



CITY OF BISBEE REZONING APPLICATION

Submit to: Bisbee Community Development
76 Erie Street, P.O. Box 4601 Bisbee, Arizona 85603

1. Applicant's Name: _____

2. Mailing Address: _____
Street or PO Box City State Zip Code

3. Street Address of Proposed Parcel for Rezoning: _____

4. Fee of \$400. How paid (check, cash, credit card)?

5. Telephone Number of Applicant: _____

6. Telephone Number of Contact Person if Different: _____

7. Email Address:

8. Assessor's Tax Parcel Number: (Can be obtained from hour County property tax statement)

9. Applicant is (check one):

Sole owner: _____

- Joint Owner: _____
- Designated Agent of Owner: _____
- If not one of the above, explain interest in rezoning: _____

If applicant is **not** sole owner, attach a list of all owners of property proposed for rezoning by parcel number. Include all real parties in interest, such as beneficiaries of trusts, and specify if owner is an individual, a partnership, or a corporation:

- List attached (if applicable): _____
- If corporation, corporate resolution designating applicant to act as agent: _____
- If partnership, written authorization from partner: _____
- If designated agent, attach a **notarized** letter from the property owner(s) authorizing representation as agent for this application.

10. Attach a proof of ownership for all property proposed for rezoning. Check proof of ownership:

- Copy of deed of ownership: _____
- Copy of title report: _____
- Copy of tax notice: _____
- Other, list: _____

11. Will approval of the rezoning result in more than one zoning district on any tax parcel?

- Yes _____ No _____

If property is a new split, or the rezoning request results in more than one zoning district on any tax parcel then a copy of a survey and associated legal description stamped by a surveyor or engineer licensed by the State of Arizona must be attached.

Is more than one parcel contained within the area to be rezoned? Yes _____ No _____

- If yes and more than one property owner is involved, have all property owners sign the attached consent signature form.

Indicate existing Zoning District for Property: _____

Indicate proposed Zoning District for Property: _____

Note: A copy of the criteria used to determine if there is a presumption in favor of or against this rezoning is attached. Review these criteria and supply all information that applies to your rezoning. Feel free to call the Community Development Department with questions regarding what information is applicable.

12. Describe all structures already existing on the property:

13. List all proposed uses and structures which would be established if the zoning change is approved. Be complete. Please attach a site plan:

14. Are there any deed restrictions or private covenants in effect for this property?

- No _____ Yes _____
- If yes, is the proposed zoning district compatible with all applicable deed restrictions/private covenants? Yes _____ No _____ Provide a copy of the applicable restrictions (these can be obtained from the Recorder's office using the recordation Docket number)

15. Which streets or easements will be used for traffic entering and exiting the property?



16. Identify how the following services will be provided:

Service	Utility Company/Service Provider	Provisions to be made
Water		
Sewer/Septic		
Electricity		
Natural Gas		
Telephone		
Fire Protection		

17. This section provides an opportunity for you to explain the reasons why you consider the rezoning to be appropriate at this location. The attached copy of the criteria used to determine if there is a presumption in favor of or against this rezoning is attached for your reference (attach additional pages as needed).

AFFIDAVIT

I, the undersigned, do hereby file with the Bisbee Planning Commission this petition for rezoning. I certify that, to the best of my knowledge, all the information submitted herein and in the attachments is correct. I hereby authorize the Bisbee Community Development staff to enter the property herein described for the purpose of conducting a field visit.

Applicant's Signature: _____

Date: _____

Rezoning Application Evaluation Criteria

An analysis of how the Project addresses these evaluation factors is necessary for the staff report to the Commission and Council. The Rezoning application must provide sufficient information for staff to make this analysis.

Rezoning Evaluation Factors:

1. **Application.** The Application Concept/Site Plan must provide sufficient information to determine that the proposed size and layout would comply with the applicable uses and standards for the types and intensity of uses permitted in the requested zoning district.
2. **Compliance with Site Development Standards.** Each parcel must meet the site development standards of the proposed zoning district including minimum lot size, setbacks, lot coverage, driveway width, parking and ADA-access requirements. The rezoning Concept/Site Plan should show how these standards would be met.
3. **Adjacent Districts Remain Capable of Development.** Adjacent parcels should be able to meet minimum lot size and development standards of the remaining zoning district.
4. **Limitation on Creation of Nonconforming Uses.** The subject property should contain no structures or uses that would not be permitted or would not meet development standards of the new district.
5. **Compatibility With Existing Development.** The proposed rezoning district should be compatible with existing development in the vicinity.
6. **Rezonings To More Intense Districts.** The proposed new district should:
 - Be buffered by an intermediate district of sufficient size to provide a reasonable transition of intensity from the existing area;
 - Be a reasonable extension of a similar density district within the area; and
 - Provide a transition between an existing less intense district and a more intensive district or an arterial street; or
 - Provide adequate protection to the adjacent less intense development in the form of enhanced screening, landscaping, setbacks, large lot size, building orientation or other design measures.
7. **Adequate Services and Infrastructure.** The following factors are used to determine if there are adequate services and infrastructure to serve an intensification of zoning:
 - (a) For a rezoning to a more intensive district, the applicant has provided adequate information to evaluate the impacts of the rezoning on roads, other infrastructure, and public facilities. The applicant must demonstrate that there are adequate provisions to address the impacts identified.
 - (b) If the site accesses on a road where existing demonstrable traffic problems created by incremental development have already been identified, such as a high number of accidents, substandard road design or surface, or the road is near or over capacity, the applicant has proposed a method to address these problems.
 - (c) The proposed development meets or will meet the applicable requirements for street, sewer, or water improvements.
 - (d) The site has access to streets that are adequately designed and constructed to handle the volume and nature of traffic typically generated by the use.
8. **Traffic Circulation Criteria.**
 - (a) Any rezoning shall be consistent with preservation of the functions of surrounding streets.
 - (b) If the rezoning is to C, CM or M, the development shall not result in the use of any residential street for through traffic to and from the proposed district.

9. **Development Along Major Streets.** The rezoning size [the size of the land area to be rezoned] limits the number of access points on major thoroughfares or arterial streets, and collectors through the use of frontage roads, shared access, no access easements or other safe methods designed to minimize road cuts that create unsafe traffic conflicts, hazardous traffic congestion and obstruct the functioning of arterials.
10. **Infill.** This factor is designed to encourage infill in areas where commercial and industrial development already exists, thereby discouraging sprawl and locating new non-residential developments where adequate infrastructure may already exist and where they are most likely to be compatible with existing uses.
11. **Unique Topographic Features.** A rezoning to a more intensive zoning district shall not take place if there are areas of unstable soils, steep slopes, severe washes, floodplains, etc. which are not appropriate for intense development. Rezonings encompassing such areas will be discouraged unless the developer carefully plans development around these areas, such that they are appropriately protected.
12. **Water Conservation.** Uses proposed with the rezoning shall show compliance with the water conservation regulations of Article 12 in the City Zoning Code.
13. **Public Input.** If there is a major public opposition to a proposed rezoning, this may indicate that the technical evaluation regarding compatibility of the proposed district does not concur with the view of local residents and a recommendation of denial may be appropriate. If public concerns have been raised, it is fair to ask if the applicant has made a reasonable effort to address these concerns.
14. **Hazardous Materials.** Adequate data has been submitted to determine that impacts from uses that may involve hazardous or dangerous materials are adequately mitigated.
15. **Compliance with General Plan or other Applicable Area Plans.** The rezoning conforms to land use designations and policies set forth in the City's General Plan or any other adopted area or master plan.