



**TO:** Honorable Ally Miller, Supervisor, District # 1

**FROM:** Arlan M. Colton, Planning Director *AMC*

**DATE:** October 8, 2014

**SUBJECT:** Co18-14-01 PANOUSOPOULOS / TUCSON ELECTRIC POWER COMPANY – W. ORANGE GROVE ROAD 138 KV POWER SUBSTATION PERMIT

The above referenced Power Substation Permit is within your district and is scheduled for the Board of Supervisors' **TUESDAY, OCTOBER 21, 2014** hearing.

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**REQUEST:** For a 138kV power substation permit and a modification of the landscape bufferyard type "J" requirements for 115 kV or greater power substations as per Section 18.73.040D of the Pima County Zoning Code. The subject property is 9.53 acres zoned TR (Transitional) and is located at the southwest corner of the intersection of Orange Grove Road and La Canada Drive.

**OWNERS:** Constantino & Nelida Panousopoulos  
P.O. Box 1806  
Nogales, AZ 85628-1806

**APPLICANT:** Tucson Electric Power Company  
c/o Larry Lucero  
88 E. Broadway Blvd.  
P.O. Box 711  
Tucson, AZ 85702

**AGENT:** The Planning Center  
110 S. Church Ave., Suite 6320  
Tucson, AZ 85701

**DISTRICT:** 1

**STAFF CONTACT:** David Petersen

**PUBLIC COMMENT TO DATE:** As of October 8, 2014, staff has not received any public comments.

**STAFF RECOMMENDATION:** APPROVAL SUBJECT TO CONDITIONS.

**MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM:** The subject property lies outside the Maeveen Marie Behan Conservation Lands System.

CP/DP/ar  
Attachments



## BOARD OF SUPERVISORS MEMORANDUM

Subject: Co18-14-01

Page 1 of 13

### FOR OCTOBER 21, 2014 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS  
FROM: Arlan M. Colton, Planning Director  
Public Works-Development Services Department-Planning Division  
DATE: October 8, 2014

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### UNADVERTISED ITEM FOR PUBLIC HEARING

#### POWER SUBSTATION PERMIT

Co18-14-01 PANOUSOPOULOS / TUCSON ELECTRIC POWER COMPANY – W. ORANGE GROVE ROAD 138 KV POWER SUBSTATION PERMIT

Request of Constantino and Nelinda Panousopoulos, represented by The Planning Center on behalf of Tucson Electric Power Company, for a 138kV power substation permit and a modification of the landscape bufferyard type "J" requirements for 115 kV or greater power substations as per Section 18.73.040D of the Pima County Zoning Code. The subject property is 9.53 acres zoned TR (Transitional) and is located at the southwest corner of the intersection of Orange Grove Road and La Canada Drive. Staff recommends APPROVAL SUBJECT TO CONDITIONS.

(District 1)

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### STAFF RECOMMENDATION

Staff recommends APPROVAL of the proposed power substation permit and the modification of the Bufferyard type "J" requirements subject to the following conditions:

1. The setback for the power substation walls shall be a minimum of 200 feet from the north and west property boundaries, a minimum of 100 feet from the east property boundary, and a minimum of 50 feet from the south property boundary.

2. Natural desert vegetation shall be retained outside of the power substation walls except for those areas required to be disturbed for construction of the power substation and for safe and secure operation of the facility, including but not limited to, installation of pole structures, driveways, drainage improvements, and clear area buffering. A landscape screen shall be planted along the power substation wall perimeters, off-set as necessary for safety and security purposes. The landscape screen shall include minimum 15-gallon native trees spaced to provide a continuous canopy screen at maturity. Except for clear area required for safety and security, disturbed areas shall be replanted with native vegetation to include trees, shrubs, cacti, and ground cover. Drainage improvements shall be enhanced with native riparian vegetation.
3. Within 30 days of the Board of Supervisors' approval of the power substation permit, the property owner shall provide written request for closure of rezoning case Co9-99-15.
4. The property 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; and, Pima County may enforce this condition against the property owner.

The applicant indicates that the project is necessary to increase electric system reliability (reduce system outages and overload conditions) and increase system capacity to meet future growth in the northwest metropolitan area primarily bounded by River Road, Shannon Road, Magee Road, and First Avenue. The applicant has generally shown compliance with zoning requirements and development standards, and has generally addressed public hearing factors enumerated in the Zoning Code.

Staff supports the applicant's proposed use of the natural vegetation on the site with natural revegetation of areas to be disturbed outside the proposed 10-foot-high masonry wall that will enclose the facility. This alternative to the very intensive Bufferyard "J" requirement will be an effective vegetative screen for the facility, will be in keeping with the natural desert environment retained in the area's CR-1 subdivisions, and will reduce project cost and allow the site to remain a viable choice for the facility with the necessary bufferyard width reduction on the east side of the property. Should any invasive buffelgrass occur on the site, staff recommends a requirement for its removal, similar to requirements recommended for rezonings.

The site is conditionally zoned TR (Transitional), but will revert to SR (Suburban Ranch) with staff recommended future closure of the zoning. Power substations can be permitted in all zones.

**REQUEST OF APPLICANT**

Tucson Electric Power Company (TEP) requests approval of a 138kV power substation permit **and** a modification to strict adherence to the landscape bufferyard requirements for the substation on 9.53 acres located at the southwest corner of the intersection of Orange Grove Road and La Canada Drive. The applicant has indicated that an option to purchase the property has been secured.

Section 18.07.040.B.5.f of the Zoning Code states that the Board of Supervisors may issue a permit for power substations with an input voltage of 115 kilovolts or greater and waive associated development standards, or impose more restrictive requirements at an advertised public hearing. The application states, "A new substation is needed to relieve the existing electric system and provide sufficient power to meet the present and projected electrical load needs in this (northwest metropolitan) service area." The power substation is described as a priority capital improvement that is part of scheduled facility improvements based on power flow analysis and is identified in TEP's 10-year Transmission Plan filed with the Arizona Corporation Commission.

Pertaining to the modification to the landscape bufferyard requirement, TEP proposes retaining most natural desert vegetation outside of the substation walls, augmented by native vegetation in lieu of the required Bufferyard "J" planting regimen and ground cover. The minimum required 200-foot bufferyard width along the east property boundary adjacent to La Canada Drive is requested for reduction to 128 feet.

**PLANNING REPORT**

Substations of 115kV and greater require a special permit and are subject to *seven specific Zoning Code development standards* for which, as noted, the utility may request waivers from the Board at a public hearing. Additionally, the Zoning Code provides *ten factors which the Board must consider prior to granting the permit and any waiver of a development standard*. [Section 18.07.040.B.5.i states that the noticed public hearing for the permit and the ten factors for consideration, "... shall be eliminated on those sites which are considered by the Arizona Power Plant and Transmission Line Siting Committee when that Committee contains adequate local representation." The determination of adequate local representation is made by the Board at a public hearing. The Committee was established by the Arizona Corporation Commission (ACC). TEP reports that a permit is not required from the ACC for the substation as proposed.]

Staff has evaluated the applicant's request in terms of zoning requirements, development standards and public hearing factors as follows:

**Section 18.07.040B.5.a-e (Development Standards):**

- 1. “Setback: That the facility, including walls or equipment, is located no closer than 200 feet to any existing residential property line”**

This standard will be met. The site plan depicts a 200-foot setback for the proposed substation from the CR-1 (Single Residence)-zoned residential subdivision adjacent to the west of the subject property. Residential subdivisions separated from the site by Orange Grove Road to the north and La Canada Drive to the east are in excess of 200 feet from the proposed substation location within the site (reported by the applicant to be 380 feet and 278 feet respectively). The SR (Suburban Ranch)-zoned Metropolitan Water District administrative offices and maintenance facility to the south are not residential.

- 2. “Screening: That the facility include a 10-foot high wall in an earth tone and vegetative landscaping when contiguous to a residential zone”**

This standard will be met; however, the associated Bufferyard “J” requirement for vegetative landscaping and ground cover along the north, east, and west boundaries is requested for modification; and the required minimum 200-foot bufferyard width along the east property boundary is requested for reduction. Staff supports modification of the Bufferyard “J” as described in alternative condition #’s 1 and 2 above which are essentially in-line with the applicant’s proposal!

A 10-foot-high earth tone wall is proposed to surround the substation equipment. TEP proposes retaining most natural desert vegetation outside of the substation walls, augmented by minimum 15-gallon native trees along the wall perimeters and in proximity to two retention basins and two driveways as shown on Exhibit II.G: Preliminary Development Plan, page 20. Generally, graded areas outside of the walls are proposed to be revegetated with native plants. The bufferyard/setback width is shown as 128 feet along the La Canada Drive frontage (east) and 50 feet along south side of the site. Bufferyard/setback widths of 230 feet along the Orange Grove Road frontage (north) and 200 feet along the west side of the site are shown.

For the subject property, the Zoning Code requires a Bufferyard “J” at the site’s north, east, and west perimeters. A Bufferyard “J” is not required for the south perimeter because the adjacent SR zoning is not classified in the zoning code as a residential zone and the office and maintenance facility use is not residential. Bufferyard “J” requires a 200-foot-wide (average width) bufferyard, with 30 canopy trees, 80 shrubs, and 40 accents plants per 100 lineal feet in addition to ground cover. The minimum south side setback requirement for the conditionally approved TR zoning is seven feet and for the original SR zoning is 10 feet.

Staff supports the proposed reduced bufferyard width along the east side of the property because La Canada Drive, a major arterial road with a 150 right-of-way width, separates the property from the CR-1 subdivision to the east. TEP notes that the large walled area of the substation (250 feet by 400 feet) is the approximate minimum necessary to house the electrical equipment and allow safe accommodation of construction and maintenance vehicles. The reduced bufferyard width along the east boundary (and the proposed 50-foot setback along the south boundary, the least of all sides) result from a combination of factors that include the size of the available and suitably located property, the minimum necessary sizing requirement for the walled area, the need to avoid riparian area and associated hydrologic constraints in the northwesterly portion of the site, technical substation layout and configuration needs and location of infrastructure that dictate optimal placement of the substation within the site, and the desire to meet the required 200-foot setback from the residential neighborhood adjacent to the west of the site.

Staff also supports to the alternative use of substantially undisturbed natural vegetation within the site for bufferyards, including native vegetation mitigation of areas to be disturbed. The desert vegetation has varying degrees of density with some interior trail disturbance and a trail near the north property boundary, but overall could be described as moderate to high density with structural diversity of trees, shrubs, cacti, and small plants. The application indicates that the native vegetation mitigation will include trees, shrubs, cacti, and ground cover consistent with the surrounding landscape. Trees will be transplants from the site, as well as planted 15 gallon (one-third of trees) and 24-inch box (two-thirds of trees). Shrubs will be minimum five-gallon size. Transplanted and newly planted vegetation will be irrigated and maintained until established and replaced if necessary. Compliance with the intensive planting ratio of the Bufferyard "J" would result in substantial disturbance of areas proposed to remain natural and may be better suited to sites that have been or are proposed for clear grading or that are otherwise sparsely vegetated.

The substation is described as a "low profile neighborhood facility, designed to be compatible with surrounding residential development".

**3. "Screening: Vegetative landscaping shall be located to preclude attracting athletic activities in the setback area"**

This standard will be met. Retention of natural desert vegetation augmented by replanting of areas to be disturbed will preclude any open clearings that could attract team athletic activities within any portion of the site outside of the walled substation. An existing dirt trail within the site near Orange Grove Road appears to be just beyond 200-foot from the north substation wall boundary. An existing north-south dirt trial in the middle of the site will be mostly consumed by the walled substation. This trail shows evidence of past use for off-road bicycling with earth berms and ramps.

**4. "Height: That the facility observe the height restriction of the zone in which located"**

This standard will be met. The application indicates that electric transformer equipment to be located within the walled enclosure will be approximately 14 feet in height. The maximum height allowance for both the conditionally approved TR zoning and the original SR zoning is 34 feet. The application describes heights of poles and similar structures within the site that are exempt from zoning regulation per Section 18.07.040B1 which allows the placement of poles, wires, and similar installations necessary to distribute public facilities without prevention by Zoning Code provisions. The proposed poles and similar structures include a private communication pole (35 feet in height), static masts for lightning protection (eight at 60 feet in height with narrow tapering diameters), and a transmission line drop structure pole at 65 feet in height.

**5. "Notification: When the utility purchases land with the intent of constructing a power substation facility, the property must be posted stating that intent"**

Staff understands that TEP has secured an option to purchase the subject property pending approval of the substation use by the Board of Supervisors. When the acquisition is accomplished, TEP will need to post the site. The intent of the posting is to alert area property owners and others to the pending substation location. In the spirit of this provision, TEP invited property owners within 600 feet (the required staff mailed notice area for the public hearing) and neighborhood associations within one mile of the site to neighborhood meetings at the Metropolitan Water Company administrative office facility located adjacent to the subject property. Information from the meetings is contained in the substation permit application.

**6. "Noise Emissions: That the sound level emitted by the facility shall not exceed 45 dBA at the property line"**

This standard will be met. The application states, "The sound level emitted by the facility shall not exceed 45 dBA at the property line ...." No further information is provided.

**7. "Noise Emissions: That there should not be any television or radio interference on a regular basis"**

This standard will be met. The application states, "... the operation of electrical equipment will not result in TV interference (TVI) or radio frequency interference (RFI)." No further information is provided.

**Section 18.07.040B.5.h (Public Hearing Factors for Consideration):****1. "Existing plans of the state, local government and private entities for other developments at or in the vicinity of the site"**

The surrounding area is mostly built-out with residential subdivisions. Across the intersection at the northeast corner, a rezoning to TR for professional offices has yet to be fully developed. It does not appear that development of the substation would interfere with or detract from completion of the office development. The Metropolitan Water Company offices adjacent to the south of the site contain a ground-mounted solar field in the northwest corner of that property. There appears to be ample space for proposed placement of trees along the south side of the substation wall and in the vicinity of the west retention basin berm without shading interference with the solar panels at tree maturity. The trees should not be placed too close to the south site boundary. Staff transmitted the substation application to Metropolitan Water for comment and has received no response as of this writing. There is no state land in the vicinity of the site, and the surrounding jurisdiction is Pima County. The road improvement project for La Canada Drive including its intersection with Orange Grove Road is nearly complete and will not be impacted by the proposed substation development. The Transportation, Regional Wastewater Reclamation, and Natural Resources, Parks and Recreation departments and the Flood Control District have no objection to the proposed substation.

**2. "Fish, wildlife and plant life and associated forms of life upon which they are dependent"**

The application includes a professionally-prepared Biological Evaluation (BE) within Appendix C that evaluates the potential for occurrence of and impact on federally listed threatened or endangered species and species of concern (special status species of plant and wildlife that are protected, considered for protection, or afforded special conservation status by federal, state, and local governments). A field survey was conducted as part of the BE.

The BE indicates that of these types of species, only the endangered Lesser long-nosed bat has the potential to occur or disperse through the project area using mature Saguaro cacti as forage. It also states that only a few mature Saguars may be affected during construction of the substation. With TEP's proposal to replant Saguars and native vegetation within disturbed areas and to clear vegetation prior to nesting season for migratory birds, the BE concludes that construction of the substation is not likely to adversely affect the current population of the Lesser long-nosed bat in Arizona.

Regulated Riparian Habitat associated with the Casas Adobes Wash which runs through the northwest corner of the site is proposed for preservation. The site is not within the Conservation Lands System.

**3. "Noise emission levels and interference with communication signals"**

As noted above, TEP indicates that no excessive noise or TV or radio frequency interference will occur.

**4. "The proposed availability of the site to the public for recreational purposes, consistent with safety considerations and regulations"**

The application states, "The substation site will not be designed to encourage recreational activity." The proposed retention and revegetation of native vegetation for landscape bufferyards will not provide large open areas for recreational purposes. It appears that some trails or trail portions used for walking and bicycling will remain if not revegetated.

**5. "Existing scenic areas, historic sites and structures or archaeological sites at or in the vicinity of the proposed site"**

The site and surroundings are not particularly scenic, and the arterial roads fronting the site are not scenic routes per the Major Streets and Scenic Routes Plan. As noted in the Cultural Resources staff report below, an archaeological report (Appendix D) was conducted for the site with a finding of no archaeological or historic sites on the subject property and a recommendation of "no historic properties affected by this undertaking" be issued, to which staff agrees.

**6. "The total environment of the area"**

The surrounding area is suburban in nature and dominated by acre-lot single-family residential subdivision development that has retained a significant amount of natural vegetation. There are pockets of undeveloped or less densely developed parcels for which more intensive development can be expected. Northwest Hospital and related medical and elderly care facilities and apartments and some commercial uses lie within a half-mile to a mile to the west toward La Cholla Boulevard. Other higher-density residential uses and commercial uses lie within a half-mile to a mile to the east, toward Oracle Road. The site is fronted by two major arterial roads, Orange Grove Road along the north and La Canada Drive along the east. La Canada Drive and its immediate intersection with Orange Grove Road has recently undergone major capacity expansion improvements that are nearing completion, including additional travel lanes, bike lanes, curbs, sidewalks, drainage, and native landscaping (including adjacent to the site). A major 138kV transmission line is located adjacent to the site. The site and surroundings are not within the Conservation Lands System. The Casas Adobes Wash runs through the northwest corner of the site and remains natural within subdivisions well beyond the site. A small segment of the wash has been widened and bank-protected at the northwest corner of the immediate intersection as part of the road improvements. A new box culvert for the wash was installed on the south side of Orange Grove Road adjacent to the site. There is floodplain

associated with the wash. The site is within a critical basin for which post development reduced flows are required.

**7. “The technical practicability of achieving a proposed objective and the previous experience with equipment and methods available for achieving a proposed objective”**

Regarding the proposed objective, page 2 of the application states, “TEP proposes to construct and operate a 50 mega volt ampere (MVA), 138 kV-13.8 kV distribution substation in northwest metropolitan Tucson.” The application indicates that as part of TEP’s mission to provide safe and reliable electric service to its customers in addition to meeting federal standards, the proposed substation is expected to reduce system outages, reduce current and future system overload conditions, and increase system capacity to meet future growth.

Information in the application alludes to the technical practicability of achieving the objective and TEP’s experience with equipment and methods available for objective achievement. The need for the substation was identified in part on power flow analysis conducted to identify thermal overloads and voltage violations under normal and contingency conditions required by the North American Electric Reliability Corporation Planning Standards and the Western Electricity Coordinating Council System Performance Criteria. The result was a schedule to upgrade existing facilities and to add new facilities. In the past 14 years, TEP has undertaken system improvements including upgrading transmission and distribution equipment such as substation switch gear, distribution feeder lines, and reconductoring existing lines. In its Ten-Year Transmission Plan filed with the Arizona Corporation Commission, TEP’s review of its local 138 kV transmission system performance over a 10-year planning horizon has identified a new substation as necessary for the northwest area to meet increased line loading requirements.

Site selection process criteria included seven criteria and five sites. The subject site was the only one to meet all criteria. Included in the criteria was proximity to load center. The subject site is near the center of projected customer demand which maximizes efficiency and reliability.

TEP has received Pima County approval of similar power substation permits in the past, including Co8-18-01 for a 138 kV substation approved in 2008 in the Canoa Ranch area.

**8. “The estimated cost of the facilities and site as proposed by the applicant and the estimated cost of alternative facilities and sites, recognizing that any significant increase in costs represents a potential increase in the cost of electric energy to the customers or the applicant”**

The applicant's estimated cost of the project is \$10.4 million for land acquisition, engineering and planning, site preparation, and construction. Costs for alternative facilities and sites were not provided. The subject site was the only one that met the criterion for limited infrastructure cost for transmission/distribution.

**9. Any additional factors which require consideration under applicable federal, state and Pima County laws"**

The Regional Flood Control District report notes that per subsection 16.26.055 of the Pima County Code, power utility facilities must be outside of or protected from the 500 year event. The drainage report submitted and erosion protection design proposed is based upon 100 year flows. Protection from the 500 year event may entail elevation of the substation facility, but this will be determined at the time of permitting.

The Transportation report notes that a modification to the Subdivision and Development Street Standards was issued to reduce the minimum required 230 foot driveway separation to 100 feet pertaining to the proposed southerly driveway and the existing northerly driveway for the Metropolitan Water property to the south. The modification from this safety requirement was based on the facility being unmanned with only occasional visits and was conditioned upon the proposed northerly access being the primary entrance with a card reader and the proposed southerly entrance being locked.

There is a conditionally approved TR (Transitional) rezoning (Co9-99-15) on the site that restricts its use to professional and semi-professional offices. Should the power substation permit be approved, staff recommends a requirement that a written request for closure of the rezoning be made within 30 days of approval.

A development plan will be required along with conformance to applicable zoning standards, including the Native Plant Preservation Ordinance as acknowledged in the application. Staff recommends a requirement for continued removal of invasive buffelgrass should it occur on site, similar to policy pertaining to new rezonings.

**10. "Special consideration to the safety and health of neighboring residents"**

The application states that, "TEP will comply with all federal, state, and local safety and health regulations during construction and operation of the Orange Grove Road Substation." The application indicates no anticipated adverse effects on human health and safety based on operations of similar facilities in Pima County. As noted, the application indicates that sound level emitted by the facility shall not exceed 45 dBA.

### TRANSPORTATION REPORT

The Department of Transportation has no objection to the substation request. Access to this site is shown off of La Canada Drive. Two access points are proposed. The northern access point is approximately 300 feet south of the intersection of La Canada and Orange Grove. The second access point is approximately 50 feet from the southern property line. The second access point is only 100 feet north of the driveway serving the Metropolitan Water property to the south.

The Subdivision and Development Street Standards require a minimum 230 foot driveway separation. On January 26, 2014 a modification to the Subdivision and Development Street Standards was approved subject to a condition that the northern access be the primary entrance with a card reader and the southern entrance is to be locked as per TEP standard procedure. This site is an unmanned facility and thus will not generate traffic other than the occasional maintenance or emergency vehicle.

### FLOOD CONTROL REPORT

The Regional Flood Control District (District) has reviewed application and has the following comments:

- The site is impacted by Casas Adobe Wash and the application acknowledges that a Floodplain Use Permit will be required.
- There is Pima County Regulated Riparian Habitat designated as hydromesoriparian/Mesoriparian associated with this wash. This classification has been incorrectly identified as Xeroriparian C in the application. The site plan avoids this area.
- The application acknowledges that the site is within a critical basin and proposes detention to address basin requirements.
- A drainage report has been submitted with the application and erosion protection design proposed is based upon 100 year flows. Per PCC 16.26.055 power utility facilities must be outside of or protected from the 500 year event. This may be addressed at the time of permitting.

In conclusion, the District has no objection or recommended special permit conditions.

### WASTEWATER MANAGEMENT REPORT

No objection.

**CULTURAL RESOURCES REPORT**

Staff has reviewed the Power Substation Permit Application for the Tucson Electric Power Orange Grove Substation on the southwest corner of Orange Grove Road and La Canada Drive in T13S, R13E, Sections 3 and 10. The application, prepared by The Planning Center, included an archaeological report—*A Class III Cultural Resource Survey of 9.085 Acres Southwest of the Intersection of West Orange Grove Road and North La Canada Drive in Tucson, Pima County, Arizona*, Tierra Archaeological Report No. 2013-127, prepared by Jenna Hamlin and dated November 14, 2013. The undertaking is to install a 450 feet long by 200 feet wide new power substation.

Tierra's cultural resources survey of 9.1 acres resulted in a finding of no archaeological or historic sites on the subject property. Tierra recommended that no historic properties would be affected by this undertaking. Staff agrees with their findings and concurs with their recommendation of "no historic properties affected."

For the purposes of Pima County review and permitting, no further cultural resources requirements apply to this undertaking as shown in the project area submitted for the permit. The following caveat applies:

A caution must be noted concerning human burials. 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.

**U. S. FISH & WILDLIFE SERVICE REPORT**

To date, staff has not received a response to a request for comments.

**NORTHWEST FIRE DISTRICT REPORT**

Northwest Fire District reports "no objections" to the request in the attached letter.

**PUBLIC COMMENT**

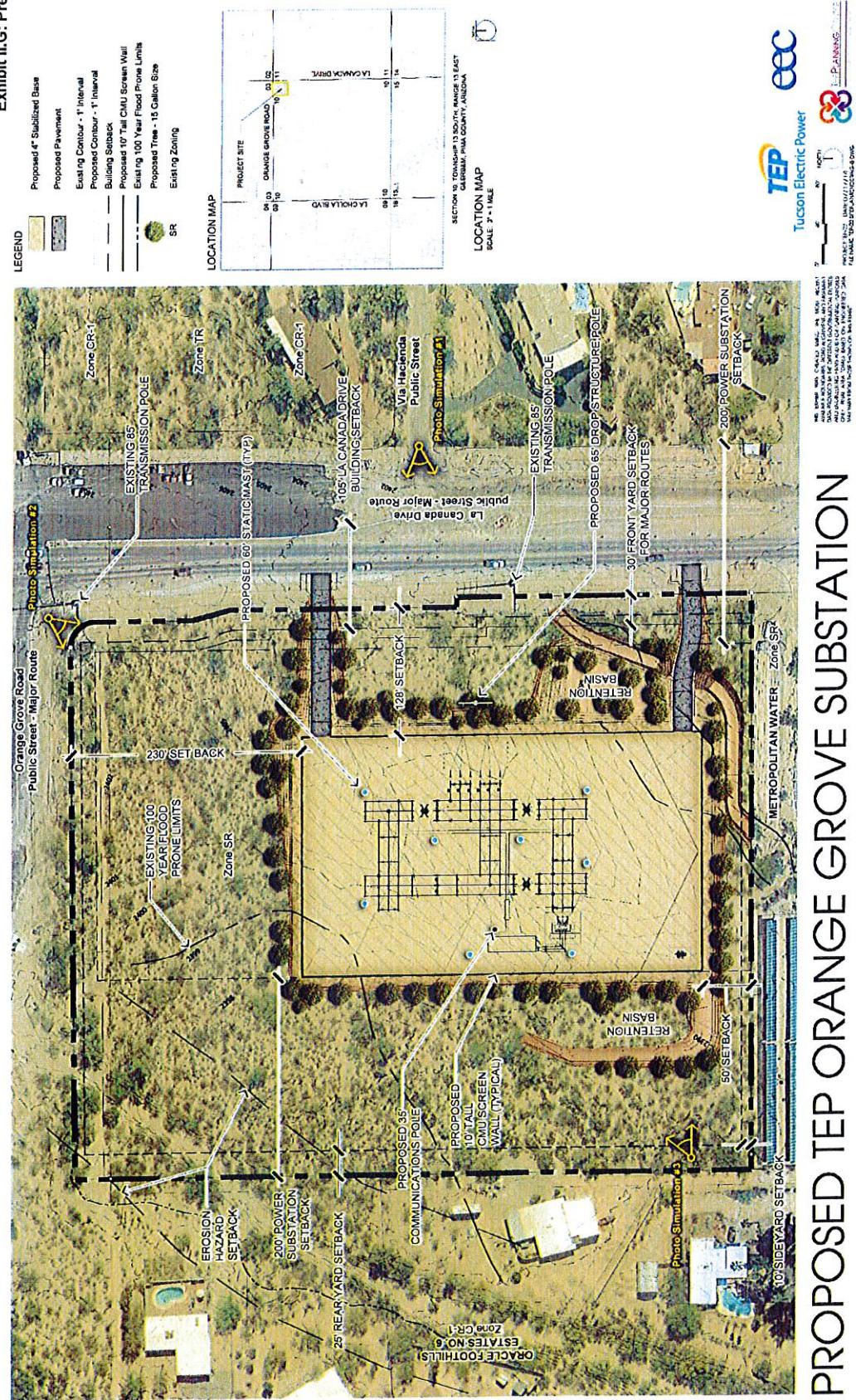
Appendix B of the application provides details of two neighborhood meetings voluntarily held by the applicant, including answers to questions raised by neighbors.

Staff mailed the notice of the hearing for this request to property owners within 600 feet of the subject site and also posted the property for public hearing. No written public comments have been received as of the date of this report.

CP/DP/ar  
Attachments

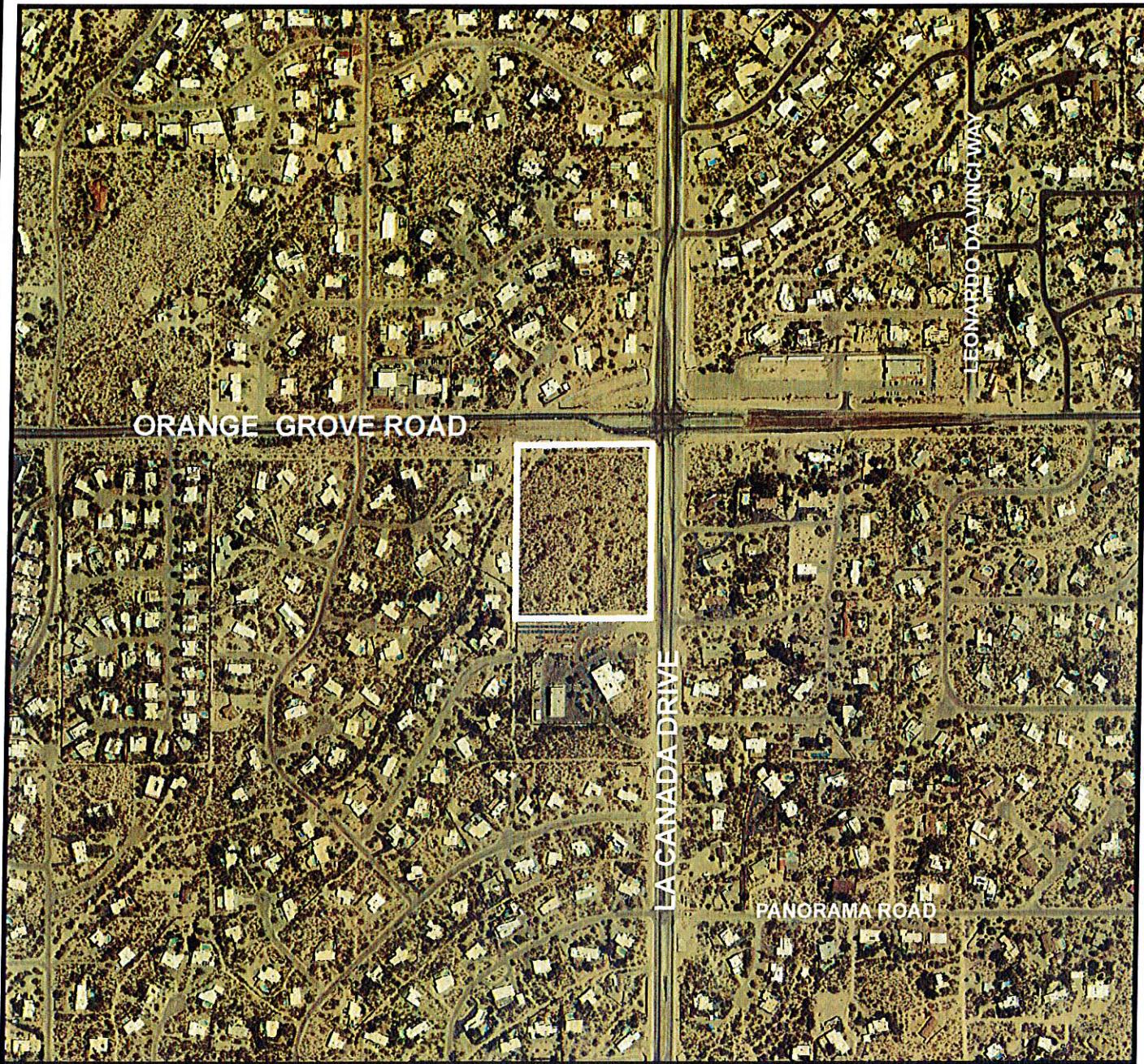
c: Tucson Electric Power Company, c/o Larry Lucero, 88 E. Broadway Blvd.  
P.O. Box 711, Tucson, AZ 85702  
The Planning Center, 110 S. Church Ave., Suite 6320, Tucson, AZ 85701  
Constantino & Nelida Panousopoulos, P.O. Box 1806, Nogales, AZ 85628-1806  
Chris Poirier, Assistant Planning Director  
Co18-14-01 File

## Exhibit II.G: Preliminary Site Plan



## PROPOSED TEP ORANGE GROVE SUBSTATION

Case #: Co18-14-001 PANOUSOPOULOS/TUCSON  
ELECTRIC POWER COMPANY - W ORANGE GROVE ROAD  
Tax Code(s): 102-11-131D, 102-11-131E & 102-11-1320



0 270 540 1,080 Feet

PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT  
PLANNING DIVISION



Notes: 138 kV POWER SUBSTATION PERMIT

2014 Aerial

Board of Supervisors Hearing: 10/21/14

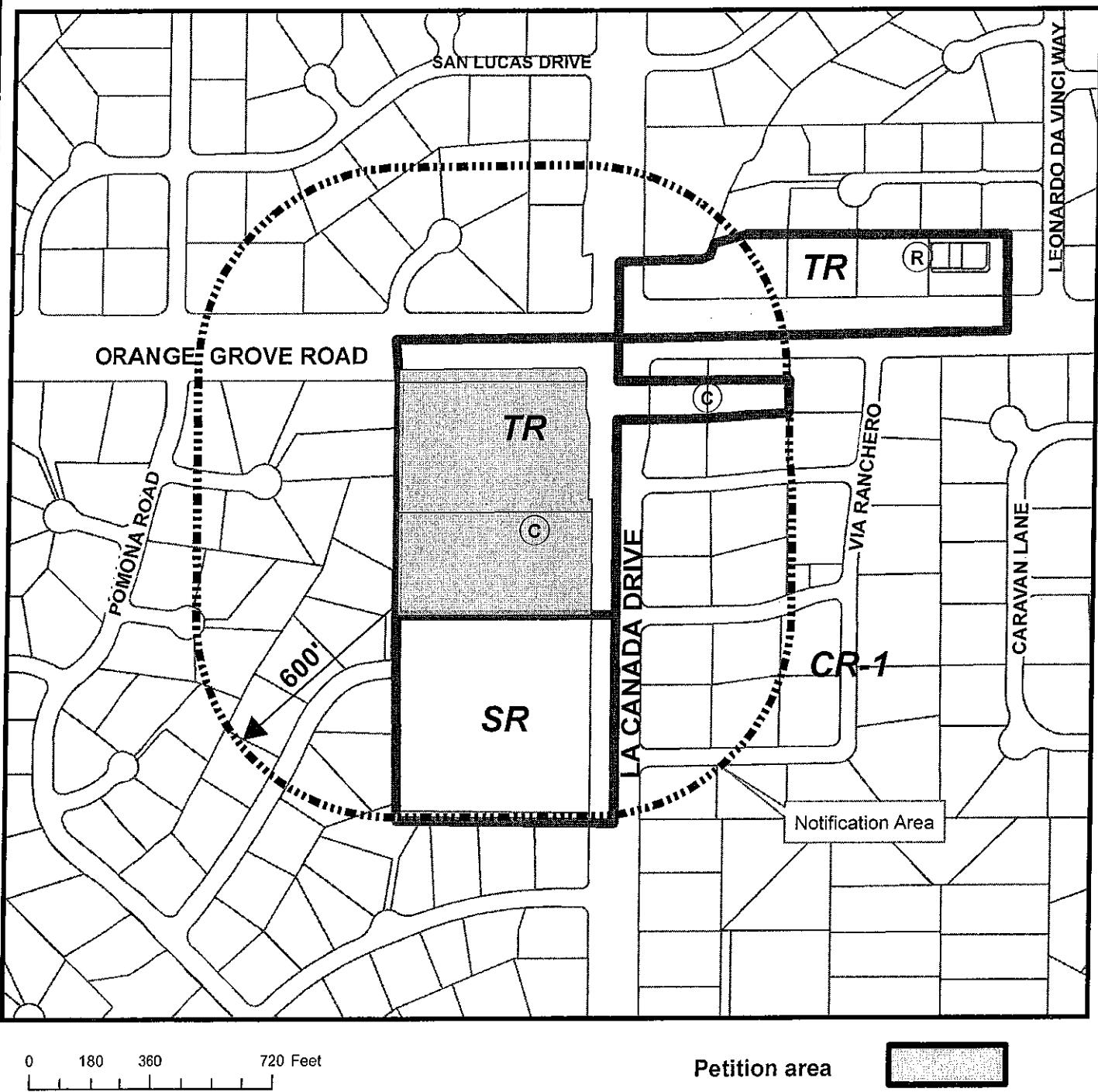
Base Map(s): 76 & 77

Map Scale: 1:7,500

Map Date: 09/18/2014



Case #: Co18-14-001 PANOUSOPOULOS/TUCSON  
**ELECTRIC POWER COMPANY - W ORANGE GROVE ROAD**  
 Tax Code(s): 102-11-131D, 102-11-131E & 102-11-1320



**PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT  
 PLANNING DIVISION**



Notes: 138 KV POWER SUBSTATION PERMIT

Board of Supervisors Hearing: 10/21/14

Base Map(s): 76 & 77

Map Scale: 1:5,000

Map Date: 09/17/2014



- **West Property Setback:**  
The west property setback is 200 feet and conforms to the requirement of Pima County Zoning Code, Section 18.07.040, B.5.a which requires all power substations to be located no closer than 200 feet from any residential border. Meeting this requirement places the proposed substation 128 feet from the east property line along La Canada Drive. The majority of the 200 foot setback area will be left undisturbed with native vegetation intact. Areas proposed for grading will be revegetated with native plantings augmenting the existing conditions and providing a 200 foot wide natural desert buffer between the residential neighborhood to the west and the proposed substation facilities.
- **North Property Bufferyard:**  
The north property bufferyard is 230 feet. This setback places the substation 380 feet from the residential neighborhood boundary located north of Orange Grove Road (a 150 foot R.O.W.). The majority of the area within the 230 foot setback will be left undisturbed with native vegetation intact. Areas proposed for grading will be revegetated with native plantings augmenting the existing conditions and providing a 230 foot wide natural vegetated buffer between the residential neighborhood located north of Orange Grove Road and the proposed substation facilities.
- **East Property Setback:**  
The east property setback is 128 feet and is the result of maintaining the required 200 foot setback from the west residential boundary. This places the substation 278 feet from the residential neighborhood boundary located east of La Canada Drive (a 150 foot R.O.W.). The majority of the area within the 128 foot setback will be left undisturbed with native vegetation intact. Areas proposed for grading will be revegetated with native plantings augmenting the existing conditions and providing a 128 foot wide natural vegetated buffer between the residential neighborhood to the east of La Canada Drive and the proposed substation facilities.
- **South Property Setback:**  
The south property setback is 50 feet and is the result of siting the substation as far to the south as possible from the residential neighborhood located north of Orange Grove Road. Metropolitan Water Company, which owns and occupies the property south of the site, has built a solar facility that abuts the southern boundary of the proposed Orange Grove Substation site. The proposed substation facilities will be setback approximately 260 feet from the Metropolitan Water Company Office Building. The majority of the area within the 50 foot setback will be left undisturbed with native vegetation intact. Areas proposed for grading will be revegetated with native plantings augmenting the existing conditions and providing a 50 foot wide natural vegetated buffer between the Metropolitan Water Company property and the proposed substation facilities.

In addition to providing natural vegetated buffers between the four property lines and the proposed substation facilities, TEP will also provide the following:

- All native vegetation in the buffer areas described above will be protected during construction of the substation facilities.



July 25, 2014

Chris Poirier  
Assistant Planning Director  
Pima County Development Services  
201 N. Stone Avenue  
Tucson, Arizona 85701

Dear Chris,

The Planning Center, on behalf of Tucson Electric Power Company (TEP), is submitting an application for a Power Substation Permit to Pima County Development Services. The proposed Orange Grove Substation is needed to relieve the existing electric system and provide sufficient power to meet the present and projected electrical load needs of TEP's northwest service area.

TEP's contact information is:

Tucson Electric Power,  
88 East Broadway  
P.O. Box 711, Tucson, AZ., 85702,  
Telephone: (520)884-3742,  
C/o Larry Lucero  
Senior Director, Government Relations & Economic Development.

The proposed substation will be located at the southwest corner of Orange Grove Road and La Canada Drive. The site is comprised of Assessor Parcel Numbers 102-11-131E, 102-11-1320, and 102-11-131D totaling 9.085 acres.

The property is zoned conditional TR for office development, and is subject to the following Pima County cases: P.C. Ord. No. 1984-202; P.C. Res. No. 1992-119; P.C. Res. No. 2009-239; and P.C. Res. No. 2000-11, Zoning Case No. Co9-99-15.

Chris, also attached as part of this submittal are the following documents:

- Letter of Authorization
- Tucson Electric Power Orange Grove Substation, Power Substation Permit Application
- Submittal Fees (to be hand delivered to DSD office)

July 25, 2014  
Orange Grove Power Substation Permit Application  
Page 2

All documents submitted are digital PDF copies for your review. If you require hard copies in addition to these, we will be happy to provide.

We would like the opportunity to meet with you and the planner assigned to our project to better understand the time frames involved with getting this project to final approval by the Board. Thank you for your consideration and we look forward to working with you and your staff on this project.

Sincerely,



Stephen W. Hagedorn, R.L.A.  
Project Manager



88 E. Broadway Blvd., Tucson AZ 85701  
P.O. Box 711, Tucson AZ 85702

RECEIVED  
SEP 16 2014

BY: W.P.

September 16, 2014

Chris Poirier  
Assistant Planning Official  
Pima County Development Services Department  
201 N. Stone Avenue  
Tucson, Arizona 85701

Subject: **TEP Orange Grove Substation Bufferyard Modification Request**  
**TEP-22**

Dear Mr. Poirier,

Tucson Electric Power (TEP) respectfully requests a waiver of the Landscape Bufferyard requirements of the Pima County Zoning Code, Section 18.07.040, B.5.b and Section 18.73, Landscaping, Buffering and Screening Standards, for the proposed Orange Grove Substation. More specifically, the request is to modify the requirements of Bufferyard "J" which requires a 200-foot wide bufferyard on all four sides of the site.

TEP has prepared the attached preliminary site plan that shows the proposed configuration of the Orange Grove Substation. The design team carefully considered setbacks to residential properties, existing riparian areas, native vegetation, site hydrology, location of infrastructure, necessary configuration of transformers and switching equipment, and other technical constraints to identify the optimal location and layout of the substation facilities.

Strict adherence to the requirements of Bufferyard "J" is problematic given the size and configuration of the site. Bufferyard "J" requires a 200 feet wide bufferyard on all four sides of the site, and no structures are permitted within the bufferyard. Conformance to these requirements would reduce the developable portion of the site from 9.1 acres to an area measuring 165 feet wide by 300 feet long (1.1 acres). However, the minimum footprint that is required for a standard 138 kV substation is approximately 250 feet by 400 feet (2.2 acres). This size will safely accommodate all the required electrical equipment and provide access for construction and maintenance vehicles.

Described below are the bufferyard, setbacks and design considerations on each side of the Orange Grove Substation site:

- The proposed substation will include a 10-foot-high earth tone masonry screen wall that encloses all electric equipment.
- All areas disturbed by construction, exterior to the substation masonry screen walls, will be replanted with native desert landscaping to buffer and screen the substation from offsite properties.
- A 10 foot wide landscape screen will be planted around the perimeter of the substation enclosure.
  - For security reasons, the landscape screen shall be located ten feet offset from the screen wall.

Approval of natural vegetated buffers as described above, in-lieu-of the 200 foot wide Bufferyard "J" requirement will result in the following benefits to the property and neighborhood:

- Disturbance to the site will be minimized, as only 40% of the site will be graded for the new substation facilities. The natural vegetated buffers proposed on all four sides of the substation facility will screen the substation from adjoining residential and office uses.
- The existing riparian area along Casas Adobes Wash at the northwest corner of the site will remain undisturbed.

Implementation of Bufferyard "J" would result in the following:

- Significant disturbance to the site would be required.
- In addition to the 40% disturbance required to develop the substation facilities, the remaining 60% of the site would be disturbed by installation of 515 trees, 1,372 shrubs, 686 accent plants, and the necessary irrigation lines needed to support these plants.
- The existing riparian area along Casas Adobes Wash at the northwest corner of the site would be significantly disturbed to accommodate the required planting of the additional trees, shrubs and accent plants, and support irrigation described above.

TEP looks forward to presenting the proposed Orange Grove Substation at the Board of Supervisors hearing. If you have any immediate questions or concerns, please do not hesitate to contact me.

Sincerely,

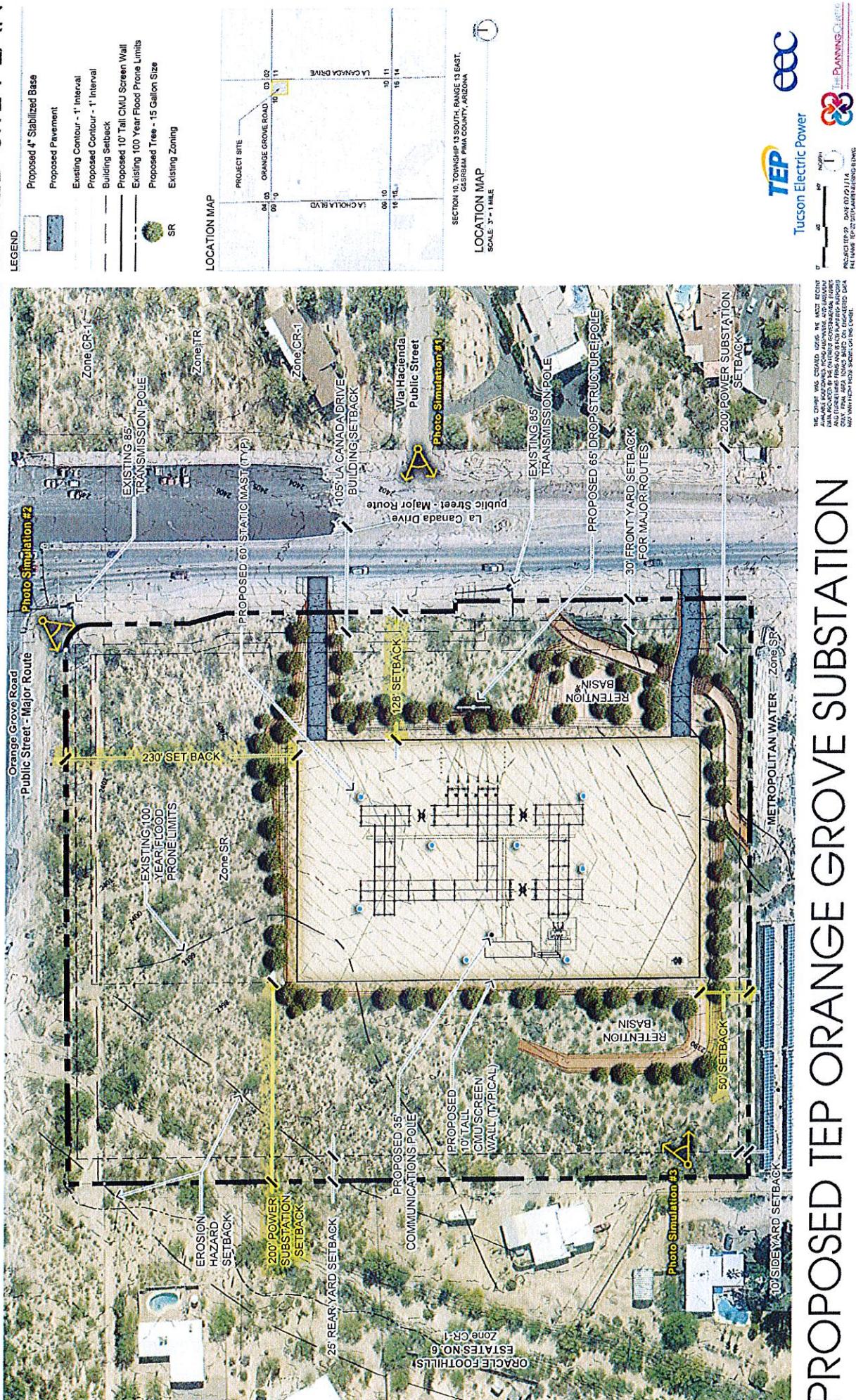


Cheryl Eamick, Senior Environmental and Land Use Planner  
Tucson Electric Power Company

Cc: David Peterson, Principal Planner  
Shannon Breslin, Manager of Land Resources  
Steven Eddy, Government Relations  
Cheryl Eamick, Senior Environmental Land Use Planner

Enclosure: Orange Grove Substation – Preliminary Site Plan

RENDERED SITE PLAN



# PROPOSED TEP ORANGE GROVE SUBSTATION

1:12,800 2.24 x 1.52

1. 2800

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**PIMA COUNTY  
COMPREHENSIVE PLAN  
NORTHWEST SUBREGION  
PLAN DESIGNATION: MEDIUM  
-HIGH INTENSITY URBAN**

K-NANCE JAMES M & VELOZ SELENE A JT/RS

N. ORANGE GROVE RD

N. LA CANADA DR

N. LA CHOLLA BL

N. JERICHO GROVE RD

MHU

MIU

HII

MI

MI

PIMA COUNTY  
COMPREHENSIVE PLAN  
NORTHWEST SUBREGION  
PLAN DESIGNATION: MEDIUM  
-HIGH INTENSITY URBAN

A detailed map of a residential area in La Canada Flintridge, California. The map shows a grid of streets with various property boundaries and street names. Key features include 'N LA CANADA DR' running vertically, 'SUBJECT PROPERTY' highlighted with a thick line, and 'LA CHOLLABL' at the bottom. A small building on the right is labeled 'SCHOOL'.

## **Medium/High Intensity Urban**

### **'MHIU' or 'E' on the Land Use Plan Maps**

- a. **Purpose:** To designate areas for a mix of medium to high density housing types and other compatible uses.
- b. **Objective:** These areas provide opportunities for a variety of residential housing types, including cluster option developments, single family attached dwellings, and apartment complexes. Special attention should be given in site design to assure that uses are compatible with adjacent lower density residential uses.
- c. **Residential Gross Density:** Only land area zoned and planned for residential use, or natural or cluster open space areas, shall be included in gross density calculations. Natural and cluster open space shall be defined as set forth in Section 18.09.040B, except that cluster open space shall not include land developed under the GC Golf Course Zone. Residential gross density shall conform with the following:
  - 1) Minimum - none
  - 2) Maximum - 24 RAC
- d. **Residential Gross Densities for Developments Using Transfer of Development Rights (TDR's):** Projects within designated Receiving Areas utilizing TDR's for development (refer to Chapter 18.92 of the Zoning Code) shall conform to the following density requirements, however the Board of Supervisors, on appeal at public hearing, may modify the required minimum density if environmental site constraints preclude the ability to achieve the minimum density.
  - 1) Minimum – 3 RAC
  - 2) Maximum – 6 RAC
- e. **Zoning Districts:** Only the following zoning districts shall be deemed in conformance with the land use plan, except as provided for under the Major Resort Community designation, Section 18.89.030C plan policies, or Section 18.90.030E specific plans:
  - 1) GC Golf Course Zone
  - 2) CR-1 Single Residence Zone
  - 3) CR-2 Single Residence Zone
  - 4) CR-3 Single Residence Zone
  - 5) CR-4 Mixed-Dwelling Type Zone
  - 6) CR-5 Multiple Residence Zone
  - 7) TR Transitional Zone
  - 8) CMH-1 County Manufactured And Mobile Home-1 Zone
  - 9) CMH-2 County Manufactured And Mobile Home-2 Zone
  - 10) MR Major Resort Zone
  - 11) CPI Campus Park Industrial Zone

DATE: August 11, 2014



TO: David Petersen, DSD  
Senior Planner

FROM: Greg Saxe, Ph.D.  
Env. Plg. Mgr

SUBJECT: Co18-14-01 Panousopoulos/TEP – W Orange Grove Rd Substation Permit

The Regional Flood Control District (District) has reviewed application and has the following comments:

1. The site is impacted by Casas Adobe Wash and the application acknowledges that a Floodplain Use Permit will be required.
2. There is Pima County Regulated Riparian Habitat designated as Hydromesoriparian/Mesoriparian associated with this wash. This classification has been incorrectly identified as Xeroriparian C in the application. The site plan avoids this area.
3. The application acknowledges that the site is within a critical basin and proposes detention to address basin requirements.
4. A drainage report has been submitted with the application and erosion protection design proposed based upon 100 year flows. Per PCC 16.26.055 power utility facilities must be outside of or protected from the 500 year event. This may be addressed at the time of permitting.

In conclusion, the District has no objection or recommended special permit conditions.

If you have any questions regarding these comments, please contact me at 724-4600.

GS/sm

cc: File



# NORTHWEST FIRE DISTRICT

SERVING RESIDENTS OF THE NORTHWEST FIRE DISTRICT, THE FLOWING WELLS COMMUNITY, AND THE TOWN OF MARANA



ADMINISTRATION/LIFE SAFETY SERVICES  
5225 W. MASSINGALE ROAD  
TUCSON AZ 85743

PHONE: (520) 887-1010 FAX: (520) 887-1034 [www.northwestfire.org](http://www.northwestfire.org)

August 6, 2014

David Petersen, AICP  
Senior Planner  
Planning Division  
Pima County Development Services Department  
201 N. Stone Avenue, 2<sup>nd</sup> Floor  
Tucson, AZ 85701

Reference: Proposed Electric Power Sub-station for Tucson Electric Power Company, Orange Grove Road, parcels 102-11-131D, 102-11-131E and 1320.

Dear Mr. Petersen:

Northwest Fire District in review of the referenced project for compliance with the minimum internationally recognized codes and standards for the protection of life and property in accordance with the 2012 International Fire Code has no objection to approval of this request by the Pima County Board of Supervisors. In the event you have questions or concerns please contact the undersigned at 520-887-1010 extension 5003 or via email at [jpratt@northwestfire.org](mailto:jpratt@northwestfire.org). Thank you.

Yours in fire and life safety

*James Pratt*

James Pratt, CFM,CBO  
Deputy Fire Marshal



# Application for Modification of Subdivision and Development Street Standards

The following Application form shall be completed and submitted. Submit one form for each specific modification request. Electronic submittal is required. Submit via email to [site@pima.gov](mailto:site@pima.gov), via disc at 201 N. Stone, or make available for download from an FTP site. Multiple forms may be submitted in one email, disc or FTP site. Submit a PDF file of all documents. Submittal deadline is the 2<sup>nd</sup> Tuesday of the month at 4:00 p.m. Emails with a received date after 4:00 p.m. will be scheduled for the next month. The applicant will receive via email an invoice for payment. Payment may be made online or in person at 201 N Stone using the invoice number. Payment must be received no later than 4:00 pm on the Thursday following the 2<sup>nd</sup> Tuesday. Committee meetings are at 3:00 p.m. on the 4<sup>th</sup> Tuesday of the month. The applicant is required to attend in person or via conference call.

**Form instructions:** fill in each shaded area. Hover over a shaded area without clicking to see more instructions

Project #:	Project Name: TEP Orange Grove Substation		
Project Address (or Location): 6301 N. La Canada Drive			
Street segment ADT: 16236	Street segment speed limit: 45 mph		
Applicant Name: Bruce Wilson		Firm Name: EEC	
Applicant Address: 4625 E. Ft. Lowell Road			
Applicant Phone # 520-321-4625	Applicant email: <a href="mailto:bwilson@eectic.com">bwilson@eectic.com</a>		
Provide any related project numbers such as rezoning case numbers or previous project numbers: Co9-99-15			
State the specific standard from which a modification is requested Ch. 8.1.1.1 Driveway spacing			
State specifically the modification (or interpretation) requested:  We propose to reduce the required driveway spacing from 230 feet to 90 feet, between this project's proposed south driveway and the existing entrance (on south side of this project) to Metropolitan Water.			

## Justification of Request:

There will be very little traffic coming in and out of this project. It is an unmanned facility and access is restricted to maintenance and/or emergency vehicles only.

The northwest corner of the property has existing floodplain area from the Casas Adobes Wash. The proposed layout is shown shifted to the south end on the property to minimize the amount of the proposed pad that encroaches into the existing floodplain, in order to not raise the existing 100 year water surface elevations in the Casas Adobes Wash.

In addition to existing floodplain consideration, if the proposed site driveways are shifted north far enough to obtain 230 feet from the proposed south driveway to the existing Metro Water driveway, then we will have less than 230 feet from the proposed north driveway to Orange Grove Road, a much higher traffic area.

# Application for Modification of Subdivision and Development Street Standards

Describe how each of the following criteria from the SDSS section 9.1 are met (See SDSS for full criteria description):

1. Hardship due to unusual topographic or other pre-existing physical conditions of the land:

The existing floodplain limits from the Casas Adobes Wash at the northwest end of the property limits where the substation and driveway locations can be placed on the site.

2. The modification is in harmony with the general intent and purposes of the standards:

The general intent of the standard is the spacing will be sufficient to allow drivers time to react. This project is an unmanned substation with the only traffic being maintenance and/or emergency vehicles.

3. The modification does not violate State law or other provisions of Pima County ordinances or policies.

This modification does not violate State law or other provisions of Pima County ordinances or policies.

4. The modification will not adversely affect the rights of surrounding property owners and residents.

La Canada Drive now has a raised median so the proposed driveway has no impact on northbound traffic and with this project being an unmanned substation it will have negligible impact on southbound and the existing driveway to Metropolitan Water.

5. The modification is the minimum necessary to afford relief.

This modification is the minimum necessary to afford relief.

6. The modification is not granted solely to increase economic return from the property.

The modification will have no impact on economic return from the property.

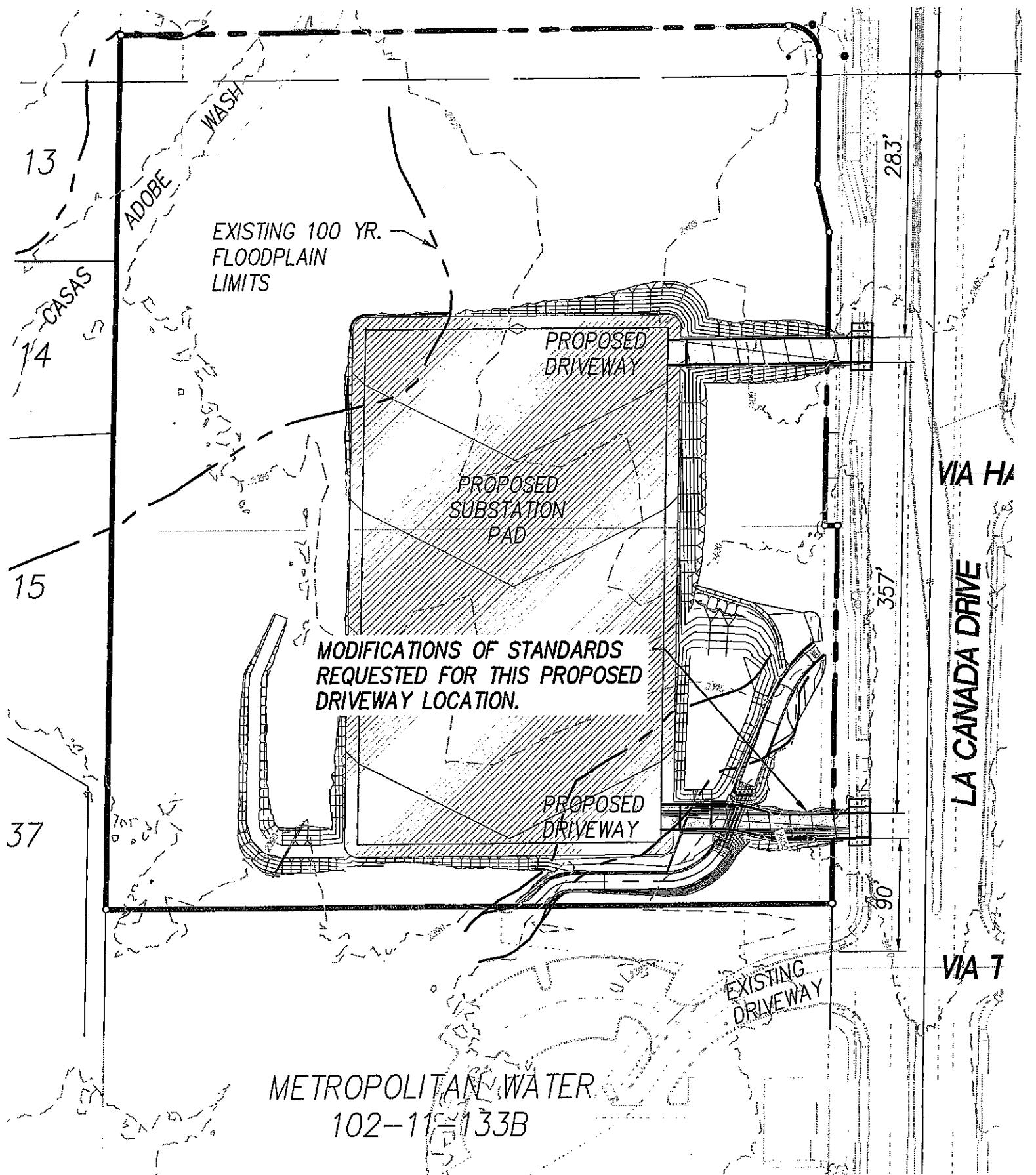
7. The modification will not reduce traffic safety and visibility, functional utility of the street system, and emergency vehicle access on or off-site.

There will be very little traffic coming in and out of this project. It is an unmanned facility and access is restricted to maintenance and/or emergency vehicles only.

Attach to this application a pdf site plan of the project indicating the requested modifications in sufficient detail to show the specifically requested modification. The sheet size for the site plan is not limited. For example, if the modification is to reduce the throat length, clearly indicate the requested throat length. One site plan may be used for multiple applications for modification.

**By submitting this application, the applicant named above does hereby certify that the above statements and attached documentation are, to the best of her/his knowledge, true and correct.**

Recommendation of the Committee <input type="checkbox"/> Approval <input checked="" type="checkbox"/> Approval with conditions <input type="checkbox"/> Denial	Conditions Northern access shall be primary entrance with card reader and southern entrance shall be locked entrance as per TEP standard procedure.
Decision of the County Engineer <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Approval with conditions <input type="checkbox"/> Denial	Conditions
Date: 02/26/14	County Engineer: Priscilla Cornelio <small>Digitally signed by Priscilla Cornelio Date: 2014.02.26 07:45:53 -07'00'</small>



J. AM. RODRIGUEZ RECORDER  
RECORDED BY: K  
DEPUTY RECORDER  
1861 PE-2  
P0230  
PIMA CO CLERK OF THE BOARD  
PICKUP



FILE: 13880  
PAGE: 2750  
NO. OF PAGES: 9  
SEQUENCE: 20101640642  
DATE: 08/25/2010  
RES 18:00  
PICKUP  
AMOUNT PAID \$ 0.00

## Co9-99-15 Rezoning Conditions

RESOLUTION 2010- 200

A RESOLUTION OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO ZONING; IN CASE Co9-99-15 GATZIONIS BROTHERS FAMILY PARTNERSHIP/CAB PRODUCE COMPANY – ORANGE GROVE ROAD #2 REZONING; LOCATED ON THE SOUTHWEST CORNER OF ORANGE GROVE ROAD AND LA CANADA DRIVE; AMENDING REZONING CONDITIONS SET FORTH IN SECTION 2 AND THE TIME LIMIT SET FORTH IN SECTION 3 OF ORDINANCE NO. 2000-11 AS AMENDED BY RESOLUTION NO. 2009-239.

**WHEREAS**, on April 30, 1999, the owner(s) of approximately 10.15 acres applied for a rezoning from SR (Suburban Ranch) to TR (Transitional);

**WHEREAS**, on November 9, 1999 the Pima County Board of Supervisors approved the rezoning subject to standard and special conditions;

**WHEREAS**, on February 15, 2000 the Pima County Board of Supervisors adopted rezoning Ordinance No. 2000-11, as recorded in Docket 11254 at Page 1476, rezoning the approximately 10.15 acres described in rezoning case Co9-99-15 (as shown on the map attached hereto as EXHIBIT A) and memorializing the standard and special conditions;

**WHEREAS**, on November 7, 2006 the owner(s) of approximately 10.15 acres applied for a five-year rezoning time extension;

**WHEREAS**, on February 6, 2007 the Pima County Board of Supervisors voted against closure of this rezoning;

**WHEREAS**, on June 19, 2007 the Pima County Board of Supervisors approved a five-year time extension per modified standard and special conditions;

**WHEREAS**, on September 15, 2009 the Pima County Board of Supervisors adopted rezoning Resolution No. 2009-239, as recorded in Docket 13647 at Page 02430, memorializing the new time limit and modified standard and special conditions approved by the Board of Supervisors on June 19, 2007;

**WHEREAS**, on September 28, 2009 the owner(s) of approximately 10.15 acres applied for a five-year rezoning time extension;

**WHEREAS**, on February 16, 2010 the Pima County Board of Supervisors approved a five-year time extension per modified standard and special conditions;

**WHEREAS**, Ordinance No. 2000-11, as amended by Resolution No. 2009-239, allows the Board of Supervisors to amend the rezoning conditions by resolution.

**NOW, THEREFORE, BE IT RESOLVED**, that the Pima County Board of Supervisors hereby reaffirms and modifies the rezoning conditions represented in Section 2 of Ordinance No. 2000-11, as amended by Resolution No. 2009-239, as follows:

1. Submittal of a development plan as determined necessary by the appropriate County agencies.
2. Recording of a covenant holding Pima County harmless in the event of flooding.
3. Recording of the necessary development related covenants as determined appropriate by the various County agencies.
4. Provision of development related assurances as required by the appropriate agencies.
5. 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 Department of Transportation, Real Property Division.

6. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
7. Transportation conditions:
  - A. Property owner(s) shall provide any necessary access improvements to Orange Grove Road and La Canada Drive. These improvements may include the construction of left-turn facilities and/or a right-turn deceleration lane adjacent to the subject property.
  - B. Property owner(s) shall dedicate 70 feet of additional right-of-way for Orange Grove Road adjacent to the subject property within 90 days of Board of Supervisors time extension approval. All buildings shall be setback a minimum of 130 feet from the centerline of Orange Grove Road right-of-way.
  - C. Only one access on Orange Grove Road and one access on La Canada Drive shall be allowed. Locations of access on both roads shall be coordinated with and shall require Department of Transportation approval.
  - D. The property owner/developer shall dedicate right-of-way for a 25 foot radius corner spandrel at the corner of Orange Grove Road and La Canada Drive within 90 days of Board of Supervisors time extension approval.
8. Flood Control conditions:
  - A. Drainage shall not be altered, disturbed or obstructed without the written approval of the Flood Control District.
  - B. All internal drainage improvements and any external drainage improvements required to mitigate drainage impacts caused by the proposed development shall be constructed at no cost to Pima County.
  - C. The property owner(s) shall grant flowage easements for drainage purposes to Pima County, as determined necessary by the Flood Control District during the plan review process.
  - D. A drainage study shall be submitted for review and approval that addresses the impacts of development to the local area drainage.
  - E. This development shall meet Critical Basin detention and retention requirements.

F. A riparian mitigation plan shall be required for development in designated riparian areas.

9. Wastewater Management Reclamation conditions:  
~~The property owner must connect to the public sewer system at the location and in the manner specified by Wastewater Management at the time of review of the tentative plat, development plan or request for building permit.~~

A. The owner/developer shall construe no 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/developer shall obtain written documentation from the 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, 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 Pima County Regional Wastewater Reclamation Department.

C. The owner/developer 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 the Development Services Department at the time of review of the tentative plat, development plan, sewer construction plan, or request for building permit.

10. ~~The site shall be surveyed for the presence or absence of the cactus ferrugineus pygmy owl by a qualified biological consultant who has a permit from the U.S. Fish and Wildlife Service.~~

11. ~~Prior to ground modification activities, an on-the-ground archaeological survey and appropriate mitigation measures shall be conducted on the subject property. A cultural resources mitigation plan for any identified archaeological sites on the subject property, shall be submitted at the time of, or prior to the submittal of any tentative plat or development plan. The mitigation plan shall be prepared and reviewed as described in the Pima County Site Analysis Requirements.~~

12. ~~Building heights are restricted to 24 feet and two stories, except for the two northernmost buildings shown on the preliminary development plan, which are restricted to a height of 18 feet and one story.~~

43 12. Adherence to the preliminary development plan as approved at public hearing (EXHIBIT B). Uses are restricted to professional and semi-professional offices.

44 13. A. The property owner(s) shall enter into the voluntary Neighborhood Covenants with property owners residing within 1,000 feet as presented at the June 19, 2007 public hearing.

B. Prior to the issuance of a Certificate of Compliance, the applicant shall obtain approval from the Design Review Committee as it relates to the design elements contained within the Neighborhood Covenants. These elements include, but are not limited to, site design, screening, architectural styles, building colors/materials, and signage.

45 14. The following exotic plant species shall not be planted anywhere on the project site:

Fountain grass (*Pennisetum setaceum*)

Buffelgrass (*Pennisetum ciliare*)

Johnson grass (*Sorghum halapense*)

Giant reed (*Arundo donax*)

Common crabgrass (*Digitaria sanguinalis*)

Pampas grass (*Cortaderia selloana*)

Red brome (*Bromus rubens*)

Mediterranean grass (*Schismus spp.*)

Tree of heaven (*Ailanthus altissima*)

African sumac (*Rhus lancea*)

Russian olive (*Eleagnus angustifolia*)

Salt cedar/Tamarisk (*Tamarix pertandra* & *T. ramosissima*)

Bermuda grass (*Cynodon dactylon*) excluding sod hybrid Bermuda

Lovegrasses (*Eragrostis spp.*) excluding Plains lovegrass (*Eragrostis intermedia*)

African rue (*Peganum harmala*)

Iceplant (*Mesembryanthemum crystallinum*)

Arabian Grass (*Schismus arabicus*)

Natal Grass (*Melinis repens* (=*Rhynchelytrum repens*))

Aquatics

Eurasian Watermilfoil (*Myriophyllum spicatum*)

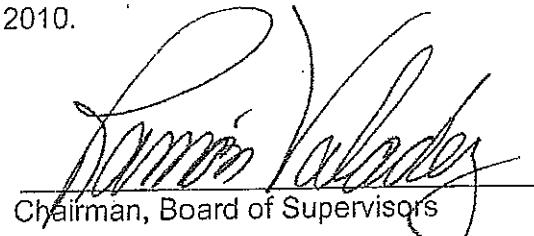
Giant Salvinia (*Salvinia molesta*)

Hydrilla (*Hydrilla verticillata*)

Water hyacinth (*Eichhornia crassipes*)

46 15. In the event the subject property is annexed into the City of Tucson, the property owner(s)/developer(s) 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.

**RESOLVED** by the Board of Supervisors of Pima County, Arizona, this  
16th day of August, 2010.



Dennis Valdez  
Chairman, Board of Supervisors

**ATTEST:**

AUG 16 2010



Lori Godashewski  
Clerk, Board of Supervisors

**APPROVED AS TO FORM:**



AF  
Deputy County Attorney  
ANDREW FLAGG

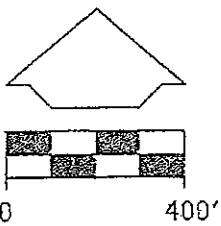
**APPROVED:**



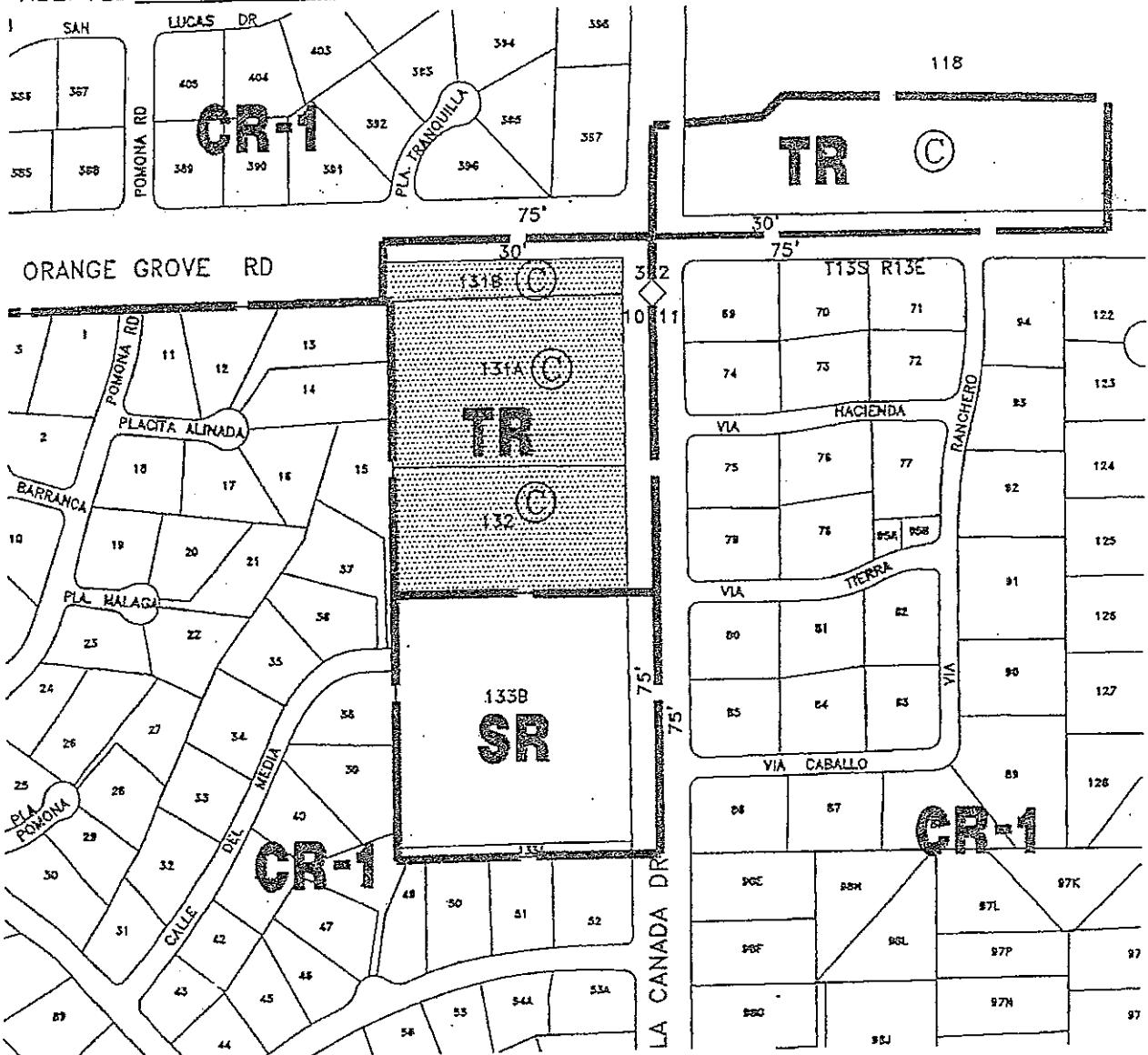
Al Hall  
Executive Secretary  
Planning and Zoning Commission

# EXHIBIT A

AMENDMENT NO. 75 BY ORDINANCE NO. 2000-11  
 TO PIMA COUNTY ZONING MAP NO. 76 TUCSON, AZ.  
 PARCELS 131A, 131B & 132 BEING A PART OF THE NE 1/4 OF THE  
 NE 1/4 OF SEC. 10 AND BEING A PART OF THE SE 1/4 OF THE  
 SE 1/4 OF SEC. 3, T13S R13E.



ADOPTED 2-15-00 EFFECTIVE 2-15-00



*J. Mazzoni*  
 EXECUTIVE SECRETARY, PIMA COUNTY PLANNING AND ZONING COMMISSION

© NO BUILDING PERMITS WITHOUT CERTIFICATE OF COMPLIANCE  
 FROM SR 10.15 ac±  
 x-a-JANUARY 20, 2000

CD9-99-15  
 CD7-89--2  
 102-11-131A,  
 131B, & 132

## EXHIBIT B

RECEIVED  
SEP 29 1999

SEP 29 1999

## STATISTICS

Accession: 9.22 (0.93 ac. R.O.W. Dedication)

## Proposed Zoning: Th

Building Area: 80,000

Selling Health: 2d

ב-הַלְּבָנָן הַמְּגֻלָּן, זָהָר

Parking: 267 spaces (1 per 3W S.I.)

Required Buffetards:  
North - B  
South - D  
East - D  
West - C

Required Setbacks:  
North - 20'  
South - 25'  
East - 7'  
West - 7'

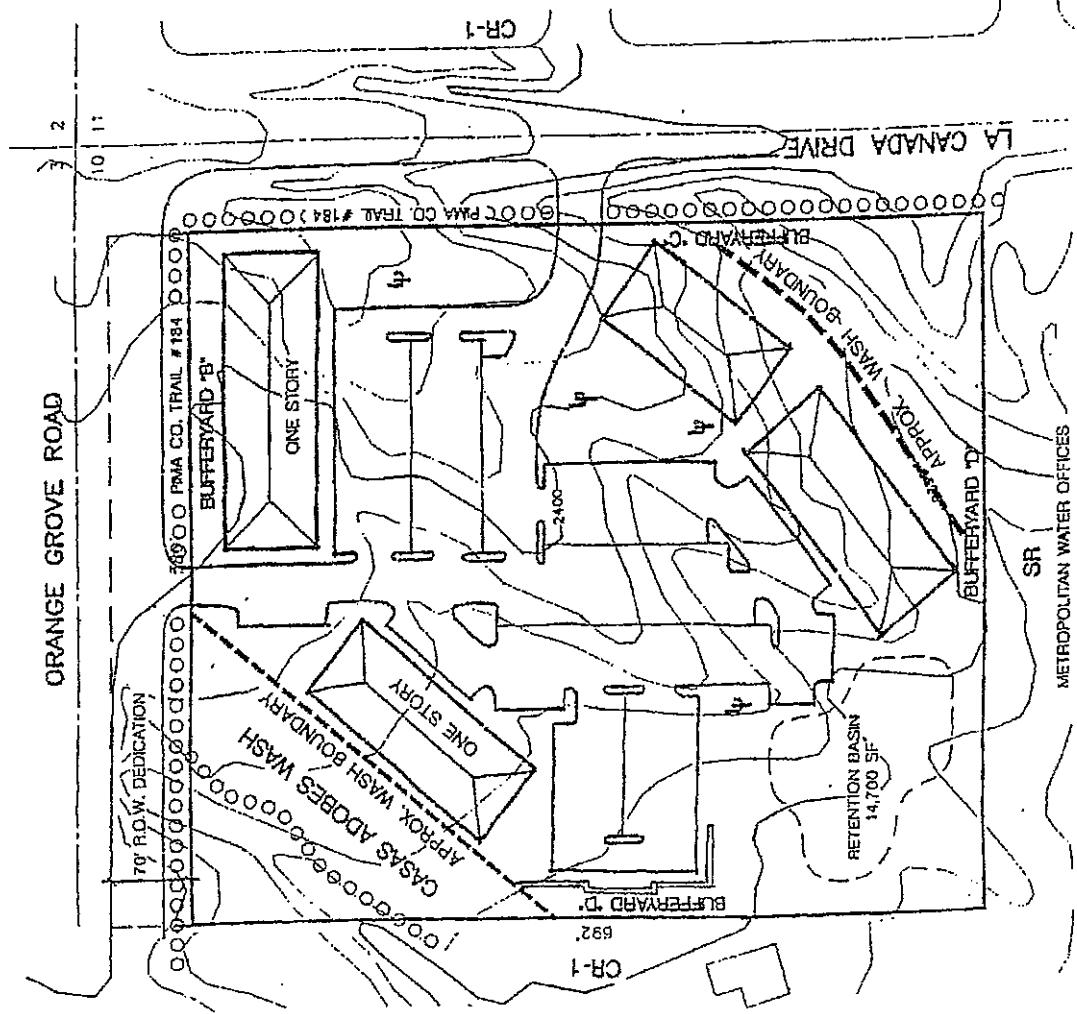
## 000 Existing Trials

3. Evaluating accounting



Planning sessions

Elamking Landscaping Services LLC  
210 North Church Avenue, Tucson, Arizona 85701 • (520) 723-1112 • Fax (520) 623-7137  
2115 East Broadway, Ste. 101, Tempe, Arizona 85282 • (480) 921-9500 • Fax (480) 921-9501



09-097-15 Approved Rezoning Preliminary Development Plan

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