



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: 5/21/2024

*= Mandatory, information must be provided

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

***Title:**

P23RZ00006 YARBROUGH TR – W. IRONWOOD HILL DRIVE REZONING

***Introduction/Background:**

The applicant, Stephen Yarbrough, requests a rezoning of approximately 4.77 acres from the SR (BZ) (Suburban Ranch – Buffer Overlay) to the SR-2 (Suburban Ranch Estate – Buffer Overlay) zone.

***Discussion:**

The current SR (BZ) zoning allows for one single-family residence on the existing 4.77-acre parcel. A rezoning to SR-2 (BZ) will allow the property to be split into two parcels and allow the existing guest house to be permitted as a single-family residence on the southern parcel and the existing single-family residence will remain on the northern parcel.

***Conclusion:**

The proposed rezoning conform to the LIU-1.2 Comprehensive Plan designation.

***Recommendation:**

Staff and the Planning and Zoning Commission recommend approval of the rezoning subject to conditions.

***Fiscal Impact:**

0

***Board of Supervisor District:**

1 2 3 4 5 All

Department: Development Services - Planning

Telephone: 520-724-8800

Contact: Donna Spicola, Senior Planner

Telephone: 520-724-9513

Department Director Signature: _____

for

Date: _____

5-1-24

Deputy County Administrator Signature: _____

[Signature]

Date: _____

5/3/2024

County Administrator Signature: _____

[Signature]

Date: _____

5-3-24



TO: Honorable Adelita Grijalva, Supervisor, District 5

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

DATE: April 30, 2024

SUBJECT: **P23RZ00006 YARBROUGH TR- W. IRONWOOD HILL DRIVE REZONING**

The above referenced Rezoning is within your district and is scheduled for the Board of Supervisors' **TUESDAY, May 21, 2024** hearing.

REQUEST: For a **rezoning** of approximately 4.77 acres from the SR (BZ) (Suburban Ranch – Buffer Overlay) to the SR-2 (BZ) (Suburban Ranch Estate – Buffer Overlay) zone, located on the southside of W. Ironwood Hill Drive approximately 1,000 feet east of the T-intersection of W. Ironwood Hill Drive and N. Camino De Oeste, addressed as **4375 W. Ironwood Hill Drive**.

OWNER: Leland & Velma Yarbrough Tr
4375 W. Ironwood Hill Dr.
Tucson, AZ 85745

AGENT: Stephen Yarbrough
4375 W. Ironwood Hill Dr.
Tucson, AZ 85745

DISTRICT: 5

STAFF CONTACT: Donna Spicola, Senior Planner

PUBLIC COMMENT TO DATE: As of April 30, 2024, staff received two written public comments stating concerns related to HDZ and up-zoning and one comment supporting the rezoning. Five people provided comments at the Planning & Zoning Commission meeting opposing the rezoning.

PLANNING & ZONING COMMISSION RECOMMENDATION: APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS 7-1 (Commissioner Gungle voted Nay; Commissioners Becker and Hook were absent)

STAFF RECOMMENDATION: APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS

MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM DESIGNATIONS: The subject property is located outside of the Maeveen Marie Behan Conservation Lands System (CLS).

TD/DS
Attachments



BOARD OF SUPERVISORS MEMORANDUM

SUBJECT: P23RZ00006

Page 1 of 4

FOR MAY 21, 2024 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS

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

DATE: April 30, 2024

ADVERTISED ITEM FOR PUBLIC HEARING

REZONING

P23RZ00006 YARBROUGH TR- W. IRONWOOD HILL DRIVE REZONING

Leland and Velma Yarbrough, represented by Stephen Yarbrough, request a **rezoning** of approximately 4.77 acres from the SR (BZ) (Suburban Ranch – Buffer Overlay) to the SR-2 (BZ) (Suburban Ranch Estate – Buffer Overlay) zone, located on the southside of W. Ironwood Hill Drive approximately 1,000 feet east of the T-intersection of W. Ironwood Hill Drive and N. Camino De Oeste, addressed as **4375 W. Ironwood Hill Drive**. The proposed rezoning conforms to the Pima County Comprehensive Plan which designates the property for Low Intensity Urban 1.2. On motion, the Planning and Zoning Commission voted to recommend **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS 7-1** (Commissioner Gungle voted Nay; Commissioners Becker and Hook were absent). Staff recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**.
(District 5)

Planning and Zoning Commission Public Hearing Summary (March 27, 2024)

The public hearing was held in person, virtually and telephonically. The commissioners attended virtually and through the telephonic option. Staff members were present in person and virtually. The applicant attended and presented in person.

Staff presented information from the staff report to the commission with a recommendation of approval subject to standard and special conditions.

Staff noted that the original rezoning request was for CR-1 and three lots but after receiving feedback from the Tucson Mountains Association the applicant revised the rezoning request to SR-2 with a total of two lots.

A commissioner asked staff about the one-foot no-access easement on W. Ironwood Hill Dr. Staff responded that is to limit the number of access points to provide a safe separation distance between driveways.

A commissioner asked about the 20-foot-wide portion of the southern parcel that extends to Ironwood Hills Dr. Staff responded that the flag lot is needed for Tucson Water to run a water line.

A commissioner asked what would happen if a new owner decided to build a new residence - could the single access be problematic? Staff responded that development will be restricted to areas outside of natural open space and topography restrictions and the current shared driveway easement.

A commissioner asked about the square footage of the guest house. The applicant stated that the guest house is 900 square feet.

The applicant presented the case. He provided family history regarding this property and surrounding properties back the early 1970's. He stated that he plans to make the current guest house on the southern parcel his primary residence and the family trust will own the northern parcel. Plans are to update what will be his primary residence, bring in utilities and build a small garage. There should be minimal impact to the environment and will allow him to downsize and own his residence.

A commissioner asked if the intent was to sell a parcel. The applicant stated he will move into the southern parcel and the family trust will need to decide the future of the northern parcel.

The hearing was opened to the public.

Speaker one, a Tucson Mountains Association Board Member, supports maintaining the current low density SR zoning and opposes upzoning. The speaker stated that allowing SR-2 zoning would set a precedent for additional rezoning requests for more dense development.

Speaker two opposes rezoning in the Gates Pass area and wants to maintain the suburban ranch quasi rural nature of the area. The speaker stated that rezoning your own property to suit your particular financial or personal situation should not be allowed.

Speaker three stated that a wash runs through this parcel, that the purpose of the Tucson Mountains area is to preserve the biodiversity and the passages, especially the washes, and that nearby rezonings to a higher density were a long time ago. The speaker opined that a variance on a property is supposed to be based on some characteristic of the land itself and that if the rezoning is granted, it will be open season for hundreds and hundreds of other parcels. The speaker requested the commission not recommend granting this "free zoning" as it provides a benefit to the owner but not a public benefit.

Speaker four asked for denial of this rezoning request.

Speaker five appreciated the change from the original request but opposes any additional development or rezoning.

The applicant responded to the comments. The concept of this rezoning is to minimize any disturbance to that which exists only. The applicant stated that he understands the concept of conservation and protecting our environment, and his desire is to maintain what is there, not to set a precedent. He continued that this is a five-acre parcel, way beyond 3.3 acres required for an SR-zoned parcel; there is no disturbance of any peak, there is a minimal slope where the driveway exists, and there is no wash that crosses the property.

Staff added comment that this SR-2 rezoning request meets the comprehensive plan. The original request for three lots and CR-1 zoning would have also complied with the comprehensive plan, but the applicant made a compromise to request two lots and SR-2 zoning; this request also meets any hillside development overlay requirements. The applicant was also correct in reference to the Sweetwater Wash, which is south and southeast of this property. Staff summarized that SR-2 zoning is a perfect transition between the SR and CR-1 zoning, and that this request does not set precedence, as each rezoning request is weighed on its own merit. Additionally, this request is to convert a guest house into a single-family residence and allow for the existing residence to be on its own parcel – for the most part, most of the impact already exists.

There were no other speakers, and the public hearing was closed.

A commissioner commented that he was very impressed with the owner and his approach to this case and staff summarized the benefits of this unique case and stated that this rezoning is not going to set a precedent.

Commissioner Cook made a motion to recommend **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**, Commissioner Truitt gave second.

The commission voted to recommend **APPROVAL** of the rezoning 7-1 (Commissioner Gungle voted Nay; Commissioners Becker and Hook were absent) subject to the following conditions:

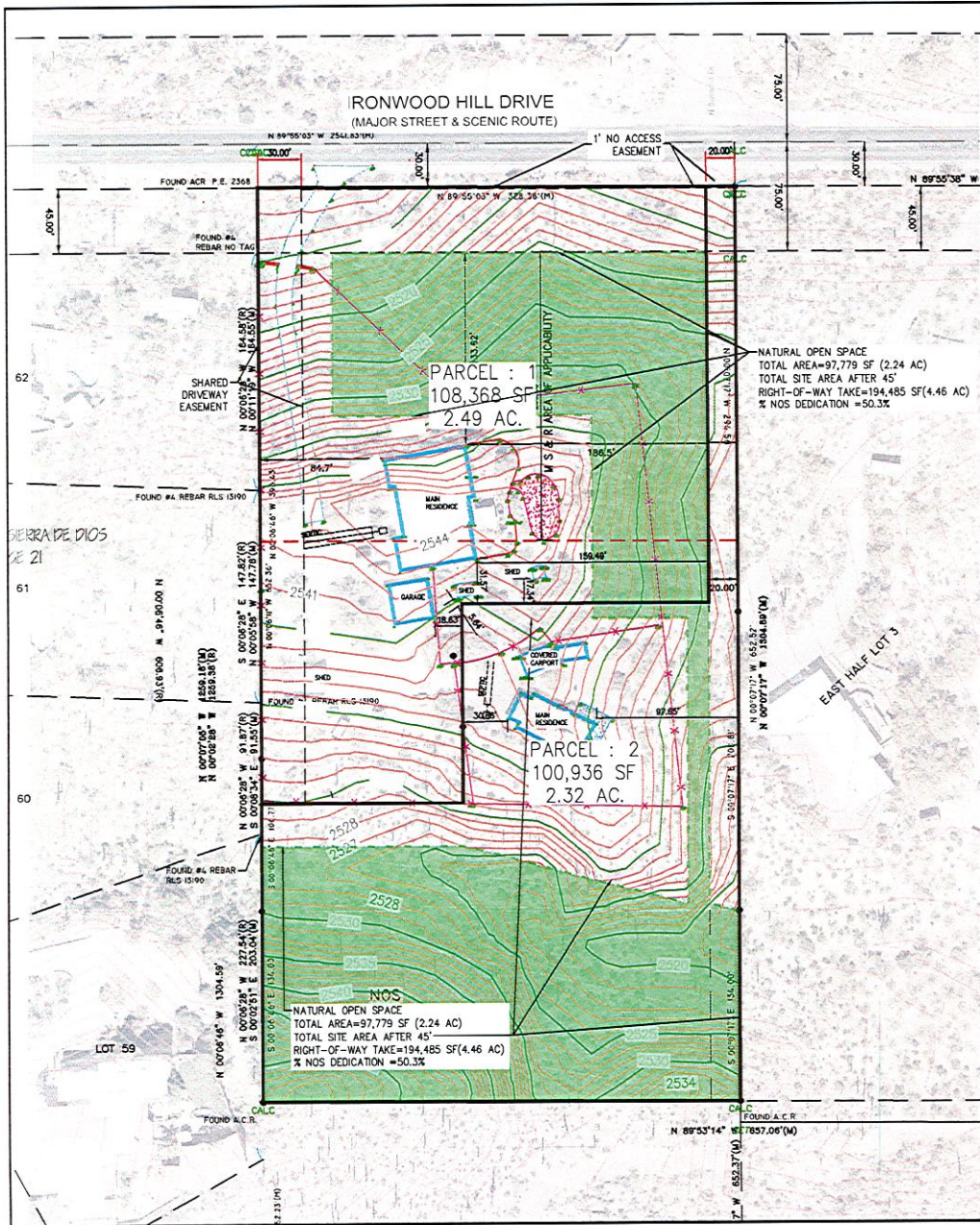
Completion of the following requirements within five years from the date the rezoning request is approved by the Board of Supervisors:

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. The properties shall be limited to a single, shared access point to Ironwood Hill Drive. A one-foot no access easement is required along the north property boundary with the exemption of the access point is required within six months of the Board of Supervisors' approval.
 - B. A shared access easement for legal access between the properties is required within six months of the Board of Supervisors' approval.
 - C. Surface treatment for dust control purposes, for the private drive(s), is required within six months of the Board of Supervisors' approval.
 - 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. 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.
4. Wastewater Reclamation condition: The owner(s) must secure approval from the Pima County Department of Environmental Quality to use on-site sewage disposal system at the time a tentative plat, development plan or request for a building permit is submitted for

- review.
5. Each lot is required to maintain 50% natural open space.
 6. The guest house is required to be permitted/converted to a single-family residence.
 7. Adherence to the sketch plan as approved at public hearing.
 8. Maximum building height restriction of 24 feet as measured in accordance with the Pima County Zoning Code
 9. 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.
 10. The property owner shall execute the following disclaimer regarding the Private Property Rights Protection Act: "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)."

TD/DS
Attachments

c: Stephen Yarbrough



TOTAL EXISTING PARCEL		ACRE
AREA=		4.80
General		
Revision number	0	
Number of points	1275	
Minimum X coordinate	7046.43'	
Minimum Y coordinate	4573.58'	
Maximum X coordinate	7376.17'	
Maximum Y coordinate	5211.42'	
Minimum elevation	2512.00'	
Maximum elevation	2554.83'	
Mean elevation	2531.60'	
Extended		
2D surface area	209303.31 Sq. Ft.	
3D surface area	211508.07 Sq. Ft.	
Minimum grade/slope	0.00%	
Maximum grade/slope	55.61%	
Mean grade/slope ACS	12.89%	
TIN		
Number of triangles	2281	
Maximum triangle area	801.63 Sq. Ft.	
Minimum triangle area	0.00 Sq. Ft.	
Minimum triangle length	0.02'	
Maximum triangle length	80.73'	

PARCEL 1		ACRE
A=	108368	2.49
General		
Revision number	0	
Number of points	615	
Minimum X coordinate	7046.43'	
Minimum Y coordinate	4782.87'	
Maximum X coordinate	7355.43'	
Maximum Y coordinate	5211.42'	
Minimum elevation	2512.00'	
Maximum elevation	2544.00'	
Mean elevation	2532.10'	
Extended		
2D surface area	108367.74 Sq. Ft.	
3D surface area	109295.60 Sq. Ft.	
Minimum grade/slope	0.00%	
Maximum grade/slope	44.32%	
Mean grade/slope ACS	11.92%	
TIN		
Number of triangles	1028	
Maximum triangle area	801.63 Sq. Ft.	
Minimum triangle area	0.00 Sq. Ft.	
Minimum triangle length	0.02'	
Maximum triangle length	80.73'	

PARCEL 2		ACRE
A=	100936	2.32
General		
Revision number	0	
Number of points	888	
Minimum X coordinate	7047.28'	
Minimum Y coordinate	4573.58'	
Maximum X coordinate	7376.17'	
Maximum Y coordinate	5210.98'	
Minimum elevation	2516.73'	
Maximum elevation	2554.83'	
Mean elevation	2531.06'	
Extended		
2D surface area	100935.56 Sq. Ft.	
3D surface area	102212.46 Sq. Ft.	
Minimum grade/slope	0.00%	
Maximum grade/slope	55.61%	
Mean grade/slope ACS	13.94%	
TIN		
Number of triangles	1479	
Maximum triangle area	673.42 Sq. Ft.	
Minimum triangle area	0.03 Sq. Ft.	
Minimum triangle length	0.03'	
Maximum triangle length	52.84'	

PAG ACS

Area Type	Acres	Square Feet
Parcel Area	4.423	191,598
Exclusion Areas	(none)	(none)
Cross Slope Area	4.423	191,598

Contour Length - 2 Foot Intervals, Year 1998

Contour	Feet
Cross slope contour length	13,492.0

Project Average Cross Slope
 (1+L/0.0023) / A = Average Cross Slope
 (2+13,492.0 / 0.0023) / 4,423 = 13.97 percent (14 percent rounded)



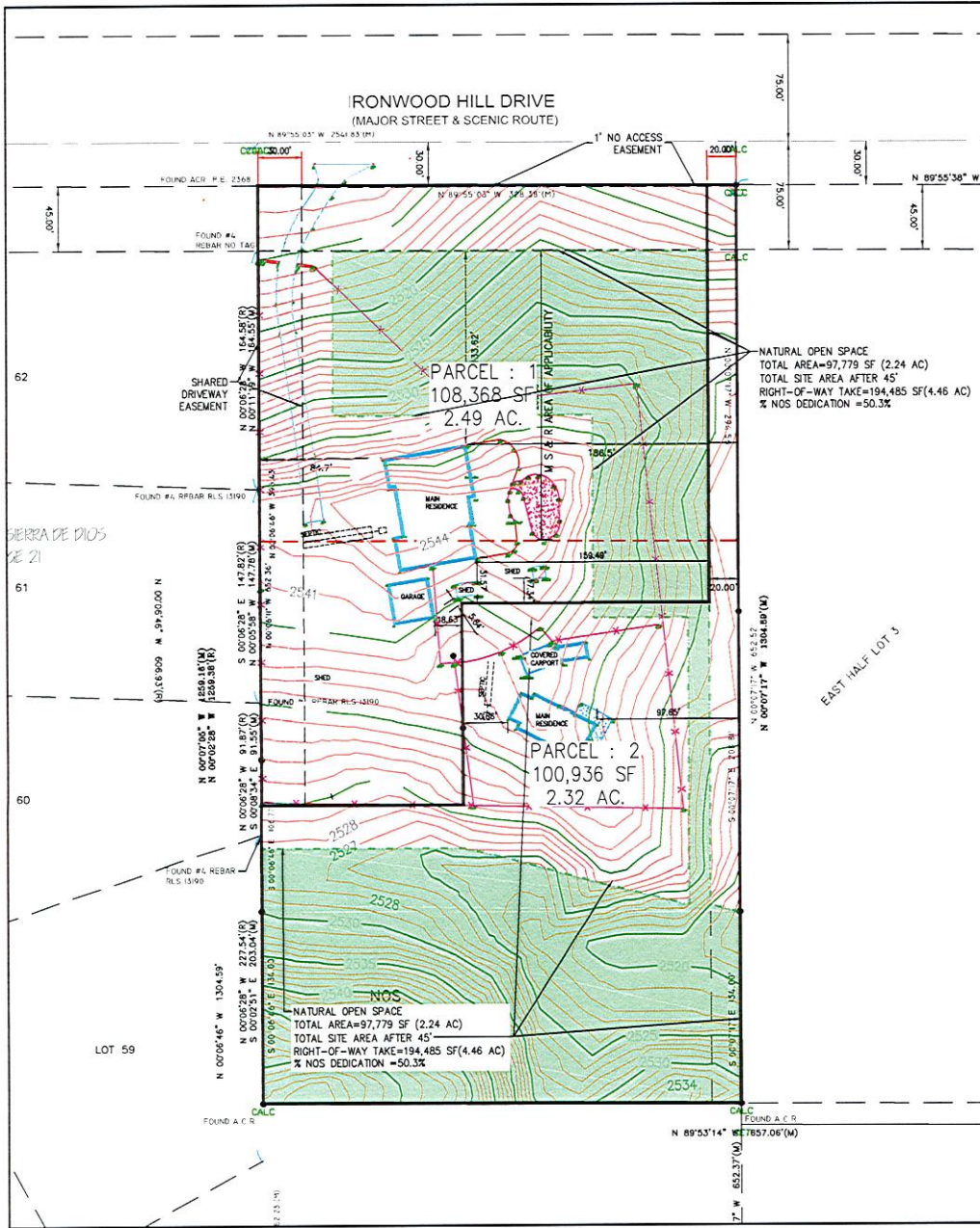
FIGURE

AVERAGE CROSS SLOPE CALCULATIONS

YARBROUGH'S PLACE
 PIMA COUNTY, AZ

ORACLE ENGINEERING GROUP, INC.
 3524 N ROMERO RD, SUITE 100
 TUCSON, AZ 85705

TEL: (520) 292-6711
 FAX: (520) 292-6144



TOTAL EXISTING PARCEL		ACRE
AREA=		4.80
General		
Revision number	0	
Number of points	1275	
Minimum X coordinate	7048.43'	
Minimum Y coordinate	4573.58'	
Maximum X coordinate	7376.17'	
Maximum Y coordinate	5211.42'	
Minimum elevation	2512.00'	
Maximum elevation	2554.83'	
Mean elevation	2531.60'	
Extended		
2D surface area	209303.31 Sq. Ft.	
3D surface area	211508.07 Sq. Ft.	
Minimum grade/slope	0.00%	
Maximum grade/slope	55.61%	
Mean grade/slope ACS	12.89%	
TIN		
Number of triangles	2281	
Maximum triangle area	801.63 Sq. Ft.	
Minimum triangle area	0.00 Sq. Ft.	
Minimum triangle length	0.02'	
Maximum triangle length	80.73'	

PARCEL 1		ACRE
A=	108368	2.49
General		
Revision number	0	
Number of points	615	
Minimum X coordinate	7046.43'	
Minimum Y coordinate	4782.87'	
Maximum X coordinate	7355.43'	
Maximum Y coordinate	5211.42'	
Minimum elevation	2512.00'	
Maximum elevation	2544.00'	
Mean elevation	2532.10'	
Extended		
2D surface area	108367.74 Sq. Ft.	
3D surface area	109295.60 Sq. Ft.	
Minimum grade/slope	0.00%	
Maximum grade/slope	44.32%	
Mean grade/slope ACS	11.92%	
TIN		
Number of triangles	1028	
Maximum triangle area	801.63 Sq. Ft.	
Minimum triangle area	0.00 Sq. Ft.	
Minimum triangle length	0.02'	
Maximum triangle length	80.73'	

PARCEL 2		ACRE
A=	100936	2.32
General		
Revision number	0	
Number of points	888	
Minimum X coordinate	7047.28'	
Minimum Y coordinate	4573.58'	
Maximum X coordinate	7376.17'	
Maximum Y coordinate	5210.98'	
Minimum elevation	2516.73'	
Maximum elevation	2554.83'	
Mean elevation	2531.06'	
Extended		
2D surface area	100935.56 Sq. Ft.	
3D surface area	102212.48 Sq. Ft.	
Minimum grade/slope	0.00%	
Maximum grade/slope	55.61%	
Mean grade/slope ACS	13.94%	
TIN		
Number of triangles	1479	
Maximum triangle area	673.42 Sq. Ft.	
Minimum triangle area	0.03 Sq. Ft.	
Minimum triangle length	0.03'	
Maximum triangle length	52.84'	

PAG ACS

Area Type	Acres	Square Feet
Parcel Area	4.423	191,598
Exclusion Area(s)	(none)	(none)
Cross Slope Area	4.423	191,598

Contour Length - 2 Foot Interval, Year 1998

Contour	Feet
Cross slope contour length	13,492.0

Project Average Cross Slope
 (1 x 13,492.0 / 0.0023) ÷ A = Average Cross Slope
 (2 = 13,492.0 / 0.0023) ÷ 4.423 = 13.97 percent (14 percent rounded)



FIGURE

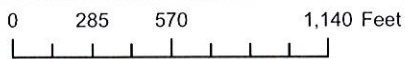
AVERAGE CROSS SLOPE CALCULATIONS

YARBROUGH'S PLACE
 PIMA COUNTY, AZ

ORACLE ENGINEERING GROUP, INC.
 3544 N ROMERO RD, SUITE 100 TEL: (520) 292-6711
 TUCSON, AZ 85705 FAX: (520) 292-6144

Case #: P23RZ00006
Case Name: YARBROUGH TR - W. IRONWOOD HILL DRIVE REZONING
Tax Code(s): 116-07-1580

Aerial Exhibit



PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION



Notes:

Map Scale: 1:8,000

Map Date: 2/28/2024 - ds



**PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT - PLANNING DIVISION
STAFF REPORT TO THE PLANNING AND ZONING COMMISSION**

HEARING March 27, 2024

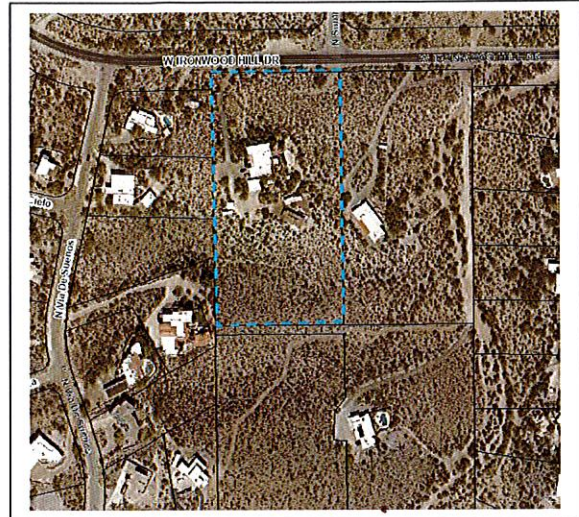
DISTRICT 5

CASE P23RZ00006 Yarbrough TR - W.
Ironwood Hill Drive Rezoning

REQUEST Rezone from SR (BZ) (Suburban
Ranch – Buffer Overlay) to the SR-2
(BZ) (Suburban Ranch Estate –
Buffer Overlay) zone (approximately
4.77 acres)

OWNER Leland & Velma Yarbrough Tr
4375 W. Ironwood Hill DR
Tucson, AZ 85745

APPLICANT Stephen Yarbrough
4375 W. Ironwood Hill DR
Tucson, AZ 85745



APPLICANT'S PROPOSED USE

The applicant proposes to rezone and split the subject property into two lots for residential use.

APPLICANT'S STATED REASON

The applicant requests a rezoning to allow the guest house to be split from the main residence. The guest house will be converted to a single-family residence which would allow two parcels with one residence per lot. "Property should remain as it is currently with minimum alterations."

STAFF REPORT SUMMARY

Staff recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**. The applicant proposes a rezoning of a 4.77-acre parcel from the SR (BZ) (Suburban Ranch – Buffer Overlay) to the SR-2 (BZ) (Suburban Ranch Estate – Buffer Overlay) zone. The property would be split into two lots with the existing residence on the northern lot and the guest house on the southern lot which would be required to be permitted/converted to a single-family residence. The proposal conforms to the Comprehensive Plan land use designation of Low Intensity Urban 1.2.

PUBLIC COMMENT

As of the writing of this report, staff received one written public comment. The public comment in opposition to the rezoning wants SR density to remain along with concerns related to HDZ and scarring in hillside slopes. Since receiving this protest letter the applicant has modified the site plan and changed the rezoning request from CR-1 to SR-2. The original site plan requested three lots and a second driveway easement. The updated site plan requests two lots utilizing the existing driveway.

Published and mailed notice of the proposal along with the website posting of staffs' report will occur a minimum of fifteen days prior to public hearing. The website will be updated to include public comment throughout the process to the Planning and Zoning Commission and the Board of Supervisors.

COMPREHENSIVE PLAN

The Pima County Comprehensive Plan designates the subject property as Low Intensity Urban 1.2 (LIU-1.2) which designates areas for low-density residential and other compatible uses and provides incentives for residential conservation subdivisions to provide more natural open space. The maximum density is 1.2 residences per acre (RAC) with no required minimum density. The proposed density for the subject property is approximately .42 RAC which conforms to the LIU-1.2 land use designation.

Special Area Policy, S-8 Tucson Mountains North, exists on the subject property. The purpose of this policy is to protect the environment while planning for expected growth. Structures west of Silverbell Road are limited to a maximum height of 24 feet, shall minimize negative visual impacts and structure color shall be in context with the surrounding environment. These policies are implemented through rezoning conditions #6 and #7.

There are no rezoning policies that exist on the subject property.

SURROUNDING LAND USES/GENERAL CHARACTER

North:	SR	Developed Residential Subdivision
South:	SR/CR-1	Vacant/Developed Residential Subdivision
East:	SR/CR-1	Developed Residential Acreage/Developed Residential Subdivision
West:	CR-1	Developed Residential Subdivision

The nearest public schools to the subject property include a K-8 school located approximately four miles away and a high school is located approximately six miles away, both of which are southeast of the property. Additionally, Pima Community College West Campus is located approximately four miles to the southeast. The nearest fire station is located approximately one and one-quarter mile north of the site on N. Camino De Oeste.

Recreation opportunities exist nearby. Tucson Mountain Park and Saguaro National Park Tucson Mountain District are located 1,100-feet and one-mile west of the subject site, respectively. Feliz Paseos Park is located south on Camino de Oeste, Greasewood Park is located on the southwest corner of Speedway Boulevard and Greasewood Road and additional parks located just east of Silverbell Road include Juquin Murrieta Park, El Rio Park, Juhan Park and the Silverbell Golf Course.

Within two and one-half miles, a variety of commercial services are located at the intersection of W. Silverbell Road and W. Grant Road.

PREVIOUS REZONING CASES ON PROPERTY

Previous rezoning requests on the subject property are as follows:

- P18RZ00008 from SR to CR-1 (Single Residence) which was closed due to inactivity.
- Co9-61-66 from SR to CR-1, which encompassed a large area south of Ironwood Hill Dr, was closed due to an incomplete application.

PREVIOUS REZONING CASES IN GENERAL AREA

The CR-1 zoning near the subject site was rezoned under case Co9-70-10. Rezoning cases from 1959 – 1982 requesting CR-1 zoning (Co9-59-88, Co9-63-112, Co9-79-141, Co-82-19) have all been closed with no zoning change.

MAEVEEN MARIE BEHAN CONSERVATION LAND SYSTEM (MMBCLS)

The subject property is located outside of the Maeveen Marie Behan Conservation Lands System.

PLANNING REPORT

Staff supports the rezoning request to the SR-2 (BZ) (Suburban Ranch Estate – Buffer Overlay) zone. The proposed residential development is compatible with and equivalent to residential development in the area, and the proposed density complies with the Low Intensity Urban 1.2 plan designation. The impact of the rezoning is minimal as there are no plans for additional structures adding to existing infrastructure in place. The only change would be converting/permitting the guest house to a single-family residence. (A guest house is considered an accessory structure which requires a primary residence.) No new additional residence is proposed. The proposed lots will be accessed from the existing driveway from W. Ironwood Hill Drive. This rezoning should not impact the capacity of the adjacent roadways.

The proposal is to rezone the 4.77-acre site into two lots. The existing residence located on the proposed northern lot will utilize the current on-site septic sewage disposal system. The guest house which will be converted to a main residence on the southern lot also utilizes an on-site septic sewage system. A flag lot is proposed for the southern lot for the purpose of conforming to Tucson's Water Service area policy and will not provide a secondary access point from Ironwood Hills Drive. A one-foot no access easement will run across the northern portion of the subject site with the exception of the existing access point from Ironwood Hills Drive located on the western side of the lot. Ironwood Hills Drive is designated as a Scenic/Major Route on the Scenic Routes Plan. Utilizing the current driveway from Ironwood Hills Drive supports the purpose of the scenic routes intended to preserve and enhance the visual resources of the natural and built environment.

Average cross slope is used to determine slope density requirements for residential development. The northern proposed lot at 2.49 acres and the southern lot at 2.32 acres will provide average cross slopes of 11.95% and 13.94%, respectively. Both proposed lots are below an average cross slope of 15% and will not require HDZ natural open space.

The property is within the Buffer Overlay Zone due to its proximity to Tucson Mountain Park. The Buffer Overlay zone requires 50% natural open space to be preserved on property that is rezoned and all exposed exterior walls and roofs of buildings shall be earth tone in color and shall not exceed a light reflective value of 60%. Fences or walls should not impede wildlife movement through natural open space from and to off-site location and may not be built to delineate property boundaries unless four feet or less in height. The lots will maintain the existing 50% natural open space.

The two proposed residential parcels will be over two-acres each. The size of the proposed lots are approximately two times the size of the CR-1 zoned platted lots that are in the area. This request should have no adverse impact on the surrounding properties and the proposed density complies with the LIU-1.2 plan designation.

Concurrency of Infrastructure

CONCURRENCY CONSIDERATIONS		
<i>Department/Agency</i>	<i>Concurrency Considerations Met: Yes / No / NA</i>	<i>Other Comments</i>
TRANSPORTATION	Yes	No objection subject to conditions
FLOOD CONTROL	Yes	No objection
ENVIRONMENTAL QUALITY	Yes	No objection
WASTEWATER	Yes	No objection subject to condition
ENVIRONMENTAL PLANNING	N/A	-
PARKS AND RECREATION	N/A	-
WATER	Yes	No Comments
SCHOOLS	Yes	No Comments.

TRANSPORTATION

The Department of Transportation reviewed the request and recommends approval of the proposed rezoning subject to conditions.

Ironwood Hill Drive is a paved, two-lane roadway maintained by the County with a posted speed limit of 45 miles per hour (mph). Ironwood Hill Drive is classified as an Urban Collector by its federal functional classification. Adjacent to the site, the existing right-of-way width of Ironwood Hills Drive is 105 feet. Ironwood Hills Drive is designated as Scenic/Major Route on the Scenic Routes Plan and has a planned right-of-way width of 90 feet per the Major Street Plan. The most recent traffic count for Ironwood Hill Drive is 3,717 average daily trips (ADT) and has an approximate capacity of 12,390 ADT.

There are no concurrency concerns with this request for two residential lots. The Department of Transportation recommends approval subject to rezoning conditions #2A-D.

FLOOD CONTROL

The Regional Flood Control District (District) offers the following informational comments:

1. The property is not impacted by a Flood Control Resource Area. Therefore, this property is not impacted by a Federal Emergency Management Agency or local floodplain and does not have mapped Regulated Riparian Habitat.
2. The property is impacted by a platted floodplain from the west adjacent subdivision Vista De La Sierra De Dios. The Flood Control District will require at the time of permitting that any structures will be built outside of the platted floodplain.

The District has no objection to the proposed rezoning.

CULTURAL RESOURCES

Cultural Resources has no objection subject to rezoning condition #3.

WASTEWATER RECLAMATION

The Regional Wastewater Reclamation Department (PCRWRD) has reviewed the rezoning submittal and provides the following comments:

There is no public sewer in the vicinity of the property. The owner(s) must secure approval from the Pima County Department of Environmental Quality to use on-site sewage disposal system.

PCRWRD has no objection to the proposed rezoning request subject to rezoning condition #4.

ENVIRONMENTAL QUALITY

The Pima County Department of Environmental Quality (PDEQ) has no objection to the proposed rezoning request.

WATER DISTRICT

Tucson City Water has no comment.

SCHOOL DISTRICT

The Tucson Unified School District has no comment.

TUCSON ELECTRIC POWER

Tucson Electric Power (TEP) has no objection to this request. The property is located within TEP's service territory and will require a new service application from the owner(s) to extend service to the new location.

FIRE DISTRICT

Northwest Fire/Rescue District has no comment.

UNITED STATES FISH AND WILDLIFE SERVICE

U.S. Fish and Wildlife Service has no concerns.

IF THE DECISION IS MADE TO APPROVE THE REZONING, THE FOLLOWING STANDARD AND SPECIAL CONDITIONS SHOULD BE CONSIDERED:

Completion of the following requirements within five years from the date the rezoning request is approved by the Board of Supervisors:

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. The properties shall be limited to a single, shared access point to Ironwood Hill Drive. A one-foot no access easement is required along the north property boundary with the exemption of the access point is required within six months of the Board of Supervisors' approval.
 - B. A shared access easement for legal access between the properties is required within six months of the Board of Supervisors' approval.
 - C. Surface treatment for dust control purposes, for the private drive(s), is required within six months of the Board of Supervisors' approval.

- 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. 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.
- 4. Wastewater Reclamation condition: The owner(s) must secure approval from the Pima County Department of Environmental Quality to use on-site sewage disposal system at the time a tentative plat, development plan or request for a building permit is submitted for review.
- 5. Each lot is required to maintain 50% natural open space.
- 6. The guest house is required to be permitted/converted to a single-family residence.
- 7. Adherence to the sketch plan as approved at public hearing.
- 8. Maximum building height restriction of 24 feet as measured in accordance with the Pima County Zoning Code
- 9. 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.
- 10. The property owner shall execute the following disclaimer regarding the Private Property Rights Protection Act: "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)."

Respectfully Submitted,

D. Spicola

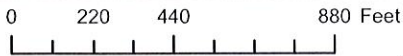
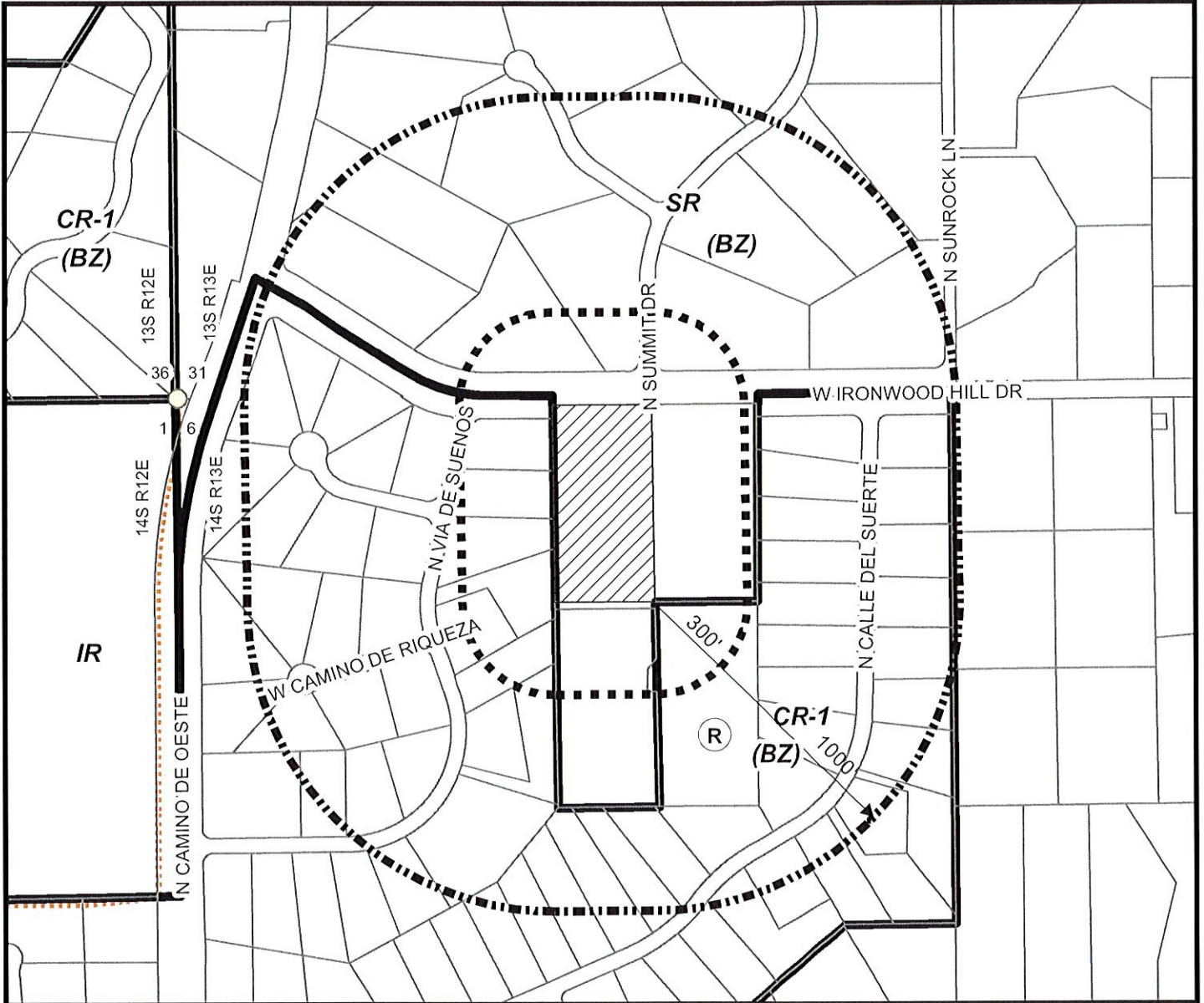
Donna Spicola
Senior Planner

TD/DS
Attachments

c: Stephen Yarbrough

Case #: P23RZ00006
 Case Name: YARBROUGH TR - W. IRONWOOD HILL DRIVE REZONING
 Tax Code(s): 116-07-1580

-  Subject Property
-  300' Notification Area
-  1000' Notification Area
-  Zoning Boundary
-  Buffer Overlay Zone (BZ)



Area of proposed rezoning from SR (BZ) to SR-2 (BZ)



PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
 PLANNING DIVISION



Notes:		
PIMA COUNTY COMPREHENSIVE PLAN CO7-13-10		
Planning & Zoning Hearing: 3/27/24 (scheduled)	Board of Supervisors Hearing: TBA	
Base Map(s): 20	Map Scale: 1:6,000	Map Date: 2/27/2024 - ds





Low Intensity Urban (LIU)

Low Intensity Urban includes four land use categories designations ranging from a maximum of 3 RAC stepped down to 0.3 RAC. The Low Intensity Urban categories are LIU3.0, LIU1.2, LIU0.5, and LIU-0.3.

Objective: To designate areas for low density residential and other compatible uses and to provide incentives for residential conservation subdivisions to provide more natural open space. Density bonuses are offered in exchange for the provision of natural and/or functional open space. Natural open space must be set aside, where applicable, to preserve land with the highest resource value and be contiguous with other dedicated natural open space and public preserves.

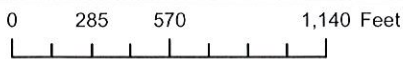
Low Intensity Urban 1.2 (LIU-1.2)

- Residential Gross Density: Minimum- none; Maximum- 1.2 RAC; 2.5 RAC with 45 percent open space; or 4 RAC with 60 percent open space
- Residential Gross Densities for TDR Receiving Areas: Minimum- none; Maximum- 1.2 RAC; 2 RAC with 50 percent open space



Case #: P23RZ00006
 Case Name: YARBROUGH TR - W. IRONWOOD HILL DRIVE REZONING
 Tax Code(s): 116-07-1580

Comprehensive Plan Exhibit

 Subject Property



PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
 PLANNING DIVISION

	Notes:		
	PIMA COUNTY COMPREHENSIVE PLAN CO7-13-10		
	Map Scale: 1:8,000		Map Date: 2/28/2024 - ds

S-8 Tucson Mountains North (TM)

General location

Within portions of Township 13 South, Range 12 East; Township 13 South, Range 13 East, Township 14 South, Range 12 East and Township 14 South, Range 13 East.

Description

The northern portion of the planning area is located between urbanizing areas in the City of Tucson and the public reserves of Tucson Mountain Park and Saguaro National Park, and is distinguished by rugged terrain, highly diverse vegetation, significant wildlife habitat, and many riparian areas. The purpose of the Tucson Mountains North Special Area is to protect this special environment while planning for expected growth. To achieve this purpose, planning strategies include: 1) declining westward land use intensities; and 2) a low-density conservation area and buffer to Tucson Mountain Park and Saguaro National Park.

Policies

- A. Structures. All structures west of Silverbell Road shall be limited to a maximum height of 24 feet, and shall be sited and landscaped to minimize negative visual impacts. All structures shall be of a color which is in context with the surrounding environment.
- B. Open Space Dedication. Natural area designations not dedicated to and accepted by Pima County for restricted use as a perpetual open space at the time of an exchange for an allowed density increase on a given portion shall, for those parcels, provide that the property owners within 660 feet and the Tucson Mountains Association are nominal beneficiaries of the natural open space created.
- C. Notwithstanding the zoning districts permitted under the Comprehensive Plan Land Use Plan Legend, SH (Suburban Homestead Zone) and RH (Rural Homestead Zone) shall not be permitted.
- D. Notwithstanding the zoning districts permitted in accordance with the Major Resort Community provisions, CPI (Campus Park Industrial Zone) or TR (Transitional Zone) shall not be permitted.



201 N. Stone Avenue, Tucson, AZ 85701
(520) 724-9000
www.pima.gov/developmentservices

BIOLOGICAL IMPACT REPORT

(Not applicable for rezonings that require a site analysis)

The Biological Impact Report assists staff in assessing a proposed project's potential to impact sensitive biological resources and is required by the Pima County Zoning Code Chapter 18.91. A project's design should conserve these important resources.

The report will include information provided by both Pima County Planning staff (Part I) and the Applicant (Part II).

INSTRUCTIONS FOR SAVING FORM: 1) Download form to computer. 2) Fill out form as applicable. 3) Save completed form to computer. 4) Submit completed form to Pima County Development Services. **If you fill out the form before you download it, the info you entered will not be saved.**

Project ID *(case no., APN no., address, or other identifying info):*

4375 W IRONWOOD HILL DR

Part I. Information Provided by Pima County Staff

Pima County Planning staff will provide the following information for the project site, as applicable:

1. Is the project located within any Maeveen Marie Behan Conservation Lands System (CLS) designation(s)? (Hold SHIFT for multiple selections) **NA**
Important Riparian Area
Biological Core
Multi-Use Management Area
2. Is the project within a CLS Special Species Management Area? No
3. Is the project in the vicinity of any of the six Critical Landscape Linkages? No
4. Is the project designated for acquisition as a Habitat Protection or Community Open Space property? No
5. Is the project located within a Priority Conservation Area for any of the following species?
 - a. Cactus ferruginous pygmy-owl: No
 - b. Western burrowing owl: No
 - c. Pima pineapple cactus: No
 - d. Needle-spined pineapple cactus: No

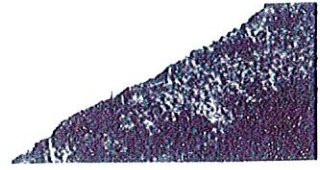
Part II. Information Provided by the Applicant

The Applicant will provide the following information to the best of their knowledge, as applicable:

1. Has the owner of the project site had any communications with County staff about Pima County potentially acquiring the property? **SELECT**
If yes, provide a summary of those communications:
2. The following species are of particular interest to Pima County conservation efforts; please fill out the following table to the best of your knowledge:

Species	Ever found on project site?	If yes, date of last observation/survey?	Future surveys planned?
Cactus ferruginous pygmy owl	No		No
Western burrowing owl	No		No
Pima pineapple cactus	No		No
Needle-spined pineapple cactus	No		No

**Questions about this form?
Contact the Office of Sustainability and Conservation at (520) 724-6940.**



[Back to Pima.gov](#) | [Development Services Home](#) | [Send Department Feedback](#) | [Departmental Directory](#)

Application For Rezoning or Specific Plan

Required fields are indicated by *.

Owner Information

Owner's Name: * Leland H. & Velma V. Yarbrough TR

Mailing Address: * 4375 W. Ironwood Hill DR

City: * Tucson

State: * Arizona

Zip code: * 85745

Phone: * 5209770060

Owner's Email Address: * skyarbrough@gmail.com

Applicant Information *(if other than owner)*

Applicant's Name: Stephen K Yarbrough

Applicant's Address: 4375 W. Ironwood Hill DR

City: Tucson

State: Arizona

Zip code: 85745

Phone: 5209770060

Applicant's Email Address: skyarbrough@gmail.com

Property Information

Property Address: 4375 W. Ironwood Hill DR

Tax Parcel Number: * 116-07-1580

Acreage: * 4.77

Present Zone: * SR

Proposed Zone: * SR-2

Comprehensive Plan Subregion / Category / Policies: * Tucson Mountain

Attach requested documents if applicable.

A total of 30 MB of files can be uploaded in a single form submission. There is no restriction on file types.

1. Letter of Authorization: If the applicant is not shown as the owner of the subject parcel a letter of authorization with a signature matching the APIQ must accompany the application at the time of submittal. For example, if the APIQ indicates ownership in a numbered trust such as Chicago Title and Trust #700, a signature of the Trust Officer is required along with a disclosure of the beneficiaries of the trust. If the APIQ indicates ownership

to be in an LLC, L.P. corporation or company, a signature from an officer with his/her title is required along with a disclosure of the officers of the entity.

Browse... MLD Application.pdf

2. Submit an electronic version of the site analysis document for a Site Analysis Rezoning or Specific Plan OR submit an electronic version of the required submittal documents as requested at the Pre-Rezoning Meeting for a Non-Site Analysis Rezoning.
Browse... No file selected.

A total of 30 MB of files can be uploaded to this form. If your submission exceeds 8MB please upload documents to an FTP site such as dropbox.com and paste the access link here:

3. An ESRI Shapefile or AutoCad DWG file referenced to the Pima County GIS coordinate system for any zoning and/or land use boundary contained within a portion of a parcel or parcels that creates its own unique boundary that is not legally described.
Browse... No file selected.

Terms and Conditions

* I confirm the information provided is true and accurate to the best of my knowledge. I am the owner of the above described property or have been authorized by the owner to make this application. (By checking the box, I am electronically signing this application.)

Date: * 17-Aug-2023

For Electronic Submittal:

A rezoning case will be opened and an email containing an invoice with the case number and instructions for making payment through the online payment portal will be sent to the applicant within 2 business days.

Attendance to a *Pre-Rezoning meeting* is a pre-requisite to rezoning application submittal. The Pre-Rezoning meeting is scheduled at 201 N. Stone Avenue, 2nd floor on the 3rd Wednesday of the month beginning at 9:00 am.

Submit

Reset

footer seal



PIMA COUNTY
DEVELOPMENT SERVICES

PIMA COUNTY
DEVELOPMENT SERVICES DEPARTMENT
201 N. Stone Avenue, 2nd Floor
Tucson, AZ 85702-1207

Carla Blackwell
Director

Phone: (520) 724-9000

LETTER OF AUTHORIZATION

As required by Arizona Revised Statutes I hereby certify that I am the owner of the property referenced below and the party whose name is listed below is authorized to apply for a Rezoning/ Variance/ Minor Land Division - Lot Split/ Modification of Setback Requirement (circle one).

4375 W IRONWOOD Hill DR 116-07-1580
Property Address and/or Tax Code (Where permit is being applied for)

STEPHEN K VARBROUGH / SKY
Authorized Agent PRINT/SIGNATURE Date 8/17/23

AUTHORIZED BY:

LELAND H & VELMA V VARBROUGH TR
Property Owner(s) (Please Print) Date 8/17/23

SKY
Property Owner(s) (Signature) Date 8/17/23

Request Letter for a Non-Site Analysis Rezoning

Residential Rezoning for the Yarbrough property

Purposed use is for Guest house to be split off of main parcel per the Yarbrough Living Trust for a Single family residence(SFR) for Stephen Kerry Yarbrough.

The 4.8 acre parcel with SR zoning (116 07 1580) is requested to be split into 2-parcels under SR-2 zoning to create 2 new parcels, each to accomodate the exsiting structures(main house/guest house). Main house is a 2800 sqft SFR with a 900 sqft detached garage. Guest house is 900 sqft home with detached carport and storage building.

Property was built by and has been used as the primary residence for the Yarbrough family since 1975. Guest house was installed in the horse corrals in the early 80's and has been used by various family members through out the years. The old tack shed, now used as storage and shade area, used as a carport, are to be torn down at some point and a new garage built in it's place.

Tucson water will serve the property and water, along with other utilities will be installed in proposed utility easement along east side of property through natural desert vegetation such as greasewood, prickly pear, cholla etc, and revegetated with native plants and hydroseeded

Guest house is already on it's own exsisting septic system

With the proposed rezoning, Property should remain as it is currently with minimum altercations

Thank you.

Stephen Yarbrough



Tucson Mountains
ASSOCIATION
SINCE 1934

PO BOX 86117 • TUCSON, AZ 85754-6117

February 22, 2024

Pima County Planning and Zoning Commission
P23RZ00006 Yarbrough – Ironwood Hill Rezoning
4375 W. Ironwood Hill Drive (tax code 116-07-1580)

The Tucson Mountains Association (TMA) appreciates Mr. Stephen (Kerry) Yarbrough contacting TMA about his rezoning application for the referenced address. He provided a figure of cross slope calculations and general details about his proposal. The TMA Board of Directors discussed the hillside property in the Tucson Mountains and is opposed to the proposed rezoning from SR to CR-1 for three parcels. The existing residential property of 4.80 acres already has two structures, a Single Family Residence (SFR) main house and a guest house.

TMA strives to preserve the scenic quality and prevent unreasonable dense development in the Tucson Mountains. The proposed rezoning development does not meet the standards laid out in the [Purpose section of Pima County Code 18.61 Hillside Development Overlay Zone \(HDZ\)](#), which includes “Conserving the unique natural resources of hillside areas”, “Reducing the physical impact of hillside development”, and “Providing safe and convenient access to hillside development”.

On February 21, 2024, the TMA Board unanimously voted 6-0 to oppose the rezoning. The Board’s reasons for this stance include the following:

1. TMA supports maintaining the current low density SR zoning for the existing property that has SR zoned properties on three sides.
2. The existing property is a hillside area with significant slopes up to 55.6%.
3. The proposed Shared Driveway Easement to the proposed three parcels would be a new driveway graded scar in hillside slopes parallel to Ironwood Hill Drive, a scenic route, and would cut into significant slopes along the east boundary to access the proposed Parcels 2 and 3.
4. The proposed Parcel 3 exceeds the HDZ standard of 15% and is reduced only after excluding Natural Open Space in the average cross slope calculations.
5. The figure at proposed Parcel 2 does not show the platted floodplain near the west boundary that could be impacted by a different driveway access to the proposed Parcel 3.

Sincerely,



Ed Hendel
President, Tucson Mountains Association



Steve Dolan
Board Member, Tucson Mountains Association

From: [Ed Hendel](#)
To: [Chris Poirier](#)
Cc: [Donna Spicola](#); [Steve Dolan](#)
Subject: Ironwood Hill Rezoning Request
Date: Saturday, March 16, 2024 3:18:29 PM
Attachments: [2024-02-22 Yarbrough Ironwood Hill Rezoning.pdf](#)

CAUTION: This message and sender come from outside Pima County. If you did not expect this message, proceed with caution. Verify the sender's identity before performing any action, such as clicking on a link or opening an attachment.

Dear Mr. Poirier,

My name is Ed Hendel, and I am the President of the Tucson Mountains Association (TMA). TMA appreciates Mr. Stephen K. Yarbrough contacting us about his rezoning request for the Ironwood Hill property from SR to CR-1 for three parcels. On February 21, 2024, the TMA Board of Directors voted unanimously to oppose the rezoning, and on Feb 22 we sent a letter to PDS and Mr. Yarbrough explaining our reasoning (attached again here for reference). Subsequently, Mr. Yarbrough modified the site plan and changed the rezoning request from CR-1 to SR-2, which is less dense.

TMA sincerely appreciates Mr. Yarbrough making this change, especially the efforts to reduce the HDZ concerns. However, TMA still opposes the proposal. The Board of Directors has unanimous consensus to oppose up-zoning for higher density in the Tucson Mountains.

Thank you for your work on this issue.

Sincerely,
Ed Hendel
President, Tucson Mountains Association
www.tucsonmountainsassoc.org

From: [Andria Burke](#)
To: [DSD Planning](#)
Subject: P23RZ00006 Yarbrough Tr W Ironwood Hill Dr rezoning - in favor
Date: Saturday, March 16, 2024 9:14:35 AM

CAUTION: This message and sender come from outside Pima County. If you did not expect this message, proceed with caution. Verify the sender's identity before performing any action, such as clicking on a link or opening an attachment.

We are writing in support of this rezoning from SR to SR2.

We can see this lot from our house at 4425 W Westhaven Cir, Tucson, AZ 85745. We believe the rezoning makes sense given the adjacent lots are zoned for one acre already.

Andria and Mike Burke
520-404-0813