



Pima County
Planning and Zoning Commission

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

Meeting Summary
10-27-2021

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
*Armando Membrila
District 3 *Ryan Maese
District 4 *David Hook, Chair
*William Matter
District 5 *Bruce Gungle*

ABSENT

*District 3 Tom Tronsdal, Vice-Chair
District 5 Bob Cook*

EIGHT MEMBERS PRESENT
(Membrila arrived at Item #6)

ALSO PRESENT

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

**Present Virtually or Telephonically*

2. PLEDGE OF ALLEGIANCE

3. CONSENT AGENDA

- A. The Commission moved to **APPROVE** the meeting summary of September 29, 2021. The motion **PASSED** 6-0 (Commissioner Maese was absent).

4. CALL TO THE PUBLIC

One speaker spoke. Kylie Walzak, Transportation Policy Advisor/Constituent Services, District 2 stated there will be two free presentations by Chuck Marohn, Strong Towns President, on November 16th and 17th, 2021, and all are invited.
www.strongtowns.org/events

NEW HEARINGS

COMPREHENSIVE PLAN AMENDMENT

5. **P21CA00007 FROST HOLDING COMPANY NUMBER TWO LLC – N. LA CANADA DRIVE PLAN AMENDMENT**

Frost Holding Company Number Two LLC, represented by Steadfast Drafting & Design LLC, requests a **Comprehensive Plan amendment** of approximately 1.66 acres from the Medium Intensity Urban (MIU) to the Neighborhood Activity Center (NAC) land use designation, located on the southwest corner of the intersection of N. La Canada Drive and W. Roller Coaster Road, and addressed as **5171 N. La Canada Drive** (parcel number 104-01-068B), in Section 15, Township 13 South, Range 13 East, in the Catalina Foothills Planning Area. (District 1)

ON MOTION, it was

Voted to recommend **APPROVAL**.

The motion **PASSED** 7-0 (Commissioners Cook, Membrila and Tronsdal were absent).

REZONINGS

6. **P21RZ00012 HAHN – N. CAMINO DEL FIERRO REZONING**

James and Lori Hahn request a **rezoning** for approximately 4.68 acres from the SR (Suburban Ranch) to the SR-2 (Suburban Ranch Estate) zone on property located on the northeast corner of N. Camino Del Fierro and W. Bountiful Lane, addressed as **10052 N. Camino Del Fierro**. 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 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 westerly lot access shall remain on N. Camino Del Fierro.
 - B. The easterly lot shall have its access on W. Bountiful Lane within the limits of the existing site disturbance located approximately 350 feet from N. Camino Del Fierro. The design of said access point shall be determined at the time of building permitting.
 - C. A right-of-way use permit is required for any work within Pima County right-of-way.
 - D. Corner spandrel right-of-way dedication shall be provided by the property owner(s) at the northeast corner of the N. Camino Del Fierro and W. Bountiful Lane intersection at the time of building permitting. A curve radius of twenty-five (25) feet is required.
3. Environmental Planning conditions:
 - A. The property owner/applicant shall achieve compliance with the Maeveen Marie Behan Conservation Lands System by limiting new ground disturbance to no more than 22,300 square feet total.

- 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 listed 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.

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>Oncosiphon piluliferum</i>	Stinknet
<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

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. Wastewater Reclamation condition: The owner(s) must secure approval from the Pima County Department of Environmental Quality to use on-site sewage disposal system at the time a tentative plat, development plan or request for a building permit is submitted for review.
6. Adherence to the sketch plan as approved at public hearing (Exhibit B).
7. 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.
8. 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** 8-0 (Commissioners Tronsdal and Cook were absent).

7. **P21RZ00013 COTTONWOOD PLAZA LLC – N. ORACLE ROAD REZONING**

Cottonwood Plaza LLC, represented by Rebecca and Scott Safford request a rezoning for an approximately 0.11 acres from the CB-1 (Local Business) to the CB-2 (General Business) zone on property located approximately 300 feet north of the northeast corner of N. Oracle Road and W. Ina Road, addressed as **7254 N. Oracle Road**. The proposed rezoning conforms to the Pima County Comprehensive Plan which designates the property for Community Activity Center. (District 1)

ON MOTION, it was

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

1. Wastewater Reclamation 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.

2. Adherence to the sketch plan as approved at public hearing.
3. 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.
4. 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** 8-0 (Commissioners Tronsdal and Cook were absent).

8. **P21RZ00014 BIKLEN – N. SUNROCK LANE #2 REZONING**

John Biklen, represented by the Tucson Historic Preservation Foundation, requests a **rezoning** of approximately 4.0 acres from the SR (BZ) (Suburban Ranch – Buffer Overlay) to the SR (BZ)(HL) (Suburban Ranch – Buffer Overlay – Historic Landmark) zone for a historical designation on the property located on the east side of N. Sunrock Lane, approximately 1,500 feet north of the T-intersection of W. Crestview Road and N. Sunrock Lane, addressed as **2840 N. Sunrock Lane**. The proposed rezoning conforms to the Pima County Comprehensive Plan which designates the property for Low Intensity Urban 0.3. (District 5)

ON MOTION, it was

Voted to recommend **APPROVAL SUBJECT TO A CONDITION:**

1. 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."

The motion **PASSED** 7-0 (Commissioners Membrila, Tronsdal and Cook were absent).

NON-PUBLIC HEARING

ZONING CODE STUDY SESSION

9. **COMPREHENSIVE PLAN AND REZONING LAND USE REFRESHER**

10. FLOODPLAIN MANAGEMENT PLAN UPDATE
11. BOARD OF SUPERVISORS DISPOSITION OF CASES
12. ADJOURNMENT

Meeting adjourned at 12:02 p.m.

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