

Tucson, AZ Unified Development Code

3.2.2. NEIGHBORHOOD MEETING

C. Meeting Requirements

1. Standards

The applicant shall mail notices offering to meet at a specified time and place to discuss the proposed project with the persons and entities entitled to notice of the application in accordance with following requirements.

a. The offer must be made at least ten days prior to the date of the meeting and sent by first class mail to property owners within 300 feet of the property, registered neighborhood associations within one mile of proposal, and affected Council Ward offices.

b. For Concurrent Plan Amendment and Rezoning Applications a single neighborhood meeting may meet the requirements for both applications. The mailed notice for the neighborhood meeting shall be received at least 30 days, and no more than 45 days prior to the neighborhood meeting.

c. The meeting shall occur not more than 60 days prior to the date of the submittal of the application.

d. Documentation of the offer to meet and a summary of the meeting must be submitted with the application.

e. The meeting must be held at or near the subject site.

3. Content of Neighborhood Meeting Notices

A neighborhood meeting notice shall contain the following:

- a. The notice shall describe the substance of the application, include the date, time, and location of the meeting, and specify the contact person, company, or official applicant's name and phone number;
- b. For Board of Adjustment variance applications, the notice shall contain information necessary to fully describe the proposed project, including a description of the code requirement(s) and the requested variance(s) from that particular requirement(s); ~~and,~~
- c. The notice shall advise the recipients of the notice that they may submit comments to the PSDS Director or, when applicable, speak at the public hearing; and,
- d. For Concurrent Plan Amendment and Rezoning Applications, the required Neighborhood Meetings for each the Plan Amendment and Rezoning shall be combined and the notice shall contain the following additional information:
 - (1) information regarding procedure for requesting optional staff informational meeting;
 - (2) pre-application case number and instructions on how to review pre-application materials;
 - (3) where to find the area and/or neighborhood plan(s) affected by involved-in

the proposal; and,
(4) a map showing the proposed area of the plan amendment and rezoning.

3.5.3. ZONING EXAMINER LEGISLATIVE PROCEDURE

C. Neighborhood Meeting Required

1. The applicant shall offer to meet at a specified time and place to discuss the proposed project in compliance with Section 3.2.2.

2. For rezonings initiated by the Mayor and Council, a neighborhood meeting may be conducted as part of a broader public outreach process facilitated by the PDSD and other departments as needed.

3. For Concurrent Plan Amendment and Rezoning Applications, an optional informational meeting, to be held prior to the Neighborhood Meeting, may be requested of PDSD staff by a noticed Neighborhood Association. The purpose of this meeting is to provide an overview of the Concurrent Plan Amendment and Rezoning process and the area and neighborhood plans being affected.

24. Exception. For the designation or amendment to a Historic Preservation Zone, the offer to meet shall be made no more than one year before the Zoning Examiner public hearing.

D. Application Requirements

3. Plan Amendment Determination

Rezoning applications must be in conformance with adopted plan policies before a rezoning application may be accepted for processing; except for Concurrent Plan Amendment and Rezoning Applications, as provided in Section 3.5.3.D.3.d below. A determination of plan compliance shall be made in one of the following three ways.

a. Plan Compliance Determination

(1) Prior to submittal of a rezoning application, the PDSD Director will provide the applicant with a preliminary determination of plan compliance at the pre-application conference.

(2) Prior to submittal of a rezoning application, the applicant may request in writing that the PDSD Director provide a written determination of plan compliance.

b. Determination by the PDSD after Application for Rezoning

Upon submittal of an application for rezoning, the PDSD Director shall provide a written determination of land use plan compliance to the applicant. If the proposal is found to comply with the applicable plans, the rezoning application is formally accepted. If the Director determines a plan amendment is necessary, no further formal processing of the application may occur until the applicant requests a plan amendment in accordance with Section 3.6, *Land Use Plan Adoption and Amendment Procedures*. A written notice of decision shall be provided if it is determined that a plan amendment is required.

c. Appeal of Plan Amendment Determination

The PDSD Director's decision that a plan amendment is required may be appealed to the Mayor and Council. The appeal must be submitted in writing to the PDSD within ten

days of the effective date of the PDSO Director's decision. Appeals shall be processed in accordance with Section 3.9.2, *Mayor and Council Appeal Procedure*. An appeal stays all processing until the appeal is heard and decided.

d. Applicant's Option for Concurrent Plan Amendment and Rezoning Applications
In any instance where the PDSO Director determines that a plan amendment is necessary for a rezoning application to proceed, the applicant may elect to proceed with concurrent applications for a plan amendment and rezoning. An applicant who elects to proceed with concurrent plan amendment and rezoning applications shall submit documentation to PDSO of the intent to utilize this option prior to the required combined Neighborhood Meetings, and is responsible for all fees associated with each process, and the applications are subject to all of the requirements of each process. An applicant who elects to proceed with concurrent applications is deemed to acknowledge that the rezoning application cannot be approved unless the plan amendment application is approved; and that approval of the plan amendment application does not guarantee approval of the rezoning application, which is a separate legislative decision.

I. Public Hearing

1. Applications reviewed under this procedure are considered by the Zoning Examiner at a public hearing(s) for recommendation to the Mayor and Council.

2. Original City Zoning

Upon the effective date of annexation of property into the City, the City may adopt original City zoning or may continue the existing county zoning for a period not to exceed six months. The original City zoning shall only be initiated by the Mayor and Council. Notice of initiation must be provided in conformance with A.R.S. § 9-462.04.A and the notice requirements of Section 3.2.4. A case that establishes original City zoning may be initiated any time after the filing of a blank petition for annexation of the subject property with the office of the Pima County Recorder in accordance with state law.

3. Zoning Examiner Public Hearing

The Zoning Examiner shall hold a public hearing on behalf of the Mayor and Council on applications for a change of zoning and on applications for Mayor and Council Special Exception Land Uses in accordance with the Zoning Examiner's Rules and Procedures and as provided below. The public hearing procedures set forth in this section is used for both types of applications. The public hearing must be held within 70 days of acceptance of the application, except for applications for original City zoning or Concurrent Plan Amendment and Rezoning applications.

3.6.5. PUBLIC OUTREACH AND NEIGHBORHOOD MEETINGS

B. Plan Amendments

1. A neighborhood meeting in accordance with Section 3.2.2 is required for privately initiated, site specific plan amendments. Mailed notice of the neighborhood meeting in accordance with Section 3.2.2 and 3.2.4 is required.

2. For Concurrent Plan Amendment and Rezoning Applications, an optional informational meeting, to be held prior to the Neighborhood Meeting, may be requested of PDSO staff by a the affected/noticed Neighborhood Association . The purpose of this meeting is to provide an

overview of the Concurrent Plan Amendment and Rezoning process and the area and neighborhood plans being affected.

3. Exception: A neighborhood meeting is not required for City-initiated amendments to the General Plan.
