Section 22.9.C. Authorities

DEPARTMENT OR AGENCY	TABLE 22-9B. REVIEW AUTHORITY
Planning and Zoning	Reviews features related to site, landscape, and architecture design for compliance with applicable zoning requirements, design principles and standards, and the general plan
Public Works	Reviews features related to drainage, floodplains, and roadways for compliance with adopted street and drainage standards
Water Utility	Reviews features related to water use and infrastructure
Parks and Recreation	Reviews features related parks and recreation facilities, including trails for compliance with the applicable maps, plans or policies
Police Department	Reviews features related to public safety and police protection, SUCH AS CONFORMANCE TO CRIME PREVENTION THROUGH ENVIRONMENT DESIGN (CPTED) ELEMENTS.
Fire District	Reviews features related to public safety and fire protection for compliance with adopted fire codes
Pima County Wastewater	Reviews features related to sewage disposal
Arizona Department of Transportation	Reviews right-of-way and intersection design for land abutting a state highway
Utilities and other agencies	All applicable utilities and other agencies affected shall review for compliance with their adopted codes

Section 23.7 Property Development Standards for Multi-Family Residential Districts

B. *R-4 Townhouse-Residential District*

The provisions of Section 23.4 and the following additional requirements shall apply in this district.

1. *Density*

The minimum gross land area per dwelling unit shall be five thousand four hundred fifty (5,450) square feet.

2. *Open Space AND RECREATION Requirements*

A minimum of ten percent (10%) of the total gross land area of the development shall be set aside AS OPEN SPACE IN THE FOLLOWING PROPORTIONS, ~~for recreation uses or other common landscaped areas~~ unless the overall density of the development is less than five (5) units per acre. ~~The Town Council may waive this requirement because of the relationship of the development to an existing public park or recreation area.~~

a. RECREATIONAL SPACE SHALL BE PROVIDED, SUBJECT TO THE REQUIREMENTS IN SECTION 26.5 AND THE FOLLOWING:
    i. All accessory buildings for recreational purposes shall not occupy more than fourteen percent (14%) of the total area reserved for recreation uses and other common landscaped areas.
b. THE REMAINDER OF THE REQUIRED OPEN SPACE SHALL BE PROVIDED IN COMMON OPEN SPACE.

C. *R-4R Resort District*

The provisions of Section 23.4 and the following additional requirements shall apply in this district.

1. *Density*

a. The minimum gross land area per guest room shall be four thousand two hundred fifty (4,250) square feet.

b. The minimum gross land area per dwelling unit shall be fifteen thousand (15,000) square feet.

c. The total acreage required by subsections B.1.a and b of this section shall not exceed the gross acreage of the property.

2. *Open Space AND RECREATION Requirements*

a. Building~~s may cover~~ COVERAGE SHALL NOT EXCEED an aggregate area of twenty-five percent (25%), excluding parking areas.

b. SITES DEVELOPED WITH RESIDENTIAL USES SHALL PROVIDE RECREATIONAL SPACE, SUBJECT TO THE REQUIREMENTS IN SECTION 26.5.

c. RECREATIONAL FACILITIES ASSOCIATED WITH A RESORT, AND ACCESSIBLE TO RESIDENTS, MAY BE CREDITED TOWARDS THE RECREATION REQUIREMENTS.

D. *R-S Residential Service District*

3. *Open Space AND RECREATION Requirements*

a. There shall be a minimum of thirty-six percent (36%) of the net lot area in open space.

b. Open space shall be provided in the following proportions:

i. A minimum of twelve percent (12%) of the net lot area shall be provided as frontage open space to provide a setting for the building, visual continuity within the community and a variety of spaces in the streetscape, except that the frontage open space shall not be required to exceed fifty (50) square feet per one (1) foot on public street frontage, excluding drives.

Exception: Where a lot has two (2) or more street frontages, there shall be no less than twenty (20) square feet of open space per one (1) foot of street frontage for one (1) street, and no less than ten (10) square feet of open space per one (1) foot of street frontage, excluding drives for other street(s). In no case shall a building be closer than twenty (20) feet to the front lot line.

ii. A private outdoor living space shall be provided adjoining each dwelling unit equal to a minimum of twenty percent (20%) of the gross size of the dwelling unit, except that dwelling units above the first story shall provide space equal to a minimum of ten percent (10%) of the gross size of the dwelling unit. Outdoor living space on the ground level may be included in the open space requirements.

iii. SITES DEVELOPED WITH RESIDENTIAL USES, OR A COMBINATION OF RESIDENTIAL AND NON-RESIDENTIAL USES, SHALL PROVIDE RECREATIONAL SPACE SUBJECT TO THE REQUIREMENTS IN SECTION 26.5.

iv. The remainder of the required open space shall be provided in common open space.

E. *R-6 Multi-Family Residential District*

3. *Open Space AND RECREATION Requirements*

Development of all R-6 zoned property shall provide a minimum of thirty-five percent (35%) of the net lot area as open space in the following proportions:

~~a. Each lot shall contain a minimum of two hundred fifty (250) square feet of usable outdoor living space for each dwelling unit, exclusive of front yards.~~ (MOVED TO SECTION 26.5)

b. SITES DEVELOPED WITH RESIDENTIAL USES, OR A COMBINATION OF RESIDENTIAL AND NON-RESIDENTIAL USES, SHALL PROVIDE RECREATIONAL SPACE SUBJECT TO THE REQUIREMENTS IN SECTION 26.5 AND THE FOLLOWING:

~~b. Not less than fifty percent (50%) of said required space shall be provided in a single common area, with a minimum dimension of twenty (20) feet at any point.~~ (MOVED AND REVISED IN SECTION 26.5.C.1).

i. Portions of THE REAR AND SIDE yards ~~(excluding the front yards)~~ which are contiguous with, and an integral part of, the outdoor living space may be included in calculating the area and minimum dimensions of ~~such space.~~ THE RECREATION AREA.

ii. Pools and paved recreation areas may be developed AS PART OF ~~in~~ the required common space.

c. A private outdoor living space shall be provided adjoining each dwelling unit, equal to a minimum of twenty percent (20%) of the gross size of the dwelling unit, except that dwelling units above the first story shall provide such space equal to a minimum of ten percent (10%) of the gross size of the dwelling unit. Outdoor living space on ground level may be included in the open space requirement.

i. Outdoor living areas shall be reasonably accessible to dwelling units served
ii. Driveways and landscaping within driveway areas shall not be included in calculations of outdoor space.

f. The remainder of the required open space shall be provided in ~~landscaped or natural~~ COMMON open space.

~~7. *Recreational Facilities*~~

~~a. Wherever there is constructed on a lot, or contiguous lots, multiple dwellings which have fifty (50) or more dwelling units, an active outdoor recreational facility shall be provided for the occupants of said units. In addition to the active outdoor recreation area, an indoor recreational facility shall also be provided for the occupants of said dwelling units. The recreational facility may be used as the leasing, sales, or manager's office, but that use may not exceed thirty percent (30%) of the gross floor area. The balance of the facilities shall include group meeting facilities and facilities for exercise, table sports, and games.~~ (MOVED TO SECTION 26.5.C.1)

~~b. Wherever there is constructed a multiple dwelling which has twenty (20) or more dwelling units, there shall be provided on the lot site of said multiple dwellings a play area for children. Said play area shall be separated from any private access ways and public streets by a fence or wall. The tot lot requirement shall be excluded from a senior citizens development.~~ (MOVED TO SECTION 26.5.C.1)

Section 26.5 Provision of Recreational Area

A. *Applicability*

The provision of recreational facilities shall be required of all residential subdivisions, MULTI-FAMILY OR MIXED-USE DEVELOPMENTS, except those located within the R1-36, R1-43, R1-144, and R1-300 Zoning Districts, unless utilizing the lot size reduction flexible design option enabled by Section 27.10.

B. *Recreation~~al~~ Area Plan Submittal and Approval*

1. The developer shall submit a LANDSCAPE AND recreation~~al~~ area plan AS PART OF THE PRELIMINARY PLAT OR DEVELOPMENT PLAN SUBMITTAL PACKAGE. THE RECREATION AREA SHALL ~~to~~ include the minimum improvements for recreational purposes as required by subsection D of this section.

2. The LANDSCAPE AND recreation~~al~~ area plan shall be ~~submitted and reviewed by Town Council concurrently with the preliminary plat.~~ SUBJECT TO RECOMMENDATION BY THE PLANNING AND ZONING COMMISSION AND APPROVAL FROM THE TOWN COUNCIL, CONCURRENTLY WITH THE PRELIMINARY PLAT OR DEVELOPMENT PLAN.

~~3. Approval of the plan by the Town Council, after review and recommendations by the Parks and Recreation Advisory Board (for public recreational areas and the Planning and Zoning Commission (for private recreational areas) shall be a prerequisite to approval of the final plat~~ (MOVED TO SECTION 26.5.E.2).

~~3. All recreational area plans shall be reviewed by the Oro Valley Police Department (OVPD) for conformance to Crime Prevention Through Environmental Design (CPTED) design elements contained in subsection D.5 of this section.~~ (MOVED TO THE TABLE 22-9B)

4. HOMEOWNER ASSOCIATION OR PROPERTY MANAGEMENT REQUESTS TO MODIFY EXISTING FACILITIES AND AMENITIES ~~modification of facilities and amenities depicted on the approved recreational area plan~~ ARE SUBJECT TO THE FOLLOWING:

   a. Modifications deemed necessary and beneficial to provide for the recreational needs of residents THAT MAINTAIN PARITY WITH THE QUANTITY AND TYPE OF AMENITIES PREVIOUSLY APPROVED are REVIEWED AND MAY BE APPROVED ~~subject to approval~~ by the Parks and Recreation Director (RECREATIONAL AREAS DEDICATED TO THE TOWN ONLY) and THE Planning and Zoning Administrator (PRIVATE RECREATIONAL AREAS).
   b. ~~All modifications shall conform~~ CONFORMANCE to the provisions of this code.

C. *~~Minimum~~ Recreation Area Standards*

1. THE MINIMUM AMOUNT OF RECREATION AREA AND PRIVATE OUTDOOR SPACE ARE ESTABLISHED IN TABLE 26-1 AND SUBJECT TO THE FOLLOWING:

A. RECREATION AREAS SHALL BE PROVIDED IN NO MORE THAN TWO COMMON AREAS UNLESS FURTHER DISTRIBUTION IS APPROVED BY TOWN COUNCIL DUE TO ANY OF THE FOLLOWING:

i. SPECIAL CIRCUMSTANCES SUCH AS SIZE, SHAPE OR TOPOGRAPHY APPLY TO THE PROPERTY

ii. THE DISTANCE TO RESIDENTS THE RECREATION AREA IS SERVING MEETS OR EXCEEDS THE REQUIREMENTS IN SECTION 26.5.C.2.

iii. THE VARIETY OF AMENITIES PROVIDED MEETS OR EXCEEDS THE REQUIREMENTS IN SECTION 26.5.D.

B. RECREATION AREAS SHALL NOT BE NARROWER THAN SIXTY (60) FEET WIDE AT ANY GIVEN POINT UNLESS APPROVED BY TOWN COUNCIL DUE TO ANY OF THE FOLLOWING:

i. THE RECREATION AREA IS A TRAIL OR LINEAR PARK

ii. SPECIAL CIRCUMSTANCES SUCH AS SIZE, SHAPE OR TOPOGRAPHY APPLY TO THE PROPERTY

C. A REZONING OR MASTER DEVELOPMENT PLAN THAT RESULTS IN MORE THAN ONE RESIDENTIAL SUBDIVISION SHALL PROVIDE SHARED RECREATION AREAS TO:

i. MAXIMIZE SPACE TO CLUSTER AMENITIES

ii. LOCATE IN A CONVENIENT AREA THAT IS ACCESSIBLE TO ALL RESIDENTS FROM THE ASSOCIATED SUBDIVISIONS

D. LINEAR PARKS, AS DEFINED BY THIS CODE AND DESCRIBED IN SUBSECTION D.2.H. OF THIS SECTION, ARE ACCEPTABLE AS A PORTION OF RECREATION AREAS WHEN THEY SERVE TO IMPROVE ACCESS TO AMENITIES AND OPEN SPACE NETWORKS.

TABLE 26-1: RECREATION AREA STANDARDS		
HOUSING TYPE	MINIMUM RECREATION REQUIREMENTS	MINIMUM RECREATION REQUIREMENTS APPLICABLE TO REZONING APPLICATIONS
DWELLING UNITS, SINGLE-FAMILY	512 SF PER UNIT	900 SF PER UNIT
DWELLING UNITS, ATTACHED, INCLUDING TOWNHOMES OR PATIO HOMES	512 SF PER UNIT	900 SF PER UNIT
APARTMENTS	400 SF PER UNIT	400 SF PER UNIT
	A TOT LOT IS REQUIRED FOR APARTMENT COMPLEXES THAT HAVE 20 OR MORE, TWO (2) + BEDROOM UNITS, UNLESS THE COMPLEX IS AGE-RESTRICTED FOR SENIORS.	
	AN INDOOR RECREATIONAL FACILITY IS REQUIRED FOR APARTMENT COMPLEXES WITH 50 UNITS OR MORE.	

C. IN-LIEU OF CONSTRUCTING THE REQUIRED RECREATION AREA, RESIDENTIAL SUBDIVISIONS, MULTI-FAMILY OR MIXED-USE DEVELOPMENTS REQUIRING ONE-QUARTER (¼) ACRE OR LESS MUST PROVIDE A FEE PER SECTION 26.5.F.1.a.

~~1. An area shall be devoted to and designated as "recreational area" on the preliminary plat which equals a ratio of one (1) acre to every eighty-five (85) dwelling units.~~ (MOVED TO TABLE 26-1).

2. ~~The~~ Recreation~~al~~ area(s) shall be usable and accessible by all ~~subdivision~~ residents WITHIN THE INTENDED SERVICE AREA.~~and shall provide amenities that best serve the needs of the development.~~ THE LOCATION OF RECREATION AREA(S) SHALL MEET ALL OF THE FOLLOWING:

a. POSITION WITHIN ONE-HALF (½) MILE, OR A 10-MINUTE WALK FROM ALL RESIDENTS IT IS INTENDED TO SERVE.
b. CREATE A CENTRAL FOCAL SPACE THAT IS HIGHLY VISIBLE FOR GATHERINGS, PASSIVE AND ACTIVE ACTIVITIES.
c. ACCESSIBLE VIA SIDEWALK, WALKING PATH, TRAIL, BICYCLE OR SHARED USE PATH BY ALL RESIDENTS WITHIN THE SUBDIVISION, MULTI-FAMILY OR MIXED-USE DEVELOPMENT AND SUBJECT TO THE FOLLOWING:
    i. AT LEAST ONE ACCESS ROUTE TO THE RECREATION AREA SHALL COMPLY WITH THE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT (ADA).
    ii. ACCESS ROUTES SHALL BE SHOWN ON THE RECREATION AREA PLAN.
d. COMPLY WITH THE FOLLOWING CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED) ELEMENTS:

i. NATURAL SURVEILLANCE - EMPHASIS ON VISIBILITY OF THE RECREATIONAL FACILITIES, ALSO KNOWN AS "EYES ON THE STREET," TO DETER UNAUTHORIZED USERS AND ACTIVITIES.

ii. ACCESS CONTROL - USE OF DESIGN ELEMENTS TO DENY ENTRANCE TO RECREATIONAL FACILITIES TO UNAUTHORIZED USERS AND ACTIVITIES.

3. PASSIVE RECREATION AREAS SHOULD BE LOCATED WITHIN PROXIMITY TO NATURAL OPEN SPACE AREAS AND/OR CONSERVED, ENVIRONMENTALLY SENSITIVE LANDS.
4. RECREATIONAL AREAS SHALL NOT INCLUDE LAND SUCH AS PEAKS, RIDGES, LAND FRAGMENTS, LAND RESTRICTED BY TOWN POLICY, CONDITION OR ORDINANCE, AND LAND DETERMINED UNUSABLE FOR RECREATIONAL PURPOSES BY TOWN COUNCIL.
5. SHALLOW RETENTION BASINS (FLOOD-PRONE AREAS) MAY BE APPROVED FOR USE AS RECREATION AREAS SUBJECT TO RECOMMENDATIONS BY THE TOWN ENGINEER AND PLANNING AND ZONING ADMINISTRATOR. DECISIONS MAY BE APPEALED TO THE TOWN COUNCIL.

~~3. Upon review and recommendations from the Parks and Recreation Advisory Board, the Town Council may allow environmentally sensitive open space (ESOS) to be credited toward the recreation requirements of this section, to the provisions of the environmentally sensitive lands ordinance (ESLO). The applicant may receive a credit for this property at a one to one (1:1) ratio for a maximum of one hundred percent (100%) of the required recreational area.~~

~~Credit may be obtained only when the following criteria are met:~~

~~a. The area shall be determined to contain significant, unique, and desirable environmental, scenic, or cultural features.~~

~~b. The area shall be delineated as common area, designated with a conservation easement, with ownership to be held in common by the homeowners' association or the town.~~

~~c. The area shall be accessible via sidewalk, walking path, trail, and/or bicycle or shared use path by all residents within the project.~~ (SECTION MOVED TO 26.5.D.3.C.)

D. *Recreation~~al Area Plan Standards~~* IMPROVEMENTS AND AMENITIES

1. ~~*Site Location*~~ TRAILS

a. ~~Recreational areas shall be a focal point for passive and active recreational activities and provide a meaningful place for neighborhood gatherings and activities. Recreation areas shall be placed in a highly visible area of the subdivision that is accessible via sidewalk, walking path, trail, and/or bicycle or shared use path by all residents within the project.~~ (MOVED TO SECTION 26.5.C.2)

~~b. Linear parks, as defined by this code and described in subsection D.2.h of this section, are acceptable when they serve to improve access to recreational amenities and open space networks.~~ (MOVED TO SECTION 26.5.C.1.)

~~c. Passive recreation areas should be located within proximity to natural open space areas and conserved, environmentally sensitive lands.~~ (MOVED TO SECTION 26.5.C.2)

~~d. Recreational areas shall not include land, such as peaks, ridges, land fragments, land restricted by Town policy, condition or ordinance, and land determined unusable for recreational purposes by the Mayor and Town Council. Shallow retention basins (flood-prone areas) may be approved for use as recreational areas subject to recommendations by the Town Engineer and Planning and Zoning Administrator. Decisions may be appealed to the Town Council.~~ (MOVED TO 26.5.C.2).

A. In cases where a recreational area lies adjacent to a trail identified within the Eastern Pima County Trails System Master Plan and/or the Oro Valley Trails Map and their subsequent updates, a connection shall be provided between the recreational area and said trail.

B. TRAILS AND ASSOCIATED SIGNAGE SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE PIMA REGIONAL TRAIL SYSTEM MASTER PLAN STANDARDS, IN CONSULTATION WITH THE TOWN'S PARK AND RECREATION DEPARTMENT, AND SUBJECT TO THE FOLLOWING:

i. TRAILS SHALL BE POSITIONED IN A MANNER TO AVOID NATIVE VEGETATION AND MINIMIZE THE POTENTIAL OF EROSION.
ii. TRAILS SHALL BE CONSTRUCTED TO ENSURE MINIMAL MAINTENANCE.
iii. TRAIL EASEMENTS MUST BE A MINIMUM OF TWENTY-FIVE (25') WIDE, UNLESS OTHERWISE APPROVED BY THE PARKS AND RECREATION DIRECTOR.
iv. TRAILS MUST BE DESIGNATED FOR PERMANENT, NON-MOTORIZED USE, UNLESS OTHERWISE APPROVED BY THE PARKS AND RECREATION DIRECTOR.

C. MAINTENANCE OF PRIVATE TRAILS IS THE RESPONSIBILITY OF THE HOMEOWNER ASSOCIATION OR PROPERTY MANAGEMENT COMPANY.

D. DETAILED DESIGNS SHALL BE PROVIDED WITHIN THE LANDSCAPE AND RECREATION AREA PLAN AND CONSTRUCTION PLANS TO INCLUDE THE FOLLOWING:

i. SURFACE TREATMENT
ii. EROSION CONTROL MEASURES
iii. PLACEMENT OF SIGNAGE PER SECTION 26.5.C.5.

2. ~~*Recreational Facilities Improvement Standards*~~ RECREATION AREA IMPROVEMENTS AND AMENITIES

a. ~~Recreational area improvements shall be appropriate to the anticipated needs of the development.~~ DETAILED DESIGNS SHALL BE PROVIDED FOR EACH PROPOSED AMENITY WITH THE LANDSCAPE AND RECREATION AREA PLAN ~~final plat.~~

b. Equipment installed within the recreational areas shall comply with the provisions of the Americans with Disabilities Act (ADA).

C. IF PROVIDED, RESTROOM FACILITIES SHALL BE LOCATED IN A HIGHLY VISIBLE AREA AND SHALL BE FREE OF SHRUBS THAT REACH A MATURE HEIGHT GREATER THAN THREE (3) FEET.

D. RECREATION AREA IMPROVEMENTS SHALL BE APPROPRIATE TO THE ANTICIAPTED NEEDS OF RESIDENTS. AREAS MUST INCLUDE A VARIETY OF AMENITIES TO SUPPORT RESIDENTS OF ALL AGES AND ABILITIES.

E. EACH RECREATION AREA MUST INCLUDE THE FOLLOWING AMENITIES, AT A MINIMUM:

I. SEATING SUCH AS A BENCH, PICNIC TABLE, OR OTHER SIMILAR AMENITY

II. TRASH RECEPTABLE AND/OR PET WASTE STATION

IV. VEHICLE AND BICYCLE PARKING PER SECTION 27.7

V. SHADING PROVIDED BY BUILT STRUCTURES, OR COMBINATION OF BUILT STRUCTURES AND NATURAL VEGETATION.

VI. PEDESTRIAN CONNECTIVITY BETWEEN ALL AMENITIES

VII. ~~Provision of~~ One (1) active and one (1) passive amenity AS SPECIFIED IN TABLE 26-2 ~~for the~~ first one-half (1/2) acre or portion thereof.

a. For every additional one-half (1/2) acre (ROUNDED TO THE NEAREST HALF ~~not fractions~~), an additional passive and active AMENITY ~~use~~ shall be provided. ~~up to the maximum provided by the following subsections.~~
b. A MAXIMUM OF FIVE (5) PASSIVE AND THREE (3) ACTIVE AMENITIES ARE PERMITTED WITHIN A SINGLE RECREATION AREA, UNLESS SUFFICIENT SPACE HAS BEEN PROVIDED AS DETERMINED BY THE PLANNING AND ZONING ADMINISTRATOR OR THE PARKS AND RECREATION DIRECTOR.

~~i. A single park area may contain up to five (5) passive amenities. Examples of passive amenities include turf areas, benches, picnic tables, shade structures, barbecue grills, pathways, etc.~~ (MOVED TO SECTION 26.5.D.2.F).

~~ii. A single park area may contain up to three (3) MAJOR amenities. Examples of active amenities include basketball courts, volleyball courts, bocce courts, horseshoe pits, par courses, etc.~~ (MOVED TO SECTION 26.5.D.2.F).

TABLE 26-2: RECREATION AREA AMENITIES	
ACTIVE AMENITIES	PASSIVE AMENITIES
SWIMMING POOL	BARBECUE GRILLS
BALL COURT (BASKETBALL, VOLLEYBALL, PICKLEBALL, TENNIS)	BOCCE BALL OR HORESHOE PIT
RAMADA	PICNIC TABLE
PLAYGROUND OR TOT-LOT	SWING SET OR STANDALONE PLAY STRUCTURE
RECTANGULAR TURF FIELD	SMALL TURF AREA OR PAR COURSES
WORKOUT/FITNESS EQUIPMENT	WALKING PATH
COMMUNITY GARDEN	DOG PARK

F. THE TOWN COUNCIL MAY REQUIRE DIFFERENT AMENITIES WITHIN A SUBDIVISION, MULTI-FAMILY OR MIXED-USE DEVELOPMENT TO ACHIEVE MORE VARIETY OR APPROVE AMENITIES NOT SPECIFIED IN TABLE 26-2, YET COMPRABLE IN USE, ACCESSIBLITY AND FUNCTION.

G. WHEN APPROPRIATE TO THE NEEDS OF RESIDENTS, TOT LOTS SHALL BE REQUIRED. TOT LOTS SHALL INCLUDE, AT A MINIMUM:

I. PLAY EQUIPMENT AREA.

II. DRINKING FOUNTAIN.

III. SEATING AREA ORIENTED TOWARDS THE PLAY EQUIPMENT.

IV. TRASH RECEPTACLE(S).

V. BICYCLE PARKING WITH A FOUR (4) BICYCLE MINIMUM CAPACITY.

VI. PICNIC TABLE.

VII. LIMITED TURF AREA FOR ACTIVITY AREAS ONLY (LESS THAN FIFTEEN PERCENT (15%) OF TOTAL RECREATIONAL AREA) MAY BE PROVIDED.

H. Linear parks SHALL ~~may be utilized to satisfy the recreational requirements of this section. Required amenities~~ BE A MINIMUM WIDTH OF TWENTY-FIVE (25') FEET AT ANY GIVEN POINT AND include~~, at a minimum~~:

i. A shared use path for pedestrians and bicyclists.

ii. Seating area.

iii. Landscaping.

iv. Drinking fountain, if located within one hundred (100) feet of a potable water line.

v. Trash receptacle(s).

vi. Pet waste removal station(s).

vii. Exercise stations MAY BE INCLUDED ~~may be located within linear parks.~~

The location of the amenities along a linear park is subject to the approval of the Planning and Zoning Administrator. ~~and PRLCR Director.~~

I. INDOOR RECREATION AREAS ARE SUBJECT TO THE FOLLOWING:

i. THE INDOOR RECREATIONAL FACILITY MAY BE USED AS THE LEASING, SALES, OR MANAGER'S OFFICE; HOWEVER, THAT USE MAY NOT EXCEED THIRTY PERCENT (30%) OF THE GROSS FLOOR AREA.

ii. THE REMAINDER OF THE SPACE SHALL INCLUDE PASSIVE OR ACTIVE AMENITIES SUCH AS GROUP MEETING SPACE OR COMMUNITY RECREATION ROOMS WITH EXERCISE EQUIPMENT, TABLE SPORTS, GAMES, OR OTHER SIMILAR AMENITIES.

3. *Credit for Enhanced Amenities OR ENVIRONMENTALLY SENSITIVE OPEN SPACE (ESOS)*

A. Credit for the additional cost of enhanced recreational amenities, including community ~~swimming pools~~ splash pads, skate/BMX parks, fully improved sports fields, and other amenities approved by the Planning and Zoning Administrator, may be obtained against the recreation area requirement in subsection C.1 of this section based on the following criteria:

i. The applicant shall submit a cost estimate summarizing the following:

a) Value of the land and cost of the improvements and amenities that would be required by this code.

b) Value of the land and cost of the improvements and enhanced amenities proposed as alternative means of compliance.

ii. Credit for the additional cost of the enhanced amenities may be received in the form of a reduction to the required recreation land area.

iii. The extent of the credit shall be determined by the value of the enhanced amenity as determined by the Town. The maximum reduction of recreation area requirement is one-half (1/2) acre.

B. Credit for improved indoor recreational space, UNLESS OTHERWISE REQUIRED, may be obtained subject to the following criteria:

i. Improved community recreation rooms, community centers, gymnasiums, performance space, or other recreation space accessible to all residents of a development shall receive credit at a ratio of three to one (3:1) against the area requirement contained in subsection C.1 of this section.

ii. Each active and passive amenity contained within an indoor recreational space shall receive a credit to the recreational amenity requirements contained in subsections D.2.e.vii, ~~D.2.c, and D.2.d~~ of this section at a one-to-one (1:1) ratio.

C. UPON REVIEW AND RECOMMENDATIONS FROM THE PARKS AND RECREATION ADVISORY BOARD, TOWN COUNCIL MAY ALLOW ENVIRONMENTALLY SENSITIVE OPEN SPACE (ESOS) TO BE CREDITED TOWARD THE AMOUNT OF RECREATION AREA BEYOND THE ALLOWANCES PERMITTED IN SECTION 27.10 AND SUBJECT TO THE PROVISIONS OF THE ENVIRONMENTALLY SENSITIVE LANDS ORDINANCE (ESLO). THE APPLICANT MAY RECEIVE A CREDIT FOR THIS PROPERTY AT A ONE TO ONE (1:1) RATIO FOR A MAXIMUM OF ONE HUNDRED PERCENT (100%) OF THE REQUIRED RECREATIONAL AREA. CREDIT MAY BE OBTAINED ONLY WHEN THE FOLLOWING CRITERIA ARE MET:

i. THE AREA SHALL BE DETERMINED TO CONTAIN SIGNIFICANT, UNIQUE, AND DESIRABLE ENVIRONMENTAL, SCENIC, OR CULTURAL FEATURES.

ii. THE AREA SHALL BE DELINEATED AS A COMMON AREA, DESIGNATED WITH A CONSERVATION EASEMENT, WITH OWNERSHIP TO BE HELD IN COMMON BY THE HOMEOWNERS' ASSOCIATION, PROPERTY MANAGEMENT COMPANY OR THE TOWN.

iii. THE AREA SHALL BE ACCESSIBLE VIA SIDEWALK, WALKING PATH, TRAIL, AND/OR BICYCLE OR SHARED USE PATH BY ALL RESIDENTS WITHIN THE PROJECT.

~~g. When appropriate to the needs of the residents, tot lot amenities shall be required. Tot lots shall include, at a minimum:~~(MOVED TO SECTION 26.5.D.2.G)

~~i. Play equipment area.~~

~~ii. Drinking fountain.~~

~~iii. Seating area (may include benches or seat walls) oriented towards the play equipment.~~

~~iv. Trash receptacle(s).~~

~~v. Bicycle parking with a four (4) bicycle minimum capacity.~~

~~vi. Picnic table.~~

~~vii. Limited turf area for activity areas only (less than fifteen percent (15%) of total recreational area) may be provided.~~

~~gh. Linear parks may be utilized to satisfy the recreational requirements of this section. Required amenities include, at a minimum: :~~(MOVED TO SECTION 26.5.D.2.H)

~~i. A shared use path for pedestrians and bicyclists.~~

~~ii. Seating area.~~

~~iii. Landscaping.~~

~~iv. Drinking fountain, if located within one hundred (100) feet of a potable water line.~~

~~v. Trash receptacle(s).~~

~~vi. Pet waste removal station(s).~~

~~vii. Exercise stations may be located within linear parks.~~

~~VIII. The location of the amenities along a linear park is subject to the approval of the Planning and Zoning Administrator and PRLCR Director.~~

4. *Play Equipment Standards*

a. Applicant shall submit evidence that play equipment complies with the current American Society for Testing and Materials (ASTM) safety standards for playground equipment.
b. Playground surface materials, including certified wood fiber, shredded rubber, poured-in-place surfacing, or other acceptable material approved by the Parks and Recreation Director, shall be placed at a minimum depth of twelve (12) inches under the equipment.
c. No play equipment shall be located within thirty (30) feet of any road right-of-way, driveway or alleyway, parking area, or single-family residential lot or single-family residential zone unless AN ARCHITECTURALLY COMPATIBLE WALL, PERMANENT FENCE, OR SIMILAR ~~an acceptable~~ barrier is provided AND APPROVED BY THE PLANNING AND ZONING ADMINISTRATOR.

d. ALL PLAYGROUND EQUIPMENT AND ASSOCIATED USE (FALL) ZONES must be fully shaded with a UV-resistant sunshade or other appropriate shading material, or structure as approved by the Planning and Zoning Administrator. ~~and Permitting Division.~~

~~e. Play equipment or apparatus with a footprint of two hundred fifty (250) square feet or less must be fully shaded with a UV-resistant sunshade or other appropriate shading material or structure as approved by the Planning and Zoning Administrator and Permitting Division.~~

~~f. At least fifty percent (50%) of play equipment or apparatus must be fully shaded with a UV-resistant sunshade or other appropriate shading material, or structure as approved by the Planning and Zoning Administrator and Permitting Division. This requirement shall be applied only to play equipment or apparatus with a footprint of two hundred fifty (250) square feet or greater.~~

g. To maximize the safety of children, play spaces shall be located to provide maximum visibility from surrounding homes.

h. Play equipment shall not be located on a slope greater than four percent (4%).

~~5. *Crime Prevention Through Environmental Design (CPTED) Elements*~~(MOVED TO SECTION 26.5.C.2.d)

~~a. Recreational area design shall consider the following CPTED elements:~~

~~i. *Natural Surveillance*~~

~~Emphasis on visibility of the recreational facilities, also known as "eyes on the street," to deter unauthorized users and activities.~~

~~ii. *Access Control*~~

~~Use of design elements to deny entrance to recreational facilities to unauthorized users and activities.~~

5. SIGNAGE

a. All recreational areas shall post at least one (1) sign at the primary entrance(s) stating:
   i. Hours of operation.
   ii. Park/recreational area rules.
   iii. Trespassing notice for unauthorized users, including citation of applicable ordinances/statutes.
   iv. Notice that all dogs must be kept on a leash (unless an approved off-leash area has been designated).
   v. Emergency (911) contact information to report suspicious or criminal activity.
   vi. If A recreation area is privately operated, ~~homeowners' association~~ contact information to report maintenance or safety issues.

b. If a neighborhood watch program exists, a sign shall be posted at the primary entrance(s) to the recreational area.

c. If the recreational area abuts an environmentally sensitive lands (ESL) area, a sign shall be posted ~~every~~ AT one hundred (100) ~~feet~~ FOOT INTERVALS ALONG ~~at~~ the border of the ESL area. The sign shall conform to the ESL sign requirements per the environmentally sensitive lands ordinance (ESLO).

d. IF THE SUBDIVISION, MULTI-FAMILY OR MIXED-USE DEVELOPMENTS INCLUDES PRIVATE OR PUBLIC TRAILS, DIRECTIONAL TRAIL SIGNS SHALL BE POSTED AT ONE HUNDRED AND FIFTY (150) FOOT INTERVALS ALONG THE TRAIL OR, AT ONE HUNDRED (100) FOOT INTERVALS IF ABUTTING AN ENVIRONMENTALLY SENSITIVE LANDS AREA.

6. LIGHTING AND RECREATION AREA HOURS

a. All lighting shall be consistent with the standards of Section 27.5, WITH THE EXCEPTION OF 27.5.H. (RECREATIONAL FACILITIES).

b. ALL LIGHTING MUST BE FULLY SHIELDED and turned off by 10:00 p.m.

c. If no lighting is provided, recreation area hours shall be limited to daylight hours only and shall be posted on the informational sign(s) at the park entrance(s) required by subsection D.5 of this section.

E. *Facilities Installation, Ownership and Maintenance*

1. *Private Recreational Facilities*

a. In cases where the recreational facility is to be privately owned, ALL SHARED recreation~~al~~ AREAS INCLUDING AMENITIES, PRIVATE OR PUBLIC TRAILS WITHIN THE PROJECT LIMITS ~~facilities~~ and ASSOCIATED parking improvements shall be completed and in place by the time thirty-five percent (35%) of the building permits are issued. Prior to release of the required bond or assurance, the developer shall provide written documentation to the Town that all mechanisms are in place to protect the rights of the RESIDENTS ~~homeowners~~ (i.e., liability insurance).

b. Private recreational areas, and improvements IN A SUBDIVISION shall be owned and maintained by a mandatory membership homeowners association (HOA) created by covenants. If the HOA fails to adequately maintain the required recreational facilities, the Town may cause the property to be maintained and may cause a lien to be placed on the property, subject to and inferior to the lien for general taxes and to all prior recorded mortgages and encumbrances of record.

2. *Public Park Facilities*

a. In cases where the required recreational area is at least three (3) acres in size and is located adjacent to a public thoroughfare, dedication to the Town may be accepted. In this case, the park land shall be owned and maintained by the Town. The subdivider shall, without credit:
    i. Provide full street improvements and utility connections including, but not limited to, curbs, gutters, street paving, traffic control devices, lighting, street trees, and sidewalks to land which is dedicated pursuant to this section;
    ii. Provide solid masonry fencing along the property line of that portion of the subdivided lots contiguous to the dedicated land;
    iii. Provide improved drainage through the site; and
    iv. Provide other improvements and amenities that the Town Council determines to be essential to the acceptance of the land for recreational purposes. Subsequent improvements, if any, shall be developed and maintained by the Town.

b. REQUESTS FOR PUBLIC DEDICATION ARE SUBJECT TO RECOMMENDATION BY THE PARKS AND RECREATION ADVISORY BOARD AND THE PLANNING AND ZONING COMMISSION AND APPROVAL BY THE TOWN COUNCIL.

c. When park land is dedicated to and accepted by the Town, the provisions of subsection B.1 of this section shall not apply.

F. *In-Lieu Fee ~~Option~~*

1. IN-LIEU FEES USED TO SATISFY THE RECREATION AREA AND ASSOCIATED AMENITY REQUIREMENTS OF THIS SECTION, APPLY AS FOLLOWS:
    a. RESIDENTIAL SUBDIVISIONS, MULTI-FAMILY OR MIXED-USE DEVELOPMENTS REQUIRING A RECREATION AREA OF ONE-QUARTER (¼) ACRE OR LESS MUST PROVIDE AN IN-LIEU FEE.
    b. ALL OTHER RESIDENTIAL SUBDIVISIONS, MULTI-FAMILY OR MIXED-USE DEVELOPMENTS MAY REQUEST USE OF AN IN-LIEU FEE TO SATISFY A PORTION OF THE RECREATION AREA REQUIREMENT. REQUESTS ARE SUBJECT TO SECTION 26.5.2 AND A MINIMUM ONE-QUARTER (1/4) ACRE MUST BE PROVIDED ONSITE WITH AMENITIES PER SECTION 26.5.D.2. ~~The remaining portion of the recreation improvement obligation shall be applied to on-site recreation area(s) and WITH amenities per the provisions of this code.~~
    c. IN-LIEU FEES CANNOT BE USED TO SATISFY ANY REQUIRED PRIVATE OR PUBLIC TRAIL IMPROVEMENTS.

~~1. In lieu of the required private recreational area or public park land dedication and required recreational facilities. The Town Council may approve an alternative proposal for an in-lieu fee that aids in the development or improvement of Town parks or recreational facilities. All subdivisions containing forty-three (43) lots or less may utilize the in-lieu fee option.~~

~~2. Subdivisions of eighty-five lots or more may elect to utilize the in-lieu fee option for up to fifty percent (50%) of the total cost of recreation area improvements as determined by the recreation area in-lieu fee calculation definition. The remaining portion of the recreation improvement obligation shall be applied to on-site recreation area(s) and amenities per the provisions of this code. In-lieu fee proposals shall meet all of the following conditions:~~

2. REVIEW OF IN-LIEU FEE REQUESTS
    a. IN-LIEU FEE REQUESTS ARE SUBJECT TO RECOMMENDATION BY THE PLANNING AND ZONING COMMISSION AND APPROVAL BY TOWN COUNCIL. In-lieu fee requests shall meet the following:
        i. The subdivision, MULTI-FAMILY RESIDENTIAL OR MIXED-USE DEVELOPMENT has or can provide legal and physically constructed access to an existing Oro Valley public park, ~~a park location~~ WITHIN ONE-HALF (½) MILE, OR A TEN (10) MINUTE WALK FROM THE SUBDIVISION OR DEVELOPMENT. ~~identified in the Town Parks, Open Space and Trails Master Plan, or other location approved by the Parks and Recreation Director.~~
        ii. The total amount of the in-lieu fee determined by the recreation area in-lieu fee calculation is~~, in the opinion of the Planning and Zoning Administrator (PZA) and PRLCR Director,~~ sufficient to fund a specific park development or improvement project for an existing facility.
    b. In evaluating a REQUEST TO UTILIZE THE IN-LIEU FEE OPTION ~~proposal under this section,~~ the Town Council shall consider the impact on the property resulting from a change in the standard requirements for recreational space, the advantages and disadvantages of the proposed alternatives, the benefits afforded to the subdivision from the alternative proposal and the relative values to the community afforded by the alternative proposal as compared with the standard requirements.

3. FEE CALCULATION AND DETERMINATION
    a. A WRITTEN APPRAISAL REPORT PREPARED BY AN APPRAISER SHALL BE SUBMITTED TO THE PLANNING AND ZONING ADMINISTRATOR AND PARKS AND RECREATION DIRECTOR TO DETERMINE THE IN-LIEU FEE.
    b. THE REPORT SHALL BE BASED ON THE IMPROVED VALUE OF THE LAND, INCLUDING:
        i. THE COST OF THE LAND REQUIRED FOR THE RECREATION AREA
        ii. THE COSTS FOR STRUCTURES AND FACILITIES REQUIRED IN SECTION 26.5.D.
        iii. DESIGN AND CONSTRUCTION COSTS

iv. NECESSARY INFRASTRUCTURE (I.E., ROADWAYS, DRAINAGE WATER, ELECTRIC, TELEPHONE AND SEWER) REQUIRED TO SERVE THE RECREATION AREA AREAS.

c. THE TOWN MAY ENGAGE THE SERVICES OF A THIRD-PARTY APPRAISER, AT THE APPLICANT'S SOLE EXPENSE, TO EVALUATE THE ACCURACY OF THE REPORT.

d. The recreation area in-lieu fee shall be determined by the ~~Town, with a written appraisal report prepared by an appraiser acceptable to the Town.~~ PLANNING AND ZONING ADMINISTRATOR AND THE PARKS AND RECREATION DIRECTOR. The determination of the recreation area in-lieu fee shall consider, but not necessarily be limited to, the following:

i. Approval and any conditions of ~~the conceptual site plan.~~ AN ASSOCIATED GENERAL PLAN AMENDMENT OR REZONING

ii. The general plan

iii. Conditional zoning

iv. Property location

v. Off-site improvements facilitating use of the property

vi. Site characteristics of the property

~~e. The recreation area in-lieu fee calculation shall be based on the improved value of the land, including structures and facilities required by Section 26.5, design, construction costs, and having the necessary infrastructure (i.e., roadways, drainage water, electric, telephone and sewer) installed to serve the park areas. (~~MOVED TO SECTION 26.5.F.3.b)

f. OBJECTIONS TO THE DETERMINED IN-LIEU FEE MAY BE APPEALED TO THE BOARD OF ADJUSTMENT PER SECTION 22.12.

~~6. The proposal shall be prepared by the applicant and submitted to the Planning and Zoning Administrator and Parks and Recreation Director who shall forward their recommendations to the Town Council for its action after an advertised public hearing.~~

4. APPROVAL

a. The terms of the agreement shall be made a matter of public record and a condition of approval of any final plat, IF APPLICABLE, or issuance of any GRADING permit. ~~s for the subdivision.~~

b. The agreement shall provide ~~for the~~ funding TO IMPROVE OR DEVELOP PUBLIC RECREATIONAL FACILITIES CLOSEST TO THE SUBDIVISION OR DEVELOPMENT. ~~of the equivalent of park land and/or recreational facilities to the Town as would have been provided by a recreational area in the subdivision.~~

~~8. In evaluating a proposal under this section, the Town Council shall consider the impact on the property resulting from a change in the standard requirements for recreational space, the advantages and disadvantages of the proposed alternatives, the benefits afforded to the subdivision from the alternative~~

~~proposal and the relative values to the community afforded by the alternative proposal as compared with the standard requirements.~~(MOVED TO SECTION 26.5.F.2.b).

~~10. If the subdivider objects to the determined in-lieu fee, he/she may appeal to the Town Council, with the burden of proof lying with the subdivider.~~ (MOVED AND REVISED IN SECTION 26.5.F.3.f).

~~11. The Town Council may waive requirements for an appraisal when the subdivider provides acceptable alternative information to the Planning and Zoning Administrator (PZA), Parks and Recreation Director, and the Finance Director as a means of determining the improved value that is presented and accepted at a Town Council public hearing.~~

Section 27.6.C.3 Plant Materials and Restrictions

g. Natural turf is prohibited with the following exceptions:

a. Town of Oro Valley public parks.

~~b. Private parks that serve more than one neighborhood.~~

c. Private RECREATION AREAS ~~parks serving only one (1) neighborhood~~ are limited to no more than fifteen percent (15%) of the total ~~park~~ RECREATION area UNLESS A SPORTS FIELD OR SIMILAR AMENITY IS APPROVED BY TOWN COUNCIL.

d. Private schools.

e. Golf course greens and tee boxes only.

For all uses enabled by exception, turf may only be utilized for activity areas and not for ornamental purposes. Private ~~Park~~ RECREATION areas may not be seeded with winter rye.

Section 27.10.F. ESOS Use and Conservation Development

iii. Trails

Trails and associated amenities such as benches must conform to SECTION 26.5.D.1 ~~standards established by the Oro Valley Parks and Recreation Department.~~

CHAPTER 31 – DEFINITIONS

Apartments – A DWELLING ~~residential use, which is occupied as the home or residence of three (3) or more families living independently of each other.~~ DESIGNED FOR THE OCCUPANCY BY THREE (3) OR MORE FAMILIES LIVING INDEPENDENTLY OF EACH OTHER IN UNITS STACKED ON TOP OF ONE ANOTHER.

MIXED-USE DEVELOPMENT – A DEVELOPMENT WITH A COMBINATION OF RESIDENTIAL AND NON-RESIDENTIAL USES.

Recreation Area

A land area that is designated for recreation or contains specific facilities such as community ~~recreational~~ centers, pedestrian ways, swimming pools, picnic facilities, basketball and sport courts, playground equipment and exercise equipment.

Active

An area delineated for ~~formal~~ activities THAT INVOLVE RELATIVELY HIGH IMPACT OR MORE ENERGY. ~~Which may or may not require equipment and take place on a prescribed field.~~ Active recreational areas include, but are not limited to, tennis, volleyball, ~~bocce ball~~ and other court games, baseball, soccer and other field sports, swimming pools, track, and improved playground activity areas.

Passive

An area delineated for activities that involve relatively LOW IMPACT ~~inactive~~ or less ENERGY. ~~energetic activities., such as walking, sitting, picnicking, card games, checkers, and similar table games.~~ PASSIVE RECREATIONAL AREAS INCLUDE, BUT ARE NOT LIMITED TO, WALKING PATHS, DOG PARKS, OR PICNIC AREAS. Passive recreational areas also include natural open space, which contain nature walks and observation areas.

Townhouse - ~~A dwelling with party walls and no side yards between abutting dwellings.~~ A DWELLING DESIGNED FOR OCCUPANCY BY TWO (2) OR MORE FAMILIES LIVING INDEPENDENTLY OF EACH OTHER IN UNITS JOINED SIDE BY SIDE OR FRONT TO BACK BY PARTY WALLS, STRUCTURAL ROOF COMPONENTS OR SIMILAR ELEMENTS.