



CITY OF SOUTH TUCSON ORDINANCE NO: 19-11

ORDINANCE NO. 19-11 OF THE CITY OF SOUTH TUCSON, ARIZONA RELATING TO ZONING; REZONING PROPERTY IN CASE P&Z 18-007 ATEN PARTNERSHIP REZONING OF APPROXIMATELY 6.8 ACRES FROM SR-1 (SINGLE FAMILY RESIDENCE DISTRICT) TO SB-1 (RETAIL LOCAL DISTRICT), AMENDING THE SOUTH TUCSON ZONING MAP

NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF SOUTH TUCSON, ARIZONA:

Section 1: The 6.8 acres located on the southwest corner of 37th Street and 8th Avenue, which amends the South Tucson Zoning Map is hereby rezoned from SR-1 (Single Family Residence District to SB-1 Retail Local District).

Section 2. Rezoning Conditions.

1. The primary use of this facility shall be restricted to an assisted living facility.
2. Accessory uses shall be directly related to the primary assisted living use and limited to services provided to the residents of the facility including:
 - a. Restaurant, café, or cafeteria
 - b. Doctor's offices or other medical clinics or facilities
 - c. Barber shops or beauty salons
 - d. Religious services
3. No exterior signage advertising the accessory uses
4. All parking requirements shall be met on-site
5. The property owner shall execute the following disclaimer regarding Proposition 207 rights: "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, Chapter 8, Article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(I)."

Section 3. The effective date of this Ordinance shall be on the date of the signing of this Ordinance by the Mayor.

PASSED AND ADOPTED by the Mayor and Council of the City of South Tucson, Arizona this 3rd day of September 2019

APPROVED/EXECUTED

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY