



Pima County
Planning and Zoning Commission

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

Meeting Summary
7-28-2021

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 *Mark Hanna
*Jan Truitt
District 2 *Barbara Becker, Vice-Chair
*Armando Membrilla
District 3 *Tom Tronsdal
District 4 *William Matter
*David Hook
District 5 *Bob Cook
Bruce Gungle

ABSENT

District 3 Ryan Maese

NINE MEMBERS PRESENT

ALSO PRESENT

*Chris Poirier, Planning Official & Executive Secretary
*Tom Drzazgowski, Chief Zoning Inspector
*Donna Spicola, Planner & Commission Coordinator
*Terrill Tillman, Principal Planner
*Mark Holden, Principal Planner
*Joseph Godoy, Project Manager

**Present Virtually or Telephonically*

2. PLEDGE OF ALLEGIANCE
3. CONSENT AGENDA
A. The Commission moved to **APPROVE** the meeting summary of June 30, 2021.
The motion **PASSED** 9-0 (Commissioner Maese was absent).
4. CALL TO THE PUBLIC
No one from the public spoke.

NEW HEARINGS

REZONINGS

5. **P21RZ00007 DE SANTIAGO – W. YEDRA ROAD REZONING**

Tony and Carmen De Santiago, represented by Judith De Santiago, request a **rezoning** of approximately 4.77 acres from the RH (Rural Homestead) to the GR-1 (Rural Residential) zone, located approximately 1,200 feet east of the intersection of W. Yedra Road and S. Vahalla Road, addressed as **7600 W. Yedra Road**. The proposed rezoning conforms to the Pima County Comprehensive Plan which designates the property for Medium Intensity Rural. (District 3)

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. The property owner(s) shall dedicate 15 feet of right-of-way for W. Yedra Road prior to the issuance of a building permit.
 - B. The property shall be limited to one access point and a shared access easement for legal access between the properties is required prior to the issuance of a building permit. The location and design of said access easement shall be determined during the building permitting process.
 - C. Surface treatment for dust control purposes for the private drive(s) shall be determined at the time of building permitting.
 - D. The property owner(s) shall accept responsibility for the maintenance, control, safety, and liability or privately owned roads, drives, physical barriers, drainageways and drainage easements.
3. Regional Flood Control District
 - A. At the time of permitting Regulated Riparian Habitat shall be avoided.
 - B. A revised site plan shall be submitted prior to Certificate of Compliance, that includes a note on the plan indicating the property is located within a FEMA Flood Hazard Zone A and impacted by Regulated Riparian Habitat.
4. Cultural Resources condition: A caution must be noted concerning human burials. 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.
5. Adherence to the sketch plan as approved at public hearing – the site must be split into north and south parcels along with the existing manufactured home removed prior to permitting.
6. 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.

7. The property owner shall execute the following disclaimer regarding the Private Property Rights Protection Act: "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)."

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

6. **P21RZ00010 HOGGE/OLIVER - E. CLOUD ROAD REZONING**

Bradley Reid Hoge and Sara Oliver request a rezoning for approximately 4.0 acres from the SR (Suburban Ranch) to the CR-1 (Single Residence) zone on property located on the southwest corner of E. Cloud Road and N. Webster Road, addressed as **7960 E. Cloud Road**. The proposed rezoning conforms to the Pima County Comprehensive Plan which designates the property for Low Intensity Urban 1.2. (District 1)

ON MOTION, it was

Voted to **CONTINUE** to the September 29, 2021 hearing:

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

CONCURRENT COMPREHENSIVE PLAN AMENDMENT AND REZONING

7. **P21CR00001 AMERICAN DREAM EPSILON LLC - W. INA ROAD REZONING**

American Dream Epsilon, LLC represented by The Planning Center, requests a **concurrent plan amendment and rezoning** to amend the Comprehensive Plan from Low Intensity Urban 1.2 (LIU-1.2) to Low Intensity Urban 1.2 (LIU-1.2) with a rezoning policy and to rezone from CR-1 (Single Residence) to TR (Transitional) zone on approximately .87 acres. The property is located at the northwest corner of W. Ina Road and N. San Blas Drive addressed as **1230 W. Ina Road**, in Section 35, Township 12 South, Range 13 East, in the Catalina Foothills Planning Area. (District 1)

ON MOTION, it was

Voted to recommend **APPROVAL SUBJECT TO A REZONING POLICY AND STANDARD AND SPECIAL CONDITIONS:**

Rezoning Policy:

Notwithstanding the objectives and residential density allowed under the Low Intensity Urban 1.2 (LIU-1.2) comprehensive plan land use designation, a rezoning to the TR (Transitional) zone for professional or semi-professional office or personal services only, shall be deemed in conformance with the comprehensive plan.

Standard and Special Conditions:

1. The property owner shall not further lot split or subdivide the land without the written approval of the Board of Supervisors.
2. Environmental Planning conditions: 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.
3. 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/or ARS 41-844 require that the Arizona State Museum be notified of the discovery at (520) 621-4795 so that appropriate arrangements can be made for the repatriation and reburial of the remains by cultural groups who claim cultural or religious affinity to them. 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.
4. Adherence to the sketch plan as approved at public hearing.
5. The use of the property is limited to a cosmetic clinic and office.
6. 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.
7. The property owner shall execute the following disclaimer regarding the Private Property Rights Protection Act: "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** 9-0 (Commissioner Maese was absent).

NON-PUBLIC HEARING

ZONING CODE STUDY SESSION

8. COMPREHENSIVE PLAN, REZONING, MARIJUANA LAND USE REFRESHER
9. DISCUSSION AND APPOINTMENT OF NEW CHAIR
10. BOARD OF SUPERVISORS DISPOSITION OF CASES
11. ADJOURNMENT

Meeting adjourned at 10:48 a.m.

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