

**Stakeholder Advisory Committee Meeting Summary**  
**March 3, 2005 3:00 – 5:00 pm**  
**Arizona Game and Fish Department conference room**

Attendees: Sherry Barrett, Greg Hess, Larry Marshall, Lori Lustig, Brooks Keenan, Catherine Balzano (Arizona State Land Department), Marit Alanen (alternate for Arizona Game and Fish Department), Susan Shobe (alternate for Coalition for Sonoran Desert Protection), Emily Brott (alternative for Sonoran Institute), Ken Kingsley (SWCA), Leslie Liberti (SWCA), Michael Wyneken (City of Tucson, Planning), Eric Anderson (City of Tucson, Planning)

**1. Introductions**

There was one new SAC alternate and one SAC member replacement as of this meeting. Emily Brott attended as an alternate for Sonoran Institute. Catherine Balzano will be replacing Cheryl Doyle as the Arizona State Land Department representative on the SAC.

**2. Minutes from January 27, 2005**

Michael asked if there were any comments on the minutes from the January 10, 2005 meeting. Greg's name was misspelled in the minutes. No one else had comments.

Larry did not receive the email sending the minutes out for review. Sherry suggested that the City send out minutes again for the past two meetings (January and October) when the minutes for today's meeting go out. Michael said that the City would resend the minutes and that they would be discussed and approved at the next meeting.

Michael noted that there had been some issues with the language on the agenda. According to the Clerk's Office, the agendas cannot have "Other Issues" as an item. Instead, the City will include an "Old Business" item. Since the revised charter was not included on today's agenda, discussion of Sherry's comments on the charter will be held over to the next meeting.

**3. Planning Overview**

Michael said that he wanted to start the discussion with the "big picture." The next meetings will focus on specifics such as the Tucson Water 2050 Plan, the Army Corps of Engineers river restoration projects, and environmental-related ordinances.

Lori asked how ordinances, such as the ERZ (Environmental Resource Zone) dovetail with the HCP. She wanted to know if the HCP would be an umbrella for all of the environmental ordinances. Leslie asked if Lori was asking if the City was going to do their own version of the County's Environmentally Sensitive Resource Ordinance (ESRO). Sherry said that other jurisdictions describe the implementation mechanisms in their HCP, but implementation is accomplished through the actual ordinances, which are often pulled together in a single ordinance, like the ESRO. Lori liked the idea of all environmental ordinances being incorporated into a single document. Michael pointed out that the HCP only applies to a portion of the City. Sherry suggested that developers would appreciate a single "cookbook" or checklist showing how the HCP is going to be implemented.

Ken noted that the emphasis recently has been on one-stop-shopping for developers. Lori agreed that this approach has worked well in the past. Ken was concerned, however, that USWFS has been reluctant in the past to incorporate existing ordinances into HCPs. Sherry was not sure that this was really the case. Ken provided examples from private HCPs that had been developed in Texas; cases where the USWFS told applicants that the ordinance weren't relevant to the property covered under an HCP. Sherry said that there could be situations where an existing ordinance could not be used in an HCP, but that had more to do with the relevance of the ordinance, rather than the fact that it was already in existence. Sherry gave the example of San Diego, which enacted their HCP through ordinance. She did note that the ordinance has to be enacted before take coverage can be granted. She also said that Pima County was finding that some of their existing ordinances were inconsistent with the intent of the draft County HCP. Sherry suggested that the City ought to pull all of its environmental ordinances together at some point in order to identify potential conflicts. Michael explained that, by the time there is any development in the Southlands, the City will have a land use plan for that area in place. He said that the City is also moving towards an ESRO that integrates all existing environmental ordinances. He was hopeful that the HCP planning process would result in the identification of areas in the Southlands with varying environmental sensitivity and these areas could be incorporated into land use plans, with each area having specific development guidelines.

Larry asked what the difference was between U. S. Fish and Wildlife Service and Arizona Game and Fish Department. Sherry explained that USFWS is a federal agency and deals with federal laws and mandates, such as the Endangered Species Act, refuges, law enforcement, and fisheries management. She said that AGFD is, on the other hand, a state agency that dealt largely with hunting and fishing. Marit added that AGFD has very little regulatory authority.

Sherry asked if it were possible to have a presentation on specific ordinances. Michael replied that this was the plan. Today would focus on the policy-side and later meetings would be oriented more towards specific implementation aspects of these policies.

Brooks said that he envisioned that there would be a need to amend the ERZ and WASH (Watercourse Amenities, Safety, and Habitat) ordinances. Michael responded that, once the group sees where the HCP is going, the SAC can look at where ordinances are lacking and fill in any gaps. Sherry added that the SAC can also find places to streamline the environmental ordinances. Michael thought that this would help move along the idea of City version of the ESRO. He noted that the City has two different approaches to dealing with washes, the ERZ and WASH ordinances.

Larry asked if the City could create a dictionary of ordinances. Sherry requested a document that included text from all relevant Tucson environmental ordinances. Catherine asked about the existing ordinances that would be integrated into an ESRO. Michael replied that there was the WAS and ERZ, the Native Plant Preservation Ordinance (NPPO), and a hillside ordinance.

### General Plan

Michael explained that today's meeting would cover larger planning efforts and policy direction that is already on the books in the City. He wanted to focus on the Southlands because he felt that it will be the hardest to deal with of the 3 planning sub-areas, in part because of the larger number of player involved.

The City has several layers of plans. First is the Strategic Plan, which covers many more topics than simply land use. The next layer is the General Plan that is the chief implementation

mechanism for the Strategic Plan. The General Plan focus primarily on development-related issues. The third later is a series of specific plans, as opposed to Pima County's Specific Plans which are zoning plans. Tucson's specific plans are a finer-grain planning tool. These plans tend to be very detailed, even addressing development on a lot-by-lot basis. Examples of specific plans include the Major Streets and Routes Plan and the 50-plus neighborhood or area plans. These plans are applied to any proposal that needs a rezoning or any other special permit. Once special consideration of a project is required, i.e. the project cannot go forward under existing entitlements, then the project must comply with all plans that govern that location, as well as any relevant ordinances. Sherry asked about whether variances were possible. Michael said that variances aren't granted in the case of plans; a plan amendment would be required. Emily asked how plans were used in cases where a special permit is not required. Michael replied that the plans do not come into play. If there is no permit, then there is no need to comply. Sherry added that changing a plan requires legislative action from the Mayor and Council. If a proposed land use is allowable under existing zoning, then all permits or approvals require only administrative action by City staff. Michael said that the General Plan is available on the City Planning Department website (<http://www.ci.tucson.az.us/planning/index.htm>) and this document includes a good discussion of how the various types of plans fit together.

Michael said that the General Plan divides the City into a number of areas, such as the Central Core and Future City (maps were provided to the SAC in the agendas packets). There are specific policies that apply to each area. The General Plan also includes components such as transportation, trails, open space, etc.

Policies 25 through 29 are the overarching policies for the Southlands, which is referred to in the General Plan as the Future City. The last two policies are most relevant to the HCP.

**Policy 28: Protect washes, linkages to important habitat areas, and wildlife corridors through design and development practices which respect the natural environment.**

**Policy 29: Expand the regional trail system and connect it with the Pima County system.**

Greg asked how the disposition of state trust land works. Catherine replied that the Arizona State Land Department has a 5-year disposition plan. Land that is included in this plan is that which has infrastructure and is poised for development. The disposition process is no longer application driven. Catherine said that the management of applications had created a bottleneck due to limited resources and staff and the Department now focuses on selling lands where development is ready to occur. The Houghton Area Master Plan (HAMP) is an area that the Department is looking to sell state trust land in the near future. State trust land in southern Arizona, however, has not received much attention in the past. There is a huge demand for these lands and the Department is getting a huge number of inquiries regarding dispositions in this area.

Larry noted that the Southlands area is close to the Tohono O'odham Nation and Sahuarita and asked if either of these is being consulted in the HCP planning process. Michael replied that the City is hoping to plan, not just the Southlands, but a larger area that extends south to the Santa Rita Experimental Range by working cooperatively with Sahuarita and Pima County. Michael noted that, in terms of an HCP, Sahuarita has not expressed an interest. Catherine asked if Pima County has required the City and Marana do to their own HCPs. Sherry said that Pima

County did not have the authority to require other jurisdictions to do their own plans. She said that Sahuarita may or may not develop an HCP. The Tohono O'odham Nation has a cooperative agreement with Pima County, but they will not pursue an HCP. The Nation chooses to deal with USFWS through Section 7. The Nation also wants to develop a conservation management plan, but does not have sufficient funds and staff to do so presently.

#### Houghton Area Master Plan

Michael introduced the Master Planning Designations section of the General Plan (selected sections of which were also included in the agenda packet). He explained that these were the key policies that went into developing the HAMP. The basic process used in the HAMP was to (1) map washes, (2) develop a road system that minimized wash crossings, (3) integrate trails and open space, and then (4) establish the location of village centers with surrounding "villages" of 8,000 to 12,000 people. The intent of the Village Center approach is to get away from 4-corners approach to urban development.

Michael noted that the HAMP is also available on the City's Planning Department website. He said that the purpose of the HAMP design was to create a better community atmosphere, a better transit system, to have all activity centers linked by trails, and have better pedestrian facilities. The City looked at a lot of other master planned developments. The Sonoran Institute has also helped inform this planning effort through their recommendations to the City (Building from the Best of Tucson). This study, which can be found on the City's website, also considered many different master planned communities. Michael said that this is the approach that the City wants to take in the Southlands.

Marit asked for a definition of "master planned communities." Michael replied that, in general, these are larger areas (1,000 acres or more) for which all land uses are planned out. The interactions of various land uses, all infrastructures, and any phasing is also addressed in a Master Plan. Master Plans are a better approach to planning development because big picture issues, such as open space, conservation, trails, and transportation, can be more effectively considered. He also noted that the State Land Department is supportive of the master planning approach. Catherine added that people look for communities that have lots of amenities and character and that encourage family interactions and opportunities for kids. Larry asked if Bob Sharp's project in Sahuarita was a model for Master Plan development. Michael responded that this project is one type of model.

Sherry asked if a master planned community is different than a specific plan. Michael replied that a Master Plan is more like a development plan. It is created by a developer and reviewed by staff for consistency with City plans. The idea of Master Plans is to allow greater flexibility than the traditional hard zoning approach. In most master planned communities, a variety of housing types are offered. Michael mentioned the Verado development near Phoenix is considered a good master planned community. Larry noted that this was also the approach taken in planning Rio Nuevo. He said that there is a Rio Nuevo Master Plan that was then divided into sub-plans for specific areas. These sub-plans can be broken down even further into more detailed, focused plans. Michael said that the overall master plan creates the connections among the various sub-area plans.

Michael explained that another aspect of master planned development is the ability to transfer development densities from one area to another in order to preserve open space. In other words, development is densely clustered in some areas, while other areas remain undeveloped, and the overall density is an average of the density on both the development clusters and the

open space. This approach is supported by a trend in housing demand towards smaller lots. Greg asked if there were guidelines on the percent of open space that is required in a master planned community. Michael said that some communities do have guidelines, but not the HAMP. To identify open space in the HAMP, wash and riparian habitat was mapped and to this was added the local parks that would need to be developed. The result was about 30 percent open space, which seems to be the typical standard.

Greg asked if the HCP take an approach that requires a minimum amount of open space. Sherry replied that this was the approach that the County is taking, but she feels that it is better to lay out conservation areas in advance, such as through a Master Plan. Greg asked if washes are the best area for species. Sherry said that washes are not always the best habitat; for example, the Pima pineapple cactus prefers upland habitat. Sherry explained that the City would not need to preserve every Pima pineapple cactus, but upland areas would need to be set-aside in an HCP. Michael explained that the HCP process will create a framework for future master planning in the Southlands.

### SE Area Arterial Plan

Michael said that the arterial study document is not yet available, but is anticipated for approval later in March. He said that this study will also provide the framework for master planned communities in the Southlands.

Larry asked, since there would likely be more need to recharge facilities, whether the development of small "recharge lakes" as amenities in future developments in the Southlands was a consideration. Michael said that all plans for future recharge facilities were in Avra Valley. Leslie added that the value of these types of projects for wildlife enhancement would be greater if they were done in areas away from development. Greg noted that there would also be significant infrastructure issues associated with having recharge ponds located in the Southlands. Ken explained some of the legal issues behind recharge, as well. Arizona Department of Water Quality will allow facilities to receive credit for recharged water only if they meet certain criteria, including a restriction of access to the facility to prevent contamination of ground water. These restrictions are not conducive to using recharge facilities as urban amenities. Leslie added that a different water source in the Southlands might be captured sheet flow. She acknowledged that there are engineering issues, but that captured storm water could be used to enhance existing riparian areas for wildlife. Michael noted that the Lee Moore Basin Management study would be looking at how to capture sheet flow, and the HCP could inform this study with respect to how captured storm water could be used to bring environmental benefits. Michael said that this study has not yet started.

Sherry asked about the difference between full and limited access control. Michael replied that full access control roads were interstates. He added that the portions of roads represented by broken lines were located in environmentally sensitive areas. Catherine thought that more of the road sections should have broken lines. She was concerned that the true east-west and north-south orientation of the roads did not mesh with the drainages. Michael explained that intent was to cross drainages at 90 degrees to minimize impacts to riparian areas. Another consideration was that the roads had to tie into the existing City road system. Michael also noted that the results of the HCP planning process or the Lee Moore Basin study could cause the anticipated road alignments to be shifted to further reduce impacts on environmentally sensitive areas.

Larry asked if the City planned to soil cement the sides of the washes. Brooks said that the City

wanted to soil cement as few washes as possible.

Michael had included a couple of maps in the agenda packet showing anticipated lands uses in 2030 and in 2078 (when full build out is anticipated). He pointed out that not all areas in the Southlands would be built out within the next 20 years. The included maps show that the anticipated development pattern for this period includes a lot of low density and very low density development.

Sherry asked if open space can be hard-lined within the Southlands or was the City intending to acquire mitigation land off-site. Michael said that the City first wanted to get a sense of the situation and see what is needed for an HCP. He said that Master Plans within the Southlands can accommodate HCP measures, so there are opportunities for on-site preservation.

Marit asked about regulatory issues resulting from the fact that very little development appears to be anticipated for the anticipated take permit length of 20-25 years. Sherry suggested that the City may want to expand their permit duration to cover more of the expected development in the Southlands.

Catherine said that as the primary landowner, the State Land Department has a lot of information relevant to the Southlands. She offered to do a presentation at one of the next meetings on the Department's suitability analysis for the area. This analysis recognizes sensitive areas, such as wildlife corridors and archeological sites, and designates them as areas that will not be developed. Michael asked, since the Department's Southlands plan had never been adopted, had they done a full suitability analysis. Catherine replied that they had, but that the suitability analysis is something separate from the Conceptual Plan.

#### **4. Call to the Public**

There were no members of the general public at the meeting.

#### **5. Next Meeting**

The next two meetings were scheduled for Tuesday, March 15, 2005 from 3 to 5pm at the Arizona Game and Fish Department conference room and Thursday, March 31, 2005 from 3 to 5pm at the U.S. Fish and Wildlife Service conference room.

Sherry suggested that the next meeting or two focus on the Southlands. This discussion could then spin off into sub-committee meetings to continue to evaluate implementation issues and options for the Southlands while the larger group moves on to consider the other portions of the planning area. Leslie noted that this was consistent with the TAC's approach of focusing on each portion of the planning area individually. Susan added that by focusing on specific sub-areas, there was greater opportunity for inter-jurisdictional cooperation. She suggested that affected jurisdictions be invited to attend future meetings.