



Zoning Examiner

Preliminary Report

August 15, 2024

Mike Czechowski
City of Tucson Office of Economic Initiatives
255 W Alameda St
Tucson AZ 85701

SUBJECT: TP-ENT-0624-00013 Sonoran South Annexation District
Pima County RH to City of Tucson RH (Ward 5)

Public Hearing: August 8, 2024

Dear Mr. Czechowski:

Pursuant to the City of Tucson Unified Development Code and the Zoning Examiner's Rules and Procedures (Resolution No. 9428), this letter constitutes written notification of the Zoning Examiner's summary of findings for original City zoning case TP-ENT-0624-00013 Sonoran South Annexation District Pima County RH to City of Tucson RH (Ward 5).

At the expiration of 14 days of the conclusion of the public hearing, the Zoning Examiner's Report to the Mayor and Council (including background information, public hearing summary, findings of fact, conclusion, recommendation, and public hearing minutes) shall be filed with the City Manager. A copy of that report can be obtained from 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.

TP-ENT-0624-00013 Sonoran South Annexation District Pima County RH to City of Tucson RH (Ward 5)



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SUMMARY OF FINDINGS

This is an application by the City of Tucson to establish Original City Zoning on recently annexed parcels. The parcels are located south of Old Vail Connection Road and east of Swan Road (see Case Location Map). Original City Zoning is required by Arizona Revised Statutes (ARS) Title 9-471.L and the Unified Development Code (UDC) Section 4.6.

ARS Title 9-471.L: “A city or town annexing an area shall adopt zoning classifications that permit densities and uses no greater than those permitted by the county immediately before annexation. Subsequent changes in zoning of the annexed territory shall be made according to existing procedures established by the city or town for the rezoning of land.”

UDC 4.6: “The applicable zoning standards on land annexed into the City, unless otherwise stipulated in the annexation ordinance, shall continue to be the county zoning standards applicable to the property prior to annexation until such time they are replaced by City standards. City zoning standards shall be placed on annexed land within six months of the date of annexation.

The established procedure is to “translate” the County zoning in place before annexation, into the most appropriate City zoning classification. Lawful existing development will be allowed to continue. Property status regarding non- conforming uses and structures will be determined as needed on a case-by-case basis.

Applicant’s Request – Establish Original City Zoning for annexed parcels totaling approximately 79.97 acres.

Neighborhood Meeting – The Applicant held a required neighborhood meeting on May 29, 2024, to discuss the Original City Zoning. City and Tucson Airport Authority staff attended the meeting.

Planning & Development Services Recommendation – The Planning & Development Services Department recommends approval of the RH zoning to establish the Original City Zoning, subject to the pre-annexation development agreement between the Applicant and the City of Tucson.

Background Information

The Sonoran South Annexation District, consisting of approximately 79.9 acres of real property, is located within the boundaries of the *Rincon/Southeast Subregional Plan*. For areas



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within Plan boundaries which have been annexed into the city, requests for amendments will be accepted and processed as needed, as with other adopted City plans. The subject area is within the boundary of the RSSP, but not located within a map detail area as identified within the plan. Old Vail Connection Road aligns with the Sonoran Corridor as it approaches Interstate 19. The parcels are also identified within the highest 20th percentile concentration of transportation vulnerable populations per *Move Tucson* and within the *AEZ Nosie Overlay Zone 1*.

A public hearing for the annexation was held April 9, 2024. At the close of the public hearing, Mayor and Council directed staff to proceed with the annexation.

The properties are owned by the Tucson Airport Authority (TAA), which believes annexation is beneficial and aligns with land use objectives of TAA as it will increase acreage of the contiguous area to assist in attracting potential projects that can contribute to the Tucson economic and employment base.

Existing Land Uses:

Entirely vacant land.

Surrounding Zones and Land Uses:

North: County CI-2, Stockpiling

East: City, RH, Correctional Facility

South: City, RH, vacant

West: City, RH, vacant

Zoning Translation with Descriptions

County Zone	Zone Description	Permitted Building Height	City Translation	Zone Description	Permitted Building Height
RH	Rural Homestead	34'	RH	Rural Homestead	30'

The Pima County RH Zone is a residential zone that allows single-family residences. RH requires a minimum lot size of 180,000 square feet and permits a maximum building height of 34 feet. The City of Tucson RH Zone is the most comparable to the County zone. The RH Zone is a residential zone that allows single-family-residences and requires a minimum lot size of 180,000 square feet. It permits a maximum building height of 30 feet.



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Planning Considerations – Plan policies are not applied to Original City Zoning. Any future rezoning request for the annexed land must be in conformance with adopted land use plans.

August 8, 2024 Zoning Examiner Hearing

The Applicant spoke in support of the requested rezoning at the Zoning Examiner hearing. No other person spoke.

As of the date of the Zoning Examiner hearing, there were no (0) written approvals and no (0) written protests.

Conclusion – Consistent with Arizona State Statute and the Unified Development Code, the City's zones stated above are the most comparable to the Pima County zones, and do not permit densities and uses greater than those permitted by the County. Translation to the City zones with conditions to reflect pre-annexation and development agreements between City of Tucson and the Applicant is the appropriate translation from Pima County zoning to City of Tucson zoning.

Sincerely,

John Iurino

Zoning Examiner

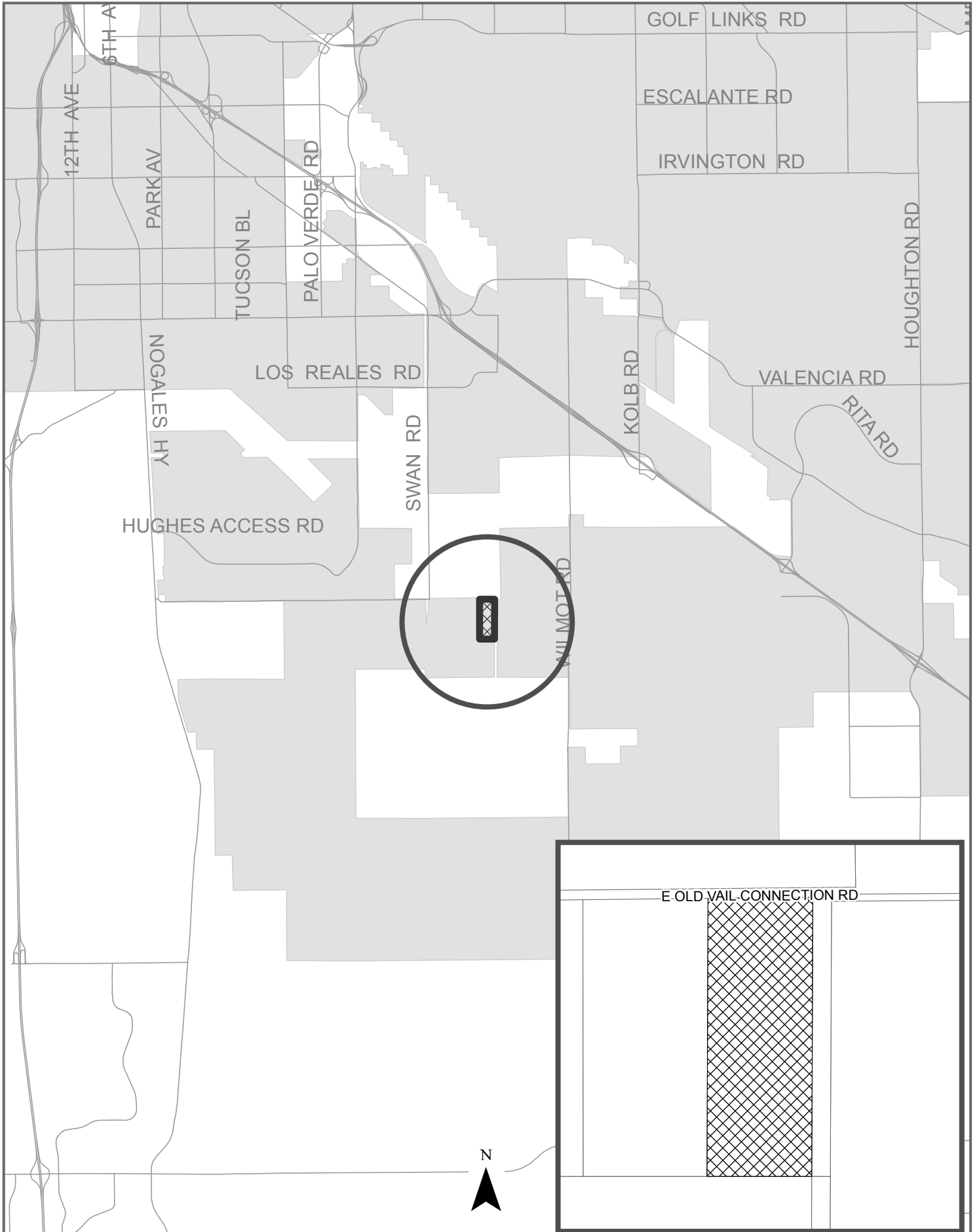
ATTACHMENTS:

Case Location Map

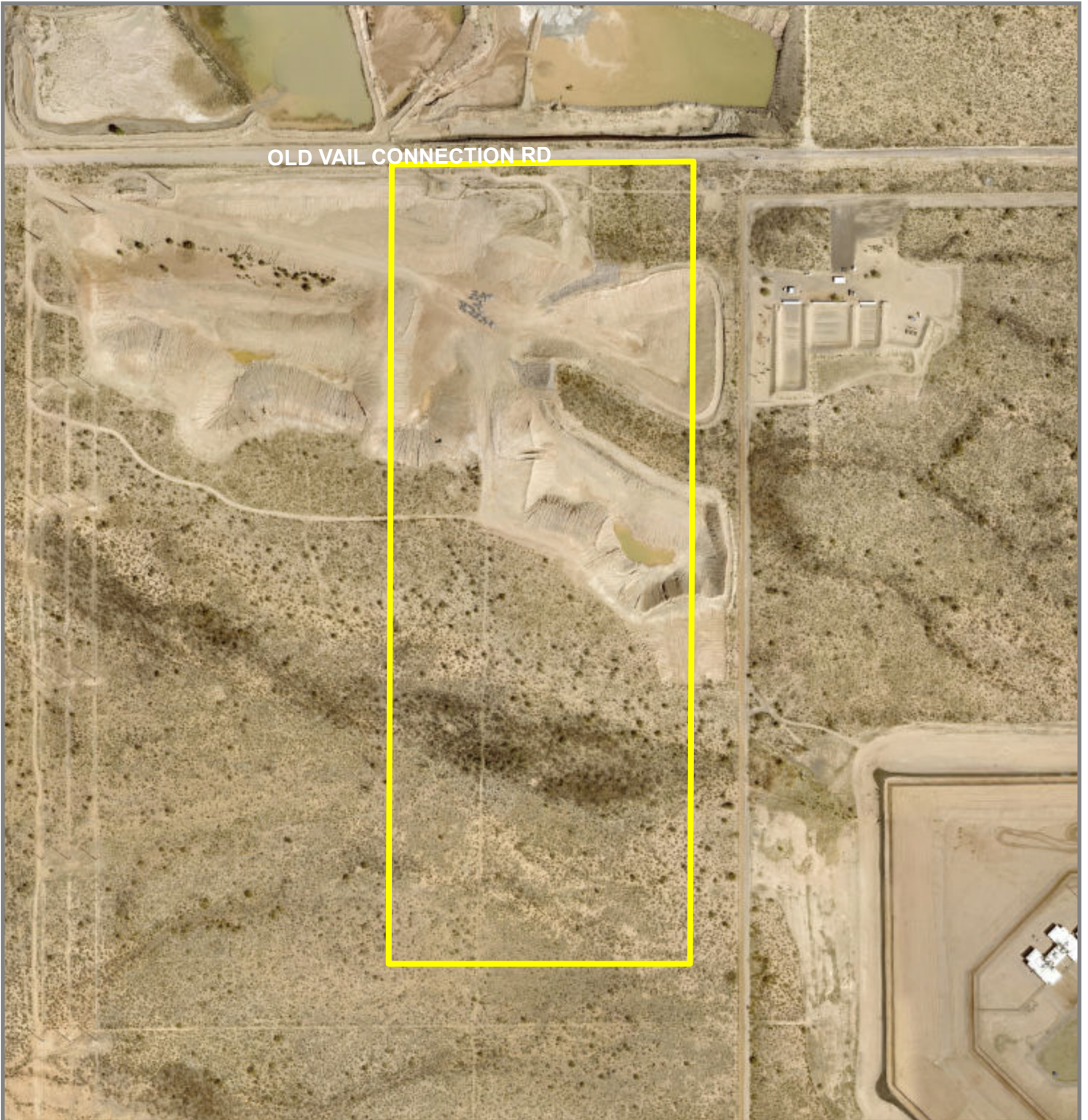
Rezoning Case Map

Cc: Mayor and Council

TP-ENT-0624-00013 Sonoran South Annexation District



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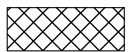
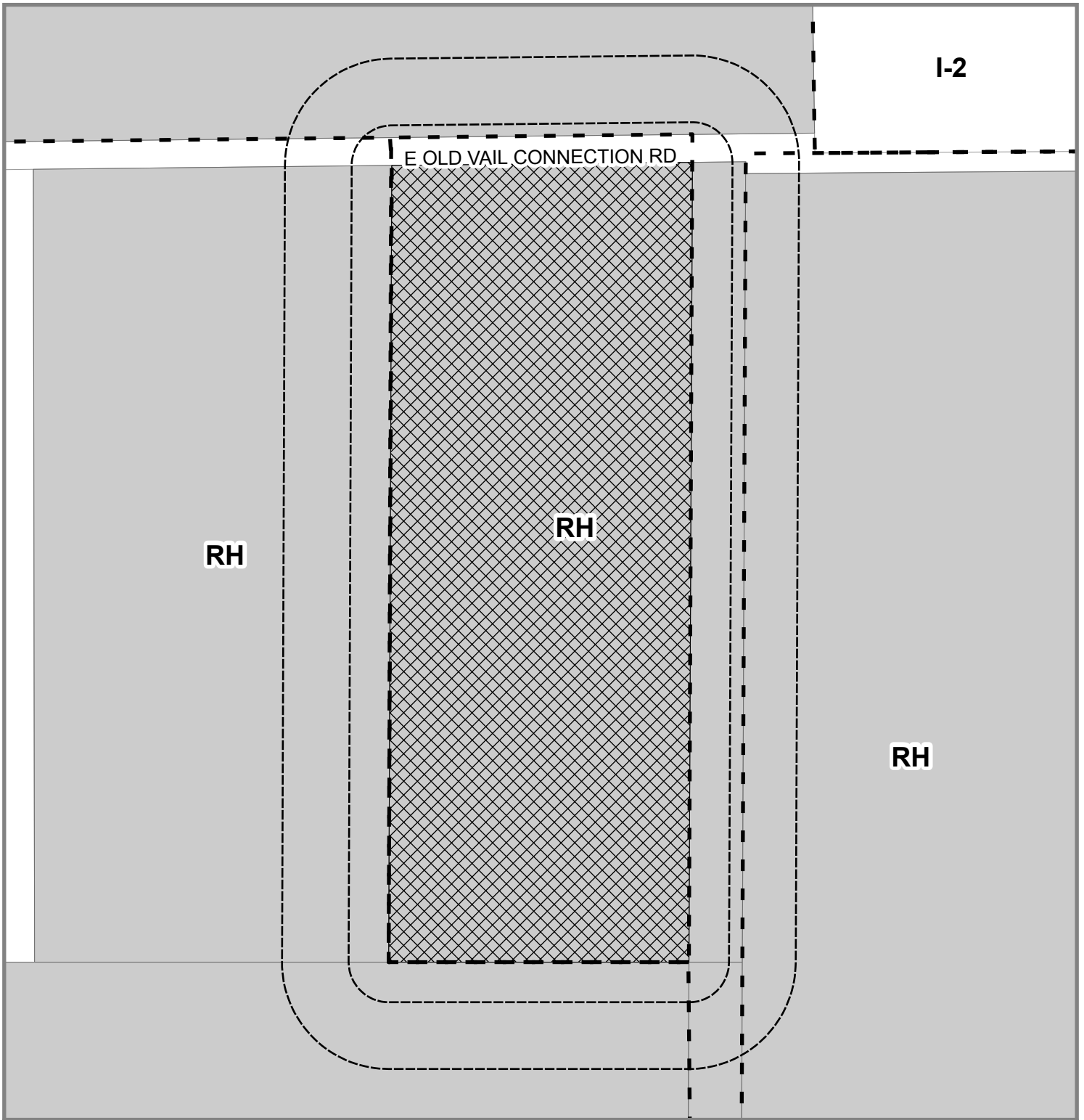
 Area of Rezoning

Address: No Address on Record
Base Maps: Twp. 1603 Range 1402 Sec. 02
Ward(s): 5

0 250 500 Feet
1:6,264



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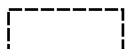
Area of Rezoning



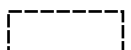
Zone Boundaries



Properties Notified



400' Notification Area



Protest Area (150 ft. Radius)

Address: 9301 S SWAN RD
Base Maps: Twp. 1603 Range 1402 Sec. 02
Ward(s): 5

0 250 500 Feet

1:6,264

