

REZONING

PROCESS GUIDE & APPLICATION

City of Buckeye Development Services Department 530 East Monroe Avenue

Buckeye, Arizona 85326

Phone: 623.349.6211 Fax: 623.349.6222 www.buckeyeaz.gov

APPLICATION PROCEDURES REZONING

Important Information:

- The City of Buckeye now accepts all submittals/resubmittals and payments electronically. Please follow process on the Planning and Zoning webpage. Resubmittals can be directed to the submittal contact found on the Planning & Zoning webpage.
- A property will not be rezoned unless incorporated into the City of Buckeye.
- Rezoning may not occur prior to the required thirty (30) day waiting period upon completion of an annexation.
- All zoning must be consistent with and in conformance to the City of Buckeye General Plan. A General Plan Amendment must be completed if the Development Services Department determines that the intended zoning is not consistent with the General Plan.
- The fees for Rezoning are listed on the Use Fee Worksheet found on the Planning and Zoning Website at <u>https://www.buckeyeaz.gov/business/development-services/planning-zoning</u> under the "Updated Process Guides, Applications and Documents" drop-down under the "Fee Worksheet" section.

The following information is provided to assist in the preparation and submittal of an application for the Rezoning of a property within the City of Buckeye. The request will be considered by the Planning and Zoning Commission at a public hearing, and a final decision will be made by the City Council at a public hearing.

- Pre-Application Conference ("PAC") Process Prior to filing an application for a Rezone, the applicant must complete the PAC review process. Forms to apply for a PAC review are available through the Development Services Department or on the City's website (www.buckeyeaz.gov).
- Application Filing For an application to be accepted, the applicant must provide all of the required information described on the submittal checklist at the time of formal submittal. It shall be the responsibility of the applicant to ensure the accuracy and completeness of the request. Applications received after 4:00 p.m. will be processed the next business day. Incomplete applications will NOT be accepted.

3. *Staff Review* – Once a complete application is received and processed, the submitted information will be assigned to a Planner and routed to appropriate City staff and agencies for review/comment. After this review, the assigned Planner collects and consolidates the comments, which are then returned to the applicant. Any technical questions should be addressed with the assigned Planner who will facilitate any needed communications or meetings with the appropriate city departments.

The applicant is then responsible for addressing the comments and submitting revised plans. Upon resubmittal, the staff review process will begin again albeit at an expedited pace. In some cases, it is necessary to have several resubmittals before moving the request forward in the process.

4. Public Notification – Upon the scheduling of any public hearing and no later than fifteen (15) days prior to its occurrence, it is the responsibility of the applicant to notify all property owners within three hundred (300) feet of the subject property. Notification shall be in the form of a letter delivered via First Class U.S. Mail, a sign(s) posted adjacent to all public rights-of-way, and publication within a widely circulated newspaper throughout the City (i.e. The Arizona Republic). All notifications should contain, at minimum, the following information; description of the Site Plan request, owner/applicant contact information, and public hearing time/date/location. Upon completion of the above-mentioned notification shall be submitted to the assigned Planner not less than ten (10) days prior to the public hearing. Failure to submit the requested information will result in the postponement of the public hearing item.

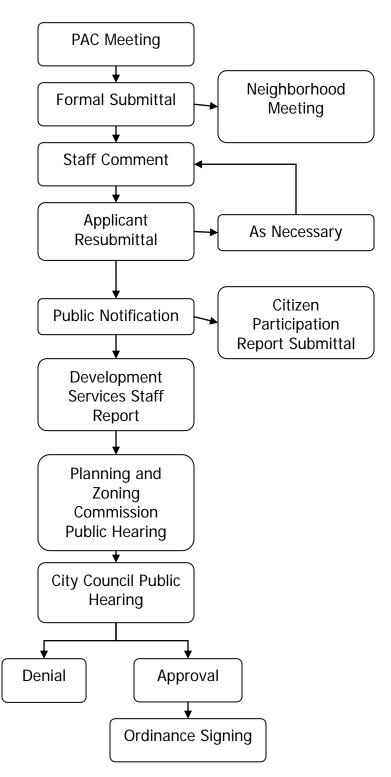
The Director may expand the notification area set forth in this section if it is determined that the potential impact of the project extends beyond the required notification boundary.

- 5. *Citizen Participation Report Submittal* The Citizen Participation Report ("CPR") must be submitted to the assigned Planner prior to the first public hearing. This report to give results of the applicant's citizen participation effort which includes a neighborhood meeting. Failure to submit the CPR will result in the continuance of the project to the next available public hearing date. The CPR is a written report outlining the results of the citizen participation effort. The minimum requirements of the CPR can be found in Section 8.2.3.1 of the Development Code.
- 6. *Staff Reports* Once all staff comments have been addressed and a hearing has been scheduled, the assigned Planner will prepare a report describing and evaluating the proposed project and making a recommendation for action to the

Planning and Zoning Commission. Copies of the staff report will be made available to the public and sent to the applicant prior to each hearing.

- 7. Planning and Zoning Commission Public Hearing Regular Planning and Zoning Commission hearings occur on the second (2nd) and fourth (4th) Tuesday of each Regular meetings are held at the City Council Chambers, month at 6:00 p.m. located at 530 E Monroe Avenue. The applicant, owner, or appointed representative must be present at the hearing. The Planning and Zoning Commission, taking into consideration staff presentation, owner/ applicant/project representative presentation, and public testimony, will recommend approval, approval with modifications and/or stipulations, or denial of the request to the City Council. The public also has the option to email comments to planningandzoning@buckeyeaz.gov or complete a comment form to comment by phone on the Planning and Zoning Agendas, Motions and Minutes webpage. The meeting will also be streamed on the City's YouTube channel for remote viewing.
- 8. *City Council Public Hearing* Regular City Council hearings occur on the first (1st) and third (3rd) Tuesday of each month at 6:00 p.m. Regular meetings are held at the City Council Chambers, located at 530 E Monroe Avenue. The applicant, owner, or appointed representative must be present at the hearing. The City Council, taking into consideration staff presentation, owner/applicant/project representative presentation, and public testimony, will approve, approve with modifications and/or stipulations, continue, or deny the request. The public has the option to complete a public comment form for comment by email or phone on the City Council Meetings, Agenda & Minutes web page and/or can listen in to meetings live streamed on the City of Buckeye's YouTube channel.
- 9. *Inactive Cases* All applications need to be actively pursued to a decision. If the City has completed any and all appropriate reviews and no activity has occurred for the continued processing of the application on behalf of the applicant for at least for one hundred eighty (180) days, the application will be considered inactive, deemed to be withdrawn, and the file will be closed. Thirty (30) days prior to the inactive date, staff will notify the applicant in writing of the impending action. The applicant may submit a written request for the application to remain active along with an explanation for the inactivity. The Director may grant an extension for up to one hundred eighty (180) days for good cause if there is reasonable belief that the application will be actively pursued during the extension period.

Rezoning Process



SUBMITTAL CONTENT REQUIREMENTS (PDF FORMAT)

- 1. **Application** (8.5" x 11" PDF, completed and signed) Completed and signed application containing all information relative to a site plan. If the applicant is not the property owner, the applicant must provide authorization from the property owner that the application is being filed with their permission.
- 2. **Project Narrative** (8.5" x 11" PDF) Addressing, at minimum, the following:
 - Current site conditions;
 - Current general Plan designation;
 - Current zoning;
 - Vicinity information;
 - Description of the request;
 - Source of water;
 - Wastewater management;
 - Roadway circulation;
 - Fire protection;
 - Police protection;
 - Impact to local schools;
 - Proposed percentage/acreage of parks and open space;
 - Proposed trails;
 - Proposed development standards; and
 - Phasing.

Include the following maps and exhibits where necessary and appropriate.

- Vicinity map;
- Legal Description;
- Current General Plan designation;
- Proposed General Plan designation;
- Current zoning designation;
- Area Plan illustrating proposed density/intensity range;
- Scale, north arrow, and dimensions;
- Adjacent General Plan designations on adjoining lots within three hundred (300) feet;
- Land uses within three hundred (300) feet; and
- Project data table:
 - o Gross and net acreage;
 - Parcel number(s); and
 - o Subject property address.
- 3. **Rezoning Exhibit** (PDF Format) This exhibit can be included an exhibit within the project narrative.

- **4. PAC Meeting Comments** (8.5" x 11" combined into one (1) PDF)
- 5. **Citizen Participation Plan** (PDF Format) See Section 8.2.3.H of the 2010 Development Code.
- 6. **Supporting Engineering Documents** (PDF Format): Conceptual Grading and Drainage Plan, Conceptual Drainage Report, Traffic Impact Analysis, Environmental Study (Phase 1 environmental study. Additional studies may be requested subject to the results of the Phase 1 study), Water letter, Wastewater letter and conceptual Street Naming Plans, Water Plans, Sewer Plans, Paving Plans as requested by the City at PAC.
- 7. **Additional Material** The Development Services Department may request additional submittal items.

Note:

 If the development will increase the projected number of students for a school district/s within the boundaries of the development, then a Certification of Adequate School Facilities will be required per Section 8.15 of the Development Code.

Rezoning 1st Submittal Checklist (PDF Format)

(Please provide original list with formal submittal)

REQUIRED MATERIALS (IN PDF FORMAT)	Applicant Checklist	Staff Verification
Application (8.5" x 11" PDF, completed and signed)		
Fee Worksheet (8.5" x 11" PDF, completed and signed)		
Project Narrative (8.5" x 11" PDF)		
Rezoning Exhibit (PDF Format)		
PAC Meeting Comments (8.5" x 11" combined into one (1) PDF document)		
Supporting Engineering Documents (PDF Format)		
 Conceptual Grading & Drainage Plan (24" x 36" combined and flattened PDF) 		
Conceptual Drainage Report		
Traffic Impact Analysis		
Environmental Study (Phase 1)		
Water Letter		
Wastewater Letter		
 Conceptual Street Naming Plan (24" x 36" combined and flattened PDF) 		
 Conceptual Water Plans (24" x 36" combined and flattened PDF) 		
 Conceptual Sewer Plans (24" x 36" combined and flattened PDF) 		
 Conceptual Paving Plans (24" x 36" combined and flattened PDF) 		
Citizen Participation Plan		
Additional Materials (if requested at PAC)		

All plan sets shall be 24" x 36" combined into one (1) flattened PDF document.



City of Buckeye Planning and Zoning Project Application

DO NOT WRITE IN THIS AREA-OFFICIAL USE ONLY			
Date:	Planner:	Case No:	
PROPERTY INFOR	RMATION:		
Project Name:		Associated Cases:	
Project Address/Loc	ation:		
Current Zoning Dist	rict:Parcel Number(s):	Quarter Section:	
Request:			
CASE TYPE:			
□ Rezoning	Other:		
IMPORTANT NOTE ABOUT PROJECT CONTACT(S):The property owner shall designate an agent as the coordinator for the project. This person (the applicant) shall attend pre- application conferences and public hearings, will receive the agenda, recommendations, and case reports, and will communicate all case information to other parties as required. All contact for this project will be made through the applicant listed below.			
APPLICANT/OWN	IER AUTHORIZED AGENT INFORMATION:	SECONDARY APPLICANT CONTACT INFORMATION:	
Name:		Name:	
		Company:	
		E-mail:	
	Home Phone:	Business Phone: Home Phone:	
	Other Phone:	Mobile Phone: Other Phone:	
Fax: Address: City:		Fax: Address: City:	
	Address Type: Physical Mailing	State: Zip: Address Type:	
-	□ Email □ Business Phone □ Home Phone	Contact Preference:	
contact i reference.	□ Mobile Phone □ Other Phone □ Address	□ Mobile Phone □ Other Phone □ Address	
		DEVELOPER CONTACT INFORMATION: Name:	
		Company:	
		E-mail:	
		Business Phone: Home Phone:	
Mobile Phone: Other Phone:		Mobile Phone: Other Phone:	
Fax:		Fax:	
		Address: City:	
State: Zip: Address Type: Physical Mailing		State: Zip: Address Type: Physical Mailing	
Contact Preference: □ Email □ Business Phone □ Home Phone C		Contact Preference: Email Business Phone Home Phone	
	□ Mobile Phone □ Other Phone □ Address	□ Mobile Phone □ Other Phone □ Address	
ARCHITECT CONTACT INFORMATION:		ENGINEER CONTACT INFORMATION:	
Name:		Name:	
Company:		Company:	
		E-mail:	
Business Phone: Home Phone:		Business Phone: Home Phone:	
		Mobile Phone: Other Phone:	
Fax:		Fax:	
	City:	Address:City:	
	Address Type: Physical Mailing	State:Zip:Address Type: Physical Mailing Contact Professory: Final: Pusiness Phone Home Phone	
		Contact Preference: Email Business Phone Home Phone Mobile Phone Other Phone Address	
□ Mobile Phone □ Other Phone □ Address			

To file this application on matters relate	auth ad to this request with the City	orize (owner's Agent) of Buckeye. By signing this form as the prope Buckeye as part of any approval of this request	
Owner Signature	Date		
PROPOSITION 207 WAIVER The property owner acknowledges that the approval being sought by this application may cause a reduction in the existing rights to use, divide, sell or possess the private property that is the subject of this application. The property owner further acknowledges that it is the property owner who has requested the action sought by the filing of this application. Therefore, pursuant to A.R.S.§12-1132 through 1138, the property owner does hereby waive any and all claims for diminution in value of the property with regard to any action taken by City of Buckeye as result of the filing of this application.			
Owner Signature	Date	Applicant Signature	Date
530 East Monroe	1	Services Department 326 Phone 623.349.6211 Fax 6	523.349.6222



City of Buckeye Planning and Zoning Project Application

DO NOT WRITE IN THIS AREA-OFFICIAL USE ONLY			
Date: Planner:	Case No:		
Project Location:			
Proposed Property Details: □ Single-Family Residential □ Other:	Commercial Industrial		
Current Zoning:	Setbacks:		
Proposed Zoning:	Front		
Number of	Rear		
Buildings:	SideSide		
Parcel Size:	Historical Site: Yes No		
Gross Floor Area/Total	Lot Coverage (%)		
Units: Floor Area	Landscaping (%)		
Ratio/Density:	Open Space (%)		
Parking Required:			
Parking Provided:			
Existing Condition:			
General Plan			
Designation:			
Description of Request:			
	vices Department		
530 East Monroe Ave, Buckeye AZ 85326	Phone 623.349.6211 Fax 623.349.6222		



City of Buckeye Planning and Zoning Project Application

Project Address/Location: Proposed Use:				Date: Zoning District:	
TO BE COMPLETE	D BY APPLICANT				
COMMERCIAL	RESIDENTIAL	CALCULAT	TIONS	ТО ВЕ СОМР	LETED BY CITY
		Net Lot A	Area		
		Gross Lot	Area		
		Gross Floor Are	ea Allowed		
		Gross Floor Are	a Provided		
		Building Volum	ne Allowed		
		Building Volum	e Provided		
		Number of Un	its or Lots		
		Density Al	lowed		
		Density Pro	ovided		
		Minimum Lot Size Allowed			
		Minimum Lot Siz	ze Provided		
		Building Heigh	nt Allowed		
		Building Height Provided			
		Net Floor	Area		
		Parking Spaces Required			
		Parking Provided On-Site			
		Parking Provided Off-Site			
		Total Parking	Provided		
		Open Space I	Required		
		Open Space	Provided		
		Front Open Space			
		Front Open Spa	ce Provided		
		Parking Lot Landsca	aping Required		
		Parking Lot Landscaping Provided			
ET BACKS AND PARK	ING REQUIREMENTS:				
REQUIRED	PROVIDED	CALCULATIONS	N, S, E, W	REQUIRED	PROVIDED
		Front			
		Rear			
		Left Side			
		Right Side			
		Parking			

PUBLIC HEARING NOTIFICATION REQUIREMENTS

The City of Buckeye Development Code requires that a public hearing notice be published and mailed to adjacent property owners prior to a public hearing.

Prior to the public hearing the applicant shall be responsible for completing a minimum 15 day notification of the public hearing including:

- 1. A public hearing notice to be published in a newspaper of general circulation within the City of Buckeye;
- 2. A public hearing notice to be sent to all property owners within 300 feet of all property lines of the subject property; and
- 3. A public hearing notice to be posted on the property.
- The applicant shall secure a public hearing date from the Development Services Department and shall complete the notice of public hearing by filling in the blanks of a standard Development Services Department form and delivering the public hearing notice to the newspaper within their time frame so that the public hearing notice is published at least 15 days prior to the public hearing date.
- Proof of publication shall be supplied by the applicant to the Development Services Department prior to the public hearing date.
- The applicant shall secure the names and addresses of all property owners within 300 feet of all property lines of the subject application property either through a title company or the Maricopa County Assessor's web site and shall send the public hearing notice to each said owner no less than 15 days prior to the public hearing date.
- The applicant shall provide a notarized Affidavit of the mailing list and said mailing to the Development Services Department prior to the public hearing date.
- The applicant shall post the property per the City of Buckeye Development Services Site Posting Requirements.
- The applicant shall submit a notarized Affidavit of Posting and photographs of the posting (see next page) to the Development Services Department prior to or on the fifteenth day prior to the public hearing date. Failure to provide such documentation in a timely manner will result in continuance of the case to the next available public hearing date.
- The signs must be maintained and updated with amended information until after the final public hearing.
- The signs must be removed and disposed of within 10 days after the final public hearing.
- You may use a sign vendor of your choice

Public Hearing Notice Sign Specifications

- The sign shall be a minimum of 3 ft. x 3 ft. in size.
- The sign shall be constructed of laminated coroplast, laminated plywood, or other suitable construction material.
- The sign shall have a white background with black lettering. The least expensive process is laminated direct printing.
- The minimum lettering size shall be 1/2 inch for lowercase and 1 inch for upper case.
- The words "Public Hearing" shall be a minimum of 2 inches in size. (Sign lettering should be formatted to match the example below).
- The content of the sign shall match the example below and include specific case details.
- The sign shall be securely fastened to wooden or metal stakes.
- The applicant is responsible for maintaining the integrity and accuracy of the sign.
- The height of the sign shall be at least 4 ft from finished grade to top of sign and shall not be obstructed from view.



Format for Publication

City of Buckeye

NOTICE IS HEREBY GIVEN that the City of Buckeye Planning and Zoning Commission will hold a public hearing on (day of week), (month) (date), 20____ to be held at the City Council Chambers, located at 530 E Monroe Avenue at 6:00 p.m., for the purpose of hearing all persons for or against the following request:

Case No. _____ (insert case number): Request by (name of applicant) for the approval of a (name of application type and general description) located at (general location of subject property by street location and brief township/range/ section legal description).

For additional information, please contact the Development Services Department at (623) 349-6211

Affidavit of Sign Posting

Case Number:	
Project Name:	
Applicant Name:	
Location:	

In order to assist in providing adequate notice to interested parties and to meet Arizona State Statue, the **applicant** for public hearings in the City of Buckeye shall post signs as prescribed by the "City of Buckeye Site Posting Requirements." It shall be the responsibility of the applicant to erect and to maintain the sign on the subject property and to update the hearing information on the sign until the final disposition of the case. It shall also be the responsibility of the applicant to remove the sign within ten (10) days after the final disposition of the case.

I confirm that the site has been posted as detailed by the City of Buckeye Site Posting Requirements for the case above and the site was posted at least fifteen (15) days prior to the public hearing.

See attached date stamped photo exhibit of posted signs.

Applicant's / Representative's signature: _____

SUBSCRIBED AND SWORN before me this _____ day of _____, 20____, by:

Notary Public

My Commission Expires:

Affidavit of Mailing Notice

Case Number:	
Project Name:	
Applicant Name:	
Location:	

In order to assist in providing adequate notice to interested parties and to meet Arizona State Statue, the applicant for public hearings in the City of Buckeye shall secure the names and addresses of all property owners within _____ feet of all property lines of the subject application property either through a title company or the Maricopa County Assessor's web site and shall send the public hearing notice to each said owner no less than fifteen (15) days prior to the public hearing date.

I confirm that I secured the names and addresses of all property owners within ______ feet of all property lines of the subject application property either through a title company or the Maricopa County Assessor's web site and did send the public hearing notice to each said owner no less than fifteen (15) days prior to the public hearing

See attached copies of all sent letters and address lists.

Applicant's / Representative's signature: _____

SUBSCRIBED AND SWORN before me this _____ day of _____, 20____, by:

Notary Public

My Commission Expires:



CERTIFICATE OF ADEQUATE SCHOOL FACILITIES

An application for	has been submitted to the City of
	view. This application will increase the projected number of
	daries of the development. The school district/s applicable to
this development are:	
Case No:	Planner:
Request:	A creage/Parcel Size:
Current Density Allowed:	Acreage/Parcel Size: Density Proposed:
Total number of residential units proposed:	
As an authorized representative of the District, pl	lease complete the questionnaire below.
Does the District have adequate school facilit accommodate the projected number of studen	ies existing, or planned to be constructed in time, to ts from the proposed development?
Yes D No D	
If answered no to the previous question, pleas students generated by the proposed developme	se summarize the needs of the district as they relate to serving the ent.
Is a school site within the proposed developm If answered yes, how many acres is needed fo	
Is the district currently working with the deve an agreement? Yes D No D	loper to provide or help meet the needs identified above through
If answered yes, please explain below:	
If additional writing spa	ice is needed, please attach pages to this form
Date Reviewed:	
School District:	
District Superintendent:	
Phone #:	
E-mail:	
Signature:	

Per Section 8.15 of the City of Buckeye Development Code, prior to or within 15 days of application, the applicant must provide a request letter to the superintendents of all applicable school districts to discuss the school district's required certification. This form can be utilized to assist with this requirement.