



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: 9/17/2024

*= Mandatory, information must be provided

Click or tap the boxes to enter text. If not applicable, indicate "N/A".

***Title:**

P24RZ00005 TAYLOR – W. DORSEY STREET REZONING

***Introduction/Background:**

The applicant requests a rezoning of approximately 0.22 acres from the CR-4 (Mixed-Dwelling Type) to the CMH-1 (County Manufactured and Mobile Home-1) zone.

***Discussion:**

The current CR-4 zoning does not allow for a mobile or manufactured home on the existing 0.22-acre parcel. A rezoning to CMH-1 will allow a mobile or manufactured home on the 0.22 acre parcel.

***Conclusion:**

The proposed rezoning conforms to the Medium Intensity Urban Comprehensive Plan land use designation.

***Recommendation:**

Staff and the Planning and Zoning Commission recommend APPROVAL of the rezoning subject to conditions.

***Fiscal Impact:**

0

***Board of Supervisor District:**

1 2 3 4 5 All

Department: Development Services - Planning

Telephone: 520-724-8800

Contact: Donna Spicola, Senior Planner

Telephone: 520-724-9513

Department Director Signature:

Date:

8-26-24

Deputy County Administrator Signature:

Date:

9/3/2024

County Administrator Signature:

Date:

9/3/2024



TO: Honorable Dr. Sylvia M. Lee, Supervisor, District 3
FROM: Chris Poirier, Deputy Director
Public Works-Development Services Department-Planning Division
DATE: August 27, 2024
SUBJECT: P24RZ00005 TAYLOR – W. DORSEY STREET REZONING

The above referenced Rezoning is within your district and is scheduled for the Board of Supervisors' **TUESDAY, September 17, 2024** hearing.

REQUEST: For a **rezoning** of approximately 0.22 acres from the CR-4 (Mixed-Dwelling Type) to the CMH-1 (County Manufactured and Mobile Home-1) zone, located on the northwest corner of W. Dorsey Street and N. D'Armitt Avenue, addressed as **1634 W. Dorsey Street**.

OWNER: Rebecca Taylor
1634 W. Dorsey Street
Ajo, AZ 85321

AGENT: Clifford & Fonda Ritchie
1431 W. North Street
Ajo, AZ 85321

DISTRICT: 3

STAFF CONTACT: Donna Spicola, Planner II

PUBLIC COMMENT TO DATE: As of August 27, 2024, no written public comment has been received.

PLANNING & ZONING COMMISSION RECOMMENDATION: APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS 10-0

STAFF RECOMMENDATION: APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS

MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM DESIGNATIONS: The subject property is located within the Special Species Management Area of the Maeveen Marie Behan Conservation Lands System (CLS).

TD/DS
Attachments



BOARD OF SUPERVISORS MEMORANDUM

SUBJECT: P24RZ00005

Page 1 of 2

FOR SEPTEMBER 17, 2024 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS

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

DATE: August 27, 2024

ADVERTISED ITEM FOR PUBLIC HEARING

REZONING

P24RZ00005 TAYLOR – W. DORSEY STREET REZONING

Rebecca Taylor represented by Clifford and Fonda Ritchie, request a **rezoning** of approximately 0.22 acres from the CR-4 (Mixed-Dwelling Type) to the CMH-1 (County Manufactured and Mobile Home-1) zone, located on the northwest corner of W. Dorsey Street and N. D'Armitt Avenue, addressed as **1634 W. Dorsey Street**. The proposed rezoning conforms to the Pima County Comprehensive Plan which designates the property for Medium Intensity Urban. On motion, the Planning and Zoning Commission voted to recommend **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS** 10-0. Staff recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**.
(District 3)

Planning and Zoning Commission Public Hearing Summary (July 31, 2024)

The public hearing was a hybrid meeting. Staff and the commissioners attended in person and virtually. The applicant attended and presented virtually.

Staff presented information from the staff report to the commission with a recommendation of approval subject to standard and special conditions.

A commissioner asked if the property was cleared of all structures. Staff responded that the property was cleared of the mining cabin and accessory structures. A mobile home is located on the parcel.

A commissioner asked whether the rezoning is to allow a mobile home that would affect this one lot. Staff responded that the current CR-4 (Mixed-Dwelling Type) zoning does not allow for manufactured or mobile homes other than for a temporary use but for construction of a residence, but the CMH-1 zoning does allow for manufactured or mobile homes.

The applicants presented additional information and stated that they are personal friends of the property owner and were concerned with her living conditions after her husband died. Their concerns were that the mining cabins were uninhabitable and dangerous, so a mobile home was

offered to her. They stated that they did some research before applying for a permit and discovered that a rezoning was required. They further discussed that the property owner is a widow and is temporarily living with them until she can get her own home. They would like to get this process finalized for her.

A commissioner thanked the applicant for helping this owner.

The public hearing was opened and there were no speakers; the public hearing was closed.

Commissioner Maise made a motion to recommend **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**; Commissioner Cook gave second.

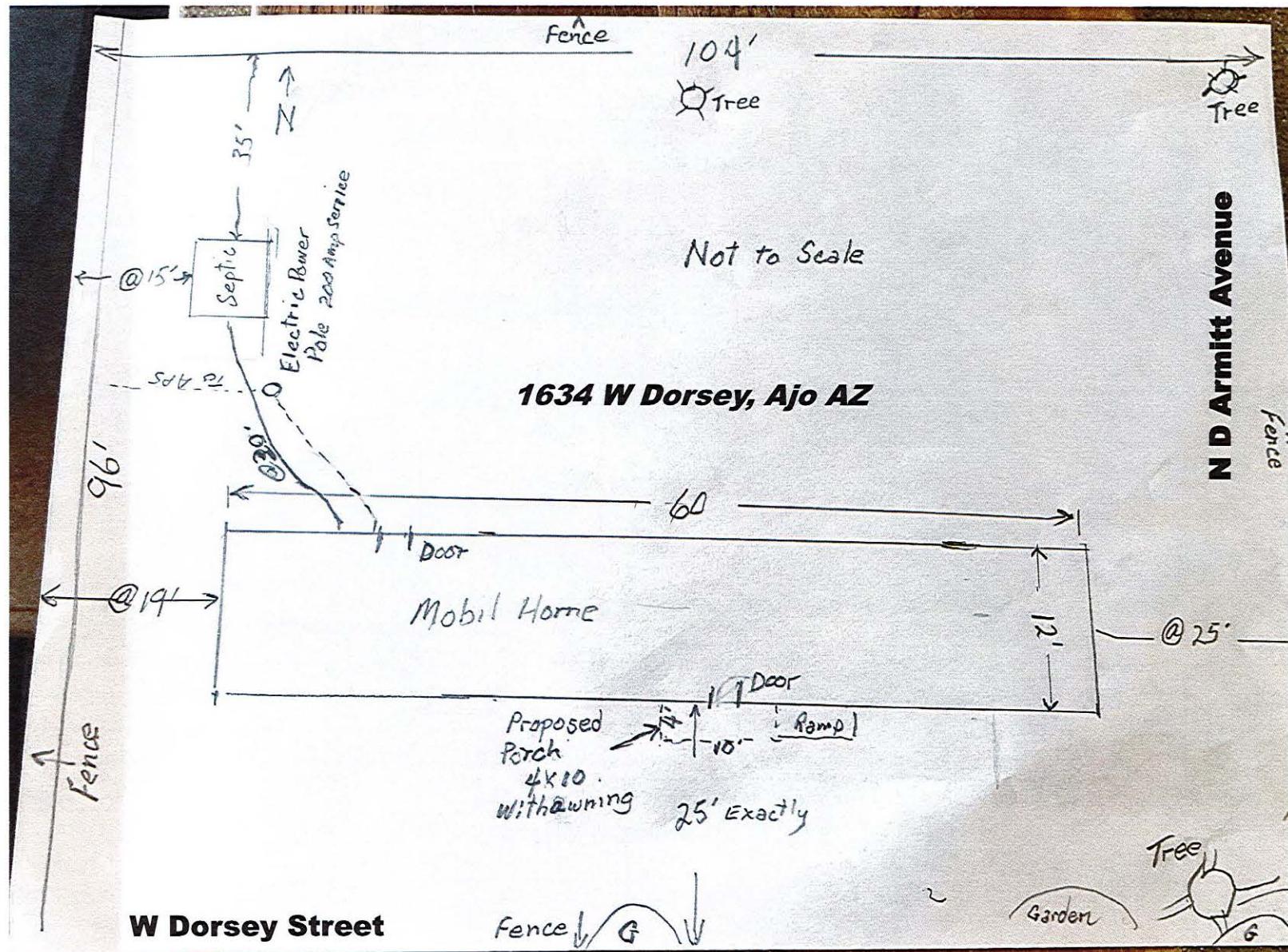
The commission voted to recommend **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS** 10-0, subject to the following conditions:

Completion of the following requirements within five years from the date the rezoning request is approved by the Board of Supervisors:

1. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
2. Transportation condition: Vehicular access to the property shall be limited to D'Armitt Avenue.
3. Wastewater Reclamation condition: The owner(s) must secure approval from the Pima County Department of Environmental Quality to use on-site sewage disposal system at the time a tentative plat, development plan or request for a building permit is submitted for review.
4. Adherence to the sketch plan as approved at public hearing.
5. 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.
6. The property owner shall execute the following disclaimer regarding the Private Property Rights Protection Act: "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(l)."

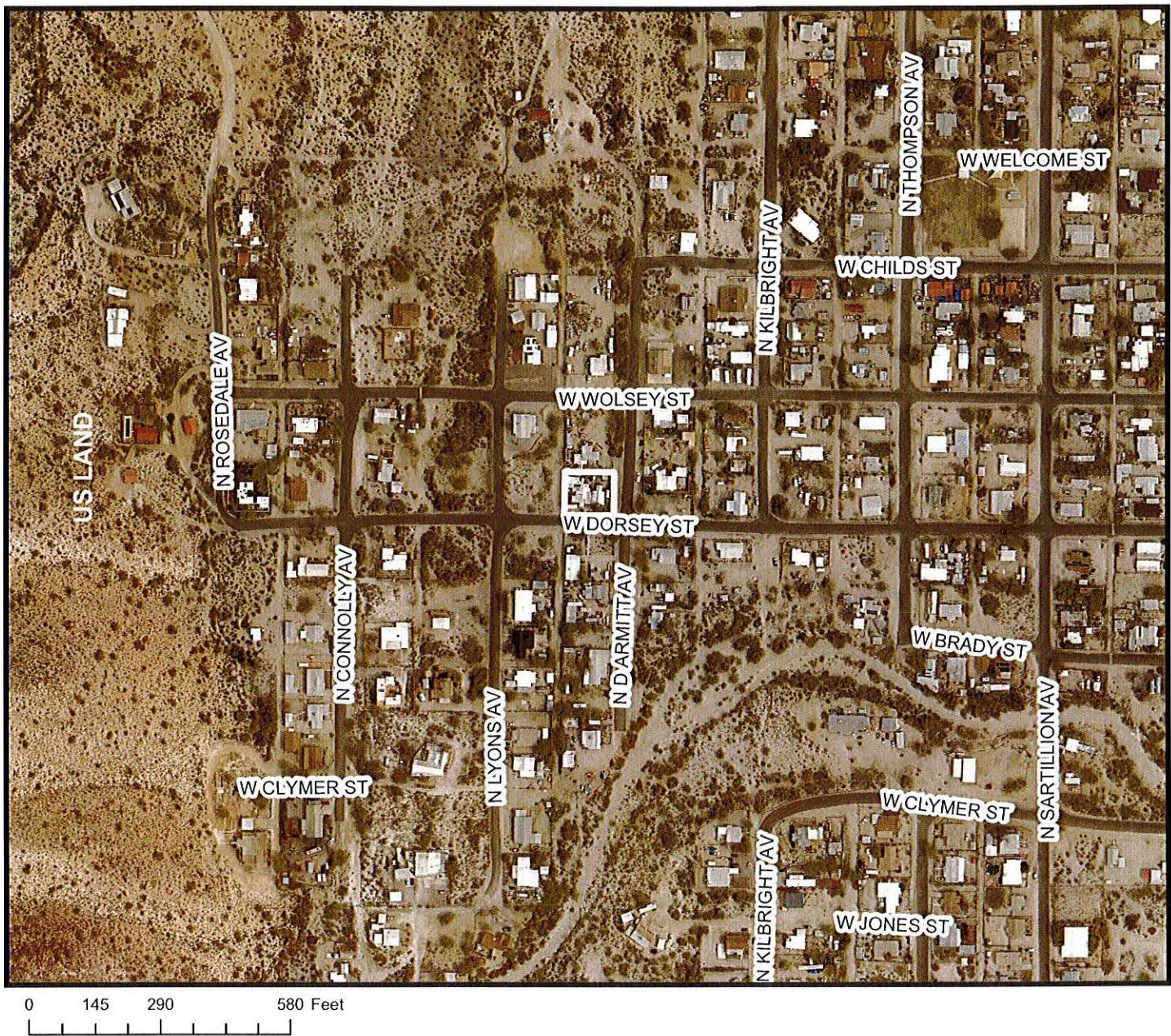
TD/DS
Attachments

c: Clifford & Fonda Ritchie



Case #: P24RZ00005
Case Name: TAYLOR - W. DORSEY STREET REZONING
Tax Code(s): 401-16-0070

Aerial Exhibit



PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION



Notes:



Map Scale: 1:4,000

Map Date: 7/8/2024 - ds

**PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT - PLANNING DIVISION
STAFF REPORT TO THE PLANNING AND ZONING COMMISSION**

HEARING July 31, 2024
DISTRICT 3
CASE P24RZ00005 Taylor - W. Dorsey Street Rezoning
REQUEST Rezone from CR-4 (Mixed-Dwelling Type) to the CMH-1 (County Manufactured and Mobile Home-1) zone (approximately 0.22 acres)
OWNER Rebecca Taylor
1634 W. Dorsey Street
Ajo, AZ 85321
APPLICANT Clifford & Fonda Ritchie
1431 W. North Street
Ajo, AZ 85321



APPLICANT'S PROPOSED USE

The applicant proposes to rezone 0.22 acres to the CMH-1(County Manufactured and Mobile Home-1) zone to allow one mobile home on the subject property. A mobile home is not allowed in the CR-4 (Mixed Dwelling Type) zone and requires CMH-1 zoning for permitting.

APPLICANT'S STATED REASON

The applicant's rezoning request will allow the mobile home currently located on the property to be renovated for the disabled owner.

STAFF REPORT SUMMARY

Staff recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**. The applicant proposes a rezoning of a 0.22-acre parcel from the CR-4 to the CMH-1 zone. The proposal conforms to the Comprehensive Plan land use designation of Medium Intensity Urban and is a compatible and equivalent use with the adjacent residential uses.

PUBLIC COMMENT

As of the writing of this report, staff has received no written public comment

Published and mailed notice of the proposal along with the website posting of staffs' report will occur a minimum of fifteen days prior to public hearing. The website will be updated to include public comment throughout the process to the Planning and Zoning Commission and the Board of Supervisors.

COMPREHENSIVE PLAN

The Pima County Comprehensive Plan designates the subject property as Medium Intensity Urban (MIU) which designates areas for a mix of medium density housing types, such as attached dwellings, garden apartments, and single-family residences. Also, non-residential uses such as

offices, medical offices, and hotels are allowed within the MIU designation. MIU has a minimum density requirement of 5.0 residences per acre (RAC) and the maximum density of 13 RAC. The minimum 5 RAC density requires 1 residence per .20 acres. The proposed density conforms to the comprehensive plan.

There are no rezoning or special area polices that exist on the subject property.

SURROUNDING LAND USES/GENERAL CHARACTER

North:	CR-4	Vacant/Developed Residential
South:	CMH-1/CR-4	Vacant/Developed Residential
East:	CR-4	Vacant/Developed Residential Subdivision
West:	CR-4/CR-3	Vacant/Developed Residential Subdivision/Vacant US Land

The Ajo Elementary School and High School are located approximately two and one-half miles southeast of the subject property. The nearest fire station is also located approximately two and one-half miles southeast of the subject property.

The nearest recreation opportunity is the E.S. Bud Walker Neighborhood Park and is located approximately one mile northeast of the rezoning site. The park includes baseball fields, basketball courts, community center, dog park and a pool to name a few of the amenities.

PREVIOUS REZONING CASES ON PROPERTY

There are no previous rezoning requests on the subject property.

PREVIOUS REZONING CASES IN GENERAL AREA

The parcel on the south side of Dorsey Street and another parcel approximately 750 feet south of this rezoning were both rezoned to CMH-1 under case numbers Co9-80-54 and Co9-79-39, respectively. Approximately 800 feet east of the subject parcel, a rezoning to CMH-2 (County Manufactured and Mobile Home-2) was approved under case Co9-10-07. One additional rezoning Co9-63-49 was approved for CB-1 (Local Business) zoning for four parcels along Clymer Street.

MAEVEEN MARIE BEHAN CONSERVATION LAND SYSTEM (MMBCLS)

The subject property is located within the Special Species Management Area of the Maeveen Marie Behan Conservation Lands System.

PLANNING REPORT

Staff supports the rezoning request to the CMH-1 zone. The proposed residential use is compatible with and equivalent to residential development in the area, and the proposed density complies with the Medium Intensity Urban plan designation. The property will be accessed from D'Armitt Avenue per Department of Transportation rezoning condition #2. The impact of the rezoning is minimal and the effect on the adjacent roadway capacity should be negligible.

The proposal is to rezone a 0.22-acre site to allow for a mobile home. An uninhabitable mining cabin and accessory structures have been demolished and, in its place, a mobile home was moved onto the property for renovation. If needed, the mobile home along with the current on-site septic sewage disposal system will need to be brought up to code including acquiring all necessary permits. Water service will be provided by the Ajo Improvement District.

The property is relatively flat and devoid of its native vegetation. Vegetation existing on the parcel consists of a eucalyptus tree, aloe vera garden, organ pipe cactus and a lemon tree.

This request should have no adverse impact on the surrounding properties and the proposed density complies with the MIU plan designation.

Concurrency of Infrastructure

CONCURRENCY CONSIDERATIONS		
<i>Department/Agency</i>	<i>Concurrency Considerations Met: Yes / No / NA</i>	<i>Other Comments</i>
TRANSPORTATION	Yes	No objection subject to a condition
FLOOD CONTROL	Yes	No comment
ENVIRONMENTAL QUALITY	Yes	No objection
WASTEWATER	Yes	No objection subject to a condition
ENVIRONMENTAL PLANNING	Yes	No objection
PARKS AND RECREATION	N/A	-
WATER	Yes	No comment
SCHOOLS	Yes	No comment

TRANSPORTATION

Dorsey Street is a Rural Minor Collector by its federal functional classification; therefore, the Department of Transportation recommends approval of the rezoning subject to rezoning condition #2.

FLOOD CONTROL

The Regional Flood Control District (District) has no comment.

ENVIRONMENTAL PLANNING

Environmental Planning has the following comments:

- The approximately 0.22-acre rezoning site is entirely within the Special Species Management Area (SSMA) designation of the Maeveen Marie Behan Conservation Lands System (CLS).
- The site is outside Priority Conservation Areas for the cactus ferruginous pygmy owl, western burrowing owl, needle-spined pineapple cactus, and Pima pineapple cactus.
- The site has not been identified as an acquisition priority under any County bond program.
- The site includes no onsite washes or mapped riparian habitat. Disturbances to these resources are regulated by the Regional Flood Control District according to Pima County Code Chapter 16.30, *Watercourse and Riparian Protection and Mitigation Requirements*.

- The site is subject to significant existing disturbance. Other than a few trees and shrubs it is essentially devoid of native vegetation. Based on satellite imagery, this disturbance predates the 2001 implementation of the CLS.

LANDCAPE CONTEXT

The project site is on the west side of Ajo and is surrounded by residential land uses. This site (along with the entire town of Ajo) is located within the Crater Range/Childs/Little Ajo Mountains to Batamote/Souceda Mountains" Wildlife Movement Area as identified by the Arizona Game and Fish Dept. (AGFD 2013). The site is not located within or near any CLS Critical Landscape Connection. The closest County-owned Preserve is the 0.37-acre Gibson Arroyo Wash Preserve, located less than 1,000 feet to the southeast; the Alley Valley Conservation Easement Preserve is a little over 2,000 feet to the southwest.

The residential area where this site is located remains relatively low-density and permeable to wildlife. That said, it is unlikely that the project site itself contributes in any meaningful way to local or regional landscape connectivity in light of the existing onsite disturbance and lack of native vegetation.

POTENTIAL IMPACT TO BIOLOGICAL RESOURCES AND CLS

Given the site's lack of functional habitat, minimal (if any) contribution to landscape connectivity, and the fact that the significant onsite disturbance predates CLS implementation, the Conservation Lands and Resources Dept. finds that compliance with CLS Guidelines for the SSMA designation is not necessary here. This project is not expected to significantly alter the condition or integrity of biological resources in the area or the viability of the CLS.

Environmental Planning has no objection or conditions to add to this rezoning request.

WASTEWATER RECLAMATION

The subject property is located in Ajo and outside the RWRD service area. The old structures on the property were demolished and replaced with a mobile home that is connected to the existing septic system.

PCRWRD has no objection to the proposed rezoning request subject to rezoning condition #3.

ENVIRONMENTAL QUALITY

The Pima County Department of Environmental Quality (PDEQ) has no objection to the proposed rezoning request and prior to building permit issuance, the septic system must be in compliance and secure all required permits if needed.

WATER DISTRICT

Ajo Improvement Company has no comment.

SCHOOL DISTRICT

Ajo Unified School District has no comment.

FIRE DISTRICT

Ajo-Gibson Volunteer Fire Department has no comment.

UNITED STATES FISH AND WILDLIFE SERVICE

U.S. Fish and Wildlife Service has no comment.

IF THE DECISION IS MADE TO APPROVE THE REZONING, THE FOLLOWING STANDARD AND SPECIAL CONDITIONS SHOULD BE CONSIDERED:

Completion of the following requirements within five years from the date the rezoning request is approved by the Board of Supervisors:

1. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
2. Transportation condition: Vehicular access to the property shall be limited to D'Armitt Avenue.
3. Wastewater Reclamation condition: The owner(s) must secure approval from the Pima County Department of Environmental Quality to use on-site sewage disposal system at the time a tentative plat, development plan or request for a building permit is submitted for review.
4. Adherence to the sketch plan as approved at public hearing.
5. 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.
6. The property owner shall execute the following disclaimer regarding the Private Property Rights Protection Act: "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(l)."

Respectfully Submitted,

D. Spicola

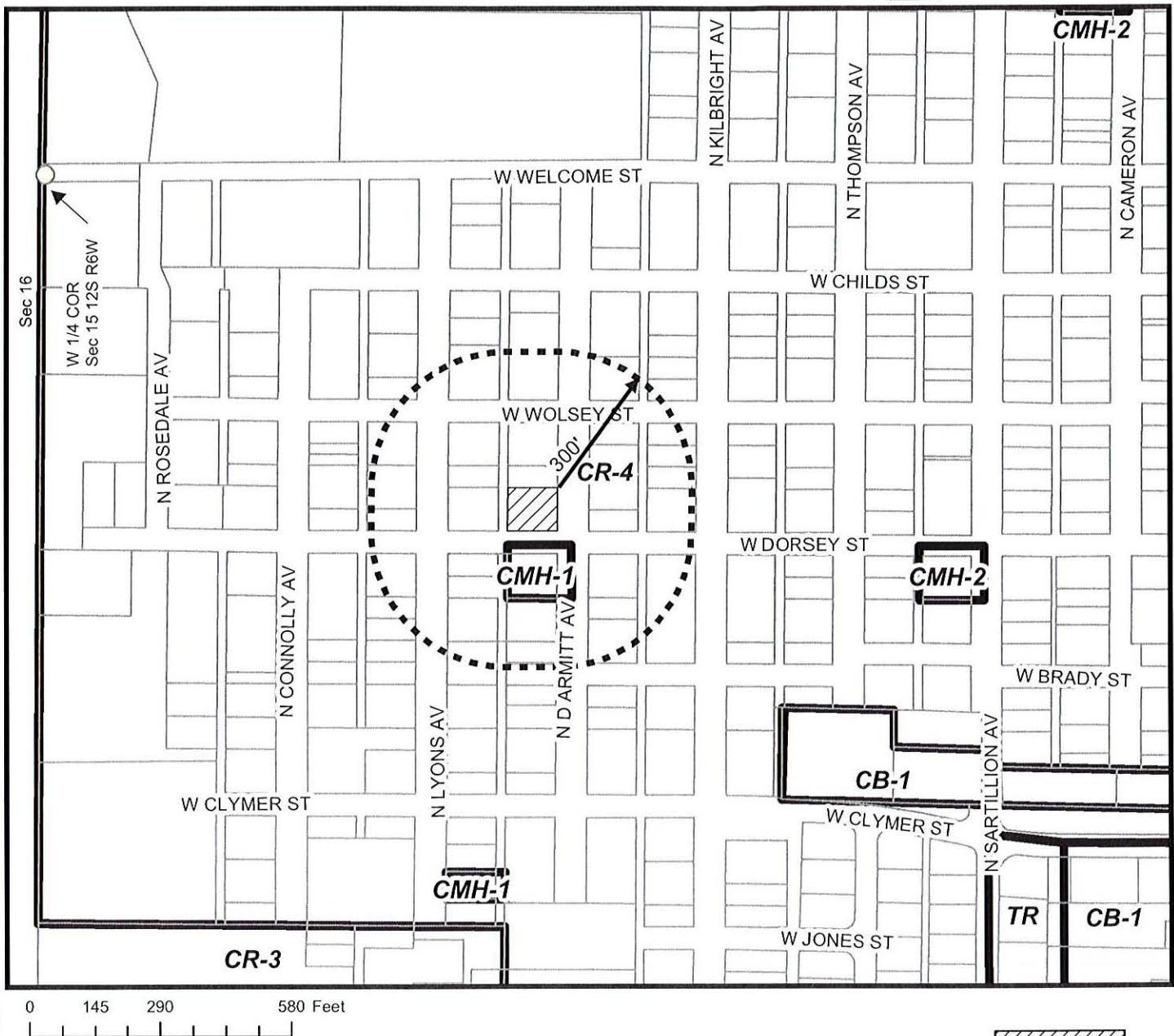
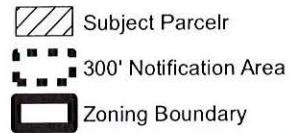
Donna Spicola
Planner II

TD
Attachments

c: Clifford & Fonda Ritchie

Case #: P24RZ00005
 Case Name: TAYLOR - W. DORSEY STREET REZONING

Tax Code(s): 401-16-0070



Area of proposed rezoning from CR-4 to CMH-1



PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
 PLANNING DIVISION



Notes:

PIMA COUNTY COMPREHENSIVE PLAN CO7-13-10

Planning & Zoning Hearing: 7/31/24 (scheduled) Board of Supervisors Hearing: TBA

Base Map(s): A-1

Map Scale: 1:4,000

Map Date: 7/8/2024 - ds



Medium Intensity Urban (MIU)

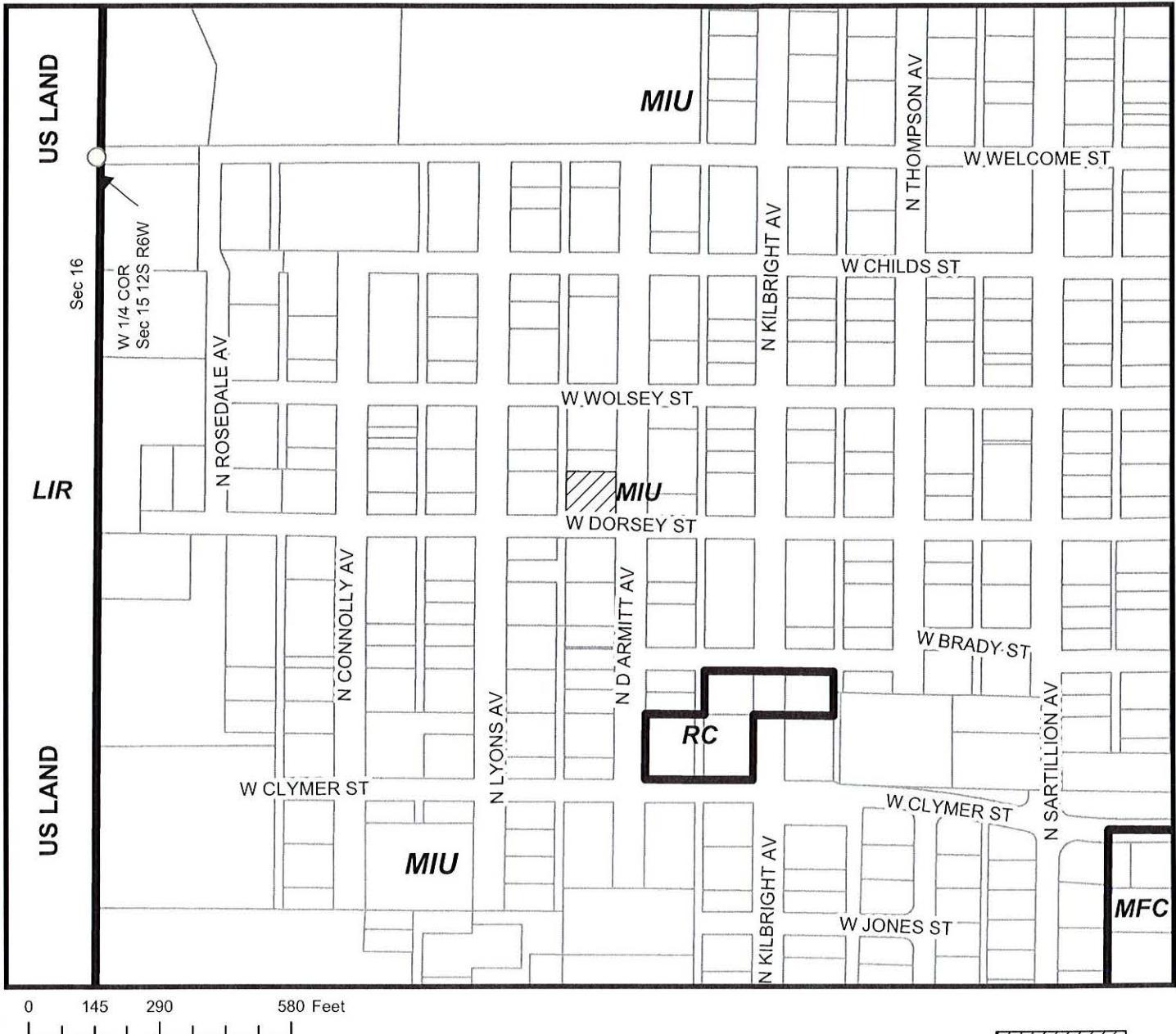
Objective: To designate areas for a mix of medium density housing types, such as attached dwellings, garden apartments, and single family, as well as non-residential uses such as offices, medical offices, and hotels. Special attention should be given in site design to assure that uses are compatible with adjacent lower density residential uses. Where possible, pedestrian and bicycle access shall be provided to commercial areas, schools, institutional uses, and other similar uses.

- Residential Gross Density: Minimum- 5 RAC; Maximum- 13 RAC
- Residential Gross Densities for TDR Receiving Areas: Minimum- 5 RAC; Maximum- 10 RAC

Case #: P24RZ00005
Case Name: TAYLOR - W. DORSEY STREET REZONING
Tax Code(s): 401-16-0070

Comprehensive Plan Exhibit

 Subject Parcel



**PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION**



Notes:

PIMA COUNTY COMPREHENSIVE PLAN CO7-13-10



Map Scale: 1:4,000

Map Date: 7/8/2024 - ds



201 N. Stone Avenue, Tucson, AZ 85701
(520) 724-9000
www.pima.gov/developmentservices

BIOLOGICAL IMPACT REPORT

(Not applicable for rezonings that require a site analysis)

The Biological Impact Report assists staff in assessing a proposed project's potential to impact sensitive biological resources and is required by the Pima County Zoning Code Chapter 18.91. A project's design should conserve these important resources.

The report will include information provided by both Pima County Planning staff (Part I) and the Applicant (Part II).

INSTRUCTIONS FOR SAVING FORM: 1) Download form to computer. 2) Fill out form as applicable. 3) Save completed form to computer. 4) Submit completed form to Pima County Development Services. **If you fill out the form before you download it, the info you entered will not be saved.**

Project ID (case no., APN no., address, or other identifying info):

1634 W Dorsey, Ajo, AZ - concurrent plan amendment & rezoning

Part I. Information Provided by Pima County Staff

Pima County Planning staff will provide the following information for the project site, as applicable:

1. Is the project located within any Maeveen Marie Behan Conservation Lands System (CLS) designation(s)? (Hold SHIFT for multiple selections) **NA**
 Important Riparian Area
 Biological Core
 Multi-Use Management Area
2. Is the project within a CLS Special Species Management Area? Yes
3. Is the project in the vicinity of any of the six Critical Landscape Linkages? No
4. Is the project designated for acquisition as a Habitat Protection or Community Open Space property? No
5. Is the project located within a Priority Conservation Area for any of the following species?
 - a. Cactus ferruginous pygmy-owl: No
 - b. Western burrowing owl: No
 - c. Pima pineapple cactus: No
 - d. Needle-spined pineapple cactus: No

Part II. Information Provided by the Applicant

The Applicant will provide the following information to the best of their knowledge, as applicable:

1. Has the owner of the project site had any communications with County staff about Pima County potentially acquiring the property? No
If yes, provide a summary of those communications:

2. The following species are of particular interest to Pima County conservation efforts; please fill out the following table to the best of your knowledge:

Species	Ever found on project site?	If yes, date of last observation/survey?	Future surveys planned?
Cactus ferruginous pygmy owl	No		No
Western burrowing owl	No		No
Pima pineapple cactus	No		No
Needle-spined pineapple cactus	No		No

Questions about this form?
Contact the Office of Sustainability and Conservation at (520) 724-6940.

From: Fonda Ritchie <fondatwin@gmail.com>
Sent: Wednesday, May 8, 2024 6:50 AM
To: DSD Planning <DSDPlanning@pima.gov>
Subject: Rezoning CMH-1

CAUTION: This message and sender come from outside Pima County. If you did not expect this message, proceed with caution. Verify the sender's identity before performing any action, such as clicking on a link or opening an attachment.

Hello,

My name is Fonda Ritchie. My husband Clifford Ritchie and I are standing in for Rebecca Taylor. She resides in Ajo, AZ. We are requesting a rezoning CMH-1 for her property **1634 W Dorsey St, Ajo**. P24BP04394. She is disabled and recently widowed. She desperately needs a home and we have a mobile home being renovated (rehabilitated) for her. We understand that a pre-requisite is to attend your pre-rezoning meeting on the 3rd Wednesday of this month. We would like to do that. If there is something else needed before next Wednesday, please let us know so we can be ready.

Thank you

Site Plan--

Original home was an old mining cabin and was dangerous and unfit to live in. It was torn down and the property cleared for - 1 mobile home 12'x 60' on property. There will be a small covered deck 4'x8' with ramp to front door. The mobile home will be skirted. The property will have a chain link or wood fence. There is city water already provided and an upgraded septic system. As far as vegetation, there an established eucalyptus tree, an aloe vera garden and an organ pipe cactus, plus lemon tree.

Clifford and Fonda Ritchie
719-651-9071. fondatwin@gmail.com
Sent from my iPad

★ Parcels

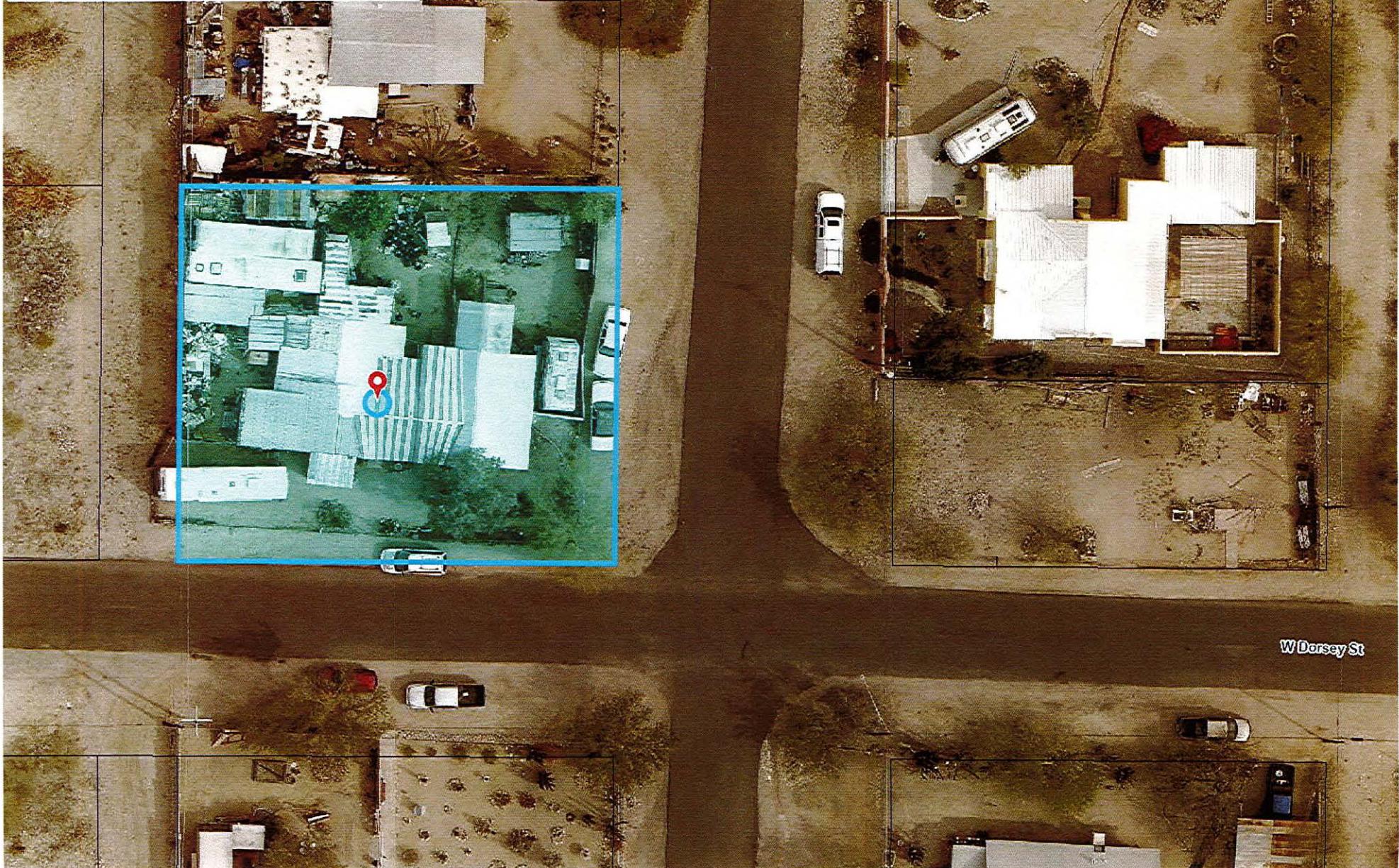
401160070

1634 W DORSEY ST

TAYLOR REBECCA LYNN

[More Information](#) [Oblique Aerial Photos](#)

[View Additional Details](#) [Add to Results](#)







Building & Site Development
201 N. Stone Avenue, 1st Floor
Tucson, AZ 85701-1207

LETTER OF AUTHORIZATION

As required by Arizona Revised Statutes I hereby certify that I am the owner of the property referenced below and that the party whose name is listed below is authorized to take out Development Services permits in my name:

1634 W Dorsey St Ajo, AZ 85321
Property Address

Concurrent Comprehensive Plan Amendment and Rezoning
Type of Permit Applied for: (Comprehensive Plan Amendment / Rezoning / Concurrent)

Tonda Ritchie
Signature of Applicant

5/20/2024
Date

AUTHORIZED BY:

Rebecca Lynn Taylor
Signature of Property Owner

5/20/2024
Date

Per Board of Technical Registration and Registrar of Contractors regulation, Registrants and Licensed Contractors may apply for building permits without use of this form.