



**BOARD OF SUPERVISORS AGENDA ITEM REPORT**

**Requested Board Meeting Date:** March 6, 2018

**Title:** P17RZ00005 GOLDEN RULE ENTERPRISE, LLC - N. LA CANADA REZONING (Ordinance)

**Introduction/Background:**

The Board of Supervisors approved this rezoning subject to conditions as recommended by the Planning and Zoning Commission on December 12, 2017. This is an ordinance for the rezoning.

**Discussion:**

The rezoning was approved for an approximately .79-acre lot from the CR-1 (Single Residence) zone to the TR (Transitional) zone to allow professional office use of the lot. The ordinance contains a correction of a typographical error for Section 2 paragraph 7 (rezoning condition #7). The reference in the condition should be to A.R.S. §12-1134. The reference in the rezoning staff report and Board of Supervisors' Minutes of 12-12-17 is §12-113 which is a different statute in A.R.S.

**Conclusion:**

The Ordinance reflects the Board of Supervisor's approval of the rezoning.

**Recommendation:**

Approval

**Fiscal Impact:**

N/A

**Board of Supervisor District:**

1       2       3       4       5       All

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

Contact: David Petersen Telephone: 520-724-9000

Department Director Signature/Date:  2/13/18

Deputy County Administrator Signature/Date:  02/14/18

County Administrator Signature/Date:  2/15/18



Subject: P17RZ00005

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**FOR MARCH 6, 2018 MEETING OF THE BOARD OF SUPERVISORS**

**TO:** HONORABLE BOARD OF SUPERVISORS  
**FROM:** Chris Poirier, Planning Official *Tom Drzazgowski*  
Public Works-Development Services Department-Planning Division  
**DATE:** February 12, 2018

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**ORDINANCE FOR ADOPTION**

**P17RZ00005** **GOLDEN RULE ENTERPRISE, LLC – N. LA CANADA DRIVE REZONING**  
Owners: Golden Rule Enterprise, LLC  
(District 1)

**If approved, adopt ORDINANCE NO. 2018 - \_\_\_\_\_**

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**OWNERS:** Golden Rule Enterprise, LLC  
Attn: Susan Modisett  
2251 E. Grant Road  
Tucson, AZ 85719

**AGENT:** Cypress Civil Development  
Attn: Matt Stuart  
2030 E. Speedway Blvd., Ste. 110  
Tucson, AZ 85719

**DISTRICT:** 1

**STAFF CONTACT:** David Petersen

**STAFF RECOMMENDATION:** APPROVAL

TD/DP/ar  
Attachments

cc: P17RZ00005 File  
Tom Drzazgowski, Chief Zoning Inspector

ORDINANCE 2018-\_\_\_\_\_

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA RELATING TO ZONING; REZONING APPROXIMATELY .79 ACRE OF PROPERTY, LOCATED ON THE EAST SIDE OF N. LA CANADA DRIVE, APPROXIMATELY 160 FEET NORTH OF W. INA ROAD, FROM THE CR-1 (SINGLE RESIDENCE) ZONE TO THE TR (TRANSITIONAL) ZONE, IN CASE P17RZ00005 GOLDEN RULE ENTERPRISE, LLC – N. LA CANADA DRIVE REZONING, AND AMENDING PIMA COUNTY ZONING MAP NOS. 76 AND 77.

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

Section 1. The .79 acre located on the east side of N. La Canada Drive, approximately 160 feet north of W. Ina Road and illustrated by the shaded area on the attached rezoning ordinance map (Exhibit A), which amends Pima County Zoning Map Nos. 76 and 77, is rezoned from the CR-1 (Single Residence) zone to the TR (Transitional) zone subject to the conditions in this ordinance.

Section 2. Rezoning Conditions.

1. Adherence to the sketch plan (Exhibit B) as approved at public hearing.
2. A minimum six-foot-high wall shall be provided as part of the required north landscape bufferyard. The wall is allowed to connect to the proposed building which can substitute for a portion of the wall if the building is oriented toward the north portion of the subject property as shown on the sketch plan. At a minimum, the wall shall extend from the western to the eastern extent of the parking area.
3. Uses shall be restricted to a professional office of a maximum of 5,500 square feet or a one-family dwelling.
4. The maximum building height shall be 24 feet and one story.
5. General adherence to the office building facade elevations as presented at public hearing (Exhibit C).
6. Transportation conditions:
  - A. The property shall be limited to one access point located along the northern property line of the rezoning site as shown on the sketch plan.
  - B. The driveway is limited to right-in, right-out access only.
7. The property owner shall execute 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.

8. 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.

Section 3. Time limits of conditions. Conditions 1 through 8 of Section 2 shall be completed no later than December 12, 2022.

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 \_\_\_\_\_, 2018.

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

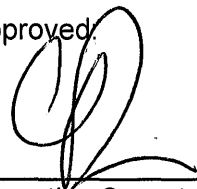
ATTEST:

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

Approved As To Form:

 1/25/18  
\_\_\_\_\_  
Deputy County Attorney  
Lesley M. Lukach

Approved:

 1-30-18  
\_\_\_\_\_  
Executive Secretary,  
Planning and Zoning Commission

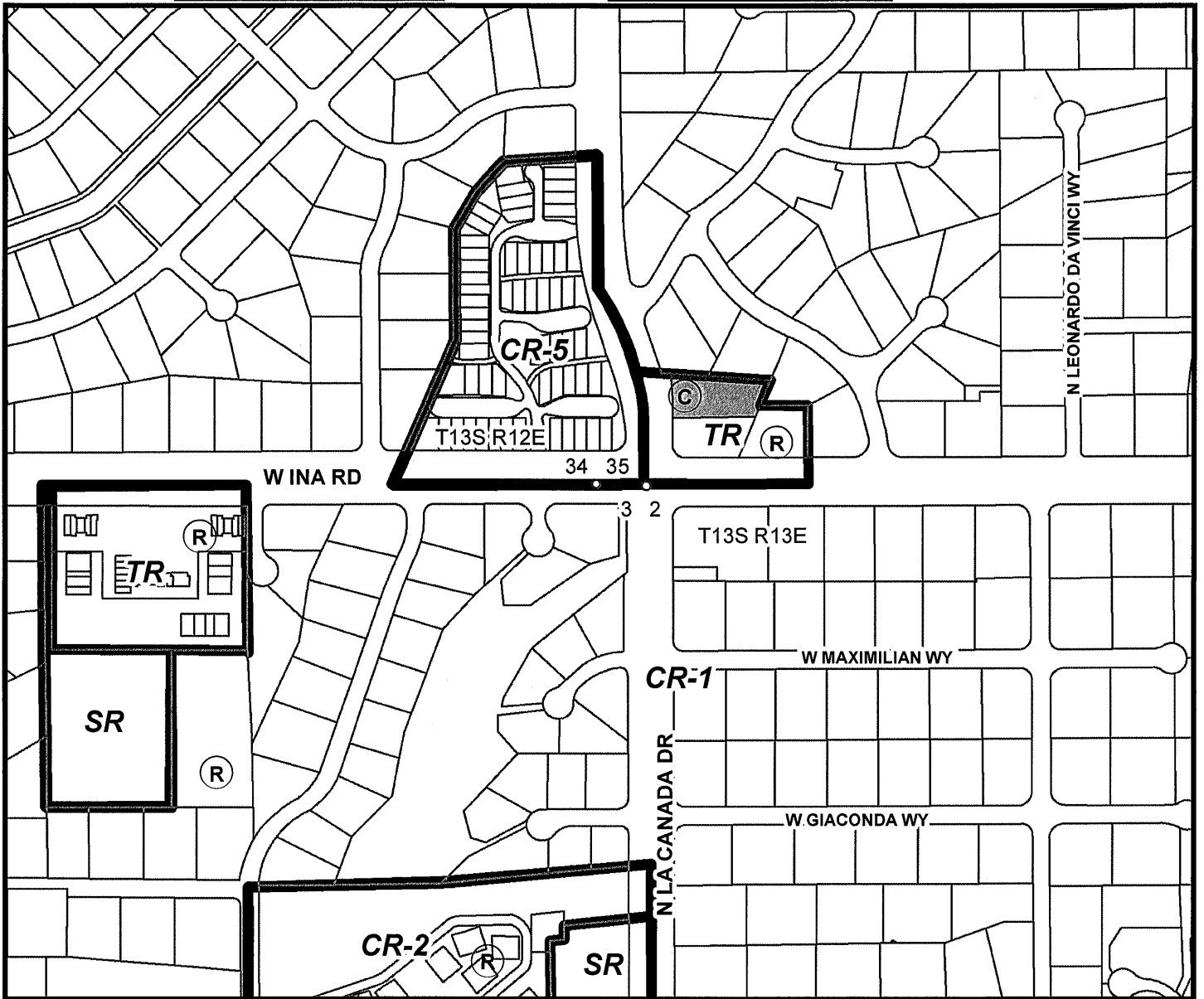
# EXHIBIT A

AMENDMENT NO. \_\_\_\_\_ BY ORDINANCE NO. \_\_\_\_\_  
TO PIMA COUNTY ZONING MAP NO. 76, 77 TUCSON AZ.  
LOT 32 OF ORANGE GROVE PARK BEING A PART SEC 35 T13S R12E.



0 125 250 500 Feet  
[Scale bar with markings at 0, 125, 250, and 500 feet]

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

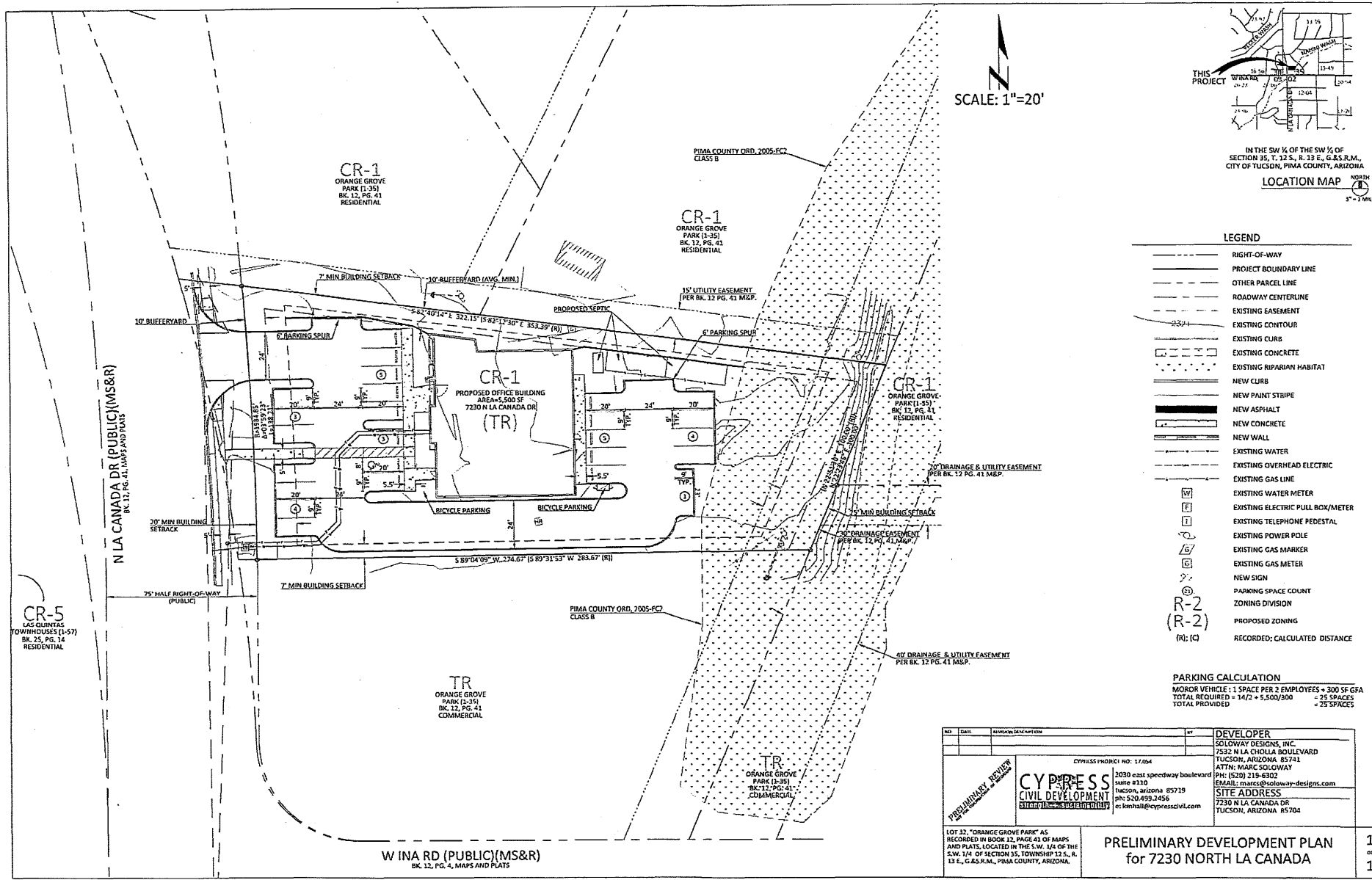


EXECUTIVE SECRETARY PIMA COUNTY PLANNING AND ZONING COMMISSION

© NO BUILDING PERMITS WITHOUT CERTIFICATE OF COMPLIANCE  
FROM CR-1 0.79 ac  
ds-December 28, 2017

P17RZ00005  
Co7-07-09, Co7-13-10  
225-49-191A





Sketch Plan P1TRZ00005  
 Approved by BOS 12-12-17 D.P

Rec'd. 10-20-17 D.P

# PROFESSIONAL OFFICE FOR:

SOLOWAY  
DESIGNS, INC.  
ARCHITECTURE + INTERIORS

7230

N LA CANADA

5 of 5

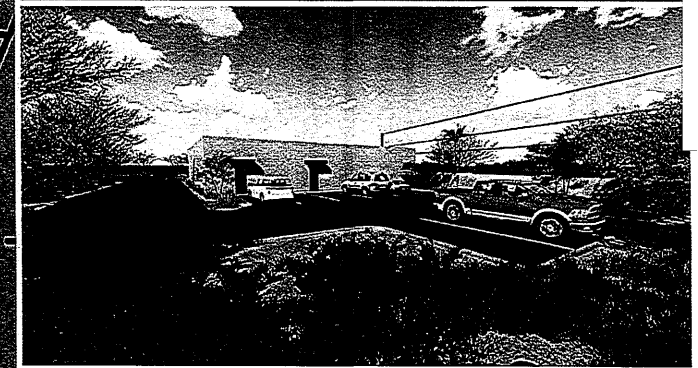
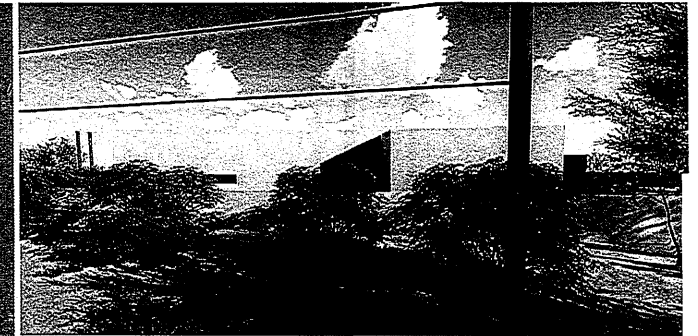
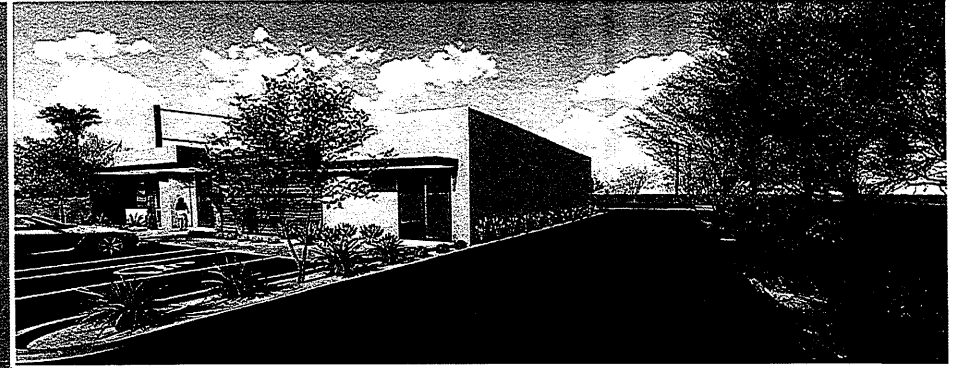
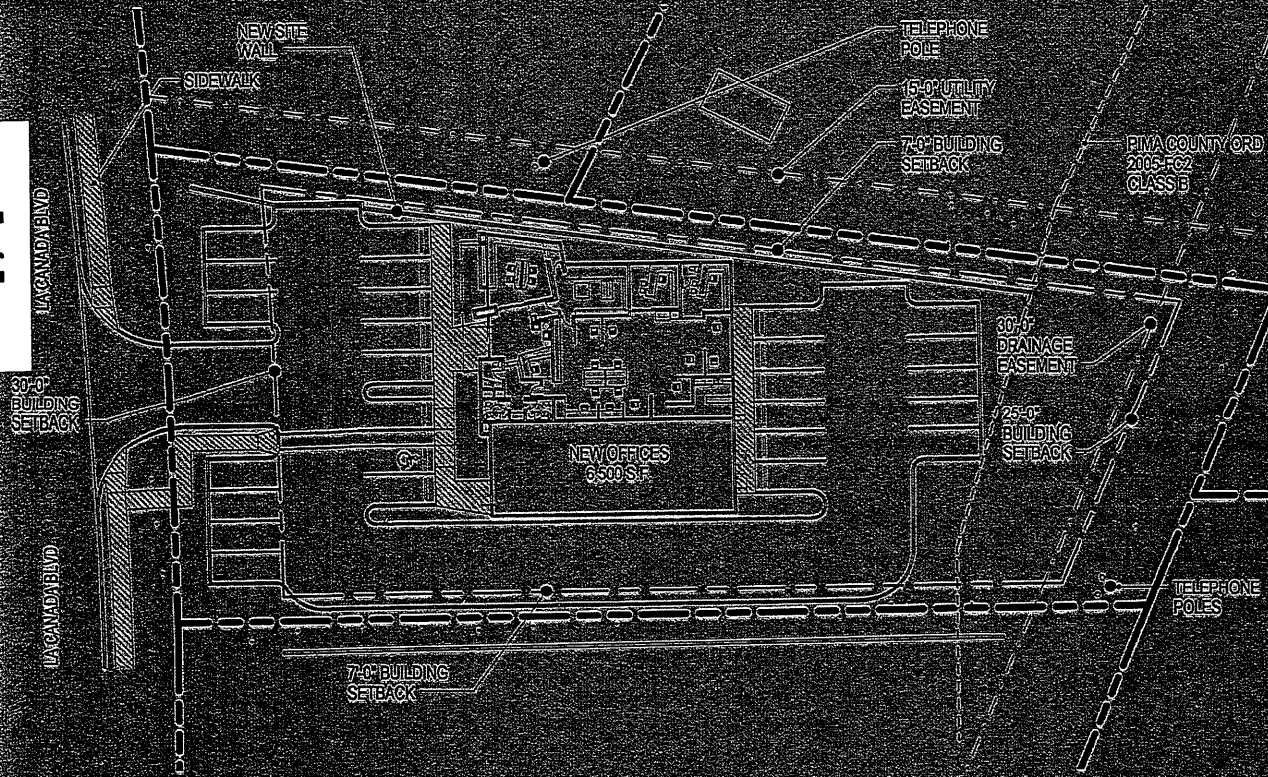


EXHIBIT C