

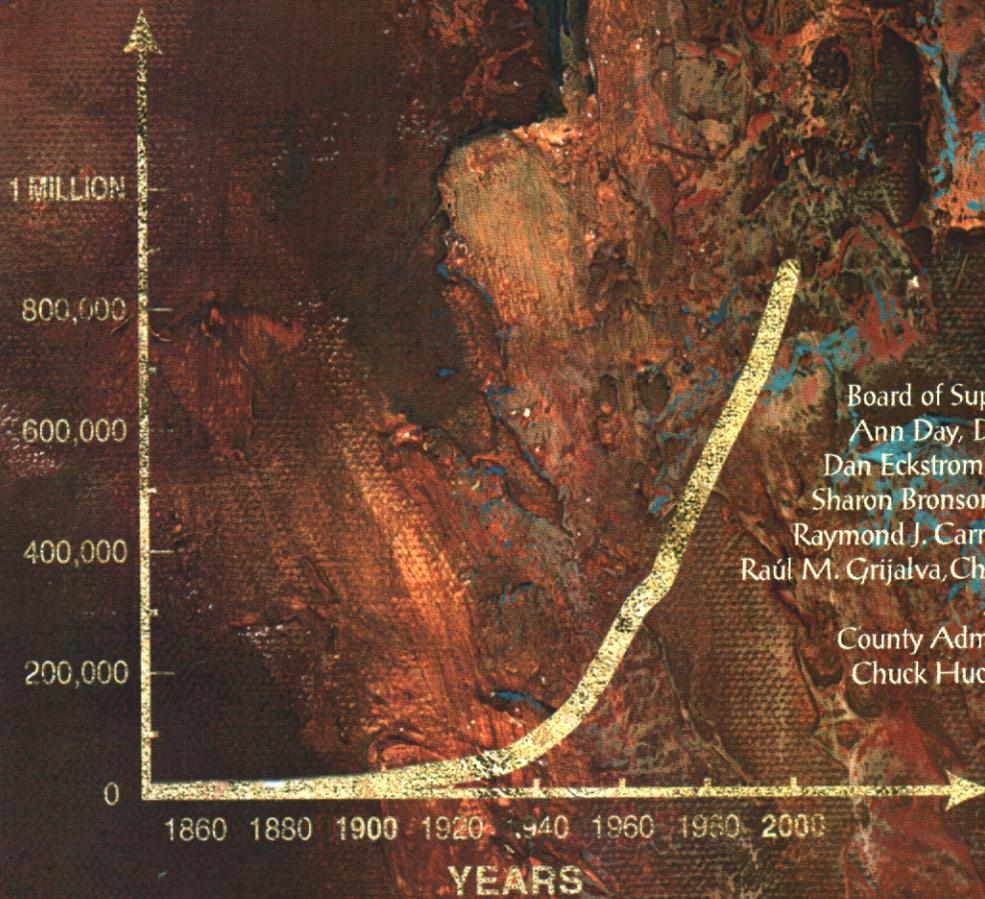
Pima County Planning & Zoning Primer



Sonoran Desert Conservation Plan

March 2001

POPULATION IN PIMA COUNTY



Board of Supervisors
Ann Day, District 1/
Dan Eckstrom, District 2
Sharon Bronson, District 3
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County Administrator
Chuck Huckelberry



MEMORANDUM

Date: March 16, 2001

To: The Honorable Chair and Members
Pima County Board of Supervisors

From: C.H. Huckelberry
County Administrator

A handwritten signature in black ink, appearing to be "CHH", is written over the printed name "C.H. Huckelberry".

Re: **Pima County Planning and Zoning Primer**

Background

In the first Pima County Zoning Code, a request for a "zone change" required payment of \$10, but the 1953 Code went on to provide that "said fee, less the actual cost of notices and proceedings to date, shall be returned to the petitioner in case the amendment petitioned for is not passed by the Supervisors."

In more than one way, times have changed. The attached *Planning and Zoning Primer* chronicles some of these changes and summarizes the comprehensive plan, the zoning code, and the building codes.

From Land Use Planning to Managing Growth to Bio-Planning

The power to zone arose out of a concern for protecting public health. American cities, for the first half of the 1800s, grew without plans and without public infrastructure to ensure sanitary conditions. Prior to the Civil War, communities began to install sewer systems and then in response to the deadly effects of epidemics intensified these efforts after the war by merging the pragmatic agenda of what is now known as the Sanitary Reform Movement with the aesthetic goals of the Beautiful Cities Movement.

Communities began to discuss and actually prepare land use plans. The New York City zoning ordinance of 1916 is considered the first. Within one decade, the question of whether governments had the authority to control land use through zoning was reviewed by the United States Supreme Court. Zoning authority was upheld in the 1926 *Euclid* decision.

Growth Management, or the strategic use of regulatory tools, arose to address matters of fiscal survival for local governments.

Bioplanning, or natural resource protection planning, is the latest driver of regulatory reform in land use and it arises out of a concern over the acceleration of the extinction of species due to human impacts.

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March 16, 2001

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In Pima County, land use planning is has been a constant topic of community discussion, but the rate of growth has stayed ahead of County government's ability to adopt and implement effective plans, particularly since Arizona Counties lack sufficient land use authority to protect the tax base and the citizens from the effects of certain types growth.

The State adopted enabling legislation for municipalities to zone in 1925, but another quarter century passed before Arizona Counties were given the authority to plan and zone. Pima County acted immediately through the formation of the 1949 Planning and Zoning Commission, and four years later the first Zoning Ordinance of the County became effective.

In the early 1950s, the population began its steep and steady half-century climb from 150,000 residents to the current level of over 800,000. Planners in the 1960s envisioned Tucson in the year 2000 as a region of 1.4 million people, on its way to an ultimate population of 10 million residents.

In 1992 a Comprehensive Plan was adopted by the Board. This Plan is unable to affect the numerous lot split decisions that take place outside of the regulated process.

In 1974 the State Legislature granted counties the authority to regulate subdivisions, but left open the loophole of wildcat development -- a loophole that has become so large that the effects of this much used development type serve as reminders of the public health and safety issues that inspired zoning law in the first place.

The chart shows how the vesting of Pima County's land use authority stands in relation to the establishment of federal land use, infrastructure, and natural resource laws.

It also shows that the nation's first growth management programs were being defined in the 1970s and upheld in courts, by jurisdictions experiencing less population pressure than Pima County, while Pima County was just receiving authority from the legislature to regulate subdivisions.

Though Pima County does not have extensive experience with growth management, the experience of other communities indicates that growth management programs simply extend the rationale of protecting the community's interest against harm caused by unplanned or uncontrolled land use.

The infrastructure deficit and attendant health and safety problems that led to the Sanitary Reform and the Beautiful Cities Movement was basically a discussion of quality of life issues.

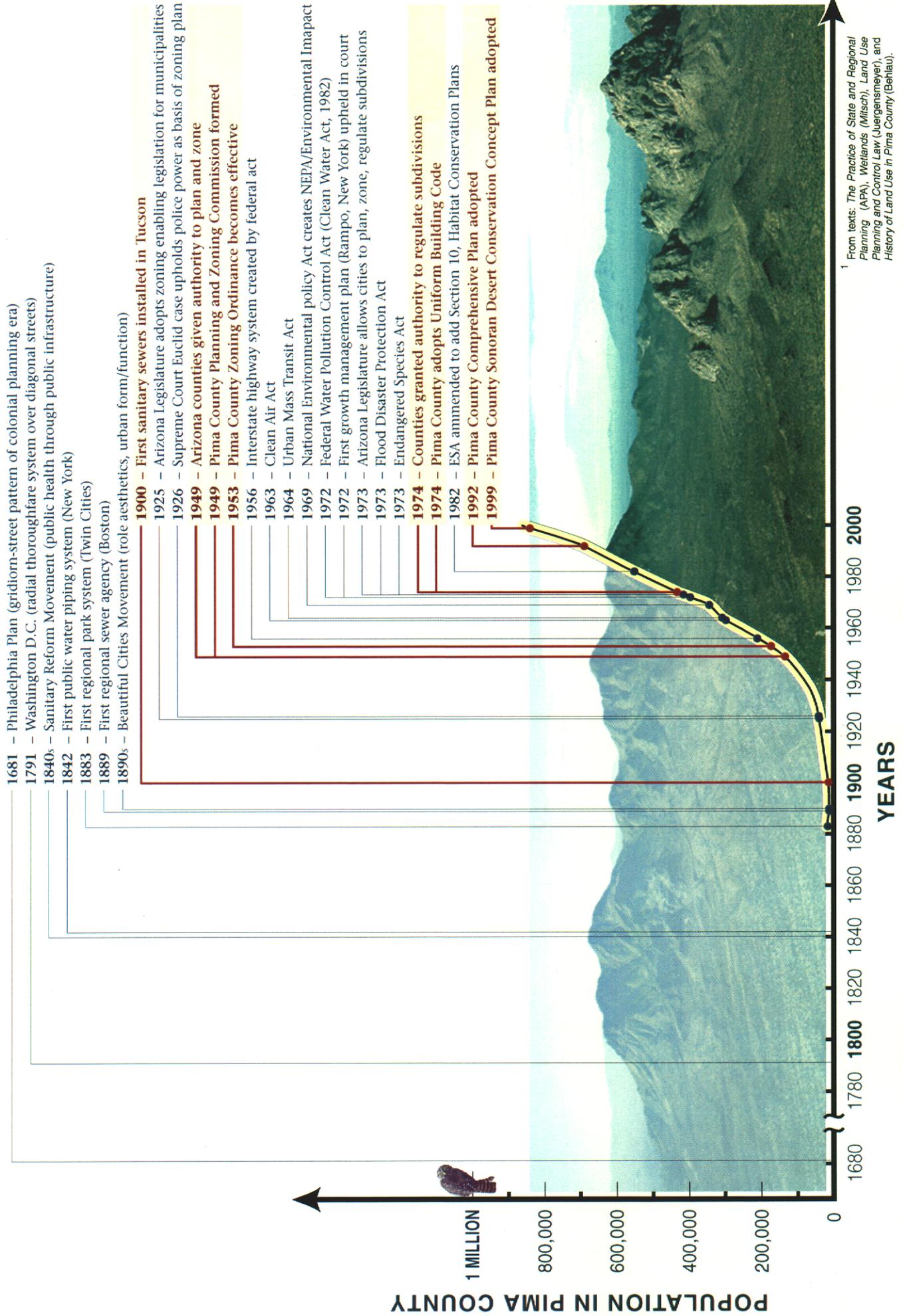
That same concern is expressed in land use discussions today, now framed in the terminology of growth management, or in Pima County's case -- natural resource protection.

TIMELINE OF NATIONAL AND LOCAL PLANNING EVENTS¹

YEAR	PIMA POP.	TUCSON AREA	PLANNING EVENT (National, State or Local)
1681			Philadelphia Plan (gridiron-street pattern of Colonial Planning Era)
1791			Washington D.C. Plan (radial thoroughfare system over diagonal streets)
1840s			Sanitary Reform Movement (public health through public infrastructure)
1842			First public water piping system (New York)
1883	~17,000	2 sq mi	First regional park system (Twin Cities)
1889			First regional sewer agency (Boston)
1890s	12,673	2 sq mi	Beautiful Cities Movement (role aesthetics, urban form/ function)
1900	14,689	2 sq mi	First sanitary sewers installed in Tucson
1925	~40,000	6 sq mi	Arizona Legislature adopts zoning enabling legislation for municipalities
1926			Supreme Court Euclid case upholds police power as basis of zoning plan
1949	135,000	~ 9 sq mi	Arizona counties given authority to plan and zone
1949			Pima County Planning and Zoning Commission formed
1953	174,000	9.9 sq mi	Pima County Zoning Ordinance becomes effective
1956	209,000	20 sq mi	Interstate highway system created by federal act
1963	298,500	71 sq mi	Clean Air Act
1964			Urban Mass Transit Act
1969	345,000	76.5 s mi	National Environmental Policy Act creates NEPA /Environmental Impact
1972			Federal Water Pollution Control Act (Clean Water Act, 1982)
1972			First growth management plan (Rampo, New York) upheld in court
1973	416,000	85 sq mi	Arizona Legislature allows cities to plan, zone, regulate subdivisions
1973			Flood Disaster Protection Act
1973			Endangered Species Act
1974	434,000	91 sq mi	Counties granted authority to regulated subdivisions
1974			Pima County adopts Uniform Building Code
1982	553,194	101 s mi	ESA Amended to Add Section 10, Habitat Conservation Plans
1992	691,178	160 s mi	Pima County Comprehensive Plan adopted
1999	842289	200 s mi	Pima County Sonoran Desert Conservation Concept Plan adopted

¹ From texts: *The Practice of State and Regional Planning (APA)*, *Wetlands (Mitsch)*, *Land Use Planning and Control Law (Juergensmeyer)*, and *History of Land Use in Pima County (Behlau)*

Timeline of Planning Events and Population Growth in Pima County¹



¹ From texts: *The Practice of State and Regional Planning* (APA), *Wetlands* (Mitsch), *Land Use Planning and Control Law* (Uergensmeyer), and *History of Land Use in Pima County* (Behlau).

Conclusion

During the next 21 months, Pima County will complete the Sonoran Desert Conservation and Comprehensive Land Use Plan and receive a permit from the United States Fish and Wildlife Service under Section 10 of the Endangered Species Act that will allow us to implement a regional program to protect imperiled species and provide certainty and regulatory assurances to landowners and local governments.

In addition to the six conservation elements that have been discussed now for 18 months or so, the County is undertaking and will complete by the end of 2001 a major comprehensive plan amendment in accordance with Growing Smarter Plus.

State law defines the elements to include:

- planning for land use promoting compact development
- planning for circulation
- water resources
- open space
- growth areas planning
- environmental planning, and
- cost of development element.

The attached *Planning and Zoning Primer* is the first document contributing to the land use element of the Comprehensive Plan update. Studies and reports for each element will be forwarded to the Board during the next nine months.

Just as the elements of the conservation plan establish a conservation reserve, the elements of the comprehensive plan will establish a development reserve.

Attachment



PIMA COUNTY PLANNING AND ZONING PRIMER

Draft

Pima County, Arizona

February 2001

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PLANNING AND ZONING PRIMER

FEBRUARY 16, 2001

INTRODUCTION

Pima County land development and conservation is guided by policies of the Pima County Comprehensive Plan, implemented by the County Zoning Code and Building Codes. This report describes the elements of the Comprehensive Plan, Zoning Code, Building Code and Impact Fees.

HISTORY AND STATUTORY CONTEXT

Early American town planning efforts focused on the need to provide safe and sanitary neighborhoods, borrowed from the English common law of “nuisance”.

History

Colonial preplanned community development, a norm of European colonial settlements in the United States employing a grid pattern layout, occurred in New Haven (1630s), Philadelphia (1682), Detroit (1700), New Orleans (1718), and Savannah (1783) among other cities. Government action to control or redirect private development began in the latter half of the 19th Century. In 1867, San Francisco enacted “the first land use zoning restricting the location of obnoxious uses”¹. By the early 20th Century, these government actions took a more “comprehensive” approach toward planning and zoning due to the rapid residential and commercial expansion. In 1916, New York City adopted “the first comprehensive zoning code in the United States”². In 1925, Cincinnati officially adopted the first “comprehensive plan having as its basis the welfare of the city a whole.”³ The City of Tucson adopted its Zoning Code in on January 24, 1930, and Pima County adopted its on February 16, 1953.

Statutory Context

In 1924, the U.S. Department of Commerce published its first model law for states, *A Standard Zoning Enabling Act*, allowing municipalities to adopt zoning regulations. In *Euclid vs. Ambler Realty Co.* the United States Supreme Court, in 1926, upheld the constitutionality of zoning authority to provide for public welfare through the separation of land uses.

In 1925, Arizona passed its zoning enabling legislation for municipalities. In 1949, counties were given zoning as well as planning authority under Arizona Revised Statutes, Title 11. The Arizona Legislature adopted updates to previous municipal legislation in 1974. Subsequently, in 1998 and 2000 it adopted the Growing Smarter and Growing Smarter Plus legislation. Section 11-806 gives a county the basic authority to plan, and §11-821 allows for a plan with appropriate zoning regulations and zoning districts. The formulation of a Planning Commission is specified in §11-803 and that of a Board of Adjustments in §11-807. A county can adopt Building Codes under §11-861, and make amendments to the Codes under §11-829.

COMPREHENSIVE PLAN

“The Pima County Comprehensive Plan is both a product, a series of adopted documents, and a process that has involved a broad spectrum of the community.”⁴

Historical Context in Pima County

Pima County’s official planning endeavors date back to the early 1940s, and:

- In 1960, Pima County and the City of Tucson adopted the General Land Use Plan (GLUP).
- The 1960 GLUP guided planning and numerous rezoning requests until 1992.
- In 1988, the Comprehensive Plan Steering Committee adopted Regional Goals of Eastern Pima County.
- In 1992 the Board of Supervisors adopted the Pima County Comprehensive Plan.
- In 1996 the Board of Supervisors revised the 1) Land Use Intensity Legend, 2) Regional and Special Area Plan Policies and 3) Strategic Action Plan (all of which were adopted in 1992).
- Other planning initiatives in the 1990s include 1) Scenic Routes Ordinance (1996); 2) Buffer Overlay Zone Ordinance (1998); 3) Hillside Development Zone Ordinance (1998), 4) HDZ Update (2000); and 5) Native Plant Preservation Ordinance (1998), among others.
- Current efforts include 1) the development of an Environmentally Sensitive Lands Ordinance (ESLO), 2) updating the Protected Peaks and Ridges Ordinance, and 3) the 2001 Sonoran Desert Conservation and Comprehensive Land Use Plan.

Statutory Context

The Arizona Revised Statutes, Title 11, §11-806 provides counties with the basic authority to plan. Growing Smarter Plus, went into effect on May 18th, 2000, requiring counties and municipalities to update their comprehensive plans to include elements of land use, circulation, water resources, open space, environmental impacts, growth areas and cost of growth. The 2001 Comprehensive Plan Update is currently being prepared.

Review of Standards

The Pima County Zoning Code, Title 18 of the Pima County Code, in accordance with ARS, §11-806, provides for the County’s comprehensive plan. The adopted plan documents include 1) Land Use Intensity Legend; 2) Regional and Special Area Plan Policies; 3) Strategic Action Plan; 4) Land Use Plan.

The plan components, identified in the Zoning Code, § 18.89.030 are:

	COMPONENT	DESCRIPTION
1.	Map Elements	a) Planned land use intensity categories, b) Special areas
2.	Land Use Intensity Legend	a) Purpose statement, b) Allowable gross density for categories allowing residential development, c) Permitted zoning districts
3.	Plan Policies	a) Regional or special area policy as defined in §18.89.020A6, b) Special area plan policies pertaining to zoning districts, c) Adopted plan policies for conditionally rezoned areas not conforming with plan policies or land use recommendations, d) Adopted plan policies implemented through rezoning or similar process
4.	Strategic Action Plan	a) May include implementation strategies for priority programs to achieve policy, and b) Strategies may include a schedule, cost estimates and departmental responsibility
5.	Other Elements	Growth management; Economy; Future LU; Housing; Neighborhoods; Public services; Transportation; Public safety; Environmental quality; Open space; Cultural heritage

The land use plan:

1. establishes boundaries for rural and urban uses;
2. establishes planned land use to guide planning;
3. determines suitability of individual geographic areas for different land use types; and,
4. designates permitted zoning districts and gross density limitations to ensure that rezonings conform with the comprehensive plan.

The plan has several land use intensity/density categories as shown in the **Appendix A**.

The Comprehensive Plan Update program, §18.89.050, “is intended to facilitate the review of the comprehensive plan, in its entirety, on a periodic basis and to provide the means to amend and update the plan where necessary”⁵, and contains: 1) a schedule, 2) program content (with minimum requirements), 3) annual comprehensive plan amendment program (discussed in more detail in Subsection d. Implementation Process), and 4) review and public notice requirements. These requirements (§18.89.050) combined with the ones of Growing Smarter Plus legislation are being used to prepare the 2001 Comprehensive Plan Update.

A multi-faceted public participation process is planned as part of the update that fulfills Growing Smarter Plus and Pima County Zoning Code §18.89.050E requirements. The community will be confronted with such difficult issues involving land use and conservation as: 1) the implications of our continued pattern of low-density/urban sprawl development; and, 2) analysis of the impact that various land use patterns will have on transportation, air quality, water quality and resources, growth areas, cost of growth, service provision, conservation and protection of natural habitat of protected species, protection of vegetation and the Sonoran desert lifestyle, and other quality of life issues. The public meetings will be held at the sub-regional level.

Implementation Process

- 2001 Comprehensive Plan Update: The Board of Supervisors adopted the Pima County Comprehensive Plan in 1992. The Pima County Zoning Code is used to implement the Plan. The 2001 Plan Update is currently in progress in accordance with the requirements of the Growing Smarter Plus legislation, the preliminary Sonoran Desert Conservation Plan (SDCP), and requirements provided for in the Zoning Code.
- Public Participation Program: The Board of Supervisors appointed a Steering Committee in 1998 to oversee the SDCP process. With regard to the 2001 Plan Update, a public participation program is currently being put together for approval of the Board. The 2001 Plan Update provides for a land use panel for each of the six planning sub-regions. Each land use panel will have 10 to 15 members, including members of the SDCP Steering Committee. As part of the public participation program, for the six sub-regions there will be four land use panel meetings each, for a total of 24 meetings, to occur between early April and late November 2001. Issues related to land use, transportation, environmental quality, etc. will be reviewed and discussed at these public meetings.
- Annual Plan Amendment Program: The Pima County Zoning Code § 18.89.040 provides for an annual plan amendment program to address changes requested “by owners of subject property, the development services department, the commission or the board”⁶. Each year, beginning on

the first working day in February and ending on the last working day in April, the Planning Division accepts applications to amend the plan. The application prescribes the nature of information needed to process the request. The list of applications and other relevant information are presented to the Planning and Zoning Commission for review and comment. Subsequently, the Commission holds public hearings to consider and take testimony on each amendment request. Upon making a decision of approval, denial or modified approval, the Commission sends its recommendation to the Board. Then, the Board holds a public hearing and votes to approve, deny or approve with modifications. A favorable vote of the Board on a plan amendment request allows the applicant to proceed with the next step of rezoning (discussed in Section 4, Zoning Code).

- Policy Updates: The Regional and Special Area Policies address the Policy Objectives contained in the Conceptual Land Use Element (CLUE). The “adopted plan policies are implemented through the rezoning process and other similar actions”.⁷ Regional plan policies apply to the County’s planning area which is comprised of six sub-regions. Special area policies apply to specific areas designated in the Pima County Comprehensive Plan Land Use Plan. Any update of or amendment to a policy is first reviewed by the Planning and Zoning Commission. The Commission then holds a public hearing and sends its recommendations to the Board. The Board reviews the policy and update recommendations, and holds a public hearing. Any update or amendment of policies go into effect with a favorable vote of the Board.
- Role of Strategic Action Plan: The Strategic Action Plan describes specific actions to implement the eight Priority Programs of the CLUE. The intent of these priority programs is to provide “a framework for allocating limited resources to the most pressing problems”.⁸ The priority programs resulted from the development of a comprehensive *Regional Vision for Eastern Pima County* and were adopted by the Board in 1989. The implementation strategies for these programs were created based on the 60 Policy Objectives defined in the CLUE. The programs 1) have some common implementation strategies, 2) have strategies that are unique to a program, and 3) are compiled under an Implementation Strategies Phased Program. “The phased program identifies the recommended actions, the estimated costs to Pima County to implement the action, and the Department or entity responsible for implementation of the recommended action”.⁹

Future Considerations

- Growing Smarter Plus: Pima County will need to revise its policies, standards and ordinances/codes to reflect the requirements of Growing Smarter Plus by coordinating “the production of the county plan with the creation of the conceptual state land use plans under title 37, chapter 2, article 5.1”.¹⁰ The legislation requires that “adoption or readoption of, or a major amendment to, the county comprehensive plan shall be approved by the affirmative vote of at least two-thirds of the members of the board.”¹¹ The legislation states that “a substantial alteration of the county’s land use mixture or balance as established in the county’s existing comprehensive plan land use element for that area of the county”¹² constitutes a major plan amendment. The County has currently defined a “major plan amendment” as one that involves 500 acres or more in land area.

- Key Planning Issues for the county include the following:
 1. determining where urban development may occur to accommodate future population needs with due consideration paid to the SDCP habitats/ reserves;
 2. identifying the region's growth areas and planning for development alternatives such as mixed use to promote transit and curb the current practice of low density residential development and urban sprawl;
 3. the establishment of "minimum" densities in the land use designations;
 4. reviewing regional land consumption to guide development into areas that already contain infrastructure capacity or where investment for infrastructure is being planned;
 5. reducing vehicle miles traveled in the region;
 6. retaining areas that are currently planned or zoned commercial;
 7. looking at viable transportation alternatives to the automobile;
 8. developing policies to require development to pay its fair share toward the cost of additional public facility needs;
 9. updating the implementation strategies and priority programs in the Strategic Action Plan;
 10. determining the availability, location and demand for industrial use land;
 11. updating the county's Regional Planning Policies; among other considerations.

- Integration of the SDCP and the Update will be carried out to:
 1. preserve natural and cultural resources as identified in the preliminary SDCP;
 2. create a regional approach to conservation and land development;
 3. identify urban growth areas and infrastructure requirements for future growth;
 4. use alternative methods of land development to accommodate future population;
 5. update regional policies to implement the comprehensive plan;
 6. update rezoning policies and codes for enforcement purposes; and,
 7. prepare a Multi Species Habitat Conservation Plan (MSCP), an Environmental Impact Statement (EIS), and an Implementation Agreement (IA) to acquire a regional §10 Permit.

ZONING CODE

Zoning is generally construed to mean the adoption of specific standards and regulations for the use of land, the design of buildings, and the public services and infrastructure needed to accommodate development. Zoning regulations address specific uses or intensities of activity allowed in an area and the associated standards for building height, setbacks, landscaping, density, parking, and hours of operation. Pima County's Zoning Code provides a fairly traditional regulatory framework for new development.

Historical Context

Arizona counties were given the power to plan and zone in 1949, almost 25 years after the authority for municipal zoning was granted by the legislature. Pima County adopted its zoning code in August 1952, and it became effective in February 1953. Zoning base maps showing the zoning districts covering all land in unincorporated Pima County were adopted along with the text. Since the Code's original adoption, it has undergone numerous amendments including the adoption of the Native Plant Preservation Ordinance and regulations for charter schools. A zoning code needs to be responsive to changes in community development including market, environmental and social factors.

Statutory Context

Zoning is an exercise of the police power which resides with the Arizona state government. Most state legislatures delegate the power of zoning to local governments and this is true of Arizona as well. The source of Pima County's statutory authority for the Zoning Code is in the form of the state enabling act and specifically from the Arizona Revised Statutes, Title 11. Section §11-821 allows for the creation of zoning regulations and zoning districts, §11-829 authorizes rezoning and zoning code amendments, and §11-808 gives the zoning inspector authority for zoning enforcement and interpretation.

For the purpose of promoting the health, safety, and general welfare of the community, local governments are given the authority for four basic kinds of zoning districts:

1. Use - types of activities allowed, permitted land uses
2. Height (vertical limit) - number of stories or maximum building height
3. Bulk (horizontal limit)- minimum lot sizes, amount of lot occupied, setback distances
4. Density - number of dwelling units per lot

Essentially, use, height, and bulk all affect density. Frequently, the density or number of units that can feasibly be accommodated on a property is also limited by the minimum amount of open space, parking, flood plain protection, slope protection and/or habitat protection required for that property.

An enabling act allows the division of an area into districts of a number, shape and size best suited to carry out the purpose of the act. The regulations are intended to lessen congestion, secure safety from fire and other dangers, promote health and general welfare, provide adequate light and air, prevent overcrowding of land, and to facilitate the adequate provision of infrastructure. Conserving an area's character and value, particularly its suitability for certain uses are also considerations.

Review of Standards

The Pima County Zoning Code prescribes the land uses and land use standards for 30 discrete zoning districts that apply to land within unincorporated Pima County. For each zoning district, a set of permitted uses, conditional uses, general development standards, and accessory structure standards are described. General development standards can range from the minimum lot size to the hours of operation for non-residential uses. The general breakdown of the Zoning Code can be characterized in the following manner:

- Chapters 18.01, 18.03, 18.05, 18.07, and 18.09 provide the general authority and provisions of the Zoning Code.
- Chapters 18.11 through 18.55 are the zoning districts including rural (IR, RH, GR-1, SR, SR-2, SH), residential (TH, ML, CR-1, CR-2, CR-3, CR-4, CR-5, TR, CMH-1, CMH-2), business (MR, RVC, CB-1, CB-2), and industrial (MU, CPI, CI-1, CI-2, CI-3).

Residential: These zones provide for single and/or multi-family and urban or rural residential uses along with some additional uses considered compatible with residential. The range of

zoning districts is from IR - Institutional Reserve which is intended as a reserve zone for public lands but does allow residential use to the Transitional (TR) zone which allows the greatest residential density at 43 residences per acre. Manufactured housing is allowed in some of the residential zones as permitted uses and some types of manufactured housing are allowed under special options. For example, multi-sectional subdivisions are allowed in all zones as a special procedure requiring Board of Supervisors approval and modular homes are allowed in the CR-3 and more dense zones.

Business: The standard business zones are CB-1 which is primarily indoor, retail uses although it does allow residential use and the CB-2 zone which allows outdoor activity and more intense commercial uses as well as residential use. The Rural Village Center Zone (RVC) entails design standards for greater compatibility along scenic routes and adjacent to residential development, albeit it has rarely been used. Major Resort (MR) is a zone designated for a resort and its auxiliary uses.

Industrial: Multiple Use (MU) is a transitional zone that acknowledges a mix of small industrial and residential areas from the past. The standard industrial zones include:

1. Campus Park Industrial (CPI) - a light industrial zone with certain requirements;
2. Light Industrial/Warehousing Zone (CI-1) is a warehouse zone with other types of outdoor uses and storage;
3. General Industrial Zone (CI-2) is a manufacturing zone allowing salvage yards with performance standards; and,
4. Heavy Industrial Zone (CI-3) is the most intense industrial zone that requires all uses to be conditional zones and has large setbacks from residential zones.

- Chapters 18.57 through 18.67 are overlay zoning districts such as Airport Environs, Buffer Overlay Zone, and the Golf Course zone. Overlay zones are special districts which lie within a general zoning district. The overlay zones have a set of unique standards. The special district is different from the general zoning district based on unique environmental features that need additional protection or a land use that necessitates additional consideration. Grading and fencing controls in a buffer overlay zone near a public preserve or noise and building height controls within an airport overlay zone are examples.

The Airport Environs zone (AE) regulates through use, height, and noise limits. The Golf Course Zone (GC) is for golf courses and overlay conventional zones. The zone specifies irrigation standards to limit groundwater use. The Buffer Overlay Zone (BOZ), adopted in 1988, applies to development within one mile of a designated public preserve. Applicable development must meet environmentally oriented performance standards. The Hillside Development Overlay Zone (HDZ) to all parcels that are triggered by a slope assessment. Pima County's only current historic overlay zone has very basic regulations that apply to the San Xavier environs.

- Chapters of general applicability of the Zoning Code include development standards such as those for signs, parking, landscaping and screening, grading, and roadway frontage or scenic routes. Some land use standards apply to all similar districts throughout the county; for example, the same parking standard would apply to all grocery stores. The specific application of the

standards can depend upon a multitude of variables (i.e. the landscape bufferyard chart). The minimum requirements to submit and review development plans and subdivision plats are also provided by the Zoning Code as well as the standards for addressing properties.

- **Procedures and Committees:** In addition to the regulation of land uses, building design and operation standards, the Zoning Code provides certain public processes, procedures, and committees or boards for review of land use applications, for relief from certain standards, and for amendments to the code. The Code also describes the boards and committees' roles and functions as well as their purpose.

Rezoning process: The Zoning Code specifies the standards for rezoning applications, public notice, public hearings, and actions by the Planning and Zoning Commission and the Board of Supervisors. The roles and authorities of the Commission and Board with regard to the rezoning process are specifically described in the Zoning Code.

Variance process: The five Boards of Adjustment (one board per supervisorial district) hears and decides on requests for exceptions to the zoning code regulations for individual properties. Each board has jurisdiction over the applications for properties lying within the unincorporated area of the supervisorial district for which the board was established. The Boards of Adjustment also decide temporary use requests and appeals of the Chief Zoning Inspector's interpretations of the Zoning Code. The Code establishes the application, public notification, and hearing processes required for variances and temporary use permits.

Conditional Use process: Some districts allow certain uses under specified conditions and with review by the Hearing Administrator (Type 1 Conditional Use), or the Hearing Administrator and the Board of Supervisors (Type 2), or the Planning and Zoning Commission and the Board of Supervisors (Type 3). The additional conditions (i.e. minimum 10-acre lot size) and required public notice help to insure that the use is compatible with adjacent uses. For example:

Type 1: a feed store in a CB-1 local business district;

Type 2: a carnival in a CB-2 general business district or a commercial kennel in SR residential

Type 3: outdoor storage or manufacturing in a CI-3 heavy industrial district.

Comprehensive Plan Amendment process: Somewhat procedurally similar to the rezoning process, the Zoning Code specifies the materials required for an annual amendment application, describes the application review process, public hearing notification, and the roles and authorities of the Commission and the Board of Supervisors. Unlike the rezoning process, the Zoning Code specifies when an application can be submitted for a standard annual amendment (as compared to a board-initiated amendment for immediate review). The Zoning Code also describes the land use intensity legend and the plan update program.

Specific Plan process: Specific plans can be a more flexible tool for creating large, master-planned, mixed use developments. They essentially act as their own zoning code for a particular site although any regulations not specifically addressed in a specific plan defaults to the Zoning Code. Specific plans entail much the same staff review and public hearing process as the standard rezoning cases but typically on a much greater scale. There are currently 10 approved specific plans in unincorporated Pima County.

Development Review process: Subdivision plats (tentative and final), development plans, grading plans and other types of individual site plans are reviewed by County staff and other agencies who regulate or are affected by development of land. These plans are reviewed for compliance with all County regulations such as zoning, landscaping, wastewater, environmental quality, flood control, transportation (including grading), fire safety, etc. A committee comprised of representatives from different departments, agencies, and fields - called the Subdivision Design Review Committee (SDRC) - offer general advice to developers, particularly for subdivision plats and development plans, prior to submitting their plans and during the review process. Pima County staff and other agencies review submitted plans and provide written comments as to compliance with regulations. The subdivision coordinator oversees the development review process to make sure all agencies have approved a plan before its final approval is granted. Final subdivision plats are subject to the Board of Supervisors approval.

Planning and Zoning Commission: The members of the Commission are appointed by the Board of Supervisors (two members for each supervisor). The Zoning Code states that the Commission advises the Board of Supervisors on planning and zoning policies, plans, amendments and regulations. The Commission has specific duties depending upon the process involved (i.e. rezoning, annual plan amendments) but essentially the Commission may initiate, review, and recommend items to the Board.

Board of Supervisors: The Board is a legislative body that performs the planning and zoning actions authorized by state statutes. For example, the supervisors can adopt and amend a comprehensive plan or zoning regulations. The supervisors appoint or ratify members of the Planning and Zoning Commission and the Boards of Adjustment and other committees. The Board also hears and decides appeals and special permit requests where authorized by the Code.

Zoning Enforcement, Chief Zoning Inspector & Hearing Officer: Enforcement describes the actions taken by the county if users of property do not follow the prescribed development regulations. The erection, construction, reconstruction or alteration of any structure, or the use of any property or structure, not in conformance with this code constitutes a violation. Violators of this code are subject to civil penalties or other legal action for failure to comply with any provision of the Zoning Code. The Chief Zoning Inspector is responsible for investigating any complaint of suspected violations of the Zoning Code and interpreting the code. Zoning inspectors investigate complaints to determine if a violation has occurred and to record the circumstances of the violation. The hearing officer, who is appointed by the Board of Supervisors, hears and decides on zoning violations. As part of hearing and deciding on complaints, the hearing officer may issue subpoenas and summonses ordering appearance before the officer. The hearing officer ultimately makes orders for the determination and resolution of zoning violations. Any party to a zoning violation hearing may appeal the decision of the hearing officer to the Board of Supervisors.

Zoning Use Permits: The permitting process enables Pima County to monitor and regulate construction to ensure public safety and welfare. Some types of construction that do not require a building permit, do require a zoning use permit. Zoning use permits are required to erect, construct, reconstruct or alter any structure or change the use of any property or structure whether or not such activity requires a building permit.

Other positions, agencies, and committees whose scopes are defined by the Zoning Code are:

1. the Design Review Committee which reviews site planning and building design for certain development processes (i.e. cluster) and zoning districts (i.e. RVC);
2. the Technical Review Committee which hears appeals of the grading standards; and,
3. the Development Services department.

Future Considerations

In continuing improvements to the Zoning Code, the following is a list of potential amendments:

1. Defer upzoning or granting of conditional use permits in areas of federally designated Critical Habitat, Ranch Conservation, or where riparian resources will be lost,
2. Develop an Environmentally Sensitive Lands Ordinance (ESLO) that consolidates the following ordinances: Native Plant Preservation, Buffer Overlay Zone, Hillside Development Zone, and Riparian,
3. Amend the Golf Course Overlay zone to require that all new golf courses be irrigated with renewable water supplies when they open,
4. Expand water conservation requirements in new development landscaping,
5. Expand protection for historical and archaeological resources,
6. Encourage mixed use development in the CB-1 zone,
7. Consider a large lot zoning district in rural areas,
8. Continue development and designation of Protected Peaks and Ridges areas,
9. Revise the Specific Plan process to be more adaptive to the future SDCP concepts.

Additionally, the Zoning Code will need to be amended as part of the 2001 Comprehensive Plan Update effort to comply with the *Growing Smarter Plus* statutes as well as to insure consistency with other amendments enacted since the 1996 Update. Other future amendments to the Zoning Code may include:

- improved groundwater conservation measures (i.e. landscaping requirements, water conserving plumbing fixtures),
- design standards for surface parking lots to eliminate the creation of “heat islands” within these facilities,
- refinement of the Cluster development option to make them more efficient and more attractive to developers, buyers, and neighbors,

- amendments to discourage commercial zones from being developed as wholly residential neighborhoods,
- amendments to the industrial districts to make them more useful for current needs,
- address concerns related to large scale retail uses (“big box” stores) and develop a large scale retail ordinance,
- update the Zoning Code to reflect computerized mapping efforts and data bases for zoning maps.

BUILDING CODES

Each municipality or county has the responsibility of insuring that buildings constructed, altered or demolished are done so in a safe manner and in a location that is safe and secure. The municipality can only insure this occurs by requiring scaled drawings of the proposed work, measuring them against a set of standard building practices, and inspecting the work as it progresses to insure that the work meets the approved plans and building standards. Most municipalities adopt a model building code, such as the Uniform Building Code, prepared by a national association of building codes inspectors with input from builders, architects and researchers in the field of building safety.

Historical Context

Pima County first adopted its building codes in 1973. Since that time the codes have been amended several times as the codes themselves have changed over the years. Most recently, the Board of Supervisors adopted the International Building Code and the International Residential Code (see below for more detail) on February 6, 2001. In 1987, the Board of Supervisors had expanded the area covered by its building codes to the entire County; prior to that, the more rural areas of the County were exempt from the building codes.

Statutory Context

The Arizona Revised Statutes, §11-861 provides for the adoption of building codes by reference, limitations, and methods of adoption. The statutes state that “in any county which has adopted zoning, the board of supervisors may adopt and enforce,, a building code and other related codes to regulate the quality, type of material and workmanship of all aspects of construction of buildings or structures,”¹³ It also states that the Board may adopt “a fire prevention code” if the uniform fire code under §48-805 has not been adopted by a fire district. For the purposes of determining the suitability of alternate materials and construction, §11-862 requires “a provision for an advisory board consisting of at least five members.....”¹⁴ Once a code is adopted by ordinance, a County is required to publish the ordinance in full, under §11-864. Section 11-865 provides for exemptions and exceptions. Matters related to penalties under §11-866 may be enforced by a county through the penalty provisions of §11-808.

Review of Standards

Pima County has adopted several model building codes including the Uniform Building Code (UBC), Uniform Mechanical Code, Uniform Plumbing Code, National Electrical Code and the Model Energy Code.

The purpose of the various codes is to provide *minimum* standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures within the County and certain equipment specifically regulated herein. Each of the various codes then seeks to implement this overriding goal through the regulation of the different aspects of construction.

On February 6, 2001, the Pima County BOS adopted the International Residential Code and International Building Code. The purpose of these codes is to establish the minimum requirements to safeguard public health, safety and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment. The codes cover the construction of and materials used for foundations, walls, and roofs, for instance. It also mandates the amount of ventilation and natural light that must be provided (for example, all habitable rooms must include windows, except for bathrooms; and bathrooms must have a fan vented to the outside). The Mechanical Code regulates the provision of cooling and heating, while the Fuel Gas Code regulates the materials and installation of fuel gas piping, utilization equipment and related accessories. The Fuel Gas Code sets requirements for the design, materials, components, fabrication, assembly, installation, testing, inspection, operation and maintenance of fuel gas piping systems.

The plumbing code, among other things, protects drinking water from contamination from sewer and septic systems and from backflow. It also requires the use of low flow fixtures for all improvements or new construction. Electrical codes mandate the placement of outlets, light fixtures and electrical circuits as well as insuring that the building has the capacity to handle the electrical demands that will be placed on it. And the Abatement of Condemned and Dangerous Buildings Code regulated the disposition of abandoned buildings which present a hazard to the community.

The codes also regulate pool construction so as to reduce the likelihood of drowning from unsupervised use. Thus, not only must the yard in which a pool is located be enclosed by a wall, but the pool itself needs to be fenced. Further, barriers must be placed so that a toddler cannot leave the house and enter the pool area. These barriers can include door and window latches, automatic-closing doors or alarms.

Two of the codes: 1) Model Energy and 2) Light Pollution, differ from the others mentioned above in that their primary purpose is to promote the general welfare of the community more than its safety. The purpose of the Model Energy Code is to make provisions for the construction of energy efficient buildings. It also mandates that all habitable areas be heated except for additions which comprise less than twenty percent of the square footage of the existing structure. The Light Pollution Code originally was intended to protect Tucson's dark skies so as not to negatively affect the areas that have many astronomic observatories. Only recently (last year) was the Light Pollution Code amended to also include some protection for neighboring properties from light nuisances.

Implementation Process

Permits are needed for: common building activities including decks, porches, stairs, steps, driveways, sheds (greater than 120 square feet of roof area or those that need any type of electrical or plumbing connection), retaining walls over four (4) feet in height, certain grading and paving projects, installation of septic systems and water wells, etc. It is mandated that except for small accessory structures with less than 120 square feet of projected roof area, no building or structure shall be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished unless a separate permit for each building or structure has first been obtained from the County building official.

Permits are not needed for: painting, wall papering, carpeting, attic insulation, door or window replacement, small concrete driveway, play houses or dog houses or small out-buildings of less than 120 square feet of roof area and without utilities, fences of less than six (6) feet in height, platforms, decks or walks less than 30 inches above grade, or the replacement of home appliances needing plumbing, mechanical or electrical work.

The Permit Procedure begins with completing an application form in the Development Services Department fulfilling all submittal requirements. Details of permit application, review and inspections are contained in the Department's Construction Handbook. In brief, the process is as follows:

- The proposed project must be fully and clearly described in the application. In most cases a site plan and construction drawings are required. In some cases, a simple description, such as "Upgrade existing electrical service from 100 to 200 Amps" is deemed sufficient.
- All plans/drawings for minor projects, containing the preparer's signature, may be submitted on plain paper. At least one reproducible copy of the entire set of drawings, preferably "to scale", is required.
- The site plan and construction drawings are reviewed to verify compliance with all applicable zoning and building code requirements, and upon approval and issuance of a building permit, one such set of drawings must be available on the job-site. The County retains an approved set of drawings until the final inspection is conducted and the permit is closed.
- Some projects can be fully permitted "over-the-counter", while others require more time. The Pima County Building Codes Division has walk-through review for small additions. Projects for change of use, or grading or hillside development, require a zoning permit as well. Generally, residential plan reviews are done in 12 to 15 working days, and residential additions in seven to 10 working days. Commercial plan reviews require 20 to 30 working days, and small, commercial tenant improvements need about three working days.
- A homeowner may perform all or portions of the work. Arizona state law requires that anyone else working on a home must be a licensed contractor. Any work on a home for rent or sale, which requires a building permit, must be done by a licensed contractor.

- County inspections are performed to ensure conformity with approved plans and compliance with applicable codes. Inspections are required at various phases of the work: “foundation work” inspection and approval before “flooring work” can begin; “framing” inspection and approval before “electrical, plumbing or mechanical duct work” can begin; and, “electrical, plumbing or mechanical duct work” inspection and approval prior to installation of drywall and any finish work. All work requiring an inspection must comply with all inspection and county approval requirements. Owner or representative’s presence at the job-site during inspection is not required but recommended. The inspector must be provided with access to the property/job-site, the manila permit card, and an approved job-site copy of the plans.
- All permit fees are based on the current fee schedule as adopted by the County. Individual project fees will vary depending upon the replacement value of the proposed project.

Enforcement:

In 1996, the County upgraded its enforcement of the building codes to ensure that projects that require a permit, in fact, obtains a permit. Enforcement of violations of the codes results from the actions of three different areas: 1) a written complaint from the general public; 2) a complaint filed by one of the County’s field inspectors; and 3) the Board of Supervisors. Complaints cover construction occurring without a permit; construction exceeding the permit; or the existence of dangerous abandoned buildings. Once a complaint is made the following process occurs:

- A file is set up which includes the permit history of the site.
- Building Codes staff makes a site visit to investigate the complaint.
- If staff believes a violation has occurred, a written Notice of Violation is issued and either given to appropriate people at the site or mailed if no one is at the site at the time of the visit. The Notice of Violation will give the property owner or permit holder the conditions needed to bring the site into compliance which can include the time (usually 30 days) in which compliance must occur and insuring that all applicable inspections are conducted.
- If after the Notice of Violation is issued the site still is not brought into compliance, a citation will be issued. Citations are heard before the County’s Hearing Officer. Usually, the department asks for fines to be paid (maximum fines are \$750 per violation for individuals and \$10,000 for corporate entities); generally, a portion of the fine will be abated conditioned on the site being brought into compliance.
- Decisions of the Hearing Officer may be appealed to the Board of Supervisors. If there is no appeal or Board upholds the Hearing Officer’s decision and the site is still not brought into compliance, then the entire fine will be sought. Ultimately, the case could go to court.

Future Considerations

On February 6, 2001, the Board of Supervisors adopted the International Residential Code (IRC) and the International Building Code (IBC). The IRC applies to one and two-family dwellings while the

IBC applies to commercial and multi-family development. The IRC is complete in that it includes plumbing, electrical and mechanical codes, while the IBC does not. Therefore, in the near future, the International Plumbing, Electrical and Mechanical Codes will be forwarded to the Board of Supervisors for adoption.

The adoption of the international codes arose out of the fact that there were three separate bodies issuing building codes. These were the Southern Building Code Conference International (SBCCI), the Building Official Code Administrators (BOCA), and the International Conference of Building Officials (ICBO). For many years, there were efforts to merge these codes to create one set of codes applicable in the United States and many foreign countries. In 1997, after studying the various codes and determining that there were few differences among them, representatives of the three organizations completed a first draft. Since then, additional drafts were written, based on input from affected organizations and four public workshops, until agreement was reached on a new international code and on merging the three code organizations.

10/10/01



APENDICES

Appendix A: Land Use Designations

INTENSITY CATEGORIES	PURPOSE	RESIDENTIAL DENSITY	ZONING DISTRICTS IN COMPLIANCE
Regional Activity Center (REAC)	High density mixed use providing fullest range of goods & services and compatible multiple housing	Min: 12 RAC Max: 44 RAC	CR-3, CR-4, CR-5, TR, CMH-2, MR, CB-1, CB-2 and CPI.
Community Activity Center (CAC)	Medium density mixed use providing goods & services needed on a weekly basis and compatible medium to high density housing	Min.: None Max: 24 RAC	CR-2, CR-3, CR-4, CR-5, TR, CMH-2, MR, CB-1, CB-2 and CPI.
Neighborhood Activity Center (NAC)	Low density mixed use providing day-to-day convenience goods & services within or near suburban residential neighborhoods	Min: None Max::10 RAC	CR-2, CR-3, CR-4, TR, RVC and CB-1.
Multi functional Corridor (MFC)	Integrated development of complementary commercial and other non-residential uses and services and high density residential clusters in a linear configuration along transportation corridors; avoidance of strip commercial developments	Min: None Max: 44 RAC	GC, TH, CR-3, CR-4, CR-5, TR, CMH-2, MR, CB-1, CB-2 and CPI.
High Intensity Urban (HIU)	A mix of high density housing and other compatible uses with direct access to major transportation corridors and within walking or bicycling distance from major commercial services and employment centers	Min: None Max: 44 RAC	GC, TH, CR-2, CR-3, CR-4, CR-5, TR, CMH-1 & 2, MR and CPI.
Medium/High Intensity Urban (MHIU)	A mix of medium and high density housing types and other compatible uses, with cluster options, single family attached and apartment complexes.	Min: None Max: 24 RAC	GC, CR-1, CR-2, CR-3, CR-4, CR-5, TR, CMH-1 & 2, MR and CPI.
Medium Intensity Urban (MIU)	A mix of medium density housing and other compatible uses with a variety of housing types including cluster developments and single-family dwellings with special attention to insure compatibility with adjacent lower density residential neighborhoods	Min: None Max: 10 RAC	GC, CR-1, CR-2, CR-3, CR-4, CR-5, CMH-2, MR and TR.
Low Intensity Urban (LIU)	A mix of low density housing types and other compatible uses with incentives for clustering housing and providing natural open space preserves	1) LIU 3.0 2) LIU 1.2 3) LIU 0.5 4) LIU 0.3	<u>LIU 0.5/0.3</u> : GC, SR, SH, CR-1, CR-2, CR-3, MR; <u>LIU 3.0/1.2</u> : Same as LIU 0.5/0.3, CR-4, CR-5
Development Reserve	A designation of areas for potential urban land use based on considerations regarding the provision of public services and infrastructure	Min: None Max: 0.3 RAC	RH and SR
Rural Activity Center (RUAC)	Designation of mixed-use areas where convenience goods and personal services are provided to rural residents on a daily/weekly basis, to minimize vehicle travel between rural settlements and urban areas.	Min: 1.3 RAC Max: 10 RAC	GR-1, SH, CR-2, CR-3, CR-4, CMH-1, RVC, CB-1 and CB-2

Rural Crossroads (RX)	A designation of areas as major rural roadway intersections for the provision of limited commercial services to travelers and rural residents	Underlying zoning districts CB-1 or CB-2	CB-1 and CB-2.
Rural Forest Village	Rural villages within the confines of the Coronado National Forest	Min: None Max: 1.3 RAC	ML Mount Lemmon Zone only
Medium Intensity Rural (MIR)	Low density residential areas in close proximity to RUAC to serve them	Min: None Max: 1.3 RAC	RH, GR-1, SR & MR
Low Intensity Rural (LIR)	Low density residential areas with rural and resource-based characteristics	Min: None Max: 0.3 RAC	RH, SR & MR
Resource Transition	To preserve open space characteristic of sensitive lands in the vicinity of public resource management units; to promote development that blends with the natural landscape; to extend visually the public land boundaries; to protect wildlife habitat.	Min: None Max: 0.3 RAC	RH, SR & MR
Resource Productive	A designation of cultivated, ranching and mining lands for their productive capabilities and to protect these areas from encroachment by incompatible uses	Resid densities Min: None Max: 0.3 RAC	RH & SR
Urban Industrial (I)	Area for industrial uses that, if properly located and regulated, are compatible with certain types of commercial activities, but generally incompatible with residential uses	Resid densities Min: None Max: 1.3 RAC	CB-1, CB-2, CPI, CI-1 & CI-2
Heavy Industrial (HI)	A designation of adequate areas for industrial uses that are incompatible with nonresidential uses.		GC, CI-1, CI-2, CI-3 and CPI
Resource Conservation (RC)	To recognize and protect existing, and provide for future, public open space land needed to achieve policy objectives on environmental quality, open space and recreation, public safety, and cultural heritage. To promote an interconnected, regional open space network of parks, trails, desert belts, natural washes, floodplains, other open space areas	Resid densities Min: None Max: 0.3 RAC	IR Industrial Reserve, RH & SR
Major Resort Community	To promote the development of major resort	No residential uses permitted	MR

Appendix B: CLUE Policies

The Comprehensive Plan Policy Objectives, adopted by Resolution No. 1989-194 on September 5, 1989 by the Pima County Board of Supervisors as part of the Conceptual Land Use Element of the Pima County Comprehensive Plan, *Toward a Vision of a Possible Future*.

Growth Management

1. Effectiveness of Plans. The County's long-range plans and programs shall be effective. They will be credible and reliable guides of future development patterns. The County will commit itself to funding long-range plan preparations and revisions.
2. Consolidation of Plans. The several dozen existing area, community, neighborhood, and specific land use plans will be consolidated into urban planning sectors. They shall be made consistent with the regional and county comprehensive plans. They will be standardized in terms of land use designations and policy formats. They will utilize common data bases. They will be well-related to one another and to those of adjoining jurisdictions.
3. Currency of Plans. All plans and policies shall be reviewed on a timely schedule according to region-wide needs and economic forecasts. Plans will be assigned expiration dates. Expired plans shall not be the basis for denying specific project proposals as only the conceptual land use element will control in such situations.
4. Plan Amendments. Long-range land use plans shall be dynamic over time as they will reflect changing community goals and citizen preferences. However, consideration of plan amendments shall be separated in time, frequency, and context from consideration of site-specific zoning changing and development project proposals. Individual non-conforming zoning petitions will no longer be cause for piecemeal changes to long-range plans.
5. Nexus. All plans, programs, codes, and ordinances shall be clearly linked to specific goals and policies adopted by the Board of Supervisors. This linkage, or nexus, shall be made so as to greatly add to the public's perception of the purpose and adequacy of long-range plans. This linkage shall serve to secure the public's trust in the County's planning processes.
6. Compliance with Plans. All development reviews and approvals by County officials and agencies shall be consistent with adopted long-range goals, policies, and plans. Codes, regulations, and ordinances will reflect those goals, policies, and plans. Frequent reviews for consistency and revision will be made.
7. Level of Service Standards. Levels of service standards for public infrastructure and services shall be established. These will serve to guide the location and timing of new development projects.
8. Capital Improvement Programming. Capital improvement programs shall be integrated with long-range land use plans to the maximum practical extent possible considering the uncertainty of changing market and growth trends. Bond issues, voted upon and paid for by the public, will be executed as advertised in conformance with adopted capital improvement programs.

9. Concurrency of Infrastructure Improvements. Public infrastructure and services shall be in place and available concurrently with the onset of impacts resulting from new developments. They will be made available to the maximum extent feasible, given the uncertainty in timing and long-lead times required in constructing public infrastructure improvements.
10. Assessment of Infrastructure Costs. Pima County will project the costs of providing additional public services and facilities necessary to implement land use plans and will develop fair and equitable sources of revenue to insure their implementation. Pima County will seek authority to assess reasonable development impact fees. Without impact fee authority, developments that are consistent with adopted plans and policies and that are willing to pay for needed public facilities will be given preferential consideration to proceed.
11. Intergovernmental Relations. Pima County shall fully participate in intergovernmental cooperation and coordination among and with local, state, and federal agencies. Elected official leadership will promptly resolve regional growth management issues. Practical programs involving all local jurisdictions will be used as a means of building successful regional cooperation and planning.
12. Public Participation. The involvement of citizens in public policy-making and planning processes shall be substantive and meaningful. The County will establish community relations and information programs related to its long-range programs and plans. Public relations efforts shall stress planning for the betterment of the entire region rather than any single interest, area, or property owner. Public input shall be scrutinized for accuracy of statements and claims of participants.
13. Public Administration. The public shall perceive the County's regulatory and permitting procedures as reasonably responsive and administratively streamlined. The County will implement a one-stop, centralized permitting center in cooperation with other jurisdictions and utilities. County codes will be rewritten into clean, concise language. Unneeded and outdated regulations will be reviewed and eliminated.

Future Land Uses

14. Containment of Urban Growth. At least 90% of the regional population will be located within a defined metropolitan urban area of 600 square miles. Urban densities will be clearly separated from rural and natural resource-based areas.
15. Urban Build-Out Capacity Reserve. An ample build-out capacity reserve shall be maintained of between two and three times the number of additional persons expected to reside within the metropolitan area over the following 20 years. This reserve ratio shall be regularly reviewed and adjusted as needed to satisfy a wide choice of lifestyle preferences.
16. Land Consumption. New growth will be accommodated primarily through in-fill, higher-density activity centers, and redevelopment corridors as opposed to continued peripheral sprawl. Thus, over the next two decades, the historical trend of ever increasing land consumption per capita in the region shall be slowed and reversed so that overall density of the metropolitan urban area, though still relatively low, will be increased. Smaller and clustered residential lot areas will be acceptable with more skillful site planning. Higher densities will be allowed and will be necessary for successful achievement of air quality standards. Emphasis shall be placed on

securing self-sustaining activity centers containing places of habitation, work, transport, recreation, shopping and services within close proximity to one another.

17. Economic Base. Pima County will make substantial efforts to diversity the regional economy. It will act so as to generate a more stable tax base, relying far less on population growth and new development in and of themselves to sustain County government's fiscal revenues. County government will aggressively participate in a region-wide effort to retain and attract a wide range of businesses within the limitations of the region's water supply, clean air standards, and transportation facilities. As new development will be needed, consideration will be given equally to the economic benefits and community impacts during approval deliberations of development proposals.
18. Employment and Income. Pima County actions shall foster maintenance of regional unemployment and underemployment rates at levels below both national and state levels, given its limited scope of control. Likewise, County actions shall be taken so as to attain and sustain regional per capita income at a level above both national and state levels.

Environmental Quality

19. Air Quality. County government regulations and transportation planning shall ensure that air pollutants will affect fewer people in number and percentage 20 years from now as compared to today. In spite of increases projected in the number of people and automobiles, the quest for the highest standards of clean air shall be a primary consideration in future land use planning and capital improvement programming.
20. Light Pollution. The absolute and relative levels of light pollution affecting astronomical and astrophysical observations will be no greater than today. They will be maintained without any undue hardship on the region's economy or safety.
21. Assured Water Supply. Through vigorous management of supplies and conservation measures a reliable long-term water supply shall be assured. The basin's annual water withdrawals will be balanced with replenishment prior to the Year 2025 deadline mandated by the State's groundwater management act.
22. Water Quality. There shall be no further degradation in the quality of potable drinking water supplies. No compromises will be allowed.
23. Peaks and Ridges. All designated peaks and ridges shall remain protected from development encroachment to the maximum extent possible while respecting property rights. Prominent peaks and ridges will be preserved as natural open space. Density transfers and clustering will be encouraged in order to protect listed peaks and ridges.
24. Scenic Routes. Designated scenic route corridors shall be extended and enhanced. Scenic route panoramas and vistas will be preserved. Specific construction, design, landscaping, screening, and site development standards within rural scenic route corridors shall be established.
25. Natural Landmarks. Natural landmarks which enhance the region and which create a special or unique sense of place will be preserved. Public views of significant landmarks will remain unencumbered.

26. Soil Conservation. Development projects will be designed and constructed so as to minimize soil erosion. Soil capabilities and constraints will be compatible with new development design.
27. Wildlife. Measures will be taken by the county to insure zero loss of any wildlife species within the region, especially endangered or threatened species. Existing riparian habitats shall be protected.
28. Vegetation. The image of the region's arid climate and abundance of diverse indigenous plant communities will be enhanced, especially through the widespread use of xeriscaping concepts. County government will protect indigenous vegetation while executing its own recreation, road improvement, and other public works projects.
29. Low-Pollen Landscaping. Certain noxious, allergenic, pollen-producing plants shall be outlawed. Pollen counts will be lowered to those of natural desert background levels.
30. Reclamation and Restoration. The natural water recharge functions of identified desert washes and significant water courses and the value of native vegetation shall be respected. The restoration and revegetation of desert washes and disturbed construction sites will be required.
31. Energy Conservation. To reduce per capita energy consumption, Pima County will sponsor initiatives seeking to apply high-technology energy conservation measures, especially through promotion of new solar energy technologies. County government will utilize solar energy applications whenever feasible in its own projects and will promote solar energy research within the region. Large array solar collector stations will be allowed.

Open Space and Recreation

32. Open Space Retention. Lands reserved for public open space and recreation sites, linear river parks, and desert belts shall be retained and better integrated throughout the region. This will be done through the incremental implementation of an open space system acquisition program that does not unduly overtax the public's ability to pay for the acquisition of additional open space and recreation sites.
33. Recreational Opportunities. Neighborhood, district, and regional parks, special purpose recreational areas, golf courses, hiking and equestrian trails, and pedestrian and bicycle paths will be established so that the number of acres and miles of facilities will keep pace with resident and visitor demands.
34. Public Trail Access. User access to and enjoyment of trails and paths shall be promoted. Existing and planned trail access points to public land reserves will be designated. Dedications of open space components will be required to made access to the public a condition for acceptance. Access to public trails and paths will be reachable by public right-of-way.

Cultural Heritage

35. Preservation and Restoration. The County will provide economic incentives and other measures to preserve or restore historical and cultural places of major significance. The enhancement of special public places where people of different social groups may meet and enjoy cultural, art, and other aspects of public life will be encouraged through direct County programs.

36. Civic Pride. A much greater sense of pride in the civic structure, community spirit, and public leadership will be secured. All citizens will have the opportunity to be well-informed and involved so that community-wide consensus on key public policy issues may be reached. A shared vision of the future will be built on mutual trust as a replacement of disruptive single-issue conflicts.

Built Environment

37. Neighborhoods. Pima County pledges to honor adopted neighborhood plans and policies. The integrity and stability, identity and aesthetic character, security, and amenities of neighborhoods will be upheld. Preservation considerations of a neighborhood will be considered on an equal basis with overall community needs and goals.
38. Commercial and Industrial Districts. A significant number of commercial and industrial districts shall be encouraged to undergo renewal. County programs and incentives will be directed towards their renovation.
39. Special Public Places. New living, working, shopping, and recreational projects will be integrated within existing activity centers. Public cultural and social activity centers will be greatly enlivened and made more vibrant.

Housing

40. Housing Affordability. The County will do all it reasonably can do to ensure an adequate inventory of affordable residential units consistent with lifestyle expectations of residents. Rising housing costs will be checked to the maximum extent feasible through directed efforts of the County. Pima County shall provide economic incentives and ease regulations and procedures, where appropriate, to builders of affordable units.
41. Housing Conditions. The occurrence of substandard housing will be reduced, through enforcement of reasonable codes on new units and through rehabilitation of existing units.
42. Housing Availability. The County will do all it reasonably can to insure an ample mix of available housing units for groups having special needs, such as the elderly, handicapped, homeless, those requiring group and foster care, those benefitting from alternatives to institutionalization, and those displaced by government projects.

Urban Design

43. Quality of Development. The County will seek high-quality design in order to ensure new development which is respectful of the natural setting, which evokes a sense of place, which exhibits variety and diversity, which displays an appropriate scale and intensity, and which creates a positive visual identity and image.
44. Commercial Strips. Control over strip commercial development along major streets shall be rigorously implemented so that the traffic and visual nuisances of existing strip developments will be lessened.
45. Flexible Options. The use of flexible design options will be encouraged, especially for developments characterized by clustering to maximize retention of natural open space, by designing common spaces to be defensible, by incorporating privacy, and by incorporating energy efficiency into structures.

46. Site Design Standards. All site alterations, improvements, and modifications shall comply with extensive, but reasonable, site analysis and development capability requirements.
47. Non-Residential Performance Standards. Commercial and industrial uses shall comply with reasonable performance standards so as to mitigate adverse impacts on surrounding properties resulting from noise, vibration, smoke, light trespass, glare, odors, offensive gases, dust, heat, liquid wastes, hazardous materials, and inappropriate hours of operation. Suitable places shall be designated for commercial and industrial uses.

Transportation

48. Auto Work Trip Reduction. The percentage of work trips made by single-occupancy automobile will be reduced. Incentive programs will be provided to increase the percentage of work trips using public transit, using car pools and van pools, bicycles, and simply walking to work.
49. Trip Length Reduction. The average length of work, school, and shopping trips will be reduced in order to achieve regional air quality standards.
50. Public Transit Accessibility. The percentage of people throughout the region having reasonable access to public transit services will be substantially increased. Increased densities along existing and planned major travel corridors will be encouraged.
51. Traffic Congestion. Efforts will be directed at slowing the duration and severity of peak hour traffic congestion.
52. Traffic Safety. Traffic accident rates and losses per mile will be minimized through the implementation of uniform design and construction standards.

Public Services

53. Wastewater Facilities. The County will coordinate existing and programmed capacity and local public wastewater and sanitary sewer facilities with the timing of new developments.
54. Connection to Public Sewers. Virtually all new development within the delimited metropolitan urban area shall be connected to public sanitary sewers, with only restricted low-density areas meeting strict criteria on individual septic systems.
55. Solid Waste Disposal. Through the vigorous regulation of the storage and disposal of solid wastes, including hazardous wastes, the number and percentage of people at risk to environmental health hazards will be reduced.
56. Water Service Systems and Utilities. Planned long-range land uses will be brought into synchronization with the master plans of water service providers and public utilities.
57. Public Schools. The reservation of future public school sites will be coordinated between the County's long-range land use plans and those of public school districts.
58. Community and Governmental Facilities. The siting and provision of fire protection, police protection, hospital and human care services, and other community and governmental facilities will be based on reliable long-range land use plans.

Public Safety

59. Flood Control. The number and percentage of people and value of property within the defined flood hazard areas shall be significantly reduced.

60. Environmental Hazards. The number and percentage of people and value of property endangered from aircraft in the environs of airports, those endangered by unsafe construction of buildings and structures, those endangered by seismic, land subsidence, and slope failure hazards, and those endangered by environmental health hazards due to toxins, carcinogens, radiation, and unsanitary conditions shall be reduced. Pima County will defend its comprehensive plan against unreasonable intrusion by state and federal regulations inappropriate to plan concepts and policy guidelines.

END NOTES:

1. So, Frank S. et al. Practice of Local Government Planning. P. 24.
2. So, Frank S. et al. Practice of Local Government Planning. P. 33.
3. So, Frank S. et al. Practice of Local Government Planning. P. 36.
4. Pima County Comprehensive Plan. P. 1-1.
5. Pima County Zoning Code. P. 18-176.4.
6. Pima County Zoning Code. P. 18-176.2.
7. Pima County Comprehensive Plan: Adopted Plan Policies. 1996. P. 3B-5.
8. Pima County Comprehensive Plan: Adopted Plan Policies. 1996. P. 3C-4.
9. Pima County Comprehensive Plan: Adopted Plan Policies. 1996. P. 3C-5.
10. Growing Smarter Plus. A.R.S. §11-821.
11. Growing Smarter Plus. A.R.S. §11-824C.
12. Growing Smarter Plus. A.R.S. §11-824C.
13. Arizona Revised Statutes, §11-861A.
14. Arizona Revised Statutes, §11-862A.



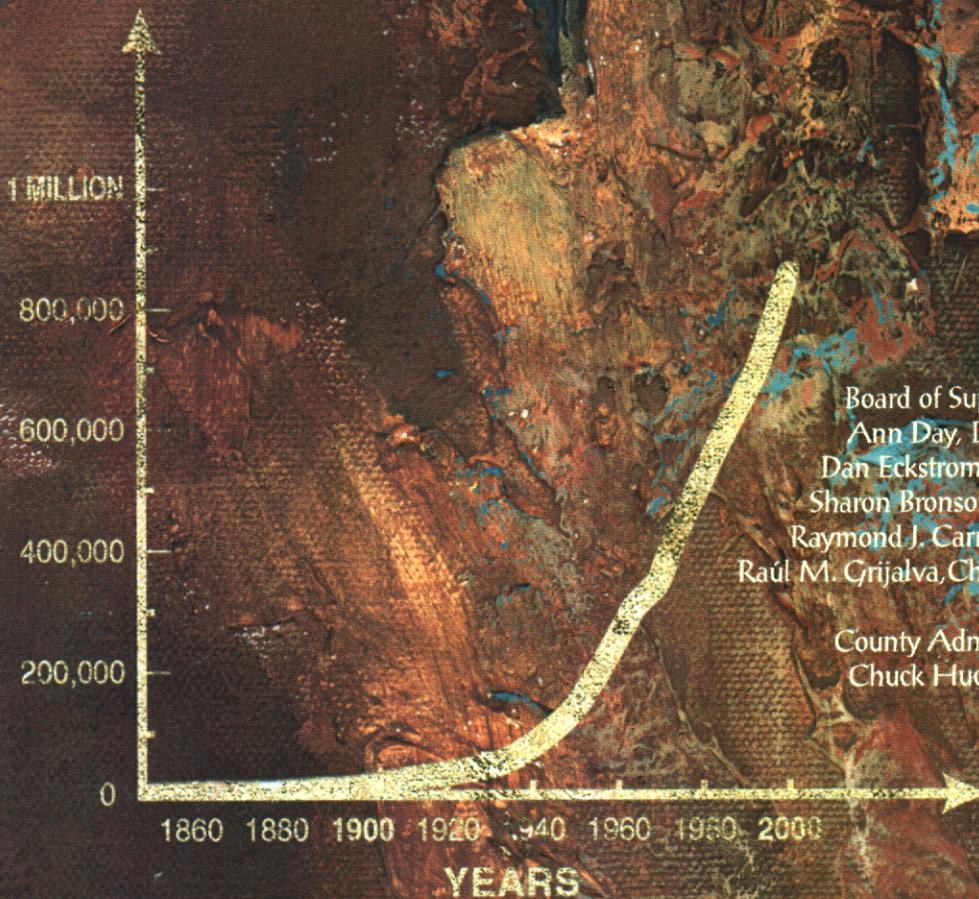
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Sonoran Desert Conservation Plan

February 2001

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Ann Day, District 1
Dan Eckstrom, District 2
Sharon Bronson, District 3
Raymond J. Carroll, District 4
Raúl M. Grijalva, Chairman, District 5

County Administrator
Chuck Huckelberry

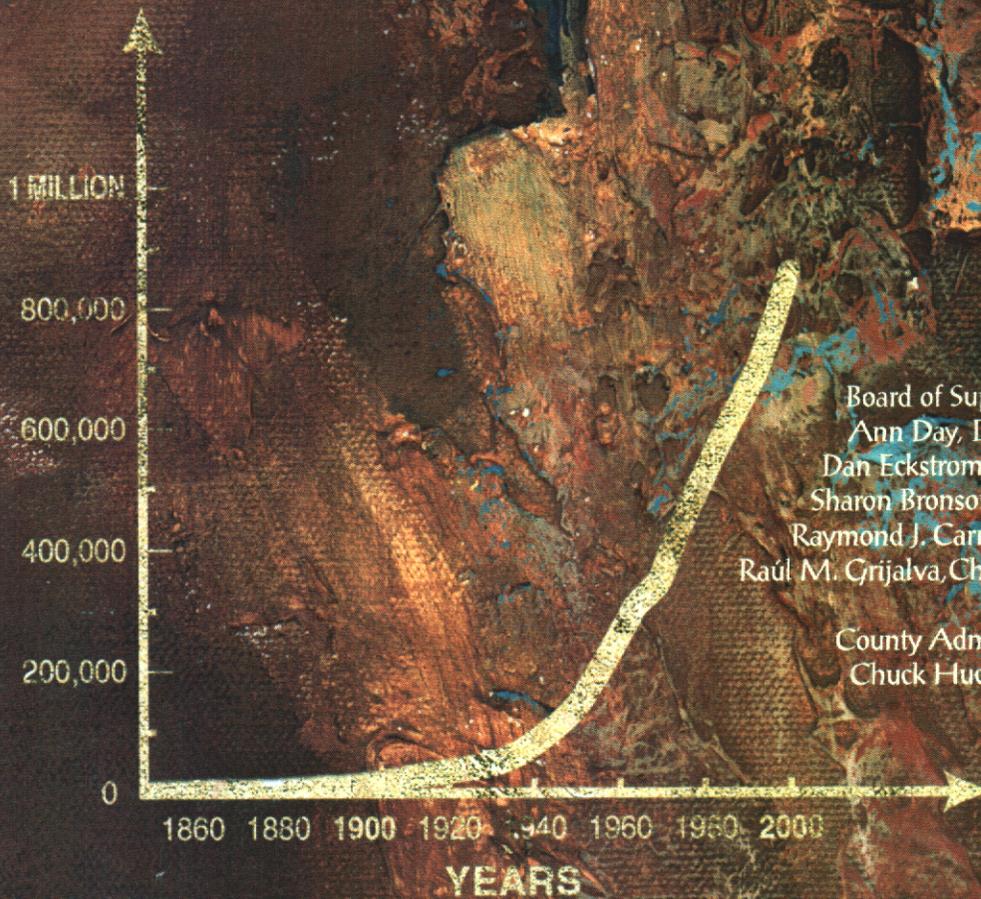
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