



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: April 7, 2020

Title: ORDINANCE: P19RZ00009 GURVINE - N. CAMINO DEL FIERRO REZONING

Introduction/Background:

On December 17, 2019, the Board of Supervisors approved this rezoning subject to conditions as recommended by the Planning and Zoning Commission.

Discussion:

The rezoning was for 4.67 acres from the SR (Suburban Ranch) zone to the SR-2 (Suburban Ranch Estate) 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.

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, Senior Planner Telephone: 520-724-9508

Department Director Signature/Date:  3/10/2020

Deputy County Administrator Signature/Date:  3/13/2020

County Administrator Signature/Date:  3/16/20



Subject: P19RZ00009

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APRIL 7, 2020 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS

FROM: Chris Poirier, Planning Official *Tam Drzazgowski*
Public Works-Development Services Department-Planning Division

DATE: March 6, 2020

ORDINANCE FOR ADOPTION

P19RZ00009 GURVINE – N. CAMINO DEL FIERRO REZONING

Owners: David and Laura Gurvine
(District 1)

If approved, adopt ORDINANCE NO. 2020 - _____

OWNERS: David and Laura Gurvine
10120 N. Camino del Fierro
Tucson, AZ 85742-9668

AGENT: None

DISTRICT: 1

STAFF CONTACT: David Petersen, Senior Planner

STAFF RECOMMENDATION: APPROVAL.

CP/DP/ar
Attachments

cc: Tom Drzazgowski, Chief Zoning Inspector
P19RZ00009 File

ORDINANCE 2020-_____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA RELATING TO ZONING; REZONING APPROXIMATELY 4.67 ACRES OF PROPERTY, LOCATED ON THE EAST SIDE OF N. CAMINO DEL FIERRO, APPROXIMATELY 650 FEET NORTH OF W. OASIS DRIVE AND APPROXIMATELY 1,300 FEET EAST OF N. SHANNON ROAD, FROM THE SR (SUBURBAN RANCH) ZONE TO THE SR-2 (SUBURBAN RANCH ESTATE) ZONE, IN CASE P19RZ00009 GURVINE – N. CAMINO DEL FIERRO REZONING, AND AMENDING PIMA COUNTY ZONING MAP NO. 162.

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

Section 1. The 4.67 acres located on the east side of N. Camino del Fierro, approximately 650 feet north of W. Oasis Drive and approximately 1,300 feet east of N. Shannon Road and illustrated by the shaded area on the attached rezoning ordinance map (Exhibit A), which amends Pima County Zoning Map No. 162, is rezoned from the SR (Suburban Ranch) zone to the SR-2 (Suburban Ranch Estate) 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 new eastern lot shall be served by the existing common private road.
 - B. The property owner(s) shall accept responsibility for the maintenance, control, safety and liability of privately owned roads.
3. Environmental Planning conditions:
 - A. To achieve compliance with the Maeveen Marie Beehan Conservation Lands System, new ground disturbance shall be limited to no more than 15,495.5 square feet total.
 - B. Upon the effective date of the Ordinance, the owner(s)/developer(s) shall have a continuing responsibility to remove invasive non-native species from the property, including those listed 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.

Invasive Non-Native Plant Species Subject to Control

<i>Ailanthus altissima</i>	Tree of Heaven
<i>Alhagi pseudalhagi</i>	Camelthorn
<i>Arundo donax</i>	Giant reed
<i>Brassica tournefortii</i>	Sahara mustard
<i>Bromus rubens</i>	Red brome
<i>Bromus tectorum</i>	Cheatgrass
<i>Centaurea melitensis</i>	Malta starthistle
<i>Centaurea solstitialis</i>	Yellow starthistle
<i>Cortaderia</i> spp.	Pampas grass
<i>Cynodon dactylon</i>	Bermuda grass (excluding sod hybrid)
<i>Digitaria</i> spp.	Crabgrass
<i>Elaeagnus angustifolia</i>	Russian olive
<i>Eragrostis</i> spp.	
Lovegrass (excluding <i>E. intermedia</i> , plains lovegrass)	
<i>Melinis repens</i>	Natal grass
<i>Mesembryanthemum</i> spp.	Iceplant
<i>Peganum harmala</i>	African rue
<i>Pennisetum ciliare</i>	Buffelgrass
<i>Pennisetum setaceum</i>	Fountain grass
<i>Rhus lancea</i>	African sumac
<i>Salsola</i> spp.	Russian thistle
<i>Schinus</i> spp.	Pepper tree
<i>Schismus arabicus</i>	Arabian grass
<i>Schismus barbatus</i>	Mediterranean grass
<i>Sorghum halepense</i>	Johnson grass
<i>Tamarix</i> spp.	Tamarisk

4. Adherence to the sketch plan as approved at public hearing (Exhibit B).
5. The eastern parcel shall have a minimum 75-foot building setback from the north property line for main and accessory structures.
6. The residence on the western parcel shall be limited to one story with a maximum building height of 20 feet.
7. The driveway for the western parcel shall at minimum have a dust-free chipseal surface.
8. 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.
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.

10. 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 10 of Section 2 shall be completed no later than December 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:



Deputy County Attorney
Lesley M. Lukach

Approved:



Executive Secretary,
Planning and Zoning Commission

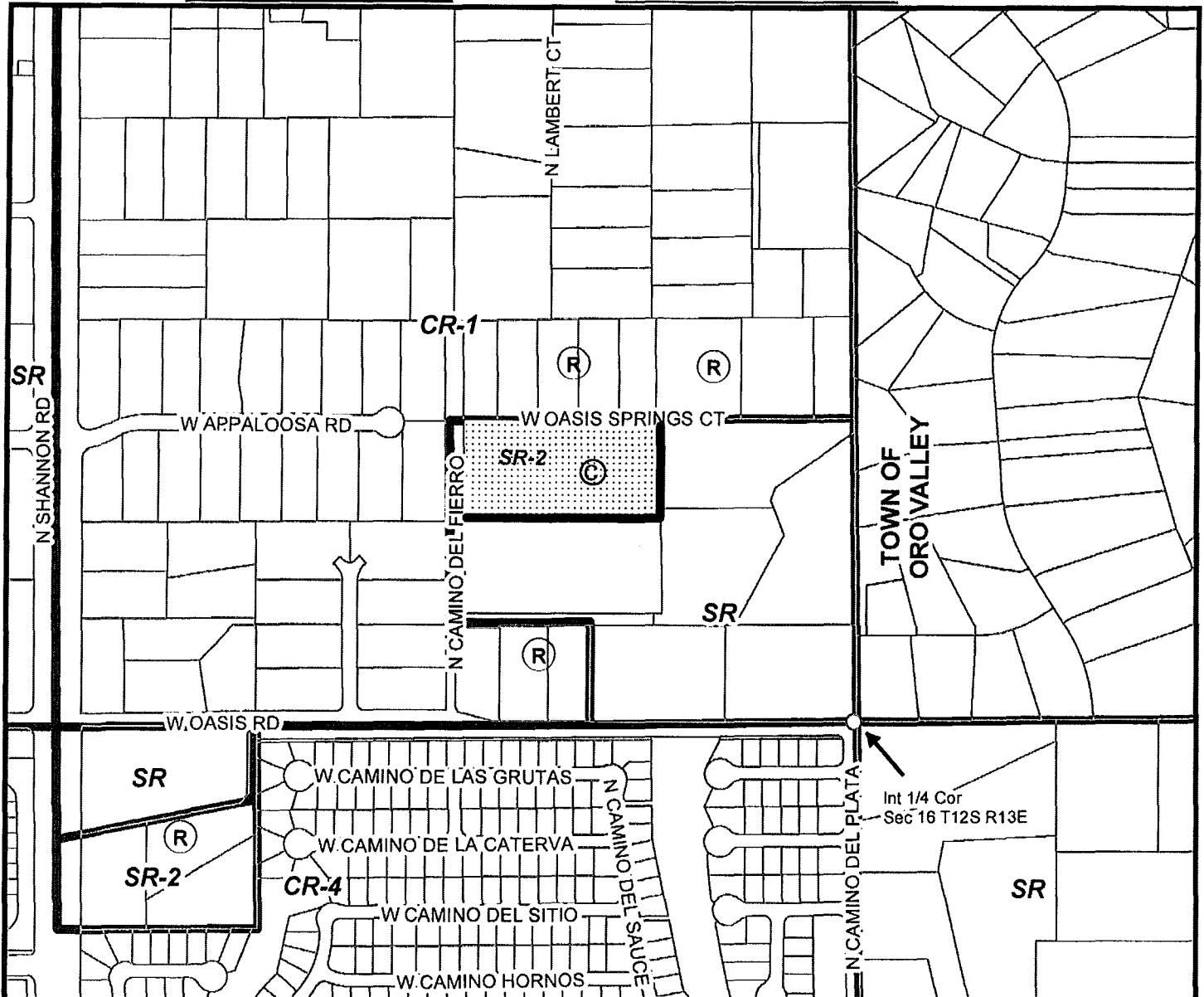
EXHIBIT A

AMENDMENT NO. _____ BY ORDINANCE NO. _____
 TO PIMA COUNTY ZONING MAP NO. 162 TUCSON AZ. LOCATED
 IN THE SE 1/4 OF THE NW 1/4 OF SECTION 16 T12S R13E.



0 125 250 500 Feet

ADOPTED: _____ EFFECTIVE: _____

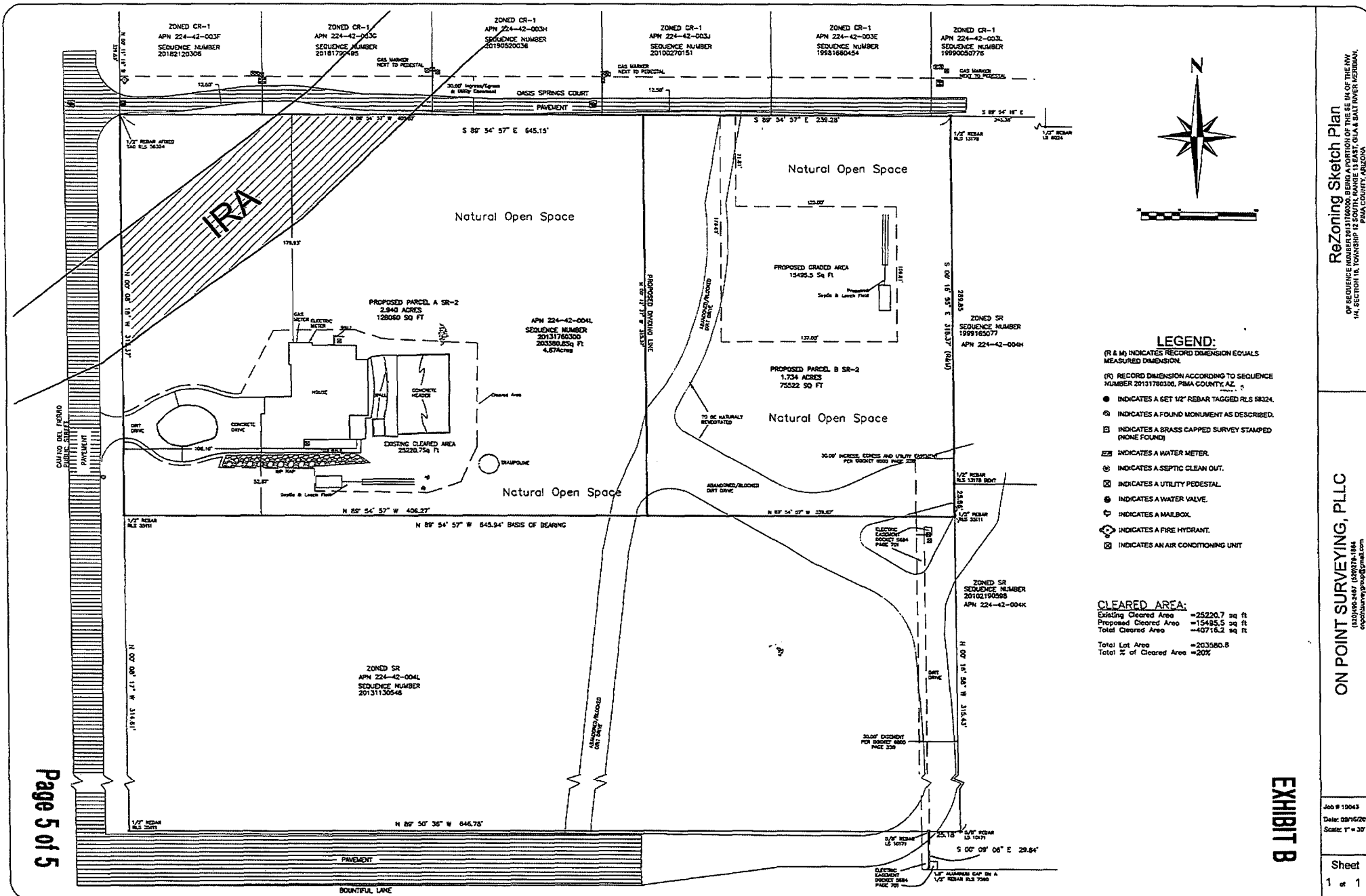


EXECUTIVE SECRETARY PIMA COUNTY PLANNING AND ZONING COMMISSION

© NO BUILDING PERMITS WITHOUT CERTIFICATE OF COMPLIANCE
 FROM SR 4.67 ac
 ds-January 22, 2020

P19RZ00009
 22442004L





ReZoning Sketch Plan
OF SEQUENCE NUMBER 20131780300, BEING A PORTION OF THE E 1/4 OF THE NW 1/4, SECTION 15, TOWNSHIP 12 SOUTH, RANGE 13 EAST, GUA & SALT RIVER MERIDIAN, PIMA COUNTY, ARIZONA.

ON POINT SURVEYING, PLLC
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onpointsurveying@gmail.com

Job # 18043
Date: 09/05/2019
Scale: 1" = 30'

Sheet
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EXHIBIT B