BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: September 3, 2019

Title: Ordinance: P18RZ00012 Robert Lee Boykin - N. Camino de Oeste Rezoning

Introduction/Background:

The Board of Supervisors approved this rezoning May 7, 2019.

Discussion:

The rezoning was for approximately 9.77 acres from the SR (Suburban Ranch) to the CR-4 (Mixed-Dwelling Type) zone for a 45-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

Department: Development Services - Planning Telephone: 520-724-8800

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

Department Director Signature/Date: 8/16/19

Deputy County Administrator Signature/Date: 8/19/19

County Administrator Signature/Date: 8/20/19

PIMA COUNTY
DEVELOPMENT SERVICES

Subject: P18RZ00012

FOR SEPTEMBER 3, 2019 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS

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

DATE: August 16, 2019

ORDINANCE FOR ADOPTION

P18RZ00012 **ROBERT LEE BOYKIN - N. CAMINO DE OESTE REZONING**
Owners: Robert Lee Boykin
(District 1)

If approved, adopt ORDINANCE NO. 2019 - _____

OWNERS: Robert Lee Boykin
Attn: Phillip Wiebenga
P.O Box 241
Cortaro, AZ 85652

AGENT: Projects International, Inc.
Attn: Jim Portner, Principal
10836 E. Armada Lane
Tucson, AZ 85749

DISTRICT: 1

STAFF CONTACT: Terrill Tillman, Principal Planner

STAFF RECOMMENDATION: **APPROVAL**.

CP/TT/ar
Attachments

cc: P18RZ00012 File

ORDINANCE 2019-_____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO ZONING; REZONING APPROXIMATELY 9.07 ACRES OF PROPERTY (PARCEL CODE 221-35-0010) FROM THE SR (SUBURBAN RANCH) TO THE CR-4 (MIXED-DWELLING TYPE) ZONE, IN CASE P18RZ00012 ROBERT LEE BOYKIN ESTATE – N. CAMINO DE OESTE REZONING, LOCATED ON THE SOUTHWEST CORNER OF W. PIMA FARMS ROAD AND N. CAMINO DE OESTE, AND AMENDING PIMA COUNTY ZONING MAP NO. 114.

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

Section 1. The approximately 9.07 acres located on the southwest corner of W. Pima Farms Road and N. Camino de Oeste and illustrated by the shaded area on the attached rezoning ordinance map (Exhibit A), which amends Pima County Zoning Map No. 114, is rezoned from the SR (Suburban Ranch) to the CR-4 (Mixed-Dwelling Type) zone subject to the conditions in this ordinance.

Section 2. Rezoning conditions.

1. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
2. Transportation condition: During the subdivision platting process, five (5) feet of right-of-way shall be dedicated along the eastern property line (adjacent to Camino De Oeste).
3. Regional Flood Control District 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. 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.
E. 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.
F. 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.

5. Environmental Planning condition: 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.
6. Cultural Resources condition: Archaeological testing/data recovery plan and mitigation is needed.
7. Adherence to the preliminary development plan (Exhibit B) as approved at public hearing.
8. 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.
9. 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 9 of Section 2 shall be completed no later than May 7, 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:

7/12/2019

Deputy County Attorney
Lesley M. Lukach

APPROVED:

Executive Secretary
Planning and Zoning Commission

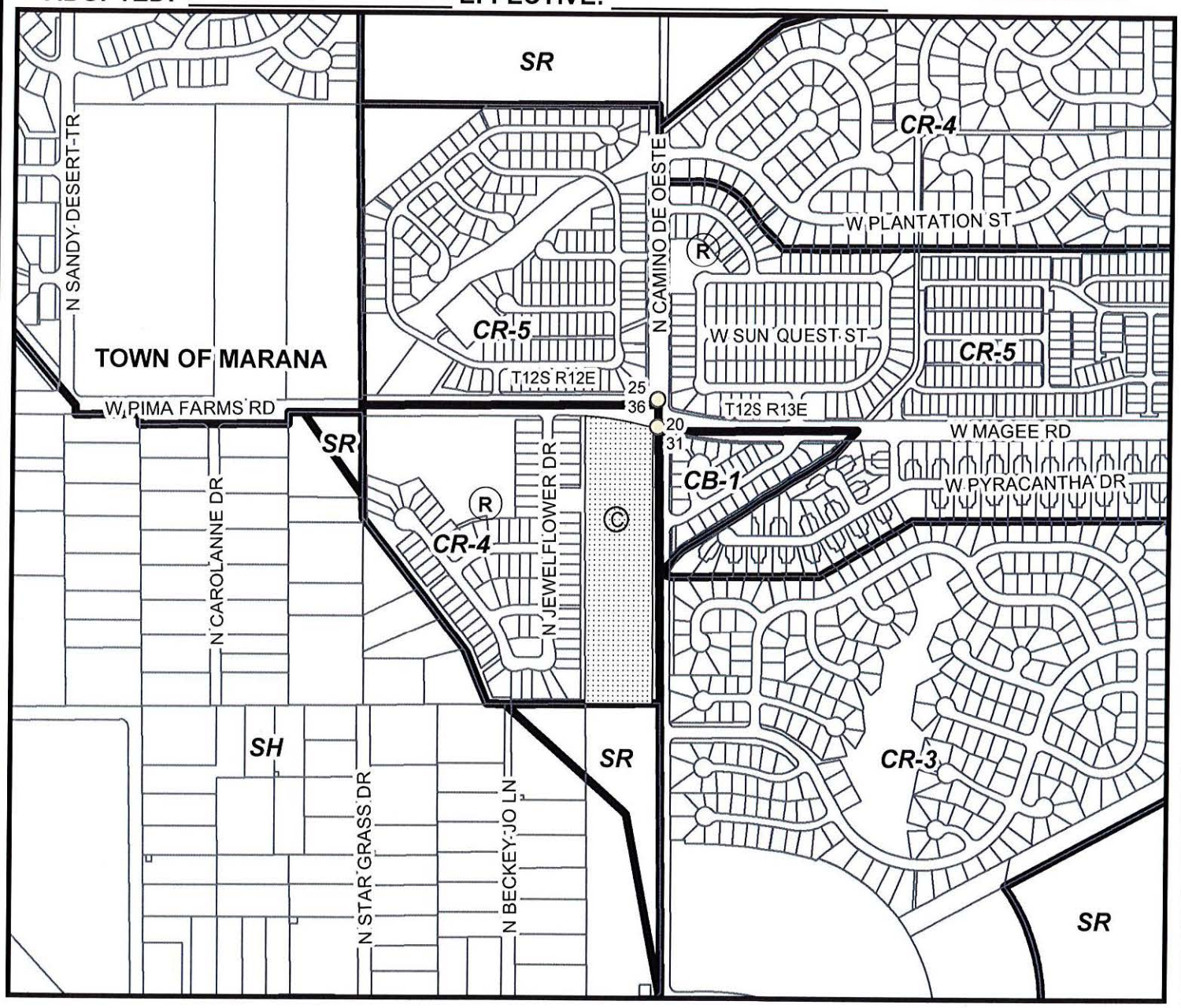
EXHIBIT A

AMENDMENT NO._____ BY ORDINANCE NO._____
TO PIMA COUNTY ZONING MAP NO. 114 TUCSON AZ.
PARCEL 01 BEING A PART OF THE NE 1/4 OF THE NE 1/4 OF SEC 36 T12S R12E.

N W E S

0 165 330 660 Feet

ADOPTED: _____ EFFECTIVE: _____

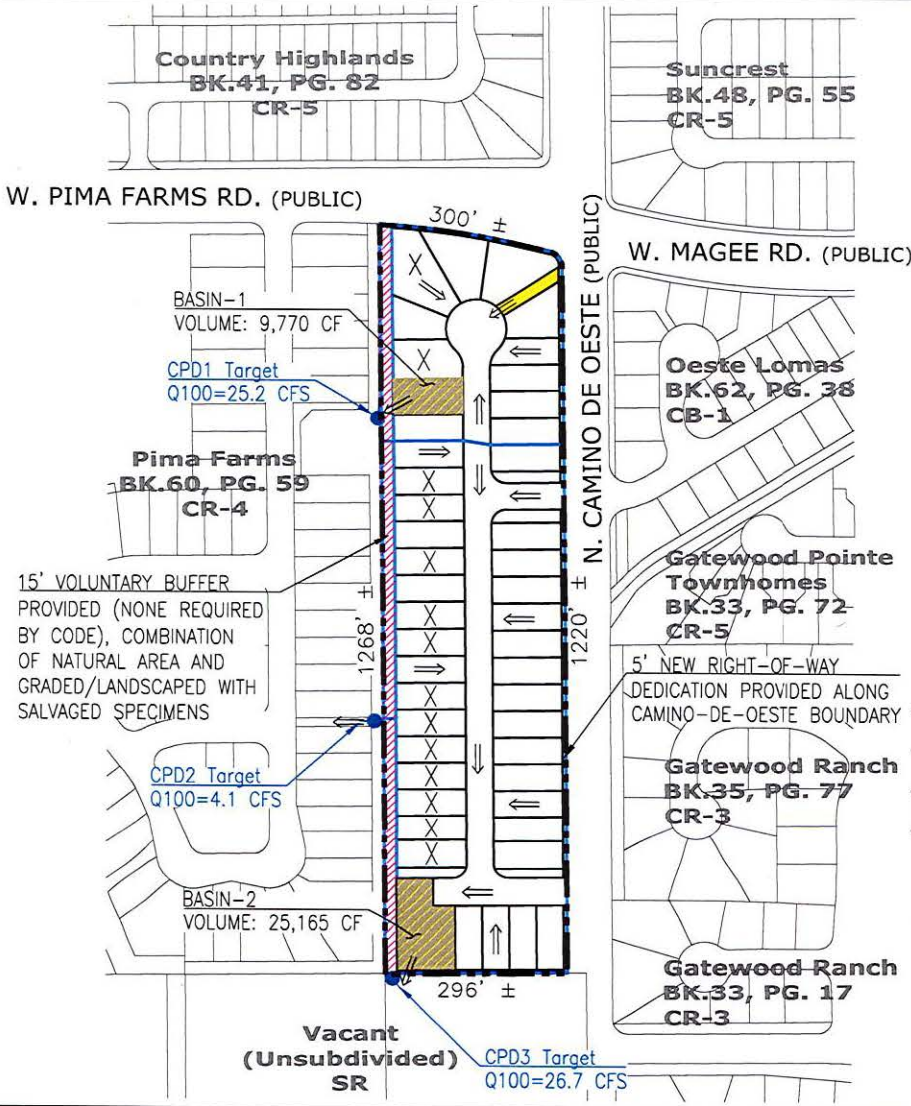


EXECUTIVE SECRETARY PIMA COUNTY PLANNING AND ZONING COMMISSION

(C) NO BUILDING PERMITS WITHOUT CERTIFICATE OF COMPLIANCE
FROM SR 9.07 ac
ds-June 20, 2019

P18RZ00012
221-35-0010

PIMA COUNTY
DEVELOPMENT SERVICES



Project Area
Gross Area: 9.76 AC
Net Area: 8.61 AC (after necessary Right-Of-Way dedications)

Project Particulars
Existing Zoning: SR
Proposed Zoning: CR-4
Comprehensive Plan: MIU

Proposed Use
Single-Family Residential Subdivision (45 Lots)
Typical Lot Size: 45'x115' (5175 SF)

Building Height
Maximum 34' Permitted; Project will contain both 1-Story and 2-Story residences.

On-Site Streets
Proposed Right-of-Way Width: 45'
Travel Lanes: Two (2) 12' Lanes
Total Pavement Width: 24'
On-Street Parking: Allowed Both Sides
Sidewalks: 5' Both Sides

Parking
Parking will be in accordance with Sec. 18.75

Buffer Yards
- Bufferyard "C" required along Pima Farms Rd. (5' Option Selected).
- Bufferyard "A" required along Cmo De Oeste (5' Option Selected).
- Bufferyard "C" is required along the Southern boundary (5' Option Selected).
- No Buffer Yard required along Western Boundary.

Conservation Land System (CLS) Particulars
This property lies outside of the CLS.

LEGEND

	Rezoning Site
	Detention Basin/Drainage Areas (Landscaped)
	Voluntary Perimeter buffer, enhanced with salvaged landscape specimens where necessary
1267' ±	Boundary Dimensions, typ.
	New Drainage Channel
	Post-Developed Flow Direction Arrows
	Post-Developed Watershed Boundaries
CPD3 Target Q100=X.X CFS	Post-Developed Discharge Concentration Points with Target Q100s
X	Lots Limited to Single Story

N

0 200
Scale: 1"=200'

Jim Portner, Agent for Owner
PROJECTS INTERNATIONAL, INC.
10836 E. ARMADA LANE
TUCSON, ARIZONA 85749
520 850-0917

PROJECTS INTERNATIONAL, Inc.
STRATEGIC GUIDANCE
ENTITLEMENT PROCESSES
LOCAL ADVICE & COUNSEL

EPS GROUP

ACM VENTURES, LLC
9.77 ACRE PARCEL @ SOUTHWEST CORNER CAMINO DE OESTE & PIMA FARMS RD.
(OWNERSHIP: ROBERT LEE BOYKIN ESTATE)
REZONING: SR TO CR-4

Exhibit B
PRELIMINARY DEVELOPMENT PLAN

Mar 04, 2019 8:35am U:\Projects\2018\18-533\Civil\CADD\Plans\Rezoning\Rezon Exh-B-B.dwg
lhammah