



Pima County  
Planning and Zoning Commission

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

**Meeting Summary  
9-29-2021**

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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

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1. ROLL CALL – 9:00 a.m.

**PRESENT**

*District 1 \*Mark Hanna  
\*Jan Truitt  
District 2 \*Barbara Becker  
\*Armando Membrilla  
District 3 \*Tom Tronsdal, Vice-Chair  
\*Ryan Maese  
District 4 \*William Matter  
\*David Hook, Chair  
District 5 \*Bruce Gungle*

**ABSENT**

*District 5 Bob Cook*

**NINE MEMBERS PRESENT**

**ALSO PRESENT**

\*Chris Poirier, Planning Official & Executive Secretary      \*Terrill Tillman, Principal Planner  
\*Tom Drzazgowski, Chief Zoning Inspector                      \*Mark Holden, Principal Planner  
\*Donna Spicola, Planner & Commission Coordinator        \*Greg Saxe, Env Planning Manager

*\*Present Virtually or Telephonically*

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2. PLEDGE OF ALLEGIANCE
3. CONSENT AGENDA  
    A. The Commission moved to **APPROVE** the meeting summary of August 25, 2021.  
        The motion **PASSED** 9-0 (Commissioner Cook was absent).
4. CALL TO THE PUBLIC  
    One speaker provided a thank you for your service.

## CONTINUED HEARINGS

### COMPREHENSIVE PLAN AMENDMENT

5. **P21CA00004 FIDELITY NATIONAL TITLE TR 60294 – N. TULA LANE PLAN AMENDMENT**

Fidelity National Title TR 90284, represented by T and T Engineering LLC, requests a **Comprehensive Plan amendment** of approximately 76.36 acres (Lots 1-48, Common Areas A and B and public streets of the Montanas del Sol subdivision, recorded at Book 63, Map 71, Sequence Number 20081020212), from Medium Intensity Rural (MIR) to Rural Crossroads (RX), located on the southwest corner of N. Tula Lane and W. Picture Rocks Road, in Section 12, Township 13 South, Range 11 East, in the Avra Valley Planning Area. (District 3)

THIS CASE WAS WITHDRAWN BY THE APPLICANT ON SEPTEMBER 24, 2021

### REZONING

6. **P21RZ00010 HOGE/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 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. Department of Transportation conditions:
  - A. The existing access at the northeast corner of Lot 1 shall be closed and no longer utilized.
  - B. Each lot shall be limited to one access point as follows: Lot 1 shall have access off of N. Webster Road at least 150 feet south of the intersection of Cloud Road and Webster Road. Lot 2 shall have access off of E. Cloud Road aligned with Paseo del Torito to the north. The design of said access point(s) 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. A one-foot no access easement shall be provided along the south property boundary adjacent to E. Hardy Street and along the northern property boundary adjacent to E. Cloud Road with the exclusion of lot 2 access point.
3. Regional Wastewater Reclamation conditions:
  - A. The owner(s) 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(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.
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.
  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 Cook was absent).

## NEW HEARINGS

### COMPREHENSIVE PLAN AMENDMENT

7. **P21CA00006 HOYTE – S. KOLB ROAD PLAN AMENDMENT**

Seth Hoyte, represented by Kale Investment Company LLC, requests a **Comprehensive Plan amendment** to repeal Rezoning Policy RP-87 S. Kolb Road/E. Sahuarita Road, on approximately 20.01 acres (parcel numbers 305-22-1000, 305-22-1030, 305-22-1050 and 305-22-1060) located on the west side of S. Kolb Road, approximately 3000 feet north of E. Sahuarita Road, in Section 07, Township 17 South, Range 15 East, in the Southeast Planning Area. (District 4)

ON MOTION, it was

Voted to recommend **MODIFIED APPROVAL SUBJECT TO AMENDED REZONING POLICY:**

A. A Traffic Memorandum (TM) shall be submitted with the first submittal of a subdivision plat or development plan if finalized GR-1 (Rural Residential – Restricted) rezoning is sought. The TM shall be prepared in conformance with Pima County Subdivision and Development Street Standards.

The motion **PASSED** 8-0 (Commissioner Cook and Truitt were absent).

### SPECIFIC PLAN AND COMPREHENSIVE PLAN AMENDMENT

8. **P21SP00001 CORTARO FARMS 15 LLC, ET AL. – W. CORTARO FARMS ROAD SPECIFIC PLAN AND COMPREHENSIVE PLAN AMENDMENT**

Cortaro Farms 15 LLC, et al., represented by Projects International, Inc., request a **comprehensive plan amendment and specific plan** for approximately 57.6 acres (parcels 221-16-029D, 221-16-029E, 225-33-059M & 225-33-059R) from the Low Intensity Urban 0.3 (LIU-0.3) and the Medium Intensity Urban (MIU) to the Planned Development Community (PDC) land use designation, and from the SR (Suburban Ranch) to the SP (Specific Plan) zone, located on the south side of W. Cortaro Farms Road, approximately one-quarter mile east of N. Sandy Desert Trail, in Section 25, Township 12, Range 12 East and Section 30, Township 12 South, Range 13 East, in the Tortolita Planning Area. (District 1)

ON MOTION, it was

Voted to recommend **DENIAL:**

1. Not more than 60 days after the Board of Supervisors approves the specific plan, the owner(s) shall submit to the Planning Director the specific plan document, including the following conditions and any necessary revisions of the specific plan document reflecting the final

- actions of the Board of Supervisors, and the specific plan text and exhibits in an electronic and written format acceptable to the Planning Division.
2. In the event of a conflict between two or more requirements in this specific plan, or conflicts between the requirements of this specific plan and the Pima County Zoning Code, the specific plan shall apply. The specific plan does not regulate Building Codes.
  3. This specific plan shall adhere to all applicable Pima County regulations that are not explicitly addressed within this specific plan. The specific plan's development regulations shall be interpreted to implement the specific plan or relevant Pima County regulations. The design guidelines of the specific plan shall be implemented at the time of development.
  4. Transportation conditions:
    - A. A Master Traffic Impact Study shall be provided with the block plat submittal and shall be updated with each subsequent individual block development. The Master Traffic Impact Study and subsequent updates shall evaluate traffic conditions at that time including those of previous block plat submittals, projected site traffic impacts, and provide necessary mitigation. The TIS shall include a signal warrant analysis assuming a 4-way intersection as well as a pedestrian crossing (HAWK analysis) for a 3-way intersection as proposed. Offsite improvements determined necessary as a result of the Master Traffic Impact Study and subsequent updates shall be provided by the property owner(s).
    - B. A construction phasing and sequencing plan for both on-site and off-site improvements shall be provided with the submittal of the block plat and any subsequent final plat or development plan submittals.
    - C. Written proof of coordination with the Town of Marana shall be provided to Pima County Development Services prior to approval of the block plat.
    - D. The property owner(s) shall dedicate 80 feet of right-of-way for Camino de Oeste and the corner spandrel right-of-way dedication at the Cortaro Farms Road and Camino de Oeste intersection with the block plat.
  5. Flood Control District conditions:
    - A. Existing regulatory floodplains shall be located within the Natural Set-Aside Area as shown on the PDP and designated in common area. Development in the existing floodplain is prohibited.
    - B. Structures are not allowed within the existing erosion hazard setback (EHS).
    - C. First flush retention shall be provided in LID practices distributed throughout the site.
    - D. A Facilities Impact Permit is required for any modifications to the existing public drainageway.
    - E. 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.
  6. Regional 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.
7. 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 158.48 acres as Natural Open Space (NOS). Should the developed area be reduced from that which is reflected in the Specific Plan, the property owner shall provide a minimum of four (4) acres of natural open space for every acre developed in order to achieve full compliance with the CLS Conservation Guidelines. No less than 13.28 acres of NOS will be provided on-site and will conform to the approximate location and configuration shown on the approved Specific Plan. The difference between the total acres of NOS and NOS provided on-site will be provided off-site. Off-site NOS must conform to the CLS Off-site Mitigation Policies found in Pima Prospers, Pima County's 2015 Comprehensive Land Use Plan (Section 3.4 Environmental Element, Policy 11: "Conservation Lands System Mitigation Lands) and must comply with all of the following:
    - Off-site NOS is acceptable to the Pima County Planning Official or their designee; and
    - Prior to the approval of the tentative 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 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

8. 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.
9. Adherence to the specific plan document as approved at the Board of Supervisor's public hearing.
10. Flexible combinations of the specific plan conceptual preliminary development plans are encouraged so long as adequate infrastructure to support the phased uses exists for each phase.
11. The maximum height of single family residential is limited to 2-stories and 30 feet. All perimeter lots are limited to one-story adjacent to existing residential uses.
12. In the event the subject property is annexed, the property owner shall adhere to all applicable 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.
13. 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** 5-4 (Commissioner Maese, Membrilla, Becker and Hook voted NAY; Commissioner Cook was absent).

## REZONING

9. **P21RZ00011 DIXON FAMILY REVOC TR - N. ORACLE ROAD REZONING**  
David & Maria Dixon Family Revocable Trust represented by The WLB Group, Inc. request a **rezoning** of approximately 8.68 acres (parcel codes 222-22-002B and 222-22-0040) from the GR-1 (GZ-1) (Rural Residential - Urban Gateway Overlay) to the CMH-2 (GZ-1) (County Manufactured and Mobile Home - 2 - Urban Gateway Overlay) zone located at the northwest corner of the T-intersection of E. Golder Ranch Drive and 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. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
2. Transportation condition: Prior to development permitting approval, proof of coordination with Arizona Department of Transportation (ADOT) shall be provided to Pima County Development Services.
3. Regional Flood Control District conditions:
  - A. Revised hydrology and hydraulic report shall be submitted at the time of development. The report shall include analysis determining if the regulatory flow is contained within the channel, that the channel's construction and current condition sufficiently prevents the wash from migrating laterally, and stability of the golf cart access during storm events.
  - B. District approval for a Detention Waiver shall occur prior to submittal of a Site Construction Plan.
  - C. First flush retention shall be provided in LID practices distributed throughout the site.
  - D. At the time of development the developer shall be required to implement the selected combination of Water Conservation Measures from Table B Water Conservation Measures that exceeds the required 15 points.
4. Regional 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.
5. Environmental Planning condition: 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.
  5. 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.
  6. Parks and Recreation condition: A 30-foot wide easement shall be dedicated to Pima County for the Twenty Seven Wash Single-Track Trail #168 prior to development plan approval.
  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** 9-0 (Commissioner Cook was absent).

## NON-PUBLIC HEARING

### ZONING CODE STUDY SESSION

10. COMPREHENSIVE PLAN AND REZONING LAND USE REFRESHER

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

Meeting adjourned at 12:59 p.m.

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