



ZONING EXAMINER

REPORT TO MAYOR AND COUNCIL

October 3, 2013

**SUBJECT: C15-13-03 Mountain Vail Annexation District
Establishment of Original City Zoning
Public Hearing: September 19, 2012**

BACKGROUND

This is a request by City of Tucson to establish Original City Zoning (OCZ) on approximately 20.3 acres, by translating from Pima County GR-1 zone to the City SH zone, and extending the Watercourse, Amenities, Safety and Habitat (WASH) Ordinance overlay. The site is located on the south side of the Old Vail Connection Road alignment approximately 1,800 feet south of Mary Ann Cleveland Way and 1.4 miles east of Houghton Road.

Land use policy direction for this area is provided by the *General Plan*, and the *Esmond Station Area Plan (ESAP)*.

PUBLIC HEARING SUMMARY (Minutes Attached)

Glenn Moyer, Planning and Development Services Department, presented the staff report with a recommendation for approval. At the September 19, 2013 hearing, Mr. Moyer also commented that no written approvals and one written protest was received.

Robert Tucker presented the rezoning request and agreed to the recommended staff conditions of rezoning.

With no one else wishing to be heard, the public hearing was closed.

FINDINGS OF FACT

This is a request by City of Tucson to establish Original City Zoning (OCZ) on approximately 20.3 acres, by translating from Pima County GR-1 zone to the City SH zone, and extending the Watercourse, Amenities, Safety and Habitat (WASH) Ordinance overlay. The site is located on the south side of the Old Vail Connection Road alignment approximately 1,800 feet south of Mary Ann Cleveland Way and 1.4 miles east of Houghton Road. The annexation district currently consists of one parcel owned by MC 140 LLC (Diamond Ventures).

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Rezoning: County GR-1 to City SH**

The annexation district is within the boundaries of the *General Plan*, and the *Esmond Station Area Plan (ESAP)*, which provide land use policy direction. The request by the property owner to establish Original City Zoning from Pima County GR-1 to City SH is consistent with *Plan* direction, which supports rural densities and may support suburban densities up to six units per acre where appropriate, based on a design compatibility report and environmental resource report which address compatibility with surrounding areas and preservation of natural resources such as wildlife habitat, washes, and natural open spaces where possible.

To the north and northwest, within the City of Tucson, is MH-1 zoned, undeveloped State Land and R-1 Residential Cluster Project (RCP) platted, undeveloped land. To the east is undeveloped State land in Pima County GR-1 zoning, and to the south and west are developed one-acre parcels with a mix of site built homes and manufactured homes, also in County GR-1 zoning.

The Atterbury Wash is located just east of the annexation district and an unnamed tributary of the Atterbury Wash traverses the center of site from south to north. The Atterbury Wash, a WASH Ordinance wash, affects a small portion of the northeast corner of the site. Development will be subject to City floodplain regulations. The tributary wash and the small portion in the northeast corner of the site along the Atterbury Wash are identified on Tucson Department of Transportation (TDOT) maps as containing xeroriparian habitat.

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.

County GR-1: Pima County's GR-1 (General Rural) Zone allows GR-1 zoning allows low density residential uses with minimum lot sizes of 36,000 square feet and a maximum building height of 34 feet. In this case, the County GR-1 zone most appropriately translates to the City SH zone.

City SH: City SH (Suburban Homesite) is a low-density residential zone with a minimum lot size of 36,000 square feet and a maximum building height of 30 feet. SH zoning allows single-family-residences, manufactured homes, mobile homes, duplexes, agricultural, horticultural and ranch uses, churches, schools, and public utilities uses.

CONCLUSION

The establishment of original City zoning for this parcel, with translation from County GR-1 to City SH zoning, is consistent with State law and supported by the policies of the *General Plan* and the *Esmond Station Area Plan (ESAP)*. Approval of the requested SH

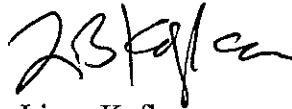
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zoning, and designation on TDOT maps of the Watercourse, Amenities, Safety, and Habitat (WASH) for the affected portion of the annexation district is appropriate.

RECOMMENDATION

The Zoning Examiner recommends approval of SH zoning and extension of the Watercourse, Amenities, Safety, and Habitat (WASH).

Respectfully Submitted,



Linus Kafka
Zoning Examiner

ATTACHMENTS:

Public Hearing Minutes
Rezoning Staff Report