



Coalition for Sonoran Desert Protection

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December 4, 2012

Arizona Center for Law
in the Public Interest
Arizona League of Conservation
Voters Education Fund
Arizona Native Plant Society
Bat Conservation International
Center for Biological Diversity
Center for Environmental
Connections
Center for Environmental Ethics
Defenders of Wildlife
Desert Watch
Drylands Institute
Empire Fagan Coalition
Environmental and Cultural
Conservation Organization
Environmental Law Society
Friends of Cabeza Prieta
Friends of Ironwood Forest
Friends of Madera Canyon
Friends of Saguaro National Park
Friends of Tortolita
Gates Pass Area Neighborhood
Association
Native Seeds/SEARCH
Neighborhood Coalition of
Greater Tucson
Northwest Neighborhoods
Alliance
Protect Land and
Neighborhoods
Safford Peak Watershed
Education Team
Save the Scenic Santa Ritas
Sierra Club—Grand Canyon
Chapter
Sierra Club—Rincon Group
Silverbell Mountain Alliance
Sky Island Alliance
Sky Island Watch
Society for Ecological
Restoration
Sonoran Arthropod
Studies Institute
Sonoran Permaculture Guild
Southwestern Biological
Institute
Tortolita Homeowners
Association
Tucson Audubon Society
Tucson Herpetological Society
Tucson Mountains Association
Wildlands Network
Women for Sustainable
Technologies

Mayor Satish Hiremath and Councilmembers
Oro Valley Town Council
11000 N. La Cañada Drive
Oro Valley, AZ 85737

**RE: Proposed Major General Plan Amendment for the Desert Springs
Project (OV112-02)**

Dear Mayor and Councilmembers:

I submit the enclosed comments on behalf of the Coalition for Sonoran Desert Protection, founded in 1998 and comprised of 40 environmental and community groups working in Pima County. Our mission is to achieve the long-term conservation of biological diversity and ecological function of the Sonoran Desert through comprehensive land-use planning. We achieve this mission by primarily advocating for: 1) the protection and conservation of Pima County's most biologically rich areas, 2) directing development to appropriate land, and 3) requiring appropriate mitigation for impacts to habitat and wildlife species.

We appreciate the opportunity to provide comments on the request for a Major General Plan Amendment for 108 acres located on the east side of Oracle Road at the Tangerine Road intersection (OV112-02), the former Kelly Ranch. We have reviewed the submitted proposal, along with other relevant planning documents such as the Oro Valley General Plan, the Oro Valley Zoning Code, the Environmentally Sensitive Lands Ordinance, and have evaluated the county zoning that exists on the property, dating back to 1990. We have also attended two of the neighborhood meetings and both of the Planning and Zoning Commission hearings on this proposal. We submitted detailed comments to the Commission as well.

The Coalition for Sonoran Desert Protection, like the Town of Oro Valley, prefers that the Kelly Ranch property be acquired and preserved as open space. We understand, however, that this property is privately owned, the landowners are presently not willing sellers, and that they can develop the 108 acres as currently zoned. Fortunately, the Town has tools that can allow reasonable development that would not sacrifice the significant natural, cultural, and historical resources on the property. These tools can be utilized to achieve conservation *without having to acquire the property*. We emphasize that the Town Council, as you are aware, has full discretion and power to approve an alternative proposal to the one presented by the landowners.

The Coalition offers the following two alternatives to the developer's proposal for consideration by the Town Council:

1) Our Preferred Alternative (see attached map) supports the proposed Neighborhood Commercial/Office designation on 24 acres of the property adjacent to Oracle Road, with the remaining 84 acres of the property outside the Neighborhood Commercial/Office re-classified

as natural Open Space. This will provide an adequate and functional buffer to Catalina State Park to the east.

2) Alternatively, if the Council desires to approve a General Plan Amendment that allows for some residential development, the Coalition recommends the following proposal.

- As with our Preferred Alternative above, **approve the Neighborhood Commercial/Office designation on 24 acres of the property adjacent to Oracle Road.**
- **A 150-foot natural undisturbed open space buffer be included on the northern, eastern, and southern boundaries of the property** to match the 150-foot buffer adjacent to the Talante Estates neighborhood. This open space will help mitigate negative impacts to the wildlife and wildlife habitat in Catalina State Park and the soon-to-be-built wildlife crossings along Oracle Road near the project area. Although scientific research recommends an approximately 600-foot wide buffer (e.g. Bock et al [1999]¹ and Odell and Knight [2001]²) to adequately mitigate all the potential impacts from development, the Coalition proposes this compromise to be consistent with the buffer to the Talante Estates Neighborhood.
- **The remaining land adjacent to the buffer and the commercial/office space be designated as Rural Low-Density Residential (R-LDR, 0-0.3 DU/AC).** This will produce residential development that is consistent with the adjacent Talante Estates Neighborhood and reduce (although certainly not eliminate) negative impacts to Catalina State Park. This planning category is the appropriate land use category for this property, as the category description reads: “denotes area of large lot single-family detached development in a rural environment...Areas of rural residential development are appropriate where there is a desire to retain a rural lifestyle or **where protection of the natural environment is necessary**” (emphasis added).

We propose these two alternative development configurations because, by any measuring stick that has been applied to this property, it is a critically important biological area. The measurements include:

- 2005 OV General Plan designation, proposed by the Town and supported by the voters, as Significant Resource Area *on the entire property.*
- 2002 Sonoran Desert Conservation Plan Conservation Lands System (SDCP CLS) designation of Important Riparian Area on a small portion of the property, and Biological Core Management Area on the remainder, with 95% NUOS and 80% NUOS respectively, as policy adopted by the Pima County Board of Supervisors.
- 2002 SDPC CLS designation of Critical Wildlife Linkage calling for development compatible with wildlife movement, *on the entire property.*
- 2004 Open Space Bond, through which this property was identified as the Town of Oro Valley’s highest priority for acquisition for 100% preservation.
- 2011 Town-adopted Environmentally Sensitive Lands Ordinance (ESLO), which *requires* 80% natural Open Space, as the property should be designated as Core Resource Area per the ordinance.

Our Preferred Alternative would support the stated intentions and requirements of Oro Valley’s ESLO and be consistent with the SDPC CLS designation of this property as a Biological Core Area with Important Riparian Areas³.

¹ Bock, C.E., J.H. Bock, and B.C. Bennet. 1999. Songbird abundance in grasslands at a suburban interface on the Colorado High Plains. *Studies in Avian Biology* **19**:131-136.

² Odell, E.A. and R.L. Knight. 2001. Songbird and medium sized mammal communities associated with exurban development in Pitkin County Colorado. *Conservation Biology* **15**:1-8.

³ The Conservation Lands System is part of Pima County’s Comprehensive Land Use Plan and was based on a rigorous scientific process, including input from a wide variety of local scientists, biologists, and stakeholders.

The SDCP CLS policy for Biological Core Areas recommends 80% open space on the property; 84 acres of natural undisturbed open space on this property amounts to 78% open space. The Town endorsed Pima County's Sonoran Desert Conservation Plan in 2008.

The Town's ESLO was based on the CLS, and the ESLO's Core Resource Area category mirrors the Biological Core category of the CLS. Section 27.10 of the ESLO explicitly defines Core Resource Areas as, in part, "Pima County Conservation Lands System, biological core management areas adopted by the Board of Supervisors, June 2005."

The minimum Environmentally Sensitive Open Space (ESOS) percentages established for each category in the ESLO are outlined below (*ESLO Table 27.10-2: ESL Categories: Minimum ESOS*). It is stated explicitly in the ESLO that these provisions be applied at the General Plan Amendment stage.

ESLO Table 27.10-2: ESL Categories: Minimum ESOS

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

Given the sensitive location of this property next to Catalina State Park and within the Santa Catalina – Tortolita Mountains wildlife linkage, we believe that our alternatives are reasonable and supports many past decisions of the Town regarding the conservation of natural resources in and near the Town. Both alternatives allow for development of the property and support the economic growth and expansion of commercial frontage along Oracle Road, while also providing an appropriate buffer to the rich community, ecological, and economic assets of Catalina State Park.

We respectfully request that the Oro Valley Town Council approve our Preferred Alternative proposal, outlined above, which includes 24 acres of Neighborhood Commercial/Office and 84 acres of natural Open Space. This proposal is supported by the Town's recently adopted Environmentally Sensitive Lands Ordinance and strikes a reasonable balance among the many concerns that have been expressed by residents and stakeholders throughout this process.

We appreciate the opportunity to submit these comments. Please feel free to contact me if you have any questions.

Sincerely,



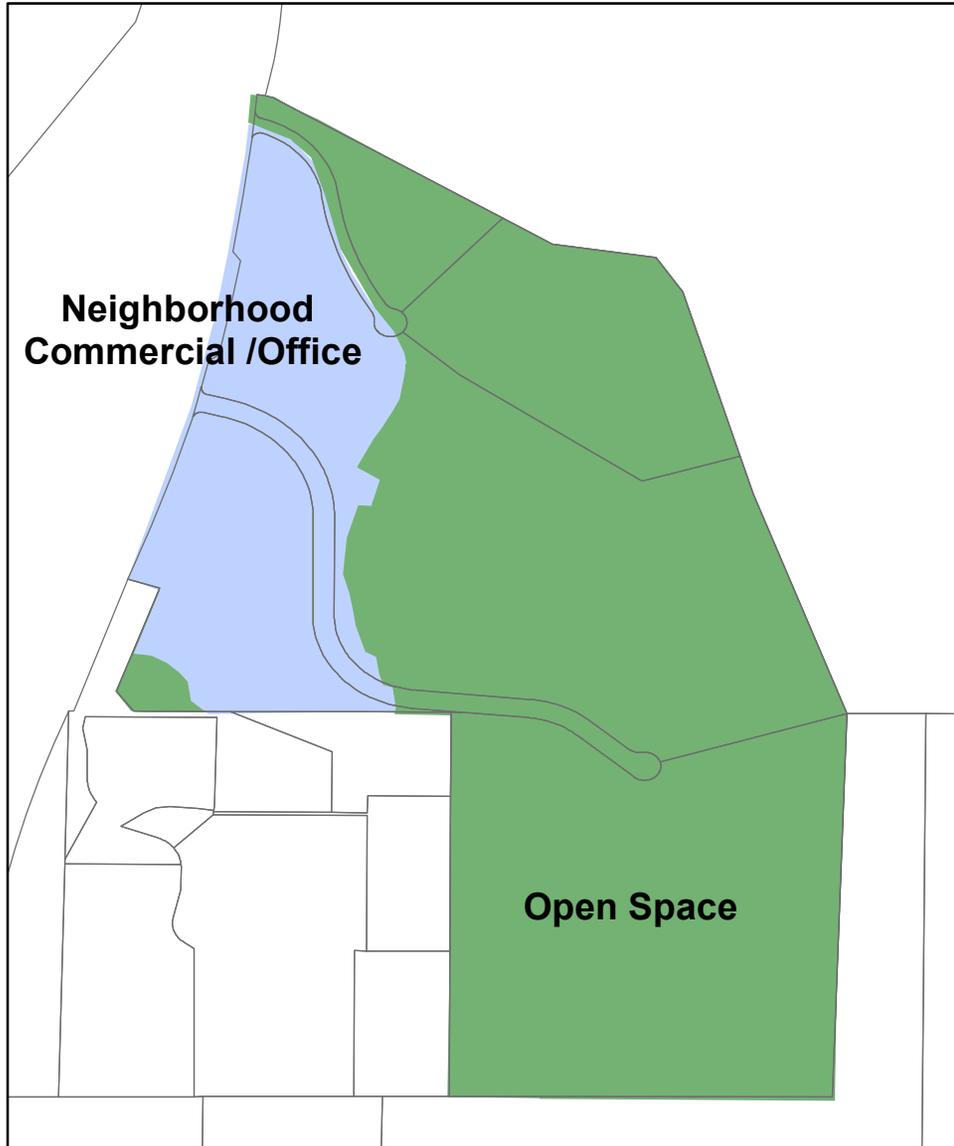
Carolyn Campbell
Executive Director

cc: Greg Caton, Town Manager
David Williams, Planning Director



Proposed General Plan Map Land Use Designations for Desert Springs

A) Preferred Alternative



B) Alternative with Residential

