



PIMA COUNTY COMPREHENSIVE PLAN

2009 PLAN AMENDMENT PROGRAM

Application Process Requirements



I. INTRODUCTION

A. Application Submittal: Completed applications for amendments to the Comprehensive Plan will be accepted only between the **first working day of February and the last working day of April each year** [See *Pima County Zoning Code*, §18.89.040(B)(1)]. For the 2009 Amendment Cycle, applications will be accepted between February 2, 2009 and April 30, 2009. Applications will not be accepted prior or subsequent to these dates, except for amendments initiated by the Board of Supervisors pursuant to §18.89.040E. Application forms are available at the Development Services Department and at <http://www.pimaxpress.com>. **INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.**

B. Purpose: The annual plan amendment program ensures that the Comprehensive Plan (Plan) remains timely, dynamic, and responsive to community values. The Plan guides the Planning and Zoning Commission (Commission) and Board of Supervisors (Board) in rezoning proceedings. Land use intensity categories are defined by the land use intensity legend shown in the Plan's ***Policies and Land Use Intensity Legend***, which establish the Plan's link to the rezoning process.

All rezoning or specific plan requests must conform with the Plan, as they relate to the density requirements and zoning districts that are permitted according to the property's land use intensity designation. The majority of amendment requests are initiated by property owners who seek to rezone and develop property at densities or uses not permitted under the property's current plan designation(s).

Conformance with the Plan does not guarantee approval of a rezoning or specific plan. The merits of a rezoning or specific plan request will be determined during a subsequent rezoning request.

C. Who May Apply: Property owners, or their authorized representatives, may apply. A plan amendment may also be initiated by the Development Services Department, the Commission, or the Board, during the three-month application submittal window. The Board may initiate an amendment to the plan at any time, except major plan amendments of 500 acres or more, provided the specific findings as set forth in the *Pima County Zoning Code*, §18.89.040(E) are made at a legally noticed public hearing. For more details, please contact Comprehensive Plan Section staff.

D. Pre-Application Meeting: The applicant is strongly encouraged to meet with Comprehensive Plan Section staff – **between February 2, 2009 and April 17, 2009** – to discuss the process, requirements and the applicant's proposed request to amend the Plan.

E. Application Requirements: The following are required for an application to be deemed complete:

1. Completed and signed Application Form (***Application Form is attached***).
2. One or more site maps (at 8½" X 11" but no larger than 11" X 17"), that shows:
 - a. Property location, dimensions or survey, scale of map, and north arrow;
 - b. Adjacent roadways;
 - c. Adjacent land uses;

- d. Existing structures and uses on property;
- e. Existing and proposed planned land use designations; and,
- f. Special features, if any, such as washes, floodplain, steep slopes, riparian habitat.

- 3. Processing fee (**Comprehensive Plan Amendment Fee Schedule is attached**).
- 4. Ownership verification: Assessor's map and property inquiry (APIQ) printout and original letter(s) of authorization, if the applicant is not the property owner. In the case of a trust, an original signature of the trust officer and a list of the beneficiaries of the trust is required; in the case of a limited partnership or corporation, an original signature from an officer with his/her title and a list of the corporate officers, is required.
- 5. Two complete copies of the application packet (bound or 3-hole punched).

F. Reasons for Plan Amendment Request: As part of a complete application, substantial rationale for amending the Plan must be given. It is the responsibility of the applicant to demonstrate that these reasons are compelling enough to justify the plan amendment. As guideline criteria, such reasons should satisfy at least one of the following:

- 1. The plan amendment would promote:
 - a. The implementation of the **Growing Smarter Act** with particular emphasis given to:
 - i. mixed use planning,
 - ii. compact development,
 - iii. multi-modal transportation opportunities,
 - iv. rational infrastructure expansion and improvements,
 - v. conservation of natural resources, and
 - vi. the growth area element (*where applicable*),
 - b. The implementation of other Comprehensive Plan policies set forth in the Regional Plan Policies, Rezoning Policies and Special Area Policies.
 - c. Compatibility with the **Conservation Lands System (CLS)**, including information requested in the application form pertaining to Conservation Lands System Compatibility and Biological Resources Information.
- 2. Fulfillment of the Annual Plan Amendment Program's "Purpose", as stated in the Pima County Zoning Code, §18.89.040(A)(2) and (3), as it relates to an opportunity to address inconsistencies, oversights or land use related inequities in the plan or acknowledge significant changes in a particular area since the adoption of the plan or plan update.

G. Additional Information: Suggested **additional information** that the applicant may submit, which will be considered in evaluating amendment requests include:

- 1. A description of any special features shown on the required map,
- 2. Special plan policies being proposed by the applicant to mitigate impacts on special site features or to address concerns of adjacent property owners,
- 3. Relevant information such as the request's effect on special site features or surrounding areas, or other information that applicant feels important when considering the request.

4. If additional materials include color or over-size (over 8.5 x11) maps or other exhibits or substantial narrative and other illustrations, such shall be presented as a stand-alone bound document to accompany the required application materials.

Two copies of this document shall be submitted, collated and three-hole punched, with the initial submittal. After application materials have been reviewed by staff and found to be complete, generally within two weeks of the application deadline, and after any corrections or omissions have been remedied, fifty (50) copies of this document shall be submitted.

- H. Meeting with Property Owners:** The applicant is strongly encouraged to meet with surrounding property owners, residents, and neighborhood groups to discuss their request and solicit suggestions or modifications to the request. If meetings are held, the applicant should submit a summary of the meeting identifying concerns discussed and any modifications made to the request. **Ideally, such meetings should be held prior to submitting an application.**

II. PLANNING AND ZONING COMMISSION STUDY SESSION

- A. Purpose:** The Commission will review all amendment requests, to schedule public meetings and hearings, at a Study Session held during a regularly scheduled public hearing (**generally in June**).
- B. Staff Review:** Staff will review amendment requests in two phases: a preliminary review prior to the Commission Study Session, and a more detailed analysis prior to the Commission and Board public hearings. At the Commission study session, mentioned above, staff will present basic information on all the amendment requests to the Commission. At that time, staff will **not** make recommendations for approval or denial, but may recommend expansion and notification areas of an amendment request, and a tentative hearing schedule.
- C. Commission Study Session:** The following will be established at the Commission study session:
1. The area of notification for each request or group of requests, where the minimum area of notification shall include all properties comprising the amendment request and properties within 300 feet of the request [See Pima County Zoning Code, §18.89.040(D)(5)(a)(2)]. The Commission may expand the notification area [See Pima County Zoning Code, §18.89.040(D)(1)(c)];
 2. The public review process for each request or group of requests, which may include public meeting(s) to be held by the applicant and/or staff;
 3. Whether the amendment area for a particular request should be expanded beyond that described in the application; and,
 4. If certain requests should be combined to facilitate an analysis of cumulative impacts and provide for a more efficient public review process.

Following the Study Session, owners and applicants will receive a schedule of public meetings and public hearings.

III. ANALYSIS OF AMENDMENT REQUEST

- A. Purpose:** Following the Commission Study Session, staff will perform a substantive analysis of each request to: (1) address issues not covered in the initial review, (2) evaluate potential impacts due to any expansion of the amendment area, (3) address issues raised at the Study Session and, (4) where applicable, perform more complex analyses such as computer modeling to assess

impacts on transportation, water, wastewater, etc. Staff may introduce other information to the Commission including: consistency with Regional, Rezoning and Special Area Policies; potential impacts on floodplain, steep slopes, and wildlife habitat; transportation and wastewater treatment facilities; existing neighborhoods and development; build-out potential and urban form; accessibility to activity centers and emergency services; and cumulative impacts of proposed amendments. As part of the public review process, meetings may be held to solicit comments from the public.

- B. Timing:** The time necessary to perform the analysis depends upon the nature and complexity of each amendment request. The schedule presented to the Planning and Zoning Commission during the Study Session will reflect the relative complexity of the various amendment requests, as well as the need to expeditiously process amendment requests.
- C. Staff Recommendation:** Following completion of the analysis and the public review process, staff will recommend approval, modified approval, or denial, based upon staff analysis and the conditions provided [See *Process and Requirements, Section I(F), page 2*].

IV. COUNTY-SPONSORED PUBLIC MEETINGS

Pima County Planning Division may host one or more public meetings to facilitate dissemination of information to neighbors and interested parties. (Dates for such public meetings are established by the Planning and Zoning Commission during the Study Session.) Applicants are responsible for presenting their amendment request to members of the public in attendance. Significant time is allotted for direct discussions between members of the public and individual applicants.

V. PUBLIC HEARINGS

- A. Planning and Zoning Commission:** The Commission will hold, at a minimum, one public hearing to consider and take testimony on plan amendment requests. At the hearing, the Commission may recommend approval, modified approval, or denial of the amendment request to the Board of Supervisors. If deemed necessary, the Commission may continue a public hearing for up to four months [See *Pima County Zoning Code, §18.89.040.(D)(2)*].
- B. Board of Supervisors:** The Board will hold, at a minimum, one public hearing to consider and take testimony on plan amendment requests. At the hearing, the Board may approve, approve with modification, or deny the request. If deemed necessary, the Board may continue a public hearing for up to four months [See *Pima County Zoning Code, §18.89.040(D)(3)*].

The Board may substantially change or alter an amendment request only after first referring the changed or altered portion back to the Commission for its recommendation [See *Pima County Zoning Code, §18.89.040(D)(4)*]. The Board must consider the Commission's recommendation regarding the changed or altered portion at a subsequent public hearing.

VI. DECISION OF THE BOARD OF SUPERVISORS

With Board action of **APPROVAL** or **MODIFIED APPROVAL** of a plan amendment request, the applicant of said request may proceed with the rezoning or specific plan process. Rezoning policies (RP) and special area policies (S) appear in the *Policies and Land Use Intensity Legend* document, which is updated every year to reflect the previous year's plan amendment requests.

The Board of Supervisors may approve a Plan amendment subject to a rezoning policy or a special area policy as defined below:

Rezoning Policies apply to discrete areas composed of one parcel or a limited number of parcels and frequently reflect either an approved, individual plan amendment or a policy carried forward from a previous (rescinded) plan (e.g. *Catalina Foothills Area Plan*). Rezoning policies (RP) act as guidelines for rezoning conditions; these are numbered individually on the Comprehensive Plan sub-regional maps.

Special Area Policies apply to sites typically composed of multiple parcels that share a unique physical feature or location over a relatively large area. Special area policies overlay areas such as transportation gateways into metro Tucson, protected floodplains, or large areas covering a significant portion of a subregion carried forward from a previous (rescinded) area plan (e.g. *Catalina Foothills Area Plan*), among others. Special area policies (S) act as guidelines for rezoning conditions and are numbered individually on the Comprehensive Plan sub-regional maps.



PIMA COUNTY COMPREHENSIVE PLAN
2009 PLAN AMENDMENT PROGRAM
Application Form



SECTION I. OWNER/APPLICANT INFORMATION

PROPERTY OWNER(S): _____
 DAYTIME PHONE: _____ FAX: _____
 ADDRESS: _____

APPLICANT (if other than owner): _____
 DAYTIME PHONE: _____ FAX: _____
 ADDRESS: _____

SECTION II. AMENDMENT REQUEST INFORMATION

TAX CODE NO(S): _____
 TOTAL ACRES: _____
 GENERAL PROPERTY LOCATION: _____

COMPREHENSIVE PLAN SUBREGION(S): _____
 ZONING BASEMAP(S): _____ BOARD OF SUPERVISORS DISTRICT: _____
 CURRENT/CONDITIONAL ZONING: _____
 EXISTING LAND USE: _____
 CURRENT PLAN DESIGNATION(S) AND ACREAGE(S): _____

REQUESTED PLAN DESIGNATION(S) AND ACREAGE(S): _____

SPECIAL AREA OR REZONING POLICIES (Policy #), WHICH CURRENTLY APPLY TO PROPERTY:

SECTION V. CONSERVATION LANDS SYSTEM COMPATIBILITY & BIOLOGICAL RESOURCES

On a separate sheet, please answer the following questions as they relate to the amendment site.

A. Landscape Resources

1. Identify whether any Conservation Lands System (CLS) Category designation including the Special Species Management Area Overlay applies to the proposed amendment site.
2. Is the proposed amendment site designated as a Habitat Protection Priority Property or a Community Open Space Property thereby making it eligible for acquisition under the Pima County Conservation Bond Program? Please specify which, if any, of these designations apply to the site.
3. Identify whether the proposed amendment site occurs in the vicinity of any of the six general areas identified as Critical Landscape Linkages. (Critical Landscape Linkages, represented by their numerical identifiers, are viewable on the attached map. This map and textual descriptions of these six general areas can be found at <http://www.pimaxpress.com/Planning/Conservation/PlanAmendCLS.htm>).

B. Species Specific Resources – Federally Listed Threatened/Endangered Species and Pima County SDCP Species

1. Cactus Ferruginous Pygmy-owl:
 - a. Does the proposed amendment site occur within Survey Zone 1 or a Priority conservation Area for the cactus ferruginous pygmy-owl? If so, please specify which designation applies to the site.
 - b. Does the Arizona Game and Fish Department's Heritage Data Management System document a known location or locations of the cactus ferruginous pygmy-owl within a three-mile radius of the proposed amendment site? (<http://www.azgfd.gov/hgis>)
 - c. Has the proposed amendment site been surveyed for pygmy-owl? If yes, provide the date(s) when surveys were done and a summary of the results.
2. Pima Pineapple Cactus:
 - a. Does the proposed amendment site occur within Modeled Potential Habitat for the Pima pineapple cactus? If so, please identify the value of the Potential Habitat - High, Medium or Low. This information is viewable on the SDCP MapGuide.
 - b. Does the proposed amendment site occur within the Priority Conservation Area for the Pima pineapple cactus?
 - c. Does the Arizona Game and Fish Department's Heritage Data Management System document a known location(s) of Pima pineapple cactus within a three-mile radius of the proposed amendment site?
 - d. Have Pima pineapple cactus been found on the proposed amendment site?
 - e. Has the proposed project amendment site been surveyed for Pima pineapple cactus? If yes, provide the date(s) when surveys were done and a summary of the results.

3. Western Burrowing Owl:
- a. Does the proposed amendment site occur within Modeled Potential Habitat for the western burrowing owl? If so, please identify the value of the Potential Habitat - High, Medium or Low. This information is viewable on SDCP MapGuide.
 - b. Does the proposed project amendment site occur within the Priority Conservation Area for the western burrowing owl?
 - c. Does the Arizona Game and Fish Department's Heritage Data Management System document a known location or locations of the western burrowing owl within a three-mile radius of the proposed amendment site?
 - d. Have western burrowing owls been found on the proposed amendment site?
 - e. Has the proposed amendment site been surveyed or investigated for the presence of western burrowing owls? If yes, provide the date(s) when surveys or investigations were done and a summary of the results.

SECTION VI. SUBMITTALS

THE FOLLOWING ITEMS MUST BE INCLUDED IN THE APPLICATION:

- Site map - refer to Section I(E) of this application form for requirements.
- Ownership verification:
 - o Assessor's map and property inquiry (APIQ) printout.
 - o Original letter(s) of authorization (if applicant is not the property owner).
 - o If a trust, original signature of trust officer and list of beneficiaries (if applicable).
 - o If a corporation, original signature with person's title and the list of corporate officers (if applicable).
- Additional materials, if any
- Processing Fee (See attached *Comprehensive Plan Amendment Fee Schedule*).

SECTION VII.

This complete application is true and correct to the best of my knowledge. I am the owner of the above-described property or have been authorized by the owner to make this application.

SIGNATURE OF APPLICANT

DATE

NAME OF APPLICANT - PRINTED

2009 COMPREHENSIVE PLAN AMENDMENT FEE SCHEDULE
(This is not a complete fee schedule)

Change of Plan Designation to: _____

Amendment Fees

Five (5) acres or less.....	\$1,104.00
More than five (5) acres up to ten (10) acres.....	\$2,208.00
More than ten (10) acres.....	\$2,208.00
plus cost per acre above 10 acres	\$110.00
Maximum fee not to exceed.....	\$11,041.00

Continuances or Changes of Advertised Applications for Plan Amendments..... \$317.00

PAYING YOUR PLAN AMENDMENT APPLICATION FEE OR OTHER FEES:

The **total** fee is required with the submittal of your complete application form. Fees may be paid via cash, credit card, debit card, or check. (Please make checks payable to the Pima County Treasurer.)

PIMA COUNTY COMPREHENSIVE PLAN LAND USE PLAN LEGEND SUMMARY

This summary lists what zoning classifications are allowed under the different land use intensities for areas governed by the Pima County Comprehensive Plan. Further information relative to the planned land use designations and their purposes can be obtained from the publication *Pima County Comprehensive Plan Update* available from the Planning Division. Information relative to individual zoning districts can be obtained from the appropriate section of the *Pima County Zoning Code*. For further information, visit the Pima County Code website at: <http://www.pimaxpress.com>

<u>Land Use Plan Designation</u>		<u>Zoning Districts and Allowed Densities</u>
REAC	REGIONAL ACTIVITY CENTER density: 12 R/AC.	CR-3, CR-4, CR-5, TR, CMH-2, MR, CB-1, CB-2, CPI. Maximum density: 44 R/AC. Minimum density: 12 R/AC.
CAC	COMMUNITY ACTIVITY CENTER	CR-2, CR-3, CR-4, CR-5, TR, CMH-2, MR, CB-1, CB-2, CPI. Maximum density: 24 R/AC.
NAC	NEIGHBORHOOD ACTIVITY CENTER R/AC.	CR-2, CR-3, CR-4, CMH-1, CMH-2, TR, RVC, CB-1, CB-2 (Limited uses). Maximum density: 10 R/AC.
MFC	MULTI FUNCTIONAL CORRIDOR	GC, TH, CR-3, CR-4, CR-5, TR, CMH-2, MR, CB-1, CB-2, CPI. Maximum density: 44 R/AC.
HIU	HIGH INTENSITY URBAN	GC, TH, CR-2, CR-3, CR-4, CR-5, TR, CMH-1, CMH-2, MR, CPI. Maximum density: 44 R/AC.
MHIU	MEDIUM/HIGH INTENSITY URBAN	GC, CR-1, CR-2, CR-3, CR-4, CR-5, TR, CMH-1, CMH-2, MR, CPI. Maximum density: 24 R/AC.
MIU	MEDIUM INTENSITY URBAN	GC, SH, CR-1, CR-2, CR-3, CR-4, CR-5, CMH-1, CMH-2, MR, TR. Maximum density: 10 R/AC.
LIU-3.0	LOW INTENSITY URBAN 3.0 4.0 R/AC with 30	GC, SR, SR-2, SH, CR-1, CR-2, CR-3, CR-4, CR-5, CMH-1, MR. Maximum density: 3.0 R/AC, OR percent cluster open space.
LIU-1.2	LOW INTENSITY URBAN 1.2 2.5 R/AC with 30 percent	GC, SR, SR-2, SH, CR-1, CR-2, CR-3, CR-4, CR-5, CMH-1, MR. Maximum density: 1.2 R/AC; or cluster open space plus 15 percent natural open space; or 4 R/AC with 30 percent cluster open space plus 30 percent natural open space. MR natural open space requirement: 15 percent.
LIU-0.5	LOW INTENSITY URBAN 0.5 percent cluster open space percent natural open space. MR	GC, SR, SR-2, SH, CR-1, CR-2, CR-3, MR. Maximum density: 0.5 R/AC; or 1.2 R/AC with 30 plus 20 percent natural open space; or 2.5 R/AC with 30 percent cluster open space plus 35 natural open space requirement: 20 percent.
LIU-0.3	LOW INTENSITY URBAN 0.3 percent cluster open space percent natural open space. MR	GC, SR, SR-2, SH, CR-1, CR-2, CR-3, MR. Maximum density: 0.3 R/AC; or 0.7 R/AC with 30 with 20 percent natural open space; or 1.2 R/AC with 30 percent cluster open space plus 40 natural open space requirement: 30 percent.
RUAC	RURAL ACTIVITY CENTER density: 1.3 R/AC.	GR-1, SH, CR-2, CR-3, CR-4, CMH-1, RVC, CB-1, CB-2. Maximum density: 10 R/AC. Minimum density: 1.3 R/AC.
RX	RURAL CROSSROADS	CB-1, CB-2
RFV	RURAL FOREST VILLAGE	ML. Maximum density: 1.3 R/AC.
MIR	MEDIUM INTENSITY RURAL percent.	RH, GR-1, SR, SR-2, MR. Maximum density: 1.3 R/AC. MR natural open space requirement: 20 percent.
LIR	LOW INTENSITY RURAL percent.	RH, SR, SR-2, GR-1, MR. Maximum density: 0.3 R/AC. MR natural open space requirement: 30 percent.
I	URBAN INDUSTRIAL	CB-1, CB-2, CPI, CI-1, CI-2, GC.
HI	HEAVY INDUSTRIAL	CI-1, CI-2, CI-3, CPI, GC.
RT	RESOURCE TRANSITION	RH, SR, MR. Maximum density: 0.3 R/AC. MR natural open space requirement: 30 percent.

RC	RESOURCE CONSERVATION	IR, RH, SR. Maximum density: 0.3 R/AC.
RP	RESOURCE PRODUCTIVE	RH, SR. Maximum density: 0.3 R/AC.
RE	RESOURCE EXTRACTION	RH, SR. Maximum density: 0.3 R/AC.
MR	MAJOR RESORT COMMUNITY this land use	GC, CR-1, CR-2, CR-3, CR-4, CR-5, TR, MR, CPI, CB-1. Special development standards apply to designation. Please see the "Land Use Intensity Legend" for further information.
MA	MILITARY AIRPORT	CB-1, CB-2, CPI, CI-1, CI-2. New residential development is not a compatible use.

SPECIAL AREA and REZONING POLICY AREAS: Please see the *Pima County Comprehensive Plan Update - Policies and Land Use Intensity Legend* document for further information.