



Zoning Examiner

Preliminary Report

August 3, 2023

Mike Czechowski
City of Tucson
255 West Alameda
Tucson, AZ 85701

SUBJECT: TP-ENT-0523-00022 Irvington Rd - Mission Village OCZ Pima County SH, CB-1 to City of Tucson SH, C-1 (Ward 1)

Public Hearing: July 27, 2023

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 rezoning case TP-ENT-0523-00022 Irvington Rd - Mission Village OCZ Pima County SH, CB-1 to City of Tucson SH, C-1 (Ward 1).

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.

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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 an application by the City of Tucson to establish Original City Zoning on recently annexed parcels. The parcels are located on the northwest and southwest corners of the intersection of Mission Road and Irvington Road (see Case Location Map). Original City Zoning is required by Arizona Revised Statutes A.R.S. Section 9-471.L and the Unified Development Code (UDC) Section 4.6.

A.R.S. Section 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. Zoning standards, zones, overlay zones, and City Zoning Maps are extended to the annexed land in accordance with Section 3.4.4, Mayor and Council Special Exception Procedure."

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.

Background Information

The Mission Village Annexation District, consisting of approximately 13.00 acres of real property, is located at the northwest and southwest corners of Mission and Irvington, in

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Ward 1 (Attachment A). The district consists of undeveloped commercial and residential property and is within the obligated water service area for Tucson Water.

A public hearing was held January 24, 2023. At the close of the public hearing, Mayor and Council directed staff to proceed with the annexation.

Existing Land Uses:

Primarily vacant land. There is an unfinished house on parcel 137-11-4600.

Surrounding Zones and Land Uses:

North: Zoned Pima County SH, City of Tucson SH; Vacant land, rural residential

South: Zoned Pima County SH, Pima County CB-1; Restaurant

East: Zoned City of Tucson C-1, C-2; Vacant Land across South Mission Road, an Arterial Gateway per the Major Streets and Routes overlay.

West: Zoned Pima County SH; Vacant land, rural residential

Zoning Translation

County Zone	City Translation Zone
SH	SH
CB-1	C-1
County MS&R	City MS&R

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

July 27, 2023, Zoning Examiner Hearing

The Applicant spoke in support of the requested rezoning at the July 27, 2023, Zoning Examiner hearing. No other person spoke.

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

Conclusion – Consistent with state statute and the Unified Development Code, the City translation 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.

Sincerely,

John Iurino

Zoning Examiner

ATTACHMENTS:

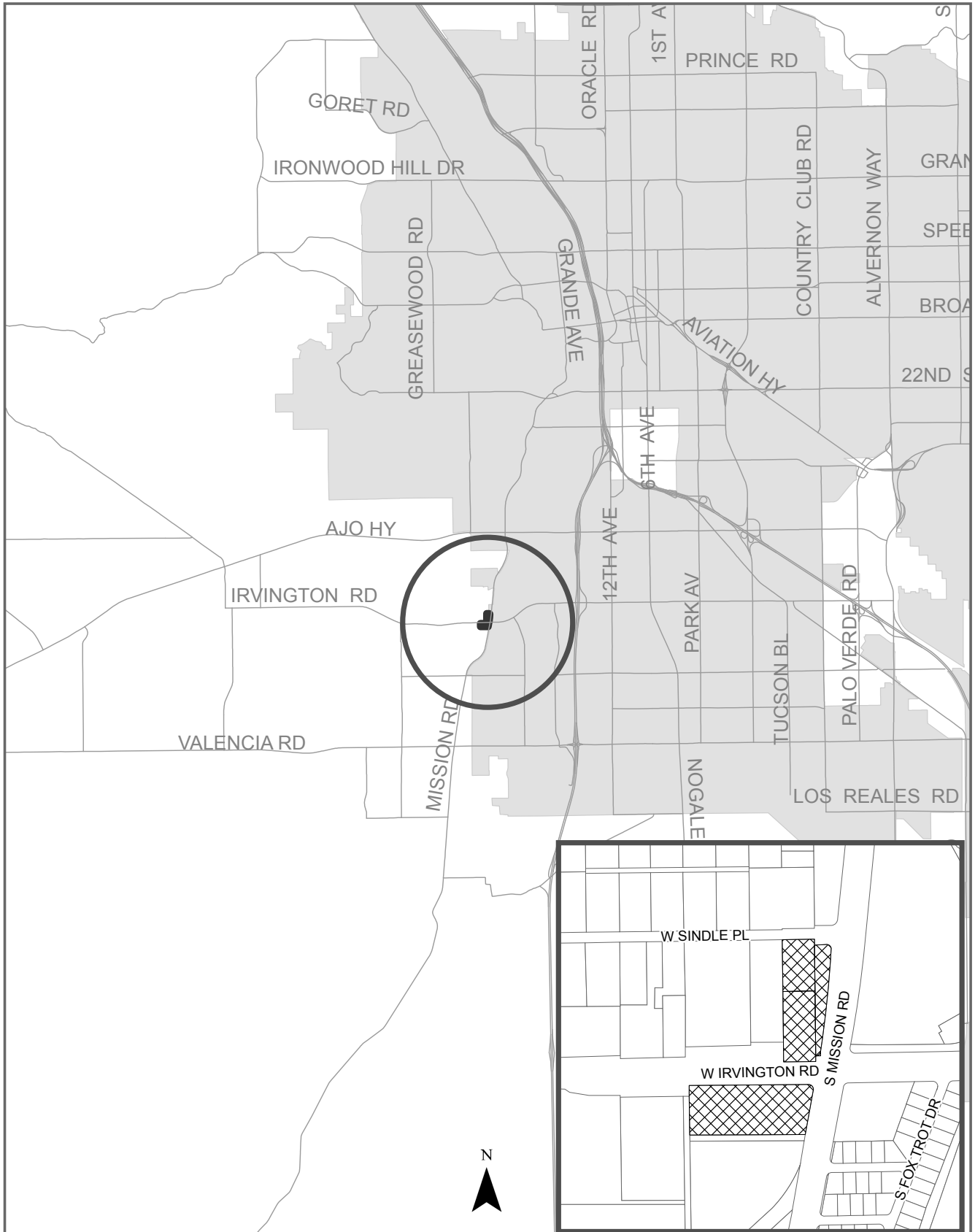
Case Location Map

Rezoning Case Map

Cc: Mayor and Council

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TP-ENT-0523-00022 OCZ from SR and CB-1 to SR and C-1



TP-ENT-0523-00022 OCZ from SR and CB-1 to SR and C-1



 Area of Rezoning

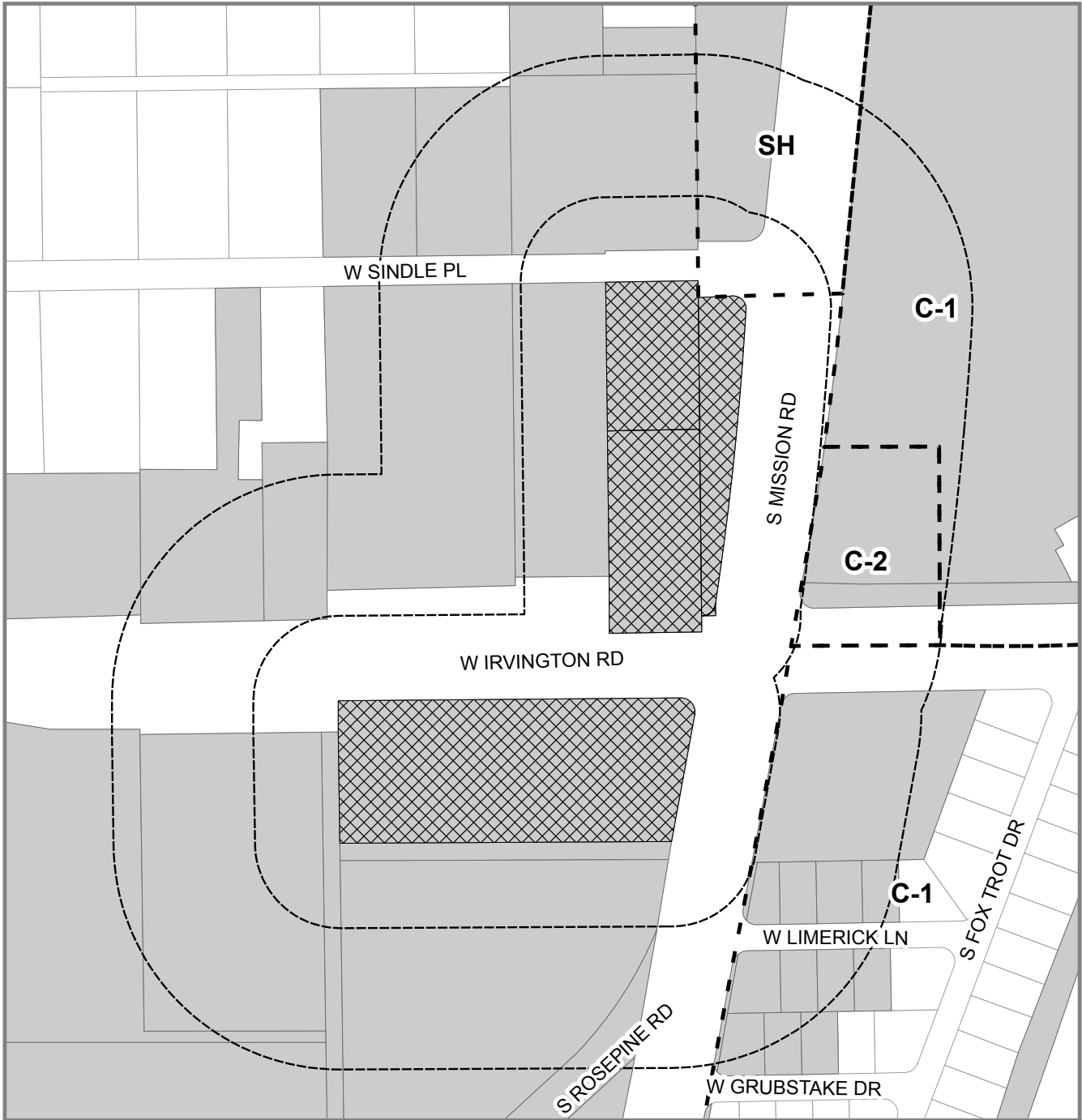
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Base Maps: Twp. 1503 Range 1302 Sec. 03
Ward(s): 1




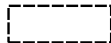
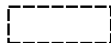
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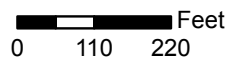


TP-ENT-0523-00022 OCZ from SR and CB-1 to SR and C-1



-  Area of Rezoning
-  Zone Boundaries
-  Properties Notified
-  400' Notification Area
-  Protest Area (150 ft. Radius)

Address: 2011 W IRVINGTON RD
 Base Maps: Twp. 1503 Range 1302 Sec. 03
 Ward(s): 1



1:2,961

