## SUPPLEMENT FILING INSTRUCTIONS

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* Insert the new “Parallel References” section (including the tab and printed pages) between existing page 538 and the “Index” tab.

American Legal Publishing Corporation
432 Walnut Street  12th Floor  Cincinnati, Ohio 45202
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ARTICLE 1: GENERAL PROVISIONS

1.1. TITLE AND EFFECTIVE DATE
This ordinance is enacted as Chapter 23B of the Tucson Code and may be cited as the “Unified Development Code” or “UDC” of the City of Tucson.

(Am. Ord. 11070, 5/14/2013)

1.2. AUTHORITY
This UDC is adopted pursuant to the powers granted by the Arizona Revised Statutes (A.R.S.).

1.3. PURPOSE OF THIS CODE
The provisions of the UDC are established to protect and promote the general health, safety, and welfare of all present and future residents of Tucson and more specifically:

• To implement the General Plan;

• To guide new growth and redevelopment of the community in accordance with the policies of the General Plan;
§ 1.3 Tucson - Unified Development Code

- To encourage the most efficient use of land through site sensitive design;
- To reduce potential hazards to the public that may result from incompatible land uses or from the development of environmentally hazardous or sensitive lands;
- To protect and enhance the City’s natural, cultural, historical, and scenic resources; and,
- To promote the economic stability of the community.

1.4. APPLICABILITY AND JURISDICTION

1.4.1. GENERAL APPLICABILITY AND COMPLIANCE

A. The provisions of the UDC apply to all development and uses of land within the City.

B. Land shall not be divided into two or more parcels, except as allowed in accordance with Section 8.2, Land Division and Subdivision Standards, or be used or occupied, no site modification or construction started, and no existing use or structure expanded, reconstructed, changed, or otherwise altered until compliance with the provisions of the UDC have been certified.

C. The Planning and Development Services Department shall not issue approvals or permits for, nor shall any person commence excavation, grubbing, grading, paving, demolition, or construction of any sort before compliance with UDC standards has been certified.

D. All provisions of the UDC shall be consistent with, and conform to, the General Plan and other related plans and policies adopted by the Mayor and Council.

E. The certification of zoning compliance as provided in Section 1.5.1.B, Zoning Determinations and Zoning Certifications, shall consist of the certification that proposed development and construction are in conformance with the UDC prior to final development approval.

F. The Administrative and Technical Standards Manuals are companion documents to the UDC and provide additional criteria, standards, and requirements that support the implementation of the UDC.

1.4.2. ZONING MAPS

A. Title
A set of maps depicting all zoning boundaries within the City of Tucson is established and entitled “City of Tucson Zoning Maps.”

B. Purpose
The City is divided into zoning districts, and the establishment of the zoning maps is for the purpose of graphically indicating the locations of all land use zoning boundaries within the corporate limits of the City, and facilitating the application of the UDC on each individual piece of property.
General Provisions

§ 1.7

which it is located, such use shall be considered nonconforming and shall be controlled by Article 9, Nonconforming Uses, Buildings, and Structures.

B. Where any use, building, structure, or lot that legally existed on the effective date of this Code does not meet all standards set forth in the UDC, such use, building, structure, or lot shall be considered nonconforming and shall be controlled by Article 9, Nonconforming Uses, Buildings, and Structures.

1.7.4. APPLICATIONS COMMENCED OR APPROVED UNDER PREVIOUS ORDINANCES

A. Pending Applications

1. Any complete application that has been submitted for approval, but upon which no final action has been taken by the appropriate decision-making body prior to the effective date of this UDC, shall be reviewed in accordance with an ordinance in effect on the date the application was deemed complete. There may be a transition period set forth by ordinance which allows an applicant to select whether the LUC or UDC will govern the development during a limited time period (see Choice of Code below). If the applicant fails to comply with any applicable required period for submittal or other procedural requirements for the applicable code, the application shall expire and subsequent applications shall be subject to the standards of this UDC. Any re-application for an expired project approval shall meet the standards in effect at the time of re-application.

2. An applicant with a complete application that has been submitted for approval, but upon which no final action has been taken prior to the effective date of this UDC, may request review under this UDC, or a form of the LUC then applicable by a written letter to the Planning and Development Services Department.

B. Tentative and Final Plats

1. Tentative plat approvals granted prior to the effective date of this UDC may be extended no more than once, and for no longer than one year.

2. A final plat application, for which the tentative plat was approved prior to the effective date of this UDC, may be processed pursuant to the applicable terms of the ordinance in place at the time of tentative plat approval, even if the application does not comply with standards set forth in this UDC.

C. Approved Projects

1. Approvals and permits that are valid on January 2, 2013, shall remain valid until their expiration date. Projects with valid approvals or permits may be completed in conformance to the regulatory provisions in effect at the time of approval.

2. Any building or development for which a building permit was granted prior to the effective date of this UDC may be permitted to proceed to construction. If the development for which the building permit is issued prior to the effective date of this UDC fails to comply with the time frames for development established for the building
permit, the building permit shall expire and future development shall comply with the standards of this UDC.

D. **Choice of Code**

For a period of three years after the effective date of this UDC, an applicant who was the landowner of record prior to the effective date of this UDC may choose to be governed by the provisions of this UDC or those of the Land Use Code (LUC) in effect on the date this UDC becomes effective. During this three-year transition period, ending January 2, 2016, the landowner shall comply, without exception, with all provisions of either the UDC or LUC selected by that landowner. For a period of one year ending January 1, 2014, applicants electing to be governed by the LUC will have the ability to seek modifications or exceptions pursuant to: Flexible Lot Development (FLD), Design Development Option (DDO), and Parking Design Modification Request (PDMR). Between January 2, 2014 and January 2, 2016, applicants electing to be governed by the LUC will not have the ability to seek modifications or exceptions pursuant to the FLD, DDO, and PDMR. The selection shall be made and communicated to the City on a form provided by the City prior to acceptance of any development applications on the subject property. The landowner shall not be permitted to alternate compliance between the previous LUC and current UDC during the three-year transition period. At the expiration of the three-year transition period, the LUC will be repealed.

E. **Waiver of Potential Claims**

By electing to proceed under this code, the property owner waives any and all potential claims that may arise under A.R.S. §§ 12-1134 et seq. for any diminution in the value of his property that may be claimed from any difference between the requirements and standards of this code and those of the LUC.

(Am. Ord. 11070, 5/14/2013)

### 1.8. SEVERABILITY

If any section, subsection, sentence, clause, or phrase of this ordinance is held to be invalid or unconstitutional, such findings do not affect the validity or constitutionality of the remaining portions of the ordinance.
forwarded without a recommendation should the DRB fail to act within 21 days of the
date a plan is accepted for review by the DRB. Action by the DRB to continue
deliberation to another meeting shall stay the 21-day requirement.

C. Powers and Duties
The DRB shall perform the following duties:

1. Scenic Corridor Zone (SCZ), Development Review
   In accordance with Section 5.3.11.B, the DRB reviews development applications for
   projects located within a SCZ when requested by the PDSD Director or applicant, in
   accordance with Section 3.3.3, PDSD Director Approval Procedure. The DRB
   recommendation shall apply the same standards required in Section 5.3.11.C for the
decision of the PDSD Director.

2. Scenic Corridor Zone (SCZ), Variances
   In accordance with Section 5.3.14, the DRB reviews, for recommendation to the B/A,
   all requests for variances from SCZ provisions and shall forward its recommendations
   in accordance with Subsection 2.2.6.B.6. The DRB recommendation shall apply the
   same findings required in Section 3.10.3.J for granting a variance. In addition, the DRB
   may make any recommendation that would assist in mitigating any negative impacts
   which might occur should the request be granted.

3. Design Development Option (DDO), Appeals
   The DRB reviews, for recommendation to the B/A, appeals of decisions by the PDSD
   Director on DDO applications in accordance with Section 3.10.2, Board of Adjustment
   Appeal Procedure. The DRB shall apply the same findings (Section 3.11.1.D, Findings
   for Approval) required of the PDSD Director when making its recommendation.

4. Environmental Resource Zone (ERZ), Variances
   a. In accordance with Section 3.10.3.G.2, the DRB reviews, for recommendation to
      the B/A, all requests for variances from ERZ standards, in accordance with
      Sections 3.10.1 and 3.10.3, Board of Adjustment Variance Procedure. The DRB
      recommendation shall apply the same findings required in Section 3.10.3.J for
      granting a variance. In addition, the DRB may make any recommendation that
      would assist in mitigating any negative impacts which might occur should the
      request be granted.
   b. If the City Engineer or designee, a notified property owner, or the applicant for
      the variance requests consideration of stormwater management issues related to
      the variance, the Stormwater Technical Advisory Committee may review the
      variance request concurrently with the DRB and may provide written or oral
      testimony at the public hearing for the variance request. Any such testimony must
      address the required findings.

5. Landscaping and Screening Standards, Variances
   In accordance with Section 7.6.9.D, the DRB reviews, for recommendation to the B/A,
   all requests for variances from Section 7.6, Landscaping and Screening Standards, in
   accordance with Sections 3.10.1 and 3.10.3, Board of Adjustment Variance Procedure.
The DRB recommendation shall apply the same findings required in Section 3.10.3.J, *Findings for Approval*, for granting a variance. In addition, the DRB may make any recommendation that would assist in mitigating any negative impacts which might occur should the request be granted.

6. **Gateway Corridor Zone, Variances**
   
   In accordance with Section 5.5.6, the DRB reviews, for recommendation, all requests for variances from Section 5.5, *Gateway Corridor Zone*, in accordance with Sections 3.10.1 and 3.10.3, *Board of Adjustment Variance Procedure*. In formulating its recommendation, the DRB shall utilize the same findings required in Section 3.10.3.K, *Findings for Approval*, for granting a variance. In addition, the DRB may make any recommendation that may assist in mitigating any negative impacts which may occur should the request be granted.

7. **Native Plant Preservation (NPP), Variances**
   
   In accordance with Section 7.7.6.B, the DRB reviews, for recommendation to the B/A, all requests for variances from NPP standards in accordance with Sections 3.10.1 and 3.10.3, *Board of Adjustment Variance Procedure*. The DRB recommendation shall apply the same findings required in Section 3.10.3.K for granting a variance. In addition, the DRB may make any recommendation that would assist in mitigating any negative impacts which might occur should the request be granted.

8. **Neighborhood Commercial (NC) Zone, Development Review**
   
   In accordance with Section 4.9.13.M.4, the DRB reviews all proposed nonresidential development, including exterior remodeling, for approval of architectural and site design compatibility with the surrounding residential area.

9. **Office (O-1) Zone, Development Review**
   
   In accordance with Section 4.9.4.R.7, the DRB reviews all new office development in the O-1 zone, including Medical Service - Outpatient.

10. **Communications Land Use, PDSD Director Special Exception Procedure**
    
    The DRB reviews, for recommendation when requested by the PDSD Director, Communications land uses in all zones that require approval in accordance with Section 3.4.2, *PDSD Director Special Exception Procedure*.

11. **Communications Land Use, Zoning Examiner Special Exception Procedure**
    
    The DRB reviews, for recommendation, Communications land uses in all zones that require approval in accordance with Section 3.4.3, *Zoning Examiner Special Exception Procedure*.

12. **Communications Land Use, Mayor and Council Special Exception Procedure**
    
    The DRB reviews, for recommendation when requested by the Mayor and Council, or Zoning Examiner, Communications land uses in all zones that require approval in accordance with Section 3.4.4, *Mayor and Council Special Exception Procedure*.

13. **Home Occupation: Travelers' Accommodation, Lodging, Development Review**
    
    The DRB reviews all home occupation, travelers' accommodation, and lodging land uses in the various zones in which the use is permitted, as provided in Section 4.9.7.H.6.
14. **Rio Nuevo and Downtown (RND) Zone, Development Review**
The DRB reviews, for recommendation, all proposed development in the Rio RND Zone, as provided in Section 5.11.8. In formulating its recommendation, the DRB shall apply the design standards in Sections 5.11.4, *Building Design Standards*, 5.11.5, *Site Design Standards*, and 5.11.6, *General Restrictions*.

15. **Neighborhood Preservation Zone (NPZ), Appeals**
In accordance with Section 5.10.3.H, the DRB hears and decides appeals from decisions of the PDSD Director on NPZ Design Review application in accordance with Section 3.9.1, *Design Review Board Appeal Procedure*.

16. **Other Responsibilities**
The DRB shall perform such other functions as may be required by the UDC.

(Am. Ord. 11070, 5/14/2013)

### 2.2.7. **TUCSON-PIMA COUNTY HISTORICAL COMMISSION**
The Tucson-Pima County Historical Commission is established to advise the Mayor and Council, the City Planning and Development Services Department (PDSD), the Board of Supervisors, and the applicable county officials on issues concerning historic sites, historic structures, and new construction and demolition within Historic Preservation Zones or Historic Landmarks within the community. The functions and duties of the Tucson-Pima County Historical Commission as provided herein shall be performed by the Tucson-Pima County Historical Commission Plans Review Subcommittee.

A. **Establishment**
The Tucson-Pima County Historical Commission is established and constituted as provided in Chapter 10A, *Boards and Commissions*, of the Tucson Code.

B. **Administrative Functions**
The Tucson-Pima County Historical Commission Plans Review Subcommittee’s administrative functions are as provided in Chapter 10A, *Boards and Commissions*, of the Tucson Code.

C. **Powers and Duties within the Unified Development Code (UDC)**
In addition to the powers and duties provided in Chapter 10A, *Boards and Commissions*, of the Tucson Code, the Tucson-Pima County Historical Commission Plans Review Subcommittee shall perform the following duties.

1. **Establishment of an Historic Preservation Zone or Historic Landmark**
The Tucson-Pima County Historical Commission Plans Review Subcommittee shall review all requests to establish an HPZ or historic landmark in accordance with Section 5.8.3.D.

2. **Amendments to an Existing Historic Preservation Zone or Historic Landmark**
The Tucson-Pima County Historical Commission Plans Review Subcommittee shall review any request to amend an existing HPZ or historic landmark in accordance with Section 5.8.3.D.

3. **Development Review**
The Tucson-Pima County Historical Commission Plans Review Subcommittee shall review any development proposal within an HPZ for compliance with design and construction requirements and standards in accordance with Section 5.8.5.

(2013 S-1)
4. **Demolition Review**

The Tucson-Pima County Historical Commission Plans Review Subcommittee shall review all proposals to demolish any structure within an HPZ or a historic landmark in accordance with Section 5.8.7.

### 2.2.8. HISTORIC PRESERVATION ZONE ADVISORY BOARDS

For each HPZ proposed or established, an HPZ advisory board is appointed to assist the Mayor and Council and the Planning and Development Services Department (PDSD) in evaluating establishment of, or amendment to, an historic zone and in evaluating proposed development within an adopted Historic Preservation Zone.

#### A. Composition

Each HPZ advisory board shall consist of at least six, but not more than 15, members. Members may be either voting or non-voting advisory members.

1. **Appointment**
   
   Members of each HPZ advisory board are appointed by the Mayor and Council.

2. **Qualifications**
   
   For each HPZ advisory board, approximately one-third of the voting members must be residents within the historic zone; approximately one-third of the voting members must be property owners within the historic zone; and approximately one-third of the voting members must have special qualifications in such areas as archaeology, architecture, architectural history, local history, historic preservation law, landscape architecture, planning, construction, or other related field. The application information for all prospective members must be accompanied by a statement of interest, including the category in which they would serve. The information for members having special qualifications shall also reference the individuals' educational and professional experience. The PDSD Director, the Historic Preservation Officer, and a member of the Tucson-Pima County Historical Commission Plans Review Subcommittee shall review the information for applicants in the special qualifications category and make recommendations prior to the nomination being forwarded to the Mayor and Council for consideration. Members serve without compensation.

3. **Terms**
   
   The term of each member of an HPZ advisory board is for a maximum of four years, expiring on December 31 of the fourth year. Terms may be staggered to assure continuity. Members are eligible for reappointment.

4. **Removal**
   
   A member of an HPZ advisory board may be removed by a two-thirds vote of the Mayor and Council.

#### B. Administrative Functions

Each HPZ advisory board shall perform the following administrative functions.

1. **Election of Officers**
   
   Each HPZ advisory board elects a Chair and Vice Chair from among its members. The terms of the Chair and Vice Chair are one year.
C. Requirements
At the pre-application conference, the applicant shall describe to the PDSD the general goals, uses, and development characteristics (e.g., size, location, density, etc.) of the proposed project in sufficient detail to enable the City to identify potential code or plan compliance issues and discuss design issues and options. Depending upon the level of detail of the information provided for the proposed project or the need to include other City departments in the preliminary discussions, the PDSD may request additional pre-application conference(s).

D. Effect
Review is on a conceptual basis, therefore, comments made at this conference are advisory and do not constitute approval or denial of the project.

3.2.2. NEIGHBORHOOD MEETING

A. Purpose
The neighborhood meeting is intended to provide an opportunity to inform potentially affected property owners of the details of a proposed development and application, how the applicant intends to meet the standards contained in the UDC, and to receive public comment and encourage dialogue at an early time in the review process.

B. Applicability
A neighborhood meeting is required in accordance with the applicable review procedures required in this Article, and Table 3.2-1.

C. Meeting Requirements

1. Standards
The applicant shall mail notices offering to meet at a specified time and place to discuss the proposed project with the persons and entities entitled to notice of the application in accordance with following requirements.

   a. The offer must be made at least ten days prior to the date of the meeting and sent by first class mail to property owners within 300 feet of the property, registered neighborhood associations with one mile of proposal, and affected Council Ward offices.

   b. The meeting shall occur not more than 60 days prior to the date of the submittal of the application.

   c. Documentation of the offer to meet and a summary of the meeting must be submitted with the application.

   d. The meeting must be held at or near the subject site.

2. Exceptions

   a. For designation or amendment to a Historic Preservation Zone, the offer to meet shall be made no more than one year before the Zoning Examiner public hearing.
b. A neighborhood meeting is not required for amendments to the General Plan or for any text amendment to the UDC.

3. **Content of Neighborhood Meeting Notices**
   A neighborhood meeting notice shall contain the following:
   a. The notice shall describe the substance of the application, include the date, time, and location of the meeting, and specify the contact person, company, or official applicant’s name and phone number;
   b. For Board of Adjustment variance applications, the notice shall contain information necessary to fully describe the proposed project, including a description of the code requirement(s) and the requested variance(s) from that particular requirement(s); and,
   c. The notice shall advise the recipients of the notice that they may submit comments to the PDSD Director or, when applicable, speak at the public hearing.

4. **Preparation of Notice**
   For neighborhood meeting notices, the applicant is responsible for mailing the notices. Applicants must obtain mailing labels from the PDSD and mail the notices to the persons and entities entitled to receive mailed notice in Table 3.2-1 in compliance with the mailing procedures in Section 3.2.4.B.5.

(Am. Ord. 11070, 5/14/2013)

3.2.3. **APPLICATION REQUIREMENTS**

A. **Application Required**

1. The Director of the Planning and Development Services Department (PDSD) initiates the review and processing of a complete application, except as provided below. The PDSD Director shall make a determination of application completeness. An application is considered complete if it is submitted in the required form, includes all mandatory information, including all supporting materials specified in the Administrative Manual, and is accompanied by the applicable fee. Rezoning applications shall also submit evidence of plan compliance to be considered complete. If the application is determined to be complete, the application shall then be processed according to this article.

2. If an application is determined to be incomplete, the PDSD Director shall provide notice to the applicant with an explanation of the application’s deficiencies. Incomplete submittals are generally not accepted for review. However, if an incomplete submittal be accepted for review, the applicant should be aware that, because of a lack of information, the review will take longer since comments cannot be finalized until after the re-submittal when the required information is provided.

3. Applications submitted with false or misleading information shall be deemed incomplete.

B. **Sequential or Concurrent Review Process**
1. Where an application under this section requires review under more than one review procedure, the PDSD Director shall determine whether reviews will be conducted sequentially or concurrently, based upon the issues raised by each application.

2. Where the Director determines that reviews will be conducted sequentially, the date of acceptance for each procedure shall commence upon the date of decision of the prior procedure unless otherwise stated by the PDSD Director.

C. Appeal Procedure for Denial of Plan Compliance
If an application is rejected because it is not consistent with the General Plan or any applicable specific plan, the rejection of the application may be appealed by the applicant in accordance with Section 3.9.2, Mayor and Council Appeal Procedure.

D. Suspension and Withdrawal of a Rezoning or Plan Amendment Application

1. For rezoning and plan amendments only, an applicant may suspend an application at any time prior to the date published notice is given for the public hearing before the Planning Commission or the Zoning Examiner. When requested in writing by the applicant, the PDSD Director may authorize a delay of the plan amendment process for a maximum of 90 days. The applicant may request in writing an additional delay(s). The PDSD Director may delay the amendment process to permit a number of related plan amendment applications to be considered at the same time. An application shall not be suspended for more than one year from the date of acceptance of the application.

2. The PDSD Director may withdraw a plan amendment application at any time and at the request of the applicant and/or the party who paid the filing fee. PDSD shall determine if the applicant is eligible for a refund, and if so, the amount of fees to be refunded.

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### TABLE 3.2-1 PUBLIC NOTICE AND PROCEDURAL REQUIREMENTS

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| ZA Interpretation of UDC | 1.5.1 | | | | | | | |
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| ZONING COMPLIANCE REVIEW | | | | | | | | |
| 50’ Notice | 3.3.4.E | R/50’ | R/NA of the site | R | PDSD Director | B/A |
| 300’ Notice | 3.3.5 | R | R/300’ | R/1 mile | R | PDSD Director | M/C |
| NPZ Design Review | 5.10.3 | R | R/50’ | R/NA of the site | R | PDSD Director | DRB |
### TABLE 3.2-1 PUBLIC NOTICE AND PROCEDURAL REQUIREMENTS

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<td><strong>PDSD ADMINISTRATIVE APPROVAL</strong></td>
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<tr>
<td>Minor Subdivision Review</td>
<td>8.4.3.E</td>
<td>R</td>
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<td>PDSD Director</td>
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<tr>
<td>FLD Subdivision Plat or Site Plan</td>
<td>8.7.3.P</td>
<td>R</td>
<td>R/300'</td>
<td>R/1 mile</td>
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<td>PDSD Director</td>
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<td><strong>SPECIAL EXCEPTION LAND USES</strong></td>
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<tr>
<td>PDSD Director SE</td>
<td>3.4.2</td>
<td></td>
<td>R/50'</td>
<td>R/NA of the site</td>
<td>R</td>
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<td>PDSD Director B/A</td>
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<tr>
<td>ZE SE</td>
<td>3.4.3</td>
<td>R</td>
<td>R</td>
<td>R/300'</td>
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<td>R</td>
<td>R/1 mile</td>
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<td>ZE M/C</td>
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<td>M/C SE</td>
<td>3.4.4</td>
<td>R</td>
<td>R</td>
<td>R/300'</td>
<td>R</td>
<td>R</td>
<td>R/1 mile</td>
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<td><strong>REZONING/ZONING EXAMINER LEGISLATIVE PROCEDURE</strong></td>
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<tr>
<td>Rezoning</td>
<td>3.5</td>
<td>R</td>
<td>R</td>
<td>R/300'</td>
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<td>R/1 mile</td>
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<td>M/C</td>
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<td>Rezoning to Establish a PAD or PCD</td>
<td>3.5.7.E</td>
<td>R</td>
<td>R</td>
<td>R/1/2 mile</td>
<td>R</td>
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<td>R/1 mile</td>
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<td>M/C</td>
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<td>Major Change to RZ condition; Site Specific Establishment of an Overlay Zone; Major amendments to PAD, PCD</td>
<td>3.5</td>
<td>R</td>
<td>R</td>
<td>R/300'</td>
<td>R</td>
<td>R</td>
<td>R/1 mile</td>
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<tr>
<td><strong>LAND USE PLAN ADOPTION AND AMENDMENT</strong></td>
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<tr>
<td>Readoption of General Plan</td>
<td>3.6</td>
<td>Notice is in conformance with the requirements of A.R.S. § 9-461.06</td>
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<td>M/C</td>
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<tr>
<td>Adoption of MS&amp;R, Redevel. or Specific Plan</td>
<td>3.6</td>
<td>Notice is in conformance with the requirements of A.R.S. § 9-461.06. For Redevelopment Plans, notice must be published for 2 consecutive weeks in compliance with A.R.S. § 36-1479</td>
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<td>M/C</td>
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<tr>
<td>Site-Specific Amendment to Gen. Plan, MS&amp;R, Redevelopment or Specific Plan</td>
<td>3.6</td>
<td>R</td>
<td>R</td>
<td>R/300'</td>
<td>R</td>
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<td>R/1 mile</td>
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<tr>
<td><strong>UNIFIED DEVELOPMENT CODE TEXT AMENDMENT</strong></td>
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<tr>
<td>Text Amendment, General</td>
<td>3.7</td>
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<td>R/1/8th page display ad</td>
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<td>M/C</td>
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<tr>
<td>Text Amend. Creating or Amending an Overlay zone</td>
<td>3.7</td>
<td>R</td>
<td>R/300' &amp; all owners within Overlay Zone</td>
<td>R/1/8th page display ad</td>
<td></td>
<td>R/All NA registered with the City</td>
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<td>M/C</td>
</tr>
</tbody>
</table>
3.2.4. PUBLIC NOTICE

A. Purpose
The purpose of public notice is to inform interested members of the public and those who may be affected by a proposed development, or text or plan amendment, of the proposed action to allow and encourage timely public comment to the decision-making body.

B. Mailed Notice
Mailed notices shall comply with the requirements of Table 3.2-1 and Section 3.2.4.

1. Applicability
Mailed notice is required in accordance with the applicable review procedure detailed in this Article.
2. **Notices of Acceptance of Application**
   The PDSD is responsible for sending a notice of acceptance of application for the application review procedures identified in Table 3.2-1.

3. **Content of Notices of Application Acceptance and Public Hearing**
   Notices of acceptance of application and public hearing notices shall contain the following:
   
   a. A general description of the type, size, and location, as applicable, of the matter to be considered;
   
   b. A general description of the area affected;
   
   c. An advisory that public comments regarding the matter may be submitted prior to the public hearing, or if no public hearing is required, that public comments may be submitted within the comment period for notice procedures as set forth in Section 3.2.4.H;
   
   d. Whether a proposed rezoning is within the high-noise or accident potential zone of the Airport Environs Zone (See Section 5.6); and,
   
   e. If the notice is for a public hearing, the time, date, and location of the hearing.

4. **Content of Notice of Decision**
   Notices of decision are required for the application review procedures identified in Table 3.2-1. Notices of decision shall contain the following:
   
   a. The decision rendered; and,
   
   b. When applicable, information pertaining to appeals of the decision, such as when the intent to appeal is due and to whom it is submitted.

5. **Preparation of Notice**
   
   a. The PDSD will use the latest Pima County Assessor records to determine the property owners to be notified;
   
   b. Mailed notices must use mailing labels generated within 60 days of mailing; and,
   
   c. Mailed notices for rezonings must be sent as first class mail. Other mailings shall be per PDSD policy.

6. **Recipients of Notice**
   Mailed notice must be sent to:
   
   a. The applicant and all property owners within the distance specified in Table 3.2-1, whether or not the properties are within the corporate limits of the City;
   
   b. Any other persons the Director determines are affected by the application or has an interest in the matter;
c. Pima County and other municipalities where the subject property being reviewed adjoins their boundaries;

d. All persons who have registered their names and addresses with the municipality as being interested in receiving notice of UDC text amendments;

e. Ward offices pursuant the PDSD policy; and,

f. Neighborhood associations as provided for in Table 3.2-1.

7. **Special Notice Requirements**

   In addition to the persons and entities entitled to receive notice listed in Table 3.2-1, notice also must be sent to the following, as applicable:

   a. Tucson International Airport or the Davis-Monthan Air Force Base, as applicable for sites within the Airport Environ Zone and for all procedures using the Zoning Examiner legislative or special exception procedures;

   b. Public service agencies affected by the application as determined by the PDSD Director;

   c. Council Ward office for General Plan amendments, UDC text amendments, text amendments creating an overlay zone; and the creation and/or amendment to specific plans such as area, sub-area, neighborhood, major streets and routes, and redevelopment plans;

   d. For appeals, except takings appeals pursuant to Section 3.9.3, notice to the applicant, the same parties notified to the original application, and those who provided oral or written comments on the application; and,

   e. For takings appeals pursuant to Section 3.9.3, notice to applicant and to the person or body which made the administrative decision that is being appealed.

C. **Timing of Notice**

1. **General**

   Published notice, posted notice, and mailed notice shall be provided at least 15 days prior to the public hearing. Specific requirements for published and posted notice are set forth in Sections 3.2.4.E and F. For procedures which do not require a public hearing, notice shall be sent or posted in accordance with PDSD policy.

2. **Exception**

   For takings appeal procedure applications, required public notice is mailed only to the appellant and to the parties entitled to notice of the administrative decision.

D. **Calculation of Notice Area**

1. **General**

   The required distance for notification is in accordance with the requirements of Table 3.2-1 for the applicable procedure.
2. **Measurement**

   a. The distance of the required notice area is measured from the property lines of the applicant’s property, except where a public right-of-way adjoins the property, the distance is measured from the right-of-way boundary line opposite the property line.

   b. Adjoining property under the same ownership as the subject site and adjoining public right-of-way must be combined with in the property in determining the boundaries from which the notice is measured.

**E. Published Notice**

When required by the applicable procedure, published notice must be provided at least once in a newspaper with general circulation in the City. Notice shall contain the following: time, date and location of the hearing, general explanation of the matter to be considered, and if applicable, general description of the affected area. For UDC text amendments, notice must be published in a one-eighth page display advertisement.

**F. Posted Notice**

1. **Applicability**

   When required by the applicable procedure in Table 3.2-1, posted notice must be in accordance with this section.

2. **Location**

   Notice shall be posted on the affected property. At least one notice shall be posted for each street the property adjoins. Notice must be posted in accordance with the PDSD policy.

3. **Content**

   At a minimum, the notice shall include the following:

   a. The type of action (e.g., rezoning, special exception, text amendment/overlay zone, or variance, etc.);

   b. The case name;

   c. For a rezoning, the word “Zoning” visible from a distance of 100 feet and the existing and proposed zoning districts;

   d. For B/A, description of the request;

   e. The date, time, and location of the public hearing, if applicable; and,

   f. The telephone number for the PDSD or other applicable City department.
G. **Failure of Notice to Adequately Describe the Project**

If, upon receiving a complaint, the responsible City agency determines that the notice required by this section failed to accurately or adequately describe the proposed development in a manner that substantially informs how the project will affect other property owners, PDSD may determine that the approval is invalid and that the application must obtain a new approval through the same process as required originally. The City’s decision to invalidate an approval may be appealed by the applicant in accordance with Sections 3.10.1 and 3.10.2, Board of Adjustment Appeal Procedure.

H. **Public Comments to Public Notice**

Public comments shall be submitted to the PDSD Director. Comments involving a public hearing shall be forwarded to the appropriate officials conducting the public hearing (e.g., the Mayor and Council, Planning Commission, Zoning Examiner, and the Board of Adjustment).

1. **All Procedures Requiring Public Comment**

   For all review procedures that require a public comment period, comment period is 20 days following the date that notice is mailed, except as provided below.

2. **Exception**

   For the 50' Notice Procedure and neighborhood preservation zone design review, the comment period is ten days.

(Am. Ord. 11070, 5/14/2013)

### 3.3. ZONING COMPLIANCE REVIEW PROCEDURES

#### 3.3.1. PURPOSE

The purpose of the Zoning Compliance Review is to determine whether an application conforms to applicable zoning regulations.

#### 3.3.2. REVIEW PROCEDURES

Compliance with all applicable zoning regulations is verified in accordance with one of the following review procedures:

A. PDSD Director approval procedure;

B. 50' Notice Procedure;

C. 300' Notice Procedure;

D. Zoning Administrator approval procedure in accordance with Section 1.5.1;

E. Historic Preservation Zone design review procedure in accordance with Section 5.8.5;

F. Neighborhood Preservation Zone design review procedure in accordance with Section 5.10.3; or,

G. Rio Nuevo District design review and minor Modification of Development Regulations procedures in accordance with Sections 5.11.8 and 5.11.9, respectively.

(Am. Ord. 2013 S-1)
3.3.3. PDSD DIRECTOR APPROVAL PROCEDURE

A. Applicability
Applications that are processed in accordance with the Planning and Development Services (PDSD) Director approval procedure include, but are not limited to:

1. Business licenses;
2. Changes of use;
3. Downtown Area Infill Incentive District - projects within the Downtown Core Sub-District requesting a Modification of Development Regulations (Note: projects within the Greater Infill Incentive Subdistrict are processed in accordance with the 300’ Notice Procedure, Section 3.3.5);
4. Electrical connections (certain types);
5. Expansion of existing premises;
6. Home occupations;
7. Individual parking plans for projects greater than 300 feet from R-3 or more restrictive zoning districts;
8. New construction;
9. Nonconforming same land use class substitution;
10. Nonconforming parking areas;
11. Parking Design Modification Requests (except requests to modify the number of bicycle or motor vehicle parking spaces);
12. Projects within certain overlay zones;
13. Restricted adult activities;
14. Site plans (except for projects within overlay zones that require a different procedure);
15. Land divisions, land splits, and subdivisions (see Article 8 for detailed procedures);
16. Temporary uses or structures (see Section 4.11 for additional requirements);
17. Tenant improvements;
18. Wireless communication uses (certain types);
19. Zoning compliance for site improvements in existence on May 1, 2005 (see Section 3.3.3.H below); and,
d. Height, Section 6.4.4;

e. Landscaping and Screening, Section 7.6;

f. Lot Coverage, Section 6.4.3;

g. Motor Vehicle and Bicycle Parking, Section 7.4;

h. Native Plant Preservation, Section 7.7;

i. Off-Street Loading, Section 7.5; and,

j. Perimeter Yards, Section 6.4.5.

4. Properties granted zoning compliance under the provisions of this section may be used for all principal permitted land uses based on the zoning of the site subject to the applicable general restrictions in each zone, except for the following prohibited uses:

a. Alcoholic Beverage Service uses unless continuously licensed through the Arizona Department of Liquor Licenses and Control from May 1, 2005, to the present, Section 11.3.4.B;

b. Billboard, Section 11.3.4.F;

c. Correctional Use, Section 11.3.3.C;

d. Family Dwelling, Section 11.3.7.A;

e. Food Service uses unless continuously licensed through the Pima County Health Department from May 1, 2005, to the present, Section 11.3.4.N;

f. Group Dwelling, Section 11.3.7.B;

g. Mobile Home Dwelling, Section 11.3.7.C;

h. Residential Care Services, Section 11.3.7.D;

i. Restricted Adult Activities Use Group, Section 11.3.8;

j. In the C-2 and C-3 Districts, Medical Marijuana Designated Caregiver Cultivation Location, Medical Marijuana Dispensary, Medical Marijuana Dispensary Off-site Cultivation Location; and,

k. In the I-1 and I-2 Districts, Medical Marijuana Designated Caregiver Cultivation Location, Medical Marijuana Dispensary Off-site Cultivation Location.

5. Required drop-off areas must be provided.

6. Use of the property must be in compliance with all applicable use-specific standards in Section 4.9.
7. This section is applied to single or multiple parcels of land but may not be applied to partial parcels.

8. Changes to parking lot striping, maintaining the same number of parking spaces, or increasing the number of parking spaces, are permitted in compliance with Section 7.4.6 (Motor Vehicle Use Area Design Criteria) so long as no existing elements such as loading zones or dumpsters are deleted except as permitted under current standards.

9. The owner of the property shall:
   a. Submit a sworn affidavit that the use of the property will be in compliance with the section; or,
   b. Include the following in any lease/rental agreement for the property: “Tenant shall not cause or permit the Property to be used in any way which constitutes a violation of any law, ordinance, or governmental regulation. Notwithstanding any contrary provision of this lease agreement, any occupancy or use of the premises in violation of this paragraph constitutes a material breach of this lease agreement entitling Lessor to invoke all remedies provided hereunder including termination.”

10. A site inspection to verify that the use of the property is in compliance with this Section may be conducted at the discretion of the PDSD Director.

11. Applications are reviewed in accordance with the PDSD Director approval procedure, Section 3.3.3.

12. Zoning compliance granted pursuant to this section shall be valid only so long as the property and site improvements thereon remain in the same condition as on the date the zoning compliance is granted. Any subsequent development or modification to the property or site improvements will render zoning compliance under this section void and of no effect. Any modification or improvement not shown on May 2005 aerial photography administered by the Pima Association of Governments (PAG) will be considered a subsequent development of the property.

13. Requests for zoning compliance pursuant to this section must be submitted to the PDSD, and all applicable fees must be paid, prior to the expiration date of the ordinance adopting this Section 3.3.4.G, as provided herein.

(Ord. 11070, 5/14/2013)

3.3.4. 50' NOTICE PROCEDURE

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

B. Applicability
   The 50' Notice Procedure applies to the following applications:
1. Approval of resident artisan uses in the Historic Preservation Zone;

2. Certain wireless facilities;

3. Design Development Options (DDO) in accordance with Section 3.11.1;

4. Parking Design Modification Requests to the required number of bicycle and motor vehicle parking spaces;

5. PDSD Director Special Exception applications;

6. Requests for demolition of contributing, nonhistoric structures in Historic Preservation Zones; and,

7. Other types of applications if the PDSD Director makes one of the following findings:
   a. There is a minor change in the development criteria that is requested;
   b. There are few, if any, changes in the physical attributes of the property;
   c. There is a potential for impact upon the neighborhood or the adjacent properties;
   d. Where there are commercial and office developments, (1) through (3) above apply and there is a benefit to area properties from the proposed redevelopment of the property; or,
   e. There is an administrative Special Exception Land Use designated in the UDC related to the proposed development.

C. **Pre-Application Conference Recommended**
   A pre-application conference with City staff is recommended, but not required. See Section 3.2.1 for details on the pre-application conference.

D. **Neighborhood Meeting Recommended**
   The applicant is recommended, but not required, to conduct a neighborhood meeting with surrounding property owners and neighborhood association representatives.

E. **Application and Notice of Application Required**
   Submittal of an application to the PDSD is required in order to process the request. See the Administrative Manual for application submittal requirements. Applications shall be reviewed for completeness in compliance with Section 3.2.3.A, *Application Required*. Following acceptance by the PDSD, notice of the application is required in accordance with Section 3.2.4.B, *Mailed Notices*.

F. **Public Comment Period**
   For ten days following the date on which notice is provided, the public may submit comments on the proposal to the PDSD.
G. **Review**
   Review is conducted by the PDSD staff and other agencies, committees or advisory boards as required by the UDC, and others as may be deemed appropriate by the PDSD Director.

H. **Decision and Notice of Decision**
   The PDSD Director shall approve or deny an application and send written notice of the decision in accordance with Section 3.2.4.B. The PDSD Director may impose conditions for approval of the application or may require further processing of the application in accordance with Section 3.3.5, 300’ Notice Procedure.

I. **Appeals**
   A party of record may appeal the PDSD Director’s decision to the Board of Adjustment (B/A). Appeals must be filed in accordance with Section 3.10.1 and .2. A notice of intent to appeal must be received by the PDSD within five days of the effective date of the decision. The complete appeal materials must be filed within 30 days of the effective date of the decision.

J. **Waiver of Comment, Notice of the Decision and Right to Appeal**
   The required time period for public comment, for notice of the decision, and for the filing of an appeal may be waived, if the applicant provides written documentation that all parties of record have waived one or more of these provisions.

### 3.3.5 300’ NOTICE PROCEDURE

A. **Purpose**
   The purpose of this procedure is to require notice to parties who may be affected by the development.

B. **Applicability**
   The 300’ Notice Procedure applies to the following applications:

1. Mitigation plans for restaurants that are located within 300 feet of R-3 or more restrictive zoning district and that serve alcohol;

2. Projects within the Greater Infill Incentive Subdistrict of the Downtown Area Infill Incentive District requesting a Modification of Development Regulations; and,

3. Individual parking plans for projects within 300 feet of R-3 or more restrictive zoning districts.

C. **Pre-Application Conference Required**
   A pre-application conference with City staff is required in accordance with Section 3.2.1.

D. **Neighborhood Meeting Required**
   The applicant is required to conduct a neighborhood meeting and shall provide notice of the neighborhood meeting in accordance with Section 3.2.2.C.

E. **Application and Notice of Application Required**
   Submittal of an application to the PDSD is required in order to process the request. See the Administrative Manual for application submittal requirements. Applications are reviewed for
General Procedures

completeness in compliance with Section 3.2.3.A. Following acceptance by the PDSD, notice of the application is required in accordance with Section 3.2.4.B.

F. Public Comment Period
For 20 days following the date on which notice is mailed, the public may submit comments on the proposal to the PDSD.

G. Review
Review is conducted by the PDSD staff and other agencies, committees or advisory boards as required by the UDC, and others as may be deemed appropriate by the PDSD Director.

H. Decision and Notice of Decision
The PDSD Director shall approve or deny an application and send written notice of the decision in accordance with Section 3.2.4.B.

I. Appeals
1. The PDSD Director’s decision may be appealed to the Mayor and Council on the grounds that the decision is not in conformance with the criteria established by the UDC;
2. Appeals are processed in accordance with Section 3.9.2, Mayor and Council Appeal Procedure;
3. The notice of intent to appeal must be filed with the City Clerk no later than 14 days after the effective date of the decision;
4. The complete appeal materials must be filed with the City Clerk within 30 days of the effective date of the decision; and,
5. A copy of the appeal is provided to the PDSD Director at the time it is filed.

J. Site Inspection
Prior to the issuance of an occupancy permit, the site shall be inspected by the PDSD for compliance with the plans approved for the issuance of building permits and any changes authorized by the PDSD Director to those approved plans during construction.

3.3.6. ZONING ADMINISTRATOR APPROVAL PROCEDURE
The following applications shall be processed in accordance with the Zoning Administrator approval procedure provided in Section 1.5.1 (Zoning Interpretations and Zoning Certifications):

A. Compliance with certification of existing premises;
B. Interpretations of the Unified Development Code;
C. Planned area development interpretation; and,
D. Zone boundary conflicts.
3.3.7. **HISTORIC PRESERVATION ZONE (HPZ) DESIGN REVIEW PROCEDURE**
Applications for projects within an HPZ are processed in accordance with Section 5.8.5, *Design Review Required.*

3.3.8. **NEIGHBORHOOD PRESERVATION ZONE (NPZ) DESIGN REVIEW PROCEDURE**
Applications for applicable projects within an NPZ are processed in accordance with Section 5.10.3, *NPZ Design Review Procedure.*

3.3.9. **RIO NUEVO DISTRICT (RND) DESIGN REVIEW AND MODIFICATION OF DEVELOPMENT REGULATIONS PROCEDURES**

A. **Major and Minor Project Design Review**
Major and minor project design review of projects within the RND are processed in accordance with Section 5.11.8, *Design Review Required.*

B. **Major and Minor Modification of Development Regulations (MDR) Requests**
Major and Minor MDR requests are processed in accordance with Section 5.11.9, *Modification of Development Regulations.*

3.4. **SPECIAL EXCEPTION LAND USES**

3.4.1. **GENERAL**
Special Exception Land Uses are often desirable but may have detrimental effects on adjacent properties or neighborhoods or on the surrounding community if not properly designed and controlled. Special Exception Land Uses are uses that are not allowed by right within a zone but are permitted if approved through a particular review process. A special review of these land uses is necessary to ensure that avoidable problems or hazards are not created and that such uses are consistent with the intent of this section and the zones under which they are permitted.

Depending on the proposed use, a Special Exception Land Use application is processed in accordance with the PDSD Director, Zoning Examiner, or the Mayor and Council Special Exception Procedure.

3.4.2. **PDSD DIRECTOR SPECIAL EXCEPTION PROCEDURE**

A. **Applicability**
The PDSD Director Special Exception Procedure applies to those uses identified in Section 4.8 (*Use Tables*) as requiring processing in accordance with the PDSD Director Special Exception Procedure.

B. **Application**
An application must be submitted to the PDSD to process the request. See the Administrative Manual for application submittal requirements. Applications shall be reviewed for completeness in compliance with Section 3.2.3.A.

C. **Review and Decision**
PDSD Director Special Exceptions are processed in accordance with the 50' Notice Procedure, Section 3.3.4. Approval shall be granted if the PDSD Director finds the proposal is in compliance with the findings provided in Section 3.4.5. The approval may be subject to conditions as provided in Section 3.4.6.
§ 3.4

D. **Appeals**
A party of record may appeal the PDSD Director's decision to the Board of Adjustment (B/A). Appeals must be filed in accordance with Sections 3.10.1 and 3.10.2. A notice of intent to appeal must be received by the PDSD within five days of the effective date of the decision. The complete appeal materials must be filed within 30 days of the effective date of the decision.

E. **Projects Within the Airport Environ Zone (AEZ)**

1. Special exception uses within the AEZ and projects within the AEZ requesting to exceed the limits of the performance standards as set forth in Section 5.6.8.A, B, and C are processed in accordance with the PDSD Director Special Exception Procedure; and,

2. These special exception applications shall be analyzed for:
   a. Land use compatibility with Tucson airport or DM base operations;
   b. Proximity to the end of the runway;
   c. Location in relationship to major flight tracks; and,
   d. Compliance with the intent of the DM Joint Land Use Study.

### 3.4.3. ZONING EXAMINER SPECIAL EXCEPTION PROCEDURE

A. **Applicability**
The following uses are processed in accordance with the Zoning Examiner Special Exception Procedure:

1. Those uses identified in Section 4.8 (Use Table) as requiring processing in accordance with the Zoning Examiner special exception procedure;

2. Expansions of nonconforming uses; and,

3. Substitutions of nonconforming uses if the proposed use is not within the same land use class as the existing use.

B. **Pre-Application Conference Required**
A pre-application conference with City staff is required in accordance with Section 3.2.1.

C. **Neighborhood Meeting Required**
The applicant is required to conduct a neighborhood meeting and provide notice of the meeting in accordance with Section 3.2.2.

D. **Application and Notice (Mailed and Posted) Required**
Submittal of an application to the PDSD is required in order to process the request. See the Administrative Manual for application submittal requirements. Applications shall be reviewed for completeness in compliance with Section 3.2.3.A and for compliance with the neighborhood meeting requirements of Section 3.2.2. Following acceptance by the PDSD, mailed and posted notice of the application is required in accordance with Section 3.2.4.
E. **Public Comment Period**
For a period of 20 days following the date on which notice is mailed, the public may submit comments on the proposal to the PDSD.

F. **Review**
Review is conducted by the PDSD staff and other agencies, committees or advisory boards as required by the UDC, and others as may be deemed appropriate by the PDSD Director.

G. **PDSD Director Recommendation**
The PDSD Director shall prepare a recommendation and forward it to the applicant and the Zoning Examiner.

H. **Zoning Examiner’s Public Hearing**
A public hearing must be held before the Zoning Examiner within 70 days of acceptance of the application. Public hearings are held in accordance with the following and the Zoning Examiner’s rules and procedures.

1. The Zoning Examiner shall administer oaths and may compel the attendance of witnesses and the production of relevant information, including witnesses requested by any party.

2. The Zoning Examiner may impose any reasonable limitations on the number of speakers heard and may establish the nature and length of testimony by speakers.

3. Comments may be given by any person, either verbally or in writing.

4. A record of the hearing must be made and retained as a public record.

5. The Zoning Examiner may close the public hearing, or continue the public hearing to a specified time, date, and place. A continuance may not be for more than 30 days.

I. **Zoning Examiner’s Decision**
Within five days after the close of a hearing, the Zoning Examiner shall make a decision to approve, approve with conditions as provided in Section 3.4.6, or deny the application. Approval shall be based on the findings as provided in Section 3.4.5.

J. **Appeal**
The Zoning Examiner’s decision may be appealed to the Mayor and Council by any party of record in accordance with Section 3.9.2 by submitting a notice of intent to appeal to the City Clerk within 14 days from the effective date of the decision with a copy delivered to the PDSD. The complete appeal materials must be filed with the City Clerk within 30 days of the effective date of the decision.

K. **Change in Condition of Approval**
An applicant may request a change in a condition of approval of a Zoning Examiner Special Exception Land Use. The request must be submitted to the PDSD and reviewed by the PDSD staff for recommendation to the Zoning Examiner. The request is then considered at a public hearing in accordance with procedures in this Section 3.4.3.
Prior to submittal of a rezoning application, the applicant may request in writing that the PDSD Director provide a written determination of plan compliance.

b. **Determination by the PDSD after Application for Rezoning**

Upon submittal of an application for rezoning, the PDSD Director shall provide a written determination of land use plan compliance to the applicant. If the proposal is found to comply with the applicable plans, the rezoning application is formally accepted. If the Director determines a plan amendment is necessary, no further formal processing of the application may occur until the applicant requests a plan amendment in accordance with Section 3.6, *Land Use Plan Adoption and Amendment Procedures*. A written notice of decision shall be provided if it is determined that a plan amendment is required.

c. **Appeal of Plan Amendment Determination**

The PDSD Director’s decision that a plan amendment is required may be appealed to the Mayor and Council. The appeal must be submitted in writing to the PDSD within ten days of the effective date of the PDSD Director’s decision. Appeals shall be processed in accordance with Section 3.9.2, *Mayor and Council Appeal Procedure*. An appeal stays all processing until the appeal is heard and decided.

E. **Notice of Application**

Notice is required as follows:

1. **Mailed Notice**

   a. Notice must be sent to those individuals and neighborhood associations in accordance with Section 3.2.4.B.6 and Table 3.2-1. Notice shall also be sent to all parties of record on a previous hearing on the same application.

   b. See Section 3.2.4.B.3 for the mailed notice’s content requirements.

2. **Posted Notice**

   Notice shall be posted on the subject site in accordance with Section 3.2.4.F, *Posted Notice*.

F. **Public Comment Period**

There is a period of 20 days following the date on which notice is mailed for submission of comments on the proposal to the PDSD.

G. **Review**

Review is conducted by the PDSD staff and other agencies, committees or advisory boards as required by the UDC and as may be deemed appropriate by the PDSD Director.

H. **Changes to the Rezoning Application**

If the applicant proposes changes to the rezoning application, including any supporting materials, after the application has been accepted for processing, the PDSD Director shall determine whether or not the proposed changes are significant enough to require additional staff or agency review.
1. If the changes require additional review, the changes may be accepted only if the revised application is submitted prior to the legal advertisement and public notification of the public hearing and the changes are accompanied by the applicant's written consent to begin anew the process from the date of submittal of the revised application.

2. Upon submitting a significant change to the rezoning application, the applicant shall also submit a signed letter waiving the 70-day public hearing requirement to allow for proper staff evaluation of the new information.

3. Once the public hearing has been advertised, any request to delay the public hearing or to change the application must be submitted to the Zoning Examiner for determination. If the public hearing is delayed, the applicant shall remit to the City an additional rezoning public notice label fee to provide mailed notice to neighbors of canceled public hearing and the rescheduled public hearing date, and an additional public hearing legal advertisement fee. If the rescheduled public hearing date cannot be determined when the notice of cancellation is mailed to neighbors, a second public hearing notice label fee must be paid by the applicant to provide the required notice to the neighboring property owners.

I. Planning and Development Services Department (PDSD) Recommendation

After City departments and public service agencies have reviewed and provided comment on the application, a staff report is prepared by the PDSD. The report is distributed to the Zoning Examiner, the applicant, and the owners of property located within 300 feet of the rezoning site and made available to the public at least 15 days prior to the public hearing.

J. Public Hearing

1. Applications reviewed under this procedure are considered by the Zoning Examiner at a public hearing(s) for recommendation to the Mayor and Council.

2. Original City Zoning

Upon the effective date of annexation of property into the City, the City may adopt original City zoning or may continue the existing county zoning for a period not to exceed six months. The original City zoning shall only be initiated by the Mayor and Council. Notice of initiation must be provided in conformance with A.R.S. § 9-462.04.A and the notice requirements of Section 3.2.4. A case that establishes original City zoning may be initiated any time after the filing of a blank petition for annexation of the subject property with the office of the Pima County Recorder in accordance with state law.

3. Zoning Examiner Public Hearing

The Zoning Examiner shall hold a public hearing on behalf of the Mayor and Council on applications for a change of zoning and on applications for Mayor and Council Special Exception Land Uses in accordance with the Zoning Examiner’s Rules and Procedures and as provided below. The public hearing procedures set forth in this section is used for both types of applications. The public hearing must be held within 70 days of acceptance of the application, except for applications for original City zoning.

a. Conduct of the Public Hearing
(1) The Zoning Examiner is empowered to obtain information from all parties and interested persons, including public agencies, prior to the public hearing, provided all requests for information are in writing and the request and information are included as part of the public record. The Zoning Examiner also has the authority, after the close of the public hearing, to obtain additional information or clarification of information that has been presented. Any such request shall be in writing and the request and response shall be included as part of the record or report to the Mayor and Council. The Zoning Examiner may close the public hearing, or may continue the hearing to a specified date, time and place. However, a continuance may not be for more than 30 days.

(2) Except as permitted in subsection (1) above, the Zoning Examiner shall not communicate, directly or indirectly, with any party, any party's representative or any interested person in connection with any issue involved with a particular request, except upon notice and opportunity for all parties to participate, or, use, or rely upon any communication, report, staff memorandum, or other material prepared in connection with the particular case, unless it is made part of the record. Any and all written information received by the Zoning Examiner in the case must be made a part of the record. The Zoning Examiner may inspect the site provided all parties are given an opportunity to be present.

b. Zoning Examiner’s Preliminary Recommendation
The Zoning Examiner shall issue a report with preliminary findings and a preliminary recommendation within five days after the close of a hearing. The preliminary recommendation is provided to the applicant, the PDSD Director and to any person who has requested a copy of the preliminary recommendation.

c. Reconsideration
Any party of record may request that the preliminary recommendation be reconsidered or that the public hearing be reopened if there are errors of fact or procedure. The request shall state the alleged errors of fact or procedure and must be submitted to the Zoning Examiner within five days after the date of the preliminary recommendation. The Zoning Examiner must take action on the request within five days following the receipt of a request for reconsideration. Action on the request includes revising the preliminary recommendation, reopening the public hearing, or denying the request.

d. Final Recommendation
Within 14 days (or 19 days if a reconsideration of the preliminary recommendation is requested in accordance with Section 3.5.3.J.3.c) following the close of the public hearing or the re-opened public hearing, the Zoning Examiner shall issue and transmit a final recommendation to the Mayor and Council for final action. If the Zoning Examiner determines that minor corrections to the preliminary recommendation are appropriate in response to a request for reconsideration, such corrections may be incorporated into the final recommendation without further proceedings. No further requests for reconsideration are permitted. If the Zoning Examiner determines that a significant change to the preliminary recommendation is appropriate, the public hearing must be reopened with notice provided to all persons who received the previous preliminary recommendation.
e. **Reopening of the Public Hearing**

If the public hearing is reopened, the new hearing must be held within 40 days of the close of the last public hearing. Notice of the reopened hearing is the same as the notice for the original public hearing. If the public hearing is reopened at the request of a party, or to consider new information from a party, the Zoning Examiner may require that the party pay the costs for the re-opened public hearing. At the conclusion of the reopened hearing, the issuance of a preliminary recommendation, the time period for reconsideration, the issuance of a final recommendation and the time periods for each shall be the same as for the original hearing.

f. **Mayor and Council Public Hearing Request**

Any person may request that the application be heard at a public hearing before the Mayor and Council if the request is filed with the City Clerk within 14 days after the date of the Zoning Examiner’s public hearing or reconsideration public hearing. The Mayor and Council may also decide to conduct a public hearing without a specific request. If a public hearing is requested, notice must be provided in the same manner as the notice provided for the Zoning Examiner’s public hearing.

K. **Mayor and Council Action**

1. **Mayor and Council Public Hearing Request**

Any person may request that the application be heard at a public hearing before the Mayor and Council if the request is filed with the City Clerk within 14 days after the date of the Zoning Examiner’s public hearing or reconsideration public hearing. The Mayor and Council may also decide to conduct a public hearing. If a public hearing is requested, notice must be provided in the same manner as the notice provided for the Zoning Examiner’s public hearing.

2. **Authorization for Change of Zoning (Rezoning)**

Where a change in zoning is requested based upon a preliminary site plan, the Mayor and Council may make a preliminary determination to authorize the applicant to proceed with the case.

a. **Authorization for the Application to Proceed**

A vote by the Mayor and Council to authorize a change of zoning case constitutes authorization for the applicant to proceed, subject to the applicant’s subsequent demonstration of compliance with any special conditions that may have been established by the Mayor and Council. Unless the Mayor and Council state a shorter time period, the applicant must complete all conditions of approval within five years from the date the request is authorized.

b. **Discretion of the Mayor and Council**

An authorization for a change of zoning is preliminary and does not in any way limit the legislative discretion of the Mayor and Council to determine whether or not to adopt a change of zoning ordinance or to add conditions thereto at the time an ordinance is presented for adoption. Authorization does not establish any vested right to the authorized zoning prior to ordinance adoption.


3. **Direct Ordinance Adoption**

Where a change of zoning application includes a site plan or a proposed plat that provides sufficient specific details to demonstrate compliance with all conditions that may be required by the Mayor and Council and is in compliance with this Section, the application may proceed from staff review to Mayor and Council ordinance adoption without a separate Mayor and Council authorization to proceed with the application.

   a. **Mayor and Council Actions**

      The Mayor and Council shall consider the change of zoning application, the Zoning Examiner’s recommendation, and the City Manager’s recommendation in a public meeting or a public hearing. The Mayor and Council may authorize the case to proceed; may modify, delete or add to the proposed conditions for approval; may remand the case to the Zoning Examiner for further proceedings; may adopt an ordinance changing the zoning, deny the application; or may take other appropriate action.

   b. **Davis Monthan AEZ Comments**

      If Davis Monthan Air Force Base submits comments to the City on any application concerning the compatibility of the proposed rezoning with the high-noise, accident potential zone, or approach-departure corridor that may have an adverse impact on the operation of the base or upon public health and safety, a public hearing shall be held to consider these and other comments per requirements of the A.R.S.

4. **Mayor and Council Adoption of the Change of Zoning**

   a. If an application substantially demonstrates compliance with the conditions for a change of zoning, staff shall prepare an ordinance to be submitted to the Mayor and Council for adoption enacting the change in zoning.

   b. For a project that is to be completed in phases, the Mayor and Council may adopt a separate ordinance for each phase of the project, but only if each phase submitted for approval can meet all required conditions and codes without reliance on future phases.

5. **Voting Requirements**

Adoption of a change of zoning must be by a vote of three-fourths of all members of the governing body if written protests are filed by property owners who own 20% or more of the area within one of the following areas.

   a. The entire area of the lot or lots within the subject site; or,

   b. Property in any one of the following quadrants: north, south, east, west, that is located within 150 feet of the rezoning site, excluding public right-of-way abutting the subject site.

6. **Ordinance Effective Date**

Ordinances granting changes in zoning are, by state statute, subject to referendum and shall not become effective until 30 days after the date of adoption or the date the final ordinance is available from the City Clerk, whichever is later. The effective
date of the ordinance is not necessarily the effective date of the change of the zoning (rezoning). The effective date of the change of zoning is when compliance with conditions of approval is completed and certified by the PDSD Director. No permits or development approvals may be granted that are in furtherance of the rezoning request until the 30 days have lapsed and the conditions of rezoning have been met.

7. **Reconsideration**
   A member of the Mayor and Council may request the reconsideration of an authorization decision or decision on a proposed ordinance provided the vote to reconsider is made within 30 days of the date of decision. A hearing for reconsideration will be scheduled upon a majority vote in favor of the reconsideration. If the reconsideration occurs after the meeting when the decision is initially made, then public notice of the reconsideration must be given in the same manner as for the initial decision.

(Am. Ord. 11070, 5/14/2013)

3.5.4. **CHANGE IN CONDITIONS OF APPROVAL AND COMPLETION OF CONDITIONS**
An applicant may request a change to conditions of approval. The PDSD Director shall make a determination as to whether a proposed change to the conditions of rezoning, to the preliminary site plan, or to the approved site plan is major, minor, or administrative. A request to change conditions of approval is considered as follows:

A. **Types of Changes**
The three types of changes are as follows:

1. **Major Change**
   a. **Density or increase in non-residential floor area condition**
      This change involves, 1) if the number of residences increases by 10% or greater; or in any case increases by 50 or more units; or 2) if the non-residential floor area increases by 10% or greater;
   b. **Design condition**
      This change involves a quantified physical dimension established in a condition to adapt to specific site characteristics or mitigate development impacts on the site and surrounding land uses. Examples of such dimensions include setbacks, heights, landscape buffers, natural areas, or areas to be disturbed, when these are illustrated on the preliminary site plan or stated in a condition;
   c. **Use condition**
      This change involves an illustration on the preliminary site plan or a change stated in a condition that only a specific set of uses are permitted on the site; or,
   d. A change in a preliminary site plan when the building area is substantially reconfigured such that traffic generated by the new layout will increase 10% or greater over the previous layout’s proposed traffic generation.

2. **Minor Change**
   A change in the rezoning conditions or preliminary site plan that is not a major change or an administrative change.

(2013 S-1)
2. The PAD is a zoning classification which provides for the establishment of zoning districts with distinct standards.

B. **Distinct Dimensional Standards Permitted**

1. A PAD may have dimensional standards different from those of other zoning districts.
2. When a provision in a PAD varies from the UDC, the provisions in the PAD shall govern.

C. **Application Processing and PAD Establishment**

1. Each PAD must be in compliance with the General Plan and applicable sub-regional and neighborhood plans.
2. A PAD is processed and established in accordance with Section 3.5.3, Zoning Examiner Legislative Procedure, and the following additional requirement.
3. Within 30 days after the PDSD Department recommends approval, the PAD rezoning request is scheduled for a public hearing before the Zoning Examiner.

D. **Established Districts**

1. PADs are identified on the City Zoning Maps by the letters “PAD” followed by a number, such as “PAD-1,” signifying the set of standards adopted and applicable to that planned area development.
2. The PDSD is responsible for maintaining the list of established PADs.

E. **Initiation of a PAD District.**

A PAD District is initiated by filing an application with the Planning and Development Services Department. The application may be filed by the owners of the subject property, an agent for the property owners, or the Mayor and Council. The application will be accepted for processing only if the following requirements are met:

1. The site is under single ownership or control except when initiated by the Mayor and Council;
2. The site’s land area is a minimum of 40 acres, or if located in the Downtown Area Infill Incentive District as defined in Section 5.12.10, the Downtown Parking District as defined in Section 11.4.5, or in the Rio Nuevo District as defined in Figure 5.11-A, there is no minimum site area. The Mayor and Council may authorize the initiation of a PAD District of less than the size required by this Section if the proposed PAD District is consistent with the intent of the PAD zone; and,
3. The PAD District shall be configured to accommodate a well-integrated project. A PAD District may include existing rights-of-way provided the district is planned and developed on a unified basis.
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F. **PAD Implementation**

PADs are implemented in accordance with the procedures in this Section 3.5.5. PADs may establish additional implementation procedures, provided such methods are not in conflict with required procedures and are fully described by the PAD document.

G. **Site Plan Review**

No development may occur within a PAD until a site plan for the development is approved by the City in accordance with Section 3.3.3, *PDSD Director Approval Procedure*.

H. **Enforcement**

Standards adopted for each PAD are enforced in the same manner as the enforcement of any zoning violation as provided in Section 10.2.

I. **Interpretation**

The Zoning Administrator shall interpret a PAD in accordance with Section 1.5.1, *Zoning Determinations and Zoning Certifications by the Zoning Administrator*. Interpretations of UDC zoning provisions may be applied to similar PAD provisions.

J. **Amendment to an Adopted PAD**

1. PAD amendments must be in substantial conformance with the objectives of the PAD. Changes to conditions and terms of a PAD that affect the overall density, intensity, and classifications of land uses must be processed as a new change of zoning. Changes to other conditions of a PAD must comply with the procedures for changes of conditions in this section.

2. **Amendment Application**

   a. An amendment to a PAD may be initiated by the property owner, the owner’s agent, or the Mayor and Council upon submittal of a written application to amend one or more of the PAD standards.

   b. The application must be accompanied by a statement documenting the need for the amendment.

   c. The PDSD Director shall determine if the amendment would result in a major change in the PAD. A major change is one which:

      (1) Allows uses not otherwise permitted in the PAD or a section of the PAD;

      (2) Varies or changes a PAD policy;

      (3) Increases the number of proposed residences per acre by more than 10% or exceeds the maximum number of dwelling units permitted within the adopted PAD;

      (4) Changes designated buffers or perimeter landscaping, as delineated in the PAD, which was established to adapt the PAD to specific site characteristics or mitigate development impacts on the site and surrounding area;
(5) Varies the building height, lot coverage, or building setbacks by more than 10% of that delineated in the adopted PAD;

(6) As a consequence of more than one non-substantial change submitted concurrently, cumulatively results in a significant change in the objectives or goals of the PAD; or,

(7) Results in a significant change in pedestrian or traffic circulation within the PAD or in the surrounding area.

d. Major changes to a PAD are processed in accordance with Sections 3.5.3, Zoning Examiner Legislative Procedure. A major change may require, as determined by the PDSD Director, submittal of amended items, such as a site analysis.

e. The PDSD Director may approve changes determined to be minor or administrative.

f. When requested in writing by the applicant, the PDSD Director may authorize a delay in the PAD amendment process.

(Am. Ord. 11070, 5/14/2013)
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3.9.1. DESIGN REVIEW BOARD (DRB) APPEAL PROCEDURE

A. Applicability

Appeals to the DRB may be made by any party of record from the following decisions by the PDSD Director:

1. Neighborhood Preservation Zone (NPZ) design review applications. An appeal under this section must be based upon an error in the Director’s decision finding compliance or noncompliance with the neighborhood specific design manual and compatibility review standards; and,

2. Architectural Variation and Privacy Mitigation Plans associated with a Flexible Lot Development.

B. Appeal to the Design Review Board (DRB)

1. Filing an Appeal

A notice of intent to appeal must be filed with the PDSD within 14 days of the effective date of the PDSD Director’s decision. The complete appeal materials must be filed with the PDSD within 30 days of the effective date of the decision. An appeal will be scheduled for consideration by the DRB at the next regular meeting that is at least 30 days following the filing of the appeal. PDSD may, for good cause, grant one extension to the second regular meeting after the filing of the appeal. The filing of an appeal stays the issuance of permits and approvals and all formal land use action on the development proposal subject to the appeal.

2. Limitation on Contact With The Design Review Board

Except for duly noticed site inspection, study and public hearing, no person shall contact or discuss the merits of any appeal with any members of the DRB between the filing of the appeal and the final determination by the DRB.

3. PDSD Director’s Report

The PDSD Director shall forward the appeal to the DRB any additional materials provided by the appellant, any materials provided by any other party, and the Director’s report and recommendation.

4. Public Hearing and Public Notice Required

a. The DRB shall conduct a public hearing on the appeal. The DRB may hold a prior study session but the application for appeal must be scheduled for public hearing within 30 days of acceptance. Mailed notice of the appeal is required in accordance with Section 3.2.4.B, and must be sent not less than 15 days and not more than 30 days prior to the hearing. The public hearing on the appeal is conducted in accordance with the rules and regulations of the DRB.

b. The DRB may continue the public hearing for up to 45 days. The public hearing shall not be continued for more than 45 days without the consent of the applicant, regardless of who is the appellant.
§ 3.9 Tucson - Unified Development Code

5. Decision

a. The DRB shall reach a decision following the close of the public hearing.

b. The DRB may affirm, reverse or modify the decision subject to appeal and may impose conditions necessary and appropriate to implement the UDC and other pertinent regulations. The decision by the DRB shall be announced and is final at the time the decision is made following the public hearing.

c. The DRB in formulating its preliminary findings and recommendations shall apply the same standards applied by the design professional.

d. Written confirmation of the decision shall be provided within three days of the date of decision to all parties of record.

6. Reconsideration

The appellant, the applicant, or the PDSD Director may request reconsideration of a decision on an appeal provided the request is filed with the PDSD Director within 14 days of the effective date of the decision is announced. A request for reconsideration may be made only where there is an error in fact or law in the decision, or where a party has new evidence that was not available at the time of the public hearing. The request shall be scheduled for the next regular meeting of the DRB.

7. Issuance of Permits and Approvals

No permits or development approvals based on the decision shall be issued, no inspections performed or other formal action taken, while the appeal is pending before the DRB or before the expiration of the period for reconsideration where no request is filed. If a request for reconsideration is filed, no permits or development approvals based on the decision shall be issued, or other formal action taken until completion of action on the request for reconsideration is announced by the DRB.

3.9.2. MAYOR AND COUNCIL APPEAL PROCEDURE

A. Applicability

Appeals to the following decisions are processed in accordance with the Mayor and Council Appeal procedure:

1. Decision by the Zoning Examiner on a Special Exception Land Use;

2. Decisions on the 300' Notice Procedures; and,

3. Other matters as designated in the UDC.

B. Filing of an Appeal

Appeals must be filed with the City Clerk's office with a copy to the PDSD within the time provided by the procedure from which the decision is appealed. The filing of an appeal stays the issuance of any permits or development approvals based on the decision and all formal land use action on the development proposal subject to the appeal.
1. Decisions by the Zoning Administrator, including interpretations of the UDC, notices of violations of the UDC, and determinations of violations of conditional uses consistent with Section 10.3.3;

2. Decisions by the PDSD Director on applications processed in accordance with the 50’ Notice Procedure, Section 3.3.4;

3. Decisions by the PDSD Director on a Special Exception Land Use;

4. Review decisions where the PDSD Director has challenged the historic designation of a structure proposed for demolition;

5. Decisions of the Design Review Board (DRB) pertaining to applications in Neighborhood Preservation Zones as permitted in Section 5.10.3.I;

6. Decisions by the PDSD Director on Design Development Option applications;

7. Decisions by the PDSD Director on Minor and Major Project Design Review applications in the Rio Nuevo District; and,

8. Other determinations in accordance with the UDC.

B. **Filing of an Appeal**
   Appeals must be filed with the Zoning Administrator within 14 days of the effective date of the decision, or within the time provided by the individual procedure from which the decision is appealed. An appeal shall be scheduled for consideration by the B/A at the next regular meeting that is at least 35 days following the filing of the appeal. The Zoning Administrator may, for good cause, grant one extension to the second regular meeting after the filing of the appeal. The filing of an appeal stays the issuance of permits and approvals and all formal land use action on the development proposal subject to the appeal.

C. **Public Hearing and Public Notice Required**
   A public hearing with the B/A is required. The B/A may continue the public hearing for up to 45 days. The public hearing shall not be continued for more than 45 days without the consent of the applicant, regardless of who is the appellant. Public notice of the public hearing is required in accordance with Table 3.2-1 and Sections 3.2.4.A-G.

D. **Decision**
   The B/A may affirm, reverse, or modify the decision being appealed, and may impose conditions necessary and appropriate to implement the UDC and other pertinent standards.

E. **Reconsideration**
   The appellant, the applicant, the Zoning Administrator, or in the case of a decision relating to NPZ design review, the PDSD Director, may request reconsideration of a decision on an appeal as provided in Section 3.10.1.G.

(Am. Ord. 11070, 5/14/2013)
3.10.3. VARIANCES

A. **Applicability**
   The following applications are processed in accordance with the B/A Variance procedure:
   
   1. Variances from the requirements of the UDC;
   2. Requests for major Modifications of Development Regulations (MDR) in the Rio Nuevo District (see Section 5.11.9 for the minor and major MDR criteria).

B. **Pre-Application Conference Required**
   A pre-application conference with City staff is required in accordance with Section 3.2.1.

C. **Neighborhood Meeting Required**
   The applicant is required to conduct a neighborhood meeting and provide notice of the meeting in accordance with Section 3.2.2.

D. **Application**
   Submittal of an application to the PDSD is required in order to process the request. See the Administrative Manual for the application submittal requirements. Applications shall be reviewed for completeness in compliance with Section 3.2.3.A.

E. **Notice of Application**
   The PDSD Director shall mail and post notice of the application in accordance with Section 3.2.4.B & F.

F. **Public Comment Period**
   For 20 days following the date on which notice is mailed, the public may submit comments on the proposal to the PDSD.

G. **Review**
   
   1. Review is conducted by the PDSD staff and other agencies, committees or advisory boards as required by the UDC, and others as may be deemed appropriate by the PDSD Director.
   
   2. Variance requests from the Environmental Resource Zone standards require review by the Design Review Board and the Stormwater Technical Advisory Committee as provided in Section 5.7.7. Variance requests from Scenic Corridor Zone, the Gateway Corridor Zone, the landscaping and screening regulations, and the native plant protection standards require DRB review as provided in Sections 5.3.14, 5.5.6, 7.6.9.D, and 7.7.6.B respectively.

H. **Public Hearing and Public Notice Required**
   A public hearing with the B/A on the request is required. Mailed notice of the public hearing is required in accordance with Section 3.2.4.B. The notice of the public hearing may be consolidated with the notice of the application submittal.

I. **Advisory Board Review**
   Variance requests from the Environmental Resource Zone standards require review by the Design Review Board and the Stormwater Technical Advisory Committee as provided in Section 5.7.7. Variance requests from the Scenic Corridor Zone, the Gateway Corridor Zone,
the landscaping and screening regulations, and the native plant preservation standards require DRB review as provided in Sections 5.3.1.4, 5.5.6, 7.6.9.D, and 7.7.6.B, respectively.

J. **Board of Adjustment Decision**

The B/A may close the public hearing or continue it to a specific date, time, and place provided the continuance is not for more than 120 days. The B/A shall issue a decision in accordance with the findings required for approval of the application at the conclusion of the public hearing.

K. **Findings for Approval**

The B/A may approve a variance only if it finds:

1. That, because there are special circumstances applicable to the property, strict enforcement of the UDC will deprive such property of privileges enjoyed by other property of the same classification in the same zoning district;

2. That such special circumstances were not self-imposed or created by the owner or one in possession of the property;

3. That the variance granted is subject to such conditions as will assure that the adjustment authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is located;

4. That, because of special circumstances applicable to the property, including its size, shape, topography, location, and surroundings, the property cannot reasonably be developed in conformity with the provisions of the UDC;

5. That the granting of the variance shall not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located;

6. That the proposed variance shall not impair an adequate supply of light and air to adjacent property, substantially increase congestion, or substantially diminish or impair property values within the neighborhood; and,

7. That the variance, if granted, is the minimum variance that will afford relief and is the least modification possible of the UDC provisions that are in question.

L. **Variance Powers Not Granted to Board of Adjustment**

The B/A may not:

1. Make any changes in the uses permitted in any zoning classification;

2. Grant a variance if the special circumstances applicable to the property are self-imposed by the property owner;

3. Grant a variance to any administrative requirement of the UDC or to any requirement which is not a specific development regulation or use-specific standards required of a land use;
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4. Grant a variance to the use-specific standards required of Educational Uses as provided in Section 4.9.3.E.; or,

5. Delete or vary any use-specific standards applicable to a Special Exception Land Use as required by the UDC, unless specifically allowed by the UDC, or as established as a condition by the decision-making body in granting the use.

M. Notice of Decision Required
Notice of the decision shall be mailed within three days of the decision to the applicant and persons who received notice of acceptance of application. See Table 3.2-1 and Section 3.2.4.

N. Reconsideration
The B/A may consider one request for reconsideration by the applicant or a party of record, in accordance with Section 3.10.1.G.

O. Change of Condition
After a variance has been granted by the B/A, the property owner/applicant may request a change to a condition for approval imposed by the B/A based upon changed circumstances that affect the condition. The request shall be heard by the B/A. The B/A shall initially determine whether the request is for a minor change of condition that does not materially alter the variance and does not materially affect any other properties. If the B/A determines that the request is for a minor change of condition, it may decide whether to approve or deny the change. If the B/A determines that the request is not a minor change of condition and there are reasonable grounds for the request, the case shall be scheduled for a public hearing and notice provided in accordance with Section 3.2.4.

P. Expiration of Approval
Any variance granted through this process or on appeal is null and void if building permits are not issued or compliance with conditions of approval does not occur within 180 days from the date of approval. A shorter time period for compliance may be required as a condition of approval. Two extensions of up to 180 days each may be granted by the PDSD Director for good cause. A plat that has been recorded in compliance with the variance is exempt from the expiration period in this section.

(Am. Ord. 11070, 5/14/2013)

3.11. ADMINISTRATIVE MODIFICATIONS

3.11.1. DESIGN DEVELOPMENT OPTION (DDO)

A. Purpose
This section is established to provide an administrative process by which specific development and dimensional standards of the UDC may be modified under certain criteria applicable to a land use within a zone. A Design Development Option (DDO) is intended to encourage the following:

1. Flexible design solutions that are within the intent of the regulation, encourage efficient use of land, do not create a nuisance on adjacent property, and address situations where strict application of a requirement may not be practical;
2. Energy conservation through site and building design;

3. Innovation in site planning and architectural design; and,

4. Enhancement of community aesthetics.

B. Applicability

The following dimensional, screening, and landscaping standards may be considered for modification under this Section:

1. Setbacks;

2. Height of accessory walls and fences when the wall and fence heights do not exceed two feet above the maximum height permitted;

3. Landscaping and screening standards when the modification does not decrease the required area in square footage of landscaping or height of a screening feature; and,

4. Structural setback and parking space length requirements for carports only in single-family and duplex development.

C. PDSD Review and Decision

1. The PDSD Director shall review and make a final decision on a DDO in accordance with Section 3.3.4, 50’ Notice Procedure. Approval of a DDO request may only occur based on the findings in Section 3.11.1.D below.

2. For landscaping and screening modification requests as provided in Section 3.11.1.B.3 above, the Design Review Board shall review the request and make a recommendation prior to a decision by the PDSD Director.

3. Only one application is required when more than one DDO is being requested and may be processed concurrently in accordance with the most restrictive applicable procedure. For example, applications requesting a modification to the setback and landscaping standards shall go to the Design Review Board for a recommendation prior to a decision by the PDSD Director.

D. Findings for Approval

1. General Findings for All Modification Requests

For all modification requests, the PDSD Director may approve a DDO request only if the request meets all of the following findings:

   a. Is not a request previously denied as a variance;

   b. Does not modify a conditional requirement or finding to determine whether the use should be allowed in the zone;

   c. Is not to a condition of approval for a rezoning or Special Exception Land Use application;
d. Does not modify a requirement of an overlay zone, such as, but not limited to, Scenic Corridor, Environmental Resource, Major Streets and Routes Setback, or Airport Environ;

e. Does not result in deletion or waiver of a UDC requirement;

f. The modification applies to property that cannot be developed in conformity with the provisions of this chapter due to physical circumstances or conditions of the property, such as irregular shape, narrowness of lot, exceptional topographic conditions, or location;

g. Does not create a situation where proposed development substantially reduces the amount of privacy that would be enjoyed by nearby residents any more than would be available if the development was built without the modification;

h. Does not create a situation where proposed development will block visibility within the required visibility triangle on adjoining streets for either vehicular or pedestrian traffic;

i. Does not create a situation where the proposed development will cause objectionable noise, odors, trespass lighting, or similar adverse impacts adjacent properties or development; and,

j. Does not create a situation where the development will result in an increase in the number of residential dwelling units or the square footage of nonresidential buildings greater than would occur if the development was built without the modification.

2. Specific Findings for Setback and Wall Height Modification Requests

In addition to the findings in Section 3.11.1.D.1, the PDSD Director shall find, in the case of setback and wall height only, that the modification:

a. Does not create a situation where proposed development will obstruct significant views of dramatic land forms, unusual stands of vegetation, or parks from nearby properties substantially more than would occur if the development were built without the modification;

b. Provides design alternatives to better integrate the development into the design character of the immediate neighborhood;

c. Does not apply to a setback requirement of a Flexible Lot Development (FLD);

d. Does not create a situation where the proposed development will interfere with the optimum air temperature or solar radiation orientation of buildings on adjoining properties substantially more than would occur if the building or structures were built without the modification; and,

e. Does not create a situation where the proposed use of the property will impose objectionable noise levels on adjoining properties greater than would occur if the buildings or structures were built without the modifications.
3. **Specific Finding for Screening Modification Requests**
   For screening modifications, in addition to the findings in Section 3.11.1.D.1, the PDSD Director shall make a finding that the modification does not lower the height of a required screening device to a point where it does not accomplish its purpose.

E. **Appeals**
   A party of record may appeal the PDSD Director’s decision on DDO applications. Appeals are considered by the Board of Adjustment in accordance with Sections 3.10.1 and 3.10.2, *Board of Adjustment Appeal Procedure*. Appeals must be filed within five days of the effective date of the decision. The complete appeals material must be filed within 30 days of the effective date of the decision. An appeal under this section shall be based upon an error in the Director’s decision finding compliance or noncompliance with the applicable findings. The Board of Adjustment shall apply the applicable findings as provided in Section 3.11.1D, *Findings for Approval*, when rendering its decision.

F. **Expiration of Approval**
   Any Design Development Option (DDO) approval granted by the Planning and Development Services Department (PDSD) Director shall be null and void if building permits are not issued implementing the DDO or compliance with conditions of approval does not occur within 180 days from the date of approval. One extension of up to 180 days may be granted by the PDSD Director for good cause.

(Am. Ord. 11070, 5/14/2013)

### § 3.12 MISCELLANEOUS PERMITS AND APPROVALS

#### 3.12.1 ARCHITECTURAL DOCUMENTATION PRIOR TO DEMOLITION OF HISTORIC BUILDINGS

A. **Applicability**
   These regulations apply when an application for a demolition permit involves the complete or partial demolition of a building that is partially or in its entirety 50 or more years old.

B. **Required Documentation**
   Applications for permits for the demolition of buildings that are partially or in their entirety 50 or more years old must include architectural documentation to provide a permanent record of buildings of historical significance before their loss. Demolition applications are available from PDSD.

   1. **Minor Documentation**
      Minor Documentation is required for demolition permit requests for all buildings that are partially or in their entirety 50 or more years old, but are not contributing properties within designated or pending National Register Historic Districts; are not individually listed on the National Register of Historic Places; and do not meet the eligibility criteria for the National Register of Historic Places. For buildings that otherwise meet the criteria for full documentation, only Minor Documentation is required if the demolition will be limited to an addition that is less than 50 years old.

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2. **Full Documentation**  
Full documentation is required for demolition permit requests for all buildings that are partially or in their entirety 50 or more years old and are:

a. Contributing properties within designated or pending National Register Historic Districts;

b. Individually listed on the National Register of Historic Places; or,

c. Meet the criteria for eligibility for the National Register of Historic Places.

3. **Additional Documentation**  
If the building to be completely or partially demolished is located in a Historic Preservation Zone (HPZ) or the Rio Nuevo District (RND) overlay zone, compliance with the applicable demolition review and approval requirements contained in Section 5.8.7 through Section 5.8.9 and Section 5.11.7 is required in addition to the provisions contained in this section.

C. **Review Required**  
The applicant shall submit minor or full architectural documentation to PDSD for review before issuance of a demolition permit.

D. **Application and Review Process**

1. Prior to the submittal of a demolition permit application, the applicant may meet with the PDSD. At that time, the PDSD shall determine whether the application requires Minor or Full Documentation.

2. At the time of submittal, the applicant shall submit two copies of the demolition permit application and all required architectural documentation to the PDSD. All new photos must be printed on photographic paper.

3. If Minor Documentation is required, the PDSD reviews and approves the applications for completeness in accordance with Section 3.2.3.A. The PDSD determines and informs the applicant that the Minor Documentation is complete, or of any additional documentation which is required.

4. If full documentation is required, the Historic Preservation Officer (HPO) reviews and approves the applications for completeness, and informs the applicant that full documentation is complete or informs the applicant of any additional documentation which is required.

5. If the PDSD or the HPO determine that the required architectural documentation is complete, then a demolition permit application may be processed. The applicant must demonstrate compliance with all provisions of the Tucson Code before a demolition permit will be issued.
E. **Minor Documentation Required**

Minor Documentation shall include:

1. Current photographs of the front, rear and sides of the building to be completely or partially demolished (printed on photographic paper); and,

2. Documentation from the County Assessor’s records, the State Historic Preservation Office, or other official government records confirming the year of construction and dates of additions to the building to be demolished. Some of this documentation of construction dates may be available at the PDSD.

F. **Full Documentation Required**

Full documentation shall include:

1. Floor plans with measured dimensions;

2. Photographs of the front, rear and sides of the building to be completely or partially demolished, and all interior rooms;
b. At the end of the Land Use Group section when an accessory use(s) is permitted with every permitted use within a particular Land Use Group; or,

c. As a dedicated line item in a particular Land Use Group or at the end of a Permitted Use Table when a use(s) is a permitted accessory use to permitted land uses in multiple Land Use Groups.

![Figure 4.8.2-1: Example of Hierarchy of Uses in the Permitted Use Tables](image_url)

### 4.8.3. PERMITTED USES: RURAL AND SUBURBAN RESIDENTIAL ZONES

#### TABLE 4.8-1: PERMITTED USES - RURAL AND SUBURBAN RESIDENTIAL ZONES

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>RH</th>
<th>SR</th>
<th>SH</th>
<th>RX-1</th>
<th>RX-2</th>
<th>USE SPECIFIC STANDARDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Civic Land Use Group With Land Use Class/Type:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land Use Class</td>
<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Educational</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Elementary &amp; Secondary</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Elementary &amp; Secondary, projects requesting exceptions to 4.9.3.D</td>
<td></td>
<td></td>
<td>S</td>
<td>[2]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>With Salvaging and Recycling as an accessory use</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Accessory Land Use</td>
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<td></td>
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</tr>
<tr>
<td>Land Use Group</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>P</td>
<td>SR, SH, RX-1, RX-2: 4.9.3.D</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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![Table 4.8-1](image_url)

**Table 4.8-1:** Permitted Uses - Rural and Suburban Residential Zones

- **P** = Permitted Use
- **S** = Permitted as Special Exception Use
- [1] Mayor and Council Special Exception Procedure, Section 3.xxx
- [2] Zoning Examiner Special Exception Procedure, Section 3.xxx
- [3] Planning and Development Services Special Exception Procedure, Section 3.xxx

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(2013 S-1)
## TABLE 4.8-1: PERMITTED USES - RURAL AND SUBURBAN RESIDENTIAL ZONES

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>RH</th>
<th>SR</th>
<th>SH</th>
<th>RX-1</th>
<th>RX-2</th>
<th>USE SPECIFIC STANDARDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>With Food &amp; Beverage Sales as an accessory use</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td>RH: 4.9.9.A.2.a, 3-8 and 4.9.13.I</td>
</tr>
<tr>
<td>General Farming</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
<td>4.9.2.B.1 and; RH: 4.9.2.A.1.a, 2.b, 3.b and 4.9.13.I</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>SR: 4.9.2.A.1.a, 2.b, 3.a</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>SH: 4.9.2.A.1.b, 2.b, 3.b</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>RX-1: 4.9.2.A.1.b, 2.a, 2.b, 3.a</td>
</tr>
<tr>
<td>Civic Land Use Group With Land Use Class/Type:</td>
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<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>SH: 4.9.3.A.2</td>
</tr>
<tr>
<td>Correctional:</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Supervision Facility</td>
<td>S [1]</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>SR: 4.9.3.B.1.b, 2.a, 3.a, 4.a, 8 &amp; 9</td>
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<tr>
<td>Custodial Facility</td>
<td>S [1]</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>SR: 4.9.3.B.1.c, 2.a, 3.a, 4.b, 8 &amp; 9</td>
</tr>
<tr>
<td>Supervision &amp; Custodial Facility</td>
<td>S [1]</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>SR: 4.9.3.B.1.d, 2.c, 3.b, 4.b, 7, 8, &amp; 9 and shall be located in separate and distinct facilities</td>
</tr>
<tr>
<td>Cultural:</td>
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<tr>
<td>Government owned and operation only</td>
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<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>RH: 4.9.13.I</td>
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<tr>
<td>Nature reserve only</td>
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<td></td>
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</tr>
<tr>
<td>Other than nature reserve or wildlife refuge</td>
<td>S [1]</td>
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<td></td>
<td></td>
<td></td>
<td>RH: 4.9.3.C.1 and 4.9.13.I</td>
</tr>
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<td>Educational:</td>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>With Salvaging and Recycling as an accessory use to both P &amp; S uses</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>RH, SR, SH, RX-1, RX-2: 4.9.5.G.1 &amp; 3</td>
</tr>
<tr>
<td>With Columbarium as an accessory use</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
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<tr>
<td>With Salvaging and Recycling as an accessory use</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>RH: 4.9.5.G.1 &amp; 3</td>
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<tr>
<td>Commercial Services Land Use Group With Land Use Class/Type:</td>
<td></td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>
## TABLE 4.8-1: PERMITTED USES - RURAL AND SUBURBAN RESIDENTIAL ZONES

P = Permitted Use  S = Permitted as Special Exception Use

[1] Mayor and Council Special Exception Procedure, Section 3.4.4
[2] Zoning Examiner Special Exception Procedure, Section 3.4.3
[3] PDSD Special Exception Procedure, Section 3.4.2

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>RH</th>
<th>SR</th>
<th>SH</th>
<th>RX-1</th>
<th>RX-2</th>
<th>USE SPECIFIC STANDARDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Land Use Group With Land Use Class/Type:</td>
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</tr>
<tr>
<td>Family Dwelling:</td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Home Occupation as an accessory use to any permitted Family Dwelling use</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>RH: 4.9.7.D</td>
</tr>
<tr>
<td>Flexible Lot Development</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>RH: 8.7.3</td>
</tr>
<tr>
<td>With Home Occupation as an accessory use</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td>RH, SH: 4.9.7.D</td>
</tr>
<tr>
<td>Residential Care Services, Adult Care or Physical Behavioral Health Services:</td>
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<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Retail Trade Land Use Group With Land Use Class/Type:</td>
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<tr>
<td>Storage Land Use Group With Land Use Class/Type:</td>
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<td></td>
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<td></td>
</tr>
<tr>
<td>Hazardous Material Storage as an accessory use to any permitted land use</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>RH: 4.9.10.B.1 &amp; .2.a and 4.9.13.I</td>
</tr>
</tbody>
</table>
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#### TABLE 4.8-1: PERMITTED USES - RURAL AND SUBURBAN RESIDENTIAL ZONES

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>RH</th>
<th>SR</th>
<th>SH</th>
<th>RX-1</th>
<th>RX-2</th>
<th>USE SPECIFIC STANDARDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Utilities Land Use Group With Land Use Class/Type:</td>
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<tr>
<td>Distribution System:</td>
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<td></td>
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</tr>
<tr>
<td>General</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Limited to Telephone, Telegraph, or Power Substations (Input Voltage &lt; 115 Kilovolts)</td>
<td>S [2]</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Limited to Water Pumping and Storage Facilities Serving Two or More Properties as Public, Private, or Community Utility</td>
<td>S [2]</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(P) Permitted Use  (S) Permitted as Special Exception Use

[1] Mayor and Council Special Exception Procedure, Section 3.4.4
[2] Zoning Examiner Special Exception Procedure, Section 3.4.3
[3] PDSD Special Exception Procedure, Section 3.4.2

(Am. Ord. 11070, 5/14/2013)

#### 4.8.4. PERMITTED USES: URBAN RESIDENTIAL ZONES

##### TABLE 4.8-2: PERMITTED USES - URBAN RESIDENTIAL ZONES

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>R-1</th>
<th>R-2</th>
<th>R-3</th>
<th>MH-1</th>
<th>MH-2</th>
<th>USE SPECIFIC STANDARDS</th>
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<tbody>
<tr>
<td>Agricultural Land Use Group With Land Use Class/Type:</td>
<td></td>
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</tr>
<tr>
<td>Crop Production</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>All zones: 4.9.2.B</td>
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<tr>
<td>Civic Land Use Group With Land Use Class/Type:</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cemetery</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
<td>R-2, R-3: 4.9.3.A.1</td>
</tr>
<tr>
<td>Civic Assembly (government owned and operated only)</td>
<td></td>
<td></td>
<td>P</td>
<td></td>
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</tr>
<tr>
<td>Cultural Use:</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Government owned and operated only</td>
<td>P</td>
<td>P</td>
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</table>

(2013 S-1)
TABLE 4.8-2: PERMITTED USES - URBAN RESIDENTIAL ZONES

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>R-1</th>
<th>R-2</th>
<th>R-3</th>
<th>MH-1</th>
<th>MH-2</th>
<th>USE SPECIFIC STANDARDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>With General Merchandise Sales as an accessory use to a P or S Cultural Use</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>R-1, R-2, R-3: 4.9.9.B.1 &amp; .2</td>
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</table>

**Educational Use:**

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>R-1</th>
<th>R-2</th>
<th>R-3</th>
<th>MH-1</th>
<th>MH-2</th>
<th>USE SPECIFIC STANDARDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>With Salvaging &amp; Recycling as an accessory use to both P &amp; S uses</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>R-1, R-2, R-3, MH-1, MH-2: 4.9.5.G.1 &amp; 3</td>
<td></td>
</tr>
</tbody>
</table>

**Postal Service (government owned and operated only):**

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>R-1</th>
<th>R-2</th>
<th>R-3</th>
<th>MH-1</th>
<th>MH-2</th>
<th>USE SPECIFIC STANDARDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

**Protective Service (government owned and operated only):**

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>R-1</th>
<th>R-2</th>
<th>R-3</th>
<th>MH-1</th>
<th>MH-2</th>
<th>USE SPECIFIC STANDARDS</th>
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</thead>
</table>

**Religious Use:**

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>R-1</th>
<th>R-2</th>
<th>R-3</th>
<th>MH-1</th>
<th>MH-2</th>
<th>USE SPECIFIC STANDARDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>R-1, R-2, R-3, MH-1, MH-2: 4.9.5.G.1 &amp; 3</td>
<td></td>
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</tbody>
</table>

**Commercial Services Land Use Group**

**Administrative and Professional Office (government owned and operated only):**

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>R-1</th>
<th>R-2</th>
<th>R-3</th>
<th>MH-1</th>
<th>MH-2</th>
<th>USE SPECIFIC STANDARDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
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</table>

**Communications:**

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>R-1</th>
<th>R-2</th>
<th>R-3</th>
<th>MH-1</th>
<th>MH-2</th>
<th>USE SPECIFIC STANDARDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wireless Communication</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>R-1, R-2, R-3, MH-1, MH-2: 4.9.4.I.2, .3, &amp; .4.a or .4.b</td>
</tr>
</tbody>
</table>

**Day Care:**

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>R-1</th>
<th>R-2</th>
<th>R-3</th>
<th>MH-1</th>
<th>MH-2</th>
<th>USE SPECIFIC STANDARDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult Care</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>R-1, R-2, MH-1: 4.9.4.B.1</td>
<td></td>
</tr>
<tr>
<td>R-3: 4.9.4.B.2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Child Care, maximum 30 children</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Child Care, maximum 100 children</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>R-3: 4.9.4.H.1-5, .6.c, 7.g, &amp; .8</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Child Care with extended hours (before 6:00 am or after 7:00 pm)</td>
<td>S [2]</td>
<td>S [2]</td>
<td>S [2]</td>
<td></td>
<td>R-1, R-2, R-3: 4.9.4.H.1-5, .6.c, 7.f, &amp; .8</td>
<td></td>
</tr>
<tr>
<td>R-3: 4.9.4.H.1-5, .6.c, 7.g, &amp; .8</td>
<td></td>
<td></td>
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</table>
### Table 4.8-2: Permitted Uses - Urban Residential Zones

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>R-1</th>
<th>R-2</th>
<th>R-3</th>
<th>MH-1</th>
<th>MH-2</th>
<th>USE SPECIFIC STANDARDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Medical Services, excluding blood donor center</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>R-2: 4.9.4.O.2 and 4.9.4.P.1, 2.a, 3, &amp; .4 R-3: 4.9.4.O.2 and 4.9.4.P.1, 2.a, 3, &amp; .4</td>
</tr>
<tr>
<td><strong>Recreation Land Use Group With Land Use Class/Type:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Residential Land Use Group With Land Use Class/Type:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Family Dwelling:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Manufactured Housing</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>R-1: For 1 unit, 4.9.7.B.5 - .9; for 2 units (min. 10,000 sf lot size required), 4.9.7.B R-2: 4.9.7.B.6, 9, &amp; .10 R-3: 4.9.7.B.6</td>
</tr>
<tr>
<td>Single-family, Detached</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>R-1: For 1 unit, 4.9.7.B.5 - .9; for 2 units (min. 10,000 sf lot size required), 4.9.7.B R-2: 4.9.7.B.6, 9, &amp; .10 R-3: 4.9.7.B.6</td>
</tr>
<tr>
<td>Home Occupation as an accessory use to any permitted Family Dwelling use</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>All: 4.9.7.D</td>
</tr>
<tr>
<td>Flexible Lot Development</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>All: 8.7.3</td>
</tr>
<tr>
<td>Group Dwelling</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>R-3: 4.9.7.B.6</td>
</tr>
<tr>
<td>Mobile Home Dwelling</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>MH-1, MH-2: 4.9.7.D</td>
</tr>
<tr>
<td>Mobile Home Park: The following accessory uses in Mobile Home Parks with 100 spaces or more:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>MH-2: For Day Care, Child use, 4.9.4.H.1-5:</td>
</tr>
<tr>
<td>• Day Care, Child;</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>• For Travelers’ Accommodation, Campsite, 4.9.4.2;</td>
</tr>
<tr>
<td>• Food and Beverage Sales (limited to a delicatessen or snack bar);</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>• For Food and Beverage Sales, General Merchandise Sales, and Personal Service, 4.9.7.13</td>
</tr>
<tr>
<td>• General Merchandise Sales;</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>• Vehicle Rental and Sales, 4.9.7.14</td>
</tr>
<tr>
<td>• Personal Service (limited to a coin-operated laundromat or pick-up station for dry cleaning);</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>• Travelers’ Accommodation; Campsite; and,</td>
</tr>
<tr>
<td>• Travelers’ Accommodation; Campsite; and,</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>• Vehicle Rental and Sales</td>
</tr>
</tbody>
</table>

[1] Mayor and Council Special Exception Procedure, Section 3.4.4
[2] Zoning Examiner Special Exception Procedure, Section 3.4.3
[3] PDSD Special Exception Procedure, Section 3.4.2
## TABLE 4.8-2: PERMITTED USES - URBAN RESIDENTIAL ZONES

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>R-1</th>
<th>R-2</th>
<th>R-3</th>
<th>MH-1</th>
<th>MH-2</th>
<th>USE SPECIFIC STANDARDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>With Travelers’ Accommodation, Campsite as an accessory use</td>
<td>P</td>
<td>P</td>
<td></td>
<td>P</td>
<td>MH-1, MH-2: 4.9.4.Z</td>
<td></td>
</tr>
<tr>
<td>Residential Care Services, Adult Care or Physical and Behavioral Health Services:</td>
<td></td>
<td></td>
<td></td>
<td>P</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maximum 10 Residents</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
<td>R-1, R-2: 4.9.7.1, 2.a, 3.a, 4, 4.9.7.2, 3.a, 4</td>
</tr>
<tr>
<td>Unlimited # Residents</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>R-2: 4.9.7.2.a, 3.d, 4, 7, 4.9.7.2.b, 3.d, 4, 8</td>
</tr>
<tr>
<td>Residential Care Services, Adult Rehabilitation Service or Shelter Care:</td>
<td></td>
<td></td>
<td></td>
<td>P</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maximum 15 Residents</td>
<td></td>
<td>S [2]</td>
<td></td>
<td></td>
<td></td>
<td>R-2: 4.9.7.1, 2.a, 3.b, 4, 9</td>
</tr>
<tr>
<td>Maximum 20 Residents</td>
<td></td>
<td>S [2]</td>
<td></td>
<td></td>
<td></td>
<td>R-3: 4.9.7.1, 2.b, 3.c, 4, 9</td>
</tr>
<tr>
<td>Residential Care Services, Child Rehabilitation Service (maximum 10 Residents)</td>
<td></td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td>R-2, R-3: 4.9.7.1, 2.b, 3.a, 4</td>
</tr>
<tr>
<td>Residential Care Services, Shelter Care for Victims of Domestic Violence</td>
<td></td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td>R-2: 4.9.7.1, 2.a, 3.a, 4 &amp; 9, 4.9.7.1, 2.b, 3.c, 4 &amp; 9</td>
</tr>
<tr>
<td>Storage Land Use Group With Land Use Class/Type:</td>
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</tr>
<tr>
<td>Hazardous Material Storage as an accessory use to any permitted land use</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>R-1, R-2, R-3, MH-1, MH-2: 4.9.10.8.1 &amp; 2.a</td>
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<tr>
<td>Utilities Land Use Group With Land Use Class/Type:</td>
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(Am. Ord. 11070, 5/14/2013)

### 4.8.5. PERMITTED USES: OFFICE ZONES

## TABLE 4.8-3: PERMITTED USES - OFFICE ZONES

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>O-1</th>
<th>O-2</th>
<th>O-3</th>
<th>USE SPECIFIC STANDARDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Civic Land Use Group With Land Use Class/Type:</td>
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</tbody>
</table>

(2013 S-1)
### TABLE 4.8-3: PERMITTED USES - OFFICE ZONES

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>O-1</th>
<th>O-2</th>
<th>O-3</th>
<th>USE SPECIFIC STANDARDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Civic Assembly</td>
<td></td>
<td></td>
<td></td>
<td>P: 4.9.13.J</td>
</tr>
<tr>
<td>Cultural Use</td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Government owned and operated</td>
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<td></td>
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</tr>
<tr>
<td>Privately owned and operated</td>
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<td></td>
</tr>
<tr>
<td>With Food Service as an accessory use</td>
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<td></td>
</tr>
<tr>
<td>With Alcoholic Beverage Service as an accessory use</td>
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</tr>
<tr>
<td>With Entertainment as an accessory use</td>
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</tr>
<tr>
<td>With General Merchandise Sales as an accessory use</td>
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<tr>
<td>Educational Use</td>
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<tr>
<td>Elementary and Secondary</td>
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<td>Elementary and Secondary</td>
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</tr>
<tr>
<td>Postsecondary Institution</td>
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</tr>
<tr>
<td>With Salvaging &amp; Recycling as an accessory use to any P or S Educational Use</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Postal Service (government owned and operated only)</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Protective Service (government owned and operated only)</td>
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</tr>
<tr>
<td>Religious Use</td>
<td></td>
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</tr>
<tr>
<td>With Columbarium as an accessory use</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>With Salvaging &amp; Recycling as an accessory use</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commercial Services Land Use Group With Land Use Class/Type:</td>
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</tr>
<tr>
<td>Administrative and Professional Office</td>
<td></td>
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</tr>
<tr>
<td>Communications</td>
<td></td>
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</tr>
<tr>
<td>Wireless Communication</td>
<td></td>
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</tbody>
</table>
### TABLE 4.8-3: PERMITTED USES - OFFICE ZONES

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>O-1</th>
<th>O-2</th>
<th>O-3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wireless Communication, limited to wireless communication towers and antennas</td>
<td>S [see use specific standard]</td>
<td>S [see use specific standard]</td>
<td>S [see use specific standard]</td>
</tr>
<tr>
<td>Day Care:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Child:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maximum 100 children</td>
<td>P</td>
<td></td>
<td>O-3: 4.9.4.H.1, 5, 6.b &amp; 7.g and 4.9.13.K</td>
</tr>
<tr>
<td>Child:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>With extended hours (before 6:00 am or after 7:00 pm)</td>
<td></td>
<td>S [2]</td>
<td>O-2: 4.9.4.H.1, 2, &amp; .9 and 4.9.13.J</td>
</tr>
<tr>
<td>Medical Service:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Major</td>
<td>P</td>
<td>P</td>
<td>O-3: 4.9.13.K.1</td>
</tr>
<tr>
<td>Food Service; General Merchandise Sales; or Personal Service as an accessory use to a Medical Service, Major use</td>
<td>P</td>
<td>P</td>
<td>O-2: 4.9.4.P.1, 4.9.4.Q, and 4.9.13.K</td>
</tr>
<tr>
<td>Outpatient (excluding blood donor centers)</td>
<td>P</td>
<td>P</td>
<td>O-1: 4.9.4.O.1, 4.9.4.P.1, 4.9.4.R, and 4.9.13.K</td>
</tr>
<tr>
<td>Additional Permitted Accessory Uses</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hazardous Material Storage is permitted as an accessory use to any permitted principal land use in any Land Use Group</td>
<td>P</td>
<td></td>
<td>O-3: 4.9.10.B.1 &amp; .2.a</td>
</tr>
<tr>
<td>Recreation Land Use Group With Land Use Class/Type:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Residential Land Use Group With Land Use Class/Type:</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Family Dwelling:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Duplex</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Manufactured Housing</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>LAND USE</td>
<td>O-1</td>
<td>O-2</td>
<td>O-3</td>
</tr>
<tr>
<td>----------------------------------------------</td>
<td>-----</td>
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<tr>
<td>Multifamily Development</td>
<td>P</td>
<td>P</td>
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<tr>
<td>Single-family, Detached</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Any Family Dwelling with a Home Occupation as an accessory use</td>
<td>P</td>
<td>P</td>
<td>P</td>
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<tr>
<td>Flexible Lot Development</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Residential Care Services, Adult Care or Physical and Behavioral Health Services:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Residential Care Services, Adult Rehabilitation Service or Shelter Care:</td>
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<tr>
<td>Storage Land Use Group With Land Use Class/Type:</td>
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<tr>
<td>Hazardous Material Storage as an accessory use to any Permitted Land Use</td>
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<tr>
<td>Utilities Land Use Group With Land Use Class/Type:</td>
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(Am. Ord. 11070, 5/14/2013)
### 4.8.6. PERMITTED USES: COMMERCIAL AND MIXED USE ZONES

**TABLE 4.8-4: PERMITTED USES - COMMERCIAL AND MIXED USE ZONES**

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>C-1</th>
<th>C-2</th>
<th>C-3</th>
<th>OCR-1</th>
<th>OCR-2</th>
<th>USE SPECIFIC STANDARDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cemetery</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>C-1: 4.9.3.A.1 &amp; .5 and 4.9.13.O</td>
</tr>
<tr>
<td>Civic Assembly</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Correctional Use:</td>
<td></td>
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<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Supervision Facility</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>C-2 &amp; C-3: 4.9.3.B.1.a, 2.b, 3.b, 4.d, 6 &amp; 8 OCR-1, OCR-2: 4.9.3.B.1.a, 2.b, 3.b, 6 &amp; 8</td>
<td></td>
</tr>
<tr>
<td>Cultural Use (government owned and operated only)</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
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<tr>
<td>Educational Use:</td>
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<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>With Salvaging and Recycling as an accessory use to both P and S Educational Uses</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>C-1, C-2, C-3, OCR-1, OCR-2: 4.9.5.G.1 &amp; .3</td>
</tr>
<tr>
<td>Postal Service (government owned and operated only)</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Protective Service (government owned and operated only)</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
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<tr>
<td>Religious Use:</td>
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<td></td>
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<td></td>
<td></td>
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<tr>
<td>With Columbarium as an accessory use</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>C-1: 4.9.13.O</td>
</tr>
<tr>
<td>With Salvaging and Recycling as an accessory use</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>C-1, C-2, C-3, OCR-1, OCR-2: 4.9.5.G.1 &amp; .3</td>
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<tr>
<td>Commercial Services Land Use Group With Land Use Class/Type:</td>
<td></td>
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<td></td>
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</tr>
</tbody>
</table>
TABLE 4.8-4: PERMITTED USES - COMMERCIAL AND MIXED USE ZONES

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>C-1</th>
<th>C-2</th>
<th>C-3</th>
<th>OCR-1</th>
<th>OCR-2</th>
<th>USE SPECIFIC STANDARDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alcoholic Beverage Service:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>With a Microbrewery as an access use to any P or S Alcoholic Beverage Service Use</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
<td>C-2, C-3, OCR-1: 4.9.5.E.6, 7, 8</td>
</tr>
<tr>
<td>Animal Service</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td>C-1: 4.9.4.D.1, 2, 3, &amp; 4 and 4.9.13.O</td>
</tr>
<tr>
<td>Artisan Residence</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td>C-1: 4.9.4.E.1, 2, 3, 4, &amp; 5 and 4.9.13.O</td>
</tr>
<tr>
<td>Automotive:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Major Service and Repair</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>C-2: 4.9.13.E</td>
</tr>
<tr>
<td>Buildings and Ground Maintenance</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Communications:</td>
<td></td>
<td></td>
<td></td>
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<td></td>
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</tr>
<tr>
<td>Wireless Communication</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
<td>C-1: 4.9.13.O and 4.9.4.I.2, 3, &amp; .4 or .4.b</td>
</tr>
<tr>
<td>Wireless Communication, limited to communication towers and antennas</td>
<td>S [see use specific standards]</td>
<td>S [see use specific standards]</td>
<td>S [see use specific standards]</td>
<td>S [see use specific standards]</td>
<td>C-1: 4.9.13.O and one of the following groups: 4.9.4.I.1 &amp; 4.9.13.E or 4.9.4.I.1.3 &amp; .4.a or .4.b</td>
<td></td>
</tr>
<tr>
<td>Construction Service</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
<td>C-2: 4.9.13.P</td>
</tr>
</tbody>
</table>
TABLE 4.8-4: PERMITTED USES - COMMERCIAL AND MIXED USE ZONES

P = Permitted Use     S = Permitted as Special Exception Use

[1] Mayor and Council Special Exception Procedure, Section 3.4.4
[2] Zoning Examiner Special Exception Procedure, Section 3.4.3
[3] PDSD Special Exception Procedure, Section 3.4.2

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>C-1</th>
<th>C-2</th>
<th>C-3</th>
<th>OCR-1</th>
<th>OCR-2</th>
<th>USE SPECIFIC STANDARDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Day Care</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>C-1: 4.9.13.O</td>
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<tr>
<td>Entertainment</td>
<td></td>
<td></td>
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</tbody>
</table>
|                                       |     |     |     |       |       | C-3: 4.9.4.C2
|                                       |     |     |     |       |       | OCR-1, OCR-2: 4.9.4.C2 |
| Financial Service:                    |     |     |     |       |       |                         |
| Excluding non-chartered institutions  | P   | P   | P   | P     | P     | C-3: 4.9.4.L3
|                                       |     |     |     |       |       | C-1: 4.9.4.L1 & .3 and 4.9.13.O
|                                       |     |     |     |       |       | C-3: 4.9.4.L4 |
| Food Service:                         |     |     |     |       |       |                         |
| With Alcoholic Beverage Service as an accessory use to a Food Service use | P |     |     |       |       | C-1: 4.9.4.V1, 3, & 5-9, 4.9.4.C3, and 4.9.13.O
| With a Microbrewery as an accessory use to a Food Service | S [2] |     |     |       |       | C-1: 4.9.4.M1 & 4.9.5.E6,7,8 |
| Funeral Service                       |     | P   | P   |       |       | C-2: 4.9.13.P           |
| Medical Service:                      |     |     |     |       |       |                         |
| Major                                 | P   | P   | P   | P     | P     | C-1: 4.9.13.O
|                                       |     |     |     |       |       | C-2: 4.9.4.O2 and 4.9.13.P
|                                       |     |     |     |       |       | C-3: 4.9.4.O2 |
|                                       |     |     |     |       |       | C-2: 4.9.4.O3 and 4.9.13.P
|                                       |     |     |     |       |       | C-3, OCR-1, OCR-2: 4.9.4.O3 |
| Personal Service                      | P   | P   | P   | P     | P     | C-1: 4.9.4.11 and 4.9.13.O
| Research and Product Development      | P   | P   | P   |       |       | C-1: 4.9.13.O           |
|                                       |     |     |     |       |       | C-2: 4.9.4.W2 and 4.9.13.P
|                                       |     |     |     |       |       | C-3: 4.9.4.W2 |
### TABLE 4.8-4: PERMITTED USES - COMMERCIAL AND MIXED USE ZONES

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>C-1</th>
<th>C-2</th>
<th>C-3</th>
<th>OCR-1</th>
<th>OCR-2</th>
<th>USE SPECIFIC STANDARDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Trade Service and Repair:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Major (Includes automotive bodywork &amp; paint booths)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minor</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>C-3: 4.9.4.K.1</td>
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<td></td>
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<tr>
<td>With Alcoholic Beverage Service as an accessory use</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>With Alcoholic Beverage Service as an accessory use</td>
<td>S [2]</td>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

### Additional Permitted Accessory Uses

- The following uses are permitted accessory uses to any permitted Commercial Services uses:
  - General Manufacturing;
  - Heavy Equipment Manufacturing;
  - Perishable Goods Manufacturing (limited to baked goods and confectionary products);
  - Precision Manufacturing; or
  - Primary Manufacturing

- The following are permitted accessory uses to any permitted Commercial Services use:
  - General Manufacturing;
  - Heavy Equipment Manufacturing; or,
  - Perishable Goods Manufacturing (limited to baked goods and confectionary products manufacturing only)

- Perishable Goods Manufacturing as an accessory use to any permitted Commercial Services use

- Salvaging and Recycling as an accessory use to any permitted Commercial Services use

### Industrial Land Use Group With Land Use Class/Type:

- Craftwork

- Processing and Cleaning

- Salvaging and Recycling

- Household Goods Donation Center Only

---

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

[1] Mayor and Council Special Exception Procedure, Section 3.4.4

[2] Zoning Examiner Special Exception Procedure, Section 3.4.3

[3] PDS Special Exception Procedure, Section 3.4.2
<table>
<thead>
<tr>
<th>LAND USE</th>
<th>C-1</th>
<th>C-2</th>
<th>C-3</th>
<th>OCR-1</th>
<th>OCR-2</th>
<th>USE SPECIFIC STANDARDS</th>
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<td><strong>Additional Permitted Accessory Uses</strong></td>
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<tr>
<td>Hazardous Material Storage is permitted as an accessory use to any</td>
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<td>OCR-1, OCR-2: 4.9.10.B.1 &amp; 2.c</td>
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<td>permitted principal land use in any Land Use Group</td>
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<td><strong>Recreation Land Use Group With Land Use Class/Type:</strong></td>
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<tr>
<td>Golf Course</td>
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<td>P</td>
<td>P</td>
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<tr>
<td>Parks and Recreation</td>
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<td>P</td>
<td>P</td>
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<tr>
<td><strong>Residential Land Use Group With Land Use Class/Type:</strong></td>
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<td>Family Dwelling:</td>
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<td>Duplex</td>
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<td>P</td>
<td>P</td>
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<td>P</td>
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<tr>
<td>Manufactured Housing</td>
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<td>Multifamily Development</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
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<td>Single-family, Detached</td>
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<td>P</td>
<td>P</td>
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<td>P</td>
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<tr>
<td>with Home Occupation as an accessory use to any permitted Family</td>
<td>P</td>
<td>P</td>
<td>P</td>
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<td>C-1, C-2, C-3, OCR-1, OCR-2: 4.9.7.D</td>
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<td>Dwelling</td>
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<tr>
<td>with General Farming as an accessory use to any permitted Family</td>
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<td>P</td>
<td>P</td>
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<td>P</td>
<td>C-2, C-3: 4.9.2.A.1.a, &amp; .3.a and 4.9.2.B.1</td>
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<tr>
<td>Dwelling use</td>
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<td>Flexible Lot Development</td>
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<td>P</td>
<td>P</td>
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<td>C-1, C-2, C-3: 8.7.3</td>
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<td>Group Dwelling</td>
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<tr>
<td>Residential Care Services, Adult Care or Physical and Behavioral Health</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>C-1: 4.9.7.1.d, .4, &amp; .8 and 4.9.13.0</td>
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<tr>
<td>Services: Unlimited # of Residents</td>
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<td></td>
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<td>C-2: 4.9.7.1.d, .4, &amp; .8</td>
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<tr>
<td>Residential Care Services, Adult Rehabilitation or Shelter Care:</td>
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<td></td>
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<td></td>
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<tr>
<td>Unlimited # Residents</td>
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<td>P</td>
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<td></td>
<td>C-1: 4.9.7.1, 3.d, .4, .6, &amp; .8 and 4.9.13.0</td>
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<tr>
<td>Residential Care Services, Adult Rehabilitation or Shelter Care:</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>C-2, C-3: 4.9.7.1, 3.d, .4, .6, &amp; .8</td>
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<tr>
<td>Residential Care Services, Rehabilitation Service - Children’s Facility</td>
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<td></td>
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<td></td>
<td>OCR-1, OCR-2(S): 4.9.7.1, 3.d, .4, .6, &amp; .8</td>
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<tr>
<td>Residential Care Services, Rehabilitation Service - Children’s Facility</td>
<td>P</td>
<td>P</td>
<td>P</td>
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<td>P</td>
<td>C-1: 4.9.7.1, 3.a, &amp; .4 and 4.9.13.0</td>
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<td>(maximum 10 residents)</td>
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<td>C-2, C-3, OCR-1, OCR-2: 4.9.7.1, 3.a, &amp; .4</td>
</tr>
<tr>
<td>Residential Care Services, Shelter Care for Victims of Domestic</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>C-1: 4.9.7.1, 3.c, &amp; .4 and 4.9.13.0</td>
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<tr>
<td>Violence</td>
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<td></td>
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<td></td>
<td></td>
<td>C-2, C-3, OCR-1, OCR-2: 4.9.7.1, 3.c, &amp; .4</td>
</tr>
</tbody>
</table>

(2013 S-1 Repl.)
### TABLE 4.8-4: PERMITTED USES - COMMERCIAL AND MIXED USE ZONES

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

[1] Mayor and Council Special Exception Procedure, Section 3.4.4
[2] Zoning Examiner Special Exception Procedure, Section 3.4.3
[3] PDSD Special Exception Procedure, Section 3.4.2

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<tr>
<th>LAND USE</th>
<th>C-1</th>
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<th>C-3</th>
<th>OCR-1</th>
<th>OCR-2</th>
<th>USE SPECIFIC STANDARDS</th>
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</thead>
<tbody>
<tr>
<td><strong>Restricted Adult Activities Use Group With Land Use Class/Type:</strong></td>
<td></td>
<td></td>
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<td></td>
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</tr>
<tr>
<td>Adult Commercial Services, Recreation, or Retail Trade</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>C-2: 4.9.13.P C-3: OCR-1, OCR-2: 4.9.8</td>
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<tr>
<td><strong>Retail Trade Use Group With Land Use Class/Type:</strong></td>
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<tr>
<td>Construction Material Sales</td>
<td>P</td>
<td>P</td>
<td></td>
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<td></td>
<td></td>
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<tr>
<td><strong>Food and Beverage Sales:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Excluding Large Retail Establishment</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>C-1: 4.9.13.O</td>
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<td>With Automotive Minor Service and Repair as an accessory use to automotive fuel sales</td>
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<td>Designated Caregiver Cultivation Location</td>
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<td>Dispensary Off-site Cultivation Location</td>
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<td>Qualifying Patient Cultivation Location</td>
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<td>C-2, C-3, OCR-1, OCR-2: 4.9.9.G.1 &amp; 2</td>
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**Additional Permitted Accessory Uses**

The following are permitted as an accessory use to any permitted Retail Trade Uses:
- General Manufacturing;
- Heavy Equipment Manufacturing;
- Perishable Good Manufacturing (limited to baked goods and confectionery products);
- Precision Manufacturing;
- Primary Manufacturing

P | P | P | C-2, C-3, OCR-1: 4.9.9.C.9

(2013 S-1 Repl.)
<table>
<thead>
<tr>
<th>LAND USE USE SPECIFIC STANDARDS</th>
<th>USE</th>
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<th>C-3</th>
<th>OCR-1</th>
<th>OCR-2</th>
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<tr>
<td>• Heavy Equipment Manufacturing; or,</td>
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<td>• Perishable Goods Manufacturing (limited to baked goods and confectionary products manufacturing only)</td>
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<td>Perishable Goods Manufacturing as an accessory to any permitted Retail Trade Uses</td>
<td>C-1: 4.9.5.E.4, .5, &amp; .8</td>
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<td>Salvaging and Recycling as an accessory use to any permitted Retail Trade uses</td>
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<td>Commercial Storage</td>
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<td>P</td>
<td>P</td>
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<td>Additional Permitted Accessory Use</td>
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<td>Hazardous Material Storage is permitted as an accessory use to any permitted land use</td>
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<td>C-2, C-3, OCR-1, OCR-2: 4.9.11.A.1, .5, &amp; .9</td>
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<td>OCR-1, OCR-2: 4.9.11.B</td>
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<td>Construction/Heavy Equipment Wholesaling</td>
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<td>Food and Beverage Wholesaling</td>
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<td>C-2</td>
<td>C-3</td>
<td>OCR-1</td>
<td>OCR-2</td>
<td>USE SPECIFIC STANDARDS</td>
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<tr>
<td>• Heavy Equipment Manufacturing;</td>
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<tr>
<td>• Perishable Goods Manufacturing (limited to baked goods and confectionary products);</td>
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<td>• Precision Manufacturing; or,</td>
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<tr>
<td>• Primary Manufacturing.</td>
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<tr>
<td>• Heavy Equipment Manufacturing; or,</td>
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<tr>
<td>• Perishable Goods Manufacturing (limited to baked goods and confectionary products manufacturing only)</td>
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<td>All Commercial Services in the C-1 Zone may provide one drive-through service lane unless otherwise provided.</td>
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(Am. Ord. 11070, 5/14/2013)

### 4.8.7. PERMITTED USES: INDUSTRIAL ZONES

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<thead>
<tr>
<th>LAND USE</th>
<th>P-I</th>
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<th>I-2</th>
<th>USE SPECIFIC STANDARDS</th>
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<td>Agricultural Land Use Group With Land Use Class/Type:</td>
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<td>Civic Land Use Group With Land Use Class/Type:</td>
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<td>Civic Assembly</td>
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<td>I-1: 4.9.13.Q</td>
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<td>Correctional Use:</td>
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<tr>
<td>Custodial Facility</td>
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<td>S [1]</td>
<td>I-1: 4.9.3.8.1.a, .2.b, .3.b, .6, .7 &amp; .8 and 4.9.13.Q</td>
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<td>Jail or Prison</td>
<td>S [1]</td>
<td>S [1]</td>
<td>I-1, I-2: 4.9.3.8.1.e, .2.d, .3.c, .4.c, .5.a, .6, .7 &amp; .8, and 4.9.13.Q</td>
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<td>Jail or Prison</td>
<td>S [1]</td>
<td>I-2: 4.9.3.8.4.b, .5, .6, .7, .8 &amp; .10 and 4.9.13.Q</td>
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(2013 S-1)
### TABLE 4.8-5: PERMITTED USES - INDUSTRIAL ZONES*

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

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>P-I</th>
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<td>Educational Use:</td>
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<td>Instructional or Postsecondary Institution</td>
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<td>With Salvaging and Recycling as an accessory use to a Religious Use</td>
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<td>Excluding Large Bar</td>
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<td>Automotive Minor or Major Service and Repair, excluding bodywork or paint-booths</td>
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<td>Food Service:</td>
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<td>Excluding Soup Kitchen</td>
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<td>P-6: 4.9.13.Q and drive-through or drive-in services are permitted as an outdoor activity</td>
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<td>Funeral Service</td>
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<td>Excluding blood donor centers</td>
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<td>P-6: 4.9.5.C.5, 6, 6.8, &amp; 4.9.13.Q</td>
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<td>Minor</td>
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### TABLE 4.8-5: PERMITTED USES - INDUSTRIAL ZONES*

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

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>P-I</th>
<th>I-1</th>
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<th>USE SPECIFIC STANDARDS</th>
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<td><strong>Additional Permitted Accessory Uses</strong></td>
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<td>Salvaging and Recycling</td>
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I-1: 4.9.5.C.2, 4.5.6 & .8 and 4.9.13.Q  
I-2: 4.9.5.C and 4.9.13.Q  
I-3: 4.9.5.C and 4.9.13.Q |
| General Manufacturing                         | P   | P   | P   | P-I: 4.9.5.C.2, 4.5.6 & .8 and 4.9.13.Q  
I-1: 4.9.5.C.2, 4.5.6 & .8 and 4.9.13.Q  
I-2: 4.9.5.C and 4.9.13.Q  
I-3: 4.9.5.C and 4.9.13.Q |
| **Manufacturing:**                            |     |     |     |                         |
| Heavy Equipment                               | P   |     |     | I-2: 4.9.5.C.1-8 and 4.9.13.Q |
| Motion Picture Industry                       | P   | P   | P   | P-I: 4.9.5.C.1-2, 4.5.6 & .8, 4.9.5.D.1 and 4.9.13.Q  
I-1: 4.9.5.C.1-2, 5.6, 4.9.5.D.1 and 4.9.13.Q  
I-2: 4.9.5.C.1-8 and 4.9.13.Q  
I-3: 4.9.5.C.1-8 and 4.9.13.Q |
| Perishable Goods Manufacturing                | P   | P   | P   | I-1 (P): 4.9.5.C.2, 4.5.6 & .8, 4.9.5.E.1 & .2 and 4.9.13.Q  
I-3 (P): 4.9.5.C and 4.9.13.Q |
| Precision Manufacturing                       | P   | P   | P   | P-I: 4.9.5.C.2, 4.5.6 & .8 and 4.9.13.Q  
I-1: 4.9.5.C.2-5, 4.5.6, 4.9.5.C.7, 4.9.5.D.1 and 4.9.13.Q  
I-2: 4.9.5.C.1-8 and 4.9.13.Q  
I-3: 4.9.5.C and 4.9.13.Q |
| Processing and Cleaning                       | P   | P   | P   | P-I: 4.9.5.C.2, 4.5.6 & .8 and 4.9.13.Q  
I-1: 4.9.5.C.2, 4.5.6, 4.9.5.C.7, 4.9.5.D.1 and 4.9.13.Q  
I-2: 4.9.5.C.1-8 and 4.9.13.Q  
I-3: 4.9.5.C and 4.9.13.Q |
| Salvaging and Recycling                       | P   | P   | P   | P-I: 4.9.5.C.2, 4.9.5.G.2-4, 4.5.6 & .8 and 4.9.13.Q  
I-1: 4.9.5.G.2 & .4 and 4.9.13.Q  
I-2 (S): 4.9.5.C.1-8 and 4.9.13.Q |

---

[1] Mayor and Council Special Exception Procedure, Section 3.4.4  
[2] Zoning Examiner Special Exception Procedure, Section 3.4.3  
[3] PDSD Special Exception Procedure, Section 3.4.2
### TABLE 4.8-5: PERMITTED USES - INDUSTRIAL ZONES*

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>P-I</th>
<th>I-1</th>
<th>I-2</th>
<th>USE SPECIFIC STANDARDS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Additional Permitted Accessory Uses</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>The following uses are permitted as an accessory use to any permitted use in the Industrial Use Group:</td>
<td>P</td>
<td></td>
<td></td>
<td>P-I: 4.9.5.C.8 &amp; .10</td>
</tr>
<tr>
<td>• Construction Material Sales;</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Food and Beverage Sales;</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• General Merchandise Sales; or</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Heavy Equipment Sales</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salvaging and Recycling is a permitted accessory use to any permitted Industrial Service Use</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P-I, I-1, I-2: 4.9.5.G.1 &amp; .3</td>
</tr>
<tr>
<td><strong>Recreation Land Use Group With Land Use Class/Type:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Golf Course</td>
<td>P</td>
<td></td>
<td>I-1: 4.9.13.Q</td>
<td></td>
</tr>
<tr>
<td><strong>Residential Land Use Group With Land Use Class/Type:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Family Dwelling or Mobile Home as an accessory use to a permitted use in any Land Use Group</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P-I, I-1, I-2: 4.9.7.C</td>
</tr>
<tr>
<td><strong>Residential Care Services:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rehabilitation Service or Shelter Care (unlimited # residents)</td>
<td>P</td>
<td>P</td>
<td></td>
<td>P-I: 4.9.7.I.1, 3.d, .4,.5, &amp; .6 and 4.9.13.Q</td>
</tr>
<tr>
<td>Rehabilitation Service or Shelter Care (unlimited # residents)</td>
<td></td>
<td>S[2]</td>
<td></td>
<td>I-1: 4.9.7.I.1, 3.d, .4,.5, &amp; .6 &amp; .11 and 4.9.13.Q</td>
</tr>
<tr>
<td>Shelter Care, Victims of Domestic Violence</td>
<td>P</td>
<td>P</td>
<td></td>
<td>P-I: 4.9.7.I.1, 3.c, &amp; .4 and 4.9.13.Q</td>
</tr>
<tr>
<td><strong>Restricted Adult Activities Land Use Class With Land Use Type:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Retail Trade Land Use Group With Land Use Class/Type:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Food and Beverage Sales:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Excluding Large Retail Establishments</td>
<td>P</td>
<td></td>
<td>I-1, I-2: 4.9.13.Q</td>
<td></td>
</tr>
<tr>
<td>Food and Beverage Sales as an accessory use to a permitted use in any Land Use Group</td>
<td>P</td>
<td></td>
<td>I-2: 4.9.5</td>
<td></td>
</tr>
<tr>
<td>General Merchandise Sales:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Excluding Large Retail Establishments</td>
<td>P</td>
<td>P</td>
<td></td>
<td>I-1, I-2: 4.9.13.Q</td>
</tr>
</tbody>
</table>

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

[1] Mayor and Council Special Exception Procedure, Section 3.4.4
[2] Zoning Examiner Special Exception Procedure, Section 3.4.3
[3] PDSO Special Exception Procedure, Section 3.4.2
### Table 4.8-5: Permitted Uses - Industrial Zones*

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

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>P-I</th>
<th>I-1</th>
<th>I-2</th>
<th>USE SPECIFIC STANDARDS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Medical Marijuana Cultivation Location:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Designated Caregiver Cultivation Location</td>
<td>P</td>
<td>P</td>
<td></td>
<td>1-1, I-2: 4.9.9.E.2 &amp; .3 and 4.9.13.Q</td>
</tr>
<tr>
<td>Dispensary Off-Site Cultivation Location</td>
<td>P</td>
<td>P</td>
<td></td>
<td>1-1, I-2: 4.9.9.E.2 and 4.9.13.Q</td>
</tr>
<tr>
<td><strong>Auctions only</strong></td>
<td></td>
<td></td>
<td></td>
<td>I-1: 4.9.9.F and 4.9.13.Q</td>
</tr>
<tr>
<td><strong>Vehicle Rental and Sales</strong></td>
<td></td>
<td></td>
<td></td>
<td>P-1: 4.9.9.G.1 and 4.9.13.Q</td>
</tr>
<tr>
<td><strong>Additional Permitted Accessory Uses</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salvaging and Recycling is permitted as an accessory use to any permitted use in the Retail Trade Use Group</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P-1, I-1, I-2: 4.9.5.G.1 &amp; .3</td>
</tr>
<tr>
<td><strong>Storage Land Use Group With Land Use Class/Type:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commercial Storage</td>
<td>P</td>
<td>P</td>
<td></td>
<td>P-1: 4.9.10.A, 4.9.9.C.8, and 4.9.13.Q</td>
</tr>
<tr>
<td><strong>Additional Permitted Accessory Uses</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>The following uses are permitted as an accessory use to any permitted use in the Storage Use Group:</td>
<td>P</td>
<td></td>
<td></td>
<td>P-1: 4.9.5.C.8 &amp; .10</td>
</tr>
<tr>
<td>Construction Material Sales;</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Food and Beverage Sales;</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Heavy Equipment Sales; or;</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>General Merchandise Sales</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Hazardous Material Storage is permitted as an accessory use to all permitted land use in every Land Use Group</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P-1: 4.9.10.B.1 &amp; 2.a</td>
</tr>
<tr>
<td><strong>Utilities Land Use Group With Land Use Class/Type:</strong></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Distribution System</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P-1: 4.9.9.A.1, .2, .4 and 4.9.13.Q</td>
</tr>
<tr>
<td><strong>Wholesaling Land Use Group With Land Use Class/Type:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Construction/Heavy Equipment Wholesaling</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P-1: 4.9.5.C.8 and 4.9.13.Q</td>
</tr>
<tr>
<td>Food and Beverage Wholesaling</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P-1: 4.9.5.C.8 and 4.9.13.Q</td>
</tr>
</tbody>
</table>
### TABLE 4.8-5: PERMITTED USES - INDUSTRIAL ZONES*

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>P-I</th>
<th>I-1</th>
<th>I-2</th>
<th>USE SPECIFIC STANDARDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Additional Permitted Accessory Uses</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>The following uses are permitted as an accessory use to any permitted use in the Wholesaling Use Group:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Construction Material Sales;</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Food and Beverage Sales;</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Heavy Equipment Sales;</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• General Merchandise Sales</td>
<td>P</td>
<td></td>
<td>P-1: 4.9.5.C.8 &amp; .10</td>
<td></td>
</tr>
</tbody>
</table>

(Am. Ord. 11070, 5/14/2013)

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

### TABLE 4.8-6: PERMITTED USES - SPECIAL USE ZONES (1): OS, IR, P, & RV ZONES

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>OS</th>
<th>IR</th>
<th>P</th>
<th>RV</th>
<th>USE SPECIFIC STANDARDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agricultural Land Use Group With Land Use Class/Type:</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Animal Production:</td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Excluding a Stockyard</td>
<td>P</td>
<td></td>
<td></td>
<td>IR: 4.9.2.A.1.a, .2.b, .3.b, &amp; .3.c and 4.9.13.H</td>
<td></td>
</tr>
<tr>
<td>Stable or Riding School</td>
<td>P</td>
<td></td>
<td></td>
<td>IR: 4.9.2.A.2.b, &amp; .4 and 4.9.13.H</td>
<td></td>
</tr>
<tr>
<td>Crop Production</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>With Food and Beverage Sales as an accessory use</td>
<td>P</td>
<td></td>
<td></td>
<td>IR: 4.9.2.B and 4.9.13.H</td>
<td></td>
</tr>
<tr>
<td>General Farming</td>
<td>P</td>
<td></td>
<td></td>
<td>IR: 4.9.2.A.1.a, 2.b, 3.b, &amp; .3.c, 4.9.2.B, and 4.9.13.H</td>
<td></td>
</tr>
<tr>
<td>Stockyard Operation:</td>
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<td></td>
<td></td>
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<tr>
<td>Civic Land Use Group With Land Use Class/Type:</td>
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<tr>
<td>Cultural Use:</td>
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<tr>
<td>Educational Use, Elementary and Secondary</td>
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<td></td>
</tr>
<tr>
<td>Protective Service (government owned and operated only)</td>
<td>P</td>
<td></td>
<td></td>
<td>IR: 4.9.13.F &amp; H</td>
<td></td>
</tr>
</tbody>
</table>
### TABLE 4.8-6: PERMITTED USES - SPECIAL USE ZONES (1): OS, IR, P, & RV ZONES

**P** = Permitted Use  \( S \) = Permitted as Special Exception Use

[1] Mayor and Council Special Exception Procedure, Section 3.4.4
[2] Zoning Examiner Special Exception Procedure, Section 3.4.3
[3] PDSD Special Exception Procedure, Section 3.4.2

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>OS</th>
<th>IR</th>
<th>P</th>
<th>RV</th>
<th>USE SPECIFIC STANDARDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Religious Uses</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>With Columbarium as an accessory use</td>
<td></td>
<td></td>
<td>P</td>
<td></td>
<td></td>
</tr>
<tr>
<td>With Salvaging and Recycling as an accessory use</td>
<td></td>
<td></td>
<td>P</td>
<td></td>
<td>IR: 4.9.5.G.1 &amp; .3 and 4.9.13.H</td>
</tr>
<tr>
<td>Commercial Services Land Use Group With Land Use Class/Type:</td>
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<td></td>
<td></td>
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</tr>
<tr>
<td>Animal Services, limited to Veterinary Hospital or Commercial Kennel</td>
<td></td>
<td>P</td>
<td></td>
<td></td>
<td>IR: 4.9.4.D.5 and 4.9.13.H</td>
</tr>
<tr>
<td>Communications:</td>
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<tr>
<td>Wireless Communication</td>
<td></td>
<td>P</td>
<td></td>
<td></td>
<td>IR: 4.9.13.H and 4.9.4.I.2, .3, .4a or .4b</td>
</tr>
<tr>
<td>Parking</td>
<td></td>
<td></td>
<td>P</td>
<td></td>
<td>P: 4.9.4.5</td>
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<tr>
<td>Transportation Service:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Air Carrier, Ultra-light Flight Park</td>
<td></td>
<td>S [1]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Travelers’ Accommodation</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Campsite</td>
<td></td>
<td></td>
<td>P</td>
<td></td>
<td>RV: 4.9.13.L</td>
</tr>
<tr>
<td>Campsite of over 200 spaces with the following uses as an accessory use:</td>
<td></td>
<td></td>
<td>P</td>
<td></td>
<td>RV: 4.9.7.L &amp; 2 and 4.9.13.L</td>
</tr>
<tr>
<td>• Adult Care Services;</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Day Care;</td>
<td></td>
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</tr>
<tr>
<td>• Family Dwelling;</td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>• Food and Beverage Sales;</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>• General Merchandise Sales;</td>
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<td></td>
</tr>
<tr>
<td>• Mobile Home Dwelling;</td>
<td></td>
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<tr>
<td>• Park and Recreation; or,</td>
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<tr>
<td>• Personal Services</td>
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</tr>
<tr>
<td>Lodging</td>
<td></td>
<td></td>
<td></td>
<td>S [1]</td>
<td></td>
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</tbody>
</table>
### Table 4.8-6: Permitted Uses - Special Use Zones (1): OS, IR, P, & RV Zones

**Notes:**
1. Mayor and Council Special Exception Procedure, Section 3.4.4
2. Zoning Examiner Special Exception Procedure, Section 3.4.3
3. PDSD Special Exception Procedure, Section 3.4.2

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>OS</th>
<th>IR</th>
<th>P</th>
<th>RV</th>
<th>USE SPECIFIC STANDARDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>The following as accessory uses to a Travelers' Accommodation, Lodging use:</td>
<td>S [1]</td>
<td></td>
<td></td>
<td></td>
<td>IR: 4.9.4.AA.1-.5, .6.b, &amp; .7 and the following:</td>
</tr>
<tr>
<td>• Alcoholic Beverage Service;</td>
<td></td>
<td></td>
<td></td>
<td>• For Alcoholic Beverage Service, 4.9.4.C.3;</td>
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</tr>
<tr>
<td>• Civic Assembly;</td>
<td></td>
<td></td>
<td></td>
<td>• For Food Service, 4.9.4.M.3.</td>
<td></td>
</tr>
<tr>
<td>• Commercial Recreation; or</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Food Service</td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

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


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

| Open Space | P | OS: 4.9.13.G |

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

| Family Dwelling: | | | |
| Manufactured Housing | P | |
| Single-Family, Detached | P | |
| With Home Occupation as an accessory use to any Family Dwelling | P | IR: 4.9.7.D and 4.9.13.H |

| Mobile Home Dwelling | P | |

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

| General Merchandise Sales: | | | |

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

| Hazardous Material Storage as an accessory use to any permitted land use | P | P | IR: 4.9.10.B.1, .2.a and 4.9.13.H |
| RV: 4.9.10.B.1 & .2.a and 4.9.13.L |

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

| Distribution System: | | | |
| Limited to Water pumping and storage facilities operated as part of a system serving 2 or more properties as a private, public, or community utility | S [2] | IR: 4.9.11.A.4 and 4.9.13.H |


(Am. Ord. 11070, 5/14/2013)
### 4.8.9 PERMITTED USES: SPECIAL USE ZONES (2) - NC, RVC, & MU

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>NC</th>
<th>RVC</th>
<th>MU</th>
<th>USE SPECIFIC STANDARDS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Agricultural Land Use Group With Land Use Class/Type:</strong></td>
<td></td>
<td></td>
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<tr>
<td>Animal Production</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Excluding Commercial Stables</td>
<td>P</td>
<td></td>
<td>MU: 4.9.2.A.1.a, 1.c, 2.a, 2.b, &amp; 3.a</td>
<td></td>
</tr>
<tr>
<td><strong>Civic Land Use Group With Land Use Class/Type:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Civic Assembly</td>
<td></td>
<td>P</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Correctional Use</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Custodial Facility</td>
<td>S [1]</td>
<td></td>
<td>MU: 4.9.3.B.1.a, 2.b, 3.b, 6, 7 &amp; 8 and 4.9.5.C.6</td>
<td></td>
</tr>
<tr>
<td>Supervision Facility</td>
<td>P</td>
<td></td>
<td>MU: 4.9.3.B.1.a, 2.b, 3.a, 6 &amp; 8</td>
<td></td>
</tr>
<tr>
<td>Cultural Use</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>NC, RVC: Government owned and operated only and 4.9.13.M</td>
</tr>
<tr>
<td><strong>Educational Use:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>With Salvaging and Recycling as an accessory use to both P and S Educational Uses</td>
<td>P</td>
<td></td>
<td>NC: 4.9.5.G.1 &amp; .3</td>
<td></td>
</tr>
<tr>
<td>Postal Service</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>NC, RVC: Government owned and operated only and 4.9.13.M</td>
</tr>
<tr>
<td>Protective Service</td>
<td>P</td>
<td>P</td>
<td></td>
<td>NC, RVC: Government owned and operated only and 4.9.13.M</td>
</tr>
<tr>
<td>Religious Use</td>
<td>P</td>
<td>P</td>
<td></td>
<td>RVC: 4.9.13.N</td>
</tr>
<tr>
<td>With Columbarium as an accessory use</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
</tr>
<tr>
<td>With Salvaging and Recycling as an accessory use</td>
<td>P</td>
<td>P</td>
<td>RVC, MU: 4.9.5.G.1 &amp; .3</td>
<td></td>
</tr>
<tr>
<td><strong>Commercial Services Land Use Group With Land Use Class/Type:</strong></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>With Microbrewery as an accessory use</td>
<td>P</td>
<td></td>
<td>MU: 4.9.5.E.6, .7, &amp; .8</td>
<td></td>
</tr>
<tr>
<td>Artisan Residence</td>
<td>P</td>
<td></td>
<td>NC: 4.9.4.E.1, .2, .3, .4, .5 and 4.9.13.M</td>
<td></td>
</tr>
</tbody>
</table>

(2013 S-1)
### TABLE 4.8-7: PERMITTED USES - SPECIAL USE ZONES (2): NC, RVC, AND MU ZONES

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>NC</th>
<th>RVC</th>
<th>MU</th>
<th>USE SPECIFIC STANDARDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Automotive:</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Major Service and Repair (excluding bodywork</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>and paint-booths)</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>RVC: 4.9.4.F.5 and 4.9.13.N</td>
<td></td>
</tr>
<tr>
<td>Commercial Recreation</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Communications:</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Wireless Communication</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>NC: 4.9.13.M and 4.9.4.I.2, .3, &amp; .4.a or .4.b</td>
</tr>
<tr>
<td></td>
<td></td>
<td>RVC: 4.9.13.N and 4.9.4.I.2, .3, &amp; .4.a or .4.b</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>MU: 4.9.4.I.2, .3, &amp; .4.a or .4.b</td>
<td></td>
<td></td>
</tr>
<tr>
<td>communication towers and antennas</td>
<td></td>
<td></td>
<td></td>
<td>RVC: 4.9.13.N and 4.9.4.I.2, .3, &amp; .4.a or .4.b</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>MU: 4.9.5.C.6 and one of the following groups: S[3] - 4.9.4.I.2, .3, &amp; .5.a or .5.b or, S[2] - 4.9.4.I.2, .3, &amp; .6.b, or, S[1] - 4.9.4.I.2, .3, &amp; .7</td>
</tr>
<tr>
<td>Radio or Television Station Only</td>
<td>S [2]</td>
<td></td>
<td>MU: 4.9.4.I.1 and 4.9.5.C.6</td>
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</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>RVC: 4.9.13.N</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>MU: 4.9.5.C.6</td>
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<tr>
<td>Financial Service:</td>
<td></td>
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<td></td>
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<td></td>
<td></td>
<td></td>
<td>RVC: 4.9.4.L.3 and 4.9.13.N</td>
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</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>MU: 4.9.5.C.6</td>
<td></td>
</tr>
<tr>
<td>Non-chartered Financial Institutions only</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Food Service:</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>MU: 4.9.5.C.6</td>
<td></td>
</tr>
<tr>
<td>Excluding soup kitchens and Alcoholic Beverage</td>
<td>P</td>
<td></td>
<td>NC: 4.9.4.M.1 &amp; 5 and 4.9.13.M</td>
<td></td>
</tr>
<tr>
<td>Sales</td>
<td></td>
<td></td>
<td>RVC: 4.9.4.V.2, .3, &amp; .4, 4.9.4.C.3</td>
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</tr>
<tr>
<td>With Alcoholic Beverage Service as an accessory</td>
<td></td>
<td>S [1]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>use</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Medical Service:</td>
<td></td>
<td></td>
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</tbody>
</table>

[1] Mayor and Council Special Exception Procedure, Section 3.4.4
[2] Zoning Examiner Special Exception Procedure, Section 3.4.3
[3] PDSD Special Exception Procedure, Section 3.4.2

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### TABLE 4.8-7: PERMITTED USES - SPECIAL USE ZONES (2): NC, RVC, AND MU ZONES

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>NC</th>
<th>RVC</th>
<th>MU</th>
<th>USE SPECIFIC STANDARDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Major (includes automotive bodywork &amp; paint</td>
<td></td>
<td>S [2]</td>
<td></td>
<td>Mun. 4.9.5.C.6</td>
</tr>
<tr>
<td></td>
<td></td>
<td>S [2]</td>
<td></td>
<td>excluding upholstery</td>
</tr>
<tr>
<td></td>
<td></td>
<td>S [2]</td>
<td></td>
<td>shops Mun. 4.9.5.C.6</td>
</tr>
<tr>
<td>Transportation Services, Land Carrier</td>
<td></td>
<td>S [2]</td>
<td></td>
<td>Mun. 4.9.5.C.6</td>
</tr>
<tr>
<td>Additional Permitted Accessory Uses</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salvaging and Recycling as an accessory use</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>NC, RVC: 4.9.5.G.1 &amp; .3</td>
</tr>
<tr>
<td>to any permitted Commercial Services use</td>
<td></td>
<td>P</td>
<td>P</td>
<td>Mun. 4.9.5.G.1 &amp; .3</td>
</tr>
<tr>
<td>Industrial Land Use Group With Land Use Class/Type:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Additional Permitted Accessory Uses</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hazardous Material Storage is permitted as an accessory use to any permitted principal land use in any Land Use Group</td>
<td>P</td>
<td></td>
<td></td>
<td>Mun. 4.9.10.B.1 &amp; .2.a</td>
</tr>
<tr>
<td>Recreation Land Use Group With Land Use Class/Type:</td>
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<td></td>
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<tr>
<td>Parks and Recreation</td>
<td>P</td>
<td>P</td>
<td></td>
<td>Mun. 4.9.13.M</td>
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<tr>
<td>Residential Land Use Group With Land Use Class/Type:</td>
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<tr>
<td>Family Dwelling:</td>
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<tr>
<td>Duplex</td>
<td>P</td>
<td></td>
<td>P</td>
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<tr>
<td>Manufactured Housing</td>
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<td>P</td>
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<tr>
<td>Multifamily Development</td>
<td>P</td>
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<tr>
<td>Single-family, Detached</td>
<td>P</td>
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<td>P</td>
<td></td>
</tr>
<tr>
<td>With Home Occupation as an accessory use to any Family Dwelling use</td>
<td>P</td>
<td></td>
<td>P</td>
<td>NC, Mun. 4.9.7.D</td>
</tr>
<tr>
<td>Group Dwelling</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### TABLE 4.8-7: PERMITTED USES - SPECIAL USE ZONES (2): NC, RVC, AND MU ZONES

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<th>USE SPECIFIC STANDARDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mobile Home Dwelling</td>
<td></td>
<td></td>
<td></td>
<td>P</td>
</tr>
<tr>
<td>Mobile Home Park</td>
<td></td>
<td></td>
<td></td>
<td>P</td>
</tr>
<tr>
<td>Residential Care Services, Adult Care or Physical and Behavioral Health Services</td>
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<td></td>
<td></td>
<td>P NC: 4.9.7.I.3,a, &amp; .4 and 4.9.13.M</td>
</tr>
<tr>
<td>Residential Care Services, Rehabilitation Service - Children's Facility (maximum 10 Residents)</td>
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<td></td>
<td></td>
<td>P NC: 4.9.7.I.1, 3.a, &amp; .4 and 4.9.13.M</td>
</tr>
</tbody>
</table>

#### Retail Trade Use Group With Land Use Class/Type:

| Food and Beverage Sales: | | | | |
| General Merchandise Sales: | | | | |

#### Additional Permitted Accessory Uses

| Salvaging and Recycling as an accessory use to any permitted Retail Trade uses | P | P | P | All: 4.9.5.G.1 & .3 |

#### Storage Use Group With Land Use Class/Type:

| Commercial Storage | | | | S [2] MU: 4.9.5.C.6 and 4.9.10.A |

#### Additional Permitted Accessory Use

| Hazardous Material Storage is permitted as an accessory use to any permitted land use | | | | P MU: 4.9.10.B.1 & 2.a |

#### Utilities Use Group With Land Use Class/Type:

| Renewable Energy Generation | | | | P MU(P): 4.9.11.B.1, .2, 3, & .5 MU(S): 4.9.5.C.6 |

#### Wholesaling Use Group With Land Use Class/Type:


---

[1] Mayor and Council Special Exception Procedure, Section 3.4.4
[2] Zoning Examiner Special Exception Procedure, Section 3.4.3
[3] PDSD Special Exception Procedure, Section 3.4.2
TABLE 4.8-7: PERMITTED USES - SPECIAL USE ZONES (2): NC, RVC, AND MU ZONES

P = Permitted Use   S = Permitted as Special Exception Use
[1] Mayor and Council Special Exception Procedure, Section 3.4.4
[2] Zoning Examiner Special Exception Procedure, Section 3.4.3
[3] PDSD Special Exception Procedure, Section 3.4.2

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>NC</th>
<th>RVC</th>
<th>MU</th>
<th>USE SPECIFIC STANDARDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Food and Beverage Wholesaling</td>
<td></td>
<td></td>
<td>S [2]</td>
<td>MU: 4.9.5.C.6</td>
</tr>
</tbody>
</table>

(Am. Ord. 11070, 5/14/2013)

4.9. USE-SPECIFIC STANDARDS

4.9.1. GENERAL

A. **Purpose**

The use-specific standards in this section are intended to provide additional standards for certain permitted and special exception land uses in order to mitigate any adverse impacts on adjacent land uses, on the immediate neighborhood, and on the community.

B. **Applicability**

These requirements are in addition to those required of principal buildings in Article 6: Dimensional Standards of the UDC and are applied only when required in a zone for a particular land use. The use specific standards prevail when a conflict with another standard, including a dimensional standard from Article 6, occurs.

4.9.2. AGRICULTURAL USE GROUP

A. **Animal Production**

1. **Provisions Relating to Animals in General**

   a. All buildings for animals shall be setback at least 50 feet from all property lines, except corrals, which must be setback ten feet from all property lines.

   b. All stables, barns, and animal sheds or shelters shall be setback at least 100 feet from any property line.

2. **Provisions Relating to Livestock**

   a. No more than two horses or two head of cattle are permitted per each 36,000 square feet of lot area.

   b. A stock-tight fence and necessary cattle guards shall be erected and maintained along the boundaries of any area where livestock is kept or grazed. This provision does not apply to interior lot lines where the adjacent property is zoned IR or to open range as determined under Arizona Revised Statutes (A.R.S.).

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c. All horses, cattle, sheep, goats, or similar animals shall be confined within a stock-tight fence in an area of no less than 400 square feet per animal. Such fenced-in area shall be setback ten feet from the rear property line where it abuts an IR, RH, SR, SH, RX-1, or RX-2 zone; 40 feet from the rear where it abuts any other zone; and 40 feet from a side property line. A setback of ten feet is permitted on the side yard where the adjacent property owners have a written recorded agreement to this effect, but in no event shall a corral be closer than 50 feet to any residence or living quarters on an abutting property.

3. Provisions Relating Specifically to Hogs
   a. Hogs are prohibited.
   b. No more than one hog weighing more than 50 pounds is permitted per each 36,000 square feet of lot area.
   c. Hog-raising projects that exceed the permitted number of hogs in Section 4.9.2.A.3.b is permitted if sponsored by the 4-H Club, Future Farmers of America, or other similar nonprofit organization, provided that a letter of authorization from the sponsoring organization is submitted confirming that the project is sponsored by the organization, describing the project and stating its length of time.
   d. Hogs shall be penned at least 500 feet from any property line.

4. Riding Stables or Riding Schools
   a. All stables, barns, and animal sheds or shelters shall be setback at least 200 feet from any interior property line with residential zoning, except that the distance may be measured to the boundary of the site or subdivision to be served as a common use facility.
   b. Outside audio amplification is prohibited.

B. Crop Production
   Any greenhouse heating plant or cooling fan shall be located a minimum of 200 feet distant from every lot line.

C. Stockyard Operation
   1. A commercial feedlot use shall be setback at least 500 feet from any property line.
   2. Livestock auction yard.
      a. All buildings, holding pens and areas, and show areas shall be setback at least 300 feet from any property line.
      b. Generation of dust shall be minimized.
      c. Outdoor audio amplification that would create a nuisance to adjacent properties is prohibited.
2. The Mayor and Council may restrict the number of flights and hours of operation due to the proximity and intensity of noise-sensitive land uses.

3. The runway length required for safe operation shall be as shown in the flight manual of the largest aircraft to use the site and an additional 240 feet at each end of the runway.

4. The runway width shall be 240 feet centered on the runway.

Z. **Travelers' Accommodation, Campsite**

1. The use shall be in conjunction with, and within, a mobile home park.

2. The overall number of mobile home spaces and campsites shall not exceed the overall density permitted for the mobile home park.

3. The campsite area shall not be located adjacent to a non-mobile home residential zone.

4. Access to the area shall be through the mobile home park.

5. The area shall comply with the mobile home park development standards.

6. No more than 25% of the total spaces in the mobile home park can be used for the campsite use.

AA. **Travelers' Accommodation, Lodging - Accessory Uses**

1. The minimum required distance to any public street is 100 feet.

2. Outside entrances shall not face any public street.

3. The use shall be operated for the convenience of the guests.

4. When the Alcoholic Beverage Service use is provided in an area set aside from the Food Service area, such as a bar or cocktail lounge, that area of the Alcoholic Beverage Service use shall not have an outside public entrance separate from the entrance to the principal use.

5. The total area of retail and service establishments shall not exceed 5% of the total floor area.

6. Animal-Related Uses

   a. No more than one animal for each 10,000 square feet of site area.

   b. No stable or corral shall be located within 100 feet of any property line or within 300 feet of any existing buildings on an adjacent property at the time of the improvement.
c. No stable or corral shall be located or maintained closer than 50 feet to any property line or closer than 100 feet to any school, park, public street (excepting an alley), or dwelling on adjoining properties.

7. Travelers’ Accommodation, Lodging, shall have at least 50 rooms for transient lodging.

8. Alcoholic Beverage Service may be provided outdoors if the outdoor area is a minimum of 100 feet from residentially zoned property or is separated by a building from adjacent residentially zoned property. If the use is within 600 feet of a residential zone, no loudspeakers or music, live or recorded, are prohibited.

9. Alcoholic beverages shall not be provided with drive-in or drive-through services.

10. No alcoholic beverages, except beer and wine, shall be served.

11. Signs are not permitted in or on a window or on the exterior of any building or structure visible from a public street or from adjacent residentially zoned property identifying or advertising the Alcoholic Beverage Service use or the sale of spirituous liquors.

12. Large Bars are prohibited.

13. Soup Kitchens are prohibited.

(Am. Ord. 11070, 5/14/2013)

4.9.5. INDUSTRIAL USE GROUP

A. Craftwork Manufacturing

1. The area devoted to the use shall not exceed 25% of the gross floor area or 1,000 square feet, whichever is less.

2. The products manufactured on site shall be sold at retail on the premises.

3. The products manufactured on site shall be limited to leather-craft, jewelry, and clothing.

B. Extraction

1. The use shall be setback at least 300 feet from any property line, except that the use may be closer than 300 feet to an abutting I-2 zoned parcel with the written consent of the owner of the abutting property.

2. The generation of dust shall be minimized.

C. Manufacturing and Industrial (Includes General, Heavy Equipment, Precision, and Primary Manufacturing Land Uses)

1. The manufacturing activity shall be located on the same lot or site with the permitted use.
J. **O-1 and O-2 Office Zones - General Restrictions**
The following restrictions apply to all uses and development in these zones:

1. Drive-through services are prohibited;

2. All land use activities shall be conducted entirely within an enclosed building unless specifically provided otherwise with the following exceptions. Vehicular use areas and activities associated with the Medical Service, Extended Healthcare Use and the Parks and Recreation Use may be conducted outdoors; and,

3. All nonresidential land use activities shall:
   
   a. Restrict hours of operation from 7:00 a.m. to 10:00 p.m.

   b. Comply with the requirements of Section 6-101, *Outdoor Lighting Code*, of the Tucson Code. Outdoor lighting utilized in conjunction with the use shall be located and directed so as to eliminate glare toward streets and adjoining R-3 or more restrictive zoning.

   c. Comply with the requirements of Section 16-31, *Excessive Noise*, of the Tucson Code and be located within an enclosed building. There shall be no openings on the side of the building adjacent to R-3 or more restrictive zoning.

K. **O-3 Office Zone - General Restrictions**
The following restrictions apply to all uses and development in this zone:

1. Drive-through services are prohibited; and,

2. All land use activities shall be conducted entirely within an enclosed building unless specifically provided otherwise with the following exceptions. Vehicular use areas and activities associated with the Medical Service, Extended Healthcare Use and the Parks and Recreation Use may be conducted outdoors.

L. **Recreational Vehicle Zone (RV) - General Restrictions**
Storage buildings are not permitted in this zone as accessory to each individual unit space; however, they are permitted as part of the common use facility.

M. **Neighborhood Commercial Zone (NC) - General Restrictions and Exception**
The following standards apply to all uses and development in this zone:

1. Drive-through or drive-in services are prohibited;

2. All land use activities, except the Day Care Use, Parks and Recreation Use, and all uses in the Residential Use Group, shall be conducted entirely within an enclosed building unless specifically provided otherwise in the Use Specific Standards. Vehicular use areas are not required to be located within enclosed buildings;

3. All land use activities, except the Residential Use Group, are restricted to hours of operation of 7:00 a.m. to 10:00 p.m.;
4. All nonresidential development and nonresidential exterior remodeling that require a building permit are reviewed and approved by the Design Review Board (DRB) for architectural and site design compatibility with the surrounding residential area; and,

5. All land uses are limited to 2,000 square feet of GFA, except Family Dwelling, Educational Uses, and the following exception. Mixed use or multi-tenant developments are limited to 10,000 square feet of GFA. A tenant within a mixed use development is limited to 2,000 square feet of GFA. Outdoor activity areas permitted in this zone shall be included in the GFA limitations. Exception: On authorization of rezoning of property to the NC zone, Mayor and Council may approve land uses that will be located in existing buildings or portions thereof that exceed the limitation of 2,000 square feet of gross floor area per use or the limitations restricting mixed use or multi-tenant development to 10,000 square feet of gross floor area. The gross floor area for any such exception shall neither be increased nor enlarged following initial authorization, and the right to exceed the gross floor area restrictions shall be terminated if discontinued or abandoned.

N. Rural Village Center Zone (RVC) - General Restrictions
The following restrictions apply to all uses and development in this zone.

1. Drive-through or drive-in services are prohibited unless specifically provided for the land use.

2. All land use activities except vehicular use areas shall be conducted entirely within an enclosed building unless specifically provided otherwise.

3. The maximum permitted area of each RVC zone is 20 acres.

O. C-1 Commercial Zone - General Restrictions
The following restrictions apply to all uses and development in this zone.

1. Drive-through services are prohibited except as follows.

   a. Commercial Services and Retail Trade Uses may provide one drive-through lane.

   b. Financial Services Use may provide two drive-through lanes and one Automated Teller Machine (ATM) service lane.

2. All land use activities shall be conducted entirely within an enclosed building, except as follows:

   a. Civic Use Group: Cemetery, Education Elementary & Secondary Schools;

   b. Commercial Use Group: Commercial Recreation (except shooting ranges which must be located in an enclosed building), Food Service, Medical Services, Extended Health Care;
c. Recreation Use Group: Golf Course, Parks and Recreation; and,

d. Vehicular use areas.

P. **C-2 Commercial Zone - General Restrictions**

1. Outdoor display of finished products for rent or sale at retail or wholesale is permitted, unless prohibited by a use-specific standard.

2. The land uses in the Commercial Services (except Automotive Service and Repair, Day Care Use; Medical Service, Extended Health Care; Transportation Services, Land Carrier; and Travelers’ Accommodation, Lodging) Industrial, Restricted Adult Activities, and Wholesaling Use Groups shall be conducted entirely within an enclosed building unless modified by Use Specific Standards.

Q. **Park Industrial (P-1), Light Industrial (I-1), and Heavy Industrial (I-2) Zones - General Restrictions**

1. The use, storage, or disposal of radioactive materials must be done in accordance with Section 4.9.5.F, *Radioactive Material Restrictions*.

2. On land uses in the Industrial Use Group, traffic circulation must be designed so that access to the site is from a major street or from a local street which is not an internal residential neighborhood street and which does not provide access to residentially zoned areas unless no alternative exists.

3. The following special exception uses in the I-2 zone must be at least 300 feet from any non-industrial zone. Exception: the 300-foot setback is not required when the use of the non-industrially zoned property is a railroad or freeway right-of-way:

   a. Extraction;

   b. Hazardous Material Manufacturing;

   c. Perishable Goods Manufacturing;

   d. Primary Manufacturing;

   e. Refining; or,

   f. Salvaging and Recycling.

4. Use must comply with the applicable standards of Section 4.9.5, *Industrial Use Group*.

(Am. Ord. 11070, 5/14/2013)

**4.10. ACCESSORY USES, BUILDINGS, AND STRUCTURES**

The accessory use, building, and structure standards are located in Section 6.6, *Accessory Uses, Buildings and Structures*.

(Am. Ord. 11070, 5/14/2013)
4.11. TEMPORARY USE OR BUILDING

Certain land uses or buildings not permitted within specific zones may be permitted on a temporary basis if authorized in accordance with Section 3.3.3, PDSD Director Approval Procedure, provided such request for a temporary use complies with the following.

4.11.1. QUALIFICATION FOR PERMIT

For certain land uses or buildings to be permitted on a temporary basis, the land use or building shall comply with one or more of the following special circumstances.

A. The circumstances constitute a substantial hardship, such as, but not limited to, a natural disaster, e.g., fire or flood, or a government action that has resulted in damage to an existing building on the subject property.

B. A temporary building, such as a mobile or modular unit, utilized for the management or oversight of construction (e.g., contractor’s office) or occupied as a caretaker’s facility or a home for the eventual resident may be permitted during the construction of a permanent building. The temporary building shall be on the same site as the construction.

C. The temporary location of off-street parking facilities during the structural expansion or remodeling of an existing building may be permitted. Such temporary facilities do not have to comply with requirements of a permanent parking facility but shall, at a minimum, provide the following:

1. Screening from adjacent residential development. Since this is a temporary facility, screening cannot be achieved by the use of landscaping unless mature vegetation that can act as the screen exists on the site; and,

2. Dust-proofing.

D. A temporary real estate office may be permitted during construction of a project, provided:

1. The temporary use shall be terminated one year from the date the approval was granted. Additional 12-month extensions may be granted, provided sales activity for the project continues and 10% or more of the lots or units remain unsold;

2. The temporary office building is located on a lot and complies with all zoning standards applicable to that lot;

3. The temporary office building is located in the same subdivision within which sales occur; and,

4. The temporary use or building complies with any additional conditions required by the approval authority.

E. A temporary construction equipment yard for public improvement projects involving street improvements or the placement of utilities within public rights-of-way, provided solutions are implemented to mitigate potential negative impacts to adjacent residential development. Such solutions include, but are not limited to, screening of equipment, setbacks, hours of operation, and limited or restricted use of residential streets.
5.7.6. STANDARDS FOR FENCES, WALLS, AND EXTERIOR LIGHTING

A. Fences and Walls
Neither fences nor walls are allowed that impede wildlife movement through designated critical riparian habitat areas except for temporary fencing. If barbed wire fencing is used, the bottom and top wire shall be barbless and a bottom clearance of at least 18 inches from the ground is required.

B. Exterior Lighting
Lighting sources shall be confined to wall-mounted fixtures or standards a maximum of 42 inches in height, spaced to create pools of light rather than a saturated condition. Neither high-pressure sodium nor mercury vapor lighting shall be used. All lighting sources shall be shielded to reduce dispersed light.

5.7.7. VARIANCES AND AMENDMENTS

A. Variance Requests
1. Variances from the ERZ standards are reviewed and considered for approval in accordance with Sections 3.10.1 and 3.10.3, Board of Adjustment Variance Procedure. As provided in Section 2.2.6.C.5, the Design Review Board (DRB) reviews all ERZ variance request and forwards its recommendations to the Board of Adjustment.

2. If the City Engineer or designee, a notified property owner, or the applicant for the variance requests consideration of stormwater management issues related to the variance, the Stormwater Technical Advisory Committee (STAC) may review the variance request concurrently with the DRB and may provide written or oral testimony at the public hearing for the variance request. Any such testimony shall address the required findings.

B. Proposed Unified Development Code (UDC) Amendments
The Stormwater Advisory Committee (SAC) may review all proposed amendments to this section and may provide written conclusions and recommendations to the PDS Director of the Department of Transportation to be forwarded to the Planning Commission and the Mayor and Council prior to public hearings on the proposed amendments.

5.8. “H” HISTORIC PRESERVATION ZONE (HPZ)

5.8.1. PURPOSE
The purpose of this zone is to promote the educational, cultural, economic, and general welfare of the community and to ensure the harmonious growth and development of the municipality by encouraging the preservation and rehabilitation of historic districts, historic sites and structures, and archaeological resources. This zone is intended to ensure the retention of early structures and to keep them in active use and in their original appearance, setting, and placement. It is also intended that new or remodeled structures, located within Historic Preservation Zones (HPZ), be designed and constructed to harmonize with structures located within the immediate vicinity, in order to preserve property values, provide for future development, and promote an awareness of the heritage of Tucson among both residents and visitors to the community.

(Am. Ord. 11070, 5/14/2013)
5.8.2. APPLICABILITY

A. The Historic Preservation Zone (HPZ) is an overlay zone superimposed over underlying zoning.

B. The HPZ applies to specifically mapped areas where there is an individual historically important structure, a group of surviving related structures in their original setting, or an archaeological site that gives a historic dimension to the City. A list of established HPZs and Historic Landmarks is provided in Section 9-02.8.0, Historic Preservation Zones, Sites, and Structures, of the Technical Standards Manual and is updated by the Housing and Community Development Department based on Mayor and Council action. Demolition requests in pending HPZs are subject to the standards of Section 5.8.9. To identify each HPZ or Historic Landmarks on the City of Tucson Zoning Maps, the preface “H” is added to the assigned residential, office, commercial, or industrial zone designation, i.e., R-1 becomes HR-1.

C. The designation, amendment and change to boundaries of a HPZ are established by the Mayor and Council in accordance with Sections 5.8.3 and 3.5, Rezoning (Change of Zoning) Procedure.

5.8.3. ESTABLISHMENT AND AMENDMENT TO HISTORIC PRESERVATION ZONES

A. Standards for Establishing and Amending Historic Preservation Zones

The following standards are examined when determining if an area, neighborhood, or district shall be established as an HPZ, whether boundaries of an existing district shall be changed or the district dissolved:

1. An HPZ shall include historic sites or structures, as defined in Section 11.4.9;

2. An HPZ should include a group of related sites, buildings, and structures in their original setting that contribute to an understanding of the heritage of the community;

3. The group of structures, buildings, or sites should provide the area with a sense of uniqueness, and it should be readily distinguishable from other areas of the community; and,

4. There should be a sufficient number of structures of related or similar characteristics to make a recognizable entity.

B. Preliminary Assessment

A preliminary assessment of the proposed HPZ or Historic Landmark is provided to the PDSD Director for review and recommendation to the Mayor and Council. The preliminary assessment should include the boundaries, a summary of the resources in the proposed HPZ, evidence that a proposed district has historic significance, and a list of proposed HPZ Advisory Board members.

C. Proposed Historic Preservation Zone or Historic Landmark

1. An area may be proposed for HPZ designation or amendment by any of the following:
3. **Board and Subcommittee Review and Recommendation**

   a. The Design Review Board (DRB) reviews applications for compliance with the RND standards and makes recommendations to the PDSD Director. Applications are scheduled with the DRB at the first available meeting.

   b. The Tucson-Pima County Historical Commission (TPCHC) Plans Review Subcommittee reviews applications that propose exterior changes to buildings on or eligible for inclusion on the National Register of Historic Places. The TPCHC Plans Review Subcommittee makes a finding and recommendations to the PDSD Director.

4. **Decision**

   The PDSD Director shall make a decision on whether to approve or deny the application within seven days of receiving recommendations from staff, DRB, and, when applicable, the TPCHC Plans Review Subcommittee.

5. **Notice of Decision**

   Notice of the decision shall be provided to the applicant within three days of the date of the decision and the appropriate HPZ Advisory Board and the plans review subcommittee.

6. **Appeals**

   If an application is denied, the applicant may appeal the decision to the Board of Adjustment in accordance with Section 3.10.2. Appeals must be submitted to the PDSD within five days of the notice of decision.

C. **Major Project Design Review**

   Major projects are reviewed as follows:

   1. **Submittal**

      Submittal of an application to the PDSD is required in order to process the request. Applications are reviewed for completeness and will be accepted or rejected within two days.

   2. **Review**

      PDSD staff reviews the application for compliance with all applicable requirements, including those required by the RND and other sections of the UDC. The PDSD staff reports its findings and recommendations the PDSD Director.

   3. **Board and Subcommittee Review**

      a. The Design Review Board (DRB) reviews applications for compliance with the RND standards and makes findings and recommendations to the PDSD Director. The DRB, in formulating its findings and recommendations, shall evaluate the application based on the RND design standards.

      b. The Tucson-Pima County Historical Commission (TPCHC) Plans Review Subcommittee reviews applications that propose exterior changes to buildings on or eligible for inclusion on the National Register of Historic Places. The TPCHC Plans Review Subcommittee makes findings and recommendations to the PDSD Director.
c. Applications are scheduled with the DRB and the TPCHC Plans Review Subcommittee within 30 days of acceptance of the application.

4. **Board and Subcommittee Recommendation**
   The DRB and the TPCHC Plans Review Subcommittee may recommend one of the following:
   
a. Final approval when a proposal is sufficiently detailed and complete to establish full compliance with all applicable requirements;

b. Preliminary approval when a proposal is insufficiently detailed and conceptual in nature; or,

c. Denial of the proposal.

5. **PDSD Director’s Decision**
   
a. The PDSD Director decides whether to:

   (1) Grant final approval of the application;

   (2) Grant preliminary approval of the application. When an application is preliminarily approved, the PDSD Director shall provide a summary of the preliminary findings and recommendations by the staff, DRB and TPHC Plans Review Subcommittee to the applicant within three days of receiving all of the recommendations. For final approval consideration, the applicant must incorporate the findings and recommendations into the final drawings and plans and submits these final documents for review and consideration for approval in accordance with Section 5.11.8.C, Major Project Design Review Procedure; or,

   (3) Deny the application.

   b. When rendering a decision, the PDSD Director shall take the DRB and TPCHC Plan Review Subcommittee’s recommendation into consideration.

   c. The PDSD Director shall make a decision within seven days of receiving recommendations from staff, DRB, and, when applicable, the TPCHC Plans Review Subcommittee.

6. **Notice of Decision**
   Notice of the decision shall be provided to the applicant within three days of the date of the decision.

7. **Appeals**
   The applicant, or in cases involving historic properties the advisory board or the plans review subcommittee, may appeal the PDSD Director’s decision to the Board of Adjustment in accordance with Section 3.10.2. Appeals must be submitted to the PDSD within 14 days of the notice of decision. The appeal shall address and be determined upon the purpose, intent, specific regulations, specific goals and the objectives of the RND.

(Am. Ord. 11070, 5/14/2013)
5.11.9. MODIFICATION OF DEVELOPMENT REGULATIONS (MDR)

A. General

1. Upon a request from an applicant, the PDSD Director may allow modifications to the following development regulations for projects within the RND:

   a. Article 6: Dimensional Standards and Measurements, except residential density and lot size;

   b. Section 7.4, Motor Vehicle & Bicycle Parking;
ARTICLE 6: DIMENSIONAL STANDARDS AND MEASUREMENTS

Section

6.1. PURPOSE
6.2. APPLICABILITY
6.3. DIMENSIONAL STANDARDS
  6.3.1. Organization
  6.3.2. Determining A Use’s Dimensional Standards
  6.3.3. Explanation and Applicability of Terms Used in the Dimensional Standard Tables
  6.3.4. Dimensional Standard and Exceptions Tables
6.4. RULES OF MEASUREMENT AND EXCEPTIONS TO DIMENSIONAL STANDARDS
  6.4.1. Purpose
  6.4.2. Lot Size
  6.4.3. Lot Coverage and Site Coverage
  6.4.4. Height
  6.4.5. Perimeter Yards
  6.4.6. Floor Area Ratio
6.5. PRINCIPAL LAND USE
  6.5.1. One or More Principal Uses, Separate Projects
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6.6. ACCESSORY USES, BUILDINGS, AND STRUCTURES
  6.6.1. Accessory Uses
  6.6.2. Accessory Buildings And Structures
  6.6.3. Specifically Within Residential Zones
  6.6.4. Specifically Within Nonresidential Zones

6.1. PURPOSE

This article provides the general dimensional standards that apply to principal and accessory structures for each zoning district in the City. The standards are intended to protect open space, solar access, and the privacy of all properties and to minimize negative impacts between developments. This article also provides the method for measuring the dimensional standards to ensure consistent application of the standards.

6.2. APPLICABILITY

The standards in this article apply to all principal and accessory structures and uses established in the City of Tucson.

6.3. DIMENSIONAL STANDARDS

6.3.1. ORGANIZATION

The dimensional standards for each zone are organized into the following tables:
### 6.3.2. Determining a Use’s Dimensional Standards

A. To determine all of a proposed use’s required dimensional standards, refer to the following:

1. The applicable dimensional standard table provided in this article;
2. The applicable exceptions to the dimensional standard provided in this article;
3. The applicable use-specific standards provided in Section 4.9, Use-Specific Standards; and,
4. When applicable, the overlay requirements provided in Article 5, Overlay Zones.

B. When the standards of this Article conflict with other sections of the Unified Development Code (UDC), the most restrictive applies except as follows. Exception: when the standards of this article conflict with the use-specific standards provided in Article 4, the use-specific standards shall control.

C. Dimensional standards for accessory uses, buildings, and structures are provided in Section 6.6.

### 6.3.3. Explanation and Applicability of Terms Used in the Dimensional Standard Tables

The following is an explanation and applicability of frequently used terms in the dimensional standard tables:
### Dimensional Standards and Measurements

#### Key:
- **(H)** = Height of the proposed exterior building wall
- **MF** = Multifamily Development (Section 6.3.3.C)
- **MH** = Mobile Home Dwelling (Section 6.3.3.A)
- **MH Park** = Mobile Home Park (Section 6.3.3.B)
- **N/A** = Not Applicable
- **Nonres** = Nonresidential (Section 6.3.3.D or .E, whichever is applicable)
- **Res** = Residential (Section 6.3.3.H or .I, whichever is applicable)
- **SF** = Single-family Use (Section 6.3.3.J)
- **sf** = square feet
- **º** = adjacent to

#### TABLE 6.3-1.B: EXCEPTIONS TO THE RH, SR, SH, RX-1, & RX-2 DIMENSIONAL STANDARDS

<table>
<thead>
<tr>
<th>Zone</th>
<th>Use</th>
<th>Exceptions to the Zone's Dimensional Standard</th>
</tr>
</thead>
</table>
| RH   | • Animal Production, limited to stable or riding school (P)  
• Travelers' Accommodations, Lodging (S) | Lot Size (min.) = 10 acres  
Lot Coverage (max.) = 10%  
Renewable Energy Production (S) | Site Area (min.) = 0  
Lot Coverage (max.) = N/A  
Height (max.) = 16’  
Nonres Use adjacent to Nonres Zone (min.) = (H) |
| SR   | • Animal Production, limited to commercial stables (P)  
• Travelers' Accommodation, Lodging (P) | Site Area (min.) = 10 acres  
Renewable Energy Generation (S) | Site Area (min.) = 0  
Lot Coverage (max.) = N/A  
Height (max.) = 16’  
Nonres Use adjacent to Nonres Zone (min.) = (H) |
|     | • Communications, limited to wireless communication towers and antennas (S)  
• Day care: Child Care (P and S)  
• Distribution system (S)  
• Parks and Recreation (P)  
• Religious Use (P) | Lot Coverage (max.) = 50%  
Protective Service (P - government owned and operated only) | Lot Coverage (max.) = 50%  
Height (max.) = 25’ |
| SH   | • Animal Production, limited to commercial stables (P)  
• Travelers’ Accommodation, Lodging (P) | Lot Size (min.) = 10 acres  
Nonres Use adjacent to Res Zone (min.) = 4(H)  
Animal Service (P) | Lot Size (min.) = 144,000 sf  
Nonres Use adjacent to Res Zone (min.) = 4(H)  
Cemetery (S) | Lot Size (min.) = 1 acre  
Lot Coverage (max.) = 20%  
Nonres Use adjacent to Res Zone (min.) = 4(H) |
### Zone Use Exceptions to the Zone’s Dimensional Standard

<table>
<thead>
<tr>
<th>Zone</th>
<th>Use</th>
<th>Exceptions to the Zone’s Dimensional Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• Communications (P)</td>
<td>Lot Coverage (max.) = 50%</td>
</tr>
<tr>
<td></td>
<td>• Parks and Recreation (P)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Religious Use (P)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Motion Picture Industry (S)</td>
<td>Lot Size (min.) = 36 acres</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Nonres Use adjacent to Res Zone (min.) = 4(H)</td>
</tr>
<tr>
<td></td>
<td>Renewable Energy Generation (S)</td>
<td>Site Area (min.) = 0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lot Coverage (max.) = N/A</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Height (max.) = 16’</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Nonres Use adjacent to Nonres Zone (min.) = (H)</td>
</tr>
<tr>
<td></td>
<td>Protective Service (P - government owned and operated only)</td>
<td>Lot Coverage (max.) = 50%</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Height (max.) = 25’</td>
</tr>
<tr>
<td>RX-1</td>
<td>Golf Course (P)</td>
<td>Lot Size (min.) = 30 acre</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Nonres Use adjacent to Res Zone (min.) = 4(H)</td>
</tr>
<tr>
<td></td>
<td>Travelers’ Accommodation, Lodging (P)</td>
<td>Lot Size (min.) = 10 acre</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Nonres Use adjacent to Res Zone (min.) = 4(H)</td>
</tr>
<tr>
<td></td>
<td>Renewable Energy Generation (S)</td>
<td>Site Area (min.) = 0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lot Coverage (max.) = N/A</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Height (max.) = 16’</td>
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<tr>
<td></td>
<td></td>
<td>Nonres Use adjacent to Nonres Zone (min.) = (H)</td>
</tr>
<tr>
<td>RX-2</td>
<td>Golf Course (P)</td>
<td>Lot Size (min.) = 30 acre</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Nonres Use adjacent to Res Zone (min.) = 4(H)</td>
</tr>
<tr>
<td></td>
<td>Educational Use: Elementary and Secondary School (P and S)</td>
<td>Nonres Use adjacent to Nonres Zone (min.) = (H)</td>
</tr>
<tr>
<td></td>
<td>Crop Production (P)</td>
<td>Lot Coverage (max.) = 50%</td>
</tr>
<tr>
<td></td>
<td>Renewable Energy Generation (S)</td>
<td>Site Area (min.) = 0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lot Coverage (max.) = N/A</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Height (max.) = 16’</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Nonres Use adjacent to Nonres Zone (min.) = (H)</td>
</tr>
</tbody>
</table>

**Key:**
- **Max.** = Maximum permitted
- **Min.** = Minimum requirement
- **P** = Permitted Use
- **S** = Special Exception Use

Uses without a “P” or “S” indicates that the use is permitted in the zone

(Am. Ord. 11070, 5/14/2013)
### TABLE 6.3-2.A: DIMENSIONAL STANDARDS FOR THE R-1, R-2, R-3, MH-1, & MH-2 ZONES

*Note: Several variables factor into determining a use’s required dimensional standards. See Section 6.3.2, Determining a Use’s Dimensional Standards, for further details.*

<table>
<thead>
<tr>
<th>Dimensional Standard</th>
<th>R-1</th>
<th>R-2</th>
<th>R-3</th>
<th>MH-1</th>
<th>MH-2</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Residential Density (maximum)</strong></td>
<td>SF: 1/7,000 sf</td>
<td>SF: 1/5,000 sf</td>
<td>SF: 1/5,000 sf</td>
<td>SF/MH: 1/7,000 sf</td>
<td>SF/MH: 1/5,000 sf</td>
</tr>
<tr>
<td>SF (2 units): 2/10,000 sf</td>
<td>MF: 15/acre</td>
<td>MF: 36/acre</td>
<td>MF/MH Park: 8/acre</td>
<td>MF &amp; MH Park: 15/acre</td>
<td></td>
</tr>
<tr>
<td><strong>Lot Size/Site Area (minimum)</strong></td>
<td>SF (1 unit): 7,000 sf</td>
<td>5,000 sf</td>
<td>SF: 5,000 sf</td>
<td>7,000 sf</td>
<td>5,000 sf</td>
</tr>
<tr>
<td>SF (2 units): 10,000 sf</td>
<td>MF/Nonres: 0</td>
<td>MF/MH Park: 8/acre</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nonres: see Exceptions</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Lot Coverage (maximum)</strong></td>
<td>70%</td>
<td>SF: 70%</td>
<td>70%</td>
<td>70%</td>
<td>SF, MH, Res. Care Services: 70%</td>
</tr>
<tr>
<td>MF: 75%</td>
<td>MF &amp; MH Park: 75%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nonres: see Exceptions</td>
<td>Nonres: see Exceptions</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Height (maximum)</strong></td>
<td>25'</td>
<td>25'</td>
<td>25'</td>
<td>25'</td>
<td>25'</td>
</tr>
<tr>
<td>SF, Civic Uses, &amp; Admin/Prof Offices: 25'</td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>MF/Nonres: 40'</td>
<td></td>
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</tr>
</tbody>
</table>

**Perimeter Yard** [Standard based on the proposed use’s adjacency to a residential or nonresidential zone or street]

<table>
<thead>
<tr>
<th>Street</th>
<th>Section 6.4.5.C</th>
<th>Section 6.4.5.C</th>
<th>Section 6.4.5.C</th>
<th>Section 6.4.5.C</th>
<th>Section 6.4.5.C</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Res Use → Res. Zone</strong></td>
<td>6' or 2/3(H)*</td>
<td>6' or 2/3(H)*</td>
<td>6' or 2/3(H)*</td>
<td>6' or 2/3(H)*</td>
<td>6' or 2/3(H)*</td>
</tr>
<tr>
<td><strong>Res Use → Nonres Zone</strong></td>
<td>10' or ¾(H)*</td>
<td>10' or ¾(H)*</td>
<td>10' or ¾(H)*</td>
<td>10' or ¾(H)*</td>
<td>10' or ¾(H)*</td>
</tr>
<tr>
<td><strong>Nonres Use → Res or Nonres Zone</strong></td>
<td>10' or ¾(H)*</td>
<td>10' or ¾(H)*</td>
<td>10' or ¾(H)*</td>
<td>10' or ¾(H)*</td>
<td>10' or ¾(H)*</td>
</tr>
</tbody>
</table>

* The greater of the two dimensions applies

**Key:**

- **H** = Height of the proposed exterior building wall
- **MF** = Multifamily Development (Section 6.3.3.C)
- **MH** = Mobile Home Dwelling (Section 6.3.3.A)
- **MH Park** = Mobile Home Park (Section 6.3.3.B)
- **N/A** = Not Applicable
- **Res** = Residential (Section 6.3.3.H or I, whichever is applicable)
- **Nonres** = Nonresidential (Section 6.3.3.D or .E, whichever is applicable)
- **SF** = Single-family Use (Section 6.3.3.J)
- **sf** = square feet
- **≡** = adjacent to

(Am. Ord. 11070, 5/14/2013)

(2013 S-1)
## TABLE 6.3-2.B: EXCEPTIONS TO THE R-1, R-2, R-3, MH-1, & MH-2 DIMENSIONAL STANDARDS

<table>
<thead>
<tr>
<th>Zone</th>
<th>Use</th>
<th>Exceptions to the Zone’s Dimensional Standard</th>
</tr>
</thead>
</table>
| R-1  | Educational Use: Elementary and Secondary School (P & S) | Lot Size (min.) = 20,000 sf  
Lot Coverage (max.) = 15%  
Nonres Use adjacent to Nonres Zone (min.) = (H) |
|      | Cultural use (S) | Lot Size (min.) = 20,000 sf  
Lot Coverage (max.) = 60% |
|      | Parks and Recreation (P) |  
Religious use (P) |
|      | Cultural Use (P - government owned and operated only) | Lot Size (min.) = 20,000 sf  
Lot Coverage (max.) = 60% |
|      | Cultural Use (P - government owned and operated only) | Lot Size (min.) = 20,000 sf  
Lot Coverage (max.) = 60% |
|      | Day Care, Adult and Child (P & S) | Lot Size (min.) = 7,000 |
|      | Renewable Energy Generation (S) | Site Area (min.) = 0  
Lot Coverage (max.) = N/A  
Height (max.) = 16'  
Nonres Use adjacent to Nonres Zone (min.) = (H) |
|      | Protective Service (P - government owned and operated only) | Lot Size (min.) = 20,000 sf  
Lot Coverage (max.) = 60% |
| R-2  | Educational Use: Elementary and Secondary School (P & S) | Lot Size (min.) = 20,000 sf  
Lot Coverage (max.) = 15% |
|      | Cultural Use (S) | Lot Size (min.) = 20,000 sf  
Lot Coverage (max.) = 60% |
|      | Parks and Recreation (P) |  
Religious Use (P) |
|      | Cultural Use (P - government owned and operated only) | Lot Size (min.) = 20,000 sf  
Lot Coverage (max.) = 60% |
|      | Day Care (P & S) | Lot Coverage (max.) = N/A |
|      | Medical Services (S) | Lot Size (min.) = 1.5 acres  
Lot Coverage (max.) = 70% |
|      | Cemetery (P) | Lot Coverage (max.) = N/A  
Communications (P)  
Communications, limited to wireless communication towers and antennas (S)  
Crop production (P)  
Day care: Adult or Child (P)  
Day care: Child Care (S - 2 uses with different use-specific standards)  
Distribution System (S)  
Residential Care Services: Adult Care Service or Physical and Behavioral Health Service (P & S)  
Residential Care Services: Rehabilitation Service - children’s facilities (P)  
Residential Care Services: Rehabilitation Service or Shelter Care (S - 2 uses with different use-specific standards)  
Residential Care Services: Shelter Care - victims of domestic violence (P) |
## Dimensional Standards and Measurements

### § 6.3

<table>
<thead>
<tr>
<th>Zone</th>
<th>Use</th>
<th>Exceptions to the Zone's Dimensional Standard</th>
</tr>
</thead>
</table>
|      | Renewable Energy Generation (S) | Site Area (min.) = 0  
Lot Coverage (max.) = N/A  
Height (max.) = 16'  
Nonres Use adjacent to Nonres Zone (min.) = (H) |
|      | Administrative and Professional Office (P - government owned and operated only) | Lot Size (min.) = 43,560 sf  
Lot Coverage (max.) = 20%  
Nonres. Use adjacent to Res. Zone (min.) = 2(H)  
Nonres. Use adjacent to Nonres. Zone (min.) = 0 |
|      | Postal Service (P - Government owned and operated only) | Lot Size (min.) = 20,000 sf  
Lot Coverage (max.) = 60% |
|      | Protective Service (P - government owned and operated only) | Lot Size (min.) = 20,000 sf  
Lot Coverage (max.) = 60% |
| R-3  | Educational Use: Elementary and Secondary School (P & S) | Lot Size (min.) = 20,000 sf  
Lot Coverage (max.) = 15% |
|      | Cultural Use (S) | Lot Size (min.) = N/A  
Lot Size (min.) = 20,000 sf; Lot Coverage (max.) = 60% |
|      | Civic Assembly (P - Government owned and operated only)  
Cultural Use (S)  
Day Care: Child (P)  
Day Care: Child Care (both S uses)  
Distribution System (S)  
Parks and Recreation (P)  
Religious Use (P)  
Residential Care Services: Rehabilitation Service - children's facilities (P)  
Residential Care Services: Rehabilitation Service or Shelter Care (both S uses)  
Residential Care Services: Shelter Care - victims of domestic violence (P) | Lot Size (min.) = N/A  
Nonres Use adjacent to Res Zone (min.) = 1 ½(H)  
Nonres Use adjacent to Nonres Zone (min.) = 0 |
|      | Cemetery (P)  
Communications (P)  
Communications, limited to wireless communication towers and antennas (S)  
Crop Production (P)  
Day Care: Adult Day Care (P)  
Group Dwelling (P)  
Medical Service (S)  
Residential Care Services: Adult Care Service or Physical and Behavioral Health Service (P) | Lot Size (min.) = N/A  
Nonres Use adjacent to Res Zone (min.) = 1 ½(H)  
Nonres Use adjacent to Nonres Zone (min.) = 0 |
|      | Renewable Energy Generation (S) | Site Area (min.) = 0  
Lot Coverage (max.) = N/A  
Height (max.) = 16'  
Nonres Use adjacent to Nonres Zone (min.) = (H) |
|      | Administrative and Professional Office (P - government owned and operated only) | Lot Size (min.) = 72,000 sf  
Lot Coverage (max.) = 60%  
Nonres. Use adjacent to Res. Zone (min.) = 2(H)  
Nonres. Use adjacent to Nonres. Zone (min.) = 0 |
<table>
<thead>
<tr>
<th>Zone</th>
<th>Use</th>
<th>Exceptions to the Zone’s Dimensional Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>MH-1</td>
<td>Educational Use: Elementary and Secondary School (P &amp; S)</td>
<td>Lot Size (min.) = 20,000 sf</td>
</tr>
<tr>
<td></td>
<td>• Parks and Recreation (P)</td>
<td>Lot Size (min.) = 20,000 sf</td>
</tr>
<tr>
<td></td>
<td>• Religious Use (P)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Renewable Energy Generation (S)</td>
<td>Site Area (min.) = 0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lot Coverage (max.) = N/A</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Height (max.) = 16’</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Nonres Use adjacent to Nonres Zone (min.) = (H)</td>
</tr>
<tr>
<td></td>
<td>Communications, limited to wireless communication towers and antennas (S)</td>
<td>Lot Size (min.) = 5,000 sf</td>
</tr>
<tr>
<td></td>
<td>Cultural Use (P - government owned and operated only)</td>
<td>Lot Size (min.) = 20,000 sf</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lot Coverage (max.) = 60%</td>
</tr>
<tr>
<td></td>
<td>Protective Service (P - government owned and operated only)</td>
<td>Lot Size (min.) = 20,000 sf</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lot Coverage (max.) = 60%</td>
</tr>
<tr>
<td>MH-2</td>
<td>• Mobile Home Park (P)</td>
<td>Lot Coverage (max.) = 75%</td>
</tr>
<tr>
<td></td>
<td>• Multifamily Development (P)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Educational Use: Elementary and Secondary School (P &amp; S)</td>
<td>Lot Size (min.) = 20,000 sf</td>
</tr>
<tr>
<td></td>
<td>• Parks and Recreation (P)</td>
<td>Lot Size (min.) = 20,000 sf</td>
</tr>
<tr>
<td></td>
<td>• Religious Use (P)</td>
<td>Lot Size (min.) = 20,000 sf</td>
</tr>
<tr>
<td></td>
<td>Renewable Energy Generation (S)</td>
<td>Site Area (min.) = 0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lot Coverage (max.) = N/A</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Height (max.) = 16’</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Nonres Use adjacent to Nonres Zone (min.) = (H)</td>
</tr>
<tr>
<td></td>
<td>• Communications (P)</td>
<td>Lot Coverage (max.) = N/A</td>
</tr>
<tr>
<td></td>
<td>• Communications, limited to wireless communication towers and antennas (S)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Crop Production (P)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Distribution System (S)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Administrative and Professional Office (P - government owned and operated only)</td>
<td>Lot Size (min.) = 43,560 sf</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lot Coverage (max.) = 20%</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Nonres. Use adjacent to Res. Zone (min.) = 2(H)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Nonres. Use adjacent to Nonres. Zone (min.) = 0</td>
</tr>
<tr>
<td></td>
<td>Cultural Use (P - government owned and operated only)</td>
<td>Lot Size (min.) = 20,000 sf</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lot Coverage (max.) = 60%</td>
</tr>
<tr>
<td></td>
<td>Protective Service (P - government owned and operated only)</td>
<td>Lot Size (min.) = 20,000 sf</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lot Coverage (max.) = 60%</td>
</tr>
</tbody>
</table>

**Key:**

Max.  = Maximum permitted  
Min.  = Minimum requirement  
P    = Permitted Use  
S    = Special Exception Use

Uses without a “P” or “S” indicate the use is permitted within the zone.

(Am. Ord. 11070, 5/14/2013)
### TABLE 6.3-3.A: DIMENSIONAL STANDARDS FOR THE O-1, O-2, & O-3 ZONES

Note: Several variables factor into determining a use’s required dimensional standards. See Section 6.3.2, Determining a Use’s Dimensional Standards, for further details.

<table>
<thead>
<tr>
<th>Dimensional Standard</th>
<th>Zone</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>0-1</td>
</tr>
<tr>
<td>Residential Density (maximum)</td>
<td>8/acre</td>
</tr>
<tr>
<td>Lot Size/Site Area (minimum)</td>
<td>Res: 7,000 sf</td>
</tr>
<tr>
<td></td>
<td>Nonres: 10,000 sf</td>
</tr>
<tr>
<td>Lot Coverage (maximum)</td>
<td>Res: 70%</td>
</tr>
<tr>
<td></td>
<td>Nonres: N/A</td>
</tr>
<tr>
<td>Height (maximum)</td>
<td>Res, Office: 16'</td>
</tr>
<tr>
<td></td>
<td>Other: 25'</td>
</tr>
</tbody>
</table>

Perimeter Yard [Standard based on the proposed use’s adjacency to a residential or nonresidential zone or street]

<table>
<thead>
<tr>
<th>Street</th>
<th>Section 6.4.5.C</th>
<th>Section 6.4.5.C</th>
<th>Section 6.4.5.C</th>
</tr>
</thead>
<tbody>
<tr>
<td>Res Use → Res or Nonres Zone</td>
<td>10' or ¾(H)*</td>
<td>10' or ¾(H)*</td>
<td>10' or ¾(H)*</td>
</tr>
<tr>
<td>Nonres Use → Res or Nonres Zone</td>
<td>10' or ¾(H)*</td>
<td>10' or ¾(H)*</td>
<td>10' or ¾(H)*</td>
</tr>
</tbody>
</table>

* The greater of the two dimensions applies

**Key:**

(H) = Height of the proposed exterior building wall

MF = Multifamily Development (Section 6.3.3.C)

MH = Mobile Home Dwelling (Section 6.3.3.A)

MH Park = Mobile Home Park (Section 6.3.3.B)

N/A = Not Applicable

(Res) = Residential (Section 6.3.3.H or .I, whichever is applicable)

(Nonres) = Nonresidential (Section 6.3.3.D or .E, whichever is applicable)

(S) = Single-family Use (Section 6.3.3.J)

(Am. Ord. 11070, 5/14/2013)

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### TABLE 6.3-3.B: EXCEPTIONS TO THE O-1, O-2, & O-3 DIMENSIONAL STANDARDS

<table>
<thead>
<tr>
<th>Zone</th>
<th>Use</th>
<th>Exceptions to the Zone’s Dimensional Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>O-1</td>
<td>Communications, limited to wireless communication towers and antennas (S)</td>
<td>Lot Size (min.) = 72,000 sf</td>
</tr>
<tr>
<td></td>
<td>Residential Care Services: Adult Care Service or Physical and Behavioral Health Service (S)</td>
<td>Lot Coverage (max.) = 15%</td>
</tr>
<tr>
<td></td>
<td>• Nonres Use adjacent to Res Zone (min.) = 1½(H)</td>
<td>Nonres Use adjacent to Nonres Zone (min.) = 0'</td>
</tr>
</tbody>
</table>

(2013 S-1)
### Zone Use Exceptions to the Zone’s Dimensional Standards

<table>
<thead>
<tr>
<th>Zone</th>
<th>Use</th>
<th>Exceptions to the Zone’s Dimensional Standards</th>
</tr>
</thead>
</table>
|      | Cultural Use [S] | Lot Size (min.) = 20,000 sf  
Lot Coverage (max.) = 60% |
|      | Distribution System [S] |  |
|      | Residential Care Services: Adult Care Service or Physical and Behavioral Health Service (S) |  |
|      | Renewable Energy Production (S) | Site Area (min.) = 0  
Height (max.) = 16’  
Nonres Use adjacent to Nonres Zone (min.) = (H) |
| O-2  | Residential Care Services: Rehabilitation Service or Shelter Care (S) | Lot Size (min.) = 72,000 sf  
Lot Coverage (max.) = 15%  
Nonres Use adjacent to Res Zone (min.) = 1½(H)  
Nonres Use adjacent to Nonres Zone (min.) = 0 |
|      | Civic Assembly (P) | Lot Size (min.) = 20,000 sf  
Lot Coverage (max.) = 15% |
|      | Communications, limited to wireless communication towers and antennas (S) |  |
|      | Cultural Use (P) |  |
|      | Educational Use: Elementary and Secondary School (P & S) |  |
|      | Educational Use: Postsecondary Inst. (P) |  |
|      | Religious Use (P) |  |
|      | Cultural Use (S) | Lot Size (min.) = 20,000 sf  
Lot Coverage (max.) = 60% |
|      | Residential Care Services: Rehabilitation Service or Shelter Care (S) |  |
| Day Care: Child Care (P & S) | Lot Size (min.) = 14,000 sf  
Lot Coverage (max.) = 80% |
| Day Care: Child Care (S) | Lot Size (min.) = 2.5 acres  
Lot Coverage (max.) = 60% |
| Renewable Energy Production (S) | Height (max.) = 16’  
Nonres Use adjacent to Nonres Zone (min.) = (H) |
| Cultural Use (P - government owned and operated only) | Lot size (min.) = 20,000 sf  
Lot Coverage (max.) = 15% |
| O-3  | Family Dwelling in the Rio Nuevo District (P) | Residential Density = 17/ acres  
Lot Size (min.) = 2,500 sf  
Lot Coverage (max.) = 90%  
Res Use adjacent to Res Zone (min.) = 1½(H)  
Res Use adjacent to Nonres Zone (min.) = 0 |
| Cemetery (P) | Lot Size (min.) = 10 acres  
Lot Coverage (max.) = 15%  
Nonres Use adjacent to Res Zone (min.) = 1½(H)  
Nonres Use adjacent to Nonres Zone (min.) = 0 |
| Communications, limited to wireless communication towers and antennas (S) | Lot Size (min.) = 72,000 sf  
Lot Coverage (max.) = 15%  
Height (max.) = 25’  
Nonres Use adjacent to Res Zone (min.) = 1½(H)  
Nonres Use adjacent to Nonres Zone (min.) = 0 |
Dimensional Standards and Measurements

§ 6.3

<table>
<thead>
<tr>
<th>Zone Use</th>
<th>Exceptions to the Zone’s Dimensional Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cultural Use (S)</td>
<td>Lot Size (min.) = 20,000 sf</td>
</tr>
<tr>
<td>Distribution System (S)</td>
<td>Lot Coverage (max.) = 60% Height (max.) = 25’</td>
</tr>
<tr>
<td>Day Care: Child care (2 uses with different use-specific standards)</td>
<td>Lot Size (min.) = 10,000 sf Lot Coverage (max.) = 50% Height (max.) = 25’</td>
</tr>
<tr>
<td>Civic Assembly (P)</td>
<td>Lot Coverage (max.) = 70%</td>
</tr>
<tr>
<td>Educational Use: Elementary and Secondary School (P &amp; S)</td>
<td></td>
</tr>
<tr>
<td>Educational Use: Postsecondary Inst. (P)</td>
<td></td>
</tr>
<tr>
<td>Parks and Recreation (P)</td>
<td></td>
</tr>
<tr>
<td>Religious Use (P)</td>
<td></td>
</tr>
<tr>
<td>Day Care: Child Care (S)</td>
<td>Lot Coverage (max.) = 60% Height (max.) = 25’</td>
</tr>
<tr>
<td>Administrative and Professional Office (P)</td>
<td>Nonres Use adjacent to Res Zone (min.) = 1½(H) Nonres Use adjacent to Nonres Zone (min.) = 0</td>
</tr>
<tr>
<td>Communications (P)</td>
<td></td>
</tr>
<tr>
<td>Day Care: Adult Day Care (P)</td>
<td></td>
</tr>
<tr>
<td>Residential Care Services: Adult Care Service or Physical and Behavioral Health Service (P - 2 uses with different use-specific standards)</td>
<td></td>
</tr>
<tr>
<td>Medical Service - Extended Health Care, Major, or Outpatient (P)</td>
<td></td>
</tr>
<tr>
<td>Residential Care Services: Rehabilitation Service - children’s facility (P)</td>
<td></td>
</tr>
<tr>
<td>Residential Care Services: Rehabilitation Service or Shelter Care (P &amp; S)</td>
<td></td>
</tr>
</tbody>
</table>

Key:

Max. = Maximum permitted
Min. = Minimum requirement
P = Permitted Use
S = Special Exception Use
Uses without a “P” or “S” indicate the use is permitted within the zone

(Am. Ord. 11070, 5/14/2013)

**TABLE 6.3-4.A: DIMENSIONAL STANDARDS FOR THE C-1, C-2, C-3, OCR-1, & OCR-2 ZONES**

*Note: Several variables factor into determining a use’s required dimensional standards. See Section 6.3.2, Determining a Use’s Dimensional Standards, for further details.*

<table>
<thead>
<tr>
<th>Dimensional Standard</th>
<th>C-1</th>
<th>C-2</th>
<th>C-3</th>
<th>OCR-1</th>
<th>OCR-2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Density (maximum)</td>
<td>36/acre</td>
<td>44/acre</td>
<td>87/acre</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Lot Size/Site Area (minimum)</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

(2013 S-1)
### § 6.3 Tucson - Unified Development Code

#### TABLE 6.3-4.B: EXCEPTIONS TO THE C-1, C-2, C-3, OCR-1, & OCR-2 DIMENSIONAL STANDARDS

<table>
<thead>
<tr>
<th>Zone</th>
<th>Use</th>
<th>Exceptions to the Zone's Dimensional Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>C-1</td>
<td>Golf Course (P)</td>
<td>Lot Size (min.) = 30 acres</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lot Coverage (max.) = 10%</td>
</tr>
<tr>
<td></td>
<td>Cemetery (P)</td>
<td>Lot Size (min.) = 10 acres</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lot Coverage (max.) = 15%</td>
</tr>
<tr>
<td></td>
<td>Communications, limited to wireless communication towers and</td>
<td>Lot Size (min.) = 1 acre</td>
</tr>
<tr>
<td></td>
<td>antennas (S)</td>
<td>Lot Coverage (max.) = 20%</td>
</tr>
<tr>
<td></td>
<td>Distribution System (S)</td>
<td>Lot Size (min.) = 20,000 sf</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lot Coverage (max.) = 60%</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Nonres Use adjacent to Res Zone (min.) = 10' or</td>
</tr>
<tr>
<td></td>
<td></td>
<td>¾(H)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Nonres Use adjacent to Nonres Zone (min.) = (H)</td>
</tr>
</tbody>
</table>

(Am. Ord. 11070, 5/14/2013)
**Key:**

Max. = Maximum permitted
Min. = Minimum requirement
P = Permitted Use
S = Special Exception Use

Uses without a “P” or “S” indicate the use is permitted within the zone.

(Am. Ord. 11070, 5/14/2013)

**TABLE 6.3-5.A: DIMENSIONAL STANDARDS FOR THE P-1, I-2, & I-2 ZONES**

*Note: Several variables factor into determining a use’s required dimensional standards. See Section 6.3.2, Determining a Use’s Dimensional Standards, for further details.*

<table>
<thead>
<tr>
<th>Dimensional Standard</th>
<th>Zone</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>P-1</td>
</tr>
<tr>
<td>Residential Density (maximum)</td>
<td>N/A</td>
</tr>
<tr>
<td>Lot Size/Site Area (minimum)</td>
<td>0</td>
</tr>
<tr>
<td>Lot Coverage (maximum)</td>
<td>N/A</td>
</tr>
<tr>
<td>Height (maximum)</td>
<td>50’</td>
</tr>
</tbody>
</table>

Perimeter Yard [Standard based on the proposed use’s adjacency to a residential or nonresidential zone or street]

<table>
<thead>
<tr>
<th>Street</th>
<th>Section 6.4.5.C</th>
<th>Section 6.4.5.C</th>
<th>Section 6.4.5.C</th>
</tr>
</thead>
<tbody>
<tr>
<td>Res Use → Res Zone</td>
<td>1½(H)</td>
<td>2(H)</td>
<td>2(H)</td>
</tr>
<tr>
<td>Res Use → Nonres Zone</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Nonres Use → Res Zone</td>
<td>1½(H)</td>
<td>1½(H)</td>
<td>2(H)</td>
</tr>
<tr>
<td>Nonres Use → Nonres Zone</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

**Key:**

(H) = Height of the proposed exterior building wall
MF = Multifamily Development (Section 6.3.3.C)
MH = Mobile Home Dwelling (Section 6.3.3.A)
MH Park = Mobile Home Park (Section 6.3.3.B)
N/A = Not Applicable
Nonres = Nonresidential (Section 6.3.3.D or .E, whichever is applicable)
Res = Residential (Section 6.3.3.H or .I, whichever is applicable)
SF = Single-family Use (Section 6.3.3.J)
sf = square feet
⇒ = adjacent to
### TABLE 6.3-5.B: EXCEPTIONS TO THE P-1, I-1, & I-2 DIMENSIONAL STANDARDS

<table>
<thead>
<tr>
<th>Zone</th>
<th>Use</th>
<th>Exceptions to the Zone’s Dimensional Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>P-1</td>
<td>Educational Use: Elementary and Secondary Schools (S)</td>
<td>Height (max.) = 75’</td>
</tr>
<tr>
<td></td>
<td>Renewable Energy Generation (P)</td>
<td>Height (max.) = 16’</td>
</tr>
<tr>
<td>I-1</td>
<td>Golf Course (P)</td>
<td>Lot Size (min.) = 30 acres</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lot Coverage (max.) = 10%</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Height (max.) = 25’</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Nonres Use adjacent to Res Zone (min.) = 2(H)</td>
</tr>
<tr>
<td></td>
<td>Billboard (P)</td>
<td>Lot Size (min.) = 1,500 sf</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Height (max.) = In accordance with Chapter 3, Sign Code, of the Tucson Code</td>
</tr>
<tr>
<td></td>
<td>Perishable Goods Manufacturing (P)</td>
<td>Height (max.) = 50’</td>
</tr>
<tr>
<td></td>
<td>• Residential Care Services: Rehabilitation Services or Shelter Care (P)</td>
<td>Height (max.) = 140’</td>
</tr>
<tr>
<td></td>
<td>• Residential Care Services: Shelter Care - victims of domestic violence (P)</td>
<td>Nonres Use adjacent to Res Zone (min.) = 2(H)</td>
</tr>
<tr>
<td></td>
<td>• Alcoholic Beverage Service - Large Bar (S)</td>
<td>Height (max.) = 300’</td>
</tr>
<tr>
<td></td>
<td>• Communications (P &amp; S)</td>
<td>Nonres Use adjacent to Res Zone (min.) = 2(H)</td>
</tr>
<tr>
<td></td>
<td>• Entertainment - Dance Hall (S)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Renewable Energy Generation</td>
<td>Height (max.) = 16’</td>
</tr>
<tr>
<td>I-2</td>
<td>Any use from the following use groups not allowed as a permitted or special exception use in any other zone or as a special exception use in the I-2 zone are permitted in the I-2 zone:</td>
<td>Height (max.) = 40’</td>
</tr>
<tr>
<td></td>
<td>• Agricultural Use Group</td>
<td>Nonres Use adjacent to Res Zone (min.) = 1½(H)</td>
</tr>
<tr>
<td></td>
<td>• Commercial Use group</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Restricted Adult Act Use Group</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Retail Trade Use Group</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Billboard (P)</td>
<td>Lot Size (min.) = 1,500 sf</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Height (max.) = In accordance with Chapter 3, Sign Code, of the Tucson Code</td>
</tr>
<tr>
<td></td>
<td>• Automotive - Service and Repair (P)</td>
<td>Height (max.) = 75’</td>
</tr>
<tr>
<td></td>
<td>• Medical Marijuana Designated Caregiver Cultivation Location (P)</td>
<td>Nonres Use adjacent to Res Zone (min.) = 1½(H)</td>
</tr>
<tr>
<td></td>
<td>• Medical Marijuana Dispensary Off-Site Cultivation Location (P)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Medical Services - Outpatient, limited to blood donor center (S)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Medical Marijuana Qualifying Patient Cultivation Location (P)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Any use from the Civic Use Group not allowed as a permitted or special exception use in any other zone or as a special exception use in the I-2 zone is permitted in the I-2 zone (P)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Alcoholic Beverage Service - Large Bar (S)</td>
<td>Height (max.) = 300’</td>
</tr>
<tr>
<td></td>
<td>• Communications (P &amp; S)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Entertainment - Dance Hall (S)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Renewable Energy Distribution (P)</td>
<td>Height (max.) = 16’</td>
</tr>
</tbody>
</table>
**Key:**
- **Max.** = Maximum permitted
- **Min.** = Minimum requirement
- **P** = Permitted Use
- **S** = Special Exception Use
- Uses without a “P” or “S” indicate the use is permitted within the zone

**TABLE 6.3-6.A: DIMENSIONAL STANDARDS FOR THE OS, IR, P, & RV ZONES**

*Note: Several variables factor into determining a use’s required dimensional standards. See Section 6.3.2, Determining a Use’s Dimensional Standards, for further details.*

<table>
<thead>
<tr>
<th>Dimensional Standard</th>
<th>Zone</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>OS</td>
</tr>
<tr>
<td>Residential Density (maximum)</td>
<td>N/A</td>
</tr>
<tr>
<td>Lot Size/Site Area (minimum)</td>
<td>4,000 sf</td>
</tr>
<tr>
<td>Lot Coverage (maximum)</td>
<td>10%</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Height (maximum)</td>
<td>12’</td>
</tr>
</tbody>
</table>

*The greater of the two dimensions applies*

**Key:**
- **(H)** = Height of the proposed exterior building wall
- **MF** = Multifamily Development (Section 6.3.3.C)
- **MH** = Mobile Home Dwelling (Section 6.3.3.A)
- **MH Park** = Mobile Home Park (Section 6.3.3.B)
- **N/A** = Not Applicable
- **Nonres** = Nonresidential (Section 6.3.3.D or .E, whichever is applicable)
- **Res** = Residential (Section 6.3.3.H or .I, whichever is applicable)
- **SF** = Single-family Use (Section 6.3.3.J)
- **sf** = square feet
- **→** = adjacent to

(Am. Ord. 11070, 5/14/2013)
### TABLE 6.3-6.B: EXCEPTIONS TO THE OS, IR, P, & RV DIMENSIONAL STANDARDS

<table>
<thead>
<tr>
<th>Zone</th>
<th>Use</th>
<th>Exceptions to the Zone’s Dimensional Standards</th>
</tr>
</thead>
</table>
| IR   | Renewable Energy Distribution (P) | Site Area (min.) = 0  
Lot Coverage (max.) = N/A  
Height (max.) = 16’ |

**Key:**  
Max. = Maximum permitted  
Min. = Minimum requirement  

### TABLE 6.3-7.A: DIMENSIONAL STANDARDS FOR THE NC, RVC, & MU ZONES

*Note: Several variables factor into determining a use’s required dimensional standards. See Section 6.3.2, Determining a Use’s Dimensional Standards, for further details.*

<table>
<thead>
<tr>
<th>Dimensional Standard</th>
<th>Zones</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>NC</td>
<td>RVC</td>
</tr>
<tr>
<td>Residential Density (maximum)</td>
<td>8/acre</td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lot Size/Site Area (minimum)</td>
<td>Res: 7,000 sf</td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td>Nonres: 10,000 sf</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lot Coverage (maximum)</td>
<td>Res: 70%</td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td>Nonres: N/A</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Height (maximum)</td>
<td>16’</td>
<td>30’</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Perimeter Yard [Standard based on the proposed use’s adjacency to a residential or nonresidential zone or street]**

<table>
<thead>
<tr>
<th>Street</th>
<th>Section 6.4.5.C</th>
<th>Section 6.4.5.C</th>
<th>Section 6.4.5.C</th>
</tr>
</thead>
<tbody>
<tr>
<td>Res Use → Res. Zone</td>
<td>10’ or ¾(H)*</td>
<td>1 ½(H)</td>
<td>10’ or ¾(H)*</td>
</tr>
<tr>
<td>Res Use → Nonres Zone</td>
<td>10’ or ¾(H)*</td>
<td>0</td>
<td>10’ or ¾(H)*</td>
</tr>
<tr>
<td>Nonres Use → Res Zone</td>
<td>10’ or ¾(H)*</td>
<td>1 ½(H)</td>
<td>1 ½(H)</td>
</tr>
<tr>
<td>Nonres Use → Nonres Zone</td>
<td>10’ or ¾(H)*</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

* The greater of the two dimensions applies
### TABLE 6.3-7.B: EXCEPTIONS TO THE NC, RVC, & MU DIMENSIONAL STANDARDS

<table>
<thead>
<tr>
<th>Zone</th>
<th>Use</th>
<th>Exceptions to the Zone’s Dimensional Standards</th>
</tr>
</thead>
</table>
| NC   | Communications, limited to wireless to communication towers and antennas (S) | Lot Size (min.) = 72,000 sf  
Lot Coverage (max.) = 15%  
Height (max.) = 25'  
Nonres Use adjacent to Res Zone (min.) = 2(H)  
Nonres Use adjacent to Nonres Zone (min.) = 0 |
|      | • Distribution system (S)                                             |                                              |
|      | • Educational Uses: Elementary and Secondary Schools (P & S)          |                                              |
|      | Artisan Residence (P)                                                | Lot Size (min.) = 0  
Height (max.) = 50'  
Nonres Use adjacent to Res Zone (min.) = 1½(H)  
Nonres Use adjacent to Nonres Zone (min.) = 0 |
| RVC  | Communications, limited to wireless to communication towers and antennas (S) | Lot Size (min.) = 1 acre  
Lot Coverage (max.) = 20%  
Height (max.) = 25'  
Res Use adjacent to Res Zone (min.) = 2(H)  
Nonres Use adjacent to Res Zone (min.) = 2(H) |
|      | Distribution System (S)                                              | Lot Size (min.) = 20,000 sf  
Lot Coverage (max.) = 60%  
Height (max.) = 25'  
Res Use adjacent to Res Zone (min.) = 10’ or ¾(H)  
Res Use adjacent to Nonres Zone (min.) = (H)  
Nonres Use adjacent to Res Zone (min.) = 10’ or ¾(H)  
Nonres Use adjacent to Nonres Zone (min.) = (H) |
| MU   | Animal Production, limited to commercial stables (P)                 | Lot Size (min.) = 10 acres  
Lot Coverage (max.) = 10%  
Nonres Use adjacent to Res Zone (min.) = 1½(H) |
|      | • Medical Service - Extended Health Care (P)                          | Lot Size (min.) = 10 acres  
Lot Coverage (max.) = 10%  
Height (max.) = 25'  
Nonres Use adjacent to Res Zone (min.) = 1½(H) |
|      | • Medical Service - Major (P)                                         |                                              |

(Am. Ord. 11070, 5/14/2013)
### Zone Use Exceptions to the Zone's Dimensional Standards

<table>
<thead>
<tr>
<th>Zone</th>
<th>Use</th>
<th>Exceptions to the Zone's Dimensional Standards</th>
</tr>
</thead>
</table>
| * Correctional Use - Custodial Facility (S) | Lot Size (min.) = 1 acre  
Lot Coverage (max.) = 20%  
Height (max.) = 25'  
Nonres Use adjacent to Res Zone (min.) = 1½(H) |
| * Correctional Use - Supervision Facility (P) | |
| Animal Production (P) | Lot Size (min.) = 36,000 sf  
Lot Coverage (max.) = 15%  
Nonres Use adjacent to Res Zone (min.) = 2(H) |
| Group Dwelling (P) | Lot Size (min.) = 7,000 sf  
Lot Coverage (max.) = 70%  
Height (max.) = 25'  
Nonres Use adjacent to Res Zone (min.) = 10' or ¾(H)  
Nonres Use adjacent to Nonres Zone (min.) = (H) |
| Medical Services, Outpatient (P) | Lot Size (min.) = 180,000 sf  
Lot Coverage (max.) = 20%  
Nonres Use adjacent to Res Zone (min.) = 1½(H) |
| Billboard (S) | Lot Size (min.) = 1,500 sf |
| * Parking (S) | Height (max.) = 16'  
Nonres Use adjacent to Res Zone (min.) = 10' or ¾(H)  
Nonres Use adjacent to Nonres Zone (min.) = (H) |
| * Renewable Energy Generation (P & S) | |

**Key:**
- Max. = Maximum permitted
- Min. = Minimum requirement
- P = Permitted Use
- S = Special Exception Use
- Uses without a “P” or “S” indicate the use is permitted within the zone

### 6.4. RULES OF MEASUREMENT AND EXCEPTIONS TO DIMENSIONAL STANDARDS

#### 6.4.1. PURPOSE
This section is intended to provide uniform and consistent methods to measure and apply the dimensional standards in Tables 6.3-1 through 6.3-7 and to provide exceptions to these standards.

#### 6.4.2. LOT SIZE

**A. Standards**

1. **MS&R Street Frontage**
   A lot with frontage on a street designated on the MS&R Plan shall be designed with sufficient width and depth so that motor vehicles can enter or leave the lot without backing out onto the MS&R street.

2. **Lot Width at Street Frontage**
   If a lot has street frontage, the lot width at the street frontage shall be of a size sufficient for the purposes of locating motor vehicle and pedestrian access improvements as required by the UDC or Technical Standards Manual.
5. **Parapet Walls and Safety Railings**
Parapet walls and safety railings, provided they do not exceed the allowable height by more than four feet.

6. **Communications Antennas (Excluding Communications Facilities)**
Communications antennas not in conjunction with a communications facility, excluding dish antennas greater than three feet in diameter, provided such elements do not exceed the allowable height limits by more than five feet.

7. **Dish Antennas**
Dish antennas, greater than three feet in diameter, provided that such elements:
   a. Do not exceed the allowable height limits by more than ten feet;
   b. Are located as close to the center of the roof structure as possible;
   c. Are screened from view, to the maximum extent possible without interfering with reception, from the street frontage of the property at pedestrian level by an opaque screen, such as a parapet wall at the roof’s edge; and,
   d. Are located on a building with a structure height greater than 40 feet.

8. **Communications Antennas (Associated with Communications Facilities)**
Communications antennas, other than those associated with wireless communications, in conjunction with a communications facility do not have a maximum height limitation, provided the antennas are located at least one foot distance for every foot in height measured from all property lines of residentially zoned property.

9. **Change of Zoning**
If the Mayor and Council authorize a rezoning of a property and a building(s) exists on the property that exceeds the maximum required height for the proposed land use, the existing buildings shall be considered conforming. This exception applies only to buildings existing at the time of authorization, except as provided by Section 6.4.S.B.10, Historic Preservation Zone (HPZ).

10. **Historic Preservation Zone (HPZ)**
New construction in a Historic Preservation Zone (HPZ) may exceed the height standards of the zone if additional height is needed to be compatible with the height of other buildings within the development zone as determined by the Planning and Development Services Department Director.

[See image on following page.]
6.4.5. PERIMETER YARDS

A. **Application**

A perimeter yard is required in accordance with the applicable zone as provided in Tables 6.3-1 through 6.3-7. The minimum required width of the perimeter yard for each development is based on the zoning classification of the adjacent parcel(s) along each individual lot line.

B. **Measurement**

1. The width of the perimeter yard is the distance measured horizontally from a specified point to the face of each exterior building wall at the wall’s highest point. The specified point is the property line when it is an interior property line. Along a street property line, the specified point is described in Section 6.4.5.C, Street Perimeter Yard. (See Figure 6.4.5-B & -C.)

2. A vertical structural member(s) (i.e., post, column, dormer wall) supporting a roof extension from the principal structure is considered a wall for applying perimeter yard requirements.
3. The perimeter yard may have different widths at various points along the same property line, because the perimeter yard width is measured to the face of each vertical exterior surface of the building.

4. On cul-de-sac and eyebrow front lots, the minimum street yard depth may be measured from a straight line drawn between the front lot corners, rather than measured directly from the curved front property line, except as provided in Section 6.4.5.C.2.b, Carports and Garages in Single-Family and Duplex Development. In no case, however, shall the minimum street yard be reduced in excess of 50% by this alternative measurement. (See Figure 6.4.5-A.)

5. Where an unbroken section of a wall or a building is not parallel with the lot line, the required perimeter yard may be applied to the average width; however, such perimeter yard shall not be narrower at any point than half the required width, nor narrower at any point than three feet. (See Figure 6.4.5-A.)

**Figure 6.4.5-A: Perimeter Yard Measurement**
Example 1: Single-Family Dwelling in R-1 Zone
Development Designator: G
Perimeter Yard Requirement: AA
Assumed Wall Height: 20 FT

See Sec. 6.4.5.C

Figure 6.4.5-B: Example of Perimeter Yard (Wall Height = 20')

Example 2: Multiple-Family Dwelling in R-3 Zone
Development Designator: P
Perimeter Yard Requirement: CC
Assumed Wall Height: 32 FT

See Sec. 6.4.5.C

Figure 6.4.5-C: Example of Perimeter Yard (Wall Height = 32')
D. **Exceptions**

Encroachment into the required perimeter yard is allowed as follows.

1. **Interior Property Lines**
   Along interior property lines, the following may extend two feet into the perimeter yard, provided the side or rear yard is not reduced to less than three feet:
   
   a. Chimney;
   
   b. Roof overhang; or,
   
   c. Bay window.

2. **Street Property Lines**
   Along street property lines, the following may extend into the required width as provided below.
   
   a. Within established areas, the following may extend two feet into the required street yard:
      
      (1) Chimney;
      
      (2) Roof overhang;
      
      (3) Stairs;
      
      (4) Bay window; or,
      
      (5) Open structures.
   
   b. On any corner lot, no fence, structure, object, or planting shall be erected or maintained to interfere with the sight visibility triangle provisions set forth in the Technical Manual.

3. **Structures within Front Yards**
   
   a. Architectural features that are part of a solar energy system may project up to four feet into required perimeter yards. Such architectural features include, but are not limited to, overhangs, moveable insulating walls and roofs, detached solar collectors, reflectors, and piping.
   
   b. A wall or fence not over six feet high may be erected within the limits of a perimeter yard.

4. **Adjacency to Certain Nonresidential Uses in Residential Zones**
   For projects in a nonresidential zone adjacent to a residential zone, the perimeter yard may be modified to equal the nonresidential use adjacent to nonresidential zone perimeter yard standard for the project’s zone based upon a finding by the Zoning Administrator that one of the following applies:
a. The adjacent residential zone is a:

(1) Governmental use;

(2) Right-of-way; or,

(3) Easement dedicated for floodplain, drainage, or utility easement.

b. For annexed properties only, the adjacent residential zone is used for commercial, industrial, storage, utility, or warehousing purposes at the time of annexation.

(Am. Ord. 11070, 5/14/2013)

6.4.6. FLOOR AREA RATIO

A. Purpose

This Section provides a uniform method for calculating the floor area ratio.

Floor Area (FA), as defined, does not include any interior motor vehicle parking or off-street loading that is accessory to the principal use.

B. Applicability

The FAR dimensional standard applies to residential and nonresidential development in the Airport Environs Zone. The maximum permitted FARs are identified in Section 5.6. The calculations are as follows:

C. Measurement

1. General

   a. FARs are used in conjunction with lot coverage, perimeter yard requirements, and height limitations to determine and define the building bulk that may occur on a given site.

   b. The FAR provides the maximum amount of floor area that can be developed on a site. However, the maximum permitted FAR is based on the most favorable situation and may not be achievable due to other development and dimensional standards.

   c. The floor area may be divided into any number of dwelling units, principal buildings, and accessory buildings provided the combined square footage does not exceed the permitted floor area of the site.

2. Calculation

   a. Multiply the area of the site, expressed in square feet, by the applicable FAR. The result is the maximum amount of floor area permitted on the site. See Figure 6.4.6-A for an example of the FAR calculation.
b. See the definition of "Gross Floor Area" (Section 11.4.8) and exception provided below for the types of improvements and site area that are and are not included in the FAR calculation.

c. Exception. Any site area dedicated or sold at nominal cost to the City for public purposes is included as part of the site area for calculation of density, provided:

(1) The additional density is less than ten percent of the density permissible for the rest of the site area;

(2) Such dedication was not a condition of approval for applications, such as, but not limited to, rezonings or variance requests;

(3) Such dedication does not include right-of-way dedicated as part of a subdivision plat; and

(4) A deed for the area or a legally binding agreement to dedicate or sell at nominal cost to the City is submitted as part of the application.

Example: Nonresidential Project

FAR: 0.50
Site Area: 25,000 sq ft

Calculation

Site Area x FAR = Floor Area
25,000 sq ft x 0.50 = Floor Area
12,500 sq ft = Floor Area

Figure 6.4.6-B Floor Area Ratio (FAR) Calculation

(Ord. 11070, 5/14/2013)
6.5. **PRINCIPAL LAND USE**

6.5.1. **ONE OR MORE PRINCIPAL USES, SEPARATE PROJECTS**
One or more principal uses conducted as separate projects on a parcel is considered individually in determining the respective Land Use Classes and dimensional standards.

6.5.2. **TWO OR MORE PRINCIPAL USES, SAME PROJECT**
Two or more principal uses conducted as a single project, which integrates elements of the various uses, such as, but not limited to, vehicular parking, vehicular and pedestrian access, refuse collection, and loading services, as common use among the various uses in the project, shall have dimensional standards applied as follows:

A. **Two or More Uses, Same Dimensional Standards**
On projects with two or more uses that have the same dimensional standards, the dimensional standard requirements shall be applied on the site as if there were only one use.

B. **Two or More Uses, Different Dimensional Standards**
Projects without a residential component shall calculate the residential density (RAC), setbacks and the minimum lot size standards separately for the residential use. All other uses shall use the dimensional standards of the principal use having the least restrictive dimensional standards.

6.6. **ACCESSORY USES, BUILDINGS, AND STRUCTURES**

Accessory uses and buildings are permitted in all zoning districts. Those land uses and buildings associated with and incidental to a principal building are accessory and subject to the provisions described below.

6.6.1. **ACCESSORY USES**
In all zones, an accessory use shall comply with the following:

A. The use shall be incidental to the principal use and is located on the same parcel as the principal use;

B. The use shall be intended for the occupants, residents, customers, employees, or guests of the principal use;

C. The use shall not substantially alter the exterior appearance or character of the principal use or building to which it is incidental; and,

D. Animals may be kept for personal use in all zones subject to Tucson Code, Chapter 4, and any applicable health regulations.

E. **Medical Marijuana Designated Caregiver Cultivation Location**

1. A designated caregiver may cultivate at their residence for a single qualifying patient subject to compliance with A.R.S. § 36-2806.01;

2. All conditions and restrictions for medical marijuana dispensary off-site cultivation locations apply except that the designated caregiver cultivation location cultivation area is limited to a total 250 square feet maximum, including any storage areas; and,
3. More than one designated caregiver may co-locate cultivation locations as long as the total cultivation area does not exceed 250 square feet maximum, including storage areas.

F. Medical Marijuana Qualifying Patient Cultivation Location:

1. A qualifying patient may cultivate at their place of residence subject to compliance with A.R.S. § 36-2806.01; and,

2. A qualifying patient, cultivating marijuana, shall comply with all lawful, applicable health regulations, including those promulgated by the Arizona Department of Health Services and any other authorized regulatory agency.

6.6.2. ACCESSORY BUILDINGS AND STRUCTURES

In all zones, the buildings used for accessory uses shall comply with the following:

A. An accessory building shall be built only on a lot occupied by a principal building or use;

B. An accessory building shall be developed in accordance with the dimensional standards of the principal land use, except as provided by this section and, when applicable, Section 6.6.3, Specifically within Residential Zones;

C. An accessory structure that exceeds the allowable height of a wall within a perimeter yard and is detached from a principal structure shall comply with the perimeter yard width standards of the principal structure, except that the accessory structure may be built to a parcel line with the consent of the adjoining or, when separated by an alley, adjacent property owner(s);

D. Accessory structures, such as light poles, flagpoles, and other tall and narrow structures that are similar, shall be exempt from the setback requirement. Amateur radio towers are exempt from the setback requirement and are allowed to a maximum height of 100 feet;

E. An accessory building, except for a stable or enclosure for animals, may be attached to a principal building, provided that its construction complies with the development requirements of the principal building;

F. The use of solar energy collectors for the purpose of providing energy for heating or cooling shall be permitted in all zones, whether as part of a principal building or as an accessory building. Such solar collection devices shall not be included in computing lot coverage;

G. This section is not intended to apply to buildings of five feet or less in height and ten square feet or less in area, such as doghouses or refuse container enclosures, or to play equipment;

H. All structures for animals shall be set back at least 50 feet from all property lines, except corrals that shall be set back ten feet from all property lines;

I. The maximum height of a wall or fence within a perimeter yard shall be six feet; however, the wall or fence may be higher than six feet, but no higher than ten feet, if: (See Figure 6.6.1-A, Height of Wall or Fence within a Side or Rear Perimeter Yard.)
1. At least 75% of the area above six feet in height is left unobstructed and open through the use of architectural elements, such as arches, columns, or wrought iron;

2. Part of, or located on top of, a retaining wall no higher than ten feet measured from design grade and no higher than six feet measured from the top of the retaining portion of the wall;

3. A greater height is required through the rezoning process or the special exception land use process; or,

4. A greater height is required by a specific UDC standard.

J. In nonresidential zones, walls or fences, as permitted in Section 6.6.2.I above, may exceed the height standards, provided the wall or fence complies with side and rear yard standards applicable to buildings on the site.

![Figure 6.6.1-A: Height of Wall or Fence Within a Side or Rear Perimeter Yard](image)

### 6.6.3. SPECIFICALLY WITHIN RESIDENTIAL ZONES

The buildings used for an accessory use within a residential zone shall comply with the following:

A. An accessory building shall not be a dwelling unit but may be a building that is used as sleeping quarters by the residents of the dwelling unit in accordance with Sections 6.6.1.A and .B. The sleeping quarters may include bedrooms, bathrooms, and a sitting room, provided the building complies with Section 6.6.1.C and is not the dominant use of the property;

B. Detached accessory buildings are not permitted in the buildable area extending the full width of the lot between the principal building and the front street lot line, except for terraces and steps not over three feet high above the natural grade, paved areas, and fences or walls;

C. Accessory structures shall not exceed 12 feet in height, unless attached to a principal structure. If attached to the principal structure, maximum height permitted shall be the same as for the principal structure; and,
D. The total gross floor area (gfa) of all accessory structures shall not exceed 50% of the gfa of the principal structure. Accessory structures less than 200 square feet gfa are exempt from this requirement.

(Am. Ord. 11070, 5/14/2013)

6.6.4. SPECIFICALLY WITHIN NONRESIDENTIAL ZONES
The building used for an accessory use within a nonresidential zone shall comply with the following:

A. An accessory building shall not be occupied as a dwelling, except as a caretaker’s facility;

B. The area of a site occupied by an accessory use or building shall be included as part of the lot coverage calculation; and,

C. The structure used for an accessory use within a nonresidential zone shall comply with dimensional standards of the principal structure.
7. **In-Lieu Fee**
   The off-street parking requirements established by this Section may be satisfied in whole or in part by paying the City parking in-lieu fee in an amount established by separate ordinance to be used by the City for the installation of bicycle parking facilities or the construction of one or more Downtown public parking facilities.

8. **Design Criteria**
   All new parking facilities must be designed so that vehicles are not visible from the adjoining street level, through incorporation of design elements such as pedestrian arcades, occupied space, or display space.

C. **Reduction Based on On-Street Parking for Certain Residential Uses**
   On-street parking for single-family dwellings, mobile home dwellings, and Residential Care Services with ten or fewer residents may be counted on a space-for-space basis toward the total required amount of parking up to 50% if the on-street parking is located on the same side of the street as the use and does not extend beyond the street frontage of the subject property.

D. **Exemption Based on Maintenance of Historic Structure**
   Non-residential uses with a parking formula of one space per 300 square feet gross floor area or less intense formula that occupy a structure listed individually on the National Register of Historic Places or listed as a contributing property in a National Register Historic District, are exempt from Section 7.4.4.B, Minimum Number of Motor Vehicle Spaces Required, provided the historic designation of the contributing structure is maintained.

E. **Other Permitted Reductions**

   1. **General Requirements**
      The number of required motor vehicle parking spaces may be reduced under the following conditions:
      
      a. The project complies with one or more of the permitted reductions in Section 7.4.5.E.2-8 below;
      
      b. The cumulative reduction does not exceed 20% of the required number of spaces prior to any reduction;
      
      c. If more than one reduction is applied, the parking requirement is calculated based on the required number prior to any reduction; and,
      
      d. The required number of spaces for individuals with physical disabilities is based on the total number of motor vehicle parking spaces required before any reduction has occurred.

   2. **Reduction Based on Providing Additional Accessible Parking**
      a. For existing development, the number of required parking spaces may be reduced by two spaces for every one non-required accessible parking space.
      
      b. For proposed development, the number of required parking spaces may be reduced by one parking space for every one non-required accessible parking space.
3. **Reduction Based on Providing Additional Bicycle Parking**
   For every six non-required bicycle parking spaces that meet the short or long-term bicycle parking standards, the motor vehicle parking requirement may be reduced by one space. Motor vehicle parking spaces may be converted to bicycle parking spaces pursuant to Section 7.4.9.B.1.g.

4. **Reduction Based on Providing Parking for Recharge of Electric Vehicles**
   The number of spaces required may be reduced at a ratio of one space for every one space for electrical vehicle parking spaces/recharge station.

5. **Reduction Based on Valet Parking**
   The Zoning Administrator may approve valet parking as a means of satisfying a portion of the off-street parking requirements when there is an assurance of continued operation of valet parking and evidence of an available area for the valet parking and vehicle stacking spaces. Internal residential neighborhood streets may not be used for valet parking operations, which include drop-off, pick-up, parking, and driving access between the valet parking area and business it serves.

6. **Reduction Based on MS&R Criteria**
   The number of off-street parking spaces required for any nonresidential development located on a street designated on the MS&R Plan may be reduced in accordance with the calculations in Section 5.4.6, MS&R Street Perimeter Yard and Parking Adjustment.

7. **Reduction Based on Landscaping and Screening Criteria**
   a. The following reductions apply to existing development:
      
      (1) The number of spaces required may be reduced if the development is modified to comply with all applicable sections of Section 7.6, Landscaping and Screening, except for Section 7.6.4.B.1, Canopy Trees in Vehicular Use Areas; or,

      (2) For every three non-required canopy trees provided in the vehicular use area, the motor vehicle parking requirement may be reduced by one space. The planting area for each tree must comply with the canopy tree in vehicular use area spatial requirements in accordance with Section 7.6.4.B.1.a.

   b. For comprehensive redevelopment or development of a site, the motor vehicle parking requirement may be reduced by one space for every four non-required canopy trees provided in the vehicular use area. The planting area for each tree must comply with the canopy tree in vehicular use area spatial requirements in accordance with Section 7.6.4.B.1.a.

8. **Reduction Based on Providing Trash and Recycling Enclosures**
   When an existing development is modified to comply with the enclosure requirement for trash and recycling, the number of required parking spaces may be reduced up to two parking spaces per container enclosure, but not to exceed 10% of the required parking.
F. Diversion of Required Parking

1. Temporary Diversion

   Motor vehicle parking spaces within a vehicular use area may be used temporarily for storage or display of boats, cars, recreational vehicles, semi-truck trailers, furniture, or items of any other nature, subject to all of the following conditions:

   a. The vehicular use area contains more than nine spaces for motor vehicle parking;

   b. If the vehicular use area contains fewer than 250 spaces, no more than 10% of the total number of vehicle parking spaces is diverted to another use;

   c. The maximum period of diversion is 15 days. Additional 15 day extensions up to a maximum of 60 days per year may be granted for reasonable cause upon written request from the applicant;

   d. Spaces are not diverted to another use more than once in any calendar month;

   e. The spaces diverted are not designated or designed for use by the physically disabled; and,

   f. The diversion is not for the purpose of dismantling or repairing vehicles.

2. Diversion Other Than Temporary

   Code required parking spaces for any land use may not be sold, leased, or otherwise diverted to another use until off-street parking provisions are secured and provided on another site satisfying all provisions of this section. Approval is required for any proposed diversion of the vehicular use area.

   a. Exception

      Any park-and-ride lot set aside to facilitate the use of the mass transit system may use up to a maximum of 5% of the required vehicular use area.

(Am. Ord. 11070, 5/14/2013)

7.4.6. MOTOR VEHICLE USE AREA DESIGN CRITERIA

A. General

   The vehicular use area includes the parking spaces, parking area access lanes (PAALs), and any areas necessary to provide maneuvering, refuse collection locations, or loading spaces. Landscaping and screening within the vehicular use area are considered part of the vehicular use area.

B. Location

   Required motor vehicle parking must be located on-site except as follows.

1. Off-Site Parking

   Off-site parking is permitted under the following conditions.

   a. For projects outside the Downtown Parking District, off-site parking must be located within 600 feet of the project site. For projects in the Downtown Parking
District, off-site parking must be located within 1,500 feet of the land use provided the parking is within the District boundaries and is approved by the PDSD Director. For purposes of this section, the distance between required parking and the use it serves is the walking distance measured along the pedestrian access system from the closest points between the building or use and the vehicular use area.

b. The off-site parking location has parking in excess of the minimum required parking for its use or can demonstrate alternate hours of operation to the use it serves.

c. Non-residential uses may not use residentially-zoned property for off-site parking.

d. A formal written and signed shared parking agreement between the owner(s) of the shared parking area and the owner(s) of the shared parking use in a form approved by the City is required.

e. The off-site parking area meets the design criteria provided in this section.

f. When required parking is separated from the principal use by an arterial or collector street, signage directing customers to the nearest legal pedestrian crossing is required.

g. Historic Districts. Land uses within a historic district may apply the location requirements of this section unless different requirements are established specific to that historic district.

2. Parking for Certain Residential Uses

a. Individual Residential Lots
Visitor parking spaces on individual residential lots are permitted under the following conditions:

(1) At least one visitor parking space is provided on each residential lot within a project site;

(2) The visitor parking space is at least eight and one half feet by 18 feet in size; and,

(3) The designated visitor parking space(s) is shown on the tentative plat or site plan, whichever is applicable.

b. On-Street Parking
Visitor parking for single-family and mobile home dwellings is permitted on-street if the street is wide enough to accommodate parking on both sides of the street.

c. Common Use Area
Visitor parking in common use areas is permitted. Visitor parking spaces must be within 250 feet of the front or street side yard property lines of each residential unit.
§ 7.4

a. Exception

Barriers are not required to prevent vehicles from overhanging adjacent sidewalk areas when the sidewalk is curbed and the applicant can demonstrate that a clearance space of at least four feet in width is provided for pedestrian access. When demonstrating compliance, the applicant must account for a vehicle overhang of two and one-half feet and any other obstructions in the sidewalk, such as, bicycle parking racks, vending machines, and merchandise display space.

2. Barriers may not impede pedestrian circulation and accessible routes.

3. When required, wheel stop curbing must be a minimum of two and one-half feet from the front of the parking space. (See Figure 7.4.6-C.) Exception: When a tree is located at the edge or between parking spaces, the minimum required vehicle overhang shall be in accordance with Section 5-01.3.3, Vehicle Overhangs, of the Technical Standards Manual.

![Figure 7.4.6-C: Wheel Stop Curbing](image)

I. Surfacing Requirements

1. All vehicular use areas must be surfaced with one of the following materials.

   a. Pervious and impervious asphaltic concrete;

   b. Pervious and impervious cement concrete;

   c. A penetration treatment of bituminous material and seal coat of bituminous binder and mineral aggregate; or,

   d. Alternative surfacing as determined appropriate by the PDSD City Engineer. Exception: Vehicular use areas for Residential Care Services with four or fewer spaces provided, single-family residential development, mobile home dwellings, duplexes on individual lots with four or fewer spaces provided, and vehicle storage are exempt from the surfacing requirements.
2. The surface must be maintained in a smooth, durable, and well-drained condition and be kept clear of debris or other accumulated refuse.

J. Lighting
   Lighting provided in any vehicular use area or for a bicycle parking facility must be in compliance with the adopted Outdoor Lighting Code of the City of Tucson.

K. Use of Street or Alley for Maneuvering Area
   A street or alley can not be used for maneuvering directly into or from any parking space located wholly or partially outside the public right-of-way, except as follows:
   
   1. The following uses are permitted to use a street or alley for access and maneuvering:
      
      a. Residential uses (including, but not limited to, single-family dwellings, mobile home dwellings, duplexes on individual lots, and Residential Care Services) that require four or fewer off-street motor vehicle parking spaces;
      
      b. Home occupations; or,
      
      c. Non-residential uses within contributing properties to a National Register Historic District.
   
   2. An alley, when used for access, must be a minimum of 20 feet wide, free of obstructions, and surfaced with a dust control method that is acceptable to the TDOT City Engineer.
   
   3. A street may be used for maneuvering directly into or from a parking space, provided the parking space is located completely within the right-of-way and the design of the parking layout is approved by the TDOT City Engineer.
   
   4. These exceptions are not applicable on MS&R designated streets as provided in the MS&R Plan.

L. Screening and Landscaping Requirements
   
   1. Vehicular use areas shall be developed in accordance with Section 7.6.4.B, Vehicular Use Areas.

(Am. Ord. 11070, 5/14/2013)
7.4.7. MOTOR VEHICLE STACKING REQUIREMENTS

A. Requirement
The minimum vehicle stacking capacity required is as follows.

<table>
<thead>
<tr>
<th>Use</th>
<th>Minimum Vehicle Stacking Capacity (per drive-through lane)*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Automotive Washing (Self-Service)</td>
<td>1 vehicle space</td>
</tr>
<tr>
<td>Automotive Washing (Full-Service) and Food Service where there are separate points of service for ordering and pick-up</td>
<td>4 vehicle spaces</td>
</tr>
<tr>
<td>All other uses</td>
<td>3 vehicle spaces</td>
</tr>
</tbody>
</table>

* The space at the point of service counts as one vehicle space.
Development Standards

§ 7.6

a. Minimum Width
Street landscape borders must be a minimum of ten feet wide as measured from the street property line. On streets designated as Major Streets and Routes (MS&R), the street landscape border must be measured from the future MS&R right-of-way line as determined by Section 5.4.4, Establishment of MS&R Right-of-Way Lines and Gateway Routes.

b. Residential Subdivisions
Street landscape borders for residential subdivisions of eight or more lots shall conform to the following standards.

(1) Street landscape borders are only required along the exterior boundaries of subdivisions. Landscape borders are not required along front yard street frontages.

(2) Walls, fences, or other screening must be placed behind the landscape border.

(3) The landscape border must be recorded as common area and maintained by the homeowners association (HOA) for the subdivision. The subdivision CC&Rs shall reference and require compliance with the maintenance standards in Section 7.6.8, Maintenance. The PDSD Director may allow the recording of a public use easement with the subdivision plat in cases where the standards of this section are the only reason for the creation of an HOA. The public use easement shall require the abutting property owner to install and maintain a landscape border in accordance with the standards in this section.

(4) Street landscape borders fronting on local streets may be reduced to a minimum of five feet.

c. Located on Site
Street landscape borders must be located entirely on site, except that, if approved by the City Engineer or designee, up to five feet of the required ten foot width may be placed within the adjacent right-of-way area or within the Major Streets and Routes (MS&R) right-of-way area on MS&R streets.

d. Inorganic Ground Cover
Except as otherwise provided by this section, the area between the right-of-way line and sidewalk and the area between the sidewalk and the curb, if not covered with vegetation, must be covered with an appropriate inorganic ground cover, such as decomposed granite.

e. Vegetative Ground Cover
Fifty percent or more of the area of the street landscape border must be covered with shrubs or vegetative ground cover. The required ground coverage must be achieved within two years from the date of planting.
f. **Scenic Route**

Street landscape borders on property with street frontage on a designated Scenic Route are subject to the standards of Section 5.3.4, *Scenic Route Buffer Area*. A buffer area in accordance with Section 5.3.4, *Scenic Route Buffer Area*, is required on property with street frontage on a designated Scenic Route.

g. **Landscaping on Adjacent Sites**

Existing drought tolerant vegetation on adjacent sites must be considered in design to prevent abrupt changes in plant types and to maintain a visual continuity along street frontages.

h. **Structural Overhangs**

Covered parking canopies or other structural canopies, such as those used in service stations, may not overhang into street landscape borders in order to avoid conflicts between the structures and crowns of trees.

3. **Interior Landscape Borders**

Interior landscape borders are required as a buffer and visual transition along the common property lines between adjacent land uses and zones as follows, except as provided in Section 7.6.4.C.4, *Exceptions to the Landscape Border Standards*.

a. Interior landscape borders are required as determined in Table 7.6.4-1, which ranks land uses and zones based upon their land use intensity and the impact a use will have on adjacent land uses.

b. The minimum required width of an interior landscape border is the lesser of ten feet or the width of the building setback required by the UDC for the proposed building or use.

c. Where motor vehicle parking spaces or parking area access lanes (PAALs) are located next to the property line or where the interior landscape border conflicts with a utility easement, an interior landscape border is not be required if all of the following requirements are met:

1. An equivalent number of trees are planted elsewhere on the site between the building(s) and the property line, or if the use on the site does not include buildings, the required canopy trees are located between the principal use and the property line;

2. The trees are evenly distributed over the site; and

3. The minimum planting area required in Section 7.6.4.B.3, *Planter Area*, is provided for each canopy tree.

d. Detention/retention facilities may be incorporated into the interior landscape border if they are designed in accordance with Section 7.6.6.C.1, *Storm Water Runoff*.
TABLE 7.6.4-1: LANDSCAPE BORDER (SECTION 7.6.4.C) AND SCREENING STANDARDS (SECTION 7.6.5)

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Streets</th>
<th>Adjacent Street or Zone (Developed or Vacant)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>MS&amp;R</td>
<td>Non-MS&amp;R</td>
</tr>
</tbody>
</table>

KEY AND NOTES (for the purposes of this Table)

Residential Zones: OS, IR, RH, SR, SH, RX-1, RX-2, R-1, R-2, R-3, MH-1, MH-2, R-3, MU
Commercial Zones: P, RV, NC, RVC, C-1, C-2, C-3, OCR-1, OCR-2
Office Zones: O-1, O-2, O-3
Industrial Zones: P-I, I-1, I-2

[1] For development adjacent to PAD zones, see Section 7.6.4.C.4.f.
[2] Street Landscape or Interior Landscape Border required along site boundary.
[3] Only applies to subdivisions of 8 or more lots. See Section 7.6.4.C.2.b.

D. **Use of Turf**

1. Except as provided by Section 7.6.4.A.4.c(6), Exceptions for Oasis Limitations, turf areas are allowed only within an oasis.

2. Turf areas must be located to mitigate glare and reduce heat near buildings and their openings, including windows and patios, or to serve as an active play area.

E. **Plant Cover/Dust Control**

All disturbed, grubbed, graded, or bladed areas not otherwise improved must be landscaped, reseeded, or treated with a layer of inorganic or organic ground cover to help reduce dust pollution.

1. Ground surfaces in planting beds, planters, medians, or tree understory within a landscaped area that are not covered with shrubs, accent plants, vines, ground cover, or other vegetation from the Arizona Department of Water Resource’s Low Water Use/Drought Tolerant Plant List must be treated with an inorganic ground cover.

2. Unless maintained as undisturbed natural desert, all portions of a site not occupied by buildings, structures, vehicular use areas, oasis areas, pedestrian circulation areas, or required landscape elements must be landscaped with vegetation from the Arizona Department of Water Resource’s Low Water Use/Drought Tolerant Plant List.
Department of Water Resource’s Low Water Use/Drought Tolerant Plant List, reseeded with a native seed mix, or treated with an inorganic ground cover and maintained in a clean condition. All portions of a site including common areas, natural areas, and revegetated or landscaped areas are to continuously be maintained to remove populations of buffelgrass (*Pennisetum ciliare*).

3. Unless maintained as undisturbed natural desert, future building pads within a phased development must be temporarily landscaped with vegetation from the Arizona Department of Water Resource’s Low Water Use/Drought Tolerant Plant List, reseeded with a native seed mix, or treated with an appropriate inorganic ground cover and maintained in a clean condition as required by Section 7003(e) of the Uniform Building Code (UBC). All portions of a site including common areas, natural areas, and revegetated or landscaped areas are to continuously be maintained to remove populations of buffelgrass (*Pennisetum ciliare*).

4. If vegetative ground cover is not intended, a minimum two-inch layer of organic or inorganic material (i.e., decomposed granite, rock mulch, or other material) is required as ground cover under and around the vegetation in landscaped areas to help cool soil areas, reduce evaporation, and retard weed growth. Existing areas of undisturbed native vegetation retained on the site are not required to have the soil mulched or amended.

F. **Use of the Public Right-of-Way**

Nonrequired landscaping may be placed in the public right-of-way, if the following standards are met:

1. The landscaping is approved by the City Engineer or designee and complies with the City Engineer’s standards on construction, irrigation, location, and plant type;

2. All vegetation complies with the standards of Section 7.6.4, *Landscaping Standards*; and,

3. The landscaping does not interfere with the use of the sidewalk.

(Am. Ord. 11070, 5/14/2013)

7.6.5. **SCREENING STANDARDS**

The purpose of screening is to provide visual barriers, noise reduction, and to provide privacy.

A. **When Required**

Screening for individual land uses and zones must be provided as determined in Table 7.6.4-1 and in addition to the required landscape borders. Screening is not required between similar uses in accordance with Table 7.6.4-1.

B. **Screening Materials**

1. **Walls**

   a. All walls required by this section must be of masonry material or masonry with a stucco or textured finish.

   b. Decorative openings may be incorporated into the upper 20% of an otherwise solid masonry wall located along a street frontage.
3. Assures that all tracts or parcels resulting from a land split shall have adequate access as specified by Section 7.8, Access, of the UDC, Sections 7-01.0.0, Pedestrian Access, and 10-01.0.0, Street Technical Standard, of the Technical Standards Manual and City of Tucson Drainage Manuals.

B. **Applicability**
A proposed land split shall be submitted to PDSD for review and approval as provided in this section.

C. **Pre-application Conference Recommended**
A pre-application conference is encouraged, but not required.

D. **Application Required**
Submittal of an application to the PDSD is required in order to process the request. The application must be in accordance with Section 2-08.0.0, Land Split Applications, of the Administrative Manual. Applications are reviewed for completeness in accordance with Section 3.2.3, Application Requirements.

E. **Review**
Land splits are reviewed by the PDSD for compliance with the following requirements:

1. Does not constitute a subdivision as defined in Section 11.4.20 which would require compliance with platting requirements of Section 8.4;

2. Results in tracts or parcels which conform to the minimum lot size requirements of the property’s zone;

3. Provides access to the proposed tracts or parcels in accordance with Section 7.8, Access, of the UDC, Sections 7-01.0.0, Pedestrian Access, and 10-01.0.0, Street Technical Standard, of the Technical Standards Manual, and the City of Tucson Floodplain Ordinance and Drainage Manuals;

4. Results in all existing buildings complying with the perimeter yard requirements of the property’s zone; and,

5. Results in tracts or parcels of at least the minimum size required to build in accordance with the applicable zoning including any natural, environmental and floodplain requirements in accordance with the City of Tucson Floodplain Ordinance and Drainage Manuals.

F. **Decision**

1. The PDSD Director decides whether to approve or deny an application.

2. The PDSD will notify the applicant if the land split has been approved.

G. **Recordation Required**
After approval, the deeds for the land split shall be recorded at the Pima County Recorder’s Office by the applicant/owner or his designated agent.
8.4. SUBDIVISIONS

8.4.1. BLOCK PLAT

A. **Purpose**
The block plat process allows a subdivider to divide a parcel of land into ten or fewer lots without the necessity of a tentative plat, subject to the requirements of this section as allowed for by A.R.S. § 9-463.01(U). A block plat may be used to abandon a previously recorded plat. Although a tentative plat is not required, additional information shall be submitted as needed, to review the project for compliance with all governmental regulations and good engineering practices. Additional information that may need to be provided include a geotechnical report, grading plan, drainage report, phasing plan, title report, or other documents that the City deems necessary to review for compliance with all applicable standards.

B. **Applicability**
Any proposed block plat, as defined in Section 11.4.3, shall be submitted to PDSD for review and decision as provided below.

C. **Pre-application Conference Required**
A pre-application conference in accordance with Section 3.2.1 is required.

D. **Application, Review, Decision, and Recordation**

1. Block plats shall be prepared, reviewed for compliance with Section 8.4.1.E, Criteria, and considered for approval in accordance with Section 8.4.5, Final Plat, with the exception that a pre-application is required.

2. After approval of the block plat by the Mayor and Council, the block plat must be recorded with the Office of the Pima County Recorder.

E. **Criteria**
Block plats must:

1. Result in ten or fewer lots;

2. Result in lots/blocks that conform to the minimum lot size requirements of the property’s zone;

3. Provide access to the proposed lots in compliance with Section 7.8, Access, of the UDC and Sections 7-01.0.0, Pedestrian Access, and 10-01.0.0, Street Technical Standard, of the Technical Standards Manual;

4. Result in all existing buildings complying with the perimeter yard requirements of the property’s zone;

5. Conform to all City, state, and federal drainage requirements;

6. Result in lots of at least the minimum size required to build in conformance with the applicable zoning including any natural, environmental and floodplain requirements;
7. Not be for a Flexible Lot Development; and,

8. When used to abandon a plat, the disposition of the public right-of-way and utility easements created by the abandoned plat is provided.

(Am. Ord. 11070, 5/14/2013)

8.4.2. RESIDENTIAL AND NON-RESIDENTIAL CONDOMINIUM AND CONDOMINIUM CONVERSION PLAT

A. Purpose
The purpose of this section is to establish procedures and requirements for proposed condominium projects and the conversion of existing structure(s) into condominiums as allowed by A.R.S. Title 33, Chapter 9.

B. Applicability
A proposed condominium projects or condominium conversion, as defined in Section 11.4.4, shall be submitted to the PDSD for review and decision as provided below.

C. Application, Review, Decision, and Recordation

1. Under the Arizona Condominium Act, A.R.S. § 33-1219, a subdivision plat is a required part of the condominium declaration. In conjunction with the creation of a condominium, a subdivision plat must be approved prior to the recordation of a condominium declaration as specified in A.R.S. § 33-1211.

2. A tentative and final plat is required; however, the approved site plan for the existing structure/development may serve as the tentative plat if approved by the Director.

3. Tentative plats of a proposed condominium are prepared, reviewed, and considered for approval in accordance with Section 8.4.4, Tentative Plat.

4. Final plats of the proposed condominium or condominium conversion are prepared, reviewed, and considered for approval in accordance with Section 8.4.5, Final Plat.

5. A final plat may be submitted concurrent with the tentative plat in accordance with Section 3.2.3.B, Sequential or Concurrent Review Procedure.

6. After approval by the Mayor and Council, the final condominium or condominium conversion plat must be recorded with the Office of the Pima County Recorder.

8.4.3. MINOR SUBDIVISION

A. Purpose
A minor subdivision may be accomplished with less documentation and it provides a more streamlined process than required for subdivisions. Although a tentative plat is not required, additional information shall be submitted, as needed, to review the project for compliance with all governmental regulations and good engineering practices. Additional information that may need to be provided include a geotechnical report, grading plan, drainage report, phasing plan, title report, or other documents that the City deems necessary to review for compliance with all applicable standards. The purpose of this section is to establish procedures and requirements for minor subdivision plats.

(2013 S-1)
B. **Applicability**

A subdivision meeting the following criteria is considered a minor subdivision:

1. The number of proposed lots is ten or less;
2. All utility services are available at the subdivision site boundary;
3. All proposed lots have street frontage or perpetual access easements of a minimum width and maximum length complying with requirements established by Section 7.8, *Access*, of the UDC and Section 10-01.0.0, *Street Technical Standards*, of the Technical Standards Manual;
4. All streets forming the boundary of the subdivision are fully improved, except for sidewalks that may be improved as part of the project;
5. The subdivision has no special topographic conditions, such as slopes greater than 10%;
6. The property is not located within a 100-year regulatory floodplain area or erosion hazard setback;
7. The property has all weather access in accordance with the City of Tucson Floodplain Ordinance and Design Manuals, or Section 10-02.4.4, *Street Drainage*, of the Technical Standards Manual;
8. The proposed subdivision site does not have special development requirements, or special requirements have been reviewed and special development requirements have been determined. These special development requirements may include, but are not limited to, the Hillside Development Zone (HDZ); the Environmental Resource Zone (ERZ); the Scenic Corridor Zone (SCZ); and the Watercourse Amenities, Safety, and Habitat (WASH) ordinance; and,
9. The minor subdivision cannot be used for the creation of Flexible Lot Development (FLD).

C. **General Provisions**

1. Minor subdivisions shall conform to the design standards provided in Section 8.6, *General Requirements for Subdivisions*, and Sections 8.7.1 and .2 of the Subdivision Design Standards.
2. Up to two single-family model homes may be authorized for construction prior to recordation of the final plat, provided:
   a. Sale of a lot or occupancy of an individual structure as a residence does not occur until after recordation of the final plat and the City’s release of assurances for improvements, and
   b. The location of each structure is based on the minor subdivision lot configuration approval for final plat recording.
contingency and mobility costs. Acceptance of substitute assurances is solely at the discretion of the PDSD Director. The number of substitutes for any given subdivision may be limited as determined by the PDSD Director.

G. **Full Release of Assurable Infrastructure**
A final release may be granted only when all of the assurable subdivision improvements have been completed, inspected, accepted by the appropriate agency, and the project closure documents have been submitted and accepted by the PDSD Engineering Administrator.

H. **Additional Assurances**
Notwithstanding assurances provided, if the PDSD Director, in his sole discretion reasonably determines that grounds exist that could result in commercial insecurity that the required improvements will be completed, he or she may demand additional financial assurances. The neglect or refusal of the subdivider to provide such additional assurances within 30 days shall result in the immediate suspension of the issuance of any permits or further permits unless and until further assurance is provided.

I. **Expiration or Lapse of Assurances**
If an assurance expires, the PDSD Director shall suspend the issuance of any permit(s) until such time when assurances have been provided. If the PDSD Director determines that any applicable assurances have lapsed, become subject to a bankruptcy or otherwise become ineffective, the PDSD Director reserves the right to issue a stop work order, stop release of additional lots, and utilize the financial assurances to complete the assurable items, or apply monetary penalties as prescribed by law.

**8.6.3. SURVEY MONUMENTS REQUIRED**
The subdivider shall place survey monuments of appropriate type and design delineating the external boundary of the parcel being subdivided, public streets, and all public street intersections within or adjacent to the subdivision, installed in accordance with established practices of the City.

A. For subdivisions with tentative plats, the survey monuments shall be installed after the tentative plat approval and before final plat recordation, unless the subdivider has posted assurances with the City to assure the installation of all monuments after recordation.

B. Prior to recordation, the minor subdivision documents shall be submitted to identify all monuments (interior and exterior), which an Arizona registered land surveyor has set to show compliance with the approved minor subdivision documents.

**8.6.4. PERMITS FOR MODEL HOMES**
Upon approval of the tentative plat, up to five single-family model homes may be authorized for construction prior to recordation of the final plat, provided:

A. Sale or occupancy of an individual unit as a residence does not occur until after recordation of the final plat and the City’s release of assurances for improvements; and,

B. The location of each unit is based on the lot configuration approved for the tentative plat at one unit per proposed lot.
8.6.5. LAND CLEARING AND SUBDIVISION GRADING

A. Land clearing or grading may begin after grading plans are approved, provided the plans are prepared in compliance with an approved tentative plat and such tentative plat is in conformance with the underlying zoning. Mass graded subdivisions include grading of all the platted lots and other subdivision improvements by the developer. Custom graded lot subdivisions include the road improvements that guarantee access to each lot, and other subdivision improvements where access to a future building pad is feasible for each lot.

B. Grading plans may be submitted for review prior to approval of the tentative plat in accordance with Section 2-06.4.9.M, Grading Plan, of the Administrative Manual and Section 2-01.0.0, Excavating and Grading, of the Technical Standards Manual, but cannot be approved until after the tentative plat has been approved.

C. Concurrent review of a grading plan and a tentative plat may be permitted when submitting a development package in accordance with Section 2-06.0.0 of the Administrative Manual.

D. When applicable, phased grading information shall be provided on the tentative plat and grading plan.

8.6.6. PLAT ABANDONMENT

A recorded plat that is filed for the purpose of abandoning the plat, meaning reverting to the configuration of land previously subdivided, or vacating streets or easements previously dedicated to the public; or vacating or redescribing lot or parcel boundaries previously recorded may be replatted in accordance with Section 8.4.1, Block Plats, if all other criteria of Section 8.4.1.E, Criteria, are met. Otherwise, the plat shall be replatted in accordance with Sections 8.4.4, Tentative Plat, and 8.4.5, Final Plats.

8.7. SUBDIVISION DESIGN STANDARDS

8.7.1. PARKS, RECREATIONAL FACILITIES, FIRE STATIONS, AND SCHOOL SITES

Where, in accordance with an adopted plan, it is determined that there are inadequate parks and recreational facilities, fire stations, or school sites, the Mayor and Council may require that land area within the subdivision be reserved for one or more of those uses. Such requirement shall be in accordance with state subdivision statutes regulating reservation of parks, recreational facilities, fire stations, and school sites.

(Am. Ord. 11070, 5/14/2013)

8.7.2. PHASED SUBDIVISIONS

All plats for subdivisions platted in phases shall comply with this Article and all other relevant City regulations and standards.

8.7.3. FLEXIBLE LOT DEVELOPMENT (FLD)

A. Purpose

The purpose of the Flexible Lot Development (FLD) is to provide greater flexibility and creativity in the design of residential development by:

1. Providing incentives to achieve community goals, such as historic and archaeological preservation, preservation of native vegetation, development within low-income areas, and in-fill housing projects;
ARTICLE 9: NONCONFORMING USES, BUILDINGS AND STRUCTURES

Section

9.1. GENERAL
9.1.1. Introduction
9.1.2. Applicability
9.1.3. Continuation Permitted
9.1.4. Determination of Nonconforming Status
9.1.5. Repairs and Maintenance
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9.2. NONCONFORMING USE
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9.3.1. Reconstruction
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9.3.4. Nonconforming Parking Areas

9.1. GENERAL

9.1.1. INTRODUCTION
Uses, buildings, or structures that came into existence legally but that do not comply with one or more requirements of the Unified Development Code (UDC) may continue to operate or be used as provided below. A nonconforming use may be discontinued, resumed, expanded, or substituted with another nonconforming use, and nonconforming structures may be reconstructed or expanded as provided below, except for advertising and outdoor signs, which are regulated by the Sign Code, Chapter 3 of the Tucson Code.

9.1.2. APPLICABILITY
This Article applies to nonconforming uses, buildings, or structures created by initial adoption of or amendments to the UDC. It also applies to nonconforming uses, buildings, or structures that were legal nonconforming under previously applicable ordinances and nonconforming created by the adoption of original City zoning for a newly annexed areas, even if the type or extent of nonconformity is different.

9.1.3. CONTINUATION PERMITTED
Any nonconforming use, building, or structure that legally existed on January 2, 2013, or that becomes nonconforming upon the adoption of any amendment to the UDC or original City zoning may be continued in accordance with the provisions of this article.

(Am. Ord. 11070, 5/14/2013)
§ 9.1  Tucson - Unified Development Code

9.1.4. DETERMINATION OF NONCONFORMING STATUS
The burden of establishing that a nonconforming use, building, or structure is a legal nonconformity, in all cases, is solely upon the owner of such nonconformity. Application requirements are established by the Planning and Development Services Department (PDSD) Director.

9.1.5. REPAIRS AND MAINTENANCE
Incidental repairs and normal maintenance of nonconforming buildings or structures are permitted unless such repairs increase the extent of nonconformity or are otherwise expressly prohibited by the UDC. Nothing in this article shall be construed to prevent structures from being structurally strengthened or restored to a safe condition to conform to the City’s adopted Building or Fire Code.

9.1.6. RESTORING UNSAFE STRUCTURES
Nothing in this UDC shall prevent the strengthening, restoration, or upgrading of a structure to conform to the City’s adopted Building or Fire Code.

9.1.7. TENANCY AND OWNERSHIP
The status of a nonconformity is not affected by changes of tenancy, ownership, or management.

9.2. NONCONFORMING USE

A nonconforming use may be discontinued, resumed, expanded, or substituted with another nonconforming use as provided below.

9.2.1. DISCONTINUANCE OF A NONCONFORMING USE
A nonconforming use may be resumed if the nonconforming use activity has been discontinued for less than six months.

A. A discontinued nonconforming use may be substituted with another nonconforming use, as provided by Section 9.2.3, Substitution with a Use within the Same Land Use Class, and Section 9.2.4, Substitution with a Use from a Different Land Use Class, provided such nonconforming use is substituted within the six-month period.

B. The right to resume a nonconforming use is lost if the discontinuance is for six months or more or if a change to a conforming use occurs. Determination of discontinuance is based upon a consideration of relevant activities and records, including, but not limited to, business license records and/or utility records and the continued maintenance of the property which indicates the intent to continue or discontinue such use. Property left in disrepair or in an unkempt condition is considered in the discontinuance of the use.

9.2.2. EXPANSION OF A NONCONFORMING USE
A nonconforming use may be expanded within an existing or new structure or in land area subject to approval by the Zoning Examiner in accordance with Section 3.4.3, Zoning Examiner Special Exception Procedure, and provided such expansion complies with the following standards:

A. The expansion is being undertaken within five years of the time the use became nonconforming;

B. The expansion complies with the UDC standards. These standards include, but are not limited to, setbacks applicable to the use itself or for new construction, bicycle and motor vehicle parking standards, and landscaping and screening standards;
Erosion
The wearing away of the ground surface as a result of the movement of air, water, ice, or other disturbances.

Escrow
A fund or deposit established by the responsible party, Depositor; held in trust by a third party Escrow Agent; and disbursed to the City of Tucson, Beneficiary; for the fulfillment of those improvements as described in the Escrow Agreement.

Established Area
An area where 50% 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 street perimeter yard required by Section 6.4.5.C, Street Perimeter Yard, for the applicable zoning classification or street frontage.

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

1. 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,

2. Where an established area exists.

Examiner
Same as Zoning Examiner. See Section 2.2.4.

Excavation
The mechanical removal of earth material.

Existing Grade
The grade prior to grading.

Expansion of Land Use
An increase in land use, lot area, floor area, or vehicular use area, except as follows. For purposes of determining compliance with the motor vehicle and bicycle parking requirements, an increase in floor area only is considered an expansion of land use.

Exposed Cut
A cut that, upon completion of the improvement necessitating the cut, remains visible from beyond the boundaries of the site or lot on which the cut is located.

11.4.7. DEFINITIONS – F

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

Federal
Government of the United States of America.

Fill
A deposit of earth material placed by artificial means.
Financial Assurance
See definition of Assurance/Financial Assurance

Finish Grade
The final grade of the site that conforms to the approved plan.

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 means six square feet of floor area for every square foot of site area. For calculation, see Section 6.4.6.

Fourth Avenue Business District
The area delineated on the map.

Freeway-Oriented Business
A commercial use with direct access to the interstate frontage roads or a commercial use with a driveway entrance within 100 feet of the interstate frontage roads.

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

Frontage Road
A local street or road auxiliary that runs parallel to a freeway or expressway or other controlled access roadway to allow local traffic to gain access to abutting property and adjacent areas.

Functional Open Space
Open space that is a designed element of the development and has a functionally described and planned use as an active or passive recreational amenity for the direct benefit of the residents and guests of the development. Examples include: landscaped areas which provide visual relief, shade, screening, buffering, and other environmental amenities; nature trails; exercise trails; active recreation areas (e.g., playgrounds, baseball fields, multiuse areas); picnic areas and facilities; recreation areas and facilities (e.g., swimming pools, tennis courts; golf courses).

Future Half Right-of-Way Area
The same as major streets and routes (MS&R) half right-of-way area, or as defined by Department of Transportation.

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

(Am. Ord. 11070, 5/14/2013)
11.4.8. DEFINITIONS – G

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

Gateway Route
A street or parkway that is a heavily traveled entrance to and through the City, and is designated as a Gateway Route on the Major Streets and Routes (MS&R) Plan map. 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 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.

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

Grade
The vertical location of the ground surface.

Grading
Any excavating, filling, or combination thereof.

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 buildings and includes elevator shafts and the stairwells at each story. Gross floor area includes floor space with structural headroom of six feet and six 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.
11.4.9. DEFINITIONS – H

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 that 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
A building, structure, object, or site, including vegetation or signs located on the premises, that:

• 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 that are at least 50 years old; however, outstanding examples less than 50 years old should be evaluated on their own merits;

• Is associated with the lives of outstanding historic personages;

• Is associated with significant historic events or occurrences;

• 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;

• Contributes information of archaeological, historic, cultural, or social importance relating to the heritage of the community; or,

• 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.
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10. View corridors to and from the site; and,

11. Changes in elevation due to grading.

C. **Hydrology & Drainage**

1. The proposed drainage solution (generalized), i.e., natural channel, street system, retention, constructed channel, landscaped areas, parking areas, etc. Include rationale for constructed drainage system, if one is proposed; and,

2. Describe and map postdevelopment water discharge on- and off-site within one-fourth of a mile; describe and map potential drainage impacts of off-site land uses both upstream and downstream of the proposed development.

D. **Landscaping and Screening**

The following information is most appropriately shown on a landscape plan. If possible, this information can be shown on the preliminary development plan.

1. Types of materials, location, and dimensions of screening from adjacent properties. Indicate the width and type of any proposed vegetative screening;

2. Types, placement, and sizes of proposed vegetation. Include the number of canopy trees in parking areas; and,

3. Indicate whether there will be landscaping within detention areas and drainageways.

E. **Lighting.** Types and placement of lighting.

F. **Pedestrian Access**

1. Pedestrian circulation and access, including ADA considerations; and,

2. Locations of walkways, parking and loading areas, and pedestrian connections.

G. **Signs.** Types and placement of signs.

H. **Topography.** Proposed changes in elevation and topography due to the proposed grading plan, including spot elevations;

I. **Traffic and Trip Generation**

1. Traffic mitigation measures proposed by the applicant (including air quality mitigation, such as carpooling programs, staggered work hours, park-and-ride lots, and bus shelters); and,

2. Trip generation calculations for existing and proposed uses on the project site, including breakout by different land use activities if it is a mixed use project.

J. **Undisturbed Areas.** Map and note any areas to be left undisturbed and preserved in place. Temporary fencing must be installed to preclude disturbance prior to grading and construction.
K. Utilities

1. Map the any proposed changes to existing utilities and easements and any new utilities and easements due to utility service or any required upgrades (poles, transformers, cables, etc.).

2. Provide the following information in the form of notes on the plan or in a separate report:
   a. If the project is residential, provide the estimated number of residents that will live on-site;
   b. Indicate the water service provider. Indicate whether the water company is certified by the state for the 100-year assured water supply. If the provider is other than Tucson Water, indicate whether the company can also provide fire protection service;
   c. Indicate whether the project can be connected to existing infrastructure or whether the project requires new off-site improvements to the infrastructure; and,
   d. Indicate whether the development will connect to public sewer. If on-lot sewage disposal is proposed, state the reasons for not utilizing public sewer service.

L. Vehicular Use Areas. Illustrate the following:

1. Motor vehicle and bicycle parking areas, including drive-through lanes, access lanes and parking area access lanes (PAALs);
2. Public or private streets;
3. Loading areas; and,
4. Solid waste and recycling collection areas, including the proposed location(s) of collection container(s) and proper maneuvering area for pick-up vehicle.


2-03.5.0 ENVIRONMENTAL RESOURCE REPORT

5.1 Purpose
The purpose of the Environmental Resource Report (ERR) is to identify and describe environmental issues that must be taken into consideration.

5.2 Applicability
An Environmental Resource Report is required of rezoning requests for site(s) in the following instances:

A. Site(s) located in the following plan areas: Bear Canyon, Catalina Foothills, Esmond Station, Houghton East, Old Fort Lowell, Pantano East, Rincon/Southeast, Santa Cruz, Sabino Canyon-Tanque Verde, South Pantano, Tucson Mountains, and Tumamoc;

B. Site(s) adjacent to a designated resource corridor or within one mile of designated public preserves as identified for preservation or protection by the General, Area, and/or Neighborhood plan, basin management plans, the Tucson Stormwater Management Study, or the Critical and Sensitive Biological Communities Map (CSBC); or,
3.8 The north arrow, contour interval, and scale as applicable to each sheet should be placed together in the upper right corner of each sheet.

3.9 The plan drawing shall be oriented with north toward the top of the sheet. If it is not practical to orient north to the top of the sheet, the plan drawing shall be oriented with north to the left side of the sheet.

3.10 A legend that shows and describes all symbols used on the drawing is to be provided, preferably on the first sheet.

3.11 A key plan (if provided) shall be located on the first sheet.

3.12 An index of sheets in the development package shall be provided on the first sheet.


2-06.4.0 CONTENT REQUIREMENTS

4.1 The name, mailing and email addresses, and phone number of the primary property owner of the site, the developer of the project, registrant(s), and other person(s), firm(s), or organization(s) that prepared the development package documents shall be provided on the right half of the cover sheet. The applicable registration or license number shall be provided if prepared by or with the assistance of a registered professional, such as a surveyor, architect, landscape architect, or engineer. All sealing shall be consistent with Arizona Board of Technical Registration guidelines.

4.2 The title block shall include the following information and be provided on each sheet:

A. The proposed name of the project or subdivision, or if there is no name, the proposed tenant’s name;

B. A brief legal description and a statement as to whether the project is a resubdivision are to be provided. On resubdivisions, provide the recording information of the existing subdivision plat;

C. The number of proposed lots and common areas are to be noted. If the subdivision is a Flexible Lot Development (FLD), a condominium, or a similar type of residential subdivision utilizing special provisions of the UDC, it shall be so noted;

D. The page number and the total number of pages in the package (i.e., sheet xx of xx).

4.3 The administrative street address and relevant case numbers (development package document, subdivision, rezoning, board of adjustment, DDO, MDR, DSMR, overlay, etc.) shall be provided adjacent to the title block on each sheet.

4.4 The project-location map to be located on the first sheet of the development package in the upper right corner, shall cover approximately one square mile, be drawn at a minimum scale of three inch equals one mile, and provide the following information.

A. Show the subject property approximately centered within the one square mile area;

B. Identify major streets and regional watercourses within the square mile area and all streets that abut the subject property; and,
C. Section, township, and range; section corners; north arrow; and the scale will be labeled.

4.5 When the development package documents consists of more than one sheet, a sheet index (a legible drawing of the site showing the area represented on each sheet) is to be placed on the cover sheet or the second sheet.

4.6 If the project is located within the boundaries of a Planned Area Development (PAD) zone, include a reduced-scale map of the PAD on the first sheet, indicating the location of the portion being developed.

4.7 General Notes
The following general notes are required. Additional notes specific to each plan are required where applicable.

A. Zoning and Land Use Notes

1. List as a general note: “Existing zoning is ____.”

2. List the gross area of the site/subdivision by square footage and acreage.

3. If the plan/ plat has been prepared in conjunction with a rezoning application, add the following note next to the existing zoning note: “Proposed zoning is ____.” List the applicable rezoning file number and conditions of approval. Also place the C9-__-__ (if applicable) and the plan/ plat file numbers in the lower right corner of each sheet.

4. Identify the existing and proposed use of the property as classified per the UDC. List all UDC sections applicable to the proposed uses.

5. On residential projects, list the total number of units/lots proposed.

6. If a plan or plat is prepared in conjunction with other applications or overlays or the parcel being developed is subject to conditions of an application processed previously, additional information must be added to the plan. Such applications and overlays include, but are not limited to: annexations; rezonings; special exceptions; Board of Adjustment variances; Design Development Options; Technical Standard Modification Request; overlays (Airport Environ Zone, Environmental Resource Zone, Gateway Corridor Zone, Hillside Development Zone, Historic Preservation Zone, Major Streets and Routes, Rio Nuevo District, Scenic Corridor Zone, WASH); Modification of Development Regulations through the Downtown Area Infill Incentive District or Rio Nuevo District; Downtown Heritage Incentive Zone; or, Design Review Board. Provide the following information on the plan.

   a. List additional applications and overlays, by case number (if applicable), in lower right corner of each sheet. As a general note provide the type of application processed or overlays applicable, a statement that the project meets the criteria/conditions of the additional application or overlay, the case number, date of approval, what was approved, and the conditions of approval, if any.

   b. If there is more than one lot within the site, the note should specify which lots are affected by the additional applications or overlay zones.
and the number provided, including the number of spaces required and provided for the physically disabled. The drawing should indicate parking space locations for the physically disabled. A typical parking space detail shall be provided for both standard parking spaces and those for the physically disabled. For information on parking requirements for the physically disabled, refer to adopted building and accessibility codes of the City of Tucson. Design criteria for parking spaces and access are located in Section 7.4.6, Motor Vehicle Use Area Design Criteria, of the UDC.

b. If any of the required parking is located off-site as permitted by the UDC, a drawing of that parking area is to be provided, together with the city’s required parking agreement (include a copy of the lease agreement if applicable) must be provided. Please remember that in these situations, if the off-site parking location is a new parking area, it must comply with all parking area requirements and must be allowed as a principal use by the zoning classification of that property. If the off-site parking area location is an existing parking lot, the parking spaces utilized for the proposed land use must be nonrequired parking for the existing use for which the parking area was established.

c. Show all loading zones, vehicle maneuverability fully dimensioned, and access route. Provide as a note the number of loading spaces required, the number provided, whether the loading space is a Type A or B as provided in UDC Section 7.5.4.

d. Show bicycle parking facilities fully dimensioned. For specifics, refer to Section 7.4.9, Bicycle Parking Design Criteria, of the UDC. Provide, as a note, calculations for short and long term bicycle spaces required and provided.

6. If the project is phased, the phase under consideration shall be designed so those later phases are assured legal access. If such access is provided through the phase under consideration, public streets are required, or access easements must be delineated and dedicated for such use. If private easements are utilized, protective covenants establishing the right of access, maintenance and incorporation of future phases into this project are required.

7. If streets are proposed, indicate if they are designed for on-street parking to accommodate visitor parking or if parking is provided in common parking areas. Visitor parking is to be evenly distributed and usable by all residents of the project. Extra parking on individual lots, such as tandem parking in driveways, does not count toward visitor parking, as it is not available to other property owners within the project. Design criteria for streets are located in Technical Standards Manual Section 10-01.0.0.

Streets designed at the minimum width, without on-street parking, need clearance for access to all homes by life safety vehicles and, where no alleys are provided, by refuse collection vehicles. If motor vehicles are parked along streets that are not designed to allow for parking, life safety services will be inhibited and, in many situations, blocked.

I. Show all right-of-way dedications on or abutting the site and label. If the development package documents have been prepared in conjunction with a subdivision plat or is required as a condition of approval of a review process, such as a rezoning, street dedications in accordance with the Major Streets and Routes (MS&R) Plan may be required by these processes.
Projects bounded by streets having only a portion of the right-of-way width dedicated will be required to dedicate right-of-way, up to one-half, to complete the street width.

Should there be any proposed street or alley vacation, provide this information. If vacation has occurred, include the recording information.

J. If street dedication is not required or proposed and the project site is adjacent to a Major Street or Route, draw the Major Street right-of-way lines for those streets. (Add the MS&R future sidewalk, right-of-way lines, sight visibility triangles, etc.)

K. Identify and provide dimensions, approximate areas in square footage, and purposes of any lots proposed for dedication (such as open spaces, recreation areas, or natural areas) or for reservation for a public use (such as public parks, water facilities, or school sites).

L. All proposed easements (utility, sewer, drainage, access, etc.) are to be dimensioned and labeled as to their purposes and whether they will be public or private. The easements may have to be recorded and the recordation information added to the development package prior to approval.

M. Grading Plan

1. A conceptual grading plan is required on projects with significant topographic conditions. The PDSD Engineering Administrator or designee will determine the need for such a plan.

2. Concurrent Review. For all projects, grading plans may be included in the development package and will be reviewed concurrently.

3. Tentative Plats - Non Concurrent Review. A separate grading plan may be submitted after the second resubmittal of the tentative plat; however, the grading plan cannot be approved unless it is conformance with an approved tentative plat.

Note: In the case of a tentative plat submitted in conjunction with a rezoning request, the tentative plat and grading plan cannot be approved until 30 days after adoption of the rezoning ordinance. See Section 3.5.3.K.6, Ordinance Effective Date, of the UDC.

N. In conjunction with a drainage report or statement, as applicable, prepared in accordance with the City Engineer’s instructions and procedures, the following information will be indicated on the development package documents. For additional information regarding drainage standards, see the City of Tucson Standards Manual for Drainage Design and Floodplain Management.

1. Show areas of detention/retention including 100-year ponding limits with water surface elevations.

2. Indicate proposed drainage solutions, such as origin, direction, and destination of flow and method of collecting and containing flow.

3. Provide locations and types of drainage structures, such as, but not limited to, drainage crossings and pipe culverts.
4. Indicate all proposed ground elevations at different points on each lot to provide reference to future grading and site drainage.

5. Verification will be provided that any drainage solutions which occur outside the boundaries of the development document area are constructed with adjacent owners’ permission. (Additional notarized documentation of that approval will be submitted with the drainage report.)

6. The 100-year flood limits with water surface elevations for all flows of 100 cfs or more will be drawn on the development package documents.

7. Draw locations and indicate types of off-site runoff acceptance points and/or on-site runoff discharge points.

O. All applicable building setback lines, such as erosion hazard, floodplain detention/retention basins, and zoning, including sight visibility triangles, will be shown.

P. The following Pima County Wastewater Management information will be indicated on the development package documents.

1. Preliminary sewer layout, including points of connection to existing sewers, proposed rim and invert elevations, and flow arrows at all manhole locations, length and percent of grade between manholes, size of pipe, and proposed flow-thru locations, should be shown if applicable.

a. The preliminary sewer layout shall be designed so that manholes will not interfere with street survey monuments. However, survey monuments may be offset from manhole locations if so indicated on the plan.

b. Where sewers must be located in easements other than drainageways, the sewer and easement must be located entirely on one lot, or a note must be added to the plan which states the following. “No permits will be issued for any structures proposed to be built within a sewer easement.”

c. The minimum width of sanitary sewer easements shall be 20 feet. If applicable, indicate that off-site easements will be recorded by separate instrument. Easements may have to be recorded and the recordation information added to the development package prior to approval.

d. All sanitary sewers will be designed to provide gravity flow, if possible.

Q. Provide the square footage and the height of each commercial, industrial, or business structure and the specific use proposed within the footprint of the building(s).

R. Show on-site pedestrian circulation and refuge utilizing location and the design criteria in Section 7-01.0.0, Pedestrian Access, of the Technical Standards Manual.

S. Show existing or proposed pedestrian circulation along abutting rights-of-way. Such sidewalks must comply with accessibility requirements for the physically disabled and the design criteria in Section 10-01.0.0, Street Technical Standards, of the Technical Standards Manual.
T. Show refuse collection areas, including locations of dumpsters, screening location and materials, and vehicle maneuverability, fully dimensioned, and access route. If dumpster service is not proposed, indicate type of service. For specific information on refuse collection, refer to Section 8-01.0.0, Solid Waste and Recycle Disposal, Collection, and Storage, of the Technical Standards Manual. Refuse collection on all projects shall be designed based on that section, even if collection is to be contracted to a private firm.

U. Indicate graphically, where possible, compliance with conditions of rezoning.

V. For gang mailboxes indicate location to assure there are no conflicts with other requirements, such as pedestrian accessibility, utilities, and landscaping.

W. Indicate the locations and types of proposed signs (wall, free-standing, pedestal) to assure there are no conflicts with other requirements and that minimal locational requirements can be met. Indicate if there are any existing billboards on site. Compliance to the Sign Code, Chapter 3 of the Tucson Code, is required.

X. Show compliance with landscaping and screening requirements by locations, material descriptions, and dimensions. Specific plant or hardscape material shall be detailed on a landscape plan. A detailed landscape plan is required. In accordance with Section 2-11.0.0, Landscape Plan Requirements.


2-06.5.0 FLEXIBLE LOT DEVELOPMENT (FLD) - ADDITIONAL REQUIREMENTS

5.1 Site Plan Required
FLDs not proposing to subdivide the project site must prepare a site plan in accordance with Section 2-06.0.0, Development Package, including Section 2-06.5.3, Additional Information;

5.2 Tentative Plat Required
An FLD proposing to subdivide the project site into two or more lots must prepare a tentative plat. Tentative plats for FLDs must be prepared in accordance with Section 2-06.0.0, Development Package, including Section 2-06.5.3, Additional Information, and the following developable area information:

A. Provide, by note on the plat, the developable area calculation for the entire FLD; and,

B. Show the maximum developable area of each lot (i.e., building footprint).

5.3 Additional Information
The following are required in addition to the requirements of the tentative plat or site plan, whichever is applicable:

A. Reduced Perimeter Yards
Street perimeter yards along interior street rights-of-way and perimeter yards between interior lots may be modified in accordance with Section 8.7.3.L, Perimeter Yards on Interior Lots, of the UDC. Applicants requesting a perimeter yard reduction must indicate what the required and reduced perimeter yards are and their locations. Applicants requesting a reduced street perimeter yard must provide a written description of how the reduced yard will enhance the architectural design or the vehicular circulation in the FLD and submit a transportation statement, or if required by the Department of Transportation, a traffic impact analysis;

(2013 S-1)
SECTION 2-07.0.0: FINAL PLAT, BLOCK PLAT, MINOR SUBDIVISION, AND
CONDOMINIUM PLAT APPLICATIONS

2-07.0.0 APPLICABILITY
Final plats, block plats, minor subdivisions, and condominium plats shall be prepared according to the requirements provided below. Hereafter referred to as “plat” or “plats.”

A final plat serves as a survey document suitable for recordation of all or part of an approved tentative plat, if applicable. The final plat must conform to the approved tentative plat or site plan in lot configuration, design, and required conditions of development. The final plat, once approved, is recorded in the Pima County Recorder's Office. The final plat is kept on file and becomes part of the permanent record for the subject site.


2-07.2.0 APPLICATION SUBMITTAL REQUIREMENTS
Plat application packets are available from the PDSD Department. Completed applications and accompanying materials are submitted to the PDSD. Incomplete or inaccurate applications will not be accepted, nor will any application in which the pre-application conference or neighborhood meeting requirements have not been met. Should an incomplete submittal be accepted for review, the applicant should be aware that, because of a lack of information, the review will take longer since comments cannot be finalized until after the resubmittal when the required information is provided. The types of documents and the specific number of copies required of each of the documents are on the PDSD website or may be obtained from the CDRC office.

The following documents and information shall be submitted upon application:

2.1 Application Form
A completed application signed by the property owner or authorized designee;

2.2 Plat
A plat must be prepared to the format and content requirements described herein; and,

2.3 Fees
Fees in accordance with Section 4-01.0.0, Development Review Fee Schedule.
2-07.3.0 SUBMITTAL TIMING
Review of final plats is normally initiated after the tentative plat has been approved, unless concurrent tentative and final plat submittal has been approved by the PDSD prior to submittal. Final plats may also be submitted for review prior to the approval of a tentative if a minimum of one review of the tentative plat have occurred. In any case, submittal of the final plat prior to approval of the tentative plat is done at the applicant’s risk since changes could be required of the tentative that may affect the final plat.

2-07.4.0 FORMAT REQUIREMENTS
Plats must:

4.1 Be on a 24-inch by 36-inch sheet(s) folded to the eight and one-half inch by 11-inch format shown in Exhibit I. The plat may comprise several sheets showing various elements of required data;

4.2 Be prepared on materials that can be transferred to double-matt Mylar reverse read;

4.3 Have a two-inch margin on the left side and one-half inch margins on the remaining sides to comply with standardization requirements of state law for recorded plats;

4.4 Be drawn to a scale of no more than one inch equals 40 feet; and,

4.5 All lettering and dimensions shall be three-thirty-seconds inch in height.

2-07.5.0 CONTENT REQUIREMENTS

5.1 General

A. A project-location map must be drawn in the upper right corner of the first sheet of the plat at a scale of three inches equals one mile and include the following information:

1. The project site approximately centered within a one square mile area;

2. Label the section, township, and range; section corners; north arrow; and the scale;

3. Subdivisions, arterial and collector streets, major watercourses, and railroads within the one-mile area; and,

4. The city’s jurisdictional limits, if within the mapped area.

B. If the plat contains more than one sheet, a small index drawing of the site showing the area represented on each sheet is to be placed on the first sheet. Exception: The project-location may be used as the index map on plats having only two or three sheets.

C. If the project is located within the boundaries of a Planned Area Development (PAD) zone, include a reduced-scale map of the entire PAD on the first sheet, indicating the location of the portion being developed.

D. Place the words “SEQ#________” in both the upper and lower right corners outside the margin line. The blanks will be completed by the Pima County Recorder’s Office at the time of recordation.
§ 2-07.5.0

B. Identify each block or lot within the subdivision boundary by number, and include the square footage of each;

C. If the project has common areas, label each common area individually with a separate letter designation. Enclose with a solid line each common area, private street, etc., that will have separate restrictions, a separate homeowners' association, or any common area that is separated by a public right-of-way;

D. Provide location, dimensions, areas in square footage, and purposes of lots proposed for dedication (such as open spaces, recreation areas, and natural areas) or for reservation for a public use (such as public parks, water facilities, and school sites);

E. Show required setbacks, such as erosion hazard, drainage, etc.;

F. Show the limits of the 100-year floodprone area in a surveyable and readily retraceable manner with frequent ties to intersecting lot lines for all flows of 100 cfs or more;

G. Corner lots may be designated with a star symbol indicating which street will be used for access. Use of this designation may limit design options for access. In instances where the city, for safety reasons, limits accessibility, a one-foot no-access easement will be required;

H. Show no-vehicular access easements where applicable;

I. Show detention/retention areas in a surveyable and readily retraceable manner;

J. Show the boundaries of all protected peaks and ridges, if applicable;

K. If the plat represents one phase of a multiphased project and access is provided through this phase to the future phases, indicate the access easements or public streets on this plat that will guarantee the access; and,

L. Areas that include Protected Riparian Area shall be shown on the plat in a surveyable manner and designated as areas where no further development is permitted.

5.5 Survey Information

A. Indicate primary control points, or descriptions and ties to such control points, to which all dimensions, angles, bearings, and similar data on the plat will be referred. Where a coordinate system has been established by the City Engineer or County Engineer, primary control points may be referenced thereto. At least one corner of the subdivision will be tied by course and distance to a section corner, a quarter section corner, or an established city or county survey monument. The plat must include a description of that corner marker and an indication of how the bearings were determined. Corner tie recordation information is to be provided on the plat.

B. Indicate tract boundary lines; right-of-way and centerlines of streets, easements, and other rights-of-way; and property lines of residential lots and other sites, with accurate dimensions, bearings, or deflection angles and radii, arcs, and central angles of all curves.

C. Additional details to be shown are as follows:
1. **Basis of Bearings.** The purpose of the basis of bearings on a survey is to enable another surveyor to retrace the original survey. As such, the statement must be referenced to found, readily locatable monuments. There are three general methods of establishing bearings:

   a. Reference to a record of survey or a recorded plat;

   b. Astronomic (normally solar or polars); and,

   c. Assumed.

   The basis of bearings must be established from at least two found, physically monumented points described and shown on the final plat. If the monuments at each end of the reference line are fully described on the plat, they need not be described in the “Basis of Bearings” statement;

2. Label all boundary lines as to exact nature;

3. The boundary survey and section breakdown must be shown, if performed;

4. Boundary monumentation(s) must be labeled as “found” or “set.”

   a. Fully describe and show all markings on found monuments.

   b. A one-half inch iron rod tagged by a registered land surveyor must be set at all corners upon completion of construction.

5. Show the distance and bearing between all monuments used. Indicate whether measured or calculated. Measured is the physical, direct occupation of a point/line by line of sight and not through calculations of other measured distances; and,

6. In castings for points on section and quarter section lines, the standard survey monuments must be set on the street monument line at all intersections, points of curves (P.C.s), points of reverse curves (P.R.C.s), stub street termini, and at radius points of cul-de-sacs, eyebrows, or knuckles. All street monuments must be in place, stamped, and punched before public streets will be accepted for maintenance. Crossed out manhole covers are not acceptable survey monuments.

### 5.6 Protective Covenants

Protective covenants or Covenants, Conditions, and Restrictions (CC&Rs) establishing responsibility for construction, maintenance, and ownership of any proposed common area, open space, private street, or similar joint use, when needed, will:

A. Provide for maintenance of and liability for any proposed commonly-owned areas; and

B. Include the various conditions of rezoning or other special situations requiring permanent administration by an owners’ association.


### 2-07.6.0 APPROVAL DOCUMENTS AND PROCEDURE

State law requires that Mayor and Council approval is given for final plats before the original final plat document is recorded. In the event that any changes are made to a plat after Mayor and Council have approved it, the revised plat is resubmitted to Mayor and Council for reapproval.

(2013 S-1)
SECTION 2-10.0.0: LANDSCAPE PLAN REQUIREMENTS

Section

2-10.1.0 PURPOSE
This standard specifies means to demonstrate compliance with Section 7.6, Landscaping and Screening, of the Unified Development Code (UDC).

2-10.2.0 APPLICABILITY
A landscape plan is required to be submitted with all applications for land development, with certain exceptions as noted in Section 7.6.2, Applicability, of the UDC. Any change in design or land use requires a new review and approval process for the landscape plan. Certificates of Occupancy will not be issued, nor will the building be occupied, until the landscaping on the site meets the approved landscape plan criteria.

2-10.3.0 FORMAT REQUIREMENTS
The landscape plan shall:

3.1 Be on a 24-inch by 36-inch sheet(s);

3.2 Be drawn to a scale of no smaller than one inch equals 40 feet; and,

3.3 All lettering and dimensions shall be three-thirty-seconds inch or greater in size.


2-10.4.0 CONTENT REQUIREMENTS
The landscape plan shall include the following:

4.1 Identification and Descriptive Data

A. All improvements and site information, such as adjacent rights-of-way and property lines, shown on the landscape plan will be identical in size and location to those shown on the base plan (site plan or tentative plat). Should amendments be required to the base plan through the review process, the same amendments will be made to the landscape plan which will then be resubmitted along with the base plan.

B. The landscape plan will contain the following identification in the lower right corner of each sheet:
1. Legal description and address of site;

2. Cross-reference to:
   a. Rezoning case;
   b. Subdivision case;
   c. Board of Adjustment case;
   d. Design Development Option case;
   e. Development Review Board (DRB) case; and/or,
   f. Any other relevant case number for reviews or modifications that affect the site.

C. The name, address, and phone number of the individual who prepared the landscape plan.

4.2 Proposed Landscape and Screening Improvements

Landscape plans submitted for review do not necessarily have to be complete working drawings ready for contractual work. However, all required landscaping and screening will be clearly shown in sufficient detail as to readily convey the intent to comply. Plans will include a planting plan, an irrigation plan, a grading plan, and construction details, each with applicable legend, key, symbols, sizes, quantities, and notes.

The following information must be provided on the plans. Information may be combined on one sheet if the combination of information does not obscure other details.

A. Planting Plan

1. Vegetation Plan and Schedules
   a. The location of individual plants one gallon or larger in size and areas to be seeded, turfed, or planted from flats;
   b. Sizes of plants indicated in boxes, gallon cans, or flats or by height (palms), number of canes (ocotillo), or number of pads (opuntia);
   c. Ultimate size of plants indicated by the spread of canopy, circumference of shrubs, or spread of ground cover;
   d. Both the proper and common name of each type of plant material. They should be included for any proposed seed list, if applicable;
   e. Location, size, and name of existing vegetation to remain in place;
   f. The location of oasis allowance area; and,
   g. Material and areas of inert ground cover.
SECTION 3-02.0.0: COMPLIANCE REVIEW TIMEFRAMES POLICY

Section

3-02.1.0 PURPOSE
Senate Bill (SB) 1598 was adopted by the Arizona Legislature in 2011, and applies to all Arizona municipalities and counties. The purpose of the SB 1598 Compliance Policy is to bring city and county development review application processing procedures into compliance with the SB 1598 Regulatory Bill of Rights as adopted in A.R.S. Title 9, Chapter 7, Article 4.


3-02.2.0 APPLICABILITY

2.1 This policy applies to the various City of Tucson application review procedures that produce outcomes that qualify as “licenses,” defined in SB 1598 as “the whole or part of any municipal permit, certification, approval, registration, charter, or similar permission required by law.”

2.2 As required by A.R.S. §§ 9-831 et seq. this Compliance Review Timeframes Policy will take precedent over any timeframe for a qualifying “license” in the Unified Development Code (UDC), Administrative Manual, or Technical Standards Manual.

3-02.3.0 REVIEW CHOICES

3.1 The city has consistently supported and practiced expeditious review of all applications, and will continue to do so under the time frames set forth in this Policy. The PDSD will continue to engage in process improvement to review various application in the most expeditious way possible and will continue to work with customers to review their applications in a manner that:
§ 3-02.3.0 Provides flexibility when needed;
Assures the public health and safety; and,
Allows a customer complying with the city’s development regulations to achieve their permitting and development goals in a timely manner.

3.2 To further this goal and to provide applicants with additional flexibility and choice, the city has also developed a City of Tucson Flexible Review Option, which an applicant may opt to choose in lieu of the requirements of the this Policy. The choice must be made at the time of application submittal, and the applicant must sign a clear waiver of the requirements of this Compliance Review Time Frame Policy on a form approved by the City Attorney.

3-02.4.0 DEFINITIONS
The following City of Tucson development review applications would fall under the SB 1598 definition of “license”:

4.1 Procedures requiring decision by the PDSD Director;
4.2 Procedures requiring decision by the PDSD Director pursuant to the 50-foot notice procedure;
4.3 Procedures requiring decision by the PDSD Director pursuant to the 300-foot notice procedure;
4.4 Procedures requiring Zoning Administrator decision;
4.5 Procedures in certain overlay districts requiring PDSD Director decision;
4.6 Special exceptions requiring PDSD Director decision;
4.7 Special exceptions requiring Zoning Examiner decision; and,
4.8 Special exceptions requiring Mayor and Council decision.

3-02.5.0 EXEMPTIONS - SHORT TERM EXEMPT LICENSES
A development review application or permit that is issued within seven working days of application and that expires within 21 calendar days of issuance is exempt from the provisions of this policy.

3-02.6.0 APPLICATION FORM CONTENTS
City of Tucson development review applications shall include the following information as required by SB 1598 (A.R.S. § 9-836):

6.1 A list of all required steps in the application/approval process;
6.2 Applicable time frames;
6.3 Contact person (name and telephone number);
6.4 Website address; and,
6.5 Notice for opportunity to clarify ordinances/regulations.
Compliance Review Timeframes Policy

3-02.7.0 REGULATORY CLARIFICATIONS
An applicant may request from the city clarification of a regulation pertaining to the application. A request must be in writing and include all information required by A.R.S. § 9-839. The city may provide the requestor with an opportunity to meet and discuss the request. In compliance with A.R.S. § 9-839, the city shall provide a written response within 30 calendar days of receipt of the request.

3-02.8.0 REVIEW TIMEFRAME REQUIREMENTS

8.1 A.R.S. § 9-835 requires the city to have in place an overall timeframe during which the city will either grant or deny license applications subject to SB 1598 requirements. A.R.S. § 9-835(C) provides for flexibility in structuring the license process for certain types of “licensing.” The time frame requirements for application review for applicable procedures are listed in Table 3-02 provided below.

8.2 Existing zoning application review provisions adopted shall comply with the SB 1598 Compliance Policy by December 31, 2012.

8.3 Any new zoning application review provisions shall comply with the SB 1598 Compliance Policy.

8.4 The beginning of a completeness or substantive review timeframe shall be on the date following the actual date an application is submitted to the Planning and Development Services Department.

3-02.9.0 TIMEFRAME SUSPENSIONS
The overall time frames listed in the Table below are suspended for the following time periods:

9.1 From the date of a notice to the applicant of specific deficiencies in an application, whether on review for completeness of application or substantive review, and the date that the city receives the missing information from the applicant; and,

9.2 Time for completion of certain purposes, such as including public hearings or state or federal licenses.

3-02.10.0 TIMEFRAME EXTENSION PROCESS

10.1 For substantive reviews of an SB 1598 license application, the city shall request no more than one comprehensive request for additional materials and corrections.

10.2 If the re-submittal after the one comprehensive request is still not in compliance with the city regulations and policies, the application shall be denied. The city shall give notice of approval or denial by either electronic, written mail, or an electronic facsimile. The notice shall include citations of the pertinent regulations justifying an application denial and shall explain the applicant’s rights to appeal.

10.3 Upon receiving an application denial, the applicant may submit a new application to the city for further reviews.

10.4 Under A.R.S. § 9-835(H), by mutual written or electronic agreement, the substantive review time frame and the overall time frame may be extended. The extensions shall not exceed 25% of the overall time frame. An application requiring more time must submit a new application. (A.R.S. §§ 9-835(H), 9-834 and 9-835(l))

### § 3-02.11.0 NOTICE OF COMPLETENESS

The city shall review applications for both application completeness and substantive compliance. The city shall send notice to the applicant of the application’s status within the mandatory timeframes. The notice shall cite a list of all deficiencies and reference the applicable regulation or policy, inform the applicant that the city’s mandatory timeframe is suspended pending receipt of requested corrections or any missing information and note that if the city fails to provide notice to the applicant the application is then deemed complete in accordance with the SB 1598 Compliance Policy. (A.R.S. §§ 9-835(D), 9-835(E), 9-835(F))

### § 3-02.12.0 REFUNDS

If the city does not send notice to an applicant regarding approval or denial within the overall timeframe or any mutually agreed extension thereof, the city shall refund the application fees within 30 calendar days of the expiration of the overall timeframe or any mutually agreed extension thereof and waive any additional fees for the application. (A.R.S. § 9-835(J))

### TABLE 3-02: REVIEW TIMEFRAME REQUIREMENTS

<table>
<thead>
<tr>
<th>APPLICATION TYPES</th>
<th>PDSD DIRECTOR APPROVAL PROCESS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Business licenses;</td>
<td>15 calendar days</td>
</tr>
<tr>
<td>2. Changes of use;</td>
<td></td>
</tr>
<tr>
<td>3. Downtown Area Infill Incentive District - projects within the Downtown Core Sub-district requesting a modification of development regulations (Note: projects within the Greater Infill Incentive Sub district are processed in accordance with the 300' Notice Procedure below);</td>
<td></td>
</tr>
<tr>
<td>4. Electrical connections (certain types);</td>
<td></td>
</tr>
<tr>
<td>5. Expansion of existing premises;</td>
<td></td>
</tr>
<tr>
<td>6. Home occupations;</td>
<td></td>
</tr>
<tr>
<td>7. Individual Parking Plans for projects greater than 300' from R-3 or more restrictive zoning districts;</td>
<td></td>
</tr>
<tr>
<td>8. New construction;</td>
<td></td>
</tr>
<tr>
<td>9. Nonconforming same Land Use Class substitution;</td>
<td></td>
</tr>
<tr>
<td>10. Nonconforming parking areas;</td>
<td></td>
</tr>
<tr>
<td>11. Parking Design Modification Requests (except requests to modify the number of bicycle or motor vehicle parking spaces);</td>
<td></td>
</tr>
<tr>
<td>12. Projects within certain overlay zones;</td>
<td></td>
</tr>
<tr>
<td>13. Restricted adult activities;</td>
<td></td>
</tr>
<tr>
<td>14. Temporary uses or structures;</td>
<td></td>
</tr>
<tr>
<td>15. Tenant improvements;</td>
<td></td>
</tr>
<tr>
<td>16. Wireless Communication uses (certain types);</td>
<td></td>
</tr>
<tr>
<td>17. Rio Nuevo District Zone Minor Modifications of Development Regulations (MDR);</td>
<td></td>
</tr>
<tr>
<td>18. Zoning Compliance for Site Improvements in Existence on May 1, 2005;</td>
<td></td>
</tr>
<tr>
<td>19. Other applications, such as blood donor centers and circus, carnival and tent shows;</td>
<td></td>
</tr>
<tr>
<td>20. Site plans (Site plans in Overlay Districts require different time frames for review);</td>
<td></td>
</tr>
<tr>
<td>21. Subdivision tentative plat; and,</td>
<td></td>
</tr>
<tr>
<td>22. Subdivision final plat.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>TIMEFRAME</th>
<th>PDSD DIRECTOR APPROVAL PROCESS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administrative Compliance Review for Application Completeness</td>
<td>15 calendar days</td>
</tr>
<tr>
<td>Substantive Review</td>
<td>70 calendar days</td>
</tr>
<tr>
<td>Overall Timeframe</td>
<td>85 calendar days</td>
</tr>
</tbody>
</table>

Note: This time period includes a second review after return of comments on the first review. Total time is less if only one review is needed for a particular approval.
### SECTION 4-01.0.0: DEVELOPMENT REVIEW FEE SCHEDULE

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>4-01.0.0</td>
<td>GENERAL</td>
</tr>
<tr>
<td>4-01.1.0</td>
<td>PURPOSE</td>
</tr>
<tr>
<td>1.1</td>
<td>Purpose</td>
</tr>
<tr>
<td></td>
<td>The purpose of this standard is to establish appropriate fees which are assessed by the city for development of land within the City of Tucson.</td>
</tr>
<tr>
<td>1.2</td>
<td>Policy</td>
</tr>
<tr>
<td></td>
<td>The Tucson Code authorizes the City Manager to establish fees with approval by the Mayor and Council. Under Mayor and Council policy, each City of Tucson fee was approved after public hearing.</td>
</tr>
<tr>
<td>1.3</td>
<td>General, Applicable to All Fees</td>
</tr>
<tr>
<td></td>
<td>A. All fees are collected at the time the application is filed.</td>
</tr>
</tbody>
</table>
§ 4-01.1.0

B. All fees are payable to the “City of Tucson.”

C. Planning and Development Services Department Zoning fees may be waived for a governmental agency by the City Manager.

D. Any request to vary, waive, or appeal a Planning and Development Services Department fee (other than Zoning fees) is decided by the Mayor and Council.

E. Requests by potential applicants for notification lists for the various review procedures, for their private use, shall be accompanied by a fee which is assessed according to the following schedule. If the list was requested prior to the filing of an official application for a Planning and Development Services Department review process, which requires public notification, the notification fee will not be charged at the time of application provided the list is less than 30 days old at the time of application.

Notification area surrounding the subject site ................................................ $220.00

F. In calculating fees which are based on acreage, the acreage is to be rounded off to the nearest hundredth of an acre.

G. Variable Fees. In the fee schedule, when a fee amount is listed as variable, please call the Planning Development Services Department at 791-5550 for the current fee. These fees are listed as variable, because they can vary from case to case or because they are fees paid to an outside vendor. For example:

1. Current Aerial Photograph Fee. This fee is based on an annual contract with a private aerial photography firm.

2. Legal Advertisement. This fee covers the cost of advertisement in a newspaper of general circulation and is dependent upon the amount charged by the outside vendor.

3. Ordinance Display Ad or Resolution Display Ad. This fee covers the cost of publishing the ordinance or resolution in a newspaper of general circulation, should the ordinance or resolution be adopted.

1.4 Amendments to the Development Review Fee Schedule
Amendments to the Development Review Fee Schedule requires approval by the Mayor and Council.

4-01.2.0 ADMINISTRATIVE AND RECORDS FEES

2.1 Advanced Payment Account (APA)

A. APA processing in person ................................................................. $0.55

B. APA processing - telephone or fax request ........................................ $4.95

C. APA mail fee .................................................................................. $1.65
2.2 Copy and Print Charges

A. Photocopy (one copy) .................................................... $1.10
Additional copies .............................................................. $0.27 per page
B. Blue line reproduction fee .............................................. $1.65 per page
C. E-plans ................................................................. $4.95 per sheet
D. 16mm film .............................................................. $1.65 per copy
E. 33mm film .............................................................. $2.20 per copy

2.3 Computer Generated Reports

A. Standard weekly report, each ............................................ $27.50
B. Standard monthly report, each .......................................... $44.00
C. Standard yearly report, each ............................................ $220.00
D. Customization or analysis of report information, per hour . . . $55.00 (one-hour minimum fee)

2.4 Expedited Project Review Fee ........................................ 200% of standard review fee

2.5 Review Extension Fee ..................................................... One half of the original application fee

2.6 Revision Fee ............................................................. Minimum charge of one-half hour of staff review (i.e. $41.50); maximum charge of one-half the original application’s total filing fee

2.7 Technology/Archive Fee* ............................................. $16.50 or 1% of the total filing fee, whichever is greater

* The technology/archive fee applies to the following application types: Appeals; Building Plans; Certification of Zoning; Change of Zoning (Rezoning); Confirmation of Nonconforming Use; Design Development Option; Electrical Permits; Design Review Board; Fuel Tank Permits; Grading Permits; Historic Preservation Zone (Minor and Major Reviews); Manufactured Home Permits; Mechanical Permits; Medical Marijuana Cultivation and Dispensary applications; Modification of Development Requirements in the Rio Nuevo District and Downtown Area Infill Incentive District; Plan Amendments; Plumbing Permits; Private Improvement Plans; Protected Development Rights; Sign Permits; Special Exceptions; Subdivision Plats; Substitution of Nonconforming Use; Temporary Use Permit; Tent and Canopy Permits; Variances; and, Zoning Administrator Determinations

2.8 Optional Dispute Resolution Process Fee .............................. Subject to current city contract

(Am. Ord. 11068, 5/14/2013)

4-01.3.0 APPEAL FEES

3.1 Appeal of Decision to the Board of Adjustment

A. Staff review fee .............................................................. Variable
3.2 Appeal of Decision to Mayor and Council

A. Staff review fee ........................................................... Variable
B. Legal advertisement ................................................... Variable
C. Notification as required ................................................. $220.00

3.3 Appeal of PDSD Director Decision on an NPZ Design Review Application to the Design Review Board

A. Staff review ........................................................... $80.00
B. Notification as required .................................................. $37.00

3.4 Board of Appeals Filing Fee

Every applicant will pay a non-refundable fee when filing ....................... $264.00

3.5 Building Official Appeal Filing Fee

Every applicant will pay a nonrefundable fee when filing ....................... $132.00

4-01.4.0 ASSURANCES (SUBSTITUTION OF) FEE ........................................ $100.00

(Am. Ord. 11068, 5/14/2013)

4-01.5.0 BUILDING PLAN REVIEW AND PERMIT FEES

5.1 Building Plan Review and Permit Fees

A. Building Plan Review Fees

1. Building plan review fees and deferred submittal fees per 2006 IBC Amendments Section 108.53.1 are 65% of the building permit fee for commercial buildings.

2. Building plan review fees and deferred submittal fees per 2006 IBC Amendments Section 108.53.1 are 50% of the building permit fee for residential buildings (Group R-3 and U Occupancies).

3. Model building plan review fees (for Group R-3 or U Occupancies or Swimming Pools) is 50% of the building permit fees plus $23.00 for each additional exterior design elevation. The plan review fee for each subsequent use of this model plan within 12 months of model plan approval will not exceed $55.00.

4. No plan review fees for electrical, mechanical, and plumbing work will be charged when application for all permits (building, electrical, mechanical, and plumbing) are made in one application.
D. Other Grading Inspections and Fees

1. Inspections outside of normal business hours, per hour (minimum charge - two hours) ........................................................... $59.40*

2. Reinspection fees assessed under provisions of Section 305.8, per inspection ........................................................ $59.40*

3. Inspections for which no fee is specifically indicated, per hour (minimum charge - one-half hour) ..................................................... $59.40*

4-01.6.0 CERTIFICATE OF OCCUPANCY AND OTHER MISCELLANEOUS BUILDING PERMIT FEES

6.1 Certificate of Occupancy Fee
Every Certificate of Occupancy issued for an address which has not had a permit issued pursuant to Chapter 3 of the Building Safety Administrative Code within the preceding 360 days requires a fee ...................................................... $66.00

6.2 Temporary Certificate of Occupancy Fee ........................................ $500.00

6.3 Day Care - Home Occupation (except Child Care)
Application fee ............................................................ $176.00

6.4 Plant Registration Fees
Every applicant for registration will pay a fee at the time of filing.

A. For plants under 1,000,000 square feet .................................. $1,123.10
B. For plants over 1,000,000 square feet .................................. $2,246.20

6.5 Swimming Pool and Spa Plan Review and Permit Fees ............ Same as Building Plan Review and Permit Fees

6.6 Solar Permit Fees ................................................. Same as Building Permit Fees

Photovoltaic Electrical systems
For 1 to 30 PV panels ................................................. $109.00
For panels 31 to 100 ................................................... $5.00 per panel
For panels 101 and above .......................................... $1.00 per panel

Domestic water heaters ................................................. $109.00 per water heater

6.7 Fire Sprinkler Plan Review and Permit Fees ........ Same as Building Plan Review and Permit Fees

6.8 Wall and Fence Plan Review and Permit Fees ........ Same as Building Plan Review and Permit Fees

6.9 Fire Alarm Plan Review and Permit Fees .......... Same as Building Plan Review and Fees
(Does not include electrical permits, if applicable)
6.10 Tent and Canopy Plan Review and Permit Fees

A. Tent and Canopy Plan Review Fees

1. If occupancy type is M-1 ................................. 50% of permit fee
2. If occupancy type is other than M-1 .................... 65% of permit fee

B. Tent and Canopy Permit Fees

Same as building permit fees based on valuations in table below.

<table>
<thead>
<tr>
<th>Size</th>
<th>Square Footage</th>
<th>Canopy Valuation</th>
<th>Tent Valuation</th>
</tr>
</thead>
<tbody>
<tr>
<td>20 x 20</td>
<td>400</td>
<td>No Building Permit Required</td>
<td>Minimum $679.80</td>
</tr>
<tr>
<td>20 x 40</td>
<td>800</td>
<td>No Building Permit Required</td>
<td>Minimum $679.80</td>
</tr>
<tr>
<td>30 x 30</td>
<td>900</td>
<td>Minimum $679.80</td>
<td>Minimum $679.80</td>
</tr>
<tr>
<td>30 x 50</td>
<td>1,500</td>
<td>Minimum $679.80</td>
<td>Minimum $679.80</td>
</tr>
<tr>
<td>40 x 40</td>
<td>1,600</td>
<td>$815.76</td>
<td>$1,060.51</td>
</tr>
<tr>
<td>40 x 60</td>
<td>2,400</td>
<td>$815.76</td>
<td>$1,060.51</td>
</tr>
<tr>
<td>60 x 60</td>
<td>3,600</td>
<td>$2,219.58</td>
<td>$2,480.17</td>
</tr>
<tr>
<td>60 x 80</td>
<td>4,800</td>
<td>$2,219.58</td>
<td>$2,480.17</td>
</tr>
<tr>
<td>60 x 100</td>
<td>6,000</td>
<td>$2,219.58</td>
<td>$2,480.17</td>
</tr>
<tr>
<td>100 x 100</td>
<td>10,000</td>
<td>$4,758.60</td>
<td>$5,166.48</td>
</tr>
</tbody>
</table>

Note: Fees in the table above do not include applicable electrical fees.

6.11 Installation and Removal Fees for Gasoline, Fuel or Other Tanks

A. Installation

Mechanical Permit .................................................. $28.60
plus
For each tank installed .................................................. $119.90

B. Removal

One tank ($1,000 valuation) ........................................ $46.20
Two tanks ($1,500 valuation) ...................................... $64.90
Three tanks ($2,000 valuation) .................................. $85.60
Four to five tanks ($2,500 - $3,000 valuation) ................. $101.00

Please contact the Planning and Development Services Department (PDSD) for fees for the removal of more than five tanks.

(Am. Ord. 11068, 5/14/2013)
7.5 Change of Zoning - Refunds on Applications
Fees, or portions thereof, which are paid as part of the change of zoning application, are refunded when an application is withdrawn as follows:

<table>
<thead>
<tr>
<th>Status of Case</th>
<th>Amount of Change of Zoning Fee Refund</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimal amount of staff review (within 20 days of application)</td>
<td>100% of the staff review fee, the Zoning Examiner public hearing fee, and the ordinance display ad fee, if ad was not published</td>
</tr>
<tr>
<td>After staff review</td>
<td>60% of the staff review fee, 100% of the Zoning Examiner public hearing fee, and 100% of the ordinance display ad fee</td>
</tr>
<tr>
<td>After staff report but prior to public hearing ad</td>
<td>40% of the staff review fee, 100% of Zoning Examiner public hearing fee, and 100% of the ordinance display ad fee</td>
</tr>
<tr>
<td>After public hearing ad but prior to public hearing</td>
<td>25% of the staff review fee and 100% of the ordinance display ad fee</td>
</tr>
<tr>
<td>After zoning examiner public hearing</td>
<td>100% of the ordinance display ad fee</td>
</tr>
</tbody>
</table>

4-01.8.0 DEMOLITION FEES ........................................ Same as Building Permit Fees

4-01.9.0 MANUFACTURED HOME (MH) AND RECREATIONAL (RV) SPACES FEES

9.1 Residential MH units on permanent foundation, each foundation, plan check fee .... $50.60

9.2 Manufactured Commercial and Industrial Buildings
Valuation is calculated as for a site built structure on installation value, and fees are in accordance with Sections 4-01.5.1, Building Plan Review and Permit Fees, 4-01.5.2, Electric Plan Review and Permit Fees, and 4-015.4, Plumbing Plan Review and Permit Fees.

9.3 Other Inspections and Fees ............... see Section 4-01.5.1.C, Other Inspections and Fees (Building Plan Review and Permit Fees)

4-01.10.0 MEDICAL MARIJUANA CULTIVATION AND DISPENSARY APPLICATION FEE ............................. $478.50, plus technology/archive fee

4-01.11.0 MOBILE VENDOR (AKA PEDDLER) FEE

Initial Permit and Annual Review Fee ................................................................. $165.00

(Ord. 11068, 5/14/2013)

4-01.12.0 MODIFICATION AND IN-LIEU FEES

12.1 Parking Design Modification Request Fee ....................................................... $660.00

12.2 Technical Standard Modification Request Fee .................................................. $660.00

12.3 Bicycle Parking In-Lieu Fee

A. Short-term bicycle parking space ................................................................. $100.00 per space
§ 4-01.12.0 Tucson - Administrative Manual

B. Long-term bicycle parking space ................................ $200.00 per space

12.4 Design Development Option (DDO) Fees

A. Residential Development

1. Single Yard Modification
   a. Per single-family lot, attached or detached unit ...................... $176.00
   b. Each multifamily unit for which a modification is requested .......... $352.00
   c. Notification to property owners around project site .................. $82.50

2. Multiple Yard Modification
   a. Per single-family lot, attached or detached unit ...................... $246.40
   b. Each multifamily unit for which a modification is requested .......... $352.00
   c. Notification to property owners around project site .................. $82.50

B. Nonresidential Development

1. Single Yard Modification. Per single nonresidential structure on one lot .... $176.00
   a. Notification to property owners around project site .................. $82.50

2. Multiple Yard Modification. Per single nonresidential structure on one lot .... $246.40
   a. Notification to property owners around project site .................. $82.50

C. Wall and Fence Height Modification, per Lot ................................ $220.00
   1. Notification to property owners around project site .................. $82.50

D. DDO Landscape, Screening and Parking Modifications (Applications pursuant to
   LUC Section 5.3.5): Staff Review .......................................... $330.00

12.5 Rio Nuevo District - Modification of Development Requirement Fee ................. $489.00

12.6 Downtown Area Infill Incentive District - Modification of Development Requirement Fee

Within the Greater Infill Incentive Subdistrict ...... $489.00 (staff review) + $220.00 (notification)
Within the Downtown Core Subdistrict ...................... $489.00 (staff review)

(Am. Ord. 11068, 5/14/2013)
4-01.13.0 PLAN AMENDMENT FEES
Requests to amend adopted plan policies applicable to a specific site require payment of a fee which includes the staff review fee, public hearing fee, resolution display ad fee and archive fee as follows:

13.1 Staff Review ....... $550.00 or 40% of the staff review fee that would be required for a change of zoning case under the current fee schedule, whichever is greater.

13.2 Public Hearing
   A. Legal Advertisement
      1. Neighborhood or area plan amendment (two hearings) ................. Variable
      2. General Plan amendment (three hearings) ............................... Variable
   B. Notification of Property Owners and Neighborhood Associations shall be to one of the following:
      1. Neighborhood or Area Plan Amendment. Notification of affected neighborhood associations and property owners within 300' of amendment site ............ Variable
      2. General Plan Amendment. Notification of all registered neighborhood associations .............................................................. Variable

13.3 Resolution Display Ad ............................................................ Variable

13.4 Appeal of PDSD Director Decision on a Plan Amendment ................................. $0
(Am. Ord. 11068, 5/14/2013)

4-01.14.0 PRIVATE IMPROVEMENT FEES
Applications for Private Improvement Agreements shall pay a fee of 5% of the estimated cost of the improvement as certified by the engineer of record for the applicant provided that the estimated cost is accepted and approved by PDSD. The fee for a Private Improvement Agreement shall be paid prior to final approval of the agreement by the city.
(Am. Ord. 11068, 5/14/2013)

4-01.15.0 PROTECTED DEVELOPMENT RIGHT PLAN FEES

15.1 Non-Phased Development Review Fee ........................................ $550.00
   (Application Fee + 30% of the original development review fee paid)

15.2 Phased Development Review Fee ............................................ $550.00
   (Application Fee + 50% of the original development review fee paid)
   Note: In no instance shall the application and percentage fee for a PDR request exceed the amount of the original development review fee.
(Am. Ord. 11068, 5/14/2013)
4-01.16.0 SIGN REVIEW AND PERMIT FEES

16.1 Sign Permit Fees: The following fees shall be charged:

A. Banners, across the street, per banner ................................. $34.38

B. Banners, building and curbside:
   1. Seasonal and festive, per banner ...................... $6.88, not to exceed $412.50
   2. Annual, per banner .......................... $13.75, not to exceed $412.50
   3. Applicants shall pay an annual fee of 50% of the original fee.

C. Grand opening package
   1. Banners, per banner ........................................ $34.38
   2. Pennants, per each 10-day period ....................... $68.75
   3. Balloon, per day ....................................... $17.16

Events sponsored by charitable organizations for the primary purpose of fund raising are exempt from the fee provisions of this section.

D. Billboards:
   1. Up to and including 72 square feet ...................... $137.50
   2. Over 72 square feet ................................ $412.50

E. Courtyard and mall signs: Signs inside malls and courtyards shall pay 80% of the permit fee.
   The area of signs inside malls and courtyards does not count against otherwise allowable signage area.

F. All other signs:
   1. Up to and including six square feet ...................... $13.75
   2. Over six to and including 25 square feet ............... $27.50
   3. Over 25 to and including 50 square feet ............... $51.59
   4. Over 50 to and including 75 square feet ............... $68.75
   5. Over 75 to and including 100 square feet ............. $103.13
   6. Over 100 to and including 150 square feet ............ $137.50
   7. Over 150 to and including 200 square feet ............ $171.88

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Development Review Fee Schedule

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8. Over 200 to and including 250 square feet ............................. $206.25
9. Over 250 to and including 300 square feet ............................. $275.00
10. Over 300 square feet .............................................. $343.75

G. Electrical permit fee in accordance with the Administrative Code:
   An electrical permit must be obtained for any interior fixed, stationary, or portable
   self-contained, electrically illuminated utilization with designs, words or symbols designed to
   convey information or attract attention. Re: N.E.C. article 600-36. (Ord. No. 6867, 2-2-88)

H. Portable sign .......................................................... $27.50

16.2 Plan Check Fee
   The plan check fee is 50% of the sign permit fee for each sign. Applicants who make revisions to an
   approved permit will pay the appropriate plan check fees for the revisions based on the sign area of
   the revised sign.

16.3 Expiration of Application
   Applications for which no permit is issued within 180 days following the date of application shall expire
   by limitation, and plans and other data submitted for review may thereafter be returned to the
   applicant or destroyed by the Planning and Development Services Department. The PDSD Director may
   extend the time for action by the applicant for a period not exceeding 180 days upon request by the
   applicant showing that circumstances beyond the control of the applicant have prevented action from
   being taken. No application shall be extended more than once. Where an application has expired, a
   new application must be submitted along with a new plan check fee. The plan check fee is 50% of the
   sign permit fee.

16.4 Annual Sign Regulation Fee
   The sign regulation fee is charged for all attached and detached signs.
   A. Off-site signs .................................................. Twenty-six dollars ($27.50) per premises plus
      eighteen cents ($0.20) per square foot for all signage on the premises.
   B. On-site signs .................................................. Thirteen dollars ($14.30) per premises plus
      twelve cents ($0.13) per square foot for all signage on the premises.
   C. Portable signs, each, per year ........................................... $110.00

16.5 Sign Recovery Fee
   A. A sign removed by PDSD pursuant to the provisions of this Chapter 3, Tucson Code, shall be held
      not less than 30 days, during which period it may be recovered by the owner upon paying the
      city for the costs of removal and storage and upon payment of any fine imposed pursuant to this
      Chapter 3, Tucson Code.
   B. If not recovered within the 30-day period, the sign is declared abandoned, and the title shall vest
      in the city.
   C. The recovery and storage fees are in addition to any penalty for the violation necessitating
      removal, and recovery of the sign does not abrogate the penalty.

(2013 S-1)
1. Sign recovery fee, per sign ........................................... $13.75

2. Storage fee:

   Signs ten square feet or less, per day .............................. $0.66
   Signs over ten square feet, per day ................................. $1.38

16.6 Repair Permit ......................................................... 25% of the sign permit fee.

16.7 Change of Copy Fee .............................................. 25% of the sign permit fee.
   Change of copy is defined in Section 3-11 of the Sign Code.

16.8 Blanket Real Estate Fee

   A. General. This type of blanket permit allows display of real estate for sale or lease signs and real
      estate directional signs without the need to obtain sign permits or pay sign fees for each
      individual sign. Per broker or responsible party office location, per year ............... $55.00

   B. Exemption. Neither the blanket real estate sign fee nor any other fee established by Section
      3-24 shall be charged for either of the following:

      1. An owner/occupant’s display of real estate for sale or lease signs and real estate
         directional signs for the sale or lease of a residential unit on property where no more than
         four residential units are located. For purposes of this subparagraph, an “owner/occupant”
         is a natural person who both owns and occupies one of the residential units on the property
         that is the subject of the real estate for sale or lease signs and real estate directional signs.

      2. An owner/occupant’s display of real estate for sale or lease and real estate directional
         signs for the sale of a single-family residence. For purposes of this subparagraph, an
         “owner/occupant” is a natural person who both owns and occupies, or occupied for a period
         of at least one year immediately prior to sign placement, the single-family residence that
         is the subject of the real estate for sale or lease and real estate directional signs.

   C. Exception. The exemption provided for in Section 4-01.15.8.B, Exemption, shall not apply to a
      real estate agent or broker acting on behalf of the owner/occupant.

   D. Blanket real estate construction fee, per year for each entity related to a
      construction project .......................................................... $110.00

      This blanket fee allows an entity involved in the construction industry to place an on-site sign
      identifying, but not limited to, the name or names of the contractors responsible for construction,
      reconstruction or demolition of the project where the sign is located. The name of the development
      may also be on this sign.

16.9 Re-Inspection Fee ....................................................... $59.40*

   A re-inspection fee may be assessed for an inspection or re-inspection as provided in Section 3-22.E
   of the Sign Code.

   *Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision,
   overhead equipment, and hourly wages and fringe benefits of the employees involved.
16.10 Fees Imposed for Failure to Obtain Permits

A. When any sign is erected, placed, installed or otherwise established on any property prior to obtaining permits as required by Chapter 3, Tucson Code, the specified fees shall be doubled. The payment of such fee shall not relieve any person from complying with other provisions of this Sign Code or from any other prescribed penalties.

B. A change of copy on a legal or a nonconforming sign without first obtaining a sign permit will pay full sign permit fees.

16.11 Refund of Fees

A. The Sign Code Administrator may authorize the refunding of any fee paid hereunder that was erroneously paid or collected.

B. The Sign Code Administrator may authorize the refunding of not more than 80% of the permit fee paid when no work has been done under a permit issued in accordance with this Sign Code.

C. The PDS Director may authorize the refunding of not more than 80% of the plan check fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before a site review or any plan reviewing is done.

D. The Sign Code Administrator shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

E. No refund of application fees or annual sign regulation fees will be given under any circumstances for portable signs.

16.12 Renewal Fee ............................................................... $27.50

Prior to extending the permit, the Sign Code Administrator may require plans to be reexamined and/or on-site inspections to be made, the cost of which will be paid by the applicant requesting the extension of the permit.

16.13 Variance and Appeal Fees

A. Sign Code variance application fee ........................................... $220.00

B. Sign Code Administrator appeal fee ....................................... $110.00

16.4 Board of Appeals Filing Fee

Every applicant will pay a non-refundable fee when filing ................................ $264.00

16.5 Building Official Appeal Filing Fee

Every applicant will pay a non-refundable fee when filing ................................ $132.00

(Am. Ord. 11068, 5/14/2013)
§ 4-01.17.0 SITE PLAN REVIEW FEES

17.1 Site Plan Review Fees

A. Site plan review fees are assessed according to the following schedule:

<table>
<thead>
<tr>
<th>Acres ¹</th>
<th>Fee</th>
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<tbody>
<tr>
<td>0.00 to 2.00</td>
<td>$825.00</td>
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<tr>
<td>2.01 to 10.00</td>
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<td>10.01 to 50.00</td>
<td>$2,750.00 plus $82.50 per acre</td>
</tr>
<tr>
<td>50.01 or greater</td>
<td>$5,500.00 plus $55.00 per acre</td>
</tr>
</tbody>
</table>

¹ Calculation to include the entire site area rounded to the nearest one-tenth of an acre.

17.2 Design Professional Fee (when reviewing a site plan other application as deemed appropriate by the PDSD Director or Privacy Mitigation or Architectural Variation Plan as required by the Flexible Lot Development) ...............................................................$75.00

17.3 Landscape Plan Review Fee ...............................................................$200.00

17.4 Development Review Board (DRB) Fee
Applications requiring DRB review, with the exception of project design option applications ...............................................................$176.00

(Am. Ord. 11068, 5/14/2013)

4-01.18.0 SPECIAL DISTRICT REVIEW FEES

18.1 Historic Preservation Zone (HPZ) Review Fee

A. Minor review, including demolition applications for intrusions ..............................$110.00

B. Historic Preservation Zone review ...............................................................$176.00

C. Demolition applications decided by the PDSD Director ........................................$176.00

D. Demolition applications and any other applications decided by Mayor and Council:

1. Staff review ...............................................................$550.00

2. Public hearing fee includes the following:
   a. Legal advertisement .........................................................Variable
   b. Notification of property owners around project site .......................................$220.00

E. Appeal of PDSD Director decision ...............................................................$176.00

(Am. Ord. 11068, 5/14/2013)
18.2 **Neighborhood Preservation Zone Compatibility Review Fee**

A. Improvements less than or equal to 400 sq. ft. gross floor area .................. $100.00

B. Improvements between 401 and 800 sq. ft. gross floor area .................. $225.00

C. Improvements greater than 800 sq. ft. gross floor area .................. $225.00, plus $75.00 for each additional 400 sq. ft. gross floor area or increment thereof greater than 800 sq. ft. not to exceed $975

D. Notification to property owners around project site and neighborhood association (in addition to above applicable fee) .................. $75.00

(Am. Ord. 11068, 5/14/2013)

4-01.19.0 **SPECIAL EXCEPTION LAND USE FEES**

There are three types of special exception land use processes. Payment of fees for each process is as follows:

19.1 **PDSD Director Special Exception**

The required fee includes payment of the staff review fee, notification fee and archive fee:

A. Staff review .......................................................... $275.00

B. Notification of property owners around project site .......................... $220.00

19.2 **Zoning Examiner Special Exception**

The required fee includes payment of the staff review fee, current aerial photo fee, legal advertisement fee, notification fee and archive fee:

A. Staff review ..........................................................

   The fee is equal to 75% of what would be required for a change of zoning request based on the zoning of the property.

B. Current aerial photograph fee ........................................ Variable

C. Legal Advertisement .................................................. Variable

D. Notification of property owners around project site .......................... $220.00

19.3 **Mayor and Council Special Exception**

The required fee includes payment of the staff review fee, current aerial photo fee, legal advertisement fee, notification fee and archive fee:

A. Staff review ..........................................................

   The fee is equal to what would be required for a change of zoning request based on the zoning of the property.

B. Current aerial photograph fee ........................................ Variable

C. Legal advertisement ............................................... Variable

(Am. Ord. 11068, 5/14/2013)
§ 4-01.19.0 Tucson - Administrative Manual

D. Notification of property owners around project site ........................................... $220.00

(Am. Ord. 11068, 5/14/2013)

4-01.20.0 SUBDIVISION PLAT FEES

20.1 For all subdivision platting processes:

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<th>Acres ¹</th>
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<tr>
<td>2.01 to 10.00</td>
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<td>10.01 to 50.00</td>
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<td>50.01 or greater</td>
<td>$5,500.00 plus $55.00 per acre</td>
</tr>
</tbody>
</table>

¹ Calculation to include the entire site area rounded to the nearest one-tenth of an acre.

20.2 When the application is for the platting of a cemetery, the review fee is $750.00 each for tentative and final plats.

20.3 Design Professional Fee (when reviewing a Privacy Mitigation or Architectural Variation Plan required by the Flexible Lot Development) ........................................... $75.00

(Am. Ord. 11068, 5/14/2013)

4-01.21.0 TEMPORARY USE PERMIT (TUP) FEE

21.1 Residential .......................................................... $88.00

21.2 Nonresidential .......................................................... $176.00

21.3 Appeal of Decision to the Board of Adjustment

A. Staff review .......................................................... $220.00

B. Legal advertisement .................................................. Variable

C. Notification of property owners around project site ........................................... $220.00

(Am. Ord. 11068, 5/14/2013)

4-01.22.0 VARIANCE FEES - BOARD OF ADJUSTMENT (B/A) FEES

22.1 Variances Involving Construction

Application for variances involving construction require payment of a fee. The fee shall include the staff review fee, legal advertisement fee, notification fee and archive fee.

(2013 S-1)
A. Staff Review

1. Residential projects (single family, duplex) ........................................... $220.00

2. Non-residential projects (three to four family and above, commercial, Industrial) ........................................................ $660.00

B. Legal Advertisement .......................................................... Variable

C. Notification of Property Owners around Project Site ............................... $220.00

22.2 Variances Not Involving Construction
Applications for variances not involving construction, and Appeals of Zoning Administrator determinations require payment of a fee. The fee shall include the staff review fee, legal advertisement fee, notification fee and archive fee.

A. Staff review .......................................................... $330.00

B. Legal advertisement ....................................................... Variable

C. Notification of property owners around project site ................................ $220.00

D. General application on Board of Adjustment fees

1. More than one variance may be requested in the same application for the same fee.

2. No fee, or portion thereof, is refundable after a case has been advertised and notice mailed to property owners.

(Am. Ord. 11068, 5/14/2013)

4-01.23.0 ZONING DETERMINATION, CERTIFICATION OF ZONING, NONCONFORMING USE (CONFIRMATION AND SUBSTITUTION) FEES

23.1 Zoning Administrator Determination Fee ............................ $220.00 plus the technology/archive fee (i.e. $16.50)

23.2 Certification of Zoning ..................................................... $148.50

23.3 Confirmation of Nonconforming Use ........................................ $220.00

23.4 Substitution of Noncomforming Use (SNU) Fees

A. If hearing is not required ...................................................... $352.00

B. If hearing is required ........................................................ $352.00 75% of what the staff review fee for a change of zoning would be if this were a change of zoning to the applicable zone that is normally needed for the proposed use, plus

1. Current aerial photograph ..................................................... Variable

2. Legal advertisement .......................................................... Variable

(Am. Ord. 11068, 5/14/2013)
3. Notification of property owners around project site ....................... $220.00

(Am. Ord. 11068, 5/14/2013)
PARALLEL REFERENCES

References to Ordinances
References to Administrative Directives
## REFERENCES TO ORDINANCES

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SUPPLEMENT FILING INSTRUCTIONS

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1-01.6.0 Technical Standards Modification Requests

SECTION 2: EXCAVATING & GRADING

SECTION 3: FLEXIBLE LOT DEVELOPMENT - MAXIMUM DENSITY OPTION

SECTION 4: HYDROLOGY

4-01.0.0 Commercial Water Harvesting
4-02.0.0 Floodplain, WASH and ERZ Standard
4-03.0.0 Stormwater Detention/Retention Manual*
4-04.0.0 City of Tucson Standards Manual for Drainage Design and Floodplain Management in Tucson, Arizona*
* Due to the size of this manual, it is unable to be accommodated within the Technical Standards Manual. The manual is, therefore, printed and bound as an individual booklet and is available as a separate purchase item from the City of Tucson Engineering Division. For your information, the Table of Contents is included.

SECTION 5: LANDSCAPING AND SCREENING STANDARDS

5-01.0.0 Landscaping and Screening
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C. The locations of walls, fences, hedges, or landscaped buffer areas that are designed to reduce noise and enhance the aesthetics at the point of the solid waste and recycle materials collection shall be shown on the plan.

D. Where a development is intending to provide centralized storage and collection to serve multiple buildings, tenants, or businesses, a general note must be included within the plan stating “A single property owner, property management company, or home owners association (HOA), will be responsible for the management and maintenance of the solid waste collection services and storage area(s) for all development/business occupants.

5.2 Enclosure Specifications

A. Enclosure walls shall be masonry or other materials based upon approval by the Environmental Services Department and constructed as shown in Figure 2.

B. Vertical steel pipes (bollards) are required within the enclosure as wall protection. The inside edge of the bollard shall be a minimum of one foot inside the inside surface of the rear and side walls of the enclosure to prevent the container from damaging the walls of the enclosure (See Figure 3A & 3B).

C. The enclosure shall have a minimum ten-foot by ten-foot unobstructed interior space per container within the bollards (See Figure 3A & 3B).

D. Enclosures are to have gates with latches to prevent unauthorized access and to visually screen the container. Gates are to be mounted to a post fastened and secured on the front face of the enclosure wall(s).

E. Enclosure gates shall be painted to match or compliment the enclosure walls.

F. Enclosure and gates must have a minimum unobstructed opening of 12 feet (See Figure 3A & 3B). The gates must be securable in both the closed and open positions.

G. A concrete service apron shall be constructed six inches thick with a minimum of 2% slope away from the enclosure. To prevent storm water from collecting in front of the enclosure gates (See Figures 3A & 3B).

H. The enclosure shall have a concrete slab six inches thick, and the concrete shall have a design strength of 3,000 psi with No. 4 rebar reinforcement at 12-inch on centers both ways.

I. Stationary compactor units shall be screened from adjacent properties and public right-of-way. Enclosure shall allow space to include recycle containers.

J. Stationary roll-off compactor unit shall be placed on a pad of sufficient width to provide a two-foot clear area on each side of the unit. The overall length of the pad must be five feet greater than the combined length of the compactor, receiving container, and recycle container. The lengths of the receiving containers will vary depending on the container’s capacity.

5.3 Access and Maneuvering Standards

A. Service access shall be from within the development.
§ 8-01.5.0 Tucson - Technical Standards Manual

B. A minimum safe access and operational area of 14 feet by 40 feet, with a minimum vertical clearance of 25 feet, shall be provided in front of each enclosure.

C. An adequate and safe ingress/egress is required for the collection vehicle in each new project. On-site turnarounds for service vehicles are shown in Figure 6 and 7.

D. Metal container locations shall be placed so that the collection vehicle does not have to back into the public right-of-way or into moving traffic.

E. Maneuvering requirements - the minimum turning radiiuses required for collection vehicle to service metal containers shall be 36 feet for the inside rear wheels radius and 50 feet for the outside front bumper as illustrated on Figure 7. At any structure or vehicle parking space there must be a minimum of three feet of clearance between the collection vehicle and the maneuvering/turning radius.

F. The maximum back-up distance for the collection vehicle shall be 80 feet measured from the front of the collection vehicle.

G. When the width and depth of the property to be developed is insufficient to provide service access from within the development, the enclosures may be located such that service access is from the adjacent public right-of-way with a 45 or 30-degree angle of approach that allows service by the vehicle without the collection vehicle pulling completely off the public right-of-way. (Note: Off street service is not permitted from arterial or collector streets (See Figure 1 & 4.)

H. Service vehicle will approach in-line with the enclosure; ten feet of space must be provided in front of the enclosure for a vehicle to maneuver in order to service the containers. (See Figure 3A & 3B.)

5.4 Location Standards

A. Containers shall not be stored on any public right-of-way, bike lane, sidewalk or other public access.

B. Containers and enclosures shall not obstruct traffic line-of-sight visibility.

C. Containers and enclosures shall not obstruct or block drainage.

5.5 Operational Standards

The property owner shall be responsible for keeping the collection and storage areas free from obstructions, vegetation, any liquids spilled within storage enclosures.


8-01.6.0 SINGLE-FAMILY RESIDENTIAL DEVELOPMENT

6.1 General

A. Curbside service in dedicated right-of-way or a PAAL using APCs and the ASL system is preferred for Single Family and Duplex Developments.

B. Three hundred-gallon APC solid waste service is based on three residences per container. Service availability subject to ES approval.
D. Skylights shall conform to the window standard in Section 9-03.3.3.

3.5 Ceilings

A. Gypsum board or plaster ceilings at least one-half inch thick shall be provided where required by paragraph 3.4 B, above. Ceilings shall be substantially airtight with a minimum of penetrations; and

B. Glass fiber, cellulose or mineral wool insulation at least R-38 shall be provided above the ceiling between joists.

3.6 Ventilation

A. A ventilation system shall be installed that will provide the minimum air circulation and fresh air supply requirements for various uses in occupied rooms without the need to open any windows, doors or other openings to the exterior. The inlet and discharge openings shall be fitted with sheet metal transfer ducts of at least 20 gauge steel, which shall be lined with one-inch thick coated glass fiber, and shall be at least five feet long with one 90 degree bend; and

B. Gravity vent openings in attics shall be as close to code minimum in number and size, as practical; and

C. Bathroom, laundry and similar exhaust ducts connecting the interior space to the outdoors, shall contain at least a five-foot length of internal sound-absorbing duct lining. Exhaust ducts than five feet in length shall be fully lined and shall also meet the provisions of Section 9-03.3.2, Exterior Windows. Each duct shall be provided with a bend in the duct such that there is no direct line-of-sight through the duct from the venting cross-section to the room-opening cross-section. Duct lining shall be coated glass fiber duct liner at least one-inch thick; and

D. Fireplaces shall be provided with well fitted dampers.


9-03.4.0 MODIFICATIONS

For modification procedures, refer to the procedures outlined in Section 1-01.6.0. Emergency situations and other conditions not specifically addressed by this standard shall be judged on a case-by-case basis by the Building Official, or designated representative, without setting precedent. In addition, for all modifications requested, the Davis-Monthan Air Force Base (DMAFB) will be notified for review of all such requests within the boundaries of the DM AEZ Environ.
1. Sidewalks will be located a minimum of two feet from the back of the existing or projected wedge curb location (the standard location) and extend to the curb at all street intersections. These sidewalks may meander, if:
   a. The sidewalk is in the standard location at the extension of the property lines or matches the alignment of the abutting sidewalks; and
   b. On a public street, the sidewalk is located within the right-of-way or within an acceptable pedestrian easement; and
   c. The maximum lateral offset does not exceed seven and one-half feet; and
   d. Lateral transitions in the sidewalk are no sharper than three longitudinal to one lateral; and
   e. Irrigation is not placed between the sidewalk and the curb; and
   f. The sidewalk is a minimum of five feet in width where it adjoins vertical curbing.

2. Sidewalks will extend the full length of the street frontage of the development to provide continuity of the pedestrian and disabled pedestrian circulation path.

3. Bus benches and shelters will be located adjacent to the edge of the sidewalk and will not encroach into the five-foot wide circulation path.

4. There will be a minimum of one-foot separation between the five-foot wide pedestrian circulation path portion of any sidewalk and any adjacent structure. This one-foot wide area may also consist of concrete.

5. Sidewalks must be physically separated from any vehicular travel lane by means of curbing, grade separation, barriers, railings, or other means, except at crosswalks.

E. Ramp Requirement. Curb ramps must be provided at all points where the sidewalk intersects a curb, in accordance with A.R.S. § 9-499.02. Ramps must align with each other where they cross the street.


10-01.4.0 CONSTRUCTION STANDARDS

4.1 Sidewalk Specifications

A. Width

1. Sidewalks located along a street will meet the following requirements.

   a. All projects which require a new sidewalk will provide a sidewalk with a minimum width of five feet along local streets and six feet along collector and arterial streets, installed to avoid any obstruction which decreases the minimum width to less than five feet.
§ 10-01.4.0  Tucson - Technical Standards Manual

Additional sidewalk width is required for schools and within pedestrian oriented areas, such as the University area and the Downtown Redevelopment Area.

b. All projects which have an adjacent existing sidewalk less than four feet in width will provide a sidewalk with a minimum width of five feet by:

1) Increasing the width of any narrower existing sidewalk to five feet; and

2) Removing all obstructions (such as poles, signs, benches, bus stops, etc.) from the sidewalk to provide a minimum width of five feet; or

3) Constructing additional sidewalk where obstructions cannot be moved, so that a minimum five feet of sidewalk extends past the obstruction.

c. Where sidewalks are less than five feet in width, passing spaces at least five feet by five feet will be located at reasonable intervals not to exceed 200 feet. A T-intersection of two sidewalks or a level driveway apron is an acceptable passing space. A public pedestrian easement may be required for installation of the passing spaces.

B. **Vertical Clearance.** All sidewalks will have an unobstructed vertical clearance of 84 inches.

C. **Composition.** Sidewalks located within a street right-of-way, both parallel to the street and leading into a development project, will be constructed in conformance with the composition requirements of the Standard Details for Public Improvements. The Standard Details for Public Improvements may have to be modified to comply with the slope requirements of this standard. Textured concrete will have a relief less than or equal to one-eighth inch.

D. **Slope.**

1. **Accessible Route Cross Slope**

   The cross slope of the sidewalk will not exceed 2%. If existing public sidewalks which intersect driveway aprons have a cross slope which exceeds 2% (where the apron slope is measured to the back of the sidewalk), one of the following will occur. A public pedestrian easement may be required for installation of pedestrian facilities.

   a. The driveway apron will be reconstructed so the sidewalk portion of the apron does not exceed 2% cross slope; or

   b. An additional four feet of sidewalk, with transitions, will be installed behind the existing apron; or

   c. Additional paving will be installed to provide a level accessible route, with transitions, in the parking area behind the sidewalk; or

   d. Where excess right-of-way exists, the sidewalk is meandered behind the driveway apron to provide an accessible route.

2. **Accessible Route Running Slope**

   The running slope of the sidewalk will not exceed one vertical to 20 horizontal, unless the longitudinal grade of the street exceeds this maximum. Any portion of a sidewalk which
SECTION 12-01.0.0: DEFINITIONS

The definitions listed hereunder shall be construed as specified in the section.

**Accessible Route Cross Slope.** The slope perpendicular to the designed direction of travel.

**Accessible Route Running Slope.** The slope in the designed direction of travel.

**Active Water Harvesting.** The collection of stormwater into containment systems for storage and later diversion to beneficial uses.

**Approval.** The proposed work or completed work conforms to this chapter in the opinions of the Building Official.

**As Graded.** The extent of the surface conditions on completion of grading.

**Bedding.** That material between the bottom of the excavated trench and the springline of the pipe or underground facility to be installed.

**Bench.** A relatively level step excavated into earth material on which fill is to be placed.

**Bike Lane.** An area set aside, within a paved roadway, for the purpose of moving bicycle traffic. Bike lanes may be designated by signs, striped lane markings, and/or physical barriers, such as curbs, guard rails, or special fencing.

**Borrow.** Earth material acquired from an off-site location for use in grading on a site.

**Bus Lane.** A travel lane within a street used exclusively or nearly exclusively by buses.

**Catchment Areas.** Areas of a site where water is harvested, including where rain falls directly on plant canopies and pervious Water Harvesting Infiltration Areas, and where rain falls on impervious rooftops, sidewalks, parking lots, driveways and other surfaces from which stormwater is directed toward Water Harvesting Infiltration Areas.

**Catchment Ratio.** The ratio of the water harvesting catchment area to the canopy area of the plants that use water harvested from that catchment area.

**CDRC.** An acronym for City Development Review Committee.

**Commercial Development.** Any new non-residential development that is intended to be used primarily for commercial activities, and is subject to the requirements of the International Building Code.

**Community Design Review Committee (CDRC).** A technical advisory committee, created by the City Manager, with representatives from City departments and non-City public agencies involved in development review. (See Development Standard No. 1-03.0.)
Compaction. The densification of a fill by mechanical means.

Container (AKA Dumpster). A metal refuse storage receptacle with a minimum capacity of three cubic yards and a maximum capacity of eight cubic yards and which is compatible with the collection vehicles used by the City.

Containment Systems. Above-ground tanks, below-ground tanks, other types of above- and below-ground water-holding containers, and associated pipes and transmission equipment that enable beneficial use of harvested water.

Crown. The cross slope or difference in elevation, expressed as a percentage, between the high point of a street and the gutter line adjacent to the pavement edge, for any given cross section.

Curb Ramp. A ramp cutting through or leading up to a curb.

Curb Return. The curved segment of curb used at each end of an opening in the roadway curb.

Design Year. The year the roadway improvement reaches life expectancy with normal maintenance.

Dust Control Paving. A double shot sealcoat of emulsified asphalt and stone chips as detailed in “Standard Details for Public Improvements.”

Earth Material. Any rock, natural soil, or fill any combination thereof.

Erosion. The wearing away of the ground surface as a result of the movement of wind, water or ice.

Excavation. The mechanical removal of earth material.

Fill. A deposit of earth material placed by artificial means.

Final Pavement Cut. The sawing of pavement edge through its entire depth along a line one foot beyond the widest portion of the trench width after trench backfilling for the purpose of establishing a trench shoulder at the time of permanent patching.

Functional Classification. A method of distinguishing between local, collector, and arterial streets, based on the purpose each serves.

Grade. The vertical location of the ground surface.

Ground Slope Area. The area between the back of the sidewalk and the right-of-way line.

Evapotranspiration. The transfer of water from land surface to the atmosphere through the combination of evaporation and plant transpiration.

Existing Grade. The grade prior to grading.

Finish Grade. The final grade of the site, which conforms to the approved plan.
Grading. Any excavating or filling combination thereof.

Grubbing. The removal of any vegetation from the existing grade of the land for purposes of land development. (Inventory and boxing of native vegetation shall not constitute grubbing.)

Impervious Subwatersheds. Discrete nonporous subareas of a site--including rooftops, sidewalks, parking lots, driveways and other impervious areas--that capture stormwater and deliver it through gravity flow to discrete containment systems or Water Harvesting Infiltration Areas.

Infrastructure. All structures or improvements to the land such as roads or facilities for the provision of gas, electric, water, drainage, or communications, which are necessary to support development on abutting property.

Interim Paving. Paving which is placed to designated grades and which can be expanded to a permanent improvement at a future time.

Invert. The lowest point on any drainage conveyance cross section.

Key. A designed compacted fill placed in a trench excavated in earth material beneath the toe of a proposed fill slope.

Level. Surface slopes not exceeding one to 50 in any direction.

Level of Service. A general term describing the operating conditions a driver will experience while traveling on a particular facility. Where roadway conditions are fixed, level of service varies primarily with volume.

Modal Split. The percentage or fractional portion of the total traffic for which each component (car, truck, bus, car pool, etc.) is responsible.

One-way Street. A street which has only one legal direction of travel.

Parent Organization. The organization, such as the Tucson Water Department, Pima County Wastewater Management, or other utility, having jurisdiction over the underground facility being installed in the right-of-way.

Passive Water Harvesting. The collection of stormwater directly into Water Harvesting Infiltration Areas without the temporary storage of water in a containment system.

Pavement Trenching. Includes the cutting of pavement and the excavation of material to a depth below the lowest elevation of the underlying base course within City rights-of-way. Typically, trenches are deeper than they are wide and longer than they are deep; however, for purposes of this Development Standard, any excavation within the City rights-of-way will be referred to as trenching without regard to the geometric shape of the excavation. Trenching may occur in other locations outside pavement areas.

PCC. An acronym for Portland cement concrete.
Permanent Patch. The native material/aggregate base course/concrete base and hot mix asphaltic concrete/Portland cement concrete used to repair the upper level of pavement cut and to provide a permanent wearing surface. The following types apply:

1. Type A consists of emulsified asphalt and chip sealcoat, hot mix asphaltic concrete, and aggregate base course above the trench backfill material.

2. Type B consists of matching surface course of hot mix asphaltic concrete and 3,000 p.s.i. high early strength Portland cement concrete above the trench backfill material.

3. Permanent patches for Portland cement concrete surfaces not overlaid with other materials shall consist of matching the existing structural pavement section. The surface finished shall match the original concrete finish. The trench shoulder and Portland cement concrete shall be the same as “Type B” patch above.

Plant Canopy Area. The area covered by plants as indicated on the landscape plans, including understory, midstory and overstory plants.

Professional Inspection. The inspection required by this code to be performed by the civil engineer, soils engineer or engineering geologist. Such inspections include that performed by person supervised by such engineers or geologists and shall be sufficient to form an opinion relating to the conduct of the work.

Rainwater. Liquid precipitation falling from the sky before it lands on a surface.

Ramp. A sloping element which provides a smooth transition between two different points of elevation but does not include any flared sides which do not meet the slope requirements for a ramp.

Refuge Lane. A lane abutting the curb or shoulder of a roadway which provides space for emergency parking of vehicles.

Residential Street. A street serving primarily as access to residential property.

Shading. The trench backfill above the bedding material of the underground facility, in accordance with the parent organization’s specifications and details, to a height of one foot above the parent organization’s facility, unless otherwise specified by the parent organization.

Site. Any lot or parcel of land or contiguous combination thereof, under the same ownership, where grading is performed or permitted.

Slope. An inclined ground surface the inclination of which is expressed as a ratio of horizontal distance to vertical distance.

Soils Engineer (Geotechnical Engineer). An engineer experienced and knowledgeable in the practice of soils engineering (geotechnical) engineering.
Stationary Compactor (Stat-Pak). A refuse compacting machine that mechanically compresses materials on-site for ultimate disposal by City vehicles.

Stormwater. Rainwater that has landed on a surface.

TDOT. An acronym for the City of Tucson Department of Transportation.

Temporary Patch. A cold mix asphaltic concrete applied to the surface of a trench backfill to provide a temporary wearing surface and moisture barrier until a permanent patch can be installed.

Temporary Paving (sometimes called strip paving). Asphaltic surface treatment to graded and compacted earth.

Terrace. A relatively level step constructed in the face of a graded slope surface for drainage and maintenance purposes.

Trench Backfill. The filling of the excavated void from a point one foot above the facility installed (top of shading) to a point sufficiently below the existing original asphaltic concrete or Portland cement concrete surface to allow the installation of the appropriate pavement patch.

Water Harvesting. The process of intercepting stormwater and putting it to beneficial use.

Water Harvesting Infiltration Areas. Pervious areas of a site where harvested water collects and soaks into the subsurface to support landscape plants. Water Harvesting Infiltration Areas include exposed soil shaped to hold and infiltrate water, permeable soil subgrades overlain with impervious pavement that receive water via perforated pipes or other conveyance techniques, structured soil overlain with permeable paving, and other strategies that collect water and allow it to soak into the subsurface to support landscape plants.

PARALLEL REFERENCES

References to Administrative Directives
## REFERENCES TO ADMINISTRATIVE DIRECTIVES

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