

PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT - PLANNING DIVISION
 STAFF REPORT TO PLANNING AND ZONING COMMISSION
 September 18, 2015

HEARING DATE:	September 30, 2015
CASE:	Co7-13-10 PIMA COUNTY COMPREHENSIVE PLAN (PIMA PROSPERS) – TYPE 2 MINOR REVISION (AMENDMENT) TO GLOSSARY
DISTRICT:	All
REQUEST:	Proposed change to Appendix E (Glossary) to correct definitions relating to the Maveen Marie Behan Conservation Lands System (All Districts).
INITIATION:	By Planning Director per 18.89.041-B2 of the Pima County Zoning Code allowing Development Services Department to initiate a Type 2 Minor Revision (Amendment)
PUBLIC COMMENT:	No written public comments have been received to date.

STAFF REPORT:

Recommendation

Staff respectfully requests the Planning and Zoning Commission **APPROVE** the proposed change to the Glossary found in Appendix E of Pima Prospers as identified in the proposed Board of Supervisors resolution accompanying this staff report. This item has been double noticed for a public hearing before the Board of Supervisors on October 20, 2015.

Background of Issue and Proposed Solution

Pima Prospers was adopted on August 17 of this year by resolution of the Board of Supervisors. Shortly thereafter, staff discovered that the Maveen Marie Behan Conservation Lands System (CLS) definitions that were included in Appendix E of the Plan were either incomplete or in error. The correct definitions which staff had in its possession in December, 2014 did not get into the study session or public hearing review drafts of the comprehensive plan so were not included in either the Commission or Board of Supervisors motions adopting the plan. It was an oversight, and staff certainly regrets the error.

The path to correction of the error as provided by Chapter 18.89 of the Pima County Zoning Code is what is called a Type 2 minor amendment (also called a revision) to the plan. This section of the code says: "The board of supervisors, planning and zoning commission or development services department may initiate at any time a plan amendment to remedy a planning error, a planning oversight or an incorrect planned land use designation." This matter falls under planning error or oversight, and staff has therefore initiated the plan amendment.

The criteria provided in the code for a Type 2 minor amendment do not apply to this situation as they all relate to the assumption that the concern is a land use mapping error which this is not. However, staff can clearly state that the intent all along was to include the correct definitions from the CLS text of the 2001 Comprehensive Plan (as grammatically modified to fit the stand alone definition format in the Pima Prospers Glossary). Staff had the correct definitions in its possession in December of 2014, and in fact the implementation chapter of Pima Prospers (Chapter 10) makes direct reference to the importance of these very definitions.

The Planning Division and the Office of Sustainability and Conservation have reviewed the work and have proposed the correct definitions which are the subject of this Type 2 Minor Amendment. These are shown in the last column of the chart which is the first attachment to the staff report.

Attachment 2 to the staff report is a draft resolution as would be presented to the Board of Supervisors.

Proposed Definitions Compared to Adopted Definitions

Attachment 1 of the staff report is a side-by-side comparison of the definitions adopted in the 2001 Comprehensive Plan and amended in 2005, the definitions adopted in Pima Prospers in August 2015, and the definitions proposed in this amendment to Pima Prospers.

Respectfully submitted,



Arlan M. Colton, FAICP -Planning Director

Attachments (2)

Comparison Chart of definitions

Draft resolution for the Board of Supervisors

cc: Sherry Ruther, Office of Sustainability and Conservation

****Language from 2001 Plan definitions shown in BOLD was placed in the Background or Policy sections of Pima Prospers**

<u>CLS term</u>	<u>2001 Plan (as amended in 2005)</u>	<u>Pima Prospers as adopted</u>	<u>Proposed change to Pima Prospers</u>
Agricultural In-Holdings within the Conservation Lands System	This designation denotes those lands utilized for agricultural purposes and lands where agricultural uses have been abandoned. Agricultural land uses, in general, are more conducive to the movement of native fauna and functional pollination processes than other lands supporting higher intensity uses. Intensifying the land uses on these areas could compromise landscape integrity, promote the spread of exotic species, and otherwise compromise the biodiversity of adjacent or nearby Conservation Lands System lands.	Definition is missing	Those designated lands utilized for agricultural purposes and lands where agricultural uses have been abandoned. Agricultural land uses, in general, are more conducive to the movement of native fauna and functional pollination processes than other lands supporting higher intensity uses. Intensifying the land uses on these areas could compromise landscape integrity, promote the spread of exotic species, and otherwise compromise the biodiversity of adjacent or nearby Conservation Lands System lands.
Biological Core Management Areas	This category identifies lands that fulfill the five tenets used to construct the CLS, and which provide greater biological diversity than Multiple Use Management Areas. These areas are primarily distinguished from other lands within the CLS by their potential to support high value habitat for five or more priority vulnerable species as identified by the SDCP.	Those areas that have high biological value. They support large populations of vulnerable species, connect large blocks of contiguous habitat and biological reserves, and support high value potential habitat for five or more priority vulnerable wildlife species.	Those lands that fulfill the five tenets used to construct the Conservation Lands System (CLS), but which provide greater biological diversity than Multiple Use Management Areas. They are primarily distinguished from other lands within the CLS by their potential to support high value habitat for five or more priority vulnerable species as identified by the Sonoran Desert Conservation Plan.

<u>CLS term</u>	<u>2001 Plan (as amended in 2005)</u>	<u>Pima Prospers as adopted</u>	<u>Proposed change to Pima Prospers</u>
Critical Landscape Connections	<p>These are broadly defined areas that provide connectivity for movement of native biological resources but which also contain potential or existing barriers that tend to isolate major conservation areas. Specifically, these regional-scale connections are located:</p> <ol style="list-style-type: none"> (1) Across the I-10 / Santa Cruz River corridors in the northwest; (2) Between the Catalina and Tortolita Mountains; (3) Across the I-10 corridor along Cienega Creek in the east; (4) Across the I-19 and Santa Cruz River corridors in southern Pima County; (5) Across the Garcia strip extension of the Tohono O'odham Nation; and (6) Across the Central Arizona Project canal in Avra Valley. <p>**Roads, other infrastructure services, and residential and commercial land uses within these areas, depending on configuration, can result in habitat loss and fragmentation that inhibits the movement of native fauna and interrupts the pollination processes of native flora. (section moved to Appendix A, Section 3.4, pg A3.33 in adopted Pima Prospers)</p>	<p>Six broadly-defined areas where biological connectivity is significantly compromised, but where opportunity to preserve or otherwise improve the movement of wildlife between major conservation areas and/or mountain ranges still persists.</p>	<p>Six broadly-defined areas that provide connectivity for movement of native biological resources but which also contain potential or existing barriers that tend to isolate major conservation areas. These regional-scale connections are:</p> <ol style="list-style-type: none"> (1) Across the I-10 / Santa Cruz River corridors in the northwest; (2) Between the Catalina and Tortolita Mountains; (3) Across the I-10 corridor along Cienega Creek in the east; (4) Across the I-19 and Santa Cruz River corridors in southern Pima County; (5) Across the Garcia strip extension of the Tohono O'odham Nation; and (6) Across the Central Arizona Project canal in Avra Valley.

CLS term	2001 Plan (as amended in 2005)	Pima Prospers as adopted	Proposed change to Pima Prospers
Important Riparian Areas	<p>These areas are characterized by hydro-riparian, meso-riparian and xero-riparian biological communities. Hydro-riparian communities generally exist in areas where vegetation is supported by perennial watercourses or springs. Meso-riparian communities generally exist in areas where vegetation is supported by perennial or intermittent watercourses or shallow groundwater. Xero-riparian communities generally exist in areas where vegetation is supported by an ephemeral watercourse.</p> <p>Important riparian areas are valued for their higher water availability, vegetation density, and biological productivity. In addition to the high inherent biological value of these water-related communities, important riparian areas including their associated upland areas provide a framework for linkages and landscape connections. Important riparian areas are essential elements in the CLS.</p>	<p>Critical elements of the Sonoran Desert where biological diversity is at its highest. These areas are valued for their higher water availability, vegetation density, and biological productivity. They are also the backbone in preserving landscape connectivity.</p>	<p>Areas characterized by hydro-riparian, meso-riparian, and xero-riparian biological communities. Hydro-riparian communities generally exist where vegetation is supported by perennial watercourses or springs. Meso-riparian communities generally exist where vegetation is supported by perennial or intermittent watercourses or shallow groundwater. Xero-riparian communities generally exist where vegetation is supported by an ephemeral watercourse.</p> <p>Important riparian areas are valued for their higher water availability, vegetation density, and biological productivity. In addition to the inherent biological values, important riparian areas including their associated upland areas provide a framework for linkages and landscape connections. They are essential elements in the Conservation Lands System.</p>
Multiple Use Management Areas	<p>This category identifies those lands that fulfill the five tenets used to construct the CLS, but which are not as biologically rich as those lands designated as Biological Core</p>	<p>Those areas where biological values are significant, but do not attain the level associated with Biological Core Management Areas. They support populations of vulnerable species,</p>	<p>Those lands that fulfill the five tenets used to construct the Conservation Lands System (CLS), but which are not as biologically rich as those lands designated as Biological Core</p>

	Management Areas. These areas are primarily distinguished from other lands within the CLS by their potential to support high value habitat for three or more priority vulnerable species as identified by the SDCP.	connect large blocks of contiguous habitat and biological reserves, and support high value potential habitat for three or more priority vulnerable species.	Management Areas. They are primarily distinguished from other lands within the CLS by their potential to support high value habitat for three or more priority vulnerable species as identified by the Sonoran Desert Conservation Plan.
Scientific Research Areas	This designation identifies lands currently managed for scientific research: the Santa Rita Experimental Range and the University of Arizona Desert Laboratory (at Tumamoc Hill). Land uses and management within these areas focus on balancing conservation, restoration, and enhancement of natural communities in support of scientific research on the environment and natural resources (e.g., monitoring ecological change, measuring effects of experimental grazing methods).	Definition is missing.	These areas are currently managed for scientific research: the Santa Rita Experimental Range and the University of Arizona Desert Laboratory at Tumamoc Hill. Land uses and management within these areas focus on balancing conservation, restoration, and enhancement of natural communities in support of scientific research on the environment and natural resources (e.g., monitoring ecological change, measuring effects of experimental grazing methods).
Special Species Management Areas	These are areas defined as crucial for the conservation of specific native floral and faunal species of special concern to Pima County. Currently, three species are designated as Special Species: Cactus ferruginous pygmy-owl, Mexican spotted owl, and Southwest willow flycatcher. **Special Species and associated Conservation Guidelines may be added or deleted in the future	Those areas that are crucial to the survival of three species of special concern to Pima County: the Cactus ferruginous pygmy-owl, Mexican spotted owl, and Southwest willow flycatcher.	Areas defined as crucial to the conservation of specific native floral and faunal species of special concern to Pima County. Currently, three species are designated as Special Species: Cactus ferruginous pygmy-owl, Mexican spotted owl, and Southwest willow flycatcher.

	<p>based on the best available regional scientific information as developed by the Science technical Advisory Team and added or deleted from the Special Species Management Areas as shown on the CLS map. (section moved to Ch 3 – Use of Land; Section 3.4-Environmental Element; Policy 8.c. in Pima Prospers)</p> <p>**Such additions and/or deletions will be processed as a comprehensive plan amendment. (section moved to Ch 3 – Use of Land; Section 3.4-Environmental Element; Policy 8.d. in Pima Prospers)</p> <p>**Land use and management within these areas will focus on conservation, restoration, and enhancement of habitat for these species. (section intent moved to Ch 3 – Use of Land; Section 3.4-Environmental Element; Policy 8.a. in Pima Prospers)</p>		
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****Language from 2001 Plan definitions shown in BOLD was placed in the Background or Policy sections of Pima Prospers.**

RESOLUTION 2015-_____

~~A RESOLUTION OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO PLANNING; AMENDING EXHIBIT A TO RESOLUTION 2015-62 THE PIMA COUNTY COMPREHENSIVE PLAN "PIMA PROSPERS" (Co7-13-10) APPENDIX E (GLOSSARY) TO ADD DEFINITIONS FOR "AGRICULTURE IN-HOLDINGS WITHIN THE CONSERVATION LANDS SYSTEM" AND "SCIENTIFIC RESEARCH AREAS" AND TO REPLACE THE DEFINITIONS FOR "BIOLOGICAL CORE MANAGEMENT AREAS", "CRITICAL LANDSCAPE CONNECTIONS", "IMPORTANT RIPARIAN AREAS", "MULTIPLE USE MANAGEMENT AREAS" AND "SPECIAL SPECIES MANAGEMENT AREAS" TO BE CONSISTENT WITH THE DEFINITIONS IN THE 2001 PIMA COUNTY COMPREHENSIVE PLAN (Co7-00-20) AS AMENDED, AND TO ENHANCE GRAMMATICAL CLARITY.~~

IT IS RESOLVED BY THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA AS FOLLOWS:

Section 1. Resolution 2015-62, Exhibit A, the Pima County Comprehensive Plan "Pima Prospers" (Co7-13-10), Appendix E (Glossary) is amended to add the following definitions:

Agricultural In-Holdings within the Conservation Lands System: Those designated lands utilized for agricultural purposes and lands where agricultural uses have been abandoned. Agricultural land uses, in general, are more conducive to the movement of native fauna and functional pollination processes than other lands supporting higher intensity uses. Intensifying the land uses on these areas could compromise landscape integrity, promote the spread of exotic species, and otherwise compromise the biodiversity of adjacent or nearby Conservation Lands System lands.

Scientific Research Areas: These areas are currently managed for scientific research: the Santa Rita Experimental Range and the University of Arizona Desert Laboratory at Tumamoc Hill. Land uses and management within these areas focus on balancing conservation, restoration, and enhancement of natural communities in support of scientific research on the environment and natural resources (e.g., monitoring ecological change, measuring effects of experimental grazing methods).

Section 2. Resolution 2015-62, Exhibit A, the Pima County Comprehensive Plan "Pima Prospers" (Co7-13-10), Appendix E (Glossary), is amended as follows:

~~Biological Core Management Areas: These areas that have high biological value. They support large populations of vulnerable species, connect large blocks of contiguous habitat and biological reserves, and support high value potential habitat for five or more priority vulnerable wildlife species.~~

Those lands that fulfill the five tenets used to construct the Conservation Lands System (CLS), but which provide greater biological diversity than Multiple Use Management Areas. They are primarily distinguished from other lands within the CLS by their potential to support high value habitat for five or more priority vulnerable species as identified by the Sonoran Desert Conservation Plan.

~~Critical Landscape Connections: Six broadly defined areas where biological connectivity is significantly compromised, but where opportunity to preserve or otherwise improve the movement of wildlife between major conservation areas and/or mountain ranges still persists.~~

Six broadly-defined areas that provide connectivity for movement of native biological resources but which also contain potential or existing barriers that tend to isolate major conservation areas. These regional-scale connections are:

- (1) Across the I-10 / Santa Cruz River corridors in the northwest;
- (2) Between the Catalina and Tortolita Mountains;
- (3) Across the I-10 corridor along Cienega Creek in the east;
- (4) Across the I-19 and Santa Cruz River corridors in southern Pima County;
- (5) Across the Garcia strip extension of the Tohono O'odham Nation; and
- (6) Across the Central Arizona Project canal in Avra Valley.

~~Important Riparian Areas: Critical elements of the Sonoran Desert where biological diversity is at its highest. These areas are valued for their higher water availability, vegetation density, and biological productivity. They are also the backbone in preserving landscape connectivity.~~

Areas characterized by hydro-riparian, meso-riparian, and xero-riparian biological communities. Hydro-riparian communities generally exist where vegetation is supported by perennial watercourses or springs. Meso-riparian communities generally exist where vegetation is supported by perennial or intermittent watercourses or shallow groundwater. Xero-riparian communities generally exist where vegetation is supported by an ephemeral watercourse. Important riparian areas are valued for their higher water availability, vegetation density, and biological productivity. In addition to the inherent biological values, important riparian areas including their associated upland areas provide a framework for linkages and landscape connections. They are essential elements in the Conservation Lands System.

~~Multiple Use Management Areas: Those areas where biological values are significant, but do not attain the level associated with Biological Core~~

~~Management Areas. They support populations of vulnerable species, connect large blocks of contiguous habitat and biological reserves, and support high value potential habitat for three or more priority vulnerable species.~~

Those lands that fulfill the five tenets used to construct the Conservation Lands System (CLS), but which are not as biologically rich as those lands designated as Biological Core Management Areas. They are primarily distinguished from other lands within the CLS by their potential to support high value habitat for three or more priority vulnerable species as identified by the Sonoran Desert Conservation Plan.

~~Special Species Management Areas: These areas that are crucial to the survival of three species of special concern to Pima County: the Cactus ferruginous pygmy owl, Mexican spotted owl, and Southwest willow flycatcher.~~

Areas defined as crucial to the conservation of specific native floral and faunal species of special concern to Pima County. Currently, three species are designated as Special Species: Cactus ferruginous pygmy owl, Mexican spotted owl, and Southwest willow flycatcher.

Section 3. The various County officers and employees are authorized and directed to perform all acts necessary to give effect to this Resolution.

Section 4. This Resolution shall become effective 31 days after the date of adoption.

Passed and adopted, this ____ day of _____, 2015.

Chair, Pima County Board of Supervisors

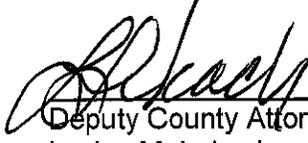
ATTEST:

Clerk of the Board

APPROVED:

Executive Secretary
Planning and Zoning Commission

APPROVED AS TO FORM:

 9/22/15
Deputy County Attorney
Lesley M. Lukach

Arlan Colton

From: cmcvie@tucsonaudubon.org
Sent: Wednesday, September 02, 2015 4:17 PM
To: Arlan Colton; David Godlewski (david@sahba.org); Carolyn Campbell; 'Shawn Cote'; Amber Moore (amber@mpaaz.org); Priscilla Storm (pstorm@diamondventures.com)
Cc: Sherry Ruther; Carmine DeBonis; Carla Blackwell; John Bernal; Janet Emel
Subject: Re: Pima Prospers Minor revision public hearing - CLS

Thanks for being on top of this and taking prompt action to correct it Arlan. Much appreciated. Best, c

Sent from Windows Mail

From: Arlan Colton
Sent: Wednesday, September 2, 2015 1:50 PM
To: David Godlewski (david@sahba.org), Carolyn Campbell, 'Shawn Cote', Amber Moore (amber@mpaaz.org), Priscilla Storm (pstorm@diamondventures.com), Chris McVie (cmcvie@tucsonaudubon.org)
Cc: 'Sherry Ruther', Carmine DeBonis, Carla Blackwell, John Bernal, Janet Emel

Friends:

In the adoption of Pima Prospers, we made an inadvertent omission in Appendix E, the Glossary for the Comprehensive Plan. As you recall, we divided the CLS from the prior Comprehensive Plan into three parts: policy went into the main body of the plan, background material went into Appendix A, (the Background material) and the definitions were to go into the Glossary. Unfortunately, the final definitions for the Glossary did not make it into last spring's public hearing draft, and we literally just discovered this, so we are requesting a revision.

There ARE definitions in the Glossary for all the CLS categories except for the missing Agriculture Inholdings and Scientific Research Areas (although they are in part in the background document). However, the definitions were early placeholders and are either incomplete, bad grammar or wrong. The real ones, translated from the 2001 Comp Plan with better grammar, should have been inserted into the study session and public hearing drafts. In fact, we thought they were in there. Chapter 10, the Administration chapter of the Plan, even assumes and recognizes the significance of these definitions.

We have checked and outside of a few non-substantive typos, the rest of the CLS is intact and accurately represented. However to add the correct definitions to Appendix E, the Glossary, per the Comprehensive Planning chapter of the Zoning Code (Chapter 18.89), a Type 2 minor revision to the plan is required. Staff will initiate the action and the Planning and Zoning Commission and Board of Supervisors must each hold a public hearing, with the Board rendering a final decision on the matter. Therefore, I am moving forward immediately with double noticing Commission and Board hearings for September 30th and October 20th respectively to resolve this issue. The only thing that will be advertised is the addition of the two missing items from the Glossary and the replacement of the correct definitions from the 2001 plan for the incorrect or incomplete ones found in the Glossary today. No policy changes will be made. We will be sending the public hearing legal notice to the newspapers this week.

I know that Pima Prospers was a mammoth undertaking making such omissions possible, but given the importance of the CLS definitions, we want to fix it asap. I apologize for the error and the inconvenience, but I did not want you to be startled by the agenda item. If you have any questions, please let me know. I will be out a couple of days for the Labor Day weekend.

Best,
Arlan

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