



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: November 22, 2016

Title: Waiver of the Roadway Development Impact Fee - Nelson

Introduction/Background:

Under Pima County Code Section 19.03.070, the Board of Supervisors (BOS) may waive the Roadway development Impact Fee for certain developments. The Code section reads:

19.03.070 Waiver of fee.

- A. The board of supervisors may waive development fees for all development that constitutes affordable housing to moderate, low or very low income households as defined by the United States Department of Housing and Urban Development, provided that the waiver does not result in an increase in the development fee for other properties in the benefit area plan.
- B. The board of supervisors may waive from development fee programs particular types and locations of development that are determined to serve an overriding public interest, provided that the waiver does not result in an increase in the development fee for other properties in the benefit area plan.

Pursuant to Pima County Code Section 19.03.070, Darrel Nelson (property owner) requests that the BOS waive the Roadway Development Impact Fee for the placement of a residential dwelling unit on his property. This development does not constitute an overriding public interest and the applicant does not qualify for an Affordable Housing Waiver because annual household income exceeds 80% of the median income within Pima County.

Discussion:

The property owner will be applying for permits to construct a single family residential unit on his property located at 28720 S. Prairie View Court. Mr. Nelson states in the attached letter that because his property is in a remote location, is accessible only by roadways not maintained by Pima County, and no services are provided to his property from the county, that he should not be required to pay the \$5,968 Roadway Development Impact Fee.

His property is located on Prairie View Court and is accessible via a private named easement (Whetstone Ranch Dr.). From Whetstone Ranch Dr. access continues to Rain Valley Loop Road which is a Pima County Road, maintained via Intergovernmental Agreement with Santa Cruz County. Rain Valley Loop Road connects to State Highway 82, then on to Sierra Vista or Elgin. The applicant states that he works in Sierra Vista.

Conclusion:

The property is located in the far southeastern portion of Pima County and is not accessible to Pima County maintained roadways. The main arterial roadway in the vicinity of this request is State Highway 82. Should the BOS waive the impact fee, Mr. Nelson will not be charged the \$5,637 impact fee. If the Board does not approve the waiver, the fees will be collected at the time building permits are paid. The site is located in the Southeast Benefit Area.

Recommendation:

Staff recommends approval. The applicant does not travel on, or live near, any Pima County maintained roads. The nearest impact fee eligible project is Sahuarita Road, which is 35 miles away and only accessible via driving 13 miles through Santa Cruz County.

CV 141670114 P. CLK OF BO
AFB

Fiscal Impact:

n/a

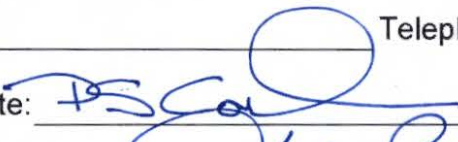
Board of Supervisor District:

- 1 2 3 4 5 All
-

Department: Transportation

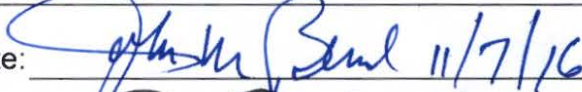
Telephone: 520.724.6699

Department Director Signature/Date:



11/3/16

Deputy County Administrator Signature/Date:

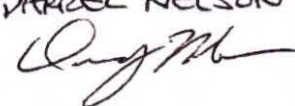
 11/7/16

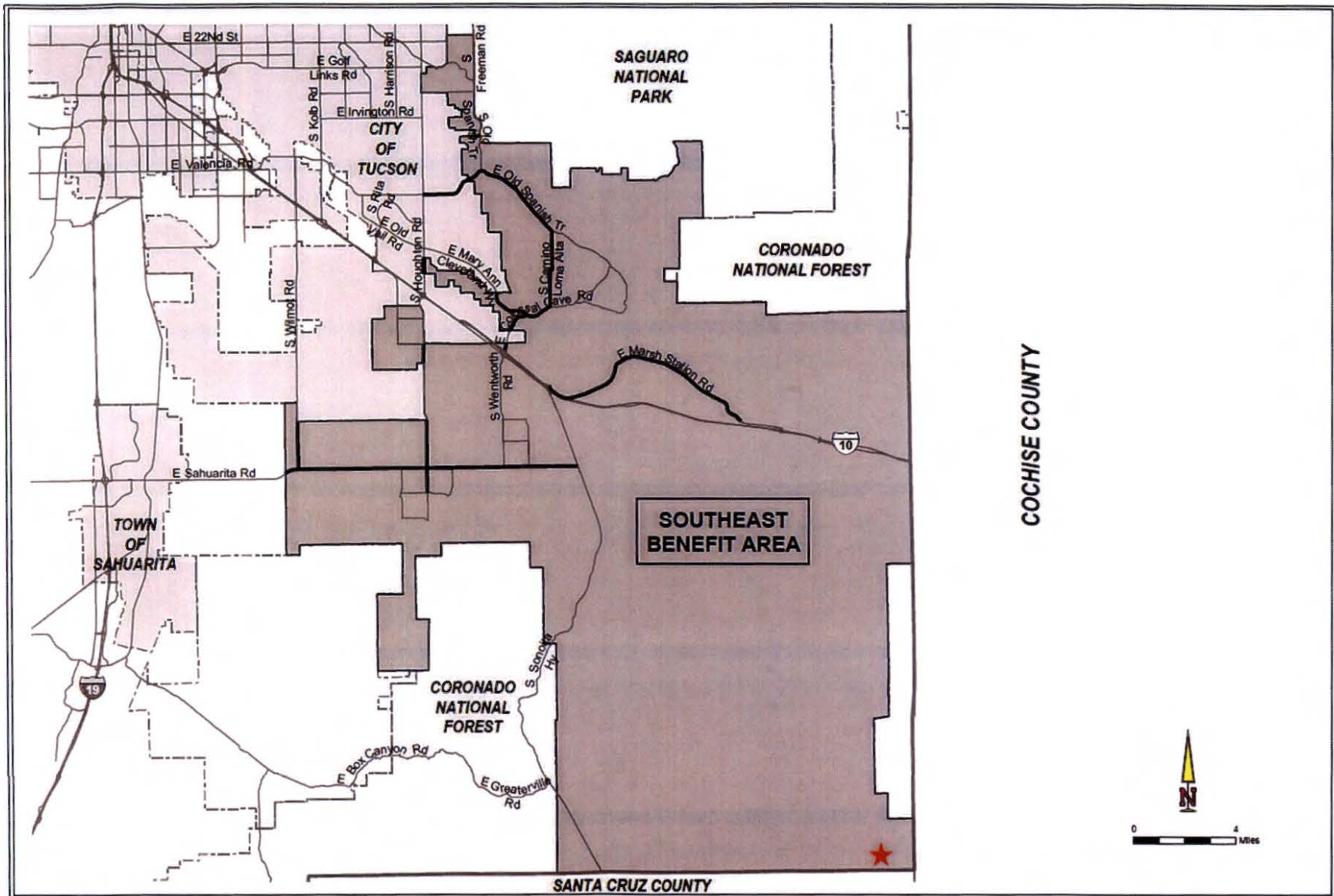
County Administrator Signature/Date:

 11/7/16

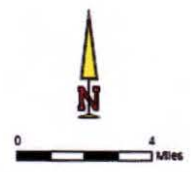
**REQUEST FOR
DEVELOPMENT IMPACT FEE WAIVER**

TO BE FILLED OUT BY APPLICANT (PLEASE PRINT CLEARLY)

Date 9/30/2016	Benefit Area SOUTHEAST	Tax Code 306-34-0600
Property Address: 28720 S. PRAIRIE VW CT. ELGIN, AZ 85611		
Last Name of Applicant NELSON	First Name DARREL	Phone No. 253-509-2758
Mailing Address: 28720 S. PRAIRIE VW CT.		City, State, Zip ELGIN, AZ 85611
Development Plan Name:		
Development Plan No.:		
Land Use Category(s):		
<p><u>Pima County Code Title 19, Section 19.03.070 (B): Waiver of Fee - "The Board of Supervisors may waive from development fee programs particular types and locations of development that serve an overriding public interest, provided, that the waiver does not result in an increase in the development fee for other properties in the Benefit Area Plan."</u></p> <p>Please provide the reason for your request and provide documentation supporting the "overriding public interest" that the project serves (you may attach additional sheets if necessary)</p> <p>WE LIVE IN THE VERY SE CORNER OF PIMA CO. IN THE RAIN VALLEY AREA. WHEN WE LEAVE OUR PROPERTY, WE TRAVEL $\frac{5}{8}$ MI. WEST ON E. WHETSTONE RANCH DR. (DIRT) WHICH PIMA CO. HAS NEVER MAINTAINED. WE THEN TRAVEL SOUTH ON RAIN VALLEY LOOP RD. A FEW HUNDRED FEET ENTERING SANTA CRUZ CO. AND THEN ONTO HWY 82 EAST TO SIERRA VISTA FOR WORK.</p> <p>WE DONT USE ANY PIMA CO. POLICE OR EMS SERVICES AS THESE ARE PROVIDED BY SANTA CRUZ CO. IN SONCITA.</p> <p>WE ARE PLANNING TO BUILD A HOME ON THIS PROPERTY AND WE ARE RESPECTFULLY REQUESTING A WAIVER TO THE TRANSPORTATION IMPACT FEE.</p> <p align="right">DARREL NELSON </p>		
<p>THIS REQUEST MUST BE FILED WITH THE PIMA COUNTY DEPARTMENT OF TRANSPORTATION, TRANSPORTATION SYSTEMS DIVISION, 201 N STONE AVE, 5TH FLOOR, TUCSON, AZ 85701 -TELEPHONE NO. 740-6403</p>		
OFFICE USE ONLY		
Hearing Date _____	Waiver Granted _____	Denied _____



COCHISE COUNTY



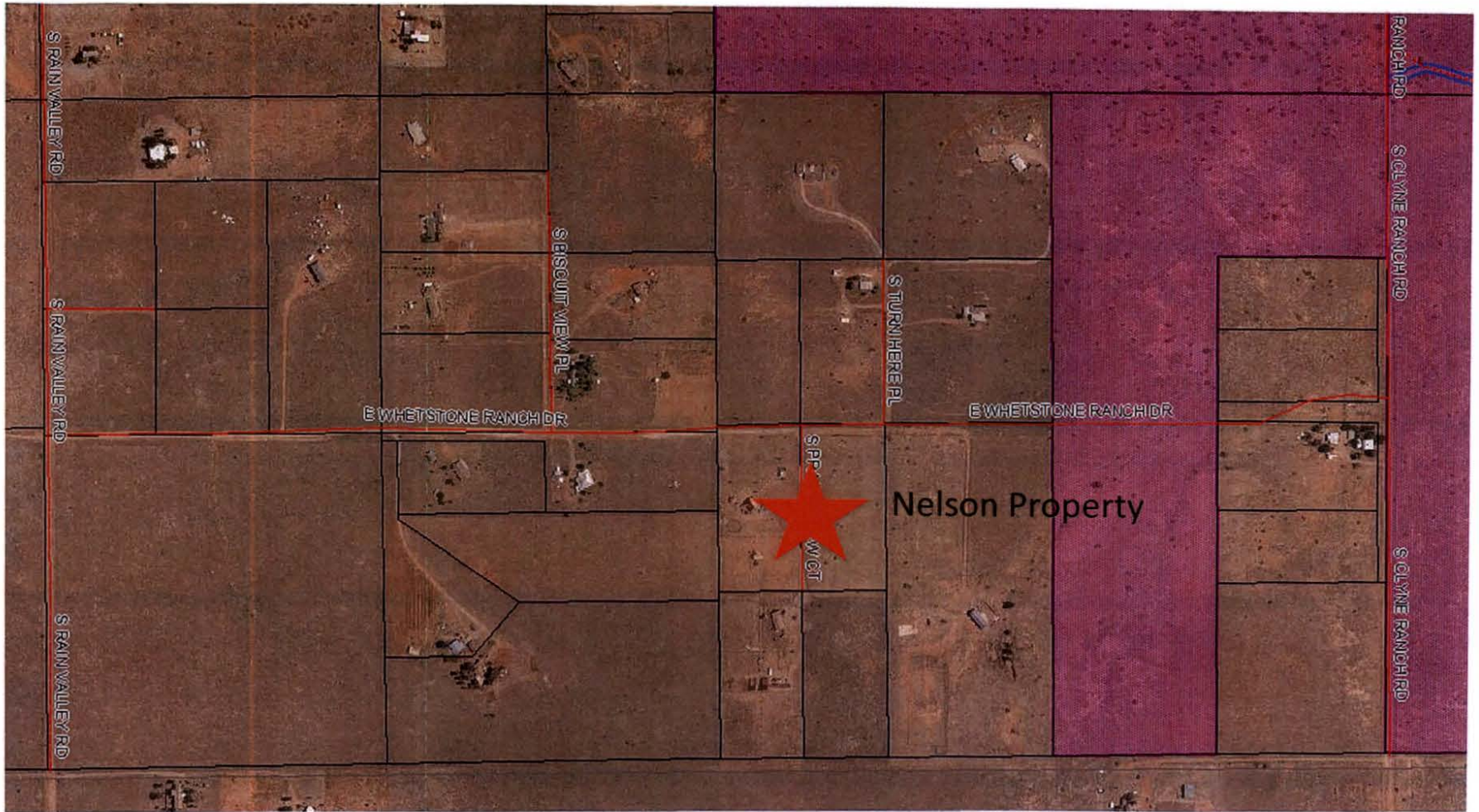
The information depicted on this display is the result of digital analysis performed on a variety of databases provided and maintained by several governmental agencies. The accuracy of the information presented is limited to the collective accuracy of these databases on the date of the analysis. Pima County Information Technology Department Geographic Information Systems makes no claims regarding the accuracy of the information depicted herein. This product is subject to the GIS Division Disclaimer and Use Restrictions.

SOUTHEAST ROADWAY DEVELOPMENT IMPACT FEE BENEFIT AREA

-  Projects
-  Approximate location of Nelson Property
-  Benefit Area


PIMA COUNTY
 GEOGRAPHIC INFORMATION SYSTEMS
 Pima County Information Technology Dept
 201 North 19th Avenue - 9th Floor
 Tucson, Arizona 85717-1227
 (520) 646-7111 FAX: (520) 798-5404

MAR 13, 2014



SANTA CRUZ

