



MEMORANDUM

DEVELOPMENT SERVICES DEPARTMENT - PLANNING DIVISION

TO: Chairman and Members, Pima County Planning and Zoning Commission
FROM: Arlan Colton, Executive Secretary
RE: Pima County Planning and Zoning Commission Hearing of **September 30, 2015**
DATE: October 21, 2015

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.

Arlan Colton, Executive Secretary

The meeting was called to order at 9:00 a.m. at Pima County Administration Building Board of Supervisors Hearing Room, 130 W. Congress St., 1st Floor, Tucson, AZ

1) **ROLL CALL:**

PRESENT

D5 Jenny Neeley, Chair
D4 Eddie Peabody, Jr., Vice-Chair
D4 William Matter
D2 Randall R. Holdridge
D2 Armando Membrilla
D5 Bob Cook
D3 Lynne Mangold
D1 Brad Johns
D3 Peter Gavin

ABSENT

D1 Jodi Bain

NINE MEMBERS PRESENT

ALSO PRESENT

Arlan Colton, Planning Director
Chris Poirier, Assistant Planning Director
Mark Holden, Principal Planner
Sue Morman, Senior Planner
Artemio Hoyos, Planner
Celia Turner, Coordinator

Jeanette DeRenne, Principal Planner, DOT
Greg Saxe, Environmental Plan. Mgr., RFCDD
Sherry Ruther, Environmental Plan. Mgr.
Jim Portner, Hearing Administrator

2) **PLEDGE OF ALLEGIANCE**

3) **CONSENT AGENDA (UNADVERTISED PUBLIC HEARING)**

MONTHLY REPORTS TO THE P/Z COMMISSION

Monthly reports from Development Services Department for enterprise fund, total fees collected, services activity report and permits issued and from the planning division for total fees collected and services activity report.

ON MOTION, it was

Voted: To **APPROVE** August 26, 2015 checklist and the Consent Agenda.

The motion **PASSED** (9 – 0; Commissioner Gavin abstained (abstention counts as **YES** vote) Commissioner Bain was absent).

4) **CALL TO THE AUDIENCE**

No one spoke.

REZONINGS FOR PUBLIC HEARING

5) **P15RZ00002 JEWELL REVOC TR – N. HIDDEN VALLEY ROAD**

Request of **Jewell Revoc TR**, represented by **MJM Consulting, Inc. (Michael Marks)**, for a rezoning of approximately 3.9 acres from the SR (Suburban Ranch) / BZ (Buffer Overlay) zone to the CR-1 (Single Residence) / BZ (Buffer Overlay) zone, on property located south of E. Ocotillo Drive, approximately ¾ miles east of Sabino Canyon Road. The proposed rezoning conforms to the Pima County Comprehensive Plan (Pima Prospers) which designates the property for Low Intensity Urban -1.2 (LIU-1.2) and Resource Transition (RT). (District 1)

ON MOTION, it was

Voted: To **APPROVE** subject to standard and special conditions:

Completion of the following requirements within five years from the date the rezoning request is approved by the Board of Supervisors:

1. Submittal of a development plan if determined necessary by the appropriate County agencies.
2. Recording of the necessary development related covenants as determined appropriate by the various County agencies.
3. Provision of development related assurances as required by the appropriate agencies.
4. Prior to the preparation of the development related covenants and any required dedication, a title report (current to within 60 days) evidencing ownership of the property shall be submitted to the Development Services Department.
5. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
6. Environmental Planning conditions:
The property owner/developer shall achieve compliance with the Maeveen Marie Behan Conservation Lands System conservation guidelines by providing a minimum of 2.81 acres as perpetual Natural Open Space (NOS), as shown on the Sketch Plan, to be

conserved by a separately recorded legal instrument that is approved by the Pima County Planning Director or his/her designee. Said instrument shall grant Pima County the right to enter onto the designated NOS property, as the need arises, to inspect said property to determine compliance with the 'natural open space' status. Said instrument shall be recorded prior to the adoption of the final rezoning ordinance.

7. 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.
8. Adherence to the Sketch Plan as approved at public hearing.
9. The property owner shall execute and record the following disclaimer regarding Prop 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(I)."
10. 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 **PASSED** (9 – 0; Commissioner Bain was absent).

- 6) **Co9-15-05 JT RP LLC – EAST EAGLE FEATHER ROAD (EASEMENT) REZONING**
Request by **JT RP LLC**, represented by **Kathy Gormally**, for a rezoning of approximately 3.81 acres from SR (Suburban Ranch) Zone to CR-1 (Single Residence) Zone on property located approximately 800' east of Bear Canyon Road on the south side of East Eagle Feather Road (Easement). The proposed rezoning conforms to the Pima County Comprehensive Plan (Co7-00-20). (District 4)

ON MOTION, it was

Voted: To CONTINUE until October 28, 2015.

The motion **PASSED** (9 – 0; Commissioner Bain was absent).

TYPE 2 MINOR REVISION TO THE COMPREHENSIVE PLAN FOR PUBLIC HEARING

- 7) **Co7-13-10 PIMA COUNTY COMPREHENSIVE PLAN, "PIMA PROSPERS", GLOSSARY MODIFICATIONS**
Proposal from Development Services Department Staff to amend the 2015 Pima County Comprehensive Plan "Pima Prospers" (Co7-13-10), Appendix E (Glossary) to add definitions for "Agriculture Inholdings within the Conservation Lands System" and "Scientific Research Areas" and to replace the definitions for "Biological Core Management Areas", "Critical Landscape Connections", "Important Riparian Areas",

“Multiple Use Management Areas”, and “Special Species Management Areas” to be consistent with the definitions in the 2001 Pima County Comprehensive Plan (Co7-00-20) as amended, and to allow for grammatical clarity. Due to an oversight, correct definitions were inadvertently left out of the Glossary as Pima Prospers was going through the public hearing process in the Spring of 2015.

ON MOTION, it was

Voted: To APPROVE as proposed by staff.

The motion **PASSED** (9 – 0; Commissioner Bain was absent).

CODE TEXT AMENDMENT FOR PUBLIC HEARING

8) Co8-15-02 WALLS, FENCES AND HOME OCCUPATIONS

Proposal to amend by ordinance the Pima County Zoning Code Title 18, Section 18.03 to revise the definition of a structure to exempt walls and fences with a height of 84 inches or less from permit requirements, and to amend Section 18.09 General Residential and Rural Zoning Provisions to revise the Home Occupations section to align it with changes in the Arizona State Statutes. (All districts)

ON MOTION, it was

Voted: To CONTINUE until October 28, 2015.

The motion **PASSED** (9 – 0; Commissioner Bain was absent).

CODE TEXT AMENDMENT FOR INITIATION

9) INITIATION OF ZONING CODE TEXT AMENDMENT – SECOND APPLICATION WINDOW; CONCURRENT COMPREHENSIVE PLAN/REZONING; EXPANSION DEFINITION OF MAJOR AMENDMENT; AND ADMINISTRATIVE CONFORMANCE OF THE ZONING WITH THE COMPREHENSIVE PLAN

Staff requests that the Planning and Zoning Commission authorize and initiate revisions to the Pima County Zoning Code, Chapter 18.89 to: (1) create a second window during the calendar year to accept non-major Comprehensive Plan Amendments; (2) potentially expand the criteria for a concurrent Comprehensive Plan Amendment and rezoning; (3) change the definition of Major Plan Amendment from 500 to 640 acres; and, (4) conform the balance of Chapter 18.89 and related language elsewhere in the code, as may be necessary, with the Comprehensive Plan Amendment (Pima Prospers). The first two proposals would implement Goal 1, Policy 20 of the Pima County Comprehensive Plan, Land Use Element, and the third and fourth proposals would conform the zoning code with the adopted Comprehensive Plan language.

ON MOTION, it was

Voted: To APPROVE Initiation as proposed by staff.

The motion **PASSED** (9 – 0; Commissioner Bain was absent).

10) NEW BUSINESS

A) Board of Supervisors disposition of cases.
Arlan Colton, Planning Director, provided disposition of cases.

B) Pima Prospers Certificates of Appreciation.
Arlan Colton, Planning Director, passed them to the Commissioners.

11) ADJOURNMENT

Meeting was adjourned at 10:38 a.m. on motion by Commissioner Neeley, seconded by Commissioner Mangold.