



CITY OF
TUCSON
ZONING
EXAMINER'S
OFFICE

ZONING EXAMINER'S DECISION

December 6, 2018

Renee Darling
Tucson Electric Power Co.
3950 E. Irvington Rd, RC 131
Tucson, AZ 85714

**SUBJECT: Special Exception Land Use
SE-18-64 TEP Sonoran Substation – Swan Road
RH Zone (Ward 5)
Public Hearing: November 29, 2018**

Dear Ms. Darling:

SPECIAL EXCEPTION LAND USE REQUEST

Pursuant to the City of Tucson's Unified Development Code (UDC) and the Zoning Examiner's Rules & Procedures (Resolution No. 9428), this letter constitutes written notification of the Zoning Examiner's findings and decision for the special exception case **SE-18-64 TEP Sonoran Substation- Swan Road**.

PUBLIC HEARING

On November 29, 2018, a public hearing was held on this special exception land use request at City Hall, 225 West Alameda, Tucson, Arizona pursuant to UDC Section 3.4.3 (Zoning Examiner's Special Exception Procedure). At the Public Hearing, Planning and Development Services Department (PDSD) staff reported that there was zero (0) written approvals and zero (0) written protests at that time. The Applicant gave testimony at the public hearing and described the reasons supporting the rezoning request. In addition, a representative of Tucson Airport Authority spoke in favor of the special exception request. The Applicant agreed with the special conditions, but asked that the condition requiring that the lightning mast poles be constructed of a self-weathering steel be modified to permit the lightning mast poles be constructed of galvanized steel. No other person spoke at the public hearing.

Issue – This is a request by Tucson Electric Power Company (TEP) for approval of an electric substation as a special exception land use on a 317-acre undeveloped parcel owned by Tucson Airport Authority in the RH zone. The project site area is

within a 52.14-acre leased area located on the east side Swan Road, approximately 2/3 of a mile south of Old Vail Connection Road (see Case Location Map). The Preliminary Development Plan (PDP) indicates that 16.4 acres of the site are to be graded for construction of the 138 kilovolt (138kV) substation equipment and enclosed with a decorative masonry wall, ten feet in height. The Applicant states that the proposed substation and associated facilities are to provide for solar development interconnection, future power supply for planned growth in the area, and contingency for the power system.

A Utilities Distribution System use of this type in the RH zone is subject to Section 4.9.11.A.3, .6, .7 & .10 and 4.9.13.I of the UDC and requires approval through a Zoning Examiner Special Exception Procedure, in accordance with UDC Section 3.4.3.

Background Information

Existing Land Use: Undeveloped

Zoning Description:

RH (RURAL HOMESTEAD) – This zone provides for primarily low density residential property, with limited commercial and industrial uses to service residential development.

Surrounding Zones and Land Uses:

North: Zoned RH; Vacant, undeveloped

South: Zoned RH and Pima County RH and SP; Vacant, and low density Single-Family Residential

East: Zoned RH and Pima County RH; Vacant, and Arizona State Prison Facility

West: Zoned RH and Pima County RH; Vacant, and low density Single-Family Residential

Planning Considerations

Land use policy direction for this area is provided by *Plan Tucson*, which identifies this area on the Future Growth Scenario Map as being within an "Existing Neighborhood". In Existing Neighborhoods, *Plan Tucson* policies support maintaining the specific character of these neighborhoods, while accommodating some new development and redevelopment, and new services and amenities that contribute further to neighborhood stability. Policy LT28.2.12 requires development to support environmentally sensitive design that protects the integrity of Existing Neighborhoods, complements adjacent land uses, and enhances the overall function and visual quality of the street, adjacent properties, and the community. Policy LT28.2.13 requires development to support infill and redevelopment projects that reflect sensitivity to site and neighborhood conditions and adhere to relevant site and architectural design guidelines. Policy LT28.1.3 calls for improving the appearance of above-ground utilities and structures.

The applicant states that the proposed utility substation facility will help to ensure capacity, strengthen electric reliability for its customers, help meet future energy needs in the area, and support what will become TEP's largest local community-scale solar array and battery storage system.

The special exception site is zoned RH (Rural Homestead) and is currently vacant, undeveloped land. To the east is vacant land and a state prison facility in a RH zone, to the south are low density single-family residential uses in Pima County RH and Pima County SP (Specific Plan), to the west is vacant land and low density single-family residential uses in RH, and to the north is vacant land, zoned RH. The nearest single-family residential zoned and developed land is located approximately ¼ mile to the southwest across Swan Road.

Vehicular access to the project site is proposed from Swan Road via a 26-foot wide private two-way access easement, which transitions to a 22-foot one-way looped access at approximately half the distance between Swan Road and the proposed substation. Swan Road is identified as an arterial street with a future right-of-way of 150 feet on the Major Streets and Routes Plan map.

The Pima Association of Governments - Transportation Planning Division (PAG-TPD) estimates that the proposed development will not generate additional measurable vehicle trips per day. Field inspection by staff indicates there are currently no billboards on the special exception site.

Design Considerations

Land Use Compatibility – The rectangular shaped lease area is located east of Swan Road and approximately 2/3 of a mile south of Old Vail Connection Road in the central-western portion of the subject parcel, which is owned by Tucson Airport Authority. The substation will interconnect with the Wilmot Energy Center, located at the south end of Swan Road. The Wilmot Energy Center will include a 100-megawatt solar array and a 30 megawatt battery storage system. New transmission lines will be constructed by TEP to connect the substation to the Wilmot Energy Center to the south, and another new transmission line will connect existing transmission lines at Old Vail Connection Road and Swan Road to the proposed substation.

Approximately 16.4 acres of the total 52.14-acre project site lease area will be graded, including the substation equipment area. A masonry wall, ten (10) feet in height, with lengths of 1,100 feet in its east-west dimensions and 500 feet in its north-south dimensions, is proposed to enclose the substation ground equipment. The wall location is proposed to be two hundred (200) feet inside of the north, east and south lease area boundaries and approximately 1,100 feet from the west lease area boundary, which borders the east side of the Swan Road right-of-way. The height of the substation's electric transformer equipment within the walled area will be approximately 30 feet. The proposed equipment includes towers, transmission lines and lightning masts that will range from 70 feet to 120 feet in height. The lightning masts are required to protect on-site TEP infrastructure.

Use-Specific Standards – Power substations are allowed as a Special Exception land use providing they meet the criteria established in Section 4.9.11.A.3, .6, .7 & .10 of the UDC with approval through a Zoning Examiner Special Exception Procedure, in accordance with UDC Section 3.4.3.

4.9.11.A Distribution System:

3. The setback of the facility, including walls or equipment, shall be 200 feet from any existing adjacent residential zone. This setback may be varied in accordance with Sections 3.10.1 and 3.10.3, Board of Adjustment Variance Procedure.

The substation, including walls and equipment, will be setback at least 200 feet from adjacent residential zones from all sides of the lease area.

6. Noise emission at the property line shall be equivalent to the residential requirements of the noise ordinance.

The proposed substation will be in compliance with the residential requirements of the noise ordinance.

7. No TVI (television interference) or RVI (radio interference) on a continuous basis shall be permitted.

The substation will not generate such interference.

10. The use shall include a ten-foot high wall in an earth tone and vegetative landscaping where contiguous to a residential zone.

The proposed substation is in compliance with landscaping and screening standards.

Conclusion – The proposed substation use is consistent with *Plan Tucson* and in compliance with the performance criteria of UDC 4.9.11.A. The proposed equipment compound being located central to the large (317-acre) parcel; the resulting distance from existing residential uses in the area, and proposed screening will minimize impacts on the surrounding natural and built environment.

SPECIAL CONDITIONS

PROCEDURAL

1. A site plan in substantial compliance with the preliminary development plan dated September 27, 2018, is to be submitted and approved in accordance with *Administrative Manual*, Section 2-06.
2. The property owner shall execute a waiver of potential claims under A.R.S. Sec. 12-1134 for this zoning amendment as permitted by A.R.S. Sec. 12-1134 (I) in the form approved by the City Attorney and titled “Agreement to Waive Any Claims Against the City for Special Exception Land Use”.
3. Historic or prehistoric features or artifacts discovered during future ground disturbing activities should be reported to the City of Tucson Archaeologist.

Pursuant to A.R.S. 41-865 the discovery of human remains and associated objects found on private lands in Arizona must be reported to the Director of Arizona State Museum.

4. Any relocation, modification, etc., of existing utilities and/or public improvements necessitated by the proposed development shall be at no expense to the public.
5. Five years are allowed from the date of initial authorization to implement and effectuate all Code requirements and conditions of the special exception land use.
6. A copy of the Special Exception decision letter shall be included with the site plan at the time of permit application submittal.

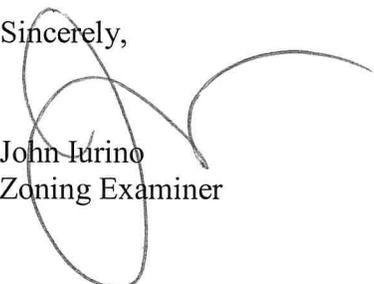
LAND USE COMPATABILITY

7. A decorative masonry screen wall, ten feet in height, and a minimum of 200 feet from the lease area boundary, is to be provided around the perimeter of the substation, and the masonry shall be a color that blends in with the natural surroundings.
8. TEP communication tower shall be constructed of a self-weathering steel that will turn rust color and blend with the natural surroundings over time. The lightning mast poles may be constructed of galvanized steel.

DECISION

The Zoning Examiner approves the special exception request, subject to the special conditions.

Sincerely,

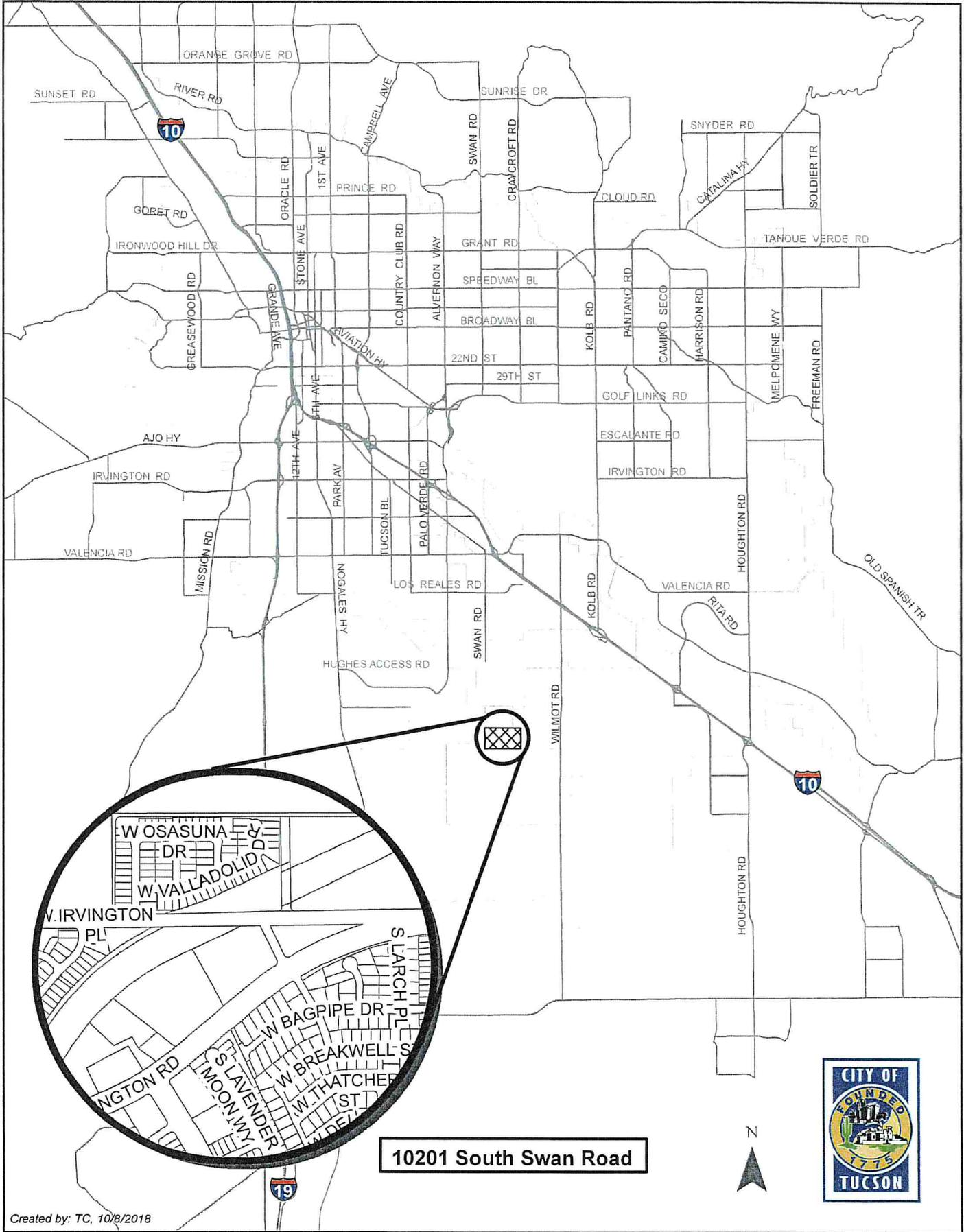

John Iurino
Zoning Examiner

ATTACHMENTS:

Case Location
Special Exception Case Map

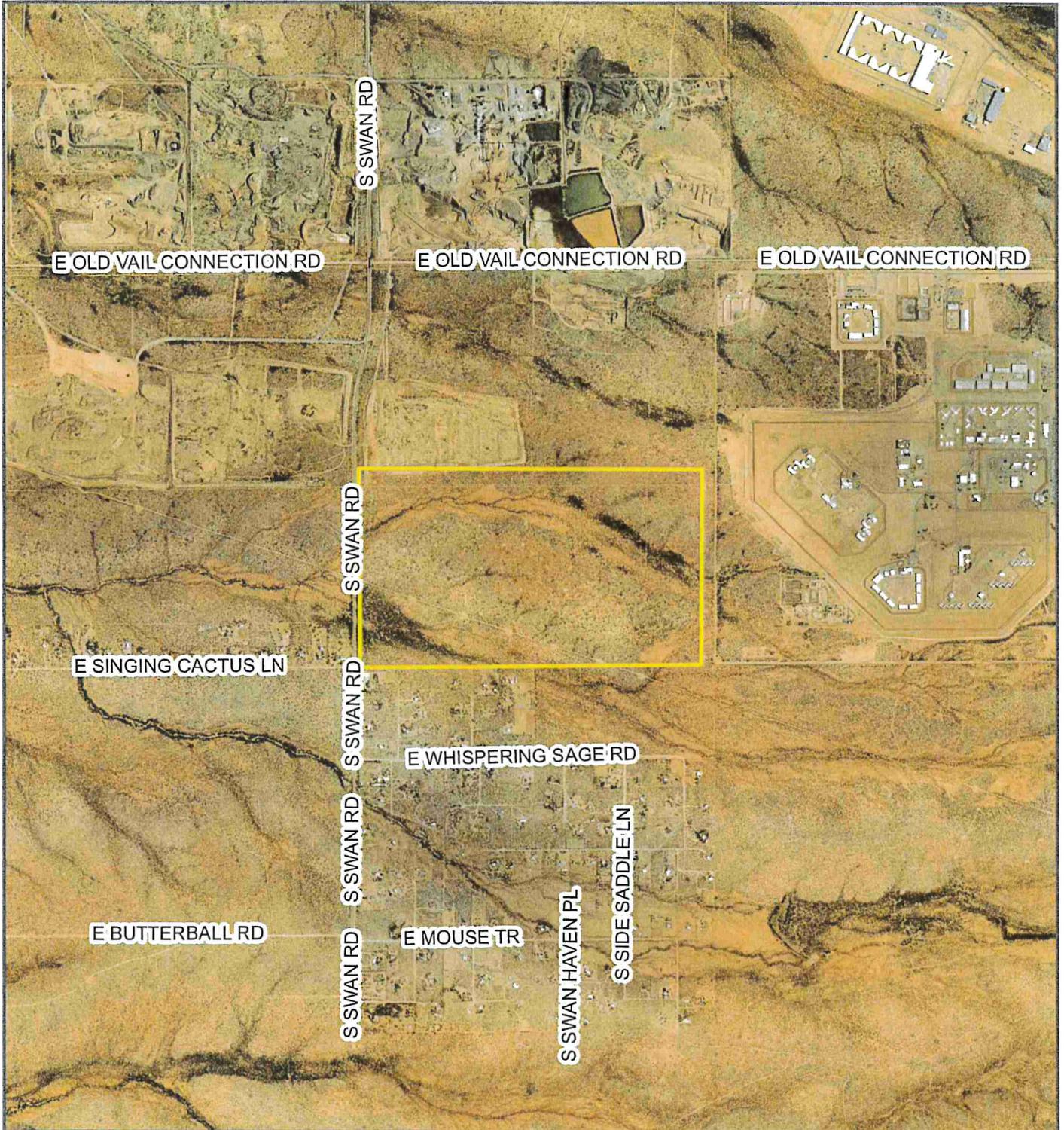
cc: City of Tucson Mayor and Council

SE-18-64
TEP Substation - Swan Road



10201 South Swan Road

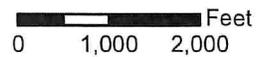
SE-18-64
TEP Substation - Swan Road



 Area of Special Exception Request



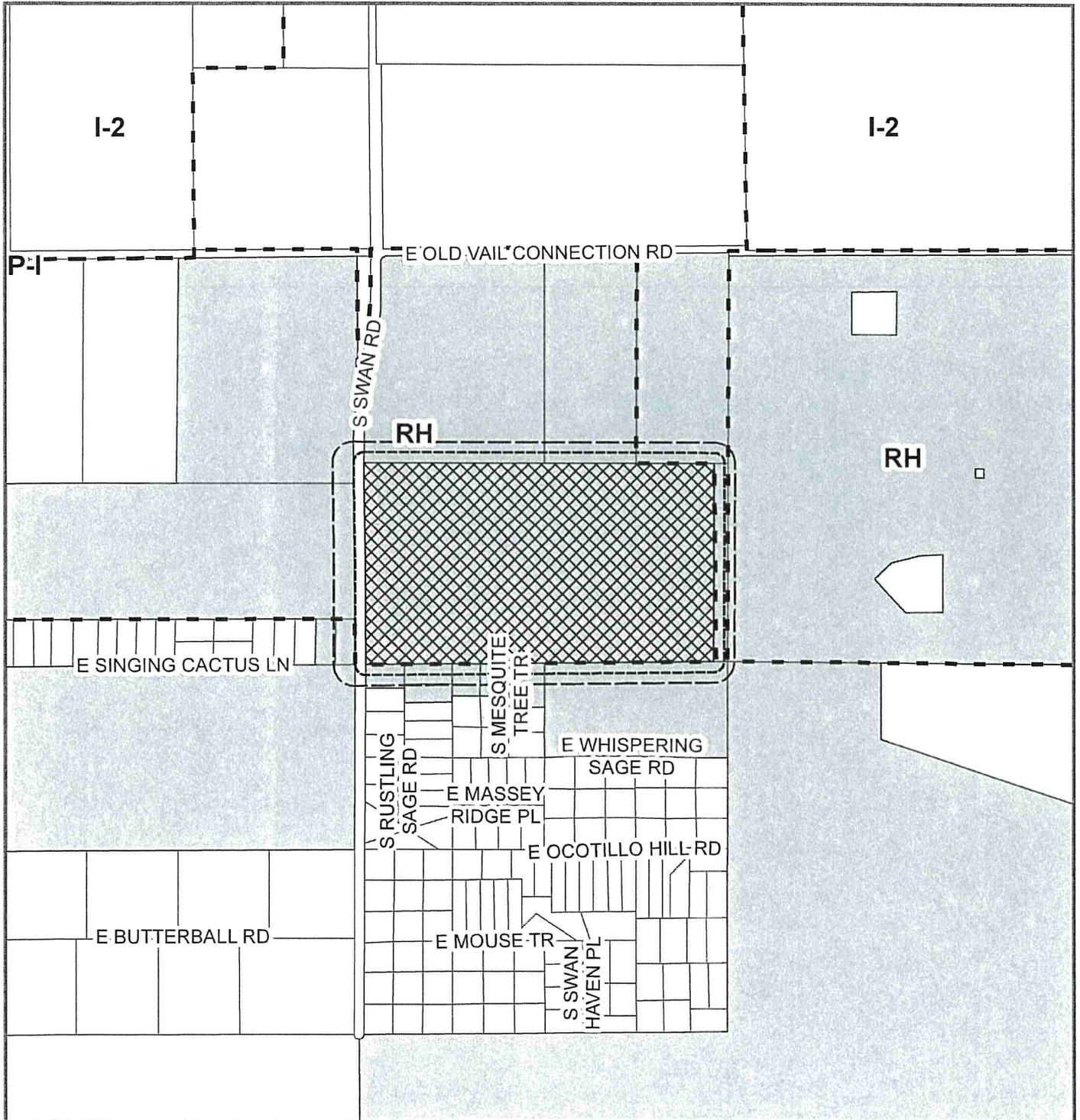
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Base Maps: Twp.16S Range14E Sec. 02
Ward: 5

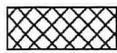
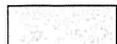
 Feet

1 inch = 2,000 feet

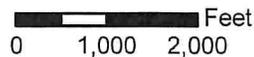


SE-18-64
TEP Substation - Swan Road



-  Subject Property
-  Protest Area (150 ft. Radius)
-  Notification Area (300 ft. Radius)
-  Zone Boundaries
-  Properties Notified

Address: 10201 South Swan Road
Base Maps: Twp.16S Range14E Sec. 02
Ward: 5



1 inch = 2,000 feet

