



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: February 7, 2017

Title: P16TA00002 COMMERCIAL STRUCTURES SAFETY STANDARDS, WALL/FENCES, MOFIDICATION OF SETBACK REQUIREMENTS, SELF-STORAGE, SPECIFIC PLAN, COMPREHENSIVE PLAN AND REZONING ZONING CODE TEXT AMENDMENT

Introduction/Background:

Zoning code text amendment that will amend several sections of the code.

Discussion:

Planning staff evaluated the code to streamline processes and provide consistency across the permitting process.

Conclusion:

The revision to the code will assist citizens, developers and staff with clearer regulations.

Recommendation:

Staff and the Planning & Zoning Commission recommend approval of the proposed text amendment.

Fiscal Impact:

None

Board of Supervisor District:

- 1 2 3 4 5 All

Department: Pima County Development Services - Planning Telephone: 520-724-9000

Department Director Signature/Date: [Signature] 1/18/17

Deputy County Administrator Signature/Date: [Signature] 1/23/17

County Administrator Signature/Date: C. Dulcibeaury 1/23/17



PIMA COUNTY
DEVELOPMENT SERVICES

TO: Honorable Board of Supervisors

FROM: Chris Poirier, Planning Official
Public Works-Development Services Department-Planning Division

DATE: January 13, 2017

SUBJECT: P16TA00002 WALLS FENCES, SELF-STORAGE, COMPREHENSIVE PLAN, SPECIFIC PLAN AND REZONING

The above referenced Zoning Code Text Amendment is scheduled for the Board of Supervisors' **TUESDAY, FEBRUARY 7, 2017** hearing.

REQUEST: Proposal for a **text amendment of the Pima County Zoning Code** to provide safety standards for existing large commercial structures on properties to be developed; setback exceptions for walls and fences seven feet or less in height; Modification of Setback Requirement option for specific plan development; eliminate the maximum site area for self-storages in business zones; concurrent plan amendment option with a specific plan; edits to specific plan, revise minimum acreage requirements for a specific plan; revision to timeline for receipt of public protests.

OWNER: N/A

APPLICANT: Pima County Development Services Department

DISTRICTS: ALL

STAFF CONTACT: Elva Pedregó

PUBLIC COMMENT TO DATE: As of January 13, 2017, staff has received no comments from the public regarding the proposed Zoning Code Text Amendment

PLANNING AND ZONING COMMISSION RECOMMENDATION: **APPROVAL** (6-0; Commissioners Bain, Gavin, Gungle and Membrilla were absent).

STAFF RECOMMENDATION: **APPROVAL.**

TD/EP/ar
Attachments



PIMA COUNTY
DEVELOPMENT SERVICES

BOARD OF SUPERVISORS MEMORANDUM

Subject: P16TA00002

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FOR FEBRUARY 7, 2017 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS

FROM: Chris Poirier, Planning Official
Public Works-Development Services Department-Planning Division

DATE: January 13, 2017

ADVERTISED ITEM FOR PUBLIC HEARING

ZONING CODE TEXT AMENDMENT

P16TA00002 WALLS FENCES, SELF-STORAGE, COMPREHENSIVE PLAN, SPECIFIC PLAN AND REZONING

AN ORDINANCE OF THE PIMA COUNTY BOARD OF SUPERVISORS RELATING TO ZONING; AMENDING THE PIMA COUNTY ZONING CODE CHAPTER 18.07 (GENERAL REGULATIONS AND EXCEPTIONS) SECTION 18.07.030 (LAND USE REGULATIONS) TO PROVIDE SAFETY STANDARDS FOR EXISTING LARGE COMMERCIAL STRUCTURES; SECTION 18.07.050 (DEVELOPMENT STANDARDS EXCEPTIONS) TO AMEND THE SETBACK REQUIREMENT FOR WALLS AND FENCES AND SECTION 18.07.070 (MODIFICATION OF SETBACK REQUIREMENTS AND LOT COVERAGE LIMITS) TO CLARIFY THE FEE AND ADOPT THE MODIFICATION OF SETBACK AND LOT COVERAGE LIMITS PROCESS FOR PROPERTIES IN A SPECIFIC PLAN; AMENDING CHAPTER 18.43 (LOCAL BUSINESS ZONE), SECTION 18.43.030 (PERMITTED USES) TO REPEAL THE MAXIMUM SITE AREA FOR SELF-STORAGE FACILITIES; AMENDING CHAPTER 18.45 (GENERAL BUSINESS) SECTION 18.45.030 (PERMITTED USES) TO REPEAL THE MAXIMUM SITE AREA FOR SELF-STORAGE FACILITIES; AMENDING CHAPTER 18.89 (COMPREHENSIVE PLAN) SECTION 18.89.041 (OTHER PLAN AMENDMENT PROCEDURES) TO ALLOW A CONCURRENT PLAN AMENDMENT WITH A SPECIFIC PLAN; AMENDING CHAPTER 18.90 (SPECIFIC PLANS) SECTION 18.90.020 (DEFINITIONS) TO ADD THE DEFINITION FOR CERTIFICATE OF COMPLIANCE AND REPEAL THE DEFINITIONS OF MASTER AND STANDARD ASSURANCES; SECTION 18.90.030 (APPLICATION) TO REPEAL THE MINIMUM SITE AREA FOR A SPECIFIC PLAN, CLARIFY SUBMITTAL REQUIREMENTS, AND ALLOW FOR CONCURRENT COMPREHENSIVE PLAN AMENDMENT WITH A SPECIFIC PLAN SUBMITTAL; SECTION 18.90.050 (SPECIFIC PLAN REQUIREMENTS) TO REPEAL THE PROHIBITION ON SPECIFIC PLANS MODIFYING THE REGULATIONS IN ALL

CHAPTERS IN THE ZONING CODE; SECTION 18.90.060 (PLANNING AND ZONING COMMISSION REVIEW) TO REPEAL THE REVIEW REQUIREMENT BY THE DESIGN REVIEW COMMITTEE; SECTION 18.90.070 (BOARD OF SUPERVISORS REVIEW) TO REVISE DEADLINE AND REDUCE THE TIME ALLOWED TO SUBMIT WRITTEN PROTESTS; CHAPTER 18.91 (REZONING PROCEDURES) SECTION 18.91.040 (INITIATION) TO ADD CURRENT NAME TO LAND USE INTENSITY LEGEND; SECTION 18.91.080 (BOARD OF SUPERVISORS REVIEW) TO REVISE DEADLINE AND REDUCE THE TIME ALLOWED TO SUBMIT WRITTEN PROTESTS. On motion, the Planning and Zoning Commission voted 6-0 to recommend **APPROVAL** of the proposed **TEXT AMENDMENT** (Commissioners Bain, Gavin, Gungle and Membrila were absent). Staff recommends **APPROVAL** of the proposed **TEXT AMENDMENT**.
(All districts)

Planning and Zoning Commission Public Hearing Summary (November 30, 2016)

Staff presented information pertaining to the general character and history of the request. Staff recommended **APPROVAL** of the text changes.

The chairman asked the planning official if there was anything to add. The planning official stated nothing new to add but he further explained the super-majority calculation, the public protest process and how that is being revised with this text amendment. He further stated that with the text amendment we are trying to promote specific plans as an instrument for development. With specific plans we can see a more complete final product with design elements that we can show to neighbors.

A call to the audience was made and one speaker came forward in support of the request.

A motion to close the public hearing was made and approved.

It was moved by Commissioner Matter seconded by Commissioner Mangold to **APPROVE** the proposed text amendment as recommended by staff.

The motion **PASSED** 6-0. (Commissioners Bain, Gavin, Gungle and Membrila were absent).

TD/EP/ar
Attachments

c: Tom Drzazgowski, Principal Planner
P16TA00002 File

ORDINANCE 2017- _____

AN ORDINANCE OF THE PIMA COUNTY BOARD OF SUPERVISORS RELATING TO ZONING; AMENDING THE PIMA COUNTY ZONING CODE CHAPTER 18.07 (GENERAL REGULATIONS AND EXCEPTIONS) SECTION 18.07.030 (LAND USE REGULATIONS) TO PROVIDE SAFETY STANDARDS FOR EXISTING TALL COMMERCIAL STRUCTURES; SECTION 18.07.050 (DEVELOPMENT STANDARDS EXCEPTIONS) TO AMEND THE SETBACK REQUIREMENT FOR WALLS AND FENCES AND SECTION 18.07.070 (MODIFICATION OF SETBACK REQUIREMENTS AND LOT COVERAGE LIMITS) TO CLARIFY THE FEE AND ADOPT THE MODIFICATION OF SETBACK AND LOT COVERAGE LIMITS PROCESS FOR PROPERTIES IN A SPECIFIC PLAN; AMENDING CHAPTER 18.43 (LOCAL BUSINESS ZONE), SECTION 18.43.030 (PERMITTED USES) TO REPEAL THE MAXIMUM SITE AREA FOR SELF-STORAGE FACILITIES; AMENDING CHAPTER 18.45 (GENERAL BUSINESS) SECTION 18.45.030 (PERMITTED USES) TO REPEAL THE MAXIMUM SITE AREA FOR SELF-STORAGE FACILITIES; AMENDING CHAPTER 18.89 (COMPREHENSIVE PLAN) SECTION 18.89.041 (OTHER PLAN AMENDMENT PROCEDURES) TO ALLOW A CONCURRENT PLAN AMENDMENT WITH A SPECIFIC PLAN; AMENDING CHAPTER 18.90 (SPECIFIC PLANS) SECTION 18.90.020 (DEFINITIONS) TO ADD THE DEFINITION FOR CERTIFICATE OF COMPLIANCE AND REPEAL THE DEFINITIONS OF MASTER AND STANDARD ASSURANCES; SECTION 18.90.030 (APPLICATION) TO REPEAL THE MINIMUM SITE AREA FOR A SPECIFIC PLAN, CLARIFY SUBMITTAL REQUIREMENTS, AND ALLOW FOR CONCURRENT COMPREHENSIVE PLAN AMENDMENT WITH A SPECIFIC PLAN SUBMITTAL; SECTION 18.90.050 (SPECIFIC PLAN REQUIREMENTS) TO REPEAL THE PROHIBITION ON SPECIFIC PLANS MODIFYING THE REGULATIONS IN ALL CHAPTERS IN THE ZONING CODE; SECTION 18.90.060 (PLANNING AND ZONING COMMISSION REVIEW) TO REPEAL THE REVIEW REQUIREMENT BY THE DESIGN REVIEW COMMITTEE; SECTION 18.90.070 (BOARD OF SUPERVISORS REVIEW) TO REVISE DEADLINE AND REDUCE THE TIME ALLOWED TO SUBMIT WRITTEN PROTESTS; CHAPTER 18.91 (REZONING PROCEDURES) SECTION 18.91.040 (INITIATION) TO ADD CURRENT NAME TO LAND USE INTENSITY LEGEND; SECTION 18.91.080 (BOARD OF SUPERVISORS REVIEW) TO REVISE DEADLINE AND REDUCE THE TIME ALLOWED TO SUBMIT WRITTEN PROTESTS. (ALL DISTRICTS)

THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA FINDS THAT:

1. The Planning and Zoning Commission, at its October 27, 2016 meeting initiated amendments to the Pima County Zoning Code.
2. This ordinance provides for safety requirements on parcels with existing large structures that are to be developed; repeals setback requirements for walls and fences 7 feet in height or less; repeals the maximum area for self-storage facilities; clarifies submittal requirements for specific plans, allows concurrent comprehensive plan amendments with specific plans, allows the modification of setback process for properties in a specific plan and revises the deadline for submittal of written protests to the Board of Supervisors.

IT IS ORDAINED BY THE BOARD OF SUPERVISORS OF PIMA COUNTY AS FOLLOWS:

SECTION 1. Pima County Zoning Code Chapter 18.07, – General Regulations and Exceptions, Section 18.07.050 – Development standards exceptions, and 18.07.070 – Modification of setback requirements or lot coverage limits are amended as follows:

Chapter 18.07

GENERAL REGULATIONS AND EXCEPTIONS

...

Section 18.07.030 Land use regulations.

...

T. Safety standards for existing tall commercial structures. On any parcel with a tall commercial structure, excluding buildings, measuring 24 feet or taller and is subject to a development plan, subdivision plat or Type II grading permit, pedestrian access, parking area access lanes and loading zones shall not be located, under the structure, or within eight feet of a vertical line intersecting the ground and the outer perimeter of any elevated structural element extending from the existing structure, including but not limited to, such as overhangs, cantilevered beams, and walkways.

...

Section 18.07.050 Development standards exceptions.

...

B. Exceptions for Walls and Fences. The yard and setback requirements of this code shall not apply to perimeter walls, fences, pedestrian entry architectural features built into a wall or fence, or vehicular entry architectural features as follows:

1. Walls or fences ~~six~~ seven feet or less in height and designed as security, privacy or screening elements of the site or lot; or

...

Section 18.07.070 Modification of setback requirements or lot coverage limits.

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B. Application. Requests for modification of setback requirements or lot coverage limits for accessory structures or accessory buildings shall be made on application forms provided by the development services department.

1. The application shall include:

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- i. Applicable fee: The board of adjustment standard base fee in accordance with the adopted fees schedule. No public hearing fee shall apply to a modification of setback requirements or lot coverage limits application. as per subsection G of this section.

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G. Fee Specific Plans. The fee shall be in accordance with the standard for variances as specified in the board of adjustment filing fee of the development services fee schedule. The modification of setback requirements and lot coverage limits processes may be applied to specific plan development standards subject to the requirements of Section 18.07.070(A) through (F) and the following:

1. Modification of the development standard does not meet the definition of a substantial change as defined in Section 18.90.080(C);
2. The development standard is not a specific plan ordinance condition;
3. A request to waive a subdivision plat note may also be required if the development standard is stated on a subdivision plat for reasons other than for convenient reference during staff review;
4. Each application shall apply for an individual lot or parcel or, at most, to two contiguous lots or parcels.

SECTION 2. Pima County Zoning Code Chapter 18.43, – Local Business Zone, Section 18.43.030 – Permitted uses, is amended and subsequent subsections are renumbered accordingly as follows:

Chapter 18.43
CB-1 LOCAL BUSINESS ZONE

...

Section 18.43.030 Permitted Uses.

...

J. Self-storage facility:

~~1. The maximum site area shall not exceed three acres;~~

~~2.1.~~ All access to the facility shall be....

~~3.2.~~

...

SECTION 3. Pima County Zoning Code Chapter 18.45, – CB-2 General Business Zone, Section 18.45.030 – Permitted uses is amended and subsequent subsections are renumbered accordingly as follows:

Chapter 18.45
CB-2 GENERAL BUSINESS ZONE

...

Section 18.45.030 Permitted Uses.

...

F. Self-storage facility subject to the following standards:

1. Single-story self-storage facilities, provided that:

~~a. The maximum site be one hundred thirty thousand six hundred eighty square feet (three acres);~~

~~b. a.~~ All storage be in an enclosed....

~~e. b.~~

...

2. Multi-story self-storage facilities, provided that:

...

b. ~~The maximum site be one hundred thirty thousand six hundred eighty square feet (three acres);~~

e. b. All storage be in an enclosed. . .

e. c.

...

SECTION 4. Pima County Zoning Code Chapter 18.89 – Comprehensive Plan, Section 18.89.041 – Other plan amendment procedures, is amended as follows:

Chapter 18.89
COMPREHENSIVE PLAN

...

Section 18.89.041 Other plan amendment procedures.

...

C. Concurrent Plan Amendment/Rezoning or Specific Plan.

1. Purpose. The purpose of this subsection is to allow the concurrent application and processing of a plan amendment and a rezoning for requests that have minimal impacts on surrounding properties. And this subsection is intended to allow the concurrent application and processing of a plan amendment and a specific plan for non-residential or mixed uses. This concurrent plan amendment and rezoning process is not subject to the concurrent review requirements of subsection 18.89.040(A)(3) or the restriction of subsection 18.89.040(B)(4) on the time that applications may be submitted.

2. Application. An application for a concurrent plan amendment/rezoning or specific plan may be submitted by the property owner at any time. Applications shall include information required for both the plan amendment under Chapter 18.89, and either rezoning under Chapter 18.91 or specific plan under Chapter 18.90. The planning director shall determine if the application meets the criteria for a concurrent plan amendment/rezoning or specific plan as provided in Section 18.89.041. If the planning director determines that the application does not meet the criteria, a plan amendment may be applied for through the processes described in Chapter 18.89. However, the applicant may direct a written appeal to the planning and zoning commission appealing the decision of the planning director

within ten working days of the planning director's decision. The appeal shall be scheduled for the next regularly scheduled planning and zoning commission meeting that is to occur at least ten working days after the date the written appeal is received, but the appeal shall not require the notice described in Section 18.89.040(D)(5). The planning and zoning commission shall make its decision based on the criteria in Section 18.89.041(C)(4).

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4. Criteria.

- a. Any request for a concurrent plan amendment/rezoning or specific plan must meet the following criteria: . . .

...

- c. In addition to the requirements of subsection 18.89.041(C)(4)(a) a concurrent plan amendment/rezoning or specific plan may be requested for non-residential or mixed uses:

...

- 2) If Section 18.91.030(E) requires . . . amendment/rezoning; or,
- 3) If the applicant is requesting a Specific Plan.

5. Notwithstanding the planning director's decision to proceed, per Section 18.89.041(C)(2), at the public hearing the planning and zoning commission may separate the plan amendment and rezoning or specific plan processes. The commission may continue either or both public hearings on the plan amendment and rezoning applications for a definite time not to exceed a combined total of nine months, in conformance with Section 18.91.070(A)(3) of the zoning code. The commission may continue either or both public hearings on the plan amendment and the specific plan applications for a definite time not to exceed a combined total of three months, in conformance with Section 18.90.060(F)(4). If a continuance requires that new public notice be provided, the cost of providing the new notice shall be borne by the applicant. If the plan amendment and rezoning or specific plan hearings are separated by the commission, they shall be heard concurrently by the board of supervisors.

6. If a concurrent plan amendment/rezoning or specific plan is approved for the subject property, a rezoning policy shall be added to the comprehensive plan stating that a concurrent plan amendment/rezoning or specific plan was approved for the property and

also stating the zoning district and uses approved for the property, if limited by the board of supervisors.

7. Future rezoning or specific plan requests. If a property owner wishes to apply for a zoning district or specific plan district less restrictive than that approved for the concurrent plan amendment/rezoning or specific plan, an amendment to the comprehensive plan, in accordance with Chapter 18.89, must be approved before the rezoning or specific plan may be scheduled for public hearing.

8. Public Meeting. An applicant for a concurrent plan amendment/rezoning or specific plan shall hold a public meeting regarding the proposed request at least fifteen days prior to the public hearing before the planning and zoning commission. The applicant shall invite those property owners and neighborhood and homeowners' associations of record within the public notice area, as set forth in Section 18.91.060(B)(1)(c) for plan amendment/rezoning meetings and 18.90.060(E)(1)(c) for plan amendment/specific plan meetings. The list of property owners shall be provided by the development services department but the applicant is responsible for ensuring proper notice and conducting the public meeting. For concurrent plan amendment/specific plan public meetings the applicant shall comply with Section 18.90.060(C)(2). The applicant shall provide the development services department the county with a copy of the notice sent to surrounding property owners at least thirty days prior to the public hearing before the planning and zoning commission and provide a copy of the sign-in sheet and a summary of the meeting prior to the public hearing.

9. Public Notice. Public notice shall be as set forth in Section 18.91.060(B) for rezoning hearings and Section 18.90.060(E) for specific plan hearings, except that all required notice shall include a statement that the proposed action is in accordance with the requirements for a concurrent plan amendment and rezoning or specific plan.

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SECTION 5. Pima County Zoning Code Chapter 18.90, – Specific Plans, Sections 18.90.020 – Definitions, 18.90.030 – Application, 18.90.050 – Specific plan requirements, 18.90.060 – Planning and zoning commission review, and 18.90.070 – Board of supervisors review, are amended and subsequent subsections are renumbered accordingly as follows:

Chapter 18.90
SPECIFIC PLANS

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Section 18.90.020 Definitions.

A. Definitions: For purposes of this chapter only, the following terms shall mean:

1. Certificate of Compliance: A document signed by the planning director or designee certifying that all specific plan conditions which are prerequisites to issuance of building permits have been satisfied. ~~Master assurances: A commitment in the form prescribed by Section 18.69.070 (Subdivision Standards) guaranteeing the construction and installation of:~~
 - a. ~~On-site improvements that will service the blocks as shown on a master block recording; and~~
 - b. ~~Mandated off-site improvements that will also service the greater community.~~
2. Specific Plan district: The area proposed or adopted for specific plan zoning.
3. ~~Standard assurances: A commitment in the form prescribed by Section 18.69.070 Subdivision Standards) guaranteeing the construction and installation of all subdivision improvements.~~

Section 18.90.030 Application.

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C. Restrictions on application:

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~~2. Area: The specific plan district shall be a minimum of forty acres, exclusive of natural open space. For the Mount Lemmon Community Plan area, there shall be no minimum district size. A specific plan shall comply with the acreage requirements of an applicable county land use plan which establishes specific plan acreage.~~

~~2. 3-Configuration: The proposed specific plan . . .~~

D. Submittals:

1. All specific plan applications shall include, at a minimum:
 - a. A completed and signed application form;
 - b. The tax code number and a A legal description of the property;

...

- e. If applicable, The a letter of authorization for an agent, from the owner, with the owner's original or electronic signature designating an agent to represent the property owner;
- f. A rezoning site analysis except the preliminary development plan is replaced with a specific plan conceptual site map done in accordance with Section 18.90.050;
- g. Text elements done in accordance with Section 18.90.050;
- h. Biological Impact Report.

- 2. Applicable sSpecific plan public hearing fees in accordance with the adopted fees schedule, are required at the time of application and are payable to the county treasurer in accordance with the fees schedule adopted by county ordinance.
- 3. Submittals shall be prepared in a format consistent with departmental policy. ~~Incomplete applications shall not be processed.~~
- 4. ~~Hearing notification maps shall be prepared only by the planning division.~~

E. Specific plan compliance with comprehensive plan:

- 1. The director of planning and development services shall determine if a specific plan application complies with the comprehensive plan, or if submitted as a Concurrent Plan amendment, it will comply with the comprehensive plan.
- 2. If the zoning classifications proposed in the specific plan area ~~are consistent~~ comply with the Pima Prospers Land Use Intensity Legend with regard to each land use intensity category and the minimum and maximum gross density limitations for the land use intensity category in which the subject property is located, and the Planning Official determines that the specific plan furthers the intent of the policies of the Comprehensive Plan, including any special district plans, the specific plan application shall be determined to be in compliance with the comprehensive plan.

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- 4. Specific plans determined to not be in compliance with the comprehensive plan shall not be set for a public hearing until the applicant has submitted, and the board has approved, an application to amend the comprehensive plan land use plan, in accordance with Sections 18.89.040 or 18.89.041. If the plan amendment is approved by the board and it is subsequently determined, in accordance with this section, that the rezoning request complies with the comprehensive plan, upon request by the applicant, the specific plan shall be set for public hearing in accordance with ~~Section 18.90.040(C)~~ this chapter.

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Section 18.90.050 Specific plan requirements.

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B. Specific plan requirements:

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- 3. The plan text will specify how and to what extent the plan is to supplement or supersede adopted county zoning regulations. The regulations of a specific plan shall not supersede the regulations of Chapter 18.57 applicable to the Davis-Monthan airport environs, Davis-Monthan Approach-Departure Corridors, or the Davis-Monthan noise control zones. ~~The regulations of a specific plan may amend only Chapters 18.09 through 18.51, 18.59 and 18.72 through 18.79, inclusive of this code.~~

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Section 18.90.060 Planning and zoning commission review.

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~~B. Design Review committee:~~

- ~~1. If the plan proposed variances to Chapter 18.72, 18.73, 18.75, 18.77 or 18.79 of this code, the applicant shall make a presentation to the design review committee (refer to Section 18.99.030 Design review committee) within thirty days of specific plan submittal.~~
- ~~2. The committee shall limit its review to the proposed variances of these chapters and shall provide the planning director with written comments within fifteen days of the presentation.~~
- ~~3. The planning director shall schedule the specific plan for public hearing even if the committee meeting was not held or written comments were not received within fifteen days of the presentation.~~

~~C. B. Public review and . . .~~

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Section 18.90.070 Board of supervisors review.

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B. Protest petition and voting requirement:

- 1. A three-fourths vote of all members of the board of supervisors shall be required for approval, if written protest submitted to the supervisors two business days prior to the ~~close of~~ public hearing totals at least twenty percent of the owners of property, by area and number, within three hundred feet of the specific plan district.

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SECTION 6. Pima County Zoning Code Chapter 18.91 – Rezoning Procedures, Sections 18.91.040 – Initiation, and 18.91.080 – Board of Supervisors review is amended as follows:

**Chapter 18.91
REZONING PROCEDURES**

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Section 18.91.040 Initiation.

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C. Requirement of Compliance with the Comprehensive Plan. Rezoning requests shall be classified as to whether or not they are in compliance with the comprehensive plan.

...

- 2. If a rezoning request complies with the Pima Prospers Land Use Intensity Legend with regard to each land use intensity category and the gross density limitation for the land use category in which the subject property is located, the rezoning request shall be determined to be in compliance with the comprehensive plan.

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Section 18.91.080 Board of supervisors review

...

B. Protest petition and voting requirement.

- 1. A three-fourths vote of all member of the board of supervisors shall be required for approval, if written protest submitted to the supervisors two business days prior to the ~~close~~ of public hearing totals at least twenty percent of the owners of property, by area and number, within three hundred feet of the rezoning.

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SECTION 7. This ordinance is effective 30 days after its adoption.

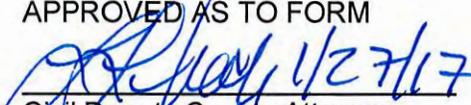
PASSED AND ADOPTED by the Board of Supervisors of Pima County, Arizona,
this _____ day of _____, 2017.

Chair, Pima County Board of Supervisors

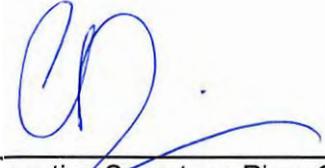
ATTEST:

Clerk, Board of Supervisors

APPROVED AS TO FORM



CIVIL Deputy County Attorney
Lesley M. Lukach



Executive Secretary, Pima County
Planning and Zoning Commission