



**CITY OF
TUCSON**

DEPARTMENT OF
URBAN
PLANNING &
DESIGN

December 27, 2004

To: Subscriber to the Tucson *Land Use Code (LUC)*

SUBJECT: SUPPLEMENT NO. 34 TO THE LAND USE CODE (LUC)

Dear Subscriber:

Enclosed is Supplement No. 34 to your copy of the City of Tucson *Land Use Code (LUC)*. An explanation of the revisions included in this Supplement is also enclosed.

This Supplement includes Ordinance No. 10073 Airport Environs Zone (AEZ), adopted by the Mayor and Council on October 25, 2004. In addition, some minor formatting errors have been corrected.

Please recycle and replace pages in your *LUC* as follows.

<i>Article II. Zones</i>		
<i>Item</i>	<i>Remove Old Pages</i>	<i>Insert New Pages</i>
Division 8. Overlay Zones	146-155.3	146-155.9
<i>Article VI. Definitions</i>		
<i>Item</i>	<i>Remove Old Pages</i>	<i>Insert New Pages</i>
Division 2. Listing of Words and Terms	425-455.2	425-455.1
<i>Index</i>		
<i>Item</i>	<i>Remove Old Pages</i>	<i>Insert New Pages</i>
Index	500-511	500-510
<i>Appendices</i>		
<i>Item</i>	<i>Remove Old Pages</i>	<i>Insert New Pages</i>
Appendix 1 - Checklist of Up-to-Date Pages	1-3	1-3

Please insert and maintain this instruction sheet in the front of your copy of the *LUC*.

Should you have any questions while replacing these pages, please call me at 791-4505.

Sincerely,

Jennifer Noriega
Planning Technician

Enclosures: Summary of Amendment
Supplement No. 34

TUCSON LAND USE CODE (LUC) - SUPPLEMENT NO. 34

SUMMARY OF AMENDMENTS

ORDINANCE NO. 10073

ORDINANCE NO. 10073 (Adopted on October 25, 2004 and Effective on November 24, 2004)

Airport Environs Zone (AEZ). Amendments adopted for the AEZ include the designation of three Approach-Departure Corridors (ADC) and two high noise districts (NCD) defined for the DM environs and the existing Airport Hazard District (AHD). Sections establishing performance criteria, prohibited land uses and exceptions to the prohibited land uses associated with each new ADC and NCD have also been provided.

The Accident Potential Zones, APZ-1 and APZ-2, defined in the current regulations have been combined and designated as ADC-1. ADC-2 is identified as an area from 0 to 30,000 feet southeast of the end of the DM runway. The area located 30,000 to 50,200 feet southeast of ADC-2 has been designated as ADC-3.

Generally, the amendment prohibits new residential development within the ADC districts and limits the project site area, the floor area ratios and the number of employees for all non-residential development in these areas. The ADCs are differentiated from each other by two main factors: the built up nature of the area to the northwest of the base and the distance from the end of the runway to the southeast. The land use restrictions in the ADCs vary based on those criteria. ADC-1 is established on the northwest end of the runway, replacing the Accident Potential Zones-1 and -2 that were adopted in 1990. ADC-2 extends out from the southeastern end of the runway to 30,000 feet. Land uses in ADC-2 are limited primarily to manufacturing, warehousing, and storage uses. ADC-3 extends out from the southeastern end of the runway from 30,000 feet to 50,200 feet. ADC-3 allows for a wider range of uses, with limited commercial uses allowed. Land uses such as churches, schools, and daycare centers are prohibited in all three districts.

Flexibility has been provided in the amendment allowing developers to average the density of employees and the floor area ratio over a large business or industrial park with multiple buildings. The JLUS supports the concept of transfer of development rights (TDR) to encourage the provision of open space within the Approach Departure Corridor. This concept must be carefully developed to assure legal conformance with statutory requirements.

3. *Relocation of Utilities.* Relocation of overhead utility facilities required by public improvement districts along Gateway Routes will conform with existing franchise requirements.

2.8.4.5 Variances. The Design Review Board (DRB) shall review all requests for variances from Gateway Route regulations as provided in Sec. 5.1.8.3.H and shall forward its recommendations in accordance with Sec. 5.1.8.2.F. (Ord. No. 9179, §1, 12/14/98; Ord. No. 9967, §2, 7/1/04)

2.8.5 AIRPORT ENVIRONS ZONE (AEZ).

2.8.5.1 Purpose. The purpose of this overlay zone is to protect the health, safety, and welfare of persons and property in the vicinity of Tucson International Airport (TIA) and Davis-Monthan Air Force Base (DMAFB) and protect the long term viability of DMAFB. This is accomplished by: (1) reducing noise and safety hazards associated with aircraft operations; (2) preserving the operational stability of these airports; and (3) assisting in the implementation of policies and recommendations in the City's *General Plan* and Airport Environs Plan, the Air Installation Compatible Use Zone Report (AICUZ), and the Airport Noise Control, Land Use Compatibility (ANCLUC) Study and the Davis-Monthan Joint Land Use Study (DMJLUS). The overlay district further: (Ord. No. 9517, §2, 2/12/01; Ord. No. 10073, §1, 10/25/04)

- A. Promotes the compatibility of uses with aircraft operations through the establishment of criteria for the regulation of building height and density.
- B. Addresses potentially life-threatening situations in areas exposed to aircraft accident potential through restrictions on the congregation of large numbers of people or high concentrations of people and by restrictions on concentrations of people who are unable to respond to emergency situations, such as children, the elderly, the handicapped, and persons undergoing medical treatment.
- C. Increases the protection of persons exposed to high levels of aircraft noise by requiring acoustical treatment in buildings located within these areas and regulating those uses which are sensitive to such noise.
- D. Prohibits uses which create potential hazards to the safe approach and departure of aircraft.
- E. Recognizes the role of Davis-Monthan Air Force Base in the Tucson community and protects the City's interest in ensuring the continued viability and operation of Davis-Monthan AFB by limiting incompatible land uses in the Approach-Departure Corridor (ADC). (Ord. No. 9781, §1, 10/28/02; Ord. No. 10073, §1, 10/25/04)

2.8.5.2 Maps Established. The Airport Environs Zone (AEZ) includes districts and zones that do not necessarily have the same boundaries. The boundaries of these districts and zones are identified for Tucson International Airport (TIA) and for Davis-Monthan Air Force Base (DMAFB) by the Airport Environs Zone (AEZ) Overlay Map series kept on file in the offices of the City Clerk, the Development Services Department (DSD), and the Department of Urban Planning and Design. The AEZ Overlay Map series is hereby established as the official AEZ Overlay Map series and becomes effective on May 16, 1990, as amended on January 28, 1991, April 27, 1992, October 28, 2002 and January 1, 2005. (Ord. No. 9392, §1, 5/22/00; Ord. No. 9781, §1, 10/28/02). The AEZ is made up of eleven (11) zones and districts. (*See Illustrative Maps 2.8.5.2-I and 2.8.5.2-II.*) Following are the zones and districts applicable to TIA environs and DMAFB environs. (Ord. No. 9781, §1, 10/28/02; Ord. No. 9967, §2, 7/1/04; Ord. No. 10073, §1, 10/25/04)

- A. The following zones and districts are established in the TIA environs:
 - 1. Compatible Use Zone-One (CUZ-1)
 - 2. Compatible Use Zone-Two (CUZ-2)
 - 3. Compatible Use Zone-Three (CUZ-3)
 - 4. Noise Control District 65 (NCD 65) – High Noise District with exposures of 65-70 Ldn designated at TIA
 - 5. Noise Control District 70 (NCD 70 – High Noise District with exposures of 70+ Ldn designated at TIA

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- B. The following zones and districts are established in the DM environs:
1. Approach Departure Corridor One (ADC-1) – Northwest end of DMAFB runway
 2. Approach Departure Corridor Two (ADC-2) – Southeast end of DMAFB runway up to 30,000 feet from end of runway.
 3. Approach Departure Corridor Three (ADC-3) – Southeast end of DMAFB runway 30,000 to 50,200 feet from end of runway.
 4. Noise Control District -A (NCD A) - High Noise District with exposures of 65-70 Ldn designated at DMAFB.
 5. Noise Control District – B (NCD B) - High Noise District with exposures of 70+ Ldn designated at DMAFB
- C. The following district applies to both the TIA environs and the DMAFB environs:
1. Airport Hazard Districts (AHD) - A specifically designated area of land where uses, which constitute hazards to aircraft operations, are prohibited and heights are limited.

(Ord. No. 9781, §1, 10/28/02; Ord No. 10073, §1, 10/25/04)

2.8.5.3 Applicability. Sections 2.8.5.3, 2.8.5.4, 2.8.5.5 and 2.8.5.6 apply to the TIA environs. Where more than one (1) district or zone is applicable to a property, the requirements of all applicable districts or zones apply. Where requirements conflict, the most restrictive applies. The provisions of the Airport Environs Zone (AEZ) apply to the following on all property located within the TIA boundaries established by Sec. 2.8.5.2.A. For property partially within the TIA, the provisions apply to only those portions within the boundaries of the AEZ. For areas outside the city limits, which have not been annexed by the City, the AEZ overlay provisions apply upon annexation. (Ord No. 10073, §1, 10/25/04)

- A. New development.
- B. A change in, expansion of, or addition to the use of an existing structure as follows.
1. The residential density, employee density, and emergency evacuation plan and training requirements of Sec. 2.8.5.5 apply to the entire existing structure if the change, expansion, or addition results in an increase in any of the following.
 - a. Employee density.
 - b. Residential density.
 - c. Number of employees.

- d. Number of persons of the general public for whom the structure was intended or designed to accommodate.
- 2. The noise attenuation requirements of Sec. 2.8.5.6 apply to the entire existing structure if the use of the existing structure is changed from any other land use to one (1) or more of the following uses.
 - a. Residential.
 - b. Place of public accommodation.
 - c. Administrative or Professional Office.
- C. Expansion of an existing development as follows.
 - 1. If the gross floor area of a structure or the gross floor area on a project site is expanded by less than fifty (50) percent, the provisions of the Airport Environs Zone (AEZ) apply only to the areas of expansion.
 - 2. If the gross floor area of a structure is expanded by fifty (50) percent or more, the requirements of Sec. 2.8.5.6 apply to the entire structure. The sound attenuation requirement in this Section does not, however, apply to an expansion of the following types of structures existing prior to May 16, 1990.
 - a. A single-family or duplex dwelling.
 - b. A mobile home.
 - c. A manufactured housing unit.
 - 3. If the gross floor area on a project site is expanded by fifty (50) percent or more, the employee density, lot coverage, and emergency evacuation plan and training requirements of Sec. 2.8.5.5 apply to the entire project site.
 - 4. Cumulation of Expansions. Expansions are cumulated over time from May 16, 1990. Once a structure or project site is brought into conformance with the provisions of this Section, subsequent expansions are accumulated as of the date the existing structure or project site is brought into conformance.
- D. Nothing contained in this Section affects existing property or the right to its continued use for the purpose legally used at the time these regulations become effective, nor do these regulations affect any reasonable repairs to, or alterations of, buildings or property used for such existing purposes.
- E. Designation, amendment, or change of boundaries for an Airport Environs Zone are established through the amendment to the designation on the AEZ Maps in accordance with Sec. 2.8.5.2. (Ord. No. 9967, §2, 7/1/04)

(Ord No. 10073, §1, 10/25/04)

2.8.5.4 The following provisions apply to the TIA Environs. (Ord No. 10073, §1, 10/25/04)

- A. *Permitted Uses.* The land uses permitted are those permitted by the underlying zone, except as restricted by this Section.
- B. *Posting of Occupancy Limitations.* Any restriction of occupancy required under this ordinance as a condition of building permit issuance or certificate of occupancy will be posted on the premises. The owner/manager(s) of the premises may not permit the limitation to be exceeded. (Ord. No. 9392, §1, 5/22/00)

2.8.5.5 Compatible Use Zones for the TIA Environs. Land use regulations within the Compatible Use Zones are as follows. (Ord No. 10073, §1, 10/25/04)

A. *CUZ-1.* (Ord No. 10073, §1, 10/25/04)

1. Single-family and multifamily dwellings and mobile homes are permitted, only if the property is zoned IR, RH, SR, RX-1 (UR), RX-2, R-1, R-2, MH-1 (MH), MH-2 (MHP), or R-3 and such zone was in place prior to May 16, 1990. Other uses allowed by the underlying zoning are permitted, except as modified by Sec. 2.8.5.5.E.
 - a. Residential clustering options as described in Sec. 3.6.1, Residential Cluster Project (RCP), are not permitted.
 - b. Residential development may occur in compliance with underlying zoning, with no more than twenty-five (25) dwelling units per building.
2. No more than one (1) employee for every two hundred fifty (250) square feet of gross floor area of all buildings on a project site at any time may be accommodated by intention, design, or in fact.
3. Structures or uses with fifty (50) or more employees must develop an emergency evacuation plan and training program and implement it as approved by the Fire Department. (Ord. No. 9392, §1, 5/22/00)
4. The maximum height limit is seventy-five (75) feet, except where Sec. 2.8.5.7 reduces that limit.

B. *CUZ-2.* (Ord No. 10073, §1, 10/25/04)

1. Single-family and multifamily dwellings and mobile homes are permitted, only if the property is zoned IR, RH, SR, RX-1 (UR), RX-2, R-1, R-2, MH-1 (MH), MH-2 (MHP), or R-3 and such zone was in place prior to May 16, 1990. Other uses allowed by the underlying zoning are permitted, except as modified by Sec. 2.8.5.5.E.
 - a. Residential clustering options as described in Sec. 3.6.1, Residential Cluster Project (RCP), are not permitted.
 - b. Residential development may occur in compliance with underlying zoning, with no more than twenty-five (25) dwelling units per building.
2. Structures or uses with fifty (50) or more employees must develop an emergency evacuation plan and training program and implement it as approved by the Fire Department. (Ord. No. 9392, §1, 5/22/00)
3. The maximum height limit is seventy-five (75) feet, except where Sec. 2.8.5.7 reduces that limit.

C. *CUZ-3.* (Ord No. 10073, §1, 10/25/04)

1. In CUZ-3, single-family and multifamily dwellings and mobile homes are permitted, only if the property is zoned IR, RH, SR, RX-1 (UR), RX-2, R-1, R-2, MH-1 (MH), MH-2 (MHP), or R-3 and such zone was in place prior to May 16, 1990. Other uses allowed by the underlying zoning are permitted, except as modified by Sec. 2.8.5.5.E.
 - a. Residential clustering options as described in Sec. 3.6.1, Residential Cluster Project (RCP), are not permitted.

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 AIRPORT ENVIRONS ZONE (AEZ)

- b. Minimum lot area per dwelling unit is one hundred forty-four thousand (144,000) square feet.
- 2. In CUZ-3, no development may exceed seventy-five (75) percent lot coverage and 0.375 Floor Area Ratio (FAR). (Ord. No. 8653, §1, 2/26/96)
- 3. In CUZ-3, no structure or use or contiguous structure or use may accommodate, by intention or design, in whole or in part, at any one time, more than fifty (50) employees.

(Ord. No. 9781, §1, 10/28/02; Ord No. 10073, §1, 10/25/04)

D. *Prohibited Uses.*

- 1. Public assembly is prohibited within CUZ-1, CUZ-2, and CUZ-3.
 - a. Exception: Accessory Food Service uses for employees only; such uses will be provided on-site entirely within a structure devoted to a permitted principal use.

(Ord No. 10073, §1, 10/25/04)

- 2. In addition to public assembly, the following uses are prohibited within CUZ-1 and CUZ-2. (Ord No. 10073, §1, 10/25/04)
 - a. Civic Assembly of fifty (50) or more persons.
 - b. Day Care.
 - c. Educational Use: Elementary and Secondary Schools.
 - d. Medical Service.
 - e. Adult care homes, adult care facilities, specialized treatment homes, and group homes for the seriously mentally ill.
- 3. In addition to public assembly, the following uses are prohibited within CUZ-3. (Ord No. 10073, §1, 10/25/04)
 - a. Alcoholic Beverage Service (on premises).
 - b. Civic Assembly.
 - c. Cultural Use.
 - d. Day Care.
 - e. Educational Use.
 - f. Entertainment (indoor and outdoor).
 - g. Financial Service (except automated teller).
 - h. Food Service (on premises, except as accessory use).
 - i. General Merchandise Sales (retail stores over 2,500 square feet gross floor area).

- j. Medical Service - Major.
- k. Membership Organization.
- l. Medical Service - Outpatient.
- m. Recreation (indoor and outdoor).
- n. Religious Use.
- o. Swap Meet or Auction.
- p. Travelers' Accommodation.

2.8.5.6 Noise Control Districts.

A. *NCD-65.*

1. Within Noise Control District-65, the following uses must be provided with sound attenuation, to reduce the interior noise level to an Ldn of 45 or less, as specified by Development Standard 9-05.0.
(Ord No. 10073, §1, 10/25/04)
 - a. All site-built residential uses.
 - b. All places of public accommodation.
 - c. All Administrative and Professional Offices.
2. A manufactured housing unit will not be considered equivalent to a single-family dwelling within the boundaries of NCD-65, unless located on a property zoned MH-1 or MH-2 or unless it can be demonstrated that the unit provides adequate sound attenuation to reduce the interior noise level to Ldn 45. (Ord. No. 9374, §1, 4/10/00)
3. Prohibited Uses: Within NCD-65, the following uses are prohibited.
 - a. Day Care.

B. *NCD-70.*

1. Within Noise Control District-70, the following uses must be provided with sound attenuation to reduce the interior noise level to an Ldn of 45 or less, as specified by Development Standard 9-05.0.
(Ord No. 10073, §1, 10/25/04)
 - a. All site-built residential uses.
 - b. All places of public accommodation.
 - c. All Administrative and Professional Offices.
2. Single-family and multifamily dwellings are permitted, provided the property is residentially zoned as of May 16, 1990, and provided the interior noise level is reduced to an Ldn of 45 or less as specified in Sec. 2.8.5.6.B.1.

3. A manufactured housing unit will not be considered equivalent to a single-family dwelling within the boundaries of NCD-70, unless located on a property zoned MH-1 or MH-2 or unless it can be demonstrated that the unit provides adequate sound attenuation to reduce the interior noise level to Ldn 45. (Ord. No. 9374, §1, 4/10/00)
4. Special Exception Land Uses. The following uses are generally considered to be inappropriate within the high noise area, NCD-70. They may be approved as Special Exception Land Uses upon application, review, and approval in accordance with Sec. 23A-50, 23A-53, Full Notice Procedure, Zoning Examiner Special Exceptions. In addition to the standard notice required for Special Exception Land Use applications, the Tucson Airport Authority and Davis-Monthan Air Force Base will be notified of all such applications within the boundaries of the Airport Environs Zone (AEZ). (Ord. No. 9781, §1, 10/28/02; Ord. No. 9967, §2, 7/1/04; Ord No. 10073, §1, 10/25/04)
 - a. Civic Assembly.
 - b. Cultural Use.
 - c. Educational Use: Postsecondary Institution.
 - d. Entertainment.
 - e. Medical Service - Major.
 - f. Swap Meet or Auction.

In addition to the required findings and conditions specified in Section 23A-50, 23A-53, Full Notice Procedure, Zoning Examiner Special Exceptions, these uses must be shown to be consistent with the intent of the Airport Environs Zone (AEZ) and the Airport Environs Plan or the Air Installation Compatible Use Zone (AICUZ) Report and must be capable of sound attenuation to mitigate the effects of high noise. In addition, all activity associated with the use must be shown to take place within an enclosed building. An acoustical engineer must demonstrate that the proposed use is noise insulated to an interior noise level of an Ldn of 45 or less. (Ord. No. 9781, §1, 10/28/02; Ord. No. 9967, §2, 7/1/04; Ord No. 10073, §1, 10/25/04)

5. Prohibited Uses. Within NCD-70, the following uses are prohibited.
 - a. Day Care.
 - b. Educational Use: Elementary and Secondary Schools.

2.8.5.7 Applicability. Sections 2.8.5.7, 2.8.5.8, 2.8.5.9 and 2.8.5.10 apply to the DMAFB Environs. Where more than one (1) district or zone is applicable to a property, the requirements of all applicable districts or zones apply. Where requirements conflict, the most restrictive applies. The provisions of the Airport Environs Zone (AEZ) apply to the following on all property located within the DMAFB Environs boundaries established by Sec. 2.8.5.2. B. For property partially within the AEZ, the provisions apply to only those portions within the boundaries of the AEZ. For areas outside the city limits, which have not been annexed by the City, the AEZ overlay provisions apply upon annexation.

A. New Development.

1. For property located within the zones and districts ADC-1, ADC-2, ADC-3, NCD-A and NCD-B, the provisions established by Section 2.8.5.8, Approach-Departure Corridors for DMAFB Environs and Section 2.8.5.9, Noise Control Districts for DMAFB Environs will apply on January 1, 2005.

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- B. Changes, Expansions and Additions to Use of Existing Development. The following provisions will apply on January 1, 2005.
1. For a change of use of an existing structure, the provisions of Section 2.8.5.8, Approach-Departure Corridors for DMAFB Environs, applies to the entire existing structure if it results in an increase in the number of employees.
 2. The noise attenuation requirements and performance criteria established by Section 2.8.5.9, Noise Control Districts for DMAFB Environs, applies to the entire existing structure if the use of the existing structure is changed to one or more allowed uses requiring sound attenuation.
 3. Dwelling units existing within the AEZ on January 1, 2005 may expand or reconstruct provided that the new construction conforms to AEZ requirements.
- C. Nothing contained in this Section affects existing property or the right to its continued use for the purpose legally used at the time these regulations become effective, nor do these regulations affect any reasonable repairs to, or alterations of, buildings or property used for such existing purposes.
- D. Nothing in these provisions shall preclude the renovation of existing structures.
- E. Proposed expansion of a nonconforming use or structure is subject to the provisions of Section 5.3.6.2.B.
- F. Owners of property within the DMAFB Environs and in the vicinity of the military airport should be aware that Arizona Revised Statutes (A.R.S.), Title 28, and A.R.S., Title 32, contain provisions which may apply to some properties regulated under this Section. The provisions require property owners to inform potential purchasers, lessees, and renters that a property is in an airport zoning district. Nothing herein shall require any notice be provided by property owners that would be in addition to the requirements provided by state law.
- G. The land uses permitted are those permitted by the underlying zone, except as restricted by Sections 2.8.5.8 and 2.8.5.9.

2.8.5.8 Approach Departure Corridors (ADC) for DMAFB. The land use regulation within the ADCs are as follows.

- A. ADC-1
1. Performance Criteria. The following Performance Criteria applies to ADC-1
 - a. No more than thirty (30) employees per acre of site area.
 - b. The minimum project site area is three (3) acres.
 - c. The maximum FAR is .50 of the project site area.
 2. Prohibited Land Uses. The following land uses are prohibited in ADC-1
 - a. Civic Use Group
 1. Civic Assembly- Outdoor and Indoor
 2. Cultural Use

- 3. Religious Use
- 4. Educational Use
- b. Commercial Services Use Group
 - 1. Administrative and Professional Offices
 - 2. Alcoholic Beverage Service
 - 3. Day Care
 - 4. Entertainment – Outdoor & Indoor
 - 5. Food Service
 - 6. Medical Services
 - 7. Personal Service
 - 8. Transportation Service – Air Carrier
 - 9. Travelers Accommodation-Campsite
 - 10. Travelers Accommodation-Lodging
- c. Industrial Use Group
 - 1. Hazardous Material Manufacturing
- d. Recreational Use Group
 - 1. Neighborhood Recreation
 - 2. Recreation
- e. Residential Use Group
- f. Restricted Adult Activities Use Group
- g. Retail Trade Use Group
- h. Storage Use Group
 - 1. Hazardous Material Storage
- i. Wholesaling Use Group
 - 1. Hazardous Material Wholesaling
- 3. Exceptions. The following provisions allow for exceptions to Prohibited Uses in ADC-1 under certain circumstances.

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- a. Land uses in the Commercial Services Use Group and Retail Trade Use Group are permitted in ADC-1 only if the property was zoned RCV, NC, C-1, C-2, C-3, C-3, P or RV prior to January 1, 2005. (Rezoning from these zones to zones which provide for allowed uses in ADC-1 is encouraged).
 - b. Land uses in the Commercial Services Use Group and the Retail Trade Use Group are permitted on property zoned P-I, I-1 or I-2 in ADC-1 only if a protected development right plan was approved by Mayor and Council specifically for such use prior to June 30, 2005.
 - c. Developments that are not in conformance with the performance criteria of 2.8.5.8. A. are permitted only if a protected development right plan, was approved by Mayor and Council specifically for such development prior to June 30, 2005.
 - d. Single Family dwelling units are permitted only if the property is zoned IR, RH, SR, RX-1, RX-2, R-1, R-2, or R-3, MH-1 or MH-2 and such zone was in place prior to January 1, 2005. (Rezoning from these zones to zones which provide for allowed uses in ADC-1 is encouraged).
 1. Residential clustering options as described in Sec. 3.6.1, Residential Cluster Project (RCP) are not permitted.
 2. Residential development is limited to a density of not more than (1) dwelling unit per acre.
 - e. Parcels less than the minimum size required in ADC-1 and recorded prior to January 1, 2005 may be developed in conformance with all other requirements specified in Section 2.8.5.8 A. 1., 2., and 3.
 - f. Individual parcels of less than three (3) acres may be separately owned provided each such parcel is part of a development plan and covenants provided in this subsection which encompasses at least three (3) acres. The City must be a party for notification purposes to the covenants.
 - g. Non-contiguous parcels located within ADC-1 may be included within a single plat or development plan for the purpose of determining employee limits, floor area ratios and other performance criteria provided there are recorded covenants requiring conformance with the approved plat or development plan in the form approved by the DSD Director. Non-contiguous parcels that do not meet the above criteria may be considered through Special Exception process as specified in Section 2.8.5.10 A.

B. ADC-2

1. Performance Criteria. The following Performance Criteria applies to ADC-2
 - a. No more than twenty (20) employees per acre of site area at any time may be accommodated by intention, design, or in fact.
 - b. The minimum project site area is five (5) acres.
 - c. The maximum FAR is .30 of the project site area.
2. Prohibited Land Uses. The following land uses are prohibited in ADC-2
 - a. Civic Use Group
 1. Civic Assembly- Outdoor and Indoor

2. Cultural Use
3. Religious Use
4. Educational Use
- b. Commercial Services Use Group
 1. Administrative and Professional Offices
 2. Alcoholic Beverage Service
 3. Day Care
 4. Entertainment – Outdoor and Indoor
 5. Food Service
 6. Medical Services
 7. Personal Service
 8. Transportation Service – Air Carrier
 9. Travelers Accommodation-Campsite
 10. Travelers Accommodation-Lodging
- c. Industrial Use Group
 1. Hazardous Material Manufacturing
- d. Recreational Use Group
 1. Neighborhood Recreation
 2. Recreation
- e. Residential Use Group
- f. Restricted Adult Activities Use Group
- g. Retail Trade Use Group
- h. Storage Use Group
 1. Hazardous Material Storage
- i. Wholesaling Use Group
 1. Hazardous Material Wholesaling
3. Exceptions. The following provisions allow for exceptions to Prohibited Land Uses in ADC-2 under certain circumstances.

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- a. Land uses in the Commercial Services Use Group and Retail Trade Use Group are permitted in ADC-2 only if the property was zoned RCV, NC, C-1, C-2, C-3, C-3, P or RV prior to January 1, 2005. (Rezoning from the previously mentioned zones to zones which provide for allowed uses in ADC-2 is encouraged).
 - b. Land uses in the Commercial Services Use Group and the Retail Trade Use Group are permitted in P-I, I-1 or I-2 in ADC-2 only if a protected development right plan was approved by Mayor and Council specifically for such use prior to June 30, 2005.
 - c. Developments that are not in conformance with the performance criteria of 2.8.5.7. B. 1. are permitted only if a protected development right plan, was approved by Mayor and Council specifically for such development prior to June 30, 2005.
 - d. Single Family dwelling units are permitted only if the property is zoned IR, RH, SR, RX-1, RX-2, R-1, R-2, R-3, MH-1 or MH-2 and such zone was in place prior to January 1, 2005. (Rezoning from the previously mentioned zones to zones which provide for allowed uses in ADC-2 is encouraged).
 1. Residential clustering options as described in Sec. 3.6.1, Residential Cluster Project (RCP) are not permitted.
 2. Residential development is limited to a density of not more than (1) dwelling unit per acre.
 - e. Parcels less than the minimum size required in ADC-2, recorded prior to January 1, 2005 may be developed in conformance with all other requirements specified in Section 2.8.5.8 B. 1., 2., and 3.
 - f. Individual parcels of less than five (5) acres may be separately owned provided each such parcel is part of a development plan and covenants provided in this subsection which encompasses at least five (5) acres. The City must be a party for notification purposes to the covenants.
 - g. Non-contiguous parcels located within ADC-2 may be included within a single plat or development plan for the purpose of determining employee limits, floor area ratios and other performance criteria provided there are recorded covenants requiring conformance with the approved plat or development plan in the form approved by the DSD Director. Non-contiguous parcels that do not meet the above criteria may be considered through Special Exception process as specified in Section 2.8.5.10 A.
- C. ADC-3
1. Performance Criteria. The following Performance Criteria applies to ADC-3.
 - a. The maximum FAR is .40 of the project site area for land uses in the Industrial, Wholesaling and Storage land use groups.
 - b. The maximum FAR for all other non-residential land use groups is .20 of the project site area.
 - c. The minimum project site area is five (5) acres.
 - d. The maximum building height is sixty-two (62) feet from design grade elevation.
 - e. Any meeting space and function areas where people gather in excess of 5,000 square feet in area will be located underground.
 2. Prohibited Land Uses. The following land uses are prohibited in ADC-3.

CITY OF TUCSON *LAND USE CODE*
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AIRPORT ENVIRONS ZONE (AEZ)

- a. Civic Use Group
 1. Education Use, Elementary and Secondary Schools
 - b. Commercial Use Group
 1. Day Care
 2. Medical Service, Major and Extended Care
 - c. Industrial Use Group
 1. Hazardous Material Manufacturing
 - d. Residential Use Group
 - e. Storage Use Group
 1. Hazardous Material Storage
 - f. Wholesaling Use Group
 1. Hazardous Material Wholesaling
 - g. Landfills or facilities providing services that are critical for public health and safety, such as fire protection, police communications, sewage and water treatment or storage are not permitted.
3. Exceptions. The following provisions allow for exceptions to Prohibited Uses in ADC-3 under certain circumstances.
- a. Developments that are not in conformance with the performance criteria of 2.8.5.8., Approach Departure Corridors (ADC) for DMAFB are permitted only if a protected development right plan was approved by Mayor and Council specifically for such development prior to June 30, 2005.
 - b. Single Family dwelling units are permitted only if the property is zoned IR, RH, SR, RX-1, RX-2, R-1, R-2, R-3, MH-1 or MH-2 and such zone was in place prior to January 1, 2005. (Rezoning from the previously mentioned zones to zones which provide for allowed uses in ADCs is encouraged).
 1. Residential clustering options as described in Sec. 3.6.1, Residential Cluster Project (RCP) are not permitted.
 2. Residential development is limited to a density of not more than (1) dwelling unit per acre.
 - c. Parcels, less than the minimum size required in ADC-3 and recorded prior to January 1, 2005 may be developed in conformance with all other requirements specified in Section 2.8.5.8 C., 1., 2., and
 - d. Individual parcels of less than five (5) acres may be separately owned provided each such parcel is part of a development plan and covenants provided in this subsection which encompasses at least five (5) acres. The City must be a party for notification purposes to the covenants.

-
- e. Non-contiguous parcels located within ADC-3 may be included within a single plat or development plan for the purpose of determining employee limits, floor area ratios and other performance criteria provided there are recorded covenants requiring conformance with the approved plat or development plan in the form approved by the DSD Director. Non-contiguous parcels that do not meet the above criteria may be considered through Special Exception process as specified in Section 2.8.5.10 A.

2.8.5.9 Noise Control District for DMAFB Environs.

A. NCD-A – 65-70 Ldn

1. Performance Criteria. The following Performance Criteria applies to NCD-A

- a. Within Noise Control District A (NCD-A), the following uses must be sound attenuated, to reduce the interior noise level by twenty-five (25) decibels, to 40-45 Ldn, per Development Standard 9-05.0.
 - 1. All site-built residential uses.
 - 2. All places of public accommodation.
 - 3. All Administrative and Professional Offices.

A manufactured housing unit will not be considered equivalent to a single-family dwelling within the boundaries of NCD-A, unless located on a property zoned MH-1 or MH-2 or unless it can be demonstrated that the unit provides sound attenuation to reduce the interior noise level by 25 decibels per Development Standard 9-05.0.

2. Prohibited Uses. The following land uses are not permitted within NCD-A.

- a. Civic Use Group.
 - 1. Civil Assembly – Outdoor
 - 2. Educational Use – Elementary and Secondary
- b. Commercial Use
 - 1. Day Care
 - 2. Medical Services – Major and Extended Care
 - 3. Entertainment – Outdoor
- c. Residential Use Group

3. Exceptions. The following provision allow for exceptions to Prohibited Land Uses in NCD-A under certain circumstances.

- a. Single Family dwellings are permitted only if the property is zoned IR, RH, SR, RX-1, RX-2, R-1, R-2, R-3, MH-1 and MH-2 and such zone was in place prior to January 1, 2005.

B. NCD-B - 70+ Ldn

1. Performance Criteria. The following Performance Criteria applies to NCD-B

- a. Within Noise Control District B (NCD-B), the following uses must be provided with sound attenuation to reduce the interior noise level by twenty-five (25) decibels per Development Standard 9-05.0.
 1. All site-built residential uses.
 2. All places of public accommodation.
 3. All Administrative and Professional Offices.
 - b. A manufactured housing unit will not be considered equivalent to a single-family dwelling within the boundaries of NCD-B, unless located on a property zoned MH-1 or MH-2 or unless it can be demonstrated that the unit provides sound attenuation to reduce the interior noise level by 25 decibels per Development Standard 9-05.0.
2. Prohibited Uses. The following uses are not permitted within NCD-B.
 - a. Civic Uses Group
 1. Cemetery
 2. Civic Assembly – Outdoor
 3. Cultural Use
 4. Educational Use
 5. Religious
 - b. Commercial Use
 1. Day Care
 2. Medical Services – Major and Extended Care
 3. Entertainment – Indoor and Outdoor
 - c. Residential Use Group
 3. Exceptions. The following provision allows for exceptions to Prohibited Land Uses in NCD-B under certain circumstances.
 - a. Single Family dwellings are permitted only if the property is zoned IR, RH, SR, RX-1, RX-2, R-1, R-2, R-3, MH-1 or MH-2 and such zone was in place prior to January 1, 2005.

(Ord. No. 10073, §1, 10/25/04)

2.8.5.10 Special Exception Land Uses.

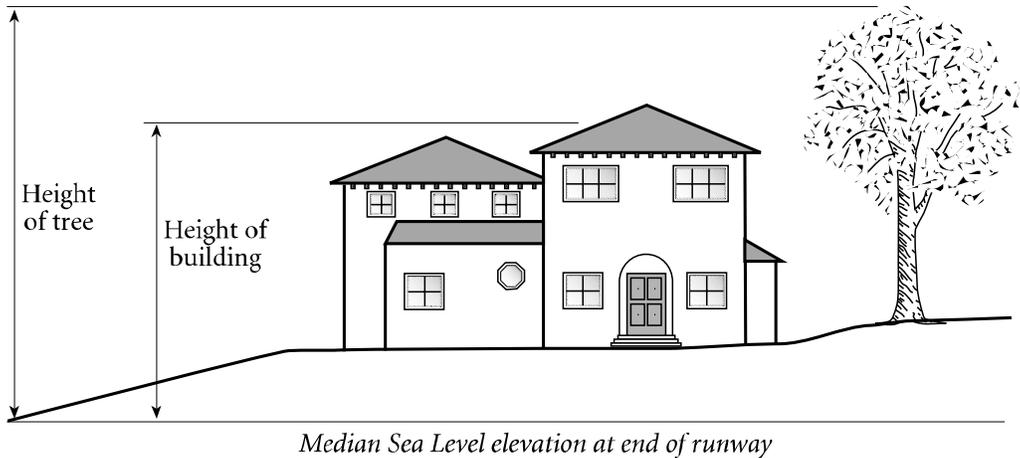
- A. All developments that are proposed to exceed the limits of Performance Criteria established in Section 2.8.5.8., A, B, and C, must be approved as Special Exception Land Uses upon application, review, and approval in accordance with Sec. 23A-40, Limited Notice Procedure. These applications will be analyzed for: 1) land use compatibility with base operations, 2) proximity to the end of the runway, 3) location in relationship to major flight tracks, and 4) compliance with the intent of the DM Joint Land Use Study.

In addition to the notice required for Special Exception Land Use applications, the Davis-Monthan Air Force Base will be notified of all such applications within the boundaries of the DMAFB Environs.

(Ord. No. 9781, §1, 10/28/02; Ord. No. 10073, §1, 10/25/04)

- 2.8.5.11 Airport Hazard Districts for TIA and DMAFB Environs. No structure, use of land, or tree may exceed the height limitations by the Airport Hazard Districts within the Airport Environs Zone (AEZ). Refer to official maps established. Certain uses are prohibited from these districts as noted below and as determined by the Federal Aviation Administration (FAA).
- A. The Airport Hazard Districts are identified on the Airport Environs Zone (AEZ) Maps and are established as follows.
1. *Tucson International Airport.* The height limits around Tucson International Airport are based on distances away from established ends of runways. The M.S.L. elevations of the established ends of runways are as follows.
 - a. NE end of runway 21 is 2,567 feet M.S.L.
 - b. SW end of runway 3 is 2,561 feet M.S.L.
 - c. NW end of runway 11L is 2,575 feet M.S.L.
 - d. SE end of runway 29R is 2,641 feet M.S.L.
 - e. NW end of runway 11R is 2,583 feet M.S.L.
 - f. SE end of runway 29L is 2,660 feet M.S.L.
 2. *Davis-Monthan Air Force Base.* The height limits around Davis-Monthan Air Force Base are based on distances away from established ends of runways and also on a conical or inclined surface extending outward and upward from the established runway elevation at a ratio of 60:1. The established ends of runway M.S.L. elevations are as follows.
 - a. NW end of the NW/SE runway is 2,590 M.S.L.
 - b. SE end of the NW/SE runway is 2,705 M.S.L.
- B. Height Measurement. The height of a building, structure, or tree is measured from the M.S.L. elevation at the end of the runway to a point specified in Sec. 3.2.7 or to the highest point of a tree. (*See Illustration 2.8.5.7.11 B.*)

Height of a building, structure or tree is measured from the msl elevation at the end of the runway to a point specified in sec. 3.2.7 or to the highest point of a tree.



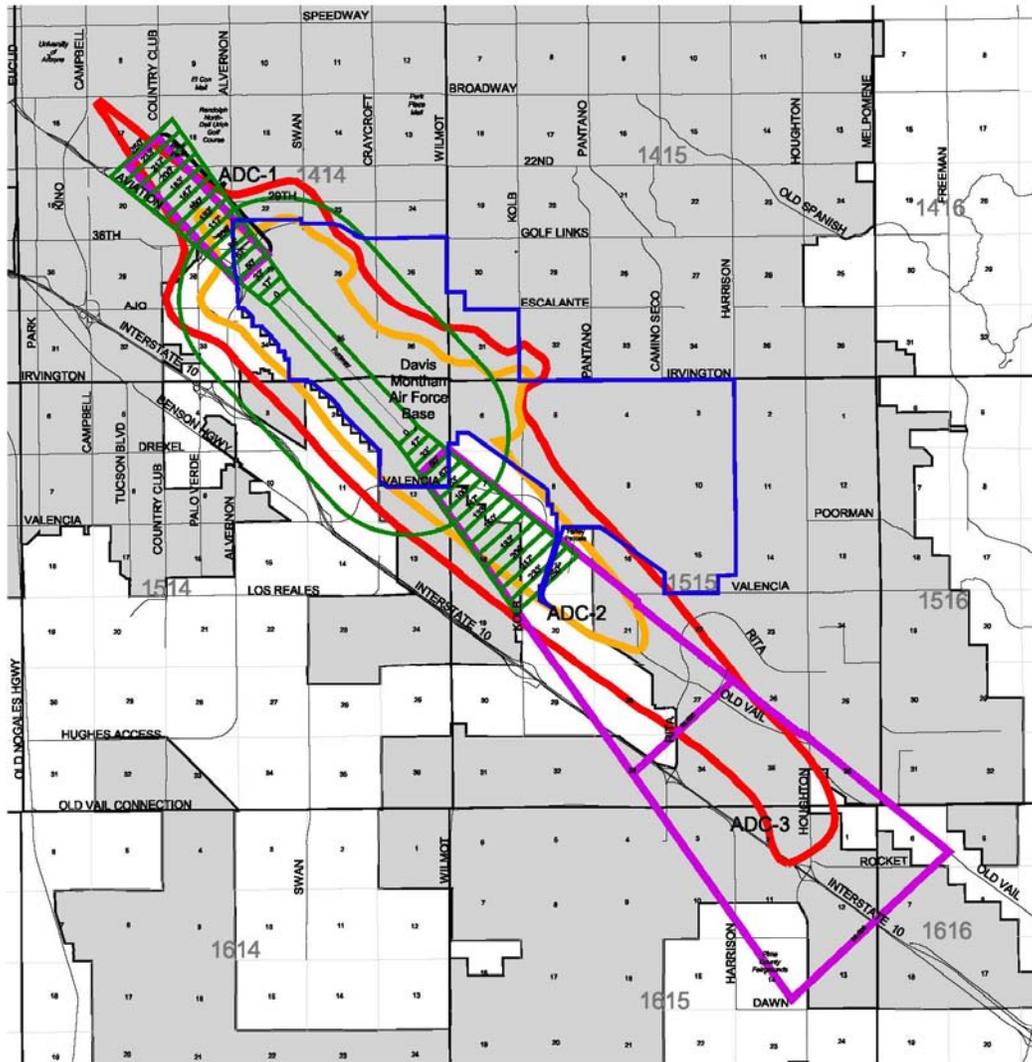
2.8.5.11.B Height Measurement in Airport Hazard Districts

- C. **Conflicts in Heights.** Where two (2) or more height restrictions are placed on a parcel, the more restrictive height limit prevails. Height limit exceptions noted in Sec. 3.2.7.3 do not apply within the Airport Environs Zone (AEZ).
- D. **Prohibited Uses.** Airport hazards as defined in Sec. 6.2.1 are prohibited within the boundaries of the Airport Hazard Districts.
- E. **Variiances.** Variiances from the provisions of Sec. 2.8.5.11 are allowed as set forth in the provisions established by Arizona Revised Statutes (ARS), Title 28. (Ord. No. 9781, §1, 10/28/02)

(Ord. No. 10073, §1, 10/25/04)

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Sec. 2.8.5.11



Davis Monthan Airport
 Environs Zone

- Legend
- Airport Hazard District (Height Zones)
 - ADC's
 - 65 Noise Contour (NCD-A)
 - 70 Noise Contour (NCD-B)
 - Davis Monthan Boundary
 - City of Tucson



Map 2.8.5.2-I AEZ Base Map

MAPS ORIGINALLY ADOPTED BY THE MAYOR AND COUNCIL,
 APRIL 16, 1990, BY ORDINANCE NO. 7399.

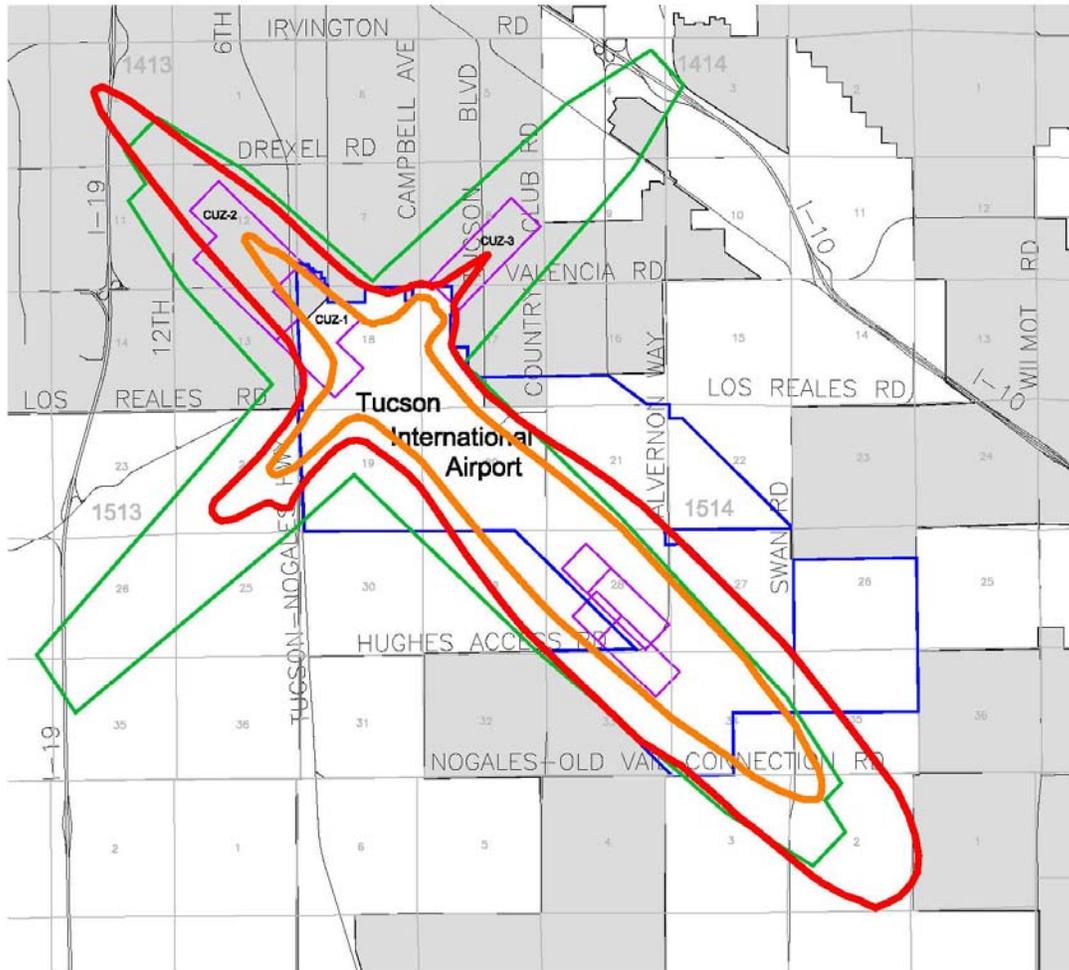
AMENDED JANUARY 26, 1991, BY ORDINANCE NO. 7557

AMENDED APRIL 27, 1992, BY ORDINANCE NO. 7805

AMENDED OCTOBER 28, 2002, BY ORDINANCE NO. 9781

AMENDED OCTOBER 25, 2004, BY ORDINANCE NO. 10073

CITY OF TUCSON LAND USE CODE
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AIRPORT ENVIRONS ZONE (AEZ)



TIA Airport
Environs Zone

- Legend**
-  TIA Boundary
 -  Airport Hazard District (AHD)
 -  65 Noise Contour (NCD-65)
 -  70 Noise Contour (NCD-70)
 -  Compatibility Use Zones (CUZ)
 -  City of Tucson



Map 2.8.5.2-II TIA Base Map

(Ord. No. 10073, §1, 10/25/04)

DIVISION 2. LISTING OF WORDS AND TERMS

SECTIONS:

6.2.1	DEFINITIONS - A
6.2.2	DEFINITIONS - B
6.2.3	DEFINITIONS - C
6.2.4	DEFINITIONS - D
6.2.5	DEFINITIONS - E
6.2.6	DEFINITIONS - F
6.2.7	DEFINITIONS - G
6.2.8	DEFINITIONS - H
6.2.9	DEFINITIONS - I
6.2.10	DEFINITIONS - J
6.2.11	DEFINITIONS - K
6.2.12	DEFINITIONS - L
6.2.13	DEFINITIONS - M
6.2.14	DEFINITIONS - N
6.2.15	DEFINITIONS - O
6.2.16	DEFINITIONS - P
6.2.17	DEFINITIONS - Q
6.2.18	DEFINITIONS - R
6.2.19	DEFINITIONS - S
6.2.20	DEFINITIONS - T
6.2.21	DEFINITIONS - U
6.2.22	DEFINITIONS - V
6.2.23	DEFINITIONS - W
6.2.24	DEFINITIONS - X
6.2.25	DEFINITIONS - Y
6.2.26	DEFINITIONS - Z

6.2.1 DEFINITIONS - A.

Abutting. Having a common boundary. Parcels or lots having only a common corner are not considered abutting.

Accessory Use or Structure. A use or a structure subordinate to the principal use or building on a lot and serving a purpose customarily incidental to the use of the principal building, provided any such structure is built with or after the construction of the principal building.

Acre. Forty-three thousand five hundred sixty (43,560) square feet.

ACS. Same as Average Cross Slope.

Adjacent. Two (2) or more parcels or lots sharing a common boundary or separated by an alley or other right-of-way twenty (20) feet or less in width. Parcels or lots having only a common corner are considered adjacent.

Adjoining. Same as abutting.

Administrative and Professional Office. See Sec. 6.3.5.2.

ADOT. Same as Arizona Department of Transportation.

ADT. Same as Average Daily Traffic.

Adult Activities. See Sec. 6.3.9, Restricted Adult Activities Use Group.

Adult Care Service. See Sec. 6.3.8.5, Residential Care Services.

Adult Day Care. A Day Care use for elderly or disabled adults.

Adult Establishments. See Sec. 6.3.9, Restricted Adult Activities Use Group.

AEZ. Same as Airport Environs Zone.

AEZ Zones and Districts Established:

Approach Departure Corridor One (ADC-1). A specifically designated area 12,000 feet from the northwest end of the runways at Davis Monthan Air Force Base where land use is susceptible to a degree of risk of aircraft accident potential.

Approach Departure Corridor Two (ADC-2). A specifically designated area 30,000 feet from the southeastern end of runways at Davis-Monthan Air Force Base where land use is susceptible to a degree of risk of aircraft accident potential.

Approach Departure Corridor Three (ADC-3). A specifically designated area located 30,000 to 50,200 feet at the southeastern end of runways at Davis-Monthan Air Force Base where land use is susceptible to a degree of risk of aircraft accident potential, less than in the ADC-1 or ADC-2 zones.

(Ord. No. 10073, §2, 10/25/04)

AICUZ. Same as Air Installation Compatibility Use Zone.

AICUZ Report (1992). A report prepared by the Department of the Air Force which evaluated and summarized the aircraft operations at U.S. Air Force Bases with respect to the effects of noise and accident hazards, entitled Air Installation Compatible Use Zone (AICUZ).

Airport. Any area of land designed and set for the landing and taking off of aircraft.

Airport Hazard. Any structure, use of land, or tree within the Airport Environs Zone (AEZ) which obstructs the space required for flight of aircraft in taking off and landing at an airport or is otherwise hazardous to aircraft taking off or landing. Examples of hazards include, but are not limited to, uses which:

- A. Create interference with aircraft navigation by obstructing the use of radio and other navigational aids, such as generators, motors, or artificial lighting devices which create excessive static.
- B. Obstruct the visibility of aircraft through atmospheric emissions or cause glare to flyers through direct or indirect illumination, such as from incinerators, rock crushers, smelters, lights which resemble a layout or the color of a landing area, search lights, or flash-type advertising signs.
- C. Cause any other danger or hazard to the safety of aircraft taking off or landing, such as towers, poles, smokestacks, advertising balloons, aboveground bulk storage of petroleum products, landfills, or fireworks manufacturing.

Airport Hazard District. A specifically designated area of land where uses that constitute hazards to airport operations are prohibited and heights are limited. (Ord. No. 10073, §2, 10/25/04)

Airstrip. An airport used solely by the owner of the property, accommodating general aviation aircraft and ultralight aircraft.

Alcoholic Beverage. Alcohol, brandy, whiskey, rum, tequila, mescal, gin, wine, porter, ale, beer and malt liquor, malt beverage, absinthe or compound or mixture of any of them, or of any of them with any vegetable or other substance, alcohol bitters, bitters containing alcohol, and any liquid mixture of preparation, whether patented or otherwise, which produces intoxication, fruits preserved in ardent spirits, and beverages containing more than one-half of one (0.5) percent of alcohol by volume.

Alley. A public way primarily for placement of utilities, refuse collection, or similar public services.

Alteration. As used in Sec. 2.8.8, Historic Preservation Zone (HPZ), any aesthetic, architectural, mechanical, or structural change to the exterior surface of any part of an existing structure.

Anatomical Areas. Same as Specified Anatomical Areas.

ANCLUC. Same as Airport Noise Control and Land Use Compatibility.

ANCLUC Study. Airport Noise Control and Land Use Compatibility Study, a document adopted by the City of Tucson and Pima County in 1982 which reviewed noise abatement measures in effect or proposed to be implemented by Tucson International Airport; the Study also established policies for compatible land uses for properties adjacent to the Tucson International Airport.

Antenna. One or more panels, rods, reflecting disks, or similar devices used for the transmission or reception of radio frequency signals. (Ord. No. 8813, §1, 3/3/97)

Apartment Building. Same as Multiple-Family Structure.

Appearance of Record. Means either:

- A. An oral statement made at a hearing which identifies the person making the statement or made by the person's representative; or
- B. A written statement giving the name and address of the person providing the statement and signed by the person or representative. Such written statement shall be submitted prior to the hearing or, in the event the process does not require a hearing, prior to the end of the notice period.

Archaeological Site. A historic or prehistoric site, location, or area containing material remains of human activity and life which include artifacts, monuments, and other cultural remains.

Archaeologist. A person having an M.A. or Ph.D. in anthropology or an allied field and at least one (1) year of training or employment in an archaeological field or laboratory research. Any study conducted by or endorsed by such an archaeologist must satisfy the Code of Ethics and Standards of Performance of the Society of Professional Archaeologists.

Arizona Nursery Association Standards (ANA). Standards for plant material size and planting guidelines prepared and published by the Growers Committee of Arizona Nursery Association.

ARS. Same as Arizona Revised Statutes.

Arterial Street. A street identified as an arterial or Interstate Route on the Major Streets and Routes (MS&R) Plan.

Artisan. As used in Sec. 2.8.8, Historic Preservation Zone (HPZ), one who practices an art or one trained to manual dexterity or skill in a trade.

CITY OF TUCSON LAND USE CODE
 ARTICLE VI. DEFINITIONS
 DIVISION 2. LISTING OF WORDS AND TERMS

Artists Studio/Residence Area. The area delineated by Map 6.2.1-I. (See Map 6.2.1-I.)



For exact boundaries, please see the official zoning maps.

Map 6.2.1-I Artists Studio/Residence Area

Attached Single-Family Dwelling. See Single-Family Dwelling, Attached, Sec. 6.2.19.

Average Daily Traffic (ADT). The total traffic for a calendar year divided by three hundred sixty-five (365).

Average Natural Cross-Slope. A method of determining the natural cross-slope of a parcel, prior to any grading or other disturbances.

6.2.2 DEFINITIONS - B.

B/A. Same as Board of Adjustment. See Sec. 5.1.7.

Bar. An Alcoholic Beverage Service use. A bar by any other name, such as, but not limited to, tavern, cocktail lounge, and pub, shall be regulated as a bar. To differentiate between an Alcoholic Beverage Service use (bar) which serves food and a Food Service use (restaurant) which serves alcoholic beverages, refer to the definition of restaurant. (Ord. No. 8666, §1, 3/25/96)

Bar, Large. A bar which encompasses eighteen thousand (18,000) square feet or more of total area, including gross floor area and any outside areas providing service to the public, such as outdoor seating and recreation areas.

Barrier-Free Accessibility. Functional access for semiambulatory and nonambulatory persons, from a street or parking space to, into, and through a building.

Bay. Same as Service Bay.

Bedroom. The term bedroom shall include all of the following.

- A. Any room that is designated as a bedroom.
- B. Any enclosed room which has a minimum area of sixty (60) square feet and has an accessible opening to the exterior of the building in compliance with the International Building Code (IBC), whether termed a studio, family room, study, den, bonus room, or any other name, except for a living room, dining room, kitchen, and bathrooms.
- C. Any room designated as a bedroom for the purpose of any other code requirement.

(Ord. No. 9906, §4, 10/13/03)

Bicycle. A nonmotorized device propelled only by human power having two (2) or three (3) wheels, any of which is more than sixteen (16) inches in diameter.

Bicycle Parking Facility. A structure which provides temporary placement for bicycles.

Bicycle Parking Space. An area designated within a facility for the use of an individual bicycle.

Block. A unit of land bounded by streets or by a combination of streets and public lands, railroad rights-of-way, watercourses, or other barriers to the continuity of the unit of land. A block may be comprised of one (1) or more lots. A block made up of one (1) lot may also be referred to as a lot or parcel.

Block Plat. A plat composed of one (1) or more blocks where each block is also one (1) lot.

Blood Donor Center. A Medical Service use which engages in the business or activity of receiving or taking plasma, blood, or any component thereof from human donors for monetary consideration.

Buildable Area. The area of a lot where a building can be placed after setbacks from property lines, streets, buildings, or any other point identified are deducted.

Building. A structure having a roof supported by columns, posts, or walls and intended for the shelter, housing, or enclosure of any person, entity, animal, process, equipment, goods, or materials of any kind or nature.

Building Footprint. The ground area within the outside edges of the exterior walls of a building at design grade.

Building Height. Same as Structure Height.

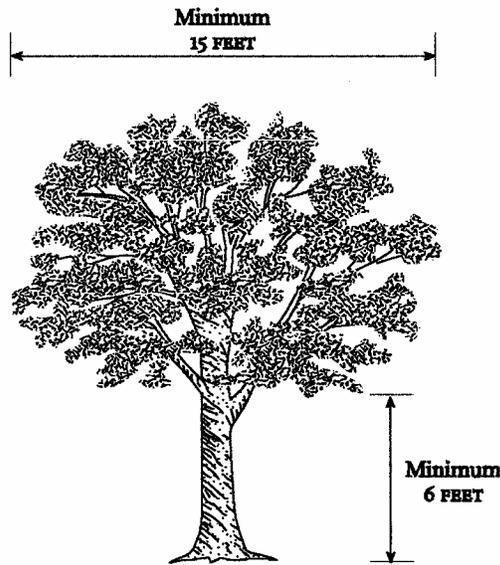
Building Setback. The right angle distance from a specified point to the closest point of any building.

Building Site. That area to be occupied by all structures and their adjacent or immediate grounds prior to any grading. The extremities of this site shall be measured from the toe of any fill on the lower elevations as shown on the proposed grading plans.

6.2.3 DEFINITIONS - C.

Caliper. A measurement taken between the outer dimensions of a tree trunk at six (6) inches for single-trunked specimens and twelve (12) inches for multitunked specimens above grade level at the base of the tree and according to the following Arizona Nursery Association Grower’s Committee Recommended Average Tree Specifications: for a noncircular specimen, use the average of the shortest and longest measurements, and for a multitunked specimen, use the sum of the measurements of the two (2) largest trunks. (Ord. No. 8845, §2, 3/24/97; Ord. No. 9246, §1, 10/11/99)

Canopy Tree. A woody plant, other than a palm tree, with a mature crown diameter of at least fifteen (15) feet and having a trunk that, at maturity, is kept clear of leaves and branches at least six (6) feet above grade. (See *Illustration 6.2.3.*)



6.2.3 Canopy Tree

Carport. A building that does not have walls on two (2) or more sides and is designed for the parking of one (1) or more motor vehicles.

CDRC. [Acronym deleted.] (Ord. No. 9392, §1, 5/22/00)

Centerline. A survey reference line designated for a street by the City Engineer and generally located parallel to the edges of the improved right-of-way. Centerlines for certain streets are depicted on street right-of-way/improvement plans and street setback line maps listed in and made a part of the Major Streets and Routes (MS&R) Plan.

Child Care. A Day Care use for children fourteen (14) years old or younger who are not related to the operator. Typical uses include child care centers, preschools, nursery schools, and before- and after-school programs. (Ord. No. 9374, §1, 4/10/00)

City. Same as City of Tucson.

City Zoning Maps. A set of maps that is part of the *Land Use Code (LUC)* which depicts all zoning boundaries delineating the zoning classifications applicable to all property within the city limits.

Civic Assembly. See Sec. 6.3.4.3.

Class 1 Bicycle Parking Facility. A facility designed for temporary storage of an entire bicycle and its components and accessories and to provide protection against inclement weather, the extreme heat of the desert climate, and theft. The facility may include bicycle lockers, check-in facilities, monitored parking, restricted access parking, or other means which provide the above level of security. (Ord. No. 9392, §1, 5/22/00)

Class 2 Bicycle Parking Facility. A facility which provides a stationary object to which the operator can lock the bicycle frame and both wheels with a user provided U-shaped lock or a cable and lock.

Collector Street. A street identified as a collector on the Major Streets and Routes Plan (MS&R).

Collocation. The use of a single tower or pole by more than one user for similar or nonsimilar uses. (Ord. No. 8813, §1, 3/3/97)

Common Use. The usage and accessibility by all residents of a project, either by common ownership, covenant, easement, or other similar legal means.

Communication, Wireless. A commercial system designed and operated for the transmission and reception of signals to and from multiple transmitter locations to multiple reception locations. Typical uses include cellular telephone, personal communication service (PCS), enhanced specialized mobile radio (ESMR), and paging services. (Ord. No. 8813, §1, 3/3/97)

Communications. The general transmission and/or reception of signals as specifically regulated by the Federal Communications Commission (FCC) for the transfer of verbal or visual information in an analog or digital mode. (Ord. No. 8813, §1, 3/3/97)

Communications Tower, Wireless. See Sec. 6.2.20, Tower. (Ord. No. 8813, §1, 3/3/97)

Community Design Review Committee (CDRC). [Definition deleted.] (Ord. No. 9392, §1, 5/22/00)

Compatible. To be in agreement with; to fit in architecturally; to not contradict, visually, a street scene, view, or adjacent development.

Compatible Use Zone-One (CUZ-1). A specifically designated area near the ends of Tucson International Airport runways where land use is susceptible to a degree of risk of aircraft accident potential, less than in the CUZ-3 Zone and greater than in the CUZ-2 Zone. Dimensions of the CUZ-1 are shown in Table 2.8.5-I, Sec. 2.8.5.9.

Compatible Use Zone-Two (CUZ-2). A specifically designated area near the ends of Tucson International Airport runways where land use is susceptible to a degree of risk of aircraft accident potential, less than either the CUZ-1 or the CUZ-3 Zones. Dimensions of the CUZ-2 are shown in Table 2.8.5-I, Sec. 2.8.5.9.

Compatible Use Zone-Three (CUZ-3). A specifically designated area near the southeastern ends of Tucson International Airport runways where land use is susceptible to a degree of risk of aircraft accident potential, greater than in either the CUZ-1 or the CUZ-2 Zones. Dimensions of the CUZ-3 are shown in Table 2.8.5-I, Sec. 2.8.5.9.

Conceal. To place out of sight or to prevent recognition or disclosure of the true character of an object. (Ord. No. 8813, §1, 3/3/97)

Condominium. A method of sale of air rights. For the purposes of *Land Use Code (LUC)* application, a condominium shall be the same as a multiple-family structure, except platting is required in accordance with this Chapter.

Conservation Easement. An easement delineating an area that will be kept in its natural state in perpetuity.

Contiguous. Same as Abutting.

Contributing Property. A building, object, site, or structure which is a resource in a historic district that contributes to the district's historic significance through location, design, setting, material, workmanship, character, or association. Contributing Properties are historic sites or nonhistoric compatible properties.

Correctional Use. See Sec. 6.3.4.4.

County. Same as Pima County, Arizona.

Critical Riparian Habitat Areas. Areas as shown on the Critical and Sensitive Wildlife Habitats Map, which contain:

- A. Major segments of desert riparian habitat extending from public preserves;
- B. Major segments of desert riparian habitat not extending directly from a public preserve but containing a high density and diversity of plant and animal species;
- C. Deciduous riparian woodlands;
- D. Mesquite bosques;
- E. Lakes, ponds, or wetlands;
- F. Palo Verde-Saguaro communities; or
- G. Ironwood plant communities;

and are found within the Resource Corridor.

Cross-Slope. The slope of the topographic configuration of land, graphically represented by contour lines, prior to any grading or other disturbance.

Cultural Use. See Sec. 6.3.4.5.

Custodial Facility. See Sec. 6.3.4.4, Correctional Use.

6.2.4 DEFINITIONS - D.

Damaged. Plant materials, previously rated Viable, which have little chance of survival in a healthy and attractive manner after injury sustained during salvage, transplanting, or construction operations. (Ord. No. 8845, §2, 3/24/97)

Dance Hall. An Entertainment use which encompasses eighteen thousand (18,000) square feet or more of total area, including gross floor area and any outside areas providing service to the public, such as outdoor seating and recreation areas, that has a dance floor(s) that is over twenty-five (25) percent of the area.

Day Care. See Sec. 6.3.5.10.

Days. Days of the week, including Saturdays, Sundays, and holidays. To apply days to a review schedule, the day of the event or act from which the designated period of time begins is not included. The last day of the designated period is included, unless it is a Saturday, Sunday, or holiday, in which event the period runs to the end of the next day that is not a Saturday, Sunday, or holiday. When a designated period of time is less than ten (10) days, intermediate Saturdays, Sundays, and holidays are not included. Holidays are those recognized by the City of Tucson.

DD. Same as Development Designator. See Sec. 2.1.8.

Dedicate. The act of giving a gift or donation to another person or entity.

Dedicated. The act of giving a gift or donation to another person or entity and that such gift or donation has been accepted.

Density. Generally, density means the number of residential units per acre. As applied in the Residential Cluster Project (RCP) provisions, density means the number of dwelling units that may be constructed per acre of developable area within a site. For information on calculation of density, with the exception of RCPs, refer to Sec. 3.2.10. For RCP density calculations, refer to Sec. 3.6.1.

Design Grade. The minimum modification of natural or existing grade that allows safe and appropriate access, drainage, and buildable areas.

Design Review Board (DRB). See Sec. 5.1.8, Design Review Board (DRB). (Ord. No. 9967, §6, 7/1/04)

Detached Single-Family Dwelling. See Single-Family Dwelling, Detached, Sec. 6.2.19.

Developable Area. The land area of a site controlled by a single landowner or entity at the time of issuance of building permits or, if subdividing the property, subdivision application, including those areas which are dedicated as natural areas within a Hillside Development Zone (HDZ) area, but exclusive of any floodway property as described in Chapter 26, Division 1, Floodplain and Erosion Hazard Area Regulations, of the Tucson Code. Those areas within a floodway are included in the developable area where the City Engineer has approved construction of a principal building or of an accessory or incidental structure.

Developing Area. An area where less than fifty (50) percent of the linear street frontage of all property, excluding alleys and drainageways, located on the same side of the street and within the same block as the proposed development is occupied by principal structures that conform to the minimum front street perimeter setback required for the applicable zoning classification or street frontage. (Ord. No. 9517, §5, 2/12/01)

Developing Area Setback. A term used to describe the required building setback from a street applicable where a developing area exists. (Ord. No. 9517, §5, 2/12/01)

Development. Any human alteration to the state of land, including its vegetation, soil, geology, or hydrology, for any residential, commercial, industrial, utility, or other use, such as, but not limited to, clearing, grubbing, or grading of land, and structural improvements, e.g., buildings, walls, fences, signs, and vehicular use areas.

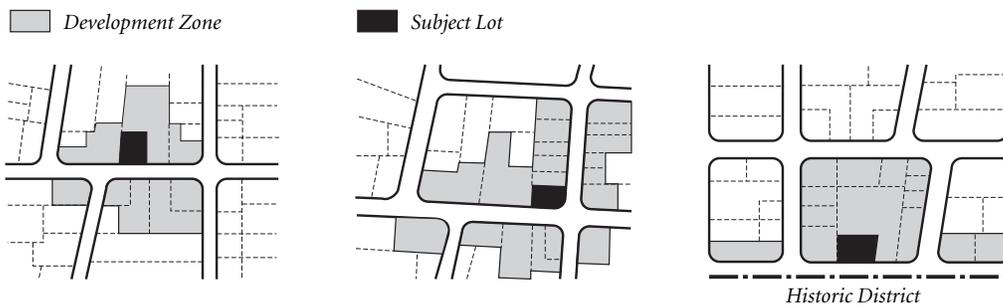
Development Designator. A letter or number, or a combination of letters and numbers, which designates the development criteria applicable to each land use in every zone. For applicability information, refer to Sec. 2.1.8.

Development Plan. A drawing of a project site that provides detailed information which shows how a proposed project will be developed in compliance with City regulations. Where specifically required by ordinance or condition of rezoning, a development plan shall be prepared in compliance with the requirements of Sec. 5.3.8 of this chapter.

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Development Zone. As used in Sec. 2.8.8, Historic Preservation Zone (HPZ), and Sec. 2.8.10, Rio Nuevo and Downtown (RND) Zone, a certain designated area adjacent to the lot to be developed. Public and institutional structures within the development zone shall not be considered part of the development zone when evaluating proposed development on an adjacent property, except for public and institutional structures on or eligible for inclusion on the National Register of Historic Places. The development zone is determined as follows. (See *Illustration 6.2.4.A, .B, and .C.*)

- A. Where the subject lot is an interior lot, the development zone includes that lot, all lots on either side of that lot and fronting on the same street in the same block, and all those lots on the opposite side of that street, except such portions of the development zone which fall outside the boundary of the historic district or the Rio Nuevo and Downtown (RND) Zone.
- B. Where the subject lot is a corner lot, the development zone includes that lot, the corner lot diagonally opposite that lot, all lots fronting on the same two (2) streets in the same block, and all lots on the opposite sides of those streets, except such portions of the development zone which fall outside the boundary of the historic district or the Rio Nuevo and Downtown (RND) Zone.
- C. Where the subject lot is located adjacent to a historic zone boundary, the development zone includes that lot, all lots located within the same block, and those lots facing the same street as the subject lot within one block in either direction, except such portions of the zone which fall outside the boundary of the historic district or the Rio Nuevo and Downtown (RND) Zone.



**6.2.4.A
 Development Zone
 for an Interior Lot**
 (Ord. No. 9780, §7, 10/14/02)

**6.2.4.B
 Development Zone
 for a Corner Lot**

**6.2.4.C
 Development Zone
 for a Boundary Lot**

Director. The chief executive officer of a City department. (Ord. No. 9967, §6, 7/1/04)

Disguise. To furnish with a false appearance or to alter in such a manner as to hide the true character of an object. (Ord. No. 8813, §1, 3/3/97)

Downtown Heritage Incentive Zone. An area the boundaries of which are congruent with the boundaries of the Downtown Redevelopment District.

Downtown Redevelopment District. That area as delineated by Map 6.2.4-I. (See *Map 6.2.4-I.*)



For exact boundaries, please see the official zoning maps.

Map 6.2.4-1 Downtown Redevelopment District

DRB. Same as Design Review Board. See Sec. 5.1.8. (Ord. No. 9967, §6, 7/1/04)

Drip-line. The line which could be drawn on the soil around a tree or shrub directly under its outermost branch tips. (Ord. No. 8845, §2, 3/24/97)

Drive-In. A land use designed and operated so as to allow persons to receive a service or purchase and consume goods while remaining in a vehicle.

Drive-Through or Drive-Thru. A land use designed and operated so as to allow persons to receive a service or purchase goods, but not consume the purchased goods on the site, while remaining in a vehicle.

Drought-Tolerant Vegetation. Low-water-use plants which, after they are established, can survive within the Sonoran Desert climate with little or no supplemental watering.

DSD. Same as Development Services Department. (Ord. No. 9392, §1, 5/22/00)

Duplex. A building containing only two (2) dwelling units.

Dwelling. Same as Dwelling Unit.

Dwelling, Attached. See Single-Family Dwelling, Attached, Sec. 6.2.19.

Dwelling, Detached. See Single-Family Dwelling, Detached, Sec. 6.2.19.

Dwelling Unit. A building or portion of a building designed and used for human habitation, which includes one (1) or more rooms, with sleeping and sanitary facilities and a kitchen, that is designed, occupied, or intended for occupancy as living quarters exclusively for a single household.

Dwelling Unit, Duplex. Same as Duplex.

Dwelling Unit, Single-Family. Same as Single-Family Dwelling.

6.2.5 **DEFINITIONS - E.**

Educational Use. See Sec. 6.3.4.6.

Elementary School. See Sec. 6.3.4.6, Educational Use.

Enclosed. See Enclosure.

Enclosed Area of Dwelling Unit. That area encompassed by the dwelling unit and all attached roofed structures, including carports and patio ramadas.

Enclosure. A structure that confines an area. The term "enclosed building" means a building enclosed with solid walls from floor to ceiling. Any wall penetrations, such as doors and windows, must include door or window fixtures that can solidly enclose the entire opening. (Ord. No. 9138, §1, 10/5/98)

Entertainment. See Sec. 6.3.5.11.

Environmental Resource Report (refer to Development Standard 9-06.0). Exhibits, maps, and written narrative which document: (Ord. No. 9967, §6, 7/1/04)

- A. The portion of the property within the resource corridor;
- B. The critical riparian habitat within the corridor;
- C. The location of wildlife habitat classes which may be found within the corridor as defined by the Critical and Sensitive Wildlife Habitats Map and Report;
- D. Any endangered species typically found within the corridor; and
- E. The location of the resource corridor.

ERZ. Same as Environmental Resource Zone. See Sec. 2.8.6.

Established Area. An area where fifty (50) percent or more of the linear street frontage of all property, excluding alleys and drainageways, located on the same side of the street and within the same block as the proposed development is occupied by principal structures that conform to the minimum front street perimeter setback required by Sec. 3.2.6.5.A for the applicable zoning classification or street frontage. (Ord. No. 9517, §5, 2/12/01)

Established Area Setback. A term used to describe the required building setback from a street applicable as follows.

- A. When street frontage of the property is on a street other than one designated a major street or route by the adopted Major Streets and Routes (MS&R) Plan; and
- B. Where an established area exists. (Ord. No. 9517, §5, 2/12/01)

Examiner. Same as Zoning Examiner. See Sec. 5.1.6.

Expansion of Land Use. An increase in land use, lot area, floor area, or vehicular use area.

Exposed Fill. All of the face of a fill slope resulting from development, from the toe to the top of the fill, whether the surface treatment is retaining wall, riprap, natural vegetation, or other treatment.

Extended Health Care. See Medical Service - Extended Health Care, Sec. 6.3.5.15.

6.2.6 DEFINITIONS - F.

FA. Same as Floor Area.

FAA. Same as Federal Aviation Administration.

Family. Any number of individuals customarily living together as a single household and using common cooking facilities.

FAR. Same as Floor Area Ratio.

Federal. Government of the United States of America.

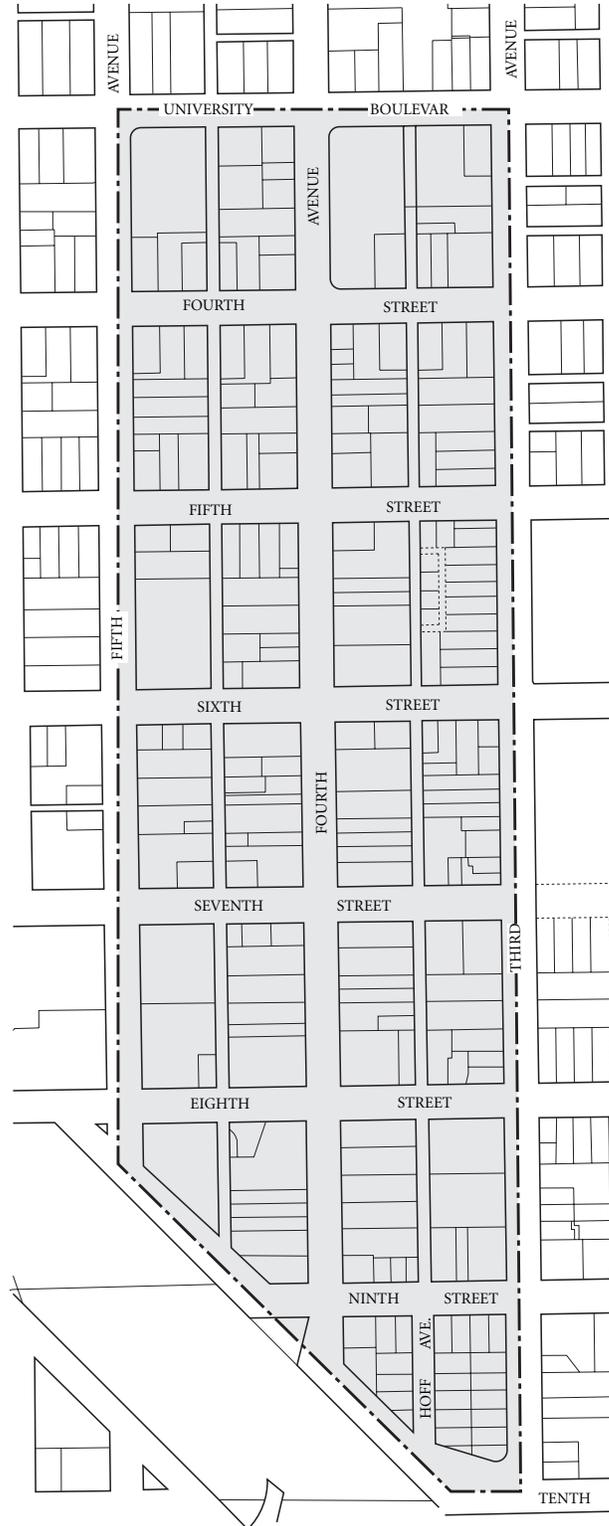
Final Plat. A survey document suitable for recordation of all or part of a subdivision substantially conforming to an approved tentative plat, prepared in accordance with the subdivision provisions of this Chapter, any other applicable local regulation, and state statute.

Floor Area. Same as Gross Floor Area.

Floor Area Ratio (FAR). A ratio expressing the amount of square feet of floor area permitted for every square foot of land area within the site. The FAR is usually expressed as a single number, i.e., FAR of six (6) means six (6) square feet of floor area for every square foot of site area. For calculation, see Sec. 3.2.11.

Fourth Avenue Business District. The area delineated on Map 6.2.6-I. (*See Map 6.2.6-I.*)

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For exact boundaries, please see the official zoning maps.

Map 6.2.6-1 Fourth Avenue Business District

Fraternity or Sorority. A building housing five (5) or more student residents belonging to an organization created for scholastic, professional, or extracurricular activities, associated or formally organized for a common purpose, with a name consisting of Greek letters. These organizations are typically recognized by universities as legally chartered fraternities or sororities.

Freeway-Oriented Business. A commercial use with direct access to the interstate frontage roads or a commercial use with a driveway entrance within one hundred (100) feet of the interstate frontage roads. (Ord. No. 9780, §7, 10/14/02)

Frontage. The length of a lot line which abuts a street right-of-way.

Future Curb Location. The ultimate location of the street curb as determined by one (1) of the following.

- A. For nonarterial streets, Development Standard 3-01.0, Street Standards, is used.
- B. For arterial streets, the *Major Streets and Routes (MS&R) Plan* is used.
- C. For both nonarterial and arterial streets, if specific engineering plans are approved and on file in the City Engineer's Office, they are used.

Future Half Right-of-Way Area. The same as major streets and routes (MS&R) right-of-way area.

Future Right-of-Way Line. The same as major streets and routes (MS&R) right-of-way line.

Future Sidewalk Location. The ultimate location of the sidewalk as determined by one (1) of the following.

- A. For nonarterial streets, Development Standard 3-01.0.
- B. For arterial streets, the *Major Streets and Routes (MS&R) Plan*.
- C. For both arterial and nonarterial streets, specific engineering plans, if they are approved by the Mayor and Council and on file in the City Engineer's Office.

6.2.7 DEFINITIONS - G.

Garage. A building enclosed with walls or doors on three (3) or more sides used for the parking of one (1) or more motor vehicles.

Gateway Route. A street or parkway designated on the *Major Streets and Routes (MS&R) Plan* map which is a heavily traveled entrance to and through the city. These routes link major employment areas, shopping centers, and recreational areas used regularly by a large number of residents and visitors and present a visual impression of Tucson's character.

General Aviation Aircraft. Aircraft with a maximum gross weight of twelve thousand five hundred (12,500) pounds, excluding ultralight aircraft.

General Plan. A comprehensive declaration of purposes, policies, and programs to guide the growth and development of the city and its environs, addressing the following elements: land use; circulation; conservation and environmental planning; parks, recreation, open space, and trails; public buildings, services, and facilities; cultural heritage; housing; conservation, rehabilitation, and redevelopment; safety; human resources; government; economic development; community character and design; growth area and population; cost of development; and water resources. (Ord. No. 9517, §5, 2/12/01)

GFA. Same as Gross Floor Area.

Governmental. Any agency or department of the federal, state, county, or city government.

Gross Floor Area. The sum of the horizontal areas of all floors of all buildings, including accessory buildings on a lot, measured from the exterior faces of the exterior walls or from the centerline of walls separating two (2) buildings and includes elevator shafts and the stairwells at each story; floor space with structural headroom of six (6) feet and six (6) inches or more used for mechanical equipment; penthouses; attic space; interior balconies; mezzanines; and service bays but does not include any interior space used for parking, loading, or loading space that is incidental to the principal use.

6.2.8 DEFINITIONS - H.

H. The eighth letter of the alphabet. When used in perimeter yard application, it is the abbreviation for the height of the exterior wall of the proposed building.

HDZ. Same as Hillside Development Zone. See Sec. 2.8.1.

Height, Patio Wall or Fence. Same as Structure Height.

Height, Structure. Same as Structure Height.

Historic Landmark. A historic site or structure of the highest historic, cultural, architectural, or archaeological importance to Tucson which if demolished or significantly altered would constitute an irreplaceable loss to the quality and character of Tucson. A Historic Landmark is an outstanding or unique example of architectural style; is associated with a major historic event, activity, or person; or has unique visual quality and identification. A Historic Landmark may be located within the boundaries of or outside a historic district.

Historic Site or Historic Structure. As used in Sec. 2.8.8, Historic Preservation Zone (HPZ), a building, structure, object, or site, including vegetation or signs located on the premises, which:

- A. Dates from a particular significant period in Tucson's history, i.e., prehistoric, native indigenous, Pre-Colonial (before 1775), Spanish Frontier (Colonial) (1775-1821), Mexican Frontier (1821-1853), Territorial (1854-1912), Post-Territorial (1912-1920), or Post-World War I Development (1920-1945), or relates to events, personages, or architectural styles which are at least fifty (50) years old; however, outstanding examples less than fifty (50) years old should be evaluated on their own merits; and
- B. Is associated with the lives of outstanding historic personages; or
- C. Is associated with significant historic events or occurrences; or
- D. Exemplifies the architectural period in which it was built and has distinguishing characteristics of an architectural style or method of construction or is the notable work of a master builder, designer, or architect whose individual genius influenced his/her age; or
- E. Contributes information of archaeological, historic, cultural, or social importance relating to the heritage of the community; or
- F. Relates positively to buildings in its immediate vicinity in terms of scale, size, massing, etc., such that its removal would be an irreparable loss to the setting.

Home Occupation. A land use activity carried out for financial gain by a resident, on the resident's property, conducted as a secondary use to the Family Dwelling or Mobile Home Dwelling use on the property.

House Trailer. Same as Mobile Home.

Household. A family living together in a dwelling unit, with common access to, and use of, all living, eating, kitchen, and storage areas within the dwelling unit.

Household Goods Donation Center. A principal use consisting of a staffed facility at which donated consumer goods are accepted, handled, and temporarily stored before transport to a resale center. When used in conjunction with a retail store, both uses are considered principal uses. (Ord. No. 9915, §10, 11/24/03)

6.2.9 DEFINITIONS - I.

Interior Landscape Border. An area along the interior property line(s) of a site containing landscape materials, screening, and open space that serves as a buffer between land uses of different intensities.

Interior Lot Line. A lot line other than a street lot line.

Instructional School. See Sec. 6.3.4.6, Educational Use.

Intrusion. As used in Sec. 2.8.8, Historic Preservation Zone (HPZ), a building, object, site, structure, or portion thereof which detracts from a district's historic significance because of its architectural incompatibility with the district's time, place, and historic development or its incompatibility of scale, materials, or texture or a building, object, site, or structure whose historic architectural integrity has been irretrievably lost.

6.2.10 DEFINITIONS - J.

Jail. See Sec. 6.3.4.4, Correctional Use.

6.2.11 DEFINITIONS - K.

Kennel. A place where small animals, such as, but not limited to, dogs and cats, are kept.

Kitchen. A room within a building containing facilities for the storage, cooking, and preparation of food, specifically a sink, refrigerator, stove, and an oven.

6.2.12 DEFINITIONS - L.

Land Split. The same as "land split" as defined in Sec. 4.1.2 of this Chapter.

Land Use. A description of the existing or proposed occupancy or utilization of land which include the principal use and accessory uses.

Land Use Code (LUC). Chapter 23 of the Tucson Code as adopted by the Mayor and Council establishing zoning regulations governing the use, placement, spacing, and size of land and structures within the corporate limits of the city. Such regulations are applied on individual properties through the use of zoning districts. The boundaries of these districts are depicted on the adopted City Zoning Maps. For the purposes of convenience and ease of use, the LUC is also published as a separate book from the Tucson Code.

Landscape Materials. Any materials used for the purpose of landscape improvement which may include, but are not limited to, the following: trees, shrubs, vegetative ground covers, turf, vines, walkways, berms, stone or inert ground cover materials, sculptures, fountains, irrigation equipment, street furniture, outdoor lighting, fences, or walls.

Landscape Plan. A graphic representation of the development site indicating the location of all existing and proposed landscape improvements to be present on the site at the completion of the construction of the project.

Landscaping. An exterior improvement of a site in accordance with an approved landscape plan and approved landscape methods, materials, and maintenance.

Large Bar. Same as Bar, Large.

Large Retail Establishment. Same as Retail Establishment, Large. (Ord. No. 9293, §1, 9/27/99)

LC. Same as Lot Coverage.

Ldn (Day-Night Average Sound Level). Ldn values are expressed in decibels and represent the average noise level over a twenty-four (24) hour period for an average day of the year. For Tucson International Airport, the Ldn values are calculated based on an FAA integrated noise model, which averages noise over a three hundred and sixty-five (365) day year. For Davis-Monthan Air Force Base, Ldn values are calculated based on the Department of Defense Noise Map model which averages noise over the total flying days of the year.

Lot. A tract of land bounded on all sides by property lines, of sufficient size to meet minimum zoning requirements, with legal access to a public street.

Lot Coverage. The area of a site occupied by buildings, storage areas, and vehicular use areas. For specific application requirements, refer to Sec. 3.2.9.

Lot Line, Interior. Same as Interior Lot Line.

Lot Line, Street. Same as Street Lot Line.

Lot Lines. The property lines bounding a lot.

Low Enrollment. A school having registered enrollment at sixty-five (65) percent or less than the school's capacity, not including any portable classroom buildings. For the purposes of this definition, magnet schools are considered to be low enrollment schools.

Low-Income Area. An area determined to have fifty-one (51) percent or more of its residents in the low to moderate income levels as established by the Department of Housing and Urban Development (HUD) based on the most recent United States decennial census. A map identifying the low income areas is available in the Planning Department and in the Development Services Department (DSD). The map is updated administratively by the Planning Department to reflect poverty and low income data from the most recent United States decennial census. (Ord. No. 9392, §1, 5/22/00)

LP. Same as Liquid Petroleum.

LUC. Same as *Land Use Code*.

6.2.13 DEFINITIONS - M.

Major Employment Center. A grouping of commercial, institutional, office, and/or industrial uses of such scale and in such proximity to each other that enables and encourages employees to use alternate modes of travel both to and from work and during daily activities (e.g., shopping, lunch, banking). Examples: Tucson Medical Center (TMC), Park Mall, El Con Mall, Pima Community College, St. Joseph's Hospital, Tucson Mall, and the Downtown Business District.

Major Medical Service. See Medical Service - Major, Sec. 6.3.5.16.

Major Streets and Routes. Major streets and routes refers to those freeways, arterials, and collector streets identified in the *Major Streets and Routes Plan*.

Major Streets and Routes (MS&R) Plan. The plan adopted by the Mayor and Council to implement the circulation element of the *General Plan*, which identifies the general location and size of existing and proposed freeways, arterial and collector streets, future right-of-way lines, typical intersections, and Gateway and Scenic Routes. (Ord. No. 9517, §5, 2/12/01)

Major Streets and Routes (MS&R) Right-of-Way Area. That area between the MS&R right-of-way lines of a major street or route designated as such by the *MS&R Plan*. The right-of-way width existing for the major street or route may or may not be equal to the MS&R right-of-way area and in certain situations includes privately-owned property.

Major Streets and Routes (MS&R) Right-of-Way Lines. A line establishing the projected width for that major street or route located parallel or approximately parallel to the center line of the street a distance equal to one-half the right-of-way width shown for that street or route in the *MS&R Plan*.

Manufactured Housing. A multisectional mobile home dwelling manufactured after June 15, 1976, to standards established by the U. S. Department of Housing and Urban Development which has external dimensions of at least twenty-four (24) feet by forty (40) feet and is installed on a permanent foundation. A manufactured housing unit is considered equivalent to a single-family dwelling. A wall shall be installed continuously, except for ventilation and access, along the entire perimeter of the unit between the unit and the ground to give it the appearance of a site-built house. The wall shall be of masonry construction or similar material. The tongue, axles, transporting lights, and towing apparatus shall be removed before occupancy. (Ord. No. 9138, §1, 10/5/98)

M/C. Same as Mayor and Council.

Meal. For the purposes of applying Sec. 3.5.4.7, a “meal” shall mean the usual assortment of foods commonly ordered at a restaurant at various hours of the day. (Ord. No. 8666, §1, 3/25/96)

Medical Service - Extended Health Care. See Sec. 6.3.5.15.

Medical Service - Major. See Sec. 6.3.5.16.

Medical Service - Outpatient. See Sec. 6.3.5.17.

Microbrewery. A Perishable Goods Manufacturing use that produces beer, in the amount between ten thousand (10,000) and three hundred ten thousand (310,000) gallons annually. (Ord. No. 9634, §3, 12/10/01)

Minor Subdivision. The same as “minor subdivision” as defined in Sec. 4.1.2 of this Chapter.

Mitigation. Methods used to alleviate or compensate for the negative impact of development on healthy Protected Native Plants. (Ord. No. 8845, §2, 3/24/97)

Mixed Use. A development on a site with two (2) or more separate principal land uses, designed, developed, and owned or managed as a single coordinated entity utilizing legally established common elements or shared facilities. Such common elements must comply with the following criteria.

- A. Shared motor vehicle and pedestrian access is provided to the site from a street. The number of curb cuts is limited to two (2) or less, unless a greater number is approved by the City Traffic Engineer or designee. (Ord. No. 9392, §1, 5/22/00)
- B. Shared pedestrian and motor vehicle circulation is provided.
- C. The motor vehicle parking areas are common to all land uses on the site.

Mixed Use. (Cont'd)

D. All common or shared facilities are legally documented for use by all land uses on site for the life of the project as a mixed use.

Mobile Home. A nonmotorized dwelling, transportable in one or more sections, constructed on a permanent chassis with wheels, suitable for year-round residential occupancy and requiring the same method of water supply, waste disposal, and electrical service as a site-built dwelling. Mobile home does not mean a recreational vehicle.

Mobile Home Park. A cluster development comprised of mobile homes and/or manufactured housing units designed to function as a residential community. The entire development may be owned by a single entity and rented to individual users or have multiple ownership with each mobile home space sold to individual property owners. The park may or may not have commonly-owned facilities.

Mobile Home Space. An area of a mobile home park rented or sold for the placement of a mobile home and for the exclusive use of the occupants of the mobile home.

More Restrictive Zoning. See Sec. 1.2.6.

Motor Vehicle Parking Space. An area permanently reserved and maintained for the parking of one (1) motor vehicle.

MS&R. Same as Major Streets and Routes.

MSL. Same as Median Sea Level.

Multifamily. Same as Multiple Family.

Multiple-Family Structure. A building located on one (1) lot, containing two (2) or more dwelling units. Also known as multifamily structure and apartment building.

6.2.14 DEFINITIONS - N.

Native Plant Preservation Plan. A graphic representation of a project site which shall include, but is not limited to, an aerial photograph, at a minimum scale of one (1) inch equals one hundred (100) feet, indicating the project site boundaries and individual native plants or native plant preservation areas to be assessed and utilized to satisfy preservation requirements. Based on the Native Plant Preservation methodology selected by the applicant, additional Plan elements will be required. (Ord. No. 8845, §2, 3/24/97)

Native Vegetation. Plants indigenous to the site and to areas contiguous to the site.

Natural Grade. The topographic configuration of land, graphically represented by contour lines, prior to any grading or other human disturbance.

New Use. A land use which is being located on vacant land; a land use which replaces an existing use with a use from a different Land Use Class; or a land use that replaces an existing use which is from the same Land Use Class but which requires more parking spaces than required for the prior use.

Noise Control District-A (NCD-A). A specifically designated noise exposure area at the Davis Monthan Air Force Base where the existing and predicted average noise levels are 65 to 70 Ldn. (Ord. No. 10073, §2, 10/25/04)

Noise Control District-B (NCD-B). A specifically designated noise exposure area at the Davis Monthan Air Force Base where the existing and predicted average noise levels are 70 Ldn or higher. (Ord. No. 10073, §2, 10/25/04)

Noise Control District-65 (NCD-65). As applied in Sec. 2.8.5, Airport Environs Zone (AEZ), a specifically designated noise exposure area at Tucson International Airport where the existing and predicted average noise levels are 65 to 70 Ldn. (Ord. No. 10073, §2, 10/25/04)

Noise Control District-70 (NCD-70). As applied in Sec. 2.8.5, Airport Environs Zone (AEZ), a specifically designated noise exposure area at Tucson International Airport where the existing and predicted average noise levels are 70 Ldn or higher. (Ord. No. 10073, §2, 10/25/04)

Nominal Cost. A cost that is very small, or negligible, bearing no relation to the real value at the time of transaction. Such cost should not exceed five hundred dollars (\$500.00) or the minimal cost of transferring ownership, whichever is less.

Nonconforming Structure. A structure or portion thereof, lawfully erected or altered, which no longer complies with the specific Development Regulations of the *Land Use Code (LUC)* applicable to the zoning category in which the building or structure is located.

Nonconforming Use. An existing land use activity lawfully established and maintained which no longer complies with land use regulations of the *Land Use Code (LUC)* applicable to the zoning category in which the land use activity is located.

Noncontributing Property. As used in Sec. 2.8.8, Historic Preservation Zone (HPZ), a building, object, site, or structure which does not add to a district's sense of time, place, or historic development. A Noncontributing Property may be a nonhistoric incompatible property, a historic architecturally compromised property, or an Intrusion.

Nuisance. A condition or use on the property which endangers life or health, gives offense to the senses, and/or obstructs the reasonable and comfortable use of other property.

6.2.15 DEFINITIONS - O.

Oasis Allowance. A certain percentage of the land area on a site in which plants not listed on the Drought Tolerant Plant List may be used and which is located where the oasis will return maximum benefit in terms of cooling, aesthetic pleasure, and exposure to people.

Off-Street. To be within property boundaries and not within a right-of-way, such as a street or alley. (Ord. No. 8582, §1, 9/25/95)

Outpatient Medical Service. See Medical Service - Outpatient, Sec. 6.3.5.17.

6.2.16 DEFINITIONS - P.

PAAL. Same as Parking Area Access Lane.

Parcel. The same as "lot." The term "parcel" is generally listed to describe a piece of property recorded as a division of land by a metes and bounds description and not as part of a subdivision plat. In a project where a division of land is proposed, each proposed division will be considered a lot for the purpose of applying the requirements of the zoning ordinance.

Parking Area. Same as Vehicular Use Area.

Parking Area Access Lane(s) (PAAL). The area within a parking lot serving as a travel lane or lanes, other than those in a street, to provide individual access to parking spaces. Typical examples include shopping center parking lots, apartment developments using common parking, and other places in which the primary or sole purpose is to provide access to a parking area, as opposed to providing access directly to property.

Parking Lot. Same as Vehicular Use Area.

Parking Structure. A structure used for the parking of vehicles where parking is accommodated on one (1) or more levels.

Party. As applicable to a public review process, means the following:

- A. Applicant.
- B. All owners of record of property within the property owners notification area specified by the applicable development process and any tenants residing on such property.
- C. The City.
- D. Any person, organization, group, or governmental entity which demonstrates to the hearing body a substantial interest in the matter before it or receives a particular and direct impact which is distinguishable from the effects or impacts upon the general public.

Peak. A point of maximum elevation.

Perimeter Yard. A setback area to separate buildings from adjacent property or streets.

Permeable Surface. A paving material that permits water penetration to a soil depth of at least eighteen (18) inches. A permeable surface may consist of nonporous materials poured or laid in sections not exceeding one (1) square foot in area and collectively comprising less than two-thirds (2/3) of the total surface area.

Person. Any individual as well as any firm, corporation, partnership, company, or any other form of multiple organization for the carrying on of business.

Phased Development. For purposes of consideration and approval of Protected Development Right Plans, a Phased Development is a master planned development which (a) consists of at least forty (40) acres depicted on a single master subdivision plat for a residential development or (b) consists of at least twenty (20) acres depicted on a single master subdivision plat or development plan for a nonresidential development or (c) is the subject of a newly adopted Planned Area Development (PAD) zone or (d) the Mayor and Council have identified as a phased development for purposes of protected development rights. (Ord. No. 9750, §3, 8/5/02)

Physical and Behavioral Health Service. See Sec. 6.3.8.5, Residential Care Services.

Physically Disabled. A person, as defined in Arizona Revised Statutes (ARS), Sec. 28-881, or as it may be amended, having a physical impairment that substantially limits that person's ability to move from place to place.

PL. Same as Property Line.

Plant Community. A biological grouping of vegetation frequently found under natural conditions due to their common soils, moisture, climate, and orientation requirements. (Ord. No. 8845, §2, 3/24/97)

Plant Inventory. A numerical listing and assessment of the plants on a site that includes plant genus and species, size, health, age, form or structure, and locational situation, such as soils and topography. (Ord. No. 8845, §2, 3/24/97)

Plat. A graphic representation of a subdivision, drawn, processed, and recorded in accordance with the subdivision provisions of this Chapter. The term "plat" includes tentative plat, final plat, and recorded plat.

Postsecondary Institution. See Sec. 6.3.4.6, Educational Use.

Preschool. Same as Child Care, Sec. 6.2.3. (Ord. No. 9374, §1, 4/10/00)

Preservation-in-Place. No disturbance of one (1) or more plants; site planning and design that retains existing plant genus and species in their current location, grade, and configuration and allows for their future health and growth. (Ord. No. 8845, §2, 3/24/97)

Prevailing Setback. As used in Sec. 2.8.8, Historic Preservation Zone (HPZ), the most frequently occurring distances between structures and street and interior property lines in a development zone.

Prison. See Sec. 6.3.4.4, Correctional Use.

Private Road. A street not dedicated to the public.

Project. A development, consisting of one (1) or more contiguous lots, planned and constructed to function as a single entity, utilizing common or shared facilities, structures, parking, and vehicular and pedestrian access.

Project Site. In general application, the area of the project. As applicable in Sec. 2.8.5, Airport Environs Zone (AEZ), the land area designated for development and managed as a single entity, exclusive of any abutting public right-of-way. A site may be any number of contiguous lots, separated by no more than six hundred (600) feet, or it may be one (1) lot. The project site utilizes common facilities such as parking, structures, and vehicular and pedestrian access. Noncontiguous lots will, at a minimum, be connected by pedestrian facilities.

Property Line. The lot line which defines the exterior limits of a lot.

Proportion. As used in Sec. 2.8.8, Historic Preservation Zone (HPZ), the relationship between the width and height of a building's front facade, windows, and doors.

Protected Development Right Plan. A plan or subdivision plat which, at a minimum, describes with a reasonable degree of certainty (a) the proposed uses of the site, (b) the boundaries of the site, (c) significant topographical and other natural features affecting development of the site, (d) the number of dwelling units, and (e) the location of all existing and proposed utilities and a provision for other infrastructure on the site, including water, sewers, roads, and pedestrian walkways. A plan or subdivision plat for other than a Phased Development may be considered a Protected Development Right Plan only if, in addition to the foregoing requirements, it describes with a reasonable degree of certainty the square footage, height, and general location of the proposed buildings, structures, and other improvements and provides the final site development approval needed for issuance of a building permit. (Ord. No. 9635, §2, 12/10/01; Ord. No. 9750, §3, 8/5/02)

Protected Native Plants. Plant genus and species of a minimum size with special status per the Protected Native Plant List, Sec. 3.8.5. (Ord. No. 8845, §2, 3/24/97)

Protected Peak. A peak identified by the Mayor and Council to be visually significant and important to the image and economy of the city. These peaks are shown on the Hillside Development Zone (HDZ) Maps.

Protected Peak Setback Area. The three hundred (300) foot distance, measured horizontally in all directions from a protected peak.

Protected Ridge. A ridge identified by the Mayor and Council to be visually significant and important to the image and economy of the city. These ridges are shown on the Hillside Development Zone (HDZ) Maps.

Protected Ridge Setback Area. The three hundred (300) foot distance, measured horizontally in all directions from the line of a protected ridge.

Provider. As applied in the wireless communication regulations, see Sec. 6.2.23, Wireless Communication Provider. (Ord. No. 8813, §1, 3/3/97)

Public Accommodation. All public places of entertainment, amusement, or recreation; all public places at which food or beverages are sold for consumption on the premises; all public places which are conducted for the lodging of transients or for the benefit, use, or accommodation of those seeking health or recreation; and all establishments which cater or offer their services, facilities, or goods to, or solicit patronage from, the members of the general public. Any residential house or residence in which less than five (5) rooms are rented is not a place of public accommodation.

Public Area. The area within a publicly-owned property, such as, but not limited to, street or alley right-of-way, or the area within a public accommodations land use set aside for use by the general public, such as, but not limited to, the dining, waiting, or rest room areas in a restaurant.

Public Assembly. Any structure or use of public accommodation, which is intended, designed, or used in whole or in part for the occupancy of fifty (50) or more persons, at any one (1) time, of the general public, for such purposes as, but not limited to, deliberation, worship, entertainment, education, amusement, drinking, or dining. For the purposes of this definition, the term general public does not include those persons who are employed full or part time at the project site; those persons who, on a temporary basis, provide or deliver goods or services to the project site; or any other persons engaged in similar activities at the project site.

Public Preserve. As applicable in Sec. 2.8.6, Environmental Resource Zone (ERZ), Saguaro National Park (Rincon Mountain District and Tucson Mountain District); Tucson Mountain Park; and Coronado National Forest.

PY. Same as Perimeter Yard.

6.2.17 DEFINITIONS - Q.

6.2.18 DEFINITIONS - R.

Radioactive Material. Any material (solid, liquid, or gas) which emits radiation spontaneously. For the purpose of this definition, radiation means ionizing radiation, i.e., gamma rays and X-rays, alpha and beta particles, high-speed electrons, neutrons, protons, and other nuclear particles.

Recorded Plat. A fully executed final plat bearing all required signatures and certificates of approval which is recorded in the Pima County Recorder's Office.

Recreational Vehicle (R.V.). A unit designed to provide travelers' accommodations built into, as an integral part of, or attached to a self-propelled motor vehicle chassis or drawn by a motor vehicle. The unit contains permanently installed independent support systems which provide at least four (4) of the following facilities: cooking, refrigerator or ice box, self-contained toilet, heating, air conditioning, a portable water supply system including a faucet and sink, a separate 110-125 volt electrical power supply, or an LP gas supply.

Recreational Vehicle (R.V.) Park. A parcel of land under single ownership, where one (1) or more spaces are rented, leased, or held out for rent or lease to persons for occupancy of recreational vehicles whether or not a fee is charged for the use of the space.

Recreational Vehicle (R.V.) Space. An area within an R.V. park for the placement of an R.V. unit, in addition to any exclusive use area adjacent to the unit set aside for the occupants of the R.V., such as a patio or vehicular space.

Regional Mall. A shopping center containing more than five-hundred thousand (500,000) square feet of gross floor area, providing a mix of uses, such as restaurants, cinemas, offices, amusement facilities, educational facilities, auto-related services, and retail. The facility is designed with buildings in a linear pattern on two (2) sides of an open air or fully enclosed pedestrian walk. Stores along the pedestrian walk have their main public entrances opening onto the walk.

Rehabilitation Service. See Sec. 6.3.8.5, Residential Care Services.

Rental Unit. One (1) or more rooms in a Travelers' Accommodation, Lodging, facility designed for occupancy by one (1) or more persons for compensation.

Replat. Same as Resubdivision.

Residential Care Services. See Sec. 6.3.8.5.

Resource Corridor. As applicable in Sec. 2.8.6, Environmental Resource Zone (ERZ), An area running approximately parallel to the sides and banks of designated washes defined and characterized by the location of critical riparian habitat associated with the wash, plus an area of one hundred fifty (150) feet from the edge of the critical riparian habitat on each side of the wash.

Restaurant. A Food Service use. A restaurant by any other name, such as, but not limited to, coffee shop, cafeteria, fast food restaurant, or diner, shall be regulated as a restaurant. To differentiate between a restaurant which serves alcoholic beverages and a bar which serves food, a restaurant meets the following criteria.

- A. Provides meals suitable to hours of operation (i.e., breakfast in the morning, lunch in the afternoon, etc.).
- B. The full kitchen remains open and meals are available to patrons during all hours of operation with the exception of the last hour which is used for cleanup.
- C. Management cannot ask for age verification (carding) for admittance to the establishment.
- D. Management cannot restrict patronage by age or sex (i.e., Ladies Night, Over 21, etc.) except for limited special services or events within certain limited areas of the establishment.
- E. A cover charge cannot be required for general admittance, except for special services or events offered within certain areas of the establishment.
- F. Management must maintain a minimum amount of table seating at all times and not have tables removed to create a dance floor or set aside major sections of the establishment for special events.

(Ord. No. 8666, §1, 3/25/96)

Resubdivision. The redefining of lots, streets, or both within a recorded subdivision plat through the recordation of a new subdivision plat.

Retail Establishment, Large. A retail establishment (General Merchandise Sales), a retail grocery establishment (Food and Beverage Sales), or an establishment with a combination of both uses, comprised of more than one hundred thousand (100,000) square feet of floor area, which includes gross floor area, outdoor storage areas, and any outside area which provides associated services to the public, such as, but not limited to, outdoor merchandise display, snack bars, etc. The floor area does not include motor vehicle parking or loading areas.

For the purposes of determining the applicability of the one hundred thousand (100,000) square foot floor area maximum, the aggregate square footage of all adjacent stores, which share checkstands, management, a controlling ownership interest, and storage areas, shall be considered one establishment, e.g., a plant nursery associated with a general merchandise store, such as a home improvement store.

(Ord. No. 9293, §1, 9/27/99)

Revegetation. Establishment of plants at a density similar to what exists under similar topographic and soil conditions.

Rezone. To change the zoning classification of land.

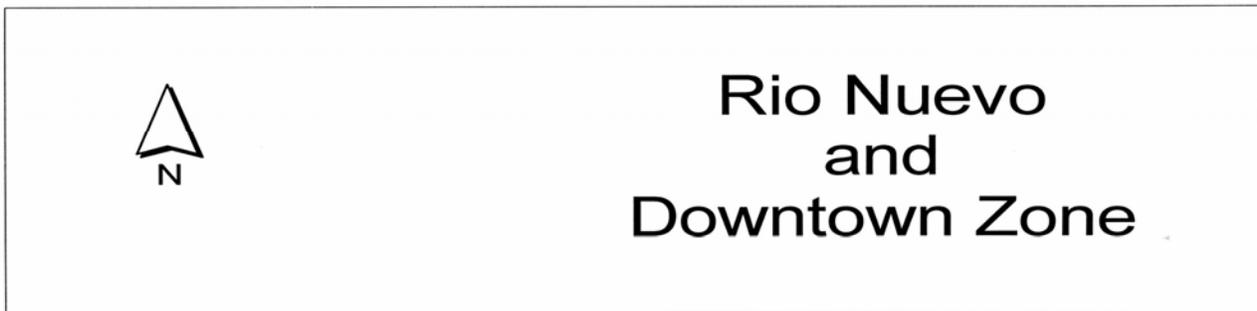
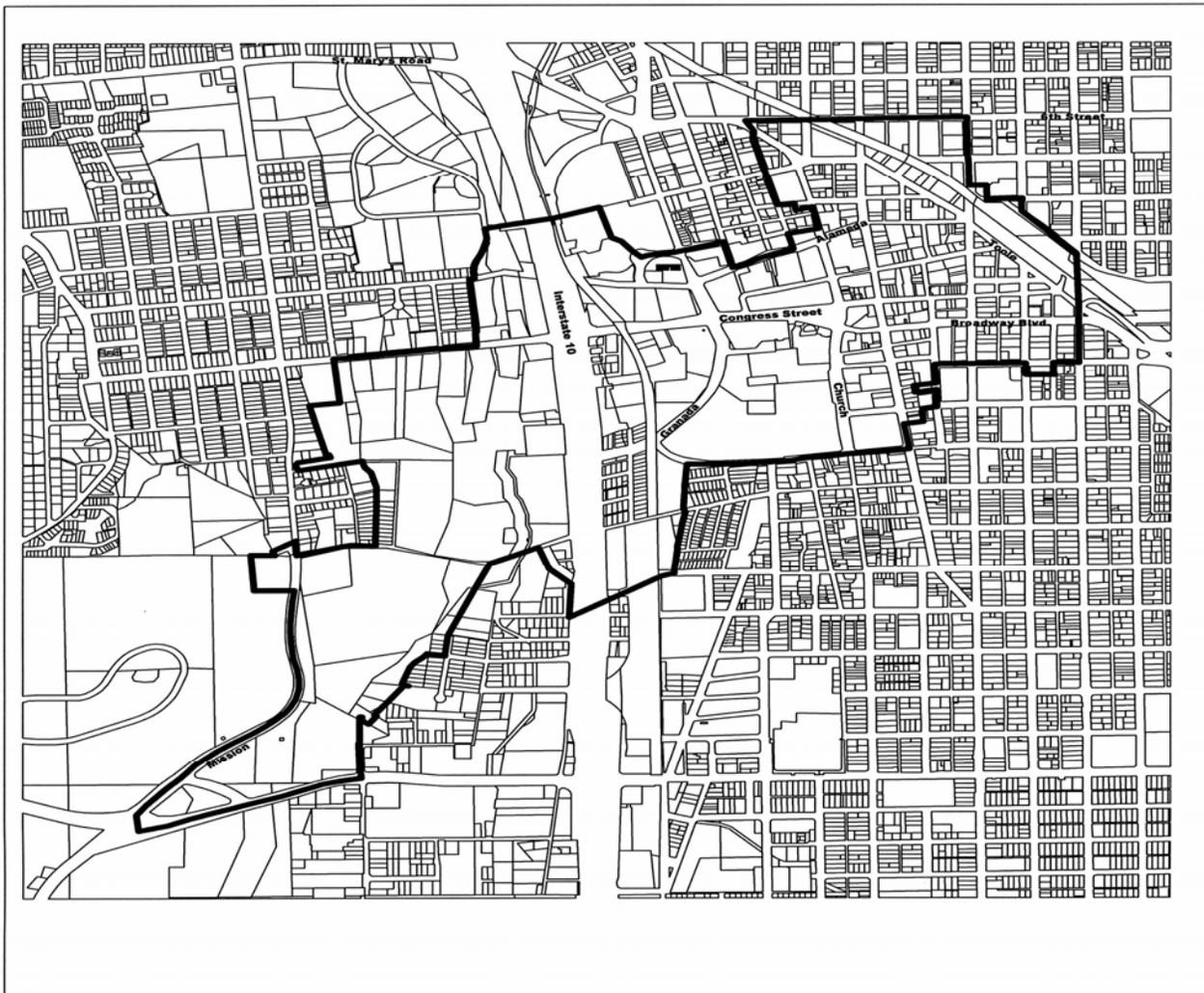
Rhythm. As used in Sec. 2.8.8, Historic Preservation Zone (HPZ), the ordered recurrent alternation of solids to voids in the facade and streetscape.

Ridge (when used in relation to natural terrain). A relatively narrow elevation which is prominent on account of the steep angle at which it rises; an elongated crest or series of crests, with or without peaks, significantly higher than the adjoining ground.

Ridge Line. A ground line located at the highest elevation of the ridge running parallel to the long axis of the ridge.

Right-of-Way. An area reserved for a public or private use, such as, but not limited to, street or alley rights-of-way and utility easements.

Rio Nuevo and Downtown (RND) Zone. The area delineated by Map 6.2.18-I. (See Map 6.2.18-I.)



For exact boundaries, please see official zoning maps.

Map 6.2.18-I Rio Nuevo and Downtown (RND) Zone

(Ord. No. 9780, §7, 10/14/02)

Riparian. Land adjacent to washes and drainageways which is occupied by biotic communities differing in species composition and/or density from surrounding upland due to an increase in moisture and different soil conditions.

Roadway. The paved portion of a street, excluding curbs. On an unpaved street, the roadway is the area set aside for motor vehicle traffic.

ROW. Same as Right-of-Way.

RV. Same as Recreational Vehicle.

R/W. Same as Right-of-Way.

6.2.19 DEFINITIONS - S.

Salvageable/Transplantable Plant. A plant rated as Viable which also has a good likelihood of surviving and adapting to a new location if dug up and replanted. (Ord. No. 8845, §2, 3/24/97)

Scenic Route. Any route so designated in the *Major Streets and Routes (MS&R) Plan*.

Screen. An opaque barrier designed and constructed to conceal areas used for storage, refuse, mechanical equipment, parking, or delivery service loading bays from street and public view or to buffer adjacent land uses.

SCZ. Same as Scenic Corridor Zone. See Sec. 2.8.2.

Search Area. As applied to wireless communication regulations, the limited area within a service area where an antenna can be placed that will provide satisfactory communications service within that service area. (Ord. No. 8813, §1, 3/3/97)

Secondary School. See Sec. 6.3.4.6, Educational Use.

Seriously Mentally Ill Person. One as defined in Arizona Revised Statutes (ARS), Sec. 36-550. The determination is to be made by an individual qualified in the State of Arizona to make such evaluation.

Service Area. As applied to wireless communication regulations, the geographical area where satisfactory communications service can be provided by the placement of a specific antenna. (Ord. No. 8813, §1, 3/3/97)

Service Bay. A specific location on a site reserved for servicing a motor vehicle. Such location can be within an enclosed building or can be a designated area located outside a building.

Setback. The distance from a set point.

Shelter Care. See Sec. 6.3.8.5, Residential Care Services.

Shopping Center. A mixed use development composed of an integrated group of establishments (stores), planned, constructed, and managed as a unit, utilizing common or shared facilities, such as buildings, parking, and vehicular and pedestrian access, where at least fifty (50) percent of the use is retail. The individual establishments may be owned by a single entity or by separate entities. (Ord. No. 9293, §1, 9/27/99)

Shopping Center, Neighborhood. A shopping center which occupies up to ten (10) acres and has up to one hundred thousand (100,000) square feet of gross leasable area.

Shopping Center, Regional. Same as Regional Mall.

Single-Family Dwelling. A building containing one (1) dwelling unit.

Single-Family Dwelling, Attached. A dwelling unit attached on a horizontal plane to one (1) or more dwelling units by structural elements common to the attached units. Each dwelling unit is located on its own individual lot or separated by a line denoting a separate ownership of each unit. The structural elements include common wall construction, roof, or other similar improvement. Elements such as trellises, beams, and patio walls are not included.

Single-Family Dwelling, Detached. A dwelling unit which is not attached to any other dwelling unit by any structural elements, surrounded by open space and located on its own separate lot.

Site. The land area consisting of a lot or contiguous lots, not including dedicated public property, designated for development as a single entity and exclusive of any abutting public right-of-way.

Site Coverage. Same as Lot Coverage.

Site Plan. For the purposes of the *Land Use Code (LUC)*, same as Development Plan.

Site Utilization. As used in Sec. 2.8.8, Historic Preservation Zone (HPZ), the spacing between the sides of buildings.

Slope Plan. A plan which demonstrates the feasibility of complying with the site grading requirements and site cut and fill requirements of Sec. 2.8.1, Hillside Development Zone (HDZ), and further depicts the location, extent, and treatment of all cut and fill slopes.

Solar Access. Access to sunlight to protect active or passive solar energy systems from shadows blocking exposure to the sun during hours of high insolation, from 9:20 a.m. to 3:20 p.m. local time.

Solar Energy System. Includes: (1) A design using natural and architectural features to cool or heat a structure or (2) a mechanical assembly which may include a solar collector, storage facility, and any other components needed to cool or heat a structure.

Sorority. See Fraternity.

Soup Kitchen. A Food Service use which provides free meals for consumption on site.

Specific Plan. A detailed policy plan or regulation which implements the *General Plan* or any of the elements of that *Plan*. Specific plans include subregional, area, and neighborhood plans; the *Major Streets and Routes (MS&R) Plan*; the *Land Use Code (LUC)*; and any other similar plan. For more detailed information on specific plans, refer to Sec. 5.2.3. (Ord. No. 9374, §1, 4/10/00; Ord. No. 9517, §5, 2/12/01)

Specified Anatomical Areas. Is:

- A. Less than completely and opaquely covered human genitals, pubic region, buttock, anus, or female breasts below a point immediately above the top of the areola; or
- B. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Specified Sexual Activities. Is:

- A. Human genitals in a state of sexual stimulation or arousal; or
- B. Acts of human masturbation, sexual intercourse, or sodomy; or
- C. Fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breasts.

STAC. Same as Stormwater Technical Advisory Committee.

Stacking Space. An area designed to accommodate vehicles waiting in line to receive a service.

State. Same as the State of Arizona.

Stormwater Technical Advisory Committee (STAC). A Mayor and Council appointed committee established for the purpose of advising the City Engineer and the Mayor and Council on stormwater issues.

Street. Any permanent public or private right-of-way, other than an alley or parking area access lane, set aside to accommodate vehicular travel lanes, parking lanes, bike lanes, pedestrian facilities, utility areas, and other such design features, whether designated as a street, drive, highway, thoroughfare, road, boulevard, avenue, lane, or place.

Street Landscape Border. An area along the street frontage of a site containing landscape materials, screening, and open space, the purpose of which is to enhance the visual appearance of the streetscape.

Street Lot Line. The property line bounding a street.

Street Perimeter Line. Same as Street Lot Line.

Street Perimeter Yard. The perimeter yard between a street lot line and a building.

Structure. A physical element constructed or erected with a fixed location on the ground or attached to another physical element having a fixed location at, below, or above grade. Structures include such elements as, but are not limited to, buildings, paved areas, walls, fences, posts, and patios.

Structure Height. The vertical dimension of a structure measured from a specified point on the ground. For information on applying a height requirement, refer to Sec. 3.2.7.

Subdivider. A person, firm, corporation, partnership, association, syndicate, trust, or other legal entity that files application and initiates proceedings for the subdivision of land in accordance with the provisions of this Chapter and any other local applicable ordinance or state statute, except that an individual serving as agent for such legal entity is not a subdivider.

Subdivision. The same as "subdivision" as defined in Sec. 4.1.2 of this Chapter.

Supervision Facility. See Sec. 6.3.4.4, Correctional Use.

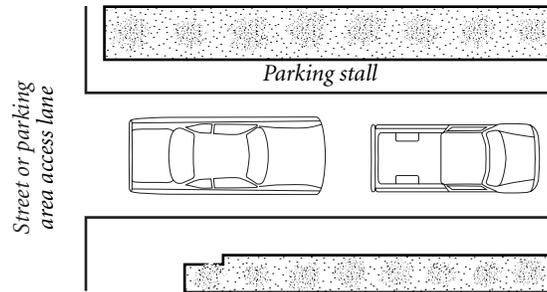
Swap Meet. A place of commercial activity popularly known as swap meet, flea market, or park-and-swap which is open to the general public. A swap meet is composed of semienclosed or outdoor stalls, stands, or spaces, at least fifty (50) percent of which do not occupy the same allotted area on an uninterrupted, continuous, daily basis for the purpose of display and sale, exchange, or barter of merchandise, exclusive of occasional craft fairs and benefit sales held on public property.

Swap Meet, Indoor. A swap meet which is located in a completely enclosed building.

6.2.20 DEFINITIONS - T.

Tagging. The tagging of plants on-site to denote their identification number and their disposition: whether they will be preserved in place, salvaged and transplanted on-site, and/or salvaged and transplanted off-site. (Ord. No. 8845, §2, 3/24/97)

Tandem Parking. Two (2) motor vehicle parking spaces placed one behind the other with direct access from a street, alley, parking area access lane (PAAL), or other travel lane to only one (1) of the spaces. (See *Illustration 6.2.20.*)



6.2.20 Tandem Parking

Tavern. Same as Bar.

TDOT. Same as Tucson Department of Transportation.

Tentative Plat. A graphic representation of a proposed subdivision, including supporting data, designed and prepared in accordance with the subdivision provisions of this Chapter, any other local applicable regulation, and state statute. A tentative plat is the same as a preliminary plat as defined in state statute.

Tower. A mast, pole, monopole, guyed or freestanding framework, or other vertical element which acts as an antenna or to which an antenna is affixed or attached. (Ord. No. 8813, §1, 3/3/97)

Travel Lane. The area within a paved roadway reserved for moving vehicular traffic.

Tucson General Plan. Same as *General Plan*. (Ord. No. 9517, §5, 2/12/01)

TUP. Same as Temporary Use Permit. See Sec. 5.3.7.

Turf. An area of grass ground cover grown together in a thick mat.

6.2.21 DEFINITIONS - U.

Ultralight Airpark. An airport used by the general public or an ultralight flying club for ultralight aircraft operation.

Undisturbed Natural Desert. An area of land maintained in its original condition with natural desert cover, native topography, and native vegetation intact.

Upland Vegetation. Refers to vegetation which grows outside of the floodplain, typically on low desert slopes. Upland vegetation on south-facing slopes is typically the Foothill Palo Verde, Saguaro, and Ocotillo; on north facing slopes, it is typically the Foothill Palo Verde and Whitethorn Acacia. Some plants, such as Mesquites, are able to grow as upland and riparian vegetation. (Ord. No. 8845, §2, 3/24/97)

Utilities. Services such as gas, electric, water, telephone, and cable television.

6.2.22 DEFINITIONS - V.

Vehicular Use Area. Any area of a site or structure used for the parking, storage, or standing of motor vehicles. The vehicular use area includes access drives, maneuvering areas, refuse collection locations, loading spaces, and any landscaping and screening within ten (10) feet of these areas. (Ord. No. 10016, §2, 8/2/04)

Viable Plant. A plant on the Protected Native Plant List that is in good physical condition with high or medium rating for health, age, and form. (Ord. No. 8845, §2, 3/24/97)

Visible from the Scenic Route. Not blocked from view by buildings, structures, or natural features from the Scenic Routes. An object is considered visible whenever it can be seen, not blocked by an intervening structure or terrain, from four (4) feet above the natural grade at the future right-of-way line along the parcel.

6.2.23 DEFINITIONS - W.

Waiting Area. That portion of a public accommodations use allocated to clientele waiting to request or receive products or services offered by the use.

Wireless Communication. See Sec. 6.2.3, Communication, Wireless. (Ord. No. 8813, §1, 3/3/97)

Wireless Communications Provider. The entity which provides the wireless communication service. (Ord. No. 8813, §1, 3/3/97)

Wireless Communication Tower. See Sec. 6.2.20, Tower. (Ord. No. 8813, §1, 3/3/97)

6.2.24 DEFINITIONS - X.

Xeriscape. A landscaping program designed to save water using the seven (7) principles listed below. For examples, refer to Development Standard No. 2-06.0.

- A. Water conserving design.
- B. Low water use/drought-tolerant plants.
- C. Reduction in turf.
- D. Water harvesting techniques.
- E. Appropriate irrigation methods.
- F. Soil improvements and use of mulches.
- G. Proper maintenance practices.

6.2.25 DEFINITIONS - Y.**6.2.26 DEFINITIONS - Z.**

Zoning Maps. Same as City Zoning Maps.

ZV. Same as Zoning Violation.

ZVC. Same as Zoning Violation Citation.

CITY OF TUCSON *LAND USE CODE*
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APPENDIX 1

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