



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: 6/7/2022

**= Mandatory, information must be provided*

Click or tap the boxes to enter text. If not applicable, indicate "N/A".

***Title:**

ORDINANCE: P21RZ00011 DIXON FAMILY REVOC TR – N. ORACLE ROAD REZONING

***Introduction/Background:**

The Board of Supervisors approved this rezoning on November 16, 2021.

***Discussion:**

The rezoning was for approximately 8.68-acres from the GR-1 (GZ-1) (Rural Residential – Urban Gateway Overlay) to the CMH-2 (GZ-1) (County Manufactured and Mobile Home - 2 – Urban Gateway Overlay) for a 52 mobile home space expansion to Quail Ridge Estates.

***Conclusion:**

The Ordinance reflects the Board of Supervisors' approval.

***Recommendation:**

Approval

***Fiscal Impact:**

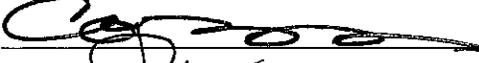
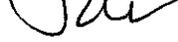
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***Board of Supervisor District:**

1 2 3 4 5 All

Department: Development Services - Planning Telephone: 520-724-8800

Contact: Terrill L. Tillman, AICP, Principal Planner Telephone: 520-724-6921

Department Director Signature:		Date:	<u>5/16/22</u>
Deputy County Administrator Signature:		Date:	<u>5/17/2022</u>
County Administrator Signature:		Date:	<u>5/17/2022</u>



Subject: P21RZ00011

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JUNE 7, 2022 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS
FROM: Chris Poirier, Deputy Director *Tom Draczgowski*
Public Works-Development Services Department-Planning Division
DATE: May 17, 2022

ORDINANCE FOR ADOPTION

P21RZ00011 DIXON FAMILY REVOC TR - N. ORACLE ROAD REZONING

Owner: Dixon Family Revoc Tr
(District 1)

If approved, adopt ORDINANCE NO. 2022 - _____

OWNERS: Dixon, David & Maria Family Revoc Tr
Attn: David Dixon
15270 N. Oracle Road, Ste. 124, PMB 502
Tucson, AZ 85739-8203

AGENT: The WLB Group, Inc.
Attn: Rob Longaker
4444 E. Broadway Boulevard
Tucson, AZ 85711

DISTRICT: 1

STAFF CONTACT: Terrill L. Tillman, AICP, Principal Planner

STAFF RECOMMENDATION: APPROVAL

TD/TT
Attachments

c: David & Maria Dixon

ORDINANCE 2022-_____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO ZONING; REZONING APPROXIMATELY 8.68 ACRES OF PROPERTY (PARCEL CODES 222-22-002B AND 222-22-0040) FROM THE GR-1 (GZ-1) (RURAL RESIDENTIAL - URBAN GATEWAY OVERLAY) TO THE CMH-2 (GZ-1) (COUNTY MANUFACTURED AND MOBILE HOME - 2 - URBAN GATEWAY OVERLAY) ZONE, IN CASE P21RZ00011 DIXON FAMILY REVOC TR - N. ORACLE ROAD REZONING, LOCATED AT THE NORTHWEST CORNER OF THE T-INTERSECTION OF E. GOLDER RANCH DRIVE AND N. ORACLE ROAD, AND AMENDING PIMA COUNTY ZONING MAP NO. 432.

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

Section 1. The 8.68 acres located at the northwest corner of the T-intersection of E. Golder Ranch Drive and N. Oracle Road and illustrated by the shaded area on the attached rezoning ordinance map (Exhibit A), which amends Pima County Zoning Map No. 432, is rezoned from the GR-1 (GZ-1) (Rural Residential - Urban Gateway Overlay) to the CMH-2 (GZ-1) (County Manufactured and Mobile Home - 2 - Urban Gateway Overlay) zone subject to the conditions in this ordinance.

Section 2. Rezoning conditions.

1. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
2. Transportation condition: Prior to development permitting approval, proof of coordination with Arizona Department of Transportation (ADOT) shall be provided to Pima County Development Services.
3. Regional Flood Control District conditions:
 - A. Revised hydrology and hydraulic report shall be submitted at the time of development. The report shall include analysis determining if the regulatory flow is contained within the channel, that the channel's construction and current condition sufficiently prevents the wash from migrating laterally, and stability of the golf cart access during storm events.
 - B. District approval for a Detention Waiver shall occur prior to submittal of a Site Construction Plan.
 - C. First flush retention shall be provided in LID practices distributed throughout the site.
 - D. At the time of development the developer shall be required to implement the selected combination of Water Conservation Measures from Table B Water Conservation Measures that exceeds the required 15 points.
4. Regional Wastewater Reclamation conditions:
 - A. The owner(s) shall construe no action by Pima County as a commitment of capacity to serve any new development within the rezoning area until Pima County executes an agreement with the owner(s) to that effect.

- B. The owner(s) shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department (PCRWRD) that treatment and conveyance capacity is available for any new development within the rezoning area, no more than 90 days before submitting any tentative plat, development plan, preliminary sewer layout, sewer improvement plan, or request for building permit for review. Should treatment and/or conveyance capacity not be available at that time, the owner(s) shall enter into a written agreement addressing the option of funding, designing and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the PCRWRD.
 - C. The owner(s) shall time all new development within the rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream public sewerage system.
 - D. The owner(s) shall connect all development within the rezoning area to Pima County's public sewer system at the location and in the manner specified by the PCRWRD in its capacity response letter and as specified by PCRWRD at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.
 - E. The owner(s) shall fund, design and construct all off-site and on-site sewers necessary to serve the rezoning area, in the manner specified at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan or request for building permit.
 - F. The owner(s) shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County, and all applicable regulations, including the Clean Water Act and those promulgated by ADEQ, before treatment and conveyance capacity in the downstream public sewerage system will be permanently committed for any new development within the rezoning area.
- 5. Environmental Planning condition: Upon the effective date of the Ordinance, the owner(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 property owner.
 - 6. Cultural Resources condition: 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.
 - 7. Parks and Recreation condition: A 30-foot-wide easement shall be dedicated to Pima County for the Twenty-Seven Wash Single-Track Trail #168 prior to development plan approval.
 - 8. Adherence to the preliminary development plan as approved at public hearing (Exhibit B).
 - 9. 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.

10. The property owner shall execute the following disclaimer regarding the Arizona 2006 Private Property Rights Protection Act: "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(I)."

Section 3. Time limits of conditions. Conditions 1 through 10 of Section 2 shall be completed no later than November 16, 2026.

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 _____, 2022.

Chair, Pima County Board of Supervisors

ATTEST:

Clerk, Board of Supervisors

APPROVED AS TO FORM:



Deputy County Attorney
Lesley M. Lukach

APPROVED:



Executive Secretary
Planning and Zoning Commission

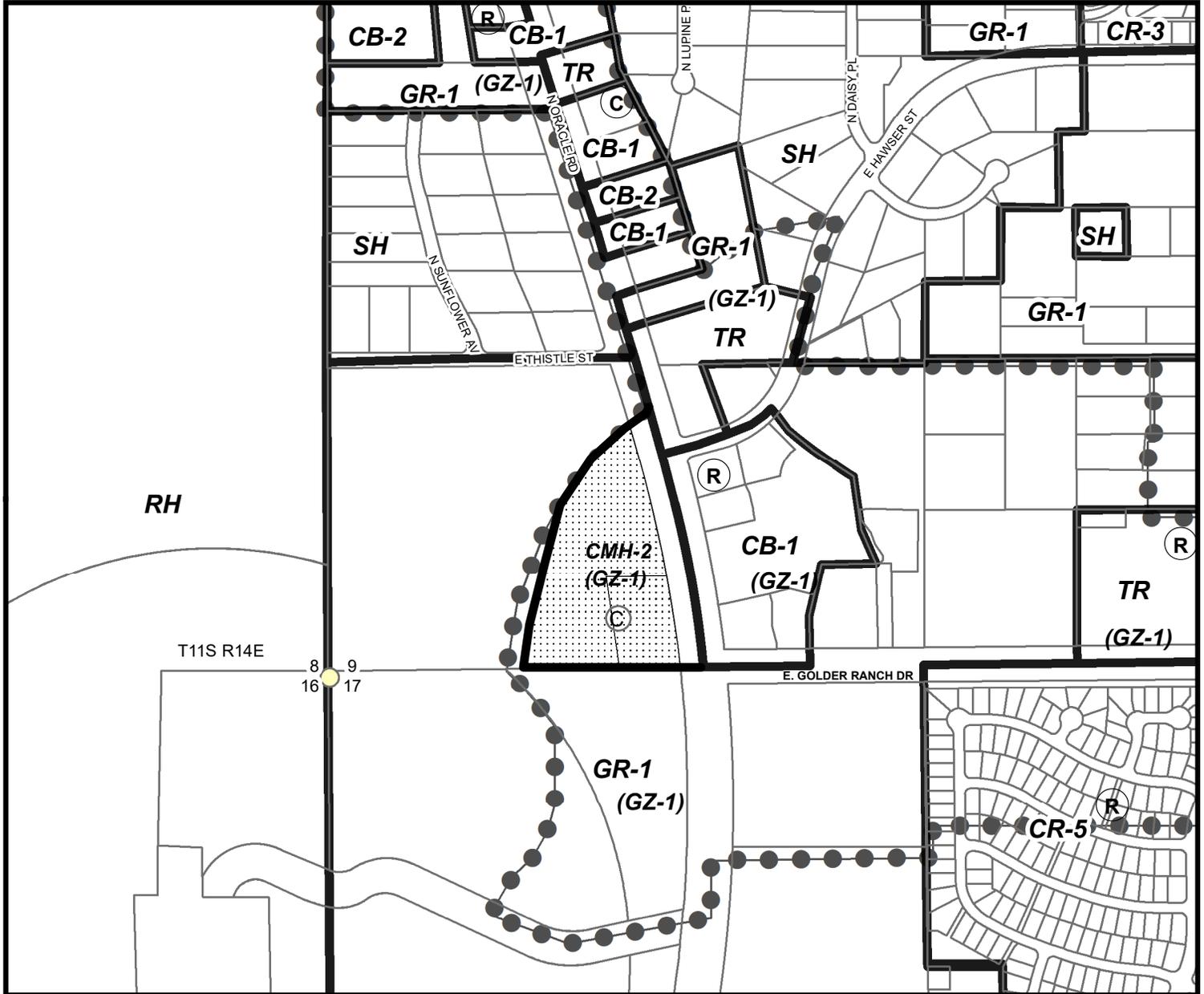
EXHIBIT A

AMENDMENT NO. _____ BY ORDINANCE NO. _____
TO PIMA COUNTY ZONING MAP NO. 432 TUCSON AZ. BEING A
PART OF THE S 1/2 OF THE SW 1/4 OF SECTION 9, T11S R14E.



0 165 330 660 Feet
[Scale bar]

ADOPTED: _____ EFFECTIVE: _____



EXECUTIVE SECRETARY PIMA COUNTY PLANNING AND ZONING COMMISSION

(C) NO BUILDING PERMITS WITHOUT CERTIFICATE OF COMPLIANCE
FROM GR-1 (GZ) 8.68 ac
ds-March 3, 2022

P21RZ00011
22222002B, 222220040

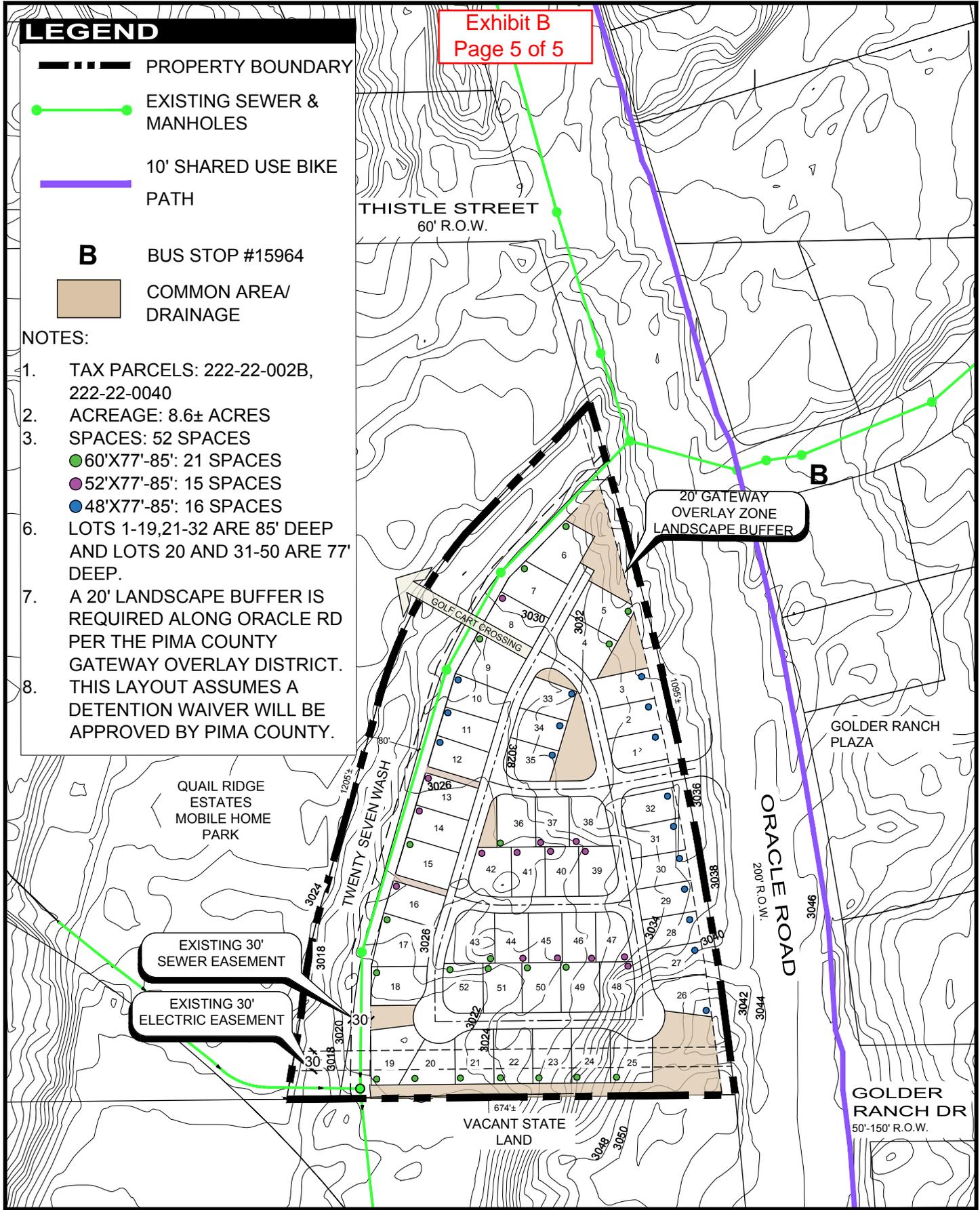


LEGEND

-  PROPERTY BOUNDARY
-  EXISTING SEWER & MANHOLES
-  10' SHARED USE BIKE PATH
-  BUS STOP #15964
-  COMMON AREA/ DRAINAGE

NOTES:

1. TAX PARCELS: 222-22-002B, 222-22-0040
2. ACREAGE: 8.6± ACRES
3. SPACES: 52 SPACES
 - 60'X77'-85': 21 SPACES
 - 52'X77'-85': 15 SPACES
 - 48'X77'-85': 16 SPACES
6. LOTS 1-19,21-32 ARE 85' DEEP AND LOTS 20 AND 31-50 ARE 77' DEEP.
7. A 20' LANDSCAPE BUFFER IS REQUIRED ALONG ORACLE RD PER THE PIMA COUNTY GATEWAY OVERLAY DISTRICT.
8. THIS LAYOUT ASSUMES A DETENTION WAIVER WILL BE APPROVED BY PIMA COUNTY.



**Exhibit II-B-1
Preliminary Development Plan**



C:\119034A-004 Rezzone 10 Acres\01 Planning\04 Rezzone\Site Analysis\Exhibits\PC Site Analysis_Section 2.dwg Plotted: Jul 12, 2021