

PLANNING AND DEVELOPMENT SERVICES REPORT

Zoning Code Text Amendment

PUBLIC HEARING

PZ-26-00136

DATE: September 10, 2026

MEETING DATE: September 23, 2026

REPORT BY: Tiffany Antol, AICP

REQUEST:

City's request for a Zoning Code Text Amendment to modify provisions in Zoning Code Chapter 10-20: Administration, Procedures, and Enforcement, Division 10-20.50: Common Procedures and Division 10-20.50: Amendments to the Zoning Code Text and the Zoning Map to require a pre-application meeting for a Zoning Map Amendment, remove submittal requirements based on the size of the development, and remove the two-pronged approach.

STAFF RECOMMENDATION:

Staff recommends the Planning and Zoning Commission, in accordance with the findings presented in this report, make a recommendation to the City Council for approval of PZ-26-00136 Zoning Map Amendment Zoning Code Text Amendment.

I. Proposed Amendment:

The purpose of the proposed amendment is to address community concerns about the Zoning Map Amendment process. When a property owner seeks to develop property with a different land use or intensity than currently permitted under the applicable zoning district, the owner may apply for a zoning map amendment. The City provides two pathways (10-20.50.C):

Direct-to-Ordinance Rezoning: The applicant submits a site plan and supporting documentation for site plan review and approval. This pathway enables the applicant to entitle the project and proceed directly to construction plan and building permit review, consolidating rezoning and site plan reviews.

Conceptual Rezoning: The applicant submits a concept zoning plan to pursue a rezoning, then proceeds at a subsequent date with site plan or subdivision review prior to construction permits.

Regardless of the pathway selected, the same procedures and levels of review apply. Staff recommends removing the two separate pathways. The Zoning Map Amendment process will remain similar to the existing conceptual rezoning pathway, but flexibility is built in to administratively change application requirements as is deemed necessary to streamline the review process.

To provide greater flexibility in the rezoning process, the requirements to condition a rezoning on a conceptual site plan have been removed. Conditioning a zoning map amendment on a conceptual site plan binds approval to a specific design, thereby limiting flexibility for future modifications. If the approved concept plan is not developed, it nonetheless remains a condition of the rezoning. Any subsequent project must either develop the approved plan or seek a rezoning based on a new proposed site plan. The high degree of specificity required at this preliminary stage represents a significant impediment to the rezoning process. As such staff is recommending removing these provisions.

The allowance to impose conditions on a Zoning Map Amendment will remain unedited which includes the following language:

Conditions of Approval.

The Council may impose such reasonable and appropriate conditions and safeguards as are necessary to a Zoning Map

Amendment request to:

- Carry out the purposes of the General Plan or other applicable specific plans;
- Ensure all required findings are satisfied and compatibility with adjacent land uses has been assured;
- Reduce or minimize any potentially injurious effects on adjacent properties;
- Protect the character and scale of the neighborhood; or
- Protect the health, safety, or general welfare of the community.

Such conditions of approval may include, but are not limited to:

- Structural or vegetative screening greater than that required by the landscaping and screening standards of Division 10-50.60, Landscaping Standards, to buffer the surrounding land uses from the proposed use;
- Limitations on the allowable uses permitted within the approved zone that are more restrictive than the otherwise allowed uses established in Division 10-40.30, Non-Transect Zones;
- Limitations on the height, setbacks, GFAR, or other standards specific to the approved zone which are more restrictive than the applicable requirements of Division 10-40.30, Non-Transect Zones, or 10-40.40, Transect Zones;
- Limitations on the height, size, or illumination of signs more restrictive than the applicable requirements of Division 10-50.100, Sign Standards;
- Limitations on the conduct of the proposed use, such as, but not limited to, hours of operation, or use of loudspeakers or external lighting, as necessary to protect adjacent land uses;
- Public dedication of necessary right-of-way for streets, alleys, drainage ways, and public utilities, and installation of off-site improvements as are reasonably required by or related to the effect of the Zoning Map Amendment;
- A stipulation that the applicant schedule an additional neighborhood informational meeting in compliance with the procedures set forth in Section 10-20.30.060, Neighborhood Meeting, prior to submittal of an application for site plan review and approval (Section 10-20.40.140) so that interested residents may view the final site plan and other applicable plans for consistency with approved conditions of approval. The applicant shall create a written summary of the meeting, which shall be filed with the Director; and
- A stipulation that if the subject property is not located within the Resource Protection overlay zone (see Section 10-40.50.030, Overlay Zones), then compliance with the resource protection standards established in Division 10-50.90, Resource Protection Standards, is required.

The proposed amendment includes the following modifications:

- Amend **Chapter 10-20: Administration, Procedures, and Enforcement, Division 10-20.30: Common Procedures, Section 10-20.30.040: Pre-Application Review by Director** to remove the language that states pre-application review is optional.
- Amend **Chapter 10-20: Administration, Procedures, and Enforcement, Division 10-20.50: Amendments to the Zoning Code Text and the Zoning Map** to do the following:
 - Require a pre-application review for Zoning map Amendments.
 - Clarify what applications require a public meeting with the Heritage Preservation Commission.
 - Amend the application requirements to remove submittal requirements for different scale zoning map amendments, clarify remaining application requirements.
 - Delete Application Procedures – A Two-Pronged Approach section that details two types of zoning map amendments including Direct to Ordinance with a Site Plan and Authorization to Rezone with a Concept Zoning Plan.
 - Remove language for modifying a concept zoning plan.
 - Remove procedure figures.

- Amend **Section 10-20.30.060: Neighborhood Meeting** to remove the requirement for a change of use in the PF zone to hold a neighborhood meeting and to clarify the timing of an applicant's neighborhood meeting.

II. Zoning Code Text Amendment

The Planning Director shall provide a recommendation to the Planning and Zoning Commission for its review. The Director's recommendation shall be transmitted to the Planning and Zoning Commission in the form of a staff report prior to a scheduled public hearing. The recommendation shall include the following: an evaluation of the consistency and conformance of the proposed amendment with the goals and policies of the General Plan and any applicable specific plans; the grounds for the recommendation based on the standards and purposes of the zones set forth in Section 10-40.20 (Establishment and Designation of Zones) of the Zoning Code; and a recommendation on whether the amendment should be granted or denied.

A Zoning Code Text Amendment shall be evaluated based on the following findings:

A. Finding #1

The proposed amendment is consistent with and conforms to the objectives and policies of the General Plan and any applicable specific plan.

There are no Core or Complimentary goals and policies that apply to this zoning code text amendment.

B. Finding #2

The proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

The amendment provisions are not anticipated to be detrimental to the public interest, health, safety, convenience, or welfare of the City. The proposed amendment is intended to streamline the Zoning Map Amendment process as recommended by the recent Code Analysis Project.

C. Finding #3

The proposed amendment is internally consistent with other applicable provisions of this Zoning Code.

The amendments are internally consistent, utilize the existing format, and do not conflict with other Zoning Code provisions. The amendments maintain the Zoning Code's purpose as a comprehensive contemporary set of land uses and requirements that are straightforward, usable, and easily understood.

III. CITIZEN PARTICIPATION

In accordance with Arizona Revised Statutes and the Zoning Code, the work session before the Planning and Zoning Commission was advertised in the Arizona Daily Sun on August 22, 2026, which is 18 days before the scheduled meeting date. As of the date of this report staff has not received any comments on this amendment.

IV. PLANNING AND ZONING COMMISSION WORK SESSION

At the Planning and Zoning Commission Work Session of September 9, 2026, staff reviewed the proposed Zoning Code Text Amendment application with the Commission. The Commission presented concerns about the ability to impose conditions on application based on community concern. Staff agreed to provide the current code allowances for adding conditions of approval, provide examples of other municipal codes for rezoning and provide a project example.

Attachments:

1. Draft of Case No. PZ-26-00136 – Zoning Map Amendment
2. Other Municipal codes on Zoning Map Amendments
3. Project Example – Timber Sky Concept Zoning Plan