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# MEMORANDUM

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Date: October 22, 2013

To: The Honorable Chairman and Members  
Pima County Board of Supervisors

From: C.H. Huckelberry  
County Administrator

A handwritten signature in black ink, appearing to be "CHH", is written over the printed name "C.H. Huckelberry".

Re: **Rillito River Park Trail**

The *Arizona Daily Star's* October 21, 2013 edition included the article "County trail bridge leads to nowhere" (Attachment 1). There is concern over a bicycle/pedestrian bridge across a tributary of the Rillito River on the north side of Craycroft Road that appears to be the end of the trail. This bridge was constructed 15 to 20 years ago. The trail has been planned to extend along the north side of the Rillito River, north along the Tanque Verde Wash, to Tanque Verde Road.

The *Star* report discusses a recent City of Tucson annexation of the property that made no provisions for the trail and river park extension.

Attachment 2 to this memorandum includes Pages 2, 3 and 4 of my May 29, 2012 letter to the Tucson Mayor that stresses the importance of including the river park dedication requirement in the Preannexation and Development Agreement and clearly indicated the present condition in the Preannexation and Development Agreement was inadequate.

I also stated this in a letter to the Tucson City Manager dated January 12, 2012 (Attachment 3). Items 1 and 2 of my letter dealt specifically with the issues of river park development and riverbank stabilization – the County's primary concerns associated with this annexation.

The issue of river park dedication and trail development was clearly addressed by the County in all of our comments to the City regarding this annexation. The City failed to consider our comments during this annexation process.

CHH/mjk

Attachments

c: John Bernal, Deputy County Administrator for Public Works  
Suzanne Shields, Director, Regional Flood Control District  
Diana Durazo, Special Staff Assistant to the County Administrator

# ATTACHMENT 1

## County trail bridge leads to nowhere



8 HOURS AGO • BY DOUG KREUTZ ARIZONA DAILY STAR

Walkers, runners and cyclists on the popular Rillito River Park Trail encounter a rather vexing reality when they reach the trail's passage at North Craycroft Road: a bridge to nowhere.

The expensive and finely crafted bridge — built as the gateway to a planned trail extension eastward along Tanque Verde Creek from Craycroft Road to Sabino Canyon Road — is now marked with a sign

that says "End of Trail."

The sign reflects the fact that the trail ends abruptly at a fence just beyond the east end of the bridge, which crosses a drainage flowing into the Rillito. It comes to an end there because the planned extension is on indefinite hold as a result of land access, funding and bureaucratic issues.

The cost of the bridge: about \$200,000.

"Right now, we don't have anything planned as far as construction" of the trail extension in the immediate future, said **Suzanne Shields**, director of the Pima County Regional Flood Control District. The county is overseeing the Rillito Trail and other segments of a loop of trails for non-motorized travel around Tucson.

The reason for the holdup, Shields said, is uncertainty about access for the trail over what is now private property and availability of funding.

"It's a matter of getting funding to acquire the land and to do the construction," said Shields, who had no estimate of the cost of building the extension. "We're still hoping that it would be part of a future bond package."

### ANNEXATION ISSUES

Further complicating the situation is that the city of Tucson annexed land in the area in July 2012.

The annexation took in property near River and Craycroft Roads owned by developer **Joe Cesare**, who is building a mixed-use development in the area. Cesare's parcel includes land needed for the trail extension.

City officials said the annexation agreement didn't clarify the outlook for eventual trail access.

"We don't have any direct language in the annexation agreement that refers to the trails system or the river park," said **Mike Czechowski**, annexation project manager for Tucson. "I really don't know why that language wasn't included."

Cesare said he would provide access for the trail if the county goes ahead with construction of the extension.

"We made an agreement with the county," Cesare said. "We said that whenever they're ready to go, we will dedicate the land to them."

Cesare noted, however, that there are at least two parcels of land along the planned trail alignment that aren't part of his property. The county would have to deal with those parcels separately, he said.

**John Spiker**, civil engineering manager for the county Flood Control District, said the trail extension "is on hold until the (Cesare) development moves forward. They have submitted some development plans to the city of Tucson for approval. We're waiting for that process to get underway."

Once the development plans and issues such as bank stabilization and right-of-way are clarified, "then we'll move forward — if we have funding," Spiker said.

It's likely to be years rather than months until those pieces fall into place, he said.

"We're still hoping we can work something out, but for now we've just got to wait," Spiker said.

Meanwhile, Shields said, the county is planning another trail extension in the area — along the Pantano Wash from Tanque Verde Road to Craycroft Road.

Ultimately, if both of the planned trail segments were built, there would be passages along both Tanque Verde Creek and the Pantano Wash, which converge at Craycroft Road to form the Rillito River.

### **Did you know?**

The Rillito River Park Trail is part of The Loop, a network of trails around the Tucson area for walkers, runners, cyclists, skaters and horseback riders. The Loop now includes about 100 miles of trails and will total 131 miles when it's complete.

# ATTACHMENT 2

The Honorable Jonathan Rothschild  
Re: **Proposed Rio Verde Village Annexation**  
May 29, 2012  
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***5.2.2. Any additional right-of-way dedicated for Craycroft Road or River Road, including but not limited to dedication of right-of-way along Craycroft Road to accommodate the River Road Trail improvements.***

***5.2.3. Construction of a berm (upon which the River Road Trail extension could be located) as it provides bridge abutment erosion protection."***

While we fully understand and acknowledge that the Arizona Legislature has substantially restricted the ability to require traffic mitigation for private schools, the balance of the proposed development is not related to school improvements. This non-school related development should pay fair and reasonable costs associated with required future transportation improvements to both Craycroft and River Roads and not receive credit for non-highway transportation related investments.

Also, credit for the park and trail improvements is already given in the credit portion of Section 5.1, Regional Park Impact Fee. Finally, we have a difficult time understanding how credit for a dirt berm and trail has anything to do with arterial road improvements.

We believe the City Attorney's Office should review the City's Impact Fee Ordinance to ensure consistency with the Arizona Legislature's recent restrictions on local impact fee regulations, specifically as they relate to credits for offsite work.

Our second concern relates to Provision 2.9 of the PADA, which states:

***"2.9. River Park Trail. The Owners may choose to provide erosion protection and/or berming along the Tanque Verde Creek...south of the boundary of the Future Zoning, to include any extension from the trail to Craycroft Road. Owners may also choose to dedicate portions of the Property for development of the River Park Trail, and/or construct such trail. Any dedication of construction for the River Park Trail will be at the Owners' sole and absolute discretion." [emphasis added]***

The County, through the Regional Flood Control District, is fully prepared to extend the river park and trail system along the north bank of the Tanque Verde Wash from Craycroft Road to Sabino Canyon Road and then continue to Tanque Verde Road.

Chapter 26, Section 8, of the Tucson City Code requires developments adjacent to the river system and developments that have lands for common ownership that extend into the river and/or floodplain area be dedicated:

***"26-8(f) Rights-of-way for Drainage; Easement Dedication: Whenever a subdivision plat or development plan contains a watercourse which is regulated by this chapter, all right-of-way associated with the watercourses shall be provided and designated "drainageway" or "drainage easement" as determined by the city engineer.***

***(f)(1) If the watercourse is an improved regional watercourse, the drainageway shall include the channel, the channel improvements, and a 50' wide area measured outward from the front face of the top of the bank protection, for the city or for county flood control districts uses.***

***(f)(4) Along regional watercourses and major watercourse where the peak discharge during the base flood is 10,000 cubic feet per second or greater, the drainageway shall be dedicated in fee simple to the City."***

The PADA conflicts with these components of the Tucson City Code, unless one believes a common owner can draw an artificial line defining the extent of development to circumvent the Code.

The County continues to object to the lack of right of way dedication for the river park and trail system. On May 14, 2012, we received an email from a representative of the owner purporting to placate our concerns regarding river park and right of way dedication. The developer proposed that they would dedicate the bike path south of the Market District when all of the following conditions are met:

- Erosion hazard protection is constructed adjacent to the bike trail extension area [emphasis added];
- The County has funding available to construct the extension of the bike path from Craycroft and Sabino Canyon Roads;
- The County has secured public access from all other property owners along the north bank of the Tanque Verde Creek; and
- The dedication of the property for the bike path south of the Manor District will occur when either the plat is approved for the Manor District or when all of the listed conditions are met.

Such an offer is totally unacceptable and is a thinly disguised attempt to have the public, through the Pima County Regional Flood Control District, invest over \$4 million in flood control and bank stabilization improvements to facilitate the developer's construction of a seven-story hotel within the erosion hazard setback of the Tanque Verde Creek. We find such a proposal unacceptable and hope the City would as well.

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Re: **Proposed Rio Verde Village Annexation**  
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Pima County respectfully requests that the City require the dedication of a 100-foot wide river park corridor as part of this PADA process; i.e., the dedication would occur concurrent with the approval of the annexation.

#### General Public Infrastructure Fiscal Concerns

If the City were to provide favorable terms for annexation of to-be-developed property, such as in the case of this PADA, on the basis of increased revenues to the City, we hope the City would also pay from those increased revenues, appropriate public infrastructure cost caused by the development; in this case, roadway improvements to River and Craycroft Roads and the bank stabilization, as well as the river park system adjacent to Tanque Verde Creek.

If the City so desired, it could install flood control improvements for bank stabilization for the developer in exchange for revenues generated by the development. However, under the present circumstances, it appears these public costs are being shifted to the County without reimbursement.

It should also be noted that the City's own Parks and Recreation Department had, early on in the PADA process, required the extension of the river-park and its associated amenities through the entirety of the property in question. This requirement was consistent with all regional trail planning documents and master plans. For unknown reasons, the river park extension requirements that were mandated by the City's own Parks and Recreation Department were removed from the PADA conditions and are now contemplated to be constructed with public funds even though the improvements will benefit the developer.

#### Concern with Annexation Map

Another concern relates to the annexation map. Based on the annexation map, it appears the City is annexing the entire rights of way on both Craycroft and River Roads adjacent to both the Market and Manor Districts of the PAD; however, the intersection of River and Craycroft Roads is not included. The County recommends the City include the full intersection in the annexation to avoid confusion over emergency response to traffic accidents in the intersection.

#### Concern with Development Adjacency to Historic District

The proposed seven-story hotel is across the river from the old Fort Lowell Historic District, which should be reviewed by Historic District representatives for compatibility with the District, as State and Federal requirements take into account visual effects from proposed actions that will impact historic resources.

# ATTACHMENT 3



## COUNTY ADMINISTRATOR'S OFFICE

PIMA COUNTY GOVERNMENTAL CENTER  
130 W. CONGRESS, TUCSON, AZ 85701-1317  
(520) 740-8661 FAX (520) 740-8171

C.H. HUCKELBERRY  
County Administrator

January 12, 2012

Mr. Richard Miranda  
City Manager  
City of Tucson  
P. O. Box 27210  
Tucson, Arizona 85726-7210

**Re: Rio Verde Village Planned Area Development – RZ11-005 (Second Submittal)**

Dear Mr. Miranda:

I am forwarding you a copy of the comments submitted by the County on the second submittal of the above noted Planned Area Development (PAD). This submittal addresses none of our previous concerns. These comments reflect ongoing concerns with this proposed City zoning action. It seems odd that you would zone property while it is under County jurisdiction and before it is annexed.

Also attached is a copy of my August 9, 2011 letter and materials sent to former City Manager Mike Letcher and my July 18, 2011 memorandum to Supervisors Day and Carroll for your review. I did not receive a response to the issues raised at that time from the City.

In addition to the concerns raised in my August 2011 letter and the January 3, 2012 comments just submitted, the following represent our major concerns with this proposed City zoning and annexation:

1. The importance of river bank stabilization and river park corridor development is being overlooked by the City. The developer must be required to construct the bank stabilization needed to protect the proposed intense commercial uses. This must be a requirement of City zoning. The design of these improvements presently proposed by the PAD is insufficient.
2. In association with the above requirements, the developer should be required to dedicate a 50- to 100-foot river park and trail right of way, along with any property owned by the developer in the river. As noted in my August 2011 letter, this should be done within 30 days of PAD approval to avoid a situation similar to the Costco annexation, where similar easement dedications were

Mr. Richard Miranda  
Re: Rio Verde Village PAD – RZ11-005 (Second Submittal)  
January 12, 2012  
Page 2

conditions of that action but have never been completed. I have asked the County Attorney to inquire of the City Attorney regarding the lack of compliance with your zoning requirements in this particular case. We do not want the present annexation proposal to follow a similar path.

3. Without approved annexation district boundaries for this project, our previous comments assumed Craycroft and River Roads were not to be included in the annexation. However, the second PAD submittal appears to assume annexation of both Craycroft and River Roads, located on the west and north property lines. The PAD makes no mention of the charter school currently being reviewed by Pima County, which will have significant traffic impacts on the area and this proposed project. River Road is now operating at capacity, and the PAD does not adequately address the major improvements needed. Given the proximity and impacts to the roads that will remain under County jurisdiction, the Traffic Impact Study and offsite improvements need to be submitted to Pima County for review and approval.
4. I would urge you to hold a public hearing on the zoning and annexation prior to finalizing either action, as I am aware that four adjacent neighbors are concerned about this proposal.
5. I understand there is a potential claim that a significant portion of the property is encumbered by private deed restrictions. I would suggest you determine if they have any impact on your proposed action.

The County is very interested in extending the existing river park along the Rillito River from this property to Tanque Verde Road, along the Tanque Verde Wash. Unless this property annexation and zoning is handled carefully and thoughtfully by the City, such a park improvement may not be possible.

I look forward to your response and working with you to ensure all concerns and impacts to both unincorporated Pima County and City residents are addressed prior to any approvals.

Sincerely,



C.H. Huckelberry  
County Administrator

CHH/dr  
Attachments

- c: The Honorable Chairman and Members, Pima County Board of Supervisors  
The Honorable Jonathan Rothschild, Mayor, City of Tucson  
The Honorable Paul Cunningham, Councilmember, City of Tucson  
Mr. Warren Rustand

# ATTACHMENT 1



**Carmine DeBonis Jr.**  
Director

Office: 520.740.6506  
fax: 520.740.6878

January 3, 2012

John Beall  
Senior Planner  
City of Tucson Planning & Development Services

**Subject: Rio Verde Village PAD RZ11-005 (2<sup>nd</sup> submittal)**

Dear Mr. Beall:

Pima County appreciates the opportunity to comment again on the requested PAD, and looks forward to continuously working with the City of Tucson during this PAD and annexation process. In fact, additional information relative to the proposed annexation will allow Pima County to fully understand the context of the ongoing PAD review process as noted in our comments below.

Please note that this response only addresses outstanding issues of Pima County Planning and Regional Flood Control. The other department issues were resolved, addressed or acknowledged.

#### **PLANNING**

Planning staff had previously recommended that *“all applicable Pima County rezoning conditions from Co9-02-07 (the northern-western most portion of the properties) be considered for the entire site if the City is going to approve the request. The most notable conditions include: Condition 13., A condition requiring special review for compliance with the Pima County Commercial Design manual, Condition 14., a height limit of 24 feet that is a legacy policy stemming from the Catalina Foothills Area Plan, Condition 15., that requires the county to be compensated for financial obligations prior to annexation. “*

The applicant responded that **“These items are addressed in the PADA...”** This response only highlights County Planning Staff’s concerns that the PAD should be reviewed after the annexation occurs, or at least concurrently. Furthermore, the response that *“The 24’ height limit may be waived...”* and *“more vertical development is appropriate at this major intersection,”* assertions may be true, but an 300% increase to 75’ and an unwillingness to allow neighboring property the ability to **“participate in ongoing design review process,”** makes the request difficult to support from a planning perspective.

Planning Staff urges that the City consider processing the annexation prior to the PAD to better enable neighborhood participation, provide more clarity of regulatory controls, establish land uses, conditions and policies before the site is designed. The City should consider that this development could drastically alter the character of the existing neighborhood that now consists of predominately low-density residential and open space. Prior developments have successfully incorporated low impact design elements to blend structures into hillsides, developed in harmony with slopes, and have preserved and incorporated native vegetation into the built environment.

The result is a developed neighborhood that aesthetically blends with the open space associated with the Tanque Verde Creek, and helps to maintain the character of the Sonoran Desert. This sensitivity to design in development includes the commercial River Center complex at the northeast intersection of River and Craycroft Roads. This proposed PAD includes minimal design elements that would dictate the existing pattern.

### **PIMA COUNTY REGIONAL FLOOD CONTROL**

1. The parcels include FEMA Special Flood Hazard Area associated with the Tanque Verde Creek and several tributaries. The hydrology exhibits included in the PAD erroneously identifies the SFHA as Zone A. It is Zone AE. While the response letter states that "new FEMA mapping ("L"-series) has been included in the revised document the exhibits still indicates it as Zone A.
2. There is Pima County Regulatory Riparian Habitat on and immediately adjacent to the site including Important Riparian Area, Hydromesoriparian and Xeroriparian Class B habitats. In response to the City's first round comments the applicant has responded that preservation of degraded habitat would not further habitat or visual value. Those habitats designated IRA are based on connectivity and soils as well as vegetation and all riparian habitats provide other beneficial values including flood attenuation and groundwater recharge. All efforts should be made to avoid, preserve, and restore this habitat. Preservation of degraded habitat alone would further habitat and visual value as it recovers naturally over time from the degradation allowed to occur or caused by the land owners. Furthermore restoration via site landscaping and water harvesting as required within the County and previously requested by the City certainly would add to habitat and visual value.
3. The bank protection planned by the Army Corps of Engineers in cooperation with the District and Wastewater utilizes soils cement. Despite requests by the County the applicant's proposal and response do not incorporate this design. Two reasons are given. One that the applicant does not control the south bank and opposite bank protection to prevent reflective scour would be needed. Throughout the design and approval process the County in consultation with the City, Corp, and FEMA will address this concern. It is notable that the applicant proposes off-site riparian mitigation to occur south of the Tanque Verde on land they do not own and yet this is the stated reason for not providing soil cement. The second response for refusing to incorporate the planned design is that it would interfere with preservation of existing vegetation. This design incorporates the future sewer intercept, River Park and environmental restoration. It also provides protection for downstream road and bridge infrastructure impacted in prior floods. The design proposed by the applicant is insufficient.

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Poirier", written over a horizontal line.

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Chris Poirier  
Assistant Planning Official  
Pima County Development Services

CC: C. H. Huckelberry, County Administrator  
Diana Durazo, Special Staff Assistant to the County Administrator

# ATTACHMENT 2



# MEMORANDUM

Department of Transportation



Date: January 5, 2012

To: Chris Poirier, Planning Division, Development Services Department

From: Maggie Shaw, Transportation Systems Division, Department of Transportation  
*Maggie Shaw*

Subject: Rio Verde PAD review comments-2<sup>nd</sup> submittal

The 2<sup>nd</sup> submittal assumes the annexation of the property will include Craycroft Road and River Road, located on the west and north property lines. Previous comments from staff had assumed otherwise. Comments below have been updated to assume right-of-way to be included in annexation. In either case, the Traffic Impact Study and offsite improvements need to be submitted to Pima County for review and approval due to proximity of the roads that will remain under County jurisdiction.

There has been no mention on any exhibits or text for the charter school currently under review by Pima County in Market District B. The traffic alone from this proposed school with over 1,000 students would have a tremendous affect on the area and this PAD.

The driveway for the convenience store on River Road, Development Plan Project # P1211-043 in Pima County, has not been shown on any exhibits. Please show on all exhibits and in text. The square footage is larger than depicted for the store.

Vehicular access should be shown on all exhibits for 2 existing residences as discussed in text.

Vehicular access and connectivity between all uses within the PAD should be required and should not be dependent upon the ultimate uses.

Page 70-Impact Fee Credits are not allowed for construction of the bike path.

River Road is currently operating at capacity. Major improvements are needed for the PAD to be allowed and this has not been addressed adequately and will impact the portions of River Road that will remain within Pima County.

The ADT's given are too low and need to be quantified and several different accounts should be addressed in the PAD document for the areas that may be developed at very high densities, including the Manor area which only is shown in traffic analysis for 30 residences.

MS/ms

# ATTACHMENT 3



## COUNTY ADMINISTRATOR'S OFFICE

PIMA COUNTY GOVERNMENTAL CENTER  
130 W. CONGRESS, TUCSON, AZ 85701-1317  
(520) 740-8661 FAX (520) 740-8171

C.H. HUCKELBERRY  
County Administrator

August 9, 2011

Mr. Mike Letcher, City Manager  
City of Tucson  
P.O. Box 27210  
Tucson, Arizona 85726-7210

**Re: Proposed City of Tucson Annexation and Adoption of the Rio Verde Village Planned Area Development Rezoning of the Property on the Southeast Corner of River and Craycroft Roads**

Dear Mr. Letcher:

I understand that a Planned Area Development (PAD) has been submitted for approximately 40 acres on the southeast corner of River and Craycroft Roads, which would require annexation of the site and we assume concurrent approval of the PAD. This property has been subject to much review and public comment through the years. In 2002, the Board of Supervisors approved the owner's rezoning request from SR to CB-1 (Local Business) for approximately six acres of this property along River Road, subject to standard and special conditions. In April 2011, the Board approved an ordinance that reflected the approved rezoning and time extension subject to standard and special conditions.

We understand the owner is now requesting an upzoning to the 40-acre site currently located in unincorporated Pima County through the annexation process. In the County, an upzoning like this would first require a Comprehensive Plan Amendment for this area, followed by rezoning, affording a minimum of four public hearings. In this case, the process is not clear. In reviewing the Rio Verde Village PAD, it appears the rezoning and annexation may be concurrently processed.

Without knowing where this project is in the process or the timing for public notice, I would suggest the adjacent and surrounding property owners be made aware of the proposal, including the maximum height restrictions. In the past, surrounding neighbors have expressed concern over less intense requests on this property. I have already informed Supervisors Day and Carroll, who represent this area.

Mr. Mike Letcher

Re: **Proposed City of Tucson Annexation and Adoption of the Rio Verde Village Planned Area Development Rezoning of the Property on the Southeast Corner of River and Craycroft Roads**

August 9, 2011

Page 2

Other general concerns I have with this PAD include river park and infrastructure improvements. As part of any rezoning or development along our major river corridors, the County requires developer's to grant a river park easement as part of the development. As you know, the region has committed millions of dollars in river park development and completion of The Loop, a 55-mile continuous off-street path around the metropolitan area. The Rio Verde Village PAD, located along Tanque Verde Creek, needs to include a condition for the dedication of a 50 to 100 foot river park and trail easement along the entirety of the site adjacent to Tanque Verde Creek. This easement, along with the dedication of any property owned in the river, should be completed within 30 days of approval of the PAD. It is important the river park corridor be dedicated early to ensure timely completion. The Costco annexation is an example where the development agreement included specific requirements, such as the dedication of the river park and trail easement, and at this time has not been completed as originally required. Hence, the County now must return to negotiations with Costco, years after their improvements were installed, to negotiate acquisition of this same easement.

Additionally, I would ask that further information be provided on infrastructure improvements, both onsite and offsite, that may be necessary on Craycroft and River Roads to accommodate the increased intensity of uses.

I have attached for your reference the County's comments on the PAD, as submitted to City Planning per their request for review and comments. I look forward to working cooperatively with you on this project that impacts both unincorporated County and City residents.

Sincerely,



C.H. Huckelberry  
County Administrator

CHH/dr

Attachment

c: Nanette Slusser, Assistant County Administrator for Public Works Policy  
Arlan Colton, Planning Director, Development Services Department  
Chris Poirier, Assistant Planning Official, Development Services Department  
John Beal, City of Tucson Planning and Development Services  
Diana Durazo, Staff Assistant to the County Administrator



**Carmino DeBontis Jr.**  
Director

Office: 520.740.8506  
fax: 520.740.6878

July 15, 2011

John Beal  
City of Tucson

**Subject: Rio Verde Village PAD RZ11-005**

Dear Mr. Beal:

Pima County appreciates the opportunity to comment on the requested PAD, and looks forward to continuously working with the City of Tucson during this and the annexation process.

Please note that some of these comments may have been forwarded to you directly from County Departments and may appear duplicative.

### **PLANNING**

Planning staff recommends that all applicable Pima County rezoning conditions from Co9-02-07 (the northern-western most portion of the properties) be considered for the entire site if the City is going to approve the request. The most notable conditions include: Condition 13, A condition requiring special review for compliance with the Pima County Commercial Design manual, Condition 14, a height limit of 24 feet that is a legacy policy stemming from the Catalina Foothills Area Plan, Condition 15, that requires the county to be compensated for financial obligations prior to annexation.

Staff also requests that the City require sufficient dedication of right of way to continue the Rillito Linear Park, a direct amenity to this proposed development and an attraction to the entire region.

Additionally, in the portions outside the CB-1 area, it appears that the proposed PAD is not remotely in-keeping with the County's Comprehensive Plan designation of Low Intensity .3 or Low Intensity Urban 1.2). This designation would not allow densities and uses close to what is proposed in this PAD. See map below. (Red=Community Activity Center, Yellow west=Low Intensity Urban .3, Yellow east=Low Intensity Urban 1.2, Blue= Resource Transition). As a result, staff is highly concerned about the potential impact on surrounding neighborhoods that have been active stakeholders during previous land use requests on the properties.



Comprehensive Plan Map

### **ENVIRONMENTAL PLANNING**

October 21, 2008, the City Council created policy to apply Pima County's Conservation Lands System map and associated guidelines for all future annexations. This proposed PAD/Annexation provides no evidence that the Council's policy on implementation of the CLS is being applied. There is no mention or discussion of the applicability of the CLS or how the proposed project will comply with the CLS Conservation Guidelines. The map below shows the subject PAD property relative to the CLS (Green = Multiple Use; Blue = Important Riparian Area). Clearly, the southern portions of the Rio Verde Manor District would be subject to the mitigation ratios for development in the Multiple Use (2:1) and Important Riparian Area (4:1). Additionally, the full extent of the proposed annexation area also includes Multiple Use and Important Riparian Areas.



MMBCLS Map

#### **REGIONAL FLOOD CONTROL DISTRICT**

1. The parcels include FEMA Special Flood Hazard Area associated with the Tanque Verde Creek and several tributaries. The hydrology exhibit included in the PAD erroneously identifies the SFHA as Zone A. It is Zone AE.
2. There is Pima County Regulatory Riparian Habitat on and immediately adjacent to the site including Important Riparian Area, Hydromesoriparian and Xeroriparian Class B habitats.
3. Bank protection has been planned by the Army Corps of Engineers in cooperation with the District and Wastewater as the local sponsors. This design incorporates the future sewer intercept, River Park and environmental restoration. It also provides protection for downstream road and bridge infrastructure impacted in prior floods.
4. Furthermore effective transition between county infrastructure upstream of the site and the Tanque Verde Creek downstream is needed. On the east side of the property there has been a tributary transition problem including head cutting for a flow coming out of a county subdivision and traversing the property. It would be wise for the development to solidify either an outlet of a designated flow path. The Corps plan partially addresses this issue.
5. The Erosion Hazard Setback and proposed buried erosion protection may be inadequate along the Tanque Verde. The District requires a design utilizing soil cement bank protection as planned by the Corps.
6. It is recommended that the project engineer contact the District during the design development phase to gather information and coordinate improvements.

#### **WASTEWATER REPORT**

Should the City of Tucson be inclined to approve this PAD, the PCRWRD recommends the following rezoning conditions:

1. The owner / developer shall construe no 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.
2. The owner / developer shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department 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, 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 have 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 Pima County Regional Wastewater Reclamation Department.
  3. 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.
  4. 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 Regional Wastewater Reclamation Department in its capacity response letter and as specified by the Development Services Department at the time of review of the tentative plat, development plan, sewer construction plan, or request for building permit.
  5. 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, sewer construction plan or request for building permit.
  6. 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.

## **TRANSPORTATION**

The submittal shows the annexation of the property not including Craycroft Road and River Road, located on the west and north property lines, respectively. All comments below assume annexation will not include the right-of-way for either road.

Staff recommends rezoning, Co9-02-07, conditions remain in place, specifically 7A thru 7D and 15, for dedication of right-of-way, offsite improvements and impact fees.

The following comments apply to the entire PAD area:

Dedication of 150 feet right-of-way and adherence to the building setback (105 from centerline) per the Pima County Major Streets and Scenic Routes Plan Co14-79-2 and Zoning Code 18.77.30 and 18.77.040, for both Craycroft and River Roads.

Recommend the building setback per the Pima County Major Streets and Scenic Routes Plan is adhered to and that a scenic route status remain on both Craycroft and River Roads. Ensure that the 30 feet setback per page 49 applies whether city or county.

Page 54-Apply 30 feet Major Streets and Scenic Routes Plan setback within the Manor Area.

Page 56, 1e-Meandering of paths/trails/sidewalks into and out of the right-of-way and private property is not a good idea.

Since a Traffic Impact Study for this 40 acre PAD has not been received or reviewed the comments on page 58 have not been verified, only the Traffic Impact Study for the 6 acre portion was reviewed for the Development Plan, P1210-022 submitted and approved to Pima County. This development was such a small scale compared to this that the previous Traffic Impact Study no longer makes sense. Also, it may not be appropriate to include the recommendations on page 58, if they have not been approved.

County review and approval of Traffic Impact Study required for the development.

County review and approval of Offsite Improvement Plans.

Staff has concerns about the pedestrian improvements being delayed until the Certificate of Compliance for the last building. If delayed that far into the project, then the improvements probably will not get done.

How will pedestrian/bicycle access be provided between the residential and commercial components of this development? There is a trail shown on Exhibit III E4a? Is this the only means? If so, it is inadequate for a mixed use type urban development of this nature.

Where are the cross sections for pedestrian ways shown on a main exhibit?

Typically a sidewalk is not directly adjacent to a curb located on an arterial, please address on Exhibit III E4e. Also if a continuous travel lane is required then the bike lane will not be located as shown. Please show two options.

The other adjacent parcels under same ownership should be included in the annexation and PAD development.

### **NATURAL RESOURCES, PARKS AND RECREATION**

Natural Resources, Parks and Recreation staff offers the following comments for the above-mentioned project.

#### **Conceptual Site Plan – Exhibit III.A.2**

The subject site is adjacent to the Tanque Verde Creek as shown on this exhibit. Per the Pima Regional Trail System Mater Plan, Tanque Verde Creek is listed as a river park and has a minimum corridor width of 100 feet.

**Condition:** *The developer shall grant a minimum 100-foot corridor and construct the portion of the river park along Tanque Verde Creek.*

The developer is applying for a Planned Area Development (PAD) zone and with that requesting the establishment of new zoning districts with distinct regulations.

**Comment:** *With the new regulations as outlined by the developer, the development should provide the future businesses and the public with certain facilities. The PAD request prompts the granting of a 100-foot corridor and construction of a river park as part of the development. This amenity will be part of the urban loop.*

#### Section III.E.5

The text states that the future plans for developing the river park as a low priority as the applicant does not own all the parcels required to construct a trail from Tanque Verde Creek to Sabino Canyon Road. **Comment:** *Land for trails and construction of the trail is acquired one parcel at a time and over time a segment of the trail is complete. This development can contribute a portion of the river park needed to complete the Tanque Verde segment.*

"Anticipating the potential river park extension, certain improvements are necessary for both the development of Rio Verde and to make construction of the future river park along the Tanque Verde Creek possible."

**Comment:** *The developer should grant the land for the river park and construct the portion of the river park along the development as previously mentioned.*

*Revise Section K to Exhibit K.*

The text states that park improvements will be developed by others.

**Comment:** *The developer shall grant the land and construct the portion of the river park along the development as mentioned above.*

"If the developer designs and constructs the erosion control bank protection as part of the PAD improvements, and the erosion control bank protection provides a direct benefit to the public, then the percentage of costs expended by the developer that benefit the trail and public are eligible for impact credits for the project."

**Comment:** *With the PAD incentives, the development should provide the public with amenities, such as the river park as discussed above.*

#### Exhibit III.E.4.f

This section shows the river park as 50 feet and a 12-foot paved trail.

**Revise section:** *the river park standard is a minimum of 100 feet with a 12-foot path and an 8-foot trail per the Pima Regional Trail System Mater Plan.*

#### Exhibit III.E.4.g

This section shows the river park as 50 feet and has a trail only.

**Revise section:** *the river park standard is a minimum of 100 feet with a 12-foot path and an 8-foot trail per the Pima Regional Trail System Mater Plan.*

Thank you for the opportunity to comment.

Sincerely,



---

Chris Polner  
Assistant Planning Official  
Pima County Development Services

CC: C. H. Huckelberry, County Administrator  
Diana Durazo, Special Staff Assistant to the County Administrator

F. ANN RODRIGUEZ, RECORDER  
Recorded By: LAM  
DEPUTY RECORDER  
26

P0230  
PIMA CO CLERK OF THE BOARD  
PICKUP



SEQUENCE: 20110490649  
NO. PAGES: 21  
02/18/2011  
ORDIN 18:00  
PICK UP  
AMOUNT PAID: \$0.00

**ORDINANCE 2011 - 8**

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO ZONING; REZONING PROPERTY OF APPROXIMATELY SIX (6) ACRES FROM SR (SUBURBAN RANCH) TO CB-1 (LOCAL BUSINESS), IN CASE CO9-02-07 TITLE SECURITY OF ARIZONA T-212 - RIVER ROAD REZONING; LOCATED ON THE SOUTHEAST CORNER OF CRAYCROFT AND RIVER ROADS; AMENDING PIMA COUNTY ZONING MAP NUMBER 25.

WHEREAS, on January 30, 2002, the owner(s) of approximately 10.6 acres applied for a rezoning from SR (Suburban Ranch) to CB-1 (Local Business);

WHEREAS, on October 1, 2002, the Pima County Board of Supervisors approved the rezoning for approximately six (6) acres, subject to standard and special conditions;

WHEREAS, on September 6, 2007, the owner(s) of approximately six 6.0 acres applied for a five-year time extension;

WHEREAS, on April 15, 2008, the Pima County Board of Supervisors approved the request for a five-year time extension subject to additional and modified standard and special conditions;

WHEREAS, on October 26, 2010 the owner(s) of approximately six (6.0) acres requested an ordinance to memorialize the standard and special rezoning conditions;

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

**Section 1.** The approximate six (6) acres, on the southeast corner of Craycroft Road and River Road, illustrated by the shaded area on the attached rezoning ordinance map (EXHIBIT A), which amends Pima County Zoning Map Number 25 is

21

hereby rezoned from SR (Suburban Ranch) to CB-1 (Local Business).

## **Section 2. Rezoning Conditions**

1. Submittal of a development plan if determined necessary by the appropriate County agencies.
2. Recording of a covenant holding Pima County harmless in the event of flooding.
3. Recording of the necessary development related covenants as determined appropriate by the various County agencies.
4. Provision of development related assurances as required by the appropriate agencies.
5. 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 Department of Transportation, Real Property Division.
6. There shall be no further lot splitting or subdividing without the written approval of the Board of Supervisors.
7. Transportation conditions:
  - A. The property owner(s) shall dedicate to Pima County 25 feet right-of-way for River Road. Additional right-of-way for River Road may be required to allow for the realignment of River Road.
  - B. All proposed access shall require Department of Transportation approval and release.
  - C. The property owner(s) shall provide offsite improvements to Craycroft and River Roads, as determined necessary by the Department of Transportation and Development Services Department. These improvements may include, but may not be limited to, additional pavement for travel lanes, right turn lanes, multi-use lanes and sidewalks, curbing and drainage on Craycroft and River Roads.
  - D. The property owner(s) shall accept responsibility for the maintenance, control, safety and liability of privately owned roads, parking areas, drives, physical barriers, drainageways and drainage easements.
  - E. The property owner/applicant(s) shall grant the 20 feet wide utility easement along Craycroft Road under the terms proposed by Real

Property Services within 30 days of approval of the time extension request.

8. Flood Control conditions:
  - A. Drainage shall not be altered, disturbed or obstructed without the written approval of the Flood Control District.
  - B. The property owner(s) shall provide all necessary drainage related improvements created by the proposed development of the subject property. The location, design and construction of said improvements shall be subject to the approval of the Flood Control District.
  - C. A riparian mitigation plan shall be required for development in designated riparian areas.
9. Wastewater Management condition:
  - A. 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 Wastewater Management Department in its capacity response letter and as specified by the Development Services Department at the time of review of the tentative plat, development plan, sewer construction plan, or request for building permit.
  - B. On-site wastewater disposal shall not be allowed.
10. 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.
11. Adherence to the preliminary development plan and zoning boundary (EXHIBIT B) as approved by staff. Note: allows western six-plus acres for CB-1 only.
12. The site shall be surveyed for the presence or absence of the cactus ferruginous pygmy owl by a qualified biological consultant who has a permit from the U.S. Fish and Wildlife Service (USFWS), unless USFWS determines a survey is not required.

13. Architectural guidelines shall be adhered to from the Design Manual (EXHIBIT C) that include sections 1, 2, 3, 5, 7, 11, and 12, and shall be reviewed and approved by the Design Review Committee prior to the issuance of building permits.
14. Building heights shall be limited to a maximum of 24 feet.
15. In the event the subject property is annexed, the property owner shall adhere to all applicable zoning 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.
16. 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)."
17. Under no circumstances shall the following exotic plant species be planted anywhere on the site:
  - Fountain grass (*Pennisetum setaceum*)
  - Buffelgrass (*Pennisetum ciliare*)
  - Johnson grass (*Sorghum halapense*)
  - Giant reed (*Arundo donax*)
  - Common crabgrass (*Digitaria sanguinalis*)
  - Pampas grass (*Cortaderia selloana*)
  - Red brome (*Bromus rubens*)
  - Mediterranean grass (*Schismus spp.*)
  - Tree of heaven (*Ailanthus altissima*)
  - African sumac (*Rhus lancea*)
  - Russian olive (*Eleagnus angustifolia*)
  - Salt cedar/Tamarisk (*Tamarix pertandra* & *T. ramosissima*)
  - Bermuda grass (*Cynodon dactylon*) excluding sod hybrid Bermuda
  - Lovegrasses (*Eragrostis spp.*) excluding Plains lovegrass (*Eragrostis intermedia*)
  - African rue (*Peganum harmala*)
  - Iceplant (*Mesembryanthemem crystallinum*)
  - Arabian Grass (*Schismus arabicus*)
  - Natal Grass (*Melinis repens* (= *Rhynchelythrum repens*))

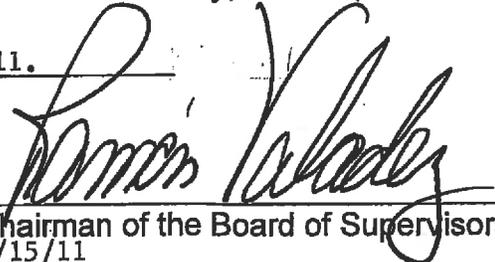
**Section 3. Time limits, extensions and amendments of conditions.**

1. Conditions 1 through 17 shall be completed by October 1, 2012.
2. The time limit may be extended by the Board of Supervisors by adoption of a resolution in accordance with Chapter 18.91 of the Pima County Zoning Code.
3. No building permits shall be issued based on the rezoning approved by this Ordinance until all conditions 1 through 17 are satisfied and the Planning Official issues a Certificate of Compliance.
4. 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.

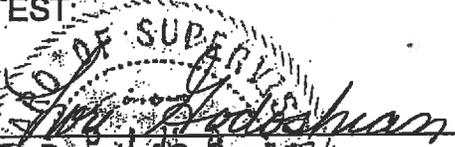
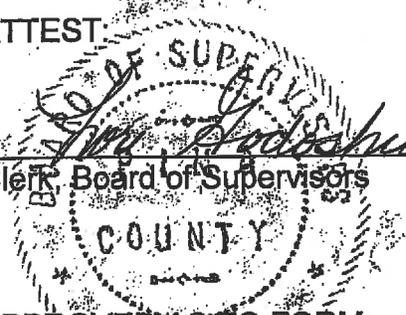
**Section 4.** The effective date of this Ordinance shall be on the date of signing of this Ordinance by the Chairman of the Board of Supervisors.

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

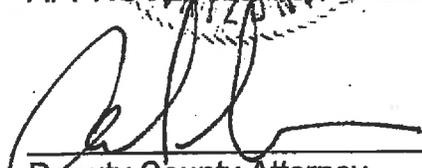
this 15th day of February, 2011.

  
Chairman of the Board of Supervisors  
2/15/11

ATTEST:

  
Clerk, Board of Supervisors  
  
COUNTY

APPROVED AS TO FORM:

  
Deputy County Attorney  
**ANDREW FLAGG**

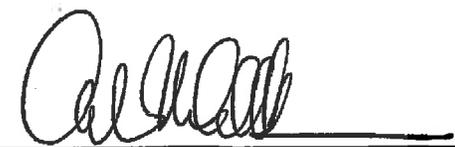
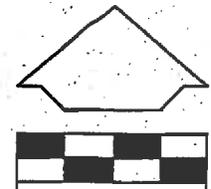
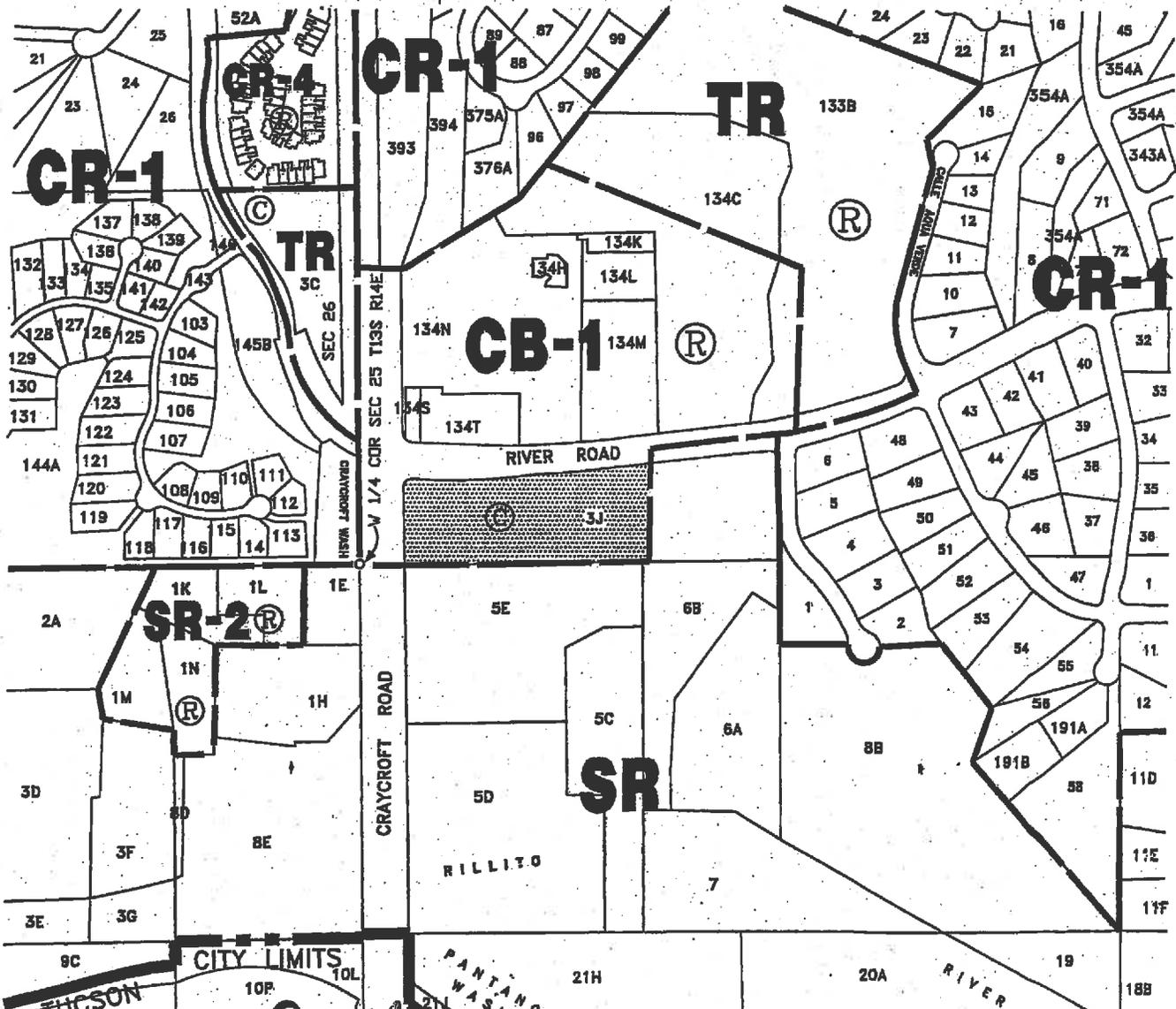
  
Executive Secretary,  
Planning and Zoning Commission

EXHIBIT A

AMENDMENT NO. 68 BY ORDINANCE NO. 2011-8  
TO PIMA COUNTY ZONING MAP NO. 25 TUCSON, AZ.  
PORTION OF PARCEL 03J LOCATED IN THE SW 1/4 OF THE NW 1/4  
OF SEC. 25, T13S R14E.



ADOPTED February 15, 2011 EFFECTIVE February 15, 2011

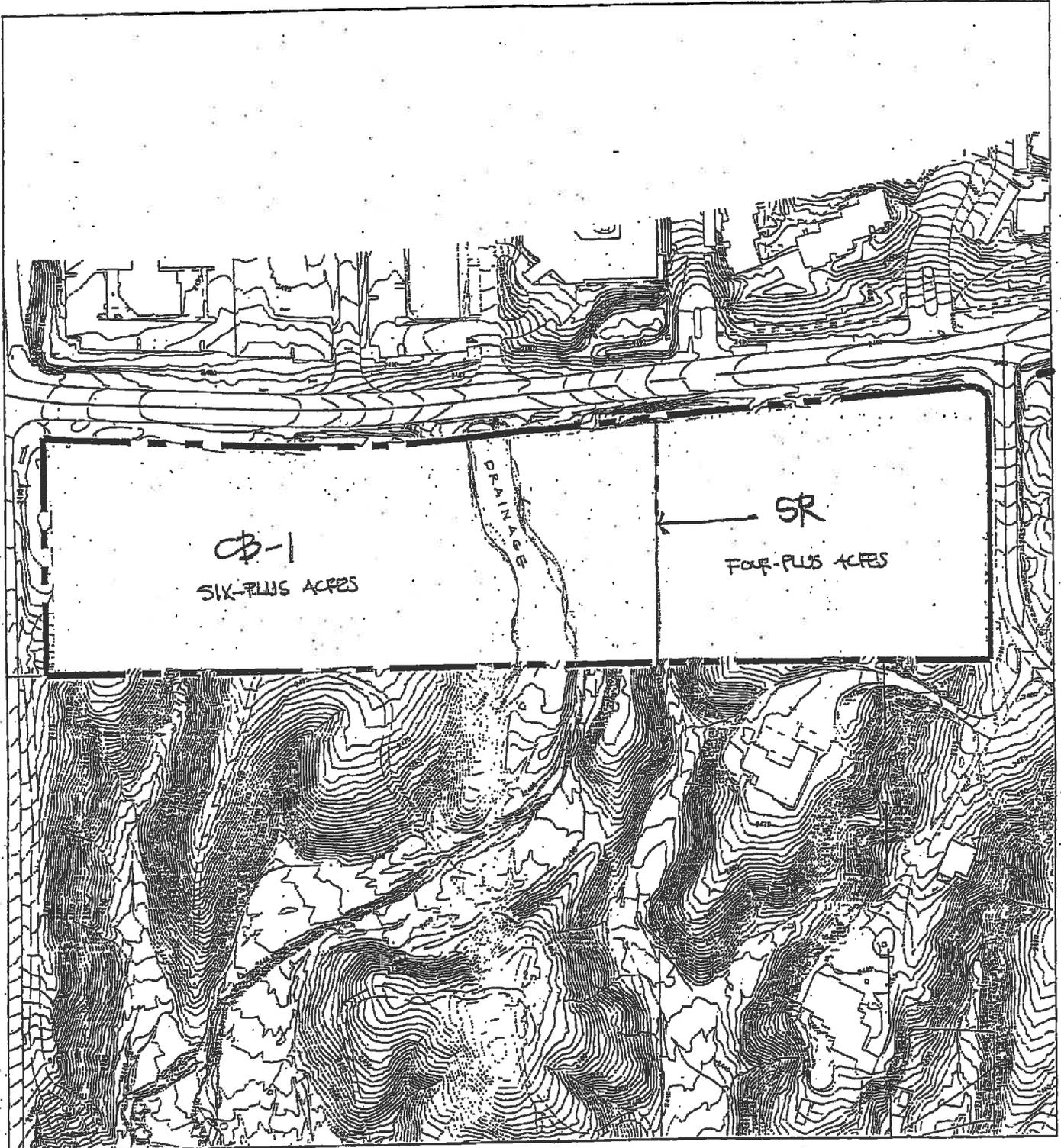


*Auth. M. Colton*

EXECUTIVE SECRETARY PIMA COUNTY PLANNING AND ZONING COMMISSION

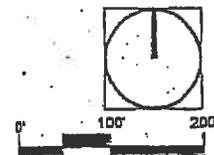
# EXHIBIT 1

Proposed Zoning  
STAFF'S RECOMMENDATION



## LEGEND

--- REZONING BOUNDARY

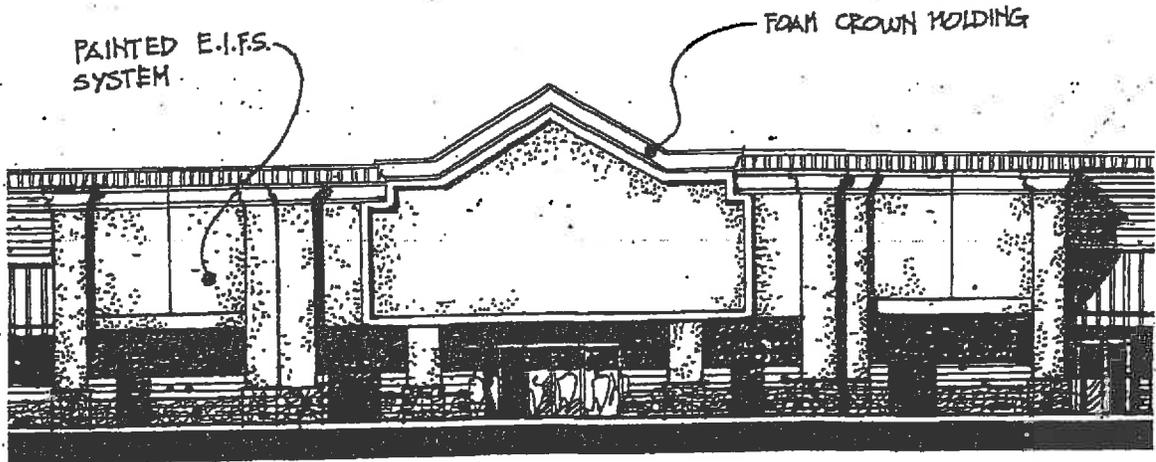


As approved by the BOS 10/1/02



*Pima County, Arizona*

# *Design Manual*



# Design Standards

These requirements are intended to encourage compatibility of retail buildings and centers with adjacent residential use. The relationship of the buildings to the public shall allow architectural expression including the relationship to the public character of the streets, the semipublic nature of common areas and the service nature of the building. The purpose of this manual is to provide guidelines for implementing the requirements listed in Section 18.39 General Commercial Zoning Standards.

Alternative landscaping, parking, noise, odor or lighting plans may be submitted as a substitute to these retail Design Manual guidelines and may be approved by the planning official if they attain the same result as that to be achieved through strict compliance with the Design Manual. Where there are conflicts between the Design Manual guidelines and the zoning code, the more restrictive applies.

## 1. Facades and Exterior Walls

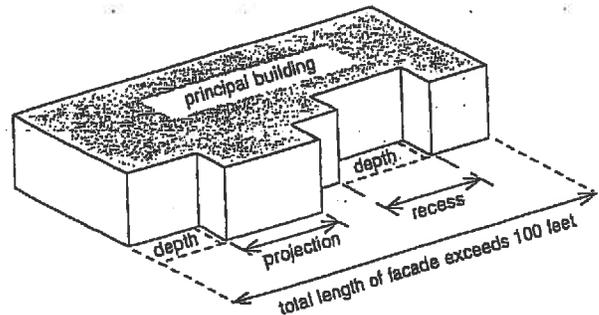
Facades should be articulated to reduce the massive scale and the uniform, impersonal appearance of large retail establishment buildings and provide visual interest that will be consistent with the community's identity, character and scale with emphasis on compatibility with established neighborhoods, historical districts and designated gateways in the vicinity.

**Guideline:** All building facades that are visible from public streets shall comply with the following requirements:

- a. Facades greater than 100 feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least three percent of the length of the facade and extending at least twenty percent of the length of the facade. No uninterrupted length of any facade facing a public street shall exceed 100 horizontal feet.



*Projections and recesses shall comprise at least 20% of facade length with a minimum depth of 3% of facade length.*



- b. Ground floor facades that face public streets shall have arcades, display windows, entry areas, awnings, or other similar features along no less than sixty percent of their horizontal length.
- c. A building facade that faces a public street must include a repeating pattern that shall include no fewer than three of the elements listed below. At least one of these elements shall repeat horizontally. All elements shall repeat at intervals of no more than thirty feet, either horizontally or vertically.
  - Color change
  - Texture change
  - Material module change
  - Expression of architectural or structural bay through a change in plane no less than twelve inches in width, such as an offset, reveal or projecting rib.
- d. Where the site is adjacent to residential uses, a buffer yard with an eight-foot decorative masonry wall.  
See 18.39.030C3, 18.39.050C4 and 18.39.060C3.

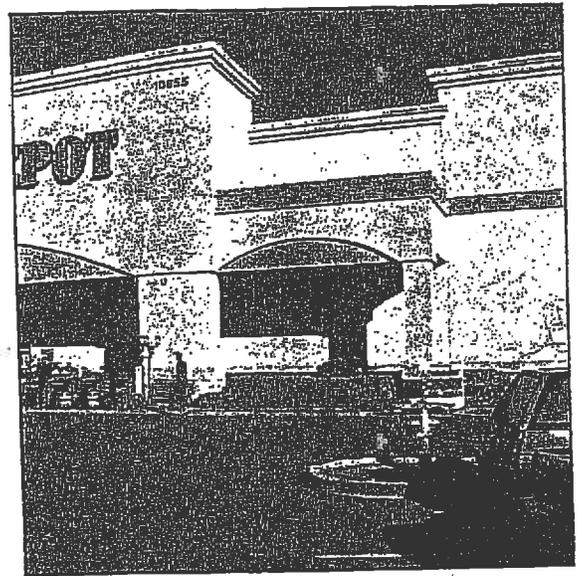
## 2. Roofs

Roof features shall be used to complement the character of adjoining neighborhoods. The following standards are intended to create variations in roofline to add interest to, and reduce the massive appearance of large buildings.

*Guideline:* Roof lines shall be varied with a change in height every 100 feet in the building length. Parapets, mansard roofs, gable roofs, hip roofs or dormers shall be used to conceal flat roofs and roof top equipment from public view. Alternating lengths and designs may be acceptable and can be addressed during the preliminary development plan.

a. Roofs shall have no fewer than two of the following features:

- Parapets concealing flat roofs and rooftop equipment, such as air-handling units, from public view. The average height of such parapets shall not exceed fifteen percent of the height of the supporting wall, and such parapets shall not at any point exceed one third of the height of the supporting wall. Such parapets shall feature three-dimensional cornice treatments.
- Overhanging eaves, extending no less than three feet past the supporting walls.
- Sloping roofs that do not exceed the defined average height of the supporting walls, with an average slope greater than or equal to one foot of vertical rise for every three feet of horizontal run and less than or equal to one foot of vertical rise for every one foot of horizontal run.
- Three or more roof slope planes.



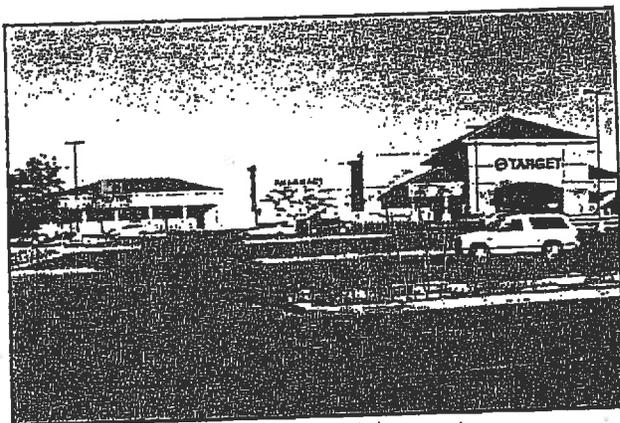
*Example of a roofline treatment.*

### 3. Materials and Colors

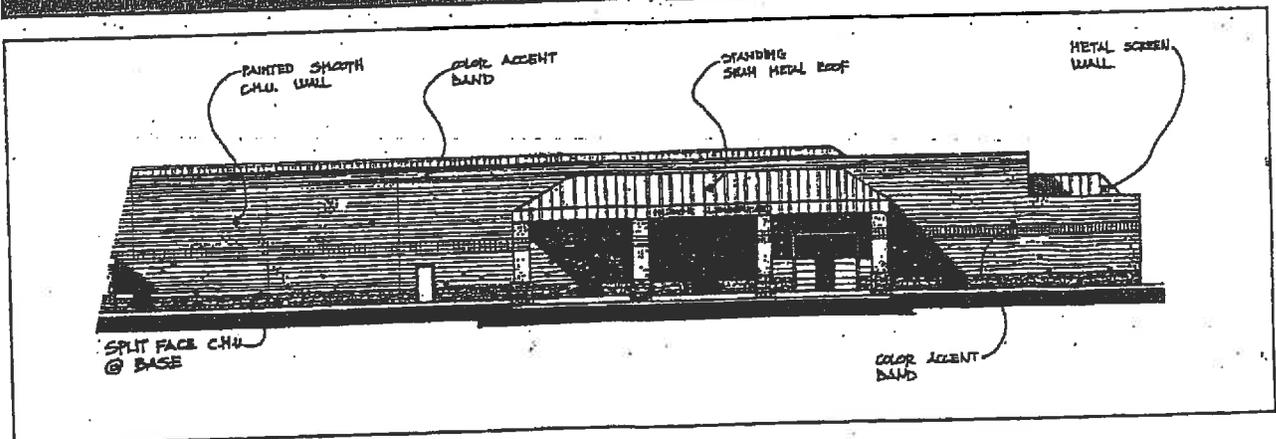
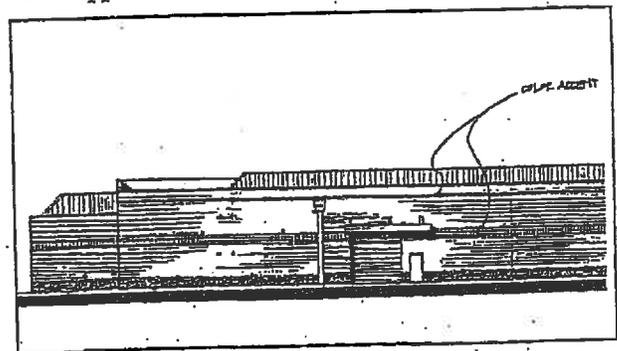
Exterior building materials shall be aesthetically pleasing and compatible with materials used in adjoining neighborhoods. The following standards are intended to ensure that exterior building materials comprise a significant part of the visual impact of a building.

**Guideline:** Predominant exterior building materials shall be high quality materials, earthtone colored and not exceeding a light reflectivity value of sixty percent. These include, without limitation:

- Brick
  - Wood
  - Sandstone
  - Native stone
  - Stucco
  - Adobe
  - Exterior insulation and finish systems (EIFS)
  - Tinted, textured, concrete masonry units or block
- a. Building trim and accent areas may feature brighter colors, including primary colors, and neon tubing may be an acceptable feature for building trim or accent areas.



*Different uses of contrasting materials in retail applications.*



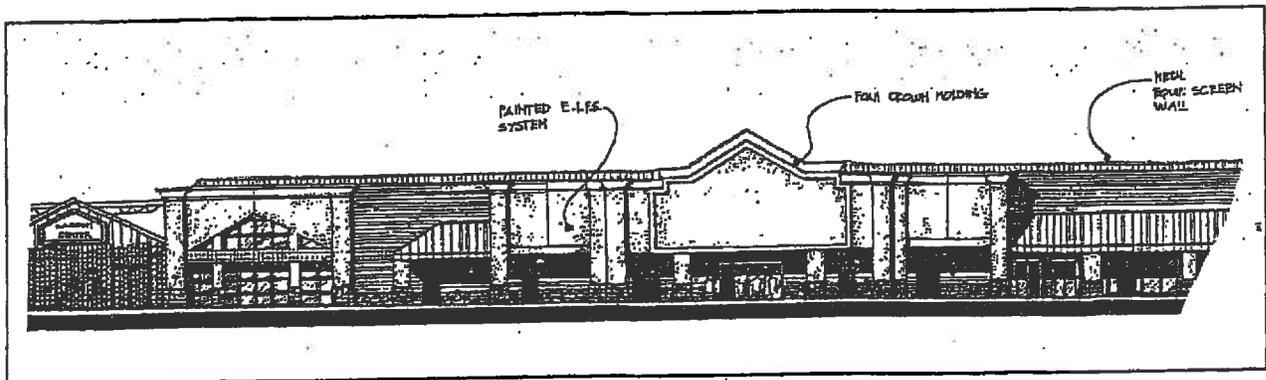
- b. Predominant exterior building materials shall not include the following:
- Smooth-faced concrete block
  - Tilt-up concrete panels
  - Prefabricated steel panels
- c. Transit stops, freestanding identification signs, buffer yard walls, raised planters and miscellaneous decorative site features shall use the same exterior materials or textures as the facade of the principal building. All sides of the buffer yard and property wall shall meet this requirement.

## 4. Customer Entrances

Entryway design elements and variations shall give orientation and aesthetically pleasing character to the building by providing clearly defined, highly visible customer entrances. Multiple building entrances reduce walking distances from cars facilitate pedestrian and bicycle access from public sidewalks, and provide convenience where certain entrances offer access to individual stores or identified departments of a store. Multiple entrances also mitigate the effect of unbroken walls and neglected areas that often characterize building facades that face bordering land uses.

**Guideline:** Each principal building on a site shall have clearly defined, highly visible customer entrances featuring no fewer than three of the following:

- Canopies or porticos
- Overhangs
- Recess or projections
- Arcades
- Raised corniced parapets over the door
- Peaked roof forms
- Arches



*Sample elevation utilizing elements listed in this section.*

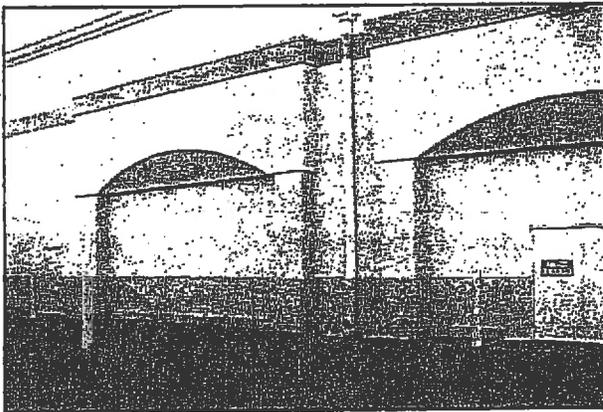
- Outdoor patios
- Display windows
- Architectural details such as tile work and moldings which are integrated into the building
- Integral planters or wing walls that incorporate landscaped areas and/or places for sitting

## 5. Back and Side Facades

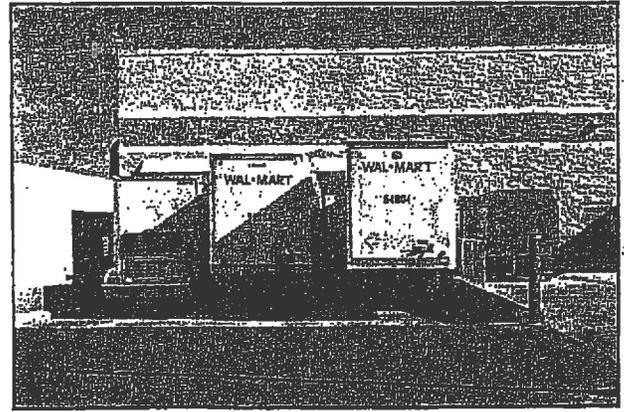
The rear or sides of buildings often present unattractive views of blank walls, loading areas, storage areas, HVAC units, garbage receptacles, and other such features. Architectural and landscaping features should mitigate these impacts. All facades of a building that are visible from adjoining properties and/or public streets should contribute to the pleasing scale of the building and encourage community integration by featuring characteristics similar to the front facade.

**Guideline:** For any building with a loading area directly facing the residential use, there should be a 200-foot setback from the property line on the same side as the loading area contiguous to an existing residential use. A 100-foot setback may be used from a residential property line without an exposed loading area (see diagram on page 8). The rear and sides of buildings shall comply with the following requirements.

- Facades greater than 100 feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least three percent of the length of the facade and extending at least twenty percent of the length of the facade. No uninterrupted length of any facade facing a public street shall exceed 100 horizontal feet.
- Building facades that face a public street shall include architectural or structural expression through a change in plane no less than twelve inches in width, such as an offset, reveal or projecting rib and no less than two of the elements listed below.



*Example of change of color and plane.*



*Internal masonry wall visually screening loading area and deflecting sound inward.*

- Color change
- Texture change
- Material change

## 6. Parking Lots

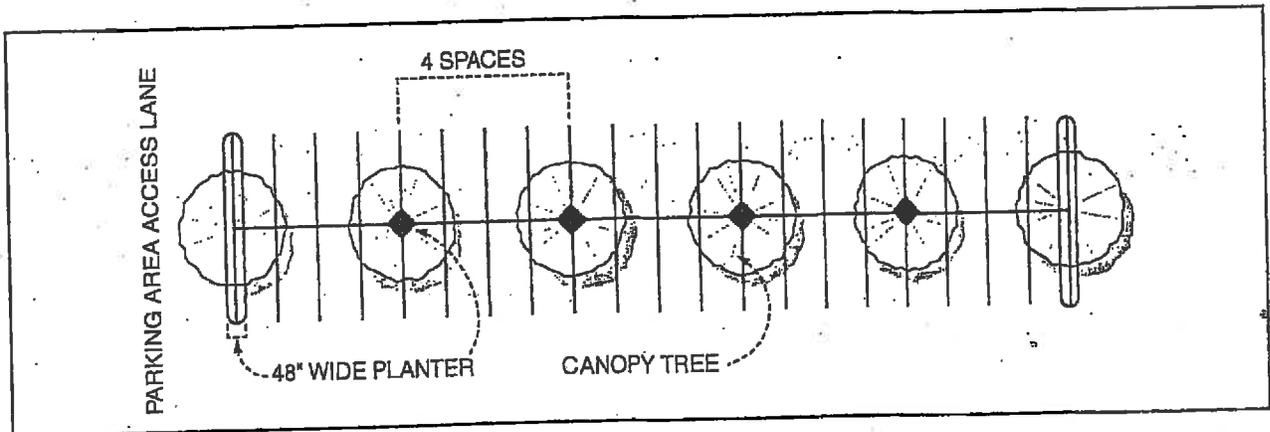
Parking areas shall provide safe, convenient and efficient access. They shall be designed on the site in order to shorten the distance to other buildings and public sidewalks, and to reduce the overall scale of the paved surface. Landscaping is an important element in reducing the appearance of a large paved surface area. Landscaping can be used to define parking areas, reduce the overall scale, and provide primary vehicular drives and pedestrian areas in an aesthetically and environmentally pleasing manner.

**Guideline:** For any shopping center development, the planning of the site shall screen the parking lot from view by outlot development or bufferyards with the use of opaque screening materials such as vegetation, berms or walls.

- See the landscaping requirements of Section 18.75.040B for landscaping within the parking lot area.



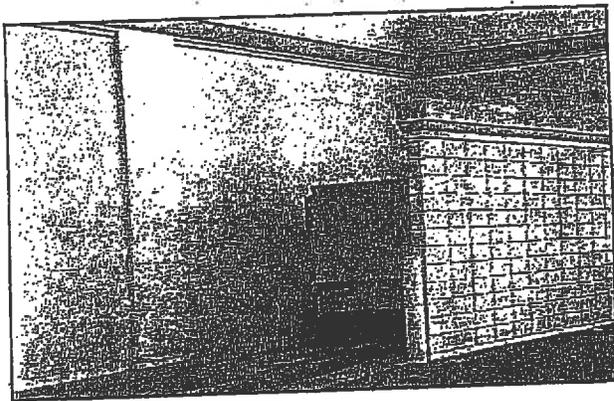
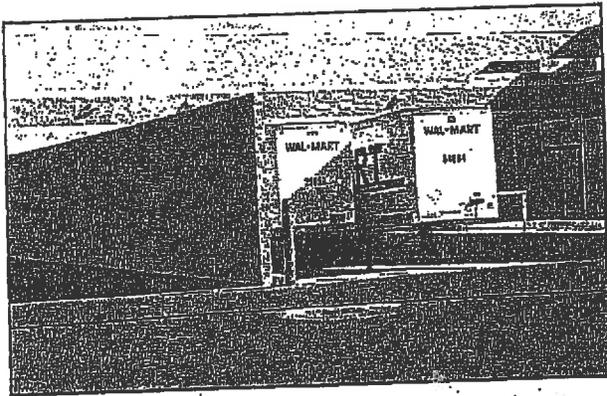
*Diamond planter within parking lot.*



## 7. Outdoor Storage, Trash Collection and Loading Areas

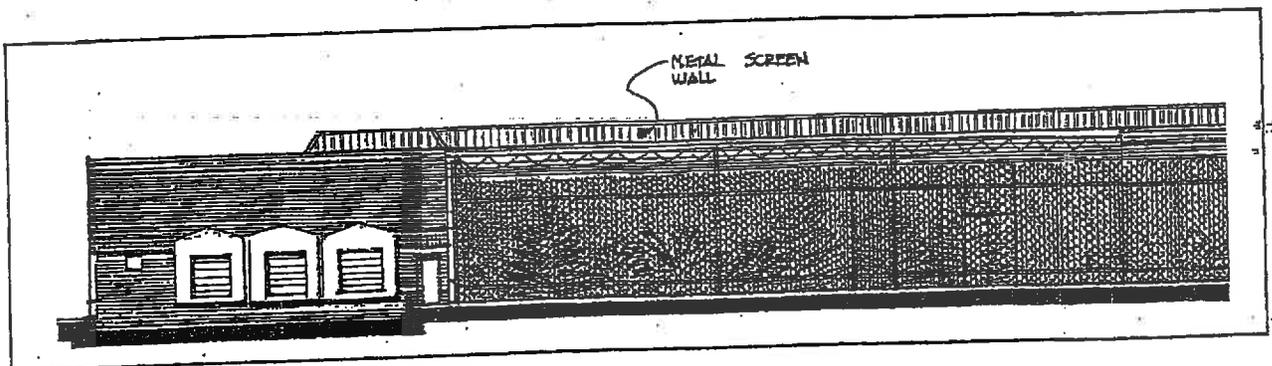
Loading areas and outdoor storage areas impose visual and noise impacts on surrounding neighborhoods. These areas, when visible from adjoining properties and/or public streets, shall be screened, recessed or enclosed. While screening and recesses can effectively mitigate these impacts, the selection of nonapproved screening materials can exacerbate the problem. Appropriate locations for loading and outdoor storage areas include areas between buildings, where more than one building is located on a site and such buildings are not more than 200 feet apart; or on those sides of buildings that do not have customer entrances or that do not face residential use.

**Guideline:** Areas for outdoor storage, truck parking, trash collection or compaction, loading, or other such uses shall not be visible from abutting streets.



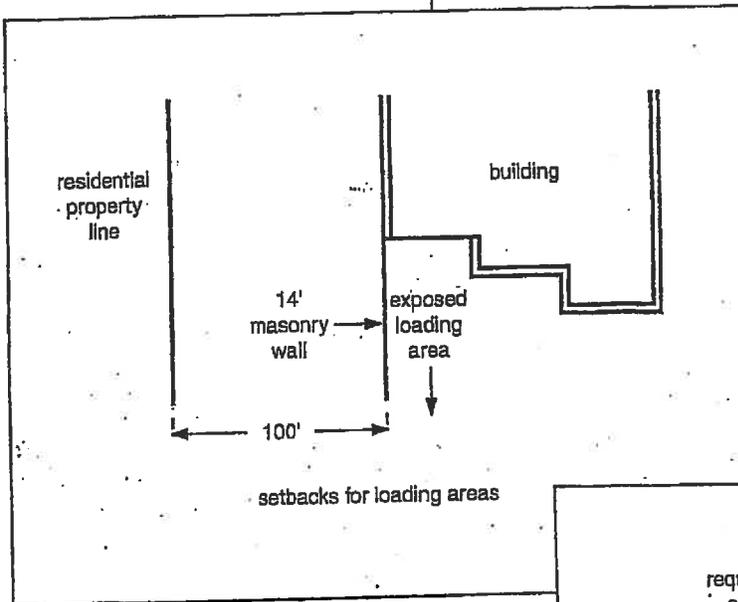
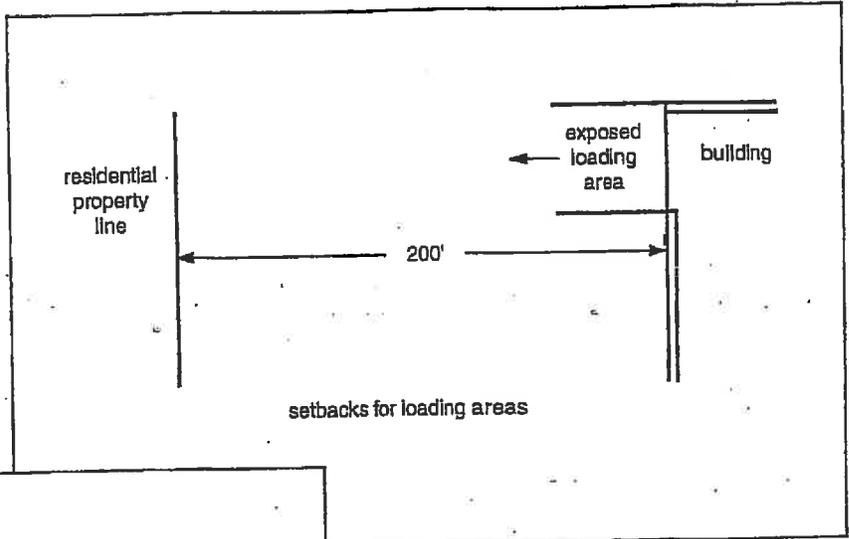
Examples of screening of loading areas.

- a. Trash receptacles shall be enclosed by a decorative masonry wall.
- b. No areas for outdoor storage, trash collection or compaction, loading, or other such uses shall be located within 100 feet of any public street, public side walk or contiguous residential use.
- c. Loading docks, truck parking, outdoor storage; utility meters, HVAC equipment, trash collection, trash compaction, and other service functions shall be incorporated into the overall design of the building and the landscaping so that the visual and acoustic impact of these functions is fully contained and out of view of adjacent properties and public streets. Screening materials, colors and textures shall be the same as the principal materials of the building and landscape.

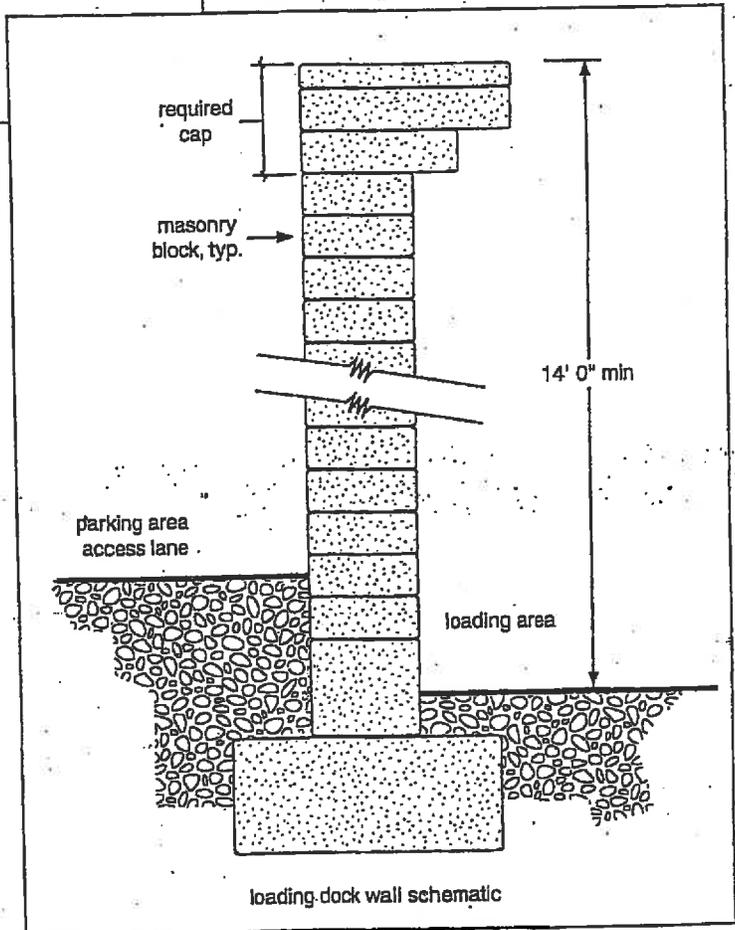


Example of screening outdoor storage.

**Setbacks for loading areas**



**Loading dock wall schematic**



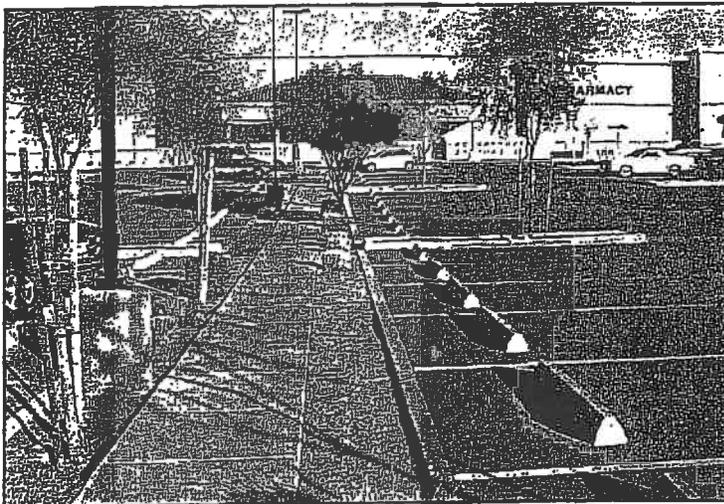
- d. A loading dock wall shall be a minimum of fourteen feet in height measured on the loading area side, when using a 100-foot setback.
- e. Non-enclosed areas for the storage and sale of seasonal inventory shall be permanently defined and screened with walls and/or fences of opaque materials, colors and design of screening walls and/or fences and the cover shall conform to those used as predominant materials and colors on the building. If such areas are to be covered, then the covering shall conform to the predominant design and colors on the building.

## 8. Pedestrian Flows and Landscaping

Pedestrian accessibility opens auto-oriented developments to the neighborhood, thereby reducing traffic impacts and enabling the development to project a friendlier, more inviting image. This section sets forth standards for public sidewalks and internal pedestrian circulation systems that can provide user-friendly pedestrian access as well as pedestrian safety, shelter, and convenience within the shopping center grounds.

**Guideline:** Pedestrians shall have access free of automobile traffic.

- a. Sidewalks shall be provided along all sides of the lot that abut a public street. The four-foot sidewalk requirement is in addition to the required buffer yard.
- b. A continuous internal pedestrian walkway, no less than four feet in width, shall be provided from the public sidewalk or right-of-way to the principal customer entrance of all principal buildings on the site. At a minimum, walkways shall connect focal points of pedestrian activity such as, but not limited to, transit stops, street crossings, building and store entry points, and shall feature adjoining landscaped areas (a minimum of six feet in width) that include four trees per one hundred feet, shrubs, benches, flower beds, ground covers, or other such materials for their entire length.



*Sidewalks and landscaping are important elements in parking lot design.*

beds, ground covers, or other such materials for their entire length.

- c. Sidewalks, no less than eight feet in width, shall be provided along the full length of the building along any facade featuring a customer entrance.
- d. Internal pedestrian walkways provided in conformance with parts (b) and (c) above shall provide weather protection features such as awnings or arcades within 30 feet of all customer entrances.

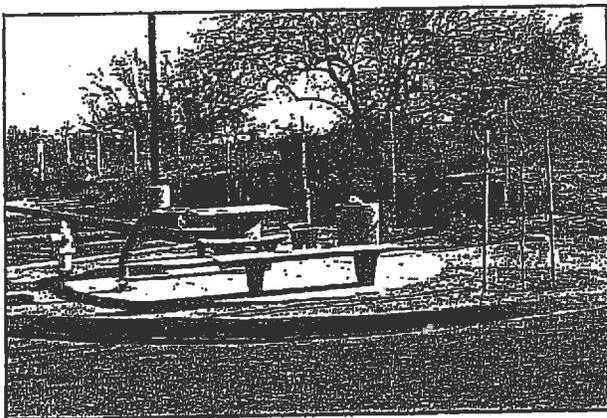
- e. All pedestrian walkways internal to the site shall be distinguished from driving surfaces through the use of durable, low maintenance surface materials such as pavers, bricks, or concrete to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways.

## 9. Central Features and Community Spaces

Buildings shall offer attractive and inviting pedestrian scale features, spaces and amenities. Entrances and parking lots shall be configured to be functional and inviting with walkways conveniently tied to logical destinations. Pedestrian ways shall be anchored by special design features and site furniture such as towers, arcades, porticos, pedestrian light fixtures, bollards, planter walls, and other architectural elements that define circulation ways and outdoor spaces. Examples of outdoor spaces are plazas, patios, courtyards, and window-shopping areas. The features and spaces shall enhance the building and the center as integral parts of the community.

**Guideline:** Each retail establishment subject to these standards shall contribute to the establishment or enhancement of community and public spaces by providing at least two of the following:

- Patio seating area
- Pedestrian plaza with benches
- Transportation center
- Window shopping walkway
- Outdoor playground area
- Kiosk area
- Water feature, tower, or
- Other such deliberately shaped area and/or focal feature or amenity that, in the judgment of the Design Review Committee, adequately enhances such community and public spaces.



*Pedestrian plaza with picnic tables.*



*Patio seating area.*

Any such areas shall have direct access to the public sidewalk network and such features shall be constructed of materials that are visually compatible with the principal materials of the building and landscape.

## **10. Odor**

An odor control compliance plan shall be developed that uses best available control technology. Best available control technology (BACT) means the utilization of those technologies, processes, procedures, or operating methods or alterations by an industry or other source which results in the elimination or the maximum achievable reduction of odor from an odor emission point source.

*Guideline:* Compliance plan means an agreement between a significant odor generator and the county, which contains the following elements:

- a. An inventory of potential or identified odor emission point sources associated with the industry or source.
- b. A plan detailing best available control technologies and appurtenances designed to eliminate or achieve the maximum reduction of odor pollution from an emission point source inclusive of, but not necessarily limited to certain processes, procedures, or operating methods intended to mitigate or control odor pollution.
- c. A specification of the documentation that will be made available for the county's review which will verify the data produced by the monitoring equipment, and which will verify that processes and procedures are conducted consistent with the specifications in the facility's odor control study and plan.
- d. An approved schedule for the implementation and installation of the best available control technology, processes, procedures, operating methods, and monitoring instrumentation designed to mitigate or control odors at the facility inclusive of an approved completion date.
- e. An acknowledgment of the authority of the county and its agents to enter into the facility and its property in order to investigate complaints and to verify the facility's adherence to the compliance plan.

## **11. Noise**

This section takes into account area residents' need for quiet and also the business limitations in providing a quiet environment while conducting business. This standard would ensure that quiet businesses would locate near residential uses. Noisier businesses may prefer to locate farther away from residential areas in order to avoid the added expense of noise reduction.

*Guideline:* A noise plan is required to address the noise resulting from loading and unloading of trucks, dynamic braking devices, truck idling, motor vehicle sound amplification equipment, warning devices, (i.e. backup alarms) store paging, music systems, mechanical equipment and air conditioning units.

Sound projecting from property of one land use category onto property of another land use category having a lower sound-level limit shall not exceed the limits for the property of the land use category onto which it is projected. Sound level emitting to a residential use shall not exceed the limits set for the residential use.

Unless otherwise indicated, any decibel (dB) measurement made pursuant to the provisions of this section shall be based on the reference sound pressure and measured with a sound level meter using the A-weighting network. In this manual, the terms dB and dBA are synonymous unless otherwise stated.

Except as stated in this section, no person shall make or continue, cause to be made or continued, or allow to be made or continued, any sound resulting in an exceedance of the following limits as measured on any other property receiving the sound:

- Large Scale Retail adjacent to Residential: Daytime 65dB, Nighttime 55dB
- Residential adjacent to Office/Commercial: Daytime 65dB, Nighttime 50dB
- Large Scale Retail adjacent to Office/Commercial: Daytime 75dB, Nighttime N/A
- Large Scale Retail adjacent to Industrial: Daytime N/A, Nighttime N/A
- Large Scale Retail adjacent to Large Scale Retail: Daytime N/A, Nighttime N/A

## **12. Lighting**

The standards for outdoor lighting provide lighting in outdoor public places where public health, safety and welfare are potential concerns, protect neighbors and the night sky from nuisance glare and stray light from poorly aimed, placed, applied, maintained or shielded light sources, and protect and retain the rural character of the County.

**Guideline:** To prohibit outdoor lighting installations which are of excessive intensity and/or are deficient of photometric control such that the resulting glare and light trespass create a nuisance to neighboring properties. Outdoor lighting shall be required for safety and personal security for uses that operate during hours of darkness where there is public assembly and traverse, including but not limited to residential, commercial, industrial, public-recreational and institutional. The glare-control requirements herein contained apply to lighting in all above-mentioned uses as well as, but not limited to, sign, architectural and landscape lighting.

Light trespass is the subjective perception of undesirable illumination including the following examples: the classic "light shining in a window", unwanted light on an adjacent property or excessive brightness in the normal field of vision (nuisance glare):

The following elements shall control trespass light or nuisance glare:

- a. All outdoor lighting, whether or not required by this manual, on private, residential, commercial, industrial, municipal, recreational or institutional property; shall be aimed, located, designed, fitted and maintained so as not to present a hazard to

drivers or pedestrians by impairing their ability to safely traverse and so as not to create a nuisance by projecting or reflecting objectionable light onto a neighboring use or property.

- b. All outdoor lighting fixtures shall be installed in such a manner that no light is emitted above a horizontal plane passing through the lowest point of the light emitting element, so that direct light emitted above the horizontal plane is eliminated. All individual outdoor lighting fixtures that illuminate the area under outdoor canopies shall comply with this requirement. (See chapter 15.12.5.1B)
- c. Lighting proposed for use after 10 P.M., or after the normal hours of operation for commercial, industrial, institutional or municipal applications, shall be reduced by seventy-five percent from then until dawn, unless supporting a specific purpose and approved by the appropriate officers or agents of the County.
- d. Lighting fixtures shall not be mounted in excess of ten feet above grade when adjacent to residential uses.
- e. Directional fixtures such as flood lights, spot lights and sign lights shall be installed or aimed so that they do not shine directly into the window of a neighboring residence, directly into a roadway, or skyward.
- f. Fixtures shall be equipped with or be modified to incorporate light directing and/or shielding devices such as shields, visors, skirts or hoods to redirect offending light distribution and/or reduce direct or reflected glare. (See chapter 15.12.4.7)

### ***13. Required Drawings***

A minimum of two transverse sections through the entire site are required in addition to plans and drawings normally required with the development plan submittal to the Subdivision Development Review Section (SDRC). The sections shall be drawn to the same scale as the site plan. Sections shall be selected to show the height and relationships of structures on the site as well as important topographical features, and structures on any abutting property within 100 feet of the site. A master development plan shall be submitted showing all existing properties and improvements within 100 feet of the site.

# ATTACHMENT 4



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# MEMORANDUM

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Date: July 18, 2011

To: The Honorable Ann Day, Member  
District 1  
Pima County Board of Supervisors

From: C.H. Huckelberry  
County Administrator 

The Honorable Ray Carroll, Member  
District 4  
Pima County Board of Supervisors

Re: **Annexation and Adoption of a Planned Area Development Rezoning of the Annexed Property at River and Craycroft Roads**

I am enclosing the staff comments being forwarded to the City of Tucson regarding this proposal. We are unsure as to when the annexation will be on the Council's agenda, but we will provide you with this information when it becomes available.

It is fairly certain, based on what we have now received for comment, that the annexation will be conditioned by the landowner on approval of a planned area development that includes a 70-foot high hotel adjacent to the Tanque Verde Creek. It is quite probable this change in land use, as significant as it is, is not known by the adjacent or surrounding property owners. This may create a situation very similar to the recent Indian Ridge cell tower approval that occurred within the City but at the boundary of the unincorporated area, which was generally unknown by Indian Ridge homeowners. For comparative purposes, the height of the cell tower was 68 feet. The hotel is 70 feet high.

County staff has a number of concerns that have been forwarded to City planning staff. I will convey my concerns to the City Manager and ask that the City at least conduct a public hearing and fully disclose the proposed land use changes, including the hotel and its height, prior to acting on the annexation.

CHH/mjk

Attachment

c: Arlan Colton, Planning Director, Development Services  
Chris Poirier, Assistant Planning Director, Development Services  
Diana Durazo, Special Staff Assistant to the County Administrator



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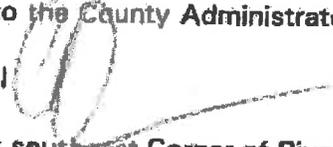
# MEMORANDUM

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## DEVELOPMENT SERVICES DEPARTMENT - PLANNING DIVISION

**DATE:** July 15, 2011

**TO:** C.H. Huckelberry, County Administrator  
Diana Durazo, Special Staff Assistant to the County Administrator

**FROM:** Chris Poirier, Assistant Planning Official 

**SUBJECT:** Proposed City of Tucson Annexation at southeast Corner of River and Craycroft Rd.

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It has been brought to my attention that the City of Tucson is seeking to annex properties at the southeast corner of River and Craycroft Rd. I was requested to comment on the PAD application, and have coordinated a response with other County Departments to the request (see attached). Previously we had worked with the City of Tucson to develop a process in which they would provide County Planning an opportunity to comment during the annexation process. Typically, this was followed by a translation of our zoning to the cities. Our comments are especially useful to the City to understand and ascertain our regulations and entitlements prior to "translating" the zoning into a City equivalent. What makes this request unique to us is that they are not anticipating a translation of our existing Comprehensive Plan and Zoning, rather, in conjunction with the annexation, the applicant has requested to significantly upzone the property with a PAD (similar to our Specific Plan). It appears that the PAD is not close to conforming to our comprehensive plan. Historically, surrounding neighbors have expressed concern over less intense requests at the property(s), and we expect concern over this as well.



**Carmina DeLoe Jr.**  
Director

Office: 520.740.8508  
fax: 520.740.8878

July 15, 2011

**John Beal**  
City of Tucson

**Subject: Rio Verde Village PAD RZ11-005**

Dear Mr. Beal:

Pima County appreciates the opportunity to comment on the requested PAD, and looks forward to continuously working with the City of Tucson during this and the annexation process.

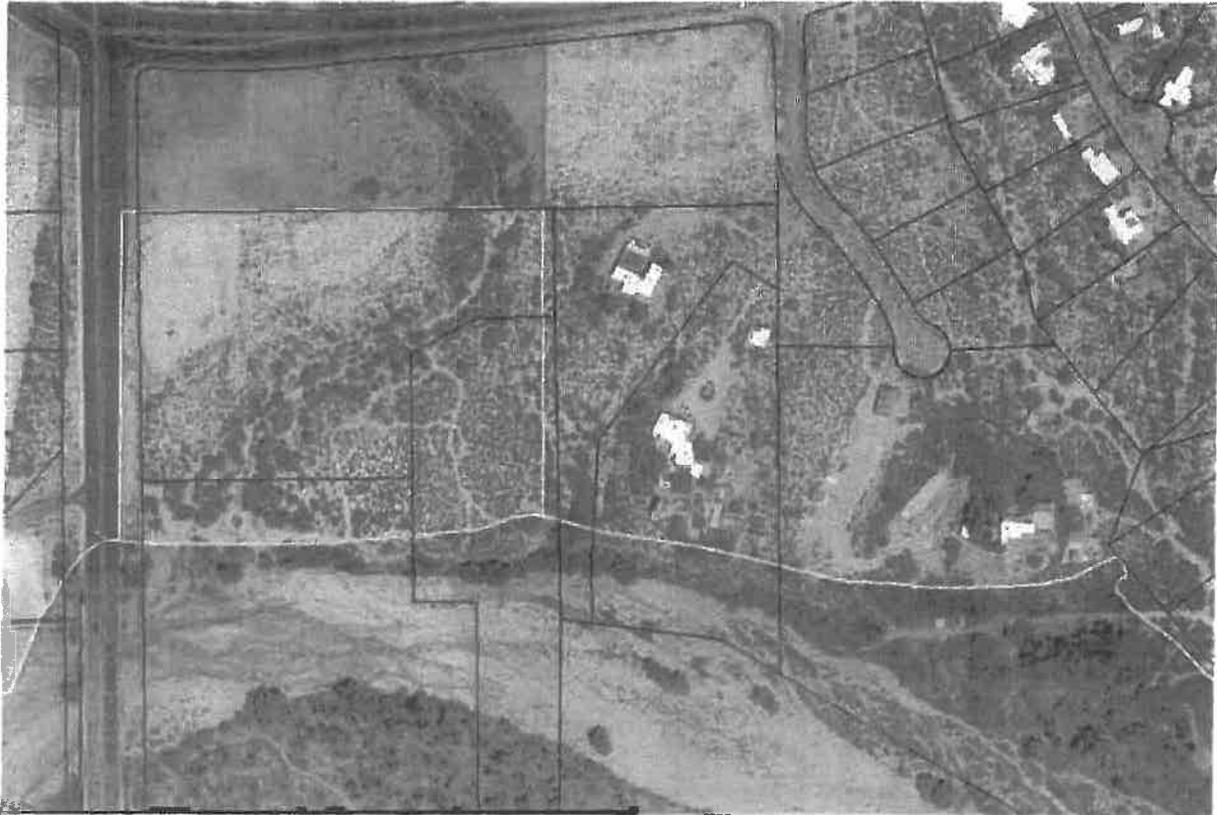
Please note that some of these comments may have been forwarded to you directly from County Departments and may appear duplicative.

### **PLANNING**

Planning staff recommends that all applicable Pima County rezoning conditions from Co9-02-07 (the northern-western most portion of the properties) be considered for the entire site if the City is going to approve the request. The most notable conditions include: Condition 13, A condition requiring special review for compliance with the Pima County Commercial Design manual, Condition 14, a height limit of 24 feet that is a legacy policy stemming from the Catalina Foothills Area Plan, Condition 15, that requires the county to be compensated for financial obligations prior to annexation.

Staff also requests that the City require sufficient dedication of right of way to continue the Rillito Linear Park, a direct amenity to this proposed development and an attraction to the entire region.

Additionally, in the portions outside the CB-1 area, it appears that the proposed PAD is not remotely in-keeping with the County's Comprehensive Plan designation of Low Intensity .3 or Low Intensity Urban 1.2). This designation would not allow densities and uses close to what is proposed in this PAD. See map below. (Red=Community Activity Center, Yellow west=Low Intensity Urban .3, Yellow east=Low Intensity Urban 1.2, Blue= Resource Transition). As a result, staff is highly concerned about the potential impact on surrounding neighborhoods that have been active stakeholders during previous land use requests on the properties.



Comprehensive Plan Map

### **ENVIRONMENTAL PLANNING**

October 21, 2008, the City Council created policy to apply Pima County's Conservation Lands System map and associated guidelines for all future annexations. This proposed PAD/Annexation provides no evidence that the Council's policy on implementation of the CLS is being applied. There is no mention or discussion of the applicability of the CLS or how the proposed project will comply with the CLS Conservation Guidelines. The map below shows the subject PAD property relative to the CLS (Green = Multiple Use; Blue = Important Riparian Area). Clearly, the southern portions of the Rio Verde Manor District would be subject to the mitigation ratios for development in the Multiple Use (2:1) and Important Riparian Area (4:1). Additionally, the full extent of the proposed annexation area also includes Multiple Use and Important Riparian Areas.



MMBCLS Map

#### **REGIONAL FLOOD CONTROL DISTRICT**

1. The parcels include FEMA Special Flood Hazard Area associated with the Tanque Verde Creek and several tributaries. The hydrology exhibit included in the PAD erroneously identifies the SFHA as Zone A. It is Zone AE.
2. There is Pima County Regulatory Riparian Habitat on and immediately adjacent to the site including Important Riparian Area, Hydromesoriparian and Xeroriparian Class B habitats.
3. Bank protection has been planned by the Army Corps of Engineers in cooperation with the District and Wastewater as the local sponsors. This design incorporates the future sewer intercept, River Park and environmental restoration. It also provides protection for downstream road and bridge infrastructure impacted in prior floods.
4. Furthermore effective transition between county infrastructure upstream of the site and the Tanque Verde Creek downstream is needed. On the east side of the property there has been a tributary transition problem including head cutting for a flow coming out of a county subdivision and traversing the property. It would be wise for the development to solidify either an outlet of a designated flow path. The Corps plan partially addresses this issue.
5. The Erosion Hazard Setback and proposed buried erosion protection may be inadequate along the Tanque Verde. The District requires a design utilizing soil cement bank protection as planned by the Corps.
6. It is recommended that the project engineer contact the District during the design development phase to gather information and coordinate improvements.

#### **WASTEWATER REPORT**

Should the City of Tucson be inclined to approve this PAD, the PCRWRD recommends the following rezoning conditions:

1. The owner / developer shall construe no 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.
2. The owner / developer shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department 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, 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 have 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 Pima County Regional Wastewater Reclamation Department.
  3. 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.
  4. 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 Regional Wastewater Reclamation Department in its capacity response letter and as specified by the Development Services Department at the time of review of the tentative plat, development plan, sewer construction plan, or request for building permit.
  5. 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, sewer construction plan or request for building permit.
  6. 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.

## **TRANSPORTATION**

The submittal shows the annexation of the property not including Craycroft Road and River Road, located on the west and north property lines, respectively. All comments below assume annexation will not include the right-of-way for either road.

Staff recommends rezoning, Co9-02-07, conditions remain in place, specifically 7A thru 7D and 15, for dedication of right-of-way, offsite improvements and impact fees.

The following comments apply to the entire PAD area:

Dedication of 150 feet right-of-way and adherence to the building setback (105 from centerline) per the Pima County Major Streets and Scenic Routes Plan Co14-79-2 and Zoning Code 18.77.30 and 18.77.040, for both Craycroft and River Roads.

Recommend the building setback per the Pima County Major Streets and Scenic Routes Plan is adhered to and that a scenic route status remain on both Craycroft and River Roads. Ensure that the 30 feet setback per page 49 applies whether city or county.

Page 54-Apply 30 feet Major Streets and Scenic Routes Plan setback within the Manor Area.

Page 56, 1e-Meandering of paths/trails/sidewalks into and out of the right-of-way and private property is not a good idea.

Since a Traffic Impact Study for this 40 acre PAD has not been received or reviewed the comments on page 58 have not been verified, only the Traffic Impact Study for the 6 acre portion was reviewed for the Development Plan, P1210-022 submitted and approved to Pima County. This development was such a small scale compared to this that the previous Traffic Impact Study no longer makes sense. Also, it may not be appropriate to include the recommendations on page 58, if they have not been approved.

County review and approval of Traffic Impact Study required for the development.

County review and approval of Offsite Improvement Plans.

Staff has concerns about the pedestrian improvements being delayed until the Certificate of Compliance for the last building. If delayed that far into the project, then the improvements probably will not get done.

How will pedestrian/bicycle access be provided between the residential and commercial components of this development? There is a trail shown on Exhibit III E4a? Is this the only means? If so, it is inadequate for a mixed use type urban development of this nature.

Where are the cross sections for pedestrian ways shown on a main exhibit?

Typically a sidewalk is not directly adjacent to a curb located on an arterial, please address on Exhibit III E4e. Also if a continuous travel lane is required then the bike lane will not be located as shown. Please show two options.

The other adjacent parcels under same ownership should be included in the annexation and PAD development.

### **NATURAL RESOURCES, PARKS AND RECREATION**

Natural Resources, Parks and Recreation staff offers the following comments for the above-mentioned project.

#### **Conceptual Site Plan – Exhibit III.A.2**

The subject site is adjacent to the Tanque Verde Creek as shown on this exhibit. Per the Pima Regional Trail System Master Plan, Tanque Verde Creek is listed as a river park and has a minimum corridor width of 100 feet.

**Condition:** *The developer shall grant a minimum 100-foot corridor and construct the portion of the river park along Tanque Verde Creek.*

The developer is applying for a Planned Area Development (PAD) zone and with that requesting the establishment of new zoning districts with distinct regulations.

**Comment:** *With the new regulations as outlined by the developer, the development should provide the future businesses and the public with certain facilities. The PAD request prompts the granting of a 100-foot corridor and construction of a river park as part of the development. This amenity will be part of the urban loop.*

#### **Section III.E.5**

The text states that the future plans for developing the river park as a low priority as the applicant does not own all the parcels required to construct a trail from Tanque Verde Creek to Sabino Canyon Road. **Comment:** *Land for trails and construction of the trail is acquired one parcel at a time and over time a segment of the trail is complete. This development can contribute a portion of the river park needed to complete the Tanque Verde segment.*

**"Anticipating the potential river park extension, certain improvements are necessary for both the development of Rio Verde and to make construction of the future river park along the Tanque Verde Creek possible."**

**Comment:** *The developer should grant the land for the river park and construct the portion of the river park along the development as previously mentioned.*  
*Revise Section K to Exhibit K.*

The text states that park improvements will be developed by others.

**Comment:** *The developer shall grant the land and construct the portion of the river park along the development as mentioned above.*

**"If the developer designs and constructs the erosion control bank protection as part of the PAD improvements, and the erosion control bank protection provides a direct benefit to the public, then the percentage of costs expended by the developer that benefit the trail and public are eligible for impact credits for the project."**

**Comment:** *With the PAD incentives, the development should provide the public with amenities, such as the river park as discussed above.*

#### **Exhibit III.E.4.f**

This section shows the river park as 50 feet and a 12-foot paved trail.

**Revise section:** *the river park standard is a minimum of 100 feet with a 12-foot path and an 8-foot trail per the Pima Regional Trail System Mater Plan.*

#### **Exhibit III.E.4.g**

This section shows the river park as 50 feet and has a trail only.

**Revise section:** *the river park standard is a minimum of 100 feet with a 12-foot path and an 8-foot trail per the Pima Regional Trail System Mater Plan.*

Thank you for the opportunity to comment.

Sincerely,



---

**Chris Polier**  
**Assistant Planning Official**  
**Pima County Development Services**

**CC: C. H. Huckelberry, County Administrator**  
**Diana Durazo, Special Staff Assistant to the County Administrator**

F. ANN RODRIGUEZ, RECORDER  
Recorded By: LAM  
DEPUTY RECORDER  
26



SEQUENCE: 20110490649  
NO. PAGES: 21  
DATE: 02/18/2011  
TIME: 18:00  
ORDINANCE NO.:  
PICK UP:  
AMOUNT PAID: \$0.00

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P0230  
PIMA CO CLERK OF THE BOARD  
PICKUP

**ORDINANCE 2011 - 8**

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO ZONING; REZONING PROPERTY OF APPROXIMATELY SIX (6) ACRES FROM SR (SUBURBAN RANCH) TO CB-1 (LOCAL BUSINESS), IN CASE CO9-02-07 TITLE SECURITY OF ARIZONA T-212 - RIVER ROAD REZONING; LOCATED ON THE SOUTHEAST CORNER OF CRAYCROFT AND RIVER ROADS; AMENDING PIMA COUNTY ZONING MAP NUMBER 25.**

WHEREAS, on January 30, 2002, the owner(s) of approximately 10.6 acres applied for a rezoning from SR (Suburban Ranch) to CB-1 (Local Business);

WHEREAS, on October 1, 2002, the Pima County Board of Supervisors approved the rezoning for approximately six (6) acres, subject to standard and special conditions;

WHEREAS, on September 6, 2007, the owner(s) of approximately six 6.0 acres applied for a five-year time extension;

WHEREAS, on April 15, 2008, the Pima County Board of Supervisors approved the request for a five-year time extension subject to additional and modified standard and special conditions;

WHEREAS, on October 26, 2010 the owner(s) of approximately six (6.0) acres requested an ordinance to memorialize the standard and special rezoning conditions;

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

**Section 1.** The approximate six (6) acres, on the southeast corner of Craycroft Road and River Road, illustrated by the shaded area on the attached rezoning ordinance map (EXHIBIT A), which amends Pima County Zoning Map Number 25 is

hereby rezoned from SR (Suburban Ranch) to CB-1 (Local Business).

## Section 2. Rezoning Conditions

1. Submittal of a development plan if determined necessary by the appropriate County agencies.
2. Recording of a covenant holding Pima County harmless in the event of flooding.
3. Recording of the necessary development related covenants as determined appropriate by the various County agencies.
4. Provision of development related assurances as required by the appropriate agencies.
5. 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 Department of Transportation, Real Property Division.
6. There shall be no further lot splitting or subdividing without the written approval of the Board of Supervisors. (R)
7. Transportation conditions:
  - A. The property owner(s) shall dedicate to Pima County 25 feet right-of-way for River Road. Additional right-of-way for River Road may be required to allow for the realignment of River Road.
  - B. All proposed access shall require Department of Transportation approval and release.
  - C. The property owner(s) shall provide offsite improvements to Craycroft and River Roads, as determined necessary by the Department of Transportation and Development Services Department. These improvements may include, but may not be limited to, additional pavement for travel lanes, right turn lanes, multi-use lanes and sidewalks, curbing and drainage on Craycroft and River Roads.
  - D. The property owner(s) shall accept responsibility for the maintenance, control, safety and liability of privately owned roads, parking areas, drives, physical barriers, drainageways and drainage easements.
  - E. The property owner/applicant(s) shall grant the 20 feet wide utility easement along Craycroft Road under the terms proposed by Real

*Right/ Matheson  
to per  
2/1/11  
email*

Property Services within 30 days of approval of the time extension request.

8. Flood Control conditions:

- A. Drainage shall not be altered, disturbed or obstructed without the written approval of the Flood Control District. (R)
- B. The property owner(s) shall provide all necessary drainage related improvements created by the proposed development of the subject property. The location, design and construction of said improvements shall be subject to the approval of the Flood Control District.
- C. A riparian mitigation plan shall be required for development in designated riparian areas.

*2. Site  
no USFWS  
4-26-11*

9. Wastewater Management condition:

- A. 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 Wastewater Management Department in its capacity response letter and as specified by the Development Services Department at the time of review of the tentative plat, development plan, sewer construction plan, or request for building permit.
- B. On-site wastewater disposal shall not be allowed.

*Keep that  
in your  
conclusion*

10. 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.

*C. Rose  
4-27-11  
email*

*P240-022-11*

11. Adherence to the preliminary development plan and zoning boundary (EXHIBIT B) as approved by staff. Note: allows western six-plus acres for CB-1 only.

12. The site shall be surveyed for the presence or absence of the cactus ferruginous pygmy owl by a qualified biological consultant who has a permit from the U.S. Fish and Wildlife Service (USFWS), unless USFWS determines a survey is not required.

*on file*

13. Architectural guidelines shall be adhered to from the Design Manual (EXHIBIT C) that include sections 1, 2, 3, 5, 7, 11, and 12, and shall be reviewed and approved by the Design Review Committee prior to the issuance of building permits. (R)
14. Building heights shall be limited to a maximum of 24 feet. (R)
15. In the event the subject property is annexed, the property owner shall adhere to all applicable zoning 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. (R)
16. 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)." (R)
17. Under no circumstances shall the following exotic plant species be planted anywhere on the site: (R)

Fountain grass (*Pennisetum setaceum*)  
Buffelgrass (*Pennisetum ciliare*)  
Johnson grass (*Sorghum halapense*)  
Giant reed (*Arundo donax*)  
Common crabgrass (*Digitaria sanguinalis*)  
Pampas grass (*Cortaderia selloana*)  
Red brome (*Bromus rubens*)  
Mediterranean grass (*Schismus spp.*)  
Tree of heaven (*Ailanthus altissima*)  
African sumac (*Rhus lancea*)  
Russian olive (*Eleagnus angustifolia*)  
Salt cedar/Tamarisk (*Tamarix pertandra & T. ramosissima*)  
Bermuda grass (*Cynodon dactylon*) excluding sod hybrid Bermuda  
Lovegrasses (*Eragrostis spp.*) excluding Plains lovegrass (*Eragrostis intermedia*)  
African rue (*Peganum harmala*)  
Iceplant (*Mesembryanthemum crystallinum*)  
Arabian Grass (*Schismus arabicus*)  
Natal Grass (*Melinis repens (=Rhynchelythrum repens)*)

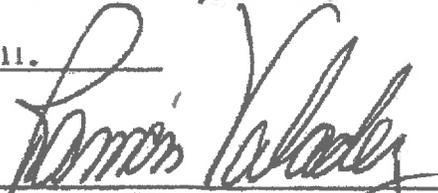
**Section 3. Time limits, extensions and amendments of conditions.**

1. Conditions 1 through 17 shall be completed by October 1, 2012.
2. The time limit may be extended by the Board of Supervisors by adoption of a resolution in accordance with Chapter 18.91 of the Pima County Zoning Code.
3. No building permits shall be issued based on the rezoning approved by this Ordinance until all conditions 1 through 17 are satisfied and the Planning Official issues a Certificate of Compliance.
4. 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,

this 15th day of February, 2011.

  
Chairman of the Board of Supervisors  
2/15/11

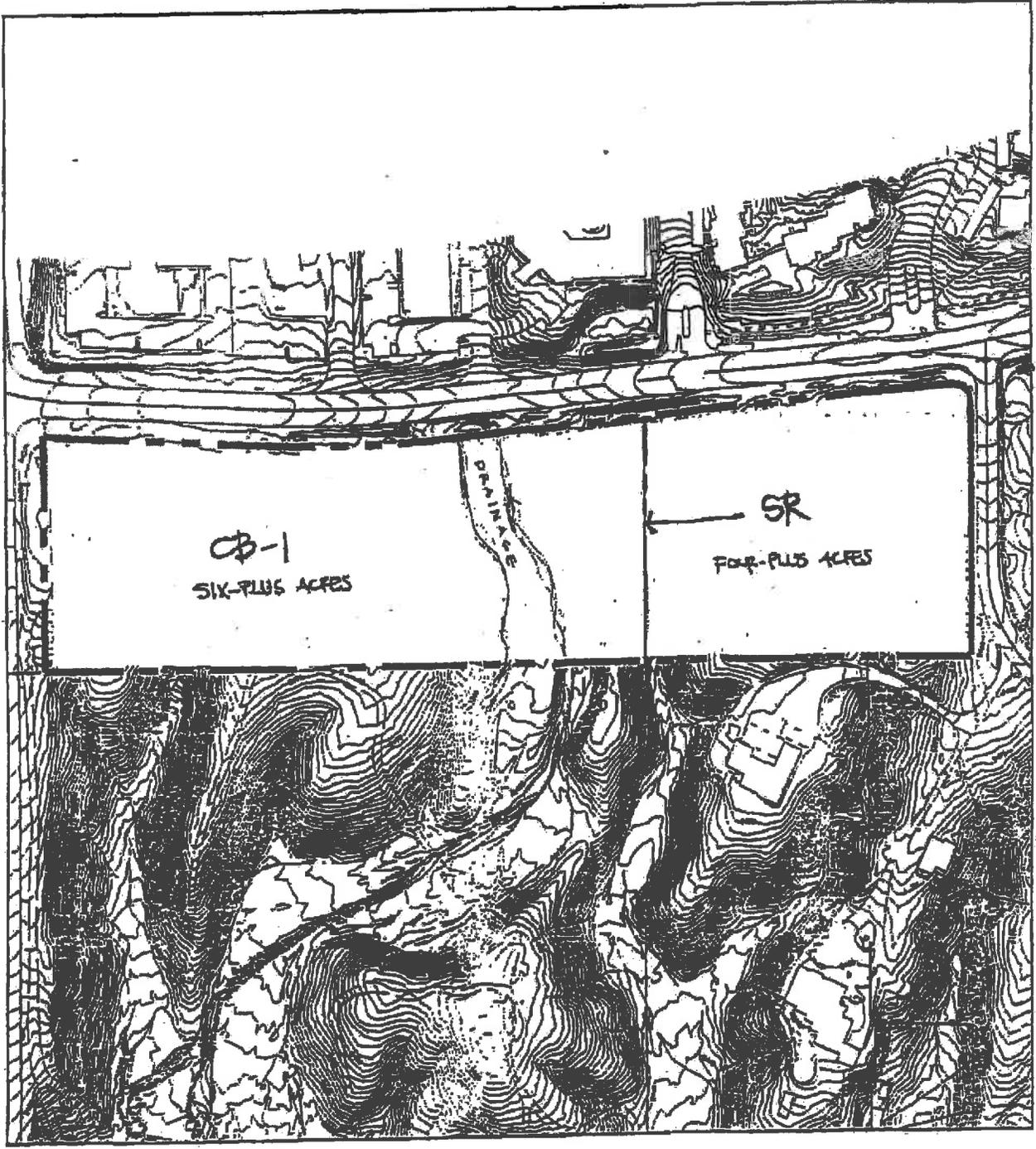
ATTEST:

  
Clerk, Board of Supervisors

APPROVED AS TO FORM:

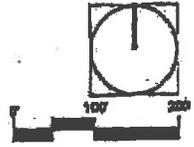
  
Deputy County Attorney  
**ANDREW FLAGG**

  
Executive Secretary,  
Planning and Zoning Commission



LEGEND

--- REZONING BOUNDARY

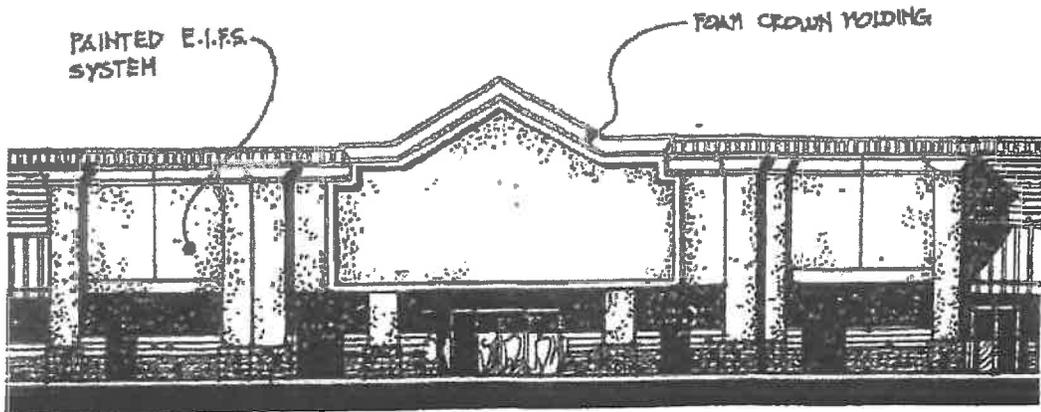


As approved by the BOS 10/1/02



*Pima County, Arizona*

# *Design Manual*



## Design Standards

These requirements are intended to encourage compatibility of retail buildings and centers with adjacent residential use. The relationship of the buildings to the public shall allow architectural expression including the relationship to the public character of the streets, the semipublic nature of common areas and the service nature of the building. The purpose of this manual is to provide guidelines for implementing the requirements listed in Section 18.39 General Commercial Zoning Standards.

Alternative landscaping, parking, noise, odor or lighting plans may be submitted as a substitute to these retail Design Manual guidelines and may be approved by the planning official if they attain the same result as that to be achieved through strict compliance with the Design Manual. Where there are conflicts between the Design Manual guidelines and the zoning code, the more restrictive applies.

### 1. Facades and Exterior Walls

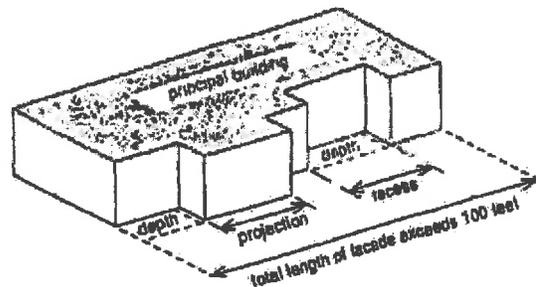
Facades should be articulated to reduce the massive scale and the uniform, impersonal appearance of large retail establishment buildings and provide visual interest that will be consistent with the community's identity, character and scale with emphasis on compatibility with established neighborhoods, historical districts and designated gateways in the vicinity.

**Guideline:** All building facades that are visible from public streets shall comply with the following requirements:

- a. Facades greater than 100 feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least three percent of the length of the facade and extending at least twenty percent of the length of the facade. No uninterrupted length of any facade facing a public street shall exceed 100 horizontal feet.



*Projections and recesses shall comprise at least 20% of facade length with a minimum depth of 3% of facade length.*



- b. Ground floor facades that face public streets shall have arcades, display windows, entry areas, awnings, or other similar features along no less than sixty percent of their horizontal length.
- c. A building facade that faces a public street must include a repeating pattern that shall include no fewer than three of the elements listed below. At least one of these elements shall repeat horizontally. All elements shall repeat at intervals of no more than thirty feet, either horizontally or vertically.
  - Color change
  - Texture change
  - Material module change
  - Expression of architectural or structural bay through a change in plane no less than twelve inches in width, such as an offset, reveal or projecting rib.
- d. Where the site is adjacent to residential uses, a buffer yard with an eight-foot decorative masonry wall.
  - See 18.39.030C3, 18.39.050C4 and 18.39.060C3.

## 2. Roofs

Roof features shall be used to complement the character of adjoining neighborhoods. The following standards are intended to create variations in roofline to add interest to, and reduce the massive appearance of large buildings.

*Guideline:* Roof lines shall be varied with a change in height every 100 feet in the building length. Parapets, mansard roofs, gable roofs, hip roofs or dormers shall be used to conceal flat roofs and roof top equipment from public view. Alternating lengths and designs may be acceptable and can be addressed during the preliminary development plan.

a. Roofs shall have no fewer than two of the following features:

- Parapets concealing flat roofs and rooftop equipment, such as air-handling units, from public view. The average height of such parapets shall not exceed fifteen percent of the height of the supporting wall, and such parapets shall not at any point exceed one third of the height of the supporting wall. Such parapets shall feature three-dimensional cornice treatments.
- Overhanging eaves, extending no less than three feet past the supporting walls.
- Sloping roofs that do not exceed the defined average height of the supporting walls, with an average slope greater than or equal to one foot of vertical rise for every three feet of horizontal run and less than or equal to one foot of vertical rise for every one foot of horizontal run.
- Three or more roof slope planes.



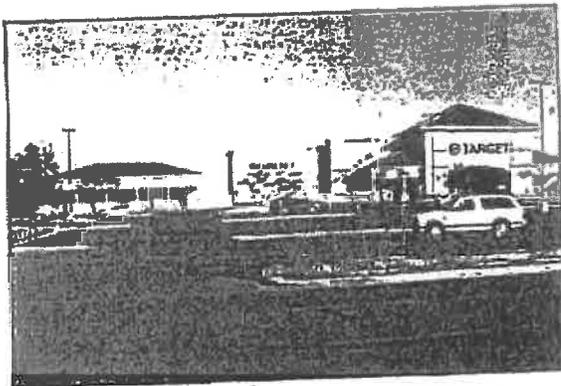
*Example of a roofline treatment.*

### 3. Materials and Colors

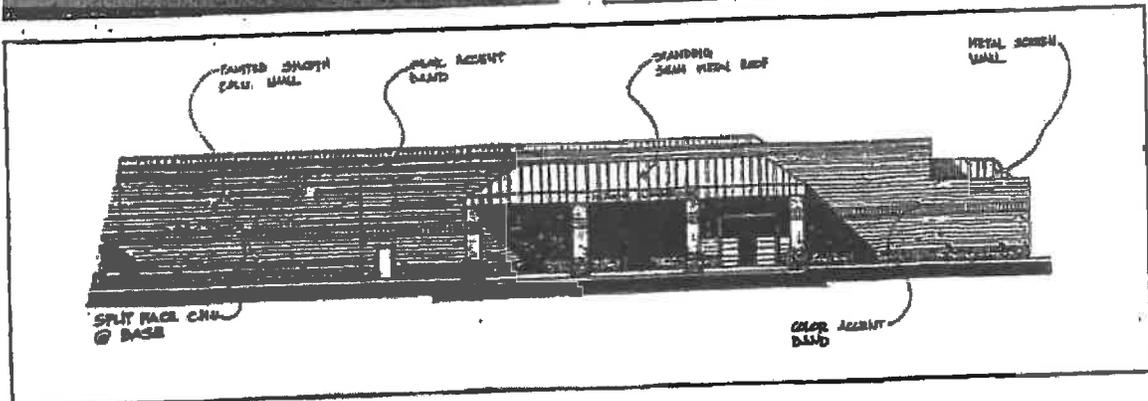
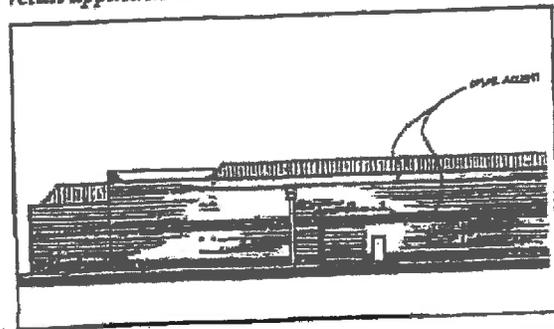
Exterior building materials shall be aesthetically pleasing and compatible with materials used in adjoining neighborhoods. The following standards are intended to ensure that exterior building materials comprise a significant part of the visual impact of a building.

**Guideline:** Predominant exterior building materials shall be high quality materials, earthtone colored and not exceeding a light reflectivity value of sixty percent. These include, without limitation:

- Brick
  - Wood
  - Sandstone
  - Native stone
  - Stucco
  - Adobe
  - Exterior insulation and finish systems (EIFS)
  - Tinted, textured, concrete masonry units or block
- a. Building trim and accent areas may feature brighter colors, including primary colors, and neon tubing may be an acceptable feature for building trim or accent areas.



*Different uses of contrasting materials in retail applications.*



- b. Predominant exterior building materials shall not include the following:
- Smooth-faced concrete block
  - Tilt-up concrete panels
  - Prefabricated steel panels
- c. Transit stops, freestanding identification signs, buffer yard walls, raised planters and miscellaneous decorative site features shall use the same exterior materials or textures as the facade of the principal building. All sides of the buffer yard and property wall shall meet this requirement.

#### ***4. Customer Entrances***

Entryway design elements and variations shall give orientation and aesthetically pleasing character to the building by providing clearly defined, highly visible customer entrances. Multiple building entrances reduce walking distances from cars facilitate pedestrian and bicycle access from public sidewalks, and provide convenience where certain entrances offer access to individual stores or identified departments of a store. Multiple entrances also mitigate the effect of unbroken walls and neglected areas that often characterize building facades that face bordering land uses.

***Guideline:*** Each principal building on a site shall have clearly defined, highly visible customer entrances featuring no fewer than three of the following:

- Canopies or porticos
- Overhangs
- Recess or projections
- Arcades
- Raised corniced parapets over the door
- Peaked roof forms
- Arches



***Sample elevation utilizing elements listed in this section.***

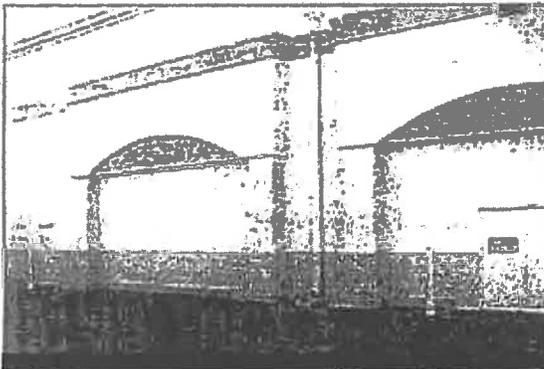
- Outdoor patios
- Display windows
- Architectural details such as tile work and moldings which are integrated into the building
- Integral planters or wing walls that incorporate landscaped areas and/or places for sitting

## ***5. Back and Side Facades***

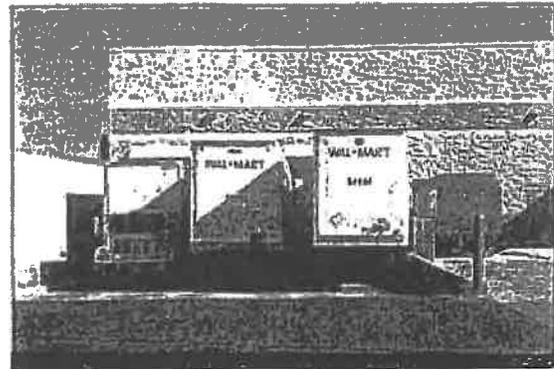
The rear or sides of buildings often present unattractive views of blank walls, loading areas, storage areas, HVAC units, garbage receptacles, and other such features. Architectural and landscaping features should mitigate these impacts. All facades of a building that are visible from adjoining properties and/or public streets should contribute to the pleasing scale of the building and encourage community integration by featuring characteristics similar to the front facade.

**Guideline:** For any building with a loading area directly facing the residential use, there should be a 200-foot setback from the property line on the same side as the loading area contiguous to an existing residential use. A 100-foot setback may be used from a residential property line without an exposed loading area (see diagram on page 8). The rear and sides of buildings shall comply with the following requirements.

- Facades greater than 100 feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least three percent of the length of the facade and extending at least twenty percent of the length of the facade. No uninterrupted length of any facade facing a public street shall exceed 100 horizontal feet.
- Building facades that face a public street shall include architectural or structural expression through a change in plane no less than twelve inches in width, such as an offset, reveal or projecting rib and no less than two of the elements listed below.



*Example of change of color and plane.*



*Internal masonry wall visually screening loading area and deflecting sound inward.*

- Color change
- Texture change
- Material change

## 6. Parking Lots

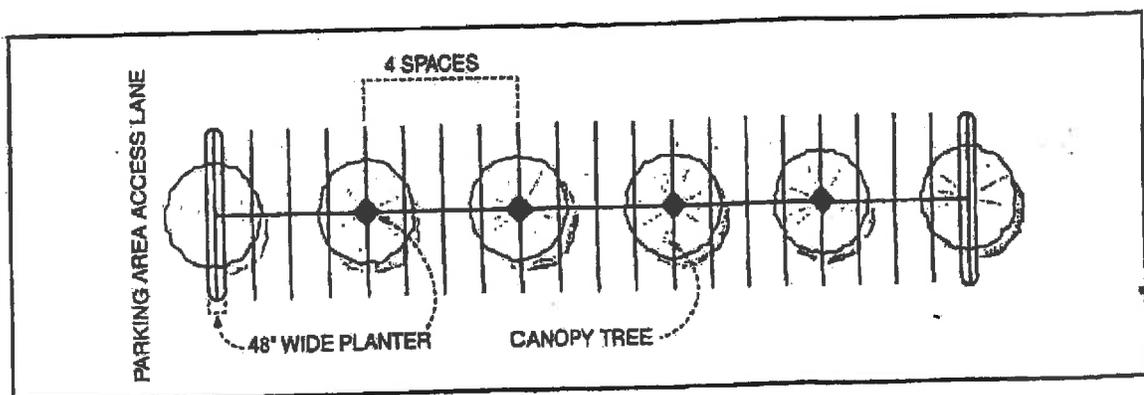
Parking areas shall provide safe, convenient and efficient access. They shall be designed on the site in order to shorten the distance to other buildings and public sidewalks, and to reduce the overall scale of the paved surface. Landscaping is an important element in reducing the appearance of a large paved surface area. Landscaping can be used to define parking areas, reduce the overall scale, and provide primary vehicular drives and pedestrian areas in an aesthetically and environmentally pleasing manner.

**Guideline:** For any shopping center development, the planning of the site shall screen the parking lot from view by outlot development or bufferyards with the use of opaque screening materials such as vegetation, berms or walls.

- See the landscaping requirements of Section 18.75.040B for landscaping within the parking lot area.



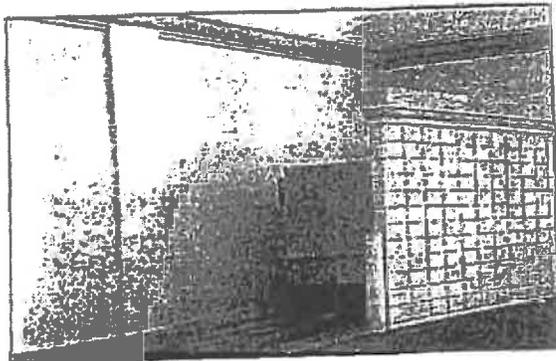
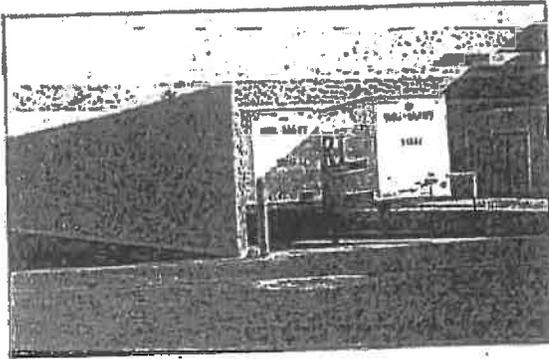
*Diamond planter within parking lot.*



## 7. Outdoor Storage, Trash Collection and Loading Areas

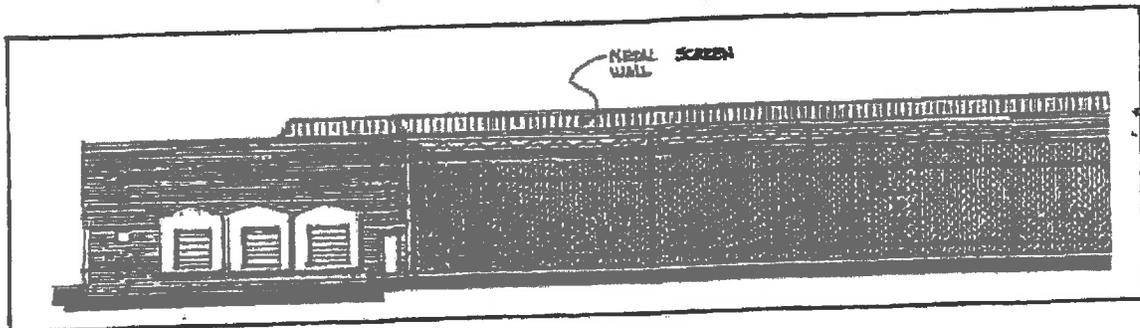
Loading areas and outdoor storage areas impose visual and noise impacts on surrounding neighborhoods. These areas, when visible from adjoining properties and/or public streets, shall be screened, recessed or enclosed. While screening and recesses can effectively mitigate these impacts, the selection of nonapproved screening materials can exacerbate the problem. Appropriate locations for loading and outdoor storage areas include areas between buildings, where more than one building is located on a site and such buildings are not more than 200 feet apart, or on those sides of buildings that do not have customer entrances or that do not face residential use.

**Guideline:** Areas for outdoor storage, truck parking, trash collection or compaction, loading, or other such uses shall not be visible from abutting streets.



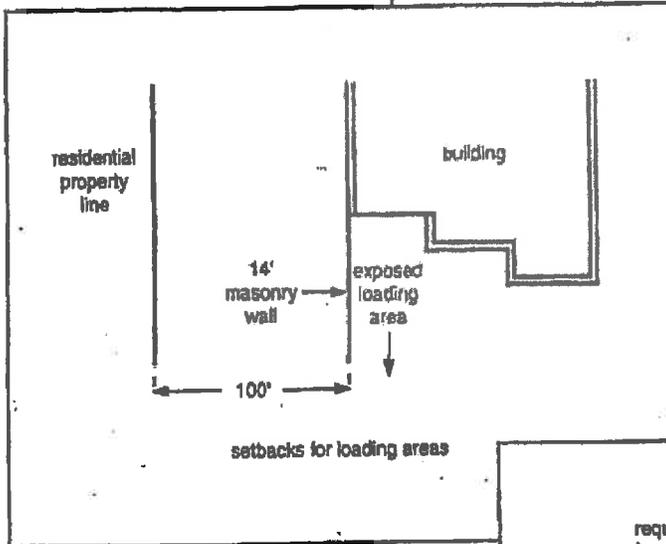
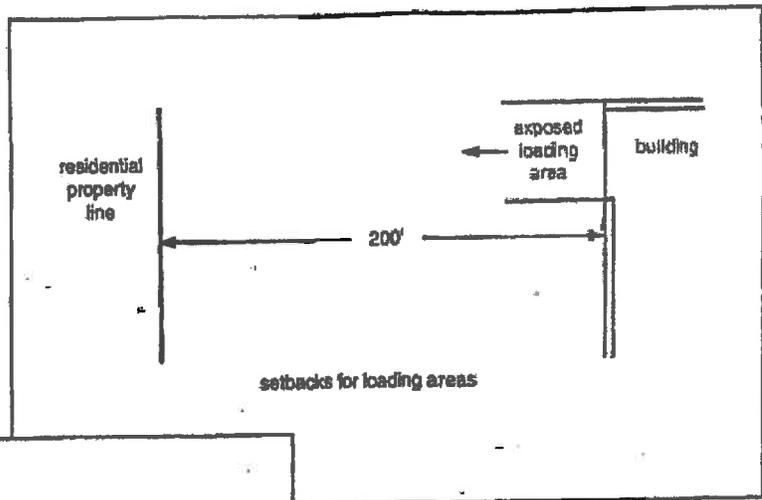
*Examples of screening of loading areas.*

- a. Trash receptacles shall be enclosed by a decorative masonry wall.
- b. No areas for outdoor storage, trash collection or compaction, loading, or other such uses shall be located within 100 feet of any public street, public side walk or contiguous residential use.
- c. Loading docks, truck parking, outdoor storage, utility meters, HVAC equipment, trash collection, trash compaction, and other service functions shall be incorporated into the overall design of the building and the landscaping so that the visual and acoustic impact of these functions is fully contained and out of view of adjacent properties and public streets. Screening materials, colors and textures shall be the same as the principal materials of the building and landscape.

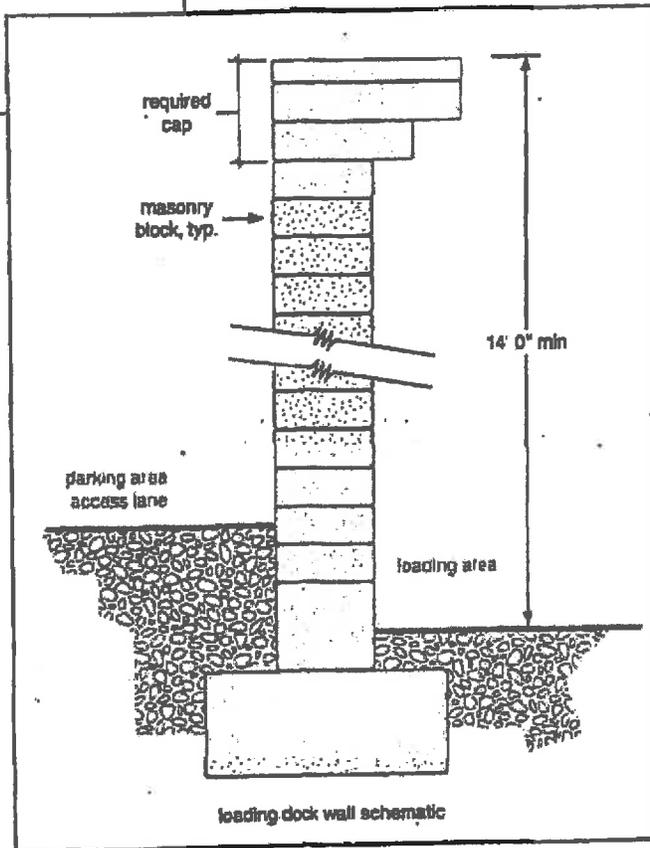


*Example of screening outdoor storage.*

**Setbacks for loading areas**



**Loading dock wall schematic**



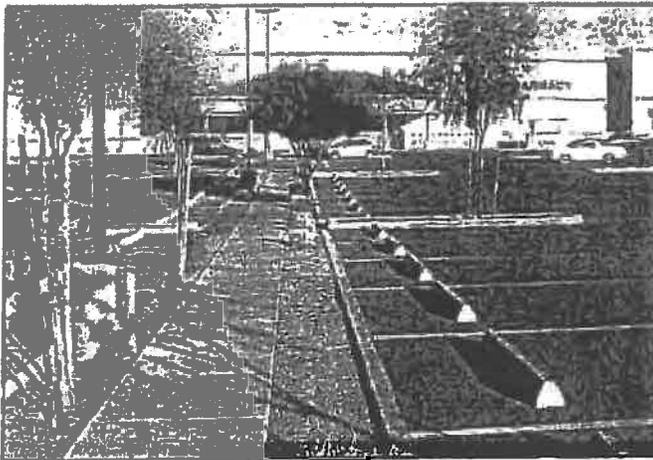
- d. A loading dock wall shall be a minimum of fourteen feet in height measured on the loading area side, when using a 100-foot setback.
- e. Non-enclosed areas for the storage and sale of seasonal inventory shall be permanently defined and screened with walls and/or fences of opaque materials, colors and design of screening walls and/or fences and the cover shall conform to those used as predominant materials and colors on the building. If such areas are to be covered, then the covering shall conform to the predominant design and colors on the building.

## 8. Pedestrian Flows and Landscaping

Pedestrian accessibility opens auto-oriented developments to the neighborhood, thereby reducing traffic impacts and enabling the development to project a friendlier, more inviting image. This section sets forth standards for public sidewalks and internal pedestrian circulation systems that can provide user-friendly pedestrian access as well as pedestrian safety, shelter, and convenience within the shopping center grounds.

**Guideline:** Pedestrians shall have access free of automobile traffic.

- a. Sidewalks shall be provided along all sides of the lot that abut a public street. The four-foot sidewalk requirement is in addition to the required buffer yard.
- b. A continuous internal pedestrian walkway, no less than four feet in width, shall be provided from the public sidewalk or right-of-way to the principal customer entrance of all principal buildings on the site. At a minimum, walkways shall connect focal points of pedestrian activity such as, but not limited to, transit stops, street crossings, building and store entry points, and shall feature adjoining landscaped areas (a minimum of six feet in width) that include four trees per one hundred feet, shrubs, benches, flower beds, ground covers, or other such materials for their entire length.
- c. Sidewalks, no less than eight feet in width, shall be provided along the full length of the building along any facade featuring a customer entrance.
- d. Internal pedestrian walkways provided in conformance with parts (b) and (c) above shall provide weather protection features such as awnings or arcades within 30 feet of all customer entrances.



*Sidewalks and landscaping are important elements in parking lot design.*

- e. All pedestrian walkways internal to the site shall be distinguished from driving surfaces through the use of durable, low maintenance surface materials such as pavers, bricks, or concrete to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways.

## ***9. Central Features and Community Spaces***

Buildings shall offer attractive and inviting pedestrian scale features, spaces and amenities. Entrances and parking lots shall be configured to be functional and inviting with walkways conveniently tied to logical destinations. Pedestrian ways shall be anchored by special design features and site furniture such as towers, arcades, porticos, pedestrian light fixtures, bollards, planter walls, and other architectural elements that define circulation ways and outdoor spaces. Examples of outdoor spaces are plazas, patios, courtyards, and window-shopping areas. The features and spaces shall enhance the building and the center as integral parts of the community.

***Guideline:*** Each retail establishment subject to these standards shall contribute to the establishment or enhancement of community and public spaces by providing at least two of the following:

- Patio seating area
- Pedestrian plaza with benches
- Transportation center
- Window shopping walkway
- Outdoor playground area
- Kiosk area
- Water feature, tower, or
- Other such deliberately shaped area and/or focal feature or amenity that, in the judgment of the Design Review Committee, adequately enhances such community and public spaces.



***Pedestrian plaza with picnic tables.***



***Patio seating area.***

Any such areas shall have direct access to the public sidewalk network and such features shall be constructed of materials that are visually compatible with the principal materials of the building and landscape.

## **10. Odor**

An odor control compliance plan shall be developed that uses best available control technology. Best available control technology (BACT) means the utilization of those technologies, processes, procedures, or operating methods or alterations by an industry or other source which results in the elimination or the maximum achievable reduction of odor from an odor emission point source.

**Guideline:** Compliance plan means an agreement between a significant odor generator and the county, which contains the following elements:

- a. An inventory of potential or identified odor emission point sources associated with the industry or source.
- b. A plan detailing best available control technologies and appurtenances designed to eliminate or achieve the maximum reduction of odor pollution from an emission point source inclusive of, but not necessarily limited to certain processes, procedures, or operating methods intended to mitigate or control odor pollution.
- c. A specification of the documentation that will be made available for the county's review which will verify the data produced by the monitoring equipment, and which will verify that processes and procedures are conducted consistent with the specifications in the facility's odor control study and plan.
- d. An approved schedule for the implementation and installation of the best available control technology, processes, procedures, operating methods, and monitoring instrumentation designed to mitigate or control odors at the facility inclusive of an approved completion date.
- e. An acknowledgment of the authority of the county and its agents to enter into the facility and its property in order to investigate complaints and to verify the facility's adherence to the compliance plan.

## **11. Noise**

This section takes into account area residents' need for quiet and also the business limitations in providing a quiet environment while conducting business. This standard would ensure that quiet businesses would locate near residential uses. Noisier businesses may prefer to locate farther away from residential areas in order to avoid the added expense of noise reduction.

**Guideline:** A noise plan is required to address the noise resulting from loading and unloading of trucks, dynamic braking devices, truck idling, motor vehicle sound amplification equipment, warning devices, (i.e. backup alarms) store paging, music systems, mechanical equipment and air conditioning units.

Sound projecting from property of one land use category onto property of another land use category having a lower sound-level limit shall not exceed the limits for the property of the land use category onto which it is projected. Sound level emitting to a residential use shall not exceed the limits set for the residential use.

Unless otherwise indicated, any decibel (dB) measurement made pursuant to the provisions of this section shall be based on the reference sound pressure and measured with a sound level meter using the A-weighting network. In this manual, the terms dB and dBA are synonymous unless otherwise stated.

Except as stated in this section, no person shall make or continue, cause to be made or continued, or allow to be made or continued, any sound resulting in an exceedance of the following limits as measured on any other property receiving the sound:

- Large Scale Retail adjacent to Residential: Daytime 65dB, Nighttime 55dB
- Residential adjacent to Office/Commercial: Daytime 65dB, Nighttime 50dB
- Large Scale Retail adjacent to Office/Commercial: Daytime 75dB, Nighttime N/A
- Large Scale Retail adjacent to Industrial: Daytime N/A, Nighttime N/A
- Large Scale Retail adjacent to Large Scale Retail: Daytime N/A, Nighttime N/A

## **12. Lighting**

The standards for outdoor lighting provide lighting in outdoor public places where public health, safety and welfare are potential concerns, protect neighbors and the night sky from nuisance glare and stray light from poorly aimed, placed, applied, maintained or shielded light sources, and protect and retain the rural character of the County.

**Guideline:** To prohibit outdoor lighting installations which are of excessive intensity and/or are deficient of photometric control such that the resulting glare and light trespass create a nuisance to neighboring properties. Outdoor lighting shall be required for safety and personal security for uses that operate during hours of darkness where there is public assembly and traverse, including but not limited to residential, commercial, industrial, public-recreational and institutional. The glare-control requirements herein contained apply to lighting in all above-mentioned uses as well as, but not limited to, sign, architectural and landscape lighting.

Light trespass is the subjective perception of undesirable illumination including the following examples: the classic "light shining in a window", unwanted light on an adjacent property or excessive brightness in the normal field of vision (nuisance glare):

The following elements shall control trespass light or nuisance glare:

- a. All outdoor lighting, whether or not required by this manual, on private, residential, commercial, industrial, municipal, recreational or institutional property; shall be aimed, located, designed, fitted and maintained so as not to present a hazard to

drivers or pedestrians by impairing their ability to safely traverse and so as not to create a nuisance by projecting or reflecting objectionable light onto a neighboring use or property.

- b. All outdoor lighting fixtures shall be installed in such a manner that no light is emitted above a horizontal plane passing through the lowest point of the light emitting element, so that direct light emitted above the horizontal plane is eliminated. All individual outdoor lighting fixtures that illuminate the area under outdoor canopies shall comply with this requirement. (See chapter 15.12.5.1B)
- c. Lighting proposed for use after 10 P.M., or after the normal hours of operation for commercial, industrial, institutional or municipal applications, shall be reduced by seventy-five percent from then until dawn, unless supporting a specific purpose and approved by the appropriate officers or agents of the County.
- d. Lighting fixtures shall not be mounted in excess of ten feet above grade when adjacent to residential uses.
- e. Directional fixtures such as flood lights, spot lights and sign lights shall be installed or aimed so that they do not shine directly into the window of a neighboring residence, directly into a roadway, or skyward.
- f. Fixtures shall be equipped with or be modified to incorporate light directing and/or shielding devices such as shields, visors, skirts or hoods to redirect offending light distribution and/or reduce direct or reflected glare. (See chapter 15.12.4.7)

### ***13. Required Drawings***

A minimum of two transverse sections through the entire site are required in addition to plans and drawings normally required with the development plan submittal to the Subdivision Development Review Section (SDRC). The sections shall be drawn to the same scale as the site plan. Sections shall be selected to show the height and relationships of structures on the site as well as important topographical features, and structures on any abutting property within 100 feet of the site. A master development plan shall be submitted showing all existing properties and improvements within 100 feet of the site.