



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: June 12, 2018

Title: P18RZ00002 ACM VENTURES, LLC - E. SNYDER ROAD REZONING

Introduction/Background:

The applicant requests a rezoning from SR (Suburban Ranch) and SR (BZ) (Buffer Overlay Zone) to SR-2 (Suburban Ranch Estate) and SR-2 (BZ) on 7.20 acres.

Discussion:

The rezoning will allow development of four single residences on four proposed parcels. The proposed SR-2 zoning conforms to the Low Intensity Residential 1.2 residences per acre comprehensive plan designation of the site and is compatible with mostly higher-density CR-1 residential development in the area. The 30% natural area set aside requirement of the SR-2 zone (and 50% for the portion of the site within the Buffer Overlay Zone) will continue the non-mass-grade residential development pattern of the area. A wash on site will be preserved as will nearly all of the associated riparian area. Concurrency of infrastructure exists. The site is outside of the MMB Conservation Lands System. With approval of the rezoning, Buffer Overlay Zone performance standards will become applicable within the portion of the site covered by overlay which is an area extending approximately 90 feet south of the site's boundary with Snyder Road. However, area proposed to be graded for buildings and yards is outside of the overlay area.

Conclusion:

The rezoning conforms to the Comprehensive Plan and would allow development of four single residences at a density closer to the residential density of the predominant CR-1 zoning in the area while maintaining the non-mass-grade development pattern.

Recommendation:

Staff recommends approval of the rezoning with conditions. The Planning and Zoning Commission also recommends approval with conditions.

Fiscal Impact:

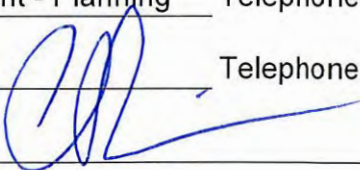
N/A

Board of Supervisor District:

1 2 3 4 5 All

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

Contact: David Petersen Telephone: 520-724-9000

Department Director Signature/Date:  5-25-18

Deputy County Administrator Signature/Date:  5/25/18

County Administrator Signature/Date:  5/28/18



PIMA COUNTY
DEVELOPMENT SERVICES

TO: Honorable Ally Miller, Supervisor, District 1

FROM: Chris Poirier, Deputy Director
Public Works-Development Services Department-Planning Division

DATE: May 21, 2018

SUBJECT: **P18RZ00002 ACM VENTURES, LLC – E. SNYDER ROAD REZONING**

The above referenced Rezoning is within your district and is scheduled for the Board of Supervisors' **TUESDAY, JUNE 12, 2018** hearing.

REQUEST: For a **rezoning** of approximately 7.20 acres from the SR (Suburban Ranch) and SR (BZ) (Suburban Ranch – Buffer Overlay) zones to the SR-2 (Suburban Ranch Estate) and SR-2 (BZ) (Suburban Ranch Estate – Buffer Overlay) zones, on property located at the southwest corner of the intersection of E. Snyder Road and N. Lason Lane.

OWNERS: ACM Ventures, LLC
5227 E. Pima Street, Ste. A
Tucson, AZ 85712-3606

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

DISTRICT: 1

STAFF CONTACT: David Petersen

PUBLIC COMMENT TO DATE: As of May 21, 2018, staff has received no public comments. No members of the public spoke at the Planning and Zoning Commission public hearing.

PLANNING & ZONING COMMISSION RECOMMENDATION: **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS** (7 – 0, Commissioners Bain, Becker and Hook were absent).

STAFF RECOMMENDATION: **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS.**

MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM DESIGNATIONS: The subject property is located outside the Maeveen Marie Behan Conservation Land System (CLS).

TD/TT/ar
Attachments



PIMA COUNTY

DEVELOPMENT SERVICES

BOARD OF SUPERVISORS MEMORANDUM

Subject: P18RZ00002

Page 1 of 3

FOR JUNE 12, 2018 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS

FROM: Chris Poirier, Deputy Director
Public Works-Development Services Department-Planning Division

DATE: May 14, 2018

ADVERTISED ITEM FOR PUBLIC HEARING

REZONING

P18RZ00002 ACM VENTURES, LLC – E. SNYDER ROAD REZONING

Request of ACM Ventures, LLC, represented by John Wesley Miller, for a **rezoning** of approximately 7.20 acres from the SR (Suburban Ranch) and SR (BZ) (Suburban Ranch – Buffer Overlay) zones to the SR-2 (Suburban Ranch Estate) and SR-2 (BZ) (Suburban Ranch Estate – Buffer Overlay) zones, on property located at the southwest corner of the intersection of E. Snyder Road and N. Lason Lane. The proposed rezoning conforms to the Pima County Comprehensive Plan which designates the property for Low Intensity Urban 1.2. On motion, the Planning and Zoning Commission voted 7-0 to recommend **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS** (Commissioners Bain, Becker, and Hook were absent). Staff recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**.

(District 1)

Planning and Zoning Commission Public Hearing Summary (April 25, 2018)

Staff presented information from the staff report to the commission with a recommendation of approval subject to recommended conditions found on pages 7 and 8 of the staff report.

The applicant spoke briefly in favor of the rezoning, noting that he worked with closely with staff and commended staff's efforts.

The hearing was opened to the public. No members of the audience spoke. The public hearing was closed.

A commissioner noted that page 4 of the staff report discussed the waiver of the rezoning site analysis. He indicated agreement that a site analysis was not necessary, but asked how that determination was made. Staff indicated that it was a discretionary decision. A site analysis is normally required for rezonings over five acres, but can be waived for certain (low density) residential rezonings and this case was similar to that allowance. A site analysis can be amended for rezonings between five and ten acres, meaning its informational sections can be waived or reduced from the standard requirements. For this rezoning, it was decided that the entire site analysis could be waived.

Commissioner Gungle made a motion to recommend approval of the rezoning subject to the standard and special conditions in the staff report.

Commissioner Cook gave second to the motion.

The commission voted to recommend **APPROVAL** of the rezoning (7-0, Commissioners Becker, Bain and Hook were absent), subject to the following conditions:

Completion of the following requirements within five years from the date the rezoning request is approved by the Board of Supervisors:

1. The property owner shall not further lot split or subdivide the land without the written approval of the Board of Supervisors.
2. Adherence to the sketch plan as approved at public hearing.
3. Prior to ground modifying activities, an on-the-ground archaeological and historic sites survey shall be conducted on the subject property. A cultural resources mitigation plan for any identified archaeological and historic sites on the subject property shall be submitted at the time of, or prior to, the submittal of any tentative plan or development plan. All work shall be conducted by an archaeologist permitted by the Arizona State Museum, or a registered architect, as appropriate. Following rezoning approval, any subsequent development requiring a Type II grading permit will be reviewed for compliance with Pima County's cultural resources requirements under Chapter 18.81 of the Pima County Zoning Code.
4. 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.
5. Adherence to Chapter 18.67 Buffer Overlay Zone (BOZO) performance standards for the portion of the rezoning site within the BOZO. The applicable performance standards include provisions for building color and reflective finish, fences and walls, lighting, utilities, functional open space, and natural open space.
6. At the time of development the applicant will be required to commit to water conservation measures identified in the Site Analysis Requirements in effect at that time sufficient to obtain 15 points.
7. The property owner shall execute the following disclaimer regarding Proposition 207 rights: "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134.

8. 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.

TD/DP/ar

Attachments

cc: ACM Ventures, LLC, 5227 E. Pima Street, Ste. A, Tucson, AZ 85712-3606
John Wesley Miller, P.O. Box 2386, Tucson, AZ 85702
Tom Drzazgowski, Chief Zoning Inspector
P18RZ00002 File

**PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT - PLANNING DIVISION
STAFF REPORT TO THE PLANNING AND ZONING COMMISSION**

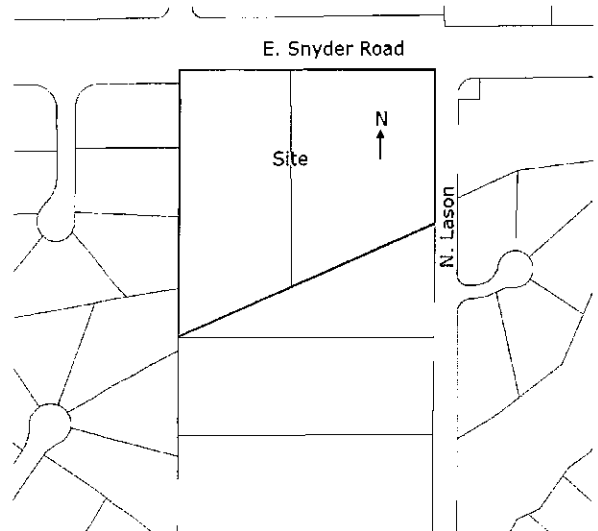
HEARING April 25, 2018

DISTRICT 1

CASE P18RZ00002 ACM Ventures, LLC – E. Snyder Road Rezoning

REQUEST Rezone from SR (Suburban Ranch) and SR (BZ) (Buffer Overlay Zone) to SR-2 (Suburban Ranch Estate) & SR-2 (BZ) (7.20 acres)

OWNER ACM Ventures, LLC
5227 E. Pima Street, Ste. A
Tucson, AZ 85712-3606



APPLICANT John Wesley Miller
P.O. Box 2386
Tucson, AZ 85702

APPLICANT'S PROPOSED USE
"Residential properties"

APPLICANT'S STATED REASON
"To build four houses instead of two"

COMPREHENSIVE PLAN DESIGNATION

The Pima County Comprehensive Plan designates the subject property as Low Intensity Urban 1.2 (LIU 1.2), which designates areas for low-density residential and other compatible uses at a maximum density of 1.2 residences per acre (RAC).

SURROUNDING LAND USES/GENERAL CHARACTER

North:	SR	Snyder Road/Undeveloped Subdivision Lot
South:	SR-2	Undeveloped (Residence Proposed)
East:	CR-1	Lason Lane/Residential Subdivision
West:	CR-1	Residential Subdivision

PREVIOUS REZONING CASES ON PROPERTY

Co13-61-13 Agua Caliente-Sabino Creek Zoning Plan granted CR-1 zoning with approval of an acceptable subdivision plat for a sub-regional area with bounds mostly south of Snyder Road, north of Tanque Verde Creek, west of Wentworth Road and east of Sabino Canyon Road. The subject property is within this area, but never utilized the Zoning Plan.

After significant build-out, the Zoning Plan's conditional rezoning approval for CR-1 expired in 2007 by special action of the Board of Supervisors in 2006.

PREVIOUS REZONING CASES IN GENERAL AREA

Recent activity:

P17RZ00002 Michael Jean Fox Living Trust – N. Lason Lane Rezoning (1.86 acres)

Location: Adjacent to the south of the subject property.

Action: SR to SR-2 approved 6-20-17 for a single-family residence. Rezoning ordinance 2017-39 was adopted 11-21-17.

Co9-14-07 J DeGrazia Company, LLC – N. Harrison Road Rezoning (20.41 acres)

Location: Approximately one-half mile southwest of the subject property, on the west side of Harrison Road and approximately one-half mile south of Snyder Road.

Action: SR to CR-1 approved 10-7-14 for 24 single-family residences. Rezoning ordinance 2015-5 was adopted 2-17-15. A subdivision approved on 7-15-15 is under development.

Co9-14-01 J DeGrazia Company, LLC – N. Bonanza Avenue Rezoning (9.33 acres)

Location: Approximately one-eighth mile east of the subject property, on the east side of Bonanza Avenue and approximately 600 feet south of Snyder Road.

Action: SR to CR-1 approved 6-3-14 for 10 single-family residences. Rezoning ordinance 2015-44 was adopted 11-10-15. A subdivision approved on 7-15-15 is under development.

Past activity:

CR-1 zoning adjacent to and in the vicinity of the subject property was ordained under the Agua Caliente-Sabino Creek Zoning Plan with either approved subdivision plats or approved subdivision plat waivers under rezoning cases dating from 1970 through 2000.

The Sabino Springs Specific Plan (Co23-89-2) is located starting approximately one-eighth mile to the northeast on the north side of Snyder Road and west of Harrison Road and east of Houghton Road. The specific plan has multiple development categories (zones) allowing a maximum of 516 dwellings and a golf course. Natural open space is a feature of the specific plan. Specific plan Ordinance 1990-53 was adopted 6-5-90. The specific plan is mostly built-out under multiple subdivision plats.

STAFF REPORT

Staff recommends **APPROVAL with conditions**. Staff supports the SR-2 (Suburban Ranch Estate) rezoning request because the proposed residential development is compatible with surrounding residential development and concurrency of infrastructure exists to serve the use.

The proposal is for four parcels over 78,000 square feet (1.79 acres) in size with one single story single-family residence on each parcel. The density (0.56 residences per acre) conforms to the Low Intensity Residential 1.2 (LIU 1.2) comprehensive plan designation of the site and surroundings which allows a maximum density of 1.2 residences per acre (RAC) (or greater if exchanged for natural or functional open space options pertaining to subdivision development). The minimum required SR-2 lot size is 72,000 square feet (approximately 1.65 acres). The current SR (Suburban Ranch) zoning also complies with

LIU 1.2, but with a minimum lot size of 144,000 square feet (approximately 3.31 acres), SR could be considered an inefficient zone for residential use given the predominate CR-1 acre-lot land use pattern and the existence of sufficient infrastructure and services to accommodate higher density.

The 7.20-acre rezoning site is located at the southwest corner of Snyder Road and Lason Lane. These are paved county-maintained roads with sufficient capacity for the two additional residences that would be allowed. Public sewer is located within these roads, but the low site elevation will cause usage of on-site septic system sewage disposal. Tucson Water service will require a pre-annexation development agreement which the applicant is pursuing.

There is sufficient capacity of public schools; and, Sabino Canyon High School is located less than a mile northwest of the site. A County park is located approximately one-half mile to the south. Significant commercial services are located approximately 2.5 miles to the south at the intersections of Tanque Verde Road and Bear Canyon Road with Catalina Highway. The nearest Sun Tran bus stop is located approximately 2.5 miles to the south along Tanque Verde Road.

The parcel slopes mildly to the west and is naturally vegetated. A wash is located near the south site boundary and will be preserved. The sketch plan shows intent to avoid grading and development within the floodplain and riparian habitat. The property is not located within the Maeveen Marie Behan Conservation Lands System.

Higher density developed CR-1-zoned subdivisions are located east and west of the site. The proposed SR-2 zoning requires a minimum 30% natural area, and the rezoning sketch plan indicates limited grading which would be consistent with the non-mass-grade residential development pattern in the area. The two proposed westernmost parcels (proposed "Lot 1" and "Lot 2") will share access from Snyder Road. Proposed "Lot 3" will have its own access from Snyder Road. The proposed easternmost parcel ("Lot 4") will be accessed from Lason Lane. The sketch plan depicts adequate separation between proposed driveways and from the intersection of Snyder Road and Lason Lane.

Buffer Overlay Zone

The Buffer Overlay Zone (BOZO) extends approximately 90 feet south of the site's boundary with Snyder Road. This area is the southern extent of the one mile distance from the southern boundary of the Catalina Mountains unit of the Coronado National Forest that defines the extent of the BOZO in the area. With the rezoning request, the BOZO becomes applicable for the portion of the rezoning site which it covers. Rezoning requests are required to be evaluated for conformance to the BOZO performance standards as part of the staff report.

The BOZO performance standards address building color and reflective finish of exterior walls and roofs (typically earthtone not exceeding sixty percent light reflectivity), fence and wall height and location (four feet maximum with exceptions) and limits on use of barbed wire, external lighting restrictions, nonresidential parking lots (not applicable), setback from the public preserve boundary (not applicable), utility location (typically underground),

vegetation (approved and prohibited plant list), trails access reserved within subdivisions (not applicable), washes preservation with exceptions (not applicable as the wash on site does not lie within the BOZO), functional open space credits toward the natural open space requirement, natural open space requirement (interconnected 50 percent of the land subject to the BOZO), and visual quality standards (for areas of high and medium visual sensitivity according to site analysis procedures that have been rescinded).

The rezoning sketch plan design appears to allow for compliance with the minimum 50 percent natural open space requirement forming a substantially interconnected system. The plan depicts the BOZO line at 90 feet from the north Snyder Road frontage. The area is labeled as “bufferyard” and encompasses the BOZO within the site. The shared driveway for proposed Lots 1 and 2 will cut through a portion of this area, as will the driveway for Lot 3. Additional disturbance for utility lines is possible if not collocated with driveways. Grading for house pads and surrounding yard area is not proposed within the BOZO. The “Proposed Graded Area” setback from Snyder Road frontage for the lots ranges from 90 feet to 213 feet.

The rezoning application lacks other detail to determine conformance with other applicable BOZO performance standards. However, the standards can be applied at the time permits are sought. Staff recommends condition #5 below which requires adherence to applicable listed BOZO performance standards for the portion of the rezoning site within the BOZO. Staff excludes applying visual quality standards as they allude to site analysis procedures for determining high and medium visual sensitivity that are no longer in place. Visual impacts are expected to be minimal. The building portion of the site slopes mildly and uniformly, and detached residences are proposed to be one-story and will be surrounded by natural vegetation, similar to the building pattern in the area.

Site Analysis

The required rezoning site analysis was waived by staff. A site analysis is normally required for rezonings greater than five acres. There is an exception for residential rezonings up to six acres that are proposed for no more than five parcels with not more than one residence on each parcel except when rezoning to SH (Suburban Homestead) for no more than two residences per acre. The subject rezoning is similar in scope and intensity to the exception allowance, being 7.20 acres with four proposed parcels with one residence on each. Site analysis amendments are allowed for 5-10 acre rezonings proposed for a density of one residence per acre or less.

Concurrency of Infrastructure

Concurrency of infrastructure exists to serve the proposed development:

CONCURRENCY CONSIDERATIONS		
<i>Department/Agency</i>	<i>Concurrency Considerations Met: Yes / No / NA</i>	<i>Other Comments</i>
TRANSPORTATION	Yes	No objection

CONCURRENCY CONSIDERATIONS		
FLOOD CONTROL	Yes	No objection
WASTEWATER	N/A (Septic Use)	No objection
PARKS AND RECREATION	Yes	No objection
WATER	Yes	Tucson Water indicates service is subject to a pre-annexation development agreement
SCHOOLS	Yes	Tucson Unified School District indicates no concerns
AIR QUALITY	Yes	

TRANSPORTATION REPORT

DOT has no objection to this rezoning request. Access is shown via three driveways, two driveways from Snyder Road, one of which is shared serving the western two lots, and one via Lason Lane serving the eastern lot. The rezoning would equate to an additional 30 trips per day. Roadways in the vicinity of the rezoning are not functioning over capacity. Lason Lane is not on the Major Streets Plan. Snyder Road is designated as a collector road on the Major Streets Plan with a planned future right of way of 80 feet. Because there is approximately 125 feet of existing right-of-way for Snyder Road, a dedication will not be required at this time. Driveways to this site will need to be a minimum of 150 feet from the intersection. It appears that this standard is being met as shown on the rezoning sketch plan.

FLOOD CONTROL REPORT

The Regional Flood Control District has reviewed the rezoning request and has and has the following comments:

1. The site includes Woodland Wash, which has an associated Erosion Hazard Setback, floodplain, and regulated riparian habitat associated with it. These have been shown on the sketch plan. The proposed development substantially avoids these areas and the applicant has relocated access for Lot 3 from Lason Lane to Snyder Road to accomplish this as requested by the District.
2. As required, staff has conducted the Water Resources Impact Analysis (WRIA), including providing demand projections as follows:
 - a. The site is surrounded by the Tucson Water Service Area and is likely to be served by them. Tucson Water provides Renewable and Potable Water.
 - b. Projected demand at build-out under existing zoning using the approved method is just over 16 acre feet per year and projected demand under the proposed project is the same. These calculations are available upon request.

- c. Per the ADWR Well Inventory depth to groundwater indicated in records for the closest wells range from 10 feet adjacent to the National Forest north and upstream of the site, to over 200 feet southwest and downstream of the site.
- d. The site is outside the Tucson Active Management Area modeled by the Safe Yield Task Force. It is in an area of mountain front recharge and temporal relatively shallow groundwater.
- e. The site is not located within a covered subsidence zone.
- f. The Tres Lomas North and Sabino Canyon Groundwater Dependent Ecosystems are within a mile.
- g. The site is not within an Isolated Basin, and the depth to bedrock ranges from 400 to 800 feet.

Staff finds that the project is *not expected to have adverse impacts on groundwater dependent ecosystems* and furthermore that *no additional conservation measures are required based upon proximity to shallow groundwater or demand increases*. A condition is recommended below to ensure demand associated with the project is mitigated as required by Pima Prospers Water Policy.

In conclusion, the District **has no objection subject to the following condition**.

- a) At the time of development the applicant will be required to commit to water conservation measures identified in the Site Analysis Requirements in effect at that time sufficient to obtain 15 points.

WASTEWATER RECLAMATION REPORT

The Planning Section of the Pima County Regional Wastewater Reclamation Department (PCRWRD) has reviewed the above referenced request for rezoning and offers the following comments for your use. The subject parcel is located at the southwest corner of the intersection of E. Snyder Road and N. Lason Lane. The applicant is proposing to split the property into four parcels for the construction of a single-family residential unit on each parcel.

The existing public sewer system consists of 8" sewer lines, one located in E. Snyder Rd. and the other one in N. Larson Ln. However, the subject property appears to be in much lower elevation than the existing sewer lines, which would require the parcels to be significantly raised with fill in order to connect to the public sewer. Therefore, the proposed residential units are proposed to be served by on-site septic systems.

The PCRWRD has no objection to the proposed rezoning request. The owner(s) must secure approval from the Pima County Department of Environmental Quality to use on-site sewage disposal system at the time a tentative plat, development plan, or request for building permit is submitted for review.

CULTURAL RESOURCES REPORT

The Office of Sustainability and Conservation – Cultural Resources has reviewed the request and recommends a condition (#3 below) for a cultural resources survey.

NATURAL RESOURCES, PARKS AND RECREATION REPORT

NRPR has no comments pertaining to the rezoning request.

UNITED STATES FISH AND WILDLIFE SERVICE REPORT

The USFWS has not responded to a request for comments.

CORONADO NATIONAL FOREST REPORT

The Coronado National Forest superintendent has not responded to a request for comments.

TUCSON WATER REPORT

The subject parcels (114-21-325A and 114-21-325B) are not located in the Tucson Water service area. In order for Tucson Water to serve these parcels the owner must obtain a Pre-Annexation Development Agreement (PADA). Once the PADA has been signed Tucson Water can issue a "will-serve" letter for these parcels.

There is an existing 12" cement asbestos (CA) water main located in Snyder Road and an existing 6" water main of varying material (PVC, ductile iron and CA) located in Lason Lane.

If the owner/developer wants to be served by Tucson Water, the owner will need to submit an application for water service (a Water Availability Request Form is attached). A letter stating that a PADA is required will be sent to the owner with the appropriate information on how to pursue a PADA.

SCHOOL DISTRICT REPORT

Tucson Unified School District Planning Services does not have any concerns pertaining to the new rezoning. Please see attachment for future details regarding the rezoning P18RZ00002.

FIRE DISTRICT REPORT

Rural/Metro Fire Department has not responded to a request for comments.

PUBLIC COMMENT

As of the writing of this report, staff has not received any written public comments.

IF THE DECISION IS MADE TO APPROVE THE REZONING, THE FOLLOWING STANDARD AND SPECIAL CONDITIONS SHOULD BE CONSIDERED:

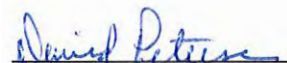
Completion of the following requirements within five years from the date the rezoning request is approved by the Board of Supervisors:

1. The property owner shall not further lot split or subdivide the land without the written approval of the Board of Supervisors.
2. Adherence to the sketch plan as approved at public hearing.
3. Prior to ground modifying activities, an on-the-ground archaeological and historic sites survey shall be conducted on the subject property. A cultural resources

mitigation plan for any identified archaeological and historic sites on the subject property shall be submitted at the time of, or prior to, the submittal of any tentative plan or development plan. All work shall be conducted by an archaeologist permitted by the Arizona State Museum, or a registered architect, as appropriate. Following rezoning approval, any subsequent development requiring a Type II grading permit will be reviewed for compliance with Pima County's cultural resources requirements under Chapter 18.81 of the Pima County Zoning Code.

4. 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.
5. Adherence to Chapter 18.67 Buffer Overlay Zone (BOZO) performance standards for the portion of the rezoning site within the BOZO. The applicable performance standards include provisions for building color and reflective finish, fences and walls, lighting, utilities, functional open space, and natural open space.
6. At the time of development the applicant will be required to commit to water conservation measures identified in the Site Analysis Requirements in effect at that time sufficient to obtain 15 points.
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8. 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.

Respectfully Submitted,



David Petersen, AICP
Senior Planner

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

TUCSON UNIFIED SCHOOL DISTRICT

Department of Engineering, Facilities and Planning
TUSD Planning Services – 606 S. Plumer Tucson, Arizona 85719
(520) 225-4949
(520) 225-4939 (fax)

To: David Petersen AICP, Senior/Planner
Development Services Department – Planning Division

From: Shaun Brown
Planning Technician

Date: March 20, 2018

Re: Case/Project #:
Project Name: P18RZ00002 New Rezoning for 7.20 acres SW corner of E.
Synder Rd and N. Lason Lane
New Units: 4

Impacted Schools	Capacity	Projected Enrollment 2018	Additional Students from Project	Projected Enroll w/Project	Students Exceeding Capacity	Students Exceeding Capacity %
Collier Elementary	400	175	1	176	-224	-56%
Magee Middle	875	585	1	586	-289	-33%
Sabino High	1900	865	1	866	-1034	-54%

Response:






Based on the projected enrollment at TUSD, there is capacity to absorb the impact of the proposed four residential lots at Collier Elementary, Magee Middle and Sabino High schools.

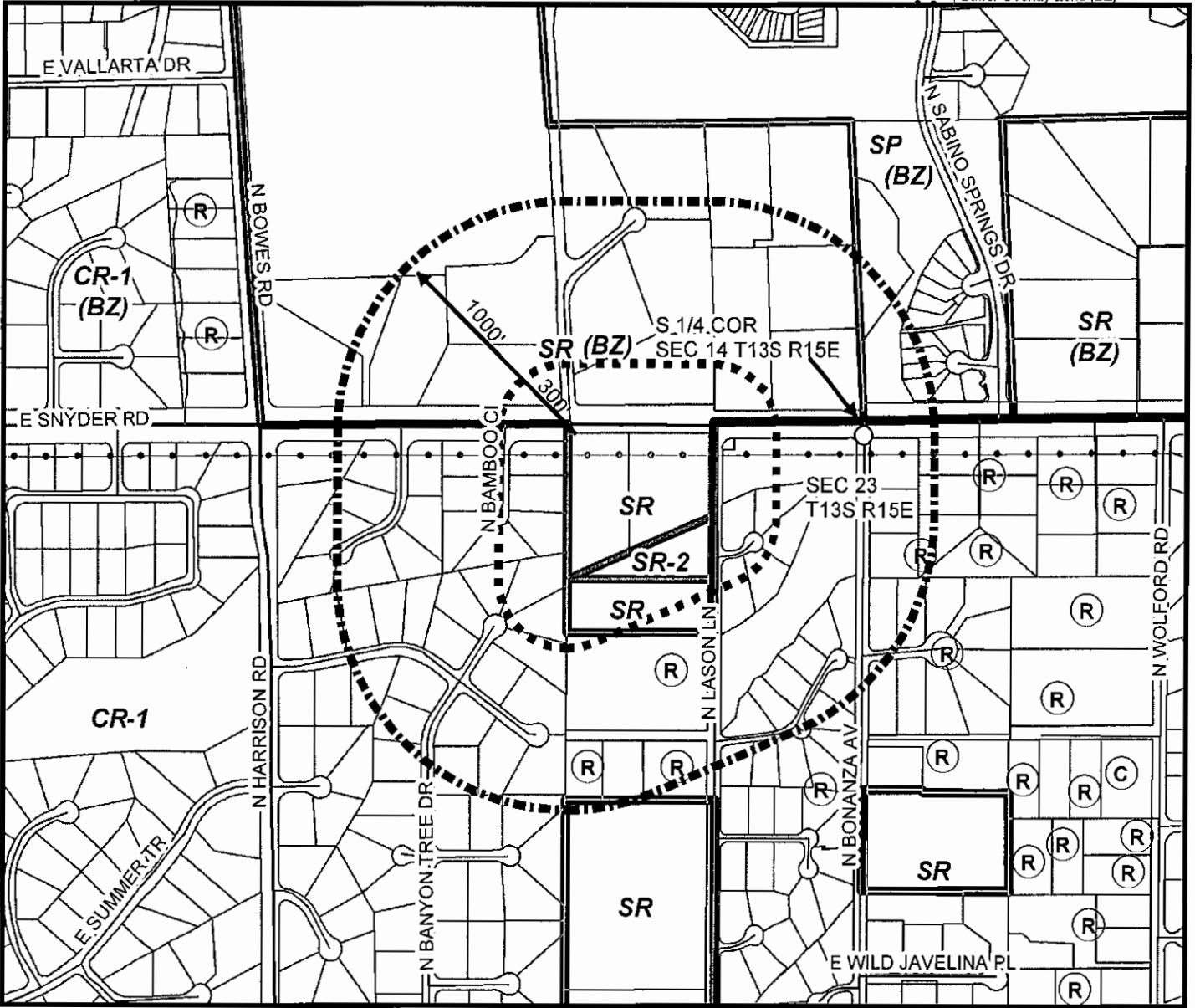


4,895 x 2,822 (ft)

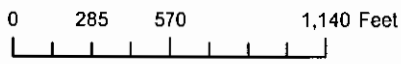
1:3,411

Case #: P18RZ00002
 Case Name: ACM VENTURES, LLC - E. SNYDER ROAD REZONING
 Tax Code(s): 11421325A & 11421325B



-  1000' Notification Area
-  300' Notification Area
-  Subject Property
-  Zoning Boundary
-  Buffer Overlay Zone (BZ)



Area of proposed rezoning from SR & SR (BZ) to SR-2 & SR-2 (BZ)



**PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
 PLANNING DIVISION**

	Notes:		
	PIMA COUNTY COMPREHENSIVE PLAN CO7-13-10		
	Planning & Zoning Hearing: 4/25/18	Board of Supervisors Hearing: 6/5/2018	
	Base Map(s): 50	Map Scale: 1:8,000 Map Date: 5/08/2018 - ds	

NW CORNER
/ SEC. 27
FD 1/2" STEEL PIN

N89°01'46"E
1983.49ft
SNYDER ROAD

N89°01'46"E
193.21ft
S30°27'44"W
56.56ft

N89°01'46"E
145.18ft
234" BETWEEN DRIVEWAYS
14" DRIVEWAY

N89°01'46"E
130.35ft
14" DRIVEWAY

N89°01'46"E
193.21ft
234" BETWEEN DRIVEWAYS
14" DRIVEWAY

N89°01'46"E
193.21ft
234" BETWEEN DRIVEWAYS
14" DRIVEWAY

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193.21ft
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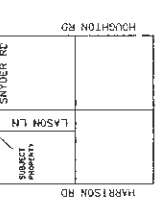
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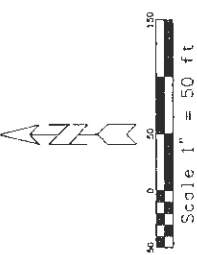
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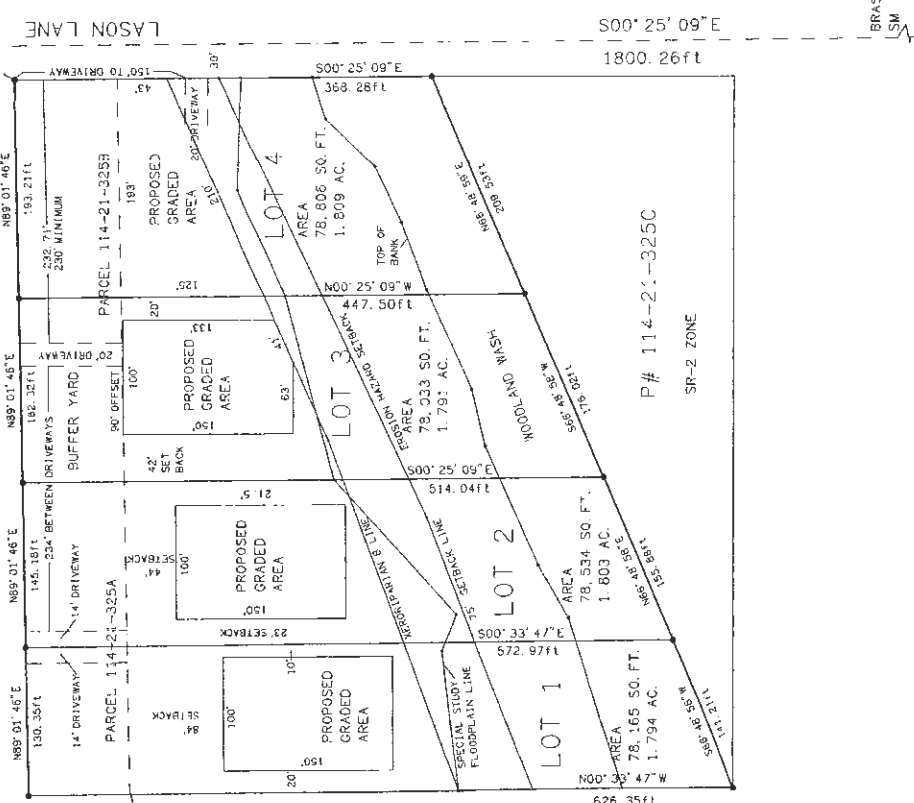
SEC. 23, T-13S, R-15E,
G&SR&M, PIMA COUNTY, AZ.



NOTES AND MAP LIMITATIONS:
THIS MAP CONTAINS LIMITED INFORMATION REGARDING THE SUBJECT PROPERTY.
NOT ALL EASEMENTS, IMPROVEMENTS, ENCROACHMENTS OR MATTERS OF RECORD
MAY BE SHOWN. THE MAP INTENT IS TO PROVIDE PROPERTY DIVISION
INFORMATION.

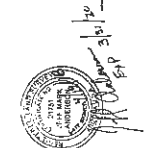
LEGEND:
SET 1/2" STEEL PIN W/TAG LS 21751 AT ALL BOUNDARY CORNERS.
BASIS OF BEARING-NORTH LINE OF SECTION 23 FROM NW SECTION CORNER
TO NORTH 1/4 CORNER WITH BEARING OF N 89°01'46"E

CURRENT MAP REVISION 4/19/18.



CERTIFICATION OF SURVEY:
I CERTIFY THAT A LAND SURVEY WAS PERFORMED ON THIS
SUBJECT PROPERTY AND THAT MONUMENTS SHOWN ON THIS
MAP EXIST IN THE FIELD.

PHONE
520-296-9083



(a) Land Surveys

205 South Vozack Tucson, Arizona 85748

Date: 12/10/17 Job#: 2016-20L

P18R20002 Rezoning Sketch Plan

**PIMA COUNTY PLANNING DIVISION
APPLICATION FOR REZONING
FOR PROJECTS NOT REQUIRING A SITE ANALYSIS**

ACM Ventures, LLC, 5227 E. Pima Street, Ste. A, Tucson, AZ 85712-3606 J.P.
 Owner Mailing Address Email Address/Phone daytime / (FAX)

John Wesley Miller P.O. Box 2386 admin@johnwesleymillercompanies.com
 Applicant (if other than owner) Mailing Address Email Address/Phone daytime / (FAX) Com

see attachment 114.21.325A & 114.21.325B
 Legal description / property address Tax Parcel Number

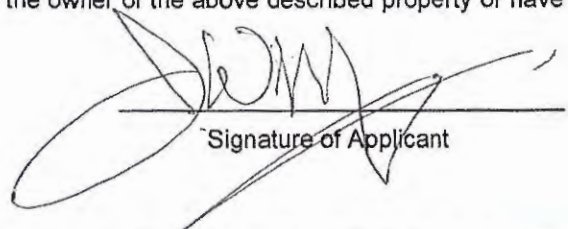
7.2 D.P. SR SR-2 Catalina Foothills/LI01.2/None D.P.
 Acreage Present Zone Proposed Zone Comprehensive Plan Subregion / Category / Policies

The following documentation must be attached:

1. Assessor's map showing boundaries of subject parcel and Assessor's Property Inquiry (APIQ) printout showing current ownership of subject parcel. **DEEDS AND/OR TITLE REPORTS WILL NOT BE ACCEPTED.** If the applicant is not shown as the owner of the subject parcel a letter of authorization with a signature matching the APIQ must accompany the application at the time of submittal. For example, if the APIQ indicates ownership in a numbered trust such as Chicago Title and Trust #700, a signature of the Trust Officer is required along with a disclosure of the beneficiaries of the trust. If the APIQ indicates ownership to be in an LLC, LP, corporation or company, a signature from an officer with his/her title is required along with a disclosure of the officers of the entity.
2. Submit a sketch plan in accordance with Chapter 18.91.030.E.1.a. & b of the Pima County Zoning Code. Submit a detailed description of the proposed project, including existing land uses, the uses proposed and to be retained, special features of the project and existing on the site (e.g., riparian areas, steep slopes) and a justification for the proposed project. Include any necessary supporting documentation, graphics and maps (all documentation should be legible and no larger than 8.5" X 11").
3. Submit three (3) copies of the Biological Impact Report.
4. Submit the entire rezoning fee.

This application is true and correct to the best of my knowledge. I am the owner of the above described property or have been authorized by the owner to make this application.

1/30/18
Date


Signature of Applicant

FOR OFFICIAL USE ONLY

ACM Ventures, LLC - E. Snyder Road Rezoning Co9- P18RZ.00002
 Case name

SR SR-2 50 \$5,879 1
 Rezoning from Rezoning to Official Zoning Base Map Number Fee Supervisor District

None - outside CLS
 Conservation Land System category

Co7-13-10 Catalina Foothills/LI01.2/None
 Cross reference: Co9-, Co7-, other Comprehensive Plan Subregion / Category / Policies

Received by J.P. Date 2/21/18 Checked by J.P. Date 3/6/18

~~Incomplete~~
 dh - Bio Impact Report
 dh - Ownership disclosure

Co9- P18R200002

PIMA COUNTY
REZONING IMPACT STATEMENT

Please answer the following questions **completely**; required hearings may be delayed if an adequate description of the proposed development is not provided. Staff will use the information to evaluate the proposed rezoning. Additional information may be provided on a separate sheet.

NAME (print) John Wesley Miller
NAME OF FIRM (if any) John Wesley Miller Companies
INTEREST IN PROPERTY Authorized Agent
SIGNATURE _____ DATE _____

A. PROPOSED LAND USE

1. Describe the proposed use of the property.

Residential properties

2. State why this use is needed.

To build 4 houses instead of 2

3. If the proposed use is residential, how many **total residential units** would there be on the property to be rezoned? Will these be detached site-built homes, manufactured homes, or another type?

Total units: 4 Type: detached, site built

4. Will the subject property be split into additional lots? YES NO (circle one)

5. How many **total lots** are proposed to be on the property to be rezoned, and what size in acres will each lot be?

4

6. If more than **one** lot would be created by this rezoning, how will all-weather access be provided to these lots from a dedicated public road? (e.g. direct access, existing easement, new easement, etc.)

See attached survey

7. What is the maximum proposed building height?

20 feet and 1 stories

8. Provide an estimate of when proposed development will be started and completed.

Starting date: _____
Completion date: Starting within 30 days of approval; completion within 18m

9. If the proposed development is commercial or industrial:

- a. How many employees are anticipated? N/A
- b. How many parking spaces will be provided? _____
- c. What are the expected hours of operation? _____

- d. Will a separate loading area be provided? _____
- e. Approximate size of building (sq. feet)? _____

10. a. For commercial or industrial developments, or residential developments of three residences per acre or greater, state which bufferyards are required, according to Chapter 18.73 (Landscape Standards) of the Zoning Code.

N/A

b. Describe the buffer choice that would be provided (e.g.: buffer width, use of walls, or type of plant material) to meet the Code requirement. Refer to Chapter 18.73 of the Zoning Code.

N/A

11. If the proposed development is an industrial project, state the industrial wastes that will be produced and how they will be disposed of. (Discuss the means of disposal with the Wastewater Management Department at 740-6500 or the Department of Environmental Quality at 740-3340.)

N/A

B. SITE CONDITIONS - EXISTING AND PROPOSED

1. Are there existing uses on the site? YES NO

a. If yes, describe the use, stating the number and type of dwelling unit, business, etc.

b. If no, is the property undisturbed, or are there areas that have been graded?

undisturbed

2. If the proposed rezoning is approved, will the existing use be removed, altered, or remain as is?

N/A

3. Are there any existing utility easements on the subject property? YES NO

If yes, state their type and width, and show their location on the sketch plan.

4. Describe the overall topography of the subject property, and note whether any slopes of greater than 15% are present on the property. Note any rock outcropping or unusual landforms or features.

gentle rolling slope less than 15%, natural desert
No unusual landforms or features. See map for details

5. Note any areas of heavy vegetation on the sketch plan and describe its type and general density.

None

6. Conservation Land System (CLS):

a. Is the subject property within the MMB Conservation Land System (see Attachment A)?

Yes No

b. If so, which of the following does the subject property fall within, and if more than one, provide the approximate percentage of the site within each?

Important Riparian area, Biological Core, Multiple Use, Special Species Management area, or Recovery Management area, or Existing Development within the CLS.

7. How has the plan for the rezoning met the conservation standard for the applicable category area?

N/A

8. Are there any natural drainageways (washes) on the subject property? YES NO

If yes, state whether these natural drainage patterns would be altered by the proposed development, and what type of alteration is proposed.

No, see map

(NOTE: For information regarding flood control requirements, call the Regional Flood Control District, 243-1800.)

9. Approximately how much of the subject property is proposed to be graded, including areas where most vegetation will be cleared? _____ Acres, or _____ percent of the land area. How much of this area is currently graded? None See sketch plan for proposed graded areas. There will also be some driveway connections to graded areas. DP

10. Describe any revegetation proposal in areas where development would require removal of natural vegetation.

There will be minimal grading for house pads, yards and driveways. There will be some landscaping/ plant vegetation

11. For rezonings larger than 3.3 acres (144,000 square feet) or for more than one residential unit per 3.3 acres:

a. Is the subject property elevation less than 4,000 feet?

NO YES

b. Are there any saguaros on the subject property that are eight feet or taller or that contain a woodpecker cavity? If yes, how many?

NO YES Number: Over 8 feet: 8 under 8 feet with cavity: 2

c. Are there any mesquite trees on the subject property with trunks six inches or greater in diameter as measured four feet above ground? If yes, how many?

NO YES Number: 33

d. Are there any Palo Verde trees on the subject property with trunks six inches or greater in diameter as measured four feet above ground? If yes, how many?

NO YES Number: 6

e. Are there any ironwood trees on the subject property with trunks six inches or greater in diameter as measured four feet above ground? If yes, how many?

NO YES Number: 2

f. Have any Cactus Ferruginous Pygmy Owls been found on the subject property or within 1,500 feet of the proposed development project as a result of an Owl Habitat Survey?

- 1) No survey has been done.
- 2) No owls were found as a result of a survey performed on _____ (date).
- 3) _____ (Number of) owls were found as a result of a survey performed on _____ (date).

11. Will a septic system or public sewer be used for the proposed development?

SEPTIC SEWER

If septic is to be used, state whether one currently exists on the property and, if so, whether additions to that system will be needed for this development. (NOTE: For information on septic system requirements, call the Department of Environmental Quality at 740-3340.)

All lots will be septic

12. How will water be supplied to the property? If a water company, state which one.

City of Tucson - Water

C. SURROUNDING LAND USE

Describe in detail adjacent and nearby existing land uses within approximately 500 feet of the subject property in all directions.

NORTH: CR. 1

SOUTH: SR. 2

EAST: CR. 1

WEST: CR. 1



LETTER OF AUTHORIZATION

As required by Arizona Revised Statutes, I hereby certify that I am the owner of the property referenced below and the party whose name is listed below is authorized to apply for re-zoning.

Property located at: SW corner of Snyder Road and Lason Lane

Authorized agent: John Wesley Miller

John Wesley Miller signature:

Date: 3/2/18

Authorized by:

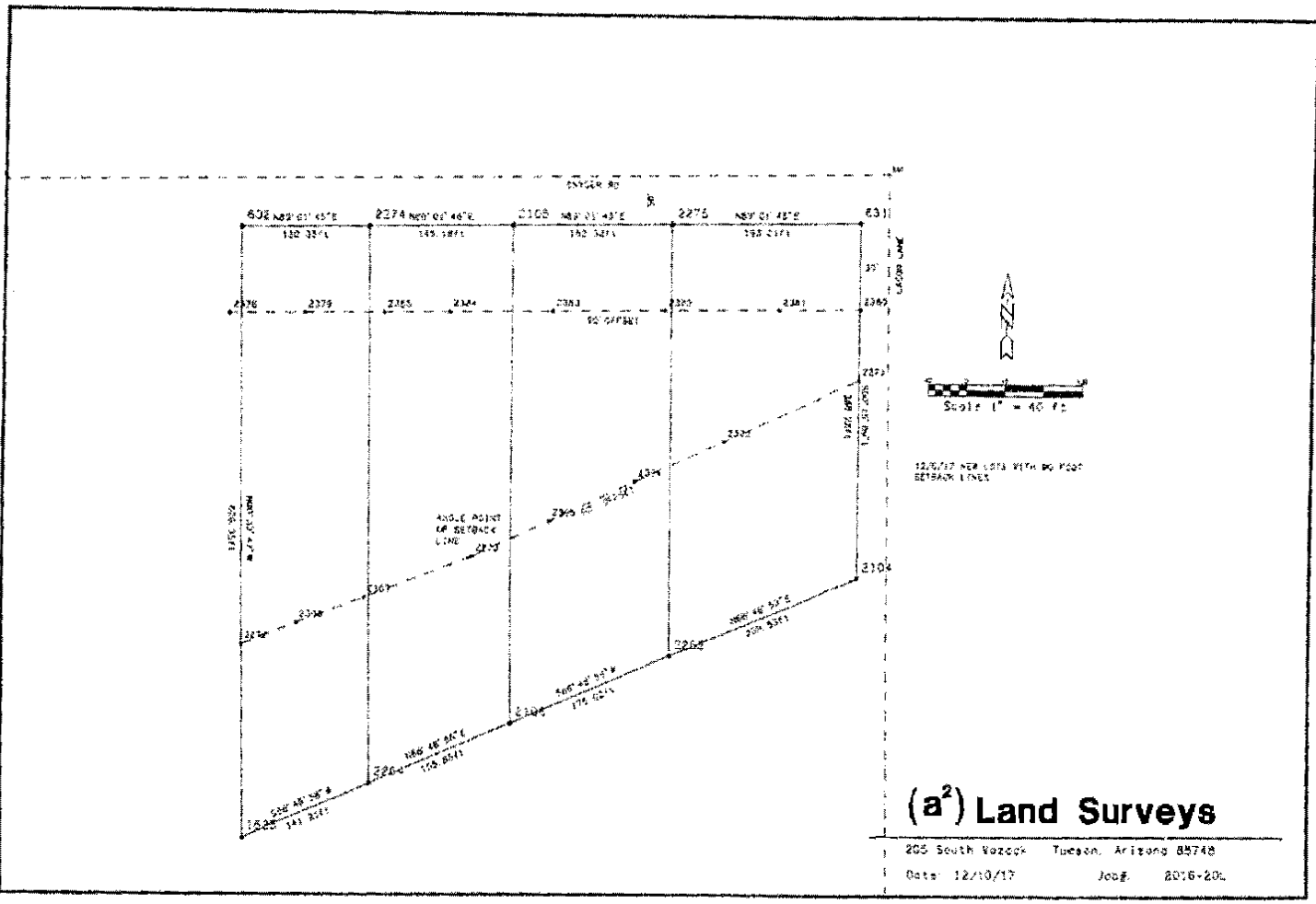
Property Owner (Please print) ALAN C. MURDOCK

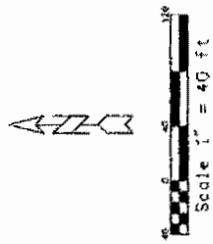
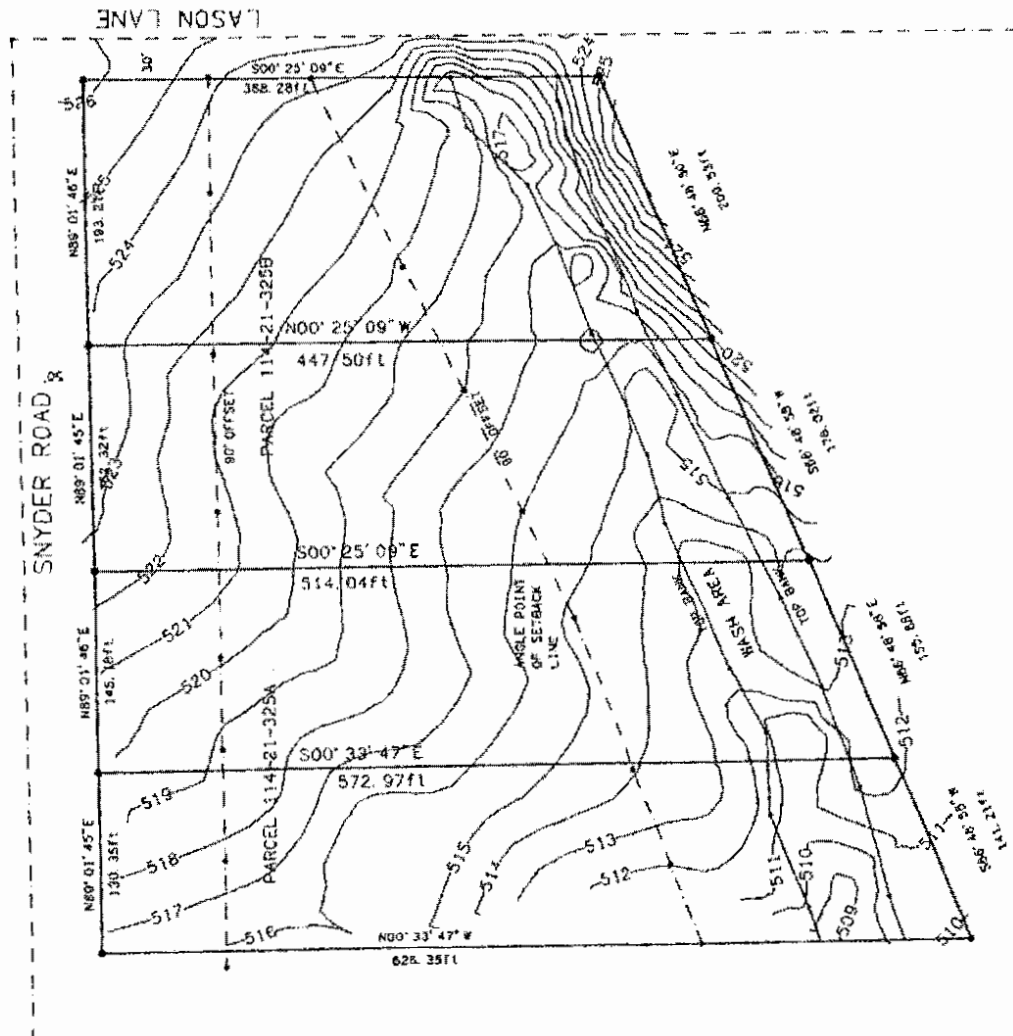
Date: 3-2-18

Property Owner's Signature:

Date: 3-2-18

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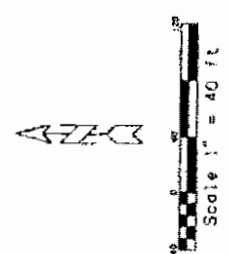
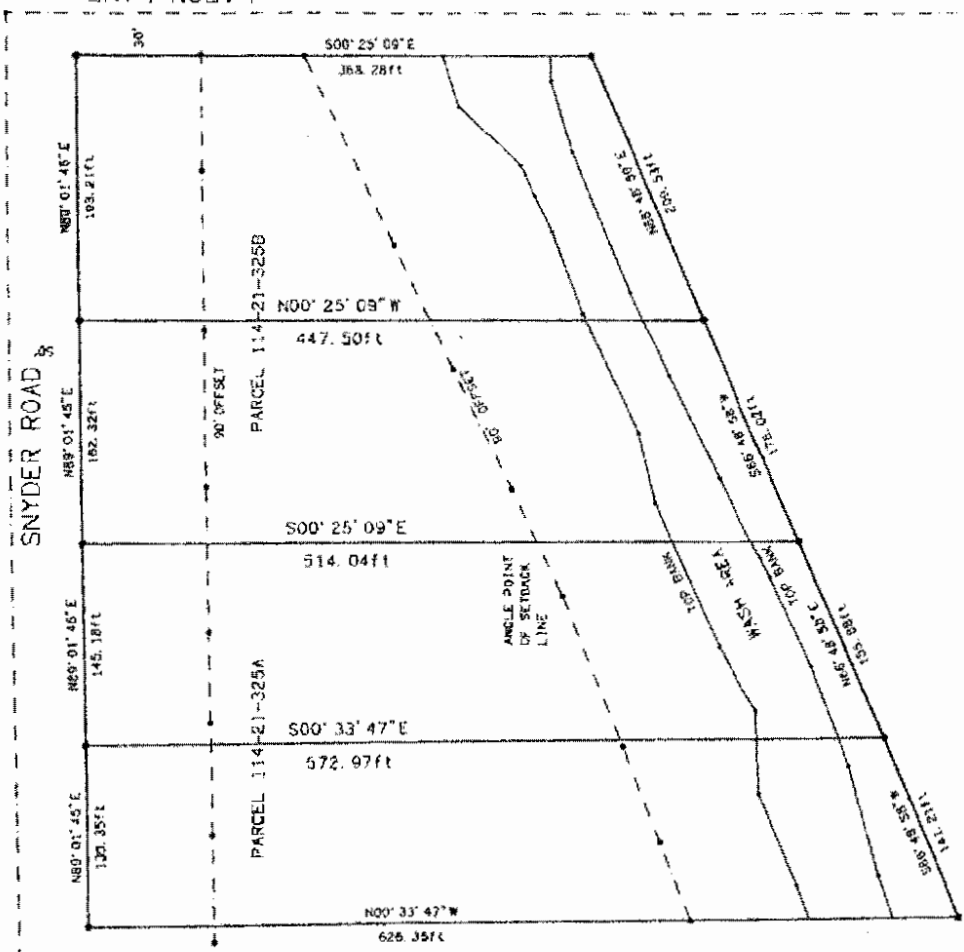




TOPO MAP
 BASIS OF ELEVATION: ASSUME ELEVATION OF 500.00 FEET
 FOR TOPO LINES.
 12/14/17

(a²) Land Surveys

205 South Vozeck Tucson, Arizona 85748
 Date: 12/10/17 Job#: 2016-20L



12/14/17 WASH BANK LOCATION MAP

(a²) Land Surveys

205 South Vozock Tucson, Arizona 85748
 Date: 12/10/17 Job#: 2015-20L

Pima County Comprehensive Plan
Catalina Foothills Plan Area
Plan Designation: Low Intensity Urban 1.2 (LIU 1.2)

Sabino H. S.

LIU 1.2

LIU 1.2

PDC

N. Sabino Springs Dr.



E. Snyder Road

Site

LIU 1.2

LIU 1.2

N. Lason Lane

LIU 1.2

N. Harrison Road

Low Intensity Urban (LIU)

Low Intensity Urban includes four land use categories designations ranging from a maximum of 3 RAC stepped down to 0.3 RAC. The Low Intensity Urban categories are LIU3.0, LIU1.2, LIU0.5, and LIU-0.3.

- a. Objective: To designate areas for low-density residential and other compatible uses and to provide incentives for residential conservation subdivisions to provide more natural open space. Density bonuses are offered in exchange for the provision of natural and/or functional open space. Natural open space must be set aside, where applicable, to preserve land with the highest resource value and to be contiguous with other dedicated natural open space and public preserves.

* * * * *

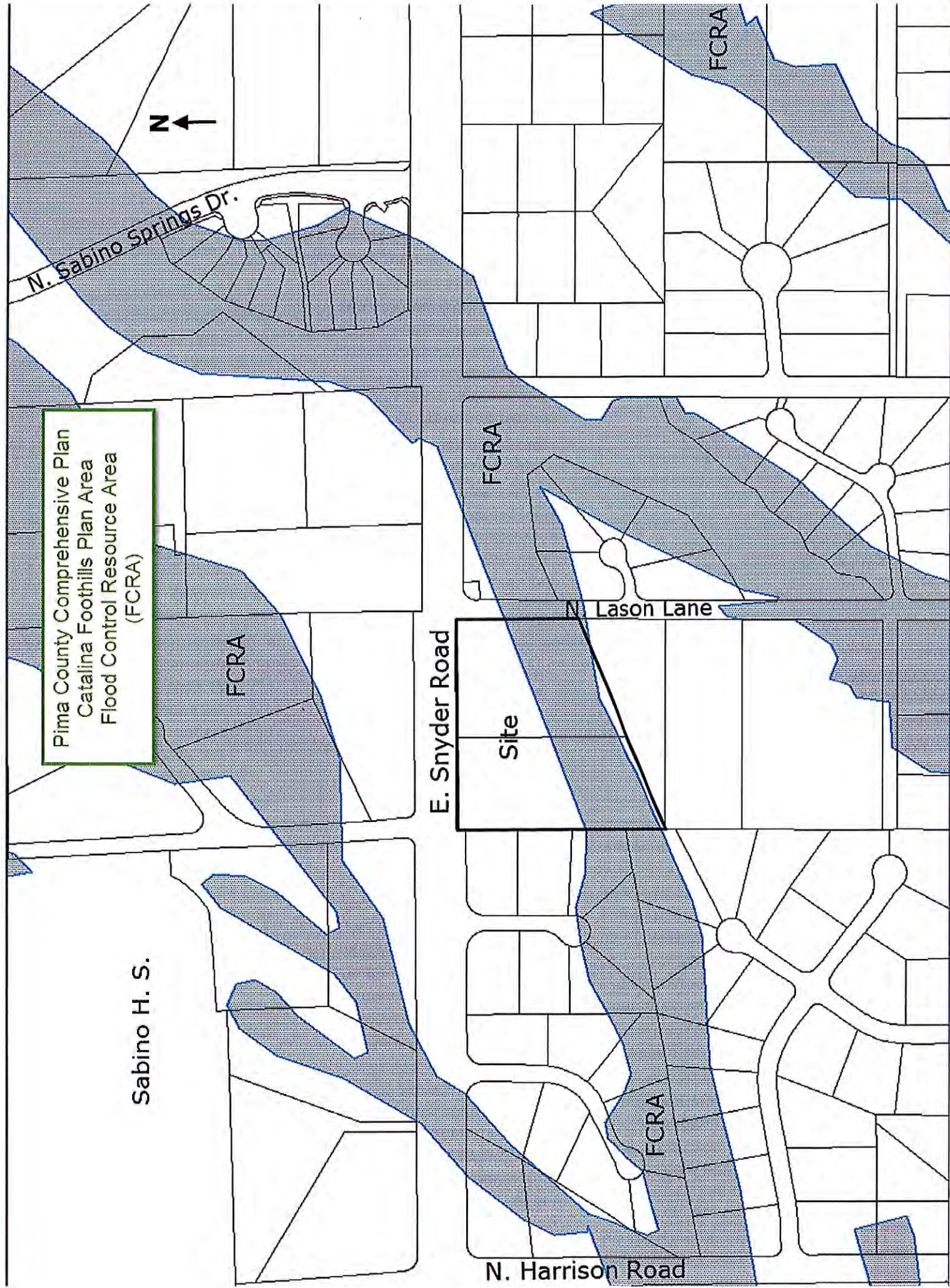
2) Low Intensity Urban 1.2 (LIU-1.2)

a) Residential Gross Density:

- i) Minimum – none
- ii) Maximum – 1.2 RAC. The maximum gross density may be increased in accordance with the following options:
 - a) Gross density of 2.5 RAC with 45 percent open space;
or
 - b) Gross density of 4 RAC with 60 percent open space.

b) Residential Gross Densities for Developments Using Transfer of Development Rights (TDRs): Projects within designated Receiving Areas utilizing TDRs for development shall conform to the following density requirements:

- i) Minimum density – none
- ii) Maximum – 1.2 RAC. The maximum gross density may be increased in accordance with the following option:
 - a) Gross density of 2 RAC with 50 percent open space.



Pima County Comprehensive Plan
Catalina Foothills Plan Area
Flood Control Resource Area
(FCRA)

Sabino H. S.

N. Sabino Springs Dr.



E. Snyder Road

Site

N. Lason Lane

FCRA

FCRA

FCRA

N. Harrison Road

Physical Infrastructure Connectivity

Chapter 4: Physical Infrastructure Connectivity Goals and Policies



The Physical Infrastructure Connectivity chapter addresses aspects of physical infrastructure including:

- transportation;
- water resources, including conservation, supply, demand and quality;
- wastewater;
- energy, including alternative energy sources;
- waste removal and recycling;
- brownfield clean up and redevelopment potential;
- communications;
- public facilities and grounds;
- trails;
- flood control/drainage;
- county-wide infrastructure concurrency.

Elements in this chapter provide goals and policies related to the efficient use of existing and planned infrastructure needed to support current populations and accommodate future growth. Each of the topics in the chapter either cover a part of the County's critical infrastructure, connect people and goods or both. All are components of the outlined regional vision noted in Chapter 1.

4.9 Flood Control and Drainage Element



Arizona Revised Statutes Sections 48-3601 through 48-3650 direct each Flood Control District Board of Directors to adopt and enforce floodplain regulations consistent with criteria adopted by the Director of Arizona Department of Water Resources. The floodplain regulations adopted by the District are intended to carry out the requirement of the national flood insurance program. The purpose of floodplain regulations is to comply with the directive of ARS 48-3609 and 44 CFR Chapter 1 pertaining to the National Flood Insurance Program, to promote and protect the health, peace, safety, comfort, convenience and general welfare of the residents within the jurisdictional area of Pima County; to minimize public and private losses due to flood conditions in specific areas; and to enable Pima County and its residents to participate in the National Flood Insurance Program, receive Federal Disaster Assistance, obtain flood insurance and reduce the cost of flood insurance.

The Pima County Regional Flood Control District strives to use forward-looking floodplain management practices to minimize flood and erosion damages for all county residents, property and infrastructure. Regionally, the District is involved in a variety of flood monitoring, flood control and natural resource management activities. It also performs floodplain management activities within unincorporated portions of Pima County. While the District is a regional authority, undertaking flood mitigation efforts throughout Pima County, it does not regulate floodplains within incorporated areas or on Tribal Nations.

County efforts to comply with and exceed National Flood Insurance Program requirements have been so successful that residents are currently eligible for up to a 25 percent discount on flood insurance. By pursuing the goals below, the County plans to improve performance under the Federal Emergency Management Agency (FEMA) National Flood Insurance Program Community Rating System, thereby reducing rates even further, and more importantly, doing the best we can to protect public safety.

To accomplish this, the District, in addition to being the official depository and interpreter of FEMA Flood Insurance Rate Maps, also maps floodplains and riparian habitat which FEMA is not aware of based upon better local knowledge of conditions and risks. For the purposes of this plan, these risks are reflected by "Resource Areas" as shown on the 13 Regional Hydrology maps included at the end of this Chapter. These maps depict known flood related risks and flood control resources and define the areas for which the resources area provisions apply. The mapped resource areas consist of FEMA and locally mapped floodplains as well as Pima County Regulated Riparian Habitat (PCRRH). For accurate interpretation of the boundaries and characteristics of these areas including the applicable regulations, the District shall remain the final authority and may modify the boundaries of and add to these areas as new information becomes available.

Goal 1: Minimize flood and erosion damages for all County residents, property and infrastructure

- Policy 1: Continue to monitor, control and manage natural resources to minimize flood and erosion damages by implementing the Floodplain Management Ordinance and addressing the impact of development on flooding, erosion and riparian habitat.
- Policy 2: Update and implement the FEMA-approved Pima County Multi-Hazard Mitigation Plan.
- Policy 3: Preserve washes with a base flood peak discharge equal to or greater than 100 cfs as well as existing riparian habitat including Pima County Regulated Riparian Habitat in their natural condition.
- Policy 4: Administer flood control planning and design on an area-wide basis in conformance with the Watershed Management Plan/Critical and Balanced Basin Map.
- Policy 5: Require that drainage improvements are consistent with the overall character of the area and do not create nor worsen existing drainage problems.
- Policy 6: Design road crossings of washes to cross the floodplain with minor encroachment.
- Policy 7: Continue to require private and public utility projects to conform to all applicable requirements of Title 16 of the Pima County Code including Section 16.30 regarding Riparian Habitat Mitigation Plans (RHMPs).

Goal 1 Implementation Measures:

- a. Require, when appropriate, avoidance of development in Resource Areas as identified in the Regional Hydrology maps including FEMA and locally mapped floodplains, and PCRRH. Encourage use of Flood Control District Modified Development Standards or the Zoning Code Transfer of Development Rights to maintain similar yields while maintaining these areas as open space in order to increase public safety, and reduce infrastructure investment, maintenance and insurance costs.

- b. Preserve riparian areas by using the Flood Control District Modified Development Standards located in chapter 18.07 of the zoning code, Title 16 of the County Code (Floodplain Management) and/or other strategies for transferring densities to areas of the property outside of floodplains and riparian areas.
- c. As new floodplain mapping is completed, either by the District or by a developer, update the Resource Areas on the Regional Hydrology Maps to reflect this new information.
- d. Work with construction industry stakeholders to review current riparian habitat protection ordinance to identify barriers and obstacles to development and adjust ordinance as necessary to accommodate.

Storm Water Runoff

Pima County manages storm water to ensure public safety through three regulatory mechanisms:

- The Pima County Regional Flood Control District, through the Floodplain Management Ordinance, addresses the impact of development on flooding, erosion and riparian habitat.
- The Department of Environmental Quality administers programs to address storm water quality.
- The Pima County Building and Zoning codes contain provisions establishing minimum standards for site grading, site drainage and design.

Goal 2: Manage storm water to protect lives and property, to reduce flood risk and to assure no adverse impact to adjacent or downstream properties

Policy 1: Continue to require new development to comply with all applicable requirements of the Floodplain Management Ordinance addressing the impact of development on flooding, erosion and riparian habitat.

Policy 2: Continue to require all new development to comply with all applicable provisions establishing minimum standards for site grading, site drainage and design included in the Pima County Building and Zoning codes.

Goal 2 Implementation Measures:

- a. Work with stakeholders to update, as needed, the Pima County Floodplain Management Ordinance.

Zoning Map

Sabino H. S.

SR

SR



N. Sabino Springs Dr.

SP

SR

E. Snyder Road

Site

SR

SR-2

SR

CR-1

N. Harrison Road

CR-1

N. Lason Lane

CR-1



Buffer Overlay Zone (BZ)

E. Snyder Road

Inside BZ

Outside BZ

Site