

**PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT - PLANNING DIVISION
STAFF REPORT TO THE PLANNING AND ZONING COMMISSION**

HEARING August 31, 2016

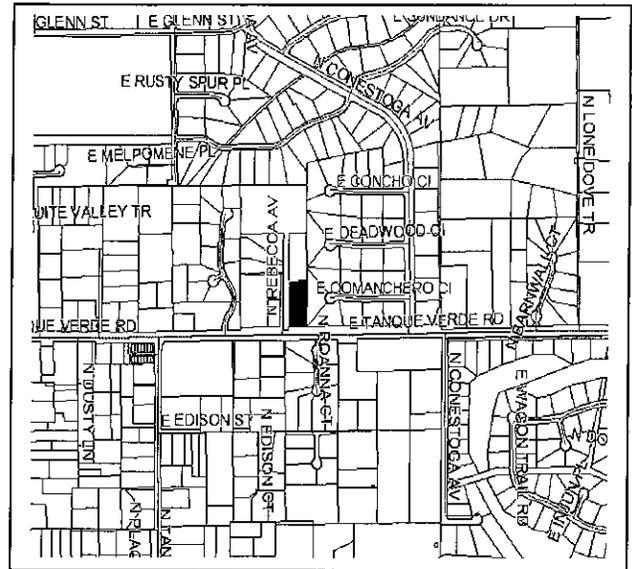
DISTRICT 4

CASE P16RZ00006 SolarH2O Leasing, LLC- E. Tanque Verde Rd. Rezoning

REQUEST Rezone 1.68 acres from CR-1© (Single Residence-Conditional) to CB-2 (General Business) zone

OWNER SolarH2O Leasing, LLC
Attn: Dave Evans & Steve Daly
9121 W. Tanque Verde Rd. #105-233
Tucson, AZ 85749

APPLICANT JAS Engineering
Attn: Jeff Stanley, P.E.
PO Box 1888
Tucson, AZ 85702



APPLICANT'S PROPOSED USE

The applicant proposes a single-story self-storage building, office and covered recreational vehicle (RV) and boat storage with solar canopies on 1.68 acres.

APPLICANT'S STATED REASON

The proposed rezoning is an infill development that will fit well within its surrounding commercial and residential uses and will make efficient use of the existing public and utility infrastructure that is already in-place.

STAFF REPORT SUMMARY

The Development Services Department recommendation is **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**. The applicant proposes a rezoning to the CB-2 (General Business) zone for self-storage, office and RV/boat storage on 1.68 acres which provides a necessary convenience to support the nearby residential uses and is compatible with the commercial and residential uses of the surrounding properties.

PUBLIC COMMENT

As of August 17, 2016, staff has not received any written comments.

COMPREHENSIVE PLAN

The comprehensive plan land use designates the property as Neighborhood Activity Center (NAC) which allows the proposed use and CB-2 zone. NAC designates areas for lower intensity mixed-uses designed to provide goods and services within or near residential neighborhoods for day-to-day or weekly living needs such as a grocery market, drugstore, laundry and bank. NAC centers should contain direct pedestrian and bicycle access to the surrounding neighborhoods.

Individual rezoning requests do not have to be a mixed-use project, but should enhance the mixed-use character of the designated activity center.

The proposed low-intensity self-storage and RV/boat storage of the subject property is a compatible and suitable use to support the surrounding neighborhoods. Other retail and activity uses of the subject property seem incompatible given the proximity of the adjacent electrical substation and overhead power transmission lines. Pedestrian and bicycle connectivity across the site with the adjacent Circle K and church will further conform and enhance the land use within the neighborhood activity center designation of the site. There are no Special Area or Rezoning Policies pertaining to the property.

SURROUNDING LAND USES/GENERAL CHARACTER

North:	CR-1 ©/SR	Vacant Residential/TEP Power Substation
South:	CR-1	Developed Residential Subdivision
East:	CR-1	Developed Residential Subdivision
West:	RVC	Circle K convenience store & gas station/Jehovah's Witnesses Church

The subject property lies along a major, scenic corridor, Tanque Verde Road, which is characterized with a mix of residential and commercial uses. Nearby commercial uses include a treatment center, Emily Gray Elementary and Junior High School, churches, hay and feed store, nursery, convenience store and electrical substation. Equestrian and pedestrian uses within the area are prominent along the Tanque Verde Creek and Agua Caliente washes.

PREVIOUS REZONING CASES ON PROPERTY

The subject property (1.68 acres) was rezoned with the adjacent property to the north (1.62 acres) for a 3.38 acre site from the SR (Suburban Ranch) zone to the CR-1 © (Single Residence - Conditional) zone for increased residential density by case Co9-85-13 under the Agua Caliente – Sabino Creek Zoning Plan. Ordinance 2012-44 memorialized the rezoning. Conditional zoning indicates that a certificate of compliance demonstrating that all rezoning conditions have been met is outstanding. Once a certificate of compliance is issued, the property becomes CR-1 ® (Single Residence – Restricted) zoning. This rezoning submittal will replace the southern parcel (subject property) of the previous rezoning with the northern parcel remaining CR-1 ©.

PREVIOUS REZONING CASES IN GENERAL AREA

Recent activity:

Rezoning case Co9-13-009 – E. Tanque Verde Road Rezoning from SR to CR-1 and SR ® for 122.5 acres. The Board of Supervisors approved 81.5 acres for SR ® zoning as dedicated open space and 41 acres for CR-1 zoning on February 18, 2014 located approximately one-half mile west of the subject property on the north side of Tanque Verde Road. The rezoning was subsequently annexed into the City of Tucson.

Rezoning case Co9-13-014 – E. Tanque Verde Road Rezoning from CB-1 (Local Business) to CB-2 (General Business) for .85 acre for a hay and feed supply store. The Board of Supervisors approved the rezoning request April 1, 2014 located approximately one-third of a mile west of the subject property on the south side of Tanque Verde Road.

Past activity:

There has been a substantial amount of land in the vicinity of the site that has been rezoned from original SR zone to the CR-1 zone under the Agua Caliente – Sabino Creek Zoning Plan beginning

in the 60's up to 2006 when the Agua Caliente – Sabino Creek Zoning Plan became inactive. The zoning plan allowed a zoning change to CR-1 with an approved subdivision plat. An attached map shows properties (in blue) within approximately one-half mile of the site for which rezoning requests have been made.

MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM (MMBCLS)

The subject property is located outside the Maeveen Marie Behan Conservation Lands System.

PLANNING REPORT

Staff supports the request because the proposed development is compatible with the surrounding existing residential and commercial uses. Concurrency of infrastructure exists employing the efficient use of existing infrastructure needed to support the use. The proposed storage uses are a less intense commercial use generating little traffic and noise that could potentially adversely impact adjacent residential neighborhoods and given the proximity of the subject property to the Tucson Electric Power substation and adjacency of the overhead transmission lines, this is a suitable use.

The self-storage uses of the property is planned for a single storage building of 5,540 square feet, a 1,228-square-foot office, and two shade structures comprising 17,830 square feet of recreational vehicle and boat storage with solar canopies. All building and covered canopies are planned for a maximum height of 15 feet. The property will be served by septic and accessed by a single driveway off of Tanque Verde Road which is classified as a Major Street and Scenic Route (MSSR). Structures located within 200 feet of a MSSR will be required to be earth tone in color.

The property is relatively flat and at a lower elevation than the residential properties to the east. The vegetative qualities of the site are unremarkable and composed of Sonoran Desertscrub with one saguaro. A 10-foot Bufferyard “D” will be installed along the sides and rear of the property with a 20-foot front bufferyard adjacent to Tanque Verde Road which will contain a pedestrian/bike path providing an additional connection from the adjacent residential neighborhood to the Circle K convenience store and the church.

Concurrency of Infrastructure

CONCURRENCY CONSIDERATIONS		
<i>Department/Agency</i>	<i>Concurrency Considerations Met: Yes / No / NA</i>	<i>Other Comments</i>
TRANSPORTATION	Yes	No objection, subject to conditions
FLOOD CONTROL	Yes	No objection, subject to conditions
WASTEWATER	Yes	No objection, subject to conditions
PARKS AND RECREATION	Yes	No objection

CONCURRENCY CONSIDERATIONS		
WATER	Yes	COT "will serve" letter in the site analysis

TRANSPORTATION REPORT

The Pima County Department of Transportation has no objection to this request, as all roadways in the area are functioning under capacity. The development will generate approximately 60 average daily trips (ADT). Concurrency considerations have been met, as roadways in the area are functioning below capacity and this development will generate a very minimal amount of traffic. Future users of the site will likely be from the surrounding established residential neighborhoods.

Tanque Verde Road is listed as a low volume arterial road on the Major Streets and Routes Plan with a future right-of-way of 90 feet. There is 120 feet of existing right-of-way; therefore a right-of-way dedication will not be requested. The current traffic volume for Tanque Verde Road is 10,438 ADT. The capacity is approximately 14,000 ADT.

Tanque Verde Loop is not listed on the Major Streets and Routes Plan; however, there is 60 feet of existing right-of-way. The current traffic volume is 3,007 ADT. The capacity is approximately 13,122 ADT. Soldier Trail is shown on the Major Streets and Routes Plan as a low volume arterial roadway with a planned future right-of-way of 90 feet. There is 100 feet of existing right-of-way. The current traffic count is 3,260 ADT, and the capacity is approximately 13,122 ADT. Conestoga Avenue is a local collector road that is not listed on the Major Streets and Scenic Routes Plan. There is 100 feet of existing right-of-way. The current traffic count is 1,714 ADT and the capacity is approximately 13,122 ADT.

The Department of Transportation has no objection to this request subject to the addition of rezoning conditions #3A-B.

FLOOD CONTROL REPORT

Regional Flood Control District has the following comments:

1. The site does not include regulatory floodplains or riparian habitat.
2. No drainage complaints are on file regarding these parcels.
3. A Preliminary Integrated Water Management Plan has been submitted. One shortcoming is that the outdoor option for no pools selected is not one that would normally be associated with a storage facility. Therefore we require that the applicant select an alternative option.
4. As required, staff has conducted the Water Resources Impact Analysis (WRIA) as follows:
 - a. The site is to be served by Tucson Water which delivers renewable supplies.
 - b. Per the ADWR Well Inventory the closest wells, including those owned by Tucson Water, residential and Conoco gas leak monitoring at the adjacent station all had depths to groundwater less than 50 feet and as little as 19 in 1982.
 - c. The site is not located within a covered subsidence zone.
 - d. The site is entirely within the Agua Caliente Canyon Shallow Groundwater Area and the intermittent section of Tanque Verde Wash is half a mile away.
 - e. The site is within the Tucson Hydrogeologic Basin, and the depth to bedrock is 800-1600 feet.

The project is not expected to have adverse impacts on groundwater dependent ecosystems.

The District has no objection subject to recommended conditions #4A-B.

WASTEWATER RECLAMATION REPORT

The Planning Section of the Pima County Regional Wastewater Reclamation Department (PCRWRD) has reviewed the above referenced rezoning request and has no objection to the request subject to the addition of rezoning condition #5.

ENVIRONMENTAL PLANNING REPORT

Environmental Planning has no objection to this request subject to the addition of condition #6.

CULTURAL RESOURCES REPORT

Cultural Resources has no objection to this request subject to the addition of condition #7.

NATURAL RESOURCES, PARKS AND RECREATION REPORT

Natural Resources, Parks and Recreation has no comment.

UNITED STATES FISH AND WILDLIFE SERVICE REPORT

US Fish and Wildlife Service has no objection.

METRO WATER DISTRICT REPORT

Metro Water District has no comment. A will-serve letter is contained within the site analysis.

FIRE DISTRICT REPORT

Rural Metro Fire District has the following comment: As the development continues into the plan stage, the applicant will be required to submit plans to our fire prevention department for review of fire code compliance. This review will cover fire flow and fire hydrant requirements, fire department access, fire sprinklers, fire alarm systems and all other applicable fire code requirements. As of January 1, 2016 the 2012 edition of the International Fire Code shall be the applicable fire code for this project.

IF THE DECISION IS MADE TO APPROVE THE REZONING, THE FOLLOWING STANDARD AND SPECIAL CONDITIONS SHOULD BE CONSIDERED:

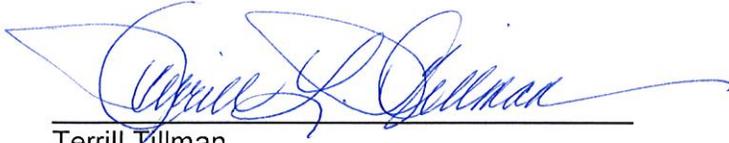
Completion of the following requirements within five years from the date the rezoning request is approved by the Board of Supervisors:

1. The owner shall:
 - A. Submit a development plan if determined necessary by the appropriate County agencies.
 - B. Record the necessary development related covenants as determined appropriate by the various County agencies.
 - C. Provide development related assurances as required by the appropriate agencies.
 - D. Submit a title report (current to within 60 days) evidencing ownership of the property prior to the preparation of the development related covenants and any required dedications.
2. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
3. Transportation conditions:
 - A. The property shall be limited to one access point as shown on the preliminary development plan.

- B. The driveway shall be located as close to the eastern property boundary as possible.
4. Regional Flood Control District conditions:
 - A. Water conservation measures identified in the Preliminary Integrated Water Management Plan (PIWMP) shall be implemented with the development. Where necessary as determined at the time development plan is submitted, provisions for permanent maintenance of these measures may also be required to be included in the project's CC&Rs and a Final Integrated Water Management shall be submitted to the District for review and approval at the time of development.
 - B. First flush retention (retention of the first ½ inch of rainfall) shall be provided for all newly disturbed and impervious surfaces including roads. This requirement shall be made a condition of the Site Construction Permit.
5. Regional Wastewater Reclamation condition: The owner must secure approval from the Pima County Department of Environmental Quality (PDEQ) to use on-site sewage disposal system within the rezoning area at the time a development plan or request for building permit is submitted for review.
6. Environmental Planning condition: Upon the effective date of the Ordinance, the owner shall have a continuing responsibility to remove buffelgrass (*Pennisetum ciliare*) from the property. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site and Pima County may enforce this rezoning condition against the property owner. Prior to issuance of the certificate of compliance, the owner shall record a covenant, to run with the land, memorializing the terms of this condition.
7. Cultural Resources condition: Prior to ground modifying activities, an on-the-ground archaeological and historic sites survey shall be conducted on the subject property. A cultural resources mitigation plan for any identified archaeological and historic sites on the subject property shall be submitted at the time of, or prior to, the submittal of any tentative plan or development plan. All work shall be conducted by an archaeologist permitted by the Arizona State Museum, or a registered architect, as appropriate. Following rezoning approval, any subsequent development requiring a Type II grading permit will be reviewed for compliance with Pima County's cultural resources requirements under Chapter 18.81 of the Pima County Zoning Code.
8. Adherence to the preliminary development plan as approved at public hearing.
9. In the event the subject property is annexed, the property owner shall adhere to all applicable rezoning conditions, including, but not limited to, development conditions which require financial contributions to, or construction of infrastructure, including without limitation, transportation, flood control, or sewer facilities.
10. The property owner shall execute and record the following disclaimer regarding Proposition 207 rights. "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may

be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(I)."

Respectfully Submitted,



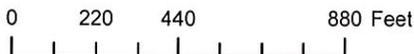
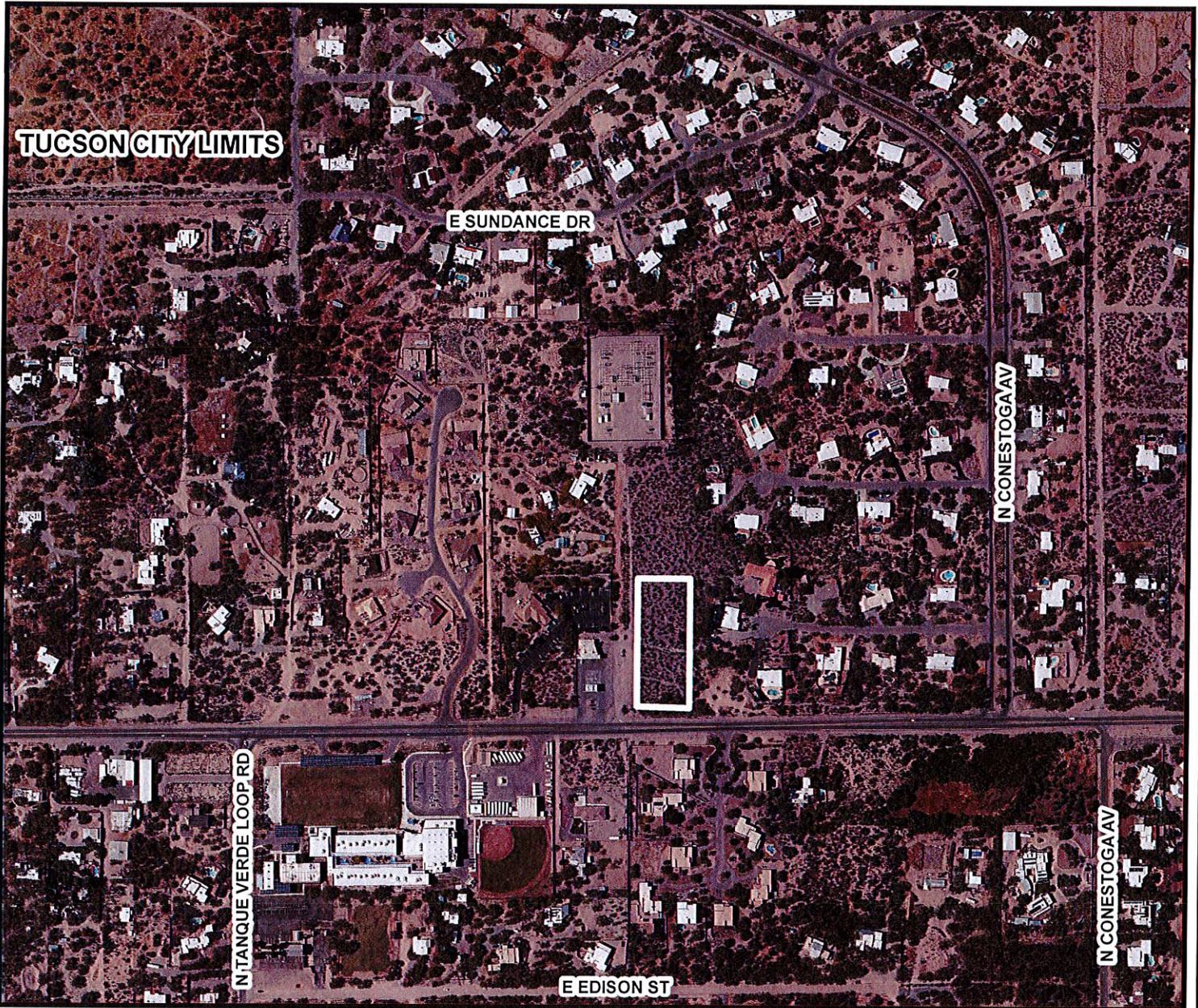
Terrill Tillman
Senior Planner

c: Jeff Stanley, P.E., PO Box 1888, Tucson, AZ 85702
Dave Evans & Steve Daly, 9121 W. Tanque Verde Rd. #105-233, Tucson, AZ 85749

Case #: P16RZ00006

Case Name: SOLAR H2O LEASING LLC - E. TANQUE VERDE ROAD REZONING

Tax Code(s): 205-37-017W



**PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION**

Notes: Ref: Co9-85-13

PIMA COUNTY COMPREHENSIVE PLAN CO7-13-10



Base Map(s): 85

Map Scale: 1:6,000

Map Date: 08/10/2016 - ds

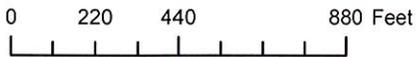
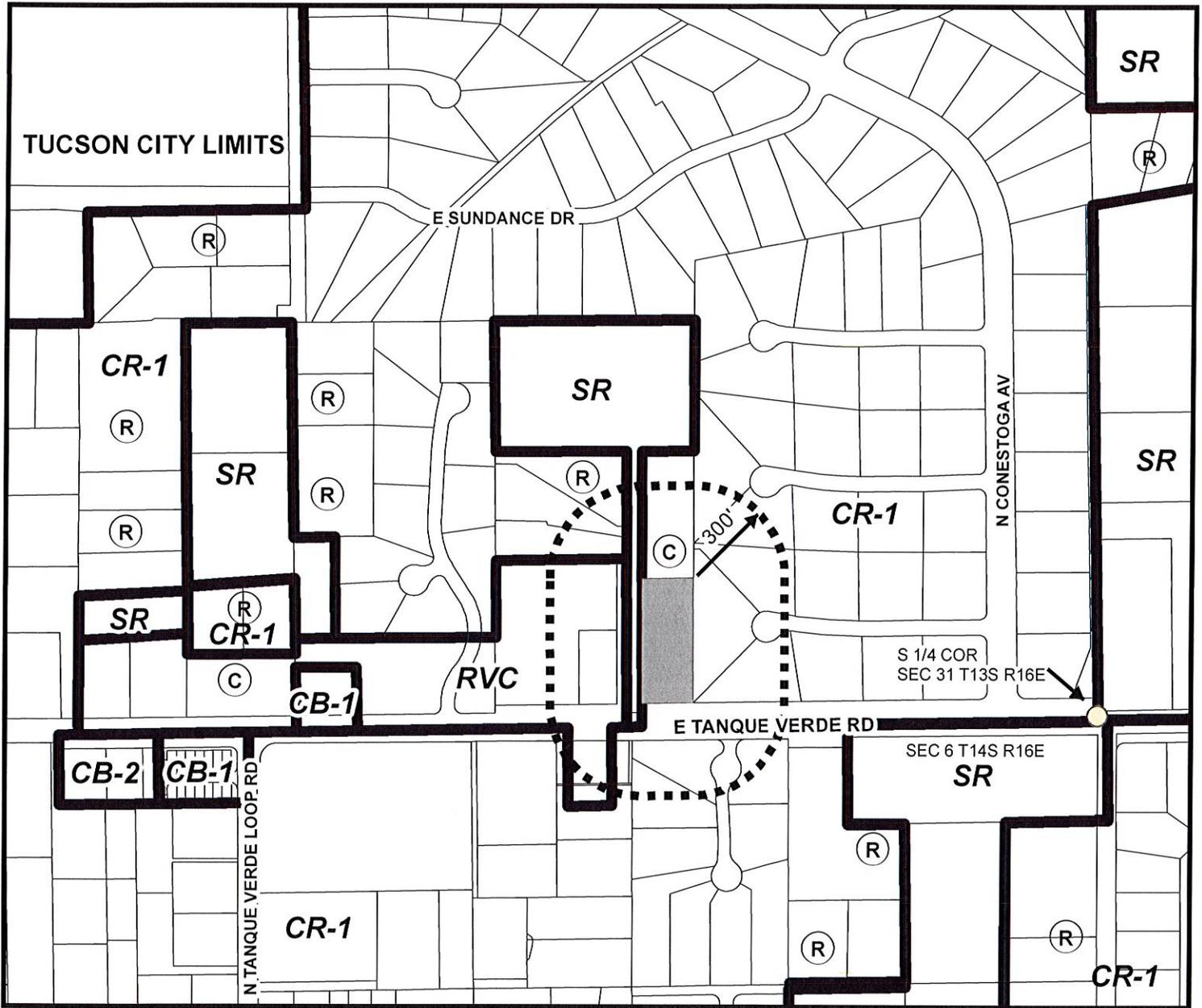


Case #: P16RZ00006

Case Name: SOLAR H2O LEASING LLC - E. TANQUE VERDE ROAD REZONING

Tax Code(s): 205-37-017W

-  300' Notification Area
-  Subject Property
-  Zoning Boundary



Area of proposed rezoning from CR-1[©] to CB-2



**PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION**

Notes: Ref: Co9-85-13

PIMA COUNTY COMPREHENSIVE PLAN CO7-13-10

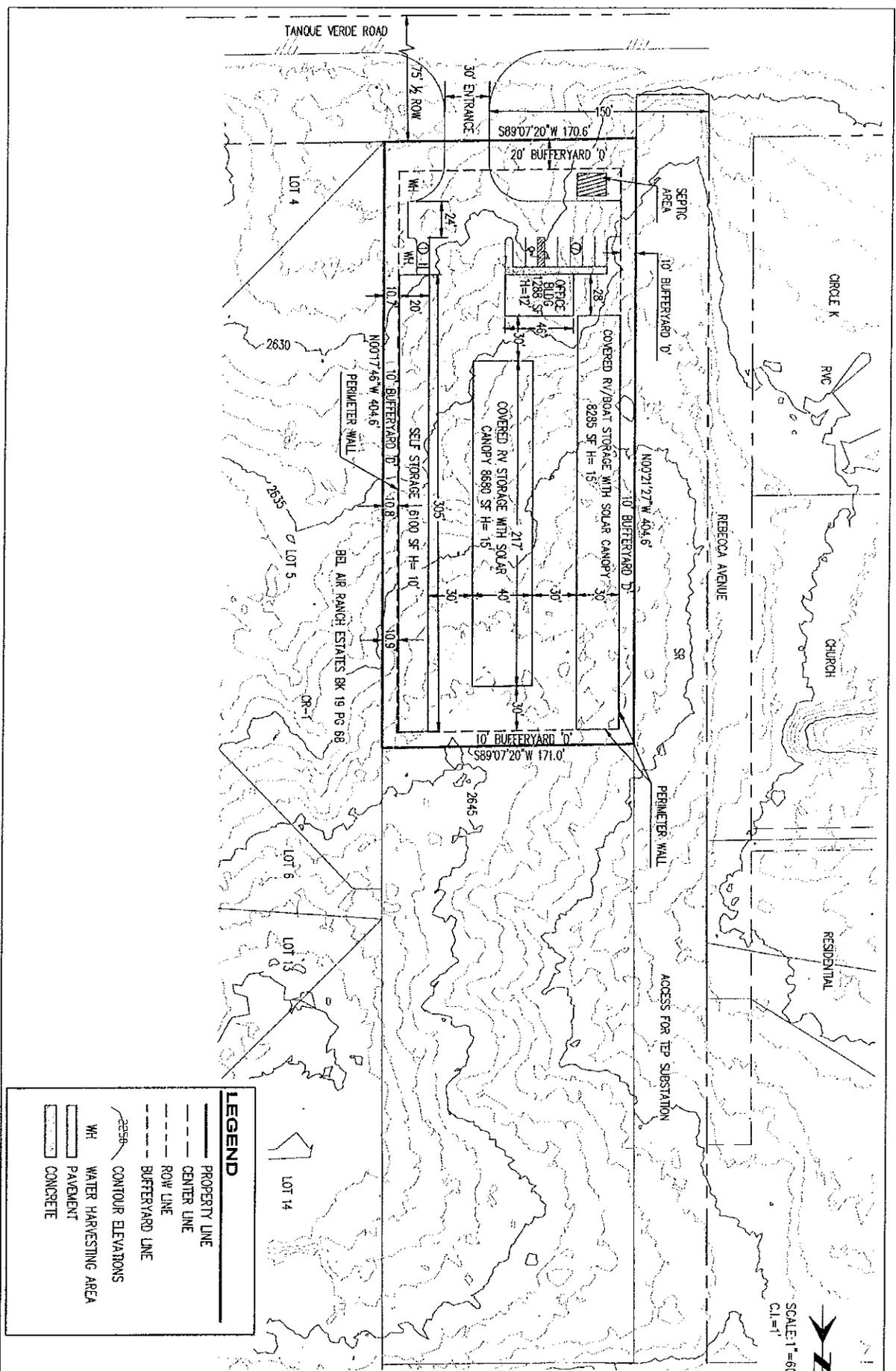
Planning & Zoning Hearing: 08/31/16 (scheduled)

Base Map(s): 85

Map Scale: 1:6,000

Map Date: 08/10/2016 - ds





LEGEND	
	PROPERTY LINE
	CENTER LINE
	ROW LINE
	BUFFERYARD LINE
	CONTOUR ELEVATIONS
	WATER HARVESTING AREA
	PAVEMENT
	CONCRETE

TANQUE VERDE ROAD 205-37-017W
 S404.61 E180.74' LOT 2
 SEC 31 T13 R16

**EXHIBIT II-B.1
 PRELIMINARY
 DEVELOPMENT
 PLAN**

ENGINEERING
 PO BOX 1886
 TUSSON, ARIZONA 85702
 (520) 390-7920
 stanley19263@msn.com

SCALE: 1"=60'
 C.I. = 1'

P16RZ00006 SolarH2O Leasing, LLC - Tanque Verde Road Rezoning
Rezoning located within 1/2 mile of the subject property in blue



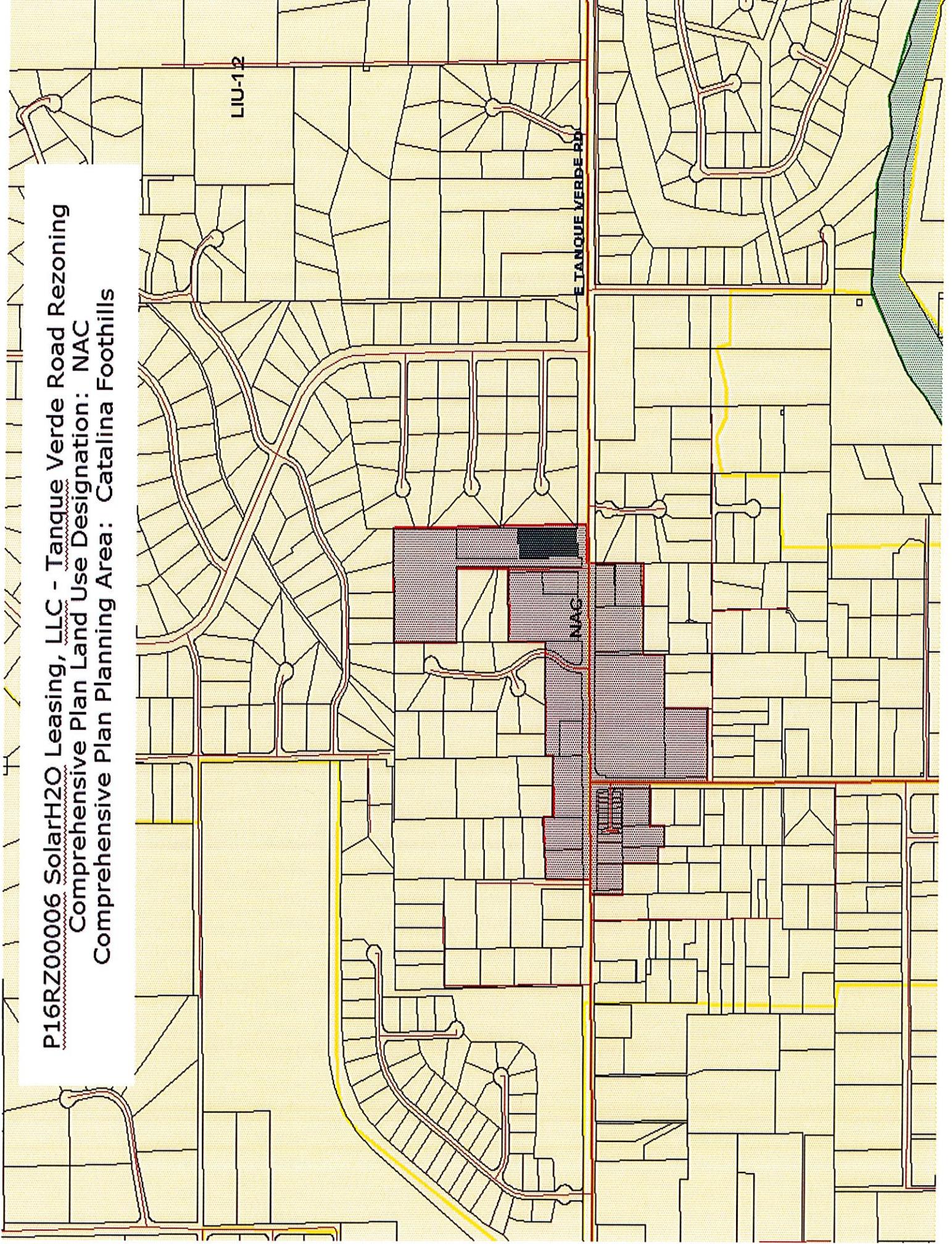
P16RZ00006 SolarH2O Leasing, LLC - Tanque Verde Road Rezoning
Comprehensive Plan Land Use Designation: NAC
Comprehensive Plan Planning Area: Catalina Foothills

LIU-12

E TANQUE VERDE RD

NAC

VALLEY VIEW



Neighborhood Activity Center (NAC)

Objective: To designate lower intensity mixed-use areas designed to provide goods and services within or near residential neighborhoods for day-to-day and weekly living needs. Neighborhood Activity Centers provide lower-intensity commercial services. For example a grocery market may be the principle anchor tenant along with other neighborhood services, such as a drugstore, variety/hardware store, self-service laundry and bank. The center may include a mix of medium-density housing types. Neighborhood Activity Centers are generally less than 25 acres in size. Larger centers provide opportunity for a mix of intensive non-residential uses and medium-density residential uses, and are to be located on arterials. Smaller mixed-use centers may contain medium-density residential uses and may be located along collector or arterial streets. All centers will have direct pedestrian and bicycle access to the surrounding neighborhoods. Individual rezoning requests do not necessarily have to be a mixed-use project; however, the application must demonstrate how the project serves to create or enhance the mixed-use character of the designated activity center as a whole.

Residential Gross Density: Residential gross density, if applicable, shall conform to the following:

- 1) Minimum – 5 RAC
- 2) Maximum – 12 RAC.

Residential Gross Densities for Developments Using Transfer of Development Rights

(TDRs): Projects within designated Receiving Areas utilizing TDRs for development shall conform to the following density requirements:

- 1) Minimum – 5 RAC
- 2) Maximum – 8 RAC.

JAS ENGINEERING

Jeffrey A. Stanley, P.E.
P.O. Box 1888
Tucson, Arizona 85702
Telephone (520) 390-7920
stanley19263@msn.com

August 17, 2016

Re: Neighborhood Rezoning Meeting at 11311 East Tanque Verde Rd. Tucson, Arizona

We conducted our neighborhood rezoning meeting on Monday, August 15, 2016 @ 5pm at 11311 East Tanque Verde Road Tucson, Arizona. Our team (three owners and myself) was on site from approximately 4:30 pm to 6:10 pm. We provided a sign-in sheet, table, shade, chairs, bottled water, the site analysis report, 11 x 17 copies and a full size copy of the PDP. We also had pictures of what the perimeter wall and storage covers may look like

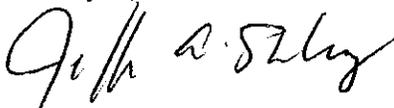
We had ten neighbors show up to the meeting, seven of which signed the attendance sheet and they were all in support of the proposed store. Most had received the meeting letter. One lived in the neighborhood, but outside of the 300' notification area. One of the attendees is the President of the Bel Air Ranch Estates Home Owners Association.

They asked construction questions such as security, lighting and miscellaneous items for the proposed self storage site. We answered their questions to our best ability.

Three neighbors that live just east of the site requested a tour of the site and proposed construction. Two of the owners took them around the site.

Most of the neighbors were satisfied with the project. The man that lived outside the 300' area was against the project. The three neighbors that took the tour were mixed on the project. My understanding is that the three felt like it was better option than something more intense, but were also waiting to discuss it more with their families and would then decide whether to protest or not.

Thank you,



Jeffrey A. Stanley, P.E.

Solar H2O

Neighborhood Rezoning Meeting

Date: Tuesday, August 15, 2016 @ 5pm

Location: 11311 East Tanque Verde Road, Tucson, AZ

Called by: Dave Evans (Solar H2O)
and Jeff Stanley (JAS Engineering)

Attendees

Name and address:	Arrival time:
1 Herb Lane 2525 N. Rebecca Ave TUCSON	0455
2 Dandra Baker E. Chuckwagon Circle	4:55
3 GREGG Montijo (49er HOA) 1811 N. Forty Niner Drive	5:02
4 GRANT BRIGHT 11331 E. Tanque Verde	
5 PAUL KARLOWICZ 11312 E. Comanchero Circle	ekarlowicz@aol.com 780-8937
6 P Bryan Heidorn 11303 E. DEADWOOD CIR	fbryan.heidorn@gmail.com
7 E WODANSKA 11310 EAST DEADWOOD CIR TULSON, AZ 85744	EWODANSKA@HOTMAIL.COM
8	
9	
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11	
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Tucson Electric Power

88 East Broadway Blvd.
Tucson, AZ 85701-1720

March 25, 2016

Telephone: 520-396-2986
Fax: 520-770-6700

Mr. James West
Solar H2O & Electric
2211 N Indian Ruins Rd
Tucson, AZ 85715

RE: Permanent Access Request 11311 E. Tanque Verde Rd

Dear Mr. West:

Tucson Electric Power Company (TEP) **objects** to granting permanent access thru its fee owned property, APN 205-37-017K from Rebecca Ave to 11311 E. Tanque Verde Rd, APN 205-37-017W. TEP cannot allow a permanent driveway or other improvements under the overhead powerline due to safety concerns.

Feel free to call me at 396-2986 if you have any questions or concerns.

Sincerely,

Steve Sousa
Associate Right of Way Agent
Land Resources

**PIMA COUNTY PLANNING DIVISION
APPLICATION FOR REZONING**

DAVE EVANS + d.evans@solar-h2o.net
 STEVE DRY (SOLAR H₂O LLC) 9121 E. TANQUE VENDE 85749 (520) 444-4787

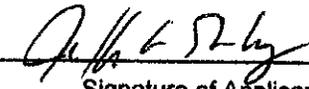
Owner	Mailing Address	Email Address/Phone daytime / (FAX)
JERRY A STANLEY	PO Box 1888	stanley14263@msn.com 390-7920
Applicant (if other than owner)	Mailing Address	Email Address/Phone daytime / (FAX)
11311 R. TANQUE VENDE		205-37-0174 , 205-37-017W
Legal description / property address		Tax Parcel Number
3.6168 CR-1	CR-2	CATALINA FERRALLS / NAC / NONE
Acreage	Present Zone	Proposed Zone
		Comprehensive Plan Subregion / Category / Policies

The following documentation must be attached:

1. **Assessor's map** showing boundaries of subject parcel and **Assessor's Property Inquiry (APIQ)** printout showing **current ownership** of subject parcel. **DEEDS AND/OR TITLE REPORTS WILL NOT BE ACCEPTED.** If the applicant is not shown as the owner of the subject parcel a letter of authorization with an **original signature** matching the APIQ must accompany the application at the time of submittal. For example, if the APIQ indicates ownership in a numbered trust such as Chicago Title and Trust #700, an **original signature** of the Trust Officer is required along with a disclosure of the beneficiaries of the trust. If the APIQ indicates ownership to be in an LLC, LP, corporation or company, an **original signature** from an officer with his/her title is required along with a disclosure of the officers of the entity.
2. Submit the site analysis fee and eight (8) copies of the site analysis document. If the proposed project will use an on-site wastewater treatment and disposal system (such as a septic system), nine (9) copies of the site analysis document must be submitted. Also submit one CD of the site analysis document.
3. For all rezonings, submit the **entire** rezoning fee.

This application is true and correct to the best of my knowledge. I am the owner of the above described property or have been authorized by the owner to make this application.

2-17-16
Date


Signature of Applicant

FOR OFFICIAL USE ONLY

Co9-				
Case name _____				
Rezoning from	Rezoning to	Official Zoning Base Map Number	Fee	Supervisor District
Conservation Land System category _____				
Cross reference: Co9-, Co7-, other		Comprehensive Plan Subregion / Category /Policies		
Received by _____	Date _____	Checked by _____	Date _____	



January 28, 2016

Pima County Development Services Department
Planning Division
201 North Stone Avenue, 2nd Floor
Tucson, Arizona 85701

**Re: Rezoning Application for 11311 East Tanque Verde Road
Parcel Numbers ~~205-37-017V~~ and 205-37-017W**

To Whom It May Concern:

The purpose of this letter is to grant authorization to Jeffrey A. Stanley, P.E. of JAS Engineering to act as my agent for all matters associated with the referenced project.

Sincerely,

Steve Daly
Solar H2O LLC
(520)760-5004

ORDINANCE 2012- 44

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO ZONING; REZONING PROPERTY (PARCEL CODE 205-37-017M) IN CASE **Co9-85-13 ARMENTA – TANQUE VERDE ROAD REZONING (AGUA CALIENTE – SABINO CREEK ZONING PLAN)** OF APPROXIMATELY 3.38 ACRES FROM SR (SUBURBAN RANCH) TO CR-1 (SINGLE RESIDENCE), LOCATED ON THE NORTHEAST CORNER OF REBECCA AVENUE AND TANQUE VERDE ROAD, AMENDING PIMA COUNTY ZONING MAP NO. 85.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA:

Section 1. The 3.38 acres, located ON THE NORTHEAST CORNER OF Rebecca Avenue and Tanque Verde Road, illustrated by the shaded area on the attached rezoning ordinance map (Exhibit A), which amends Pima County Zoning Map No. 85 is hereby rezoned from SR (Suburban Ranch) to CR-1 (Single Residence).

Section 2. Rezoning Conditions.

1. Recording a covenant, running with the land, stating that the property owner(s) shall financially participate in the future road and drainage improvements of Tanque Verde Road when requested by Pima County.
2. All driveways serving more than one dwelling unit shall be paved to the applicable Pima County standards prior to the issuance of any building permits.
3. Dedication of 75 feet wide half right-of-way for the north half of Tanque Verde Road, adjoining the subject property.
4. Covenant to participate in future improvements of Rebecca Drive when requested by Pima County or at such time when the surrounding parcels are developed.

5. Owners covenant to submit a plot plan to the Flood control District showing all required information for review and approval, prior to the issuance of any building permits. This plot plan shall be of sufficient detail for staff to determine if building permits can be released or if hydrologic and hydraulic study will be required.

Section 3. Amendments of conditions.

1. No building permits shall be issued based on the rezoning approved by this Ordinance until all conditions 1 through 5 are satisfied and the Planning Official issues a Certificate of Compliance.
2. The rezoning conditions of Section 2 may be amended or waived by resolution of the Board of Supervisors in accordance with Chapter 18.91 of the Pima County Zoning Code.

Section 4. The effective date of this Ordinance shall be on the date of signing of this Ordinance by the Chairman of the Board of Supervisors.

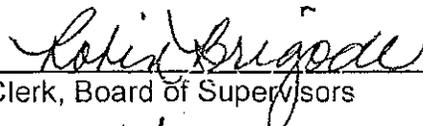
Passed and adopted by the Board of Supervisors of Pima County, Arizona, on this

20th day of August, 2012.

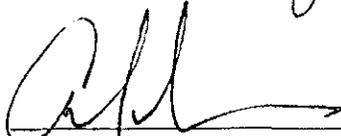


Chairman of the Board of Supervisors
AUG 20 2012

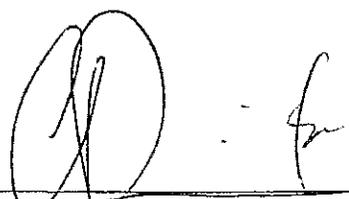
ATTEST:



Clerk, Board of Supervisors



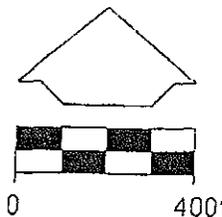
Deputy County Attorney
ANDREW FLAGG



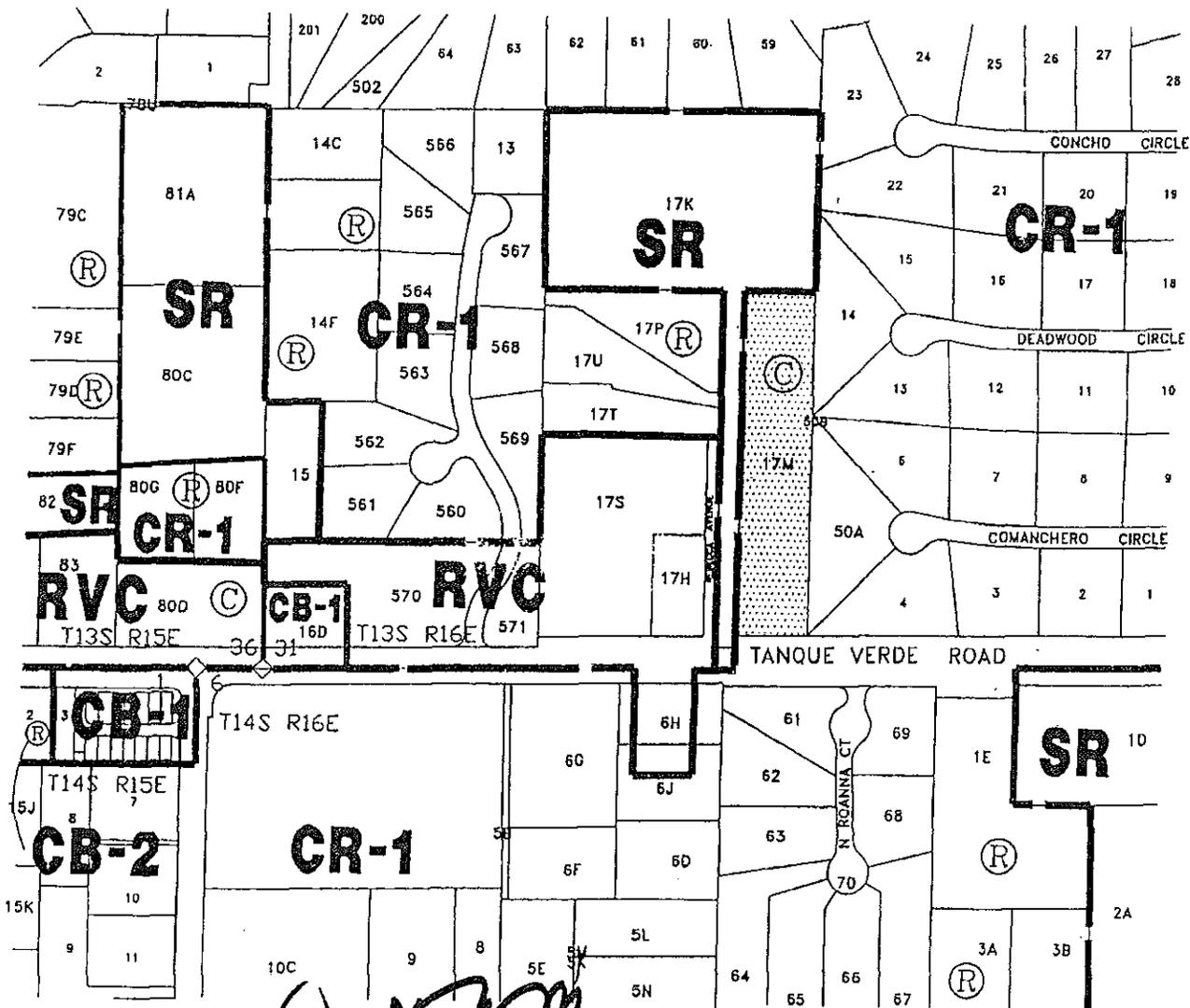
Executive Secretary,
Planning and Zoning Commission

EXHIBIT A

AMENDMENT NO. 79 BY ORDINANCE NO. 2012-44
TO PIMA COUNTY ZONING MAP NO. 85 TUCSON, AZ.
PARCE 17M BEING A PART OF THE SW 1/4 OF THE SW 1/4 OF
SEC. 31 T13S R16E.



ADOPTED August 20, 2012 EFFECTIVE August 20, 2012



[Handwritten signature]

EXECUTIVE SECRETARY PIMA COUNTY PLANNING AND ZONING COMMISSION

© NO BUILDING PERMITS WITHOUT CERTIFICATE OF COMPLIANCE
FROM SR 3.38 ac±
ds-JUNE 18, 2012

CD9-85-13
CD13-61-13
205-37-017M