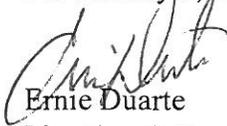




MEMORANDUM

DATE: December 23, 2009
For January 7, 2010 Hearing

TO: Peter M. Gavin
Zoning Examiner

FROM: 
Ernie Duarte
Planning & Development Services
Director

SUBJECT: REZONING: PLANNING & DEVELOPMENT SERVICES REPORT
ESTABLISHMENT OF ORIGINAL CITY ZONING
C15-09-03 Raytheon Annexation District, County CI-2, CUZ 1 and RSZ zones to
City I-2, CUZ 3 and I-2 Restricted zones (Ward 5)

Issue – This is a request by City of Tucson to establish Original City Zoning on approximately 1,621 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 east of Nogales Highway and southwest of Tucson International Airport (see Case Location Map). A portion of the property is developed as the facilities of Raytheon Missile Systems Tucson. The remaining portions are vacant land.

Planning & Development Services Recommendation – The Planning & Development Services Department recommends approval of I-2 zoning as the Original City Zoning, extension of the *Major Streets & Routes* Arterial designation on Hughes Access Road, and establishment of the *Airport Environs Zone* overlay zoning, with CUZ-3 and Restricted I-2 zoning.

Background Information

Annexation History – Mayor and Council adopted Ordinance No. 10689, annexing the Raytheon Annexation District on August 5, 2009. The annexation became effective on September 4, 2006. Original City zoning is to be established by March 4, 2010.

Existing Land Use: Manufacturing

Surrounding Zones and Land Uses:

North: Zoned CI-2; TIA

South: Zoned CI-2, City P-I and I-2; single family residential (extreme west edge), vacant

East: Zoned CI-2; TIA

West: Zoned CI-2; Union Pacific ROW and tracks

Previous Cases on the Property: none

Related Cases: C15-02-02 Establishment of original City zoning for the Hughes Access Road/State Land Annexation District. The property comprised approximately 1,688 acres (2.64 square miles) and was generally located south of Hughes Access Road and east and west of Country Club Road. The County zoning was RH and CI-2. The translated City zoning is RH and I-2.

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.

PIMA COUNTY ZONING	CITY TRANSLATION	CITY OVERLAY ZONES
CI-2	I-2	
Compatible Use Zone 1 (CUZ-1)	CUZ-3	Airport Environs Zone
Runway Safety Zone	I-2 Restricted (Open Space)	Airport Environs Zone
Major Roadway	Arterial Roadway	Major Streets & Routes Plan

The Pima County I-2 Zone and the City of Tucson I-2 zone are comparable industrial zones, offering a range of commercial, retail and industrial and manufacturing uses. Both the County and the City have adopted Airport Environs Zones (AEZ) to ensure compatibility with airport operations and promote public safety. Within each respective jurisdiction’s AEZ, are sub-categories of zones called Compatible Use Zones (CUZ). Each AEZ has three such zones. Each zone has its own requirements and restrictions regarding land use. The County CUZ and the City CUZ do not match up directly, hence the County CUZ-1 is most compatible to the City CUZ-3.

Pima County employs a Runway Safety Zone (RSZ) designation at the ends of runways. The County RSZ prohibits all uses except crop dusting. There is no equivalent zone in the City’s AEZ. To remain consistent with State Statutes, it has been determined that the City should restrict that portion of the annexation district, which is the area of the County RSZ, to open space use only. Therefore, the translation is from County Runway Safety Zone to City I-2 Zone Restricted. The complete translation of County zones to City zones is summarized below.

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

City of Tucson 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.

Pima County Compatible Use Zone 1(CUZ-1): Allows light manufacturing and assembly, general manufacturing, warehousing, wholesaling, automotive body and repair, heavy equipment rental, and hotel.

CUZ-1 Use Prohibitions: Prohibited uses are administrative or professional offices as primary uses and airport facilities, child care centers, and banks and financial institutions as secondary uses; and retail lumber yards, motion picture studios, restaurants, doctors offices or clinics, general stores, racetracks, sports stadiums and rifle ranges.

CUZ-1 Development Limitations: For uses permitted within the Campus Park Industrial Zone, the total ground floor area is restricted to twenty-five percent of the net lot area and the total floor area is restricted to 37.5 percent of the net lot area. For all other uses, the total ground floor area is restricted to thirty-five percent of the net lot area. Any structure or use, or contiguous structure or use, shall not accommodate, by intention or design, in whole or in part, more than fifty employees and fifty non-employees at any time.

City of Tucson Compatible Use Zone 3 (CUZ-3): Allows light manufacturing and assembly, general manufacturing, warehousing, wholesaling, automotive body and repair, heavy equipment rental. Limited residential uses are allowed in zones existing as of May 16, 1990, on lots of minimum 144,000 square feet.

CUZ-3 Prohibited Uses: Prohibited uses are Public assembly, alcoholic beverage service (on premises), civic assembly, cultural use, day care, educational use, entertainment (indoor and outdoor), financial service (except automated teller), food service (on premises, except as accessory use), general merchandise sales (retail stores over 2,500 square feet gross floor area), medical service – major, membership organization, medical service – outpatient, recreation (indoor and outdoor), religious use, swap meet or auction and travelers' accommodation.

CUZ-3 Development Limitations: No development may exceed seventy-five (75) percent lot coverage and 0.375 floor area ratio (FAR). No structure or use or contiguous structure or use may accommodate, by intention or design, in whole or in part, at any one time, more than fifty (50) employees.

Pima County Runway Safety Zone: Permitted use is crop dusting.

City of Tucson Restricted I-2 Zone: Permitted use is open space.

Pima County Major Streets and Routes: Hughes Access Road, extending approximately 4,680 east of the Union Pacific Railroad right-of-way, is designated as a Major Route on the Pima

County Major and Scenic Routes Map. East of this point, the road is in the City of Tucson, due to the 2002 annexation of land to the south (C15-02-02), and is designated as an arterial roadway on the Tucson Major Streets and Routes Map.

City of Tucson Major Streets and Routes Map: Designate Hughes Access Road, extending approximately 4,680 feet east of the Pacific Union right-of way, as an Arterial Roadway of the City Major Streets and Routes Map.

Planning Considerations

The proposed annexation district is situated on 1,621 acres adjacent to the Tucson International Airport. The annexation district consists of three parcels owned by the United States of America, with a portion of a fourth parcel owned by the City of Tucson and leased to the Tucson Airport Authority, which is sublet to Raytheon Missile Systems of Tucson. Current development on the site consists of the Raytheon facility.

The annexation site is within the boundaries of the *General Plan*, and the *Rincon/Southeast Subregional Plan*. The request to establish original City zone from Pima County CI-2 to City of Tucson I-2 is consistent with the *General Plan* direction, which recognizes that the long-term prosperity and vitality of the city is centered around making infrastructure expansion more economical, and providing for a rational pattern of land development. The *General Plan* supports industrial development 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 use respond to existing development patterns within or adjacent to the I-10 corridor, including Tucson International Airport and Davis-Monthan Air Force Base. The request provides an opportunity to add an existing research facility to the City of Tucson that will contribute to the City's economic vitality and community character.

Conclusion – The establishment of original City zoning for this parcel, translating from County CI-2, CUZ 1 and RSZ to City I-2, CUZ 3, and Restricted I-2 zoning, is supported by the policies in the *General Plan* and the *Rincon/Southeast Subregional Plan*. Approval of the proposed translation OCZ zoning is appropriate.

CITY OF TUCSON PUBLIC HEARING NOTICE

County Assessor records indicate that you are an owner of property located within 300 feet of a parcel(s) that is being considered for establishment of Original City Zoning after annexation.

The Zoning Examiner, on behalf of the Mayor and Council, conducts a public hearing and considers testimony for each rezoning in the City of Tucson. Persons attending the hearing are to observe rules of propriety, decorum, and good conduct and are to refrain from rude or slanderous remarks. The Zoning Examiner may impose reasonable limitations on the number of speakers and the length of the testimony.

After the Public Hearing, the Zoning Examiner issues written reports with findings of fact and a recommendation. A preliminary report is issued five working days after the close of the public hearing. A final report is issued 14 days after the close of the public hearing and transmitted to the Mayor and Council. Any person may request a public hearing before Mayor and Council provided the written appeal is filed with the City Clerk within 14 days after the close of the Zoning Examiner's public hearing. The Mayor and Council make the final decision on all rezoning requests.

You may speak in favor or in opposition to the rezoning during the public hearing. You may also submit a written approval or protest. A form is attached for your convenience.

PUBLIC HEARING INFORMATION

Date: Thursday, January 7, 2010

Time: 7:30 p.m.

Location: Mayor and Council Chambers* First Floor, City Hall, 255 West Alameda, Tucson, Arizona

APPLICANT

Name: City of Tucson – Annexation Program

PROPOSED REZONING

Case No.: C15-09-03 Raytheon Annexation District

Requested Zoning Change: Establish Original City Zoning for recently annexed land.

Location: East of Old Nogales Highway and north of Hughes Access Road

Proposed Development: Translate zoning from Pima County CI-2, CUZ-1 and Runway Safety Zone to City I-1, CUZ-3 and I-2 Restricted

Notificación de Audiencia Pública del Examinador de Zonificación

Para oír y tomar en consideración el siguiente caso: C15-09-03 Raytheon Distrito de Anexión

Petición de Rezonificación: Establecer Zonificación Original de Ciudad para terreno recientemente anexado.

Locación: Este de la Carretera Old Nogales y al norte de la Carretera de Acceso Hughes

Desarrollo Propuesto: Cambiar zonificación del Condado CI-2, CUZ-1 y Zona de Seguridad de Pista de Aterrizaje, a Ciudad I-1, y CUZ-3, y Zona I-2 Restringida

Si usted desea este documento escrito en Español, por favor llame al número de teléfono: 791-4541.

For further information, please call Michael Wyneken, Deborah Corral or Peter McLaughlin at 791-5550 or write to Planning & Development Services Department – Rezoning Section, P.O. Box 27210, Tucson, AZ 85726

*To better serve everyone in the community, the Mayor and Council Chambers is wheelchair accessible. An assistive listening system for the hearing impaired is in place. A request for reasonable accommodation for persons with disabilities must be made in the City Clerk's Office at least two working days prior to the meeting and can be made by calling 791-4213 or 791-2639 (TDD). If you require accommodation or materials in accessible format, or require a foreign language interpreter, or materials in a language other than English for this event, call 791-4213 at least five (5) business days in advance.

ZONING DISTRICT NARRATIVE SUMMARIES

(For a complete description, refer to Land Use Code, Chapter 23, Tucson Code, which can be found at <http://www.ci.tucson.az.us>)

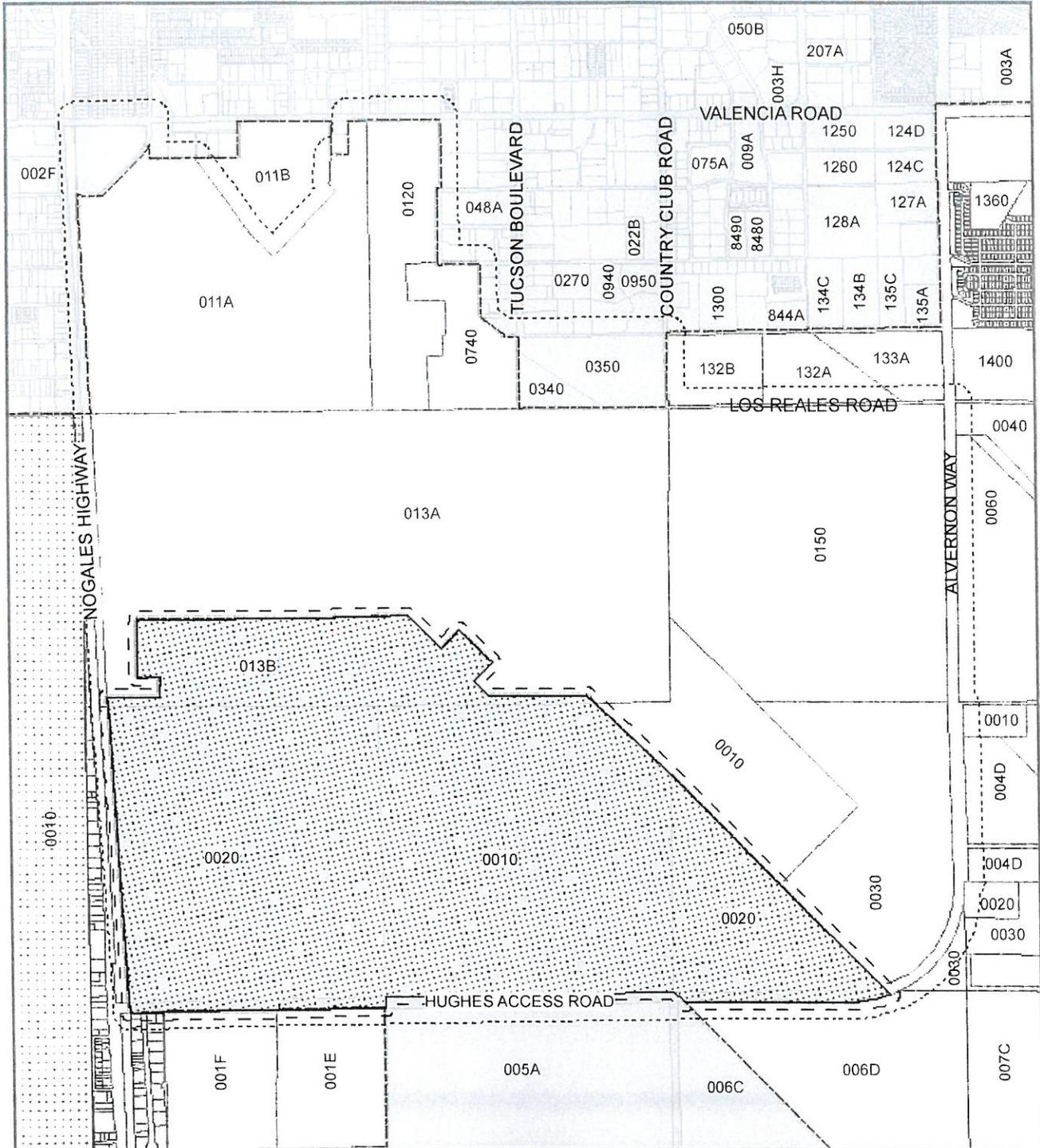
Current Zoning:

County General Industrial Zone allows commercial, retail, general business, manufacturing and warehousing uses. Also included are Airport Environs Zones: CUZ-1 and Runway Safety Zone.

Proposed Rezoning:

City I-2 Heavy Industrial Zone allows Commercial, industrial, and manufacturing uses; residential restricted to caretaker's residence. Also included are Airport Environs Zones: CUZ-3 and I-2 Restricted.

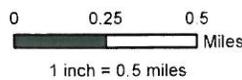
C15-09-03 Raytheon Annexation District



-  Area of Original City Zoning
-  Protest Area (150 foot radius)
-  Notification Area (300 foot radius)
-  City of Tucson
-  Tohono O'Odham Nation



Plan(s): General Plan
 Address: 1151 E. Hermans Road
 Base Maps: Sec's. 19, 20, 28, 29, 30
 T. 15 R. 14
 Ward: 5

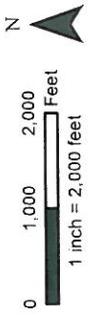
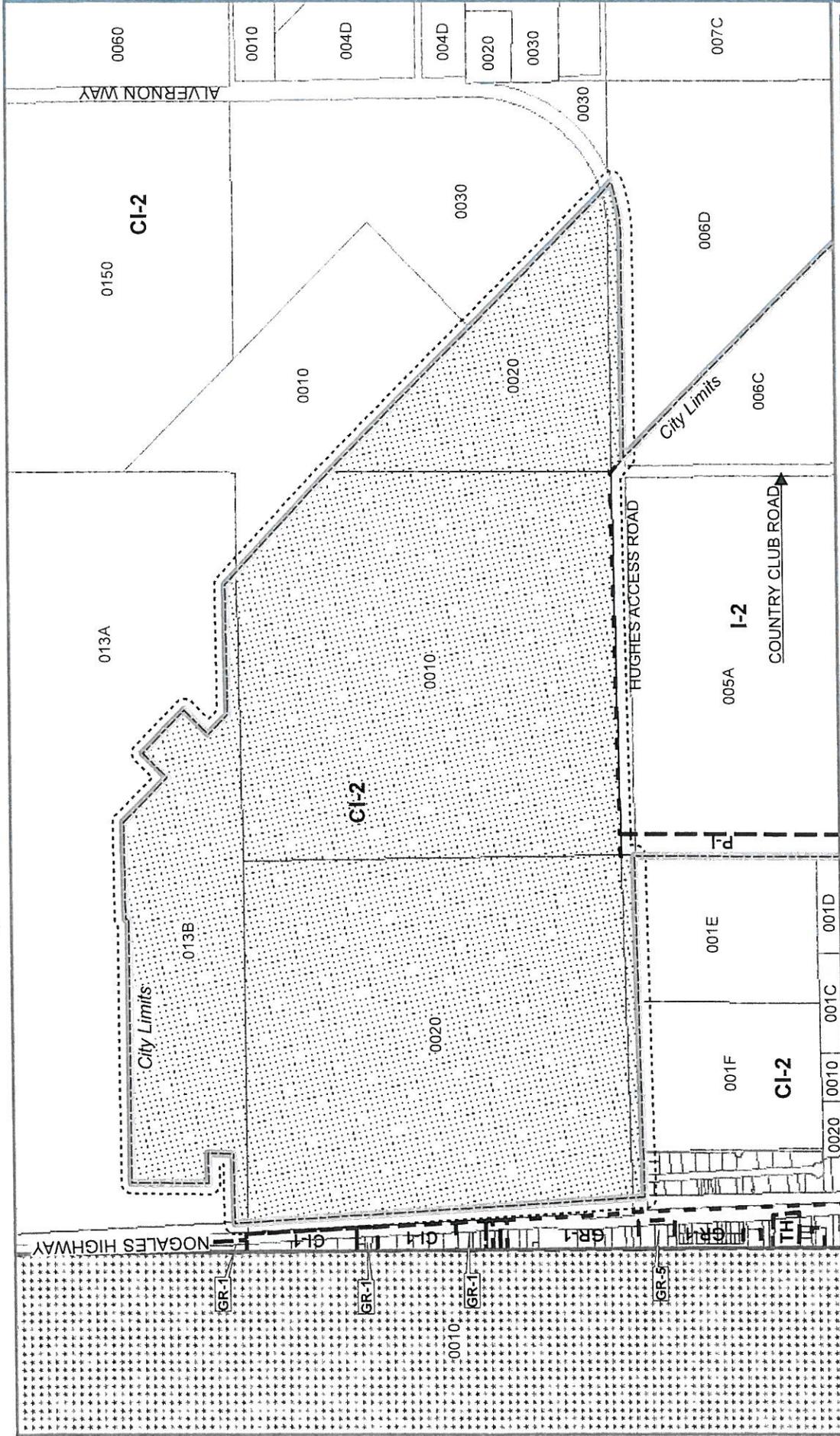


Map 1 - Notification Area
 Map 2 - Zoning Translation
 Map 3 - Overlays

created by JJK, 12/10/2009

C15-09-03 Raytheon Annexation District

Zoning Translation: from County CI-2 to City I-2

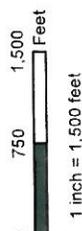
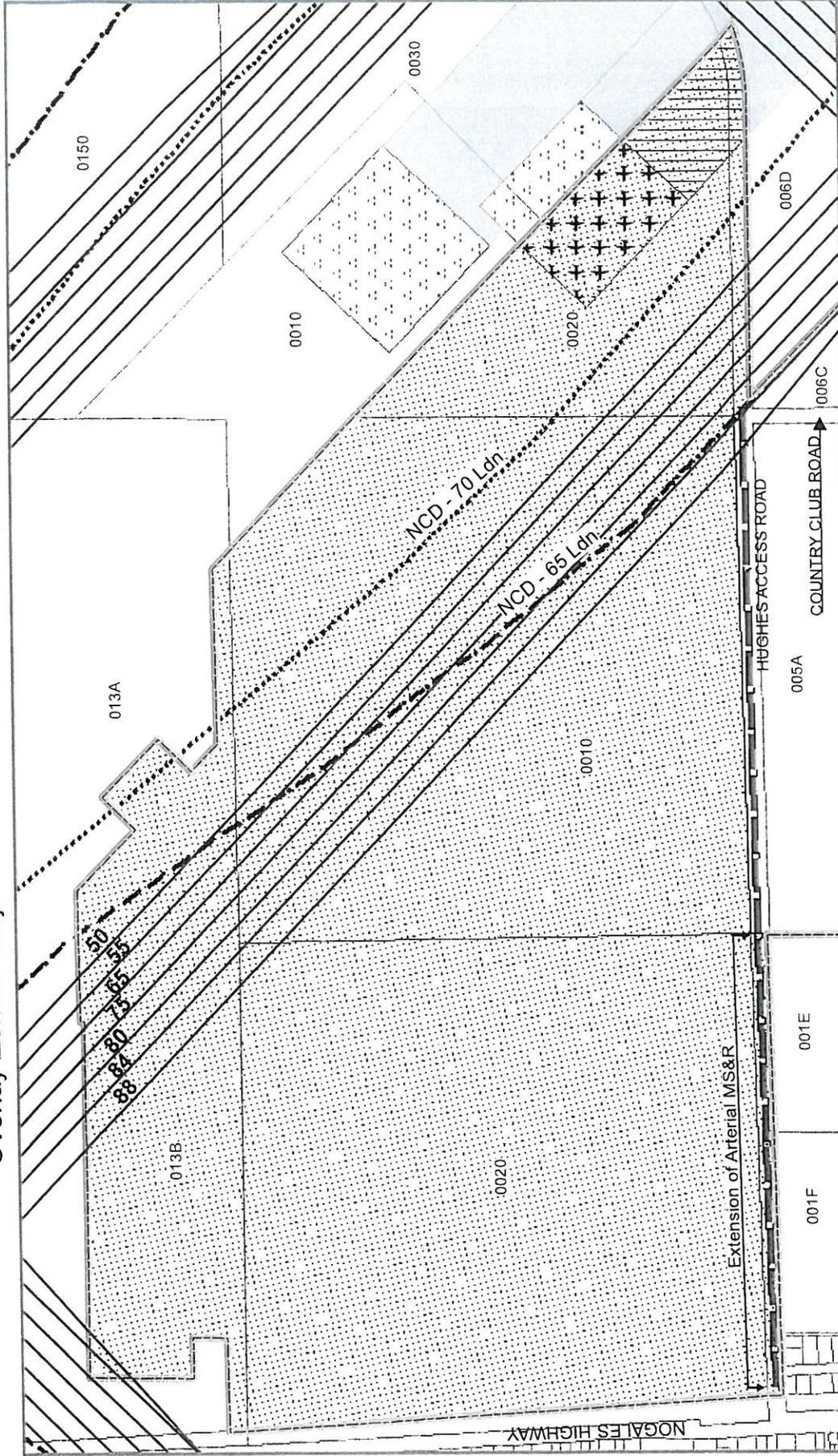


-  Area of Original City Zoning
-  Protest Area (150 foot radius)
-  Zone Boundaries
-  City Limits
-  Tohono O'Odham Nation

created by: JJK, 12/10/2009

C15-09-03 Raytheon Annexation District

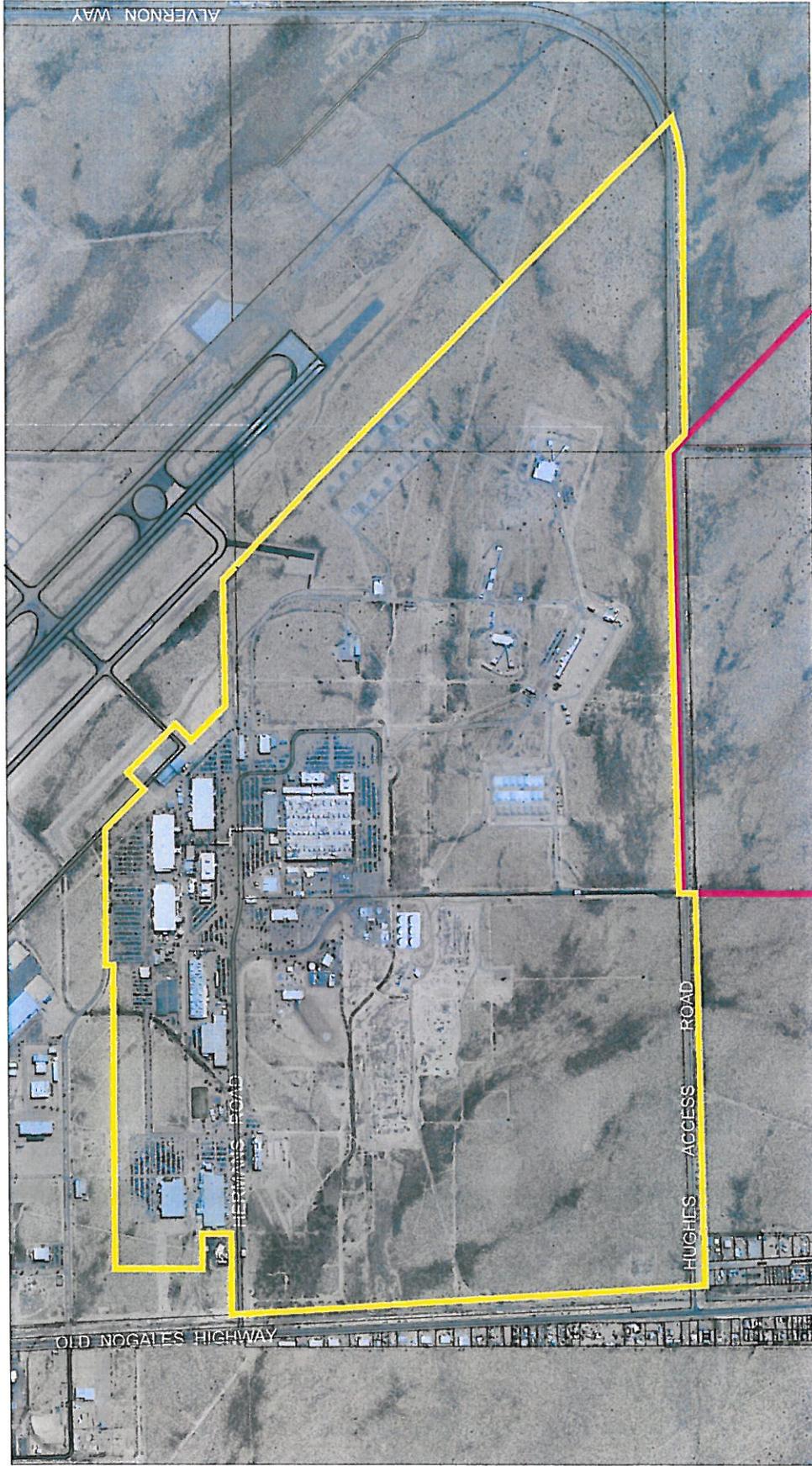
Overlay Zones: Major Streets and Routes and Airport Environs Zones



- Area of Original City Zoning
- Major Streets and Routes
- City Limits
- AEZ - Compatible Use Zone 3
- AEZ - Compatible Use Zone 1
- AEZ - Runway Safety Zone
- Restricted I-2
- Noise Control District - 65 Ldn
- Noise Control District - 70 Ldn
- Airport Hazard District

created by: JJK, 12/10/2009

C15-09-03 Raytheon Annexation District Establishment of Original City Zoning



Raytheon Annexation District

City of Tucson Limits



Place
Stamp
Here

City of Tucson
Planning and Development Services Department
Rezoning Section
201 N. Stone
P.O. Box 27210
Tucson, Arizona 85726-7210

C15-09-03

Expose this flap - Affix stamp and return



City of Tucson
Planning and Development Services
Department -Rezoning Section
201 N. Stone Avenue
P.O. BOX 27210
Tucson, Arizona 85726-7210

C15-09-03

IMPORTANT REZONING NOTICE ENCLOSED



Approval – Protest Form

If you wish to submit a written protest or approval, this form is provided for your convenience. Please print your comments below, sign your name, and mail to the Rezoning Section of the Planning and Development Services Department at the address on the reverse side (you will need to attach postage). The number of approvals and protests along with protest calculations will be reported at the Zoning Examiner's public hearing.

Approvals and protests must have an owner's signature to be recorded.

If protests are filed from property owners representing 20% or more by area in any quadrant of the area located within a 150 foot radius of the parcel(s) on which the rezoning is proposed, an affirmative vote of $\frac{3}{4}$ of the Mayor and Council will be required to approve the rezoning ordinance.

Case: C9-15-03 Raytheon Annexation District, County CI-2, CUZ 1 and RSZ zones to City I-2, CUZ 3 and I-2 Restricted Zones (Ward 5)

I/We the undersigned property owners, wish to

- APPROVE the proposed rezoning.
 PROTEST the proposed rezoning.

Reason:

PLEASE PRINT YOUR NAME	PLEASE PRINT MAILING ADDRESS	PLEASE PRINT LEGAL PROPERTY DESCRIPTION		
		Subdivision	Block	Lot

Owner's Signature: _____ Date _____