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: P20RZ00008 SB VENTURES I, LLC – E. BENSON HIGHWAY REZONING

***Introduction/Background:**

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

***Discussion:**

The rezoning was from the TR (Transitional) and CB-2 (General Business) zones to the TH (Trailer Homesite) zone for an RV park on the approximately 8.13-acre subject site.

***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 Div. Telephone: 724-8800

Contact: Mark Holden, AICP Telephone: 724-6619

Department Director Signature: _____ Date: 10/26/21

Deputy County Administrator Signature: _____ Date: 10/27/2021

County Administrator Signature: _____ Date: 10/27/2021

PIMA COUNTY

DEVELOPMENT SERVICES

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

P20RZ00008 SB VENTURES I, LLC – E. BENSON HIGHWAY REZONING
Owner: Steven Blair
(District 2)

If approved, adopt ORDINANCE NO. 2021 - _____

OWNERS: SB Ventures I, LLC
Attn: Steven Blair
10533 Beech Avenue, Suite B
Fontana, CA 92337-1304

DISTRICT: 2

STAFF CONTACT: Mark Holden, Principal Planner

STAFF RECOMMENDATION: APPROVAL

CP/MH/ds
Attachments

c: Tom Drzazgowski, Chief Zoning Inspector
Steven Blair, SB Ventures I, LLC

ORDINANCE 2021-_____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO ZONING; REZONING APPROXIMATELY 8.13 ACRES OF PROPERTY (PARCEL CODES 140-35-2030, 140-35-206B AND A PORTION OF 140-35-407A) FROM CB-2 (GENERAL BUSINESS) AND TR (TRANSITIONAL) ZONES TO TH (TRAILER HOMESITE) ZONE, IN CASE P20RZ00008 SB VENTURES I, LLC – E. BENSON HIGHWAY REZONING, LOCATED 200 FEET WEST OF THE INTERSECTION OF E. BENSON HIGHWAY AND S. COLUMBUS BOULEVARD, AND AMENDING PIMA COUNTY ZONING MAPS NO. 32 AND 33.

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

Section 1. The approximately 8.13 acres located 200 feet west of the intersection of E. Benson Highway and S. Columbus Boulevard and illustrated by the shaded area on the attached rezoning ordinance map (Exhibit A), which amends Pima County Zoning Maps No. 32 and 33, is rezoned from the CB-2 (General Business) and TR (Transitional) zones to the TH (Trailer Homesite) 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. Prior to Development Plan approval, written proof of coordination with the City of Tucson is required.
   B. A Traffic Memorandum shall be provided with the Development Plan submittal. The Traffic Memorandum should include the turn lane warrant analysis for the site subject to this rezoning and the adjacent site to the south. Offsite improvements determined necessary as a result of the Traffic Memorandum shall be provided by the property owner.
3. Flood Control District condition: at the time of development the developer shall be required to select a combination of Water Conservation Measures from Table B such that the point total equals or exceeds 15 points and includes a combination of indoor and outdoor measures.
4. 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 owner(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.

5. 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.

6. 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/or ARS 41-844 require that the Arizona State Museum be notified of the discovery at (520) 621-4795 so that appropriate arrangements can be made for the repatriation and reburial of the remains by cultural groups who claim cultural or religious affinity to them. 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.

7. Adherence to the preliminary development plan as approved at public hearing (Exhibit B).

8. All RV lots shall provide full connections for water, power and wastewater; no 'dry' parking of RVs shall be permitted.

9. To reduce impacts on surrounding residential neighborhoods, park activities and noise (e.g. running RV generators, outdoor social activities) shall be prohibited between the hours of 9:00 PM and 7:00 AM. All lighting in the vicinity of adjacent residential development shall be shielded and angled away from residences.

10. The owner/applicant shall acquire an Approval of Construction (AOC) from the Pima County Department of Environmental Quality for Public Water System #AZ0410967; the owner/applicant shall also provide documentation of approval of the water system by Rural Metro Fire.

11. 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)."

12. 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 12 of Section 2 shall be completed no later than August 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 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 _____, 2021.

_____
Chair, Pima County Board of Supervisors

ATTEST:

_____
Clerk, Board of Supervisors

APPROVED AS TO FORM:

_____
Deputy County Attorney

APPROVED:

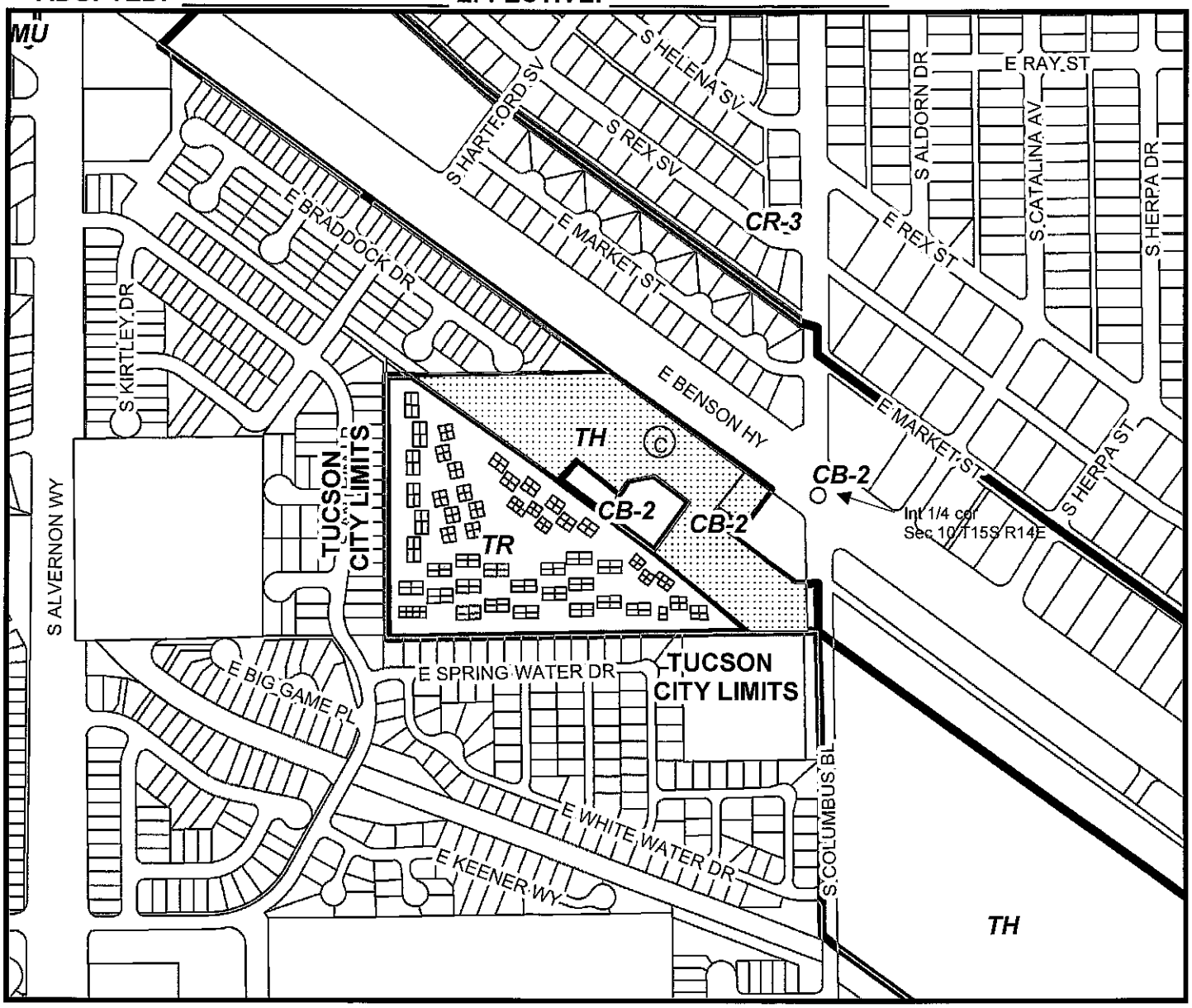
_____
Executive Secretary
Planning and Zoning Commission

EXHIBIT A

AMENDMENT NO.'S_____ BY ORDINANCE NO._____
TO PIMA COUNTY ZONING MAP NO.'S 32, 33 TUCSON AZ. BEING A PART OF CORONET PARK NO 2, PORTION OF BLOCK 2 & SUNHAVEN OF TUCSON TOWNHOUSES, PORTION OF LOT 201 COMMON AREA LOCATED IN THE SE 1/4 OF THE NW 1/4 OF SECTION 10, T15S R14E.
ADOPTED: _____ EFFECTIVE: _____

N
W E
S

0 120 240 480 Feet



EXECUTIVE SECRETARY PIMA COUNTY PLANNING AND ZONING COMMISSION

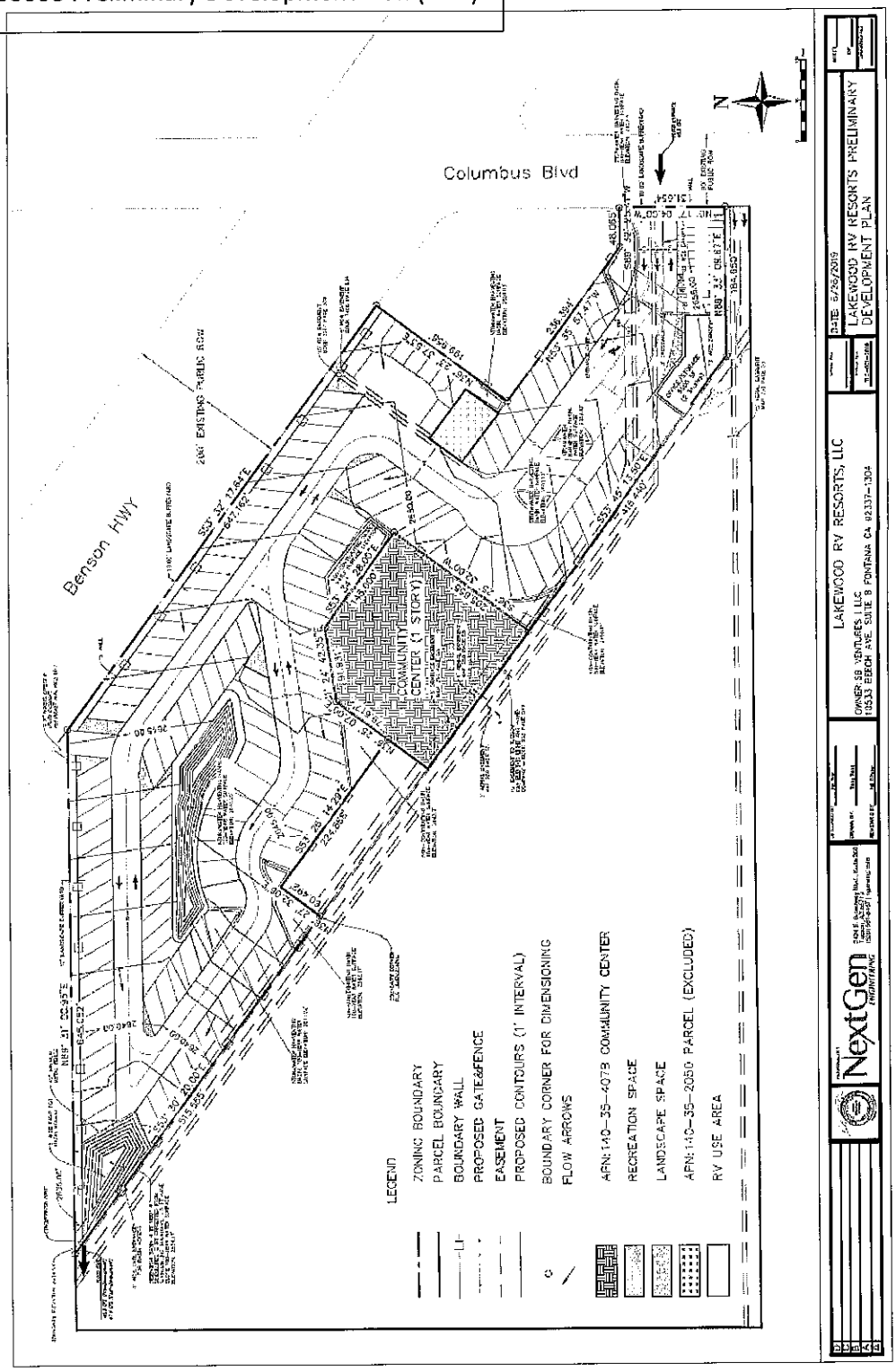
(C) NO BUILDING PERMITS WITHOUT CERTIFICATE OF COMPLIANCE FROM CB-2 & TR 8.13 ac
ds-September 28, 2021

PIMA COUNTY
DEVELOPMENT SERVICES

P20RZ00008
140352030,
14035206B,
Ptn of 14035407A

Exhibit B

P20RZ00008 Preliminary Development Plan (PDP)



- LAND USE PROPOSAL -