



DEVELOPMENT SERVICES

Date: September 10, 2020

To: Honorable Pima County Board of Supervisors

From: Mark Holden, AICP, Principal Planner

RE: **P20TA00003 ECONOMIC OPPORTUNITY EXPANSION OMNIBUS NO. 2 - TRAIL-ORIENTED DEVELOPMENT ZONING CODE TEXT AMENDMENT**

The above referenced case was heard at the August 17, 2020 public hearing of the Pima County Board of Supervisors. The zoning code text amendment was written to promote small business economic opportunity and provide destinations and services for users on the Chuck Huckelberry Loop Trail (the Loop) by providing development incentives in certain rural and industrial zones. At the hearing, a number of members of the Tucson Mountains Association (TMA) expressed concern regarding potential development along the Santa Cruz River stretch of the Loop. The board continued the case to the September 15 public hearing and instructed staff to hold discussions with the TMA regarding their concerns.

Staff conducted an online meeting with members of the TMA Board on August 25 and heard the group's concerns regarding the washes in the eastern Tucson Mountains that provide ecological connectivity between the uplands and the Santa Cruz River, the importance of the confluence of the Rillito, Canada del Oro and Santa Cruz Rivers, and the association's mission to maintain the low-density rural character of the region. Staff offered to add a clause to exempt parcels west of N. Silverbell Road from the text amendment area, which the TMA said they would review at their next board meeting. The change was reviewed by the Pima County Attorneys' Office and is added to the attached text amendment ordinances.

In a separate issue, a supervisor asked why the proposed zoning code text amendment covers all districts except District 5. The current and future planned alignment of the Loop in District 5 is completely within the jurisdiction of the City of Tucson, which is not subject to Pima County's Zoning Code. However, should a branch of the Loop extend westward into unincorporated Pima County in District 5, that section of the trail would be considered subject to the zoning code text amendment.

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

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA AMENDING THE PIMA COUNTY ZONING CODE, CHAPTER 18.07 (GENERAL REGULATIONS AND EXCEPTIONS), SECTION 18.07.030 (LAND USE REGULATIONS), TO ADD GUIDELINES, LOCATIONS, PERMITTED USES AND DEVELOPMENT REQUIREMENTS FOR TRAIL-ORIENTED DEVELOPMENT; CHAPTER 18.13 (RH RURAL HOMESTEAD ZONE), SECTION 18.13.030 (CONDITIONAL USES), CHAPTER 18.14 (GR-1 RURAL RESIDENTIAL ZONE), SECTION 18.14.030 (CONDITIONAL USES), AND CHAPTER 18.17 (SR SUBURBAN RANCH ZONE), SECTION 18.17.030 (CONDITIONAL USES), TO ADD TRAIL-ORIENTED DEVELOPMENT AS A CONDITIONAL USE; AND, CHAPTER 18.37 (MU MULTIPLE USE ZONE), SECTION 18.37.010 (PERMITTED USES), AND CHAPTER 18.51 (CI-1 LIGHT INDUSTRIAL/WAREHOUSING ZONE), SECTION 18.51.030 (PERMITTED USES), TO PERMIT TRAIL-ORIENTED DEVELOPMENT. (DISTRICTS 1, 2, 3 AND 4)

THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA FINDS THAT:

1. The Planning and Zoning Commission, at its March 25, 2020 hearing, initiated and authorized staff to amend the Pima County Zoning Code to facilitate and encourage development in Pima County, specifically identifying properties in close proximity to the Chuck Huckelberry Loop Trail for development incentives as part of Economic Opportunity Expansion Omnibus #2.
2. Pima County Board of Supervisors approved the update of the Comprehensive Plan, Pima Prospers, on August 17, 2015 (Co7-13-10; Resolution 2015-62).
3. Pima County Comprehensive Plan, Chapter 3 - Use of Land, Element 3.2 - Focused Development Investment Areas identifies the Chuck Huckelberry Loop Trail as a designated growth area; and, Chapter 4 - Physical Infrastructure, Element 4.8 - Trails Element identifies support of the Loop and other county trails to promote healthy lifestyles, economic development, and connectivity to a variety of destinations.
4. This ordinance updates the zoning code to provide the purpose, guidelines and development standards and permitted uses for trail-oriented development, and to identify zones in proximity to trails where trail-oriented development may be permitted or conditionally permitted.
5. This ordinance does not create new restrictions on the use of property, and this ordinance is not intended to, nor should it be construed to reduce any existing rights to use, divide, sell or possess private real property.

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

Section 1. Pima County Code Chapter 18.07, Section 18.07.030 (Land use regulations) is amended to add guidelines, location, permitted uses and development requirements for trail-oriented development, as follows:

CHAPTER 18.07  
GENERAL REGULATIONS AND EXCEPTIONS

. . .

18.07.030 Land use regulations.

. . .

V. Trail-oriented development: to provide incentives to encourage economic development and small-scale business opportunities through retail and services for users who commute and recreate on established county trails.

1. Guidelines - Establishments should:

- a. Be located to provide safe access for pedestrians and bicyclists to and from trails;
- b. Provide outdoor seating, shade, landscaping, and be oriented toward trails to the extent practicable;
- c. Use elements of green building, sustainability, water harvesting, and green infrastructure / low impact development in project design and construction;
- d. Promote and complement the region's long historic, cultural and natural heritage, and existing specific site characteristics (such as shade trees, vegetation, or viewsheds) where possible.

2. Location:

- a. Any parcel within five-hundred feet of the Chuck Huckelberry Loop Trail or any county-identified Loop Trail spur segment, excluding any parcels west of N. Silverbell Road.

3. Uses:

- a. Food and beverage service, such as coffee shop, café, delicatessen, ice cream store, juice bar, refreshment stand, brew pub, restaurant (with or without alcohol sales);
- b. Retail, such as bicycle shop, farm products stand, farmers market, grocery, convenience store, or similar small retail establishment;
- c. Services, such as bank or personal services;
- d. Other trail-oriented development: all uses which are similar in type, scale or intensity to other uses listed and which are, in the opinion of the zoning inspector, not otherwise unlawful, injurious to the general health and welfare or specifically excluded.

4. Requirements for permanent structures and establishments:

- a. Maximum floor area in RH, GR-1 and SR zones: 10,000 square feet;
- b. Setbacks on parcels that abut trails and onsite vehicle parking may be reduced to less than required, with Planning Official approval, when demonstrated that the minimum necessary to support onsite use is provided;
- c. Shall provide sufficient and secure bicycle parking.

5. Signage - Section 18.79.040 of the zoning code notwithstanding, temporary and portable advertising signs for establishments along trails shall be permitted:

- a. Free-standing single-sided or two-sided sandwich board type signs only permitted;
- b. Signs shall not exceed sixteen square-feet in area per side;
- c. Signs shall be placed during business hours only and removed at close of the business day;
- d. Signs shall be located and secured so as not to cause safety hazards. Signs shall not be placed within trail rights-of-way, obstruct congested areas, obstruct entrances, obstruct line-of-sight down the trail, or otherwise obstruct trails;
- e. Signs shall not be illuminated;
- f. Signs may be placed on public property.

Section 2. Pima County Code Chapter 18.13, Section 18.13.030 (Conditional uses) is amended to add trail-oriented development as a conditional use, as follows:

Chapter 18.13  
RH RURAL HOMESTEAD ZONE

...

18.13.030 Conditional uses.

...

B. Uses conditionally permitted:

...

38. Trail-Oriented Development:

- a. Type I procedure.
- b. In accordance with Section 18.07.030(V) (Land use regulations).

39. Other conditional uses: All uses which are similar....

Section 3. Pima County Code Chapter 18.14, Section 18.14.030 (Conditional uses) is amended to add trail-oriented development as a conditional use, as follows:

Chapter 18.14  
GR-1 RURAL RESIDENTIAL ZONE

...

18.14.030 Conditional uses.

...

B. Uses conditionally permitted:

...

25. Trail-Oriented Development:

a. Type I procedure.

b. In accordance with Section 18.07.030(V) (Land use regulations).

26. Other conditional uses: All uses which are similar....

Section 4. Pima County Code Chapter 18.17, Section 18.17.030 (Conditional uses) is amended to add trail-oriented development as a conditional use, as follows:

Chapter 18.17  
SR SUBURBAN RANCH ZONE  
...

18.17.030 Conditional uses.

...

B. Uses Conditionally Permitted (Type I Procedure).

...

7. Trail-Oriented Development: In accordance with Section 18.07.030(V) (Land use regulations).

Section 5. Pima County Code Chapter 18.37, Section 18.37.010 (Permitted uses) is amended to add trail-oriented development as a permitted use, as follows:

Chapter 18.37  
MU MULTIPLE USE ZONE

18.37.010 Permitted uses.

A. Uses permitted:

...

21. Keeping chickens in accordance with the restrictions in Section 18.09.020(T)(1) (General Residential and Rural Zoning Provisions);

22. Trail-Oriented Development: In accordance with Section 18.07.030(V) (Land use regulations).

Section 6. Pima County Code Chapter 18.51, Section 18.51.030 (Permitted uses) is amended to add trail-oriented development as a permitted use, as follows:

Chapter 18.51  
CI-1 LIGHT INDUSTRIAL/WAREHOUSING ZONE

...

18.51.030 Permitted uses.

...

I. Trail-Oriented Development: In accordance with Section 18.07.030(V) (Land use regulations).

Section 7. That this ordinance is effective 31 days after its adoption.

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

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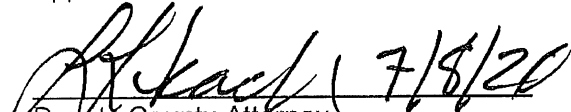
Passed and adopted by the Board of Supervisors of Pima County, Arizona, on this \_\_\_\_\_ day  
of \_\_\_\_\_, 2020.

\_\_\_\_\_  
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