

EXHIBIT 16

TO COMPLAINT FOR SPECIAL ACTION

FRANTI III HOLDINGS, LLC, ET AL V. CITY OF TUCSON



MEMORANDUM

DATE: April 17, 2023
For May 2, 2023 Hearing

TO: John Iurino
Zoning Examiner

FROM: Timothy M. Thomure, PE, ENV SP
Planning & Development Services
Assistant City Manager

SUBJECT: REZONING - PLANNING & DEVELOPMENT SERVICES REPORT
TP-ENT-0323-00018 - TEP Vail Substation - Rita Road, RH to I-1 (Ward 4)

Issue – This is a request by Brian Pugh, Environmental and Land Use Planner at Tucson Electric Power Company (TEP), on behalf of the property owner, Unisource Energy Corporation, to rezone 125 acres of a 219-acre parcel, from RH Rural Homestead Residential to I-1 Light Industrial, for the expansion of the existing Tucson Electric Power (TEP) Vail 345-kilovolt (kV) and 138kV substations, with the construction of: 1) A new 200-Megawatt (MW) Battery Energy Storage System (BESS) and switchyard; 2) A new 230kV transmission substation, a switchyard, and a transmission power line; 3) A second 200 MW BESS and a switchyard; and 4) An expansion of the existing 138 kV substation. This project is one component of TEP's targets to reduce carbon dioxide (CO₂) emissions through the phase out of coal and addition of solar, wind and energy storage. By 2035, TEP plans to provide more than 70% of its power from renewable sources with a portfolio that requires 70% less water and produces 80% less CO₂.

The project site is located about 0.7 miles south of the intersection of Interstate 10 and Rita Road (see Case Location Map). The Preliminary Development Plan indicates the rezoning area is to be occupied by the existing and new substations and BESS facilities, while the remaining area of the property will remain vacant. A rezoning to I-1 is being requested to allow for the proposed Utilities – Distribution System, and Renewable Energy Generation land uses, which are not allowed in the RH zone.

Planning & Development Services Recommendation – The Planning & Development Services Department recommends approval of I-1 zoning, subject to the attached preliminary conditions.

Background Information –

Existing Land Use: TEP Vail 345kV and 138kV substations.

Zoning Descriptions:

Existing: Rural Homestead Zone RH: Intended to preserve the character and encourage the orderly growth of rural areas.

Proposed: Heavy Industrial Zone I-1: Provides for industrial uses that do not have offensive characteristics in addition to land uses permitted in more restrictive nonresidential zones.

Surrounding Zones and Land Uses:

North: Rural Homestead (RH), Vacant State Trust Land

South: Rural Homestead (RH), Vacant State Trust Land and Distribution System (El Paso Natural Gas Compressor Station)

East: Rural Homestead (RH), Vacant State Trust Land and Protective Service (Pima Regional Training Center)

West: City of Tucson Rural Homestead (RH), Vacant State Trust Land

Previous Cases on the Property:

On December 11, 2000, under Resolution # 18793, Mayor and Council authorized an amendment to the *Rincon/Southeast Subregional Plan: Amendment Site 1, TEP Gen. Station, to change the designation of the project's parcel from Low Intensity Rural (LIR) to Urban Industrial (I).*

On June 6, 2006, Mayor and Council established conditions for rezoning for the proposed rezoning from RH to I-2 for the parcel, under Case # C9-01-02, TEP-Rita Road, for adding a gas turbine electric generation plant on 64.6 acres (including detention and evaporation ponds) to the existing regional electric substation, with a designated area for future solar power generation. The time for compliance with the conditions of rezoning expired on August 11, 2011. The existing RH zoning remained in effect, and the case was closed on December 6, 2013.

Related Cases: None.

Applicant's Request – To rezone 125 acres of a 219-acre parcel, from RH Rural Homestead to I-1 Industrial, for the proposed expansion of the existing TEP Vail 345-kilovolt (kV) and 138kV substations, with the construction of: 1) A new 200-Megawatt (MW) Battery Energy Storage System (BESS) and switchyard; 2) A new 230kV transmission substation, a switchyard, and a transmission power line; 3) A second 200 MW BESS and a switchyard; and 4) An expansion of the existing 138 kV substation.

The 230kV substations, the two 200MW BESS and the 138kV substation expansion will take place in four phases:

- Phase 1, 13 acres: 200MW BESS to be constructed in 2024 and in service in 2025.
- Phase 2, 8 acres: 230kV substation to be constructed in 2025 and in service in 2026.
- Phase 3, 13 acres: 200MW BESS to be constructed in 2026 and in service in 2027.
- Phase 4, 3 acres: 138kV substation expansion to be constructed in 2027 and in service in 2028.

Planning Considerations – Land use policy direction for this area is provided by *Plan Tucson*, and the *Rincon/Southeast Subregional Plan*.

Plan Tucson

The rezoning site is located within *Plan Tucson*'s Future Growth Scenario Map which identifies the rezoning site as "Southlands". Southlands is a long-term growth area, formed predominately by large tracts of undeveloped land located at the southeastern and southern perimeters of the city.

Relevant policies include:

- Social Environment - Goal 2: A stabilized local economy with opportunities for diversified economic growth supported by high level, high-quality public infrastructure, facilities, and services.
- Economic Environment – Goal 12: A sustainable and diversified economy that maximizes Tucson's strategic location and balances traditional import and export resources with locally supplied goods and services to meet local demand.
- Economic Environment – Policy JW2: Recruit, retain, and expand businesses and industries within Tucson's key economic sectors, including but not limited to aerospace and defense, biosciences, renewable energy, astronomy, and optics to increase high-quality, high-paying job opportunities.
- Land Use, Transportation, & Urban Design – LT28.1.11 Support the retention and expansion of existing business.
- Land Use, Transportation, & Urban Design – LT.28.3.14 Support environmentally sensitive design that protects the integrity of existing neighborhoods, complements adjacent land uses, and enhances the overall function and visual quality of the street, adjacent properties, and the community.
- Land Use, Transportation, & Urban Design – LT28.4.11 Improve the appearance of above-ground utilities and structures.
- Land Use, Transportation, & Urban Design – LT28.8.3 Support conservation and efficient water use in an effort to minimize the need for new water sources.
- Land Use, Transportation, & Urban Design – LT28.8.5 Support methods to conserve and enhance habitat when development occurs.
- Land Use, Transportation, & Urban Design – LT.28.8.7 Protect and improve air quality by reducing sources of air pollution.

Rincon/Southeast Subregional Plan

The project is located within the Harrison/I-10 Annexation Area of the *Rincon/Southeast Subregional Plan*. Map Detail #4 within the plan indicates that the property is in the Urban Industrial (I) land use category. According to the *Plan*, the Urban Industrial designation is primarily for designation of adequate areas for industrial uses that, if properly located and regulated, are compatible with certain types of commercial activities, but generally incompatible with residential uses.

The *Rincon/Southeast Subregional Plan* has no specific policy direction regarding wireless communication facilities. Additionally, there are no subregional policies that are applicable to this specific site.

Design Considerations – There are no buildings proposed as part of the TEP Vail Substation. The electric transformer equipment and bus work will be 25 feet high. The dead-end structures will be 60

feet high. Multiple 55-foot-high lightning protection masts will also be located within the substation enclosure. In addition, 85-foot-high transmission poles will be installed to support the transmission lines entering and exiting the substation.

The project includes one new additional access driveway from South Rita Road. Two parking spaces will be provided within the areas for each stage of the project. TEP vehicles will access the site via South Rita Road and will park within the substation and BESS enclosure areas as needed for maintenance. No pedestrian access is planned.

The project includes the construction of a 12-foot-high earth-toned masonry wall around the existing and proposed substations, with security gates, to provide ballistic screening. The BESS components will be surrounded by an 8-foot-high chain link security fence. Security cameras will be installed to monitor activity. No landscaping is included as part of this application.

TEP is proposing a zero-foot setback for the 12-foot-high earth-toned masonry wall along the south property line, where adjacent to the parcel owned by El Paso Natural Gas, to allow the wall to be constructed on the top of the existing grade to provide ballistic protection for the infrastructure inside the substation.

Land Use Compatibility – The rezoning area is surrounded by all vacant State Trust land, except for the Pima Regional Training Center to the east, across from South Rita Road, and the El Paso Natural Gas Compressor Station to the south. The nearest residential homes are located about 2,200 feet (0.4 miles) to the north at the southwest corner of South Pantano Road and East Big Meadow Drive, in the Sycamore Park Village subdivision. The site is located within the Tucson International Airport’s Avigation Easement & Disclosure Area, and just outside of Davis Monthan Airforce Base’s Approach-Departure Zone (ADC-3).

Drainage/Grading/Vegetation – The rezoning site is within the Environmental Resource Zone (ERZ), Airport Wash, and South Fork Airport Tributary Wash, all regulated by the City of Tucson within the 100-year floodplain and have associated erosion hazard setback requirements. Proposed development will occur on undisturbed portions of the site and provide detention and first flush retention per the Pima County Regional Flood Control District Manual, *Design Standards for Stormwater Detention and Retention*, based on the total disturbed and impervious areas. The Preliminary Development Plan shows basins along the perimeter of the developed area, discharging directly into the adjacent washes. While not anticipated, should any encroachment into the 100-year floodplain will be identified in the Development Package, and a Resource Corridor Study defining the resource corridor and critical riparian habitat will be prepared, and a mitigation plan approved prior to any disturbance.

Historic Preservation/Cultural Resources – Tierra Right of Way Services (TRWS), Ltd. was contracted by the applicant to perform a Class III inventory and a Class I data recovery archival research report and excavations to identify archaeological resources in the Project site. TRWS recommends no further cultural resources work for the project, and the Class III archaeological

survey was completed. Any recommendations by the City of Tucson’s Historic Preservation Officer for further investigations should be followed.

The Arizona Antiquities Act (AAA; Arizona Revised Statute [A.R.S.] §41-841 et seq.) protects cultural resources and human remains on “lands owned or controlled by the state of Arizona, by any public agency or institution of the State, or by any county or municipal corporation within the state.” Pursuant to A.R.S. §41-844 and §41-865, if any human remains or funerary objects are encountered during project work, all work must stop within the area of the remains and ASM’s Repatriation Office must be contacted at 520-626-0320.

Road Improvements/Vehicular Access/Circulation – Physical access to the rezoning area will continue to be provided via Rita Road to the east. The nearest major intersection identified by the Major Streets and Routes (MS&R) Plan is the intersection of Rita Road and Old Vail Connection, about 1,200 feet to the north of the site. The Preliminary Development Plan proposes one new access point access from Rita Road. Pima Association of Governments has indicated that the proposed development will have negligible impact on trip generation. The City Department of Transportation and Mobility, Traffic Engineering Division, has indicated no negative impacts to roadway network are anticipated.

Use-Specific Standards – The following Unified Development Code (UDC) Use-Specific Standards 4.9.11.A.1, .2, & .4 and 4.9.13.Q apply to the Distribution System land use in the I-1 zone:

- UDC § 4.9.11.A.1 – The setback of the facility, including walls or equipment, shall be 20 feet from any adjacent residential zone. The property is surrounded on all sides by residential zoning, and the proposal provides setbacks in excess of 20 feet, except along 1,000 feet of the south property line, where adjacent to the El Paso Natural Gas Compressor Station, where the proposed setback is zero feet, to allow the 12-foot-high masonry wall to be constructed on top of the grade to provide ballistic protection for the critical infrastructure.
- UDC § 4.9.11.A.2 – Where a facility is not enclosed within a building, the surrounding screen shall be used as the building wall for purposes of setbacks. A 12-foot masonry wall will surround the entire facility, and it will constitute the building wall for purposes of setbacks. The proposed wall height is in accordance with federal critical infrastructure protection to ensure TEP’s protection of its electric infrastructure.
- UDC § 4.9.11.A.4 – Where a water tower more than 20 feet in height is used in conjunction with such facilities, its center shall be located a distance from any lot line equal to not less than one-half its height. No water towers are proposed with this project.
- UDC § 4.9.13.Q.1 – The use, storage, or disposal of radioactive materials must be done in accordance with Section 4.9.5.F, Radioactive Material Restrictions. No radioactive materials are proposed with this project.

- UDC § 4.9.13.Q.2 – On land uses in the Industrial Use Group, traffic circulation must be designed so that access to the site is from a major street or from a local street which is not an internal residential neighborhood street and which does not provide access to residentially zoned areas unless no alternative exists. Access to the site is provided from Rita Road, a designated future Arterial roadway in the City’s Major Streets and Routes (MS&R) Plan.

The following Unified Development Code (UDC) Use-Specific Standards 4.9.11.B.2, .3, & .5 and 4.9.13.Q apply to the Renewable Energy Generation land use in the I-1 zone:

- UDC § 4.9.11.B.2 – The setback of the facility, including walls or equipment, shall be 20 feet from any adjacent residential zone. The property is surrounded on all sides by residential zoning, and the proposal provides setbacks in excess of 20 feet, except along 1,000 feet of the south property line, where adjacent to the El Paso Natural Gas Compressor Station, where the proposed setback is zero feet, to allow the 12-foot-high masonry wall to be constructed on top of the grade to provide ballistic protection for the critical infrastructure.
- UDC § 4.9.11.B.3 – All activities shall be conducted in conformance with the following use specific standards.
 - a. Noise. The sound level of any individual operation shall not exceed the levels permitted in Section 16-31, Excessive Noise, of the Tucson Code. TEP requests a perimeter wall height surrounding the existing and future substations, of 12 feet to meet the federal Critical Infrastructure Protection standard. The Arizona Game and Fish Department recommends that wildlife surveys are conducted to determine if noise-sensitive species occur within the project area. Avoidance or minimization measures could include conducting project activities outside of breeding seasons.
 - b. Smoke. Smoke emission from any source is not permitted to exceed a density greater than that described as No. 1 on the Ringleman Chart. However, smoke may be emitted which is equal to, but not darker than, No. 2 on the Ringleman Chart for not more than four minutes in any 30-minute period. For the purpose of grading the density of smoke, the Ringleman Chart, as published by the U.S. Bureau of Mines, is the standard. The applicant has not indicated smoke emissions as part of this application.
- UDC § 4.9.11.B.5 – In addition to the requirements of UDC Section 7.6, Landscaping and Screening, there shall be a decorative masonry wall at least six feet in height between the project site and any residential zone. The project includes the construction of a 12-foot-high earth-toned masonry wall only around the existing and proposed substations, with security gates, to provide ballistic screening. The applicant is proposing to surround the BESS components with an 8-foot-high chain link security fence. Security cameras will be installed to monitor activity. No landscaping is included as part of this application.
- UDC § 4.9.13.Q.2 – On land uses in the Industrial Use Group, traffic circulation must be designed so that access to the site is from a major street or from a local street which is not an

internal residential neighborhood street and which does not provide access to residentially zoned areas unless no alternative exists. Access to the site is provided from Rita Road, a designated future Arterial Street in the City's Major Streets and Routes (MS&R) Plan.

Conclusion –The proposed rezoning is consistent with, and supported by, the policy direction provided in *Plan Tucson* and the *Rincon/Southeast Subregional Plan*. Subject to compliance with the attached preliminary conditions, approval of the requested I-1 zoning is appropriate.

Procedural

1. A Development Package(s) in substantial compliance with the Preliminary Development Plan, and required reports, dated April 6, 2023, is to be submitted and approved in accordance with the *Administrative Manual*, Section 2-06.
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. Any relocation, modification, etc., of existing utilities and/or public improvements necessitated by the proposed development shall be at no expense to the public.
4. Five years are allowed from the date of initial authorization to implement and effectuate all Code requirements and conditions of rezoning.
5. At time of Development Package submittal provide a complete drainage report showing compliance with the following requirements:
 - a. Although the project is within a balanced basin, the stormwater discharges for the 2-, 10-, and 100-year events must be reduced by 15% from pre-devotement levels.
 - b. First flush retention volumes shall be increased by 50 percent over the amount required by the detention/retention manual for this initial phase and all future development phases. (Pima County Regional Flood Control District Stormwater Detention-Retention)
 - c. Water harvesting must be maximized. Lower impact development guidelines from the retention/detention manual shall be followed to the maximum extent possible. (Tucson Low Impact Development Manual)
 - d. A wash with Q100 742 cfs runs from southeast to northwest across the parcel. Areas within the 100-year floodline are Environmental Resource Zones and these developments cannot encroach without triggering mitigation and reporting requirements.
6. Owner must secure approval from the Pima County Department of Environmental Quality to use on-site sewage disposal system at the time a tentative plat, development plan, or request for building permit is submitted for review.

Land Use Compatibility

7. There shall be a 12-foot-high earth-toned masonry wall around the existing and proposed substations, with security gates.
8. There shall be an 8-foot-high chain link fence with security cameras surrounding the BESS components.

Pima County Regional Flood Control District

9. To the extent practicable, disturbance or encroachment into regulatory floodplains and regulated riparian habitat shall be avoided.

Historic

10. Prior to any grading/digging/trenching at the site, a Class III archaeological survey should be completed. Survey report should be submitted to the City of Tucson's Historic Preservation Office once complete. Any recommendations for further investigations should be followed.
11. Historic or prehistoric features or artifacts discovered during future ground disturbing activities should be reported to the City of Tucson Historic Preservation Officer. 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.

Tucson Water

12. The owner(s) / developer(s) shall construct all necessary on-site and off-site public water mains necessary to serve development within the rezoned area at their own expense.
13. The owner(s) / developer (s) shall connect all development within the rezoned area to the City of Tucson's water distribution system at the location and in the manner specified by Tucson Water.
14. The owner(s) / developer(s) shall design and construct all off-site and on-site water mains necessary to serve the project in the manner specified at the time of review of the Water Master Plan and Water Design Plan.
15. The owner(s) / developer(s) shall complete the construction of all necessary public water treatment, transmission, and distribution facilities as required by all applicable agreements with the City of Tucson, and all applicable regulations, including the Safe Drinking Water Act and those promulgated by ADEQ, before capacity in the upstream public water treatment, transmission and distribution system is permanently committed for any new development within the project site.

Tucson Airport Authority

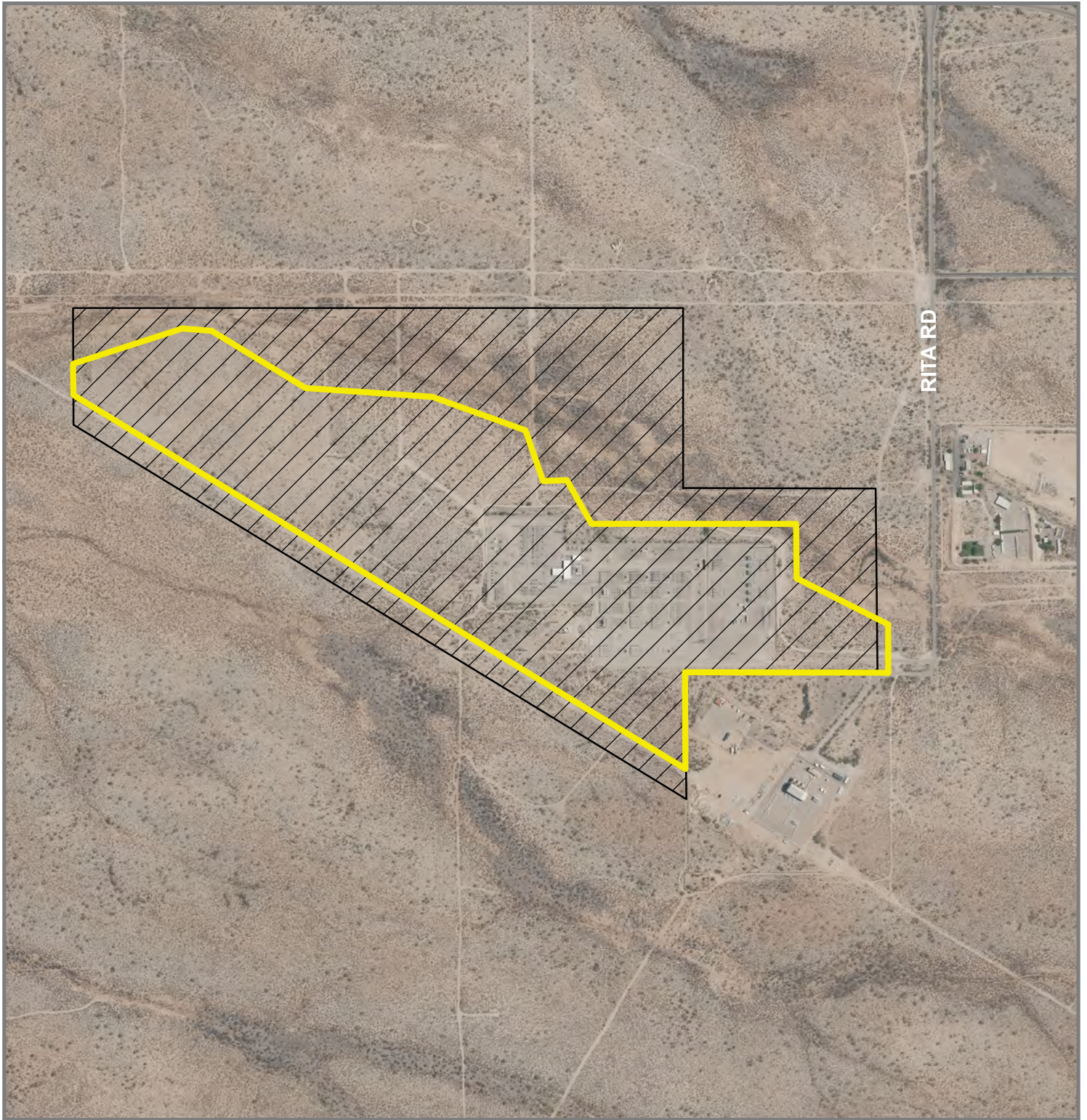
16. According to the Federal Aviation Administration (FAA) Notice Criteria Tool, an aeronautical study is needed due to 85-foot-tall tower heights. As this project develops, all applicants must file FAA Form 7460 with the FAA at least 45 days before construction activities begin unless FAA staff, with the Obstruction Evaluation / Airport Airspace Analysis (OE/AAA), provides the project applicant with written communication that filing FAA Form 7460 is not required. It is highly recommended that the applicant file earlier than 45 days to provide the applicant with sufficient time to respond to any concerns identified by the FAA. Note also that cranes to be used during all development or construction activities must also be identified with Form 7460. Please file Form 7460 at <https://oeaaa.faa.gov/oeaaa/external/portal.jsp>.
17. An Aviation Easement must be executed and recorded with the Pima County Recorder's Office, by the property owner/developer/applicant or other person authorized to sign on behalf of the current property owner, to cover the entire project area and in accordance with the requirement of the Tucson Airport Authority. The Aviation Easement must run with the property and will serve to educate future purchasers and tenants of the property of potential aviation impacts.

Arizona Game and Fish Department

18. Wildlife surveys must be conducted to determine if noise-sensitive species occur within the project area. Avoidance or minimization measures could include conducting project activities outside of breeding seasons.
19. Consider impacts of outdoor lighting on wildlife and develop measures or alternatives that can be taken to increase human safety while minimizing potential impacts to wildlife. Conduct wildlife surveys to determine species within project area, and evaluate proposed activities based on species biology and natural history to determine if artificial lighting may disrupt behavior patterns or habitat use. Use only the minimum amount of light needed for safety. Narrow spectrum bulbs should be used as often as possible to lower the range of species affected by lighting. All lighting should be shielded, canted, or cut to ensure that light reaches only areas needing illumination.
20. For any powerlines built, proper design and construction of the transmission line is necessary to prevent or minimize risk of electrocution of raptors, owls, vultures, and golden or bald eagles, which are protected under State and federal laws. Limit project activities during the breeding season for birds, generally March through late August, depending on species on the local area. Conduct avian surveys to determine bird species that may be utilizing the area and develop a plan to avoid disturbance during the nesting season. For underground powerlines, trenches should be covered or back-filled as soon as possible. Incorporate escape ramps in ditches or fencing along the perimeter to deter small mammals and herpetofauna (snakes, lizards, tortoise) from entering ditches. In addition, indirect affects to wildlife due to construction (timing of activity, clearing of rights-of-way, associated bridges and culverts, affects to wetlands, fences) should also be considered and mitigated.

21. Trenches should be covered or back-filled as soon as possible. Incorporate escape ramps in ditches or fencing along the perimeter to deter small mammals and herpetofauna (snakes, lizards, tortoise) from entering ditches.

TP-ENT-0323-00018 - 10000 S Rita Rd



Area of Rezoning (RH to I-1)



Project Site

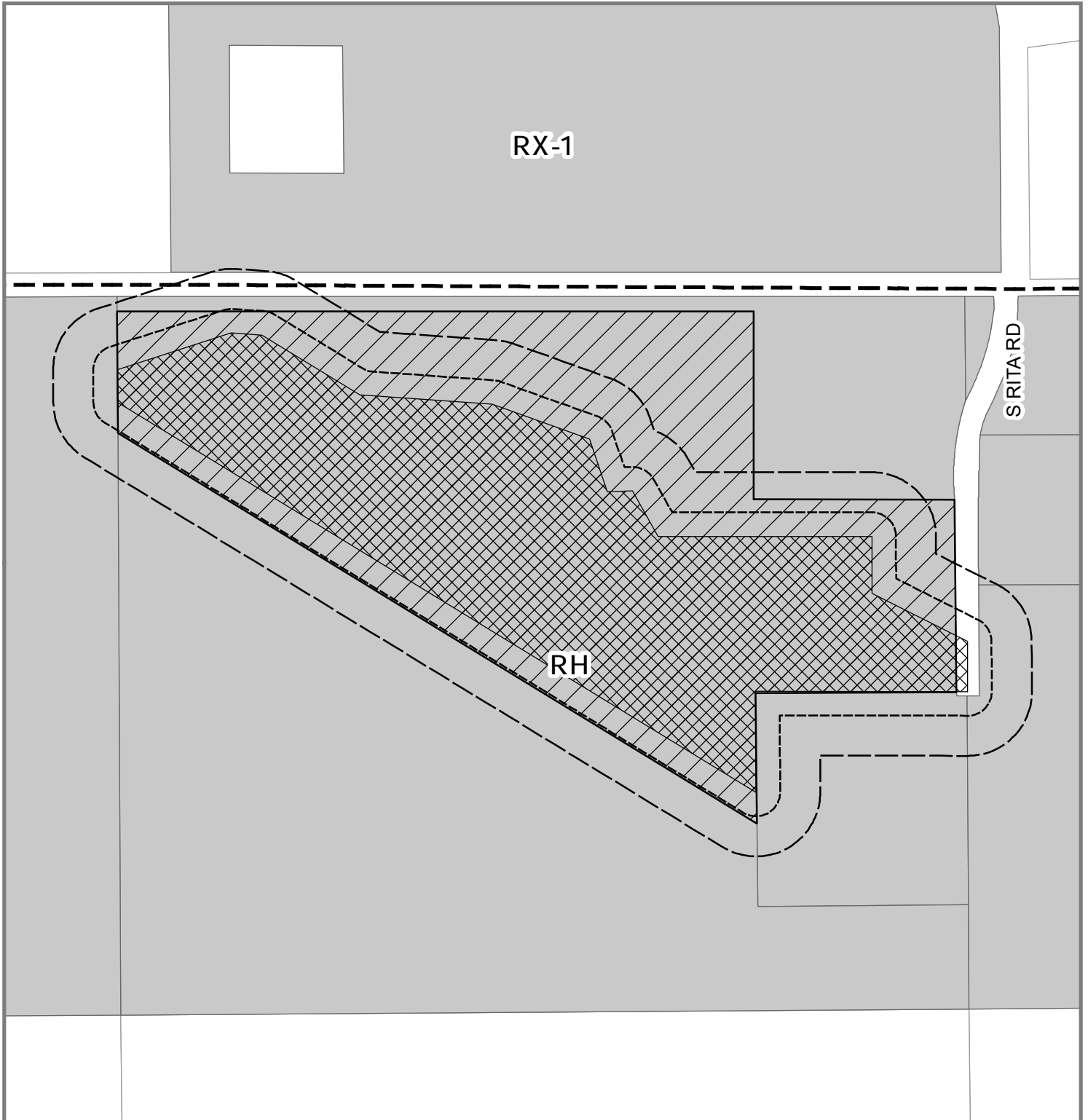
Address: 10000 S Rita Rd
Base Maps: Twp. 16S R. 15E Sec. 05 &
Twp. 16S R. 15E Sec. 04
Ward: 4



0 460 920 Feet
1 inch = 906.710782 feet



TP-ENT-0323-00018 - 10000 S Rita Rd
Rezoning Request From RH to I-1

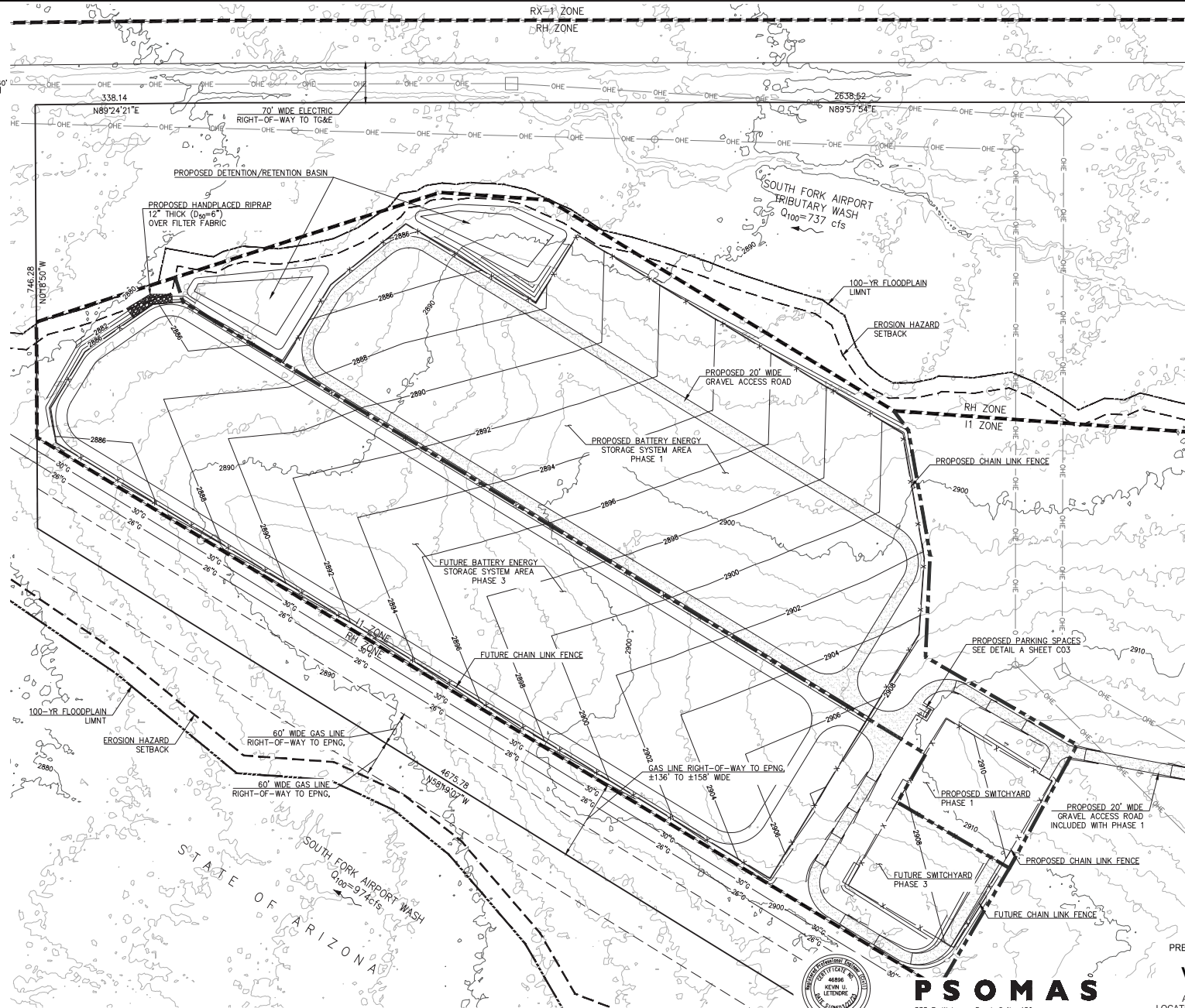


-  Area of Rezoning (RH to I-1)
-  Project Site
-  Protest Area (150 ft. Radius)
-  Notification Area (400 ft. Radius)
-  Zone Boundaries
-  Properties Notified

Address: 10000 S Rita Rd
Base Maps: Twp. 16S R. 15E Sec. 05 &
Twp. 16S R. 15E Sec. 04
Ward: 4

0 440 880 Feet
1 inch = 871 feet





MATCHLINE - SEE SHEET C02

PRELIMINARY DEVELOPMENT PACKAGE FOR

VAIL SUBSTATION

10000 S. RITA ROAD
ASSESSOR'S PARCEL 305-01-005A
LOCATED IN SECTION 4, T 16 S, R 15 E, G 8 SRM,
CITY OF TUCSON, PIMA COUNTY, ARIZONA

PSOMAS

333 E. Wetmore Road, Suite 450
Tucson, AZ 85705
(520) 292-2300 (520) 292-1290 fax
www.psomas.com

PSOMAS PROJ. NO: 7DEP230101

SCALE: HORIZ: 1" = 80'
VERT: N/A

SHEET 2 of 4

REVISIONS

DATE	DESC	TECH	REV
01/11/11	SUBMITTAL REVIEW	PROJMS	01
02/01/11	REDESIGNED: RITA ROAD	PROJMS	02

DESCRIPTION:
SUBMITTAL REVIEW
REDESIGNED: RITA ROAD
JOB NO.

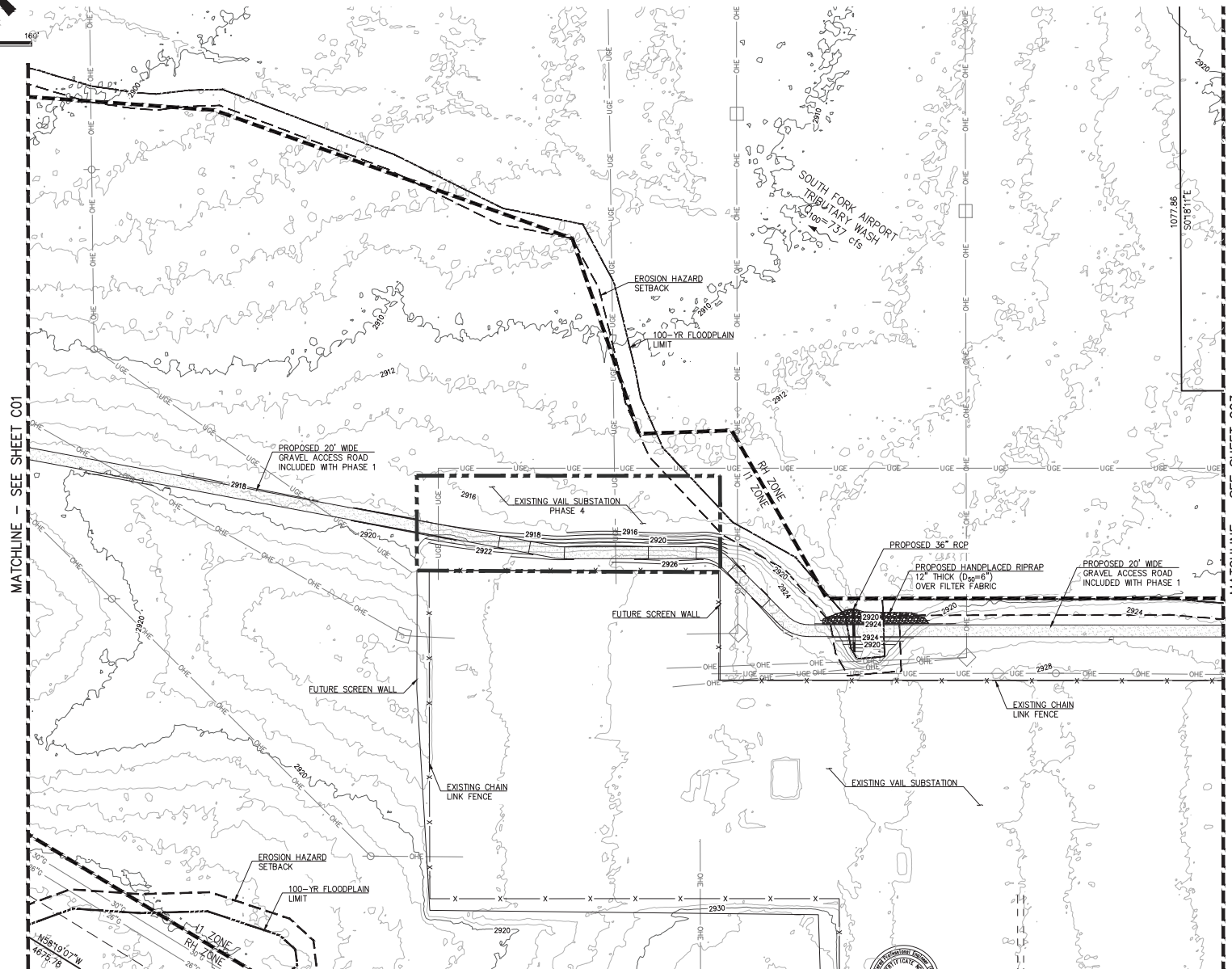
DATE	BY	CHKD	DATE	BY	CHKD
01/11/11	PROJMS	01/11/11	01/11/11	PROJMS	01/11/11
02/01/11	PROJMS	02/01/11	02/01/11	PROJMS	02/01/11

AUTOCADD

Tucson Electric Power Company
TUCSON, ARIZONA
PRELIMINARY SITE PLAN
PRELIMINARY DEVELOPMENT PACKAGE
VAIL SUBSTATION UPGRADES: RITA ROAD



16-15-4 NE, 16-15-4 NW	16-15-4 SW, 16-15-4 SE
REF #	N/A
DATE	
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PRELIMINARY DEVELOPMENT PACKAGE
FOR
VAIL SUBSTATION
10000 S. RITA ROAD
ASSESSOR'S PARCEL 305-01-005A
LOCATED IN SECTION 4, T 16 S, R 15 E, G & SRM,
CITY OF TUCSON, PIMA COUNTY, ARIZONA

PSOMAS

333 E. Wetmore Road, Suite 450
Tucson, AZ 85705
(520) 292-2300 (520) 292-1290 fax
www.psomas.com



PSOMAS PROJ. NO: 7DEP230101 SCALE: HORIZ: 1" = 80' VERT: N/A PAGE 3 of 4

REVISIONS

DATE	DESC	TECH	REV
01/11/11	INITIAL REVIEW	PSOMAS	01
01/11/11	REVISION	PSOMAS	02

DESCRIPTION:
SUBMITTAL REVIEW
REVISIONS:
REVISIONS:
REVISIONS:

DATE	BY	CHKD	DATE	BY	CHKD
01/11/11	PSOMAS	PSOMAS	01/11/11	PSOMAS	PSOMAS
01/11/11	PSOMAS	PSOMAS	01/11/11	PSOMAS	PSOMAS

AUTOCADD

16-15-4 NE, 16-15-4 NW
16-15-4 SW, 16-15-4 SE

REF # N/A

SHEET C02

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Approval – Protest Form



If you wish to submit a written protest or approval, this form is provided for your convenience. Please print your comments below, sign your name, and mail to the Rezoning Section of the Planning and Development Services Department at the address on the reverse side (you will need to attach postage). The number of approvals and protests along with protest calculations will be reported at the Zoning Examiner's public hearing.

Approvals and protests must have an owner's signature to be recorded.

If there are protests from 20% of the property owners within 150' of the whole perimeter of the property being rezoned, including BOTH 20% of the property by area and 20% of the number of lots with 150', then an affirmative vote of $\frac{3}{4}$ of the Mayor and Council (5 of 7 council members) will be required to approve the rezoning ordinance or Mayor and Council Special Exception. Public rights-of-way and the area/lot of the proposed rezoning are included in the protest calculations.

Case: TP-ENT-0323-00018 - TEP Vail Substation - Rita Road (Ward 4)

I/We the undersigned property owners, wish to

- ☐ APPROVE the proposed rezoning/special exception
☐ PROTEST the proposed rezoning/special exception

Reason(s):

PLEASE PRINT YOUR NAME	PLEASE PRINT MAILING ADDRESS	PLEASE PRINT LEGAL PROPERTY DESCRIPTION		
		Subdivision	Block	Lot

Owners' Signature(s): _____ Date _____

Place
Stamp
Here

City of Tucson
Planning and Development Services Department
Rezoning Section
201 N. Stone
P.O. Box 27210
Tucson, Arizona 85726-7210

TP-ENT-0323-00018 - MG

Expose this flap - Affix stamp and return



City of Tucson
Planning and Development Services
Department -Rezoning Section
201 N. Stone Avenue
P.O. BOX 27210
Tucson, Arizona 85726-7210

TP-ENT-0323-00018
IMPORTANT REZONING NOTICE ENCLOSED