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# MEMORANDUM

PUBLIC WORKS DEVELOPMENT SERVICES DEPARTMENT  
PLANNING DIVISION

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**TO:** Honorable Raymond J. Carroll, Supervisor, District # 4

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

**DATE:** September 4, 2013

**SUBJECT:** Co7-13-07 TITLE SECURITY OF ARIZONA TR 2055 - E. TANQUE VERDE ROAD PLAN AMENDMENT

The above referenced Comprehensive Plan Amendment is within your district and is scheduled for the Board of Supervisors' **TUESDAY, SEPTEMBER 17, 2013** hearing.

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**REQUEST:** To amend Amend Planned Land Use from Resource Transition (RT) to Low Intensity Urban 1.2 (LIU-1.2), 53 Acres; additional 69 acres of the total 122-acre project area to remain planned Resource Transition (RT) and Low Intensity Urban 0.3 (LIU 0.3).

**OWNER:** Title Security of Arizona TR 2055  
Attn: Desert Willow Partners  
6166 E. Grant Road  
Tucson, Arizona 95712

**AGENT:** Rob Longaker  
The WLB Group  
4444 E. Broadway Boulevard  
Tucson, Arizona 85711

**DISTRICT:** 4

**STAFF CONTACT:** Jim Veomett

**PUBLIC COMMENT TO DATE:** As of September 4, 2013, staff has received approximately 380 form letters and 7 original letters, mostly objecting to the proposed amendment.

**PLANNING AND ZONING COMMISSION RECOMMENDATION:** **MODIFIED APPROVAL** subject to Rezoning Policies, (5-2. Commissioners Membriilia and Johns voted nay, and Commissioners Neely, Cook and Bain were absent).

**STAFF RECOMMENDATION:** **APPROVAL.**

**MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM:** The subject property lies within Important Riparian Areas and Biological Core Management Areas.

CP/JV/ar  
Attachments



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# Board of Supervisors Memorandum

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Subject: Co7-13-07

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## FOR SEPTEMBER 17, 2013 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:** September 4, 2013

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### ADVERTISED ITEM FOR PUBLIC HEARING

#### COMPREHENSIVE PLAN AMENDMENT

#### Co7-13-07 TITLE SECURITY OF ARIZONA TR 2055 - E. TANQUE VERDE ROAD PLAN AMENDMENT

Request of Title Security of Arizona TR 2055, represented by The WLB Group, Inc., to amend the Pima County Comprehensive Plan from **Resource Transition (RT)** to **Low Intensity Urban 1.2 (LIU 1.2)** for approximately **53.0 acres** located on the north side of E. Tanque Verde Road, approximately 2,300 feet east of N. Houghton Road and 1,150 feet west of N. Tanque Verde Loop Road, in Section 36, Township 13 South, Range 15 East, in the Catalina Foothills Subregion. On motion, the Planning and Zoning Commission voted 5-2 to recommend **MODIFIED APPROVAL** subject to Rezoning Policies, (Commissioners Membrilia and Johns voted nay, and Commissioners Neely, Cook and Bain were absent). Staff recommends **APPROVAL**.  
(District 4)

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#### Planning and Zoning Commission Public Hearing Summary (July 31, 2013)

Staff provided a brief introduction to the plan amendment request. The staff recommendation was for APPROVAL.

Staff described the location of the amendment site, on the north side of E. Tanque Verde Road, east of Houghton Road and on the east bank of Agua Caliente Wash in the Tanque Verde Valley. Staff characterized the area as being at the eastern edge of a suburban landscape, near commercial services and having access to essential infrastructure including roadway capacity, water and wastewater.

Staff described the request to increase planned residential density from Resource Transition (RT, one unit per 3.3 acres) to Low Intensity Urban 1.2 (LIU-1.2, one unit per 1.2 acres) and an expected subsequent rezoning to CR-1 to replace an existing SR-zoned Conservation Subdivision plat for 36 lots with a new one with approximately 49 lots. The new lots would be on the same development footprint on 32 of the 36 approved lots and the area set aside as Conservation Open Space would remain with minor modifications.

Staff said that the recommendation of APPROVAL of the requested increased residential density was generally compatible with the fabric of the surrounding community, the smaller lots would require connection to the wastewater system rather than relying on septic systems in an area of shallow groundwater, and a future rezoning would trigger consideration of Conservation Lands System (CLS) conformance, which would not be a factor when building under existing zoning. Staff qualified the recommendation of approval by adding that there were differences among staff: the Regional Flood Control District (RFCD) was recommending denial because the Riparian Habitat Mitigation Plan as approved earlier in the year for the lower-density tentative SR Conservation Subdivision plat for the property was still their preferred option. RFCD staff recommended that riparian and floodplain areas remain planned RT if the amendment is approved. Staff added that the proposed CLS set-aside solution proposed by the applicant did not meet the Conservation Guidelines for the Biological Core Management Area or Important Riparian Area designations on the property; so from an environmental standpoint, the proposal had unresolved issues, but these would be addressed at time of rezoning.

A Commissioner stated that she understood that the core of the discussion about CLS conformance would occur associated with the rezoning and it would not be appropriate to attach a lot of detailed conditions at this time, but that it is appropriate for the Commission to consider compliance as the amendment moves forward and gauge the developer's willingness. Staff replied that when the applicant offers information on alternative compliance then the conversation is in a sense engaged at the amendment stage. Staff added that in this case, with development of the recent SR-zone based Conservation Subdivision much more is known about this property than is often the case at the plan amendment stage.

The Chairman asked what could go on the property without the amendment or rezoning. Staff answered that the site is zoned SR Suburban Ranch with a nearly complete Conservation Subdivision which covers the larger 122-acre site. The plat allowed 36 lots, four north of the dike at the northwest corner of the property and 32 on the area proposed for the change of plan designation to Low Intensity Urban 1.2, with over 50% of the larger 122-acre site being Conservation Open Space.

The applicant addressed the Commission. He said that what is different about this case is the knowledge about the site gained in creating the SR Conservation Subdivision. He said that the proposal is to develop in the 53-acre site that is the plan amendment area, plus two SR-zoned lots at the northwest corner of the property north of the dike. He said that the proposed LIU-1.2 area would be capped at 49 units.

The applicant said that the request is to increase the number of lots on the 53-acre LIU-1.2 area from 32 to 49, to be located in the same development footprint as the current 32 lots. He said that the project would provide ample buffers to surrounding properties, with up to 1000 feet to the north, 40 to 300 on the east, 300 feet the south (on Tanque Verde Road) and to the west 200 feet next to Agua Caliente Wash.

The applicant described their July 25, 2013 neighborhood meeting, to which all neighbors within 1000 feet were invited. He said one issue which emerged was height of the homes, and he said that they were at this time committing to limit construction to single-story.

The applicant discussed floodplain issues, referring to an exhibit. He said that Pima County did a physical map reduction showing that the recent addition of the spur dike changed the flow of the 100 year flood event, with most of the flow staying in the wash channel but with some flow coming around the east end of the dike onto the southeast portion of the property. With a CLOMR (Conditional Letter of Map Revision from FEMA) more of the site was rendered developable and the development footprint on the SR-zone Conservation Subdivision was approved by Pima County.

The applicant said that approval is indicated with development restricted to non-flood areas, that the use is generally compatible with the area, that the proposed overall density is about one unit for 2.2 acres, and that the zoning would be CR-1 similar to surrounding neighborhoods. He added that there are commercial services nearby and utility infrastructure is in place, including water service by Tucson Water.

The applicant said that there would be a single point of roadway access to the site, and that Tanque Verde Road has 10,000 ADT (average daily trips) at present with capacity estimated at 15,000. He acknowledged that there is some congestion in this area.

The applicant discussed the Resource Transition (RT) plan designation. He described features that may receive RT designations such as natural washes and buffers to public preserves. He said that in this case the developable property was removed from the floodplain but the wash corridor would be preserved.

The applicant addressed the Conservation Lands System (CLS) designations on the property. He said that the CLS should be addressed at this level and certainly in more detail at rezoning. He acknowledged that the proposal does not meet the conservation guidelines for Important Riparian Areas and Biological Core Management Areas, but said

that he felt the intent of the CLS was generally met. He said that the mesquite bosque (mesquite woodland) on the property would remain an important feature and that they would mitigate disturbance as evidenced in the approved Riparian Habitat Mitigation Plan (RHMP) associated with the tentatively approved SR-zoned Conservation Subdivision. He said that an environmental consultant rated the bosque as being of generally lower quality and alternative mitigation strategies included 300-foot natural buffers on the south and east edges of the project; this would result in a solution similar to that approved by Pima County Flood Control District for the tentative SR-zoned plat.

The applicant discussed the neighborhood meeting of July 25, 2013. He said that many issues were addressed including traffic, flooding, the riparian area, building height, the far northwest corner of the site, and existing vegetation. He said that the wash and trail alignment would be deeded to Pima County. He acknowledged the many protest form letters and concluded that they believe the project can accommodate an additional 13 units with half-acre to nearly one acre lots, dedicated open space and natural buffers such that the project does fit into the character of the area.

A Commissioner asked how the property is currently being used and when it was a ranch. The Commissioner asked what the current public access is. The applicant responded that currently there are no public access easements to use the property for equestrian or other access to Agua Caliente Wash, that it is privately held property. He said that the wash would become public property, but there are no designated access points yet.

The Commissioner asked about rating the mesquite bosque as lower quality, and said that there are older trees on the property. The applicant said that the property would not be mass graded but rather individual building envelopes would be created. He said that older, larger vegetation would be preserved in place where possible. The Commissioner and the applicant discussed wildlife species that may occur in the area.

A Commissioner asked about Pima County Preserve properties adjacent to the site, the applicant acknowledged their presence.

The Commissioner asked about the Resource Transition (RT) designation and whether changes have occurred by remapping the floodplain or since the RT designation and CLS were established, stating that staff found that the site was biologically significant and conditions had not changed significantly. The applicant answered that the spur dike had reduced the flow of water to the mesquite bosque and that groundwater levels are generally falling. He said that the developable area is dry in that it is now outside of the floodplain. The applicant acknowledged that there is resource value on the site but that it is not as high-quality as some others in the area, and that while the CLS was created with a broad brush, a closer look at a site sometimes reveals something else. He said that he does not dispute that there is significant vegetation on the site but said that he does not believe it warrants 95% set-aside.

The Commissioner asked about a letter from U.S. Fish and Wildlife, stating that they also disagree with the biological consultants conclusions, especially relative to the lesser long-nosed bat, and they find that the site is significant. She said that the letter addressed the lower-density proposal and that the increased density would bring more lighting which could impact the bat. She asked if the applicant would go back to Fish and Wildlife with the higher-density site plan. The applicant responded that they would, and that the bat mainly uses saguaros which are located in areas identified for conservation already.

The Commissioner stated that the CLS was created during a real estate boom and there was high compliance at that time, and she expressed that she was troubled that they had first asked to have the CLS map changed and later modified their request to just the reduced conservation guidelines. She stated that going outside of the CLS would be precedent setting, that she did not see a real willingness to conform to the CLS from the start. The applicant said that he respects the CLS but that they are proposing adjusting the open space conformance, that the valuable mesquite is lower quality and it would be mitigated, there would be limited disturbance on each lot, and that the 11 acres of riparian area disturbed within the Important Riparian area would essentially be moved and replanted. He showed the existing Riparian Habitat Mitigation Plan, saying that there would be a net increase in vegetation by moving it to areas with new surface flows post installation of the spur dike. He said that the plan would be modified and reviewed to accommodate the new project details.

A Commissioner asked why the plan should be modified at this time. The applicant said it would be modified for the additional 13-lot configuration. The Commissioner asked why they needed the additional lots. The applicant said that sewer was a deciding factor, and creating a solution to serve the site allows smaller lots. The Commissioner asked what would happen if the plan was not changed and 33 lots is found to be enough, and the applicant answered that the property owner would decide how to proceed at that time.

The property owner addressed the Commission. He said that he had been a real estate developer for 30 years and that he is proud of his willingness to work with Pima County. He said he has developed thousands of lots and has never misrepresented a project. He said that they were approached by Amity and other property owners south of Tanque Verde Road and they supported the project but were afraid septic systems could get into the aquifer. The property owner said that they added a \$187,000 sewer component and changed the proposed plan to accommodate that. He described the change to single story and said that the plant mitigation estimate is \$140,000. He said the opposition is generalized, obtained outside Safeway. He said he is not dishonest, and that the technical part comes later with the development plan and rezoning. He said that he spent a lot of money cleaning up the property, removing dumped televisions and major appliances. He said there would be land donated to Pima County, and they may create access easements to allow access to the wash across the development site. He said that they are only asking for 13 more lots and have done everything the County asked of them. He reiterated that it is private property.

A Commissioner said that his job was to ask the questions, that he does not know as much about the property as the applicant and owner. He said that the applicant answered his questions, that the questions are reasonable.

A Commissioner asked about the increase of 13 units. The property owner stated that it was to balance the cost of the sewer.

A Commissioner asked Flood Control District staff about the dike and how it affects resources. Staff replied that the spur dike was installed to channel flow under the bridge on Tanque Verde Road but that there is still flow breakout around the east end of the dike into the property. He said that their recommendation is to retain the RT designation where it is concurrent with floodplain and regulated riparian habitat.

A Commissioner asked if water can back up on the western side of the property. Staff replied that that is where the flow is directed under the bridge.

The Vice Chair said that a couple of people had to leave and summarized their written comments.

The first did not express an opinion.

The second stated that he represents an informal homeowners group on Kimberly Road, and that they support the development as presented.

The first speaker appearing in person said he lives 100 yards west of the project and that the neighbors are concerned. He said that they moved to the area for good schools and open space. He stated concern for the increased residential density with homes on half-acre lots. He said density is not that high anywhere in the area and that they are concerned about riparian areas. He said it is a large increase in density and the property was purchased with requirements in place. He said the property owner took a big risk, and the neighbors are against the change.

The second speaker said she lives near the northwest corner of the subject property. She disagreed that the president of the Tanque Verde Valley Association supports the project as the property owner had stated. She said that the major concerns include impacts to wildlife and disagrees that the increased density would meet the intent of the Conservation Lands System. She said the developer knew when the property was purchased that it was in a resource-sensitive area.

The third speaker said she too strongly disagreed that the Tanque Verde Valley Association president was in support of the project. She said she brought an additional 150 protest letters, and that they were obtained with discussion of the issues with over 400 people, with people from the immediate area and people from other areas who enjoy the valley. She said there is no public access to the subject property since the driveway has



been washed away. She said she is suspicious of re-designating the floodplain and concerned about traffic, that no improvements for roadway access are planned, and that during school the road is busy. She said that the property is not being taken care of, but would not buy it because it is floodplain. She said that she has experienced flood-related evacuations in the past.

The fourth speaker said that she lives near Tanque Verde Loop Road, and has lived in the area for 52 years. She said riparian area protection is important, that she agrees with what has been said. She said the increase in traffic is frightening, and with more development there will be more traffic. She said that they can get trapped during flooding.

The fifth speaker said he is against the change as proposed, that it does not match any other areas in the valley. He added that he supported comments by the Commissioner related to habitat issues, and the Regional Flood Control District recommends denial as well. He said moving the riparian areas is not how things work, and he is concerned about covering up a groundwater infiltration area. He discussed various opinions on groundwater levels and said that development should be under existing zoning.

The sixth speaker said that she agreed with the previous speaker, and discussed traffic impacts. She said the 10,000 daily traffic count was established in 2010, before Emily Gray Jr. High (east of the project site on the south side of Tanque Verde Road) opened, which has increased traffic significantly. She said there are backups daily associated with the school. She said that turning left into the proposed project from the west would be difficult, and that she is concerned about the safety of kids coming and going from the school.

The seventh speaker said that the spur dike does funnel water under the bridge but some flow also does come around the east end and flood the property. He said the access and traffic congestion are problems and that the original 36-lot plan under existing SR zoning would be better.

The eighth speaker said that the property owner should dedicate the entire property for a park. She said that she has been in the area from 1945 and the area has changed, but that it still has a certain look. She said that single-story homes would be better, that there should be equestrian access, and that she has used the property in the past as have many of her neighbors.

The ninth speaker left the meeting, but notes on her speaker form read into the record by a Commissioner said that she opposes the project and has concerns about riparian areas and traffic.

The tenth speaker said that she represented the Coalition for Sonoran Desert Protection. She said that the Coalition represents 41 local groups working to conserve natural resources, biological diversity and ecological function, and that they have been working on

the Sonoran Desert Conservation Plan since its inception in 1999. She said the Coalition request was that the property owner fully conforms to the Conservation Lands System (CLS) and that the site is wholly within the CLS. She said that the property owner should commit to the established conservation guidelines. She said that there is a big difference between creating a Conservation Subdivision and Riparian Habitat Mitigation Plan under current SR zoning and entering into the plan amendment and rezoning processes, which trigger CLS conformance. She said the 50% set-aside for the conservation subdivision was not enough and recommended a Rezoning Policy be associated with the plan amendment stating that the owner comply with the CLS conservation guidelines of 95% conservation for Important Riparian Areas and 80% conservation for Biological Core management Areas, since the applicant stated that they did not intend to meet the standards.

The eleventh speaker said she lived and owned property on the south side of Tanque Verde Road, directly across from the proposed development. She said that she had heard no discussion about the impact of surface flow of water coming off the south side of the proposed development. She questioned where water would go off of the site, saying that her property has standing water after a half-inch of rain. She said that the property owner should provide some access through the property to the wash. She also mentioned traffic congestion and the need to be sensitive to the character of the neighborhood.

The twelfth speaker said that plan amendments and rezonings are a privilege, not a right, and that she is opposed to the proposal. She said that it is a riparian corridor and wildlife area that cannot be duplicated artificially. She said that flooding is a problem in the area, with Ft. Lowell Road closed at Agua Caliente Wash (upstream and northeast of the subject property) an average of 42 days a year. She said there is no transportation in the area, that it is a rural area, and that they have horses and chickens that attract flies and that higher-density development creates a conflict with existing rural uses. She said she welcomes the developer to build under the existing zoning, reiterating that the Flood Control District had recommended denial.

The thirteenth speaker said that he was an architect, that the applicant presentations were good but he agrees with his neighbors that the rural character should be preserved, and that the land use plan and CLS were developed over many years and have foresight and are proper for this low density area. He said that fifty homes off of a single access near the intersection of Houghton and Tanque Verde Roads, the gateway to Tanque Verde Valley, is contrary to development in the area. He said he is not opposed to change and development as long as it is within the precedent for the lifestyle in the area.

The applicant addressed the Commission, responding to some of the comments by the speakers. He said that there is the Important Riparian Area CLS designation on the property, but that the CLS issues should be addressed at rezoning and platting. He said that some agreement could be reached as it had been for the tentative 36-lot plat under existing SR zoning.

The applicant said that the owner is willing to consider providing an access easement to allow people to continue to have access to the wash. He said that they do appreciate the traffic issues in the area and that they would be looked at again during rezoning and platting. He said that they were proposing to have a gate, but it was designed to be two hundred feet into the project so stacking of automobiles would not be an issue.

The applicant said that the plant list for the site was recommended by the Flood Control District, including native mesquite, desert willow and acacia, and the riparian habitat mitigation plan would require irrigation and monitoring to ensure success.

The applicant said that the off-site flow would be detained per Pima county standards. He thanked the Commission and asked for their approval.

The public hearing was closed.

A Commissioner asked how the County would have allowed a conservation subdivision with septic tanks to be located so close to a riparian area.

Staff replied that the approved tentative plat implies that all requirements had been met.

The Commissioner asked Regional Flood Control District staff for clarification. She asked if septic tanks so close to an Important Riparian area were a danger to the resource, if they would affect it in any way.

Staff replied that septic systems are regulated by the Department of Environmental Quality, not Flood Control. He said that the Flood Control District does allow septic systems in floodplains.

The Commissioner said that she might make a motion to approve, but it would be with two conditions:

First, per the recommendation by Regional Flood Control District, all Pima County regulated riparian habitat and floodplain areas remain planned Resource Transition per the recommendation by the Regional flood Control District; and second, that any development shall comply with Conservation Lands System (CLS) guidelines for 95% set-aside for Important Riparian Areas and 80% set-aside for Biological Core Management Areas.

She said that she would consider it because the current Conservation Subdivision for the property does not properly protect it, that the CLS was created with much scientific input and that the Important Riparian Areas with the 95% set-aside guideline has among the richest biological areas in the Sonoran Desert and that these areas are important to the entire valley.

A Commissioner asked what the term 'tentative' means in the context of the plat approval process. He asked if a denial of the amendment request would negate the CLS entirely.

Staff replied that the plat went through two reviews, one for the conservation aspect and one for all engineering, improvement plans, etc. When the tentative plat is approved, it is essentially complete, and after it is recorded it is final, and that some types of permits can be pulled under a tentative plat.

He commented that the staff report illustrated a series of trade-offs, that if the land use and zoning are not changed the CLS does not apply. Another trade-off is sewer versus septic, which is more an economic issue. With the amendment you might know what the developer desires, but do not know if the developer would move forward if conditions were placed on the approval.

A Commissioner asked how much force the Rezoning Policies would have, if the Board would apply them.

Staff explained that the developer could move forward with either a rezoning or utilize existing entitlements, and the Board always has discretion to apply the Rezoning Policies or not.

A Commissioner asked what the worse-case scenario might be, if no agreement is reached. Staff replied that they have existing zoning and could build under the existing plat. He confirmed that the current SR zoning allows two-story homes.

A Commissioner stated that all of the issues raised at the hearing are important, including traffic, access, wildlife, horse property and safety, but her overriding concern is the Conservation Lands System and that the proposed 50% set-aside is not enough. She said that a recommendation of denial might send the wrong message to the Board in not emphasizing the importance of the Important Riparian Areas.

**Commissioner Poulos made a motion to recommend approval of the amendment request as presented, subject to two new Rezoning Policies:**

- 1. All Pima County regulated riparian habitat and floodplain areas shall remain planned Resource Transition (RT).**
- 2. Any development plan shall fully comply with Conservation Lands System (CLS) conservation guidelines for 95% set-aside for Important Riparian Areas and 80% set-aside for Biological Core Management Areas.**

**Staff note: Recommended policy #1 is not structured as a Rezoning Policy that would be implemented during rezoning. Rather, it is a recommendation for MODIFIED APPROVAL that would reduce the acreage changed from Resource Transition (RT) to Low Intensity Urban 1.2 (LIU-1.2) on the Planned Land Use map.**

Chairman Matter seconded the motion for discussion.

A Commissioner asked how the 80% and 95% conservation on the site could be achieved with approval of 53 acres for development.

A Commissioner replied that the units could be consolidated on site in a higher-density cluster.

Staff added that if the commission recommendation is approved, the footprint could be consolidated and off-site mitigation would be an option as well.

A Commissioner said that it is similar to Parks and Recreation requirements, where developers can build parks on-site or otherwise contribute to parks development off-site in a variety of ways. He said that it does not appear that the developer has made an effort to get close to the CLS conservation guidelines. He added that it is a calculated risk that he would not want to lose the 50-60-% set-aside as proposed, but he would take a chance and support the motion.

A Commissioner said that another risk is that the Board could approve the amendment as proposed without the conditions as recommended.

A Commissioner said that he was concerned for the current homeowners in the area, and would not want to see two-story homes. He said another concern was that using another's property used to be called trespassing. He said he could not support the motion.

A Commissioner stated that he appreciates that a significant amount of property would be deeded to the County and the property owner would provide access. He stated that the earlier conversation with the property owner had been useful.

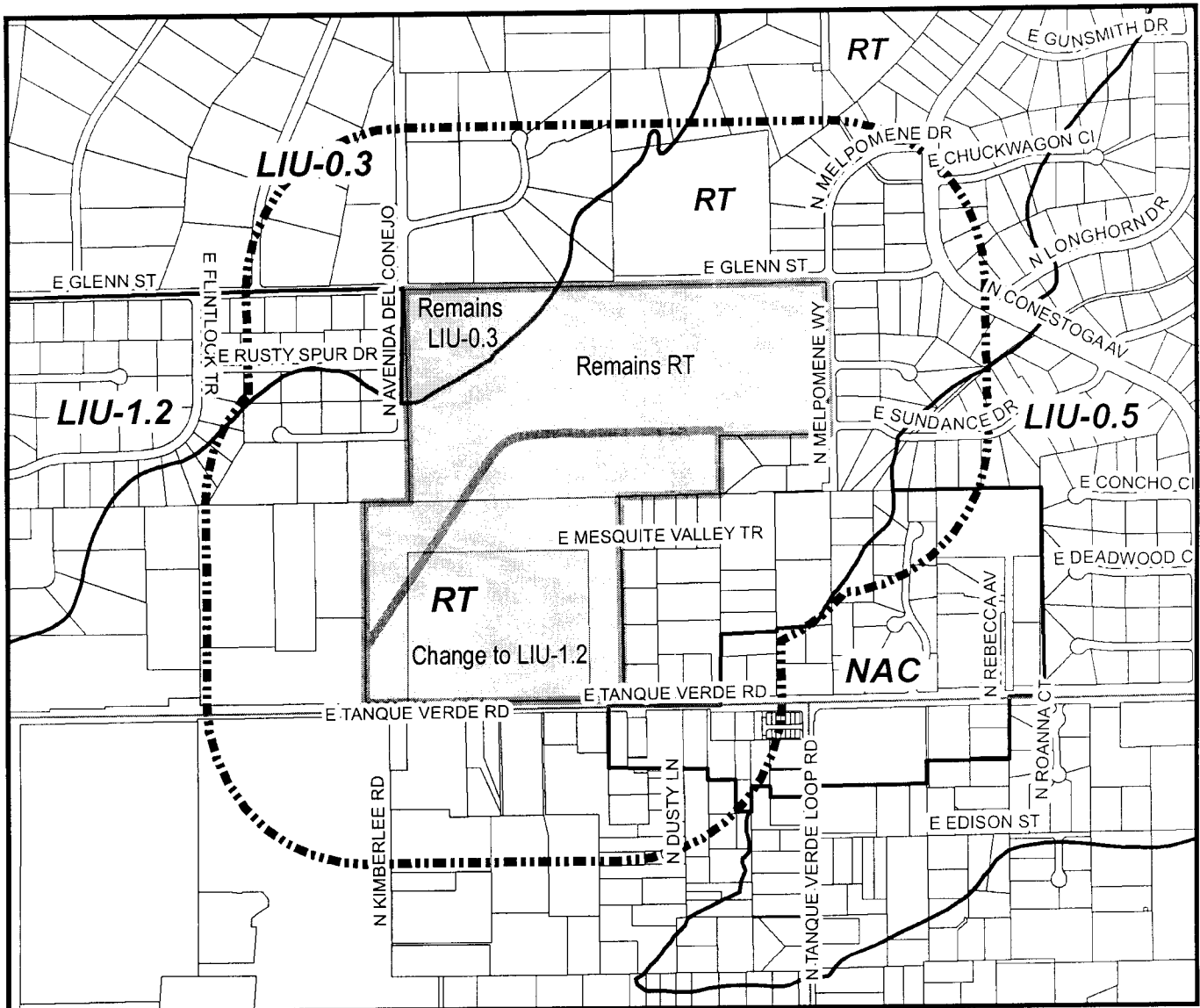
**The motion for MODIFIED APPROVAL subject to Rezoning Policies carried 5-2. Commissioners Membrilia and Johns voted nay, and Commissioners Neeley, Cook and Bain were absent.**


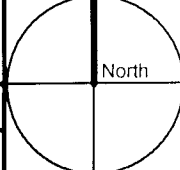
CP/JV/ar  
Attachments

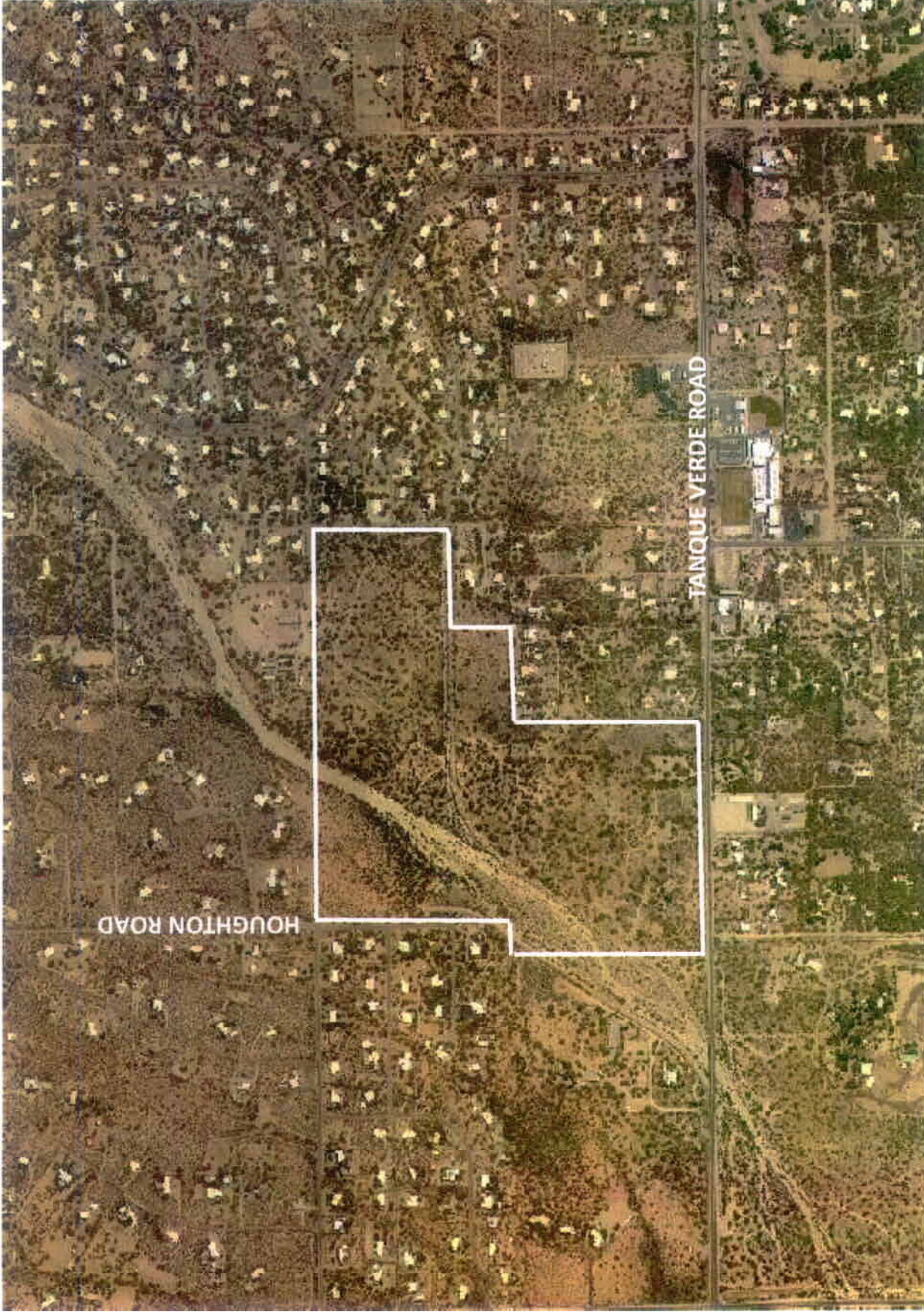
c: Title Security of Arizona TR 2055, Attn: Desert Willow Partners  
6166 E. Grant Road, Tucson, Arizona 95712  
Rob Longaker, The WLB Group, 4444 E. Broadway Boulevard  
Tucson, Arizona 85711  
Chris Poirier, Assistant Planning Director  
Co7-13-07 File

# COMPREHENSIVE PLAN AMENDMENT

Planned Land Use and Notice Area



<p>Taxcodes: 114-57-068A 114-57-069A 114-57-058</p>	<p><b>Co7-13-07 TITLE SECURITY OF ARIZONA TR 2055 - E. TANQUE VERDE ROAD PLAN AMENDMENT</b></p>	<p>Location: North side of E. Tanque Verde Road, approximately 2,300 feet east of N. Houghton Road and 1,150 feet west of N. Tanque Verde Loop Road</p>	
<p>Request: From Resource Transition (RT) To Low Intensity Urban 1.2 (LIU-1.2) +/- 53 Acres of 122-acre project area</p>			
	<p>Catalina Foothills Subregion Township 13S, Range 15E, Section 36</p>		
	<p>Planning and Zoning Commission Hearing: July 31, 2013</p>	<p>Map Scale: 12,000</p>	
	<p>Board of Supervisors Hearing: September 17, 2013</p>	<p>Map Date: July 8, 2013</p>	



Co7-13-07 TITLE SECURITY OF ARIZONA TR 2055 — E TANQUE VERDE ROAD PLAN AMENDMENT 2012



**2013 PLAN AMENDMENT PROGRAM**  
**PLANNING AND ZONING COMMISSION**  
**STAFF REPORT**



<b>HEARING DATE</b>	Wednesday, July 31, 2013
<b>CASE</b>	Co7-13-07 Title Security Of Arizona TR 2055 - E. Tanque Verde Road Plan Amendment
<b>SUBREGION</b>	Catalina foothills
<b>DISTRICT</b>	4
<b>LOCATION</b>	North side of E. Tanque Verde Road, approximately 2,300 feet east of N. Houghton Road and 1,150 feet west of N. Tanque Verde Loop Road
<b>ACREAGE</b>	53 acres from Resource Transition (RT) to LIU-1.2; 122 acres total amendment area +/-
<b>REQUEST</b>	Amend planned land use intensity designation from Resource Transition (RT) to Low Intensity Urban LIU-1.2 (LIU-1.2) and Resource Transition (RT); Low Intensity Urban 0.3 (LIU-0.3) to Low Intensity 0.3 (LIU-0.3).
<b>OWNER</b>	Title Security Of Arizona TR 2055
<b>AGENT</b>	The WLB Group / Rob Longaker / 520-881-7480

<b>APPLICANT'S STATED REASONS TO AMEND THE COMPREHENSIVE PLAN</b>
<p>Increase planned land use intensity to Low Intensity Urban 1.2 to allow increased residential density for 53 acres of a 122.5-acre project site on the north side of Tanque Verde Road at Agua Caliente Wash.</p> <p>The applicant states that the 53-acre portion of the site can support higher-density development while retaining the overall low-density character of the area and retaining the integrity of the Maeveen Marie Behan Conservation Lands System (CLS).</p>

<b>EXISTING ZONING/LAND USE</b>
SR Suburban Ranch / Vacant



<b>SURROUNDING LAND USE DESIGNATIONS</b>	
<b>North</b>	Resource Transition (RT), Low Intensity Urban 0.3 (LIU-0.3), Low Intensity Urban 1.2 (LIU-1.2)
<b>South</b>	Resource Transition (RT), Neighborhood Activity Center (NAC), Low Intensity Urban 0.5 (LIU-0.5)
<b>East</b>	Low Intensity Urban 0.5 (LIU-0.5), Neighborhood Activity Center (NAC)
<b>West</b>	RT Resource Transition (RT), Low Intensity Urban 1.2 (LIU-1.2)

<b>SURROUNDING ZONING/EXISTING LAND USE</b>	
<b>North</b>	SR, CR-1 / Residential, Agua Caliente Wash, Tanque Verde Stables LLC
<b>South</b>	SR, CR-1 / Residential, commercial nursery, Epidarus (dba Amity residential treatment facility).
<b>East</b>	CR-1, SR, RVC / Residential, nursery, feed store, Tanque Verde Unified School District middle school
<b>West</b>	CR-1, SR / Residential

**SUMMARY**

Staff recommends **APPROVAL** of this request to amend planned land use from Resource Transition (RT) to Low Intensity Urban 1.2 (LIU-1.2). For the 53-acre part of the 122.5-acre site proposed for LIU-1.2, this would allow a gross residential density of approximately one residence per acre with much of the remainder of the site designated as conservation natural area.

The proposed change would allow a future rezoning request for CR-1, for a maximum of approximately 53 units. Staff believes this is a reasonable increase in land use intensity resulting in more efficient use of land in an area with nearby urban infrastructure and services.

Note that the Regional Flood Control District (RFCD) is recommending denial of the request as noted elsewhere in the staff report. Planning staff recognizes that matters raised by RFCD and the Office of Conservation and Sustainability must be resolved in some cases at the time of rezoning but also prior to acceptance of a subdivision plat. The applicant should be prepared to address these matters at the public hearing.

The applicant proposes to utilize the Conservation Subdivision process to allow reduced lot sizes and also provide conservation of natural open space. Staff finds the following factors to be in favor of the request:

1. Increasing residential density and creating smaller lots will require connection to the public sewer system, eliminating on-site septic systems in an area of shallow groundwater close to Agua Caliente Wash.
2. The amendment area has nearby urban services and amenities. A major activity center at Tanque Verde Road and Bear Canyon/Catalina Highway approximately 1.5 miles to the west provides a full range of shopping and services. Water service, sewer, and roadway capacity appear to exist in the immediate area.

3. By entering into the plan amendment and in particular subsequent rezoning processes, the applicant acknowledges that Conservation Lands System (CLS) Conservation Guidelines will be triggered and will recommend a significantly higher standard of conservation than is required by the existing SR-zoned and recently-approved tentative Conservation Subdivision plat (Desert Willow Ranch p1212-39) or a re-designed Conservation Subdivision implementing a new rezoning to CR-1. (Note: The aforementioned tentative subdivision plat is discussed below, in the Planning Report beginning on this page.)

Staff is not recommending new Rezoning or Special Area Plan Policies associated with this amendment request at this time. These policies can be used to modify the language of the land use intensity legend or place limits on uses. These policies are implemented through future conditions of rezoning. Staff reminds the applicant, agencies and decision makers that the record of hearings and findings of the Commission, and review comments by County agencies contained in this report, also inform the rezoning process and eventual rezoning conditions.

Specific language was proposed by the following agencies and should be considered at such time as rezoning conditions may be established following this plan amendment. See review comments for discussion and proposed policy beginning on p. 6 of this report.

Regional Flood Control District (RFCD) recommends overall DENIAL of the amendment request and also recommends that if the amendment request is approved that areas designated as regulated riparian areas in the Flood Control Code remain planned Resource Transition (RT). See attached RFCD Board memo and exhibits dated March 19, 2013 for discussion of regulated riparian habitat and Conservation Subdivision approval.

Regional Flood Control District – Water Supply recommends establishing a condition requiring a letter of intent from a water provider related to provision of renewable water supply be provided during the rezoning process or otherwise addressed.

Regional Wastewater Reclamation Department recommends language clarifying issues relating to securing wastewater capacity on a project-specific basis.

## **PLANNING REPORT**

### **Conservation Subdivisions and Conservation Lands System (CLS)**

The Conservation Subdivision process (Zoning Code Chapter 18.09.101) provides development standards which allow a landowner to “achieve full density under the existing zoning of the land, and which also provide substantial preservation of natural open space and natural and cultural resources... Conservation subdivisions promote the establishment of conservation natural areas and, where possible and practicable, support interconnected, continuous, and integrated open space systems within an area, particularly when located contiguous to public preserves.” Lot sizes are reduced in a Conservation subdivision to offset conservation areas on sensitive sites.

There is a recently approved tentative Conservation Subdivision (Desert Willow Ranch Lots 1-36, P1212-039, CS-12-01) for the subject property for 36 lots created under existing SR Suburban Ranch zoning. Four of the 36 lots on this plat are at the northwest corner of the greater 122.5-acre project site on the west side of the Agua Caliente Wash at Avenida del Conejo; this area is not included in the amendment request so it would not be rezoned but it could be built out under existing SR zoning (3.3 acre minimum lot area per home). The remaining 32 lots south of the spur dike approximate the same area and footprint of the proposed 53 lots under a new Conservation

Subdivision, with the remainder of the project site providing conservation open space.

More is known about this site than is frequently the case for a plan amendment on vacant land, as creation of the tentative SR zone Conservation Subdivision approved tentative plat and associated Riparian Habitat Mitigation Plan, and much infrastructure design work is already completed (Again refer to the March 19, 2013 RFCD memo and exhibits which discussed this Mitigation Plan in the context of SR-zoned development.) However, the applicant is also aware that associated with a new rezoning to CR-1, much of this work will need to be reimagined and recreated in response to the proposed increased residential density.

The original amendment application requested deletion of CLS mapped conservation designations on the property (Important Riparian Area and Biological Core Management Area) as well as the land use intensity designation change (Resource Transition (RT) to Low Intensity Urban 1.2 (LIU-1.2)). The applicant modified this request to request consideration of modifying CLS Conservation Guidelines for the site rather than modifying the CLS map.

CLS guidelines are Comprehensive Plan Regional Plan Policies and are recommendations for conservation as mitigation for development or disturbance of CLS-designated lands; the CLS is a primary land development implementation tool of the Sonoran Desert Conservation Plan. While the plan amendment process acknowledges the CLS, the Conservation Guidelines are policy that is implemented case-by-case at the discretion of the Board at time of rezoning.

CLS Conservation Guidelines are more rigorous than the 50% minimum conservation required by a Conservation Subdivision or the solution proposed by the applicant in their July 5, 2013 addendum to the amendment application. The Biological Core Management Area Conservation Guideline recommends 80% conservation and is primarily administrated by Development Services Department while the Important Riparian Area Conservation Guideline recommends 95% conservation and is primarily administrated by the Regional Flood Control district (owing largely to its correlation with areas designated under the Riparian Habitat ordinance). Clearly cooperation and discussion among the departments and the applicant would follow any plan amendment, if approved by the Board of Supervisors.

### **Site Description**

The site is located in the historic floodplain of Agua Caliente Wash, protected now from the main channel flow by a spur dike immediately north and west (on the property) which is designed to focus north-to-south flow beneath a bridge on Tanque Verde Road. The site is flat with numerous mesquite trees and other vegetation and shows evidence of prior disturbance in the form of relic horse facilities, concrete pads and channels, cross-fencing and earthworks alluding to past use as the former site of Amity residential treatment center (now located on the south side of Tanque Verde Road) and earlier ranching use.

Beyond the intended footprint of the proposed residential development, Agua Caliente Wash is north of the spur dike and is planned Resource Transition (RT) owing to its floodplain status; it is unbuildable save for a small area planned Low Intensity Urban 0.3 (LIU-0.3) at the far north-west corner; this LIU-0.3 area is shown on the existing Desert Willow Ranch tentative plat but is not part of the amendment request. The Resource Transition (RT) designation (formerly called Resource Conservation (RC)) for the amendment site was established with the original 1992 Comprehensive Plan and was based on then-available floodplain mapping, established prior to the new Tanque Verde Road bridge and construction of the spur dike on the property.

### **Surrounding Conditions and Urban Services**

Residential development along eastern Tanque Verde Road is largely on 3.3-acre and larger lots (SR zoning) or one-acre lots (CR-1 zoning) generally planned Low Intensity Urban 0.3 (LIU0-0.3) and Low Intensity Urban 1.2 (LIU-1.2). Density falls off to mostly SR-zoned development east of the project site. Examples of areas of higher-density development styles in the area include Lakes at Castle Rock to the west and 49'ers Country Club to the east.

The amendment site is relatively well served by infrastructure and nearby retail and services necessary to support somewhat increased residential density. This is not the case in some areas of the Catalina Foothills / Tanque Verde Valley where residents may need to drive several miles to satisfy shopping and other needs, and where sewer service or water providers may not be available.

Tanque Verde Road from the west is a four-lane arterial with a median to Houghton Road, east of Catalina Highway. At the amendment site, it is a two-lane minor arterial and is a designated bike route and Major and Scenic Route. The closest public transit is available at Catalina Highway/Tanque Verde Road (Sun Tran Route 109x) and includes a designated park-and-ride lot. Lower residential density to the east would not appear to justify extension of transit at this time.

East and south-east of the project site, there is a designated Neighborhood Activity Center (NAC) roughly corresponding to an area of RVC Rural Village Center zoning (Co9-62-097). RVC is a mixed-use zone with design standards intended to serve rural and suburban areas subject to architectural review and the Type Two Conditional Use process for non-residential uses. The RVC zone generally never saw widespread use, and much of this RVC activity center has developed as residential uses. Non-residential uses include a commercial greenhouse, a boutique/country store, a feed store, Emily Gray Junior High School, a convenience store and a school maintenance yard.

The primary retail and services center in the area surrounds the intersection of Bear Canyon / Catalina Highway and Tanque Verde Road, in the jurisdiction of the City of Tucson. This activity center includes major grocery and drug store anchors, apartments, a variety of dining opportunities, a Sheriff's substation, numerous offices and other small business, and Kirk Bear Canyon County Library.

### **Wastewater**

The recent Desert Willow Ranch tentative Conservation Subdivision plat implements SR zoning and with acre-plus lots utilizes on-site septic systems. With a rezoning to CR-1 and smaller lots, the applicant is required to connect to the public sewer system, eliminating septic disposal from an area of shallow groundwater on Agua Caliente Wash adjacent Tucson Water commercial water wells.

### **PLAN AMENDMENT CRITERIA**

Staff reviewed this plan amendment request to determine if one or more of the following criteria have been adequately met: (Criteria are addressed in italic type.)

1. Promoting the implementation of:
  - a. The ***Maeveen Marie Behan Conservation Lands System (CLS)***;

*The subject property is designated Important Riparian Area (IRA) and Biological Core Management Area. Analysis by the Office of Sustainability and Conservation finds that the applicant's proposal does not currently meet adopted CLS guidelines but acknowledges that the appropriate venue for determining final CLS compliance is the rezoning and platting process following a successful plan amendment.*

**Growing Smarter Acts**, with particular emphasis given to the principles of smart growth, such as: (i) mixed use planning, (ii) compact development, (iii) multi-modal transportation opportunities, (iv) rational infrastructure expansion/improvements, (v) conservation of natural resources, and (vi) the growth area element (where applicable);

*A properly executed Conservation Subdivision and establishing compliance with CLS guidelines will allow somewhat more compact and efficient use of land and infrastructure (including connection to the public sewer system) and also enhanced conservation of natural open space in response to Conservation Subdivision requirements and CLS conservation guidelines. Staff acknowledges that this site, which in part constitutes redevelopment is at the eastern edge of somewhat higher intensity land uses. Additionally, the applicant in the process of working with FEMA to remove the area proposed for residential lots from the Agua Caliente Wash FEMA floodplain.*

- b. Other plan policies set forth in the Regional Plan Policies, Rezoning Policies and Special Area Polices.

Fulfilling the "Purpose" of the Annual Plan Amendment Program of the Pima County Zoning Code, § 18.89.040(A)(2) and (3):

The annual plan amendment program provides an opportunity to address oversights, inconsistencies, or land use related inequities in the plan, or to acknowledge significant changes in a particular area since adoption of the plan or plan updates. Annual amendments are reviewed concurrently in order to analyze potential cumulative impacts.

*Significant changes in the area include removal of the site from the Agua Caliente Wash floodplain (the applicant is well along in the FEMA process to establish this fact and change the floodplain maps) with construction of the spur dike to create an all-weather bridge on Tanque Verde Road, and demolition of the prior Amity residential treatment facility located on the amendment site.*

*One issue for the 2013 Plan Amendment Program that warrants further concurrent review is that six of the eight amendment requests this year involve lands containing CLS designations. Staff will assess CLS performance by looking at conservation recommended by the CLS conservation guidelines and actual conservation achieved through future rezoning and subsequent development processes for these cases.*

## **AGENCY REVIEW COMMENTS**

### **Pima County Regional Flood Control District (RFCD)**

The Regional Flood Control District (District) **recommends denial** of this request for the following reasons:

1. The Agua Caliente Wash, a designated Major Watercourse, crosses the site. Although the levee built by the County to direct flows toward the Tanque Verde Road Bridge removes portions of the site from the floodplain, most of it remains within floodplain, including portions proposed to be LIU 1.2. Much of the site is also within Pima County Regulated Riparian Habitat (PCRRH) classified as Hydro-mesori-riparian or Mesori-riparian.
2. The application correctly points out that the Resource Transition (RT) designation may be based upon floodplains and riparian habitat amongst other factors. It then claims that neither of these occur on the proposed LIU-1.2 south of the levee. The District disagrees. First, this area has not been completely removed from the floodplain by the

levee and will not be when the improvements contemplated by the approved CLOMR are in place. Second, the current condition of the PCRRH is dependent upon fluctuations in the water table and surface water due to drought as well as pumping. Justifying removal of an area of habitat based on a dropping water table and use of that as justification for greater density and therefore water use is contradictory.

In conclusion, the District **recommends denial** of this request. Should the Board of Supervisors decide to approve it despite this recommendation the following condition is recommended:

**a. All Pima County Regulated Riparian Habitat and floodplains shall remain RT.**

**Pima County Regional Flood Control District (RFCD) Water Supply Analysis**

A Water Supply Impact Analysis has been conducted on the proposed Comprehensive Plan Amendment (CPA) for Co7-13-07, **Desert Willow Ranch. Tanque Verde Road and Agua Caliente Wash**, for 53 acres from Resource Transition (RT) to Low Intensity Urban (LIU-3.0). Pima County conducts a Water Supply Impact Analysis on CPAs regarding how the proposal would affect five critical issues.

PIMA COUNTY'S WATER SUPPLY IMPACT ANALYSIS		
	CRITICAL ISSUE	RESPONSE
1.	Water Service and Renewable Water Supply Options	The 25-acre parcel 11457068A is within the Tucson Water (TW) obligated service area, However the other 28 acres considered is not and TW may not serve the applicant in that area due to policies against extending service beyond their obligated area. Presently, TW does have access to a renewable and potable water supply (CAP in the Avra Valley). In this area, TW may pump from local ground-water wells due to system limitations in boosting a blend of CAP and groundwater from the Avra Valley (Clearwater). However, a blend of Clearwater and local groundwater could be provided.
2.	Current and Projected Depth to Groundwater and Groundwater Trend Data	The average depth to groundwater in this area is approximately 20 feet. <b>Groundwater at this depth is likely to support vegetation or aquatic ecosystems.</b> Groundwater levels have declined in the area between 1993 and 2010 as much as 0.5 foot/year. Groundwater levels are projected to stay the same or decrease slightly over the next 15 years, based on the revised ADWR-TAMA groundwater model.
3.	Proximity to Areas of Known or Potential Ground Subsidence	The proposed Comprehensive Plan Amendment (CPA) is in an area of low subsidence.
4.	Proximity to known Groundwater-Dependent Ecosystems	The proposed CPA area is <b>within the Tanque Verde shallow groundwater area. The provider wells (TW) are adjacent and within a groundwater dependent ecosystem.</b>
5.	Location within a Hydrogeologic Basin, including Depth to Bedrock	The proposed CPA is located in the Tucson Hydrogeologic Basin area. <b>This sub-basin has been identified as being sensitive to groundwater removal.</b> Depth to bedrock in this area is estimated at greater than 1000 feet.

**Pima County's Water Supply Impact Analysis finds that, under existing conditions, the proposed CPA property does have access to renewable and potable water with Tucson Water in this area.** Tucson Water may in the future provide more water that is from a renewable source when infrastructure can boost the Avra Valley groundwater–CAP blend (Clearwater) to the area. For now, groundwater and the Clearwater blend could be provided for the area, Pumping from wells in a shallow groundwater area **and additional demand on these wells may impact this groundwater dependent ecosystem.**

**This amendment site will likely end up increasing water demand.** As such, the applicant will need to provide a Preliminary Integrated Water Management Plan (PIWMP) at the rezoning stage emphasizing on-site low intensity development (LID) and other water conservation methods to reduce overall water use for the site and capture on-site runoff for landscaping use. The applicant is encouraged to review the LEED Certification section for Water Efficiency or begin certification under Pima County's Green Building Program.

Based on this analysis, we recommend **the following as a Rezoning policy** should the Board of Supervisors approve this plan amendment:

- **A letter of intent to serve from a water service provider shall be submitted as part of any subsequent rezoning application. If the letter of intent to serve is from a water service provider that does not have access to a renewable and potable water supply, the applicant will provide documentation as to why a water service provider with access to a renewable and potable water source is not able to provide service.**

#### **Department of Transportation (PCDOT)**

The plan amendment request is for a 53-acre parcel that is part of a larger 122-acre project. The site has approximately 1600 feet of frontage on the north side of Tanque Verde Road between Houghton Road and Tanque Verde Loop Road. Access to the area requesting the plan amendment will be from Tanque Verde Road. Tanque Verde Road is classified as an urban minor arterial and is a scenic major route with a planned right-of-way of 90 feet east of Houghton Road per the Major Streets and Scenic Routes Plan. The existing right-of-way adjacent to the site is 50 feet north of the section line and 25 feet south for a total width of 75 feet, so no right-of-way dedication will be necessary. The existing road is two lanes, paved and county maintained with an ADT of approximately 9,800 vehicles per day. The current capacity of the road is 15,000 vehicles per day so it is under capacity. It is estimated the proposed project will add fewer than 400 vehicles per day to Tanque Verde Road. The existing speed limit is 45 miles per hour and there are no improvements currently planned for this section of Tanque Verde Road.

#### **Regional Wastewater Reclamation Department (RWRD)**

The Planning Section of the Pima County Regional Wastewater Reclamation Department (PCRWRD) has reviewed the above referenced request for a comprehensive plan amendment and offers the following comments for your use:

The Plan Amendment would allow approximately 53 acres to be developed as a 36-lot residential subdivision. The applicant is requesting the Low Intensity Urban (LIU-1.2) designation to support the proposed use, over the current designation of Resource Transition (RT).

The subject property is tributary to the Ina Road Wastewater Reclamation Facility via the North Rillito Interceptor. Capacity for this project is available in the 8-inch sewer G-90-062, downstream from manhole 6328-06 (No. 13-075 Type II).

The PCRWRD has no objection to the proposed comprehensive plan amendment but recommends the following policy be adopted for this area:

**No person shall construe any action by Pima County as a commitment to provide sewer service to any new development within the plan amendment area until Pima County executes an agreement with the owner / developer to that effect. By accepting this plan amendment, the owner / developer acknowledges that adequate treatment and conveyance capacity to accommodate this plan amendment in the downstream public sewerage system may not be available when new development within the plan amendment area is to occur, unless it is provided by the owner / developer and other affected parties.**

**Department of Natural Resources, Parks and Recreation (NRPR)**

NRPR has no objection to the above-referenced comprehensive plan amendment. The Agua Caliente Wash Trail is identified in Pima Regional Trail System Mater Plan and is within the property boundaries.

**Department of Environmental Quality (PDEQ)**

On behalf of Pima County Department of Environmental Quality, the Plan Amendment request has been reviewed for compliance with Pima County Department of Environmental Quality requirements for on-site sewage disposal and air quality.

The department has no objection to the proposed Plan Amendment request provided the properties are served by public or private sewer. On-site wastewater disposal shall not be allowed.

If you wish to discuss the above conditions, please call me at 740-6502.

The Department's Air Quality Control District requires that air quality activity permits be secured by the developer or prime contractor before constructing, operating or engaging in an activity, which may cause or contribute to air pollution.

**Office of Conservation and Sustainability - Cultural Resources and Historic Preservation Division**

I have conducted a cultural resources review of Co7-13-07 Title Security of Arizona TR 2055 – E. Tanque Verde Road Plan Amendment – Desert Willow Ranch. The request is to amend the Comprehensive Plan land use designations from Resource Transition (RT) to Low Intensity Urban (LUIU-1.2) and also amend Conservation Lands System designations in a 53-acre portion of the 122-acre development property. The subject property is north of E. Tanque Verde Road, with the northern property boundaries marked by N. Avenida Del Conejo, to the west, and N. Melpomene Way, to the east. The property is in unincorporated Pima County, in T13S, R15E, Section 36.

I reviewed this development property in January 2013, under Case No. P1212-039, and I attach a copy of that review (January 2, 2013 memo) for reference (This memo is included in the attachments to this report.). A previous survey identified the remains of a historic and modern ranch within the property, the Desert Willow Ranch. The ranch remains were recorded as an archaeological site, but an assessment of historic and archaeological significance resulted in a recommendation that the ranch remains are not significant and the site is not eligible to the National or Arizona Registers of Historic Preservation. As an ineligible site, the Desert Willow Ranch does



not merit State or County cultural resources protections. The proposed Comprehensive Plan Amendment has a low potential to negatively affect significant cultural resources. Therefore, the Pima County Office of Sustainability and Conservation has no objection to this request for Comprehensive Plan Amendment.

### **Office of Sustainability and Conservation – Conservation Science Division**

This approximately 122-acre amendment site lies entirely within the Maeveen Marie Behan Conservation Lands System (CLS) and is designated as Biological Core Management Area and Important Riparian Area. In keeping with the Comprehensive Plan's Regional Environmental Element – Natural Resource (6.B.1.j.), the assessment of this comprehensive plan amendment will consider:

- The site's conservation values and context within an area-wide landscape; and
- The potential biological impact of the proposed amendment including potential adverse effects on the integrity of the CLS.

#### **Site Conservation Values and Landscape Context**

The proposed amendment site, when compared to Sonoran Desert Conservation Plan (SDCP) information, does not lie within Priority Conservation Areas for the Pima pineapple cactus (PPC), western burrowing owl, or needle-spined pineapple cactus. It does, however, lie within the Priority Conservation Area for the cactus ferruginous pygmy-owl. Additionally, in their April 1, 2013 letter to the Federal Emergency Management Agency the U.S. Fish and Wildlife Service documents that the amendment site contributes to a foraging corridor for the federally-endangered lesser long-nosed bat.

The site is adjacent to Pima County Preserve properties affiliated with the Tanque Verde Wash.

Regarding the landscape context, the land uses, residential densities, and resource conditions in the general area of the Tanque Verde and Agua Caliente Washes and their confluence has not significantly changed over the last decade plus. Land use is nearly exclusively residential with an equitable split between densities of 1 residence/acre and 1 residence/3.3 acres. Vegetation along the Tanque Verde and Agua Caliente Wash corridors, as with other major riparian areas throughout the County, shows signs of stress due to drought and fluctuation in depth to groundwater due to pumping. The landscape and its conservation values, including the landscape connectivity afforded through the Tanque Verde and Agua Caliente Washes, are for all practical purposes the same as they were at the time the CLS was first promulgated.

As noted above, the site is within the CLS and is designated as Biological Core and Important Riparian Area. It currently exists in an undeveloped state save for the levee which was built a number of years ago by the Pima County Regional Flood Control District (RFCD). Even considering the presence of the levee, on-site vegetation communities are still intact and contribute to the resource values of the Agua Caliente Wash corridor.

#### **Potential Biological Impact**

Because of the amendment site's location relative to Tanque Verde Wash floodplains (see RFCD comments on this amendment) and riparian communities, its on-site biological resources are valuable in their own right and also contribute to the area's biological diversity and support landscape corridors as recognized by its CLS designations. Off-setting the footprint of development with strategically located permanent natural open space and environmentally-sensitive site layout

are the best tools we have to accommodate development while conserving biological resources. Adherence to the mitigation ratios stated in the Conservation Guidelines per adopted policy is, in this case, the most effective tool to balance the proposed level of development with conservation.

**Conclusion/Recommendations**

- In this particular case, there is nothing about the character of the landscape or site-specific resource values that have significantly changed since the time the CLS was promulgated. Staff, therefore, does not support a modification in the application of Conservation Guidelines. Compliance with the CLS Conservation Guidelines as quantified in policy can be achieved through a combination of on- and/or off-site natural open space set-asides.
- Conservation Subdivision development standards should be used to design the most environmentally-sensitive site layout possible regardless of the amount of CLS natural open space set-aside required should the Board of Supervisors approve this amendment. If the Board requires CLS set-asides in amounts greater than that proposed by the applicant, please note that the 50% conservation set-aside referenced in the Conservation Subdivision requirements is a minimum requirement (see 18.09.100 F.1.a).
- Determination of how conservation set-asides will be protected in perpetuity should not be finalized prior to adequate discussion w/RFCD and other appropriate County entities. These discussions must be concluded prior to approval of any final plat that follows from this plan amendment should it be approved.

**PUBLIC COMMENT**

To date one comment letter has been received. For the 2013 Plan Amendment Program staff did not host public meetings but has encouraged applicants to proactively meet with neighbors.

Respectfully,



Jim Veomett, AICP  
Senior Planner

xc: Property Owner  
Applicant  
File

Co7-13-07

July 2013

## Comprehensive Plan Land Use Intensity Legend

### Existing Plan Designations

#### Resource Transition

##### 'RT' on the Land Use Plan Maps

- a. Purpose: Private land with environmentally sensitive characteristics that include wildlife corridors, natural washes, floodplains, peaks and ridges, buffers to public preserves, and other environmentally sensitive areas. Development of such land shall emphasize design that blends with the natural landscape and supports environmentally sensitive linkages in developing areas.
  
- b. 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 - 0.3 RAC
  
- c. 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:
  - 1) Minimum – none
  - 2) Maximum – 0.3 RAC
  
- d. 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) RH Rural Homestead Zone
  - 2) SR Suburban Ranch Zone
  - 3) MR Major Resort
  
- e. Open Space Standard for MR Major Resort Zone: In Resource Transition a minimum of 30 percent natural open space shall be required within areas rezoned MR Major Resort Zone. Open space for purposes of this requirement shall be natural open space.

**Low Intensity Urban 0.3**

**'LIU-0.3' or 'C-0.3' on the Land Use Plan Maps**

- (a) Minimum - (none)
- (b) Maximum - 0.3 RAC. The maximum gross density may be increased in accordance with the following cluster options:
  - (i) Gross density of 0.7 RAC with 30 percent cluster open space, plus 20 percent natural open space, or
  - (ii) Gross density of 1.2 RAC with 30 percent cluster open space, plus 40 percent natural open space.
- (c) 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:
  - (i) Minimum (none)
  - (ii) Maximum 0.3 RAC.
  - (iii) The maximum gross density may be increased in accordance with the following cluster option:
    - (1) Gross density of 0.7 RAC with 30 percent cluster open space plus 30 percent natural open space.

Within **Low Intensity Urban 0.5 and Low Intensity Urban 0.3**, 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:

- (a) GC Golf Course Zone
- (b) SR Suburban Ranch Zone
- (c) SR-2 Suburban Ranch Estate Zone
- (d) SH Suburban Homestead Zone
- (e) CR-1 Single Residence Zone
- (f) CR-2 Single Residence Zone
- (g) CR-3 Single Residence Zone
- (h) MR Major Resort Zone

**Requested Plan Designation**

**Low Intensity Urban 1.2**

**'LIU-1.2' or 'C-1.2' on the Land Use Plan Maps**

- (a) Minimum - none
- (b) Maximum - 1.2 RAC. The maximum gross density may be increased in accordance with the following cluster options:
  - (i) Gross density of 2.5 RAC with 30 percent cluster open space, plus 15 percent natural open space; or
  - (ii) Gross density of 4.0 RAC with 30 percent cluster open space, plus 30 percent natural open space.
- (c) 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:
  - (i) Minimum – (none)

(ii) **Maximum – 1.2 RAC.** The maximum gross density may be increased in accordance with the following cluster option:

(1) Gross density of 2.0 RAC with 30 percent cluster open space plus 20 percent natural open space.

c. Zoning Districts

1) Within **Low Intensity Urban 3.0 and Low Intensity Urban 1.2**, 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:

- (a) GC Golf Course Zone
- (b) SR Suburban Ranch Zone
- (c) SR-2 Suburban Ranch Estate Zone
- (d) SH Suburban Homestead Zone
- (e) CR-1 Single Residence Zone
- (f) CR-2 Single Residence Zone
- (g) CR-3 Single Residence Zone
- (h) CR-4 Mixed-Dwelling Type Zone
- (i) CR-5 Multiple Residence Zone
- (j) CMH-1 County Manufactured And Mobile Home-1 Zone
- (k) MR Major Resort Zone

Co7-13-07  
July 2013

Pima County Comprehensive Plan  
Environmental Element Regional Plan Policies Excerpt

Policy 6.B.1

1. Conservation Lands System (CLS)

The Environmental Planning Element calls for analysis, policies and strategies to address anticipated effects of implementation of plan elements on natural resources. Policies and strategies under this plan element are designed to have countywide applicability. Conservation actions are to be encouraged, and protection of biological resources is considered an essential component of land-use planning.

The Conservation Lands System (CLS) is designed to protect biodiversity and provide land use guidelines consistent with the conservation goal of the Sonoran Desert Conservation Plan (SDCP). The overarching purpose of the SDCP is to:

Ensure the long-term survival of the full spectrum of plants and animals that are indigenous to Pima County through maintaining or improving the habitat conditions and ecosystem functions necessary for their survival.

b. Important Riparian Areas

- 1) These areas are characterized by hydro-riparian, meso-riparian and xero-riparian biological communities. Hydro-riparian communities generally exist in areas where vegetation is supported by perennial watercourses or springs. Meso-riparian communities generally exist in areas where vegetation is supported by perennial or intermittent watercourses or shallow groundwater. Xero-riparian communities generally exist in areas where vegetation is supported by an ephemeral watercourse.

Important riparian areas are valued for their higher water availability, vegetation density, and biological productivity. In addition to the high inherent biological value of these water-related communities, important riparian areas including their associated upland areas provide a framework for linkages and landscape connections. Important riparian areas are essential elements in the CLS.

- 2) Conservation Guidelines: At least 95 percent of the total acreage of lands within this designation shall be conserved in a natural or undisturbed condition. Every effort should be made to protect, restore and enhance the structure and functions of Important Riparian Areas, including their hydrological, geomorphological and biological functions. Areas within an Important Riparian Area that have been previously degraded or otherwise compromised may be restored and/or enhanced. Such restored and/or enhanced areas may contribute to achieving the 95 percent conservation guideline for Important Riparian Areas.

c. Biological Core Management Areas

- 1) This category identifies lands that fulfill the five tenets used to construct the CLS

Imp

and which provide greater biological diversity than Multiple Use Management Areas. These areas are primarily distinguished from other lands within the CLS by their potential to support high value habitat for five or more priority vulnerable species as identified by the SDCP.

- 2) Conservation Guidelines: At least 80 percent of the total acreage of lands within this designation shall be conserved as undisturbed natural open space. As such, land-use changes will result in 4:1 land conservation (i.e., four acres conserved for every one acre developed) and may occur through a combination of on- and/or off-site conservation inside the Biological Core Management Area or Habitat Protection Priority Areas. For purposes of this policy, Habitat Protection Priority Areas are those areas referenced and mapped as part of the 2004 Conservation Bond Program. The 4:1 mitigation ratio will be calculated according to the extent of impacts to the total surface area of that portion of any parcel designated as Biological Core Management Areas. Development shall be configured in the least sensitive portion(s) of the property. Area(s) of undisturbed natural open space will be configured to include on-site conservation values and preserve the movement of native fauna and pollination of native flora across and through the landscape. Land use and management within these areas shall focus on the preservation, restoration, and enhancement of native biological communities. Land uses appropriate for these areas must retain and improve conditions for on-site conservation values, preserve the movement of native fauna and pollination of native flora across and through the landscape, and preserve landscape integrity. A transfer of development rights may be used in order to secure mitigation lands.



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# MEMORANDUM

Pima County Administration  
Cultural Resources Office & Historic Preservation Office  
201 North Stone Avenue, 6<sup>th</sup> Floor  
Tucson, Arizona 85701-1207

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Phone: (520) 740-6858  
Fax: (520) 243-1610

DATE: June 19, 2013

TO: Jim Veomett, Senior Planner, Development Services

FROM: Loy Neff, Cultural Resources

SUBJECT: Co7-13-07 Title Security of Arizona TR 2055 – E. Tanque Verde Road Plan Amendment  
– Desert Willow Ranch

I have conducted a cultural resources review of Co7-13-07 Title Security of Arizona TR 2055 – E. Tanque Verde Road Plan Amendment – Desert Willow Ranch. The request is to amend the Comprehensive Plan land use designations from Resource Transition (RT) to Low Intensity Urban (LUIU-1.2) and also amend Conservation Lands System designations in a 53-acre portion of the 122-acre development property. The subject property is north of E. Tanque Verde Road, with the northern property boundaries marked by N. Avenida Del Conejo, to the west, and N. Melpomene Way, to the east. The property is in unincorporated Pima County, in T13S, R15E, Section 36.

I reviewed this development property in January 2013, under Case No. P1212-039, and I attach a copy of that review for reference. A previous survey identified the remains of a historic and modern ranch within the property, the Desert Willow Ranch. The ranch remains were recorded as an archaeological site, but an assessment of historic and archaeological significance resulted in a recommendation that the ranch remains are not significant and the site is not eligible to the National or Arizona Registers of Historic Preservation. As an ineligible site, the Desert Willow Ranch does not merit State or County cultural resources protections. The proposed Comprehensive Plan Amendment has a low potential to negatively affect significant cultural resources. Therefore, the Pima County Office of Sustainability and Conservation has no objection to this request for Comprehensive Plan Amendment.





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# Memorandum

## Office of Sustainability & Conservation

### Cultural Resources & Historic Preservation Division

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**DATE:** January 2, 2013

**TO:** Leticia Haros, Development Services

**FROM:** Loy Neff, Cultural Resources

**Subject:** P1212-039 Desert Willow Ranch – north of E Tanque Verde Rd & west of N Melpomene Wy – Parcels 114-57-0580, 114-57-068A, 114-57-069A – Cultural Resources Clearance

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I reviewed the submitted cultural resources survey report, prepared by WestLand Resources, Inc. (Westland) (Cultural Resources Report #2011-29, dated 7/15/2011), and County cultural resources records for P1212-039 Desert Willow Ranch – north of E. Tanque Verde Rd & west of N Melpomene Wy. – Parcels 114-57-0580, 114-57-068A, 114-57-069A, approximately 122 acres total, in T13S, R15E, Section 36. Development is proposed within this property, which is composed of contiguous parcels on the north side of E. Tanque Verde Rd., with portions adjacent to the west side of N. Melpomene Way. The property appears to be undeveloped, except for the partially razed remains of an old dude ranch resort in the southern portion of the property, mostly within parcel #114-57-068A.

The Westland survey resulted in identification of a single historic site within the development property. The site is formed by the remains of the previously mentioned Desert Willow Ranch, recorded as AZ BB:9:428(ASM), a Late Historic period dude ranch resort dating from the 1940s to the near present (perhaps 1970s). Archaeologists evaluated the dude ranch remains as a historic site, per State and County cultural resources requirements, because portions are more than fifty years old. The dude ranch remains include several razed structures and remains of other standing structures within a broad scatter of late historic and recent artifacts, comprised primarily of construction debris, milled lumber fragments, and timber fragments. The Westland archaeologists recorded the ranch remains, mapped the site, and documented the historic materials present. Westland archaeologists also evaluated the site's significance and eligibility for listing on the National and Arizona Registers of Historic Places. Results of the evaluation indicated that much of the site lacks integrity of place (the razed structures) and concluded that the detailed documentation during the survey fully exploited the limited research potential of the site. These two factors led to the recommendation that the site should not be considered eligible for listing on the National and Arizona Registers. I agree with the eligibility recommendation. Pima County Office of Sustainability and Conservation does not consider site AZ BB:9:428(ASM) eligible for listing on the National or Arizona Register. As an ineligible site, the Desert Willow Ranch does not merit State or County cultural resources protections.

Therefore, as far as Pima County is concerned, cultural resources requirements for this project have been met and cultural resources clearance is recommended for this development, with the following stipulations.

1) All work must be within the area as shown on the proposed project map in the submitted development plan, and

2) A caution must be noted concerning human burials. Archaeological clearance recommendations do not exempt the construction and other ground-disturbing activities from compliance with State burial protection laws. 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.



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# MEMORANDUM

Planning & Development  
Regional Flood Control District

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DATE: June 24, 2013

A handwritten signature in black ink, appearing to read "Greg Saxe".

TO: Jim Veomett, DSD  
Senior Planner

FROM: Greg Saxe, M.R.P. Ph.D.  
Environmental Planning Manager

SUBJECT: Co7-13-07 Title Security of AZ TR 2055 – E. Tanque Verde Road -  
Comprehensive Plan Amendment

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The Regional Flood Control District (District) **recommends denial** of this request for the following reasons:

1. The Agua Caliente, a designated Major Watercourse crosses the site. Although the levee built by the County to direct flows toward the Tanque Verde Road Bridge removes portions of the site from the floodplain, most of it remains within floodplain, including portions proposed to be LIU 1.2. Much of the site is also within Pima County Regulated Riparian Habitat (PCRRH) classified as Hydro-mesoriparian or Mesoriparian.
2. The application correctly points out that the Resource Transition (RT) designation may be based upon floodplains and riparian habitat amongst other factors. It then claims that neither of these occur on the proposed LIU-2 south of the levee. The District disagrees. First, this area has not been completely removed from the floodplain by the levee and will not be when the improvements contemplated by the approved CLOMR are in place. Second the current condition of the PCRRH is dependent upon fluctuations in the water table and surface water due to drought as well as pumping. Justifying removal of an area of habitat based on a dropping water table and use of that as justification for greater density and therefore water use is contradictory.

In conclusion, the District **recommends denial** of this request. Should the Board decide to approve it despite this recommendation the following condition is recommended.

- a. All Pima County Regulated Riparian Habitat and floodplains shall remain RT.

Please feel free to contact me with any questions or concerns on these comments.

GS/BZ/sm

cc: File



Engineering • Planning  
Surveying • Urban Design  
Landscape Architecture

July 5, 2013

Mr. Jim Veomett  
Pima County Development Services Department  
Planning Division  
201 N. Stone Ave., 2<sup>nd</sup> Floor  
Tucson, AZ 85701

**Re: Desert Willow Ranch  
2013 Application for Comprehensive Plan Amendment  
Pima County Case No. Co7-13-07**

Dear Jim:

This letter serves as an addendum to the Comprehensive Plan amendment application submittal for Desert Willow Ranch. We wish to modify and clarify our request related specifically to Conservation Lands System designations on the property. As you are aware, the proposed amendment area contains both Important Riparian Areas and Biological Core Management Areas. In our original application, we requested that the map identifying the Important Riparian Areas and Biological Core Management Areas on the 53-acre site be modified to remove these designations. It is now our request to not modify the map; rather, we wish modify the Conservation Guidelines pertaining to Important Riparian Areas and Biological Core Management Areas and create site-specific guidelines for the Desert Willow Ranch property.

We propose the following conservation guidelines for the Desert Willow Ranch project:

- (1) To the maximum extent possible, the IRA lying outside of the proposed 53-acre amendment area, and within the proposed 116-acre Conservation Subdivision area, will be conserved as Conservation Natural Area (CNA). The CNA will be dedicated in fee simple to Pima County via a Conservation Subdivision final plat.
- (2) The areas of IRA disturbance within the proposed 53-acre amendment area will be mitigated via a Regulated Riparian Habitat Conservation Plan that will be prepared in accordance with the Regulated Riparian Habitat Mitigation Standards and Guidelines. This



plan will be prepared in conjunction with the Conservation Subdivision tentative plat. This plan will be similar to the Regulated Riparian Habitat Conservation Plan that was previously reviewed and approved by the Pima County Regional Flood Control District in conjunction with the previously approved Conservation Subdivision tentative plat (P1212-039) for this project when it was designed for 36 lots.

- (3) Approximately 25% of the proposed amendment area will consist of open space, either natural or enhanced with new landscaping. This open space area will be located both on and outside of the residential lots. This area, coupled with the Conservation Natural Area to be designated by the Conservation Subdivision final plat, will result in approximately 60% of the 116-acre Conservation Subdivision being designated as either natural area or open space that is enhanced with new landscaping.

Please refer back to page 4 of our original application narrative for a discussion of the CLS as it specifically related to this property. We believe that the above-listed conservation guidelines, coupled with the information contained in our original application, preserve the integrity of the CLS, and promote development that is consistent with the existing infrastructure service area or land use planning and infrastructure studies that address the logical expansion of infrastructure services.

Please also refer to the attached exhibit.

Should you have any questions regarding the information contained herein, please feel free to contact me.


Sincerely,


THE WLB GROUP, INC.

A handwritten signature in black ink, appearing to read "Robert G. Longaker III".

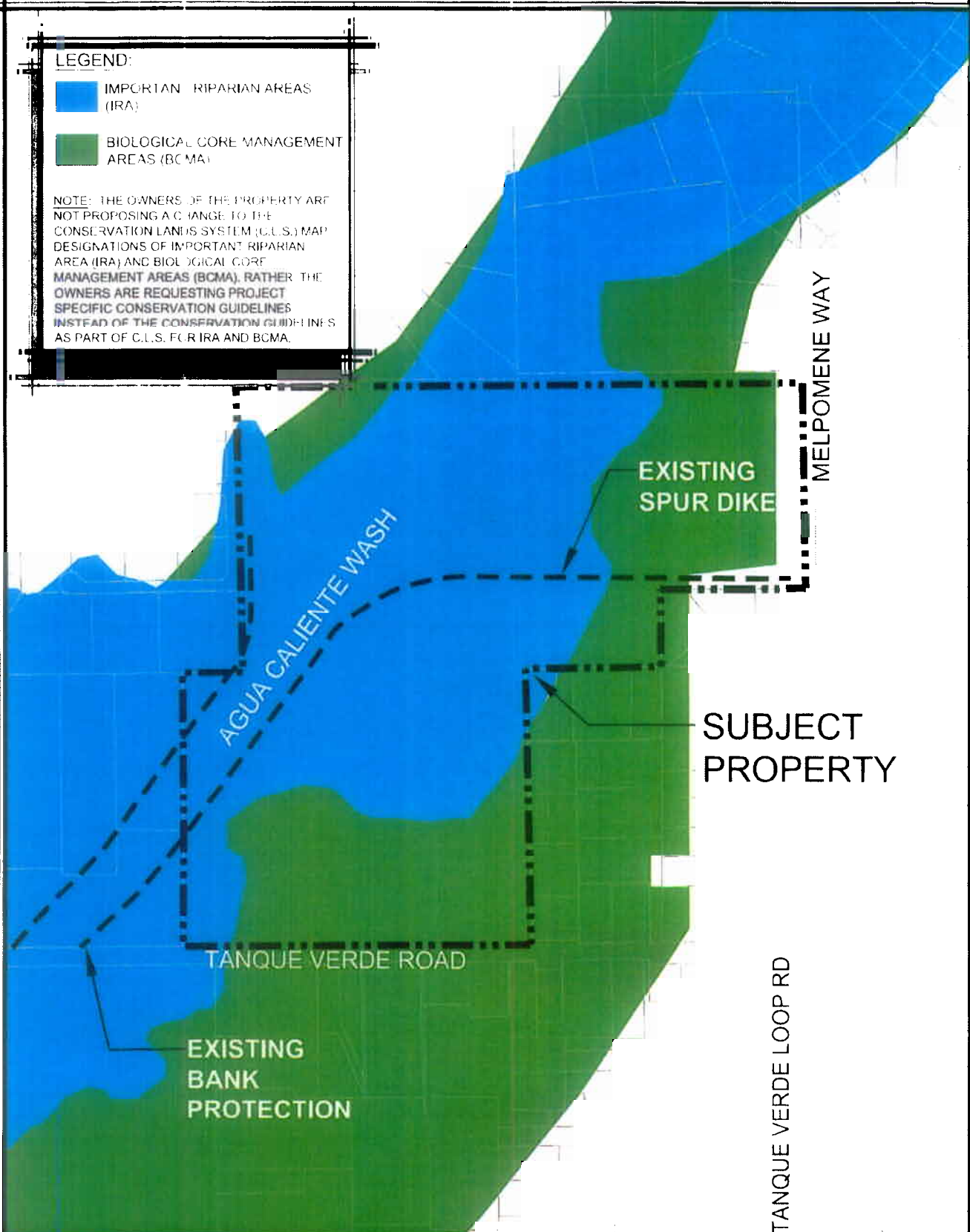
Robert G. Longaker III, PLA  
Senior Project Manager

**LEGEND:**

 IMPORTANT RIPARIAN AREAS (IRA)

 BIOLOGICAL CORE MANAGEMENT AREAS (BCMA)

NOTE: THE OWNERS OF THE PROPERTY ARE NOT PROPOSING A CHANGE TO THE CONSERVATION LANDS SYSTEM (C.L.S.) MAP DESIGNATIONS OF IMPORTANT RIPARIAN AREA (IRA) AND BIOLOGICAL CORE MANAGEMENT AREAS (BCMA). RATHER THE OWNERS ARE REQUESTING PROJECT SPECIFIC CONSERVATION GUIDELINES INSTEAD OF THE CONSERVATION GUIDELINES AS PART OF C.L.S. FOR IRA AND BCMA.



# Desert Willow Ranch Pima County, Arizona Narrative and Application for Comprehensive Plan Amendment

April 26, 2013

**Prepared For**

Desert Willow Partners LLC  
6111 East Grant Road  
Tucson, AZ 85712

**Prepared By**

The WLB Group, Inc.  
4444 East Broadway  
Tucson, Arizona 85711  
Contact: Rob Longaker  
520.881.7480  
[rlongaker@wlbgroup.com](mailto:rlongaker@wlbgroup.com)

WLB No. 104016-B-005

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### Exhibits

Exhibit A:	Location Map
Exhibit B:	Existing Land Uses
Exhibit C:	Existing Comprehensive Plan Land Use Designations
Exhibit D:	Proposed Comprehensive Plan Land Use Designations
Exhibit E:	Existing Conservation Lands System Designations
Exhibit F:	Proposed Conservation Lands System Designations
Exhibit G:	Special Features

### Appendices

Appendix A:	Authorization Letter
Appendix B:	Ownership Verification (APIQ)
Appendix C:	Correspondence from FEMA on CLOMR
Appendix D:	2013 Comprehensive Plan Amendment Application Fee Calculation





**PIMA COUNTY COMPREHENSIVE PLAN**  
**2013 PLAN AMENDMENT PROGRAM**  
**Application Process Requirements**

PIMA COUNTY COMPREHENSIVE PLAN  
 2013 PLAN AMENDMENT PROGRAM  
 Application Form

**SECTION I. OWNER/APPLICANT INFORMATION**

PROPERTY OWNER(S): Title Security Agency of AZ TR 2055 Attn: Desert Willow Partners LLC

DAYTIME PHONE: (520) 298-3311 FAX: \_\_\_\_\_

ADDRESS: 6111 E. Grant Road, Tucson, AZ 85712

EMAIL: \_\_\_\_\_

APPLICANT (if other than owner): The WLB Group / Rob Longaker

DAYTIME PHONE: (520) 881-7480 FAX: (520) 881-7492

ADDRESS: 4444 East Broadway, Tucson, AZ 85711

E-MAIL: rlongaker@wlbgroup.com

**SECTION II. AMENDMENT REQUEST INFORMATION**

TAX CODE NO(S): 114-57-068A, 069A and 058

TOTAL ACRES: Project consists of ~122 acres but the amendment area consists of ~53 acres.

GENERAL PROPERTY LOCATION: Near the NE corner of Houghton Road and Tanque Verde Road.

COMPREHENSIVE PLAN SUBREGION(S): Catalina Foothills

ZONING BASEMAP(S): \_\_\_\_\_

BOARD OF SUPERVISORS DISTRICT: 4 (Ray Carroll)

CURRENT/CONDITIONAL ZONING: SR

EXISTING LAND USE: Vacant land

CURRENT PLAN DESIGNATION(S) AND ACREAGE(S): RT (112 acres), and LIU-0.3 (10 acres)

REQUESTED PLAN DESIGNATION(S) AND ACREAGE(S): RT (59 acres), LIU-1.2 (53 acres) and LIU-0.3 (10 acres)

SPECIAL AREA OR REZONING POLICIES BY POLICY #, WHICH CURRENTLY APPLY TO THE PROPERTY:

N/A

SPECIAL AREA OR REZONING POLICIES PROPOSED AS PART OF THE AMENDMENT REQUEST:

None

**SECTION III. SURROUNDING PROPERTIES INFORMATION**

CURRENT PLANNED LAND USE DESIGNATIONS OF SURROUNDING PROPERTIES (within 500 feet):

NORTH: LIU-1.2 & RT SOUTH: RT & NAC  
EAST: RT & LIU-0.5 WEST: RT & LIU-1.2

EXISTING USES OF SURROUNDING PROPERTIES (within 500 feet):

NORTH: Residential SOUTH: Residential  
EAST: Residential WEST: Residential

EXISTING AND CONDITIONAL ZONING OF SURROUNDING PROPERTIES (within 500 feet):

NORTH: CR-1 and SR SOUTH: CR-1 & SR  
EAST: CR-1 WEST: SR & CR-1

**SECTION IV. REASONS FOR PROPOSED AMENDMENT**

Please refer to Section I(F) of the Application Process Requirements document. Explain why you think one or more of the reasons described in Section I(F) support your Plan Amendment request. Attach additional page(s), if necessary.

Please refer to Section C of the attached narrative.

## SECTION V. BIOLOGICAL RESOURCES & COMPATIBILITY WITH THE MAEVEEN MARIE BEHAN (MMB) CONSERVATION LANDS SYSTEM

### A. Landscape Resources

1. Identify whether the proposed project site occurs wholly or partially within any Maeveen Marie Behan Conservation Lands System Category including Important Riparian Areas and Special Species Management Areas.

*Response: Approximately 73 acres of the site are designated as Important Riparian Areas and approximately 43 acres are designated as Biological Core Management Areas. None of the site is designated as Special Species Management Area.*

2. Identify whether the proposed project occurs in the vicinity of any of the six general areas identified as Critical Landscape Linkages. (Critical Landscape Linkages are not viewable on MapGuide. General locations of these 6 general areas can be found on the attached hardcopy of the Maeveen Marie Behan Conservation Lands System Map; a map and textual descriptions of Critical Landscape Connections can be found at <http://www.pimaxpress.com/Planning> under the Long Range Planning - Comprehensive Planning menu.)

*Response: The amendment area is not within the vicinity of any of the Critical Landscape Connections.*

3. If the property is a Habitat Protection or Community Open Space priority acquisition property, as displayed on SDCP MapGuide, identify which designation applies to the site and comment on the status of communications, if any, between the owner and Pima County regarding the County's potential acquisition of the property.

*Response: Neither the Habitat Protection Priority Property nor the Community Open Space designation applies to the amendment area.*

### B. Species Specific Resources – Federally Listed Threatened/Endangered Species and Pima County SDCP Species

1. Cactus Ferruginous Pygmy-Owl:
  - a. Does the proposed amendment site occur within Survey Zone 1 or a Priority Conservation Area for the cactus ferruginous pygmy-owl? If so, please specify which designation applies to the site.

*Response: The amendment area does not lie within Survey Zone 1 for the pygmy-owl. It lies within a Priority 1 Priority Conservation Area.*

- b. Does the Arizona Game and Fish Department's Heritage Data Management System document a known location(s) of the cactus

ferruginous pygmy-owl within a three-mile radius of the proposed amendment site? (<http://www.azgfd.gov/hgis>)

*Response: The AZG&F Heritage Data Management System does not document a pygmy-owl within a 3-mile radius of the amendment area.*

- c. Has the proposed amendment site been surveyed for the pygmy-owl? If yes, provide the date(s) when surveys were done and a summary of the results.

*Response: The property has not been surveyed for the pygmy-owl.*

## 2. Pima Pineapple Cactus:

- a. Does the proposed amendment site occur within the Priority Conservation Area for the Pima pineapple cactus? This information is viewable on the SDCP MapGuide.

*Response: The amendment area does not occur in the Priority Conservation Area for the Pima pineapple cactus.*

- b. Does the Arizona Game and Fish Department's Heritage Data Management System document a known location(s) of Pima pineapple cactus within a three-mile radius of the proposed amendment site?

*Response: The AZG&F Heritage Data Management System does not document the Pima pineapple cactus within three miles of the amendment area.*

- c. Have Pima pineapple cactus been found on the proposed amendment site?

*Response: The Pima pineapple cactus is not known to be located within the proposed amendment area.*

- d. Has the proposed project amendment site been surveyed for Pima pineapple cactus? If yes, provide the date(s) when surveys were done and a summary of the results.

*Response: The proposed amendment area has not been surveyed for Pima pineapple cactus.*

## 3. Needle-spined Pineapple Cactus:

- a. Does the proposed amendment site occur within the Priority Conservation Area for the Needle-spined pineapple cactus? This information is viewable on the SDCP MapGuide.

*Response: The amendment area does not occur in the Priority Conservation Area for the Needle-spined pineapple cactus.*

- b. Does the Arizona Game and Fish Department's Heritage Data Management System document a known location(s) of Needle-spined pineapple cactus within a three-mile radius of the proposed amendment site?

*Response: The AZG&F Heritage Data Management System does not document the Needle-spined pineapple cactus within three miles of the amendment area.*

- c. Have Needle-spined pineapple cactus been found on the proposed amendment site?

*Response: The Needle-spined pineapple cactus is not known to be located within the proposed amendment area.*

- d. Has the proposed project amendment site been surveyed for Needle-spined pineapple cactus? If yes, provide the date(s) when surveys were done and a summary of the results.

*Response: The proposed amendment area has not been surveyed for Needle-spined pineapple cactus.*

#### 4. Western Burrowing Owl:

- a. Does the proposed amendment site occur within a Priority Conservation Area for the Western burrowing owl? This information is viewable on SDCP MapGuide.

*Response: The proposed amendment area lies within the Priority Conservation Area for the Western burrowing owl and is listed as a "medium" potential for occurring on the site.*

- b. Does the Arizona Game and Fish Department's Heritage Data Management System document a known location or locations of the Western burrowing owl within a three-mile radius of the proposed amendment site?

*Response: The AZG&F Heritage Data Management System does not list a known location of the Western burrowing owl within a three-mile radius of the proposed amendment area.*

- c. Have Western burrowing owls been found on the proposed amendment site?

*Response: The Western burrowing owl is not known to be located within the proposed amendment area.*

- d. Has the proposed amendment site been surveyed or investigated for the presence of Western burrowing owls? If yes, provide the date(s) when surveys or investigations were done and a summary of the results.

*Response: The proposed amendment area has not been surveyed for Western burrowing owl.*

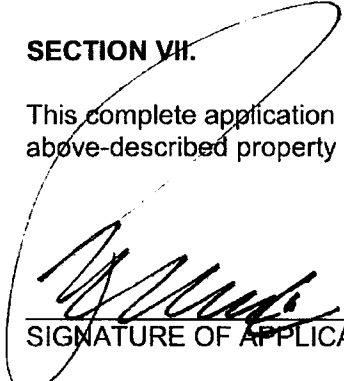
## SECTION VI. SUBMITTALS

### THE FOLLOWING ITEMS MUST BE INCLUDED IN THE APPLICATION:

- Site map – refer to Section I(E) of this application form for requirements.
- Ownership verification:
  - Assessor's map and property inquiry (APIQ) printout.
  - Original letter(s) of authorization (if applicant is not the property owner).
  - If a trust, original signature of trust officer and list of beneficiaries (if applicable).
  - If a corporation, original signature with person's title and the list of corporate officers (if applicable).
- PDF files of application materials, if applicable.
- Additional materials, if any.
- Processing Fee (See attached *Comprehensive Plan Amendment Fee Schedule Summary*).

## SECTION VII.

This complete 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.



\_\_\_\_\_  
SIGNATURE OF APPLICANT

4.26.2013  
DATE

Rob Longaker  
NAME OF APPLICANT - PRINTED

**A. Project Summary**

The Desert Willow Ranch project consists of a total of approximately 122 acres and is proposed as a residential community. This application for an amendment is being submitted to request an amendment to the land use designations and Conservation Lands System (CLS) designations in the Comprehensive Plan only on a portion of the site, not the site in its entirety. There is an approximately 53-acre portion of the site that is located adjacent to Tanque Verde Road that is suitable for higher densities of residential development than is currently permitted. This application identifies the reasons that this portion of the property can support an increased density of development, while retaining the overall low density residential character of the area, and also retaining the integrity of the CLS.

**B. Property Data**

*Location:* The site lies north of Tanque Verde Road, between Houghton Road and Tanque Verde Loop Road.

*Legal Description:* It is located within Section 36, Township 13 South, Range 15 East.

*Area of Property:* Approximately 122.5 acres (the area subject to this proposed Comprehensive Plan amendment consists of approximately 53 acres).

*Assessor Parcel Numbers:* 114-57-068A, 069A and 058.

*Existing Land Uses:* The property is vacant.

*Existing Zoning:* The property is currently zoned under the Pima County Zoning Code as Suburban Ranch Zone (SR).

*Existing Pima County Comprehensive Plan Designations:*

- Resource Transition (RT) on approximately 112 acres.
- Low Intensity Urban 0.3 (LIU-0.3) on approximately 10 acres.

*Requested Pima County Comprehensive Plan Designations:*

- Resource Transition (RT) on approximately 59 acres.
- Low Intensity Urban 1.2 (LIU-1.2) on approximately 53 acres.
- Low Intensity Urban 0.3 (LIU-0.3) on approximately 10 acres.

*Existing Conservation Lands System (CLS) Designations*

- Important Riparian Areas on approximately 73 acres.
- Biological Core Management Areas on approximately 43 acres.

*Requested Conservation Lands System (CLS) Designations:*

- Important Riparian Areas on approximately 40 acres.
- Biological Core Management Areas on approximately 31 acres.

*Pre-Application Meeting:* The applicant attended a pre-application meeting with staff (Dave Peterson and Jim Veomett) on April 18, 2013.

*Conservation Subdivision Plat*

A tentative plat (P1212-039) utilizing the Conservation Subdivision option for this project was approved on March 7, 2013, by the Subdivision and Development Review Committee. This plat contained 36 lots measuring a minimum of one-acre. This plat conserved 50% of the site. The future development of this site is anticipated to be under the Conservation Subdivision option.

**C. Rationale for Amending the Comprehensive Plan**

In accordance with Section 18.89.040 of the Pima County Code of Ordinances and with the Pima County Comprehensive Plan 2013 Plan Amendment Program, the following reasons are offered to justify this requested Comprehensive Plan amendment:

1. **Surface Hydrology:** Amendments to the floodplain mapping by FEMA have resulted in this 53-acre area of the site being completely removed from the FEMA regulated 100-year floodplain. These amendments are as follows:
  - A Physical Map Revision (PMR) was processed by Pima County Regional Flood Control District with FEMA and approved on September 28, 2012. This map revision revised FIRM Panel 04019C1720-M and removed portions of the property located south and south east of the existing bank protection and spur dike along the Agua Caliente Wash from the 100-year FEMA floodplain. This map revision allowed for a portion of the 53-acre area subject to this proposed Comprehensive Plan amendment to be removed from the 100-year floodplain.
  - A CLOMR (Case Number 13-09-0672R) has been processed by the property owner in conjunction with Pima County Regional Flood Control District and approval has been received by FEMA, removing the balance of the 53-acre property from the FEMA floodplain.



Due to the above-described FEMA floodplain amendments, this 53-acre property is no longer located within a 100-year floodplain and is capable of being developed with additional residential housing units.

2. **Land Use Compatibility:** This property lies within an area that has generally been developed with low density residential uses. The development strategy for this property is to retain a low density residential character consistent with the surrounding area. The project will continue to utilize the Conservation Subdivision option as a means of clustering development and preserving half of the site as open space. The requested Comprehensive Plan land use designation of LIU 1.2 is consistent with other land use designations in the area. Also, it is anticipated that a zone change request from SR to CR-1 would follow the Comprehensive Plan amendment. The property to the immediate east of this site is zoned CR-1, as is the property to the immediate northwest. There is also existing CR-1 zoning to the south of the site. As such, a future request for CR-1 zoning on this property is compatible with adjacent existing zoning.

There are also approximately 72 acres of Neighborhood Activity Center (NAC) designated at the intersection of Tanque Verde Road and Tanque Verde Loop Road. Per the Comprehensive Plan, the NAC designation is intended "To designate low intensity mixed-use areas designed to provide neighborhood convenience goods and services within or near suburban residential neighborhoods for day-to-day living needs." This NAC established the foundation for higher intensity uses in the area and sets the stage for additional housing units in this area.

3. **Utility Infrastructure:** There is existing available utility infrastructure to serve the property. The following providers will serve the site:

*Water:* Tucson Water. There are 6" water lines located in Tanque Verde Road, Avenida del Conejo and Melpomene Way. These lines are capable of providing water to the site.

*Wastewater:* Pima County Regional Wastewater Reclamation Department. This project will connect to the public sewer system. Plans are being prepared to connect to a public sewer that is located in the right-of-way for King Street. Easements from private property owners are also being secured to make this sewer connection.

*Electric:* Tucson Electric Power Company.

4. **Transportation:** Primary access to this site will be via Tanque Verde Road, a two-lane paved road. According to traffic count data from the Pima Association of Governments, in 2011 there were 9,000 two-way weekday traffic counts on Tanque Verde Road. This volume of traffic can be accommodated by Tanque Verde Road in its present condition and the additional trips that would be generated by the project will not diminish the level of service of Tanque Verde Road. Furthermore, Tanque Verde Road conveniently connects with the roadway network that is part of Pima County and the City of Tucson,

thereby providing a network of roads that connects future residents of the property with off-site destinations.

- 5. Resource Transition:** Per the Regional Plan Policies (June 2012) of the Comprehensive Plan, “the Resource Transition (RT) designation is intended for private land with environmentally sensitive characteristics that include wildlife corridors, natural washes, floodplains, peaks and ridges, buffers to public preserves and other environmentally sensitive areas.” The 53-acre area subject to this proposed amendment is currently designated as Resource Transition; however, this 53-acre area does not contain any of the environmentally sensitive characteristics that are listed above. It seems apparent that the RT designation was placed on this property due to its former location within the 100-year floodplain limits of the Agua Caliente Wash. As previously mentioned, this area is no longer located within the floodplain. As such, the RT designation is not appropriate for the proposed amendment area.

Also, Section 1.A.c.3 of the Regional Plan Policies (June 2012) states the following:

*“Where a Resource Conservation [or Resource Transition per Regional Plan Policy 1(A)(4)(d)] map boundary is based upon approved floodplain limits, amendment to such boundary which redefines the mapped floodplain may be requested following a FEMA Letter of Map Revision application or other detailed hydrologic study accepted by the County, and shall be processed as a Minor Revision to the Comprehensive Plan with public hearing.”*

This statement applies directly to this property and to this requested amendment. Since the property subject to this amendment was likely designated as RT due to its location within the floodplain, and due to the fact that this property is no longer within the floodplain, we believe it justified to remove the RT designation from the portion of the property that is no longer located within a FEMA floodplain.

**6. Conservation Lands System (CLS):**

The 53-acre area subject to this proposed amendment is designated under CLS as Important Riparian Areas and Biological Core Management Areas. According to the Regional Plan Policies, requests for Comprehensive Plan amendments that seek to increase the intensity of allowable land uses within the CLS may be approved provided there is adequate demonstration that intensifying the land use designation will:

- Preserve the integrity of the CLS; and
- Promote development that is consistent with the existing infrastructure service area or land use planning and infrastructure studies that address the logical expansion of infrastructure services.

As a matter of background information, portions of this property have been significantly altered by previous development, including multiple home sites and drainage improvements constructed by Pima County along the Agua Caliente Wash for construction of the Tanque Verde Road bridge over the Agua Caliente Wash. These drainage improvements include an earthen berm to route overbank flows of the Agua Caliente wash back into the Agua Caliente Wash channel prior to flowing under the Tanque Verde Road bridge.

#### *Important Riparian Areas*

These activities on the site have diminished the value of the riparian habitat. The bank protection and earthen berm decrease the amount of water reaching the land that is the subject of this proposed amendment. Also, riparian habitat on the site has been adversely affected by regional declines in groundwater. Groundwater withdrawal rates increased in 1988 at the onset of several large capacity wells operated by Tucson Water. In addition to the large public water system wells, the area surrounding the property contains numerous unregulated wells that assist in the further decline of the groundwater level. The lowering of the groundwater means that this area is less viable as an Important Riparian Area.

WestLand Resources conducted a habitat assessment of the regulated riparian habitat for this site. This report was used during the preparation of a Riparian Conservation Plan for the property that was approved by Pima County. This report finds that the IRA designation is not based on underlying habitat value. As a result of this, the mitigation standards required for this property are less than those standards prescribed within Pima County's *Regulated Riparian Habitat Mitigation Standards and Implementation Guidelines*.

#### *Biological Core Management Areas*

The property subject to this proposed amendment is also designated as Biological Core Management Areas. It is our request to reduce the amount of Biological Core Management Areas on the site; however, due to the low density nature of the proposed project, and due to the proposed continued use of the Conservation Subdivision ordinance (where 50% of the site is conserved as open space), this site will be capable of maintaining the biological diversity of the area.

#### *Integrity of the CLS*

This requested plan amendment seeks to increase the intensity of allowable residential uses but still preserves the integrity of the Conservation Lands System by conserving more than half of the site as natural undisturbed open space. The portion of land proposed to remain designated as Important Riparian Area will allow native plants to remain undisturbed and wildlife to traverse the site. In addition, existing infrastructure is located directly adjacent to the project site. As defined in the Project Inventory and

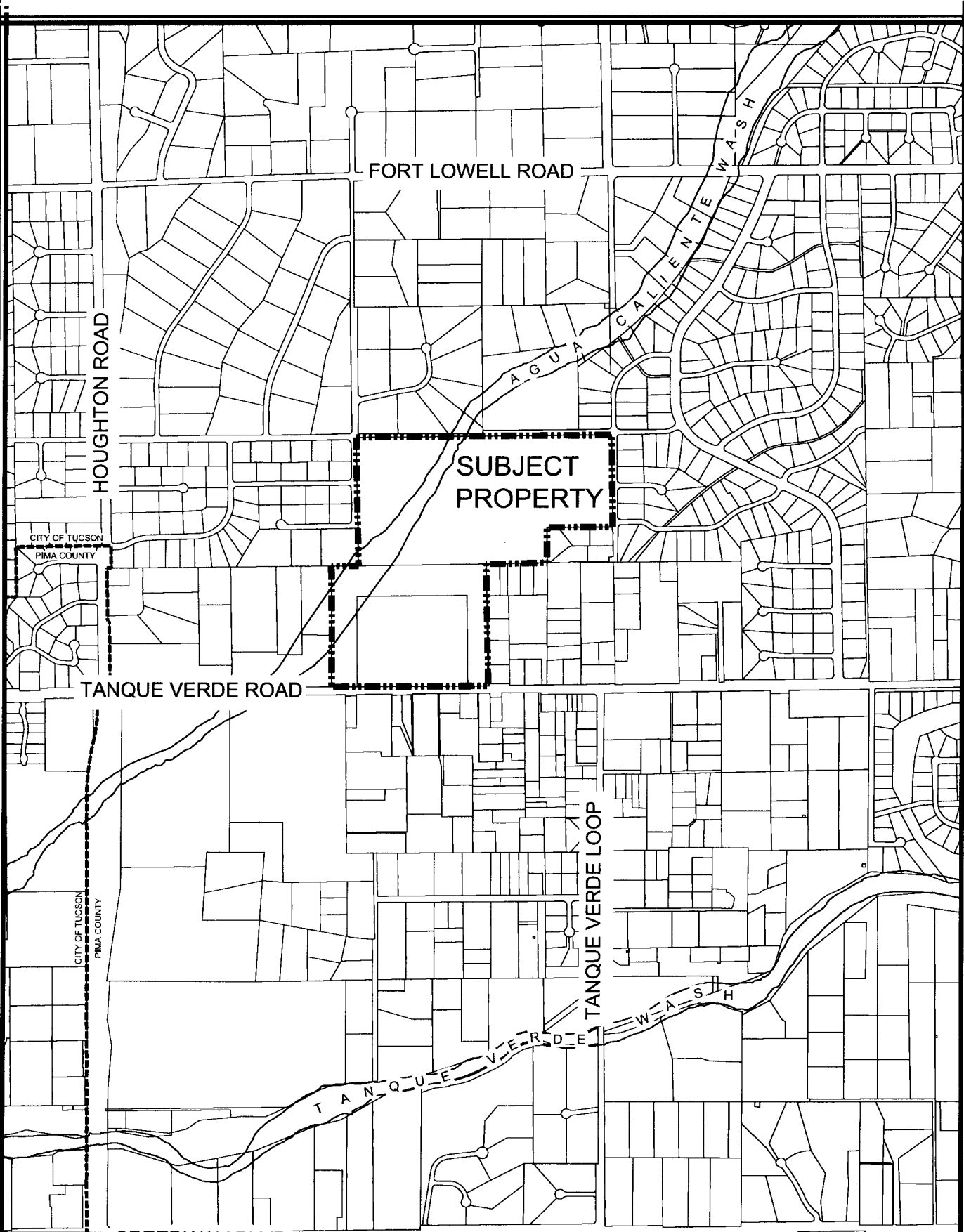
Analysis section of the Conservation Lands System Regional Plan Policy Environmental Element, this property conserves undisturbed land outside of the site by locating new development near existing infrastructure.

It is our contention that this property can be developed with additional lots, and still maintain the integrity of CLS.

**D. *Special Area Plan Policies***

According to the Pima County Comprehensive Plan Update, Rezoning and Special Area Plan Policies (as amended June 2012) there are no Special Area Plan Policies that apply to this property.

## EXHIBITS



**SUBJECT  
PROPERTY**

FORT LOWELL ROAD

HOUGHTON ROAD

TANQUE VERDE ROAD

TANQUE VERDE LOOP

WASH

AGUA CALIENTE

WASH

TANQUE VERDE

WASH

CITY OF TUCSON  
PIMA COUNTY

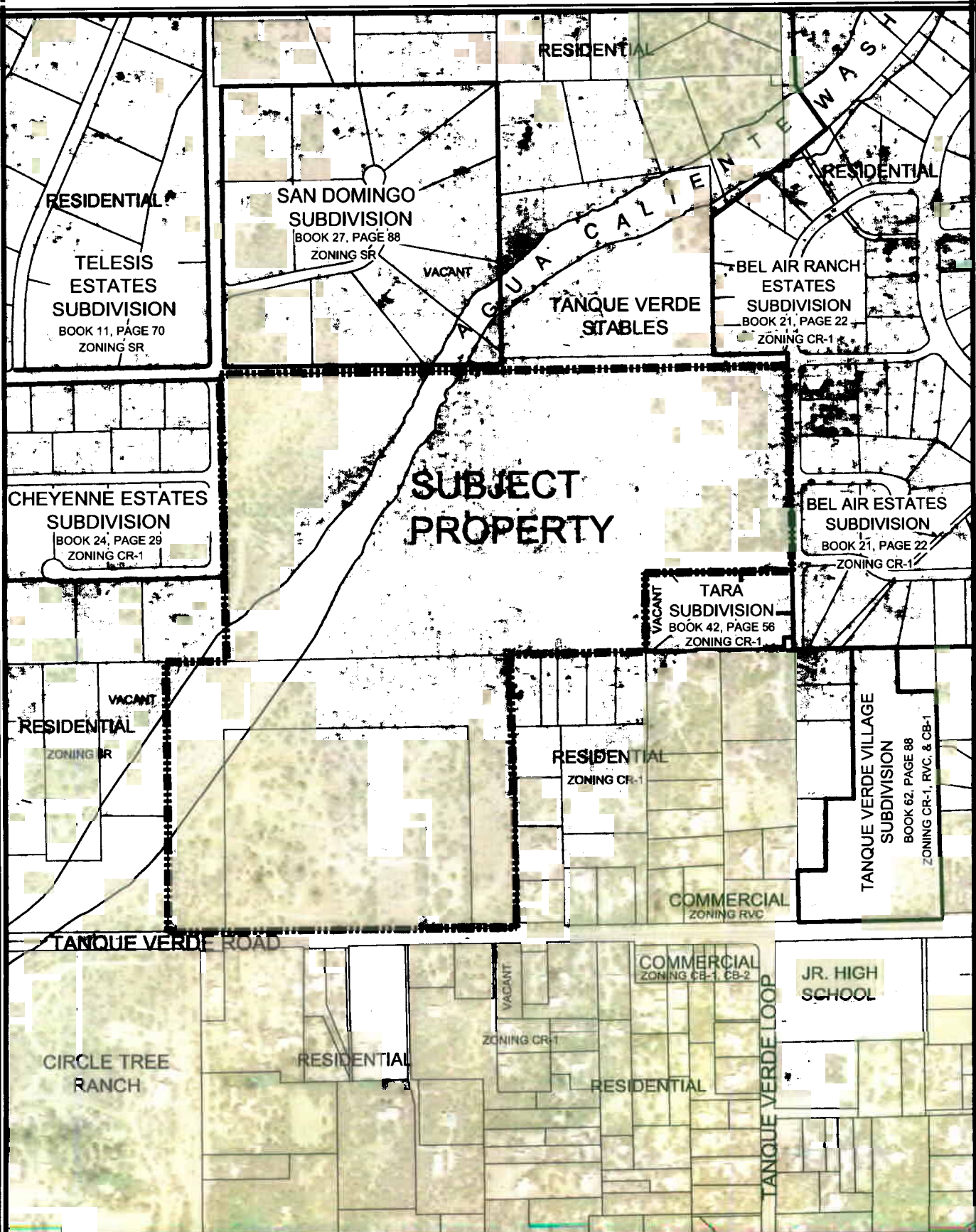
CITY OF TUCSON  
PIMA COUNTY

**WLB**

**DESERT WILLOW RANCH  
EXHIBIT A - SITE LOCATION MAP**



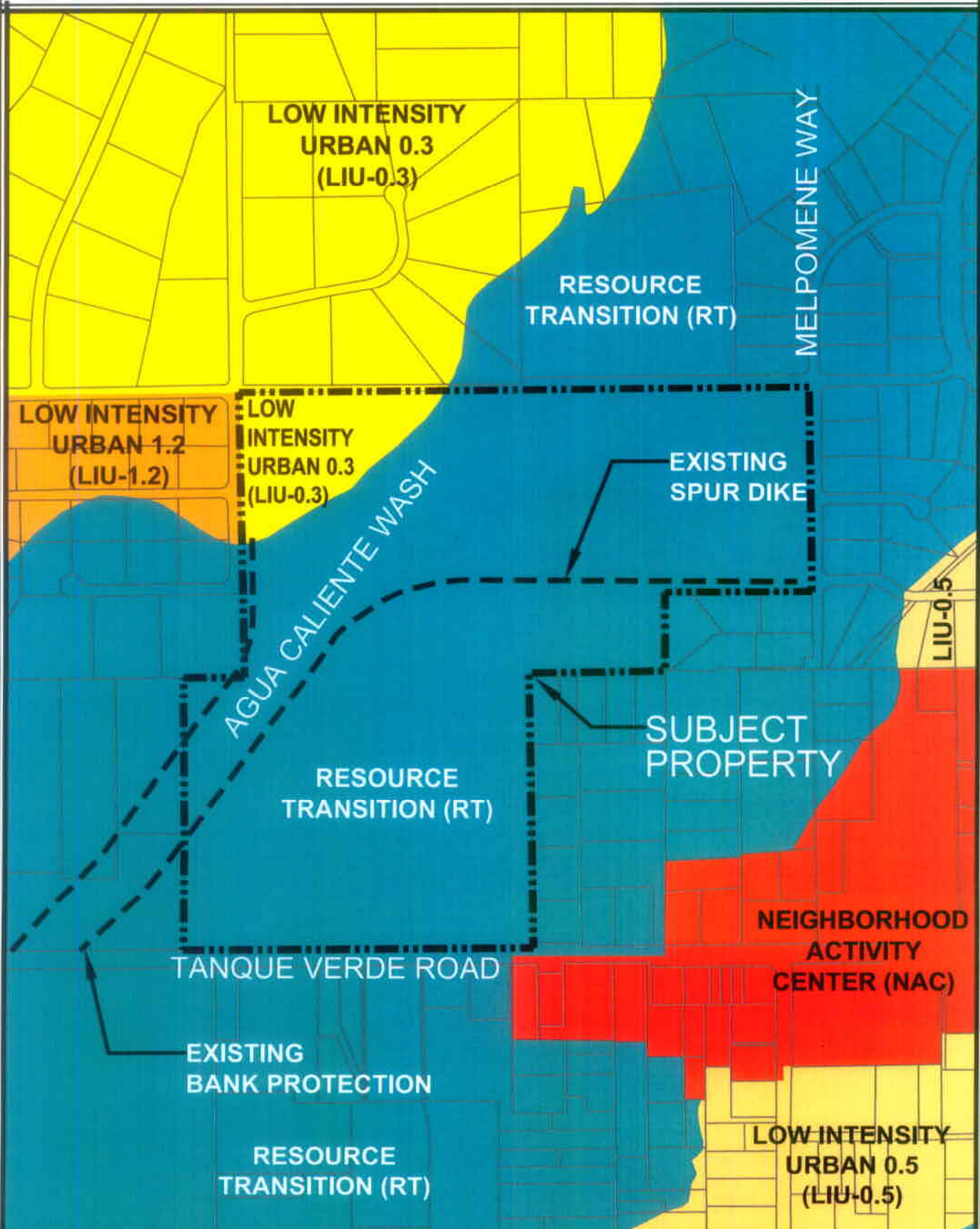
1.4 Miles



**WLB**

**DESERT WILLOW RANCH  
EXHIBIT B - EXISTING LAND USES**







RESOURCE  
TRANSITION (RT)

LOW INTENSITY  
URBAN 0.3  
(LIU-0.3)

MELPOMENE WAY

LOW INTENSITY  
URBAN 1.2  
(LIU-1.2)

LOW  
INTENSITY  
URBAN 0.3  
(LIU-0.3)

RESOURCE  
TRANSITION (RT)

EXISTING  
SPUR DIKE

AGUA CALIENTE WASH

LIU-0.5

SUBJECT  
PROPERTY

LOW INTENSITY  
URBAN 1.2  
(LIU-1.2)

NEIGHBORHOOD  
ACTIVITY  
CENTER (NAC)

TANQUE VERDE ROAD

EXISTING  
BANK PROTECTION

RESOURCE  
TRANSITION (RT)

LOW INTENSITY  
URBAN 0.5  
(LIU-0.5)

The  
WLB  
Group





DESERT WILLOW RANCH  
EXHIBIT D - PROPOSED COMPREHENSIVE PLAN  
LAND USE DESIGNATIONS

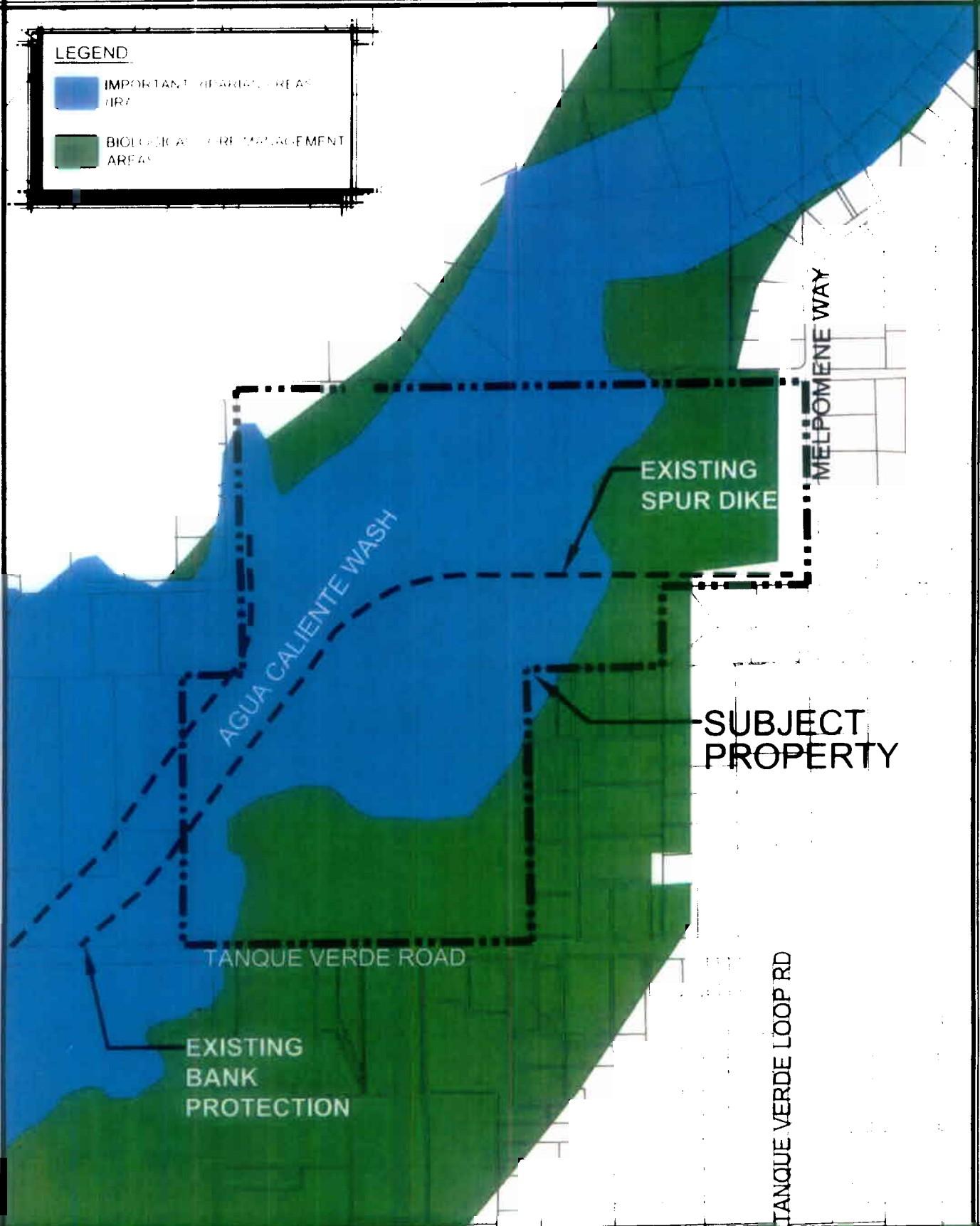
2013.04.23  
WLB No. 104010-B-005



**LEGEND**

 IMPORTANT REPAIRS AREAS (IRA)

 BIOLOGICAL REPAIR/REPLACEMENT AREAS



EXISTING SPUR DIKE

SUBJECT PROPERTY


EXISTING BANK PROTECTION


**WLB**

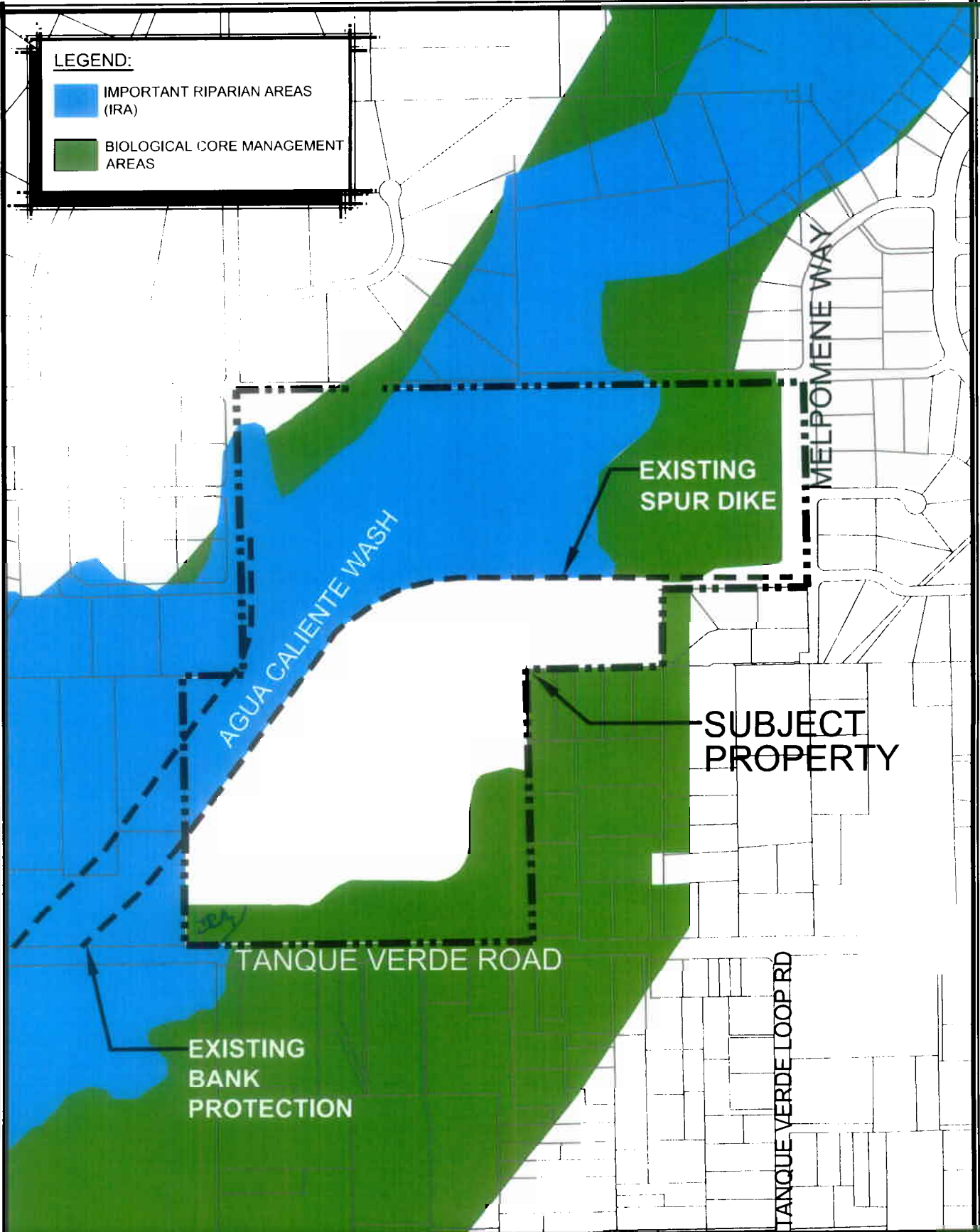
DESERT WILLOW RANCH  
EXHIBIT 1 - EXISTING CLS DESIGNATIONS



**LEGEND:**

 IMPORTANT RIPARIAN AREAS (IRA)

 BIOLOGICAL CORE MANAGEMENT AREAS








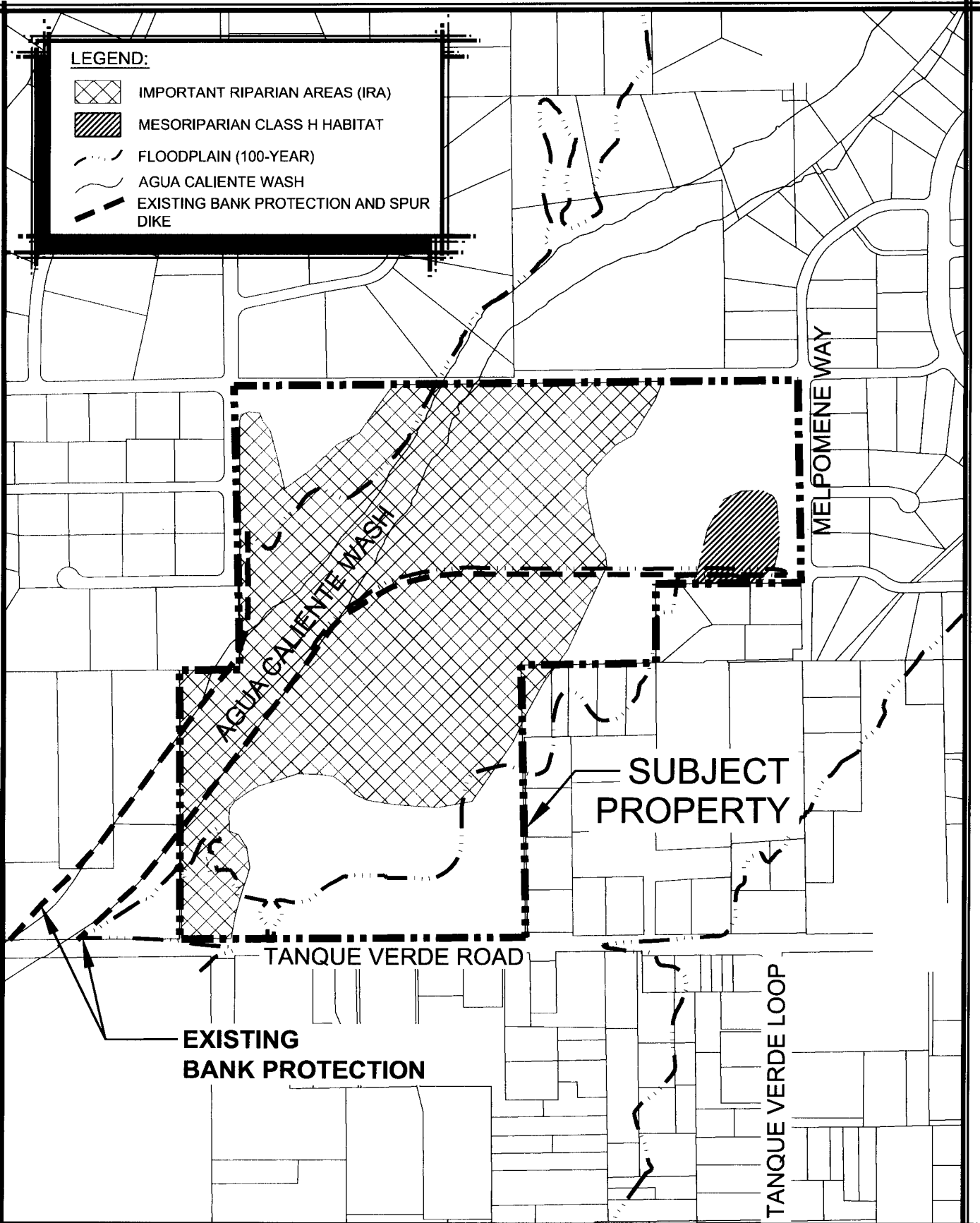
**DESERT WILLOW RANCH  
EXHIBIT F - PROPOSED CLS DESIGNATIONS**



*(See attached application)*

**LEGEND:**

-  IMPORTANT RIPARIAN AREAS (IRA)
-  MESORIPARIAN CLASS H HABITAT
-  FLOODPLAIN (100-YEAR)
-  AGUA CALIENTE WASH
-  EXISTING BANK PROTECTION AND SPUR DIKE



**EXISTING  
BANK PROTECTION**

**SUBJECT  
PROPERTY**

**TANQUE VERDE ROAD**

**MELPOMENE WAY**

**TANQUE VERDE LOOP**



Appendix A  
Authorization Letter

April 19, 2013

Pima County Development Services  
201 N. Stone Avenue, 2nd Floor  
Tucson, Arizona 85701

**Subject: Desert Willow Ranch**

To Whom It May Concern:

I hereby authorize The WLB Group, Inc. to represent Title Security Agency of AZ TR 2055 (Desert Willow Partners LLC) in requests related to the entitlement and development of the proposed approximate 122-acre development located near the intersection of Tanque Verde Road and Houghton Road. The parcels represented are 114-57-058, 068A and 069A.

Sincerely,

  
\_\_\_\_\_  
Owners Signature

Printed Name: Rick Price

04/26/2013

Arizona Corporation Commission  
 State of Arizona Public Access System

3:32 PM

**Jump To...**

Scanned Documents

<b>Corporate Inquiry</b>	
<b>File Number: L-1698654-9</b>	<b>Check Corporate Status</b>
<b>Corp. Name: DESERT WILLOW PARTNERS, LLC</b>	

**Domestic Address**

6111 E. GRANT RD.
TUCSON, AZ 85712

**Statutory Agent Information**

<b>Agent Name: DORRIS &amp; GIORDANO PLC</b>
<b>Agent Mailing/Physical Address:</b>
2 E. CONGRESS ST. #1000
TUCSON, AZ 85701
<b>Agent Status: APPOINTED 08/08/2011</b>
<b>Agent Last Updated: 09/27/2011</b>

**Additional Corporate Information**

<b>Corporation Type: DOMESTIC L.L.C.</b>	<b>Business Type:</b>
<b>Incorporation Date: 08/08/2011</b>	<b>Corporate Life Period: PERPETUAL</b>
<b>Domicile: ARIZONA</b>	<b>County: PIMA</b>
<b>Approval Date: 08/09/2011</b>	<b>Original Publish Date: 08/29/2011</b>

**Manager/Member Information**

RICHARD B PRICE MANAGER 6111 E. GRANT RD. TUCSON, AZ 85712 Date of Taking Office: 08/08/2011 Last Updated: 08/09/2011	RICHARD B PRICE MEMBER 6111 E. GRANT RD. TUCSON, AZ 85712 Date of Taking Office: 08/08/2011 Last Updated: 08/09/2011
--	---

### Scanned Documents

(Click on gray button to view document - will open in a new window)

Document Number	Description	Date Received
03568556	ARTICLES OF ORGANIZATION	08/08/2011
03600272	PUB OF ARTICLES OF ORGANIZATION	08/29/2011

[Back To Top](#)

- [Corporate Name Search Instructions](#)
  - [General Web Site Usage Instructions](#)
  - [STARPAS Main Menu](#)
  - [A.C.C. Corporations Division Main Page](#)
  - [Arizona Corporation Commission Home Page](#)
-



Appendix B  
Ownership Verification (APIQ)

Book-Map-Parcel: 114-57-0580

Oblique Image

Tax Year:

Tax Area:1300

Property Address:

Paypayer Information:

TITLE SECURITY AGENCY OF AZ TR 2055  
ATTN: DESERT WILLOW PARTNERS LLC  
6111 E GRANT RD  
TUCSON AZ

Property Description:

N2 SE4 EXC E660' S380' NE4 SE4 74.55 AC  
SEC 36-13-15

85712- 5828

Valuation Data:

	2013				2014			
	LEGAL CLASS	VALUE	ASMT RATIO	ASSESSED VALUE	LEGAL CLASS	VALUE	ASMT RATIO	ASSESSED VALUE
LAND FCV	Vacant/Ag/Golf (2)	\$900,000	16.0	\$144,000	Vacant/Ag/Golf (2)	\$900,000	16.0	\$144,000
IMPR FCV		\$0				\$0		
TOTAL FCV	Vacant/Ag/Golf (2)	\$900,000	16.0	\$144,000	Vacant/Ag/Golf (2)	\$900,000	16.0	\$144,000
LIMITED VALUE	Vacant/Ag/Golf (2)	\$546,301	16.0	\$87,408	Vacant/Ag/Golf (2)	\$634,726	16.0	\$101,556

Property Information:

Section: 36  
Town: 13.0  
Range: 15.0E  
Map & Plat: /  
Block:  
Tract:  
Rule B District: 5  
Land Measure: 74.55A  
Group Code: 000  
Census Tract: 4023  
Use Code: 0012 (VACANT RESIDENTIAL URBAN NON-SUBDIVIDED )  
File Id: 1  
Date of Last Change: 7/23/2012

Valuation Area:

Condo Market: 13  
DOR Market: 5  
MFR Neighborhood: Undefined  
SFR Neighborhood: 01003813  
SFR District: 7

Sales Information:

Affidavit of Fee No.	Parcel Count	Sale Date	Property Type	Sale	Time Adjusted Sale	Cash
20112380088	3	04/2011	Vacant Land	1350000	1350000	N

Recording Information:

Sequence No.	Docket	Page	Date Recorded	Type
20123260865	0	0	2012-11-21	SCRIVENORS ERROR
20123260866	0	0	2012-11-21	SCRIVENORS ERROR
20121520476	0	0	2012-05-31	WARRANTY DEED
20121370701	0	0	2012-05-16	WARRANTY DEED
20112380088	0	0	2011-08-26	WARRANTY DEED
0	297	407	1753-01-01	WARRANTY DEED

Parcel Note:

ParcelNote PETITION AUDIT REVIEW 2011 A-LEVEL: REVIEWED & ADJUSTED BASED ON MARKET.

Owner's Estimate:

Tax Year	Estimate
2011	\$300,000.00
2009	\$600,000.00

Book-Map-Parcel: 114-57-068A

Oblique Image

Tax Year:

Tax Area: 1300

Property Address:

Street No 10755 Street Direction E Street Name TANQUE VERDE RD Location Pima County

Taxpayer Information:

TITLE SECURITY AGENCY OF AZ TR 2055
ATTN: DESERT WILLOW PARTNERS LLC
6111 E GRANT RD
TUCSON AZ

Property Description:

W1100' S1000' SW4 SE4 LESS S50' 23.99 AC
SEC 36-13-15

85712- 5828

Valuation Data:

Table with columns for 2013 and 2014 valuation data, including LEGAL CLASS, VALUE, ASMT RATIO, and ASSESSED VALUE.

Property Information:

Section: 36
Town: 13.0
Range: 15.0E
Map & Plat: /
Block:
Tract:
Rule B District: 5
Land Measure: 23.99A
Group Code: 000
Census Tract: 4023
Use Code: 0021 (VACANT COMMERCIAL URBAN SUBDIVIDED)
File Id: 1
Date of Last Change: 11/13/2012

Valuation Area:

Condo Market: 13
DOR Market: 5
MFR Neighborhood: Undefined
SFR Neighborhood: 01003813
SFR District: 7

Sales Information:

Table with columns: Affidavit of Fee No., Parcel Count, Sale Date, Property Type, Sale, Time Adjusted Sale, Cash.

Recording Information:

Table with columns: Sequence No., Docket, Page, Date Recorded, Type.

Parcel Note:

ParcelNote PETITION AUDIT REVIEW 2011 A-LEVEL: REVIEWED & ADJUSTED

Owner's Estimate:

Table with columns: Tax Year, Estimate.

Book-Map-Parcel: 114-57-069A

Oblique Image

Tax Year:

Tax Area:1300

Property Address:

<b>Street No</b>	<b>Street Direction</b>	<b>Street Name</b>	<b>Location</b>
10881	E	TANQUE VERDE RD	Pima County

Taxpayer Information:

TITLE SECURITY AGENCY OF AZ TR 2055  
 ATTN: DESERT WILLOW PARTNERS LLC  
 6111 E GRANT RD  
 TUCSON AZ

Property Description:

IRR PCL IN CENT PTN S2 S2 23.24 AC  
 SEC 36-13-15

85712- 5828

Valuation Data:

	2013				2014			
	LEGAL CLASS	VALUE	ASMT RATIO	ASSESSED VALUE	LEGAL CLASS	VALUE	ASMT RATIO	ASSESSED VALUE
LAND FCV	Vacant/Ag/Golf (2)	\$174,300	16.0	\$27,888	Vacant/Ag/Golf (2)	\$174,300	16.0	\$27,888
IMPR FCV		\$0				\$0		
TOTAL FCV	Vacant/Ag/Golf (2)	\$174,300	16.0	\$27,888	Vacant/Ag/Golf (2)	\$174,300	16.0	\$27,888
LIMITED VALUE	Vacant/Ag/Golf (2)	\$141,717	16.0	\$22,675	Vacant/Ag/Golf (2)	\$155,889	16.0	\$24,942

Property Information:

Section: 36  
 Town: 13.0  
 Range: 15.0E  
 Map & Plat: /  
 Block:  
 Tract:  
 Rule B District: 5  
 Land Measure: 23.24A  
 Group Code:  
 Census Tract: 4023  
 Use Code: 0012 (VACANT RESIDENTIAL URBAN NON-SUBDIVIDED )  
 File Id: 1  
 Date of Last Change: 7/23/2012

Valuation Area:

Condo Market: 13  
 DOR Market: 5  
 MFR Neighborhood: Undefined  
 SFR Neighborhood: 01003813  
 SFR District: 7

Sales Information:

Affidavit of Fee No.	Parcel Count	Sale Date	Property Type	Sale	Time Adjusted Sale	Cash
20112380088	3	04/2011	Vacant Land	1350000	1350000	N

Recording Information:

Sequence No.	Docket	Page	Date Recorded	Type
20123260865	0	0	2012-11-21	SCRIVENORS ERROR
20123260866	0	0	2012-11-21	SCRIVENORS ERROR
20121520476	0	0	2012-05-31	WARRANTY DEED
20121370701	0	0	2012-05-16	WARRANTY DEED
20112380088	0	0	2011-08-28	WARRANTY DEED
0	297	407	1753-01-01	

Parcel Note:

ParcelNote PETITION AUDIT REVIEW 2011 A-LEVEL: REVIEWED & ADJUSTED

Owner's Estimate:

Tax Year	Estimate
2011	\$150,000.00
2005	\$240,000.00

Appendix C  
Correspondence from FEMA on CLOMR

**Robert Longaker**

---

**From:** Chris Langham  
**Sent:** Wednesday, March 27, 2013 9:07 AM  
**To:** Lindsay, James  
**Cc:** Robert Longaker  
**Subject:** RE: ADDITIONAL DATA Received – Pima County, AZ (Case Number 13-09-0672R) – Response Required

James,

Fantastic. Thank you so much for your time and patience. Have a great rest of your week!

Chris

**Chris Langham, P.E., CFM**

**The WLB Group, Inc.**

Engineering • Planning • Surveying • Urban Design • Landscape Architecture  
Tucson • Phoenix • Flagstaff • Las Vegas • [www.wlbgroup.com](http://www.wlbgroup.com)  
4444 E. Broadway Blvd. • Tucson, AZ 85711-3508  
520.881.7480 • 520.881.7482 (fax)  
[clangham@wlbgroup.com](mailto:clangham@wlbgroup.com)

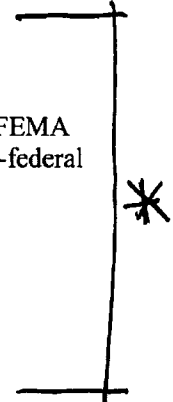
---

**From:** Lindsay, James [<mailto:JGLindsay@mbakercorp.com>]  
**Sent:** Wednesday, March 27, 2013 9:02 AM  
**To:** Chris Langham  
**Subject:** RE: ADDITIONAL DATA Received – Pima County, AZ (Case Number 13-09-0672R) – Response Required

Chris,

I have completed the review of your CLOMR but I can't issue it until the ESA has been satisfied. FEMA sent out a letter (attached) in February to USFWS designated Westland Resources as FEMA's non-federal representative. Once the ESA aspect is complete I can issue the CLOMR.

James Lindsay, CFM  
Michael Baker Jr.  
165 South Union Boulevard, Suite 200  
Lakewood, CO 80228  
720-514-1122



**From:** Chris Langham [<mailto:clangham@wlbgroup.com>]  
**Sent:** Wednesday, March 27, 2013 9:55 AM  
**To:** Lindsay, James  
**Subject:** RE: ADDITIONAL DATA Received – Pima County, AZ (Case Number 13-09-0672R) – Response Required

Hi James,

Good morning! Our client is asking, what is the status of the CLOMR review for this case? It's obviously well underway, but I must pass it along to you.

Again, if there is anything you need, please feel free to contact me.

Thank you in advance for your response,

Chris

4/25/2013

**Chris Langham, P.E., CFM**

Senior Engineer – Hydrologic/Hydraulic Manager

**The WLB Group, Inc.**

Engineering • Planning • Surveying • Urban Design • Landscape Architecture

Tucson • Phoenix • Flagstaff • Las Vegas • [www.wlbgroup.com](http://www.wlbgroup.com)

4444 E. Broadway Blvd. • Tucson, AZ 85711-3508

520.881.7480 • 520.881.7492 (fax)

[clangham@wlbgroup.com](mailto:clangham@wlbgroup.com)

---

**From:** Lindsay, James [<mailto:JGLindsay@mbakercorp.com>]

**Sent:** Monday, February 18, 2013 11:30 AM

**To:** Chris Langham

**Cc:** [suzanne.shields@pima.gov](mailto:suzanne.shields@pima.gov); Kuechenmeister, Joseph

**Subject:** ADDITIONAL DATA Received – Pima County, AZ (Case Number 13-09-0672R) – Response Required

Dear Mr. Langham:

We have received your recent submittal of data, in response to our letter dated February 7, 2013, requesting information for the above-referenced Case Number (13-09-0672R). This case number is for a request that the Department of Homeland Security's Federal Emergency Management Agency (FEMA) issue a conditional revision to the flood hazard information on the applicable National Flood Insurance Program (NFIP) map for Pima County, AZ. This e-mail is being sent to officially acknowledge the receipt of your additional data for the above-referenced case number and replaces the paper copy acknowledgement letters previously issued by FEMA. We ask that you please respond directly to this e-mail to verify that it has been received.

The project identifier assigned to your request is Desert Willow Ranch.

We are reviewing your submitted data and will contact you if additional information is required to process your request.

If additional information is not required, we will issue a final letter of determination within 90 days of receiving your submittal dated February 13, 2013.

If you have general questions about your request, FEMA policy, or the NFIP, please call the FEMA Map Information eXchange (FMIX), toll free, at 1-877-FEMA MAP (1-877-336-2627). If you have specific questions concerning your request, the case reviewer's contact information is listed below, or please contact the Revisions Coordinator for your request, Mr. Joseph Kuechenmeister, P.E., CFM, at [jkuechenmeister@mbakercorp.com](mailto:jkuechenmeister@mbakercorp.com) or at (720) 479-3181.

Please be assured we will do our best to respond to all inquiries in a timely manner.

Thank you,

Mr. James Lindsay, CFM

FEMA Production and Technical Services Contractor

165 South Union Boulevard, Suite 200

Lakewood, CO 80228

720-514-1122

[JGLindsay@mbakercorp.com](mailto:JGLindsay@mbakercorp.com)

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If you have received this e-mail transmission in error, please reply to the sender, so that we can arrange for proper delivery, and then please delete the message from your inbox. Thank you.

4/25/2013

**Robert Longaker**

---

**From:** Lindsay, James [JGLindsay@mbakercorp.com]  
**Sent:** Wednesday, April 17, 2013 1:54 PM  
**To:** Chris Langham  
**Cc:** Robert Longaker  
**Subject:** RE: USFWS - AZESO - Tucson - Memo Courtesy Copy -- FEMA & Westland Desert Willow Ridge ( Crawford )

Chris,

I wanted to let you know the ESA has been approved for this case so I can start making the final documents for it. I am hoping to have it issued this month but I can't guarantee that.

James Lindsay, CFM  
Michael Baker Jr.  
165 South Union Boulevard, Suite 200  
Lakewood, CO 80228  
720-514-1122



---

**From:** Chris Langham [mailto:clangham@wlbgroup.com]  
**Sent:** Friday, April 12, 2013 3:21 PM  
**To:** Lindsay, James  
**Cc:** Robert Longaker  
**Subject:** FW: USFWS - AZESO - Tucson - Memo Courtesy Copy -- FEMA & Westland Desert Willow Ridge ( Crawford )

Hey James,

You will likely receive a copy of the Fish and Wildlife approval from another source, but we wanted to pass it along to you, directly.

If you have any questions or additional items needed from us, please feel free to contact either Rob Longaker, or myself.

Have a great weekend,

Chris

**Chris Langham, P.E., CFM**  
**The WLB Group, Inc.**  
Engineering • Planning • Surveying • Urban Design • Landscape Architecture  
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520.881.7480 • 520.881.7492 (fax)  
[clangham@wlbgroup.com](mailto:clangham@wlbgroup.com)

---

**From:** Robert Longaker  
**Sent:** Friday, April 12, 2013 2:09 PM  
**To:** Chris Langham  
**Subject:** FW: USFWS - AZESO - Tucson - Memo Courtesy Copy -- FEMA & Westland Desert Willow Ridge ( Crawford )

**Robert G. Longaker III, R.L.A.**  
**Senior Project Manager**  
**The WLB Group, Inc.**  
Engineering • Planning • Surveying • Urban Design • Landscape Architecture  
Tucson • Phoenix • Flagstaff • Las Vegas

4/25/2013





# United States Department of the Interior

## Fish and Wildlife Service

### Arizona Ecological Services Office

2321 West Royal Palm Road, Suite 103

Phoenix, Arizona 85021-4951

Telephone: (602) 242-0210 Fax: (602) 242-2513



AESO/SE  
02EAAZ00-2013-I-0131

April 1, 2013

Ms. Emily Blanton  
Federal Emergency Management Agency  
U.S. Department of Homeland Security  
Washington, D.C. 20472

Dear Ms. Blanton:

Thank you for your March 6, 2013 request for informal consultation, submitted on your behalf by WestLand Resources, Inc., on your proposed action to issue a Conditional Letter of Map Revision (CLOMR) to R.B. Price & Company, Inc. for a proposed residential development located along Agua Caliente Wash north of Tanque Verde Road, south of Glenn Street, east of Avenida del Conejo, and west of Melpomene Drive in Tucson, Arizona (T13S, R15E, Section 36). This request was received by us on March 7, 2013, and made pursuant to section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1531-1544), as amended (Act). In a February 21, 2013 letter, you designated WestLand Resources, Inc., as the non-Federal representative to conduct informal consultation of the proposed action on behalf of Federal Emergency Management Agency (FEMA). WestLand Resource's, Inc., March 6, 2013 letter concluded that the proposed project may affect, but is not likely to adversely affect the endangered lesser long-nosed bat (*Leptonycteris curasoae yerbabuena*). We concur with this determination and provide our rationale below.

#### PROPOSED ACTION

The FEMA proposes to issue of a CLOMR to R.B. Price & Company, Inc. for an approximately 122-acre subdivision in Tucson Arizona. A description of the proposed action is included here; however, a complete description can be found in your March 6, 2013, letter. The subdivision will include 36 one-acre clustered home lots, a drainage basin, and approximately 3,300 linear feet of roadways. No street lighting is included in the proposed subdivision. At least half of the proposed subdivision will remain open space, and half of each lot will be developed. The CLOMR is required for the southern portion of the proposed subdivision that is currently in the floodplain of Agua Caliente Wash. Development of the subdivision includes structures to remove this portion of the project area from the FEMA floodplain. Under the Act, the action area is the entire proposed development and is located within the range of the endangered lesser long-nosed bat (*Leptonycteris curasoae yerbabuena*).

The action area falls within a habitat corridor known to be used by foraging lesser long-nosed bats (Arizona Game and Fish Department 2009). According to the BE, 24 saguaros are located in the action area. These saguaros range from 1-12 feet tall, including 4 saguaros over 8 feet tall. Most of the saguaros are in the northern portion of the proposed subdivision, in uplands

immediately adjacent to the Agua Caliente Wash (Westland Resources 2013, Figure 4). A maximum of 3 of the 24 saguaros in the action area will be impacted by the proposed subdivision.

### Conservation Measures

Three conservation measures identified in the BE will be implemented that will avoid and minimize impacts to lesser long-nosed bats. These include:

1. The proposed subdivision will not include street lights and will comply with the 2012 City of Tucson/Pima County Outdoor Lighting Ordinance No. 2012-14.
2. In compliance with Pima County's Native Plant Ordinance, each impacted saguaro 6 feet or greater in height will be salvaged and transplanted onsite, and will be mitigated with two additional saguaros planted onsite. Each impacted saguaro less than six feet in height will be mitigated with one saguaro planted onsite.
3. Half of the subdivision will remain as undisturbed open space and lot development will be limited to approximately 50% of each lot. In addition, design and development of the 36 one-acre clustered lots will be guided by topography, soils constraints, and avoidance of mature vegetation.

### DETERMINATION OF EFFECTS

We concur that the proposed action may affect, but is not likely to adversely affect, the lesser long-nosed bat. Our rationale is presented in the following narrative.

As indicated in the BE, no lesser long-nosed bat roosting habitat (caves, mines, crevices, etc.) is found within the project boundaries. Therefore, no direct effects to roosting lesser long-nosed bats are anticipated. The BE determined that saguaros in the project area do not represent a food source for the species because the project site is greater than 70 miles from a known maternity roost and the project site has a low number of saguaros of size class that will flower. We disagree with this conclusion. Lesser long-nosed bats have the potential to forage in this area due to the proximity of the project area to a number of post-maternity roosts in the Catalina and Rincon Mountains. Saguaros (*Carnegiea gigantea*) are an important forage species for the lesser long-nosed bat. An ongoing study of lesser long-nosed bat use of hummingbird feeders has indicated that the arrival and departure times of lesser long-nosed bats in the Tucson area are variable, and questions regarding the occupancy season and demographic characteristics for lesser long-nosed bats in the Tucson area have not been completely answered. As indicated in the BE, the Tucson area has historically supported a lesser long-nosed bat maternity roost and the associated bats used saguaros as the primary forage resource from May through July. Because we do not have a complete picture of the occupancy period of the lesser long-nosed bat in the Tucson area, the historical use of saguaros in the area by lesser long-nosed bats, and anticipated effects of climate change on lesser long-nosed bats and their forage species, we believe that saguaros are an important forage resource for lesser long-nosed bats and that the conservation and recovery of this species is tied to the conservation of saguaros in areas outside of southwestern Arizona. Because conservation measures to preserve, salvage, transplant, and

mitigation of saguaros impacted in the action area will be adhered to, any indirect effects (i.e., habitat destruction) to lesser long-nosed bat are insignificant.

Habitat connectivity among foraging areas and between roost sites and foraging areas is important for the conservation of lesser long-nosed bats. Recent telemetry research conducted by the Arizona Game and Fish Department (AGFD) on foraging lesser long-nosed bats in the Tucson Basin shows that foraging bats travel along washes as they move between foraging areas and roost locations. The AGFD believes that the washes provide areas of reduced lighting that provide pathways for movement while reducing the likelihood of predation and other threats (AGFD 2009). It is, therefore, important to maintain adequate movement corridors for lesser long-nosed bats in order for them to take advantage of available forage resources. The conservation measures related to maintaining open space identified in the BE will help to maintain coverage of wash habitat within the action area to provide habitat connectivity for lesser long-nosed bats. Therefore, any indirect effects (i.e., habitat destruction) to lesser long-nosed bat are insignificant.

Lighting appears to influence the areas selected by lesser long-nosed bats for movement and foraging. The BE indicates that there is no street lighting associated with this project. In the past century, the extent and intensity of artificial night lighting has increased such that it has substantial effects on the biology and ecology of species in the wild (Longcore and Rich 2004). Recent studies have shown that artificial lights affect the movements of bats through the landscape, particularly slower flying bats. Stone et al. (2009) and Rydell (1992) showed in separate studies that street lighting disturbed and even prevented movements by certain species of bats; primarily bats with slower flight behavior. Lesser long-nosed bats use a hovering, slow flight while foraging and, as the AGFD research suggests, may be avoiding areas with artificial lighting. A study by Scanlon and Petit (2008) showed that urban parks without artificial lighting had higher bat use and bat species diversity than urban parks with artificial lighting, further indicating that artificial lighting can affect bat use and movements. A number of other studies also show negative effects on bat emergence, roost sites, movements, feeding behavior, and prey relationships (Boldogh et al. 2007, Holsbeek 2008, Fure 2006, Bat Conservation Trust 2008, Downs et al. 2003). During a study on a nectar feeding bat species more closely related to the lesser long-nosed bat, Winter et al. (2003) found that *Glossophaga soricina* locates forage using ultraviolet light reflected by forage species. Because this attribute has not been researched in lesser long-nosed bats, it is not known whether lesser long-nosed bats have this same ability. However, these bats are in the same taxonomic family, and artificial light may cause interference or redirect foraging lesser long-nosed bats keying on ultraviolet light sources or reflections.

Although no street lighting is included in the proposed action, we believe that any lighting associated with the 36 home sites included in the proposed action, particularly that of the 16 home sites immediately adjacent to the Agua Caliente Wash, has the potential to reduce habitat connectivity for the lesser long-nosed bat within the project area and may interfere with the bat's ability to use available forage within the project. We do not, however, have enough information to definitively evaluate this potential effect. Ongoing research by AGFD and others may provide additional information in the future regarding this issue. Therefore, direct effects to lesser long-nosed bat associated with increased lighting (i.e., disturbance) are insignificant.

Ms. Emily Blanton

4

Thank you for your continued coordination and dedication to the conservation of endangered species. No further section 7 consultation is required for this project at this time. Should project plans change, or if information on the distribution or abundance of listed species or critical habitat becomes available, this determination may need to be reconsidered. Please refer to the consultation number, 02EAAZ00-2013-I-0131 in future correspondence concerning this project.

Should you require further assistance or if you have any questions, please contact Cat Crawford (520) 670-6150 (x232) of our Tucson Office or Scott Richardson (x 242).

Sincerely,

*/s/ Jean Calhoun for*  
Steven L. Spangle  
Field Supervisor

cc (hard copy):

Field Supervisor, Fish & Wildlife Service, Phoenix, AZ ( 2 copies )

Jean Calhoun, Assistant Field Supervisor, Fish and Wildlife Service, Tucson, AZ

cc (electronic copy):

Federal Emergency Management Agency, Region IX (Attn: Allesandro Amaglio)

WestLand Resources, Inc., Tucson, AZ (Attn: James Tress, Jr.)

Joyce Francis, Habitat Branch Chief, Arizona Game and Fish Department, Phoenix, AZ

Regional Supervisor, Arizona Game and Fish Department, Tucson, AZ (Attn: John Windes)

### References Cited

- Arizona Game and Fish Department (AGFD). 2009. Update on the lesser long-nosed bat hummingbird feeder and telemetry project given to the City of Tucson's Habitat Conservation Plan Technical Advisory Committee on June 17, 2009.
- Bat Conservation Trust. 2008. Bats and lighting in the United Kingdom *In* Bats and the Built Environment Series. 10 pp.
- Boldogh, S., D. Dobrosi, and P. Samu. 2007. The effects of illumination of buildings on house-dwelling bats and its conservation consequences. *Acta Chiropterologica* 9 (2): 527 – 534.
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- Fure, A. 2006. Bats and lighting. *The London Naturalist* 85: 1 – 20.
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- Winter, Y., J. Lopez, and O. von Helversen. 2003. Ultraviolet vision in a bat. *Nature* 425: 612 – 614.



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# MEMORANDUM

Director's Office  
Regional Flood Control District

---



**DATE:** March 6, 2013

**TO:** Flood Control District Board of Directors

**FROM:** Suzanne Shields, P.E.  
Director

**SUBJECT:** **Approval of a Riparian Habitat Mitigation Plan for Desert Willow Ranch P1212-039, New Subdivision Located within Mapped Important Riparian Area with Underlying Class H and Class H Habitat (District 4)**

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## Background

Chapter 16.30 of the Pima County Floodplain and Erosion Hazard Management Ordinance No. 2005-FC2 (Ordinance) requires mitigation for disturbance of riparian habitat exceeding 1/3 of an acre. A riparian habitat mitigation plan (RHMP) approved by the Flood Control District Board of Directors (Board) is required for disturbance of Important Riparian Area, Hydroriparian and /or Mesoriparian habitat exceeding 1/3 of an acre that also exceeds 5% of the regulated riparian habitat (RRH) present on a site. The adopted *Mitigation Standards and Implementation Guidelines* (Guidelines) govern the type, amount, and location of required mitigation.

For larger developments undergoing the platting process, a Conservation Plan is allowed. The Conservation Plan provides an alternative mitigation option to requirements outlined in the Guidelines and is available when traditional onsite mitigation does not address unique ecological or project conditions. The Conservation Plan allows for site specific mitigation that strives to meet the goals and objectives of the Conservation Lands System (CLS) by assessing the overall function of habitat on a project site, while taking into consideration existing conditions, thereby developing a mitigation strategy that best preserves or enhances floodplain and riparian habitat function.

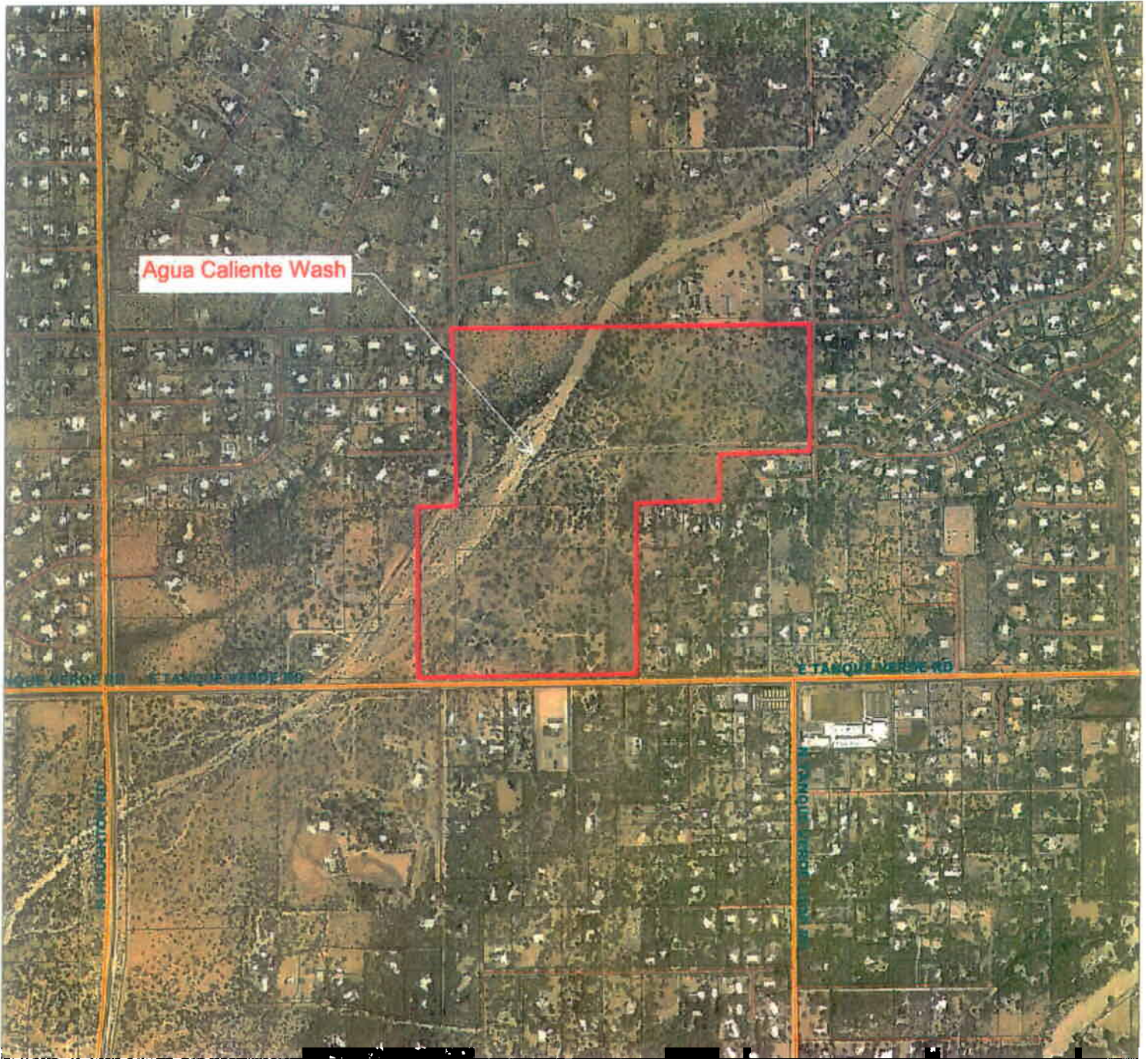
## Report

The developer, Rick Price, is proposing to subdivide 122 acres of land into 36 lots (Exhibit D) on property located directly north of Tanque Verde Road and traversed by the Agua Caliente Wash (Exhibit A). The property contains mapped Important Riparian Area with underlying Class H (IRA/H) and Class H (H) habitat (Exhibit B) and is impacted by FEMA Special Flood Hazard Areas Zone AE and Floodway (Exhibit C). The developer opted to use the Conservation Subdivision option (Title 18, Section 18.09.100), in order to achieve full density allowed under existing zoning of the land, while protecting important biological resources by preserving open space and minimizing the amount of grading allowed on each lot.

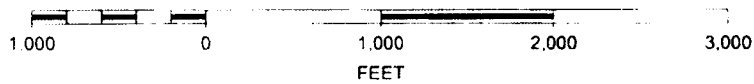
Historically, the property was disturbed by ranching activities that left a maze of trails, structures, and corrals across the project site. Other impacts include construction of a levee and spur dike built to protect Tanque Verde Road from flooding and erosion. This resulted in removal of approximately 40 acres of the site from the 100-year floodplain, eliminating surface flows to habitat located directly behind the levee, but still allowing floodwaters to flow around the eastern end of the spur dike, impacting the eastern and southern ends of the project site.



# Exhibit A



SCALE 1 : 12,000

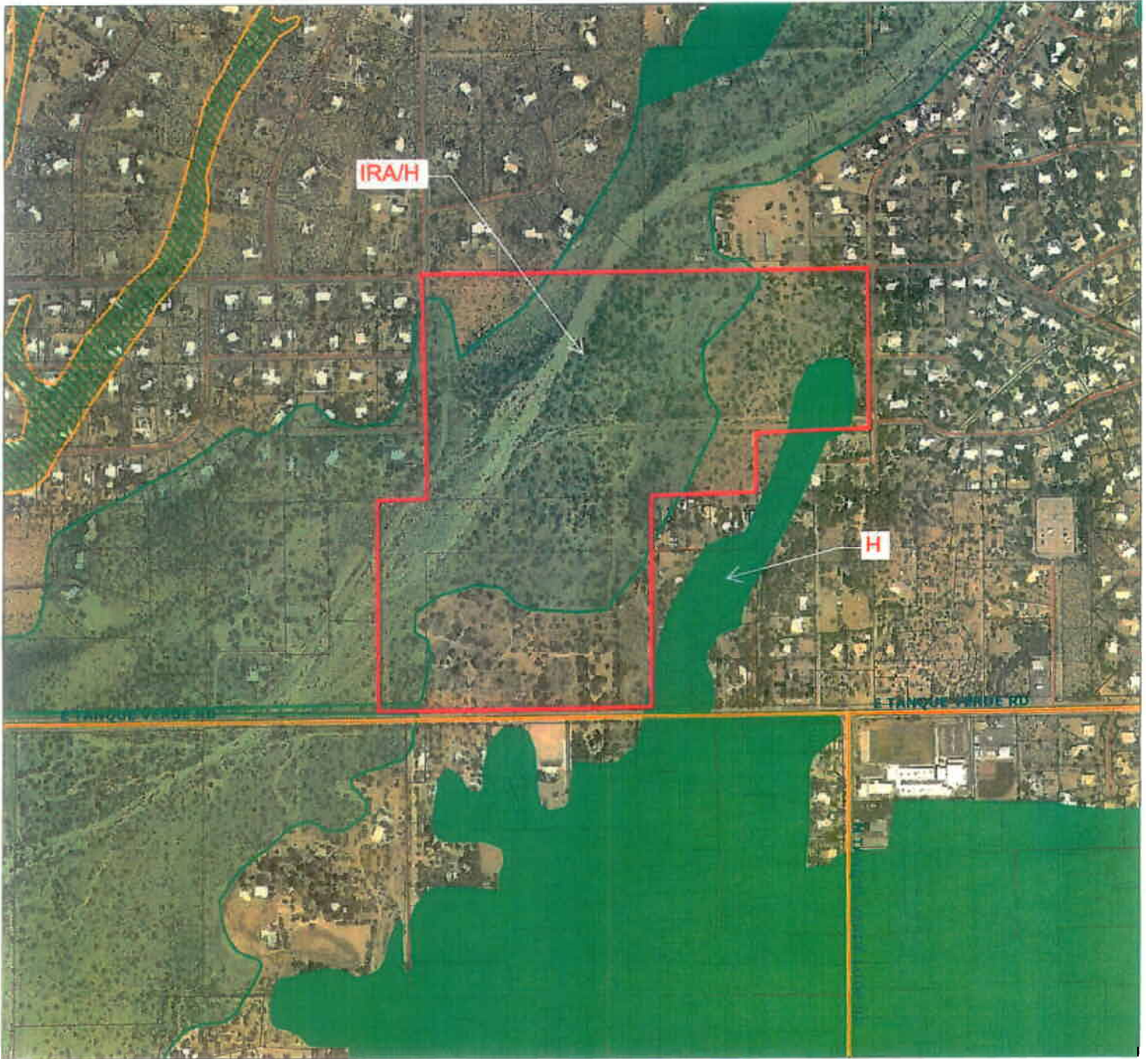


Desert Willow Ranch (P1212-039)  
T13SR15ES36  
BOS Meeting Date 3/19/13

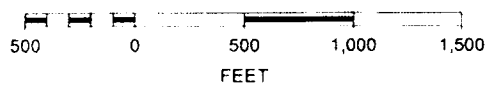




# Exhibit B



SCALE 1 : 9,600

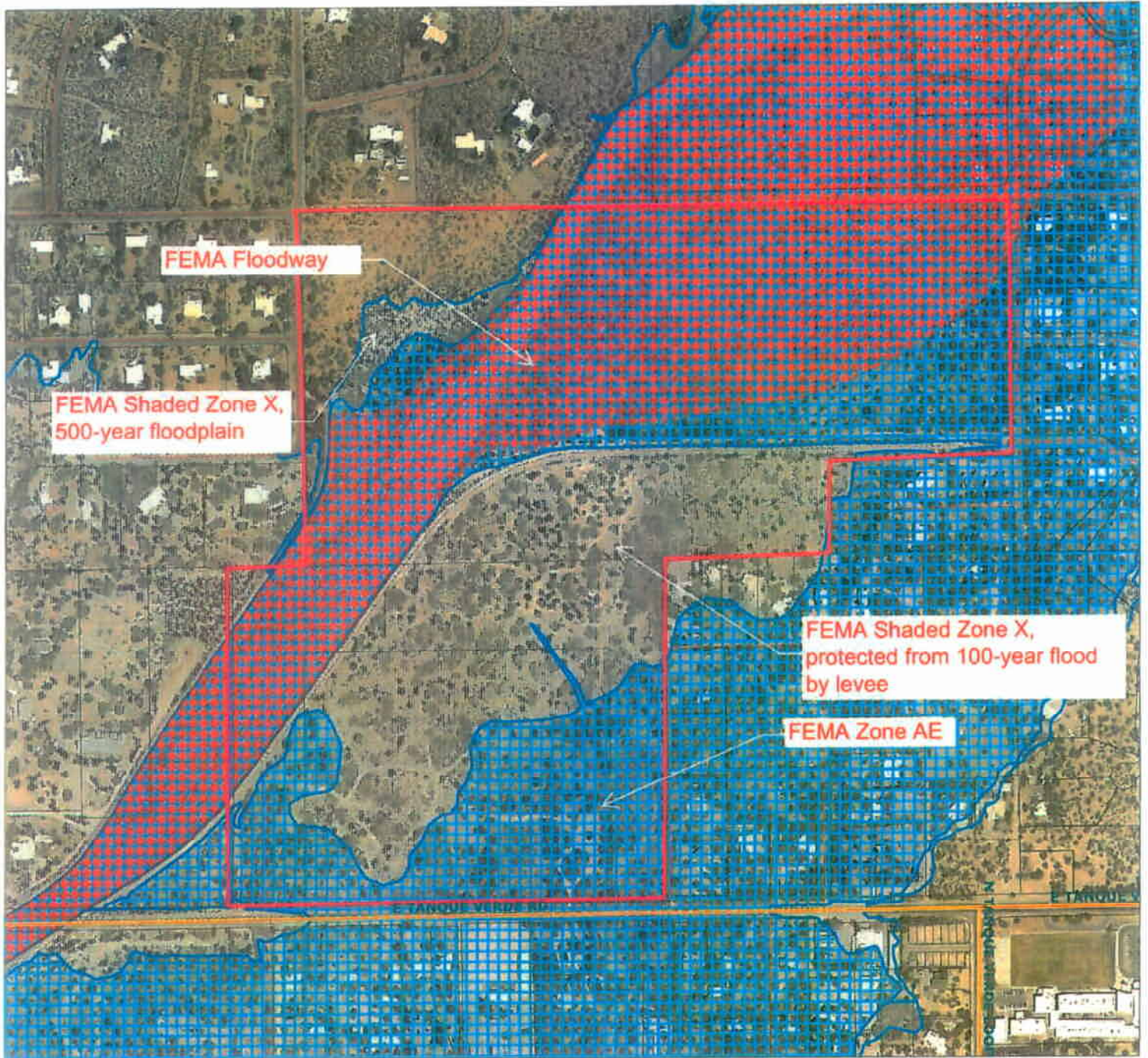


Desert Willow Ranch (P1212-039)  
T13SR15ES36  
BOS Meeting Date 3/19/13



SEGMENTED RIPARIAN HABITAT

# Exhibit C



SCALE 1 : 6,000



Desert Willow Ranch (P1212-039)  
T13SR15ES36  
BOS Meeting Date 3/19/13



FEMA FLOODPLAIN







Therefore, **we recommend full application of the Conservation Lands System (CLS) guidelines to the IRA and Biological Core Management Area within the amendment area.** CLS guidelines state that development within IRAs preserve at least 95% of the IRA as natural undisturbed open space. They also state a minimum 80% open space in Biological Core Management Areas.

We support the conclusions of Pima County's Office of Conservation and Sustainability related to this amendment application. This includes the enduring conservation values of the wildlife habitat present on the property and a lack of support for any modification of the CLS guidelines in relation to this application. However, we strongly encourage the Planning and Zoning Commission to establish open space set-asides percentages as part of the amendment application rather than wait until the rezoning stage for this to occur. In light of the fact that a Conservation Subdivision tentative plat has been approved at a lower density on this property, and presumably the applicant intends to simply amend the plat simultaneously with a rezoning request, establishing these percentages now will give the applicant ample time to prepare and plan for how to achieve these percentages, either through on-site set-asides, off-site mitigation, or a combination of both.

We also support the recommendations of the Regional Flood Control District (RFCD) that should the amendment be approved, all Pima County Regulated Riparian Habitat and floodplains in the amendment area remain as the Resource Transition land use category due to the enduring habitat value present on the property. Please note as well that RFCD recommends overall denial of the amendment request.

**In summary, we strongly recommend that the Planning and Zoning Commission recommend full application of the Conservation Lands System guidelines on this property, specifying that a minimum 95% IRA set-aside and 80% Biological Core set-aside be recommended to the Board of Supervisors at the time of the plan amendment, *assuring that the applicant will comply, at the earliest stage, and not further in the process at the rezoning.* Without these open space set-aside assurances, and the condition recommended by the RFCD, the Coalition cannot support this amendment application at this time.**

Thank you again for the opportunity to comment on this Comprehensive Plan Amendment application. If you have any questions, please do not hesitate to contact me.

Sincerely,



Carolyn Campbell  
Executive Director

Addison

8 August 2013

RECEIVED  
AUG 13 2013

To the panel for CO 7 1307 Desert Willow.

BY: .....

On Wednesday July 24, 2013 I attended a meeting to change the Desert Willow property zoning from one house per <sup>3</sup>acre~~7~~ to a higher density 1.2 houses per acre.

The closing remarks were about trespassing. It was stated that many people had been wandering around on this property and the owner Rick Price got up and interrupted a speaker and complained of the dumping and the trespassing, he even began arguing with one of the panel members.

Desert Willow was no longer a working Guest Ranch in the 1960's and Amity did not begin their operation until the 1970's and occupied the place until the 1980's. Rick Price has owned the property for four or five years and when he bought it there had already been dumping on the land that I am sure he must have been aware of. So you can see the property was empty for long stretches of time with no fences nor "No trespassing" signs. Now I am not saying that anyone has the right to meander about on another's land without permission. Also I would like to state that when he bought that land he knew it was zoned for one house per three acres and as one of your panel members said that just because someone buys a piece of property does not automatically give them the right to change the zoning.

I did not sign the paper to stop construction but I would like the traffic issues, the flooding issues and the fact that there are five home owners with horse property who will no longer have access to public land addressed. The land that Mr. Price is 'giving' to Pima County cannot be built on and I am sure he does not want to pay taxes on empty 'unproductive' land.

Mr. Price has stated that he has built "thousands" of homes , that in my mind does not have anything to do with what he wants to do. I realize that the more houses built the more money he makes and the more is collected in taxes. We have been led to believe that our Supervisors felt that the Tanque Verde Valley was a very special place with a lot of Riparian areas and it was going to be protected from the very thing that M. Price wants to do.

Sincerely



Carolie Addison

Bliss

**From:** [Jennifer Wong](#)  
**To:** "[Rachel Bliss](#)"  
**Cc:** [Jim Veomett](#)  
**Subject:** RE: Concerns about the Desert Willow Ranch development  
**Date:** Friday, July 26, 2013 1:07:24 PM

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Ms. Bliss,

Thank you for email regarding the Desert Willow Ranch development. I will be sure Supervisor Carroll is aware of your concerns.

**Jennifer Wong**

Executive Assistant to Ray Carroll  
Pima County Board of Supervisors, District 4  
(520) 724-8094

**From:** Rachel Bliss [mailto:[rcbliss@gmail.com](mailto:rcbliss@gmail.com)]  
**Sent:** Tuesday, July 23, 2013 9:33 AM  
**To:** District4  
**Subject:** Concerns about the Desert Willow Ranch development

Dear Mr. Carrol,

I am a resident in a neighborhood that is adjacent to the proposed building site for the proposed Desert Willow Ranch neighborhood. I am concerned about these plans, and about the proposal to rezone this area. This will disturb the habitat of protected species of flora and fauna, and will also potentially affect the floodplain. The four houses that are planned on the West side of the wash above the burm are of particular concern. That ground is so close to the wash, and is not protected by the retaining wall at all. Building there could greatly affect not only those houses, but the houses that would potentially be downstream in a 100 year flood. Disrupting that ground is irresponsible and short-sighted. I understand that builders want to make money, but at what cost to a neighborhood that has already been here for 30 years, and to the flora and fauna that has been here much longer? There is no respect being shown for the wash, and as we all know, rivers do what rivers want to do. It brings to mind the elementary school in Tubac that had its land cut in half when the river changed course one monsoon season. There is no guarantee that the Agua Caliente wash will not do the same.

Finally, rezoning this area, and packing more houses into a smaller area completely changes the feel of Tanque Verde. People in this area move here because of the love of nature and wide open spaces. We coexist peacefully with wildlife in this neighborhood. I regularly have coyotes playing in my yard, and owls nesting on my rooftop. My neighbors and I enjoy this peace and serenity. My husband is a part-time astronomer, and more houses packed tightly together will also introduce more light pollution to our beautiful starlit sky. Everything about this proposed project is disruptive. I urge you to consider those of us, human, plant, and animal, who currently inhabit this land. To consider whether or not it's responsible to build above a burm on land that has only very recently been determined not to be in a floodplain, and yet, can be seen to clearly be in a floodplain in satellite photos of the area, which suggests a lack of the soil cement that is typically necessary for building. To consider the



community, the school system, which has only two elementary schools, one junior high, and one high school. Tanque Verde is a community that is desirable for its open spaces, respect for nature, farmers, and suburban/rural feel. We are neighbors, families, and friends who take care of each other, and respect each other's personal space. The moment that parts of it are rezoned, and cookie cutter houses are built using an urban planning method, our community is forever changed.

Thank you for your consideration.

Sincerely,

Rachel Bliss

Burns

**From:** [Andres Vargas](#)  
**To:** [Jim Veomett](#); [Chris Poirier](#); [Thomas Drzazgowski](#)  
**Cc:** [Paula Maxwell](#); [Jennifer Wong](#)  
**Subject:** FW: Residential Development Near Tanque Verde and Houghton  
**Date:** Monday, July 29, 2013 10:49:19 AM

---

Good Morning,

We just received this email from one of our constituents asking about the Desert Willows development. I was hoping you could answer some of his questions. Thanks, please keep us informed.

Best,

Andres Vargas  
Supervisor Carroll, Dist. 4  
(520) 724-8094

**From:** Jim Burns [<mailto:jimburns.ret@gmail.com>]  
**Sent:** Monday, July 29, 2013 10:20 AM  
**To:** District4  
**Subject:** Residential Development Near Tanque Verde and Houghton

Dear Supervisor Carroll:

Recently there have been several articles on a planned residential development near the intersection of Tanque Verde and Houghton. I am the President of a small HOA just South of Tanque Verde and West of Bonanza. Several residents have asked me to find out more information about this planned development. The news has been very sketchy as to the exact location of the development, its size, the planned density, and its access/egress to Tanque Verde or Houghton. Just this weekend petitions were being circulated in front of the Safeway at Tanque Verde and the Catalina Highway seeking to voice objections to this development.

I feel that I do not have enough information to explain this proposed development to my HOA. Is there any information about it on-line at [pima.gov](http://pima.gov)? Or can you direct me to an informed source with data on this development?

--

Jim Burns  
President, Forest Grove HOA

9892 E Forest Grove Loop  
520-300-4777

French

**From:** Jim Veomett  
**To:** [Jennifer Wong](#)  
**Subject:** RE: Julianne French - oppose rezoning of Desert Willows development  
**Date:** Friday, July 26, 2013 12:08:00 PM

---

Thank you!

JV

**From:** Jennifer Wong  
**Sent:** Friday, July 26, 2013 12:08 PM  
**To:** Jim Veomett  
**Subject:** Julianne French - oppose rezoning of Desert Willows development

Hi Jim,

This constituent called in opposition to the rezoning of the Desert Willows development:

Constituent: Julianne French

Phone: (520) 309-5791

Address: 9920 E. Fort Lowell

Comments: It's a wildlife corridor and suburban ranch area and development will not be good for the area. She believes the Master Plan from the 1990's prohibited higher density east of Bonanza.

•

**Jennifer Wong**

Executive Assistant to Ray Carroll

Pima County Board of Supervisors, District 4

(520) 724-8094

Small

**From:** [Jennifer Wong](#)  
**To:** ["bruce.small@cox.net"](mailto:bruce.small@cox.net)  
**Cc:** [Jim Veomett](#)  
**Subject:** Subject: Tanque Verde Road traffic  
**Date:** Friday, July 26, 2013 12:59:28 PM

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Mr. Small,

Thank you for your email in support of the Desert Willow property. I'll be sure Supervisor Carroll sees your concern for the traffic. I also cc'd Jima Veomett from Planning and Zoning so that he may relay your comments to the developer.

-----Original Message-----

From: allForms [mailto:noreply@server.mailjol.net]  
Sent: Friday, July 26, 2013 12:44 PM  
To: District4  
Subject: Form to E-mail results by allforms.mailjol.net

Constituent: Bruce Small

Email: [bruce.small@cox.net](mailto:bruce.small@cox.net)

Address: 3040 N. Conestoga Ave.  
City: Tucson, AZ zipcode: 85749

Subject: Tanque Verde Road traffic

Message:

Ray, thank you for being at the Desert Willow Ranch meeting last night. I am very much in favor of the project, but I am concerned about the traffic on Tanque Verde Road. I know the average daily traffic count is not that high, but the problem is there are several times during the day when the traffic is heavy (there have been fatalities), and during those times entering or leaving Desert Willow will be difficult and dangerous. The site really requires a turn lane in that area.

Constituent desires a response: Yes

Constituent phone: 520-444-7186

Holguin - 1

**GEORGE E. & JUDI K. HOLGUIN,**

11,100 E. SUNDANCE DRIVE  
TUCSON, ARIZONA 85749  
520-749-3887

To Whom It May Concern:

Re: E. Tanque Verde Road Plan, Co7-13-07.

I reside at 11,100 E Sundance Dr., Tucson, AZ and have reviewed the notification sent by the Pima County Development Services Department regarding the referenced case.

After attending the public meeting at Emily Gay junior high school and reviewing the proposed plans as provided by the WLB GROUP I hereby tender the following comments and suggestions;

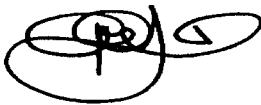
**I believe that the proposal has merit and should be approved,** the conservation element of the plan will preserve an important habitat in the area. The developer contends that when the infrastructure is completed that the market will support lot sales in the \$120,000 plus range. This will have the effect of raising property values in the neighborhood.

My only concern was of the design characteristic of the plan. We live in BEL AIR RANCH ESTATES adjacent to the proposed project, an older established development with a street pattern of curved geometry that has added to the desirability and quality of a great neighborhood. The same characteristic is inherent in adjacent successful developments such as the nearby Forty Niners Country Club and has become a kind of signature for the overall area.

I have attached an alternate land plan concept which would not affect the number of proposed lots, would create more design quality and promote more diversity in the designs of future residences to be constructed. The developer may want to consider this.

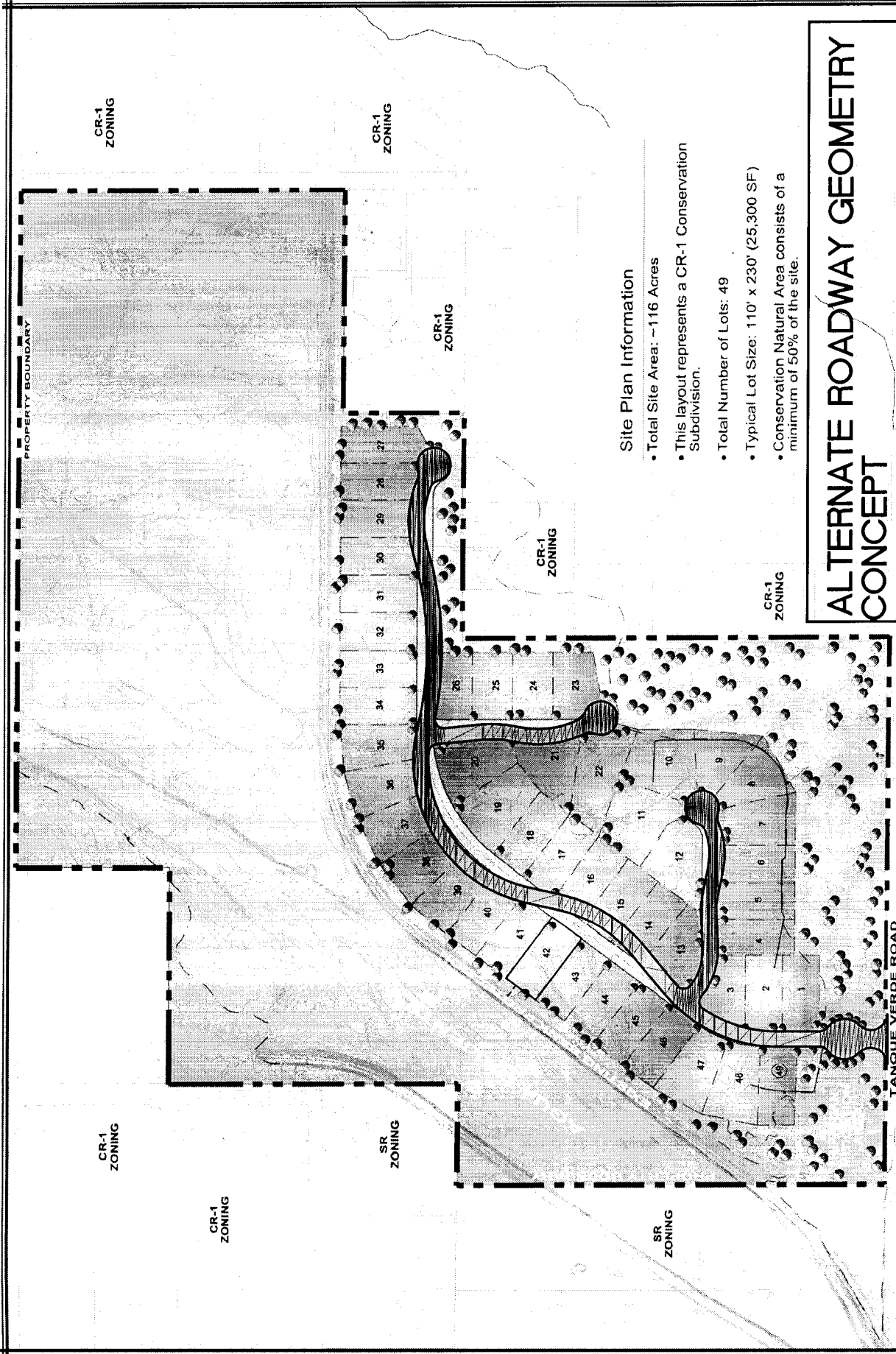
There was considerable concern by attendees at the meeting about their perception of relatively small size lots in that this would provide pressure to construct many two-story homes. I have attached a lot analysis which proves that there is an average of 14,000 plus square feet of buildable area in the lots and this would allow one-story structures up to at least 5,000 square feet of living area therefore alleviating much of this concern.

Respectfully submitted for your consideration



George E. Holguin, A.I.A.

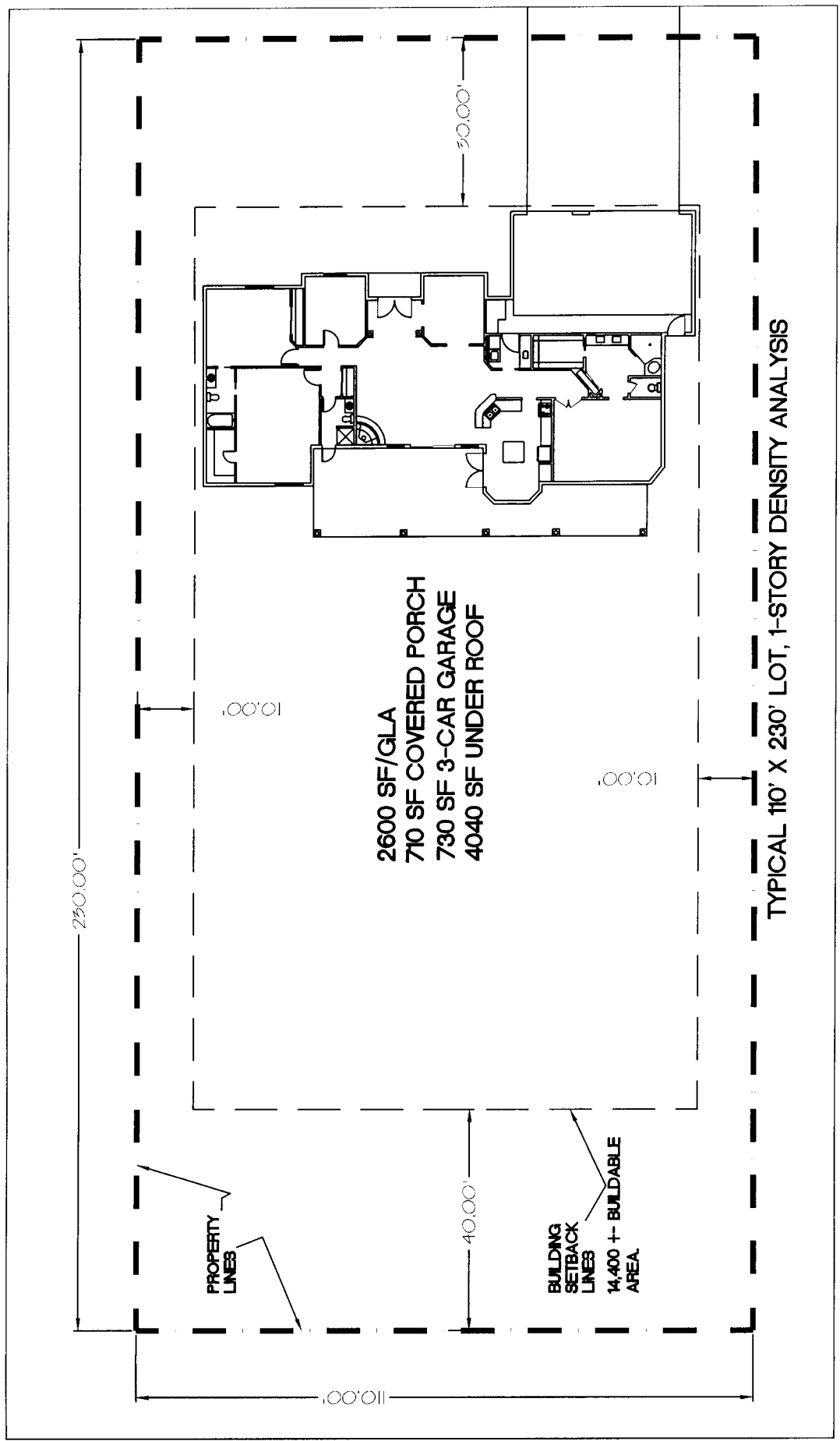
Holgwin-2



**Site Plan Information**

- Total Site Area: ~116 Acres
- This layout represents a CR-1 Conservation Subdivision.
- Total Number of Lots: 49
- Typical Lot Size: 110' x 230' (25,300 SF)
- Conservation Natural Area consists of a minimum of 50% of the site.

# ALTERNATE ROADWAY GEOMETRY CONCEPT



230.00'

30.00'

10.00'

2600 SF/GLA  
710 SF COVERED PORCH  
730 SF 3-CAR GARAGE  
4040 SF UNDER ROOF

10.00'

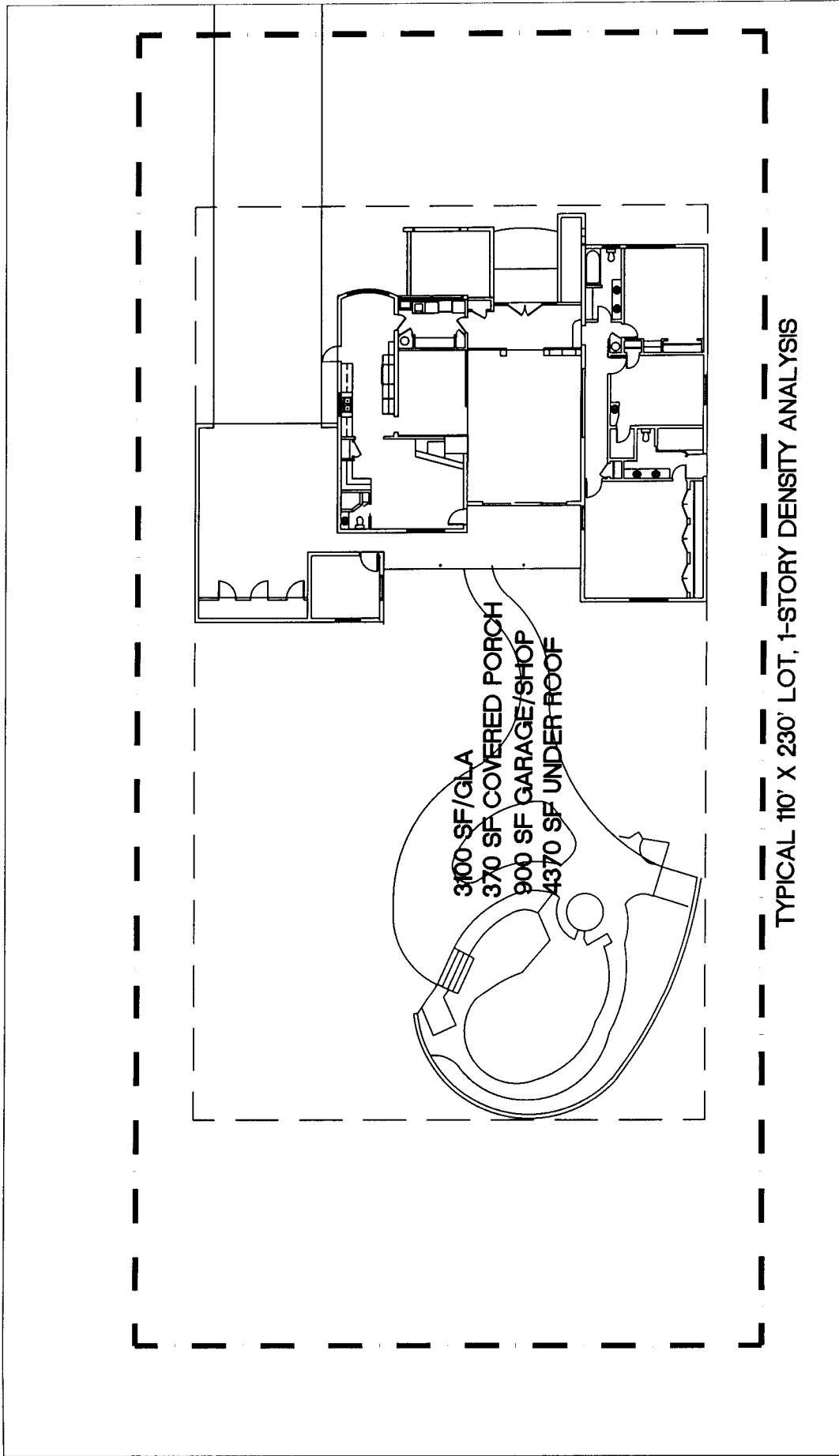
PROPERTY  
LINES

40.00'

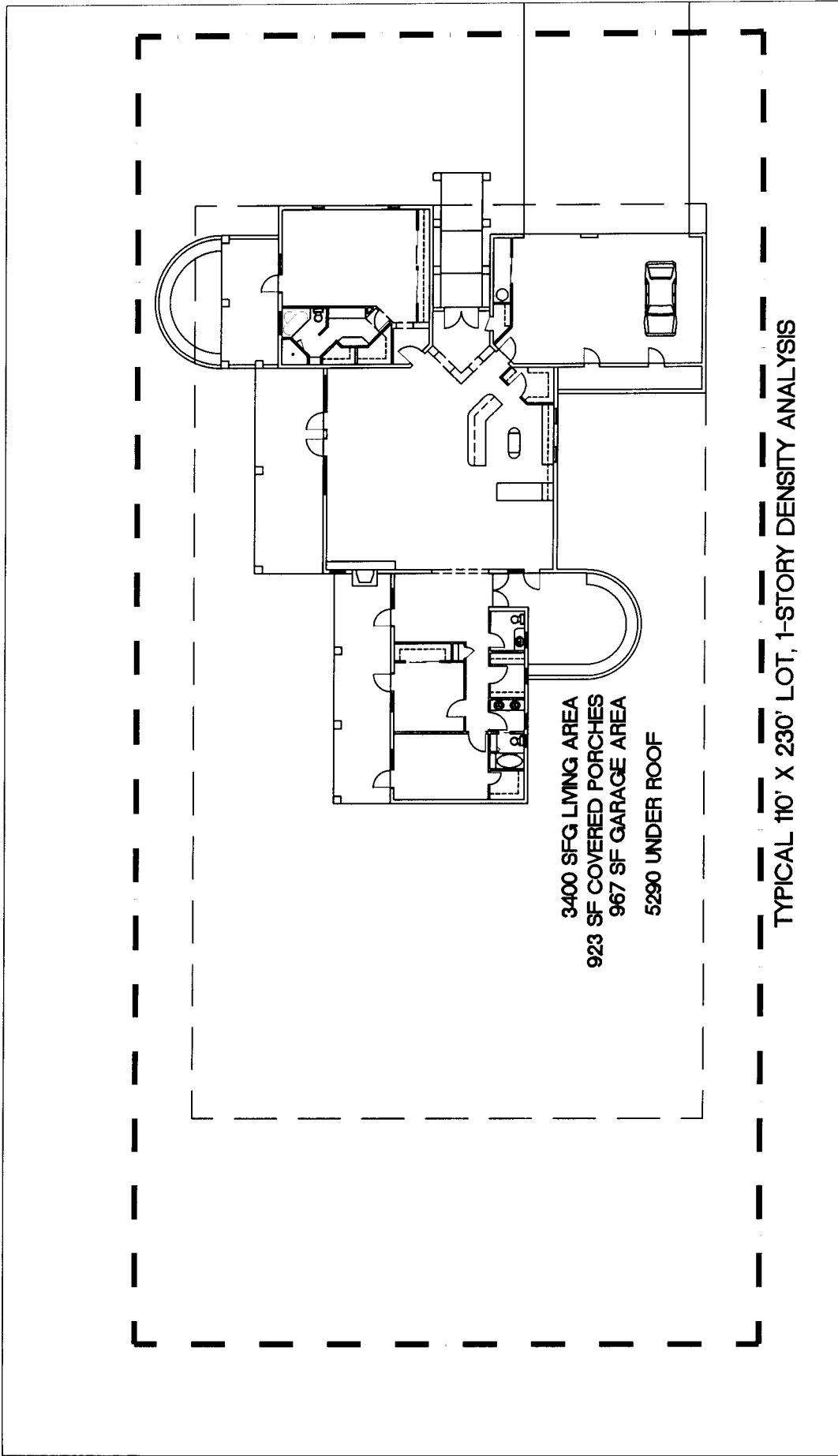
BUILDING  
SETBACK  
LINES  
14,400 +/- BUILDABLE  
AREA

110.00'

TYPICAL 110' X 230' LOT, 1-STORY DENSITY ANALYSIS







**Co7-13-07 TITLE SECURITY OF ARIZONA TR 2055 - E. TANQUE VERDE ROAD PLAN AMENDMENT**

Listing of approximately 230 form protest letters (Part 1) received Tuesday, July 30, 2013 for Wednesday, July 31, 2013 Planning and Zoning Commission. Most are from Tanque Verde Valley area Zip Code 85749. Addresses with other Zip Codes / locations provided are noted in address line. Some records were combined where there were multiple letters from a single address; all names are shown. Examples provided after the lists include all original comments received.

ADELSTEIN EVAN 4361 W PLANTATION 85741  
ALGIRE BARBARA 5318 N CANYON RISE  
AUERBACH GARY 2730 N PANTANO RD 85715  
AVRAM JENNIFER 3729 N VIA DE CORDOBA 85746  
BANNISTER DEBERA 2991 N WENTWORTH RD  
BASSETT MICAH 4270 N SIERRA DE LUNA PL  
BAUMANN EVAN 3921 N PLACITA SABINO  
BAXLA NOEL 11780 E RANCHO LOS RIOS DR  
BEITLER DOROTHY, BEITLER THOMAS 2829 N WENTWORTH RD  
BERNARD HELEN 9560 E CORTE DEL SOL BRILLANTE 85748  
BISHOP VIKKI, BISHOP STEVEN 9956 E AMANDA PAIGE DR  
BITTNER DEBORAH, LEE BITTNER GUY 10500 E RUSTY SPUR DR  
BLISS GEORGE H, BLISS RACHEL 10661 E SUNDANCE CIRCLE  
BOCKISCH JONI 4939 N LAK-A-YUCCA 85743  
BOYLE JANE 4545 N BANYON TREE DR  
BRADY LISA, BRADY MATTHEW 4680 N KEET SEEL TR  
BROWN JOHN 2381 N EMERALD LAKE CT  
BROWN MARILYN 5981 N PASEO VENTOSO 85750  
BROWN PATRICIA A 6740 N ALVERNON WAY (ALVERNON/SKYLINE)  
BROWN RONALD 5981 N PASEO VENTOSO 85750  
BUSCEMA ELYSE BUSCEMA MEGAN 2820 E 6<sup>TH</sup> ST 85716  
CARRABBA BRUCE, CARRABBA DEBORAH 10410 E SUNNYWOOD DR  
CASTANEDA PAUL 1602 N DODGE 85716  
CHABOT NICOLE 9157 E DAWN POST RD  
CONNELLY BRIAN, CONNELLY GINA 9921 E WILD JAVELINA PL 85719  
CONNELLY KATHY, CONNELLY MICHAEL 7612 CALLE AGERRIDA  
CONTRERAS JESSICA 325 E LAWTON ST 85704  
CONVERSE JANE 815 N ALAMO AV 85711  
CONVERSE JOAN 12425 E ARBOR VISTA BL  
CONWAY DEBORAH 4900 N PLACITA ANTILOPE  
CURRY ADELA 4602 PALISIDE DR  
DAVIS BARBARA, DAVIS JEFFREY 10695 E PLACITA CHIAPAS  
DE COOK BILL, DE COOK BOBBI JO 3661 N LYNFORD PL  
DE LA OSSA JUDY 3860 N BEAR CANYON  
DELORME ROXANNE 12051 E MAKOHOH TR  
DETERS PAMELA 3400 N EL CAMINO RINCONADO  
DIAZ ALEX, DIAZ BECKY DIAZ ROSANDA 2251 N DUSTY LN  
DICAMILLO JOHN, DICAMILLO MINDY 2409 N LAKE STAR DR  
DUASINGER ALMA 2001 N DONNER AV  
EICHLING LYNN, EICHLING PHILIP 5071 N BEAR CANYON  
ELLIOT SUSAN A 928 N CAMINO SECO (Camino Seco / Speedway)

ELMER AMANDA 4220 N LARREA LN 85750  
ELMER AMBER 11400 E CATALINA HY  
ELMER CAROL, ELMER JOHN, ELMER DANA 4201 N LARREA LN 85750  
EVANS KEVIN 4412 E BROTT ST 85712  
EVEN SCOTT, EVEN KRISTIN 3281 N BOUCHARD PL  
FELGAR JAMES 4502 N CAMINO CAMPERO 85750  
FIEBER LEONARD 8160 E BROOKWOOD DR 85750  
FRAZIER JASON 125 S PALACE GARDENS 85748  
FRENCH JULIANNE 9920 E FT LOWELL  
GENTRY DEBORAH 4825 N LARKSPUR RD  
GENTZLER STEVE 511 N LOQUAT AVE 85710  
GERDES CRYSTAL, GERDES JOSEPH 10550 E GLENN ST  
GIACOMELLI DEBRA 4473 N AVENIDA DE PIMERI ALTA  
GODWIN NANCY 2202 S CALLE MESA DEL OSO 85748  
GOETT 5201 E 2<sup>ND</sup> (2<sup>ND</sup>/Rosemont)  
GRANADOS DYLAN 1417 W NIAGARA 85745  
GREENAWALT LYNNE 5262 N CANYON WAY 85750  
GRIFFITH WAYNE 4940 E PLACITA BARBOA  
GRUBB CAROL, GRUBB L CRAIG 10621 E SUNDANCE CIRCLE  
GUNDERMAN SALLY 10066 E KLEINDALE  
GUTIERREZ PATRICIA 5000 E GRANT RD  
GUZZETTA JACQUELINE 7 LONGSTREET IRVINE CA 92620  
HARRISON MATT 8701 E TANQUE VERDE RD  
HARTMAN JO 10650 E SUNDANCE CIRCLE  
HARTMAN M 9658 E 5<sup>TH</sup> ST 85748  
HARTUNG SCOTT, HARTUNG STEPHANIE 10249 E PLACITA CRESTA VERDE  
HERRON SANDRA 12325 E CAPE HORN  
HASTINGS TAMI 1810 N WENTWORTH RD  
HAWKS LAVERNE 3333 N CALLE LARGO  
HEACOCK DANIEL, HEACOCK ERIKALYN 5140 E CALLE VISTA DE COLORES 85711  
HEADY BILL 8831 E PALISADE TE  
HELDT TIM 4510 N TIERRA ALTA DR  
HIRSCHUIAN CATHERINE 9816 E FOREST GROVE LOOP  
HOOD MARK, HOOD SHARYN 8341 E MARLENA CIRCLE 85715  
HURKLEY SCOTT 2130 N DUSTY LN  
JOHNSON DEBORAH 9160 E SHONTO LN  
JOHNSON JOHN, JOHNSON RENEE 8478 E SPEEDWAY BL #307 85710  
JOHNSON VICKI M, JOHNSON MARGARET 430 N BEDFORD DR (BROADWAY/CAMINO SECO)  
JONES ARRON, BLISS JUDITH M 10392 E MARQUETTE ST 85747  
KELLY CARLA, KELLY CHRIS 11025 E KIVA RIDGE PL  
KELLY EDWARD M, KELLY PIERRETTE 8920 E SADDLEBACK DR  
KELSEY GERALD 3650 N SOLDIER TR  
KESSLER LIZ 704 S CYNTHIA AV 85710  
KNAPE BETTY 4625 N PALISADE DR  
KOECHLE CAROL 10100 E KLEINDALE RD  
KOLE MIRIAM 3160 N BEAR CANYON RD  
KOPPENHAVER ROBERTA 4308 N WINDRIDGE LP  
KOWALSKI LINDSEY 11725 E SUMMER TR  
LAFAVE HOLLY 5<sup>TH</sup> ST 85748

LANE BENJAMIN 3112 N TOMAHAWK TR  
LEE BRIAN 2002 N MAGNOLIA 85704  
LEISCHNER LACY 8540 E OLD SPANISH TRAIL (NOT A REAL ADDRESS)  
LEMKE KATHERINE 4632 N AVENIDA DE FRANELAH  
LESTER ELIZABETH 7671 E TANQUE VERDE #266 85715  
LOCHHEAD APRIL, LOCHHEAD EDWARD 9951 E SWORDFISH WAY 85748  
LOHNER MERCEDES, PARK BRANDI 1717 N TANQUE VERDE LOOP  
MANNY RENE PO BOX 14377 85732  
MARQUEZ REBECCA 8812 E PALISADE TERRACE  
MARSHALL CHRISTOPHER NO ADDRESS  
MARTIN KATHLEEN 8961 E INDIAN BEND RD  
MCCANCE CARRIE 10100 E PROSPECT HEIGHTS PL  
MCCARTNEY MICHAEL 12910 N WHITLOCK CANYON 85755  
MCMAHON DEBRA, NO ADDRESS  
MCPHERSON GARY 910 S BELVEDERE 85711  
MCPHERSON TRISH 910 S BELVEDERE 85711  
MEADOR HARRIET 4761 N SOLDIER TR  
MELENDEZ PAUL 2042 N SOLDIER TR  
MIKE STEPHEN A 2350 N CREEK VISTA  
MILLER JEFF, MILLER PAMELA J 10601 E RUSTY SPUR DR  
MINOR PAM 2291 N DUSTY LANE  
MORAN JOHN 6890 E SUNRISE DR 85750  
MOREY DRAKE PO BOX 40933  
NABOURS KATIE 10450 PLACITA GUANAJUATO  
NARCUS DEBORAH D 3050 S QUAID TR 85730  
NILSON JAMES 2250 N DUSTY LN  
OIEN AMANDA 1930 N BONANZA AV  
OLBERDING JOHN 3901 N RED RUBY LANE  
OLSON ROBERT, OLSON TORI 10641 E SUNDANCE CIRCLE  
PADILLA FRANCIS, PADILLA MICHAEL NO ADDRESS  
PARK WILLIAM 1712 N TANQUE VERDE LOOP  
PEREZ BENITO 7497 E TANQUE VERDE 85712  
PEREZ JUANITA, PEREZ TEODORO 5235 E 20<sup>TH</sup> ST 85711  
PHILLIPS CHARLES 10561 E ROGER RD  
PHOENIX JOY 2140 N EL CAMINO RINCONADO  
POWERS THOMAS 957 N CAMINO LAS SOLANAS 85748  
PRITCHETT JOHN 5614 E ROSEWOOD ST 85711  
PYLE JOHN STEPHANIE CHIN 2300 N CONESTOGA  
RAMIREZ CLAUDIA, RAMIREZ OSCAR 3810 N ROMER RD #80 85705  
RAX TJ 6217 E FAIRMOUNT ST 85629  
RENNER STACY 8755 E BEARS PATH RD  
RIGG SERENA 4270 N SIERRA DE LUNA PL  
ROBERTS JO 6410 E TANQUE VERDE RD 85715  
ROBERTS JONATHAN A 8921 E SUMMER TR  
RODRIGUEZ SHERRY 9283 E 5<sup>TH</sup> 85710  
ROSEN JERRY 1981 N FOUNTAIN PARK DR 85715  
ROSSER ROSEMARY 5256 N CANYON WY 85750  
RUDD E MARIE 51009 E TANQUE VERDE  
RUIZ ALMA MARTA, RUIZ EDMUNDO 10631 E RUSTY SPUR DR

SARAH GEORGE 9959 E KLEINDALE RD  
SCHATTILLY BETH 2250 N DUSTY LANE  
SCHROEDER JEAN 11511 E TWIN HILLS TR 85748  
SHEEHAN VERNON 2492 N BAY DR 85715  
SILVERMAN MIA 9551 E CREEK VISTA PL  
SIMON-HELDT SHERRY 4510 N TIERRA ALTA DR  
SIND STEPHEN AND JEAN 13515 E PLACITA EL CENTRO  
SKAGGS JENNIFER 2324 N DEERCREEK PL  
SMALL VICTORIA 3125 N MELPOMENE WY  
SMITH JEAN 4176 N SOLDIER TR  
SMITH KELLY 4512 N VIA ENTRADA #81 85718  
SPRINKLE ERIC 10661 E RUSTY SPUR DR  
SPROTT GERALDINE 9225 E TANQUE VERDE 85716  
STANCHFIELD VIVIAN 11535 E SONORAN MOON PL  
STANLEY KATHY 9544 E SHADOW LAKE CT  
STARK DOUGLAS 11710 E LENHER SCHWERIN TR  
STROUP CAYLIN 345 S SAN PEDRO ST (BENSON) 85602  
SUTHERLAND LAURI 5203 N CANYON  
SWALLOW MARY 5409 E 9<sup>TH</sup> ST 85711  
SWIMMER GARY 411 N SCHRADER LN 85748  
TALBOT LYLE 4216 N VINE AV 85717  
TAMBURES ANGELIQUE 1096 N AVENIDA JEANINE  
TARDID JOSEPH 11801 E CALLE DE CORONADO  
TARTAGLIA ANDREW 9225 E TANQUE VERDE RD 85716  
TAYLOR G ALF TAYLOR JUDI 7763 VIA VENTANA NORTE  
TEVIS CAITLIN 12590 E SONORAN RIDGE DR  
TREVOR KATRINA 8755 E BEARS PATH RD  
TUCKER REBECCA 12421 E MAKAHOH TR  
TURNBULL DORMER 11371 E TWIN HILLS TR 85748  
URSINY JEFFREY 8992 E LINDEN ST 85715  
VERDUZCO LUIS 2191 N DUSTY LN  
WAGNER BILL 1810 N WENTWORTH RD  
WARD SCOTT 8838 E MOUNTAIN SPRING DR  
WATKINS BRENT 2580 N FENNIMORE AV  
WATLING LH 11740 E CALLE DE SAMUEL  
WEBBER MICHAEL 1420 W PLACITA DEL REY 85704  
WEISENBERGER, JUDITH WEISENBERGER MARVIN 10620 E SUNDANCE CIRCLE  
WELLS MAURICE 9157 E WILD WASH DR 85747  
WEST SUSAN 7940 E FORT LOWELL RD 85750  
WHITE DEBBIE 12400 E PRINCE  
WHITE LIAM 9228 E TANQUE VERDE  
WHITE PATRICE 3122 N PALOMINO PK  
WILDERS ROBERT, WILDERS SUZANNE 10601 E SUNDANCE CIRCLE  
WILLIAMS JEFFREY 4512 N VIA ENTRADA #81 85718  
WOLFERSETTER KAY 4632 N AVENIDA DE FRANELAH  
YOUNG ED 3333 N CALLE LARGO 85750  
ZAMORA DAVID 2271 N DUSTY LN  
ZIMMERMAN LINDA 9959 E KLEINDALE RD

**Co7-13-07 TITLE SECURITY OF ARIZONA TR 2055 - E. TANQUE VERDE ROAD PLAN AMENDMENT**

Listing of approximately 150 form protest letters (Part 2) received at Planning and Zoning Commission Public Hearing on July 31, 2013.

ABARR DANIEL, 2033 N TANQUE VERDE LOOP  
ABARY PATRICIA, 2033 N TANQUE VERDE LOOP RD  
ADAMS JOANN, 11110 E SHADY  
ATKIELSKI JOHN and ATKIELSKI LINDA 1851 N PLACITA DEL LENADOR  
BARONE AUDREY, 11240 E SHADY LANE 85749  
BARRASSO ANTHONY, 11856 E WAGON TRAIL RD 85749  
BARRASSO DANIEL, 6497 E WOOD LILY CT 85750  
BARRASSO SARAH, 11856 E WAGON TRAIL RD 85749  
BEACH ALICE, 2443 N CREEK VIST DR  
BERGEMAN JACQUELINE, 2134 N TANQUE VERDE LOOP 85749  
BIRGEL CINDY, 9990 E BUCKSHOT CIR  
BJELLAND CAROL, 1813 N CAMINO AGRIOS 85715  
BLIVEN MARIE, 2126 S MIRAMONTE ST  
BOYD RENEE, 10505 E RUSTY SPUR  
BRADFORD GAIL, 31122 CALLE DEL CAMPO  
BROWNE HEATHER, 418 S 3<sup>RD</sup> AVE  
BUONAVITO PETE, 10700 E TANQUE VERDE  
BURGEN AMY, 9315 E MAGDALENA  
CAMP JOAN, 630 S AVENIDA SENDERO  
CELAYA CHRISTINA & JOHN, 2101 N TANQUE VERDE LOOP RD 85749  
CHAMBERS SARA, NO ADDRESS  
CHOMIAK GEORGE AND VIRGINIA, 10955 E MESQUITE VALLEY TRAIL  
CLEMENY CARYL, 10603 E SPEEDWAY  
CODY MICAH, 3440 E WHITE CLOUD WAY  
COOPER ANASTASIA, 2101 N TANQUE VERDE LOOP RD  
CRUM ROBERT AND ELYSA, 11303 E BROADWAY BLVD  
CURTIS DEBORAH, 7242 ONDA CIRCLE 85718  
CURTIS RAY, 7242 ONDA CIRCLE 85718  
DENZLER LARRY D, 10708 E CALLE SAN DOMINGO  
DOUGLAS VALORIE, 3901 N VIA DE LA LUNA 85749  
DRUMMOND BARBARA, 3194 N AVENIDA DEL CONEJO  
DUNAWAY AMERY, 11800 E CALLE DE CORONADO 85749  
DUNAWAY GERTRUDE, 11800 E CALLE DE CORONADO 85749  
DUNAWAY SCOTT AND GERTRUDE, 11800 E CALLE DE CORONADO 85749  
DURIN DAVID, 9622 E WASSATCH PL  
DUTONAK JOHN, 5785 S OLD SPANISH TRAIL  
ESCOBEDO NORMA, 11741 E LENHER SCHWERIN TRAIL  
FALLWELL GLENN, 7357 E MONTECITO DR  
FARIES PAIGE, 10602 E GLENN ST 85749  
FIGUEROA DANNY, 1944 N TANQUE VERDE LOOP  
FIGUEROA ROSA, 2271 N DUSTY LANE  
FIGUEROA THOMAS, 10250 E WOODHAVEN LN 85748  
FISCHER JOHN AND JEANNE, 10456 E FLINTLOCK TR  
FORD RICHARD, 10360 E GLENN ST 85749

FOXWORTHY DONNA, 3921 N JIMSONWEED  
FOY NICK AND HEIDI, 10540 E RUSTY SPUR DR 85749  
FRELKA CHRIS, 10249 E GARY HAWK  
GABANY BRET AND KIM, 10884 E TANQUE VERDE RD  
GAMER FRANK, 11240 E SHADY LANE  
GAMINO RAMON, NO ADDRESS  
GAMON-HOUSE AMANDA, 7730 E BROADWAY BLVD APT #1109  
GAUDIELLE QUENTIN, 621 N TUCSON BLVD 85716  
GILBERT JEANNIE, 8241 E 20<sup>TH</sup> ST  
GOODE SUZANNE L, 2230 N KIMBERLEE ROAD  
GOULD JEFF, 1012 S 8<sup>TH</sup> AVE  
GRAYAM DELORES, 3941 N SMOKEY TOPAZ  
GREER KRISTA, NO ADDRESS 85641  
HEAGETT ANGELA, 6131 E TIMROD ST 85711  
HEIMAN JOHN, 10603 E SPEEDWAY  
HINSON DARYL AND MARY, 3696 N SILVER DR 85749  
HOCK CHARLENE, 11311 E BROADWAY BLVD  
HOLMES LESLIE, 10519 E TANQUE VERDE RD 85749  
HUDGEL LINDA, 4642 N AVENIDA DE FRANELAH  
HULKOWER GUSTAVE AND MARILYN, 2801 N MELPOMENE DR  
HUNTER CAROLE, 3820 N RIVER OAK PLACE 85718  
HUTTO WILLIAM, 10545 E RUSTY SPUR DR  
JARRED JONNIE, 2080 N TANQUE VERDE LOOP RD  
JONES DIANA, 1551 N KING ST 85749  
JONES VIRGINIA, 8878 E DESERT LILY PL  
KARRELS KENNETH V AND MARY V, 3930 N SMOKEY TOPAZ  
KARTCHNER CHRISTINA, 1942 N TANQUE VERDE LOOP RD  
KARTCHNER KAREN, 1942 N TANQUE VERDE LOOP RD  
KARTCHNER KEVIN, 1942 N TANQUE VERDE LOOP  
KARTCHNER KYLER, 1942 N TANQUE VERDE LOOP RD  
KUNDERT GEORGE, 8258 E COOPER PL  
LEACH JESSICA, 10894 E TANQUE VERDE RD  
LESURE JACQUELYN, 1012 S 8<sup>TH</sup> AVE 85701  
LEVARIO ERIC AND MELISSA, 7237 E ELI DR  
LOPEZ LINDA, 12441 E HEMLOCK LANE  
LOPEZ SCOTT, 10600 E SUNDANCE CIR  
LOPEZ STEPHEN, 10600 E SUNDANCE CIR  
LUSTMAN RHONDA, 12330 E MOKOHOH TRAIL 85749  
MACKROON LEO, 7619 E CALLISTO CIR #39  
MARTIN ALICIA, P.O. BOX 850 NOGALES AZ  
MATHIS TERRY, 345 N PANTANO RD APT#436  
MAZZARA ANTHONY AND MARY, 410 AVENIDA VENADO  
MCCAULEY CECILIA, 2271 N DUSTY LANE  
MCLAUGHLIN MICHELLE, 10545 E RUSTY SPUR DR  
MEDLIN HARLEY, 3015 N AVENIDA DEL CONQUISTADOR 85749  
MEDLIN RICHARD, 3015 N AVENIDA DEL CONQUISTADOR 85749  
METZGER MARK, 11610 E 49ER FAIRWAY LANE  
MEYER MARK, 10603 E SPEEDWAY BLVD 85748  
MODORY JAMES, 10768 E CALLE SAN DOMINGO

MOIR BEATRIZ, 13173 E MESQUITE FLAT SPRING DR 85641  
MOORE LINDA, 7332 E CALLE AGERRIDA 85750  
MORENO ADRIAN, 1810 W LOS REALES RD  
MORENO MICHAEL AND IRENE, 10955 E CALLE RINCON  
MORRIS KRISTEN, NO ADDRESS  
MORRISON ROBERT, S 2131 N DUSTY LANE  
MULVEY JAMES P, 10602 E GLENN ST 85749  
NAVARRO ROSIE & GOMEZ CONSUELO, 2160 N DUSTY LANE 85749  
NOVAK KAREN, 2221 N KLONDIKE DR  
NOVAK LAURENCE, 2221 N KLONDOKE DR 85749  
OBRIEN-MONTIJO DEIRDRE, 1811 N FORTY NINER DR  
OFLAHERTY DENNIS, 8751 E CORTE DEL SOL BONITO  
PENISTEN LOGAN, 1942 N TANQUE VERDE LOOP RD  
RAGEL SUZANNE, 9058 E PLAM TREE DR  
RIBEAU WENDY, 329 S TRESTON LANE  
RIGG SHEILA, 1326 W KLEINDALE RD  
ROBERTSON KENT, 10519 E TANQUE VERDE 85749  
ROUGHTON JOYCE, 3960 N SMOKEY TOPAZ 85749  
ROUGHTON JOYCE, 3960 N SMOKEY TOPAZ  
RUH LARRY & RITA, 2191 N RUSTY LN  
RUH LAURIE, 2161 N DUSTY LANE  
RUMEL SCOTT AND TIFFANY, 10300 E GLENN ST 85749  
SCHACKART MICHELLE, 11335 E OLD VAIL RD  
SCHAMP JONATHAN LEE, 1155 N BRYANT AVE  
SCHREIBER GARY, 2080 N TANQUE VERDE LOOP  
SHANNON WILLIAM, 1271 N KING ST 85749  
SHEA DEBRA, 11132 E EDISON  
SIDMAN COURTNEY, 7649 E MORELOS PL 85710  
SMITH CATHERINE, 9601 E BUSH HILL PLACE  
SMITH EMILY, 800 N HEARTHWIDE LANE  
SOTO ARMIDA, 2051 N TANQUE VERDE LOOP RD  
SPRINKLE ALLISON, 10661 E RUSTY SPUR DR  
ST. PIERRE BRANDON, 1752 N TANQUE VERDE LOOP  
STEBNER GERRARD, J 10520 E GLENN ST 85749  
STUART JEAN, 1449 S MILLER CREEK PL 85748  
SWANTON THOMAS J AND RUTH A, 10632 E GLENN ST 85749  
TARDIO GAIL, 11801 E CALLE DE CORONADO  
TREVINO PRISCILLA, 2271 N DUSTY LANE 85749  
TURNER JASON, 5962 E EASTLAND ST  
VAN ETHAN TERESA, (NO ADDRESS)  
WAINWRIGHT PHIL, 14890 E REDINGTON RD  
WALKER MICKEY, 3340 N AVENIDA DE LA COLINA 85749  
WILDE BETTY, 10603 E SPEEDWAY  
WOOD FRANK, 10860 E LINDEN ST 85749  
WOOD TERRY, 10860 E LINDEN ST 85749  
YARNES DEBRA, 9443 E WALNUT TREE CIRCLE  
YODER BARBARA, 10951 E LINDEN ST  
YOUmans ADELE, 2841 N MELPOMENE DR  
YOUmans ROBERT L, 2841 N MELPOMENE DR 85749



July 27, 2013  
Chairperson of Planning and Zoning  
130 West Congress Street  
Tucson, AZ 85701

RECEIVED  
AUG 01 2013  
BT.....

Dear Chairperson:

As a citizen who is concerned with maintaining the character of the Tanque Verde Valley, I am writing to strongly protest the development of the area East of Houghton Road, and North of Tanque Verde Road, known as the Desert Willow Ranch development, which is proposed by RB Price and Company.

- I object to the effect that these proposed 49+ homes will have on the Tanque Verde Valley, which has long been known for its open spaces, plethora of wildlife, riparian habitat within the designated area, and low density housing.
- This higher density housing will have a negative impact on this important riparian area, as well as the biological core management areas.
- I object to the devastating impact that this development will have on the existing wildlife corridor.
- The Tanque Verde Valley is a natural Mesquite bosque. The proposed development will irreversibly alter this natural landscape.
- The increased traffic too close to the intersection of Tanque Verde and Houghton, with no left turn lane planned by Pima County for the entrance into what is proposed as a gated subdivision has the potential to significantly impede traffic.
- I have serious reservations about the recent extraction of this property from the 100 year floodplain by FEMA based on personal observation of flooding of this land.

In closing, I strongly encourage you to consider the protest of the Tanque Verde Valley residents, and our treasured wildlife, who cannot speak for themselves.

Thank you for your time.

Additional Comments: *please see reverse* →

Respectfully,  
Signature *Lyla Tucker*  
Printed Name Lyla TUCKER  
Address 2 Snowcap Ct. Cedar Crest, NM 87008  
Date 7/27/13

As a native Tucsonan & Tucson property owner, I am very concerned about this proposed development.

The beauty & charm of open spaces in Tucson diminish each time one of these communities crops up.

Not only do the current residents suffer - but the wildlife does as well.

It hurts me to see my native home-land overtaken by these types of developments.

Please, reconsider this project & protect the wildlife & sanctity of this area.

Thank you for your time & consideration.

Thank you for your time.

Additional Comments:

Maintaining the environmentally friendly setting is paramount

Respectfully,

Signature

~~Mary K KARKER~~

Printed Name

Mary K KARKER

Address

3930 N Smokey Topaz Lane, Tucson

Date

July 29 2013

residents, and our treasured wildlife, who cannot speak for themselves.

Thank you for your time.

Additional Comments:

To allow zoning of homes on less than one acre would have a devastating impact on the area. You must respect the flood zone - not build in it. All you do will affect home owners in the entire area North and South of proposed development - \*

Respectfully,

Signature

Terry Cavalieri Wood

Printed Name

TERRY CAVALIERI WOOD

Address

10860 E. LINDEN ST. TUCSON AZ

Date

7/30/13

85749

\* I live to the south and was impacted by flooding when the original ingress was changed to the site. Please use common sense and not be influenced by the 'almighty dollar'.

Thank you for your time.

Additional Comments:

Not Cool!

Respectfully,

Signature

~~Micha~~ Micha

Printed Name

MICHA BASSETT

Address

4270 N Sierra De Liana Pl

Date

7-28-2013

Thank you for your time.

Additional Comments:

Based on these observations being true and accurate.

Respectfully,

Signature Sara Chambers  
Printed Name Sara Chambers  
Address 85742  
Date 07.30.13

Thank you for your time.

Additional Comments:

SAVE OUR WILDLIFE + OUR WAY OF LIFE.

Respectfully,

Signature [Signature]  
Printed Name BETTY WILDE  
Address 10603 E SPEEDWAY  
Date 7/30/13

Thank you for your time.

Additional Comments: I AM CONCERNED ABOUT TRAFFIC SAFETY AND THE SEVERE TRAFFIC CONGESTION THAT WOULD RESULT FROM THE ADDITIONAL 49 TO 52 RESIDENCES, THE WLB GROUP SAID THIS WAS NOT THEIR PROBLEM, IT SHOULD NOT BE THE RESIDENTS AND COUNTY TAXPAYERS.

Respectfully,

Signature LAURENCE J. NOYAK  
Printed Name LAURENCE J. NOYAK  
Address 2221 N. KLONDIKE DRIVE, TSON, AZ 85749  
Date JULY 30, 2013

In closing, I strongly encourage you to consider the protest of the Tanque Verde Valley residents, and our treasured wildlife, who cannot speak for themselves.

Thank you for your time.

Additional Comments: *Please Reconsider your plan.*

Respectfully,

Signature

*Elysa Crum*

Printed Name

*Elysa Crum*

Address

*11303 E Broadway 85748*

Date

*July 30, 2013*

In closing, I strongly encourage you to consider the protest of the Tanque Verde Valley residents, and our treasured wildlife, who cannot speak for themselves.

Thank you for your time.

Additional Comments: *IF THE PROPOSED DEVELOPMENT LAND IS NOT IN THE FLOOD PLAIN, I HAVE NO OBJECTION TO THE LAND BEING DEVELOPED IN ACCORDANCE WITH EXISTING PRACTICE OF ONE HOUSE PER ACRE.*

Respectfully,

Signature

*Robert L. Youmans*

Printed Name

*ROBERT L. YOUMANS*

Address

*2841 N. MELPOMENE DR., TUCSON 85749*

Date

*27 JULY 2013*

In closing, I strongly encourage you to consider the protest of the Tanque Verde Valley residents, and our treasured wildlife, who cannot speak for themselves.

Thank you for your time.

Additional Comments:

*33 YEAR RESIDENT / TAXPAYER*

Respectfully,

Signature

*Thomas J Swanton Ruth A Swanta*

Printed Name

*THOMAS J SWANTON*

*RUTH A SWANTA*

Address

*10632 E GLENN ST*

Date

*27 July 2013*

In closing, I strongly encourage you to consider the protest of the Tanque Verde Valley residents, and our treasured wildlife, who cannot speak for themselves.

Thank you for your time.

Additional Comments: This is where I ride and to build here will limit access to other trails we all use.

Respectfully,

Signature Betty L. Knape  
Printed Name Betty L. Knape  
Address 4625 N. PALISADE DRIVE  
Date 7-28-2013

Thank you for your time.

Additional Comments: It's imperative that wildlife corridors are preserved. I volunteer at the Tucson Wildlife Center + have seen, 1st hand, the negative impacts.

Respectfully,

Signature Nancy Godwin  
Printed Name Nancy Godwin  
Address 2202 S Calle Mesa Del Oro, Tuc, AZ, 85748  
Date 7/29/13

Thank you for your time.

Additional Comments: I board my horse in a stable at Houghton/Tanque Verde. We are looking to buy a house in the valley. we are here every day - we really oppose this type of development

Respectfully,

Signature Michael J. Brown  
Printed Name Michael J. Brown  
Address 6740 N. ALVERNON Way Tucson AZ 85718  
Date 7/28/13

July 27, 2013

Chairperson of Planning and Zoning  
130 West Congress Street  
Tucson, AZ 85701

RECEIVED  
AUG 01 2013  
BY: .....

Dear Chairperson:

As a citizen who is concerned with maintaining the character of the Tanque Verde Valley, I am writing to strongly protest the development of the area East of Houghton Road, and North of Tanque Verde Road, known as the Desert Willow Ranch development, which is proposed by RB Price and Company.

- I object to the effect that these proposed 49+ homes will have on the Tanque Verde Valley, which has long been known for its open spaces, plethora of wildlife, riparian habitat within the designated area, and low density housing.
- This higher density housing will have a negative impact on this important riparian area, as well as the biological core management areas.
- I object to the devastating impact that this development will have on the existing wildlife corridor.
- The Tanque Verde Valley is a natural Mesquite bosque. The proposed development will irreversibly alter this natural landscape.
- The increased traffic too close to the intersection of Tanque Verde and Houghton, with no left turn lane planned by Pima County for the entrance into what is proposed as a gated subdivision has the potential to significantly impede traffic.
- I have serious reservations about the recent extraction of this property from the 100 year floodplain by FEMA based on personal observation of flooding of this land.

In closing, I strongly encourage you to consider the protest of the Tanque Verde Valley residents, and our treasured wildlife, who cannot speak for themselves.

Thank you for your time.

Additional Comments:

Respectfully,

Signature



Printed Name

Cody Stropki

Address

2 SNOWCAP CT Cedar Crest, NM 87008

Date

7/30/13