



# MEMORANDUM

PUBLIC WORKS DEVELOPMENT SERVICES DEPARTMENT  
PLANNING DIVISION

**TO:** Honorable Sharon Bronson, Supervisor, District # 3

**FROM:** Arlan Colton, Planning Director *AMC*

**DATE:** March 19, 2014

**SUBJECT:** Co12-72-112 RANCHO DEL SOL LINDO (Lot 264)

The above referenced Plat Note Waiver is within your district and is scheduled for the Board of Supervisors' **TUESDAY, APRIL 1, 2014** hearing.

**REQUEST:** The applicant requests a waiver of plat note #15 for Lot 264 of the Rancho del Sol Lindo Subdivision, Lots 123 thru 438 (Bk. 25, Pg. 47) which states, "Density will be no more than one mobile home per lot until public sewers are available."

**OWNER:** John and Florence Koch  
2860 W. Camino del Venegas  
Tucson, AZ 85742

**AGENT:** Doug Koch  
11428 N. Paseo Alejandro  
Marana, AZ 85653

**DISTRICT:** 3

**STAFF CONTACT:** David Petersen

**PUBLIC COMMENT TO DATE:** As of March 19, 2014, staff has not received any written public comments.

**STAFF RECOMMENDATION:** APPROVAL with conditions.

**MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM:** The subject property is located within the Multiple Use Management designation of the Maeveen Marie Behan Conservation Lands System (MMBCLS).

CP/DP/ar  
Attachments



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# Board of Supervisors Memorandum

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Subject: Co12-72-112

Page 1 of 6

**FOR APRIL 1, 2014 MEETING OF THE BOARD OF SUPERVISORS**

TO: HONORABLE BOARD OF SUPERVISORS

FROM: Arlan Colton, Planning Director *AMC*  
Public Works-Development Services Department-Planning Division

DATE: March 19, 2014

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**UNADVERTISED ITEM FOR PUBLIC HEARING**

**PLAT NOTE WAIVER**

**Co12-72-112 Rancho del Sol Lindo (Lot 264) Plat Note Waiver**

Request of John and Florence Koch, represented by Douglas Koch, for a waiver of plat note #15 for Lot 264 of the Rancho del Sol Lindo Subdivision, Lots 123 thru 438 (Bk. 25, Pg. 47) which states, "Density will be no more than one mobile home per lot until public sewers are available." The applicant requests to place a second dwelling on the lot which is approximately 1.00 acre zoned SH (Suburban Homestead) and is located on the east side of Paseo Alejandro, approximately 800 feet south of Calle Carmela, 1,200 feet west of Anway Road, and 1,700 feet north of Jaguar Lane. Staff recommends **APPROVAL with conditions**.  
(District 3)

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**STAFF RECOMMENDATION**

Staff recommends **APPROVAL** of the plat note waiver to allow a second residence on Lot 264 of Rancho del Sol Lindo, subject to the following conditions:

1. A Floodplain Use Permit is required for the proposed use; and the proposed residence shall be oriented parallel to flow.
2. The owner/developer must secure approval from the Pima County Department of Environmental Quality to use on-site sewage disposal systems on the subject property at the time a request for a building permit is submitted for review.

3. All proposed residential lots must have a minimum area of 43,560 square feet. A maximum of one-half of adjacent rights-of-way or easements may be used in the calculation of the area. The adjacent rights-of-way or easements must be suitable to absorb effluent; and all other design requirements must be satisfied.
4. The subject parcel shall be of sufficient size and designed in such a manner to accommodate the existing and proposed development, primary and reserve leach fields and septic tanks, while meeting all applicable setbacks for on-site sewage disposal.

Condition #1 is recommended by the Regional Flood Control District. It reemphasizes that a Floodplain Use Permit is required but also requires alignment of the length of the proposed second manufactured home parallel to the direction of sheet water flow. The direction of flow is generally south to north, but the exact orientation of the second unit would be determined at the time the Floodplain Use Permit is sought.

Condition #2 requires the owner to secure approval of on-site sewage disposal (septic) systems as recommended by the Regional Wastewater Reclamation Department due to the continued lack of sewer service for the subdivision.

Condition #'s 3 and 4 relate to code requirements for use of septic systems.

Normally, two dwellings are allowed on conforming SH lots. The plat note limiting lots within the subdivision to one dwelling until sewers are available is outdated, reflecting former standards no longer in place for use of on-site sewage disposal. There have been five lots within the subdivision that have been approved for a similar plat note waiver for a second dwelling and four lots that have been denied second dwellings.

#### **REQUEST OF APPLICANT**

The applicant requests a waiver of plat note #15, which limits density to no more than one mobile home per lot until public sewers are available, in order to allow a second manufactured home on Lot 264 of Rancho del Sol Lindo. The applicant indicates that there is ample access and living space for the second residence.

#### **PLANNING REPORT**

The 480-acre rezoning to SH was approved by the Board of Supervisors in October 1971, subject to conditions including a suitable arrangement with the Pima County Department of Sanitation regarding sanitary facilities. The subsequent Rancho del Sol Lindo subdivision covering lots 123 thru 438 (Book 25, Page 47) was approved by the Board in August 1973. On recommendation of the Sanitation Department, plat note #15 limits the subdivision to one unit per lot until sewers become available. The plat note is more restrictive than SH development standards, which allow two units on an acre lot. Lot sizes in the subdivision are approximately one acre each.

The subject Lot #264 is 1.00 acre located off of a cul-de-sac on the east side of Paseo Alejandro, approximately 1,700 feet north of Jaguar Lane.

Staff has no objection to the waiver of the plat note for the subject lot since the purpose of the plat note was to ensure compliance with the standards enforced by the Sanitation Department as they existed in the 1970's. Current Pima County Department of Environmental Quality (PCDEQ) regulations allow more than one dwelling unit on an acre lot subject to limitations which may include maximum amounts of daily wastewater disposal. In this case, PCDEQ reports no objection to the plat note waiver for the second dwelling unit, subject to conditions that address on-site wastewater disposal code requirements. Also, the Regional Wastewater Reclamation Department reports no objection. The area is not currently served by public sewers.

The regional Flood Control District notes that the area is subject to sheet flooding and recommends a condition requiring a Floodplain Use Permit and a residential placement orientation parallel to flow. The proposed site plan shows the placement of the second dwelling as generally parallel to sheet flow.

*Although the subdivision is located within the Multiple Use Management designation of the Maeveen Marie Behan Conservation Lands System (CLS), little natural vegetation exists on the lots and virtually none on the subject lot; this on-site condition has existed since before the implementation of the CLS. The requested second dwelling unit will not alter the conservation values of the subject parcel or the surrounding landscape.*

The SH zoning of the subdivision does not conform to the Medium Intensity Rural (MIR) Comprehensive Plan designation of the site, which calls for a maximum density of 1.3 residences per acre (R/AC). The site was rezoned prior to the adoption of the Comprehensive Plan in 1992. The SH zone allows one dwelling per 18,000 square feet or 2.42 R/AC. (However, the SH zone restricts manufactured and mobile homes to a maximum of two on a parcel, no matter how large.) While the MIR designation would prevent future higher density rezonings in this rural area, staff is less concerned with an additional residence being placed on the existing lot given the existing zoning, the out-of-date plat note, and the existence of paved, County-maintained road access. The lot abuts SH residential lot development and an elementary school.

The applicant indicates that there are no covenants, conditions and restrictions (CC&R's) that restrict placement of a second unit. Staff has reviewed the CC&R's for lots within the subdivision which were submitted by a previous applicant for a second unit on a different lot, Lot 232. Staff finds that the document only applies to certain groups of lots within the subdivision which exclude the subject Lot 264. The document does not otherwise prohibit a second unit on a lot. Staff is not aware if other private CC&R's exist for the subject lot.

The Board has approved and denied similar plat note waiver requests for second units on lots within the subdivision. The Board approved requests for Lot 142 in July 1991, Lot 160 in August 1993, Lot 203 in June 2004, Lot 212 in August 2006, and Lot 263 (adjacent to the subject Lot 264) in January 2011. The Board denied requests for Lot 223 in April 1995, Lots 154 and 155 in August 1995, and Lot 232 in August 1998. The Board minutes for the denied requests reveal opposition from residents within the subdivision.

Public notice has been sent to all property owners within, and within 300 feet of, this phase of the subdivision. No public comment concerning this request has been received to date. The applicant should note that a property owner within the subdivision may privately enforce the plat note, even if the Board of Supervisors grants the waiver.

**TRANSPORTATION REPORT**

Staff has no objection to the request.

**FLOOD CONTROL REPORT**

The Pima County Regional Flood Control District has reviewed the request and has the following comments:

1. The parcel is entirely within Sheet Flood area identified by the District with a base flood elevation on-site of a half foot. This floodplain is associated with an area which is effectively an island during flooding between the Blanco and Brawley Washes and upstream of the Los Robles Washes and their tributaries.
2. Per Section 16.26.050 of the Pima County Code within sheet flood areas:

"Wherever possible, structures shall be constructed with the same alignment as the direction of flood flow; and so far as practicable, shall be placed approximately on the same alignment as those of adjoining structures."

A site plan has been provided showing that the home is oriented generally parallel to flow although neither hydrology nor topography is provided. Even with the appropriate orientation, erosion control measures and anchoring requirements will apply as the site is within a sheet flood area. The applicant is advised to visit our front counter to discuss how to protect the proposed home from flood damages with a hydrologist Monday – Friday between the hours of 8:30 AM and 4:30 PM. A complete sketch plan will be required at the time of development.

**Recommended Condition:**

A Floodplain Use Permit is required for the proposed use; and the proposed residence shall be oriented parallel to flow.

**WASTEWATER RECLAMATION REPORT**

The Planning section of the Pima County Regional Wastewater Reclamation Department (PCRWRD) has reviewed the above referenced request for a waiver of Plat Note #15, which limits the residential density to one mobile home per lot. Approval of the waiver request would allow a second mobile home on Lot 264.

This subdivision is outside of the area served by Pima County's public sewer system, and each lot is served by individual on-site wastewater disposal systems. Therefore, this matter falls primarily within the regulations enforced by the Pima County Department of Environmental Quality (PCDEQ).

**The PCRWRD has no objections to the requested waiver of this plat note, provided that PCDEQ has no objections to it.**

Should the Board of Supervisors be inclined to approve this waiver, the **PCRWRD recommends the following condition:**

The owner/developer must secure approval from the Pima County Department of Environmental Quality to use on-site sewage system on the subject property at the time a tentative plat, development plan, or request for a building permit is submitted for review.

**ENVIRONMENTAL QUALITY REPORT**

On behalf of Pima County Department of Environmental Quality (PCDEQ), the Plat Note Waiver request has been reviewed for compliance with PCDEQ requirements for on-site sewage disposal and air quality.

The Department has no objection to the proposed Plat Note Waiver provided the following:

1. All proposed residential lots must have a minimum area of 43,560 square feet. A maximum of one-half of adjacent rights-of-way or easements may be used in the calculation of the area. The adjacent rights-of-way or easements must be suitable to absorb effluent; and all other design requirements must be satisfied.
2. The subject parcel shall be of sufficient size and designed in such a manner to accommodate the existing and proposed development, primary and reserve leach fields and septic tanks, while meeting all applicable setbacks for on-site sewage disposal.

The Department's Air Quality Control District requires that air quality activity permits be secured by the developer or prime contractor before constructing, operating or engaging in an activity, which may cause or contribute to air pollution.

**TUCSON WATER COMMENTS**

To date, there has been no response to a request for comments.

**TRICO ELECTRIC COOPERATIVE COMMENTS**

To date, staff has not received a response from Trico Electric Cooperative, Inc. However, their response for a similar plat note waiver request for adjacent Lot 263 in 2010 indicated that Trico's underground facilities existed to the lot, but that the existing transformer may require an upgrade at the customer's expense since it was sized based on one home per lot.

**AVRA VALLEY FIRE DISTRICT COMMENTS**

In the attached letter, Avra Valley Fire District reports no objections to the request and no additional requirements or recommendations.

**MARANA UNIFIED SCHOOL DISTRICT COMMENTS**

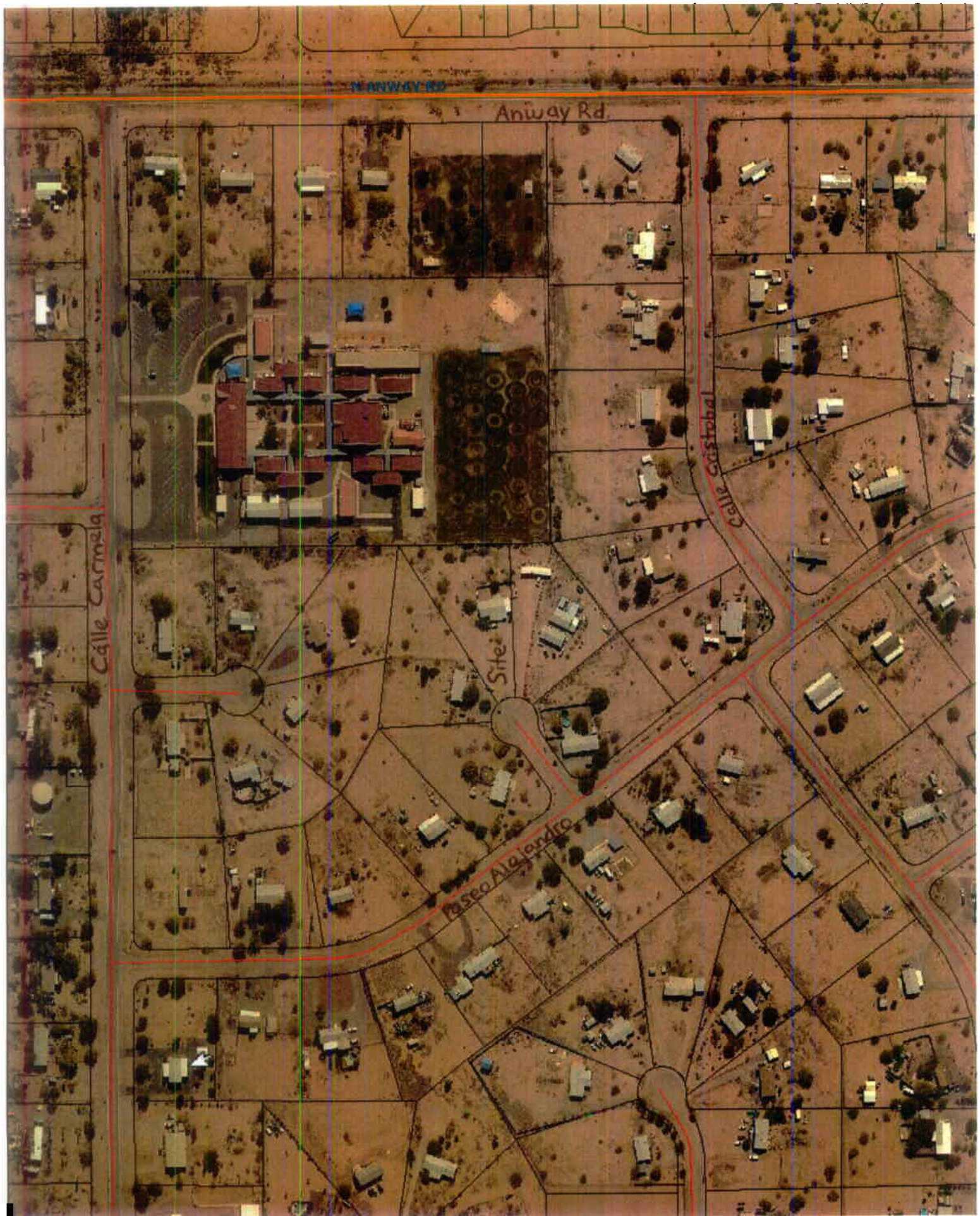
Marana School District has no objections to the Plat Note Waiver request for Co12-72-112, Lot 264 and is able to support additional residents who may have school age children.

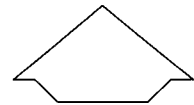
CP/DP/ar  
Attachments

c: John and Florence Koch, 2860 W. Camino del Venegas, Tucson, AZ 85742  
Doug Koch, 11428 N. Paseo Alejandro, Marana, AZ 85653  
Chris Poirier, Assistant Planning Director  
Co12-72-112

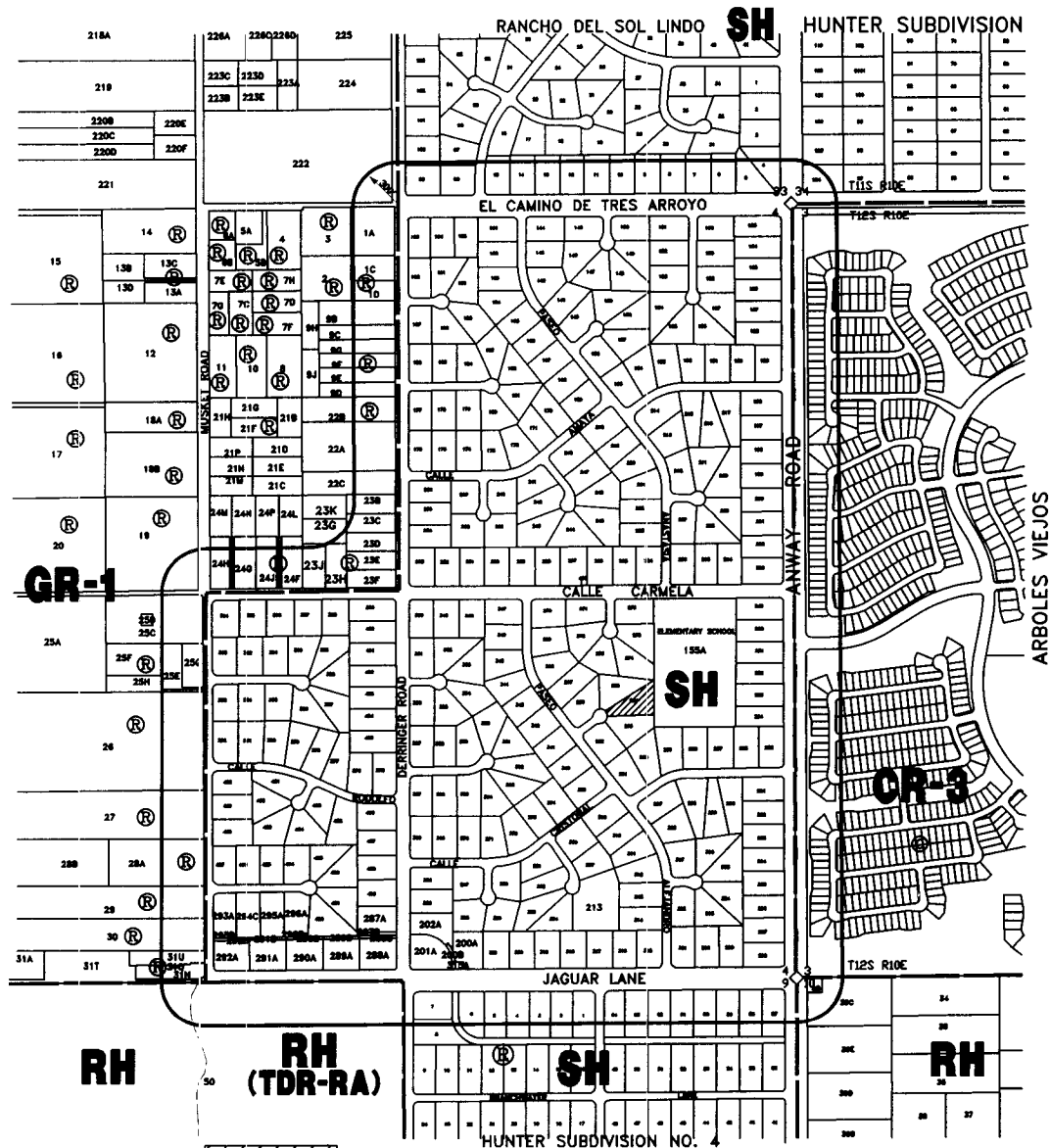
←2

2012 Aerial Photo





0 1200'



Petition area



Notification area

BASE MAP 272, 273

Notes PLAT NOTE WAIVER

Tax codes 208-26-1420

Date 2/21/14  
Drafter DS

File no. CO12-72-112  
RANCHO DEL SOL LINDO  
LOT 264

PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT  
PLANNING DIVISION

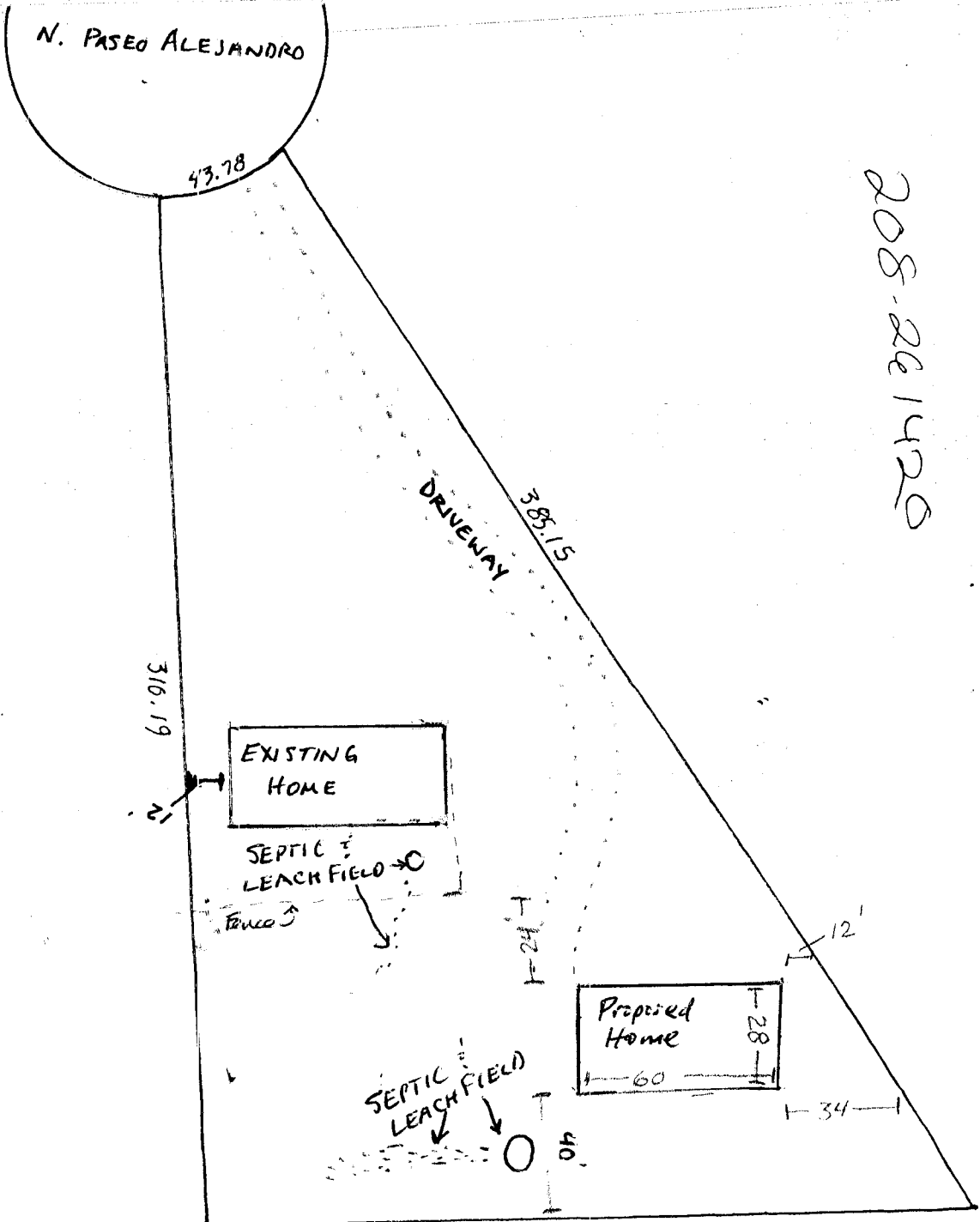
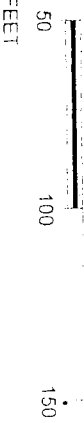
# 11432 N Paseo Alejandro

208-261420

- Streets - All
- Streets - Unknown
- Streets - Major - With Names
- Streets - Pima
- Streets - Pima



SCALE 1 : 600



BOARD OF SUPERVISORS  
REQUEST LETTER

January 30, 2014

John and Florence Koch  
2680 W. Camino del Venegas  
Tucson, AZ 85742  
(520) 219-1194

FOR

Doug Koch  
11428 N. Paseo Alejandro  
Marana, AZ 85653  
(520) 631-3600  
DOUGCCLAZO@GMAIL.COM

To Whom It May Concern:

Please allow this letter serve as the granting of our permission for our son, Doug Koch to act on our behalf in any decision making or accessing the information concerning the property located at.

11432 N. Paseo Alejandro  
Marana, AZ 85653  
Parcel # 208-261420

Our intent is to obtain a Plat note waiver for #15 on the plat, enabling us to put a second Mobile home on the above referenced property. The zoning is SH, the square foot measurement is 43573 and it is listed as 1 acre. As you will see by the site plan, the access and living space will be ample for the proposed property.  
Thank you for your consideration.

*JVK* NOTE: THERE ARE NO CCR IN PLACE  
TO RESTRICT THE PLACEMENT OF  
A SECOND HOME.

John Koch  
John Koch

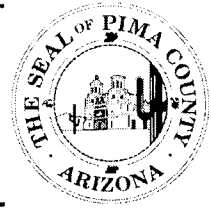
Florence O. Koch  
Florence Koch

Douglas J. Koch  
Douglas J. Koch



# MEMORANDUM

Planning & Development  
Regional Flood Control District



DATE: February 26, 2014

TO: David Peterson, DSD  
Senior Planner

FROM: Greg Saxe, M.R.P. Ph.D.  
Environmental Planning Manager

SUBJECT: Co12-72-112 Lot 264 Rancho del Sol Lindo – Plat Note Waiver

I have reviewed the request and have the following comments:

1. The parcel is entirely within Sheet Flood area identified by the District with a base flood elevation on-site of a half foot. This floodplain is associated with an area which is effectively an island during flooding between the Blanco and Brawley Washes and upstream of the Los Robles Washes and their tributaries.
2. Per Section 16.26.050 of the Pima County Code within sheet flood areas:

“Wherever possible, structures shall be constructed with the same alignment as the direction of flood flow; and so far as practicable, shall be placed approximately on the same alignment as those of adjoining structures.”

A site plan has been provided showing that the home is oriented generally parallel to flow although neither hydrology or topography is provided. Even with the appropriate orientation erosion control measures and anchoring requirements will apply as the site is within a sheet flood area. The applicant is advised to visit our front counter to discuss how to protect the proposed home from flood damages with a hydrologist Monday – Friday between the hours of 8:30 AM and 4:30 PM. A complete sketch plan will be required at the time of development.

Recommended Conditions:

- a. A Floodplain Use Permit is required for the proposed use and the proposed residence shall be oriented parallel to flow.

Please feel free to contact me with any questions or concerns on these comments.

GS/cd

Cc: File

# AVRA VALLEY

15790 W. Silverbell Road  
Marana, AZ 85653-9577



# FIRE DISTRICT

Phone: 520-682-3255  
Fax: 520-682-5458

February 10, 2014

David Petersen  
Senior Planner  
Development Services Department  
Planning Division  
201 N. Stone, Second Floor  
Tucson, AZ 85701

Re: Plat Note Waiver: Co12-72-112 Rancho del sol Lindo (Lot 264) (Tax Parcel 208-26-1420); Reference case: Co9-71-129 Bonterra – El Tiro Road Rezoning

Dear Mr. Petersen,

The Avra Valley Fire District has reviewed the requested Plat Note Waiver. We do not find any additional requirements or recommendations. We do not find any reason on our part to deny the approval of this waiver.

Sincerely,

A handwritten signature in black ink, appearing to read "Ray Klein", is written over a horizontal line.

Ray Klein  
Assistant Chief  
Avra valley Fire District

*"Our Family Helping Your Family"*

PIMA COUNTY COMPREHENSIVE PLAN  
TUCSON MOUNTAINS/AVRA VALLEY SUBREGION  
PLAN DESIGNATION: MEDIUM INTENSITY RURAL (MIR) (1.3 R/AC)

MIR



LIU-3.0

LIR

LIR

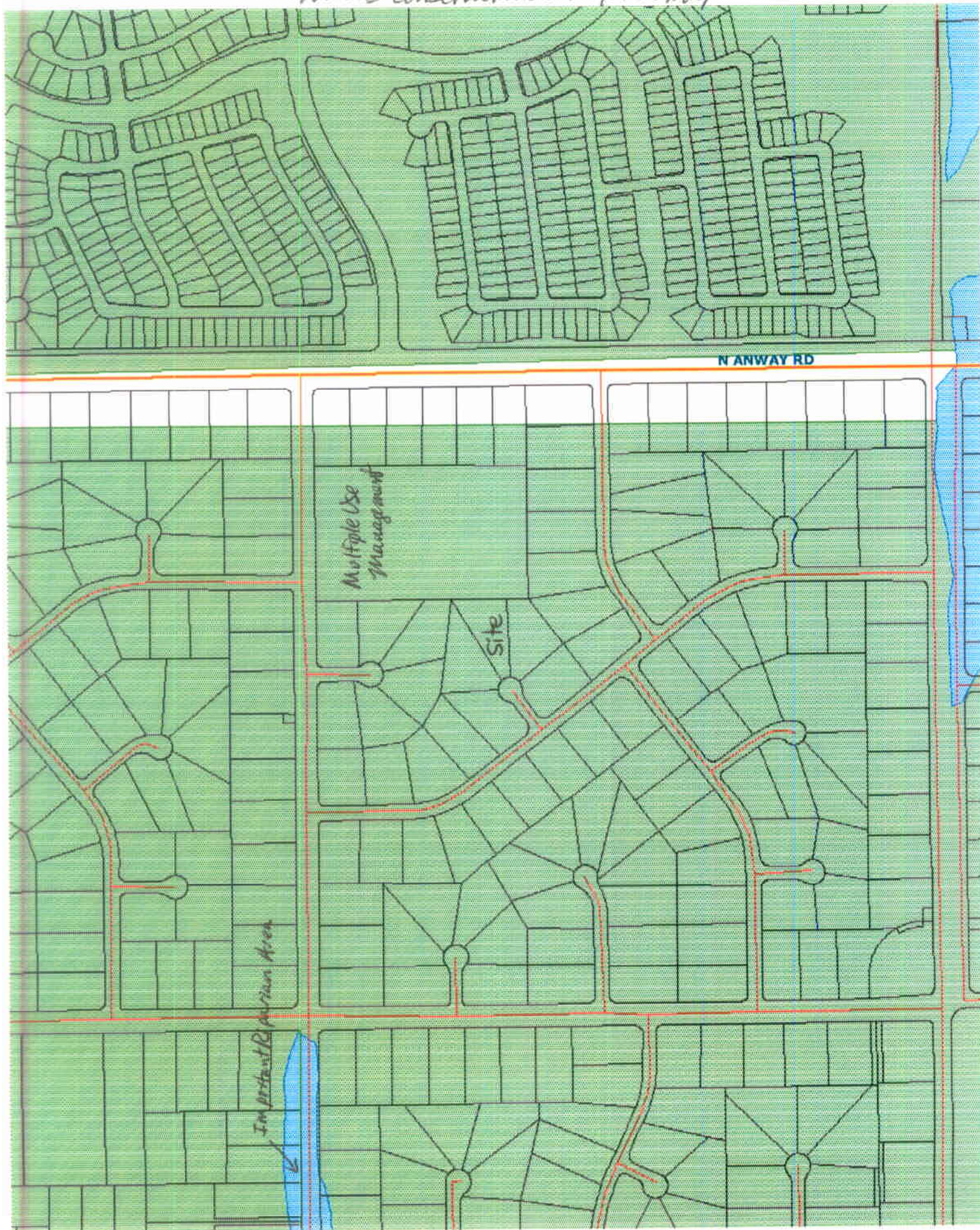
## **Medium Intensity Rural**

## **MIR (or B) on the Land Use Plan Maps**

- a. Purpose: To designate areas for residential uses at densities consistent with rural settlements in close proximity to Rural Activity Centers.
- b. Residential Gross Density: Only land area zoned and planned for residential use, or natural or cluster open space areas, shall be included in gross density calculations. Natural and cluster open space shall be defined as set forth in Section 18.09.040B, except that cluster open space shall not include land developed under the GC Golf Course Zone. Residential gross density shall conform with the following:
  - 1) Minimum - (none)
  - 2) Maximum - 1.3 RAC
- c. Residential Gross Densities for Developments Using Transfer of Development Rights (TDR's): Projects within designated Receiving Areas utilizing TDR's for development (refer to Chapter 18.92 of the Zoning Code) shall conform to the following density requirements:
  - 1) Minimum – (none)
  - 2) Maximum – 1.3 RAC
- d. Zoning Districts: Only the following zoning districts shall be deemed in conformance with the land use plan, except as provided for under the Major Resort Community designation, Section 18.89.030C plan policies, or Section 18.90.030E specific plans:
  - 1) RH Rural Homestead Zone
  - 2) GR-1 Rural Residential Zone
  - 3) SR Suburban Ranch Zone
  - 4) SR-2 Suburban Ranch Estate Zone
  - 5) MR Major Resort Zone
- e. Open Space Standard for MR Major Resort Zone: In Medium Intensity Rural a minimum of 20 percent natural open space shall be required within areas rezoned MR Major Resort Zone. Open space for purposes of this requirement shall be natural open space.

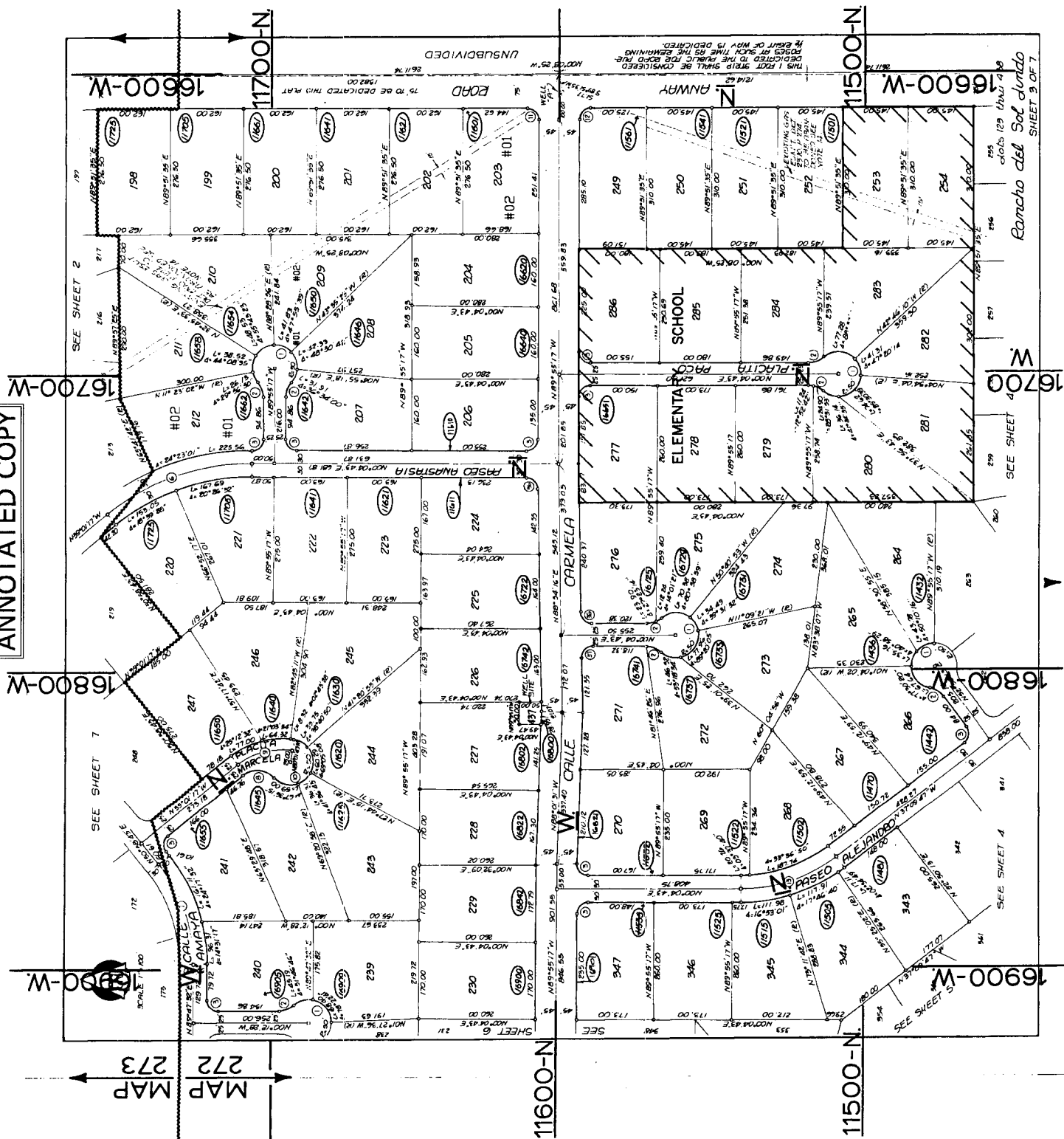


# MWB Conservation Lands System Map





**ANNOTATED COPY**



256 | 255 | 129 thru 418 | **✓**  
*Rancho del Sol Lundo*  
 SHEET 3 OF 7

SEE SHEET 4  
259

SEE SHEET 4

Age Group	1990	1995	2000	2005
0-14	14.5	13.5	12.5	11.5
15-24	13.5	12.5	11.5	10.5
25-34	12.5	11.5	10.5	9.5
35-44	11.5	10.5	9.5	8.5
45-54	10.5	9.5	8.5	7.5
55-64	9.5	8.5	7.5	6.5
65-74	8.5	7.5	6.5	5.5
75+	7.5	6.5	5.5	4.5

Approval of Plat Note Waiver Lot 263  
BOS Minutes 1-11-2011

ORDINANCE NO. 2011 - 1

B. Co8-10-06, TRAIL SYSTEM MASTER PLAN AND CONFORMING CODE AMENDMENT

Proposal to adopt by resolution of the Pima County Board of Supervisors, the Pima County Regional Trail System Master Plan Manual replacing the Eastern Pima County Trail System Master Plan. Natural Resources, Parks and Recreation and Development Services Planning staff recommend **APPROVAL**. (All Districts)

If approved, pass and adopt:

RESOLUTION NO. 2011 - 13

Donald K. McGann, McGann & Associates, Landscape Architects and Planners, appeared before the Board and provided a presentation and brief overview of the extensive and collaborative efforts over the last two years to update the Pima County Regional Trail System Master Plan. He stated the update now included City of Tucson and urban core trails, addressed identifying and accommodating regional growth and promoted enhanced opportunities for trail based recreational facilities and alternate modes of transportation.

The Chairman inquired as to whether anyone wished to be heard.

The following individual addressed the Board:

Sue Clark, Pima Trails Association.

Her comments were:

1. The Pima Trails Association began working on the creation of this master plan in 1988 and was involved in both the 1996 and current updates.
2. The Board was urged to approve the plan update.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elias and unanimously carried by a 5-0 vote, to close the public hearings and adopt Ordinance No. 2011 - 1 and Resolution No. 2011 - 13.

→ 10. **DEVELOPMENT SERVICES: Plat Note Waiver**

Co12-72 - 112, RANCHO DEL SOL LINDO (LOT 263) PLAT NOTE WAIVER

Request of John and Florence Koch, represented by Douglas Koch, for a Waiver of Plat Note No. 15 for Lot 263 of the Rancho del Sol Lindo Subdivision, Lots 123 thru 438 (Bk. 25, Pg. 47) which states, "Density will be no more than one mobile home per lot until public sewers are available." The applicant requests to place a second dwelling on the lot which is approximately 1.07 acres zoned SH (Suburban Homestead) and is located north of Jaguar Lane via a cul-de-sac on the east side of Paseo Alejandro, approximately 485 feet north of Calle Cristobal and 800 feet south of Calle Carmela. Staff recommends **APPROVAL WITH CONDITIONS**. (District 3)

1-11-2011 (6)

Conditions:

1. A Floodplain Use Permit shall be obtained for the proposed residence. The proposed residence shall be oriented parallel to flow.
2. The owner/developer must secure approval from the Pima County Department of Environmental Quality (PDEQ) to use on-site sewage disposal systems on the subject property at the time a request for a building permit is submitted for review.

Arlan Colton, Planning Director, offered the staff report on this request for a Plat Note Waiver to add a second dwelling unit. He stated the original Plat Note required certain actions be taken prior to placement of a second dwelling, even though the second dwelling unit would be allowed with the overall zoning on the property. He advised that one note of opposition from a property owner in the subdivision had been received.

The Chairman inquired whether anyone wished to be heard. No one appeared.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Elías and carried by a 4-0 vote, Supervisor Carroll not present for the vote, to close the public hearing and approve the request with conditions.

**11. PROCUREMENT**

**Contracts**

**A. Community Services, Employment and Training**

1. RESOLUTION NO. 2011- 14, approving an Intergovernmental Agreement with the Pima County Community College District, to provide for the Health Professions Opportunity Grant, HPOG Grant Fund, contract amount \$571,925.00 revenue (01-69-P-143679-1010)
2. RESOLUTION NO. 2011- 15, approving an Intergovernmental Agreement with the City of Tucson, to provide for the Bridges/Supportive Housing Program, contract amount \$84,111.00 revenue (01-69-T-143680-0710)

**B. Facilities Management**

DPR Construction, Inc., Change Order No. 14, to provide for the construction of the Psychiatric Hospital and Crisis Response Center and amend scope of work, 2004 and 2006 Bond Funds, contract amount \$712,634.00 (03-13-D-142271-0709)

**C. Pima Health System**

1. PCOA for All, Amendment No. 1, to provide home care services to PHS members and amend contractual language, no cost (07-15-P-143622-1210)