BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: January 22, 2019

Title: Ordinance: P18RZ00003 Hildreth Eugene Living TR - W. Michigan Street Rezoning

Introduction/Background:

The Board of Supervisors approved this rezoning September 18, 2018.

Discussion:

The rezoning was for approximately 7.66 acres from the SR (Suburban Ranch) to the GR-1 (Rural Residential) zone for an 8-lot subdivision for site-built houses.

Conclusion:

The Ordinance reflects the Board of Supervisors approval of the rezoning.

Recommendation:

Approval

Fiscal Impact:

0

Board of Supervisor District:

☐ 1 ☐ 2 ☒ 3 ☐ 4 ☐ 5 ☐ All

JAN 07 19 AM 10:16 PC CLK OF BD

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

Contact: Terrill L. Tillman, Principal Planner Telephone: 520-724-6921

Department Director Signature/Date:

Deputy County Administrator Signature/Date: 1/7/19

County Administrator Signature/Date: C. Duhelbeay 1/7/19

PIMA COUNTY
DEVELOPMENT SERVICES

FOR JANUARY 22, 2019 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 31, 2018

ORDINANCE FOR ADOPTION

P18RZ00003 **HILDRETH EUGENE LIVING TR – W. MICHIGAN STREET REZONING**
Owners: Hildreth Eugene Living TR
(District 3)

If approved, adopt ORDINANCE NO. 2018 - _____

OWNERS: Hildreth Eugene Living TR
Attn: Gene Hildreth
64580 E. Drifter Drive
Tucson, AZ 85739-1225

AGENT: Southwest Consulting Engineering
Attn: Charles Corrales
2510 W. Calle Morado
Tucson, AZ 85745

DISTRICT: 3

STAFF CONTACT: Terrill Tillman

STAFF RECOMMENDATION: **APPROVAL.**

CP/TT/ar
Attachments

cc: P18RZ00003 File

ORDINANCE 2019-_____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO ZONING; REZONING APPROXIMATELY 7.66 ACRES OF PROPERTY (PARCEL CODES 212-45-020A AND 212-45-020B) FROM THE SR (SUBURBAN RANCH) TO GR-1 (RURAL RESIDENTIAL) ZONE, IN CASE P18RZ00003 HILDRETH EUGENE LIVING TR – W. MICHIGAN STREET REZONING, LOCATED AT THE NORTHWEST CORNER OF S. CAMINO VERDE AND W. MICHIGAN STREET, AND AMENDING PIMA COUNTY ZONING MAP NO. 38.

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

Section 1. The 7.66 acres located at the northwest corner of S. Camino Verde and W. Michigan Street and illustrated by the shaded area on the attached rezoning ordinance map (Exhibit A), which amends Pima County Zoning Map No. 38, is rezoned from the SR (Suburban Ranch) to GR-1 (Rural Residential) zone subject to the conditions in this ordinance.

Section 2. Rezoning conditions.

1. The property owner shall not further lot split or subdivide the land without the written approval of the Board of Supervisors.
2. Transportation conditions:
   A. The property owner shall dedicate 45 feet of right-of way for Michigan Street along the development frontage.
   B. The property owner shall construct Michigan Street to Pima County Standards and provide all weather access along the development frontage.
3. Flood Control condition: At the time of development the applicant will be required to commit to water conservation measures identified in the Site Analysis Requirements in effect at that time sufficient to obtain 15 points.
4. Environmental Planning conditions: Upon the effective date of the Ordinance, the owner(s) 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.
5. Cultural Resources condition: In the event that human remains, including human skeletal remains, cremations, and/or ceremonial objects and funerary objects are found during excavation or construction, ground disturbing activities must cease in the immediate vicinity of the discovery. State laws ARS 41-865 and ARS 41-844, require that the Arizona State Museum be notified of the discovery at (520) 621-4795 so that cultural groups who claim cultural or religious affinity to them can make appropriate arrangements for the repatriation and reburial of the remains. The human remains will be removed from the site

by a professional archaeologist pending consultation and review by the Arizona State Museum and the concerned cultural groups.

6. Adherence to the preliminary development plan (Exhibit B) as approved at public hearing.
7. No mobile or manufactured housing is allowed.
8. All bufferyards located on individual lots are required to be installed prior to final inspections and shall be maintained by the owners. Any conflicting easement to bufferyard placement will require the bufferyard to be moved outside of the easement unless approval from the utility company to co-locate the bufferyard within the easement is obtained.
9. 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.
10. The property owner shall execute 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 10 of Section 2 shall be completed no later than September 18, 2023.

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 Chairman of the Board of Supervisors signs this Ordinance.

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

of _____, 2019.

_____
Chairman, Pima County Board of Supervisors

ATTEST:

_____
Clerk, Board of Supervisors

Approved As To Form:

12/13/18
Deputy County Attorney

Approved:

Executive Secretary
Planning and Zoning Commission

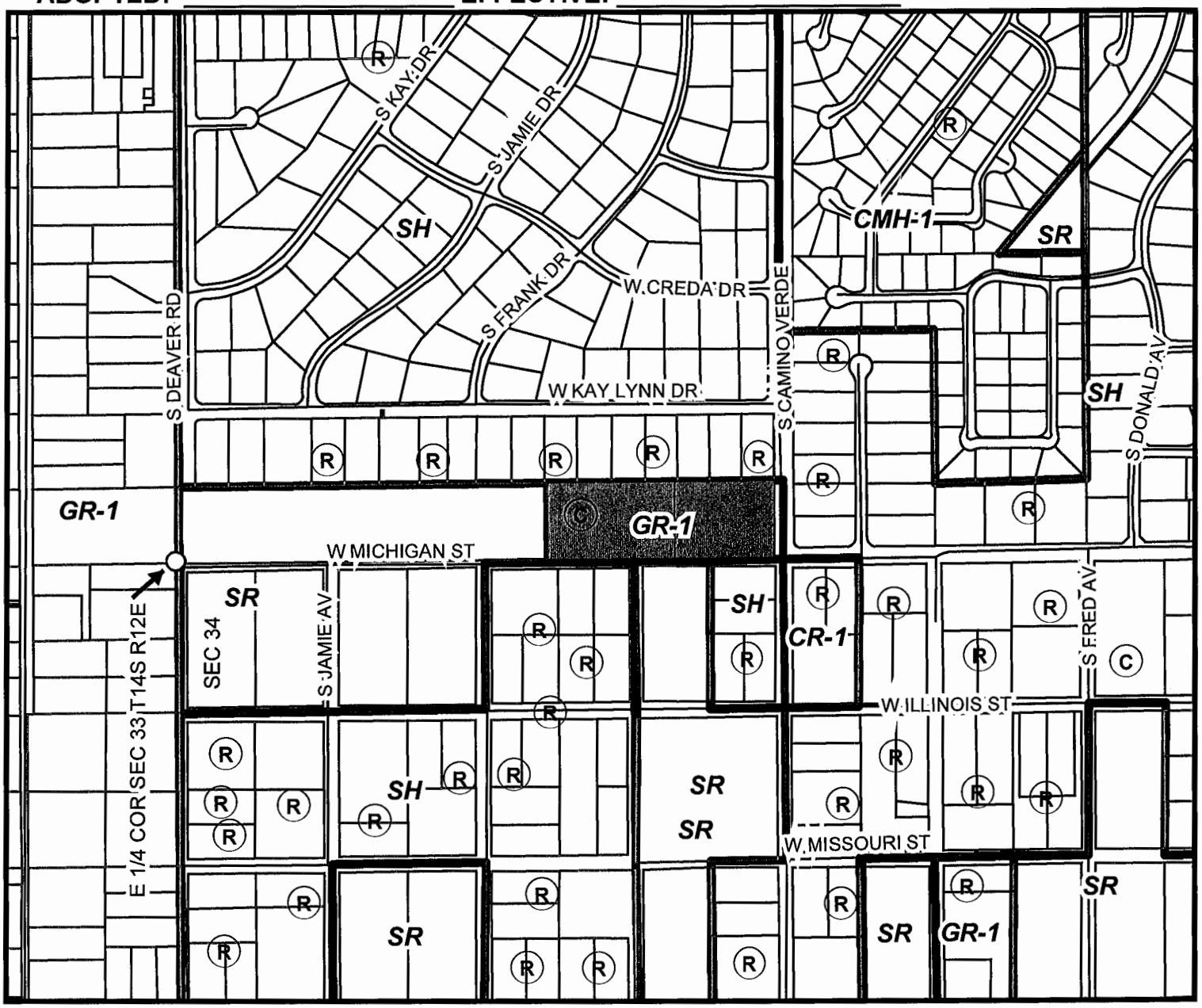
EXHIBIT A

AMENDMENT NO._____ BY ORDINANCE NO._____
TO PIMA COUNTY ZONING MAP NO. 38 TUCSON AZ. PARCELS 20A AND 20B BEING A PART OF THE SE 1/4 OF THE NW 1/4 OF SEC 34 T14S R12E.

N W E S

0 165 330 660 Feet

ADOPTED: _____ EFFECTIVE: _____



EXECUTIVE SECRETARY PIMA COUNTY PLANNING AND ZONING COMMISSION

(C) **NO BUILDING PERMITS WITHOUT CERTIFICATE OF COMPLIANCE**
FROM SR 7.66 ac
ds-October 23, 2018

P18RZ00003
21245020A & 21245020B

PIMA COUNTY
DEVELOPMENT SERVICES

PRELIMINARY DEVELOPMENT PLAN

PARCELS #212-45-020A
& #212-45-020B

PDP is for conceptual purposes only and does not give approval to associated engineering.

SCALE: 1" = 200'

PROJECT NOTES:

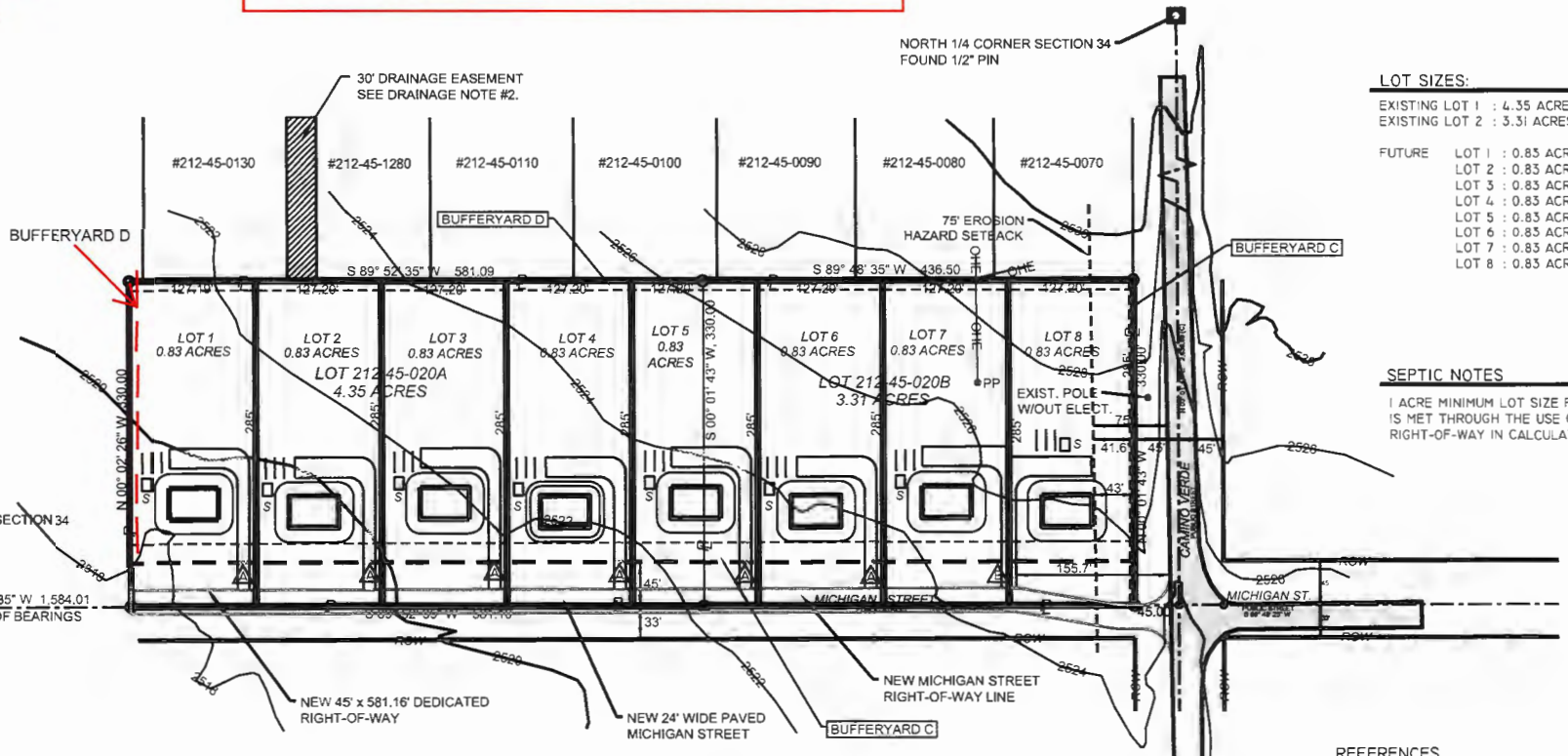
1. EXISTING ZONING = SR
   PROPOSED ZONING = GR-I
2. PROPOSED SETBACKS: FRONT = 30'
   SIDE = 10'
   BACK = 40'
3. LOTS ARE 0.83 ACRES AFTER RIGHT-OF-WAY TAKE
4. PROPOSED USE: SINGLE FAMILY HOMES
5. APPROXIMATE HOME SIZE: 1,500 TO 1,800 S.F.
6. PROPOSED HEIGHT: One & Two-Story
7. No manufactured housing
8. SEWER: SEPTIC
9. WATER: TUCSON WATER
10. ELECTRIC: TRICO
11. GAS: SOUTHWEST GAS

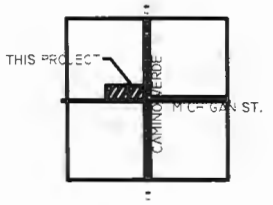
BUFFER YARDS

NORTH = BUFFERYARD D
EAST = BUFFERYARD C
SOUTH = BUFFERYARD B
WEST = BUFFERYARD D

LEGEND

- 12' INGRESS/EGRESS
- 15' SHARED INGRESS/EGRESS
- PP EXISTING POWER POLE
- OHE EXISTING OVERHEAD ELECTRIC





LOCATION MAP

NE ¼, SEC. 34, T 14 S, R 12 E

LOT SIZES:

EXISTING LOT 1 : 4.35 ACRES
EXISTING LOT 2 : 3.31 ACRES

FUTURE LOT 1 : 0.83 ACRES
LOT 2 : 0.83 ACRES
LOT 3 : 0.83 ACRES
LOT 4 : 0.83 ACRES
LOT 5 : 0.83 ACRES
LOT 6 : 0.83 ACRES
LOT 7 : 0.83 ACRES
LOT 8 : 0.83 ACRES

SEPTIC NOTES

1 ACRE MINIMUM LOT SIZE FOR SEPTIC IS MET THROUGH THE USE OF 1/2 RIGHT-OF-WAY IN CALCULATION.

DRAINAGE NOTES

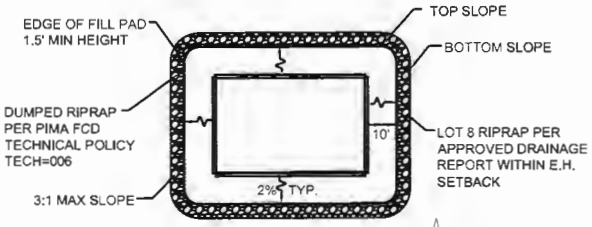
1. THERE IS A ONE-HALF FOOT DEPTH OF SHEET FLOODING ACROSS THE SITE. AN ENCROACHMENT ANALYSIS WILL BE REQUIRED AT THE TIME THE TENTATIVE PLAT IS SUBMITTED AND CHANGES TO FILL PAD ORIENTATION AND LOCATIONS MAY BE REQUIRED.

BASIS OF BEARINGS

THE NORTH-SOUTH CENTER SECTION LINE OF SECTION 34, FROM THE CENTER POINT OF SECTION 34 TO THE NORTH CENTER SECTION POINT, SAID BEARING BEING N 00° 03' 35" W, AS RECORDER IN THE CAMINO VERDE ESTATES PLAT, BOOK 45, PAGE 93.

ELECTRIC EASEMENT

THERE IS AN EXISTING TRICO ELECTRIC BLANKET EASEMENT ACROSS BOTH EXISTING PROPERTIES BY PRESCRIPTION.



FILL PAD DETAIL

1" = 20'

REFERENCES

A FIELD SURVEY COMPLETED BY EDGAR REYNOLDS AND ASSOCIATES, DATED 11/13/13 AND STAMPED BY EDGAR BRADFORD REYNOLDS, R.L.S. #31013

(C) CALCULATED

SOUTHWEST CONSULTING ENGINEERING

STEVEN M CORRALES, JR, PE, RLS
CONSULTING ENGINEERS / LAND SURVEYORS / LAND PLANNERS

2510 W. CALLE MORADO (520) 241-2621
TUCSON, AZ 85745 sce@swconsultingce.com