



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: May 17, 2016

Title: P16RZ00002 TOLANO - W. ILLINOIS STREET REZONING

Introduction/Background:

The applicant requests a rezoning from the SR (Suburban Ranch) zone to the SH (Suburban Homestead) zone for a 4.06-acre site on partially vacant property located at the northeast corner of Illinois Street and Fred Avenue, approximately 1/3 of a mile northwest of Ajo Highway.

Discussion:

The proposed use consists of 4 residential units, each residential unit on a 1-acre lot. The rezoning request from the SR zone to the SH zone allows the owner to split the subject site into 4 lots at approximately 44,000 square feet each. The proposed 4-lot split is similar to past rezoning requests in the immediate area. The Sketch Plan is consistent with surrounding residential development. The site is not located within the Maeveen Marie Behan Conservation Lands System.

Conclusion:

The requested rezoning complies with all Comprehensive Plan policies and Zoning Code requirements.

Recommendation:

Staff recommends approval of the rezoning request with standard and special conditions as noted in the staff report and in agreement with the Pima County Planning and Zoning Commission findings. The Planning and Zoning Commission recommended approval with standard and special conditions.

Fiscal Impact:

None

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 date]
4/25/16



PIMA COUNTY
DEVELOPMENT SERVICES

TO: Honorable Sharon Bronson, Supervisor, District 3

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

DATE: April 25, 2016

SUBJECT: P16RZ00002 TOLANO – W. ILLINOIS STREET REZONING

The above referenced Rezoning is within your district and is scheduled for the Board of Supervisors' **TUESDAY, MAY 17, 2016** hearing.

REQUEST: For a rezoning of approximately 4.06 acres from the SR (Suburban Ranch) zone to the SH (Suburban Homestead) zone, on property located at the northeast corner of Illinois Street and Fred Avenue, approximately 1/3 of a mile northwest of Ajo Highway.

OWNER: Tolano, Jaime & Sonia JT/RS
6340 W. Illinois St.
Tucson, AZ 85735-8805

AGENT: Owner

DISTRICT: 3

STAFF CONTACT: Artemio Hoyos

PUBLIC COMMENT TO DATE: As of April 25, 2016, staff has received no written public comments.

PLANNING & ZONING COMMISSION RECOMMENDATION: APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS (8 – 0, Commissioners Neeley and Cook were absent).

STAFF RECOMMENDATION: APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS.

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

TD/AH/ar
Attachments



PIMA COUNTY

DEVELOPMENT SERVICES

BOARD OF SUPERVISORS MEMORANDUM

Subject: P16RZ00002

Page 1 of 3

FOR MAY 17, 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 25, 2016

ADVERTISED ITEM FOR PUBLIC HEARING

REZONING

P16RZ00002 TOLANO – W. ILLINOIS STREET REZONING

Request of Jaime and Sonia Tolano for a rezoning of approximately 4.06 acres from the SR (Suburban Ranch) zone to the SH (Suburban Homestead) zone, on property located at the northeast corner of Illinois Street and Fred Avenue, approximately 1/3 of a mile northwest of Ajo Highway. The proposed rezoning conforms to the Pima Prospers (Pima County Comprehensive Plan), which designates the property for Low Intensity Urban-3.0 (LIU-3.0). On motion, the Planning and Zoning Commission voted 8-0 to recommend **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS** (Commissioners Neeley and Cook were absent). Staff recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**.
(District 3)

PLANNING AND ZONING COMMISSION HEARING SUMMARY (March 30, 2016)

Staff presented information from the staff report to the commission with a recommendation of approval with conditions.

Staff stated that a note will be added to the Sketch Plan limiting the subject site to one residence per acre.

The owner, Mr. Tolano, introduced himself and provided additional information.

The public hearing was closed.

Commissioner Matter made a motion to **APPROVE** the rezoning with conditions as presented in the Staff Report.

Commissioner Gavin gave a second to the motion.

The commission voted to **APPROVE** the rezoning (8 – 0, Commissioners Neeley and Cook were absent) with the following conditions:

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. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
6. Transportation conditions:
 - A. Any common, private roadway/driveway serving more than one dwelling unit shall be paved (chip sealed) within six (6) months of the issuance of building permits.
 - B. The property shall be limited to three access points as shown on the Sketch Plan.
 - C. Only once access point will be permitted on Illinois Street.
7. Wastewater Reclamation conditions:
 - A. The owner/developer shall not construe any action by Pima County as a commitment to provide sewer service to any new development within the rezoning area until Pima County executes an agreement with the owner/developer to that effect.
 - B. The owner/developer shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department (PCRWRD) that treatment and conveyance capacity is available for any new development within the rezoning area, no more than 90 days before submitting any tentative plat, development plan, preliminary sewer layout, sewer improvement plan, or request for building permit for review. Should treatment and/or conveyance capacity not be available at that time, the owner/developer shall enter into a written agreement addressing the option of funding, designing, and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the PCRWRD.
 - C. The owner/developer shall time all new development within the rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream public sewerage system.
 - D. The owner/developer shall connect all development within the rezoning area to Pima County's public sewer system at the location and in the manner specified by the PCRWRD in its capacity response letter and as specified by PCRWRD at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.
 - E. The owner/developer shall fund, design and construct all off-site and on-site sewers necessary to serve the rezoning area, in the manner specified at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan or request for building permit.

- F. The owner/developer shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County, and all applicable regulations, including the Clean Water Act and those promulgated by ADEQ, before treatment and conveyance capacity in the downstream public sewerage system will be permanently committed for any new development within the rezoning area.
8. Adherence to the Sketch Plan with note indicating one (1) residential unit per one (1) acre-lot as approved at public hearing.
 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.

TD/AH/ar
Attachments

c: Tolano Jaime & Sonia, 6340 W. Illinois St., Tucson, AZ 85735-8805
Tom Drzazgowski, Principle Planner
P16RZ00002 File

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

HEARING March 30, 2016

DISTRICT 3

CASE P16RZ00002 Tolano – W. Illinois Street Rezoning

REQUEST Rezone from the SR (Suburban Ranch) zone to the SH (Suburban Homestead) zone (4.06 acres)

OWNER Tolano Jaime & Sonia JT/RS
6340 W. Illinois St
Tucson, AZ 85735-8805

APPLICANT (Owner)

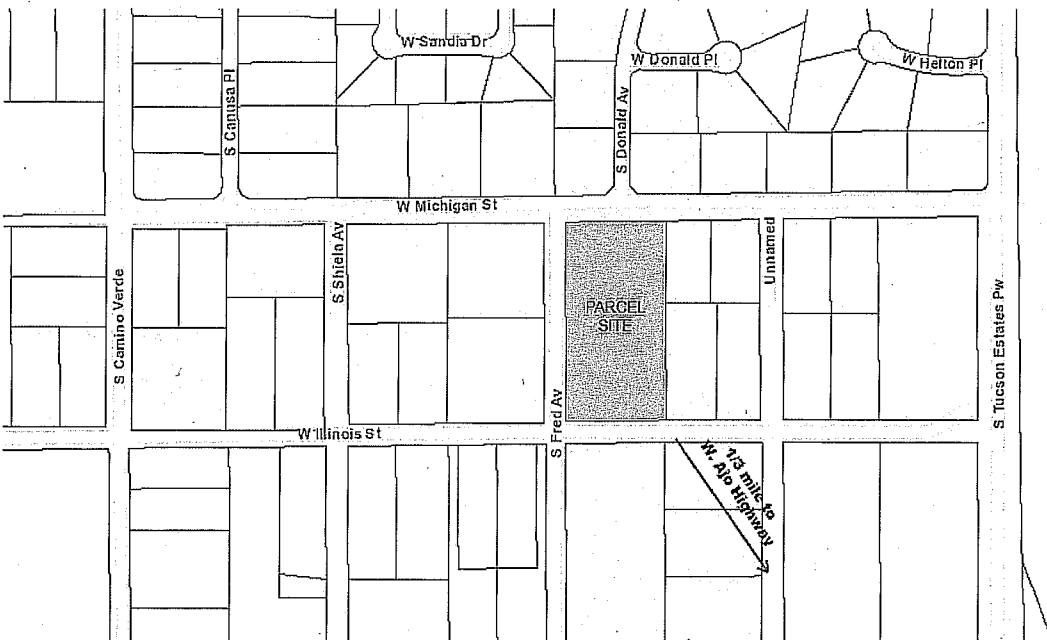
APPLICANT'S PROPOSED USE

Four (4) total residential units.

APPLICANT'S STATED REASON

The proposed rezoning is needed to split the property into 4 1-acre lots.

LOCATION MAP



COMPREHENSIVE PLAN DESIGNATION

Pima Prospers (Pima County Comprehensive Plan) designates the 4.06-acre rezoning site, parcel #212-45-0830, as Low Intensity Urban-3.0 (LIU-3.0). The requested SH zone and proposed Sketch Plan for the subject site conforms to the LIU-3.0 comprehensive plan designations. LIU-3.0 allows a

maximum density of 3.0 residences per acre (RAC). The objective of LIU is to designate areas for low density residential and other compatible uses while providing incentives for more natural open space. The RAC for each proposed 1-acre lot is 1.0. A map and description for LIU-3.0 is attached.

Special Area Policy:

Special Area Policy S-29 Southwest Infrastructure Plan (SWIP) 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. Given the size and number of proposed lots, the subject rezoning request by itself has limited relationship to the SWIP. The plan is more appropriate to large-scale development.

Special Area Policy S-35 Retail Enhancement Contribution Areas applies to a 4-mile radius of the intersection of Ajo Way and Kinney Road. Policy S-35 is for development of retail stores in excess of 40,000 square feet, operating constraints, and enhancement contributions.

SURROUNDING LAND USES/GENERAL CHARACTER

North:	SH/CMH-1	Residential
South:	SR/SH	Vacant/Residential
East:	SH	Residential
West:	SH	Residential

PREVIOUS REZONING CASES ON PROPERTY

None

PREVIOUS REZONING CASES IN GENERAL AREA

Recent activity:

None

Past activity:

The 4 adjacent lots east of the subject rezoning site were rezoned from SR to SH in 1982 and the 2 lots west across Fred Avenue were rezoned from SR to SH in 1987. Approximately 16 lots north across Michigan Street were rezoned from SR to SH during the period from 1971 to 1979. Eight (8) other neighboring lots southwest and southeast of the rezoning site were also rezoned from SR to SH in 1997 and 2003, respectively.

STAFF REPORT SUMMARY

Staff recommends **APPROVAL with conditions**. The applicant proposes a rezoning to the SH zone for a 4.06-acre site on partially vacant property located at the northeast corner of Illinois Street and Fred Avenue, approximately 1/3 of a mile northwest of Ajo Highway. The proposed Sketch Plan consists of 4 residential units, each residential unit on a 1-acre lot, representing a 1.0 RAC, which is consistent with surrounding residential development and the LIU-3.0 comprehensive plan land use category.

The rezoning request from the SR zone to the SH zone allows the owner to split the subject site into 4 lots at approximately 44,000 square feet each. Minimum site area for SH is 36,000 square feet compared to 144,000 for SR. The proposed 4-lot split is uniform with past rezoning requests in the immediate area to create one or more additional lots, often for family members to locate their homes. The subject site is one of the few remaining 4-acre lots in area that have not been split. Rezoning condition #8 has been recommended requiring adherence to the Sketch Plan which will limit the site to 4 lots as shown.

There is an existing residential unit in the southeastern section of the subject site. An existing access off of Illinois Street will be shared by the existing unit and the proposed southwest lot. There will be 2 new access points off of Michigan Street for each of the northern lots. All roadways in the area are functioning under capacity. Sewer will likely connect to the 8-inch public sewer line C-123 located on Fred Avenue west of the property.

The site is not located within the Maeveen Marie Behan Conservation Lands System (MMBCLS). There are no slopes greater than 15% located throughout the site as the neighborhood is relatively flat. The owner recorded 6 saguaros and 4 mesquite trees located within the site boundaries. During the development and grading stages the owner shall attempt to preserve the native trees.

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
WASTEWATER	Yes	No objection, subject to conditions
PARKS AND RECREATION	Yes	No objection
WATER	Yes	No objection
SCHOOLS	N/A	N/A

TRANSPORTATION REPORT

The Pima County Department of Transportation has no objection to this request subject to conditions, as all roadways in the area are functioning under capacity. The site is located on the south side of Illinois Street approximately a half a mile northwest of Ajo Highway. Access to the site is currently off of Illinois Street for an existing residence. The proposal is to split the lot into 4 lots approximately 1-acre in size. Two of the new lots will have direct access onto Michigan Street, and one new lot will share a driveway with the existing house on Illinois Street. The driveway on Illinois Street will need to be paved as a condition of this rezoning as it serves more than one residence. The proposed addition of three residential units would add approximately 30 average daily trips (ADT).

Illinois Street is an unpaved County maintained road. It is not listed on the major streets and routes plan. Michigan Street is a paved County maintained local street. It is not listed on the major street and routes plan. The nearest major routes are Tucson Estates Parkway and Camino Verde which are designated as low volume arterials with 90 feet of right-of-way, and Ajo Highway which is a State Highway. Traffic counts are not available at this time for either Tucson Estates Parkway or Camino Verde north of Ajo Highway. The most recent traffic count for Ajo Highway is 15,625 ADT. The capacity for Camino Verde is 13,122 ADT. The capacity for Tucson Estates Parkway is 15,930 ADT. Ajo Highway is currently being widened from Sandario to Kinney. Construction has not begun, but funding is in place and utility and right-of-way work has begun. Upon completion the capacity will be 39,800 ADT.

FLOOD CONTROL DISTRICT REPORT

The 4 proposed lots are all impacted by mapped sheet flood area and will therefore be referred to the District during permitting. The District has no objection to the rezoning or recommended conditions.

WASTEWATER RECLAMATION REPORT

The Planning Section of the Pima County Regional Wastewater Reclamation Department (PCRWRD) has reviewed the request for a rezoning and offers the following comments for your use. Approval of the rezoning would allow the subject parcel be split into four lots.

The rezoning site is located within the PCRWRD service area and is tributary to the Avra Valley Water Reclamation Facility. No Type I Capacity determination letter has been issued for this rezoning site, which will likely connect to the 8-inch public sewer line C-123 located in Fred Avenue west of the property.

The PCRWRD has no objection to the rezoning request subject to conditions.

CULTURAL RESOURCES REPORT

Cultural Resources have no comments.

NATURAL RESOURCES, PARKS AND RECREATION REPORT

Natural Resources, Parks and Recreation have no comments.

UNITED STATES FISH AND WILDLIFE SERVICE REPORT

U.S. Fish and Wildlife Service have no comments.

TUCSON WATER

Tucson Water has no objection to the proposed rezoning of the parcel at 6340 W. Illinois Street from SR to SH. There is an existing 3" CA water main in Illinois Street and an existing 8" CA water main in Michigan Street.

It is assumed that:

- The existing building located in the southeast quarter of the parcel will continue to use the existing water service in Illinois Street.
- The proposed southwest quarter will be served from the 3" CA water line in Illinois Street.
- The two northern quarters will be served from the 8" CA water line in Michigan Street.

DREXEL HEIGHTS FIRE DISTRICT

The Drexel Heights Fire District has reviewed the documents sent to us concerning the request for

revised zoning for Case P16RZ00002. We have no objections to the rezoning based on the request submitted.

As always, the concerns of the Fire District regarding the future development of this project will be adherence to codes, adequate water supply and fire flow capacity, and access to the development. We believe that all this area is currently within the corporate boundaries of the Fire District, but should it be found that any part of the proposed development are not within the Fire District, we would also recommend that annexation in the Fire District be a stipulation prior to future development.

PUBLIC COMMENT

As of the writing of this staff report, staff has received no comments.

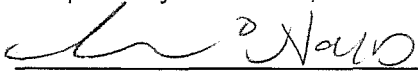
IF THE DECISION IS MADE TO APPROVE THE REZONING, THE FOLLOWING STANDARD AND SPECIAL CONDITIONS SHOULD BE CONSIDERED:

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. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
6. Transportation conditions:
 - A. Any common, private roadway/driveway serving more than one dwelling unit shall be paved (chip sealed) within six (6) months of the issuance of building permits.
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 - B. The owner/developer shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department (PCRWRD) that treatment and conveyance capacity is available for any new development within the rezoning area, no more than 90 days before submitting any tentative plat, development plan, preliminary sewer layout, sewer improvement plan, or request for building permit for review. Should treatment and/or conveyance capacity not be available at that time, the owner/developer shall enter into a written agreement addressing the option of funding, designing, and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the PCRWRD.
 - C. The owner/developer shall time all new development within the rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream

- public sewerage system.
- D. The owner/developer shall connect all development within the rezoning area to Pima County's public sewer system at the location and in the manner specified by the PCRWRD in its capacity response letter and as specified by PCRWRD at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.
 - E. The owner/developer shall fund, design and construct all off-site and on-site sewers necessary to serve the rezoning area, in the manner specified at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan or request for building permit.
 - F. The owner/developer shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County, and all applicable regulations, including the Clean Water Act and those promulgated by ADEQ, before treatment and conveyance capacity in the downstream public sewerage system will be permanently committed for any new development within the rezoning area.
8. Adherence to the Sketch Plan with note indicating one (1) residential unit per one (1) acre-lot as approved at public hearing.
 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(l)."
 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.

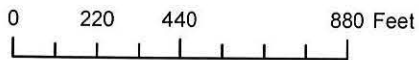
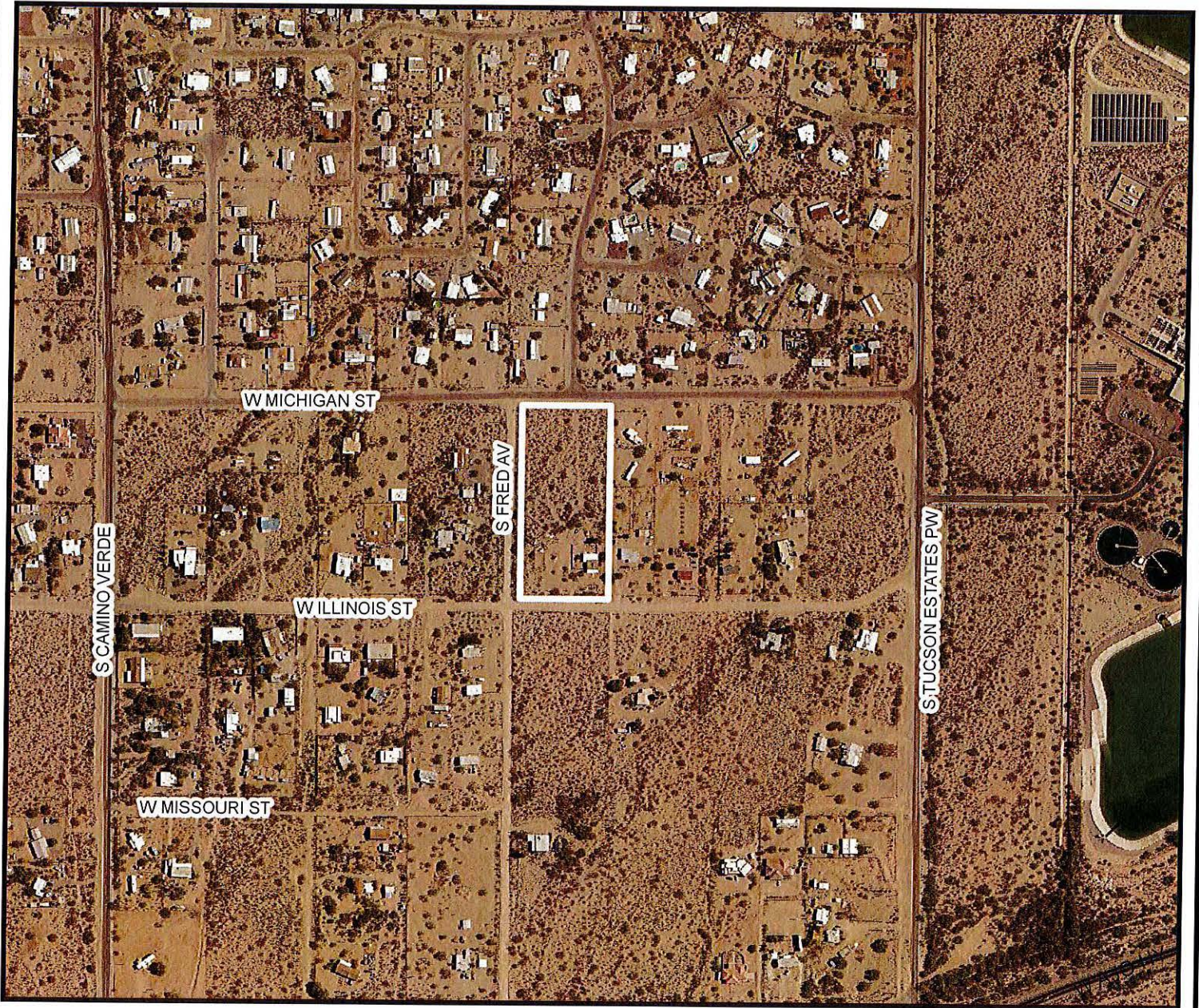
Respectfully Submitted,



Artemio Hoyos, AICP
Case Planner



Cc: Jaime Tolano, 6340 W. Illinois St, Tucson, AZ 85735

Case #: P16RZ00002
 Case Name: TOLANO - W. ILLINOIS STREET REZONING
 Tax Code(s): 212-45-0830







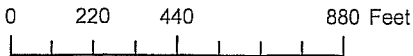
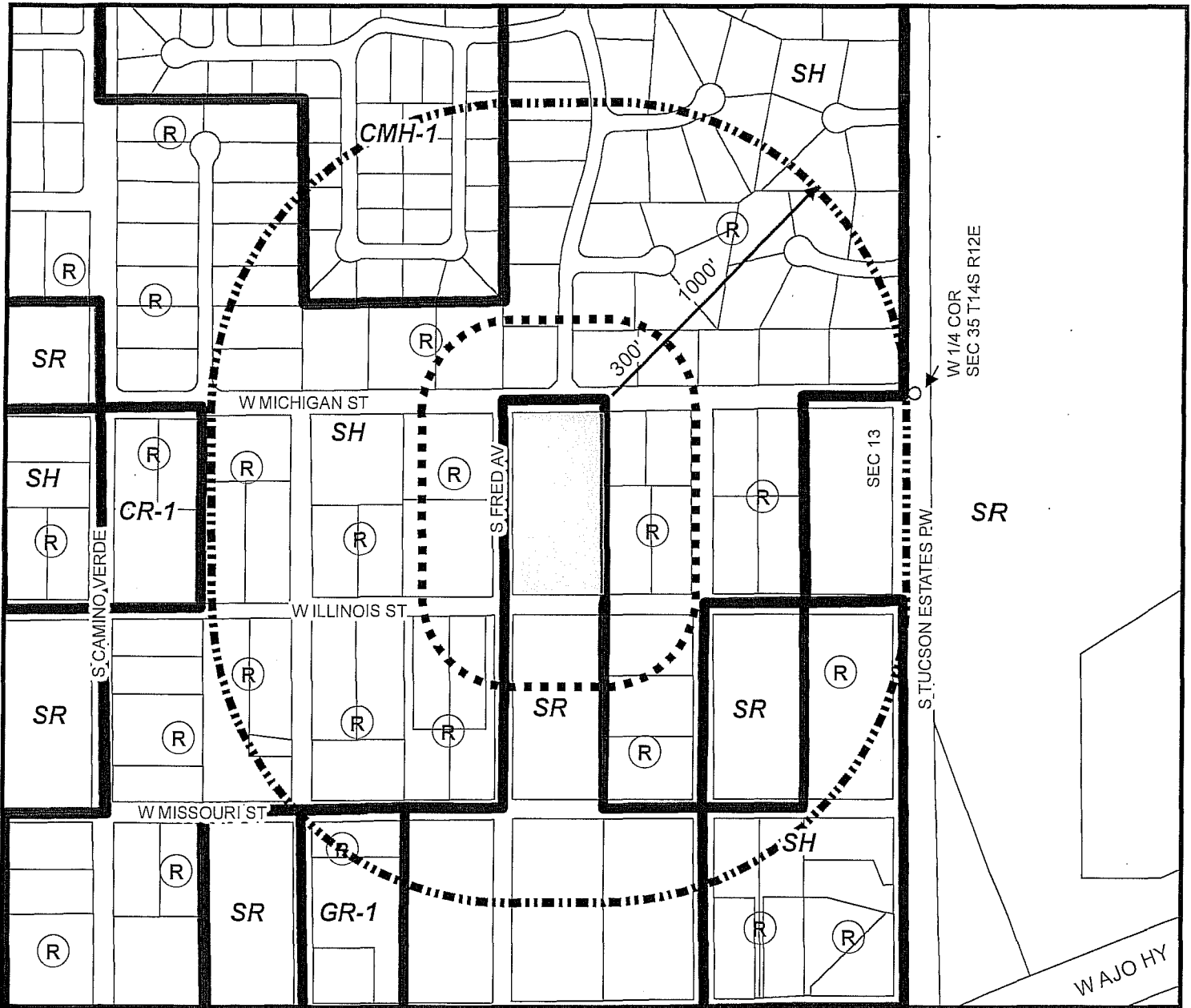
Proposed rezoning from SR to SH


**PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
 PLANNING DIVISION**

	Notes:		
	PIMA COUNTY COMPREHENSIVE PLAN CO7-13-10		
	Planning & Zoning Hearing: 03/30/16 (scheduled)		
	Base Map(s): 38	Map Scale: 1:6,000	



Case #: P16RZ00002
 Case Name: TOLANO - W. ILLINOIS STREET REZONING
 Tax Code(s): 212-45-0830

-  1000' Notification Area
-  300' Notification Area
-  Subject Site
-  Zoning Boundary

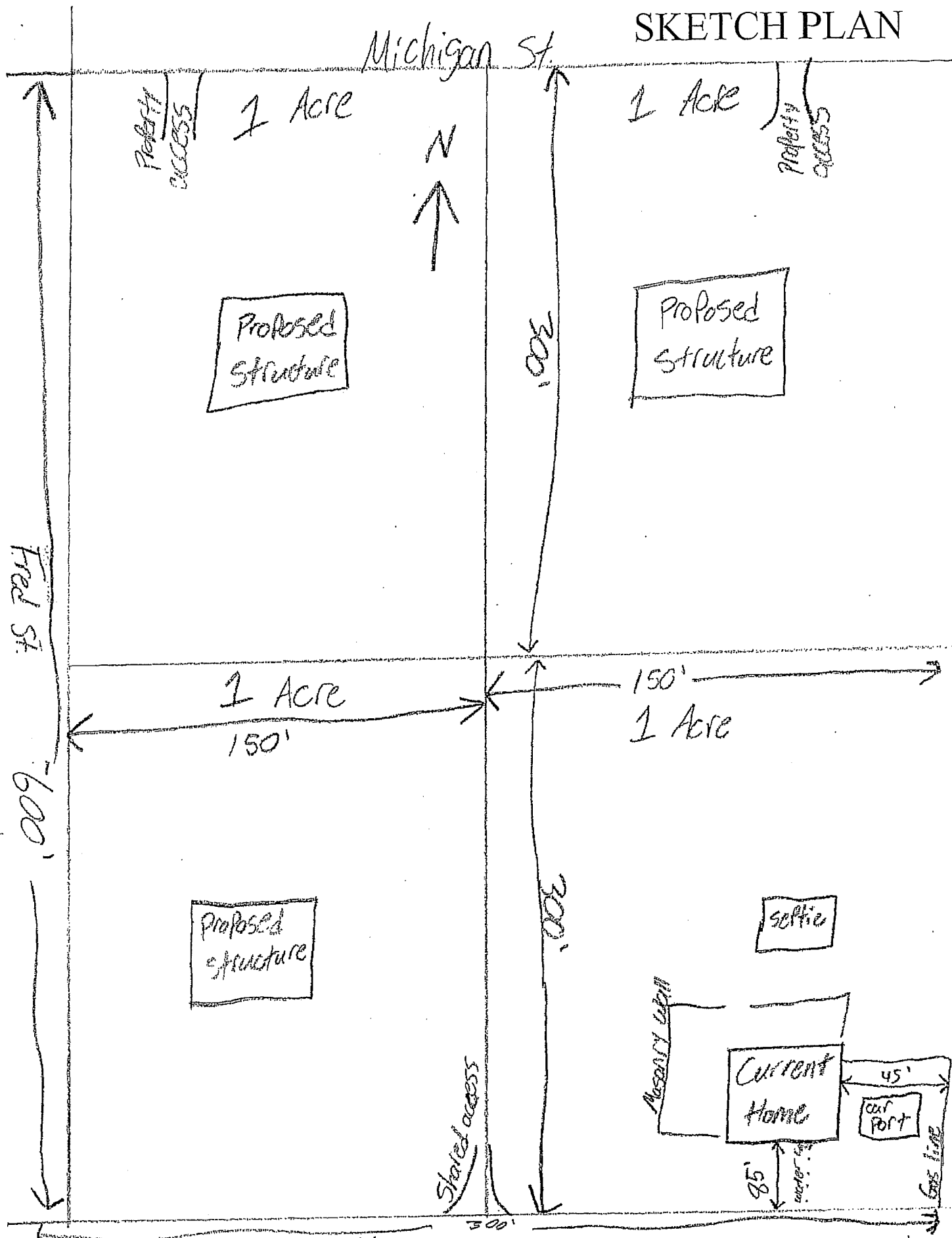


Area of proposed rezoning from SR to SH 

PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
 PLANNING DIVISION

 <p>PIMA COUNTY DEVELOPMENT SERVICES</p>	Notes:		
	PIMA COUNTY COMPREHENSIVE PLAN CO7-13-10		
	Planning & Zoning Hearing: 03/30/16 (scheduled)	Board of Supervisors Hearing: 05/17/16 (scheduled)	
	Base Map(s): 38	Map Scale: 1:6,000	

SKETCH PLAN



Illinois St
5/17/16

Note: one (1) residential unit per one (1)-acre lot

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

(CS20)

Jaime Tolano 6340 W. Illinois St. Jolietto7@gmail.com 3285109
Owner Mailing Address Email Address/Phone daytime / (FAX)

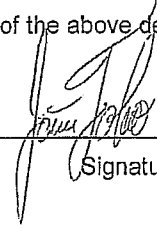
Applicant (if other than owner) Mailing Address Email Address/Phone daytime / (FAX)
6340 W. Illinois St. Tucson, AZ. 85735 212-45-0830

Legal description / property address Tax Parcel Number
4.06 SR SH Southwest/Low Intensity Urban 3.0
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.

1/29/16
Date


Signature of Applicant

FOR OFFICIAL USE ONLY

<u>Tolano - W Illinois Street</u>		<u>P16RZ00002</u>		
Case name		<u>Co9-</u>		
<u>SR</u>	<u>SH</u>	<u>38</u>	<u>\$2891</u>	<u>3</u>
Rezoning from	Rezoning to	Official Zoning Base Map Number	Fee	Supervisor District
<u>n/a</u>				
Conservation Land System category		<u>Southwest LIU 3.0</u>		
Cross reference: Co9-, Co7-, other		Comprehensive Plan Subregion / Category / Policies		

Received by MH Date 29 Jan 2016 Checked by _____ Date _____

P16RZ00002

Cos. _____

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) Jane Tolaro

NAME OF FIRM (if any) _____

INTEREST IN PROPERTY Jane Tolaro

SIGNATURE [Signature] DATE 1/29/16

A. PROPOSED LAND USE

1. Describe the proposed use of the property.

Residential

2. State why this use is needed.

Requesting rezoning to split property into 4 1 acre lots

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: 4 Type: Site built and Manufactured homes

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?

4 lots 1 acre each lot

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.)

Existing easement

7. What is the maximum proposed building height?

15 feet and 1 stories

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

Starting date: _____
Completion date: 1/18 to 8/18

9. If the proposed development is commercial or industrial:

- 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.
- 1 house
- b. If no, is the property undisturbed, or are there areas that have been graded?
- _____
2. If the proposed rezoning is approved, will the existing use be removed, altered, or remain as is?
- remain as is
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 than 15% are present on the property. Note any rock outcropping or unusual landforms or features.
- Flat topography with no slopes over 15%.
- _____

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

None

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?

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? _____ Acres, or 40 percent of the land area. How much of this area is currently graded? None

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: 6 under 8 feet with cavity: 0

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: 4

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.)

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

Tucson Water

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: Residential

SOUTH: Residential

EAST: Residential

WEST: Residential

**PIMA COUNTY DEVELOPMENT SERVICES
BIOLOGICAL IMPACT REPORT GUIDELINES
FOR REZONING APPLICATIONS**

(March 2010)

With the Board of Supervisors' approval of Ordinance No. 2001-103 in July 2001, Chapter 18.91 of the Zoning Code was amended to require that a Biological Impact Report be included as part of the documentation submitted for rezoning applications, Type 2 and Type 3 conditional use permits, zoning plan plat waivers, modification to or waiver of rezoning conditions, and requests for rezoning time extensions. The Biological Impact Report is a tool which staff will use to facilitate an assessment of the proposed project's potential to impact sensitive biological resources. A project's design should, to the greatest extent possible, seek to conserve these important resources. The Biological Impact Report should, at a minimum, include responses to all the questions set forth below.

A significant amount of the information requested below is available on Pima County's MapGuide. To access the MapGuide version that displays the appropriate SDCP information, go to www.dot.co.pima.az.us/gis/maps and click on the Sonoran Desert Conservation Plan Maps under the Maps From Others section. Among the choices of maps found on that page, select the **SDCP MapGuide Map**. If you don't readily find the data layer referenced in the following questions, continue to zoom in until the desired data layer appears in the menu box.

Should you have specific questions about compiling the Biological Impact Report or any of the information being requested, please contact the Planning Division at (520) 740-6800.

Landscape Resources

1. Identify whether the proposed project site occurs wholly or partially within any Maeveen Marie Behan Conservation Lands System Category including Important Riparian Areas and Special Species Management Areas. *outside*
2. Identify whether the proposed project occurs in the vicinity of any of the six general areas identified as Critical Landscape Linkages. (Critical Landscape Linkages are not viewable on MapGuide. Textual descriptions and general locations of these 6 general areas can be found on a hardcopy of the Maeveen Marie Behan Conservation Lands System Map; for a map and textual descriptions of Critical Landscape Connections see Attachment A.) *outside*
3. If the property is a Habitat Protection or Community Open Space priority acquisition property, as displayed on SDCP MapGuide, identify which designation applies to the site and comment on the status of communications, if any, between the owner and Pima County regarding the County's potential acquisition of the property. *outside*

Species-Specific Information (including Pertinent Federally-Threatened and Endangered Species)

Cactus Ferruginous Pygmy-owl:

1. Does the proposed project site occur within the Priority Conservation Area for the cactus ferruginous pygmy-owl? (This information is viewable on MapGuide.) **NO**
2. Has the proposed project site been surveyed for pygmy-owls? **NO**
 - a. If yes, disclose the dates when surveys were done and provide a summary of the results.
 - b. If no, are surveys planned in the future? **NO**

Western Burrowing Owl:

1. Does the proposed project site occur within the Priority Conservation Area for the western burrowing owl? (This information is viewable on MapGuide.) **NO**
2. Has the proposed project site been surveyed for burrowing owls? **NO**
 - a. If yes, disclose the dates when surveys were done and provide a summary of the results.
 - b. If no, are surveys planned in the future? **NO**

Pima Pineapple Cactus:

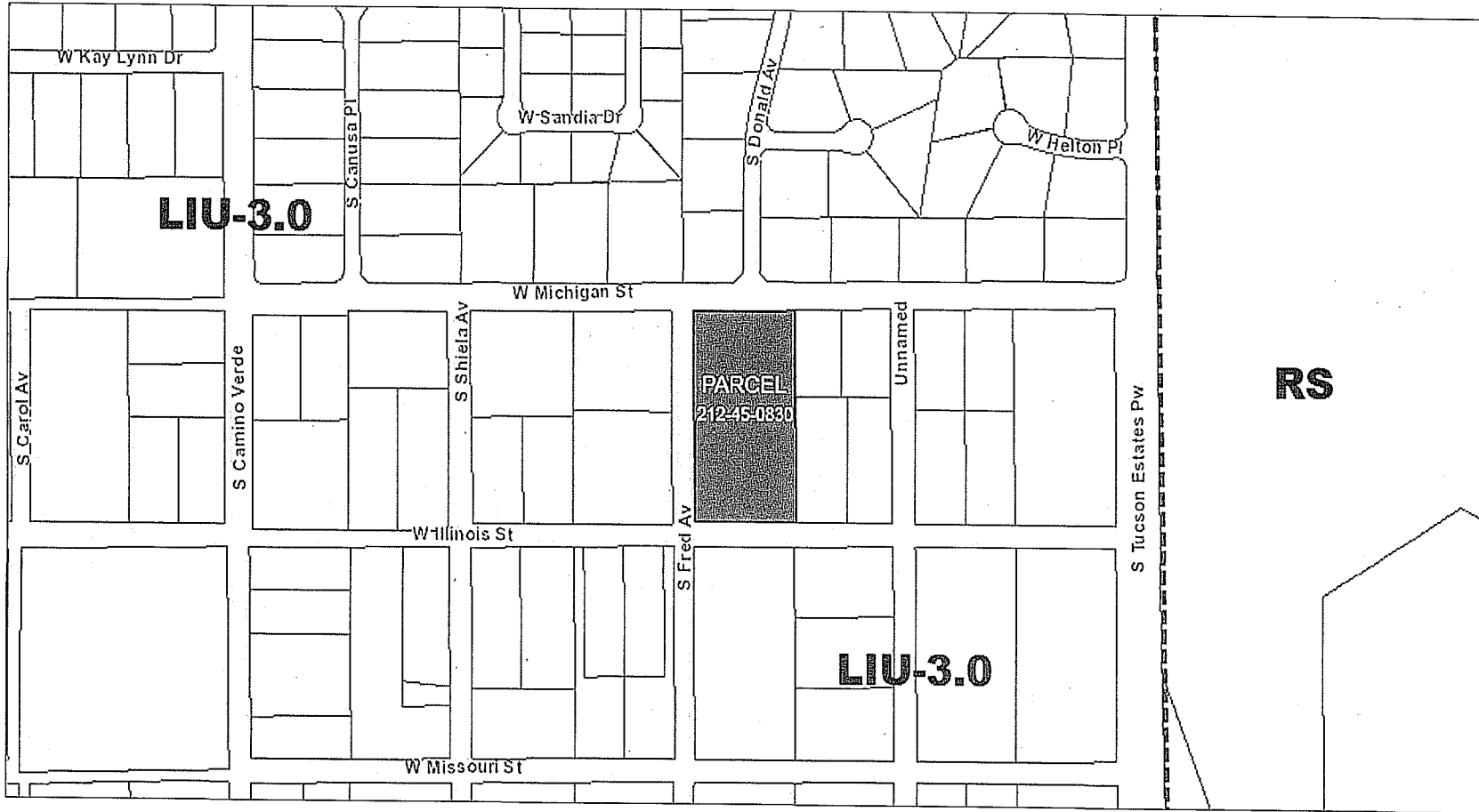
1. Does the proposed project site occur within the Priority Conservation Area for the Pima pineapple cactus? (This information is viewable on MapGuide.) **NO**
2. Have Pima pineapple cactus been found on the proposed project site? **NO**
3. Has the proposed project site been surveyed for Pima pineapple cactus? **NO**
 - a. If yes, disclose the date when surveys were done and provide a summary of the results.
 - b. If no, are surveys planned in the future? **NO**

Needle-Spined Pineapple Cactus:

1. Does the proposed project site occur within the Priority Conservation Area for the needle-spined pineapple cactus? (This information is viewable on MapGuide.) NO
2. Have needle-spined pineapple cactus been found on the proposed project site? NO
3. Has the proposed project site been surveyed for needle-spined pineapple cactus? NO
 - a. If yes, disclose the date when surveys were done and provide a summary of the results.
 - b. If no, are surveys planned in the future? NO

COMPREHENSIVE PLAN MAP

P16RZ00002 TOLANO – W. ILLINOIS STREET REZONING



COMPREHENSIVE PLAN LAND-USE CATEGORY DEFINITION

Low Intensity Urban (LIU)

Objective: To designate areas for low density residential and other compatible uses and to provide incentives for residential conservation subdivisions to provide more natural open space. Density bonuses are offered in exchange for the provision of natural and/or functional open space. Natural open space must be set aside, where applicable, to preserve land with the highest resource value and be contiguous with other dedicated natural open space and public preserves.

A. *Low Intensity Urban 3.0 (LIU-3.0)*

1. Residential Gross Density:
 - a. Minimum – none
 - b. Maximum – 3.0 RAC
2. 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:
 - a. Minimum density – 1.5 RAC
 - b. Maximum density – 3.0 RAC

COMPREHENSIVE PLAN SPECIAL AREA POLICY

S-29 Southwest Infrastructure Plan (SWIP) Area

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.

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.

COMPREHENSIVE PLAN SPECIAL AREA POLICY

S-35 Retail Enhancement Contribution Areas

General location

Within a four mile radius of the intersection of Ajo Way and Kinney Road.

Policies

For development of retail stores in excess of 40,000 square feet within the area described, operating constraints and an enhancement contribution as outlined in a development agreement recorded at Book 12939 Pages 7309-7306 (as may be amended) shall be required as a condition of rezoning. Operating protocols shall be appropriately employed to ensure applicability in comprehensive plan amendments, subdivision review or site development review as necessary.