

BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: July 7, 2020

Title: P20TA00002 ECONOMIC OPPORTUNITY EXPANSION OMNIBUS NO. 2

Introduction/Background:

The text amendment will reduce the minimum front yard setback requirement and increase the allowed buildable area in the CR-3 zone and change the maximum lot coverage limit to a maximum site coverage limit in the CR-4 and CR-5 zones.

Discussion:

Increasing the allowed buildable area in the CR-3 zone will provide flexibility for homebuilders and developers to allow the construction of one-story dwelling that can accommodate the square footage the consumers demand. The reduction in the front yard will provide undulations for more aesthetically pleasing street view while maintaining the required setback to the garage/carport for the required off-street parking. The change to site coverage limit in the CR-4 and CR-5 zones will provide the most flexibility, maximize the use of the land and protect open space.

Conclusion:

The text amendment would provide flexibility and more opportunities that will facilitate and further encourage development in Pima County.

Recommendation:

Staff recommends APPROVAL of the proposed text amendment.

Fiscal Impact:					
N/A					
Board of Supervisor District:					
□ 1 □ 2	□ 3	□ 4	□ 5	⊠ AII	
Department: Development Services			Telephone: 724-8800		
Contact: Elva Pedregó, Senior Planner			Telephone: 724-6718		
Department Director Signature/Date: 6/11/2020					
Deputy County Administrator Signature/Date: 4/15/2020					
County Administrator Signature/Date: (1) Substituting 6/15/20					
				<i>\'</i>	



TO:

HONORABLE BOARD OF SUPERVISORS

FROM:

Chris Poirier, Deputy Director

Public Works-Development Services Department-Plan

DATE:

June 11, 2020

SUBJECT:

P20TA00002 ECONOMIC OPPORTUNITY EXPANSION OMNIBUS NO. 2

The above referenced Zoning Code Text Amendment is within your districts and is scheduled for the Board of Supervisors' TUESDAY, JULY 7, 2020 hearing.

REQUEST:

To amend the Pima County Zoning Code.

OWNERS:

N/A

AGENT:

N/A

DISTRICT:

ΑII

STAFF CONTACT: Elva Pedrego, Senior Planner

PUBLIC COMMENT TO DATE: As of June 9, 2020, staff has received three emails of support from stakeholders on the proposed zoning code text amendment.

<u>PLANNING & ZONING COMMISSION RECOMMENDATION:</u> APPROVAL (10 - 0).

STAFF RECOMMENDATION: APPROVAL.

MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM DESIGNATIONS: N/A

TD/EP/ar Attachments



BOARD OF SUPERVISORS MEMORANDUM

SUBJECT: P20TA00002

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FOR JULY 7, 2020 MEETING OF THE BOARD OF SUPERVISORS

TO:

HONORABLE BOARD OF SUPERVISORS

FROM:

Chris Poirier, Deputy Director >

Public Works-Development Services-Department-Planning Division

DATE:

June 11, 2020

ADVERTISED ITEM FOR PUBLIC HEARING

ZONING CODE TEXT AMENDMENT

P20TA00002 ECONOMIC OPPORTUNITY EXPANSION OMNIBUS NO. 2

PROPOSAL TO AMEND BY ORDINANCE THE PIMA COUNTY ZONING CODE CHAPTER 18.25 (CR-3 SINGLE RESIDENCE ZONE), SECTION 18.25.030 (DEVELOPMENT STANDARDS-GENERAL), TO REDUCE THE MINIMUM FRONT YARD SETBACK REQUIREMENT AND INCREASE THE ALLOWED BUILDABLE AREA; CHAPTER 18.27 (CR-4 MIXED-DWELLING TYPE ZONE), SECTION 18.27.030 (DEVELOPMENT STANDARDS-GENERAL), TO CHANGE THE MAXIMUM LOT COVERAGE LIMIT TO A MAXIMUM SITE COVERAGE LIMIT; AND CHAPTER 18.29 (CR-5 MULTIPLE RESIDENCE ZONE), SECTION 18.29.030 (DEVELOPMENT STANDARDS-GENERAL); TO CHANGE THE MAXIMUM LOT COVERAGE LIMIT TO A MAXIMUM SITE COVERAGE LIMIT. On motion, the Planning and Zoning Commission voted 10 – 0 to recommend APPROVAL.

(All Districts)

Planning and Zoning Commission Public Hearing Summary (April 29, 2020)

Staff presented information regarding the zoning code text amendment to the commission clarifying that this is the first of three economic opportunity omnibus text amendments that were initiated at the March 25, 2020 Planning and Zoning Commission hearing. This amendment was originally part of a larger text code amendment request, but at the commissions' direction, it has been divided into three separate amendments.

Staff stated that this amendment affects the CR-3, CR-4 and CR-5 zones. It incorporates design flexibility for homebuilders and developers to allow for products that the community and homebuyers are demanding in homes.

CR-3

1. Increase the lot coverage from 40% to 60%. This increase allows for the demand to

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provide greater square footage in one-story products. Currently, two-story homes are the only product that meets the need of homebuyers who demand homes with larger square footage. The change will provide a larger lot coverage allowance and flexibility for the development community.

2. Reduced front yard setback for portions of the home other than the carport/garage. This will provide undulations and opportunities for more visually aesthetic products so that not everything is setback exactly 20 feet from the front property line. The 20 foot garage/carport setback to provide for off-street parking is still required.

<u>CR-4 & CR-5</u> - In these high density residential zones, the proposal is to apply the same concept. The 60% lot coverage will be maintained, but applied through a site perspective. This will give builders the maximum flexibility to build larger homes is some places, smaller homes in others and provide for the larger one-story products that consumers are demanding.

Staff concluded its presentation and advised the commission that we are still working on the second and third amendment; The Chuck H. Huckelberry Loop and changes to CB-1 (Local Business) zone and Adaptive Reuse.

A commissioner asked if staff had statistics that supported the claim that there were a lot of two-story homes in CR-3. Staff stated that we didn't have statistics but explained that before work began on the text code amendment, staff met with SAHBA and the homebuilders to discuss their concerns. At those meetings they talked about concerns over the 40% lot coverage limitations on 8,000 square foot lots and how this requires them to build two-story homes to meet the consumer demand. Staff clarified that there have been variance requests from the lot coverage limitations and can provide that data, but what we can't show are those that chose not to go through the variance process because of the uncertainty of the outcome. This concept was brought up by a homebuilder after a previous text code amendment that included changes to the CR-3 zone. They stated that they had one-story models that they wanted to offer but, with the current lot coverage limitation, a variance would be required.

The commissioner then stated it appeared on the surface that this amendment was for the benefit of the homebuilders and their bottom line. He then asked why the lot coverage was being implemented on a lot per lot basis in CR-3 and on a site basis in the CR-4 and CR-5 zones. Staff responded by stating that Pima County is trying to implement elements of Pima Prospers by encouraging efficient use of land and development where it is appropriate. Together with the Sonoran Desert Conservation Plan and Pima Prospers, the County has been able to successfully acquire open space through rezonings and other mechanisms; the other side of that is to encourage density and efficient use of land as much as possible. We are putting an intentional focus on areas that should be developed and are encouraging density where it is appropriate and where there is a true demand.

Staff then explained the residential zones and their density requirements with CR-4 and CR-5 being the highest density zones. The change to site coverage was made to provide the most flexibility, to maximize the use of the land and protect the open space. The commissioner then stated that he understood.

Another commissioner commented that he drove past a new housing development where it appeared most of the homes were two-story. He stated there seems to be a real pressure to build two-story homes to obtain the square footage that is desired.

P20TA00002 Page 4 of 4

A commissioner asked if there is anything that prevents a builder from maximizing the 60% lot coverage and still build a two-story. Staff stated that they could still build a two-story residence but explained the existing Two-Story Buffer ordinance does provide protection from a two-story residence adjacent to a one-story residence.

The commission then asked if there were any speakers from the public, Staff stated no one had signed up to speak on this item. The commission closed the public hearing.

Commissioner Hook made a motion to recommend **APPROVAL** of the zoning code text amendment, Commissioner Bain gave second.

The commission voted to recommend **APPROVAL** of the zoning code text amendment (10 - 0).

TD/EP/ar Attachments

cc: Tom Drzazgowski, Chief Zoning Inspector

P20TA00002 File

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

PUBLIC HEARING APRIL 29, 2020

P20TA00002 ECONOMIC OPPORTUNITY EXPANSION OMNIBUS NO. 2 ZONING CODE TEXT AMENDMENT

STATUS / AGENDA ITEMS

Planning and Zoning Commission Public Hearing

Zoning Code Amendment

DESCRIPTION

Proposal to amend by ordinance the Pima County Zoning Code Chapter 18.25 (CR-3 Single Residence Zone), Section 18.25.030 (Development Standards-General), to reduce the minimum front yard setback requirement and increase the allowed buildable area; Chapter 18.27 (CR-4 Mixed-Dwelling Type Zone), Section 18.27.030 (Development Standards-General), to change the maximum lot coverage limit to a maximum site coverage limit; and Chapter 18.29 Multiple Residence Zone). 18.29.030 (Development Standards-General): to change the maximum lot coverage limit to a maximum site coverage limit. (All Districts)

INITIATION

Planning and Zoning Commission, March 25, 2020

PUBLIC COMMENT

The proposed text amendment was distributed via email to the community stakeholders and as of April 15, 2020 staff has received no comments on the proposed text amendment.

STAFF RECOMMENDATION

Staff recommends **APPROVAL** of the proposed Pima County Zoning Code text amendment. The amendment supports Pima County's continuing efforts to facilitate and provide development opportunities to the development and business community.

STAFF REPORT

This is the second zoning code text amendment omnibus staff brings forward to the Commission that addresses economic expansion opportunities. Our first text code amendment was before the Commission on September 25, 2019 and approved by the board on November of 19, 2019. At the board hearing, staff was directed to reach out to stakeholders and look for other opportunities that could further assist the business and development community.

After consultation with SAHBA and other business groups, on March 25, 2020 staff requested the Planning and Zoning Commission initiate a zoning code text amendment. The request was

P20TA00002 Economic Opportunity Expansion Omnibus No. 2 Page 1 of 2

for the current amendment as well as changes to Adaptive Reuse, CB-1 (Local Business) permitted uses, Review Committees along with an amendment to the rural, commercial and MU (Multiple Use) zones for properties in close proximity to the Chuck Huckelberry Loop. The Commission requested we divide the amendment into three separate text code amendments. Staff is preparing to present the three different text amendments, these are the first amendments that are available with input from stakeholders. Staff expects to bring the second amendment in May, which will include the proposed changes to the Chuck Huckelberry Loop. The third request is tentatively planned for the June Planning and Zoning Commission hearing and includes the remainder of initiation items.

18.25 CR-3 Single Residence Zone

Revisions to the CR-3 development standards were done with the first Economic Opportunity Expansion Omnibus approved last fall. The revisions reduced the side yard setback requirement to four feet and the rear yard setback requirement to ten feet for the main dwelling. Under this amendment staff is proposing to reduce the front yard setback to ten feet for the main dwelling while maintaining the twenty foot setback requirement for the carport/garage in order to provide for on-site parking. This amendment will also increase the buildable area to sixty percent of the lot for the dwelling unit. Currently, the buildable area is limited to forty percent of the lot which includes all structures except swimming pools. Square footage demands from customers are requiring home builders to construct two story homes that have the potential to adversely affect existing neighboring property owners in the area. Two story homes have the potential to block scenic views and limit privacy for existing homeowners. Complaints from neighbors about two story homes during the rezoning/construction process have been consistently received by staff. The changes proposed will permit home builders to provide larger single story homes to the customers in the community.

18.27 CR-4 Mixed-Dwelling Type Zone and 18.29 CR-5 Multiple Residence Zone

These high density zoning designations currently have a sixty percent lot coverage limit for main buildings. With the amendment the sixty percent limitation will be applied to the site versus the individual lots.

Staff has been proactively looking at the zoning code and identifying sections of the code that need revisions due to the ever changing needs of the development community. With the various home builders and their products, it becomes difficult to develop communities within the limits of the current development standards. With these proposed revisions, builders will be able to develop communities without the need of setback exceptions and will alleviate the necessity to build two story products in order to obtain the square footage demanded by the homebuyers. This change provides the maximum amount of flexibility to have home builders and customers develop homes that meet the needs of the customers. Some homeowners demand the maximum amount of square footage for the residence at the same time other consumers are looking for smaller homes with outdoor amenities.

Respectfully submitted,

Elva Pedregó Senior Planner

P20TA00002 Economic Opportunity Expansion Omnibus No. 2

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Elva Pedrego

From:

Thomas Drzazgowski

Sent:

Wednesday, May 13, 2020 12:05 PM

To:

Elva Pedrego

Subject:

FW: SAHBA Comment

Tom Drzazgowski
Pima County - Chief Zoning Inspector
201 N Stone Av – 1st Floor
520,724,6675

From: Shawn Cote <Shawn@sahba.org> Sent: Wednesday, April 29, 2020 10:20 AM

To: Chris Poirier < Chris. Poirier @pima.gov>; Thomas Drzazgowski < Thomas. Drzazgowski @pima.gov>

Subject: SAHBA Comment

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.

SAHBA supports the Zoning Code amendments under consideration today. These code changes will provide increased flexibility for home builders. This flexibility will be even more important as we begin our economic recovery. Thank you for your consideration.

Shawn Cote

Government Affairs Director

Southern Arizona Home Builders Association 2840 N. Country Club Rd. | Tucson, AZ 85716 520.795.5114 | 520.326.8665 fax shawn@sahba.org

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[&]quot;A nation of homeowners is unconquerable."-- Franklin Delano Roosevelt

Elva Pedrego

From:

Thomas Drzazgowski

Sent:

Wednesday, May 13, 2020 12:04 PM

To:

Elva Pedrego

Subject:

FW: Ordinance 20TA00002

Tom Drzazgowski
Pima County - Chief Zoning Inspector
201 N Stone Av – 1st Floor
520.724.6675

From: Allyson Solomon <allyson@mpaaz.org> Sent: Wednesday, April 29, 2020 10:21 AM

To: Chris Poirier < Chris.Poirier@pima.gov>; Thomas Drzazgowski < Thomas.Drzazgowski@pima.gov>; Carla Blackwell

<Carla.Blackwell@pima.gov>
Subject: Ordinance 20TA00002

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.

MPA is supportive of ordinance number 20TA00002. Allyson Solomon Executive Director 2 East Congress, 6th floor Tucson, Az. 85701

MPA Metropolitan Pima Alliance

Elva Pedrego

From:

Priscilla Storm <pstorm@diamondven.com>

Sent:

Monday, April 20, 2020 9:57 AM

To:

Elva Pedrego; Thomas Drzazgowski

Cc:

Thomas Drzazgowski

Subject:

RE: Economic Opportunity Expansion Omnibus #2 Zoning Code Text Amendment

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.

Elva and Tom, thank you for the opportunity to review this change in setback and site coverage for CR-3 and CR-4. This additional flexibility is helpful.

From: Elva Pedrego < Elva.Pedrego@pima.gov>

Sent: Wednesday, April 8, 2020 9:35 AM

To: tina@aia-arizona.org; tbee@azbuilders.org; Priscilla Storm <pstorm@diamondven.com>; carolyn.campbell@sonorandesert.org; allyson@mpaaz.org; rickvolk@volk.com; David Godlewski <david@sahba.org>; shawn@sahba.org; steve@tucsonrealtors.org; amber@tucsonchamber.org; joe.snell@suncorridorinc.com; tma@tucsonmountainassoc.org; 'lcmna2@aol.com' <lcmna2@aol.com>; secretary@cfatucson.org; bpe21ccc@msn.com

Cc: Thomas Drzazgowski < Thomas. Drzazgowski@pima.gov>

Subject: Economic Opportunity Expansion Omnibus #2 Zoning Code Text Amendment

Good morning all,

Attached is the latest zoning code text amendment that we will take to the Planning and Zoning Commission this month on the 29th. Please review and submit any comments or concerns to either Tom Drzazgowski or myself. With this proposed change to the zoning code, we are looking to provide more flexibility when it comes to home placement in the higher density residential zones.

We would appreciate your comments by April 17th.

Thank you,

Ε

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA, RELATING TO ZONING; AMENDING THE PIMA COUNTY CODE CHAPTER 18.25 (CR-3 SINGLE RESIDENCE ZONE), SECTION 18.25.030 (DEVELOPMENT STANDARDS-GENERAL), TO REDUCE THE MINIMUM FRONT YARD SETBACK REQUIREMENT AND INCREASE THE ALLOWED BUILDABLE AREA; CHAPTER 18.27 (CR-4 MIXED-DWELLING TYPE ZONE), SECTION 18.27.030 (DEVELOPMENT STANDARDS-GENERAL), TO CHANGE THE MAXIMUM LOT COVERAGE LIMIT TO A MAXIMUM SITE COVERAGE LIMIT; AND CHAPTER 18.29 (CR-5 MULTIPLE RESIDENCE ZONE), SECTION 18.29.030 (DEVELOPMENT STANDARDS-GENERAL) TO CHANGE THE MAXIMUM LOT COVERAGE LIMIT TO A MAXIMUM SITE COVERAGE LIMIT.

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

- The Planning and Zoning Commission, at its March 25, 2020 hearing, initiated and authorized staff to amend the Pima County Code to revise the code to provide further economic development opportunities.
- This ordinance does not create new restrictions on the use of property, and this ordinance is not intended to, nor should it be construed to reduce any existing rights to use, divide, sell or possess private real property.

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

Section 1. Pima County Code Chapter 18.25, Section 18.25.030 is amended to change the general development standards, as follows:

Chapter 18.25 CR-3 SINGLE RESIDENCE ZONE

18.25.030 Development Standards - General.

- D. Minimum yard requirements:
 - 1. Front: Twenty Ten feet; twenty feet to front entry carport/garage.
- G. Buildable area: Not to exceed forty <u>sixty</u> percent of the lot, <u>including all structures</u>, except swimming pools.

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Section 2. Pima County Code Chapter 18.27, Section 18.27.030 is amended change the general development standards as follows:

Chapter 18.27 CR-4 MIXED-DWELLING TYPE ZONE

18.27.030 Development Standards – General.	
D. Maximum lot coverage: Sixty percent for main buildings <u>of the site</u> .	•
Section 3. Pima County Code Chapter 18.29, Section 18.29.030 is amended to change general development standards, as follows:	the
Chapter 18.29 CR-5 MULTIPLE RESIDENCE ZONE	
18.29.030 Development Standards – General.	
D. Maximum lot coverage: Sixty percent for main buildings of the site.	
•••	
Section 4. This ordinance is effective 31 days after its adoption.	
Passed and adopted by the Board of Supervisors of Pima County, Arizona, on this	day
of, 2020.	
Chairman, Pima County Board of Supervisors	
ATTEST:	
Clerk, Board of Supervisors	
Approved As To Form: Approved:	

Deputy County Attorney

Executive Secretary,

Planning and Zoning Commission