



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: October 20, 2020

Title: ORDINANCE: P20RZ00003 FRIED - E. RUDASILL ROAD REZONING

Introduction/Background:

The Board of Supervisors approved the rezoning July 7, 2020,

Discussion:

The request was to rezone approximately 5.23 acres from the SR (BZ) (Suburban Ranch - Buffer Overlay) to the CR-1 (Single Residence - Buffer Overlay) zone for three single-family residential lots.

Conclusion:

The Ordinance reflects the Board of Supervisors' approval.

Recommendation:

Approval

Fiscal Impact:

N/A

Board of Supervisor District:


☒ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ All

Department: Development Services, Planning Division Telephone: 520-724-8800

Contact: Donna Spicola, Planner Telephone: 520-724-9513

Department Director Signature/Date:  9/28/2020

Deputy County Administrator Signature/Date:  9/28/2020

County Administrator Signature/Date:  9/28/20



PIMA COUNTY
DEVELOPMENT SERVICES

Subject: P20RZ00003

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OCTOBER 20, 2020 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS

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

DATE: September 25, 2020

ORDINANCE FOR ADOPTION

P20RZ00003 FRIED – E. RUDASILL ROAD REZONING

Owners: Ellen Fried
(District 1)

If approved, adopt ORDINANCE NO. 2020 - _____

OWNERS: Ellen Fried
534 Forest Avenue
New Rochelle, NY 10804

AGENT: Simmons Home Designs
Attn: Greg Simmons
1670 N. Kolb Road, Suite 144
Tucson, AZ 85715

DISTRICT: 1

STAFF CONTACT: Donna Spicola, Planner

STAFF RECOMMENDATION: APPROVAL.

TD/DS
Attachments

cc: Tom Drzazgowski, Chief Zoning Inspector
P20RZ00003 File

ORDINANCE 2020-_____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO ZONING; REZONING APPROXIMATELY 5.23 ACRES OF PROPERTY (PARCEL CODE 114-05-011R) FROM THE SR (BZ) (SUBURBAN RANCH – BUFFER OVERLAY) ZONE TO THE CR-1 (BZ) (SINGLE RESIDENCE – BUFFER OVERLAY) ZONE, IN CASE P20RZ00003 FRIED – E. RUDASILL ROAD REZONING (CATALINA FOOTHILLS ZONING PLAN), LOCATED ON THE SOUTH SIDE OF E. RUDASILL ROAD APPROXIMATELY 1,900 FEET WEST OF N. SABINO CANYON ROAD, AND AMENDING PIMA COUNTY ZONING MAP NO. 49.

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

Section 1. The approximately 5.23 acres located on the south side of E. Rudasill Road approximately 1,900 feet west of N. Sabino Canyon Road, and illustrated by the shaded area on the attached rezoning ordinance map (Exhibit A), which amends Pima County Zoning Map No. 49, is rezoned from the SR (BZ) (Suburban Ranch – Buffer Overlay) zone to the CR-1 (BZ) (Single Residence – Buffer Overlay) zone subject to the conditions in this ordinance.

Section 2. Rezoning conditions.

1. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
2. Transportation conditions:
 - A. A 30-foot ingress/egress easement shall be recorded for the new proposed lots as shown in the sketch plan (Exhibit B). All lots shall be served by this common, private road/driveway (easement) from the existing ingress/egress easement. The private roadway/driveway shall be paved (chip sealed) within six (6) months of the issuance of building permits.
 - B. The property owner(s) shall accept responsibility for the maintenance, control, safety, and liability of privately owned roads, drives, physical barriers, drainageways and drainage easements.
3. Flood Control condition: Floodplains, floodway, Important Riparian Area and Erosion Hazard Setbacks shall be avoided by all development. Easements and covenants, conditions, and restrictions shall be recorded at the time of the split.
4. Prior to ground modifying activities, an on-the-ground archaeological and historic sites survey shall be conducted on the subject property. A cultural resources mitigation plan for any identified archaeological and historic sites on the subject property shall be submitted at the time of, or prior to, the submittal of any tentative plan or development plan. All work shall be conducted by an archaeologist permitted by the Arizona State Museum, or a registered architect, as appropriate. Following rezoning approval, any subsequent development requiring a Type II grading permit will be reviewed for compliance with Pima County's cultural resources requirements under Chapter 18.81 of the Pima County Zoning Code.

5. Building heights are restricted to a maximum of 24 feet.
6. The owner(s) shall dedicate a Non-Motorized Trail easement to Pima County and construct the Esperero Wash single track trail in accordance with the Pima County Standards.
7. The utilities shall be underground on the rezoning site for new structures.
8. Adherence to the sketch plan as approved at public hearing, including a maximum of three lots (Exhibit B).
9. In the event the subject property is annexed, the property owner shall adhere to all applicable rezoning conditions, including, but not limited to, development conditions which require financial contributions to, or construction of infrastructure, including without limitation, transportation, flood control, or sewer facilities.
10. The property owner shall execute the following disclaimer regarding Proposition 207 rights. "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning, or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(I)."

Section 3. Time limits of conditions. Conditions 1 through 10 of Section 2 shall be completed no later than July 7, 2025.

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

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

Passed and adopted by the Board of Supervisors of Pima County, Arizona, on this _____ day of _____, 2020.

Chairman, Pima County Board of Supervisors

ATTEST:


Clerk, Board of Supervisors

APPROVED AS TO FORM:

 9/22/24

Deputy County Attorney
Lesley M. Lukach

APPROVED:



Executive Secretary
Planning and Zoning Commission

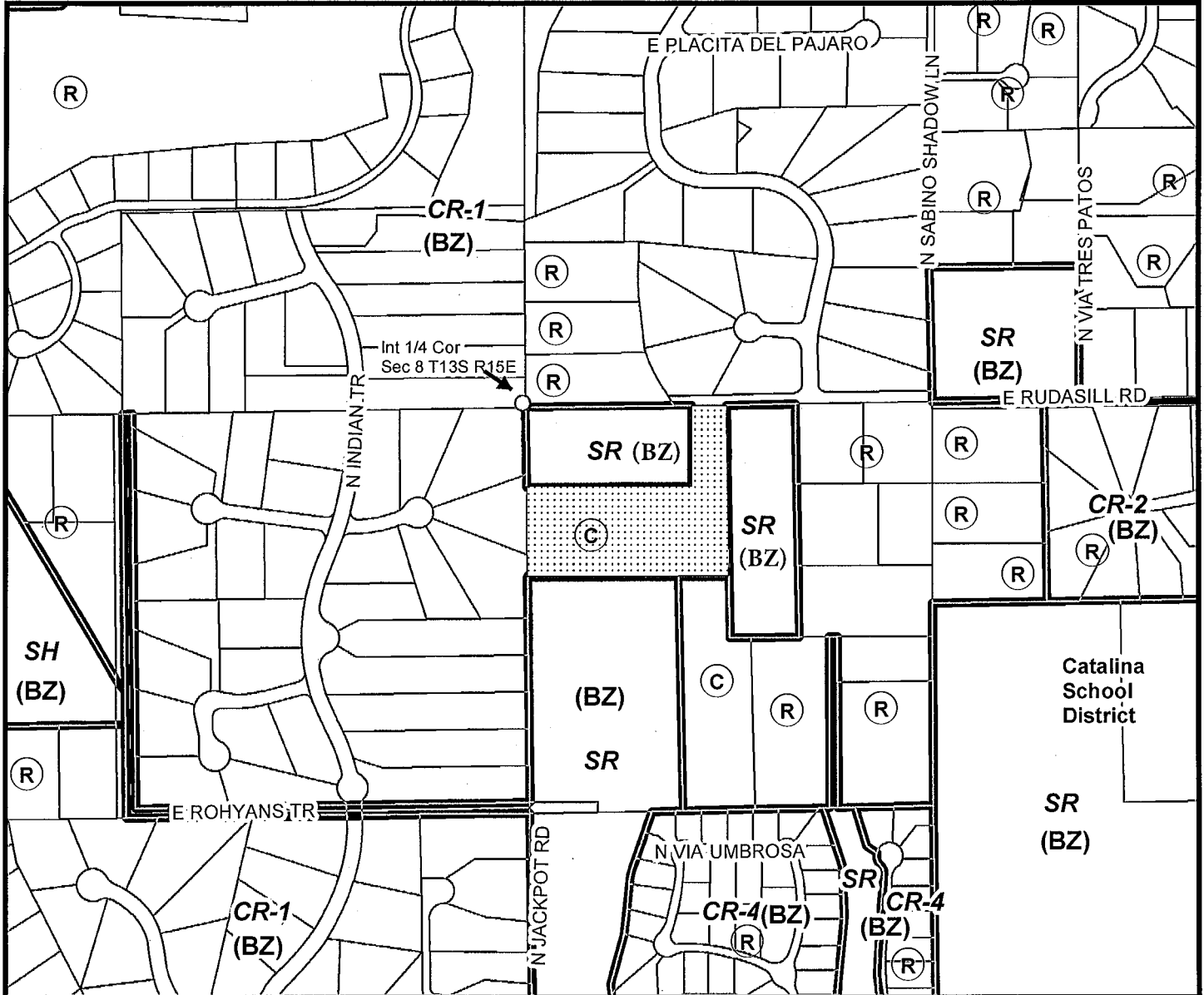
EXHIBIT A

AMENDMENT NO. _____ BY ORDINANCE NO. _____
TO PIMA COUNTY ZONING MAP NO. 49 TUCSON AZ. LOCATED
IN THE NW 1/4 OF THE SE 1/4 OF SECTION 8 T13S R15E.



0 120 240 480 Feet
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ADOPTED: _____ EFFECTIVE: _____



EXECUTIVE SECRETARY PIMA COUNTY PLANNING AND ZONING COMMISSION

© NO BUILDING PERMITS WITHOUT CERTIFICATE OF COMPLIANCE
FROM SR (BZ) 5.23 ac
ds-August 27, 2020

P20RZ00003
11405011R



Exhibit B

