



Pima County
Planning and Zoning Commission

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

**Meeting Summary
03-25-2020**

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. The regular meeting of the Planning and Zoning Commission was called to order at 9:00 AM at Pima County Administration Building, Board of Supervisors Hearing Room, 130 W. Congress St., 1st Floor, Tucson, AZ 85701.

2. ROLL CALL

PRESENT

ABSENT

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

TEN MEMBERS PRESENT

ALSO PRESENT

Chris Poirier, Planning Official & Executive Secretary
Tom Drzazgowski, Chief Zoning Inspector
Terrill Tillman, Principal Planner
Mark Holden, Principal Planner

*Ann Moynihan, Civil Engineering Mngr, RFCDD
*David Takaki, Site Review Project Mngr.
Jenny Neely, Program Mngr., OSC

**Present Telephonically*

3. PLEDGE OF ALLEGIANCE

4. CONSENT AGENDA

- A. The Commission moved to **APPROVE** the meeting summary of February 26, 2020 Summary.
The motion **PASSED 10 – 0.**

5. CALL TO THE PUBLIC

No one from the public spoke.

HEARINGS

REZONINGS

6. **P19RZ00012 HARBOUR TRUST 1/3, ET AL. - N. LA CHOLLA BOULEVARD REZONING**
Request of Harbour Trust 1/3, et al. represented by Projects International, Inc., for a **rezoning** of approximately 50.7 acres from SR (Suburban Ranch) to the CR-5 (Multiple Residence) zone, parcel codes 225-04-002A, 225-04-002C, 225-04-003P and 225-04-008B, located at the northwest corner of W. Overton Road and N. La Cholla Boulevard. The proposed rezoning conforms to the Pima County Comprehensive Plan which designates the property for Low Intensity Urban 1.2 and Medium Low Intensity Urban. (District 1)

ON MOTION, it was:

Voted to recommend **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS.**

1. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
2. Transportation conditions:
 - A. A Traffic Impact Study shall be submitted for review and approval by the Department of Transportation during the subdivision platting process. The Traffic Impact Study shall use projected traffic counts identified in the adjacent capital improvement project OV-30-04/05-26. Offsite improvements determined necessary as a result of the traffic impact study shall be provided by the property owner.
 - B. Written proof of coordination with the Town of Oro Valley regarding any improvements identified by the Traffic Impact Study in conjunction with the Town of Oro Valley Capital Improvement Project for La Cholla Boulevard shall be provided to Pima County.
3. Regional Flood Control District conditions:
 - A. FEMA approval of the Conditional Letter of Map Revision is required prior to recording of the Final Plat.
 - B. At the time of development, the applicant will be required to commit to water conservation measures identified in the Site Analysis Requirements in effect at that time sufficient to obtain 15 points.
 - C. First flush retention shall be distributed throughout the subdivision and be placed in Common Areas.
 - D. The maintenance plan shall require inspection and maintenance of drainage infrastructure after both the winter and summer storm seasons and after significant storm events.
4. Regional Wastewater Reclamation conditions:
 - A. The owner shall not construe any action by Pima County as a commitment to provide sewer service to any new development within the rezoning area until Pima County executes an agreement with the owner to that effect.
 - B. The owner shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department (PCRWRD) that treatment and conveyance capacity is available for any new development within the rezoning area, no more than 90 days before submitting any tentative plat, development plan, preliminary sewer layout, sewer improvement plan, or request for building permit for review. Should treatment and/or conveyance capacity not be available at that time, the owner shall enter into a written agreement addressing the option of funding, designing and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or

- cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the PCRWRD.
- C. The owner shall time all new development within the rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream public sewerage system.
 - D. The owner shall connect all development within the rezoning area to Pima County's public sewer system at the location and in the manner specified by the PCRWRD in its capacity response letter and as specified by PCRWRD at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.
 - E. The owner shall fund, design and construct all off-site and on-site sewers necessary to serve the rezoning area, in the manner specified at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan or request for building permit.
 - F. The owner 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.
5. Environmental Planning conditions:
- A. The property owner/developer shall achieve compliance with the Maeveen Marie Behan Conservation Lands System (CLS) Conservation Guidelines by providing a total of 140 acres as Natural Open Space (NOS). Should the disturbed area be reduced from that which is reflected in the Preliminary Development Plan (PDP), the property owner shall provide a minimum of four (4) acres of natural open space for every acre disturbed in order to achieve full compliance with the CLS Conservation Guidelines. No less than 14.2 acres of NOS will be provided on-site and will conform to the approximate location and configuration shown on the approved PDP. The difference between the total NOS to be provided and the NOS provided on-site will be provided off-site. Off-site NOS must conform to the CLS Off-site Mitigation Policy of Pima Prosper, Pima County's 2015 Comprehensive Land Use Plan (Section 3.4, Policy 11), and also must comply with the following:
 - 1) Off-site NOS is acceptable to the Pima County Planning Official or their designee; and
 - 2) Prior to the approval of the final plat, off-site NOS will be permanently protected as natural open space by a separately recorded legal instrument acceptable to the Pima County Planning Official or their designee.
 - B. Upon the effective date of the Ordinance, the owner(s)/developer(s) shall have a continuing responsibility to remove invasive non-native species from the property, including those below. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site and Pima County may enforce this rezoning condition against the property owner. Prior to issuance of the certificate of compliance, the owner(s)/developer(s) shall record a covenant, to run with the land, memorializing the terms of this condition.

Invasive Non-Native Plant Species Subject to Control

<i>Ailanthus altissima</i>	Tree of Heaven
<i>Alhagi pseudalhagi</i>	Camelthorn
<i>Arundo donax</i>	Giant reed
<i>Brassica tournefortii</i>	Sahara mustard

<i>Bromus rubens</i>	Red brome
<i>Bromus tectorum</i>	Cheatgrass
<i>Centaurea melitensis</i>	Malta starthistle
<i>Centaurea solstitialis</i>	Yellow starthistle
<i>Cortaderia</i> spp.	Pampas grass
<i>Cynodon dactylon</i>	Bermuda grass (excluding sod hybrid)
<i>Digitaria</i> spp.	Crabgrass
<i>Elaeagnus angustifolia</i>	Russian olive
<i>Eragrostis</i> spp.	Lovegrass (excluding <i>E. intermedia</i> , plains lovegrass)
<i>Melinis repens</i>	Natal grass
<i>Mesembryanthemum</i> spp.	Iceplant
<i>Peganum harmala</i>	African rue
<i>Pennisetum ciliare</i>	Buffelgrass
<i>Pennisetum setaceum</i>	Fountain grass
<i>Rhus lancea</i>	African sumac
<i>Salsola</i> spp.	Russian thistle
<i>Schinus</i> spp.	Pepper tree
<i>Schismus arabicus</i>	Arabian grass
<i>Schismus barbatus</i>	Mediterranean grass
<i>Sorghum halepense</i>	Johnson grass
<i>Tamarix</i> spp.	Tamarisk

6. Cultural Resources condition: In the event that human remains, including human skeletal remains, cremations, and/or ceremonial objects and funerary objects are found during excavation or construction, ground disturbing activities must cease in the immediate vicinity of the discovery. State laws ARS 41-865 and ARS 41-844, require that the Arizona State Museum be notified of the discovery at (520) 621-4795 so that cultural groups who claim cultural or religious affinity to them can make appropriate arrangements for the repatriation and reburial of the remains. The human remains will be removed from the site by a professional archaeologist pending consultation and review by the Arizona State Museum and the concerned cultural groups.
7. Adherence to the preliminary development plan as approved at public hearing.
8. 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.
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(l)."

The motion **PASSED 9 – 1** (Commissioner Gungle voted **NAY**).

7. P20RZ00001 WRIGHT - N. SANDARIO ROAD REZONING

Request of Mark and Mary Lou Wright, represented by Steadfast Drafting and Design LLC, requesting a **rezoning** of approximately 1.43 acres from the GR-1 (BZ) (Rural Residential - Buffer Overlay) zone to the CB-2 (BZ) (General Business - Buffer Overlay) zone on the property located on the west side of N. Sandario Road, approximately 900 feet south of the intersection of N. Sandario Road and W. Picture Rocks Road, **addressed as 6625 N.**

Sandario Road. The proposed rezoning conforms to the Pima County Comprehensive Plan which designates the property for Rural Crossroads. (District 3)

ON MOTION, it was

Voted to recommend **APPROVAL.**

1. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
2. Transportation condition: the location and design of access points shall be subject to approval by the Department of Transportation at the time of development plan submittal.
3. Flood Control District condition: at the time of development, the developer shall be required to select a combination of Water Conservation Measures from Table B, such that the point total equals or exceeds 15 points and includes a combination of indoor and outdoor measures.
4. Department of Environmental Quality condition: the onsite septic system shall only be used for domestic sewage only. If the site is used for other purposes such as automotive repair or detailing, disposal of sewage other than domestic sewage is prohibited.
5. 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.
6. Adherence to the preliminary development plan as approved at public hearing.
7. 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(l)."
8. 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 to **PASSED 10 – 0.**

8. P20RZ00002 BOHLMANN – E. BECKER DRIVE REZONING

Request of Scott and Cynthia Bohlmann, represented by the Planning Center, for a **rezoning** of approximately 5.0 acres from the RH (Rural Homestead) to the CR-4 (Mixed-Dwelling Type) zone located approximately 660 feet northeast of the intersection of E. Old Vail Road and S. Freeman Road Alignment, approximately 400 feet north of the Union Pacific Railroad track, and 75 feet east of E. Becker Drive **addressed as 12010 E. Old Vail Road.** The proposed rezoning conforms to the Pima County Comprehensive Plan which designates the property for Medium Intensity Urban. (District 4)

ON MOTION, it was

Voted to recommend: **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS.**

1. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
2. Transportation conditions:
 - A. Prior to approval of the Tentative Plat, proof of coordination with the City of Tucson regarding the Traffic Impact Study and any subsequent City of Tucson requirements shall be provided to Pima County Development Services.
 - B. Any required right-of-way shall be obtained prior to the Final Plat approval.
 - C. Access shall be designed to prohibit subdivision access to Old Vail Road.
3. Flood Control condition: At the time of development the developer shall be required to select a combination of Water Conservation Measures from Table B such that the point equals or exceeds 15 points and includes a combination of indoor and outdoor measures.
4. Regional Wastewater Reclamation Department conditions:
 - A. The owner(s) shall construe no action by Pima County as a commitment of capacity to serve any new development within the rezoning area until Pima County executes an agreement with the owner(s) to that effect.
 - B. The owner(s) shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department (PCRWRD) that treatment and conveyance capacity is available for any new development within the rezoning area, no more than 90 days before submitting any tentative plat, development plan, preliminary sewer layout, sewer improvement plan, or request for building permit for review. Should treatment and/or conveyance capacity not be available at that time, the owner(s) shall enter into a written agreement addressing the option of funding, designing and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the PCRWRD.
 - C. The owner(s) shall time all new development within the rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream public sewerage system.
 - D. The owner(s) shall connect all development within the rezoning area to Pima County's public sewer system at the location and in the manner specified by the PCRWRD in its capacity response letter and as specified by PCRWRD at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.
 - E. The owner(s) shall fund, design and construct all off-site and on-site sewers necessary to serve the rezoning area, in the manner specified at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.
 - F. The owner(s) 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.
5. Upon the effective date of the Ordinance, the owner(s)/developer(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.
6. 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.

7. Adherence to the sketch plan as approved at public hearing. A minimum net density (total acreage minus natural and functional open space acreage) of five residences per acre shall be required.
8. Avigation easements shall be recorded and disclosed to homebuyers for all residences constructed in the subdivision.
9. In the event the subject property is annexed, the property owner shall adhere to all applicable rezoning conditions, including, but not limited to, development conditions which require financial contributions to, or construction of infrastructure, including without limitation, transportation, flood control, or sewer facilities.
10. The property owner shall execute 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(l)."

The motion to **PASSED 10 – 0**.

CODE TEXT AMENDMENT FOR INITIATION

9. INITIATION OF ZONING CODE TEXT AMENDMENT – CHAPTER 18.07 GENERAL REGULATIONS AND EXCEPTIONS AND CHAPTER 18.73 LANDSCAPING, BUFFERING AND SCREENING STANDARDS

TUCSON ELECTRIC POWER COMPANY REQUESTS THAT THE PLANNING AND ZONING COMMISSION AUTHORIZE AND INITIATE THE AMENDMENTS OF CHAPTER 18.07 GENERAL REGULATIONS AND EXCEPTIONS AND CHAPTER 18.73 LANDSCAPING, BUFFERING AND SCREENING STANDARDS TO 1) REDUCE THE MINIMUM SETBACK FROM A 115 KILOVOLTS OR GREATER POWER SUBSTATION TO AN EXISTING RESIDENCE BY MEASURING THE SETBACK FROM THE TRANSFORMER OR ANY OTHER NOISE-PRODUCING STRUCTURE OR EQUIPMENT INSTEAD OF THE FACILITY, INCLUDING WALLS OR EQUIPMENT, TO THE ROOFTOP OF THE RESIDENCE INSTEAD OF THE PROPERTY LINE OF THE RESIDENCE; AND, 2) AMEND TABLE 18.73-1 LANDSCAPE BUFFERYARD REQUIREMENTS OF THE LANDSCAPE DESIGN MANUAL AND AS REFERENCED IN CHAPTER 18.73 (LANDSCAPING, BUFFERING AND SCREENING STANDARDS) SECTION 18.73.040 (SCREENING AND BUFFERYARD REQUIREMENTS) TO REDUCE THE LANDSCAPE BUFFERYARD REQUIREMENT FOR A POWER SUBSTATION FROM TYPE "J" TO TYPE "F". (ALL DISTRICTS)

ON MOTION, it was

Voted to recommend **APPROVAL**.

The motion to **PASSED 10 – 0**.

10. INITIATION OF ZONING CODE TEXT AMENDMENT – ECONOMIC OPPORTUNITY EXPANSION OMNIBUS NO2

STAFF REQUESTS THAT THE PLANNING AND ZONING COMMISSION AUTHORIZE AND INITIATE A REVISION TO THE PIMA COUNTY ZONING CODE, TO REVISE VARIOUS SECTIONS IN THE CODE THAT WILL FURTHER FACILITATE AND ENCOURAGE DEVELOPMENT IN PIMA COUNTY. PROPOSED AMENDMENTS INCLUDE REVISIONS TO THE CR-3 DEVELOPMENT STANDARDS; REVISION OF LOT COVERAGE LIMITS IN THE CR-4 AND CR-5 ZONES; REVISION TO THE DEVELOPMENT STANDARDS AND CONDITIONS OF ADAPTIVE REUSE; REVISION TO PERMITTED USES IN THE CB-1 ZONE; ELIMINATE THE TECHNICAL REVIEW COMMITTEE AND TRANSFER THE REVIEW TO THE DESIGN REVIEW COMMITTEE AND AMEND RURAL, COMMERCIAL AND MU ZONES FOR PROPERTIES IN CLOSE PROXIMITY TO THE CHUCK HUCKELBERRY LOOP TO INCENTIVIZE COMMERCIAL USES THAT SUPPORT TRAIL USERS. (ALL DISTRICTS)

ON MOTION, it was

Voted to recommend **APPROVAL SUBJECT TO DRAFTING THE REVISIONS IN THREE SEPARATE TEXT CODE AMENDMENTS.**

The motion to **PASSED 10 – 0.**

11. BOARD OF SUPERVISORS DISPOSITION OF CASES

12. ADJOURNMENT – 11:23 PM

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