

8.5. - AMENDMENTS TO THE ZONING MAP (REZONINGS)

8.5.1. **Purpose.** The boundaries of any zoning district may be changed or the zoning classification of any parcel of land may be changed pursuant to this Section. The purpose is not to relieve particular hardships, nor to confer special privileges or rights on any person, but only to make adjustments to the Official Zoning Map that are necessary to advance the vision for future City growth as established within the approved General Plan. Rezoning should not be used when a Conditional Use Permit (CUP), Variance, or Minor Modification could be used to achieve the same result.

8.5.2. **Procedure.** The common development review procedures of Section 8.2, *Common Development Review Procedures* shall apply, with modifications as noted below.

A. **Decision and Findings.** The following additional procedures shall apply:

1. **Review and Recommendation by Planning and Zoning Commission.**

- a. The Planning and Zoning Commission shall hold a public hearing on the proposed rezoning and vote to recommend that the City Council approve, approve with modifications, or deny the rezoning.
- b. The Zoning Administrator shall forward the Planning and Zoning Commission's recommendation to the City Council with an ordinance to amend the Official Zoning Map in accordance with the recommendation.

2. **Review and Action by City Council.**

- a. In accordance with article II, sections 1 and 2, Constitution of Arizona, the City Council shall consider the individual property rights and personal liberties of the residents of the municipality before adopting any zoning ordinance.
- b. The City Council shall approve with or without modifications or deny the application for a rezoning within 180 days of the determination that the application is administratively complete.
- c. For extenuating circumstances, the Zoning Administrator may grant a one-time extension of not more than 30 days. If an applicant requests an extension, the Zoning Administrator may grant extensions of 30 days for each extension requested; there shall be no limit to the number of applicant requested extensions that may be requested.
- d. The timing-related requirements of subsection 2.a and b. do not apply to land that is designated as a district of historical significance pursuant to A.R.S. § 9-462.01.A or an area that is designated as historic on the National Register of Historic Places or PADs as described in Section 8.6.

3. **Protests.** If the owners of 20 percent or more of the property by area and number of lots, tracts and condominium units within the Zoning Area of the affected property, excluding government-owned property, file a protest in writing against a proposed amendment, the change, shall not become effective except by the favorable vote of three-fourths of all members of the City Council. If any members of the City Council are unable to vote on such a question because of a conflict of interest, then the required number of votes for passage of the question shall be three-fourths of the remaining membership of the City Council, provided that such required number of votes shall in no event be less than a majority of the full membership of the City Council. For the purposes of this Section, the vote shall be rounded to the nearest whole number. A protest filed pursuant to this Section shall be signed by the property owners, excluding government-owned property, opposing the proposed amendment and filed in the office of the clerk of the municipality not later than 12:00 noon one business day before the date on which the governing body will vote on the proposed amendment. For the purposes of this Section, "Zoning Area" means both of the following: the area within 150 feet, including all rights-of-way, of the affected property subject to the proposed amendment or change, and; the area of the proposed amendment or change.

4. **Form of Amending Ordinance.** An ordinance amending the Zoning Map shall contain the following:
 - a. The name of each zoning district that the ordinance applies; and
 - b. The legal description of the land within each zoning district applied by the ordinance.
- B. **Approval Criteria.** Recommendations and decisions on rezonings may be approved if the City Council finds that all of the following approval criteria have been met:
 1. The proposed rezoning is consistent with the General Plan, any applicable Specific Area Plan, and the stated purposes of this Development Code;
 2. The proposed rezoning will promote the public health, safety, and general welfare;
 3. The proposed rezoning will promote orderly growth and development; and
 4. The subject property's physical and natural features are suitable for the uses permitted under the proposed zoning district.
- C. **Lapse.** The City Council may approve a rezoning conditioned upon a schedule for development of the specific use or uses for which rezoning is requested. If at the expiration of this period the property has not been improved for the use for which it was conditionally approved, the City Council, after notification by certified mail to the owner and applicant who requested the rezoning, shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.

([Ord. No. 28-25](#), § 3, 10-21-2025)