



Planning & Zoning



Planning Department

Phoenix City Hall
200 W. Washington St., 6th floor
Phoenix, AZ 85003
General Information: 602-262-7131
phoenix.gov/PLANNING/index.html

Planning Commission

The Planning Commission consists of nine volunteers appointed by the Mayor to prepare, review and recommend various planning documents and zoning ordinance text amendments to the City Council, as well as review and make recommendations on zoning applications.

- For a list of current members, call 602-262-7406 or go to phoenix.gov/PLANZONE/plancomm.html
- For a meeting schedule, call 602-262-7406 or visit the sixth floor in City Hall
- For copies of agendas – available after 2 p.m. on Mondays – call 602-262-7406, visit the 15th floor in City Hall or go to phoenix.gov/CITYGOV/meetidx.html

Village Planning Committees *(see also pages 56-57)*

Appointed by the Mayor and City Council, 14 advisory volunteer committees make recommendations on planning and zoning matters to the Planning Commission and City Council. For information, call 602-262-7131.

Processes

General Plan and General Plan Amendments

The basic plan, amended on an annual cycle, consists of various elements relating to land use within the city. For a copy of the Phoenix General Plan or information about amending the plan, call 602-262-7131 or visit the sixth floor in City Hall.

Special Planning District

Special Planning Districts were established to provide a means for property owners to initiate and implement programs for the conservation or revitalization of neighborhoods. For information, call 602-262-7131 or visit the second floor in City Hall.

Special Planning District Plan

A separate and specific Special District Plan exists for each Special Planning District. This is the precise plan and set of regulations for the operation of a special planning district. For information on establishing these plans, call 602-262-7131 or visit the second floor of City Hall. Copies of Special Planning District plans that already are in effect can be obtained on the sixth floor of City Hall or by calling 602-262-7131.

Specific Plan

The Specific Plan provides the greater level of detail needed to implement a sub-area of the General Plan, such as a village core, along a transportation corridor, a large vacant area, a conservation or redevelopment area or any other area in which the need for special study and planning exists. For information on establishing these plans or to obtain copies of existing Specific Plans, call 602-262-7131 or visit the sixth floor of City Hall.

Freeway Mitigation

A freeway mitigation program was established in 1988 to deal with the issue of compatibility of freeways with adjoining neighborhoods. Freeway mitigation was created by voter approval to prepare plans and fund projects that could mitigate blighting effects caused by freeways; recognizing that the physical presence of freeways makes them part of the neighborhood environment, impacting neighborhood identity, increasing isolation and reducing privacy. For information, call 602-262-7131.

Zoning Board of Adjustment

The board is a seven-member volunteer body appointed by the City Council to hear appeals of decisions and interpretations by the Zoning Administrator on use permits and variances. For information or copies of agendas, call 602-262-7131 visit the second floor of City Hall or go to: phoenix.gov/CITYGOV/pubmeet.html

Appeals of a Board of Adjustment decision may be made to Superior Court within 30 days from the date of the decision.

Design Review Appeals Board

The seven-member volunteer board hears specific items appealed by the development review applicant contesting design review decisions made by the Development Services Department. For information, call 602-256-4240.

Design Review Standards Committee

The nine-member volunteer committee oversees the design review process, develops design standards and policies, and makes recommendations to the City Council about the adoption of appropriate policy manuals and amendments to development standards. For information, call 602-262-7131.

Development Services Department

Development Services handles site plan and design review processes on projects, ensuring compliance of rezoning stipulations. Development Services also issues building permits. For information, call 602-262-7811.

Planning Hearing Officer

The planning hearing officer is a city staff member who hears requests for amendments to stipulated site plan and development standards, as well as reviews specific permits for compliance. For information, call 602-262-7131.

Zoning Administrator

The zoning administrator is a staff member who conducts use permit and variance hearings. For hearing schedules, agendas and information, call 602-262-7131.

Zoning Hearing Officer

Some rezoning cases are heard directly by the Planning Commission at staffs' discretion. Otherwise, the zoning hearing officer is a staff member who may hear a rezoning case after it has been heard by a village planning committee.

Hearings with the zoning hearing officer take place at 6:30 p.m. every two weeks. For information, hearing schedules and agendas, call 602-262-7131 or visit the second floor of City Hall. Appeals of the zoning hearing officer decisions are heard by the Planning Commission.

Zoning Processes

Information on Districts, Overlay District, Nonconforming Uses, Rezoning, Appeals, Special Permit Process and Stipulations may be obtained on the sixth floor in City Hall or by calling 602-262-7131.

Districts

Land uses within Phoenix are zoned by districts that specify various permitted uses. The most common district classifications are residential, commercial and industrial.

Overlay District

An overlay district is created to enhance the viability and use of a particular area. Regulations governing the use of land and structures are set forth in the underlying zoning districts, except as modified by the specific regulations of the overlay, such as with the Warehouse and Historic Overlay districts.

Nonconforming Uses

These are legal uses that are no longer in conformity with the provisions of the Zoning Ordinance, either because of changes made to the ordinance or because the area/sites on which the use/uses are established were brought under the terms of the ordinance by annexation. Nonconforming residential uses can be expanded under certain conditions.

Rezoning

The process by which land within the city is rezoned from one district to another.

Appeals

The decisions of the zoning hearing officer and the Planning Commission in rezoning cases can be appealed. In both cases, the appeals must be filed within seven days of the decision. If these decisions are not appealed, the decisions of the zoning hearing officer and Planning Commission can be ratified by either the Planning Commission or the City Council, whichever is appropriate, without further hearing testimony. Forms for filing an appeal may be obtained on the second floor of City Hall.

Special Permit Process

A process to allow the location of certain uses on a site while maintaining adequate protection to the surrounding area. The regulations governing the uses of land and structures are as set forth in the underlying zoning district except as modified by the regulations of the special permit. The special permit process goes through the same steps as a rezoning case.

Stipulations

Stipulations are special conditions attached to rezoning, special permits and use permits to help establish limits and requirements of acceptability. Stipulations can be removed after they have been imposed through a public hearing process in front of a planning hearing officer. The officer's decision can be appealed to the Planning Commission or City Council, whichever is appropriate.

Zoning Adjustment Use Permit Process

The Use Permit Process is a quasi-judicial process involving a hearing before a zoning administrator to issue a permit to allow a use that is permitted by the Zoning Ordinance, provided that the use will not cause an adverse impact on adjacent property or properties in the area.

Appeals

An appeal of a zoning administrator's decision on a use permit hearing must be made to the Board of Adjustment within 15 days after the decision has been rendered.

Variance Process

This is a quasi-judicial process involving a hearing before a zoning administrator to allow a deviation from development standards as required by the Zoning Ordinance. Four conditions must exist on a property in order for the zoning administrator to grant a variance.

Appeals

The appeal process is the same in a variance hearing as it is for an appeal from a use permit hearing.

Zoning Ordinance

This ordinance contains the regulations that govern planning and zoning in the city of Phoenix. A copy may be obtained on the second floor of City Hall for \$15.

Interpretation Request

A process by which an applicant can request the zoning administrator for an interpretation of a provision in the Zoning Ordinance. Forms for filing an interpretation request may be obtained on the sixth floor of City Hall.

Text Amendments

A process through which the provisions of the Zoning Ordinance may be amended, supplemented, changed, modified or repealed.

Frequently Asked Questions on Planning and Zoning Issues

- Q.** My property/subdivision has deed restrictions/covenants, conditions and restrictions that preclude office or other commercial uses. How can the city accept a rezoning application that would go against these?
- A.** The city is not a party to these restrictions and therefore, it does not recognize them. If you want your restrictions enforced against a potential developer/property owner you and/or your subdivision must initiate a private party suit.
- Q.** Why doesn't the village planning committees review use permits and variances?
- A.** These are quasi-judicial procedures that do not go through the political process. They are not reviewed by village planning committees, the Planning Commission or the City Council.
- Q.** Do I have to pay a fee to appeal a rezoning decision?
- A.** If you are a member of a neighborhood association or Block Watch listed with the city's Neighborhood Services Department and not the applicant, you do not have to pay a fee to appeal a rezoning decision from either the zoning hearing officer or the Planning Commission. When filing an appeal to the Board of Adjustment in the case of a use permit or variance decision, there is a fee involved (currently \$300 for residential use or \$840 for a nonresidential use), but you can petition the Planning Department for a fee waiver. This should be done when filing the appeal and making payment. Send a copy of your petition to your City Council member. The fee for an interpretation request is \$300. You can petition the Planning Department for a fee waiver just as in the case of a use permit or variance appeal. For a schedule of fees, call 602-262-7131.

Q. When should our neighborhood lobby against rezoning cases, use permits and variances?

A1. Rezoning Cases

Make your position on a rezoning case known to the village planning committee chair and Planning Department staff member assigned to the village planning committee before the meeting. For a list of village planning committee agendas and member lists, call 602-262-7131.

Make your position known to Planning Commission members, usually one week before the Planning Commission hearing. For a list of hearing dates, call 602-262-7131. For a list of planning commissioners, call 602-262-7131 or go to phoenix.gov/PLANZONE/plancomm.html.

Make your position known to your City Council member, usually one week before the City Council hearing. For a schedule of City Council hearing dates, call 602-262-7131.

A2. Use Permits and Variances

Since these are quasi-judicial procedures and not reviewed by the village planning committees, Planning Commission or City Council, your lobbying options are limited. You can make your position known to your City Council member, however, he/she cannot take an active role with either the zoning administrator or the Board of Adjustment. Your best option, in addition to having you and your neighbors appear at the hearings to give oral testimony, is to submit written letters and petitions supporting your position to the zoning administrator and Board of Adjustment members before the hearings. Written material for the Board of Adjustment must be directed through the Planning Department, and must be received by no later than 10 days before the hearing date. You are forbidden to directly lobby any Board of Adjustment member before the hearing.

Q. How do I find out the zoning and allowable use for my property?

A. Go to the third counter on the second floor of Phoenix City Hall