



# BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: 4/4/2023

\*= Mandatory, information must be provided

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

**\*Title:**

ORDINANCE P22RZ00007 FROST HOLDING COMPANY NUMBER TWO LLC – N LA CANADA DRIVE REZONING

**\*Introduction/Background:**

The Board of Supervisors approved this rezoning on September 6, 2022.

**\*Discussion:**

The rezoning was for approximately 1.66 acres from TR (Transitional) to CB-2 (General Business) zone to allow use limited to RV sales/storage of for auto or recreational vehicle sales

**\*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: Anita McNamara, AICP, Senior Planner

Telephone: 520-724-6692

Department Director Signature:		Date:	3/15/23
Deputy County Administrator Signature:		Date:	3/15/2023
County Administrator Signature:		Date:	3/15/2023



Subject: P22RZ00007

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**APRIL 4, 2023 MEETING OF THE BOARD OF SUPERVISORS**

**TO:** HONORABLE BOARD OF SUPERVISORS  
**FROM:** Chris Poirier, Planning Official *CPoirier For*  
Public Works-Development Services Department-Planning Division  
**DATE:** March 14, 2023

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**ORDINANCE FOR ADOPTION**

**P22RZ00007 FROST HOLDING COMPANY NUMBER TWO, LLC – N. LA CANADA DRIVE REZONING**

Owner: Frost Holding Company Number Two, LLC  
(District 1)

**If approved, adopt ORDINANCE NO. 2023 - \_\_\_\_\_**

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**OWNERS:** Frost Holding Company Number Two, LLC  
5101 N. La Canada Drive  
Tucson, AZ 85704-1510

**AGENT:** Steadfast Drafting and Design, LLC  
Attn: Jeff Stewart  
4159 N Reno Avenue  
Tucson, AZ 85705

**DISTRICT:** 1

**STAFF CONTACT:** Anita McNamara, AICP, Senior Planner

**STAFF RECOMMENDATION:** APPROVAL

TD/AM/ds  
Attachments

c: Jeff Stewart

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

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO ZONING; REZONING APPROXIMATELY 1.66 ACRES OF PROPERTY (ADDRESSED AS 5171 N. LA CANADA DRIVE (PARCEL CODE 104-01-068B), FROM THE TR (TRANSITIONAL) ZONE TO THE CB-2 (GENERAL BUSINESS) ZONE IN CASE P22RZ00007 FROST HOLDING COMPANY NUMBER TWO, LLC – N. LA CANADA DRIVE REZONING, LOCATED AT THE SOUTHWEST CORNER OF N. LA CANADA DRIVE AND W. ROLLER COASTER ROAD, AND AMENDING PIMA COUNTY ZONING MAP NO. 45

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

Section 1. The 1.66 acres is located at the southwest corner of N. La Canada Drive and W. Roller Coaster Road and is addressed as 5171 N. La Canada Drive, as illustrated by the shaded area on the attached rezoning ordinance map (Exhibit A), which amends Pima County Zoning Map No. 45, is rezoned from the TR (Transitional) zone to the CB-2 (General Business) zone subject to the conditions in this ordinance.

Section 2. Rezoning conditions.

1. There shall be no further lot splitting without the written approval of the Board of Supervisors.
2. Transportation conditions:
  - A. The existing access onto La Canada Drive shall remain open during business operations.
  - B. Property owner(s) shall provide off-site improvements adjacent to the site which will include widening for an auxiliary westbound right-turn lane on Roller Coaster Road.
  - C. The northern access onto Roller Coaster Road shall be exit only unless approved by the Department of Transportation.
3. Regional Flood Control District conditions:
  - A. First flush retention shall be provided in Low Impact Development practices distributed throughout the site.
  - B. Offsite hydrology shall be based on the best available data at the time of development and shall be approved by the District prior to submittal of the drainage report.
  - 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.
4. Environmental Planning conditions:
  - A. Upon the effective date of the Ordinance, the owner(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.

- B. Prior to the commencement of construction of any grading, land clearing, or earthmoving of more than one (1) acre, any road construction of more than fifty (50) feet, or any trenching of more than three hundred (300) feet, an Air Quality Activity Permit shall be obtained.
- 5. Adherence to preliminary development plan approved at public hearing with the addition of a block wall along the western property line and that use shall be limited to RV or auto sales/storage.
- 6. 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.
- 7. The property owner shall execute the following disclaimer regarding the Arizona 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)."
- 8. The use of public address (PA) system shall not be allowed.

Section 3. Time limits of conditions. Conditions 1 through 8 of Section 2 shall be completed no later than September 6, 2027.

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 \_\_\_\_\_, 2023.

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

ATTEST:

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

P22RZ00007

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APPROVED AS TO FORM:



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Deputy County Attorney  
Krystal De La Ossa

APPROVED:



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Executive Secretary  
Planning and Zoning Commission

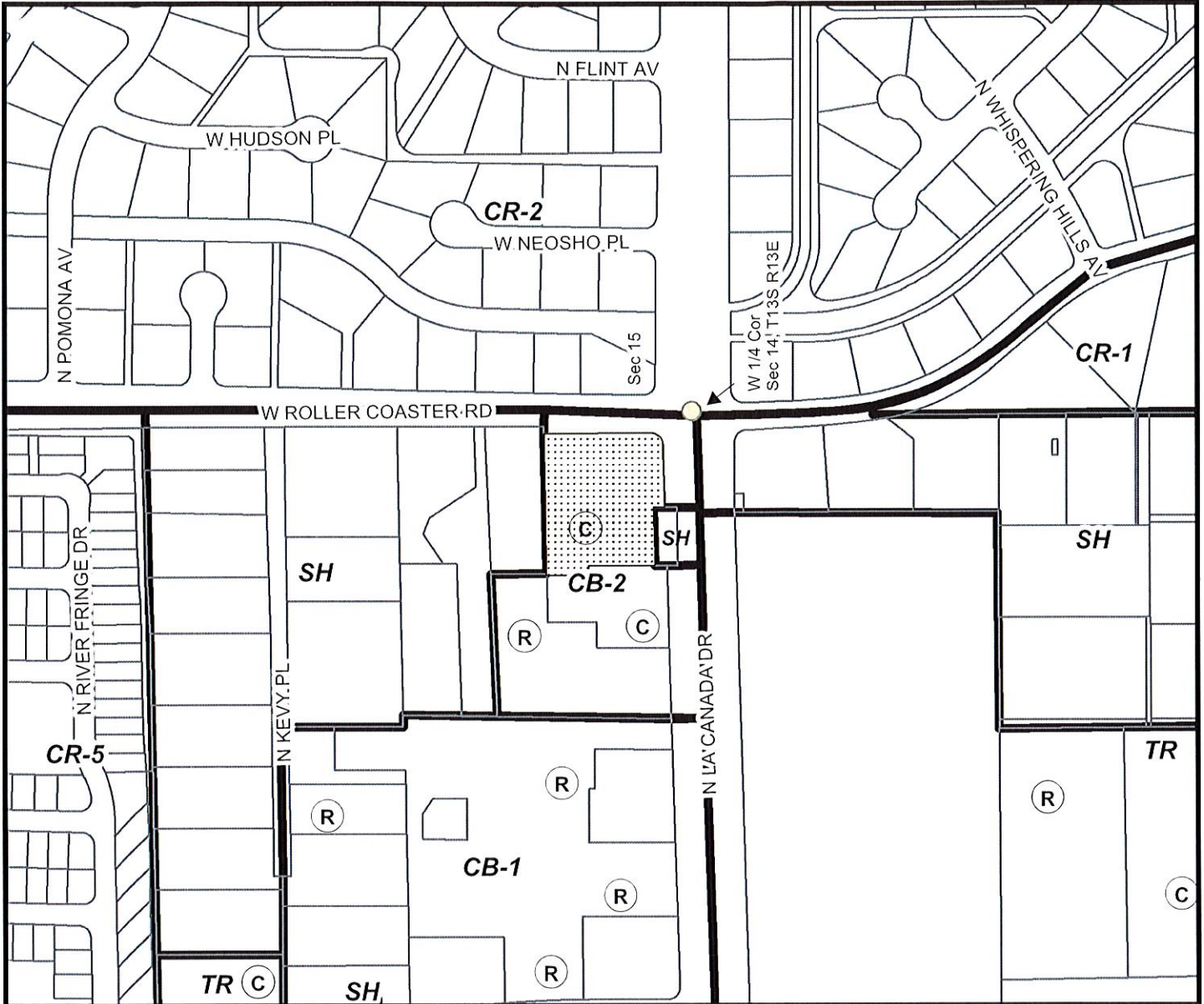
# EXHIBIT A

AMENDMENT NO. \_\_\_\_\_ BY ORDINANCE NO. \_\_\_\_\_  
TO PIMA COUNTY ZONING MAP NO. 45 TUCSON AZ. BEING A  
PART OF THE NE 1/4 OF THE SE 1/4 OF SECTION 1, T15S R12E.



0 80 160 320 Feet  
[Scale bar with 8 increments]

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

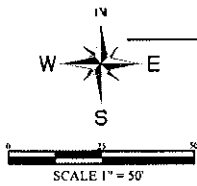


EXECUTIVE SECRETARY PIMA COUNTY PLANNING AND ZONING COMMISSION

**(C)** NO BUILDING PERMITS WITHOUT CERTIFICATE OF COMPLIANCE  
FROM TR 1.66 ac  
ds-December 2, 2022

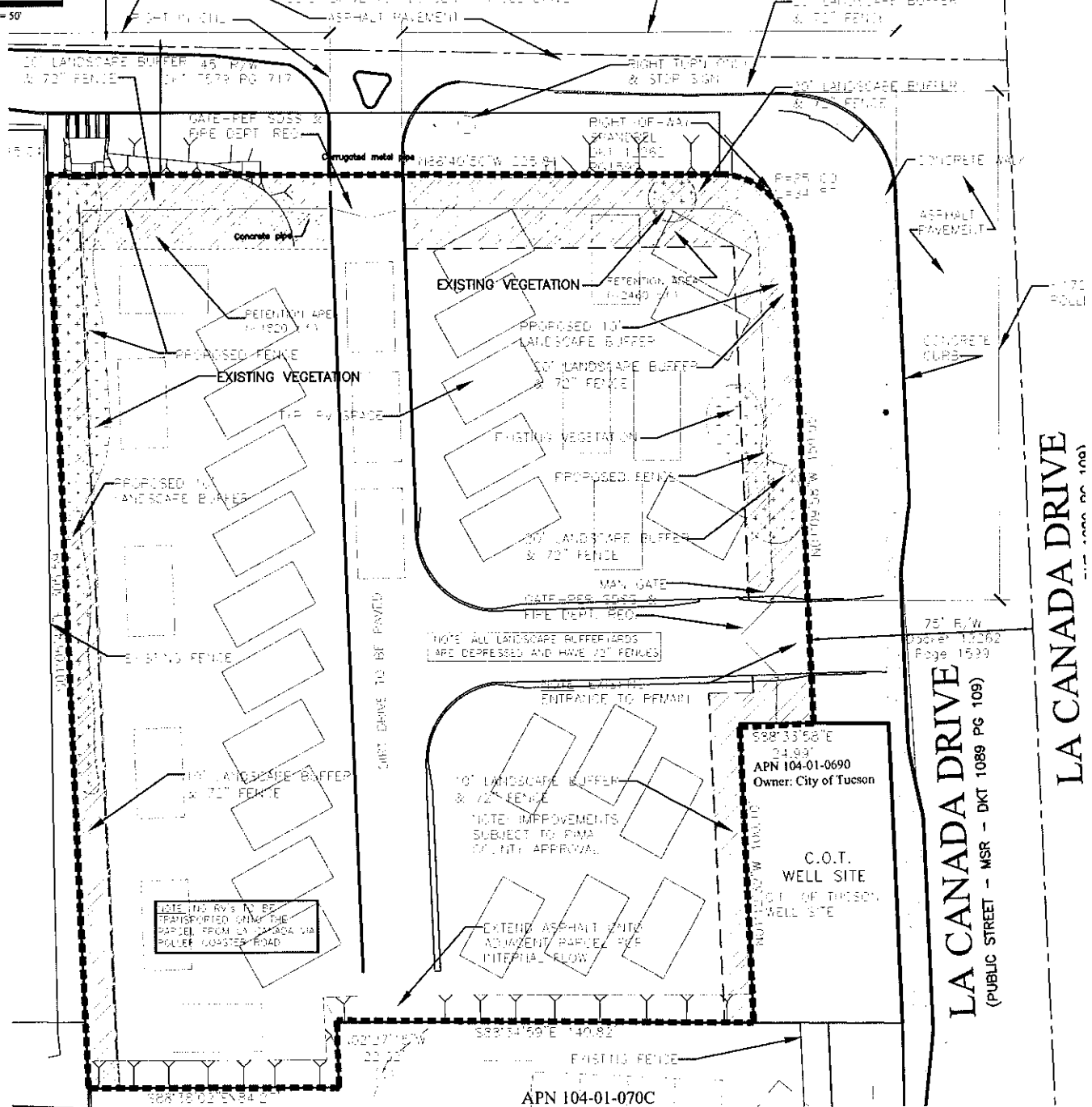
P22RZ00007  
10401068B





# ROLLER COASTER ROAD

(PUBLIC STREET - BK 8 PG 1)



**LA CANADA DRIVE**  
(PUBLIC STREET - MSR - DKT 1089 PG 109)

**LA CANADA DRIVE**  
(PUBLIC STREET - MSR - DKT 1089 PG 109)

PRELIM DEV PLAN  
MAP II-B.1