



# **C8-15-01 UDC Corrections No. 4**

Planning Commission  
Public Hearing  
March 4, 2015



## Background

- The Unified Development Code (UDC) was adopted in October 2012.
- Given the scale of the LUC Simplification Project, City staff anticipated having to process “clean up” amendments, such as those being proposed now, and informed the Mayor and Council of this when the UDC was adopted.



# Tracking Text Amendment within the UDC

## 1. Illustrative example

(Ord. 11070, 5/14/2013; Am. Ord. 11201, 9/23/2014)

### 3. 50' NOTICE PROCEDURE

#### A. Purpose

Proposed development that involves minor modifications, small deviations to design criteria, or minor construction subject to design review shall comply with the following general procedures. This procedure is intended to provide notice to parties who may be affected by the development.

#### A. Applicability

The 50' Notice Procedure applies to the following applications:

(2013 S-1)



# Tracking Text Amendment within the UDC

## 2. Illustrative example

### REFERENCES TO ORDINANCES

Ord. No.	Adopted	Section(s) Affected
11070	5/14/2013	1.1, 1.7.4, 2.2.6, 3.2.2, 3.2.3, 3.2.4, 3.3.3, 3.5.3, 3.5.5, 3.10.2, 3.10.3, 3.11.1, 4.8.3, 4.8.4, 4.8.5, 4.8.6, 4.8.7, 4.8.8, 4.8.9, 4.9.4, 4.9.13, 5.8.1, 5.11.8, 6.3.4, 6.4.4, 6.4.5, 6.4.6, 6.6.3, 7.4.5, 7.4.6, 7.6.4, 8.4.1, 8.7.1, 9.1.3, 11.4.7
11127	11/6/2013	3.2.2, 3.2.3, 3.2.4, 3.4.3, 3.4.4, 3.5.3, 3.5.5, 3.10.3, 3.11.1, 4.8.3, 4.8.4, 4.8.6, 4.8.7, 4.9.7, 4.9.13, 5.3.4, 5.8.8, 6.3.4, 7.6.4
11150	3/18/2014	5.8, 5.8.1, 5.8.2, 5.8.3, 5.8.4, 5.8.5, 5.8.6, 5.8.7, 5.8.8, 5.8.9, 5.8.10, 5.8.11, 5.8.12
11171	5/20/2014	3.2.3, 4.8.6, 4.8.7, 4.8.8, 4.9.7, 5.4.6, 5.13.4, 6.4.5, 6.4.6, 6.4.7, 6.6.2, 7.4.4, 7.4.5, 8.7.3, 11.3.4
11199	9/9/2014	4.9.9, 7.4.4, 7.4.8
11200	9/23/2014	8.4.2, 11.4.20
11201	9/23/2014	3.3.3, 3.3.5, 4.8.7, 4.9.7, 6.3.4, 7.4.5



## Proposed Amendments

1. Revise “Current through” phrase with “**Last Revision**” on the cover page;
2. Clarify **Cultural** Use Class and associated Types in the UDC use tables;
3. Clarify **Recreation** Land Use Classes as Permitted Uses in the UDC use tables; and;
4. Clarify **Hazardous Material Storage** as an Accessory Use in the UDC use tables.



# 1. Last Revision

Revise the “Current through” phrase with “Last Revision” on the cover page to make clear each of the three dates associated with the UDC.

## **Unified Development Code**

Chapter 23B of the *Tucson Code*

Adopted – October 9, 2012

Effective – January 2, 2013

~~Current through~~ Last Revision – September 23, 2014

## **Administrative Manual**

*Supplement to the Unified Development Code*

Adopted – October 9, 2012

Effective – January 2, 2013

~~Current through~~ Last Revision – June 20, 2014

## **Technical Standards Manual**

*Supplement to the Unified Development Code*

Adopted – October 9, 2012

Effective – January 2, 2013



## 2. Cultural Use

Clarify consistency issues between LUC and the UDC for Cultural Use, i.e. museums, is permitted in the Commercial and Mixed Use Zones:

- A. The proposal eliminates *government owned and operated*, thus, permitting Cultural Use with no use specific standards in the C-1, C-2, C-3, OCR-1, and OCR-2 Zone so as to be consistent with the LUC. Allowing for public and private uses.
- B. The proposal includes *or Wildlife Refuge* so as to be consistent with the LUC.
- C. The proposal clarifies the cultural use definition to include land use types identified in the use tables.



A. The proposal eliminates “government owned and operated only.”

**Proposed Amendment:  
UNIFIED DEVELOPMENT CODE  
ARTICLE 4. ZONES  
SECTION 4.8. USE TABLES**

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**4.8.6. PERMITTED USES: COMMERCIAL AND MIXED USE ZONES**

<b>TABLE 4.8-4: PERMITTED USES – COMMERCIAL AND MIXED USE ZONES</b>						
<i>P = Permitted Use                      S = Permitted as Special Exception Use</i>						
<i>[1] Mayor and Council Special Exception Procedure, Section 3.4.4</i>						
<i>[2] Zoning Examiner Special Exception Procedure, Section 3.4.3</i>						
<i>[3] PDSD Special Exception Procedure, Section 3.4.2</i>						
<b>LAND USE</b>	<b>C-1</b>	<b>C-2</b>	<b>C-3</b>	<b>OCR-1</b>	<b>OCR-2</b>	<b>USE SPECIFIC STANDARDS</b>
***						
<b>CIVIC LAND USE GROUP WITH LAND USE CLASS/TYPE:</b>						
***						
Cultural Use ( <del>government owned and operated only</del> )	P	P	P	P	P	



B. The proposal includes “*or Wildlife Refuge*” so as to be consistent with the LUC.

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**4.8.8. PERMITTED USES: SPECIAL USE ZONES (1) – OS, IR, P, & RV**

TABLE 4.8-6: PERMITTED USES – SPECIAL USE ZONES (1): OS, IR, P, & RV ZONES					
<i>P = Permitted Use                      S = Permitted as Special Exception Use</i> [1] Mayor and Council Special Exception Procedure, Section 3.4.4 [2] Zoning Examiner Special Exception Procedure, Section 3.4.3 [3] PDSD Special Exception Procedure, Section 3.4.2					
LAND USE	OS	IR	P	RV	USE SPECIFIC STANDARDS
***					
CIVIC LAND USE GROUP WITH LAND USE CLASS/TYPE:					
***					
Cultural Use: Limited to Nature Reserve <u>or</u> <u>Wildlife Refuge</u> Other than Nature Reserve or Wildlife Refuge		P  S [1]			IR: 4.9.3.C.1 and 4.9.13.H



C. Clarifies the cultural use definition to include land use types identified in the use tables.

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**UNIFIED DEVELOPMENT CODE**  
**ARTICLE 11. DEFINITIONS AND RULES OF CONSTRUCTION**  
**SECTION 11.3. DEFINITIONS OF LAND USE GROUPS, CLASSES, AND**  
**TYPES**

**11.3.3. CIVIC USE GROUP**

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**D. Cultural Use**

The collection and display of objects having literary, artistic, historic, natural, historic or scientific value for public appreciation. Typical uses include museums, libraries, botanical gardens, ~~and~~ zoos, nature reserves, and wildlife refuges.



### 3. Recreation Use

The UDC is not clear where Recreation Use Classes, i.e. neighborhood parks, is allowed:

- A. The proposal removes a nonexistent Use Specific Standard in the Commercial and Mixed Use Zones Table.
- B. The proposal permits Commercial Recreation in Institutional Reserve (IR) Zone and Parks and Recreation in Recreational Vehicle (RV) Zone so as to be consistent with the LUC.



A. The proposal removes a nonexistent Use Specific Standard in the Commercial and Mixed Use Zones Table.

UNIFIED DEVELOPMENT CODE  
ARTICLE 4. ZONES  
SECTION 4.8. USE TABLES

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4.8.6. PERMITTED USES: COMMERCIAL AND MIXED USE ZONES

TABLE 4.8-4: PERMITTED USES – COMMERCIAL AND MIXED USE ZONES						
<i>P = Permitted Use</i> <i>S = Permitted as Special Exception Use</i> [1] Mayor and Council Special Exception Procedure, Section 3.4.4 [2] Zoning Examiner Special Exception Procedure, Section 3.4.3 [3] PDSD Special Exception Procedure, Section 3.4.2						
LAND USE	C-1	C-2	C-3	OCR-1	OCR-2	USE SPECIFIC STANDARDS
***						
<b>RECREATION LAND USE GROUP WITH LAND USE CLASS/TYPE:</b>						
Golf Course	P	P	P			C-1: 4.9.6.A.1 and 4.9.13.O C-2, C-3: 4.9.6.A.1 <del>a-f, &amp; h</del>



B. The proposal permits Commercial Recreation in Institutional Reserve (IR) Zone and Parks and Recreation in Recreational Vehicle (RV) Zone so as to be consistent with the LUC.

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**4.8.8. PERMITTED USES: SPECIAL USE ZONES (1) – OS, IR, P, & RV**

TABLE 4.8-6: PERMITTED USES – SPECIAL USE ZONES (1): OS, IR, P, & RV ZONES					
<i>P = Permitted Use                      S = Permitted as Special Exception Use</i> [1] Mayor and Council Special Exception Procedure, Section 3.4.4 [2] Zoning Examiner Special Exception Procedure, Section 3.4.3 [3] PDSO Special Exception Procedure, Section 3.4.2					
LAND USE	OS	IR	P	RV	USE SPECIFIC STANDARDS
***					
<b>COMMERCIAL SERVICES LAND USE GROUP WITH LAND USE CLASS/TYPE:</b>					
***					
<u>Commercial Recreation</u>		<u>P</u>			
***					
<b>RECREATION LAND USE GROUP WITH LAND USE CLASS/TYPE:</b>					
***					
<u>Parks and Recreation</u>				<u>P</u>	



## 4. Hazardous Material Storage Use

The UDC is not clear where Hazardous Material Storage, i.e. aboveground fuel storage tank, is allowed as an accessory use:

- A. For localization, the proposal transfers HMS listed under particular Land Use Groups, i.e. Commercial Services, to the Storage Land Use Group.
- B. The proposal transfers other HMS listed under Additional Permitted Accessory Uses subsection of each Land Use Group to the Storage Land Use Group.



A. For localization, the proposal transfers HMS listed under particular Land Use Groups, i.e. Commercial Services, to the Storage Land Use Group.

UNIFIED DEVELOPMENT CODE  
ARTICLE 4, ZONES  
SECTION 4.8. USE TABLES

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4.8.3. PERMITTED USES: RURAL AND SUBURBAN RESIDENTIAL ZONES

TABLE 4.8-1: PERMITTED USES – RURAL AND SUBURBAN RESIDENTIAL ZONES						
<i>P = Permitted Use                      S = Permitted as Special Exception Use</i> [1] Mayor and Council Special Exception Procedure, Section 3.4.4 [2] Zoning Examiner Special Exception Procedure, Section 3.4.3 [3] PDSD Special Exception Procedure, Section 3.4.2						
LAND USE	RH	SR	SH	RX-1	RX-2	USE SPECIFIC STANDARDS
***						
<b>STORAGE LAND USE GROUP WITH LAND USE CLASS/TYPE:</b>						
Hazardous Material Storage as an accessory use to any permitted <del>principal land-use</del> <u>in every land use group</u>	P	P	P	P	P	<b>RH:</b> 4.9.10.B.1 & .2.a. and 4.9.13.I <u>SR, SH, RX-1, RX-2: 4.9.10.B.1 &amp; .2.a</u>



B. The proposal transfers other HMS listed under Additional Permitted Accessory Uses subsection of each Land Use Group to the Storage Land Use Group.

**4.8.5. PERMITTED USES: OFFICE ZONES**

<b>TABLE 4.8-3: PERMITTED USES – OFFICSE ZONES</b> <i>P = Permitted Use      S = Permitted as Special Exception Use</i> [1] Mayor and Council Special Exception Procedure, Section 3.4.4 [2] Zoning Examiner Special Exception Procedure, Section 3.4.3 [3] PDSD Special Exception Procedure, Section 3.4.2				
LAND USE	O-1	O-2	O-3	USE SPECIFIC STANDARDS
***				
<b>COMMERCIAL SERVICES LAND USE GROUP WITH LAND USE CLASS/TYPE:</b>				
***				
<b>ADDITIONAL PERMITTED ACCESSORY USES</b>				
HAZARDOUS MATERIAL STORAGE IS PERMITTED AS AN ACCESSORY USE TO ANY PERMITTED PRINCIPAL LAND USE IN ANY LAND USE GROUP	P	P	P	<del>O-1, O-2, O-3: 4.9.10.B.1 &amp; .2.A</del> <del>OR .2.E</del>
***				
<b>STORAGE LAND USE GROUP WITH LAND USE CLASS/TYPE:</b>				
Hazardous Material Storage as an accessory use to any <del>p</del> Permitted <del>principal land use</del> <del>in every land use group</del>	P	P	P	<del>O-1, O-2, O-3: 4.9.10.B.1 &amp; .2.a or .2.e</del> and 4.9.13.K

## Recommendation

Staff recommends that the Planning Commission forward this item to the Mayor and Council with a recommendation to adopt the proposed amendments:

1. Revise “Current through” phrase with “**Last Revision**” on the cover page;
2. Clarify **Cultural** Use Class and associated Types in the UDC use tables;
3. Clarify **Recreation** Land Use Classes as Permitted Uses in the UDC use tables; and;
4. Clarify **Hazardous Material Storage** as an Accessory Use in the UDC use tables.