



PIMA COUNTY

**CONCURRENT PLAN AMENDMENT /
REZONING**

APPLICATION PACKET

Pima County Development Services Department
Planning Division
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Pima County Planning Division

PIMA COUNTY CONCURRENT PLAN AMENDMENT / REZONING PROCESS

Summary

PURPOSE AND APPLICABILITY

The purpose of the Concurrent Plan Amendment / Rezoning process is to streamline the requirements for owners of small-acreage properties to maintain conformance with the Comprehensive Plan while seeking to rezone their property to allow uses similar to nearby properties. Previously, property owners, regardless of the size of their properties, had to participate in two separate and sequential processes in order to amend the Comprehensive Plan and change the zoning designation of their property. (State law requires that the zoning request conform to the Pima County Comprehensive Plan.) Taken as individual steps, changing the Comprehensive Plan and rezoning the property would take 1½ to two years. However, for those properties that meet the following criteria, amending the Comprehensive Plan and rezoning the property can be done more simply and be completed in roughly half the time of going through these two processes separately. Eligible properties for the concurrent process are generally small in size, adjacent to properties with an existing zoning or plan designation similar to that being requested. The land use changes to be requested will be either for only one or a few additional residences or a small non-residential use.

Applicability: A property owner may submit an application for the concurrent plan amendment/rezoning process if at least one of the following criteria is met. If none of the criteria are met, the property owner will need to go through the independent plan amendment and (if the Board of Supervisors approves the plan amendment request) rezoning processes.

- 1) If the request is for one additional residence, the property must abut another property with either existing zoning or a Comprehensive Plan designation that allows a density equal to or greater than that which the property owner is requesting;
- 2) If four or fewer additional residences are requested, the property must share at least 50 percent of its perimeter with other properties with either existing zoning or a Comprehensive Plan designation that allows a density equal to or greater than that which the property owner is requesting.
- 3) If the request is for a non-residential use or a mix of residential and non-residential uses, the subject property must be less than one acre and must abut another property with existing zoning or a Comprehensive Plan designation that allows a use equal to or greater in intensity than that which the property owner is requesting; or
- 4) If the request is for a non-residential use or a mix of residential and non-residential uses, the subject property must be less than ten acres and must share at least 75 percent of its perimeter with properties that have existing zoning or a Comprehensive Plan designation that allows a use equal to or greater in intensity than that which the property owner is requesting.

STEP 1: APPLYING FOR A CONCURRENT PLAN AMENDMENT / REZONING:

- A. Pre-application Meeting.** A rezoning pre-application meeting is held the third (3rd) Wednesday of each month and, if necessary, the first (1st) Wednesday, beginning at 9:00 A.M. A sign-in sheet is located in the lobby of the Planning Division on the second floor of the Public Works Building at 201 North Stone Avenue. The applicant discusses the proposed rezoning with the Planning Division staff, representatives from transportation, parks & recreation and the flood control district. Staff assists the applicant in checking for eligibility for the concurrent plan amendment / rezoning process. Requirements for application submittal are defined and the necessary forms are made available.
- B. Application and Fees.** The applicant completes the forms and then meets with the case planner on an appointment basis (call 740-6800 to request an appointment). The applicant must bring all applicable documentation, along with the full application fee. Application fees are not refundable.
- C. Processing and Review by Staff.** Planning staff schedules the concurrent plan amendment/ rezoning application for public hearing before the Planning and Zoning Commission and the Board of Supervisors, unless the rezoning request requires that a site analysis be submitted (see #F below). Staff circulates information on the application to other agencies and generates a staff report, incorporating comments from those agencies. Because of requirements for public notice (see #D below) and time needed by reviewing agencies to evaluate the application, the request will be scheduled for public hearing before the Planning and Zoning Commission eight to eleven weeks from the date the application is submitted.
- D. Advertising and notification.** Planning staff advertises the public hearings in the newspaper, notifies all owners within the notification area, and posts a notice of public hearing on the property to be rezoned.
- E. Public meeting.** An applicant for a concurrent plan amendment/rezoning shall hold a public meeting regarding the proposed request at least 15 days prior to the public hearing before the planning and zoning commission. The applicant shall invite property owners and members of neighborhood and homeowners' associations of record within the public notice area, as set forth in Section 18.91.060(B). The list of property owners shall be provided by the Development Services Department but the applicant is responsible for ensuring proper notice and conducting the public meeting. The applicant shall provide the county with a copy of the notice sent to surrounding property owners at least 30 days prior to the public hearing before the Planning and Zoning Commission and provide a copy of the sign-in sheet and a summary of the meeting prior to the public hearing.
- F. Site analysis.** If the applicant applies for a non-residential use on a property greater than one (1) acre in area, a site analysis will be required and a public hearing will not be scheduled until the site analysis is found complete by staff. Please refer to the site analysis document found in the document "Rezoning Application and Site Analysis Requirements."

STEP 2: PUBLIC HEARING OF A CONCURRENT PLAN AMENDMENT / REZONING APPLICATION:

- A. The Planning and Zoning Commission.** The concurrent plan amendment / rezoning application is heard at a public hearing by the Planning and Zoning Commission (Commission), a ten-member group made up of citizen volunteers appointed by the Board of Supervisors, which will make a **recommendation** to the Board of Supervisors (Board). The Planning and Zoning Commission may recommend **denial** of the application, **approval subject to conditions**, or **approval of the plan amendment** (with rezoning policies) and **denial of the rezoning**. The Commission may also continue the application for up to 9 months. It may also split the request and continue the rezoning portion while considering the plan amendment request; however, the rezoning request cannot be continued for longer than nine months total. (The applicant or their representative should be present at the public hearing to answer any questions the Planning and Zoning Commission may have.)
- B. The Board of Supervisors.** After receiving a recommendation from the Planning and Zoning Commission, the concurrent plan amendment / rezoning application is heard at a public hearing by the Board of Supervisors, which may **deny** the application or grant **approval subject to conditions**, or continue the application for up to 9 months. The Board may also **approve** the plan amendment and **deny** the rezoning request. If the Board approves the amendment but denies the rezoning, the property owner may not apply for a rezoning or a zoning district equal to or more intense than the one denied by the Board for twelve months, in accordance to Section 18.91.030(B). The Board of Supervisors may also amend the conditions approved by the Planning and Zoning Commission. (The applicant or their representative should be present at the public hearing to answer any questions the Board of Supervisors may have.)
- C. Ordinance and Resolution Adoption.** If the Board of Supervisors approves the rezoning, planning staff will draft the **rezoning ordinance** and schedule it for approval by the Board at a later meeting. The rezoning ordinance will change the zoning boundaries on the Official County zoning base maps, and will include all the rezoning conditions approved by the Board. (Attendance by the applicant or representative is not usually required at this hearing. Check with staff prior to the hearing date.)

In addition, if the Board approves a comprehensive plan amendment for the property, regardless of whether the rezoning portion of the request is approved, staff will draft a **resolution** and schedule it for approval by the Board for the comprehensive plan amendment, including any special area or rezoning policies approved. (Again, attendance by the applicant or representative is not usually required at this hearing. Check with staff prior to the hearing date.)

STEP 3: FINALIZING THE REZONING:

- A. Completion of Rezoning Conditions.** Adoption of the rezoning ordinance by the Board of Supervisors means that the new zoning is now law and approved subject to compliance with all the rezoning conditions approved by the Board. The rezoning conditions **shall** be completed and a **CERTIFICATE OF COMPLIANCE must** be signed by the Planning Director prior to issuance of zoning and/or building permits based on the new zoning. Remember that the rezoning ordinance lists all the conditions which **have** to be satisfied before the certificate of compliance can be issued.

To begin work toward obtaining the Certificate of Compliance, the applicant contacts Development Services Department planning staff, **201 N. Stone Avenue, 2nd Floor, 740-6800**.

Note: If the rezoning requires submittal of a **subdivision plat**, or a **development plan**, the applicant should contact the Subdivision Coordinator's Office, 201 North Stone Avenue, 2nd Floor, 740-6515 to obtain a copy of the Subdivision Review Procedures or the Development Plan Review Procedures and follow the instructions listed in the booklet.

- B. Conditions, Covenants, and Restrictions (CC&R's).** If applicable, certain conditions which must be satisfied during or after construction are placed on the property in the form of **conditions, covenants and restrictions (CC&R's)**. CC&R's constitute a legally binding agreement between the property owner and Pima County. The CC&R's are prepared by the Development Services Department, and when completed, are signed by the property owner and recorded by Document Services. To have the CC&R's prepared, the applicant must contact planning staff, **201 North Stone Avenue, 2nd Floor, 740-6800**. Be prepared to provide a current copy of the Title Report for the property.
- C. Certificate of Compliance.** When the rezoning conditions have been satisfied and the CC&R's recorded, the Planning Director signs the **certificate of compliance**. Once signed, this document certifies that rezoning conditions have been satisfied and that building permits may be issued. There may be rezoning restrictions listed on the certificate of compliance that all future permits must adhere to. The certificate of compliance must be signed within the time limit shown on the rezoning ordinance for the property.

If the applicant is unable to obtain a certificate of compliance within the time limit, he or she may apply for a time extension. Time extension requests must be received before the time limit expires. If the time limit expires and the applicant has not submitted a time extension request, the Board may revert the property to its original zoning classification with notice. There is no separate form for a time extension, however there is a fee for this process and public hearing is required. It is vitally important that the progress toward meeting the conditions of rezoning be adequately discussed in the letter of request, as well as the reasons for the delay. The Board may approve or deny the request for an extension.

For questions please call the rezoning section of the Pima County Planning Division at 740-6800.

**PIMA COUNTY PLANNING DIVISION
APPLICATION FOR CONCURRENT COMPREHENSIVE PLAN AMENDMENT / REZONING**

SECTION I. OWNER/APPLICANT INFORMATION

PROPERTY OWNER(S): _____

DAYTIME PHONE: _____ FAX: _____

ADDRESS: _____

_____ E-MAIL: _____

APPLICANT (if other than owner): _____

DAYTIME PHONE: _____ FAX: _____

ADDRESS: _____

_____ E-MAIL _____

TAX CODE NO(S): _____

TOTAL ACRES: _____

GENERAL PROPERTY LOCATION: _____

ZONING BASEMAP(S): _____ BOARD OF SUPERVISORS DISTRICT: _____

EXISTING LAND USE: _____

CONSERVATION LANDS SYSTEM CATEGORY(S): _____

SECTION II. COMPREHENSIVE PLAN AMENDMENT AND ZONING REQUEST INFORMATION

COMPREHENSIVE PLAN SUBREGION(S): _____

CURRENT/CONDITIONAL ZONING AND ACREAGE(S): _____

PROPOSED USE OF THE PROPERTY: _____

PROPOSED ZONING AND ACREAGE(S) _____

CURRENT PLAN DESIGNATION(S) AND ACREAGE(S): _____

REQUESTED PLAN DESIGNATION(S) AND ACREAGE(S): _____

SPECIAL AREA (S) OR REZONING POLICIES (RP) BY POLICY #, WHICH CURRENTLY APPLY TO THE
PROPERTY: _____

SPECIAL AREA (S) OR REZONING (RP) POLICIES PROPOSED AS PART OF THE COMPREHENSIVE PLAN AMENDMENT / REZONIG REQUEST: _____

IF MORE THAN ONE LOT WOULD BE CREATED BY THIS REZONING, HOW WILL ALL-WEATHER ACCESS BE PROVIDED TO THESE LOTS FROM A DEDICATED PUBLIC ROAD? (E.G. DIRECT ACCESS, EXISTING EASEMENT, NEW EASEMENT, ETC.): _____

WHAT IS THE MAXIMUM PROPOSED BUILDING HEIGHT? _____ NUMBER OF STORIES: _____

PROVIDE AN ESTIMATE OF WHEN PROPOSED DEVELOPMENT WILL BE STARTED AND COMPLETED.

Starting date: _____

Completion date: _____

IF THE PROPOSED DEVELOPMENT IS COMMERCIAL OR INDUSTRIAL:

- a. How many employees are anticipated? _____
- b. How many parking spaces will be provided? _____
- c. What are the expected hours of operation? _____
- d. Will a separate loading area be provided? _____
- e. Approximate size of building (sq. feet)? _____

IF THE PROPOSED DEVELOPMENT IS AN INDUSTRIAL PROJECT, STATE THE INDUSTRIAL WASTES THAT WILL BE PRODUCED AND HOW THEY WILL BE DISPOSED OF. (DISCUSS THE MEANS OF DISPOSAL WITH THE WASTEWATER MANAGEMENT DEPARTMENT AT 740-6500 OR THE DEPARTMENT OF ENVIRONMENTAL QUALITY AT 740-3340.)

IF THERE ARE ANY NATURAL DRAINAGEWAYS ON THE SUBJECT PROPERTY, STATE IF NATURAL DRAINAGE PATTERNS WOULD BE ALTERED BY THE PROPOSED DEVELOPMENT, AND WHAT TYPE OF ALTERATION IS PROPOSED. (NOTE: For information regarding flood control requirements, call the Regional Flood Control District, 243-1800.)

WILL A SEPTIC SYSTEM OR PUBLIC SEWER BE USED FOR THE PROPOSED DEVELOPMENT? _____

IF SEPTIC IS TO BE USED, STATE WHETHER ONE CURRENTLY EXISTS ON THE PROPERTY AND, IF SO, WHETHER ADDITIONS TO THAT SYSTEM WILL BE NEEDED FOR THIS DEVELOPMENT. (NOTE: For information on septic system requirements, call the Department of Environmental Quality at 740-3340.)

HOW WILL WATER BE SUPPLIED TO THE PROPERTY? IF A WATER COMPANY, STATE WHICH ONE.

MAEVEEN MARIE BEHAN CONSERVATION LAND SYSTEM (CLS):

- a. Is the subject property within the MMB Conservation Land System (see Attachment)? Yes ___ No ___

- b. If so, estimate the approximate number of acres of the subject property that fall within the applicable CLS category.
 - Important Riparian Area: ___ acres
 - Biological Core Management Area: ___ acres
 - Multiple Use Management Area: ___ acres
 - Special Species Management Area: ___ acres
 - Recovery Management Area: ___ acres

- c. What is the acreage of Existing Development within the CLS: ___ acres

SECTION III. SURROUNDING LAND USE

Describe in detail adjacent and nearby existing land uses within approximately 500 feet of the subject property in all directions.

CURRENT PLANNED LAND USE DESIGNATIONS OF SURROUNDING PROPERTIES (within 500 feet):

NORTH: _____ **SOUTH:** _____
EAST: _____ **WEST:** _____

EXISTING USES OF SURROUNDING PROPERTIES (within 500 feet):

NORTH: _____ **SOUTH:** _____
EAST: _____ **WEST:** _____

EXISTING AND CONDITIONAL ZONING OF SURROUNDING PROPERTIES (within 500 feet):

NORTH: _____ **SOUTH:** _____
EAST: _____ **WEST:** _____

2. Submit a detailed description of the project. Also, submit a sketch plan in accordance with Chapter 18.91.030.E.1.a. & b of the Pima County Zoning Code. In addition, the following must also be included on the sketch plan, where applicable:

- a) existing and proposed land uses;
- b) areas to be graded, revegetated, and left undisturbed;
- c) areas of significant vegetation;
- d) special features of the site, including steep slopes (slopes greater than 15%), rock outcrops, washes and riparian areas;
- e) existing and proposed utility or road easements, by type and width;
- f) existing and proposed leach fields for septic systems (if applicable);
- g) proposed lots; and
- h) location and types of bufferyards and walls, if required. Refer to Chapter 18.73 of the Zoning Code.

Include any necessary supporting documentation, graphics and maps (for example, acreage of areas to be graded and left undisturbed). All documentation should be legible and no larger than 8.5" X 11."

3. Submit three (3) copies of the Biological Impact Report.

4. Submit the entire rezoning fee.

5. PDF files of application materials, if applicable.

6. Additional materials, if any.

SECTION VI.

This complete application is true and correct to the best of my knowledge. I am the owner of the above-described property or have been authorized by the owner to make this application.

SIGNATURE OF APPLICANT

DATE

NAME OF APPLICANT - PRINTED

FOR OFFICAL USE ONLY

Co7- _____

Co9- _____

Case Name

Fee Supervisor District Cross reference: Co9-, Co7-, other

Received by Date Checked by Date