PLANNING COMMISSION

Planning & Development Services Department • 201 N. Stone Ave. • Tucson, AZ 85701

Date: November 13, 2019

To: Planning Commission

From: Scott Clark
Executive Secretary, Planning and Development Services

Subject: C8-19-02 Concurrent Plan Amendment and Rezoning Processes Unified Development Code Text Amendment (City Wide)

Issue – The following public hearing is to review and discuss the proposed text amendment to the Unified Development Code (UDC) allowing the option for the plan amendment process and the rezoning process to run concurrently. This item was previously presented to the Planning Commission at two study sessions on July 10, 2019 and October 16, 2019. At that time, the commission continued the study session to provide time to gather more information.

The current process requires applicants to demonstrate compliance with applicable area and neighborhood plan(s) prior to filing a rezoning application, therefore projects that require both a plan amendment and rezoning must first obtain a plan amendment approval before moving forward with a rezoning application (see Attachment A for the current process).

In addition to the two study session with the Planning Commission, staff has conducted a series of stakeholder meetings and public meetings to review these potential changes. Based on the feedback from those conversations and the two study sessions, staff is proposing the following two changes to the UDC:

1. Removal of requirement that a rezoning be in compliance with the applicable land use plans prior to acceptance of a rezoning application, when utilizing the option to file a Concurrent Plan Amendment and Rezoning Application.

2. An extension of the required notice period for a neighborhood meeting when utilizing the concurrent process and the addition of an optional informational meeting with PDSD staff, at the request of a Neighborhood Association, prior to the required Neighborhood Meeting in order to review and answer questions regarding the optional Concurrent Plan Amendment and Rezoning Application process.

See Attachment B for the proposed changes to the UDC.

Recommendation – Staff recommends that the Planning Commission recommend approval of the proposed amendments to the Unified Development Code (UDC) related to concurrent plan amendment and rezoning processes to Mayor and Council.

Background – According to the Unified Development Code, rezoning requests must be in conformance with current neighborhood and area plan policy (Section 3.5.3.D.3.). When a rezoning request is not in conformance with current plan policy, a plan amendment must be approved before a rezoning request can be submitted. Plan amendments are reviewed by and receive a recommendation from the Planning Commission before being forwarded for review and a decision by Mayor & Council. Rezonings are reviewed by and receive a recommendation from the Zoning Examiner before review and a decision by Mayor & Council. Each process, the plan amendment and rezoning, typically take 6-9 months. Therefore, obtaining entitlements for development proposals that require both a plan amendment and rezoning can take 12-18 months (see Attachment A for overview of current process). Allowing these processes to happen concurrently could reduce the total plan amendment and rezoning processing times from 12-18 months to 6-9 months.

The idea of a concurrent plan amendment and rezoning process was first raised by Mayor and Council in the spring of 2016, when staff was directed to create a process to allow for concurrent plan amendment and rezoning applications as an option for the applicant. The proposed concurrent process was reviewed at a public meeting and three Planning Commission study sessions. Some of the feedback received at the time was related to:

- providing a more open public process,
- addressing concerns about safeguards to ensure the plan amendment process is informing the rezoning process,
- ensuring the development approved is beneficial to the community as a whole, and;
- adding a potential sunset date.

During that process, staff received a letter of concern signed by 93 neighborhood representatives (see Attachment C for submitted letter). The amendment process was stopped due to public opposition and changes introduced by the Planning Commission that made the process as time-intensive as the current plan amendment/rezoning process.

On July 10, 2018, at a Study Session to discuss Infill Incentive Areas, Mayor and Council directed staff to re-examine options to streamline of the current rezoning process so that the zoning and site plan ran together. Staff has researched these processes in other municipalities and reviewed Arizona state law to develop options that would facilitate a concurrent process

Based on research and consultation with staff from other Arizona cities and counties, staff found that many other municipalities across the state provide an option for a concurrent plan amendment and rezoning. How often these options are used varies and ultimately depends on the scale of the project, types of uses, and who the owners and developers are. Please see Attachment D for more information on other municipalities processes.

On April 23, 2019, Mayor and Council held to study session to provide guidance related to the concurrent Plan Amendment and Rezoning processes. At that meeting staff presented the

Mayor and Council two options for how to allow for the two processes to run concurrently. Option 1 provided a concurrent process for the plan amendment and rezoning cases which retains the purview of the Planning Commission and Zoning Examiner, while Option 2 provided a process for the Planning Commission to hear both plan amendment and rezoning cases. The Mayor and Council then directed staff to pursue Option 1 as presented in the agenda material, with a caveat that the opportunity for public input not be truncated, and requesting that staff consider adding a deadline after which an approved plan amendment would expire. See Attachment E for the options presented to Mayor and Council and the Legal Action Report from the April 23rd Study Session.

Since receiving this direction from Mayor and Council, staff has conducted public outreach which included two stakeholder meetings and three public meetings. The goal of this two tiered approach was to provide a diverse representation of geographies (the entire City) and perspectives (residents, business owners, developers, etc.) for its review. See Attachment F for an overview of those meetings. From these meetings there was general consensus on some issues, and need for additional discussion on others. Those items with general consensus were the following:

- Near universal support for Option 1 from both the stakeholder groups and the public meetings. This option would retain the current duties of the Planning Commission and Zoning Examiner, but allow for the Plan Amendment and Rezoning to run at the same time.
- Requirement of separate reports and votes for the Plan Amendment and Rezoning.
- Approval of the Rezoning would be dependent on Plan Amendment approval.
- No need to stagger the Mayor and Council review of the Plan Amendment and Rezoning at separate meetings, as Mayor and Council have the ability to continue either case to another date.

There were also several items that require further deliberation. Those items are as follows:

- Addition of a time restriction for Plan Amendments.
- How to ensure proper education of the public related to the concurrent process and role of the area and neighborhood plans. This is related to the potential complications with have two processes running at the same time being reviewed by two different review bodies.
- Review of Planning Commission by-laws related to number of votes required for a formal recommendation to Mayor and Council. Currently the by-laws require 7 votes to forward a formal recommendation to Mayor and Council.

Additionally, staff has received letters from several members of the community. The comments within those letters touch on a variety of subjects. For example, the three letters and emails from members of Tucson Residents for Responsive Government focused on the

neighborhoods role in the existing processes and the concurrent process, and how they can better provide input into the potential projects. In each there were suggestions for policies to be included in the proposed amendment. The email from Joseph Maher focused on potential benefits of the concurrent plan amendment and rezoning process, suggestions for how to utilize option 2, and the proposed amendment's applicability. Please see Attachment G for the letters submitted and staff responses to the questions therein.

On July 10, 2019, the Planning Commission held a study session to review the Optional Concurrent Plan Amendment and Rezoning Processes UDC Text Amendment. At that meeting, the Commission directed staff to return to the commission for a second study session to provide the following:

- Second option where both the plan amendment and rezoning cases are reviewed by the Planning Commission (provided in Attachment H)
- Further detail on the potential timeline and how the processes work (Attachment H)
- Staff response to questions in the TRRG letter (Attachment G)
- Pros and cons of the proposal

On October 16, 2019, the Planning Commission held a second study session to discuss the Optional Concurrent Plan Amendment and Rezoning Processes UDC Text Amendment. At that meeting staff provided the commission with the information previously requested at the July 10, 2019 study session and set the item for a public hearing on November 13, 2019. The commission also requested some clarification items to be discussed at the public hearing. Those were as follows:

- More information related to processes of other jurisdictions and clarification of Pima County's process
- Option of waiting to schedule the public hearing with the Zoning Examiner until Planning Commission makes their recommendation

Present Considerations – Of the two options presented to Mayor and Council, option 1 had received near unanimous support from both Mayor and Council and throughout the public outreach. This option would allow an applicant to file a plan amendment and rezoning at the same time. The Planning Commission would review the proposed plan amendment and the Zoning Examiner would review the rezoning request. The two items could be reviewed by Mayor and Council at the same meeting. Mayor and Council must approve the plan amendment before the rezoning can be approved. Reasons given for support of option 1 over option 2 were (1) the understanding that the relative roles and duties of the Planning Commission and Zoning Examiner were well suited to their expertise, and (2) the relatively small changes required to the UDC and procedures of the review bodies. Related to the feedback from the Planning Commission requesting information related to option 2, we have included Attachment H showing timelines and potential steps of both options. Additionally,

both the direction from Mayor and Council and feedback from the public outreach stressed ensuring a significant public process.

Based on the feedback from conversations to date with Mayor and Council, our stakeholder group, and the public meetings, staff is proposing the following two changes to the UDC:

1. Removal of requirement to be in compliance with the applicable land use plans prior to acceptance of a rezoning application, when utilizing the option to file a Concurrent Plan Amendment and Rezoning Application.

2. An extension of the required notice period for a neighborhood meeting when utilizing the concurrent process and the addition of an optional informational meeting with PDSD staff, at the request of a Neighborhood Association, prior to the required Neighborhood Meeting in order to review and answer questions regarding the optional Concurrent Plan Amendment and Rezoning Application process.

The inclusion of the additional informational meeting will require some relatively small adjustments to the timing of how Neighborhood Meetings are noticed. The current proposal would extend the notification requirements from 10 days to between 30 and 45 days, and require the applicant to include the offer for the optional staff informational session. Additionally, the notification would include information on how to access project materials and where to find the applicable area and neighborhood plans. Please see Attachment B for the proposed text changes to the UDC to achieve this and Attachment I for an example of the revised Neighborhood Meeting notice.

Potential benefits of this proposal are that a concurrent process will allow for more robust conversations about a proposed project that does not segment the conversation into two stages. The current process which requires two sequential procedures can be confusing and may appear to the public that the applicant is undergoing the approval process twice. For projects utilizing the concurrent process, more detailed project plans will be available to the public early on as a requirement of the rezoning application, allowing community members to evaluate the proposal more holistically.

Additionally, a concurrent process will expedite the development process for applicants, while still providing the opportunity for public input. The proposed option would retain the distinct purviews of the Planning Commission and the Zoning Examiner, and would not change the submission requirements or review standards for either the plan amendment or rezoning application. For example, the rezoning application must include all items listed in Section 2-03 of the Administrative Manual, such as a Preliminary Development Plan with an Introduction and Policy section, Site Analysis, Plan Proposal, and, when applicable, an Environmental Resource Report.

Should this text amendment be adopted by Mayor and Council, PDSD will track the number of projects utilizing this option, and assess in 18 months, or after at least two projects have gone through a concurrent process, to evaluate how it is working and consider whether any adjustments need to be made. PDSD will share this assessment with the Planning Commission.

Plan Tucson Consideration(s) – This item is related to the Plan Tucson Element of (1) Business Climate and (2) Governance & Participation. Specifically, this item is supported by the following policies:

- *BC2 – Continue to develop and implement local strategies, services, and incentives to enhance Tucson's business climate.*
- *G2 – Offer opportunities for productive public engagement in City policy, program, and project initiatives from the beginning of and throughout the planning and decision-making process.*

Attachments:

A - Current Rezoning-Plan Amendment Process
B - Proposed UDC Text Changes
C – Area Plans Matter Letter
D - Other Jurisdictions - Concurrent Plan Amendment Table
E – Concurrent PA-RZ options presented and LAR from M&C Study Session on April 23, 2019
F - Minutes and notes from Public Meetings and Stakeholder meetings.
G - Feedback received from TRRG / Bonnie Poulos / Joseph Maher and staff responses
H – Timelines and steps for two options
I – Sample Notice for Neighborhood Meeting

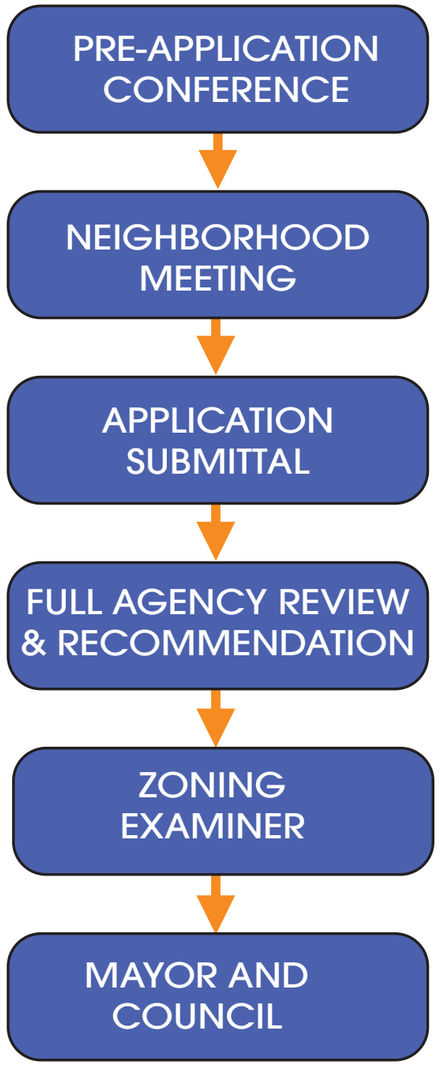
EXISTING SEPARATE PLAN AMENDMENT (PA) AND REZONING (RZ) PROCESSES APPROXIMATELY 12 - 18 MONTHS

PLAN AMENDMENT

APPROX. LENGTH: 6-9 MONTHS
(# OF PUBLIC MEETINGS: 4)

REZONING

APPROX. LENGTH: 6-9 MONTHS
(# OF PUBLIC MEETINGS: 3)



3.2.2. NEIGHBORHOOD MEETING

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C. Meeting Requirements

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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.

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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 PDSD 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.

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3.5.3. ZONING EXAMINER LEGISLATIVE PROCEDURE

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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.

~~2~~4. 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.

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D. **Application Requirements**

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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 PDSD 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 PDSD 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 PDSD 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.

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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.

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3.6.5. PUBLIC OUTREACH AND NEIGHBORHOOD MEETINGS

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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 PDSD 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.

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Attachment C

AREA PLANS MATTER

A Position Paper by Ruth Beeker
Late Summer 2016

From 1980-2005, the City of Tucson (COT) brought together residents and property owners, neighborhood association representatives, business people and developers to work with Planning staff to develop Area Plans. According to the City website, 14 "Area Plans" and one "Area Master Plan" are on file. The purpose of each is to provide land use policy and guidelines for new development within the designated boundaries.

During the past 10 years, the City has received 27 requests to amend the original plans; 24 were granted. In 20 of these cases, the applicant then filed for and received a rezoning to complete the process to build a new project.

An applicant's request to amend an area plan basically asks that an exception be made for a specific plot—that the original plan, developed when considering best land use for the well-being of all interests, is no longer applicable at that one location.

I believe that such a request requires careful consideration. ***Is the proposed development an asset to the entire area? Is there no way that the proposed development could be reconfigured to fit within the original area plan parameters?*** It is the responsibility of COT to ensure that today's established parties who will be impacted by changes be engaged now in answering these questions.

COT procedures must be in place for inclusive, meaningful decision-making. ***Interested parties in the area must have accurate and complete information about the proposed project. COT staff must be responsive to concerns raised by those in the area who will be impacted by the proposed project.***

Currently, Planning staff is proposing "Reinvestment Tools Text Amendment Package No. 3—Overlapping Plan Amendment/Rezoning." Whether an applicant's request for an area plan amendment/rezoning is sequential or overlapping is meaningless unless the public process has validity. If it is valid, then there are two possible stipulations to make the UDC amendment reflect the City's commitment to honor the original content of area plans:

1. The overlapping option may be proposed by the applicant; the neighborhood association most impacted by the proposed development may accept or reject that proposed short-cut.
2. The property for which the area plan amendment has been granted must be rezoned and built out as originally proposed within a given time period; if it is not, the property reverts to its original designation as stated in the area plan.

An Area Plan matters to those who live and work in the area. Do Area Plans matter to the City?

Attachment B

I have circulated this position paper to others in areas which I know are covered by an area plan and have some knowledge of land use concepts. The following people have contacted me to ask that their names be added in support of the position taken:

Colette Altaffer Ward 6 Catalina Vista Neighborhood

Paul Bates Ward 6 San Clemente Neighborhood

Steve Behr Ward 6 Colonia Solana Neighborhood

Ed Berger Ward 6 San Clemente Neighborhood

Elena Berman Ward 6 Feldman's Neighborhood

Dave Bilgray Ward 6 Miramonte Neighborhood

Martha Seidel Bond Ward 6 Feldman's Neighborhood

Terrence Borg Ward 6 Miramonte Neighborhood

Bonnie Brunotte Ward 3 Jefferson Park Neighborhood

Patty Caldwell Ward 6 Miramonte Neighborhood

Colin E. Campbell Ward 2 High 40 Neighborhood

Henri R. Carpentier Ward 4 Houghton East Neighborhood

W.J. Craig Ward 6 Sam Hughes Neighborhood

Laurence Robert Cohen Ward 3 Jefferson Park Neighborhood

Leslie Cohen Ward 6 San Clemente Neighborhood

Laurie Colburn Ward 2 Houghton East Neighborhood

Ed Curley Ward 6 San Clemente Neighborhood

Helen Curtis Ward 6 San Clemente Neighborhood

Joan Daniels Ward 3 Jefferson Park Neighborhood

Julie Date Ward 6 San Clemente Neighborhood

Sarah Davis Ward 6 San Clementine Neighborhood

Deb Dedon Ward 6 Rincon Heights Neighborhood

Linda Dobbyn Ward 6 Miramonte Neighborhood

Bill DuPont Ward 6 Colonia Solana Neighborhood

Bill Ford Ward 6 Feldman's Neighborhood

Felicia Frontain Ward 6 San Clemente Neighborhood

Chirs Gans Ward 6 West University Neighborhood

Carlos Garcia Ward 3 Cabrini Neighborhood and North Dodge Neighborhood

Fran Garcia Ward 3 Cabrini Neighborhood and North Dodge Neighborhood

Hannah Glasston Ward 6 Blenman-Elm Neighborhood

Dawn Greene Ward 6 Feldman's Neighborhood

Eric Greene Ward 6 Feldman's Neighborhood

Joan Hall Ward 3 Jefferson Park Neighborhood

Eileen Haney Ward 6 San Clemente Neighborhood

Sarah Harris Ward 6 Feldman's Neighborhood

Yolanda Herrera Wards 1 & 5 Sunnyside Neighborhood

Mark Homan Ward 6 Rincon Heights Neighborhood

Alison Hughes Ward 6 Catalina Vista Neighborhood

Patrick H. Hynes Ward 6 Blenman-Elm Neighborhood

Christina Jarvis Ward 6 Feldman's Neighborhood

Meg Johnson Ward 6 Garden District Neighborhood

Lisa Jones Ward 3 Jefferson Park Neighborhood

Erika Kreider Ward 6 Feldman's Neighborhood

Ronni Kotwica Ward 6 Palo Verde Neighborhood

Barbara Lehmann Ward 2 Fountain Park HOA

Flo Lemke Ward 3 Richland Heights East Neighborhood

Diana Lett Ward 6 Feldman's Neighborhood

Val Little Ward 6 West University Neighborhood

Nancy Martin Ward 3 Jefferson Park Neighborhood

Mark Mayor Ward 5 Julie Keen Neighborhood --"Julie Keen NA Board voted to oppose the measure on the overlapping plan amendment/rezoning"

Jerel McDonald Ward 2 Rancho del Este Neighborhood

Christine Miller Ward 6 San Clemente Neighborhood

Sandra Miller Ward 3 Richland Heights East Neighborhood

Patrick Moran Ward 6 San Clemente Neighborhood

Gayle Mulholland Ward 4 Houghton East Neighborhood

John Nichols Ward 6 Feldman's Neighborhood

Joanne Osuna Ward 3 Jefferson Park Neighborhood

Lynne Paterson Ward 3 Jefferson Park Neighborhood

Lois Pawlak Ward 6 Garden District Neighborhood

Steve Prendergast Ward 3 Jefferson Park Neighborhood

Maureen Pollack Ward 6 Richland Heights East Neighborhood

Bonnie Poulos Ward 3 Campus Farm Neighborhood

Janice Prescott Ward 4 Rancho del Este Neighborhood

Silvia Maria Rayces Ward 3 Jefferson Park Neighborhood

Alison Reiche Ward 3 Jefferson Park Neighborhood

Dorothy Richmond Ward 3 Jefferson Park Neighborhood

Kathy Roberson Ward 3 Jefferson Park Neighborhood

Marilyn Robinson Ward 6 Blenman-Elm Neighborhood

Edward Roos Ward 2 Houghton East Neighborhood

Virginia Roos Ward Houghton East Neighborhood

Margarite Rosenberg Ward 5 Barrio San Antonio

Heather Rouse Ward 3 Mountain View and Richland Heights Neighborhood

Marilyn Russell Ward 6 Miramonte Neighborhood

Sue Sanders Ward 6 Feldman's Neighborhood

Elizabeth Schauer Ward 6 San Clemente Neighborhood

Bob Schlanger Ward 3 Jefferson Park Neighborhood

Marsha Schlanger Ward 3 Jefferson Park Neighborhood

Eric Scharf Ward 6 Blenman-Elm Neighborhood

Linda Schaub Ward 4 Houghton East Neighborhood

Tracy Scheinkman Pima County Near Houghton East Neighborhood

William Scriffin Ward 2 Houghton East Neighborhood

Vicki Senter Sheley Ward 2 Rancho del Este

Laura Tabili Ward 6 Rincon Heights Neighborhood

Barbara Tellman Ward 6 Feldman's Neighborhood

Jan U'Ran Ward 6 Feldman's Neighborhood

Joseph Vitelli Ward 4 Rancho del Este Neighborhood

Kathleen Vitelli Ward 4 Rancho del Este Neighborhood

Donna Walton Ward 2 Rancho del Este

Beverly Van Den Borre Ward 3 Dodge/Flower Neighborhood

Amira Van Winkle Ward 3 Richland Heights East Neighborhood

Linda Wurzelbacher Ward 3 Richland Heights East Neighborhood

Kris Yarter Ward 6 Garden District Neighborhood

Matt Zoll Ward 6 San Clemente Neighborhood –"Bd. voted unanimously in support of letter"

Attachment B

CONCURRENT PLAN AMENDMENT AND REZONING PROCESSES

	Jurisdiction	Source	Description	Frequency	Correspondence	Number of Hearings	Hearing Body	Number of Members	Role of Zoning Officials
AREA	***Gilbert***	Zoning Code 5.201.D	When a project requires approvals under more than one section of the Zoning Code, the individual applications may be accepted for concurrent review.	Josh Rogers, Planner II – Practiced more often than not.	Josh Rogers, Planner II – Nothing in the code that specifically states they can run concurrently, but it is common practice.	2	Heard by Planning Commission with final decision by Town Council	9	Hearing Officer: Variances. Zoning Administrator: Use permits. Board of Adjustment: Hear and decide appeals from decisions of the Hearing Officer.
AREA	***Phoenix***	Planning Process Guide General Plan Amendment	Current City policy requires that action on a rezoning application is separate from the procedure to amend the General Plan as State law requires that all rezoning be consistent with and conform to the adopted General Plan. A hearing on the rezoning application is to occur subsequent to a determination on the change to the General Plan. However, you may file your rezoning application and be scheduled for a hearing agenda following action on the General Plan amendment. Note: This requirement can be waived by the Planning and Development Director upon written request for special circumstances.	Kaelee Wilson, Village Planner – Any time a rezoning case is submitted with a GPA	Kaelee Wilson, Village Planner - Typically when a GPA and a rezoning case are submitted concurrently, the General Plan case is voted on prior to the rezoning case. Both votes occur at the same meeting.	2	Village Planning Committee Meeting recommendation (monthly), Planning Commission recommendation (3-5 weeks after) with final decision by Town Council	Village Planning Committees: up to 21 members; Planning Comm: 9 voting plus Planning Director as ex officio non-voting member	Hearing Officer: Hears requests to delete or modify stipulations from approvals of rezoning requests and time extensions for conditionally zoned properties. The PHO also hears requests to revert zoning if initiated by the Planning Commission and certain modifications to comprehensive sign plans. Hearings held monthly. Zoning Administrator: Use permits and variances. Board of Adjustment: Hear and decide appeals from Zoning Administrator.
AREA	***Mesa***	Zoning Code 11-63-11.C	A request for rezoning may occur concurrent with the request of a General Plan Amendment to the Traditional Neighborhood or mixed-use designation.	Tom Ellsworth, Principal Planner – General practice when the situation arises.	Tom Ellsworth, Principal Planner – There is nothing in the code that specifically states they can run concurrently, but it is a matter of policy that we allow the applications to be reviewed and run concurrently.	2	Heard by Planning and Zoning Board with final decision by City Council the month following	7	Hearing Officer: Hear and decide upon requests for variances, special use permits and interpretation of ZO and Sign Code. Zoning Administrator: Use permits, applying development standards or interpreting zoning district boundaries. Board of Adjustment: Hear and decide appeals from Zoning Administrator and issuance of special use permits. Authorize variances.

CONCURRENT PLAN AMENDMENT AND REZONING PROCESSES

	Jurisdiction	Source	Description	Frequency	Correspondence	Number of Hearings	Hearing Body	Number of Members	Role of Zoning Officials
PHOENIX METR	***Buckeye***	Zoning Code 8.6.3	An application for Community Master Plan may be submitted concurrently with a petition for annexation or a request for rezoning.	Andrea Marquez, Planner II – General practice when the situation arises.	Andrea Marquez, Planner II – Concurrent annexation, zoning, and General Plan Amendments occur in Buckeye as long as the applicant understands one is contingent upon another. We typically include this language in the various ordinances/resolutions.	2	Heard by Planning and Zoning Commission (occur bi-monthly) for recommendation with final decision by City Council (occur bi-monthly).	7 (one per district plus 1 at-large); each member has an assigned alternate as well	Hearing Officer: Variances Zoning Administrator: Administering and enforcing the provisions of the code. Board of Adjustment: Hear and decide appeals from Hearing Officer, variances.
	Tempe	Zoning Code 6-202	**Concurrent Review of Applications for Same Project.** The applicant or Community Development Director, or designee, may elect to combine multiple applications for concurrent review when the applications are for the same project and the same decision-making body is responsible for reviewing all of the applications related to the project.	Robbie Aaron, Planner – General practice when the situation arises.	Robbie Aaron, Planner – Tempe does allow applications to be processed concurrently and most GPAs that have an associated Rezoning are done together. In my time here, I can't think of a GPA that wasn't accompanied by a Rezoning application. That is not to say it can't be done.	2	Development Review Commission (minimum of 2 hearings on a major GPA) and forward recommendation to City Council for final decision (2 public hearings).	7 regular members and 3 alternates. At least 3 regular members and 1 alternate shall be currently practicing in the field of architecture, landscape architecture, urban planning, land use law, real estate, engineering, or otherwise qualified by a design background, training, experience, or similar related field.	Hearing Officer: Use permits, variances, abatements. Zoning Administrator: Interpretation of the code. Board of Adjustment: Variances, appeals from Hearing Officer or Zoning Administrator.
	Glendale	Envision Glendale 2040 Table 1. General Plan Map Amendment, Major/Minor	General Plan Minor Map Amendments may be processed concurrently with applications for rezoning subject to City policies and procedures. Minor map amendments are all General Plan map amendments not deemed as major using the land use and infrastructure criteria. Minor map amendments include any residential density subcategory change within the same residential category.	David Williams, Planning Administrator – General practice when the situation arises unless otherwise requested by applicant.	David Williams, Planning Administrator - I do not believe we have any documents that state that concurrent GPA review is OK with rezoning review. As you may know, that is how we do it unless the applicant desires to keep the processes separate and we have had a couple cases like that since I have been here.	2	Heard by Planning and Zoning Commission for recommendation to City Council for final decision.	7 (one per District)	Hearing Officer: Administrative appeals. Board of Adjustment: Administrative appeals.

CONCURRENT PLAN AMENDMENT AND REZONING PROCESSES

	Jurisdiction	Source	Description	Frequency	Correspondence	Number of Hearings	Hearing Body	Number of Members	Role of Zoning Officials
TUCSON METROPOLITAN AREA	***Pima County***	Pima County Code 18.89.041.C	A concurrent plan amendment and rezoning application may be submitted if the proposal does not conflict with applicable policies of the comprehensive plan and meets specific criteria as related to residential uses and commercial/mixed use developments.	Mark Holden, Senior Planner – General practice when the situation arises	Mark Holden, Senior Planner – In the County, we do process rezonings and comprehensive plans concurrently if they meet the specified criteria; mostly in conjunction with a specific plan submittal. However, they do not happen often.	2	Heard by Planning and Zoning Commission (occur monthly) for recommendation with final decision by Board of Supervisors occur bi-monthly).	10 (2 per District)	Hearing Officer: Zoning violation appeals and code violations Board of Adjustment: Variances, temporary use permits, and interpretations of the code.
	Marana	Marana 2010 General Plan 4.2.1	A minor amendment to the General Plan may be processed concurrently with a rezoning request and approved at hearing	Cynthia Ross, Senior Planner – General practice when the situation arises.	Cynthia Ross, Senior Planner – Nothing in the code that specifically states they can run concurrently, but it is common practice. Additionally, we are updating our code and will be sure to include this language in the update.	2	Heard by Planning and Zoning Commission (occur monthly) for recommendation with final decision by Town Council (occur bi-monthly).	7	Board of Adjustment: Appeals from the Zoning Administrator's interpretation of zoning regulations and variances.
	Oro Valley	Oro Valley Zoning Code 22.2	A Type 2 Amendment to the General Plan may be submitted and processed concurrently with a rezoning request.	This is a new option with their recently adopted General Plan. It's been used at least once but is something that all our clients want to use if their project is eligible.	None	2	Heard by Planning and Zoning Commission (occur monthly) for recommendation with final decision by Town Council	7	N/A
OTHERS	***Flagstaff***	Flagstaff Regional Plan Ch. 3	A plan amendment (minor) and rezoning application may be submitted any time of the year and processed concurrently. Two public hearings required: Planning and Zoning Commission and City Council.	Used for most rezoning and annexation requests unless unless specific major amendment criteria are triggered	None	2	Heard by Planning and Zoning Commission for recommendation with final decision made by City Council.	7	N/A
	Pinal County	We Create Our Future: Pinal County Comprehensive Plan Ch. 10	Non-major comprehensive plan amendments may be processed concurrently with a rezoning. Comp. plan amendments to Neighborhood Commercial are allowed in any zone if specific Planning Guidelines are met	Any time the use is neighborhood commercial or a rezoning requires a non-major comprehensive plan amendment	None	2	Heard by Planning and Zoning Commission for recommendation with final decision made by City Council.	5 (1 per District)	N/A

Attachment E

PROPOSED CONCURRENT PLAN AMENDMENT (PA) AND REZONING (RZ) OPTIONS
APPROXIMATELY 6 - 10 MONTHS

OPTION 1
APPROX. LENGTH: 8-10 MONTHS
(# OF PUBLIC MEETINGS: 5)

PRE-APPLICATION CONFERENCE
- Staff determines that PA & RZ are required.
- Staff provides applicant with policy direction and feedback on proposal.

NEIGHBORHOOD MEETING
- Applicant holds neighborhood meeting in which both PA and RZ are presented.

APPLICATION SUBMITTAL
- Applicant submits applicaiton for PA and RZ.

INITIAL PLAN COMPLIANCE/ SUBMITTAL COMPLETE
- Staff finds policy language/land use map revisions satisfactory.
- Staff finds rezoning application complete.

FULL AGENCY REVIEW
- Staff forwards submitted application material to all public and semi-public agencies for review and recommendations.
- Staff reviews application and makes recommendation on proposed PA and RZ based on land use policy considerations

PLANNING COMMISSION
- Planning Commission reviews at study session and public hearing is scheduled. Adjacent property owners notified
- Planning Commission reviews PA and makes recommendation for PA only. RZ app. may be used to inform recommendation.
- Provides PA recommendation to Mayor and Council.

ZONING EXAMINER
- Once Planning Commission provides recommendation, Zoning Examiner public hearing may be scheduled and adjacent property owner notified.
- Reviews RZ and makes recommendation for RZ only. PA app and Planning Commission recommendation may be used to inform recommendation.
- Provides recommendation to Mayor and Council.

MAYOR AND COUNCIL
- Mayor and Council will make two subsequent motions:
  1. Plan Amendment Approval/ Denial
  2. Rezoning Approval/ Denial
- If PA is denied, RZ request will not be heard.

OPTION 2
APPROX. LENGTH: 6-9 MONTHS
(# OF PUBLIC MEETINGS: 4)

PRE-APPLICATION CONFERENCE

NEIGHBORHOOD MEETING

APPLICATION SUBMITTAL

INITIAL PLAN COMPLIANCE/ SUBMITTAL COMPLETE

FULL AGENCY REVIEW

PLANNING COMMISSION*

MAYOR AND COUNCIL

*Assumes Planning Commission consist of appointed individuals with direct experience in planning or other related land development fields.

MAYOR AND COUNCIL – STUDY SESSION

LEGAL ACTION REPORT
AND MINUTES FOR THE MEETING OF

TUESDAY, APRIL 23, 2019

MAYOR AND COUNCIL CHAMBERS

CITY HALL, 255 W. ALAMEDA, TUCSON, AZ

Mayor Rothschild called the Study Session to order at 12:01 P.M. in the Mayor and Council Chambers, City Hall Tower, Tucson, Arizona.

OFFICIAL MEMBERS PRESENT:

Mayor Jonathan Rothschild
Council Member Regina Romero (Ward 1)
Council Member Paul Cunningham (Ward 2)
Council Member Paul Durham (Ward 3)
Vice Mayor Shirley C. Scott (Ward 4)
Council Member Richard G. Fimbres (Ward 5)
Council Member Steve Kozachik (Ward 6)

OFFICIAL MEMBERS ABSENT/EXCUSED: None

STAFF:
Michael J. Ortega, City Manager
Michael Rankin, City Attorney
Roger W. Randolph, City Clerk

AGENDA ITEM / MAYOR AND COUNCIL ACTION

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1. Executive Session – Broomall v. Pima County, City of Tucson, Pima County Superior Court Case No. C20180294 (City Wide) SS/APR23-19-89

It was moved by Council Member Fimbres, duly seconded, and CARRIED by a voice vote of 7 to 0, to enter into Executive Session for Item 1 as noticed in the agenda.

RECESS: 12:02 p.m.
RECONVENE: 12:27 p.m.
MAYOR & COUNCIL: All present
STAFF: All present

Executive Session was held from 12:05 p.m. to 12:15 p.m.

It was moved by Council Member Fimbres, duly seconded, and CARRIED by a voice vote of 7 to 0, to return to open session.

AGENDA ITEM / MAYOR AND COUNCIL ACTION

2. Mayor and Council Direction Regarding Executive Session – Broomall v. Pima County, City of Tucson, Pima County Superior Court Case No. C20180294 (City Wide) SS/APR23-19-90

It was moved by Council Member Kozachik, duly seconded, and CARRIED by a voice vote of 7 to 0, to direct staff to proceed as discussed in Executive Session and settle this case for the amount of $40,000.

3. Integrated Weed Management (IWM): Organic First Tucson and Community Landscape Management (Ward 6) SS/APR23-19-92

Introductory comments were provided by Council Members Durham and Kozachik.

Council Member Kozachik expressed his concern regarding the Parks and Recreation Department becoming overburdened by the responsibility of managing the program. He said another department or outside agency should be identified to provide oversight and administration.

Mayor Rothschild said the agenda material did not indicate the cost for implementation, nor how cost would be absorbed.

Michael J. Ortega, City Manager, said the details were still being worked out, but individual departments would absorb their own costs. Staff was looking for direction to move forward, and then would provide more information.

Information was provided by Brent Dennis, Director, Parks and Recreation Department. He said Tucson Clean and Beautiful (TCB) has been involved, and could be a reasonable option for the lead agency. He agreed that identifying a single point of contact would be good for overseeing both the IWM and the City-wide management of public landscapes.

Discussion ensued as questions were fielded and answered by Mr. Dennis.

Mr. Dennis said different landscapes would require different approaches, some of which might not follow the "pyramid" that illustrated the Weed Control Strategies Hierarchy. He said Irvine, California indicated it took three years to see both noticeable improvement and reduced costs. There were no other models in Arizona; other jurisdictions were waiting to follow Tucson's lead.

Mr. Ortega said staff was looking for approval to continue moving forward with the proposal and would report back to Mayor and Council in approximately six months.

Mr. Dennis said Irvine, California realized approximately 30% savings in water usage, starting with the third year of their Organic First program.

AGENDA ITEM / MAYOR AND COUNCIL ACTION

Council Member Kozachik said costs would vary by department, as would the approach, which was why they needed a single point of contact to oversee the program. However, Parks and Recreation did not have the staffing, nor the authority.

Mr. Ortega said he granted the necessary authority to Mr. Dennis, and informed the other departments of that. Once specific projects were identified, Mr. Dennis would coordinate with the appropriate departments.

Discussion ensued regarding utilizing existing landscape management employees, and opportunities to add wildlife and native plants to the landscape.

Mayor Rothschild said the conversation provided staff with enough direction to continue refining the IWM policy as requested.

No formal action was taken.

4. Discussion of the Environmental Services Fund and the Financial Impacts Associated with the City's Recycling Program and Service Delivery Options (City Wide) SS/APR23-19-91

Introductory comments were provided by Michael J. Ortega, City Manager, who reviewed the recommendation as presented in the agenda material. He said the proposal would provide funding for one year, during which staff would explore other potential options for future consideration.

Mayor Rothschild said he would support the recommendation to switch to every-other-week pick-up, and using the Hotel Bed Surcharge, but only for the coming year, not as a long-term solution. He said he wanted to keep paper and glass recycling for the time being, but revisit that option during the next budget cycle or sooner. He did not want to reduce services and increase fees in the same year. He said staff needed to pursue public education efforts like those used for water conservation, but acknowledged it would require resources to do so. Staff needed to be more creative in identifying and pursuing options, such as using or selling compost.

Council Member Cunningham said they could update routes and increase route efficiencies; but he was not comfortable switching to every-other-week, unless there was a sunset date to make sure they revisited whether the schedule should continue or revert back to weekly collection. He said more education and outreach was needed because the City's high contamination rates resulted in higher costs. He said the highest priority was to not raise fees; the next priority was to switch to every-other-week, but on temporary basis. They could also look at the terms of the agreement with Republic Services to increase efficiencies.

Questions were fielded and answered by Carlos De La Torre, Director, Environmental and General Services Department.

Council Member Romero said she wanted to provide direction to staff to come back with a

AGENDA ITEM / MAYOR AND COUNCIL ACTION

more comprehensive approach that would include recycling, compost, waste, and an education component.

Mr. De La Torre explained that the every-other-week schedule was projected to save approximately $1.4 Million through the reduction of routes. There would be a reduced need for staffing and maintenance of vehicles. He said customers would be reminded of their scheduled pick-up week by providing a sticker, mailing a yearly schedule and posting it online, and other means of public outreach.

Council Member Durham asked for an estimate of the costs associated with providing a subscription service for compostable waste, as mentioned in the agenda material. He said he would like further study of this proposed service.

Council Member Kozachik said the City was not looking to eliminate the recycling program, but they may need to consider eliminating the recycling of glass. If they did, they would need to have private haulers also eliminate glass. Private haulers needed to be included in the conversation. If they increased residential rates, they should also increase commercial rates. He suggested switching to the collection of recyclables from alleys instead of curb-side, so customers would not need to remember which week their pick-up was scheduled for. He also said customers who were excessively contaminating the recycling stream were costing the City more money, so they should have their blue barrel removed.

Vice Mayor Scott said someone needed to be tasked with keeping an eye out for new markets or alternative programs. She said education efforts to reduce contamination should also address existing confusion over whether landscaping waste was recyclable.

Council Member Fimbres said an educational program would be necessary to move to every-other-week pick-up. They should look at route efficiencies and other options for glass and paper.

Council Member Durham asked why glass was not being eliminated, given the information presented in the agenda material.

Mr. Ortega said staff was proposing to use the next year to evaluate whether to eliminate glass, but Mayor and Council could also provide direction now on the elimination of glass.

Mr. De La Torre said no employees would be laid off due to the every-other-week schedule.

Discussion ensued regarding developing a comprehensive approach that was more creative than simply cutting services and increasing fees, and that included an educational component.

Council Member Cunningham said he was not ready to eliminate glass, because it reduced the use of plastic bottles and there was a market for recycled glass in the production of fiberglass and solar panels.

It was MOVED by Vice Mayor Scott, duly seconded, to approve the City Manager's

AGENDA ITEM / MAYOR AND COUNCIL ACTION

Recommendation as presented in the agenda material, with the quarterly report to address the suggested route efficiencies, education and enforcement, negotiation with Republic Services, reduce/reuse and composting programs, reuse of plastics, comparison of rates across jurisdictions, optimal use of optical sorters, alley service, addition of an "innovation" officer, and a review of glass.

Council Member Cunningham said staff should return to Mayor and Council on September 4, 2019, for a review of the item.

Discussion ensued.

Council Member Kozachik said they did not need to wait until September for some of the information to be ready. Information on route efficiencies and alley service could be sent by memo before September.

Mayor Rothschild said a quarterly report would be due in August. He requested the item to come back for Study Session discussion in August.

The motion was CARRIED by a voice vote of 7 to 0.

(Note: Council Member Kozachik departed at 1:52 p.m.)

5. Update on City of Tucson's pCard (Procurement) Program (Continued from the meeting of April 9, 2019) (City Wide) SS/APR23-19-87

Introductory comments were provided by Council Member Fimbres.

(Note: Council Member Kozachik returned at 1:54 p.m.)

Information and presentation was provided by Laura Jestings, Business Services Department, who fielded and answered questions.

Ms. Jestings explained the new Virtual Payables (vPayables) Pilot, which was converting payments from being made by check to being made by pCard.

Michael J. Ortega, City Manager, said he was challenging staff to maximize transaction sizes to reduce the processing costs. He said the processing fee was the same for each transaction, so they wanted to combine multiple smaller transactions into fewer, larger ones.

Discussion ensued; no formal action was taken.

6. Infill Incentive District (IID) Work Plan (City Wide) SS/APR23-19-86

Introductory comments were provided by Michael J. Ortega, City Manager.

Information was provided by Scott Clark, Interim Director, Planning and Development

AGENDA ITEM / MAYOR AND COUNCIL ACTION

Services Department, who fielded and answered questions.

Discussion ensued regarding partnering with other agencies on the study of homeownership of condominiums downtown; shortening the timeline; exploring a sub-district for Stone Avenue and Oracle Road; affordable housing for seniors, students, and the low-income population; a housing market study; incentivizing transit-oriented development and mobility options; utilizing incentives in Wards 2 and 4; and repurposing "mini-malls."

Mayor Rothschild asked if staff anticipated returning to Mayor and Council in three to four months.

Mr. Clark said staff would report back before going out to stakeholders, but the market study would take approximately one year to complete. He expected using outside resources for the study.

Council Member Romero asked to include the Housing and Community Development Department (HCD), to address displacement issues.

Mayor Rothschild requested a Request for Proposals be issued in 45 days for the market study.

It was moved by Council Member Romero, duly seconded and CARRIED by a voice vote of 7 to 0, to approve the City Manager's Recommendation as presented in the agenda material, with additional direction to staff to work with HCD on the market study, add transit-oriented development verbiage in terms of using transit passes and mobility options, and include discussions with Tucson Association of Realtors regarding housing options in the City.

7. Concurrent Plan Amendment and Rezoning Processes (City Wide) SS/APR23-19-88

Introductory comments were provided by Michael J. Ortega, City Manager.

Information and handout material was provided by Scott Clark, Interim Director, Planning and Development Services Department (PDSD). He said staff was seeking direction on two options presented in the agenda material.

Mayor Rothschild said he was favoring Option 1 as presented in the agenda material.

Council Member Kozachik said he preferred Option 1; however, he wanted to include a caveat that all public meetings would be required to designate separate amounts of time for discussion of the Plan Amendment, and for discussion of the Rezoning. He wanted to streamline the process without reducing the opportunity for public input. He asked if it was possible to set a deadline after which the zoning would revert back if the project did not move forward.

Michael Rankin, City Attorney, said a deadline could be set so that the Zoning approval would expire if permits were not pulled after a specified amount of time. However, he said

AGENDA ITEM / MAYOR AND COUNCIL ACTION

he would need to check on setting a similar deadline or expiration date on the Plan Amendment.

Council Member Durham said he favored Option 1 because he did not want to restructure the Planning Commission. He asked what the process would be to move forward with Option 1.

Mr. Clark said Option 1 had the least amount of changes to the Unified Development Code (UDC). Any amendment to the UDC would require review by the Planning Commission, and he recommended including outreach to stakeholders such as neighborhood associations and the building community. Input from the public and from the Planning Commission could result in changes to the proposal before it would ultimately come back to Mayor and Council for final approval. Any appeal of an application filed after implementation of the UDC amendment would follow the standard process to appeal a Plan Amendment decision, and to appeal a rezoning decision. The concurrent review process would be an additional option for applicants; they could also choose to use the existing, separate, processes for Plan Amendments and for Rezonings.

Discussion continued, with questions fielded and answered by Mr. Clark and Koren Manning, Planning Administrator, PDSD.

It was moved by Council Member Cunningham, duly seconded and CARRIED by a voice vote of 7 to 0, to direct staff to pursue Option 1 as presented in the agenda material, with a caveat that the opportunity for public input not be truncated, and including a deadline after which an approved rezoning and plan amendment would revert back.

8. **Submission of FY2020 Compensation Plan Recommendation (City Wide) SS/APR23-19-85**

Introductory comments were provided by Mayor Rothschild.

Information was provided by Ana Urquijo, Business Services Department Director, who fielded and answered questions. Ms. Urquijo said the labor unions had been involved and were in agreement, and a meeting with them was scheduled for the following day.

Discussion ensued; no formal action was taken.

RECESS: 2:55 p.m.
RECONVENE: 3:17 p.m.
MAYOR & COUNCIL: All present
STAFF: All present

9. **Submission of the City Manager's Recommended Fiscal Year 2019/20 Budget (City Wide) SS/APR23-19-93**

Introductory comments were provided by Michael J. Ortega, City Manager.

AGENDA ITEM / MAYOR AND COUNCIL ACTION

Joyce K. Garland, Chief Financial Officer/Assistant City Manager, said the total amount of the recommended budget is $1.556 Billion. The total was $56 Million more than the previous year, primarily due to setting up the health insurance trust fund.

Discussion ensued, as questions were fielded and answered by Mr. Ortega and Ms. Garland.

Council Member Cunningham said he wanted to bring back or continue the neighborhood pavement chipseal program, independent of funding from Proposition 407. He also wanted to invest in turf management on athletic fields, and replacement of playground equipment.

Council Member Kozachik said he supported covering the health insurance increase, but they needed to be careful that it did not become an expectation.

Michael Rankin, City Attorney, said he would check with outside counsel on litigation against 3M, and provide an update on the status. He also said that, as discussion continued on Development Impact Fees, he would look into whether Impact Fees could be charged for work done by utility companies on City streets.

Mr. Ortega said staff would follow up with information on the status of the combined Fire/Police Station, under the Special Revenue Fund.

Mr. Ortega said staff was still analyzing information related to electric vehicles for Sun Van and Sun Tran. They were working with vendors on that and would provide it to Mayor and Council.

Mr. Ortega said the Homeless Work Program would need additional funding due to the increase in the minimum wage.

Ms. Garland said adoption of the tentative budget would be scheduled for the meeting of May 21, 2019.

Discussion ensued; no formal action was taken.

10. Barrio Historico Historic Zone Advisory Board; Composition and Functions of the Board, Qualifications of Members, and Process for Consideration of Appointments to the Board (Ward 6) SS/APR23-19-94

Introductory comments were provided by Mayor Rothschild. He said Council Member Kozachik and staff received information on four potential appointees to the Barrio Historico Historic Zone Advisory Board (BHHZAB).

Information was provided by Michael Rankin, City Attorney, who fielded and answered questions.

Discussion ensued.

AGENDA ITEM / MAYOR AND COUNCIL ACTION

Council Member Romero questioned changing the appointment process for the Board.

Council Member Kozachik said he wanted to follow the same process that was already established for appointing members to the Board.

It was MOVED by Council Member Kozachik, duly seconded, to forward the applicants' names to BHHZAB and to the Planning and Development Services Department (PDSD) for review, to be returned to Mayor and Council for formal action.

Mr. Rankin said relevant neighborhood associations can be provided notice of when the appointments will be considered by Mayor and Council for approval.

The motion was CARRIED by a voice vote of 7 to 0.

14. Update Relating to Asylum-seekers in Tucson (City Wide) SS/APR23-19-98

This item was taken out of order.

Introductory comments were provided by Michael J. Ortega, City Manager, who said he directed staff to open up City facilities to help Catholic Community Services (CCS) process asylum-seekers.

Discussion ensued regarding soliciting help in the form of volunteers and supplies, but also needing to identify available City and community resources and coordinate everyone's efforts.

Chris Magnus, Chief of Police, said the people seeking asylum were here legally, and were typically waiting for up to 72 hours to receive money for a bus ride to their final destination where they have family or sponsors.

Parks and Recreation was providing use of its facilities. Assistance was also being provided by Border Patrol and the Pima County Health Department.

Mr. Ortega said staff was looking into opportunities for grant funding that may be available to pay for a coordinator at CCS, and they were tracking costs for possible reimbursement. CCS was asked to provide a specific list of needs so City staff could see where they can help. Emergency Management staff was working with Pima County, but also working with CCS to coordinate the specific call to action for the community to help.

Mr. Ortega said Albert Elias, Assistant City Manager, would be coordinating the City's efforts on a macro scale to identify and mobilize resources internally. John Strader, Tucson Police Department, would be in charge of "boots on the ground," assuming the role of volunteer coordinator.

Discussion continued; no formal action was taken.

AGENDA ITEM / MAYOR AND COUNCIL ACTION

11. Updates on State and National Legislation and Regional Committees (City Wide) SS/APR23-19-82

Andrew Greenhill, Intergovernmental Relations Manager, said all of the City's congressional offices were updated and informed about Mayor and Council's discussion of item 14, related to Asylum-seekers in Tucson.

Mr. Greenhill provided handout material and reminded Mayor and Council of the answers he already provided to questions from Vice Mayor Fimbres.

Mr. Greenhill provided an update *Wayfair v. South Dakota*, litigation relating to collecting online sales tax.

It was moved by Council Member Fimbres, duly seconded and CARRIED by a voice vote of 7 to 0, to support and oppose the bills as recommended in the material provided by Mr. Greenhill.

12. Mayor and Council Discussion of Regular Agenda (City Wide) SS/APR23-19-83

Council Member Kozachik had a question regarding Consent agenda item 7c:

Item 7c: Real Property: Acquisition of Right-of-Way for the Silverbell Road, Goret Road to Camino Del Cerro Project (Wards 1 and 3) APR23-19-117

Albert Elias, Assistant City Manager, said the City had an agreement with the Regional Transportation Authority (RTA) for acquisition of Rights-of-Way. That agreement provides for reimbursement by the RTA.

Vice Mayor Scott requested Consent Agenda item 7f be considered separately:

Item 7f: Parks and Recreation: Naming the Golf Links Softball Complex the "Todd M. Harris Sports Complex" (Ward 4) APR23-19-124

Council Member Kozachik requested Consent Agenda item 7e be considered separately:

Item 7e: Parks and Recreation: Naming the Reid Park Rose Garden the "Cele Peterson Rose Garden" (Ward 6) APR23-19-123

Michael Rankin, City Attorney, announced a correction to Consent Agenda item 7h:

Item 7h: Employee Benefits: Adoption of Fiscal Year 2020 Self-Insurance Medical Rates (City Wide) APR23-19-128

Mr. Rankin said the Communication for this item accurately identified the amount of $3.9 Million, but the Ordinance had an incorrect amount of $4.3 Million. The

AGENDA ITEM / MAYOR AND COUNCIL ACTION

Ordinance would be corrected to reflect $3.9 Million.

13. Mayor and Council Discussion of Future Agendas (City Wide) SS/APR23-19-84

No items were identified for future agendas.

14. Update Relating to Asylum-seekers in Tucson (City Wide) SS/APR23-19-98

This item was taken out of order and considered after item 10.

ADJOURNMENT: 5:09 p.m.

AUDIO RECORDING AVAILABLE UPON REQUEST FROM THE CITY CLERK'S OFFICE FOR TEN YEARS FROM THE DATE OF THIS MEETING.

Meeting Notes from June 10, 2019 Stakeholder Meeting related to the proposed UDC Text Amendment to allow for a Concurrent Plan Amendment / Rezoning Process

The Stakeholder Meeting began with each attendee introducing themselves and then a brief presentation by Staff to provide some background information related to the issue. Staff's presentation was organized into the following sections:

- Background information related to the issue
- Existing Process for Plan Amendments and Rezonings
- State Statutes related to Plan Amendments and Rezonings
- Data related to how many Plan Amendments and Rezonings we have had since 2010
- What is done in other municipalities
- Potential Options moving forward and some pros and cons of each
- Example of how a previous case would work under the concurrent process

Comments received from the stakeholder group were the following:

- The proposal given to Mayor and Council is not truly concurrent. For it to be concurrent, the neighborhood meetings should be combined where the Plan Amendment and Rezoning can be discussed together.

- It was stated that there is precedent for combining meetings – for example, the Blind Tiger was a combined meeting.

- Important to have the same amount of public hearings – this is critically important after the state change related to the tabulation of protests and the super majority trigger.

- It is important to provide education as many residents don't know what an area or neighborhood plan is. Neighborhoods need more time in whatever option to research their specific plan.

- It is important that this is optional - maybe there should be a staff approval of the proposal.

- When this was presented to the Planning Commission last time, it was the developer who had the option. Neighborhood needs to be informed and be a part of the decision.

- Pima County has made it more concurrent – I prefer taking option 1. No-one really wants option 2 - Option 1 doesn't take away any options from the neighborhood - costs are a big deal for a developer – we need to consider this.

- Area and Neighborhood plans are really only about Rezonings - Guidance in that plan - Having people to have the ability to have a say – these are the only protections in the Zoning Code - make sure we keep the ability to protect people from.

- TRRG has put together a position paper on this. Not against this idea, but concerned about neighborhoods. Have in here a sequence of neighborhood meetings. First informational, second the community comes back and has a conversation.

- Can the informational meeting be conducted by staff - would like to have staff at the meeting. First meeting could be held by the staff - making people aware of what is going on - what is their plan. People don't feel they got an accurate picture of what they. Look at what Oro Valley does for neighborhood meetings.

- Like that the current pattern is being held - build in checks and balances to the process. WE should keep both reviews as the two boards are entirely different skillsets. The process should be staggered and should have two neighborhood meetings. Have a trigger for the second meeting. Understand that the zoning may expire, but not the plan amendment. No less than 30 days to stagger – addresses the problem with the appeal period. Give time to fix things that may not have been addressed the first time. All these meetings would be helped if city staff is present. Look at a process that looks at the worst case scenario. Speed it up, but allow for meaningful neighborhood meeting.

- We need for education of the neighborhood and residents.

- What happens if PA is approved and RZ is denied? In this one unique situation how do we deal with the PA on this. Can we create a way to revert the PA if the RZ is denied?

- Initial meeting is a difficult public meeting. Any process added adds cost is a problem too that extra cost comes out of a potentially better design.

- There are actually rezonings that are not controversial - even in those we generally have multiple meetings. Caution against regulating extra meetings. Option 1 provides an extra level of scrutiny. Study Session be a joint meeting between the ZE and PC -

- Option 1 seems like the best option. Need to be cautious with what we do. There is the opportunity for staff to educate the public and neighborhoods, for staff to be more proactive with neighborhood liaisons. May be good options for this - may want to look at Oro Valley. Have a whole complete process. Most developers don't want a contentious process.

- Would like to have the ward office at meetings.

- I agree with a lot of the comments that have been made - have worked with developers over the years - good understanding that neighborhood meetings are important. While at sun corridor - speed to market is a big issue for big companies. Would think twice if the process was not a sure process - have pre-meetings set-up.

- Agree with Ruth - educational meeting beforehand - it is a complicated issue. As much communication as the developers may have helps to provide. Like the idea of streamlining.

- Personal experience with Plan Amendments and Rezonings is not good. The real action is behind the scenes. Hesitant to ask staff go to more meetings. Not sure what can be done to

make the neighborhood process useful. Summary doesn't lead to constructive. Hesitant to recommend more meetings.

- If this is an option that speeds things up, why can't we ask for something in return.

- Ultimately neighborhoods don't have a solid team to go and deal with this – need time to understand.

Concurrent Plan Amendment and Rezoning Public Meeting – June 16, 2019 – Sentinel Building – Housing and Community Development

Public Comment 1: It seems to me that when a straight rezoning happens- a strict C-1 to C-2, R-2 to C-1, a neighborhood plan is written knowing what zoning is allowed in that area. A developer might come in and want to make a small change to the zoning and to me it seems it's not really necessary to have a concurrent process for smaller rezonings and minor changes to plans. What a neighborhood might be more concerned about are PAD's because a developer can make many changes all at once- I think the community might want to have more say in what happens in larger projects like that. Some people might feel like the PAD's current process for approval in Tucson allows the developer to ignore the UDC. Neighborhoods and stakeholders would like more assurances about what the developer is actually planning to put there.

Public Comment 2: Many neighborhood plans were developed under older zoning guidelines. The city has changed and made multiple iterations of new zoning codes since neighborhood plans have been made. One big issue in any kind of development in neighborhoods is that residents may not know what the current zonings mean when they are looking at their older neighborhood plans. The zonings in town changed noticeably in 1999.

Public Comment 3: Current system rezoning and plan amendments don't inform one another in some instances. There's such a range of opinions on the outcomes of the current system depending on what development project is being addressed. For instance, the entire city seemed upset about what happened to the monastery and showed demonstrated there can be congruence among community members; in other instances there can be a lot of divergence and confusion about the process. One instance where the community is seemingly confused about the outcome of the current process is the Fry's case. The mayor & council have already decided that the current system is an issue so there may not be a need to study whether or not the current system's outcomes are building consensus.

Public Question 1: Who can initiate a plan amendment?

Public Comment 4: Attendees sound upset that neighborhoods cannot initiate a plan amendment and that they must go through council and public hearing processes. Some want neighborhood associations allowed to initiate a plan amendment. They like the idea of a neighborhood association having the power to make a plan amendment because they feel they do not have a strong voice during public hearings and current protocol.

Public Comment 5: Some feel the current process is really designed for an individual looking to develop or redevelop one specific parcel and this same process is used for all residents and

developers interested in rezoning, getting a variance, plan amendment, or plan update. There is no process for neighborhood associations to update their plans. There should be a separate process for updating or amending neighborhood plans. There are resources other than city staff that can help in updating/amending plans, but the city should still oversee that and have the final say. There should be more public participation in the plan amendment process and all stakeholders (e.g. businesses) should be involved.

Public Comment 6: What we are also seeing is a lack of a neighborhood advocates. If there isn't a strong-willed person in the neighborhood that really understands planning processes, neighborhoods end up with a C-3 parcel in the heart of an R-1 neighborhood. TRRG is helping these kinds of neighborhoods, but neighborhoods often end up getting steamrolled. Politics will change over time and so will the attitude of the government towards community engagement- what it was in the 70's, 80's, and now are all different in terms of how neighborhoods are treated by the government. Neighborhoods need to be able to change plans more easily in order to plan for a less-than-certain future.

Public Comment 7: When a lot of these plans were put together, we had a large staff. There were 8 staff members that worked on neighborhood plans. Even then, we could only run 3 or 4 plans at any one time. So, it's no small undertaking to make the neighborhood plan process transparent and robust.

Public Comment 8: During the recession, Tucson lost a lot of funding and development was on the decline, and the county reduced fees for development so lots of money was not going to planning. When we began to see an uptick in development, some community members recognized the need to have good plans so they could direct development the way they would like to see it impact their community. If we see an increase in PAD's, plan amendments, and variances, we need to start directing funding to planning. A meeting participant noted that he's happy that PDSD is now hiring again, but the staff is still half of what it was before 2008.

Public Question 2: How many planning commissioners do we have now?

Public Comment 9: There could be 7 or 8 on the commission now, even though there should be 13 people.

Public Question 3: Is the quorum based on the number of filled positions or possible positions? You can't take a majority of the quorum? How do you get that changed?

Public Comment 10: There should be a quorum that runs based on the number of filled positions. It would incentivize people to come to the meetings in order to vote.

Public Comment 11: It's really important to educate all stakeholders on these matters. There should be a trifold or pamphlet that could be handed out to the public pertaining to all of these issues. Develop pamphlets for neighborhood plans, amendments, variances, etc.

Public Comment 12: Keep the present pattern plus an option, don't lose option 2. Develop criteria on where 2 neighborhood meetings would be held and what would be covered. Complex issues could require a second session and further education. Stagger the two processes so they are not less than 30 days, this would help each process inform each other.

Notes Taken During Meeting

- The community would really like to have more information shared about PAD's because they redevelop multiple parcels and often are able to make changes to the UDC because of this

  -PAD's are looked at on a case-by-case basis by PDSD. The important thing community members should know is that most PAD's are based off of current zoning, or their initial proposal uses a base zoning. The PDSD would not approve a PAD that is not compatible and appropriate with current land use specifications in Plan Tucson, area plans, and/or neighborhood plans

- Current zoning has changed since neighborhood plans were developed and neighborhood plans contradict current community- and city-wide goals

  -The City of Tucson is now currently working on helping neighborhood associations create and update their plans'. PDSD understands that many of the neighborhood plan's intentions are now outdated as land use goals evolved through the years. One major thrust of this meeting was to educate residents on how amendments, rezoning, and variances currently operate at the municipal-level and how these might change in the near future.

- Have there been any studies done on how the current process is favoring residents or developers?

  -Some at the meeting mentioned the Monastery as an issue in which the process made most residents of the city upset over how community and cultural resources are dealt with; this proved to the residents in some way that consensus can be reached. Another instance that was brought to PDSD's attention was the Fry's development that is still yet to be constructed. In this instance, the community was more confused as to what was going to happen to the parcel than anything else. The answer the attendants came to was that mayor and council already identified these processes as problematic and should be changed.

- Are there tremendous divisions of opinion at public meetings and how do we know?

-There can always be division, no matter how hard a group tries to build full consensus. The best thing to do is provide education and information to all stakeholders. In doing so, even if someone disagrees, they know the facts and can understand the greater public process.

Questions & Comments (Notes)

- One of the largest concerns addresses at the meeting was that a plan amendment cannot be initiated by a neighborhood association or an Individual. Many of the attendants seemed concerned that this was too developer-friendly and felt as though they should have the power to amend plans so long as they are in compliance with Plan Tucson's goals. As of now, the neighborhood association or the individual would have to bring their concerns to council should they want to initiate an amendment.
- Why not allow a neighborhood association make a plan amendment? It was iterated in different languages multiple time during the meeting that people want to be able to make their neighborhood plan more responsive and reflexive should the future become uncertain.
- There is no way to update plans at the neighborhood-level. This comment was tangential to the questions and concerns listed above. Rebecca Ruopp let the attendants know that there is now a matrix for how to update a neighborhood plan on the PDSD website that contains a robust community participation component.
- The plan amendment process is different at the parcel-, neighborhood-, and city-level. This meeting in large part, probed the possibility of having a more streamlined and uniformed amendment procedure.
- There need to be political will to expedite the current processes. This is an issue that the mayor and council are likely to address. In some ways, PDSD has already mentioned the issue of amendment, variance, and rezoning processes to these political bodies.
- The planning staff has shrunk. This is true in the wake of the recent recession, however, the PDSD has currently hired new employees. Still, the staff is only half the amount of people there were before the recession. The funding of municipal departments is not solely up to the PDSD.
- Educating stakeholders is key to holding fruitful neighborhood association and public meetings. This is true and the PDSD staff has in past run workshops on

various topics relating to public processes. There was mention of the need to have pamphlets and clear outlines of how various public processes work at the meeting. One way PDSD is working to better educate the public is through meetings like this one and through email chains like the nugget that provides important information to concerned residents.

- The two processes currently in place to amend a plan, rezone something, or get a variance need to be able to inform one another. One attendant recommended that the two meetings are held within reasonable to times of one another so the two meetings are coherent.

Public Meeting: Concurrent Planning Process, Public Works Building - 6/26/19

- How do we challenge an amendment?
    - There is no form of direct action, by the citizenry, to challenge an amendment. This is because the process has undergone public participation and is already "in the pipeline," or being studied by city staff and officials. Moreover, PDSD is not a political body in the sense that all proposals and requests to the public that pertain to them are looked at impartially and then sent to public representatives for a final say and feedback. Staff, in other words cannot act on just one person's or group's commentary, beliefs', intuitions', or opinions', they typically must be told to look into something by mayor and council. As a result, PDSD attempts to hold public meetings in the hopes of clarifying the greater public process, but cannot act on the citizens' behalf through conversation alone. The only way to challenge an amendment is through referendum by mayor and council.
- It appears as though the developers have far too many details, in terms of design, then they should have.
    - PDSD and staff are principally concerned with land use. Because of this, designs that come out at presentations or otherwise are likely done by the developer as a means to illustrate their ideas on what might be developed on a potential PAD. What can be said is this: most PAD's start with a base zoning and go from there. PDSD is not the body that can restrict a design based on aesthetics alone; PDSD has to be impartial and ensure that all designs on a PAD are in compliance with the respective amendment as well as city, area, and neighborhood plans.
- PAD's appear to be general, but some seem to be too specific.
    - Without specific instances of this being brought to the attention of staff members during the meeting, not much could be done to calm concerns from the citizens. What can generally be said, however, is that design and amendments often take multiple iterations before ***final*** approval. A citizen may have seen illustrations that were at different stages of the process and that the process itself may ultimately deny a PAD. Again, without a specific project being cited and at what phase the project was in, it was difficult for PDSD staff members to formulate a response to this concern.
- PAD's should be specific, not vague
    - When a PAD proposal initially comes to PDSD, they are vague. PDSD must make sure that the proposed development is appropriate for the site in question for years to come. PAD's do ultimately become more specific, but it is unlikely that a developer would hire a professional to draft designs without having the amendment already approved. In short, PAD's become more and more specific the further they go through the process. PDSD cannot be accountable for the varying levels of specificity that come from the developer at any one time. Some PAD's are clear-cut and would not require much to get an amendment, while others can be more cumbersome and challenging to decipher if the developer's proposal is appropriate.
- How does this relate to the current process?

    - The short answer is because developers value pragmatism at all steps of the development process. PAD's evolve as the developer is informed on what must change, what must be considered, and what impact fees and additional development costs might be associated with development. Because of this, it is highly unlikely that the developer would draft designs without approval. Businesses and developers alike need some form of certainty in order to develop and the concurrent process is one way in which developers may attempt to get an amendment.
- When PAD's are approved, land values increase regardless of whether or not development occurs.
    - This is typically true. However, the inclination that came from the audience would be that developers would get an amendment only to sell the land to another party. That is possible and nothing could be done to stop this, as per local, county, state, and federal laws. That is likely a slippery-slope fallacy to think that this occurs often or much at all. Those who deal with real property would likely be trying to sell their land as is to a would-be developer. In other words, the developer almost always plays a role with the explicit intent to develop a property for a profit. A land owner or some kind of holdings company have the necessity to sell property for revenue, rarely would they be interested in amending a plan to develop something on it.
- Once the plan amendment has been approved, how often is a rezoning denied?
    - There are very few instances of denial after approval because the current public process typically tweaks the plan in the interest of the public good before final approval.
- It's impossible to talk about plan amendments without talking about rezoning, so holding two separate discussions seems redundant. Perhaps a referendum on one could delay both.
    - The letter and spirit of the law is upheld through this process, though. It could also be irresponsible for both discussions to be put on the table concurrently. Moreover, PDSD cannot change the public process, that is what mayor and council do. As to the possibility of a referendum on one, delaying both, it could be argued that without both an amendment and a rezoning approved, development efforts are essentially hamstrung.
- There needs to be a clear definition of how neighborhood plans work against developers' initiatives.
    - It is the law for cities and counties to have plans, but plans are not laws. The neighborhood plans that are approved by the City of Tucson must compliment county, city, and area plans. Each neighborhood has their own plan that dictates what is allowed in their respective boundaries'. The developer must follow neighborhood plans or PDSD will not recommend a development, or the neighborhood may attempt to have a member of their respective council initiate a referendum, if a developer's plan is farther along in the process. It is important for the neighborhood plan's wording and content to play out in a way that the residents would generally feel comfortable with developers buying land. PDSD staff has a principal planner that is dedicated to helping neighborhoods amend their current plan's. The neighborhood association unto itself is not a legislative body and cannot directly act upon a development in a manner that is recognized by the local government.

Public Meeting: Concurrent Planning Process Meeting, Murphy-Wilmot Library, 6/17

- So, this would eliminate the zoning examiner? The commission has a 3-minute hearing on the process, while mayor and council has a 5-minute hearing. Still, that's not enough time. It sounds like you're getting rid of the people's ability to speak to official at a public hearing. The zoning examiner is more flexible than the chair and hears us out.
    - -This option would potentially have the commission look at the issue at a public hearing as opposed to having the zoning examiner speak with citizens about it. The amount of time that is allotted to each citizen during a public hearing is typically up to the discretion of the chair. Mayor and council as well as other citizens have been happier with option 1 because of the impartialness of the zoning examiner.
    - -This is how the public process currently works. PDSD is not a governing body and cannot change this. Changes in the public process are initiated and then approved by local representatives. PDSD is principally concerned with appropriate land use for years to come and can either recommend or not recommend something to the zoning commission/mayor and council.
- You put the public at a real disadvantage if you don't spell out the process.
    - -This is one of the main reasons PDSD is holding these meetings. What PDSD would like to stress is that plan amendments, rezoning, and PAD's are typically few in number and the applicability of this entire process is minor based on the amount of amendments, 'rezonings,' and PAD's PDSD actually sees coming across their desk each year.
    - -Still, PDSD is looking to clarify this process and receive feedback on the matters from concerned citizens. This meeting has been recorded and documented for consideration in future iterations of concurrent planning processes.
- You get to have neighborhood meetings with the developer and the developer gives you a concept, but you don't see the actual design and permitting process.
    - -The developer typically keeps plans vague until approval by PDSD and the city. This is because the developer is not likely to shell out money on designing an area if they are not already approved. To have a completed design before approval by PDSD, the commission, and mayor & council could be a serious waste of money on the developer's part.
    - -Neighborhood associations could attempt to include more meetings with developers on their own plan or they could come up with a questionnaire format that they ask to all developers to get a better sense of what will be

developed. What PDSD typically sees is a vague plan too and the commission typically sees more specific designs.

- Hearings are a one-sided conversation where I get three minutes to talk about my land.
    - -When coming up with this new process, PDSD was hoping to clarify the two bodies and make a more transparent process on how rezoning and plan amendments are reviewed. It is reasonable to be concerned with the amount of time that one gets with public officials that are making decisions that will impact you and your land. All owners of real property have rights granted to them by federal, state, county, and local laws.
    - -This does not mean that land you own, especially if it is undeveloped land, is immune to developments that are close by that are deemed undesirable by the owner. If land nearby is in fact developed, the owner could look into Proposition 207, approved by the Arizona State Legislature. This proposition makes development that depreciates the value of another person's land unlawful; this may only apply to previously developed land though. Hearings are governed by Mayor and Council, if you would like more time to speak about the matters of development during hearings, it is important for you to urge your local representative to make a change to the hearing process. PDSD does not control how hearings are run.
- It's the neighborhood that's going to be living with this forever, there needs to be more robust public meetings.
    - -PDSD is committed to helping communities get an education on this public process so they are able to make better informed decisions about proposed developments.
    - -PAD's, 'rezonings,' and plan amendments are typically successful due to a robust public process, but community-wide education would be something that PDSD could do to help make a better-informed public.
- Since the concurrent process is optional, can the developer be better educated before meeting with neighborhoods and the public?
    - -That's an excellent idea. PDSD staff remain committed to educating the general public about planning and public processes. Further education is always a great way for both the developer and the citizenry to better understand one another's intents and wishes.
    - -The developer is typically well-informed on local land use plans when they come into initially meet with PDSD and if they are not as informed as required, PDSD staff can help them come to understand what is expected from current zoning and plan policies. As to whether or not the developer could be educated further by PDSD is questionable. If PDSD were prompted by mayor and council, then yes. The issue with formally educating a

developer might be that PDSD could then easily be held accountable for a lack of return on investment from a proposed development if the advice given turns out to affect property value or profitability; still, there may be a way to draft this idea into policy.

- If there aren't details in the development, we have to approve an abstract concept.
    - -The idea of plans, even neighborhood plans, are to determine appropriate land use and development criteria. PDSD understands that concerned citizens feel intimidated by new development in their area but hopes to help better educate neighborhoods and residents that want to know more about the development process. Much like how plans are abstract, so too are initial ideas for developing an area.
    - -If the development is in compliance with all plans and uses land appropriately, there is little reason that PDSD cannot allow a proposal to go forward. Still, the commission as well as mayor and council could deny the proposal. Design is another aspect of the development process that is subject to certain codes and design standards.
- What is PDSD doing that it is no longer enforcing code? Why is there no longer quality documentation?
    - -Without any specific instances of this being brought up during the meeting, PDSD could not formulate a response. PDSD would not knowingly ignore code violations and remains transparent to the public.
- The city has had a bad reputation with businesses in the past and now it seems that the city is going to the other extreme and favoring businesses over the public.
    - -Without any specific motions brought up by mayor and council during the meeting, it is difficult for PDSD to respond to this comment. Perhaps policy has changed; it should also be noted that there is an uptick in development throughout the sun corridor after coming out of the recession.
    - -PDSD is principally concerned with determining whether a proposed development is appropriate for current and future land use.
- Most amendments are on arterial streets. This prompted the topic of the Fry's undeveloped lot. One attendant said, "It was the most corrupt thing I've ever seen."
    - -Fry's has 5 years to go through with their development. If they do nothing within 5 years, the amendment could be void. If development has already started on the parcel, though, they do not have a "sunset" date.
    - -The area that Kroger proposed for development was an appropriate parcel for having a grocery store. Like all other owners of real property, Kroger is entitled to the same land rights given to others under federal, state, county, and local laws. They have not to PDSD's knowledge violated any land use law.
- The Broadway PAD is really small, and many people think PAD's are large areas.

    - -PAD's can technically be any size. The idea behind a PAD is to allow a developer to get approval for more specific land uses that would be appropriate and compliment the surrounding area. PAD's are typically the result of the need to have zoning changed to fit an explicit, but appropriate use.
- As a neighborhood, we have to hire professionals to make sense of these issues and it's stretching us thin.
    - -PDSD is holding meetings like this in the hopes that citizens can better understand public processes and are looking at options to educate citizens about development in the future.
- "Pro" was fine, the new thing doesn't work.
    - -PDSD is unaware of any problems or changes with PRO, but will look into it..
    - -Citizens could contact the City of Tucson's Department of Information Technology for further assistance with this issue.
- I have 400 acres and 1,700 acres, and I only talk about it for a few minutes at the public hearings. We want more of a say in rezoning.
    - -PDSD understands that concerned citizens want more engagement with the local government. Still, PDSD is not the body that decides the extent to which public officials interact with the general public. The idea behind changing the process was to hopefully formulate a process that was more intuitive to citizens and local government.
- It sounds like there's limited application with the PAD. Is the city able to deny a PAD or is it only the developer that can push for a PAD to go through? Can the city deny a PAD?
    - -The city can deny a PAD if it is not compliant with plans or if it is deemed as an inappropriate use of land. There is limited application with a PAD, there are very few that come through to the city each year. The developer is the only body that can push for a PAD's approval.
    - -If for some reason local officials find an amendment, rezoning, or other development to be wildly unpopular, they may attempt to do something on behalf of the citizens.
- Would you say we'll add more specificity to the PAD's now if the process changes?
    - -The most likely scenario would be that the plan amendment would be general and then the planning commission would see more specificity within the plan conditions.
- Before you have a major power shift, you're going to have these same people decide on the new process? Mayor and council called for this to happen within the last 6 months.

    - -The mayor and council did prompt this motion, but it was because they are seeing and uptick in rezoning, plan amendment, and PAD applications coming their way.
- It took 2 years to get the current process finished and now a new one is to be approved within a few months. This leaves us with little time to react to the new proposal.
    - -PDSD was ordered by mayor and council to do this months before the election. Public meetings, like this one, are being held to get feedback from the community.
- There should be at least 2 neighborhood meetings before a development occurs that requires a rezoning, plan amendment, or PAD. I had voiced my concerns at one meeting about a development. Now, there's a new building popping up. I'm not too sure that staff is going looking out for the best interest of the neighborhood.
- Are developers held to an oath?
    - -Generally, no they are not. Ethically, they are obligated to be truthful to the public and honest with their intentions.
- Why not expand notification requirements from 300 feet to 1,000 feet? I say this because 300 feet may only get you notification if you're directly across the street from a development.

TRRG Planning and Development Service Committee

Position Paper on Concurrent Plan Amendment/Rezoning Process Proposal Based on Information provided to Mayor/Council on April 23, 2019

Spring 2019

Tucson Residents for Response Government: Planning and Development Service Committee (TRRG-PDS) supports the Mayor/Council request, made mid-2018, to initiate a concurrent approval process for a proposed development that requires both an area/neighborhood plan amendment and a rezoning.

TRRG -PDS views this as an opportunity for all stakeholders to work together to improve both the current processes and the resultant projects. However, various aspects of the City's proposed concurrent process must be addressed prior to its implementation.

Rationale for Concurrent Process

l. The public does not understand COT's current 2-step process. When a project is controversial, the public sees the Planning Commission (PC) hearing as the venue to present their position on the entire proposal. Supporters and opponents alike do not understand the need to craft their arguments to address the specific plan detail which is proposed for amendment. The time which often transpires between the public hearings for the plan amendment and the final rezoning is often years. Public interest wanes and citizens are left believing that it all was settled long ago.

2. Mayor/Council (M/C) approval of the plan amendment is a precursor for M/C approval of the rezoning request . To expect M/C to NOT approve the rezoning at the later time is unrealistic. Unfortunately, that amendment decision is made on limited knowledge of the final project.

3. PC wants to know project details before making its recommendation for a plan amendment. In lieu of details, commissioners have been told they are to evaluate the "concept" Exactly what "concept" means is uncertain, and commissioners recently have requested many more specifics in order to understand their cases. The concurrent process would allow the PC to have details of the project when making decisions about a plan amendment.

Three Areas of Concern:

1. As drafted in proposed text, "the applicant may elect to proceed with concurrent applications for a plan amendment and rezoning. " ***TRRG-PDS requests that the Neighborhood(s} most impacted by the proposed development must agree to the utilization of the option.***

This would be difficult to administer in a consistent manner given the various bylaws and procedures followed by neighborhood associations across the City. This would also be counter to the goal of the amendment to create additional certainty in the process. The proposal set by staff, however, provides measures that can help to make sure the neighbors are better informed of the process and better prepared for the neighborhood meetings through the longer notice period, improved notification letter and the optional informational meeting.

2. As sequenced in Option 1, [11]Neighborhood Meeting: Applicant holds neighborhood meeting in which both PA and RZ are presented. " This would replace the current UDC requirement of 2 neighborhood meetings. ***TRRG-PDS requests that the following procedures define "neighborhood meeting":***

Planning and Development Services is proposing a change to the structure and requirements to the neighborhood meeting for when an applicant chooses the optional concurrent Plan Amendment / Rezoning Process. This would include required notice period for a neighborhood meeting when utilizing the concurrent process from 15 to 30-45 days and the addition of an optional informational meeting with PDSD staff, at request of Neighborhood Association, prior to required Neighborhood Meeting in order to review and answer questions regarding the optional Concurrent Plan Amendment and Rezoning Application process.

Neighborhood Meeting Requirements for a Concurrent Process

Three parties should have defined, collaborative roles: i) developer making the application; ii)_Q!Y processing the application; and iii) surrounding area residents/property owners assessing the impact of the new construction and use. Applicant and citizens should be confident that the City staff balances both of their interests. *All three parties should sign off on any meeting summaries submitted to COT.*

Implementing the neighborhood meeting requirements as early as possible in the conceptualization of a proposed project would be time-/money-saving for the applicant while trust-building for neighbors.

First meeting - Developer introduces the public to the proposed project. PDSD representative monitors and clarifies COT procedures . Public listens and gathers information.

Second meeting - Public has the opportunity to ask questions of developer and PDSD representative and to express opinions about the project .

3. As described in Option 1, "Mayor and Council: Mayor and Council will make two sequential motions: 1. Plan Amendment Approval/Denial; 2. Rezoning Approval/Denial. If PA is denied, RZ request will not be heard." ***TRRG-PDS requests that a separate public hearing for the plan amendment be scheduled and the request for a separate public hearing for the rezoning can still be made and will be honored.***

The proposal in front of the Planning Commission does just this. It requires that the Mayor and Council hold separate public hearings for the Plan Amendment and the Rezoning. Should there be changes to the Plan Amendment during the public hearing, the Mayor and Council have the option to continue the Rezoning to the next meeting.

It is critically important that Mayor and Council receive separate reports regarding any protests for the Plan Amendment and the Rezoning, also that Mayor and Council vote separately on the Plan Amendment and the Rezonin g. Since the Arizona State Legislature has redefined both the protest zone and the supermajority for any vote on a Rezoning, it is very difficult for adjacent property owners to protest a project in a meaningful way. The Plan Amendment is now the one realistic opportunity that community members have to influence a project or perhaps even stop a project. The Plan Amendment and Rezoning must not be combined in a way that deprives community members of their only meaningful input into development.

Daniel Bursuck - [EXTERNAL]My thoughts about running a

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concurrent plan amendment/rezoning process

From: "Poulos, Bonnie T - (poulosbt)" <poulosbt@email.arizona.edu>
To: Daniel Bursuck <Daniel.Bursuck@tucsonaz.gov>

Date: 06/28/2019 4:59 AM

Subject: [EXTERNAL]My thoughts about running a concurrent plan amendment/rezoning process

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Daniel,

Since I am out of town for the next stakeholders meeting, I would like to interject some concerns
that have come to mind during the public discussions and a long discussion I had with Roger who helped write these plans. Something he pointed out that sticks in my mind: the plans were accepted as agreements between the City Council and the neighborhoods. By allowing a concurrent process, the developer now steps in the takes over the role of the City in making conditions to include in the plans. Is that appropriate? Is the City council abrogating their responsibility for a policy document that they approved?

- To be clear, in the County a "concurrent" process involves an amendment to the Comprehensive plan (there are no neighborhood plans in the county) when needed for a rezoning to take place. It almost always revolves around the allowed use, not some condition of the plan like height or open space. That is pretty different from what we are proposing for the city.
- Do we start putting zoning conditions into neighborhood plans? Is that a good idea when plans are advisory and not regulatory as the City attorney is now emphasizing.

  The idea with this proposal is by allowing the two processes to run concurrently, it would result in less specificity in the Plan Amendment and the more specific conditions being used in the Rezoning. The idea is that by allowing the conversation around rezoning conditions to take place at the same time but through the ZE process, the PC would place fewer rezoning-type conditions on NPs.

- Is there a better way to look at proposed changes to neighborhood plan that does not depend on a specific land use proposal?

  Currently, most Plan Amendments in the City of Tucson are a result of specific land use proposals. This is not necessarily a requirement of Plan Amendments, however. Updates to specific plans in the past have been made due to large projects, such as roadway widenings, and could be conducted in the future.

- Can we give plan amendments a sunset date such that if they are not built out within 5

yrs they go away?

Currently we do have an expiration time period on Rezonings, which is five years with an option to extend up to 10 years with Mayor and Council approval. Fundamentally, Plan Amendments are different from Rezonings. The goal of a land use plan is to provide direction for future land use in specific areas of a city. The direction provided in those plans, even if the proposal and rezoning goes away, should still be relevant. Ultimately, the question that should be asked, while drafting a plan or while making an amendment to a plan is, "is this land use appropriate?"

- Can amendments be tied to specific proposals? (Should they be?)

  State law requires these two processes to be separate, and they should be separate. The plans provide policy guidance, and the Rezonings and zoning classifications are regulations.

- Does a concurrent process really save the developer any time? How much time?

  In theory, it should save the applicant time if the optional concurrent plan amendment / rezoning is chosen. The complexity of coordination of the two processes, could add some time to the overall timeline, but it appears it could reduce the overall time from 12-18 months to 8-14 months.

- Is the neighborhood/area plan a pact between the elected officials and neighborhoods? How does a developer negotiating with neighborhoods impact that pact?

  Ultimately, a neighborhood/area plan is a City of Tucson document that guides City of Tucson land use decisions. It is intended to provide a vision for the future that is reflective of the neighborhood residents, nearby business owners, in addition to the community as a whole. The question here is not necessarily how does this impact the pact, but is this appropriate given the vision and goals of the community.

Thanks for considering some of my

concerns. Bonnie

Questions Raised by the Concurrent Plan Amendment/Rezoning Proposal

Tucson Residents for Responsive Government PDS Committee

Compiled by Ruth Beeker, Chair

Summer 2019

The PDSD Process Handouts on **Plan Amendment**, **Rezoning Process and Planned Area Development (PAD)** provide residents information which is integral to understanding of the Concurrent Plan Amendment/Rezoning proposal. If residents felt procedures were adequate, already well administered and clearly defined, it would make support of the concurrent proposal more assured. Unfortunately, review of the components which would be integrated reminds residents that deficiencies in the status quo, unless addressed now, will only be extended to one more option.

Plan Amendment

The process handout states a plan amendment is " a revision". . "typically changing a land use map or existing land use plans." That implies that if there is a barrier in the plan for a specific proposal, it will be removed or revised to allow that use; an amendment is not for construction or administrative details.

QUESTIONS:

What role should the neighborhood have in identifying what amendments are needed?

Neighborhoods are an integral part of the public process to review if an amendment is appropriate. They have the ability to voice their opinions at the Neighborhood Meetings, through comments submitted to staff, or at public hearings. That input becomes part of the record and ultimately factors into the decisions of the Planning Commission and Mayor and Council.

Is amending for a specific project the best way to think of over-all neighborhood land use?

The answer to this question is dependent on the project or proposal. If an amendment is needed due to a site specific condition or something that may not have been anticipated during its drafting, then an amendment related to a specific project may be the best way to handle an amendment. There are other cases, such as where there have been large infrastructure projects undertaken, where a larger scale update may be more appropriate.

How much detail of the project is required for neighbors to judge if that revision is appropriate?

The idea with this proposal is by allowing the two processes to run concurrently, it would result in less specificity in the Plan Amendment and the more specific conditions being used in the Rezoning. The idea is that by allowing the conversation around rezoning conditions to take place at the same time but through the ZE process, the PC would place fewer rezoning-type conditions on NPs.

Rezoning has a 5-year time limit—should amendments have the same limitation/sunset?

Currently we do have an expiration time period on Rezonings, which is five years with an option to extend up to 10 years with Mayor and Council approval. Fundamentally, Plan Amendments are

different from Rezonings. The goal of a land use plan is to provide direction for future land use in specific areas of a city. The direction provided in those plans, even if the proposal and rezoning goes away, should still be relevant. Ultimately, the question that should be asked, while drafting a plan or while making an amendment to a plan is, "is this land use appropriate?"

How do neighborhoods get assurance that their plans will not be amended to incorporate a specific project's zoning conditions/procedures which belong in zoning documents, not in the plans?

This is both currently a problem and potentially a problem with an optional concurrent process. PDSD could establish a departmental policy directing the scope of a land use plan, and then provide education to the recommending bodies to help guide them through the amendment process.

Rezoning Process, Planned Area Development (PAD)

The Unified Development Code (UDC) provides dimensional parameters and specific uses for regular zones. This enables the public to know what an applicant is requesting when asking for a change of zones. That is not true when an applicant chooses to use a PAD. The PAD process handout refers to "flexible regulations" which "may have land use regulations that are different from. .. UDC." That does not communicate the extent of the "flexibility."

On Dec. 13, 2017, John Beale responded to a request for PAD clarification with the following:

> The UDC requires the PAD to be in conformance with Area and Neighborhood Plans, but the PAD allows for modification or deletion of any regulation or standard in the UDC such as permitted land uses (allowing and/or excluding), parking requirements, landscaping requirements, building setbacks and heights, density and lot overage, etc. The PAD only allows modifications to UDC but not to any other chapter of the Tucson City Code such as Chapter 25 Street or Building Codes.

QUESTIONS:

Residents report finding wide discrepancy in access to applications and in quality of applications submitted to the Zoning Examiner; who is responsible for enforcing standards for an acceptable submission and for ensuring materials are available to the public?

Requirements for applications that eventually make their way to the Zoning Examiner, such as for a Rezoning are set forth in the City's Administrative Manual. Upon submission of an application to PDSD, staff reviews that application to ensure it meets those requirements prior to acceptance.

What level of detail should the public expect to see submitted to the Zoning Examiner?

All applications must meet the requirements set forth in both the UDC (Section 3.5 Rezoning) and the Administrative Manual (Sections 2-03 and 2-04). More specifically Section 2-04.4.0 Content Requirements lays out the specifics of what is required and what the public should expect. It should be noted that depending on the scale and type of a project, the actual detail may vary.

Neighborhood Meeting

Each of the three PDSD Process Handouts details the City of Tucson requirements for Neighborhood

Meeting: applicant responsible for it all—sends out notice; provides information; listens; documents the meeting to comply with requirement on checklist by compiling minutes, sign-in sheet and other materials. END OF STORY. Nowhere on the Process sheet's 6 steps is there any indication that neighbors' input is considered in decision-making.

Concurrent Option 1, as recommended by Mayor and Council, provides for one neighborhood meeting, a reduction from the two which would be required if plan amendment and zoning were separate. That is totally unacceptable; however, equally troubling is continuing the current policy for Neighborhood Meeting. Some individual developers choose to have a respectful public process, but the fact that the City does not require it leaves the City with an official policy which is window-dressing only.

QUESTIONS:

What is the City's responsibility to ensure that neighbors have the knowledge to give well-informed input, to ensure that the information they are hearing from the applicant is accurate, consistent and thorough?

Processes related to the City's responsibility to ensure that neighbors have the knowledge to give well-informed input are laid out throughout the Unified Development Code. However, we are looking at ways to go above and beyond those requirements. The proposal presented to the Planning Commission presented a change to the structure and requirements to the neighborhood meeting for when an applicant chooses the optional concurrent Plan Amendment / Rezoning Process. This would include an extension of the required notice period for a neighborhood meeting when utilizing the concurrent process and the addition of an optional informational meeting with PDSD staff, at request of Neighborhood Association, prior to required Neighborhood Meeting in order to review and answer questions regarding the optional Concurrent Plan Amendment and Rezoning Application process.

Additionally, PDSD has recently developed process handouts to help inform and educate the public. Finally, we are looking to develop a series of educational sessions to better educate neighborhoods on what resources they have and how to use them. In the past few years, PDSD has developed several tools that are useful for neighborhoods and some education may be helpful.

How soon in the Application Process should initial meetings with the neighbors be scheduled to give input before the project is already too far along to change?

Through the proposal to allow for an optional informational meeting from staff and through changes to the notification requirements, we believe this should allow for a more informed conversation at the official neighborhood meeting and for more input early on in the process.

How can the third step of the identified Process on the PDSD Process Handouts be altered so that the input from the neighbors will be addressed and given consideration before the PDSD staff completes its review?

Currently, the neighborhood meeting is required to be held prior to an application being submitted to PDSD. This allows for the neighborhood feedback to be considered prior to the PDSD staff review and report.

Other Questions

Whenever given an opportunity, people bring up repeated, unanswered concerns. A sampling:

- Why have projects in my neighborhood not followed proper permitting process?
- Why did the neighborhood not get a notice?
- I live in a Homeowners Association; why can't the City at least send me notices?
- Why can't I find information on the City's website?
- Will this process be different? The City holds public meetings but goes ahead and does whatever it was planning to do all along; it's all a charade
- When will Planning Commission finally get the City attorney and PSDS staff direction it needs to establish its purpose and procedures? Should Mayor/Council take an active interest, since they appoint its members?

POSTSCRIPT

TRRG-PDS Committee appreciates PDSD's development of the Process Handouts. They provide information in an accessible format which residents can comprehend. Only when the public knows what processes are currently being used can there be a meaningful discussion of how to move forward. Such transparency can lead to accountability which can lead to trust in City of Tucson government.

Current Process - Separate Plan Amendment and Rezoning

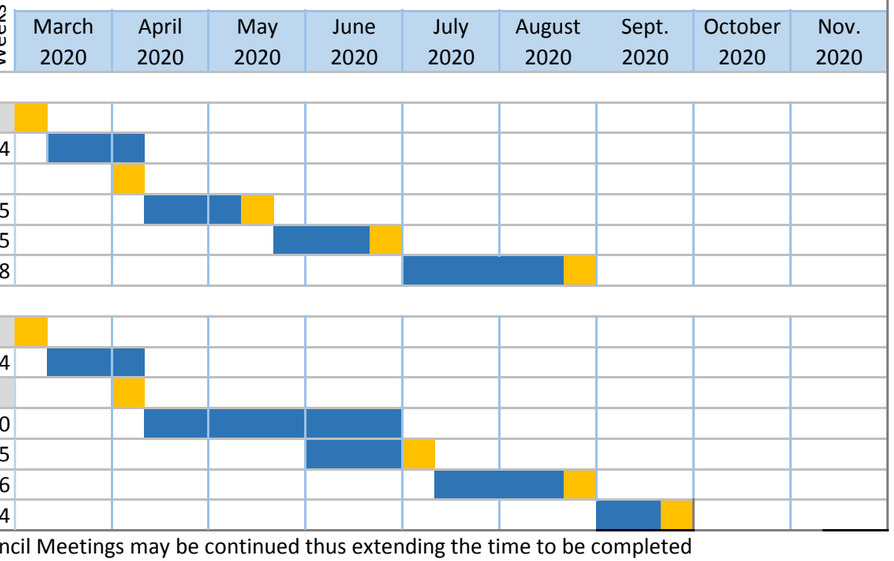
Project Start:	03/01/2020
Project End:	03/01/2021
Total Time:	**12 Months**

		Weeks	March 2020	April 2020	May 2020	June 2020	July 2020	August 2020	Sept. 2020	October 2020	Nov. 2020	Dec. 2020	January 2021	February 2021
Plan Amendment	5 Months													
	Pre-Submittal Meeting													
	Neighborhood Meeting	3												
	Application Submittal													
	Planning Commission Study Session*	5												
	Planning Commission Public Hearing*	5												
	Mayor and Council Public Hearing*	7												
Rezoning	7 Months													
	Pre-submittal Meeting													
	Neighborhood Meeting	4												
	Application Submittal													
	Full Rezoning Review	2												
	Zoning Examiner Public Hearing*	10												
	Mayor and Council Public Meeting*	5												
	Ordinance Effectuated	5												

* Best case scenario - Planning Commission, Zoning Examiner or Mayor & Council Meetings may be continued thus extending the time to be completed

Proposed Process 1 - Optional Concurrent Plan Amendment and Rezoning

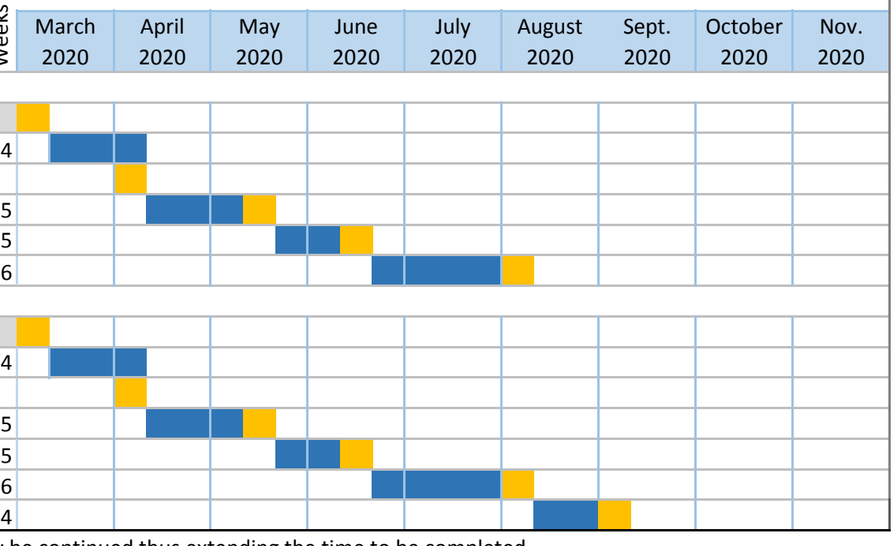
Project Start:	03/01/2020	
Project End:	09/30/2020	
Total Time:	**7 Months**	Weeks
Plan Amendment	6 months	
	Pre-Submittal Meeting	
	Neighborhood Meeting	4
	Application Submittal	
	Planning Commission Study Session	5
	Planning Commission Public Hearing*	5
	Mayor and Council Public Hearing*	8
Rezoning	7 months	
	Pre-submittal Meeting	
	Neighborhood Meeting	4
	Application Submittal	
	Full Rezoning Review	10
	Zoning Examiner Public Hearing*	5
	Mayor and Council Public Meeting*	6
	Ordinance Effectuated	4



* Best case scenario - Planning Commission, Zoning Examiner or Mayor & Council Meetings may be continued thus extending the time to be completed

Proposed Process 2 - Optional Concurrent Plan Amendment and Rezoning

Project Start:	03/01/2020	
Project End:	09/07/2020	
Total Time:	**6 Months**	Weeks
Plan Amendment	6 months	
	Pre-Submittal Meeting	
	Neighborhood Meeting	4
	Application Submittal	
	Planning Commission Study Session	5
	Planning Commission Public Hearing	5
	Mayor and Council Public Hearing*	6
Rezoning	6 months	
	Pre-Submittal Meeting	
	Neighborhood Meeting	4
	Application Submittal	
	Planning Commission Study Session	5
	Planning Commission Public Hearing	5
	Mayor and Council Public Hearing*	6
	Ordinance Effectuated	4



* Best case scenario - Planning Commission or Mayor & Council Meetings may be continued thus extending the time to be completed

Attachment I

PUBLIC NOTICE

July 10, 2019

Subject: PA-19-XXX / C9-19-XX – [Project Name]

Concurrent Area Plan Amendment and Rezoning from [Zone] to [Zone]

Dear Neighborhood Association Representative or Property Owner,

You are receiving this notice because you are either a property owner within 300 feet or a representative of a Neighborhood Association within a mile of a proposed concurrent plan amendment and rezoning.

The proposed project is an amendment to the [Area and/or neighborhood plan] and a proposed change of zone from [Zone] to [Zone]. This map shows the location of the proposal and on the back is a preliminary development plan.

Neighborhood Meeting:

A Neighborhood Meeting has been scheduled to discuss this concurrent Plan Amendment and rezoning request for property located [Location of parcel being rezoned]. The proposed use [Proposed development for parcel] on [size of parcel to be rezoned] acres.

The Neighborhood Meeting is scheduled for [Date of meeting], at [Time of meeting], and located at [Name of Meeting Location] - [Address of Meeting Location].

Optional Informational Meeting

Additionally, Planning and Development Services staff offer to conduct an optional informational meeting for noticed Neighborhood Associations to review the steps within the concurrent plan amendment and rezoning process and the content of the affected neighborhood or area plan. If you would like to schedule a meeting or would like additional information please contact [PDSD Project Manager] by phone at [PDSD Phone Number] or email at [PDSD Email Address].

Project Materials:

Initial information related to this case may be found at the following link:
https://www.tucsonaz.gov/pro/pdsd/permitdetail/T19PRE0091/

The affected area or neighborhood plan may be found at the following link:
https://www.tucsonaz.gov/pdsd/area-neighborhood-plans

The file is also available for review during regular business hours at the Planning and Development Services Department, 201 North Stone Avenue, 3rd Floor.

Sincerely,

[Applicant]

DRAFT

Preliminary Development Plan