



## BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: January 14, 2020

Title: ORDINANCE: P19RZ00007 MJM VENTURES ONE LLC - N. ORACLE ROAD REZONING

### Introduction/Background:

The Board of Supervisors' approved this rezoning September 17, 2019

### Discussion:

The rezoning was for approximately 1.1 acres from the GR-1 (GZ-1)(Rural Residential - Urban Gateway Overlay) to CB-1 (GZ-1)(Local Business - Urban Gateway Overlay) zone for a change of use to office, retail, services, restaurant and other less intense CB-1 uses within the existing 2,232 square foot building and a planned 4,920 square-foot two-story building expansion.

### Conclusion:

The Ordinance reflects the Board of Supervisors' approval.

### 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, AICP, Principal Planner Telephone: 520-724-6921

Department Director Signature/Date:  12-19-19

Deputy County Administrator Signature/Date:  12/19/19

County Administrator Signature/Date:  12/20/19

DEC 24 19 11 44 POC/KCF/PP



**PIMA COUNTY**  
DEVELOPMENT SERVICES

Subject: P19RZ00007

Page 1 of 1

**JANUARY 14, 2020 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 18, 2019

---

**ORDINANCE FOR ADOPTION**

**P19RZ00007 MJM VENTURES ONE LLC - N. ORACLE ROAD REZONING**

Owners: MJM Ventures One LLC  
(District 1)

**If approved, adopt ORDINANCE NO. 2020 - \_\_\_\_\_**

---

**OWNERS/** MJM Ventures One LLC  
**AGENT:** Attn: Margaret Miller  
P.O Box 91494  
Tucson, AZ 85752

**DISTRICT:** 1

**STAFF CONTACT:** Terrill Tillman, Principal Planner

**STAFF RECOMMENDATION:** APPROVAL.

CP/TT/ar  
Attachments

cc: Tom Drzazgowski, Chief Zoning Inspector  
P19RZ00007 File

ORDINANCE 2020-\_\_\_\_\_

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO ZONING; REZONING APPROXIMATELY 1.1 ACRES OF PROPERTY (PARCEL CODE 222-26-0450) FROM THE GR-1 (GZ-1) (RURAL RESIDENTIAL - URBAN GATEWAY OVERLAY ZONE) TO CB-1 (GZ-1) (LOCAL BUSINESS - URBAN GATEWAY OVERLAY ZONE) IN CASE P19RZ00007 MJM VENTURES ONE LLC - N. ORACLE ROAD REZONING, LOCATED ON THE EAST SIDE OF N. ORACLE ROAD APPROXIMATELY 900 FEET NORTH OF THE T-INTERSECTION OF E. HAWSER STREET AND N. ORACLE ROAD, AND AMENDING PIMA COUNTY ZONING MAP NO. 432.

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

Section 1. The 1.1 acres located on the located on the east side of N. Oracle Road approximately 900 feet north of the T-intersection of E. Hawser Street and N. Oracle Road and illustrated by the shaded area on the attached rezoning ordinance map (Exhibit A), which amends Pima County Zoning Map No. 432, is rezoned from GR-1 (GZ-1) (Rural Residential – Urban Gateway Overlay Zone) to CB-1 (GZ-1) (Local Business - Urban Gateway Overlay 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 conditions:
  - A. Access shall be designed to provide cross access between the rezoning site and the adjacent property to the north and south. Cross access easements shall be provided by the property owner for all affected portions of the rezoning site to adjacent properties at the time of development or permitting.
  - B. Prior to development permitting approval, proof of coordination with Arizona Department of Transportation (ADOT) shall be provided to Pima County Development Services.
3. Regional Flood Control District condition: At the time of development or permitting a sketch plan shall be submitted to the District to determine whether or not a Floodplain Use Permit or Riparian mitigation Plan is required.
4. 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.
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. 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(l)."

Section 3. Time limits of conditions. Conditions 1 through 8 of Section 2 shall be completed no later than September 17, 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.

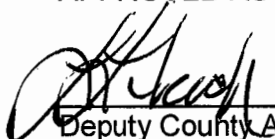
Passed and adopted by the Board of Supervisors of Pima County, Arizona, on this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Chairman, Pima County Board of Supervisors


ATTEST:

\_\_\_\_\_  
Clerk, Board of Supervisors

APPROVED AS TO FORM:

 12/4/2019  
Deputy County Attorney

APPROVED:

 12-4-19  
Executive Secretary  
Planning and Zoning Commission

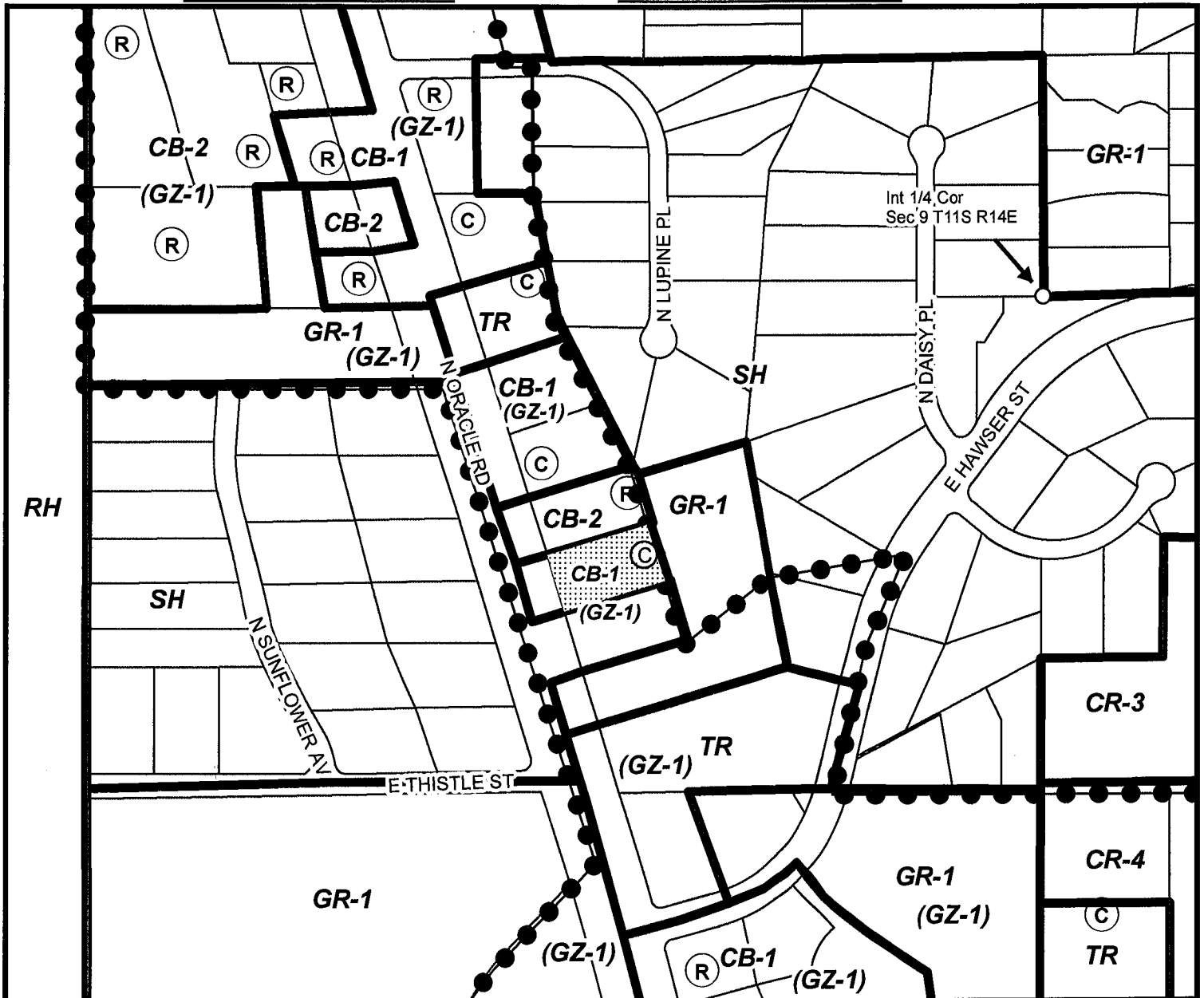
# EXHIBIT A

AMENDMENT NO. \_\_\_\_\_ BY ORDINANCE NO. \_\_\_\_\_  
 TO PIMA COUNTY ZONING MAP NO. 432 TUCSON AZ. LOT 23  
 OF TWIN LAKES MOBILE ESTATES BEING A PART OF THE  
 SW 1/4 OF SECTION 9 T11S R14E.



0 105 210 420 Feet

ADOPTED: \_\_\_\_\_ EFFECTIVE: \_\_\_\_\_

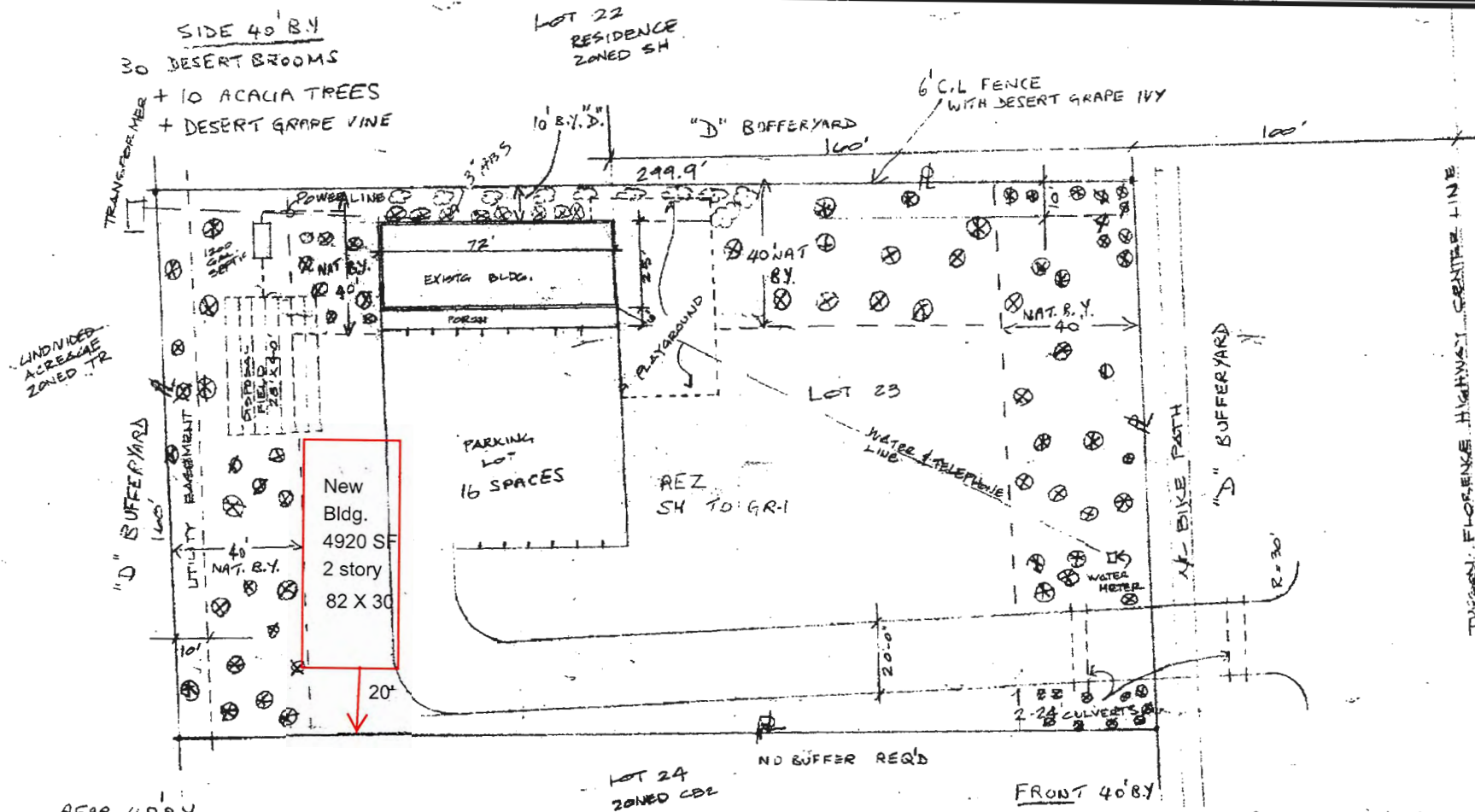


EXECUTIVE SECRETARY PIMA COUNTY PLANNING AND ZONING COMMISSION

**(C)** NO BUILDING PERMITS WITHOUT CERTIFICATE OF COMPLIANCE  
 FROM GR-1 (GZ-1) 1.1 ac  
 ds-November 7, 2019

P19RZ00007  
 222260450





- REAR 40' B.Y.
- 12 TREES - MESQUITE + PALO VERDE
  - 9 CHOLLA CACTI
  - 12 DESERT BROOMS
  - 3 BARREL CACTUS
  - 12 PRICKLY PEAR

- FRONT 40' B.Y.
- 17 TREES - MESQUITE + PALO VERDE
  - 10 CACTI - PRICKLY PEAR + CHOLLA
  - 2 BARREL CACTI
  - 13 DESERT BROOMS



SITE PLAN

SCALE: 1" = 30' 0"

15450 N. ORACLE ROAD  
CATALINA ARIZ.

Exhibit B

Page 4 of 4