



ZONING EXAMINER

REPORT TO MAYOR AND COUNCIL

April 3, 2015

C15-14-05 Tucson Airport Authority Annexation District 1 Original City Zoning Public Hearing: March 19, 2015

BACKGROUND

This is a request by the City of Tucson to establish original city zoning for an annexation district on approximately 1,944 acres of land, located southeast of the intersection of Hughes Access Road and Alvernon Way. The property consists of vacant undeveloped land. The annexation became effective on December 19, 2014. The annexation district consists of generally vacant with some static sand and gravel parcels. A total of ten parcels are associated with the annexation district, owned by Tucson Airport Authority Inc.

The annexation site is within the boundaries of the *Plan Tucson* and the *Rincon/Southeast Subregional Plan*.

PUBLIC HEARING SUMMARY (Minutes Attached)

Glenn Moyer, Planning and Development Services Department, presented the staff report with a recommendation for approval. Mr. Moyer commented that no approvals and no protests were received in the formal protest area.

Mike Czechowski presented the rezoning request.

FINDINGS OF FACT

This is a request by the City of Tucson to establish original city zoning for an annexation district on approximately 1,944 acres of land, located southeast of the intersection of Hughes Access Road and Alvernon Way. The property consists of vacant undeveloped land. The annexation became effective on December 19, 2014. The annexation district consists of generally vacant with some static sand and gravel parcels. A total of ten parcels are associated with the annexation district, owned by Tucson Airport Authority Inc.

The creation of original city zoning upon annexation requires that zoning be translated from existing county zoning to the closest comparable city zoning designation. Existing Pima County zoning for the site is RH and CI-2. The closest comparable translation to City of Tucson zoning is RH and I-2. Establishment of original city zoning would also extend *Major Streets and Routes Plan (MS&RP)*, arterial street designations on Swan Road and Old Vail Connection Road, extension of the Tucson International Airport Environs Zone (AEZ), extension of the Environmental Resource Zone (ERZ), as well as any other applicable ordinances.

**C15-14-05 Tucson Airport Annexation District 1 Original City Zoning
Rezoning: RH and CI-2 to RH and I-2**

Current Pima County RH zoning allows rural residential density. It is intended to encourage rural development in areas lacking facilities for urban development and to provide for commercial and industrial development only where appropriate and necessary to serve the needs of the rural area. Current CI-2 Pima County zoning allows commercial, retail, general business, manufacturing and warehousing uses.

City of Tucson RH zoning, allows rural development in areas lacking facilities for urban development and to provide commercial and industrial development only where appropriate and necessary to serve the needs of the rural areas. City of Tucson I-2 zoning allows commercial, industrial, and manufacturing uses, and residential if restricted to caretakers residence, except for Resident Artisans in the Downtown Warehouse District.

To the north of the rezoning area is a sand and gravel pit and vacant land zoned Pima County CI-2. To the south are parcels zoned single family residential, zoned Pima County RH. To the east is vacant land and an unused gravel pit, zoned Pima County CI-2 and a correctional facility and vacant land zoned City of Tucson RH. To the west is vacant land zoned City of Tucson RH and I-2.

Within the City of Tucson, Swan Road and Old Vail Connection Road are identified as arterial streets on the City of Tucson *Major Streets and Routes Plan* map, with a right-of-way of 150 feet. Therefore, the Original City Zoning designation of that portion of Swan Road and Old Vail Connection Road lying within the annexation district extends the *Major Streets and Routes Plan* designation for Swan Road and Old Vail Connection Road.

The annexation site is within the boundaries of *Plan Tucson* and the *Rincon/Southeast Subregional Plan*. The request to establish original City zone from Pima County RH and CI-2 to City of Tucson RH and I-2 is consistent with *Plan Tucson* direction, which recognizes that the long-term prosperity and vitality of the city is focused on positive infrastructure expansion, and providing for a rational pattern of land development. *Plan Tucson* identifies the area as potential annexation land and supports the existing industrial zoning pattern as part of the Tucson International Airport industrial complex and associated industrial uses, while supporting a rural residential zoning pattern south of the Old Vail Connection Road alignment. *Plan Tucson* supports future development of the area that will contribute to Tucson's overall economic vitality and community character. The *Rincon/Southeast Subregional Plan* reflects that high-intensity industrial and park industrial planned land uses respond to existing development patterns within or adjacent to the 1-10 corridor, including Tucson International Airport and Davis-Monthan Air Force Base.

CONCLUSION

The establishment of original City zoning for these ten parcels, translating from County RH and CI-2 to City RH and I-2 zoning is supported by *Plan Tucson* and the *Rincon/Southeast Subregional Plan*. The *Major Streets and Routes Plan*, Arterial Street Route designation for Swan Road and Old Vail Connection Road will extend that portion of these roads lying within the annexation district. The request will also extend those portions of Airport

**C15-14-05 Tucson Airport Annexation District 1 Original City Zoning
Rezoning: RH and CI-2 to RH and I-2**

Environ Zones (AEZ) and Environmental Resource Zone (ERZ) lying within the annexation district. Approval of the proposed translation Original City Zoning (OCZ) is appropriate.

RECOMMENDATION

The Zoning Examiner recommends approval of RH and I-2 zoning.

Respectfully Submitted,



Linus Kafka
Zoning Examiner

ATTACHMENTS:

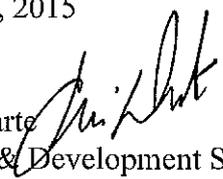
Public Hearing Minutes
Rezoning Staff Report



MEMORANDUM

DATE: February 13, 2015
March 19, 2015

TO: Linus Kafka
Zoning Examiner

FROM: Ernie Duarte 
Planning & Development Services
Director

SUBJECT: REZONING: PLANNING & DEVELOPMENT SERVICES REPORT
ESTABLISHMENT OF ORIGINAL CITY ZONING
C15-14-05 Tucson Airport Authority 1 Annexation District,
County RH and CI-2 to City RH and I-2 (Ward 5)

Issue – This is a request by the City of Tucson to establish Original City Zoning on approximately 1,944 acres of land recently annexed by the City of Tucson. Establishment of Original City Zoning requires that the property be rezoned. The rezoning site is located southeast of the intersection of Hughes Access Road and Alvernon Way (see Case Location Map). The property consists of vacant undeveloped land.

Planning & Development Services Recommendation – The Planning & Development Services Department recommends approval of RH and I-2 zoning as the Original City Zoning, and extension of the Major Streets & Routes, arterial street designation on Swan Road and Old Vail Connection Road. The extension of the Tucson International Airport Environs (AEZ), extension of the Environmental Resource Zone (ERZ) and proposed ERZ.

Background Information

Annexation History – Mayor and Council adopted Ordinance No. 11211, annexing the Tucson Airport Authority 1 Annexation District on November 18, 2014. The annexation became effective on December 19, 2014.

Existing Land Use: Vacant undeveloped land

Surrounding Zones and Land Uses:

North: Zoned CI-2 (Pima County); Sand and gravel pit, commercial, vacant land
South: Zoned RH (Pima County); single family residential
East: Zoned CI-2 (Pima County) Static gravel pit, vacant land
Zoned RH (City) State of Arizona Correctional Facilities and vacant land
West: Zoned RH and I-2 (City); vacant land

Previous Cases on the Property: None

Related Cases:

C15-09-03: Establishment of original City zoning for the Raytheon Annexation District. The property comprised approximately 1,621 acres of land. The rezoning site was located east of Nogales Highway and southwest of Tucson International Airport. Portions of the property are developed as the facilities of Raytheon Missile Systems Tucson, with the remaining acreage comprised of vacant lands. The County CI-2 zoning was translated to City I-2 zoning.

Zoning Translation - Arizona State law provides the Original City Zoning must be applied to recently annexed property within 6 months of annexation. The Original City Zoning may not allow uses or densities greater than those permitted under the existing County zoning. Consistent with State law and Mayor and Council policy, staff translates the Pima County zoning to the most comparable City zoning, thereby allowing uses and densities equivalent to what was allowed under County zoning.

The Pima County RH and CI-2 zone and the City of Tucson RH and I-2 zone are comparable. The completed translation of County zones to City zones is summarized below.

County RH: Rural Homestead zone allows rural residential density. It is intended to encourage rural development in areas lacking facilities for urban development and to provide for commercial and industrial development only where appropriate and necessary to serve the needs of the rural area.

County CI-2: General Industrial Zone allows commercial, retail, general business, manufacturing and warehousing uses.

City RH: Rural Homestead Zone allows rural development in areas lacking facilities for urban development and to provide commercial and industrial development only where appropriate and necessary to serve the needs of the rural areas.

City I-2: Heavy Industrial Zone allows Commercial, industrial, and manufacturing uses; residential restricted to caretakers residence, except for Resident Artisans in the Downtown Warehouse District.

Arterial Route: Within the City of Tucson, Swan Road and Old Vail Connection Road are identified as arterial streets on the City of Tucson *Major Streets and Routes Plan* map, with right-of-way of 150 feet. Therefore, the Original City Zoning includes designation of that portion of Swan Road and Old Vail Connection Road lying within the annexation district extends the *Major Streets and Routes Plan* designation for Swan Road and Old Vail Connection Road.

PIMA COUNTY ZONING	CITY TRANSLATION	CITY OVERLAY ZONES
RH and CI-2	RH and I-2	<i>Major Streets & Routes Plan</i> (Arterial Street Route) <i>Airport Environs</i> (AEZ) <i>Environmental Resource Zone</i> (ERZ)

Planning Considerations

The proposed annexation district is immediately southeast of the Hughes Access Road and Alvernon Way intersection. The annexation district consists of generally vacant with some static sand and gravel parcels. The request is the establishment of original city zoning from Pima County RH and CI-2 (County Rural Homestead and General Industrial) to City RH and I-2 (Rural Homestead and Heavy Industrial).

A total of ten parcels are associated with the annexation district and owned by Tucson Airport Authority Inc.

The annexation site is within the boundaries of the *Plan Tucson* and the *Rincon/Southeast Subregional Plan*. The request to establish original City zone from Pima County RH and CI-2 to City of Tucson RH and I-2 is consistent with the *Plan Tucson* direction, which recognizes that the long-term prosperity and vitality of the city is focused on positive infrastructure expansion, and providing for a rational pattern of land development. *Plan Tucson* identifies the area as potential annexation land and supports the existing industrial zoning pattern as part of the Tucson International Airport industrial complex and associated industrial uses, while supporting a rural residential zoning pattern south of the Old Vail Connection Road alignment. *Plan Tucson* supports future development of the area that will contribute to Tucson’s overall economic vitality and community character. The *Rincon/Southeast Subregional Plan* reflects that high-intensity industrial and park industrial planned land uses respond to existing development patterns within or adjacent to the I-10 corridor, including Tucson International Airport and Davis-Monthan Air Force Base.

Conclusion – The establishment of original City zoning for these ten parcels, translating from County RH and CI-2 to City RH and I-2 zoning is supported by *Plan Tucson* and the *Rincon/Southeast Subregional Plan*. The *Major Streets and Routes Plan*, Arterial Street Route designation for Swan Road and Old Vail Connection Road will extend that portion of these roads lying within the annexation district. The request will also extend those portions of Airport Environ Zones (AEZ) and Environmental Resource Zone (ERZ) lying within the annexation district. Approval of the proposed translation Original City Zoning (OCZ) is appropriate.

s:/OCZ/2014/C15-14-05/ sr.doc

Case: C15-14-05 Establish Original City Zoning,
Tucson Airport Authority 1 Annexation District;
Translation from Pima County RH and CI-2 to City of Tucson RH and I-2,
and extension of the Major Streets and Routes designation,
Environmental Resource Zone (ERZ) and the
Airport Environ Zone (AEZ) overlays
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ZONING MEMBERS PRESENT:

Linus Kafka, Zoning Examiner
Glenn Moyer, Planning & Development Services
Delma Sanchez, City Recording Clerk

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1 ZONING EXAMINER: Let's move to Case C15-14-05 Tucson
2 Airport Authority 1 Annexation District; County RH and CI-2 to
3 City RH and I-2.

4 MR. MOYER: This is a request by the City of Tucson to
5 establish original City zoning on approximately 1,944 acres of
6 land recently annexed by the City of Tucson. Establishment of
7 original City zoning requires that the property be rezoned.

8 The rezoning site is located southeast of the
9 intersection of Hughes Access Road and Alvernon Way. The
10 property consists of vacant undeveloped land. Arizona State law
11 provides that original City zoning must be applied to recently
12 annexed properties within six months of annexation. The original
13 City zoning may not allow uses or densities greater than those
14 permitted under the existing County zoning.

15 Consistent with State law and Mayor and Council policy
16 Staff translates Pima County zoning to the most comparable City
17 zoning, thereby allowing uses and densities equivalent to what
18 was allowed under the County zoning. Pima County RH and CI-2
19 zone and the City RH and I-2 zone are comparable. County RH will

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1 go to City RH and the County I-2, CI-2 will go to City I-2.

2 There are portions of major streets within the
3 annexation district and also the Airport Environ Zone and the
4 Environmental Resource Zone. A total of ten parcels associated
5 with the annexation district.

6 The annexation is within the boundaries of Plan Tucson
7 and Rincon Southeast Subregional Plan. The establishment of
8 original City zoning for these ten parcels translating from
9 County RH and City I-2, County - and CI-2 to City RH and I-2
10 zoning is supported by Plan Tucson and the Rincon Southeast
11 Subregional Plan.

12 The Major Streets and Routes Plan, arterial streets
13 route designation for Swan Road and Old Vail Connection Road will
14 extend that portion of these roads lying within the annexation
15 district. The request will also extend those portions of the
16 Airport Environ Zone and Environmental Resource Zone lying within
17 the annexation district.

18 Approval of the proposed translation original City
19 zoning is appropriate. As of today, the Planning & Development
20 Services Department has received zero approvals and zero protests
21 for this case.

22 ZONING EXAMINER: All right. Thank you. It's the -

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1 make a finding that the RH and CI-2 Pima County zoning are most
2 closely comparable to RH and I-2 City trans- -- City zoning. Mr.
3 Czechowski, any comments?

4 MR. CZECHOWSKI: Only question I have on this, and
5 this may apply to all of them with the Major Streets and Routes.
6 Since the County is in the process of changing their Major
7 Streets and Routes Plan, how does affect any of these streets out
8 here (inaudible)

9 ZONING EXAMINER: I believe that after the annexation
10 and rezoning, the City's Major Streets and Routes Plan would
11 apply, so -

12 MR. CZECHOWSKI: So -

13 ZONING EXAMINER: - that doesn't answer your question,
14 I gather.

15 MR. CZECHOWSKI: - if the County takes any of these
16 streets out of arterial or anything along those lines, and right-
17 of-way changes, do, do they have any - they lose all power over
18 this, correct? (Inaudible) I think I'm answering (inaudible)

19 ZONING EXAMINER: Those, those areas that have been
20 annexed would, would be subject to the City's -

21 MR. CZECHOWSKI: They fall within.

22 ZONING EXAMINER: Yeah. That's my understanding.

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1 MR. CZECHOWSKI: Would we, would we follow their Major
2 Streets and Routes if they recommend taking the street out of -

3 ZONING EXAMINER: Whether our plan, whether our plan
4 would then follow the recommendation from the County, that I
5 can't answer. I don't know. That would have - that goes to the
6 Planning Commission, right? That's the -

7 MR. MOYER: Mr. Kafka, -

8 ZONING EXAMINER: Any amendment to the Major Streets
9 and Routes Plan would go through the Planning Commission.

10 MR. MOYER: Yeah. In establishing original City
11 zoning, we use what is the current County designation for the
12 roadway in general. We also, in the case of scenic routes, the
13 County identifies them differently. We look at the City Major
14 Streets and Routes which shows future scenic routes on it to
15 guide those.

16 But once it's annexed by the City, it's under the
17 jurisdiction of the City, and once this original City zoning
18 ordinance is adopted, that is what the Major Streets and Routes
19 Plan says for those streets. To change that, no matter what the
20 County does, would require City action, Mayor and Council action.

21 MR. CZECHOWSKI: That answers my question. Thanks.

22 ZONING EXAMINER: It's better stated than I stated it.

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1 On that point, what's the, what's the spearhead in the map? Swan
2 goes down into the -

3 MR. CZECHOWSKI: (Inaudible)

4 ZONING EXAMINER: There's like a, a spear-shaped -

5 MR. CZECHOWSKI: Sliver?

6 ZONING EXAMINER: - sliver down Swan.

7 MR. CZECHOWSKI: The remnant portion when they
8 straightened or, or made plans to straighten or curve the road.
9 And that property owner is trying to dispose of it to Tucson
10 Airport Authority.

11 ZONING EXAMINER: Okay.

12 MR. CZECHOWSKI: It's not within this annexation
13 district.

14 ZONING EXAMINER: And it doesn't pose any issue for the
15 annexation district?

16 MR. CZECHOWSKI: No.

17 ZONING EXAMINER: Okay. All right. Anybody here to
18 speak on C15-14-05? Seeing no one, Case No. C15-14-05 is hereby
19 closed.

20 (Case No. C15-14-05 was Closed.)

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I hereby certify that, to the best of my ability, the foregoing is a true and accurate transcription of the original tape recorded conversation in the case referenced on page 1 above.

Transcription Completed: 03/27/15



KATHLEEN R. KRASSOW - Owner
M&M Typing Service