

ORDINANCE NO. (O)15-03

AN ORDINANCE OF THE TOWN OF ORO VALLEY, ARIZONA, AMENDING THE ENVIRONMENTALLY SENSITIVE LANDS PLANNING MAP CRITICAL RESOURCE AREA AS DEPICTED IN EXHIBIT “B” AND REPEALING ALL RESOLUTIONS, ORDINANCES, AND RULES OF THE TOWN OF ORO VALLEY IN CONFLICT THEREWITH; PRESERVING THE RIGHTS AND DUTIES THAT HAVE ALREADY MATURED AND PROCEEDINGS THAT HAVE ALREADY BEGUN THEREUNDER

WHEREAS, On February 16, 2011, the Town Council approved Ordinance No. (O) 11-01, which adopted the “Environmentally Sensitive Lands” and “Environmentally Sensitive Lands Planning Map” of the Oro Valley Zoning Code Revised; and

WHEREAS, Applicant, WLB Group, Inc., is requesting an amendment to the Environmentally Sensitive Lands Planning Map Critical Resource Area (CRA) for the property located near First Avenue and Lambert Lane, attached hereto as Exhibit “A”; and

WHEREAS, Applicant hired RECON Environmental to perform field surveys of the area, the same Environmental company hired by the Town to create the original “Environmentally Sensitive Lands Planning Map”; and

WHEREAS, RECON determined that the vegetation volume of the area between the two channels in the southern portions of the CRA does not meet the Environmentally Sensitive Lands defined xeroriparian habitat criteria and recommends that the CRA boundaries, attached hereto as Exhibit “B” be refined to be consistent with existing drainage and vegetative conditions.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Town Council of the Town of Oro Valley:

SECTION 1. The Council hereby adopts the amendment to the Environmentally Sensitive Lands Planning Map as depicted in Exhibit “B”

SECTION 2. The effective date of the Environmentally Sensitive Lands Planning Map amendment shall be thirty days after the adoption of this Ordinance by the Town Council.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

SECTION 4. All Oro Valley Ordinances, Resolutions, or Motions and parts of Ordinances, Resolutions or Motions of the Council in conflict with the provisions of this Ordinance are hereby repealed.

PASSED AND ADOPTED by the Mayor and Council of the Town of Oro Valley, Arizona this 21st day of January, 2015.

TOWN OF ORO VALLEY

Dr. Satish I. Hiremath, Mayor

ATTEST:

Julie K. Bower, Town Clerk

Date: _____

APPROVED AS TO FORM:

Tobin Sidles, Legal Services Director

Date: _____

Exhibit A

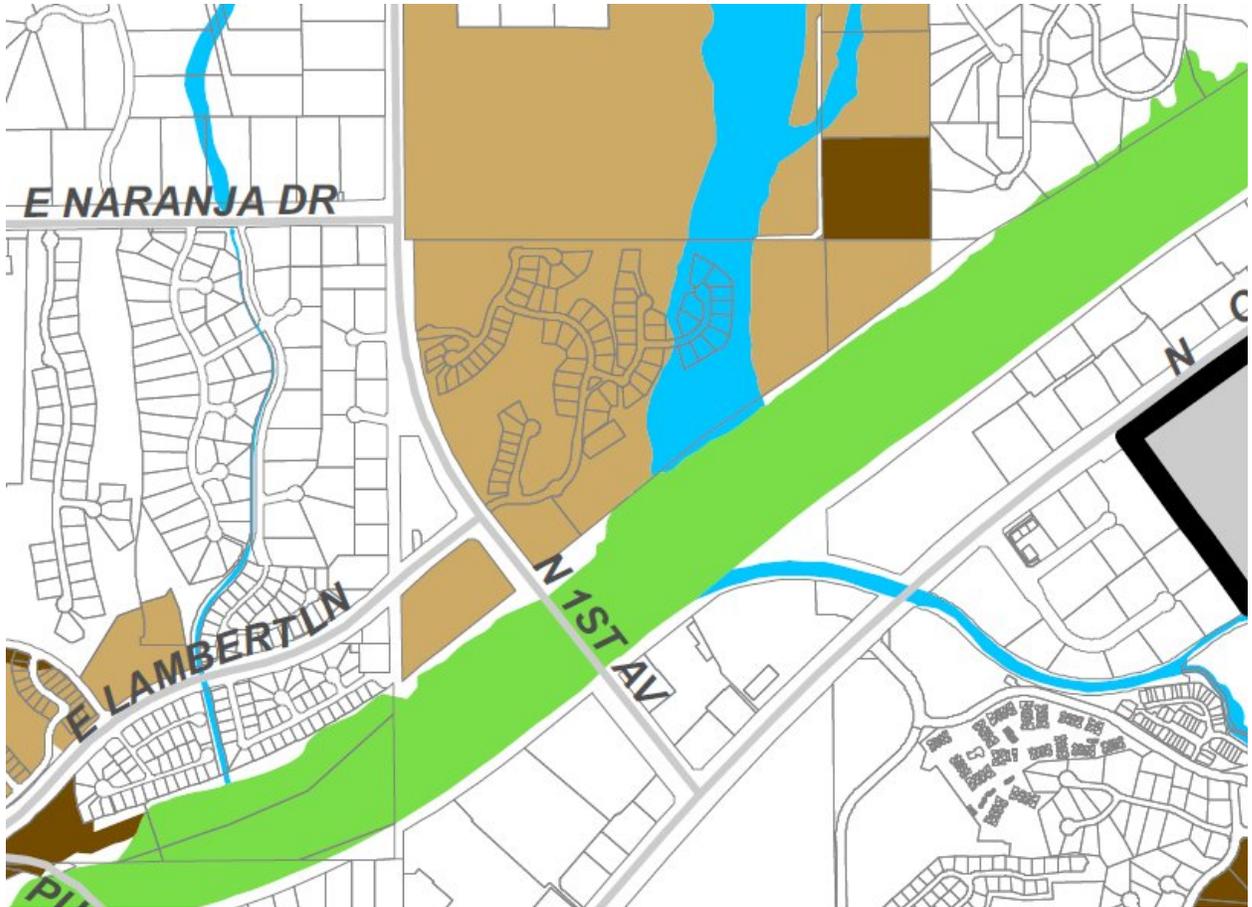
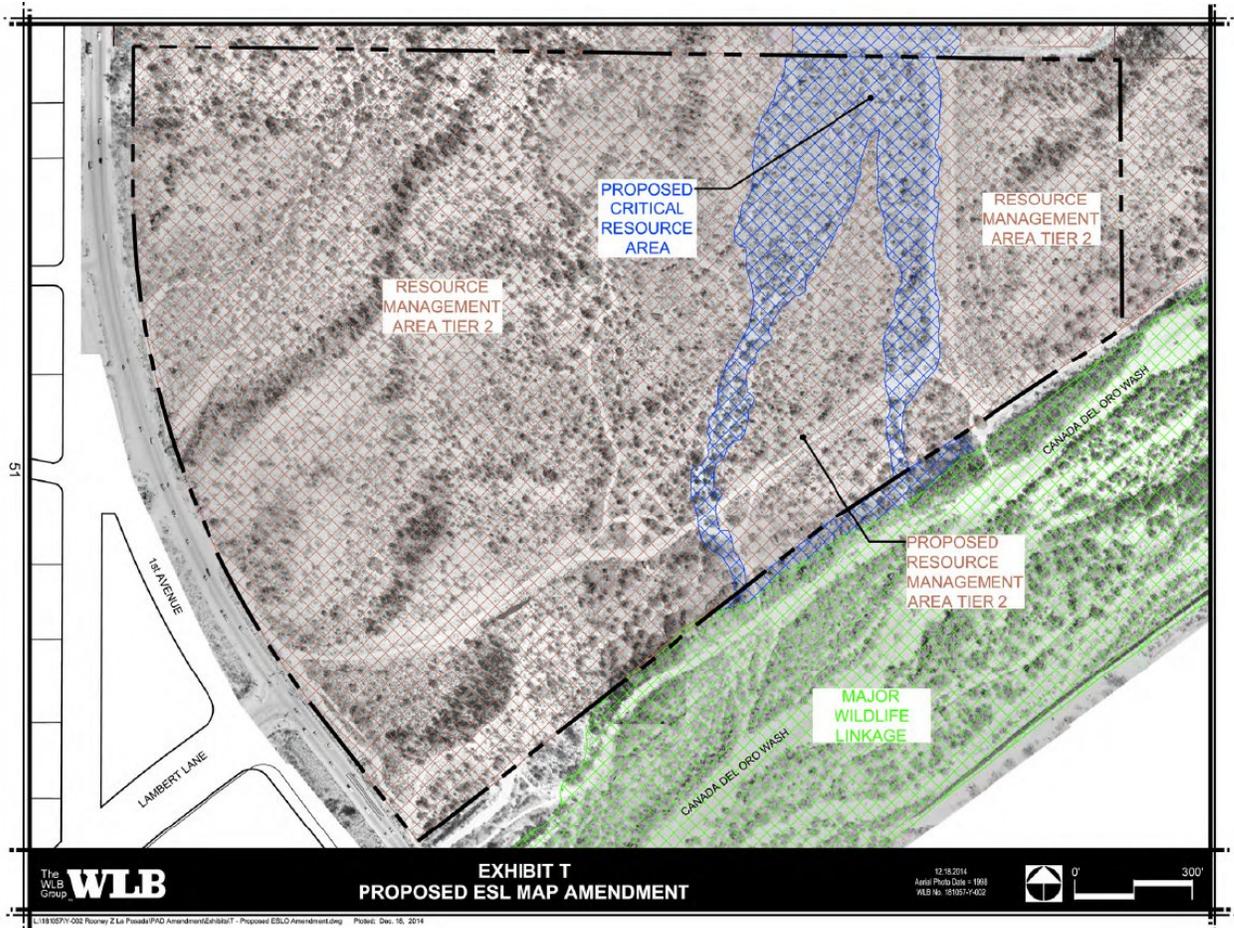


Exhibit B



The WLB Group

EXHIBIT T
PROPOSED ESL MAP AMENDMENT

12.18.2014
Aerial Photo Date = 1998
WLB No. = 151957-4-002



L:\18182FY-002_Planney 2.La Passada\FAD_Amendment\Exhibit T - Proposed ESL\0_Amendment.dwg Plot#: Dec. 18, 2014