



Pima County
Planning and Zoning Commission

MEETING LOCATION
Administration Bldg. - East
130 W. Congress Street
1st Floor
Tucson, AZ 85701

**Meeting Summary
10-28-2020**

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

Chris Poirier, Executive Secretary

1. ROLL CALL – 9:00 a.m.

PRESENT

- District 1 Brad Johns, Chair
*Jodi Bain
- District 2 *Armando Membrila
- District 3 *Tom Tronsdal
*Ryan Maese
- District 4 *David Hook
*William Matter
- District 5 *Bruce Gungle
*Bob Cook

ABSENT

- District 2 Barbara Becker, Vice-Chair

NINE MEMBERS PRESENT

ALSO PRESENT

Chris Poirier, Planning Official & Executive Secretary
*Janet Emel, Senior Planner

Tom Drzazgowski, Chief Zoning Inspector

**Present Telephonically*

2. PLEDGE OF ALLEGIANCE

3. CONSENT AGENDA

- A. The Commission moved to **APPROVE** the meeting summary of September 30, 2020.
The motion **PASSED** 8 - 0 (Commissioner Bain Abstained, Commission Becker was absent).

4. CALL TO THE PUBLIC

No one from the public spoke.

NEW HEARINGS

MODIFICATION (SUBSTANTIAL CHANGE) OF REZONING CONDITIONS

5. **CO9-02-01 SWINDELL – CARDINAL AVENUE REZONING**

Daniel LLC represented by Declan Murphy for T-Mobile/TowerCom, request a **substantial change of rezoning condition #11** which requires adherence to the revised preliminary sketch plan and limits the use of the property to modular/manufactured and building sales, CB-1 zone retail uses, and the storage of goods accessory to retail businesses to allow an 80-foot monopole cell tower with an equipment area. The 1.79 acres property is zoned CB-2(H) General Business Zone (San Xavier Environs Historic Zone) and is located at the northeast corner of Los Reales Road and Cardinal Avenue, addressed as **7251 and 7285 S. Cardinal Avenue**. (District 5)

ON MOTION, it was

Voted to recommend **APPROVAL SUBJECT TO MODIFIED STANDARD AND SPECIAL 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 Development Services Department, Document Services.~~
- ~~6. There shall be no further lot splitting or subdividing without the written approval of the Board of Supervisors.~~
71. Transportation conditions:
 - A. Provision of necessary improvements to Cardinal Avenue and Los Reales Road, if determined necessary by the Department of Transportation.
 - B. 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.
 - C. Only one access point on Cardinal Avenue and only one access point on Los Reales Road shall be permitted for the subject property. The location and design of any access shall need the approval of the Department of Transportation prior to the issuance of building permit(s).
 - D. Internal access shall be provided within the site for future connection(s) to adjacent properties.
- ~~82.~~ Flood Control condition:

Drainage shall not be altered, disturbed or obstructed without the written approval of the Flood Control District.
93. Wastewater Management condition:

The property owner(s) shall connect to the public sewer system at the location and in the manner specified by Wastewater Management at the time of review of the tentative plat, development plan or request for building permit.
- ~~104.~~ Natural Resources, Parks and Recreation condition:

The property owner(s) shall dedicate 15 feet for recreational trail purposes adjacent to the right-of-way along Cardinal Avenue.

445. Adherence to the revised preliminary development plan as approved by the Board of Supervisors at public hearing. The use shall be restricted to modular/manufactured home and building sales; retail uses as allowed in CB-1 zoning and storage of goods as accessory to retail businesses ~~(attached exhibit "B")~~; and a maximum 80-foot in height cellular monopole tower plus associated equipment.
426. Environmental Planning condition:
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 (*Rhus lancea*)
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)*)
437. The owner(s) shall meet the following requirements of Drexel Heights Fire District; the location of the fire hydrant shall be relocated near the existing sales building, indicated on the revised sketch plan. The owner(s) shall supply the equipment and the necessary supplies to extend the 8-inch main from Cardinal Avenue. The owner(s) shall supply and install either numbers or letters of the alphabet on all the buildings for easy identification during an emergency. The owners(s) shall provide Knox Box's at both entrances for fire department use during an emergency and provide keys necessary to gain access to the fenced property and buildings.
8. Upon the effective date of the Ordinance, the owner(s) shall have a continuing responsibility to remove buffelgrass (*Pennisetum ciliare*) from the property. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site and Pima County may enforce this rezoning condition against the property owner.
9. The property owner shall execute the following disclaimer regarding Proposition 207 rights: "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. §12-1134(I).
10. In the event the subject property is annexed, the property owner shall adhere to all applicable rezoning conditions, including, but not limited to, development conditions which require financial contributions to, or construction of infrastructure, including without limitation, transportation, flood control, or sewer facilities.

The motion **PASSED** 9 - 0 (Commissioner Becker was absent).

TEXT AMENDMENT

6. **P19TA00001 NEW SIGN STANDARDS, UPDATED ADDRESSING STANDARDS, AND A NEW DESIGN REVIEW COMMITTEE ROLE CONCERNING SIGNS**

A Proposal to repeal and replace, by Ordinance, the existing Chapter 18.79 (Sign Standards) of the Pima County Zoning Code, with the exceptions of the billboard standards and the nonconforming sign standards (Section 18.79.060). The Section 18.79.060 nonconforming sign standards are not changed. The billboard standards retain the existing language but are reformatted and renumbered. Except for the nonconforming sign standards (Section 18.79.060) and billboard standards, the proposal replaces the repealed sign standards with new sign standards intended to update and clarify sign standards, reflect current sign technology and trends, encourage good sign design, and protect Dark Skies and scenic values. The new standards affect the size, height, illumination, location, and other features of the time, location and manner of signs. The proposal also 1) amends, by Ordinance, Pima County Zoning Code Chapter 18.83 (Address Standards), Section 18.83.050 (Address display) to update addressing standards consistent with state regulations; 2) amends Chapter 18.99 (Review Committees) Section 18.99.030 (Design Review Committee) to authorize the Design Review Committee to review and decide requests for the Master Sign Program; 3) amends sign-related cross references in Chapter 18.09 (General Residential and Rural Zoning Provisions), Section 18.09.030 (Home Occupations) to refer home occupation sign requirements to Chapter 18.79 (Sign Standards); 4) amends Chapter 18.40 (MR Major Resort Zone), Section 18.40.030 (Development Standards) to repeal an incorrect and unnecessary cross-reference to Chapter 18.79 (Sign Standards); 5) amends Chapter 18.45 (CB-2 General Business Zone), Section 18.45.030 (Permitted Uses) to repeal the listing of signs as a permitted use in the CB-2 zone (while signs are permitted in the CB-2 zone other zones that also allow signs do not individually list signs as a use); and 6) amends Chapter 18.77 (Roadway Frontage Standards), Section 18.77.030 (Setback Lines for Streets) to update a sign-related cross-reference. (All Districts)

On motion, it was

Voted to recommend **APPROVAL SUBJECT TO THE REVISIONS ON “ATTACHMENT A” AND RETAINING ELECTRONIC MESSAGE DISPLAY SIGNS AS A PROHIBITED SIGN TYPE.**

The motion **PASSED** 5 - 3 (Commissioners Gungle, Matter, and Membrilla voted NAY, Commissioners Bain and Becker were absent).

7. BOARD OF SUPERVISORS DISPOSITION OF CASES

8. ADJOURNMENT

Meeting adjourned at 11:42 a.m.

The meeting summary will be posted on the website at <http://pima.gov/DSDBCC/>