



MEMORANDUM

DEVELOPMENT SERVICES DEPARTMENT - PLANNING DIVISION

TO: Chairman and Members, Pima County Planning and Zoning Commission
FROM: Chris Poirier, Executive Secretary
RE: Pima County Planning and Zoning Commission Hearing of **February 24, 2016**
DATE: February 29, 2016

This abstract is subject to editing and amending. Please let us know promptly if you believe there are any omissions or corrections; otherwise, we will proceed on this basis.

Chris Poirier, Executive Secretary

The meeting was called to order at 9:00 a.m. at Pima County Administration Building Board of Supervisors Hearing Room, 130 W. Congress St., 1st Floor, Tucson, AZ

1) **ROLL CALL:**

PRESENT

ABSENT

- D5 Jenny Neeley, Chair
- D4 Eddie Peabody, Jr., Vice-Chair
- D4 William Matter
- D2 Armando Membrilla
- D2 Randall R. Holdridge
- D5 Bob Cook
- D1 Jodi Bain
- D3 Lynne Mangold
- D1 Brad Johns
- D3 Peter Gavin

TEN MEMBERS PRESENT

ALSO PRESENT

- Chris Poirier, Interim Planning Director
- Artemio Hoyos, Planner
- Yves Khawam, Chief Building Official
- Jeanette DeRenne, Principal Planner, DOT
- Celia Turner, Coordinator

- Greg Saxe, Environmental Plan. Mgr., RFCD
- Sherry Ruther, Env. Planning Mgr.
- Robert Young, Pub. Works Div. Mgr., DOT
- Robert Lane, Civil Eng. Mgr., DOT
- Seth Chalmers, Pub. Works Div. Mgr., DOT

2) **PLEDGE OF ALLEGIANCE**

3) **CONSENT AGENDA (UNADVERTISED PUBLIC HEARING)**

MONTHLY REPORTS TO THE P/Z COMMISSION

Monthly reports from Development Services Department for enterprise fund, total fees collected, services activity report and permits issued and from the planning division for total fees collected and services activity report.

ON MOTION, it was

To **DIRECT** staff to evaluate the motion regarding Item #5 Co9-15-05 JT RP LLC – EAST EAGLE FEATHER ROAD (EASEMENT) REZONING and to **APPROVE** the rest of January 27, 2016 checklist and the consent agenda.

The motion **PASSED** (10 – 0)

Staff Re-evaluated the motion on Item #5 Co9-15-05 JT RP LLC – EAST EAGLE FEATHER ROAD (EASEMENT) REZONING as follows:

ON FIRST MOTION, it was to **DENY**.

A substitute motion was made and accepted to **CONTINUE** until June 29, 2016.

ON SUBSTITUTE MOTION, it was

Voted: To **CONTINUE** until June 29, 2016

The motion **PASSED** (4 – 3; Commissioners Matter, Mangold and Peabody voted **NAY**; Commissioners Holdridge, Bain and Cook were absent).

4) **CALL TO THE AUDIENCE**

No one spoke.

REZONING FOR PUBLIC HEARING:

5) **P15RZ00008 LANDMARK TITLE TR 18294-T – E. WHITEHOUSE CANYON ROAD REZONING**

Request of **Landmark Title TR 18294-T**, represented by **The Planning Center**, for a rezoning of approximately 36.62 acres from the RH (BZ) (Rural Homestead – Buffer Overlay) zone to the CR-1 (BZ) (Single Residence – Buffer Overlay) zone, on property located at the southwest corner of Whitehouse Canyon Road and Camino De La Canoa, approximately ½ mile east of the Union Pacific Railroad tracks. The proposed rezoning conforms to the Pima County Comprehensive Plan which designates the property for Low Intensity Urban-1.2 (LIU-1.2) and Low Intensity Rural (LIR). (District 4)

ON MOTION, it was

Voted: To **APPROVE** subject to standard and special conditions with the revision requested by the Commission to replace “Masonry brick” in Condition #9-C with “Masonry block”.

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

1. Submittal of a development plan if determined necessary by the appropriate County agencies.
2. Recording of the necessary development related covenants as determined appropriate by the various County agencies.
3. Provision of development related assurances as required by the appropriate agencies.
4. Prior to the preparation of the development related covenants and any required dedication, a title report (current to within 60 days) evidencing ownership of the property shall be submitted to the Development Services Department.
5. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
6. Transportation conditions:
 - A. The rezoning is limited to one access on Camino De La Canoa as indicated on the Preliminary Development Plan (PDP).
 - B. No access on to Whitehouse Canyon Road will be permitted without approval of the Board of Supervisors.
7. Flood Control conditions:
 - A. First flush retention (retention of the first ½ inch of rainfall) shall be provided for all newly disturbed and impervious surfaces associated with the roads. This requirement shall be made a condition of the Site Construction Permit.
 - B. Floodplains and Pima County Regulated Riparian Habitat shall be contained in open space as shown on the PDP.
 - C. Water conservation measures identified in the Preliminary Integrated Water Management Plan shall be implemented with the development. Where necessary, some 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.
8. Wastewater Reclamation conditions:
 - A. The owner/developer shall not construe any action by Pima County as a commitment to provide sewer service to any new development within the rezoning area until Pima County executes an agreement with the owner/developer to that effect.
 - B. The owner/developer shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department (PCRWRD) that treatment and conveyance capacity is available for any new development within the rezoning area, no more than 90 days before submitting any tentative plat, development plan, preliminary sewer layout, sewer improvement plan, or request for building permit for review. Should treatment and/or conveyance capacity not be available at that time, the owner/developer shall enter into a written agreement addressing the option of funding, designing, and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the PCRWRD.
 - C. The owner/developer shall time all new development within the rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream public sewerage system.
 - D. The owner/developer shall connect all development within the rezoning area to Pima County's public sewer system at the location and in the manner specified by the PCRWRD in its capacity response letter and as specified by PCRWRD at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.
 - E. The owner/developer shall fund, design and construct all off-site and on-site sewers necessary to serve the rezoning area, in the manner specified at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer

- construction plan or request for building permit.
- F. The owner/developer shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County, and all applicable regulations, including the Clean Water Act and those promulgated by ADEQ, before treatment and conveyance capacity in the downstream public sewerage system will be permanently committed for any new development within the rezoning area.
9. Environmental Planning conditions:
- A. The property owner/developer shall achieve compliance with the Maeveen Marie Behan Conservation Lands System conservation guidelines by providing a minimum of 27 acres on-site as natural open space. The approximate location and configuration of this natural open space will conform to that shown on the approved PDP.
- B. The total outdoor light output for an individual lot shall not exceed 4 – 550 lumens (40 watt incandescent or 9 watt compact florescent); no unshielded luminaires are allowed.
- C. As shown on the approved PDP, bufferyard walls for Lots 1-14, will be no less than 72 inches in height and will be constructed of masonry ~~brick~~ block.
- D. Points of ingress or egress from individual lots into areas of natural open space are prohibited.
- E. Upon the effective date of the Ordinance, the owner(s)/developer(s) shall have a continuing responsibility to remove invasive non-native species from the property, including those below. 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(s)/developer(s) shall record a covenant, to run with the land, memorializing the terms of this condition.

Invasive Non-Native Plant Species Subject to Control

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|-------------------------------|--------------------------------------------|
| Ailanthus altissima | Tree of Heaven |
| Alhagi pseudalhagi | Camelthorn |
| Arundo donax | Giant reed |
| Brassica tournefortii | Sahara mustard |
| Bromus rubens | Red brome |
| Bromus tectorum | Cheatgrass |
| Centaurea melitensis | Malta starthistle |
| Centaurea solstitialis | Yellow starthistle |
| Cortaderia spp. | Pampas grass |
| Cynodon dactylon | Bermuda grass (excluding sod hybrid) |
| Digitaria spp. | Crabgrass |
| Elaeagnus angustifolia | Russian olive |
| Eragrostis spp. lovegrass) | Lovegrass (excluding E. intermedia, plains |
| Melinis repens | Natal grass |
| Mesembryanthemum spp. | Iceplant |
| Peganum harmala | African rue |
| Pennisetum ciliare | Buffelgrass |
| Pennisetum setaceum | Fountain grass |
| Rhus lancea | African sumac |
| Salsola spp. | Russian thistle |
| Schinus spp. | Pepper tree |
| Schismus arabicus | Arabian grass |
| Schismus barbatus | Mediterranean grass |
| Sorghum halepense | Johnson grass |
| Tamarix spp. | Tamarisk |

10. 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.

11. Adherence to the Preliminary Development Plan as approved at public hearing.
12. The property owner shall execute and record the following disclaimer regarding Prop 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)."
13. 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.

The motion **PASSED** (9 – 0; Commissioner Peabody recused himself).

NEW SUBDIVISION AND DEVELOPMENT STREET STANDARDS MANUAL

- 6) **P16TA00001 2016 SUBDIVISION AND DEVELOPMENT STREET STANDARDS**
AN ORDINANCE OF PIMA COUNTY, ARIZONA; RELATING TO TRANSPORTATION AND ZONING; ADOPTING A NEW SUBDIVISION AND DEVELOPMENT STREET STANDARDS MANUAL; AND AMENDING PIMA COUNTY CODE CHAPTER 10.44 (CONSTRUCTION IN COUNTY RIGHTS-OF-WAY), SECTION 10.44.020, TO ADD A NEW SUBSECTION D RELATING TO APPLICABILITY OF THE SDSS TO PERMITS, AMENDING 18.69 (SUBDIVISION STANDARDS), SECTION 18.69.060(E), (F), RELATED TO INTERPRETATIONS AND MODIFICATIONS OF THE SDSS BY THE COUNTY ENGINEER AND CHIEF BUILDING OFFICIAL, AND CHAPTER 18.71 (DEVELOPMENT PLAN STANDARDS), SECTION 18.71.030 (DEVELOPMENT PLAN STANDARDS), TO CLARIFY APPLICABILITY OF THE SDSS; AND TO CONFORM THE CHAPTERS TO THE SDSS. (ALL DISTRICTS)

ON MOTION, it was

Voted: To **APPROVE** as presented by staff.

The motion **PASSED** (10 – 0).

7) **NEW BUSINESS**

- A) Board of Supervisors disposition of cases.

Chris Poirier, Interim Planning Director, provided disposition of cases.

8) **ADJOURNMENT**

Meeting was adjourned at 9:53 a.m. on motion by Commissioner Neeley.