



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: 3/19/2024

*= Mandatory, information must be provided

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

***Title:**

ORDINANCE: P23RZ00003 STINSON FAMILY TRUST - S. HEADLEY ROAD REZONING

***Introduction/Background:**

The Board of Supervisors approved this rezoning on October 17, 2023.

***Discussion:**

The rezoning was for approximately 15.1 acres from the SH (Suburban Homestead) to the CR-5 (Multiple Residence) zone for a 69-lot, single-family residential subdivision with one and two-story dwelling units.

***Conclusion:**

The Ordinance reflects the Board of Supervisors' approval.

***Recommendation:**

Approval

***Fiscal Impact:**


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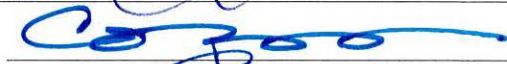
***Board of Supervisor District:**


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:  For Date: _____

Deputy County Administrator Signature:  Date: 3/1/2024

County Administrator Signature:  Date: 3/4/2024



Subject: P23RZ00003

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MARCH 19, 2024 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS
FROM: Chris Poirier, Deputy Director
Public Works-Development Services Department-Planning Division
DATE: February 28, 2024

ORDINANCE FOR ADOPTION

P23RZ00003 STINSON FAMILY TRUST – S. HEADLEY ROAD REZONING

Owners: Stinson Family Trust
(District 5)

If approved, adopt ORDINANCE NO. 2024 - _____

OWNERS: Stinson Family Trust
Attn: Paul Stinson & Barbara Stinson
4937 E. 5th Street, Ste. 115
Tucson, AZ 85711-2282

AGENT: Projects International, Inc.
Jim Portner, Principal
10836 E. Armada Lane
Tucson, AZ 85749

DISTRICT: 5

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

STAFF RECOMMENDATION: APPROVAL

TD/TT
Attachments

c: Jim Portner

ORDINANCE 2024 - _____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO ZONING; REZONING APPROXIMATELY 15.1 ACRES OF PROPERTY (PARCEL CODES 138-24-0310 AND 138-24-0320) FROM THE SH (SUBURBAN HOMESTEAD) ZONE TO THE CR-5 (MULTIPLE RESIDENCE) ZONE, IN CASE P23RZ00003 STINSON FAMILY TRUST – S. HEADLEY ROAD REZONING, BOUNDED BY S. HEADLEY ROAD AND S. VALLEY INDIAN AGENCY CONNECT ROAD APPROXIMATELY 1,300 FEET SOUTH OF VALENCIA ROAD, AMENDING PIMA COUNTY ZONING MAP NO. 62.

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

Section 1. The 15.1 acres bounded by S. Headley Road and S. Valley Indian Agency Connect Road approximately 1,300 feet south of Valencia Road and illustrated by the shaded area on the attached rezoning ordinance map (Exhibit A), which amends Pima County Zoning Map No. 62, is rezoned from the SH (Suburban Homestead) zone to the CR-5 (Multiple Residence) 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 Traffic Impact Study (TIS) shall be submitted for review and approval by the Department of Transportation with the Tentative Plat submittal. Offsite improvements determined necessary as a result of the TIS shall be provided by the property owner.
 - B. Prior to Tentative Plat approval, written proof of coordination with the City of Tucson Department of Transportation and Mobility is required regarding any traffic impacts to their roadway system.
 - C. The property shall be limited to one access point on Valley Indian Agency Connect Road, with a secondary connection to Headley Road for emergency response vehicles only.
 - D. Gated entries shall meet the requirements of the Subdivision and Development Street Standards (SDSS) as determined at time of Tentative Plat submittal.
 - E. Sidewalk and curbing shall be constructed to Pima County standards along the property frontage on Valley Indian Agency Connect Road.
3. Regional Flood Control District conditions:
 - A. Drainage design shall not increase existing conditions water surface elevations and flow velocities at all property boundaries.

- B. First flush retention shall be provided in Low Impact Development (LID) practices distributed throughout the site and shall provide a minimum 9" depressed area for stormwater harvesting to supplement irrigation in the landscape buffers.
 - C. Curb cuts in appropriate locations along roads shall be utilized to optimize LID practices in appropriate locations throughout the road system.
 - D. 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.
4. Regional Wastewater Reclamation conditions:
- A. The rezoning area may be sewered using private sewers within private streets flowing to a private sewage pumping station that discharges to existing public sewer line G-2000-046, via a private force main, only if authorized by the Pima County Regional Wastewater Reclamation Department in their written documentation that treatment and conveyance capacity for the proposed development is available.
 - B. 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.
 - C. 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 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.
 - D. 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.
 - E. 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.
 - F. 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.
 - G. 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)/developer(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.

6. 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.
7. Adherence to the preliminary development plan (Exhibit B) as approved at public hearing.
8. Tucson Airport Authority conditions:
 - A. An Avigation Easement must be executed and recorded with the Pima County Recorder's Office, by the property owner/developer/applicant or other person authorized to sign on behalf of the current property owner, to cover the entire project area and in accordance with the requirement of the Tucson Airport Authority. The Avigation Easement must run with the property and will serve to educate future purchasers and tenants of the property of potential aviation impacts.
 - B. According to the Federal Aviation Administration (FAA) Notice Criteria Tool, this project area is located in proximity to a navigation facility and could impact navigation signal reception. As the project site develops every project applicant must file FAA Form 7460 with the FAA at least 45 days before construction activities begin for every proposed project unless FAA staff, with the Obstruction Evaluation/Airport Airspace Analysis (OE/AAA), provides the project applicant with written communication that filing FAA Form 7460 is not required. It is highly recommended that the applicant file earlier than 45 days to provide the applicant with sufficient time to respond to any concerns which are identified by the FAA. Any cranes which are used must also be identified with Form 7460. Please file Form 7460 at <https://oeaaa.faa.gov/oeaaa/external/portal.jsp>
 - C. Applicable to residential uses only: The property owner/developer/applicant must provide the Airport Disclosure Statement form, at time of sale, to the new property owners with all new unit purchases. In the event the development of any residential uses does not involve the sale of new units, but is instead offering rental residential units to the public, the new tenant of the rental unit must be provided a copy of the Airport Disclosure Statement form. The intent of the Airport Disclosure Statement form is to educate and notify the new residents that they are living near an airport. The content of such documents shall be according to the form and instructions provided.
 - D. The property owner (for itself or its tenants) must forward a signed copy of the Airport Disclosure Statement form to the Tucson Airport Authority within ten (10) days of signature, using the mailing address provided below.

Scott Robidoux, Manager of Planning
Tucson Airport Authority
7250 South Tucson Boulevard, Suite 300
Tucson, AZ 85756
9. 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.

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(I)."

Section 3. Time limits of conditions. Conditions 1 through 10 of Section 2 shall be completed no later than October 17, 2028.

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 _____, 2024.

Chair, Pima County Board of Supervisors

ATTEST:

Clerk, Board of Supervisors

APPROVED AS TO FORM:



Deputy County Attorney
Jacob Kavkewitz

APPROVED:



Executive Secretary
Planning and Zoning Commission

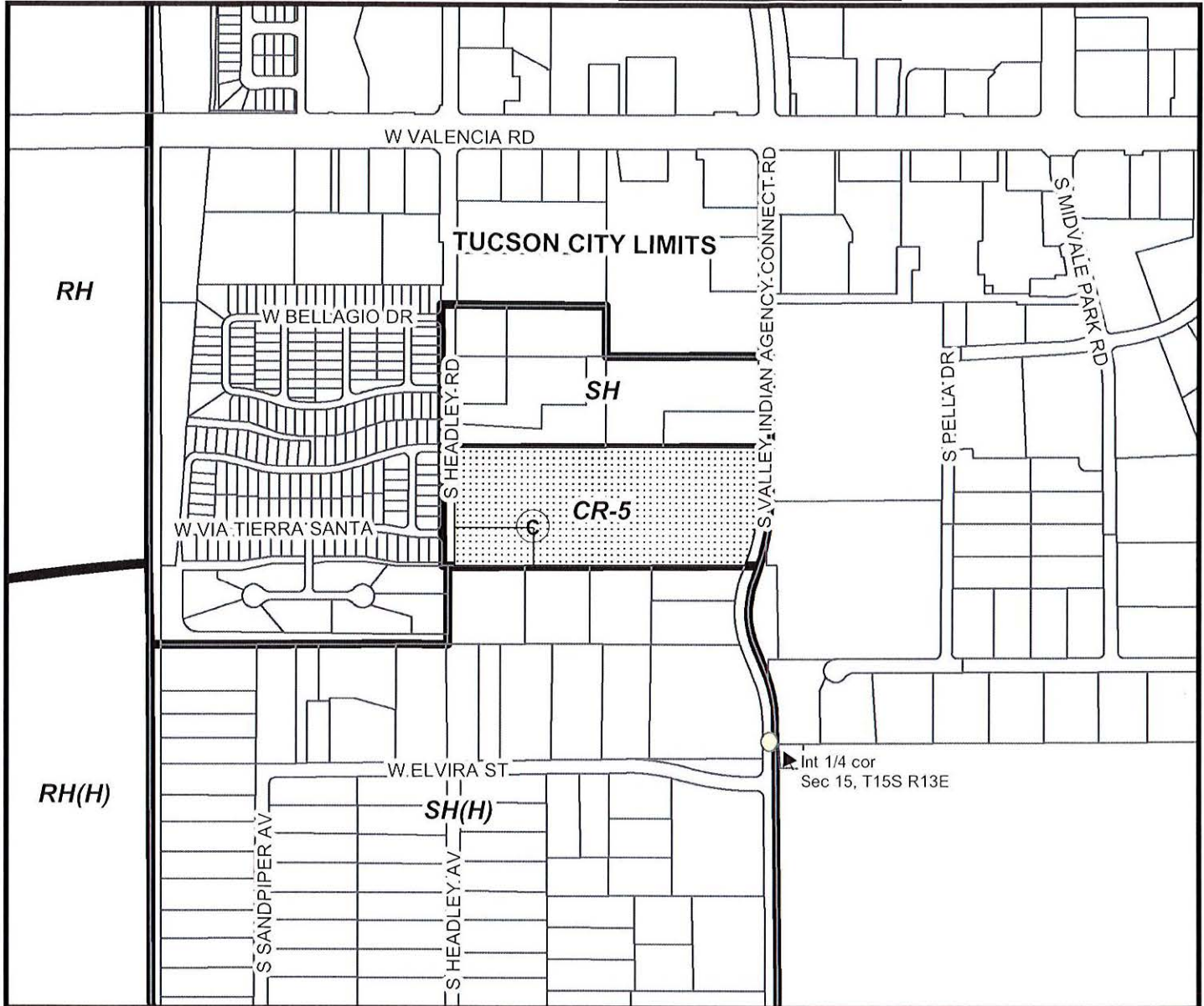
EXHIBIT A

AMENDMENT NO. _____ BY ORDINANCE NO. _____
TO PIMA COUNTY ZONING MAP NO. 62 TUCSON AZ. BEING A
PART OF THE E 1/2 OF THE NW 1/4 OF SECTION 15, T15S R13E.



0 165 330 660 Feet

ADOPTED: _____ EFFECTIVE: _____

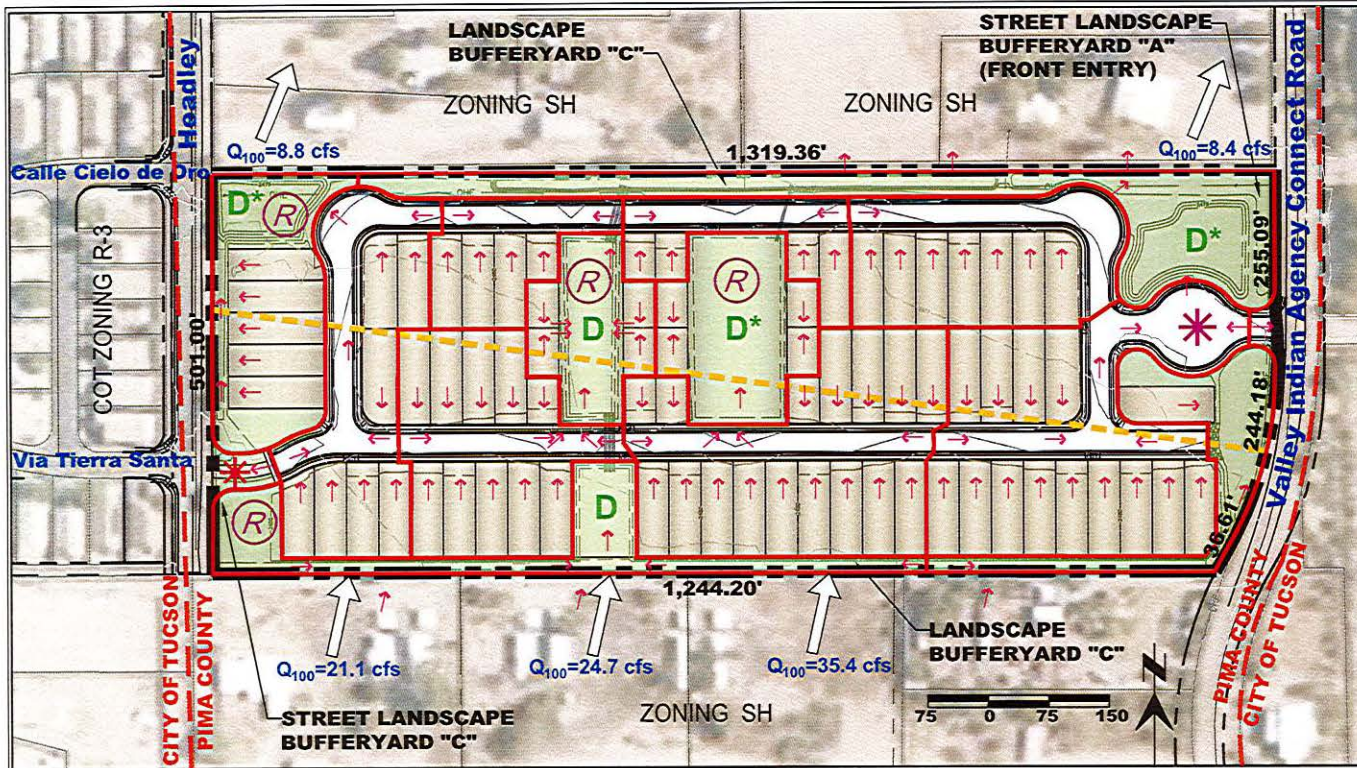


EXECUTIVE SECRETARY PIMA COUNTY PLANNING AND ZONING COMMISSION

C NO BUILDING PERMITS WITHOUT CERTIFICATE OF COMPLIANCE
FROM SH 15.1 ac
ds-January 23, 2024

P23RZ00003
138240310 & 138240320





LEGEND

- PDP/Rezoning Boundary
- 1,319.36'** Boundary Dimension, Typ.
- Northern Limit of San Xavier Mission Historic Zone "C"
- Proposed Detention Basin; those denoted with an asterisk (*) will provide necessary first-flush retention volume.
- Post-Development Flow Quantities and Concentration Points Entering or Exiting the Site (See Exhibit II-D.1 for further detail)
- Surface Flow Direction
- Post-Development Watershed Boundaries
- Project Main Entry & Exit (Gated, with Turnaround)
- 16' Emergency Access Only with Stabilized Drivable Surface (Cable or Gate Barrier)
- Recreation Areas - See Exhibit II-L for specific uses.
- Storm Drains

GENERAL NOTES

PROJECT AREA

ASSESSORS PARCEL NUMBERS: 138-24-0310 & 0320
 OVERALL REZONING SITE GROSS AREA: 15.1 AC
 NET SITE AREA AFTER R.O.W. DEDICATIONS: SAME (NO R.O.W. DEDICATIONS REQ'D)

PROJECT PARTICULARS

EXISTING ZONING: SH
 COMPREHENSIVE PLAN DESIGNATION: MLIU
 PROPOSED ZONING: CR-5

PROPOSED USE

A SINGLE-FAMILY DETACHED RESIDENTIAL SUBDIVISION CONTAINING APPROXIMATELY SIXTY-NINE (69) LOTS. TYPICAL LOT SIZES ARE 35' X 120' (4,200 SF) AND 40' X 120' (4,800 SF).

PHASING

THE PROJECT WILL BE COMPLETED IN A SINGLE PHASE.

BUILDING HEIGHT

MAXIMUM RESIDENTIAL HEIGHT IS THIRTY-FOUR FEET (34'). THAT PORTION OF THE PROJECT WITHIN THE SAN XAVIER MISSION HISTORIC ZONE IS LIMITED TO A MAXIMUM HEIGHT OF 30'. PROJECT WILL CONTAIN BOTH 1-STORY AND 2-STORY RESIDENCES PER MARKET DEMANDS.

PARKING & LOADING

PARKING AND LOADING WILL BE IN ACCORDANCE WITH SEC. 18.75 (PARKING & LOADING STANDARDS). ON-STREET PARKING WILL BE ALLOWED. FINAL DESIGN AND COMPLIANCE WITH CODE WILL BE DEMONSTRATED AT THE TIME OF FUTURE RESIDENTIAL SUBDIVISION PLAT REVIEW.

RESIDENTIAL SUBDIVISION PUBLIC STREETS

PROPOSED RIGHT-OF-WAY WIDTH: 45'
 TRAVEL LANES: MINIMUM TWO (2) 12' LANES
 CURBING: 2' WEDGE CURBS ON BOTH SIDES
 SIDEWALKS: 5' SIDEWALKS ON BOTH SIDES WHERE LOTS ABUT BOTH SIDES OF THE STREET
 ON-STREET PARKING: ALLOWED BOTH SIDES

REQUIRED PERIMETER LANDSCAPE BUFFERS

HEADLEY ROAD STREET FRONTAGE: BUFFERYARD "C"
 VALLEY INDIAN AGENCY CONNECT RD: BUFFERYARD "A"
 NORTHERN & SOUTHERN BOUNDARY: BUFFERYARD "C"

REGULATED RIPARIAN AREA

THERE IS NO REGULATED RIPARIAN AREA WITHIN THIS DEVELOPMENT.

CONSERVATION LANDS SYSTEM (CLS) PARTICULARS

THE ENTIRE PROJECT LIES OUTSIDE OF THE MMBCLS.

LOW IMPACT DEVELOPMENT PRACTICES

LID PRACTICES WILL BE INCORPORATED INTO THE FINAL DESIGN THROUGH WATER HARVESTING AND LIMITING RETAINED DEPTHS. SEE SECTION II.D.1.e OF THE SITE ANALYSIS.



Bowman

Headley Road Rezoning

6725 & 6765 SOUTH HEADLEY ROAD
 (Ownership: Stinson Family Trust)
 REZONING: SH to CR-5

EXHIBIT B
PRELIMINARY
DEVELOPMENT PLAN
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