

# Rezoning

2/5/2020

## What is zoning?

- Zoning is the way most cities govern land use.
- In the City of Tucson, zoning is regulated through the Unified Development Code (UDC).
- Zoning establishes what uses are allowed on a property (residential, commercial, industrial, etc.) as well as the density and built form permitted.

## What is a rezoning?

- A rezoning is a public process that changes the zoning of a particular property or group of properties.
- A change in zoning will typically affect the uses allowed, the density of a residential development, or the intensity of a commercial development.

### Common reasons for rezoning:

- Underlying zoning does not allow the proposed land use.
- Dimensions of proposed project are not allowed. (Examples of dimensions: building height and size of lot).
- Density of proposed project is not allowed. (Density refers to the number of units allowed per acre).

## How long does the process take and is there a fee?

- **Time:** It typically takes 5-7 months to process a standard rezoning if there are no unusual issues or complications.
- **Fee:** PDS staff calculates fee. Included in the fee amount: base fee, per acre fee, and miscellaneous fee. The fee covers the staff review fee, technology/archive fee, legal ad, and public notice.

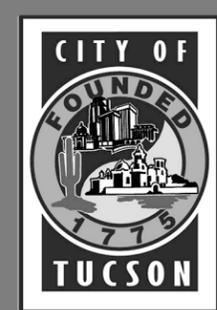
## How do I get started?

- Contact PDS Entitlements staff by email at [rezoning@tucsonaz.gov](mailto:rezoning@tucsonaz.gov) or call the PDS main line with any questions or to submit a pre-application meeting request.
- The rezoning pre-application, notification labels, and rezoning application can be found on the PDS website:
  - [www.tucsonaz.gov/pds/rezoning-special-exceptions-original-city-zoning](http://www.tucsonaz.gov/pds/rezoning-special-exceptions-original-city-zoning)

## How do I find out about the PAD applications currently under review?

- Sign up for NoticeTucson at [www.tucsonaz.gov/noticetucson](http://www.tucsonaz.gov/noticetucson) to receive email notifications about applications for land use projects in the City or your neighborhood.
- Information about current applications can be found on the PDS, Zoning Examiner, or Mayor & Council websites.





# Rezoning Process

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## Pre-Application Meeting

- Applicant submits a pre-application meeting request with preliminary development plan and fee to PDSD staff.
- PDSD staff distributes the preliminary development plans for internal review for plan and code compliance.
- Applicant meets with PDSD staff to discuss comments on pre-application and review process.

## Neighborhood Meeting

- Applicant must give notice, host, and document a public neighborhood meeting.
- Applicant mails meeting notification using labels purchased from PDSD to property owners within a specified distance from the subject property per applicable requirements.
- At the neighborhood meeting, the applicant provides information about the proposed project, identifies proposed land use changes, and listens to neighbor concerns and interests.
- Applicant compiles minutes, sign-in sheet, and any materials shared to submit with their application.

## Application Submittal and Review

- Applicant submits complete application according to checklist, including supporting materials, the neighborhood meeting documentation, and associated fee.
- PDSD staff reviews application for completeness within 10 working days of submittal.
- If complete, application is accepted for processing and posted online through Property Research Online (PRO) at [www.tucsonaz.gov/PRO/pdsd/](http://www.tucsonaz.gov/PRO/pdsd/). PDSD staff sets tentative Zoning Examiner public hearing date.
- PDSD staff forwards application for review and comment to City departments and outside agencies.
- PDSD staff prepares a report for the Zoning Examiner that includes a recommendation to approve or deny the application based on existing policy and staff analysis.

## Zoning Examiner Public Hearing

- PDSD staff notifies property owners within 300 feet and registered neighborhood associations within 1 mile and publishes legal notice no less than 15 calendar days before the hearing.
- Applicant posts hearing notification on site.
- Zoning Examiner conducts the public hearing on behalf of Mayor & Council. The public can make comments at the public hearing or submit written comments.
- Zoning Examiner prepares a report for Mayor & Council recommending approval or denial within 14 calendar days of close of the public hearing.

## Mayor & Council Action

- Mayor & Council may hold a public hearing or a public meeting on the application. Any request for a public hearing at Mayor & Council must be made in writing to the City Clerk within 14 calendar days of close of the Zoning Examiner public hearing.
- Mayor & Council consider the application, Zoning Examiner recommendation, City Manager's recommendation, as well as public comments.
- Mayor & Council may approve, modify, or deny the application or take other appropriate actions.
- Rezoning will become effective 30 calendar days after ordinance adoption.

*Applicant has 1 year to complete conditions if rezoning is result of a zoning violation.*

Opportunity for public comment.

