



Zoning Examiner

REPORT TO MAYOR AND COUNCIL

July 14, 2020

Subject: C15-20-03 Pima County SH to City of Tucson SH (Ward 1)

Public Hearing: June 30, 2020

BACKGROUND

This is an application by the City of Tucson to establish Original City Zoning on recently annexed parcels. The parcels are located in an area roughly bounded by Irvington Place on the north, Mission Road on the east, and Sindle Place on the south (See Case Location Map). Original City Zoning is required by Arizona Revised Statutes (ARS) Title 9-471.L and the Unified Development Code (UDC) Section 4.6.

PUBLIC HEARING SUMMARY

June 30, 2020 Zoning Examiner Hearing

The Applicant spoke in support of the requested zoning. No other person spoke.

As of the date of the June 30, 2020 Zoning Examiner hearing there were no (0) written approvals and no (0) written protests.

FINDINGS OF FACT

ARS Title 9-471.L provides: “A city or town annexing an area shall adopt zoning classifications that permit densities and uses no greater than those permitted by the county immediately before annexation. Subsequent changes in zoning of the annexed territory shall be made according to existing procedures established by the city or town for the rezoning of land.”

UDC 4.6 provides: “The applicable zoning standards on land annexed into the City, unless otherwise stipulated in the annexation ordinance, shall continue to be the county zoning standards applicable to the property prior to annexation until such time they are replaced by City standards. City zoning standards shall be placed on annexed land within six months of the date of annexation.



Zoning Examiner

Zoning standards, zones, overlay zones, and City Zoning Maps are extended to the annexed land in accordance with Section 3.4.4, Mayor and Council Special Exception Procedure.”

The established procedure is to “translate” the County Zoning in place before annexation into the most appropriate City zoning classification. There is no new development associated with this Original City Zoning. Lawful existing development will be allowed to continue. Property status regarding non- conforming uses and structures will be determined as needed on a case-by-case basis.

Zoning Descriptions

County Zone	Zone Description	City Translation	Zone Description
SH	Suburban Homestead with minimum lot area of 36,000 square feet and max height of 34 feet	SH	Suburban Homestead with minimum lot area of 36,000 square feet and max height of 30 feet
Major Streets and Routes	Mission Road: Scenic Major Route, 120’ ROW	Major Streets and Routes	Mission Road: Scenic Arterial, 120’ ROW

Planning Considerations

Plan policies are not applied to Original City Zoning. Any future rezoning of the annexed land must be in conformance with adopted land use plans.

Conclusion

Consistent with State statute and the Unified Development Code, the City SH zone is the most comparable to the Pima County zoning, and does not permit densities and uses greater than those permitted by Pima County. Translation to the City SH zoning is appropriate.



Zoning Examiner

Recommendation

The Zoning Examiner recommends approval of the original City SH zoning.

Sincerely,

John Iurino
Zoning Examiner

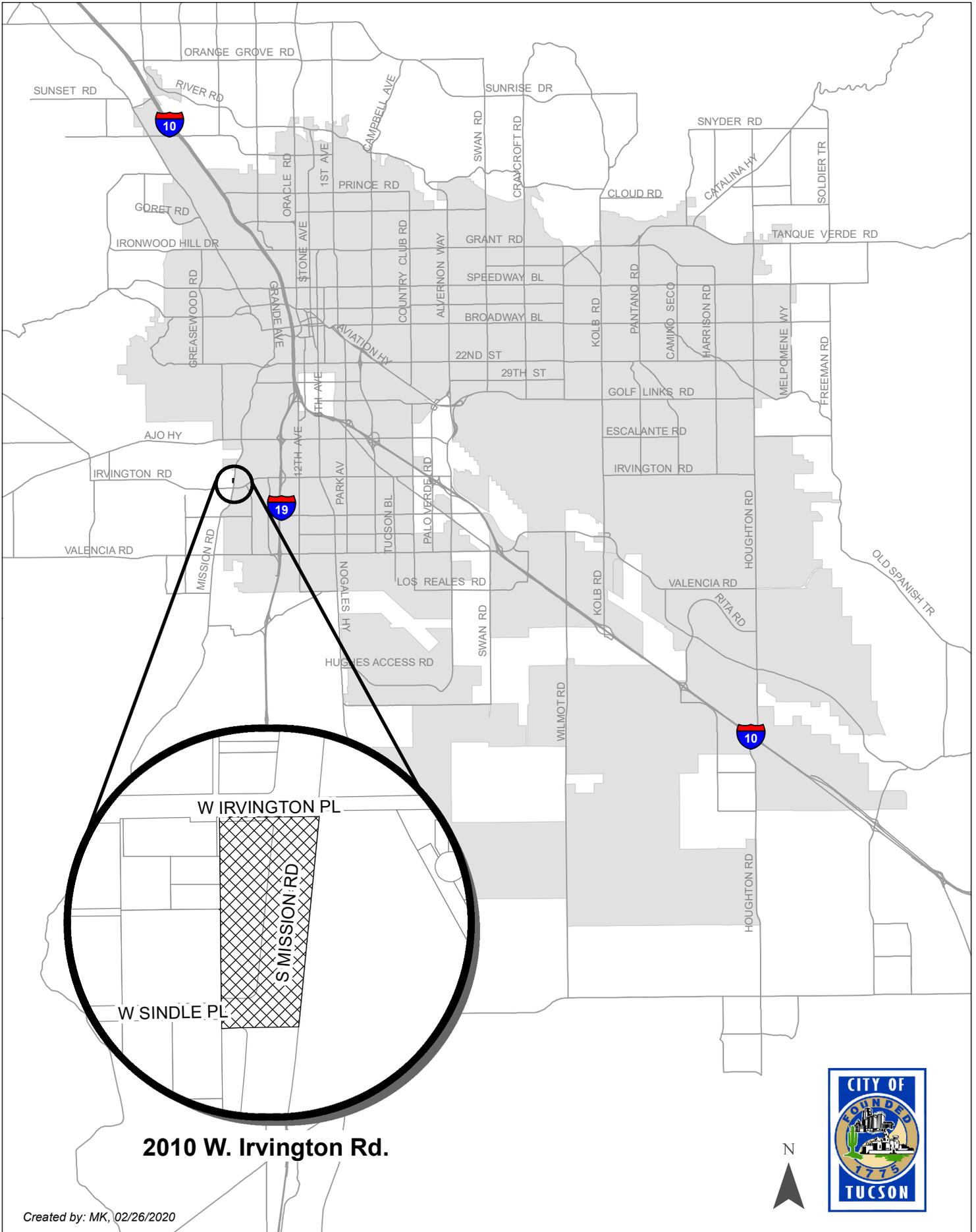
ATTACHMENTS:

Case Location Map
Rezoning Case Map
Public Hearing Minutes

cc: Mayor and Council

C15-20-03 - Original City Zoning

Mission Road - Single Place Annexation District



2010 W. Irvington Rd.

C15-20-03 - Original City Zoning
Mission Road - Single Place Annexation District



 Area of Original City Zoning: SH to SH

Address: 2010 W. Irvington Rd.
Base Maps: Twp.15S Range 13E Sec. 3
Ward: 1

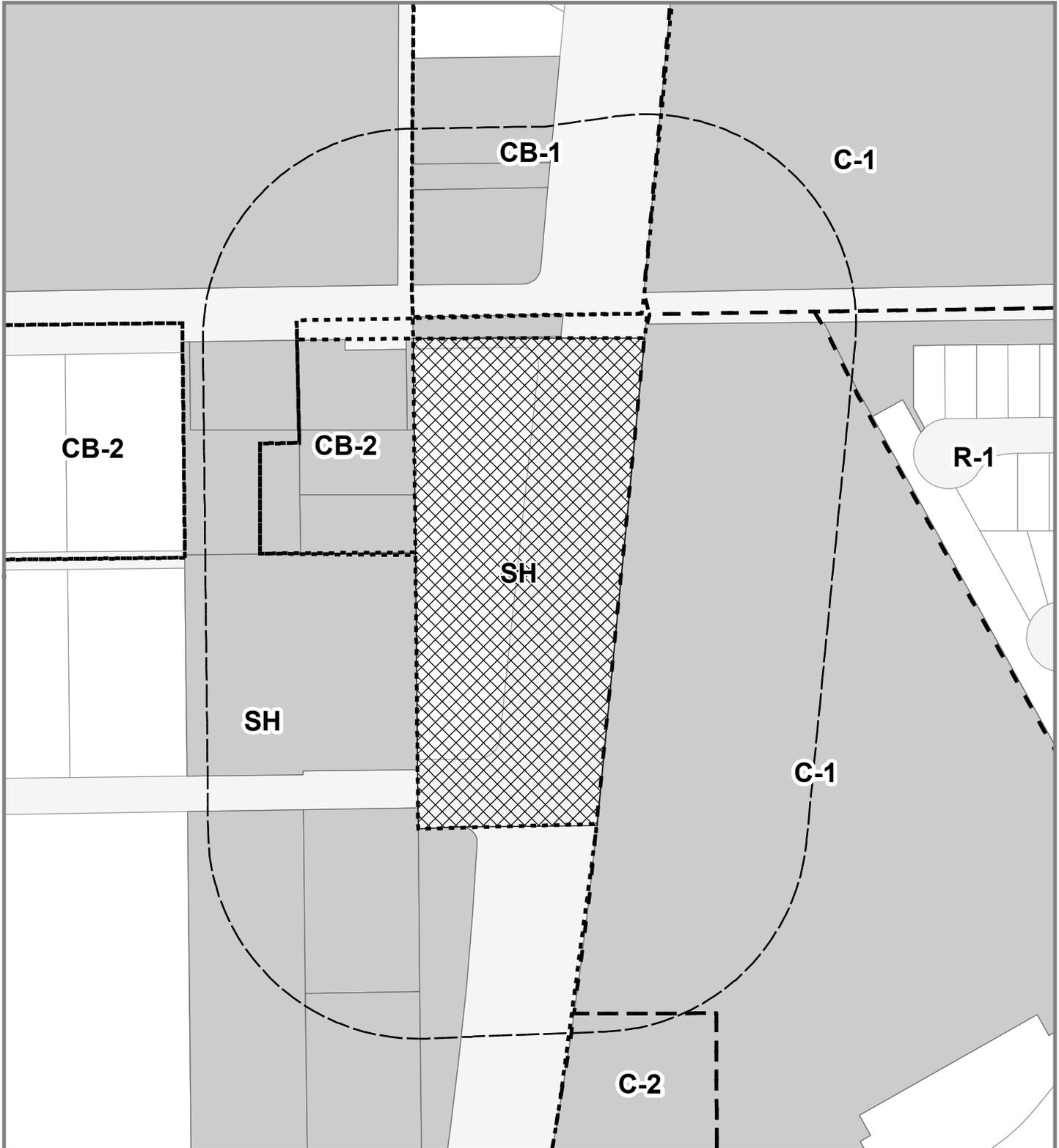


0 100 200 Feet

1 inch = 200 feet

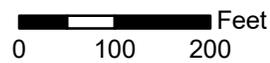


C15-20-03 - Original City Zoning
Mission Road - Single Place Annexation District



-  Area of Original City Zoning: SH to SH
-  Notification Area (300 ft. Radius)
-  City of Tucson Zoning
-  Pima County Zoning
-  Properties Notified

Address: 2010 W. Irvington Rd.
Base Maps: Twp.15S Range 13E Sec. 3
Ward: 1



1 inch = 200 feet



ZONING MEMBERS PRESENT:

John Iurino, Zoning Examiner
John Beall Planning & Development Services
Recording Electronically Created by GoToMeeting

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1 ZONING EXAMINER: Good evening everyone and welcome to
2 tonight's public hearing. My name is John Iurino, and I'm the Zoning
3 Examiner for the City of Tucson. I conduct rezoning hearings on
4 behalf of the Mayor and Council, and make findings-of-fact which I put
5 into a report along with my recommendation which I then send along to
6 Mayor and Council for their consideration and for their final
7 decision.

8 My report will be based on the information submitted to me
9 which includes the rezoning application, the Staff report, all written
10 approvals and protests, all correspondence and the testimony given at
11 the hearing tonight. I will also include the record - into the record
12 - all documents submitted to me up to the close of tonight's public
13 hearing.

14 A recording of tonight's testimony is being made. If
15 requested, a transcript will be prepared. With that in mind, I would
16 ask you to please speak clearly if you choose to speak tonight, and to
17 begin your testimony by stating your name and your address.

18 I first complete a preliminary report within five working
19 days after the close of the public hearing, at which time I prepare a
20 final report. The final report will be issued two weeks after the
21 close of tonight's public hearing.

1 For those of you who wish to receive a copy of my
2 preliminary report, and are not already a party listed on the case,
3 please send an e-mail to tucsonrezoning@tucsonaz.gov. That's
4 tucsonrezoning@tucsonaz.gov, or call the Planning & Development
5 Services Department.

6 A copy of the final report will be available from the
7 Planning & Development Services Department, and I send the final
8 report to the Mayor and Council. At the scheduled public hearing for
9 the case, the Mayor and Council will then vote on the matter based on
10 my recommendation, along with other factors.

11 Tonight's public hearing will proceed in the following
12 manner. I will open the public hearing and ask Mr. John Beall of the
13 Planning & Development Services Department to give a brief
14 presentation at the beginning of each case.

15 After Mr. Beall's presentation, I will ask the Applicant,
16 or the Applicant's representative, to make his or her presentation.
17 I will then ask to, to hear from anyone in the audience who wishes to
18 speak. I will start by calling on anyone who has sent in an e-mail
19 stating that they wish to give testimony tonight, and then I will call
20 on others who've joined the meeting or telephoned in.

21 I would ask that you please wait for me to call on you to
22 testify so we will have a clear record of each person that is
23 speaking. If you have problems tonight with the - access to the, the
24 hearing, please telephone 837-4984, that's 837-4984, and when it's

1 your turn to speak and I call on you, you can unmute your telephone by
2 pressing star six.

3 Since I cannot have any communication with anyone involved
4 in this case outside of this public hearing, I would invite you to
5 speak tonight if you'd like to do so.

6 After everyone in attendance has had a chance to speak, I
7 will offer the Applicant, or the Applicant's representative, a chance
8 to address any issues or concerns that have been brought up.

9 So, with that in mind, I would ask that anyone who thinks
10 they might give testimony tonight to take an oath. Do you affirm to
11 tell the truth, the whole truth, and nothing but the truth?

12 (Affirmative.)

13 ZONING EXAMINER: Thank you very much. I will now open the
14 public hearing. The first case is Case: C15-20-03 Mission Road-Sindle
15 Place Annexation District. Mr. Beall?

16 MR. BEALL: Okay. One second. Okay. Let me get that case
17 out. One second. Shoot. Bear with me.

18 MR. DAVIS: Yeah. This is Brent. I'm in now.

19 MR. BEALL: Okay. Good, Brent. Okay. So, this is - okay.
20 This is an application by the City of Tucson to establish original
21 City zoning on recently-annexed parcels. The parcels are located in
22 an area roughly bounded by Irvington Place on the north, Mission Road
23 on the east and Sindle Place on the south.

24 Original City zoning is required by the Arizona Revised
25 Statutes and the Unified Development Code. The established procedure

1 is to translate the County zoning in place before annexation into the
2 most appropriate City zoning classification.

3 There is no new development associated with this original
4 City zoning. Lawful existing development will be allowed to continue.
5 Property status regarding non-conforming uses and structures will be
6 determined as needed on a case-by-case basis.

7 The zoning translation is from the County Suburban
8 Homestead to the City translation of Suburban Homestead, as well as
9 Major Streets and Routes, Mission Road Scenic Major Route in the
10 County to the City's Major Streets and Routes, Mission Road Scenic
11 Arterial.

12 Consistent with State statute and the Unified Development
13 Code, the City translation zone, as provided above, are the most
14 comparable to the Pima County Zones and do not permit densities and
15 uses greater than those permitted by the County.

16 Translation to the City zones are recommended and they are
17 appropriate. As of today's date, there have been zero approvals and
18 zero protests.

19 ZONING EXAMINER: Thank you, Mr. Beall. Would the
20 Applicant's representative like to speak and add anything to the Staff
21 report, Mr. Czechowski?

22 MR. CZECHOWSKI: Thank you, Mr. Iurino. We're good with
23 that. Thank you.

24 ZONING EXAMINER: Okay. Thank you. Would anyone else in
25 attendance like to speak on this case?

1 MR. UNDERWOOD: I'm, I'm sorry. I got on just about a
2 minute late. What is the case we're hearing? Is it C9-20-04?

3 ZONING EXAMINER: No. We're not there yet.

4 MR. UNDERWOOD: That's the one I want to talk to about.

5 ZONING EXAMINER: Okay. Thank you very much. Would anyone
6 else like to speak on Case: C15-20-03 Mission Road-Sindle Place
7 Annexation District? Hearing no one, I'm closing the public hearing
8 on that case.

9 (Case: C15-20-03 was closed.)

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: 07/09/2020

/s/ Kathleen R. Krassow
KATHLEEN R. KRASSOW - Owner
M&M Typing Service