



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: January 17, 2017

Title: P16RZ00008 TITLE SECURITY AGENCY OF AZ TR T-203 - N. SANDARIO ROAD REZONING

Introduction/Background:

The Board of Supervisors approved this rezoning October 18, 2016.

Discussion:

The approved rezoning was for approximately 6.73 acres from GR-1(GZ2)(BZ) (Rural Residential - Public Preserve Gateway and Buffer Overlay Zones) to the CB-1 (GZ2)(BZ) (Local Business - Public Preserve Gateway and Buffer Overlay Zones), located on the southeast corner of N. Sandario Road and W. Picture Rocks Road for retail, medical, restaurant and farmers market uses. The property lies outside of the Maeveen Marie Behan Conservation Lands System.

Conclusion:

This Ordinance reflects the Board of Supervisor's approval of the rezoning.

Recommendation:

Approval

Fiscal Impact:

0

Board of Supervisor District:

☐ 1

☐ 2

☒ 3


☐ 4

☐ 5


☐ All

Department: Development Services - Planning

Telephone: 520-724-9000

Department Director Signature/Date:  12-28-16

Deputy County Administrator Signature/Date:  12/28/16

County Administrator Signature/Date:  12/28/16



Subject: P16RZ00008

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FOR JANUARY 17, 2017 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS
FROM: Chris Poirier, Planning Official
Public Works-Development Services Department-Planning Division
DATE: December 27, 2016

ORDINANCE FOR ADOPTION

**P16RZ00008 TITLE SECURITY AGENCY OF AZ TR T-203 - N. SANDARIO
ROAD REZONING**

Owners: Title Security Agency of AZ TR-203,
(District 3)

If approved, adopt ORDINANCE NO. 2017 - _____

OWNER: Title Security Agency of AZ TR-203
Attn: Silverbell Properties Partnership
2625 N. Silverbell Road
Tucson, AZ 85745

AGENT: JAS Engineering
Attn: Jeff Stanley, P.E.
PO Box 1888
Tucson, AZ 85702

DISTRICT: 3

STAFF CONTACT: Terrill Tillman

TD/TT/ar
Attachments

cc: P16RZ00008 File
Tom Drzazgowski, Principal Planner

ORDINANCE 2017-_____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO ZONING; REZONING APPROXIMATELY 6.73 ACRES OF PROPERTY (PARCEL CODE 213-03-0350) FROM THE GR-1(GZ2)(BZ) (RURAL RESIDENTIAL – PUBLIC PRESERVE GATEWAY AND BUFFER OVERLAY) ZONE TO THE CB-1 (GZ2)(BZ) (LOCAL BUSINESS – PUBLIC PRESERVE GATEWAY AND BUFFER OVERLAY) ZONE, IN CASE P16RZ00008 TITLE SECURITY AGENCY OF AZ TR T-203 - NORTH SANDARIO ROAD REZONING, LOCATED ON THE SOUTHEAST CORNER OF NORTH SANDARIO ROAD AND WEST PICTURE ROCKS ROAD, AND AMENDING PIMA COUNTY ZONING MAP NO. 155.

IT IS ORDAINED BY THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA:

Section 1. The 6.73 acres located on the southeast corner of N. Sandario Road and W. Picture Rocks Road and illustrated by the shaded area on the attached rezoning ordinance map (Exhibit A), which amends Pima County Zoning Map No. 155, is rezoned from the GR-1 (GZ2)(BZ) (Rural Residential-Public Preserve Gateway and Buffer Overlay) to CB-1 (GZ2)(BZ) (Local Business - Public Preserve Gateway and Buffer Overlay) zone subject to the conditions in this ordinance.

Section 2. Rezoning conditions.

1. The owner shall:
 - A. Submit a development plan if determined necessary by the appropriate County agencies.
 - B. Record the necessary development related covenants as determined appropriate by the various County agencies.
 - C. Provide development related assurances as required by the appropriate agencies.
 - D. Submit a title report (current to within 60 days) evidencing ownership of the property prior to the preparation of the development related covenants and any required dedications.
2. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
3. Transportation conditions:
 - A. The property shall be limited to the access points shown on the preliminary development plan.
 - B. The property owner shall dedicate 10 feet of right-of-way for Picture Rocks Road.
4. Regional Flood Control District conditions:
 - A. Water conservation measures identified in the Preliminary Integrated Water Management Plan shall be implemented with the development. Where necessary

as determined at the time development plan is submitted, provisions for permanent maintenance of these 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 at the time of development.

- B. First flush retention (retention of the first ½ inch of rainfall) shall be provided for all newly disturbed and impervious surfaces including roads. This requirement shall be made a condition of the Site Construction Permit.
- 5. Regional Wastewater Reclamation condition: The owner must secure approval from the Pima County Department of Environmental Quality (PDEQ) to use on-site sewage disposal system within the rezoning area at the time a development plan or request for building permit is submitted for review.
- 6. Environmental Planning condition: Upon the effective date of the Ordinance, the owner 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 shall record a covenant, to run with the land, memorializing the terms of this condition.
- 7. Cultural Resources condition: Prior to ground modifying activities, an on-the-ground archaeological and historic sites survey shall be conducted on the subject property. A cultural resources mitigation plan for any identified archaeological and historic sites on the subject property shall be submitted at the time of, or prior to, the submittal of any tentative plan or development plan. All work shall be conducted by an archaeologist permitted by the Arizona State Museum, or a registered architect, as appropriate. Following rezoning approval, any subsequent development requiring a Type II grading permit will be reviewed for compliance with Pima County's cultural resources requirements under Chapter 18.81 of the Pima County Zoning Code.
- 8. Natural Resources, Park and Recreation conditions:
 - A. Construct a 12-foot asphalt path in the Sandario Road right-of-way near the property line from the Picture Rocks Road to the southern property line.
 - B. Provide a four-foot decomposed granite trail in the bufferyards along Sandario Road and Picture Rocks Road.
 - C. Provide a four-foot decomposed granite trail near the property line along Picture Rocks Road.
- 9. Adherence to the preliminary development plan (Exhibit B) as approved at public hearing.
- 10. 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.
- 11. The property owner shall execute and record the following disclaimer regarding Proposition 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)."

Section 3. Time limits of conditions. Conditions 1 through 11 of Section 2 shall be completed no later than October 18, 2021.

Section 4. The rezoning conditions of Section 2 may be amended or waived by resolution of the Board of Supervisors in accordance with Chapter 18.91 of the Pima County Zoning Code.

Section 5. The effective date of this Ordinance is the date the Chair of the Board of Supervisors signs this Ordinance.


Passed and adopted by the Board of Supervisors of Pima County, Arizona, on this _____ day of _____, 2017.

Chair, Pima County Board of Supervisors

ATTEST:

Clerk, Board of Supervisors

Approved As To Form:



Deputy County Attorney
Lesley M. Lukach

Approved



Executive Secretary
Planning and Zoning Commission

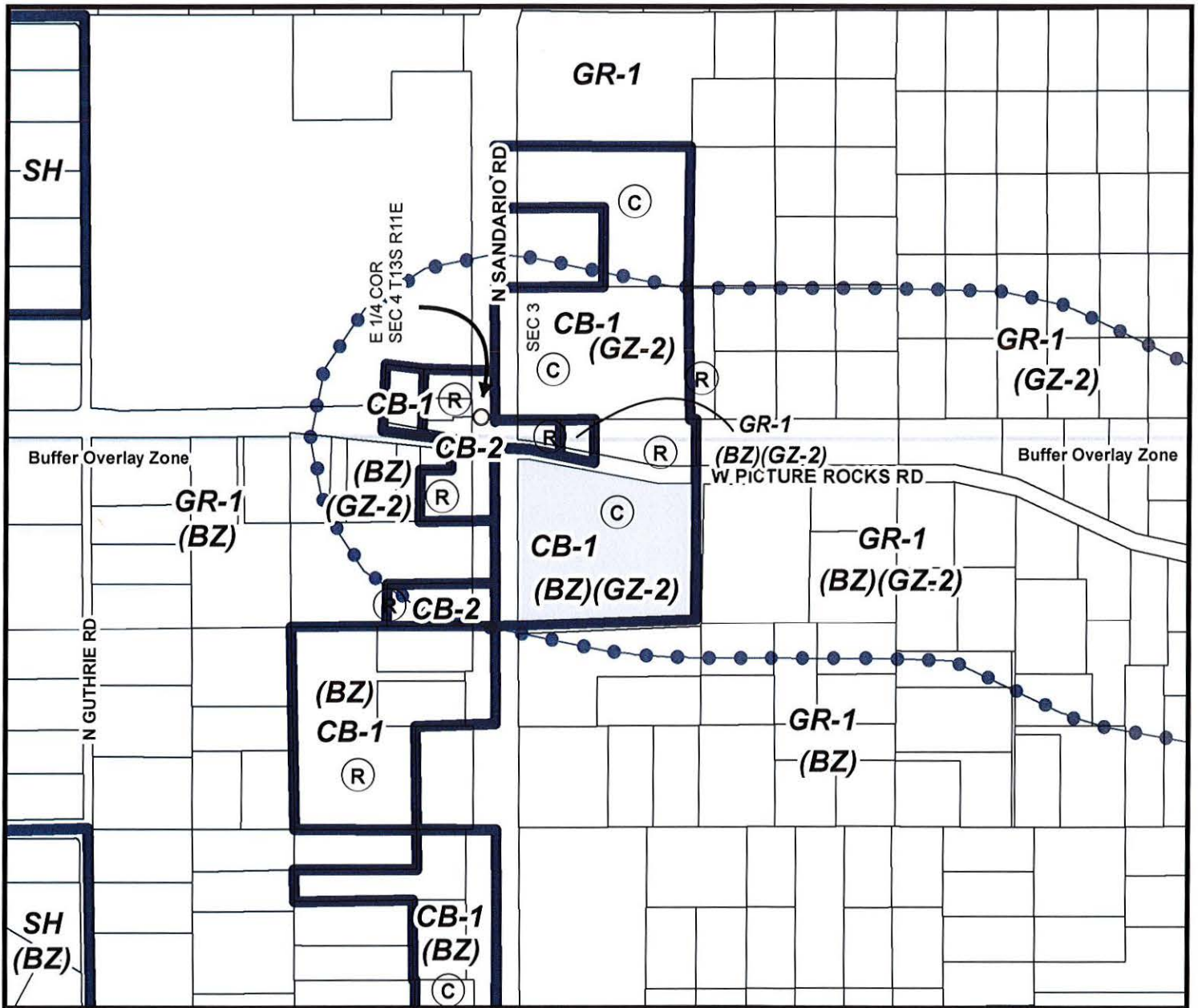
EXHIBIT A

AMENDMENT NO. _____ BY ORDINANCE NO. _____
 TO PIMA COUNTY ZONING MAP NO. 155 TUCSON AZ.
 PARCELS 35 BEING A PART OF THE NW 1/4 OF THE SW 1/4 OF
 SEC 3, T13S R11E.



0 125 250 500 Feet

ADOPTED: _____ EFFECTIVE: _____

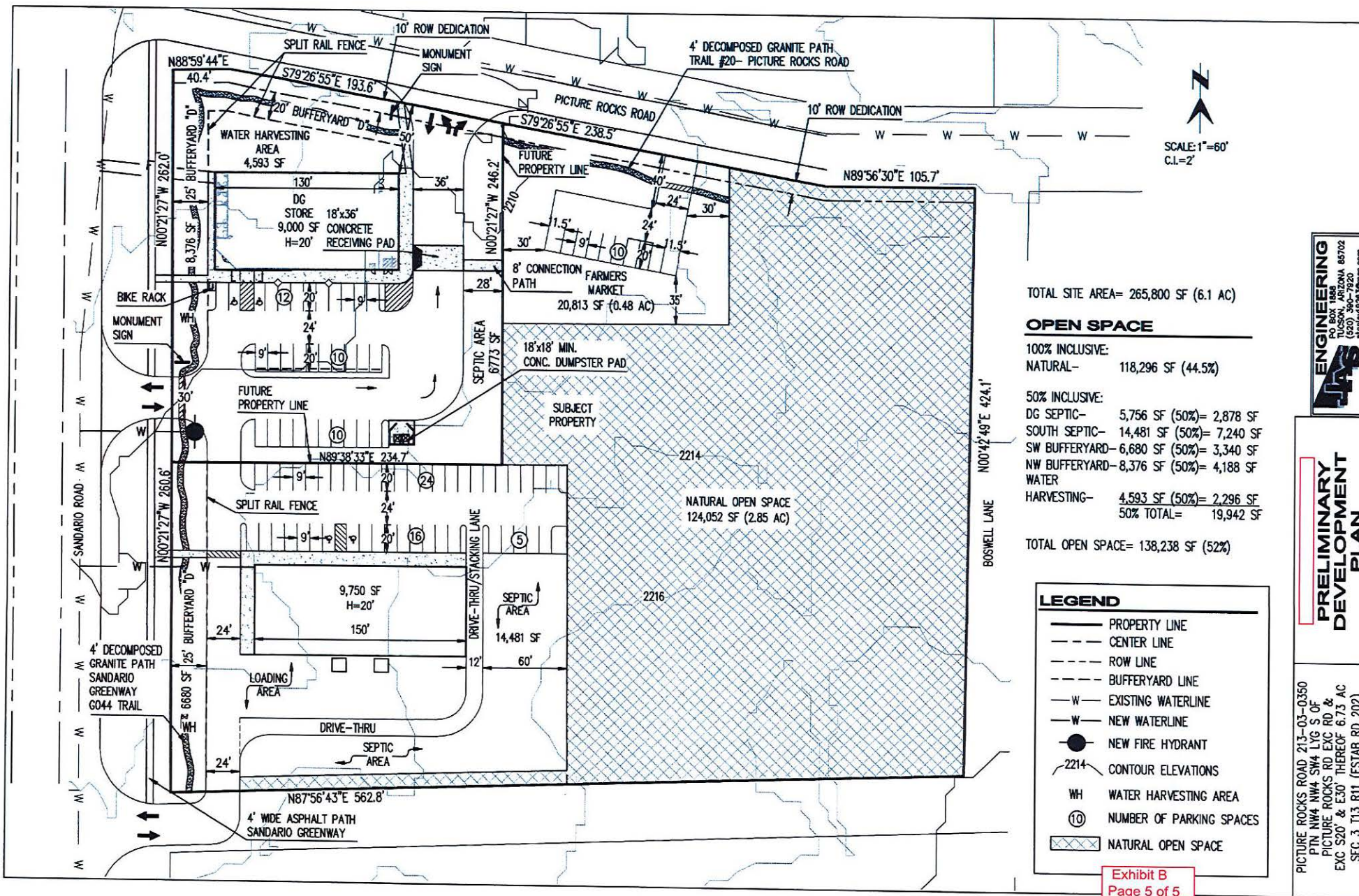


EXECUTIVE SECRETARY PIMA COUNTY PLANNING AND ZONING COMMISSION

© NO BUILDING PERMITS WITHOUT CERTIFICATE OF COMPLIANCE
 FROM GR-1 (BZ)(GZ-2) 6.73 ac
 ds-December 8, 2016

P16RZ00008
 Co7-13-10
 213-03-0350





PRELIMINARY DEVELOPMENT PLAN

PICTURE ROCKS ROAD 213-03-0350
PTN NW4 NW4 LY6 S OF
PICTURE ROCKS RD EXC RD &
EXC S20' & E30' THEREOF 6.73 AC
SEC 3 T13 R11 (ESTAB RD 202)