



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: July 6, 2021

Title: ORDINANCE: P20RZ00012 ARIAS, ET AL. - W. DREXEL ROAD REZONING

Introduction/Background:

The Board of Supervisors approved this rezoning on March 16, 2021.

Discussion:

The rezoning was for approximately .83 acres from the GR-1 (Rural Residential) to the CMH-1 (County Manufactured and Mobile Home-1) zone to allow for two lots each planned for one manufactured home.

Conclusion:

The Ordinance reflects the Board of Supervisors' approval.

Recommendation:

Approval

Fiscal Impact:

0

Board of Supervisor District:

☐ 1 ☐ 2 ☐ 3 ☐ 4 ☒ 5 ☐ All

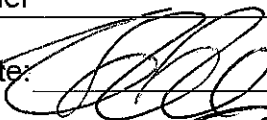
Department: Development Services - Planning

Telephone: 520-724-8800

Contact: Donna Spicola, Planner

Telephone: 520-724-9513

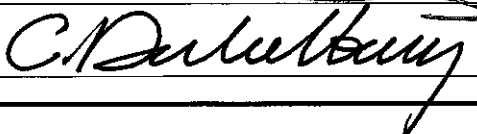
Department Director Signature/Date:

 6/14/21

Deputy County Administrator Signature/Date:

 6/14/2021

County Administrator Signature/Date:

 6/14/21



Subject: P20RZ00012

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JULY 6, 2021 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS

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

DATE: June 15, 2021

ORDINANCE FOR ADOPTION

P20RZ00012 ARIAS, ET AL. – W. DREXEL ROAD REZONING

Owner: Andres Arias and Yesenia Fimbres
(District 5)

If approved, adopt ORDINANCE NO. 2021 - _____

OWNERS: Andres Arias and Yesenia Fimbres
7592 W. Zorro Road
Tucson, AZ 85757

AGENT: Same

DISTRICT: 5

STAFF CONTACT: Donna Spicola, Planner

STAFF RECOMMENDATION: APPROVAL.

TD/DS
Attachments

c: Andres Arias and Yesenia Fimbres
Tom Drzazgowski, Chief Zoning Inspector
P20RZ00012 File

ORDINANCE 2021-_____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO ZONING; REZONING APPROXIMATELY .83 ACRES OF PROPERTY (ADDRESSED AS 2905 W. DREXEL ROAD), FROM THE GR-1 (RURAL RESIDENTIAL) ZONE TO THE CMH-1 (COUNTY MANUFACTURED AND MOBILE HOME-1) ZONE, IN CASE P20RZ00012 ARIAS, ET AL. - W. DREXEL ROAD REZONING, LOCATED AT THE SOUTHWEST CORNER OF W. DREXEL ROAD AND S. CARDINAL AVENUE, AND AMENDING PIMA COUNTY ZONING MAP NO. 35.

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

Section 1. The .83 acres located at the southwest corner of W. Drexel Road and S. Cardinal Avenue and illustrated by the shaded area on the attached rezoning ordinance map (Exhibit A), which amends Pima County Zonings Map No. 35, is rezoned from the GR-1 (Rural Residential) zone to the CMH-1 (County Manufactured and Mobile Home-1) 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. A 1-foot no access easement shall be provided along the northern property boundary prior to the issuance of a building permit.
 - B. One access shall be allowed and shall be located between the southeast corner of the site and the beginning of the northbound left-turn storage lane on Cardinal Avenue.
 - C. An ingress/egress easement for legal access between the properties is required prior to the issuance of a building permit. The location and design of said ingress/egress easement shall be determined during the building permitting process. All lots shall be served by this common, private ingress/egress easement and shall be paved (chip sealed) within six (6) months of the issuance of a building permit.
 - D. The property owner(s) shall accept responsibility for the maintenance, control, safety and liability of privately owned roads, drives, physical barriers, drainageways and drainage easements.
3. Regional Wastewater Reclamation 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 owners(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.
- 4. Cultural Resources condition: A caution must be noted concerning human burials. 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.
 - 5. Adherence to the sketch plan as approved at public hearing. (Exhibit B)
 - 6. 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.
 - 7. 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 7 of Section 2 shall be completed no later than March 16, 2026.

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 Chair of the Board of Supervisors signs this Ordinance.


Passed and adopted by the Board of Supervisors of Pima County, Arizona, on this _____ day of _____, 2021.

Chair, Pima County Board of Supervisors

ATTEST:


Clerk, Board of Supervisors

APPROVED AS TO FORM:



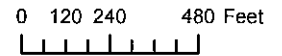
Deputy County Attorney
Lesley M. Lukach

APPROVED:



Executive Secretary
Planning and Zoning Commission

AMENDMENT NO. _____ BY ORDINANCE NO. _____
TO PIMA COUNTY ZONING MAP NO. 35 TUCSON AZ. LOCATED
IN THE NE 1/4 OF THE NE 1/4 OF SECTION 8 OF T15S R13E.



EFFECTIVE:



P20RZ00012
13720001A



Driveway

west to East
126'

Driveway
↔

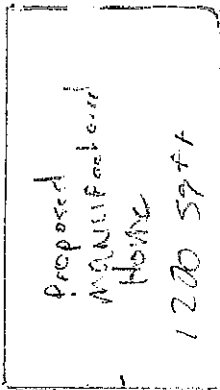
Car driveway
↕

62'

64'

NOT to Scale

Side walk

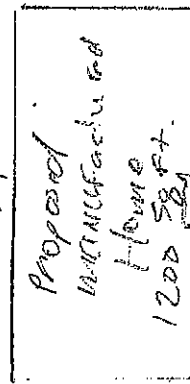


54'

Proposed
Manufactured
Home
1200 sq ft

1200 sq ft

60'
Set Back
from erosion
Hazard



54'

Proposed
Manufactured
Home
1200 sq ft

front

24'

60'
Set Back
from
erosion Hazard

*Note: Driveway
crossing must
meet
Regional Flood
District Tech policy
TECH-027

Note:
Flood plain
limit
undetermined

Note:
Flood plain
Limits Have
Not been determined

path through dry
wash

Proposed
East parcel
access

path through dry
wash

Dry
wash

proposed west
parcel access

access
access

access for
East and
west
parcel

entire lot (9) 147' Not to East