

# COB - BOSAIR FORM

05/01/2026 12:27 PM (MST)

Submitted by Anita.McNamara@pima.gov



## BOARD OF SUPERVISORS AGENDA ITEM REPORT (BOSAIR)

\*All fields are required. Enter N/A if not applicable. For number fields, enter 0 if not applicable.\*

Award Type:	Agenda Item
BOSAIR Activity:	Board Meeting Request
Requested Board Meeting Date:	06/09/2026
Project Title / Description:	Co9-04-16 ST. PHILLIPS FOOTHILLS, LLC - CAMPBELL AVENUE REZONING

## Agenda Item Report

Introduction / Background:	A. Proposal to close rezoning case Co9-04-16 as required by code; B. If not closed, applicant requests two five-year extensions for the rezoning from CR-1 (Single-Residence) to the CR-4 (Mixed-Dwelling Type) zone on 4.13 acres and to the CR-4 @ (Mixed-Dwelling Type - Restricted) zone on 2.89-acres.
Discussion:	The closure must be considered prior to consideration of a time extension, and two five-year time extensions will bring the rezoning current.
Conclusion:	The proposed land use is suitable for the area, the time extension will allow a total of 24 years from the original Board of Supervisors' approval to complete rezoning conditions.
Recommendation:	A. Staff recommends AGAINST CLOSURE; B. Staff recommends APPROVAL of the two five-year time extensions subject to original and modified standard and special conditions.
Fiscal Impact:	0
Support of Prosperity Initiative:	1. Increase Housing Mobility and Opportunity
Provide information that explains how this activity supports the selected Prosperity Initiative	Approval of the time extensions will allow additional time to develop and construct new housing to add to Pima County's housing stock and supply.
Board of Supervisor District:	<ul style="list-style-type: none"><li>1</li></ul>
Department:	Development Services, Planning Division
Name:	Anita McNamara, AICP
Telephone:	5207248800

Department Director Signature: W. B. For

Date: 5/21/20

Deputy County Administrator Signature: [Signature]

Date: 5/22/2020

County Administrator Signature: \_\_\_\_\_

Date: 5/25/20



**TO:** Honorable Rex Scott, Supervisor, District 1

**FROM:** Tom Drzazgowski, Deputy Director  
Public Works-Development Services Department-Planning Division

**DATE:** May 19, 2026

**SUBJECT:** Co9-04-16 ST PHILLIPS FOOTHILLS, LLC – CAMPBELL AVENUE REZONING

The above referenced Rezoning Closure and Rezoning Time Extension are within your district and scheduled for the Board of Supervisors' TUESDAY, JUNE 9, 2026 hearing

**\*\*This case requires 2 separate motions and votes.**

**REQUEST:** A. Rezoning Closure: Campbell Foothills Investors LP, represented by Lazarus & Silvyn, P.C., requests **closure** of a 7.02-acre rezoning (Parcel Code 108-23-0890) from the CR-1 (Single Residence) to the CR-4 (Mixed-Dwelling Type) zone on 4.13 acres and to the CR-4 ® (Mixed-Dwelling Type - Restricted) zone on 2.89 acres, located on the east side of Campbell Avenue, approximately one-fourth mile north of River Road. The subject site was conditionally approved in 2006, received time extensions in 2009 and 2015 and expired January 4, 2020. (District 1)

B. Rezoning Time Extension: Campbell Foothills Investors LP, represented by Lazarus & Silvyn, P.C., requests two **five-year time extensions**. The 7.02-acre rezoning (Parcel Code 108-23-0890) from the CR-1 (Single Residence) to the CR-4 (Mixed-Dwelling Type) zone on 4.13 acres and to the CR-4 ® (Mixed-Dwelling Type - Restricted) zone on 2.89 acres, expired January 4, 2020. The property is located on the east side of Campbell Avenue, approximately one-fourth mile north of River Road. (District 1)

**OWNER:** Campbell Foothills Investors LP  
Attn: The Schomac Group Inc  
6418 E Tanque Verde Rd, Suite 101  
Tucson AZ 85715-3846

**AGENT:** Lazarus & Silvyn, PC  
Attn: Robin Large, AICP  
5983 E. Grant Road, Suite 290  
Tucson, AZ 85712-2365

**DISTRICT:** 1

**STAFF CONTACT:** Anita McNamara, AICP, Planner II

**PUBLIC COMMENT TO DATE:** As of May 19, 2026, staff has received no public comment.

**STAFF RECOMMENDATION (FOR CLOSURE AND TIME EXTENTIONS: A) AGAINST CLOSURE; B) APPROVAL OF TWO FIVE-YEAR TIME EXTENSIONS SUBJECT TO ORIGINAL AND MODIFIED STANDARD AND SPECIAL CONDITIONS.**

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

Attachments



## BOARD OF SUPERVISORS MEMORANDUM

SUBJECT: Co9-04-16

Page 1 of 7

### FOR TUESDAY, June 9, 2026 MEETING OF THE BOARD OF SUPERVISORS

**TO:** HONORABLE BOARD OF SUPERVISORS

**FROM:** Tom Drzazgowski, Deputy Director  
Public Works-Development Services Department-Planning Division

**DATE:** May 19, 2026

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#### ADVERTISED ITEM FOR PUBLIC HEARING

#### REZONING CLOSURE, TIME EXTENSIONS

**\*\*This case requires 2 separate motions and votes**

#### A. Rezoning Closure

##### **Co9-04-16 ST PHILLIPS FOOTHILLS, LLC – CAMPBELL AVENUE REZONING**

Campbell Foothills Investors LP, represented by Lazarus & Silvyn, P.C., requests a **closure** of a 7.02-acre rezoning from CR-1 (Single Residence) to the CR-4 (Mixed-Dwelling Type) zone on 4.13 acres and to the CR-4 ® (Mixed-Dwelling Type - Restricted) zone on 2.89-acres, located on the east side of Campbell Avenue, approximately one-fourth mile north of River Road, (Parcel Code 108-23-0890). The rezoning was conditionally approved in 2006, received time extensions in 2009 and 2015 and expired January 4, 2020. Staff recommends **DENIAL OF THE CLOSURE** of the rezoning.  
(District 1)

#### B. Rezoning Time Extensions

##### **Co9-04-16 ST PHILLIPS FOOTHILLS, LLC – CAMPBELL AVENUE REZONING**

Campbell Foothills Investors LP, represented by Lazarus & Silvyn, P.C., requests two **five-year time extensions**. The 7.02-acre rezoning from CR-1 (Single Residence) to the CR-4 (Mixed-Dwelling Type) zone on 4.13 acres and to the CR-4 ® (Mixed-Dwelling Type - Restricted) zone on 2.89-acres. The property is located on the southeast corner of N. La Cholla Boulevard and N. Fountains Avenue, (Parcel Code 108-23-0890). Staff recommends **APPROVAL OF FIVE-YEAR TIME EXTENSION SUBJECT TO ORIGINAL AND MODIFIED STANDARD AND SPECIAL CONDITIONS**.  
(District 1)

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**STAFF RECOMMENDATION**

Staff recommends **AGAINST** closure of the rezoning and **APPROVAL** of two five-year time extensions to January 4, 2030 for the original 7.02-acre rezoning from the from the CR-1 (Single Residence) to the CR-4 (Mixed-Dwelling Type) zone on 4.13 acres and to the CR-4 ® (Mixed-Dwelling Type - Restricted) zone on 2.89 acres, subject to modified standard and special conditions as follows:

Completion of the following requirements within ten years from the date the rezoning time extension is approved by the Board of Supervisors.

1. Submittal of a development plan if determined necessary by the appropriate County agencies.
2. Recording of the necessary development related covenants as determined appropriate by the various County agencies.
3. Provision of development related assurances as required by the appropriate agencies.
4. Prior to the preparation of the development related covenants and any required dedication, a title report (current to within 60 days) evidencing ownership of the property shall be submitted to the Department Services Department.
5. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
6. Transportation conditions:
  - A. A Traffic Impact Analysis (TIA) shall be provided by the property owner(s) for this rezoning for review and approval by the Department of Transportation, prior to the first development plan or tentative plat submittal. The results of the approved TIA shall be used to establish required transportation improvements, and phasing of said improvements, to the area roadway system. The property owner(s) shall be responsible for construction of improvements as required by the Department of Transportation.
  - B. Provision of improvements to Campbell Avenue, including but not limited to, widening of pavement to provide left or right turn lanes, or a continuous left-turn lane.
  - C. The property owner shall dedicate 45 feet right-of-way for Campbell Avenue.
7. Flood Control conditions:
  - A. Drainage shall not be altered, disturbed or obstructed without the written approval of the Flood Control District.
  - B. The property owner(s) shall provide all necessary drainage-related improvements created by the proposed development both on-site and off-site of the subject property. The location, design and construction of said improvements shall be subject to the approval of the Flood Control District.
  - C. All weather access shall be provided to all lots to meet concurrency requirements.
  - D. A drainage study shall be submitted for review and approval that addresses the impacts of development to the federally mapped floodplain and local drainage area at the time of platting. This study should also determine erosion setback hazard areas and in particular the western portion of the rezoning site.
  - E. First flush retention (retention of the first ½ inch of rainfall) shall be provided for all newly disturbed and impervious surfaces.
  - F. As provided for in Pima County Code Section 18.07.080 Modification of Development Standards shall be proposed at the time of development in order to avoid Regulated Riparian Habitat.
  - G. A Final Integrated Water Management Plan consisting of Water Conservation Measures identified by the applicant and commitment to serve from Tucson Water shall be submitted with the Development Plan.

- H. The use of on-lot retention volume provided in stormwater harvesting areas may be counted towards first flush retention to support shade and landscaping. The stormwater harvesting areas shall be located adjacent to right-of-way and pedestrian areas. Easement or other encumbrances shall be applied to alert property owners of the purpose of on-lot retention and maintenance responsibility for the stormwater harvesting areas.
  - I. Encroachment into mapped Regulated Riparian Habitat not shown on the approved PDP is prohibited.
8. Wastewater Reclamation conditions:
- ~~A. The owner/developer shall not construe any action by Pima County as a commitment to provide sewer service to any new development within the rezoning area until Pima County executes an agreement with the owner/developer to that effect.~~
  - ~~B. The owner/developer 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 conveyance capacity not be available at that time, the owner/developer 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/developer 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 the Development Services Department PCRWRD at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.~~
  - ~~D. The owner / developer 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.~~
  - ~~E. The owner/developer 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/developer 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.~~
- Should the Board of Supervisors be inclined to approve this rezoning extension, the Pima County Regional Wastewater Reclamation Department recommends the following wastewater 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) stating 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 is permanently committed for any new development within the rezoning area.
9. Environmental Quality conditions:
- A. The subject parcel(s) shall connect to the public sewer.
- B. The existing road to serve the parcel(s) shall be improved to meet paving specifications defined by, or equivalent to those of, the planning department and/or highway department of the jurisdictional agency.
10. Cultural Resources and Historic Preservation 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.
11. Natural Resources, Parks and Recreation condition:  
The developer shall provide a "Public Non-Motorized Trail Easement and Public Utility Easement" over the Campbell Wash, coinciding with the Flood Plain boundaries, for the Campbell/Camino Real Trail #182.
12. Adherence to the preliminary development plan as approved at public hearing (Exhibit "B").
13. There shall be a maximum of 16 dwelling units in the rezoning area.
14. Building heights are limited to a maximum of 24 feet unless the Board of Supervisors provides specific written authorization to exceed 24 feet.
15. Upon the effective date of the Ordinance Resolution. The owner(s)/developer(s) shall have a continuing responsibility to remove invasive non-native species from the property, including those below. 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. Prior to issuance of the certificate of compliance, the owner(s)/developer(s) shall record a covenant, to run with the land, memorializing the terms of this condition.

16. In the event the subject property is annexed into the City of Tucson, 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.
- ~~17. Ninety five percent of the Campbell Wash shall remain undisturbed.~~
17. The property owner shall execute and record 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)."

**STAFF REPORT:**

Staff supports the closure and two five-year rezoning time extensions. The time extensions will prove a total of ten years to complete the rezoning conditions from initial approval and extend the expiration date to January 4, 2030. A rezoning allows an initial time limit of five years; five years is the maximum interval of staff recommended time extensions.

The applicant's justification for the time extension is that the size and physical constraints of the property along with rezoning conditions and other requirements. Approval of the two five-year time extensions will allow the property to be developed with infill residential development that will help with housing supply and is compatible with adjacent properties.

The subject site contains four land use designations, with the largest area designated Low Intensity Urban (LIU-3.0), along with Medium Intensity Urban (MIU), Higher Intensity Urban (HIU) and Low Intensity Urban 1.2 (LIU-1.2). The CR-4 and CR-4 ® rezoning was approved and proposed for a 16-lot subdivision in 2004. Time extensions were granted in 2009 and again in 2015. Although the property is not located in the Maeveen Marie Behan Conservation Lands System (CLS), at that time of the original rezoning, the Conservation Lands System was in its formative stage and did not yet contain project-specific guidelines for Biological Core Management Area, Multiple-use Management Area, Special Species Management Area or Important Riparian Areas. Therefore, the restriction was added to the original rezoning as condition #17 to ensure that the Campbell Wash had protections. Since this portion of the Campbell Wash is not in the CLS and is not designated as Important Riparian Area, staff is recommending removal of the original condition #17 and replacing it with new condition #71, which restricts further encroachment in the regulated riparian area beyond what is shown on the original PDP.

Denial of the time extension will cause the site to revert to the CR-1 (Single Residence) zone which conforms to the LIU-3.0 plan designation. Closure of the rezoning would not preclude the possibility of a future rezoning.

**TRANSPORTATION REPORT**

The Department of Transportation has no objection to the time extension subject to original rezoning conditions #6A-C.

**FLOOD CONTROL REPORT**

The Regional Flood Control District (District) has no objection to the time extension subject to original rezoning conditions #7A-F and added conditions #7H-I.

**WASTEWATER RECLAMATION REPORT**

**REZONING CONDITIONS**

Should the Board of Supervisors be inclined to approve this rezoning extension, the Pima County Regional Wastewater Reclamation Department recommends the following wastewater conditions:

1. 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.
2. The owner(s) shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department (PCRWRD) stating 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.
3. 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.
4. 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.
5. 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.
6. 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 is permanently committed for any new development within the rezoning area.

**DEPARTMENT OF ENVIRONMENTAL QUALITY**

The Department of Environmental Quality has no objection to the rezoning time extension.

**ENVIRONMENTAL PLANNING**

Environmental Planning has no objection to the time extension.

**CULTURAL RESOURCES REPORT**

Cultural Resources has no objection to the time extension request subject to rezoning condition #10.

**PARKS AND RECREATION**

Parks and Recreation has no comment.

**UNITED STATES FISH AND WILDLIFE SERVICE**

U.S. Fish and Wildlife has no objection to the rezoning time extension.

**WATER DISTRICT**

Tucson Water has no comment.

**TUCSON ELECTRIC POWER**

TEP has no objections.

Attachments

c: Robin Large, Lazarus & Silvyn

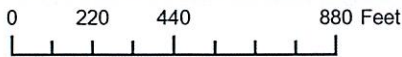


Case #: Co9-04-16



Case Name: ST. PHILLIPS FOOTHILLS, LLC - CAMPBELL AVENUE REZONING

Tax Code(s): 108-23-0890

Aerial Exhibit






PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT  
PLANNING DIVISION

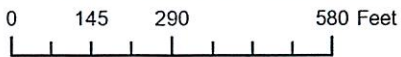
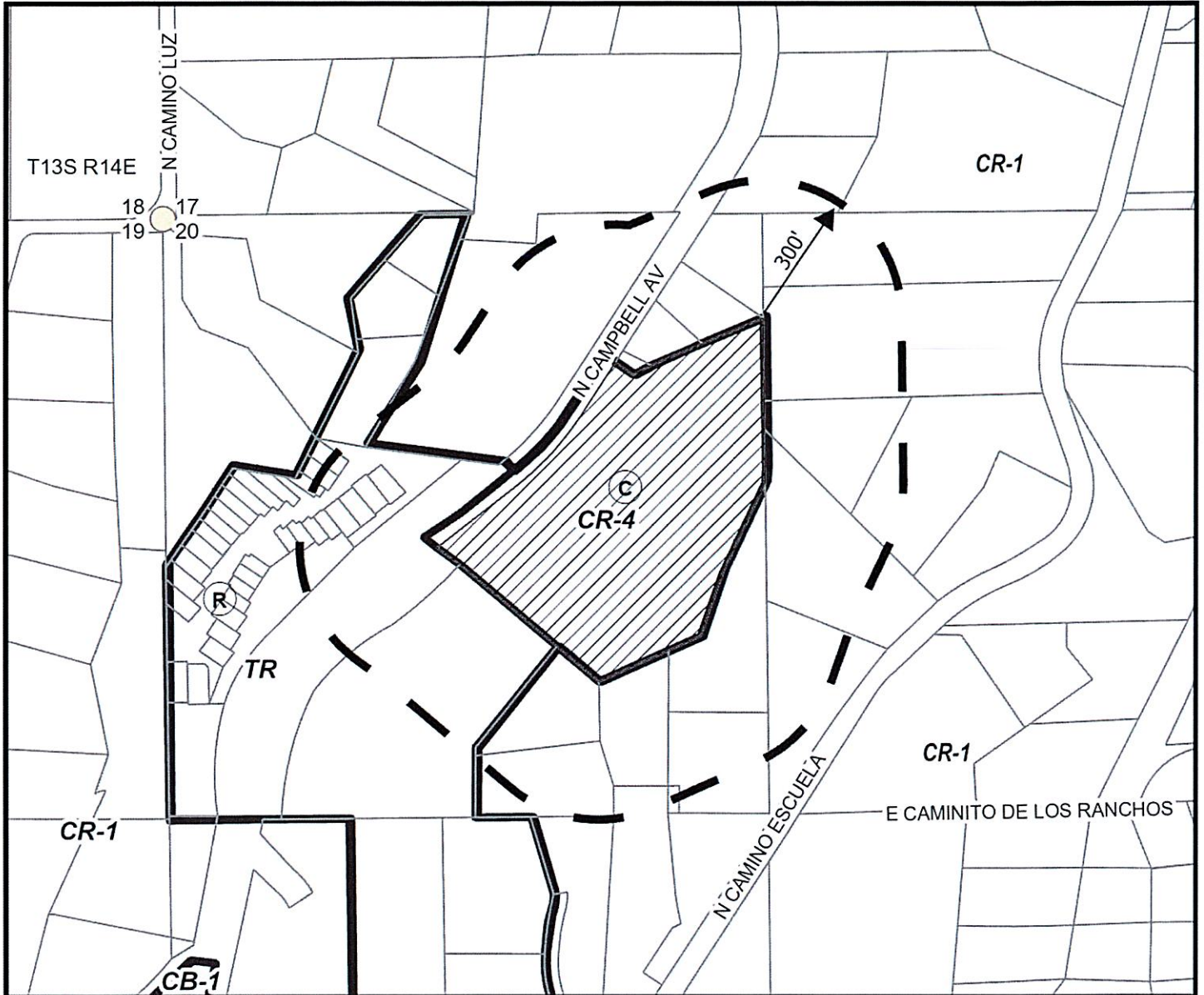
	Notes: <b>Closure/Two Five-Year Time Extensions</b>		
	Ref Case #: P26SA00006	Map Scale: 1:6,000	

Case #: Co9-04-16

Case Name: ST. PHILLIPS FOOTHILLS, LLC - CAMPBELL AVENUE REZONING

Tax Code(s): 108-23-0890

-  Zoning Boundary
-  Subject Property
-  300' Notification Area



**PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT  
PLANNING DIVISION**



Notes:	<b>Closure/Two Five-Year Time Extensions</b>	
	PIMA COUNTY COMPREHENSIVE PLAN Co7-01-15/P23CA00001	
	Board of Supervisors Hearing: 6/9/2026	
Ref Case #: P26SA00006	Map Scale: 1:4,000	Map Date: 5/11/2026 - ds



### **Low Intensity Urban 3.0 (LIU-3.0)**

*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 for infill or redevelopment residential projects with existing access to County wastewater reclamation system, water provided by a supplier on the ADWR Gallons per Capita Day (GPCD) program, and on sites located outside of the Biological Core Management Areas, Multiple Use Management Areas, and Special Species Management Areas of the Maeveen Marie Behan Conservation Lands System.

- *Residential Gross Density:*
  - Minimum: none
  - Maximum: 3.0 RAC
- *Infill/Redevelopment Residential Density Bonus:*
  - Maximum: 12 RAC
- *Residential Gross Densities for TDR Receiving Areas:*
  - Minimum: 1.5 RAC
  - Maximum: 3.0 RAC

October 14, 2025

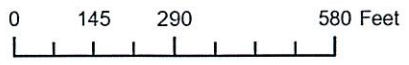
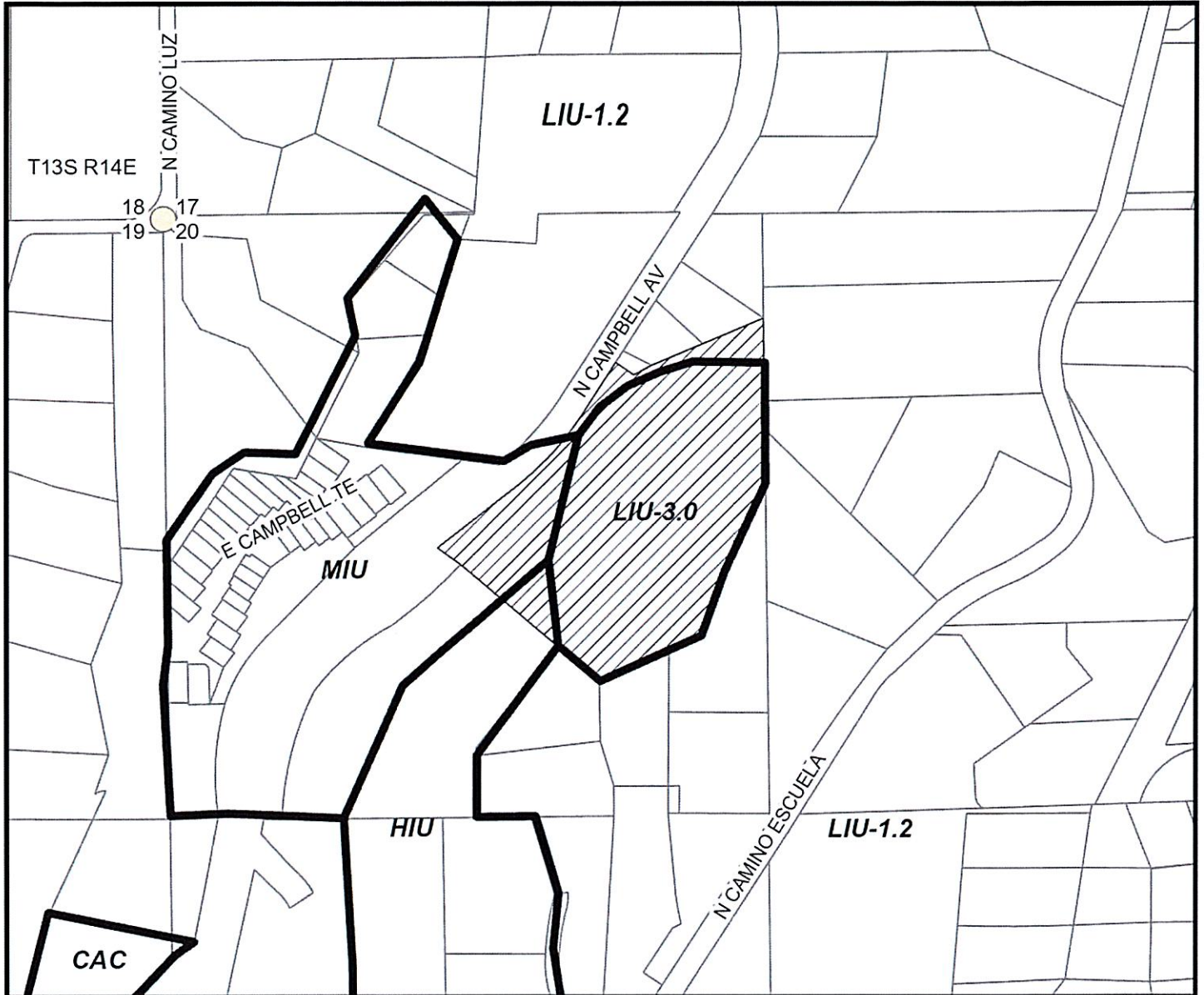
Case #: Co9-04-16

Case Name: ST. PHILLIPS FOOTHILLS, LLC - CAMPBELL AVENUE REZONING



Tax Code(s): 108-23-0890

Comprehensive Plan Exhibit

 Subject Property



PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT  
PLANNING DIVISION

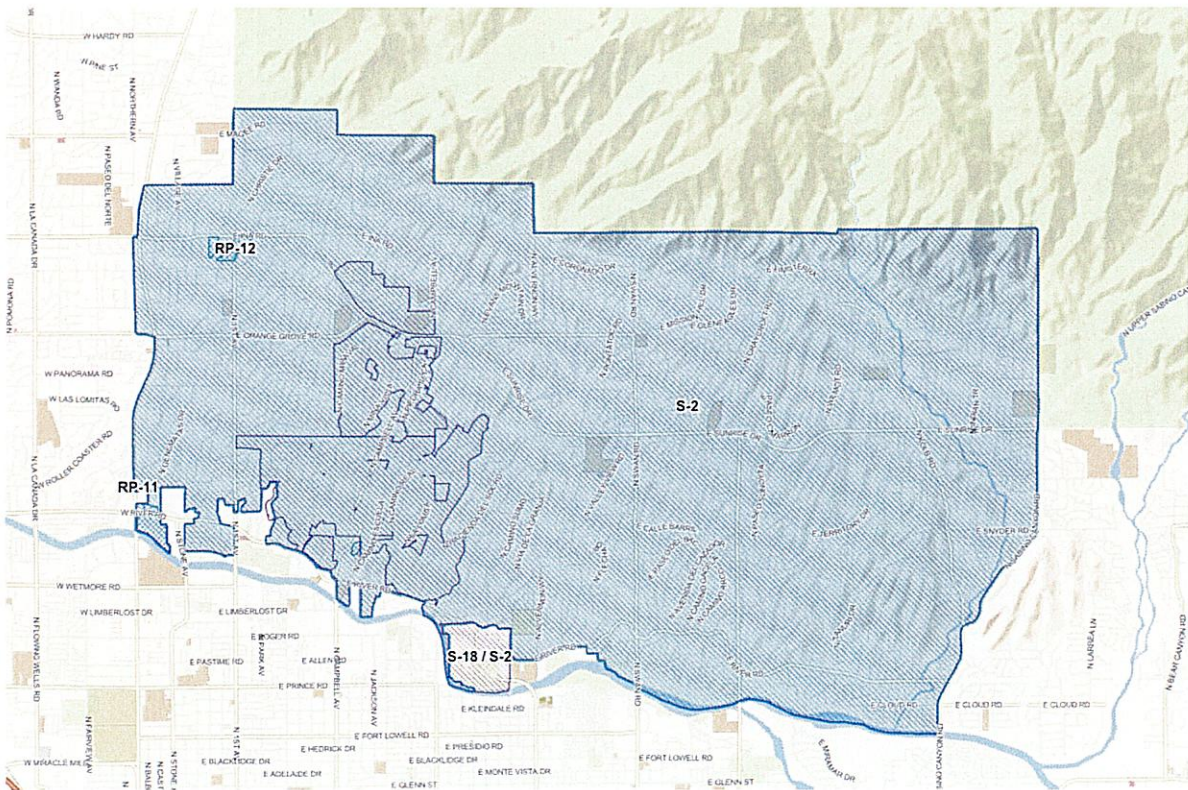
	Notes: <b>Closure/Two Five-Year Time Extensions</b>			
	PIMA COUNTY COMPREHENSIVE PLAN Co7-01-15/P23CA00001			
	Ref Case #: P26SA00006	Map Scale: 1:4,000	Map Date: 5/11/2026 - ds	

**Name:** S-2 Catalina Foothills (CF)

**General location:** North of E River Road, west of Sabino Creek, south of Coronado National Forest, and east of N Oracle Road and N Northern Avenue.

**Policy:**

No construction of building exceeding 24 feet in height shall be permitted without specific authorization from the Board of Supervisors. The Board of Supervisors reserves the right to limit construction to one story.

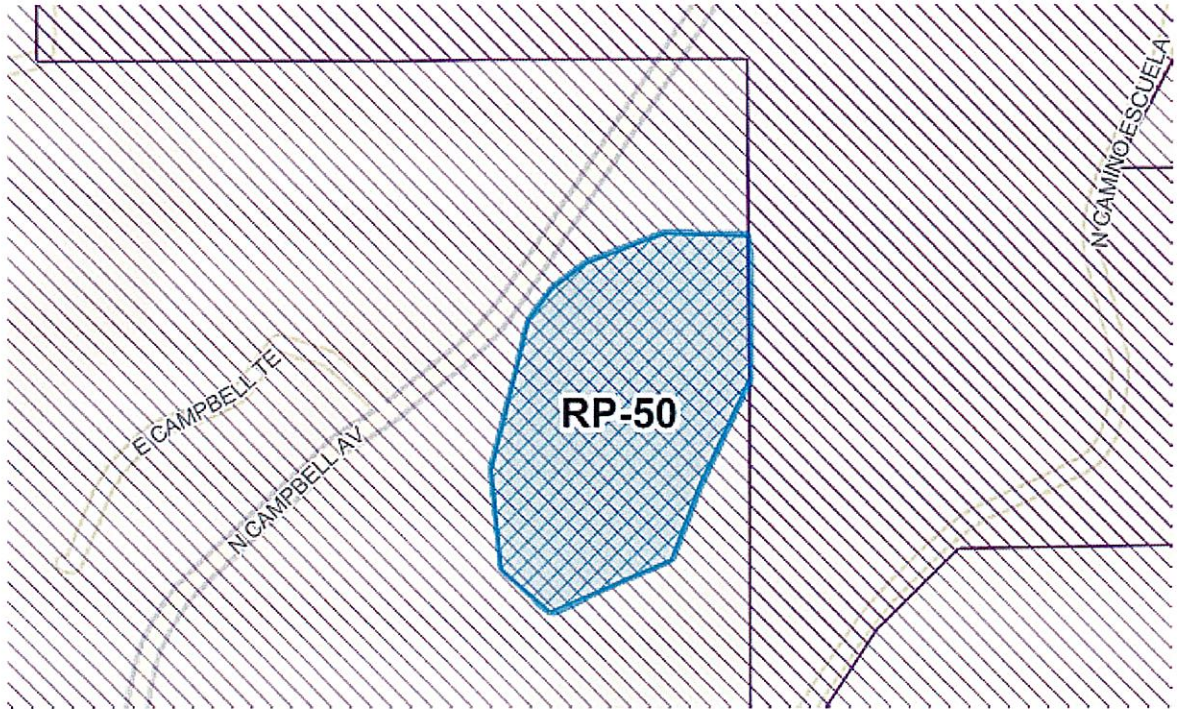


**Name:** RP-50 North Campbell Avenue (CF)

**General Location:** A 4.16-acre site located north of E River Road and east of N Campbell Avenue, in Section 20 of Township 13 South, Range 14 East (Ref. Co7-01-15).

**Policy:**

The overall density shall be limited to a maximum of sixteen residential units.



"Staff recommendations:

- 1) As per Section 18.89.040E, the Board initiate an amendment of the Comprehensive Plan to Medium Intensity Rural (MIR) for the referenced Tax Parcels 401-07-0310 and 401-07-0430. The suggested findings are that the plan amendment is a step necessary to provide the needed community service of a dog kennel/rescue operation in Ajo.
- 2) If a plan amendment is approved, staff should be directed to process a rezoning of the amendment site to GR-1 Rural Residential, which is necessary to allow for the dog kennel/rescue/grooming service as a Conditional Use."

The Chairman inquired whether anyone wished to be heard. No one appeared.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day, and unanimously carried by a five to zero vote, to close the public hearing and direct staff to initiate an amendment for immediate review.

18. **DEVELOPMENT SERVICES: REZONING ORDINANCE**

ORDINANCE NO. 2006- 37 , Co9-04-16, St. Phillips Foothills, L.L.C. - Campbell Avenue Rezoning. Owner: Rillito Hills, L.L.C. (District 1)

The Chairman inquired whether anyone wished to be heard. No one appeared.

On consideration, it was moved by Supervisor Bronson, seconded by Supervisor Day, and unanimously carried by a five to zero vote, to close the unadvertised public hearing and to pass and adopt Ordinance No. 2006 - 37 .

19. **PRESENTATION OF PROCLAMATION**

Presentation of a proclamation to representatives from the National Day of Prayer, Tucson Chapter, proclaiming May 4, 2006, to be:

"NATIONAL DAY OF PRAYER"

Supervisor Valadez read and presented the proclamation to Suzette Howe.

On consideration, it was moved by Supervisor Valadez, seconded by Supervisor Bronson, and unanimously carried by a five to zero vote, to approve the proclamation.

18. ENVIRONMENTAL QUALITY: GRANT APPLICATION

RESOLUTION NO. 2005 - 7, of the Pima County Board of Supervisors, authorizing the Pima County Department of Environmental Quality and the Pima County Air Quality Control District to submit an application to the Gila River Indian Community Economic Development Department for receipt of Grant Funds to develop a program to minimize emissions from motor vehicle gas caps on vehicles not subject to emissions testing in Pima County, Arizona.

On consideration, it was moved by Chair Bronson, seconded by Supervisor Elías, and unanimously carried by a five to zero vote, to pass and adopt Resolution No. 2005 - 7.

19. FRANCHISE/LICENSE/PERMIT: FIREWORKS PERMIT

Bobby Ritz, La Paloma Country Club, 3660 E. Sunrise Drive, January 15, 2005 at approximately 8:30 p.m.

The Chair inquired whether anyone wished to be heard. No one appeared. It was thereupon moved by Chair Bronson, seconded by Supervisor Elías, and unanimously carried by a five to zero vote, to close the public hearing and approve the Fireworks Permit.

20. DEVELOPMENT SERVICES: REZONING

Co9-04-16, ST. PHILLIPS FOOTHILLS, L.L.C. - CAMPBELL AVENUE REZONING

Request of St. Phillips Foothills, L.L.C., represented by The Planning Center, for a rezoning of about 7.7 acres from CR-1 (Single Residence Zone) to CR-4 (Mixed Dwelling Zone) on property located on the east side of Campbell Avenue approximately 1/4 mile north of River Road. The proposed rezoning conforms to the Pima County Comprehensive Plan, Co7-00-20. On motion, the Planning and Zoning Commission voted 8-0 (Commissioner Gungle was absent) to recommend **APPROVAL WITH CONDITIONS** and standard and special requirements. Staff recommends **DENIAL**. (District 1)

"IF THE DECISION IS MADE TO APPROVE THE REZONING, THE FOLLOWING STANDARD AND SPECIAL REQUIREMENTS 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. Submittal of a development plan if determined necessary by the appropriate County agencies.
2. Recording of a covenant holding Pima County harmless in the event of flooding.
3. Recording of the necessary development related covenants as determined appropriate by the various County agencies.

4. Provision of development related assurances as required by the appropriate agencies.
5. Prior to the preparation of the development related covenants and any required dedication, a title report (current to within 60 days) evidencing ownership of the property shall be submitted to the Development Services Department.
6. There shall be no further lot splitting or subdividing beyond the sixteen lots shown on the Preliminary Development Plan without the written approval of the Board of Supervisors.
7. Transportation conditions:
  - A. A Traffic Impact Analysis (TIA) shall be provided by the property owner(s) for this rezoning for review and approval by the Department of Transportation, prior to the first development plan or tentative plat submittal. The results of the approved TIA shall be used to establish required transportation improvements, and phasing of said improvements, to the area roadway system. The property owner(s) shall be responsible for construction of improvements as required by the Department of Transportation to meet concurrency requirements.
  - B. Provision of improvements to Campbell Avenue, including but not limited to, widening of pavement to provide left or right turn lanes, or a continuous left-turn lane.
  - C. The property owner shall dedicate 45 feet right-of-way for Campbell Avenue.
8. Flood Control conditions:
  - A. Drainage shall not be altered, disturbed or obstructed without the written approval of the Flood Control District.
  - B. The property owner(s) shall provide all necessary drainage related improvements created by the proposed development both on-site and off-site of the subject property. The location, design and construction of said improvements shall be subject to the approval of the Flood Control District.
  - C. All weather access shall be provided to all lots to meet concurrency requirements.
  - D. A drainage study shall be submitted for review and approval that addresses the impacts of development to the federally mapped floodplain and local drainage area at the time of platting. This study should also determine erosion setback hazard areas and in particular the western portion of the rezoning site.
9. Wastewater Management condition:

The property owner must connect to the public sewer system at the location and in the manner specified by Wastewater Management at the time of review of the tentative plat, development plan or request for building permits.
10. Environmental Quality conditions:
  - A. The subject parcel(s) shall connect to the public sewer.
  - B. The existing road to serve the parcel(s) shall be improved to meet paving specifications defined by, or equivalent to those of, the planning department and/or highway department of the jurisdictional agency.
11. Cultural Resources and Historic Preservation 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.
12. Natural Resources, Parks and Recreation condition:  
The developer shall provide a "Public Non-Motorized Trail Easement and Public Utility Easement" over the Campbell Wash, coinciding with the Flood Plain boundaries, for the Campbell/Camino Real Trail #182.
  13. Adherence to the preliminary development plan as approved at public hearing.
  14. There shall be a maximum of 16 dwelling units in the rezoning area.
  15. Building heights are limited to 24' unless the Board of Supervisors provides specific written authorization to exceed 24'.
  16. Unless Development Services is provided with information from the U.S. Fish & Wildlife Service which indicates a site survey is not necessary, the site shall be surveyed for the presence/absence of the cactus ferruginous pygmy-owl by an entity qualified to perform biological surveys and who possesses a valid permit from the U.S. Fish & Wildlife Service to perform such surveys. Surveys shall be done according to the most current protocol approved by the U.S. Fish & Wildlife Service. If surveys are performed, results of these surveys and copies of any data collected shall be provided to Development Services.
  17. Under no circumstances shall the following exotic plant species be planted anywhere on the site:
    - Fountain grass (*Pennisetum setaceum*)
    - Buffelgrass (*Pennisetum ciliare*)
    - Johnson grass (*Sorghum halapense*)
    - Giant reed (*Arundo donax*)
    - Common crabgrass (*Digitaria sanguinalis*)
    - Pampas grass (*Cortaderia selloana*)
    - Red brome (*Bromus rubens*)
    - Mediterranean grass (*Schismus spp.*)
    - Tree of heaven (*Ailanthus altissima*)
    - African sumac (*Rhus lancea*)
    - Russian olive (*Eleagnus angustifolia*)
    - Salt cedar/Tamarisk (*Tamarix pertandra & T. ramosissima*)
    - Bermuda grass (*Cynodon dactylon*) excluding sod hybrid Bermuda
    - Lovegrasses (*Eragrostis spp.*) excluding Plains lovegrass (*Eragrostis intermedia*)
    - African rue (*Peganum harmala*)
    - Iceplant (*Mesembryanthemem crystallinum*)
    - Arabian Grass (*Schismus arabicus*)
    - Natal Grass (*Melinis repens*) (*Rhynchelythrum repens*)
  18. In the event the subject property is annexed into the City of Tucson, 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.
  19. 95% of the Campbell Wash shall remain undisturbed."

Arlan Colton, Planning Official, stated this is a request to rezone 7.53 acres from CR-1 to CR-4 with the remainder to remain CR-1 restricted to retain Campbell Wash in its natural state. The Planning and Zoning Commission recommended approval with the addition of Condition No. 19, that would set the 95 percent preservation area for new disturbance of the wash. Planning staff recommended denial due to concurrency issues. One neighbor addressed the Planning and Zoning Commission in support, and Planning

staff received no protests. If the request is approved, 10 casitas would be removed and replaced with 16 single family homes. An alternative access point would serve the property, and the existing access point would be revegetated and the 95 percent disturbance area would not count against the revegetation of that access.

The Chair inquired whether anyone wished to address the Board in opposition? No one appeared.

On consideration, it was moved by Supervisor Day, seconded by Chair Bronson, and unanimously carried by a five to zero vote, to close the public hearing and approve the request for Co9-04-16, subject to conditions and standard and special requirements

21. DEVELOPMENT SERVICES: REZONING

Co9-04-18, CRUZ - ELVADO ROAD REZONING

Request of Armando and Sally Cruz, for a rezoning of about 0.98 acres from GR-1 (Rural Residential) to SH (Suburban Homestead) on a property located on the northwest corner of Elvado and Sparrow Roads, approximately 1/2 mile east of Camino de Oeste. The proposed rezoning conforms to the Pima County Comprehensive Plan, Co7-00-20. On motion, the Planning and Zoning Commission voted 8-0 (Commissioner Cuyugan was absent) to recommend **APPROVAL WITH CONDITIONS**. Staff recommends **APPROVAL WITH CONDITIONS** and standard and special requirements. (District 3)

"IF THE DECISION IS MADE TO APPROVE THE REZONING, THE FOLLOWING STANDARD AND SPECIAL REQUIREMENTS 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. Submittal of a development plan if determined necessary by the appropriate County agencies.
2. Recording of a covenant holding Pima County harmless in the event of flooding.
3. Recording of the necessary development related covenants as determined appropriate by the various County agencies.
4. Provision of development related assurances as required by the appropriate agencies.
5. Prior to the preparation of the development related covenants and any required dedication, a title report (current to within 60 days) evidencing ownership of the property shall be submitted to the Development Services Department.
6. There shall be no further lot splitting or subdividing without the written approval of the Board of Supervisors.
7. Transportation conditions:
  - A. Any common, private, road/driveway serving more than one dwelling unit shall be paved (chip sealed) within six months of issuance of building permits.
8. Flood Control conditions:
  - A. Drainage shall not be altered, disturbed or obstructed without the written approval of the Flood Control District.

RESOLUTION 2015- 42

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO ZONING; IN CASE Co9-04-16 ST. PHILLIPS FOOTHILLS, LLC – CAMPBELL AVENUE REZONING; LOCATED ON THE EAST SIDE OF CAMPBELL AVENUE APPROXIMATELY ONE-FOURTH MILE NORTH OF RIVER ROAD; AMENDING REZONING CONDITIONS SET FORTH IN SECTION 2 AND THE TIME LIMIT SET FORTH IN SECTION 3 OF ORDINANCE NO. 2006-37, AS AMENDED BY RESOLUTION NO. 2010-58.**

The Board of Supervisors of Pima County, Arizona finds that:

1. On June 22, 2004, the owner of approximately 7.02 acres applied for a rezoning from CR-1 (Single Residence) to CR-4 (Mixed-Dwelling Type);
2. On January 4, 2005 the Pima County Board of Supervisors approved the rezoning from SR (Suburban Ranch) to CR-4 (Mixed-Dwelling Type) and CR-4 (R) (Mixed-Dwelling Type) (Restricted), subject to standard and special conditions;
3. On May 2, 2006 the Pima County Board of Supervisors adopted rezoning Ordinance No. 2006-37, as recorded in Docket 12798 at Page 04268, rezoning the approximate 7.02 acres described in rezoning case Co9-04-16 (as shown on the map attached hereto as EXHIBIT A) and memorializing the standard and special conditions;
4. On July 16, 2009 the owner of the rezoning site applied for a five-year extension of the time limit set forth in Section 3 of Ordinance No. 2006-37;
5. On October 20, 2009 the Pima County Board of Supervisors approved the five-year time extension subject to modification of rezoning condition number 9 and addition of rezoning conditions numbered 20 and 21;
6. On March 16, 2010 the Pima County Board of Supervisors adopted rezoning Resolution No. 2010-58, as recorded in Docket 13772 at Page 02767, to memorialize the amendments to Ordinance No. 2006-37;

7. On December 17, 2014 the owner of the rezoning site applied for a five-year extension of the time limit set forth in Section 3 of Ordinance No. 2006-37, as amended by Resolution No. 2010-58;
8. On March 17, 2015 the Pima County Board of Supervisors denied closure of the rezoning and approved the five-year time extension subject to deletion of rezoning conditions numbered 2, 16, and 21, modification of rezoning conditions re-numbered 6A, 8B, 8C, 14, and 15, and addition of rezoning conditions numbered 7E-G and 8D-F; and
9. Section 3 of Ordinance No. 2006-37, as amended by Resolution No. 2010-58, allows the Board of Supervisors to amend the time limit and rezoning conditions by resolution.

NOW, THEREFORE, IT IS RESOLVED:

Section 1. The rezoning conditions in Section 2 of Ordinance 2006-37, as amended by Resolution No. 2010-58, are restated and modified as follows:

1. Submittal a development plan as determined necessary by the appropriate County agencies.
- ~~2. Recording of a covenant holding Pima County harmless in the event of flooding.~~
32. Recording of the necessary development related covenants as determined appropriate by the various County agencies.
43. Provision of development related assurances as required by the appropriate agencies.
54. Prior to the preparation of the development related covenants and any required dedication, a title report (current to within 60 days) evidencing ownership of the property shall be submitted to the Development Services Department.
65. There shall be no further lot splitting or subdividing beyond the sixteen lots shown on the Preliminary Development Plan without the written approval of the Board of Supervisors.
76. Transportation conditions:
  - A. A Traffic Impact Analysis (TIA) shall be provided by the property owner(s) for this rezoning for review and approval by the Department of Transportation, prior to the first development plan or tentative plat submittal. The results of the approved TIA shall be used to establish

required transportation improvements, and phasing of said improvements, to the area roadway system. The property owner(s) shall be responsible for construction of improvements as required by the Department of Transportation to meet concurrency requirements.

- B. Provision of improvements to Campbell Avenue, including but not limited to, widening of pavement to provide left or right turn lanes, or a continuous left-turn lane.
- C. The property owner shall dedicate 45 feet right-of-way for Campbell Avenue.

87. Flood Control conditions:

- A. Drainage shall not be altered, disturbed or obstructed without the written approval of the Flood Control District.
- B. The property owner(s) shall provide all necessary drainage related improvements created by the proposed development both on-site and off-site of the subject property. The location, design and construction of said improvements shall be subject to the approval of the Flood Control District.
- C. All weather access shall be provided to all lots to meet concurrency requirements.
- D. A drainage study shall be submitted for review and approval that addresses the impacts of development to the federally mapped floodplain and local drainage area at the time of platting. This study should also determine erosion setback hazard areas and in particular the western portion of the rezoning site.
- E. First flush retention (retention of the first ½ inch of rainfall) shall be provided for all newly disturbed and impervious surfaces.
- F. As provided for in Pima County Code Section 18.07.080 Modification of Development Standards shall be proposed at the time of development in order to avoid Regulated Riparian Habitat.
- G. A Final Integrated Water Management Plan consisting of Water Conservation Measures identified by the applicant and commitment to serve from Tucson Water shall be submitted with the Development Plan.

98. Wastewater Management Reclamation conditions:

- A. The owner/developer shall not construe no any action by Pima County as a commitment to provide sewer service to any new development within the rezoning area until Pima County executes an agreement with the owner/developer to that effect.
- B. The owner/developer 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/developer shall enter into a written agreement addressing have 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 Pima County Regional Wastewater Reclamation Department PCRWRD.

- C. The owner/developer 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 the ~~Development Services Department~~ PCRWRD at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.
- D. The owner / developer 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.
- E. The owner/developer 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/developer 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.

409. Environmental Quality conditions:

- A. The subject parcel(s) shall connect to the public sewer.
- B. The existing road to serve the parcel(s) shall be improved to meet paving specifications defined by, or equivalent to those of, the planning department and/or highway department of the jurisdictional agency.

4410. Cultural Resources and Historic Preservation 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.

- ~~42~~11. Natural Resources, Parks and Recreation condition:  
The developer shall provide a "Public Non-Motorized Trail Easement and Public Utility Easement" over the Campbell Wash, coinciding with the Flood Plain boundaries, for the Campbell/Camino Real Trail #182.
- ~~43~~12. Adherence to the preliminary development plan as approved at public hearing (Exhibit "B").
- ~~44~~13. There shall be a maximum of 16 dwelling units in the rezoning area.
- ~~45~~14. Building heights are limited to a maximum of 24 feet unless the Board of Supervisors provides specific written authorization to exceed 24 feet.
- ~~46~~. Unless Development Services is provided with information from the U.S. Fish & Wildlife Service which indicates a site survey is not necessary, the site shall be surveyed for the presence/absence of the cactus ferruginous pygmy owl by an entity qualified to perform biological surveys and who possesses a valid permit from the U.S. Fish & Wildlife Service to perform such surveys. Surveys shall be done according to the most current protocol approved by the U.S. Fish & Wildlife Service. If surveys are performed, results of these surveys and copies of any data collected shall be provided to Development Services.
- ~~19~~15. Under no circumstances shall the following exotic plant species be planted anywhere on the site:  
Fountain grass (*Pennisetum setaceum*)  
Buffel grass (*Pennisetum ciliare*)  
Johnson grass (*Sorghum halapense*)  
Giant reed (*Arundo donax*)  
Common crabgrass (*Digitaria sanguinalis*)  
Pampas grass (*Cortaderia selloana*)  
Red brome (*Bromus rubens*)  
Mediterranean grass (*Schismus spp.*)  
Tree of heaven (*Ailanthus altissima*)  
African sumac (*Rhus lancea*)  
Russian olive (*Elaeagnus angustifolia*)  
Salt cedar/Tamarisk (*Tamarix pertandra & T. ramosissima*)  
Bermuda grass (*Cynodon dactylon*) excluding sod hybrid Bermuda  
Love grasses (*Eragrostis spp.*) excluding Plains love grass (*Eragrostis intermedia*)  
African rue (*Peganum harmala*)  
Iceplant (*Mesembryanthemum crystallinum*)  
Arabian Grass (*Schismus arabicus*)

Natal Grass (~~Melinis repens (=Rhynchoselythrum repens))~~)

Upon the effective date of the Ordinance Resolution, the owner(s)/developer(s) shall have a continuing responsibility to remove invasive non-native species from the property, including those below. 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. Prior to issuance of the certificate of compliance, the owner(s)/developer(s) shall record a covenant, to run with the land, memorializing the terms of this condition.

16. In the event the subject property is annexed into the City of Tucson, 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.

4917. Ninety-five percent of the Campbell Wash shall remain undisturbed.

2018. The property owner shall execute and record the following disclaimer regarding Prop 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 to 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)."

~~21. The owner/developer shall execute and record a document acceptable to the Pima County Department of Community Services indicating that the owner/developer shall contribute to the affordable housing trust fund as adopted by the Pima County Board of Supervisors on December 13, 2005, before a certificate of compliance is issued.~~

Section 2. The time limit and conditions in Section 3 of Ordinance 2006-37, as amended by Resolution No. 2010-58, are modified as follows:

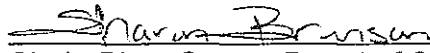
1. Conditions 1 through 24 18 shall be completed by January 4, 2015 2020.
2. The time limit may be extended by the Board of Supervisors by adoption of a resolution in accordance with Chapter 18.91 of the Pima County Zoning

Code.

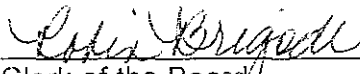
3. No building permits shall be issued based on the rezoning approved by this Resolution until all conditions 1 through 24 18 are satisfied and the Planning Official issues a Certificate of Compliance.
4. The rezoning conditions of Section 1 may be amended or waived by resolution of the Board of Supervisors in accordance with Chapter 18.91 of the Pima County Zoning Code.

Section 3. The effective date of this Resolution is the date the Chair of the Board of Supervisors signs this Resolution.


Passed and adopted, this 16th day of June, 2015.

  
\_\_\_\_\_  
Chair, Pima County Board of Supervisors  
JUN 16 2015

ATTEST:

  
\_\_\_\_\_  
Clerk of the Board

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Deputy County Attorney  
Lesley M. Lukach

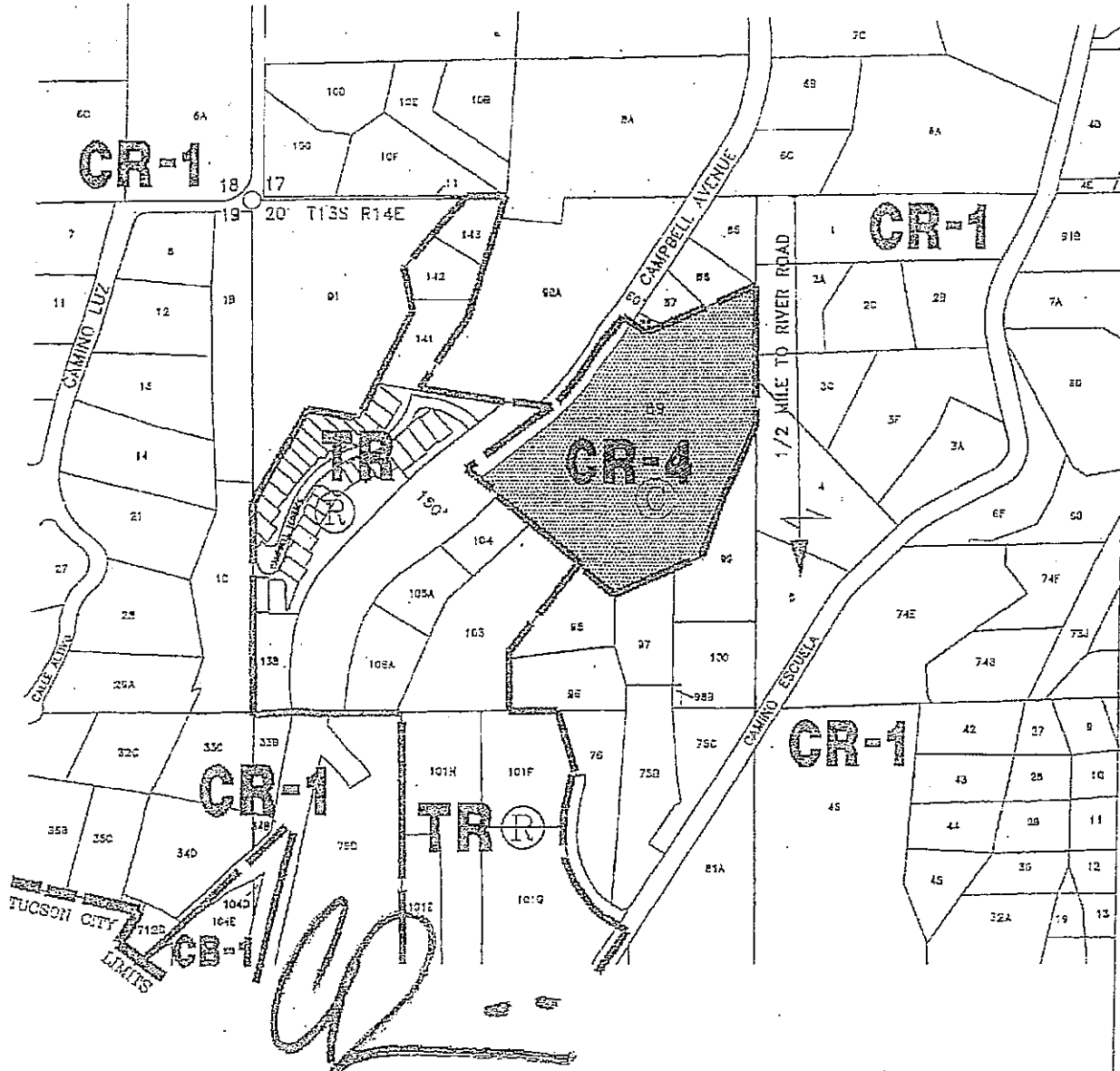
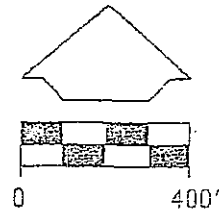
APPROVED:

  
\_\_\_\_\_  
Executive Secretary  
Planning and Zoning Commission

EXHIBIT "A"

AMENDMENT NO. 14 BY ORDINANCE NO. 2006-37  
 TO PIMA COUNTY ZONING MAP NO. 47 TUCSON, ARIZONA  
 PARCEL 89 BEING A PART OF THE NW 1/4 OF THE NW 1/4  
 OF SECTION 20, T13S R14E.

ADOPTED MAY 2, 2006 EFFECTIVE MAY 2, 2006



EXECUTIVE SECRETARY PIMA COUNTY PLANNING AND ZONING COMMISSION

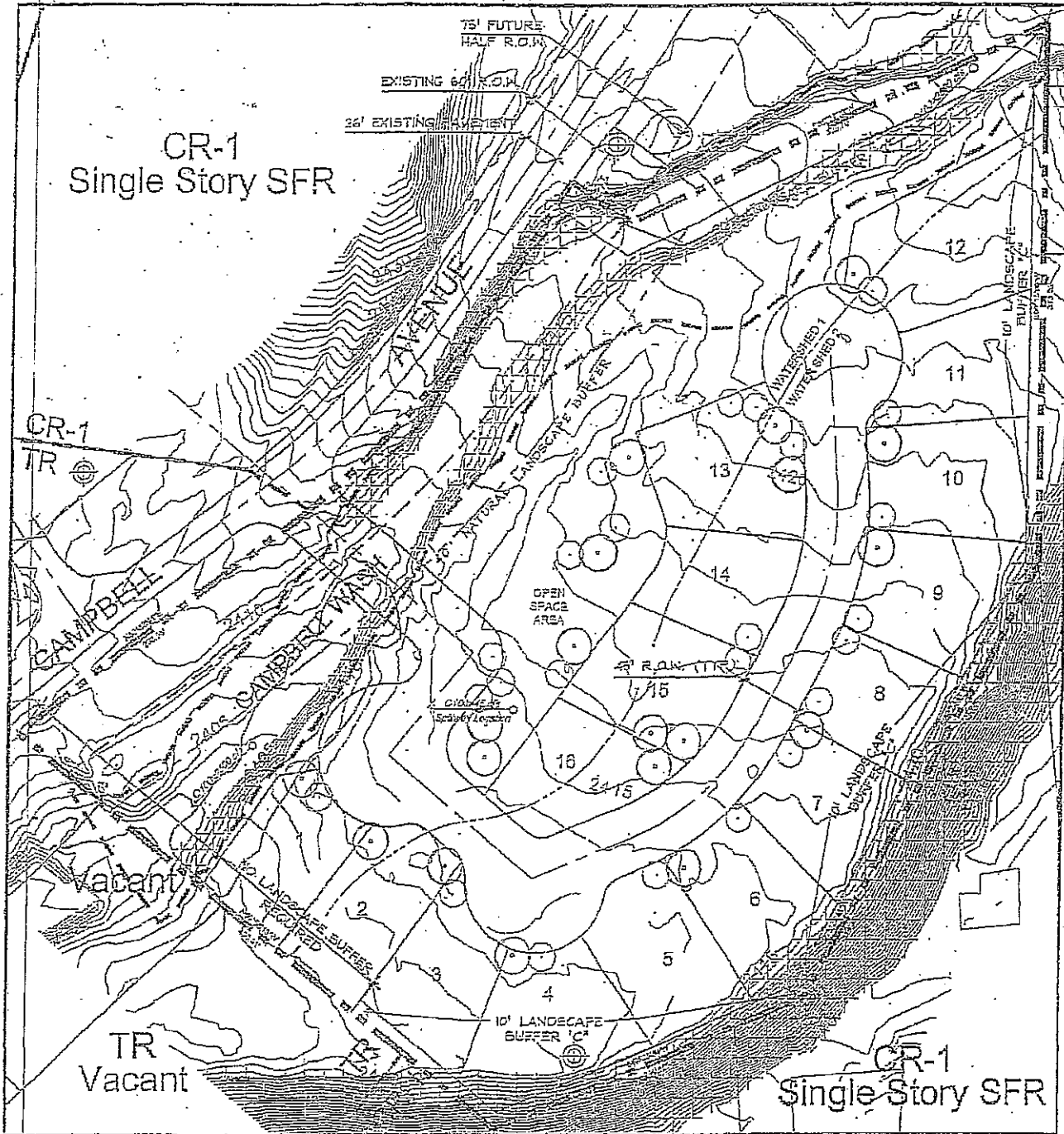
© NO BUILDING PERMITS WITHOUT CERTIFICATE OF COMPLIANCE  
 FROM CR-1 7.0 acres±  
 4.13 acres to CR-4 & 2.87 acres to CR-4 ©  
 MA - MARCH 31, 2006

Co9-04-16  
 Co7-01-15 (ref)  
 Co7-00-20  
 108-23-0890  
 P1205-088 (ref)

EXHIBIT "B"

Land Use Proposal

II.B.1: Preliminary Development Plan



LEGEND

- SLOPES OVER 15%
- EXISTING ZONE
- 100 YEAR FLOOD PLAIN
- REZONING BOUNDARY
- ADJACENT STRUCTURES
- WATERSHEDS
- LANDSCAPE BUFFER
- APPROXIMATE LOCATION OF WELL SITES

NOTES

1. Existing Land Use
  - West LU 1.2 - Single-Story SFR
  - East RD - Vacant
  - East LU 1.2 - Single-Story SFR
  - East LU 1.2 - SFR
  - North MHU - SFR
  - West RD - Vacant
  - West LU 1.2 - 2-Story Multi-Family Residential
  - RD - Vacant
  - LU 1.2 - SFR
2. Contour Interval - 1'
3. Township 15S, Range 14E, Section 23
4. Assessor Parcel ID - 150 21 1607
5. Total Property Area - 7.22 acres
6. Area to be Rezoned - CR-1: 5.3 acres
7. Subdiv. 24108 - CR-1
8. Proposed Zoning - CR-1 (Mixed Dwelling Type) (Per or 10 year Future Assessor)
9. CR-1 Restricted
10. Total number of lots - 18
11. Residential Density - 2.22 RUD
12. Building height - 24' Maximum
13. Average gross slope - 7%
14. Area to be graded - 4.77 acres
15. Special signs will have a sidewalk on both sides.
16. Driveway/Street signs must comply with Pine County Landscape Code Manual Requirements will be waived.
17. The Campus/Garden Plant Tree to be dedicated to Pine County.
18. Bank Protection located along the 100 year floodplain boundary.
19. An alternate 5000 cubic yards of 1 1/2% be used.
20. Lots along Campbell Wash will be a minimum of one foot above 100-year floodplain level.
21. The existing access point will be improved to provide 24' water access.



Project # P041  
 Date: 8-21-04 (Revised 10-1-04)  
 Revision: Project P041's plans to 5-25-04



Rillito Hills  
 52

Approved Preliminary Development Plan C09-04-16 1-4-05

February 20, 2026

Tom Drzazgowski  
Deputy Director  
Pima County Development Services Department  
201 N. Stone Ave.  
Tucson, AZ 85701

**SUBJECT: 4720 N. Campbell Avenue – Request for Time Extension**

Dear Mr. Drzazgowski:

Miramonte Holdings, LLC (“Miramonte”) is under contract to purchase the real property at 4720 N. Campbell Ave., APN 108-23-0890 (the “Property”) located in unincorporated Pima County (“County”). (See **Attachment 1**, Location Map.) The 7.1-acre Property is vacant and was rezoned in 2006 to Residential CR-4 (the “Rezoning”). The Property was not immediately developed, and the Property owner requested Rezoning extensions in 2009 and 2015, which the County granted. No extension has been requested since 2015. Miramonte would like to obtain additional Rezoning time extensions to develop the Property with single-family homes (the “Project”). This letter serves as a request to bring the Rezoning current with two, five-year time extensions for County Case No. Co9-04-16. This request is being made pursuant to Pima County Zoning Code (“PCZC”) § 18.91.090(A).

**A. Background**

On January 4, 2005, the Board of Supervisors approved the Rezoning from SR (Suburban Ranch) to CR-4 (Mixed-Dwelling Type). On May 2, 2006, the Board of Supervisors adopted Rezoning Ordinance No. 2006-37 (**Attachment 2**), memorializing the standard and special conditions.

On October 20, 2009, the Board of Supervisors approved a five-year time extension subject to modification of Rezoning condition number 9 and the addition of Rezoning conditions numbered 20 and 21. On March 16, 2010, the Board of Supervisors adopted Rezoning Resolution No. 2010-58 to memorialize the amendments to Ordinance No. 2006-37.

The owner of the Property applied for a second five-year extension, which was approved by the Board of Supervisors on March 1, 2015, subject to deletion of rezoning conditions numbered 2, 16, and 21, modification of Rezoning conditions re-numbered 6A, 8B, SC, 14, and 15, and addition of Rezoning conditions numbered 7E-G and 8D-F. (See Resolution 2015-42, **Attachment 3**.)

Miramonte now desires to develop the Property pursuant to the Rezoning and modified conditions, as stated in the 2015 extension of the Rezoning.

## **B. Rezoning Time Extension Request**

Given the small size and physical constraints of the Property and the associated Rezoning conditions, development of the Property has been challenging. Miramonte now is interested in building high-end single-family homes that will complement this desirable area of the County. Miramonte is a local homebuilder specializing in small yet quality residential infill communities, and it is interested in developing the Property in substantial conformance with the original Rezoning preliminary development plan ("PDP"). Based on additional engineering studies performed since the original Rezoning approval, the PDP has been refined to accommodate environmental constraints related to Campbell Wash, which runs along the western Property boundary adjacent to N. Campbell Ave. (The updated PDP is included as **Attachment 4**). Miramonte's team has also been working with County Flood Control District to confirm that the District is comfortable with the Project's planned access design from Campbell Ave., which we believe will be reflected in their comments. This time extension request is necessary to respond to current real estate market conditions, the physical constraints of the Property, and will allow Miramonte to further explore the feasibility of making this Project work as originally intended in the Rezoning.

As required by PCZC § 18.91.090(A)(2), attached is a current Biological Impact Report for the Property (**Attachment 5**). A letter from the Property owner authorizing the Project team to take actions necessary to obtain zoning entitlements and other development-related approvals has been submitted separately.

Thank you for your consideration. Please do not hesitate to contact me at (520) 207-4464 or via email at [RLarge@LSLawAZ.com](mailto:RLarge@LSLawAZ.com) if you have any questions or require additional information.

Sincerely,



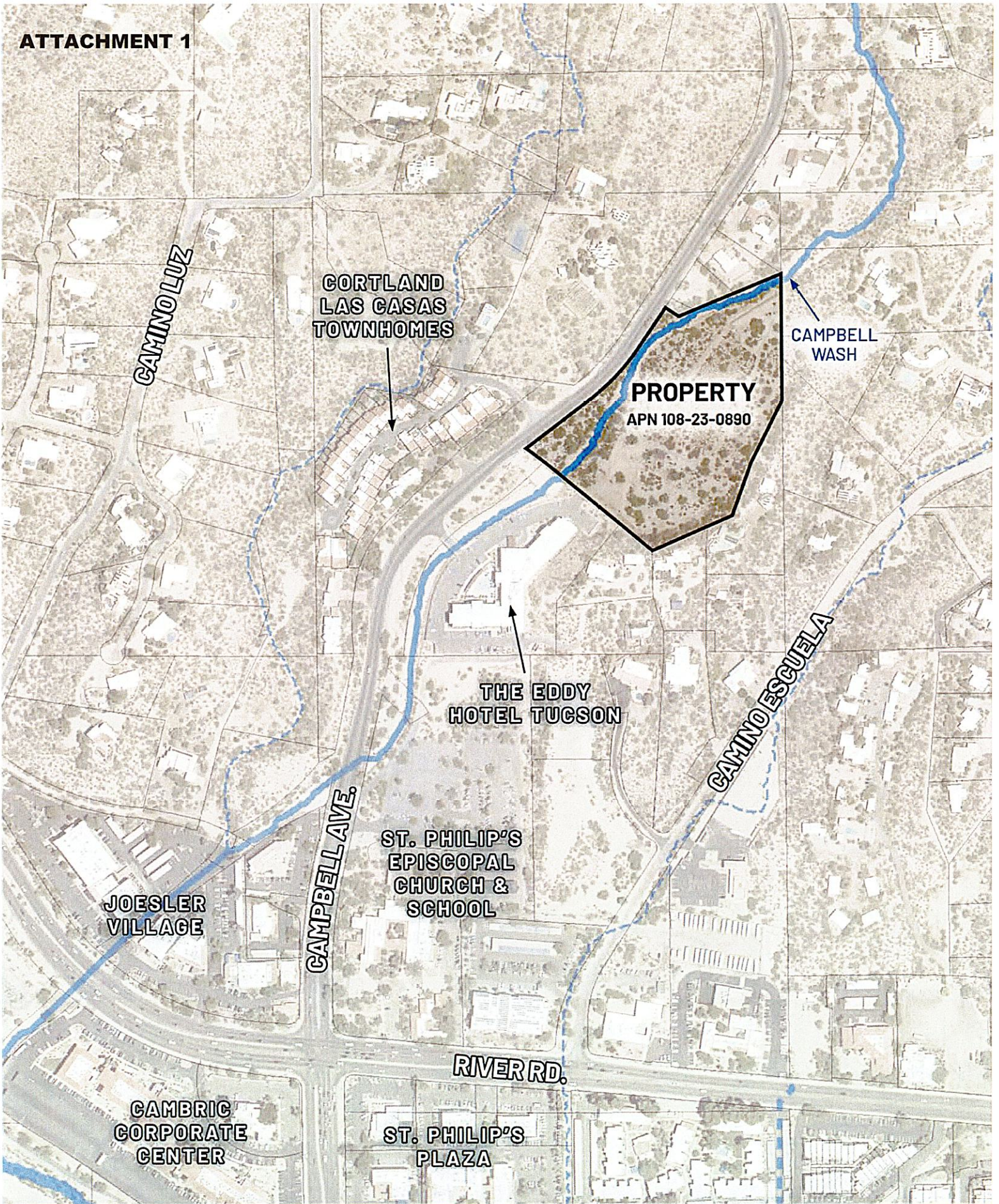
Robin M. Large  
Senior Land Use Planner  
Lazarus & Silvyn, P.C.

### Enclosures:

- 1 – Location Map
- 2 – Ordinance 2006-37
- 3 – Resolution 2015-42
- 4 – Preliminary Development Plan
- 5 – Biological Impact Report

cc: Mr. Chris Kemmerly  
Mr. Marty Magelli  
Mr. Rory Juneman, Esq.

**ATTACHMENT 1**



**Location Map**



DO NOT SCALE MAP - FOR REFERENCE ONLY



F. ANN RODRIGUEZ, RECORDER  
RECORDED BY: C D  
DEPUTY RECORDER  
0224 PE3

P0230  
PIMA CO CLERK OF THE BOARD  
PICKUP



DOCKET: 12798  
PAGE: 4268  
NO. OF PAGES: 7  
SEQUENCE: 20060871063  
05/05/2006  
ORDIN 16:51  
PICKUP  
AMOUNT PAID \$ 0.00

ORDINANCE 2006- 37

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO ZONING; REZONING PROPERTY (TAX CODE 108-23-0890) FROM CR-1 TO CR-4 (4.13 AC) & CR-4 RESTRICTED (2.89 AC); IN CASE Co9-04-16 ST. PHILLIPS FOOTHILLS LLC - CAMPBELL AVENUE REZONING; LOCATED ON THE EAST SIDE OF CAMPBELL AVENUE, APPROXIMATELY ¼ MILE NORTH OF RIVER ROAD; AMENDING PIMA COUNTY ZONING MAP NO. 47.

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

Section 1. The 7.02 acres, located on the east side of Campbell Avenue, approximately ¼ mile north of River Road, illustrated by the shaded area on the attached rezoning ordinance map (Exhibit "A"), which amends Pima County Zoning Map No. 47 are hereby rezoned from CR-1 (Single Residence) to CR-4 (Mixed-Dwelling Type) (4.13 acres) & CR-4 Restricted (2.89 acres).

Section 2. Rezoning conditions.

1. Submittal of a development plan if determined necessary by the appropriate County agencies.
2. Recording of a covenant holding Pima County harmless in the event of flooding.
3. Recording of the necessary development related covenants as determined appropriate by the various County agencies.
4. Provision of development related assurances as required by the appropriate agencies.
5. Prior to the preparation of the development related covenants and any required dedication, a title report (current to within 60 days) evidencing ownership of the property shall be submitted to the Development Services Department.

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6. There shall be no further lot splitting or subdividing without the written approval of the Board of Supervisors.
7. Transportation conditions:
  - A. A Traffic Impact Analysis (TIA) shall be provided by the property owner(s) for this rezoning for review and approval by the Department of Transportation, prior to the first development plan or tentative plat submittal. The results of the approved TIA shall be used to establish required transportation improvements, and phasing of said improvements, to the area roadway system. The property owner(s) shall be responsible for construction of improvements as required by the Department of Transportation to meet concurrency requirements.
  - B. Provision of improvements to Campbell Avenue, including but not limited to, widening of pavement to provide left or right turn lanes, or a continuous left-turn lane.
  - C. The property owner(s) shall dedicate 45-feet of right-of-way for Campbell Avenue.
8. Flood Control conditions:
  - A. Drainage shall not be altered, disturbed or obstructed without the written approval of the Flood Control District.
  - B. The property owner(s) shall provide all necessary drainage related improvements created by the proposed development both on-site and off-site of the subject property. The location, design and construction of said improvements shall be subject to the approval of the Flood Control District.
  - C. All weather access shall be provided to all lots to meet concurrency requirements.
  - D. A drainage study shall be submitted for review and approval that addresses the impacts of development to the federally mapped floodplain and local drainage area at the time of platting. This study should also determine erosion setback hazard areas and in particular the western portion of the rezoning site.
9. Wastewater Management condition:

The property owner(s) shall connect to the public sewer system at the location and in the manner specified by Wastewater Management at the time of review of the tentative plat, development plan or request for building permits.

10. Environmental Quality conditions:
- A. The subject parcel(s) shall connect to the public sewer.
  - B. The existing road to serve the parcels(s) shall be improved to meet paving specifications defined by, or equivalent to those of, the planning department and/or highway department of the jurisdictional agency.
11. Cultural Resources and Historic Preservation 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 plat 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 shall be reviewed for compliance with Pima County's cultural resources requirements under Chapter 18.81 of the Pima County Zoning Code.
12. Natural Resources, Parks and Recreation condition:  
The developer(s) shall provide a "Public Non-Motorized Trail Easement and Public Utility Easement" over the Campbell Wash, coinciding with the Flood Plain boundaries, for the Campbell/Camino Real Trail #182.
13. Adherence to the preliminary development plan as approved at public hearing (Exhibit "B").
14. There shall be a maximum of 16 dwelling units in the rezoning area.
15. Building heights are limited to 24 feet unless the Board of Supervisors provides specific written authorization to exceed 24 feet.
16. Unless Development Services is provided with information from the U.S. Fish & Wildlife Service which indicates a site survey is not necessary, the site shall be surveyed for the presence/absence of the cactus ferruginous pygmy-owl by an entity qualified to perform biological surveys and who possesses a valid permit from the U.S. Fish & Wildlife Service to perform such surveys. Surveys shall be done according to the most current protocol approved by the U.S. Fish & Wildlife Service. If surveys are performed, results of these surveys and copies of any data collected shall be provided to Development Services.


17. Under no circumstances shall the following exotic plant species be planted anywhere on the site:
- Fountain grass (*Pennisetum setaceum*)
  - Buffelgrass (*Pennisetum ciliare*)
  - Johnson grass (*Sorghum halapense*)
  - Giant reed (*Arundo donax*)
  - Common crabgrass (*Digitaria sanguinalis*)
  - Pampas grass (*Cortaderia seloana*)
  - Red brome (*Bromus rubens*)
  - Mediterranean grass (*Schismus spp.*)
  - Tree of heaven (*Ailanthus altissima*)
  - African sumac (*Rhus lancea*)
  - Russian olive (*Eleagnus angustifolia*)
  - Salt cedar/Tamarisk (*Tamarix pertandra & T. ramosissima*)
  - Bermuda grass (*Cynodon dactylon*) excluding sod hybrid Bermuda
  - Lovegrasses (*Eragrostis spp.*) excluding Plains lovegrass (*Eragrostis intermedia*)
  - African rue (*Peganum harmala*)
  - Iceplant (*Mesembryanthemem crystallinum*)
  - Arabian Grass (*Schisums arabicus*)
  - Natal Grass (*Melinis repens (Rhynchelythrum repens)*)
18. In the event the subject property is annexed into the City of Tucson, 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.
19. 95% of the Campbell Wash shall remain undisturbed.

Section 3. Time limits, extensions and amendments of conditions.

1. Conditions 1 through 19 shall be completed by January 4, 2010.
2. The time limit may be extended by the Board of Supervisors by adoption of a resolution in accordance with Chapter 18.91 of the Pima County Zoning Code.
3. No building permits shall be issued based on the rezoning approved by this Ordinance until all conditions 1 through 19 are satisfied and the Planning Official issues a Certificate of Compliance.
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.

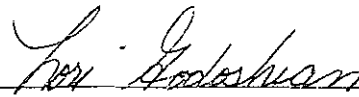
Section 4. The effective date of this Ordinance shall be on the date of signing of this Ordinance by the Chair of the Board of Supervisors.

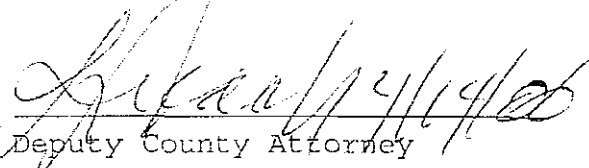
Passed and adopted by the Board of Supervisors of Pima County, Arizona, this 2nd day of, May 2006.

  
\_\_\_\_\_  
Chair, Board of Supervisors

5/2/06  
\_\_\_\_\_  
Date

ATTEST:

  
\_\_\_\_\_  
Clerk, Board of Supervisors

  
\_\_\_\_\_  
Deputy County Attorney


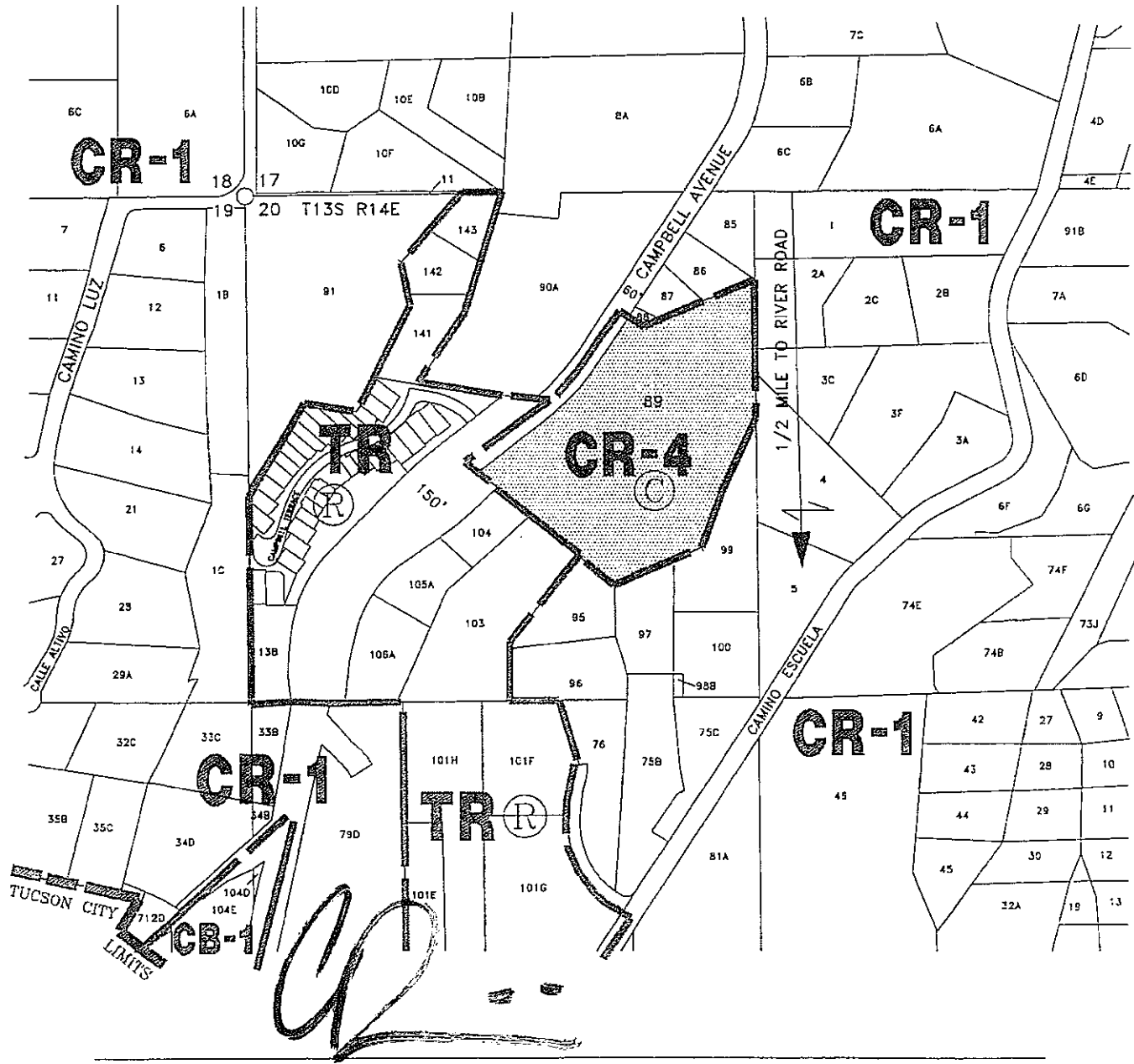
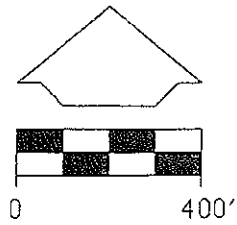
  
\_\_\_\_\_  
Executive Secretary,  
Planning and Zoning Commission

EXHIBIT "A"

AMENDMENT NO. 14 BY ORDINANCE NO. 2006-37  
TO PIMA COUNTY ZONING MAP NO. 47 TUCSON, ARIZONA  
PARCEL 89 BEING A PART OF THE NW 1/4 OF THE NW 1/4  
OF SECTION 20, T13S R14E.

ADOPTED MAY 2, 2006 EFFECTIVE MAY 2, 2006



EXECUTIVE SECRETARY PIMA COUNTY PLANNING AND ZONING COMMISSION

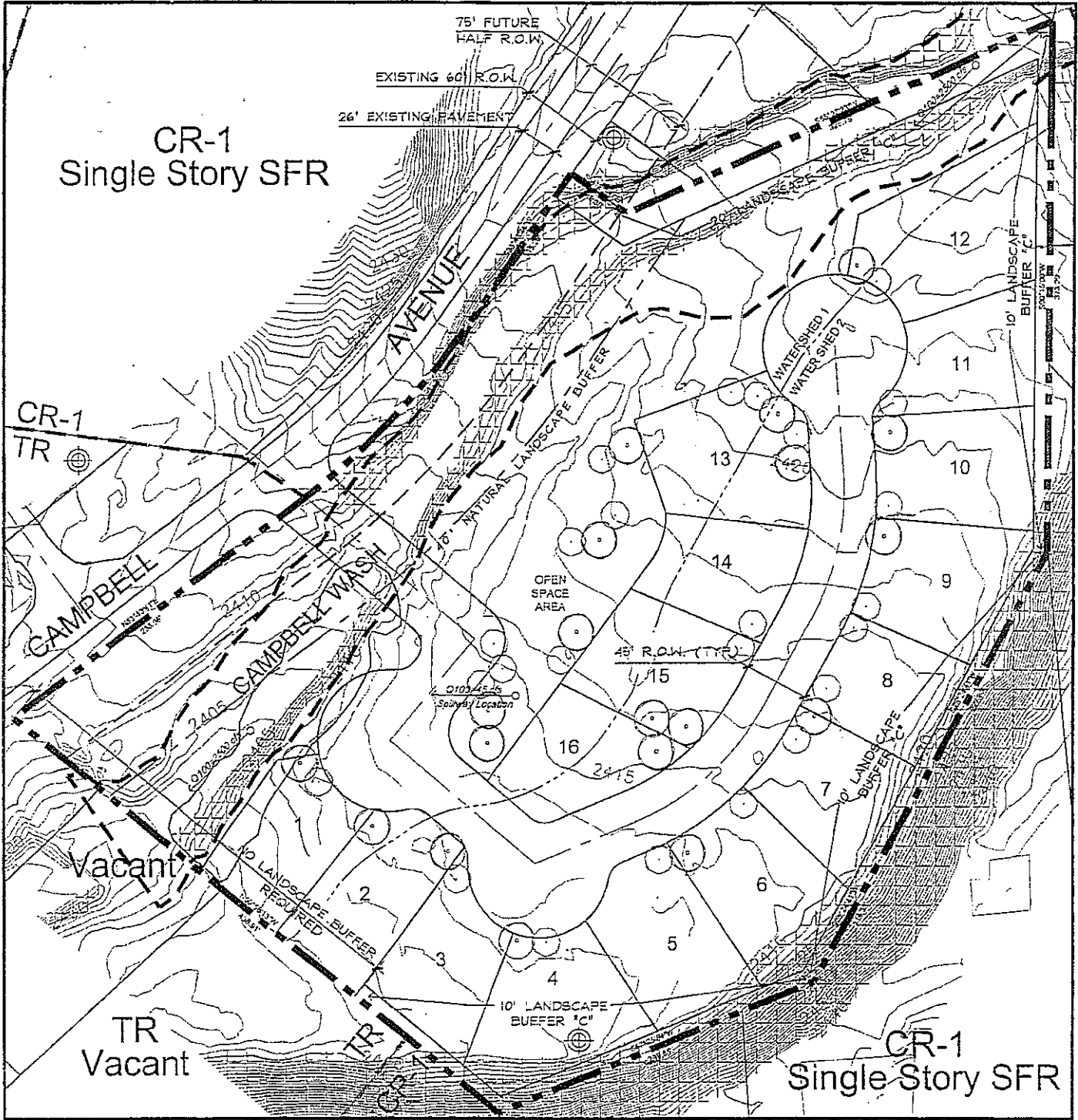
© NO BUILDING PERMITS WITHOUT CERTIFICATE OF COMPLIANCE  
FROM CR-1 7.0 acres±  
4.13 acres to CR-4 & 2.87 acres to CR-4 ©  
MA - MARCH 31, 2006

Co9-04-16  
Co7-01-15 (ref)  
Co7-00-20  
108-23-0890  
P1205-088 (ref)

EXHIBIT "B"

Land Use Proposal

II.B.1: Preliminary Development Plan



- LEGEND**
- SLPES OVER 15%
  - EXISTING ZONE
  - 100 YEAR FLOOD PLAIN
  - REZONING BOUNDARY
  - ADJACENT STRUCTURES
  - WATERSHEDS
  - LANDSCAPE BUFFER
  - APPROXIMATE LOCATION OF WELL SITES

- NOTES**
1. Existing land uses:
    - North: LIU 1.2 - Single-Story SFR
    - East: LIU 1.2 - Single-Story SFR
    - South: LIU 1.2 - SFR
    - MIU - SFR
    - RC - Vacant
    - West: MHU - 2-Story Multi-Family residential
    - RC - Vacant
    - LIU 1.2 - SFR
  2. Contour into WA - T
  3. Township: 13S, Range 14E, Section 20
  4. Assessor Parcel ID - 108 25 0660
  5. Total Property Acreage - 7.02 acres
  6. Area to be Rezoned - CR-4: 5.3 acres
  7. Existing Zoning - CR-1
  8. Proposed Zoning - CR-4 Mixed Dwelling Type (East of 100 year Flood Zone A boundary) - CR-1 Restricted
  9. Total number of units - 18
  10. Residential Density - 2.28 RAC
  11. Building heights - 24' Maximum
  12. Average cross slope - 7%
  13. Area to be graded - 4.77 acres
  14. Internal roads will have a sidewalk on both sides.
  15. Drought tolerant plant species compliant with Pima County Landscape Design Manual requirements will be utilized.
  16. The Campbell/Carrino Real Trail to be dedicated to Pima County.
  17. Bench Professor located along the 100 year floodplain boundary.
  18. An estimate 5,000 cubic yards of fill will be used.
  19. Lots along Campbell Wash will be a minimum of one foot above 100-year floodplain level.
  20. The existing access point will be improved to provide all weather access.

**THE PLANNING CENTER**

170 S. CHURCH AVE., SUITE 5020  
TUCSON, AZ 85731 (520) 623-9148

Project: P.PCH1  
Date: 6-21-04 (Revised 10-11-04)  
Filename: Proj\PD1\01\title plan pop-5-29-04.dwg

RESOLUTION 2015- 42

A RESOLUTION OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO ZONING; IN CASE Co9-04-16 ST. PHILLIPS FOOTHILLS, LLC – CAMPBELL AVENUE REZONING; LOCATED ON THE EAST SIDE OF CAMPBELL AVENUE APPROXIMATELY ONE-FOURTH MILE NORTH OF RIVER ROAD; AMENDING REZONING CONDITIONS SET FORTH IN SECTION 2 AND THE TIME LIMIT SET FORTH IN SECTION 3 OF ORDINANCE NO. 2006-37, AS AMENDED BY RESOLUTION NO. 2010-58.

The Board of Supervisors of Pima County, Arizona finds that:

1. On June 22, 2004, the owner of approximately 7.02 acres applied for a rezoning from CR-1 (Single Residence) to CR-4 (Mixed-Dwelling Type);
2. On January 4, 2005 the Pima County Board of Supervisors approved the rezoning from SR (Suburban Ranch) to CR-4 (Mixed-Dwelling Type) and CR-4 (R) (Mixed-Dwelling Type) (Restricted), subject to standard and special conditions;
3. On May 2, 2006 the Pima County Board of Supervisors adopted rezoning Ordinance No. 2006-37, as recorded in Docket 12798 at Page 04268, rezoning the approximate 7.02 acres described in rezoning case Co9-04-16 (as shown on the map attached hereto as EXHIBIT A) and memorializing the standard and special conditions;
4. On July 16, 2009 the owner of the rezoning site applied for a five-year extension of the time limit set forth in Section 3 of Ordinance No. 2006-37;
5. On October 20, 2009 the Pima County Board of Supervisors approved the five-year time extension subject to modification of rezoning condition number 9 and addition of rezoning conditions numbered 20 and 21;
6. On March 16, 2010 the Pima County Board of Supervisors adopted rezoning Resolution No. 2010-58, as recorded in Docket 13772 at Page 02767, to memorialize the amendments to Ordinance No. 2006-37;

7. On December 17, 2014 the owner of the rezoning site applied for a five-year extension of the time limit set forth in Section 3 of Ordinance No. 2006-37, as amended by Resolution No. 2010-58;
8. On March 17, 2015 the Pima County Board of Supervisors denied closure of the rezoning and approved the five-year time extension subject to deletion of rezoning conditions numbered 2, 16, and 21, modification of rezoning conditions re-numbered 6A, 8B, 8C, 14, and 15, and addition of rezoning conditions numbered 7E-G and 8D-F; and
9. Section 3 of Ordinance No. 2006-37, as amended by Resolution No. 2010-58, allows the Board of Supervisors to amend the time limit and rezoning conditions by resolution.

NOW, THEREFORE, IT IS RESOLVED:

Section 1. The rezoning conditions in Section 2 of Ordinance 2006-37, as amended by Resolution No. 2010-58, are restated and modified as follows:

1. Submittal a development plan as determined necessary by the appropriate County agencies.
- ~~2. Recording of a covenant holding Pima County harmless in the event of flooding.~~
32. Recording of the necessary development related covenants as determined appropriate by the various County agencies.
43. Provision of development related assurances as required by the appropriate agencies.
54. Prior to the preparation of the development related covenants and any required dedication, a title report (current to within 60 days) evidencing ownership of the property shall be submitted to the Development Services Department.
65. There shall be no further lot splitting or subdividing beyond the sixteen lots shown on the Preliminary Development Plan without the written approval of the Board of Supervisors.
76. Transportation conditions:
  - A. A Traffic Impact Analysis (TIA) shall be provided by the property owner(s) for this rezoning for review and approval by the Department of Transportation, prior to the first development plan or tentative plat submittal. The results of the approved TIA shall be used to establish

required transportation improvements, and phasing of said improvements, to the area roadway system. The property owner(s) shall be responsible for construction of improvements as required by the Department of Transportation to meet concurrency requirements.

- B. Provision of improvements to Campbell Avenue, including but not limited to, widening of pavement to provide left or right turn lanes, or a continuous left-turn lane.
- C. The property owner shall dedicate 45 feet right-of-way for Campbell Avenue.

87. Flood Control conditions:

- A. Drainage shall not be altered, disturbed or obstructed without the written approval of the Flood Control District.
- B. The property owner(s) shall provide all necessary drainage related improvements created by the proposed development both on-site and off-site of the subject property. The location, design and construction of said improvements shall be subject to the approval of the Flood Control District.
- C. All weather access shall be provided to all lots to meet concurrency requirements.
- D. A drainage study shall be submitted for review and approval that addresses the impacts of development to the federally mapped floodplain and local drainage area at the time of platting. This study should also determine erosion setback hazard areas and in particular the western portion of the rezoning site.
- E. First flush retention (retention of the first ½ inch of rainfall) shall be provided for all newly disturbed and impervious surfaces.
- F. As provided for in Pima County Code Section 18.07.080 Modification of Development Standards shall be proposed at the time of development in order to avoid Regulated Riparian Habitat.
- G. A Final Integrated Water Management Plan consisting of Water Conservation Measures identified by the applicant and commitment to serve from Tucson Water shall be submitted with the Development Plan.

98. Wastewater Management Reclamation conditions:

- A. The owner/developer shall not construe ~~as~~ any action by Pima County as a commitment to provide sewer service to any new development within the rezoning area until Pima County executes an agreement with the owner/developer to that effect.
- B. The owner/developer 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/developer shall enter into a written agreement addressing have 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 Pima County Regional Wastewater Reclamation Department PCRWRD.

- C. The owner/developer 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 the ~~Development Services Department~~ PCRWRD at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.
- D. The owner / developer 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.
- E. The owner/developer 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/developer 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.

409. Environmental Quality conditions:

- A. The subject parcel(s) shall connect to the public sewer.
- B. The existing road to serve the parcel(s) shall be improved to meet paving specifications defined by, or equivalent to those of, the planning department and/or highway department of the jurisdictional agency.

44-10. Cultural Resources and Historic Preservation 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.

4211. Natural Resources, Parks and Recreation condition:  
The developer shall provide a "Public Non-Motorized Trail Easement and Public Utility Easement" over the Campbell Wash, coinciding with the Flood Plain boundaries, for the Campbell/Camino Real Trail #182.
4312. Adherence to the preliminary development plan as approved at public hearing (Exhibit "B").
4413. There shall be a maximum of 16 dwelling units in the rezoning area.
4514. Building heights are limited to a maximum of 24 feet unless the Board of Supervisors provides specific written authorization to exceed 24 feet.
- ~~16. Unless Development Services is provided with information from the U.S. Fish & Wildlife Service which indicates a site survey is not necessary, the site shall be surveyed for the presence/absence of the cactus ferruginous pygmy owl by an entity qualified to perform biological surveys and who possesses a valid permit from the U.S. Fish & Wildlife Service to perform such surveys. Surveys shall be done according to the most current protocol approved by the U.S. Fish & Wildlife Service. If surveys are performed, results of these surveys and copies of any data collected shall be provided to Development Services.~~
1915. ~~Under no circumstances shall the following exotic plant species be planted anywhere on the site:~~
- ~~Fountain grass (Pennisetum setaceum)~~
  - ~~Buffel grass (Pennisetum ciliare)~~
  - ~~Johnson grass (Sorghum halapense)~~
  - ~~Giant reed (Arundo donax)~~
  - ~~Common crabgrass (Digitaria sanguinalis)~~
  - ~~Pampas grass (Cortaderia selloana)~~
  - ~~Red brome (Bromus rubens)~~
  - ~~Mediterranean grass (Schismus spp.)~~
  - ~~Tree of heaven (Ailanthus altissima)~~
  - ~~African sumac (Rhus lancea)~~
  - ~~Russian olive (Elaeagnus angustifolia)~~
  - ~~Salt cedar/Tamarisk (Tamarix pertandra & T. ramosissima)~~
  - ~~Bermuda grass (Cynodon dactylon) excluding sod hybrid Bermuda~~
  - ~~Love grasses (Eragrostis spp.) excluding Plains love grass (Eragrostis intermedia)~~
  - ~~African rue (Peganum harmala)~~
  - ~~Iceplant (Mesembryanthemum crystallinum)~~
  - ~~Arabian Grass (Schismus arabicus)~~

Natal Grass (~~Melinis repens (=Rhynchelythrum repens)~~)

Upon the effective date of the Ordinance Resolution, the owner(s)/developer(s) shall have a continuing responsibility to remove invasive non-native species from the property, including those below. 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. Prior to issuance of the certificate of compliance, the owner(s)/developer(s) shall record a covenant, to run with the land, memorializing the terms of this condition.

16. In the event the subject property is annexed into the City of Tucson, 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.

~~17.~~ Ninety-five percent of the Campbell Wash shall remain undisturbed.

2018. The property owner shall execute and record the following disclaimer regarding Prop 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 to 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)."

~~24.~~ ~~The owner/developer shall execute and record a document acceptable to the Pima County Department of Community Services indicating that the owner/developer shall contribute to the affordable housing trust fund as adopted by the Pima County Board of Supervisors on December 13, 2005, before a certificate of compliance is issued.~~

Section 2. The time limit and conditions in Section 3 of Ordinance 2006-37, as amended by Resolution No. 2010-58, are modified as follows:

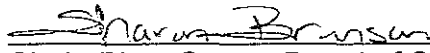
1. Conditions 1 through ~~24~~ 18 shall be completed by January 4, ~~2015~~ 2020.
2. The time limit may be extended by the Board of Supervisors by adoption of a resolution in accordance with Chapter 18.91 of the Pima County Zoning

Code.

3. No building permits shall be issued based on the rezoning approved by this Resolution until all conditions 1 through 24 18 are satisfied and the Planning Official issues a Certificate of Compliance.
4. The rezoning conditions of Section 1 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 3. The effective date of this Resolution is the date the Chair of the Board of Supervisors signs this Resolution.


Passed and adopted, this 16th day of June, 2015.

  
\_\_\_\_\_  
Chair, Pima County Board of Supervisors  
JUN 16 2015


ATTEST:

  
\_\_\_\_\_  
Clerk of the Board

APPROVED AS TO FORM:

 9/28/15  
\_\_\_\_\_  
Deputy County Attorney  
Lesley M. Lukach

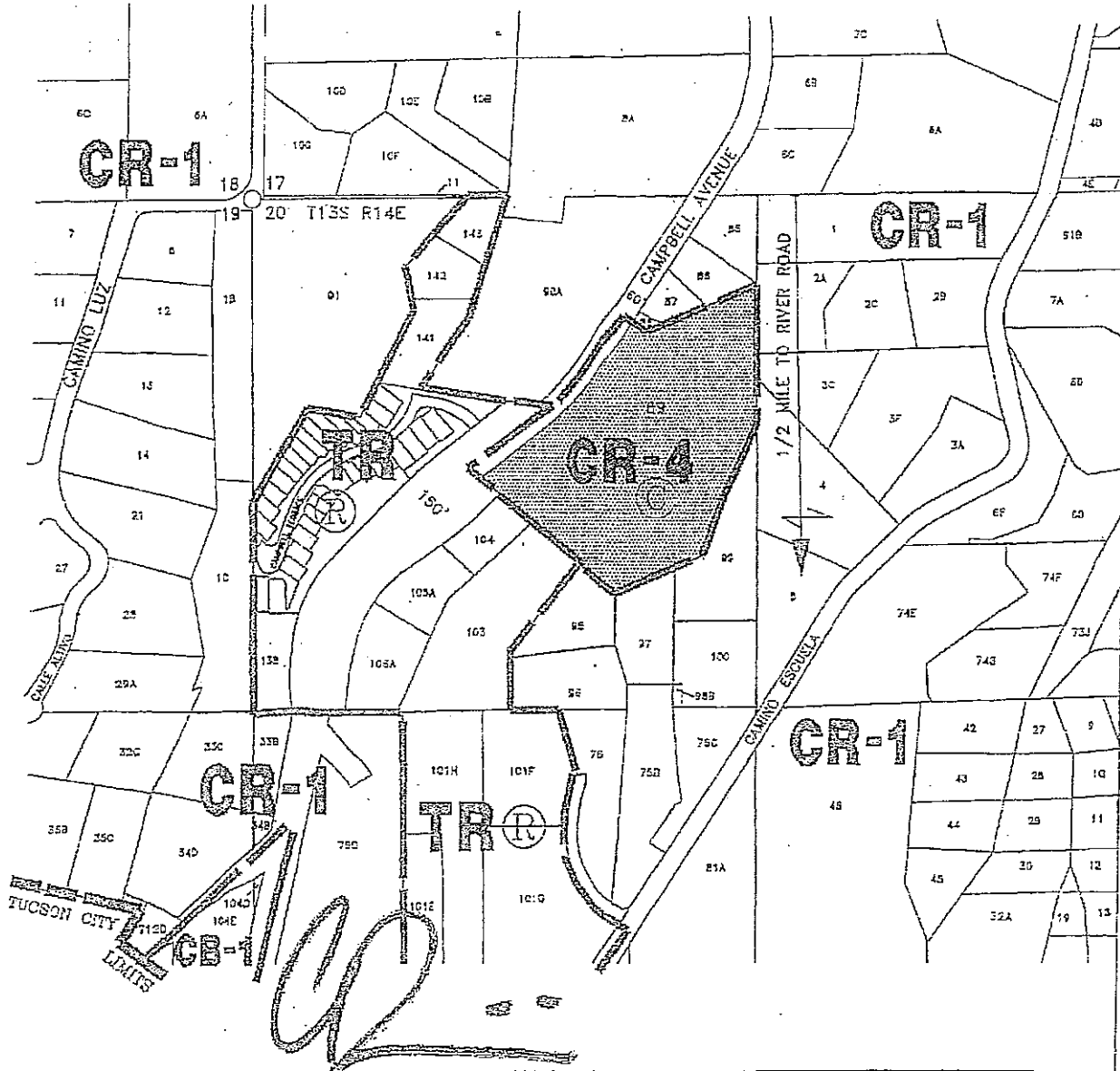
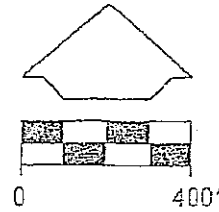
APPROVED:

  
\_\_\_\_\_  
Executive Secretary  
Planning and Zoning Commission

# EXHIBIT "A"

AMENDMENT NO. 14 BY ORDINANCE NO. 2006-37  
 TO PIMA COUNTY ZONING MAP NO. 47 TUCSON, ARIZONA  
 PARCEL 89 BEING A PART OF THE NW 1/4 OF THE NW 1/4  
 OF SECTION 20, T13S R14E.

ADOPTED MAY 2, 2006 EFFECTIVE MAY 2, 2006



EXECUTIVE SECRETARY PIMA COUNTY PLANNING AND ZONING COMMISSION

© NO BUILDING PERMITS WITHOUT CERTIFICATE OF COMPLIANCE  
 FROM CR-1 7.0 acres±  
 4.13 acres to CR-4 & 2.87 acres to CR-4 ©  
 MA - MARCH 31, 2006

Co9-04-16  
 Co7-01-15 (ref)  
 Co7-00-20  
 108-23-0890  
 P1205-088 (ref)







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*):

4720 N. Campbell Ave. (APN 108-23-0890)

### **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: Yes
  - 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? No  
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.



**Building & Site Development**  
201 N. Stone Avenue, 1<sup>st</sup> Floor  
Tucson, AZ 85701-1207

**LETTER OF AUTHORIZATION**

As required by Arizona Revised Statutes I hereby certify that I am the owner of the property referenced below and that the party whose name is listed below is authorized to take out Development Services permits in my name:

**4720 N. Campbell Avenue (APN 108-23-0890)**

Property Address

**Rezoning Time Extension**

Type of Permit Applied for: *(SFR/MF/Remodel/Addition/Fence or Wall/Home Occupation/Child Care/Secondary Dwelling/Assisted Living Home/Group Home)*

Signature of Applicant / Printed Name

Date

**AUTHORIZED BY:**

CAMPBELL FOOTHILLS INVESTORS, L.P.  
BY: SCHOMAC DEVELOPMENT INC., GENERAL PARTNER

BY: Dennis L. Winans / DENNIS L. WINANS 2/19/2026  
Signature of Property Owner / Printed Name Date

*Per Board of Technical Registration and Registrar of Contractors regulation, Registrants and Licensed Contractors may apply for building permits without use of this form.*



ARIZONA SECRETARY OF STATE  
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# Entity Search

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**File ID:**

2022848

**Name:**

CAMPBELL FOOTHILLS INVESTORS, L.P.

**Address of Chief Executive Office:**

6418 EAST TANQUE VERDE ROAD  
SUITE 105  
TUCSON, Arizona  
85715-

**Date to Dissolve:**

Never

**Date Registered:**

December 20, 2007

**General Partners:**

SCHOMAC DEVELOPMENT, INC.  
DENNIS L WINANS, PRESIDENT  
5997 EAST GRANT ROAD  
TUCSON, Arizona  
85712-

General Partner

**Agent for Service of Process:**

RYAN M SCHOFF  
6418 EAST TANQUE VERDE ROAD  
SUITE 105  
TUCSON, Arizona  
85715-

**Registration Information:**

Registration December 20, Expires: Never  
Received: 2007

**Correspondence History:**

Partnership Amendment: Filed: September 30,  
2011  
Partnership Application: Filed: December 20,  
2007

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