mapped incorrectly, a request for ESL Planning Map amendment may be filed in accordance with Section 22.3, Amendments and Rezonings.
- b. Mapping of resources shall be performed by a qualified specialist in habitat biology, as defined in Chapter 31. All evaluative work shall be completed in accordance with these regulations. The specialist shall certify in writing that the identification of resources was completed in accordance with these regulations.
- c. Any approved General Plan amendment that results in changes to the land use or growth area designations shall require a map amendment to the corresponding Resource Management Area Category(s) in Table 27.10-3. ESL map changes reflecting an adopted General Plan amendment shall be approved administratively.

D. Environmentally Sensitive Lands Conservation System

1. Conservation System

ESL represents an interconnected system of resource conservation. The components of the system include seven distinct categories for the purpose of conserving resources as open space. Key and essential biological resources are included in four ESL categories:



- a. Major Wildlife Linkage,
- b. Critical Resource,
- c. Core Resource, and
- d. Resource Management.

Environmentally sensitive resource categories that are non-biologically based include:

- e. Cultural Resources,
- f. Scenic Resources, and
- g. Hillside Areas.

2. Categories

Each category includes distinct definitions and requirements that shall be applied independently when multiple categories occur on a site.

3. Conservation Categories

ESL conservation system categories and related conservation requirements are listed below.

a. Major Wildlife Linkage (MWL) Category

i. General

Major Wildlife Linkages include identified large-mammal corridors or landscape linkages between public preserves and open spaces.

ii. Conservation

a) Major Wildlife Linkage areas shall be conserved as Environmentally Sensitive Open Space (ESOS) in accordance with Table 27.10-2. ESOS is defined in Chapter 31 and further described in Section E.1

b) The required percentage of ESOS shall be applied to areas identified on the ESL Planning Map.

iii. Resource Science and Identification

a) Major Wildlife Linkages provide essential connectivity that maintains the viability of the areas' habitat by providing for dispersal, migration, and genetic transfer for wildlife and plants.

b) In order to maximize wildlife movement within identified corridors, these corridors must be maintained as natural open space linkages with ground disturbance strictly limited to provisions in Section F.1.b.

c) MWL's include the Santa Catalina-Tortolita Mountains linkage, riparian areas, upland linkages and identified regional roadway crossings.



b. Critical Resource Area (CRA) Category

i. General

The Critical Resource Area Open Space Category includes the following environmentally sensitive resources as defined herein.

- a) Riparian Areas and Minor Wildlife Linkages
- b) Major Rock Outcrops and Boulders
- c) Distinctive Habitat Resource

ii. Conservation

- a) Critical Resource Areas shall be conserved as Environmentally Sensitive Open Space (ESOS) in accordance with Table 27.10-2. ESOS is defined in Chapter 31 and further described in Section E.1.
- b) The required percentage of ESOS shall be applied to areas identified on the ESL Planning Map and field verified boundaries of Major Rock Outcrops and Boulders. Major Rock Outcrops and Boulders are subject to discovery on a site by site basis.
- c) Degraded or disturbed Riparian segments within areas identified on the ESL Planning Map must be restored and enhanced to support their biological, hydrologic and geomorphologic functions. These areas will be credited as follows

(1) Restoration areas will be applied toward total ESOS requirements.

(2) A proportional area will be exempt from Native Plant Salvage and Mitigation requirements in Section 27.6B. This does not apply to any plant listed as Threatened or Endangered under the Endangered Species Act or Highly Safeguarded by the Arizona Department of Agriculture.

- d) ESOS shall be configured and maintained in accordance with Sections E and F.

iii. Resource Science and Identification

a) Riparian Areas and Minor Wildlife Linkages

(1) Riparian areas are an essential element of the Town's environmentally sensitive lands and constitute the framework for the linkages and landscape connections necessary to support a viable ecosystem and wildlife habitat.

(2) Riparian areas occur in association with a spring, cienega, lake, watercourse, river, stream, creek, wash, arroyo, or other body of water, either surface or sub-surface, or any channel having banks and beds through which water flows, at least periodically.

(3) Identification of riparian areas is based on species composition, general density/size, vegetation volume, wildlife habitat, nutrient cycling, erosion control, water quality, and flood moderation. Specifications are provided in Addendum G, Section 1.



(4) Minor Wildlife Linkages are composed of upland areas and degraded riparian areas. Degraded areas include hardened drainage ways and constricting drainage structures. These minor links are important in maintaining connectivity within the open space system identified in the ESL.

b) Major Rock Outcrops and Boulders

(1) Rock outcrops and boulders are comprised of exposed bedrock formations and boulder piles and scatters with a minimum size of 100 square feet as measured horizontally, and a minimum of 10 vertical feet.

(2) Rock outcrops and boulders provide wildlife habitat and afford thermal regulation for wildlife, particularly reptiles.

(3) Outcrops and boulders are also a significant scenic resource.

(4) Rock outcrop and boulder features shall be identified in the Site Resource Inventory (Section 27.6.B.3) and clearly delineated on site plans, development plans and subdivision plats.

c) Distinct Habitat Resources

Distinct Habitat Resources include the following habitat elements:

(1) Natural caves, crevices, or mine shafts with a minimum cavity area of 220 cubic feet (approximately 6' x 6' x 6'). Excavations or test pits are not included.

(2) Groundwater seeps, whether intermittent or perennial.

c. Core Resource Area (COR) Category

i. General

Core Resource Areas include the following environmentally sensitive resources as defined herein.

a) Pima County Conservation Lands System, Biological Core Management areas adopted by the Board of Supervisors, June, 2005.

b) Special Status Species Habitat supporting five or more priority vulnerable species.

c) Distinctive Native Plant Stands.

ii. Conservation

a) Core Resource Areas shall be conserved as Environmentally Sensitive Open Space (ESOS) in accordance with Table 27.10-2. ESOS is defined in Chapter 31 and further described in Section E.1.

b) The required percentage of ESOS shall be applied to areas identified on the ESL Planning Map and field verified locations of Distinctive Native Plant Stands.

c) ESOS shall be configured and maintained in accordance with Sections E.1 and F.

iii. Resource Science and Identification



- a) Core Resource Area Open Spaces support biological diversity by conserving recognized wildlife habitat. Core Resource areas include all areas designated Biological Core Management area by the Pima County Conservation Lands System and areas identified by field review and evaluation by resource professionals.
- b) Core Resource Areas may contain significant stands of vegetation that support biological diversity and are integral to the Town's distinctive character.
- c) Special Status Species Habitats, as defined in Addendum G, Section 2, that include five or more vulnerable species targeted for conservation.
- d) Distinctive Native Plant Stands

Distinctive Native Plant Stands are areas of native vegetation that exist in contrast to the majority of the surrounding vegetative community due to either microclimates or availability of water sources. Section 27.6.B.3.b.i. includes defining criteria.

d. Resource Management Area (RMA) Category

i. General

- a) Special Status Species Habitat supporting three or more priority vulnerable species.
- b) The RMA category is divided into three areas merging resource science with adopted future land use designations and intensities as specified in the General Plan. Table 27.10-3 indicates the three RMA areas and associated General Plan land use designations.
- c) Distinctive Individual Native Plants.
- d) Minor Rock Outcrops or Boulders

ii. Conservation

- a) The Resource Management Area category supports utilization of identified lands based on planned land use intensities consistent with the General Plan while requiring minimum levels of sensitive land conservation.
- b) The RMA category specifies minimum ESOS amounts for each area. Table 27.10-3 indicates ESOS requirements by land use designation. ESOS is defined in Chapter 31 and further described in Section E.1.
- c) The required percentage of ESOS shall be applied to areas identified on the ESL Planning Map and field verified boundaries of Minor Rock Outcrops and Boulders and Distinctive Individual Native Plants. Major Rock Outcrops and Boulders and Distinctive Individual Native Plants are subject to discovery on a site by site basis.
- d) ESOS shall be configured and maintained in accordance with the requirements of Sections E and F.

iii. Resource Science and Identification

The Resource Management Area Category merges environmentally sensitive resources and public policy:



- e) Special Status Species Habitats, as defined in Addendum G, Section 2, that include three or more vulnerable species targeted for conservation.
- a) The Resource Management Area (RMA) category couples refined mapping of Pima County Multiple Use Management Areas with the adopted land use policies of the General Plan.
- a) Criteria in Addendum G, Section 3 were used to refine mapping of Pima County Multiple Use Management areas.
- b) A Distinctive Native Plant refers to any native tree, shrub, or cacti with extraordinary characteristics such as, but not limited to age, size, shape, form, canopy cover, or aesthetic value. Further definition is provided in Section 27.6.b.ii.
- c) Minor Rock Outcrops and Boulders
 - (i.) Minor rock outcrops and boulders are comprised of exposed bedrock formations and boulder piles and scatters with a minimum size of 100 square feet as measured horizontally, and a minimum of 3 vertical feet.
 - (ii.) Rock outcrops and boulders provide wildlife habitat and afford thermal regulation for wildlife, particularly reptiles.
 - (iii.) Rock outcrop and boulder features shall be identified in the Site Resource Inventory and shall be clearly delineated on site plans, development plans and subdivision plats.

TABLE 27.10 - 2: ESL Categories: Minimum ESOS

Category	Minimum ESOS Percentage
Major Wildlife Linkage	100
Critical Resource Area	95
Core Resource Area	80
Resource Management Area-1	66
Resource Management Area-2	25
Resource Management Area-3	0



**TABLE 27.10 - 3:
Resource Management Area
Minimum ESOS by General Plan Designation**

RMA Areas	Area 1	Area 2	Area 3
Minimum ESOS	66%	25%	0%
General Plan Land Use Designation	Rural Low Density Residential 0-0.3	Neighborhood Commercial / Office	Growth Areas
	Low Density Residential 0.4-1.2	Community / Regional Commercial	
	Low Density Residential 1.3-2.0	Commercial / Office Park	
	Resort/Golf Course	High Density Residential	
	Open Space	Medium Density Residential	
	School, Park	Public/Semi Public	
		MPC Rooney	
		MPC Kai Capri	

e. Cultural Resources Category

Cultural Resources, as defined in Chapter 31, include a variety of historic sites and buildings, prehistoric sites, archaeological sites and supporting materials and records.

i. Purpose

The Cultural Resources category is intended to:

- a) Implement the Town’s General Plan goals and policies for conservation of cultural resources; and
- b) Protect cultural resources that are recognized to have enduring value in advancing education, general welfare, civic pride and appreciation of the Town’s heritage in order to perpetuate the unique character of Oro Valley; and
- c) Establish regulatory criteria for the identification, assessment and protection of significant cultural resources; and
- d) Prevent or reduce adverse impacts to significant cultural resource sites by employing treatments that range from in-place preservation to various degrees of mitigation; and
- e) Integrate cultural resources in the Environmentally Sensitive Lands system to provide for the conservation of significant cultural resources in concert with other sensitive resources.



ii. Mapping

To protect sensitive sites, archaeological resources shall not be included on maps for general public distribution. Environmentally Sensitive Lands System maps do not include the location of cultural resource sites.

iii. Applicability

This Section shall apply to all development which requires a rezoning, preliminary plat, development plan or amendment to these items. Associated off-site development and ancillary construction (utility trenches, water and sewage treatment facilities, roads, etc.) will be treated in the same manner.

iv. Conservation Strategies

a) Cultural Resources may occur individually or in combination with other environmentally sensitive resources. Conservation of significant cultural resources shall be applied through one of the following three strategies:

(1) Preserved In Place: significant resources shall be preserved in-place in order to protect the cultural or historic value of the resource as specified in the approved Treatment Plan; or

(2) Combination: significant resources shall be partially preserved in-place and partially mitigated as provided in the approved Treatment Plan; or

(3) Treatment: significant resources shall be reused or mitigated as prescribed by the approved Treatment Plan, allowing reuse of the site.

b) A conservation strategy shall be assigned by:

(1) Determination of significance.

(2) Agency review comments.

(3) Evaluation in relation to other environmentally sensitive resources.

(4) Development and acceptance of a Treatment Plan.

v. Review Procedures

a) A cultural resource professional shall perform a records search of all cultural resource records of the State Historic Preservation Office, the Arizona State Museum, AZSITE archaeological resource database and the Town of Oro Valley Cultural Resources inventory to determine whether any surveys have been completed for the property.

b) A cultural resources survey and inventory report that meets the Town of Oro Valley submittal requirements shall be prepared by the Planning and Zoning Administrator appointed cultural resource professional if:



- (1) Records indicate no cultural resource surveys of the subject property have been completed; or
 - (2) Surveys of the property are more than ten years old and sites were recorded in the survey; or
 - (3) The existing survey and report lack sufficient information to determine significance in accordance with Section 27.10.D.2.e.v.e.; or
 - (4) The Arizona State Museum recommends an updated survey.
- c) If the survey indicates there are no cultural resources present at the site or the resources are determined not significant in accordance with Section 27.10.D.2.e.v.e, the review process is complete.
- d) If a new or updated survey is required, the Planning and Zoning Administrator shall assign an appropriate cultural resource professional to complete the survey and Treatment Plan, as necessary.
- (1) If resources are present, the survey shall include a recommendation, based on the criteria contained in this Section, regarding National Register and local cultural resource significance and integrity.
 - (2) If significant resources are present, the Planning and Zoning Administrator shall assign a cultural resource professional with appropriate specialization to develop a Treatment Plan for the specific resource.
- e) Determination of Significance and Integrity
- (1) The list of known significant cultural resources maintained by the Town of Oro Valley shall be consulted. Identified resources are subject to requirements in Section 27.10.D.2.f.
 - (2) For unevaluated resources or when significance is undetermined, the determination of significance shall be based upon the evaluation of National Register and local community criteria.
 - (i.) National Register criteria shall be applied to determine eligibility for listing in the National and State registers of historic places in accordance with the National Historic Preservation Act of 1966, as amended, and the Arizona State Historic Preservation Act of 1982, as amended.
 - (ii.) Local community criteria are used to identify sites which are important to a local group or the Oro Valley community, or a place of ancestral occupation or activity of recognized value.

Cultural resources are locally significant if the resource is preserved in a condition of scientific integrity and the property or resources contribute to:

 - (a.) The unique identity of the community; or
 - (b.) The enhancement of community economic, educational or recreational needs; or



(c.) The understanding of the unique religious, mythological, or social character of a discrete population within or outside the community.

(3) Determination of significance

- (i.) A determination of significance may only be made by a cultural resource professional.
- (ii.) The Planning and Zoning Administrator shall review the determination to ensure all appropriate resources surveyed and criteria have been addressed.
- (iii.) If the determination is deemed inadequate, the Planning and Zoning Administrator shall consult the State Historic Preservation Office and may also consult another cultural resource professional for a new determination of significance.
- (iv.) The process to determine resource significance must be completed within forty five (45) days of a complete development review application submittal.
- (v.) Once a determination is accepted by the Planning and Zoning Administrator, the cultural resource professional shall submit a Treatment Plan prepared in accordance with Section 27.10.D.2.f.

f) Treatment Plan

(1) The Treatment Plan shall meet all submittal requirements and the following requirements:

- (i.) Address specific findings and provide details of and justification for the conservation strategy that is proposed, as defined in Section E.4.
- (ii.) Define a plan to protect preserved-in-place resources during construction and/or promote data recovery through a documentation plan for those resources which will be mitigated or removed.
- (iii.) Employ tools which will result in the permanent protection of significant resources including, but not limited to, conservation tract, dedication to stewardship organization or public displays.
- (iv.) Develop a specific Treatment Plan implementation schedule in concert with the Planning and Zoning Administrator and the applicant to insure resource conservation and necessary flexibility.
- (v.) Identify an organization that will assume long-term stewardship responsibility for significant cultural resources by managing preserved-in-place resources or documenting and conducting further study of resources that are mitigated or removed.
- (vi.) Recommend the appropriate methods to ensure public education and access, if appropriate, to the cultural resources.
- (vii.) Provide a benefit to the immediate community, broader stakeholders, or academic community that is commensurate with the significance of the cultural resource.



(2) Phased Developments:

- (i.) The Treatment Plan shall incorporate the entire development. The implementation of the approved Treatment Plan may occur incrementally for each phase that contains cultural resources.
- (ii.) In the event that the impact to a cultural resource site spans more than one development phase, implementation shall address all phases of work at the site.

g) Treatment Plan Review and Decisions

- (1) The Planning and Zoning Administrator may approve the Treatment Plan upon consideration of the following:
 - (i.) Recommendations of the Cultural Resource Professional and State Historic Preservation Office.
 - (ii.) Provisions for specific cultural resources within local and regional plans accepted by the Town which include, but are not limited to, the Oro Valley Cultural Resources Preservation Plan and Sonoran Desert Conservation Plan.
 - (iii.) Nature, condition and extent of other Environmentally Sensitive Lands to optimize conservation of all resources.
- (2) Prior to Town Council review of a development application specified in Section 27.10.D.2.e.iii, or permitting of development, earthwork, construction, remodeling, change or alteration of any proposed or existing project, the property owner or his/her designated agent shall secure approval of the Treatment Plan.
- (3) The Town of Oro Valley process to approve a Treatment Plan must be complete within 30 days of formal State Historic Preservation comment.

vi. General Requirements

a) Cultural Resource Professional

- (1) All cultural resources research, surveys and treatment plans shall be conducted by a cultural resource professional.
- (2) Secretary of Interior standards for professional qualification must be satisfied.
- (3) The cultural resource professional utilized must be selected from a pre-qualification list maintained by the Planning and Zoning Administrator.

b) Disturbance

- (1) No physical disturbance of an unevaluated site shall be permitted, including artifact collection or excavation.
- (2) No disturbance of significant cultural resource sites shall be permitted unless specifically indicated in the approved Treatment Plan.



(3) Cultural resources that are to be preserved in place shall be protected during development activities by the manner specified in the Treatment Plan.

c) Discoveries

(1) If any unrecorded cultural resources are encountered during the grading/excavation process, all work shall cease in the immediate vicinity of the resources and a qualified archaeologist shall be consulted to assess the significance of the resources and prepare recommendations in accordance with the review process specified in Section E.5.

(2) If a Treatment Plan is required, it shall be submitted and reviewed in accordance with Section 27.10.D.2.f.

(3) Treatment Plan Review and Decisions.

(4) Construction may proceed in other areas of the site during the review process in a manner that ensures protection of a cultural resource discovery.

(5) Disclosure of information regarding the location and nature of the cultural resources shall be restricted, except as required for avoidance and protection of the resource.

(6) A determination of significance and/or completion of a Treatment Plan shall be accomplished within 20 days of discovery notice to the Planning and Zoning Administrator.

d) Treatment of Human Remains

(1) If human remains are known to exist on the site or are discovered in the course of construction, an agreement for the treatment of the human remains shall be developed with the Arizona State Museum (ASM) and appropriate cultural groups pursuant to ARS Section 41-844 and ARS Section 41-865.

(2) The agreement shall be established prior to any archaeological investigation.

(3) The property owner shall comply with state and federal laws regarding the treatment of human remains, even if a Treatment Plan has been approved.

e) Prior to issuance of any Town permits, consultation with the State Historic Preservation Office (SHPO) shall be completed if the development:

(1) Occurs on federal or state land; or

(2) Receives funding from a federal, state, or county agency; or

(3) Arises from circumstances dictated by federal or state regulation; and

(4) Is subject to review as specified herein.

f) Excavations on Public Property

- (1) No individual shall be allowed to use a probe, metal detector or any other device to search or excavate for artifacts on public property, nor can any individual remove artifacts from public property without the written permission of the Town.
 - (2) No disturbance or construction activities shall be authorized within the properties belonging to the Town, including public streets and rights-of-way, without a Town permit and compliance with the requirements of this Section.
- g) Conservation credit for significant cultural resources under the Environmentally Sensitive Lands System.
- (1) Land designated as a protected cultural resources site in accordance with an approved treatment plan shall qualify as required ESOS on a 1:1 basis (each square foot of cultural resource site shall equal one (1) square foot of required ESOS) as determined by the Planning and Zoning Administrator.
 - (2) The area to be preserved in perpetuity shall be accurately indicated in the Treatment Plan prior to its approval.
 - (3) Only areas within the cultural resource site, as identified in the Treatment Plan, are eligible for the ESOS credit.
- vii. Appeals and Reviews

- a) Within 20 days of a decision, the applicant may appeal a determination of significance to the Historic Preservation Commission when local community review criteria are the sole source of analysis. An appeal of a determination based on national register criteria is strictly subject to state and/or federal review.
- b) The applicant may appeal the Planning and Zoning Administrator's approval or denial of a Treatment Plan to the Historic Preservation Commission within 20 days of a decision.
- c) A hearing on an appeal shall be scheduled within 30 calendar days of the request. The Historic Preservation Commission shall hold a hearing and may approve, disapprove, approve with stipulations or remand the case for additional analysis.
- d) Notice of the hearing shall be posted on the property at least 10 calendar days prior to the hearing.
- e) The Historic Preservation Commission may review any Treatment Plan approval by the Planning and Zoning Administrator. In order to overturn the Planning and Zoning Administrator's approval, the Historic Preservation Commission is required to find an abuse of discretion on the part of the Planning and Zoning Administrator. The Historic Preservation Commission may subsequently uphold, modify or overrule the Planning and Zoning Administrator's determination.

Notice of Historic Preservation Commission review shall be initiated within 15 days after the Planning and Zoning Administrator's approval in writing to the Planning and Zoning Administrator. Failure of the Historic Preservation Commission to make a timely review results in the decision of the Planning and Zoning Administrator deemed to be final, with an appeal to the Town Council available to the applicant.



In the event the HPC timely initiates their appeal, the applicant will be notified within an additional 15 days of the time and place for the hearing. Review by the HPC shall be completed within 30 days of initiation by the Historic Preservation Commission or the decision of the Planning and Zoning Administrator is deemed to be final, with an appeal to the Town Council available to the applicant

- f) The applicant may appeal the Historic Preservation Commission decision on a determination of significance or a Treatment Plan to the Town Council within 20 days of the Historic Preservation Commission decision.
- g) The Town Council shall have the right and prerogative to initiate its own review of any decision of the Historic Preservation Commission and shall uphold, modify or overrule said decision. Notice of Town Council-initiated review shall be given to the applicant within 15 days after action upon the application in question or the decision of the Historic Preservation Commission shall be deemed to be final and binding upon the Town.

f. Scenic Resources Category

i. Purpose

The Scenic Resources Category implements the Town's General Plan by providing protection for scenic corridors, public park viewsheds, and the distinctive visual character of Oro Valley. These regulations and guidelines serve to conserve views to scenic features including the ridgelines, hillsides, peaks and foothills of the Santa Catalina, Tortolita, and more distant mountain ranges that contribute to the Town's valued scenic character.

ii. Scenic Resource Conservation Areas Established

Three tiers of scenic resources within the Town are identified and designated for conservation. Each tier includes requirements intended to conserve the scenic qualities of the Town as observed from arterial roadways and Town-owned parks. Scenic Resource Conservation Areas function to direct development design to conserve scenic views across private property.

a) Tier 1 Scenic Corridors: Oracle and Tangerine Roads

The Oracle Road Scenic Corridor Overlay District and the Tangerine Corridor Overlay District regulations, included in Section 27.10-D.2.f.v.a.1, are substantively the same as the versions originally adopted in 1995 and 1997. The procedural requirements for implementing these ordinances are included in this Section and Section 27.10.B.

b) Tier 2 Scenic Corridors: La Cholla Boulevard and First Avenue Scenic Corridors

These General Plan designated roadways are established as Tier 2 Scenic Corridors with further distinction by land use type.

- (1) For single family residential use types, the conservation area shall include lands within 330 feet of the designated roadway right-of-way.
- (2) For multi-family and non-residential use types, the conservation area shall include lands within 800 feet of the designated roadway right of way.



FIGURE 27.10 - 1: Residential Scenic Resource Conservation Area and Landscape Conservation Tract

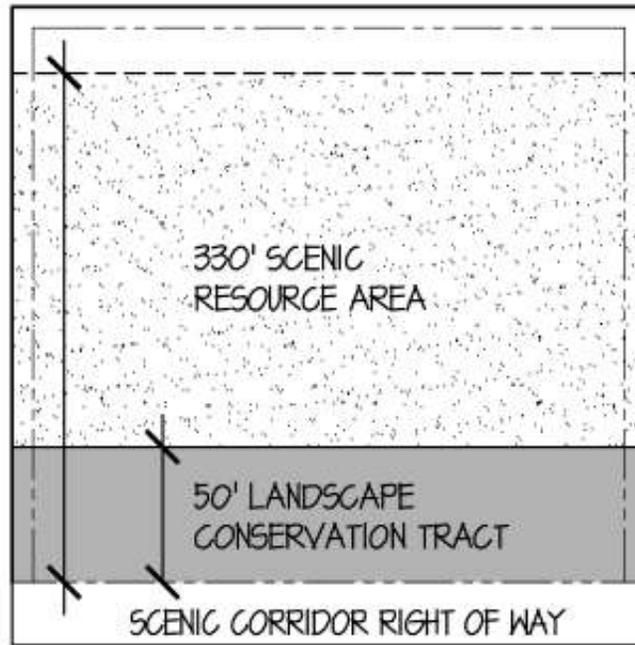
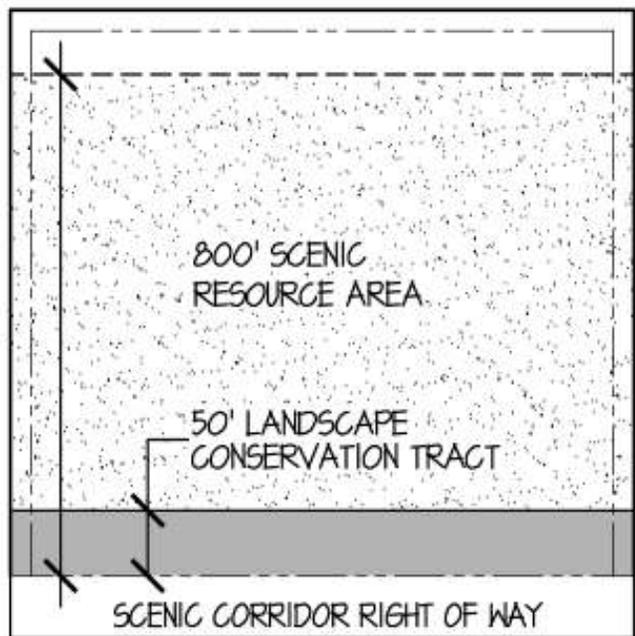


FIGURE 27.10 - 2: Non-Residential Scenic Resource Conservation Area and Landscape Conservation Tract



c) Tier 3 Community Scenic Resources

(1) The following General Plan designated features are established as Tier 3 Scenic Resources:

(i.) The rights-of-way of La Canada Drive, Moore Road, Rancho Vistoso Boulevard, Naranja Drive, Palisades Road, Lambert Lane, Linda Vista Road, Calle Concordia and Hardy Road.

(ii.) Public parks owned by the Town of Oro Valley.

(2) Tier 3 Community Scenic Resources include Scenic Resource Conservation Areas distinguished by land use type.

(i.) For single family residential use types, the conservation area shall include lands within 330 feet of the designated roadway right-of-way or public park.

(ii.) For multi-family and non-residential use types, the conservation area shall include lands within 800 feet of the designated roadway right of way or public park.

iii. Applicability

Applicability of Scenic Resource requirements is included for each specific Tier of scenic resources.

iv. Viewshed and Vegetation Analysis

a) Viewshed Evaluation

Evaluation of scenic qualities is required for all development proposals within Tier 1, Tier 2, and Tier 3 Scenic Corridors, unless expressly waived by the Planning and Zoning Administrator. Regulations may be waived if the character of the site and terrain renders such analysis as not beneficial to the Town.

Identification of views, particularly the immediate foreground of the subject property and significant background mountain views of the Catalinas, Tortolitas and Tucson Mountains shall be undertaken for any applicable proposal, including rezonings or subdivision plats, on each development site with suggested methods for alleviating adverse visual impacts of any structure visible from applicable areas.

(1) Viewshed Analysis

(i.) A viewshed analysis of vistas across the site, including any view corridors to the mountains, shall be prepared. A set of not fewer than 12 different photographs, taken from the roadway frontage corners of the property and at intervals of not more than 50 feet between and properly labeled, shall be submitted, as defined herein, to document existing visual resources on and across the proposed development site.

(ii.) For public parks, photographs are to be taken from the approximate center of the park and from a point representing the average topographic elevation.



The angle required is one looking from this point and across the proposed development site. The photo(s) shall be prepared to document existing viewshed conditions. The Planning and Zoning Administrator can require additional photographs in order to adequately document existing conditions.

(2) View Preservation Plan (VPP)

- (i.) A VPP is required for non-residential developments with a proposed FAR (Floor Area Ratio) of .2 or greater and for any developments with building heights proposed to exceed 18 feet from natural grade, existing or proposed road profile grade at the right-of-way or 18 feet above the elevation of the closest park boundary.
- (ii.) A narrative and viewshed analysis photographs with proposed structures superimposed on the existing landscape or accurate computer graphic renderings that depict impacts to scenic views across the site as viewed from scenic roadway corridors or public parks are required. These exhibits shall demonstrate methods for assuring that driveways, parking areas and structures are constructed in a manner compatible with the natural terrain and scenic qualities of the site.

Written and illustrative materials shall be provided by the Applicant in response to the regulations and guidelines pertaining to the intended type and intensity of development. Mapping may be based on aerial photographs or base maps, with overlays if desired, prepared at an appropriate scale to illustrate the vegetation and other resources on the site, as well as proposed plans and solutions.

(a.) At a minimum, written materials shall include:

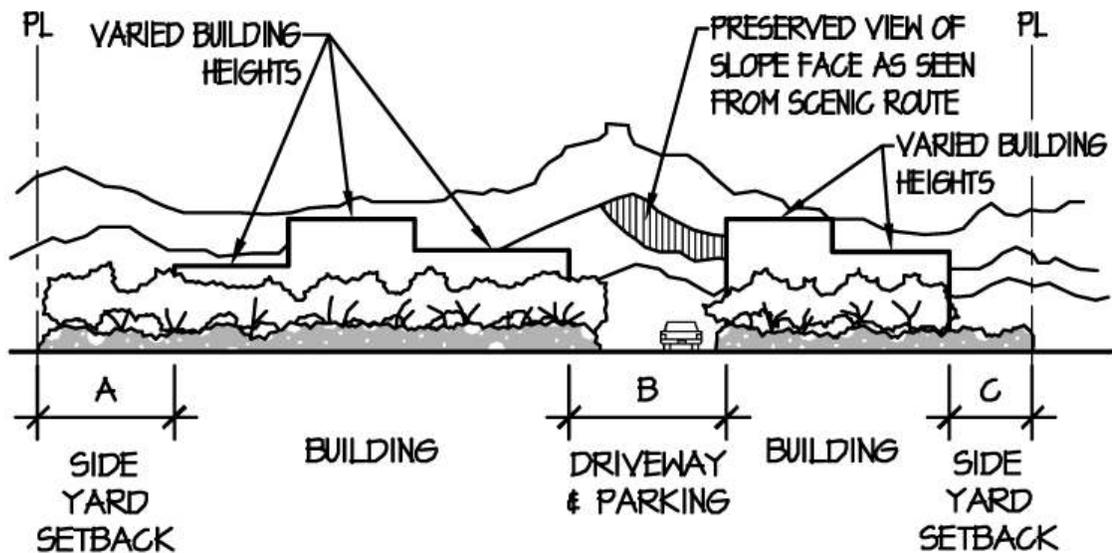
- i. Proposed use(s) and accessory use(s).
- ii. Building height and bulk.
- iii. Principal building materials and colors.
- iv. Intended architectural theme.

(b.) At a minimum, one (1) or more graphic exhibits, not less than 11" x 17" in size, shall depict locations of:

- i. Proposed structures, drives and parking areas.
- ii. Topography at 2 foot intervals.
- iii. Frontage tract and other areas where vegetation or other resources are to be preserved.
- iv. Only lands that are visible from identified scenic resource areas, scenic corridors and public parks, can be included in the protected viewshed.



FIGURE 27.10 – 3: VPP Graphic Exhibit Example



PROJECT BUILDING HAVE BEEN SITED TO PROVIDE THREE VIEW CORRIDORS A, B, & C. VIEWS OF AREAS BEYOND PROJECT HAVE BEEN PRESERVED.

b) Vegetation Identification

- (1) Identification of Corridor Character Vegetation (CCV) is required for all development applications within Tier 1 and Tier 2 Scenic Corridors unless expressly waived by the Planning and Zoning Administrator.
- (2) Corridor Character Vegetation (CCV) includes all saguaros or groupings of existing plants that provide visual screening, and tree species as specified below with a trunk diameter greater than 6 inches, measured at a point 2 feet above the ground, or a cluster of 3 or more trees located within 10 feet of each other with trunk diameters of more than 2 inches.
- (3) Tree species included as CCV are: Blue Palo Verde (*Cercidium floridum*), Littleleaf Palo Verde (*Cercidium microphyllum*), Velvet Mesquite (*Prosopis juliflora*), Ironwood (*Olneya tesota*), Desert Willow (*Chilopsis linearis*), Catclaw Acacia (*Acacia greggii*), Sweet Acacia (*Acacia minuta*), Netleaf Hackberry (*Celtis reticulata*), and Velvet Ash (*Franxinus velutina*).
- (4) Areas of distinct vegetation as defined in Native Plant Preservation, Salvage and Mitigation, Section 27.6.B, that exist within the established Scenic Resource Conservation Area are included as CCV.

- (5) Areas of distinct vegetation and CCV shall be inventoried in accordance with the requirements established in Section 27.6.B, Native Plant Preservation, Salvage and Mitigation

v. Vegetation and Landscape Treatment

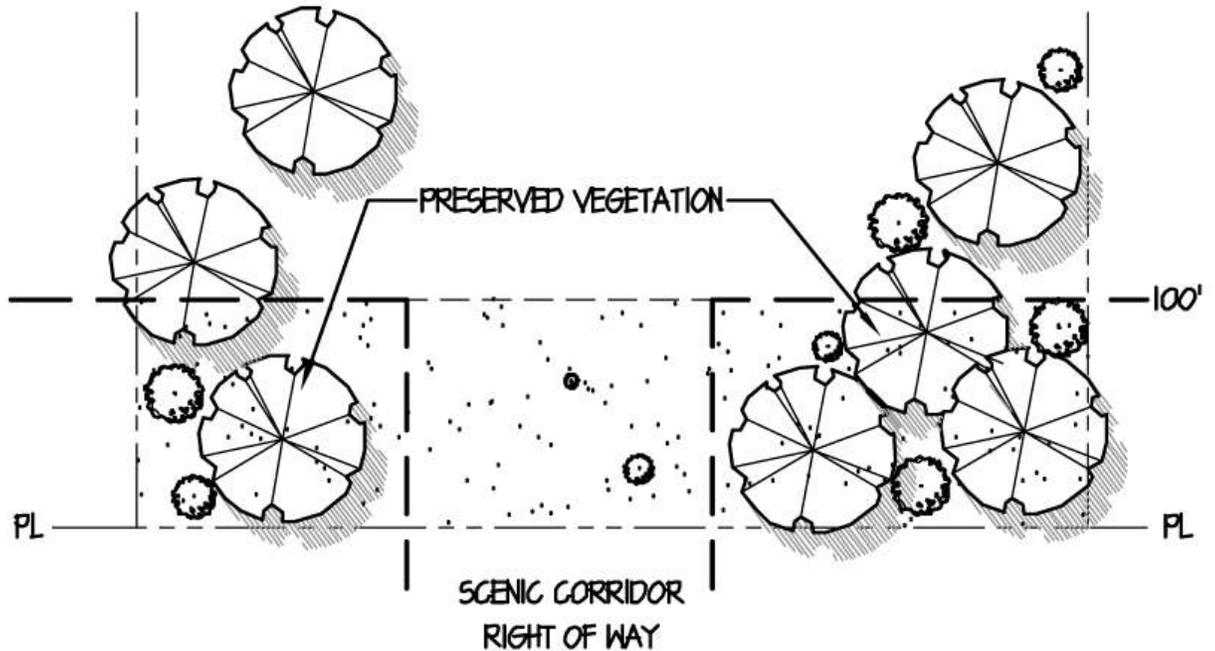
a) Tier 1 and Tier 2 Scenic Corridor Landscape Standards

All properties and land use categories within Tier 1 and Tier 2 Scenic Corridors are subject to the following regulations for purposes of vegetation preservation and landscape development. Exceptions or additional requirements are noted within individual Scenic Corridor tiers. These regulations and guidelines apply in addition to general Oro Valley landscape conservation requirements.

(1) Vegetation Preservation Site Planning

- (i.) Areas of the site where all corridor character vegetation (CCV) including understory, are preserved are not subject to additional landscape requirements of the Oro Valley Landscape Conservation Code, Section 27.6, however, a landscape plan prepared in accordance Section 27.6 is required. Where understory is to be cleared or existing trees are to be trimmed, the appropriate requirements of Section 27.6, as determined by the Planning and Zoning Administrator, shall be complied with.
- (ii.) In cases where an area within the Tier 1 or 2 Scenic Corridor has previously been substantially disturbed or has little CCV to preserve, the landscape treatment requirements of Sections 27.6.C shall apply.
- (iii.) Except for clearing necessary to provide utilities and access to the site, no CCV shall be removed within a distance of 100 feet from the dedicated right-of-way line of Oracle Road (Figure 27.10-4), or 50 feet from the dedicated right-of-way line of Tangerine Road or any Tier 2 Scenic Corridors, without prior Development Review Board approval. No development, other than additional landscaping, is permitted within this CCV preservation zone (See Section 27-10.D.2.f.vi.a for additional landscaping requirements specific to land use type).
- (iv.) Where no CCV exists, no 100 foot or 50 foot CCV preservation zone, as described above, is required. The preservation zone is required only along those frontage areas where CCV exists, as defined in Section 27.10.D.2.f.iv.b).
- (v.) Washes with runoff volumes greater than 500 cubic feet per second during the 100 year storm, and their associated riparian habitat, shall be preserved in their natural state with exceptions for access and utility crossings. Any wash deemed unique, based on quality of vegetation or habitat, regardless of flow rate, may be required to be maintained as natural by the Town Council.

FIGURE 27.10 – 4: Preserved Vegetation



(a.) Landscape/Screening Treatment

The following landscape requirements apply to all common areas, private and public open space, landscape buffers, medians and rights-of-way within Tier 1 and Tier 2 Scenic Corridors except, when further than 100 feet from the Oracle Road right-of-way or 50 feet from Tangerine Road or any Tier 2 Scenic Corridor right-of-way and, in fully screened enclosed areas such as courtyards, residential backyards and active open spaces, swimming pools and patios associated with resort and residential uses. All other Oro Valley landscape requirements and guidelines apply.

- i. Tree species planted in landscaped areas within Tier 1 and 2 Scenic Corridors are restricted to the following; Blue and Foothills Palo Verde (*Cercidium floridum* and *C. microphyllum*), Mesquite (*Prosopis. spp.*), and Ironwood (*Olneya tesota*). All introduced shrubs, accents, and ground covers shall comply with the Oro Valley Approved Plant List (See Addendum C).
- ii. Parking lots shall be landscaped with the specified trees.
- iii. Decomposed granite (or other inorganic ground covers) may not exceed 25 percent of the total landscaped area (except roadway medians). Use of rock or stone as ground cover shall be limited to areas requiring slope stabilization or drainage channels. Only rock materials indigenous to the Scenic Corridor area are acceptable.

- iv. All remaining disturbed areas shall be stabilized or seeded with shrubs, wildflowers, forbes or grasses from the Oro Valley Approved Plant List as approved by the Planning and Zoning Administrator (See Addendum D).
- v. Native plant materials shall be allowed to maintain their natural form and character after establishment and during normal maintenance operations. Limited trimming is allowed for visibility and plant health purposes.
- vi. All right-of-way areas where significant vegetation does not exist, shall be landscaped as established herein and in Section 27.6, with approval from the Planning and Zoning Administrator, Town Engineer, and ADOT, if within jurisdictional limits. The following additional requirements apply:
 - a. A continuous landscape treatment from the edge of the Scenic Corridor pavement to the right-of-way/private property line. Plant types (tree, shrubs, cactus etc.) and quantity will be dictated by road safety standards.
 - b. Hydroseed in compliance with the quantity and type specified in Addendum D shall be utilized.

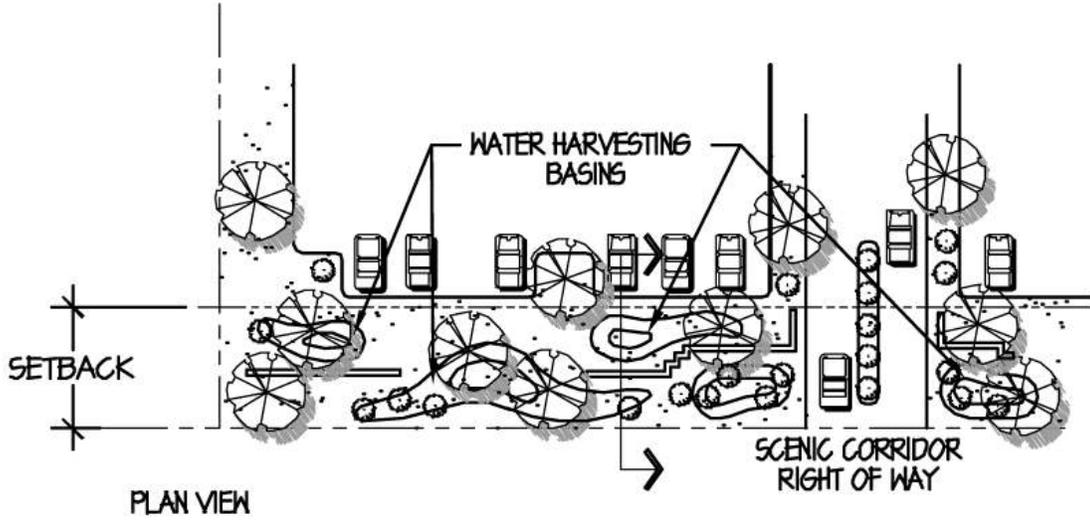
(b.) Walls and Berms

The following wall and berm requirements apply to all properties adjacent to Tier 1 or Tier 2 Scenic Corridors.

- i. Where existing vegetation is minimal or has been disturbed, earthen berms, or portions of earthen berms, may be placed in landscape conservation tracts for purposes of traffic noise attenuation or residential screening. Berms shall be designed in a manner to promote water harvesting and have a natural shape and appearance, complementary to the existing topography (Figure 27.10-5) and shall comply with the requirements of Section 27.6.D.4, Rainwater Harvesting requirements.
- ii. Walls shall not exceed in length 33 percent of the Scenic Corridor frontage of each parcel.
- iii. Fences shall be prohibited, with the exception of wrought iron fence treatments used in association with masonry walls.



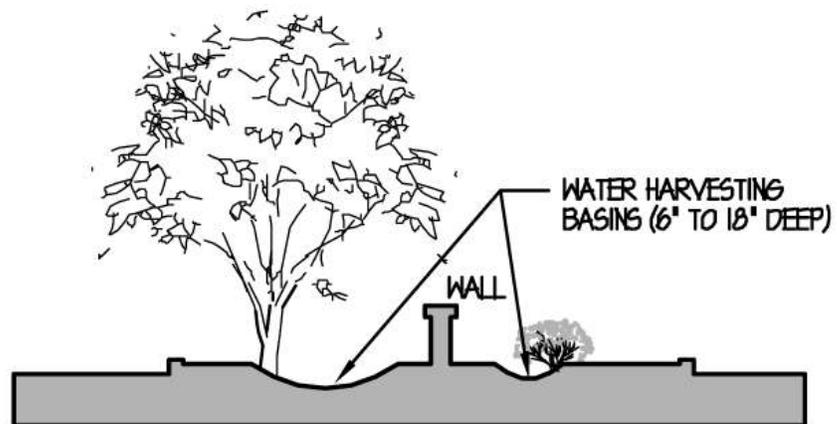
FIGURE 27.10 – 5: Plan View and Elevations



- COMMERCIAL AND RETAIL USES
- RESIDENTIAL USES CAN USE A 5' MAX WALL HEIGHT
- WALL NOT TO EXCEED 33% OF TOTAL FRONTAGE



ELEVATION - SCREENING WALL WITH WATER HARVESTING BASINS



SECTION - WATER HARVESTING BASINS AND SCREENING WALL AT GRADE

vi. Site Development

- a) Tier 1 Scenic Corridors: Oracle Road Scenic Corridor Overlay District (ORSCOD) and Tangerine Road Corridor Overlay District (TRCOD)

The sensitive natural character and scenic vistas from Tier 1 Scenic Corridors require additional development design requirements to assure scenic resource conservation and implementation of the adopted General Plan. This section includes requirements for property development along Oracle and Tangerine Roads.

(1) Oracle Road Scenic Corridor District

Regulations and development guidelines adopted herein are intended to supplement the otherwise applicable zoning requirements and procedures pursuant to specific plan and overlay district enabling legislation. .

(i.) Oracle Road Scenic Corridor District Established

(a.) Overlay District

The Oracle Road Scenic Corridor District, including the area designated and adopted by the Town Council as the Oracle Road Scenic Corridor Specific Plan, is hereby designated as an overlay zoning district consistent with the Oracle Road Scenic Corridor Specific Plan adopted by the Town Council. Development within the Oracle Road Scenic Corridor District shall be regulated by the provisions of this Section and the requirements of the Oro Valley Zoning Code Revised, including underlying district(s) and PADS, except that in the event of a conflict, the more restrictive shall prevail.

i. Applicability

The provisions of the Oracle Road Scenic Corridor Overlay District apply to development in the area shown on the Existing Overlay District Maps for the Oracle Road Scenic Corridor.

ii. Exceptions

1. Rooney Ranch Planned Area Development - The Rooney Ranch Planned Area Development contains an approved layout plan for commercial development within the Oracle Road Corridor. Area G, located on the west side of Oracle Road and south of Pusch View Lane is exempt from the provisions of this overlay zone.

Development Area B of the Rooney Ranch PAD is exempt from the following provisions: Section f.v.a).(1)(front setbacks) and Section 24.5.G.3.c.i, Building Bulk. Development area D is exempt from all provisions of this overlay zone except, Section 24.5.F.2 Right-of-Way Landscaping.

2. La Reserve Planned Area Development - All portions of the La Reserve PAD that fall within the Oracle Road Corridor Overlay District are subject to the provisions of the district, with the



exception of the Foothills Business Park. Based on the recorded plat for the Foothills Business Park, Lots 2-8, 16, and 17 shall be exempt from the requirements of Section 24.5.G.4.d.i (open space) and Section 24.5.G.4.e.i and ii (view corridors). Lots 9-12 of the Foothills Business Park shall be exempt from the provisions of Section 24.5.G.4.b (setbacks) and Section 24.5.G.4.d.i (open space). All other provisions of this district shall apply. Lots 1, 13, 14, and 15 of the Foothills Business Park have been fully developed, and are exempt from the provisions of the overlay district.

3. Steam Pump Village Planned Area Development - The Steam Pump Village PAD is exempt.
4. If any PAD is substantially changed from the Town approved plan, as determined by the Planning and Zoning Administrator, all provisions of this overlay district shall apply. A substantial change from the approved land use plan includes a change in 1) the number and general massing of buildings or groups of buildings, 2) density, 3) setbacks, 4) open space or 5) circulation configuration. Such a deviation will cause the loss of exemption. All cases evaluated for significant change shall be made known to the Planning and Zoning Commission through the Planning and Zoning Administrator's Report.

(b.) Special Recommendations

The Planning and Zoning Administrator may recommend such development requirements as the Administrator deems necessary to assure compliance with Oracle Road Scenic Corridor Specific Plan Goals and Objectives and for the protection of neighboring residences for all plats and development plans that may be submitted in the development period.

(ii.) Approvals Required

No structure or building shall be built or remodeled on land in the Oracle Road Scenic Corridor District until approval has been granted as set forth in this Section and as required in other applicable Sections of this Zoning Code.

(iii.) Oracle Road Scenic Corridor District Use

Distinctions in development regulations are applied to 4 general types of land use (Residential, Resort, Commercial, Employment/Institutional) for their effective integration into the unique Scenic Corridor setting.

(a.) Residential Development Regulations

The Oracle Road Scenic Corridor Specific Plan and the Oro Valley General Plan characterize the plan area's predominant land use character as being resort-residential in nature. Accordingly, additional assurances and criteria are set forth to protect scenic quality and to protect and enhance residential character within the Corridor. Zoning district requirements shall pertain except as herein provided for



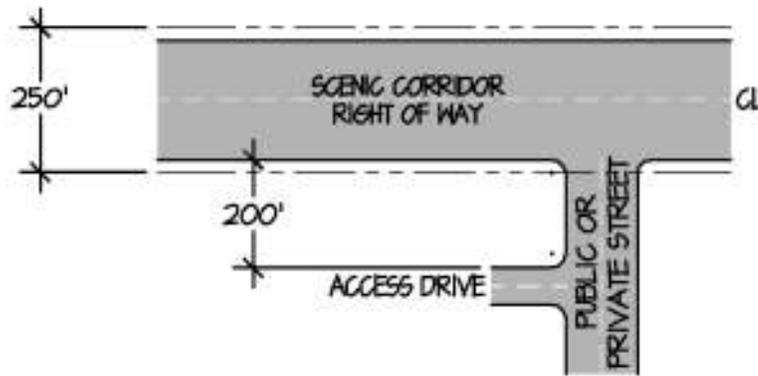
properties, or portions thereof, classified according to the Oro Valley Zoning Code Revised, Sections 23.6 and 23.7, Single-Family and Multi-Family Residential District Regulations, and located within the Oracle Road District.

- i. Access to Oracle Road. Direct access to Oracle Road is permitted only for pre-existing, residentially zoned lots of record as of the effective date of the Oracle Road Scenic Corridor Overlay District. Thereafter, subdivisions or residential clusters containing a minimum of forty residential lots or dwelling units shall have access points spaced a minimum of 660 feet on center, except as hereinafter required or modified by Specific Plan variance.

Indirect access to Oracle Road, by way of a dedicated public street or by private street observing the aforementioned spacing requirement, is required as feasible, to any residence or residential development from a point not less than 200 feet from the Oracle Road right-of-way.

- ii. Required Setbacks. Setback requirements of the applicable zoning district are to be provided and, except for residentially-zoned lots existing prior to the adoption of this ordinance, a peripheral landscaped setback, exclusive of access driveways, is to be designated as common area to a depth of not less than 30 feet from the front and rear property lines.

FIGURE 27.10 – 6: Residential Indirect Access Design



- iii. Density. Within perimeter setbacks and view corridor restrictions, the setbacks, heights, coverage, density, and open space requirements of the underlying residential district apply to individual lots or dwelling clusters.
- iv. Height. Structures within 100 feet of the Oracle Road right-of-way may not exceed 18 feet in height.
- v. Landscaping Treatments. Landscaping is to be installed and maintained for perimeter setbacks and all common open space

areas according to an approved phasing schedule. Further requirements are applied:

(b.) Resort Development Regulations

The Oracle Road Scenic Corridor Specific Plan and the Town of Oro Valley General Plan designate the Corridor as being resort-residential in character. Accordingly, resort development is encouraged for its potential contribution to the recommended use characteristics and scenic qualities of the Corridor.

- i. Access to Oracle Road. Resort development requires a minimum frontage of 660 feet on Oracle Road, with a single roadway access (unless frontage exceeds 2000 feet or as may be required for emergency access). The entry drive or street is to be a minimum of 200 feet in length from the Oracle Road right-of-way to any intersecting interior drive.
- ii. Required Setbacks. A setback of not less than 150 feet from the Oracle Road right-of-way is to be provided, the front 100 feet of which shall be landscaped or natural open space. Where adjacent to existing residential development, buffers of 300 feet are required as side or rear setbacks, which may be used for parking if properly screened.
- iii. Density/Bulk. Subject to Planning and Zoning Commission approval, resort/residential developments proposed in the Oracle Road Scenic Corridor Overlay District shall consist of contiguous land areas totaling 7.5 acres or more.
 1. A qualifying resort is to contain a minimum total of 30 guest rooms, casitas, and/or dwelling units of which the majority are to be located within the principal structure.
 2. Subject to Town Council approval, additional guest rooms or dwelling units may be constructed in excess of those determined from gross land area as specified in Section 23.7.B.4.c.
- iv. Landscaping Treatments. Not less than 25 percent of the gross site area is to be devoted to common landscaped or natural open space recreation areas accessible to resort guests and homeowners.
- v. View Corridors. Buildings over 18 feet in height or other structures, including walls, signs or mechanical equipment over 4 feet in height, may not be placed within 100 feet of the Oracle Road right-of-way, with the following exceptions:
 1. Resort signage; principal resort structure 200 feet or more from the right-of-way.
 2. Retaining walls for screened parking areas.



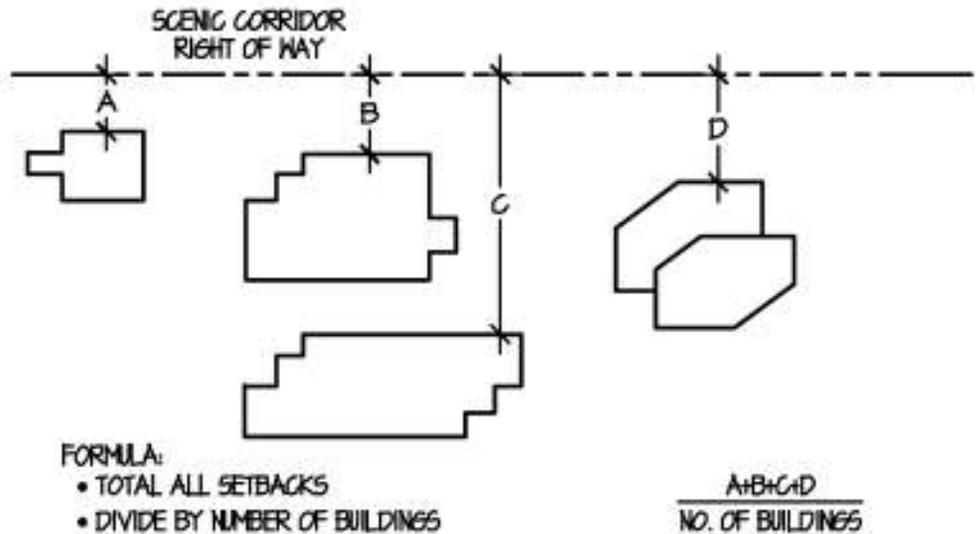
- vi. Performance Requirements. All other development requirements of the R4-R district, as well as the requirements of this Section, shall apply.

(c.) Commercial Development Regulations

The Oracle Road Scenic Corridor Specific Plan requires additional assurances with regard to the design and placement of commercial structures or uses so as to protect the scenic qualities that accrue to the value of all properties within the Corridor. Zoning district requirements apply except as herein provided for properties, or portions thereof, classified according to the Town Zoning Code, Section 23.8, Commercial District Regulations as C-1, C-N, C-2 or P-1 Districts, located within the Oracle Road District.

- i. Access to Oracle Road. Direct access to Oracle Road is to be spaced a minimum of 330 feet on center, except as hereinafter required or modified by Specific Plan variance.
- ii. Required Setbacks. Setback requirements of the applicable zoning district classification are applied, except as provided below:
 - 1. Front setback for multiple structure development: Average 120 feet.

FIGURE 27.10 – 7: Setbacks



- 2. Front setbacks for single structure development: Minimum 60 feet and must comply with a 4:1 setback to building height ratio.
- 3. Side setback distances of the applicable zoning district, are to be provided.

4. Office developments on parcels of 2 acres or less and not exceeding 5,000 square feet of gross leasable area shall be permitted to observe the adjacent residential setback plus 10 feet for buildings up to 2,000 square feet; and for buildings of 2,000 - 5,000 square feet in area, 1.5 times the residential setback. Half of the additional requirement (in excess of the residential district setback) shall be waived where all parking is provided with security concerns addressed or internalized parking; half shall be waived for single-story structures of 15 feet in height or less.

Examples:

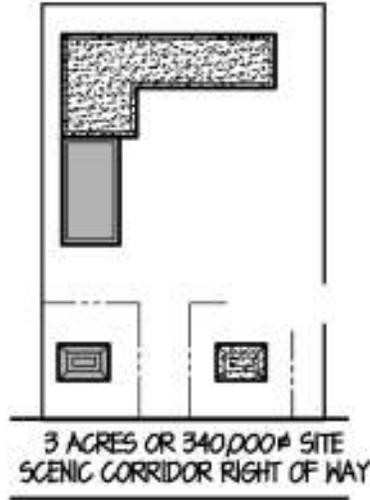
Building up to 2,000 square feet, adjacent to R1-36; 40 foot rear setback + 10 feet = 50 feet, may be reduced in increments of 5 feet to 40 feet.

Building 2,000 - 5,000 square feet adjacent to R1-43; 20 foot side setback x 1.5 = 30 feet, may be reduced in increments of 5 feet to 20 feet.

- iii. Freestanding Building Pads. Within development envelopes established by setbacks and view corridor restrictions, the following free-standing pads may be built:

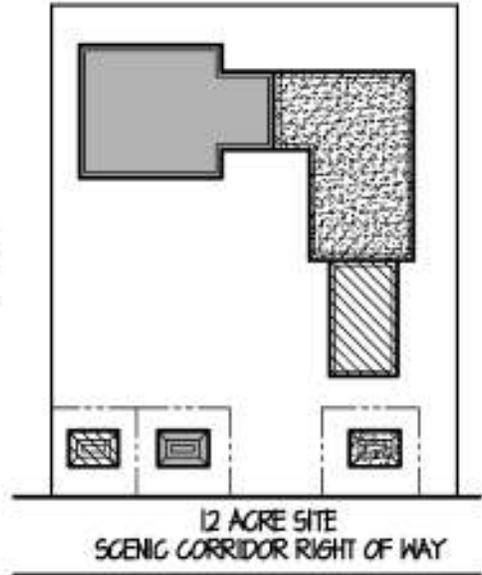
1. Establishment of freestanding building pads fronting on or directly accessible from Oracle Road is permitted only on sites of 5 acres or greater, with a minimum of 50,000 square feet of GFA (gross floor area) in the principal structure required for the first such pad. Additional pads, requiring further increments of principal building GFA, may be permitted only by express Planning and Zoning Commission approval, subject to the following requirements:
 - a. Properties not exceeding 10 acres in area shall provide an additional 25,000 square feet of GFA or portion thereof for each additional pad requested; or
 - b. Properties of greater than 10 acres in area shall provide an additional 50,000 square feet of GFA or portion thereof for each additional pad requested.
 - c. All Convenience uses shall comply with Section 25.1.M.

FIGURE 27.10 – 8: Freestanding PAD illustrations



	50K + PAD	53K = .016 FAR.
	75K + 2 PADS	81K = .24 FAR.

	50K + PAD	53K = .010 FAR.
	100K + 2 PADS	106K = .20 FAR.
	115K + 3 PADS	124K = .24 FAR.



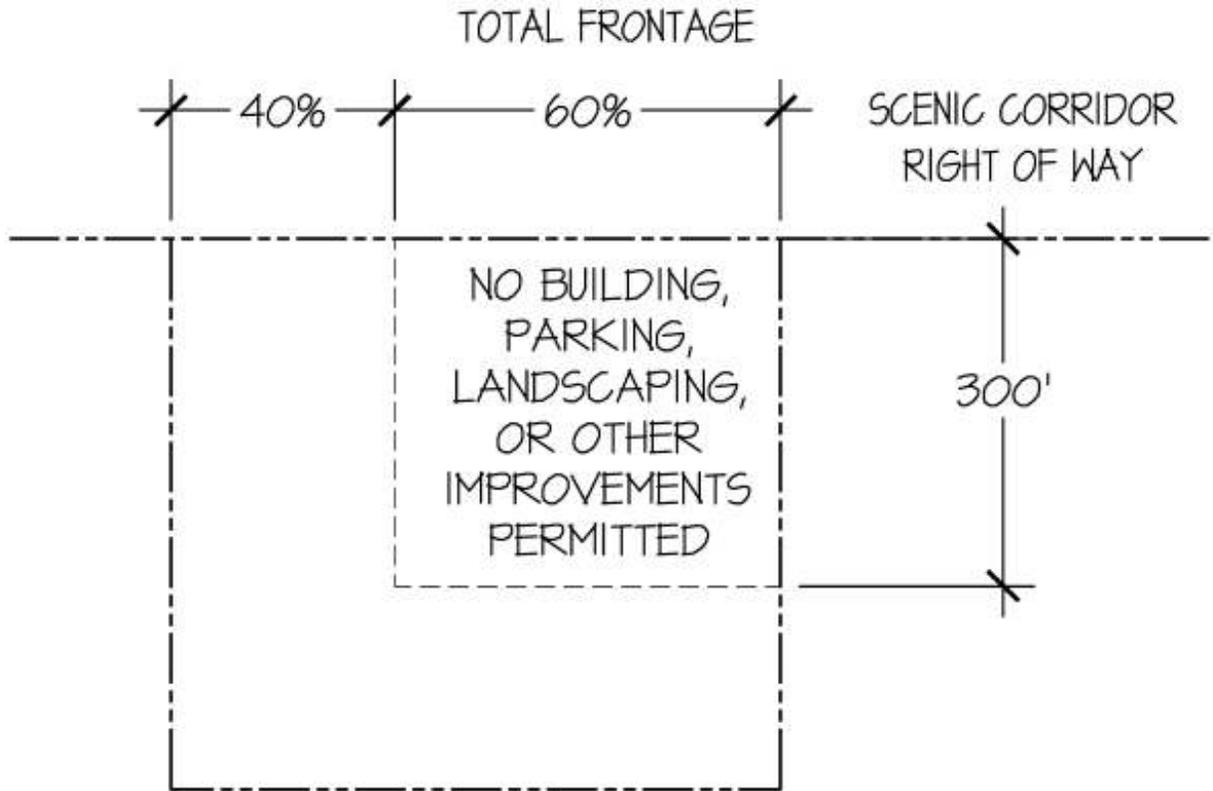
2. Allowable building area is .25 FAR for sites with an area of 2 acres or larger; reduced by 50 percent (.125 FAR) for sites or existing freestanding pads of lesser area. FAR may be increased to a total not exceeding .3 FAR, by the following site plan features:
 - a. An additional .01 FAR shall be permitted for each 10 percent (or fraction thereof) over 80 percent of total building volume in the rear half of the site; a .03 FAR increment shall be permitted for placing the total building bulk in the rear half of the site.

- b. Principal buildings which are oriented perpendicular to Oracle Road, observing a ratio of 1:3 or greater of proportionate facade parallel to Oracle Road, shall be permitted an additional .01 FAR.
 - c. Double-fronted principal structures, with landscaped, architecturally designed entrances on two opposing sides, shall be permitted an additional .01 FAR.
 - iv. Landscaping Treatments. Approved landscaping is to be installed and maintained prior to the issuance of a certificate of occupancy, subject to the following:
 - 1. Freestanding building pads require approved landscape plans consistent with areas maintained as natural open space.
 - 2. All areas other than those covered by buildings or paving for required parking and maneuvering are to be landscaped or maintained in their undisturbed natural desert condition
 - v. View Corridors. The applicant shall be responsible for indentifying view corridors that meet the requirements of Section f.v.a).(1).(c) v.2, below. Flexibility from the view corridor requirements defined below shall be determined by express approval of the Planning and Zoning Commission.
 - 1. The following requirements are applied to the east and west sides of Oracle Road as follows:
 - a. West Side

No building heights over 18 feet or structures, including walls, signs, or mechanical equipment over 4 feet in height, within a minimum of 60 percent of the frontage to a depth of 300 feet is maintained as a view corridor.
 - b. East Side
 - i. A minimum of 60 percent of the frontage to a depth of 300 feet is maintained as a view corridor (Figure 27.10-9) and is not used for building purposes. Total building exposures or frontages will be measured to calculate the view corridor open area percentage.
 - ii. Properties with an average depth of 400 feet or less, or containing less than 2 acres in size, building heights in excess of 25 feet (as permitted by underlying zoning) shall be limited to 40 percent of the frontage. The remaining buildable area heights shall be limited to 25 feet.



FIGURE 27.10 – 9: View Corridor Illustration



3. Landscaping, walls, or other improvements installed by the developer within or adjacent to view corridors require express Development Review Board approval.
4. No signage, wall, or other structure may be placed so as to obstruct defined view corridors, except as provided for above.
5. No structure or appurtenance may project above ridgelines; all development must blend with the background slope as established in the applicable Scenic Resource Area Design Guidelines.

(d.) Employment/Institutional Regulations

Campus developments on larger sites are especially desirable for preserving view corridors, adding variety to the Specific Plan area and creating activity balance with in-community destination sites. Special attention is required to maintain the Corridor's structural scale and efficient traffic management. Zoning district requirements apply, except as hereinafter provided, for properties classified under the Town Zoning Code, Section 23.8.D., Private Schools (PS), and 23.8.E., Technological Park (T-P) Districts and located within the Oracle Road Scenic Corridor District.

- i. Access to Oracle Road. Campus uses require a minimum frontage of 660 feet on Oracle Road or other arterial streets, with roadway access located so as to be at least 300 feet from an established entry point to an adjacent property or street:
 - 1. Multiple entries may be required if traffic projections for the proposed use so warrant.
 - 2. Signalization, at appropriate spacing, is permitted only if warranted according to Arizona Department of Transportation criteria.
- ii. Required Setbacks. A setback of not less than 150 feet from the Oracle Road right-of-way is to be provided, the front 100 feet of which shall be landscaped or natural open space.

Natural open space or landscaped buffers (which may include natural washes) of not less than 100 feet in width are required as side or rear setbacks to any adjacent residential district.
- iii. Density/Bulk. Development intensity for institutional or employment campus uses is limited to a maximum of .3 FAR and may be further limited by the Town Council.
- iv. Landscaping Treatments. Not less than 25 percent of the gross site area is to be devoted to common landscaped or natural open space recreation area.
- v. View Corridors. The applicant shall be responsible for indentifying view corridors that meet the requirements of Section f.v.a).(1).(d).v.2,below.
 - 1. Along the west side of Oracle Road, buildings over 18 feet or other structures, including walls, signs or mechanical equipment over 4 feet in height may not be placed within 150 feet of any identified view corridor without express Development Review Board approval.
 - 2. Along the east side of Oracle Road, a minimum of 60 percent of the frontage to a depth of 300 feet along the east side of Oracle Road is maintained as a view corridor and is not used for building purposes. Building exposures will be measured to calculate the view corridor percentage. For properties along the east side of Oracle Road, with an average depth of 400 feet or less, or containing less than 2 acres in size, building heights in excess of 25 feet (as permitted by underlying zoning) shall be limited to 40 percent of the frontage. The remaining buildable area heights shall be limited to 25 feet.

(e.) Commercial Retail Intensity

An increase to the intensity of commercial retail use of a specific parcel shall require a conditional use permit in accordance with Section 22.4.



(2) Tangerine Corridor Overlay District

(i.) Tangerine Corridor District Regulations

The provisions herein are adopted as supplements to the applicable zoning requirements of the underlying zoning district classifications. Regulatory provisions, including standards and measurements, are mandatory.

(ii.) Tangerine Corridor District

The Tangerine Corridor District is an Overlay District to provide implementation directions for the Tangerine Road Corridor Specific Plan, which has been duly adopted as a refinement of the Town of Oro Valley General Plan. The purpose of these regulations and guidelines is to preserve the value of lands possessing the unique Upper Sonoran Desert character found within the Tangerine Road Corridor, as well as to protect the health, safety, and welfare of the public by encouraging reasonable use and enjoyment of private property. It is the further premise of this Ordinance that attention to the Corridor's environmental quality is necessary to maintain a natural coexistence with the desert that enhances the value of all lands with it.

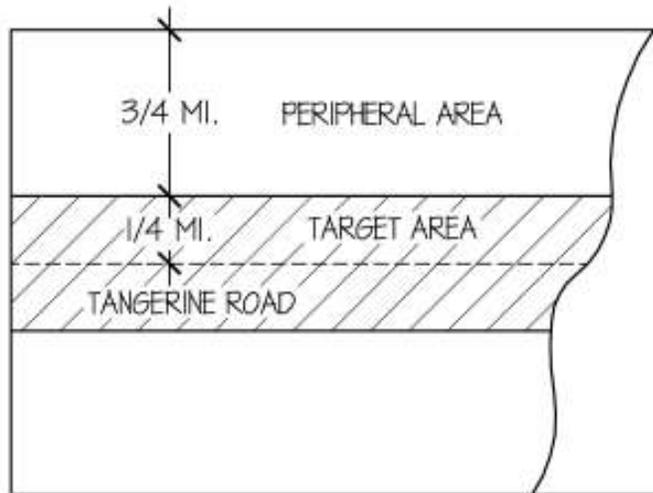
(a.) Overlay District

The District shall include lands located between Naranja Road and Moore Road, or their alignments, within the corporate limits of the Town of Oro Valley (the "Corridor"); and shall be applied to all properties lying within the Corridor at the time of this Ordinance adoption; and to such lands within the Corridor which may, from time to time, be annexed into the Town.

- i. Applicability. Overlay District regulations, as stated herein, apply to all property within one quarter (1/4) mile of the Tangerine Road centerline (the "Target Area", as defined in the Tangerine Road Corridor Specific Plan.) Overlay District guidelines pertain to all uses in the Corridor. Construction, addition to or remodeling of individual residences within the Target Area shall require only observance of frontage tract and setback requirements and of non-access provisions.



FIGURE 27.10 – 10: Target Area Illustration



- ii. Exceptions. Development plans, preliminary plats, or final plats approved prior to the adoption of this Ordinance and still in effect, and individual residences on single lots are exempt from the requirements of this Section.
 1. The adopted Rancho Vistoso PAD, having addressed, met or exceeded certain requirements of this Overlay District, is exempt from the following requirements of this Ordinance: Section 24.1.D.1.a; and Sections 24.1.E.1.b, 24.1.E.1.e, 24.1.E.2.c, and 24.1.E.3.c, except that the allowances of 2.c shall be applicable.
 2. The adopted Rancho Vistoso PAD design guidelines shall prevail, where they conflict with the guidelines in Section 24.1.F. However, large expanses of glass or other materials of high reflectivity should not be used. In addition, residential developments, which may be impacted by noise from Tangerine Road, should include the noise mitigation provisions of Section 24.1.F.

(b.) Conformance to General Plan

The Overlay District is intended as a refinement to the Oro Valley General Plan, in the form of a regulatory specific plan with additional design guidelines. All development hereunder is required to be consistent with the General Plan. It is, however, expressly intended that residential densities or intensities of development may be averaged or clustered, with Town approval on any property where such siting has the effect of further separating development from Tangerine Road or from sensitive natural or cultural resources.

Any conflicts arising as a result of amendments to the General Plan, Tangerine Road Corridor specific plan, or the text provisions of

applicable, underlying zoning districts shall be resolved in favor of the General Plan, unless interpreted otherwise in this Section.

(c.) Conformance to Specific Plan

Evaluations of development plans by the Development Review Board should result in findings and/or recommendations that are consistent with the Tangerine Road Corridor Specific Plan.

(iii.) Application Requirements

Any application for land improvement within the Tangerine Road Corridor Overlay District target area, or where specifically required elsewhere in the Corridor, shall be submitted for development review; and, in the case of non-residential site plans, Planned Area Development, subdivision plats or other development plans, shall be submitted in a form and in such numbers as required by the official responsible for accepting the application.

Special Consideration

The application shall be accompanied by a statement with justification, describing any requested waiver, such as exemption from visual analysis or increased building height; or adjustment to otherwise applicable criteria, such as masterplanned developments flexibility.

(iv.) Tangerine/Arterial Frontage Tracts

As a means to assure safety through unimpeded traffic visibility with minimal distraction, separation of travel modes, adequate stormwater drainage and other recommended traffic engineering improvements, tract reservations in the nature of non-buildable, non-access easements are required adjacent to all property lines abutting Tangerine Road or other arterial roadway rights-of-way in the Corridor Target Area. The intent is to severely restrict direct access onto Tangerine Road or intersecting arterial (within a specified distance from Tangerine); encouraging, instead, well-separated side arterial access and internal loop circulation. These tracts serve the further purposes of providing additional buffering from transportation facilities, preserving vegetation essential to the Corridor's character and enhancing the value of private property.

All developments shall be responsible for reserving and maintaining tracts, as specified herein, adjacent to the property lines abutting Tangerine Road and arterial roadway frontage within a distance of 660 feet from the Tangerine Road right-of-way, unless otherwise specified.

(a.) Non-Development or Conservation Easements

The widths of tracts to be provided are as follows:

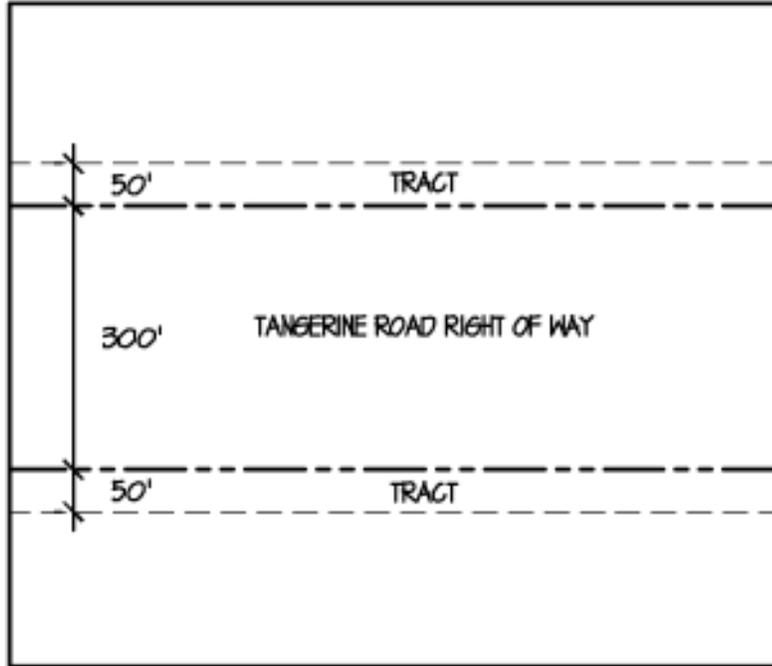
i. Tangerine Road

A tract of not less than 25 feet in width for Commercial Developments located at arterial intersections and 50 feet in width for all other developments shall be designated on all properties abutting Tangerine



Road, measured from the right-of-way. Crossing of the tract with roads, public or private, and driveways (except for emergency vehicle access where required) is prohibited without the approval of ADOT and the Town, and in no case shall such direct access crossing be less than 330 feet from an arterial intersection or less than 1000 feet from another vehicular tract crossing.

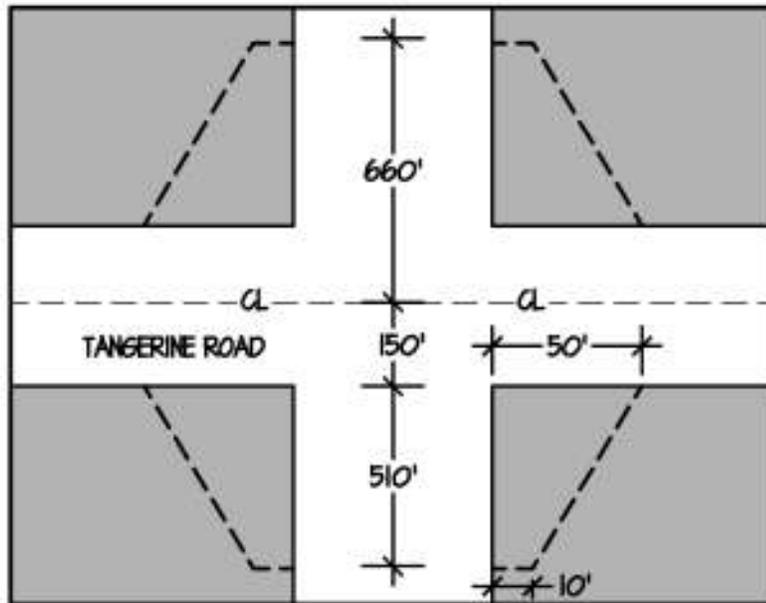
FIGURE 27.10 – 11: 50' Tract along Tangerine Road R-O-W



ii. Arterial Roads

A tract not less than fifty feet in width beginning at the point of intersection with the corresponding Tangerine Road tract and tapering to a width of not less than 10 feet at a point 660 feet from the Tangerine Road centerline shall be designated on all properties abutting arterials in the Target Area, measured from the arterial right-of-way. Under special circumstances, such as restricted parcel dimensions, improved structural massing or uneven topography, ADOT and the Town may approve reduction of the tract to not less than 330 feet in length and 25 feet in width at the Tangerine tract. Crossings of arterial tracts are prohibited.

FIGURE 27.10 – 12: Tangerine Road Crossings



iii. Signage Permitted

Signs are permitted within the tract in accordance with Chapter 28, Signs.

iv. Pathway Linkages

Locations for trails or paths may be approved for placement within the reserved area.

(b.) Berms

Where existing vegetation is minimal or has been disturbed, earthen berms, or portions of earthen berms, may be placed in frontage tracts for purposes of traffic noise attenuation or screening requirements.

Berms must be designed in a manner to insure compliance with water harvesting requirements in Section 27.6.

(c.) Drainage Facilities

Natural materials, such as river rock and vegetative groundcover, shall be required for lining drainage structures placed on reserved tract areas unless other materials are approved by the Planning and Zoning Administrator and the Town Engineer. All such drainage structures shall be designed and installed to accommodate ultimate roadway design plans.

(d.) Utility Easements

Provisions for utilities may be included in separate easements within the frontage tract upon approval of the Town. Utility providers shall be required to keep disturbance of natural vegetation to a minimum during the installation or maintenance of their facilities and to restore vegetation in a manner consistent with requirements for adjacent property owners. Future above-ground power lines carrying 46kV or less are subject to conditional use permit (CUP) approval and the criteria specified in Section 23.3. A CUP may be conditioned to require undergrounding of power lines with a specified time frame or concurrent with specific projects. Development plans for properties abutting arterial intersections shall provide conduit for future intersection lighting requirements.

(v.) Tangerine Road Corridor Overlay District Use Provisions

General types of land use as anticipated for the Corridor in the Oro Valley General Plan (Residential, Commercial, Employment/Institutional) are provided additional distinctions for their applicability in conjunction with underlying zoning district use regulations. Resort or other nonresidential uses not covered by these provisions may be considered in accord with Commercial regulations. The Overlay District, in requiring the reservation of frontage tracts, Section 24.1.D, carries further expectation that existing vegetation shall be preserved or otherwise be revegetated with specimens from the disturbed areas on the subject site to maintain native plant material along all Tangerine Road property lines. Pathway linkages are to be provided within each development and connecting with pathways, trails or bike lanes paralleling or otherwise linking to Tangerine Road.

(a.) Residential Development Regulations

Construction in any residential zoning classification shall comply with the following provisions in addition to the applicable regulations of the underlying zoning district:

i. Roadway Access

Direct access to Tangerine Road or to an intersecting arterial roadway within 600 feet of the Tangerine right-of-way is prohibited for any future development without the express approvals of the Town and ADOT (see Sections 24.1.D.1.a, and 24.1.D.1.b). The intent is to eliminate curb cuts from Tangerine Road's parkway improvements, affording access only from streets intersecting with Tangerine or approved circulation roadways and/or frontage roads provided with acceleration/deceleration lanes accessing the major roadway.

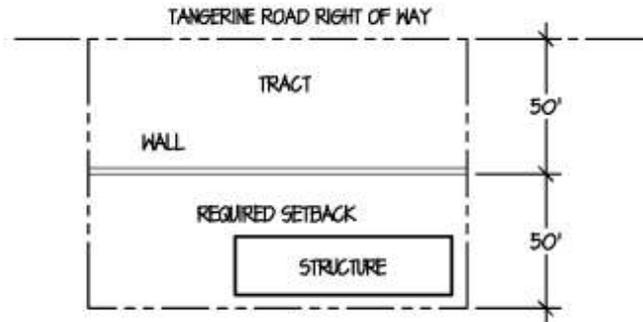
ii. Required Setbacks

Setback requirements of the applicable, underlying zoning district shall be provided in addition to the reserved easement tract.

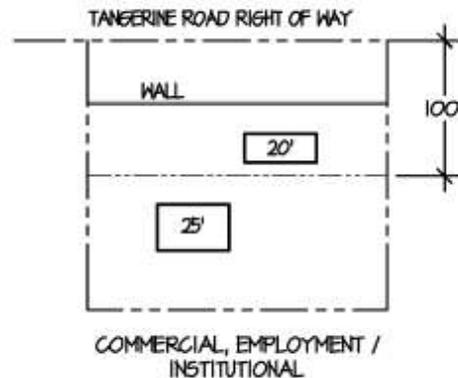


Undulating setback distances may be approved in planned developments to provide variety and visual interest.

FIGURE 27.10 – 13: Tangerine Road Easements and Structure Heights



- RESIDENTIAL STRUCTURE HEIGHT NOT TO EXCEED THE LESSER OF 18' OR THE APPLICABLE ZONING DISTRICT HEIGHT.
- COMMERCIAL, EMPLOYMENT / INSTITUTIONAL STRUCTURE HEIGHT NOT TO EXCEED THE LESSER OF 20' OR THE APPLICABLE ZONING DISTRICT HEIGHT.



iii. Density

Coverage, density, and open space requirements of the underlying zoning district shall apply to individual lots or dwelling clusters.

1. Lots including frontage tracts are entitled to include the tract area in meeting these requirements.
2. Planned residential developments may compute perimeter tracts for open space and dwelling unit density yield.
3. Minimum lot areas of the applicable residential zoning district may be reduced by as much as 20 percent for lots clustered in the interior of the development to take advantage of frontage tract area reservations. Further reductions may be permitted with provision of Environmentally Sensitive Open Space (ESOS) as provided in Section 27.10F.2.



4. No lot of reduced area, however, may be sited adjacent to a residence existing at the time of platting.

- iv. Perimeter Screening Walls and Berms

Screening is required for traffic noise attenuation and residential privacy. Residential developments abutting Tangerine Road shall provide a solid, masonry wall 5 feet or greater in height, which structure may be constructed to a height of 8 feet with engineering approval. Walls shall not be constructed within non-development or conservation easements. Earthen berms may be substituted for, or alternated with, walls to a height not less than 5 feet from natural grade. Berms must be designed in a manner to insure compliance with water harvesting requirements in Section 27.6.D.

- v. Building Height

Structures within 100 feet, and visible from the Tangerine Road right-of-way, shall not exceed 18 feet in height; except, where the natural grade of the structure's site is below that of Tangerine Road's proposed profile grade, the structure may be built to the lesser of 18 feet above the proposed roadway grade or the maximum height of the applicable zoning district.

- (b.) Commercial Development Regulations

The sensitive natural character of the Tangerine Road Corridor, coupled with the community's desire for economic development on specified, masterplanned and strategically located sites, requires additional assurances with regard to the design and placement of commercial uses. Construction in any commercial zoning classification shall comply with the following provisions in addition to the applicable regulations of the underlying zoning district:

- i. Roadway Access

Access provisions of Section 24.1.E.1.a and 24.1.E.1.b shall apply. Internal loop circulation roadways, with access/egress points observing the desired spacing and providing additional turning lanes, shall be provided.

- ii. Required Setbacks

Setback requirements of the applicable underlying zoning classification are applied, except that the front setback from Tangerine Road, including the reserved tract, shall be not less than a 4:1 setback to building height ratio.

- iii. Building Height

Structures within 100 feet, and visible from the Tangerine Road right-of-way, shall not exceed 20 feet in height.



1. Except, however, where the natural grade of the structure's site is below that of Tangerine Road's proposed profile grade, the structure may be built to the lesser of 20 feet above the proposed roadway grade or the maximum allowable height of the applicable zoning district.
2. Architectural features, such as decorative bell or clock towers, campaniles, carillons and spires of a size proportional to the building they embellish shall be exempted from the 4:1 setback ratio and this height restriction to the maximum allowable height of the applicable zoning district upon compliance with View Preservation Plan requirements of Section 27.10.D.f.iv.

iv. Building Bulk

The following structural volumes may be built within the development envelopes established by required setbacks: .3 FAR for sites with an area of 2 acres or larger; reduced by 50 percent (.15 FAR) for parcels or freestanding pads of lesser area.

v. Land Use Distinctions

Uses permitted in the underlying zoning districts, as determined by the Planning and Zoning Administrator, shall be permitted except that the following may be sited only within masterplanned commercial developments (such as the Rancho Vistoso PAD or Forest City sites, as indicated on the Future Development Plan, or future commercial PADs) on parcels 200 feet or more from the development's nearest entry point:

1. Building or Home Improvement Supplies
2. Plant Nurseries
3. Indoor Theaters

vi. View Preservation

All properties required to submit a visual analysis will develop in accord with the View Preservation Plan as provided in that analysis.

vii. Site Planning

Additional development plan review criteria applicable to Tangerine Corridor commercial properties include:

1. Interior calculation shall include maneuvering aisles, access for deliveries and trash pick-up and pedestrian connections. Sites of 20 acres or greater shall have entry road designs that prohibit cross traffic within 200 feet of the entry point.
2. The proposed location of all trash receptacles, heating, ventilating, and air conditioning equipment, loading and parking areas shall be screened from public view.



(c.) Employment and Institutional Regulations

Sites for campus-type developments are established within the Tangerine Corridor's natural context to create unique, unobtrusive opportunities for employment and institutional activity centers. Construction shall comply with the following provisions in addition to the applicable regulations of the underlying zoning district.

i. Roadway Access

Access provisions of Section D.2.f.v.a).(2).v.a and D.2.f.v.a).(2).v.b apply; however, multiple access points from Tangerine Road may be appropriate for institutional developments exceeding 20 acres in area, which experience high peak hour traffic demand. Construction of a public roadway perpendicular to Tangerine, separated by not less than one quarter ($\frac{1}{4}$) mile from any arterial intersecting Tangerine, may be approved for the purpose of providing multiple entries to the campus. Secondary, alternative access to an intersecting arterial is also desirable.

ii. Required Setbacks

The Commercial Development regulations, Section D.2.f.v.a).(2).v.b, shall also apply.

iii. Building Height

The Commercial Development regulations, Section D.2.f.v.a).(2).v.c shall apply.

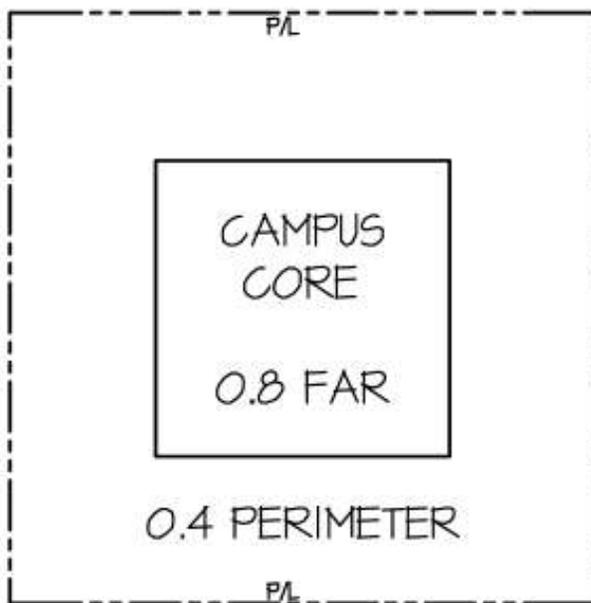
iv. Building Bulk

The following structural volumes may be built within the development envelopes established by required setbacks:

1. The overall campus building area shall not exceed the FAR for the appropriate zoning district.
2. Buildings within the campus core (an area representing one-fourth ($\frac{1}{4}$) or less of the total site area surrounded by an equidistant peripheral band with lesser or no structural development. (See Figure 27.10-14) shall not exceed .8 FAR.
3. Building area within peripheral area shall not exceed .4 FAR or the FAR for the appropriate zoning district whichever is less.



FIGURE 27.10 – 14: Allowable FAR using Campus Core



v. Land Use Distinctions

Uses permitted in the underlying zoning districts as determined by the Planning and Zoning Administrator shall be permitted except that the following may be sited only within masterplanned institutional or employment developments at a distance of 200 feet or more from the development's nearest entry point:

1. Office Buildings exceeding 2 stories or 30 feet in height.
2. Research, Fabricating or Manufacturing Structures exceeding one (1) story or 24 feet in height.
3. Hospitals/Extended Care Facilities exceeding 2 stories or 30 feet in height.
4. Warehouse Structures.

vi. View Preservation

The Commercial Development regulations, Section 24.1.E.2.f shall apply.

vii. Site Planning

The Commercial Development regulations, Section 24.1.E.2.g shall apply.

(d.) Master planned Developments Flexibility

Master planned developments are encouraged. The Town may accept alternative means for compliance with Ordinance and Design Guidelines criteria on master planned sites of 15 acres or more, which include among other things, clustering of residential uses (if included in the plan) away from Tangerine Road, comprehensive interior circulation plans, a mixture of land use types (see subsection iv, below) and pedestrian access amenities among uses.

i. Applicability

Requests for waivers of otherwise-applicable provisions and/or requirements of this Overlay District may be submitted in conjunction with applications filed under Town development procedures.

ii. Subject Matter

Any provision of this Overlay District, other than express prohibitions, may be altered in its application to an individual site upon persuasive presentation, documentation, and stipulation of alternative means for meeting or exceeding Ordinance intent.

iii. Frontage Tracts

Use of reserved easements contained on the subject property which is consistent with Tangerine Road Corridor purposes (such as pathways, trails, view points, nature walks or other recreation) may be provided. The overriding interest of preserving native vegetation shall, in all instances, be observed.

iv. Mixtures of Use Types

Complementary land uses within planned developments that are principally intended to benefit its residents, customers or employees (such as commercial recreation, banking, retail and service establishments) may be proposed. Such uses shall be located internal to the development, buffered appropriately to be compatible with the predominant type of use.

1. Density/Intensity. Acceptable, additional uses, not to exceed 10 percent of the total site area, shall not alter the overall yield of dwelling units or FAR of the proposed development; however, if such uses are found to contribute positive amenities for site quality, areas devoted to such uses shall not be subtracted from the gross site area for the purpose of dwelling density or FAR calculations.
2. Compatibility Assurance. Landscaping bufferyards or walls shall be employed to separate mixed uses from areas devoted to the predominant use. Vehicular traffic shall be minimized with a preference for pedestrian access to mixed uses.
3. Shared Facilities. Parking for mixed uses with differing peak activity times, open space, and project amenities may be proposed in locations suitable for meeting the requirements of



the Ordinance and the needs of site residents, guests, customers, and/or employees.

b) Tier 2 Scenic Corridors: First Avenue and La Cholla Boulevard

The sensitive natural character and scenic vistas from Tier 2 Scenic Corridors require additional development design assurances. This Section includes requirements for the establishment of landscape conservation tracts and the development of land uses as anticipated for these corridors in the Oro Valley General Plan. These requirements are applied in conjunction with applicable zoning district use regulations.

(1) Applicability

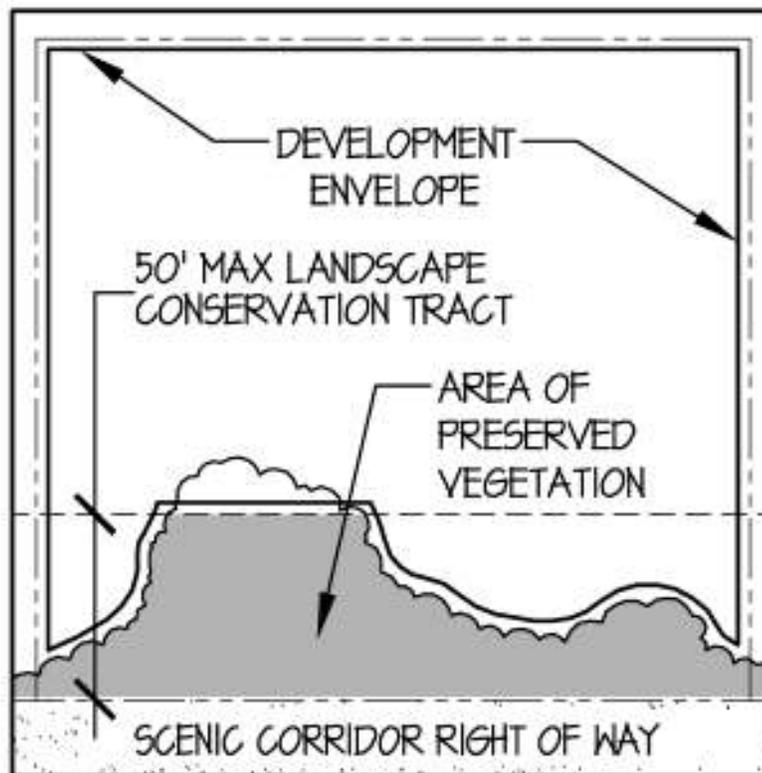
- (i.) When ESL is applied to property, the requirements of Tier 2 Scenic Corridors are used for all development within the Scenic Resource Conservation Area established in Section D.2.f.ii.a), above.
- (ii.) Tier 2 Scenic Corridor design requirements, as stated herein; apply to all property or portions of property within the Scenic Resource Conservation Area as established in Section D.2.f.ii.b), above.

(2) Tier 2 Landscape Conservation Tracts

- (i.) Landscape conservation tracts are required adjacent to all property lines abutting Tier 2 Scenic Corridors. These open space tracts provide additional buffering from transportation facilities, preserve native vegetation essential to scenic corridor character, and enhance the value of private property.
- (ii.) A separate tract of not less than 50 feet in width for all residential and nonresidential developments shall be designated on all properties abutting Tier 2 corridors, measured from the right-of-way. In areas where no Corridor Character Vegetation (described in Section 27.10.D.2.f.b.)(1) exists, the tract may be narrowed to the width of the minimum required landscape bufferyard.
- (iii.) Crossing of the tract with roads, public or private, and driveways is permitted with approval of the Town



FIGURE 27.10 – 15: 50' Landscape Conservation Tract



(iv.) Signage Permitted

Signs are permitted within the tract in accordance with Chapter 28, Signs.

(v.) Pathway Linkages

Locations for trails or paths may be approved for placement within the tract. Routing must be arranged to avoid displacement of CCV. Any displaced CCV is subject to Native Plant Salvage, and Mitigation requirements in Section 27.6.B.

(3) General Regulations

- (i.) Development shall comply with ESL Design Requirements, Section F.3.c.v, Structures.
- (ii.) Resort or other nonresidential uses not covered by these provisions will be considered in accord with Commercial regulations.
- (iii.) Corridor Character Vegetation (CCV) shall be preserved in its natural condition in accordance with Section D.2.f.v.

(iv.) Drainage Facilities. Natural materials, such as river rock and vegetative groundcover, shall be required for lining drainage structures placed in Landscape Conservation Tracts unless other materials are approved by the Planning and Zoning Administrator and the Town Engineer. All such drainage structures shall be designed and installed to accommodate ultimate roadway design plans.

(v.) Utility Easements. Provisions for utilities may be included in easements within the Landscape Conservation Tract upon approval of the Town. Utility providers shall be required to keep disturbance of natural vegetation to a minimum during the installation or maintenance of their facilities and to restore vegetation in accordance with Section 27.10.G, Mitigation.

(4) Residential Development Regulations

Construction in any residential zoning classification shall comply with the following:

(i.) Required Setbacks

(a.) Front setbacks from a Tier 2 scenic corridor right-of-way shall not be less than 50 feet or a ratio of 2 feet of setback for each foot of building height, whichever distance is greater applies.

(b.) The required 50 foot landscape conservation tract shall lie within the required setback area.

(ii.) Building Height

Additional building height may be approved when additional building setback is provided. A maximum of 10 additional feet of building height is permitted if 4 feet of setback from the scenic corridor right-of-way is provided for each foot of building height.

(5) Commercial Development Regulations

Construction in any commercial zoning classification shall comply with the following provisions:

(i.) Required Setbacks

(a.) The front setback from the Tier 2 Scenic Corridor shall be not less than 2:1 setback to building height ratio.

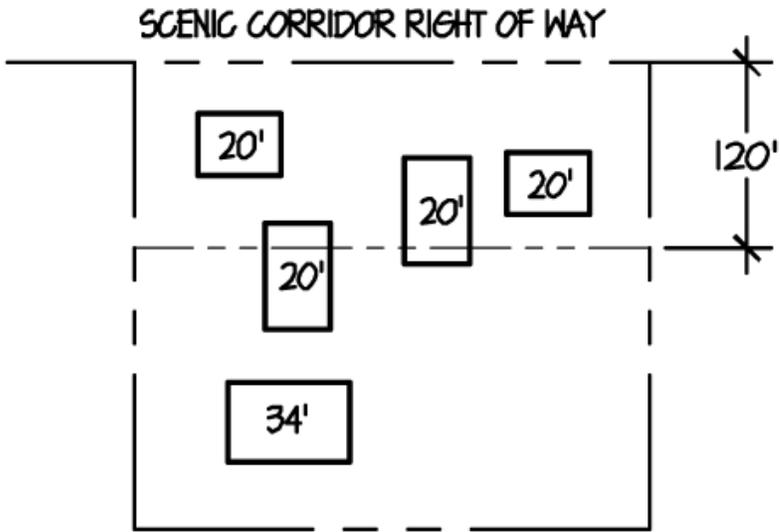
(b.) No setback from a Tier 2 Scenic Corridor right-of-way shall be less than 50 feet.

(c.) The required 50 foot landscape conservation tract shall lie within the required setback area.

(d.) In a multi-building project, a 10 foot front setback differential for all buildings adjacent to and within 120 feet of a scenic corridor right-of-way is required.



FIGURE 27.10 – 16: Commercial, Employment/Institutional Setback



(ii.) Building Height

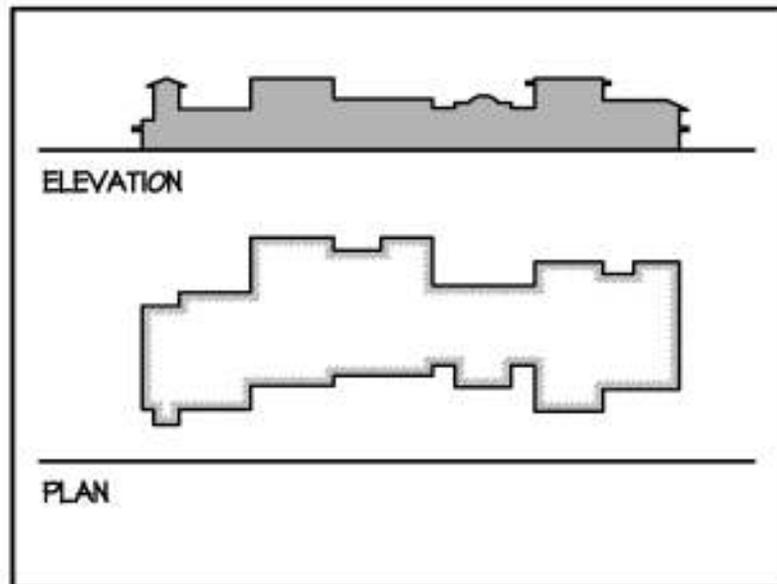
- (a.) A maximum of 10 additional feet of building height may be approved by the Town Council if 4 feet of setback from the scenic corridor right-of-way is provided for each additional foot of building height.
- (b.) Architectural features, such as decorative bell or clock towers, campaniles, carillons and spires of a size proportional to the building they embellish shall be exempted from the 2:1 setback ratio up to the maximum allowable height of the applicable zoning district upon compliance with View Preservation Plan requirements of Section D.2.f.iv.

(iii.) Buildings

- (a.) The following structural volumes may be built within the development envelopes established by required setbacks: .3 FAR for sites with an area of 2 acres or larger; .15 FAR for parcels or freestanding pads of lesser area.
- (b.) Building mass shall be segmented into multiple planes each with distinctive architectural character or features that result in a cohesive design.



FIGURE 27.10 – 17: Segmented Building Mass



(c.) Roof-mounted equipment, other than energy generating devices, shall be screened from public view. Small appurtenances such as satellite dishes are exempt if the color matches the roof.

(6) Employment/Institutional Regulations

Sites for campus-type developments are intended to blend with scenic corridors' natural context to create unique, unobtrusive opportunities for employment and institutional activity centers. Construction shall comply with the following provisions in addition to the regulations of the applicable zoning district.

(i.) Required Setbacks

The Commercial Development regulations, Section D.2.f.vi.b).(5) apply.

(ii.) Building Height

The Commercial Development regulations, Section D.2.f.vi.b).(5) apply.

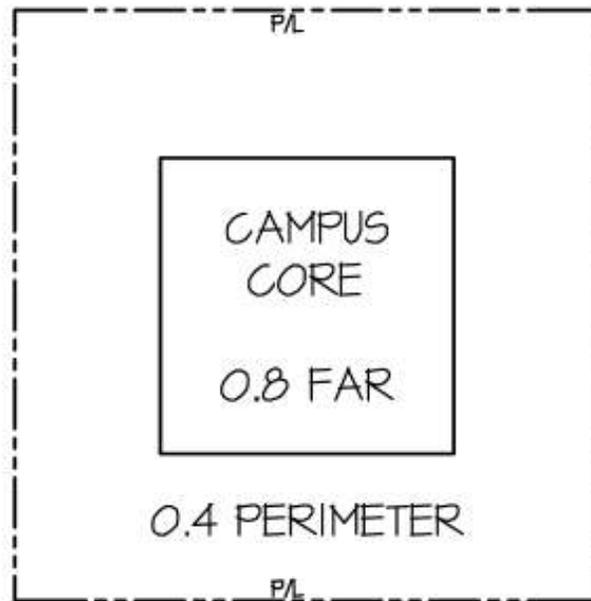
(iii.) Buildings

The following structural volumes may be built within the development envelopes established by required setbacks:

(a.) The overall campus building area shall not exceed the FAR for the appropriate zoning district.

- (b.) Buildings within the campus core (an area representing one-fourth ($\frac{1}{4}$) or less of the total site area surrounded by an equidistant peripheral band with lesser or no structural development [See Figure 27.10-18]) shall not exceed .8 FAR.
- (c.) Building area within peripheral area shall not exceed .4 FAR or the FAR for the appropriate zoning district whichever is less.
- (d.) Building mass shall be segmented into multiple planes each with distinctive architectural character or features that result in a cohesive theme.
- (e.) Roof-mounted equipment, other than energy generating devices, shall be screened from public view. Small appurtenances such as satellite dishes are exempt if the color matches the roof.

FIGURE 27.10 – 18: Allowable FAR Using Campus Core



vii. Vegetation and Landscape

(a.) Berms

Where existing vegetation is minimal or has been disturbed, earthen berms, or portions of earthen berms, may be placed in Landscape Conservation Tracts for purposes of traffic noise attenuation or residential screening. Earthen berms shall comply with Section 27.6.D.4, Rainwater Harvesting requirements.

(b.) Drainage Facilities

Natural materials, such as river rock and vegetative groundcover, shall be required for lining drainage structures placed on reserved tract areas unless other materials are approved by the Planning and Zoning Administrator and the Town Engineer. All such drainage structures shall be designed and installed to accommodate ultimate roadway design plans.

(c.) Utility Easements

- i. Provisions for utilities may be included in easements within the Landscape Conservation Tract upon approval of the Town.
- ii. Utility providers shall be required to keep disturbance of natural vegetation to a minimum during the installation or maintenance of their facilities and to restore vegetation in a manner consistent with requirements for adjacent property owners.

c) Tier 3 Community Scenic Resource

The scenic vistas from Tier 3 Community Scenic Resources require additional development design guidance. All development applications are expected to respond to the Design Guidelines included in Addendum H.

viii. Design Guidelines

- a) Scenic Resource Area Design Guidelines are included in Addendum H. Guidelines are directions for achieving Town of Oro Valley expectations; they may be applied flexibly to achieve desired effects as a regulatory supplement to the development requirements set forth in Section D.2.f.vi. They are also in addition to the Design Guidelines included in Addendum A of the OVZCR. The full intent of the Design Guidelines criteria should be met, as determined by the Development Review Board.
- b) The review of development proposal's responsiveness to design guidelines is mandatory for all properties or portions of properties located in all three Tiers of the Scenic Resources Category. Alternative means for complying with guidelines' intent may be accepted by the Town.
- c) Applicants or designers of these uses are expected to document proposals for construction with plans, graphics, elevations, and narrative descriptions that demonstrate responsiveness to these design guidelines.

g. Hillside Area Category

i. Purpose

The Hillside Area category is intended to protect public safety, conserve visually significant sloped areas, evaluate slopes and potential impacts, and ensure development compatibility with the distinct hillside topography that is vital to the visual and scenic character of the Town.

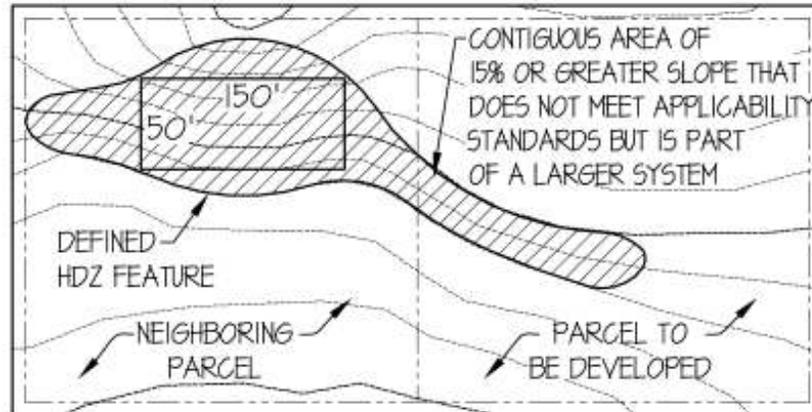
ii. Applicability

The Hillside Area requirements apply to:



- a) Sloped areas of 15 percent and greater where the sloped area is greater than 150 feet in length and no less than 50 feet wide and greater than 7½ feet vertically.
- b) Sloped areas of 15 percent and greater contiguous to any area defined in Section a, above.

FIGURE 27.10 – 19: Hillside Area Applicability



- c) Ridges, as defined in Chapter 31, with an elevation change of 25 feet or more.
 - d) Areas of less than 15 percent slope are not restricted by these Hillside Area requirements.
 - e) Rock outcrops and boulders, as defined in Section D.2.b and d, are excluded from this Section. See Section D.2.b and F.3, Design.
 - f) If a lot or parcel existing as of the date of adoption of this Ordinance does not meet the minimum size requirements of Table 27.10-4, disturbance limitations based on percent of slope from Table 27.10-4 still apply.
- iii. Sloped Area Analysis
- a) When land division, subdividing, development plan or other development approval is requested, a sloped area analysis shall be prepared and all areas of 15 percent slope or greater shall be identified and delineated on the plans.
 - b) The sloped area analysis must be prepared by a State of Arizona, licensed and registered engineer and shall identify and map all “Percent Slope” categories specified in Table 27.10-4.
 - c) Digital topographic information with a one foot contour interval, shall be used to prepare the sloped area analysis. Alternative information or methodologies may be approved by the Town Engineer.
- iv. Conservation

Hillside Areas shall be conserved in the following manner:

- a) Sloped areas from 15 percent to less than 25 percent may be developed in a limited manner in accordance with the requirements of this Section, Section 27.10.B and the OVZCR.
 - b) In accordance with the Critical Resource Category, 95 percent of sloped areas of 25 percent and greater are to be conserved as ESOS. For residential parcels of 36 acres or larger comprised completely of 25 percent and greater slopes, 96 percent of sloped areas 33 percent and greater are to be conserved as ESOS. Exceptions may be approved in accordance with Section F.2, Development Balance and Incentives.
- v. General Requirements
- a) A development envelope shall be delineated in accordance with Section F.3, on the subdivision plat, development and site plan when sloped areas of 15 percent or greater are present on the plat, development or site plan.
 - b) For all subdivision plats, development envelopes for roadways, each lot and other disturbed areas shall be delineated. The development envelope shall be treated in accordance with F.3.
 - c) When lots or development plans include sloped areas over 15 percent, the extent of grading or other ground disturbance of 15 percent and greater sloped areas is limited in accordance with Table 27.10-4. The limits of Table 27.10-4 do not apply to sloped areas of less than 15 percent.
 - d) Section F.2, Development Balance and Incentives should be applied to provide flexibility in designing lots that do not include areas of 15 percent and greater slope.

TABLE 27.10 - 4: Slope Density and Disturbance Limits

Percent Slope	Minimum Lot Size (acres)	Maximum % of Sloped Area Disturbance	Maximum Building Height (ft) within Sloped Area
15 < 18	1.00	40.0	Per Base Zoning
18 < 20	1.5	30.0	18
20 < 25	2.00	20.0	18
25 < 33	8.00	5.0	18
33.0 and Greater	36.00	4.0	18
* Or as permitted by base zoning, whichever lot size is larger.			

- e) If proposed lots include multiple slope categories:
 - (1) The extent of each slope category on the lot shall be delineated,
 - (2) Lot size is determined by the slope category comprising the largest percent of the proposed lot, and



(3) Sloped area disturbance limits in Table 27.10-4 apply to each slope category on the lot.

f) Calculations shall be provided indicating the percent of disturbance, if any, to each slope category described in Table 27.10-4.

g) Flexible Disturbance

(1) Applicability

Flexible design options may be applied to property or portions of property with slopes of 15 percent and greater, but less than 20 percent and ridge features when:

(i.) Visually Significant Slopes and ridges are 95 percent conserved.

(ii.) The cumulative size of designated Hillside View Conservation Areas is 5 acres or greater.

(iii.) There are no demonstrable adverse impacts to other ESOS areas onsite or to a riparian area downstream.

(2) Modified Requirements

Modified requirements can only be applied to areas that are not visible from existing public roadways, parks, and all trails identified in the Oro Valley Trails Master Plan.

When the conditions specified in Section D.2.h).(1), above, are met, the slope density requirements and disturbance limitations of Table 27.10-4 are modified in conjunction with the rezoning, subdivision plat or development plan review process. Allowable modifications include:

(i.) Sloped areas 15 percent and less than 20 percent. Areas within these slope categories are exempt from the density and disturbance limitations of Table 27.10-4.

(ii.) Cut and fill limits. The maximum cut or fill restrictions in Section 27.9 may be increased and shall not exceed 12 feet measured vertically from existing grade to finished grade elevation.

h) In determining the areas to be developed, maximum disturbance limits and specific design criteria must be considered. Table 27.10-4 indicates the maximum amount of grading and disturbance to sloped areas. Prioritized criteria for site planning and the delineation of hillside ESOS and/or Hillside Conservation Areas are included below.

(1) Subdivision design shall meet the following:

(i.) Contiguous location of hillside open space to established open space areas or other ESL features,

(ii.) Minimized disturbance of ESL features as prioritized in Section E.3,

(iii.) Conservation of the largest sloped areas of 15 percent and greater on the site, and

(iv.) Consolidation of hillside and other open space areas.

- (2) Development envelope design on individual lots shall meet the criteria as listed above, however, replacing Criteria iii, above, with:

Exclude the areas of highest percent slope from the development envelope.

- (3) Designation, Ownership and Maintenance of Hillside Areas

(i.) After delineation of permissible development areas, all remaining areas of 25 percent and greater slope shall be designated as ESOS tract(s) in accordance with the provisions of Section E, Open Space Requirements. Areas of 25 percent slope that do not meet the minimum requirements for ESOS shall be designated as Hillside Conservation Area.

(ii.) Areas of 15 percent and greater slope to be conserved may be designated as ESOS in accordance with Section E. Areas of 15 percent and greater slope not designated as ESOS or that do not meet the minimum requirements for ESOS shall be designated as Hillside Conservation Area. Hillside Conservation Areas may be allocated to common areas or designated on individual lots.

(iii.) Ownership and maintenance of hillside open space areas shall be assigned as follows:

(a.) Hillside ESOS tracts shall be dedicated to the HOA and Hillside Conservation Areas shall be dedicated to the HOA or designated as a conservation easement on individual lots.

(b.) Alternative ownership arrangements that provide an equivalent degree of conservation may be approved by the Town Council.

(iv.) Open space identified during individual residential lot development or open space not meeting the minimum requirements for ESOS must be designated as Hillside Conservation Area.

vi. Hillside Area Design

a) Development must be in compliance with Section F.3, Design. Flexible Development or Conservation Design options may be applied in accordance with the provisions and limitations in Section F.2.

b) Building Height

(1) Building heights are limited in accordance with the applicable zoning district, except in ridge areas as described in Section c), below.

(2) For buildings located in slope areas of 15 percent and greater, building height shall be measured in the following manner:

(i.) Where building pad elevation is the same or higher than predevelopment grade due to engineered fill, the building height contour line method shall be used (as defined and illustrated in Chapter 31). Small areas of rugged



terrain shall not increase or reduce building height. Small areas are those features with a maximum width of 25 feet.

(ii.) Where building pad elevation is lower than predevelopment grade due to cut conditions, building height is measured from finished grade.

(3) Additional building height of 13 feet may be approved in accordance with Section F.2.e, Flexible Development Options, but cannot be approved in Scenic Resource Areas, or protrude above adjacent ridges as viewed from public streets and abutting residential property. Adjacent ridges include ridge features on site or within 150 feet of the proposed building.

c) Building rooflines shall not protrude above the existing height of a ridge, unless approved by the Town Council in accordance with the criteria below.

(1) Structures are single story, and no more than 18 feet, including parapets, above the Building Height Contour Line.

(2) Minimum 90 foot separation is maintained between residences.

(3) Roof design is limited to a slope of no greater than ½ inch rise per 12 inch horizontal run.

(4) Approved plant materials are installed along exterior walls of 15 feet or more in length.

d) Cut and fill slopes shall be shielded by structures to be invisible from adjacent properties or public roadways, or shall be colored or otherwise treated as approved by the Town Engineer in a manner to blend with surrounding native soils and rocks.

e) All structures and appurtenances thereto such as antennas and satellite dishes shall be earth tone and shall comply with Section F.3.e, Structures.

f) Outdoor storage shall be located within an entirely opaque barrier designed to match the materials, color, and finish of the primary structure. Storage or stored materials may not be visible from private or public streets or adjacent residential areas.

g) Roof mounted equipment is prohibited unless shielded from all neighboring properties. Screening devices may not exceed permitted building heights as measured in hillside areas.

E. Open Space Requirements

1. Open Space ESOS Designation

Open space associated with the ESL conservation system is designated as Environmentally Sensitive Open Space (ESOS), except for the following resource categories:

- a. Hillside Resource Area
- b. Scenic Resource Areas

2. ESOS Tracts



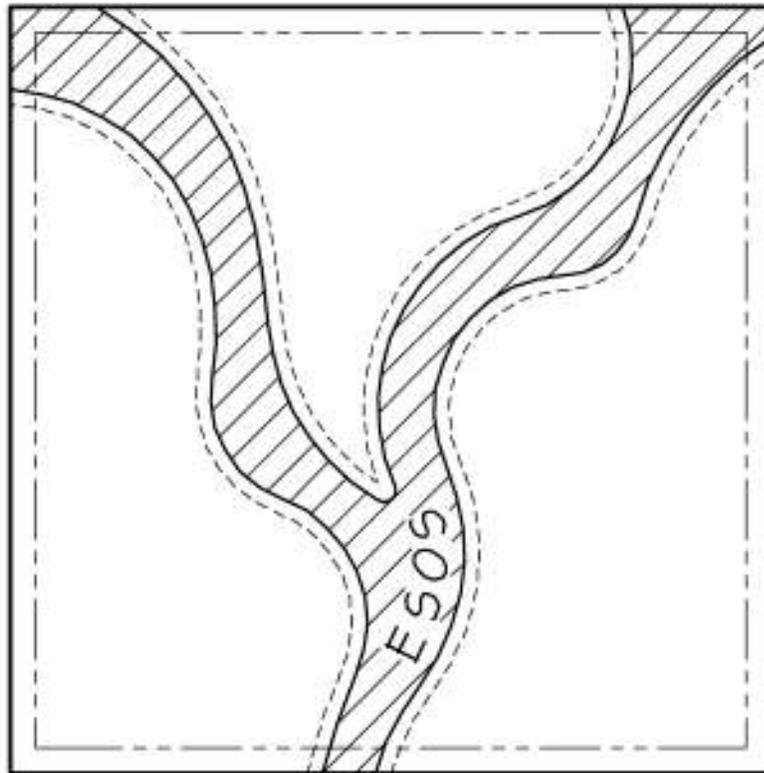
ESOS shall be permanently protected by one of the following methods:

- a. Open Space tract, or
- b. Dedication to the public including the Town, Pima County or Land Conservation Trust as approved by the Planning and Zoning Administrator, or
- c. A separate tract owned by a Homeowners' Association.

3. General Requirements

- a. Required ESOS must be configured in accordance with this Section to conserve minimum percentages of identified resource categories as specified in Table 27.10-2.
- b. Development can only occur in the non-open space areas of the site. Required open space areas must be designated as ESOS in one of the approved forms described in Section E.2.

FIGURE 27.10 – 20: Areas Designated as ESOS



- c. The quantity of open space created by recreation area, bufferyard, and other zoning-based open space requirements may be credited to Resource Management Area ESOS only when:
 - i. Minimum ESOS dimensions are maintained as specified in Section E.4.c

- ii. Open space abuts ESOS and/or creates functional habitat connectivity, .
 - iii. Compliance with Section F.1. ESOS Use is achieved.
- d. ESOS areas shall be assigned for dedication, conservation, and maintenance as follows:
- i. ESOS areas of national, state, regional, or community-wide importance will be the responsibility of a public entity, land trust, or land conservation organization that is capable of satisfying the objectives specified herein. This level of dedication shall include ESOS areas with the following characteristics:
 - a) Adjacent to federal, state or county parks, preserves or other permanent open space.
 - b) Regionally significant drainage.
 - c) Significant cultural resource when preservation in place is specified in an approved Treatment Plan (Section D.2.e).
 - d) Inclusion of identified Major Wildlife Linkage areas.
 - ii. All other ESOS areas that contribute resource value primarily to adjacent neighborhoods and do not meet the criteria above shall be the responsibility of an HOA.
 - iii. Alternative ownership arrangements that provide an equivalent degree of conservation may be approved by the Town Council.
- e. Permanent open space easements and/or deed restrictions must be provided for all ESOS tracts, unless dedicated to the public, prior to certifying that all conditions of rezoning, development plan or plat have been satisfied. Said easements or deed restrictions will be included on documents upon official recordation.
- f. The open space easement or deed restriction must include the following:
- i. Compliance with use and access provisions provided in Section F.1.
 - ii. Provisions to fund maintenance in perpetuity that may include:
 - (1) Use of future Homeowner Association dues, or
 - (2) Agreement for the Town to provide open space maintenance, or
 - (3) Assurance from a third party caretaker such as a land trust, or
 - (4) Other methods to assure maintenance as approved by the Planning and Zoning Administrator.
- g. Maintenance
- i. Maintenance, when necessary, is required for established ESOS areas. Provisions for ESOS maintenance shall be established prior to development application approval.
 - ii. Maintenance shall include ongoing trash removal, sign repair/replacement and elimination of invasive plant species.



- iii. The Town retains the authority to perform maintenance in ESOS tracts or common areas managed by an HOA or other property management association. A note will be included on the subdivision plat and/or development plan indicating the Town's ability to enter the property and perform ESOS maintenance.
- h. Common area or tract ESOS locations and boundaries, including precise acreage, shall be shown on the subdivision plat and/or development plan.
- i. Required ESOS must be platted separate from any developable lot.
- j. In no event shall the provisions of this section require greater area of ESOS than required by Section D.3.

4. Criteria for ESOS Selection and Location

The following criteria must be used to select and locate ESOS providing the greatest degree of conservation for the most sensitive resource categories.

- a. All Resource Areas identified on the ESL Planning Map, except the Major Wildlife Linkage Category, enable limited encroachments as specified in Table 27.10-5.

TABLE 27.10 - 5: ESOS Conservation and Disturbance

Category	Maximum Percentage Disturbance Permitted	Minimum Percentage ESOS Conservation
Major Wildlife Linkage	0*	100
Critical Resource Area	5	95
Core Resource Area	20	80
Resource Management Area-1	34	66
Resource Management Area-2	75	25
Resource Management Area-3	100	0

* Permitted uses, such as trails, specified in Section F.1.b. require a minimal degree of disturbance.

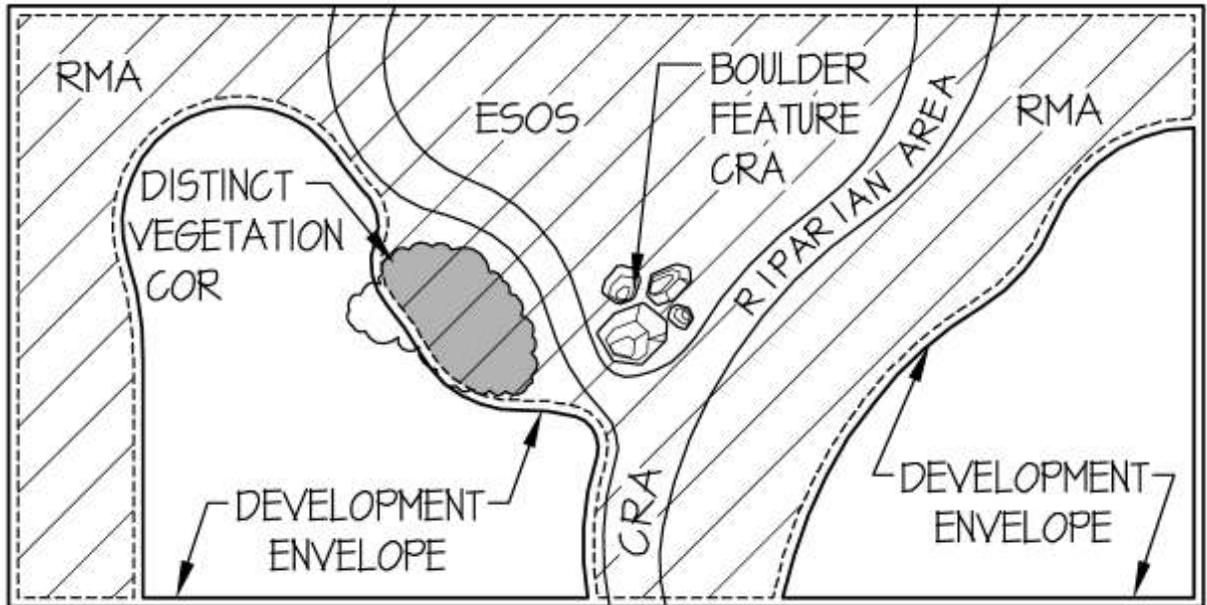
- b. Within the resource categories, specific locations of final conservation and permitted disturbance areas shall be identified for each individual site as part of the development review process.
- c. All mapped ESL Resource Areas meet required values specified in the category descriptions in Section D.2. The following factors must be utilized to select priority areas for conservation within a resource category designation:
 - i. Areas that maintain or create connectivity of open space within and beyond the site are the highest priority.



- ii. Areas that exceed resource area density, size, and frequency specifications are a high priority.
- iii. The value of different resources within a specific category will be balanced in a manner to achieve diversity of habitat.
- iv. ESOS credit for cultural resources will be addressed in concert with an approved Treatment Plan.
- v. Disturbance areas should be located in areas of least resource density, size, and frequency.
- vi. Areas that include healthy and viable resources are a priority.
- vii. When a site includes multiple outcrops and boulders, conservation priority will be given to outcrops and boulders displaying one or more of the following characteristics:
 - (1) The largest rock outcrop or boulder features, including height and areas as measured vertically from the lowest adjacent natural grade or horizontally in any direction.
 - (2) The rock outcrop or boulder is an isolated feature, located 1,000 feet or more from public preserves, Major Wildlife Linkages or other rock outcrop or boulder features.
 - (3) The rock outcrop or boulder feature provides connectivity between two identified ESL areas, or is part of an identified linkage area including minor or major wildlife linkages and riparian areas.
 - (4) The rock outcrop or boulder exhibits fractures, cracks and/or crevices.



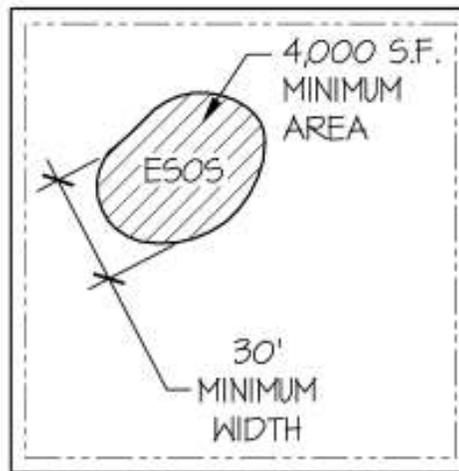
FIGURE 27.10 – 21: Multiple ESL Features and ESOS Areas



c. Minimum ESOS Dimensions

- i. Applicability. Dimensions apply to all resources except rock outcrops, boulders, and cultural resources.
- ii. Area. The minimum contiguous area for ESOS is 4,000 square feet.
- iii. Horizontal. The minimum horizontal dimension for ESOS areas is 30 feet.
- iv. Exceptions. ESOS dimensions do not apply to distinct native vegetation.
- v. Modification. The Planning and Zoning Administrator may approve modifications to the minimum ESOS dimensions set forth above, subject to the following criteria:
 - a) The ESOS location criteria set forth in Section E.4 are met.
 - b) Landscape connectivity and open space linkages are maintained.
 - c) Reductions in dimensions will maintain ESOS areas that provide habitat value, are easily recognizable, and will not result in maintenance problems due to their proposed locations.
 - d) Adjacent land uses, such as streets, will not negatively impact the viability of vegetation or other features of the land to be preserved.

FIGURE 27.10 – 22: Minimum ESOS Dimensions



d. ESOS distribution within Planned Area Developments (PADs).

If a master developer elects to provide ESOS in excess of the minimum requirements for a specific development site, the balance may be credited against ESOS requirements for other development sites within the Town, if approved by the Town Council. ESOS may be credited as follows:

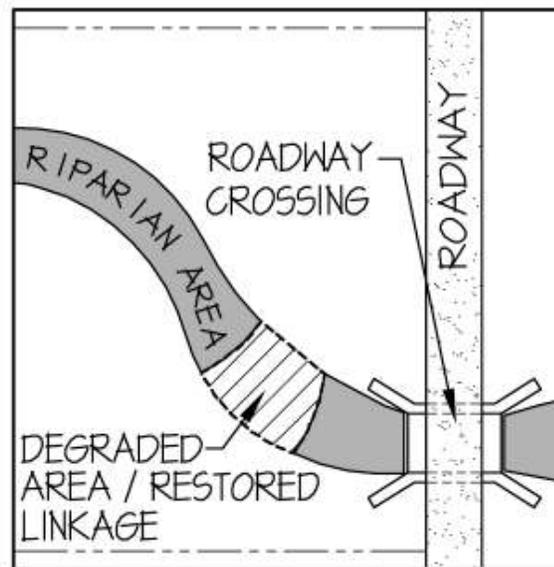
- i. Any excess ESOS areas and the resultant credits shall be acknowledged by the property owner and shown as part of an Open Space Master Plan.
- ii. The Open Space Master Plan shall be included with the PAD application and must identify any excess ESOS by development project and allocate any excess ESOS to specific development locations elsewhere within the Open Space Master Plan.
- iii. The excess ESOS must result in additional protection for the most sensitive resources in accordance with the hierarchy established in Table 27.10-5. Reductions in ESOS due to the application of credits cannot be applied to Major Wildlife Linkage or Critical Resource areas.

e. Connectivity of ESOS areas is essential in maintaining ecosystem function. Conservation of identified areas that provide connectivity but are environmentally degraded is required.

- i. Degraded areas that provide connectivity to the natural open space system, including identified Minor Wildlife Linkages, must be protected from further disturbance. Restoration in accordance with ESL Mitigation requirements, Section 27.10.G, may be approved by the Planning and Zoning Administrator.
- ii. Additional open space linkages that have not been identified on the ESL Planning Map may be recommended by the Planning and Zoning Administrator when the area:
 - a) Provides a unique and necessary connection to other ESOS areas.
 - b) Is not isolated from other open space areas.
 - c) Serves as a habitat corridor for movement of wildlife.

- d) Newly identified linkages will be conserved in accordance with the following:
- (1) Restoration areas will be applied toward total ESOS requirements of the appropriate resource category as assigned by the Planning and Zoning Administrator.
 - (2) A proportional area will be exempt from Native Plant Salvage and Mitigation requirements in Section 27.6B. This does not apply to any plant listed as Threatened or Endangered under the Endangered Species Act or Highly Safeguarded by the Arizona Department of Agriculture.

FIGURE 27.10 – 23: Degraded/Restored Linkage



F. ESOS Use and Conservation Development

1. ESOS Use

a. Applicability

Areas protected as ESOS, upon approval of a development application, are subject to use restrictions and requirements. Each must be recorded when land is reserved by tract and/or deed restriction.

b. Permitted Uses

- i. Natural open space.
- ii. Trails.
- iii. Identification, use restriction, and/or interpretive signage.
- iv. Cultural resource exhibition.

- v. Essential services as provided for in Section E.3, Open Space Standards, except for Major Wildlife Linkages.
- vi. The following when in the Resource Management Category:
 - a) Golf Courses as limited below:
 - (1) Design must be in accordance with Section 24.6.C, Golf Course Overlay Zone Development and Section 24.6.E, Landscape Conservation (turf limitations).
 - (2) Golf course best environmental management practices for irrigation, fertilizer use and pest control must be utilized.
 - (3) Golf cart paths must be designed to minimize disturbance and avoid Distinct Vegetation and other environmentally sensitive features. Paved paths may be utilized.
 - b) Neighborhood-serving passive and active recreation facilities that are compatible with the conservation purposes of ESOS and do not include impermeable surfaces unless provided herein. Allowable facilities include:
 - (1) Soccer or ball field.
 - (2) Volleyball court.
 - (3) Horseshoe pit.
 - (4) Parcourse.
 - (5) Turf area subject to the limitations of Section 27.6.
 - (6) Benches.
 - (7) Picnic tables.
 - (8) Barbecue grills.
 - (9) Pathways.
 - (10) Impervious sidewalks for ADA accessibility.
 - (11) Open air ramadas and/or shade awnings.
 - (12) Garbage containers and dog stations.
 - (13) Other uses that have no greater impact than those specified above, subject to review and approval by the Planning and Zoning Administrator.
 - c. Prohibited Uses and Actions
 - i. Enclosed Structures.
 - ii. Parking
 - iii. Walls and fences.



- iv. Dumpsters.
 - v. Motorized vehicle access except for maintenance purposes.
 - vi. Recreational activities not contained within the confines of a designated area.
 - vii. Off leash domestic animals.
 - viii. Establishment of non-native species.
 - ix. Removal of native vegetation with the following exceptions:
 - a) Development of recreation areas
 - b) Flood control purposes as approved by the Planning and Zoning Administrator and Town Engineer.
- d. Access and Use
- i. Private and Public Access
 - a) ESOS in common area ownership of a homeowners association may be restricted to private access. This excludes trail routes designated for public use as specified in F.d.i,b) below.
 - b) All trails identified within the Eastern Pima County Trails System Master Plan and/or the Oro Valley Trails Task Force report and their subsequent updates must enable public access.
 - c) All ESOS dedicated to the public will be open to public access.
 - ii. Motorized Vehicular Access
 - a) Access into ESOS areas is permitted for maintenance purposes and permitted uses only.
 - b) Within Major Wildlife Linkages, access is permitted for open space maintenance purposes only. Additional access can be permitted if supported by scientific evidence such access will not degrade the intended function of the linkage.
 - iii. Trails

Trails and associated amenities such as benches must conform to standards established by the Oro Valley Parks and Recreation Department.
 - iv. Signs
 - a) Permanent signs shall be posted at defined points of access into ESOS areas indicating the use restrictions contained in this Section.
 - b) Signs must conform to standards established by the Oro Valley Parks and Recreation Department.

2. Development Balance and Incentives



a. Purpose

Achieving or exceeding base zoning densities while implementing conservation objectives is the purpose of this section which includes increased flexibility for site planning, lot sizes and dwelling types.

b. Applicability

- i. The following design options may be applied to property or portions of property when ESOS is applied to 25 percent or more of a project site, except as provided herein.

c. Flexible Development

- i. Process. Development requirements may be modified to allow flexibility as a part of the rezoning, subdivision plat, or development plan review process. The process to enable use of flexible development options is delineated by application type:

a) As part of a rezoning application, the Town Council retains discretion to enable flexible design options on a case by case basis.

b) For development plan and subdivision plat proposals utilizing the ESL application incentive provided in Section 27.10B3, all flexible options are permitted upon Planning and Zoning Administrator review and approval, except the following:

(1) Section 27.1-F2c.iii.d). Building Height. Increases to building in excess of five feet must be considered by the Development Review Board and approved by Town Council.

(2) Section 27.1-F2c.iii.e). Open Space

(3) Section 27.1-F2c.iii.f). Mixed Use

- ii. Review Criteria. The determination to permit a modification is subject to all of the following findings:

a) Enables development to the base zoning density, at a minimum, for the entire site.

b) Compatibility with adjacent land uses is achieved through architectural design, buffers, and placement of structures and improvements to reduce view impacts.

c) The modification does not conflict with an approved treatment plan for cultural resources.

d) Statutes, development agreements, appeal processes, or other provisions of this code are not violated.

- iii. Requirements Subject to Modification

The following requirements may be modified as they relate to the proposed construction of single family attached and detached residences, multi-family residences, commercial, employment and mixed use projects.



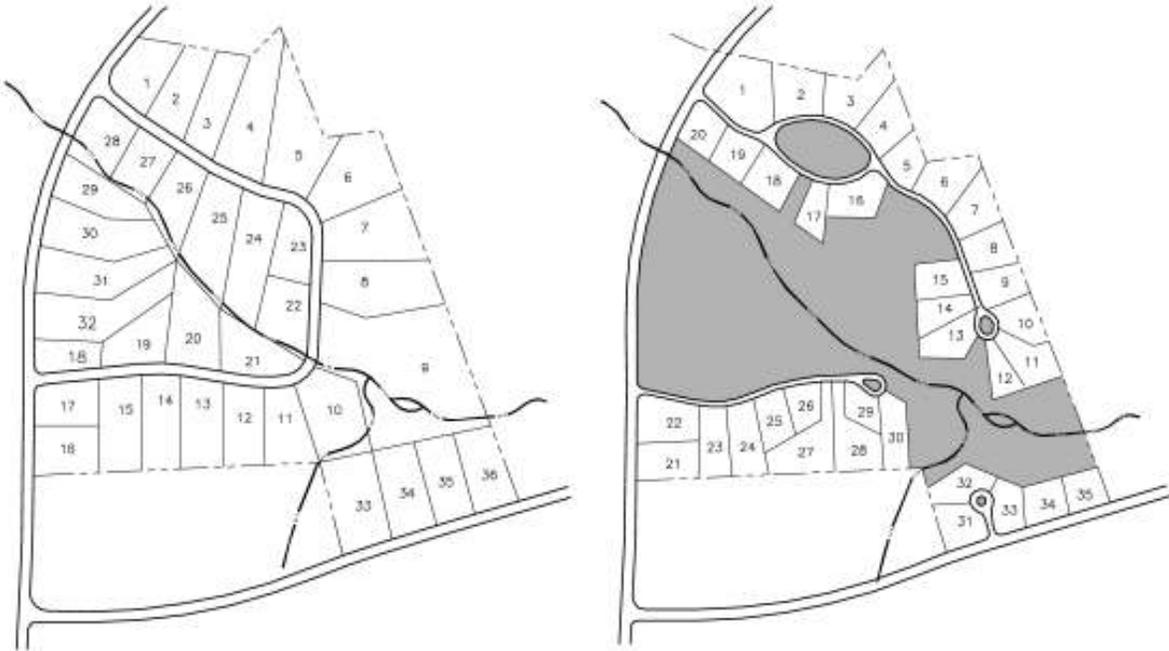
- a) **Building Setback.** Minimum setbacks may be reduced to no less than five feet on lots less than or equal to 12,000 s.f. and up to 20% of the required distance on lots greater than 12,000 s.f. Reductions are subject to the following:
 - (1) Side yards shall not be less than five feet, unless a zero lot line design is utilized,
 - (2) Setback reductions shall not result in on-lot driveway lengths that are less than 20 feet.
 - (3) Reductions do not apply to setback requirements in Section 27.10F.2.d.ii.f) for a conservation subdivision design.
 - b) **Landscape Bufferyards.** Minimum required bufferyards may be reduced to 10 feet with a corresponding decrease in planting ratios specified in Section 27.6, Table 27-10, except when the bufferyard is adjacent to an existing residential subdivision or public street.
 - c) **Minimum Lot Size.** Minimum lot sizes in all R1, R-4, R-S and SDH-6 districts may be modified subject to Conservation Design requirements of this Section.
 - d) **Off-Street Parking.** Modifications resulting in reduced amounts of parking and circulation area are supported. Off-street parking requirements may be reduced in accordance with Section 27.7.C.
 - e) **Building Height.** Building heights for single family attached and multi-family dwelling types may be increased by no more than 13 feet.
 - f) **Open Space.** Reductions may be provided in accordance with Section E, Open Space Requirements.
 - g) **Mixed Use.** Residential uses that are functionally integrated, including access, non-vehicular circulation and amenities, with commercial or employment uses, may be approved within commercial zoning districts.
 - h) **Modified Review Process.** Development plans and preliminary plats submitted in conformance with the approved Tentative Development Plan, as determined by the Planning and Zoning Administrator, may be administratively approved.
 - i) **Recreation Area Credit.** Permissible passive and/or active recreational amenities located within Resource Management Area ESOS may be credited toward residential recreation area requirements as approved by the Planning and Zoning Administrator when the locational requirements of Section 26.5.B, Provision of Recreation Area, are satisfied.
 - j) **Native Vegetation Preservation.** When 66 percent or more of a site is preserved as ESOS, requirements for Native Plant Salvage, and Mitigation (Section 27.6B) shall be waived within a development envelope. This modification cannot be applied to areas of distinct vegetation which are designated as a Core Resource area.
- d. Conservation Subdivision Design
- i. Purpose



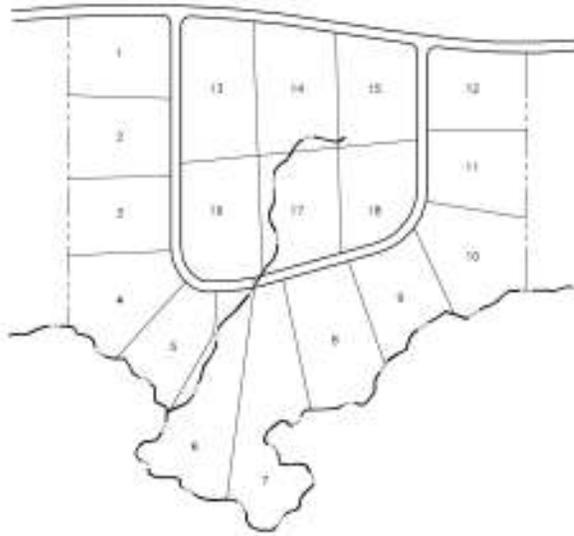
Conservation subdivision design positions residential development on a portion of the available land in order to maximize protected open space and improve the efficiency of infrastructure systems. The provisions of this Section further provide offsets to typical reductions in development yield derived from drainage and circulation improvements. Conservation options include potential increases to development density.

- ii. General Requirements
 - a) Development shall be arranged in a manner to conserve identified resources.
 - b) The area to be developed must be consolidated to a greater extent than permitted in Section 23.4, Dimensional Requirements and provide a concomitant increase in ESOS.
 - c) Conservation subdivision design shall enable a maximum number of individual lots that adjoin open space areas. Designs that create a single grouping of residences are not intended unless specific site conditions leave no alternative. Multiple groupings of residences are typically expected in a conservation subdivision design. Examples of desired conservation design are shown in Figure 27.10-24.

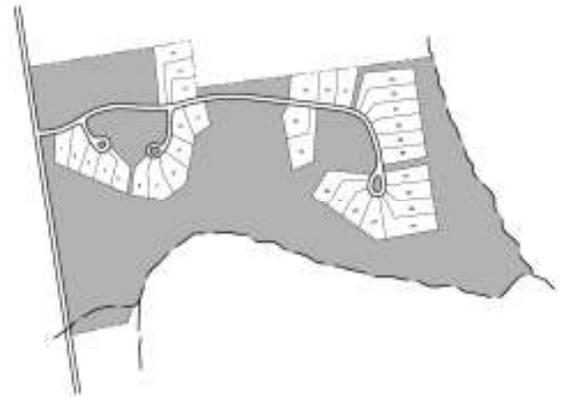
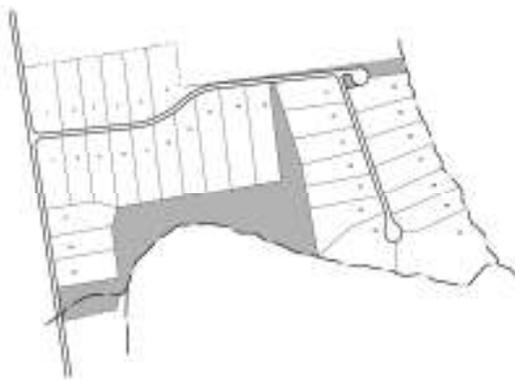
FIGURE 27.10 – 24: Conservation Subdivision Design Examples



Example 1



Example 2

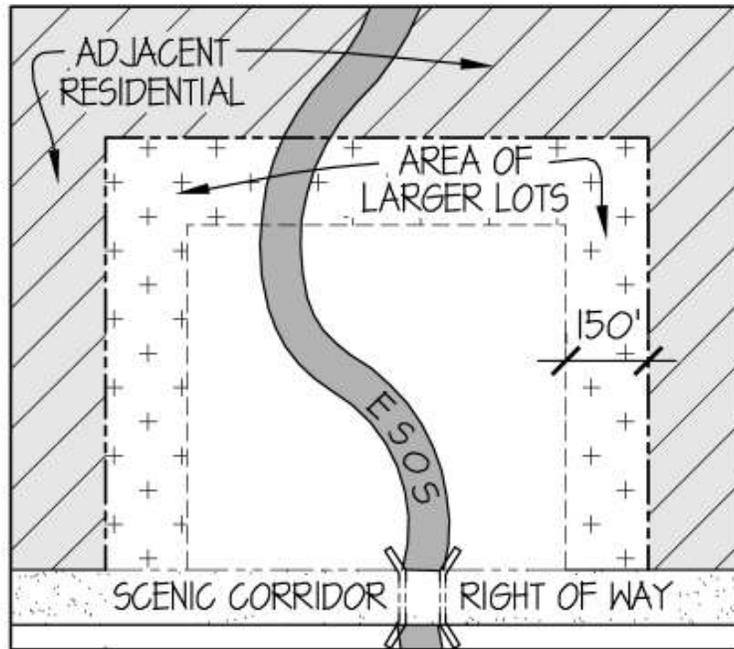


Example 3

- d) Open space areas created by conservation subdivision design must remain viable for wildlife use and movement.
- e) The length of residential streets, driveways and utility lines shall be reduced in comparison to a design that complies with zoning requirements identified in Section 23.4. The length of collector streets shall not be considered in assessing overall roadway reductions.
- f) Compatibility with adjacent land uses through architectural design, transition of density, buffers, and placement of structures and improvements must be achieved as follows:

- (1) Architectural Design. Structures shall include architectural design features and a color palette that is compatible with an adjacent subdivision(s). Design compatibility is subject to Development Review Board review and approval.
- (2) Lot Size Transition. In perimeter areas adjacent to residential development, a transition shall be provided. Base zoning district lot sizes are required within 150 feet of adjacent residential uses.

FIGURE 27.10 – 25: Lot Size Transition



- g) Conservation subdivision designs may employ any dwelling unit type permitted by OVZCR, except site-delivered housing as defined in Chapter 31.
 - (1) Alternative dwelling unit types shall employ the OVZCR development requirements associated with said alternative dwelling type.
 - (i.) If townhouse dwellings are proposed, the requirements for the R-4 zoning classification, Section 23.7.A, shall be applied.
 - (ii.) If multi-family dwellings are proposed, the requirements for the R-6 zoning classification, Section 23.7.D, shall be applied.
 - (2) The sum total of square feet by which the area of each lot in the subdivision is reduced shall not exceed the total square footage of the conserved area.
- h) Any proposed increase in density must be specified on the tentative development plan required for rezoning.
- i) Building heights must comply with base zoning, or building heights modified by an ESL rezoning approval.

iii. Lot Size Reduction

- a) Conservation subdivision design without an increase in density may occur by reducing minimum lot sizes while retaining the overall Base Zoning Dwelling Count as defined in Chapter 31. All density calculations for ESL are intended to be completed using this method (See Figure 27.10-26).
- b) When ESOS is applied to 25 percent or more of a project site, residential lots may be reduced in size by 40 percent, but shall not be smaller than the minimum lot areas set forth in Table 27.10-6.

TABLE 27.10 - 6: Allowable Lot Size Reductions with 25% ESOS

District	Minimum Base Zoning Lot Area	Minimum Conservation Subdivision Lot Size
R1-144	144,000	86,400
R1-43	43,000	24,000
R1-36	36,000	21,600
R1-20	20,000	12,000
R1-10	10,000	6,000
R1-7	7,000	5,500
SDH-6	6,000	5,500

- c) When ESOS is applied to 66 percent or more of a project site, residential lot size may be reduced to a minimum of 3,000 square feet.

e. Conservation Development With Density Increase

- i. When conservation development designs are utilized and minimum open space requirements of the ESL are met, a density increase of 10 percent above the base zoning density is permitted for residential and non-residential development.
- ii. A density incentive up to 20 percent of the residential base zoning density or commercial intensity is permitted if ESOS requirements are exceeded by 10 percent or more.
- iii. This density bonus provision may be applied when utilizing the flexibility and modifications permitted in this Section.
- iv. The increase in residential density is calculated by dividing the area of additional ESOS by the minimum lot area of the base zoning district. Maximum density increases for development are listed in Table 27.10-7. The increase in non-residential intensity is 2 percent additional FAR for each additional one percent (1%) of open space not to exceed the maximum listed in Table 27.10-7.



**FIGURE 27.10 – 26:
Formula to Calculate Base Zoning Dwelling Count and Density Bonus**

Step One:

**Base Zoning Dwelling Count =
Gross Land Area ÷ Minimum Lot Area of Base Zone**

Step Two:

**Additional Dwellings Permitted =
Additional ESOS Area (acres) ÷ Base Zoning Lot Size**

Step Three:

**Total Allowable Dwelling Count with Bonus=
Additional Dwellings + Base Zoning Dwelling Count**

- v. The additional ESOS must meet the following criteria:
- a) Meet the requirements in Section E, Open Space Requirements.
 - b) Be natural, undisturbed desert area and cannot include revegetated areas.
 - c) The additional ESOS shall be provided in common area or separate tracts and cannot be located on an individual single-family lot.

TABLE 27.10 - 7: Maximum Density Bonus

Zoning District	Minimum Area per Dwelling	Base Density (D.U.'s / acre)	Maximum Density with Bonus
Residential			
R1-300	300,000	0.15	.18
R1-144	144,000	0.3	.36
R1-72	72,000	0.6	.72
R1-43	43,000	1.0	1.2
R1-36	36,000	1.2	1.44
R1-20	20,000	2.2	2.64
R1-10	10,000	4.4	5.28
R1-7	7,000	6.2	7.44
SDH-6	6,000	7.3	8.76
R-4	5,450	8.0	9.6
R-4R	4,250/rental 15,000/dwelling	10.2 2.9	12.24 3.48
R-S	5,450	8.0	9.6
R-6	3,500	12.4	14.88
Non-Residential			
		Base (FAR)	Maximum FAR with Bonus
CN		.20	.24
C-1		.30	.36
C-2		.40	.48
PS			
T-P		.50	.60
POS		.15	.18

f. ESOS Flexibility

- i. ESOS flexibility is available for any property subject to the requirements contained in this section. The Applicability requirements of Section F.2.b do not apply.
- ii. The Town Council may reduce the amount of required ESOS specified in Table 27.10-2.
- iii. Review and approval of a proposed reduction in ESOS is subject to the following limitations:



- a) Critical and Core Resource Areas: 10 percent maximum reduction.
- b) Resource Management Areas: 25 percent maximum reduction.
- c) Major Wildlife Linkage Areas: No reduction permitted.

iv. Criteria

When it is demonstrated that one of the following criteria is satisfied and that open space connectivity is equally conserved, a reduction in minimum ESOS in the Critical, Core or Resource Management Areas may be approved by the Town Council.

- a) The site is identified as appropriate for C-1, C-2 or Technological Park growth in accordance with the adopted strategic economic development policy, or
- b) Development proposal is wildlife permeable as defined in Chapter 31, or
- c) The area has been isolated by development from other open spaces and lost all connectivity with other open space areas.

v. Resource Priorities

Relative resource priorities as identified in Section E.4 shall be applied to guide open space design when ESOS flexibility is requested.

vi. Essential Services

- a) Essential services include vehicular access, utilities and sewer improvements.
- b) Disturbances to ESOS, excluding Major Wildlife Linkages, for essential services may be approved by the Town Council when:
 - (1) The proposed location improves public safety; or
 - (2) No economically viable alternative location exists, and
 - (3) It has been demonstrated that the least amount of disturbance has been planned.
- c) Areas disturbed as a result of providing flexibility for essential services must be mitigated in accordance with Section 27.10.G, Mitigation.
- d) Areas damaged by roads or infrastructure that do not enable complete restoration must be mitigated by providing onsite replacement of the same quantity and quality of ESOS or providing off-site mitigation as outlined below.

vii. Off-Site Mitigation

As a component of ESOS flexibility, ESOS may be provided on an alternative, off-site land parcel subject to the following:

- a) Off-site mitigation proposals must further the purposes of the ESL regulations.
- b) The resources must be equal or higher value in the ESL hierarchical system.



- c) Mitigation must be provided on a 1:1 ratio.
- d) The remaining ESOS, after any reduction, retains its environmental value as intended by the ESL regulations.

viii. Approved Cultural Resources Site

Land designated as a protected cultural resources site in accordance with an approved treatment plan shall qualify as required ESOS on a 1:1 basis (each square foot of cultural resource site shall equal one (1) square foot of required ESOS) as determined by the Planning and Zoning Administrator.

3. Design

a. Development Envelope

- i. Development envelopes must be delineated when development is proposed adjacent to ESOS areas. The specific location of a development envelope shall be shown on the development plan, subdivision plat, improvement plan, and Type 1 grading permit. The method of delineating the envelope boundary must enable precise field verification.
- ii. All improvements requiring ground disturbance shall be contained within development envelopes. No clearing, grading, grubbing, or disturbance may occur outside of the approved development envelopes or within ESOS areas subject to specified exceptions in Section F.1.b, Permitted Uses, and F.1.c.iv Prohibited Uses-Vehicular Access and Section E.4, Open Space-Essential Services.
- iii. A field survey to determine the location of development envelope boundaries is required at the discretion of the Planning and Zoning Administrator.
- iv. The boundary of ESOS or the development envelope shall be delineated by a temporary, highly visible, protective fence. Fencing must be established prior to construction and remain in place until construction is complete as determined by the Planning and Zoning Administrator.

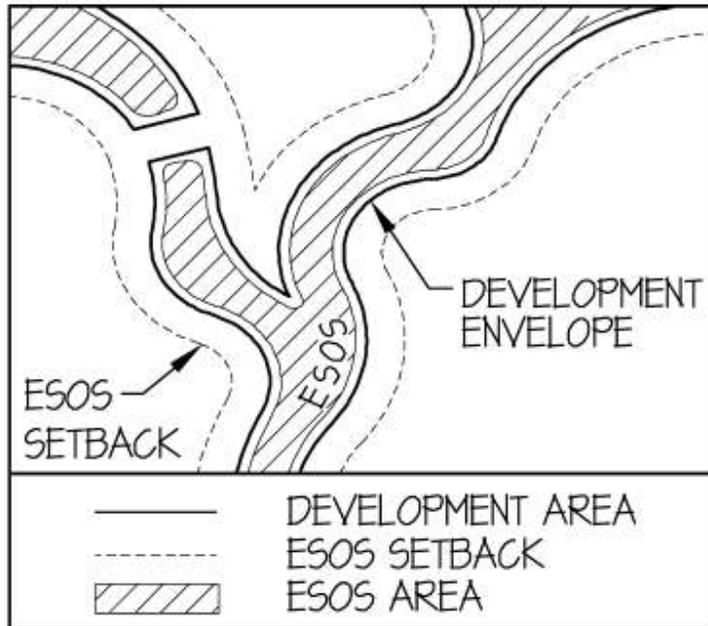
b. ESOS Setbacks

- i. All structures must be setback to permit their installation or construction without any impact to ESOS areas. The following setbacks apply to the following structures:
 - a) Walls and fences: 15 feet
 - b) Buildings, ramadas, play structures, similar accessory structures, swimming pools, and retaining walls over 3 feet: 20 feet

Setbacks may be reduced at the discretion of the Planning and Zoning Administrator to no less than 5 feet if the property owner can demonstrate conditions or specific techniques that insure no encroachment into ESOS.



FIGURE 27.10 – 27: Building Envelope and ESOS Setback



- ii. When other setbacks are required per the OVZCR, the more restrictive setback shall apply.
 - iii. The Planning and Zoning Administrator may require wider ESOS setbacks where conditions dictate additional disturbance is required for construction.
- c. Rock Outcrops and Boulders
- Mitigation measures are required for rock outcrop and boulder encroachments. A mitigation plan, prepared in accordance with the requirements contained in Section 27.10.G, Mitigation is required.
- d. Circulation Improvements
- i. Circulation improvements include facilities for vehicular and non-vehicular use such as roadways, driveways, parking, circulation areas, bridges, drainage crossings, multi-use and bicycle pathways and sidewalks. Trail system design is addressed in Section E, Open Space.
 - ii. Circulation improvements must be designed to avoid impacts to environmentally sensitive areas. When no other viable alternative exists, circulation improvements shall use shortest distance alignments and otherwise minimize grading and disturbance of environmentally sensitive areas.

- iii. The design of circulation improvements and wildlife crossings in environmentally sensitive areas shall:
 - a) Comply with Oro Valley Subdivision Street standards and the Drainage Design Criteria unless specifically modified to preserve ESL resources and approved by the Town Engineer,
 - b) Be based on a Town-approved assessment of wildlife species occurring in the area, and,
 - c) Include design features that support conservation of identified species.
 - iv. The Town Engineer retains discretion for specifying wildlife-friendly design features for circulation improvements located in environmentally sensitive areas.
 - v. Restoration of all disturbed areas is required in accordance with Section 27.10.G, Mitigation.
- e. Structures
- i. For all structures on residential lots adjacent to ESOS, or non-residential and multi-family structures within 200 feet of ESOS, building materials must meet the requirements listed in Section 27.10.F.3.e.ii below.
 - ii. Design requirements for all structures and utility equipment such as surface mounted utility transformers, pull boxes, pedestal cabinets, service terminals or other similar on-the-ground facilities include:
 - a) Glass surfaces shall not exceed a reflectivity of 20 percent.
 - b) Exterior finishes shall not exceed a reflectivity of 60 percent.
 - c) Materials used for exterior surfaces of all structures shall match in color, hue, and tone with the surrounding natural desert setting. Green and beige hues and tones are preferred for utility equipment located in environmentally sensitive areas.

Surface materials of walls, retaining walls or fences shall be similar to and compatible with those of the adjacent main buildings.

 - d) Cumulative application of structural and other design requirements within Scenic Resource areas.
- f. Permanent Walls and Fences
- i. In open space areas such as recreation areas, bufferyards and drainage facilities adjacent to ESOS and in wildlife permeable development, wall and fence design features shall:
 - a) Be wildlife-friendly and promote conservation of identified species as determined by the Planning and Zoning Administrator.
 - b) Utilize wall and fence design based on a Town-approved assessment of the wildlife species using the area.



- ii. No walls, fences, or other barriers may be located so as to impede wildlife movement through designated ESOS. Walls or fences shall not enclose or disconnect contiguous ESOS.
- iii. Chain link, wire mesh, woven wire and similar fence materials are prohibited.
- iv. Walls can be in the form of a view fence that combines solid wall elements with wrought iron or other open material to permit unobstructed views.
- v. Walls and fences shall not require the removal of distinctive vegetation as defined in Section D.2.c.iii.;
- vi. Walls shall be built of materials that blend into the rough textures and rustic character of the vegetation, rocks and other features of the natural desert setting and shall comply with Section 27.6.C.5, Landscape Conservation – Screening.

G. Mitigation

1. Purpose

Site-specific mitigation is required in order to restore biological functions and resource values of riparian areas, distinctive vegetation and rock outcrop features impacted by development activity or previous human disturbance.

2. Applicability

- a. Mitigation is required for disturbed areas of environmentally sensitive resources including restoration due to impacts from:
 - i. Essential services installation as described in Section F.2.f.vi,
 - ii. Degraded linkage areas as described in Section E.4.e.i, and
 - iii. Other instances of disturbance to environmentally sensitive resources.
- b. When ESOS is applied to a minimum of 66 percent of a project site or parcel in the Resource Management Area Category, the requirements of Section 27.6.B, Native Plant Preservation, Salvage and Mitigation do not apply.(repeat this in section 27.6.B.1)
- c. This section applies to natural resources and does not apply to mitigation of a cultural resource.

3. General Requirements

Mitigation specific to each disturbed area is required for impacts to environmentally sensitive resources including:

- a. Riparian Areas
- b. Distinctive plant stands and communities, and
- c. Rock outcrops and boulders.

4. Mitigation

a. Site Characterization

- i. If the proposed impact area is less than ¼-acre in size, prior to disturbance the site shall be characterized through a 100% inventory of resource elements.
- ii. If the proposed impact area is greater than ¼-acre in size site characterization may be accomplished through sampling as described below.

b. Sampling Riparian Areas and Distinctive Vegetation Stands

i. Sample Area(s)

- a) Determine the sample areas within which plots or transects will be established in accordance with Reference Site requirements. The following qualities shall be included in the sample area:

- (1) Sample areas for distinctive vegetation stands should include stands of mature and healthy vegetation that meet the minimum cover or density definitions in the ESL for those resources being impacted.
- (2) Sample areas area shall be large enough to include all species belonging to the plant community.
- (3) The habitat should be relatively uniform throughout a single sample area. Each habitat type shall be sampled separately.

ii. Configuration

- a) Plots or transects shall be distributed throughout the sample area in a manner to capture all of the variability within that sample area. Plots or transects can be either located randomly within a sample area or according to an orderly sampling scheme (e.g., on a grid, at regular intervals, etc.)—as long as the result is that the sample area is accurately described by the plot number and arrangement.
- b) The sampling locations must be approved as part of the Mitigation Plan review process, and must be representative of the area of being sampled.

iii. Plot Sampling

- a) Plot sampling, or quadrat sampling, can be used to describe a variety of plant community characteristics of an area that is too large for a complete vegetation inventory to be feasible.
- b) The parameters to be addressed include: diversity (species present), cover, and density (number of species in a given area).
- c) The number of plots or transects conducted within each sample area should be sufficient to characterize the range of vegetation condition within it.
- d) Size and Shape

- (a) Plot size and shape should fit the nature of the vegetation community to be sampled. Circular plots are generally recommended with these field mapping standards, as they are more efficient to accurately establish in the field.
- (b) Plot size should be large enough to include a significant number of individual plants, representing all dominant species, but small enough that plants can be counted without duplication or omission of individuals.
- (c) Suggested plot sizes that are typically appropriate for vegetation in the context of riparian habitat are listed below. Site characteristics may necessitate using a different plot size or shape (i.e., if the riparian vegetation entity is not wide enough). Plot shape and size should be consistent throughout.
- (d) Circular plots (preferred): 10-meter radius (314 m² or 3,380 ft²)
- (e) Square plots: 15–20 meters per side (225 m²–400 m² or 2,422 ft²– 4,306 ft²)
- (f) Rectangular plots: 15 meters x 20 meters (300 m² or 3,229 ft²)

iv. Transect Sampling

Transects may be conducted according to the point intercept and belt transect methods. The method is based on a 50-meter point transect centered on a 2×50-meter plot (i.e., the belt transect). Using this method, vegetation is sampled by points at 0.5-meter intervals along the 50-meter transect to determine cover. The surveyor will note the species encountered at each interval. In addition, individuals of each perennial species rooted within the 2×50-meter plot will be counted to determine density and diversity. All annuals present in the 2×50-meter plot will also be noted.

c. Rock Outcrops and Boulders

If rock outcrops and/or boulders, as defined in Chapter 31, will be impacted beyond established thresholds, they must be addressed in the Mitigation Plan through salvage and relocation to re-create the original character as determined by an assessment of the following features:

- i. The surface area and average height of the feature.
- ii. Average size of boulders within the feature.
- iii. General density and width of crevices or fractures across the outcrop.
- iv. Aspect/orientation of the outcrop.

d. Reference Sites

- i. When degraded areas do not permit site characterization in accordance with Section 4.b, above, a reference site shall be selected and used as a “proxy” for desired conditions at the mitigation site.
- ii. Reference sites shall be used to determine appropriate plant species, size and density to be included in the Mitigation Plan.

- iii. Reference sites shall be located in the same watershed and carefully chosen to reflect similar habitat resources including vegetation qualities and abiotic characteristics such as elevation, topography, stream characteristics, and substrate. Reference sites are informative and suggestive rather than prescriptive. Characterization of reference sites shall use the sample methodology outlined herein.
- iv. Reference sites for riparian habitat impacts should include healthy, intact riparian habitat that is the same or higher riparian/xeroriparian classification and within the same watershed as that being impacted.
- v. Each reference site may include several sampling areas.
- vi. Number of Reference Sites
 - a) If the proposed impact area is less than ¼-acre in size and has been previously degraded or disturbed, at least one (1) reference site shall be selected for characterization.
 - b) If the proposed impact area is between ¼ and 5 acres in size and has been previously degraded or disturbed, at least two (2) reference sites shall be selected for characterization.
 - c) For proposed impacts areas greater than 5 acres that have been previously degraded or disturbed, at least three (3) reference sites shall be selected for characterization.

5. Mitigation Plan

- a. Mitigation Plans shall be prepared by a qualified habitat restoration specialist. The requirement to use a Qualified Habitat Restoration Specialist is waived for Mitigation Plans prepared for single residential parcels.
- b. A Mitigation Plan shall include accurate information about resource elements present in the proposed impact area prior to such impacts and at any proposed mitigation area if different than impact area.
- c. Mitigation Plan Contents

The following information must be included in a Mitigation Plan:

- i. Aerial photograph at an appropriate scale with the following items clearly labeled:
 - a) Proposed project area, mitigation area, and reference area(s),
 - b) ESL resources,
 - c) Sampling entities,
 - d) Plot and/or transect locations, numerically labeled, to identify the plot relative to the data.
- ii. Results summary table with all species listed,
- iii. Evaluation of species diversity and vegetation cover,



- iv. Representative photographs of each sample entity,
 - v. Planting Plan, including specifications for the placement and relocation of rock and boulder features, and
 - vi. Other supporting data and evidence as appropriate.
- d. Plant Density
- i. For each area sampled, calculate the mean (average) number of individuals per species, based on the area of all plots or transects in that entity. For creating a planting plan, these values can be extrapolated to a meaningful area (e.g. 1 acre or the size of the proposed disturbance) for each species as well as a total for shrubs and trees. The mean value will be used to calculate the mitigation required, using the following formula:

$$\frac{\text{Total number of plants in all plots}}{\text{Total combined area of all plots}} = \frac{X \text{ plants per area of interest}}{\text{Area of interest}}$$

- ii. At a minimum, all mitigation areas should achieve a density of 45 trees per acre and 100 shrubs per acre.
- Species and quantities of plant materials must be calculated based on density values obtained in the vegetation sampling of the reference site(s) as described below.

- e. Plant Palette
- i. The specific plant palette should include native species that are present in the proposed impact area or reference site(s), as determined by the sampling techniques described above.
 - ii. Historic floras may be consulted for additional species that may have occurred in the area in the past and that may be appropriate.
 - iii. Plant materials must be selected to create a diverse native vegetation community that will have the greatest habitat value possible. This should include (as appropriate) species of trees, large and mid-sized shrubs, bunchgrasses, sub-shrubs, vines, and annuals that will provide a structurally diverse vegetation community with ample cover for a variety of wildlife.
 - iv. Species selection must incorporate plant species that provide a variety of food resources for wildlife, include grains, berries, insects, pollen, and nectar.

- f. Plant Size
- Trees and shrub size shall reflect the average found in the transects. The following serves as minimum size requirements:

- i. Trees: 50% at 24" boxed and 50% at 15 gallon
- ii. Shrubs: 100% at 5 gallon



g. Planting, Rock and Boulder Design

- i. Container plants must be installed in natural-looking patterns that mimic the surrounding and reference areas and not in rows or grids. Planting design shall be detailed on the Planting Plan.
- ii. The placement of rock and boulder materials shall re-create the original character of the feature to the greatest practical extent. Rock and boulder placement shall be detailed on the Planting Plan.

h. Plant Material Quality

- i. Emphasis on plant materials shall be for restoration quality stock that is native and as local to the project area as possible and preferably from within the same watershed.
 - ii. Plant materials may consist of salvaged plants or cuttings as well as container plants grown in traditional or tall pots from seed collected locally specifically for the project. Container plants will be grown at a nursery that specializes in producing high-quality native plant species for habitat restoration projects.
 - iii. Native soil shall be used in the plant containers if possible. If more native soil is needed than is available to fill plant containers, each container shall receive some native soil mixed with an appropriate commercial nursery soil mix.
 - iv. Container plants must be grown outdoors and in full sunlight. Prior to container plants being delivered to the project site, they shall be hardened off from water, so they may be able to sustain themselves under potential drought conditions once planted.
 - v. Deep-planting techniques for woody species are permitted in order to achieve maximum survival with minimal irrigation. This may include deep-planting of dormant pole cuttings as well as the use of container stock grown in tall pots.
 - vi. All plant materials shall be inspected by Town staff prior to installation to ensure they are healthy, disease free, and of proper species, quantities, and sizes.
- i. Seed Purchase and Collection
- i. If the proposed impact area is 5 acres or less in size, commercially purchased seed that is appropriate for the site may be used.
 - ii. Seed labels, including origin, purity, and germination rates, shall be made available to Town staff for review and approval prior to application at the project site.
 - iii. The seed mix palette must include only native species that occur in the vicinity of the restoration mitigation area and that are appropriate for the site, as determined by vegetation sampling.
 - iv. The mix should include as many species as possible, and, as with the container plants, a diverse mix of structural habits. It is important to include species that germinate at different times of the year as a contingency if precipitation is below average during the first wet season and to provide cover throughout the year.
 - v. If the proposed impact area is greater than 5 acres in size, seed will be collected from the impact site and vicinity. Seed collection shall occur in at least two seasons, spring and



late summer, prior to project implementation. It is critical that the project schedule include ample time for the collection and production of local plant materials. Seeds must originate from as close to the project area as possible, and within the same watershed if possible. Alternative means to achieve collection of native seeds may be approved by the Planning and Zoning Administrator.

j. Seed Application

Seeds can be applied through a variety of methods, including hand-broadcasting, pelletization, pitting, and hydroseeding. Timing of application shall be coordinated with precipitation for the greatest likelihood of germination success.

6. Off Site Mitigation

a. Location

- i. Mitigation may be proposed onsite or off-site subject to Planning and Zoning Administrator approval. Onsite mitigation is appropriate when impacts are temporary such as disturbance for a utility right-of-way. Offsite mitigation may be proposed if impacts will be permanent.
- ii. Appropriate off-site mitigation locations include areas adjacent or in close proximity to the impacted area that contain similar resource elements such as areas upstream along the same riparian corridor where the impact occurred, or areas where resources have previously been degraded or disturbed.
- iii. The location of the proposed mitigation area should consider the following items:
 - a) Proximity and connectivity to other resource elements within and adjacent to the parcel containing the mitigation area
 - b) Soil and landscape characteristics
 - c) Hydrology
 - d) Zoning and long-term protection
 - e) Access and logistical concerns
 - f) Land use history

Addendum G

ESL Resource Science Specifications and Definitions

1. Methodology for Mapping

The following methodology is utilized in mapping riparian area boundaries within the Town of Oro Valley:

- a.** Hydroriparian includes any drainage with perennial surface water regardless of plant species composition; Mesoriparian includes any drainage without perennial surface water but any of the following species: Arizona Walnut (*Juglans major*), Fremont cottonwood (*Populus fremontii*), Gooding willow (*Salix gooddingii*), Arizona sycamore (*Platanus wrightii*), Arizona ash (*Fraxinus velutina*), netleaf hackberry (*Celtis reticulata*), or seep willow (*Baccharis salicifolia*); Xeroriparian includes any drainage with intermittent/ephemeral flow but not containing the above indicator species; Xeroriparian areas will have a representative vegetation volume of 0.500 m³/m² or greater.
- b.** The lateral riparian boundary is a contiguous line along the canopy margins of the predominant overstory vegetation species parallel to a riparian area, where the lateral distance between canopy margins of individuals of the predominant plant species is less than two times the height of the tallest individuals. Where the distance between canopy margins parallel to the channel are greater than two times the height of the tallest individuals, the boundary is considered to be the top of bank of the channel.
- c.** Boundary between Meso and Xeroriparian habitat types -- any gap between Mesoriparian indicator species of 1,000 ft or greater will indicate a transition to xeroriparian. Mesoriparian boundary will be at indicator species' canopy.
- d.** In braided riparian systems where 'islands' may occur, these are included as part of the riparian area. Islands more than 200 feet wide, or whose surface elevation is significantly higher than surrounding channels, are not included.
- e.** Because of natural variability, not all areas within mapped riparian areas will support the overall representative vegetation volume. Additionally, mapped riparian areas may include areas without representative vegetation volume, but do contribute to regional riparian system functions (e.g. drainage connectivity, sediment and nutrient transport, channel meander, etc.)
- f.** Riparian areas disconnected hydrologically from downstream riparian areas by human disturbance or impacts are not included.
- g.** The criteria for determining an upstream starting point (headwaters) of Riparian Areas with representative vegetation volume is where a discernable channel with an ordinary high water mark begins.
- h.** Vegetation volume within a riparian area will be determined using Pima County Regional Flood Control District Technical Procedure 116: Quantitative Methods for Regulated Riparian Habitat Boundary Modifications and On-Site Vegetation Surveys.



2. Special Status Species Habitat

Special Status Species Habitat is comprised of the following:

- a. Breeding, foraging, cover, and dispersal habitat for common and special-status species as designated by Pima County at the time of adoption of this ordinance.
- b. Wildlife habitat includes all areas identified as Significant Vegetation, Rock Outcrops and Boulders, Riparian Areas, Distinct Habitat Resources or Major and Minor Wildlife Linkages.
- c. Pima County Conservation Land System Biological Core and Important Riparian Areas.
- d. Nature Conservancy Conservation Target #18 (Tortolita Mountains).
- e. Priority Conservation Areas (PCA's) for Priority Vulnerable Species.
- f. Designated Critical Habitat for ESA Threatened and Endangered species.
- g. SDCP Priority Vulnerable Species (AZ WFSC, and ESA T&E).
- h. Habitat for threatened and endangered species, if designated, is to be regulated by State and Federal law.

3. Criteria Utilized to Refine Pima County SDCP designated Multiple Use Areas

Lands were retained in Resource Management Areas by applying the following:

- a. Adjacent to Protected Open Space: Land areas that are adjacent to or have connectivity to publicly or privately protected open space area or preserves.
- b. Abut or connected to Riparian Areas: Land areas that directly abut or have connectivity to mapped riparian areas and floodplains.
- c. Wildlife Permeable Areas: Land areas that are committed to or directly abut wildlife permeable development as defined in Section 31.
- d. Minimum Size Thresholds: RMA's shall meet the following minimum size thresholds:
 - 1) One (1) acre when abutting other resource areas, open space areas, preserves, or riparian areas. The cumulative area of the parcel(s), resource areas, open space areas, preserves, or riparian areas must be 20 acres or larger.
 - 2) 20 acres on a single or multiple parcels when not abutting resource areas, open space areas, preserves, or riparian areas.
- e. Developed areas: Exclude graded areas of active development and areas developed at a density of greater than one home per acre.

Addendum H

Scenic Resources Area Design Guidelines

1. Purpose

Design guidelines seek to implement the adopted land use goals of the community with regard to community design within Scenic Resource areas. The purpose includes:

To ensure the built environment conserves environmentally sensitive resources in accordance with the adopted General Plan,

To promote community development that is aesthetically pleasing and compatible with the natural surroundings,

To maintain the value of the Town's scenic and environmentally sensitive resources, and

To minimize disturbance to the natural environment.

2. Design Review and Approval Procedures

The baseline for design guidance is contained in the OVZCR, Addendum A, Design Guidelines. These Scenic Resource Design guidelines supplement Addendum A and are intended as a flexible addition to the development requirements set forth in Section 27.10.D.2.f, Scenic Resources Category, for general land development use types along scenic corridors and within public park viewsheds.

These guidelines apply to any development in all three Tiers of the Scenic Resource Category as specified in Section 27.10.D.2.f.iii, Scenic Resources Applicability. Procedures for applying these guidelines are included in Section D.2.f.vi.

3. Design Guidelines

Review of all development plans and subdivision plats in scenic corridor areas should consider the following particulars. Site Planning and Architectural guidelines are expected to be met for the approval of a subdivision plat or commercial development plan.

Employment / Institutional guidelines are in addition to consideration of Commercial guidelines for employment/institutional development plans in scenic corridor areas. Proposed resort developments are to be evaluated according to General Plan, Specific Plan and overlay district criteria to assure project excellence.

a. Site Planning

1) General

- i. Incorporation of natural elements such as boulders, native rock or designing to blend structures with natural washes or existing stands of vegetation is highly desirable.
- ii. Include subdued lighting for entries, signage and parking areas.
- iii. Provide pathway links to interior residential neighborhoods or planned recreational trails.



- iv. Include Integration of structures, pedestrian paths with natural earthforms.
- v. Parking or maneuvering should not be located in required minimum setback.
- vi. Structures should be used to screen access or frontage roadways parallel to scenic corridors. Earthen berms should comply with adopted rainwater harvesting requirements.

2) Residential

The following site design expectations are to be met for the approval of any subdivision plat or development plan:

- i. Street patterns and/or landscaping are to be provided consistent with safe traffic visibility and design practice to screen views of rights-of-way perpendicular to scenic corridors.
- ii. Walls enclosing individual lots, residential clusters, or multi-family structures are to be located at the setback line of perimeter landscaped buffer areas or maintained setback tracts (see Section 24.5.G.1.b).
- iii. Pathway linkages are to be provided within the development and connecting with pathways, trails, or bike lanes paralleling the scenic corridor.
- iv. Except where specific view corridor preservation is intended, curvilinear street patterns and/or landscaping are to be provided to screen views of rights-of-way perpendicular to Oracle Road consistent with safe traffic visibility and design practice.
- v. Maintain views from residences to mountain vistas, major washes, and native vegetation.
- vi. Provide structure spacing to permit views and focus on stands of vegetation.
- vii. Utilize subdued or managed lighting.
- viii. In sloped areas provide screening of structural support piers.
- ix. Provide shared roadway access.

3) Commercial

- i. Rear and side setbacks adjacent to residential districts should include berms and/or walls, augmented with landscaping achieving opaque screening to a height of not less than 8 feet. Berming shall comply with Town landscape requirements for rainwater harvesting.
- ii. No loading, storage, outdoor activity (except as expressly permitted in the underlying district), or display of merchandise visible from scenic corridors, intersecting arterials or adjacent residential neighborhoods.
- iii. Pathway linkages to be provided to adjacent properties where appropriate and within multi-use developments.
- iv. Clustering structures as a central “outcropping” visible when approaching the development on entry driveways, with principal parking areas (majority of spaces) screened by structures from scenic corridors or adjacent arterials.



- v. Access driveways should be spaced 660 feet apart.
 - vi. Provide shared roadway access.
- 4) Employment and Institutional
- i. Adjacent to residential districts, setbacks of the residential district are to be met or exceeded, and to include a masonry wall with landscaping as augmentation.
 - ii. No outdoor storage visible from Oracle Road or adjacent residential neighborhoods.
 - iii. Provide pathway links to internal recreation facilities and external pathways and routes.
 - iv. Maintain view corridors through the site.
 - v. No parking or access driveways within required setbacks.
- 5) Resort Development
- i. Open vistas are characteristic of this use type; walls and enhanced vegetation are to be utilized for screening functions.
 - ii. Clustering of structures is oriented away from the perimeter of the site and view corridors, providing a central “outcropping”.
 - iii. Keeping principal structure on lower slopes, not exceeding ridge heights.
 - iv. Maintaining wide sight angles beyond structures is preferred.
 - v. Casitas should be deployed to create residential scale.
 - vi. Emphasis should be placed on existing vegetation to accent principal buildings and plazas.
 - vii. Vehicular circulation ways are minimized.
 - viii. Pathway linkages, particularly to encourage resort guests’ and residents’ use of the Corridor path systems, are to be established for access to and from the principal resort structure.
 - ix. Include visible display of open space and recreational features, such as golf courses.
 - x. Maintain open expanses to preserve adjacent neighborhood views.
 - xi. Structures should be grouped well away from view corridors.
 - xii. Low-lying building profiles should be utilized.
 - xiii. Views through the site should be preserved.

b. Architectural Design

- 1) General Design

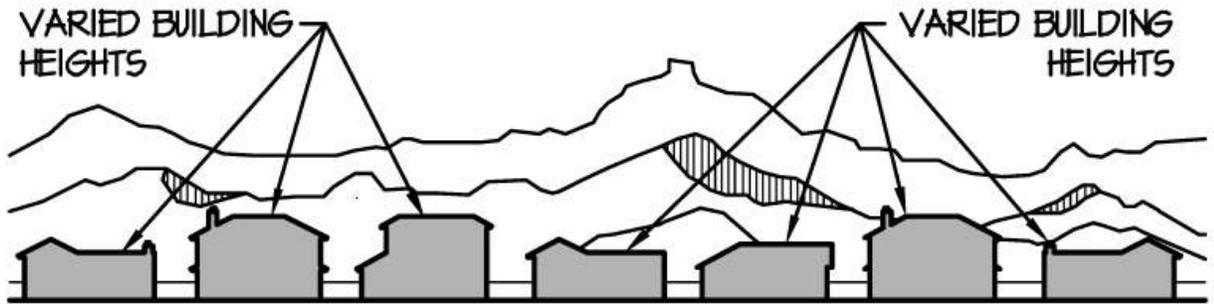


- i. Buildings constructed in scenic corridors and park viewsheds should be low and of colors, materials and textures, which blend with natural desert vegetation, leaving large areas of open space between developments. Buildings that are visible from scenic corridors should seem to be a part of, or in, the landscape rather than appearing to be an imposition on the site. The buildings should follow the natural contours of the existing topography.
- ii. Building Colors
 - a) Building colors should relate to one another and the natural environment on the basis of pigment, color value, and/or intensity. In scenic corridors, earth tones and pastels are encouraged, especially in areas of high visibility. Desert/mountain colors that blend with the natural background are encouraged.
 - b) In areas upslope from scenic corridors, darker, geologic colors to blend with mountain slopes.
 - c) In locations upslope from the ultimate scenic corridor roadway right-of-way, richer, earthtone or geologic colors and rougher textures are preferred, especially those which complement background views; downslopes, darker earth colors with more dense landscaping clusters.
 - d) Color schemes should avoid jarring juxtapositions with primary colors.
 - e) In more private area, away from scenic corridors, homeowners and business owners are permitted more freedom in color selections.
 - f) Bright colors should not be visible from scenic corridors or other public rights-of-way.
 - g) Foreground colors should harmonize and blend with existing vegetation, natural rock/earth forms or built background.
- iii. Include architectural detailing on all structure facades.

2) Residential

Review of all residential developments other than individual, detached, single-family home construction shall consider the following criteria to assure design consistency with Scenic Resource intent and character:

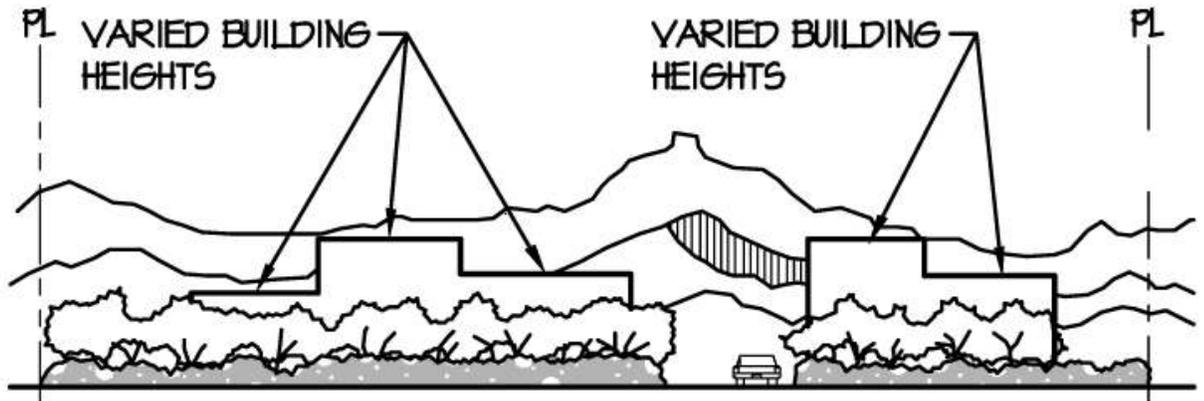
- i. Building heights should be varied, preferably mixing one and two-story homes to enable views across the site from the scenic corridor right-of-way.



- ii. Consistent, finished rooftop treatments, without visible roof-mounted equipment.
- iii. Noise Mitigation should be addressed by masonry construction, double-paned windows, and limited window openings and recreational yard uses facing scenic corridors.
- iv. Structural screening of access or frontage roads and parking visible from scenic corridors, and structural integration with terrain, such as building lower floors into slopes.
- v. Thematic architectural detailing should be included.

3) Commercial

- i. Building heights should be varied to enable views across the site from the scenic corridor right-of-way.



- ii. Structural height restricted to 1:4 (from natural grade) relative to width.
- iii. Principal structures are constructed of rough masonry, slump block, or similar materials; board and batten, untreated concrete block or metal buildings are discouraged.
- iv. Moving appurtenances should not be visible from scenic corridors or other public rights-of-way.
- v. Rooflines are preferred to be horizontal; others are permissible.

- vi. Architectural detailing includes rough-cut stone accents, recessed window treatments, and vertical elements in visible walls of greater than 50 feet in length.
- 4) Employment / Institutional
- i. Structural height is limited to a ratio of 1:3 relative to width.
 - ii. Provide enhanced native landscape along frontage.
 - iii. Include rougher building material textures.
- 5) Resort
- i. Provide distinctive architecture blending with the Sonoran Desert context.
 - ii. Include creative use of light and shade in plazas.
 - iii. Extensive use of natural materials (rough native stone, wood) is preferred.
 - iv. Consideration of split-level entry from parking areas.
 - v. Mission-style, Santa Fe, or Territorial architecture is appropriate.
 - vi. Include landscaped focal points.

c. Vegetation Preservation and Screening Guidelines

Vegetation Preservation: Innovative site planning and architectural treatments, which preserve and incorporate the maximum number of existing trees, Corridor Character Vegetation, and shrubs is encouraged in concert with compliance with native plant preservation requirements.

Addendum P

Methods for Sampling Riparian Habitat and Specifications for Plant Material Quality

This Addendum contains the procedures and minimum specifications for determining and configuring sample areas and techniques for both plot sampling and transect sampling to be conducted in conjunction with preparation of a Mitigation Restoration Plan as required by Section 27.10.G.

1. Sample Area(s)

- a. Determine the sample areas within which plots or transects will be established in accordance with Reference Site requirements. The following qualities shall be included in the sample area:
- b. Sample areas for significant vegetation stands should include stands of mature and healthy vegetation that meet the minimum cover or density definitions in the ESL for those resources being impacted.
- c. Sample areas area shall be large enough to include all species belonging to the plant community.
- d. The habitat should be relatively uniform throughout a single sample area. Each habitat type shall be sampled separately.
- e. Configuration
 - 1) Plots or transects shall be distributed throughout the sample area in a manner to capture all of the variability within that sample area. Plots or transects can be either located randomly within a sample area or according to an orderly sampling scheme (e.g., on a grid, at regular intervals, etc.)—as long as the result is that the sample area is accurately described by the plot number and arrangement.
 - 2) The sampling locations must be approved as part of the Mitigation Restoration Plan review process, and must be representative of the area of being sampled.

2. Plot Sampling

- a. Plot sampling, or quadrant sampling, can be used to describe a variety of plant community characteristics of an area that is too large for a complete vegetation inventory to be feasible.
- b. The parameters to be addressed include: diversity (species present), cover, and density (number of species in a given area).
- c. The number of plots or transects conducted within each sample area should be sufficient to characterize the range of vegetation condition within it.
- d. Size and Shape



- 1) Plot size and shape should fit the nature of the vegetation community to be sampled. Circular plots are generally recommended with these field mapping standards, as they are more efficient to accurately establish in the field.
- 2) Plot size should be large enough to include a significant number of individual plants, representing all dominant species, but small enough that plants can be counted without duplication or omission of individuals.
- 3) Suggested plot sizes that are typically appropriate for vegetation in the context of riparian habitat are listed below. Site characteristics may necessitate using a different plot size or shape (i.e., if the riparian vegetation entity is not wide enough). Plot shape and size should be consistent throughout.
 - i. Circular plots (preferred): 10-meter radius (314 m² or 3,380 ft²)
 - ii. Square plots: 15–20 meters per side (225 m²–400 m² or 2,422 ft²– 4,306 ft²)
 - iii. Rectangular plots: 15 meters x 20 meters (300 m² or 3,229 ft²)

3. Transect Sampling

Transects may be conducted according to the point intercept and belt transect methods. The method is based on a 50-meter point transect centered on a 2×50-meter plot (i.e., the belt transect). Using this method, vegetation is sampled by points at 0.5-meter intervals along the 50-meter transect to determine cover. The surveyor will note the species encountered at each interval. In addition, individuals of each perennial species rooted within the 2×50-meter plot will be counted to determine density and diversity. All annuals present in the 2×50-meter plot will also be noted.

4. Plant Material Quality

- a. Plant materials may consist of salvaged plants or cuttings as well as container plants grown in traditional or tall pots from seed collected locally specifically for the project. Container plants will be grown at a nursery that specializes in producing high-quality native plant species for habitat restoration projects.
- b. Native soil shall be used in the plant containers if possible. If more native soil is needed than is available to fill plant containers, each container shall receive some native soil mixed with an appropriate commercial nursery soil mix.
- c. Container plants must be grown outdoors and in full sunlight. Prior to container plants being delivered to the project site, they shall be hardened off from water, so they may be able to sustain themselves under potential drought conditions once planted.
- d. Deep-planting techniques for woody species are permitted in order to achieve maximum survival with minimal irrigation. This may include deep-planting of dormant pole cuttings as well as the use of container stock grown in tall pots.

All plant materials shall be inspected by Town staff prior to installation to ensure they are healthy, disease free, and of proper species, quantities, and sizes.

