



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: 11/16/2021

**= Mandatory, information must be provided*

Click or tap the boxes to enter text. If not applicable, indicate "N/A".

***Title:**

ORDINANCE: P21RZ00004 WESTFALL – N. SANDERS ROAD REZONING

***Introduction/Background:**

The Board of Supervisors approved this rezoning on July 6, 2021.

***Discussion:**

The rezoning was for approximately 4.61 acres from the RH (BZ) (Rural Homestead – Buffer Overlay) to the GR-1 (BZ) (Rural Residential – Buffer Overlay) zone for four, approximately 1-acre parcels.

***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: _____

Deputy County Administrator Signature: _____

Date: _____

County Administrator Signature: _____

Date: _____



Subject: P21RZ00004

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NOVEMBER 16, 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: October 26, 2021

ORDINANCE FOR ADOPTION

P21RZ00004 WESTFALL – N. SANDERS ROAD REZONING

Owners: Roger H. and Susan M. Westfall, 12505 W. Nolen Street, Tucson, AZ
85743-8775
(District 3)

If approved, adopt ORDINANCE NO. 2021 - _____

OWNERS: Roger H. and Susan M. Westfall
12505 W. Nolen Street
Tucson, AZ 85743-8775

AGENT: Jim Chumbler
3834 S. 6th Avenue
Tucson, AZ 85714

DISTRICT: 3

STAFF CONTACT: Terrill Tillman AICP, Principal Planner

STAFF RECOMMENDATION: APPROVAL.

TD/TT/ds
Attachments

c: Jim Chumbler, 3834 S. 6th Avenue, Tucson, AZ 85714

ORDINANCE 2021-_____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO ZONING; REZONING APPROXIMATELY 4.61 ACRES OF PROPERTY (PARCEL CODE 213-13-073A) FROM THE RH (BZ) (RURAL HOMESTEAD – BUFFER OVERLAY ZONE) TO THE GR-1 (BZ) (RURAL RESIDENTIAL – BUFFER OVERLAY ZONE) ZONE, IN CASE P21RZ00004 WESTFALL – N. SANDERS ROAD REZONING, LOCATED AT THE SOUTHEAST CORNER OF W. NOLEN ROAD AND N. SANDERS ROAD, AND AMENDING PIMA COUNTY ZONING MAPS NOS. 154 AND 155.

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

Section 1. The 4.61 acres located at the southeast corner of W. Nolen Road and N. Sanders Road and illustrated by the shaded area on the attached rezoning ordinance map (Exhibit A), which amends Pima County Zoning Map Nos. 154 and 155, is rezoned from the RH (BZ) (Rural Homestead – Buffer Overlay Zone) to the GR-1 (BZ) (Rural Residential – Buffer Overlay Zone) 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 property owner(s) shall dedicate 30 feet of right-of-way for Sanders Road.
 - B. Corner spandrel right-of-way dedication shall be provided by the property owner(s) at the Sanders Road and Nolen Road intersection. A curve radius of twenty-five feet is required.
 - C. The location, number and design of access points shall be determined at the time of building permitting. An ingress/egress access easement shall be provided for the easternmost lot.
 - D. The property owner(s) shall accept responsibility for the maintenance, control, safety and liability of privately owned easements, drives, physical barriers, drainageways and drainage easements.
3. Flood Control District conditions:
 - A. A Floodplain Use Permit is required for any development and shall include determination of a finished floor elevation.
 - B. A note shall be included on the survey of each lot indicating that it is in a half-foot depth sheet flood area regulated by the Pima County Regional Flood Control District.
 - C. A revised sketch plan shall be submitted prior to Certificate of Compliance that includes a note indicating the presence of regulatory sheet flood area.
4. Cultural Resources condition: Prior to ground modifying activities, an on-the-ground archaeological and historic sites survey shall be conducted on the subject property. A cultural resources mitigation plan for any identified archaeological and historic sites on the subject property shall be submitted at the time of, or prior to, the submittal of any tentative

plan or development plan. All work shall be conducted by an archaeologist permitted by the Arizona State Museum, or a registered architect, as appropriate. Following rezoning approval, any subsequent development requiring a Type II grading permit will be reviewed for compliance with Pima County's cultural resources requirements under Chapter 18.81 of the Pima County Zoning Code Adherence to the sketch plan as approved at public hearing.

5. Adherence to the sketch plan approved at public hearing (Exhibit B).
6. The property owner(s) are required to preserve fifty-percent natural open space of the future lots. The preservation area shall be the highest resource value and shall be contiguous natural open space.
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(I)."

Section 3. Time limits of conditions. Conditions 1 through 8 of Section 2 shall be completed no later than July 6, 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:

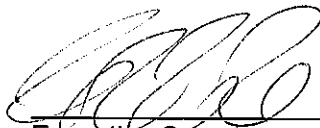
Clerk, Board of Supervisors

APPROVED AS TO FORM:



Deputy County Attorney

APPROVED:



Executive Secretary
Planning and Zoning Commission

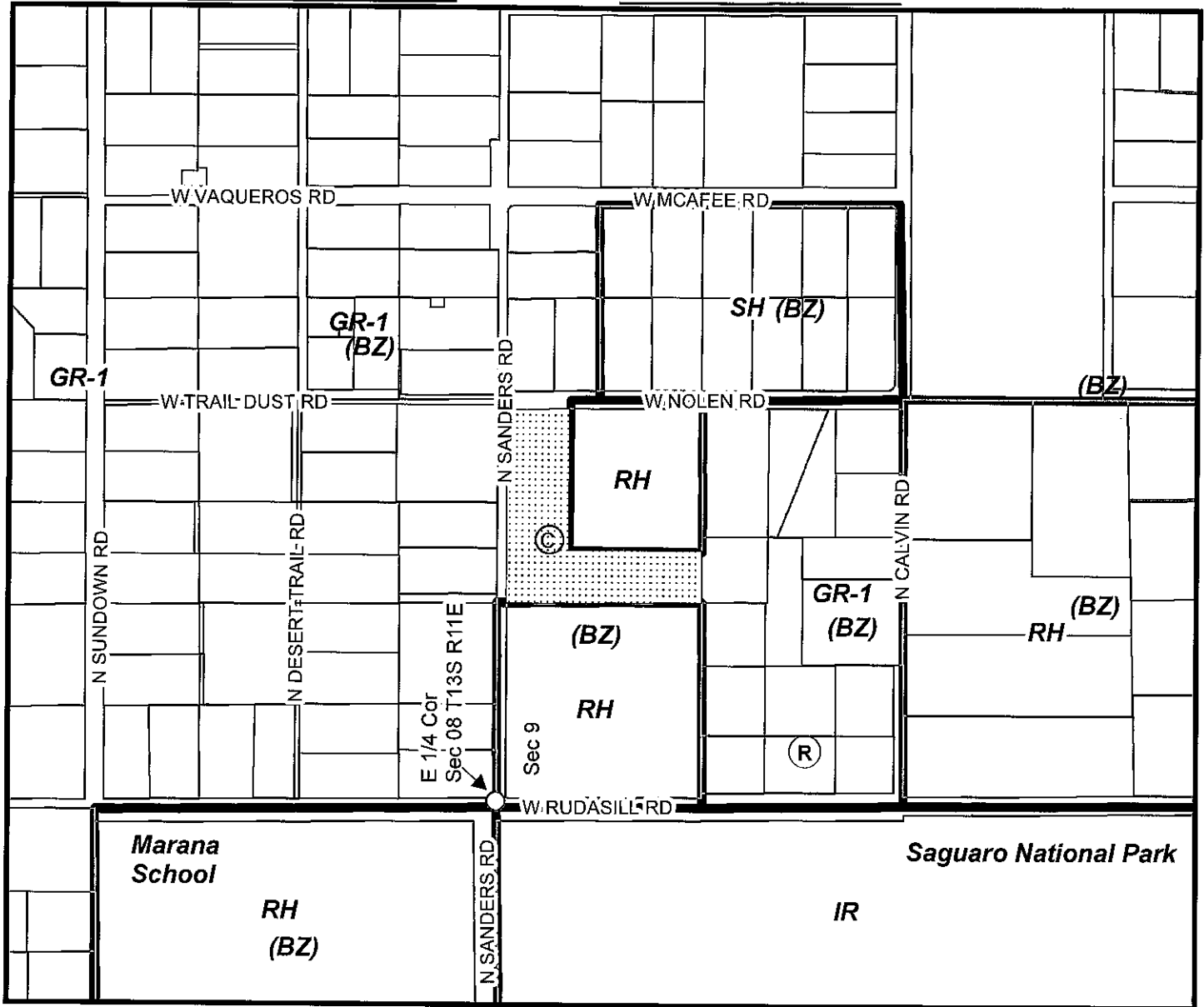
EXHIBIT A

AMENDMENT NO.'S _____ BY ORDINANCE NO. _____
TO PIMA COUNTY ZONING MAP NO.'S 154 & 155 TUCSON AZ. BEING A PART
OF SW 1/4 OF THE NW 1/4 OF SECTION 9 OF T13S R11E.



0 125 250 500 Feet
[Scale bar with markings at 0, 125, 250, and 500 feet]

ADOPTED: _____ EFFECTIVE: _____



EXECUTIVE SECRETARY PIMA COUNTY PLANNING AND ZONING COMMISSION

(C) NO BUILDING PERMITS WITHOUT CERTIFICATE OF COMPLIANCE
FROM RH (BZ) 4.61 ac
ds-September 17, 2021

P21RZ00004
21313073A



Westfall Land Rezoning and Subdivision

A Minimum of 50% of the lots will be set aside as natural open space and will be contiguous throughout the 4 lots.

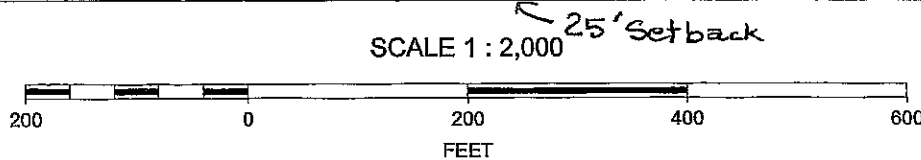
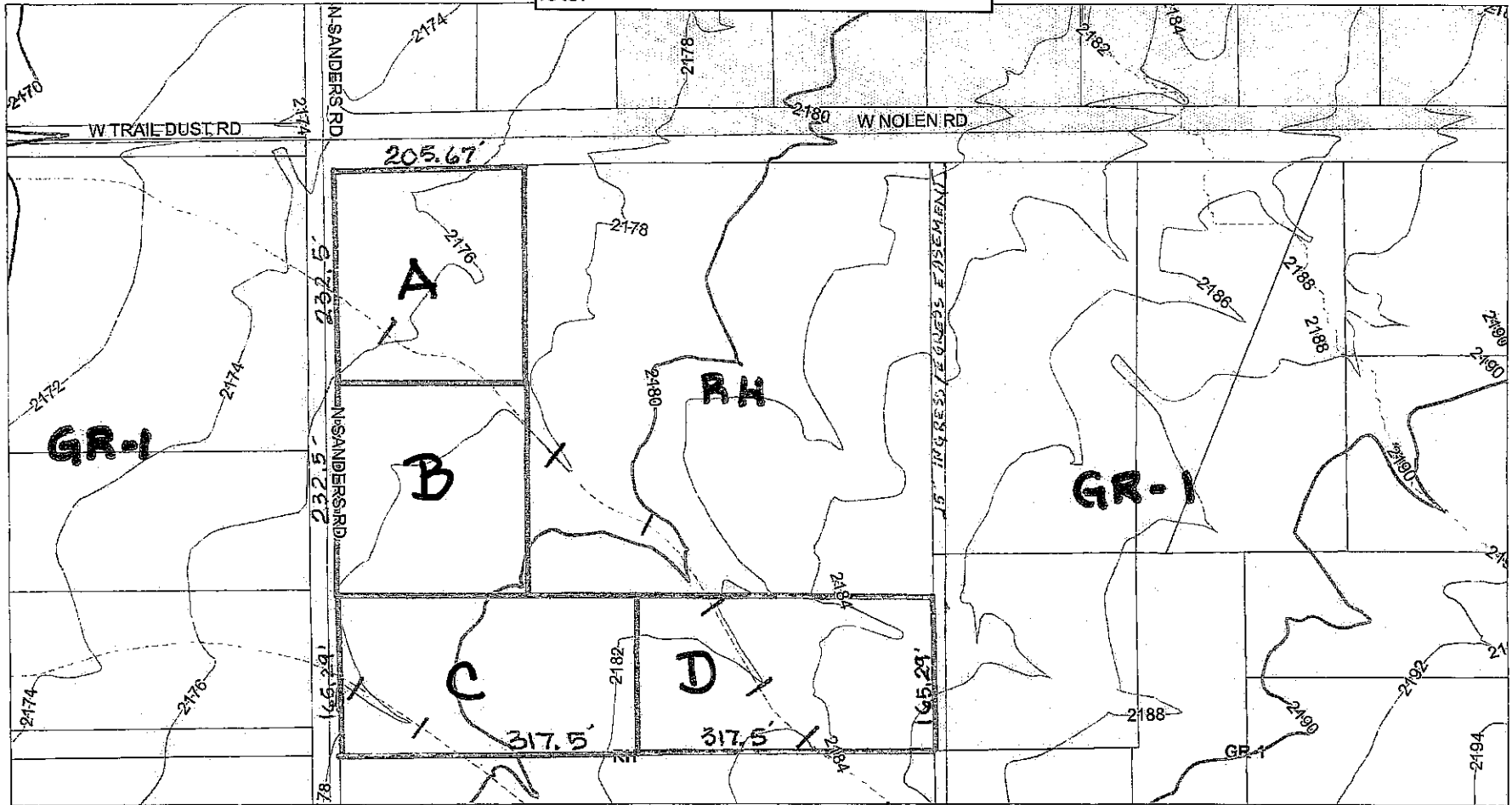


Exhibit B
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Map - 1

