



## BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: August 2, 2016

Title: P15RZ00011 NANBARRY INVESTMENT PROFIT SHARING PLAN – E. ROCKET ROAD REZONING  
(Ordinance)

### **Introduction/Background:**

The Board of Supervisors approved the proposed rezoning on April 5, 2016.

### **Discussion:**

County-initiated rezoning of approximately 35.04 acres from the GR-1/AE (Rural Residential/Airport Environs and Facilities) zone to the CI-2/AE (General Industrial/Airport Environs and Facilities) zone, on property located on the north side of Rocket Road, approximately 2,000 feet west of the Rocket Road and Freeman Road intersection.

### **Conclusion:**

The Ordinance memorializes the Board of Supervisors' action on the rezoning.

### **Recommendation:**

Staff recommends APPROVAL of the rezoning Ordinance.

### **Fiscal Impact:**

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### **Board of Supervisor District:**

☐ 1      ☐ 2      ☐ 3      ☒ 4      ☐ 5      ☐ All

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Department: Pima County Development Services - Planning Telephone: 520-724-9000

Department Director Signature/Date: \_\_\_\_\_

Deputy County Administrator Signature/Date: \_\_\_\_\_

County Administrator Signature/Date: \_\_\_\_\_

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Subject: P15RZ00011

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**FOR AUGUST 2, 2016 MEETING OF THE BOARD OF SUPERVISORS**

**TO:** HONORABLE BOARD OF SUPERVISORS  
**FROM:** Chris Poirier, Planning Official   
Public Works-Development Services Department-Planning Division  
**DATE:** July 11, 2016

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**ORDINANCE FOR ADOPTION**

**P15RZ00011 NANBARRY INVESTMENT PROFIT SHARING PLAN – E. ROCKET ROAD  
REZONING**

Owner: Nanbarry Investment Profit Sharing Plan  
(District 4)

If approved, adopt ORDINANCE NO. 2016 - \_\_\_\_\_

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**OWNER(S):** Nanbarry Investment Profit Sharing Plan  
PO Box 31058  
Tucson, AZ 85751-1058

**AGENT:** None

**DISTRICT:** 4

**STAFF CONTACT:** Artemio Hoyos

TD/AH/ar  
Attachments

cc: P15RZ00011 File  
Tom Drzazgowski, Principal Planner

ORDINANCE 2016-\_\_\_\_\_

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA RELATING TO ZONING; REZONING APPROXIMATELY 35.04 ACRES OF PROPERTY, LOCATED ON THE NORTH SIDE OF ROCKET ROAD APPROXIMATELY 2,000 FEET WEST OF THE ROCKET ROAD AND FREEMAN ROAD INTERSECTION, FROM THE GR-1/AE (RURAL RESIDENTIAL/AIRPORT ENVIRONS AND FACILITIES) ZONE TO THE CI-2/AE (GENERAL INDUSTRIAL/AIRPORT ENVIRONS AND FACILITIES) ZONE, IN CASE P15RZ00011 NANBARRY INVESTMENT PROFIT SHARING PLAN – E. ROCKET ROAD REZONING, AND AMENDING PIMA COUNTY ZONING MAPS NO. 134 AND EPC.

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

Section 1. The 35.04 acres located on the north side of Rocket Road approximately 2,000 feet west of the Rocket Road and Freeman Road intersection and illustrated by the shaded area on the attached rezoning ordinance map (Exhibit A), which amends Pima County Zoning Maps No. 134 and EPC, is rezoned from the GR-1/AE (Rural Residential/Airport Environs and Facilities) zone to the CI-2/AE (General Industrial/Airport Environs and Facilities) zone subject to the conditions in this ordinance.

Section 2. Rezoning Conditions.

1. Submittal of a development plan if determined necessary by the appropriate County agencies.
2. Recording of the necessary development related covenants as determined appropriate by the various County agencies.
3. Provision of development related assurances as required by the appropriate agencies.
4. Prior to the preparation of the development related covenants and any required dedication, a title report (current to within 60 days) evidencing ownership of the property shall be submitted to the Development Services Department.
5. 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).”

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. Cultural Resources conditions:
  - A. All work must be within the area as shown on the proposed project maps and plans in the submitted documentation, and
  - B. A caution must be noted concerning human burials. Archaeological clearance recommendations do not exempt the construction and other ground-disturbing activities from compliance with State burial protection laws. In the event that human remains, including human skeletal remains, cremations, and/or ceremonial objects and funerary objects are found during excavation or construction, ground disturbing activities must cease in the immediate vicinity of the discovery. State laws ARS 41-865 and ARS 41-844, require that the Arizona State Museum be notified of the discovery at (520) 621-4795 so that cultural groups who claim cultural or religious affinity to them can make appropriate arrangements for the repatriation and reburial of the remains. The human remains will be removed from the site by a professional archaeologist pending consultation and review by the Arizona State Museum and the concerned cultural groups.

Section 3. Time limits of conditions. Conditions 1 through 7 of Section 2 shall be completed no later than April 5, 2021.

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 Chair of the Board of Supervisors signs this Ordinance.

Passed and adopted by the Board of Supervisors of Pima County, Arizona, on this \_\_\_\_\_ day  
of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Chair, Pima County Board of Supervisors

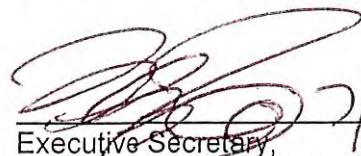
ATTEST:

\_\_\_\_\_  
Clerk, Board of Supervisors

Approved As To Form:

 6/9/16  
\_\_\_\_\_  
Deputy County Attorney  
Lesley M. Lukach

Approved:

 7/11/16  
\_\_\_\_\_  
Executive Secretary,  
Planning and Zoning Commission

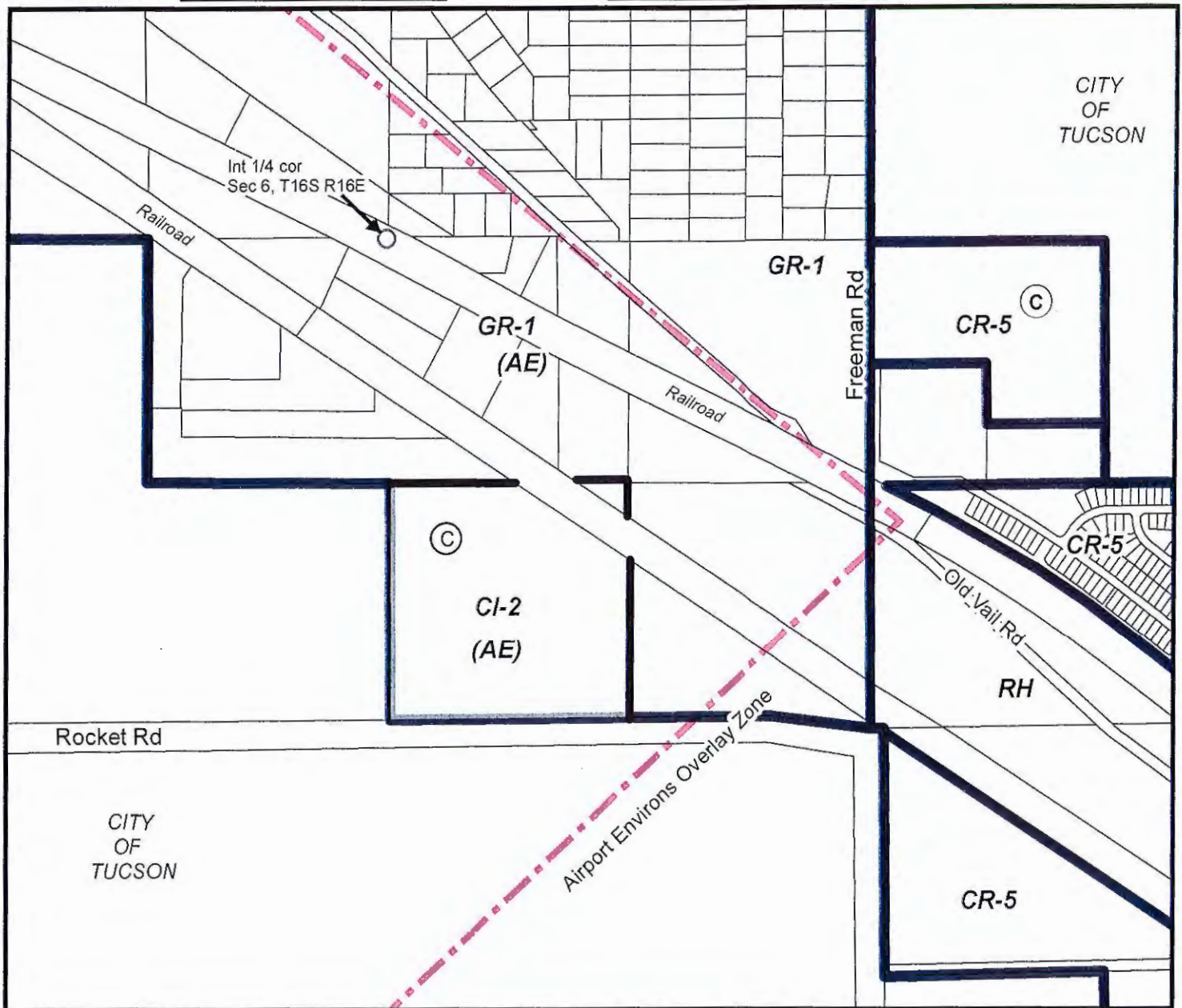
# EXHIBIT A

AMENDMENT NO. \_\_\_\_\_ BY ORDINANCE NO. \_\_\_\_\_  
TO PIMA COUNTY ZONING MAP NO's. 134 & EPC TUCSON AZ.  
PARCEL 10 BEING A PART OF THE SW 1/4 OF THE SE 1/4 SEC. 6 T16S R16E.



0 205 410 820 Feet  
[Scale bar with markings at 0, 205, 410, and 820 feet]

ADOPTED: \_\_\_\_\_ EFFECTIVE: \_\_\_\_\_



EXECUTIVE SECRETARY PIMA COUNTY PLANNING AND ZONING COMMISSION

© NO BUILDING PERMITS WITHOUT CERTIFICATE OF COMPLIANCE  
FROM GR-1 (AE) 35.04 ac  
ds-June 6, 2016

P15RZ00011  
Co7-13-10  
305-09-0100

