



**CITY OF  
TUCSON**  
ZONING  
EXAMINER'S  
OFFICE

## Preliminary Report

September 26, 2013

Robert Tucker  
Diamond Ventures, Inc.  
2200 E. River Rd. #115  
Tucson, AZ 85718

Mike Czechowski  
Annexation Project Manager  
255 W. Alameda, 4<sup>th</sup> Floor  
Tucson, AZ 85701

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

Dear Mr. Czechowski,

Pursuant to the City of Tucson Unified Development Code and the Zoning Examiner's Rules of Procedures (Resolution No. 9428), this letter constitutes written notification of the Zoning Examiner's summary of findings for rezoning case C15-13-03, Mountain Vail Annexation District Original City Zoning. At the expiration of 14 days of the conclusion of the public hearing, the Zoning Examiner's Report (complete with background information, public hearing summary, findings of fact, conclusion, recommendation, and public hearing minutes) to the Mayor and Council shall be filed with the City Manager. A copy of that report can be obtained from either the Planning and Development Services Department (791-5550) or the City Clerk.

If you or any party believes that the Zoning Examiner's recommendation is based on errors of procedure or fact, a written request to the Zoning Examiner for review and reconsideration may be made within 14 days of the conclusion of the public hearing.

The public hearing held by the Zoning Examiner shall constitute the public hearing by the Mayor and Council. However, any person may request a new public hearing before the Mayor and Council. A request for a new public hearing must be filed in writing with the City Clerk within 14 days of the close of the Zoning Examiner's public hearing.

## **SUMMARY OF FINDINGS**

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).

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.

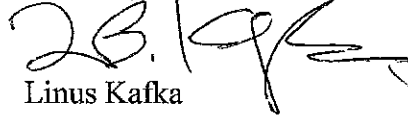
### **CONCLUSION**

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 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.

Sincerely,



Linus Kafka  
Zoning Examiner

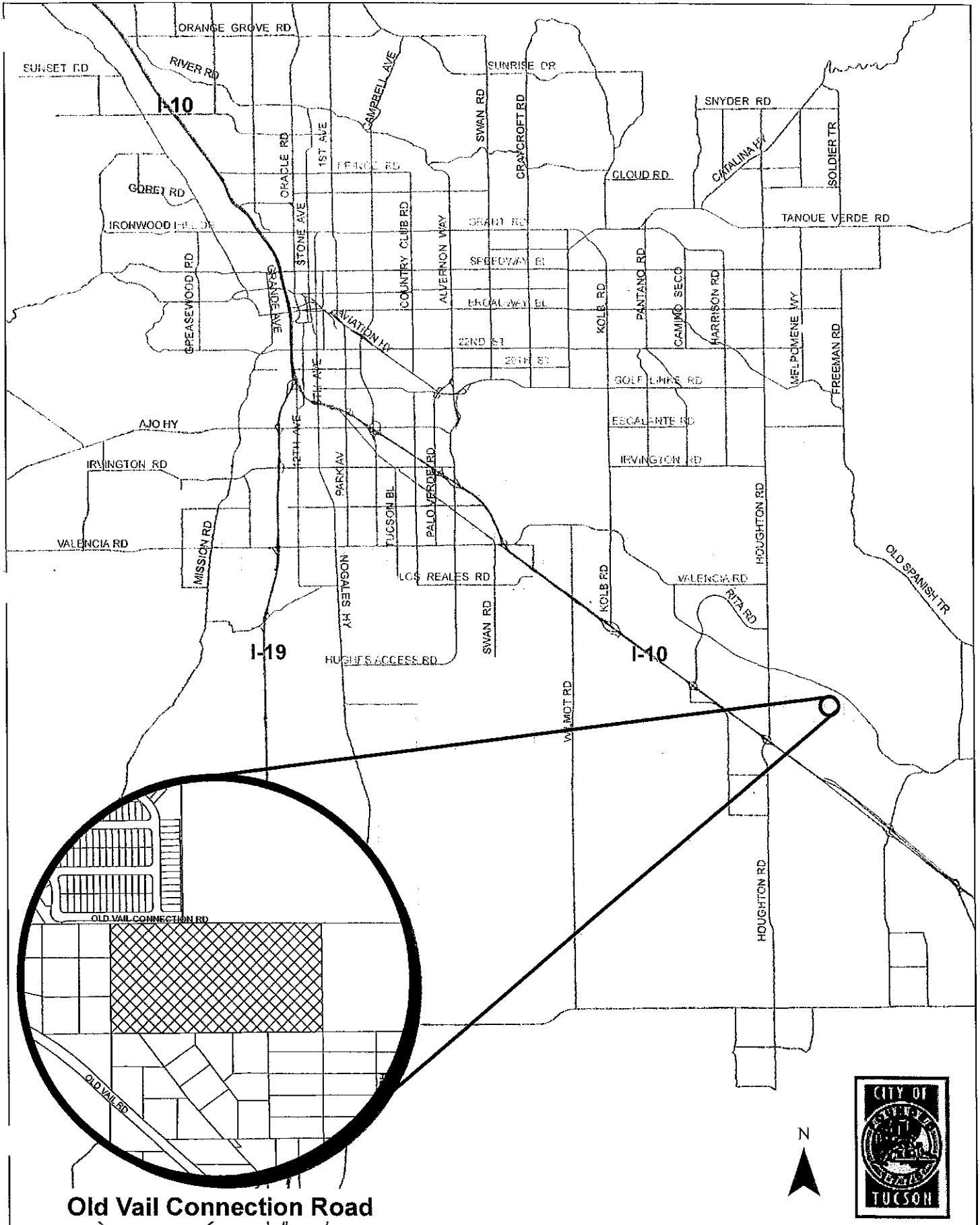
### **ATTACHMENTS:**

Case Location Map

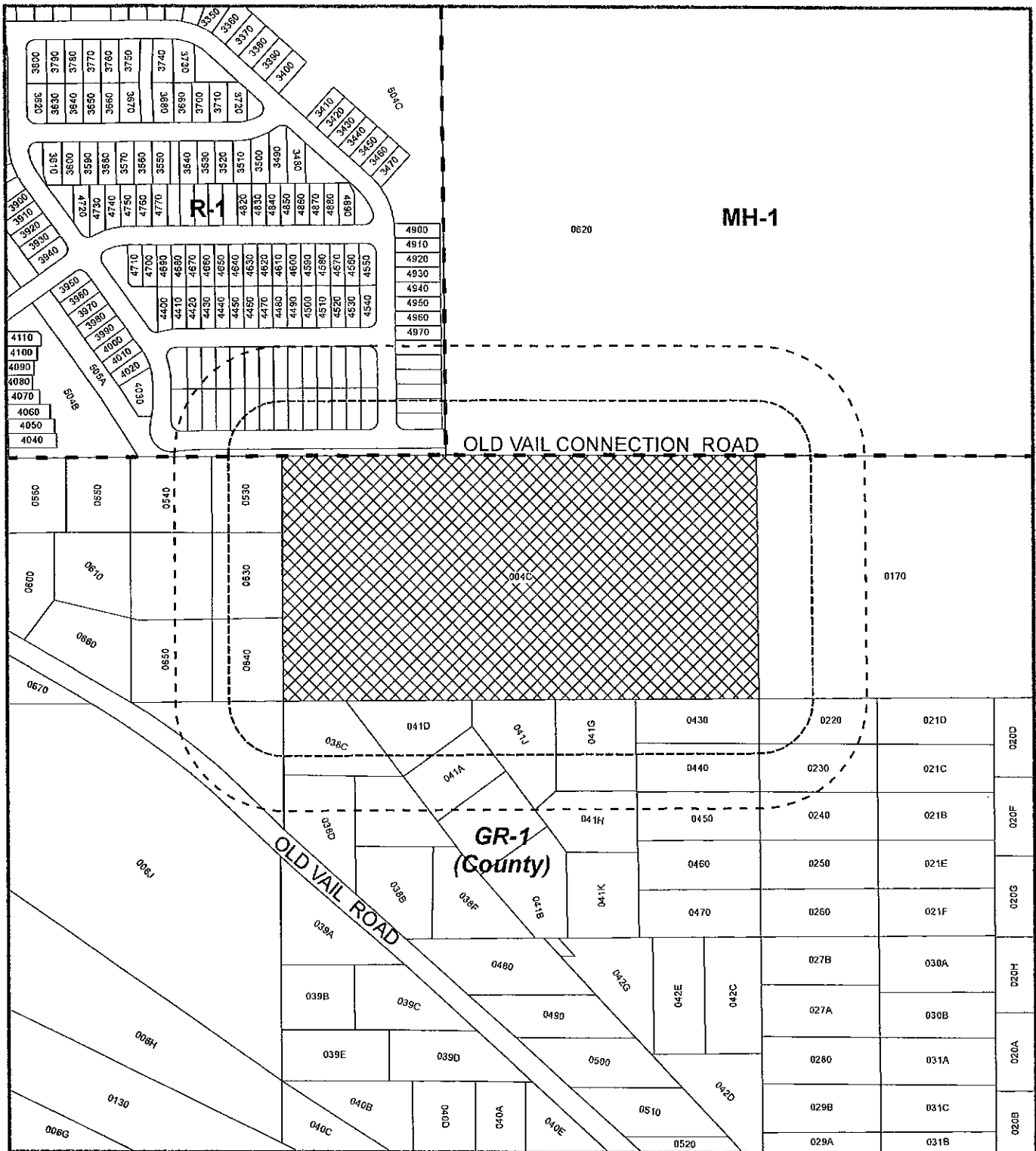
Rezoning Case Map



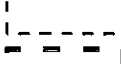

cc: City of Tucson Mayor and Council

# C15-13-03 Mountain Vail Annexation - Old Vail Connection Road



# C15-13-03 Mountain Vail Annexation Original City Zoning



-  Area of Zoning Translation  
County GR-1 to City SH
-  150' Protest Area
-  300' Notification Area
-  Zone Boundaries



Address: Old Vail Connection Road  
Base Maps: Sec.6 T.16 R.16  
Ward: 4

