



**BOARD OF SUPERVISORS AGENDA ITEM REPORT**

Requested Board Meeting Date: January 5, 2016

**Title:** Co8-15-04 Major Streets and Routes Setback Deletion

**Introduction/Background:**

This is a request of staff, implementing adopted policy in Pima Prospers, Pima County's Comprehensive Plan, to eliminate from the zoning code the requirement for a 30 foot special setback from major routes and scenic routes for buildings or structures.

**Discussion:**

This setback provision in the code dates from 1980 and at the time was thought to be necessary in case the county did not have enough right-of-way for major streets, and subsequently scenic routes, after requiring dedication of typically half the planned right-of-way. Given that the county has recently right sized proposed right-of-way widths in the Major Streets and Scenic Routes Plan, this 30 foot setback is no longer deemed necessary, and in fact contributes to inefficient use of land and poor aesthetics along these rights-of-way. Normal zoning code front, side or rear yard setbacks will remain in place.

**Conclusion:**

Approval per the Planning and Zoning Commission recommendation will implement Board adopted plan policy, result in more efficient use of land, and over time should improve aesthetics on private property along these roadways.

**Recommendation:**

Development Services and Transportation staff respectfully requests the approval of the deletion of the requirement for a 30 foot special setback on major streets and scenic routes from Chapter 18.77, Roadway Frontage Standards, of the Zoning Code.

**Fiscal Impact:**

None

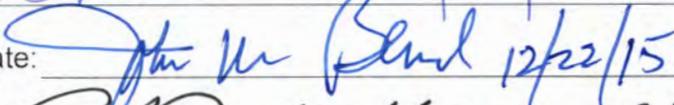
**Board of Supervisor District:**

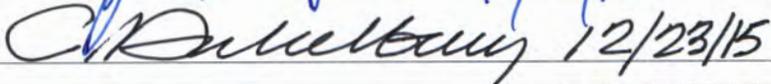
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Department: Development Services

Telephone: 724-9000

*for* Department Director Signature/Date:  12/10/2015

Deputy County Administrator Signature/Date:  12/22/15

County Administrator Signature/Date:  12/23/15



**PIMA COUNTY**  
DEVELOPMENT SERVICES

**TO:** Honorable Board of Supervisors

**FROM:** Arlan M. Colton, Planning Director

**DATE:** December 14, 2015

**SUBJECT:** Co8-15-04 MAJOR STREETS AND SCENIC ROUTES SETBACK DELETION

The above referenced Zoning Code Text Amendment is scheduled for the Board of Supervisors' **TUESDAY, JANUARY 5, 2016** hearing.

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**REQUEST:** To amend setback requirements for major streets and scenic routes in Pima County Zoning Code Title 18, Chapter 18.77 Roadway Frontage Standards. Specifically, staff proposes to delete the requirement for an additional thirty foot (30') setback for buildings or structures located along major streets and scenic routes.

**OWNER:** N/A

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**APPLICANT:** Pima County

**DISTRICTS:** ALL

**STAFF CONTACT:** Arlan Colton or Jonathan Crowe

**PUBLIC COMMENT TO DATE:** As of December 14, 2015, staff has received no comments from the public regarding the proposed Zoning Code Text Amendment.

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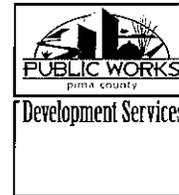
**PLANNING AND ZONING COMMISSION RECOMMENDATION:** **APPROVAL** (7-0; Commissioners Cook, Membrila, and Peabody were absent.)

**STAFF RECOMMENDATION:** **APPROVAL.**

AC/JC/ar  
Attachments



**PLANNING AND ZONING COMMISSION  
STAFF REPORT**



<b>HEARING DATES</b>	Wednesday November 25, 2015
<b>CASE</b>	Co8-15-04 Major Streets and Scenic Routes Setback Deletion
<b>SUBREGIONS</b>	All
<b>DISTRICTS</b>	All
<b>REQUEST</b>	Proposal by Pima County to amend Chapter 18.77, Roadway Frontage Standards, of the Zoning Code

**STAFF REPORT**

**Recommendation**

Staff recommends **APPROVAL** of the proposed amendment to the Zoning Code.

Staff proposes to amend setback requirements for major streets and scenic routes in Pima County Zoning Code Title 18, Chapter 18.77 Roadway Frontage Standards. Specifically, staff proposes to delete the requirement for an additional thirty foot (30') setback for buildings or structures located along major streets and scenic routes. The zoning code requires that all buildings or structures located along major streets and scenic routes be setback an extra thirty feet in addition to half of the required right-of-way width as designated on the Major Streets and Scenic Routes plans. This proposed text amendment implements Goal 1, Policy 6 of the Pima County Comprehensive Plan (Pima Prospers) Transportation Element.

**History of Major Street Setback Distances**

In 1951, the Board of Supervisors adopted the Major Streets and Routes Plan as a “framework for future development” which required development to “recognize” and “conform” to the Plan. In 1953, the Board adopted “Standard Street Cross Sections” which established the recommended widths of newly designed roadways. By 1958, the Board acknowledged that many existing buildings and developments or subdivided lands encroached upon the proposed future widths of many major streets. As a result, the Board defined “setback lines” to provide a buffer between buildings and roadways. The setback would be measured from the “approved center line” of the roadway. In 1964, the Board first adopted the requirement of a thirty foot setback from “the nearest right-of-way line” on the Major Streets and Routes Plan. In 1965, the Board changed the setback measurement to the roadway centerline: 80 feet for a collector street, 105 feet for a secondary major street, and 130 feet for a primary major street. In 1980, the Board amended the Zoning Code to require “thirty feet in addition to half of the required



PIMA COUNTY

DEVELOPMENT SERVICES

**BOARD OF SUPERVISORS MEMORANDUM**

Subject: Co8-15-04

Page 1 of 2

**FOR JANUARY 5, 2016 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 14, 2015

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**ADVERTISED ITEM FOR PUBLIC HEARING**

**ZONING CODE TEXT AMENDMENT**

**Co8-15-04 MAJOR STREETS AND ROUTES SETBACK DELETION**

Proposal to amend Pima County Zoning Code Title 18, Chapter 18.77 Roadway Frontage Standards to delete the requirement for an additional thirty foot (30') setback for Major Streets and Scenic Routes as designated on the Major Streets and Scenic Routes Plan (Co14-14-02). This proposed text amendment implements Goal 1, Policy 6 of the Pima County Comprehensive Plan (Pima Prospers) Transportation Element. On motion, the Planning and Zoning Commission voted 7-0 to recommend **APPROVAL** (Commissioners Cook, Membriila, and Peabody were absent). Staff recommends **APPROVAL**.  
(ALL DISTRICTS)

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**Planning and Zoning Commission Public Hearing Summary (November 25, 2015)**

The Planning Director presented the agenda item and briefly highlighted the staff report for the Planning and Zoning Commission on behalf of the Planning Division of the Development Services Department and the Department of Transportation (DOT). He and DOT staff responded to several questions from Commissioners, clarifying that:

- the change affects a 30 foot required setback only, not the actual dedicated or proposed right-of-way;
- by interpretation, if the code amendment were adopted, the 30 foot setback if shown on pre-existing subdivision plats, would not be applied as it would no longer be valid allowing structures to be built within the major streets and scenic routes setback if other code provisions such as normal front yard setbacks are followed;

- bicycle or pedestrians lanes are not impacted as they are already in the right-of-way and this was anticipated in resized cross-sections when the update to the Major Streets and Scenic Routes Plan was approved earlier this year; and
- if there was need to expand the right-of-way into the setback for an unforeseen set of circumstances, the county could still acquire the additional right-of-way, recognizing that structures may already exist within the setback. Existing development already exists in some of these 30 foot setback areas, often used for signage (allowed by exception to the code today), low walls and parking lots.

No member of the public appeared for the item. On motion and second, the public hearing was closed by unanimous vote. Subsequently, on motion by Chair Neeley and second by Commissioner Gavin, the Commission voted 7-0 to recommend the text amendment to the Board of Supervisors. (Commissioners Cook, Membrila, and Peabody were absent.)

AC/JC/ar  
Attachments

c: Chris Poirier, Assistant Planning Director  
Co8-15-04 File

right-of-way width” for all major streets and routes. This requirement has remained in effect until today, thirty-five years later.

### **Benefits and Consequences**

The primary reason for having a Major Streets and Routes Plan (and the 30’ setback requirement) is to avoid or minimize future impacts to property owners who build next to major streets which ultimately become widened. However, not all county roadways need to be or can be widened to four or six lanes. In many cases, a two-lane or three-lane collector roadway is appropriate and will be sufficient to accommodate anticipated future traffic. These may be low-density areas that are essentially built-out and fully developed where traffic volumes remain relatively low. In other areas, there are too many properties that would be impacted if the roadway were widened to four or six lanes.

In many cases 150-feet of right-of-way has been acquired or set aside for future roadway widening that never occurred nor is expected to occur. Unfortunately, this has resulted in undeveloped and even blighted roadsides that have become vacant lots. This is an inefficient use of an increasingly valuable land resource and a lost opportunity for some developers and homeowners who might otherwise use these areas for parking, landscaping, or other purposes.

With the recent adoption of the comprehensive plan Pima Prospers, the Board adopted a new Major Streets Plan which downsized many, but not all, arterial streets to more appropriate widths based on updated population, employment and traffic data. Staff indicated during this update that the intent was to also eliminate the 30’ additional setback requirement. Staff believes that the current Major Streets Plan, along with typical zoning setback requirements, are sufficient to plan for future roadway development.

The following reasons summarize why the 30’ setback should be eliminated:

1. The recently revised Major Streets Plan establishes adequate right-of-way for future roadway improvements;
2. Zoning setbacks and buffer yard requirements - as required for any land development - provide additional setbacks along major roadways;
3. Excess right-of-way along roadways creates areas that require costly maintenance and upkeep to avoid becoming blighted landscapes;
4. More open and wider roadways may encourage faster driving than what is legally posted or safe. Some studies have shown that narrower roadways with more buildings, trees, and other roadside development may result in slower driving speeds;
5. The additional 30’ setback could be used for parking, landscaping, or other purposes beside vacant use.

### **Public Comment**

Staff has not received any comments on this proposed zoning code amendment.

Respectively Submitted,

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Arlan Colton, Planning Director  
Development Services Department

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Jonathan Crowe, Principal Planner  
Transportation Department

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

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA, RELATING TO ZONING; AMENDING THE PIMA COUNTY CODE BY AMENDING CHAPTER 18.77 (ROADWAY FRONTAGE STANDARDS); TO REPEAL THE REQUIREMENT FOR AN ADDITIONAL THIRTY FOOT (30') SETBACK FOR MAJOR STREETS AND SCENIC ROUTES, AS DESIGNATED ON THE MAJOR STREETS AND SCENIC ROUTES PLAN (CO14-14-02).

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

1. The Planning and Zoning Commission, at its October 28, 2015 hearing, initiated and authorized staff to amend the Pima County Code.
2. The Pima County Comprehensive Plan (Pima Prospers) Transportation Element Goal 1, Policy 6 calls for deletion or reduction of the 30 foot setback.
3. Pima Prospers was approved by the Board of Supervisors on May 19, 2015 and a resolution adopting the plan was approved by the Board on August 17, 2015.

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

Section 1. Pima County Code Chapter 18.77, Section 18.77.030 is amended to repeal the requirement for a thirty foot additional setback as follows:

18.77.030 Setback Lines for Streets

...

B. Setback Lines in general:

1. All buildings or structures or any part of such buildings or structures, except signs (as defined in Section 18.79.020, Sign Standards), shall have setback requirements of ~~thirty feet in addition to~~ half the required right-of-way width for all Major Streets and Routes as designated on the Major Streets and Scenic Routes Plan, as it may be amended and supplemented.

...

Section 2. Pima County Code Chapter 18.77, Section 18.77.040 is amended to repeal the thirty foot additional setback as follows:

18.77.40 Scenic Routes

...

E. Development Standards

...

2. Setback:

a. All buildings or structures or any part of such buildings or structures shall have setback requirements of ~~thirty feet in addition to~~ half of the required future right-of-way width according to the Major Streets and Scenic Routes Plan, as it may be amended and supplemented.

...

Section 3. That 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 \_\_\_\_\_, 2016.

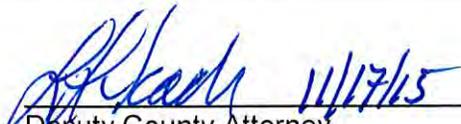
\_\_\_\_\_  
Chair, Pima County Board of Supervisors

ATTEST:

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

Approved As To Form:

Approved:

  
\_\_\_\_\_  
Deputy County Attorney  
Lesley M. Lukach

  
\_\_\_\_\_  
Executive Secretary  
Planning and Zoning Commission

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

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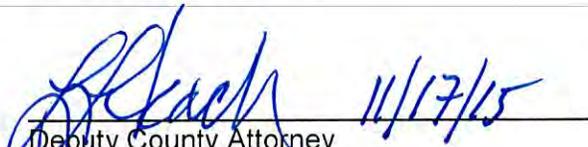
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Chair, Pima County Board of Supervisors

ATTEST:

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Clerk, Board of Supervisors

Approved As To Form:

Approved:

  
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Deputy County Attorney  
Lesley M. Lukach

  
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Executive Secretary  
Planning and Zoning Commission