



## BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: 1/18/2022

*\*= Mandatory, information must be provided*

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

**\*Title:**

ORDINANCE: P21RZ00006 HERNANDEZ/NORIEGA – W. MICHIGAN STREET REZONING

**\*Introduction/Background:**

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

**\*Discussion:**

The rezoning was for approximately 4.35 acres from the SR (Suburban Ranch) to the CR-1 (Single Residence) zone for three parcels with one single-family residence per parcel.

**\*Conclusion:**

The Ordinance reflects the Board of Supervisors' approval.

**\*Recommendation:**

Approval

**\*Fiscal Impact:**

0

**\*Board of Supervisor District:**

☐ 1 ☐ 2 ☒ 3 ☐ 4 ☐ 5 ☐ All

Department: Development Services - Planning

Telephone: 520-724-8800

Contact: Donna Spicola, Planner

Telephone: 520-724-9513

Department Director Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Deputy County Administrator Signature: \_\_\_\_\_

Date: \_\_\_\_\_

County Administrator Signature: \_\_\_\_\_

Date: \_\_\_\_\_



Subject: P21RZ00006

Page 1 of 1

**JANUARY 18, 2022 MEETING OF THE BOARD OF SUPERVISORS**

**TO:** HONORABLE BOARD OF SUPERVISORS

**FROM:** Chris Poirier, Deputy Director  
Public Works-Development Services Department-Planning Division

**DATE:** December 27, 2021

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**ORDINANCE FOR ADOPTION**

**P21RZ00006 HERNANDEZ/NORIEGA – W. MICHIGAN STREET REZONING**

Owner: Jesus Hernandez & Ana Noriega  
(District 3)

**If approved, adopt ORDINANCE NO. 2022 - \_\_\_\_\_**

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**OWNERS:** Jesus Hernandez & Ana Noriega  
6710 W. Michigan Street  
Tucson, AZ 85735

**AGENT:** Jhoana Hernandez  
3950 S. Palant Drive  
Tucson, AZ 85735

**DISTRICT:** 3

**STAFF CONTACT:** Donna Spicola, Planner

**STAFF RECOMMENDATION:** APPROVAL

TD/DS  
Attachments

c: Jhoana Hernandez, 3950 S. Palant Drive, Tucson, AZ 85735

ORDINANCE 2022-\_\_\_\_\_

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO ZONING; REZONING APPROXIMATELY 4.35 ACRES OF PROPERTY (ADDRESSED AS 6710 W. MICHIGAN STREET), FROM THE SR (SUBURBAN RANCH) ZONE TO THE CR-1 (SINGLE RESIDENCE) ZONE, IN CASE P21RZ00006 HERNANDEZ/NORIEGA - W. MICHIGAN STREET REZONING, LOCATED AT THE NORTH SIDE OF W. MICHIGAN STREET APPROXIMATELY 400 FEET WEST OF S. CAMINO VERDE, AND AMENDING PIMA COUNTY ZONING MAP NO. 38.

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

Section 1. The 4.35 acres addressed 6710 W. Michigan Street, located at the north side of W. Michigan Street approximately 400 feet west of S. Camino Verde, and illustrated by the shaded area on the attached rezoning ordinance map (Exhibit A), which amends Pima County Zonings Map No. 38, is rezoned from the SR (Suburban Ranch) zone to the CR-1 (Single Residence) 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. Department of Transportation conditions:
  - A. The location, number and design of access point(s) shall be determined at the time of building permitting.
  - B. The property owner(s) shall accept responsibility for the maintenance, control, safety and liability of privately owned roads, drives, physical barriers, drainageways and drainage easements.
3. Cultural Resources condition:

A caution must be noted concerning human burials. 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.
4. Adherence to the sketch plan as approved at public hearing (Exhibit B).
5. The maximum number of lots is three.
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. 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(I)."

Section 3. Time limits of conditions. Conditions 1 through 7 of Section 2 shall be completed no later than August 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:

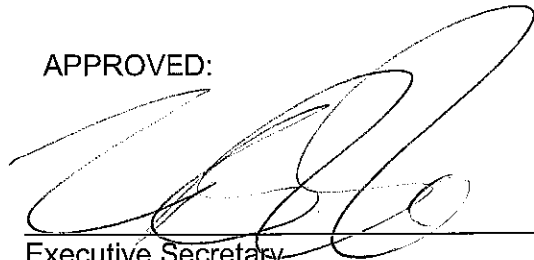
\_\_\_\_\_  
Clerk, Board of Supervisors

APPROVED AS TO FORM:



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

APPROVED:



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

# EXHIBIT A

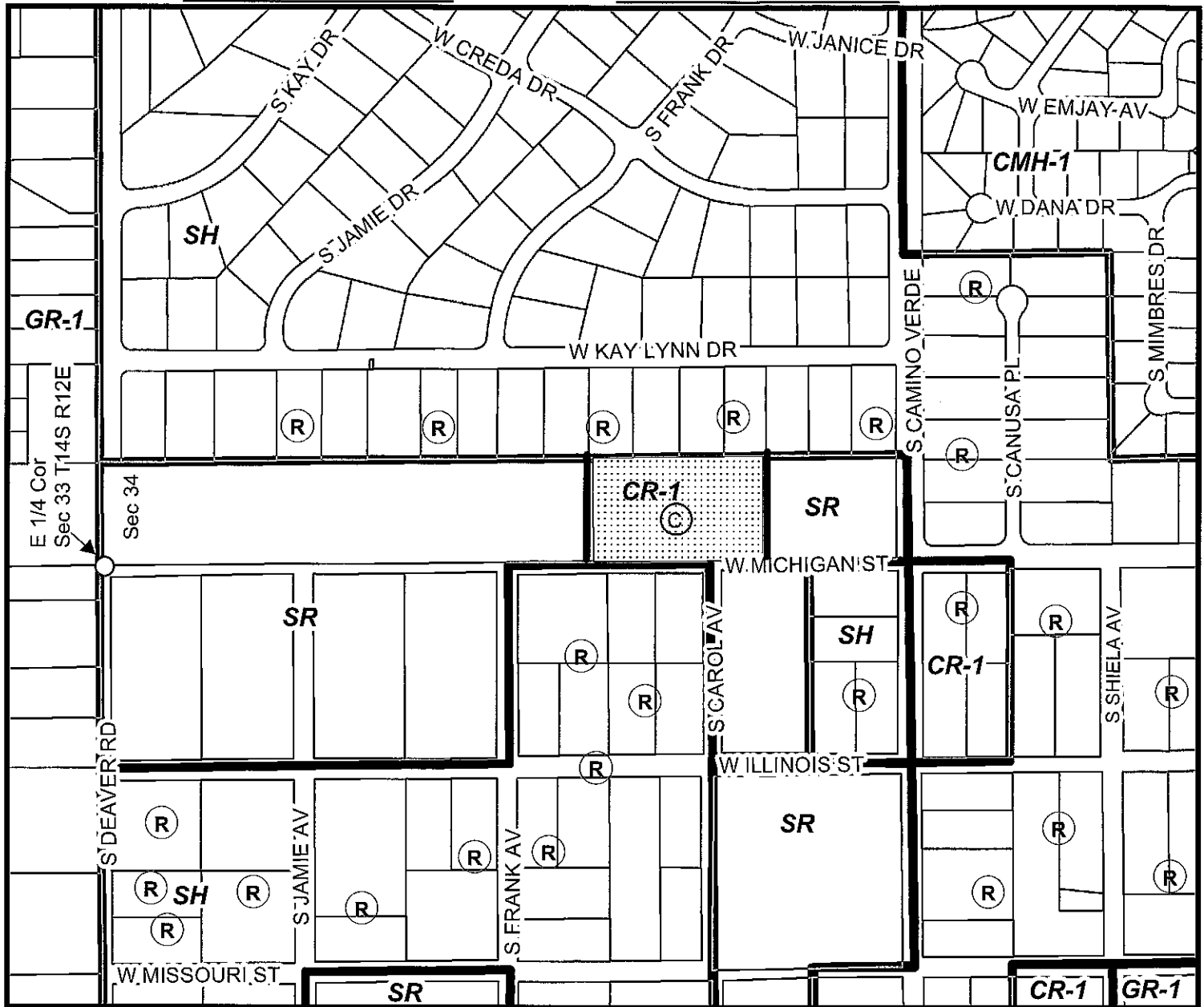
AMENDMENT NO. \_\_\_\_\_ BY ORDINANCE NO. \_\_\_\_\_  
TO PIMA COUNTY ZONING MAP NO. 38 TUCSON AZ. BEING A PART  
OF SE 1/4 OF THE NW 1/4 OF SECTION 34 OF T14S R12E.



0 120 240 480 Feet  
[Scale bar with markings at 0, 120, 240, and 480 feet]

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

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



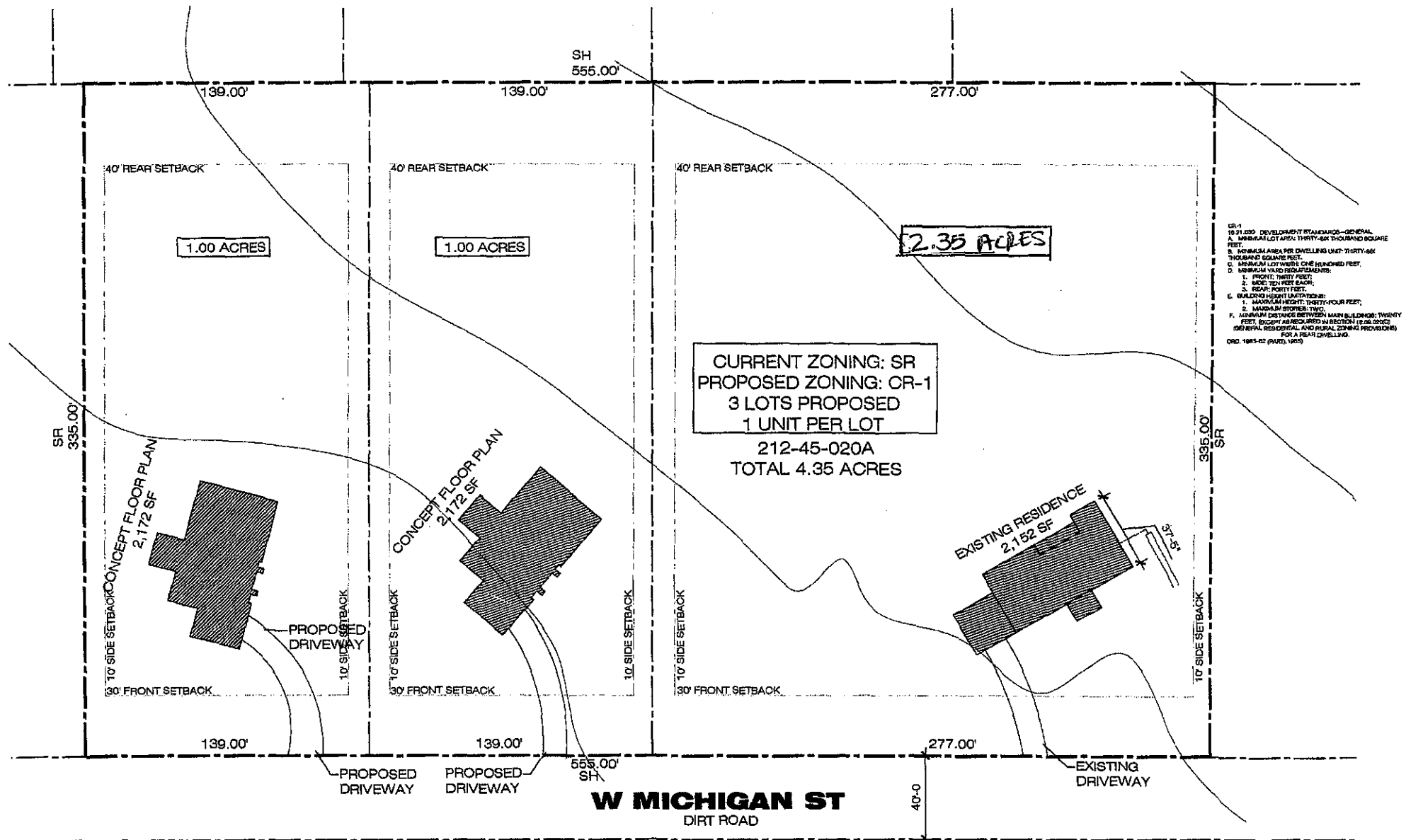
EXECUTIVE SECRETARY PIMA COUNTY PLANNING AND ZONING COMMISSION

**C** NO BUILDING PERMITS WITHOUT CERTIFICATE OF COMPLIANCE  
FROM SR 4.35 ac  
ds-October 6, 2021

P21RZ00006  
21245020A



## EXHIBIT B



SCALE 1" = 20'-0"  
APRIL 22, 2021

## HERNANDEZ 4302 - PROPOSED LOT SPLITS

## SITE PLAN