BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: October 6, 2015

Title: Co9-15-03 Dado (aka Escarzaga) - W. Yedra Road Rezoning

Introduction/Background:

A request to rezone property to allow two residential lots rather than one residential lot subject to conditions.

Discussion:

The applicant wishes to rezone 4.77 acres from the RH (Rural Homestead) zone to the GR-1 (Rural Residential) zone to allow a second lot. Approval of the rezoning would be subject to conditions including adherence to the preliminary development plan (which shows two lots). Similar rezonings have been approved in the area. A comprehensive plan amendment (in the form of an "Individual Request") was recently approved through Pima Prospers to allow the rezoning request.

Conclusion:

There has been no public comment on the case, there is similar development in the area, there are no concurrency or environmental issues.

Recommendation:

Staff recommends Approval subject to standard and special conditions. The Planning and Zoning Commission recommends Approval subject to standard and special conditions with the amendment to delete Condition #7b and revise Condition 7c to read "The common driveways shall be paved...".

Fiscal Impact:

None

Board of Supervisor District:

☐ 1 ☐ 2 ☒ 3 ☐ 4 ☐ 5 ☐ All

Department: Development Services - Planning and Zoning Telephone: 520-724-9000

Department Director Signature/Date: 9/11/15

Deputy County Administrator Signature/Date: for John Bernal 9/15/15

County Administrator Signature/Date: 9/15/15

PIMA COUNTY

DEVELOPMENT SERVICES

TO: Honorable Sharon Bronson, Supervisor, District # 3

FROM: Arlan M. Colton, Planning Director

DATE: September 14, 2015

SUBJECT: **Co9-15-03 DADO (aka ESCARZAGA)– W. YEDRA ROAD REZONING**

The above referenced Rezoning within your district is scheduled for the Board of Supervisors **OCTOBER 6, 2015** hearing.

REQUEST: Request of Joel Dado (aka Escarzaga), represented by Simeon Escarzaga, for a rezoning of approximately 4.77 acres from the RH (Rural Homestead) zone to the GR-1 (Rural Residential) zone, on property at 7700 W. Yedra Road located on the north side of Yedra Road and approximately 300 feet east of S. Vahalla Road. The proposed rezoning conforms to the Pima County Comprehensive Plan (Co7-13-10) which designates the property for Medium Intensity Rural (MIR).

OWNER: Joel Dado (aka Escarzaga)
7700 W. Yedra Road
Tucson, AZ 85757

AGENT: Simeon Escarzaga
7700 W. Yedra Road
Tucson, AZ 85757

DISTRICT: 3

STAFF CONTACT: Janet Emel

PUBLIC COMMENT TO DATE: As of September 14, 2015, staff has received no comments from the public regarding the rezoning request

PLANNING AND ZONING COMMISSION RECOMMENDATION: APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS with an amendment to delete Condition 7b and revise Condition 7c to read "The common driveways shall be paved…". (5-3; Commissioners Cook, Matter, and Peabody voted Nay, Commissioners Gavin and Neeley were absent).

STAFF RECOMMENDATION: APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS.

MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM: The subject property is located outside of the Maeveen Marie Behan Conservation Lands System (MMBCLS)

AC/JE/ar
Attachments

PIMA COUNTY

DEVELOPMENT SERVICES

BOARD OF SUPERVISORS MEMORANDUM

FOR TUESDAY, OCTOBER 6, 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: **September 14, 2015**

ADVERTISED ITEM FOR PUBLIC HEARING

REZONING

Co9-15-03 **DADO (aka ESCARZAGA)– WEST YEDRA ROAD REZONING**
Request of Joel Dado (aka Escarzaga), represented by Simeon Escarzaga, for a rezoning of approximately 4.77 acres from the RH (Rural Homestead) zone to the GR-1 (Rural Residential) zone, on property at 7700 W. Yedra Road located on the north side of Yedra Road and approximately 300 feet east of S. Vahalla Road. The proposed rezoning conforms to the Pima County Comprehensive Plan (Co7-13-10) which designates the property for Medium Intensity Rural (MIR). On motion, the Planning and Zoning Commission voted 5-3 to recommend **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS with an amendment to delete Condition 7b and revise Condition 7c to read "The common driveways shall be paved...".** (Commissioners Cook, Matter, and Peabody voted Nay, Commissioners Gavin and Neeley were absent).
(District 3)

Planning and Zoning Commission Public Hearing Summary (August 26, 2015)

Staff briefly summarized the rezoning request. Staff recommends **APPROVAL** subject to standard and special conditions.

A commissioner asked about the Regional Flood Control District's note that there is an unpermitted wall and asked whether this causes drainage issues. District staff responded that he believes the wall issue has been corrected through weep holes but even if not, it will be addressed at the permitting stage.

A commissioner asked whether the same applicant has applied for a rezoning recently. Staff responded that the applicant put forward an "Individual Request" through Pima Prospers to amend the planned land use designation for this same property which was approved and may be what the commissioner remembers.

A commissioner asked if there are two, front access gates proposed or are they existing and what are the traffic implications of the two gates. There are also two, existing driveways on the site. Staff responded that there is a transportation condition (#7) which limits the site to one access onto Yedra Road.

A commissioner noted that the staff report discusses the Southwest Infrastructure Plan (SWIP) and lot splitting. He said the SWIP provides robust guidelines regarding Growing Smarter planning and asked if there are ways to legally restrict lot splitting. Staff responded that in this particular area where it is zoned RH with a minimum lot size of 4.1 acres, the owners have to rezone in order to split their property. Therefore, the rezoning request can be recommended for denial if splitting is not appropriate.

A commissioner asked whether one gate would have to be removed if the rezoning were approved subject to the standard and special conditions. Staff responded that the gate would not necessarily have to be removed but the second access would not be allowed.

A discussion ensued about the option of recording an easement from one driveway to the other to the one access point or the option of having one centralized driveway. The applicant is aware that an easement would address this situation if necessary.

A commissioner asked how many lot splits there had been in this area. Staff responded that there had been six similar rezonings, plus splits likely done 'outside the system', and splits done before the GR zone was deleted in 1985. Staff said that approximately 30 lot splits have occurred. Staff added that now we have the minor lands ordinance which requires lot splits to be evaluated before approval.

The applicant then addressed the commission stating that the wall violation has been rectified. He added that the two gates are nice but if getting rid of one of them is necessary for the rezoning to be approved, he would do so.

A commissioner asked whether the two gates are existing. Commissioners responded that two are shown on the site plan. There are two driveways and two gates now but according to the condition there can only be one access onto Yedra Road. The applicant corrected saying the second gate is shown on the plan but does not exist yet. When he saw the condition for one access, he cancelled the order for the gate. The applicant stated that they would probably want the access to be in the middle of the property.

A commissioner asked why this condition is proposed. Transportation staff responded that Yedra Road is on the Major Streets and Scenic Routes plan and has a proposed right-of-way of 90 feet. This level of roadway will not be utilized any time soon but staff does not want a lot of access points along such a potentially major street.

A commissioner questioned whether the existing access would be grandfathered and then the rezoning would allow the second access. Staff said the rezoning would be subject to the condition of one access. The commissioner commented that if the rezoning didn't go through then the two access points would be allowed but they would not be allowed if the rezoning does go through. The commissioner asked the applicant if there will be any more people accessing the site with two separate lots than currently do with one lot. The applicant said no because he already lives on the property, only if the rezoning is approved he'll have his own house. A commissioner noted, however, that if the property is sold there may be additional traffic.

No member of the public asked to speak on the rezoning request and the public hearing was closed.

A commissioner asked what happens if the one access point condition is deleted and asked whether other lots along Yedra Road have individual access. Staff responded that the Commission motion could be to recommend approval but subject to deleting the condition allowing only one access point and answered that many lots have individual access to Yedra Road.

A motion was made by Commissioner Membrila and seconded by Commissioner Bain to **APPROVE** the rezoning request subject to the standard and special conditionswith an amendment to delete Condition 7b and revise Condition 7c to read "The common driveway<u>s</u> shall be paved...".

The motion **PASSED** 5-3. (Commissioners Matter, Cook, and Peabody voted Nay and Commissioners Neeley and Gavin were absent).

AC/JE/ar
Attachments

c: Joel Dado (aka Escarzaga), 7700 W. Yedra Road, Tucson, AZ 85757
Simeon Escarzaga, 7700 W. Yedra Road, Tucson, AZ 85757
Chris Poirier, Assistant Planning Director
Co9-15-03 File

PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT - PLANNING DIVISION
STAFF REPORT TO THE PLANNING AND ZONING COMMISSION

HEARING August 26, 2015

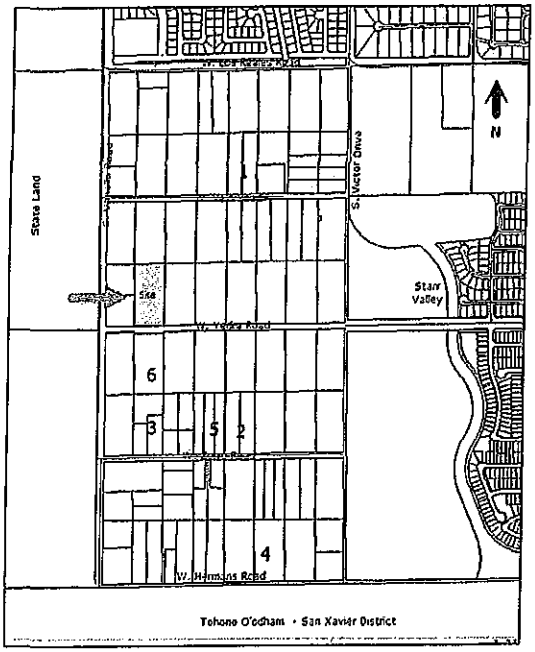
DISTRICT 3

CASE Co9-15-03 Dado (aka Escarzaga) - W. Yedra Road Rezoning

REQUEST Rezone from RH (Rural Homestead) to GR-1 (Rural Residential) (4.77 acres)

OWNER Joel Dado (aka Escarzaga)
7700 W. Yedra Road
Tucson, AZ 85757

APPLICANT Simeon Escarzaga
7700 W. Yedra Road
Tucson, AZ 85757



Nos. 1-6 refer to rezoning requests in area - see page 2 of staff report.

APPLICANT'S PROPOSED USE
The property is to be split into two residential lots.

APPLICANT'S STATED REASON
"Given to me by my father, helps my parents for future needs."

COMPREHENSIVE PLAN DESIGNATION
The planned land use designation of the subject site was amended from Low Intensity Rural (LIR) to Medium Intensity Rural (MIR) by the Board of Supervisors on May 19, 2015. The change was an "Individual Request" (IR-13) heard as part of the update to the comprehensive plan known as Pima Prospers. This ten-year plan update allows for individual requests to change planned land use designations along with public and staff-recommended changes to the planned land use map. Staff recommended to the Board that this individual request be approved. The same owner and applicant for this rezoning brought forward the individual request. Special Area Policy S-29 Southwest Infrastructure Plan (SWIP) (Attachment A) applies to a 70 square mile area that includes the rezoning site. Policy S-29 mainly addresses the provision of infrastructure and sustainability of proposed development in the SWIP area.

SURROUNDING LAND USES/GENERAL CHARACTER

North:	RH (Rural Homestead)	Vacant/Residential
South:	GR-1 (Rural Residential)	Residential
East:	RH (Rural Homestead)	Residential
West:	RH (Rural Homestead)	Residential

PREVIOUS REZONING CASES ON PROPERTY

There has been no previous rezoning request on the property.

PREVIOUS REZONING CASES IN GENERAL AREA

There have been six, similar rezonings to the GR-1 zone approved within this area generally described as originally 64, five-acre lots bounded by W. Los Reales Road/Diablo Village Estates subdivision (north), W. Victor Drive/Starr Valley Specific Plan (East), W. Hermans Road/Tohono O'odham Reservation (South), W. Vahalla Road/state land (West) (the following numbers refer to the location map on page 1):

#1 Co9-06-43 – Northeast of subject property on W. Velo Road;
#2 Co9-03-36 – Southeast of subject property on W. Zorro Road;
#3 Co9-94-67 – One lot south of subject property on W. Zorro Road;
#4 Co9-92-20 – Southeast of subject property on W. Hermans Road;
#5 Co9-91-13 – Southeast of subject property on W. Zorro Road;
#6 Co9-88-52 – Immediately south of subject property on the south side of W. Yedra Road.

All of the above rezoning cases resulted in splits into two or three lots, some for family members to locate on the property.

STAFF REPORT SUMMARY

Staff recommends **APPROVAL with conditions**. The applicant proposes to split the 4.7 acre property into two lots with one residence on each lot. The owners will rely on individual septic systems and on well water. The site is not located within the Maeveen Marie Behan Conservation Lands System (MMBCLS) but is within a priority conservation area for Pima Pineapple Cactus.

Planning Analysis

The request is consistent with previous rezoning requests to create one or two additional lots, often for family members to locate their house. A rezoning condition (#5) has been recommended requiring adherence to the preliminary development plan which will limit the site to two lots as shown.

Staff's concerns for this case are: 1) area residents should not at some time in the future expect platted subdivision-type improvements for this area which has been created through lot splitting; and, 2) if the pattern of rezoning escalates within this specific area, staff may at some time in the future need to recommend denial of rezoning requests.

Within this general area composed of originally 64, approximately five-acre lots as described above, there have been six rezoning requests to the GR-1 zone since 1988. Twenty other lots of the original 64 lots have not undergone rezoning but have been split into two, sometimes three and four parcels. Some of these parcels may predate the advent of the GR-1 zone (1985) when the now defunct GR zone existed, and some may be non-conforming lots.

If this area were to continue splitting at a rate of two, three, or four lots per the 64 original lots, it could result in 128, 192, or 256 residences respectively. The residents need to be aware that if the rezoning/lot splitting pattern escalates, infrastructure issues (e.g. road, potable water, drainage) could arise which the residents would have to address on their own. Had the entire area been platted by one, original owner in the beginning, proper road, floodplain, and possibly sewer improvements would have been made. Additionally, a point in time or a rate of rezoning requests may come at which the transformation to higher density is too much and staff could recommend denial of such rezoning requests. At a rate of six rezonings over the last 24 years, however, staff is not concerned enough yet but the residents need to be aware of these potential circumstances.

Concurrency of Infrastructure

Concurrency of infrastructure exists to serve the proposed development:

CONCURRENCY CONSIDERATIONS		
Department/Agency	*Concurrency Considerations Met: Yes / No / NA*	*Other Comments*
TRANSPORTATION	Yes	No objection subject to condition
FLOOD CONTROL	Yes	No objection subject to condition
WASTEWATER	NA	No sewer in the vicinity; will rely on septic system
PARKS AND RECREATION	NA	No objection
WATER	-	Property will rely on well water
SCHOOLS	-	No information submitted
AIR QUALITY	NA	No comment

Southwest Infrastructure Plan

Given the size and number of proposed lots, the subject rezoning request by itself has limited relationship to the Southwest Infrastructure Plan (SWIP) which is also referenced in special area policy S-29. The SWIP, completed in November 2007, is an evaluation of the infrastructure needs for a 70 square mile area defined as Tucson Mountain Park (north), Mission Road (east), Tohono O'odham Nation (south) and Sandario Road (west). The plan also provides criteria for evaluating the sustainability of area planning efforts. The plan is more appropriate to large-scale development, however, if the rezonings in this particular area were to markedly escalate, the plan provides direction. The subject rezoning meets only a few of the Land Use Sustainability Goals and

Principals of the SWIP (Attachment B) such as: 1) Env-1 Concentrate new growth in designated areas outside of the Conservation lands system...; and, 2) Soc-3 Provide a mix of housing types for all income levels.

TRANSPORTATION REPORT

The proposed rezoning does not present a concurrency concern, as it will generate a minimal amount of traffic and the roads in the vicinity are functioning with excess capacity. The purpose of this rezoning is to add an additional residential unit to the lot. This addition could generate approximately 10 ADT. The property has access off of Yedra Road which is shown on the major streets and routes plan with a 90 foot future right-of-way. Currently, Yedra is a dirt road, not maintained by the county. There is currently 75 feet of right-of-way adjacent to this site. DOT is requesting a 15 foot dedication to bring the right-of-way to the planned 90 feet. The nearest paved road is Vahalla Road. Vahalla Road is a two lane, paved county maintained road. The current traffic count is 490 ADT and the capacity is 15,930 ADT. The only major roadway improvements in the vicinity are on Valencia Road over a mile and a half north of this site.

The Department of Transportation has no objection to this request subject to Condition #7.

FLOOD CONTROL REPORT

The District has reviewed the subject request and has the following comments:

1. The entire site is within FEMA Special Flood Hazard Zone A. This designation indicates that floodplains are approximate and will require study prior to development to determine a base flood elevation (BFE) that establishes height of the finished floor above grade and any required erosion protection. This may be addressed at the time of permitting however the applicant is advised to meet with District hydrologists early in the design process.

2. One violation relating to unpermitted wall construction is associated with the parcel.

3. No Water Resource Impact Assessment is required as the application does not require a site analysis.

The District has found that the project meets concurrency requirements and has no objection subject to Condition #8.

WASTEWATER RECLAMATION REPORT

The applicant is proposing a lot split with one residential home on each lot. There is currently no public sewer in the vicinity of the property. The closest public sewer (G-2001-135) is approximately 1200 feet northeast of the property in the S. Victor Drive right-of-way. The applicant is proposing a new private on-site sewage disposal system.

The PCRWRD has no objection to the proposed rezoning but adds the following comment: The owner / developer must secure approval from the Pima County

Department of Environmental Quality (PDEQ) to use on-site sewage disposal systems within the rezoning area at the time a tentative plat, development plan or request for building permit is submitted for review.

NATURAL RESOURCES, PARKS AND RECREATION REPORT: Staff has no objection.

CULTURAL RESOURCES REPORT: No comment received.

UNITED STATES FISH AND WILDLIFE SERVICE REPORT: No comment received.

TUCSON WATER REPORT: No comment received.

SCHOOL DISTRICT REPORT: No comment received.

FIRE DISTRICT REPORT: No comment received.

PUBLIC COMMENT: To date, staff has received no written public comment.

IF THE DECISION IS MADE TO APPROVE THE REZONING, THE FOLLOWING STANDARD AND SPECIAL CONDITIONS SHOULD BE CONSIDERED:

Completion of the following requirements within five years from the date the rezoning request is approved by the Board of Supervisors:

1. Submittal of a development plan if determined necessary by the appropriate County agencies.

2. Recording of the necessary development related covenants as determined appropriate by the various County agencies.

3. Provision of development related assurances as required by the appropriate agencies.

4. Prior to the preparation of the development related covenants and any required dedication, a title report (current to within 60 days) evidencing ownership of the property shall be submitted to the Development Services Department.

5. Adherence to the preliminary development plan as approved at public hearing.

6. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.

7. Transportation conditions:

   a. The property owner/developer shall dedicate 15 feet of right-of-way for Yedra Road.

   b. The property shall be limited to 1 access point onto Yedra Road.

   c. The common driveway shall be paved (chip sealed) within six (6) months of the issuance of building permits.

8. Flood Control condition: A Floodplain Use Permit is required for development and engineering may be required to determine the Base Flood Elevation, erosion protection and the most suitable location within the lot for development.

9. The owner/developer must secure approval from the Pima County Department of Environmental Quality (PDEQ) to use on-site sewage disposal systems within the rezoning area at the time a tentative plat, development plan or request for building permit is submitted for review.

10. Upon the effective date of the Ordinance, the owner(s)/developer(s) of the rezoned property shall have a continuing responsibility to remove buffelgrass (Pennisetum ciliare) from the property. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site; and, Pima County may enforce this rezoning condition against the property owner. Prior to issuance of the Certificate of Compliance, the owner(s)/developer(s) shall record a covenant, to run with the land, memorializing the terms of this condition.

11. The property owner shall execute and record the following disclaimer regarding Prop 207 rights. "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(I)."

12. In the event the subject property is annexed, the property owner shall adhere to all applicable rezoning conditions, including, but not limited to, development conditions which require financial contributions to, or construction of infrastructure, including without limitation, transportation, flood control, or sewer facilities.

Respectfully Submitted,

Janet Emel, Senior Planner

c: Joel Dado Escarzaga/Simeon Escarzaga, 7700 W. Yedra Road, Tucson, AZ 85757

ATTACHMENT A

S-29 Southwest Infrastructure Plan (SWIP) Area (SW)

General location

Generally bounded by Tucson Mountain Park on the north, Mission Road on the east, the Tohono O'odham Nation – San Xavier District on the south, and Sandario Road on the west, in Sections 22, 23, 24, 25, 26, 27, 34, 35, and 36 of Township 14 South, Range 11 East; Sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23, and 24 of Township 15 South, Range 11 East; Sections 23, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, and 36 of Township 14 South, Range 12 East; Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, and 24 of Township 15 South, Range 12 East; Sections 30, 31, 32, 33, and 34 of Township 14 South, Range 13 East; and Sections 3, 4, 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, and 21 of Township 15 South, Range 13 East (Ref. Co7-07-31, Resolution 2009-24).

Policies

A. Comprehensive Planning:

1. The Southwest Infrastructure Plan (SWIP) shall be used to guide needs, obligations, funding, and provision of infrastructure and services related to transportation, flood control, wastewater, parks and recreation, and other governmental facilities.

2. New residential uses are incompatible within the one-half mile area from the bounds of the Tucson Trap and Skeet Club (Tax Code 210-12-0420). Any conflicts with policies approved under previous plan amendments shall be resolved at the time of the rezoning or specific plan.

3. Proposed development shall be planned, designed, and constructed to implement the sustainability principles as described in the Southwest Infrastructure Plan (SWIP).

B. Environmental Planning:

At a minimum, applicable Maeveen Marie Behan Conservation Lands System Conservation Guidelines shall be complied with by providing for mitigation onsite, offsite, or in some combination thereof.

C. Regional Flood Control District:

1. No building permits shall be issued until offsite flood control improvements are constructed to remove proposed development out of the FEMA 100-year floodplain.

2. Development shall not occur within the Black Wash Administrative Floodway.

D. Wastewater Management:

No person shall construe any action by Pima County as a commitment to provide sewer service to any new development within the plan amendment area until Pima County executes an agreement with the owner/developer to that effect. Adequate treatment and conveyance capacity to accommodate this plan amendment in the downstream public sewerage system may not be available when new development within the plan amendment area is to occur, unless it is provided by the owner/developer and other affected parties.

E. At a minimum, the majority of infrastructure and transportation costs shall be self-funded by the developer.

ATTACHMENT B

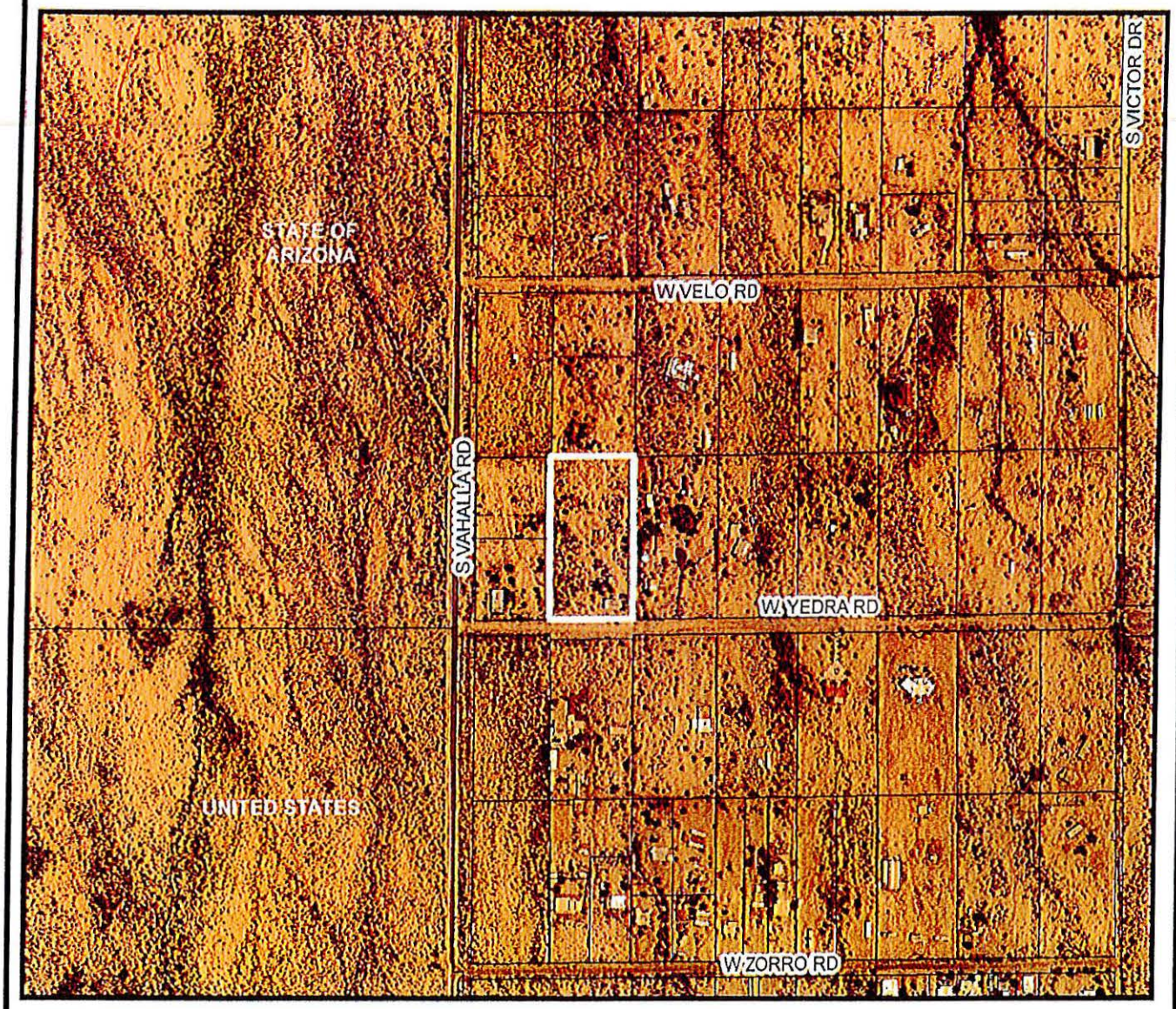
Table SU-1 Land Use Sustainability Goals and Principles

Environment		*Economy*		*Social Well-Being, Opportunity, & Equity*	
Goal: Develop a land use plan that respects and enhances natural and cultural resources and the built environment.		***Goal: Create a diverse, stable and healthy economy.***		***Goal: Promote a strong community where individuals, families and neighborhoods thrive from generation to generation.***	
Principles		***Principles***		***Principles***	
Env-1	Concentrate new growth in designated areas outside of the Conservation Lands System that are in close proximity to existing development, with appropriate buffers where existing residential developments have lower densities.	Econ-1	Strive for a jobs-housing balance.	Soc-1	Ensure effective citizen participation in land use and development decision-making.
Env-2	Build compact, mixed-use communities that are walkable and bicycle-friendly and which offer easy access to employment and amenities.	Econ-2	Attract employers who provide long-term living wage jobs.	Soc-2	Provide community-based access to quality health care, education, government, and retail services for all residents.
Env-3	Increase transportation choice and provide public transit opportunities through integrated land use and transportation planning	Econ-3	Provide access to job training and higher education opportunities for all residents.	Soc-3	Provide a mix of housing types for all income levels.
Env-4	Protect the health and ecology of the Sonoran Desert by preserving wildlife habitat and maintaining and enhancing habitat connectivity.	Econ-4	Promote a diverse range of economic opportunities for all segments of the community.	Soc-4	Encourage new development projects to include an affordable housing component and home buyer education programs.
Env-5	Maintain and protect important riparian areas (defined by both CLS IRA and RT designations) and their associated uplands in a natural state.	Econ-5	Build upon existing community strengths and amenities to attract desirable and environmentally-friendly employers and industries.	Soc-5	Create and maintain safe neighborhoods.
Env-6	Promote the sustainable use of water resources and maintain the health of natural hydrologic processes and functions where warranted.	Econ-6	Support the development of tele-communications services and infrastructure to reduce travel demand, remove barriers to job location, and support a modern economy.	Soc-6	Promote the use of open space lands for pocket parks, public plazas, community gardens, and other community gathering places.
Env-7	Make efficient use of land and materials to reduce undesirable emissions and waste.			Soc-7	Provide diverse recreational opportunities for people of all ages.
Env-8	Protect cultural resources and lands of cultural significance.			Soc-8	Provide pedestrian and bicycle trails that connect neighborhoods to optimally located amenities, services, and public open spaces.
Env-9	Promote community-supported and recreational agricultural opportunities on lands uniquely suited for such use and strengthen networks for local food production.			Soc-9	Ensure land use and infrastructure decisions fairly treat all segments of the community, and that public amenities are distributed throughout the community.
Env-10	Promote energy conservation and efficiencies, and encourage the use of renewable energy sources.			Soc-10	Foster a "spirit of place" that respects cultural heritage and traditions, and celebrates our richness and diversity as a community.
Env-11	Support "green building" concepts and programs for residential, commercial and industrial buildings and developments.			Soc-11	Build partnerships with local municipalities, state and federal governments, and other organizations in order to achieve more complete communities.
Env-12	Foster a "sense of place" in the built environment through an understanding of historic and cultural context, environmentally-sensitive site planning, and excellence in design.				

Case #: Co9-15-003

Case Name: DADO - W. YEDRA ROAD REZONING

Tax Code(s): 210-41-0340



0 250 500 1,000 Feet

PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION

PIMA COUNTY
DEVELOPMENT SERVICES

Notes:

CO7-13-010 PIMA COUNTY COMPREHENSIVE PLAN (IR-13)

Base Map(s): 65

Map Date: 07/30/2015

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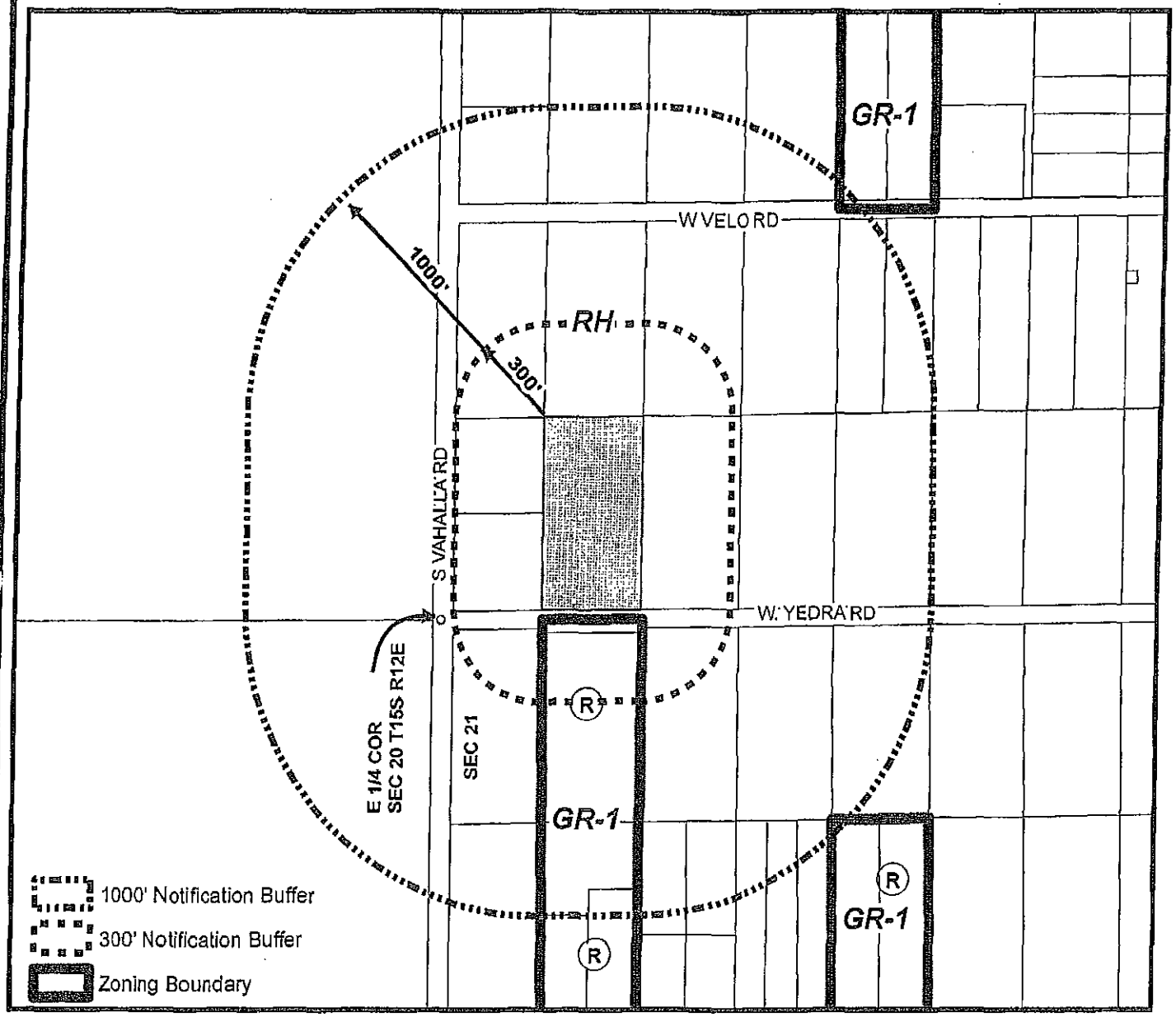
Case #: Co9-15-003
Case Name: DADO - W. YEDRA ROAD REZONING

Tax Code(s): 210-41-0340



0 220 440 880 Feet

Area of proposed rezoning from RH to GR-1

PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION

PIMA COUNTY
DEVELOPMENT SERVICES

Notes:

CO7-13-010 PIMA COUNTY COMPREHENSIVE PLAN (IR-13)

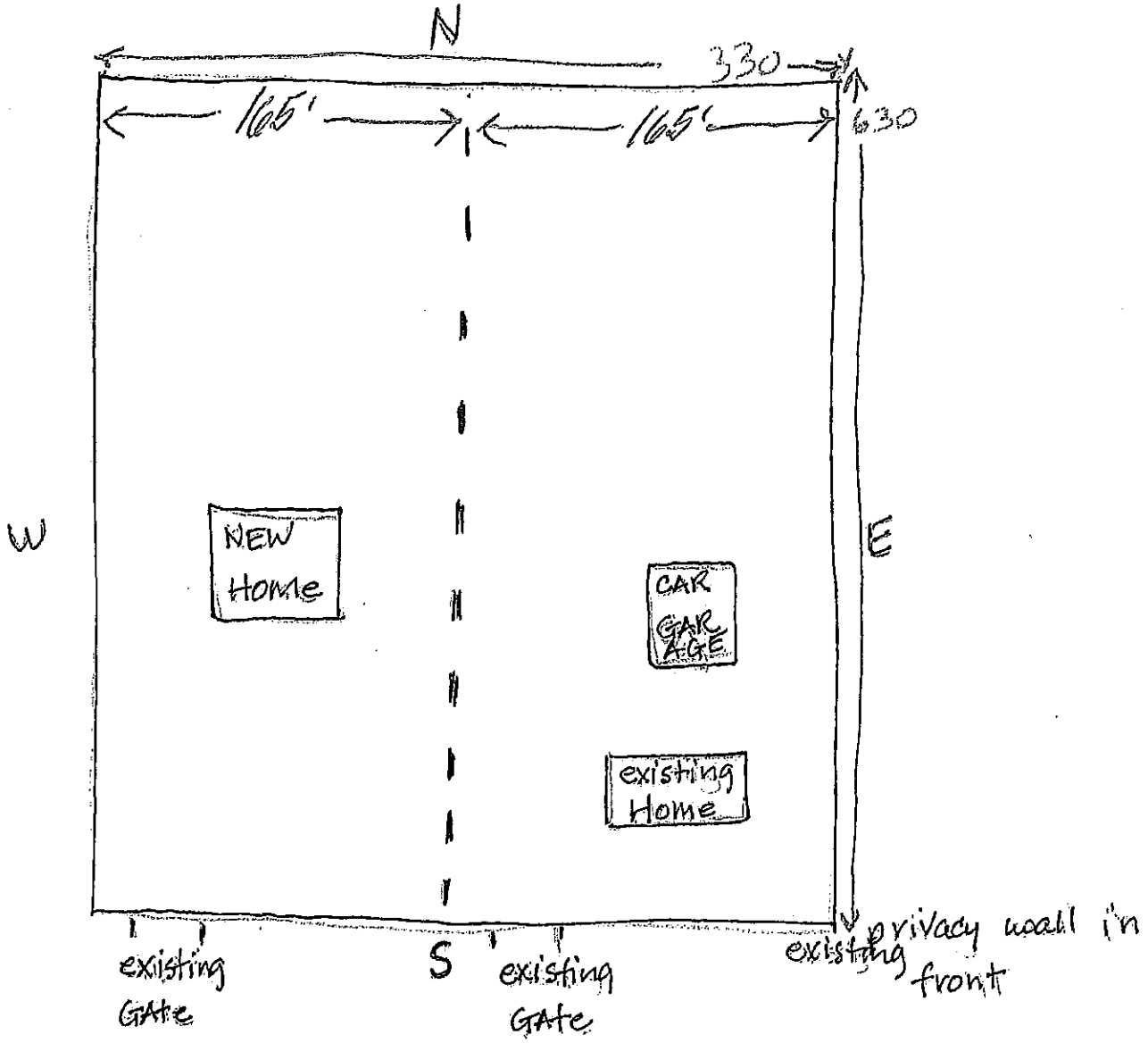
Planning & Zoning Hearing: 8/26/15 (scheduled)

Base Map(s): 65 | Map Scale: 1:6,000 | Map Date: 07/30/2015

N W E S

Owner: Joel Esquivel 7100 Wyatt

new lot owner: Simon [illegible]



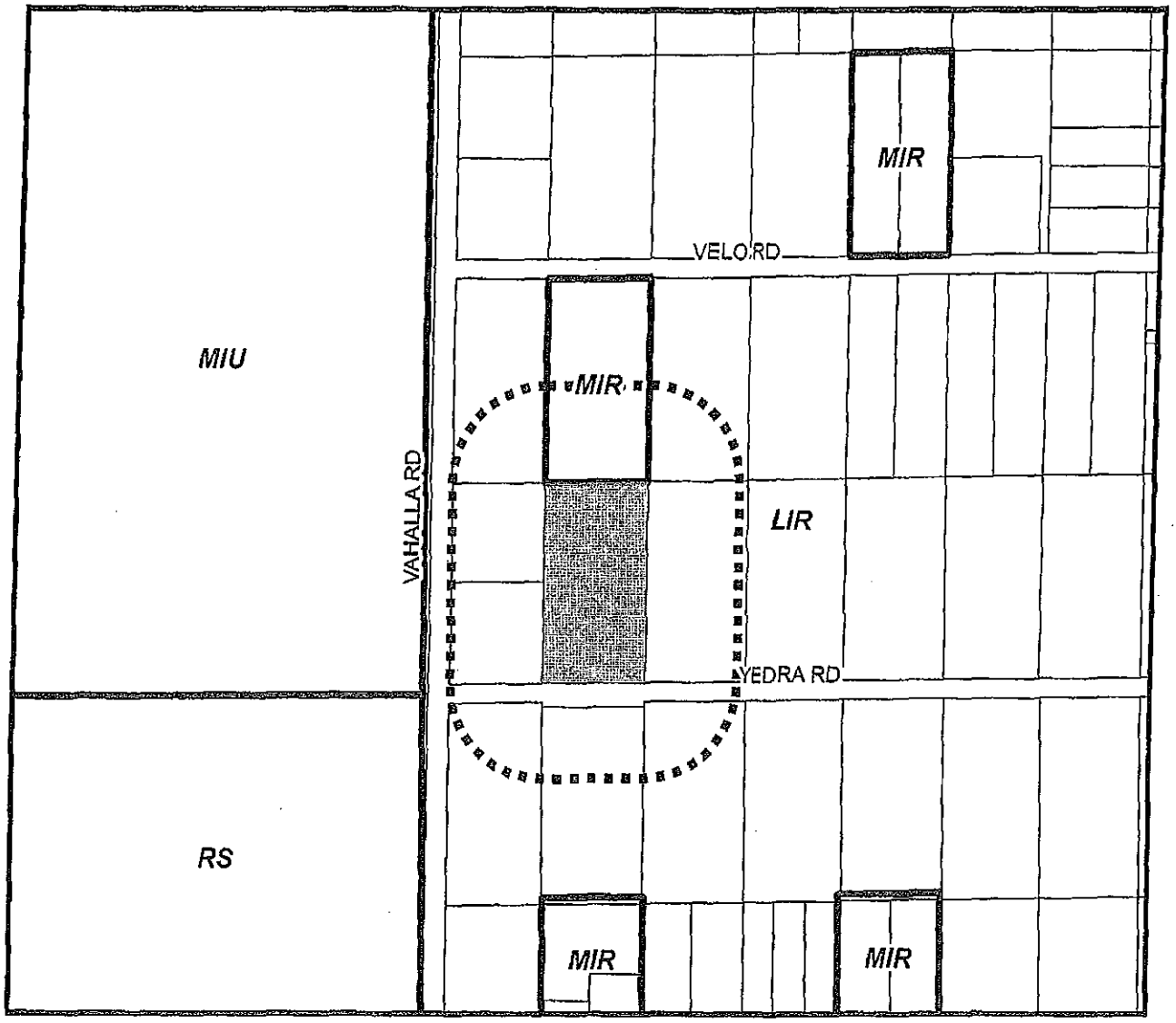
To be divided in half, longways

PIMA PROSPERS
comprehensive plan initiative
Co7-13-10

PIMA COUNTY COMPREHENSIVE PLAN 2015 UPDATE

Individual Request (IR) to Change Planned Land Use

March 25, 2015 Public Hearing Draft



0 220 440 880 Feet

Subject Property 300' Notice Area

Taxcode(s): 210-41-0340	**IR-13 DADO - W. YEDRA ROAD**	District 3
	Request: Low Intensity Rural (LIR) to Medium Intensity Rural (MIR) 4.8 Acres +/-	Location: 1.5 miles south of W. Valencia Rd, east of S. Vahalla Rd at 7700 W Yedra Rd

PIMA COUNTY DEVELOPMENT SERVICES	Southwest Planning Area Section 21, Township 15 South, Range 12 East	North
	Planning and Zoning Commission Hearing: March 25, 2015 & April 8, 2015	Map Scale: 1:6,000
	Board of Supervisors Hearing: May 19, 2015	Map Date: 04/17/2015

Pima Prospers
Excerpt from Planning & Zoning Commission recomm.

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.

DEVELOPMENT SERVICES

24. **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 (Commissioner Membrila voted Nay) to recommend **APPROVAL PER STAFF RECOMMENDATION WITH AMENDMENTS**. Staff recommends **APPROVAL OF PIMA PROSPERS, THE COMPREHENSIVE PLAN UPDATE, AND THE ADDITIONAL STAFF RECOMMENDATIONS.**
(All Districts)

Board approved as recommended by Commission

approve as amended

25. **Hearing - Major Streets and Scenic Routes Plan Amendment - Pima Prospers**
Co14-14-02, PIMA COUNTY MAJOR STREETS AND SCENIC ROUTES PLAN AMENDMENT
Proposal to update the Major Streets and Scenic Routes Plan (Co14-79-02). The Major Streets and Scenic Routes Plan identifies major routes in unincorporated Pima County, sets future right-of-way widths for those major routes, and identifies certain routes as scenic routes. The proposed changes include additions of and deletions to major route designations, realignment of certain major routes, and additions and reductions in required future right of way. No changes are proposed to the scenic route component other than division of combined major and scenic routes plan map into two separate more readable maps and deletion of an un-built scenic route in conjunction with a major route deletion. On motion, the Planning and Zoning Commission voted 9-1 (Commissioner Membrila voted Nay) to recommend **APPROVAL PER STAFF RECOMMENDATIONS WITH AMENDMENTS**. Staff recommends **APPROVAL WITH ALL THE COMMISSION'S AMENDMENTS EXCEPT FOR SANDARIO ROAD.**
(All Districts)
approve as amended

3. Medium Intensity Rural (MIR)

a. Objective: To designate areas for residential uses at densities consistent with rural settlements in reasonable proximity to Rural Crossroads, arterials or suburban areas.

b. Residential Gross Density: Residential gross density shall conform to the following:
   1) Minimum – none
   2) Maximum - 1.2 RAC

c. Residential Gross Densities for Developments Using Transfer of Development Rights (TDRs): Projects within designated Receiving Areas utilizing TDRs for development shall conform to the following density requirements:
   1) Minimum – none
   2) Maximum – 1.2 RAC

4. Low Intensity Rural (LIR)

a. Objective: To designate areas for residential uses at densities consistent with rural and resource-based characteristics.

b. Residential Gross Density: Residential gross density shall conform to the following:
   1) Minimum – none
   2) Maximum - 0.3 RAC

c. Residential Gross Densities for Developments Using Transfer of Development Rights (TDRs): Projects within designated Receiving Areas utilizing TDRs for development shall conform to the following density requirements:
   1) Minimum – none
   2) Maximum – 0.3 RAC

PIMA COUNTY PLANNING DIVISION
APPLICATION FOR REZONING
FOR PROJECTS NOT REQUIRING A SITE ANALYSIS

Joel Escarzaga	7700 W Yedra RD	520-883-3467
Owner	Mailing Address	Email-Address/Phone daytime / (FAX)
Simeon Escarzaga	7700 W Yedra Rd	or 520-445-8488
Applicant (if other than owner)	Mailing Address	Email-Address/Phone daytime / (FAX)
7700 W Yedra		210-41-0340
Legal description / property address		Tax Parcel Number

5	R.H	G.R.1	SW / MIR / S.29
Acreage	Present Zone	Proposed Zone	Comprehensive Plan Subregion / Category / Policies

The following documentation must be attached:

1. **Assessor's map** showing boundaries of subject parcel and **Assessor's Property Inquiry (APIQ) printout** showing **current ownership** of subject parcel. **DEEDS AND/OR TITLE REPORTS WILL NOT BE ACCEPTED.** If the applicant is not shown as the owner of the subject parcel a letter of authorization with a **signature** matching the APIQ must accompany the application at the time of submittal. For example, if the APIQ indicates ownership in a numbered trust such as Chicago Title and Trust #700, a **signature** of the Trust Officer is required along with a disclosure of the beneficiaries of the trust. If the APIQ indicates ownership to be in an LLC, LP, corporation or company, a **signature** from an officer with his/her title is required along with a disclosure of the officers of the entity.
2. Submit a sketch plan in accordance with **Chapter 18.91.030.E.1.a. & b** of the Pima County Zoning Code. Submit a detailed description of the proposed project, including existing land uses, the uses proposed and to be retained, special features of the project and existing on the site (e.g., riparian areas, steep slopes) and a justification for the proposed project. Include any necessary supporting documentation, graphics and maps (all documentation should be legible and no larger than 8.5" X 11").
3. Submit three (3) copies of the Biological Impact Report.
4. Submit the **entire** rezoning fee.

This application is true and correct to the best of my knowledge. I am the owner of the above described property or have been authorized by the owner to make this application.

6-16-15	Simeon Escarzaga
Date	Signature of Applicant

FOR OFFICAL USE ONLY

Dado ~~Escarzaga~~ - W Yedra Road			Co9-15-03	
Case name				
RH	GR-1	65	$2834	3
Rezoning from	Rezoning to	Official Zoning Base Map Number	Fee	Supervisor District
outside				
Conservation Land System category				
Comp Plan 2015 Update IR-13 Dado-Yedra Rd			SW	S-29 SWIP
Cross reference: Co9-, Co7-, other			Comprehensive Plan Subregion / Category /Policies	

Received by MH Date 6/22/2015 Checked by DS Date 6-24-15

Co9- 15 - 03

PIMA COUNTY
REZONING IMPACT STATEMENT

Please answer the following questions **completely**; required hearings may be delayed if an adequate description of the proposed development is not provided. Staff will use the information to evaluate the proposed rezoning. Additional information may be provided on a separate sheet.

NAME (print) Simon Escarcega

NAME OF FIRM (if any) _____

INTEREST IN PROPERTY Owner / LLC

SIGNATURE Simon Escarcega DATE 6-16-15

A. PROPOSED LAND USE

1. Describe the proposed use of the property.

   Property to be used as residential

2. State why this use is needed.

   Given to me by my father, helps my parents For future needs

3. If the proposed use is residential, how many **total residential units** would there be on the property to be rezoned? Will these be detached site-built homes, manufactured homes, or another type?

   Total units: ~~one~~ 2 Type: Home

4. Will the subject property be split into additional lots? YES NO (circle one)

5. How many **total lots** are proposed to be on the property to be rezoned, and what size in acres will each lot be?

   ~~one~~ 2 lots 2.5 Acres

6. If more than **one** lot would be created by this rezoning, how will all-weather access be provided to these lots from a dedicated public road? (e.g. direct access, existing easement, new easement, etc.)

   _____

7. What is the maximum proposed building height?

   18 feet and 1 stories

8. Provide an estimate of when proposed development will be started and completed.

   Starting date:
   Completion date: Soon as possible

9. If the proposed development is commercial or industrial: Residential
   a. How many employees are anticipated? _____
   b. How many parking spaces will be provided? _____
   c. What are the expected hours of operation? _____

d. Will a separate loading area be provided? _____

e. Approximate size of building (sq. feet)? _____

10. a. For commercial or industrial developments, or residential developments of three residences per acre or greater, state which bufferyards are required, according to Chapter 18.73 (Landscape Standards) of the Zoning Code.

_____

b. Describe the buffer choice that would be provided (e.g.: buffer width, use of walls, or type of plant material) to meet the Code requirement. Refer to Chapter 18.73 of the Zoning Code.

_____

11. If the proposed development is an industrial project, state the industrial wastes that will be produced and how they will be disposed of. (Discuss the means of disposal with the Wastewater Management Department at 740-6500 or the Department of Environmental Quality at 740-3340.)

_____

B. SITE CONDITIONS - EXISTING AND PROPOSED

1. Are there existing uses on the site? YES (NO)

a. If yes, describe the use, stating the number and type of dwelling unit, business, etc.

_____

b. If no, is the property undisturbed, or are there areas that have been graded?

undisturbed (portion) & portions graded

2. If the proposed rezoning is approved, will the existing use be removed, altered, or remain as is?

remain

3. Are there any existing utility easements on the subject property? YES (NO)

If yes, state their type and width, and show their location on the sketch plan.

_____

4. Describe the overall topography of the subject property, and note whether any slopes of greater that 15% are present on the property. Note any rock outcropping or unusual landforms or features.

Flat ground

_____

5. Note any areas of heavy vegetation on the sketch plan and describe its type and general density.

_____

6. Conservation Land System (CLS):
   a. Is the subject property within the MMB Conservation Land System (see Attachment A)?
      Yes (No)

   b. If so, which of the following does the subject property fall within, and if more than one, provide the approximate percentage of the site within each?
      Important Riparian area, Biological Core, Multiple Use, Special Species Management area, or Recovery Management area, or Existing Development within the CLS.

7. How has the plan for the rezoning met the conservation standard for the applicable category area?

   NA

8. Are there any natural drainageways (washes) on the subject property? YES (NO)
   If yes, state whether these natural drainage patterns would be altered by the proposed development, and what type of alteration is proposed.

   _____

   (NOTE: For information regarding flood control requirements, call the Regional Flood Control District, 243-1800.)

9. Approximately how much of the subject property is proposed to be graded, including areas where most vegetation will be cleared? 1. Acres, or _____percent of the land area. How much of this area is currently graded? ~~None~~ at least 1/4 - 1/3 total

10. Describe any revegetation proposal in areas where development would require removal of natural vegetation.

    _____

    _____

11. For rezonings larger than 3.3 acres (144,000 square feet) or for more than one residential unit per 3.3 acres:
    a. Is the subject property elevation less than 4,000 feet?

       NO (YES)

    b. Are there any saguaros on the subject property that are eight feet or taller or that contain a woodpecker cavity? If yes, how many?

       (NO) YES Number: Over 8 feet:_____ under 8 feet with cavity:_____

    c. Are there any mesquite trees on the subject property with trunks six inches or greater in diameter as measured four feet above ground? If yes, how many?

       (NO) YES Number: _____

d. Are there any Palo Verde trees on the subject property with trunks six inches or greater in diameter as measured four feet above ground? If yes, how many?

(NO) YES Number: _____

e. Are there any ironwood trees on the subject property with trunks six inches or greater in diameter as measured four feet above ground? If yes, how many?

(NO) YES Number: _____

f. Have any Cactus Ferruginous Pygmy Owls been found on the subject property or within 1,500 feet of the proposed development project as a result of an Owl Habitat Survey?

✓ 1) No survey has been done.
___ 2) No owls were found as a result of a survey performed on _____ (date).
___ 3) ___(Number of) owls were found as a result of a survey performed on_____ (date).

11. Will a septic system or public sewer be used for the proposed development?

(SEPTIC) SEWER

If septic is to be used, state whether one currently exists on the property and, if so, whether additions to that system will be needed for this development. (NOTE: For information on septic system requirements, call the Department of Environmental Quality at 740-3340.)

new septic system to be installed

12. How will water be supplied to the property? If a water company, state which one.

well or other

C. SURROUNDING LAND USE

Describe in detail adjacent and nearby existing land uses within approximately 500 feet of the subject property in all directions.

NORTH: vacant residential

SOUTH: neighbor residential

EAST: neighbor residential

WEST: neighbor residential

PIMA COUNTY
DEVELOPMENT SERVICES

Building & Site Development
201 N. Stone Avenue, 1st Floor
Tucson, AZ 85701-1207

LETTER OF AUTHORIZATION

As required by Arizona Revised Statues I herby certify that I am the owner of the property referenced below and that the party whose name is listed below is authorized to take out Development Services permits in my name:

7700 W Yedra RD
Property Address

Rezoning - RH → GR-1 on 4.77 ac.
Type of Permit Applied for: *(SFR/MF/Remodel/Addition/Fence or Wall/Home Occupation/Child Care/Secondary Dwelling/Assisted Living Home/Group Home)*

Simeon Escorza — 6-26-15
Signature of Applicant — Date

AUTHORIZED BY:

D. Joel E Dado (Escorza) — 6-26-15
Signature of Property Owner — Date

Per Board of Technical Registration and Registrar of Contractors regulation, Registrants and Licensed Contractors may apply for building permits without use of this form.

F. ANN RODRIGUEZ, RECORDER
RECORDED BY: MMW
DEPUTY RECORDER
0503 RO2B

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D
E

TTISE
DM FEDERAL CREDIT UNION
PO BOX 15115
TUCSON AZ 85708

DOCKET: 11695
PAGE: 2127
NO. OF PAGES: 1
SEQUENCE: 20012400583
12/13/2001
QCDEED 16:54

MAIL

AMOUNT PAID $ 10.00

QUITCLAIM DEED

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

CLAUDIA E. COLOSIO, a single woman

hereby remises, releases and quitclaims to:
JOEL E DADO AKA
JOEL ESCARZAGA, a married man, as his sole and seperate property
the following described property situated in Pima County, State of Arizona:

The East Half of the Southwest Quarter of the Southwest Quarter of the Northwest Quarter of Section 21, Township 15 South, Range 12 East, Gila and Salt River Base and Meridian, Pima County, Arizona.

Except the South 30 feet thereof which was conveyed to the Public for Street and Roadway Purposes by Docket 664, Page 226.
Further Except all coal and other minerals as reserved by the United States of America in Deed Book 196, page 184.

DATED: 10-01-2001

Claudia E Colosio
(GRANTOR)

(GRANTOR)

11695 2127

* EXEMPT 11-1134 B3

STATE OF ARIZONA
COUNTY OF PIMA
This instrument was acknowledged before me this 1st day of OCTOBER, 2001
by Claudia E. Colosio

Signature Carol A. Castro
Notary Public

My Commission Expires: 4/13/04

CAROL A. CASTRO
Notary Public - Arizona
Pima County
My Comm. Expires Apr 13, 2004

Book-Map-Parcel: 210-41-0340 Oblique Image Tax Year: Tax Area: 0102

Property Address:

Street No	Street Direction	Street Name	Location
7700	W	YEDRA RD	Pima County

Taxpayer Information:
DADO JOEL E
7700 WYEDRA RD
TUCSON AZ

85757-9349

Property Description:
E2 SW4 SW4 NW4 EXC S30' 4.77 AC SEC 21-15-12

Valuation Data:

	2015 LEGAL CLASS	2015 VALUE	2015 ASMT RATIO	2015 ASSESSED VALUE	2016 LEGAL CLASS	2016 VALUE	2016 ASMT RATIO	2016 ASSESSED VALUE
LAND FCV	Primary Res (3)	$38,160	10.0	$3,816	Primary Res (3)	$38,160	10.0	$3,816
IMPR FCV	Primary Res (3)	$6,889	10.0	$689	Primary Res (3)	$6,777	10.0	$678
TOTAL FCV	Primary Res (3)	$45,049	10.0	$4,505	Primary Res (3)	$44,937	10.0	$4,494
LIMITED VALUE	Primary Res (3)	$45,049	10.0	$4,505	Primary Res (3)	$44,937	10.0	$4,494

Property Information:

Section:	21
Town:	15.0
Range:	12.0E
Map & Plat:	/
Block:	
Tract:	
Rule B District:	12
Land Measure:	4.77A
Group Code:	000
Census Tract:	4308
Use Code:	0830 (MFD HOME NON SUBD LOT)
File Id:	1
Date of Last Change:	8/8/2012

Commercial Characteristics:

Property Appraiser: June M. Phone: (520)724-8722

Commercial Summary

Interface	Total Sq Ft	Cost Value	CCS Override	Market Override
Y	0	$6,777	$0	$0

Commercial Detail

SEQ-SECT	Construct Year	Model/Grd	IPR	Sq Ft	RCN	RCNLD	Model Description
001-001	1984	061/3	0000000	0	$13,540	$6,777	MOBILE HOME YARD IMPROVEMENTS

Valuation Area:

Condo Market:	311
DOR Market:	51
MFR Neighborhood:	ST_EL_PUEBLO_PARK
SFR Neighborhood:	06018601
SFR District:	17

Supervisor District:
(3) SHARON BRONSON

Recording Information:

Sequence No.	Docket	Page	Date Recorded	Type
20080810420	13293	1242	4/25/2008	QUIT CLAIM DEED
20012400583	11695	2127	12/13/2001	QUIT CLAIM DEED
20010550361	11510	1043	3/21/2001	
19991730042	11127	115	9/8/1999	
0	6258	342	4/15/1980	

Parcel Note: Click to see/expand 2 note(s)

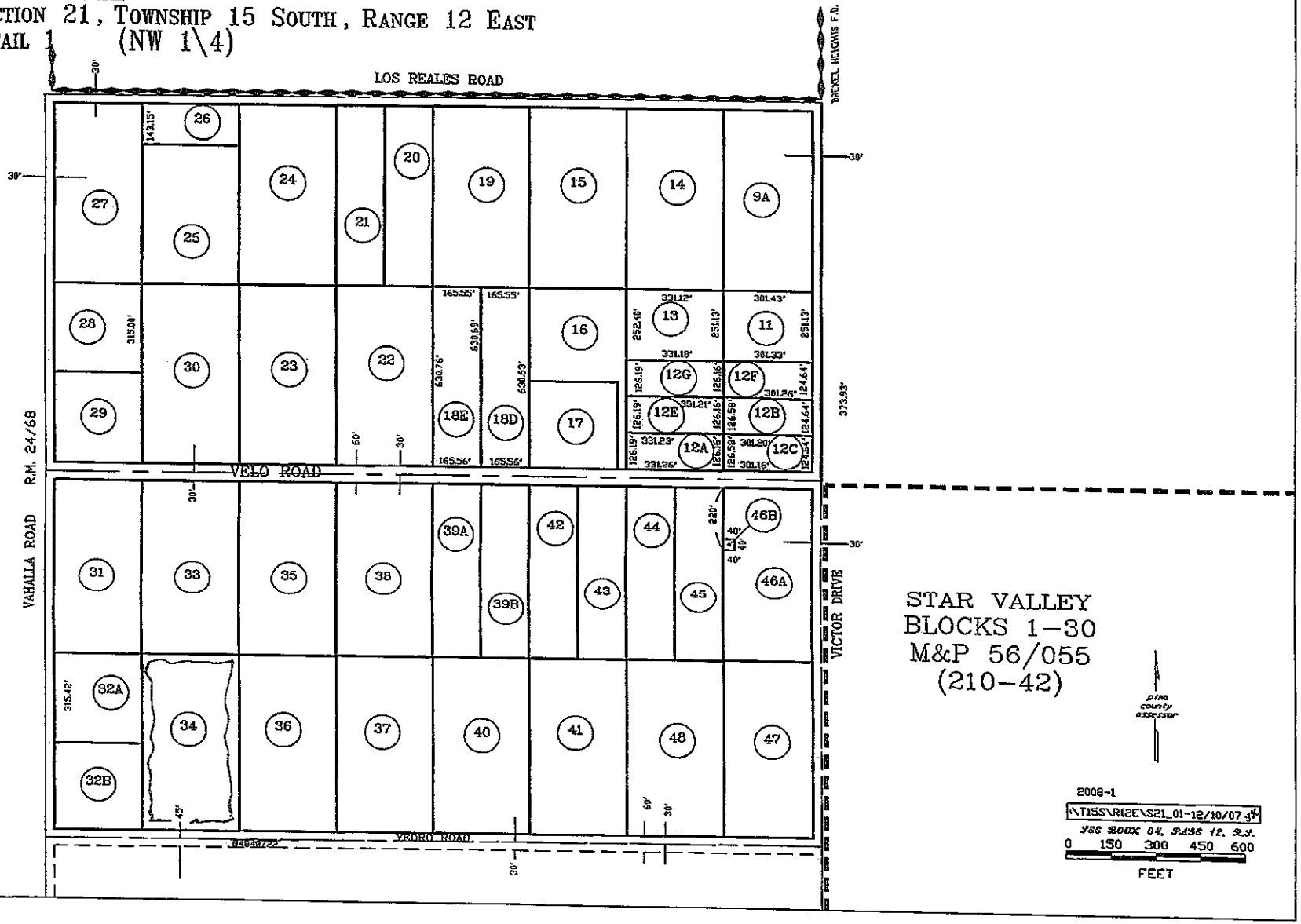
ASSESSOR'S RECORD MAP

210-41

SECTION 21, TOWNSHIP 15 SOUTH, RANGE 12 EAST

DETAIL 1 (NW 1\4)

FORMERLY
206-31



CCS