

**\*AMENDED (1/15/16, 3:00 PM)**  
**AGENDA**  
**ORO VALLEY TOWN COUNCIL**  
**REGULAR SESSION**  
**January 20, 2016**  
**ORO VALLEY COUNCIL CHAMBERS**  
**11000 N. LA CAÑADA DRIVE**

**REGULAR SESSION AT OR AFTER 6:00 PM**

**CALL TO ORDER**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**UPCOMING MEETING ANNOUNCEMENTS**

**COUNCIL REPORTS**

- **Spotlight on Youth**

**DEPARTMENT REPORTS**

**The Mayor and Council may consider and/or take action on the items listed below:**

**ORDER OF BUSINESS: MAYOR WILL REVIEW THE ORDER OF THE MEETING**

**CALL TO AUDIENCE** – At this time, any member of the public is allowed to address the Mayor and Town Council on any issue ***not listed on today's agenda***. Pursuant to the Arizona Open Meeting Law, individual Council Members may ask Town Staff to review the matter, ask that the matter be placed on a future agenda, or respond to criticism made by speakers. However, the Mayor and Council may not discuss or take legal action on matters raised during "Call to Audience." In order to speak during "Call to Audience" please specify what you wish to discuss when completing the blue speaker card.

**PRESENTATIONS**

1. Recognition of Outgoing Board and Commission Members

**CONSENT AGENDA**

**(Consideration and/or possible action)**

- A. Minutes - January 6, 2016
- B. Request for approval of the Stone Canyon Casitas Final Plat, located near the northern terminus of Hohokam Village Place in the Stone Canyon community
- C. Request for approval of the Bailey's Desert Sky Final Plat located north of Desert Sky Road, approximately ¼ mile west of Oracle Road

- D. Resolution No. (R)16-03, amending the Right-of-Way License Agreement between the Town of Oro Valley and Zayo Group, LLC to allow telecommunication facilities within the Town's rights-of-way
- E. \*Appointments to the Historic Preservation Commission (HPC)

## **REGULAR AGENDA**

1. RESOLUTION NO. (R)16-04, APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE TOWN OF ORO VALLEY AND THE GOLDR RANCH FIRE DISTRICT (GRFD) FOR THE USE OF THE EMPLOYEE HEALTH CLINIC BY GRFD EMPLOYEES AND DEPENDENTS PARTICIPATING IN A GRFD HEALTHCARE PLAN
2. PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION ON A REQUEST FOR A CONDITIONAL USE PERMIT TO ALLOW THE INSTALLATION OF AN OVERHEAD CABLE LINE LOCATED ON THE NORTH SIDE OF INA ROAD BETWEEN PASEO DEL NORTE AND ORACLE ROAD
3. AMENDING SECTION 22.15 AND RELATED SECTIONS OF THE ZONING CODE REGARDING NEIGHBORHOOD MEETINGS
  - a. RESOLUTION NO. (R)16-05, DECLARING THE PROPOSED AMENDMENTS TO SECTION 22.15 AND OTHER RELATED SECTIONS OF THE ORO VALLEY ZONING CODE REVISED (OVZCR) RELATING TO NEIGHBORHOOD MEETINGS, PROVIDED AS EXHIBIT "A" WITHIN THE ATTACHED RESOLUTION AND FILED WITH THE TOWN CLERK, A PUBLIC RECORD
  - b. PUBLIC HEARING: ORDINANCE NO. (O)16-02, AMENDING SECTION 22.15 AND RELATED SECTIONS OF THE ZONING CODE REGARDING NEIGHBORHOOD MEETINGS
4. DISCUSSION AND POSSIBLE DIRECTION TO STAFF REGARDING A VETERANS AND FIRST RESPONDERS MEMORIAL PARK
5. DISCUSSION AND POSSIBLE ACTION REGARDING EXTENSION OF THE TEMPORARY USE OF A-FRAME SIGNS AND OUTDOOR DISPLAYS UNTIL FEBRUARY 6, 2017
6. RECONSIDERATION OF THE DECEMBER 2, 2015 DIRECTION PROVIDED TO STAFF REGARDING POTENTIAL ZONING CODE AMENDMENTS LIMITING SIGN LIGHTING
7. DISCUSSION AND POSSIBLE DIRECTION TO STAFF REGARDING THE REMOVAL OF THE CRIMINAL HISTORY CHECK BOX FROM THE TOWN'S JOB APPLICATION FORM
8. DISCUSSION AND POSSIBLE DIRECTION TO STAFF TO AMEND THE SIGN CODE REGARDING WINDOW SIGNS

**FUTURE AGENDA ITEMS** (The Council may bring forth general topics for future meeting agendas. Council may not discuss, deliberate or take any action on the topics presented pursuant to ARS 38-431.02H)

**CALL TO AUDIENCE** – At this time, any member of the public is allowed to address the Mayor and Town Council on any issue ***not listed on today’s agenda***. Pursuant to the Arizona Open Meeting Law, individual Council Members may ask Town Staff to review the matter, ask that the matter be placed on a future agenda, or respond to criticism made by speakers. However, the Mayor and Council may not discuss or take legal action on matters raised during “Call to Audience.” In order to speak during “Call to Audience” please specify what you wish to discuss when completing the blue speaker card.

## **ADJOURNMENT**

POSTED: 1/13/16 at 5:00 p.m. by mrs

AMENDED AGENDA POSTED: 1/15/16 at 5:00 p.m. by ms

When possible, a packet of agenda materials as listed above is available for public inspection at least 24 hours prior to the Council meeting in the office of the Town Clerk between the hours of 8:00 a.m. – 5:00p.m.

The Town of Oro Valley complies with the Americans with Disabilities Act (ADA). If any person with a disability needs any type of accommodation, please notify the Town Clerk’s Office at least five days prior to the Council meeting at 229-4700.

### ***INSTRUCTIONS TO SPEAKERS***

**Members of the public have the right to speak during any posted public hearing. However, those items not listed as a public hearing are for consideration and action by the Town Council during the course of their business meeting. Members of the public may be allowed to speak on these topics at the discretion of the Chair.**

If you wish to address the Town Council on any item(s) on this agenda, please complete a speaker card located on the Agenda table at the back of the room and give it to the Town Clerk. **Please indicate on the speaker card which item number and topic you wish to speak on, or if you wish to speak during “Call to Audience”, please specify what you wish to discuss when completing the blue speaker card.**

Please step forward to the podium when the Mayor announces the item(s) on the agenda which you are interested in addressing.

1. For the record, please state your name and whether or not you are a Town resident.
2. Speak only on the issue currently being discussed by Council. Please organize your speech, you will only be allowed to address the Council once regarding the topic being discussed.
3. Please limit your comments to 3 minutes.
4. During “Call to Audience” you may address the Council on any issue you wish.
5. Any member of the public speaking must speak in a courteous and respectful manner to those present.

**Thank you for your cooperation.**



## Town Council Regular Session

Item # **1.**

**Meeting Date:** 01/20/2016  
Recognition of Outgoing Board and Commission Members

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### Information

#### Subject

Recognition of Outgoing Board and Commission Members

#### Summary

##### Board of Adjustment

Bill Adler

January 2012 - December 2015

##### Historic Preservation Commission

Ellen Guyer

March 2010 - December 2015

Dean Strandskov

June 2011 - December 2015

Connie Trail

April 2013 - December 2015

##### Parks and Recreation Advisory Board

Sue Bishop

June 2011 - December 2015

##### Planning and Zoning Commission

Frank Pitts

January 2014 - December 2015

William Rodman

January 2012 - December 2015

##### Water Utility Commission

Richard Davis

October 2007 - November 2015

Richard Reynolds

July 2009 - December 2015

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**Town Council Regular Session**

**Item # A.**

**Meeting Date:** 01/20/2016

**Requested by:** Julie Bower **Submitted By:** Mike Standish, Town Clerk's Office

**Department:** Town Clerk's Office

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**Information**

**SUBJECT:**

Minutes - January 6, 2016

**RECOMMENDATION:**

Staff recommends approval.

**EXECUTIVE SUMMARY:**

N/A

**BACKGROUND OR DETAILED INFORMATION:**

N/A

**FISCAL IMPACT:**

N/A

**SUGGESTED MOTION:**

I MOVE to approve, (approve with the following changes) the January 6, 2016 minutes.

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**Attachments**

1/6/16 Draft Minutes

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**MINUTES  
ORO VALLEY TOWN COUNCIL  
REGULAR SESSION  
January 6, 2016  
ORO VALLEY COUNCIL CHAMBERS  
11000 N. LA CANADA DRIVE**

**REGULAR SESSION AT OR AFTER 5:00 PM**

**CALL TO ORDER**

Mayor Hiremath called the meeting to order at 5:00 p.m.

**ROLL CALL**

**PRESENT:**

Satish Hiremath, Mayor  
Lou Waters, Vice Mayor  
Brendan Burns, Councilmember  
Bill Garner, Councilmember  
Joe Hornat, Councilmember  
Mary Snider, Councilmember  
Mike Zinkin, Councilmember

**\*EXECUTIVE SESSION** - Pursuant to ARS 38-431.03(A)(3) for the purposes of discussion or consultation for legal advice with the attorneys for the public body regarding existing contracts and obligations with HSL for public facilities

**MOTION:** A motion was made by Vice Mayor Waters and seconded by Councilmember Zinkin to go into Executive Session at 5:01 p.m. pursuant to ARS 38-431.03(A)(3) for the purposes of discussion or consultation for legal advice with the attorneys for the public body regarding existing contracts and obligations with HSL for public facilities.

**MOTION** carried, 7-0.

Mayor Hiremath said the following staff members would join Council in Executive Session: Town Manager Greg Caton, Town Attorneys Susan Goodwin and Gary Verburg, Legal Services Director Tobin Sidles and Town Clerk Julie Bower.

**REGULAR SESSION AT OR AFTER 6:00 PM**

**CALL TO ORDER**

Mayor Hiremath called the meeting to order at 6:00 p.m.

**ROLL CALL**

**PRESENT:** Satish Hiremath, Mayor  
Lou Waters, Vice Mayor  
Brendan Burns, Councilmember  
Bill Garner, Councilmember  
Joe Hornat, Councilmember  
Mary Snider, Councilmember  
Mike Zinkin, Councilmember

## **PLEDGE OF ALLEGIANCE**

Mayor Hiremath led the audience in the Pledge of Allegiance.

## **UPCOMING MEETING ANNOUNCEMENTS**

Communications Administrator Misti Nowak announced the upcoming Town meetings and events.

## **COUNCIL REPORTS**

Vice Mayor Waters attended a New Year's event at the Oro Valley Community Center and said it was very well attended. The Overlook restaurant at the Community Center would soon be offering French cuisine and other cultural dishes.

## **DEPARTMENT REPORTS**

No reports were received.

## **ORDER OF BUSINESS**

Mayor Hiremath said the agenda would stand as posted.

## **CALL TO AUDIENCE**

The new Mountain Vista Fire District Fire Chief, Cheryl Horvath, introduced herself and said she was looking forward to working with the Town.

Sanda Schuldmann, volunteer for Compassion & Choices, spoke about the mission of Compassion & Choices which was a leading nonprofit organization working to improve care and expand choice at the end-of-life and urged the Mayor and Council to consider adopting a resolution in support of end of life options.

Oro Valley resident Geri Ottoboni thanked everyone who voted against the Pima County bonds and spoke about the difference in property tax rates between Pima and Maricopa Counties.

## PRESENTATIONS

1. Presentation - Youth Art Program by the Arts and Culture Ambassadors

Arts and Culture Ambassadors Dick Eggerding and Sasha Case, presented the youth artwork on display in the Council Chambers from the following schools: Pusch Ridge Christian Academy, Ironwood Ridge High School, Immaculate Heart High School and Canyon Del Oro High School.

## CONSENT AGENDA

Councilmember Zinkin requested to remove items (B) and (C) from the Consent Agenda for discussion.

- A. Minutes - December 2, 2015
- D. Reappointment to the Tucson-Pima County Bicycle Advisory Committee
- E. Resolution No. (R)16-01, approving the Town's annual Legislative Agenda, protocols guiding the Town's priorities for the upcoming legislative session and any lobbying activities

**MOTION:** A motion was made by Councilmember Garner and seconded by Councilmember Snider to approve Consent Agenda items (A) and (D)-(E).

**MOTION** carried, 7-0.

### **B. Fiscal Year 2015/16 Financial Update through October 2015**

### **C. Fiscal Year 2015/16 Financial Update through November 2015**

Councilmember Zinkin inquired about the Fiscal Year 2015/16 Financial Updates through October and November, 2015 and discussed his concerns regarding sales tax revenues and Community Center and Golf Fund revenues.

Discussion ensued amongst Council and staff regarding the Fiscal Year 2015/16 Financial Updates through October and November, 2015.

**MOTION:** A motion was made by Councilmember Snider and seconded by Vice Mayor Waters to approve Consent Agenda items (B) and (C).

**MOTION** carried, 7-0.

## REGULAR AGENDA

### 1. DISCUSSION AND POSSIBLE DIRECTION ON THE PUBLIC-PRIVATE PARTNERSHIP WITH TOHONO CHUL PARK TO COMPLETE PHASE 1 OF THE 420-SEATED EVENT PAVILION

Economic Development Manager Amanda Jacobs presented item #1.

Discussion ensued amongst Council, staff and Dr. Christine Conte, Executive Director for Tohono Chul Park, regarding Phase 1 of the 420-seated event pavilion.

**MOTION:** A motion was made by Vice Mayor Waters and seconded by Councilmember Snider to approve the public-private partnership with Tohono Chul Park to complete Phase 1 with the purpose to design a 420-seated event pavilion.

Councilmember Zinkin requested an amendment to the motion to stipulate that Town waived permitting fees not exceed \$7,800.

Vice Mayor Waters and Councilmember Snider agreed to the amendment.

**MOTION AS AMENDED:** A motion was made by Vice Mayor Waters and seconded by Councilmember Snider to approve the public-private partnership with Tohono Chul Park to complete Phase 1 with the purpose to design a 420-seated event pavilion with the stipulation not to exceed the amount of \$7,800 in Town waived permitting fees.

**MOTION** carried, 7-0.

### 2. PUBLIC HEARING: RESOLUTION NO. (R)16-02, AUTHORIZING AND APPROVING INCREASES IN WATER RATES, FEES AND CHARGES FOR THE TOWN OF ORO VALLEY WATER UTILITY

Water Utility Administrator Shirley Kiel presented item #2 and outlined the following:

- Mayor & Council Water Policies
- Water Rates Analysis
- Revenue Projections - Water Use Trends
- Cost Increases
- Preferred Financial Scenario
- Water Rate Comparison
- Customer Impacts
- Proposed Changes to Service Fees
- Schedule
- Recommendations

Mayor Hiremath opened the public hearing.

No comments were received.

Mayor Hiremath closed the public hearing.

Discussion ensued amongst Council and staff regarding the proposed increases in water rates, fees and charges for the Town of Oro Valley Water Utility.

**MOTION:** A motion was made by Councilmember Snider and seconded by Vice Mayor Waters to approve Resolution No. (R)16-02, authorizing and approving increases in water rates, fees and charges for the Town of Oro Valley Water Utility.

**MOTION** carried, 7-0.

**3. PUBLIC HEARING: ORDINANCE NO. (O)16-01, REZONING AN EXISTING 26.3 ACRE TOWNHOME DEVELOPMENT LOCATED AT THE NORTHEAST AND SOUTHEAST CORNERS OF MOUNTAIN VISTA DRIVE AND ORACLE ROAD FROM R1-144 TO VERDE CATALINA TOWNHOMES PLANNED AREA DEVELOPMENT (PAD)**

Senior Planner Rosevelt Arellano presented item #3 and outlined the following:

- Purpose
- Large Lot Zoning Versus Townhome Zoning
- Timeline
- PAD Development Standards
- General Plan Conformance
- Public Participation
- Summary

Discussion ensued amongst Council and staff regarding the proposed rezoning request.

Mayor Hiremath opened the public hearing.

No comments were received.

Mayor Hiremath closed the public hearing.

**MOTION:** A motion was made by Councilmember Snider and seconded by Councilmember Zinkin to approve Ordinance No. (O)16-01, rezoning the Verde Catalina Townhomes subdivision, from R1-144 to Verde Catalina Townhomes Planned Area Development, based on the findings that the proposed rezoning is consistent with the General Plan and will resolve a long standing zoning issue.

**MOTION** carried, 7-0.

**4. DISCUSSION AND POSSIBLE DIRECTION TO STAFF REGARDING A**

## MEMORIAL FOR BILL ADLER

Mayor Hiremath presented item #4 and discussion ensued amongst Council regarding a memorial for Bill Adler.

**MOTION:** A motion was made by Councilmember Snider and seconded by Mayor Hiremath to direct the Town Manager and staff to accept and compile memorial suggestions and disseminate the list of suggestions to the Town Council at which time a future meeting would be set to discuss and choose a memorial option.

**MOTION** carried, 7-0.

Mayor Hiremath recessed the meeting at 7:42 p.m.

Mayor Hiremath resumed the meeting at 7:51 p.m.

### **5. DISCUSSION AND POSSIBLE DIRECTION TO STAFF TO DEVELOP EQUINE THERAPY AT STEAM PUMP RANCH TO INCLUDE PARTNERING WITH NON-PROFITS AND 501(C)(3) ORGANIZATIONS**

Councilmember Burns presented item #5 and discussion ensued amongst Council and staff regarding the feasibility of developing an equine therapy program at Steam Pump Ranch.

No direction was given to staff regarding developing an equine therapy program at Steam Pump Ranch.

### **6. DISCUSSION AND POSSIBLE DIRECTION TO STAFF REGARDING PARTNERING WITH HOST COMPLIANCE LLC TO ASSIST WITH IDENTIFYING PRIVATELY-OWNED, SHORT-TERM RESIDENTIAL PROPERTIES TO MONITOR AND ENFORCE PERMITTING AND LODGING TAX PAYMENT COMPLIANCE OF THE PROPERTY OWNERS**

Councilmember Zinkin presented item #6 and discussion ensued amongst Council and staff regarding partnering with a third party to enforce permitting and lodging tax payment compliance of the property owners.

No direction was given to staff regarding partnering with a third party to enforce permitting and lodging tax payment compliance of the property owners.

### **7. \*DISCUSSION AND POSSIBLE DIRECTION TO STAFF TO RESEARCH THE FEASIBILITY OF ENTERING INTO A LEASE AGREEMENT WITH A THIRD PARTY INTEGRITY GOLF COMPANY LLC TO MANAGE THE TOWN'S GOLF FACILITIES**

Councilmember Zinkin presented item #7 and discussion ensued amongst Council and staff regarding the feasibility of entering into a lease agreement with a third party to manage the Town's golf facilities.

**MOTION:** A motion was made by Mayor Hiremath and seconded by Vice Mayor Waters to have Town staff not research the feasibility of entering into a lease agreement with a third party to manage the Town's golf facilities.

**MOTION** carried, 4-3 with Councilmember Burns, Councilmember Garner, and Councilmember Zinkin opposed.

**8. MOTION FOR RECONSIDERATION OF THE DECEMBER 2, 2015 DIRECTION GIVEN TO DEVELOP SIGN LIGHTING STANDARDS**

**MOTION:** A motion was made by Vice Mayor Waters and seconded by Mayor Hiremath for reconsideration of the December 2, 2015 direction given to develop sign lighting standards.

**MOTION** carried, 7-0.

**FUTURE AGENDA ITEMS**

No future agenda items were requested.

**CALL TO AUDIENCE**

No comments were received.

**ADJOURNMENT**

**MOTION:** A motion was made by Councilmember Snider and seconded by Vice Mayor Waters to adjourn the meeting at 8:46 p.m.

**MOTION** carried, 7-0.

Prepared by:

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Michael Standish, CMC  
Deputy Town Clerk

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular session of the Town of Oro Valley Council of Oro Valley, Arizona held on the

6<sup>th</sup> day of January, 2016. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Julie K. Bower, MMC  
Town Clerk





## Town Council Regular Session

Item # **B.**

**Meeting Date:** 01/20/2016  
**Requested by:** Bayer Vella  
**Submitted By:** Rosevelt Arellano  
Development Infrastructure Services  
**Department:** Development Infrastructure Services

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### Information

#### **SUBJECT:**

Request for approval of the Stone Canyon Casitas Final Plat, located near the northern terminus of Hohokam Village Place in the Stone Canyon community

#### **RECOMMENDATION:**

Staff recommends approval.

#### **EXECUTIVE SUMMARY:**

The purpose of this request is to consider a Final Plat for the Stone Canyon Casitas, located near the northern terminus of Hohokam Village Place (Attachment 1). The proposed Final Plat (Attachment 2) consists of 28 detached single-family homes, which will be individually owned and leased as short-term rentals for visitors of the adjacent Stone Canyon Golf Course.

The plat features 28 lots, private streets, pedestrian easements, and no-build areas, which will preserve over 90% of the existing saguaros and regulated rock outcroppings. The Final Plat has been reviewed and meets Town requirements and the approved Conceptual Site Plan.

#### **BACKGROUND OR DETAILED INFORMATION:**

The Final Plat requires Town Council approval prior to being officially recorded by Pima County.

In December 2015, the Town Council approved the Conceptual Site Plan, Landscape Plan and Golf Course Setback Reductions for the proposed development. The Final Plat conforms with the design components (i.e. lot layout, circulation, golf course setback reductions, preservation of environmental resources, etc.) approved as part of these applications.

#### **Proposed Improvements**

- 8.47 acres subdivided into 28 lots
- Average lot size: 12,231 square feet
- Building height: 21' 5", one-story
- Open space areas throughout the site

#### **Previous Approvals**

- December 2015: Conceptual Site Plan, Landscape Plan and Golf Course Setback Reductions

#### **FISCAL IMPACT:**

N/A

**SUGGESTED MOTION:**

I MOVE to approve the Final Plat for the Stone Canyon Casitas, finding that it meets Town requirements and the approved Conceptual Site Plan.

OR

I MOVE to deny the Final Plat for the Stone Canyon Casitas, finding that \_\_\_\_\_.

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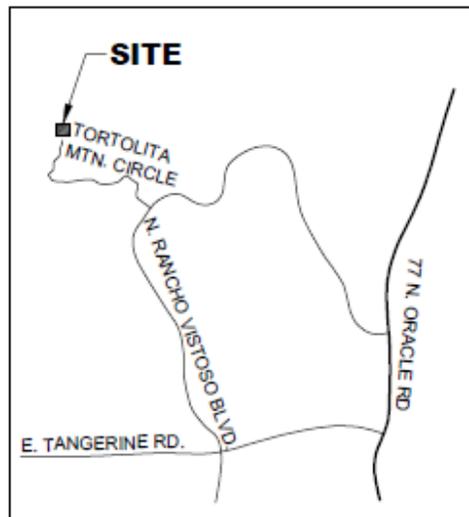
**Attachments**

Attachment 1 - Location Map

Attachment 2 - Final Plat

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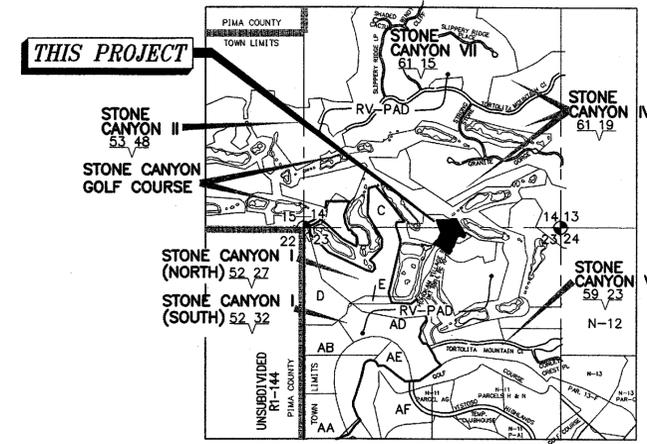
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# LOCATION MAP

STONE CANYON GOLF CASITAS (OV1500719)

# FINAL PLAT FOR STONE CANYON CASITAS OV1500719



A PORTION OF SECTION 14 & 23 TOWNSHIP 11  
SOUTH, RANGE 13 EAST, G. & S.R.M., TOWN OF ORO  
VALLEY, PIMA COUNTY, ARIZONA  
**VICINITY MAP**  
3"=1 MILE

- NOTES**
- THE GROSS AREA OF THE DEVELOPMENT SITE COMMON AREA A (PRIVATE STREET) =369,024.73 SF (8.471 ACRES)  
=21,779.75 SF (0.50 ACRES)
  - EXISTING ZONING IS RANCHO VISTOSO PLANNED AREA DEVELOPMENT (RV PAD), GOLF/RECREATION, AND MEDIUM DENSITY RESIDENTIAL (MDR). PROJECT HAS BEEN DESIGNED TO MEET THE DEVELOPMENT STANDARDS OF THE MEDIUM DENSITY RESIDENTIAL ZONING DESIGNATION.
  - TOTAL NUMBER OF RESIDENTIAL LOTS IS 28. RESIDENTIAL UNITS PER ACRE = 3.30.
  - TOTAL MILES OF NEW PUBLIC STREETS IS 0 MILES, TOTAL MILES OF NEW PRIVATE STREETS IS 0.23 MILES.
  - DEVELOPER WILL COVENANT TO HOLD TOWN OF ORO VALLEY, ITS SUCCESSORS AND ASSIGNS, HARMLESS IN THE EVENT OF FLOODING, FLOWING EROSION, OR DAMAGE CAUSED BY WATER, WHETHER SURFACE FLOW OR RAINFALL.
  - DRAINAGE WAYS AND/OR DRAINAGE SYSTEMS TO BE CONSTRUCTED ACCORDING TO APPROVED PLANS PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS FROM THE TOWN OF ORO VALLEY AND/OR BUILDING OFFICIALS FOR LOTS AFFECTED AS OUTLINED ON PLAT.
  - THE PROPERTY OWNER, HIS SUCCESSORS, ASSIGNS OR A DESIGNATED HOMEOWNERS ASSOCIATION AGREES TO 1) KEEP ALL REQUIRED LANDSCAPED AREAS MAINTAINED IN A WEED FREE, TRASH FREE CONDITION; 2) REPLACE ANY DEAD PLANT MATERIALS WITHIN 90 DAYS; AND 3) MAINTAIN THE IRRIGATION SYSTEM IN PROPER WORKING ORDER.
  - AVERAGE RESIDENTIAL LOT SIZE =12,402 SF.  
MAXIMUM LOT SIZE =19,849 SF.  
MINIMUM LOT SIZE =7,054 SF.
  - MAXIMUM ALLOWED BUILDING HEIGHT IS 30 FT. MAXIMUM PROPOSED BUILDING HEIGHT IS 21'-5".
  - ALL REQUIRED PARKING (AT LEAST 2 SPACES + 2 GUEST SPACES PER OVZCR SECTION 27.7.D.1.C.) WILL BE OFF STREET ON SITE.
  - THIS DEVELOPMENT WILL BE SERVED BY ORO VALLEY UTILITY, WHICH HAS BEEN DESIGNATED AS HAVING AN ASSURED 100-YEAR WATER SUPPLY BY THE DIRECTOR OF WATER RESOURCES.
  - ALL ROADS MUST BE POSTED AS PRIVATE ROADS. ORO VALLEY POLICE MUST BE PROVIDED THE ACCESS CODE TO THE GATE (IF ANY). ALL GATES INSTALLED ACROSS FIRE APPARATUS ACCESS ROADS SHALL BE INSTALLED IN COMPLIANCE WITH APPENDIX D OF THE FIRE CODE. ALL ELECTRICALLY OPERATED GATES SHALL INCLUDE PREEMPTION OPERATING EQUIPMENT COMPATIBLE WITH THE FIRE DEPARTMENT'S SYSTEM.
  - NO NEW PUBLIC ROADS WITHIN OR ADJACENT TO THIS PROJECT WILL BE CONSTRUCTED.
  - NO FURTHER SUBDIVISION OF ANY LOT OR PARCEL SHOWN WILL BE DONE WITHOUT THE WRITTEN APPROVAL OF THE ORO VALLEY TOWN COUNCIL.
  - MAINTENANCE OF PRIVATE ROAD, P.U.E., FIRE ACCESS, INGRESS/EGRESS, REFUSE COLLECTION, NO BUILD AREAS AND PEDESTRIAN ACCESS EASEMENTS SHALL BE THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION. MAINTENANCE OF THE PROPOSED WATER EASEMENT SHALL BE THE RESPONSIBILITY OF THE ORO VALLEY WATER COMPANY.
  - THE PROFESSIONAL ENGINEER OF RECORD SHALL CERTIFY AS TO THE FORM, LINE AND FUNCTION OF ALL PUBLIC AND PRIVATE ROADWAYS AND DRAINAGE STRUCTURES BEFORE THE RELEASE OF ASSURANCES.
  - NO IMPROVEMENTS BETWEEN THIRTY (30) AND SEVENTY-TWO (72) INCHES IN HEIGHT RELATIVE TO THE ADJACENT PAAL/ROADWAY WHICH MIGHT INTERFERE WITH THE PURPOSE AND INTENT OF THE SIGHT VISIBILITY TRIANGLES SHALL BE PERMITTED, PLACED OR MAINTAINED WITHIN THE SIGHT VISIBILITY TRIANGLES SHOWN ON THIS PLAT.
  - PROPERTY OWNERS SHALL MAINTAIN PLANTINGS TO ENSURE UNOBSTRUCTED VISIBILITY TO MOTORISTS. ALL SHRUBS, ACCENTS AND GROUND COVERS SHALL NOT EXCEED THIRTY (30) INCHES IN HEIGHT WITHIN SIGHT VISIBILITY TRIANGLES. TREES WITHIN SIGHT VISIBILITY TRIANGLES WILL BE MAINTAINED TO ENSURE BRANCHES/FOLIAGE IS NOT BELOW A HEIGHT OF SEVENTY-TWO (72) INCHES.
  - PROJECT IS DESIGNED TO MEET THE SPECIFIC OVERLAY ZONE(S) CRITERIA. THE ZONES INCLUDE THE FOLLOWING:
    - AIRPORT ENVIRONS ZONE (CUZ D)
    - SECTION 1.2.J, HILLSIDE DISTRICT AND GRADING OF THE RV PAD
    - GOLF COURSE OVERLAY ZONE
  - ALL SIGNAGE AND LIGHTING TO BE ADDRESSED AS PART OF A SEPARATE REVIEW AND APPROVAL PROCESS.
  - PROJECT SHALL MEET:
    - SECTION 27.5, OUTDOOR LIGHTING OF THE ZONING CODE
    - NEIGHBORHOOD 11 POLICIES OF THE RV PAD
    - DESIGN STANDARDS OF SECTION 2.2 OF ADDENDUM "A" OF THE ZONING CODE
  - ALL PROSPECTIVE BUYERS OF LOTS WITHIN THIS SUBDIVISION SHALL BE INFORMED OF THE PRESENCE AND ACTIVITY OF THE LA CHOLLA AIRPARK, A PRIVATE AIRPORT LOCATED SOUTHWEST OF THE PROJECT. ALL PROSPECTIVE BUYERS SHALL BE INFORMED THAT LOW FLYING AIRCRAFTS MAY BE A NUISANCE.
  - EACH LOT SHOWN HEREON SHALL HAVE ONE UNIT.
  - EACH UNIT IS RESTRICTED FOR USE AS A "SHORT TERM RENTAL PROPERTY" AS DEFINED BY THE ORO VALLEY ZONING CODE (IN EFFECT ON JULY 1, 2015). TEMPORARY LODGING IS TO BE OFFERED FOR NO MORE THAN THIRTY (30) DAYS PERIOD(S).
  - ALL UNITS ARE REQUIRED TO BE PART OF A SINGLE RENTAL POOL REPRESENTING ALL UNITS.
  - ALL BUYERS OF LOTS WITH "NO BUILD AREAS" AND EASEMENTS SHALL BE INFORMED OF SUCH AREAS OR EASEMENTS. BUYERS WILL ACKNOWLEDGE RECEIPT OF THIS INFORMATION BY SIGNING ACKNOWLEDGEMENT FORMS PROVIDED AND MAINTAINED BY THE DEVELOPER.
  - PLEASE REFER TO THE APPROVED FINAL SITE PLAN FOR THE LOCATION OF THE PROPOSED BUILDING PADS.
  - THE BUILDING SETBACK LINES ARE AS FOLLOWS:  
FRONT SETBACK: 20'  
SIDE SETBACK: 5'  
REAR SETBACK 10'  
PLEASE REFER TO FINAL SITE PLANS FOR LOCATION OF BUILDING SETBACK LINES.
  - NO PERMANENT IMPROVEMENTS SHALL BE CONSTRUCTED IN NO BUILD AREAS. IMPROVEMENTS INCLUDE, BUT ARE NOT LIMITED TO, PLAY STRUCTURES, TRAILS, BUILDINGS, WALLS OR FENCES. NO BUILD AREAS ARE TO BE LEFT NATURAL AND WILL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
  - BASIS OF BEARING IS N89°48'54"E ALONG THE NORTH LINE OF SECTION 23, TOWNSHIP 11 SOUTH, RANGE 13 EAST, BETWEEN THE NORTHWEST CORNER AND NORTHEAST CORNER OF SAID SECTION 23, BOTH CORNERS BEING GLO BRASS CAPS, PIMA COUNTY, ARIZONA.
  - OPEN SPACE AREAS ON PLAT ARE DEFINED AS "NO BUILD AREAS" WITH A CALCULATION OF 80,861.23 SQUARE FEET OR 1.85 ACRES COVERING PORTIONS OF THE SITE AS SHOWN ON SHEETS FP09 & FP10

**ACKNOWLEDGMENT**

STATE OF ARIZONA }  
COUNTY OF PIMA } SS

ON THIS, THE \_\_\_\_ DAY OF \_\_\_\_\_ 2016, BEFORE ME THE UNDERSIGNED NOTARY,  
PERSONALLY APPEARED WHO ACKNOWLEDGED HIMSELF TO BE THE  
AUTHORIZED SIGNATORY OF **STONE CANYON BUFFALO GOLF, LLC. NOT OTHERWISE** AND ACKNOWLEDGED THAT HE, BEING  
DULY AUTHORIZED SO TO DO, EXECUTED THIS INSTRUMENT FOR THE PURPOSES HEREIN CONTAINED.

IN WITNESS WHEREOF:

I HEREUNTO SET MY HAND AND OFFICIAL SEAL:

\_\_\_\_\_  
NOTARY PUBLIC

\_\_\_\_\_  
MY COMMISSION EXPIRES

**SURVEYOR**  
HILGARTWILSON, LLC  
2141 E. HIGHLAND AVE., SUITE 250  
PHOENIX, ARIZONA 85016  
PHONE: (602) 490-0535  
CONTACT: ROBERT A. JOHNSTON, RLS  
EMAIL: rjohnston@hilgartwilson.com

**OWNER/DEVELOPER**  
STONE CANYON BUFFALO GOLF, LLC  
13845 NORTH NORTHSIGHT BLVD., SUITE 200  
SCOTTSDALE, AZ 85260  
PHONE: (280) 691-3600  
CONTACT: MR. ROGER NELSON  
EMAIL: rgrnelson7@gmail.com

**BASIS OF BEARING**  
BASIS OF BEARING IS N89°48'54"E ALONG THE  
NORTH LINE OF SECTION 23, TOWNSHIP 11  
SOUTH, RANGE 13 EAST, BETWEEN THE  
NORTHWEST CORNER AND NORTHEAST CORNER  
OF SAID SECTION 23, BOTH CORNERS BEING  
GLO BRASS CAPS, PIMA COUNTY, ARIZONA.

**SHEET INDEX**

COVER SHEET	FP01
SITE PLAN, LEGEND, LOT TABLE	FP02
PLAT SHEETS	FP03-FP04
DRIVEWAY EASEMENT	FP05-FP07
WATER EASEMENT	FP08
NO BUILD AREA	FP09-FP10
PEDESTRIAN ACCESS EASEMENT	FP11-FP12
DRAINAGE EASEMENT	FP13-FP14
LINE & CURVE TABLES	FP15-FP16

**DEDICATION**

STATE OF ARIZONA }  
COUNTY OF PIMA } SS

WE, THE UNDERSIGNED, HEREBY WARRANT THAT WE ARE ALL AND THE ONLY PARTY HAVING ANY RECORD TITLE INTEREST IN THE LAND SHOWN ON THIS PLAT AND WE CONSENT TO THE SUBDIVISION OF SAID LAND IN THE MANNER SHOWN HEREON. UTILITY EASEMENTS AS SHOWN HEREON ARE DEDICATED FOR THE PURPOSE OF INSTALLATION AND MAINTENANCE OF UTILITIES AND SEWERS. EXCLUSIVE EASEMENTS FOR TOWN USES AS SHOWN HEREON ARE HEREBY DEDICATED TO THE TOWN OF ORO VALLEY.

WE, THE UNDERSIGNED, OUR SUCCESSORS AND ASSIGNS, DO HEREBY SAVE TOWN OF ORO VALLEY, ITS SUCCESSORS AND ASSIGNS, THEIR EMPLOYEES, OFFICERS AND AGENTS HARMLESS FROM ANY AND ALL CLAIMS FOR DAMAGES RELATED TO THE USE OF SAID LANDS NOW AND IN THE FUTURE BY REASON OF FLOODING, FLOWAGE, EROSION OR DAMAGE CAUSED BY WATER, WHETHER SURFACE, FLOOD OR RAINFALL. IT IS FURTHER UNDERSTOOD AND AGREED THAT NATURAL DRAINAGE SHALL NOT BE ALTERED, DISTURBED OR OBSTRUCTED WITHOUT APPROVAL OF THE ORO VALLEY TOWN COUNCIL.

PRIVATE DRAINAGEWAYS AND COMMON AREAS, EASEMENTS AND PRIVATE ROADS AS SHOWN HEREON, ARE RESERVED FOR THE PRIVATE USE AND CONVENIENCE OF ALL OWNERS OF PROPERTY WITHIN THIS SUBDIVISION, THEIR GUESTS AND INVITEES, AND (EXCEPT FOR DRAINAGEWAYS), FOR THE INSTALLATION AND MAINTENANCE OF UNDERGROUND UTILITIES AND SEWERS. TITLE TO THE LAND OF ALL PRIVATE DRAINAGEWAYS AND COMMON AREAS SHALL BE VESTED IN AN ASSOCIATION OF INDIVIDUAL LOT OWNERS AS ESTABLISHED BY COVENANTS, CODES AND RESTRICTIONS AS RECORDED IN SEQUENCE NO. \_\_\_\_\_ IN THE OFFICE OF THE PIMA COUNTY RECORDER. EACH AND EVERY LOT OWNER WITHIN THE SUBDIVISION SHALL BE A MEMBER OF THE ASSOCIATION, WHICH WILL ACCEPT ALL RESPONSIBILITY FOR THE CONTROL, MAINTENANCE, SAFETY AND LIABILITY FOR THE PRIVATE DRAINAGEWAYS, COMMON AREAS AND PRIVATE ROADS WITHIN THIS SUBDIVISION, AS SHOWN HEREON.

A NON-EXCLUSIVE CROSS ACCESS EASEMENT BEING BLANKET IN NATURE IS HEREBY GRANTED WITHIN THE FRONT, SIDE, AND REAR YARD SETBACKS TO THE HOMEOWNERS ASSOCIATION OVER LOTS WITH NO BUILD EASEMENT AREAS. THE EASEMENT IS FOR THE REASONABLE ABILITY TO ACCESS NO BUILD EASEMENT AREAS FOR MAINTENANCE.

**STONE CANYON BUFFALO GOLF, LLC.**, AS OWNER, HAS HERE UNTO CAUSED ITS NAME TO BE SIGNED AND THE SAME TO BE ATTESTED TO BY THE SIGNATURE OF ROGER NELSON ITS VICE PRESIDENT THEREUNTO DULY AUTHORIZED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2016.

**STONE CANYON BUFFALO GOLF, LLC.**  
BY: \_\_\_\_\_  
ROGER NELSON  
ITS: VICE PRESIDENT

**WATER ADEQUACY**

"THE TOWN OF ORO VALLEY HAS BEEN DESIGNATED BY THE ARIZONA DEPARTMENT OF WATER RESOURCES AS HAVING AN ASSURED WATER SUPPLY, PURSUANT TO ARS § 45-576 AND HERBY CERTIFIES IN WRITING TO SUPPLY WATER TO THIS SUBDIVISION".

BY: \_\_\_\_\_ DATE \_\_\_\_\_  
WATER UTILITY DIRECTOR

**ASSURANCE**

ASSURANCE IN THE FORM OF \_\_\_\_\_ FROM \_\_\_\_\_ AS RECORDED IN SEQUENCE NO. \_\_\_\_\_ HAS BEEN PROVIDED TO GUARANTEE DRAINAGE AND STREET IMPROVEMENTS (INCLUDING MONUMENTS) AND UTILITY IMPROVEMENTS (ELECTRIC, TELEPHONE, GAS, SEWER, WATER IN THIS SUBDIVISION).  
BY \_\_\_\_\_ DATE \_\_\_\_\_  
MAYOR - TOWN OF ORO VALLEY

ASSURANCES IN THE FORM OF \_\_\_\_\_ FROM \_\_\_\_\_ IN THE AMOUNT OF \_\_\_\_\_ HAVE BEEN PROVIDED TO GUARANTEE THE RESEEDING OF THIS SUBDIVISION IN THE EVENT THE PROJECT IS ABANDONED.

NO FINAL INSPECTION FOR ANY LOT WITHIN THIS SUBDIVISION SHALL BE APPROVED UNTIL A BUILDING CODE OFFICIAL HAS VERIFIED THAT CONSTRUCTION ON THE LOT IS COMPLETE AND SIDEWALKS HAVE BEEN INSTALLED, PROPERTY LINE TO PROPERTY LINE WHERE SHOWN ON THE APPROVED IMPROVEMENT PLANS.

**LEGEND**

○	FOUND MONUMENT AS NOTED
⊠	FOUND BRASS CAP IN HAND HOLE
●	SET 1/2" REBAR W/ CAP, RLS #37495 OR AS NOTED
●	BRASS CAP FLUSH
_____	BOUNDARY LINE
_____	SECTION LINE
_____	CENTER LINE
_____	RIGHT OF WAY
_____	EASEMENT LINE AS NOTED
_____	PARCEL LINE
_____	RIGHT-OF-WAY
V.N.A.E.	PROPOSED VEHICULAR NON-ACCESS EASEMENT
P.U.E.	PROPOSED PUBLIC UTILITY EASEMENT
PCR	PIMA COUNTY RECORDS
RLS	REGISTERED LAND SURVEYOR
APN	ASSESSOR PARCEL NUMBER
787	LOT NUMBER
CA	COMMON AREA
MDR	MEDIUM DENSITY RESIDENTAL
5-J	NUMBER = TYPE OF EASEMENT LETTER = EASEMENT DETAIL

**EASEMENT TYPES**

①	PROPOSED PRIVATE ROAD (COMMON AREA "A")
②	PROPOSED P.U.E.
③	PROPOSED FIRE ACCESS
④	PROPOSED PRIVATE INGRESS/EGRESS (FOR DETAILS SEE SHEETS FP05-FP07)
⑤	PROPOSED REFUSE COLLECTION (FOR DETAILS SEE SHEETS FP05-FP07)
⑥	PROPOSED PUBLIC WATER EASEMENT (FOR DETAILS SEE SHEET FP08)
⑦	PROPOSED NO BUILD AREAS (FOR DETAILS SEE SHEETS FP09-FP10)
⑧	PROPOSED PEDESTRIAN ACCESS EASEMENT (FOR DETAILS SEE SHEET FP11-FP12)
⑨	PROPOSED DRAINAGE EASEMENT (FOR DETAILS SEE SHEET FP13-FP14)
⑩	PROPOSED ELECTRIC EASEMENT (FOR DETAILS SEE SHEET FP09-FP10)

**RECORDING DATA**

STATE OF ARIZONA }  
COUNTY OF PIMA } SS

THIS INSTRUMENT WAS FILED FOR RECORD AT THE REQUEST OF \_\_\_\_\_ ON THIS DAY OF \_\_\_\_\_, 20\_\_\_\_, AT \_\_\_\_\_ M., IN SEQUENCE NO. \_\_\_\_\_

BY: \_\_\_\_\_ DATE \_\_\_\_\_  
DEPUTY FOR PIMA COUNTY RECORDER

**APPROVALS:**

I, \_\_\_\_\_, CLERK OF THE TOWN OF ORO VALLEY, HEREBY CERTIFY THAT THIS PLAT WAS APPROVED BY THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_.

ATTEST: \_\_\_\_\_ DATE \_\_\_\_\_  
CLERK, TOWN OF ORO VALLEY

ATTEST: \_\_\_\_\_ DATE \_\_\_\_\_  
PIMA COUNTY REGIONAL WASTEWATER RECLAMATION DEPARTMENT

ATTEST: \_\_\_\_\_ DATE \_\_\_\_\_  
TOWN ENGINEER

ATTEST: \_\_\_\_\_ DATE \_\_\_\_\_  
PLANNING & ZONING ADMINISTRATOR

ATTEST: \_\_\_\_\_ DATE \_\_\_\_\_  
WATER UTILITY DIRECTOR

**BOUNDARY CORNER NOTIFICATION**

PER THE ARIZONA BOUNDARY SURVEY MINIMUM STANDARDS (ADOPTED FEB. 6, 2010), EXTERIOR BOUNDARY CORNERS WILL BE SET BY THE SURVEYOR WHO CERTIFIED THIS PLAT. IT IS THE RESPONSIBILITY OF THE SUBDIVIDER TO ENSURE THAT THE INTERIOR CORNERS OF THE SUBDIVISION ARE SET (I) WITHIN NINETY (90) DAYS AFTER COMPLETION OF THE CONSTRUCTION IMPROVEMENTS, OR (II) WITHIN TWO (2) YEARS AFTER RECORDATION OF THE SUBDIVISION PLAT, WHICHEVER DATE IS FIRST TO OCCUR. THE INTERIOR CORNERS OF THE SUBDIVISION MAY BE STAKED BY SURVEYORS OTHER THAN WHO CERTIFIED THIS SURVEY. IT WILL BE THE RESPONSIBILITY OF THE OTHER SURVEYOR WHO STAKES THE INTERIOR CORNERS OF THE SUBDIVISION TO RECORD A "RECORD OF SURVEY" WITH THE COUNTY RECORDER, CONSISTENT WITH CURRENT ARIZONA BOUNDARY MINIMUM STANDARDS.

**STONE CANYON BUFFALO GOLF, LLC.**

BY: \_\_\_\_\_  
ROGER NELSON  
ITS: VICE PRESIDENT

**CERTIFICATION**

THIS IS TO CERTIFY THAT THE SURVEY AND SUBDIVISION OF THE PREMISES DESCRIBED AND PLATTED HEREON WAS MADE UNDER MY DIRECTION DURING THE MONTH OF SEPTEMBER, 2015; THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN; THAT THE EXTERIOR BOUNDARY MONUMENTS SHOWN ACTUALLY EXIST OR WILL BE SET AS SHOWN; THAT THEIR POSITIONS ARE CORRECTLY SHOWN; AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THIS SURVEY TO BE RETRACED.

ROBERT A. JOHNSTON, RLS  
RLS# 37495  
HILGARTWILSON, LLC  
2141 E. HIGHLAND AVENUE, SUITE 250  
PHOENIX, ARIZONA 85016  
P: (602) 490-0535  
rjohnston@hilgartwilson.com



FINAL PLAT FOR  
**STONE CANYON CASITAS  
LOTS 773 THROUGH 800,  
AND COMMON AREA A**  
A PORTION OF THE SOUTHEAST QUARTER OF SECTION 14 AND A PORTION  
OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 11 SOUTH, RANGE  
13 EAST OF THE GILA AND SALT RIVER MERIDIAN, PIMA COUNTY, ARIZONA  
**OV1500719**  
12/11/15

**HILGARTWILSON**  
ENGINEER | PLAN | SURVEY | MANAGE  
2141 E. HIGHLAND AVE., STE. 250  
PHOENIX, AZ 85016  
www.hilgartwilson.com  
P: 602.490.0535 / F: 602.368.2436

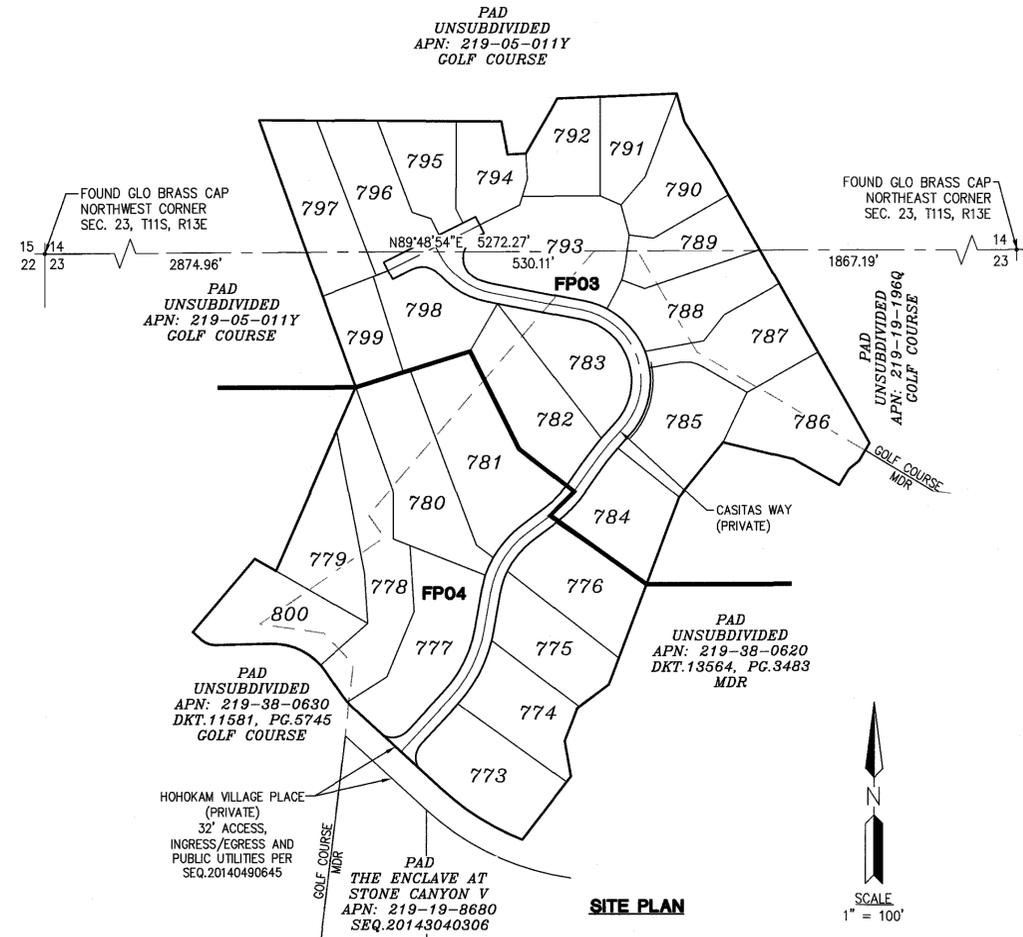
**STONE CANYON CASITAS**  
14200 N HOHOKAM VILLAGE PLACE  
ORO VALLEY, PIMA COUNTY, ARIZONA  
**FINAL PLAT**

PROJ. NO.: 1458  
DATE: SEPT. 2015  
SCALE: AS SHOWN  
DRAWN: ARC/DSP  
APPROVED: RAJ

STATUS:  
MUNICIPAL TRACKING NO.:

DWG. NO.  
**FP01**  
SHT. 1 OF 16

# FINAL PLAT FOR STONE CANYON CASITAS OV1500719



LOT TABLE		
LOT #	AREA (SQ.FT)	AREA (ACRES)
773	14,513.63	0.333
774	10,990.92	0.252
775	11,496.83	0.264
776	12,607.94	0.289
777	16,268.29	0.373
778	17,697.84	0.406
779	11,666.65	0.268
780	16,547.73	0.380
781	19,648.95	0.451
782	14,215.63	0.326
783	11,358.90	0.261
784	11,786.53	0.271
785	13,527.78	0.311
786	14,424.44	0.331
787	11,588.42	0.266
788	12,123.86	0.278
789	9,073.43	0.208
790	9,835.61	0.226
791	7,855.52	0.180
792	8,807.66	0.202

LOT TABLE		
LOT #	AREA (SQ.FT)	AREA (ACRES)
793	18,903.99	0.434
794	7,998.53	0.184
795	8,453.07	0.194
796	11,825.54	0.271
797	13,492.53	0.310
798	10,793.44	0.248
799	7,053.74	0.162
800	12,687.61	0.291

AREA TABLE		
PARCEL	AREA (SQ.FT)	AREA (ACRES)
COMMON AREA	21,779.75	0.500

### LEGEND

- FOUND MONUMENT AS NOTED
- ⊠ FOUND BRASS CAP IN HAND HOLE
- SET 1/2" REBAR W/ CAP, RLS #37495 OR AS NOTED
- BOUNDARY LINE
- - - SECTION LINE
- - - CENTER LINE
- - - RIGHT OF WAY
- - - EASEMENT LINE AS NOTED
- - - PARCEL LINE
- R/W RIGHT-OF-WAY
- V.N.A.E. PROPOSED VEHICULAR NON-ACCESS EASEMENT
- P.U.E. PROPOSED PUBLIC UTILITY EASEMENT
- PCR PIMA COUNTY RECORDS
- RLS REGISTERED LAND SURVEYOR
- APN ASSESSOR PARCEL NUMBER
- 787 LOT NUMBER
- CA COMMON AREA
- MDR MEDIUM DENSITY RESIDENTIAL
- 5-J NUMBER = TYPE OF EASEMENT  
LETTER = EASEMENT DETAIL

### EASEMENT TYPES

- ① PROPOSED PRIVATE ROAD (COMMON AREA "A")
- ② PROPOSED P.U.E.
- ③ PROPOSED FIRE ACCESS
- ④ PROPOSED PRIVATE INGRESS/EGRESS (FOR DETAILS SEE SHEETS FP05-FP07)
- ⑤ PROPOSED REFUSE COLLECTION (FOR DETAILS SEE SHEETS FP05-FP07)
- ⑥ PROPOSED PUBLIC WATER EASEMENT (FOR DETAILS SEE SHEET FP08)
- ⑦ PROPOSED NO BUILD AREAS (FOR DETAILS SEE SHEETS FP09-FP10)
- ⑧ PROPOSED PEDESTRIAN ACCESS EASEMENT (FOR DETAILS SEE SHEET FP11-FP12)
- ⑨ PROPOSED DRAINAGE EASEMENT (FOR DETAILS SEE SHEET FP13-FP14)
- ⑩ PROPOSED ELECTRIC EASEMENT (FOR DETAILS SEE SHEET FP09-FP10)



FINAL PLAT FOR  
**STONE CANYON CASITAS**  
**LOTS 773 THROUGH 800,**  
**AND COMMON AREA A**

A PORTION OF THE SOUTHEAST QUARTER OF SECTION 14 AND A PORTION OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 11 SOUTH, RANGE 13 EAST OF THE GILA AND SALT RIVER MERIDIAN, PIMA COUNTY, ARIZONA

**OV1500719**  
12/11/15

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CURVE TABLE			
CURVE #	RADIUS	DELTA	LENGTH
C5	150.00'	17°50'39"	46.72'
C6	400.00'	8°33'48"	59.78'
C7	85.00'	122°29'18"	181.71'
C8	100.00'	20°26'48"	35.69'
C9	79.00'	122°22'41"	17.07'
C10	27.00'	130°03'55"	61.29'
C11	90.00'	52°26'36"	82.38'
C12	101.00'	37°17'06"	65.73'
C13	27.00'	74°50'30"	35.27'

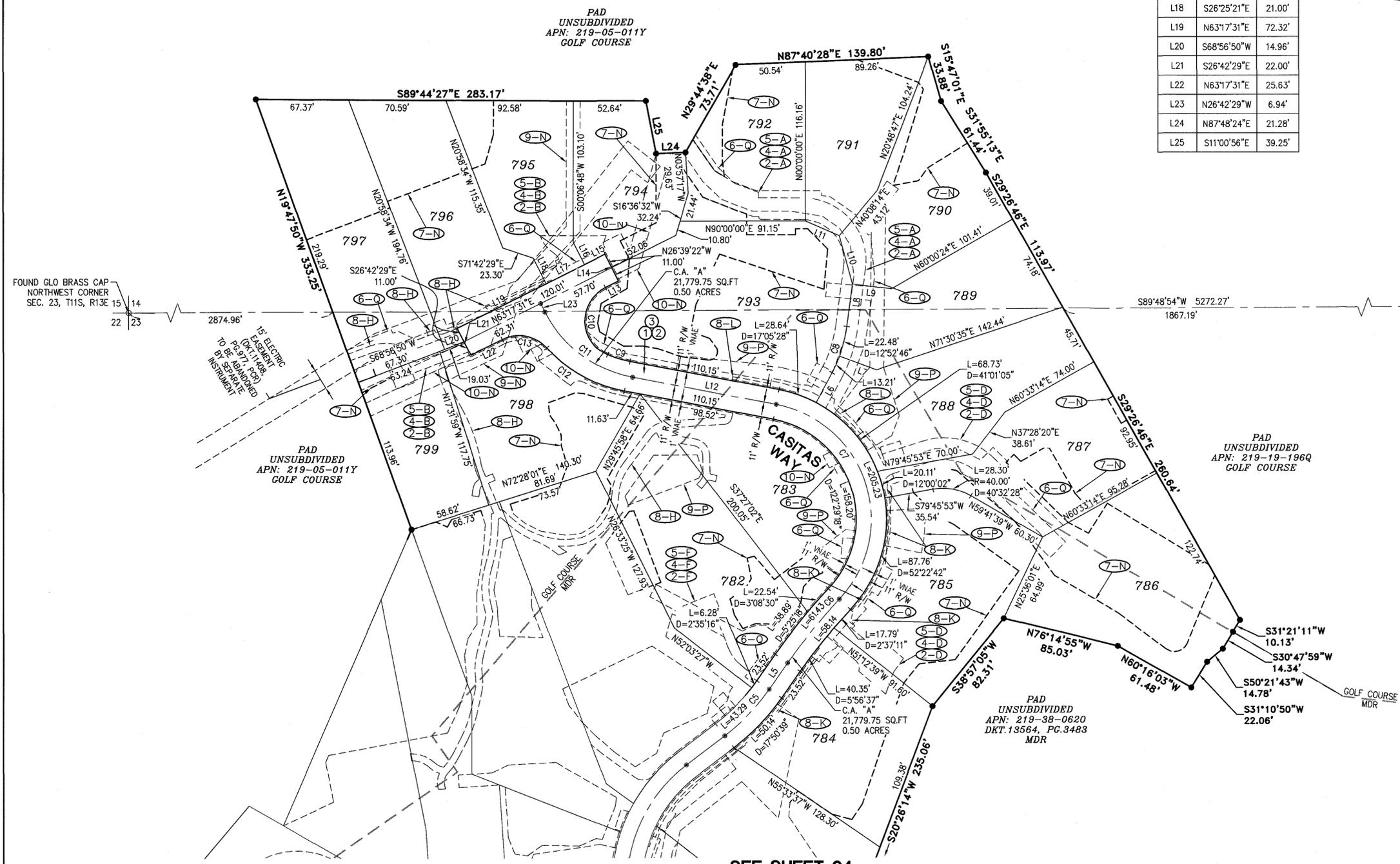
LINE TABLE		
LINE #	DIRECTION	LENGTH
L5	N34°46'25"E	23.52'
L6	S27°56'23"W	24.59'
L7	N69°37'39"W	28.75'
L8	S07°29'36"W	31.28'
L9	N82°30'24"W	28.51'
L10	S15°14'08"E	36.59'
L11	S66°26'58"E	26.57'
L12	N79°09'05"W	106.20'
L13	N63°17'31"E	10.62'
L14	N26°39'22"W	22.00'
L15	N63°17'31"E	16.55'
L16	S26°42'29"E	18.26'
L17	N63°17'31"E	31.15'
L18	S26°25'21"E	21.00'
L19	N63°17'31"E	72.32'
L20	S68°56'50"W	14.96'
L21	S26°42'29"E	22.00'
L22	N63°17'31"E	25.63'
L23	N26°42'29"W	6.94'
L24	N87°48'24"E	21.28'
L25	S11°00'56"E	39.25'

**LEGEND**

- FOUND MONUMENT AS NOTED
- ⊠ FOUND BRASS CAP IN HAND HOLE
- SET 1/2" REBAR W/ CAP, RLS #37495 OR AS NOTED
- BRASS CAP FLUSH
- BOUNDARY LINE
- - - SECTION LINE
- - - CENTER LINE
- - - RIGHT OF WAY
- - - EASEMENT LINE AS NOTED
- - - PARCEL LINE
- - - RIGHT-OF-WAY
- R/W
- V.N.A.E. PROPOSED VEHICULAR NON-ACCESS EASEMENT
- P.U.E. PROPOSED PUBLIC UTILITY EASEMENT
- PCR PIMA COUNTY RECORDS
- RLS REGISTERED LAND SURVEYOR
- APN ASSESSOR PARCEL NUMBER
- 787 LOT NUMBER
- CA COMMON AREA
- MDR MEDIUM DENSITY RESIDENTIAL
- NUMBER = TYPE OF EASEMENT
- LETTER = EASEMENT DETAIL

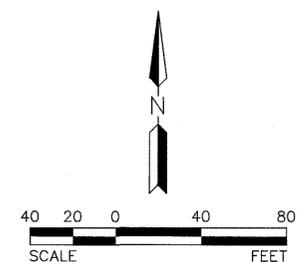
**EASEMENT TYPES**

- ① PROPOSED PRIVATE ROAD (COMMON AREA "A")
- ② PROPOSED P.U.E.
- ③ PROPOSED FIRE ACCESS
- ④ PROPOSED PRIVATE INGRESS/EGRESS (FOR DETAILS SEE SHEETS FP05-FP07)
- ⑤ PROPOSED REFUSE COLLECTION (FOR DETAILS SEE SHEETS FP05-FP07)
- ⑥ PROPOSED PUBLIC WATER EASEMENT (FOR DETAILS SEE SHEET FP08)
- ⑦ PROPOSED NO BUILD AREAS (FOR DETAILS SEE SHEETS FP09-FP10)
- ⑧ PROPOSED PEDESTRIAN ACCESS EASEMENT (FOR DETAILS SEE SHEET FP11-FP12)
- ⑨ PROPOSED DRAINAGE EASEMENT (FOR DETAILS SEE SHEET FP13-FP14)
- ⑩ PROPOSED ELECTRIC EASEMENT (FOR DETAILS SEE SHEET FP09-FP10)



FOUND GLO BRASS CAP NORTHWEST CORNER SEC. 23, T11S, R13E

FOUND GLO BRASS CAP NORTHEAST CORNER SEC. 23, T11S, R13E



FINAL PLAT FOR  
**STONE CANYON CASITAS**  
**LOTS 773 THROUGH 800,**  
**AND COMMON AREA A**  
 A PORTION OF THE SOUTHEAST QUARTER OF SECTION 14 AND A PORTION OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 11 SOUTH, RANGE 13 EAST OF THE GILA AND SALT RIVER MERIDIAN, PIMA COUNTY, ARIZONA

PROJ. NO.: 1458  
 DATE: SEPT. 2015  
 SCALE: AS SHOWN  
 DRAWN: ARC/DSP  
 APPROVED: RAJ

APN: 219-05-011Y  
 DKT. 13564, PC. 3483  
 MDR

0V1500719  
 12/11/15

SEE SHEET 04

Attachment 2

**HILGARTWILSON**  
 ENGINEER | PLANNING | SURVEY | MANAGE  
 2141 E. HIGHLAND AVE., STE. 250 | PHOENIX, AZ 85016  
 P: 602.490.0635 / F: 602.368.2436  
 www.hilgartwilson.com

**STONE CANYON CASITAS**  
 14200 N HOHOKAM VILLAGE PLACE  
 ORO VALLEY, PIMA COUNTY, ARIZONA

**FINAL PLAT**

STATUS: PROJECT NO. 1458  
 DATE: SEPT. 2015  
 SCALE: AS SHOWN  
 DRAWN: ARC/DSP  
 APPROVED: RAJ

DWG. NO. **FP03**  
 SHT. 3 OF 16

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**LEGEND**

- FOUND MONUMENT AS NOTED
- ⊠ FOUND BRASS CAP IN HAND HOLE
- SET 1/2" REBAR W/ CAP, RLS #37495 OR AS NOTED
- BRASS CAP FLUSH
- BOUNDARY LINE
- - - SECTION LINE
- - - CENTER LINE
- - - RIGHT OF WAY
- - - EASEMENT LINE AS NOTED
- - - PARCEL LINE
- R/W RIGHT-OF-WAY
- V.N.A.E. PROPOSED VEHICULAR NON-ACCESS EASEMENT
- P.U.E. PROPOSED PUBLIC UTILITY EASEMENT
- PCR PIMA COUNTY RECORDS
- RLS REGISTERED LAND SURVEYOR
- APN ASSESSOR PARCEL NUMBER
- 787 LOT NUMBER
- CA COMMON AREA
- MDR MEDIUM DENSITY RESIDENTIAL
- NUMBER = TYPE OF EASEMENT  
 LETTER = EASEMENT DETAIL

**EASEMENT TYPES**

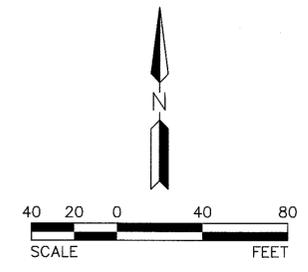
- ① PROPOSED PRIVATE ROAD (COMMON AREA "A")
- ② PROPOSED P.U.E.
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- ④ PROPOSED PRIVATE INGRESS/EGRESS (FOR DETAILS SEE SHEETS FP05-FP07)
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- ⑨ PROPOSED DRAINAGE EASEMENT (FOR DETAILS SEE SHEET FP13-FP14)
- ⑩ PROPOSED ELECTRIC EASEMENT (FOR DETAILS SEE SHEET FP09-FP10)

**LINE TABLE**

LINE #	DIRECTION	LENGTH
L1	S42°35'35"W	85.29'
L2	N09°34'38"E	43.50'
L3	S53°34'09"E	24.55'
L4	N52°37'04"E	35.07'

**CURVE TABLE**

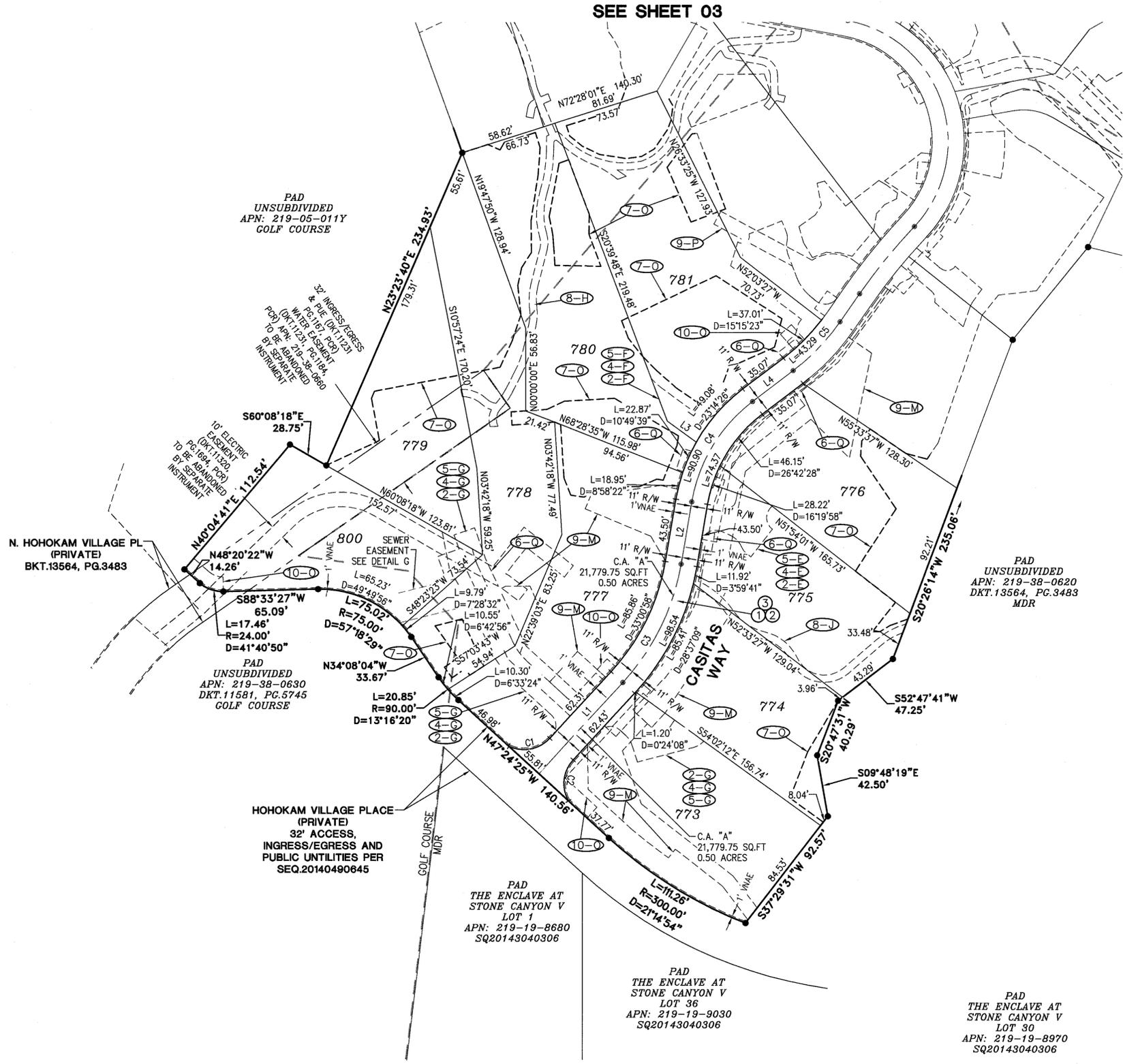
CURVE #	RADIUS	DELTA	LENGTH
C1	24.00'	73°17'07"	30.70'
C2	24.00'	72°19'14"	30.29'
C3	160.00'	33°00'58"	92.20'
C4	110.00'	43°02'26"	82.63'
C5	150.00'	17°50'39"	46.72'



FINAL PLAT FOR  
**STONE CANYON CASITAS**  
**LOTS 773 THROUGH 800,**  
**AND COMMON AREA A**  
 A PORTION OF THE SOUTHEAST QUARTER OF SECTION 14 AND A PORTION OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 11 SOUTH, RANGE 13 EAST OF THE GILA AND SALT RIVER MERIDIAN, PIMA COUNTY, ARIZONA

OV1500719  
 12/11/15

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SEE SHEET 03

PAD UNSUBDIVIDED APN: 219-05-011Y GOLF COURSE

10' ELECTRIC EASEMENT (OKT.11.200, PG.494, PCR) TO BE ABANDONED BY SEPARATE INSTRUMENT

N. HOHOKAM VILLAGE PL (PRIVATE) BKT.13564, PG.3483

PAD UNSUBDIVIDED APN: 219-38-0630 DKT.11581, PG.5745 GOLF COURSE

HOHOKAM VILLAGE PLACE (PRIVATE) 32' ACCESS, INGRESS/EGRESS AND PUBLIC UTILITIES PER SEQ.20140490845

PAD THE ENCLAVE AT STONE CANYON V LOT 1 APN: 219-19-8680 SQ20143040306

PAD THE ENCLAVE AT STONE CANYON V LOT 36 APN: 219-19-9030 SQ20143040306

PAD THE ENCLAVE AT STONE CANYON V LOT 30 APN: 219-19-8970 SQ20143040306

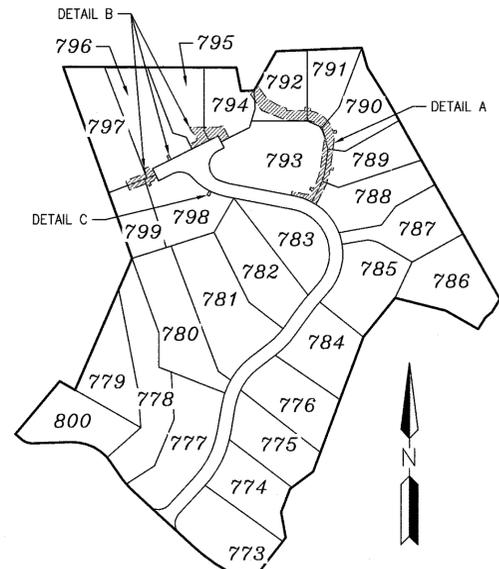
PAD UNSUBDIVIDED APN: 219-38-0620 DKT.13564, PG.3483 MDR

**LEGEND**

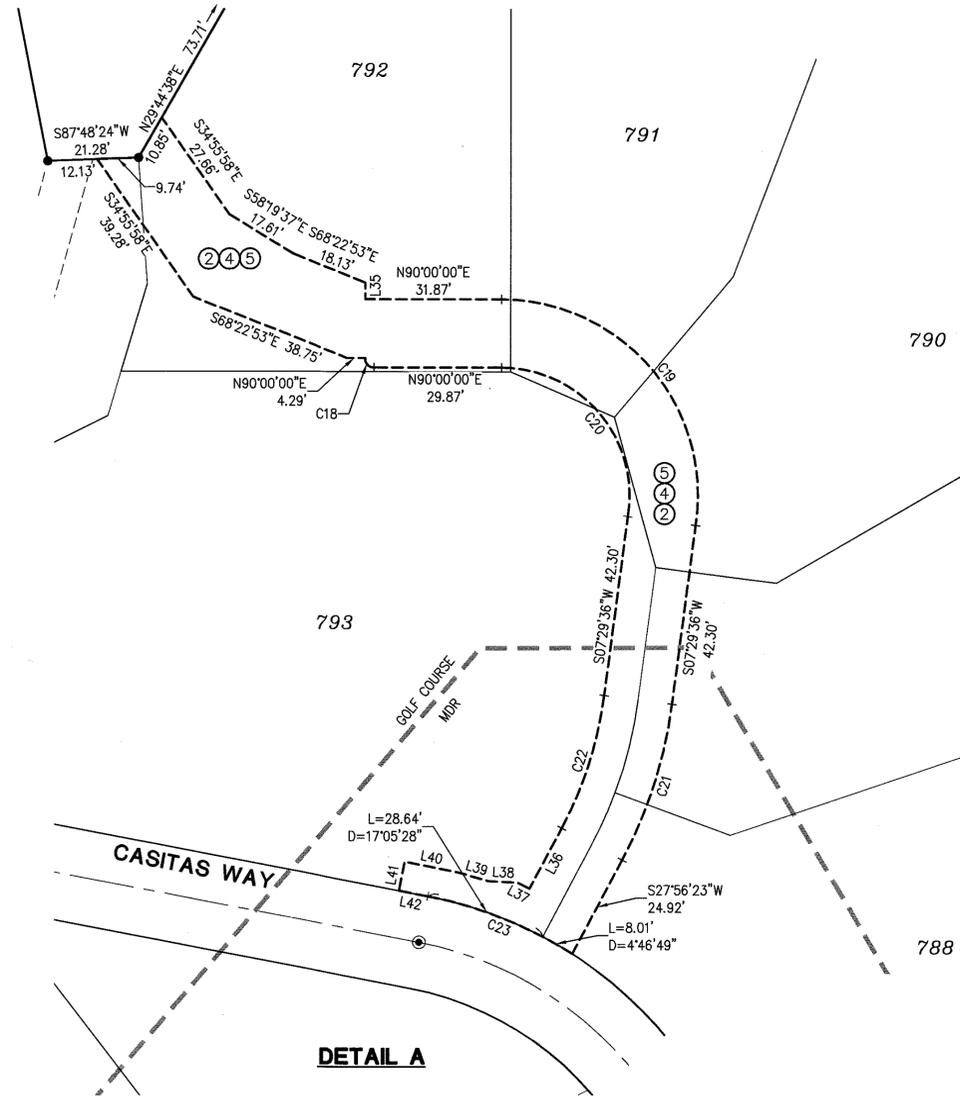
- FOUND MONUMENT AS NOTED
- ◻ FOUND BRASS CAP IN HAND HOLE
- SET 1/2" REBAR W/ CAP, RLS #37495 OR AS NOTED
- BRASS CAP FLUSH
- BOUNDARY LINE
- - - SECTION LINE
- - - CENTER LINE
- - - RIGHT OF WAY
- - - EASEMENT LINE AS NOTED
- - - PARCEL LINE
- - - RIGHT-OF-WAY
- - - V.N.A.E. PROPOSED VEHICULAR NON-ACCESS EASEMENT
- - - P.U.E. PROPOSED PUBLIC UTILITY EASEMENT
- - - PCR PIMA COUNTY RECORDS
- - - RLS REGISTERED LAND SURVEYOR
- - - APN ASSESSOR PARCEL NUMBER
- - - 787 LOT NUMBER
- - - CA COMMON AREA
- - - MDR MEDIUM DENSITY RESIDENTIAL
- - - NUMBER = TYPE OF EASEMENT
- - - LETTER = EASEMENT DETAIL

**EASEMENT TYPES**

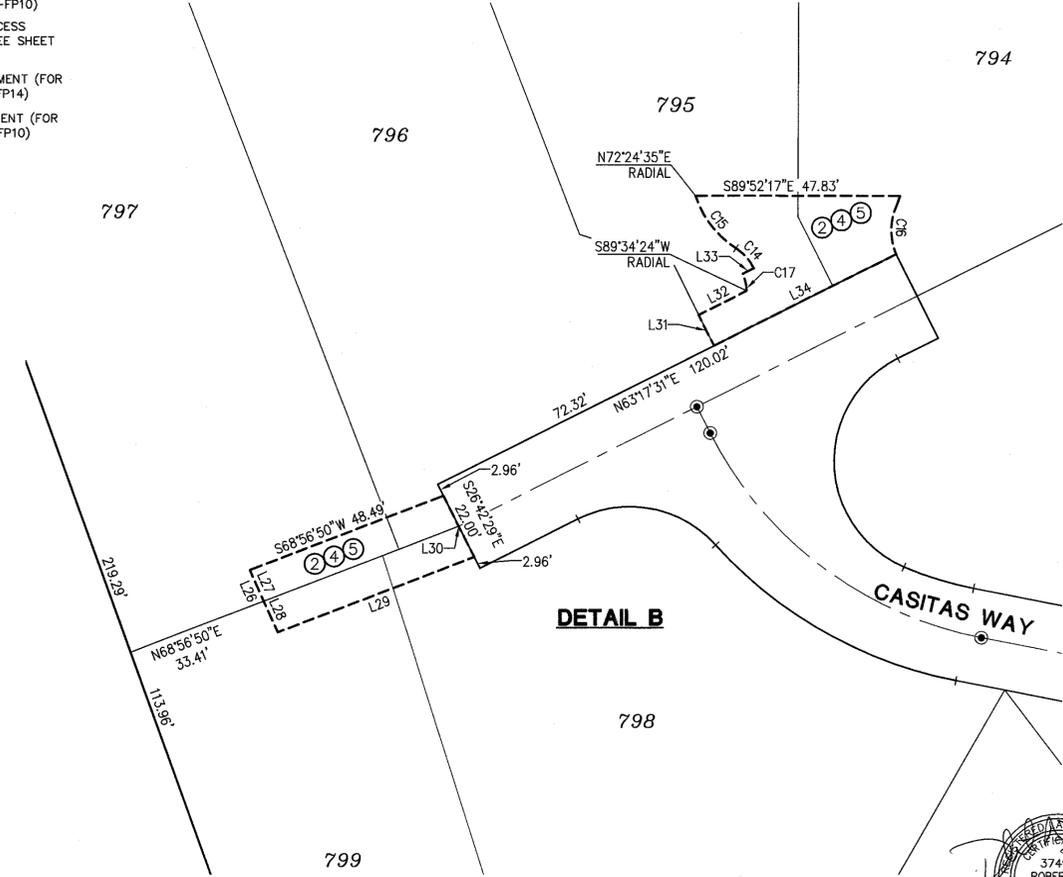
- ① PROPOSED PRIVATE ROAD (COMMON AREA "A")
- ② PROPOSED P.U.E.
- ③ PROPOSED FIRE ACCESS
- ④ PROPOSED PRIVATE INGRESS/EGRESS (FOR DETAILS SEE SHEETS FP05-FP07)
- ⑤ PROPOSED REFUSE COLLECTION (FOR DETAILS SEE SHEETS FP05-FP07)
- ⑥ PROPOSED PUBLIC WATER EASEMENT (FOR DETAILS SEE SHEET FP08)
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- ⑨ PROPOSED DRAINAGE EASEMENT (FOR DETAILS SEE SHEET FP13-FP14)
- ⑩ PROPOSED ELECTRIC EASEMENT (FOR DETAILS SEE SHEET FP09-FP10)



**KEYMAP**  
N.T.S.



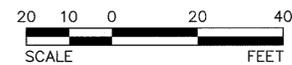
**DETAIL A**



**DETAIL B**

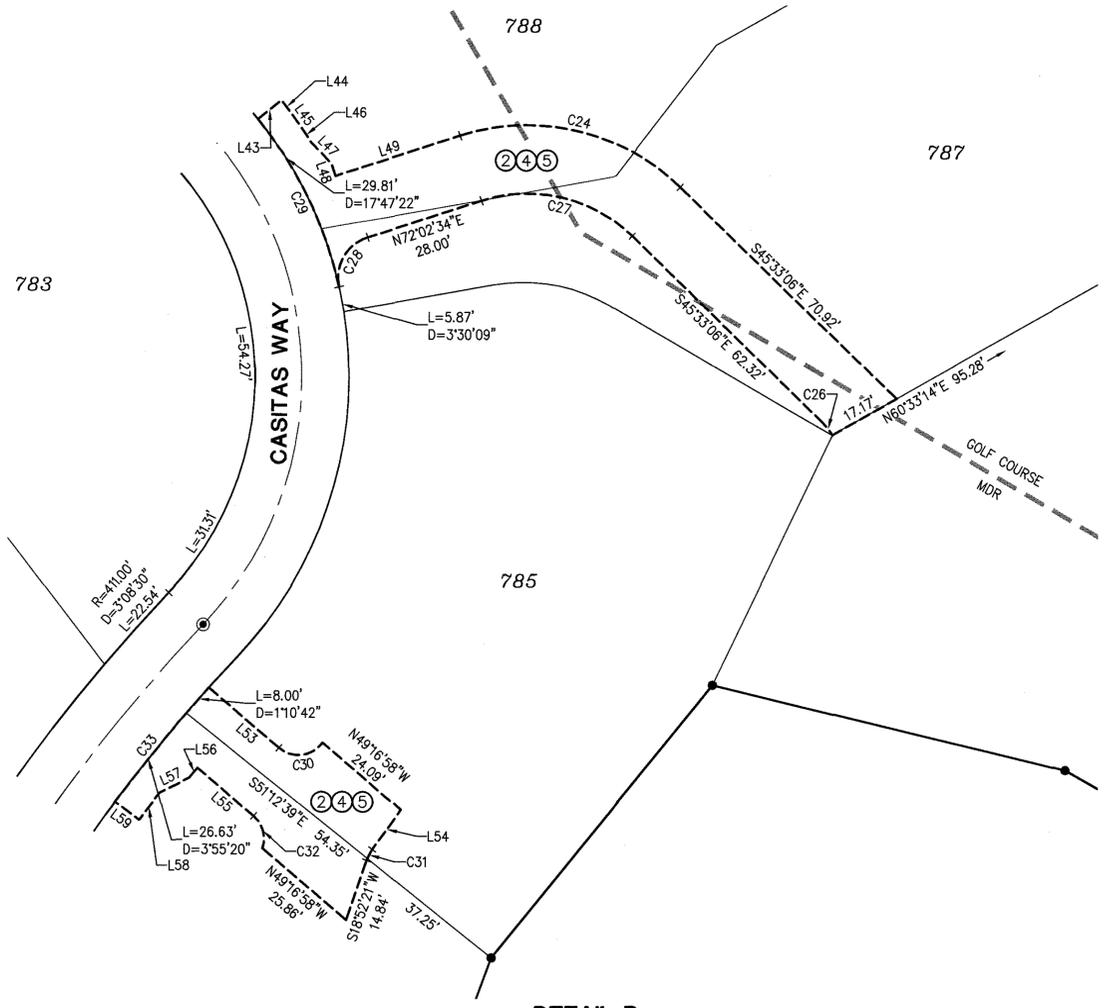


FINAL PLAT FOR  
**STONE CANYON CASITAS**  
**LOTS 773 THROUGH 800,**  
**AND COMMON AREA A**  
 A PORTION OF THE SOUTHEAST QUARTER OF SECTION 14 AND A PORTION  
 OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 11 SOUTH, RANGE  
 13 EAST OF THE GILA AND SALT RIVER MERIDIAN, PIMA COUNTY, ARIZONA

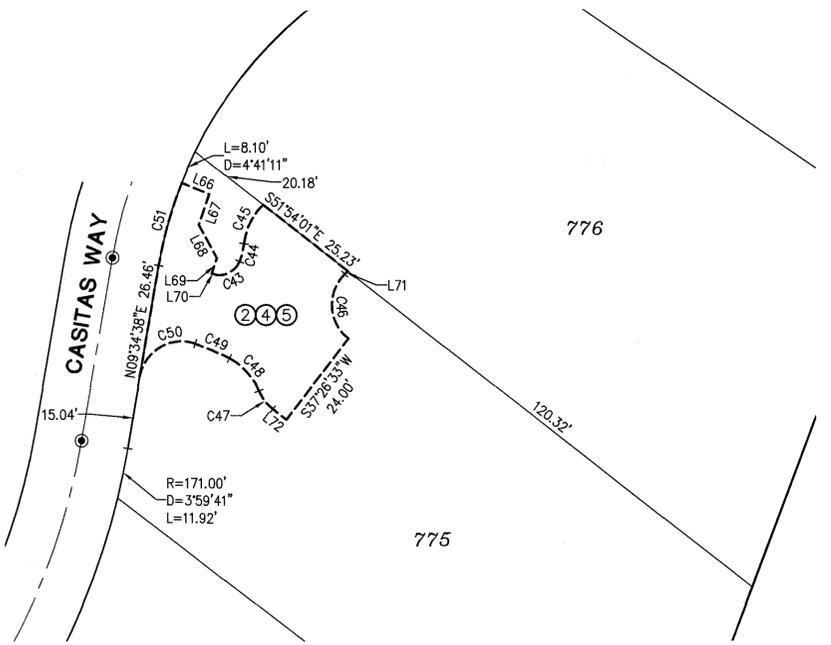


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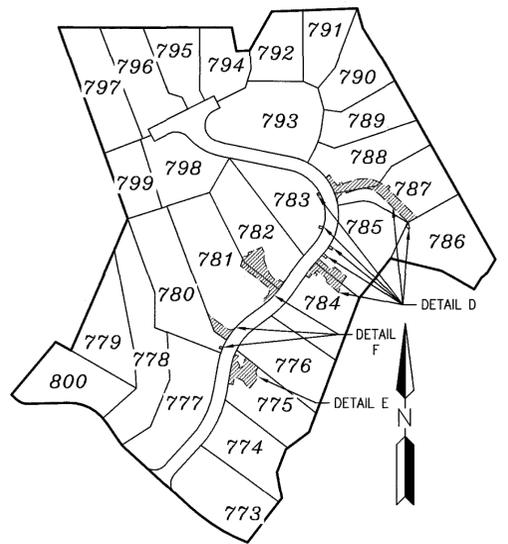
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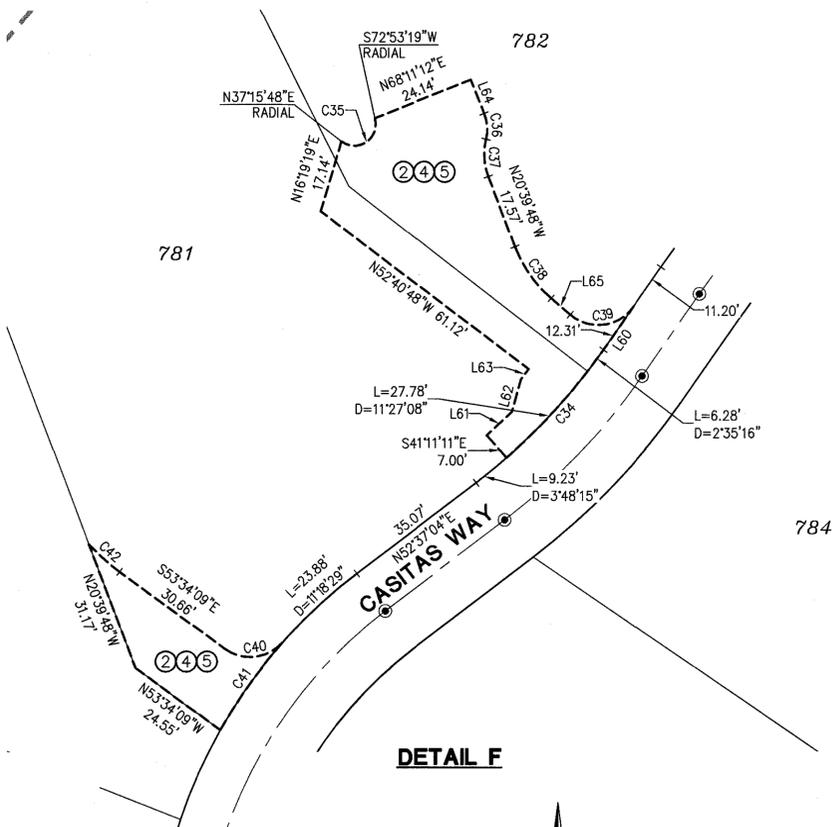
**DETAIL D**



**DETAIL E**



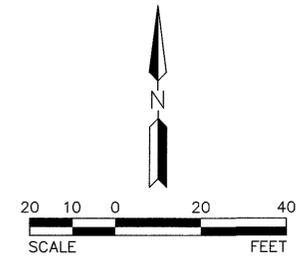
**KEYMAP**  
N.T.S.



**DETAIL F**

- LEGEND**
- FOUND MONUMENT AS NOTED
  - ⊗ FOUND BRASS CAP IN HAND HOLE
  - SET 1/2" REBAR W/ CAP, RLS #37495 OR AS NOTED
  - BRASS CAP FLUSH
  - BOUNDARY LINE
  - - - SECTION LINE
  - - - CENTER LINE
  - - - RIGHT OF WAY
  - - - EASEMENT LINE AS NOTED
  - - - PARCEL LINE
  - - - RIGHT-OF-WAY
  - R/W V.N.A.E. PROPOSED VEHICULAR NON-ACCESS EASEMENT
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  - PCR PIMA COUNTY RECORDS
  - RLS REGISTERED LAND SURVEYOR
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FINAL PLAT FOR  
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**LOTS 773 THROUGH 800,**  
**AND COMMON AREA A**  
 A PORTION OF THE SOUTHEAST QUARTER OF SECTION 14 AND A PORTION  
 OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 11 SOUTH, RANGE  
 13 EAST OF THE GILA AND SALT RIVER MERIDIAN, PIMA COUNTY, ARIZONA

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 PHOENIX, AZ 85016  
 www.hilgartwilson.com

**STONE CANYON CASITAS**  
 14200 N HOHOKAM VILLAGE PLACE  
 ORO VALLEY, PIMA COUNTY, ARIZONA  
**FINAL PLAT**

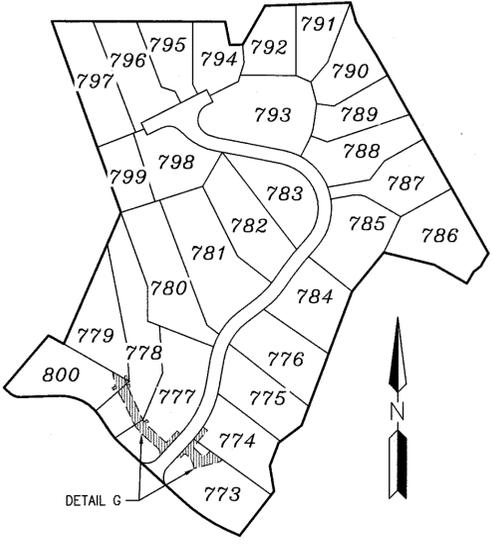
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DATE: SEPT. 2015	MUNICIPAL TRACKING NO.:
SCALE: AS SHOWN	DRAWN: ARC/DSP
APPROVED: RAJ	DWG. NO. <b>FP06</b>
	SHT. 6 OF 16

**LEGEND**

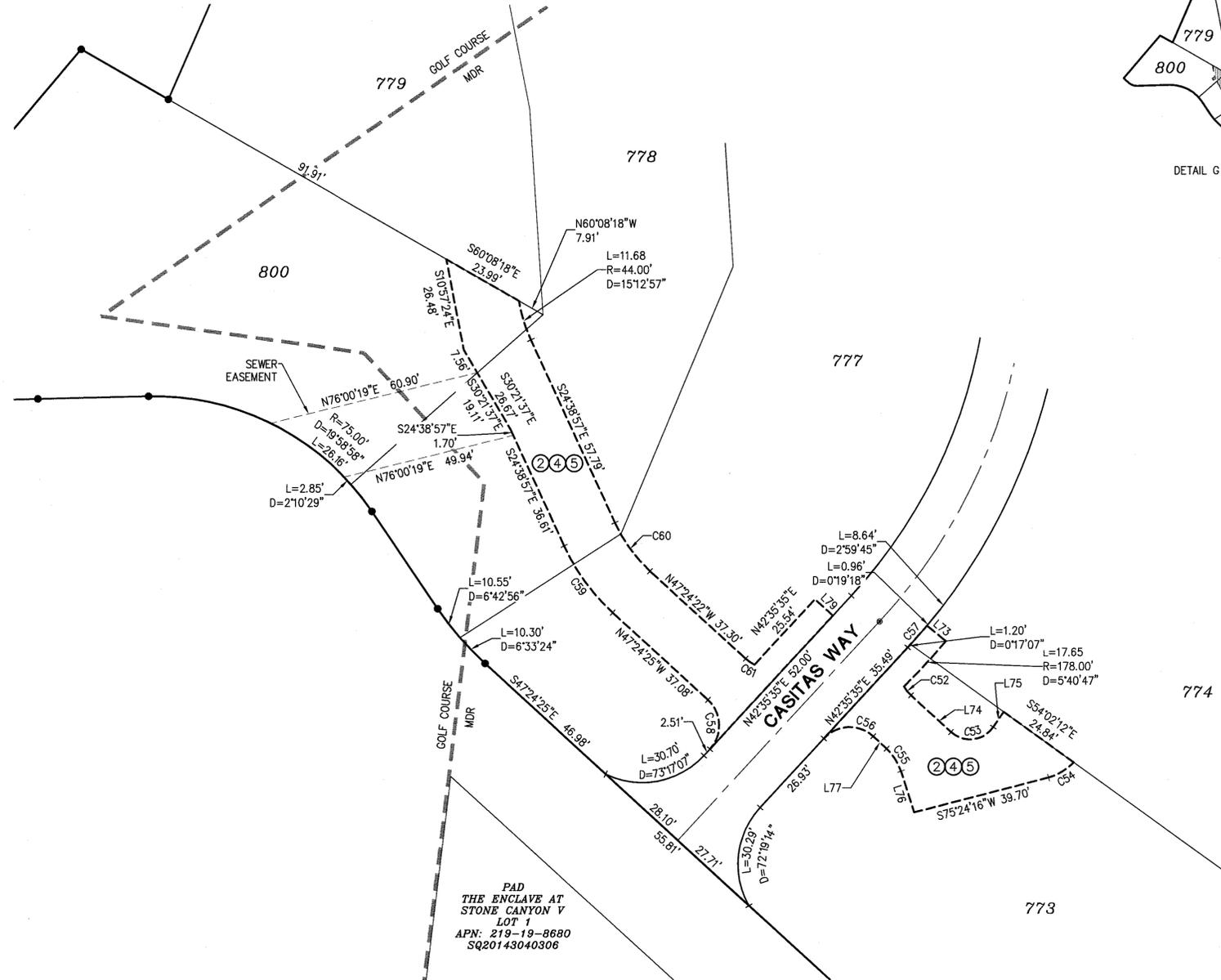
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- PARCEL LINE
- R/W RIGHT-OF-WAY
- V.N.A.E. PROPOSED VEHICULAR NON-ACCESS EASEMENT
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**KEYMAP**  
N.T.S.

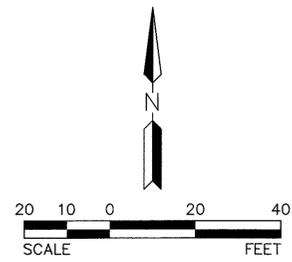


**DETAIL G**

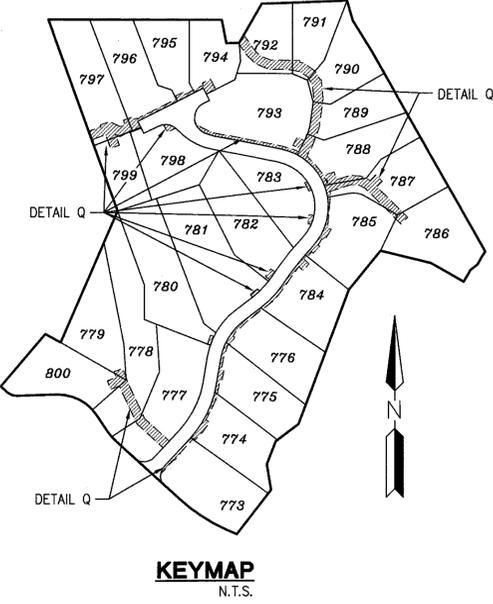
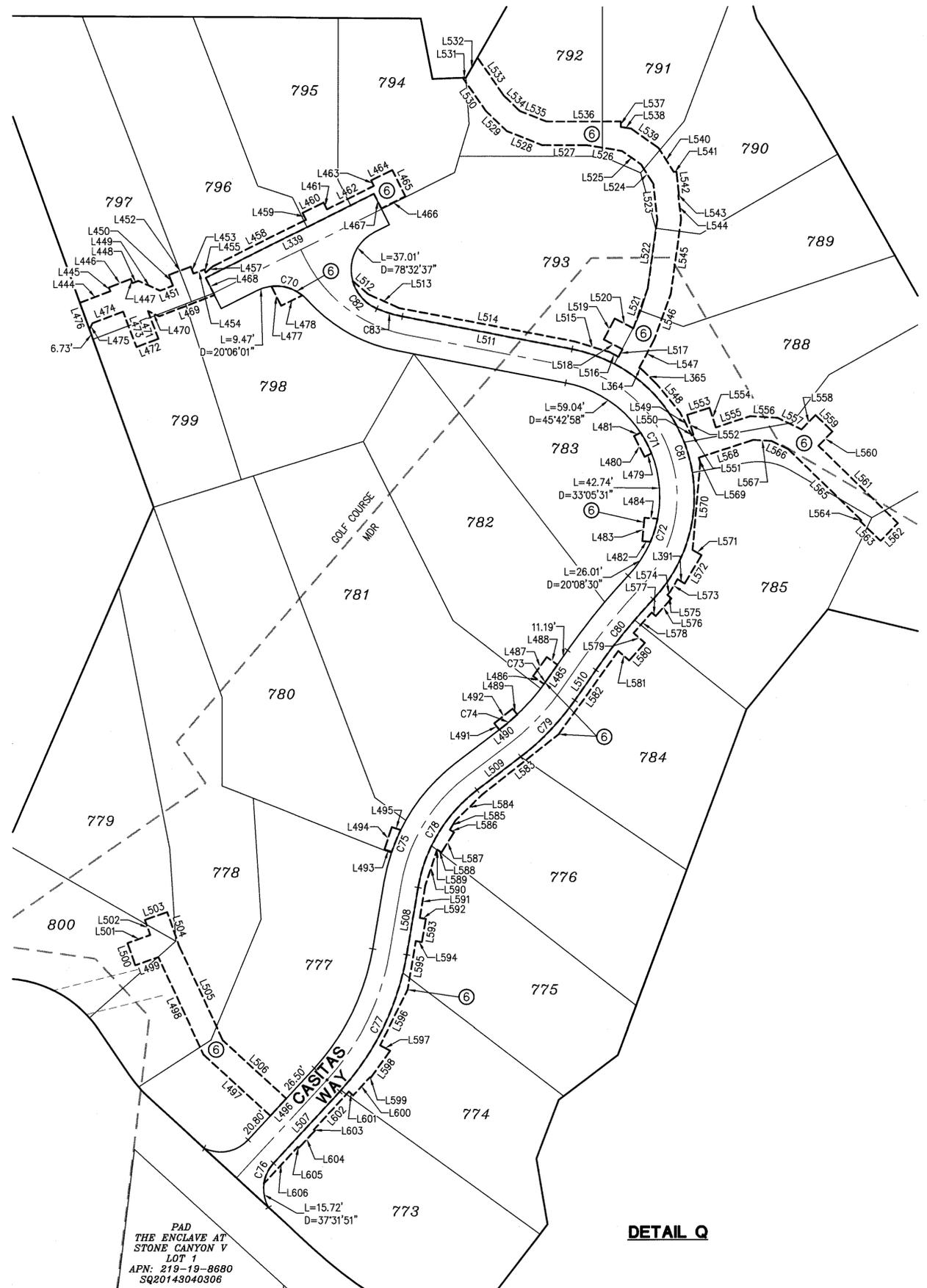
PAD  
 THE ENCLAVE AT  
 STONE CANYON V  
 LOT 1  
 APN: 219-19-8680  
 S020143040306



FINAL PLAT FOR  
**STONE CANYON CASITAS**  
**LOTS 773 THROUGH 800,**  
**AND COMMON AREA A**  
 A PORTION OF THE SOUTHEAST QUARTER OF SECTION 14 AND A PORTION  
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 13 EAST OF THE GILA AND SALT RIVER MERIDIAN, PIMA COUNTY, ARIZONA



PROJ. NO.: 1458	STATUS:
DATE: SEPT. 2015	MUNICIPAL TRACKING NO.:
SCALE: AS SHOWN	DRAWN: ARC/DSP
APPROVED: RAJ	



**LEGEND**

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- PCR REGISTERED LAND SURVEYOR
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- MDR NUMBER = TYPE OF EASEMENT  
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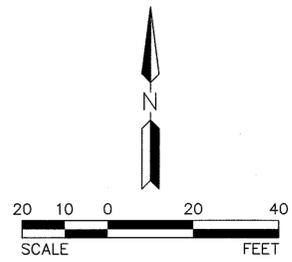
**EASEMENT TYPES**

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PAD  
THE ENCLAVE AT  
STONE CANYON V  
LOT 1  
APN: 219-19-8680  
SQ20143040306

**DETAIL Q**

Attachment 2



FINAL PLAT FOR  
**STONE CANYON CASITAS  
LOTS 773 THROUGH 800,  
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A PORTION OF THE SOUTHEAST QUARTER OF SECTION 14 AND A PORTION  
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PROJ. NO.: 1458  
DATE: SEPT. 2015  
SCALE: AS SHOWN  
DRAWN: ARC/DSP  
APPROVED: RAJ

STATUS:  
MUNICIPAL TRACKING NO:  
DWG. NO.  
**FP08**  
SHT. 8 OF 16

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12/11/15

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**STONE CANYON CASITAS**  
14200 N HOHOKAM VILLAGE PLACE  
ORO VALLEY, PIMA COUNTY, ARIZONA

**FINAL PLAT**

PROJ. NO.: 1458  
DATE: SEPT. 2015  
SCALE: AS SHOWN  
DRAWN: ARC/DSP  
APPROVED: RAJ

STATUS:  
MUNICIPAL TRACKING NO:  
DWG. NO.  
**FP08**  
SHT. 8 OF 16

OV1500719, OV09-07-02A, OV15-008

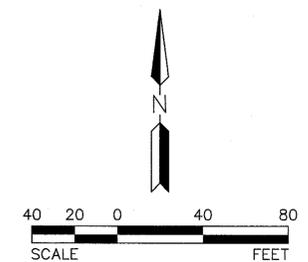
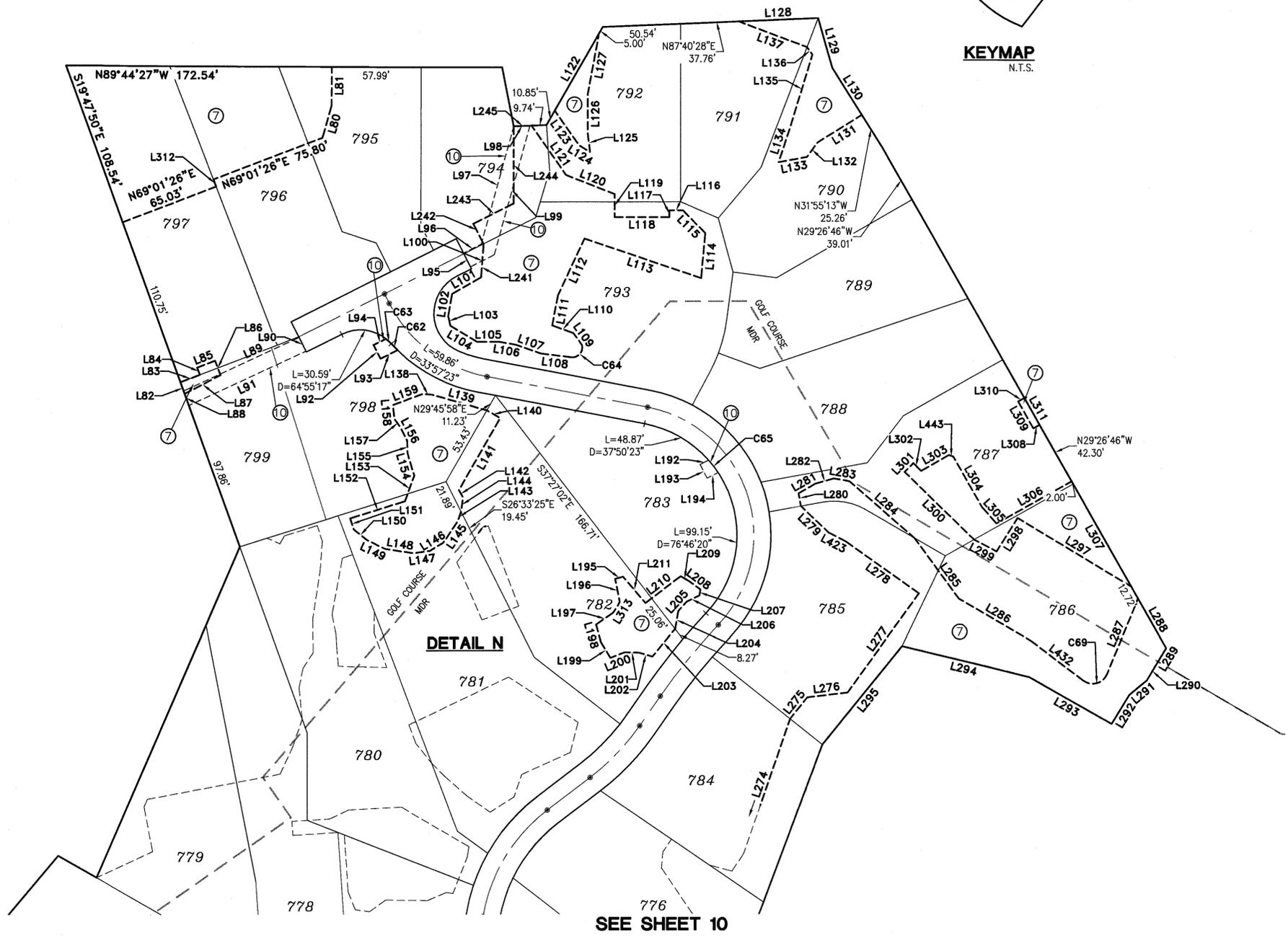
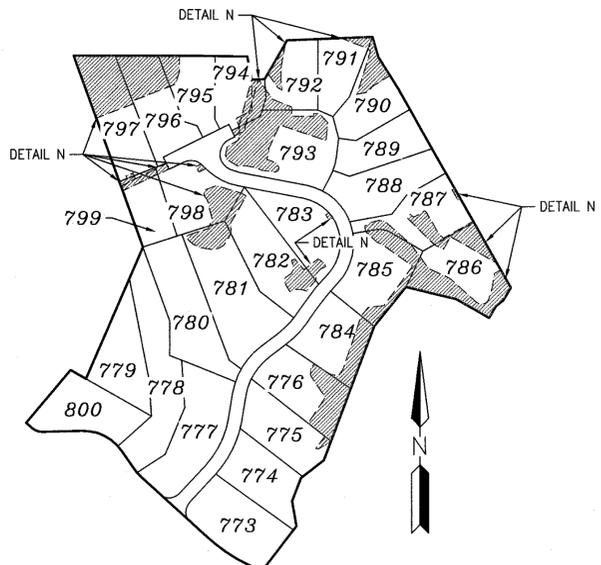
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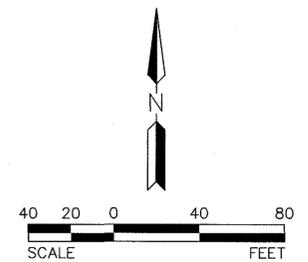
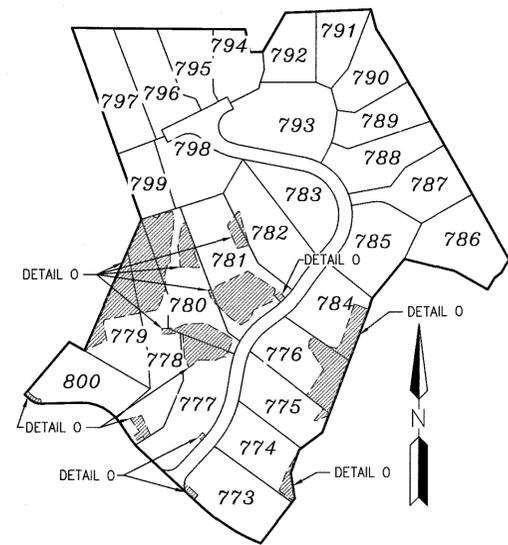
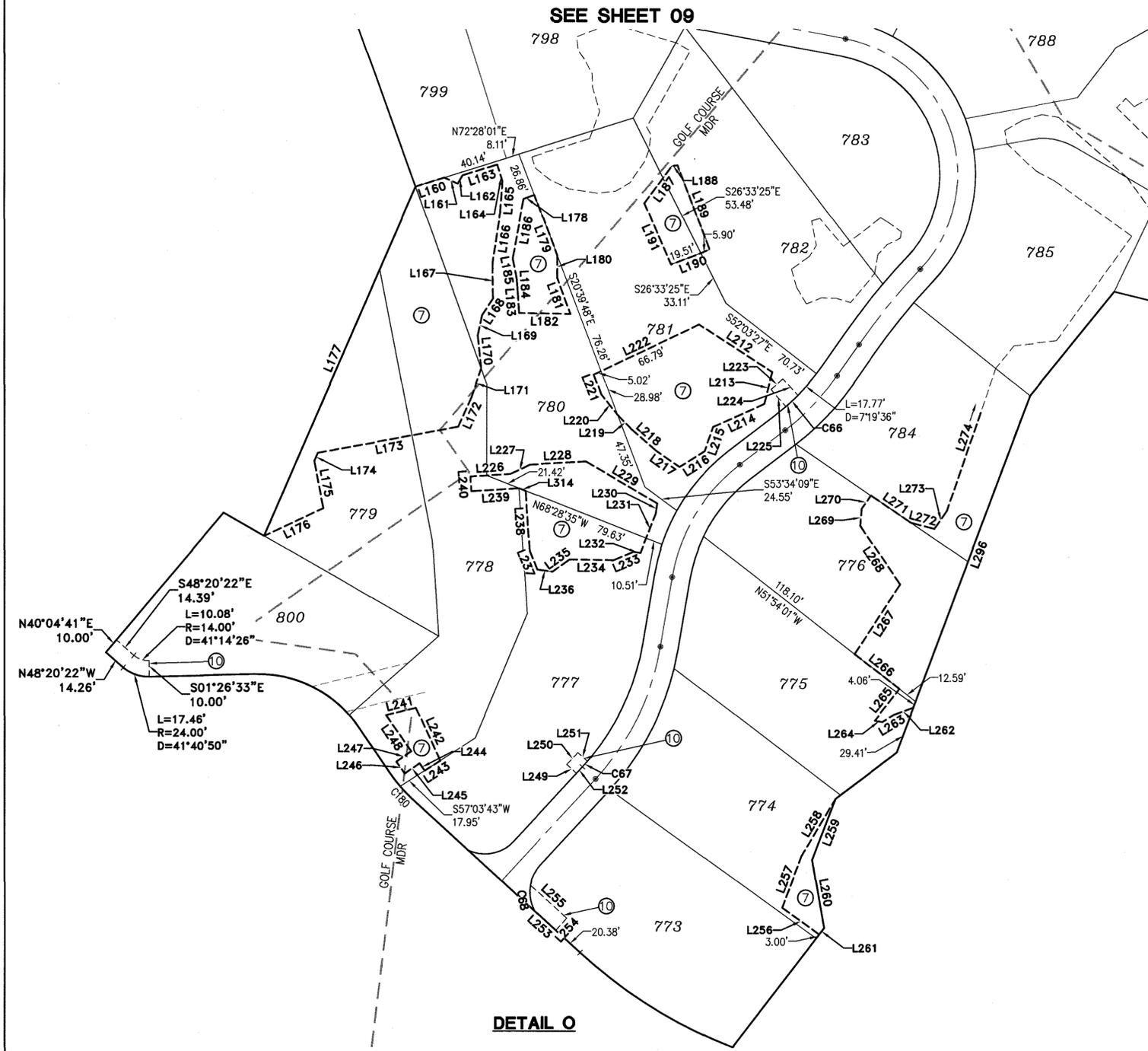
FINAL PLAT FOR  
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 13 EAST OF THE GILA AND SALT RIVER MERIDIAN, PIMA COUNTY, ARIZONA  
**OVI500719**  
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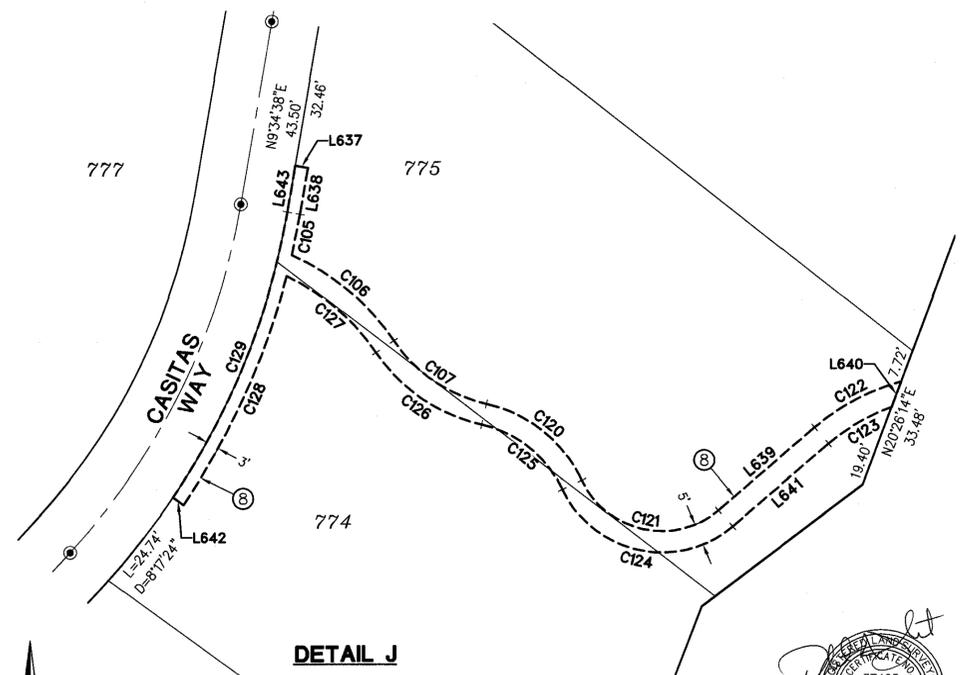
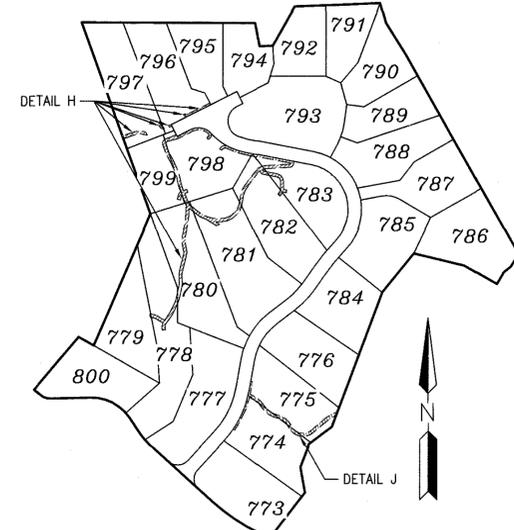
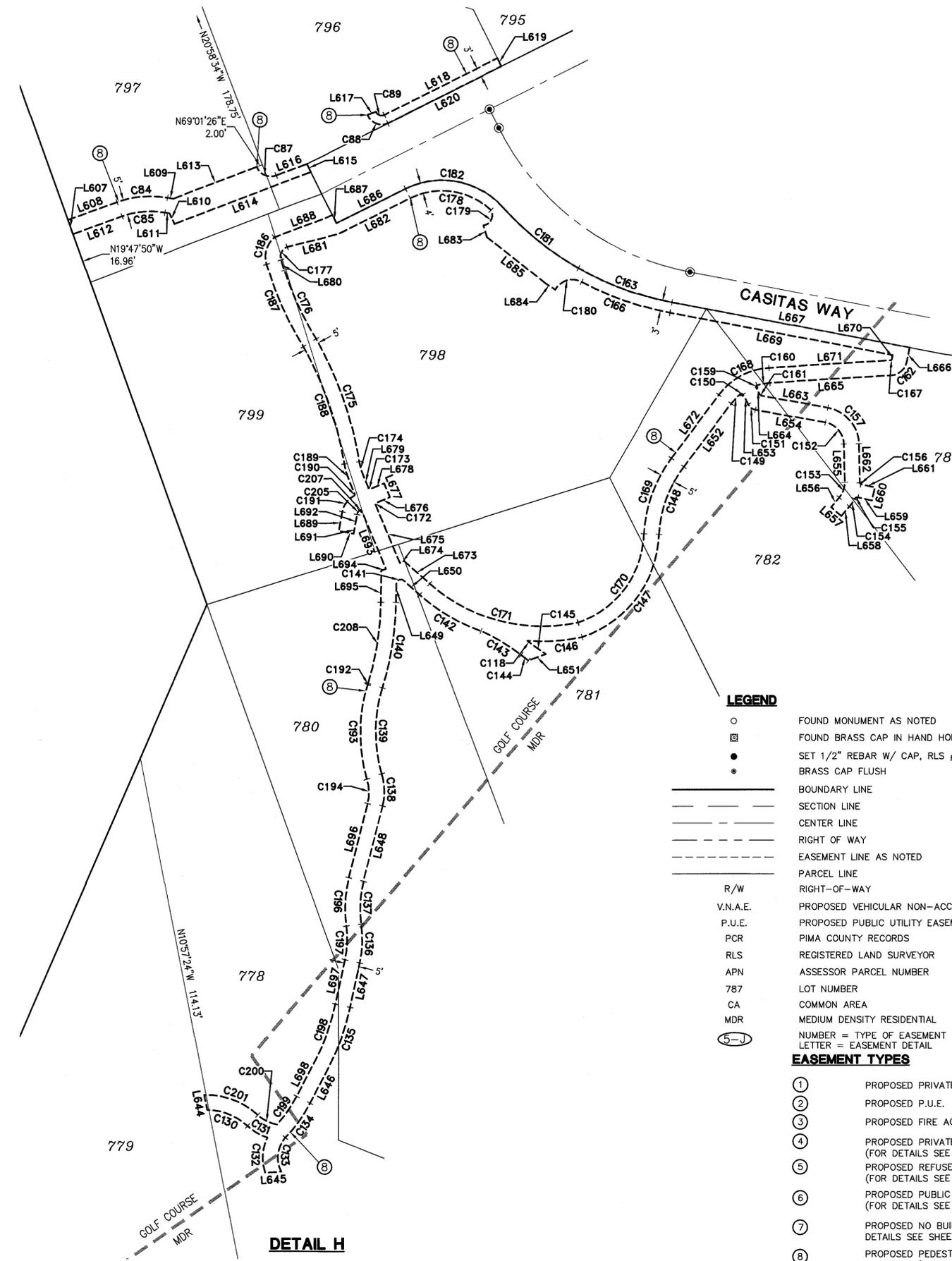
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**OV1500719**  
 12/11/15  
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**STONE CANYON CASITAS**  
 14200 N HOHOKAM VILLAGE PLACE  
 ORO VALLEY, PIMA COUNTY, ARIZONA  
**FINAL PLAT**

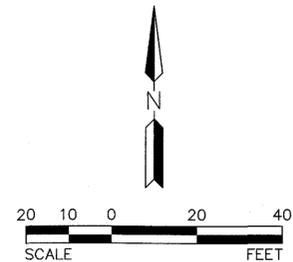


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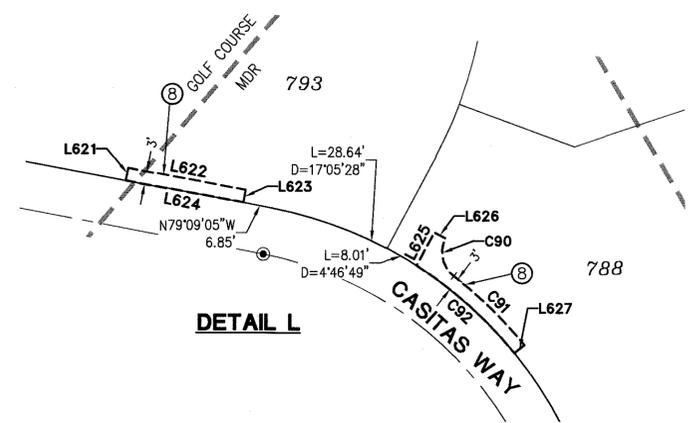
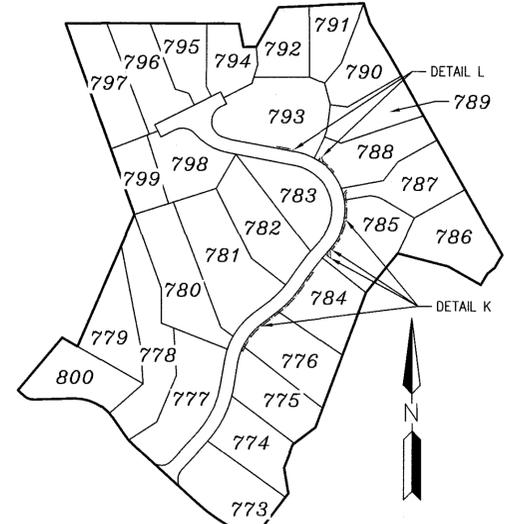
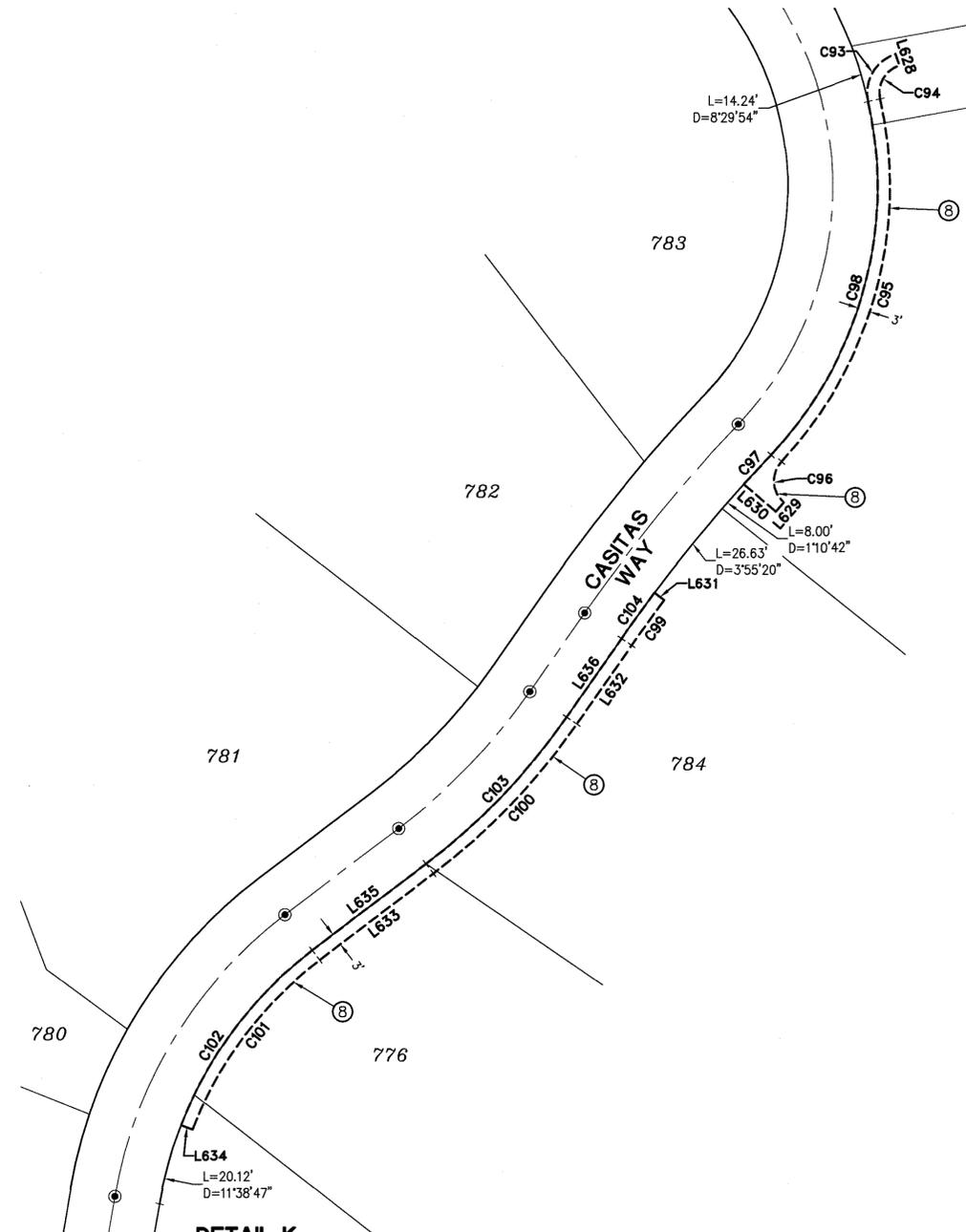
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**LOTS 773 THROUGH 800,**  
**AND COMMON AREA A**  
 A PORTION OF THE SOUTHEAST QUARTER OF SECTION 14 AND A PORTION OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 11 SOUTH, RANGE 13 EAST OF THE GILA AND SALT RIVER MERIDIAN, PIMA COUNTY, ARIZONA  
**OV1500719**  
 12/11/15  
 U:\1400\1458\SURVEY\PLAT\1458-FP11.dwg 1/6/2016 11:14 AM

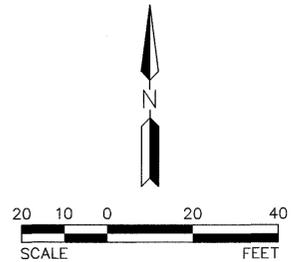
PROJ. NO: 1458	STATUS:
DATE: SEPT. 2015	MUNICIPAL TRACKING NO:
SCALE: AS SHOWN	DRAWN: ARC/DSP
APPROVED: RAJ	DWG. NO. <b>FP11</b>
	SHT. 11 OF 16



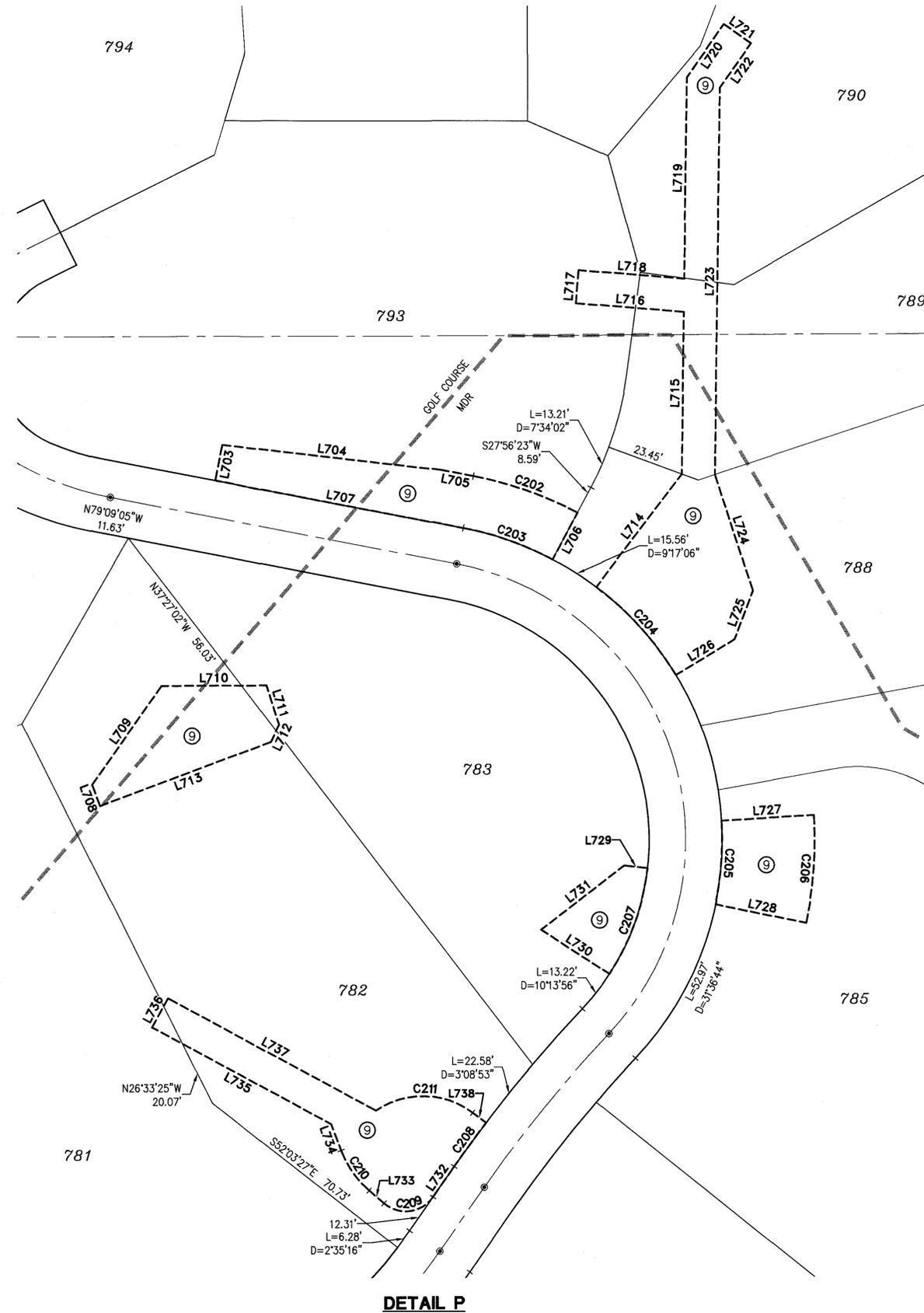
- LEGEND**
- FOUND MONUMENT AS NOTED
  - ⊠ FOUND BRASS CAP IN HAND HOLE
  - SET 1/2" REBAR W/ CAP, RLS #37495 OR AS NOTED
  - BRASS CAP FLUSH
  - BOUNDARY LINE
  - - - SECTION LINE
  - - - CENTER LINE
  - - - RIGHT OF WAY
  - - - EASEMENT LINE AS NOTED
  - - - PARCEL LINE
  - - - RIGHT-OF-WAY
  - R/W PROPOSED VEHICULAR NON-ACCESS EASEMENT
  - V.N.A.E. PROPOSED PUBLIC UTILITY EASEMENT
  - P.U.E. PIMA COUNTY RECORDS
  - PCR REGISTERED LAND SURVEYOR
  - RLS ASSESSOR PARCEL NUMBER
  - APN LOT NUMBER
  - 787 COMMON AREA
  - CA MEDIUM DENSITY RESIDENTIAL
  - MDR NUMBER = TYPE OF EASEMENT  
LETTER = EASEMENT DETAIL
- EASEMENT TYPES**
- ① PROPOSED PRIVATE ROAD (COMMON AREA "A")
  - ② PROPOSED P.U.E.
  - ③ PROPOSED FIRE ACCESS
  - ④ PROPOSED PRIVATE INGRESS/EGRESS (FOR DETAILS SEE SHEETS FP05-FP07)
  - ⑤ PROPOSED REFUSE COLLECTION (FOR DETAILS SEE SHEETS FP05-FP07)
  - ⑥ PROPOSED PUBLIC WATER EASEMENT (FOR DETAILS SEE SHEET FP08)
  - ⑦ PROPOSED NO BUILD AREAS (FOR DETAILS SEE SHEETS FP09-FP10)
  - ⑧ PROPOSED PEDESTRIAN ACCESS EASEMENT (FOR DETAILS SEE SHEET FP11-FP12)
  - ⑨ PROPOSED DRAINAGE EASEMENT (FOR DETAILS SEE SHEET FP13-FP14)
  - ⑩ PROPOSED ELECTRIC EASEMENT (FOR DETAILS SEE SHEET FP09-FP10)



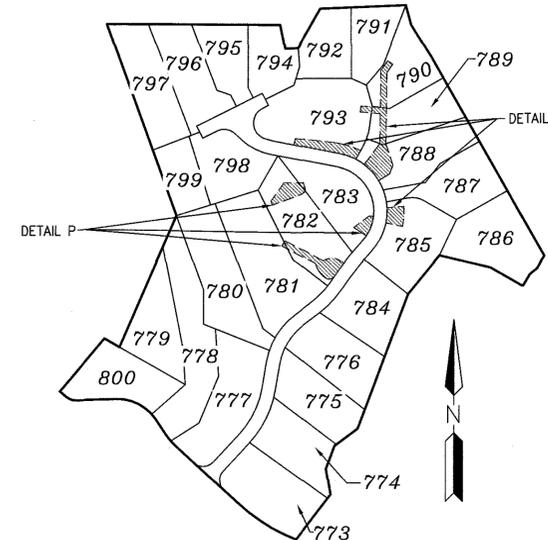
FINAL PLAT FOR  
**STONE CANYON CASITAS**  
**LOTS 773 THROUGH 800,**  
**AND COMMON AREA A**  
 A PORTION OF THE SOUTHEAST QUARTER OF SECTION 14 AND A PORTION OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 11 SOUTH, RANGE 13 EAST OF THE GILA AND SALT RIVER MERIDIAN, PIMA COUNTY, ARIZONA







**DETAIL P**



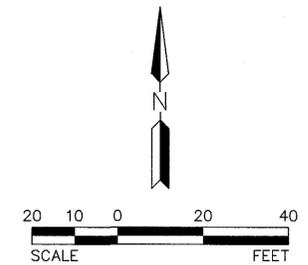
**KEYMAP**  
N.T.S.

**LEGEND**

- FOUND MONUMENT AS NOTED
- ⊗ FOUND BRASS CAP IN HAND HOLE
- SET 1/2" REBAR W/ CAP, RLS #37495 OR AS NOTED
- BRASS CAP FLUSH
- BOUNDARY LINE
- - - SECTION LINE
- - - CENTER LINE
- - - RIGHT OF WAY
- - - EASEMENT LINE AS NOTED
- - - PARCEL LINE
- - - RIGHT-OF-WAY
- R/W R/W
- V.N.A.E. PROPOSED VEHICULAR NON-ACCESS EASEMENT
- P.U.E. PROPOSED PUBLIC UTILITY EASEMENT
- PCR PIMA COUNTY RECORDS
- RLS REGISTERED LAND SURVEYOR
- APN ASSESSOR PARCEL NUMBER
- 787 LOT NUMBER
- CA COMMON AREA
- MDR MEDIUM DENSITY RESIDENTIAL
- NUMBER = TYPE OF EASEMENT
- LETTER = EASEMENT DETAIL

**EASEMENT TYPES**

- ① PROPOSED PRIVATE ROAD (COMMON AREA "A")
- ② PROPOSED P.U.E.
- ③ PROPOSED FIRE ACCESS
- ④ PROPOSED PRIVATE INGRESS/EGRESS (FOR DETAILS SEE SHEETS FP05-FP07)
- ⑤ PROPOSED REFUSE COLLECTION (FOR DETAILS SEE SHEETS FP05-FP07)
- ⑥ PROPOSED PUBLIC WATER EASEMENT (FOR DETAILS SEE SHEET FP08)
- ⑦ PROPOSED NO BUILD AREAS (FOR DETAILS SEE SHEETS FP09-FP10)
- ⑧ PROPOSED PEDESTRIAN ACCESS EASEMENT (FOR DETAILS SEE SHEET FP11-FP12)
- ⑨ PROPOSED DRAINAGE EASEMENT (FOR DETAILS SEE SHEET FP13-FP14)
- ⑩ PROPOSED ELECTRIC EASEMENT (FOR DETAILS SEE SHEET FP09-FP10)



FINAL PLAT FOR  
**STONE CANYON CASITAS**  
**LOTS 773 THROUGH 800,**  
**AND COMMON AREA A**  
 A PORTION OF THE SOUTHEAST QUARTER OF SECTION 14 AND A PORTION  
 OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 11 SOUTH, RANGE  
 13 EAST OF THE GILA AND SALT RIVER MERIDIAN, PIMA COUNTY, ARIZONA

**OV1500719**  
 12/11/15  
 U:\1400\1458\SURVEY\PLAT\1458-FP14.dwg 1/6/2016 11:18 AM

Attachment 2

**HILGARTWILSON**  
 ENGINEER | PLANNING | SURVEY | MANAGE  
 2141 E. HIGHLAND AVE., STE. 250 | P. 602.490.0535 / F. 602.368.2436  
 PHOENIX, AZ 85016  
 www.hilgartwilson.com

**STONE CANYON CASITAS**  
 14200 N HOHOKAM VILLAGE PLACE  
 ORO VALLEY, PIMA COUNTY, ARIZONA  
**FINAL PLAT**

PROJ. NO.: 1458	STATUS:
DATE: SEPT. 2015	MUNICIPAL TRACKING NO.:
SCALE: AS SHOWN	DRAWN: ARC/DSP
APPROVED: RAJ	DWG. NO.:
	<b>FP14</b>
	SHT. 14 OF 16

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OV1500719, OV09-07-02A, OV115-008

LINE TABLE		
LINE #	DIRECTION	LENGTH
L26	S24°03'34"E	16.02'
L27	S24°03'34"E	8.01'
L28	S24°03'34"E	8.01'
L29	S68°56'50"W	49.23'
L30	S26°42'29"E	16.08'
L31	S26°42'29"E	8.02'
L32	N63°17'31"E	12.57'
L33	S63°17'31"W	3.00'
L34	S63°17'31"W	47.70'
L35	S00°00'00"E	3.92'
L36	S27°56'23"W	16.13'
L37	S62°03'37"E	3.00'
L38	S86°32'57"E	7.13'
L39	S73°39'56"E	6.57'
L40	S78°15'22"E	13.42'
L41	N10°50'55"E	7.00'
L42	N79°09'05"W	6.85'
L43	N51°01'07"E	7.00'
L44	S37°43'08"E	4.00'
L45	S35°29'37"E	4.00'
L46	S33°16'06"E	4.00'
L47	S42°51'43"E	6.91'
L48	S17°57'26"E	3.00'
L49	N72°02'34"E	30.76'
L53	N49°16'58"W	21.66'
L54	N35°41'58"E	11.43'
L55	N49°16'58"W	17.23'
L56	S40°43'02"W	3.00'
L57	N63°28'39"E	7.75'
L58	S37°23'42"W	8.00'
L59	N53°12'18"W	7.00'
L60	N34°46'25"E	12.31'
L61	S47°04'38"W	8.00'
L62	S15°29'50"W	7.99'
L63	S37°19'12"W	3.00'
L64	N21°48'48"W	8.51'
L65	N49°06'28"W	5.93'
L66	N68°46'35"W	7.00'
L67	N18°50'10"E	7.67'
L68	N28°44'36"W	8.80'
L69	N17°26'33"E	3.85'
L70	S72°33'27"E	0.37'
L71	S45°48'31"W	1.01'
L72	N52°33'27"W	4.03'
L73	N50°12'09"W	7.00'
L74	S47°24'25"E	15.60'
L75	N33°53'03"E	5.34'
L76	S17°48'01"E	12.42'
L77	S47°24'25"E	5.25'
L79	S47°24'25"E	7.00'

LINE TABLE		
LINE #	DIRECTION	LENGTH
L80	S15°43'33"W	22.00'
L81	N00°15'33"E	25.09'
L82	N19°47'50"W	8.02'
L83	S68°56'50"W	13.47'
L84	S21°03'10"E	5.00'
L85	N68°56'50"E	12.54'
L86	S21°03'10"E	10.00'
L87	N62°22'04"E	26.36'
L88	N19°47'50"W	10.04'
L89	N65°02'23"E	82.64'
L90	N26°42'29"W	10.00'
L91	N65°02'23"E	83.84'
L92	S26°42'29"E	10.00'
L93	N63°17'31"E	12.42'
L94	N63°17'31"E	9.12'
L95	N26°42'57"W	10.00'
L96	S63°17'31"W	12.90'
L97	S15°22'41"W	79.65'
L98	N87°48'24"E	10.49'
L99	S15°22'41"W	87.26'
L100	N63°17'31"E	17.34'
L101	S60°19'43"W	21.76'
L102	N09°28'06"E	14.61'
L103	S12°49'14"E	6.47'
L104	N58°38'15"W	20.31'
L105	S89°59'02"W	14.49'
L106	S79°53'16"E	11.00'
L107	N70°01'23"W	16.94'
L108	S82°45'05"E	19.90'
L109	N35°32'43"W	9.62'
L110	N69°41'38"W	14.71'
L111	N10°43'48"E	19.94'
L112	N25°00'14"E	40.81'
L113	S71°09'59"E	79.92'
L114	N05°17'44"E	29.48'
L115	N44°34'53"W	20.78'
L116	N90°00'00"W	8.77'
L117	S00°00'00"E	4.38'
L118	N90°00'00"W	35.49'
L119	N00°00'00"E	15.06'
L120	N68°22'53"W	33.87'
L121	N34°55'58"W	39.28'
L122	N29°44'38"E	57.86'
L123	S34°55'58"E	27.66'
L124	S58°19'37"E	8.31'
L125	N07°02'15"W	12.01'
L126	N00°00'00"E	26.09'
L127	N10°28'30"E	39.94'
L128	N87°40'28"E	51.50'
L129	S15°47'01"E	33.88'
L130	S31°55'13"E	36.18'
L131	N58°04'47"E	33.87'
L132	N35°55'38"E	11.61'
L133	N79°42'06"E	18.64'
L134	S18°00'34"W	26.30'
L135	S16°54'24"W	47.23'
L136	S36°00'56"E	5.97'
L137	S69°11'13"E	47.36'
L138	S83°30'00"E	6.24'
L139	S73°43'54"E	36.72'

LINE TABLE		
LINE #	DIRECTION	LENGTH
L140	S60°14'02"E	10.00'
L141	S29°45'58"W	54.09'
L142	S29°21'44"E	5.40'
L143	S19°46'21"W	6.91'
L144	S07°24'50"W	9.42'
L145	S33°57'19"W	16.59'
L146	S59°28'07"W	10.18'
L147	S82°25'41"W	10.88'
L148	N81°14'27"W	18.28'
L149	N64°18'54"W	12.94'
L150	N51°14'25"W	11.22'
L151	N18°29'48"W	7.56'
L152	N72°28'01"E	37.30'
L153	N20°08'56"E	17.69'
L154	N16°29'27"W	15.43'
L155	N01°36'44"W	8.16'
L156	N27°05'35"W	9.53'
L157	N35°15'05"W	7.00'
L158	N05°52'04"W	8.91'
L159	N69°21'20"E	20.92'
L160	S72°28'01"W	18.47'
L161	S66°30'15"E	9.14'
L162	N29°39'11"E	5.89'
L163	S72°28'01"W	22.39'
L164	N17°31'59"W	10.77'
L165	N04°15'06"E	19.16'
L166	N08°43'34"E	31.69'
L167	N00°49'14"W	21.95'
L168	N33°05'34"E	12.23'
L169	N11°47'38"E	12.78'
L170	N05°45'10"W	20.60'
L171	N18°47'06"E	18.74'
L172	N24°25'43"E	19.93'
L173	S79°13'46"W	87.87'
L174	N23°23'40"E	5.33'
L175	N10°46'14"W	29.70'
L176	N64°51'35"E	40.29'
L177	S23°23'40"W	234.93'
L178	S69°41'52"W	7.06'
L179	N20°39'48"W	40.03'
L180	N00°26'33"E	13.89'
L181	N20°12'17"W	23.65'
L182	S88°33'34"E	31.56'
L183	S03°58'59"E	13.74'
L184	S04°03'49"E	7.03'
L185	S11°02'50"E	13.19'
L186	S10°23'53"W	37.24'
L187	S36°29'47"W	28.68'
L188	S83°11'54"W	3.41'
L189	N20°39'48"W	55.75'
L190	N69°20'12"E	25.41'
L191	S23°26'18"E	41.06'
L192	S62°57'17"W	6.21'
L193	S27°02'43"E	10.00'
L194	S62°57'17"W	8.03'
L195	S73°20'41"W	5.32'
L196	S11°12'06"E	15.32'
L197	S54°53'08"W	13.63'
L198	S15°56'45"E	11.73'
L199	N30°34'30"W	11.82'

LINE TABLE		
LINE #	DIRECTION	LENGTH
L200	N68°30'37"E	10.06'
L201	S87°41'44"E	9.34'
L202	S73°47'57"E	8.93'
L203	N39°31'45"E	23.16'
L204	N09°58'20"E	11.85'
L205	N42°06'56"E	8.20'
L206	N64°01'42"E	9.09'
L207	N09°40'44"E	4.09'
L208	N54°05'04"W	9.33'
L209	N59°18'12"W	6.08'
L210	S52°32'58"W	28.77'
L211	N40°18'48"W	22.50'
L212	S56°42'16"E	53.99'
L213	S14°16'22"W	20.27'
L214	S65°45'04"W	34.52'
L215	S19°26'27"W	15.60'
L216	S57°37'35"W	18.33'
L217	N54°58'27"W	18.17'
L218	N48°39'03"W	19.18'
L219	N44°17'48"W	12.47'
L220	N38°24'26"W	16.41'
L221	N20°39'48"W	12.92'
L222	N64°24'31"E	71.81'
L223	S46°23'25"E	10.00'
L224	N41°11'11"W	13.64'
L225	N41°11'11"W	14.00'
L226	N86°17'42"E	24.65'
L227	S64°36'06"W	13.30'
L228	S86°52'31"W	34.54'
L229	N59°29'57"W	50.88'
L230	N08°21'09"E	6.51'
L231	N21°31'25"E	25.88'
L232	S81°44'53"E	4.36'
L233	N67°14'40"E	13.30'
L234	S89°09'45"E	27.12'
L235	N54°05'23"E	13.01'
L236	S81°39'51"E	9.27'
L237	S21°48'47"E	12.64'
L238	S03°42'18"E	37.07'
L239	N86°17'42"E	29.37'
L240	N03°42'18"W	9.13'
L241	N76°00'19"E	19.14'
L242	S03°58'24"W	21.80'
L243	S24°38'57"E	35.79'
L244	S26°42'29"E	14.72'
L245	S57°03'43"W	11.43'
L246	S63°17'31"W	29.42'
L247	N35°00'53"W	5.56'
L248	S00°00'00"E	50.25'
L249	N35°00'53"W	5.56'
L250	N42°35'35"E	10.00'
L251	N47°24'25"W	7.93'
L252	S42°35'35"W	5.38'
L253	N47°24'25"W	17.39'
L254	S42°20'30"W	10.00'

LINE TABLE		
LINE #	DIRECTION	LENGTH
L255	S47°24'25"E	30.32'
L256	S54°02'12"E	28.17'
L257	S20°47'31"W	34.04'
L258	N30°38'56"E	40.89'
L259	N20°47'31"E	40.29'
L260	N09°48'19"W	42.50'
L261	N37°29'31"E	5.04'
L262	S69°58'45"W	13.00'
L263	S59°00'29"W	8.22'
L264	N79°46'17"W	4.55'
L265	N38°05'59"E	24.72'
L266	N51°54'01"W	35.04'
L267	S33°05'50"W	51.14'
L268	N33°52'40"W	43.79'
L269	N04°30'19"E	10.52'
L270	N34°26'23"E	10.00'
L271	S55°33'37"E	29.97'
L272	S75°08'46"E	14.92'
L273	S34°26'23"W	13.59'
L274	S18°52'21"W	92.99'
L275	N38°47'21"E	17.85'
L276	N83°13'40"E	26.32'
L277	N35°41'58"E	79.27'
L278	S54°18'02"E	58.10'
L279	S46°23'25"E	24.77'
L280	S10°14'07"E	8.46'
L281	S60°22'25"W	12.60'
L282	S74°19'45"W	12.35'
L283	N80°09'21"W	10.39'
L284	N48°39'40"W	56.14'
L285	S35°59'06"E	49.01'
L286	N59°47'56"W	53.99'
L287	N22°19'10"E	53.22'
L288	N29°26'46"W	37.11'
L289	N31°21'11"E	10.13'
L290	N30°47'59"E	14.34'
L291	N50°21'43"E	14.78'
L292	N31°10'50"E	22.06'
L293	S60°16'03"E	61.48'
L294	S76°14'55"E	85.03'
L295	N38°57'05"E	82.31'
L296	N20°26'14"E	205.65'
L297	S58°47'51"E	86.23'
L298	S31°53'02"W	25.72'
L299	N62°33'24"W	16.55'
L300	N45°33'06"W	63.11'
L301	S44°26'54"W	8.00'
L302	N45°33'06"W	7.18'
L303	N60°33'14"E	20.81'
L304	S29°26'46"E	37.68'
L305	N41°34'45"W	14.27'
L306	N60°33'14"E	56.00'
L307	N29°26'46"W	78.68'
L308	N60°33'14"E	4.63'
L309	S29°26'46"E	20.00'
L310	N60°33'14"E	4.63'
L311	N29°26'46"W	20.00'
L312	N20°58'34"W	5.00'
L313	S31°32'42"W	8.03'
L314	N68°28'35"W	4.42'

LINE TABLE		
LINE #	DIRECTION	LENGTH
L423	S62°01'18"E	12.91'
L432	S52°40'38"E	42.88'
L443	S68°40'39"E	3.00'

LINE TABLE		
LINE #	DIRECTION	LENGTH
L339	N63°17'31"E	120.02'
L364	S61°57'30"E	1.09'
L365	S45°38'17"E	14.45'
L391	N59°15'07"W	5.30'
L444	N69°25'45"E	20.76'
L445	N21°03'10"W	2.64'
L446	N68°56'50"E	15.00'
L447	S21°03'10"E	2.77'
L448	N69°25'45"E	4.08'
L449	S65°34'15"E	15.18'
L450	N20°58'34"W	7.30'
L451	N68°56'50"E	8.79'
L452	N69°01'26"E	15.00'
L453	S20°58'34"E	4.79'
L454	N68°56'50"E	7.56'
L455	S21°03'10"E	2.07'
L457	N49°27'39"E	6.03'
L458	N63°17'31"E	66.45'
L459	N26°42'29"W	4.91'
L460	N63°17'31"E	15.00'
L461	S26°42'29"E	4.91'
L462	N63°17'31"E	33.45'
L463	N26°42'29"W	3.83'
L464	N63°17'31"E	15.00'
L465	S26°42'29"E	18.83'
L466	S63°17'31"W	17.26'
L467	S26°39'22"E	10.50'
L468	N26°42'29"W	12.30'
L469	N68°56'50"E	37.66'
L470	S65°34'15"E	7.91'
L471	N20°34'15"W	18.95'
L472	N69°25'45"E	15.00'
L473	S20°34'	

LINE TABLE		
LINE #	DIRECTION	LENGTH
L699	N19°47'50"W	10.04'
L700	N18°17'31"E	44.16'
L701	S89°44'27"E	10.00'
L702	S18°17'31"W	46.35'
L703	S10°50'55"W	11.00'
L704	S83°28'42"E	66.27'
L705	N79°09'05"W	10.00'
L706	S27°56'23"W	16.00'
L707	S79°09'05"E	76.08'
L708	S20°39'48"E	6.82'
L709	N35°02'57"E	36.47'
L710	N89°37'24"E	31.65'
L711	S17°43'59"E	12.41'
L712	N25°48'07"E	5.80'
L713	N69°20'12"E	54.99'
L714	N37°13'29"E	42.66'
L715	N00°45'46"E	49.05'
L716	S85°11'53"E	32.67'
L717	N04°48'07"E	10.00'
L718	S85°11'53"E	31.96'
L719	N00°45'46"E	60.80'
L720	S34°59'26"W	19.51'
L721	S55°00'34"E	10.00'
L722	S34°59'26"W	16.43'
L723	N00°45'46"E	116.83'
L724	S17°57'26"E	36.84'
L725	N20°24'26"E	15.68'
L726	N58°46'18"E	20.68'
L727	N86°32'25"E	27.84'
L728	S78°16'31"E	27.84'
L729	S83°24'38"E	7.07'
L730	S56°53'43"E	24.66'
L731	N52°32'58"E	31.69'
L732	N34°46'25"E	11.20'
L733	N49°06'28"W	5.93'
L734	N20°39'48"W	8.49'
L735	S61°37'37"E	61.27'
L736	N28°22'23"E	10.00'
L737	S61°37'37"E	71.17'
L738	N52°57'11"W	5.04'
L739	S55°13'35"E	19.18'
L740	S78°56'09"E	11.48'
L741	S27°57'19"W	39.22'
L742	S52°33'27"E	10.33'
L743	S42°35'35"W	13.55'
L744	N47°24'25"W	3.93'
L745	S42°39'53"W	25.43'
L746	S19°43'03"E	38.85'
L747	S51°47'14"E	41.41'
L748	S38°12'46"W	7.51'
L749	N00°53'25"W	30.99'
L750	N42°35'35"E	17.17'
L751	S47°24'25"E	10.64'
L752	N42°39'53"E	33.07'
L753	N54°02'12"W	2.42'
L754	N39°34'02"E	24.68'
L755	N53°33'45"W	8.98'
L756	N09°34'38"E	19.25'
L757	S78°56'09"E	10.53'
L758	N37°22'56"W	13.05'

LINE TABLE		
LINE #	DIRECTION	LENGTH
L759	N52°37'04"E	8.19'
L760	S42°35'35"W	2.41'
L761	N47°24'25"W	7.00'
L762	S42°35'35"W	25.54'
L763	N47°24'25"W	16.32'
L764	N42°35'35"E	28.41'
L765	S47°24'25"E	26.32'
L766	S24°38'57"E	36.44'
L767	S65°21'03"W	11.56'
L768	N89°38'19"E	16.73'
L769	S23°24'22"E	15.86'
L770	S22°39'03"W	34.53'
L771	N30°50'45"W	19.78'
L772	N22°39'03"E	10.00'
L773	S77°07'39"E	12.05'

CURVE TABLE			
CURVE #	RADIUS	DELTA	LENGTH
C14	12.00'	30°24'32"	6.37'
C15	23.00'	39°31'36"	15.87'
C16	14.00'	47°41'20"	11.65'
C17	9.00'	26°16'52"	4.13'
C18	2.02'	96°22'16"	3.40'
C19	45.95'	98°58'49"	79.38'
C20	30.03'	99°25'25"	52.10'
C21	108.00'	20°26'48"	38.54'
C22	92.00'	20°26'48"	32.83'
C23	96.00'	21°52'17"	36.65'
C24	51.00'	62°24'20"	55.55'
C26	15.00'	14°49'37"	3.88'
C27	35.00'	62°24'20"	38.12'
C28	10.00'	84°35'12"	14.76'
C29	96.00'	26°17'15"	44.05'
C30	7.00'	95°01'04"	11.61'
C31	10.00'	16°49'37"	2.94'
C32	7.00'	68°09'19"	8.33'
C33	389.00'	5°06'02"	34.63'
C34	139.00'	14°02'24"	34.06'
C35	5.01'	144°22'29"	12.62'
C36	10.00'	35°16'07"	6.16'
C37	15.00'	34°07'07"	8.93'
C38	30.00'	28°26'40"	14.89'
C39	10.00'	96°07'07"	16.78'
C40	10.00'	85°07'16"	14.86'
C41	121.00'	11°55'57"	25.20'
C42	50.00'	11°05'47"	9.68'
C43	5.00'	85°06'07"	7.43'
C44	15.00'	16°28'35"	4.31'
C45	15.00'	39°56'40"	10.46'
C46	10.00'	98°21'58"	17.17'
C47	10.00'	30°56'08"	5.40'
C48	15.00'	40°04'05"	10.49'
C49	50.00'	10°02'12"	8.76'
C50	10.00'	98°41'47"	17.23'
C51	99.00'	11°38'47"	20.12'
C52	10.00'	18°48'45"	3.28'
C53	8.00'	98°42'33"	13.78'
C54	15.79'	30°58'48"	8.54'
C55	16.92'	26°11'16"	7.73'
C56	10.00'	90°00'00"	15.71'
C57	174.06'	2°44'48"	8.34'
C58	10.00'	90°00'00"	15.71'
C59	60.00'	22°45'28"	23.83'
C60	44.00'	22°28'02"	17.25'
C61	10.00'	17°27'27"	3.05'

CURVE TABLE			
CURVE #	RADIUS	DELTA	LENGTH
C62	101.00'	31°19'43"	5.87'
C63	27.00'	9°55'13"	4.67'
C64	6.47'	110°16'24"	12.46'
C65	74.00'	7°52'35"	10.17'
C66	139.00'	4°07'32"	10.01'
C67	149.00'	1°46'32"	4.62'
C68	24.00'	39°54'06"	16.71'
C69	10.00'	105°00'12"	18.33'

CURVE TABLE			
CURVE #	RADIUS	DELTA	LENGTH
C70	27.00'	44°49'17"	21.12'
C71	74.00'	11°38'04"	15.03'
C72	74.00'	11°54'15"	15.37'
C73	139.00'	1°06'05"	2.67'
C74	139.00'	6°04'40"	14.74'
C75	121.00'	7°07'42"	15.05'
C76	24.00'	34°47'24"	14.57'
C77	171.00'	33°00'58"	98.54'
C78	99.00'	43°02'26"	74.37'
C79	161.00'	17°50'39"	50.14'
C80	389.00'	8°33'48"	58.14'
C81	96.00'	122°29'18"	205.23'
C82	27.00'	51°31'18"	24.28'
C83	79.00'	12°22'41"	17.07'

CURVE TABLE			
CURVE #	RADIUS	DELTA	LENGTH
C84	32.50'	30°00'00"	17.02'
C85	27.50'	30°00'00"	14.40'
C87	5.00'	90°04'36"	7.86'
C88	5.00'	92°31'49"	8.07'
C89	2.00'	95°43'55"	3.34'
C90	7.00'	80°13'23"	9.80'
C91	99.00'	13°27'07"	23.24'
C92	96.00'	18°26'55"	30.91'
C93	10.00'	84°35'12"	14.76'
C94	7.00'	84°35'12"	10.33'
C95	99.00'	55°30'53"	95.92'
C96	7.00'	92°15'13"	11.27'
C97	389.00'	1°26'29"	9.79'
C98	96.00'	55°52'51"	93.63'
C99	386.00'	2°01'17"	13.62'
C100	164.00'	17°50'39"	51.08'
C101	96.00'	31°23'39"	52.60'
C102	99.00'	31°23'39"	54.25'
C103	161.00'	17°50'39"	50.14'
C104	389.00'	2°01'17"	13.72'
C105	174.00'	3°12'48"	9.76'
C106	57.50'	31°29'22"	31.60'
C107	35.50'	43°27'19"	26.92'
C118	72.91'	0°59'26"	1.26'
C120	32.50'	52°21'36"	29.70'
C121	20.50'	105°44'13"	37.83'
C122	52.50'	25°13'13"	23.11'
C123	47.50'	20°42'50"	17.17'
C124	25.50'	105°44'13"	47.06'
C125	27.50'	52°21'36"	25.13'
C126	40.50'	43°27'19"	30.72'
C127	52.50'	30°25'43"	27.88'
C128	174.00'	19°28'26"	59.14'
C129	171.00'	24°19'26"	72.59'
C130	19.87'	42°29'54"	14.74'
C131	17.50'	25°21'53"	7.75'
C132	15.34'	45°02'08"	12.06'
C133	10.35'	67°18'29"	12.16'
C134	48.27'	16°47'53"	14.15'
C135	77.50'	15°00'00"	20.29'
C136	37.50'	19°55'24"	13.04'
C137	37.50'	21°51'02"	14.30'
C138	19.80'	31°19'51"	10.83'
C139	49.90'	33°18'17"	29.01'
C140	101.69'	16°13'48"	28.81'
C141	1.50'	131°00'11"	3.43'
C142	61.05'	22°22'30"	23.84'
C143	67.91'	13°07'13"	15.55'
C144	64.18'	2°46'04"	3.10'
C145	59.18'	6°06'32"	6.31'
C146	61.05'	17°09'42"	18.29'
C147	37.22'	69°45'25"	45.32'
C148	40.68'	34°11'50"	24.28'
C149	17.50'	15°03'11"	4.60'
C150	0.50'	100°09'51"	0.87'
C151	3.50'	51°32'45"	3.15'
C152	7.50'	78°05'05"	10.22'
C153	7.50'	42°11'12"	5.52'
C154	12.00'	14°18'51"	3.00'
C155	1.00'	76°39'27"	1.34'

CURVE TABLE			
CURVE #	RADIUS	DELTA	LENGTH
C156	0.50'	75°28'12"	0.66'
C157	12.50'	78°05'05"	17.04'
C159	0.50'	100°09'51"	0.87'
C160	17.50'	14°20'20"	4.38'
C161	0.50'	51°32'45"	0.45'
C162	5.50'	75°40'07"	7.26'
C163	101.00'	18°52'26"	33.27'
C166	104.50'	17°08'29"	31.26'
C167	0.50'	75°40'07"	0.66'
C168	22.50'	49°43'13"	19.53'
C169	46.36'	33°30'58"	27.12'
C170	32.22'	69°24'25"	39.04'
C171	56.05'	54°04'24"	52.90'
C172	0.50'	90°00'00"	0.79'
C173	0.50'	90°00'00"	0.79'
C174	19.50'	13°40'26"	4.65'
C175	123.00'	20°15'38"	43.49'
C176	97.50'	14°47'34"	25.17'
C177	3.50'	86°01'12"	5.25'
C178	23.50'	70°32'05"	28.93'
C179	3.50'	109°00'19"	6.66'
C180	6.50'	89°14'35"	10.12'
C181	101.00'	18°18'18"	32.27'
C182	27.00'	74°50'30"	35.27'
C186	8.50'	66°43'50"	9.90'
C187	102.50'	14°43'06"	26.33'
C188	118.00'	20°11'55"	41.60'
C189	24.50'	13°40'26"	5.85'
C190	0.50'	84°52'03"	0.74'
C191	7.50'	51°53'00"	6.79'
C192	101.41'	0°13'39"	0.40'
C193	54.90'	33°21'24"	31.96'
C194	14.80'	31°33'37"	8.15'
C196	42.50'	21°51'02"	16.21'
C197	32.50'	19°55'24"	11.30'
C198	72.50'	15°00'00"	18.98'
C199	43.27'	15°10'54"	11.46'
C200	12.50'	33°11'19"	7.24'
C201	24.87'	44°48'57"	19.46'
C205	2.50'	36°02'55"	1.57'
C207	0.50'	110°58'02"	0.97'
C208	96.70'	16°16'49"	27.48'

**NOTE:**  
ALL LINE AND CURVE LABELS OUT OF SEQUENCE OR MISSING ARE INTENTIONALLY OMITTED.

CURVE TABLE			
CURVE #	RADIUS	DELTA	LENGTH
C202	112.00'	17°05'28"	33.41'
C203	96.00'	17°05'28"	28.64'
C204	96.00'	21°32'49"	36.10'
C205	96.00'	15°11'04"	25.44'
C206	123.84'	15°11'04"	32.82'
C207	74.00'	26°30'55"	34.25'
C208	411.00'	21°6'24"	16.31'
C209	10.00'	96°07'07"	16.78'
C210	30.00'	28°26'40"	14.89'
C211	25.00'	71°18'56"	31.12'
C212	285.00'	6°25'17"	31.94'
C213	171.59'	24°14'26"	72.59'
C214	161.00'	15°55'02"	44.73'
C215	10.00'	17°27'27"	3.05'
C216	44.00'	12°45'21"	9.80'
C217	121.00'	31°7'43"	6.96'



FINAL PLAT FOR  
**STONE CANYON CASITAS**  
**LOTS 773 THROUGH 800,**  
**AND COMMON AREA A**  
A PORTION OF THE SOUTHEAST QUARTER OF SECTION 14 AND A PORTION OF THE NORTHEAST QUARTER OF SECTION 23,



Item # **C.**

## Town Council Regular Session

**Meeting Date:** 01/20/2016  
**Requested by:** Bayer Vella  
**Submitted By:** Robert Kirschmann  
Development Infrastructure Services  
**Department:** Development Infrastructure Services

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### Information

#### **SUBJECT:**

Request for approval of the Bailey's Desert Sky Final Plat located north of Desert Sky Road, approximately ¼ mile west of Oracle Road

#### **RECOMMENDATION:**

Staff recommends approval.

#### **EXECUTIVE SUMMARY:**

The purpose of this request is to consider a Final Plat for 0.71 acres on the north side of Desert Sky Road, approximately ¼ mile west of Oracle Road (Attachment 1). The Final Plat (Attachment 2) features three (3) lots with a private driveway. The Final Plat has been reviewed and conforms with Town requirements and the approved Conceptual Site Plan.

#### **BACKGROUND OR DETAILED INFORMATION:**

The Final Plat requires Town Council approval prior to being officially recorded by Pima County.

On March 18, 2015, the Town Council approved the Conceptual Site Plan for the proposed development. The Final Plat conforms with all design elements (i.e. site layout, access, etc.) approved as part of the Conceptual Site Plan.

#### **Proposed Improvements**

- 0.71 acres subdivided into three (3) lots
- Average lot size: 10,300 sq. ft.
- Minimum lot size: 8,448 sq. ft.
- Building height: 25', 2-story
- Sidewalk constructed along Desert Sky Road
- All three (3) lots will be accessed by a single private driveway

#### **Previous Approvals**

- March 2015: Conceptual Site Plan

#### **FISCAL IMPACT:**

N/A

#### **SUGGESTED MOTION:**

I MOVE to approve the Final Plat for Bailey's Desert Sky subdivision, finding that the request meets Town requirements and conforms with the approved Conceptual Site Plan.

OR

I MOVE to deny the Final Plat for Bailey's Desert Sky subdivision, finding that \_\_\_\_\_.

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**Attachments**

Location Map

Final Plat

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# LOCATION MAP

BAILEY'S DESERT SKY (OV1215-11)

**APPROVALS**

I, \_\_\_\_\_, CLERK OF THE TOWN OF ORO VALLEY, HEREBY CERTIFY THAT THIS PLAT WAS APPROVED BY THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

CLERK, TOWN OF ORO VALLEY	DATE
PIMA COUNTY REGIONAL WASTEWATER RECLAMATION DEPARTMENT	DATE
TOWN ENGINEER	DATE
PLANNING AND ZONING ADMINISTRATOR	DATE
WATER UTILITY DIRECTOR	DATE

**ASSURANCE**

ASSURANCE IN THE FORM OF \_\_\_\_\_ FROM \_\_\_\_\_ AS RECORDED IN DOCKET \_\_\_\_\_ PAGE \_\_\_\_\_ HAS BEEN PROVIDED TO GUARANTEE DRAINAGE AND STREET IMPROVEMENTS (INCLUDING MONUMENTS) AND UTILITY IMPROVEMENTS (ELECTRIC, TELEPHONE, GAS, SEWER, WATER IN THIS SUBDIVISION. BY \_\_\_\_\_; DATE \_\_\_\_\_

ASSURANCES IN THE FORM OF \_\_\_\_\_ FROM \_\_\_\_\_ IN THE AMOUNT OF \_\_\_\_\_ HAVE BEEN PROVIDED TO GUARANTEE THE RESEEDING OF THIS SUBDIVISION IN THE EVENT THE PROJECT IS ABANDONED.

"NO FINAL INSPECTION FOR ANY LOT WITHIN THIS SUBDIVISION SHALL BE APPROVED UNTIL A BUILDING CODES OFFICIAL HAS VERIFIED THAT CONSTRUCTION ON THE LOT IS COMPLETE AND SIDEWALKS HAVE BEEN INSTALLED, PROPERTY LINE TO PROPERTY LINE"

**RECORDING**

STATE OF ARIZONA ) FEE \_\_\_\_\_  
 ) SS  
 COUNTY OF PIMA ) NO. \_\_\_\_\_

THIS INSTRUMENT WAS FILED FOR RECORD AT THE REQUEST OF PERRY ENGINEERING ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ AT \_\_\_\_\_ M., IN BOOK \_\_\_\_\_ OF MAPS AND PLATS AT PAGE \_\_\_\_\_ THEREOF.

DEPUTY OF PIMA COUNTY RECORDER \_\_\_\_\_ DATE \_\_\_\_\_

**DEDICATION:**

WE, THE UNDERSIGNED, HEREBY WARRANT THAT WE ARE THE ONLY PARTY HAVING ANY RECORD TITLE INTEREST IN THE LAND SHOWN ON THIS PLAT AND WE CONSENT TO THE SUBDIVISION OF SAID LAND IN THE MANNER SHOWN HEREON. UTILITY EASEMENTS AS SHOWN HEREON ARE DEDICATED FOR THE PURPOSE OF INSTALLATION AND MAINTENANCE OF UTILITIES AND SEWERS. EXCLUSIVE EASEMENTS FOR TOWN USES AS SHOWN HEREON ARE HEREBY DEDICATED TO THE TOWN OF ORO VALLEY.

WE THE UNDERSIGNED, OUR SUCCESSORS AND ASSIGNS, DO HEREBY SAVE TOWN OF ORO VALLEY, IT'S SUCCESSORS AND ASSIGNS, THEIR EMPLOYEES, OFFICERS AND AGENTS HARMLESS FROM ANY AND ALL CLAIMS FOR DAMAGES RELATED TO THE USE OF SAID LANDS NOW AND IN THE FUTURE BY REASON OF FLOODING, FLOWAGE, EROSION OR DAMAGE CAUSED BY WATER, WHETHER SURFACE, FLOOD OR RAINFALL. IT IS FURTHER UNDERSTOOD AND AGREED THAT NATURAL DRAINAGE SHALL NOT BE ALTERED, DISTURBED OR OBSTRUCTED WITHOUT APPROVAL OF THE ORO VALLEY TOWN COUNCIL.

PRIVATE DRAINAGEWAYS AREAS, AS SHOWN HEREON, ARE RESERVED FOR THE PRIVATE USE AND CONVENIENCE OF ALL OWNERS OF PROPERTY WITHIN THIS SUBDIVISION, THEIR GUESTS AND INVITEES, AND (EXCEPT FOR DRAINAGE), FOR THE INSTALLATION AND MAINTENANCE OF UNDERGROUND UTILITIES AND SEWERS. TITLE TO THE LAND OF ALL PRIVATE DRAINAGEWAYS AREAS SHALL BE VESTED IN AN ASSOCIATION OF INDIVIDUAL LOT OWNERS AS ESTABLISHED BY COVENANTS, CONDITIONS AND RESTRICTIONS IN DOCKET BOOK \_\_\_\_\_ PAGE \_\_\_\_\_ IN THE OFFICE OF THE PIMA COUNTY RECORDER. EACH AND EVERY LOT OWNER WITHIN THE SUBDIVISION SHALL BE A MEMBER OF THE ASSOCIATION, WHICH WILL ACCEPT ALL RESPONSIBILITY FOR THE CONTROL, MAINTENANCE, SAFETY AND LIABILITY OF THE PRIVATE DRAINAGEWAYS AREAS WITHIN THIS SUBDIVISION, AS SHOWN HEREON.

BY: THOMAS D. BAILEY, II AND KAREN A. BAILEY, HUSBAND AND WIFE

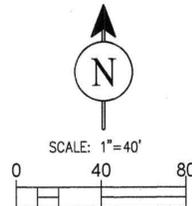
BY: THOMAS D. BAILEY, III AND TARA SUE BAILEY, HUSBAND AND WIFE

STATE OF ARIZONA )  
 ) SS  
 COUNTY OF PIMA )

ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ AT \_\_\_\_\_ M., BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED THOMAS BAILEY WHO ACKNOWLEDGES HIMSELF TO BE THE OWNER AND TO EXECUTE THE FOREGOING INSTRUMENT FOR THE PURPOSE THEREIN CONTAINED BY SIGNING AS THOMAS BAILEY.

NOTARY PUBLIC \_\_\_\_\_ MY COMMISSION EXPIRES \_\_\_\_\_

**FINAL PLAT  
 BAILEY'S DESERT SKY  
 LOTS 1 - 3  
 OV1215-11**



**INGRESS/EGRESS EASEMENT LINE TABLE**

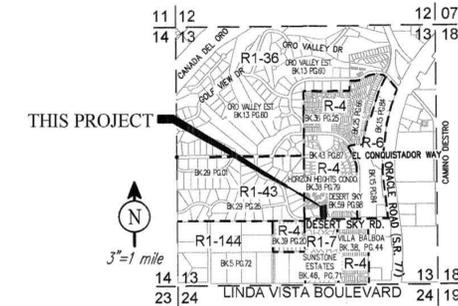
Line #	Length	Direction
L1	24.09'	S89°53'34"W
L2	95.70'	N04°57'52"W
L3	24.09'	S89°55'03"W
L4	25.09'	N04°57'52"W
L5	40.73'	N10°35'59"W
L6	20.07'	N89°55'03"E
L7	63.44'	N04°57'52"W
L8	20.41'	S73°31'52"W

**DRAINAGE EASEMENT LINE TABLE**

Line #	Length	Direction
DL20	30.11'	N04°57'52"W
DL21	91.47'	N89°53'34"E
DL22	65.36'	N00°04'31"W
DL23	6.00'	N89°55'03"E
DL24	65.00'	N00°04'31"W
DL25	6.00'	N89°55'03"E
DL26	96.18'	N00°04'31"W
DL27	6.43'	N73°31'52"E

**ELECTRICAL EASEMENT LINE TABLE**

Line #	Length	Direction
EL30	4.15'	N04°57'52"W
EL31	10.00'	N85°02'08"E
EL32	10.00'	S04°57'52"E
EL33	10.00'	S85°02'08"W
EL34	5.85'	N04°57'52"W
EL35	10.00'	N04°57'52"W
EL36	10.04'	N89°55'03"E
EL37	10.00'	S04°57'52"E
EL38	10.04'	S89°55'03"W

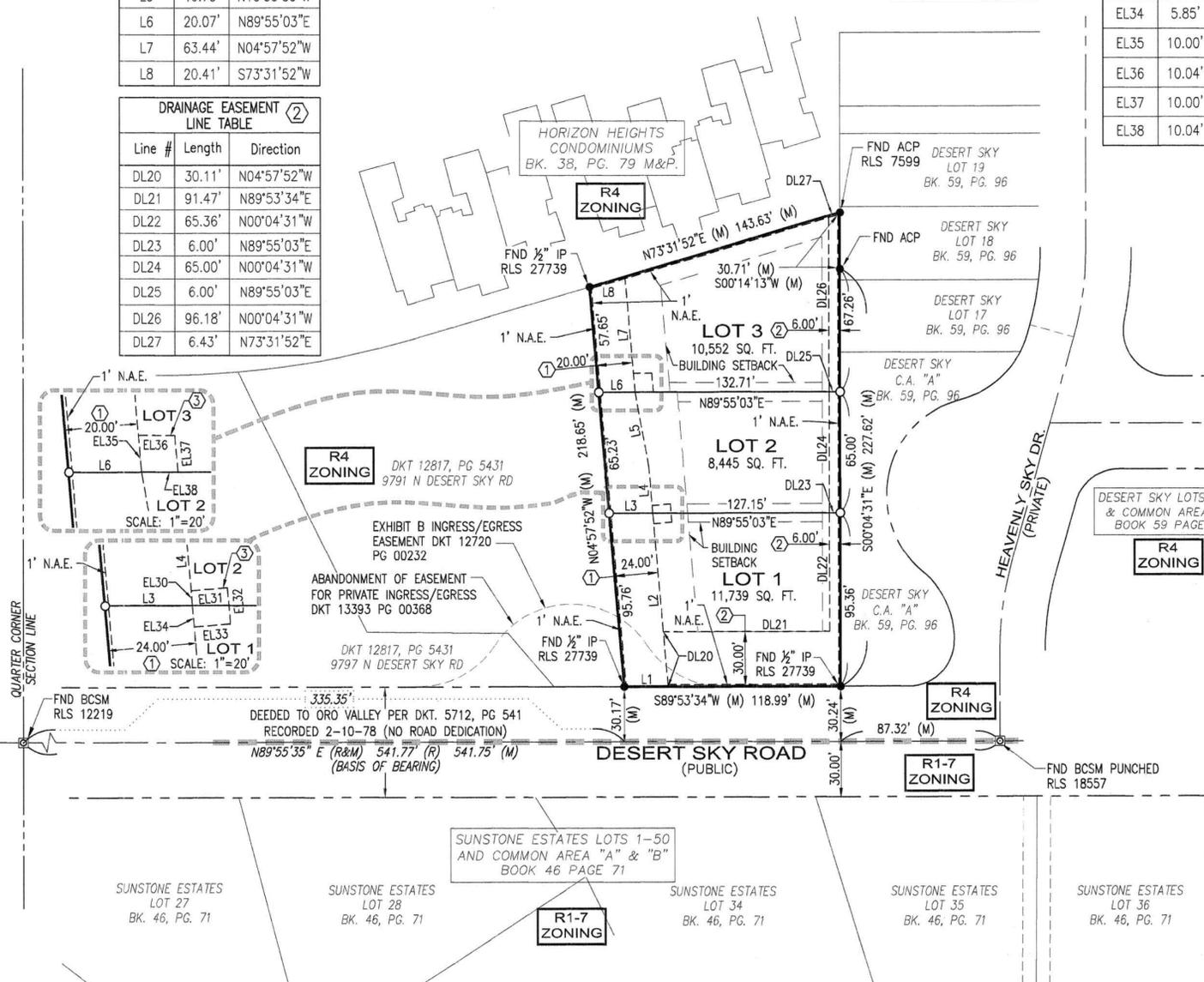


**LEGEND**

- L2 EASEMENT PER KEY NOTE# 1
- DL22 EASEMENT PER KEY NOTE# 2
- EL30 EASEMENT PER KEY NOTE# 3
- (C) CALCULATED DIMENSION.
- (M) MEASURED DIMENSION PER THIS SURVEY.
- (R) RECORD DIMENSION PER TITLE POLICY LEGAL DESCRIPTION & RECORD DIMENSION PER RECORD OF SURVEY IN BK 54 AT PG 58
- ⊙ FND BRASS CAP SURVEY MONUMENT (BCSM).
- FOUND AS NOTED.
- NEW PROPERTY CORNER TO BE SET BY A R.L.S.
- 1' N.A.E. 1' NO ACCESS EASEMENT GRANTED BY THIS PLAT.
- EXISTING EASEMENT (AS NOTED) TO REMAIN
- - - - NEW EASEMENT GRANTED BY THIS PLAT (AS NOTED)
- - - - NEW BUILDING SETBACK LINES
- - - - EXISTING LOT LINES
- - - - STREET CENTER LINE
- - - - SECTION LINE
- - - - EXISTING BOUNDARY
- - - - NEW LOT LINE
- - - - EX. ZONING BOUNDARY LINE

**GENERAL NOTES:**

1. GROSS AREA OF SUBDIVISION 0.71 AC.
2. TOTAL NUMBER OF LOTS IS 3.
3. EXISTING ZONING IS R4 AND MAX. DENSITY IS 5,450 SF. OF LAND AREA PER DWELLING, OR 8 RESIDENCES PER ACRE.
4. SUBDIVISION AREA= 30,749 SQ. FT. AND DRAINAGE/EASEMENT AREA= 9,259 SQ. FT.
5. TOTAL MILES OF NEW PUBLIC STREETS IS 0.
6. MINIMUM LOT SIZE 8,400 SQ. FT.
7. AVERAGE LOT SIZE 10,000 SQ. FT.
8. MAXIMUM BUILDING HEIGHT 25'
9. BUILDING SETBACKS, FRONT 20', REAR 10' AND 5' SIDE SETBACKS. (10' TOTAL BETWEEN BUILDINGS).
10. PARKING PROVISIONS (2 GUEST PARKING ARE PROVIDED IN EACH INDIVIDUAL LOT DRIVEWAY)
11. "NO FURTHER SUBDIVISION OF ANY LOT OR PARCEL SHOWN WILL BE DONE WITHOUT THE WRITTEN APPROVAL OF THE ORO VALLEY TOWN COUNCIL."
12. THIS PROJECT IS OUT OF THE 100 YEAR FLOOD LIMITS.
13. BASIS OF BEARINGS: MONUMENTED CENTERLINE OF DESERT SKY ROAD AS SHOWN ON THE PLAT MAP OF DESERT SKY RECORDED IN BOOK 59 OF M&P AT PAGE 96. SAID BEARING BEING: N 89°55'35" E.
14. THE PROFESSIONAL ENGINEER OF RECORD SHALL CERTIFY AS TO THE FORM, LINE AND FUNCTION OF ALL PUBLIC AND PRIVATE ROADWAYS AND DRAINAGE STRUCTURES BEFORE THE RELEASE OF ASSURANCES.
15. "THE PROPERTY OWNERS, THEIR SUCCESSORS OR ASSIGNS AGREES TO 1) KEEP ALL REQUIRED LANDSCAPED AREAS MAINTAINED IN A WEED FREE, TRASH FREE CONDITION; 2) REPLACE ANY DEAD PLANT MATERIALS WITHIN 90 DAYS; AND 3) MAINTAIN THE IRRIGATION SYSTEM IN PROPER WORKING ORDER."
16. ORO VALLEY WATER WILL BE THE WATER SERVICE PROVIDER.
17. NO FINAL INSPECTION FOR ANY LOT WITHIN THIS SUBDIVISION SHALL BE APPROVED UNTIL A BUILDING CODES OFFICIAL HAS VERIFIED THAT CONSTRUCTION ON THE LOT IS COMPLETE AND STABILIZED DECOMPOSED GRANITE IN-PLACE OF CONCRETE SIDEWALKS HAS BEEN INSTALLED, PROPERTY LINE TO PROPERTY LINE



**WATER ADEQUACY**

"THE TOWN OF ORO VALLEY HAS BEEN DESIGNATED BY THE ARIZONA DEPARTMENT OF WATER RESOURCES AS HAVING AN ASSURED WATER SUPPLY, PURSUANT TO ARS §45-576 AND HEREBY CERTIFIES THAT IN WRITING TO SUPPLY WATER TO THIS SUBDIVISION"

BY: \_\_\_\_\_ WATER UTILITY DIRECTOR \_\_\_\_\_ DATE \_\_\_\_\_

**ENGINEER'S CERTIFICATE**

I HEREBY CERTIFY THAT THIS PLAT WAS PREPARED UNDER MY DIRECTION. I FURTHER CERTIFY THAT THE 100-YEAR FLOOD PRONE LIMITS OR HAZARD SETBACKS NOTED, IF ANY, WERE REVIEWED AND SHOWN UNDER MY DIRECTION.



KENNETH D. PERRY  
 P.E. NUMBER 34010  
 Expires: 9/30/17

**KEYNOTES:**

- ① PRIVATE INGRESS/EGRESS, UTILITY AND PRIVATE DRAINAGE EASEMENT GRANTED BY THIS FINAL PLAT (SEE PLAN VIEW FOR DIMENSIONS)
- ② PRIVATE DRAINAGE EASEMENT FOR PURPOSE OF LOT TO LOT DRAINAGE AND RAINWATER HARVESTING BASIN GRANTED BY THIS FINAL PLAT. (SEE PLAN VIEW FOR DIMENSIONS)
- ③ 10' x 10' ELECTRICAL EASEMENT FOR TUCSON ELECTRIC POWER CO. GRANTED BY THIS FINAL PLAT (SEE ENLARGEMENT DETAILS FOR DIMENSIONS)

**CERTIFICATION OF SURVEY**

I HEREBY CERTIFY THAT THE PERIMETER BOUNDARY SURVEY AS SHOWN ON THIS PLAT WAS PERFORMED UNDER MY DIRECTION, AND THAT ALL EXISTING AND PROPOSED SURVEY MONUMENTS AND MARKERS SHOWN ARE CORRECTLY DESCRIBED. I FURTHER CERTIFY THAT THIS PLAT WAS PREPARED UNDER MY DIRECTION.



FREDRICK J. STURNIOLO  
 ARIZONA R.L.S. # 12537  
 EXPIRES 6/30/2016

**OWNER/DEVELOPER**

THOMAS BAILEY  
 9785 N. DESERT SKY ROAD  
 TUCSON, ARIZONA 85718  
 PHONE: 520.909.1495  
 tbailey27@aol.com

**PERRY ENGINEERING**  
 505 WEST WETMORE ROAD  
 TUCSON, AZ 85705  
 CONTACT: KEN PERRY, P.E.  
 PHONE: 520.620.9870  
 Kperry@perryengineering.net

**FINAL PLAT  
 BAILEY'S DESERT SKY  
 LOTS 1 - 3**

LOCATED IN A PORTION OF BLOCK 4 OF HORIZON HEIGHTS, IN BOOK 15 OF M&P IN PAGE 84. SECTION 13, T-12-S, R-13-E, G&SRB&M, TOWN OF ORO VALLEY, PIMA COUNTY, ARIZONA

OV1215-11 REF. OV1214-27  
 SEPTEMBER 03, 2015 1 OF 1



**Town Council Regular Session**

**Item # D.**

**Meeting Date:** 01/20/2016

**Requested by:** Tobin Sidles

**Submitted By:** Mike Standish, Town Clerk's Office

**Department:** Legal

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**Information**

**SUBJECT:**

Resolution No. (R)16-03, amending the Right-of-Way License Agreement between the Town of Oro Valley and Zayo Group, LLC to allow telecommunication facilities within the Town's rights-of-way

**RECOMMENDATION:**

Staff recommends approval.

**EXECUTIVE SUMMARY:**

The Zayo Group is a provider of bandwidth infrastructure services, and is requesting permission to expand its network within Oro Valley's jurisdiction. Its plan includes pulling fiber optics through existing CenturyLink ducts, and adding short runs of new ductwork as necessary for continuity. Zayo has contracted with CenturyLink in the use of the ducts.

Per Town Code 7-4-1 (Construction in Town right-of-ways), a right-of-way permit is required for the proposed work. However, due to the nature of the work, dark fiber, a license agreement would be required before a right-of-way permit can be issued. Attachment "Exhibit A" shows various locations installation will be placed throughout the Town.

**BACKGROUND OR DETAILED INFORMATION:**

The Zayo Group applied for a right-of-way permit to install telecommunication facilities within the Town's public right-of-ways. The proposed work consists of pulling fiber optics through existing conduits owned by CenturyLink and located within and along the edge of the Town's right-of-ways, and installing new conduits at various locations for continuity with existing conduits. The majority of the work is outside of the roadway pavement sections except for two locations where they will bore underneath to avoid cutting the pavement.

DIS engineering staff has reviewed the documents outlining the proposed work and has no objections with respect to the locations in the right-of-way. If approved, the license agreement sets forth the conditions to install telecommunication facilities within the Town's rights-of-way.

In addition, a Conditional Use Permit will be required for any aerial installation over 600' in length, as per the Town Zoning Code.

**FISCAL IMPACT:**

There will be no fiscal impact to the Town; however, the Zayo Group, if they meet certain criteria, will pay \$0.22 per lineal foot annually per the license agreement. This equates to an annual revenue of approximately \$8,000 should the conditions ever occur.

**SUGGESTED MOTION:**

I MOVE to (approve / deny) Resolution No. (R)16-03, amending the Right-of-Way License Agreement between the Town of Oro Valley and Zayo Group, LLC to allow telecommunication facilities within the Town's rights-of-way.

---

**Attachments**

(R)16-03 Zayo R.O.W. License Agreement

Exhibit A License Agreement

Exhibit B - Overall Sites

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**RESOLUTION NO. (R)16-03**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, AUTHORIZING AND EXECUTING A RIGHT OF WAY LICENSE AGREEMENT BETWEEN THE TOWN OF ORO VALLEY AND ZAYO GROUP, LLC TO ALLOW ZAYO GROUP TO INSTALL NEW TELECOMMUNICATION FACILITIES WITHIN THE TOWN'S RIGHT OF WAY**

**WHEREAS**, the Town is the owner of the right-of-way as depicted in Exhibit "B"; and

**WHEREAS**, ZAYO Group, LLC desires to expand their telecommunication network within the Town by pulling fiber optics through existing CenturyLink ducts and adding short runs of new ductwork as is necessary for continuity; and

**WHEREAS**, pursuant to Town Code 7-4-1, Construction in Town rights-of-way, a right of way permit is required for ZAYO Group to complete their work; and

**WHEREAS**, a permit cannot be issued without a license agreement approved by the Town; and

**WHEREAS**, the Town desires to permit ZAYO Group to use the Town's right of way to expand their telecommunication network within the Town of Oro Valley.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Town of Oro Valley, Arizona that the License Agreement between the Town of Oro Valley and ZAYO Group, LLC, attached hereto as Exhibit "A" and incorporated herein by this reference is hereby approved.

**BE IT FURTHER RESOLVED** that the Mayor and any other administrative officials of the Town of Oro Valley are hereby authorized to take such steps as are necessary to execute and implement the terms of the Agreement.

**PASSED AND ADOPTED** by the Mayor and Council of the Town of Oro Valley, Arizona this 20<sup>th</sup> day of January, 2016.

**TOWN OF ORO VALLEY**

\_\_\_\_\_  
Dr. Satish I. Hiremath, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Julie K. Bower, Town Clerk

\_\_\_\_\_  
Tobin Sidles, Legal Services Director

Date: \_\_\_\_\_

Date: \_\_\_\_\_

# **EXHIBIT “A”**

**EXHIBIT “B”**

**TOWN OF ORO VALLEY RIGHT-OF-WAY  
LICENSE**

**(Zayo Group, LLC)**

LICENSOR: TOWN OF ORO VALLEY  
Attn: Town Engineer  
11000 N. La Canada Dr.  
Oro Valley, AZ 85737

Licensee: ZAYO GROUP, LLC  
1805 29th Street  
Boulder, Colorado 80301

1) Definitions:

- a) "Dark fiber" refers to unused fiber-optic cable installed by Licensee.
- b) "Effective Date" means the date on which all persons necessary to sign this Agreement in order for it to be binding on both parties have executed this Agreement as indicated on the signature page(s), unless a specific date is otherwise provided in the "Term" section herein.
- c) "Licensee" includes any person or entity employed by, contracted by, or acting on behalf of Licensee.
- d) "License Agreement" or "Agreement" shall mean this Agreement and any amendments or modifications hereto.
- e) "License Area" means the present legal boundaries of the Town as of the Effective Date, as described in attached Exhibit "A".
- f) "Licensor" means the Town or the lawful successor, transferee, designee.
- g) The definitions of the Oro Valley Town Code, are incorporated herein.

2) In consideration of Licensee's payment of a license fee, the receipt of which is acknowledged by the Licensor, and Licensee's performance of its obligations under this License, Licensor hereby authorizes Licensee to use, in conformance with this License and all applicable local, state, and federal laws and regulations, Licensor's public right-of-way referred to in this License as the License Area, The License Area as described in Exhibit A may be amended by written instrument signed by the Oro Valley Town Engineer and a duly authorized officer of Licensee.

3) License Fee. In the event a fee becomes payable to Licensor under ARS §9-583 (C) (2),

payment shall be made by check payable to The Town of Oro Valley and mailed to:

The Town of Oro Valley  
Finance Department  
11,000 N. La Canada Dr.  
Oro Valley AZ, 85737

In accordance with A.R.S. §9-582, referencing A.R.S. §9583 (C) (2), Licensee shall pay an annual License Fee of \$.22 based on the number of linear feet of trench in the public highways in which the telecommunications corporation had placed facilities that carry interstate traffic between and among the telecommunications corporation's interstate points of presence exclusive of the facilities used by the local network and the portion of the interstate network that carries the intrastate calls.

Provided the linear foot fees comply with applicable Arizona law, Licensee hereby consents to the addition of such fees to this license, which all be paid annually to the address designated above, and shall be subject to annual increases through the terms of the license and any renewals, in an amount equivalent to the Consumer Price Index (as published by the United States Department of Labor, Bureau of Labor Statistics) for each Linear Foot of fiber optic cable now or hereafter installed in the public right-of-way described herein which meets the definition of A.R.S. §28-583 (C) (2).

If payment is not received within 30 days of the due date, Licensee shall pay interest (simple interest, not compounded) on the past due license fee amount or any other sum due under this license, at the rate of ten percent per annum as allowed by ARS § 44-1201. Interest shall be calculated from the date due until paid.

- 4) This license is not transferrable without the written consent of Licensor.
- 5) Licensee may use the License Area for installation of telecommunications facilities in a manner consistent with this License and conforming to plans approved and permits issued by the Town of Oro Valley for each installation.
- 6) This License is evidence of Licensee's right to use the public right-of-way-a pre-condition and prerequisite to obtaining one or more Town of Oro Valley right-of-way use permits in accordance with Oro Valley Town Code 7-4-1 (Construction in Town rights-of-way). All Licensee work in the License Area shall be accomplished pursuant to a right-of-way use permit in accordance with the requirements of Oro Valley Town Code 7-4-1 (Construction in Town rights-of-way) and in compliance with A.R.S. §9-582 as follows:
  - a) Licensee shall submit to Licensor all of the following with any right of way permit application:
    - i) Engineered construction plans with specifications for the facilities Licensee proposes to install in the License Area.
    - ii) A construction cost estimate for the installation of Licensee's facilities proposed to be installed in the License Area.
    - iii) The "Right-of-Way Permit; Construction Plan Check Fee" and any other applicable review fee set forth in the then-effective Oro Valley Comprehensive Fee Schedule.

- iv. If Licensee is using or occupying facilities owned or operated by another entity, or is installing new facilities for another entity, a true and correct copy of a lease or other agreement evidencing Licensee's legal right or authority to use, occupy, or install the facilities.
  - b) During Licensor's review of Licensee's right-of-way application and associated documents, Licensor will:
    - i) Identify any potential pending Oro Valley Capital Improvement Program (CIP) project conflict and route plan review through the CIP Project Manager for designer review.
    - ii) Determine if the permit can be issued, and if so: notify Licensee of any applicable standard or special permit conditions; and
    - iii) Require the posting of a cash bond or some form of security when and to the extent the Licensor reasonably determines that it is prudent to do so to protect against any direct financial impacts on Licensor that may be caused by Licensee's:
      - (1) failure to perform,
      - (2) facilities conflict,
      - (3) failure to relocate its facilities, and/or
      - (4) any other similar reasons.
    - iv) Decline to issue a right-of-way permit for areas that will or may conflict with public works projects in circumstances where the Licensor reasonably determines that Licensee's posting of a cash bond or other security is not sufficient to address Licensor's concerns or interests.
5. This License does not authorize Licensee to provide "cable service" as defined in Oro Valley Town Code Articles 12-17 and 12-6. See Oro Valley Town Code Chapter 12 (Cable Communications).
6. Licensee's use of the License Area shall comply with all applicable local, state, and federal requirements.
7. Licensee shall pay any and all taxes, charges, and fees applicable to this License or applicable to Licensee's use of the License Area that may hereafter be adopted by Licensor in conformance with Arizona Revised Statutes section A.R.S. §9-582 (Taxes and other charges; telecommunications facilities; limitations) and A.R.S. § 9-583 (Issuance of license or franchise; use of public highways; limitations).
8. Licensee shall bring into compliance with Town-approved plans and all applicable local, state, and federal requirements any use of the License Area installed by or on behalf of Licensee. If Licensee is unable to bring any such use of the License Area into compliance, Licensee shall remove such use at Licensee's cost.
9. Licensee shall maintain any use of the License Area installed by or on behalf of Licensee.

10. Licensor shall have the right to modify or terminate this License at any time.
11. This License shall remain in effect unless and until it is terminated (a) by and at the sole discretion of Licensor or (b) by written agreement of Licensor and Licensee.
12. Licensor shall give Licensee written notice of full or partial termination of this License at least 60 calendar days before the termination unless an emergency requires a shorter notice period, and in that event Licensor shall notify Licensee as early as practicable.
13. Upon demand by Licensor for any reason, including without limitation Licensor's construction of a road widening or other capital project that conflicts with or otherwise affects Licensee's facilities, Licensee shall at its sole cost either (i) relocate Licensee's facilities to a portion of the remaining License Area not in conflict with the capital project, or (ii) completely remove everything maintained by Licensee in the portion of the License Area affected by the capital project. Licensor shall not be responsible for damages resulting from Licensee's failure to timely remove or relocate its facilities pursuant to this paragraph.
14. This License shall not be assigned by Licensee, but Licensee's obligations under this License shall be binding upon Licensee's heirs, contractors, assignees, designees, agents, and representatives.
15. Licensor issues this License to Licensee as an accommodation for the provision of telecommunication services to businesses and residents of the Town of Oro Valley and the surrounding area.
16. Licensee shall defend, indemnify and hold harmless Licensor, its officers, agents, and employees from and against any and all claims, demands, causes of action, complaints, suits, losses, damages, injuries, and liabilities whatsoever (including those for costs, expenses, and attorneys' fees) to any person, persons, or property arising out of either (i) Licensee's use or maintenance of the License Area or (ii) Licensee's negligent acts or omissions in connection with anything installed by or on behalf of Licensee in the License Area.
17. Licensee shall obtain liability insurance for the term of this License in minimum amounts of \$1,000,000.00 per occurrence and \$2,000,000.00 per occurrence for general aggregate. Licensee may satisfy the minimum insurance requirement with excess or umbrella liability coverage. This insurance shall be updated annually and shall be kept in force while this License is in force. Licensor may, if it deems necessary, require additional coverage. Licensor shall be named as an "additional insured" endorsee for the coverage, evidenced by endorsement number on the face of the insurance certificate and submittal of a copy of the additional insured endorsement or any other required endorsement. If available through Licensee's insurance carrier, Licensee shall obtain a "cancellation notice recipient" endorsement, evidenced by endorsement number on the face of the insurance certificate and submittal of a copy of the cancellation notice recipient endorsement, in all its insurance policies, requiring Licensee's insurance carrier to provide notice to Licensor of cancellation or reduction of insurance coverage. CERTIFICATES OF INSURANCE FOR COVERAGE AS DESCRIBED IN THIS LICENSE SHALL BE FILED WITH LICENSOR PRIOR TO COMMENCEMENT OF ANY ACTIVITY UNDER THIS LICENSE. Licensee SHALL ALSO FILE ALL CERTIFICATES OF INSURANCE AND REQUIRED ENDORSEMENTS EACH TIME THE POLICY IS UPDATED OR RENEWED. Certificates of insurance and

endorsements shall be sent to the Town of Oro Valley Engineering Division, 11000 N. La Canada Dr., Oro Valley, AZ 85737, annually commencing on the date of execution of this License.

18. Licensee shall give Licensor written notice within two working days after Licensee receives notice of any cancellation or reduction of its insurance coverage.
19. If Licensee causes any damage to the License Area, Licensee shall promptly make and pay for the repairs necessary to restore the License Area to its pre-damaged condition. At the discretion of Licensor, if repairs are not initiated and completed within a reasonable length of time, but in any event within 14 calendar days after Licensor gives written notice of damage to Licensee, Licensor may make the repairs and bill Licensee for all costs plus a 25% administrative fee. Licensee shall pay the bill within ten calendar days of receipt.
20. This License is effective for five years from its effective date. So long as Licensee is not then in default under this License, this License shall be automatically renewable for an additional five-year period at the written request of Licensee delivered to Licensor not less than 30 days before the end of the five-year term.
21. This License is subject to cancellation for conflict of interest pursuant to A.R.S. § 38-511.

IN WITNESS WHEREOF, the parties have executed this License effective as of the Licensor's signature date below.

"LICENSOR":  
TOWN OF ORO VALLEY  
  
an Arizona municipal corporation

"Licensee"  
ZAYO GROUP, LLC, A Delaware limited liability company

By: \_\_\_\_\_

By: \_\_\_\_\_

Date: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
Tobin Sidles, Legal Services Director

STATE OF COLORADO    )  
                                  ) SS.  
County of Boulder        )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2015 by \_\_\_\_\_, the \_\_\_\_\_ of ZAYO GROUP, LLC, a Delaware limited liability company, on behalf of the LLC.

(seal)

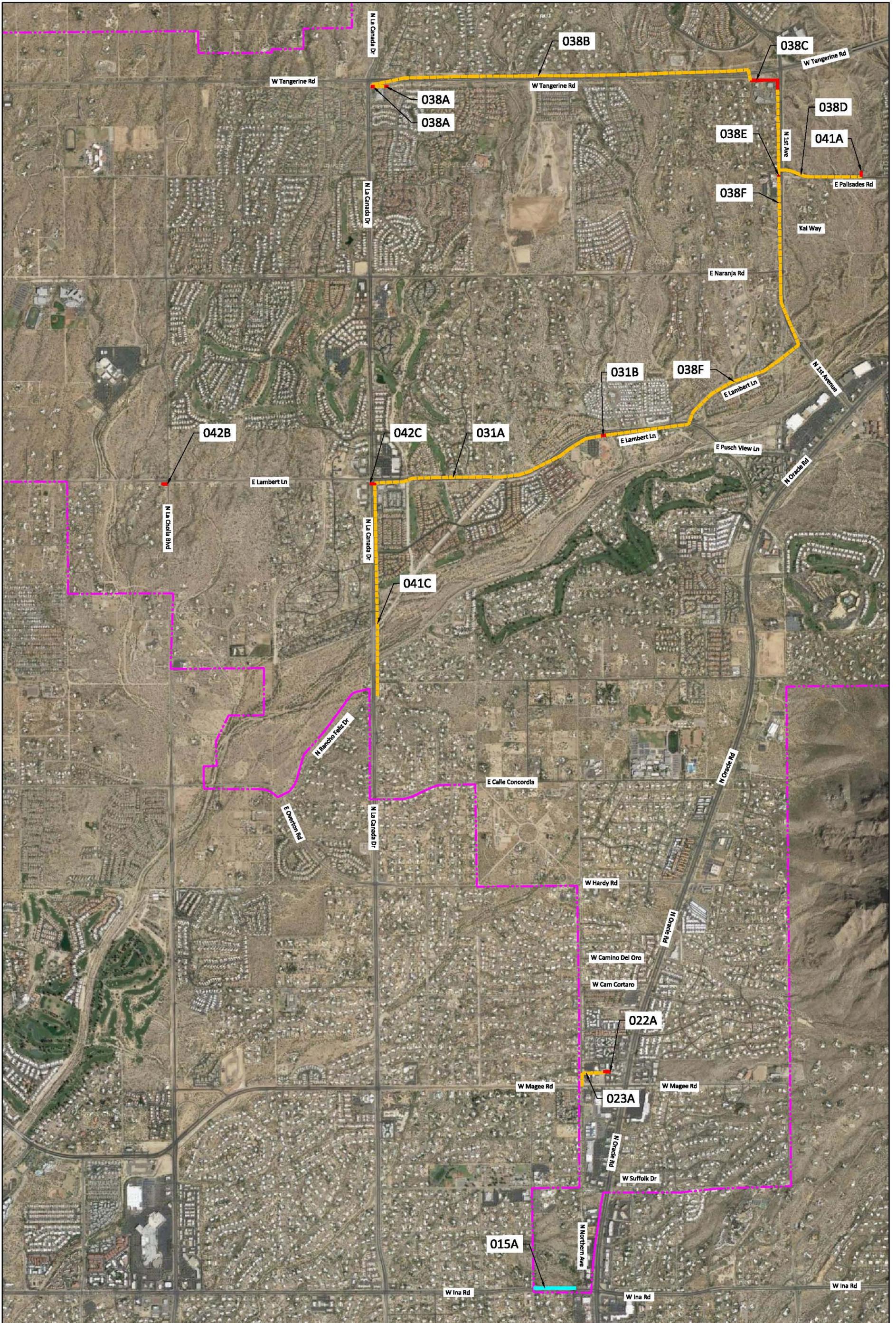
\_\_\_\_\_  
Notary Public

STATE OF ARIZONA     )  
                                  ) ss.  
County of Pima         )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2015 by \_\_\_\_\_, the \_\_\_\_\_ for the Town of Oro Valley, an Arizona Municipal corporation.

EXHIBIT A: THE "LICENSE AREA"

1. The following public road rights-of-way owned by the Licensor:
  - a.



DATE:  
5-20-15

SHEET NUMBER:  
1 OF 1

DRAWING NUMBER:  
N/A



## Oro Valley Overall Sites

**LEGEND:**

NEW AERIAL	
NEW UNDERGROUND	
EXISTING CENTURYLINK	
ORO VALLEY LIMITS	





**Town Council Regular Session**

Item # **E.**

**Meeting Date:** 01/20/2016

**Requested by:** Julie Bower      **Submitted By:** Julie Bower, Town Clerk's Office

**Department:** Town Clerk's Office

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**Information**

**SUBJECT:**

\*Appointments to the Historic Preservation Commission (HPC)

**RECOMMENDATION:**

There are currently three vacancies on the Historic Preservation Commission. After conducting interviews, the selection committee is making the following appointment recommendations:

Allison Crane for a term ending December 31, 2018  
Walter Ohlson for a term ending December 31, 2018  
Joseph Kane for a term ending December 31, 2018

**EXECUTIVE SUMMARY:**

HPC liaison Councilmember Zinkin, HPC Vice Chair Marilyn Lane and Parks & Recreation Director Kristy Diaz-Trahan were members of the selection committee. The applications of Ms. Crane, Mr. Ohlson and Mr. Kane are attached for review. All unsuccessful candidates will be notified via letter from the Council liaison and will be advised that their applications will be kept on file for two (2) years.

**BACKGROUND OR DETAILED INFORMATION:**

The Historic Preservation Commission (HPC) was formed to promote the educational, cultural and economic welfare of the Town of Oro Valley by ensuring the preservation of historic buildings, districts, landmarks, structures, documents, photographs and other artifacts that represent the historic background and development of the greater Oro Valley area.

**FISCAL IMPACT:**

N/A

**SUGGESTED MOTION:**

I MOVE to (approve or deny) the following appointments:

Allison Crane for a term ending December 31, 2018  
Walter Ohlson for a term ending December 31, 2018  
Joseph Kane for a term ending December 31, 2018

---

**Attachments**

Crane Application

Ohlson Application



# Application Form

## Profile

Dear Oro Valley Citizen:

We appreciate your interest in the Town of Oro Valley. This informational form, when completed, will allow us to quickly process your application by assisting us in understanding how we can best use your talents and experience. Information reflecting the procedures surrounding the appointment process to Boards is attached below. Your application will remain on file for two years from the date of receipt. We thank you kindly for volunteering to serve the Town!

**Please note: No volunteer shall serve on more than one standing Board at any time.**

<u>Alison</u>		<u>Crane</u>	
First Name	Middle Initial	Last Name	Suffix

Email Address \_\_\_\_\_

Street Address _____	Suite or Apt _____
----------------------	--------------------

<u>Oro Valley</u>	<u>AZ</u>	<u>85737</u>
City	State	Postal Code

**Oro Valley Resident**

Please select your residency status:

8

Number of years in Oro Valley (If less than 1 year, please state number of months)

<u>Mobile:</u>	<u>Home: (</u>
Primary Phone	Alternate Phone

## Which Boards would you like to apply for?

Historic Preservation Commission, Tucson-Pima County Bicycle Advisory Committee

## Interests & Experiences

Please list your volunteer services in Oro Valley and with other organizations including any

**boards or commissions on which you have served : (board/commission , civic, educational, cultural, social, etc.)**

---

I have coached youth soccer in the 922 Oro Valley region. I also help organize and run the high school mock trial competition.

**How does your previous volunteer service prepare you for the board or commission appointment for which you have applied? Please describe an issue considered at a meeting of the Board or Commission for which you are applying.**

---

My previous volunteer experience has given me insight into community members and activities. I understand what it takes to organize an event or engage youth and families in community activities. I have seen the importance of having opportunities for members of the community to connect with each other and understand that events and locations are one key for making those connections happen.

**Briefly describe your educational/vocational background.**

---

I have a B.A. in psychology and a J.D., both from the University of Arizona.

Question applies to Conceptual Design Review Board.

**Please describe an issue or project you contributed to which related specifically to conceptual design?**

---

Question applies to Conceptual Design Review Board.

**Listed below are fields of professional experience required for four (4) members of the CDRB . If you have relevant experience, please check all that apply.**

---

- Art
- Architecture
- Planning
- Engineering
- Development
- Construction

Other Design Background

Question applies to Conceptual Design Review Board.

**For each selection you made above, please provide your years of experience and a generalized description of your professional design background in that area.**

---

**Have you attended the Community Academy or CPI?**

---

Yes  No

\_\_\_\_\_  
If yes, what year?

**If no, are you willing to attend?**

---

Yes  No

[1pg\\_updated\\_law\\_resume.doc](#)

Upload a Resume

\_\_\_\_\_  
Please attach any additional documents here

Please read the information contained in Appendices "B" and "C" of the Parliamentary Rules and Procedures before continuing.

[Appendix "B" - Appointment Process](#)

[Appendix "C" - Volunteer Consideration](#)

**Please Agree with the Following Statement**

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**By clicking this box, I certify that I have read the information contained in Appendices "B" and "C" of the Parliamentary Rules and Procedures.**

---

I Agree \*

Alison P. Crane

Oro Valley, AZ 85737

### WORK EXPERIENCE

**ASSISTANT ATTORNEY GENERAL, CHILD AND FAMILY PROTECTION AND LITIGATION SUPPORT DIVISIONS, Tucson, AZ—Senior Litigation Attorney** (June 2007 – current)—promoted to Senior Litigation Attorney in January 2013; mediated, negotiated, litigated high-profile child abuse and neglect cases throughout Arizona; researched issues of juvenile, family law; developed training programs for new attorneys, interns, case workers; instructed attorneys, case workers, outside agencies; contributed to management and court-improvement committees.

**UNIVERSITY OF PHOENIX, Tucson, AZ—Adjunct Professor** (September 2008 – June 2014)—Instructed and engaged college and graduate students in various law-related courses; developed course-related materials and assignments.

**PIMA COUNTY JUVENILE COURT, The Honorable Terry Chandler, Tucson, AZ—Clerk** (August 2006 – June 2007)—Drafted memoranda on issues such as the Indian Child Welfare Act, driver's license revocation; prepared Rule 32 rulings; discussed nuances of judicial decision-making and legal etiquette.

**PIMA COUNTY PUBLIC DEFENDER, Tucson, AZ—Clerk** (January 2006 – June 2006)—Researched and drafted motions, memoranda on topics such as confessions, bifurcation, rules of evidence, suppression, and sentence enhancement.

**ZARAGOZA LAW FIRM, Tucson, AZ—Clerk** (January 2006 – May 2006)—Prepared interrogatories, civil complaints, production requests; researched contract issues.

**CHILD ADVOCACY CLINIC, UNIVERSITY OF ARIZONA COLLEGE OF LAW, Tucson, AZ—38(d) Student Lawyer** (August 2005 – May 2006)—Represented children in dependency cases; negotiated with attorneys; researched and drafted motions.

**PIMA COUNTY JUVENILE COURT, The Honorable Michael Miller, Tucson, AZ—Clerk** (August 2004 – December 2004)—Drafted memoranda on issues relating to competency to stand trial, rules of evidence; attended court proceedings; discussed nuances of judicial decision-making and legal etiquette.

**ROCKY MOUNTAIN CHILDREN'S LAW CENTER, Denver, CO—Summer Associate** (June 2004 – August 2004)—Guardian ad Litem in numerous dependency cases; negotiated with clients, case workers, therapists, and attorneys; summarized case materials; prepared and accompanied supervising attorneys to Court.

### PUBLICATIONS

- *The Encyclopedia of American Civil Liberties* (Paul Finkleman ed., Routledge 2006) (summaries of *Crane v. Johnson* and *Allen v. Illinois*).
- Contributions to the forum shopping chapter in Kevin Johnson, Catherine Rogers & John V. White, *Complex Litigation: Cases and Materials on Litigating for Social Change* (Carolina Academic Press 2009).

### AWARDS

- Arizona Attorney General, Attorney of the Year 2010

### EDUCATION

**THE UNIVERSITY OF ARIZONA, Tucson, AZ**

- **JAMES E. ROGERS COLLEGE OF LAW**

- Admitted to the Arizona Bar, October 2006

- Juris Doctor, May 2006

- Substantial Paper: "Building a Better Brazil for its Next Generation"

- **COLLEGE OF SOCIAL AND BEHAVIORAL SCIENCES**

Bachelor of Arts in Psychology; Summa Cum Laude, May 2002

- Honors Thesis: "Sexual Abuse and the Female Adolescent Victim: The Need for Uniform Legal Standards"

### COMMUNITY SERVICE/LANGUAGES

- Wills for Heroes, High School Mock Trial Tournament, A.Y.S.O. Soccer Coach, My Sister's Closet.
- Intermediate fluency in Spanish.

# Application Form

Status: submitted

## Profile

Dear Oro Valley Citizen:

We appreciate your interest in the Town of Oro Valley. This informational form, when completed, will allow us to quickly process your application by assisting us in understanding how we can best use your talents and experience. Information reflecting the procedures surrounding the appointment process to Boards is attached below. Your application will remain on file for two years from the date of receipt. We thank you kindly for volunteering to serve the Town!

**Please note: No volunteer shall serve on more than one standing Board at any time.**

<u>Walter</u>	<u>H.</u>	<u>Ohlson</u>	<u></u>
First Name	Middle Initial	Last Name	Suffix

Email Address

<input type="text"/>	<input type="text"/>
Street Address	Suite or Apt

<u>Oro Valley</u>	<u>AZ</u>	<u>85755</u>
City	State	Postal Code

### Oro Valley Resident

Please select your residency status:

3 mos

Number of years in Oro Valley (If less than 1 year, please state number of months)

<u>Mobile:</u>	<u>Business:</u>
Primary Phone	Alternate Phone

### Which Boards would you like to apply for?

Historic Preservation Commission

## Interests & Experiences

Please list your volunteer services in Oro Valley and with other organizations including any

**boards or commissions on which you have served : (board/commission , civic, educational, cultural, social, etc.)**

---

None. Relocated here only three months ago.

**How does your previous volunteer service prepare you for the board or commission appointment for which you have applied? Please describe an issue considered at a meeting of the Board or Commission for which you are applying.**

---

In addition to being a member of the National Trust for Historic Preservation, I am an Urban Historian having worked on oral history projects as well as certifying with the Chicago Architectural Foundation, which is considered "graduate-level" training and one of the best in the world. I have also curated a project at the National Hellenic Museum.

**Briefly describe your educational/vocational background.**

---

After a tough start, academically, I returned to school twenty years post high school when the greatest university on the planet: The University of Arizona, accepted me a freshman in 1993. Graduating with a B.A. in the Classics in four years in 1996, I have amassed a fine historian's library while also pursuing an M.A in Public History.

Question applies to Conceptual Design Review Board.

**Please describe an issue or project you contributed to which related specifically to conceptual design?**

---

Question applies to Conceptual Design Review Board.

**Listed below are fields of professional experience required for four (4) members of the CDRB . If you have relevant experience, please check all that apply.**

---

- Art
- Architecture
- Planning
- Engineering
- Development
- Construction

Other Design Background

Question applies to Conceptual Design Review Board.

**For each selection you made above, please provide your years of experience and a generalized description of your professional design background in that area.**

---

**Have you attended the Community Academy or CPI?**

---

Yes  No

\_\_\_\_\_  
If yes, what year?

**If no, are you willing to attend?**

---

Yes  No

[OHLS.director.2016.Tucson.docx](#)

Upload a Resume

\_\_\_\_\_  
Please attach any additional documents here

Please read the information contained in Appendices "B" and "C" of the Parliamentary Rules and Procedures before continuing.

[Appendix "B" - Appointment Process](#)

[Appendix "C" - Volunteer Consideration](#)

**Please Agree with the Following Statement**

---

**By clicking this box, I certify that I have read the information contained in Appendices "B" and "C" of the Parliamentary Rules and Procedures.**

---

I Agree \*

# WALTER H. OHLSON

Tucson, AZ 85755

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## SENIOR-LEVEL DIRECTOR

To parlay over twenty-years of building long-term, professional business relationships inside the franchise world, real estate brokerage, IT, and Yellow Pages advertising -- throughout the U.S. -- in addition to having an historian's eye for understanding and interrupting human endeavor, into an executive-level position with a market-leading, cutting-edge corporation.

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## PROFESSIONAL ACHIEVEMENTS

### Administration

- Recruited, trained, and managed hundreds of employees in addition to managers and administrative staffs;
- Administered HR policies and procedures and wrote all employee evaluations in addition to presenting comp-plans;
- Serviced & consulted over 450 franchisee clients in multi-state regions: Desert Southwest (Arizona, New Mexico, Nevada, and West Texas) (twice); and the Midwestern U.S (Illinois, Indiana, Iowa and Nebraska);
- Drafted "preferred vendor" contracts to enhance web-revenue lines in addition to offering broader transactional services;
- Envisioned and planned multiple annual award celebrations, quarterly meetings, and sales rallies for as many as 1,600 attendees;
- Prepared PowerPoint presentations for client proposals and designed company brochures for trade shows;
- Supervised as many as 10 international trade expositions and state conventions, as well as franchisor/brand conventions;
- Relocated entire field operations in both Phoenix as well as Chicago;
- Consolidated and revamped two major parliamentary advertising councils;
- Advanced proficiencies in most Microsoft operating systems;
- Tactfully communicates sensitive information;
- Professional business, educational, and leisure traveler throughout the U.S. and Hawaii, Mexico, Canada, and Europe.

### Sales and Sales Management:

- Twenty+ years of *business-to-business*, consultative sales experiences inside extensive cold-calling environments such as Yellow Pages advertising, specialty billboards, and franchising;
- Advanced knowledge of the franchise sales processes, *i.e.*, transactions, legal documents, sales and growth models;
- Negotiated and closed over 70 franchises, with an average royalty-fee of \$250,000, in the states of Arizona, Nevada, New Mexico, Texas, Ohio, and Iowa;
- Managed INTERNET sales operation, closing, on average, 800 transactions annually;
- Experience with various CLIENT RELATIONSHIP MANAGEMENT (CRM) systems including SalesForce;
- Coached and managed hundreds of sales personnel achieving some of the highest productivity metrics measured.

### Strategic Planning, Budgeting and Project Management:

- Forecasted monthly/quarterly and annual budgets while leading the nation in net operating profits (N.O.I) with two brands;
- Reconfigured entire lead distribution algorithms to maximize efficiencies and productivity;
- Demonstrated understanding of and expertise in franchisor/franchisee relationship;
- Helped hundreds of franchisees understand their strategic role in building brand via recruiting and M&A initiatives;
- Seven (7) years of field management experience as a Franchise District Manager or Director;
- Drafter of excellent, in-depth S.W.O.T. analyses;
- Commissioned IT development of *Go LOCAL* marketing initiative at Chicago, Omaha and Lincoln, NE.

### Academic Achievements:

- Graduate-level work in American (U.S.) History; Earned Bachelor's Degree in Classical Studies;
- Presented academic essay titled: Ambushed at Shiloh: Grant's Army, then Grant Himself at *Mid-America Conference on History* as well as *Northern Illinois University Graduate Student Conference*;
- Successfully completed 3-day seminar on professional public speaking skills using MS PowerPoint;
- Procured state-issued real estate licenses in both Arizona and Illinois.

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**PROFESSIONAL HISTORY**

**Capital Connect, Inc.**, Tucson, AZ, is a nationally recognized leader in residential and commercial security and home automation systems. Partners are industry leaders that help deliver affordable security products and services to customers across Arizona, California, New Mexico, Texas, Colorado, Utah, Nevada, Idaho and Illinois.

■ **DIRECTOR of STRATEGIC PARTNERSHIPS** September 2015 to Present  
Home and Business Security Solutions/Technologies

Spearheading new commercial department focusing on business security in addition to seeking partnerships that align with CCI core-residential business.

- Procured the largest Advertising Business Agreement (ABA) in company history, aligning with a 1000-agent real estate firm in Arizona that closes over 15,000 transactions a year – in only first month;

**RE/MAX LLC**, Denver, CO (NYSE: RMAX)

A “best-in-class” publicly traded brand with 100,000 member-agents working out of over 6,500 offices in 100 countries.

■ **Sr. BUSINESS DEVELOPMENT CONSULTANT (SR. BDC)** August 2014 to August 2015  
Franchise Sales, Southwest Region (Arizona, New Mexico and West Texas)

Promoted to the franchise sales division as a *senior* director to market the franchise systems at Tucson, Phoenix, Albuquerque/Santa Fe, and El Paso, TX.

- Sold 7 franchises at Tucson (UA), Scottsdale (Old Town), Tempe, Rio Rancho (3), and Santa Fe – in just 8 months;
- Brokered acquisition of 20-year old company in New Mexico;
- Turned-around declared “termination” by finding and brokering *partnership* to save existing operation at Tucson;
- Probed and forged the *Adult-Community Franchise* concept.

■ **FRANCHISE DEVELOPMENT CONSULTANT (FDC)** February 2014 to August 2014  
Regional Services, Southwest Region (Arizona, New Mexico and West Texas)

Relocated to Denver to serve the Southwest Region to bring value to franchise clients; assist and consult members on brokerage growth; collect outstanding fees and renew all expired contracts.

- Stabilized regional services in the state of New Mexico and Southern Arizona by renewing 7 contracts in the first 4 months;
- Terminated non-performing members (where others have failed),
- Engaged and trained ~250 members out of 350 in less than 5 months to gain a robust increase in adoption-rates within the LeadStreet CRM.

■ **DIRECTOR of BUSINESS DEVELOPMENT** February 2013 to February 2014  
Regional Services, RE/MAX Central, Inc. Lincoln, NE (Nebraska-Iowa)

Relocated to Lincoln, NE to serve the Central Region, one of the oldest independent regions in the RE/MAX world; market and service the franchise systems.

- Increased membership head-count in Nebraska and Iowa from 585 to 620, or +6%, in just the 1<sup>st</sup> year from a decline of -22 members (2012);
- Added new franchise @ Des Moines;
- Decommissioned half the hot-air balloon fleet while purchasing and refurbishing fleet in two states;
- Set 2014 Regional Marketing Plan titled: *Go LOCAL!* See <http://www.remax-central.com/omaha/communities>

*ADHOC* Advocates, L.P., Chicago, IL

*Professional business consultancy, concentrating on solving business and brand development issues*

■ **MANAGING GENERAL PARTNER**

May 2011 to December 2012

Management Consulting

Four (4) main areas of concentration: Brand Development; New Market Opportunities; Staffing & Recruiting Solutions; Exit Strategy Solutions; Projects commissioned:

- Apartment Finders, Inc.: Brand Development & Investors sought
- Prudential Rubloff Corporation
  - New Market Development (NW Indiana and SW Michigan)
  - Drafted feasibility study on residential rental business in Chicago
- Listingbook, LLC, *"The Ultimate Online Solution for Real Estate Agents and their Clients,"* Northeast Illinois
  - Launched new company into Chicago market, promoting their robust CRM.

*ZIP Realty, Inc., Emeryville, CA, is a publicly-traded, high-tech corporation working inside the residential real estate space.*

■ **DIRECTOR of REGIONAL OPERATIONS (RD)**

April 2009 to April 2011

Internet Real Estate Brokerage (Chicago)

Administered day-to-day business operations for this internet-based real estate brokerage including recruiting and training; fiscal budgetary management; brand development; Client Relationship Management (CRM) development and management; sought advertising revenues and alliances:

- Turned-around one of the most dysfunctional, poorly-run and non-profitable business units in U.S.
- Surpassed both 2009 and 2010 revenue budgets by 13% and 4%, respectively;
- Chicago operation closed over 1,600 transactions on \$8 MM in commissions, generating **\$1,837,051** (22.5%) in net operating profit while company posted record loses of -\$17 MIL in 2009 and 2010;
- One of only five regions in the U.S., out of 34, that posted a positive returns in 2010;
- Recruited on average seventy-five (75) new employees annually and taught engagement strategies;
- Redesigned entire territory configuration to maximize capture rates on 5,000-7,000 B2C internet-prospects *monthly*;
- Sales techniques taught and managed which produced #1 or #2 rankings in LEAD-CONVERSION RATIOS (.67 to .98), nationwide;
- Increased Y-O-Y productivity 133.1% for 51 of 56 employee-agents (91%).

*REALOGY Franchise Group (RFG), Parsippany, NJ, is the largest franchisor of residential and commercial real estate brokerage offices in the world with approximately 14,300 franchised and company-owned offices and 253,000 brokers.*

■ **REGIONAL SERVICES DIRECTOR (RD)**

February 2006 to September 2008

Regional Services, Northern Illinois and Northwest Indiana

Spearheaded turn-around project of **Century 21 LLC** (Chicago Region) with 200+ member clients and 6000 sales associates, generating \$8 MIL in annual franchise fees:

- Increased market-share from 6.1% to 7.1% after only 1-year while also purging region of 20% of under-performing offices and agents;
- Retention strategies renewed over \$7 million in royalty fees in just the last year alone;
- Re-directed franchise sales efforts which added \$5 MM in adjusted gross commissions;
- Franchise Sales Team won TOP HONOR awards nationwide in '06 and '07
- Hosted 1<sup>st</sup> ever annual awards celebration inside a built 1929 speakeasy.

RE/MAX International, Denver, CO

*Privately-held real estate brand with 75,000 member-agents working out of over 4,500 offices in 80 countries*

■ **DIRECTOR OF FRANCHISE DEVELOPMENT**

September 2005 to December 2005

Franchise Sales, RE/MAX of California and Hawaii

Relocated to the California-Hawaii Region at Los Angeles...

- Drafted plan to market the franchise system inside the City of San Francisco;
- Shortly after relocating, regional director passed away and the region was sold;
- Returned to Chicago to run the Century 21 region.

■ **Sr. FRANCHISE SALES CONSULTANT**

February 2001 to September 2005

Franchise Sales, RE/MAX Central & Northern Ohio (Cleveland, Columbus and Toledo, OH)

Hired to combat "adverse" conditions in Cleveland, maintain strength in Columbus, and re-invigorate Toledo; directed the selection and placement of all new franchisees; marketed franchise systems via cold-calling to competing firms:

- Personally Sold **35** franchises in 1<sup>st</sup> four years while the region sold 66 franchises in same time -- a record in Ohio;
- Earned *Honorable Mention* and promoted after only 1 year, 2001;
- Honored *1<sup>st</sup> in Franchise Sales Revenue* and *2<sup>nd</sup> in Units Sold* in the U.S. COR regions, 2002;
- One of only five employees (5) nationwide to win all-expenses paid vacation (for 2) to Cabo San Lucas, Mexico, '04;

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**ACADEMIC STUDIES & PURSUITS**

*Re-Certified*, Integrity Selling®, Integrity Solutions Holding, LLC, Denver, CO, January 2015;

*Certified*, Take Back Your Life! (TBYL), Microsoft Outlook®, McGhee Productivity Solutions, Denver, CO, March 2014;

*Graduate*, Integrity Selling®, Integrity Solutions Holding, LLC, Las Vegas, NV, March 2013;

*M.A. Scholarship*, Department of History, WESTERN ILLINOIS UNIVERSITY & LOYOLA UNIVERSITY-CHICAGO, spring and fall 2012, respectively;

- Research within the COLD WAR era, the *American Civil War* and the *History of the American South*.

*Real Estate Licensee*, Chicago Association of REALTORS (CAR), 2000-2006, 2008;

*Certified Racer/Vintage*, American Historic Racing Members Association (AHRMA), 2004-2005;

*Certified*, Shackleton Leadership Training, Chicago, IL, August 2003;

*B.A.*, Classical Studies with double minors in English and History, UNIVERSITY OF ARIZONA, Tucson, AZ, 1996

- *National Honor Society in History*, Phi Alpha Theta, UA Foundation, retroactive from 1996, March 2012.
- *Old Main Member*, University of Arizona Alumni Association, since 1997
- *Booster*, Classics Department, University of Arizona, Spring 1995
  - Spearheaded recruitment of student body for academic tour of classical Italy, March 1995

*Real Estate Licensee*, Arizona Department of REAL ESTATE (ADRE), 1992-1996.

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**COMMUNITY COMMITMENTS AND CONTRIBUTIONS**

- *Contributor*, CPR, KUVU/KVJZ 88.1, Public Radio, *Cancion Mexicana*, Denver, CO 2014-Present;
- *Membership: President's Circle*, National Baseball Hall of Fame and Museum, Cooperstown, NY, 2014-
- *Contributor*, NET, 91.1 Public Radio, Inspire Nebraska, Lincoln, NE, 2013-14;
- *Intern-Curator*, *American Moments: The Legacy of Greek Immigration*, National Hellenic Museum, Chicago, IL, 2012;
- *Member*, National Trust for Historic Preservation, Washington, D.C., since 2012;
- *Contributor*, WTTW 11 Public Television, Chicago, 2007-2012;
- *Member Affiliate*, American Historical Association, Washington D.C., 2011-2012;
- *Intern-Oral Historian & Museum Member*, *Chicago at the Crossroads of the COLD WAR*, Studs Terkel Center for Oral History, Chicago Historical Society, Chicago, 2011-2012;
- *Volunteer Recruiter*, Parents & Alumni Working with Students (P.A.W.S), UNIVERSITY OF ARIZONA, Chicago, 2011-
- *Certified Docent*, Chicago Architecture Foundation Education Program, Chicago, IL, 2009
  - Graduate-level studies on the architectural and engineering discoveries of skyscrapers and their builders;
- *EXTRA Mile Member*, American Motorcycle Association (AMA), 2003-2005.

### PUBLIC HISTORY TOURS, CONFERENCES & PRESENTATIONS

- *Public History Tour*, Golden Spike National Historic Site Utah, Promontory, UT 15 August 2015;
- *Public History Tour*, World War II National Monument, *USS Arizona Memorial*, Honolulu, HI, December 2014;
- *2014 Induction Ceremony*, National Baseball Hall of Fame and Museum, Cooperstown, NY, 27 July 2014;
- *Public History Tour*, West Point Military Academy, West Point, NY, 26 July 2014;
- *Guided Public History Tour*, Mt. Rushmore National Memorial, Crazy Horse Memorial, and Custer State Park, Black Hills, SD, 04 July 2014;
- *Public History Tour*, Abraham Lincoln Presidential Library & Museum, Springfield, IL 28 November 2011;
- *Attendee*, "Indians of the Midwest, Past and Present," The Newberry Library *D'Arcy McNickle Center for American Indian and Indigenous Studies*, Chicago, 10 November 2011;
- *Public History Tour*, "38<sup>th</sup> Annual Historic Pullman Tour, Historic Pullman Foundation, 09 October 2011;
- *Guided Tour*, Vicksburg National Military Park, Vicksburg, MS, 02 May 2011
- *Public History Tour*, Mississippi Blues Trail and the Delta Blues Museum, Clarksdale, MS, 30 April 2011;
- *Public History Tour*, Mississippi River Museum, Mud Island, Memphis, TN, 29 April 2011
- *Public History Tour*, Fort Donelson National Battlefield, Dover, TN, 10 April 2010
- *Public History Tour*, National WW I Museum at Liberty Memorial, Kansas City, MO, June 2009;
- *Public History Tour*, Negro League Baseball Museum, Kansas City, MO, June 2009;
- *Graduate Seminar*, "Late Modernism, Post-Modernism & Contemporary," Harrington, Kevin, Ph.D., IIT, 11 April 2009;
- *Graduate Seminar*, "Origins & Facets of Modernism," Wittman, Tim, Chicago Architecture Foundation, 21 March 2009
- *Public History Tour*, "Millennium Park Revealed," Chicago Architecture Foundation (CAF), 28 November 2008;
- *Public History Tour*, National World War II Museum, New Orleans, 30 December 2006;
- *Public History Tour*, Elvis Presley Birthplace & Museum, Tupelo, MS, 29 December 2006;
- *Backstage Tour*, Ryman Auditorium, Nashville, TN, 28 December 2006;
- *Public History Tour*, Abraham Lincoln Birthplace & National Historic Site, Hodgenville, KY, 27 December 2006;
- *Public History Tour*, GRACELAND, Memphis, TN, 01 June 2006;
- *Public History Tour*, Sun Studio, Memphis, TN, 31 May 2006;
- *Conventioneer*, "Master Your MARKET! Build Your BUSINESS!" Moscone Center, San Francisco, CA, October 2005;
- *Public History Tour*, "Murder of a Prophet: Joseph Smith," Carthage Jail and Visitors' Center, Carthage, IL, 6 August '05;
- *Conventioneer*, "Seeking New Level," Convention Center, Orlando, FL, 5-8 November 2004;
- *Motorcycle Tour*, "Forts, Falls & Flight," Harley-Davidson Motor Company's Great Lakes Tour of Lake Ontario, Rochester, NY, July 2004;
- *Conventioneer*, "A World of Opportunities," Moscone Center, San Francisco, CA, 7-10 November 2003;
- *Public History Tour*, Harley-Davidson Museum, "100 Years of the Motor Company," Milwaukee, WI, July 2003;
- *Conventioneer*, "A New View in '02," Convention Center, New Orleans, LA, 8-11 November 2002;
- *Conventioneer*, "2001: Profiting from Innovation," McCormick Place, Chicago, IL, 2-5 November 2001;
- *Public History Tour*, Lewis & Clark National Historic Park, Astoria, OR, 18 November 1999
  - Study of winter encampment for the Corps of Discovery from December 1805 to March 1806, Ft. Clatsop;
- *Guided Tour*, Gettysburg National Military Park, Gettysburg, PA, 02 July 1997
  - In-depth study of *Pickett's Charge* ;
- *Public History Tour*, The Ronald Reagan Presidential Foundation & Library, June 1995;
- *Academic Tour*, "Gems of Italy," Roma, Italy, Spring Break 1995, 18-25 March
  - Toured the Roman Forum, *Sorrento, Isola Di Capri, Pompeii, Assisi, Firenze, Pisa & Venezia*;
- *Public History Tour*, Huntington Library, Art Collections and Botanical Gardens, San Marino, CA, Spring Break 1994;
- *Mine Tour*, Jerome Historical Society, Jerome, AZ, March 1992;
- *Walking Tour*, Stone Mountain, Georgia, September 1990
- *Military Navel Tour*, "Tiger Cruise 1990," USS Carl Vinson, CVN 70, United States Navy, 23-29 July 1990
  - Invited to cruise from Honolulu, HI to San Diego, CA, after passing FBI security check, by Lt. Commander, and X/O of the USS Carl Vinson, Tour of the Pacific 1990, Edward C. Ohlson, Jr. (RET)
  - Toured the bridge deck, flight deck, weapon bays, catapult mechanics, etc.
  - All flight ops were exercised and viewed;
- *Public History Tour*, Bodie State Historic Park, May 1987
- *Public History Tour*, J. Paul Getty Museum, Malibu, CA, July 1984;
- *Public History Tour*, Greenfield Village: The Henry Ford Museum, Dearborn, MI, March 1971;

# Application Form

Status: submitted

## Profile

Dear Oro Valley Citizen:

We appreciate your interest in the Town of Oro Valley. This informational form, when completed, will allow us to quickly process your application by assisting us in understanding how we can best use your talents and experience. Information reflecting the procedures surrounding the appointment process to Boards is attached below. Your application will remain on file for two years from the date of receipt. We thank you kindly for volunteering to serve the Town!

**Please note: No volunteer shall serve on more than one standing Board at any time.**

<u>JOSEPH</u>		<u>kane</u>	
First Name	Middle Initial	Last Name	Suffix

Email Address \_\_\_\_\_

Street Address _____	Suite or Apt _____
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<u>ORO VALLEY</u>	<u>AZ</u>	<u>85737</u>
City	State	Postal Code

**Oro Valley Resident**

Please select your residency status:

10

Number of years in Oro Valley (If less than 1 year, please state number of months)

<u>Home:</u>	<u>Home:</u>
Primary Phone	Alternate Phone

## Which Boards would you like to apply for?

Historic Preservation Commission

## Interests & Experiences

Please list your volunteer services in Oro Valley and with other organizations including any

**boards or commissions on which you have served : (board/commission , civic, educational, cultural, social, etc.)**

---

CURRENTLY PRESIDENT OF DESERT VISTA HOA. SERVED FOR THREE YEARS ON THE BOARD of DIRECTORS OF THE OLD PUEBLO ARCHAEOLOGY CENTER. PAST TEN YEARS A VOLUNTEER AT THE AMERIND FOUNDATION IN DRAGOON AZ.

**How does your previous volunteer service prepare you for the board or commission appointment for which you have applied? Please describe an issue considered at a meeting of the Board or Commission for which you are applying.**

---

ALL POSITIONS REQUIRE A NEED TO WORK TOGETHER WITH A DIVERSE CROSS SECTION OF PEOPLE IN ORDER TO ACCOMPLISH SET GOALS,

**Briefly describe your educational/vocational background.**

---

COLLEGE GRADUATE WITH A DEGREE IN ACCOUNTING.

Question applies to Conceptual Design Review Board.

**Please describe an issue or project you contributed to which related specifically to conceptual design?**

---

Question applies to Conceptual Design Review Board.

**Listed below are fields of professional experience required for four (4) members of the CDRB . If you have relevant experience, please check all that apply.**

---

- Art
- Architecture
- Planning
- Engineering
- Development
- Construction

Other Design Background

Question applies to Conceptual Design Review Board.

**For each selection you made above, please provide your years of experience and a generalized description of your professional design background in that area.**

---

**Have you attended the Community Academy or CPI?**

---

Yes  No

\_\_\_\_\_  
If yes, what year?

**If no, are you willing to attend?**

---

Yes  No

\_\_\_\_\_  
Upload a Resume

\_\_\_\_\_  
Please attach any additional documents here

Please read the information contained in Appendices "B" and "C" of the Parliamentary Rules and Procedures before continuing.

[Appendix "B" - Appointment Process](#)

[Appendix "C" - Volunteer Consideration](#)

**Please Agree with the Following Statement**

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**By clicking this box, I certify that I have read the information contained in Appendices "B" and "C" of the Parliamentary Rules and Procedures.**

---

I Agree \*



**Town Council Regular Session**

**Item # 1.**

**Meeting Date:** 01/20/2016

**Requested by:** Gary Bridget      **Submitted By:** Gary Bridget, Human Resources

**Department:** Human Resources

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**Information**

**SUBJECT:**

RESOLUTION NO. (R)16-04, APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE TOWN OF ORO VALLEY AND THE GOLDER RANCH FIRE DISTRICT (GRFD) FOR THE USE OF THE EMPLOYEE HEALTH CLINIC BY GRFD EMPLOYEES AND DEPENDENTS PARTICIPATING IN A GRFD HEALTHCARE PLAN

**RECOMMENDATION:**

Staff recommends that the Intergovernmental Agreement (IGA) between the Town of Oro Valley and the Golder Ranch Fire District for the use of the Employee Health Clinic by the Golder Ranch Fire District be approved as written.

**EXECUTIVE SUMMARY:**

The Town of Oro Valley Employee Health Clinic is made available free of charge to Town employees and their dependents participating in a Town-sponsored healthcare plan. Under the current contract with Health Care Solutions, the facility offers the services of a Family Nurse Practitioner (FNP) two days per week and a Licensed Practical Nurse (LPN) one day per week.

The Golder Ranch Fire District (GRFD) has expressed interest in partnering with the Town of Oro Valley in expanding Health Clinic availability to accommodate their eligible employees and dependents. There is capacity to add the GRFD employees and dependents by adding an additional FNP day to the week. The cost of the additional FNP day will be fully borne by GRFD via the IGA, resulting in no additional cost to the Town. The annual administrative fee will be shared, thereby relieving the Town of the full burden.

The IGA will benefit Town employees due to the addition of another FNP day, and will also benefit our partners at GRFD by providing a cost effective healthcare alternative for their eligible employees and dependents.

The IGA will go before the GRFD Board of Directors for consideration on February 10, 2016.

**BACKGROUND OR DETAILED INFORMATION:**

Under the current contract with Health Care Solutions (HCS), the Town of Oro Valley pays \$10,182 dollars per month to provide healthcare services via the Employee Health Clinic. This monthly fee includes two FNP days, one LPN day, supplies and administrative fees.

GRFD has less than half of the potential volume of the Town's employees with their 170 employees and 377 dependents. By adding a FNP day to support GRFD employees and dependents, the Town increases the capacity of the clinic by 50% at no additional cost. Furthermore, the cost of supplies will be shared with GRFD rather than the Town having to shoulder the full burden in providing medical expendables.

**FISCAL IMPACT:**

There is no additional cost to the Town of Oro Valley. There will be some savings to the Town at approximately \$9,000 annually as the administrative costs of the Health Clinic will be shared with GRFD.

**SUGGESTED MOTION:**

I MOVE to (approve/deny) Resolution No. (R)16-04, approving the IGA between the Town of Oro Valley and Golder Ranch Fire District for the use of the Health Clinic by Golder Ranch Fire District employees and dependents.

---

**Attachments**

(R)16-04 GRFD Health Clinic

IGA with GRFD for Clinic

---

**RESOLUTION NO. (R)16-04**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, AUTHORIZING AND APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE TOWN OF ORO VALLEY AND GOLDER RANCH FIRE DISTRICT TO ALLOW THE USE OF THE TOWN'S HEALTH CLINIC**

**WHEREAS**, pursuant to A.R.S. § 11-952, the Town of Oro Valley is authorized to enter into or renew agreements for joint and cooperative action with other public agencies; and

**WHEREAS**, Golder Ranch Fire District ("District") desires to use the Town's Health Clinic to benefit their employee and dependents who participate in a District sponsored healthcare insurance plan; and

**WHEREAS**, The Town desires to allow the District to use the Town's Health Clinic; and

**WHEREAS**, it is in the best interest of the Town of Oro Valley approve the IGA between the Town and Golder Ranch Fire District for the District's use of the Town's Health Clinic.

**NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Oro Valley, Arizona that:**

1. The Intergovernmental Agreement between the Town of Oro Valley and Golder Ranch Fire District, attached hereto as Exhibit "A", for the use of the Town's Health Clinic is hereby authorized and approved.
2. The Mayor and other administrative officials are hereby authorized to take such steps as necessary to execute and implement the terms of the Amendment.

**PASSED AND ADOPTED** by the Mayor and Council of the Town of Oro Valley, Arizona, this 20<sup>th</sup> day of January, 2016.

**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”

**INTERGOVERNMENTAL AGREEMENT  
BY AND BETWEEN  
TOWN OF ORO VALLEY  
AND  
GOLDER RANCH FIRE DISTRICT**

This Intergovernmental Agreement (“Agreement”) is entered into pursuant to Arizona Revised Statutes, § 11-951, between the TOWN OF ORO VALLEY, a municipal corporation and political subdivision of the State of Arizona, hereinafter referred to as the “TOWN,” and GOLDER RANCH FIRE DISTRICT, an Arizona fire district, hereinafter referred to as the “DISTRICT.”

**Recitals**

**WHEREAS**, the Town and the District may contract for services and enter into agreements with one another for joint or cooperative action pursuant to A.R.S. §11-951, *et. seq*; and

**WHEREAS**, as part of its Health and Wellness program, the Town currently contracts with Health Care Solutions, L.L.C. for the operation of the Town’s Health Clinic, currently staffed by a family nurse practitioner and a licensed practical nurse providing certain services to Town employees and their dependents participating in a Town sponsored healthcare insurance plan (the “Health Clinic”); and

**WHEREAS**, the District is familiar with the Health Clinic and the services offered by the Health Clinic and the benefits of extending Health Clinic benefits to employees and their dependents participating in a District sponsored healthcare insurance plan; and

**WHEREAS**, the Town and the District recognize the District’s use of the Health Clinic as an opportunity for mutually beneficial cost-sharing and increased efficiency in operations; and

**WHEREAS**, the District desires to use the Town’s Health Clinic upon the terms and conditions set forth in this Agreement; and

**WHEREAS**, the Town desires to allow the District to use the Town’s Health Clinic upon the terms and conditions set forth in this Agreement.

**NOW THEREFORE**, the Town and the District, in consideration of these covenants and conditions hereinafter stated, and the faithful performance thereof, do mutually agree as follows:

## **Section I. Purpose**

The forgoing recitals are hereby incorporated into this Agreement in their entirety.

The purpose of this Agreement is to set forth in writing the agreement between the Town and the District for shared use of the Town's Health Clinic.

### **A. Town's Responsibilities:**

1. The Town shall allow the use of the Health Clinic by the District's employees and dependents participating in a District sponsored healthcare insurance plan.

### **B. District Responsibilities:**

1. The District shall make payment directly to Health Care Solutions as set forth on the attached Exhibit A incorporated into this Agreement by reference. The fees may be amended by Health Care Solutions upon annual renewal.

## **Section II. Term**

The term shall commence upon execution by both the Town and District, and the Agreement shall end on the 30<sup>th</sup> day of June, 2016 to coincide with the end of the District's fiscal year. Following the initial term of the Agreement, the Town and District may renew and extend this Agreement for additional annual terms.

## **Section III. Manner of Financing**

The Town and the District each represent and warrant they have sufficient funds in the current fiscal year operating budget to fund their respective obligations under this Agreement.

## **Section IV. Termination**

The Parties hereby agree to the full performance of the covenants contained herein, and the Parties reserve the right to terminate or abandon the service provided for in this Agreement as follows:

- A. Either Party may terminate this Agreement upon thirty (30) days written notice to the other Party.
- B. Notwithstanding any other provisions in this Agreement, this Agreement may be terminated with or without notice if the District does not appropriate sufficient funds for the purpose of maintaining this Agreement.
- C. In the event the Town shall terminate the service or any part of the services as herein provided, the Town shall notify the District in writing and immediately after receiving such notice, the District shall cease the services as provided in the Agreement.
- D. In any dispute concerning a question or interpretation or fact in connection with this Agreement, the Town shall make the final determination unless the District requests

arbitration pursuant to ARS § 12-1501 et seq. (Uniform Rules of Procedure for Arbitration).

### **Section V. Reciprocal Indemnification**

Each Party shall indemnify, defend, and hold harmless every other Party, their governing bodies and their officers, volunteers, employees and agents from and against any and all suits, claims, or damages of any kind, including defense costs, attorney's fees, and expenses, arising out of this Agreement which are alleged to arise out of or are attributable to any act or omission of that Party, its governing body, officers, volunteers, employees, and agents.

### **Section VI. Insurance Coverage**

The Town and District each confirm insurance coverage upon request by the other party.

### **Section VII. Documents**

Upon termination or abandonment, the Parties shall deliver to the other Party all documents or special provisions as supplied by the other Party.

### **Section VIII. Notice**

*To the TOWN:*

Town of Oro Valley  
Attention: Town Manager  
11000 North La Canada Drive  
Oro Valley, AZ 85737

*To the District:*

Golder Ranch Fire District  
Attention: Fire Chief  
3885 East Golder Ranch Drive  
Tucson, AZ 85739

### **Section IX. Conflict of Interest**

This Agreement is subject to the provisions of A.R.S. § 38-511 which provides in pertinent part that the state, its political subdivisions or any department of either may, within three years after its execution, cancel any contract, without penalty or further obligation, made by the state, its political subdivisions, or any of the departments or agencies of either if any person significantly involved in initiating, negotiating, securing, drafting or creating the Agreement on behalf of the state, its political subdivisions or any of the departments or agencies of either is, at any time, while the Agreement or any extension of the Agreement is in effect, an employee or agent of any other party to the Agreement in any capacity or a Contractor to any other party to the Agreement with respect to the subject matter of the Agreement.

### **Section X. Non-Waiver**

The failure of either Party to insist upon the complete performance of any of the terms and provisions of this Agreement to be performed on the part of the other, or to take any action permitted as a result thereof, shall not constitute a waiver or relinquishment of the right to insist upon full and complete performance of the same, or any other covenant or condition, either in the past or in the future.

### **Section XI. Reserved**

### **Section XII. Independent Parties**

Each Party is performing its duties hereunder independently, and not as an agent or employee of the other Party, and is supplying its own employees, maintaining its own insurance and handling all of its own internal accounting. Neither party to this Agreement controls, directs or has any direct responsibility for the actions of the other party, its officers, agents, or employees.

### **Section XIII. Reserved**

### **Section XIV. Applicable Law**

The Parties to this Agreement shall comply with all federal, state, and local laws, rules, regulations, standards and Executive Orders, without limitation to those designated within this Agreement. This Agreement shall be governed by Arizona law and venue shall be in Pima County, Arizona.

### **Section XV. Compliance with Civil Rights**

- A. Non-Discrimination. The Parties shall not discriminate against any employee, client or any other individual in any way because of race, age, creed, color, religion, sex, handicap or national origin in the course of carrying out the covenants of the Agreement. The Parties agree to comply with the provisions of the Arizona Executive Order 75-5.
- B. Americans with Disabilities Act. The Parties shall comply with all applicable provisions of the Americans with Disabilities Act (Public Law 101-336, 42 U.S.C. 12101-12213) and all applicable federal regulations under the Act, including 28 CFR Parts 35 and 36.
- C. Equal Employment Opportunity. In connection with the execution of this Agreement, the Parties shall not discriminate against any employee or applicant for employment because of race, religion, color, sex, or national origin. Such actions shall include, but not be limited to, the following: employment, promotion, upgrading, demotion or transfer, recruitment or recruitment advertising; layoff or termination; rate of pay or other forms of compensation; and selection for training, including apprenticeship.

- D. Reserved.
- E. Immigration Reform and Control Act of 1986. The Parties shall further be responsible for compliance with the United States Immigration Reform and Control Act of 1986.

### **Section XVI. Miscellaneous Provisions**

- A. Execution. The parties represent and warrant that this Agreement was approved in an open session and that the person or persons executing this Agreement on behalf of the party is authorized to do so.
- B. Jurisdiction. The parties stipulate that this Agreement has been made and entered into, and shall be construed, enforced, and governed by the laws of the State of Arizona, and any action to enforce the same shall be brought only in courts in the State of Arizona.
- C. Headings. The titles or headings used in this Agreement are for general reference only and are not a part of the Agreement.
- D. Entire Contract. This is the entire Agreement between the Parties. If any portion of this Agreement is later found to be invalid or unenforceable, such portion shall be null and void and without any effect on the rest of the Agreement, which shall continue in full force and effect. This Agreement may be altered only by a duly executed Agreement.
- E. Litigation. If the parties litigate any portion of this Agreement, the unsuccessful Party will reimburse the successful party for all legal costs and fees incurred as a result of the litigation (including preparation).
- F. Reserved.
- G. Assignment. Any assignment or attempted assignment of this Agreement by either Party without the prior written consent of the other Party shall be void.
- H. Severability. The provisions of this Agreement are severable to the extent that any provision or application held to be invalid shall not affect any other provision or application of the Agreement, which may remain in effect without the invalid provision or application.
- I. Full Force. Any provision of this Agreement held to violate any law shall be deemed void, and all remaining provisions shall continue in full force and effect.
- J. Waiver. The waiver of any term, condition, or covenant, or breach of any term, condition, shall not constitute the waiver of any subsequent breach of any other term, condition, or covenant.

- K. Force Majeure. The Parties shall not be liable for the failure to wholly perform the covenants required by this Agreement if such failure is caused by a catastrophe, riot, war, act of God, or an accident not attributable to negligence or carelessness by either Party or similar contingency beyond the control of either Party.

**IN WITNESS WHEREOF** the Parties, by their respective officers duly authorized, have executed this Agreement.

**TOWN OF ORO VALLEY**

**GOLDER RANCH FIRE DISTRICT**

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
BOARD CHAIRPERSON

**ATTEST:**

**ATTEST:**

\_\_\_\_\_  
TOWN CLERK

\_\_\_\_\_  
CLERK

This Intergovernmental Agreement which is a contract between public agencies has been reviewed pursuant to Arizona Revised Statute § 11-952 by the undersigned attorneys who have determined that it is in proper form and is within the powers and authority granted under the laws of the State of Arizona.

**APPROVED AS TO FORM:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
TOWN ATTORNEY

\_\_\_\_\_  
ATTORNEY

## Exhibit A

### Schedule of Fees

Administrative Fee:	\$9,000 per year
Additional Clinical Day:	<u>\$43,260</u> per year
<b>Total:</b>	<b>\$52,260 per year</b>



## Town Council Regular Session

Item # **2.**

**Meeting Date:** 01/20/2016  
**Requested by:** Bayer Vella  
**Submitted By:** Robert Kirschmann  
Development Infrastructure Services  
**Department:** Development Infrastructure Services

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### Information

#### **SUBJECT:**

PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION ON A REQUEST FOR A CONDITIONAL USE PERMIT TO ALLOW THE INSTALLATION OF AN OVERHEAD CABLE LINE LOCATED ON THE NORTH SIDE OF INA ROAD BETWEEN PASEO DEL NORTE AND ORACLE ROAD

#### **RECOMMENDATION:**

The Planning and Zoning Commission recommends approval.

#### **EXECUTIVE SUMMARY:**

The purpose of this request is to consider a Conditional Use Permit (CUP) to install approximately 1,130 feet of cable line on existing utility poles on the north side of Ina Road, between Paseo del Norte and Oracle Road (Attachment 1). The proposed cable line is intended to provide phone and internet services to future users in the vicinity. The applicant's submittal is provided as Attachment 2.

The Zoning Code requires applicants to obtain a CUP prior to installation of new overhead utility wires. A CUP requires recommendation by the Planning and Zoning Commission and a final decision by Town Council. On August 4, 2015, the Planning and Zoning Commission recommended approval of the request to Town Council.

#### **BACKGROUND OR DETAILED INFORMATION:**

The applicant proposes to install 1,130 feet of new overhead cable line on existing utility poles on the north side of Ina Road, between Paseo del Norte and Oracle Road. The existing utility poles are approximately 50 feet in height and contain seven (7) existing utility lines serving the area. Specific project details include:

##### Proposed Improvements

- 1,130 feet of new overhead cable line
- ½" thick cable
- Cable line approximately 25' above grade
- 1' above existing cable line

##### Previous Approvals

- Town Council approved a similar request in the same location on July 1, 2015

##### Zoning

The zoning for the area is depicted in Attachment 3 and summarized below:

- North: Tohono Chul Park Planned Area Development (PAD)
- East: Commercial District (C-2)
- South (Pima County): Single Residence (CR-1)
- West (Pima County): Single Residence (CR-1)
- Southeast (Pima County): Local Business (CB-1)

#### Review Criteria

The application was reviewed utilizing the policies established by the General Plan, Zoning Code, and Conditional Use Permit criteria. The overarching goal of the review criteria is to ensure the project is reviewed for aesthetics, compatibility and safety.

A key objective expressed in the Zoning Code is to ensure that new utility lines do not obstruct views and are placed underground where appropriate. Given that the lines and poles are pre-existing and the views of the Catalina Mountains will not be substantially diminished, this objective is satisfied. A detailed Zoning Code analysis is provided in Attachment 4 and a detailed Conditional Use Permit analysis is provided in Attachment 5.

#### Public Participation

Notice to the public was provided consistent with Town-adopted noticing procedures, which included the following:

- Letter to all property owners within 600 feet
- Posting at Town Hall
- All registered HOAs

A neighborhood meeting was held on July 8, 2015, with no residents in attendance. To date, no comments or concerns have been received.

#### Planning and Zoning Commission Action

The request was considered by the Planning and Zoning Commission at the August 4, 2015 meeting. No members of the public spoke in regard to the request. The Planning and Zoning Commission recommended approval of the request, finding that the proposal satisfies the General Plan, Zoning Code and Conditional Use Permit review criteria. The Planning and Zoning Commission staff report and minutes are provided as Attachments 6 and 7, respectively.

#### **FISCAL IMPACT:**

N/A

#### **SUGGESTED MOTION:**

I MOVE to approve the Conditional Use Permit to install the proposed cable line based on the finding that the proposal is consistent with the General Plan, Zoning Code, and Conditional Use Permit review criteria.

OR

I MOVE to deny the Conditional Use Permit to install the proposed cable line, based on the finding that

\_\_\_\_\_.

---

#### **Attachments**

Location Map

Applicant's Submittal

Zoning Map

Zoning Code Analysis

Conditional Use Permit Criteria Analysis

Planning and Zoning Commission Staff Report

Planning and Zoning Commission Minutes

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— Cable Line — Town Boundary



# LOCATION MAP

ZAYO GROUP (OV1500812)



**TOWN OF ORO VALLEY**  
**DEVELOPMENT & INFRASTRUCTURE SERVICES DEPARTMENT**  
 11000 N. LA CANADA DRIVE, ORO VALLEY, AZ. 85737  
 PHONE: (520) 229-4800 FAX: (520) 742-1022  
[www.orovalleyaz.gov/dis](http://www.orovalleyaz.gov/dis)

**1.2 GENERAL APPLICATION FORM**

Office Use Only
OV Case #: _____

*OV 1500812*

**Application Type:**

- |  |  |
|--|--|
| <input type="checkbox"/> Major General Plan Amendment      | <input type="checkbox"/> Final Plat                                  |
| <input type="checkbox"/> Rezoning/PAD Amendment            | <input type="checkbox"/> Pre-Application                             |
| <input type="checkbox"/> Planned Area Development          | <input type="checkbox"/> Zoning Verification                         |
| <input checked="" type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Sign Criteria                               |
| <input type="checkbox"/> Zoning Code Amendment             | <input type="checkbox"/> Sign - PAD Exemption                        |
| <input type="checkbox"/> Conceptual Site Plan              | <input type="checkbox"/> Master Sign Program                         |
| <input type="checkbox"/> Conceptual Public Art             | <input type="checkbox"/> Communication Facility – Tier 1 and 2 Minor |
| <input type="checkbox"/> Conceptual Architecture           | <input type="checkbox"/> Communication Facility – Major              |
| <input type="checkbox"/> Final Site Plan                   | <input type="checkbox"/> Revised Development Plan                    |
| <input type="checkbox"/> Conceptual Landscape Plan         | <input type="checkbox"/> Other _____                                 |

**Subject Property Information:**

Address: 7366 North Paseo Del Norte, Tucson, AZ 85704 Parcel/Tax Code: 1060  
 Subdivision / Commercial Center Name: \_\_\_\_\_  
 Book / Page or Sequence Number: \_\_\_\_\_ Lot Number(s) 225-14-237D  
 Legal Description: \_\_\_\_\_  
 Section/Township/Range: T12S R13E 35SW, SE; T13S R13E 2NW, NE Area of Property: \_\_\_\_\_  
 Existing Land Use: MIXED Proposed Land Use: Aerial fiber optic installation in Right of Way

**Applicant Information:**

\* If more than one, attach list

**Applicant \*:**

Name: Michael Waites Firm: Zayo Group LLC.  
 Address: 9830 South 51st Street, Suite A-124 City: Phoenix State: AZ Zip: 85044  
 Telephone: 520-709-5920 Fax: \_\_\_\_\_ Email: michael.waites@zayo.com

**Property Owner(s) if different from Applicant \*:**

Name: \_\_\_\_\_ Firm: \_\_\_\_\_  
 Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

**Consultant:** \_\_\_\_\_ (Discipline)

Name: \_\_\_\_\_ Firm: \_\_\_\_\_  
 Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

**Project Description/Narrative:**

Placement of approx 1,129' of aerial fiber optic line from intersection of North Paseo Del Norte & West Ina Road to North Via Ponte & West Ina Road.

Case #OV115-026

I hereby certify that I have read and examined this application and know the same to be true and correct. I am the owner of the property or the Owner's authorized representative, and if not the owner, I have obtained the owner's permission to perform stated work. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The approval of this application does not presume to give authority to violate or cancel the provisions of any other federal, state or local law for which this project may be subject to.

**Notice:** It is the applicant/owner's responsibility to ensure all private rules and regulations (such as Covenants, Conditions & Restrictions (CC&R's)) of the subdivision and/or commercial center are adhered to. Contact your Home Owners Association or property management to determine applicable requirements.

It is also the applicant's responsibility to coordinate with all outside agencies to secure their acceptance or clearance. Failure to do so may delay issuance of permits. See attached list of agencies.

	Michael Waites	7/9/15
Applicant's Signature	Print Name	Date

**Important Note: All submittals received after 4:00 p.m. will be processed the next day**

**Submittals will be rejected if:**

- Not folded using Pima County fold & collated;
- There are missing items on the checklist unless otherwise approved by Planning Division Manager or Town Engineer.
- Re-submittals cannot be accepted without a transmittal and a written narrative summary describing the purpose of submittal.



## 4.0 SUPPLEMENTARY DOCUMENTS

### 4.1 ADDITIONAL NOTIFICATION

In addition to the Town of Oro Valley (the "Town"), there may be other jurisdictions affecting development of this property. If a property developer waits until late in the development process to contact other pertinent governmental agencies or bodies, additional expense and time in coordination, redesign and development may be a result. Examples of other governmental agencies and/or bodies that may have overlapping jurisdiction over this property include but are not limited to the following:

**Federal:** The United States Department of the Interior, Fish and Wildlife Service is responsible for Endangered Species Act compliance, etc. Please note, habitat has been designated with the Town.

U.S Fish and Wildlife Field Division  
2321 W. Royal Palm Rd., Suite 103  
Phoenix, AZ 85021-4951  
Phone (602) 640-2720 Fax (602) 620-2730

The United States Corps of Engineers: This agency is responsible for management of jurisdictional waters, etc. Section 404 consultations may be required on properties that contain washes.

U.S. Army Corps of Engineers  
5205 E. Comanche  
Davis Monthan AFB  
Tucson, AZ 85707  
Phone (520) 584-4486 Fax (520) 584-4497

**State:** Arizona Department of Environmental Quality: This agency has multiple responsibilities. Please contact directly for further information.

ADEQ  
1110 W. Washington Street  
Phoenix, AZ 85007  
(602) 771-2300

**County:** Pima County Department of Environmental Quality: This agency has multiple responsibilities. Please contact directly for further information.

PDEQ  
201 N. Stone Avenue, 2<sup>nd</sup> Floor  
Tucson, AZ 85701  
(520) 740-6520

Please be advised, issuance of a permit **DOES NOT**, nor should it be construed, to imply compliance with Federal, State or County regulations. If you have any questions concerning your responsibilities under federal law, please contact the applicable agency.

APPLICANT NAME: Michael Waites  
CONTACT PHONE AND ADDRESS: 9830 South 51st Street, Suite A-124, Phoenix, Arizona. 520-709-5920  
SITE LOCATION: North Paseo Del Norte & North Oracle Road  
PROPOSED USE: Aerial Fiber Optic cable onto existing utility poles.

Applicant Signature \_\_\_\_\_ Date \_\_\_\_\_

Case/File Number OV115-026

## Oro Valley – West Ina Road Aerial Fiber

### Project (015A) – E11463 Fact Sheet

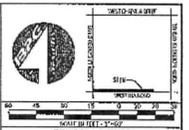
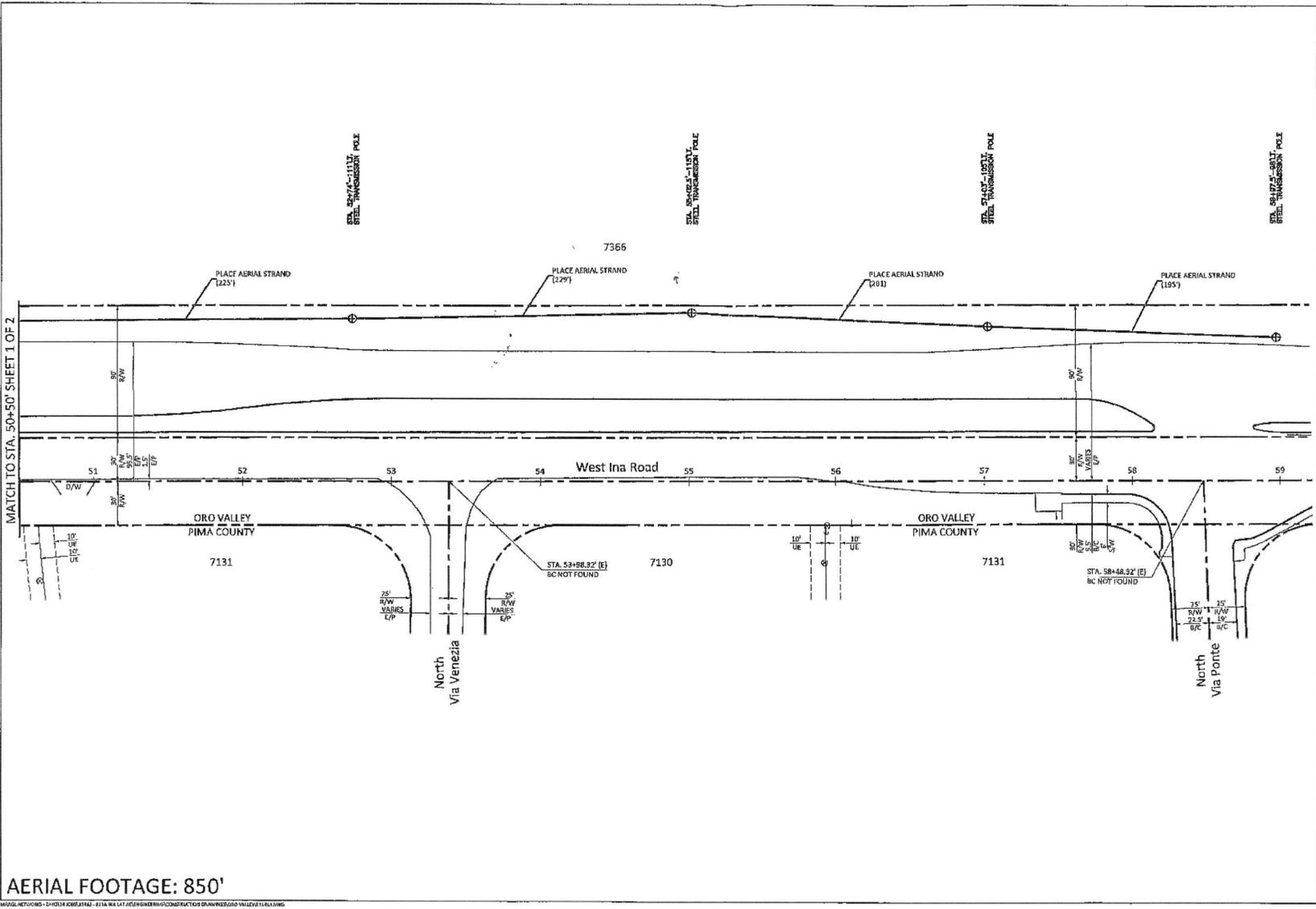
- Aerial placement of approximately 1,129 feet of fiber optic cable along West Ina Road.
- Placement will take place between North Paseo Del Norte and North Oracle Road (Arizona Highway 77) & will continue onto Pima County.
- This project will utilize the presence of existing utility poles, resulting in a low impact and swift installation.
- A traffic control plan & safety plan has been created to safely route commuters around the affected area.
  - The plans will keep drivers, bicyclists, as well as construction workers safe during this time and will have limited/low impact for commuters.
  - The plans will also control the threat of any potential hazards that may occur.
- Estimated time for entire project: 2 Days.



\*Shaded area in light blue indicates approx. Oro Valley limits

\*\*Blue line indicates projected route





- GENERAL NOTES**
1. ALL INFORMATION ON THIS DRAWING IS BASED ON THE RECORD PLANS AND SURVEY DATA PROVIDED BY THE CLIENT. THE ENGINEER HAS CONDUCTED VISUAL GENERAL VERIFICATION OF THE INFORMATION PROVIDED.
  2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
  3. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AND UTILITIES AT ALL TIMES.
  4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES.
  5. THE CONTRACTOR SHALL MAINTAIN ADEQUATE EROSION CONTROL MEASURES THROUGHOUT CONSTRUCTION.
  6. THE CONTRACTOR SHALL MAINTAIN ADEQUATE DRAINAGE SYSTEMS THROUGHOUT CONSTRUCTION.
  7. THE CONTRACTOR SHALL MAINTAIN ADEQUATE SAFETY MEASURES THROUGHOUT CONSTRUCTION.
  8. THE CONTRACTOR SHALL MAINTAIN ADEQUATE RECORDING AND DOCUMENTATION THROUGHOUT CONSTRUCTION.
  9. THE CONTRACTOR SHALL MAINTAIN ADEQUATE COMMUNICATIONS THROUGHOUT CONSTRUCTION.
  10. THE CONTRACTOR SHALL MAINTAIN ADEQUATE RECORDING AND DOCUMENTATION THROUGHOUT CONSTRUCTION.
  11. THE CONTRACTOR SHALL MAINTAIN ADEQUATE COMMUNICATIONS THROUGHOUT CONSTRUCTION.

**NOTICE TO PLANNERS:**  
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AND UTILITIES AT ALL TIMES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES. THE CONTRACTOR SHALL MAINTAIN ADEQUATE EROSION CONTROL MEASURES THROUGHOUT CONSTRUCTION. THE CONTRACTOR SHALL MAINTAIN ADEQUATE DRAINAGE SYSTEMS THROUGHOUT CONSTRUCTION. THE CONTRACTOR SHALL MAINTAIN ADEQUATE SAFETY MEASURES THROUGHOUT CONSTRUCTION. THE CONTRACTOR SHALL MAINTAIN ADEQUATE RECORDING AND DOCUMENTATION THROUGHOUT CONSTRUCTION. THE CONTRACTOR SHALL MAINTAIN ADEQUATE COMMUNICATIONS THROUGHOUT CONSTRUCTION.



**LEGEND**

SYMBOL	DESCRIPTION	SYMBOL	DESCRIPTION
(Symbol)	10' U/L	(Symbol)	10' U/L
(Symbol)	20' U/L	(Symbol)	20' U/L
(Symbol)	30' U/L	(Symbol)	30' U/L
(Symbol)	40' U/L	(Symbol)	40' U/L
(Symbol)	50' U/L	(Symbol)	50' U/L
(Symbol)	60' U/L	(Symbol)	60' U/L
(Symbol)	70' U/L	(Symbol)	70' U/L
(Symbol)	80' U/L	(Symbol)	80' U/L
(Symbol)	90' U/L	(Symbol)	90' U/L
(Symbol)	100' U/L	(Symbol)	100' U/L
(Symbol)	110' U/L	(Symbol)	110' U/L
(Symbol)	120' U/L	(Symbol)	120' U/L
(Symbol)	130' U/L	(Symbol)	130' U/L
(Symbol)	140' U/L	(Symbol)	140' U/L
(Symbol)	150' U/L	(Symbol)	150' U/L
(Symbol)	160' U/L	(Symbol)	160' U/L
(Symbol)	170' U/L	(Symbol)	170' U/L
(Symbol)	180' U/L	(Symbol)	180' U/L
(Symbol)	190' U/L	(Symbol)	190' U/L
(Symbol)	200' U/L	(Symbol)	200' U/L
(Symbol)	210' U/L	(Symbol)	210' U/L
(Symbol)	220' U/L	(Symbol)	220' U/L
(Symbol)	230' U/L	(Symbol)	230' U/L
(Symbol)	240' U/L	(Symbol)	240' U/L
(Symbol)	250' U/L	(Symbol)	250' U/L
(Symbol)	260' U/L	(Symbol)	260' U/L
(Symbol)	270' U/L	(Symbol)	270' U/L
(Symbol)	280' U/L	(Symbol)	280' U/L
(Symbol)	290' U/L	(Symbol)	290' U/L
(Symbol)	300' U/L	(Symbol)	300' U/L
(Symbol)	310' U/L	(Symbol)	310' U/L
(Symbol)	320' U/L	(Symbol)	320' U/L
(Symbol)	330' U/L	(Symbol)	330' U/L
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(Symbol)	430' U/L	(Symbol)	430' U/L
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(Symbol)	450' U/L	(Symbol)	450' U/L
(Symbol)	460' U/L	(Symbol)	460' U/L
(Symbol)	470' U/L	(Symbol)	470' U/L
(Symbol)	480' U/L	(Symbol)	480' U/L
(Symbol)	490' U/L	(Symbol)	490' U/L
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**UTILITY RESEARCH**

UTILITY	DATE	BY	RESULTS
WATER	5/15/15	J. SMITH	NO UTILITY DETECTED
SEWER	5/15/15	J. SMITH	NO UTILITY DETECTED
ELECTRIC	5/15/15	J. SMITH	NO UTILITY DETECTED
TELEPHONE	5/15/15	J. SMITH	NO UTILITY DETECTED
CABLE	5/15/15	J. SMITH	NO UTILITY DETECTED
OTHER	5/15/15	J. SMITH	NO UTILITY DETECTED

**PERMITS FOOTING**

PERMIT	DATE	BY	RESULTS
CONSTRUCTION	5/15/15	J. SMITH	NO PERMIT REQUIRED
UTILITY	5/15/15	J. SMITH	NO PERMIT REQUIRED
OTHER	5/15/15	J. SMITH	NO PERMIT REQUIRED

**zayo GROUP**

015A Ina Lat AE  
 7366 North Paseo Del Norte

DATE	BY	REVISIONS
5/15/15	J. SMITH	ISSUED FOR PERMIT

OWNERS: [Name]  
 ENGINEER: [Name]  
 SURVEYOR: [Name]

AERIAL FOOTAGE: 850'

MAZLNCTY0080 - 24024 K00101002 - 015A Ina Lat AE ENGINEERING CONSTRUCTION DRAWINGS AND PLANS



— Cable Line    — Town Boundary



# ZONING MAP

ZAYO GROUP (OV1500812)

## Attachment 4

### Zoning Code Analysis

The Zoning Code section 25.1.N.2 states the primary consideration shall be aesthetics with the following factors also considered shown in *italics*, followed by staff commentary:

*Zoning Code 25.1.N.2.b.i.: The location and height of such poles and wires and the relation to the present or potential roads;*

- There are no new poles installed with the proposed new cable line. The cable will be attached to existing poles which are located in the right-of-way on Ina Road outside of the paved road as shown in Attachment 1.

*Zoning Code 25.1.N.2.b.ii. The crossing of such lines over much traveled highways and streets;*

- The line will cross over Paseo Del Norte, Northern Ave and eastward over Oracle Road, similar to other existing cables on existing poles at 25' from the ground.

*Zoning Code 25.1.N.2.iii.: Proximity of such lines to schools, religious institutions and other places where people may congregate;*

- The proposed cable line is not near any schools or religious institutions as it is proposed through this section of Oro Valley. The existing poles where the proposed cable line will be installed follows the southern property line of the Tohono Chul Park and will be approximately 60 feet away from the nearest trails in the park.

*Zoning Code 25.1.N.2.iv.: Fire or other accidental hazards from the presence of such poles and wires and the effect, if any, of the same upon the effectiveness of firefighting equipment;*

- The applicant states a minor amount of electricity flows through the cable line.

*Zoning Code 25.1.N.2.v.: The availability of a suitable right-of-way installation;*

- The existing right-of-way provides adequate space for installation and the Town will ensure the applicant uses prescribed traffic safety measures during installation.

*Zoning Code 25.1.N.2.b.vi.: Future conditions which may be reasonably anticipated in the area in view of a normal course of development;*

- If the existing utility poles were required to be relocated due to future road projects, it would be the applicants responsibility to arrange to move the line onto new poles. The Town would assume no costs for the relocation.

*Zoning Code 25.1.N.2.bvii.: The type of terrain;*

- The area where the cable will be attached to existing poles is relatively flat and does not pose any type of challenges to the proposed installation.

*Zoning Code 25.1.N.2.b viii: The practicality and feasibility of underground installation of such poles and wires with the due regard for the comparative costs between underground and over ground installations (provided, however, that a mere showing that an underground installation shall cost more than an over ground installation shall not, in itself, necessarily require issuance of a permit);*

- The applicant states that cost of the proposed overhead work is approximately \$5,839.75 and the estimated costs to install the cable underground would be \$50,419.25. Installing this one section of cable line underground would be inconsistent with the overall project for the area.

*Zoning Code 25.1.N.2.c.: In the event such poles and wires are for the sole purpose of carrying electricity or power or for transmitting of telephone, telegraph, or television communication through or beyond the Town's boundaries or from one major facility to another, the practicality or feasibility of alternative or other routes shall also be considered.*

- This 1,130 foot section of line is a small part of an overall larger project that travels several miles through Pima County and continues past the Oro Valley Town limits to a facility in Pima County east of Oracle Road. The applicant states this is the best route for the new line, since the poles where this 1,130 foot section of line is proposed are already in place.

## Attachment 5

### Conditional Use Permit Criteria

The Conditional Use Permit Review Criteria contained in Section 22.5 provide the primary guidance for evaluating conditional uses. CUP's may be granted based on consideration of the following criteria shown in *italics*, followed by staff commentary:

*That the granting of such conditional use permit will not be materially detrimental to public health, safety, or welfare. In arriving at this determination, the factors which shall be considered shall include the following:*

*Damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination;*

The proposed cable line does not create noise, smoke, odor, dust, vibration or illumination.

*Hazard to persons and property from possible explosion, contamination, fire or flood;*

The proposed cable line does not produce explosions or cause fire or flood.

*Hazard occasioned by unusual volume or character of traffic.*

The proposed cable line does not increase or affect the volume of traffic in the area.

*That the characteristics of the use proposed in such use permit are reasonably compatible with types of uses permitted in the surrounding area.*

The cable line will be installed on existing utility poles among other existing utility lines as shown in the applicant's submittal (Attachment 2). The proposed additional line should not create a discernable impact to views within the surrounding areas and therefore is compatible with existing uses.



# Conditional Use Permit Planning and Zoning Commission Staff Report

1

**CASE NUMBER:** OV1500812  
**MEETING DATE:** August 4, 2015  
**AGENDA ITEM:** 1  
**STAFF CONTACT:** Robert Kirschmann, Planner  
[rkirschmann@orovalleyaz.gov](mailto:rkirschmann@orovalleyaz.gov) (520) 229-4836

**Applicant:** Zayo Group LLC, Michael Waites  
**Request:** Conditional Use Permit to install an overhead cable line  
**Location:** North side of Ina Road between Paseo Del Norte and Oracle Road  
**Recommendation:** Recommend approval to Town Council

## SUMMARY:

The applicant requests a Conditional Use Permit (CUP) to install approximately 1,130 feet of cable line on existing utility poles on the north side of Ina Road between Paseo Del Norte and Oracle Road as shown in the applicants submittal (Attachment 1). The proposed cable line is intended to provide future phone and internet services to future users in the vicinity.

The proposed cable line is approximately ½" in thickness and will stretch 1,130 linear feet between seven existing utility poles that are located on the north side of Ina Road (Attachment 2). The proposed cable line will be located 12" above the existing cable line, which is approximately 25' in height above grade.

The Zoning Code requires applicants to obtain a CUP prior to installation of new utility wires over 600 feet in length. A CUP requires recommendation by the Planning and Zoning Commission and a final decision by the Town Council.

On July 1, 2015 the Town Council approved a Conditional Use Permit to allow ¼" cable line to be installed in the same location for Cox Communication.

## BACKGROUND/DETAILED INFORMATION:

The subject property is in the established right-of-way of Ina Road. The existing land use and zoning for the property and surrounding area is depicted in Attachment 3.

Approvals to Date

2013: Annexation into the Town of Oro Valley.

2015: Cox Communications, Conditional Use Permit (OV815-003) to install overhead cable line.

Existing Site Details

This section of Ina Road contains a multi-lane roadway with the following:

- Seven utility poles parallel to Ina Road.
- Multiple above ground utility lines attached to existing utility poles.

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**DISCUSSION/ANALYSIS:**

Zoning Code Analysis

The Conditional Use Permit Review Criteria contained in Section 22.5 provide the primary guidance for evaluating conditional uses. CUP's may be granted based on consideration of the following criteria shown in *italics*, followed by staff commentary:

*That the granting of such conditional use permit will not be materially detrimental to public health, safety, or welfare. In arriving at this determination, the factors which shall be considered shall include the following:*

*Damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination;*

The proposed cable line does not create noise, smoke, odor, dust, vibration or illumination.

*Hazard to persons and property from possible explosion, contamination, fire or flood;*

The proposed cable line does not produce explosions or cause fire or flood.

*Hazard occasioned by unusual volume or character of traffic.*

The proposed cable line does not increase or affect the volume of traffic in the area.

*That the characteristics of the use proposed in such use permit are reasonably compatible with types of uses permitted in the surrounding area.*

The cable line will be installed on existing utility poles among other existing utility lines as shown in the applicants submittal (Attachment 1). The proposed additional line should not create a discernable impact to views within the surrounding areas and therefore is compatible with existing uses.

In summary, the applicants proposal is consistent with the Conditional Use Permit evaluation criteria.

A detailed Zoning Code analysis with regard to standards specific to the CUP requirements for utility wires is included in Attachment 4.

General Plan Compliance

*Policy 11.3.2. The Town shall continue to require all new development and improvements to existing development, both public and private, to maintain and/or enhance the character and quality of views from and along scenic corridors and public parks...*

This proposal is to install one additional cable line on seven existing poles. The addition of this one line and the one recently approved cable line should not create a discernable impact to the views of surrounding areas.

Engineering

The Engineering Division does not have concerns with the proposal.

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**PUBLIC PARTICIPATION:**

Summary of Public Notice

Notice to the public was provided consistent with Town-adopted noticing procedures, which includes the following:

- Letter to all property owners within 600 feet
- Posting at Town Hall
- All registered HOAs

Neighborhood Meetings

A neighborhood meeting was held on July 8, 2015 with no residents in attendance. To date no comments or concerns have been received by Staff.

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**RECOMMENDATION:**

Based on the following findings:

- The proposed cable line will not be materially detrimental to the public health, safety or welfare
- The proposed cable line is consistent with the Conditional Use Permit Review Criteria and Zoning Code requirements for utility lines.
- The proposed cable line will not be visually impactful as it will utilize existing utility poles which contain a number of similar lines.

It is recommended that the Planning and Zoning Commission take the following action:

Recommend approval to the Town Council of the requested Conditional Use Permit OV1500812.

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**SUGGESTED MOTIONS:**

I move to recommend approval of the Conditional Use Permit to allow Zayo Group to install approximately 1,130 feet of cable line on existing utility poles on the north side of Ina Road between Paseo Del Norte and Oracle Road, based on the finding that the proposal is consistent with the Conditional Use Permit Review Criteria.

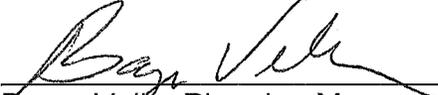
OR

I move to recommend denial of the Conditional Use Permit to allow Zayo Group to install approximately 1,130 feet of cable line on existing utility poles on the north side of Ina Road between Paseo Del Norte and Oracle Road finding that \_\_\_\_\_.

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**ATTACHMENTS:**

1. Applicant's Submittal
2. Location Map
3. Zoning Map
4. Zoning Code Analysis

  
\_\_\_\_\_  
Bayer Vella, Planning Manager

**MINUTES**  
**ORO VALLEY PLANNING AND ZONING COMMISSION**  
**REGULAR SESSION**  
**August 4, 2015**  
**TOWN HALL, DIS BUILDING, HOPI ROOM**  
**11000 N. LA CA ADA DRIVE**

PZC 08-04-2015 PACKET

REGULAR SESSION AT OR AFTER 6:00 PM

CALL TO ORDER

Chairman Rodman called the August 4, 2015 regular session of the Oro Valley Planning and Zoning Commission to order at 6:00 PM.

ROLL CALL

**PRESENT:**

- Bill Rodman, Chairman
- Greg Hitt, Commissioner
- Malanie Barrett, Commissioner
- Charlie Hurt, Commissioner
- Tom Drazazgoski, Commissioner
- Bill Leedy, Commissioner

**EXCUSED:**

- Frank Pitts, Commissioner

CALL TO AUDIENCE - at this time, any member of the public is allowed to address the commission on any issue not listed on today's agenda. Pursuant to the Arizona open meeting law, individual commission members may ask town staff to review the matter, ask that the matter be placed on a future agenda, or respond to criticism made by speakers. However, the commission may not discuss or take legal action on matters raised during "call to audience." In order to speak during "call to audience" please specify what you wish to discuss when completing the blue speaker card.

There were no speaker requests.

COUNCIL LIAISON COMMENTS

Council Member Hornat updated the Planning and Zoning Commission and audience on the following:

- Eagles Nest (Olson Property) has some activity on site
- Update on property located between Shannon Road and Camino Del Fierro just north of Tangerine Road

Attachment # 7

1. PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION ON A PROPOSED CONDITIONAL USE PERMIT TO INSTALL A CABLE LINE ON EXISTING UTILITY POLES ON THE NORTH SIDE OF INA ROAD, BETWEEN PASEO DEL NORTE AND ORACLE ROAD, OV1500812

OV1500812 Zayo Conditional Use Permit Staff Report

Attachment 1 - Applicant's Submittal

Attachment 2 - Location Map

Attachment 3 - Zoning Map

Attachment 4 - Zoning Analysis

Robert Kirschmann, Planner, presented the following:

- Applicant's Request
- Location
- Project Views
- General Plan Criteria
- Conditional Use Permit Criteria
- Recommendation

Michael Scooles, construction manager for Zayo, presented the following:

- Area of Interest
- Total Length
- Zayo fiber will be placed

Michael Waites, project manager for Zayo, commented that Zayo is working with Cox Communication to see if work can be done simultaneously.

Chairman Rodman opened the public hearing.

Chairman Rodman closed the public hearing.

**MOTION:** A motion was made by Commissioner Hurt and seconded by Commissioner Leedy to Recomend Approval of the Conditional Use Permit to allow Zayo Group to install approximately 1,130 feet of cable line on existing utility poles on the north side of Ina Road between Paseo Del Norte and Oracle Road, based on the finding that the proposal is consistent with the Conditional Use Permit Review Criteria.

**MOTION** carried, 6-0.

There were no speaker request.

2. YOUR VOICE, OUR FUTURE DISCUSSION AND COMMENTS

Attachment # 7

## YVOF Update and Discussion Staff Report

Attachment 1 - YVOF Public Review Draft - Planning and Zoning Commission Targeted Topics

Attachment 2 - YVOF Public Review Draft - General Plan Amendment Excerpt

Attachment 3 - YVOF Response Letter from Don Cox

Bayer Vella, Planning Manager, presented the following:

- Meeting Purpose
- Land Use Proposal Open House

### Questions/Concerns from the Commission

- What is the essential difference between Commercial Office Park vs. Neighborhood Commercial Office?
- What is the benefit to the developer in having down grade in zoning?
  
- Will the input from these meetings effect the recommendation?
- If these properties are controversial we ought to go through the Major General Plan Amendment process which involves public involvement.
  
- Page 72, number 70: Creating development review strategies that require new development to link adjacent or contiguous environmentally sensitive lands together. Is this a new requirement to have the lands linked together?
  
- Page 72, number 69: Reviewing and amending the zoning code as needed.  
Page 72, number 72: Developing new and improve existing land use regulations that discourage unnecessary spread of development.  
Continuing to manage development and allow for compact development and flexible design options, including clustering, transfer of development rights or other techniques.

The actions are probably not just for maintenance of our current laws but actually saying we are going to be developing, reviewing and amending the codes that we have.

Page 74, number 72: strike the text allowing for compact development and flexible design

options, including clustering, transfer of development rights or other techniques. Insert we have the Environmentally Sensitive Lands

Ordinance (ESLO) and that's what going to stand, but we are not going to have an action saying we are going to develop and improve the existing one.

A concern that the lot sizes are becoming too small is what the Commission is

Attachment # 7

hearing from guest speakers. The current General Plan isn't changing that. In the proposed draft cluster development takes it one step further and develop new cluster development. This is more than we currently have. The reason to strike the text is to develop new and improve existing land use regulations that do that.

There is a concern with lot size and community conflict with ESLO, but don't see a problem continuing with the current policy. Lets not suggest that we intend to alter the interpretation.

Deleting the last two bullet points of number 72 doesn't do any damage to our existing law. Deleting the text doesn't say we are going to go even further on that path.

Bill Adler, Oro Valley resident, commented that what the commission is speaking about is in the environmental section. You shouldn't be surprised that this section they are talking about preserving and less concerned about growth. The problem we all have is that there are going to be in any kind of document that tries to represent the community you are going to have inconsistencies but down right contradictions.

We need to make sure we are reflecting the community and isn't what you think is desirable it's what the community thinks is desirable. It's the Guiding Principles on which the Plan is based on. All the committees focused on how they can develop policies based upon these Guiding Principles.

Why are we against compact development, clustering and the transfer of development rights and what are the negatives of that?

A concern heard from guest speakers at Commission meetings are lots without yards, people should have yard. There are a lot of houses that fill out the entire lot with no yard with the kids playing in the street and in the desert with BB guns. This does not promote safety, it says we want to attract young professionals, family entertainment, good schools, parks, hiking and recreation, swimming pool, access and low crime rate in the Guiding Principles. All this is furthered by a balance between family-friendly community that people can have at least a small yard.

Mr. Adler continued on with his comments that in maintaining financial stability you're going to have growth. Since we have very little space left, it's going to be higher density which many people are not in favor of.

Concerned about the clustering and any other part in the draft that encourages it, as opposed to leaving the current process, and agrees with other commissioners as to why it has to be in here. Not sure that is what the general public would in fact want. This should go back to the Committees and do as they choose. What are the major causes for concerns we have about clustering, maybe in the update the commission can see where it's worked well or need some tweaking.

All these are great ideas. Transfer of development rights is a great way for people

Attachment # 7

to have high density in one location and preserve other parcels that the Town doesn't have to buy. Transfer development rights is probably the best thing we can do. Clustering is much more effective for infrastructure and resources. It's a win-win that the conservation people thinks is good idea, the development community still get to develop their property.

- More specific provisions being made for recreation for youth, the Town of Oro Valley itself provided some low cost recreational activities for youth. When people said they wanted a community center, people thought this is what the community center was going to do. We do allow for little league and soccer but none of it is provided by the Town or through the Community Center.

Guiding Principles talk about family entertainment, activities for all ages, attracting young professionals, opportunities to interact and amenities. These are listed in the Guiding Principles as things people wanted but don't see a whole lot of in the actions.

Page 22, CC.2. Provide equitable and appropriate park facilities and services for residents of all ages in the community. It would be nice to include a provision for equitable low cost appropriate park facilities and services.

Page 69, number 28: Youth civic engagement and involvement, this is the place where the above provision could be added.

Page 70, number 45: Study and evaluate the feasibility of the development of public recreation or community education facilities in the community. This can be more specific, maybe include things that are listed from the Guiding Principles.

Mr. Adler, stated the committees had some control on the criteria to amend the General Plan. This is where we can hold the applicant's feet to the fire for things that were important to the community. These criteria's are not in the current Plan and originated by careful reading of the General Plan. The Committees took the comments from the community and Mr. Adler believes what is in the draft is fair and actually reflect the interpretation of what the Guiding Principles say.

Diane Bristow, Oro Valley resident, distributed a hand out to the Commission on Type 1 versus Type 2 - Acreage table. Existing is 5 acres or larger to trigger a Major General Plan Amendment and the proposed is 20 acres of larger. Staff notes Marana has a threshold of 80 acres of larger and Pima County has 640 acres or larger. Ms. Bristow used a conversion table to compare all the square miles in Oro Valley, Marana and Pima County into acres.

Don Bristow, Oro Valley resident, commented that the chart shows a shortage of land so we should be looking at it very critically. The only possibility for it to be looked at critically is not to be raising the allowable acreage to 40 acres. Keeping the acreage down is still in harmony with other communities. We need to look at where we are today and what we have to work with it.

Chairman Rodman commented that the 40 acres is suitable to give all the attention that is need in terms of how land is developed.

4. Page 7 of Attachment 1 - Targeted Topics, number 1: On balance, the request is consistent with the Vision, Goals, and Policies of the General Plan, and will not adversely impact the community as a whole or a portion of the community, text should be added to include unreasonably adversely impact the community. The way it currently stands we are going to hear people say that this will adversely impact the community.

Letter c: Impact other public services including police, fire, parks, water and drainage unless careful analysis and explanation of anticipated impacts is provided to the Town for review. Some kind of statement that the Town would also approve these services. This statement is just saying that it has been provided.

#### PLANNING UPDATE (INFORMATIONAL ONLY)

#### ADJOURNMENT

**MOTION:** A motion was made by Commissioner Leedy and seconded by Commissioner Barrett to adjourn the August 4, 2015 Planning and Zoning regular session meeting at 7:44 PM.

**MOTION** carried, 6-0.



## Town Council Regular Session

Item # **3. a.**

**Meeting Date:** 01/20/2016  
**Requested by:** Bayer Vella  
**Submitted By:** Chad Daines, Development Infrastructure Services  
**Department:** Development Infrastructure Services

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### Information

#### **SUBJECT:**

RESOLUTION NO. (R)16-05, DECLARING THE PROPOSED AMENDMENTS TO SECTION 22.15 AND OTHER RELATED SECTIONS OF THE ORO VALLEY ZONING CODE REVISED (OVZCR) RELATING TO NEIGHBORHOOD MEETINGS, PROVIDED AS EXHIBIT "A" WITHIN THE ATTACHED RESOLUTION AND FILED WITH THE TOWN CLERK, A PUBLIC RECORD

#### **RECOMMENDATION:**

Staff recommends approval.

#### **EXECUTIVE SUMMARY:**

This is a procedural item to declare the draft ordinance a matter of public record. The draft ordinance has been posted online and made available in the Town Clerk's Office. If the final version is adopted, as approved by Town Council, it will be made available in the same manner.

#### **BACKGROUND OR DETAILED INFORMATION:**

Once adopted by Town Council, this proposed resolution will become a public record and will save the Town on advertising costs since the Town will forgo publishing the entire draft ordinance in print form. The current draft version of the ordinance has been posted on the Town's website and a printed copy is available for public review in the Town Clerk's Office. Once adopted, the final version will be published on the Town's website.

#### **FISCAL IMPACT:**

The Town will save on advertising costs by meeting publishing requirements by reference, without including the pages of the amendments.

#### **SUGGESTED MOTION:**

I MOVE to (adopt or deny) Resolution No. (R)16-05, declaring the proposed amendments to Section 22.15 and other related sections of the Oro Valley Zoning Code Revised related to neighborhood meetings, attached hereto as "Exhibit A" and filed with the Town Clerk, a public record.

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### Attachments

(R)16-05 Declaring Public Record

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**RESOLUTION NO. (R)16-05**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, DECLARING THE PROPOSED AMENDMENTS TO THE “ZONING CODE”, CHAPTER 22 OF THE ORO VALLEY ZONING CODE REVISED AT SECTIONS 22.15, 22.2.d, 22.3, 22.5 AND CHAPTER 24 OF THE ORO VALLEY ZONING CODE REVISED AT SECTION 24.4 ATTACHED HERETO AS EXHIBIT “A” AND FILED WITH THE TOWN CLERK, A PUBLIC RECORD**

**BE IT RESOLVED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA**, that the proposed amendments to the “Zoning Code”, Chapter 22 of the Oro Valley Zoning Code Revised at Sections 22.15, 22.2.D, 22.3, 22.5, and Chapter 24 of the Oro Valley Zoning Code Revised at Section 24.4, three copies of the proposed amendment which are on file in the office of the Town Clerk, is hereby declared to be a public record, and said copies are ordered to remain on file with the Town Clerk.

**PASSED AND ADOPTED** by the Mayor and Town Council of the Town of Oro Valley, Arizona this 20<sup>th</sup> day of January, 2016.

**TOWN OF ORO VALLEY**

\_\_\_\_\_  
Dr. Satish I. Hiremath, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Julie K. Bower, Town Clerk

\_\_\_\_\_  
Tobin Sidles, Legal Services Director

Date: \_\_\_\_\_

Date: \_\_\_\_\_

# Exhibit “A”

Additions are shown in ALL CAPS font, deletions shown in ~~strikethrough font~~

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## Section 22.15 Public Participation

### A. Purpose

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This section provides requirements for neighborhood meetings for proposed development projects. The purpose of promoting public participation in the development review process is to:

1. Build trust through effective public outreach and communication.
2. Promote fair and open dialogue between stakeholders, applicants, staff, board and commission members, and the Town Council.
3. Inform and educate stakeholders regarding the development process, review criteria, and planning and zoning regulations.
4. Provide stakeholders with opportunities to ask questions, identify issues, and forge solutions early in the development process.
5. Promote transparent conveyance of agreed upon solutions to staff, boards and commissions, and Town Council.
6. Promote consistent implementation of agreed upon solutions through the development review process.

### B. Applicability

---

#### 1. General

Neighborhood meetings are required for the following development applications:

- a. Major and minor general plan amendments.
- b. Rezoning.
- c. Conditional use permits.
- d. ~~Preliminary plats.~~
- e. CONCEPTUAL SITE Development and landscape plans, excluding FINAL SITE PLANS, FINAL PLATS AND landscape plans not associated with a CONCEPTUAL SITE PLAN ~~development plan or plat.~~

- f. Any other proposed action that results in significant change in the development intensity or compatibility with existing development as determined by the Planning and Zoning Administrator.

## **2. Exceptions**

If a project entails more than one (1) of the aforementioned development applications, a single public participation process may be followed, unless substantial changes have occurred to the proposal or significant issues are identified. When the neighborhood meeting requirements are met for major and minor General Plan amendments or a rezoning, further meetings may not be required if the following conditions are met:

- a. No substantial changes to the approved concept or Tentative Development Plan.
- b. There are no unresolved issues related to the application, as defined in subsection [B.3](#) of this section.

## **3. Exemption from Neighborhood Meeting Requirements**

The Planning and Zoning Administrator may determine that a neighborhood meeting is not required in accordance with the following criteria:

- a. There are no residential uses or zones within six hundred (600) feet of the subject property, excluding areas designated as right-of-way, open space or drainage easement.
- b. If it is determined that the project/proposal is:
  - i. Consistent with similarly situated property;
  - ii. Not substantially affecting adjacent land use, streetscape, or views; or
  - iii. Substantially conforms to an approved Tentative Development Plan.

Any project exempted under this section found to have unresolved neighborhood issues or concerns at any point in the development review process may be required to adhere to the neighborhood meeting requirements.

## **C. Administration**

---

Neighborhood meetings shall be organized by Town Planning and Zoning Department staff in the manner specified in the Public Participation and Notification Policy ~~maintained by the Planning and Zoning Administrator.~~ THIS POLICY IS SUBJECT TO REVIEW AND PERIODIC UPDATE BY THE PLANNING AND ZONING ADMINISTRATOR.

## D. Public Outreach Plan (POP)

---

1. The applicant must submit a POP that meets the requirements established by the Planning and Zoning Administrator.
2. The POP must be submitted after pre-application review and before neighborhood meetings are scheduled.
3. The POP must include:
  - a. A description of the project.
  - b. Identification of interested stakeholders, including homeowners associations that are affected by the proposal.
  - c. A proposed neighborhood meeting process.
4. The POP must incorporate the Neighborhood Meeting Requirements noted in subsection **E** of this section. The applicant may propose an alternative process if it is designed to include key stakeholders in a meaningful way, and is consistent with subsection **A** of this section, Purpose, and the Public Participation and Notification Policy. Any alternative proposal will be subject to Planning and Zoning Administrator approval. At a minimum, the POP must contain educational and issue identification and resolution elements, as defined in the Public Participation and Notification Policy.
- ~~5. The POP is subject to Communication Administrator review.~~

## E. Public Outreach Report

1. The applicant must submit a Public Outreach Report as part of the project application.
2. ~~At a minimum,~~ The Public Outreach Report must include:
  - a. A list of neighborhood meetings, noting when and where they were held; the number of people that attended; and copies of sign-in sheets.
  - b. A list of meeting notification methods used.
  - c. Copies of comment letters, petitions, and other pertinent information received from residents and other interested parties.
  - d. A summary of the issues and concerns that were raised.
  - e. A list of solutions that were agreed upon.
  - f. A list of issues that were not resolved, with an explanation of why solutions were not achieved.

## F. Neighborhood Meeting Requirements

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### 1. Number of Meetings

- a. A minimum of two (2) neighborhood meetings are required ~~in the following sequence.~~

WITH THE FOLLOWING EXCEPTIONS:

- i. One (1) meeting may be sufficient if the project is of very limited scope AND NO RELEVANT PUBLIC CONCERNS HAVE BEEN EXPRESSED, as determined by the Planning and Zoning Administrator.
- ii. THE PLANNING AND ZONING ADMINISTRATOR WILL ANNOUNCE ~~it should be determined at a~~ THE MEETING if additional MEETING(S) ARE REQUIRED TO PROVIDE MORE INFORMATION OR TO ALLOW FOR MORE DISCUSSION ON THE REQUEST. ~~time or information is needed to develop solutions. The decision about whether to hold an additional meeting should be made at this meeting.~~
- iii. If the project type, layout, or previously agreed upon mitigation solutions are substantially changed after meeting with neighbors, an additional meeting may be required as determined by the Planning and Zoning Administrator.
- ~~i. The first meeting is an educational session with neighbors, other stakeholders and the project planner to review and discuss the process and applicable planning and zoning regulations.~~
- ~~ii. The second meeting is an opportunity for the applicant to present the project, solicit feedback, and address issues and concerns.~~

## 2. Meeting Location

Neighborhood meetings must be held in a facility that:

- a. Is accessible to the general public, such as a Town-owned facility, school, house of worship, or community recreation center; and
- b. Provides access for persons with disabilities.

## 3. Scheduling

- a. Neighborhood meetings should typically be scheduled on a weekday evening so that working residents may attend, but may be adapted to neighborhood needs, as appropriate.
- b. ~~The educational session and applicant presentation~~ FIRST meeting must be scheduled prior to formal submittal of the application.
- c. THE SECOND MEETING IS REQUIRED PRIOR TO A FORMAL TOWN PUBLIC MEETING OR HEARING.
- d. SUBSEQUENT MEETINGS MAY BE HELD DURING THE PUBLIC HEARING PROCESS TO PROVIDE THE OPPORTUNITY TO UNDERSTAND RESIDENT'S POSITION RELATIVE TO THE REQUEST.

#### 4. Meeting Notification

- a. Notice shall ~~include~~ BE PROVIDED TO all persons and entities identified in the Public Outreach Plan. AT A MINIMUM, PUBLIC NOTICE SHALL BE PROVIDED AT LEAST 15 DAYS PRIOR TO THE MEETING, INCLUDING:
  - i. A DESCRIPTION AND THE LOCATION, DATE AND TIME OF THE MEETING SHALL BE MAILED TO PROPERTY OWNERS WITHIN 1,000 FEET FOR GENERAL PLAN AMENDMENTS AND TO PROPERTY OWNERS WITHIN 600 FEET FOR ALL OTHER APPLICATIONS. THE NOTIFICATION AREA MAY BE EXPANDED TO INCLUDE ENTIRE NEIGHBORHOODS OR SUBDIVISIONS WHICH MAY BE IMPACTED BY THE REQUEST, AS DETERMINED BY THE PLANNING AND ZONING ADMINISTRATOR.
  - ii. SIGN(S) SHALL BE POSTED ON OR NEAR THE PROPERTY AND SHALL BE A MINIMUM OF THREE (3) FEET BY FOUR (4) FEET IN AREA.
  - iii. OTHER ADDITIONAL METHODS IDENTIFIED IN THE PUBLIC OUTREACH PLAN, AS APPROVED BY THE PLANNING AND ZONING ADMINISTRATOR.
- ~~b. Neighborhood meeting notifications must be:~~
  - ~~i. Prepared by the applicant using a Town-approved letter format. The letter must include a description and tentative timeline for the review and public meeting/hearing process.~~
  - ~~ii. Submitted to the project planner for review and verification one (1) week prior to mailing.~~
- ~~b. If any portion of a subdivision falls within the required notification area, the entire subdivision (as defined by subdivision name or unit number) may be required to be notified if the impacts of the proposal would have impacts affecting the entire subdivision or neighborhood, as determined by the Planning and Zoning Administrator.~~
- ~~c. In addition to the aforementioned, other meeting notification methods may be utilized for projects of broad scope.~~

#### 5. Facilitation

- a. A Town-approved facilitator may be utilized to assist with neighborhood meetings, as defined in the Public Participation and Notification Policy.
- b. If professional facilitation services are required as determined by the Planning and Zoning Administrator, the applicant is responsible for the fees incurred for such services.

## Other Related Zoning Code Changes

### **Section 22.2.D. General Plan Amendment Procedures**

#### **2.a. Minor Amendment**

iv. Neighborhood Meetings SHALL BE CONDUCTED IN ACCORDANCE WITH SECTION 22.15.

~~a) At least one (1) neighborhood meeting must be provided prior to submittal of a formal application for all proposed changes to the Land Use Map.~~

~~b) Town policies for notification of General Plan amendments must be followed to achieve a neighborhood meeting.~~

~~c) Additional meetings for text amendments may be required at the discretion of the Planning and Zoning Administrator.~~

#### **2.b. Major Amendment**

iv. Neighborhood Meetings SHALL BE CONDUCTED IN ACCORDANCE WITH SECTION 22.15.

~~a) At least two (2) neighborhood meetings must be provided prior to the submittal of a formal application for all changes to the Land Use Map. If there are any substantive changes to the application after formal submittal, an additional neighborhood meeting will be required.~~

~~b) Neighborhood meetings must occur not more than two (2) months prior to submittal. The meetings must be facilitated by Town of Oro Valley staff.~~

~~c) Town policies for notification of General Plan amendments must be followed in notifying property owners of a neighborhood meeting.~~

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### **Section 24.4 Planned Area Development**

#### **E. Review Process**

The rezoning review shall follow the procedures of Section 22.3 AND SECTION 22.15, with the following additions/modifications:

~~1. Neighborhood Meetings:~~

~~The applicant is required to meet with interested residents of adjacent neighborhoods prior to the Town scheduling the proposal for Planning and Zoning Commission public hearing. The purpose of the preliminary neighborhood review shall be to provide direct information to area residents and land owners, resolve potential conflicts, assist in expediting Town review and provide for the preservation of the welfare of community residents. The applicant shall notify all citizens' participation groups and neighborhood associations on record with the Town and located within one (1) mile of the PAD boundary, the Oro Valley Planning and Zoning Department and all property owners within six hundred (600) feet of the rezoning. Notice of the application and meeting shall be by mail. A representative from the Planning and Zoning Department shall be invited to the neighborhood meeting. Notice of the neighborhood/applicant meeting shall be mailed no less than fifteen (15) days prior to the meeting date. Documentation of the attendees and minutes of the meetings shall be provided by the applicant to Town staff and the Commission.~~

2.1. Public Hearings

A minimum of two (2) public hearings before the Planning and Zoning Commission shall be required in order to ensure adequate review time for Commissioners and interested members of the public. The final Commission public hearing shall not be scheduled prior to the submittal of the final PAD development plan.

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Section 22.3 Amendments and Rezoning

- C. NEIGHBORHOOD MEETINGS: NEIGHBORHOOD MEETINGS SHALL BE CONDUCTED IN ACCORDANCE WITH SECTION 22.15.

(ADD NEW SUBSECTION C AND RENUMBER BALANCE OF SECTION)

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Section 22.5 Use Permits

- C. NEIGHBORHOOD MEETINGS: NEIGHBORHOOD MEETINGS SHALL BE CONDUCTED IN ACCORDANCE WITH SECTION 22.15.

(ADD NEW SUBSECTION C AND RENUMBER BALANCE OF SECTION)

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## Town Council Regular Session

Item # **3. b.**

**Meeting Date:** 01/20/2016  
**Requested by:** Bayer Vella  
**Submitted By:** Chad Daines, Development Infrastructure Services  
**Department:** Development Infrastructure Services

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### Information

#### **SUBJECT:**

PUBLIC HEARING: ORDINANCE NO. (O)16-02, AMENDING SECTION 22.15 AND RELATED SECTIONS OF THE ZONING CODE REGARDING NEIGHBORHOOD MEETINGS

#### **RECOMMENDATION:**

The Planning and Zoning Commission has recommended approval of the amendment, as provided in Attachment 1.

#### **EXECUTIVE SUMMARY:**

In November, 2014, Town Council initiated this Zoning Code amendment regarding neighborhood meetings and an update to the Public Participation and Notification Policy (Policy). The overarching goal was to align the Zoning Code and the Policy with current neighborhood meeting practices.

Councilmembers Zinkin and Hornat were assigned to work with staff on development of the amendment and update. This work resulted in the following three draft documents:

Zoning Code Amendment (Attachment 1): This item is a formal amendment to the Zoning Code. As such, this will be the only item voted on by Town Council. Key topics are as follows:

- Maintains the requirement for two meetings, with limited exceptions
- Removes neighborhood meeting content requirements and moves to the Policy
- Amends the timing requirements for meetings
- Adds requirements for mailed notice and sign posting, 15 days prior to the meeting
- Establishes the notification radius for mailed notices to align with other public hearing and meeting requirements

Policy Update (Attachment 2): The Policy update, which is intended as a standard operating procedure for staff, will be adopted administratively to allow this document to be updated as best practices evolve. Discussion, direction and feedback from Town Council is requested. Key topics are as follows:

- Amends meeting content requirements to reflect current practices
- Allows for alternative formats for third and subsequent meetings
- Requires educational materials to be posted on the Project Website
- Provides for enhanced notification methods in appropriate cases

Meeting Survey (Attachment 3): The survey will be adopted administratively to allow for refinement over time. Discussion, direction and feedback from Town Council is requested. The Meeting Survey was designed with the intent of garnering resident input on neighborhood meetings, with the goal of

continuous feedback.

The Zoning Code Amendment, Policy Update and Meeting Survey were considered by the Planning and Zoning Commission at a Study Session on November 16, 2015 and a Public Hearing on December 1, 2015. These attached documents incorporate the consensus input from the Commission, which is outlined in the Background section of this report.

At the conclusion of the Public Hearing, the Planning and Zoning Commission recommended approval of the Zoning Code Amendment as provided in Attachment 1. This item is a formal amendment to the Zoning Code and as such, will be the only item voted on by Town Council.

The Policy (Attachment 2) and the Meeting Survey (Attachment 3) will be adopted administratively to enable refinement over time. Discussion, direction and feedback on these documents from Town Council is requested.

### **BACKGROUND OR DETAILED INFORMATION:**

The current Zoning Code language and Policy were adopted in 2009 following input from a committee comprised of advisory board members, elected officials and interested parties. The 2009 Policy is provided as Attachment 4 for reference. The neighborhood meeting process has evolved over time, necessitating revisions to the Zoning Code and Policy. The primary goal of the amendments is to align the Zoning Code and Policy with current neighborhood meeting practices.

This section of the report has been divided into subsections addressing the three documents related to the request; Zoning Code Amendment, Policy Update, and Meeting Survey. The below subsections include elements recommended by the Planning and Zoning Commission at their November 16, 2015 Study Session and December 1, 2015 Public Hearing.

**Zoning Code Amendment (Attachment 1)** As previously stated, this will be the only item formally voted on by Town Council. The amendment addresses the following topics:

#### Meeting Content and Number of Meetings

The Zoning Code Amendment removes the meeting content requirements, which have been amended and incorporated into the Policy to allow for continual refinement as best practices evolve.

The Zoning Code amendment maintains the current requirement for two neighborhood meetings, with limited exceptions.

#### Timing of Meetings

The current Zoning Code requires two neighborhood meetings, both of which must occur prior to formal submittal of the application. The amendment allows the first meeting to occur prior to formal submittal, the second meeting prior to public hearings and allows subsequent meetings during the public hearing process.

The amended timing of meetings enables staff to review the formal submittal after the first meeting and come prepared to discuss specific project details and code requirements at second and subsequent meetings. This timing also allows residents to be involved throughout the process, rather than only being involved at the beginning stages.

#### Public Notice

The current Zoning Code does not provide a specific notification radius nor timing requirement for mailed notices. The amendment establishes the notification radius for mailed notices at 1,000 feet for general plan amendments and 600 feet for all other development applications and requires the notice be mailed

within 15 days of the meeting.

Staff's practice has been to use these distances for neighborhood meeting notices and the amendment merely codifies current practices for mailed notices. These distances match the notification radius for public hearings, ensuring that the same residents will be notified of all meetings throughout the process.

The Planning and Zoning Commission discussed expanding the notification boundary to 2,500+ feet (approximately 1/2 mile) as suggested by one Commissioner. The Planning and Zoning Commission did not recommend expanding the notice boundary beyond the current practices, based on the following considerations:

- The Planning and Zoning Commission considered three representative examples of notification boundaries (Attachment 5). As can be seen from these examples, the number of residents notified ranges from 483 to 673, a significant number of residents in each case
- Expanding the notice boundary to 2,500+ feet (approximately 1/2 mile) would have the effect of requiring notice to properties in excess of a square mile for all applications
- The Zoning Code permits the Planning and Zoning Administrator to expand the notice boundary to include entire subdivisions or areas impacted by the request. The notice boundary is regularly expanded based on this provision
- The notification distances significantly exceed State Law requirements for public hearings, which requires only a newspaper advertisement and no mailed notice

The current Zoning Code also does not formally require sign postings on the property, although it has been staff practice to post properties. The amendment establishes a requirement to post 3 foot by 4 foot signs on the property, 15 days prior to the meeting.

The Planning and Zoning Commission discussed further increasing the size of the signs posted on the property and requiring the applicant to pay for the cost of installing and maintaining the sign over the course of the project, which is a common practice in other jurisdictions. If this approach is supported, a separate amendment should be initiated to comprehensively address the sign posting requirements throughout the Zoning Code to include not only neighborhood meetings, but also sign posting requirements for all public hearings before advisory boards and Town Council.

The amendment provides reference to other additional methods of public notice approved by the Planning and Zoning Administrator as appropriate. These additional methods are further outlined in the Policy.

### Related Amendments

References throughout the Zoning Code to neighborhood meetings have been amended to refer to the Public Participation section, eliminating conflicting and incomplete requirements for neighborhood meetings.

**Policy (Attachment 2)** As previously stated, this document will be adopted administratively. Discussion, direction and feedback from Town Council is requested. The Policy addresses the following topics:

### Meeting Content

The current Zoning Code and 2009 Policy outline specific meeting content requirements as follows:

Meeting 1 (Educational Session): This meeting is intended to be devoted entirely to education on existing conditions, zoning, general plan, application processing and criteria used in evaluation of the proposal. The applicant may not participate in this educational session and the specific development proposal is not discussed.

Meeting 2 (Applicant Presentation): This meeting is intended for the applicant to present the specific

development proposal, identify issues and strive to find mutually acceptable solutions.

This meeting approach has been used in the past and has frustrated residents, who leave the first meeting without understanding the specific project being proposed by the applicant. The primary focus for residents at the first neighborhood meeting is to gain an understanding of the project and how it may impact their property. The current process does not provide project details until the second neighborhood meeting, which delays resident understanding and discussion of the development proposal.

The amended meeting content requirements in the Policy reflect current practices in conducting neighborhood meetings which provide for staff education and applicant presentation at the first meeting. The second and subsequent meetings then become an opportunity to focus on issues raised at the first meeting.

The amended Policy allows for alternative formats for third and subsequent meetings to include traditional format meetings, open houses, small group meetings and on-site meetings. These alternative approaches are helpful in tailoring meetings to the particular issues involved with a specific case.

In terms of small group format meetings, the Planning and Zoning Commission recommended that if a small group format meeting is organized by the Town, then notice should be provided to the entire area and the meeting should be open to all residents, with meeting results posted on the Project Website. The Policy clarifies that the applicant is still able to meet privately with individuals or groups of residents to understand concerns or to resolve issues.

The Planning and Zoning Commission recommended that adjacent residents to a development request be given priority to provide input or ask questions. The Policy provides that the meeting facilitator will ask for a show of hands from adjacent residents who will be given priority, followed by residents of the larger community.

### Project Website

The Policy includes the requirement that the Town establish and maintain a Project Website to educate and inform residents of relevant codes, policies, review criteria and the decision process for an application. The Policy requires the following information be provided on the Project Website:

- Meeting format and time allotted for staff comments, applicant presentation, audience input and questions
- General Plan designations, Vision Statement and applicable Goals and Policies
- Zoning classifications and standards including permitted uses, setbacks, building heights, open space and landscaping
- Reference to review and decision making criteria, including process for a decision
- Web link to General Plan, Zoning Code and other applicable documents
- Process steps following the meeting

The Policy requires that this information be written in non-technical terms that are clear and understandable by the general public. The Policy further requires that this information will be referenced at the first neighborhood meeting and an offer made to meet with persons interested in a deeper level of education.

### Public Notice

In addition to the mailed notice and sign postings required by the Zoning Code Amendment, the Policy provides additional methods of public notice that the Planning and Zoning Administrator may require as appropriate, including:

- Computer generated telephone calls to residents
- Email notifications

- List-serve or neighborhood website notifications
- Social media
- Explorer Newspaper or Vista publication for cases of broader community impact

**Meeting Survey (Attachment 3)** This survey will be adopted administratively. Discussion, direction and feedback from Town Council is requested.

In summary, the survey asks residents to rate the neighborhood meeting with regard to the following:

- Adequacy of meeting room and facilities
- Meeting was conducted fairly
- Information was easy to understand
- Clear and understandable responses were provided to questions
- Adequate time was provided to ask questions and voice concerns

The Meeting Survey is intended to garner resident input on the neighborhood meeting process, with the goal of continuous improvement and meeting the needs of residents. The Planning and Zoning Commission provided no comments relative to the Meeting Survey.

#### Planning and Zoning Commission Study Session and Public Hearing

On November 16, 2015, the Planning and Zoning Commission held a productive study session on the updates, with discussion focused on four areas:

- Enhanced notification methods and approaches
- Enhanced information and education
- Small group meetings
- Support of on-going facilitation training for staff

On December 1, 2015, the Planning and Zoning Commission held a Public Hearing on the updates. Staff presented modified Code and Policy language which incorporated the areas of consensus.

At the conclusion of the Public Hearing, the Planning and Zoning Commission recommended approval of the Zoning Code amendment (Attachment 1), based on the finding that the amendment reflects current practices and provides for future best practices to be employed for neighborhood meetings. The Planning and Zoning Commission Staff Reports and Draft Minutes are provided as Attachments 6 and 7, respectively.

#### Public Participation

The draft Zoning Code amendment, Policy update and Meeting Survey have been posted on the Town website and available for public comment since September, 2015. Emails from residents and letters from Metropolitan Pima Alliance and Southern Arizona Homebuilders Association are provided as Attachment 8.

#### **FISCAL IMPACT:**

N/A

#### **SUGGESTED MOTION:**

I MOVE to adopt Ordinance No. (O)16-02, providing for a Zoning Code amendment to Section 22.15 and other sections related to neighborhood meetings.

OR

I MOVE to deny Ordinance No. (O)16-02, providing for a Zoning Code amendment to Section 22.15 and

other sections related to Neighborhood Meetings, finding that \_\_\_\_\_.

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**Attachments**

Attachment 1 - (O)16-02 Amending Chapters 22 & 24 of the Zoning Code

Attachment 2 - Standard Operating Policy

Attachment 3 - Meeting Survey

Attachment 4 - 2009 Standard Operating Procedure

Attachment 5 - Notification Radius Examples

Attachment 6 - Planning and Zoning Commission Staff Reports

Attachment 7 - Planning and Zoning Commission Minutes

Attachment 8 - Resident and Industry Comments

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**ORDINANCE NO. (O)16-02**

**AN ORDINANCE OF THE TOWN OF ORO VALLEY, ARIZONA, AMENDING CHAPTER 22, REVIEW AND APPROVAL PROCEDURES, SECTIONS 22.15, PUBLIC PARTICIPATION; 22.2.D, GENERAL PLAN AMENDMENT PROCEDURES; 22.3 AMENDMENTS AND REZONING; 22.5 USE PERMITS AND CHAPTER 24, SUPPLEMENTARY DISTRICT REGULATIONS, SECTION 24.4 PLANNED AREA DEVELOPMENT OF THE ORO VALLEY ZONING CODE REVISED; 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 March 13, 1981, the Mayor and Council approved Ordinance (O)81-58, which adopted that certain document entitled “Oro Valley Zoning Code Revised (OVZCR); and

**WHEREAS**, it is necessary to amend Chapter 22, Review and Approval Procedures, Sections 22.15, Public Participation, 22.2.D General Plan Amendment Procedures, 22.3 Amendments and Rezoning, 22.5 Use Permits and Chapter 24 Supplementary District Regulations, Section 24.4 Planned Area Development, of the Oro Valley Zoning Code Revised to reflect current practices for conducting neighborhood meetings; and

**WHEREAS**, the proposed amendments will reflect current neighborhood meeting practices, allow for alternative meeting formats, enhance notification, enhance information and education materials; and

**WHEREAS**, the Planning and Zoning Commission held a meeting on December 1, 2015 and voted to recommend approval of amending Chapter 22, Review and Approval Procedures, Sections 22.15, Public Participation, 22.2.D General Plan Amendment Procedures, 22.3 Amendments and Rezoning, 22.5 Use Permits and Chapter 24 Supplementary District Regulations, Section 24.4 Planned Area Development of the Oro Valley Zoning Code Revised; and

**WHEREAS**, the Mayor and Council have considered the proposed amendments and the Planning and Zoning Commission’s recommendations and find that they are consistent with the Town's General Plan and other Town ordinances and are in the best interest of the Town.

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

**SECTION 1.** That certain document entitled Chapter 22, Review and Approval Procedures, Sections 22.15, Public Participation, 22.2.D General Plan Amendment Procedures, 22.3 Amendments and Rezoning, 22.5 Use Permits and Chapter 24 Supplementary District Regulations, Section 24.4 Planned Area Development, of the Oro Valley Zoning Code Revised, attached hereto as Exhibit “A” and incorporated herein by this reference, reflecting current

neighborhood meeting practices, allowing for alternative meeting formats, enhancing notification and enhancing information and education materials and declared a public record on January 20, 2015 is hereby adopted

**SECTION 2.** All Oro Valley ordinances, resolutions or motions and parts of ordinances, resolutions or motions of the Council in conflict with the provision of this Ordinance are hereby repealed.

**SECTION 3.** If any section, subsection, sentence, clause, phrase, or portion of the resolution or any part of the General Plan Amendment adopted herein 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.

**PASSED AND ADOPTED** by the Mayor and Council of the Town of Oro Valley, Arizona this 20<sup>th</sup> day of January, 2016.

**TOWN OF ORO VALLEY**

\_\_\_\_\_  
Dr. Satish I. Hiremath, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Julie K. Bower, Town Clerk

\_\_\_\_\_  
Tobin Sidles, Legal Services Director

Date: \_\_\_\_\_

Date: \_\_\_\_\_

# EXHIBIT “A”

Additions are shown in ALL CAPS font, deletions shown in ~~strikethrough~~ font

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## Section 22.15 Public Participation

### A. Purpose

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This section provides requirements for neighborhood meetings for proposed development projects. The purpose of promoting public participation in the development review process is to:

1. Build trust through effective public outreach and communication.
2. Promote fair and open dialogue between stakeholders, applicants, staff, board and commission members, and the Town Council.
3. Inform and educate stakeholders regarding the development process, review criteria, and planning and zoning regulations.
4. Provide stakeholders with opportunities to ask questions, identify issues, and forge solutions early in the development process.
5. Promote transparent conveyance of agreed upon solutions to staff, boards and commissions, and Town Council.
6. Promote consistent implementation of agreed upon solutions through the development review process.

### B. Applicability

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#### 1. General

Neighborhood meetings are required for the following development applications:

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- c. Conditional use permits.
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- e. CONCEPTUAL SITE Development and landscape plans, excluding FINAL SITE PLANS, FINAL PLATS AND landscape plans not associated with a CONCEPTUAL SITE PLAN ~~development plan or plat.~~

- f. Any other proposed action that results in significant change in the development intensity or compatibility with existing development as determined by the Planning and Zoning Administrator.

## **2. Exceptions**

If a project entails more than one (1) of the aforementioned development applications, a single public participation process may be followed, unless substantial changes have occurred to the proposal or significant issues are identified. When the neighborhood meeting requirements are met for major and minor General Plan amendments or a rezoning, further meetings may not be required if the following conditions are met:

- a. No substantial changes to the approved concept or Tentative Development Plan.
- b. There are no unresolved issues related to the application, as defined in subsection [B.3](#) of this section.

## **3. Exemption from Neighborhood Meeting Requirements**

The Planning and Zoning Administrator may determine that a neighborhood meeting is not required in accordance with the following criteria:

- a. There are no residential uses or zones within six hundred (600) feet of the subject property, excluding areas designated as right-of-way, open space or drainage easement.
- b. If it is determined that the project/proposal is:
  - i. Consistent with similarly situated property;
  - ii. Not substantially affecting adjacent land use, streetscape, or views; or
  - iii. Substantially conforms to an approved Tentative Development Plan.

Any project exempted under this section found to have unresolved neighborhood issues or concerns at any point in the development review process may be required to adhere to the neighborhood meeting requirements.

## **C. Administration**

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Neighborhood meetings shall be organized by Town Planning and Zoning Department staff in the manner specified in the Public Participation and Notification Policy ~~maintained by the Planning and Zoning Administrator.~~ THIS POLICY IS SUBJECT TO REVIEW AND PERIODIC UPDATE BY THE PLANNING AND ZONING ADMINISTRATOR.

## D. Public Outreach Plan (POP)

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1. The applicant must submit a POP that meets the requirements established by the Planning and Zoning Administrator.
2. The POP must be submitted after pre-application review and before neighborhood meetings are scheduled.
3. The POP must include:
  - a. A description of the project.
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  - c. A proposed neighborhood meeting process.
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- ~~5. The POP is subject to Communication Administrator review.~~

## E. Public Outreach Report

1. The applicant must submit a Public Outreach Report as part of the project application.
2. ~~At a minimum,~~ The Public Outreach Report must include:
  - a. A list of neighborhood meetings, noting when and where they were held; the number of people that attended; and copies of sign-in sheets.
  - b. A list of meeting notification methods used.
  - c. Copies of comment letters, petitions, and other pertinent information received from residents and other interested parties.
  - d. A summary of the issues and concerns that were raised.
  - e. A list of solutions that were agreed upon.
  - f. A list of issues that were not resolved, with an explanation of why solutions were not achieved.

## F. Neighborhood Meeting Requirements

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### 1. Number of Meetings

- a. A minimum of two (2) neighborhood meetings are required ~~in the following sequence.~~  
WITH THE FOLLOWING EXCEPTIONS:
  - i. One (1) meeting may be sufficient if the project is of very limited scope AND NO RELEVANT PUBLIC CONCERNS HAVE BEEN EXPRESSED, as determined by the Planning and Zoning Administrator.
  - ii. THE PLANNING AND ZONING ADMINISTRATOR WILL ANNOUNCE ~~It should be determined at a~~ THE MEETING IF ADDITIONAL MEETING(S) ARE REQUIRED TO PROVIDE MORE INFORMATION OR TO ALLOW FOR MORE DISCUSSION ON THE REQUEST. ~~time or information is needed to develop solutions. The decision about whether to hold an additional meeting should be made at this meeting.~~
  - iii. If the project type, layout, or previously agreed upon mitigation solutions are substantially changed after meeting with neighbors, an additional meeting may be required as determined by the Planning and Zoning Administrator.
- ~~i. The first meeting is an educational session with neighbors, other stakeholders and the project planner to review and discuss the process and applicable planning and zoning regulations.~~
- ~~ii. The second meeting is an opportunity for the applicant to present the project, solicit feedback, and address issues and concerns.~~

### 2. Meeting Location

Neighborhood meetings must be held in a facility that:

- a. Is accessible to the general public, such as a Town-owned facility, school, house of worship, or community recreation center; and
- b. Provides access for persons with disabilities.

### 3. Scheduling

- a. Neighborhood meetings should typically be scheduled on a weekday evening so that working residents may attend, but may be adapted to neighborhood needs, as appropriate.
- b. ~~The educational session and applicant presentation~~ FIRST meeting must be scheduled prior to formal submittal of the application.
- c. THE SECOND MEETING IS REQUIRED PRIOR TO A FORMAL TOWN PUBLIC MEETING OR HEARING.

- d. SUBSEQUENT MEETINGS MAY BE HELD DURING THE PUBLIC HEARING PROCESS TO PROVIDE THE OPPORTUNITY TO UNDERSTAND RESIDENT'S POSITION RELATIVE TO THE REQUEST.

#### 4. Meeting Notification

- a. Notice shall ~~include~~ BE PROVIDED TO all persons and entities identified in the Public Outreach Plan. AT A MINIMUM, PUBLIC NOTICE SHALL BE PROVIDED AT LEAST 15 DAYS PRIOR TO THE MEETING, INCLUDING:
  - i. A DESCRIPTION AND THE LOCATION, DATE AND TIME OF THE MEETING SHALL BE MAILED TO PROPERTY OWNERS WITHIN 1,000 FEET FOR GENERAL PLAN AMENDMENTS AND TO PROPERTY OWNERS WITHIN 600 FEET FOR ALL OTHER APPLICATIONS. THE NOTIFICATION AREA MAY BE EXPANDED TO INCLUDE ENTIRE NEIGHBORHOODS OR SUBDIVISIONS WHICH MAY BE IMPACTED BY THE REQUEST, AS DETERMINED BY THE PLANNING AND ZONING ADMINISTRATOR.
  - ii. SIGN(S) SHALL BE POSTED ON OR NEAR THE PROPERTY AND SHALL BE A MINIMUM OF THREE (3) FEET BY FOUR (4) FEET IN AREA.
  - iii. OTHER ADDITIONAL METHODS IDENTIFIED IN THE PUBLIC OUTREACH PLAN, AS APPROVED BY THE PLANNING AND ZONING ADMINISTRATOR.
- ~~b. Neighborhood meeting notifications must be:
  - i. Prepared by the applicant using a Town-approved letter format. The letter must include a description and tentative timeline for the review and public meeting/hearing process.
  - ii. Submitted to the project planner for review and verification one (1) week prior to mailing.~~
- ~~b. If any portion of a subdivision falls within the required notification area, the entire subdivision (as defined by subdivision name or unit number) may be required to be notified if the impacts of the proposal would have impacts affecting the entire subdivision or neighborhood, as determined by the Planning and Zoning Administrator.~~
- ~~c. In addition to the aforementioned, other meeting notification methods may be utilized for projects of broad scope.~~

## 5. Facilitation

- a. A Town-approved facilitator may be utilized to assist with neighborhood meetings, as defined in the Public Participation and Notification Policy.
- b. If professional facilitation services are required as determined by the Planning and Zoning Administrator, the applicant is responsible for the fees incurred for such services.

### Other Related Zoning Code Changes

#### Section 22.2.D. General Plan Amendment Procedures

##### 2.a. Minor Amendment

iv. Neighborhood Meetings SHALL BE CONDUCTED IN ACCORDANCE WITH SECTION 22.15.

~~a) At least one (1) neighborhood meeting must be provided prior to submittal of a formal application for all proposed changes to the Land Use Map.~~

~~b) Town policies for notification of General Plan amendments must be followed to achieve a neighborhood meeting.~~

~~c) Additional meetings for text amendments may be required at the discretion of the Planning and Zoning Administrator.~~

##### 2.b. Major Amendment

iv. Neighborhood Meetings SHALL BE CONDUCTED IN ACCORDANCE WITH SECTION 22.15.

~~a) At least two (2) neighborhood meetings must be provided prior to the submittal of a formal application for all changes to the Land Use Map. If there are any substantive changes to the application after formal submittal, an additional neighborhood meeting will be required.~~

~~b) Neighborhood meetings must occur not more than two (2) months prior to submittal. The meetings must be facilitated by Town of Oro Valley staff.~~

~~c) Town policies for notification of General Plan amendments must be followed in notifying property owners of a neighborhood meeting.~~

## Section 24.4 Planned Area Development

### E. Review Process

The rezoning review shall follow the procedures of Section 22.3 AND SECTION 22.15, with the following additions/modifications:

#### 1. ~~Neighborhood Meetings:~~

~~The applicant is required to meet with interested residents of adjacent neighborhoods prior to the Town scheduling the proposal for Planning and Zoning Commission public hearing. The purpose of the preliminary neighborhood review shall be to provide direct information to area residents and land owners, resolve potential conflicts, assist in expediting Town review and provide for the preservation of the welfare of community residents. The applicant shall notify all citizens' participation groups and neighborhood associations on record with the Town and located within one (1) mile of the PAD boundary, the Oro Valley Planning and Zoning Department and all property owners within six hundred (600) feet of the rezoning. Notice of the application and meeting shall be by mail. A representative from the Planning and Zoning Department shall be invited to the neighborhood meeting. Notice of the neighborhood/applicant meeting shall be mailed no less than fifteen (15) days prior to the meeting date. Documentation of the attendees and minutes of the meetings shall be provided by the applicant to Town staff and the Commission.~~

#### 2.1. Public Hearings

A minimum of two (2) public hearings before the Planning and Zoning Commission shall be required in order to ensure adequate review time for Commissioners and interested members of the public. The final Commission public hearing shall not be scheduled prior to the submittal of the final PAD development plan.

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### Section 22.3 Amendments and Rezoning

- C. NEIGHBORHOOD MEETINGS: NEIGHBORHOOD MEETINGS SHALL BE CONDUCTED IN ACCORDANCE WITH SECTION 22.15.

(ADD NEW SUBSECTION C AND RENUMBER BALANCE OF SECTION)

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Section 22.5 Use Permits

- C. NEIGHBORHOOD MEETINGS: NEIGHBORHOOD MEETINGS SHALL BE CONDUCTED IN ACCORDANCE WITH SECTION 22.15.

(ADD NEW SUBSECTION C AND RENUMBER BALANCE OF SECTION)

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## DEVELOPMENT AND INFRASTRUCTURE STANDARD OPERATING POLICY AND PROCEDURES

NUMBER	DEPARTMENT / DIVISION	PAGE
	<b>DIS Planning</b>	<b>1 of 5</b>
SUBJECT	ISSUE DATE: 1/20/16	
<b>Public Participation and Notification Policy</b>		

### I. PURPOSE:

The intent of this Standard Operating Procedure (SOP) is to provide information relative to the generalized content and structure of neighborhood meetings. The Zoning Code provides for Public Participation Plans and enables the Planning and Zoning Administrator to approve customized methods for neighborhood meeting structure and content. The purpose of this SOP is to ensure a level of consistency in the execution of neighborhood meetings and to also establish consistency with regard to the expectations of the public concerning neighborhood meetings.

It should be noted that the SOP is intended to be a guide and not a set of rigid requirements based on the fact that neighborhood meetings are often tailored to respond to the unique aspects of a particular case. The Planning and Zoning Administrator may implement changes to the content and structure of neighborhood meetings based on circumstances and issues particular to an application.

### II. REFERENCES

OVZCR 22.15 Public Participation

### III. PROCEDURES:

1. OVZCR 22.15 requires a minimum of two neighborhood meetings for most development applications. The Zoning Code also provides exemptions from the neighborhood meeting requirements under certain limited conditions.
2. Meeting Notification: Notice will be provided in accordance with Section 22.15.F.4 of the Zoning Code, including:
  - a. Mailed Notice: A notice will be provided to adjacent property owners in accordance with Section 22.15.F.4 of the Zoning Code.

- b. Property Posting: Sign(s) will be posted on or near the property in accordance with Section 22.15.F.4 of the Zoning Code and the following:
  - 1) The number and location of signs must be as approved by the Planning and Zoning Administrator as part of the Public Outreach Plan. Sign locations may be off-site if necessary to provide visibility from a public right-of-way.
  - 2) The signs must include a generalized description of the request in terms which are clear and understandable by the general public and must include reference to the Town's project website. The specific wording of the sign will be reviewed and approved by the Town prior to the signs being posted.
- c. Other Public Notice Methods: The Planning and Zoning Administrator will require or provide additional methods of public notice, when appropriate, including:
  - 1) Computer generated telephone calls to residents within the affected area.
  - 2) Email notifications
  - 3) List-serve or neighborhood website notifications.
  - 4) Social media or other electronic methods which provide notice to residents within the affected area
  - 5) The Town will use the Explorer Newspaper or Vista publication with water bills to augment normal public notice in cases of broader impact, subject to available budget.
- 3. Project Website: The Planning and Zoning Administrator will establish a project page on the Town's website which shall be updated throughout the process. The website will include following project related information:
  - a. Summary description and associated project related plans and details written in non-technical terms that are clear and understandable by the general public.
  - b. Meeting dates, times and locations for all neighborhood meetings and public hearings.
  - c. Project milestones, including all submittals.
  - d. Educational and background information relevant to the project. This information shall be posted a minimum of 15 days prior to the first neighborhood meeting date and shall include:
    - 1) Meeting format and time allotted for staff comments, applicant presentation and audience input and questions.
    - 2) General Plan designation(s), existing and proposed (if applicable).

- 3) General Plan Vision and applicable Goals and Policies.
  - 4) Zoning classification(s), existing and proposed (if applicable).
  - 5) Zoning district standards, existing and proposed (if applicable), including permitted uses, setbacks, building heights, open space and landscaping buffer yards.
  - 6) Reference to review and decision making criteria.
  - 7) Process for decision on the request.
  - 8) Web link to the General Plan, Zoning Code and other applicable policies and regulations.
  - 9) Process steps following meeting, including additional neighborhood meetings, public hearings and dates for recommendation and decisions on the request.
4. Focus on immediately adjacent neighbors first: As immediately adjacent neighbors to a proposed project are most impacted, priority will be given first to these residents at neighborhood meetings. This will be determined by the facilitator asking for immediate residents to raise hands. Questions and input will then be taken from these residents, followed by residents of the larger community.
5. Meeting Sequence: The following outlines the typical sequence of neighborhood meetings:
- a. First Meeting:
    - 1) Staff welcomes the group and outlines the intent and purpose of the meeting, including ground rules and flow of the meeting.
    - 2) Staff summarizes information regarding to the general plan designations, key policies, review criteria, zoning, traffic, drainage, water, schools and other relevant topics. Handouts will be provided on this information.
    - 3) Staff references the education and background information available on the project webpage. Staff emphasizes its importance and discusses how this information is used in decision making by the Town and how residents can obtain more detailed education regarding this information. An offer is made to meet with persons interested in a deeper level of education.
    - 4) Staff will inform residents that there is a potential to craft special conditions to customize the proposal as appropriate.
    - 5) The applicant provides a detailed overview of the development proposal and addresses conformance with the policies and criteria.

- 6) Questions and comments from the audience are taken in roundtable format, with priority given first to residents in the immediate area of the request. Comments are recorded and reflected in the meeting summary notes.
- 7) Staff concludes the meeting by summarizing the main issues raised, which will be the focus of the second meeting, if applicable.

b. Second Meeting:

- 1) Staff welcomes the group and outlines the intent and purpose of the meeting, including ground rules and flow of the meeting.
- 2) Staff provides a brief overview regarding the process and a summary of the topics raised at the first meeting and any relevant Town information, which will be the focus of this meeting.
- 3) The applicant provides a detailed response to the main topics raised, including any proposed modification of the application to address resident concerns.
- 4) Comments and input from the audience are taken, with priority given first to residents in the immediate area of the request.
- 5) Staff concludes the meeting by summarizing any agreements reached and outlining any remaining issues. Staff indicates whether there will be any further meetings based on the outcome of the second meeting.

c. Third and Subsequent Meetings: If applicable, these meetings may occur after the required ones and may utilize any format designed to further understanding of the project and related resident comments and concerns. These formats may include:

- 1) Traditional formats outlined above.
- 2) Open house style meetings with stations focused on specific topical areas such as water traffic, drainage and land use.
- 3) Staff facilitated methods to explore issue identification and possible solutions.
- 4) Small group meetings between the applicant and neighborhoods and/or specific groups of residents are subject to the following when arranged by the Town:
  - a) Notice of small group meetings will be provided to all residents within the notification boundary.
  - b) Meetings are open to all residents.

- c) The meetings will remain focused on specific localized concerns which are the topic of the meeting.
  - d) The results of the small group meeting will be posted on the Project Website, including any agreements reached between the applicant and the residents.
  - e) The meeting location will meet the requirements of the Zoning Code.
  - f) Nothing herein will be construed as preventing the applicant from informally contacting or meeting with groups or individual residents to understand and address concerns.
- 5) On-site meetings to discuss potential development impacts and view land features or other site attributes.

**AUTHORIZED**

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Paul Keesler, Director



# Development and Infrastructure Services Neighborhood Meeting Survey

Project \_\_\_\_\_

Date \_\_\_\_\_

Meeting the needs of our constituents is important to us. To assist us in providing the highest quality customer service, we encourage you to fill out this survey and include any comments and/or suggestions.

Facilities	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
The meeting room was appropriate for tonight's meeting (seating, able to hear, able to see, etc...).					
Staff	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
The information provided was easy to understand.					
The meeting was conducted in a fair and efficient manner.					
I received a clear and understandable response to my question(s).					
The handouts provided were helpful in understanding the proposed development.					
Applicant	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
The information provided was easy to understand.					
I received an informed response to my question(s).					
Meeting Components	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
Information regarding the Town review process and standards was sufficient.					
The extent of project details enabled me to understand the proposal.					
Adequate time was provided to allow participants to ask questions and voice concerns.					
The three meeting components above were well executed. If not, please describe below.					
<b>General Comments</b> (What was done well? What could be improved? Etc...)					
<b>OPTIONAL</b>					
_____		_____		_____	
<i>Customer Name (Please Print)</i>		<i>Phone Number</i>		<i>Email</i>	

Thank you for taking the time to help us improve!  
Your engagement continues to make the Town of Oro Valley a great community.  
Please stay involved with the development process by logging on to [www.orovalleyaz.gov](http://www.orovalleyaz.gov)

**PLANNING AND ZONING DEPARTMENT  
STANDARD OPERATING PROCEDURES**

**Public Participation and Notification Policy**

SOP # \_\_\_\_

Copies to: All Planners

Effective: December 4, 2009

**Policy:** This SOP establishes policy and protocol for conducting neighborhood meetings, as further defined in Section 22.15 of the Oro Valley Zoning Code Revised (OVZCR).

**ROLES AND PROCEDURES FOR NEIGHBORHOOD MEETING FACILITATION**

I. Neighborhood Meeting Facilitation

Facilitators serve an important role in neighborhood meetings for development projects. A facilitator may be defined as:

- *"Someone who helps a group of people understand their common objectives and assists them to plan to achieve them without taking a particular position in the discussion." (Source: Wikipedia <http://en.wikipedia.org/wiki/Facilitator>)*
- *"One who contributes structure and process to interactions so groups are able to function effectively and make high-quality decisions." (Source: Ingrid Bens)*

It is appropriate for Planning and Zoning staff (P&Z staff) or volunteer or professional facilitators to facilitate various neighborhood meetings. The Planning and Zoning Director will determine the most appropriate facilitation for a particular project. Three different tiers have been defined for facilitation approach. This assessment may be revised as the neighborhood meeting process evolves. The three tiers are:

**Tier 1:** Facilitator is a Planning and Zoning staff member

- The list of issues is relatively short, and it appears that they can be fairly easily resolved
- The project does not involve a change in land use or development of a project with a land use that is significantly different in intensity or character relative to adjacent uses
- A low level of neighborhood interest is anticipated

**Tier 2:** Facilitator is a Town-approved volunteer or Town staff (including Planning and Zoning, Communications, and Constituent Services) with specific facilitation experience

- The development project is more complex, with greater potential to impact neighbors

- The project may involve more than one change in use from the land use map or current zoning, or a new use requiring a Conditional Use Permit that will have significant effects on adjacent properties
- The project involves a change in land use or development of a project with a land use that is significantly different in intensity or character
- A Tier 2 project may be designated as a Tier 3 at any point in the process if deemed necessary by the Planning and Zoning Director

There would be no facilitation costs incurred by the Applicant in Tier 2.

**Tier 3:** Facilitator is a credentialed professional who is engaged for exceptional circumstances in highly complex projects

- The project is very complex and generates a very high level of neighborhood interest
- The project involves a change in land use or development of a project with a land use that is significantly different in intensity or character relative to adjacent uses over a significant area of land
- The project would significantly impact residents beyond the immediate neighborhood
- Involves a General Plan Amendment as well as rezoning.
- The applicant is responsible for the fees incurred for facilitation services under Tier 3

Town-approved, volunteer facilitators must meet the following requirements:

- Demonstrate the ability and willingness to serve as a neutral third party to assist participants in identifying, discussing, and working toward resolution of issues and concerns that are raised through the public participation process
- Agree to follow defined facilitation principles, as defined by the International Association of Facilitators ([www.iaf-world.org](http://www.iaf-world.org))
- Attend a facilitator briefing conducted by Town staff. In addition, the applicant must demonstrate skill and knowledge of group process techniques. Experience or formal training and accreditation in group facilitation from a recognized training source is required
- Participate in an interview with a selection panel
- Participate in periodic review and sharing sessions with Town staff. The sessions are intended to help facilitators and staff keep their skills current, discuss challenges and identify ways for improving the process, and address other relevant issues

## II. NEIGHBORHOOD MEETING PROCESS

The Public Outreach Plan (POP), referenced in OVZCR, Section 22.2.D, outlines the neighborhood meeting sequence and format. In general, most development projects will require two or more neighborhood meetings. However, the two required meeting elements described below may be combined for projects that are smaller in scope or which have a low level controversy or issues related to them. The determination shall be at the sole discretion of the Planning and Zoning Director. The neighborhood meeting sequence and goals are described below.

1. **Educational Session**

The first meeting is an educational session, conducted by the project planner, to assist the neighbors in developing a solid understanding of the applicable planning process and regulations. This meeting should be conducted prior to formal submittal, where possible, so that Planning and Zoning requirements are understood. The goals of this meeting are to:

- Provide information to interested parties regarding:
  - Existing site conditions, including a map and tentative development plan
  - Existing zoning and entitlement conditions for the subject property
  - Oro Valley Zoning Code requirements that relate to the project, including a chart of permitted uses and district descriptions, development regulations, applicable overlay districts, and any environmental overlays or regulations applicable to the property
  - Review and approval process
  - Pertinent General Plan goals and policies
  - Board and commission evaluation criteria
  - Other relevant information
- Provide an opportunity for interested parties to ask questions; request clarification, and enhance their understanding of the review and approval process; and to clarify which issues are discretionary and may be negotiated through the public participation process, and which are not.

Neighbors are asked to keep discussion about issues and concerns regarding the specific proposal for the next meeting. The applicant may be present at the meeting to observe. The focus on this session is education rather than detailed description of the proposal and issue identification.

The planner must provide the applicant with copies of any handouts that were distributed and a summary of the meeting. If a facilitator is needed for future meetings, they should be invited to attend to observe this meeting. The date and time of the Issues Identification Meeting should be announced to the group.

2. **Applicant Presentation Meeting**

This next meeting includes neighbors, staff and the applicant and is facilitated according to the Tier guidelines noted under Section II. The goals of this meeting are to:

- Lay the groundwork for good communication between the neighbors and applicant
- Demonstrate how the project design conforms to applicable codes and General Plan criteria
- Present the proposed development project or conceptual plan
- Identify any issues related to the proposal
- Discuss possible alternatives, solutions, and mitigation strategies
- Strive to reach mutually agreeable solutions

If issues and concerns are resolved between all or some neighbors and the applicant, the solutions may be recorded in writing to become possible conditions of approval. If the applicant or neighbors need additional time to consider the issues or develop solutions, a follow-up meeting should be proposed.

### III. GUIDELINES FOR FACILITATORS, STAFF, AND APPLICANT

#### 1. Planner's role and function:

- Define the meeting agenda
- Explain, reiterate and clarify public review process, P&Z requirements, general plan policies and evaluation criteria, as needed, throughout the process
- Suggest appropriate design or mitigation techniques
- Inform the group of limitations on proposed solutions and conditions, for instance, if they are not consistent with P&Z regulations
- Develop an evaluation form to distribute at the meeting
- Collect the evaluation forms and draft a brief meeting summary

#### 2. Applicant's role and function:

- Fully explain the proposed project, including land use, site layout, function and daily operations and target market
- Listen to neighbor's issues and concerns and propose possible solutions
- Be prepared to respond to questions about how the project meets specific general plan policies and review criteria
- Include project team members with decision making authority

#### 3. Facilitator's role and function:

- Assist the planner to define the meeting agenda
- Clarify participants' roles
- Establish his or her responsibility as the meeting leader, including:
  - Timekeeping and following the agenda
  - Establishing and enforcing meeting ground rules
  - Maintaining a clear record of the discussion
- Utilize the P&Z staff to respond to issues regarding the development process and regulations and to simplify planning jargon, and the applicant to respond to issues regarding the development application
- Assist the group in breaking complex issues up into separate, identifiable ones
- Promote balanced participation by group members
- Guide the discussion toward a mutually agreeable solution, when possible
- Ensure that solutions are fully understood and accurately recorded
- Assist the group in determining whether additional meetings are needed

12/22

#### IV. SUPPLEMENTAL MATERIALS

Neighborhood meeting participants are responsible for providing the following:

##### **Applicant:**

- Copies of a project fact sheet, which will include an area map, project description, zoning district and general plan designation, and contact information for the applicant staff
- Reduced 11"x 17" copies of the development proposal
- Graphics that effectively depict the proposal, such as: white boards, PowerPoint presentations, three-dimensional models, view shed analyses, and other appropriate visualization techniques

##### **Planner:**

- Sign-in sheet
- Comments cards for attendees
- Copies of the agenda
- Evaluation forms

##### **Facilitator:**

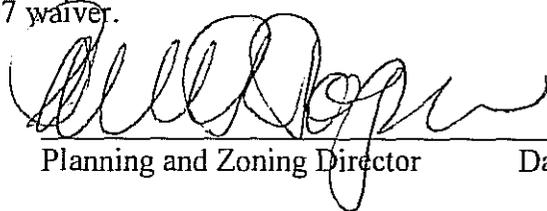
- A brief list of meeting ground rules

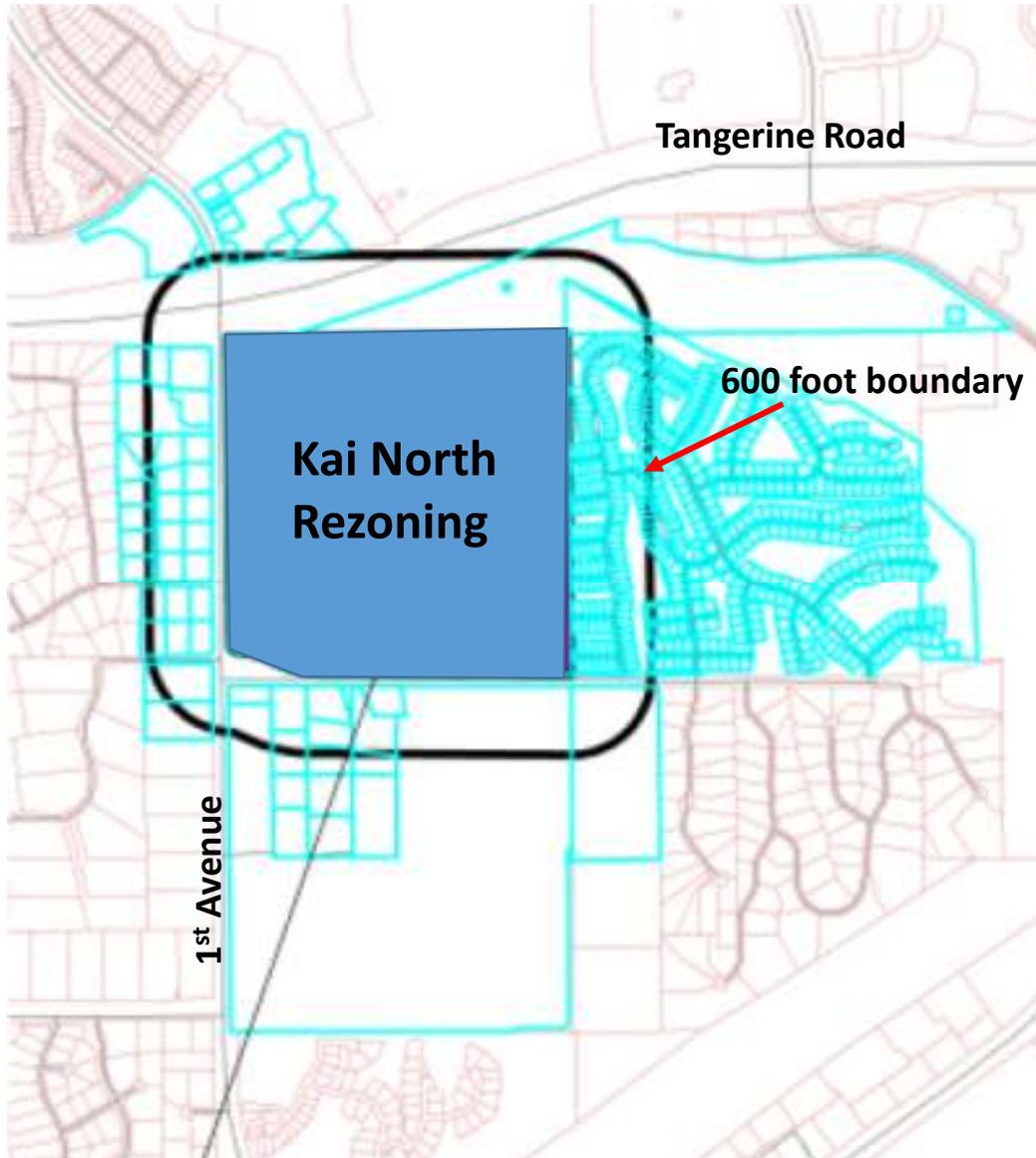
#### V. MEETING FOLLOW-UP

The project planner will provide a summary of the neighborhood meetings for the staff report that includes:

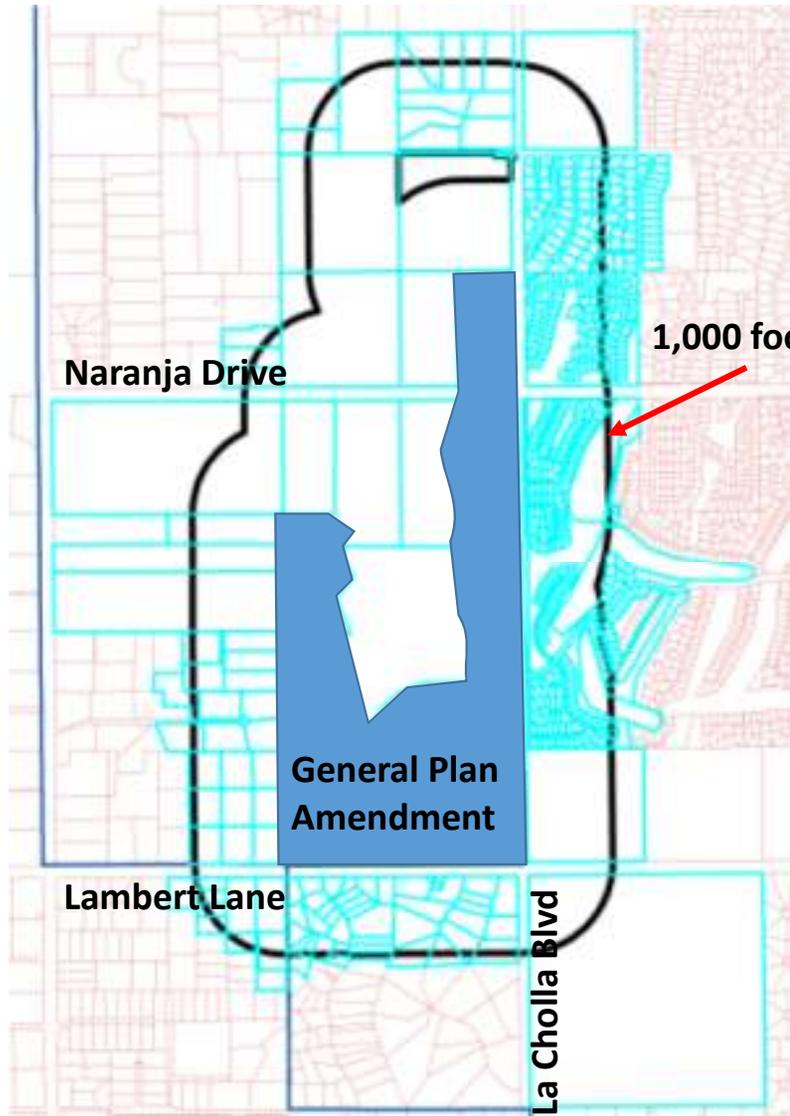
- A list of the issues and concerns that were discussed
- A brief description of how issues and concerns were resolved, or the reasons that they were not resolved

Agreed upon solutions and appropriate signatures must be provided to the project planner. The planner will determine if the elements are consistent with the Town Zoning Code and other applicable policies. If they are consistent, the elements will be incorporated into the Staff Report as conditions. If they are not consistent, they may only be included as a proposed condition if the applicant signs an appropriate Proposition 207 waiver.

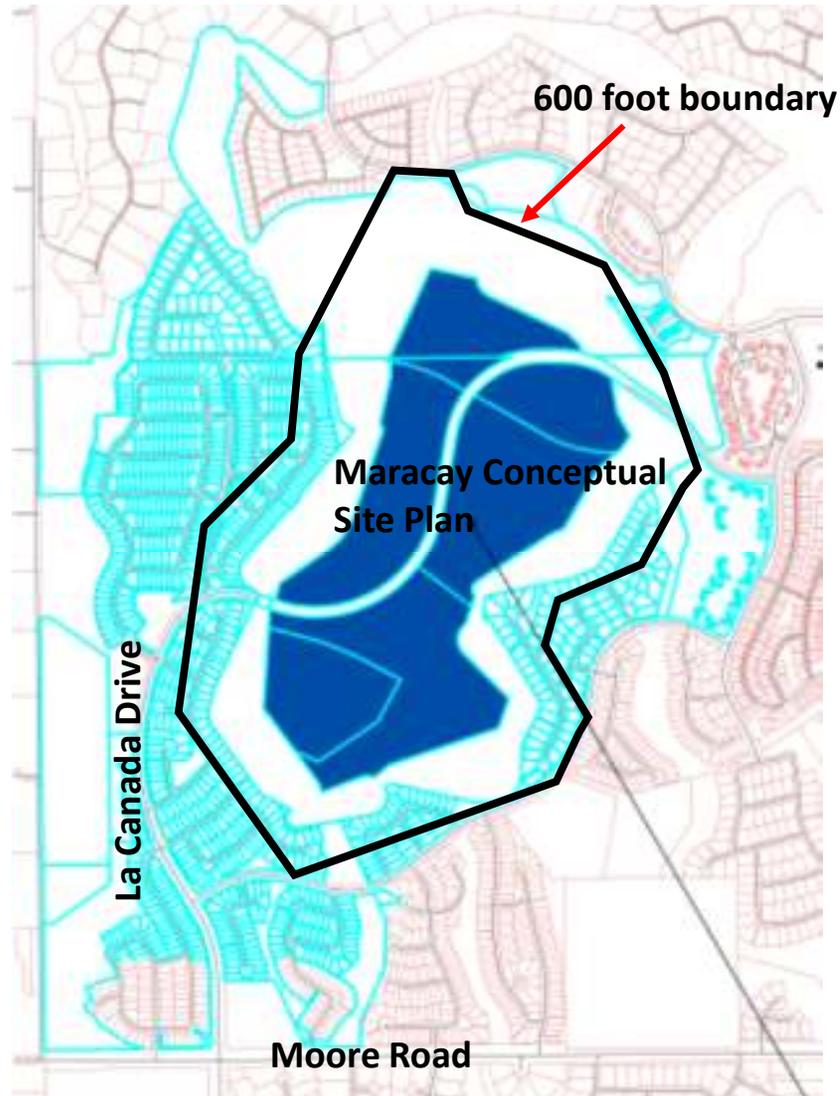
  
\_\_\_\_\_  
Planning and Zoning Director                      Date



**592 Residents Notified**



**483 Residents Notified**



**673 Residents Notified**



## Zoning Code Amendment Planning and Zoning Commission Staff Report

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**CASE NUMBER:** OV1501056  
**MEETING DATE:** December 1, 2015  
**AGENDA ITEM:** 3  
**STAFF CONTACT:** Chad Daines, Principal Planner  
[cdaines@orovalleyaz.gov](mailto:cdaines@orovalleyaz.gov) (520) 229-4896

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**Applicant:** Initiated by Town Council  
**Request:** Zoning Code Amendment – Public Participation  
**Recommendation:** Recommend approval of the Zoning Code amendment as provided in Attachment 1

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### SUMMARY:

Town Council has initiated this amendment to update the Zoning Code to reflect current practices for conducting neighborhood meetings. On November 5, 2014, Town Council assigned Councilmembers Zinkin and Hornat to work with staff to review the proposed changes.

The Planning and Zoning Commission held a Study Session on November 16<sup>th</sup>, with discussion focused on the following four areas:

- Enhanced public notice for neighborhood meetings to:
  - Include clear and understandable sign postings on the property
  - Allow or require the use of social media, list-serves and other electronic methods of notice
  - One Commissioner suggested the notification radius should be expanded
  - One Commissioner suggested using the Explorer Newspaper for notice
  
- Enhanced information and education to:
  - Provide information on project webpage to include relevant policies, requirements, review criteria and process details

- Expanding discussion at the first neighborhood meeting to include reference to the background information available on the project webpage, how this information is used in decision making and how residents can obtain more detailed education regarding this information
- Clarification that small group meetings must be organized and attended by town staff. Notice and access to these small groups must be provided to all residents within the notification boundary and meetings should be open to all residents
- Provide facilitation ongoing training for planning staff members

The proposed Zoning Code revisions are provided in Attachment 1 and the proposed revisions to the Public Participation and Notification Policy (Policy) are provided in Attachment 2 (included for discussion purposes as opposed to formal approval). These attachments have been updated in response to some of the issues raised at the Study Session.

- The 2009 Public Notification and Participation Policy is provided as Attachment 3.
- A draft Neighborhood Meeting Survey which is intended to receive resident feedback is provided as Attachment 4. This is included for discussion purposes as opposed to formal approval.
- The November 16<sup>th</sup> Planning and Zoning Commission staff report is provided as Attachment 5 for background purposes.

This item is scheduled for discussion and possible recommendation to Town Council.

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## **BACKGROUND/DISCUSSION**

This report focuses on changes to the draft Zoning Code amendment and Policy (intended to be used as a standard operating policy) as discussed at the Planning and Zoning Commission Study Session. Please refer to the November 16<sup>th</sup> Planning and Zoning Commission staff report (Attachment 5) for detailed information and background on the overall amendment.

The discussion at the Study Session focused on the following four topics:

### 1. Enhanced Notification

The Commission discussed a number of approaches and methods to enhance notification to residents of a neighborhood meeting. It was the consensus of the Commission to update the Zoning Code amendment and Policy to address the following:

- Add a formal requirement for sign posting on the subject property.

- Signs should provide information that is clear and understandable by the general public and information should be more visible
- Use of additional methods of public notification in appropriate cases to include social media, list-serves, email notifications and computer generated telephone calls

As the apparent consensus of the Commission was to include these items, the Zoning Code amendment and Policy has been updated accordingly.

Several additional methods to enhance notification were discussed, however, were not clearly a consensus of the Commission. These areas are as follows:

- One Commissioner suggested expanding the notification boundary for all applications to 2,500 feet.
  - The current draft includes the requirement to notify property owners within 1,000 feet of a General Plan Amendment, and property owners within 600 feet for all other applications of a neighborhood meeting
  - These distances exceed State Law requirements for public hearings, which only requires a newspaper advertisement and no mailed notice for General Plan Amendments and Rezoning applications
  - These distances are derived from the notification radius currently required by the Zoning Code to notify residents of public hearings or public meetings before advisory boards and commissions and Town Council. Using the same notice radius for neighborhood meetings and public hearings ensures the same residents are notified consistently throughout the process.
  - The Zoning Code permits the Planning and Zoning Administrator to expand the notification boundary to include entire subdivisions or areas impacted by a request. The notice boundary is regularly expanded to include impacted areas and regularly exceeds the minimum radius specified in the Zoning Code
  - Attachment 6 depicts three case examples of mailed notice for comparative purposes and includes the number of residents notified in each example. As can be seen from the examples, the number of residents notified ranges from 483 to 592, a significant number of residents in each case.

Staff believes the proposed radius distances, coupled with the property posting, provides sufficient notice to impacted properties. Expanding the notice boundary to 2,500 feet would have the effect of requiring notice to properties in excess of a square mile for all applications, which in staff's view is excessive.

- The Commission discussed increasing the size of signs posted on the property and requiring the applicant to pay for the cost of installing and maintaining the sign over the course of the project.
  - Having the developer install larger signs and update those signs throughout the course of the project is common in other jurisdictions
  - The Zoning Code amendment (Attachment 1) has been updated to reflect the apparent consensus of the Commission to increase the size of the signs. The amendment now requires the sizes be three (3) feet by four (4) feet in area
  - If the Commission and Town Council are supportive of further increasing the size of signs, staff would recommend a separate amendment be initiated to comprehensively address the sign posting requirements throughout the Zoning Code to include not only neighborhood meetings, but also sign posting requirements for all public hearings before advisory boards and commissions and Town Council
- One Commissioner discussed using the Explorer Newspaper for public notice.
  - The Explorer newspaper does not meet the statutory requirements for public notice as it not a subscription newspaper and only is printed weekly
  - The Town could use the Explorer in addition to the Territorial Newspaper. However, the cost for newspaper advertisements in the Explorer are significantly higher than the Territorial Newspaper and use of the Explorer would exceed the Department budget allocation for public notices. Staff has budgeted for Explorer advertisements for larger and/or controversial cases

## 2. Enhanced Information and educational materials

Mr. Adler provided the Commission a detailed presentation of educational materials he had used in past efforts to educate neighborhoods on relevant policies, regulations, review criteria and the decision process.

The Commission discussed approaches to provide this information to residents and methods to enhance education. It was the apparent consensus of the Commission to amend the Policy to include:

- The need to post background and educational materials on the project website to include relevant general plan policies, general plan designations and zoning classifications, development standards, review criteria and decision process(es)
- These materials should be posted before the notice is sent to residents for the first neighborhood meeting

- The meeting facilitator should reference this information at the first neighborhood meeting, explain how this information is used in decision making and explain how residents can obtain more detailed education regarding this information

The Policy has been updated to reflect the above consensus items from the Commission.

### 3. Small group meetings

The Commission expressed concern with small group meetings as follows:

- Small group meetings with participants selected by the developer or a community activist tend to include more vocal residents and leaves other residents out of the process
- Small group meetings should be organized and attended by town staff
- Notice should be given to all affected residents
- Small group meetings should be open for attendance by all residents

The above items were a consensus of the Commission and the Policy has been amended to reflect these items.

### 4. Ongoing facilitation training of planning staff

This is an ongoing need as facilitation methods and approaches improve. The Department plans on providing facilitation training for all planners on an ongoing basis.

### Public Comments:

Comments have been received from the Metropolitan Pima Alliance concerning the radius of notification letters (Attachment 7)

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## **CONCLUSION**

In summary, the amended Zoning Code and amended Policy reflect current practice in the conduct of neighborhood meetings, which has been more favorably received by residents than the current approach established by the Zoning Code.

The modified sequencing of meetings enables residents to gain an understanding of the Town process and proposed development in the first meeting and then allows for subsequent meeting to focus and on resident issues and strive for issue resolution and provide opportunities for consensus. The amended Policy also enables flexible

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approaches and methods to educate, discuss solutions to neighborhood issues, which is the primary objective of the neighborhood meeting process.

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**RECOMMENDATION:**

Based on the finding that the amendment will update the Zoning Code to reflect current practices for neighborhood meetings and provide for future best practices to be employed for neighborhood meetings, it is recommended that the Planning and Zoning Commission take the following action:

**Recommend approval to the Town Council of the requested Zoning Code Amendment as provided in Attachments 1.**

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**SUGGESTED MOTIONS:**

The Planning and Zoning Commission may wish to consider the following suggested motion:

I move to recommend approval of the Zoning Code Amendment in Attachment 1 related to neighborhood meetings, based on the findings in the staff report.

OR

I move to recommend denial of the Zoning Code Amendment in Attachment 1 related to neighborhood meetings, based on \_\_\_\_\_.

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**ATTACHMENTS:**

1. Proposed Zoning Code Amendment
2. Proposed Public Participation and Notification Policy
3. 2009 Participation and Notification Policy
4. Neighborhood Meeting Survey
5. November 16<sup>th</sup> Planning and Zoning Commission Staff Report
6. Example Notice Maps
7. Metropolitan Pima Alliance Letter

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Bayer Vella, AICP Planning Division Manager



## Zoning Code Amendment Planning and Zoning Commission Staff Report

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**CASE NUMBER:** OV1501056

**MEETING DATE:** November 16, 2015

**AGENDA ITEM:** 1

**STAFF CONTACT:** Chad Daines, Principal Planner  
[cdaines@orovalleyaz.gov](mailto:cdaines@orovalleyaz.gov) (520) 229-4896

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**Applicant:** Initiated by Town Council

**Request:** Zoning Code Amendment – Public Participation

**Recommendation:** Study Session – Discussion and direction only

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### SUMMARY:

Town Council has initiated this amendment process to update the Zoning Code to reflect current practices for conducting neighborhood meetings. On November 5, 2014, Town Council assigned Councilmembers Zinkin and Hornat to work with staff to review the proposed changes.

The current provisions of the Zoning Code outline the timing and sequencing of neighborhood meetings. It also enables the Planning and Zoning Administrator to approve alternate methods which achieve meaningful input and are consistent with the intent. Over time, the neighborhood meeting process has evolved necessitating revisions to the Zoning Code and Standard Operating Procedures (SOP) for clarity and to create alignment with current practices.

The current Zoning Code is specific and detailed in terms of the meeting content and sequencing of meetings. Although standardization is important, it is equally important to retain a certain level of flexibility to tailor the neighborhood meeting process to be effective in addressing the particular aspects and issues associated with a specific development application.

The proposed Zoning Code revisions are provided in Attachment 1 and the proposed revisions to the SOP are provided in Attachment 2.

The SOP is intended to be adopted administratively by the Planning and Zoning Administrator as a management tool. It is provided as an attachment to this report for informational purposes only. Also provided as information and for feedback purposes is a Neighborhood Survey form, which is also not subject to Commission vote.

As this item is scheduled for a Study Session for discussion and direction only, no formal action from the Commission will be taken.

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## **BACKGROUND/DISCUSSION**

### Current Zoning Code and SOP

The current Zoning Code language and SOP were adopted in 2009 following input from a committee comprised of advisory board members, elected officials and interested parties. The 2009 SOP is provided as Attachment 3 for reference. The neighborhood meeting process has evolved over time, necessitating minor revisions to the Zoning Code and SOP, which are outlined below.

The Zoning Code and 2009 SOP outline a specific timing and sequencing of neighborhood meetings as follows:

Meeting 1 (Educational Session): This meeting is intended to provide information on existing conditions, zoning, general plan, application processing and criteria used in evaluation of the proposal. The applicant may not participate in this education session.

Meeting 2 (Applicant Presentation): This meeting is intended for the applicant to present the specific development proposal, identify issues and strive to find mutually acceptable solutions.

Both meetings are currently required to occur prior to formal submittal of the application.

This approach has been used in past neighborhood meetings and has frustrated residents who leave the first meeting without a complete understanding of the specific project being proposed by the applicant. The primary focus for residents at neighborhood meetings is to gain an understanding of the project and how it may impact their property and the current process does not provide project details until the second neighborhood meeting. This structure delays necessary time for residents and the developer to interact.

### Proposed Zoning Code and SOP

Over time, a common approach has evolved to provide a staff overview/education and applicant presentation at the first neighborhood meeting. The second and subsequent meetings then become an opportunity to focus on issues raised by residents at the first meeting and to strive for issue resolution.

This alternative approach has become the normal method approved by the Planning and Zoning Administrator as it provides residents an understanding of both the Town process and the proposed development at the first meeting and enables the second and subsequent meeting to focus on resident issues. Although alternative approaches are enabled by the Zoning Code, this amendment has been initiated to reflect this common approach to neighborhood meetings which has evolved over time.

The specific changes proposed in the Zoning Code amendment and amended SOP are as follows:

- Elimination of the specific meeting content and sequencing requirements, which have been moved to the amended SOP. The amended content requirements in the SOP enables staff overview and applicant presentation at the first meeting and provides for second and subsequent meetings to focus on resident issues.
- This approach of providing more detail in the SOP versus the zoning Code enables the Town to make improvements to the meeting content and structure without requiring a Zoning Code amendment. This approach is recommended because best practice in meeting facilitation evolve and are not static. Additionally, approaches to neighborhood involvement vary, depending on the specific issues involved with a particular case.
- The amended SOP also allows alternative formats for third and subsequent meetings to include open houses, small group meetings, consensus workshops and on-site meetings. These alternative approaches are helpful in tailoring meetings to provide detailed information particular to a case, focus on issues unique to a development and provide effective methods to resolve resident issues.
- Amends the timing of meetings to require the first meeting to occur prior to formal submittal, the second meeting prior to public hearings and allowing subsequent meetings during the public hearing process to address issues raised and in an effort to create solutions. This enables residents to be involved throughout the project as it evolves, rather than only being involved at the beginning stages of the process.
- Includes a formal requirement for a mailed notice at least 15 days prior to each meeting.
- Deletes language within the General Plan and PAD sections of the Zoning Code to provide a single Zoning Code section addressing neighborhood meetings for clarity and simplicity.
- A Neighborhood Meeting Survey form has been developed (Attachment 4) to receive resident input on neighborhood meetings with the goal of continuous

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improvement of the neighborhood meeting process to best serve resident's needs.

- The SOP and Neighborhood Survey have been provided for discussion and feedback, but are not subject to Commission vote.
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## **CONCLUSION**

In summary, the amended Zoning Code and amended SOP reflect current practice in the conduct of neighborhood meetings, which has been more favorably received by residents than the approach established by the Zoning Code.

The modified sequencing of meetings enables residents to gain an understanding of the Town process and proposed development in the first meeting and then allows for subsequent meeting to focus and on resident issues and strive for issue resolution and consensus. The amended SOP also enables flexible approaches and methods to find solutions to neighborhood issues, which is the primary objective of the neighborhood meeting process.

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## **RECOMMENDATION:**

As this is a Study Session, this item is for discussion and direction to staff only with no formal action taken by the Commission.

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## **SUGGESTED MOTIONS:**

N/A

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## **ATTACHMENTS:**

1. Proposed Zoning Code Amendment
2. Proposed Public Participation and Notification Policy
3. 2009 Participation and Notification Policy
4. Neighborhood Meeting Survey

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Bayer Vella, AICP Planning Division Manager

**MINUTES  
ORO VALLEY PLANNING AND ZONING COMMISSION  
REGULAR SESSION  
December 1, 2015  
ORO VALLEY COUNCIL CHAMBERS  
11000 N. LA CAÑADA DRIVE**

**REGULAR SESSION AT OR AFTER 6:00 PM**

**CALL TO ORDER**

Chairman Rodman called the December 1, 2015, Regular Session of the Planning and Zoning Commission meeting to order at 6:00 PM.

**ROLL CALL**

**PRESENT:**

Bill Rodman, Chairman  
Melanie Barrett, Commissioner  
Greg Hitt, Commissioner  
Tom Drazazgowski, Commissioner  
Charlie Hurt, Commissioner  
Bill Leedy, Vice-Chairman

**ABSENT:**

Frank Pitts, Commissioner

**ALSO PRESENT:**

Joe Hornat, Council Member  
Lou Waters, Vice-Mayor  
Joe Andrews, Chief Civil Deputy Attorney

**PLEDGE OF ALLEGIANCE**

Chairman Rodman led the Planning and Zoning Commission members and audience in the Pledge of Allegiance.

**CALL TO AUDIENCE**

Bill Adler, Oro Valley resident, stated he believes strongly that the Town of Oro Valley should rely on planning principals rather than personal judgment. Communications that are written from staff of the Development and Infrastructure Services to the Commission are filled with ambiguities, statements and politics rather than planning principals. Most of the significant issues having to do with planning and the Town of Oro Valley have been initiated by residents. He expects more from the Planning Commission, Conceptual Design Review Board, staff and people we elect to represent the community. These people should be held to a higher standard. This involves relying on what's been adopted, what's required by code and what's been ratified by the

citizens of Oro Valley. So many decisions are made based on feelings and quite frankly he doesn't care how you feel. He cares about compliance and what makes sense in the community. The trust in government is at the lowest level he has ever seen and he doesn't know if it's repairable.

## **COUNCIL LIAISON COMMENTS**

Council Member Hornat, provided the following updates:

- Thank you to Commissioner Pitts and Chairman Rodman for their service on the Planning Commission
- Two candidates have been selected to serve on the Planning and Zoning Commission
- Town Council, November 4th meeting
  - Approval of the Your Voice, Our Future 90% draft
  - Approval of Nakoma Sky, with the conditions that the architecture needing work before Conceptual Design Review Board
  - Approval of the Fry's Fuel Station as recommended by the Commission
- Town Council, November 18th
  - Approval of changes to Senior Care Definitions, Uses and Zoning Districts as recommended by the Commission
  - Not Approved was the request to reconsider Nakmona Sky
  - Not Approved was the request to consider a property purchase on Magee and Oracle
  - Lengthy discussion on the personnel actions taken by Town Council regarding Council Member Zinkin
  - Certification of the November 3rd Election Results by the Town Clerk with no changes

## **REGULAR SESSION AGENDA**

### **1. REVIEW AND/OR APPROVAL OF THE OCTOBER 20, 2015 SPECIAL SESSION MEETING MINUTES**

Commissioner Hitt requested a correction to his name on the page 1.

**MOTION:** A motion was made by Vice-Chairman Leedy and seconded by Commissioner Hitt to approve of the October 20, 2015 Special Session meeting minutes as amended.

**MOTION** carried, 6-0.

**2. PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION ON THE VERDE CATALINA TOWNHOMES PLANNED AREA DEVELOPMENT (PAD), LOCATED ON THE EAST SIDE OF ORACLE ROAD, APPROXIMATELY 600' NORTH OF MAGEE ROAD, OV914-005**

Rosevelt Arellano, provided a presentation that included the following:

- Purpose
- Site Plan
- Large Lot Zoning Versus Town Home Zoning
- Timeline
- PAD Development Standards
- General Plan Conformance
- Public Participation
- Planning and Zoning Commission
- Summary

Chairman Rodman opened the public hearing.

Bill Adler, Oro Valley resident, stated that there have been a number of variances before the Board of Adjustment in this community. The intention was to have this property develop similar to the property immediately to the east. He believes this property should be rezoned with what the Town intends to do in the future. At some point in time the Town of Oro Valley is going to deal with redevelopment. There will be no more property available for development and we will have to deal with trying to select property to be redeveloped. This property would be a good candidate for redevelopment, it is a blight on the community and has demonstrated this through the variances requested.

Chairman Rodman closed the public hearing.

**MOTION:** A motion was made by Vice-Chairman Leedy and seconded by Commissioner Hitt to recommend approval of a rezoning from R1-144 to Verde Catalina Townhomes Planned Area Development (PAD), based on the findings that it is consistent with Section 24.4.H, the land use map of the General Plan and will provide standards which reflect existing development patterns.

**MOTION** carried, 6-0.

**3. PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION ON A ZONING CODE AMENDMENT TO SECTION 22.15 PUBLIC PARTICIPATION AND OTHER RELEVANT SECTIONS OF THE ZONING CODE. THE ZONING CODE AMENDMENT PROVIDES CLARIFICATION ON THE NUMBER AND**

**SEQUENCING OF NEIGHBORHOOD MEETINGS, ADDS A TIMING REQUIREMENT FOR MAILED NOTICE TO ADJOINING PROPERTY OWNERS AND OTHER CHANGES TO ALIGN THE ZONING CODE WITH PROCEDURES FOR CONDUCTING NEIGHBORHOOD MEETINGS, OV1501056**

Chad Daines, Principal Planner, provided a presentation that included the following:

- Purpose
- Objectives of a Neighborhood Meeting Code
- Background
- Summary of Current Requirements
- Experience: Hierarchy of Audience Needs
- Case Example - Cell Tower
- Case Example - Major General Plan Amendment
- Current and Proposed Changes
- Benefits of Amendments
- Summary of Study Session Discussion
- Enhanced Public Notice
- Sign Posting - Current and Proposed
- Notification Radius
- Enhanced information and education
- Small group meetings
- Facilitation training
- Summary and Recommendation

Vice-Chair Leedy questioned whether the Town or staff at any time take a position of advocacy on how best to overcome public opposition when meeting with applicants and/or developers or/and does staff at any time take a position of advocacy with members of the community.

Mr. Daines responded that staff strives to remain neutral in neighborhood meetings. The goal in conducting neighborhood meetings is to ensure fair and open dialogue.

Commissioner Hurt questioned whether the Town or staff suggest facilitators when there is an impasse or is the facilitation done by staff.

Bayer Vella, Planning Manager, responded that the common practice of facilitation is provided by staff. There have been very limited examples where a professional facilitator has been brought in. If the facilitator does not have a basic understanding of planning principals, it's a very tough spot to be in.

Commissioner Hurt stated that although staff is neutral at neighborhood meetings, ultimately staff will make a recommendation on the case.

Mr. Vella responded that it's always a challenge even though staff does their best to be neutral at neighborhood meetings. Staff will ultimately make a recommendation and if that recommendation happens to be in favor of the developer, that does leave an impression with many of the neighbors that staff favors the developer. This demonstrates the fine line we walk and it's a very challenging one.

Vice-Chair Leedy voiced his concern with the misperception that staff, this Commission and Town Council is a rubber stamp for applicants in this community. Mr. Leedy believes that perception is in large part if not entirely a function of a lack of knowledge of the number of applicants or applications that come before the Town that never see the light of day with respect to a staff report, an action from this Commission or an action from Town Council. Would this be an accurate statement?

Mr. Danies responded that many times a developer will come in and have a pre-application meeting or their first neighborhood meeting. What they hear at the neighborhood meeting determines if they move forward with application. Not all applications move beyond that first neighborhood meeting.

Chairman Rodman voiced his concern with the Policy and Procedures, 4.c.4: small group meetings between the applicant and neighborhoods and/or specific groups of residents. Chairman Rodman suggested clarification that the policy applies to small group meetings arranged by the Town staff.

Chairman Rodman opened the public hearing.

Dave Perry, Oro Valley resident and President and CEO of the Oro Valley Chamber of Commerce, believes the most fundamental problem the business community has with neighborhood meetings and with the process as a whole is that it takes too long. So he hopes whatever is done has the effect of reducing the length of time it takes to get something done while fully involving the public and arriving at mutual agreed upon outcomes. We do need better public noticing for proposed zoning changes and neighborhood meetings. He liked some of what he saw here tonight with bigger signs. We need to do a better job with broader media notification of meetings and events. Mr. Perry thinks we still need to be selective at the discretion of staff about use that media when appropriate. Mr. Perry suggested using "The Vista", which arrives in our water bill every month. One of the questions before you is if the notification should be widened from the current 1,000 - 600 square foot notification requirement, he doesn't believe this should happen. He suggest a creation of a primer, something that is broadly outlined but can be modified to specific cases that describes the current proposal. Let's put the valid issues in front of the people right off the bat, because when

we get to the end the valid issues are raised. Right sizing is important, something deserve a lot of attention, detail, notification and meetings but some things don't. It's important that staff have the option of making some of those kinds of judgments. Staff does an outstanding job at balancing the applicant's interests and the interests of neighbors that often don't have any idea what is happening. Should we think about a member of staff being assigned on a case by case basis as an ombudsman? Someone who is not directly working with the developer, someone who understands the code, understands the issues and can work with those people in the public.

Bill Adler, Oro Valley resident, commented that in terms of the Standing Operating Policy (SOP), he has always felt that the content and structure of the educational meeting should be part of the ordinance. There is nothing in the staff proposal that has to do with conditional approval. The ability for the community to add conditions of approval is central and this ordinance has to make a statement in regards to this. The community has the right to understand and staff has an ethical obligation to give the community the information, if it takes longer than the allotted time, tough. Staff is either going to honor this obligation or they are not. Mr. Adler commented that what works is people being knowledgeable and trusting government.

Shirl Lamonna, Oro Valley resident, commented that she feels that everybody has property rights, not just the developers. There is absolutely no guarantees that when a developer comes in that he has to be given the authority to have his property rezoned or whatever it might be. In Oro Valley there is no such thing as being fairly balanced, the developers clearly have the upper hand on what goes on with development in this Town and it's sad that the constituents don't have better education. Ms. Lamonna encourages the neighborhood meeting process so constituents can learn about the issues. She thinks it's important that when staff speaks to the constituents that all the facts are presented to them. Another concern is Listserv not having a large number of people receiving notifications, as well as people do not automatically go to the website for information. The Town's website is not user friendly and needs some improvement. Ms. Lamonna went on to question whether the general plan signs use five inch letters as required by code.

Don Bristow, Oro Valley resident, commented that he agrees with Mr. Adler. Mr. Bristow commented that he has attended a number of these meetings and the public walks away still feeling uneducated. To expect the citizens to be as educated about the codes and regulations as the developer who hires outside professionals is a ridiculous consideration. The citizens expect to be educated by the Town but walk way being let down. Mr. Bristow's concern with the proposed zoning code amendment and staff deciding when and if the meeting format will be changed is taking away from the process from what it used to be. Mr. Bristow agrees with the previous speaker about the Town website needing improvement, it is harder and harder to find

things. The language in the small group meeting policy needs to be cleaned up, the language is conflicting. Another concern is that everything is neutral is untrue.

Chairman Rodman closed the public hearing.

Mr. Daines responded to the public speaker's questions as follows:

When a question about the development proposal arises at a neighborhood meeting, staff refers the question to the applicant. In a lot of cases, especially at the first meeting, staff hasn't had the opportunity to review the application, and may be learning about it for the first time at the meeting. It is the applicant's application and it is their responsibility to answer the questions related to what they are proposing.

Staff indicates that they regularly reflect resident concerns in the conditions of approval or special area policies that ultimately get recommended by staff to the Commission and Town Council.

Staff tries to respond to the diversity of issues involved in large cases. You might have one area that is focused on one aspect like lot size and another area that is completely looking at something different like commercial uses.

In terms of education, staff does not just place a stack of handouts on the back table. Staff reviews the development standards and makes sure that residents understand what is being proposed by the developer.

In terms of Staff selecting certain policies, there are over 200 policies in the General Plan and staff is trying to make that simpler on the residents by providing the applicable policies to the request.

In terms of the level of information, neighborhood meeting is conducted in 1.5 hours. Staff takes 30 minutes on the presentation and the applicant takes another 30 minutes that leaves the balance of time to hear from our residents. Some of the information gets summarized in an effort to get to what's really important and hear from the residents about their concerns.

Staff does not go through how a neighborhood can force a super majority vote. Staff's goal is to be neutral. We have had neighborhoods ask, and we provided information on the code.

In terms of General Plan Lettering on sign postings, the font size is 5 inches, they are measured before the signs are posted.

Vice-Chairman Leedy proposes striking the word educate out of Section A: Purpose, number 3. As well as striking the text, "building trust through" out of Section A: Purpose, number 1 and insert the word utilize.

**MOTION:** A motion was made by Vice-Chairman Leedy to recommend a continuance of the Zoning Code Amendment until the next meeting.

Motion died for a lack of a second.

**MOTION:** A motion was made by Vice-Chairman Leedy to recommend approval of the Zoning Code Amendment subject to the changes to Section A: Purpose, number 1, inserting the word "utilize" and number 3, striking the text, "building trust through".

Motion died for a lack of a second.

**MOTION:** A motion was made by Vice-Chairman Leedy and seconded by Commissioner Hurt to recommend approval of the Zoning Code Amendment in Attachment 1 related to the neighborhood meetings, based on the findings in the staff report.

**MOTION** carried, 6-0.

#### **PLANNING UPDATE (INFORMATIONAL ONLY)**

Bayer Vella, Planning Manager, presented the Planning Update that included the following:

- Thank you to Chairman Rodman for his service and leadership to the Commission
- Two new members will be at the next meeting
- Items on the January 5th agenda

#### **ADJOURNMENT**

**MOTION:** A motion was made by Vice-Chairman Leedy and seconded by Commissioner Drazazowski to adjourn the December 1, 2015, Planning and Zoning Commission meeting at 8:08 PM.

**MOTION** carried, 6-0.

**MINUTES  
ORO VALLEY PLANNING AND ZONING COMMISSION  
STUDY SESSION  
November 16, 2015  
COUNCIL CHAMBERS  
11000 N. LA CAÑADA DRIVE**

**STUDY SESSION AT OR AFTER 6:00 P.M.**

**CALL TO ORDER**

Chairman Rodman called the November 16, 2015 Study Session of the Planning and Zoning Commission meeting to order at 6:00 PM.

**ROLL CALL**

**PRESENT:** Bill Rodman, Chairman  
Melanie Barrett, Commissioner  
Greg Hitt, Commissioner  
Bill Leedy, Vice-Chairman  
Frank Pitts, Commissioner

**EXCUSED:** Tom Drazazgowski, Commissioner  
Charlie Hurt, Commissioner

**ALSO PRESENT:** Lou Waters, Vice-Mayor

**PLEDGE OF ALLEGIANCE**

Chairman Rodman led the Planning and Zoning Commission members and audience in the Pledge of Allegiance.

**CALL TO AUDIENCE**

There were no speaker requests.

**COUNCIL LIAISON COMMENTS**

No Council Liaison present.

**STUDY SESSION AGENDA**

- 1. DISCUSSION REGARDING A ZONING CODE AMENDMENT TO SECTION 22.15 PUBLIC PARTICIPATION AND OTHER RELEVANT SECTIONS OF THE ZONING CODE INCLUDING THE NUMBER AND SEQUENCING OF**

**NEIGHBORHOOD MEETINGS, MAILED NOTICE TO ADJOINING PROPERTY OWNERS AND OTHER RELATED CHANGES, OV1501056**

Commissioner Barrett arrived at 6:05 PM.

Chad Daines, Principal Planner, provided a presentation that included the following:

- Purpose
- Objective of a Neighborhood Meeting Code

Bayer Vella, Planning Manager, presented a brief synopsis on the background of Neighborhood Meetings.

Mr. Daines, continued with the presentation that included the following:

- Summary of Current Requirements
- Experience: Hierarchy of Audience Needs
- Case Example -Cell Tower
- Case Example - Major General Plan Amendment
- Summary of Changes
- Benefits of Amendments
- Recommendation

Commissioner Pitts commented that the neighborhood meeting process is moving in the right direction. He would like to see a better attendance and substance at the neighborhood meetings. He applauds staff but believes we can fine tune a little more.

Commissioner Pitts would also like information provided to the residents so they know about the upcoming meetings. In addition, advertising in the Explorer Newspaper, extending the time period of the property notice, expanding notice radius as well as providing a link on the Town's website with the upcoming neighborhood meeting information.

Commissioner Hitt, questioned if the changes made to the Standard Operating Procedures (SOP) was brought before stake holders for comments.

Mr. Daines responded that Town Council initiated this item in November 2014 and assigned Councilmember Zinkin and Councilmember Hornat to work on developing these changes.

Commissioner Hitt questioned the proposed ordinance, item 3: Exemption from Neighborhood Meeting Requirements. Letter b, and questioned if all the requirements need to be met for an exception.

Mr. Daines responded that the exemption from neighborhood meeting requirements would have to meet all the requirements to be exempt.

Commissioner Barrett commented she was happy to see the timing requirement of the notice was 15 days. Commissioner Barrett went on to comment she would like to see the property signs more readable.

Mr. Vella commented the idea behind the update is to reflect what we are doing today. This was the objective when we first sat down with Councilmember Hornat and Councilmember Zinkin and worked on the re-draft. There will be instances that will be different that will not be reflected in the SOP. There will be deviations to the SOP in terms of the way the process goes, but the bulk of the applications will follow the SOP.

Chairman Rodman commented that he has attended a number of neighborhood meetings where he has seen the meetings handled differently depending on what the issues were. In every single case the people had the opportunity to participate in the meetings, after the meetings and even one-on-ones. He found staff accommodating every possible way to communicate with the neighbors about what was going on. In most of those cases, the applicant was very accessible as well.

Bill Adler, Oro Valley resident, commented this is not a study session.

Mr. Adler went on to comment that there are some profound differences between his point of view and the Town's point of view. It has nothing to do with notice, it has to do with how people are prepared when they confront the applicant. He would like to provide some graphic evidence what he considers educational and what the staff considers to be an overview. Mr. Adler went on to comment that waiting for people to ask questions is not how you educate, you anticipate questions and you provide the information.

Mr. Adler provided educational and background material that he used in past neighborhood meetings. Mr. Adler reviewed each component with the Commission.

Mr. Adler commented that neighborhood meetings are about getting the citizens to understand so they can participate at the applicant meeting. What he cares about is people understanding the process and what they need to know about this process in order to help them engage with the developer on an equal playing field. Mr. Adler appeals to the Commission to look over the handouts and incorporate more of what's in the handouts so that the ordinance treats people the way they should be treated.

Don Bristow, Oro Valley resident, stated he is in support of Bill Adler's comments 100%. He has been approached by other residents asking what questions they should be asking the developer. The public needs to be educated in a way they can come before the Commission and speak intelligently about the things the Commission is supposed to be looking at. The property signs need to be big enough to be read. Some of the issues mentioned tonight are important from a communications standpoint but don't address the issue of getting the citizens involved.

Commissioner Barrett questioned Mr. Adler as to whom does he propose the material he provided be given too.

Mr. Adler responded he was not proposing anything, he was communicating what he did because what is being done is unsatisfactory to him.

Chairman Rodman questioned if maybe some if not all of the material handed out by Mr. Adler could find its way into the SOP.

Vice-Chair Leedy commented that he has attended numerous neighborhood meetings and his opinion is the process is working reasonably well. Could the process be better, always yes, but he has yet to witness a single instance in which staff limited or hesitated in making information available when it was asked for. Vice-Chair Leedy suggested enhancing the notification process with some sophisticated email notification software or a more effective use of social media. Information could be added to the website closer to what Mr. Adler is proposing so that people can be informed.

Commissioner Pitts commented he agrees with more information at the meetings is needed. Training the staff is essential in addition to the developer footing the bill for the material. Commissioner Pitts went on to comment that he agrees with Commissioner Barrett regarding the property signs needing to be larger and more readable in addition to a link on the Town's website providing information about the upcoming meeting and the proposed development.

Commissioner Barrett commented that she would like to see Town staff take a more of a backseat roll at the neighborhood meetings. It would be appropriate for the developer to advocate for their own positions, as well as the neighbors advocating for their positions and the Town staff acting more as a facilitator.

Chairman Rodman stated that in the SOP, under the second meeting, number 4: Questions and comments for the audience are taken with the goal of achieving consensus between the applicant and the residents. Chairman Rodman commented that should not be our goal, he doesn't believe it should be in the SOP. Our goal is to come to a solution.

Mr. Vella commented that staffs focus is to be objective and the applicant's responsibility is to carry the freight for their application. Our goal is not to develop consensus between both parties, our goal is to develop consensus that there is a direction from the crowd.

Commissioner Barrett stated she likes the idea of letting the residents know what is being proposed at the first meeting instead of it being informational. In the small group meetings her concern is one group taking sides over other groups.

As this was a discussion item, no action was taken by the Commission.

**PLANNING UPDATE (INFORMATIONAL ONLY)**

Bayer Vella, Planning Manager, updated the Commission on the following:

- Town Council upcoming meetings
- Planning and Zoning Commission upcoming meetings

### **ADJOURNMENT**

**MOTION:** A motion was made by Commissioner Hitt and seconded by Commissioner Barrett to adjourn November 16, 2015 Study Session Planning and Zoning Commission meeting at 7:56 PM.

**MOTION** carried, 5-0.

DRAFT

Bayer - why does the staff report indicate that - within PURPOSE - that "customized methods " are desirable at times. but the intent is to achieve "consistency". Consistency in format and consistency in "expectations".

How can consistency be achieved if customizing, and "tailoring" methods or approach is okay?

Any serious reader of your report is left thinking as I do that the Town's commitment is anything but clarity. It goes on to say that the PA may change "content and structure".... but we want consistency. We also want "flexibility".

What is the point in having an ordinance, when a commitment to something is not even made?

You leave alone one intent is to "inform and educate", and then believe that creating a project page on a web site somewhere is how that is to be accomplished. This continues to say clearly that the Town really doesn't understand what is actually effective. Subsequently, at a possible second meeting, the report says that a "reference" will be made to the project page. Referencing something is your approach to education and informing. Educate is not achieved with a reference.

Somewhere along the line staff will indicate "allowable" uses, but no inclusion of the term in the code "permitted" and "conditionally permitted". No discussion is included of conditions proposed by the neighbors...only remarks or "comments". You are intentionally ignoring the one manner in which the neighbors can achieve or "forge solutions". By adding conditions.

The report indicates that staff will provide explanations of General Plan designations or Code Districts, whereas my information provides information on all with a highlight on what is proposed. What if the neighbors wish to discuss an alternative designation or district?

Staff indicates that an "offer will be made" to meet with anyone who wishes to go deeper. So, you acknowledge that you are not informing unless someone asks for it. That's the central purpose of having a meeting!

The report indicates that staff will provide "baseline" information. What kind of commitment to inform is that? The meeting format wishes to have the staff discussion coupled with a developer discussion with no Q&A until both are completed. What facilitator seriously interested in education uses a process such as that?

This whole thing is absolutely ridiculous.

Please give a copy of this summary to the Commissioners at the start of the item. Thank you.  
Bill

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The revised meeting draft makes assumptions as to consensus arrived at by the P&Z Commission. There were no votes; a clear majority was not obtained on ANY issue. It continues to be my opinion that Town

Staff prefers a mechanism that is convenient, easier and less demanding for THEM. The preference is definitely not in the interest of the community or residents within any neighborhood.

The most conspicuous of these assumptions is in the **posting** of relevant information on a Town website versus handing the information out at a meeting and reviewing it page by page. Handing material out has the advantage of allowing neighbors to have the information with them outside of formal meetings and can be used in discussion between neighbors in preparation for formal meetings. The draft says that "reference" to the web site information will be made. "Reference" ? The Town simply wishes to avoid any process that requires education. I think it is obvious why. No one has any experience or knowledge of the subject.

Mr Leedy of the Commission expressed the opinion - which I didn't hear from anyone else - that residents have a responsibility to inform themselves. Becoming aware of an issue is not the same as becoming knowledgeable or educated on the issue. Mr Leedy I hope understands this, but misstated the matter.

The draft makes a statement that current practice with regard to meetings has received satisfaction from neighbors to a greater degree than the process in the ordinance. It is a fact that the Town has NEVER organized a neighborhood educational process including one meeting for education, and a second for Q&A with the applicant. NEVER. Certainly never within the current DIS department staff's tenure. Therefore, to make a statement that current practice is superior is misleading.

The minutes I handed out to the Commission & Staff that conveyed "discussion" items from that neighborhood meeting I facilitated at the Suffolk Hills HOA isn't referenced at all, and I consider equally important to other educational material. IN particular is Conditional Approval which I emphasized. Why? I believe this is intentional.

Much of the material I produced for Staff and the Commission that I used in my facilitation underscored the necessity of compliance of proposals - be they amendments or re zonings - with the goals, policies and vision of the General Plan. This isn't referenced in your draft, and I believe this is intentional. Town Staff continues to prefer to believe that familiarization with adopted documents is secondary to Q&A with the applicant. As I said to the Commission and to the Town on numerous occasions, Citizens don't know what questions to ask. If information detail is not provided in hard copy, reliance upon questions to indicate satisfaction is either naïve or misleading.

The draft report continues to reference "current practices", and I strongly dispute this. Current practices has resulted in neighbors seeking direct consultation with the applicant, and avoiding the Town altogether. Even a single Council member has involved himself as a facilitator ... a person without credentials or, as far as I know, approval of the Town Staff. Current practices include an Open House format that has no built in ability to provide detailed information, or answer questions from any individual in attendance. Again, it is an easier format for the Town; totally dependent upon questions provided by citizens rather than information provided by the Town. This isn't progress.

I was told by e mail that this revised draft would approximate or incorporate my experience "as best as I can", but I must say that what I've read ignores a huge amount of critical detail.

Bill

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In addition to everything that was said, my concern about permitting - even encouraging - neighbor meetings directly with the developer is the responsibility the Town has to supervise the process. Unless the Town facilitates all meetings they are not controlling the information that is shared or accepted. The Town - in my view - cannot forfeit it's responsibility for the community welfare. Agreements that are made tentatively outside of Town supervision lack critical Town engagement.

This happened on the Kai property. People not associated with the Palisades HOA were not invited or accepted to attend. Development along major thoroughfares is a Town - wide interest. So, I disagree with any conclusions implied or stated last night that separate neighbor meetings with developers cannot be controlled. The participation by a Council member - in the case of Kai and LaCholla - is not authorized by code and should not be permitted. Council members are not professional planners or even professional mediators. Please do not incorporate meetings that are not organized and facilitated by the Town in to your revision.

As to the educational component, I presume I made a case for my approach. That was a different time when developers were controlling the meeting format. But I maintain that the Town cannot wait for questions to be asked, but needs to hand out information to be explained and kept for future reference right through the design stage.

Ms Barret acknowledged that she went to a meeting wanting to know one thing, and left when that one thing was answered. I would maintain that she could have gotten that answer without going to a meeting, simply over the phone or e mail contact with the Town. We do not want to encourage neighbors to operate with only one thing in mind...denial ... traffic...density...etc. The permitting process needs to be understood as comprehensive including many factors some of greater importance to some than others.

I've not had a problem with this in the manner that I provide information. People without exception understand why the General Plan is an important part of the decision making process; why permitted uses is in the code and available to be understood; why a description of a land use designation or a zoning district is relevant.

I implore you to change your preferred terminology from over view, and consistent with today's process to terminology that reflects a concentrated effort to inform. Of course, this is why two separate meetings is prescribed in the code...because a concentrated effort is necessary...not an skim, or glance.

Anyway, it's in your hands to adjust or not to what was heard from me as well as members of the Commission, not all of whom where heard from. Bill

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**From:** Diane Peters [[mailto:tucson\\_cowgirl@hotmail.com](mailto:tucson_cowgirl@hotmail.com)]

**Sent:** Monday, November 16, 2015 11:50 AM

**To:** Bower, Julie <[jbower@orovalleyaz.gov](mailto:jbower@orovalleyaz.gov)>

**Subject:** P&Z Mtg. Tonight

Julie,

I would have sent the attached letter sooner, but I recently returned from vacation to learn of a P&Z meeting tonight regarding the Neighborhood Meeting Ordinance.

Would you kindly see to it that the P&Z Commissioners each have a copy of the attached letter since I may not be able to make the meeting tonight. **It discusses problems with the Neighborhood Meeting Ordinance not being followed and issues with the Open House format as well.**

Thank you.

Respectfully,

Diane Peters

**TO:** Chad Daines

**FROM:** Diane Peters and Citizen Advocates of the Oro Valley General Plan

**DATE:** September 16, 2014

**TOPIC:** September 10<sup>th</sup> Neighborhood Meeting

We wanted to make you aware of our feelings on the Open House format at Wednesday night's Neighborhood Meeting.

Positioning town staff, the applicant, and the landowner at various stations around the room is a terrible format for a variety of reasons which we will outline below. Also, we understand that the town staff has already been made aware in the past (by Bill Adler) that this format is not conducive to residents' active participation in the process, which is the whole point of the Neighborhood Meeting.

The Open House format forces residents to stand in line for a long time in order to ask their question. I stood in line for over 20 minutes to ask just ONE QUESTION of James Kai. After that, I wasn't about to spend another 20 minutes standing in yet another line.

Additionally, with this format, the other 70-100 people in attendance don't get to hear the other residents questions or the answers. **Part of the Neighborhood Meeting Ordinance is that citizens are allowed to SHARE their questions and concerns with the other residents in attendance. The Open House format violates that portion of the ordinance.** In the "Purpose" section of the ordinance, #2 states that there must be an "*open dialogue between stakeholders, applicants, staff...*" While a "dialogue" might just be between two people, an "open dialogue" refers to the entire audience. The questions and answers must be open to the entire room.

A member of Citizen Advocates told me that she spoke with you (Chad Daines) about her displeasure with the Open House format. You told her that at the other two Neighborhood Meetings with the Q&A format, many people were frustrated that they had to wait so long to ask their question.

How is that worse than residents having to stand in line-after-line for 20 minutes each to get their questions answered? At 20 minutes per station, it would take a person an hour to get three questions answered at three separate stations. In my experience waiting to talk with James Kai, the person in front of me asked about 10 questions. This was unfair to me who had only one question. With the Q&A format, each person is allowed to ask one question at a time.

We believe that the town and Oland deliberately circumvented us by changing the format and that it was done by design because it's easier for the developer. We all saw how heated the last two Neighborhood Meetings were and how Paul Oland was worn down towards the end of the last meeting.

Another member of Citizen Advocates spoke with both Oland and Daines after the meeting and was told by both that they didn't receive our memo/questions until late in the afternoon and therefore they weren't prepared to address them at the meeting. We feel compelled to point out that in the Q&A format of the previous meetings, Oland did not receive the questions from the audience in advance yet he was still expected to answer them during the meeting.

In fact, in the SOP section of the ordinance, under **III. Guidelines, #2 Applicant's Role**, it says that the applicant must ***"be prepared to respond to questions about how the project meets specific general plan policies and review criteria."*** THAT was the exact content of our memo, yet Oland was allowed to dodge those questions that evening, in yet another violation of the ordinance.

We understand that the "Neighborhood Meeting Ordinance" was created by the Planning Administrator and Bill Adler and that it was approved along with a Standard Operating Procedure document that describes the approved format and content of these meetings. Why did the town staff ignore the SOP? Inconvenience for the staff? Inconvenience for the applicant?

Feedback from some of the members of our citizens group:

1. Something didn't smell right about that session. Whoever designed it was brilliant...divide everyone into groups, long waits to discuss each topic, and when you get to the head of the line, the expert would filibuster on one topic. I mentioned to Oland and Daines that this meeting was not going to cut it. We want a separate meeting with them. ~ Mr. Rick Hines
2. I didn't like the format, the way they broke up the groups. Cowardly move on their part. Questions and answers should be heard by everyone. ~ Ms. Carol Sapone
3. Last night's Neighborhood Meeting was totally one-sided, all advantaged to the "seller" having the floor. It was arranged for the WLB to do all the talking as opposed to anyone in the audience being able to confront them on anything. ~ Mr. Jim Dixon
4. I was so disappointed in the meeting. This was not a Neighborhood Meeting. It did not meet the requirement for neighbors to SHARE their concerns and questions. It was more of a presentation and then divide and deflate the audience. It was a waste of time. Time in line for one question was often 20 minutes or more. ~ Anonymous

5. Last night's meeting was strategic. Having us ask our questions to various individuals stationed at various locations in the room was a divide-and-conquer tactic. No one knows what's going on because no one can hear the questions and answers. ~ Mr. Cameron Servick

6. Hearing the questions and answers from other attendees is as important as having your own questions answered. I also believe that the Open House format was decided upon when it was learned that an organized group had questions and were demanding specific answers. ~ Ms. Roslyn Nemke

7. There were some new residents at the meeting who were hearing the proposal for the first time. We didn't get a chance to hear their questions and concerns. ~ Mr. Don Burdick

8. Staff changed the format to ease pressure which violates the Neighborhood Ordinance. No education. No information sharing. ~ Bill Adler (our advisor)

9. Residents have good reason to be upset with the Town. They were completely blinded-sided by staff. This station-format meeting was the last public meeting before going to the P & Z, and a completely new plan was introduced, and the public wasn't allowed to have an open Q & A session. To be fair, the residents should be allowed another Town meeting regarding the new proposal.

The break-out stations format doesn't allow all the residents to equally participate in all Q & A sessions. Apparently, the assumption by staff is that not all residents are interested in the total picture, just certain elements. With this format, residents leave with limited knowledge. This format results in a lack of transparency for the residents and benefits only the applicant. It also makes it seem that each station is already finalized for presentation to the P & Z.

The staff spends unlimited time with the applicants, but always want to restrict allowable time for the residents' meetings. ~ Don Bristow (our advisor)

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Good Morning Commissioners.

Sorry for the lateness of this correspondence, but I have been traveling a lot the last month and just now have time to put this together.

Having served nearly 10 years on the P&Z, I spent many hours in neighborhood meetings. I have always been an advocate of Commissioners attending these meetings as it gives you better perspective of the issues as seen by those who are geographically close to the proposed change. But more times than not, in fact many more times than not, these valuable neighborhood meetings become nothing more than a 'public hearing' for those who simply want a forum to put forth their own personal agenda about development in general. And what was intended to be a much deserved opportunity for the neighbors to learn and to be heard, is hijacked by those who do not live in the neighborhood. There are 6 or 7 usual suspects who seem to appear at all neighborhood meetings regardless of where they live. These meetings are NOT being held as an open forum of development policies.

There is a relatively simple resolution to this problem which I would like very much for you to consider.

When the notices are mailed out to the neighborhood residents, a small (3x5) colored card can be included in these mailings. This card will be an 'identifier' that this is actually someone in the

'neighborhood' and the subject of the meeting. The color of the card should be changed from meeting to meeting. Only three of four colors would be necessary.

During the conduct of the 'neighborhood meeting' only those persons with a card (neighbors) will be allowed to speak. If individuals outside of the affected area wish to provide input they may submit their comments in writing to the planner responsible for the project. But they will not be allowed to otherwise participate in the 'neighborhood' meeting.

I am fully aware that there will be objections to this proposal and some will be loud and passionate. But the present conduct of these meetings isn't working as planned. It is a **neighborhood** meeting and it should be conducted as such. Oro Valley is well known for its community outreach efforts. And sadly there are some who abuse this effort on a routine basis.

I do agree with the suggestion that a better job should be done to 'educate' the neighbors. But I do not agree that the Town should be the sole teacher of the resident. There is an inherent responsibility of land owners to do their homework.

Thanks for your time and service to our community!!

Don Cox  
Oro Valley Resident

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November 12, 2015

Planning and Zoning Commission  
Town of Oro Valley  
11000 N. La Cañada Dr.  
Oro Valley, AZ 85737

Subject: Public Participation Zoning Code Amendments

Dear Commissioners:

We thank you for the opportunity to comment on the proposed amendments to the Public Participation Zoning Code and the diligent work put forth to develop a vision and future direction for the community of Oro Valley. Metropolitan Pima Alliance (MPA) is a land use advocacy organization representing 140 members involved in both commercial and residential development. MPA advocates for balanced land use policies that stimulate economic development. We are writing to express our concern in regards to the meeting notification requirement amendments in the current draft.

While there are certain amendments that we find appropriate and could place Oro Valley in a position for future success, we believe the 1000 foot requirement for meeting notifications for General Plan Amendments is overly aggressive and should be reduced to a maximum of 600 feet. Town Staff currently argues that *Your Voice, Our Future* promotes development given the modifications made to the General Plan amendment triggers, however, by adjusting the distance requirement the public process becomes unnecessarily more difficult. This arbitrarily designed additional distance negates the modifications made to General Plan amendment triggers and discourages future development given the added complexity. A resident living 1000 feet away, by definition, cannot be called a neighbor. The community and statewide standard requires that neighbors within a maximum radius of 600 feet be notified, further supporting that 1000 feet is an arbitrary distance that results in more costs imposed on the developers than necessary. We ask that a more reasonable distance be explored and justification be provided.

We look forward to collaborating with Staff in the process to ensure that the final amendments address the Town's needs while also making Oro Valley attractive to development and outside investment. If you have any questions or comments please contact Amber Smith at 520-878-8811 or [amber@mpaaz.org](mailto:amber@mpaaz.org).

Sincerely,

Amber Smith, Executive Director  
Metropolitan Pima Alliance



Metropolitan Pima Alliance



December 1, 2015

Oro Valley Planning & Zoning Commission  
Town of Oro Valley  
11000 N. La Cañada Dr.  
Oro Valley, AZ 85737  
RE: Public Participation Zoning Code Amendment

Dear Commissioners,

The Southern Arizona Home Builders Association (SAHBA) and the Metropolitan Pima Alliance (MPA) do not support the proposed public participation and neighborhood meeting zoning code changes. The current changes, particularly those to the small group meetings, do not meet the original intent of staff to codify current practices while providing much needed flexibility to the development process in Oro Valley.

While other jurisdictions are exploring opportunities to reduce costs, and improve and expedite the development process to facilitate economic development and job creation, this effort does the opposite. Furthermore, adhering to additional disclosure or public participation requirements should result in some level of increased certainty which does not exist in the proposed changes.

The proposed changes to the small group meetings are particularly concerning. Why does the Town believe they know better than a neighbor(s) what their potential concerns are, or how to best alleviate these concerns? How will these restrictions be enforced and what is the consequence if a developer meets privately with a neighbor or two? The apparent intent to provide neighborhood activists with unmitigated influence over development activity throughout the entire town while simultaneously denying adjacent neighbor(s) the opportunity to alleviate their concerns privately with a developer is egregious.

In summary, the proposed zoning code changes are detrimental to economic development in Oro Valley. Providing diverse housing and business types to meet Oro Valley's needs is already a complicated and expensive endeavor for developers and home builders. The proposed changes needlessly exacerbate this challenge. We encourage the Commission to not approve these proposed zoning code changes and work to improve regulation and processes that facilitate economic development.

Thank you for time and consideration.

Shawn Cote, Government Affairs Associate  
Southern Arizona Home Builders Association

Amber Smith, Executive Director  
Metropolitan Pima Alliance



**Town Council Regular Session**

**Item # 4.**

**Meeting Date:** 01/20/2016

**Requested by:** Amanda Jacobs **Submitted By:** Amanda Jacobs, Town Manager's Office

**Department:** Town Manager's Office

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**Information**

**SUBJECT:**

DISCUSSION AND POSSIBLE DIRECTION TO STAFF REGARDING A VETERANS AND FIRST RESPONDERS MEMORIAL PARK

**RECOMMENDATION:**

Staff recommends approval.

**EXECUTIVE SUMMARY:**

On November 25, 2015, Town Council received a memo from resident Dick Eggerding requesting the consideration of a "Memorial Public Art Project." After receiving Mr. Eggerding's request, the Agenda Committee placed the item on tonight's agenda for discussion and possible direction to staff.

**BACKGROUND OR DETAILED INFORMATION:**

The purpose of the Veterans and First Responders Memorial Park is to honor the men and women who have served our community and country in times of need. Currently, there are no Veterans and First Responders Memorial Parks in the state of Arizona, making this a unique opportunity for Oro Valley. If Council moves forward with this proposal, staff would recommend creating a task force to determine the feasibility of building a Veterans and First Responders Memorial Park in Oro Valley. The task force will be responsible for the following:

- Determining the project scope. For example, will the project include artwork and memorial plaques for Oro Valley residents only?
- Determining the estimated cost of the project
- Determining ongoing maintenance (if applicable)

**FISCAL IMPACT:**

N/A

**SUGGESTED MOTION:**

I MOVE (approval to / to not) direct staff to determine the feasibility of building a Veterans and First Responders Memorial Park and return to Town Council in spring of 2016.

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**Town Council Regular Session**

**Item # 5.**

**Meeting Date:** 01/20/2016

**Requested by:** Amanda Jacobs **Submitted By:** Amanda Jacobs, Town Manager's Office

**Department:** Town Manager's Office

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**Information**

**SUBJECT:**

DISCUSSION AND POSSIBLE ACTION REGARDING EXTENSION OF THE TEMPORARY USE OF A-FRAME SIGNS AND OUTDOOR DISPLAYS UNTIL FEBRUARY 6, 2017

**RECOMMENDATION:**

Staff recommends the temporary use of A-frame signs and outdoor displays be extended for one year until February 6, 2017, while the economy continues to recover and staff works with the business community for an alternative or permanent solution.

**EXECUTIVE SUMMARY:**

The Oro Valley Zoning Code Revised (OVZCR) does not permit outdoor displays or A-frames; however, on September 21, 2011, Council approved the temporary use of outdoor displays and A-frames for Oro Valley businesses. As part of the temporary relief, certain fees and administrative reviews are waived and the only requirement is a permit for tracking purposes. On January 15, 2014, Council approved a two-year extension which is set to expire on February 1, 2016.

**BACKGROUND OR DETAILED INFORMATION:**

Since Council approved the temporary use of A-frame signs and outdoor displays, the following permits have been received:

A-frames: 83 businesses

Outdoor displays: 26 businesses

Fees and administrative reviews have been waived for outdoor displays. A one-time \$50 fee is charged for users of A-frame signs and an over-the-counter (or walk-in) review is completed prior to permit issuance.

**FISCAL IMPACT:**

The Town currently collects a one-time \$50 permit fee for A-frames and waives the permit fee for outdoor displays.

**SUGGESTED MOTION:**

I MOVE to (approve/deny) extending the temporary use of A-frame signs and outdoor displays until February 6, 2017. During this time, staff and the Greater Oro Valley Chamber of Commerce will work with the business community for alternative or permanent solutions.

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**Attachments**

A-Frame Permits

Outdoor Display

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1	<a href="#">S1100174</a>	SIGN A FRAME	ARIZONA FAMILY PROTECTION - A FRAME SIGN ENTRADA DE ORO
2	<a href="#">S1100178</a>	SIGN A FRAME	A-FRAME SIGN - SEQUELS UPSCALE RESALE ENTRADA DE ORO
3	<a href="#">S1100186</a>	SIGN A FRAME	SIGN - A-FRAME PERMIT - MASSAGE ENVY
4	<a href="#">S1100187</a>	SIGN A FRAME	SIGN - A FRAME FOR KOKO FITCLUB
5	<a href="#">S1100188</a>	SIGN A FRAME	A-FRAME SIGN - CALIFORNIA DESIGN CENTER STEAM PUMP VILLAGE
6	<a href="#">S1100196</a>	SIGN A FRAME	A-FRAME SIGN UPS STORE 5809
7	<a href="#">S1100198</a>	SIGN A FRAME	A FRAME SIGN FOR PUSCHE RIDGE CLEANERS
8	<a href="#">S1100199</a>	SIGN A FRAME	SIGN - STONE CANYON PROPERTIES - INFO CENTER
9	<a href="#">S1100200</a>	SIGN A FRAME	SAHUARO CAFE A FRAME
10	<a href="#">S1100201</a>	SIGN A FRAME	SIGN - A FRAME FOR JAZZERCISE
11	<a href="#">S1100204</a>	SIGN A FRAME	A-FRAME SIGN - EUROPEAN WAX CENTER ORACLE CROSSINGS SUITE 1
12	<a href="#">S1100206</a>	SIGN A FRAME	A FRAME SIGN - WALK-INS WELCOME/MASSAGE SPECIALS SUITE 100
13	<a href="#">S1100210</a>	SIGN A FRAME	SAFFRON INDIAN BISTRO-A-FRAME
14	<a href="#">S1100213</a>	SIGN A FRAME	SOUTHWEST KITCHEN A FRAME SIGN
15	<a href="#">S1100220</a>	SIGN A FRAME	A FRAME SIGN - MOUNTAIN VISTA REAL ESTATE
16	<a href="#">S1100225</a>	SIGN A FRAME	A-FRAME SIGN - GREAT CLIPS ROONEY RANCH
17	<a href="#">S1100237</a>	SIGN A FRAME	A-FRAME SIGN - RESOLUTIONS MEDICAL SPA ESCONDIDA PLAZA
18	<a href="#">S1100240</a>	SIGN A FRAME	A FRAME - O V FITNESS 24 SUITE 160
19	<a href="#">S1100242</a>	SIGN A FRAME	TROUVAILLE SALON AND SPA A FRAME
20	<a href="#">S1100247</a>	SIGN A FRAME	A FRAME SIGN -THE GAP MINISTRIES
21	<a href="#">S1100248</a>	SIGN A FRAME	A FRAME SIGN - THE LOOP TASTE OF CHICAGO
22	<a href="#">S1100251</a>	SIGN A FRAME	A-FRAME SIGN CARRABBAS ITALIAN GRILL ORACLE CROSSINGS
23	<a href="#">S1100253</a>	SIGN A FRAME	A-FRAME SIGN - SHEFFIELDS DIAMONDS ORACLE CROSSINGS SUITE 1
24	<a href="#">S1200002</a>	SIGN A FRAME	FRAMED TO PERFECTION - TEMP STORE LOCATION A-FRAME SIGN OR
25	<a href="#">S1200003</a>	SIGN A FRAME	ORANGE LEAF YOGURT A- FRAME SIGN ORACLE CROSSINGS
26	<a href="#">S1200009</a>	SIGN A FRAME	SIGN - A FRAME SIGN FOR PETER PIPER PIZZA
27	<a href="#">S1200011</a>	SIGN A FRAME	SIGN - A FRAME SIGN FOR BODY WORKS PILATES
28	<a href="#">S1200012</a>	SIGN A FRAME	SIGN - A FRAME FOR H&R BLOCK ROONEY RANCH
29	<a href="#">S1200021</a>	SIGN A FRAME	A-FRAME SIGN - JAZZERCISE ORO VALLEY PARKS AND RECREATION
30	<a href="#">S1200037</a>	SIGN A FRAME	FRIENDS OF THE OV LIBRARY BOOK SHOPPE TOO
31	<a href="#">S1200059</a>	SIGN A FRAME	A FRAME SIGN - BRAKE MASTERS VALVOLINE LUBE OIL AND FILTE
32	<a href="#">S1200062</a>	SIGN A FRAME	A FRAME SIGN QUIK TRIP
33	<a href="#">S1200068</a>	SIGN A FRAME	A-FRAME FOR THE BACK ALLEY CHIROPRACTIC
34	<a href="#">S1200075</a>	SIGN A FRAME	MY GYM CHILDRENS FITNESS A FRAME SIGN

35	<a href="#">S1200077</a>	SIGN A FRAME	A-FRAME SIGN - PETSMART ADOPTION
36	<a href="#">S1200078</a>	SIGN A FRAME	PANDA 1 A FRAME SIGN
37	<a href="#">S1200095</a>	SIGN A FRAME	A-FRAME SIGN TOSCANA STUDIO AND GALLERY SUITE A
38	<a href="#">S1200098</a>	SIGN A FRAME	A-FRAME SIGN - I KNOW WIRELESS
39	<a href="#">S1200100</a>	SIGN A FRAME	A-FRAME SIGN - ORO VALLEY EYECARE
40	<a href="#">S1200117</a>	SIGN A FRAME	SIGN - A-FRAME SIGN FOR PIZZA HUT
41	<a href="#">S1200130</a>	SIGN A FRAME	A-FRAME SIGN - ROCK RIDGE APARTMENTS-SPECIALS
42	<a href="#">S1200231</a>	SIGN A FRAME	FRIENDS OF THE LIBRARY ONE A FRAME SIGN
43	<a href="#">S1200234</a>	SIGN A FRAME	FRIENDS OF THE LIBRARY - JEWELRY SALE ORO VALLEY LIBRARY
44	<a href="#">S1200243</a>	SIGN A FRAME	A-FRAME SIGN - ARIZONA BEDS SPECIALS
45	<a href="#">S1300003</a>	SIGN A FRAME	A FRAME SIGN - WELCOME BACK MERCY CARE JAN 4 2013 - FEB 4
46	<a href="#">S1300016</a>	SIGN A FRAME	A-FRAME SIGN - THE JOINT
47	<a href="#">S1300030</a>	SIGN A FRAME	A FRAME SIGN PERMIT FOR PRIVATE PROPERTY ONLY
48	<a href="#">S1300036</a>	SIGN A FRAME	A-FRAME SIGN - AMERICAN FAMILY INSURANCE
49	<a href="#">S1300050</a>	SIGN A FRAME	A-FRAME SIGN - NORTHWEST WOMEN'S IMAGING
50	<a href="#">S1300074</a>	SIGN A FRAME	A FRAME - ALA BUZZ CAFE
51	<a href="#">S1300087</a>	SIGN A FRAME	A FRAME - FRUIT SHACK SMOOTHIES & YOGURT
52	<a href="#">S1300130</a>	SIGN A FRAME	RUBS MASSAGE STUDIO - A FRAME
53	<a href="#">S1300138</a>	SIGN A FRAME	BRAKEMAX CARE CARE - A FRAME
54	<a href="#">S1300148</a>	SIGN A FRAME	A-FRAME SIGN - SOUTHERN ARIZONA URGENT CARE
55	<a href="#">S1300152</a>	SIGN A FRAME	A-FRAME SIGN - UNIQUELY NAILS SUITE #131
56	<a href="#">S1300154</a>	SIGN A FRAME	A-FRAME SIGN - EL CHARRO CAFE
57	<a href="#">S1300179</a>	SIGN A FRAME	A FRAME SIGN FOR THE TURTURING CENTER
58	<a href="#">S1300189</a>	SIGN A FRAME	A-FRAME SIGN - GOODWILL DONATIONS LA CANADA
59	<a href="#">S1300190</a>	SIGN A FRAME	A-FRAME SIGN - GOODWILL DONATIONS LA CANADA
60	<a href="#">S1300202</a>	SIGN A FRAME	A-FRAME SIGN - FLEET FEET
61	<a href="#">S1300236</a>	SIGN A FRAME	A FRAME SIGN - SWEET REPEATS
62	<a href="#">S1400015</a>	SIGN A FRAME	JUST BRAKES - A FRAME
63	<a href="#">S1400017</a>	SIGN A FRAME	BRAKEMAX - A-FRAME
64	<a href="#">S1400018</a>	SIGN A FRAME	SIGN - A-FRAME ALFONSO GOURMET OLIVE OIL
65	<a href="#">S1400025</a>	SIGN A FRAME	SIGN - A-FRAME SIGN - FLETCHER'S TIRE AND AUTO SERVICE INC
66	<a href="#">S1400033</a>	SIGN A FRAME	A-FRAME -INTERIOR EXPRESSIONS PLACEMENT
67	<a href="#">S1400035</a>	SIGN A FRAME	A -FRAME TITLE SECURITY AGENCY JOINT VENTURE WITH 1ST AMERIC
68	<a href="#">S1400041</a>	SIGN A FRAME	A-FRAME SIGN - PLANET SMOOTHIE SUITE 108

69	<a href="#">S1400063</a>	SIGN A FRAME	A-FRAME SIGN - FUWA REFLEXOLOGY STE 101
70	<a href="#">S1400075</a>	SIGN A FRAME	A - FRAME LANE FAMILY CHIROPRACTIC STE #103
71	<a href="#">S1400093</a>	SIGN A FRAME	SIGN - A-FRAME SIGN - MATTRESS FIRM
72	<a href="#">S1400114</a>	SIGN A FRAME	AFRAME - A BETTER U NUTRITION
73	<a href="#">S1400126</a>	SIGN A FRAME	A-FRAME SHEAR EXPRESSIONS
74	<a href="#">S1400147</a>	SIGN A FRAME	A FRAME SIGN - LA BELLA CONSIGNMENT
75	<a href="#">S1400170</a>	SIGN A FRAME	A FRAME SIGN - WALGREENS
76	<a href="#">S1400190</a>	SIGN A FRAME	A FRAME - SOUTHERN AZ ARTS GUILD
77	<a href="#">S1400217</a>	SIGN A FRAME	VILLAS AT SAN DORADO - A FRAME SIGN
78	<a href="#">S1500017</a>	SIGN A FRAME	T MOBILE A FRAME
79	<a href="#">S1500024</a>	SIGN A FRAME	SILK EXPRESSIONS A FRAME SIGN
80	<a href="#">S1500057</a>	SIGN A FRAME	A FRAME SIGN THE RUG STORE
81	<a href="#">S1500062</a>	SIGN A FRAME	A FRAME SIGN THE TUTORING CENTER
82	<a href="#">S1501614</a>	SIGN A FRAME	NORTHWEST PET CLINIC A FRAME SIGN #101 EXPIRES 2-1-16
83	<a href="#">S1600059</a>	SIGN A FRAME	SIGN A FRAME - SOUTHERN ARIZONA URGENT CARE

1	<a href="#">MB1100548</a>	10/21/2011 OUTDOOR DISPLAY PLAY IT AGAIN SPORTS
2	<a href="#">MB1100557</a>	10/25/2011 OUTDOOR DISPLAY PERMIT - TODAYS PATIO ORACLE CROSSINGS
3	<a href="#">MB1100563</a>	10/31/2011 BIG 5 SPORTING GOODS - OUTDOOR DISPLAY
4	<a href="#">MB1100571</a>	11/02/2011 OUTDOOR DISPLAY FOR ACE HARDWARE 1ST AVE
5	<a href="#">MB1100573</a>	11/02/2011 OUTDOOR DISPLAY - LIFE TIME MARTIAL ARTS
6	<a href="#">MB1100581</a>	11/04/2011 OUTDOOR DISPLAY - BIG O TIRES
7	<a href="#">MB1100582</a>	11/04/2011 TRADER JOE'S OUTDOOR DISPLAY
8	<a href="#">MB1100595</a>	11/10/2011 FINALE II - OUTDOOR DISPLAY STEAM PUMP VILLAGE SUITE 111
9	<a href="#">MB1100602</a>	11/16/2011 OUTDOOR DISPLAY FOR FRIENDS OF ORO VALLEY LIBRARY
10	<a href="#">MB1100607</a>	11/16/2011 OUTDOOR DISPLAY - BIKE MASTERS ORO VALLEY MARKET PLACE SUIT
11	<a href="#">MB1100658</a>	12/21/2011 FRYS FOOD AND DRUG STORE #117 OUTDOOR DISPLAY
12	<a href="#">MB1100659</a>	12/21/2011 FRYS FOOD AND DRUG STORE #18 OUTDOOR DISPLAY
13	<a href="#">MB1200006</a>	01/05/2012 THE GREAT OUTDOORS - OUTDOOR DISPLAY PLAZA ESCONDIDA
14	<a href="#">MB1200012</a>	01/06/2012 OUTDOOR DISPLAY FOR RAZMATAZ -
15	<a href="#">MB1200013</a>	01/06/2012 OUTDOOR DISPLAY FOR TREK BICYCLES OF TUCSON
16	<a href="#">MB1200016</a>	01/09/2012 OUTDOOR DISPLAY FOR WALMART
17	<a href="#">MB1200027</a>	01/17/2012 OUTDOOR DISPLAY FOR SWEET REPEATS CHILDREN'S RESALE BOUTIQUE
18	<a href="#">MB1200069</a>	02/06/2012 OUTDOOR DISPLAY - ORO VALLEY BICYCLE RANCHO VISTOSO CENTER
19	<a href="#">MB1200100</a>	02/17/2012 PIMA ACE HARDWARE INC OUTDOOR DISPLAY
20	<a href="#">MB1200279</a>	05/21/2012 OUTDOOR DISPLAY - PIER 1 ORO VALLEY RETAIL CENTER BLK 2
21	<a href="#">MB1200294</a>	05/25/2012 DICKS SPORTING GOODS - OUTDOOR DISPLAY ORO VALLEY MARKET PL
22	<a href="#">MB1300133</a>	02/27/2013 OUTDOOR DISPLAY - BIG O TIRES DISPLAY TIRES
23	<a href="#">MB1300367</a>	05/31/2013 DOLLAR TREE STORE #4161 - OUTDOOR DISPLAY
24	<a href="#">MB1300567</a>	08/19/2013 SPROUTS FARMERS MARKET OUTDOOR DISPLAY
25	<a href="#">MB1300739</a>	10/25/2013 OUTDOOR DISPLAY - ORO VALLEY EYE CARE SUITE 145
26	<a href="#">MB1500454</a>	05/22/2015 OUTDOOR DISPLAY - THE HAPPY SAGUARO



## Town Council Regular Session

Item # **6.**

**Meeting Date:** 01/20/2016  
**Requested by:** Bayer Vella  
**Submitted By:** Bayer Vella, Development Infrastructure Services  
**Department:** Development Infrastructure Services

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### Information

#### **SUBJECT:**

RECONSIDERATION OF THE DECEMBER 2, 2015 DIRECTION PROVIDED TO STAFF REGARDING POTENTIAL ZONING CODE AMENDMENTS LIMITING SIGN LIGHTING

#### **RECOMMENDATION:**

This is a Town Council initiated reconsideration.

#### **EXECUTIVE SUMMARY:**

On January 6, 2016, Town Council requested reconsideration of direction provided to staff at the December 2, 2015 meeting, where staff was instructed to further research and process a zoning code amendment to limit the brightness of signs. The focus of the discussion was on the challenges associated with setting and enforcing standards for wall signs that use LED lights. The December meeting minutes are included as Attachment 1.

#### **BACKGROUND OR DETAILED INFORMATION:**

An overview of the processes in determining an appropriate sign lighting standard and the status of the project is provided in Attachment 2, which is a copy of the December 2, 2015 Town Council staff report.

#### **FISCAL IMPACT:**

To proceed with the code amendment, the fiscal impact entails approximately \$3,000 in new equipment. Additional consultant fees will apply (approximately \$3,000).

#### **SUGGESTED MOTION:**

Not applicable. Town Council may provide staff with additional direction.

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### Attachments

Attachment 1 - 12/2/15 Town Council meeting minutes

Attachment 2 - 12/2/15 Town Council meeting staff report

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**MINUTES  
ORO VALLEY TOWN COUNCIL  
REGULAR SESSION  
December 2, 2015  
ORO VALLEY COUNCIL CHAMBERS  
11000 N. LA CANADA DRIVE**

REGULAR SESSION AT OR AFTER 6:00 PM

CALL TO ORDER

Mayor Hiremath called the meeting to order at 6:00 p.m.

ROLL CALL

**PRESENT:** Satish Hiremath, Mayor  
Lou Waters, Vice Mayor  
Brendan Burns, Councilmember  
Bill Garner, Councilmember  
Joe Hornat, Councilmember  
Mary Snider, Councilmember  
Mike Zinkin, Councilmember

PLEDGE OF ALLEGIANCE

Mayor Hiremath led the audience in the Pledge of Allegiance

UPCOMING MEETING ANNOUNCEMENTS

Communications Administrator Misti Nowak announced the upcoming Town meetings and events.

COUNCIL REPORTS and Spotlight on Youth

Councilmember Hornat reported that he and Vice Mayor Waters attended the American Kennel Club Dog Show held at Naranja Park a couple of weekends ago, where Vice Mayor Waters presented the *best of show*. He stated it was a great event and was very well attended.

Councilmember Hornat attended the 107th Arizona Town Hall held in Mesa, Arizona, where they addressed what actions would help to successfully manage the current and future water needs of the state.

Councilmember Hornat attended the Veterans Day Event at Pusch Ridge

Christian Academy with the Legion Color Guard. He said it was a great event and very patriotic.

Councilmember Zinkin encouraged citizens to contact their congressman regarding the Fixing America's Surface Transportation Act (FAST Act) which authorized federal surface transportation programs through fiscal year (FY) 2020.

Councilmember Snider encouraged citizens to participate in the Amphi Schools *Stuff the Amphi Bus* event held December 5-13, 2015.

Councilmember Snider recognized Hannah Semon, Senior at Ironwood Ridge High School, for her outstanding grades and her service and contributions to the community.

## DEPARTMENT REPORTS

Economic Development Director Amanda Jacobs introduced Dick Eggerding and Sasha Case as the Arts and Culture Ambassadors.

Dick Eggerding and Sasha Case introduced the artwork on display in the Council Chambers which included pieces of artwork created by students from Immaculate Heart School, Wilson Elementary School, Copper Creek Elementary, Basis, and Painted Sky Elementary.

## ORDER OF BUSINESS

Mayor Hiremath reviewed the order of business and stated that the order would stand as posted.

## INFORMATIONAL ITEMS

1. Letter of Appreciation - Oro Valley Police Department  
Chiesa, George
2. Councilmember Zinkin - 2015 NLC Congress of Cities Trip Report  
Zinkin 2015 NLC Congress of Cities Trip Report
3. Councilmember Hornat - 2015 Arizona Town Hall Trip Report  
Hornat 2015 Arizona Town Hall Trip Report

## CALL TO AUDIENCE

No comments were received.

## CONSENT AGENDA

Councilmember Zinkin requested that items (B) and (F) be removed from the Consent Agenda for discussion.

Councilmember Garner requested that item (E) be removed from the Consent Agenda for discussion.

**MOTION:** A motion was made by Vice Mayor Waters and seconded by Councilmember Garner to approve Consent Agenda items (A), (C-D), (G-H).

**MOTION** carried, 7-0.

A. Minutes - November 18, 2015

11/18/15 Draft Minutes

B. Fiscal Year 2015/16 Financial Update through September 2015

Attachment A - General Fund

Attachment B - Highway Fund

Attachment C - Bed Tax Fund

Attachment D-1 CC & Golf Fund

Attachment D-2 Troon Cash Flow

Attachment D-3 Troon F&B

Attachment D-4 Troon Memo

Attachment E - Summary All Funds

Attachment F - Gen Fund Local Sales Tax

Councilmember Zinkin inquired about the Fiscal Year 2015/16 Financial Update through September 2015 and discussed his concerns with the Community Center and Golf Fund revenues, Capital Improvement Projects and funding.

Discussion ensued amongst Council and staff regarding the Fiscal Year 2015/16 Financial Update through September 2015.

**MOTION:** A motion was made by Councilmember Garner and seconded by Councilmember Zinkin to accept item (B).

**MOTION** carried, 7-0.

- C. Approval of the 2016 regular Town Council meeting schedule

Draft 2016 Schedule

- D. Approval of Council liaison assignments

Council Liaison Assignments 2016

- E. Resolution No. (R)15-70, authorizing and approving a one (1) year extension to the lease between the Town of Oro Valley and Town West Realty, Inc.

(R)15-70 Police Substation Lease Extension

Town West document

Councilmember Garner asked for clarification regarding the proposed lease agreement including the total square footage and cost for the property located at Mountain View Plaza.

Deputy Chief Larry Stevens clarified the square footage of the property was 1,200 square feet at \$16.00 per square foot of rental space.

Discussion ensued amongst Council and staff regarding the proposed lease extension for the Police Department Substation.

**MOTION:** A motion was made by Councilmember Snider and seconded by Vice Mayor Waters to approve item (E).

**MOTION** carried, 6-1 with Councilmember Zinkin opposed.

- F. Resolution No. (R)15-71, providing Notice of Intent to increase water rates, fees and charges for the Oro Valley Water Utility

(R)15-71 Notice of Intent to Increase Water Rates

Water Rates Report

Councilmember Zinkin requested clarification and understanding of item (F).

Water Utility Director Philip Saletta explained the purpose for the Notice of Intent to increase water rates, fees and charges for the Oro Valley Water Utility.

**MOTION:** A motion was made by Councilmember Zinkin and seconded by Councilmember Garner to approve item (F).

**MOTION** carried, 7-0.

- G. Council approval of M3S Sports' request for in-kind support for the Arizona Distance Classic
- H. (Re)appointments to various boards and commissions: Board of Adjustment (BOA), Conceptual Design Review Board (CDRB), Historic Preservation Commission (HPC), Parks and Recreation Advisory Board (PRAB), Planning and Zoning Commission (PZC), Storm Water Utility Commission (SWUC) and Water Utility Commission (WUC)

Reappointment Requests

Application - Ellen Guyer

Application - Tim Overton

Application - Robert Swope

Application - Thomas Gribb

Application - Thomas Kibler

Application - Robert Milkey

Resume - Robert Milkey

## REGULAR AGENDA

### 1. NOMINATION AND ELECTION OF VICE MAYOR

Councilmember Hornat nominated Vice Mayor Lou Waters to serve as Vice Mayor for 2016, seconded by Councilmember Snider.

**MOTION:** A motion was made by Councilmember Hornat and seconded by Councilmember Snider to approve the nomination of Vice Mayor Lou Waters as Vice Mayor for 2016.

**MOTION** carried, 6-0.

Councilmember Zinkin abstained.

### 2. PRESENTATION AND ACCEPTANCE OF THE TOWN'S ANNUAL FINANCIAL AUDIT FOR FISCAL YEAR ENDING JUNE 30, 2015

## FY 2014-15 CAFR

## Audit Communication Letter

Town Finance Director Stacey Lemos gave an overview of the Town's annual financial audit for fiscal year ending June 30, 2015 and introduced Mr. Corey Arvizu, CPA and Partner with Heinfeld, Meech & Co., P.C.

Mr. Arvizu gave an overview of the process and highlights regarding the completed financial audit for the Town for fiscal year ending June 30, 2015.

Discussion ensued amongst Council, staff, and Mr. Arvizu regarding the annual financial audit for fiscal year ending June 30, 2015.

**MOTION:** A motion was made by Vice Mayor Waters and seconded by Councilmember Zinkin to accept the Town's financial audit for fiscal year ending June 30, 2015.

**MOTION** carried, 7-0.

3. PRESENTATION BY THE TOWN'S INSURANCE CONSULTANT, CBIZ, REGARDING THE EMPLOYEE SELF-FUNDED HEALTHCARE PLAN PERFORMANCE FOR FISCAL YEAR 2014-15

Human Resource Director Gary Bridget gave a brief introduction of the Self-Funded Healthcare Plan Performance for Fiscal Year 2014-15 and introduced CBIZ Senior Vice President Oscar Diaz.

Mr. Diaz gave an overview of the Self-Funded Healthcare Plan Performance that included the following:

- Self-funding of program and its advantages
- Three Year History of Total Medical Plan Costs
- Historical Cost Drivers
- Future Strategy Considerations to Mitigate Increases in Future Costs

Discussion ensued amongst Council, Mr. Diaz and staff regarding the Employee Self-Funded Healthcare Plan Performance for Fiscal Year 2014-15.

4. DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED CONCEPTUAL SITE PLAN, GOLF COURSE SETBACK REDUCTIONS AND CONCEPTUAL LANDSCAPE PLAN FOR A PROPOSED 28-LOT SHORT-TERM RENTAL DEVELOPMENT

LOCATED NEAR THE NORTHERN TERMINUS OF HOHOKAM VILLAGE DRIVE IN THE STONE CANYON COMMUNITY

Attachment 1 - Conditions of Approval

Attachment 2 - CDRB Staff Report

Attachment 3 - Draft CDRB Meeting Minutes

Attachment 4 - Conceptual Site Plan

Attachment 5 - Golf Course Architect's Recommendation

Attachment 6 - Conceptual Landscape Plan

Senior Planner Roosevelt Arellano gave an overview of the proposed Conceptual Site Plan, Golf Course Setback Reductions and Conceptual Landscape Plan for a Proposed 28-Lot Short-Term Rental Development that included the following:

- Purpose
- Conceptual Site Plan
- Landscape Plan
- Public Participation
- Summary / Recommendation

Zach Hilgart, Civil Engineer, representing the applicant, spoke regarding the proposed business plan for item #4.

**MOTION:** A motion was made by Vice Mayor Waters and seconded by Councilmember Hornat to approve the Conceptual Site Plan and Landscape Plan for the 28-lot short-term rental development, subject to the conditions in Attachment 1, finding that the request is consistent with the Rancho Vistoso PAD and Design Principals, and Standards of the Zoning Code.

Stone Canyon Golf Casitas

Conceptual Site Plan and Landscape Plan

Conditions of Approval

Attachment 1

1. The Final Site Plan shall incorporate pedestrian easements for all proposed

sidewalks and trails.

**MOTION** carried, 7-0.

**MOTION:** A motion was made by Vice Mayor Waters and seconded by Councilmember Zinkin to approve the golf course setback reductions for the 28-lot short-term rental development, finding that the request meets the intent of the Golf Course Overlay Zone District.

**MOTION** carried, 7-0.

Mayor Hiremath recessed the meeting at 7:57 p.m.

Mayor Hiremath reconvened the meeting at 8:05 p.m.

5. PRESENTATION AND APPROVAL OF THE JAMES D. KRIEGH PARK CONCEPTUAL SITE PLAN

Conceptual Design

Property Line

Parks and Recreation Director Kristy Diaz-Trahan gave an overview of the James D. Kriegh Park Conceptual Site Plan that included the following:

- The Property - Review
- Conceptual Site Plan

Discussion ensued amongst Council and staff regarding the proposed James D. Kriegh Park Conceptual Site Plan.

**MOTION:** A motion was made by Vice Mayor Waters and seconded by Councilmember Snider to approve the James D. Kriegh Park Conceptual Site Plan as presented.

**MOTION** carried, 7-0.

6. SIGN LIGHTING CODE AMENDMENT UPDATE AND POSSIBLE DIRECTION

Senior Planning Technician Patty Hayes gave an overview of the sign lighting code amendment update that included the following:

- Purpose
- Signs
- Typical Sign for Nit Measurement
- Typical Wall Sign for Kelvin Measurements
- Direction and Next Steps

Discussion ensued amongst Council and staff regarding the sign lighting code amendment update and possible direction.

The following individual spoke on item #6.

Oro Valley resident Gil Alexander

Discussion continued amongst Council and staff regarding the sign lighting code amendment update and possible direction.

**MOTION:** A motion was made by Councilmember Garner and seconded by Vice Mayor Waters to direct staff to work with Oro Valley resident Gil Alexander to determine the most effective way to measure sign brightness and also develop a sign lighting standard.

**MOTION** carried, 6-1 with Mayor Hiremath opposed.

7. MOTION FOR RECONSIDERATION OF THE NOVEMBER 18, 2015 PERSONNEL ACTION REGARDING COUNCILMEMBER ZINKIN

Councilmember Zinkin recused himself from item (7).

Councilmember Garner presented item #7.

**MOTION:** A motion was made by Councilmember Garner and seconded by Councilmember Burns to reconsider the November 18, 2015 personnel action regarding Councilmember Zinkin.

**MOTION** failed, 2-4 with Mayor Hiremath, Vice Mayor Waters, Councilmember Hornat, and Councilmember Snider opposed.

#### FUTURE AGENDA ITEMS

No future agenda items were requested.

#### CALL TO AUDIENCE

Oro Valley resident Gil Alexander spoke about the Wilson Robotics Competition to be held at Wilson Elementary on December 5, 2015.

#### ADJOURNMENT

**MOTION:** A motion was made by Councilmember Snider and seconded by Vice Mayor Waters to adjourn the meeting at 9:07 p.m.

**MOTION** carried, 6-0.

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Item # 6.

**Town Council Regular Session****Meeting Date:** 12/02/2015**Requested by:** Patty Hayes**Submitted By:** Patty Hayes, Development Infrastructure Services**Department:** Development Infrastructure Services

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**Information****SUBJECT:**

SIGN LIGHTING CODE AMENDMENT UPDATE AND POSSIBLE DIRECTION

**RECOMMENDATION:**

This item is for discussion purposes with the possibility of receiving additional direction from Town Council.

**EXECUTIVE SUMMARY:**

The purpose of this item is to explain the processes in determining an appropriate sign lighting standard and the status of the project. It also enables Town Council to provide any direction as warranted.

Council directed staff during the April 3, 2015 Council meeting to establish standards for sign lighting in response to concerns about the increased brightness of illuminated signs. Recently-installed wall signs and gas station signs appear to be brighter than signs installed in the past, which highlighted the fact that the Zoning Code does not provide standards for the amount of light allowed to be emitted from a sign.

To proceed, staff needs the following additional steps to affix appropriate standards for Oro Valley:

1. Purchase equipment (Nit Gun and Kelvin Meter)
2. Field work with bucket truck to create list of sign brightness measurements for businesses in the area
3. Gauge the appropriate permissible level of light based on infield measurements
4. Arrange a Planning & Zoning Commission and Town Council site tour

**BACKGROUND OR DETAILED INFORMATION:**

Staff researched lighting sign code standards for the City of Tucson, Pima County and Marana. Staff also employed a consultant who was a participant in the County and City of Tucson lighting code update in 2012. Signs using light emitting diodes (LED) are the principal concern, which includes either exposed or concealed lighting.

Exposed LED's (lights without a cover) are used for message boards such as gas station fuel prices and movie theater listings. These types of LED signs are measured in Nits. A device named the Nit Gun is used to measure this type of lighting. The City/County standard is 200, which is considered a "reasonable" standard.

Concealed LED's are primarily installed inside the letter of a wall sign and are hidden behind an opaque material such as a white or colored plexiglass where the light is allowed to shine through but the actual light source (the LED) is obscured. A colored plexiglass-type of material does not allow a significant amount of light through a letter of a sign; however, white plexiglass does allow enough light to be emitted which can cause a sign to appear very bright. White light coming from a wall sign is measured in Kelvin temperature. A Kelvin meter is the tool used to measure this type of sign brightness. The City/County standard is 4,400 Kelvin (K), but can possibly be lowered to 4,000 K which may or may not be appropriate for Oro Valley.

To judge what is a proper standard for Oro Valley, our aim is to gather a list of businesses in or near Oro Valley that meet regionally-established or proposed lighting standards. Staff attempted to research permit records of signs in other jurisdictions to help us establish this list, but the information on paper was incomplete. As a result, we concluded that staff must physically measure a representative sample of white wall signs in order to objectively categorize sign brightness.

During our research we learned that none of the jurisdictions with established sign lighting standards have the tools or equipment to measure sign brightness in the field. At first, we found this to be odd; however, after diving into this process ourselves, we now understand the costs and difficulties associated with measuring sign lighting.

Staff, with the assistance of the consultant, proceeded to investigate how to obtain the tools needed to measure both Nits and Kelvin. Staff discovered that a Nit gun and Kelvin meter can cost an average of \$1500 each, and can include annual recalibration costs of \$300. Our consultant arranged for us to borrow a Nit gun from a local observatory, which allowed us to read the light brightness from fuel station signs.

We also learned that Kelvin meters are primarily manufactured for photography uses and not specifically for the types of measurements needed for our purpose. There is a new Kelvin meter coming into the market in early 2016, which was designed by a sign lighting manufacture and should be better suited to measure sign brightness. In the interim, we rented a Kelvin meter from a photography business which led to the discovery that in order to read a Kelvin temperature of a sign, we must be in very close proximity to the light source. This is true with the photographer's Kelvin meter, as well as the soon to be released sign Kelvin meter.

Most letters of a sign are very high up on the wall of a business. In order to reach those signs, staff must use the Town's bucket truck and associated trained staff to conduct the light reading. The bucket truck is normally used to maintain traffic lights in the Town. Driving the Town's bucket truck into shopping centers to reach up to the letters of a wall sign and obtain a reading, with the proper meter, is the only method that will allow us to provide sign brightness measurement numbers. Those numbers are the only way to determine if the established regional standards would be acceptable for Oro Valley or if we prefer different standards.

Staff is requesting direction from Council to determine if we should proceed with the purchase of the proper meters and field study.

**FISCAL IMPACT:**

To proceed with the code amendment, the fiscal impact entails approximately \$2,000 worth

of sign brightness measuring tools and roughly \$300 a year in annual calibration costs.

**SUGGESTED MOTION:**

This item is for discussion purposes with the possibility of receiving additional direction from Town Council.

**Attachments**

*No file(s) attached.*

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**Town Council Regular Session**

**Item # 7.**

**Meeting Date:** 01/20/2016  
**Requested by:** Councilmember Burns & Councilmember Zinkin  
**Submitted By:** Mike Standish, Town Clerk's Office  
**Department:** Town Clerk's Office

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**Information**

**SUBJECT:**

DISCUSSION AND POSSIBLE DIRECTION TO STAFF REGARDING THE REMOVAL OF THE CRIMINAL HISTORY CHECK BOX FROM THE TOWN'S JOB APPLICATION FORM

**RECOMMENDATION:**

N/A

**EXECUTIVE SUMMARY:**

Councilmember Burns and Councilmember Zinkin have requested that the item be placed on the agenda for discussion.

**BACKGROUND OR DETAILED INFORMATION:**

N/A

**FISCAL IMPACT:**

N/A

**SUGGESTED MOTION:**

I MOVE to \_\_\_\_\_

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**Town Council Regular Session**

**Item # 8.**

**Meeting Date:** 01/20/2016  
**Requested by:** Councilmember Zinkin & Councilmember Garner  
**Submitted By:** Julie Bower, Town Clerk's Office  
**Department:** Town Clerk's Office

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**Information**

**SUBJECT:**

DISCUSSION AND POSSIBLE DIRECTION TO STAFF TO AMEND THE SIGN CODE REGARDING WINDOW SIGNS

**RECOMMENDATION:**

N/A

**EXECUTIVE SUMMARY:**

Councilmember Zinkin and Councilmember Garner have requested that the item be placed on the agenda for discussion.

**BACKGROUND OR DETAILED INFORMATION:**

N/A

**FISCAL IMPACT:**

N/A

**SUGGESTED MOTION:**

I MOVE to \_\_\_\_\_

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