



MEMORANDUM

DATE: August 28, 2013
For September 19, 2013 Hearing

TO: Linus Kafka
Zoning Examiner

FROM: Ernie Duarte
Planning & Development Services
Director

SUBJECT: ESTABLISHMENT OF ORIGINAL CITY ZONING:
PLANNING & DEVELOPMENT SERVICES REPORT
C15-13-03 Mountain Vail Annexation District, County GR-1 (General Rural)
zone to City SH (Suburban Homesite) zone (Ward 4)

Issue – 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 (see Case Location Map). The annexation district currently consists of one parcel owned by MC 140 LLC (Diamond Ventures).

Planning & Development Services Recommendation – The Planning & Development Services Department recommends approval of SH zoning as the Original City Zoning.

Background Information

Annexation History – Mayor and Council adopted Ordinance No. 11065, annexing the Mountain Vail Annexation District on March 19, 2013. The annexation became effective on April 16, 2013. Original City zoning is to be established by October 16, 2013.

Existing Land Use: vacant land

Surrounding Zones and Land Uses:

North: Zoned R-1 and MH-1; Vacant land

South: Zoned County GR-1; Single-family site built and manufactured home development

East: Zoned County GR-1; Vacant State Land

West: Zoned County GR-1; Single-family site built and mobile home development

Previous Cases on the Property: none

Related Cases:

C9-13-06 Mountain Vail Estates II – Old Vail Connection Road, SH to R-1 FLD This is a concurrent rezoning request for the subject Mountain Vail Annexation District parcel to allow a 73-lot residential subdivision on 20.3 acres for an overall density of 4.5 residences per acre. The rezoning case will be heard at the Zoning Examiner’s public hearing of September 19, 2013, immediately following consideration of the subject Original City Zoning case.

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 ORDINANCES
GR-1	SH	WASH

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.

Planning Considerations

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.

A separate rezoning request (C9-13-06 Mountain Vail Estates II – Old Vail Connection Road) for the property is under concurrent review. As a two part process, concurrent annexation and

rezoning will first provide a translation to the Original City Zone of SH, followed by consideration of the rezoning request from SH to R-1 Flexible Lot Development (FLD). R-1 FLD is a residential zone with flexibility in design and reduction in lot size to permit clustering of units and allow for more natural open space than conventional layouts and create recreational amenities to serve the needs of residents.

The site is proposed for residential development as a second phase of Mountain Vail Estates, located to the north across Old Vail Connection Road alignment. Within the annexation district the proposed development will have a density of 3.75 residential units per acres (RAC), with an average lot size of 5,500 square feet. The *General Plan* and the *ESAP* support this proposed suburban density. The annexation area will be integrated with Mountain Vail Estates I, and will have a continuous street pattern which functions as one community with direct access onto Mary Ann Cleveland Way, a designated scenic arterial street within the City of Tucson.

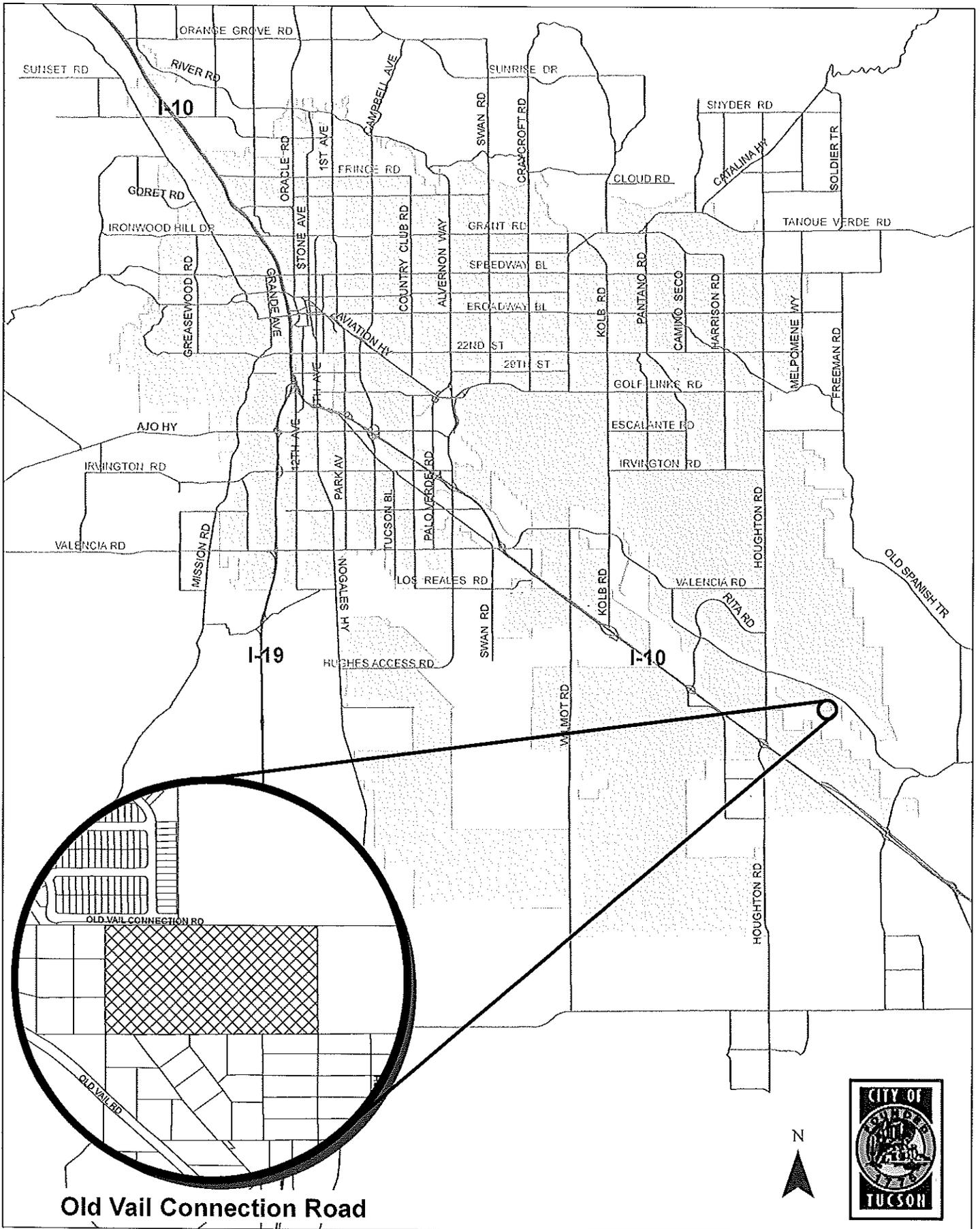
To the north and northwest, within the City of Tucson, is MH-1 zoned, undeveloped State Land and R-1 Residential Cluster Project (RCP) platted, undeveloped land. To the east is undeveloped State land in Pima County GR-1 zoning, and to the south and west are developed one-acre parcels with a mix of site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

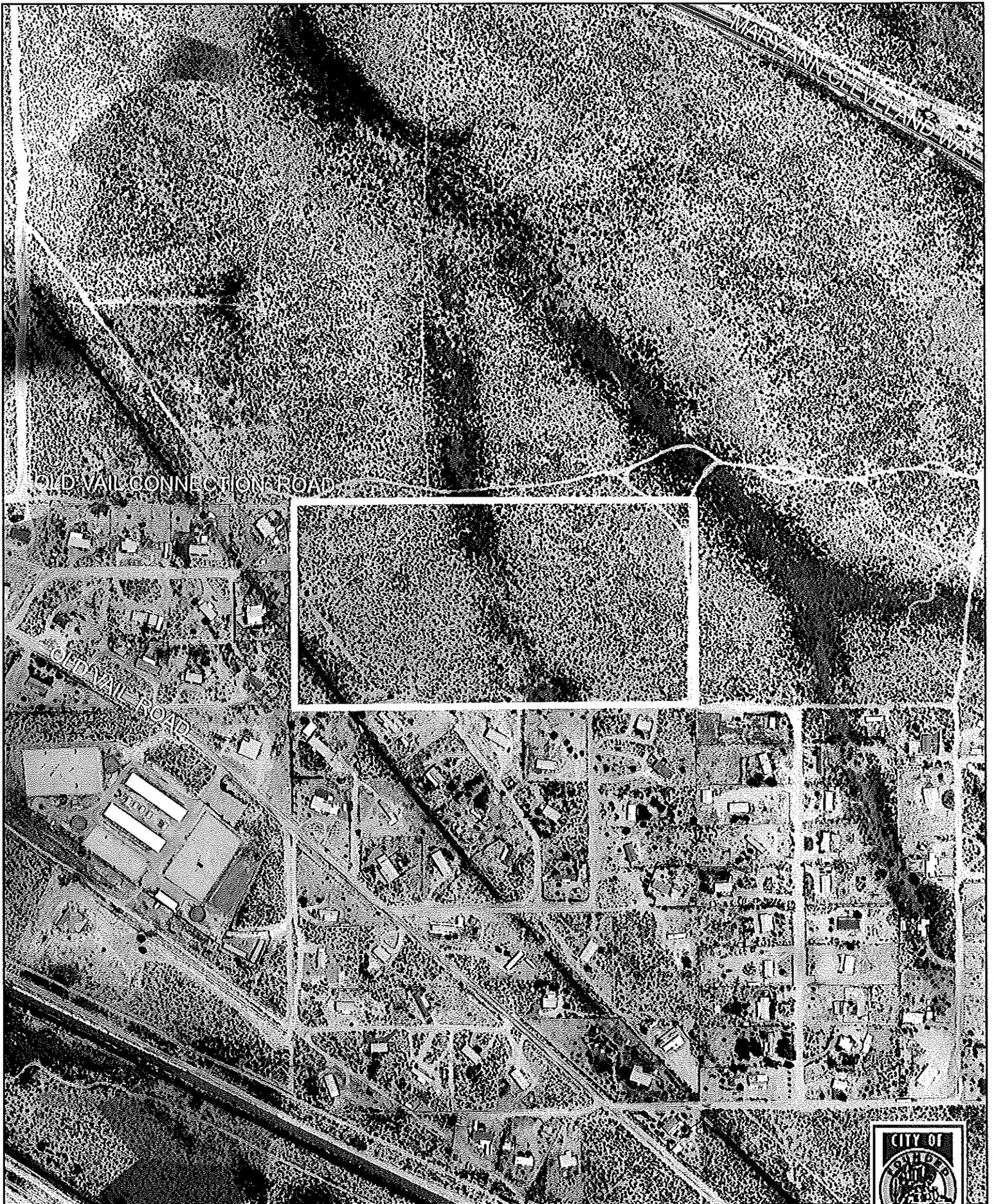
Watercourse, Amenities, Safety, and Habitat (WASH) Ordinance – The Tucson Stormwater Management Study (TSMS) provides a regional framework for addressing stormwater management and flood control in Tucson. The goals and objectives of the study were based, in part, on Mayor and Council Resolution No. 15269, which emphasizes protection and preservation of natural drainage systems. The WASH Ordinance implements *General Plan* policies by protecting intact vegetation, restoration of disturbed vegetation, and limiting the extent of structural alteration of wash channels and banks, while promoting groundwater recharge, wildlife habitat, and natural open space.

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.

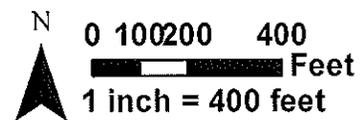
Conclusion – Translation of the existing County GR-1 zoning to City SH zoning is consistent with State law and supported by the policies of the *General Plan* and the *Esmond Station Area Plan (ESAP)*. Establishment of original City zoning of SH, and designation on TDOT maps of the Watercourse, Amenities, Safety, and Habitat (WASH) for the affected portion of the annexation district is appropriate.

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

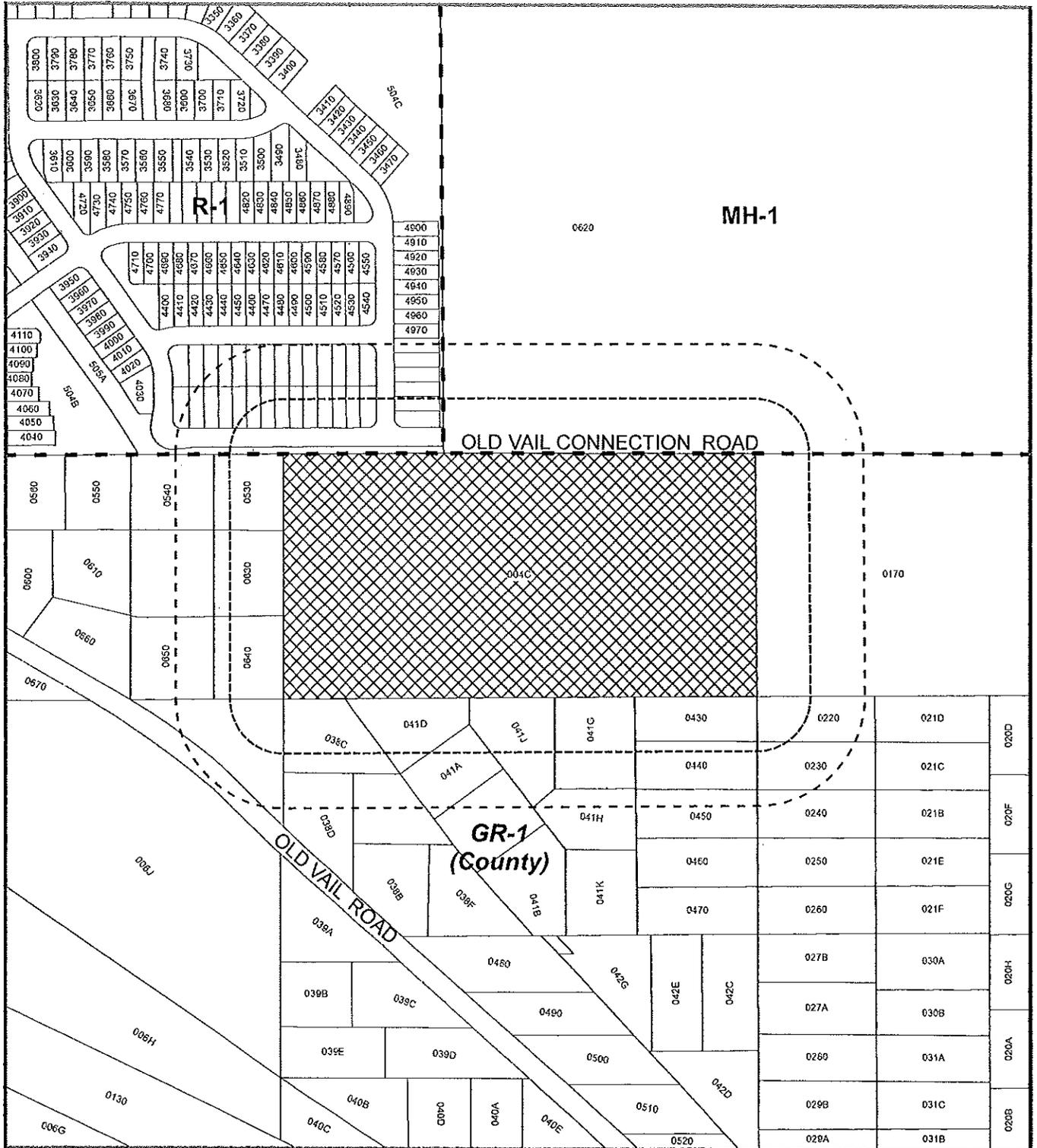


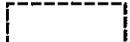
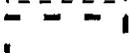


C15-13-03 Mountain Vail Annexation - Old Vail Connection Road
2010 Aerial



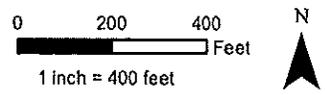
C15-13-03 Mountain Vail Annexation Original City Zoning



-  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





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 ¾ of the Mayor and Council will be required to approve the rezoning ordinance.

Case: C15-13-03 Mountain Vail Annexation District, Original City Zoning, County GR-1 to City SH Ward # 4

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 _____

Place
Stamp
Here

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

C15-13-03

Expose this flap - Affix stamp and return



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

C15-13-03

IMPORTANT REZONING NOTICE ENCLOSED

F:\Sharedir\REZONING\Rezoning TEMPLATES\ZE mailout