



PLANNING COMMISSION

Planning & Development Services Department • 201 N. Stone Ave. • Tucson, AZ 85701

Date: August 13, 2014

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To: Planning Commission

for **From:** Ernie Duarte, Director PDSD 

Subject: Unified Development Code (UDC) Text Amendments - C8-14-05
Individual Parking Plan (IPP) Notification, Park Industrial Zone (P-I)
Uses, and Light Industrial Zone (I-1) Shelter Care – Public Hearing
(Citywide)

Issue – The Mayor and Council initiated the following text amendments to the Unified Development Code:

1. Allow property owners within the Historic Preservation Zone to receive notice and be able to appeal an Individual Parking Plan;
2. Include certain C-2 Zone Uses in the P-I Zone with appropriate standards; and,
3. Reduce setbacks in the I-1 zone for the use type, Shelter Care intended for children or teenagers who need full-time supervision.

At this public hearing, the Planning Commission may review the proposed amendments and consider comments from the public. (See Attachment A for details).

Recommendation – It is recommended that the Planning Commission forward a recommendation to Mayor and Council for adoption on September 23, 2014.

Background – June 17, 2014, The Mayor and Council discussed and provided direction to Planning and Development Services staff (PDSD) related to three UDC text amendments.

- Revising the UDC related to the IPP so that projects within 300 feet of Historic Preservation Zone require a 300 foot notice procedure.
- Reviewing P-I zone uses to consider certain C-2 zone uses like retail uses within the P-I zone.
- Reviewing for modification of the setback for the use type, shelter care, in the I-1 zone.

July 16, 2014, The Planning Commission held a discussion on the proposed amendments and set them for public hearing (vote 8-2):

A commissioner inquired if the Individual Parking Plan case was unique to Armory Park.

The commissioners had no discernable concerns with including certain C-2 Zone Uses in the P-I Zone with appropriate standards.

Regarding shelter care in the I-1 zone, a commissioner questioned changing the zoning code for one shelter care case and another commissioner asked if there is any other way to resolve the issue. Staff replied that the item was initiated by Mayor and Council.

A commissioner asked if there are any unintended consequences. Staff replied that shelter care is not inherently an intrusive use.

A commissioner asked how many children and teenagers are currently in the shelter care. Staff said that there are approximately 200 children in this case.

Staff noted that a non-profit group monitors and cares for the children and teenagers.

Summary of the Proposed Amendments – Per the Mayor and Council’s direction, staff prepared the following draft amendments (see Attachment A for more details on proposed amendments):

1. Allow property owners within the Historic Preservation Zone to receive notice and be able to appeal an Individual Parking Plan.

Background – In a recent case near the Armory Park Historic Preservation Zone an IPP was reviewed. While it was more than 300 feet from residentially zone property, many historical properties in Armory Park are zoned commercial but are actually residential properties. This amendment would assure properties that are in a Historic Preservation Zone will get notice like a residential zone.

Current Regulation – The 300’ Notice Procedure applies to Individual Parking Plans for projects within 300’ of the R-3 zone or more restrictive residential zones.

Proposed Revision – The amendment would apply to the following UDC sections (Sec. 3.3.3.A.7, 3.3.5.B.3, 7.4.5.A.4.k, .6.a & .6.b) to assure notice is sent to properties in a nearby Historic Preservation Zone.

2. Include certain C-2 Zone Uses in the P-I Zone with appropriate standards.

Background – The P-I zone is intended to accommodate corporate business centers plus limited outside and indoor commercial and industrial. It first appeared in Tucson’s zoning code in about 1965. The P-I and C-2 zones are often used on arterial streets to act as a use buffer. In the case of C-2 it mainly buffers residential from the street and for P-I it mainly is a buffer for heavy industrial property.

In some parts of the City, P-I and C-2 are adjacent to each other on an arterial. Problems arise when a single lot contains both zones where P-I cancels out the commercial C-2 uses and C-2 does not permit P-I industrial uses. Further, the P-I zone is not very useful because of its rarely used industrial uses and its lack of commercial uses. Additionally, a use like a corporate business center can easily locate in the I-1 and I-2 zones.

Planning and Development Services recommended to the Mayor and Council to allow indoor retail center uses which are covered in the UDC's Retail Trade Group and a limited outdoor commercial uses similar to ones in P-I. The UDC's uses are arranged into major use groups (e.g., Retail Trade Group); the next level are use classes (e.g., General Merchandise Sales); and below that level are use types (e.g., Large Retail Establishment).

Staff noted that P-I corporate business centers and indoor retail centers have similar site plans for buildings and parking also both are common uses on arterial streets.

Current Regulation – There are already permitted uses in the P-I zone that are similar to C-2 permitted uses. Examples are elementary and secondary schools, professional offices, day care, outpatient medical services, personal services, research and product development, technical services, and travelers' accommodation lodging. In all, there are about forty-three uses permitted in the P-I Zone characterized as a mix of light industrial, some commercial but not retail uses.

Proposed Revision – This amendment would add C-2 uses to the P-I zone characterized as indoor retail and service uses as well as some similar outdoor uses in P-I. The added C-2 uses include: civic assembly; cultural use; educational use; membership organization; postal service; religious use; alcoholic beverage service; animal service; entertainment; funeral service; medical service; minor trade services and repair; food and beverage sales; and, general merchandise sales.

In addition, the added C-2 uses would be restricted in building height to the C-2 building height of 40 feet versus the typical P-I zone building height of 50 feet. Other dimensions like lot coverage and setbacks would be those for uses in the P-1 zone.

The affected parts of the UDC include amendments to Sec. 4.8.7 (Table 4.8-5: Permitted Uses – Industrial Zones), 6.3.4. (TABLE 6.3-5.B: Exceptions To The P-1, I-1, & I-2 Dimensional Standards), and 4.9.13.Q to include C-2 Uses.

Scrivener's Error – This amendment will also replace Park Industrial “P-1” with the correct “P-I”.

3. Reduce setbacks in the I-1 zone for the use type, Shelter Care intended for children or teenagers who need full-time supervision.

Background – Recently a non-profit organization became aware that they could not use a desired property in the I-1 zone for a shelter care for children and teenagers under supervision because of a required 500 foot setback to residential property.

While the property was previously a student housing project located on an arterial street, there were several residential lots locate across Oracle Road behind fronting commercial property.

The Mayor and Council directed PDSO to prepare a UDC amendment so industrial zones are less restrictive for such facilities. PDSO has prepared a proposal that would allow this site to proceed and sets up a process for future sites.

Current Regulation – I-1 Zone currently requires a site to be located at least 500 feet, measured in a straight line, from a property line to a zone boundary line of R-3 or more restrictive zoning.

Proposed Revision – This proposal would amend Sec. 4.8.7 to include Shelter Care, Children and Teenagers who need full-time supervision as a permitted use if it is at least 200 feet from a residential zone. Further, the amendment would allow additional setback reduction from a residential zone if the applicant of the subject property applies for a Zoning Examiner Special Exception which includes a notice public hearing, a decision by the Zoning Examiner, and an appeal to Mayor and Council.

Scrivener's Error – This amendment would also remove “& .11” from the Use Specific Standards column because there is no referenced standard for 4.9.7.J.11.

Attachments:

A. C8-14-05 IPP Notification, P-I Uses, and I-1 Shelter Care Draft Text Amendment

PROPOSED AMENDMENTS TO THE INDIVIDUAL PARKING PLAN (IPP) NOTIFICATION, PARK INDUSTRIAL ZONE (P-I) USES, AND LIGHT INDUSTRIAL ZONE (I-1) SHELTER CARE

Background: On June 17, 2014, the Mayor and Council initiated the following text amendments to the Unified Development Code:

1. Allow property owners within the Historic Preservation Zone to receive notice and be able to appeal an Individual Parking Plan;
2. Include certain C-2 Zone Uses in the P-I Zone with appropriate standards; and,
3. Reduce setbacks for Shelter Care, intended for children and teenagers who need full-time supervision in the I-1 Zone.

Accordingly, the following are the draft revisions to the Unified Development Code. Changes are shown with ~~strike throughs~~ and underscores for ease of spotting.

#1

Summary: Allow property owners within the Historic Preservation Zone to receive notice and be able to appeal an Individual Parking Plan.

Affected Section: Sec. 3.3.3.A.7, 3.3.5.B.3, 7.4.5.A.4.k, .6.a & .6.b

Proposed Amendment:

**UNIFIED DEVELOPMENT CODE
 ARTICLE 3: GENERAL PROCEDURES
 SECTION 3, ZONING COMPLIANCE REVIEW PROCEDURES**

3.3.3. PSDS DIRECTOR APPROVAL PROCEDURE

A. Applicability

7. Individual Parking Plans for projects greater than 300 feet from R-3 or more restrictive zoning districts or Historic Preservation Zone;

3.3.5. 300' NOTICE PROCEDURE

B. Applicability

- 3. Individual Parking Plans for projects within 300 feet of R-3 or more restrictive zoning districts or Historic Preservation Zone.

**UNIFIED DEVELOPMENT CODE
ARTICLE 7: GENERAL PROCEDURES
SECTION 4, MOTOR VEHICLE AND BICYCLE PARKING**

7.4.5. REDUCTIONS AND EXCEPTIONS

A. Individual Parking Plan

- 4. Individual Parking Plan Requirement

- k. For projects within 300 feet of an R-3 or more restrictive zone or Historic Preservation Zone, the IPP project must address how the proposal will not cause a safety hazard, noise, or parking impacts on an adjacent existing neighborhood.

- 6. **Review and Approval Procedures**

- a. An IPP for projects more than 300 feet from R-3 or more restrictive zones or Historic Preservation Zone is reviewed in accordance with Section 3.3.5, *300' Notice Procedure*.
 - b. An IPP for projects within 300 feet of R-3 or more restrictive zones or Historic Preservation Zone is reviewed in accordance with Section 3.3.3, *PDS Director Approval Procedure*.

#2

Summary: Include certain C-2 Zone Uses in the P-I Zone with appropriate standards.

Correct scrivener's error by replacing Park Industrial "P-1" with the correct "P-I".

Affected Section: Sec. 4.8.7, 6.3.4

Scrivener's Error - Sec. 4 Contents, 4.7.28, 4.8.7, 4.9.7.C.1, 4.9.13.Q, 6.3.1, 6.3.3.E, and 6.3.4

Proposed Amendment:

**UNIFIED DEVELOPMENT CODE
ARTICLE 4: ZONES**

SECTION 8, USE TABLES

4.8.7 PERMITTED USES: INDUSTRIAL ZONES

TABLE 4.8-5: PERMITTED USES – INDUSTRIAL 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				
*Any Land Use Class not permitted or a Special Exception Use in any other zone, or permitted in the I-2 zone, may be permitted in the I-2 zone and shall comply with the dimensional standards determined to be most similar to the proposed use.				
LAND USE	P-I	I-1	I-2	USE SPECIFIC STANDARDS

Civic Land Use Group With Land Use Class/Type:				
Civic Assembly	<u>P</u>	P		I-1: 4.9.13.Q

Cultural Use				
Cultural Use	<u>P</u>	P		
Educational Use:				
Elementary and Secondary, Limited to Grades 9 -12	S [2]	S [2]		
Instructional or Postsecondary Institution	<u>P</u>	P		<u>P-I: 4.9.3.E</u>
With Salvaging and Recycling as an accessory use to an Educational Use	P	P		P-I: 4.9.5.G.1 & .3 I-1: 4.9.5.G.1 & .3
Membership Organization	<u>P</u>	P		I-1: 4.9.13.Q
Postal Service	<u>P</u>	P		I-1: 4.9.13.Q
Religious Use	<u>P</u>	P		I-1: 4.9.13.Q
With Salvaging and Recycling as an accessory use		P		I-1: 4.9.5.G.1 & .3
Commercial Services Land Use Group With Land Use Class/Type:				
Administrative and Professional Office	P	P	P	<u>P-I</u> , I-1, I-2: 4.9.13.Q
Alcoholic Beverage Service:				
Excluding Large Bar	<u>P</u>	P		<u>P-I: 4.9.13.P</u> I-1: 4.9.4.C.3 and 4.9.13.Q
Large Bar	<u>S [1]</u>	S [1]	S [1]	<u>P-I: 4.9.4.C.2 and 4.9.13.P</u> I-1, I-2: 4.9.4.C.2 and 4.9.13.Q
With a Microbrewery as an accessory use to a P or S Alcoholic Beverage Service use	<u>P</u>	P		<u>P-I, I-1: 4.9.5.E.6, .7, & .8</u>
Animal Service	<u>P</u>	P		<u>P-I: 4.9.4.D.1, .2, .3 & .4 and 4.9.13.P</u> I-1: 4.9.13.Q

Communications:				
Radio or Television Station only	P	P	P	<u>P-I</u> , I-1, I-2: 4.9.4.I.1 and 4.9.13.Q
Wireless Communication	P	P	P	<u>P-I</u> , I-1, I-2: 4.9.13.Q and 4.9.4.I.2, .3, & .4.a or .4.b
Wireless Communication	S [see use	S [see use	S [see use	<u>P-I</u> , I-1, I-2: 4.9.13.Q and one of the

TABLE 4.8-5: PERMITTED USES – INDUSTRIAL ZONES*

P = Permitted Use S = Permitted as Special Exception Use
 [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

*Any Land Use Class not permitted or a Special Exception Use in any other zone, or permitted in the I-2 zone, may be permitted in the I-2 zone and shall comply with the dimensional standards determined to be most similar to the proposed use.

LAND USE	P-1 specific standards]	I-1 specific standards]	I-2 specific standards]	USE SPECIFIC STANDARDS

Day Care	P	P	P	P-1 , I-1, I-2: 4.9.13.Q
Entertainment:				
Excluding Dance Halls	<u>P</u>	P		P-1 : 4.9.4.K.1, .2, .3, .4, 4.9.4.C.3, 4.9.13.E, and 4.9.13.P I-1: 4.9.4.K.1, .2, .3, .4, 4.9.4.C.3, and 4.9.13.Q
Dance Hall	<u>S [1]</u>	S [1]	S [1]	P-1 : 4.9.4.C.2 and 4.9.13.P I-1, I-2: 4.9.4.C.2 & .4 and 4.9.13.Q
Financial Service, excluding non-chartered institutions	P	P	P	P-1 : 4.9.4.L.3, 4.9.13.Q, and drive-through services are permitted as an outdoor activity I-1, I-2: 4.9.4.L.3 and 4.9.13.Q
Food Service:				
Excluding Soup Kitchen	P	P	P	P-1 : 4.9.13.Q and drive-through or drive-in services are permitted as an outdoor activity
With Alcoholic Beverage Service as an accessory use	P			P-1 : 4.9.4.V.1-2 and 4.9.4.C.3
Soup Kitchen	<u>S [1]</u>	S [1]	P	P-1 : 4.9.4.M.4 I-1, I-2: 4.9.4.M.4 and 4.9.13.Q
Funeral Service	<u>P</u>	P		P-1 : 4.9.13.P
Medical Service:				
Extended Healthcare	<u>P</u>	P		I-1: 4.9.13.Q
Major	<u>P</u>	P		I-1: 4.9.13.Q
Outpatient:				
Excluding blood donor centers	P	P		P-1 , I-1: 4.9.13.Q
Limited to blood donor centers	<u>S [1]</u>	S [1]	S [1]	P-1 : 4.9.4.O.3 and 4.9.13.P I-1 & I-2: 4.9.4.O.3 and 4.9.13.Q
Medical Service – Major or Outpatient as an accessory use to any permitted use in any Land Use Group			P	
Parking	P	P	P	P-1 , I-1, I-2: 4.9.13.Q
Personal Service	P	P		P-1 , I-1, I-2: 4.9.13.Q
Research and Product Development	P	P	P	P-1 : 4.9.5.C.5, .6, & .8 and 4.9.13.Q I-1, I-2: 4.9.13.Q
Technical Service	P	P	P	P-1 , I-1, I-2: 4.9.13.Q
Trade Service and Repair: Major (includes auto body shops/paint-		P	P	I-1, I-2: 4.9.4.X.1 and 4.9.13.Q

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 [3] PDSO Special Exception Procedure, Section 3.4.2

*Any Land Use Class not permitted or a Special Exception Use in any other zone, or permitted in the I-2 zone, may be permitted in the I-2 zone and shall comply with the dimensional standards determined to be most similar to the proposed use.

LAND USE	P-I	I-1	I-2	USE SPECIFIC STANDARDS
booths)				
Minor	P	P	P	P-I: 4.9.13.P I-1, I-2: 4.9.13.Q

Travelers Accommodation, Lodging	P	P	P	I-1, I-2: 4.9.13.Q
With Alcoholic Beverage Service as an accessory use	P			P-I: 4.9.4.V.1 & .2 and 4.9.4.C.3

Industrial Land Use Group With Land Use Class/Type:			*	
Craftwork	P	P	P	P-I: 4.9.5.C.2, .4, .5, .6 & .8 and 4.9.13.Q I-1: 4.9.5.C.2, .6, .7, & .8 and 4.9.13.Q I-2: 4.9.5.C and 4.9.13.Q

General Manufacturing	P	P	P	P-I: 4.9.5.C.2, .4, .5, .6, & .8 and 4.9.13.Q I-1: 4.9.5.C.2, .6, .7, & .8 and 4.9.13.Q I-2: 4.9.5.C and 4.9.13.Q

Motion Picture Industry	P	P	P	P-I: 4.9.5.C.1, .2, .4, .5, .6, .8, 4.9.5.D.1 and 4.9.13.Q I-1: 4.9.5.C.1, .2, 5-6, .8, 4.9.5.D.1 and 4.9.13.Q I-2: 4.9.5.C .1-8 and 4.9.13.Q
Perishable Goods Manufacturing	P	P	P	I-1 (P), P-I: 4.9.5.C.2, .4, .5, .6, .8, 4.9.5.E.1 & .2 and 4.9.13.Q I-2 (P): 4.9.5.C.1-8, 4.9.5.E.1-2 and 4.9.13.Q
Precision Manufacturing	P	P	P	P-I: 4.9.5.C.2, .4, .5, .6, & .8 and 4.9.13.Q I-1: 4.9.5.C.2, .5, .6, .7, & .8 and 4.9.13.Q I-2: 4.9.5.C.1-8 and 4.9.13.Q

Processing and Cleaning	P	P	P	P-I: 4.9.5.C.2, .4, .5, .6 & .8 and 4.9.13.Q I-1: 4.9.5.C.2, .5, .6, .7, & .8 and 4.9.13.Q I-2: 4.9.5.C .1-8 and 4.9.13.Q

Salvaging and Recycling	P	P	P	P-I: 4.9.5.C.2, 4.9.5.G.2, .4, & .5 and 4.9.13.Q I-1: 4.9.5.G.2 & .4 and 4.9.13.Q I-2 (P): 4.9.5.G.2, .4, & .13 and 4.9.13.Q

Retail Trade Land Use Group With Land Use Group/Type:			*	

Food and Beverage Sales:				
Excluding Large Retail Establishments	P	P		I-1, I-2: 4.9.13.Q
Large Retail Establishment	S [1]	S [1]		P-I: 4.9.9.D I-1: 4.9.9.D and 4.9.13.Q

TABLE 4.8-5: PERMITTED USES – INDUSTRIAL ZONES*

P = Permitted Use S = Permitted as Special Exception Use
 [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

*Any Land Use Class not permitted or a Special Exception Use in any other zone, or permitted in the I-2 zone, may be permitted in the I-2 zone and shall comply with the dimensional standards determined to be most similar to the proposed use.

LAND USE	P-I	I-1	I-2	USE SPECIFIC STANDARDS
Food and Beverage Sales as an accessory use to a permitted use in any Land Use Group			P	I-2: 4.9.5
General Merchandise Sales:				
Excluding Large Retail Establishments	P	P	P	P-I: 4.9.9.B.1 I-1, I-2: 4.9.13.Q
Large Retail Establishment	S [1]	S [1]	S [1]	P-I: 4.9.9.D I-1, I-2: 4.9.9.D and 4.9.13.Q

Swap Meets and Auctions	S [3]	S [3]	P	P-I, I-1, I-2: 4.9.9.F and 4.9.13.Q

Vehicle Rental and Sales	P	P	P	P-I: 4.9.9.G.2, & .3 and 4.9.13.Q I-1, I-2: 4.9.9.G.1 and 4.9.13.Q

Storage Land Use Group With Land Use Class/Type:			*	
Commercial Storage	P	P	P	P-I: 4.9.10.A, 4.9.5.C.8, and 4.9.13.Q I-1, I-2: 4.9.10.A and 4.9.13.Q

Utilities Land Use Group With Land Use Class/Type:			*	
Distribution System	P	P	P	P-I, I-1: 4.9.11.A.1, .2, & .4 and 4.9.13.Q
Renewable Energy Generation	P	P	P	P-I, I-1, I-2: 4.9.11.B.2, .3, & .5 and 4.9.13.Q

Wholesaling Land Use Group With Land Use Class/Type:			*	
Business Supply & Equipment Wholesaling	P	P	P	P-I: 4.9.5.C.8 and 4.9.13.Q
Construction/Heavy Equipment Wholesaling	P	P	P	P-I: 4.9.5.C.8 and 4.9.13.Q
Food and Beverage Wholesaling	P	P	P	P-I: 4.9.5.C.8 and 4.9.13.Q

**UNIFIED DEVELOPMENT CODE
 ARTICLE 4: ZONES
 SECTION 9, USE-SPECIFIC STANDARDS**

4.9.3. CIVIC USE GROUP

E. Postsecondary Institutions

Teaching of only those operations or occupations permitted in the zoning classification of the property as permitted uses is permitted.

4.9.4. COMMERCIAL SERVICES USE GROUP

B. Alcoholic Beverage Service and Entertainment

2. The following standards are required of large bars or dance halls:

a. Minimum Setbacks

Setbacks for the following use areas are measured from the use area to a zone boundary line of R-3 or more restrictive zoning:

(1) Outdoor Use Area: 500 feet.

(2) Parking Area: 200 feet.

(3) Loudspeakers: 500 feet.

(4) The Zoning Examiner may authorize a reduction to the required setbacks if special physical circumstances exist that will mitigate any negative impacts.

b. Security Management Plan

The applicant must submit a security management plan describing the method and operation of security within and outside the building, including the parking area, to the Zoning Administrator and the Police Chief. Any changes or amendments to the plan must be filed with, and approved by, the Zoning Administrator and the Police Chief.

c. Access

Access shall be either from a street shown on the Major Streets and Routes (MS&R) Map with no vehicular access to the site from a local street or from a local street within a nonresidential development.

3. Large bars and dance halls are prohibited.

D. Animal Service

1. Overnight confinement for clinic treatment is permitted for a maximum of five animals.

2. Boarding of animals is prohibited.

3. The activity shall be within a completely enclosed building.

4. An outpatient clinic is permitted for small animals only.

K. Entertainment

1. A circus, carnival, or tent show shall be permitted for no longer than 15 days.
2. Circuses, carnivals, and tent shows are reviewed for compliance in accordance with Section 3.3.3, PDSO Director Approval Procedure.
3. A circus, carnival, or tent show shall be setback 100 feet from the activity to the lot line of any residential use or zone.
4. Motor vehicle parking areas and bicycle facilities for a circus, carnival, or tent show shall be dust-proofed, and access to the vehicular use areas shall be identified and controlled to minimize vehicular and pedestrian conflicts.

M. Food Service

4. Soup kitchens shall comply with the following standards.
 - a. The use shall be conducted within a completely enclosed building.
 - b. Seating shall be provided at 100% of the meal service capacity.
 - c. A waiting area shall be provided within the building for a minimum of one-half of the total number of persons to be served.
 - d. Public rest rooms shall be provided.
 - e. No other soup kitchen use shall be located within one mile.

O. Medical Service

3. Blood donor centers shall comply with the following standards:
 - a. The site is not located in the same block as a residential zone or any elementary or secondary school or Day Care use.
 - b. The site is located at least 300 feet, measured in a straight line, from the property line to a residential zone boundary line or the property line of an elementary or secondary school.
 - c. A waiting area equal to ten percent of the gross floor area is provided.
 - d. No other blood donor center is located within 1,200 feet.

4.9.5. INDUSTRIAL USE GROUP

E. Perishable Goods Manufacturing

6. The accessory land use is limited to the manufacturing of beer, "microbrewery."
7. The area devoted to the accessory land use shall not exceed 25 percent of the gross floor area or 1,000 square feet, whichever is less.
8. The products manufactured on site must be sold at retail on the premises.

4.9.9. RETAIL TRADE USE GROUP

B. General Merchandise Sales

1. Outdoor display or storage of fertilizer, manure, or other odorous material shall be located at least 30 feet from any interior lot line.

D. Large Retail Establishment Design Standards

4.9.13. GENERAL STANDARDS, RESTRICTIONS, AND EXCEPTIONS

E. Outdoor Activity

Activity may occur outdoors.

P. C-2 Commercial Zone – General Restrictions

1. Outdoor display of finished products for rent or sale at retail or wholesale is permitted, unless prohibited by a use-specific standard.
2. The land uses in the Commercial Services (except Automotive Service and Repair, Day Care Use; Medical Service, Extended Health Care; Transportation Services, Land Carrier; and Travelers' Accommodation, Lodging) Industrial, Restricted Adult Activities, and Wholesaling Use Groups shall be conducted entirely within an enclosed building unless modified by Use Specific Standards.

**UNIFIED DEVELOPMENT CODE
ARTICLE 6: DIMENSIONAL STANDARDS AND MEASUREMENTS
SECTION 3, DIMENSIONAL STANDARDS**

6.3.4 DIMENSIONAL STANDARDS AND EXCEPTIONS TABLES

Table 6.3-5.B: Exceptions to the P-I, I-1, & I-2 DIMENSIONAL STANDARDS

Zone	Use	Exceptions to the Zone's Dimensional Standard
P-I	Educational Use: Elementary and Secondary Schools (S)	Height (max.) = 75'
	Renewable Energy Generation (P) <ul style="list-style-type: none"> • <u>Civic Assembly (P)</u> • <u>Cultural Use (P)</u> • <u>Educational Use, Instructional or Postsecondary Institution (P)</u> • <u>Membership Organization (P)</u> • <u>Postal Service (P)</u> • <u>Religious Use (P)</u> • <u>Alcoholic Beverage Service:</u> <ul style="list-style-type: none"> • <u>Excluding Large Bar (P)</u> • <u>Large Bar (S)</u> • <u>With a Microbrewery as an accessory Use (P)</u> • <u>Animal Service (P)</u> • <u>Entertainment:</u> <ul style="list-style-type: none"> • <u>Excluding Dance Halls (P)</u> • <u>Dance Hall (S)</u> • <u>Food Service: Soup Kitchen (S)</u> • <u>Funeral Service (P)</u> • <u>Medical Service:</u> <ul style="list-style-type: none"> • <u>Extended Healthcare (P)</u> • <u>Major (P)</u> • <u>Outpatient, Limited to blood donor centers (S)</u> • <u>Trade Service and Repair, Minor (P)</u> • <u>Food and Beverage Sales:</u> <ul style="list-style-type: none"> • <u>Excluding Large Retail Establishments (P)</u> • <u>Large Retail Establishments (S)</u> • <u>General Merchandise Sales:</u> <ul style="list-style-type: none"> • <u>Excluding Large Retail Establishments (P)</u> • <u>Large Retail Establishments (S)</u> 	Height (max.) = 16' <u>Height (max.) = 40'</u>

#3

Summary: Reduce setbacks in the I-1 zone for the use type, Shelter Care intended for children and teenagers who need full-time supervision.

Correct scrivener's error by removing "& .11" from the Use Specific Standards column because there is no referenced standard for 4.9.7.J.11.

Affected Section: Sec. 4.8.7, 4.9.7.J

Scrivener's Error - Sec. 4.8.7

Proposed Amendment:

**UNIFIED DEVELOPMENT CODE
ARTICLE 4: ZONES
SECTION 8, USE TABLES**

4.8.7 PERMITTED USES: INDUSTRIAL ZONES

TABLE 4.8-5: PERMITTED USES – INDUSTRIAL 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				
*Any Land Use Class not permitted or a Special Exception Use in any other zone, or permitted in the I-2 zone, may be permitted in the I-2 zone and shall comply with the dimensional standards determined to be most similar to the proposed use.				
LAND USE	P-1	I-1	I-2	USE SPECIFIC STANDARDS

Civic Land Use Group With Land Use Class/Type:			*	

Residential Care Services:				
Rehabilitation Service or Shelter Care (unlimited # residents)	P	P		P-1: 4.9.7.J.1, 3.d, .4, .5, & .6 and 4.9.13.Q I-1: 4.9.7.J.1, 3.d, .4, .5, .6, & .11 and 4.9.13.Q
Rehabilitation Service or Shelter Care (unlimited # residents)	S [2]		S [2]	P-1, I-2: 4.9.7.J.1, 3.d, .4, & .5 and 4.9.13.Q
Shelter Care, Victims of Domestic Violence	P	P		P-1: 4.9.7.J.1, 3.c, & .4 and 4.9.13.Q I-1: 4.9.7.J.1, 3.c, .4, & .11 and 4.9.13.Q
<u>Shelter Care, Children and Teenagers who need full-time supervision</u>		<u>P</u>		<u>I-1: 4.9.7.J.1, 3.d, .4, .5, .10 and 4.9.13.Q</u>
<u>Shelter Care, Children and Teenagers who need full-time supervision</u>		<u>S [2]</u>		<u>I-1: 4.9.7.J.1, 3.d, .4, .5, and 4.9.13.Q</u>

**UNIFIED DEVELOPMENT CODE
ARTICLE 4: ZONES
SECTION 9, USE-SPECIFIC STANDARDS**

4.9.7. RESIDENTIAL USE GROUP

J. Residential Care Services

1. A Rehabilitation Service or Shelter Care use shall not be less than 1,200 feet, in any direction, from another Rehabilitation Service or Shelter Care use. The applicant shall provide documentation demonstrating compliance with this standard prior to the establishment of the use.
2. Other Services:
 - a. Accessory treatment, including counseling or other types of meetings, is not permitted for nonresidents of the facility.
 - b. Accessory treatment, including counseling or other types of meetings, is permitted for nonresidents of the facility, if limited to 25 percent of the gross floor area of the facility.
3. Maximum Number of Residents Permitted
 - a. Care is permitted for a maximum of ten residents.
 - b. Care is permitted for a maximum of 15 residents.
 - c. Care is permitted for a maximum of 20 residents.
 - d. Care is permitted for an unlimited number of residents.
4. If licensing is required by the State of Arizona for the use, proof of such licensure is required.
5. Prior to the establishment of a Rehabilitation Service or Shelter Care in an industrial zone, applicants for the use shall provide to the PDSO a report and site environs analysis for the facility indicating that adequate measures are provided to assure the health, safety, and welfare of the residents of the facility in respect to any industrial process, use, or storage carried out on the site or on adjacent properties.
6. The site shall be located at least 500 feet, measured in a straight line, from the property line to a zone boundary line of R-3 or more restrictive zoning.
7. The maximum permitted lot coverage is 50 percent. Minimum setback from all interior lot lines adjoining residential zoning shall be 25 feet. The minimum required lot size is three acres, except as follows:
 - a. In the RH zone, there is no minimum lot size;
 - b. In the SR zone, the minimum required lot size is 144,000 square feet;
 - c. In the SH, RX-1, or RX-2, the minimum required lot size is 3 acres.

8. The maximum permitted lot coverage is 60 percent. The minimum required setback from all interior lot lines adjoining residential zoning is 20 feet. The minimum required lot size is one and one-half (1.5) acres, with the following exception. Exception: There is no minimum lot size requirement for Residential Care Services uses in the R-3, C-1, C-2, C-3, OCR-1, and OCR-2 zones.
9. The minimum required lot size is 20,000 square feet.
10. The site shall be located at least 200 feet, measured in a straight line, from the property line to a zone boundary line of R-3 or more restrictive zoning.