



Subject: Co9-14-10

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FOR JANUARY 6, 2015 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: December 24, 2014

ORDINANCE FOR ADOPTION

**Co9-14-10 ARTHUR NAIMAN LIVING TRUST – N. ROCK CANYON ROAD
EASEMENT REZONING**

Owner: Arthur Naiman Living Trust
(District 1)

If approved, adopt ORDINANCE NO. 2015 - _____

OWNERS: ARTHUR NAIMAN LIVING TRUST
PO BOX 66066
TUCSON, AZ 85728

AGENT: None

DISTRICT: 1

STAFF CONTACT: Mark Holden

CP/MH/ar
Attachments

cc: Chris Poirier, Assistant Planning Director
Co9-14-10 File

ORDINANCE 2015-_____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO ZONING; REZONING APPROXIMATELY 3.40 ACRES OF PROPERTY (PARCEL CODE 114-15-0580) FROM THE SR (SUBURBAN RANCH) ZONE TO CR-1 (SINGLE RESIDENCE) ZONE, THROUGH A WAIVER OF THE PLATTING REQUIREMENT OF THE CATALINA FOOTHILLS ZONING PLAN (CO13-59-04), IN CASE CO9-14-10 ARTHUR NAIMAN LIVING TRUST – N. ROCK CANYON ROAD EASEMENT REZONING, LOCATED APPROXIMATELY THREE-QUARTERS OF A MILE SOUTHWEST OF N. KOLB ROAD AND E. SUNRISE DRIVE, AND AMENDING PIMA COUNTY ZONING MAP NO. 49.

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

Section 1. The 3.40 acres located approximately three-quarters of a mile southwest of N. Kolb Road and E. Sunrise Drive 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 (Suburban Ranch) zone to the CR-1 (Single Residence) zone subject to the conditions in this ordinance.

Section 2. Rezoning Conditions.

1. The property owner shall:
 - A. Record the necessary development-related covenants as determined appropriate by the various County agencies.
 - B. Provide development-related assurances as required by the appropriate agencies.
 - C. Submit a title report (current within 60 days) to Development Services evidencing ownership of the property prior to the development-related covenants and any required dedications.
2. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
3. Access shall be located as depicted on the sketch plan submitted with the application.
4. Upon the effective date of the rezoning ordinance associated with this rezoning, the owner(s)/developer(s) shall have a continuing responsibility to remove buffelgrass (*Pennisetum ciliare*) from the property. Acceptable methods of removal include chemical

treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site and Pima County may enforce this rezoning condition against the current any future property owner. Prior to issuance of the certificate of compliance, the owner(s)/developer(s) shall record a covenant, to run with the land, memorializing the terms of this condition.

5. The property owner shall adhere to the sketch plan as approved at public hearing.
6. 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.
7. The property owner shall execute and record 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(l)."

Section 3. 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 4. The effective date of this Ordinance is the date the Chair of the Board of Supervisors signs this Ordinance.

Passed and adopted, this _____ day of _____, 2015.

Chair, Pima County Board of Supervisors

ATTEST:

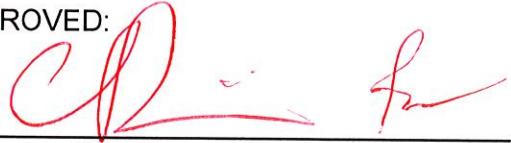
APPROVED AS TO FORM:

Clerk of the Board

Deputy County Attorney

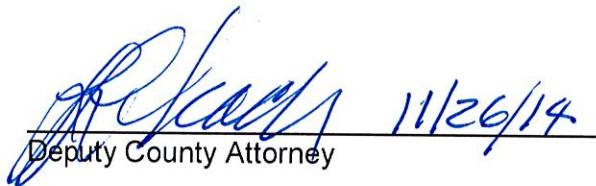
APPROVED:

APPROVED:



Executive Secretary
Planning and Zoning Commission

APPROVED AS TO FORM:



11/26/14

Deputy County Attorney

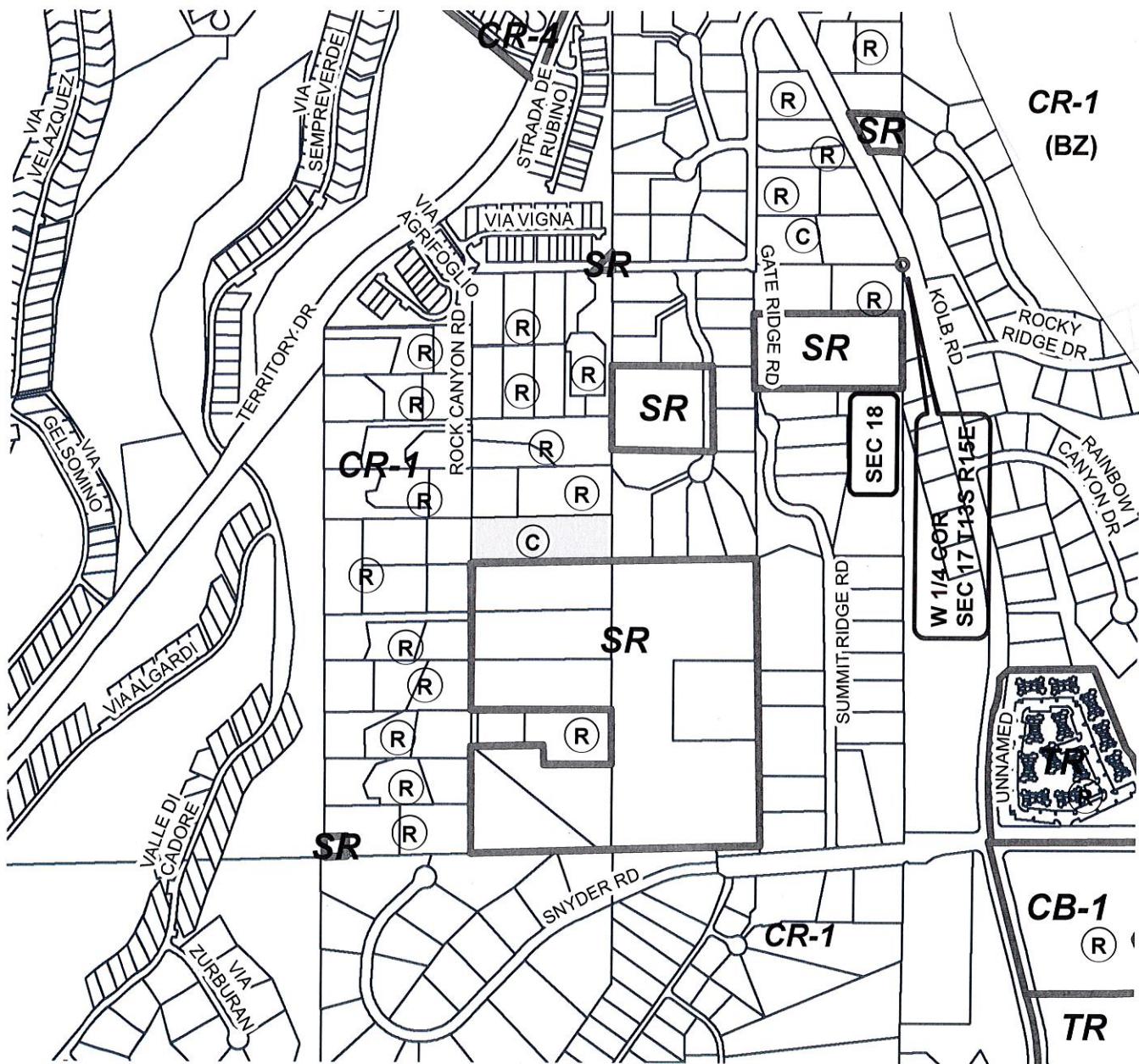
EXHIBIT A

AMENDMENT NO. _____ BY ORDINANCE NO. _____
TO PIMA COUNTY ZONING MAP NO. 49 TUCSON AZ.
PARCEL 58 BEING A PART OF THE SE 1/4 OF SEC. 18 T13S R15E.



0 185 370 740 Feet

ADOPTED: _____ EFFECTIVE: _____



EXECUTIVE SECRETARY PIMA COUNTY PLANNING AND ZONING COMMISSION

(C) NO BUILDING PERMITS WITHOUT CERTIFICATE OF COMPLIANCE
FROM SR 3.39 ac±

ds-November 20, 2014

Co9-14-010
114-15-0580

