



---

# MEMORANDUM

---

Date: March 8, 2021

To: The Honorable Chair and Members  
Pima County Board of Supervisors

From: C.H. Huckelberry  
County Administrator

A handwritten signature in black ink, appearing to read "CH Huckelberry", is written over the printed name and title of the County Administrator.

Re: **Rezoning Process, Notification and Outside Agency Comments**

A question was raised at the March 2, 2021 Board of Supervisors Meeting regarding notification to outside agencies and public participation in rezoning cases. The following is a summary of staff outreach within this process.

Changes in land use zoning (rezoning) is a discretionary process found in Arizona Revised Statutes §11-814 and adopted in Pima County Code §18.91. Specific requirements for posting of the property, advertisement in a newspaper, and direct mail notice to neighbors are memorialized in this section.

Rezoning involves two required public hearings. The first one occurs at the Planning and Zoning Commission and the second one at the Board of Supervisors. In the lead up to each hearing, a minimum of two posters are placed on the subject site and direct mail notice is provided to all owners of properties located within either 300 feet or 1000 feet. The required minimum notice is outlined in Pima County Code §18.91.060B, and is based on the current zoning of the property. In addition to the required notice as part of the public process, site analysis rezonings (greater than one acre) requires the applicant to hold a neighborhood meeting. These neighborhood meetings require mailing to property owners as described in §18.91.060A1.

The Planning Division of Development Services manages the rezoning process and places items on the agenda for the Board of Supervisors. Prior to hearings, Planning staff provides extensive opportunities for comments and proposed conditions to be provided by internal and external agencies as per §18.91.050A. Internal stakeholders include Regional Flood Control District, Department of Transportation, Regional Wastewater Reclamation Department and Office of Sustainability and Conservation. External stakeholders include fire districts, school districts, the U.S. Fish and Wildlife Service, area municipalities, tribal communities and other entities deemed important within the vicinity of the proposed rezoning. Planning staff compile these comments and conditions, which are included in the staff reports to the Planning and Zoning Commission and the Board of Supervisors.

At the March 2 Board of Supervisors Meeting, a question was raised about adequate outreach to the Pascua Yaqui Tribe as part of the Hearing on item #18 - P2ORZ00011 MORTGAGE EQUITIES XVI, L.L.C., - S. SORREL LANE REZONING. On December 17, 2020, Planning staff

The Honorable Chairman and Members, Pima County Board of Supervisors  
Re: **Rezoning Process, Notification and Outside Agency Comments**  
March 8, 2021  
Page 2

electronically transmitted the rezoning material to the planning staff of both the Tohono O'odham Nation and Pascua Yaqui Tribe staff for comment. Because of the close proximity of the Tohono O'odham Nation, San Xavier District, Planning staff followed up once more on January 15, since no comments had been received.

In addition to efforts to reach out to outside agencies, staff posted signs on the property, placed an advertisement in the newspaper and sent notices to all property owners within 1,000 feet of the boundary of the site prior to both public meetings. Approximately 387 notices were mailed to area property owners. This occurred more than 15 days in advance of the hearing. This same deployment of mailing and posting the property occurred prior to the January 27 Planning and Zoning Commission Hearing. Since this rezoning involved a site analysis, a neighborhood meeting was held virtually for property owners in the immediate area on October 7, 2020, prior to the Planning and Zoning Commission meeting.

c: Carmine DeBonis, Jr., Deputy County Administrator for Public Works  
Yves Khawam, PhD., Assistant County Administrator for Public Works  
Carla Blackwell, Director, Development Services  
Chris Poirier, Deputy Director, Development Services