



Zoning Examiner

PRELIMINARY REPORT

January 15, 2026

To: Brian Underwood
The Planning Center
2 East Congress Street, Suite 600
Tucson, AZ 85701

SUBJECT: REZONING TP-ENT-1025-00019 Murdock – East Rosewood St
SR to R-2 (Ward 2)

PUBLIC HEARING: January 8, 2026

Dear Mr. Underwood,

Pursuant to the City of Tucson Unified Development Code and the Zoning Examiner's Rules and Procedures (Resolution No. 9428), this letter constitutes written notification of the Zoning Examiner's summary of findings for the TP-ENT-1025-00019 Murdock – East Rosewood St SR to R-2 (Ward 2).

At the expiration of 14 days of the conclusion of the public hearing, the Zoning Examiner's Report to the Mayor and Council (including background information, public hearing summary, findings of fact, conclusion, recommendation, and public hearing minutes) shall be filed with the City Manager. A copy of that report can be obtained from the Planning and Development Services Department (791-5550) or the City Clerk.

If you or any party believes that the Zoning Examiner's recommendation is based on errors of procedure or fact, a written request to the Zoning Examiner for review and reconsideration may be made within 14 days of the conclusion of the public hearing.

The public hearing held by the Zoning Examiner shall constitute the public hearing by the Mayor and Council. However, any person may request a new public hearing before the Mayor and Council. A request for a new public hearing must be filed in writing with the City Clerk within 14 days of the close of the Zoning Examiner's public hearing.

SUMMARY OF FINDINGS

Applicant's Request for East Rosewood Street Rezoning

This request is submitted by The Planning Center, on behalf of the property owner, to rezone approximately five acres from SR (Suburban Ranch) to R-2 (Residential). The rezoning would allow development of a 25-lot single-family residential subdivision. (See the discussion on the impact of the Middle Housing Ordinance in the Context section below)

The subject property is located at 9220 East Rosewood Street, approximately 1,600 feet west of the intersection of Rosewood Street and Harrison Road, within Ward 2.

Zoning and Land Use Background Information

Existing Land Use: The property currently has a single-family home constructed in the southern half.

Zoning Descriptions:

Existing: SR (Suburban Ranch) – This zone provides for very low density, large lot, single-family, residential development and suburban ranch uses. Uses that would adversely affect the open space, agricultural, or natural characteristics of this zone shall not be permitted.

Proposed: R-2 (Residential) – This zone provides for medium density, single-family and multifamily, residential development, together with schools, parks, and other public services necessary for an urban residential environment. Select other uses, such as day care and urban agriculture, are permitted that provide reasonable compatibility with adjoining residential uses.

Adjacent Zones and Land Uses:

North: SR Residential single-family lot.

East: R-1 Residential, single-family residential subdivision.

South: R-1 Residential, single-family residential subdivision.

West: R-1 Residential, single-family residential subdivision.

Previous Cases on the Property: None.

Related Cases: Several subdivisions located on Rosewood Street were the result of rezoning cases, including the adjacent subdivision to the east with rezoning C9-85-05, which rezoned that land from SR to R-1. Farther east down Rosewood, another subdivision was the result of C9-83-19, which also rezoned the land from SR to R-1.

Land Use Planning Considerations

Land use policy direction for the subject site is provided by Plan Tucson and the Pantano East Area Plan (PEAP). Plan Tucson 2025, Chapter 4 (Growth and Development), establishes Building Blocks that guide rezoning decisions by evaluating compatibility, appropriateness, and

harmony with surrounding neighborhoods. Rezoning requests must be reviewed for consistency with all applicable policies, with no single policy considered in isolation.

The proposed development is located within the Neighborhoods Building Block on the Plan Tucson Future Growth Scenario Map. This building block is characterized by primarily residential land uses and supports neighborhood-scale development that is compatible with existing residential patterns. Typical housing types include single-family homes and other low-intensity residential forms, with emphasis on contextual design and neighborhood compatibility.

The PEAP encourages infill development of vacant or underutilized parcels, if development within the interior of established neighborhoods remains low density and compatible with surrounding uses. The Plan defines low-density development as six or fewer residences per acre. The proposed subdivision, at approximately five residences per acre, meets this definition and is consistent with PEAP density policies.

A zoning determination issued by the Planning and Development Services Director on August 19, 2025, confirmed that the proposed density qualifies as low density under the PEAP. The determination further supports residential clustering and design flexibility as tools to achieve compatibility within established neighborhoods.

While the Unified Development Code associates zoning districts with general density ranges, rezonings are evaluated based on plan policy direction and site-specific compatibility, including building height, scale, setbacks, privacy, and transition to adjacent development. The PEAP does not assign zoning classifications to density but instead requires that rezonings and development proposals be evaluated comprehensively and in context.

Neighborhood Meeting August 15, 2025

The applicant conducted a neighborhood meeting on August 13, 2025, following a pre-submittal meeting with Planning and Development Services. Notice was provided using a City-generated mailing list. The meeting was held in a hybrid format at East Tucson Baptist Church, approximately 1,700 feet from the project site, with attendance by the applicant's representatives, the property owner, and a representative from the Ward 2 Council Office. Approximately 51 residents attended in person, with additional participants joining remotely.

Residents expressed concern that rezoning the property to R-2 Residential could allow apartment development and negatively affect neighborhood character. The applicant clarified that the proposal is limited to a single-family subdivision and that conditions could be imposed to limit unit count and regulate the placement of two-story homes. The applicant also explained that the requested zoning provides flexibility to address current construction costs and housing demand and is consistent with evolving subdivision design patterns in the area.

Additional comments addressed traffic, school capacity, utilities, drainage, sustainability, and property values. The applicant responded that traffic impacts would be limited to local trips and

noted the site's proximity to arterial roadways. Several residents expressed opposition and indicated their intent to formally protest the rezoning.

A follow-up neighborhood meeting was held on October 21, 2025, at which the applicant presented additional information regarding consistency with adopted plans, submitted a zoning compliance letter supporting the R-2 designation with conditions, and shared a revised preliminary development plan limiting the location of two-story structures. Residents who provided contact information were notified of the follow-up meeting, and additional questions submitted by email were addressed by the project team.

Summary of Zoning Examiner Public Hearing January 8, 2026

The Zoning Examiner opened the public hearing to consider a request to rezone approximately 4.7 acres on East Rosewood Street from SR (Suburban Ranch) to R-2 (Residential) to allow development of a 25-lot single-family subdivision. Staff presented the case, noting that the site contains one single-family residence and that the proposed density—approximately five units per acre—is consistent with the Pantano East Area Plan. Staff recommended approval with conditions requiring the project to meet R-1 Flexible Lot Development (FLD) design standards, including single-story limits on four of the southernmost lots, clerestory-only second-story windows facing existing homes, and perimeter concrete masonry walls. Besides the applicant's representative about ten other persons spoke mainly raising concerns about the proposal.

The applicant's representative said that there is a well-known housing shortage that affects Tucson and this development provides homes compatible with the City's land use plans. He clarified that the final survey shows the property at 4.7 acres with slightly reduced lot depths, resulting in backyards averaging 37 feet—larger than typical FLD standards. He explained that no more than six homes would be two-story and that they would not be located adjacent to one another. He also mentioned that there is a chance that there could be less and possibly none depending on the market. The representative said R-2 zone avoids a separate FLD process and allows design conditions to be placed onto the rezoning. He also noted that traffic impacts would be minimal given available road capacity and that the property owner is in discussions with a homebuilder.

During the public hearing, multiple neighborhood speakers expressed opposition to the R-2 zone. Concerns focused on the introduction of two-story homes, potential loss of privacy and views, increased density compared to the surrounding R-1 and SR homes in the area. Speakers also stated the proposal's perceived inconsistency with Plan Tucson and Pantano East Area Plan policies emphasizing neighborhood character. A speaker mentioned policies focused on neighborhood identity, sensitivity in development near existing neighborhoods, environmental design, and appropriateness to the nearby streets. Further, two-story homes should not be allowed. A speaker said he was sad about the change but does not oppose a lesser development proposal to R-1 and 20 lots. Speakers raised issues related to traffic, stormwater management, and the adequacy of existing vegetation as a buffer. It was also mentioned that during construction the site should be monitored for disruption of the neighborhood and loud music. Several residents argued that the proposed density—approximately 5.2 units per acre—exceeds

nearby subdivisions, which range from 3.55 to 4.22 units per acre, and urged that any rezoning be limited to R-1 to maintain the established development pattern.

Additional testimony emphasized the importance of preserving the low-density character of the area, the potential visual impacts created by elevation differences between the project site and existing homes whereby the rising terrain elevation of the property especially with two-story homes would reduce privacy on adjacent homes. Comments include that the density and type of development are not compatible with the low-density ambience of the neighborhood. The overall sentiment from the public was clear opposition to the R-2 zone and there was a clear preference for R-1 zone with allowing no more than 20 homes with one-story building height and design and further noting that over 100 citizens and nearby residents support this idea.

The applicant's representative spoke and repeated the housing need in Tucson. He mentioned that there was already a precedent for two-story homes within 650 feet of this area. Further, the increase in lots was modest. The limit of six two-story lots was reasonable, and infrastructure concerns can be addressed by meeting City standards. He noted that the proposal would comply with the FLD design standards but requested relief from the standard on garage placement.

The hearing concluded with the Zoning Examiner requesting supplemental materials from the applicant, including an exhibit showing the location of nearby two-story homes and an updated preliminary development plan based on the ALTA survey. The Zoning Examiner also requested draft language for a possible exception to the FLD design standard regarding garage-placement.

Context of the Rezoning and Proposed Conditions

The request is to rezone approximately 4.7 acres at 2020 East Rosewood Street from SR (Suburban Ranch) to R-2 (Residential) to allow development of a 25-lot single-family subdivision. The site is located within an established residential area characterized by one-story homes on lots developed more than 40 years ago. The proposed subdivision density—approximately five units per acre—is consistent with the Pantano East Area Plan's definition of low-density residential development and falls within the range anticipated for infill housing in this part of the City. The Zoning Examiner supports the 25-lot proposal because it contributes to the City's broader effort to increase housing supply during a period of significant housing shortage, while still maintaining compatibility with the surrounding neighborhood through appropriate design controls.

Update on Recently Adopted Middle Housing Ordinance

While there was no discussion at the public hearing on the Middle Housing Ordinance adopted by Mayor and Council to bring the City in compliance with the Arizona House Bill 2721, it has an impact on the zoning of this proposal. The ordinance became the zoning law for the City on January 1, 2026. Because of the mandated changes the R-1 zone now can be applied to this proposal (R-1 now allows 6,000 sq. ft lot area) and the proposal can remain in the same

configuration proposed by the applicant showing 25 lots of about 6,000 square feet in lot area. The applicant is aware of this new situation and has submitted a letter stating he has no objection to a rezoning to the R-1 zone.

Conformance with Adopted Plans

Both Plan Tucson and the Pantano East Area Plan provide the policy framework for evaluating this request. Plan Tucson identifies this area within the Neighborhood building block, which supports residential development that is context-sensitive and contributes to neighborhood stability. The Plan emphasizes compatibility, privacy protection, and mitigation of impacts on established neighborhoods. It also encourages investment in housing and supports development patterns that expand residential opportunities while respecting existing community character.

The Pantano East Area Plan similarly supports low-density residential development when it is designed to integrate with surrounding neighborhoods. The Plan stresses the importance of building scale, height, and site design in maintaining compatibility, particularly where new development occurs adjacent to long-established one-story subdivisions. Although the proposed density meets the Plan's low-density definition, compatibility must also be evaluated based on building form and the relationship of new homes to existing homes.

The public hearing record reflects consistent neighborhood concerns regarding privacy, building height, and the introduction of two-story homes in an area where none currently exist. While the applicant proposed clerestory windows and rear yard spacing of two-story homes to mitigate privacy impacts, these measures do not fully address the visual scale and massing concerns raised by adjacent residents. The Zoning Examiner finds that limiting the subdivision to one-story homes is the most effective and predictable method of ensuring compatibility with the surrounding one-story neighborhoods and is consistent with both adopted plans.

Application of Flexible Lot Development Design Criteria

Condition #11 requires the subdivision to be reviewed under the UDC Flexible Lot Development (FLD) Design Criteria in Sec.8.7.3.M. These criteria emphasize privacy mitigation, architectural variation, roof form articulation, and building setbacks as tools for achieving compatibility. In larger subdivisions, landscaped bufferyards may be used to transition between building heights and placing one-story homes on the exterior lots and two-story homes on interior streets; however, such a bufferyard and two-story placement are not feasible on this site because the perimeter consists entirely of rear lot lines for the proposed 25 lots.

Under a one-story development scenario, compatibility is achieved through architectural variation on front elevations, consistent roof forms, enhanced landscaping, and adequate rear setbacks. The proposed use of concrete masonry perimeter walls, combined with the depth of rear yards, provides an effective and practical buffer between the new homes and the existing one-story homes surrounding the site. The Zoning Examiner finds that applying the FLD criteria—while exempting the garage-placement standard—is appropriate and enforceable, and it

ensures that the subdivision design remains consistent with the established character and zoning of the Rosewood Street neighborhood.

Privacy Mitigation and Construction-Phase Communication

The revised Condition #11 also incorporates a Construction Liaison requirement and a privacy-mitigation assistance program for adjacent property owners. These measures are tied directly to Administrative Manual Sec. 2-06.5.3.F (Privacy Mitigation Plan) and are designed to address construction-related disturbances and sightline privacy concerns in a clear and enforceable manner. The Construction Liaison provides a defined point of contact for neighbors, ensures timely notification of major construction phases, and maintains documentation of concerns raised. The optional privacy-mitigation assistance—limited to on-site consultation and minor screening enhancements—offers practical support without imposing open-ended obligations or requiring full wall replacement or landscaping on private property. These measures are proportional to the identified impacts and are enforceable as City zoning standards.

Neighborhood Compatibility and Height Limitation

Although the proposed rezoning meets the density expectations of the Pantano East Area Plan, the surrounding context is uniformly one-story residential development. Allowing two-story homes on this site would introduce a building form and visual scale that does not exist in the immediate area and would alter the established character of the neighborhood. The public hearing record demonstrates strong and consistent concern regarding privacy, views, and the visual prominence of two-story homes on a site with rising terrain elevation relative to adjacent properties.

For these reasons, the Zoning Examiner recommends limiting all homes within the subdivision to one story ensures compatibility with surrounding development and maintains compliance with both Plan Tucson and the Pantano East Area Plan. See Conditions #1 and #7. This height limitation, combined with the FLD design criteria and privacy-mitigation measures, provides a clear and enforceable framework for integrating the proposed subdivision into the existing neighborhood.

Conclusion

The Zoning Examiner finds that the rezoning request, with the recommended conditions, is consistent with Plan Tucson and the Pantano East Area Plan, supports the City's broader housing-supply goals, and provides appropriate mitigation to ensure compatibility with the long-established one-story neighborhoods surrounding the site. The recommended conditions—including the one-story height limitation, application of FLD design criteria, and privacy-mitigation measures—are reasonable, enforceable, and responsive to the concerns raised during the public hearing. Because of the Middle Housing Ordinance, the proposal should be placed in the R-1 zone.

Recommendation

The Zoning Examiner recommends approval of the rezoning request with the conditions as revised.

Sincerely,



Jim Mazzocco

Zoning Examiner

ATTACHMENTS:

Recommended Conditions

Case Location Map

Aerial Map

Rezoning Case Map

cc: City of Tucson Mayor and Council

ZONING EXAMINER RECOMMENDED CONDITIONS

PROCEDURAL

1. A development package in substantial compliance with the preliminary development plan, dated October 24, 2025, and required reports, are to be submitted and approved in accordance with the *Administrative Manual*, Section 2-06. **The submitted preliminary development plan shall be coordinated with Condition 7 below.**

2. The property owner shall execute a waiver of potential claims under A.R.S. Sec. 12-1134 for this zoning amendment as permitted by A.R.S. Sec. 12-1134 (I) in the form approved by the City Attorney and titled “Agreement to Waive Any Claims Against the City for Zoning Amendment”. The fully executed Waiver must be received by the Planning & Development Services Department before the item is scheduled for Mayor and Council action.

3. Should historic or prehistoric features, artifacts, or funerary items be discovered during grading, boring, trenching, or other ground disturbing activities, work shall cease immediately, and the Tucson Historic Preservation Office shall be contacted to assess the resource. Pursuant to A.R.S. 41-865 the discovery of human remains, and associated objects found on private lands in Arizona must be reported to the Director of Arizona State Museum.

4. Any relocation, modification, etc., of existing utilities and/or public improvements necessitated by the proposed development shall be at no expense to the public.

5. Five years are allowed from the date of initial authorization to implement and effectuate all Code requirements and conditions of rezoning.

6. Technical standards will apply during the development process.

LAND USE COMPATIBILITY

7. ~~Lots 12, 13, 24, and 25, or any dwelling 100 feet or fewer from the south property line shall be restricted to single story homes with a maximum height of 16 feet.~~ **All single family dwellings within the subdivision shall be limited to one story in height. The property shall be rezoned to the R-1 zone.**

8. Graffiti on walls or on any other location on site shall be removed within seventy-two (72) hours of discovery.

9. The 30-foot-wide water easement running along the east property line must be abandoned in coordination with Tucson Water prior to development package approval.

10. The 7.5-foot-wide drainage easement on the east property line shall not be developed or enclosed.

11. **Flexible Lot Development Design Criteria** - Development shall be reviewed for conformance with UDC Sec. 8.7.3.M, Design Criteria for Flexible Lot Development. The criterion related to front-yard garage placement shall not apply.

a. Construction Liaison and Notification Requirements

To comply with Administrative Manual Sec. 2-06.5.3.F (Privacy Mitigation Plan), the subdivision developer shall designate a Construction Liaison prior to grading permit issuance. The Construction Liaison shall:

- 1) Serve as the primary point of contact for adjoining property owners regarding construction-related disturbances;
- 2) Provide written notice to adjoining property owners at least seven days prior to the start of major construction phases, including initial grading and the beginning and end of home construction; and
- 3) Maintain a log of complaints received and actions taken, to be made available to PDSD upon request.

b. Privacy Mitigation Assistance for Adjacent Property Owners

To address sightline and privacy concerns, the developer shall offer one on-site consultation to each property owner adjoining the north, east, and west boundaries of the subdivision. The consultation should include recommendations for enhanced screening measures such as landscaping or wall improvements.

If mutually agreed upon between the developer and the adjoining property owner, the developer may provide on its own accord limited assistance toward such improvements, not to exceed:

- 1) Installation of supplemental landscaping on the project side of the wall; or
- 2) Contribution of materials or labor for minor wall enhancements.

This assistance shall not include full wall replacement or full landscaping installation on private property.

ROAD IMPROVEMENTS/VEHICULAR ACCESS/CIRCULATION

12. All offsite improvements required with the development, such as street improvements, curb, sidewalk, and ADA ramps shall be coordinated with the City of Tucson's Department of Transportation and Mobility.

13. Curb and sidewalk required along Rosewood Street frontage.

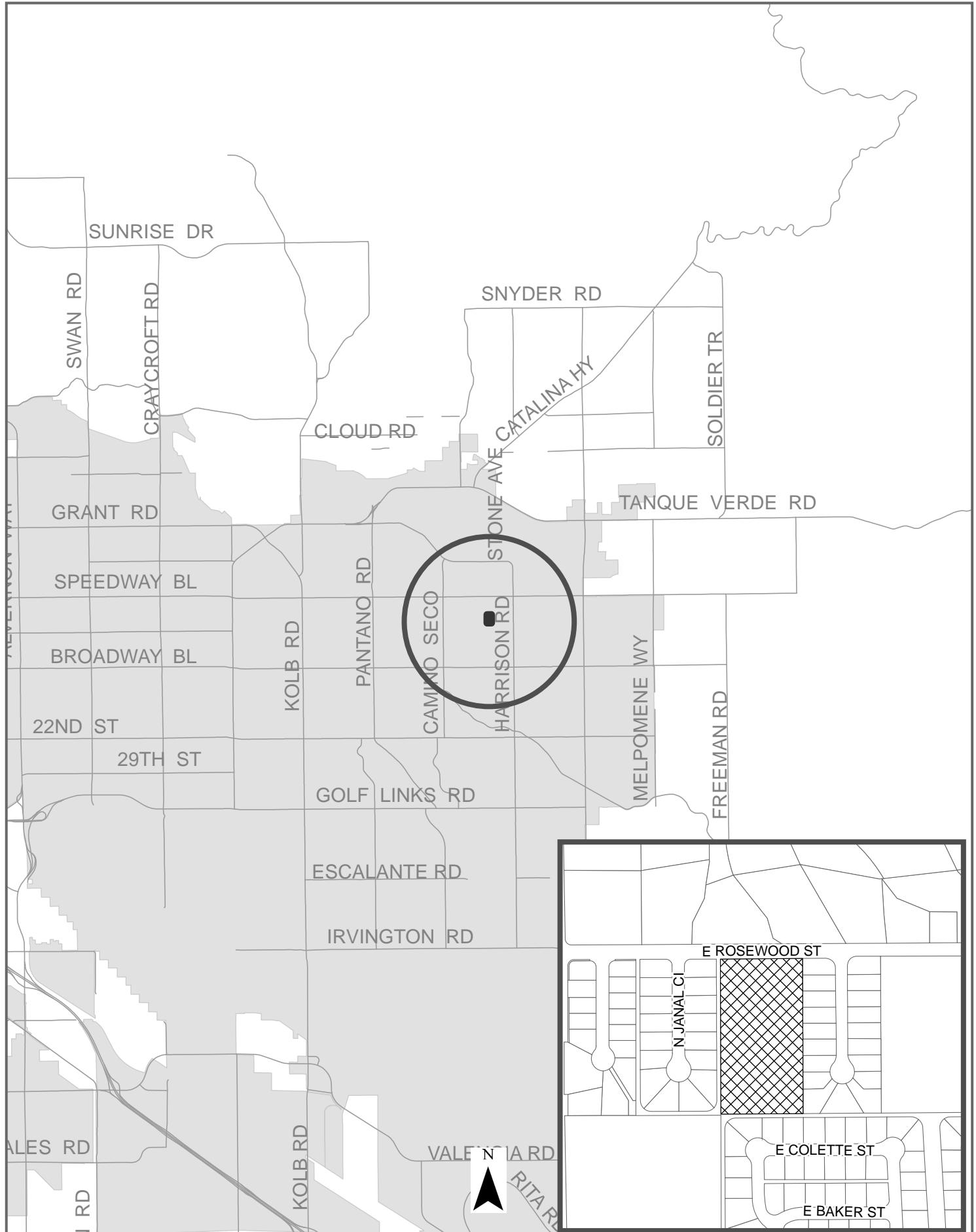
If new roadways are to be public, a Private Improvement agreement (PIA) will be required.

14. Dedicate 25' radius for alley connection on SW corner of the subject parcel.

WASTEWATER

15. Pima County Wastewater Reclamation provides the condition that the owner/developer shall obtain written documentation from the Pima County Regional Wastewater Reclamation District (PCRWRD) that treatment and conveyance capacity is available for any new development within the rezoning area, no more than 90 days before submitting any tentative plat, development plan, sewer improvement plan or request for building permit for review. Should treatment and/or conveyance capacity not be available at that time, the owner/developer shall have the option of funding, designing, and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the PCRWRD.

TP-ENT-1025-00019 9220 E Rosewood St



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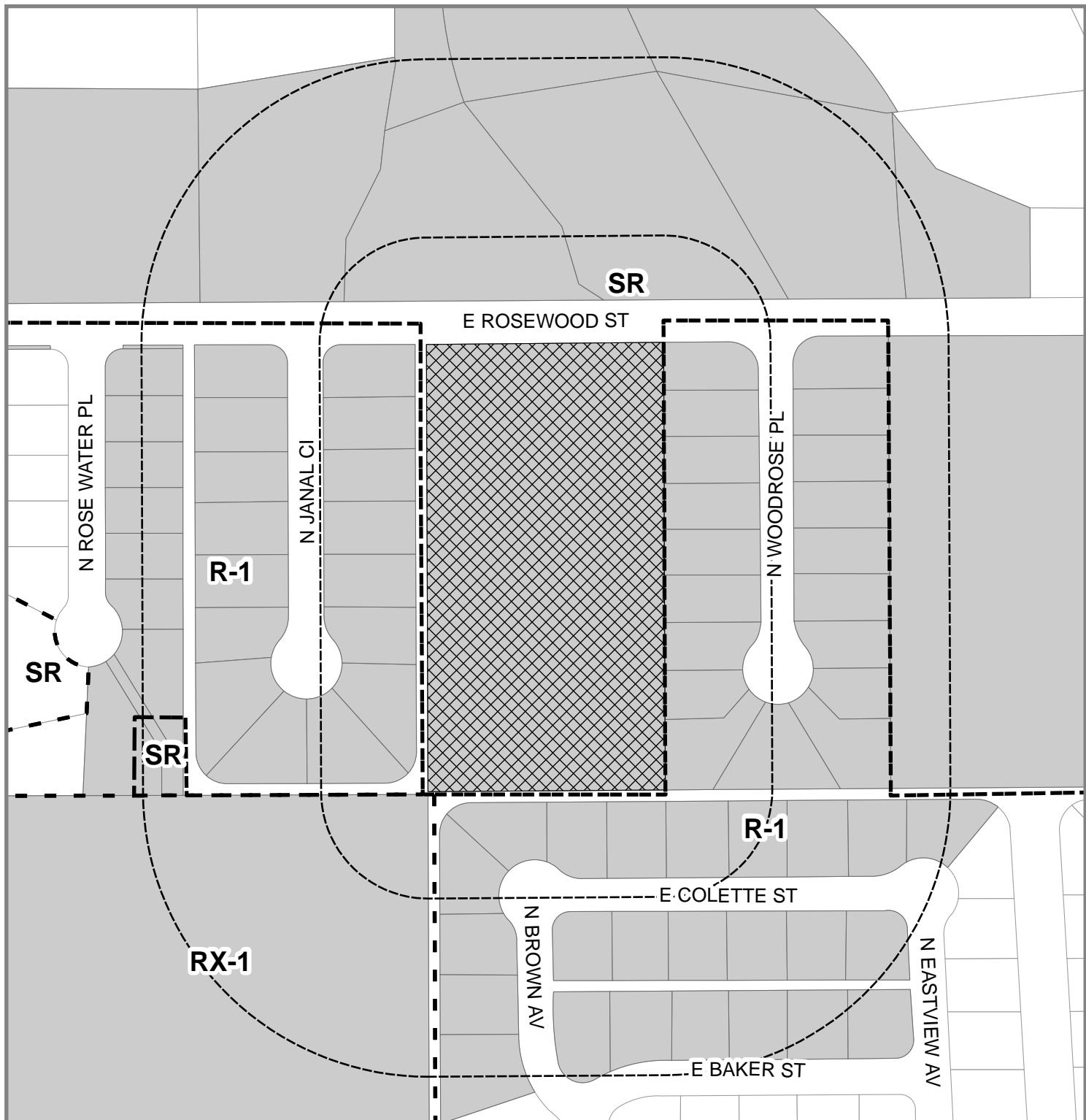
 Area of Rezoning

Address: 9220 E ROSEWOOD ST
Base Maps: Twp. 1403 Range 1502 Sec. 10
Ward(s): 2

0 90 180 Feet
1:2,360

N


TP-ENT-1025-00019 9220 E Rosewood St



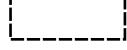
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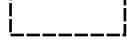
Zone Boundaries



Properties Notified



400' Notification Area



Protest Area (150 ft. Radius)

Address: 9220 E ROSEWOOD ST
Base Maps: Twp. 1403 Range 1502 Sec. 10
Ward(s): 2

0 90 180
Feet
1:2,360

