

**COPPER POINT**  
***SPECIFIC PLAN***

**PIMA MINE RD / I-19**  
**SA9-14-00003**

**TOWN OF SAHUARITA**  
**3rd SUBMITTAL**  
**NOVEMBER 2015**

**Copper Point Specific Plan**  
1000 West Pima Mine Road  
Sahuarita, Arizona

*Submitted to:*

**Town of Sahuarita**  
**Planning & Building Department**  
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**November 2015**

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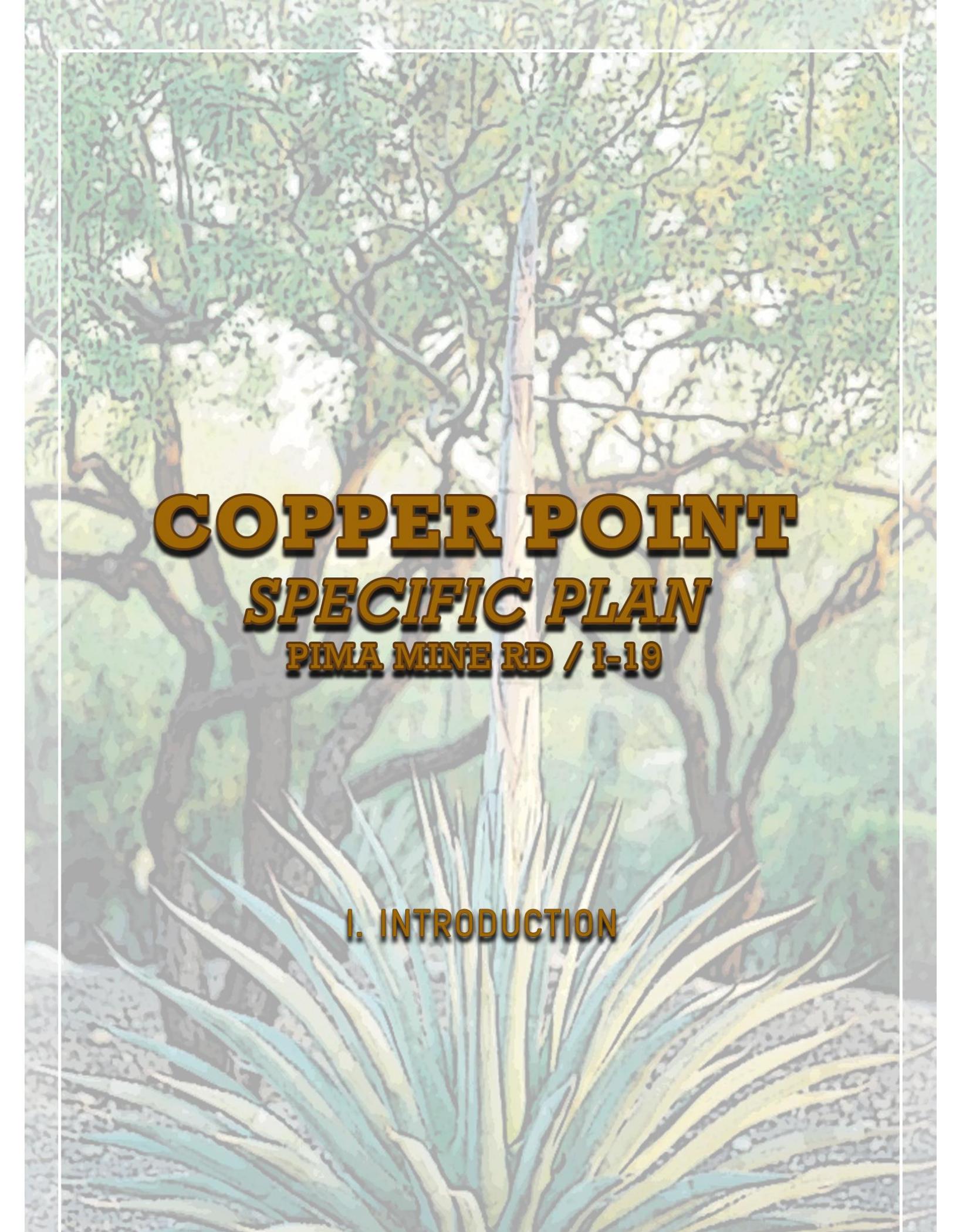
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**COPPER POINT**  
***SPECIFIC PLAN***  
**PIMA MINE RD / I-19**

**I. INTRODUCTION**

## INTRODUCTION

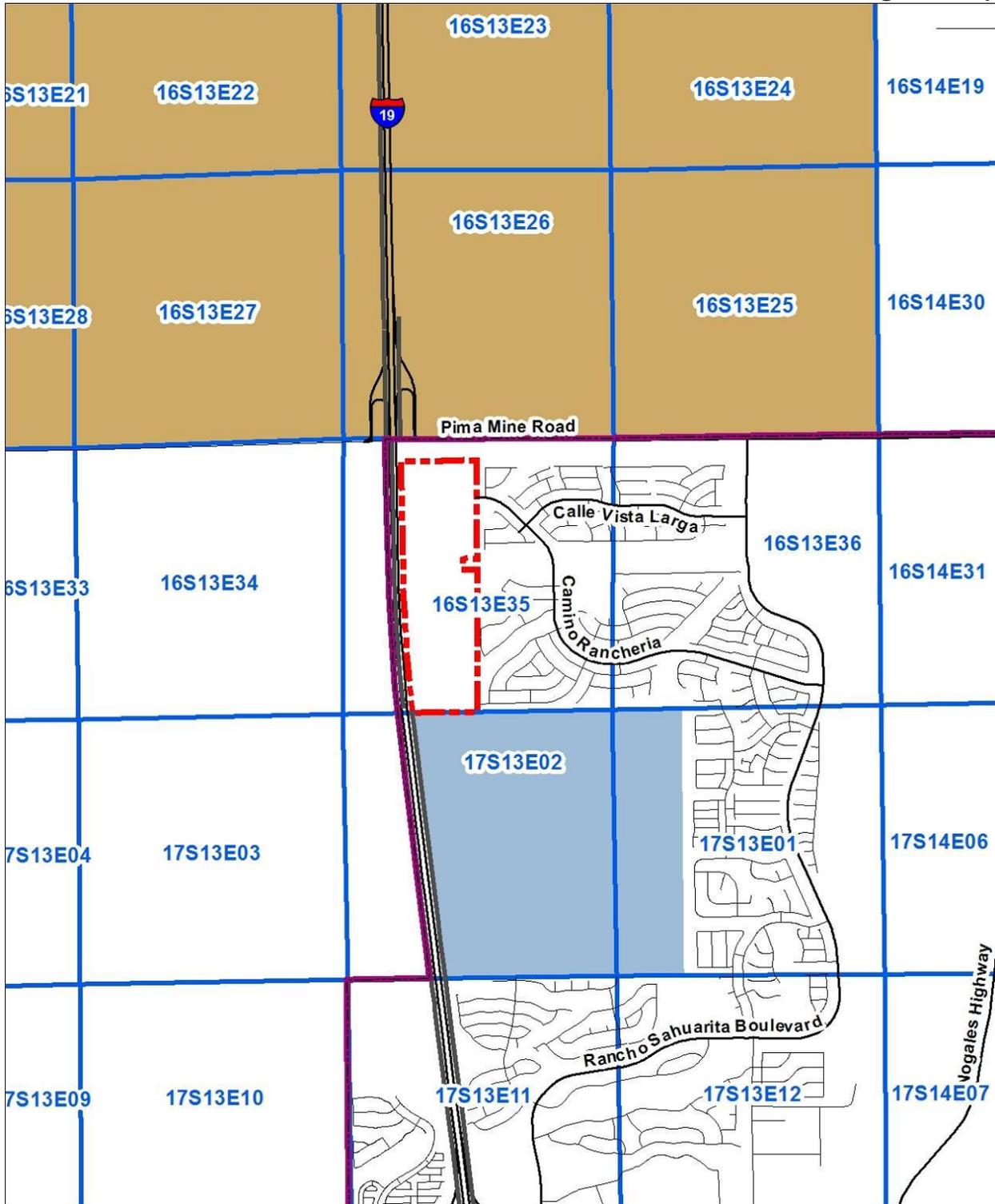
The Copper Point Specific Plan is situated in the northwest corner of the Town of Sahuarita at the crossroads of Interstate 19 and Pima Mine Road. The property offers residents and visitors to the Town an inviting, attractive, and thoughtful mix of neighborhood retail services, single and multi-family residential neighborhoods and recreational amenities to enjoy.

The Copper Point Specific Plan encompasses approximately 160 acres within the Town of Sahuarita. The subject property is comprised of parcel #303-08-002J, situated at the southeast corner of Interstate 19 and Pima Mine Road (See Exhibit I: Regional Map.) The existing zoning is Rural Residential (GR-1) and a change in zoning to Specific Plan (SP) is requested. A mix of single and multi-family residential, retail commercial, office, and recreational park and open space uses are proposed within this Plan to appeal to both current and future market demands. In addition, the Copper Point Specific Plan provides guidance for the physical character of the overall development on the property to ensure that growth evolves as a high-quality, compatible development with neighboring uses.

The 160-acre project site was annexed by the Town of Sahuarita on May 13, 2013 (Sahuarita Ordinance No. 2013-080.) The former Pima County zoning designation for the property was “GR-1, Rural Residential,” and was translated to the Town of Sahuarita zoning code “GR-1, Rural Residential” without increasing density or changing the use of the property.



Exhibit I: Regional Map



LEGEND

- Site Boundary
- Jurisdictional Boundaries
- Township, Range & Section
- Arizona State Trust Land
- San Xavier Indian Res.

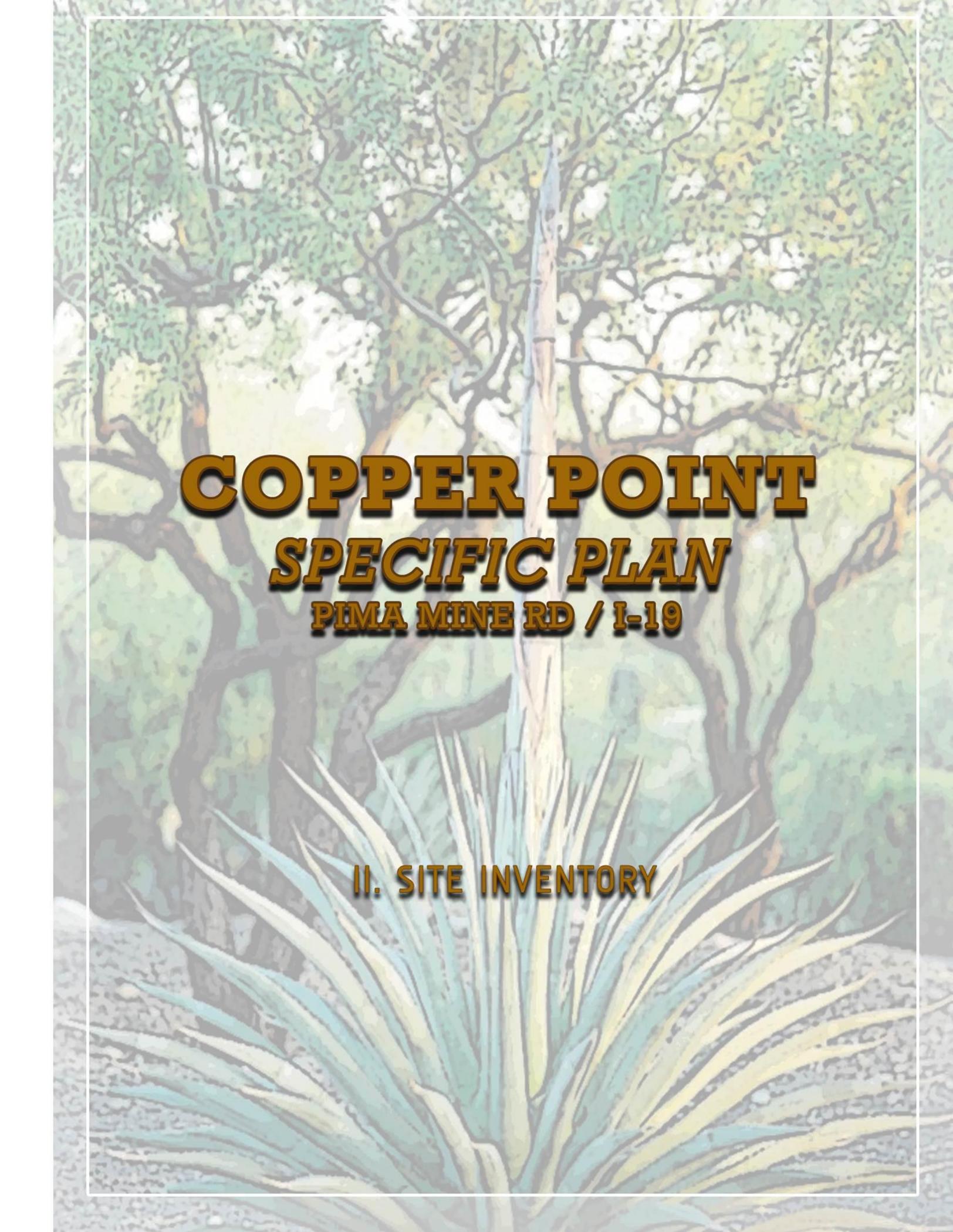
Notes:

Project Site Location:  
 Township 16S, Range 13E, and Section 35  
 Acreage: Approx. 160 AC  
 Parcel ID #: 30308002J



FILE NAME: RPD-08\_Location  
 SOURCE: Pima County GIS, 2014





**COPPER POINT**  
***SPECIFIC PLAN***  
**PIMA MINE RD / I-19**

**II. SITE INVENTORY**

## A. Existing Land Uses

### 1. Site Location

The project site is located along the northern edge of the Town of Sahuarita, east of Interstate 19 and 380 feet south of Pima Mine Road. The project site is comprised of parcel #303-08-002J within Township 16 South, Range 13 East, Section 35. The site is bounded on the north by a ±11.38 acre parcel owned by ASARCO LLC, on the east by Rancho Sahuarita community, on the south by Arizona State Trust land and bordered on the west by Interstate 19 (*See Exhibit I: Regional Map, and Exhibit II.A.2.b: Existing Land Uses*). A Union Pacific Railroad Spur Line runs west/east across the ASARCO land to the north of the subject property and south of Pima Mine Road. The purpose of the rail line is to serve the Mission Mine to the west and connects to the north/south Union Pacific Railroad line that runs along Old Nogales Highway to the east.

### 2. Existing Land Uses and Zoning

#### a. Existing Zoning

Project Site: GR-1 - Rural Residential (Town of Sahuarita)  
 North: RH - Rural Homestead (Pima County)  
 East: SP - Specific Plan (Town of Sahuarita)  
 South: RH - Rural Homestead (Town of Sahuarita)  
 West: GR-1 - Rural Residential (Pima County)

(*See Exhibit II.A.2.a: Existing Zoning*)

#### b. Existing Land Uses

The project site is comprised mainly of vacant land, with a 485-foot electrical easement owned by Southwest Transmission Cooperative (SWTC) and Tucson Electric Power (TEP) in the southeast corner of the property. Additionally, there is a waterline and a utility easement running from the well site located on the east side of the property northwest to Pima Mine Road. A recorded access easement (Pima County Docket 12363, Page 2656) by and between ASARCO LLC and the property owner is found within Appendix A for the purpose of creating two ingress/egress locations across the ASARCO property between the Copper Point property and Pima Mine Road (*See Appendix A*).

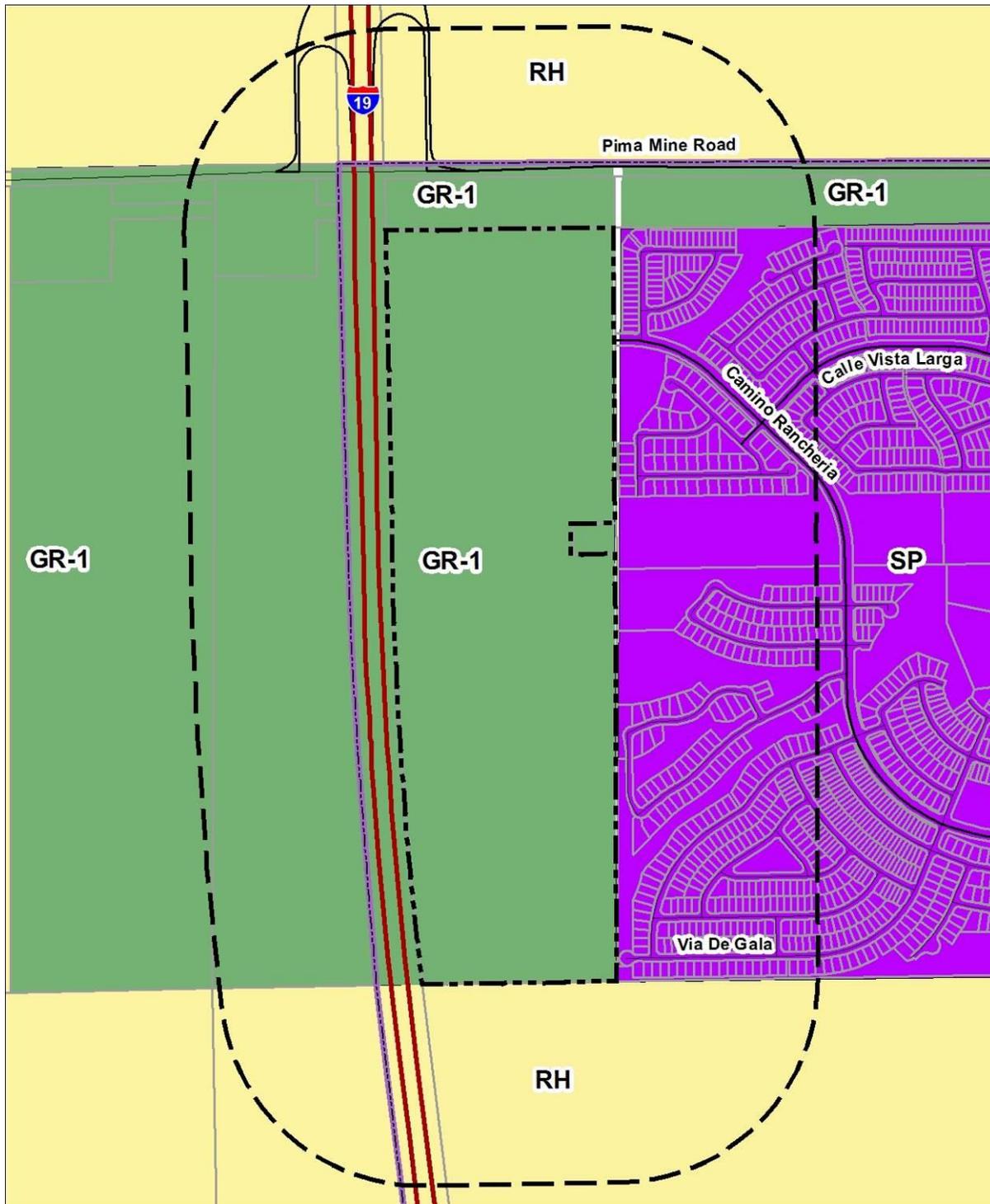
#### Off-Site Land Uses:

North: ASARCO - Union Pacific Railroad Spur Line  
 North of ASARCO - Pima Mine Road, San Xavier Indian Reservation Desert Diamond Casino, Overhead Electrical Utility Lines  
 East: Rancho Sahuarita Community - Single Family Residential, Overhead Electric Utility Lines  
 South: Arizona State Trust Land – Vacant  
 West: Interstate 19 and Associated Drainage Infrastructure, ASARCO Facilities

(*See Exhibit II.A.2.b: Existing Land Uses.*)

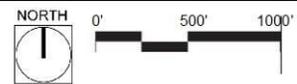


Exhibit II.A.2.a: Existing Zoning



LEGEND

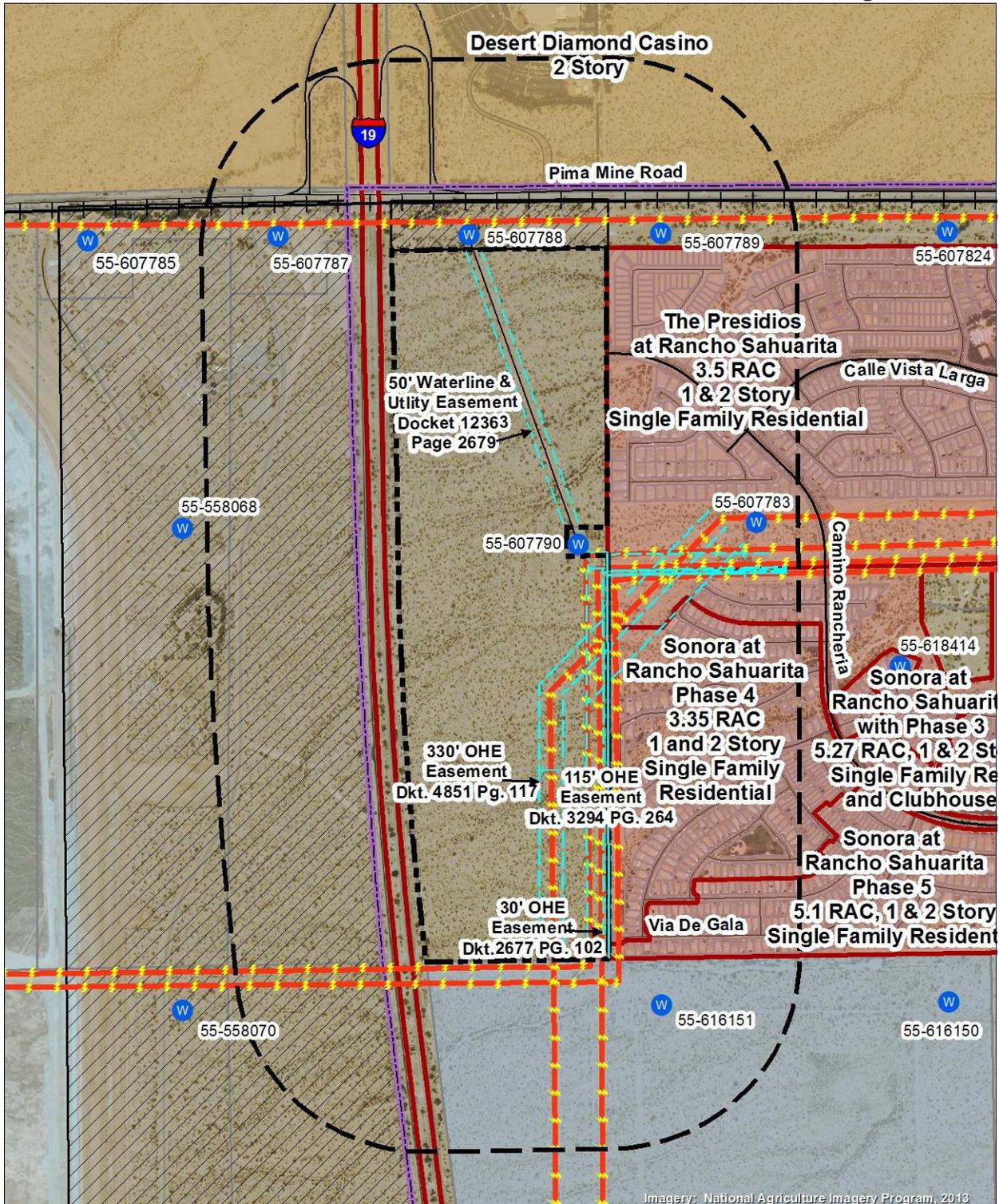
- |   |                           |   |                        |
|---|---------------------------|---|------------------------|
|  | Site Boundary             |  | RH Rural Homestead     |
|  | Quarter-Mile Radius       |  | GR-1 Rural Residential |
|  | Jurisdictional Boundaries |  | SP Specific Plan       |



FILE NAME: RPD-08\_zoning\_6x8.mxd  
SOURCE: Pima County GIS, 2014



Exhibit II.A.2.b: Existing Land Uses



LEGEND

- |                               |                               |
|-------------------------------|-------------------------------|
| Site Boundary                 | Quarter-Mile Radius           |
| San Xavier Indian Reservation | ASARCO LLC Property           |
| State Trust Land              | Electrical Transmission Lines |
| Jurisdictional Boundaries     | Railroad Tracks               |
| Subdivisions                  | Wells                         |



FILE NAME: RPD-08\_aerial\_6x8  
SOURCE: Pima County GIS, 2015



## B. Topography

The general topography of the site is relatively flat, sloping gently from the southwest to northeast, with only minor disturbance due to utility easements across the southeast portion of the property. The elevation ranges from approximately 2,760 feet in elevation near the northeast corner of the site to approximately 2,800 feet in elevation near the southwest corner of the site. There are two areas within the site that have greater than 15% slope. The areas are located along the western boundary of the site, and the increased slopes within those areas can be attributed to the drainage infrastructure associated with Interstate 19 (See *Exhibit II.B: Topography.*)

The predevelopment average cross slope is 3.6 percent, which is calculated as follows:

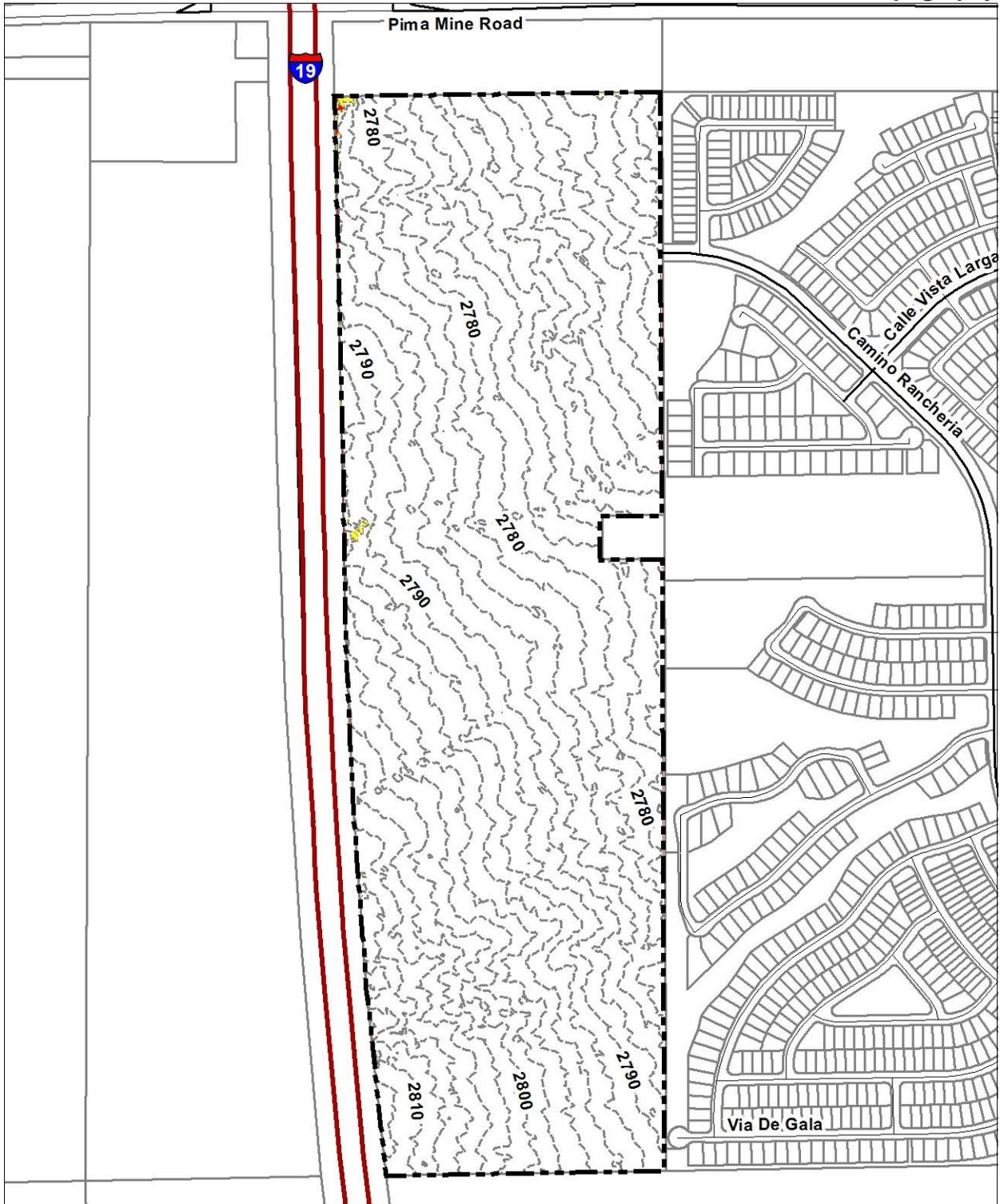
$$\text{Average cross-slope (X)} = \frac{[I \times L \times 0.0023]}{A} = \frac{[2 \times 125,185 \times 0.0023]}{160} = 3.6\%$$

Where:

I	= contour interval (2 feet)
L	= total length of contours (125,185)
0.00023	= conversion of "square feet" into "acres x 100"
A	= total site area in acres (160)
X	= 3.6%



Exhibit II.B: Topography



LEGEND

-  Site Boundary
-  Adjacent Parcels
-  2' Elevation Contours
-  15%-25% Slope
-  25% Slope or Greater

NORTH  
  
0' 350' 700'  
FILE NAME: RPD-08\_topography\_6x8.mxd  
SOURCE: Pima County GIS, 2014



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## C. Hydrology

### 1. Off-Site Watersheds

The perimeter of all off-site watersheds that affect or are affected by the project site are depicted on *Exhibit II.C.1: Off-Site Watershed Map*. Off-site watersheds extend west of the project site to the toe of the mine tailings located about 1600 feet west of I-19. All washes exit the site along the east property boundary. The area of the off-site watersheds affecting the site have been significantly reduced as a result of the mine tailings, which form the upstream limit of the watershed boundaries. The locations of existing drainage culverts beneath I-19 establish where flows from off-site watersheds enter the property. The watershed areas and 100-year peak discharge rates for all washes entering and exiting the project site are shown on *Exhibit II.C.1: Off-Site Watershed Map*.

### 2. Off-Site Natural or Man-Made Features

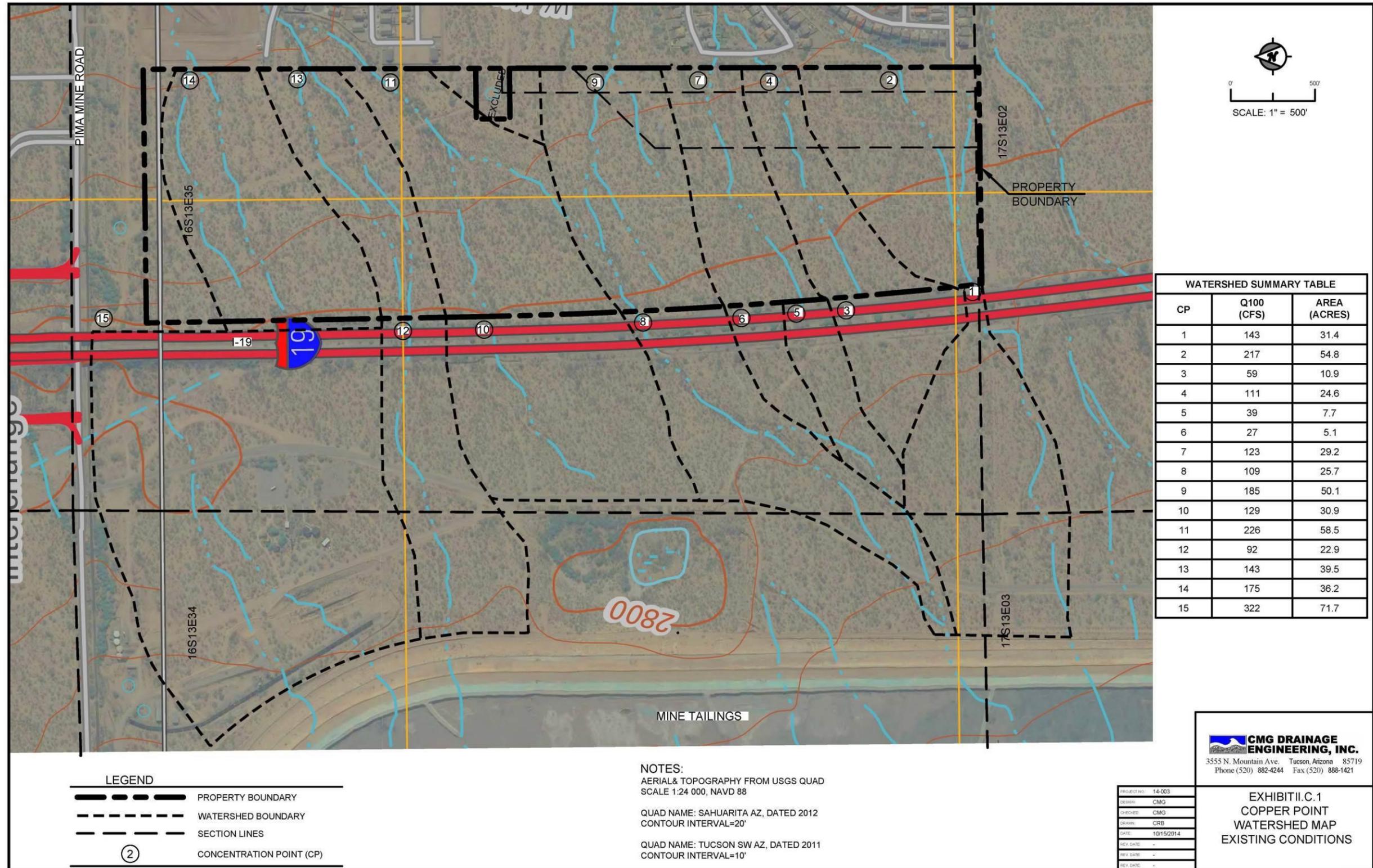
The area of the off-site watersheds affecting the site has been significantly reduced as a result of the mine tailings from the upstream limit of the watershed boundaries. The locations of existing drainage culverts beneath I-19 establish where flows from off-site watersheds enter the property. The only drainage infrastructure in the vicinity of the property are the culverts beneath I-19. The location of these culverts corresponds to the locations of the concentration points along I-19 shown on *Exhibit II.C.1: Off-Site Watershed Map*.

### 3. Off-Site Watersheds with 100-Year Discharges Greater than 100cfs

There are several small washes crossing the property associated with the off-site drainage. These washes are shallow and do not contain the 100-year return period flow. Drainage conditions associated with the off-site storm water can best be characterized as sheet flow with depths of 0.5- to 1.0-feet. Sheet flow affects most if not all of the property. There are no federally mapped floodplains on the project site. The property is mapped as Zone X on FEMA FIRM Panels #04019C2890L and #04019C3455L, effective June 16, 2011. 100-year storm event peak discharge rates for all points of concentration along the project boundaries were computed using PC-Hydro. The locations of the concentration points, drainage areas, and 100-year peak discharge rates are provided on *Exhibit II.C.1: Off-Site Watershed Map*.



Exhibit II.C.1: Off-Site Watershed Map



#### 4. On-Site Hydrology

##### a. 100-Year Floodplains

There are seven washes on the property which have 100-year discharge rates greater than 100 cfs at the downstream property boundary. The largest 100-year peak flow exiting the project is at concentration point #11 (226 cubic feet per second). Preliminary analyses found that none of the natural channels associated with these washes have adequate capacity to contain the 100-year discharge. As such, it has been assumed that the entire area of the property is subject to shallow sheet flow during the 100-year storm (*See Exhibit II.C.4: On-site Hydrology*).

##### b. Sheet Flooding Areas

Due to the lack of defined watercourses on the site, runoff will be sheet flow in nature with minimal flow depths.

##### c. Federally-Mapped Floodways and Floodplains

Per the Federal Emergency Management Agency's (FEMA) digital Federal Insurance Rate Map (FIRM) (Map Number 04019C3465L), effective June 16, 2011, the project site is located within a clear Zone X. FEMA defines this zone as areas outside of the 500-year flood (0.2% annual chance of flooding). Therefore, there are no federally mapped floodways or floodplains onsite.

##### d. Preliminary Jurisdictional Delineation (JD)

A preliminary JD was approved by the U.S. Army Corps of Engineers on April 10, 2012. A copy of the Preliminary JD is included under separate cover.

##### e. Peak Discharges

There are several small washes crossing the property associated with the off-site drainage. These washes are shallow and do not contain the 100-year return period flow. Sheet flow affects most, if not all, of the property (*See Exhibit II.C.4: On-site Hydrology*).

##### f. Riparian Habitat

The project site contains some washes that are mapped Xeroriparian Type C. The location of these riparian areas are shown on *Exhibit II.C.4: On-site Hydrology*. The boundary of the riparian areas shown in Exhibit II.C.4 were derived from the Pima County Map Guide.

##### g. Existing Drainage Structures

There are no existing drainage structures on the site.

##### h. Perennial Surface Water

There are no lakes, ponds, wetlands, springs or other sources of perennial surface water on the site.



**i. Erosion Hazard Setbacks**

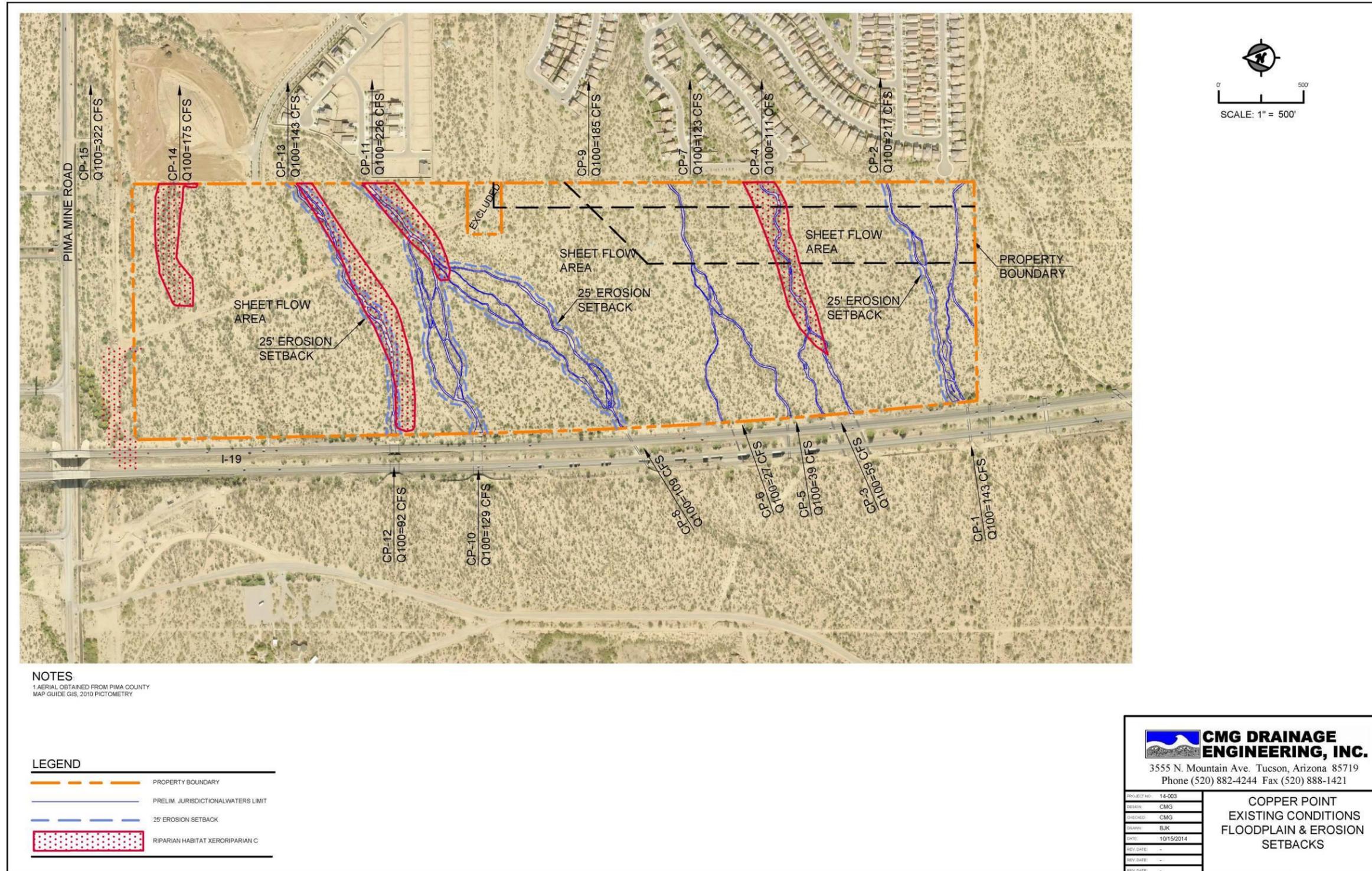
The largest 100-year peak flow exiting the project is at concentration point #11 (226 cubic feet per second). The erosion setback distance from the natural bank of this and all other washes having a 100-year peak discharge rate of 100 cfs or more is 25-feet.

**5. Existing Drainage Conditions along the Downstream Property Boundary**

Washes along the downstream boundary pass through the existing Rancho Sahuarita community in a natural condition. Natural open space corridors and/or constructed channels are provided through Rancho Sahuarita community for stormwater conveyance. These washes ultimately discharge to the Santa Cruz River.



Exhibit II.C.4: On-Site Hydrology



**NOTES**  
 1. AERIAL OBTAINED FROM PIMA COUNTY  
 MAP GUIDE GIS, 2010 PICTOMETRY

**LEGEND**

	PROPERTY BOUNDARY
	PRELIM. JURISDICTIONAL WATERS LIMIT
	25' EROSION SETBACK
	RIPARIAN HABITAT XERORIPARIAN C

<b>CMG DRAINAGE ENGINEERING, INC.</b>																	
3555 N. Mountain Ave. Tucson, Arizona 85719 Phone (520) 882-4244 Fax (520) 888-1421																	
<table border="1"> <tr><td>PROJECT NO:</td><td>14-003</td></tr> <tr><td>DESIGN:</td><td>CMG</td></tr> <tr><td>DRAWN:</td><td>CMG</td></tr> <tr><td>CHECKED:</td><td>BJR</td></tr> <tr><td>DATE:</td><td>10/15/2014</td></tr> <tr><td>REV. DATE:</td><td>-</td></tr> <tr><td>REV. DATE:</td><td>-</td></tr> <tr><td>REV. DATE:</td><td>-</td></tr> </table>	PROJECT NO:	14-003	DESIGN:	CMG	DRAWN:	CMG	CHECKED:	BJR	DATE:	10/15/2014	REV. DATE:	-	REV. DATE:	-	REV. DATE:	-	<p><b>COPPER POINT                  EXISTING CONDITIONS                  FLOODPLAIN &amp; EROSION                  SETBACKS</b></p>
PROJECT NO:	14-003																
DESIGN:	CMG																
DRAWN:	CMG																
CHECKED:	BJR																
DATE:	10/15/2014																
REV. DATE:	-																
REV. DATE:	-																
REV. DATE:	-																



## **D. Vegetation & Wildlife**

### **1. Environmentally Sensitive Lands**

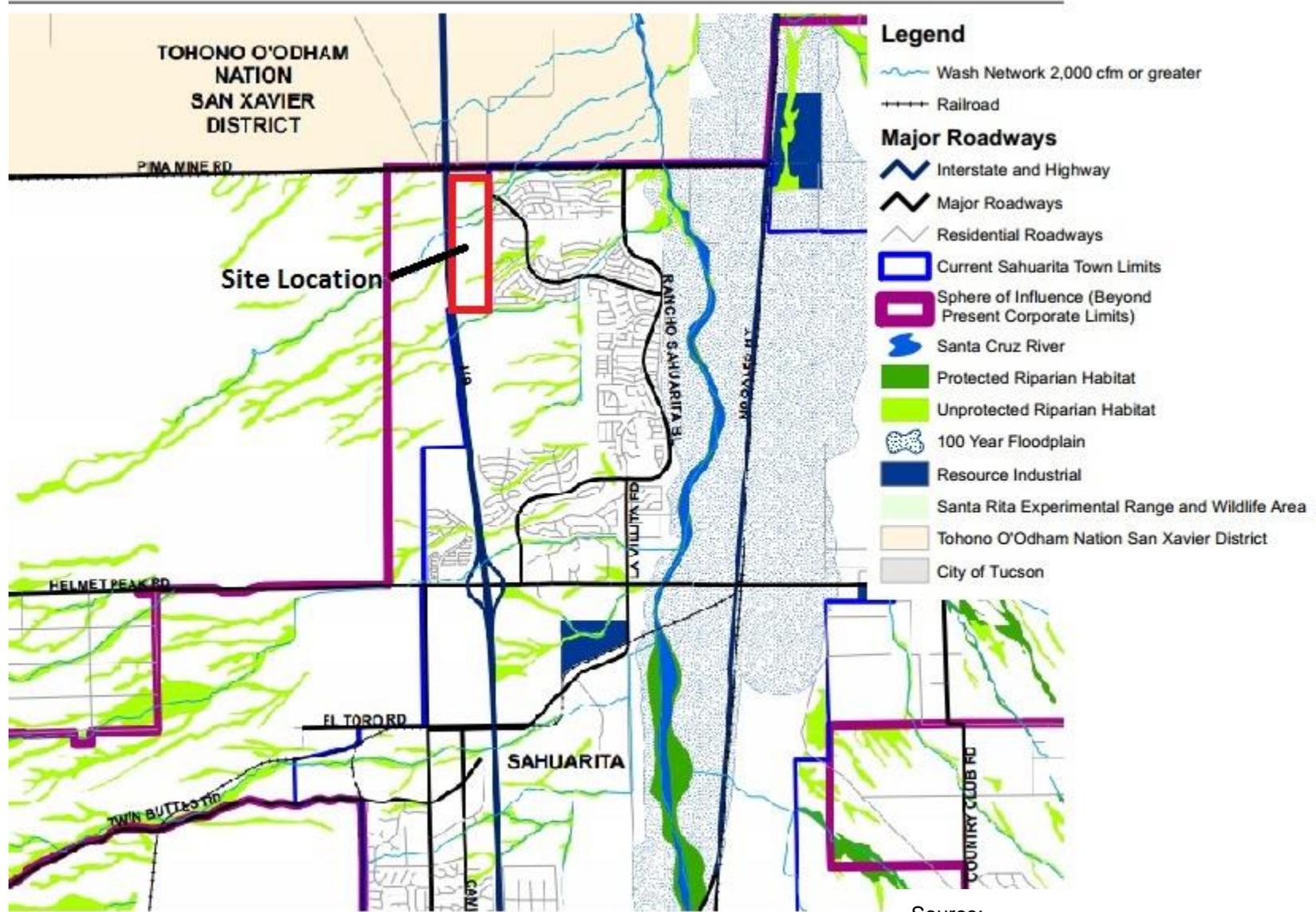
According to the Environmentally Sensitive Lands Map of the Town of Sahuarita General Plan, there are four areas of unprotected xeroriparian habitat within the site boundaries. There are two washes on the site that carry greater than 200 cubic feet per minute during peak runoff flows. (See *Exhibit II.D.1: ESL Map*)

### **2. Arizona Game & Fish Department**

Shown on *Exhibit II.D.2: AGFD On-line Reference*, the Arizona Game and Fish Department's Online Environmental Review Tool, indicates that there are three special status species that have been documented within a three-mile radius of the project area: Pima Pineapple Cactus, Western Narrow-mouthed Toad, and the Cave Myotis.



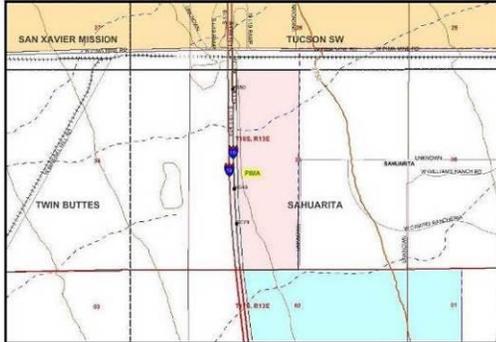
Exhibit II.D.1: ESL Map



Arizona's On-line Environmental Review Tool  
 Search ID: 20140430023227  
 Project Name: Copper Point  
 Date: 4/30/2014 9:38:42 AM

**Exhibit II.D.2: AGFD Online Reference**

**Project Location**



The Department appreciates the opportunity to provide in-depth comments and project review when additional information or environmental documentation becomes available.

**Special Status Species Occurrences/Critical Habitat/Tribal Lands within 3 miles of Project Vicinity:**

Name	Common Name	FWS	USFS	BLM	State
Bat Colony					
Coryphantha scheeri var. robustispina	Pima Pineapple Cactus	LE			HS
Gastrophryne olivacea	Western Narrow-mouthed Toad			S	WSC
Myotis velifer	Cave Myotis	SC		S	
San Xavier Indian Reservation	San Xavier Indian Reservation				

Project Name: Copper Point  
 Submitted By: Tim Craven  
 On behalf of: CONSULTING  
 Project Search ID: 20140430023227  
 Date: 4/30/2014 9:38:36 AM  
 Project Category: Development Within Municipalities (Urban Growth), Residential subdivision and associated infrastructure, New construction  
 Project Coordinates (UTM Zone 12-NAD 83): 501020.050, 3539710.958 meter  
 Project Area: 163.010 acres  
 Project Perimeter: 3824.625 meter  
 County: PIMA  
 USGS 7.5 Minute Quadrangle ID: 1839  
 Quadrangle Name: SAHUARITA  
 Project locality is currently being scoped

**Location Accuracy Disclaimer**

Project locations are assumed to be both precise and accurate for the purposes of environmental review. The creator/owner of the Project Review Receipt is solely responsible for the project location and thus the correctness of the Project Review Receipt content.



### 3. Vegetative Communities and Associations on the Site

The project site of approximately 160 acres is found within Major Land Resource Area 40 (MRLA 40) as described by the Soil Conservation Service. The site is relatively flat. The soil is a sandy loam. Two vegetation types have been identified on the site. The majority of the site vegetation can be described as a Paloverde-Bursage-Saguaro Vegetation Type. The other vegetation type is Mesquite-Acacia Riparian Vegetation (See *Exhibit II.D.3: Vegetation Communities/Densities*).

The predominant native landscape includes velvet mesquite, blue palo verde and foothill palo verde, and scattered shrubs including creosote and salt bush as well as numerous cacti which include excellent examples of saguaro, fishhook barrel and Santa Rita prickly pear. Plant density throughout most of the site is low to moderate. Small washes cross the property, flowing west to east. Vegetation density in these areas can be described as moderate. The riparian vegetation along these washes can be classified as Mesquite-Acacia Riparian Vegetation Type. This vegetation includes mesquite, white-thorn acacia, cat-claw acacia, desert hackberry, salt bush as well as numerous cacti. The site also includes significant patches of buffelgrass, an invasive non-native plant.

Although vegetation across the site is relatively sparse, the riparian areas contain vegetation that should be considered significant for habitat value. These areas are located along washes which cross the site, flowing west to east (short dimension of the site). These areas have historically served as wildlife corridors, however due to the interstate highway (I-19) which borders the property on the west and single family housing which borders the property on the east, it appears that the washes no longer serve as corridors but continues to provide localized habitat for small mammals and birds.

The site has been disturbed by an access road which runs north-south beneath high voltage electric transmission lines which are located in the southeastern part of the site. Vehicular access to the road is currently unrestricted. Smaller trails have been created by off-road vehicles. In some cases, these trails have been altered to include manmade hummocks. It appears that if this use continues over time, site vegetation will suffer as a consequence. In general the existing vegetation is in moderately good condition, but is in a state of decline. This decline is probably due to extended drought, vehicular traffic, isolation of the site from the native landscape to the west and east and alteration of the watershed by Interstate-19 and large scale mining activity to the west. The trees and shrubs are generally in decline, however many of the cacti are excellent specimens. Few young individuals are present, indicating the aforementioned decline in vegetative quality. As stated, many of the cacti on site are in moderately good to excellent condition. Good examples of Chainfruit Cholla, Santa Rita Prickly-pear, saguaro and fishhook barrel cactus can be found throughout the site. The cacti occur at moderate density.

The site vegetation was analyzed as follows:



**Paloverde, Bursage, Saguaro Vegetation Type.** This vegetation type occupies the majority of the site and includes palo verde, mesquite, bursage, burrobrush and a significant distribution of saguaros, barrel cactus and cholla. Few grass species are found but buffelgrass has established in numerous locations. Additional ground cover grass species include black gramma, fluff grass, and desert zinnia.



Paloverde- Bursage-Saguaro Vegetative Type

**Mesquite-Acacia Riparian Vegetation Type (on-site washes).** Mesquite, acacia, and palo verde dominate these areas, white thorn and catclaw acacia are present. In addition shrub and grasses species include desert hackberry, gray thorn lycium, Mormon tea and Bush muhly. These areas also provide localized wildlife habitat. These areas have been designated by this study as Areas of Significant Vegetation, many of which will remain undisturbed



Mesquite-Acacia Riparian Vegetation Type



This vegetative community represents the majority of the site. A sparse distribution of trees and shrubs typify the site. Cactus species are well represented, and include saguaro, prickly-pear, cholla, and barrel cactus. Mesquite is the dominant tree, but blue palo verde and foothill palo verde are also present throughout the site. Bursage, creosote, desert hackberry, salt bush and white thorn acacia characterize the shrubs present in this vegetative community.

### Existing Vegetation

#### Botanical Name

#### Common Name

#### Trees:

<i>Prosopis velutina</i>	Velvet Mesquite
<i>Cercidium microphyllum</i>	Foothill Palo Verde
<i>Cercidium floridum</i>	Blue Palo Verde

#### Shrubs/ground cover:

<i>Acacia constricta</i>	White Thorn Acacia
<i>Acacia greggii</i>	Catclaw Acacia
<i>Artemisia deltoidea</i>	Triangle leaf Bursage
<i>Atriplex canescens</i>	Four-wing Saltbush
<i>Celtis pallida</i>	Desert Hackberry
<i>Ephedra trifurca</i>	Mormon Tea
<i>Hymenoclea salsola</i>	Burrobrush
<i>Larrea tridentata</i>	Creosote
<i>Zizyphus obtusifolia</i>	Gray Thorn

#### Cacti:

<i>Carnegieia gigantea</i>	Saguaro
<i>Ferocactus wislizenii</i>	Fishhook Barrel
<i>Opuntia fulgida</i>	Jumping Cholla
<i>Opuntia versicolor</i>	Staghorn Cholla
<i>Opuntia violacea</i> "Santa Rita"	Purple Prickly-pear cactus
<i>Opuntia phaeacantha</i>	Engelmann's Prickly Pear

#### Grasses:

<i>Aristida sp.</i>	Three Awn
<i>Bouteloua sp.</i>	Gamma grass
<i>Erioneuron pulchellum</i>	Fluff Grass
<i>Muhlenbergia porteri</i>	Bush Muhly
<i>Cenchrus ciliaris</i>	Buffelgrass





Paloverde-Bursage-Saguaro Vegetation Type, note a few saguaros.



Grades are being altered by off-road vehicles



Small washes which flow west to east are flanked

The Mesquite-Acacia Riparian Vegetation type is located within wash areas throughout the entire site. The existing vegetation consists of more diverse and dense species than the majority of the site described above. Although the plant material is in relatively good condition, the sandy soil would preclude many salvage possibilities. These areas have been designated as Areas of Significant Vegetation, because of increased species diversity, quality of plant material and the importance of these areas as wildlife corridors to adjacent natural areas. Many of these areas have been designated to be preserved in place and if left natural will enhance the beauty of the site and provide a buffer to surrounding areas.

The vegetation in the wash areas can be described as being denser than the surrounding Paloverde Bursage Saguaro Vegetation Type. Major plant species are mesquite, white thorn acacia, catclaw acacia, blue palo verde, desert hackberry, lycium, saltbush, pencil cholla and native and non-native grass species.

**Existing Vegetation****Botanical Name****Common Name****Trees:**

<i>Acacia constricta</i>	White Thorn Acacia
<i>Acacia greggii</i>	Catclaw Acacia
<i>Cercidium microphyllum</i>	Foothill Palo Verde
<i>Cercidium floridum</i>	Blue Palo Verde
<i>Prosopis velutina</i>	Velvet Mesquite

**Shrubs/ground cover:**

<i>Acacia constricta</i>	White Thorn Acacia
<i>Acacia greggii</i>	Catclaw Acacia
<i>Celtis pallida</i>	Desert Hackberry
<i>Atriplex canescens</i>	Four-wing Saltbush
<i>Cucurbita digitata</i>	Fingerleaf Gourd
<i>Hymenoclea salsola</i>	Burrobush
<i>Zinnia pumila</i>	Desert Zinnia
<i>Zizyphus obtusifolia</i>	Gray Thorn

**Cacti:**

<i>Opuntia arbuscula</i>	Pencil Cholla
<i>Opuntia fulgida</i>	Jumping Cholla
<i>Opuntia versicolor</i>	Staghorn Cholla
<i>Opuntia violacea</i> "Santa Rita"	Purple Prickly-pear Cactus

**Grasses:**

<i>Bouteloua gracilis</i>	Blue Gramma
<i>Muhlenbergia porteri</i>	Bush Muhly
<i>Aristida Purpurea</i>	Three awn
<i>Cenchrus ciliaris</i>	Buffelgrass





Electrical Transmission Lines and Service Road



Buffelgrass, an invasive non-native plant, is found in numerous locations

#### 4. Significant Cacti and Groups of Trees and Federally-Listed Threatened or Endangered Species

No federally listed threatened or endangered species were encountered on this site in a preliminary survey. Many of the native plants found on-site, however are listed as protected by the State of Arizona. These plants include saguaros, mesquite trees, palo verde, as well as numerous shrubs.

The vegetation as described above is not considered significant, with the exception of the riparian areas which are of higher vegetative density and have habitat value for the indigenous fauna. These riparian areas act as wildlife habitat within the site. These areas, if preserved, also have the greatest potential for vegetative separation between varied land uses within the project.

In addition there are some significant individual saguaro cactus specimens, throughout the project area. Many of these specimens will be preserved, either in place or transplanted to new locations. Among these specimens is a crested saguaro.



Crested Saguaro located on the site.

#### 5. Vegetative Densities by Percentage of Plant Cover

Based on aerial photographs and on-site investigation, vegetative densities have been estimated. Densities are calculated by samples of areas of each vegetation type. Densities are based on visible tree and shrub density. Annual and perennial ground covers are not considered since their coverage varies, depending on climate and time of year. The vegetative densities for this project can be divided into two categories (based mainly on vegetative types). Low-Density Vegetation, occupying the majority of the site, mainly represented by the Paloverde-Bursage-Saguaro Vegetation type. This area of vegetation is very sparse with a



vegetative densities of 0 to 7% coverage.



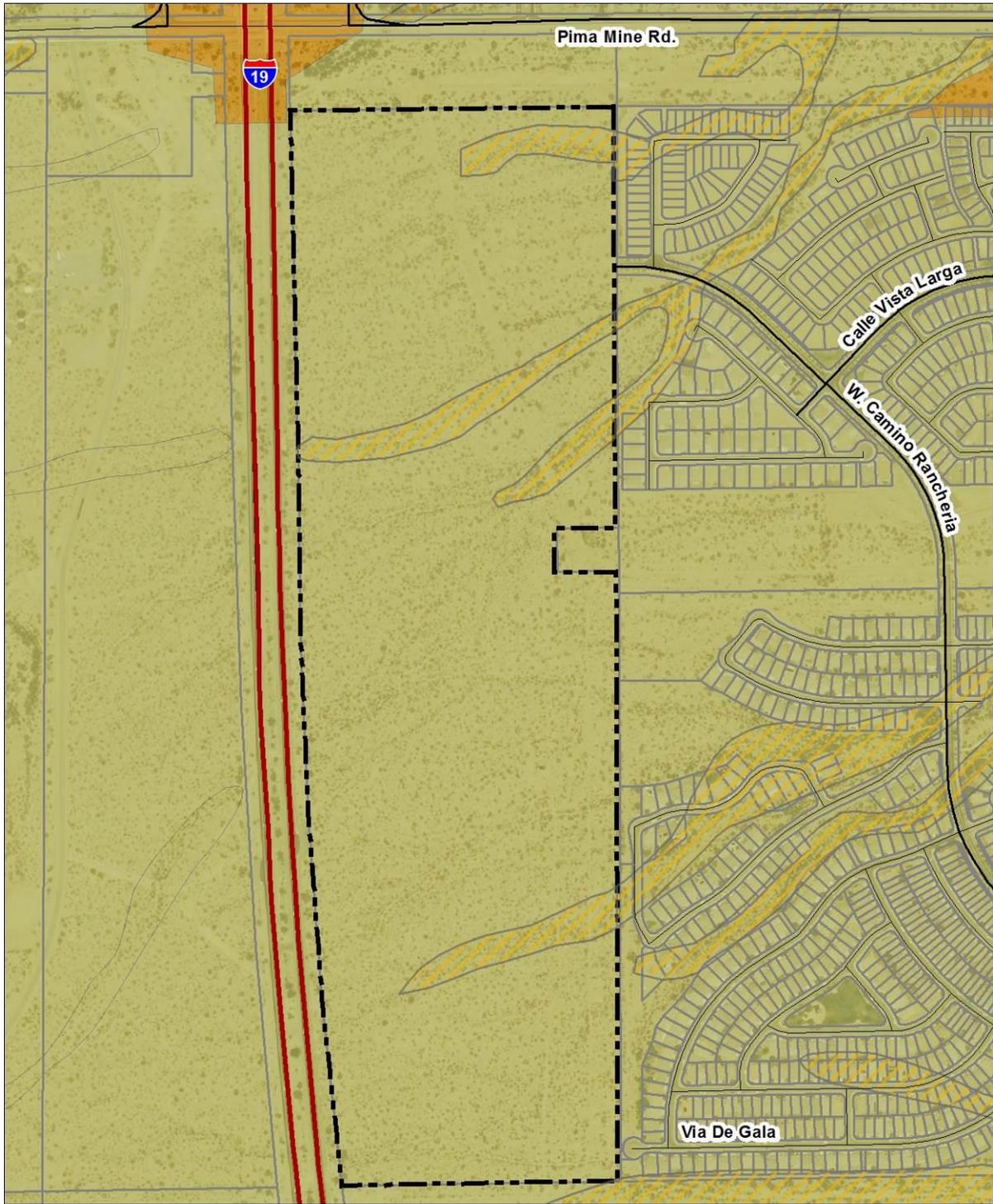
Low-Density Vegetation

Medium-Density Vegetation occupies the wash habitat and is comprised of the Mesquite-Acacia Riparian Vegetation Type. This area of vegetation has densities of 8 to 10% coverage.



Medium-Density Vegetation

Exhibit II.D.3: Vegetation Communities/Densities



LEGEND

-  Site Boundary
-  Agriculture / Developed / Water / Bare Ground
-  Paloverde-Bursage-Saguaro/  
Low-Density Vegetation Type

-  Mesquite-Acacia/Medium-Density Vegetation Type



FILE NAME: RPD-08 Vegetation\_6x8.mxd  
SOURCE: Pima County GIS, 2015



## E. Viewsheds

*Exhibit II.E.2: Site Photos* displays photographs taken from different angles along the boundaries of the site and internal to the site. The purpose is to show the existing state of the site as well as the existing uses surrounding the site. The approximate locations from which these photographs were taken are displayed on *Exhibit II.E.1: Photo Key Map*.

*Views along the north property line:* Views to the north from the property are dominated by the I-19 interchange, as well as the large entry monument at the Desert Diamonds Casino entrance on Pima Mine Road. Pima Mine Road runs east/west along the north property frontage. In addition, a Union Pacific Spur Line servicing the ASARCO Mission Mine Complex, located west of I-19, is located between Pima Mine Road and the north property line. Views to the south, across the property, include a landscape of Sonoran Desert scrub vegetation with distant views of overhead power structures to the southeast (see *Exhibit II.A.2.b: Existing Land Uses* and *Exhibit II.E.2: Site Photos*).

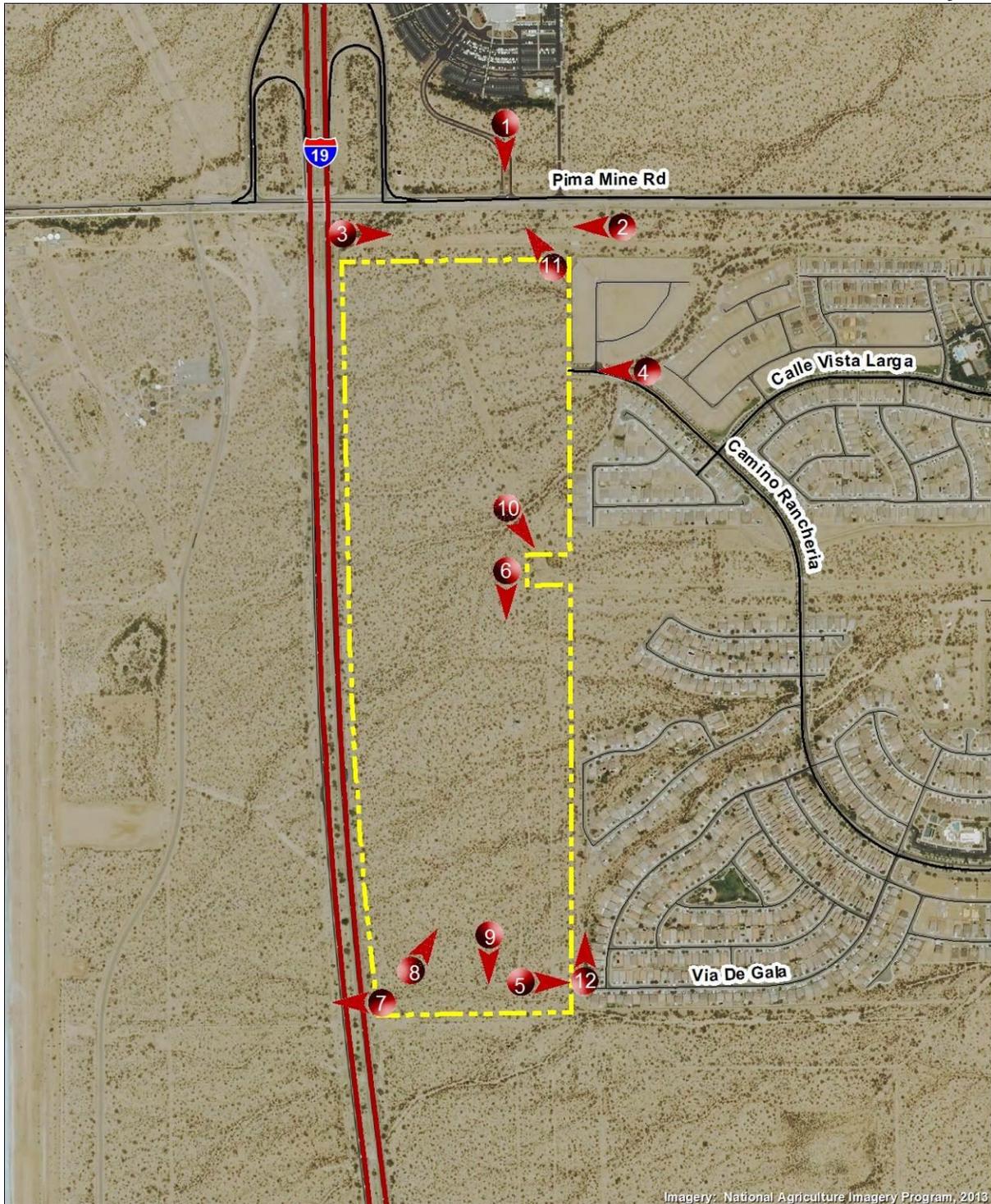
*Views along the east property line:* Views to the east from the property are occupied by single family detached homes within the Rancho Sahuarita community which abuts the property along its east property line. These existing homes are a mix of one and two story structures. Views to the west, across the property, include a landscape of Sonoran Desert scrub vegetation with distant views of the ASARCO Mission Mine tailings (see *Exhibit II.E.2: Site Photos*).

*Views along the south property line:* Views to the south from the property are of the vacant State Land parcel which is covered with Sonoran Desert scrub vegetation. The dominant feature looking south is of the very large overhead power structures running in a corridor that extends from this property southeast corner across the State Land property. This overhead electric power corridor is clearly identified in *Exhibit II.A.2.b: Existing Land Uses* and *Exhibit II.E.2: Site Photos*.

*Views along the west property line:* Views to the west from the west property line are dominated by the I-19 roadway. I-19 along the property is not elevated until it approaches Pima Mine Road near the northwest corner of the site. The I-19 traffic and noise are both visually and audibly noticeable from the western edge of the property. The ASARCO Mission Mine tailings are also visible from the west property line. Views to the east across the property are dominated by the existing Sonoran Desert scrub vegetation covering the site and the overhead electric power structures that cross the southeastern quadrant of the property (see *Exhibit II.A.2.b: Existing Land Uses* and *Exhibit II.E.2: Site Photos*).



Exhibit II.E.1: Photo Key Map



Imagery: National Agriculture Imagery Program, 2013

LEGEND

-  Site Boundary
-  Photo Location and Direction

NORTH



0' 500' 1000'

FILE NAME: RPD-08\_photopoints\_6x8.mxd  
SOURCE: Pima County GIS, 2014



**Exhibit II.E.2: Site Photos**



Photo 1: Off-site photo taken from the main entry to Desert Diamond Casino looking south across Pima Mine Road and the Union Pacific Rail Road Spur Line that fronts the north property line.



Photo 2: Looking west along the north property frontage at Pima Mine Road. The I-19 overpass at Pima Mine Road is in the upper right and ASARCO Mine tailings are in the upper left of the photo.



Photo 3: Looking east along the north property frontage at Pima Mine Road.



Photo 4: Looking west across the site from Camino Rancheria



Photo 5: Southeast corner of the property looking east towards Via De Gala.



Photo 6: Looking south across the southeast quadrant of the property at the existing overhead electric transmission lines.





Photo 7: Southwest corner of the property looking west across Interstate 19.



Photo 8: Southwest corner of property looking northeast across property.



Photo 9: Looking across the southern property line from the south central portion of the property.



Photo 10: Middle portion of the property looking southeast at the ASARCO well and infrastructure, and at the overhead transmission lines.



Photo 11: Taken from the north east corner of the property looking to the northwest at the entrance to Desert Diamond Casino.



Photo 12: Off-site photo looking north just outside the southeast corner of the property.



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## F. Utilities

### 1. Wastewater

The site lies within the Town of Sahuarita Designated Management Area and there are currently no wastewater facilities serving the property.

#### **Locations of Existing Public Sewers in Relation to the Project Site**

Currently public gravity sewer conveyance systems exist adjacent to the east boundary of this project within the Rancho Sahuarita community. These public sewer conveyance systems are owned, operated and maintained by the Town of Sahuarita as is the subsequent treatment facility of the conveyed wastewater flows. Connection to the existing Sahuarita public sewer system requires approval by the majority of votes cast in an expansion election.

### 2. Water

There are currently no water utilities serving this property.

### 3. Private utilities

Electricity, natural gas, telecommunications and cable services will be extended to the project site at the time of development through agreements with individual utility companies.

#### **a. Electric**

The site lies within the Tucson Electric Power Company Service area.

#### **b. Communication**

CenturyLink, Comcast and Cox Communications all provide service within the surrounding area.

#### **c. Natural Gas**

The site lies within the Southwest Gas Service area.

### 4. ASARCO Waterline and Utility Easement

A 50-foot wide waterline and utility easement traverses the north end of the site. The easement consists of a waterline connecting to an existing ASARCO wellsite, registry ID 55-607790, located adjacent to the eastern property boundary. The ASARCO well is non-exempt with a depth of 835 feet, casing depth of 812 feet and a case diameter of 30 inches. An agreement between the subject property owner and Trust 60,141 (Copper Point Master Developer) and ASARCO, Docket 12363, Page 2679 dated August 11, 2004 grants a perpetual, appurtenant easement to ASARCO ("Water Facilities Easement") solely for the purposes of constructing, installing, maintaining, replacing and operating upon, underground water pipelines, underground power lines, improvements and facilities in connection with the operation of water wells located on the adjacent ASARCO property including ingress and egress to and from the waterline and utility easement. In accordance with the agreement, no improvements are permitted over or under the Water Facilities Easement Area. However, the Copper Point subject property owner has the right to relocate the waterline facilities



together with the Water Facilities Easement Area. See Waterline and Utility Easement Agreement, Docket 12363, Page 2679 submitted under separate cover.

#### **5. Tucson Electric Power/Southwest Transmission Cooperative Easement**

The southeast portion of the property consists of a 485-foot wide easement with a 345 KV electrical transmission line, two double circuit 46 KV electrical transmission lines and a 138 KV distribution line owned by Southwest Transmission Cooperative (SWTC) and Tucson Electric Power (TEP). SWTC owns 24.9% of the lines with TEP. Current access to this easement is taken from the east along the TEP/SWTC easement located within the Rancho Sahuarita community. No permanent structures are permitted within the easement.

### **G. Cultural Resources**

#### **1. Arizona State Museum Letter**

According to a search of the archaeological site files and records retained at the Arizona State Museum (ASM), the proposed project area was entirely surveyed for historic properties in 2004 (See *Exhibit II.G.1: Arizona State Museum Letter*). Twenty-three additional archaeological inspections were completed within a mile radius of the project area between 1964 and 2008. No historic properties are identified in the project area. Five archaeological properties are identified within a 1-mile radius of the project area. A color ortho-photograph taken of the proposed project area in 2012, enclosed, depicts what looks to be an unmodified ground surface.



## Exhibit II.G.1: Arizona State Museum Letter



Arizona State Museum

P.O. Box 210026  
Tucson, AZ 85721-0026  
Tel: (520) 621-6302  
Fax: (520) 621-2976

## ARCHAEOLOGICAL SITE RECORDS SEARCH RESULTS

E-mail Request Received: 4/8/2014

Search Completed: 5/6/2014

**Requester Name and Title:** Steve Hagedorn, Project Manager / Planner, RLA  
**Company:** The Planning Center  
**Address:** 110 South Church, Suite 6320  
**City, State, Zip Code:** Tucson, AZ 85701  
**Phone/FAX/or E-mail:** 623.6146

**Project Name and/or Number**  
Rezoning / Parcel 303-08-002J

**Project Description**  
Develop about 160 acres

**Project Area Location:** 1000 W Pima Mine Rd / SEC of I-19 & Pima Mine Rd, Town of Sahuarita, Pima County, Arizona.

**Legal Description:** a portion of the W½, S35, T16S, R13E, G&SR B&M, Town of Sahuarita, Pima County, Arizona.

**Search Results:** According to a search of the archaeological site files and records retained at the Arizona State Museum (ASM), the proposed project area was entirely surveyed for historic properties in 2004. Twenty-three additional archaeological inspections were completed within a mile radius of the project area between 1964 and 2008. No historic properties are identified in the project area. Five archaeological properties are identified within a 1-mile radius of the project area. A color orthophotograph taken of the proposed project area in 2012, enclosed, depicts what looks to be an unmodified ground surface.

**Sites in Project Area:** None are recorded.

**Recommendations:** The proposed project area was intensively inspected for historic properties in 2004 with no significant properties identified. The archaeological firm summarized its work at that time and made the recommendation that no additional archaeological work would be required in the project area and development could proceed as planned. Staff at the ASM is in agreement with the recommendation made in the 2004 report and requires no additional archaeological research concerning the subject parcel.

Although it is unlikely, it is possible that previously buried cultural material or features could be uncovered during the proposed project. In that unlikely event, TPC will need to cease work in the project area and consult with a qualified contractor whose name is maintained on a list posted on the ASM website at the following address: <http://www.statemuseum.arizona.edu/crservices/permits/index.shtml>.

Pursuant to *Arizona Revised Statutes* §41-865 *et seq.*, if any human remains or funerary objects are discovered during your project work, all work will stop within the area of the remains and Dr. Todd Pitezel, ASM assistant curator of archaeology, will be contacted immediately at (520) 621-4795.

If you have any questions about the results of this records search, please contact me at the letterhead address or the phone number or e-mail address as follows.

Sincerely,

Nancy E. Pearson  
Assistant Permits Administrator  
(520) 621-2096  
[nepearso@email.arizona.edu](mailto:nepearso@email.arizona.edu)



## H. Transportation

The subject property is located near the southeast corner of Pima Mine Road and the I-19/Pima Mine Road traffic interchange (TI). The site is bounded to the north by a ±11.38 acre parcel of land owned by ASARCO LLC, to the east by Rancho Sahuarita community, to the south is vacant land owned by the Arizona State Land Department and the west by Interstate 19.

The property to the north consists of an east/west Union Pacific Railroad spur line. Currently, the ASARCO property does not consist of a railroad crossing that permits access to Pima Mine Road from the Copper Point property. Future access across this spur line will require a public railroad crossing agreement application to be submitted to Union Pacific Railroad which will ultimately be approved by the Arizona Corporation Commission.

A recorded access easement (Pima County Docket 12363, Page 2656) by and between ASARCO Incorporated and the property owner has been submitted under separate cover granting the Copper Point property two future ingress/egress locations across the ASARCO property between the Copper Point property and Pima Mine Road.

The site is bounded on the east by Rancho Sahuarita community. The adjacent Rancho Sahuarita community currently consists of a 1-foot no access easement along this adjoining boundary with the exception for a connection point at Camino Rancheria, a public roadway. In accordance with the Town of Sahuarita Major Street and Routes Plan, Camino Rancheria is classified as a 3-lane Urban Collector with a 100-foot right-of-way. The cross section consists of two 11 to 12-foot travel lanes, a 12-foot two-way left turn lane, 6-foot bike lanes, 0.5-inch vertical curb, 6-foot sidewalks/pedestrian path, variable sized utility easements in each direction.

The site is bounded on the south by vacant land owned by Arizona State Land Department. If the State land to the south develops at some point in time, Copper Point provides for future connectivity to Pima Mine Road.

Pima Mine Road is designated as a Regional Arterial within the Town of Sahuarita according to the draft Town of Sahuarita Major Streets and Routes Plan Policy Manual slated for Council adoption in 2015. Pima Mine Road is also designated as a minor arterial by the Federal Highway Administration (FHWA). I-19 is designated as an Interstate Highway by the Arizona Department of Transportation (ADOT). Sahuarita Road is designated as a Regional Arterial roadway within the Town of Sahuarita and those portions of the roadway located outside of Sahuarita's jurisdictional boundaries, it is also designated as a Scenic Major Route on the MSRRP. Rancho Sahuarita Boulevard is designated as a major collector roadway by the Town of Sahuarita. Other roads and the required features are provided in *Table II.H.1.a: Surrounding Roadways*.



**Table II.H.1.a: Surrounding Roadways**

Street Name	From	To	Average Daily Trip (ADT) Volume	Data Source	Data Year	2014 ADT*	R/W Width	Travel Lanes	Daily Capacity (vpd)***	Speed Limit	Bike Facilities****	Pedestrian Facilities
Pima Mine Road	I-19	Rancho Sahuarita	10,900	PAG	2018**	10,900	95'	2	15,930	55	Bike Route with Striped Shoulder (Planned)	
Pima Mine Road	Rancho Sahuarita	Nogales Highway	6,069	PAG	2010	6,555	95'	2	15,930	55	Bike Route with Striped Shoulder east of subject property (Existing)/Bike Route with Striped Shoulder along subject property (Planned)	
Sahuarita Road	I-19	Nogales Highway	7,836	PAG	2010	8,463	150'-200'	4	29,160	35	Bike Route with Striped Shoulder	Sidewalks
I-19	Sahuarita Road	Pima Mine Road	33,428	ADOT	2012	34,765	300'	4	74,400	75	None	
I-19	Pima Mine Road	Papago Road	36,531	ADOT	2012	37,992	300'	4	74,400	75	None	
Rancho Sahuarita Boulevard	Sahuarita Road	Pima Mine Road	12,120	PAG	2018**	12,120	150'-180'	2	13,320	30	Bike Route with Striped Shoulder	Shared Use Path
Nogales Highway	Sahuarita Road	Pima Mine Road	7,480	PAG	2010	8,078	150'-160'	2	15,930	45	Bike Route with Striped Shoulder	
		Pima Mine Road Hughes Access Road	11,500	PAG	2010	12,420	115'-135'	2	15,930	45	Bike Route with Striped Shoulder	
La Canada Drive	Duval Mine Road	Sahuarita Road	6,189	PAG	2010	6,684	150'	2	15,930	45	Bike Route with Striped Shoulder	Sidewalks
La Villita	Sahuarita Road	North of Sahuarita	5,405	PAG	2011	5,729	50'-100'	2	13,320	35	Key Connecting Street	Shared Use Path
Helmet Peak Road	La Canada Drive	Mission Road	1,889	PAG	2010	2,040	150'	2	15,930	45	Key Connecting Street	

\*2014 ADT assumes 2%/year increase from ADT under Data Year.

\*\*2014 Volumes Estimated from 2018 TIP Forecasts.

\*\*\*LOS D Capacities from Florida DOT 2012 Level of Service Handbook Tables.

\*\*\*\* Designations from the Tucson Bike Map



## 1. Existing & Proposed Off-site Streets

### a. Existing Rights-of-Way (Main Roads)

The existing right-of-way on Pima Mine Road is 100' with a 50'-50' one-half right-of-way width on the south side of the centerline (i.e. along the subject property's Pima Mine Road frontage). The existing right-of-way in place on I-19 is 300' in the vicinity of the project. The existing right-of-way on Rancho Sahuarita Boulevard varies between 150' and 180'. The existing right-of-way on Sahuarita Road also varies between 150' and 200' in the vicinity of the project.

### b. Compliance with Town of Sahuarita Width Standards

The Town is developing a Major Streets and Routes Plan (MSRP) which will define right-of-way widths for major roadways within the Town. .

### c. Travel Lanes, Capacity, etc.

Pima Mine Road is a two-lane, uncurbed roadway. East of the subject property, Pima Mine Road has striped shoulders that function as bike lanes, however, there are no existing bus routes or sidewalks on Pima Mine Road. West of I-19, Pima Mine Road provides access to the ASARCO Mine Operations. The posted speed limit is 55 MPH. The capacity of a two-lane arterial is about 15,930 vehicles per day (vpd), applying FDOT 2012 Level of Service Guidelines.

Rancho Sahuarita Boulevard is a four-lane divided, curbed roadway with bike lanes and sidewalks or walking paths on either side of the road near its intersection with Pima Mine Road. The posted speed limit is 30 mph. The capacity of the roadway is approximately 13,320 vpd. Further south, it transitions to an undivided two-lane roadway. The roadway serves north-south traffic through the Rancho Sahuarita community

Interstate 19 is an Interstate Highway, running from the US border in Nogales, Arizona to its interchange with Interstate 10 in Tucson, Arizona. It is approximately 60 miles long. In the vicinity of the project, it is a four-lane facility with a posted speed limit of 75 mph, and is classified as a Rural Principal Arterial by FHWA.

Camino Rancheria is a three-lane urban collector with two 11 to 12-foot travel lanes, a 12-foot two-way left turn lane, 6-foot bike lanes, 0.5-inch vertical curb, 6-foot sidewalks/pedestrian path, variable sized utility easements in each direction. The posted speed limit is 35 mph.

### d. Existing Bicycle & Pedestrian Ways

There are existing bike routes on Rancho Sahuarita Boulevard, Sahuarita Road and other project roadways in the vicinity of the project as indicated in *Table II.H.1.a: Surrounding Roadways*. East of the subject property, existing Pima Mine Road has striped shoulders that function as bike lanes. There are no existing sidewalks on Pima Mine Road.



**e. Planned Roadway Improvement Schedules**

The Regional Transportation Plan (RTP) from the Pima Association of Governments (PAG) identifies planned roadway projects. PAG's RTP is a 20-year plan that attempts to anticipate regional growth. The RTP indicates that road improvements are planned to widen Pima Mine Road from Interstate 19 to Nogales Highway from two-lanes to four-lanes. Nogales Highway is planned for widening from Interstate 19 to Old Nogales Highway from four-lanes to six-lanes. The RTP does not include a short-term implementation plan for the widening of these roadways.

Nearby planned public roadway improvements include a reconstruction of the bridge over the Santa Cruz River on Pima Mine Road projected for completion by fall of 2016.

Minor street and Project access improvements on Pima Mine Road will be made in conjunction with as part of the proposed Copper Point subject project to facilitate safe and proper access to and from the site. Off-site Road Improvements will include, but may not be limited to, a new public at-grade crossing of the UPPR Asarco Spur on Site Spine Road, extension of Camino Rancheria, and extension of Avenida Mitla.

**f. I-19/Pima Mine Road Traffic Interchange**

The I-19/Pima Mine Road Traffic Interchange is an unsignalized hybrid traffic interchange. Its configuration resembles a tight diamond, but with all ramps on the north side of Pima Mine Road, similar to a partial cloverleaf, or "parclo" TI. The current design of the interchange has been determined by Arizona Department of Transportation (ADOT) to be outdated; that is, the geometric design of the ramps is not currently up to ADOT roadway design standards. ADOT has - no current plans in the 2015-2019 5-Year Transportation Facilities Construction Program for improving the TI, and thus no schedule for the I-19/Pima Mine Road TI reconstruction beyond what is shown in 2040 PAG RTP (2020-2030) (*See Exhibit II.H.2: Adjacent Driveways and Street Intersections.*)

ADOT recently completed a Project Assessment for the I-19/Pima Mine Road TI that considers seven alternative TI configurations to reconstruct the TI to current design standards. At least one of these alternatives relocates the ramp intersection on Pima Mine Road closer to the proposed project entrance. This would reduce the potential signal spacing between the project intersection and the relocated I-19 future ramp intersection.

**g. Desert Diamond Casino Entrance**

The proposed entrance to the project on Pima Mine Road is opposite the main entrance to the Desert Diamond Casino. The project entrance will create a four-leg intersection. This intersection will be analyzed in the TIS for this project, with mitigation recommendations provided in that document.

**h. Aerospace Corridor**

Pima County is promoting the construction of an auxiliary interstate highway, known as the "Sonoran Corridor", to connect I-19 to I-10 from the I-19/Pima Mine Road TI to the Technology Parks located east of Kolb Road on I-10. The Aerospace Parkway is being promoted by Pima County as a critical and valuable economic development project. As of



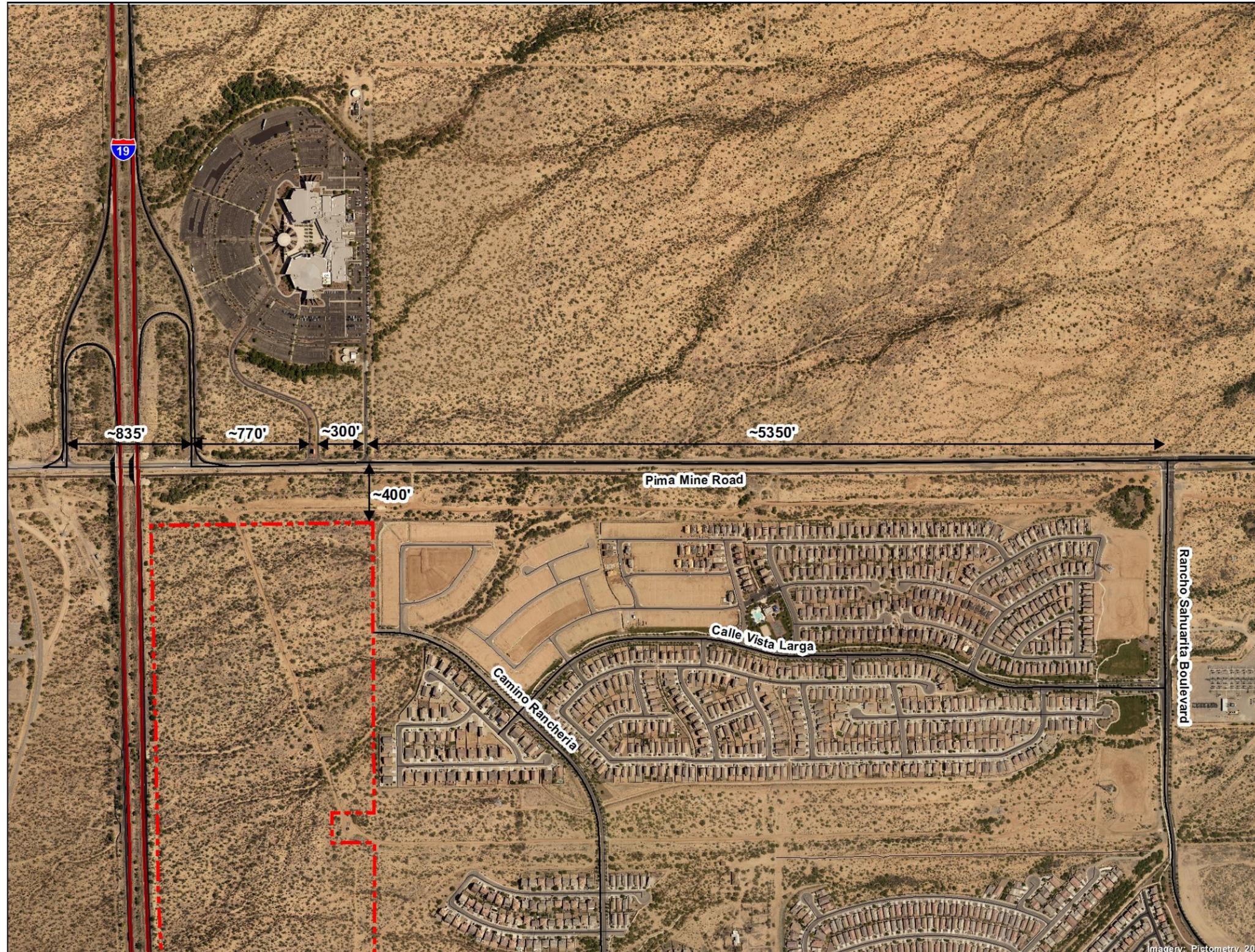
March 20, 2015, the ADOT Transportation Board considered a PAG resolution in support of the Sonoran Corridor as an addition to the State Highway System. There is currently no timeline for this project. If and when the Aerospace Corridor (Sonoran Corridor) is implemented, Pima Mine Road is intended to remain a local access road with connectivity to Interstate-19 and/or the Aerospace Corridor.

**i. Distances from Site to Existing Nearby Driveways & Intersections**

Nearby private driveways and street intersections in the vicinity of the subject property have been illustrated on *Exhibit II.H.2: Adjacent Driveways & Street Intersections*.



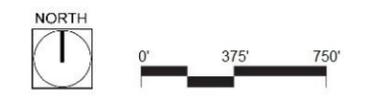
Exhibit II.H.2: Adjacent Driveways and Street Intersections



LEGEND

Site Boundary

Roads



FILE NAME: RPD-08\_Adjacent\_Driveways.mxd  
SOURCE: Pima County GIS, 2015



## 2. Existing & Planned Transit Routes / Bicycle Routes

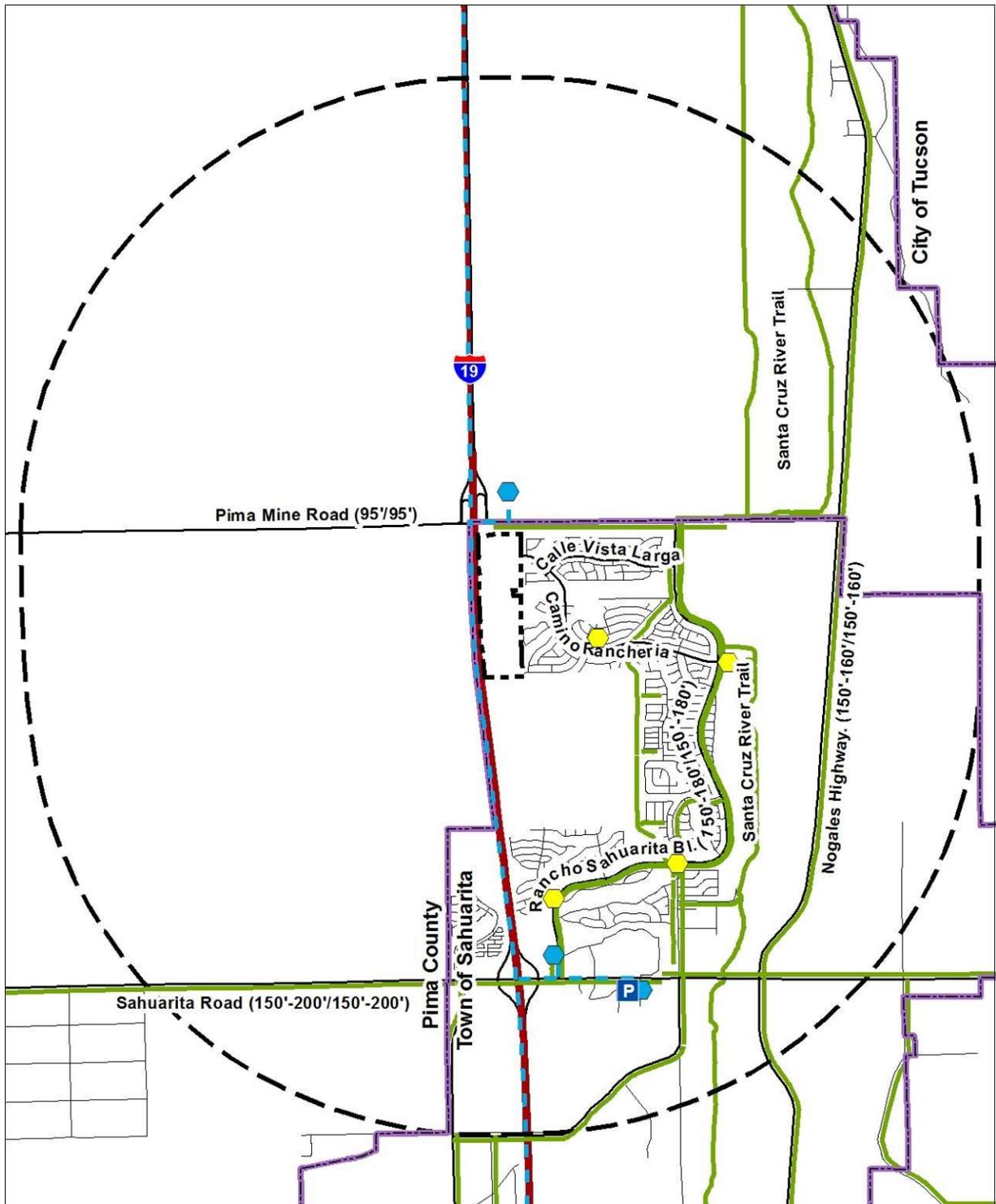
As shown on *Exhibit II.H.3*, Sun Shuttle currently operates Route 421, Green Valley/Sahuarita-Tucson Connector Monday through Saturday. This route travels from the Ronstadt Transit Center in Downtown Tucson to La Posada on Continental Road in Green Valley with varying headways during the day. It has regular stops at the Desert Diamond Casino, on the north side of Pima Mine Road, Rancho Sahuarita Marketplace at Sahuarita Road and Rancho Sahuarita Boulevard and Sahuarita Town Hall on the north side of Sahuarita Road

Sun Shuttle provides dial-a-ride service for passenger convenience in the Green Valley / Sahuarita area. All dial-a-ride service trips require a reservation one to seven days in advance. As shown on *Exhibit II.H.3*, there are four dial-a-ride stops within the Rancho Sahuarita community.

There are no other existing or planned transit routes within the vicinity of the project. Bicycle routes with striped shoulders exist along Pima Mine Road, Sahuarita Road, Rancho Sahuarita Boulevard and Nogales Highway. New bike lane/shoulder improvements are planned for Pima Mine Road and along the Santa Cruz River Trail (*See Exhibit II.H.3: Roadways.*)

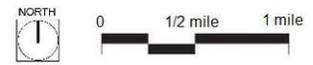


Exhibit II.H.3: Roadways



LEGEND

- |               |                   |                           |
|---------------|-------------------|---------------------------|
| Site Boundary | Sun Shuttle Stops | Bicycle Routes            |
| 3-Mile Radius | Dial-A-Ride Stops | Sun Shuttle Routes        |
|               | Park & Ride Lots  | Jurisdictional Boundaries |
|               |                   | Interstate 19             |
- (95'/95') Existing/Future ROW



FILE NAME: RPD-08\_roadways\_6x8.mxd  
SOURCE: Pima County GIS, 2015



## **I. Community Facilities**

### **1. Fire and Police Stations**

The property is served by the Rural Metro Fire Department. Rural Metro provides subscription based fire service supported by annual membership fees. There are two fire stations located in proximity to the subject property. The closest RMFD station is Station No. 82 located approximately ½ mile south of Calle Vista Larga along Rancho Sahuarita Boulevard. Station #79 is located south of Sahuarita Road near I-19.

The nearest police station is located at 315 W. Sahuarita Center Way, near the Sahuarita Town Hall, and just south of Sahuarita Road.

### **2. Wastewater Reclamation Facility & Street Maintenance Yard**

The Sahuarita Wastewater Reclamation Facility & Sahuarita Streets Maintenance Yard is co-located along Rancho Sahuarita Boulevard north of Camino Rancheria and west of Rancho Sahuarita Boulevard. The Reclamation Facility is a public wastewater facility.

### **3. Hospitals**

There are no hospitals within one mile of the project site. The nearest public hospital is the University Physicians Hospital at 2800 E. Ajo Way, and is located approximately 18 miles from the project site.

### **4. Schools**

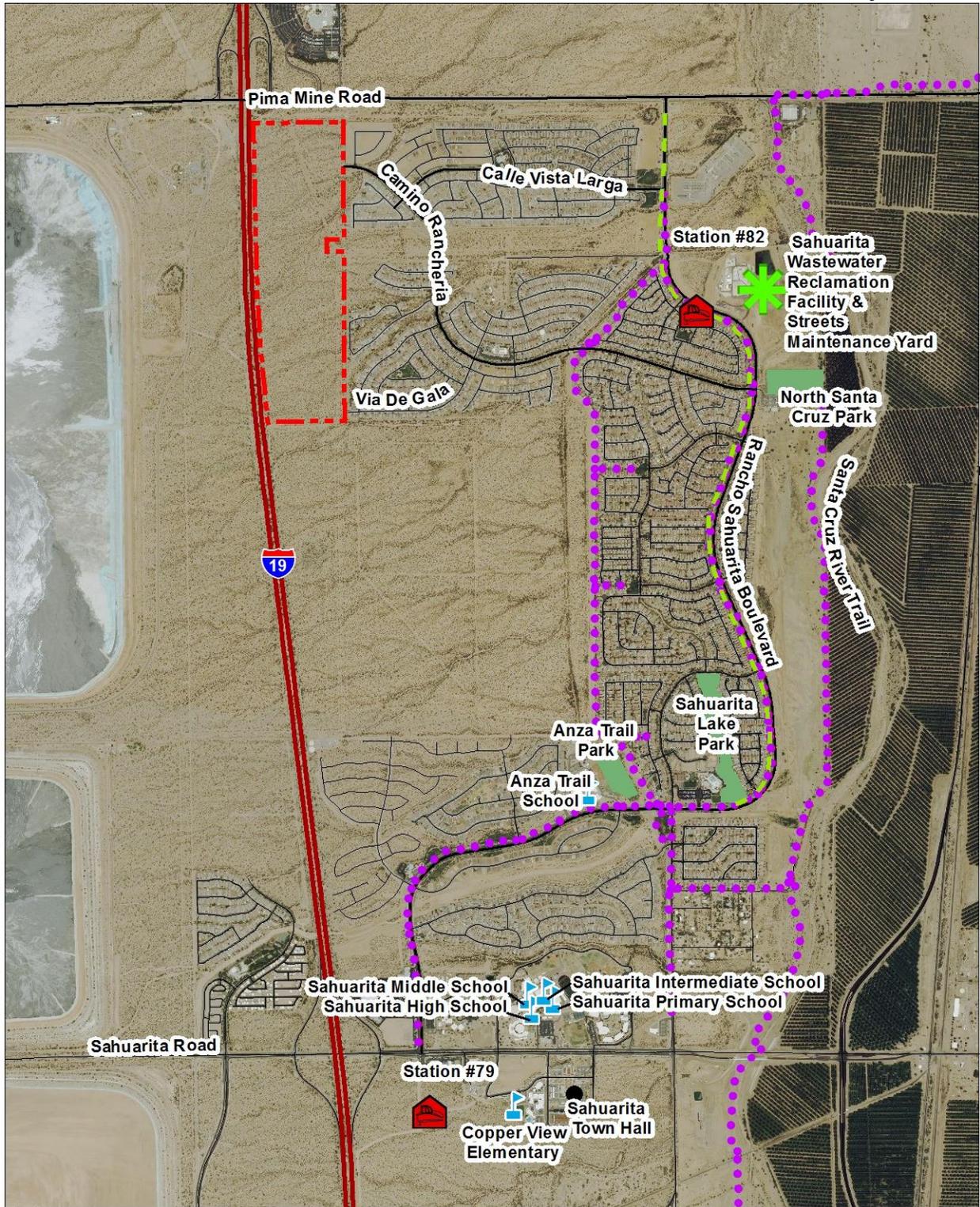
The site is located within the Sahuarita Unified School District. Anza Trail K-8 School is located within 1.5 miles of the project site. Sahuarita Early Childhood Center, Primary School, Middle School, Intermediate School, and High School are all located at 350 W. Sahuarita Road, approximately 2 miles from the project site.

### **5. Parks, Recreation Areas and Public Trails**

There are three public parks located within 1.5 miles of the project site. A local area trail segment as identified in the Town of Sahuarita general Plan is located along Rancho Sahuarita Boulevard and a portion of the Santa Cruz River trail also passes within 1.5 miles of the project site (*See Exhibit II.1: Community Facilities.*)



Exhibit II.I: Community Facilities



LEGEND

- Site Boundary
- Public Parks
- Fire Stations
- Schools
- Santa Cruz River Trail
- Local Area Trail Segment
- ★ Sahuarita Wastewater Reclamation Facility & Streets Maintenance Yard
- Sahuarita Town Hall



FILE NAME: RPD-08\_facilities.mxd  
SOURCE: Pima County GIS, 2014



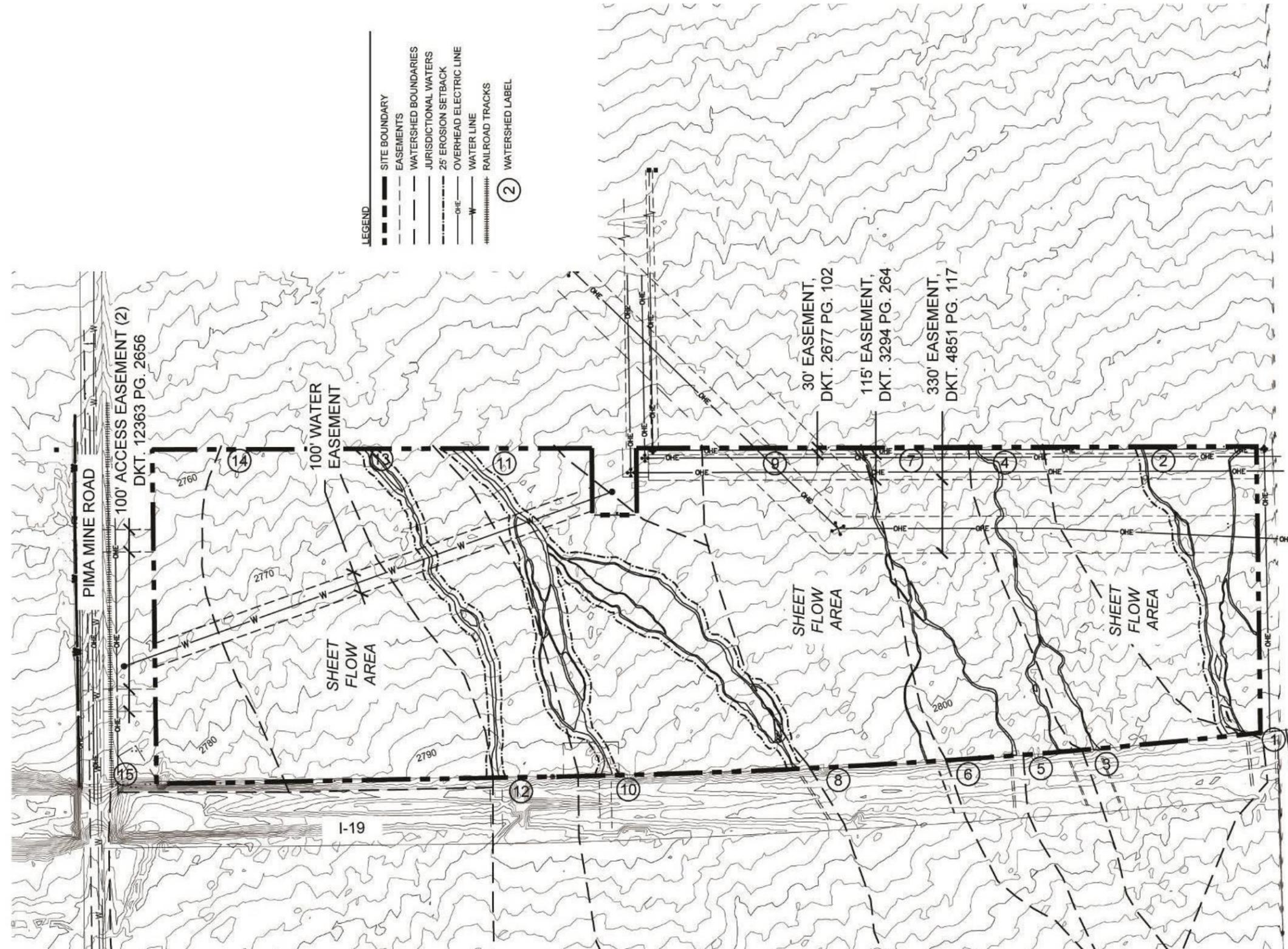
## J. Composite Map

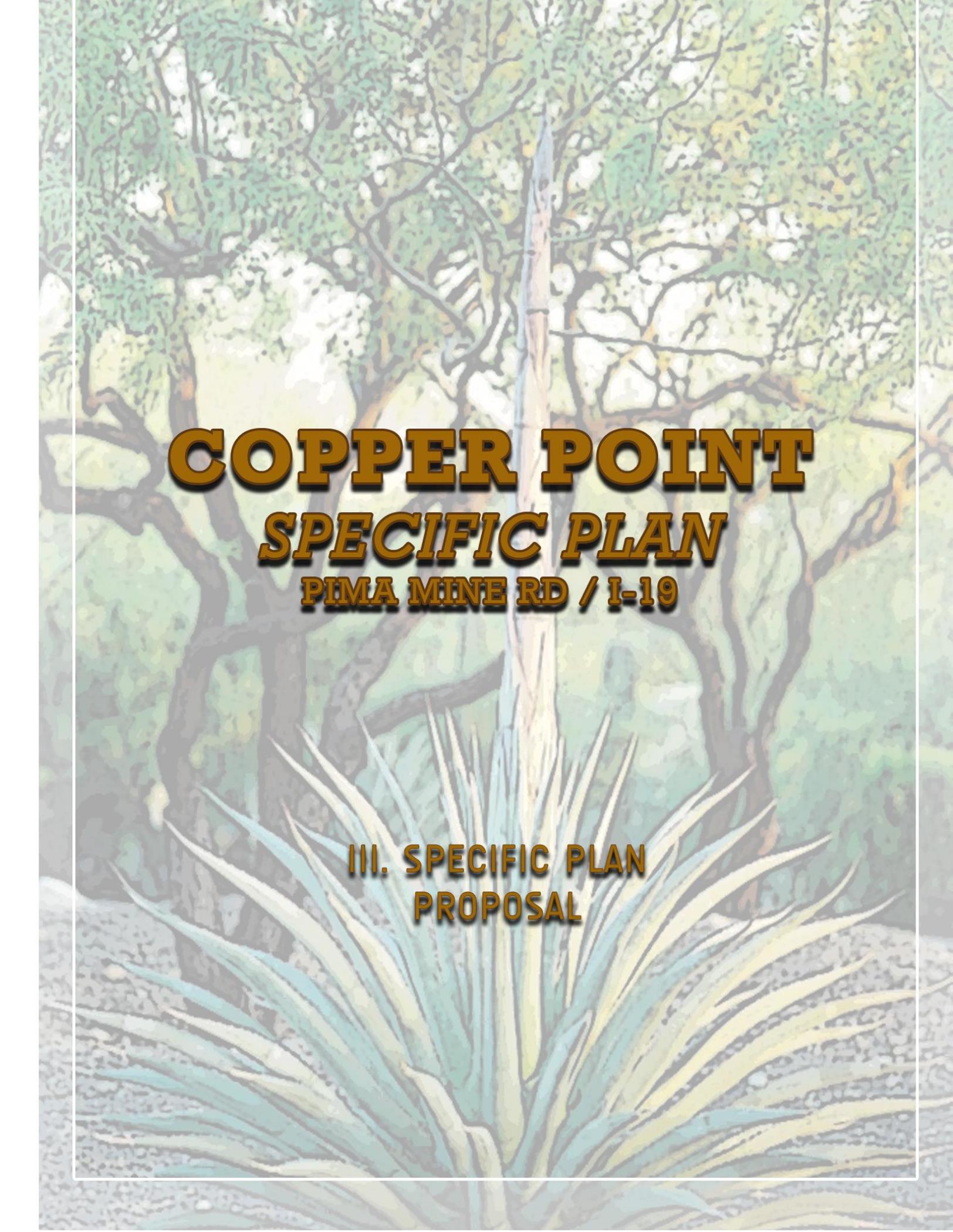
The composite map graphically illustrates the summation of constraints identified during the inventory and analysis process. The significant constraints are shown on *Exhibit II.J: Composite Map*. Four of the most significant physical constraints include:

- A Union Pacific R.R. spur line runs along the Pima Mine Road south right-of-way between Pima Mine Road and the north property line of Copper Point, posing a significant challenge to providing safe and adequate ingress/egress to the property;
- The Interstate 19 is an access controlled facility which restricts access to the interstate;
- A vacant State Land parcel borders the property on the south that has minimal access to local roadways.
- A 485-foot easement consisting of overhead electric lines across the southeast corner of the site constraining this portion of the property to only recreation and open space uses.

Other less significant physical features, including drainage constraints, will also impact the potential development of the property. Each of these constraints is addressed in more detail in the Specific Plan Proposal section of this report.







# **COPPER POINT**

## ***SPECIFIC PLAN***

**PIMA MINE RD / I-19**

### **III. SPECIFIC PLAN PROPOSAL**

## A. Specific Plan Overview

The goal of the Copper Point Specific Plan is to provide an inviting, attractive, and thoughtful mix of retail services, employment opportunities, residential alternatives, and recreational amenities to the Town of Sahuarita. The Specific Plan proposal allows for a mix of land uses and proposed infrastructure that will complement the surrounding land uses, including the existing casino resort uses to the north, vacant Arizona State Trust Land to the south and Rancho Sahuarita community to the east. A thorough analysis of the existing site conditions and surrounding land uses have created the vision for the Copper Point Specific Plan. This vision includes the following:

- The mixed use area will serve residents who reside along the north end of the Rancho Sahuarita community and the proposed Copper Point Specific Plan development
- The multi-family residential area will provide unique housing alternatives for Sahuarita residents with options for apartments, duplexes, condominiums, single family rental housing, etc,
- The single family residential development area will be compatible and complement the existing Rancho Sahuarita community.
- The parks and open space area will act as a buffer to existing Rancho Sahuarita community.
- The proposed railroad crossing and spine roadway improvements will serve as a key secondary access to and from Interstate 19 for existing residents east of the subject property in addition to future residents of Copper Point and potentially south of the subject property.
- The potential access points to the site are via Pima Mine Road to the north and Camino Rancheria to the west and the parcel to the south owned by the State of Arizona. The western boundary of the Rancho Sahuarita community (excluding Camino Rancheria) includes a 1-foot no access easement and there are no plans for another interchange or frontage road along the west boundary adjacent to Interstate 19.
- The proposed sewer and water utilities will not only serve the subject property but have the potential to serve the surrounding area that are not already connected to the public sewer conveyance systems subject to referendum requirements.

There are three general land use types within the specific plan: mixed use (commercial/retail, employment and multi-family residential); residential (single and multi-family residential); and recreational (parks, trails and open space). A map indicating the proposed specific plan development areas has been provided on *Exhibit III.B: Development Areas*.

### 1. Response to Site Inventory

The Specific Plan Proposal section of the Specific Plan provides a comprehensive set of Development Regulations and Design Guidelines outlining site-specific standards and development regulations to guide development and provide an appropriate amount of flexibility to future needs and compatibility with surrounding land uses.

### 2. Conformance with the General Plan

The site was annexed into the Town of Sahuarita on May 13, 2013. The property is located within a Designated Growth Area per the Town of Sahuarita General Plan Map (dated February



2013), which recommends a Mixed Use Development designation for this area. The purpose of Mixed Use Development is to create a more concentrated development pattern in select areas of the Town in order to create opportunities for people to live close to work and shopping, to develop an infrastructure for the use of alternative transportation modes, and to create exceptionally well-designed focal points in the community for all residents, business people and tourists to enjoy. The use of Specific Plan zoning is strongly recommended in the Mixed Use land use designation. Allowable uses within the Mixed Use designation include: medium to high-density residential, commercial, employment, hotel and resort uses, public spaces, and governmental/institutional uses. The Copper Point Specific Plan includes most of these land uses and responds to the long range vision of the Town of Sahuarita General Plan by guiding development and providing a wide range of uses in an urban area.

### 3. Compatibility with Adjoining Land Uses

Land uses surrounding the Copper Point Specific Plan site include the Union Pacific Railroad, Pima Mine Road and Desert Diamond Casino on the north, the Rancho Sahuarita community on the east, and vacant Arizona State Trust Land on the south. The Interstate 19 corridor runs along the west property boundary.

The proposed development standards complement the existing single-family residential uses located east of Copper Point, offering similar single family residential densities, housing styles, building heights and setbacks as those currently used in Rancho Sahuarita community. The extension of Camino Rancheria through this project to Pima Mine Road will provide a convenient I-19 access alternative for the residents of Rancho Sahuarita. Copper Point will also offer alternative housing options, such as multi-family residential and additional commercial/retail opportunities closer to the frontage of Pima Mine Road. To buffer the Rancho Sahuarita community to the east, the proposed specific plan designates the majority of the eastern border with parks/open space. The mixed use area along the north end of the site will include a larger setback, landscape buffer and screening to ensure there are minimal impacts to the surrounding neighborhood. See *Section III.F* of this document

The State Land parcel south of the site is vacant, however, it is anticipated that this property will be developed at some point in the future. The proposed north/south spine road through Copper Point provides a connection for future development areas within the vacant State Land on the south to Pima Mine Road and the Interstate 19 interchange on the north.

Planned commercial uses within Copper Point are located on the north, adjacent to Pima Mine Road and have been designed to complement and be compatible with the casino uses located north of Pima Mine Road. The planned commercial uses are directly accessible from Camino Rancheria and will provide needed neighborhood commercial uses to serve the residents of the adjoining Rancho Sahuarita community to the east.

## B. Purpose and Intent

These regulations will serve as the primary mechanism for the implementation of the Copper Point Specific Plan. The following Development Regulations and Design Guidelines establish the intensity and character of the development by prescribing site-specific standards that are tailored to the unique qualities of the project. These development regulations permit the integration of the



Town General Plan's Mixed Use Development designation with employment, entertainment, neighborhood and regional shopping, single-family attached and detached residential, multi-family residential, open space and recreational uses. The regulations contained within this section provide an appropriate amount of flexibility to anticipate future needs and to achieve compatibility with surrounding land uses. As shown on *Exhibit III.B: Development Areas*, there are three development areas planned for the site:



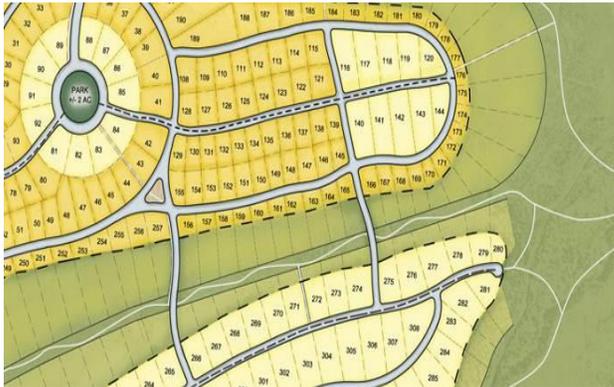
**Mixed-Use - Development Area A** This area is envisioned for neighborhood commercial and/or high density multi-family residential. It will complement adjacent land uses including the Desert Diamond Casino and the adjacent residential subdivisions by providing a mix of retail and residential uses. See Illustration A for an artist's rendering of typical uses proposed in this area. The location is ideal to cater to nearby residents with neighborhood-level uses.

**Illustration A: Conceptual Neighborhood Commercial Rendering**

**Medium Density Residential - Development Area B** This area is envisioned for medium density residential uses at a range of 5-12 RAC.



**Illustration B: Conceptual Multi-Family Rendering**



**Illustration C: Single Family Residential Colored Site Plan**

**Single Family Residential - Development Area C** This area is envisioned to extend the single family uses offered in this area. A variety of lot sizes, home styles and single family options are proposed for Development Area C. See Illustration C for an artist’s rendering of typical uses proposed in this area.

**Parks and Open Space**

This area is intended to preserve the natural wash corridors, allow for natural open space and recreational land uses for the future homeowner, renters and commercial shoppers.. See Illustration C for an artist’s rendering of conceptual park plan.



**Illustration D: Conceptual Park Rendering**

The development regulations will govern and provide regulatory zoning provisions for the land use density, intensities, and location criteria within the Copper Point Specific Plan. This section includes standards related to base land use, property use, building setbacks, building heights and lot coverage. The intent of these standards is to establish clear minimum development standards, allow for the orderly progression of development, and provide flexibility over time without compromising the goals and objectives for this specific plan.



Exhibit III.B: Development Areas



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## C. General Provisions

### 1. Applicable Codes

If an issue, situation, or condition arises that is not addressed by this Specific Plan, the applicable portions of the Town of Sahuarita Zoning Code and the Sahuarita Outdoor Lighting Code, that are in place at the time of development shall apply.

All construction and development within the Specific Plan area shall comply with applicable provisions of codes and regulations adopted by the Town of Sahuarita in effect at the time of development.

### 2. Additional Uses

Whenever a use has not been specifically listed as being a permitted use in the particular zone classification within the Specific Plan, it shall be the duty of the Town Planning Director to determine if said use is consistent with the intent of the designation and compatible with other listed permitted uses.

### 3. Temporary Uses

Temporary uses conducted in connection with the development of the property shall be subject to all Town, Local, State, County or Federal required permits and/or approvals. Such uses may include, but are not limited to:

- Construction/storage yards
- Temporary construction offices and trailers
- Fencing
- Construction roads
- Temporary model homes or temporary model home complex with parking
- Temporary sales office

### 4. Excluded Uses

The following uses shall be excluded from the Specific Plan:

- Adult activities facility as defined in the Sahuarita Town Code Sec. 18.03.020A
- Airplane sales
- Cemetery or crematory
- Golf course
- Keeping and raising of small animals, such as rabbits, chickens, and/or cockerels
- Medical marijuana dispensary
- Medical marijuana cultivation
- Mobile home sales
- Mortuary or embalming establishment or school
- Tattoo parlors or establishments that apply tattoos
- Other similar uses as determined by the Planning Director



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**D. Development Standards****1. Mixed Use - Development Area A****a. Permitted Uses**

- (1) All Permitted Uses listed in the B-1 Local Business Zone, Chapter 18.43, except as modified herein; all Permitted Uses listed in the R-5 Multiple Residence Zone, Chapter 18.29; of the Town of Sahuarita Zoning Code (STC), except single family residential; and other similar uses as determined by the Planning Director
- (2) Administrative and professional office
- (3) Auto rental garage
- (4) Auto repair & battery service
  - a) Provided no such land use, structure or building be located within 100 feet of any residential use or zone (within Copper Point or adjacent to Copper Point).
  - b) The site must be enclosed on all sides with a solid wall, compact evergreen hedge or uniformly painted board fence, not less than five feet in height.
  - c) All body and fender work, painting and upholstery is performed in a completely enclosed building;
  - d) There is no open storage of parts, salvage materials, automobile bodies;
  - e) No storage of junk automobiles for salvage purposes and the only automobiles parked on the premises may be those awaiting repairs. Said automobiles are to be parked in a neat and orderly manner, behind a solid wall or fence so that such automobiles will not be visible from surrounding properties or the highway; and
  - f) The permit for such use shall be revocable within 30 days on written notice from the zoning administrator when, in the opinion of the administrator, any one or all of the above requirements have not been complied with.
- (5) Bar
  - a) Provided no such structure or building be located within 100 feet of any residential use or zone (within Copper Point or adjacent to Copper Point). Other required setbacks to residential use or zone include:
    - Outdoor Use Area: 500 feet.
    - Parking Area: 200 feet.
    - Loudspeakers: 500 feet
- (6) Cleaning Establishment: if:
  - a) Only two clothes cleaning unit of not more than 40 pounds rated capacity, and
  - b) Using cleaning fluid which is noninflammable and nonexplosive at temperatures below 138.5 degrees fahrenheit
- (7) Club: Athletic, private, social, sport or recreational (operated for profit) except sports stadium or field



- (8) Commercial Recreation
- (9) Farmer's Market
- (10) Industrial or trade school
- (11) Kennels
  - a) Provided no such structure or building be located within 100 feet of any residential use or zone (within Copper Point or adjacent to Copper Point)
- (12) Large Scale Retail Development
  - a) Subject to STC18.82.070
- (13) Laundry: steam or wet wash
- (14) Massage establishment
- (15) Mechanical or steam washracks
- (16) Merchandise broker's display:wholesale
- (17) Motorcycle, golf carts or motor scooter repair or storage
  - a) Provided no such structure or building be located within 100 feet of any residential use or zone (within Copper Point or adjacent to Copper Point).
  - b) All body and fender work, painting and upholstery is performed in a completely enclosed building;
  - c) There is no open storage of parts, salvage materials, motorcycle bodies;
  - d) No storage of junk motorcycles for salvage purposes and the only motorcycles parked on the premises may be those awaiting repairs. Said motorcycles are to be parked in a neat and orderly manner, behind a solid wall or fence so that such automobiles will not be visible from surrounding properties or the highway; and
- (18) Parking garage for public use
- (19) Piano repairing
- (20) Record recording studio or sound score production
- (21) Refrigeration installation or service
- (22) School or college: operated as a commercial enterprise, for dancing or musical instruction
- (23) Seasonal retail sales
  - a) Preference is given to vendor placement within Development Area A on sidewalks and other pedestrian oriented areas provided a minimum 6-foot wide accessible lane is maintained in front of each vendor space. If a parking lot is used, all parking spaces in excess of 90% of the minimum required for the



commercial development may be used for vendor space. Displayed merchandise shall not encroach upon driveways, fire lanes, ADA accessible pedestrian walkways leading from the perimeter of the site, or require perimeter landscaped areas. The displays shall also not obstruct sight visibility triangles for vehicles exiting the site or otherwise create hazards for vehicle or pedestrian traffic.

- (24) Self-service car wash
  - b) Provided no such structure or building be located within 100 feet of any residential use or zone (within Copper Point or adjacent to Copper Point)
- (25) Sign painting shop
- (26) Trade show, industrial show or exhibition
- (27) Upholstery shop
- (28) Veterinary hospital
  - a) Provided no such structure or building be located within 100 feet of any residential use or zone (within Copper Point or adjacent to Copper Point)
- (29) Sale, rental or display of (Any of the following if conducted wholly within a completely enclosed building or the area shall be enclosed on the property line with a solid wall or compact evergreen hedge, not less than six feet in height):
  - a) Automobiles
  - b) Butcher supplies
  - c) Barber's supplies or beauty shop equipment
  - d) Clothing or accessories: retail or wholesale
  - e) Contractor's equipment or supplies
  - f) Drugs or medical, dental or veterinary supplies: Retail or wholesale;
  - g) Farm equipment or machinery;
  - h) Feed: No wholesale;
  - i) Hardware;
  - j) Hotel equipment or supplies;
  - k) Household appliances, sewing machines, etc.: Retail or wholesale;
  - l) Machinery: Commercial and industrial;
  - m) Monuments or tombstones: No wholesale;
  - n) Office equipment: Sales, business machines, etc. (retail or wholesale);
  - o) Painting equipment or supplies: Paint, varnish, etc.;
  - p) Pets: No boarding or hospital;
  - q) Plastic or plastic products: Wholesale and assembly only;
  - r) Plumbing, heating and ventilating fixtures or supplies: Retail or wholesale;
  - s) Restaurant or soda fountain equipment or supplies;
  - t) Secondhand goods: Personal, furniture, books, magazines, automobiles, but no secondhand supplies;
  - u) Tents or awnings;
  - v) Trunks or luggage: Retail or wholesale;



- w) Upholsterer's supplies: Retail or wholesale;
  - x) Venetian blinds: Retail or wholesale;
  - y) Window shades: Retail or wholesale.
- (30) Light manufacturing or assembling incidental to retail sales from the premises; provided, that not more than 25 percent of the floor area occupied by such business is used for manufacturing, processing, assembling, treatment, installation and repair of products.
- (31) Wholesaling of products included in permitted use 29 with storage space not exceeding 1,500 square feet of floor area.
- (32) Multi-story self-storage facilities; provided, that:
- a) The maximum site be 130,680 square feet (three acres);
  - b) All storage be in an enclosed building;
  - c) The structure be a single building, maximum of two stories (24 feet in height);
  - d) A decorative masonry wall, compact evergreen hedge or uniformly painted board fence shall be constructed around the perimeter except for the entry and exit. Minimum height six feet, maximum eight feet and front wall shall set back 10 feet from property line. All access lanes be of a paved or concrete surface;
  - e) Buffering and screening is provided in accordance with Chapter 18.73 STC (Landscaping, Buffering and Screening Standards); and
  - f) No activity occurs other than the loading and unloading of household and personal property.
- (33) Warehouse or self-storage facility only for the storing of household and personal property (no commercial storage) with no commercial transactions permitted other than the rental of the storage units:
- a) Single-story self-storage facilities; provided, that:
  - b) The maximum site be 130,680 square feet (three acres);
  - c) All storage be in an enclosed building;
  - d) The structure be one story with a maximum height of 19 feet;
  - e) A decorative masonry wall, compact evergreen hedge or uniformly painted board fence shall be constructed around the perimeter except for the entry and exit. Minimum height six feet, maximum eight feet and front wall shall set back 10 feet from property line;
  - f) All access lanes be of a paved or concrete surface;
  - g) Buffering and screening is provided in accordance with Chapter 18.73 STC (Landscaping, Buffering and Screening Standards); and
  - g) No activity occurs other than the loading and unloading of household and personal property.
- (34) Any of the following if conducted wholly within a completely enclosed building or within an area enclosed on all sides with a solid wall, compact evergreen hedge or uniformly painted board fence, not less than six feet in height:



- a) Building material sales yard, including the sale of rock, sand, gravel and the like as an incidental part of the main business;
- b) Contractor's equipment sales yard or plant;
- c) Rental of equipment commonly used by contractors;
- d) Retail lumber yard, including only incidental mill work;
- e) Feed yard;
- f) Public utility service yard;
- g) Storage of operable automobiles, boats, motorcycles, recreational vehicles, and trucks and inhabitable manufactured or mobile homes, not intended for salvage.

(35) Wastewater Treatment Facility

- a) Provided no such structure or building be located within 1000 feet of the Rancho Sahuarita Community. Other required setbacks to residential use or zone include:
  - 500' setback from adjacent land uses with regards to noise, odor or aesthetic controls
  - 100' setback from adjacent land uses with regards to full noise, odor and aesthetic controls

**b. Accessory Uses-** the following accessory uses shall be permitted in conjunction with all permitted residential uses:

- (36) Community center
- (37) Community identification elements
- (38) Detached accessory structures, such as tool sheds, patios and cabanas, noncommercial hobby shops, children's playhouses, etc.
- (39) Detached garages
- (40) Fences and walls
- (41) Garage, carport or enclosed storage
- (42) Home Occupation with an approved home occupation clearance in accordance with STC 18.09.030: Home Occupations
- (43) Porches
- (44) Recreation buildings which are part of a multi-family development
- (45) Athletic courts
- (46) Swimming pools, spas and related structures
- (47) Workshops and studios
- (48) Other similar accessory uses as determined by the Planning Director

**2. Medium Density Residential - Development Area B**

**a. Permitted Uses**

- (1) All Permitted Uses listed in the R-5 Multiple Residence Zone, Chapter 18.29
- (2) Other similar uses as determined by the Planning Director
- (3) Wastewater Treatment Facility



- a) Provided no such structure or building be located within 1000 feet of the Rancho Sahuarita Community. Other required setbacks to residential use or zone include:
  - 500' setback from adjacent land uses with regards to noise, odor or aesthetic controls
  - 100' setback from adjacent land uses with regards to full noise, odor and aesthetic controls

**b. Accessory Uses-** the following accessory uses shall be permitted in conjunction with all permitted residential uses:

- (1) Community center
- (2) Community identification elements
- (3) Detached accessory structures, such as tool sheds, patios and cabanas, noncommercial hobby shops, children's playhouses, etc.
- (4) Detached garages
- (5) Fences and walls
- (6) Garage, carport or enclosed storage
- (7) Home Occupation with an approved home occupation clearance in accordance with STC 18.09.030: Home Occupations
- (8) Porches
- (9) Recreation buildings which are part of a residential development
- (10) Athletic courts
- (11) Swimming pools, spas and related structures
- (12) Workshops and studios
- (13) Other similar uses as determined by the Planning Director

**3. Low Density Residential - Development Area C**

**a. Permitted Uses**

- (1) Single Family Residential Attached and Detached
- (2) Other similar uses as determined by the Planning Director
- (3) Wastewater Treatment Facility
  - a) Provided no such structure or building be located within 1000 feet of the Rancho Sahuarita Community. Other required setbacks to residential use or zone include:
    - 500' setback from adjacent land uses with regards to noise, odor or aesthetic controls
    - 100' setback from adjacent land uses with regards to full noise, odor and aesthetic controls

**b. Accessory Uses-** the following accessory uses shall be permitted in conjunction with all permitted residential uses:

- (1) Community center
- (2) Community identification elements
- (3) Detached accessory structures, such as tool sheds, patios and cabanas, noncommercial hobby shops, children's playhouses, etc.
- (4) Detached garages



- (5) Fences and walls
- (6) Garage, carport or enclosed storage
- (7) Home Occupation with an approved home occupation clearance in accordance with STC 18.09.030: Home Occupations
- (8) Porches
- (9) Recreation buildings which are part of a residential development
- (10) Athletic courts
- (11) Swimming pools, spas and related structures
- (12) Workshops and studios
- (13) Other similar uses as determined by the Planning Director

#### **4. Parks and Open Space**

##### **a. Permitted Uses**

- (1) Recreational Uses
- (2) Parks and Trails
- (3) Drainage facilities
- (4) Public Utilities
- (5) Communications facilities
- (6) Open space
- (7) Parking
- (8) Other similar uses as determined by the Sahuarita Parks & Recreation Director

##### **b. Accessory Uses**

- (9) Athletic fields
- (10) splash pads, spas and related structures
- (11) Storage/maintenance buildings
- (12) Detached accessory structures, such as patios and cabanas, etc.
- (13) Other similar accessory uses as determined by the Parks Director

#### **E. General Development Standards**

All new development within the Specific Plan shall conform to applicable building, fire and other life safety standards. Prior to issuance of a building permit, the property owner(s) shall obtain approval of a Development Plan and/or Subdivision Plat for the subject site that adheres to all applicable codes and requirements of the Town of Sahuarita. Where these regulations and standards vary from the Town of Sahuarita Zoning Code, the Specific Plan regulations shall apply. Where the Specific Plan is silent, the relevant standards of the Town of Sahuarita Zoning Code shall apply.

The total density permitted within the Copper Point project area is shown on Table III.E: Density Matrix. See also Exhibit III.B for location of each parcel. This table identifies Copper Point built out to the maximum and minimum densities allowed within the following development standards.



**Table III.E: Density Matrix**

Parcel	Development Area	Acres	Permitted Land Uses	Non-residential SF	RAC	Dwelling Units
1	Mixed Use (MU)	14	Commercial or Multi-Family Residential	+/-120,000-150,000	20	280
2	Medium Density Residential (MDR)	6	Single Family or		Min. 5	30
			Multi-Family		Max. 12	72
3	MDR	12	Single Family or		Min. 5	60
			Multi-Family		Max. 12	144
4	MDR	4	Single Family or		Min. 5	20
			Multi-Family		Max. 12	48
5	Low Density Residential (LDR)	7	Single Family		5	35
6	LDR	8	Single Family		5	40
7	LDR	14	Single Family		5	70
8	LDR	3	Single Family		5	15
9	LDR	18	Single Family		5	90
10	LDR	3	Single Family		5	15
11	LDR	6	Single Family		5	30
12	LDR	11	Single Family		5	55
13	LDR	3	Single Family		5	15
14	Parks/Open Space (P/OS)	1				
15	P/OS	1				
16	P/OS	9				
17	P/OS	7				
18	P/OS	4				
Drainage/Right-of-Way		52				
Total Acres		160				
Min. Dwelling Units (if residential areas are developed at a 5 RAC and mixed use area is developed as commercial)						475
Max dwelling units						909
Gross density						5.68



---

## 1. Development Area A- Mixed Use Development Standards

### a. Multi-Family Residential

- (1) Maximum Number of Multi-Family Dwelling Units: 280
- (2) Average Area Per Dwelling Units: 1,000 square feet
- (3) Maximum Lot Coverage: 80%
- (4) Minimum Site setbacks:
  - a) Front: 20 feet, which may be used to meet off-street parking requirements, or as part of an off-street parking lot
  - b) Side: Zero lot line (per building code)
  - c) Rear: 20 feet
- (5) Minimum Distance between Main Buildings: None
- (6) Spine Road Building Setback: 10 feet
- (7) Building Height limitation:
  - a) 60 feet (west of Spine Road)

### b. Non-Residential

- (1) Minimum Lot Area: None
- (2) Minimum Lot Width: None
- (3) Maximum Lot Coverage: 80%
- (4) Minimum Site Setbacks:
  - a) Front: 20 feet, which may be used to meet off-street parking requirements, or as part of an off-street parking lot
  - b) Side: Zero lot line (per building code)
  - c) Rear: 20 feet
- (5) Minimum Distance between Main Buildings: none
- (6) Building Height limitation:
  - a) 60 feet (west of Spine Road)

## 2. Development Area B- Medium Density Residential Development Standards

### a. Multi- Family Residential

- (1) Maximum Number of Multi Family Dwelling Units: +/- 264
- (2) Minimum Lot Area: 1,000 square feet
- (3) Minimum Site Setbacks: None
- (4) Minimum Lot Building Setbacks:
  - a) Front: 20 feet
  - b) Side: Zero lot line (per building code)
  - c) Rear: 10 feet
- (5) Building Height limitation: 34 feet

### b. Single Family Residential

- (1) Maximum Number of Single Family Dwelling Units: +/-110
- (2) Minimum Lot Area: 6,000 square feet
- (3) Minimum Lot Width: 50 feet



- (4) Minimum Site Setbacks: None
- (5) Minimum Lot Building Setbacks:
  - a) Front: 20 feet
  - b) Side: Zero lot line (per building code)
  - c) Rear: 10 feet
- (6) Building Height limitation: 34 feet

### 3. Development Area C- Low Density Residential Development Standards

#### a. Single Family Residential

- (1) Maximum Number of Single Family Dwelling Units: +/-365
- (2) Minimum Lot Area: 6,000 square feet
- (3) Minimum Lot Width: 50 feet
- (4) Minimum Site Setbacks: None
- (5) Minimum Lot Building Setbacks:
  - d) Front: 20 feet
  - e) Side: Zero lot line (per building code)
  - f) Rear: 10 feet
- (6) Building Height limitation: 34 feet

## F. Landscape Buffering and Screening Standards

Land use transitions are required to ensure that the surrounding land uses and permitted residential uses adjacent to permitted non-residential uses are buffered appropriately throughout the development. The proposal is to enhance landscaping and screening walls between these uses (See *Exhibit III.F: Landscape Buffer Plan*).

### 1. Landscape Program

The landscape program is a qualitative list of guidelines and a quantitative list of landscape, screening and water harvesting/water conservation standards to ensure Copper Point is built with high-quality landscape and screening criteria for building sites, rights-of-way and open space within the development and adjacent to existing roadways and/or development. The purpose of the landscaping is to soften and blend features between sites to create visual corridors and connections to the project. In addition, a landscape-planting theme will be established, creating a community framework for all common and public areas as part of the Design Guidelines process and submitted prior to any residential or non-residential development plans/plats (See *Exhibit III.F: Landscape and Screening Plan*.)

#### a. Landscape Guidelines

The following guidelines apply to Copper Point Specific Plan:

- (1) To the greatest extent practical, landscaping shall be integrated with building design in internal areas of the site. Consideration shall be given to plant materials, types, growth rates, canopy size and required maintenance in relationship to building location, operation, site lines and site utilities;



- (2) The use of climbing plant materials along walkways and on trellises and pergolas is encouraged;
- (3) Trees that produce large canopies and provide shade are especially encouraged in parking zones;
- (4) Trees within landscape areas shall be sited and spaced to avoid conflicts with overhead light fixtures;
- (5) Bufferyards may be used for passive recreation, and may include recreational trails, seating and public art. All buffer requirements, including required plants and screening shall be met.

**b. Landscape Standards**

The following landscape standards shall apply to Copper Point Specific Plan:

- (1) All development within the Copper Point Specific Plan shall comply with STC 18.73 Landscaping, Buffering and Screening Standards, except modified herein;
- (2) All development within the Copper Point Specific Plan shall comply with the Pima County Native Plant Preservation Manual prior to site development.
- (3) Where a parcel abuts open space, there shall be no landscape bufferyard requirements.
- (4) Where a parcel abuts the Spine Road or Camino Rancheria, the minimum landscape buffer shall be ten feet wide. In accordance with Copper Point Design Review Committee and Town approval, there may be a maximum of 50% of the required landscape buffer plantings in the right-of-way. A landscape maintenance agreement allowing the development to maintain landscaping within the right-of-way will be required.
- (5) A forty-foot wide landscape buffer shall be provided along the west side of Copper Point Specific Plan (Development Area A & B) adjacent to Interstate 19.
- (6) A 10-foot wide landscape buffer in addition to a 50-foot waterline easement will provide a total 60-foot building setback and 10-foot landscape buffer along the east side of all mixed-use parcels in Development Area A, adjacent to Rancho Sahuarita community.
- (7) All crested saguaro cacti found on-site shall be preserved in-place.
- (8) A minimum tree size of 15 gallons shall be required for all trees.
- (9) All planter areas within parking lots shall be provided with trees at the rate of not less than one tree per eight parking stalls;
- (10) All healthy saguaro cactus not suitable for preserving in-place shall be transplanted on-site in accordance with the Pima County Native Plan Preservation Manual.
- (11) A variety of plant materials shall be incorporated, including indigenous, low water use vegetation;
- (12) All landscape areas shall be irrigated using an underground drip irrigation system. Use of turf is prohibited except within park areas. Effluent or other renewable water source will be used for turf irrigation in accordance with the Council-approved Effluent Use Policy;
- (13) All irrigation shall be designed and maintained to be as efficient as possible. This shall be implemented with the following:
  - a) Drip irrigation for trees, shrub beds and areas of ground cover to eliminate evaporation losses;



- b) Efficient sprinkler irrigation that may employ low volume heads and a high irrigation efficiency rating;
- (14) Landscape plans shall be coordinated with above- and below-ground utilities to avoid conflicts at the time of installation;
- (15) All new plantings shall be selected from the Town of Sahuarita's approved plant list, and
- (16) All common areas shall be maintained by the HOA and regulated by CC&Rs.

**c. Screening Standards**

The following screening standards shall apply to the Copper Point Specific Plan:

- (1) Refuse areas and loading areas shall be screened from adjoining properties and public right-of-way in accordance with STC 18.73 Landscape Buffering and Screening Standards or as otherwise specified within this Specific Plan.
- (2) A six foot tall masonry screen wall shall be provided along the east side of all mixed use parcels within Development Area A, adjacent to Rancho Sahuarita community.
- (3) A noise study shall be conducted prior to any proposed residential development when located adjacent to I-19 to determine the appropriate mitigation techniques, such as screening or other architectural features.
- (4) All walls and fences shall be painted, stained, or contain integral color. Uncolored gray block walls will not be permitted;

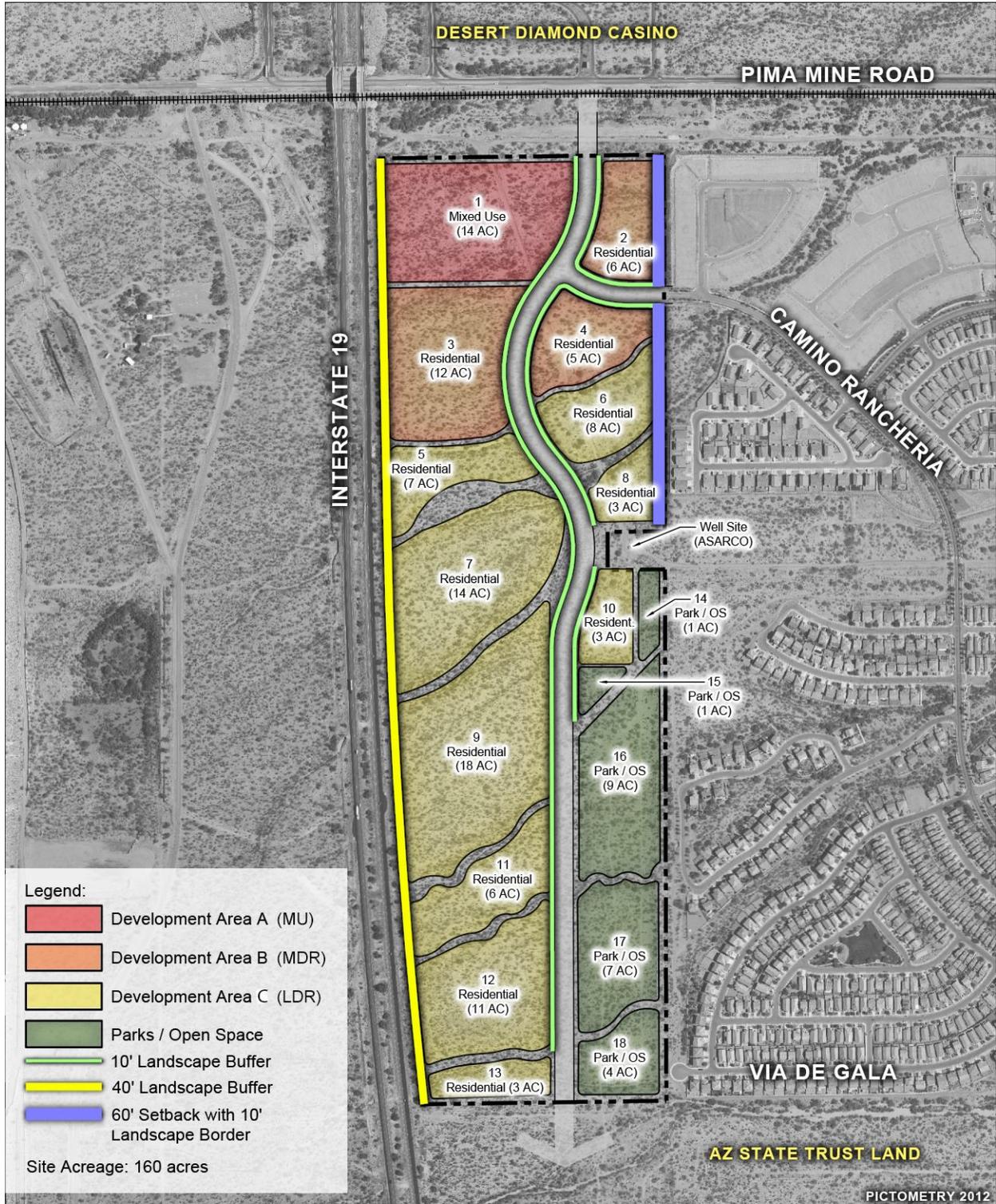
**d. Water Harvesting/Water Conservation Standards**

The following water harvesting standards shall apply to the Copper Point Specific Plan:

- (1) A water harvesting plan shall be included with the development plan/subdivision plat submittal in compliance with the STC.
- (2) Passive water harvesting techniques including:
  - a) depressed planter islands
  - b) directing roadway rainfall runoff into adjacent landscaped areas and
  - c) grading lots to direct rainfall runoff from roof and/or paved surfaces into landscaped areas by way of swales and micro-basins.
- (3) Use water-efficient native and drought tolerant plants for landscape.
- (4) Install high efficiency and evapotranspiration (ET)-based drip irrigation systems for landscape.



Exhibit III.F: Landscape and Screening Plan



FILE NAME: RPD-08\_LANDUSE11.24.14.DWG



## **G. Circulation**

The Copper Point Specific Plan will consist of a planned road network to improve the circulation in the area. The main off-site roadways are I-19 on the west (no direct access from Copper Point Specific Plan), Pima Mine Road on the north and Camino Rancheria on the east (*See Exhibit III.G: Circulation Plan*).

### **1. Access**

Primary access to Copper Point Specific Plan will be via Pima Mine Road on the north. There is a recorded access easement (Pima County Docket 12363, Page 2656 included as Appendix B) by and between ASARCO LLC and the property owner for the purpose of creating two ingress/egress locations across the ASARCO property between the Copper Point property and Pima Mine Road. Ultimately the ingress/egress rights established between ASARCO and the property owner will also need to be assigned to the Town of Sahuarita (i.e. the public) as perpetual public right-of-way. The access to Pima Mine Road includes crossing the Union Pacific Railroad.

Because of the proximity of the northbound I-19 ramp intersection to the primary access, there will need to be continued discussion between Arizona Department of Transportation (ADOT) and the Town of Sahuarita Public Works Department staff. Traffic operations (Signal timing and phasing) on Pima Mine Road, will need to be designed carefully to maximize progression and to minimize conflicts associated with the signal locations. Options that could be considered are relocating the Copper Point access further to the east to line up with the Casino maintenance road, or relocating the access to the west to line up with the future location of the ramp intersection.

Secondary access to Copper Point will be from Camino Rancheria on the east. In addition, if the State land to the south develops at some point in time, Copper Point provides for future connectivity to Pima Mine Road.

Fire Access will be provided from Pima Mine Road and from Camino Rancheria. An emergency fire access point is located at the southeast corner of the property at the west end of Via de Gala. Break-away bollards will be provided at this location for emergency fire access.

### **2. Union Pacific Railroad Crossing**

New public railroad crossing agreements require approval from Union Pacific Railroad and the Arizona Corporation Commission (ACC). The master developer has begun the process to gain a railroad crossing and a meeting was conducted on July 23, 2014. This initial meeting included representatives from the ACC Rail Safety Section, Union Pacific Railroad, ASARCO, Sahuarita Public Works Department, Red Point Development and The Planning Center. Upon approval of the Copper Point Specific Plan, the Town of Sahuarita (on behalf of Copper Point development) will file a public railroad crossing agreement application with the Union Pacific Railroad. The public crossing agreement will detail the design, construction, and funding responsibilities for the public railroad crossing and lead to the submittal of a formal application to the ACC. Previous Town experience indicates a schedule



of six to twelve months to process both the UPRR public railroad crossing agreement and ACC approval. A public at-grade crossing agreement between the Town of Sahuarita and UPRR will require public right-of-way for the portion of roadway crossing the ASARCO parcel.

### 3. Trip Generation

The trip generation was calculated based on the land use scenario with the highest volumes of approximately 365 units of single-family residential, 264 apartment units, and 150,000 square feet of shopping center. See *Table III.G.3: Trip Generation*.

**Table III.G.3: Trip Generation**

Total New Trips	Weekday AM		Weekday PM		Weekday		Saturday Peak		Saturday	
	In	Out	In	Out	In	Out	In	out	In	Out
New Net Trips	503		896		9,458		1,012		10,851	
	154	349	513	383	4,729	4,729	530	482	5,425	5,425

Source: Curtis Lueck & Associates, 2015

It is anticipated that access via Camino Rancheria and the southern location (through existing State Land) will induce off-site traffic onto the spine road. This traffic will add to the impact at the project access on Pima Mine Road. An assessment of this background traffic and its impact will be included in the required Traffic Impact Study that will accompany the development plan documents for this project.

### 4. Street Standards

All roadways shall be in compliance with the Town of Sahuarita Subdivision Street Standards and the Town’s Major Streets and Routes Policy Manual in effect at the time of development. Additionally, all landscaped areas within the Copper Point Specific Plan interior ROWs shall be maintained by the HOA and regulated by CC&Rs. Preliminary descriptions for the major project roadways are provided in this section, and are subject to revision based on final standards in the Major Streets and Routes Policy Manual and Town of Sahuarita Subdivisions Street Standards.

The Town of Sahuarita Major Streets and Routes Plan (MSRP) defines the right-of-way widths for major roadways within the Town. The proposed 100’ width for the north-south collector road will be revised as determined by the Town Engineer to ensure compliance with the Town’s MSRP right-of-way requirements for a major collector. It is expected that additional right-of-way dedications may be necessary in conjunction with the project to satisfy MSRP planned width requirements.

The RTP indicates that road improvements are planned to widen Pima Mine Road from Interstate 19 to Nogales Highway from two lanes to four. Nogales Highway is planned for widening from Interstate 19 to Old Nogales Highway from four lanes to six lanes. Construction costs for roadway projects are typically funded its pro-rata share of any



necessary future improvements by the developers of surrounding properties. Cost sharing considerations and requirements will be included in specific development agreements between project developers and the jurisdictions that own the roadways.

**a. Spine Roadway**

The spine roadway shall consist of a 100-foot right-of-way from the intersection of Pima Mine Road through the project to the last entrance within Development Area B, Pod 13. As shown on *Exhibit III.G.4.a, Cross Section A-A*, the spine roadway construction from Pima Mine Road to Camino Rancheria will include a four-lane divided cross-section, a twelve-foot wide landscaped median, with 6-foot bike lanes and 6-foot sidewalks and landscaping along both sides. From the intersection of Camino Rancheria, *Exhibit III.G.4.a: Cross Section B-B*, the Spine Road shall transition to a two-lane cross-section with a 12-foot median, 11-foot travel lanes and 6-foot bike lanes. To avoid having the sidewalks destroyed when the roadway is widened for future development by others, the sidewalks will be placed on the outer edge of the right-of-way to be dedicated along with approximately 20 feet of landscaping. (See *Exhibit III.G.4.a Spine Road Cross-Sections*).

**b. Camino Rancheria**

Camino Rancheria will be extended from the east property line to its intersection with the Spine Roadway. In accordance with the Town of Sahuarita Major Street and Routes Plan, Camino Rancheria is classified as a 3-lane Urban Collector with a 100-foot right-of-way. The cross section consists of two 11 to 12-foot travel lanes, a 12-foot two-way left turn lane, 6-foot bike lanes, 0.5-inch vertical curb, 6-foot sidewalks/pedestrian path, variable sized utility easements in each direction.

## 5. Motor Vehicle Parking Standards

Unless contained herein, Chapter 18.75 Off-Street Parking and Loading Standards of the Town of Sahuarita *Zoning Code* shall govern.

**a. Development Area A- Mixed Use Parking Requirements**

For multi-family residential and non-residential uses, parking shall be in accordance with the standards delineated in Chapter 18.75 Off-Street Parking and Loading Standards of the Town of Sahuarita *Zoning Code*, except modified herein;

- (1) Parking shall be shared when multi-use development occurs on a single site. For each separate use or business, a 10 percent reduction to the required spaces for each individual use not a 10 percent reduction to the total spaces for the development.
- (2) Parking may be shared on two separate properties provided that no shared parking space is greater than 1,200 feet from the entrance of either use and that legal and physical access is provided.
- (3) Individual Parking Reduction Plan: An individual parking reduction plan may reduce the amount of total spaces up to 10 % the amount required by the Town of Sahuarita parking standards, provided the following standards are met:
  - a) The parking reduction plan shall be prepared by a traffic engineer or similar transportation professional and approved by the Town;



- b) The plan includes a road impact study and a traffic generation study and land use profile of the development;
  - c) The plan shows that the reduced parking will ensure sufficient parking for the proposed uses;
  - d) The plan does not impede safe passage of moving traffic and does not increase traffic congestion;
  - e) A covenant running with the subdivision plat or development plan will be included noting adherence to the range of uses covered by the reduction plan;
  - f) A future revision to the covenant restricting uses may require submittal of a revised plan or an increase in parking spaces; and
  - g) Covered parking shall not be applied toward the total building square footage allowed.
- (4) Handicap Parking spaces shall be in conformance with the Americans with Disabilities Act (ADA) both in dimension and in quality for specific uses.
- (5) On-street parking may be counted towards parking requirements. On-street parking counted towards required parking shall be located within a minimum of 250 feet of the proposed use and such parking will be parallel.

**b. Development Area B- Medium Density Residential Parking**

Residential Parking Standards shall be in accordance with the standards delineated in the STC Chapter 18.75 Off-Street Parking and Loading Standards.

**c. Development Area C- Low Density Residential Parking**

Residential Parking Standards shall be in accordance with the standards delineated in the STC Chapter 18.75 Off-Street Parking and Loading Standards.

**6. Bike Parking**

As part of any non-residential development, the minimum requirement for bicycle parking is 1 space for every 20 vehicular parking spaces and a minimum of 2 bicycle parking spaces in all cases.

**7. Motorcycle Parking**

Motorcycle parking Standards shall be in accordance with the standards delineated in the STC Chapter 18.75 Off-Street Parking and Loading Standards,

**8. Loading Spaces**

Loading spaces shall be in accordance with the standards delineated in Chapter 18.75 Off-Street Parking and Loading Standards of the Town of Sahuarita *Zoning Code*

**H. Pedestrian Connections & Bike Routes**

As part of the platting and development review process, a Recreational Area Plan (RAP) will be submitted in order to meet Parks & Recreation requirements/ standards and must be approved prior to approval of Tentative Plats. The RAP will show the proposed trail system, proposed trail connections and any other recreational features to be provided as part of the Specific Plan development.



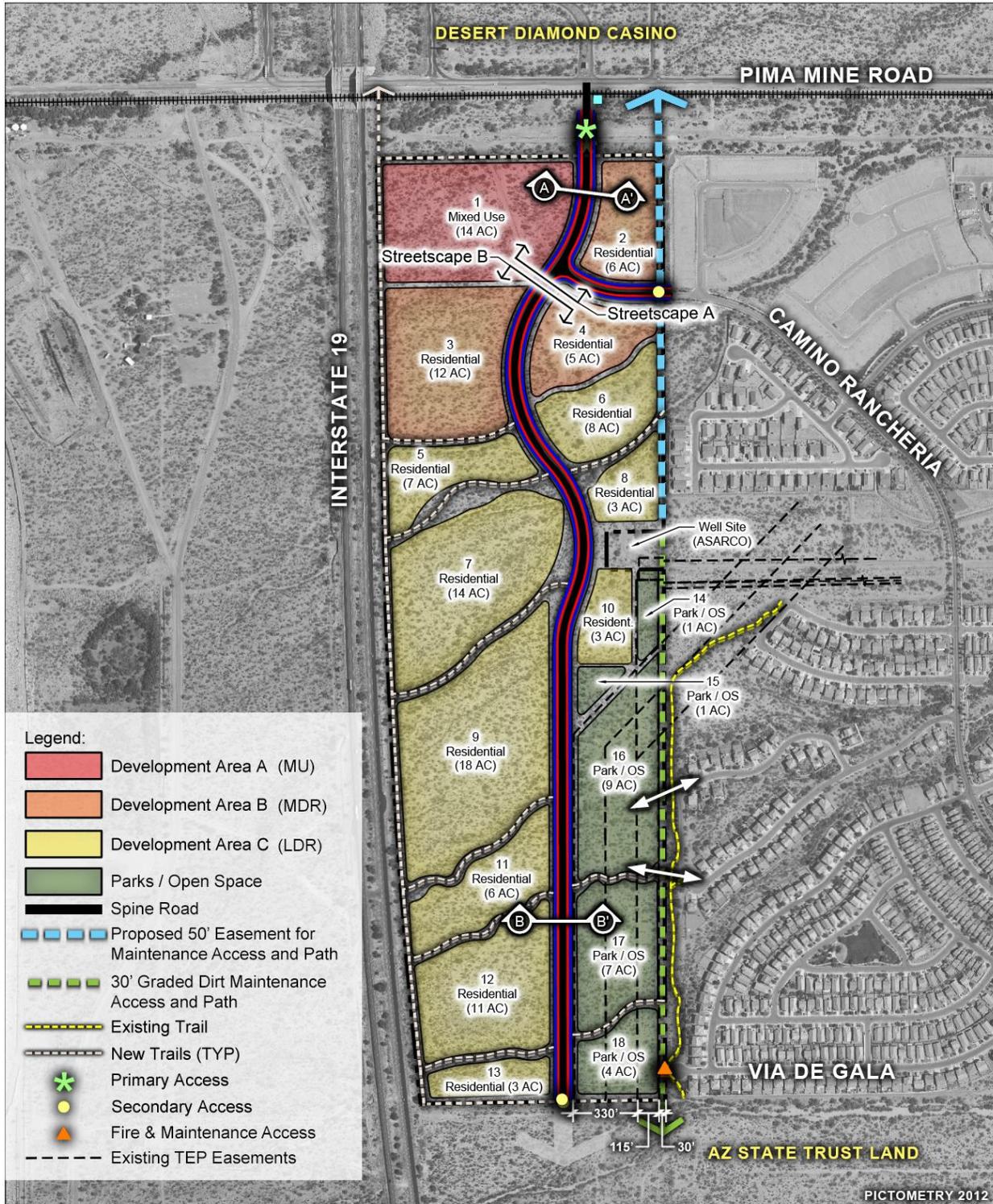
The proposed on-site pedestrian connections provide an amenity for future users of the Specific Plan. Pedestrian multi-use trails, public sidewalks, bike routes and pedestrian walkways will create an interconnected system to the various uses within the site. As shown on *Exhibit III.G*, the pedestrian trail and bike route system will connect to the public sidewalks, main entrance roadways and bike lanes along the Spine Road, Camino Rancheria and to the existing bike lanes along Pima Mine Road. Any other interior connections will be determined during future site development.

The following standards will be applied to the Specific Plan area to ensure safe pedestrian access within and throughout the site:

- Pedestrian walkways will be provided from proposed buildings to individual parking areas via pedestrian crosswalks.
- Connections will be made from parking lots to the closest public sidewalk adjacent to the site where possible (connections through washes/drainage ways may not be practical).
- Vehicular driveways shall not be construed to meet the requirement for pedestrian connections from sidewalks to parking lots
- At each point that a designated on-site pedestrian walkway crosses a parking lot, street or driveway, the walkway will be clearly visible to pedestrians and motorists through the use of one or more of the following methods:
  - A change in paving material, paving height or paving color;
  - A painted crosswalk;
  - Signage; or
  - Median walkway buffered by landscaping
  - Any other method approved by the Town of Sahuarita which meets the intent of this section.
- New sidewalks will be constructed to Town of Sahuarita Standards on Pima Mine Road and Camino Rancheria adjacent to the site.
- A pedestrian connection will be provided along the eastern boundary to the adjacent Rancho Sahuarita community that will provide for pedestrian access from Rancho Sahuarita community to the Copper Point Community Park and open space trails (with neighboring HOA and Town of Sahuarita Parks Department approval).
- On-site pedestrian paths/trails may be constructed of concrete, stabilized decomposed granite, pervious concrete, permeable pavers, concrete pavers, reclaimed asphalt or other materials which meet the intent of this section.
- All pedestrian connections will be constructed to ADA (Americans with Disabilities Act) accessibility standards.



Exhibit III.G: Circulation Plan



MAINTENANCE ACCESS AND CIRCULATION EXHIBIT

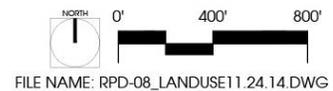
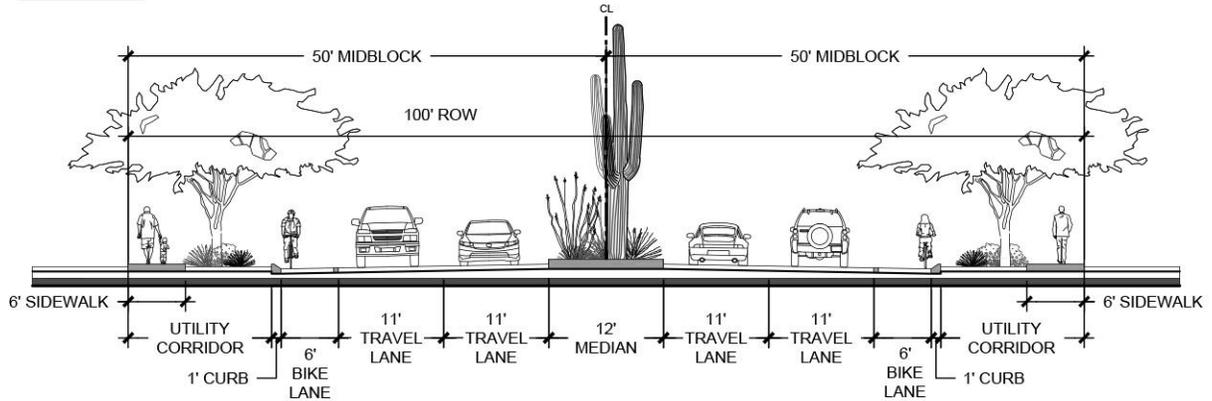
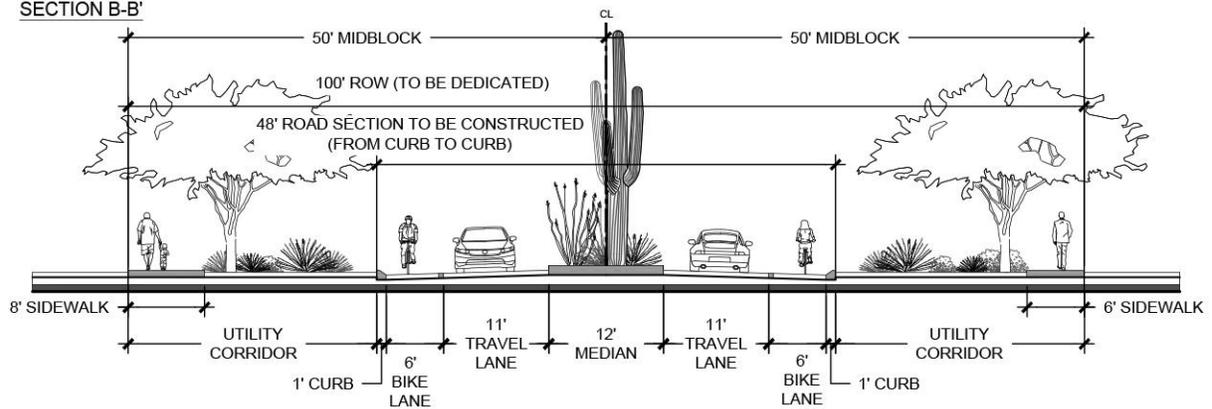


Exhibit III.G.4.a Spine Road Cross-Sections

SECTION A-A'



SECTION B-B'



NOTE (SECTIONS A-A' & B-B'):  
ADDITIONAL RIGHT OF WAY, TURN LANES AND/OR MEDIAN  
WIDTH MAY BE REQUIRED AT INTERSECTION LOCATION

NOTE (SECTION B-B'):  
SIDEWALKS AND LANDSCAPING SHOWN WITHIN 100' ROW  
(TO BE DEDICATED) WILL BE CONSTRUCTED AT TIME OF  
INITIAL ROADWAY CONSTRUCTION.



FILE NAME: RPD-08 XSECTIONS-100715.DWG/8.5X6.5 PT



## I. Post-Development Hydrology

The primary means by which the specific plan development will respond to the surface drainage conditions will be to leave many of the washes as natural open space corridors. Some of the smaller washes that originate onsite will be graded along with some of the secondary channels of the larger washes that emanate west of I-19. The large natural channels will remain natural within open space corridors having widths ranging from 30 to 100 feet.

The natural channels crossing the site do not have adequate capacity to contain flows associated with larger storms so sheet flooding can occur over much of the site. Encroachments into the 100-year floodplains are necessary in order to contain the flow along corridors that will be aligned with the primary washes crossing the property. Only the smaller channels and secondary channel braids will be encroached upon. These smaller channels generally do not contain high quality vegetation. The width of the open space corridors will be sufficient to minimize changes in flow velocity and no change is expected during the more frequent small storms. Erosion hazards, if present will be mitigated with engineering measures such as rock riprap bank protection and cutoff walls.

The post development discharge rates exiting along the east property boundary will be approximately equal to the existing conditions discharge rates. Onsite detention will be provided to mitigate potential increases in peak flows associated with site development.

The engineering features that will be used to mitigate potential impacts to the site development will include bank protection (where necessary), cutoff walls to control channel degradation, roadway drainage culverts where needed to facilitate all-weather access and fill pads to elevate structures above 100-year flood elevation. The engineering feature that will be used to mitigate potential impacts to downstream property will include on-site detention basins to prevent significant increases in peak flow rates. Sub-regional basins will be constructed in the vicinity of the downstream (east) boundary wherever possible to limit the number of small basins within each subdivision. Basins will also be incorporated with other open space and/or recreational areas, if possible. Preservation of the primary washes within natural open space corridors will prevent an increase in flow velocity.

The development plans will conform to all known basin management policies and with Town of Sahuarita floodplain management policies and regulations. Primary amongst them are regulations related to development within floodplain areas, erosion hazard mitigation and onsite detention requirements.



## J. Parks, Trails & Open Space

### 1. Proposed Residential Recreation Calculations

As shown on Table III.J: Copper Point Residential Recreation Area Matrix, the Copper Point Neighborhood Park and Trails described in Section III.J.2 and III.J.3 meet the Town standards for residential recreation if the plan is built out to maximum permitted densities. In fact, the vision for Copper Point may include additional amenities that exceed code standards if the market dictates higher densities within Development Area A and B. The table identifies, the proposed residential densities, Town of Sahuarita recreation requirements for each Development Area and the recreation area proposed and potential additional recreational amenities.

**Table III.J: Copper Point Residential Recreation Area Matrix**

Parcel	Permitted Land Use	Acres	Max # of Units	Required Park Space Per Unit	Required Recreation Area if Built at Max Density	Potential Additional Recreation Amenities by Parcel	Proposed Recreation
1	High Density Residential (Apartments /Max 20 RAC)	14	280	460 sf per unit	2.9 Acres	Recreation Center/Swimming Pool	9-10 acre Copper Point Neighborhood park and 2-3 acres of Trails
2-4	Medium Density Residential (Attached and detached multifamily rental casitas/Max 12 RAC)	22	264	460 sf per unit	2.8 Acres	Swimming Pool	9-10 acre Copper Point Neighborhood park and 2-3 acres of Trails
5-13	Low Density Residential (max 5 RAC)	73	365	871 sf per unit	7.3 Acres	Dual Use Detention Retention Basin/Rec. Areas	9-10 acre Copper Point Neighborhood park and 2-3 acres of Trails
<b>Total</b>		<b>108</b>	<b>909</b>		<b>13 Acres</b>		



## 2. Neighborhood Park

The Copper Point Specific Plan includes over 21 acres of consolidated open space and a 9-10 acre Neighborhood Park located in Parks/Open Space area along the southeast corner of the site (See *Exhibit III.J.1: Parks, Trails and Open Space*.) A 485-foot easement exists on the property within the southeast corner consisting of four overhead electric transmission lines owned by both Tucson Electric Power (TEP) and the Southwest Transmission Cooperative (SWTC). As shown on Exhibit III.J.1, there is a 50-foot easement along the northeast boundary dedicated for ASARCO waterline relocation, maintenance access and a walking path. This access will continue along the southeast boundary as a 30-foot graded dirt maintenance access and path to provide full access for TEP maintenance vehicles to the 485-foot easement. It will also serve as a pedestrian path for residents. The path is proposed to be made of decomposed granite and able to support maintenance vehicles at all times. Precautions will be taken to ensure the vehicle access is only permitted for TEP maintenance vehicles.

As shown on the *Exhibit III.J.2*, the proposed layout strategically locates all physical structures including restrooms, basketball courts, playground equipment and ramadas outside of the TEP/SWTC easement to the north and centers the turfed areas between two of the total four overhead electric lines. To ensure safety, all activities associated with the easement will be setback a minimum of 25-50 feet from electric support structures. In addition, anti-climbing devices will be installed to ensure residents's safety. An additional 8-foot decomposed granite walking path is proposed along the west side of the park area to provide for pedestrian access from the turfed areas to the park amenities north of the easement. Additional concrete benches and trash enclosures will be located along this walking path as approved by TEP. Two parking areas are proposed supporting a minimum 60 parking spaces for the +/-9-10 acre park area; one along the north outside of the easement and one further south providing access to the turfed areas and walking paths.

The Neighborhood Park will include, at a minimum:

- Two Turfed Areas
- One full-size Basketball Court and one half-size Basketball Court
- One Restroom Building (includes separate men's and women's restrooms)
- Required Infrastructure, including, water, power, and sewer
- Two Shade Structures with concrete pads
- Off-Street Parking Spaces (Parking shall be in conformance with the Town of Sahuarita Parks & Recreation Area Design Standards Manual)
- Picnic Tables
- BBQ Grills
- Two shaded play structures
- Turf Area (plan provides more than the 30% minimum turf area required)
- Water Fountain
- Dog Waste Stations
- Trash Receptacles
- Six Bike Racks (4 bikes/rack)
- Benches
- Security Lighting (north of easement only)
- 8-foot Decomposed Granite Path



- 30 to 50-foot pedestrian path along east boundary also serving for TEP maintenance access
- Linkages to adjacent or nearby trails, linear parks, greenways, etc.
- Effluent or other renewable water source will be used for turf irrigation in accordance with the Council-approved Effluent Use Policy;
- Effluent recharge areas associated with wastewater treatment should include public amenities (such as passive recreation providing bird-watching opportunities)

The agreements with TEP include the following:

- Exhibit III.J.2 is conceptual in nature and will require review by TEP and Town of Sahuarita Parks and Recreation Department prior to any final approval.
- To the extent possible recreational activities will be directed away from TEP structures and facilities through the use of landscape, signage, education and barriers as necessary.
- Park improvements will be planned to maintain access to TEP's facilities for maintenance.
- Any proposed improvements requiring grading will be done so to the standards, review and approval of TEP. Such improvements may include, but not limited to, benches, handicap parking signage and trash receptacles.
- No lighting shall be permitted within TEP easements.
- Developer will enter into agreement which stipulates that TEP will not be held responsible for any damage to developer's improvements within TEP easements due to future maintenance or construction needs.
- No buildings or overhead structures shall be permitted within TEP Easements.
- Any proposed trees or native vegetation within the TEP's easement shall conform to TEP standards tree planting guidelines.
- The proposed 30-foot maintenance access and path will provide vehicular access, for TEP vehicles only, to maintain TEP facilities and will function as a pedestrian path when not in use by TEP.

The master developer will be responsible for development of the Neighborhood Park. Construction of the Neighborhood Park will be completed when one-half (approximately 50%) of the residential units in Copper Point building permits issued. A Recreational Area Plan (RAP) will be submitted in order to meet the Town Park & Recreation Department requirements / standards and must be approved prior to approval of the first tentative plat.. The Neighborhood Park outdoor lighting will be consistent with the Town lighting code and other applicable building code requirements. Low water use plant materials will be utilized in the park areas (per the ADWR list).

### 3. Neighborhood Paths & Trails

Approximately 2 to 3 acres of neighborhood trails will be developed along open space corridors that follow watercourses, along the east boundary and along Interstate 19 as identified in *Exhibit III.J.1: Parks, Trails, & Open Space*. Pedestrian sidewalks located along Camino Rancheria, the north/south spine road through the project, and along the neighborhood streets within each residential area are included as part of the Parks, Trails and Open Space Plan. These sidewalks provide a vital neighborhood pedestrian link connecting each neighborhood



to community trails, parks and open space areas within the Specific Plan. The neighborhood trails and pedestrian sidewalk system are intended to provide recreation and fitness opportunities for the residents of Copper Point, as well as an alternate modes of transportation to and from the residential areas within Copper Point to the Neighborhood Park, as well as neighborhood shopping and places of employment in and near Copper Point. The trails will be developed in conformance with the Town of Sahuarita Parks & Recreation Area Design Standards Manual except as modified herein and the sidewalks will be constructed to Town of Sahuarita Public Works Department Standards. Constructed trails will be credited towards the park requirement. Minimum features for the neighborhood trails will include:

- Natural surface (DG) path (8' -10' in width)
- Landscaping (native species).
- Irrigation.
- Trail linkages to Effluent recharge areas associated with wastewater treatment should include public amenities (such as passive recreation providing bird-watching opportunities)
- Fencing/railing/post-and-cable, or other vehicular barriers as appropriate.
- Signage (as appropriate)
- Linkages to adjacent or nearby parks, trails, linear parks, greenways, pedestrian sidewalks, etc.

One pedestrian connection from the proposed trail(s) at the south end of Development Area B shall be constructed as part construction for Neighborhood Park to Development Area C. Town of Sahuarita will be consulted for approval regarding the design and location of any major pedestrian connection between Development Area C and the Neighborhood Park. In addition, the Copper Point trail system will be constructed as development occurs. the master developer will be responsible to ensure that any subdivision plat or development plan that occurs adjacent to the trails shown on *Exhibit III.J.1*, will be built in conjunction with the issuance of building permits.



Exhibit III.J.1: Parks, Trails, & Open Space

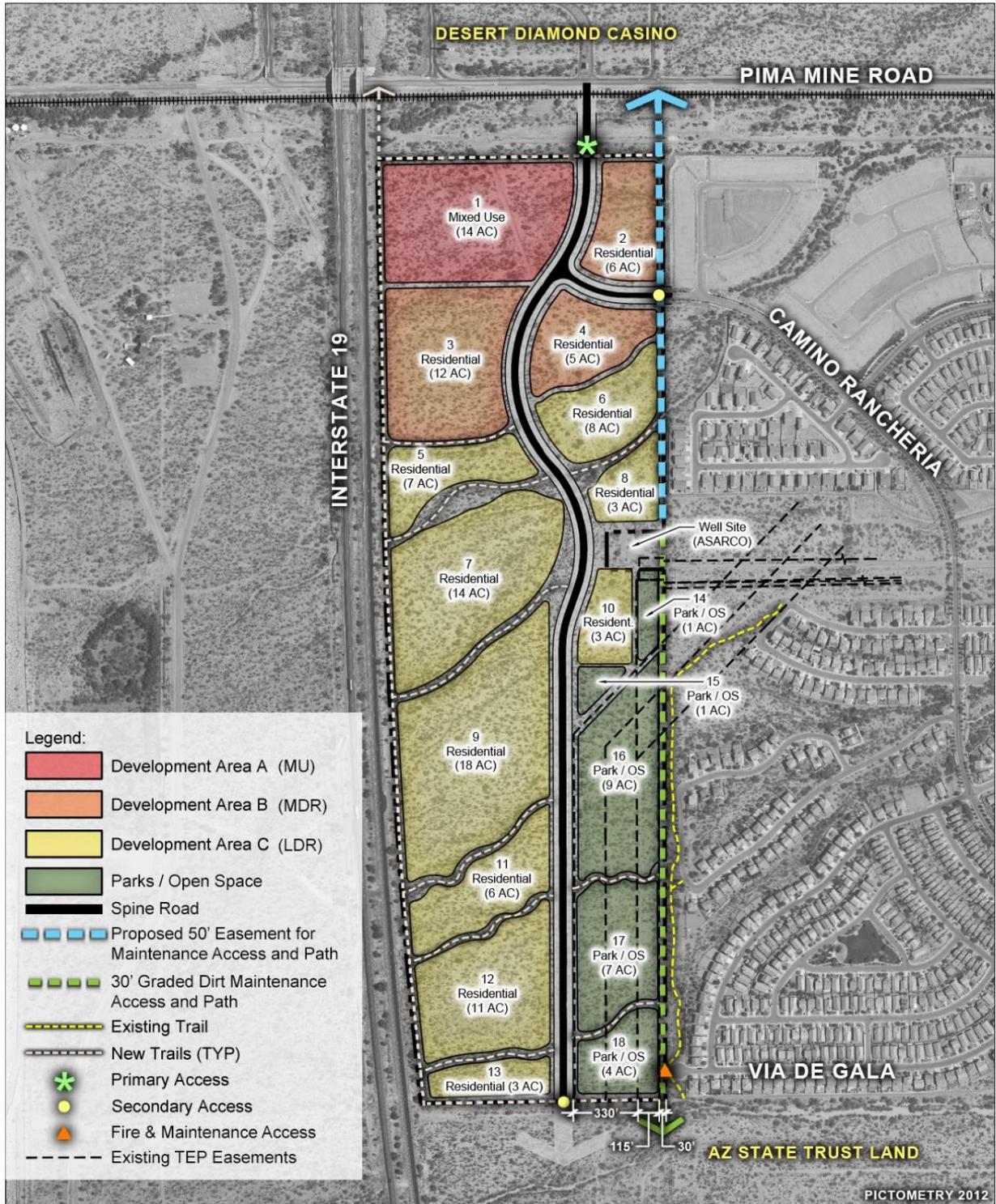
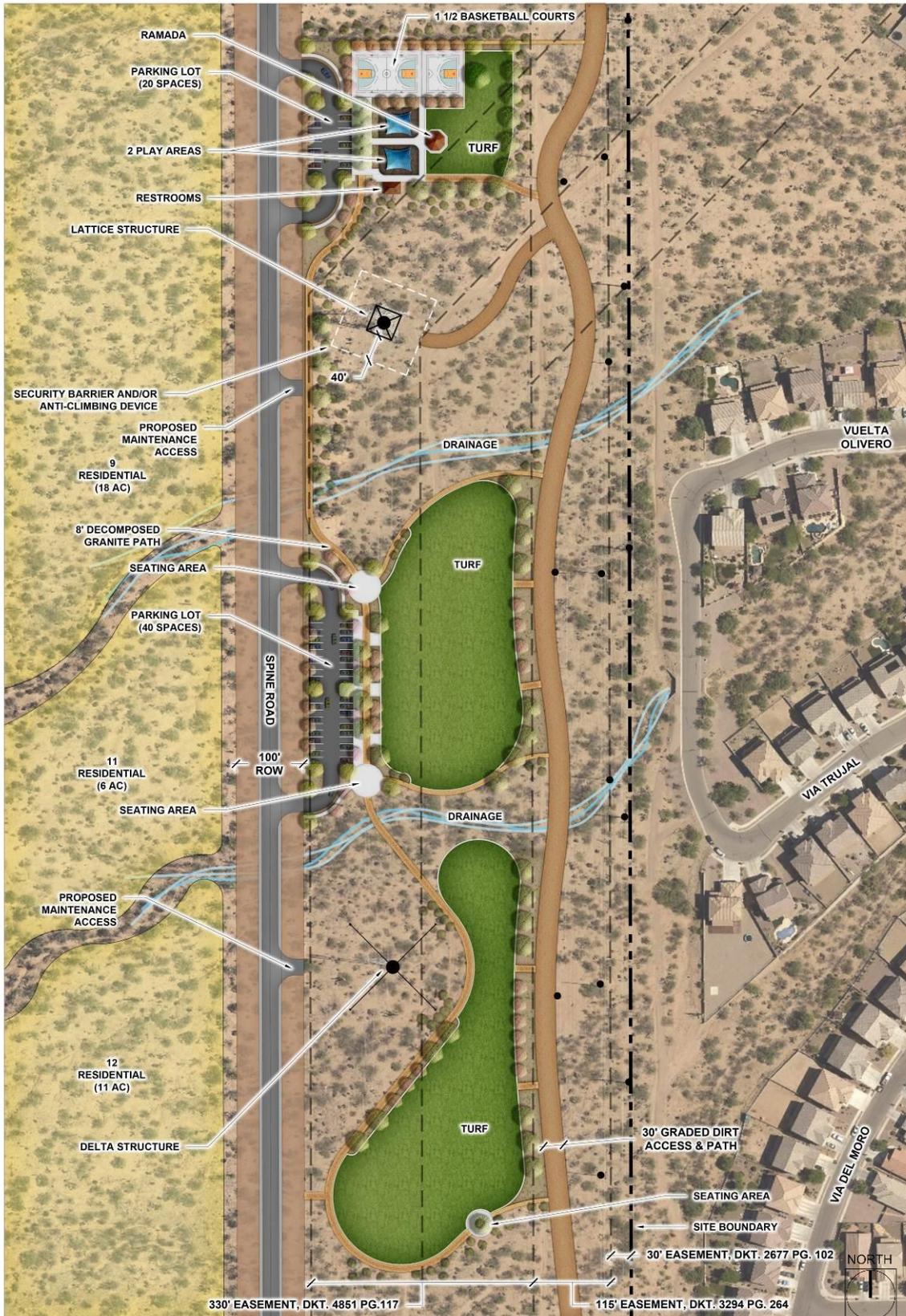


Exhibit III.J.2: Preliminary Park Layout



**K. Signage Plan**

The Specific Plan shall comply with Chapter 18.79, Sign Standards of the Town of Sahuarita Zoning Code.

**L. Lighting Plan**

The Specific Plan shall comply with the Sahuarita Outdoor Lighting Code.

**M. Cultural Resources**

The proposed project area was intensively inspected for historic properties in 2004, with no significant properties identified. The archaeological firm summarized its work at that time and made the recommendation that no additional archaeological work would be required in the project area and development could proceed as planned. Staff at the ASM is in agreement with the recommendation made in the 2004 report and requires no additional archaeological research concerning the subject parcel.

Although it is unlikely, it is possible that previously buried cultural material or features could be uncovered during the proposed project. In that unlikely event, The Contractor will need to cease work in the project area and consult with a qualified contractor whose name is maintained on a list posted on the ASM website at the following address: <http://www.statemuseum.arizona.edu/lcrservices/permits/index.shtml>.

Pursuant to *Arizona Revised Statutes §41-865 et seq.*, if any human remains or funerary objects are discovered during the project work, all work will stop within the area of the remains and Dr. Todd Pitezal, ASM assistant curator of archaeology, will be contacted immediately at (520) 621-4795.

**N. Schools**

The site is located within the Sahuarita Unified School District (SUSD). Table III.M identifies the amount of students projected to attend SUSD schools per the Sahuarita School District multiplier standards.



Table III.M: School Projections

Grade	District Average Multiplier (Derived from Powerschool 2013)	Estimated # Residential Units (final Unit Counts depends on market demand)	Projected # of Students
Kindergarten through 5 <sup>th</sup> grade	0.25	909 (0.25)	227
6 <sup>th</sup> through 8 <sup>th</sup> grade	0.12	909 (0.12)	109
9 <sup>th</sup> through 12 <sup>th</sup> grade	0.17	909 (0.17)	154
Total			526

The master developer has met with Dr. Manuel Valenzuela and Scott Downs of SUSD. As part of this development, the developer is amenable to a future voluntary school fee or alternative solutions to help SUSD offset the costs of new schools or improvements to existing schools that are impacted by the addition of new students to the district as a result of this project. The developer shall work with SUSD to form a memorandum of understanding, or other agreement, outlining the details. This agreement shall be finalized prior to issuance of residential building permits.

## O. Infrastructure Standards

### 1. Sewer Conveyance

The undeveloped site naturally slopes to the east, with the lowest point of the site being at its northeast corner. Consequently, it is proposed that all generated wastewater flows be conveyed by 8" gravity sewers towards the project's northeast boundary from which point it will be pumped via a lift station and force main to the project's on-site wastewater treatment facility located at the project's southwest corner (*See Exhibit III.O: Package Wastewater Plant.*) The wastewater treatment facility land use has been added to Development Area A and Development B as permitted uses since the final location of the facility has yet to be determined. An ultimate gravity outfall located along the northeastern corner of the property along Pima Mine Road allow for future connection to a larger wastewater treatment facility. Alternative options include requesting a referendum and connecting to the Town's existing sewer system.

### 2. Wastewater Treatment

There are three general land use types within the specific plan: mixed use (commercial/retail, employment and multi-family residential); residential (single and multi-family residential); and recreational (parks, trails and open space). Based upon the project's proposed land use, the following dwelling unit and commercial acreage projections were made. These numbers do not indicate an actual proposed development plan for the property. The projections are intended to provide direction for traffic and civil engineering studies.

- +/-365 single family dwelling units



- +/-264 multi-family dwelling units (attached and detached)
- +/-14 acres commercial and/or +/- 280 multi-family development (apartments)

It is estimated that at build out, the projected average daily flows would be in the range of 0.15 million gallons per day (MGD). These on-site generated wastewater flows cannot be conveyed to the Town's existing wastewater treatment plant, the developer has indicated that they intend to purchase and augment the Town's four Smith and Loveness Model RAD50-HC144 factory built ADDIGEST® wastewater package treatment plants to provide wastewater treatment. The combined units are designed to treat an average daily flow of 0.2 MGD utilizing the extended aeration process. These package plants were previously used by the Town as a standalone scalping plant used to provide time for design and construction of the previous expansion of the Town's existing wastewater treatment plant.

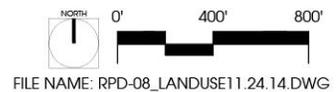
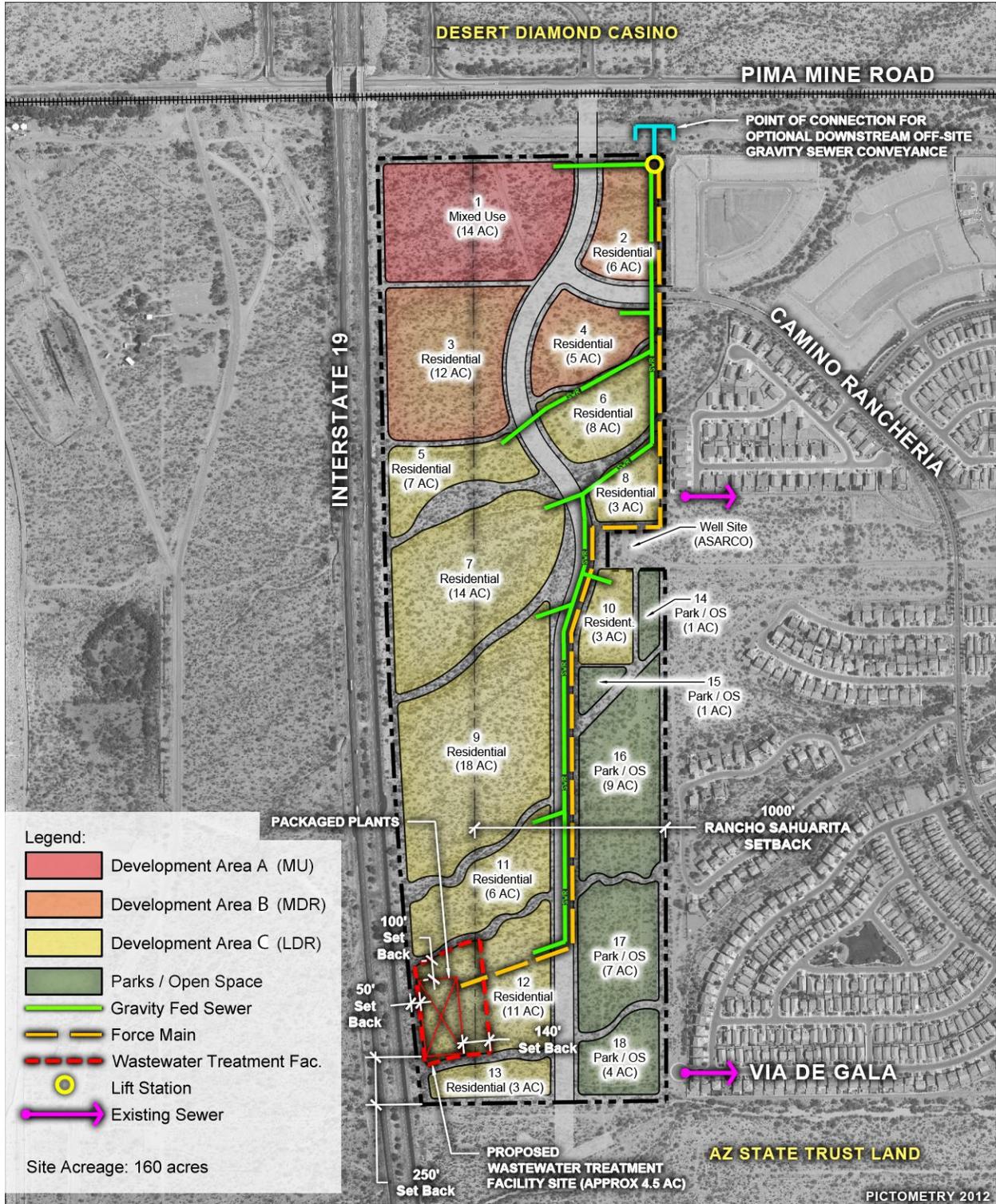
The Town will own, operate and maintain the proposed wastewater collection system and treatment facility. Effluent provided by the facility will remain under Town ownership. It is anticipated that the package treatment plant facility site may encompass an area from 5 to 10 acres depending upon the actual method of bio-solid treatment and disposal along with effluent quality and use (infiltration recharge basins/reclaimed water). According to Arizona Administrative Code Part B, BADCT for Sewage Treatment Facilities R18-9-B201 Section I, the owner or operator of a sewage treatment facility shall provide setbacks from the treatment and disposal components within the sewage treatment facility to the nearest adjacent property line of an adjacent dwelling, work place or private property. Consequently, setbacks for design flows of 150,000 gpd are as follows:

- 500' no noise, odor or aesthetic controls.
- 100' full noise, odor and aesthetic controls.

Per the Town's requirement to locate the facility at least 1000' west of the Rancho Sahuarita community, the developer anticipates that the package treatment plant site will be equipped with full noise, odor and aesthetic controls. The setback will need to accommodate future expansion of the facility to serve ASLD using design flows per Arizona Administrative Code, Title 18. The facility site will need to be protected from physical damage due to a 100-year flood and the ability to operate during a 25-year flood. critical infrastructure such as wastewater treatment facilities must be protected from 500-year flood in accordance with Sahuarita Town Code, Chapter 14. As a facility that accepts flow from commercial development and average daily flow exceeding 0.02 MGD, the facility will require the preparation and successful processing of a full 208 plan amendment. The Town of Sahuarita will be the Designated Management Agency (DMA) for this project. The treatment plant will process an Aquifer Protection Permit with Arizona Department of Environmental Quality (ADEQ).



Exhibit III.O: Package Wastewater Plant



### 3. Solid Waste Disposal

All required solid waste and recycle materials collection and storage shall be located and screened, to allow for safe access and maneuverability within the development. A number of private sanitation service providers may be contracted to serve the site with comprehensive trash and solid waste removal, recycling, and environmentally safe waste management services.

### 4. Water Utility

Prior to the approval of the first Development Plan or Plat, the developer shall enter into an agreement with a Water Utility designated by the State of Arizona Department of Water Resources as having an assured water supply. The developer will provide the Town with a Water Service Agreement that establishes assured water supply to the property.

### 5. ASARCO Waterline and Utility Easement

A 50-foot wide waterline and utility easement traverses the north end of the site. The easement consists of a waterline connecting to an existing ASARCO wellsite, registry ID 55-607790, located adjacent to the eastern property boundary. The Copper Point subject property owner has the right to relocate the waterline facilities together with the Water Facilities Easement Area. The 50-foot waterline easement will be relocated to the eastern property line prior to development within Development Area A (See Appendix A: Waterline and Utility Easement).

## P. Phasing

The general phasing of the project is expected to start with Development Area A portion of the Specific Plan area, along with all required infrastructure necessary to serve that portion of the development. It is expected that Development Areas B and C will follow in accordance with market demand. The phasing plan is subject to change, however all necessary infrastructure will be provided to accommodate logical phasing of the development. The following is a conceptual phasing plan for Specific Plan infrastructure improvements separated into three stages: initial improvements, mid-term improvements and full build-out improvements.

### 1. Initial improvements

- If the Specific Plan Development commences prior to the Pima Mine Road Regional Transportation Authority (RTA) improvements, the developer of the area in question will work with Town of Sahuarita and the RTA to construct the required interim improvements as determined necessary by a Traffic Impact Analysis for the Specific Plan to function.
- Spine Roadway - Cross Section A & B (See *Exhibit III.G.1 Spine Road Cross-Sections*) - Before any certificates of occupancy are issued or any final inspections are approved for any use on Development Area A; the spine road extending south from Pima Mine Road will be constructed in segments as needed to serve the relevant portions of Development Area A.
- Signalized Railroad Crossing- Before any certificates of occupancy are issued or any final inspections are approved for any use on Development Area A; a signalized railroad



crossing must be constructed for access across the Union Pacific Railroad to Pima Mine Road.

- Sewage Treatment Package Plant- The package plant must be constructed and fully permitted prior to issuance of any building permits; a Sewage Treatment Package Plant, as described in Section III.N.2 above, must be constructed, fully permitted by the Town of Sahuarita and the Arizona Department of Environmental Quality (ADEQ), and operational.
- The master developer will be responsible for development of the Neighborhood Park. Construction of the Neighborhood Park will be completed when one-half (approximately 50%) of the residential units in Copper Point building permits issued. A Recreational Area Plan (RAP) will be submitted in order to meet the Town of Sahuarita Park & Recreation Department requirements / standards and must be approved prior to approval of the first tentative plat..
- Multiple-family residential developments having an excess of 100 multiple-family dwelling units shall be equipped throughout with two separate and approved fire apparatus access roads without other fire protection means and approval from the Town of Sahuarita Fire Marshal; a limitation of 200 multiple-family dwelling units on a single access road will be acceptable, when all buildings (including nonresidential occupancies) are equipped throughout with approved automatic sprinkler systems per International Fire Code, (IFC) Section D106.1.

## 2. Mid-term improvements

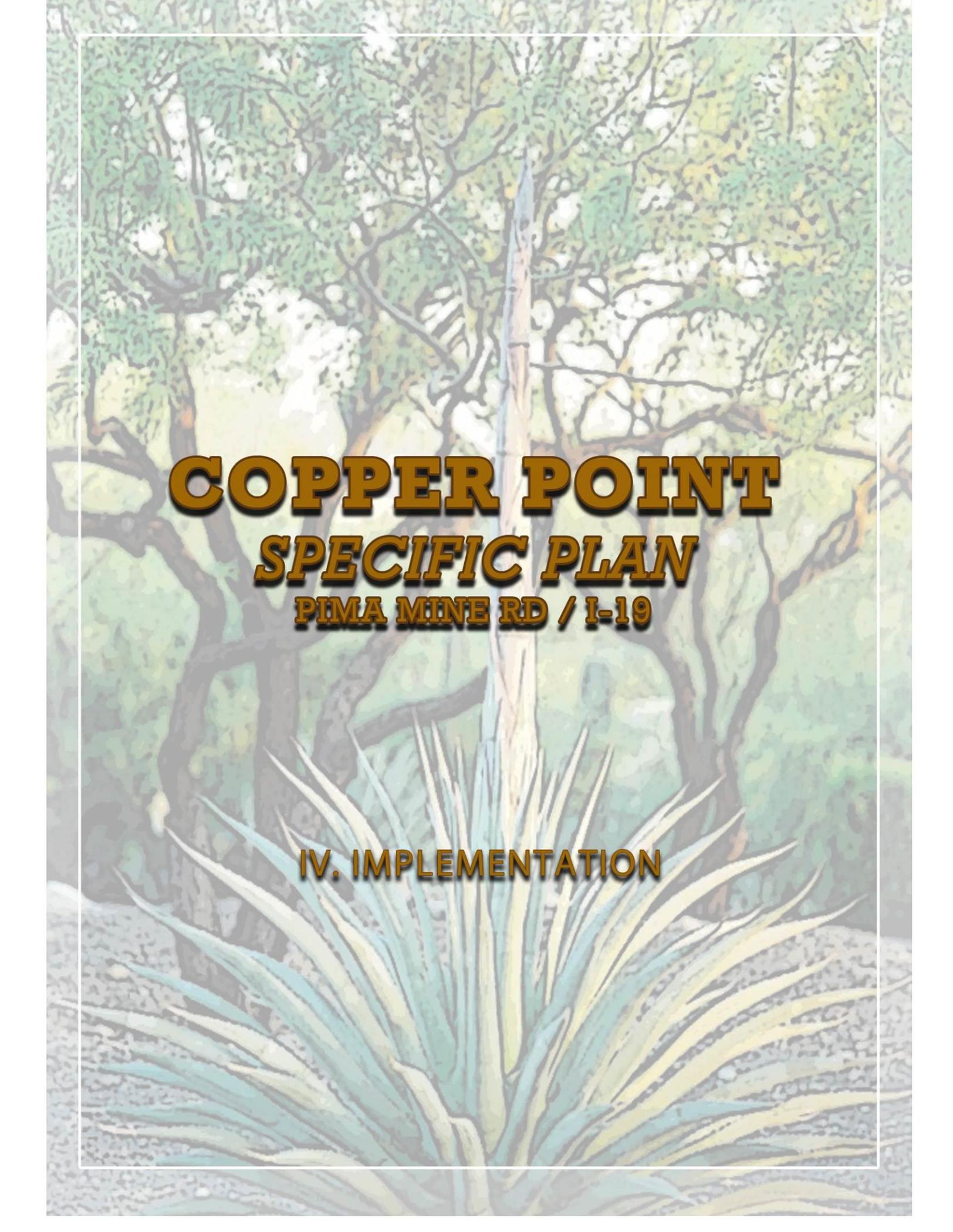
- Spine Roadway - Cross Section B (*See Exhibit III.G.1 Spine Road Cross-Sections*) - Before any certificates of occupancy are issued or any final inspections are approved for any use on Development Areas B and/or C, the spine road extending south of Development B, Pod 10, into Development Areas C will be constructed in segments to the southernmost entrance to POD 13.
- The master developer will be responsible for development of the Neighborhood Park. Construction of the Neighborhood Park will be completed when one-half (approximately 50%) of the residential units in Copper Point building permits issued. A Recreational Area Plan (RAP) will be submitted in order to meet the Town Park & Recreation Department requirements / standards and must be approved prior to approval of the first tentative plat..
- Pedestrian Trail connections- One pedestrian connection from the proposed natural trail(s) at the south end of Development Area B shall be constructed to connect to the Neighborhood Park. Town of Sahuarita will be consulted for approval regarding the design and location of any major pedestrian connection between Development Area B and the Neighborhood Park.
- The Copper Point trail system will be constructed as development occurs. the master developer will be responsible to ensure that any subdivision plat or development plan that occurs adjacent to the trails shown on *Exhibit III.J.1*, will be built in conjunction with the issuance of building permits.
- Prior to the construction and approval of the fire apparatus access road from Via De Gala only 30 residential building permits will be issued without other fire protection means and/or approval from the Town of Sahuarita Fire Marshal per IFC Section D107..



### **3. Full build-out improvements**

- Spine Roadway- The connection of the Spine Road from Pima Mine Road to Arizona State Trust Land will need to be completed prior to the issuance of Certificate of Occupancies for the final phase of this Specific Plan development.





**COPPER POINT**  
***SPECIFIC PLAN***  
**PIMA MINE RD / I-19**

**IV. IMPLEMENTATION**

## A. Design Review

The Master Developer shall establish a Copper Point Design Review Committee (CPDRC), prior to submittal of any development plan or tentative plat, which will be responsible for reviewing and approving all details of project design through a self-certification process. The CPDRC shall consist of an architect, a landscape architect and the Master Developer. The CPDRC shall review and approve/disapprove all new construction within Copper Point for conformance with the Development Regulations outlined in Section III of this Specific Plan, including all improvements, development plans, landscaping, signage and all variances and appeals, prior to submittal to the Town of Sahuarita for approval and permitting in accordance with Town procedures. A copy of the self-certification will be provided to the Town of Sahuarita at the time of plan submittal advising whether the design conforms to the standards established by the CPDRC.

## B. Interpretations and Amendments

### 1. Substantial Change

This Specific Plan may be substantially amended by the procedure outlined in the Town of Sahuarita Zoning Code. The owner or agent of the property may submit to the Planning Director a written application to amend one or more of the Specific Plan regulations. Depending on the type of request, the Planning Director may determine the request to be a substantial change to the Specific Plan.

A substantial change requires the applicant to submit all sections or portions of the Copper Point Specific Plan that are affected by the change(s). After review, the Planning Director shall refer the request with his/her recommendations to the Planning and Zoning Commission for public hearing. The Planning and Zoning Commission shall make its recommendation to the Town Council, which, after public hearing, shall approve, reject or modify the proposed amendment.

### 2. Administrative Change

Minor changes to the explicit provisions in the Specific Plan may be made administratively as determined by the Planning Director, provided such changes are not in conflict with the overall intent as expressed in the Copper Point Specific Plan. Any changes must conform to the goals and objectives of the Specific Plan.

- Changes to the infrastructure phasing and alignment, such as roads, drainage, water and sewer systems that do not increase the development capacity in the Specific Plan area, provided infrastructure development is precedent or concurrent. Town of Sahuarita permitting processes as required by the Sahuarita Town Code apply.
- Changes in land use plan boundaries, division of plan areas or combinations of areas.
- Placement and/or construction of identity or character features such as community art, entry monuments, signage, etc. unless there is a safety concern.
- Modifications in the design and construction of infrastructure based upon technological advances when proposed modification is accepted by the Town. Infrastructure capacity based upon planned target densities and intensities of use and phasing of infrastructure precedent or concurrent with development will remain unchanged.
- Minor modifications or adjustments to intrusions, encroachments, easements, rights-of-way or open spaces, including location of spine road.
- The Planning Director may make a determination that a use is allowed if it is found to be analogous with the already permitted uses allowed in the Specific Plan.



### 3. Interpretation

The Planning Director shall be responsible for interpreting the provisions of this Specific Plan. If any provision within this Specific Plan is ambiguous or unclear, the Planning Director shall be responsible for interpreting the intent of the Specific Plan. Appeals to the Planning Director's interpretation may be made to the Town Council.

### C. Planning Process

All new development within the Specific Plan shall conform to applicable building, fire and other life safety standards. If the Specific Plan is approved, and prior to issuance of a building permit, the property owner(s) shall obtain approval of a Subdivision Block Plat, Development Plan and/or Subdivision Plat for the subject site that adheres to all applicable codes and requirements of the Town of Sahuarita. Where these regulations and standards vary from the Town of Sahuarita Zoning Code, the Specific Plan regulations shall apply. Where the Specific Plan is silent, the relevant standards of the Town of Sahuarita Zoning Code shall apply.

### D. Proposition 207

The property owners(s) shall execute and record a disclaimer regarding Proposition 207 rights, with the language as follows:

- The property owner(s)/developer(s) acknowledges that neither the rezoning of the property nor the conditions of rezoning give the property owner(s)/developer(s) any rights, claims or accuses 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 the property owner(s)/developer(s) any rights or claims under the Private Property Rights Protection Act. The property owners(s)/developer(s) hereby waive any and all such rights and/or claims pursuant to A.R.S. § 12-1134(1).

### E. Definitions

- **Bar:** The retail sale of alcoholic beverages, such as beer, wine, and liquor, for consumption on the premises. Typical uses include cocktail lounges, and taverns.
- **Low Density Residential:** Residential development up to 5 residences per acre (RAC) in Development Area C parcels (5-13).
- **Medium Density Residential:** 5 to 12 RAC in Development Area B parcels (2-4).
- **Seasonal Retail Sales:** Seasonal establishments engaged in the retail sales of items such as Christmas trees, pumpkins, holiday décor, etc.
- **Commercial Recreation:** A commercial establishment where participatory athletic, recreational or physical fitness facilities are provided for gain or profit, and includes without limiting the generality of the foregoing, a commercial health fitness and exercise spa or club, a commercial ice or roller skating rink, a commercial squash, tennis or golfing facility and a commercial outdoor recreation area, but does not include a riding stable, amusement center or amusement park.



Bibliography

Aerial Photographs, Pictometry, 2012, 2014 and National Agriculture Imagery Program, 2010.

Balanced and Critical Basin Map, Pima County.

Town of Sahuarita General Plan, ratified 2003.

Town of Sahuarita Zoning Code

FEMA Flood Insurance Rate Map, Pima County, Arizona.

Institute of Transportation Engineers, Trip Generation Manuals, 7<sup>th</sup> Edition, Volumes 1 & 3, 2003

MapGuide, Pima County Geographical Information Systems, 2014.

Stormwater Detention/Retention Manual, City of Tucson

USGS Topographic Map, Jaynes Quadrangle.



**Appendix A: Waterline & Utility Easement Agreement**



Appendix A: Waterline & Utility Easement

**WATERLINE AND UTILITY EASEMENT AGREEMENT**

**THIS WATERLINE AND UTILITY EASEMENT AGREEMENT** ("**Agreement**"), is made this 11 day of August, 2007, by and between ASARCO INCORPORATED, a New Jersey corporation, its assigns and successors (collectively, "**Grantee**"), and FIDELITY NATIONAL TITLE AGENCY, INC., an Arizona corporation, as Trustee under Trust No. 60,141, its assigns and successors, its assigns and successors (collectively, "**Grantor**").

**RECITALS:**

- A. Grantee owns the real property (the "**Grantee Property**") located in Pima County, Arizona, as more particularly described on Exhibit B attached hereto.
- B. The parties have contracted for Grantor's purchase of certain real property (the "**Grantor Property**"), as more particularly described on Exhibit A attached hereto.
- C. In connection with the sale of the Grantor Property by Grantee to Grantor, the parties desire to provide the Grantee Property an easement on, over, across, upon and under the Grantor Property for the purpose of constructing and maintaining water pipelines and other utilities and facilities.

**NOW, THEREFORE**, for and in consideration of the mutual covenants herein set forth and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties being the sole owners of the real property described herein and intending to be legally bound hereby mutually covenant and agree for themselves and their heirs, successors and assigns as follows:

**AGREEMENT**

- 1. **Effective Date.** This Agreement shall be effective as of the date that it is recorded in the official records of Pima County, Arizona.
- 2. **Waterline Easement.**
  - 2.1 **Grant of Waterline Easement.** Grantor hereby conveys unto Grantee, and its employees, invitees, licensees, agents, tenants, and subtenants along with any lawful occupants of the Grantee Property ("**Permittees**"), a perpetual, appurtenant easement ("**Water Facilities Easement**") solely for the purposes of constructing, installing, maintaining, replacing and operating upon, across, over and under a portion of the Grantor Property, as more



particularly described on Exhibit C (the "Water Facilities Easement Area"), underground water pipelines, underground power lines, improvements and facilities in connection with the operation of water wells located on the Grantee Property (collectively, the "Water Facilities"), including ingress and egress to and from the Grantee Property to all portions of the Water Facilities Easement Area.

**2.2 Construction and Maintenance of Water Facilities.** Grantee shall, at Grantee's sole cost, construct, install, maintain and repair the Water Facilities located within the Water Facilities Easement Area. All work performed by Grantee upon the Grantor Property shall be performed in compliance with all applicable laws, rules and ordinances pertaining to the Grantor Property. Grantor shall not construct or locate any improvements over or under the Water Facilities Easement Area. Grantee shall promptly repair all damage or disturbance to any portion of the Grantor Property outside the Water Facilities Easement Area directly resulting from or caused by Grantee's construction, installation, maintenance or repair. Grantee shall remediate any surface disturbance to the Water Facilities Easement Area caused by Grantee's activities and shall leave such area clean, neat and orderly. Provided, however, Grantee shall not be responsible for repairing or replacing any improvements located or constructed within the Water Facilities Easement Area by Grantor or Grantor's successors in interest.

**2.3 Relocation of Water Facilities.** Grantor shall have the right to relocate the Water Facilities together with the Water Facilities Easement Area (the "Relocation") from time to time at its expense on the following conditions:

(a) At least sixty (60) days prior to such planned Relocation, Grantor shall provide notice to Grantee in compliance with Section 8 and shall submit its plans and specifications for the Relocation and an ALTA/ACSM Land Title Survey, prepared by a surveyor licensed in the State of Arizona, showing the location of the "Relocated Water Facilities Easement Area" (collectively, the "Plans") to Grantee for Grantee's review and written approval, which approval shall not be unreasonably withheld and which shall be deemed given if Grantor shall fail to respond to an approval request within sixty (60) days after the approval request shall have been made; provided, however, Grantee shall have the absolute right to withhold approval if the relocated Water Facilities are not equal in size and pressure rating to the existing Water Facilities;

(b) The relocated Water Facilities shall be constructed and installed upon the Relocated Water Facilities Easement Area in accordance with the Plans and the permits and approvals issued by governmental entities having appropriate jurisdiction necessary to commence and complete construction of the relocated Water Facilities;

(c) Grantor shall coordinate the Relocation with Grantee so that there will be no disruption or diminishment of water supply, whether in quality or quantity, for any period exceeding twelve (12) hours in any seventy-two (72) hour period and no more than two (2) such events in any six (6) month period ;

(d) The relocated Water Facilities Easement Area shall have a width that is substantially similar to, or wider than, the width of the Water Facilities Easement Area before the Relocation: and



(e) Upon completion of construction of the relocated Water Facilities and receipt of all approvals necessary to activate service through the relocated Water Facilities, the parties shall enter into an amendment to this Agreement the effect of which shall substitute the description of the Relocated Water Facilities Easement Area for the description of the Water Facilities Easement Area and that amendment shall be recorded in the Official Records of Pima County, Arizona.

3. **Temporary Construction Easement.** Provided the entry does not adversely effect Grantor's use of the Grantor Property, Grantor hereby grants to Grantee a temporary non-exclusive easement (the "Construction Easement") over those portions of the Grantor Property reasonably necessary for Grantee to exercise its rights in connection with each of the easements granted under this Agreement, including, without limitation, the right to move and store construction materials, equipment and trailers thereon. Grantee shall promptly repair all damage or disturbance to any portion of the Grantor Property directly resulting from or caused by Grantee's activities within the Construction Easement.

4. **Indemnification.** Grantee will indemnify, defend and hold Grantor harmless for, from and against any and all claims, demands, causes of action, losses, damages, liabilities, costs and expenses (including, without limitation, reasonable attorneys' fees and disbursements), suffered or incurred by the other party arising out of, in connection with, or related to, any personal injury or property damage on the Grantor Property arising or alleged to arise from the use of the Easement by Grantee and its Permittees. Grantee shall use reasonable efforts to prevent mechanics' or materialmen's lien from being filed upon Grantor's Property as a result of any action of Grantee. Grantee shall, after receipt of notice of such lien, cause such lien to be removed within thirty (30) days of receipt of such notice or if Grantee wishes to contest such lien, Grantee shall, within such thirty (30) day period, post a bond in accordance with applicable state law, if so allowed, and if not, post a bond with Grantor in an amount equal to one hundred ten percent (110%) of the amount of such lien claim. In the event Grantee fails to act within such thirty (30) day period, Grantor may take such steps as it deems necessary to remove the lien, including settlement and payment thereof, and Grantee shall reimburse Grantor upon demand for any amount so expended, together with interest thereon at the rate of eighteen percent (18%) per annum from the date said costs are incurred until paid in full.

5. **Insurance.** Grantee shall maintain a policy of comprehensive general public liability insurance, with a broad form contractual liability endorsement, covering Grantee's indemnification obligations under this Agreement in an amount prudent for owners of similar properties in Pima County, Arizona, but in no event less than \$1,000,000 and shall name Grantor as an additional insured. This policy shall remain in effect until such time as the Easement is abandoned or terminated. Any such insurance policy shall require the insurer to provide the additional insured ten (10) days' prior written notice of any amendment or cancellation of the insurance policy. Prior to utilizing the Easement and at any time upon prior request of Grantor (no more than twice a year), Grantee shall provide the owner of the Grantor Property a certificate of insurance consistent with this Section.

6. **Reasonable Use of the Easements.** The easements granted and reserved under this Agreement shall be used and enjoyed in such a manner as to not unreasonably interfere with,



obstruct or delay the conduct or business operations upon the Grantor Property or the general enjoyment thereof. The easements granted herein are non-exclusive, and Grantor shall have the right to use and occupy, and to grant others the right to use, all or any portion of the Grantor Property for any purpose not inconsistent with the easements granted herein.

7. **Notices.** All notices required under this Agreement shall be deemed to be properly served if reduced to writing and sent by certified mail or personal delivery and the date of such notice will be deemed to have been the date on which such notice is delivered or attempted to be delivered as shown by the certified mail return receipt or a commercial delivery service record. All notices shall be addressed as follows, unless otherwise specified in writing:

**Grantee:** ASARCO Incorporated  
Attention: Law Department  
2575 E. Camelback Road, Suite 500  
Phoenix, Arizona 85016  
Fax: (602) 977-6706

With a copy to: ASARCO Incorporated  
Attention: Jack Gracie  
1150 N. 7th Avenue  
Tucson, Arizona 85705  
Fax: (520) 798-7781

**Grantor:** Fidelity Trust No. 61.141  
c/o L.C. Leung  
3550 N. First Avenue, Suite 100  
Tucson, Arizona 85719  
Fax: 520-408-2600

8. **Representations and Warranties.** Grantor and Grantee represent that each is the legal title owner of their respective properties and that the joinder of no other person is required in order to cause this Agreement to be fully binding upon their respective properties.

9. **Run With The Land.** The covenants, conditions, restrictions, easements and the other provisions of this Agreement shall run with and be appurtenant to the land, and shall benefit and bind all portions of the Grantee Property and owners thereof and all successors in title to same.

10. **Partial Invalidity.** If any provision or provisions hereof or the application thereof to any party or to any person or circumstance shall be held to be invalid, void or illegal, the remaining provisions hereof and the application of such provisions other than those as to which it is held to be invalid, void or illegal, shall nevertheless remain in full force and effect and not be affected thereby.

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11. **Descriptive Headings.** The descriptive headings of the sections hereof are inserted for convenience only and shall not control or affect the meanings or construction of any provisions hereof.

12. **Use of Property.** Nothing contained herein shall be deemed to limit the rights of the owner of the Grantor Property or any portion thereof, or its successors and assigns, to grant other easements, rights, privileges and licenses on, across, over or under the Grantor Property (including the Easement Area), so long as such other easements, rights, privileges or licenses do not interfere with or adversely affect the use and enjoyment of the Easement; provided, however, Grantor shall not erect or construct or permit to be erected or constructed any building or other structure within the Water Facilities Easement Area or the Utility Easement Area; provided, however, Grantee shall have the right to construct and erect fences, to install landscaping, parking facilities and driveways, and to establish other uses which are not inconsistent with Grantee's rights in connection with the Water Facilities Easement and the Utility Easement.

13. **No Dedication to the Public.** Nothing contained herein shall be deemed to constitute any dedication to the public or for public use of any portion of the Grantor Property, except as otherwise permitted under this Agreement.

14. **Severability.** Every provision of this Agreement is hereby declared to be independent of, and severable from, every other provision. If any provision shall be held to be invalid or unenforceable, that holding shall be without effect upon the validity or enforceability of any other provision of this Agreement.

15. **Captions.** All captions in this Agreement are for convenience only and do not in any way limit or amplify the provisions hereof.

16. **Default, Attorneys' Fees.** In the event of a default or breach of this Agreement either party hereto shall have any and all rights to enforce it in law or equity and to seek damages related thereto. In the event that suit is brought to enforce or interpret any part of this Agreement, the prevailing party shall be entitled to recover its court costs and reasonable attorneys' fees (as set by the court) from the non-prevailing party.

17. **Governing Law.** This Agreement shall be governed by, and construed and enforced in accordance with, the internal substantive laws of the State of Arizona (without reference to choice of law principles). Each owner irrevocably submits to the process, jurisdiction and venue of the courts of the State of Arizona, Pima County, and to the process, jurisdiction and venue of the United States District Courts of Arizona, for the purpose of suit, action or other proceeding arising out of or relating to this Agreement or the subject matter hereof.

18. **Miscellaneous.** The easements, covenants and restrictions herein set forth shall run with the land, benefiting and binding Grantor and Grantee and their respective heirs, executors, legal representatives, successors-in-title to the Grantor Property (including any portion thereof) and the Grantee Property, and assigns, and all those (including mortgagees and tenants) now and hereafter holding under Grantee and Grantor. Each owner of any portion of the Grantor Property or the Grantee Property shall only be liable for matters and charges arising during such



owner's ownership of its portion of the Combined Property. All exhibits attached hereto are by this reference incorporated herein. This Agreement may be executed in one or more counterparts, each of which together shall constitute one and the same original Agreement.

*(SIGNATURES ON THE FOLLOWING PAGE)*

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IN WITNESS WHEREOF, the undersigned have executed this Agreement on the date set forth above.

GRANTEE:

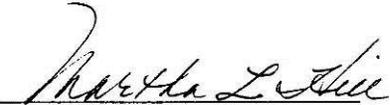
ASARCO INCORPORATED, a New Jersey corporation

By:   
Name: MANUEL E. RAME  
Its: VP Metallurgical Operations

By:   
Name: DANIEL TELLECIRA  
Its: PRESIDENT

GRANTOR:

FIEELITY NATIONAL TITLE AGENCY, INC., an Arizona corporation, as Trustee under Trust No. 60,141, and not in its corporate capacity

  
Trust Officer

01010102 63010101A



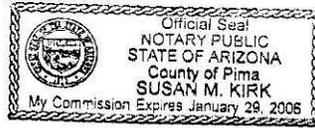
STATE OF Arizona )  
County of Pima )

Before me, a notary public in and for said county and State, appeared Manuel E. Ramos, the Vice President of ASARCO Incorporated, a New Jersey corporation, who executed the Agreement on behalf of said company and who acknowledged to me that he/she signed the same for the purposes therein stated.

[Signature]  
Notary Public

My commission expires:

STATE OF Arizona )  
County of Pima )

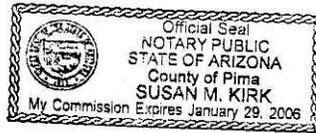


Before me, a notary public in and for said county and State, appeared Daniel Tellock the President of ASARCO Incorporated, a New Jersey corporation, who executed the Agreement on behalf of said company and who acknowledged to me that he/she signed the same for the purposes therein stated.

[Signature]  
Notary Public

My commission expires:

STATE OF ARIZONA )  
County of Pima )

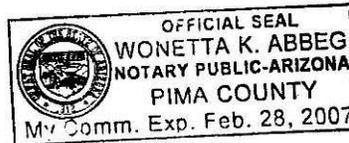


Before me, a notary public in and for said county and State, appeared MARTHA L. HILL, Trust Officer of Fidelity National Title Agency, Inc. an Arizona corporation, who executed the Agreement on behalf of said company and who acknowledged to me that he/she signed the same for the purposes therein stated.

WONETTA K. ABBEG  
Notary Public

My commission expires:

2/28/07



**Exhibit A**

**Grantor Property**

Legal Description of the Combined Property

All that portion of the West half of Section 35, Township 16 South, Range 13 East of the Gila and Salt River Base and meridian, Pima County Arizona lying Easterly of the Easterly right-of-way line of I-19; as established by Instrument recorded in Docket 2805 at Page 78; records of Pima County, Arizona;

Excepting the following described property:

BEGINNING at the North Quarter Corner of Section 35, Township 16 South, Range 13 East, which is the TRUE POINT OF BEGINNING;

THENCE South 00°10'10" East a distance of 429.89 feet to a point on the Quarter section line;

THENCE South 89°15'19" West a distance of 1500.68 feet to a point on the East edge of the Interstate 19 Right of Way;

THENCE 01°03'47" west a distance of 429.87 feet on the East edge of the Interstate 19 Right of Way to a point on the North Section line;

THENCE North 89°15'19" East a distance of 150.39 feet on the North section line, to a point which is the TRUE POINT OF BEGINNING.

FURTHER EXCEPTING the following described property: (M-10 Well Site)

BEGINNING at the Center of Section 35, Township 16 South, Range 13 East;

THENCE North 00° West, a distance of 100 feet to a point on the Quarter section line, which is the TRUE POINT OF BEGINNING;

THENCE South 89°23'29" West, a distance of 300 feet to a point;

THENCE North 00°10'10" West, a distance of 200 feet to a point;

THENCE North 89°23'29" East, a distance of 300 feet to a point;

THENCE South 00°10'10" East, a distance of 200 feet to a point, which is the TRUE POINT OF BEGINNING.

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**Exhibit B**

**Grantee Property**

Section 35 and Section 36, Township 16 South, Range 12 East

Section 31, Section 32, Section 33, Section 34 and Section 35 West of the West edge of Interstate 19, Township 16 South, Range 13 East

Section 1 and Section 2 East of the Mission Road, Section 11 East of the Mission Road, and Section 12 East of the Mission Road, Township 17 South, Range 12 East.

Section 2 West of the West edge of Interstate 19, Section 3, Section 4, Section 5, Section 6, Section 7, Section 8, Section 9, Section 10 and Section 15, Township 17 South, Range 13 East.

BEGINNING at the North Quarter Corner of Section 35, Township 16 South, Range 13 East, which is the TRUE POINT OF BEGINNING;

THENCE South 00°10'10" East a distance of 429.89 feet to a point on the Quarter section line;

THENCE South 89°15'19" West a distance of 1500.68 feet to a point on the East edge of the Interstate 19 Right of Way;

THENCE 01°03'47" west a distance of 429.87 feet on the East edge of the Interstate 19 Right of Way to a point on the North Section line;

THENCE North 89°15'19" East a distance of 1507.39 feet on the North section line, to a point which is the TRUE POINT OF BEGINNING.

M-10 Well Site

BEGINNING at the Center of Section 35, Township 16 South, Range 13 East;

THENCE North 00°10'10" West, a distance of 100 feet to a point on the Quarter section line, which is the TRUE POINT OF BEGINNING;

THENCE South 89°23'29" West, a distance of 300 feet to a point;

THENCE North 00°10'10" West, a distance of 200 feet to a point;

THENCE North 89°23'29" East, a distance of 300 feet to a point;

THENCE South 00°10'10" East, a distance of 200 feet to a point, which is the TRUE POINT OF BEGINNING.

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**Exhibit C**

**Water Facilities Easement Area**

A fifty (50) foot wide private utility easement located in a portion of the Northwest Quarter of Section 35, Township 16 South, Range 13 East, Gila and Salt River Meridian, said easement being twenty-five (25) feet on each side of the following described centerline;

Commencing at the Northeast corner of said Northwest Quarter;

Thence South  $89^{\circ}15'16''$  West along the North line of said Northwest Quarter a distance of 927.47 feet;

Thence South  $00^{\circ}44'41''$  East a distance of 429.86 feet to a point on a line lying 429.86 feet southerly of and parallel with the North line of said Northwest Quarter, said point being the **TRUE POINT OF BEGINNING**;

Thence South  $19^{\circ}$  East a distance of 2086.92 feet to a point on a line bearing North  $89^{\circ}23'29''$  East, said point being the **POINT OF TERMINUS**.

The sidelines of said easement are to be lengthened or shortened to commence on the line bearing South  $89^{\circ}16'19''$  West and to terminate on the line bearing North  $89^{\circ}15'19''$  East.

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**Appendix B: ASARCO Access Easement**



Appendix B – ASARCO Access Easement

E F. ANN RODRIGUEZ, RECORDER  
 A RECORDED BY: MDR  
 S DEPUTY RECORDER  
 T 0324 ES2  
 S TSTTI  
 I STEWART TITLE  
 D 3939 E BROADWAY BLVD  
 E TUCSON AZ 85711



DOCKET: 12363  
 PAGE: 2656  
 NO. OF PAGES: 12  
 SEQUENCE: 20041550486  
 08/11/2004  
 EASMNT 15:44  
 PICKUP  
 AMOUNT PAID \$ 16.00

04002078-22SK

CAPTION HEADING

ACCESS EASEMENT AGREEMENT

DO NOT REMOVE

THIS IS PART OF THE OFFICIAL DOCUMENT

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(100) feet, (b) the specific locations of such access point and the locations of the access roadways and utilities across the Grantor Property shall be subject to the prior written approval of Grantor (“Easement Areas”); and (c) at the sole option of Grantee, at any time, Grantee may expand the scope of this instrument to benefit not only the Grantee Property, but also the Town of Sahuarita or Pima County for use by the public generally, by designating all or any portion of the rights and easements granted hereunder as being a public right of way and easement in a plat or other written instrument that may be executed and/or recorded by Grantee, subject to the assumption by the grantee of all the obligations of Grantee hereunder. In that regard, Grantor and Grantee shall execute and deliver to each other and to any governmental authorities having jurisdiction such instruments to give effect to such expanded scope of this instrument. Upon the date that any portion of the Easement Areas is so conveyed and/or dedicated to the Town of Sahuarita or Pima County for use by the public generally the corresponding portion of the Easement Areas shall automatically terminate and expire. The foregoing dedication or conveyance may also be applicable in the event a utility service provider agrees to assume Grantee’s obligations with respect to those portions of the Easement Areas in which its utility lines and/or facilities are located.

3. **Establishment of Easement Areas.** Promptly following Grantor’s written approval of the Easement Areas, as provided in Section 2, Grantee shall, at its sole expense, cause an ALTA/ACSM Land Title Survey to be prepared by a surveyor licensed in the State of Arizona, showing the location of the Easement Areas (the “Survey”), a copy of which shall be delivered by Grantor for its review and written approval. Within thirty (30) days following Grantor’s written approval of the Survey, the parties shall enter into an amendment to this Agreement thereby inserting a depiction and legal description of the Easement Areas as Exhibit C to this Agreement. As of the date the amendment is recorded in the official records of Pima County, Arizona, all references to the Easement Areas shall refer to Exhibit C. Upon completion of the Improvements (as hereinafter defined) Grantee shall cause the Survey to be updated and shall provide a copy to Grantor, at Grantee’s sole cost, and, at Grantor’s option, Grantor shall have the right to amend Exhibit C with the revised legal of the Easement Areas based on the updated Survey and thereafter all references to the Easement Areas shall refer to the amended Exhibit C.

4. **Construction of Access and Utility Improvements.** Grantee shall be responsible, at Grantee’s sole cost, to construct and install the paved roadways, utility lines and related facilities and improvements within the Easement Areas (collectively, the “Improvements”); provided, however, the utility lines and facilities may be constructed by the applicable service provider and be built underground. Prior to construction or installation of the Improvements, Grantee shall submit its plans and specifications for the proposed Improvements (the “Plans”) to Grantor for Grantor’s review prior and written approval, which approval shall not be unreasonably withheld and which shall be deemed given if Grantor shall fail to respond to an approval request within thirty (30) days after the approval request shall have been made. The Improvements shall be constructed and installed upon the Easement Areas in accordance with the Plans and the permits and approvals issued by governmental entities having appropriate jurisdiction necessary to commence and complete construction of the Improvements (the “Permits and Approvals”). Grantor shall reasonably cooperate, at no expense to Grantor, with Grantee’s efforts to obtain the necessary Permits and Approvals. Grantee shall commence

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8. **Insurance.** Grantee shall maintain a policy of comprehensive general public liability insurance, with a broad form contractual liability endorsement, covering Grantee's indemnification obligations under this Agreement in an amount prudent for owners of similar properties in Pima County, Arizona, but in no event less than \$1,000,000 and shall name Grantor as an additional insured. This policy shall remain in effect until such time as the Easement Areas (or portion thereof) is abandoned, terminated or dedicated to the Town of Suaharita or Pima County in accordance with Section 2 hereof. Any such insurance policy shall require the insurer to provide the additional insured ten (10) days' prior written notice of any amendment or cancellation of the insurance policy. Prior to utilizing the Easement Areas and at any time upon prior request of Grantor (no more than twice a year), Grantee shall provide the owner of the Grantor Property a certificate of insurance consistent with this Section.

9. **Reasonable Use of the Easements.** The easements granted and reserved under this Agreement shall be used and enjoyed in such a manner as to not unreasonably interfere with, obstruct or delay the conduct or business operations upon the Grantor Property or the general enjoyment thereof. The easements granted herein are non-exclusive, and Grantor shall have the right to use and occupy, and to grant others the right to use, all or any portion of the Grantor Property for any purpose not inconsistent with the easements granted herein.

10. **Notices.** All notices required under this Agreement shall be deemed to be properly served if reduced to writing and sent by certified mail or personal delivery and the date of such notice will be deemed to have been the date on which such notice is delivered or attempted to be delivered as shown by the certified mail return receipt or a commercial delivery service record. All notices shall be addressed as follows, unless otherwise specified in writing:

**Grantor:** ASARCO Incorporated  
Attention: Law Department  
2575 E. Camelback Road, Suite 500  
Phoenix, Arizona 85016  
Fax: (602) 977-6706

**With a copy to:** ASARCO Incorporated  
Attention: Jack Gracie  
1150 N. 7th Avenue  
Tucson, Arizona 85705  
Fax: (520) 798-7781

**Grantee:** Fidelity Trust No. 61,141  
c/o L.C. Leung  
3550 N. First Avenue, Suite 100  
Tucson, Arizona 85719  
Fax: 520-408-2600

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jurisdiction and venue of the United States District Courts of Arizona, for the purpose of suit, action or other proceeding arising out of or relating to this Agreement or the subject matter hereof.

21. **Miscellaneous.** Each owner of any portion of the Grantor Property or the Grantee Property shall only be liable for matters and charges arising during such owner's ownership, subject to the indemnification obligations set forth herein. All exhibits attached hereto are by this reference incorporated herein. This Agreement may be executed in one or more counterparts, each of which together shall constitute one and the same original Agreement.

*(SIGNATURES ON THE FOLLOWING PAGE)*

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IN WITNESS WHEREOF, the undersigned have executed this Agreement on the date set forth above.

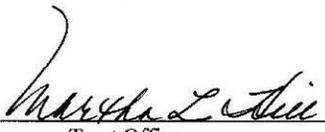
**GRANTOR:**

ASARCO INCORPORATED, a New Jersey corporation

By:   
Name: MANUEL E. RAMOS  
Its: VP. Metallurgical Operations

**GRANTEE:**

FIDELITY NATIONAL TITLE AGENCY, INC., an Arizona corporation, as Trustee under Trust No. 60,141, and not in its corporate capacity

  
Trust Officer

By:   
Name: DANIEL TELLES  
Its: PRESIDENT

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**Exhibit "A"**

**Grantor Property**

BEGINNING at the North Quarter Corner of Section 35, Township 16 South, Range 13 East, which is the TRUE POINT OF BEGINNING;

THENCE South 00°10'10" East a distance of 429.89 feet to a point on the Quarter section line;

THENCE South 89°15'19" West a distance of 1500.68 feet to a point on the East edge of the Interstate 19 Right of Way;

THENCE 01°03'47" west a distance of 429.87 feet on the East edge of the Interstate 19 Right of Way to a point on the North Section line;

THENCE North 89°15'19" East a distance of 1507.39 feet on the North section line, to a point which is the TRUE POINT OF BEGINNING.

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**Exhibit "B"**

**Grantee Property**

All that portion of the West half of Section 35, Township 16 South, Range 13 East of the Gila and Salt River Base and meridian, Pima County Arizona lying Easterly of the Easterly right-of-way line of I-19; as established by Instrument recorded in Docket 2805 at Page 78; records of Pima County, Arizona;

Excepting the following described property:

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THENCE North 89°23'29" East, a distance of 300 feet to a point;

THENCE South 00°10'10" East, a distance of 200 feet to a point, which is the TRUE POINT OF BEGINNING.

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