



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: December 17, 2019

Title: ORDINANCE: P19RZ00002 WICK - W. CAMINO DESIERTO REZONING

Introduction/Background:

On August 6, 2019, the Board of Supervisors approved this rezoning subject to conditions as recommended by the Planning and Zoning Commission.

Discussion:

The rezoning was for 2.40 acres from the SR (Suburban Ranch) zone to the CR-1 (Single Residence) zone to allow the split of a single parcel into two parcels to allow the development of an additional residence.

Conclusion:

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

Recommendation:

Approval

Fiscal Impact:

N/A

Board of Supervisor District:

☒ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ All

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

Contact: David Petersen Telephone: 520-724-9508

Department Director Signature/Date:  11/21/19

Deputy County Administrator Signature/Date:  11/25/19

County Administrator Signature/Date:  11/25/2019



Subject: P19RZ00002

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FOR DECEMBER 17, 2019 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS

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

DATE: November 20, 2019

ORDINANCE FOR ADOPTION

P19RZ00002 WICK – W. CAMINO DESIERTO REZONING

Owners: Brian and Catherine Wick
(District 1)

If approved, adopt ORDINANCE NO. 2019 - _____

OWNERS: Brian and Catherine Wick
811 W. Camino Desierto
Tucson, AZ 85704-4504

AGENT: Bill Dycus, Shea 130 LLC
11308 N. Meadow Sage Drive
Oro Valley, AZ 85737

DISTRICT: 1

STAFF CONTACT: David Petersen

STAFF RECOMMENDATION: APPROVAL.

CP/DP/ar
Attachments

cc: P19RZ00002 File

ORDINANCE 2019-_____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA RELATING TO ZONING; REZONING APPROXIMATELY 2.40 ACRES OF PROPERTY, LOCATED ON THE SOUTH SIDE OF W. CAMINO DESIERTO, APPROXIMATELY 930 FEET WEST OF N. PASEO DEL NORTE AND APPROXIMATELY 1,600 FEET SOUTH OF W. MAGEE ROAD, FROM THE SR (SUBURBAN RANCH) ZONE TO THE CR-1 (SINGLE RESIDENCE) ZONE, IN CASE P19RZ00002 WICK – W. CAMINO DESIERTO REZONING, AND AMENDING PIMA COUNTY ZONING MAP NO. 116.

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

Section 1. The 2.40 acres located on the south side of W. Camino Desierto, approximately 930 feet west of N. Paseo del Norte and approximately 1,600 feet south of W. Magee Road and illustrated by the shaded area on the attached rezoning ordinance map (Exhibit A), which amends Pima County Zoning Map No. 116, is rezoned from the SR (Suburban Ranch) zone to the CR-1 (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. Flood Control condition:
A cumulative disturbance of one third of one acre, 14,520 square feet, or more of Regulated Riparian Habitat, will require a Floodplain Use Permit and a Riparian Habitat Mitigation Plan. At the time of permitting the grading envelope created from new disturbance will be tracked with the parent parcel.
3. Adherence to the sketch plan as approved at public hearing (Exhibit B).
4. The western parcel shall have a minimum 75-foot front building setback and a minimum 50-foot west side setback for main and accessory structures.
5. The residence on the western parcel shall be limited to one story with a maximum building height of 21 feet.
6. The driveway for the western parcel shall at minimum have a compacted decomposed granite surface.
7. The existing graded driveway entrance to the west part of the property shall be revegetated and relocated to near the eastern boundary of the western parcel.
8. A minimum of ten 25 gallon irrigated native trees shall be planted within the front and west side building setback areas with the distribution of the number of trees proportional to the length of the front and west side boundaries. The trees shall be located to

- maximize screening from existing residences and yard areas to the north and west.
9. The keeping of cattle, horses, sheep, goats, ratites, or other similar animals and poultry on the western parcel shall be prohibited.
 10. The storage, keeping or abandonment of junk, including inoperable motor vehicles or other motor vehicles or machines or parts thereof, shall be prohibited on the western parcel.
 11. The storage of a boat(s) shall be prohibited on the western parcel.
 12. 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 A.R.S. § 41-865 and A.R.S. § 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.
 13. Upon the effective date of the Ordinance, the owner(s)/developer(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.
 14. 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.
 15. 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.

Section 3. Time limits of conditions. Conditions 1 through 15 of Section 2 shall be completed no later than August 6, 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:

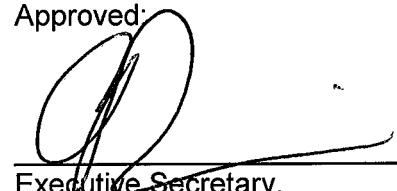
Clerk, Board of Supervisors

Approved As To Form:

 11/13/2019

Deputy County Attorney
Lesley M. Lukach

Approved:



Executive Secretary,
Planning and Zoning Commission

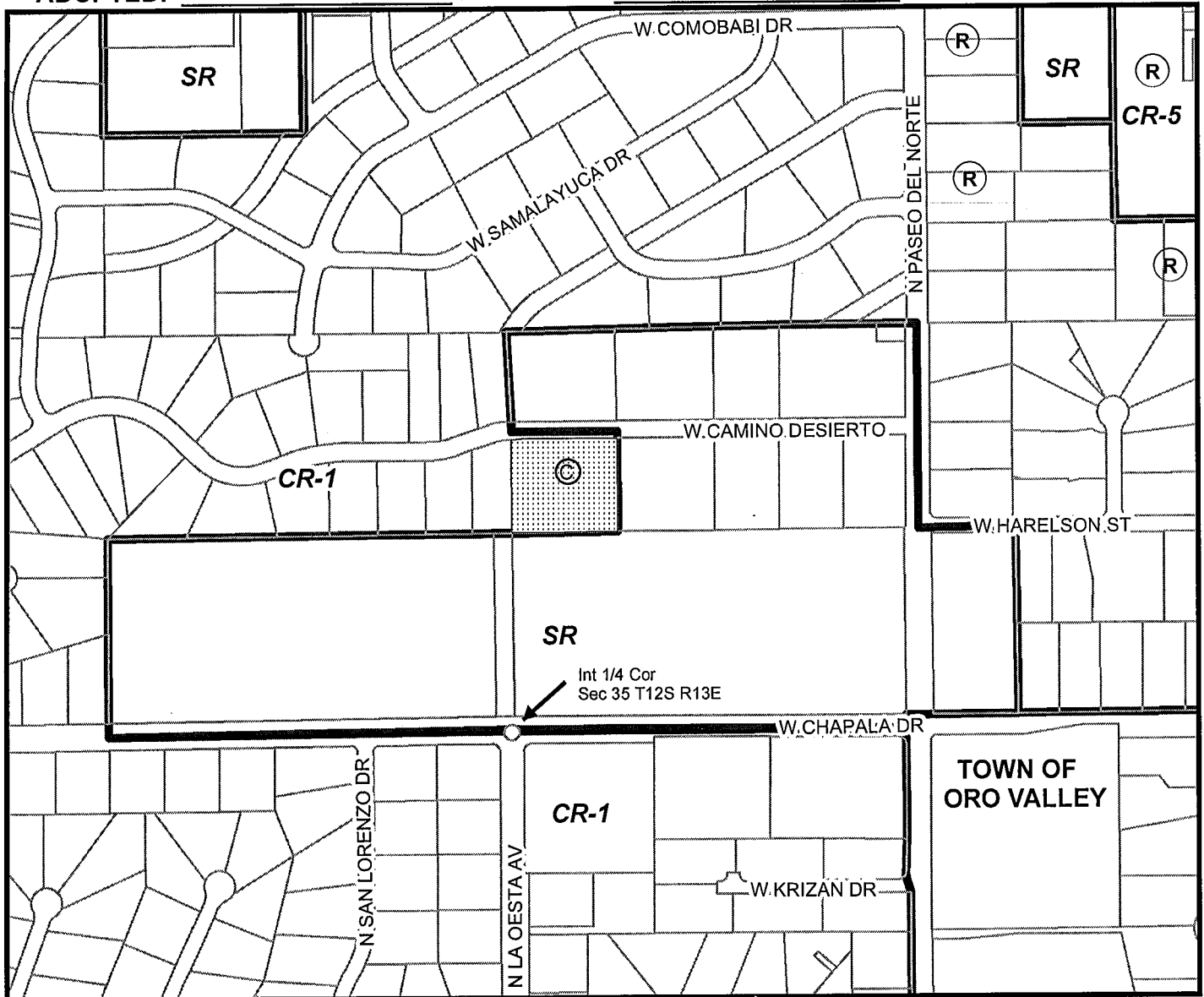
EXHIBIT A

AMENDMENT NO. _____ BY ORDINANCE NO. _____
TO PIMA COUNTY ZONING MAP NO. 116 TUCSON AZ. LOCATED
IN THE NW 1/4 OF THE SW 1/4 OF THE NE 1/4 OF SECTION 35 T12S R13E.



0 120 240 480 Feet
|-----|-----|-----|

ADOPTED: _____ EFFECTIVE: _____



EXECUTIVE SECRETARY PIMA COUNTY PLANNING AND ZONING COMMISSION

© NO BUILDING PERMITS WITHOUT CERTIFICATE OF COMPLIANCE
FROM SR 2.4 ac
ds-October 3, 2019

P19RZ00002
225142150



811 W. Camino Desierto

Tucson, AZ 85704
 Brian and Catherine Wick
 Pima County Re-Zoning Application P19RZ00002
 Parcel 225-14-2150

[1] Sketch Plan with Proposed Rezoning Conditions

Proposed Lot Split:

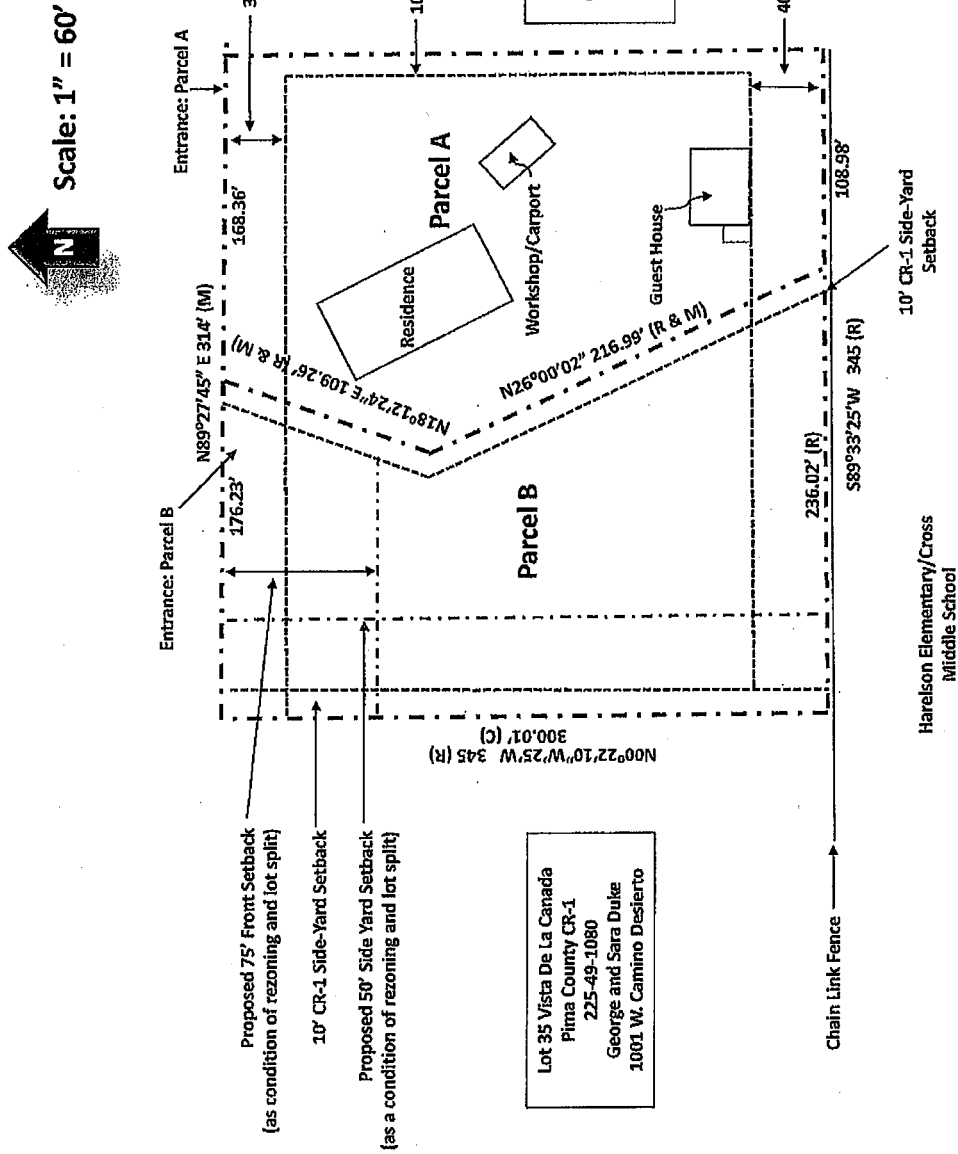
Entire Parcel Lot Size: 2.4 Acres
 (104,636 Square Feet Per Putt Survey)

Parcel A Lot Size: 1.15 Acres
 (50,178 Square Feet Per Putt Survey)

Parcel B Lot Size: 1.25 Acres
 (54,458 Square Feet Per Putt Survey)

Proposed Re-Zoning Conditions:

- 1) Front-Yard Setback shall be 75 feet.
- 2) West-Side Yard Setback shall be 50 feet.
- 3) A survey will be performed on Parcel B to confirm all utilities, on-site waste disposal systems are located within Parcel A. All facilities shall be moved in accordance with County and State Standards if necessary.
- 4) Maximum height of any building on Parcel B shall be 21 feet and restricted to one story.
- 5) No farm animals shall be permitted on Parcel B including poultry and horses.
- 6) No junk car or boat storage shall be permitted on Parcel B.
- 7) The driveway shall be dust-free - compacted DG at minimum.
- 8) Prior to completion of construction, 10 Native Trees with a minimum size of 25 gallons will be planted and installed with drip irrigation. The trees are intended to screen neighbors to the north and west.



P19RZ00002 Sketch Plan Approved at 8-6-19 BOS Hearing