



## BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: May 3, 2016

**Title:** Co9-15-06 JUSTINS RV PARK & WATER WORLD LLC – S. SAN JOAQUIN ROAD REZONING

### **Introduction/Background:**

Request of Justins RV Park & Water World, LLC, represented by Norris Design, for a rezoning of approximately 25.22 acres from the TH (BZ) (Trailer Homesite - Buffer Overlay) zone and the GR-1 (BZ) (Rural Residential - Buffer Overlay) zone to the TH (BZ) (Trailer Homesite - Buffer Overlay) zone, on property located on the north side of S. San Joaquin Road approximately 1,000 feet northwest of the intersection of W. Bopp Road and S. San Joaquin Road. The proposed rezoning conforms to the Pima County Comprehensive Plan Co7-13-10.

### **Discussion:**

The proposed rezoning is one step towards bringing the existing Desert Trails RV Park, a portion of which was accessory to the now-closed Justin's Water World water park, into zoning conformance. No new development is proposed; the applicant will have to reduce the number of RV spaces to meet TH zone development standards. Staff recommends condition #12 (eliminate seven RV spaces in the northeastern portion of site) to help make up the deficiency in the minimum amount of natural open space to meet the Buffer Overlay Zone ordinance. The site is subject to the Buffer Overlay Zone due to its proximity to Tucson Mountain Park.

### **Conclusion:**

The Planning and Zoning Commission recommended approval subject to conditions as requested by staff (7-0, Commissioners Holdridge, Bain, and Cook were absent) including an elimination of the seven RV spaces. The Design Review Committee voted to approve the applicant's request for the BZ variances and allowed for the seven RV spaces.

### **Recommendation:**

Staff recommends approval with conditions consistent with the Planning and Zoning Commission, to include eliminating the seven RV spaces. The DRC recommend allowance of the seven RV spaces.

### **Fiscal Impact:**

0

### **Board of Supervisor District:**

☐ 1      ☐ 2      ☒ 3      ☐ 4      ☐ 5      ☐ All

Department: Pima County Development Services - Planning Telephone: 520-724-9000

Department Director Signature/Date: \_\_\_\_\_

Deputy County Administrator Signature/Date: \_\_\_\_\_

County Administrator Signature/Date: \_\_\_\_\_

*[Handwritten signatures and dates]*  
4-11-16  
4/12/16  
4/13/16



**PIMA COUNTY**  
DEVELOPMENT SERVICES

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

**FROM:** Chris Poirier, Planning Official

**DATE:** April 11, 2016

**SUBJECT:** Co9-15-06 JUSTINS RV PARK & WATER WORLD LLC – SOUTH SAN JOAQUIN ROAD REZONING #2

The above referenced Rezoning is within your district and is scheduled for the Board of Supervisors' **TUESDAY, MAY 3, 2016** hearing.

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**REQUEST:** A rezoning of approximately 25.22 acres from the TH (BZ) (Trailer Homesite – Buffer Overlay) zone and the GR-1 (BZ) (Rural Residential – Buffer Overlay) zone to the TH (BZ) (Trailer Homesite – Buffer Overlay) zone, on property located on the north side of S. San Joaquin Road approximately 1000 feet northwest of the intersection of West Bopp Road and San Joaquin Road.

**OWNER:** Justins RV Park & Water World LLC  
Pericles Wyatt  
3551 S. San Joaquin Road  
Tucson, AZ 85735

**AGENT:** Stacey Weeks  
Norris Design  
418 N. Toole Ave.  
Tucson, AZ 85701

**DISTRICT:** 3

**STAFF CONTACT:** Janet Emel

**PUBLIC COMMENT TO DATE:** As of April 11, 2016, staff received one letter of opposition on the day of (but after) the Planning and Zoning Commission public hearing. On the same day, however, a letter from the same person withdrawing their opposition was received. At the Planning and Zoning Commission hearing, no one from the audience spoke.

**PLANNING & ZONING COMMISSION RECOMMENDATION:** APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS as amended (7 – 0, Commissioners Holdridge, Bain, and Cook were absent).

**STAFF RECOMMENDATION:** APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS with a revision to condition #12 replacing the word “lots” with “spaces”.

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

MH/JE/ar  
Attachments



## **BOARD OF SUPERVISORS MEMORANDUM**

Subject: Co9-15-06

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### **FOR MAY 3, 2016 MEETING OF THE BOARD OF SUPERVISORS**

TO: HONORABLE BOARD OF SUPERVISORS

FROM: Chris Poirier, Planning Official  
Public Works-Development Services Department-Planning Division

DATE: April 11, 2016

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### **ADVERTISED ITEM FOR PUBLIC HEARING**

#### **REZONING**

#### **Co9-15-06 JUSTINS RV PARK & WATER WORLD LLC – S. SAN JOAQUIN ROAD REZONING #2**

Request of **Justins RV Park & Water World LLC**, represented by **Norris Design**, for a rezoning of approximately 25.22 acres from the TH (BZ) (Trailer Homesite – Buffer Overlay) zone and the GR-1 (BZ) (Rural Residential – Buffer Overlay) zone to the TH (BZ) (Trailer Homesite – Buffer Overlay) zone, on property located on the north side of S. San Joaquin Road approximately 1000 feet northwest of the intersection of West Bopp Road and San Joaquin Road. The proposed rezoning conforms to the Pima County Comprehensive Plan Co7-13-10. On motion, the Planning and Zoning Commission voted 7-0 to recommend **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS** as amended (Commissioners Holdridge, Bain, and Cook were absent). Staff recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS with a revision to condition #12 replacing the word “lots” with “spaces”**.  
(District 3)

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#### **PLANNING AND ZONING COMMISSION HEARING SUMMARY (January 27, 2016)**

Staff presented information from the staff report to the Commission with a recommendation of approval with conditions with a revision to condition #12 replacing the word “lots” with the word “spaces”. Staff indicated that condition #12 and #13 are intended to address the development’s deficiency of Buffer Overlay Zone natural open space and the layout of the Recreational Vehicle (RV) Park.

A commissioner asked if it would be better to have a condition requiring that the RV park meet all County development standards. Staff responded that the rezoning process is the first step towards getting the park into compliance; they will have to go before various bodies to get exceptions from County regulations. Staff explained that condition #5 is worded to require adherence to the site plan as shown after revisions are made based on whether or not exceptions are approved. Another step towards compliance will be approval of a development plan. The RV park to the west of the subject site has an approved development plan and the rezoning site should look better when it adheres to the development plan.

The commissioner responded that sometimes those things do not get done and he wants it to be a decent, "honest" RV park. He said that he is more interested in seeing how it is going to be laid out rather than how many units there are or whether remnant structures from the water park are cleaned up.

Staff noted that the existing development has approximately 245 spaces whereas the applicant proposes 212 spaces so there will be less congestion.

The owner's representative provided some history of the site and described the existing development saying they do not intend to change anything. He stated that when his client took ownership of the property in 1998 it was already developed. He pointed out that there is a comprehensive plan rezoning policy for the site allowing a rezoning request to the TH zone. The representative stated that if the property was less than 25 acres, the Buffer Overlay Zone would not apply. [Staff note: This is incorrect as the Buffer Overlay Zone applies to any rezoning request no matter the acreage.] The representative stated that there would be a reduction of 33 RV spaces from the existing development. The representative commented that it would be a huge expense to retrofit the development to County standards and that it is a tax asset to the County. He described features of the existing development such as the Oleander hedge, the EL Paso Natural Gas easement, and added that there is precedence for the seven spaces in the northeast corner. The representative said the applicant is requesting relief from the staff-recommended conditions #12 and #13.

A commissioner asked staff what their reaction is to the representative's request for relief from the conditions. Staff responded that application of the minimum natural open space requirements of the Buffer Overlay Zone ordinance is important for this site given the proximity of Tucson Mountain Park which is the public preserve the overlay zone is intended to protect. Those particular seven spaces are adjacent to the existing natural open space. Staff added that the reason why the RV park to the west does not have more natural open space is because it was rezoned prior to the onset of the overlay zone. Staff added that a reason for condition #13 is that upon a site visit, staff found the site to be congested and not well delineated.

A commissioner commented that she agrees and is not inclined to remove the conditions.

The public hearing was closed.

Commissioner Neeley made a motion to **APPROVE** the rezoning with conditions as presented with staff's revision to replace the word "lots" with spaces in condition #12. The motion was seconded.

The commission voted to **APPROVE** the rezoning (7 – 0, Commissioners Holdridge, Bain, and Cook were absent) with the following conditions:

**DESIGN REVIEW COMMITTEE (March 17, 2016)**

On March 17, 2016 the Design Review Committee (DRC) heard a request for two exceptions from the requirements of the Buffer Overlay Zone ordinance which applies to the rezoning site. The exceptions were to reduce the minimum natural open space required for the rezoning site and to allow oleanders which are not allowed per the Buffer Overlay Zone (BZ) ordinance plant list. Staff had recommended that the seven RV spaces in the northeastern portion of the site be eliminated and the area revegetated to help meet the minimum natural open space requirement for the site. The seven spaces represent an increase from approximately 34% to 38% for natural open space on the rezoning site (out of the required minimum of 50% of the rezoning site being natural open space). The DRC voted to allow the seven RV spaces and allow the oleanders, but remove any bamboo from the bufferyard (6-0 with DRC with member Weeks abstaining).

**The rezoning conditions as recommended by staff and the Planning and Zoning Commission**

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 subject to modifications as necessary to meet county ordinances and rezoning conditions including conditions numbered 12 and 13.
6. Transportation condition: The property shall be limited to one access point as shown on the preliminary development plan.
7. Flood Control conditions:
  - A. An updated Drainage Report conforming to current requirements shall be submitted with the Development Plan. Based on this information, modifications to the existing improvements as shown PDP may be required.
  - B. Post development floodplains, Erosion Hazard Setbacks and Pima County Regulated Riparian Habitat shall be contained in permanently identified open space through easement or dedication.
  - C. Water conservation measures identified in the Preliminary Integrated Water Management Plan shall be implemented with the development. Where necessary, some measures may also be required to be included in the project's CC&Rs and a Final Integrated Water Management shall be submitted to the District for review and approval with the Development Plan.

8. 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.
9. 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.
10. 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)."
11. 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.
12. The seven ~~lots~~ spaces in the northeast portion of the subject site as shown on the preliminary development plan shall be removed, revegetated with native vegetation according to the Buffer Overlay zone (BZ) plant list, and maintained as natural open space contiguous with the proposed natural open space in the north/northwest portion of the site.
13. A maximum of 205 RV park spaces shall be allowed.

MH/JE/ar  
Attachments

c: Justins RV Park & Water World LLC, Pericles Wyatt, 3551 S. San Joaquin Road  
Tucson, AZ 85735  
Stacey Weaks, Norris Design, 418 N. Toole Ave., Tucson, AZ 85701  
Mark Holden, Principal Planner  
Co9-15-06 File

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

**HEARING** January 27, 2016

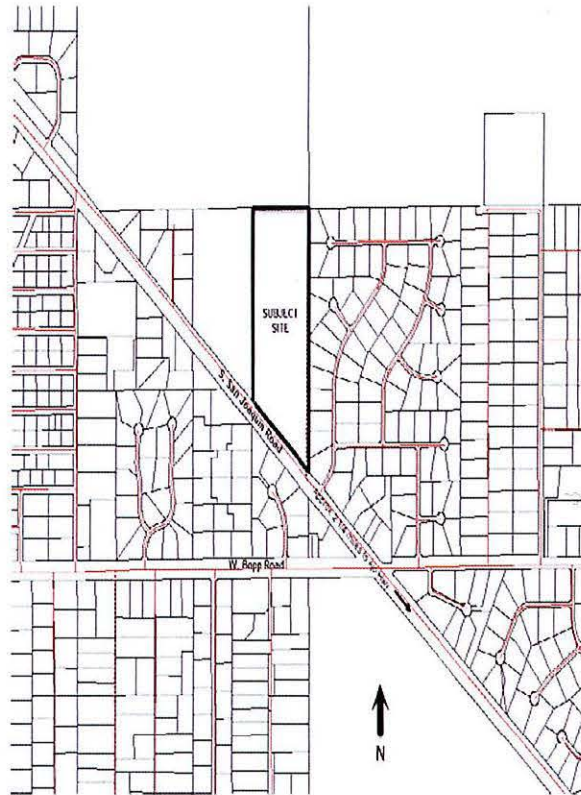
**DISTRICT** 3

**CASE** Co9-15-06 Justins RV Park &  
Water World LLC – S. San  
Joaquin Road Rezoning #2

**REQUEST** Rezone from TH (BZ) (Trailer  
Homesite - Buffer Overlay) and  
GR-1 (BZ) (Rural Residential –  
Buffer Overlay) zones to TH (BZ)  
(Trailer Homesite – Buffer  
Overlay) zone (25.22 acres)

**OWNER** Justins RV Park & Water World  
LLC  
Pericles Wyatt  
3551 S. San Joaquin Road  
Tucson, AZ 85735

**APPLICANT** Stacey Weaks  
Norris Design  
418 N. Toole Ave.  
Tucson, AZ 85701



**APPLICANT'S PROPOSED USE**

Existing RV Park and associated accessory uses.

**APPLICANT'S STATED REASON**

To bring the existing Desert Trails RV Park into zoning conformance. The RV park has over 200 RV spaces plus recreational and other accessory uses serving the RV park. Currently, the subject site has split zoning; the northern portion is GR-1 and southern portion is conditionally zoned TH. The requested rezoning will create one consistent zoning designation of TH across the entire property.

**COMPREHENSIVE PLAN DESIGNATION**

This rezoning request was submitted prior to the recent approval of Pima Prospers (the update of the Pima County Comprehensive Plan). At the time of submittal, the designation for the subject site was Resource Transition (RT) with rezoning policy "RP-43" allowing a rezoning request to the TH zone, for which an RV park would be a permitted use. The rezoning request is consistent with the then existing comprehensive plan

Pima Prospers designates the site as Medium Intensity Rural (MIR) and brought forward rezoning policy RP-43 allowing a rezoning request to the TH zone, for which an RV park would be a permitted use. The rezoning request continues to be consistent with the comprehensive plan as updated with Pima Prospers.

### **SURROUNDING LAND USES/GENERAL CHARACTER**

North:	RH (Rural Homestead)	Undeveloped/Federal land
South:	GR-1 (Rural Residential)	San Joaquin Road/Residential
East:	GR-1 (Rural Residential)	Residential
West:	TH (Trailer Homesite)	RV Park

The one mile Buffer Overlay zone abutting Tucson Mountain Park applies to the subject site and includes requirements such as earthtone building colors, screened parking lots, vegetation according to the accepted plants list, special treatment of washes, trails access, and a minimum amount of natural open space. Any of the Buffer Overlay zone requirements that cannot be met will need to be considered by the Design Review Committee.

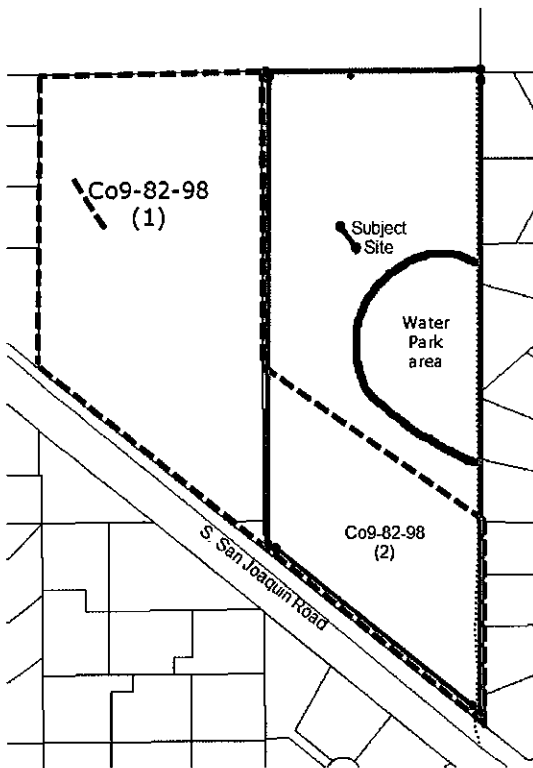
San Joaquin Road is a designated Scenic/Major Route per the Major Routes Plan and the Scenic Routes Plan. Structures within 200 feet of a scenic/major route must meet certain requirements such as earthtone colors, specific landscape bufferyards, and a maximum height.

### **PREVIOUS REZONING CASES ON PROPERTY**

There have been two previous rezoning submittals for the subject site.

#### **Co9-82-98 Justin – San Joaquin Road Rezoning** (see map below – dashed line)

A request to rezone approximately 26 acres from GR-1 to TH for the southern portion of the subject site and for the property to the west of the subject site was conditionally approved in 1983. Ownership of the Co9-82-98 rezoning site was then split between the property to the west (1) and the southern portion (2) of the current subject site.



(1) Property to the west of the subject site: The owner submitted an approved development plan, completed the rezoning conditions of Co9-82-98, and acquired a Certificate of Rezoning Compliance in 2013 (confirming that rezoning conditions have been met). The property is now a conforming use as the San Joaquin RV Park.

(2) Southern portion of subject site: While a non-conforming RV park developed in this area over the years, no progress was made to complete the rezoning conditions of Co9-82-98. Eight (8) time extensions were granted reaching the limit and the time to complete the rezoning conditions expired.

As so much time had passed and the use remained non-conforming, staff recommended that the owner of subject site submit a new rezoning request for the entire east property. Otherwise time extensions and potential modifications to the Co9-82-98 rezoning conditions would be necessary to sync the two rezoning cases. If this current rezoning request is approved, Co9-82-98 for the (2) area will be closed.

### **Co9-03-26 Justins RV Park & Water World LLC – South San Joaquin Road Rezoning #1**

A request to rezone the subject site from GR-1 to TH was submitted in 2003. A second draft of a site analysis was submitted but the owner never responded to staff comments. The rezoning application expiration date was exceeded and the case was closed.

### **PREVIOUS REZONING CASES IN GENERAL AREA**

There have been no other recent rezonings in the area.

### **STAFF REPORT SUMMARY**

The applicant requests a rezoning to the TH – Trailer Homesite zone (or RV park zone) as one important step towards getting the existing Desert Trails RV Park into zoning compliance. The applicant does not intend to expand the development but to make what exists compliant. In addition to the rezoning request, the applicant will likely request exceptions from some county requirements.

Staff recommends **APPROVAL with conditions**. Staff supports the rezoning of the property but subject to standard and special rezoning conditions including these revisions to the preliminary development plan (PDP) (reference rezoning conditions numbered 12 and 13 for specific wording):

- The seven lots in the northeast portion of the subject site shall be removed, revegetated with native vegetation according to the Buffer Overlay zone (BZ) plant list, and maintained as natural open space contiguous with the proposed natural open space in the north/northwest portion of the site. The proposed natural open space does not meet the minimum amount of natural open space required by the BZ which applies to the subject site. Restoring this area will help make up the deficiency. This is an important area to adhere to the natural open space requirements of the BZ. The abutting property to the north is natural resource, BLM-owned land and north of that is the public preserve Tucson Mountain Park which the BZ is intended to buffer.
- The maximum number of RV park spaces shall be 205. Staff suggests the TH zone development standards of minimum area per trailer (2000 sq.ft.) and minimum distance between trailers (20 ft.) should be met. Upon a site visit, staff found the current development to be congested and without clear delineation. The attached aerial photo shows a notable difference between the conforming San Joaquin RV Park to the west and the existing Desert Trails RV Park. The existing number of spaces is roughly 245.

Staff suggests that the designation of “functional open space” for the area on the PDP located in the west-central portion of the property should be removed unless mitigation or restoration of this area occurs. Mitigation could be in the form of setting back RV spaces, clean up of old remnants of the water park, and revegetation with native plants. Currently, this area is not “open space”; it is completely developed. Sample photos of the area are attached. As it currently exists, the area should not qualify as any natural open space as well because to qualify, the area cannot impede wildlife. Without mitigation, as it exists, this area is not conducive to wildlife habitat or movement. The northwest portion of the property, however, has been maintained relatively natural and should be expanded to help meet the natural open space requirements of the Buffer Overlay zone.

Staff also emphasizes the importance of meeting minimum amenity landscaping requirements of the zoning code and floodplain and riparian habitat requirements as determined by Regional Flood Control District requirements.

### **Planning Analysis**

The property is surrounded by the developed San Joaquin RV park to the west, natural resource BLM-owned land to the north, a low-density residential subdivision (Wonderland) to the east, the designated scenic/major route San Joaquin Road to the south, and low-density residential development to the south of San Joaquin Road.

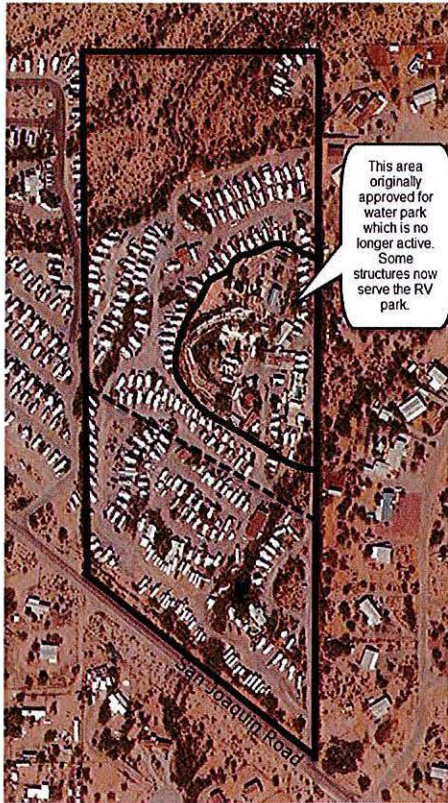
The use of an RV park is consistent with the use to the west and with San Joaquin Road. The subject site is relatively flat with the exceptions of the three washes and a man-made, built-up area in the central portion which was originally part of the water park. There is regulated riparian habitat on the subject site, one part of which a structure lies. The subject site is not within the Maeveen Marie Behan Conservation Lands System. The existing development is served by septic systems and water service is provided by Tucson Water. An oleander hedge exists along the east property boundary screening the use from the neighbors. Oleander is, however, not an allowed plant within the Buffer Overlay zone. This is an example of an exception the applicant will have to request. As described above, as it currently exists the area called "functional open space" on the PDP is not open space. Staff suggests this area be mitigated in the form of clearing out some structures and revegetating if it is to be open space.

Upon a site visit, the area is very congested with structures and remnants of the water park. The spaces are not clearly delineated. The two recommended rezoning conditions above are intended to address this issue and make the park more consistent with zoning standards and the RV park to the west.

### **Background History**

The circumstances of how the current situation came to be are complicated, the history is extensive, and some of the details are missing. The following is a very simplified history of how the current situation arose:

- Original applicant for Co9-82-98 (refer to pg. 2 map) owned both the subject site and the parcel to the west.
- A water park (Justin's Water World) (refer to pg. 2 map) was developed on the subject site under the GR-1 zone. The use was considered a conforming use and had an approved development plan (CO DW-79-2).
- The subject site including the water park became a partnership including the applicant.
- Over the years, a small RV park that developed south of the water park expanded into a much more extensive RV park. By 2004, staff agreed with the owners that the site needed to be rezoned and made to meet all current County requirements to get the development into compliance.
- In 2007 the water park closed.



- Ownership was then split between the two properties.
- The property to the west of the subject site – San Joaquin RV Park - was developed in compliance with county ordinances.
- The subject site is now being used as Desert Trails RV Park with many of the water park remnant structures used for the RV park (laundry, recreational, and gym facilities). Additionally, there is a six-acre natural area in the northern portion of the site.
- The applicant is now wishing to get the subject site into conformance. Staff recommended that the applicant submit a completely new rezoning request rather than try to develop the property with one development plan and two sets of variously aged rezoning conditions.

Several steps will need to be achieved to get the RV park into zoning compliance: approval of the rezoning, approval by the Design Review Committee to allow exceptions to the Buffer Overlay zone requirements that the applicant cannot meet, submittal of a development plan, approval of any additional exceptions to the county regulations upon review of the development plan, approval of a development plan, completion of the rezoning conditions, and acquisition of required permits.

#### Concurrency of Infrastructure

Concurrency of infrastructure exists to serve the proposed development:

CONCURRENCY CONSIDERATIONS		
<i>Department/Agency</i>	<i>Concurrency Considerations Met: Yes / No / NA</i>	<i>Other Comments</i>
TRANSPORTATION	Yes	No objection subject to conditions
FLOOD CONTROL	Yes	No objection subject to conditions
WASTEWATER	NA	No sewer in the vicinity; will rely on septic system
PARKS AND RECREATION	NA	No objection

CONCURRENCY CONSIDERATIONS		
WATER	Yes	Property is served by Tucson Water
SCHOOLS	Yes	Minimal impact to schools
AIR QUALITY	NA	No comment
ENVIRONMENTAL QUALITY	Yes	No objection

#### 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 such as: 1) Concentrate new growth in designated areas outside of the Conservation lands system...; and, 2) Provide a mix of housing types for all income levels.

#### TRANSPORTATION REPORT

The Department of Transportation has no objection to the proposed rezoning. The roads in the vicinity of this rezoning are functioning below capacity. Transportation concurrency considerations have been met. The rezoning site has a single access point onto San Joaquin Road approximately 1,000 feet north of the intersection of Bopp Road and San Joaquin Road. The site currently operates as an RV park with 246 recreation vehicle spaces. To bring this site into conformance with current development standards, the number of spaces will be reduced to 212. There are no proposed streets associated with this request. Trip generation is estimated around 1,000-1,200 ADT.

San Joaquin Road is a two-lane, paved county-maintained low volume arterial with 150 feet of existing right-of-way. The current traffic count is 2,426 ADT and the capacity is 15,930 ADT. Bopp Road is a two lane paved county maintained low volume arterial with 150 feet of existing right-of-way. The current traffic count is 5,354 ADT and the capacity is 15,930 ADT.

This project will have no new impact on the surrounding transportation network due to the fact that the use is not changing. The site is already built as an RV park and the number of units will be reduced as a result of this request. The existing internal drive is paved.

The Department of Transportation has no objection to this request subject to Condition #6.

#### FLOOD CONTROL REPORT

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

1. The site includes regulatory floodplains and riparian habitat as shown on the PDP. Development has occurred within these floodplains. Furthermore almost the entire site is within sheet flood area mapped by Pima County.
2. A Development Plan is required as is an updated Drainage Report. As acknowledged in the site analysis: "The need for additional water harvesting, erosion control, and stormwater detention improvements to bring the site into compliance with the Floodplain Management Ordinance will be will be evaluated at that time."
3. In 2007 a drainage complaint was filed against the property for alleged filling of the wash.
4. A satisfactory Preliminary Integrated Water Management Plan has been submitted.
5. As required, staff has conducted the Water Resources Impact Analysis (WRIA) as follows:
  - a. The site is within and currently served by Tucson Water. Tucson Water has access to and delivers renewable and potable water.
  - b. Per the ADWR Well Inventory those wells within 1 mile had depths to groundwater between 90 and 400 feet. Although the site itself is outside the groundwater trend mapping used for these reports : "Mason, Dale, 2014, Technical memo to the Tucson Groundwater Users Advisory Committee, Modeling results of the 2010 Supply and Demand Assessment model projection, Arizona Department of Water Resources", it is approximately one mile from the Southern Avra Valley Storage and Recovery Project (SAVSARP).
  - c. The site is located within a mapped subsidence zone wherein 3-4 inches of subsidence was measured between 1987 and 2005.
  - d. The nearest Groundwater-Dependent Ecosystem is a spring over 5 miles to the north.
  - e. The site is within the Avra Hydrogeologic Basin, and the depth to bedrock is 800-1600 feet.

Pima County's Water Resources Impact Assessment finds that, under existing conditions, the proposed **project will have access to renewable and potable water**. Based upon projections provided in the PIWMP, the small scale of the project, the availability of "renewable and potable" supplies and the distance form Groundwater Dependent Ecosystems the additional water **use is not likely to have significant adverse impacts on Shallow Groundwater Areas**.

The District has found that the project meets concurrency requirements and has no objection subject to Conditions 7A, 7B, and 7C.

#### **WASTEWATER RECLAMATION REPORT**

The Wastewater Reclamation Department has no objection to the proposed rezoning request.

**ENVIRONMENTAL QUALITY REPORT**

The Pima County Department of Environmental Quality does not have any concerns regarding the rezoning.

**NATURAL RESOURCES, PARKS AND RECREATION REPORT**

The department has no objection to the proposed rezoning request. Additionally, subject to Buffer Overlay zone requirements, the manager for Tucson Mountain Park reviewed the rezoning request and had no objections.

**CULTURAL RESOURCES REPORT**

Staff have no comments on this case.

**TUCSON WATER REPORT**

No objections to the rezoning of the entire project. This parcel is currently served by Tucson Water. The developer must keep Tucson Water apprised of any issues that transpire on the property which could affect water service to said parcel.

**TUCSON ELECTRIC POWER**

Tucson Electric Power Company has no objections to this rezoning.

**SCHOOL DISTRICT REPORT**

The proposed development of the RV Park will have minimal impact to the schools. TUSD does not have any concerns to the proposed development. (See attached)

**UNITED STATES FISH AND WILDLIFE SERVICE REPORT**

No written comments have been received to date.

**FIRE DISTRICT REPORT**

No written comments have been received to date.

**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:

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 subject to modifications as necessary to meet county ordinances and rezoning conditions including conditions numbered 12 and 13.
6. Transportation condition: The property shall be limited to one access point as shown on the preliminary development plan.
7. Flood Control conditions:
  - A. An updated Drainage Report conforming to current requirements shall be submitted with the Development Plan. Based on this information, modifications to the existing improvements as shown PDP may be required.
  - B. Post development floodplains, Erosion Hazard Setbacks and Pima County Regulated Riparian Habitat shall be contained in permanently identified open space through easement or dedication.
  - C. Water conservation measures identified in the Preliminary Integrated Water Management Plan shall be implemented with the development. Where necessary, some measures may also be required to be included in the project's CC&Rs and a Final Integrated Water Management shall be submitted to the District for review and approval with the Development Plan.
8. 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.
9. 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.
10. 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)."
11. 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.

12. The seven lots in the northeast portion of the subject site as shown on the preliminary development plan shall be removed, revegetated with native vegetation according to the Buffer Overlay zone (BZ) plant list, and maintained as natural open space contiguous with the proposed natural open space in the north/northwest portion of the site.
13. A maximum of 205 RV park spaces shall be allowed.

Respectfully Submitted,

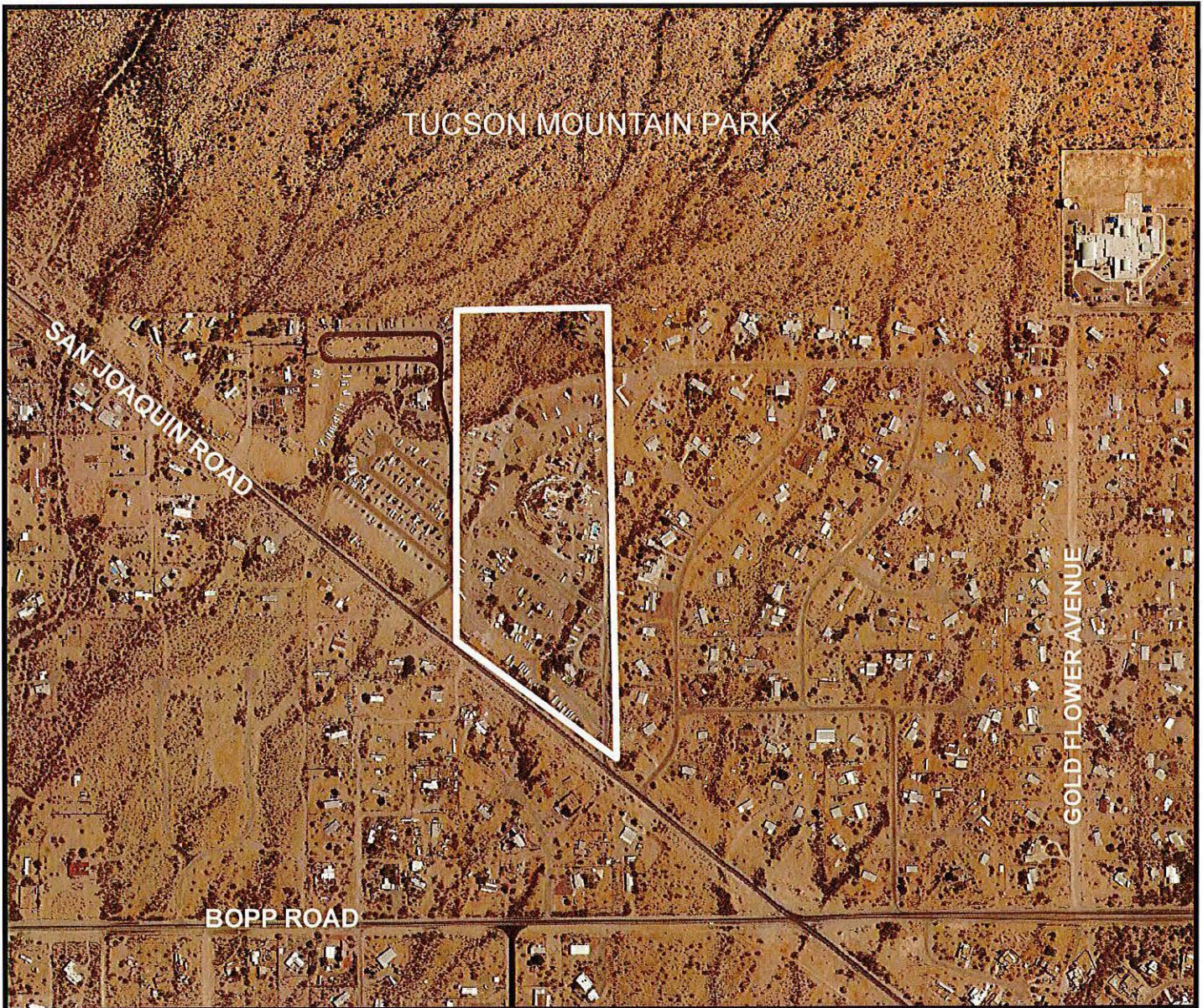
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Janet Emel, Senior Planner

c: Justins RV Park & Water World LLC  
Attn: Pericles Wyatt  
3551 S. San Joaquin Road  
Tucson, AZ 85735

Stacey Weaks  
Norris Design  
418 N. Toole Ave.  
Tucson, AZ 85701

Case #: Co9-15-006  
Case Name: JUSTINS RV PARK & WATER WORLD LLC - S. SAN JOAQUIN ROAD REZONING #2  
Tax Code(s): 212-35-1300



0 285 570 1,140 Feet

**PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT  
PLANNING DIVISION**



Notes: Ref: Co9-03-026 & Co9-83-098

PIMA COUNTY COMPREHENSIVE PLAN (CO7-01-09)

Planning & Zoning Hearing: 01/27/16 (scheduled)

Base Map(s): 67

Map Scale: 1:8,000

Map Date: 12/31/2015

