



Pima County

MEETING LOCATION
Virtual

Planning and Zoning Commission

Meeting Summary

4-27-2022

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
- *Tom Tronsdal, Vice-Chair
- District 4 *William Matter
- District 5 *Bob Cook
- *Bruce Gungle

ABSENT

- District 4 David Hook, Chair

NINE MEMBERS PRESENT

(Commissioner Membrila arrived at Item 5 and Commissioner Gungle arrived at Item 6)

ALSO PRESENT

- *Chris Poirier, Planning Official & Executive Secretary
- *Tom Drzazgowski, Chief Zoning Inspector
- *Donna Spicola, Senior Planner & Commission Coordinator
- *Sherry Ruther, Sustainability & Conservation Division Manager
- *Jenny Neeley, Sustainability & Conservation Program Manager
- *Terrill Tillman, Principal Planner
- *Mark Holden, Principal Planner

**Present Virtually or Telephonically*

2. PLEDGE OF ALLEGIANCE

3. CONSENT AGENDA

- A. The Commission moved to **APPROVE** the meeting summary of March 30, 2022.
The motion **PASSED** 7-0 (Commissioners Membrila, Hook and Gungle were absent).

4. CALL TO THE PUBLIC

No one from the public spoke.

NEW HEARINGS

SPECIFIC PLAN

5. **P21SP00002 BRATTON, ET AL – N. RESERVATION ROAD SPECIFIC PLAN**

Christopher Bratton et al., represented by Lazarus & Silvyn, P.C., request a **specific plan rezoning** for approximately 5.07 acres (parcel codes 208-45-004A and 208-45-005B) from the RH (Rural Homestead) zone to the SP (Specific Plan) zone, located on the west side of N. Reservation Road, approximately one and one-half miles north of the T-intersection of N. Reservation Road and W. Mile Wide Road. The proposed specific plan rezoning conforms to the Pima County Comprehensive Plan which designates the property as Low Intensity Rural. (District 3)

ON MOTION, it was

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

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.
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.
4. Transportation conditions:
 - A. Paving will be required for all handicap accessible spaces and aisles, and paving for the on-site regular parking areas and access lanes shall be required in accordance with the Subdivision and Development Street Standards requirements if the site is opened to the public for product sales.
 - B. Legal, paved, all-weather access to the nearest public paved roadway shall be provided by the owner if the site is opened to the public for product sales.
 - C. Dust control mitigation for Reservation Road shall be provided by the owner(s) on a routine schedule as identified during the permitting process.
 - D. Proof of coordination with City of Tucson shall be provided to Development Services prior to the issuance of a development plan.
5. Flood Control District conditions:
 - A. Demonstrate prior to issuance of a Site Construction Permit and/or a Floodplain Use Permit the existing structures and any infrastructure that will remain onsite for this project are compliant with the Floodplain Management Ordinance. Non-compliant structures shall be modified to be compliant or removed prior to the issuance of any permits for new improvements.
 - B. First flush retention shall be provided in Low Impact Development practices distributed throughout the site.
 - C. 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. Environmental Planning condition: Upon the effective date of the Ordinance, the owner 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.
7. Cultural Resources condition: 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 grading permit will be reviewed for compliance with Pima County's cultural resources requirements under Chapter 18.81 of the Pima County Zoning Code.
8. Adherence to the specific plan document as approved at the Board of Supervisor's public hearing.
9. 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.
10. 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 Hook and Gungle were absent).

CODE TEXT AMENDMENT FOR INITIATION

6. **INITIATION OF ZONING CODE TEXT AMENDMENTS – RECREATIONAL MARIJUANA**
STAFF REQUESTS THAT THE PLANNING AND ZONING COMMISSION AUTHORIZE AND INITIATE REVISIONS TO PIMA COUNTY ZONING CODE CHAPTERS 18.03, 18.13, 18.43, 18.45 AND 18.51 TO UPDATE THE CHAPTERS TO PROVIDE REVISIONS TO EXISTING USES TO INCLUDE RECREATIONAL MARIJUANA DISPENSARIES, RECREATIONAL MARIJUANA DISPENSARY OFFSITE CULTIVATION LOCATIONS AND ADD MARIJUANA PRODUCT MANUFACTURING LOCATIONS. SECTION 18.01.070(B) (1) OF THE PIMA COUNTY ZONING CODE STATES THE BOARD OF SUPERVISORS OR THE PLANNING AND ZONING COMMISSION IS RESPONSIBLE FOR THE INITIATION OF CODE AMENDMENTS.

ON MOTION, it was

Voted to recommend **APPROVAL**

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

STUDY SESSION

7. IMPLEMENTATION OF THE MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM 2001-2021
8. ACCESSORY DWELLING UNITS
9. BOARD OF SUPERVISORS DISPOSITION OF CASES
10. ADJOURNMENT

Meeting adjourned at 10:56 a.m.

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