



# BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: 3/15/2022

*\*= Mandatory, information must be provided*

Click or tap the boxes to enter text. If not applicable, indicate "N/A".

**\*Title:**

ORDINANCE: P20RZ00007 RAGE ET AL. – N. JUNIPER ROAD REZONING

**\*Introduction/Background:**

The Board of Supervisors approved this rezoning on August 16, 2021.

**\*Discussion:**

The rezoning was for approximately 5.37 acres from the CR-1 (Single Residence) and SR (Suburban Ranch) zones to the CR-4 (Mixed-Dwelling Type) zone for a 24-lot single family residential subdivision.

**\*Conclusion:**

The Ordinance reflects the Board of Supervisors' approval.

**\*Recommendation:**

Approval

**\*Fiscal Impact:**

0

**\*Board of Supervisor District:**

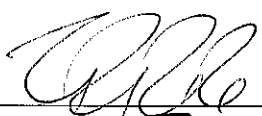
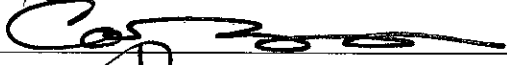

1    2    3    4    5    All

Department: Development Services - Planning

Telephone: 520-724-8800

Contact: Terrill L. Tillman, AICP, Principal Planner

Telephone: 520-724-6921

Department Director Signature:		Date:	<u>2/23/22</u>
Deputy County Administrator Signature:		Date:	<u>2/23/2022</u>
County Administrator Signature:		Date:	<u>2/23/2022</u>



**PIMA COUNTY**

DEVELOPMENT SERVICES

Subject: P20RZ00007

Page 1 of 1

**MARCH 15, 2022 MEETING OF THE BOARD OF SUPERVISORS**

**TO:** HONORABLE BOARD OF SUPERVISORS

**FROM:** Chris Poirier, Planning Official  
Public Works-Development Services Department-Planning Division

*Tom Drazgowski*

**DATE:** February 22, 2022

**ORDINANCE FOR ADOPTION**

**P20RZ00007 RAGE ET AL. – N. JUNIPER ROAD REZONING**

Owners: Gerald Rage, et al.  
(District 1)

**If approved, adopt ORDINANCE NO. 2022 - \_\_\_\_\_**

**OWNERS:** Gerald Rage, et al.  
Attn: Gerald Rage  
4980 N. Camino Esplendor  
Tucson, AZ 85718

**AGENT:** The Planning Center  
Attn: Brian Underwood, Project Manager  
2 E. Congress Street, Suite 600  
Tucson, AZ 85701

**DISTRICT:** 1

**STAFF CONTACT:** Terrill L. Tillman, AICP, Principal Planner

**STAFF RECOMMENDATION: APPROVAL**

TD/TT/ds  
Attachments

c: The Planning Center, Attn: Brian Underwood, Project Manager

ORDINANCE 2022-\_\_\_\_\_

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO ZONING; REZONING APPROXIMATELY 5.37 ACRES OF PROPERTY (PARCEL CODES 225-36-0250 and 225-36-0350) FROM THE CR-1 (SINGLE RESIDENCE) AND SR (SUBURBAN RANCH) ZONES TO THE CR-4 (MIXED-DWELLING TYPE) ZONE, IN CASE P20RZ00007 RAGE ET AL. - N. JUNIPER ROAD REZONING, LOCATED AT THE SOUTHEAST CORNER OF N. JUNIPER ROAD AND W. GILBERT STREET, ADDRESSED AS 7250 AND 7320 N. JUNIPER ROAD, AND AMENDING PIMA COUNTY ZONING MAP NOS. 75 AND 114.

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

Section 1. The 5.37 acres located at the southeast corner of N. Juniper Road and W. Gilbert Street, addressed as 7250 and 7320 N. Juniper Road (Parcel Codes 225-36-0250 and 225-36-0350), and illustrated by the shaded area on the attached rezoning ordinance map (Exhibit A), which amends Pima County Zoning Map Nos. 75 and 114, is rezoned from the CR-1 (Single Residence) and SR (Suburban Ranch) zones to the CR-4 (Mixed-Dwelling Type) zone subject to the conditions in this ordinance.

Section 2. Rezoning 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. A 1-foot no access easement shall be provided along the western and northern boundaries of the site.
  - B. Prior to approval of the Tentative Plat, written proof of coordination with the Town of Marana regarding traffic impacts to their roadway system and any subsequent Town of Marana requirements shall be provided to Pima County Development Services.
  - C. A Traffic Memorandum shall be provided with the Tentative Plat submittal. The Traffic Memorandum should include the turn lane warrant analysis and trip distribution to determine impacts to the Pima County roadway network to the north. Offsite improvements determined necessary as a result of the Traffic Memorandum shall be provided by the property owner.
3. Regional Flood Control District condition: At the time of development the developer shall be required to select a combination of Water Conservation Measures such that the point total equals or exceeds 15 points and includes a combination of indoor and outdoor measures.
4. 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.
5. 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. Prior to issuance of the certificate of compliance, the owner shall record a covenant, to run with the land, memorializing the terms of this condition.
6. 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 Type II grading permit will be reviewed for compliance with Pima County's cultural resources requirements under Chapter 18.81 of the Pima County Zoning Code.
7. Adherence to the preliminary development plan (Exhibit B) as approved at public hearing.
8. Lots 17-23 are limited to one-story.
9. Any mature trees removed along the Gilbert Road frontage will be replaced with mature trees.

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.
11. 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)."

Section 3. Time limits of conditions. Conditions 1 through 11 of Section 2 shall be completed no later than August 16, 2026.

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 Chairman of the Board of Supervisors signs this Ordinance.

Passed and adopted by the Board of Supervisors of Pima County, Arizona, on this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

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

ATTEST:

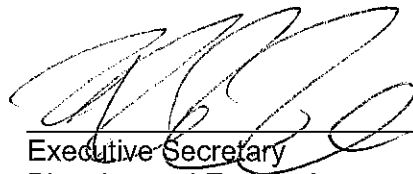
\_\_\_\_\_  
Clerk, Board of Supervisors

APPROVED AS TO FORM:



\_\_\_\_\_  
Deputy County Attorney  
Lesley M. Lukach

APPROVED:



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

# EXHIBIT A

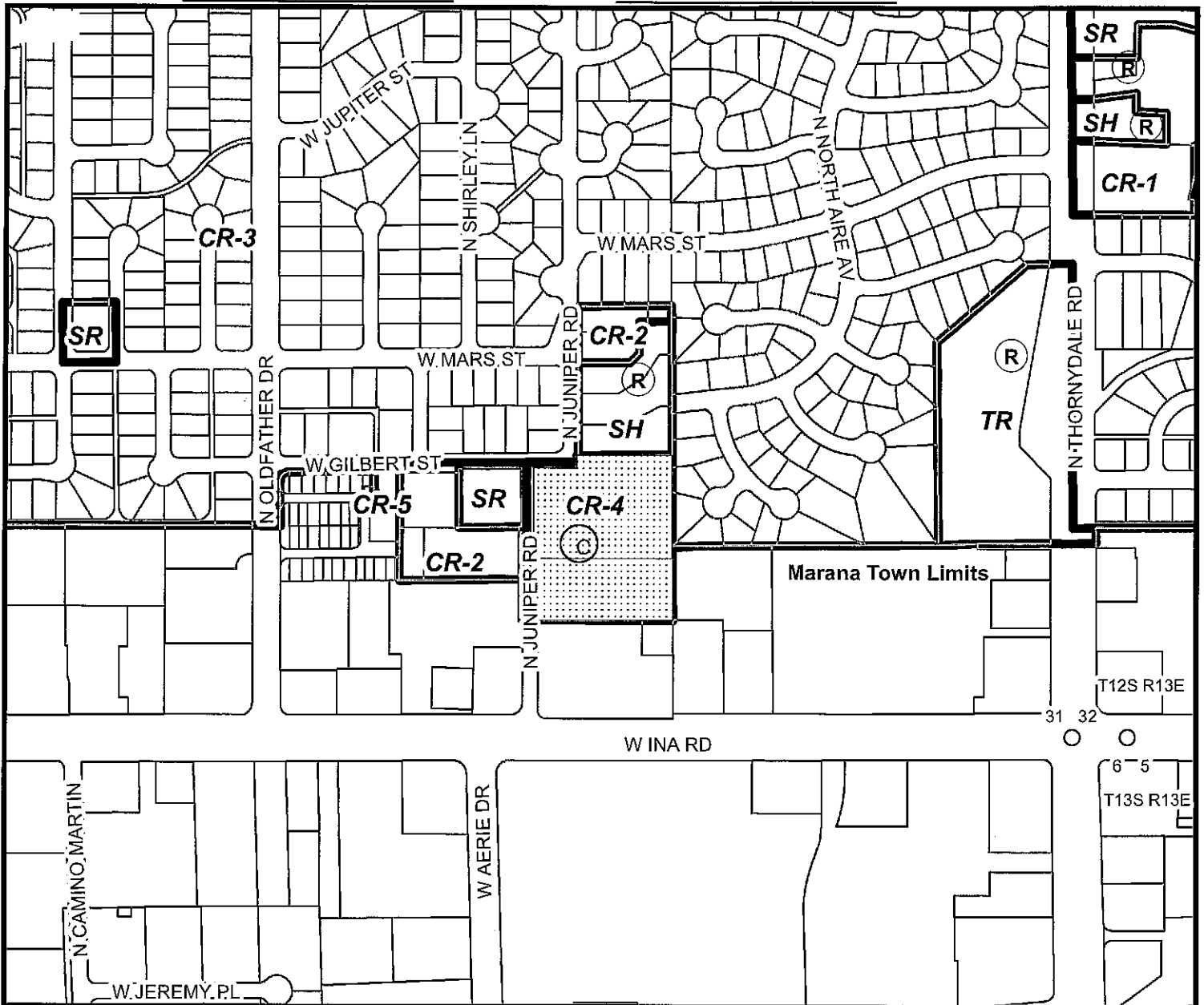
AMENDMENT NO.'S \_\_\_\_\_ BY ORDINANCE NO. \_\_\_\_\_  
TO PIMA COUNTY ZONING MAP NO.'S 75, 114 TUCSON AZ. BEING A  
PART OF THE SW 1/4 OF THE SE 1/4 OF SECTION 31 OF T12S R13E.



0 120 240 480 Feet  
[Scale bar]

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

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



## EXECUTIVE SECRETARY PIMA COUNTY PLANNING AND ZONING COMMISSION

**C** NO BUILDING PERMITS WITHOUT CERTIFICATE OF COMPLIANCE  
FROM SR & CR-1 5.37 ac  
ds-September 22, 2021

P20RZ00007  
225360250, 225360350



