BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: June 4, 2019

Title: Resolution and Ordinance: P18CR00001 BOB CAMINO PRINCIPAL LLC – W. RIVER ROAD CONCURRENT PLAN AMENDMENT/REZONING

Introduction/Background:

The Board of Supervisors approved this concurrent plan amendment and rezoning February 19, 2019.

Discussion:

The concurrent plan amendment and rezoning was for approximately 1.28 acres from Low Intensity Urban 1.2 (LIU 1.2) to Medium Low Intensity Urban (MLIU) and to rezoning from SH (Suburban Homestead) to CR-3 (Single Residence) zone for four single-family residential lots.

Conclusion:

The Resolution and Ordinance reflect the Board of Supervisors' approval of the concurrent plan amendment and rezoning.

Recommendation:

Approval

Fiscal Impact:

0

Board of Supervisor District:

☐ 1 ☐ 2 ☒ 3 ☐ 4 ☐ 5 ☐ All

MAY 17 '19 PM 12:26 PCOLK OF BD

BK

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

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

Department Director Signature/Date: 5/14/19

Deputy County Administrator Signature/Date: 5/14/19

County Administrator Signature/Date: C. Durkhart 5/15/19

PIMA COUNTY
DEVELOPMENT SERVICES

Subject: P18CR00001

FOR JUNE 4, 2019 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS

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

DATE: May 14, 2019

RESOLUTION & ORDINANCE FOR ADOPTION

P18CR00001 BOB CAMINO PRINCIPAL LLC – W. RIVER ROAD CONCURRENT PLAN AMENDMENT AND REZONING
Owners: Bob Camino Principal LLC, Attn: Bob Zhang
(District 3)

If approved, adopt RESOLUTION NO. 2019 - _____
If approved, adopt ORDINANCE NO. 2019 - _____

OWNERS: Bob Camino Principal LLC
AGENT: Attn: Bob Zhang
5000 E. North Regency Circle
Tucson, AZ 85711

DISTRICT: 3

STAFF CONTACT: Terrill Tillman

STAFF RECOMMENDATION: **APPROVAL.**

CP/TT/ar
Attachments

cc: P18CR00001 File

RESOLUTION 2019-_____

A RESOLUTION OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO PLANNING; AMENDING THE PIMA COUNTY COMPREHENSIVE PLAN LAND USE MAP FOR APPROXIMATELY 1.28 ACRES LOCATED ON THE NORTH SIDE OF WEST RIVER ROAD, APPROXIMATELY 1,300 FEET WEST OF THE INTERSECTION OF WEST RIVER ROAD AND NORTH ORACLE ROAD IN SECTION 14 OF TOWNSHIP 13 SOUTH, RANGE 13 EAST, IN THE CATALINA FOOTHILLS PLANNING AREA.

IT IS RESOLVED BY THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA AS FOLLOWS:

Section 1. The Pima County Comprehensive Plan Land Use Map, Catalina Foothills Planning Area, is hereby amended to change the planned land use intensity category for approximately 1.28 acres, as referenced in P18CR00001 Bob Camino Principal LLC – West River Road Concurrent Plan Amendment and Rezoning, located on the north side of W. River Road, approximately 1,300 feet west of the intersection of W. River Road and N. Oracle Road in Section 14, Township 13 South, Range 13 East, as shown on the map attached to this Resolution as Exhibit A and incorporated by this reference, from Low Intensity Urban 1.2 (LIU 1.2) to Medium Low Intensity Urban (MLIU).

Section 2. The various County officers and employees are authorized and directed to perform all acts necessary to give effect to this Resolution.

Section 3. This Resolution shall become effective on the date of adoption.

Passed and adopted, this _____ day of _____, 2019.

_____
Chair, Pima County Board of Supervisors

ATTEST:

_____
Clerk, Board of Supervisors

APPROVED AS TO FORM:

4/26/2019
Deputy County Attorney
Lesley M. Lukach

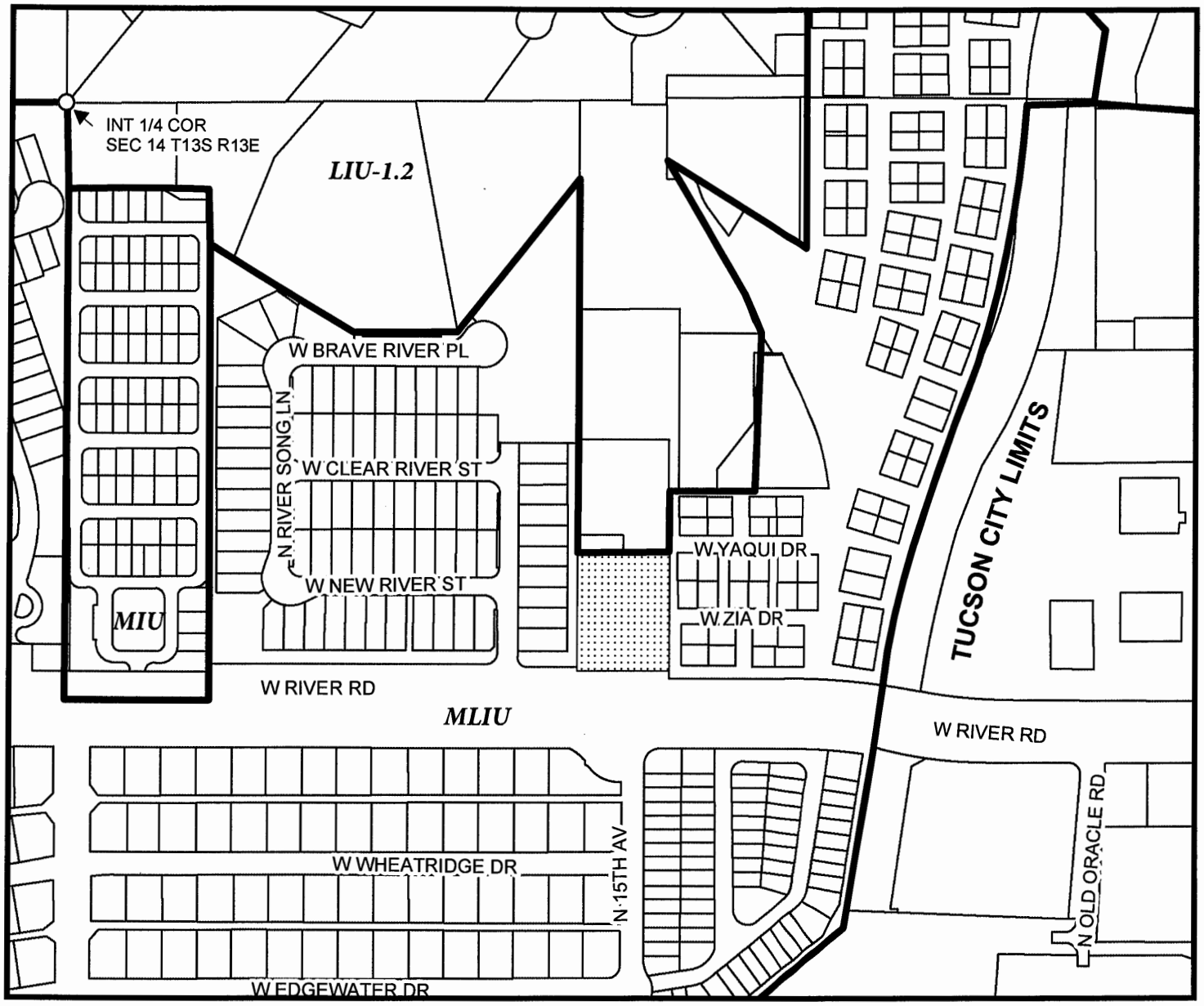
APPROVED:

Executive Secretary
Planning and Zoning Commission

P18CR00001

COMPREHENSIVE PLAN AMENDMENT

Planned Land Use Exhibit A



0 150 300 600 Feet

Taxcode: 105-08-002F	**P18CR00001 BOB CAMINO PRINCIPAL LLC - W. RIVER ROAD CONCURRENT PLAN AMENDMENT & REZONING** Amend Planned Land Use From:Low Intensity Urban 1.2 (LIU-1.2) to Medium Low Intensity Urban (MLIU) 1.28 Acres +/-	Districts 3 Location: North side of W. River Road approx. 1300 feet west of the intersection of W. River Road & N. Oracle Road
	Southwest Planning Area under Pima Prospers Section18, Township 15 South, Range 13 East	North
	Planning and Zoning Commission Hearing: November 28, 2018	Map Scale: 1:6,000
	Board of Supervisors Hearing: February 19, 2019	Map Date: March 28, 2019 / dms

ORDINANCE 2019-_____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO ZONING; REZONING APPROXIMATELY 1.28 ACRES OF PROPERTY (PARCEL CODE 105-08-002F) FROM THE SH (SUBURBAN HOMESTEAD) ZONE TO THE CR-3 (SINGLE RESIDENCE) ZONE, IN CASE P18CR00001 BOB CAMINO PRINCIPAL LLC – W. RIVER ROAD CONCURRENT PLAN AMENDMENT AND REZONING, LOCATED ON THE NORTH SIDE OF WEST RIVER ROAD APPROXIMATELY 1,300 FEET WEST OF THE INTERSECTION OF WEST RIVER ROAD AND NORTH ORACLE ROAD, AND AMENDING PIMA COUNTY ZONING MAP NO. 46.

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

Section 1. The 1.28 acres located on the north side of West River Road approximately 1,300 feet west of the intersection of West River Road and North Oracle Road and illustrated by the shaded area on the attached rezoning ordinance map (Exhibit A), which amends Pima County Zoning Map No. 46, is rezoned from the SH (Suburban Homestead) zone to the CR-3 (Single Residence) 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 condition: Prior to building permit approval for any of the proposed lots, a 1-foot no access easement shall be recorded along the southern property line of the southernmost lot that is adjacent to Pima County right-of-way. This 1-foot no access easement shall exclude the portion of the southern property line that contains the access easement/driveway.
3. Regional Wastewater Reclamation Department conditions:
   A. The owner(s) shall construe no action by Pima County as a commitment of capacity to serve any new development within the rezoning area until Pima County executes an agreement with the owner(s) to that effect.
   B. The owner(s) 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(s) 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(s) 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(s) 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. The owner(s) 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.

E. The owner(s) 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.

4. Environmental Planning conditions: Upon the effective date of the Ordinance, the owner(s) shall have a continuing responsibility to remove invasive and non-native species from the property, including those below. 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. 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/or ARS 41-844 require that the Arizona State Museum be notified of the discovery at (520) 621-4795 so that appropriate arrangements can be made for the repatriation and reburial of the remains by cultural groups who claim cultural or religious affinity to them. 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 sketch plan as approved at public hearing with a maximum of four lots. (Exhibit B)

7. 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.

8. 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)."

9. The height is limited to one story.

Section 3. Time limits of conditions. Conditions 1 through 9 of Section 2 shall be completed no later than February 19, 2024.

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:

4/26/16
_____
Deputy County Attorney
Lesley M. Lukach

APPROVED:

_____
Executive Secretary
Planning and Zoning Commission

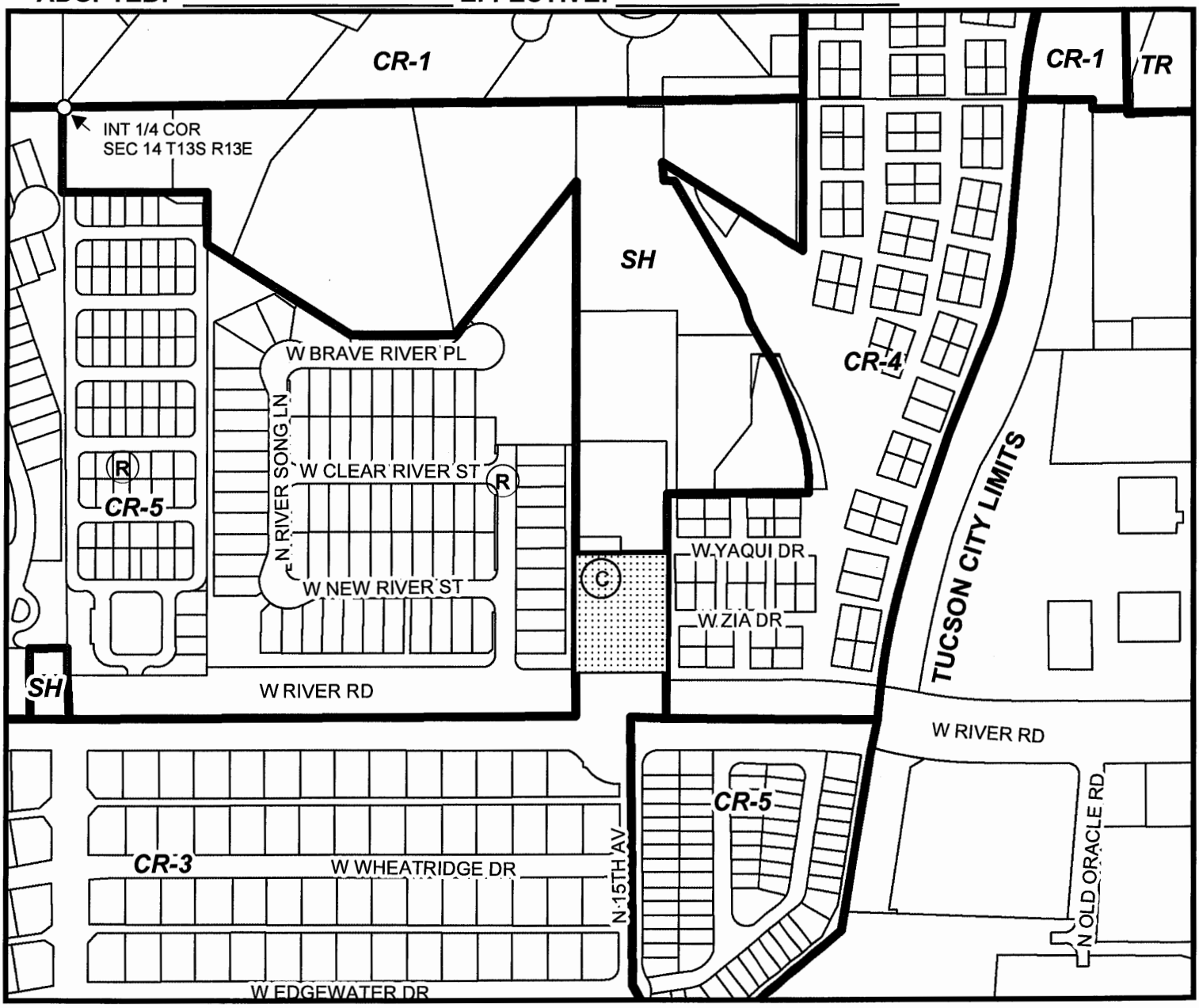
EXHIBIT A

AMENDMENT NO._____ BY ORDINANCE NO._____
TO PIMA COUNTY ZONING MAP NO. 46 TUCSON AZ. LOCATED
IN THE NW 1/4 OF THE SE 1/4 OF SECTION 14 T13S R13E.

N W E S

0 80 160 320 Feet

ADOPTED: _____ EFFECTIVE: _____

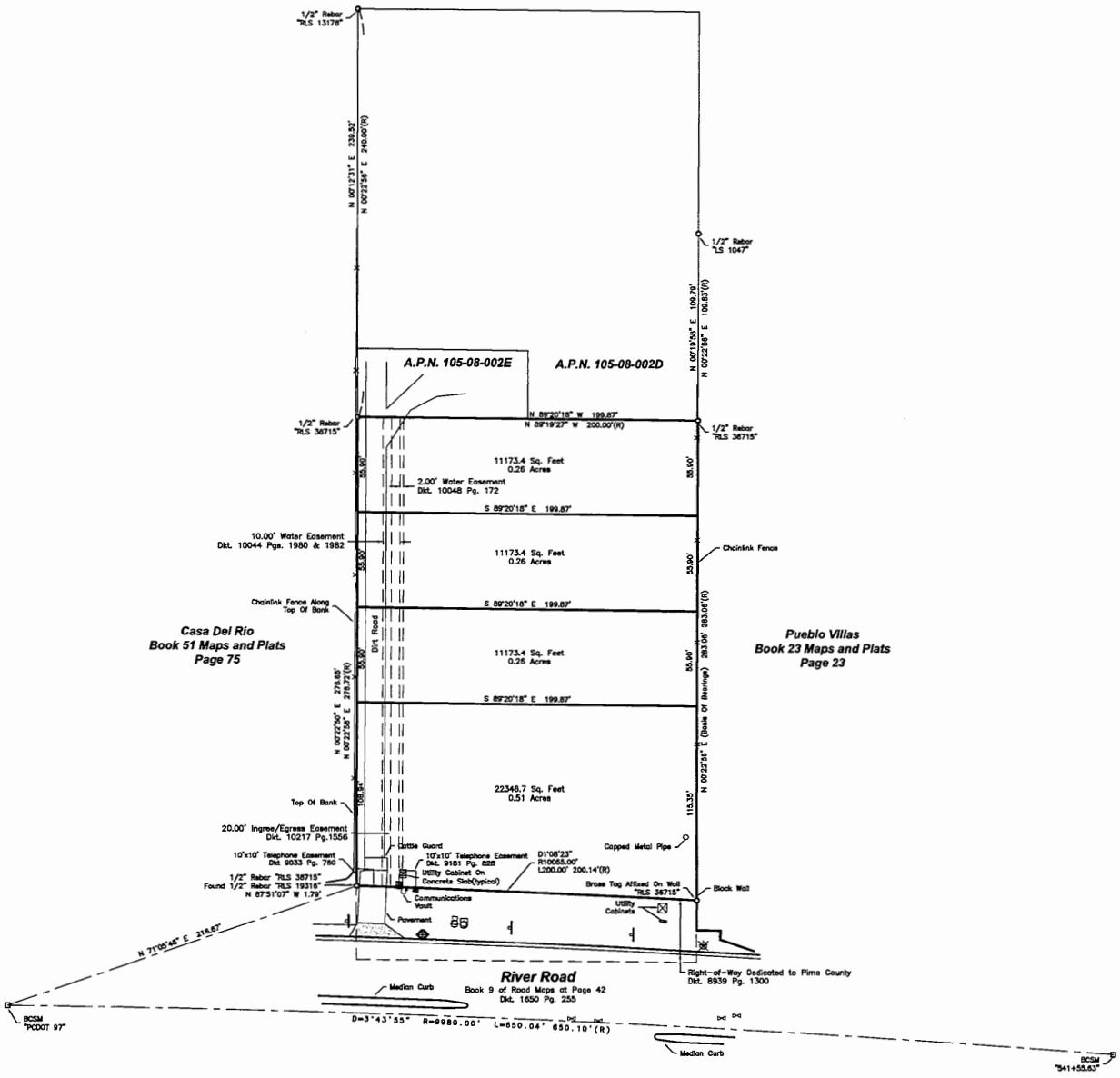


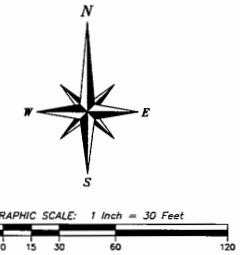
EXECUTIVE SECRETARY PIMA COUNTY PLANNING AND ZONING COMMISSION

(C) **NO BUILDING PERMITS WITHOUT CERTIFICATE OF COMPLIANCE**
FROM SH 1.28 ac
ds-March 29, 2019

P18CR00001
10508002F

PIMA COUNTY
DEVELOPMENT SERVICES





Notes:

1. Basis of Bearing: North 00°22'56" East according to Book 52 of Records of Survey at Page 19, Pima County, Arizona between monuments found on the East line of the Subject Parcel, as shown.
2. This survey was performed without the benefit of a utility bluestake. No guarantee can be made as to the existence and location of underground or hidden utilities.
3. The surveyor has made no investigation or independent research for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that a current title search may disclose.
4. All dimension shown are measured or a calculated derivative thereof unless otherwise noted.

(R) indicates a record dimension according to Book 52 of Records of Survey at Page 19, Pima County, Arizona.

○ indicates a found monument as described.

● indicates a set ½" rebar tagged R.L.S. 35111.

Legend

- Guy Wire Anchor
- Sign
- Gas Marker
- Fiber Optic Marker
- Water Meter

BCSM Brass Cap Survey Monument

RECORDING

SEQUENCE:

FEE:

STATE OF ARIZONA
COUNTY OF PIMA
I hereby certify that the instrument was filed for record at the request
Of: Arrow Land Survey
Date:
Time:
Witness my hand and Official Seal day and year above written.
F. ANN RODRIGUEZ, County Recorder
BY:
DEPUTY

Certification:

This is to certify that this survey was performed under my direction during the month of October, 2018 and that all monuments exist as shown.

Preliminary

Gregory W. Bauer
Registered Land Surveyor
Arizona Registration No. 35111

Exhibit B
Page 5 of 5

Sequence Number

Minor Land Division

A Parcel Located in the Northwest 1/4 of the Southeast 1/4 of Section 14, Township 13 South, Range 13 East
Gila and Salt River Meridian, Pima County, Arizona

Sequence Number

Arrow Land Survey, Inc.
LAND SURVEYING
CONSTRUCTION STAKING
3121 E. KLENDALE RD.
TUCSON, AZ. 85716
(520)881-2155
(520)881-2488 FAX

CREW CHIEF: CBH
CAD: JPP
DATE: 10/15/2018
JOB No.: 18035
SCALE: 1"=30'
SHEET 1 OF 1