

ADOPTED BY THE
MAYOR AND COUNCIL

ORDINANCE NO. _____

RELATING TO PLANNING AND ZONING; AMENDING TUCSON CITY CODE, CHAPTER 23, LAND USE CODE, ARTICLE II, ZONES, DIVISION 6, MIXED USE ZONES, SECTION 2.6.3 PLANNED AREA DEVELOPMENT (PAD) ZONE; AND SETTING AN EFFECTIVE DATE

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

SECTION 1. The Tucson Code, Chapter 23, Land Use Code, Article II, Division 6, Section 2.6.3 is hereby amended to read as follows:

2.6.3 PLANNED AREA DEVELOPMENT (PAD) ZONE.

* * *

2.6.3.4 Districts Established. The list of established PADs shall be maintained by the Planning and Development Services Department.

2.6.3.5 Initiation of a PAD District. A PAD District is initiated by filing an application for a Zoning Examiner Legislative Procedure in conformance with Sec. 5.4.1 and 5.4.3, with the Planning and Development Services Department. The application may be filed by the owners of the subject property, an agent for the property owners, or the Mayor and Council. The application will be accepted for processing only if the following requirements are met.

- A. The site is under single ownership or control except when initiated by the Mayor and Council.
- B. The site's land area is a minimum of forty (40) acres, or if located in the Downtown Area Infill Incentive District as defined in Sec. 6.2.4, the Downtown Redevelopment District as defined in Sec. 6.2.4, or in the Rio Nuevo and Downtown (RND) Zone as defined in Sec. 6.2.18, there is no minimum site area. The Mayor and Council may

authorize the initiation of a PAD District of less than the size required by this Section if the proposed PAD District is consistent with the intent of the PAD zone.

- C. The PAD District shall be configured to accommodate a well-integrated project. A PAD District may include existing rights-of-way provided the district is planned and developed on a unified basis.

2.6.3.6 Application.

A. PAD District documents shall include the elements described in Sections 2.6.3.6.B, C, and D in the form of either a map(s), text, or both, as applicable with the following exception:

- 1. For projects initiated by the Mayor and Council or located in the Downtown Area Infill Incentive District as defined in Sec. 6.2.4 or the Rio Nuevo and Downtown (RND) Zone as defined in Sec. 6.2.18, an applicant may request an exception to components of Sec. 2.6.3.C (Site Analysis) subject to the following:
 - a. The request must be made prior to submittal of the PAD application.
 - b. The applicant must identify which submittal requirement(s) is requested for an exception and provide a rationale for the change.
 - c. The Planning and Development Services Department Director shall make the final determination on whether to accept the request. The director shall consider the purpose statements of the PAD and the Downtown Area Infill Incentive District and applicable General Plan policies when rendering a decision. Approval of the request does not represent the department's endorsement or approval of the rezoning request or project design.
 - d. The rationale for the approved exceptions shall be included with the submittal.
 - e. The Zoning Examiner and the Mayor and Council may request additional information concerning omitted or modified sections during the review of the rezoning request.
- B. Introduction and Policy. A description of the purpose, scope, main concepts, and goals of the PAD District, indicating the following.

* * *

C. Site Analysis.

* * *

D. PAD District Proposal.

* * *

E. Other information as may be determined necessary by the Planning Director.

SECTION 2. The various City officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this ordinance.

SECTION 3. This ordinance becomes effective thirty (30) days after the date the ordinance is adopted by the Mayor and Council and is available from the City Clerk.

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Tucson, Arizona, _____.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

REVIEWED BY:

CITY ATTORNEY

CITY MANAGER

VRW/kr
8/21/2009 2:12 PM