

Affidavit of Posting

● City of Tucson ●

State of Arizona
County of Pima

} ss

I, the undersigned, the duly appointed City Clerk for the City of Tucson, Arizona, do hereby affirm the following Ordinance(s)/Resolution(s) was (were) posted in the Ordinances/Resolutions Binder in the lobby of the City Hall, 255 W. Alameda.

Ordinance Nos. 12189 and 12190

Date adopted by Mayor and Council: September 9, 2025

Date Posted: September 11, 2025

To remain posted until: October 12, 2025

In witness whereof, I have hereunto set my hand and affixed the seal of the City of Tucson, Arizona, this 11th day of September.

Suzanne Mesich
City Clerk

By:


Deputy City Clerk

CITY CLERK FILE NOTE: Date prepared by Leg.Acts/Agenda Section: 09/10/25.
Date received by Mail Clerk: 09/10/25.
Date received by Public Records Section: 09/210/25.

WMO

ADOPTED BY THE
MAYOR AND COUNCIL

September 9, 2025

ORDINANCE NO. 12189

RELATING TO ZONING: AMENDING ZONING DISTRICT BOUNDARIES IN THE AREA LOCATED APPROXIMATELY 500 FEET NORTH OF TANQUE VERDE ROAD AND 700 FEET WEST OF BEAR CANYON ROAD IN CASE C9-21-14, THE PLACE AT MASON RANCH PHASE II – TANQUE VERDE ROAD, SR TO R-3; AND SETTING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF TUCSON, ARIZONA, AS FOLLOWS:

WHEREAS, by the adoption of this Ordinance the Mayor and Council has considered the probable impacts on the costs of housing construction.

SECTION 1. The zoning district boundaries in the area located approximately 500 feet north of Tanque Verde Road and 700 feet west of Bear Canyon Road are hereby amended from SR to R-3 as shown on the map marked Ordinance No. 12189 upon issuance of a building permit in substantial compliance with the requirements attached hereto as Exhibit "A" set forth by the Mayor and Council on January 11, 2022 and September 9, 2025, if such issuance takes place with the adoption of this Ordinance and before January 11, 2027.

SECTION 2. The Mayor and Council find that this rezoning complies and conforms with the General Plan and all applicable specific plans; including the *Bear Canyon Neighborhood Plan*.


SECTION 3. Notwithstanding any provision of the Tucson Code relating to lot split approval, no grading, grubbing, filling, excavation, construction, or other physical alteration of the site in furtherance of the project contemplated by this Ordinance shall occur prior to the effective date of the R-3 zoning classification.

SECTION 4. This Ordinance becomes effective thirty (30) days after it is adopted by the Mayor and Council and is available from the City Clerk.

SECTION 5. The provisions of this Ordinance, including the attached conditions, cannot be given effect individually, and to this end, the provisions of this Ordinance and the attached conditions are not severable.

SECTION 6. The various officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this Ordinance.

PASSED, ADOPTED, AND APPROVED by the Mayor and Council of the City of Tucson, Arizona, September 9, 2025.




MAYOR

ATTEST:



CITY CLERK

APPROVED AS TO FORM:



CITY ATTORNEY

REVIEWED BY:



CITY MANAGER

EXHIBIT “A” TO ORDINANCE No. 12189

Requirements for Rezoning Case C9-21-14 The Place at Mason Ranch Phase II – Tanque Verde Road, SR to R-3 as established by Mayor and Council on January 11, 2022 and September 9, 2025.

This Ordinance is subject to the following conditions:

PROCEDURAL

1. A development package in substantial compliance with the preliminary development plan, dated August 17, 2021, and required reports, are to be submitted and approved in accordance with the *Administrative Manual*, Section 2-06.
2. The property owner shall execute a waiver of potential claims under A.R.S. Sec. 12-1134 for this zoning amendment as permitted by A.R.S. Sec. 12-1134(I) in the form approved by the City Attorney and titled “Agreement to Waive Any Claims Against the City for Zoning Amendment.” The fully executed Waiver must be received by the Planning & Development Services Department before the item is scheduled for Mayor and Council action.
3. Historic or prehistoric features or artifacts discovered during future ground disturbing activities should be reported to the City of Tucson Historic Preservation Officer. Pursuant to A.R.S. Sec. 41-865 the discovery of human remains and associated objects found on private lands in Arizona must be reported to the Director of Arizona State Museum.
4. Any relocation, modification, etc., of existing utilities and/or public improvements necessitated by the proposed development shall be at no expense to the public.
5. Five years are allowed from the date of initial authorization to implement and effectuate all Code requirements and conditions of rezoning.

LAND USE COMPATIBILITY

6. All walls visible from a public right-of-way and/or adjacent to existing residential development, are to be graffiti-resistant and incorporate one (1) or more visually appealing design treatments, such as the use of two (2) or more decorative materials like stucco, tile, stone, or brick; a visually interesting design on the wall surface; varied wall alignments, (jog, curve, notch, setback, etc.); and/or trees and shrubs in voids created by the wall variations.
7. Graffiti shall be removed within seventy-two (72) hours of discovery.
8. Buildings shall have a maximum height of 25.5 feet.

ROAD IMPROVEMENTS/VEHICULAR ACCESS/CIRCULATION

9. All offsite improvements required with the development, such as street improvements, curb, sidewalk, and ADA ramps shall be coordinated with the City of Tucson's Department of Transportation and Mobility.

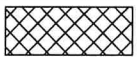
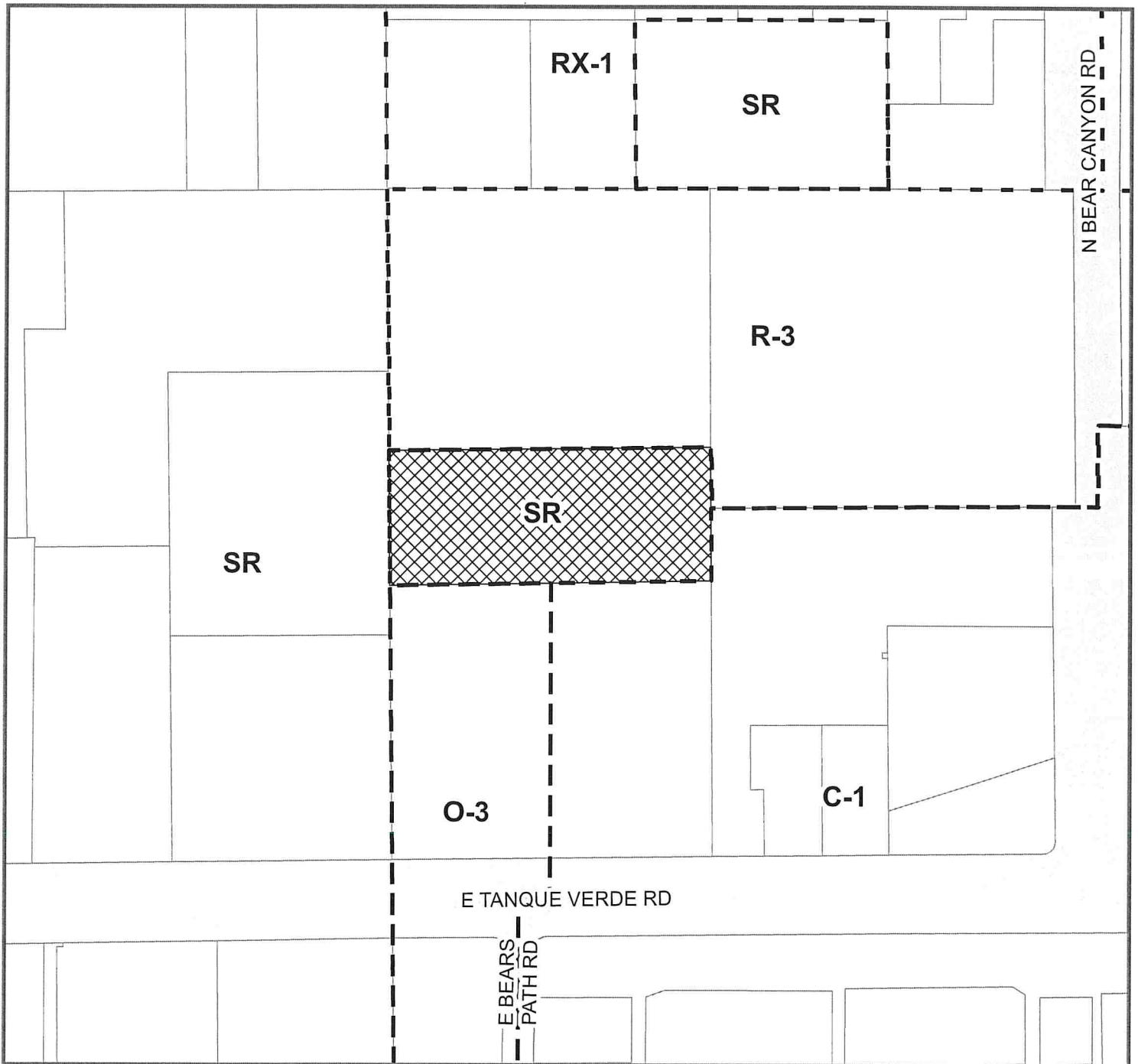
TUCSON AIRPORT AUTHORITY

11. According to the Federal Aviation Administration (FAA) Notice Criteria Tool, this project area is located in proximity to a navigation facility and could impact navigation signal reception. As the project site develops every project applicant shall file FAA Form 7460 with the FAA at least 45 days before construction activities begin for every proposed project unless FAA staff, with the Obstruction Evaluation / Airport Airspace Analysis (OE/AAA), provides the project applicant with written communication that filing FAA Form 7460 is not required. It is highly recommended that the Applicant file earlier than 45 days to provide the Applicant with sufficient time to respond to any concerns which are identified by the FAA. Any cranes which are used must also be identified with Form 7460. Please file Form 7460 at <https://oeaaa.faa.gov/oeaaa/external/portal.jsp>. Please do not hesitate to contact me if you have any questions or concerns regarding this comment letter. I can be reached by email at srobidoux@flytucson.com or by telephone at 520-573-4811 (Scott Robidoux, Senior Airport Planner).

Additional Condition from Zoning Examiner

12. The Applicant is to construct enhanced screening on the western and northern borders of the proposed development, in addition to that already proposed, including a five-foot masonry wall with a minimum of a 1-foot metal band extending across the top of the wall, and appropriate desert vegetation to lessen the prospect of persons gaining access to the neighboring properties.

**C9-21-14 8709 E Tanque Verde Rd
Rezoning Request: From SR to R-3**



Area of Rezoning (SR to R-3)

Ordinance 12189

Adoption Date September 9, 2025

0 130 260 Feet
1 inch = 276 feet



Ordinance becomes effective 30 days after adoption by Mayor and Council and when it is made available by the City Clerk.

Legal Description: PTN S770' W600' SW4 NW4 LYG N & ADJ RD 3.63 AC SEC 34-13-15

A handwritten signature in black ink, likely of the Director, Planning & Development Services Department.

Director, Planning & Development Services Department

