

282 (initials)



# MEMORANDUM

DATE: April 11, 2006

TO: Zoning Administration Division  
DSD Zoning Review Section

FROM: Walter Tellez  
Zoning Administrator

SUBJECT: LUC 3.5.4.20.C.4, Cell Towers in the SCZ, Gateway Route, HPZ, ERZ, and HDZ  
Land Use Code: Zoning Administrator Determination

LUC 3.5.4.20.C.4 restricting new towers within 400 feet of a designated Scenic Route or Gateway Route, within a designated Historic Preservation Zone, Environmental Resource Zone, or on a protected peak or ridge as identified in a Hillside Development Zone applies to private property, public property and any right-of-ways. This determination applies to private commercial uses on public property, which is subject to and not exempt from the LUC, and which we regularly apply to other governmental entities. The lease agreement with the wireless provider makes it clear that it is a lease, and not a franchise or license. This is not subject to the City Manager waiver approach.

s:zoning administration/za determination/LUC 3.5.4.20.doc



# MEMORANDUM

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**DATE:** January 23, 2004

**TO:** Zoning Administration Division  
DSD Zoning Review Section

**FROM:** Walter Tellez  
Zoning Administrator

**SUBJECT:** LUC 2.8.2.4 Scenic Buffer in SCZ  
Land Use Code: Zoning Administrator Determination

LUC Section 2.8.2.4 states that "A buffer area thirty (30) feet wide, adjacent to the MS&R right-of-way line, is to be preserved and maintained in its natural state. The buffer area shall be in lieu of the landscape border required along street frontages under Sec. 3.7.0, Landscaping and Screening Regulations."

This has been consistently interpreted and applied by the Zoning Administrator to require that the buffer be left in the natural vegetative state and to prohibit the development of the buffer area, including the construction of trails.

s:zoning administration/za determination/LUC 2.8.2.4.doc



The Sunshine City

# CITY OF TUCSON

CITY HALL  
P.O. BOX 27210  
TUCSON, ARIZONA 85726-7210

DEPARTMENT OF PLANNING  
791-4505 • 791-4571 • 791-4541  
FAX (520) 791-4130 OR 791-2663

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162

August 27, 2001

Ann Warner  
Planning Resources  
270 North Church Avenue  
Tucson, AZ 85701


Subject: 2800 Block South Houghton Road - Rancho Santa Fe Subdivision  
Land Use Code (LUC) Information - Scenic Route Buffer Area

Dear Ms. Warner:

(3752.E)  
Thank you for your letter dated August 14, 2001. The project is the Rancho Santa Fe Subdivision located south of the southwest corner of Houghton and Golf Links Roads (Approximate 2800 South Block Houghton Road). Of concern to you is the application of LUC Section 3.5.7.2.E "Scenic Routes - Cut and Fill". You are requesting clarification if this zoning regulation is to be applied to the entire 400' depth of the Scenic Corridor Zone or just to the Scenic Route's 30' Landscape Buffer Area.

The Planning Department has completed its review of the zoning regulation in question and considers the regulation regarding "Cut and Fill" to be applicable only to the Scenic Route Landscape Buffer Area. Please note that a copy of this letter must be attached to the project's site plan when submitted to the Development Services Department (DSD), 201 North Stone Avenue for the zoning compliance review process. If you should have any further zoning questions for the Planning Department, please contact Bill Balak, Wayne Bogdan or myself at 791-4541.

Sincerely,

  
Walter Tellez  
Zoning Administrator

s:zoning/2001/2800houghton.doc