



**PIMA COUNTY**  
DEVELOPMENT SERVICES

**TO:** Honorable Sharon Bronson, Supervisor, District # 3  
**FROM:** Arlan M. Colton, Planning Director *MC*  
**DATE:** December 24, 2014  
**SUBJECT:** Co9-89-52 ANDERSON – ARIVACA ROAD REZONING

The above referenced Lot Split is within your district and is scheduled for the Board of Supervisors' **TUESDAY, JANUARY 6, 2015** hearing.

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**REQUEST:** For a lot split of the approximate .65-acre CMH-1 rezoning site into two parcels of approximately .43 acre and .22 acre located on the north side of Arivaca Road, approximately 600 feet west of Nogales Highway.

**OWNER:** Jean Wax  
HC 65, Box 5001  
Amado, AZ 85645

**AGENT:** None

**DISTRICT:** 3

**STAFF CONTACT:** David Petersen

**PUBLIC COMMENT TO DATE:** As of December 24, 2014, staff has received no written public comment.

**STAFF RECOMMENDATION:** APPROVAL

**MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM:** The subject property is not located within the CLS Multiple Use Management Area.

CP/DP/ar  
Attachments



## **BOARD OF SUPERVISORS MEMORANDUM**

Subject: Co9-89-52

Page 1 of 2

### **FOR JANUARY 6, 2015 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:** December 24, 2014

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### **UNADVERTISED ITEM FOR PUBLIC HEARING**

#### **LOT SPLIT**

**Co9-89-52** **ANDERSON – ARIVACA ROAD REZONING**

Request of Jean Wax for a lot split of an approximately .65-acre parcel into two parcels of approximately .43 acre and .22 acre. Rezoning condition #5 requires that there be no further subdividing or lot splitting without the written approval of the Board of Supervisors. The subject property is zoned CMH-1 (County Manufactured and Mobile Home-1) and is located on the north side of Arivaca Road, approximately 600 feet west of Nogales Highway. Staff recommends **APPROVAL**.  
(District 3)

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#### **STAFF RECOMMENDATION**

Staff recommends **APPROVAL** of the proposed lot split.

#### **PLANNING REPORT**

Staff supports the request to split the .65-acre into two smaller parcels of approximately .43 acre and .22 acre. (The applicant describes the parcel as .67 acre, with proposed parcel sizes of approximately .44 acre and .23 acre. Assessor's records indicate the parcel is .65 acre.) Two existing residences will remain in place, one on each proposed parcel. The two parcels will share a single access point on Arivaca Road in conformance with rezoning condition #10 which limits the property to two residences with only one access point. The residences are served by the public sewer system which is essential to allowing the smaller parcels proposed. The proposed parcel sizes of approximately 18,731 square feet and 9,583 square feet will conform to the minimum 8,000 square foot CMH-1 requirement.

The proposed location of the lot split line will allow buildings to maintain adequate side yard setbacks in conformance with the minimum CMH-1 requirements for main residences and accessory structures. *It also appears that the smaller lot will conform to the required 60-foot (average) minimum lot width.*

The applicant intends to sell the smaller parcel which she describes as in excess of her needs and a maintenance issue that she is unable to adequately address. The subject property was rezoned from GR-1 (Rural Residential) to CMH-1 (County Manufactured and Mobile Home) under previous owners in 1990. The rezoning was to allow placement of a "mobile home" for a parent. A split of the property was not proposed at the time. The mobile (or manufactured) home is located on the smaller proposed parcel. Rezoning condition #5 requires Board of Supervisors' approval for further lot splitting.

The property is relatively flat. Trees line the rear boundary. There are similar small parcels in the vicinity of the property, including within a TH (Trailer Homesite) zoned subdivision south of the property across Arivaca Road.

#### **TRANSPORTATION REPORT**

No report.

#### **FLOOD CONTROL REPORT**

The Pima County Regional Flood Control District (District) has reviewed the request and has the following comments:

1. The site is not impacted by mapped floodplains, regulatory watercourses or habitat.
2. No drainage complaints have been filed against the property.

The District has no objection or recommended conditions.

#### **WASTEWATER MANAGEMENT REPORT**

The Planning Section of the Pima County Regional Wastewater Reclamation Department (PCRWRD) has reviewed the applicant's request for a lot split of the .65-acre parcel into smaller parcels. The two existing residences will remain in place. The subject property is currently served by the public sewer system tributary to the Arivaca Junction Water Reclamation Facility.

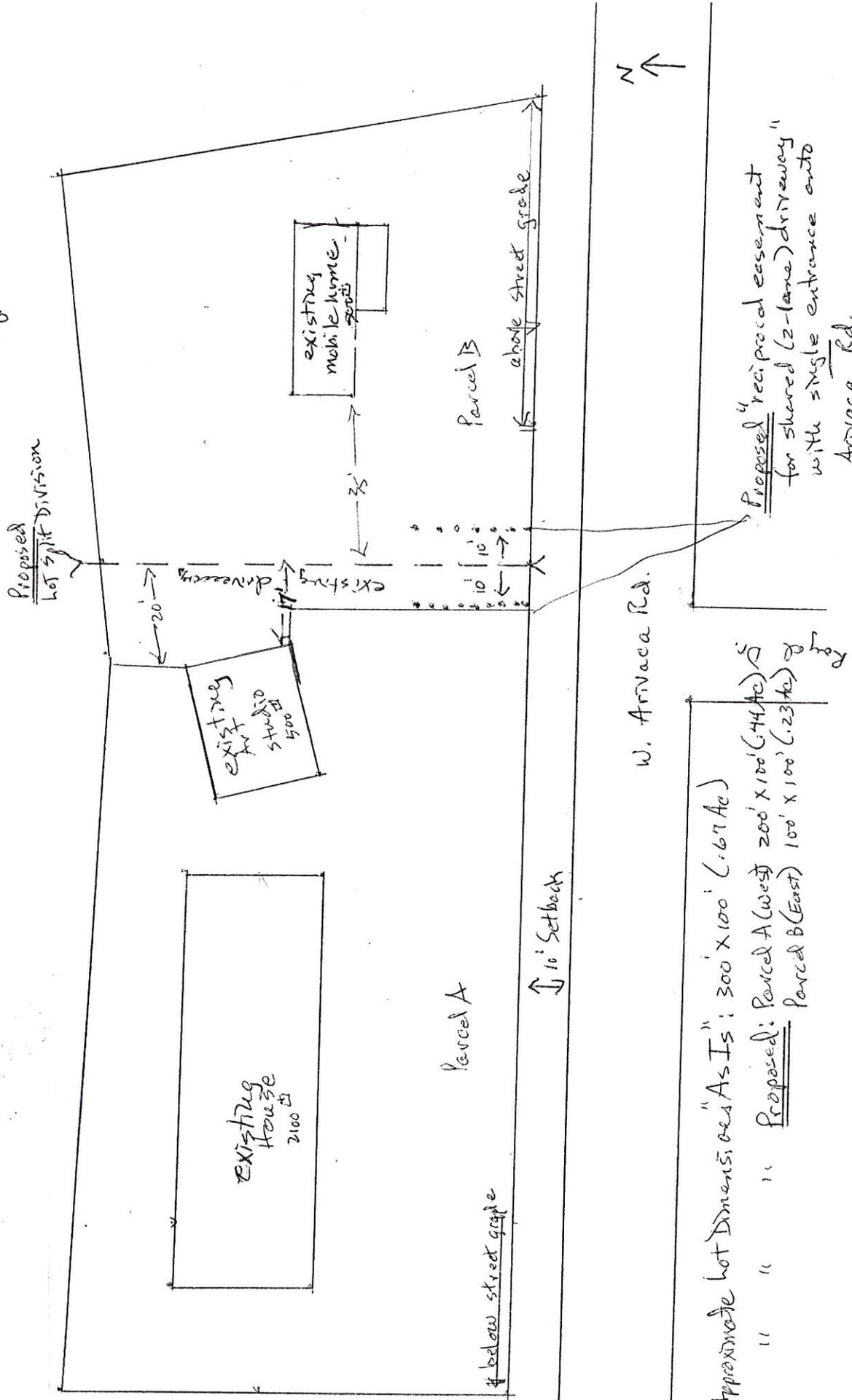
The PCRWRD has no objections to the lot split request.

CP/DP/ar  
Attachments

c: Jean Wax, HC 65, Box 5001, Amado, AZ 85645  
Chris Poirier, Assistant Planning Director  
Co9-89-52 File



Parcel ID # 304-32-4380  
 4720 W. Arivaca Rd, Pima  
 Jean C. Way, (520) 398-9254  
 Ref: C098952 (1-9-90)



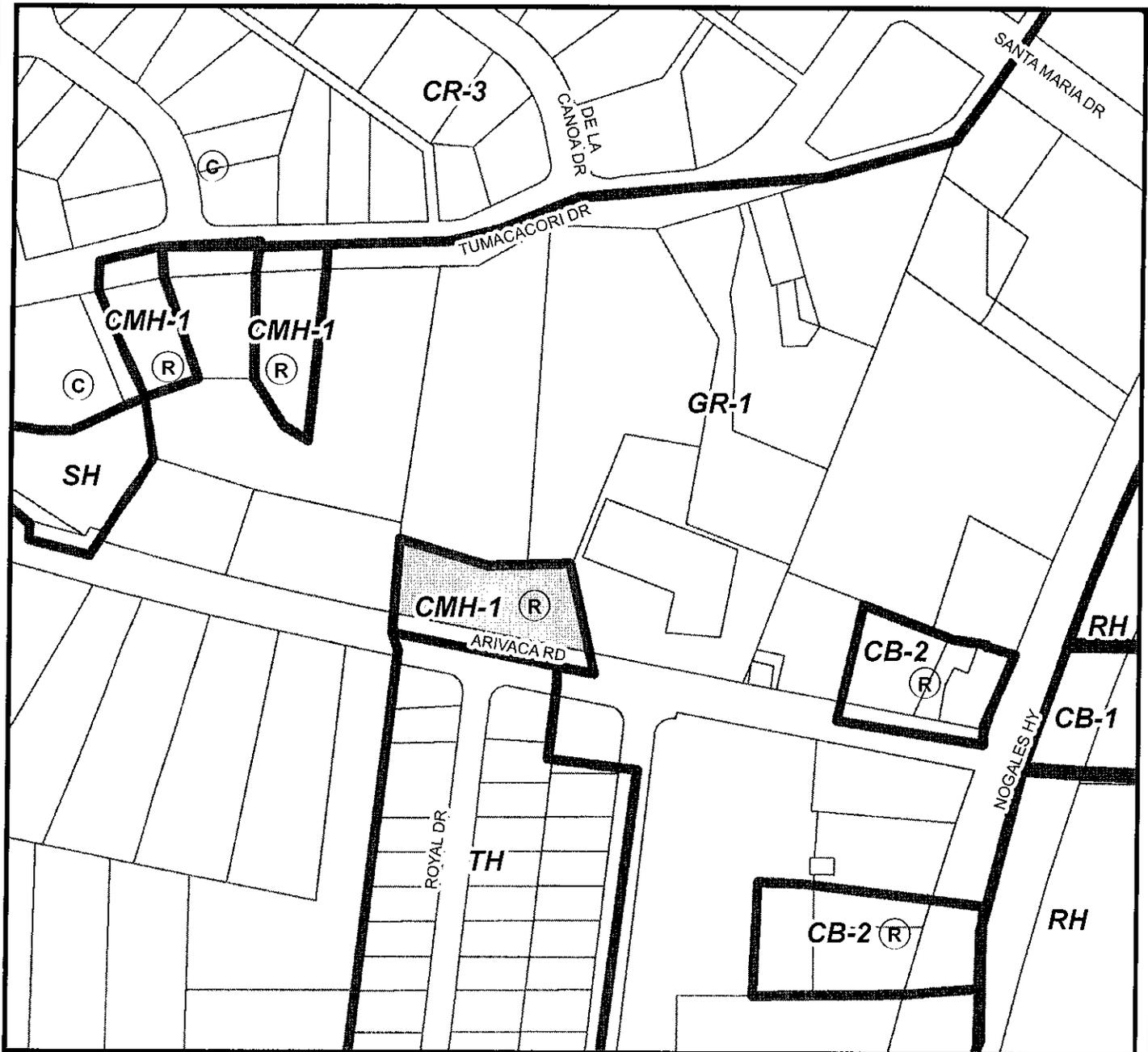
Approximate lot Dimensions "As Is": 300' x 100' (.67 Ac)  
 " " " Proposed: Parcel A (west) 200' x 100' (.44 Ac)  
 Parcel B (East) 100' x 100' (.23 Ac)

Proposed "reciprocal easement for shared (2-lane) driveway" with single entrance onto Arivaca Rd.

# C09-89-52 Proposed Lot Split Plan (2014)

Case #: Co9-89-052 ANDERSON - ARIVACA ROAD REZONING

Tax Code(s): 304-32-4380



0 90 180 360 Feet

 Subject Property

PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT  
PLANNING DIVISION

Notes: Lot Split Request

Board of Supervisors Hearing: 1/6/15



Base Map(s): 1583

Map Scale: 1:2,500

Map Date: 11/25/2014

ANDERSON, Wm.

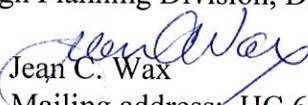


Co9-89-52  
Approved Sketch Plan (1990)

November 11, 2014

To: Pima County Board of Supervisors  
{through Planning Division, Department of Development Services)

From : Jean C. Wax

  
Mailing address: HC 65, Box 5001, Amado, AZ 85645  
(520)398-9254

Ref: Property Located at 4720 W. Arivaca Road, Amado, AZ  
Parcel ID no. 304-32-4380  
Case no. CO9-89-52

I hereby request Pima County Board of Supervisors grant permission for a LOT SPLIT of the referenced property in accordance with the attached site plan drawing. The existing lot is approximately .67 acre; the split would create one parcel of approximately .44 acre and a second parcel of approximately .23 acre. This second parcel is in excess of my needs and is constant maintenance issue that I am unable to adequately address. Granting this request would enable me to sell this second parcel for residential purposes.

A previous zoning amendment action (case no. CO9-89-52 of January 9,1990) on behalf of previous owners contains a restriction specifying no more than two residences with a single access point onto W. Arivaca Road. The proposed new action would create two separate parcels, both to be limited to a single residence, with a provision for a "reciprocal easement for a shared, 2-lane driveway" with a single entrance onto W. Arivaca Road which addresses concerns of Pima County Transportation division. In essence, this lot split request would not alter the spirit of the existing restriction.

Thank you for your consideration.

Attachments: Site plan  
Lot split fee (\$774.00)



**DATE:** December 9, 2014

**TO:** David Peterson, DSD  
Senior Planner

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

**SUBJECT: Co9-89-52 Anderson – Arivaca Rd Rezoning Lot Split**

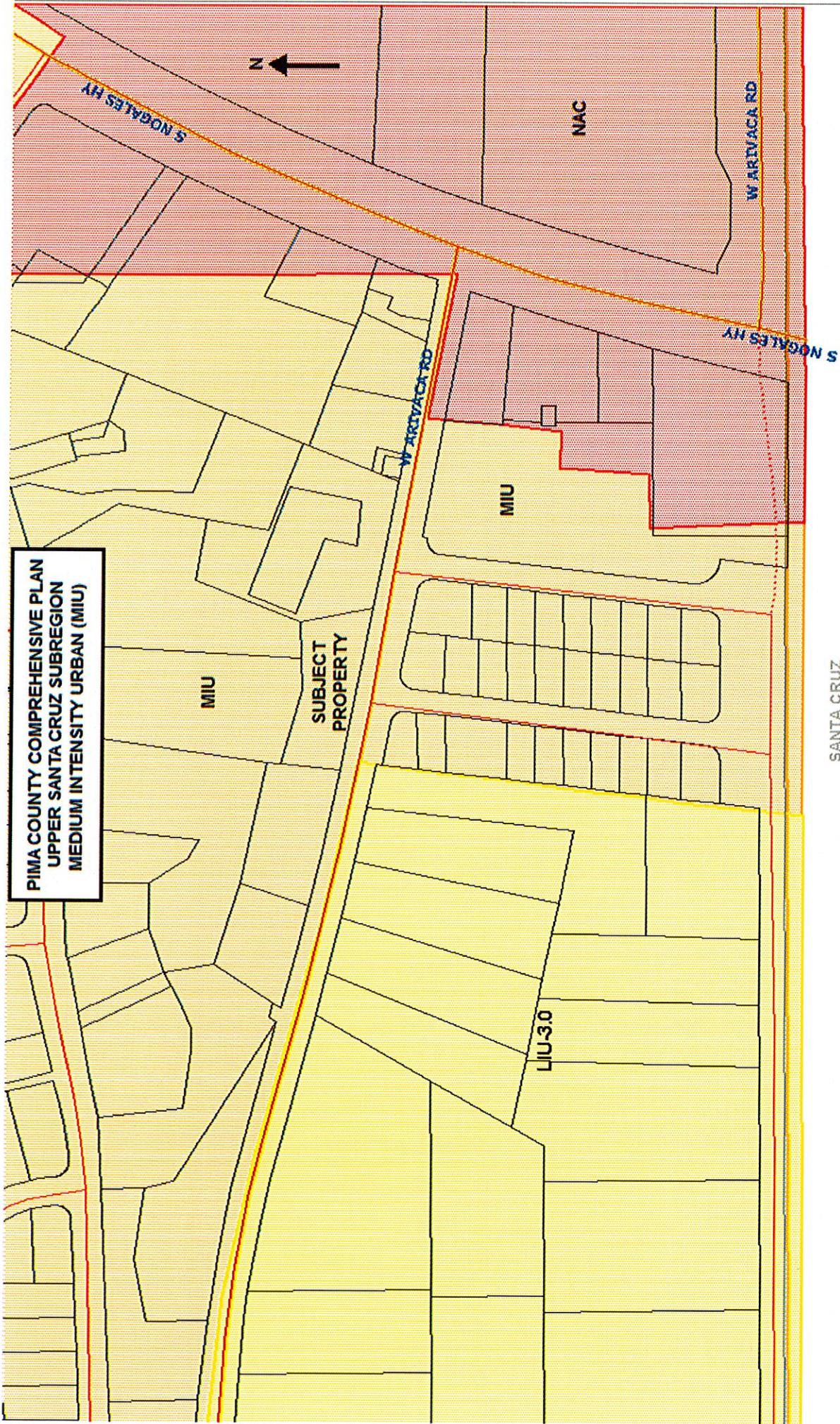
I have reviewed the request and have the following comments:

1. The site is not impacted by mapped floodplains, regulatory watercourses or habitat.
2. No drainage complaints have been filed against the property.

The District has no objection or recommended conditions.

GS

Cc: File



PIMA COUNTY COMPREHENSIVE PLAN  
UPPER SANTA CRUZ SUBREGION  
MEDIUM INTENSITY URBAN (MIU)

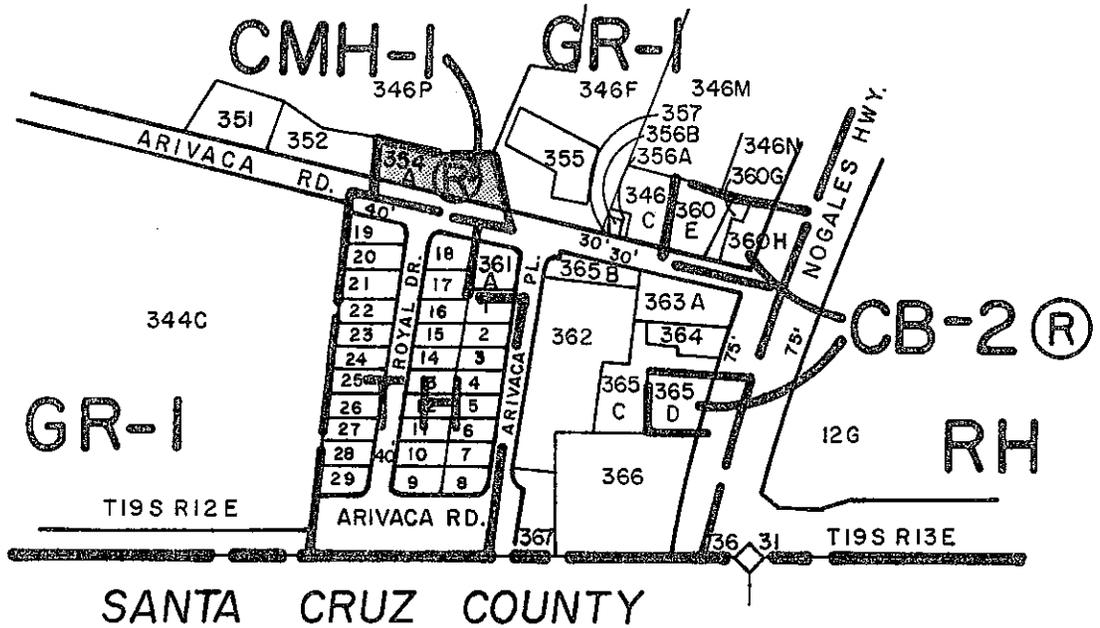
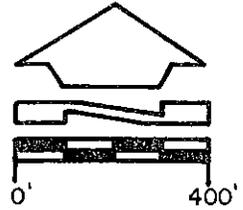
SANTA CRUZ  
SANTA CRUZ COUNTY

**Medium Intensity Urban  
'MIU' or 'D' on the Land Use Plan Maps**

- a. Purpose: To designate areas for a mix of medium density housing types and other compatible uses.
- b. Objective: These areas provide an opportunity for a variety of residential types, including cluster option developments, and single family attached dwellings. 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 - 10 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 – 5 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) SH Suburban Homestead Zone
  - 6) CR-4 Mixed-Dwelling Type Zone
  - 7) CR-5 Multiple Residence 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) TR Transitional Zone

AMENDMENT NO. 6 BY ORDINANCE NO. 1990-45  
 TO PIMA COUNTY ZONING MAP NO. 1583 TUCSON, AZ.  
 PARCEL 354A BEING A PART OF THE SE 1/4 OF THE  
 SE 1/4 OF SEC 36, T19S R12E.

ADOPTED 5-1-90 EFFECTIVE 6-1-90



*James D. Altobrist*

EXECUTIVE SECRETARY PIMA COUNTY PLANNING AND ZONING COMMISSION

(R) NO MORE THAN TWO (2) RESIDENCES. NO FURTHER LOT SPLITS.

from GR-1 .65ac ±  
 ma - APRIL 11, 1990

CO 9-89-52  
 CO 13-85-2  
 DKT 8750 PG 571  
 304-32-354A

# Co9-89-52 Original Rezoning Approval BOS Minutes 1-9-90

Chairman Eckstrom made the following appointment for Board ratification:

Rudy Castro - 4 year term

Supervisor Grijalva made the following appointments for Board ratification:

Larry Toledo - 4 year term

Jose Ibarra - 2 year term

Supervisor Grijalva stated he had one other appointment which he has not been able to confirm and will hopefully be able to advise of that name by the next meeting.

Supervisor Moore stated that by the next Board meeting he will have his appointment names for Board ratification.

It was thereupon moved by Supervisor Moore, seconded by Supervisor Morrison, and unanimously carried, to ratify the above Board appointments to the Pima County Sports Authority.

## 11. H&SA-FACILITIES MANAGEMENT

The Board of Supervisors at their Meeting on January 2, 1990, continued to this date:

### AWARD OF CONTRACT

Catalina Transfer Station: Staff recommends award to K.E.G. Construction, \$1,343,000.00.

On consideration, it was moved by Supervisor Moore, seconded by Supervisor Morrison, and unanimously carried, to approve the contract award as presented.

## 12. DP&Z-Z: Co9-89-52, ANDERSON - ARIVACA ROAD REZONING

The Chairman stated this is the time and place designated and legally advertised for hearing on petition (Co9-89-52) of William and Joan Anderson to rezone approximately 0.65 acres from GR-1 (rural residential) to CMH-1 (county manufactured and mobile home - 1 zone), located on the north side of Arivaca Road, approximately 600 feet west of Nogales Highway. The subject property lies within and the proposed rezoning conforms to the Santa Cruz Valley Area Plan, Col3-85-2. The Planning and Zoning Commission voted to recommend **APPROVAL** of the rezoning, subject to:

THE FOLLOWING STANDARD AND SPECIAL CONDITIONS

Completion of the following requirements for a rezoning ordinance within three years from the date of approval by the Board of Supervisors:

1. Submittal of a development plan if determined necessary by the appropriate County agencies;
2. Recording a covenant holding Pima County harmless in the event of flooding;
3. Recording 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. Recording a covenant to the effect that there will be no further subdividing or lot splitting without the written approval of the Board of Supervisors;
6. Requirements set forth by the Pima County Wastewater Management Department are as follows:
  - A. 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 or development plan.
7. If the proposed rezoning case is approved, the Department of Transportation recommends the following requirements:
  - A. Recording a covenant, running with the land, stating that the property owner(s) shall participate in the future improvements of Arivaca Road when requested by Pima County.
8. Requirements of the Flood Control District are as follows:
  - A. The property owner must submit to the Flood Control District a plot plan showing all required information. Upon review of the plot plan, this section will determine if building permits may be issued or if a more detailed hydrologic and hydraulic study will be required.
  - B. The property owner must dedicate all rights-of-way and/or grant flowage easements for drainage purposes to Pima County, as determined necessary by the Flood Control District during the plan review process.
  - C. Drainage shall not be altered, disturbed or obstructed without the written approval of the Flood Control District.
  - D. The owner shall accept responsibility for the maintenance, control, safety and liability of privately owned roads, parking area, drives, physical barriers, drainageways and drainage easements.

9. Landscaping to consist of low water use and low pollen producing vegetation.
10. Adherence to sketch plan showing two residences with only one access point on Arivaca Road.

The Chairman inquired whether anyone wished to be heard. No one appeared.

It was thereupon moved by Supervisor Moore, seconded by Supervisor Morrison, and unanimously carried, that the hearing be closed; and the plan amendment and rezoning to CMH-1 be approved subject to the standard and special requirements.

13. DP&Z-2: Co9-89-53, MUNGUIA - SPENCER AVENUE REZONING

The Chairman stated this is the time and place designated and legally advertised for hearing on petition (Co9-89-53) of Herlinda V. Munguia to rezone approximately 5 acres from SR (suburban ranch) to GR-1 (rural residential), located on the east side of Spencer Avenue, approximately 1,600 feet south of Nebraska Street. The subject property lies within and the proposed rezoning conforms to the Southwest Area Plan, Col3-76-1. The Planning and Zoning Commission voted to recommend APPROVAL of the rezoning subject to:

THE FOLLOWING STANDARD AND SPECIAL REQUIREMENTS

Completion of the following requirements for a rezoning ordinance within three years from the date of approval by the Board of Supervisors:

1. Submittal of a development plan if determined necessary by the appropriate County agencies;
2. Recording a covenant holding Pima County harmless in the event of flooding;
3. Recording 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. Recording a covenant to the effect that there will be no further subdividing or lot splitting without the written approval of the Board of Supervisors;
6. Requirements set forth by the Pima County Wastewater Management
  - A. Prior to signing the CC&R'S, the property owner or his agent must secure approval from the Pima County Health Department to use individual sewage disposal systems within the proposed rezoning.