

# **BOARD OF SUPERVISORS AGENDA ITEM REPORT**

Requested Board Meeting Date: 7/11/2023

'= Mandatory, information must be provided

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Click or tap the boxes to enter text. If not applicable, indicate "N/A".		
*Title:		
ORDINANCE: P22RZ00008 BAUGHMAN – N. LA OESTA A	AVENUE REZONING	
*Introduction/Background:		
The Board of Supervisors approved this rezoning on Mar	rch 7, 2023.	
*Discussion:		
The rezoning was for approximately 2.16 acres from the split the property into two parcels and allow one addition	SR (Suburban Ranch) to the CR-1 (Single Residence) zone to onal single-family residence.	
*Conclusion:		
The Ordinance reflects the Board of Supervisors' approv	ral.	
*Recommendation:		
Approval		
*Fiscal Impact:		
0		
*Board of Supervisor District:		
₩1 □2 □3 □4 □5 □AII		
Department: Development Services - Planning	Telephone: 520-724-8800	
Contact: Donna Spicola, Senior Planner	Telephone: 520-724-9513	
Department Director Signature:	Date: 6-10-67 Date: 4/23/2023	
Deputy County Administrator Signature:	Date: 4/23/2023	
County Administrator Signatures (41)	San (a) 73/2073	



Subject: P22RZ00008

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### JULY 11, 2023 MEETING OF THE BOARD OF SUPERVISORS

TO:

HONORABLE BOARD OF SUPERVISORS

FROM:

Chris Poirier, Deputy Director

Public Works-Development Services Department-Planning Division

DATE:

June 20, 2023

### **ORDINANCE FOR ADOPTION**

### P22RZ00008 BAUGHMAN - N. LA OESTA AVENUE REZONING

Owner: Samantha Baughman

(District 1)

If approved, adopt ORDINANCE NO. 2023 -

OWNER:

Samantha Baughman

9553 N. Lenihan Court Tucson, AZ 85742

AGENT:

Same

DISTRICT:

1

**STAFF CONTACT**: Donna Spicola, Senior Planner

**STAFF RECOMMENDATION: APPROVAL** 

TD/DS Attachments

c: Samantha Baughman

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO ZONING; REZONING APPROXIMATELY 2.16 ACRES OF PROPERTY (ADDRESSED AS 8145 N. LA OESTA AVENUE), FROM THE SR (SUBURBAN RANCH) TO THE CR-1 (SINGLE RESIDENCE) ZONE, IN CASE P22RZ00008 BAUGHMAN - N. LA OESTA AVENUE REZONING, LOCATED AT THE SOUTHWEST CORNER OF N. LA OESTA AVENUE AND W. CAROLYN DRIVE, AND AMENDING PIMA COUNTY ZONING MAP NO. 116.

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

Section 1. The 2.16 acres located at the southwest corner of N. La Oesta Avenue and W. Carolyn Drive and illustrated by the shaded area on the attached rezoning ordinance map (Exhibit A), which amends Pima County Zoning Map No. 116, is rezoned from the SR (Suburban Ranch) to the CR-1 (Single Residence) zone subject to the conditions in this ordinance.

#### Section 2. Rezoning conditions.

- 1. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
- 2. Transportation conditions:
  - A. Corner spandrel right-of-way dedication shall be provided by the property owner(s) at the respective southwest corner of La Oesta Avenue and Carolyn Drive prior to building permit approval. A curve radius of twenty-five (25) feet is required.
  - B. Each lot shall be limited to one (1) access point onto La Oesta Avenue. A second access point is allowed for the northern lot on Carolyn Drive.
- 3. Flood Control conditions:
  - A. Regional Flood Control District review and approval are required at the time of permitting.
  - B. Development outside of the approved developable envelope that will further divert, retard, or obstruct flow is prohibited.
  - C. Prior to permitting, a specific covenant, that runs with the land, shall be recorded showing the approved developable area, indicating the prohibition of future development outside of the developable area, and outlining specific development criteria.
- 4. Cultural Resources condition: 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

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- 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.
- 5. Wastewater Reclamation condition: 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 a building permit is submitted for review.
- 6. Environmental Quality condition: It is the responsibility of the owner to obtain a Construction Authorization from Pima County prior to constructing the septic system on the northern half of the rezoning site; additionally, a Discharge Authorization must be issued by PDEQ before connecting and discharging to the aforementioned septic system. The septic design must ensure all setbacks are met including setbacks to the Pegler Wash.
- 7. Adherence to the sketch plan as approved at public hearing (Exhibit B).
- 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.
- 9. The property owner shall execute the following disclaimer regarding the Private Property Rights Protection Act: "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(I)."

Section 3. Time limits of conditions. Conditions 1 through 9 of Section 2 shall be completed no later than March 7, 2028.

Section 4. The rezoning conditions of Section 2 may be amended or waived by resolution of the Board of Supervisors in accordance with Chapter 18.91 of the Pima County Zoning Code.

Section 5. The effective date of this Ordinance is the date the Chair of the Board of Supervisors signs this Ordinance.

Passed and a	lopted by the Board of Supervisors of Pima County, Arizona, on this	day
of	, 2023.	
	Chair, Pima County Board of Supervisors	

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ATTEST:	
Clerk, Board of Supervisors	
Clerk, board of Supervisors	
APPROVED AS TO FORM:	APPROVED:
de klet	
Deputy County Attorney	Executive Secretary
Jacob Kaykewitz	Planning and Zoning Commission

# **EXHIBIT A**

AMENDMENT NO.\_\_\_\_\_ BY ORDINANCE NO.\_\_\_\_ TO PIMA COUNTY ZONING MAP NO. \_\_\_\_116 \_\_\_\_ TUCSON AZ. BEING A PART OF THE SE 1/4 OF THE SW 1/4 OF SECTION 26, T12S R13E.



0 125 250 500 Feet ADOPTED: **EFFECTIVE:** W KELTING DR Int 1/4 Cor √Sec 26, T12S R13E W CALLE DADIVOSO WEMERINE DR 8 W.CAROLYN DR R CR-1 (R)CR-1 W.COOL DR (R)W CALLE CASQUILLA SR TR W MAGEE RD VAMORI DR (R)TR SR SR W.COMOBABI DR R)

EXECUTIVE SECRETARY PIMA COUNTY PLANNING AND ZONING COMMISSION

PIMA COUNTY

DEVELOPMENT SERVICES

NO BUILDING PERMITS WITHOUT CERTIFICATE OF COMPLIANCE FROM SR 2.16 ac ds-May 5, 2023

P22RZ00008 22518009A

