



**BOARD OF SUPERVISORS AGENDA ITEM REPORT**

Requested Board Meeting Date: November 21, 2017

**Title:** P17RZ00002 MICHAEL JEAN FOX LIVING TRUST - N. LASON LANE REZONING (Ordinance)

**Introduction/Background:**

The Board of Supervisors approved this rezoning subject to conditions as recommended by the Planning and Zoning Commission on June 20, 2017.

**Discussion:**

The rezoning was for an approximately 1.86-acre parcel from the SR (Suburban Ranch) zone to the SR-2 (Suburban Ranch Estate) zone to allow residential use of the parcel which was undersized for the SR zone.

**Conclusion:**

The Ordinance reflects the Board of Supervisor's approval of the rezoning.

**Recommendation:**

Approval

**Fiscal Impact:**

N/A

**Board of Supervisor District:**

1       2       3       4       5       All

NOV 08 17PM 02:41 PC CLK/DFB

Department: Development Services Department - Planning Telephone: 520-724-9000

Contact: David Petersen Telephone: 520-724-9000

Department Director Signature/Date:  10-23-17

Deputy County Administrator Signature/Date:  11/2/17

County Administrator Signature/Date:  11/2/2017

  
**PIMA COUNTY**  
DEVELOPMENT SERVICES

**Subject: P17RZ00002**

**Page 1 of 1**

**FOR NOVEMBER 21, 2017 MEETING OF THE BOARD OF SUPERVISORS**

**TO:** HONORABLE BOARD OF SUPERVISORS  
**FROM:** Chris Poirier, Planning Official  
Public Works-Development Services Department-Planning Division  
**DATE:** October 30, 2017

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**ORDINANCE FOR ADOPTION**

**P17RZ00002** **MICHAEL JEAN FOX LIVING TRUST – N. LASON LANE**  
**REZONING**  
Owners: Michael Jean Fox Living TR  
(District 1)

**If approved, adopt ORDINANCE NO. 2017 - \_\_\_\_\_**

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**OWNERS:** Michael Jean Fox Living TR  
4651 N. Lason Lane  
Tucson, AZ 85749

**AGENT:** John Wesley Miller  
P.O. Box 2386  
Tucson, AZ 85702

**DISTRICT:** 1

**STAFF CONTACT:** David Petersen

**STAFF RECOMMENDATION:** APPROVAL

TD/DP/ar  
Attachments

cc: P17RZ00002 File  
Tom Drzazgowski, Principal Planner

ORDINANCE 2017-\_\_\_\_\_

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA RELATING TO ZONING; REZONING APPROXIMATELY 1.86 ACRES OF PROPERTY, LOCATED ON THE WEST SIDE OF N. LASON LANE APPROXIMATELY 369 FEET SOUTH OF E. SNYDER ROAD, FROM THE SR (SUBURBAN RANCH) ZONE TO THE SR-2 (SUBURBAN RANCH ESTATE) ZONE, IN CASE P17RZ00002 MICHAEL JEAN FOX LIVING TRUST – N. LASON LANE REZONING, AND AMENDING PIMA COUNTY ZONING MAP NO. 50.

IT IS ORDAINED BY THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA:

Section 1. The 1.86 acres located on the west side of N. Lason Lane approximately 368 feet south of E. Snyder Road and illustrated by the shaded area on the attached rezoning ordinance map (Exhibit A), which amends Pima County Zoning Map No. 50, is rezoned from the SR (Suburban Ranch) zone to the SR-2 (Suburban Ranch Estate) zone subject to the conditions in this ordinance.

Section 2. Rezoning Conditions.

1. The owner shall:
  - A. Submit a development plan if determined necessary by the appropriate County agencies.
  - B. Record the necessary development related covenants as determined appropriate by the various County agencies.
  - C. Provide development related assurances as required by the appropriate agencies.
2. 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.
3. The property owner shall not further lot split or subdivide the land without the written approval of the Board of Supervisors.
4. 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/developer 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/developer shall have 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. Adherence to the sketch plan (Exhibit B) as approved at public hearing.
6. 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(I).
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.

Section 3. Time limits of conditions. Conditions 1 through 7 of Section 2 shall be completed no later than June 20, 2022.

Section 4. The rezoning conditions of Section 2 may be amended or waived by resolution of the Board of Supervisors in accordance with Chapter 18.91 of the Pima County Zoning Code.

Section 5. The effective date of this Ordinance is the date the Chair of the Board of Supervisors signs this Ordinance.


Passed and adopted by the Board of Supervisors of Pima County, Arizona, on this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Chair, Pima County Board of Supervisors


ATTEST:

\_\_\_\_\_  
Clerk, Board of Supervisors

Approved As To Form:

 8/21/17  
\_\_\_\_\_  
Deputy County Attorney  
Lesley M. Lukach

Approved:

  
\_\_\_\_\_  
Executive Secretary,  
Planning and Zoning Commission

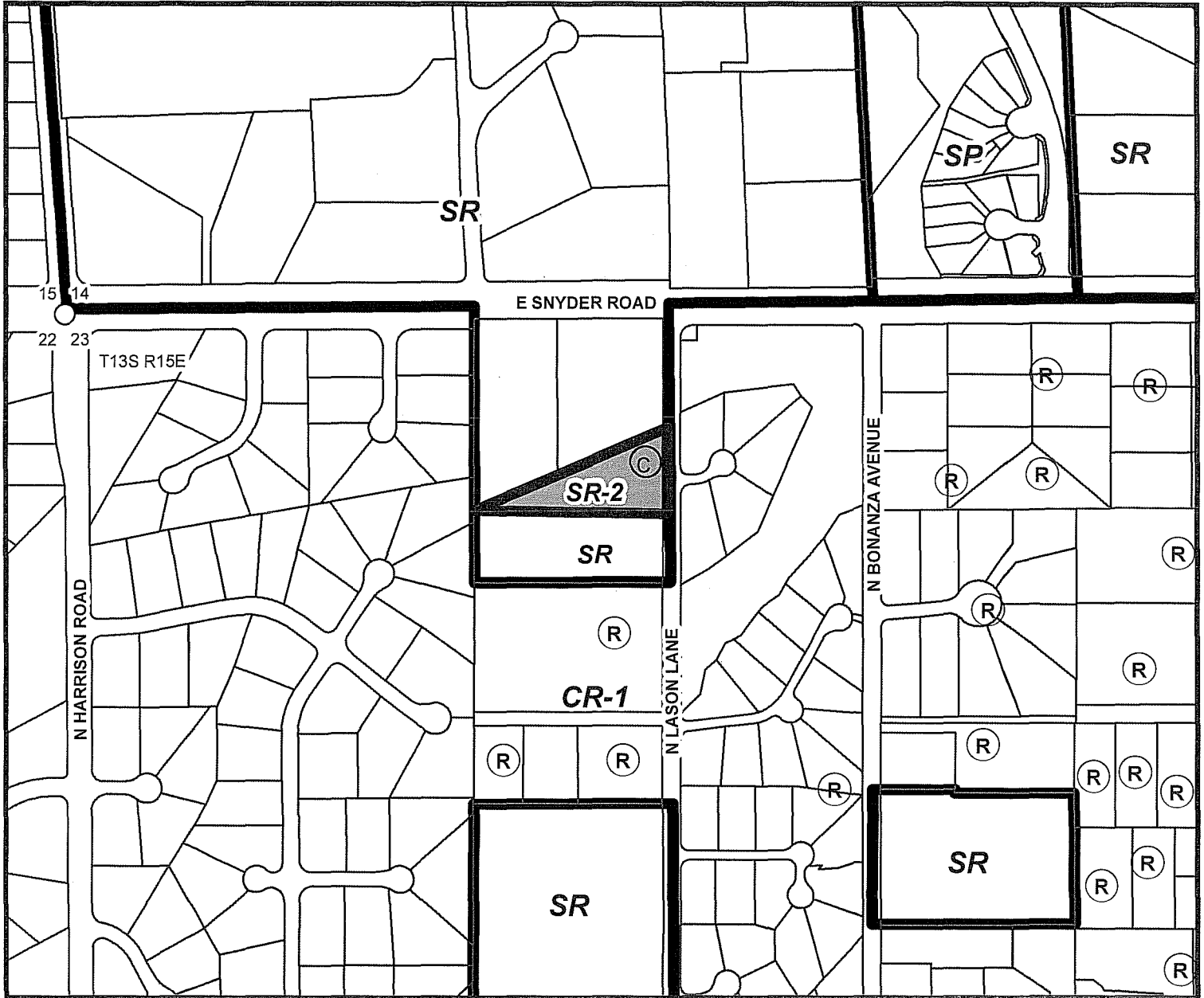
# EXHIBIT A

AMENDMENT NO. \_\_\_\_\_ BY ORDINANCE NO. \_\_\_\_\_  
TO PIMA COUNTY ZONING MAP NO. 50 TUCSON AZ.  
PARCEL 25C BEING A PART OF THE NW 1/4 OF THE NE 1/4  
OF THE NW 1/4 OF SEC 23 T13S R15E.



0 125 250 500 Feet

ADOPTED: \_\_\_\_\_ EFFECTIVE: \_\_\_\_\_

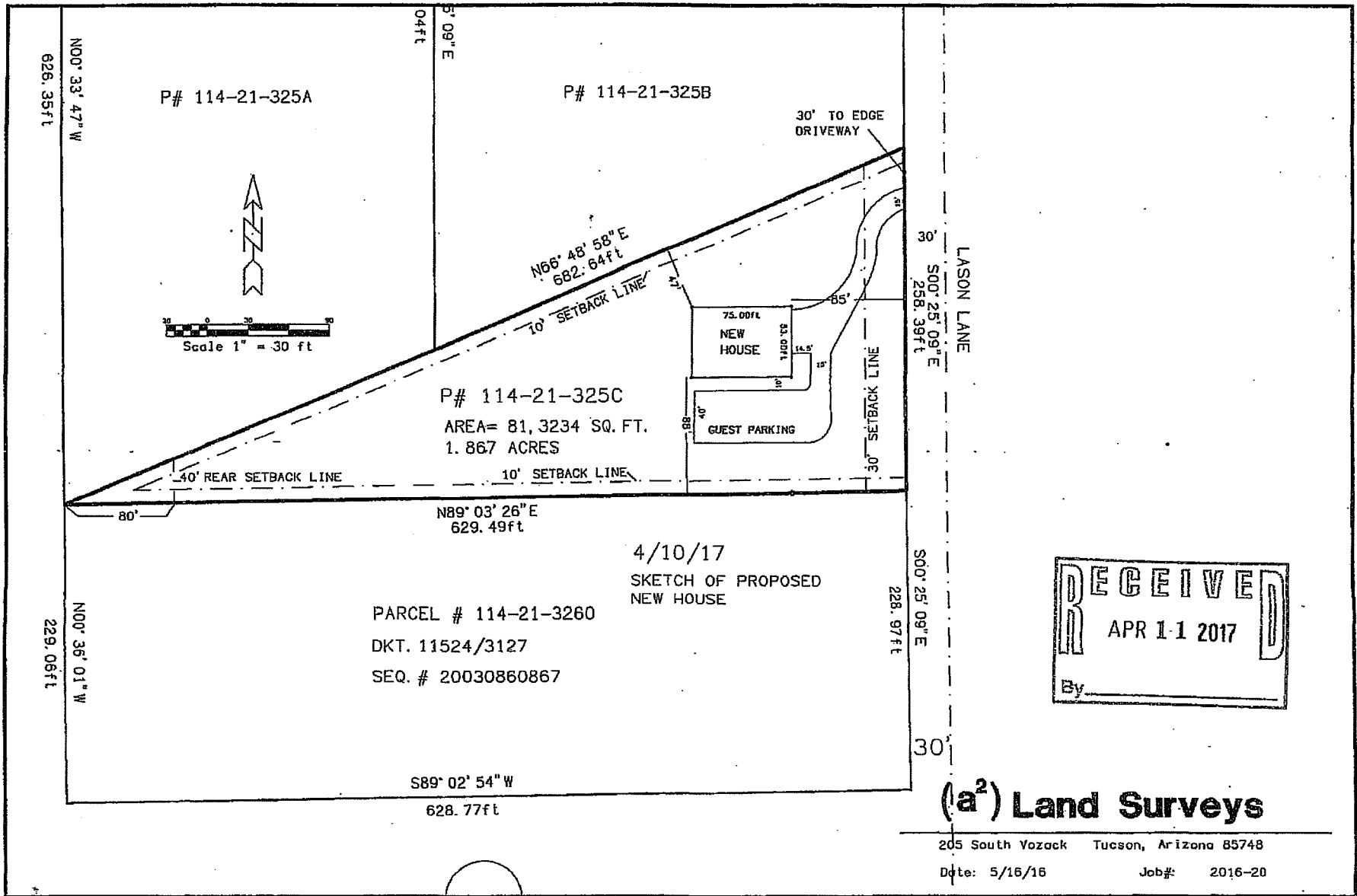


## EXECUTIVE SECRETARY PIMA COUNTY PLANNING AND ZONING COMMISSION

© NO BUILDING PERMITS WITHOUT CERTIFICATE OF COMPLIANCE  
FROM SR 1.86 ac  
ds-June 28, 2017

P17RZ00002  
Co7-13-10  
114-21-325C





**RECEIVED**  
 APR 11 2017  
 By \_\_\_\_\_

**(a<sup>2</sup>) Land Surveys**

205 South Vozack Tucson, Arizona 85748  
 Date: 5/16/16 Job#: 2016-20

Sketch Plan P11R200002  
 Tax Parcel 114-21-325 Only

Approved at June 20, 2017  
 Public hearing. D.P.