

COB - BOSAIR FORM

04/28/2026 7:51 AM (MST)

Submitted by Michelle.Guardado@pima.gov



BOARD OF SUPERVISORS AGENDA ITEM REPORT (BOSAIR)

All fields are required. Enter N/A if not applicable. For number fields, enter 0 if not applicable.

Award Type:	Agenda Item
BOSAIR Activity:	Board Meeting Request
Requested Board Meeting Date:	05/26/2026
Project Title / Description:	P26TA00002 Pima County Subdivision and Development Street Standards

Agenda Item Report

Introduction / Background:	Proposal to amend by ordinance, the Pima County Zoning Code 18.69.40 (General Performance and Design Standards), create new section 18.69.100 (Preservation Treatment for New Public Streets) and adopt a revision to the Subdivision and Development Street Standards Section 4.17 to establish an in-lieu fee for subdividers.
Discussion:	This proposed amendment would establish provisions for the preservation of new public streets through an in-lieu fee paid by subdividers. Specifically, this amendment would replace the requirement for subdividers to perform the preservation work directly and establish an in-lieu fee which would be adjusted annually based on the Construction Price Index (CPI). The Pima County Department of Transportation would be responsible for applying the preservation treatment within four (4) years of initial paving.
Conclusion:	This zoning code text amendment is intended to streamline and simplify the development process by offering a flexible and administratively efficient alternative to the current slurry-seal process.
Recommendation:	Staff and the Planning and Zoning Commission recommend APPROVAL of the zoning code text amendment.
Fiscal Impact:	Pima County will collect the in-lieu fees and apply the fees in a restricted fund dedicated to preserve the roadways within four years from the date of paving.
Support of Prosperity Initiative:	N/A
Provide information that explains how this activity supports the selected Prosperity Initiative	N/A
Board of Supervisor District:	<ul style="list-style-type: none">• 1• 2

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Department: Development Services/Department of Transportation
Name: Joseph Godoy (Administrative Contact Michelle Guardado, 724-2663)
Telephone: 520-724-6410

Department Director Signature: Kathryn Skinner Digitally signed by Kathryn Skinner
DN: cn=Kathryn Skinner, o=Pima County, ou=Transportation,
email=kathryn.skinner@pima.gov, c=US
Date: 2026.05.05 13:41:54 -0700 Date: 5/05/2026

Deputy County Administrator Signature:  Date: 5/8/2026

County Administrator Signature:  Date: 5/12/2026



TO: Honorable Board of Supervisors
FROM: Joseph Godoy, Deputy Director *ng*
Public Works-Pima County Department of Transportation
DATE: May 5, 2026
SUBJECT: **P26TA00002 Pima County Subdivision and Development Street Standards**
(Zoning Code Text Amendment)

The above referenced Zoning Code Text Amendment is scheduled for the Board of Supervisors' **TUESDAY, May 26, 2026**, hearing.

REQUEST: Proposal to amend by ordinance, the Pima County Zoning Code 18.69.40 (General Performance and Design Standards), create new section 18.69.100 (Preservation Treatment for New Public Streets) and adopt a revision to the Subdivision and Development Street Standards Section 4.17 to establish an in-lieu fee for subdividers.

OWNER: N/A

APPLICANT: Pima County Department of Transportation

DISTRICT: ALL

STAFF CONTACT: Joseph Godoy, Deputy Director

PUBLIC COMMENT TO DATE: As of May 5, 2026, staff has written public comments (attached).

PLANNING AND ZONING RECOMMENDATION: **APPROVAL** (9-0; Commissioners Becker was absent).

STAFF RECOMMENDATION: Staff recommends **APPROVAL**.

Attachments



BOARD OF SUPERVISORS MEMORANDUM

Subject: P26TA00002

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FOR MAY 26, 2026, MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS

FROM: Joseph Godoy, Deputy Director *JG*
Public Works-Department of Transportation

DATE: May 5, 2026

ADVERTISED ITEM FOR PUBLIC HEARING

ZONING CODE TEXT AMENDMENT

P26TA00002 PIMA COUNTY SUBDIVISION AND DEVELOPMENT STREET STANDARDS

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA, RELATING TO ZONING (TITLE 18); AMENDING THE PIMA COUNTY ZONING CODE CHAPTER 18.69.040 (GENERAL PERFORMANCE AND DESIGN STANDARDS), CREATING A NEW SECTION 18.69.100 (PRESERVATION TREATMENT FOR NEW PUBLIC STREETS) AND ADOPTING A REVISION TO THE SUBDIVISION AND DEVELOPMENT STREET STANDARDS SECTION 4.17 PAVEMENT DESIGN TO ESTABLISH AN IN-LIEU FEE FOR SUBDIVIDERS. On motion, the Planning and Zoning Commission voted 9-0 to recommend **APPROVAL** (Commissioner Becker was absent). Staff Recommends **APPROVAL**. (All Districts)

Summary of the Planning and Zoning Commission Hearing (March 25, 2026)

Staff presented the staff report highlighting the zoning code text amendment to amend Section 18.69 to add a new process to establish an in-lieu fee for subdivision developers. This amendment would establish provisions for the preservation of new public streets through an in-lieu fee option paid by subdivision developers and/or the home builders that construct residences on these lots.

A commissioner requested a walkthrough of the costs if the slurry seal was applied by the County or the developer.

Staff explained that, to obtain County cost estimates, a bid package was issued, and the returned pricing came in slightly above \$3 per square yard. In comparison, each individual subdivider is responsible for paying the slurry seal cost for their own subdivision. If the County manages the work, it can bundle multiple subdivisions into a single package to keep overall costs down. Staff also noted that on occasion the contractor must apply the slurry seal twice due to problems with the application, or they must wait until home construction in the area is complete. These situations result in higher costs for the developers.

A commissioner asked whether the \$3 cost is a line item on the developer's budget with work managed by DOT and whether the County would be responsible for selecting the contractor.

Staff explained this fee would be paid by the developer and contractor selection would be made through the County procurement process. The work would either be procured through a job order contract or hard bid.

A commissioner stated that these are processes that the County already has in place.

Staff confirmed and explained the County is preparing to begin year seven of our pavement preservation program on July 1 and has continued to improve and refine the program over time. If the slurry seal work is provided by County, the subdivisions would be added to adjacent projects and if there weren't any projects in the vicinity, a straight job order contract would be done.

A Commissioner asked how many crews County has.

Staff explained that slurry seal applications would be performed entirely by outside contractors and not by in-house crews.

A commissioner asked for confirmation that slurry seal work would be completed by outside contractors and not county employees.

Staff confirmed outside contractors would be used.

A representative of the Southern Arizona Home Builders Association spoke in support of the text amendment. He stated that due to timing in the subdivision development process it is important to provide a flexible option to allow developers or builders to pay an in-lieu fee and have County provide this preservation mechanism. He encouraged support for a positive recommendation.

The commission voted to close the public hearing.

Commissioner Gungle made a motion to recommend APPROVAL of Zoning Code Text Amendment P26TA00002 Pima County Subdivision and Development Street Standards Text Amendment. Commissioner Maese gave second.

Upon a voice vote, the motion to recommend **APPROVAL** passed unanimously (9-0; Commissioner Becker was absent).

Attachments

- C: Kathryn Skinner, P.E., Director, Pima County Department of Transportation
- Lauren Ortega, P.E., Director, Pima County Development Services

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

**PUBLIC HEARING
March 25, 2026**

P26TA00002

SUBDIVISION PROCESS TEXT AMENDMENT

STATUS / AGENDA ITEMS

**Planning and Zoning Commission Public Hearing
Zoning Code Text Amendment**

REQUEST

An Ordinance of the Board of Supervisors of Pima County, Arizona, relating to zoning (Title 18); amending the Pima County Zoning Code Chapter 18.69.040 (General Performance and Design Standards), creating a new section 18.69.100 (Preservation Treatment for New Public Streets) and adopting a revision to the Subdivision and Development Street Standards Section 4.17 Pavement Design to establish an in-lieu fee for subdividers.

INITIATION

Planning and Zoning Commission, December 17, 2025

STAFF RECOMMENDATION

Staff recommends **APPROVAL** of the proposed Subdivision Process Zoning Code Text Amendment and revision to the Subdivision and Development Street Standards Section 4.17 Pavement Design.

This proposed amendment to Section 18.69.040, along with the addition of Section 18.69.100 would establish provisions for the preservation of public streets through an in-lieu fee paid by subdividers. The Planning and Zoning Commission, at its December 17, 2025 hearing, initiated and authorized staff to amend the Pima County Zoning Code to establish an in-lieu fee.

Specifically, this amendment would replace the requirement for subdividers to perform the preservation work directly or provide a performance bond and establish an in-lieu fee which would be adjusted annually based on the Construction Price Index (CPI). The Pima County Department of Transportation would be responsible for applying the preservation treatment within four (4) years of initial paving.

BACKGROUND

Currently, subdividers are required to apply a slurry seal or comparable surface treatment to new public streets constructed of asphaltic concrete once 75% or more of homes impacting the street system in a given development or block are complete. This treatment must be applied prior to the County's acceptance of the roadway into maintenance. As an alternative, developers may provide a performance bond equal to 110% of the estimated cost of the treatment.

The proposed revision to Pima County Zoning Code Section 18.69.040, addition of Section 18.69.100 and corresponding updates to Chapter 4.17 of the Pima County Subdivision and Development Street Standards would establish an in-lieu fee assessment. Under this new

process, the developer or property owner would pay an in-lieu pavement preservation fee instead of applying the treatment themselves or paying a performance bond.

Under the proposed framework, the Department of Transportation would perform the required pavement preservation treatment on the newly constructed public streets. The in-lieu fee would be calculated based on the total square yards of asphaltic concrete, starting at a rate of \$3.00 per square yard for base fiscal year 2027. On July 1 of each subsequent fiscal year, Development Services will adjust the in-lieu fee according to the annual percentage increase in the CPI. If the CPI has decreased, the in-lieu fee shall remain the same.

The Department of Transportation will collect the in-lieu fees and apply the fees in a restricted fund dedicated to preserve the roadways within four years from the date of paving.

This zoning code text amendment is intended to streamline and simplify the development process by offering a flexible and administratively efficient alternative to the current slurry-seal process.

Text Amendment

The amendment adds the ability to access an in-lieu fee.


Public Comment

Staff sent the draft text amendment to Southern Arizona Home Builders Association (SAHBA) and Metropolitan Pima Alliance (MPA) for review and comment. As of the writing of this staff report, March 11, 2026, staff has not received any comments.

As of submittal of the text amendment for the Planning & Zoning Commission public hearing, staff has not received additional public comments. Published and mailed notice of the amendment along with the website posting of staff's report will occur a minimum of fifteen days prior to the 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.

Additional comments from internal or external stakeholders that are provided to staff after the posting of this report will be provided to the Commission and the public as supplemental to this report.

Respectfully Submitted,



Joseph Godoy
Deputy Director



SENT VIA ELECTRONIC MAIL

March 17, 2026

The Honorable David Hook, Chair
Pima County Planning and Zoning Commission
Pima County Development Services – Planning Division
201 N. Stone Avenue Tucson, AZ 85701

Subject: Pavement Preservation In-Lieu Fee, Commission Agenda March 25, 2026

Chair Hook,

On behalf of the Southern Arizona Home Builders Association, I submit this letter in support of the proposed Zoning Code Text Amendment to the Pima County Subdivision and Development Street Standards and the associated provisions of Chapter 18.69, following staff’s initiation and development of the recommended revisions.

The in-lieu fee option for public street preservation provides a practical and efficient alternative to subdivider-performed treatments. Centralized administration by Pima County promotes consistency, strategic timing, and alignment with broader roadway maintenance priorities, improving long-term outcomes for public infrastructure.

From the development community’s perspective, the proposed revisions offer greater predictability and reduced administrative burden while ensuring that preservation objectives are fully achieved. We believe the amendments reflect the Commission’s prior direction and provide a clear path forward.

For these reasons, SAHBA supports the proposed revisions and respectfully encourages the Commission to recommend adoption.

Respectfully,

David M. Godlewski
President & CEO

cc: Commissioner(s) Mark Hanna, Jan Truitt, Barbara Becker, Valerie Lane, Ryan Maese, Tom Tronsdal, William Matter, Bob Cook, Bruce Gungle

**Southern Arizona
Home Builders
Association**

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www.sahba.org

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ORDINANCE 2026-_____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA, RELATING TO ZONING (TITLE 18); AMENDING THE PIMA COUNTY ZONING CODE CHAPTER 18.69.040 (GENERAL PERFORMANCE AND DESIGN STANDARDS), CREATING A NEW SECTION 18.69.100 (PRESERVATION TREATMENT FOR NEW PUBLIC STREETS) AND ADOPTING A REVISION TO THE SUBDIVISION AND DEVELOPMENT STREET STANDARDS SECTION 4.17 PAVEMENT DESIGN TO ESTABLISH AN IN-LIEU FEE FOR SUBDIVIDERS.

THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA FINDS THAT:

1. The Planning and Zoning Commission, at its December 17, 2025 hearing, initiated and authorized Pima County staff to amend the Pima County Zoning Code to change the preservation treatment process to an in-lieu fee.
2. This ordinance will revise the Pima County Zoning Code to allow Pima County to collect an in-lieu fee from subdividers to apply preservation treatments in place of subdividers performing the work themselves.

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

Section 1. Pima County Code Chapter 18.69 (SUBDIVISION STANDARDS) Section 18.69.040 (GENERAL PERFORMANCE AND DESIGN STANDARDS) is amended as follows and new Section 18.69.100 (PRESERVATION TREATMENT FOR NEW PUBLIC STREETS) is created as follows:

Chapter 18.69

SUBDIVISION STANDARDS

...

18.69.040 General performance and design standards.

...

C. Streets.

...

3. Preservation of Public Streets.

a. New public streets constructed of asphaltic concrete shall be surfaced with a pavement preservation treatment as specified in Section 18.69.100.

...

18.69.100 Preservation treatment for new public streets.

A. Purpose. The purpose of this section is:

1. To ensure the timely application of a preservation treatment on new public asphaltic concrete streets.
2. To protect and extend the life of the asphaltic concrete pavement.
3. To ensure the overall maintainability of the asphaltic concrete pavement.

B. Applicability. For every new subdivision created, a preservation treatment will be necessary on all public roadways constructed of asphaltic concrete.

C. In-lieu fee.

1. A subdivider shall pay an in-lieu fee to Pima County for the preservation of new public asphaltic concrete streets. The department of transportation will apply the preservation treatment to the new public streets in-lieu of requiring the subdivider to perform the preservation treatment. The in-lieu fee is calculated based on the square yards of asphaltic concrete and starts at \$3.00 per square yard in base fiscal year 2027. On July 1 of each subsequent fiscal year, the development services department will adjust the in-lieu fees by the percentage equal to the increase in the Construction Price Index (CPI), also known as the Construction Cost Index (CCI). If there is no increase in the CPI, or if the CPI has decreased, the in-lieu fee shall remain what it was for the prior year.
2. The developer's engineer of record shall calculate the total square yards of asphaltic concrete in a subdivision or phase of that subdivision

and submit the calculation to the development services department with an auto cad file or equivalent electronic file at the time of the subdivider's request for the new public streets to be accepted into county maintenance.

3. A subdivider shall pay the in-lieu fee to the county before the department of transportation will accept the roads and infrastructure into county maintenance.
4. The department of transportation will collect the in-lieu fees and apply the fees in a restricted fund to preservation treatment on the accepted roadways within four years from the date of roadway paving.
5. The department of transportation will evaluate roadways not accepted into county maintenance within four years of asphaltic concrete construction date to determine whether application of a heavier surface treatment is necessary, and whether a subdivider shall pay an additional in-lieu fee surcharge to cover the cost of the heavier surface treatment required to protect the pavement.

D. Variance

1. The subdivider may submit a written request to the county engineer requesting a variance from the required in-lieu fee standard for applying approval of an approved preservation treatment to the new public streets. The request shall include pertinent information related to the preservation treatment of the new public streets, including but not limited to material type, manufacturer's specifications, contractor, date and time of work.

Section 2. The 2016 Pima County Subdivision and Development Street standards are amended to delete a portion of Section 4.17 and replace it with the following.

4.17 Pavement Design

...

- New public streets constructed of asphaltic concrete shall be surfaced with a preservation treatment such as PMM, HA5, Rejuvenating Fog Seal, and other similar products within 4 years after the paving date. An in-lieu fee will be assessed and paid by the developer/owner to Pima County. The application of the preservation treatment for the new public streets will be administered by the Department of Transportation.¹

1. Applicable to projects for which a right-of-way permit is issued after the effective date of this ordinance as described below in Section 3.

Section 3. This ordinance is effective 31 days after its adoption.

PASSED AND ADOPTED by the Board of Supervisors of Pima County, Arizona, this _____ day of _____, 2026.

ATTEST:

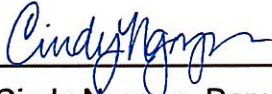
BOARD OF SUPERVISORS

Melissa Manriquez, Clerk of the
Pima County Board of Supervisors

Jen Allen, Chair of the
Pima County Board of Supervisors

APPROVED AS TO FORM:

APPROVED:



Cindy Nguyen, Deputy County Attorney



Executive Secretary
Planning and Zoning Commission