

**DRAFT LAND USE CODE (LUC) AMENDMENT
NEIGHBORHOOD PRESERVATION ZONE (NPZ)**

Amendment to Development Standards

1-07.0.0 ZONING EXAMINER LEGISLATIVE PROCEDURE FOR A REZONING.

1-07.1.0 Applicability. The following information and requirements apply to all rezoning requests **except for applications for Neighborhood Preservation Zones (NPZ) which are governed by Development Standard 2-16.0.** Supplemental information that specifically applies to rezoning to a Planned Area Development (PAD) zone ~~are~~**is** provided in Sec. 1-08.

**DEVELOPMENT STANDARD NO. 2-16.0
NEIGHBORHOOD PRESERVATION ZONE**

2-16.0.0 NEIGHBORHOOD PRESERVATION ZONE PROCEDURES
2-16.1.0 PURPOSE
2-16.2.0 APPLICATION
2-16.3.0 FEES
2-16.4.0 CRITERIA FOR ESTABLISHMENT OF AN NPZ
2-16.5.0 NEIGHBORHOOD PRESERVATION PROGRAM REQUIRED
2-16.6.0 ACCEPTANCE OF THE APPLICATION
2-16.7.0 REVIEW AND APPROVAL OF AN NPZ DISTRICT

2-16.0.0 NEIGHBORHOOD PRESERVATION ZONE PROCEDURES

2-16.1.0 PURPOSE. This standard is established to provide supporting information and to outline the procedures to create a Neighborhood Preservation Overlay Zone (NPZ) as defined in the *LUC* Section 2.8.11. The following information and requirements apply to all requests to establish an NPZ.

2-16.1.0 APPLICATION. Application by a property owner within the proposed NPZ.

2.1 Where a property owner within the NPZ applies for the designation of an NPZ, the application shall include the following:

- A. Name and address of the applicant, or if a group or association, the contact person for the processing of the application.
- B. Name and proposed boundaries of the NPZ.
- C. A proposed Neighborhood Preservation Program in accordance with *LUC* Section 2.8.11.

**DRAFT LAND USE CODE (LUC) AMENDMENT
NEIGHBORHOOD PRESERVATION ZONE (NPZ)**

- D. A petition signed by twenty-five percent (25%) of the property owners in the proposed NPZ supporting the application as described above.
- E. A certification that the application, including subsections A, B and C above, has been mailed or delivered to all property owners within the proposed NPZ.
- F. For the purpose of complying with subsections D and E above, “property owners” shall mean the owners as listed by the Pima County Assessor’s office at a point in time which is no more than six (6) months prior to the submittal of the application.

2.2 Application by the City. Where an application is initiated by direction of the Mayor and Council in the adoption of a Neighborhood or Area Plan, or by a vote of the Mayor and Council, the Director of the Department of Urban Planning and Design shall prepare an application including the following:

- A. Name and proposed boundaries of the NPZ.
- B. A proposed Neighborhood Preservation Program in accordance with *LUC* Section 2.8.11.

2-16.3.0 FEES. The application fee for Section 2.1 above, is five hundred dollars (\$500.00). This amount includes the cost of posting and publishing notice for all public hearings.

2-16.4.0 CRITERIA FOR ESTABLISHMENT OF AN NPZ DISTRICT. All NPZ districts shall include the following:

- 4.1 Identifiable boundaries,
- 4.2 Appropriate overlay zone initiation documentation in accordance with *LUC* Section 2.8.11.
- 4.3 A complete Neighborhood Preservation Program in accordance with *LUC* Section 2.8.11.

2-16.5.0 NEIGHBORHOOD PRESERVATION PROGRAM REQUIRED. The Neighborhood Preservation Program (NPP) as defined in the *LUC* Section 2.8.11. will be submitted with the NPZ application and will include the following:

- A. A map showing the boundaries of the proposed NPZ District.

**DRAFT LAND USE CODE (LUC) AMENDMENT
NEIGHBORHOOD PRESERVATION ZONE (NPZ)**

- B. The proposed name of the district.
- C. An explanation of the factors that contributed to the determination of the boundaries of the neighborhood. Factors may include the location and extent of the unique characteristics of the neighborhood, boundaries set by washes, natural areas or other environmental features, or the boundaries of the service area of a park or community facility located within or near the neighborhood.
- D. Maps, charts or narrative, or all three as appropriate, that describe the age of the structures in the proposed NPZ District, as well as all existing land uses, and show the location of all vacant land in the proposed NPZ District.
- E. A narrative section setting forth that all of the following have been met:
 - 1. the specific characteristics that make the neighborhood eligible for NPZ District designation,
 - 2. the extent to which the stability and viability of the neighborhood is threatened by inappropriate and incompatible development and,
 - 3. a separate section setting forth the development standards and specific development regulations for new construction or placement of any new structure in the NPZ District that supercede, modify or expand the development requirements of the underlying zoning district.
- F. An explanation of how the development regulations, criteria and standards that may be established to supercede or supplement those established in the underlying zones that are specified in the *LUC* Section 2.8.11.
- G. The proposed development regulations and design guidelines shall specifically serve to preserve the distinctive characteristics of the neighborhood as described in the Neighborhood Preservation Program.

2-16.6.0

ACCEPTANCE OF THE APPLICATION. The Director of the Development Services Department shall review, or cause to be reviewed, the application for the NPZ district designation and shall decide within 15 working days whether to accept or deny the application by a property owner within the NPZ.

**DRAFT *LAND USE CODE (LUC)* AMENDMENT
NEIGHBORHOOD PRESERVATION ZONE (NPZ)**

6.1 In order to accept the application, the DSD Director must find that the application substantially conforms to the requirement of the *LUC* Section 2.8.11 and this Development Standard.

2-16.7.0 **REVIEW AND APPROVAL OF AN NPZ DISTRICT.** Review and approval of an NPZ District shall be in conformance with this Development Standard, Neighborhood Preservation Zone, *LUC* Section 2.8.11, the Zoning Examiner Legislative Procedure, *LUC* Section 5.4.1 and 5.4.3 and with Rezoning Procedures, Development Standards 1-07.4.0 and 1-07.4.6 through 1-07.4.16.