

Support for the Establishment of New Fees for Rezoning to the Planned Community Development (PCD) Zone and Processing Amendments to an Approved PCD Zone, or to a Development Area Implementation Plan within the Zone

The City of Tucson adopted the Planned Community Development (PCD) zone in 2006. The PCD is Section 3.5.6 of the Unified Development Code (UDC). No rezoning application fee was adopted to establish a PCD zone, or to process administrative, minor or major amendments to the PCD Document, as provided in the UDC; or to amend the Development Area Implementation Plans within a PCD zone. Therefore, the Administrative Manual (AM) does not have a PCD Fee Schedule. The Fee Schedule in Attachment A is proposed to remedy this situation.

The Arizona State Land Department (ASLD) has submitted a Planned Community Development (PCD) document for review. The proposed PCD will cover approximately 2,590 acres of land in the Valencia Road/Houghton Road vicinity. The ASLD proposal is currently in pre-application review which is an iterative process, whereby the document is reviewed in 20-working day cycles until all parties are satisfied that the issues have been addressed and the document is ready to be attached to a rezoning application. The review of the ASLD PCD proposal is nearing its completion and the City Attorney's Office has advised staff that the fee schedule must be in place prior to the acceptance of the PCD application for processing through the Zoning Examiner public hearing process to allow the City to collect the rezoning fee.

The fees proposed for the PCD Zone are modeled on the Planned Area Development (PAD) Zone fee because the PCD and the PAD have similar characteristics that drive the review time and therefore review cost. The purpose of the PCD is to accommodate large-scaled, unified planned developments that conform to the best practices, policies and programs within the City's General Plan, applicable specific plans, and other sustainability and conservation programs. The PCD was also designed to provide an alternative zoning district and development process to accommodate these large master-planned developments and to allow development flexibility not otherwise attainable under conventional zoning districts. Do to the long-term build out of a PCD, up to 25-30 years, the PCD allows for adjustments to changing community and market conditions. Similar to the PCD, but on a smaller scale, the purpose of the PAD Zone is to enable and encourage comprehensively planned development in accordance with adopted plans and policies, and it provides for the establishment of zoning districts with distinct standards.

The PAD rezoning fee is \$22,000.00 plus \$220.00 per acre. The proposed PCD fee is the same per acre, although the proposal would deduct the acreage for the floodplain, open space and dedicated public parkland areas. The difference is based on the anticipated size and scope of the PCD versus the PAD. The significantly larger areas may include hundreds of acres of non-developable washes or require dedicated community or regional parks, the fee structure recognizes this.

The UDC provides for administrative, minor and major changes to the PCD document. Those processes can also be applied to the Development Area Implementation Plans within the PCD area. The processes for these amendments and the standards for the amendments are set forth in the UDC. The administrative amendment is comparable to the minor change – staff review for standard rezonings and PADs. Therefore, the proposed fee for the PCD administrative

amendment is the same \$825.00 fee. The UDC states the minor PCD fee is the Zoning Examiner Special Exception process which carries a fee that is a percentage of the rezoning fee. For the PCD minor amendment, the City is proposing a fee equal to 50% of the Development Area Implementation Plan filing fee. The UDC designates the Zoning Examiner Legislative Procedure for major amendments. That is the complete rezoning process. The City is proposing the fee as 75% of the Development Area Implementation Plan fee.