



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: 05/19/2015

Title: Co7-13-10 PIMA COUNTY COMPREHENSIVE PLAN UPDATE, PIMA PROSPERS

Introduction/Background:

Proposal to update the Pima County Comprehensive Plan (Pima Prospers).

Discussion:

The Planning & Zoning Commission, after two study sessions and two public hearings, recommends approval of the plan and the amendments. The Plan must be updated by July 1, 2015 to meet state statutory deadline and is in compliance with statutory requirements.

Conclusion:

Passage of the plan replaces the current 2001 Comprehensive Plan as amended which is not in full compliance with current statutory requirements.

Recommendation:

Staff recommends that the Board of Supervisors' approve the Comprehensive Plan Update, Pima Prospers.

Fiscal Impact:

0

Board of Supervisor District:

☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☒ All

Department: Development Services/Planning

Telephone: 724-9000


Department Director Signature/Date: *[Signature]* 4/27/2015

Deputy County Administrator Signature/Date: *[Signature]* 4/29/15

County Administrator Signature/Date: *[Signature]* 4/30/15



TO: HONORABLE BOARD OF SUPERVISORS

FROM: Arlan M. Colton, Planning Director 

DATE: April 27, 2015

SUBJECT: Co7-13-10 PIMA COUNTY COMPREHENSIVE PLAN UPDATE, PIMA PROSPERS

The above referenced Comprehensive Plan Update, Pima Prospers is scheduled for the Board of Supervisors' **TUESDAY, MAY 19, 2015** hearing.

REQUEST: To update the Pima County Comprehensive Plan (Co7-00-20) by adopting the document known as Pima Prospers. Pima Prospers contains goals, policies and implementation strategies addressing all state statutory content required for a Comprehensive Plan as well as a number of other elements, including but not limited to economic development, health services, cultural resources, housing and community design, communications and other services provided by the County.

OWNERS: Multiple Owners

APPLICANTS: Pima County Development Services Department - Planning Division
Individual Requests for Land Use Changes – Multiple Applicants

DISTRICTS: All

STAFF CONTACT: Arlan Colton / Carla Blackwell

PUBLIC COMMENT TO DATE: As of April 27, 2015, staff has received approximately 2500 letters, emails, on-line comments, public event cards, public meeting comment forms and ideas at facilitated public meetings, including the Planning and Zoning Commission meetings.

PLANNING AND ZONING COMMISSION RECOMMENDATION: APPROVAL PER STAFF RECOMMENDATION WITH AMENDMENTS (9-1, Commissioner Membrilla voted nay).

STAFF RECOMMENDATION: APPROVAL OF PIMA PROSPERS, THE COMPREHENSIVE PLAN UPDATE AND THE ADDITIONAL STAFF RECOMMENDATIONS.

MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM: Pima Prospers proposes no substantive changes to the Conservation Lands System (CLS) policies.

AC/CB/JE/ar
Attachments



BOARD OF SUPERVISORS MEMORANDUM

Subject: Co7-13-10

Page 1 of 20

FOR MAY 19, 2015 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: April 27, 2015

ADVERTISED ITEM FOR PUBLIC HEARING

COMPREHENSIVE PLAN UPDATE **PIMA PROSPERS**

Co7-13-10 PIMA COUNTY COMPREHESIVE PLAN UPDATE, PIMA PROSPERS

Proposal to update the Pima County Comprehensive Plan (Co7-00-20) by adopting the document known as Pima Prospers. Pima Prospers contains goals, policies and implementation strategies addressing all state statutory content required for a Comprehensive Plan as well as a number of other elements, including but not limited to economic development, health services, cultural resources, housing and community design, communications and other services provided by the County. Thirteen Planning Area maps and an updated land use legend are included in the Plan, which govern land use for unincorporated Pima County. Special area policies, specific rezoning policies, an implementation section and five appendices are also included. On motion, the Planning and Zoning Commission voted 9 - 1 to recommend **APPROVAL PER STAFF RECOMMENDATION WITH AMENDMENTS** (Commissioner Membrilla voted Nay). Staff recommends **APPROVAL OF PIMA PROSPERS, THE COMPREHENSIVE PLAN UPDATE, AND THE ADDITIONAL STAFF RECOMMENDATIONS** (All Districts)

SUMMARY OF PLANNING AND ZONING COMMISSION MOTION:

Once the April 8, 2015 meeting was closed due to the complexity of the project, the Commission moved to approve the Pima Prospers staff recommendations, the motion was seconded, and then the Commission worked through a series of friendly amendments and substitute motions. The Commission first went through each noticed land use change on the plan's maps in alphabetical order of map planning area. The Commission then took up the plan text by chapter and appendix numerical order. The Commission's motion to approve the plan included each of the changes marked "Included in the motion" as summarized below. The motion and disposition of the motion is discussed beginning on page 17 herein.

STAFF RECOMMENDATIONS INCLUDED IN THE MOTION:

1. The first implementation item after adoption of the plan by the Board to be for county staff to work together to refine Appendix B (the Implementation Matrix) and to bring it back to the Board for ratification.
2. Planning staff is directed to create an executive summary and bring that back to the Board for ratification.
3. Planning staff is directed to address and complete the direction in the bolded notes throughout the plan; to make non-substantive grammar, organizational, indexing, accuracy, glossary linking modifications and similar changes; and, to make any conforming plan changes to the appendices prior to publishing the plan.
4. For land use parcel ST-13, exclude the southwestern approximately 80 acres which would remain LIU 0.3.
5. For land use parcel ST-06, exclude the approximately 73-acre portion of the parcel in the Black Wash floodplain as depicted which remains LIU 0.3.
6. For Section 4.6 Communications Element, in the last line of Goal 2, insert the words "and cultural" after economic so the goal statement ends "...and people-centric services that embrace economic and cultural development."
7. For Chapter 9, Special Area Policy S-6 Picture Rocks Rural Activity Center: At the request of Picture Rocks area residents, delete Policy B2, B3 and C. Add a policy under S-6 that seeks to eliminate zoning code barriers to a farmers market at the southeast corner of Sandario Road and Picture Rocks Road.
8. For the Appendix E, Glossary: Add a definition for "concept-ready".
9. For Section 4.1, Goal 1, add a new Policy 6 and a related, appropriately-worded implementation measure to: "Pursue a zoning code text amendment to eliminate or reduce the additional 30-foot building setback for Major Streets and Routes".

OTHER CHANGES TO THE LAND USE INCLUDED IN THE MOTION:

Note: A change to the staff's recommendations is indicated by the passage of a friendly amendment. "No amendment considered" indicates the Commission accepted the staff recommendation.

<u>Request</u>	<u>Motion</u>
IR-07	No amendment considered.
IR-15	No amendment considered.
IR-21	A friendly amendment to retain MIU for the entire subject site was moved and seconded. Amendment incorporated into the main motion.
ST-14	A friendly amendment to retain LIR was moved but was NOT seconded. Amendment died for lack of a second.
ST-12	This request had been withdrawn by staff prior to the public hearing.
ST-13	No amendment considered. (Note: ST-13 was modified by accepted staff recommendation #4 above.)

- ST-15 No amendment considered.
 IR-04 No amendment considered.
 ST-19 No amendment considered.
 ST-20, ST-21 A friendly amendment was moved and seconded to create a rezoning policy RP-143 as follows: For ST-20 to provide for adequate buffering to the adjacent residential development when the property is rezoned and for ST-21, the land south of Herman's Road alignment, to provide adequate buffering to the residential development north of Herman's Road alignment. Amendment incorporated into the main motion.
 IR-03 No amendment considered.
 IR-23 No amendment considered.
 ST-16 No amendment considered.
 ST-17 No amendment considered.
 IR-12, IR-13 A friendly amendment to change the planned land use designation to MIR was moved and seconded. Amendment incorporated into the main motion. (Note: Based on RFCD comments at the hearing, planning staff concurred with MIR).
 IR-14 No amendment considered.
 IR-19 No amendment considered.
 ST-01 No amendment considered.
 ST-02 No amendment considered.
 ST-03 No amendment considered.
 ST-04 No amendment considered.
 ST-05 No amendment considered.
 ST-06 No amendment considered. (Note: ST-06 was modified by accepted staff recommendation #5 above.)
 IR-01 No amendment considered.
 IR-06, IR-09, IR-10, IR-11, IR-18, ST-08, ST-09, ST-10 A friendly amendment to retain LIU 0.3 was moved and seconded. Amendment incorporated into the main motion. (A substitute motion to recommend approval per staff's recommendation was made and seconded but failed by a 3-7 vote.)
 IR-08 No amendment considered.
 IR-22 No amendment considered.
 ST-07 No amendment considered.
 ST-11 No amendment considered.
 ST-18 No amendment considered.
 IR-05 No amendment considered.
 IR-20 No amendment considered.

OTHER CHANGES TO THE TEXT OF THE PIMA PROSPERS DOCUMENT INCLUDED IN THE MOTION:

Note: A change to the staff's recommendations is indicated by the passage of a friendly amendment. "No amendment considered" indicates the Commission accepted the staff recommendation.

- Chapter 1: A friendly amendment to add a statement to Chapter 1, Section 1.6, to the effect that if the actual population does not meet the projected figures, adjustments may be made, was moved and seconded. Amendment incorporated into the main motion.

Chapter 2: No amendments considered.

Chapter 3: No amendments considered.

Chapter 4: A friendly amendment to add two out of a speaker's four suggested changes on solar energy to Section 4.3 in the form of implementation measures to Goal 1 and an additional revision by a commissioner: 1) Incorporate a solar ready policy; 2) Protect access to solar energy for pre-existing solar energy improvements from new development; and, 3) Add the consideration of "cost-effective" to Goal 1, was moved and seconded. Amendment incorporated into the main motion.

A friendly amendment to add "cost-effective" to Section 4.1, Goal 1 to state: "Provide a cost-effective, comprehensive and multi-modal transportation system..." was moved and seconded. Amendment incorporated into the main motion

A friendly amendment to add "location" to Section 4.6, Goal 2, Policy 4 to state: "Continue to incorporate aesthetic design and location considerations into cellular towers." The friendly amendment was not accepted and was voted upon separately.

The motion to include the additional language failed on a 3-7 vote and the change was not incorporated into the main motion.

Chapter 5: No amendments considered.

Chapter 6: A friendly amendment was made and seconded to revise Section 6.5, Goal 1 Implementation Measure "b" as follows: "Continue to advocate for ~~an increase in the statewide gas tax~~ statewide solutions for repair funding." Amendment incorporated into the main motion.

Chapter 7: No amendments considered.

Chapter 8: No amendments considered.

Chapter 9: No amendments considered.

Chapter 10: No amendments considered.

Appendices: No amendments considered.

Additional: A friendly amendment was moved and seconded in response to a speaker's request to change the planned land use designation for parcels southeast of Ina Road and Oracle Road with tax code numbers 102-03-1320, -0920, -1180, -1190, -1210 from HIU to MIU. Amendment incorporated into the main motion.

PLANNING AND ZONING COMMISSION PUBLIC HEARING SUMMARIES
(March 25, 2015 and April 8, 2015)

March 25, 2015

A commissioner explained to the audience that there will be no recommendation from the Commission until the public hearing on April 8, 2015 and that the public hearing will be continued from today to the April 8th hearing.

The Pima County Planning Director stated there are two major plan updates on today's agenda, each with a public hearing. These are Co7-13-10 Pima County Comprehensive Plan Update, Pima Prospers and Co14-14-02 Pima County Major Streets and Scenic Routes Plan. The Planning Director will present the first staff report and the Department of Transportation staff will present the second staff report. Both processes to update the two plans are tracking together for coordination and consistency.

The Planning Director presented an outline of the Pima Prospers staff report including:

- A review of the plan
- A short synopsis of the public participation process
- New public comments received since the second Planning and Zoning Commission Study Session on February 18, 2015
- How staff has responded to the changes that the Commissioners requested during the study sessions

The Planning Director said he would describe each individual request for a planned land use change and each staff-initiated, noticed planned land use change. Staff-initiated changes are based on criteria such as: an area has built out differently from the current plan designation; the proposed plan designation is a corrective measure consistent with adjacent planned land use; the proposed plan designation responds to the Major Streets and Scenic Routes (MSSR) Plan update and potential for transit; the plan designation is more general and flexible for areas rezoned through specific plans; and large tracts of state lands are intended to be protected from lot splitting through the proposed land use designation.

The Planning Director emphasized that the individual requests and staff-initiated changes, even if approved, will not change the zoning on property. He also noted that Pima Prospers is much more than a land use document; it is a policy document with the over-arching theme of "Healthy Communities". Planning staff, the consultant, and staff from many county departments have worked cooperatively and diligently over the past two years to research and present the 26 elements of the plan and facilitate a productive public participation effort.

The Planning Director noted that a comprehensive plan update is required every ten years per state statute. Pima Prospers satisfies those statutory requirements by updating the existing plan elements and implementing new state-required elements. There are a number of elements in this document that staff has included that are not required by state statute but are critical to the vision and theme of the plan.

The extensive public participation program includes input from many public and non-profit agencies, the private sector, a Guidance Team, extensive public meetings, presentations before community organizations, and face-to-face and electronic community outreach efforts. The community outreach program has resulted in at least 2,500 comments on the plan. An interactive website www.PimaProsper.com was developed to relay information and accept comments. Since March 10, 2015, 50 additional letters have been received, most regarding planned land use changes, but two were policy related and two were general comments on the entire plan. The 60-day notification per the state statute was met; staff received five (later six) responses from state, local and regional agencies.

Through a PowerPoint presentation, the Planning Director provided a historic context to previous comprehensive plans and described the 'vision of a sustainable community' as the basis of Pima Prospers. He stated that the guidance and vision for Pima Prospers was a continuance of the groundwork and direction of public input during the precedent Imagine Greater Tucson (IGT) process. The public involvement and input from Imagine Greater Tucson was the catalyst and foundation for Pima Prospers. In the first stage of the Pima Prospers public participation process, staff asked citizens "What they want the future Pima County to look like." Pima Prospers incorporated their input into the plan goals, policies, and implementation measures.

The Planning Director noted that there will be change coming. The millennial generation has a different focus on community, affecting planning as we know it today. It is important to remember that staff plans land use only for unincorporated Pima County, but staff anticipates that most of the growth will now occur in the municipalities. Pima Prospers recognizes that there will be necessary adaptations responsive to water resources, transportation, economy, energy, and climate.

The Planning Director briefly addressed the policies of Pima Prospers in comparison to the current Pima County Comprehensive plan, noting that there is no substantive change to the Conservation Lands System (CLS) policies.

A commissioner asked what "cost recovery" would be for and what kinds of mechanisms are entailed. Staff noted the applicable section in the plan document, stating that it would serve new development for facilities such as, for example, parks, animal care, and floodplain improvements. He noted that impact fees cannot be used for maintenance.

The Planning Director went through each planned land use change by individual request (IR) and each staff-initiated change (ST). The requests are grouped according to their general locations or "planning areas" within the County. Each was presented one-by-one by the Planning Director, but the summary below primarily focuses on the ones that generated discussion, public comment or whose complexity required greater explanation.

Catalina Foothills Planning Area: A commissioner asked why a particular land use change was categorized as being in the Catalina Foothills planning area when it is located so far west. The Planning Director responded that the planning areas are based primarily on watershed boundaries, which in some cases led to different boundaries that may look unusual to the Commission.

A commissioner asked about IR-21 (Orange Grove Road and Pomelo Drive), whether the lot sizes are consistent with the current planned land use designation. The Planning Director responded that they are closer to LIU1.2 than MIU. He discussed the history of the property, that it had been designated MIU since the 1992 comprehensive plan, that in staff's revisit of the land use maps, the

subdivision appeared to show as LIU 1.2, in October 2014 Draft 2 of Pima Prospects, staff showed the property as a down planning to LIU 1.2, that upon learning of this, the property owner requested it be kept as MIU, that staff and applicant worked out an arrangement to keep the lots south of Schuman Street as MIU, and let the two owned lots to the north be planned LIU 1.2. This became the staff recommendation.

A commissioner asked if decreasing the planned land use designation such as for IR-21 from MIU to LIU 1.2 would trigger a Proposition 207 claim. The Planning Director said he would defer that question to the Pima County attorney for their response at an executive session at the April 8, 2015 Commission meeting.

Central Planning Area: The staff-initiated ST-14 (Old Vail Road and Mary Ann Cleveland Way) to change the planned land use from Low Intensity Rural (LIR) to Industrial (I) received one letter of opposition. The letter is from a neighbor to the north in the Vista del Lago subdivision. The subject site is between two railroad tracks with existing industrial zoning to the east and military airport land use designation to the west. Staff feels that low-density residential development is not appropriate at this location and that it is more suitable for light industrial uses.

A commissioner asked if the property is owned by the railroad or privately owned. Staff responded that it is privately owned and that low-density development is inappropriate between railroad tracks.

Rincon Valley Planning Area: There are two staff-initiated changes within the vicinity of the Rocking K Specific Plan - ST-12 and ST-13 required to make a 2007 transfer of development right approval work correctly. There are several letters of opposition to ST-12, a rectangular piece of property north and south of Los Reales Road alignment, and west of Old Spanish Trail. No comments have been received on ST-13. [Staff Note: Subsequent to the March 25th hearing, staff discovered that the Rincon Valley Planning Area map on the Pima Prospects website incorrectly showed the ST-13 site and another site as ST-12, however the notice maps were correct. The Rincon Valley map was corrected prior to the April 8th hearing, and ST-12 was withdrawn from consideration by staff.]

Southeast Planning Area: The Planning Director explained IR-4 (Old Nogales Hwy and Lumber Street MIR to MFC) stating that the owner just wants to build one residence so staff is recommending a rezoning policy to allow that. There is precedent for doing it this way and staff has not received any comments on the request.

The Planning Director explained that ST-19 (east of the Town of Sahuarita to Wilmot Road) is an area that the Town of Sahuarita plans to annex and is working on a conceptual plan. Staff is concerned that the state trust land could be parceled out rather than planned in a coordinated fashion and that is the reason for the staff-initiated change to PDC. A commissioner asked when there is a proposed change to state land, is there a special process to notify the county. The Planning Director responded affirmatively, that it does have input into land sales and leases.

Southwest Planning Area: The staff-initiated change ST-01 for Rural Crossroad (RX) at the intersection of Ajo Highway and Sasabe Highway is in response to the neighbors in the area wanting more commercial uses. For IR-19 at the southeast corner of Kinney Road and Tucson Estates Parkway to change LIU 0.3 (RT) to Neighborhood Activity Center (NAC), there are five letters of opposition to this request. Staff recommends that the planned land use remain LIU 0.3 and recommends that if the owner wishes to pursue their request, it be considered through the annual comprehensive plan amendment process.

Tortolita Planning Area: There are 14 requests in this area; some are individual requests and some are staff-initiated. There are several letters of opposition. Concerns range from, but are not limited to, that the change will result in an increase in land use intensity or residential density; will reduce conservation of the natural environment; and will increase traffic congestion and road maintenance.

The Planning Director said that the staff recommendations on the individual requests vary from not changing the current planned land use designation; proposing a more detailed review through the annual plan amendment process; lower residential density or intensity than the applicants request; support for the applicant's request; or applying additional rezoning policies to a site. Some of the staff-initiated changes for this area are based on future needs; transit opportunities notably along Thornydale Road; compatibility with existing zoning; actual built-out development; and conformity with surrounding planned land use.

Tucson Mountains Area Planning Area: There are two individual requests (IR-5, IR-20) for this planning area. IR-20 has a written objection. Staff supports IR-5 with a land use modification and IR-20 with the application of a rezoning policy RP-142.

A motion was made and approved to open the public hearing.

Speaker #1 Speaking on ST-09 (east of Thornydale Road and south of Lambert Lane LIU-0.3 to LIU1.2). He is a member of the Orange Ranch Neighborhood Association which has 75 members. His concerns include: negative impacts of higher density residential; lower home values; school over-population; effects on bike and pedestrian users; traffic congestion; poor road conditions; outside traffic through their neighborhood; through traffic to I-10 and access to the new mall; preservation of Ironwood trees and a major wash; water supply issues; and drainage run-off. The speaker emphasized that Thornydale Road is already very dangerous and full of pot holes.

Speaker #2: Speaking on IR-06, IR-08, and IR-10 (Tortolita Planning Area). The speaker's concerns are: they received the notice late; what plans are there for undeveloped properties along Freer Road; Ironwood Elementary is over capacity; and the planned land use changes will create many more houses. The speaker stated that Thornydale Road is already over capacity; there is a water shortage from the CAP and Lake Mead; and there is a need to conserve the Ironwood trees.

Speaker #3: Speaking on ST-14 (vicinity of Old Vail Road and Mary Ann Cleveland Way between the railroad tracks LIR to I). The speaker's concerns are that the notice was recently received, they had no prior knowledge of the Pima Prospers process and they do not want this change. The speaker states there would be impacts of industrial use on the 68 single-family homes to the north; the change would affect air quality, views of Santa Rita Mountains (the speaker noted they paid extra for the views); would decrease property values; increase noise, smells, and lighting; and reduce the quality of life. The land use should remain LIR; the site is inappropriate for industrial so close to the neighborhood.

Speaker #4: Speaking on ST-09 (east of Thornydale Road and south of Lambert Lane LIU-0.3 to LIU 1.2). The speaker is opposed to the request and has these concerns: flooding into the adjacent North Ridge subdivision to the south; significant FEMA requirements for flood insurance when residents are mostly on fixed incomes; Thornydale Road and east and west roads are over capacity; no need for more cars and more people in the area, and the potential for increased traffic through the subdivision.

Speaker #5: Speaking on IR-21, (North of Orange Grove Road and west of Oracle Road MIU to MIU and LIU 1.2). The speaker stated their opposition to MIU. There were 12 property owners notified and 12 opposed. The speaker's concerns are: the applicant may want to develop apartments on the vacant lots as MIU is intended for apartments; want to keep from becoming 50 households; would like to have the planned land use designation be LIU-1.2 rather than the staff-recommended MIU and LIU1.2; the subdivision is now large lots except for the mobile home park to the east. The speaker said the change would have a tremendous impact on the surrounding streets and visibility. The road is not planned for more residents and the area roads are in disrepair, they are not maintained and have no shoulders or sidewalks. The speaker asked to keep staff's original recommendation of LIU 1.2. [Staff note: This original recommendation was in Draft 2, released October, 2014.]

Speaker #6: Speaking on IR-03 (southeast corner of Andrada Road and South Wilmot Road LIU-0.3 to LIU 3.0), the speaker is concerned about the proposed 150-foot right-of-way for Andrada Road from Swan Road to Wentworth Road. Going from 60 feet to 150 feet will infringe upon the existing, permitted water tank. [Staff note: This comment has more to do with the Major Streets and Scenic Routes (MSSRP) Update. The land involving IR-03 would also be subject to this proposed MSSRP change to Andrada Road.]

Speaker #7: Speaking on ST-09 (vicinity of Thornydale Road and Lambert Lane LIU 0.3 to LIU 1.2). The speaker is a resident of North Ranch and there are 718 members in North Ranch opposed to MIU. The speaker said they are confused because the notice letter said MIU and he asked if it is supposed to be LIU. The speaker stated their concerns are: just recently received notice; where will the drainage go, and whether the diverted traffic will go right through North Ranch. The speaker stated they are also against IR-18 (northeast corner of Thornydale Road and Sumter Drive LIU 0.3 and RT to MIU). The speaker said they would like to know what development is proposed by this change (e.g. apartments, hotel). The speaker asked where the water will go. The speaker commented that the Commission will receive additional comments from the neighborhood on IR-18.

Speaker #8: Speaking on ST-12 (southwest corner of Los Reales Road and west of Old Spanish Trail LIU 1.2 to LIU 3.0), the speaker stated their opposition to this change with these concerns: Los Reales Road will be used as ingress and egress; traffic will try to get to Valencia Road through this neighborhood, and they do not want higher density. The original plan was to build Old Spanish Trail and Valencia Road. The speaker questioned whether Valencia Road is still going to be built and how will it connect. [Note: Subsequent to the 3/25/15 public hearing, ST-12 was withdrawn by staff.]

Speaker #9: Speaking on ST-12 (southwest corner of Los Reales Road and west of Old Spanish Trail LIU 1.2 to LIU 3.0). The speaker stated that the road was supposed to be paved but it is chip sealed. There was an agreement to transition density east from the speaker's subdivision, the agreement was to blend density to match their lots so there is a buffer between 1.2 RAC to 3 RAC into Rocking K. [Note: Subsequent to the 3/25/15 public hearing, ST-12 was withdrawn by staff.]

Speaker #10: The speaker represents the Metro Water District and wishes to clarify the Water Resources Element 4.2 Goal 1, Policy 4 regarding the owner of effluent. Metro Water is concerned about the committed water resources for Diablo Village and needs access to reclaimed water. For Goal 1, Implementation Measure "c", they recommend adding language to develop strategies "through collaboration" and for Water Resources Element Goal 2, Policy 2 to be revised to read: "Collaborate with water "suppliers" to "achieve" sustainable water management...."

Speaker #11: Speaking on ST-12 (southwest corner of Los Reales Road and west of Old Spanish Trail LIU 1.2 to LIU 3.0). As a resident for 32 years in Rocking K Ranch Estates, the speaker said that early on Chris Monson and Ken Abrahams met with the Rocking K Coalition and committed ST-12 as a green belt of natural desert. This should not be changed; density should be less as it goes eastward. The speaker said that ST-13 (west of Old Spanish Trail, east of Pantano Wash, north of Garrigan's Gulch) should also remain less dense; it was defeated earlier and the speaker is not sure why staff supports a change from RT, LIU 0.3, and LIU 0.5 to MIU. He said they do not want "Rita Ranch" in their back yard. [Note: Subsequent to the 3/25/15 public hearing, ST-12 was withdrawn by staff.]

Speaker #12: Speaking on IR-20, (northwest corner of Silverbell Road and Sweetwater Drive LIU-0.3 to LIU 1.2). The Tucson Mountains Association (TMA) Board representative had these concerns: we continue to lose habitat connectivity; impacts from Sweetwater Wash to Roger Wash; the wildlife corridor will be blocked from Sweetwater Preserve to Saguaro National Park; and will triple the allowed density. The speaker stated that this is the only significant wildlife corridor left in this area; it should not be developed as clustered co-housing, and it would be a disaster to develop as LIU 1.2.

Speaker #13: Speaking on IR-20 (northwest corner of Silverbell Road and Sweetwater Drive LIU-0.3 to LIU 1.2) and IR-05 (west of Silverbell Road and north of Camino del Cerro LIU 0.3 to LIU 1.2). The speaker said that they second the Tucson Mountains Association Board's opposition to IR-20 as it would change the biodiversity in the area. Density would change from five homes to 15-25 homes. The speaker said they don't want more homes along Silverbell Road, a scenic corridor. For IR-05, there is no real justification to increase the planned land use density from 9 homes to 30 homes along Camino del Cerro at the expense of destroying habitat and view shed.

Speaker #14: Speaking on behalf of the Audubon Society, the speaker recommends against the planned land use changes for IR-06, IR-09, IR-10, IR-11, IR-18, and ST-08, ST-09, ST-10. These requests impact some of the richest areas of biodiversity. The requests range in densities from LIU to MIU. Some requests allow as much as three times the current planned land use densities. The speaker said they can't stress enough the importance to reduce densities to protect habitat. Arthur Pack Park, Ironwood Forest, etc. are threatened by these requests. The speaker said that 'Game and Fish' show that native species drop off when the density is greater than one house per acre (1 RAC). The speaker said that they are willing to work with the developers, but the proposed densities are too much in this area. Public transit will only be to Pima Community College and that is all. The Tortolita area needs less density.

Speaker #15: Representing the Coalition for Sonoran Desert Protection, the speaker said they are opposed to eight of the requests in the Tortolita Planning Area [Staff note: these are the same parcels as mentioned by Speaker #14.]; that is eight out of the total of 41 land use changes. The speaker said they had questions on five of the planned land use changes. Four of the questions have been answered but the Coalition needs to further review ST-18 (Arroyo Grande north of Oro Valley) for the April 8, 2015 hearing. The speaker said that they recognize that any rezoning process will apply the Conservation Lands System (CLS) requirements, and they value the CLS and the applications that it has made within development, but believe that these eight requests are not planned for appropriate densities. The speaker said they recommend that these eight requests go through the annual plan amendment cycle.

Speaker # 16: Speaking on IR-13 (south of Valencia Road and east of Vahalla Road LIR to MIR). The applicant stated that his father's property is on Yedra Road; it is not a paved road. The speaker said he would like a higher intensity so they can split the property.

Speaker #17: Speaking on IR-05 (west of Silverbell Road and north of Camino del Cerro LIU 0.3 to LIU 1.2) and IR-06 (west and east of Shannon Road and north of Overton Road LIU 0.3 to MIU). As the applicant's representative (WLB), the speaker said they agree with staff's recommendations for IR-05. Staff recommends a cluster design surrounded by open space with a portion of the property designated LIU 1.2 and the other portion to remain LIU 0.3. The speaker said he also agrees with the staff recommendation for IR-06. Staff recommends LIU 1.2 west of Shannon Road and LIU 3.0 east of Shannon Road.

Speaker #18: The applicant for IR-04 (east of Old Nogales Hwy near Lumber Street MIR to MFC) stated they agree with staff's recommendation for the property to remain MIR but add a rezoning policy to allow a house on the undersized lot. The speaker stated that he has options to resolve the access issue which would be addressed upon rezoning.

A motion was made and approved to continue the public hearing to April 8, 2015 (9-0; Commissioner Mangold was absent).

PUBLIC HEARING SUMMARY

April 8, 2015

The Pima County Planning Director presented a supplemental staff report to the March 25, 2015 staff report.

The Planning Director addressed some of the changes since the last meeting. He began with the land use changes and noted that ST-12, the 17 acre, northern request adjacent to the Rocking K Specific Plan has been withdrawn by staff. Staff emailed a letter, accompanied by a letter from Supervisor Carroll, notifying all of the residents who had commented on the property prior to April 2, 2015 that ST-12 had been withdrawn and the reasons for the withdrawal. The change has been shown to not be necessary to implement the transferred development rights.

In reference to staff's recommendation for ST-13 in the Rocking K area, the Planning Director said there is no change to most of the request, but the 80 acres in the southwest corner of the site are not designated "Transfer of Development Rights Receiving Area" and therefore should be excluded from the request. Staff noted that the recommendation for the remainder of ST-13 is a TDR receiving area and is appropriate, but this 80 acre portion will remain LIU 0.3.

Regarding ST-06 which is state trust land on the south side of Valencia Road and west of Casino del Sol, staff recommends that 433 acres of the site be MIU but the approximately 73 acres of Black Wash should remain unchanged. The Planning Director added that there is a map in the Commission's packet that illustrates this 73 acre area which is in the eastern portion of the property.

The Planning Director said that staff received a letter from the Coalition for Sonoran Desert Protection requesting that the eight land use change requests in the Tortolita area (IR-06, IR-09, IR-10, IR-11, IR-18, and ST-08, ST-09, ST-10) not be approved. These requests have been recommended for approval by staff for a variety of reasons. Staff met with the Coalition over the requests, but the parties maintain a respectful disagreement on the recommended designations.

Staff feels that these requests do not justify going through two processes – the annual plan amendment and rezoning. Based on the history of recent plan amendments in this area, similar amendments were approved in one form or another and there will still be the rezoning process to ensure conformance with the CLS. Staff believes that this is responsible planning and that the recommendations provide an insight to sellers and buyers of adjacent existing homes as to what is likely to be developed in the area. He noted that it was of course, the Commission's prerogative as to what to recommend to the Board.

The Planning Director noted that the following text changes are mentioned in the supplemental staff report:

- Chapter 4, Section 4.6 Communications Element, Goal 2 - add into the last line of the goal statement "and cultural" after "economic".
- At the request of residents of the Picture Rocks area, amend Chapter 9 Special Area Policy S-6 to delete b2, b3, and c and add a new policy to eliminate zoning code barriers to allow a farmers market at the southeast corner of Sandario Road and Picture Rocks Road.
- Add a definition "concept ready" into Appendix E, the Glossary.

He added from the podium the following text changes staff is requesting:

- Amend Chapter 4, Transportation Element Section 4.1, Goal 1 - add a new policy to pursue a zoning code amendment to reduce or eliminate the 30-foot setback requirement along major streets. Transportation is in agreement that this setback is no longer appropriate.
- In response to a letter received from the applicant the day before to this hearing regarding IR-14, amend Rezoning Policy RP-140 to add "f" - that 'the property owner will coordinate landscaping with the adjacent property owners to the north to include sections of a knee or pony wall as appropriate'.

Speaker #1: Speaking on ST-02 (north side of Valencia Road, east of Ajo Hwy intersection RT to MIU), the speaker lives in the vicinity, specifically in Eagle Point Estates subdivision. The speaker described dust and noise violations in the desert between Ajo Highway and Valencia Road, east of Vahalla Road. The speaker stated that there is a lot of off-road vehicle traffic creating a lot of dust pollution. He and his neighbors ask that the access to Mountain Eagle Drive be blocked off and noted that the neighbors are willing to pay for the fencing.

A commissioner responded to the speaker that his concern was not directly related to the comprehensive plan and major streets and scenic routes items being considered today and suggested that he may want to contact the Development Services Department to get them addressed.

Speaker #2: Speaking regarding the overall plan, and on IR-06, IR-09, IR-10, IR-11, IR-18, ST-08, ST-09 and ST-10 (in the Tortolita planning area) on behalf of the Coalition for Sonoran Desert Protection, the speaker stated the Coalition submitted a letter supporting the overall plan. The speaker said the Coalition has been meeting with staff and accepts the plan, except for staff's recommendations on the aforementioned planned land use changes. The Coalition is happy with the result and direction that the plan is taking and appreciates that the Conservation Lands System

is institutionalized in new development and hopes the implementation of this plan will be institutionalized as well. She said that the Coalition is pleased that off-site mitigation policies are added into the plan. The speaker said that they understand staff's perspective on the eight land use changes but do not agree with it. Most of these requests are in biological habitat areas with habitat conservation priorities. The speaker said they think these areas should be conserved, and the staff-recommended densities for the area are inappropriate.

The Coalition understands that property owners will come forward with future plan amendments, but feels that in these areas more time is needed to work with property owners, staff and members of the public to make a decision. The speaker said the two step process (annual comprehensive plan amendment and rezoning) is the appropriate process for reviewing these requests and applying CLS policies. The Coalition requests that these plan designations remain as shown on the current comprehensive plan.

Speaker #3: Speaking on a proposed HIU-designated area east and southeast of the shopping plaza at the southeast corner of Oracle Road and Ina Road, the speaker said that they understand that the comprehensive plan designation for this site is currently MHIU which is being discontinued and that HIU is the replacement. The recommendation does not work well in this neighborhood by the Safeway at Oracle and Ina Roads. The uses are already transitional but not as intensive as HIU. HIU may be appropriate along Oracle Road but not along Ina Road. The speaker requests that the back (east) part of the property be only MIU and said he would like to discuss this with staff. The transition from CAC to HIU to MIU reflects the transition of what is already there and is more in character with the area.

A commissioner asks if this is something the Commission can recommend without notice. Staff responded that it is a re-designation, not an up planning.

Speaker #4: Speaking on IR-13 (on Yedra Road, south of Valencia Road and east of Vahalla Road LIR to MIR), the applicant asked staff to support his request. Originally it was thought that the Regional Flood Control District was against this request but now they are not. The speaker said that he wants to split his five acres into two, 2.5 acre parcels for residential purposes. Based on other parcels in the surrounding area that have already been split, he questioned why staff, in fairness, is not recommending that he can split his parcel. MIR would allow him to do this and he feels that it is a moderate request. He knows that he will need to go through the rezoning process, but he needs to change LIR to MIR to do this.

A commissioner asks for clarification that the property is currently zoned LIR and the applicant is requesting MIR. Another commissioner clarifies that these are land use classification changes not zoning changes, and that the property owner would still need to rezone the property.

Speaker #5: Speaking on IR-20 (at the northwest corner of Silverbell and Sweetwater LIU 0.3 to LIU 1.2), the applicant submitted the request so that CR-1 with a cluster option would be possible on the property. The speaker stated that she was formerly President of the Tucson Mountains Association (TMA) and she was active on planning Silverbell Road. The speaker said that she went to the Tucson Mountains Association, and they suggested that she sell the property to the County or leave it as open space. The speaker said that she cannot afford to donate the property, so she met with Supervisor Bronson to see if the County would buy it for open space. Supervisor Bronson said that the County did not have the funds to purchase it. It was suggested that the property may be appropriately developed as cluster housing or co-housing. The speaker said that she visited the

Milagro co-housing development for ideas and thought this could be a possibility for the property. The speaker said that she saw a letter from Tucson Mountains Association that was not in support of the land use change because they feel it would set a precedent and the property to the north will also request to develop the same. The speaker noted that she thinks the Tucson Mountains Association opposes this change because denser development to the north will impact a wildlife corridor to the north from Sweetwater Wash to the Santa Cruz River. The speaker said that she believes developing her property will not have an impact on the wildlife corridor. The speaker said that she has been on the conservation plan steering committee and believes that development should be on the major corridors such as Silverbell Road. She continued that the Tucson Mountains Association was involved in planning Silverbell Road which was planned to be widened with sidewalks and bike paths. The location is close to existing shopping centers and is close to downtown. The speaker said she believes that this is a reasonable, transitional request for the area and asked for the commission's support of the request.

Speaker #6: Speaking on ST-17 (north side of Monte Vista, east of Houghton Road in Corona de Tucson MIU to NAC), the speaker said that they are opposed to changing the land use and are concerned that a church could build there and block the views to the Santa Rita Mountains. The speaker stated their concern that the two-lane road will become a thoroughfare and that the road is too small to accommodate the increase in traffic. Such development will impact the views of the Santa Rita Mountains and the City of Tucson. The speaker said the neighbors are also concerned about noise. The speaker said he is generally not opposed to a church but the real concern is the possible height of the church.

Speaker #7: Speaking on IR-20 (Silverbell Road and Sweetwater Drive LIU 0.3 to LIU1.2), the speaker said he resides off of Silverbell Road and has been on several committees and very involved in and committed to planning the Silverbell corridor between Grant and Ina Roads. The speaker said they support the Tucson Mountains Association's comments. The speaker does not want to go through further requests about up-zoning (planning) the area. He said the site should not be developed into co-housing because of the increase in residents to the area. The idea along this corridor is to enhance wildlife and keep open space. This development can't be compared to Milagro co-housing as Milagro is hidden. This will be out of character with the existing residential development in the area and needs to be designed to protect open space.

Speaker #8: Speaking on IR-21 (northeast corner of Orange Grove Road and Pomelo Drive LIU1.2 and MIU to MIU), the speaker said they would like to see the planned land use changed from MIU to LIU 1.2. The speaker referred to a letter and petition of 54 residents to change to a lower density. Safety is the biggest concern. The roads in this area are used for pedestrians and cyclists and the roads are in poor condition and with more residents will become more so. The roads in this area are used as cut-through from Oracle Road and Orange Grove Road and have poor visibility. The speaker said that the higher density would negatively affect property values.

Speaker #9: Speaking on the solar policies in the Energy Element Section 4.3, the speaker said as an energy advocate he believes that the plan's recommendations are weak on solar. They need a bolder view and need to move far beyond the implementation measures. The speaker said that the point of the plan is to create the framework for stronger solar measures in the future. The speaker complemented the County for their current support and work on implementing solar policies. He stated that the plan undersells the net zero policy and needs to recommend the implementation of a

solar ready policy for all residential builders, it needs to promote solar to existing homeowners, prevent the blockage of sun to solar panels, and require solar covered parking lots. These policies would help the county continue to lead in solar energy use for the future.

A commissioner noted that the plan has addressed aggressive policies on climate change and asked the speaker what future goals regarding energy they would like to propose.

The speaker said they would like the County's goal to be 80% renewable energy within the next 20 years but at least increase renewable energy to 50%. The speaker said that the County needs to set higher goals and include more renewable energy saving measures.

Speaker #10: Speaking on ST-14 (Vail area between the railroad tracks), the speaker said they submitted a petition from the neighbors to the north in Acacia Ridge objecting to change from LIR to Urban Industrial. An industrial use here will cause noise, light pollution, congestion and reduce property values. There is no existing industrial in the area and industrial development will impact views of the Santa Rita Mountains. The speaker said that this change would be in contrast to the new residential development in the area.

Speaker 11: Speaking on IR-19 (Kinney Road and Donald Avenue RT to NAC), the speaker is the applicant for this request. The speaker said that he is conducting a study of the overall area near Tucson Estates because they need independent housing. He stated that this site is the 'final piece' to the Tucson Estates development; it is a necessary component to Tucson Estates since it is located so close. The speaker said he does not believe that the parcel would be a desirable location for a single-family residence and that the residents of Tucson Estates would like to have nearby assisted living for their mothers and fathers to reside.

Speaker 12: Speaking on IR-21 (Orange Grove Road and Pomelo Drive LIU1.2 and MIU to MIU), the speaker said his concerns are more personal. He bought his property in the early 1970's before most of the homes were there. He stated that he is against changing the property surrounding him on three sides to allow apartments. The speaker said he has a beautiful view, the neighborhood is a great one to live in, and building apartments all around would destroy the ambience of the place.

Speaker 13: Speaking on ST-19 (State land east of Town of Sahuarita LIU 0.3 and RT to PDC), the speaker said he received the notice late and was unable to attend the previous public hearing. He said the change to Planned Development Community (PDC) would be drastic. The site is now natural desert. The development of 15,000 acres would connect existing developments and close the valley off. The change would affect water and affect wildlife since there is a large corridor through this area. This area is vital for air and water. The speaker said he believes that 25% of Tucson's water comes from this area. He said that he lives in the middle of the area and knows what goes on which one cannot know by just driving down the road. The speaker stated that he realizes that development is inevitable – it's going to happen but 15,000 acres all at once is 'lying down'. He said that this change goes against what Pima County puts forth about balance and the economy. The speaker asked if he will have another chance to speak. The commission chair responded that he would be able to speak at the Board of Supervisors meeting.

Speaker 14: Speaking on ST-21 (Wilmot Road/Kolb Road and Hermans Road MHIU to MFC), the speaker stated the area is proposed for MFC and the residents are concerned about having commercial development so close to residential. It would increase noise, traffic, and possibly decrease home values. The speaker said that they would like to see more of a buffer between the existing residential development and the proposed MFC.

Speaker 15: Speaking on IR-21 (Orange Grove and Pomelo Drive LIU1.2 and MIU to MIU), the speaker said that he will not reiterate the same concerns presented by two other speakers. He said this is a residential area and such a change would be devastating. The roads are not maintained and are little wider than a bike path. He said that traffic will come into his area. The speaker said that he would like to see some development in that area – there is some nice development occurring nearby, but do not develop to MIU, rather build homes that are consistent with the neighborhood.

Speaker 16: The speaker said that he was invited to submit language for Section 4.6 Communications Element, Goal 2 which he has done and has been incorporated into the plan. While Goal 1 deals with traditional communications, Goal 2 is an invitation to do things differently. The speaker described his communications experience, adding that he decided he should bring to Pima County what he has learned and used overseas. He described his efforts to meet with the jurisdictions to go over his latest efforts regarding communications (e.g. establishing 'Smart Citizens').

In relation to the letter from the Coalition for Sonoran Desert Protection for the Tortolita parcels, a commissioner stated that she understands the staff perspective of wanting assurances for the neighbors, but there are other examples where the owners are being asked to retain the existing designation and go through the two-step process (plan amendment and rezoning). The commissioner stated they do not understand why this isn't being proposed for these parcels.

Staff responded that the discussion and debate is better done at the rezoning step when more is known about the proposed development; the Comprehensive Plan amendment process has often been made into a pre-rezoning process. The Comprehensive Plan itself is too broad to get into that level of detail. Staff said that this is his best professional advice. A transit corridor won't happen unless there is enough density.

A commissioner stated that they have had a problem with ST-19; they are not comfortable making a plan change on that much acreage. The commissioner asked if it would not exclude a lot of public dialog if it was approved now.

Staff responded that they are attempting to accommodate other jurisdictions. The Planning Director described the Town of Sahuarita's proposed conceptual plan process for this area. It is a logical expansion for the town to eventually annex. He said that it is premature to drop the conceptual plan into Pima Prospects; rather the best way is to identify the area as Planned Development Community (PDC). Staff described what could happen if control is not exercised over the process. The biggest concern is that individual pieces of Trust land will be sold off and developed piecemeal. This is the best protective device – otherwise one would be encouraging lot splitting which has occurred in the immediate area.

A commissioner asked whether there could be one buyer for the state land. Staff responded it's possible but not likely, but it puts Pima County on record saying that it is not appropriate to sell off piecemeal. Development of this property is actually a very long time into the future.

A commissioner spoke on ST-14, the property between the tracks. The commissioner asked if the site is approved to industrial, what say would the residents have on any industrial development. Staff answered that development would still require a rezoning process and building height and other concerns could be worked out at rezoning. Staff added that there are restrictions in the zoning code on obnoxious smells and noise, etc. A commissioner asked if the neighbors will have an opportunity to offer mitigation options, and staff responded affirmatively.

Another commissioner also asked about ST-14 and whether there is any spur connection – on loading or off-loading. Staff responded that there is no spur, the railroad is not likely to be looking here for one since there is no space.

A commissioner asked about IR-20 (Silverbell Road and Sweetwater Drive) and whether this is an infill project. Staff responded that it is not really infill at that density, more likely a cluster development.

Staff made a suggestion for ST-20 and ST-21 (south of I-10 and west of Wilmot Road) to address the speakers' concerns which is to create a rezoning policy requiring adequate buffering of the residential development along the edge of the proposed HIU and MFC, respectively.

A commissioner asked about the basic issues surrounding IR-21. Staff said that they looked at the property as a whole, wanted to match land use designation with the existing development. The site in that case should be LIU1.2, however the property owner upon reviewing the October 2014 Draft 2 said no, they really wanted to keep the MIU so staff proposed a split between the LIU1.2 and MIU. Staff thought the applicant was okay with that but then received notice that they want it all to remain MIU. [Staff note: A letter from the applicant received just before the April 8th public hearing was mistakenly read to imply that the entire ownership be designated MIU, when in actuality, the letter dated April 7th was consistent with a previous letter indicating they were comfortable with LIU 1.2 north of Schuman Street and MIU south of it to Orange Grove Road. The staff and therefore the Commission were not operating with complete information. The April 7th letter was re-examined during the preparation of these findings, and that is when the misinterpretation was discovered. The staff will clarify this before the Board of Supervisors and will reach out to the neighbors and to the applicant.]

A commissioner noted that a speaker brought up their concern about a church going in at the ST-17 (Corona de Tucson) site, but the commissioner commented that a church is allowed anywhere. Staff responded that a church can locate almost anywhere. The recommendation for ST-17 came out of a Pima Prospers public meeting for that area in which residents said they wanted more commercial services.

A commissioner asked about the concerns of a speaker that apartments would be built at the IR-21 site and asked what would be required for apartments. Staff said if the designation remains MIU, there could be apartments at 13 residences per acre (RAC) but the owner would be required to rezone. Existing lots are consistent with LIU 1.2.

A commissioner asked about IR-12 and IR-13 and whether the floodplain issues could be addressed at the rezoning stage. Staff from the Regional Flood Control District stated that they are concerned about the flooding issues for the general area but would not be opposed to individual requests.

A motion to close the public hearing was approved unanimously.

A motion to recommend **APPROVAL** of Co7-13-10 Pima Prospers, the Pima County Comprehensive Plan, per the additional staff recommendations in the staff report and supplemental staff report was made subject to the following amendments:

A commissioner made a friendly amendment on IR-21 that it be left entirely as MIU. The commissioner stated that the taxpayer thinks they have MIU. The commissioner stated that the commission does not have to approve the rezoning in the future. The friendly amendment to retain MIU was accepted, seconded and incorporated into the main motion.

Regarding ST-14, a commissioner remembered a nearby case several years ago where the neighbors really did not want any development in between the railroad tracks and this may be true here, and added that any kind of industrial development would be addressed in a sensitive fashion. A commissioner suggested that there be no change to the designation until a specific use is proposed. Another commissioner commented that there will not realistically be any residential development there. A commissioner noted that the property owners need some direction. A friendly amendment to retain LIR was made but died for lack of a second.

Regarding ST-20 and ST-21, a friendly amendment was moved and seconded to create RP-143 as follows: For ST-20 to provide for adequate buffering to adjacent residential development when the property is rezoned and for ST-21, the land south of Herman's Road Alignment, to provide adequate buffering to the residential development north of Herman's Road alignment. Amendment incorporated into the main motion.

Regarding ST-19, a commissioner said she withdraws her concerns about that land use change.

A friendly amendment was moved and seconded to re-designate IR-12 and IR-13 as MIR as requested by the applicants. Amendment incorporated into the main motion.

A commissioner made a friendly amendment to leave IR-06, IR-09, IR-10, IR-11, IR-18, ST-08, ST-09, and ST-10 as designated in the current comprehensive plan. The commissioner said the owners should have to go through the two-step process. The commissioner said this is a total of about 469 acres to go from LIU to MIU or higher. Another commissioner agreed, noting that there are corridors that need densification but this is not the area and before up-planning there needs to be a transit plan. The friendly amendment was accepted, seconded, and incorporated into the main motion.

A commissioner said they agree with the staff recommendation as otherwise it is not consistent. The rezoning process will clarify what will happen.

A commissioner said that these properties are entirely different because this is a very important Conservation Lands System and habitat area, adding that moving so much acreage is not good for anyone.

Another commissioner commented that going through the rezoning process, the CLS will kick in. A commissioner stated that that increases the time and cost to the land owner, questioning whether this is a signal to the developers to back off.

A commissioner said that this is some of the most sensitive land that we have – these lands are sensitive enough to be reviewed carefully.

A substitute motion to support the staff recommendation was made and seconded but failed on a 3 – 7 vote.

A commissioner noted that this is a low-density area that is not going to get transit, the most would be a Park and Ride lot. The commissioner also commented that the last year's plan amendment cases in this area were very contentious.

The discussion on the individual requests and staff-initiated requests were completed and the commission moved on to consider the Pima Prospers document chapter by chapter.

A commissioner stated that the population figures in Chapter 1 may be too high. He questioned if the actual growth turns out to be much less, how does it affect the plan, can the plan adjust and allow for maintenance only. Staff said that they cannot change the population figures as they are determined elsewhere, but could put in a caveat in Chapter 1 that the figures may be overestimates. A discussion ensued that the issue is not just the figures but the ability for the plan to adjust to a different scenario. A friendly amendment to add a statement to Chapter 1, Section 1.6 to the effect that if the actual population does not meet the projected figures, adjustments may be made, was moved and seconded and incorporated into the main motion.

A commissioner brought up the energy issues presented by one of the speakers. The commissioner said that two out of the four points by the speaker should be addressed which are incorporating a 'solar ready' policy and protection of solar access. Another commissioner noted that cost/benefit analysis should be considered.

A discussion ensued about solar systems that use more water than others. A commissioner noted that solar energy in general uses less water than other energy sources such as coal.

A friendly amendment to add two out of the speaker's four suggested changes on solar energy to Section 4.3 in the form of implementation measures to Goal 1 plus an additional revision by another commissioner: 1) Incorporate a solar ready policy; 2) Protect access to solar energy for pre-existing solar energy improvements from new development; and, 3) Add the consideration of "economic feasibility" to Goal 1 was moved, seconded and incorporated into the main motion.

A commissioner commented on the need for transportation planning to include cost analysis. The commissioner made a friendly amendment to add "cost-effective" to Section 4.1, Goal 1 to state: "Provide a cost-effective, comprehensive and multi-modal transportation system...". The amendment was seconded and incorporated into the main motion.

A commissioner stated they want to add "location" to the considerations for cell towers. Staff responded that getting into the area of location for cell towers could be problematic given the FCC rules, and staff does not want to run afoul of the federal requirements. The commissioner made a friendly amendment which was seconded to add "location" to Section 4.6, Goal 2, Policy 4 to state: "Continue to incorporate aesthetic design and location considerations into cellular towers." The amendment failed on a 3 - 7 vote.

A comment was made that the motion includes the staff's recommendation to pursue a zoning code text amendment to reduce or eliminate the 30-foot building setback for major streets and routes.

A commissioner said that Section 6.5 relies too heavily on a gas tax. He stated that this is a revenue stream that is always under pressure and the commissioner would like to make the review for funding sources more general, not so focused on a gas tax. Another commissioner stated that there is good reason to use a gas tax and it's because it's more like a user fee than any other tax or revenue source however the tax has not been raised in 30 years. The commissioner said that this country is way behind others with alternate modes of travel.

A commissioner made a friendly amendment to revise Section 6.5, Goal 1 Implementation Measure "b" as follows: "Continue to advocate for an increase in the statewide gas tax statewide solutions for road repair and maintenance funding". The amendment was seconded and incorporated into the main motion.

A commissioner asked what is meant by 'cost-recovery'; is it intended that all costs are recovered? Staff responded that some improvements can be recovered at least in part but others are going to be very difficult to recover costs such as a community center. Staff went on to describe potential ways to recover costs and said that it is a balancing act because one does not want the burden to fall too much on existing property owners to pay for a distant development. Nor, staff said to fall entirely on the developer.

A commissioner noted that a new rezoning policy (RP-140) was part of the staff recommendation. It was discussed that there are two outstanding issues: 1) To down plan the area southeast of Ina Road and Oracle Road as the speaker requested; and 2) To address the minor corrections requested by the Town of Marana. A friendly amendment was made to down plan the specific eastern parcels near Ina Road and Oracle Road to MIU rather than HIU. The amendment was seconded and incorporated into the main motion.

It was discussed that many of the Town of Marana's suggestions per their letter could be undertaken under staff recommendation #3 (i.e. the ability to make non-substantive accuracy changes in the plan), but that the more substantive suggestions were not included as they were differences of opinion.

There were no other amendments offered on any part of the plan or its appendices.

With all amendments being completed, the motion to approve Pima Prospects per the staff recommendations as amended above passed (9 - 1 Commissioner Membrilla voted Nay).

AC/CB/JE/ar
Attachments

c: C. H. Huckelberry, County Administrator
John Bernal, Deputy County Administrator, Public Works
Nanette Slusser, Assistant Deputy County Attorney, Public Works
Tom Weaver, Deputy County Attorney
Robin Brigode, Clerk of the Board
Carmine DeBonis, Jr., Development Services Director
Carla Blackwell, Assistant Planning Director
Chris Poirier, Assistant Planning Director
Co7-13-10 File