Enclosed with this instruction sheet are new and replacement pages for your loose-leaf copy of the Uniform Development Code, bringing the Code current through December 5, 2017. In order to keep your copy of the Code up to date, you must remove the following indicated obsolete pages from your Code and replace them with the indicated revised pages. The current revision number appearing on the lower inner corner of each page revised in this package is “(2018 S-12)” if you have any questions, please contact American Legal Publishing at 1-800-445-5588.

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Adopted — October 9, 2012
Effective — January 2, 2013
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2.1. PURPOSE OF ARTICLE

This article describes the powers and responsibilities of the legislative and administrative bodies, appointive officers, municipal agencies, and boards and commissions involved in the planning, zoning, and division of land within the City.

2.2. REVIEW AND DECISION-MAKING BODIES

2.2.1. MAYOR AND COUNCIL

The Mayor and Council perform the following functions:

A. General Plan
The Mayor and Council shall adopt a comprehensive, long-range general plan for the development of the City known as the General Plan as mandated by the A.R.S. §§ 9-461.05 et seq. and in accordance with the procedures in Section 3.6, Land Use Plan Adoption and Amendment Procedures.

B. Specific Plans and Regulations
The Mayor and Council shall adopt specific plans, regulations, programs, and legislation as may be needed for the systematic implementation of the General Plan and as required by Arizona Revised Statutes in accordance with the procedures in Section 3.6, Land Use Plan Adoption and Amendment Procedures.

C. Redevelopment Plans
The Mayor and Council may adopt or amend redevelopment plans, which are policy plans addressing slum and blighted areas from the standpoint of providing economic incentives to
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stimulate development/redevelopment, in accordance with Section 3.6, Land Use Plan Adoption and Amendment Procedures.

D. Unified Development Code (UDC)
The Mayor and Council shall adopt and amend the UDC in accordance with Section 3.7, UDC Text Amendment Procedure.

E. Establishment of Original City Zoning
The Mayor and Council shall establish original zoning for land annexed into the City in accordance with Section 3.5, Rezoning (Change of Zoning) Procedure, and A.R.S. § 9-471.

F. Changes in Zoning District Boundaries (Rezonings)
The Mayor and Council shall consider amendments to zoning district boundaries as set forth on the City Zoning Maps in accordance with procedures in Section 3.5, Rezoning (Change of Zoning) Procedure.

G. Appeals of Zoning Examiner (Examiner) Decisions, Special Exception Land Uses
The Mayor and Council shall consider appeals from Zoning Examiner decisions on Special Exception Land Use applications in accordance with Section 3.9.2, Mayor and Council Appeal Procedure.

H. Plats
The Mayor and Council shall consider final plats in accordance with procedures in Section 8.4.5, Final Plat, and Arizona Revised Statutes. Authority to approve a tentative plat is delegated to the Director of the Planning and Development Services Department (PDSD).

I. Special Exception Land Uses
The Mayor and Council shall consider Special Exception Land Use requests requiring Mayor and Council consideration in accordance with procedures in Section 3.4.4, Mayor and Council Special Exception Procedure.

J. Enforcement
The Mayor and Council shall adopt policies for establishing rules and procedures deemed necessary or advisable for the enforcement of the UDC.

K. Appointments
The Mayor and Council shall appoint the following individuals and members of boards and commissions:

1. Planning Commission in accordance with Section 2.2.3;
2. Board of Adjustment in accordance with Section 2.2.5;
3. Design Review Board in accordance with Section 2.2.6; and,
4. Design professional in accordance with Section 2.2.11.

L. Appeals of Director's 300' Notice Procedure Decisions
The Mayor and Council shall consider appeals of the PDSD Director's decisions on applications under the zoning compliance 300' Notice Procedure in accordance with procedures in Section 3.9.2, Mayor and Council Appeal Procedure.
f. Recommendation on FLD Review
The DP shall forward a written recommendation with findings to the PDSD Director. The Director shall consider the DP's recommendation and render a decision on the FLD.

g. Findings for FLD Privacy Mitigation Plan
The DP may recommend a project if it meets the following findings:

(1) Will not be detrimental to public health and safety;

(2) Will not impair an adequate supply of light and air to adjoining properties; and,

(3) Will not create a nuisance to surrounding properties.

3. Conditions

a. NPZ Review
The DP may recommend conditions on the approval of a building permit to ensure that the design of the project mitigates the impact of the project on the subject development zone.

b. FLD Review
The DP may recommend conditions on the approval of an FLD to ensure that the design of the FLD mitigates the impact of the FLD and provides suitable transitions to the adjoining existing residential developments.

4. Conflict of Interest
The DP shall not render professional services under this section on any project if the DP's judgment could be affected by responsibilities to, or interest in another project or person or by the DP's own interests. The DP shall comply with City of Tucson Administrative Directive 2.02-14 and Policy 282, Ethics and Conflict of Interest for City Officers and Employees.

5. Other Responsibilities
The DP shall perform such other functions as may be required by the UDC. Additionally, the PDSD Director may request other design assistance and recommendations as needed in implementing the UDC.

2.2.12. SIGN DESIGN REVIEW COMMITTEE

A. Creation
A sign design review committee is hereby created to assist the Mayor and Council, the Planning Commission, and the Planning and Development Services Director by advising on sign standard text amendments and design option applications permitted by Section 7A.7 Sign Design Options.
B. **Authority**
The sign design review committee shall advise the Mayor and Council and the Planning Commission on sign standards text amendments. It shall also act as the design review committee for Section 7A.7 Sign Design Options and advise the Planning and Development Services Director on various design option applications.

C. **Composition**
The committee shall be composed of the following nine members who shall serve without compensation. Members shall include an architect, an Outdoor Lighting Committee representative, a sign industry representative, a local business representative, a planner (architect, land use planner or landscape architect), portable sign expert (e.g. commercial real estate broker), one at-large appointment by the City Manager, general neighborhood association representative, and an ad hoc representative appointed by a neighborhood association within 300 feet of the location of the subject property submitting the application. The City Manager may appoint a professional or stakeholder with a similar background and/or experience to the above listed committee members.

D. **Appointment and Terms**

1. **Appointment**
The members shall be appointed by the City Manager.

2. **Terms**
City Manager shall appoint a member for a four-year term. After two terms the member shall be replaced. A former member may return after a one-year hiatus from the committee.

3. **City Employees, Elected Officials Excluded**
No member of the committee may be a City employee or hold a City elective office.

E. **Vacancies**
Vacancies on the committee shall be filled by appointment in the same manner in which members are initially appointed.

F. **Removal**
Removal of the members shall be done by the City Manager.

G. **Sign Standards Text Amendment Meeting**
The committee shall have meetings as needed to discuss sign standard text amendments and make recommendations to the Planning Commission. Along with the Planning Commission recommendation, the committee’s recommendation shall be forwarded to the Mayor and Council.

H. **Design Review Meeting**

1. The applicant may ask for a pre-application meeting with the committee to receive input on the proposal.

2. When the applicant requests a meeting on the application, the committee may continue a case one time.
3. The applicant will present the proposal. The committee will review the application in accordance with the applicable provisions of Section 7A.7 Sign Design Options.

4. The applicant may ask for additional continuances.

5. After reviewing the case, the committee shall make a recommendation of approval, approval with conditions or denial to the planning and development services director.

I. Quorum
A quorum for a meeting shall be five members. If for any reason the City Manager has not appointed the members of the committee or a quorum is not obtained for a particular application, the director may request that the Design Professional make a recommendation directly to the PDSD Director.

J. Administrative Procedures

1. City Manager
The City Manager shall ensure that all City departments and persons under his authority shall cooperate in providing assistance and data to the sign design review committee.

2. Executive Secretary
The zoning administrator or designee shall serve as executive secretary to the committee.

3. Chairperson and Other Officers
The committee shall elect a chairperson and vice-chairperson and such other officers as it may deem necessary from its members. The terms of chairperson, vice-chairperson and other officers shall be for one year subject to one additional term of one year.

(Ord. 11508, 12/5/2017)
c. When there has been a change in ownership and a substantially modified site plan is presented.

2. Mayor and Council policy recognizes the Pima County Board of Supervisors' one-year policy with respect to rezoning applications that have been denied, where these properties are later annexed into the City. The one-year waiting period begins on the day after the date the Board of Supervisors denied the application.

3.5.5. PLANNED AREA DEVELOPMENT (PAD) ZONE

A. General

1. The purpose of the Planned Area Development (PAD) zone is to enable and encourage comprehensively planned development in accordance with adopted plans and policies.

2. The PAD is a zoning classification which provides for the establishment of zoning districts with distinct standards.

B. Distinct Land Use Regulations Permitted

1. A PAD may have land use regulations different from the zoning regulations in the UDC, any other PAD District, or other zoning districts.

2. When a provision in a PAD varies from the UDC, the provisions in the PAD shall govern.

3. Signs shall be in compliance with Section 7A.11.4, Planned Area Development (PAD) District.

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 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.

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.

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craftsperson, including persons engaged in the application, teaching, or performance of fine arts such as, but not limited to drawing, vocal or instrumental music, painting, sculpture, and writing; and the accessory sale of art objects produced on the premises. Buildings or spaces within buildings shall be used jointly for commercial and residential purposes. Nothing in this subsection limits principal uses as otherwise permitted by the applicable zoning.

2. **Combined Uses**
   A building or a tenant space in a commercial zone may be used as an artisan workshop with a residential dwelling. The workshop and workshop activities shall be located indoors unless outdoor activity is permitted by the applicable zoning.

3. **On-site Sales**
   The on-site sale of the artist's products, including occasional shows of the artist's works, is a permitted accessory use.

4. **Separation and Access**
   Access to the residential use shall be only through the same access that is provided for the artisan use.

5. **Operational Requirements**
   The operation of the artisan residence shall not create noise, vibrations, smoke, fumes, dust, odors, vapors, other noxious emissions, or any other similar nuisances that are discernible beyond the boundaries of the building enclosing the artisan residence.

6. **Parking**
   Each artisan residence unit shall provide two on-site motor vehicle parking spaces for each residential component and one on-site parking space for each 500 square feet of gross floor area (GFA) of the work space area. The GFA of the residential component shall not be included in the parking calculation.

F. **Automotive - Service and Repair**

1. Auto washing is prohibited.

2. The service building is limited in design to accommodate no more than two vehicles at any time. The maximum permitted vehicle space size is ten by 25 feet.

3. The use must occur within an enclosed building with one access per bay, not on the side toward any residential zone.

4. The building walls shall have no openings, other than non-opening windows, within 30 feet of the adjacent residential zone boundary line.

5. Auto washing, limited to a self-service, coin-operated car wash, is permitted on the premises. No more than six bays using hand-operated, wand-type equipment or more than one bay using automatic equipment are permitted, and vacuum equipment shall be located at least 100 feet from any residential zone. Mechanical equipment that powers the conveyor must be entirely enclosed.
6. The maximum floor area shall be 2,000 square feet.

7. Limited to one automatic in-bay car wash that shall not include conveyors or motorized air-drying. It shall be enclosed within a building except at points of ingress and egress, have a maximum floor area of 600 square feet, and not exceed 12 feet in height.

G. Billboards

1. Pedestrian Access
   Pedestrian access shall not be located under, or within five feet of, a vertical line intersecting the ground and any structural element extending from a billboard, including, but not limited to, overhangs, cantilevered beams, and elevated walkways. Refer to Section 7-01, Pedestrian Access, of the Technical Standards Manual for requirements.

2. Parking
   Parking area access lanes shall not be located under, or within five feet of, a vertical line intersecting the ground and any structural element extending from a billboard, including, but not limited to, overhangs, cantilevered beams, and elevated walkways.

3. Loading
   Refer to Section 7.5, Off-Street Loading, for loading (servicing) space requirements and Section 7.5.4, Design Criteria, for location requirements for such loading spaces.

4. Landscaping and Screening
   Refer to Table 7.6.4-1, Landscape Border and Screening Standards, for landscaping and screening requirements for billboards.

5. Height
   The maximum permitted height shall be in accordance with Section 7A, Sign Standards.

H. Child Care in Residential and Office Zones

1. Dispersal
   A 600-foot separation between child care centers in residential zones is required. Child care centers that provide only before- and after-school programs at elementary and secondary school sites are not considered for the purposes of this separation. The separation distance is measured from property lines, except in the case of a child care center on a mixed use development site where the separation is measured from that portion of the site devoted to the child care use.

2. Licensing
   If licensing is required by the State of Arizona for the use, proof of such licensure shall be provided prior to issuance of a certificate of occupancy.

3. Hours and Days of Operation
   Child care centers adjacent to R-3 or more restrictive zoning are limited in hours of operation to 6:00 a.m. to 7:00 p.m. and to operation Monday through Friday only, except as provided in Section 4.9.4.H.9, Extended Hours for any Number of Children.
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.
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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.


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.

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ARTICLE 7A: SIGN STANDARDS

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7A.1. PURPOSE, INTENT, AND APPLICABILITY

7A.1.1. PURPOSE

The purpose of the sign standards is to:

A. Accommodation the rights of individuals to freedom of speech, promote equity among businesses, and other typical sign users, and enable the fair and consistent enforcement of sign standards;

B. Recognize the legitimate signage needs of businesses and other interests to communicate messages, provide identification, and enable wayfinding throughout the City for tourists and residents;

C. Ensure that signage contributes to the maintenance of an aesthetically pleasing visual environment by exercising reasonable regulations over type, size, number, appearance, and location;

D. Respect Tucson's unique natural environment of surrounding mountain ranges and dark night skies by regulating sign illumination and height;

E. Protect property values by minimizing the possible adverse effect of signs on nearby public and private property;

F. Promote public safety by ensuring that signs are properly constructed and maintained to protect the general public from property damage and personal injury;

G. Facilitate traffic flow and safety of pedestrians, bicyclists, and motorists through enforcement of sight lines and other appropriate sign placement regulation; and,

H. Support retention of local businesses and further the economic development goals of the City.
7A.1.2. **APPLICABILITY**

The regulations in this article are applicable to all signs in the City, except as noted in Section 7A.8.1 Exemptions unless otherwise stated. The City of Tucson shall follow its own sign standards and be in compliance with Section 1.07-6 of the City of Tucson Administrative Directives.

(Ord. 11508, 12/5/2017)

7A.2. **INTERPRETATION, SEVERABILITY, AND NON-COMMERCIAL SPEECH SUBSTITUTION**

7A.2.1. **INTERPRETATION**

The zoning administrator shall interpret and apply the sign standards. Where there is a conflict between provisions of the sign standards and other provisions of the Unified Development Code, the more restrictive provisions shall prevail.

7A.2.2. **INTERPRETATION OF DISTRICT BOUNDARIES**

A. Zones and special sign districts are determined by adopted maps. The pedestrian business district, historic district and scenic corridor zone district are specifically mapped districts that supersede the underlying zoning classifications for purpose of determining the sign regulations. Please reference Section 7A.11 Special Districts for maps showing locations of special districts. The scenic corridor zone district is determined based upon the mapped scenic corridors of the Major Streets and Routes Plan.

B. The effectuation of a change of zoning for a property will also effectuate a change in the sign standards.

C. Interpretation of a special sign district shall be made by the zoning administrator.

7A.2.3. **APPLICATION OF PRIOR CODE SECTIONS**

Chapter 3 of the Tucson Code as adopted and amended prior to the adoption of the sign standards is repealed except that the same is continued in full force and effect as necessary to the final determination and disposition of the prosecution or litigation of any claim or complaint that has been made or may be made in the future alleging a violation of any prior provision of Chapter 3 based upon acts occurring prior to the repeal of any such provision.

7A.2.4. **SEVERABILITY AND NON-COMMERCIAL SPEECH SUBSTITUTION**

Article 7A is subject to Section 1.8 Severability. Any provision of the sign standards that imposes a limitation on freedom of speech shall be construed in a manner that is viewpoint neutral and treats expressive speech either the same as or less restrictive than commercial speech. Any provision of the sign standards that is found to be an unconstitutional limitation on freedom of speech by any court shall be severed from the sign standards in a manner that preserves the standards and protects freedom of speech.

(Ord. 11508, 12/5/2017)
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DEFINITIONS

The terms used in the sign standards shall have the meanings as noted in Article 11 Definitions, unless the context otherwise requires.

(Ord. 11508, 12/5/2017)

7A.4. PERMITS, INSPECTIONS, AND FEES

7A.4.1. PERMITS

A. All signs shall be erected, reinstalled, altered, repaired, relocated, permitted and inspected in compliance with Section 3.3 Zoning Compliance Review, Section 4 Development Review Fee Schedule of the Administrative Manual, and the most recently adopted Unified Building Codes, as well as other applicable City codes.

1. Signs attached to the interior wall of a shopping mall for identification, advertisement or promotion of the interest of any person, entity, product or service are required to obtain a sign permit to ensure compliance with applicable building, fire, electrical, and technical codes but are not otherwise subject to the sign standards. For purposes of the sign standards these signs are considered interior signs.

2. It shall be a civil infraction for any person to erect, reinstall, alter, change the copy of, repair or relocate a sign, or cause the same to be done, without first obtaining a permit or permits from the Planning and Development Services Department, as required by the sign standards.

3. It shall be a civil infraction for any person to use, maintain, or otherwise allow the continued existence of any sign for which the required permit was not obtained, and each day such violation shall constitute a separate offense.

4. A permit shall be issued to the owner of the property or the agent for the owner. When a contractor is required to be licensed by the State of Arizona, the permit shall only be issued to a licensed contractor.

5. Compliance with technical codes. In addition to compliance with the sign standards, all signs shall comply with the appropriate detailed provisions of the adopted Building Code for the City of Tucson and all adopted technical codes relating to design, structural members, and connections, the applicable provisions of the Electrical and Fire Codes of the City of Tucson and the additional construction standards set forth in this jurisdiction.

B. Permission of Property Owner

1. No person shall erect, construct, or maintain any sign upon any property or building without the consent of the owner, person entitled to possession of the property or building, if any, or their authorized representative.

7A.4.2. ISSUANCE

A. Review and Approval

The application, plans, specifications, computations and other data filed by an applicant for permit shall be reviewed by the Planning and Development Services Department. Such plans may be

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reviewed by other departments of the City to verify compliance with any applicable laws under their jurisdiction. If the Planning and Development Services Department finds that the work described in an application for a permit and the plans, specifications and other data filed therewith conform to the requirements of the sign standards and other pertinent laws and ordinances, and that the fees specified in the Administrative Manual have been paid, a permit shall be issued to the applicant. When the Planning and Development Services Department issues the permit where plans are required, the plans and specifications shall be endorsed in writing or stamped "APPROVED." Such approved plans and specifications shall not be changed, modified or altered without authorization from the Planning and Development Services Department, and all work shall be done in accordance with the approved plans.

B. Retention of Plans
One set of approved plans and specifications shall be returned to the applicant and shall be kept on the job site at all times during which the work authorized thereby is in progress. One set of approved plans, specifications and computations shall be retained by the Planning and Development Services Department.

C. Validity of Permit
The issuance of a permit or approval of plans, specifications and computations shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of the sign standards or of any other ordinance of this jurisdiction. No permit presuming to give authority to violate or cancel the provisions of these Codes shall be valid.

D. Expiration

1. Every permit issued by the Planning and Development Services Department under the provisions of the sign standards shall expire by limitation and become null and void if the work authorized by such permit is not commenced within 180 days from the date of such permit, or if the work authorized by such permit is suspended or abandoned for a period of 180 days from the date of such permit, or if the work authorized by such permit is suspended or abandoned for a period of 180 days or more at any time after the work is commenced as evidenced by successive approved inspections. Before such work may be resumed, a new permit shall first be obtained, and the fee shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications of such work, and that suspension or abandonment has not exceeded one year. Where a permit has expired for more than one year, a new permit must be obtained at full fee.

2. Any permittee holding an unexpired permit may apply for an extension of time within which to commence work under that permit when the permittee is unable to commence work within the time required by this section for good and satisfactory reasons. The zoning administrator may extend the time for action by the permittee for a period not exceeding 180 days upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. No permit shall be extended more than once. Prior to extending the permit, the zoning administrator may require the plans to be re-examined and/or on-site inspections to be made, the cost of which will be paid by the applicant requesting the extension of the permit. The Planning and Development Services Department director may condition an extension of a permit on compliance with any amendments to the sign standards adopted after issuance of the initial permit.
E. **Suspension or Revocation**

The Planning and Development Services Department may, in writing, suspend or revoke a permit under the provisions of the Tucson Code whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any ordinance or regulation or any of the provisions of the Tucson Code.

### 7A.4.3. EFFECT OF ISSUANCE

A. No permit issued for a sign shall be deemed to constitute permission or authorization to maintain a public or private nuisance, nor shall any permit issued constitute a defense in an action to abate a nuisance.

B. A fabricator may submit plans for a sign to the zoning administrator for approval and file as a standard. Thereafter, permits may be obtained for such signs without filing detailed structural plans. Such signs shall be given a standard number by the fabricator, and the standard number shall be shown on each permit application. Standard engineering (such as that currently used by members of the Arizona Sign Association) may be submitted to the zoning administrator for approval and filed as a standard. If such standards are submitted and approved for use by more than one contractor, a list of all contractors authorized to use that standard must be submitted to the zoning administrator by the originator(s) of that standard.

### 7A.4.4. INSPECTIONS

A. **General**

1. All signs for which a permit is required shall be subject to inspection, and certain types of construction shall have continuous inspection by special inspectors.

2. A survey of the lot may be required by the zoning administrator to verify that the structure is located in accordance with approved plans. It shall be the duty of the permit applicant to cause the work to be accessible and exposed for inspection purposes. The City shall not be liable for expense entailed in the removal or replacement of any material required to allow inspection.

B. **Inspection Requests**

It shall be the duty of the person doing the work authorized by a permit to notify the Planning and Development Services Department that such work is ready for inspection. The zoning administrator or chief building official may require that every request for inspection be filed at least one working day before such inspection is desired. Such request must be through the inspection request line.

C. **Approval Required**

No work shall be done on any part of the structure beyond the point indicated in each successive inspection without first obtaining the approval of the zoning administrator. Such approval shall be given only after an inspection shall have been made of each successive step in the construction as indicated by each of the inspections required.

D. **Required Inspections**

1. A site review inspection is required on all permit applications, except for portable signs and for temporary signs for which a sign permit is required.
2. At the time of the required site inspection, the inspector will verify that the site complies with
the information contained in the sign permit application. The inspector will inform the applicant
of any discrepancy or violations found on the site. The requested permit shall not be issued
until the site is brought into compliance with the sign standards or plans are modified to
conform to the site. At the time of the required site review, billboard sites must be staked
indicating property lines, required zoning setback, type and size of billboard, and where the
leading edge of the billboard will be. Site address must be on billboard.

3. Footing inspections are required on all detached signs.

4. The Planning and Development Services Department, upon notification from the permit holder
or his agent, shall make the required inspections and shall either approve that portion of the
construction as completed or shall notify the permit holder or his agent wherein the same fails
to comply with the sign standards.

E. Re-inspection

1. A re-inspection fee may be assessed for each inspection or re-inspection when such portion
of work for which inspection is called is not complete or when corrections called for are not
made. A re-inspection fee may be assessed when the permit card is not properly posted on
the work site, when the approved plans are not readily available to the inspector, for failure
to provide access on the date for which inspection is requested, or for deviating from plans
requiring the approval of the zoning administrator. This fee must be paid prior to the
acceptance of any further re-inspection requests by the Planning and Development Services
Department and is in addition to any fee due for a subsequent re-inspection.

2. The re-inspection fee shall be charged for the third and subsequent Inspections.

3. To obtain a re-inspection, the applicant must pay the re-inspection fee in accordance with
Section 4-01 Development Review Fee Schedule of the Administrative Manual.

4. In instances where re-inspection fees have been assessed, no additional inspection of the work
will be performed until the required fees have been paid.

F. Final Inspection
The person erecting, altering or relocating a sign shall request a final inspection upon completion of the
work for which permits have been issued. Final inspections on installed signs must be completed prior to
the issuance of a certificate of occupancy.

7A.4.5. SPECIAL INSPECTOR REQUIRED

A. The following sign types shall be subject to continuous inspection by special inspectors as provided
in Chapter 1 of the International Building Code.

B. All detached sign structures exceeding 100 square feet in area or 25 feet in overall height.

C. All signs attached to a building in excess of 30 feet from the bottom of the sign to grade, if, in the
opinion of the plans examiner, the subject sign and/or the particular building structure and/or the
method of attachment constitutes an unusual and/or dangerous structure and/or attachment.
A record of the special inspections shall be submitted to the Planning and Development Services Department by the applicant at or prior to final inspection and retained by the Planning and Development Services Department with the sign permit application.

7A.4.6. FEES

A. All sign permit fees are set forth in Section 4-01 Development Review Fee Schedule of the Administrative Manual.

7A.4.7. MAINTENANCE

A. Each sign shall be maintained in a safe, presentable and good condition, including the replacement of defective parts, painting, repainting, cleaning, and other acts required for the maintenance of said sign, without altering the basic copy, design or structure of the sign. Any painted sign that is painted out and repainted exactly as it previously existed is considered maintenance of a sign. The zoning administrator shall require compliance or removal of any sign determined by said official to be in violation of this section.

B. In addition to satisfying the requirements of subsection A, any sign that is constructed of paper, cloth, canvas, light fabric, cardboard, wallboard, plastic or other light material, and that is not rigidly and permanently installed in the ground or permanently attached to a building, must be removed or replaced within 100 days after it is installed or erected.

C. Dangerous or Defective Signs

No person shall maintain or permit to be maintained on any premise owned or controlled by him or her any sign that is in a dangerous or defective condition. Any such sign shall be promptly removed or repaired by the owner of the sign or the owner of the premises.

D. Removal of Dangerous or Defective Signs

The zoning administrator shall remove or cause to be removed any dangerous or defective sign pursuant to the provisions for the unsafe structures and equipment in the International Building Code.

(Ord. 11508, 12/5/2017)

7A.5. VIOLATIONS, ENFORCEMENT, PENALTIES

Sign standards violations, enforcement and penalties provisions shall be in accordance with Article 10 Enforcement and the provisions below.

7A.5.1. INDEMNIFICATION OF CITY

As a condition to the issuance of a sign permit as required by the sign standards, all persons engaged in hanging of signs that involves, in whole or part, the erection, alteration, relocation, maintenance or other sign work in, over or immediately adjacent to a public right-of-way or public property so that a portion of the public right-of-way or public property is used or encroached upon by the sign hanger in the said sign work, shall agree to hold harmless and indemnify the City, its officers, agents and employees from any and all claims of negligence resulting from said erection, alteration, relocation, maintenance or other sign work.

7A.5.2. LIABILITY INSURANCE REQUIRED

As a condition to the issuance of a sign permit as required by the sign standards, all sign hangers performing work shall obtain a public liability insurance policy in the minimum amounts of
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MEASUREMENTS, LOCATION, AND GENERAL REQUIREMENTS

The sign standards shall be subject to the additional requirements, conditions and exceptions specified in this section.

7A.6.1. SIGN AREA

The area of a sign shall be determined as follows (see Figure 1: Area of a Sign):

![Diagram of sign areas](image-url)
A. Single Face Sign

1. The entire area within a single continuous perimeter composed of squares or rectangles that enclose the extreme limits of the advertising message, announcement, declaration, demonstration, display, illustration, insignia, surface, or space of a similar nature, together with any frame or other material, color, or condition that forms an integral part of the display and is used to differentiate such sign from the wall against which it is placed, excluding the necessary supports or uprights on which such sign is placed. In cases where non-useable space is within the measurement rectangle and the non-useable space is greater than fifty-percent of the area of the useable sign area, the measurement rectangles may enclose the useable sign area only.

2. Individual Letters
   Where a sign consists only of individual letters, numerals, symbols or other similar components and is painted on or attached flat against the wall of a building, and where such individual components are without integrated background definition and are not within a circumscribed frame area, the total area of the sign shall be the area of the square or rectangle that circumscribes the entire message.

B. Two or More Faced Sign
   Where a sign has two or more faces, the area of all faces shall be included in determining the area of the sign, except that only one face of a double-faced sign shall be considered in determining the sign area when both faces are parallel and the farthest distance between faces does not exceed five feet, or when the interior angle of the sign faces does not exceed 45° if the boards are in a "V" configuration.

7A.6.2. MAXIMUM SIGN AREA

A. Maximum sign area refers to total allowable sign area derived from a calculation of the length of a premise fronting on a public or private street multiplied by the allowable sign area ratio in the applicable zone category, special district, or additional standard. This is not applicable to Section 7A.11.1 Historic Districts.

B. Maximum sign area for Individual sign types is determined in accordance with Section 7A.10.2.C Permanent Signs Additional Sign Type Standards.

C. The maximum sign area for permanent signs on a premise includes all lots and tenants within the premise's boundaries unless the sign complies with the Section 7A.7 Sign Design Option.

D. In the case where a street frontage or portion of street frontage is within 250 feet of a freeway, the street frontage sign area calculation for a commercial, office or industrial use is four feet per linear foot of the affected street frontage.

7A.6.3. CHANGE OF COPY
   Refers to the situation where the message or design of an existing sign face is modified or changed, but the size, shape, framework or structure of the sign is not modified or changed. Billboards, marquees, electronic sign copy, and approved changeable copy signs are not subject to this definition. Where a change of copy requires a permit, it may be required to be reviewed as a new sign structure with appropriate inspections.
7A.6.4. SIGN COPY

A. "Item of information" is used as part of the Section 7A.7 Sign Design Option and refers to a word, logo, picture, symbol or a separate number or number combination. For example, 123 - 4000 equals two number combinations. Punctuation marks are not counted as an item of information.

B. Sign copy that is used as part of the Section 7A.7 Sign Design Option and is three inches or less in size is not part of the calculation of items of information.

C. A digital sign is permitted to have a rate of change of sign copy, graphic, or information not more than once every one minute. The digital sign copy shall not have any transitions or animations.

7A.6.5. SIGN HEIGHT MEASUREMENT

A. The sign height is measured as the vertical distance from the average finished grade beneath the sign to the topmost sign copy of the sign; except that if the sign location has an average finished grade lower than the adjoining grade of the road, the sign height is measured from the top of the curb (or highest point of the road nearest the property if no curb exists) to the highest point of the topmost sign copy on the sign. Average finished grade refers to the mean average elevation of ground after site preparation at the bottom of a sign structure, measured five feet from the bottom of the sign structure at five-foot intervals.
B. Freeway Grade
For freeway signs and billboards, the freeway grade is the elevation of the outside edge of the freeway travel lane nearest to the freeway sign or billboard.

7A.6.6. CLEARANCE
See definition in Article 11 Definitions.

7A.6.7. SETBACK
The sign setback is measured from the leading edge of the sign to the face of curb or edge of the travel lane where no curb exists. The sign and structure must be installed on private property and set back at least 20 feet from the face of the curb, unless otherwise specified in the sign standards.

7A.6.8. SIGNS NEAR RESIDENCES
No off-site sign shall be permitted if such sign faces the front or side yard of any lot within any residential district and is located within 150 feet of such lot line.

7A.6.9. STREET AND BUILDING FRONTAGES
A. Street frontage is measured as the length of a premise, lot, or development fronting on a public or private street.

B. Building frontage is the measurement between two straight lines projecting from the outermost edges of a building or tenant space wall, that are perpendicular to a straight line running along the ground level or front of the measured wall.

C. Multiple Frontage Lots
On corner lots and other lots with more than one street frontage, the maximum allowable number and square footage of on-site signs are permitted for each street frontage. The maximum allowances are only transferable either in whole or in part from one street frontage to another if the Zoning Administrator determines the request will not negatively impact surrounding properties. The Zoning Administrator may send the request to the Sign Design Review Committee for review and recommendation.

D. Intersection Corner Sign
1. When a sign is erected at the street intersection corner of the lot and is placed in such a manner so as to be readable from both streets or both frontages, the sign shall not exceed the maximum area allowed for the longest street frontage;

2. The sign shall count as one sign for each street frontage; and,

3. The area of the sign shall be deducted from the allowable sign area for the longest street frontage.

E. Signs per Street Frontage
General rule: For a premise having more than one street frontage, the maximum sign area and number of permitted on-site permanent signs are permitted for each street frontage and are not only transferable from one street frontage to another if the Zoning Administrator determines the request will not negatively impact surrounding properties. The Zoning Administrator may send the request to the Sign Design Review Committee for review and recommendation. In the case of a freestanding sign, the more restrictive standard of the zone category shall apply.
F. **Access Regulated**
   No sign or its supporting members shall be erected, altered or relocated so as to interfere with or restrict access to a window or other opening in a building in such a manner as to unduly limit air circulation or obstruct or interfere with the free use of a fire escape, exit, standpipe, stairway, door, ventilator, window or similar opening, provided however that the zoning administrator may approve another form of sign or its attachment when, in his or her judgment, that sign will not restrict access to the openings.

**7A.6.10. SIGNS IN OR OVER PUBLIC RIGHTS-OF-WAY**

A. Except as provided below, a sign or sign structure shall not project over a public right-of-way or public property unless the mayor and council grant a special license. Signs licensed pursuant to this section may be displayed for up to 60 days or over an alternate approved time frame. The licensee may require the removal of the sign within 48 hours after the advertised event or other temporary occurrence concludes.

B. The City Manager may grant a special license for building and curbside banners and for across-the-street banners that project or extend over a public right-of-way or over public property. Signs in the right-of-way may be reviewed and granted under the Department of Transportation’s temporary revocable easement procedure.

C. Permits shall be obtained through the Department of Transportation.

D. The Mayor and Council and/or City Manager may grant special license for signage such as on buses, bus benches, bus shelters, and street cars.

E. No sign shall be attached to electric wiring or be energized by electricity.

F. No sign shall be placed upon traffic signal posts or signs, and no sign shall obstruct a motorist’s view of traffic signals.

G. Any application for a license for a sign attached to utility poles or lamp poles shall include the written approval of the Department of Transportation of the City and the authorized official of the public utility company owning the poles to which the devices would be attached as to the size and weight of the sign and the manner of attachment to the poles. Building and curbside banners shall comply with the applicable requirements of Article 7A. No sign shall be attached to any utility pole carrying primary circuits or to any wooden pole or public property.

H. Signs licensed pursuant to this section may be displayed for up to 60 days. The licensee shall remove the sign within 48 hours after the advertised event.

I. In no event may signs relating to more than one event be attached to any single pole.

J. The license shall state the location where the sign may be placed.

K. By accepting any license granted under this section, the licensee and its heirs, successors and assigns shall agree to indemnify the City and shall provide proof to the City of liability insurance.

L. The City Manager may impose such additional administrative requirements as may be necessary.
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M.  The time frame for a permanent sign and an A-Frame sign are regulated separately as part of the temporary revocable easement process.

7A.6.11. PREMISE
See definition in Article 11 Definitions.

7A.6.12. ILLUMINATION
Unless otherwise prohibited in the sign standards, all signs may be illuminated subject to the provisions of Tucson Code, Chapter 6, Article IV, Division 2, "Outdoor Lighting Code."

(Ord. 11508, 12/5/2017)

7A.7. SIGN DESIGN OPTIONS

7A.7.1. MASTER SIGN PROGRAM - PERMANENT SIGNS

A. Purpose
The purpose of this section is to respond to special permanent sign needs of a premise as well as provide flexibility, encourage development in accordance with adopted plans and policies, and promote superior sign design to implement the purpose of this article.

B. Applicability
The master sign program includes all exterior permanent signs at a premise and provides a process where the provisions of Article 7A may be varied subject to the standards and findings listed below. Billboard signs may not be proposed as part of the Master Sign Program.

C. A master sign program may be submitted before, after, or concurrently with a rezoning, special exception or site plan. Signs regulated by the program require individual permits prior to construction. A sign may be ground or wall mounted or designed into and constructed as part of an integrated architectural feature of a building. In a case where the sign has mixed elements of ground or wall mounted or architectural integration into the building, the zoning administrator will determine what are the most applicable standards.

D. Decision
The Sign Design Review Committee shall review design options and make a recommendation to the planning and development services director for a final decision. The director's decision may be to approve, approve with conditions, or deny the application. The director shall base the decision on compliance with the purpose statement, findings, and applicable design standards.

1. An applicant may appeal the director's decision first to the Board of Adjustment in accordance with Section 3.10.2 and may then appeal to the Mayor and Council in accordance with Section 3.9.2 (Mayor and Council Appeal Procedure).

E. Design Standards

1. All Signs

a. Illumination shall reduce light trespass and offer protection to dark skies in compliance with the City's outdoor lighting standards.

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b. A sign with lists of categories, tenants or organizations, or similar listed items within panels or separately mounted sign copy, shall have a unifying and proportional outlining background color behind the copy, i.e. words, names, numbers or symbols using a specific logo or federally registered trademark colors.

c. For a sign with lists, the sign panels and/or the separately mounted sign copy, i.e., sign copy mounted without panels on a structure or wall, shall be mounted or placed so as to be reasonably proportional in size.

2. **Ground-Mounted Signs**

a. **Sign Copy**

(1) Signs shall contain legible sign copy. A sign intended to be seen from a right of way or private street shall contain no more than sixteen items of information. An equivalent alternative is an eight panel sign.

(2) Sign copy shall be applied to the sign structure in the following manner: Panels of the same size with a unifying background color as noted in Section 7A.7.1.E.1.b. Proportional letters, numbers or logos as noted in Section 7A.7.1.E.1.c. Up to fifty (50) percent of the panels may be larger than other panels or names.

b. **Sign Height**

(1) The sign height and sign structure setback for a freestanding sign should be at a height and distance from the right-of-way to be easily detectable and give a vehicle a reasonable time to adjust to traffic conditions.

(2) The sign height shall be compatible with the surrounding height profile of the buildings, freestanding signs, and structures on the property and in the surrounding area. The sign structure shall not obstruct significant scenic views from the right of way.

(3) The height of the sign copy shall be set so as not to be obstructed by landscaping or a parked vehicle.

c. **Sign Design Elements**

(1) **Structural Components**

(i) A freestanding sign should be comprised of a design such as two or more components unified by similar materials. A sign blending wall and ground mounted components may use Section 7A.7.1.F Best Practice Option.

(ii) The design of the components shall use the architectural style of the development being identified. Features to be used in designing the components include colors, materials, textures and shapes of the development’s architecture. The bottom component shall be designed with a monument-style base or similar wide-base design.
(2) Wayfinding and Identification

(i) Freestanding signs shall provide high quality wayfinding and identification with a common and unifying design theme.

(ii) Ground-mounted wayfinding signs that are 20 square feet or less in sign area are not required to have three components but are required to be coordinated in architectural style, colors, materials, and textures with the other larger signs.

(3) Visual Environment

In all cases, to protect the unique visual environment of Tucson, all flexible standards or use of design guidelines in Section 7A.7.1.F Best Practice Option, must address a consistent and compatible treatment of the height profile of the buildings and signs in the surrounding area, preserving scenic vistas and vegetation, and dark skies compatible sign illumination.

(4) Landscaping

Ground-mounted signs shall be located within a landscaping area that is proportional to the affected sign area. The materials shall consist of non-obstructing live and/or inert landscaping materials.

d. Freeway Signs

A freeway sign that is part of the master sign program shall, in addition to the standards of the master sign program, be constructed in accordance with the Article 7A freeway sign standards and adhere to the items of information legibility standard noted in this section.

3. Wall-Mounted Signs

a. Wall-mounted signs intended to be viewed from the right of way or that exceed twelve square feet in sign area shall be designed to be proportional to the building frontage of the tenant space.

b. If the sign is intended to provide wayfinding it shall be located at key identification points.

c. Sign copy may include the font, logo, symbol and color of the business but shall be constructed or mounted to be consistent with the master sign program.

d. For all wall-mounted signs, an organized, proportional appearance is required among the signs of a building or tenant space. Disorganized sizes and color arrangements in the signs' appearance on a specific building or tenant space are to be avoided.

4. Integrated Architecture Sign

a. Signs that are not classified as either wall or ground mounted shall be constructed in a manner to abide by the overall design context of the architecture of the building and be consistent with the design standards used to develop the master sign program.
F. Best Practice Option
A variation from the design standards must show a best practice is being used as an alternative. A best practice may be based on one of the following sources:

1. An already approved permanent sign, master sign program within the City;

2. An award-winning sign design from a national or state sign organization;

3. A document, book, or example endorsed by the American Planning Association, American Sign Association or American Institute of Architects or similar organizations, and approved by the PDSD Director;

4. A design guideline based in technical standards including, the Manual on Uniform Traffic Control Devices (MUTCD), the American Association of State Highway and Transportation Officials' Guide for the Development of Bicycle Facilities (AASHTO), the National Association of City Transportation Officials' Urban Bikeway Design Guide (NACTO), United States Sign Council Model On-Premise Sign Code, Street Graphics and the Law, the Scenic America recommended handbook for on-premise signs or a similar document recommended by the Design Professional and approved by the PDSD Director; and,

5. A master sign program, sign design, or document recommended by the Design Professional as being appropriate for the surrounding context of the affected City streetscape.

G. Findings

1. The decision shall show the sign program's compliance with the following findings applicable to the site:
   a. Meets the purpose of Article 7A, Section 7A.7.A, the master sign program's purpose, and Section 7A.7.1.E, the master sign program's design standards;
   b. Creates a clear connection with the shapes, textures, colors and materials used in the appearance of the buildings of the premise;
   c. Creates proportional sizes of signs placed on or integrated into a building's architecture;
   d. Improves the legibility of signs;
   e. Enhances vehicle reaction time to the signs;
   f. Creates an organized wayfinding and identification, or messaging program;
   g. Protects significant scenic views;
   h. Promotes a well-organized visual environment through appropriate sizes, number, setbacks, and spacing; and,
   i. Represents a best practice of the design of dark sky sign illumination.
7A.7.2. MASTER SIGN PROGRAM - PORTABLE SIGNS

A. Purpose

1. The purpose is to respond to special portable sign needs of a business, organization or user that has either a special need or has historically required a larger amount of portable signage than permitted by Article 7A, Sign Standards.

2. In exchange for greater flexibility with dimensions and the amount of signs, the master sign program for portable signs must show that clutter management is achieved by ensuring a coordinated design appearance and using the least amount of signage needed to achieve message display, identification, and wayfinding objectives.

B. Applicability

1. The master sign program for portable signs allows a design option for all portable signs and applies to all portable signs intended to be viewed from the right of way. The program provides a process where the provisions of Article 7A may be varied subject to the standards and findings listed below. It applies to on-site signs that are intended to be viewed from the right-of-way. If off-site signs are used they must be approved and coordinated with the Department of Transportation.

C. Design Standards

1. The number of signs shall be located and spaced or grouped together to reduce a disorganized appearance at the front of a development.

2. Spacing, sign area, height and setback shall be adjusted to ensure a legible and well-organized appearance along the right of way. Grouping of signs of different sizes may be used if the visual impact is to improve the overall appearance of an affected street frontage.

3. Materials should be similar for all or most signs to reduce the likelihood of a disorganized appearance along the street frontage.

4. In no case may a sign exceed in sign area or sign height a sign that has been used in previous standards within the City.

5. The program may include signs with sign areas exceeding 32 square feet with multiple messages to reduce the overall number of portable signs along the public right of way.

6. Items of information per sign shall not exceed sixteen items of information or six equal size panels or similar arrangement.

D. The Decision, Findings, and Best Practices of the Master Sign Program for Permanent Signs applies to the Master Sign Program for Portable Signs.

E. Additional Findings Master Sign Program - Portable Signs
Sign Standards

§ 7A.8

1. Promotes a well-organized visual environment through appropriate sizes, number, setbacks, and spacing;

2. Legibility is required of all signs; and,

3. Signs are coordinated in materials, color, and design.

7A.7.3. SINGULAR SIGN DESIGN OPTION

A. The purpose of this section is to implement Section 7A.7.1. A Purpose, by promoting a harmonious relationship between buildings, signs, and streetscapes through improved legibility and sight lines for moving vehicles and encouraging best design practices by reducing a disorganized and confusing visual environment along the City's streetscapes. Billboard signs may not be proposed as part of the Singular Sign Design Option.

B. The section applies to a new sign or modification or replacement of an existing sign.

C. The proposed design option for an individual ground-mounted or wall-mounted signs and signs integrated into the architecture of the building shall follow the decision making, review process, design standards, findings for permanent signs in Section 7A.7.1 Master Sign Program - Permanent Signs.

D. A sign with lists of categories, tenants or organizations or similar listed items within panels or separately mounted sign copy, shall have a unifying and proportional outlining background color behind the copy, i.e. words, names, numbers or symbols using a specific logo or federally registered trademark colors.

E. For a sign with lists, the sign panels and/or the separately mounted sign copy, i.e., sign copy mounted without panels on a structure or wall, shall be mounted or placed so as to be reasonably proportional in size.

7A.7.4. NOTIFICATION

A. Notification for Sign Design Option shall be in accordance with PDSD departmental policy.

(Ord. 11508, 12/5/2017)

7A.8. EXEMPT AND PROHIBITED SIGNS

7A.8.1. EXEMPT SIGNS

A. The provisions of the sign standards, including the requirements for permits, shall not apply to the following specified signs, nor shall the area of such signs be included in the area of signs permitted for any parcel or use. The following signs are permitted in all zones and special districts.

1. Non-commercial flags, emblems or insignias;

2. Permanent sign cut into the surface of a façade or building;
3. Non-commercial murals;
4. Commercial murals that are in pedestrian districts; and,
5. Manned hot air balloons.

7A.8.2. PROHIBITED SIGNS

A. No person shall erect, alter, or relocate any sign of the type specified in this section, unless it is regulated elsewhere such as, signs in the right-of-way or historic landmark signs.

B. Animated and intensely lighted signs: No sign shall be permitted that is animated by any means, including flashing, scintillating, blinking, or traveling lights, or any other means not providing constant illumination, except as allowed as a historic landmark sign (HLS).

C. No sign shall be permitted that because of its intensity of light constitutes a nuisance or hazard to vehicular traffic, pedestrians or adjacent properties.

D. Miscellaneous - Commercial
Miscellaneous signs, posters and satellite disks: The tacking, painting, pasting or otherwise affixing of signs or posters of a miscellaneous character, visible from a public way, on the walls of a building, barns or sheds, or on trees, poles, posts, fences or other structures, is prohibited. No signage of any type is permitted on satellite dishes or disks.

E. Moving Signs
No sign or any portion thereof shall be permitted that moves or assumes any other motion constituting a non-stationary or non-fixed condition, except as allowed as a historic landmark sign (HLS).

F. Roof Signs
1. See definition in Section 11.4.19.
2. Signs placed upon the face of a parapet or architectural feature are considered a wall sign.
3. Roof Sign Exceptions
   a. Canopy sign is not considered a roof sign.
   b. Historic landmark sign (HLS) in accordance with Section 7A.10.4.
   c. On a National Register of Historic Places (NRHP) listed or eligible to be listed building where the applicant can demonstrate both:
      (1) That the only wall or building-mounted options available would damage the building's historic fabric or would have an adverse effect on qualities that make building eligible for listing in the NRHP, and

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(2) That use of a roof sign would result in minimal damage to historic fabric and avoid adverse effects on qualities that make building eligible for listing in the NRHP.

d. Review of roof signs on a NRHP listed or eligible to be listed building and recommendation to the PDSD Director shall be provided by the Tucson-Pima County Historic Commission Plans Review Subcommittee (T-PCHC-PRS).

G. Sound, Odor or Visible Matter
   Any sign or device that emits audible sound, odor or visible matter.

7A.8.3. SIGNS CREATING TRAFFIC HAZARDS
   No sign shall be permitted at the intersection of any street in such a manner as to obstruct free and clear vision of motor vehicle operators. No sign shall be located at any location where by reason of its position, shape, or color it may interfere with or be confused with any authorized traffic sign, signal or device. No sign may make use of a word, symbol, phrase, shape or color in such a manner as to interfere with, mislead, or confuse traffic.

7A.8.4. SIGNS IN PUBLIC AREAS
   No sign shall be permitted on any curb, sidewalk, post, pole, hydrant, bridge, tree or other surface located on public property or over or across any street or public thoroughfare, except as expressly authorized by the sign standards.

(Ord. 11508, 12/5/2017)

7A.9. NONCONFORMING SIGNS AND CHANGE OF USE

7A.9.1. SIGNS FOR LEGAL NONCONFORMING USES

A. Subject to the provisions of this section, signs for a legal nonconforming use, as defined in the Unified Development Code, are allowed. Such signs shall be allowed only so long as the nonconforming use is allowed. A final determination by the zoning administrator that a nonconforming use has been discontinued or abandoned shall also be the final determination of the nonconforming status of the related sign.

B. A sign legally existing on the effective date of the sign standards but that does not comply with the regulations of the sign standards adopted after the sign was legally permitted shall be deemed to be a nonconforming sign and shall be subject to the provisions of this article.

C. Except for reasonable repairs and alterations, no nonconforming sign shall be moved, altered, removed and reinstalled, or replaced, unless it is brought into compliance with the requirements of the sign standards. The updating of electrical components for a non-conforming sign may be considered an approved alteration. The alteration cannot change the sign copy from static sign copy to digital sign copy.

7A.9.2. CHANGE OF USE

A. Any nonconforming sign may continue to be utilized as long as the occupancy of the use within the structure remains the same. When a use changes from one occupancy category to another, all signs shall be brought into conformance with the provisions of this article.
B. Any use not mentioned specifically or about which there is any question shall be classified by the zoning administrator and included in the group which its use most nearly resembles.

C. **Occupancy Categories**

1. Assembly uses such as theaters, churches, stadiums, review stands and amusement park structures.

2. Educational uses such as nurseries, child-care and other educational purposes.

3. Institutional uses such as hospitals, sanitariums, nursing homes, mental hospitals and sanitariums, jails, prisons and reformatories.

4. Manufacturing and industrial uses such as storage of materials, dry cleaning plants, paint shops, woodworking, printing plants, ice plants, power plants and creameries.

5. Service facilities such as repair garages, aircraft repair hangers, gasoline and service stations.

6. Wholesale uses.

7. Retail uses.

8. Office uses.

9. Restaurant, drinking and dining uses.

10. Government uses such as police and fire stations.

11. Multi-occupancy dwellings such as hotels, apartment houses, convents, monasteries and lodging houses.


13. Parking facilities such as parking garages.

(Ord. 11508, 12/5/2017)

7A.10. **SIGN TYPES AND GENERAL STANDARDS**

This section describes the basic sign types that are either permitted or prohibited. A sign type that is not permitted in a zone, is prohibited unless otherwise designated by this article. Any specific regulation of a sign type for a specific zone supersedes the general requirement for the sign type. Standards in special districts supersede the regulations for the underlying zone or the general requirements for the sign type. All the above referenced districts, zones and provisions are superseded when the sign's area is regulated by Section 7A.7 *Sign Design Options*.

7A.10.1. **GENERALLY PERMITTED SIGNS**

The signs contained in this section are permitted throughout the city, regardless of zone and sign district, unless otherwise designated.
A. Emergency, warning, and governmental signs necessary for public safety or civil defense or other governmental use. Signs shall be easily readable and if necessary illuminated.

B. Interior Signs
   
   1. See Article 11 Definitions.

   2. Interior Sign Exception: A wall-mounted permanent or portable sign, that is within a premise’s boundaries, outside a building or enclosed area, viewable from the right-of-way, and has a sign area greater than twelve square feet, is counted as part of the applicable sign type’s maximum sign area. All signs intended to be readable from the right-of-way are counted as part of the applicable sign type’s maximum sign area.

C. Vehicle Signs
   
   Signs mounted upon, painted upon, or otherwise erected on trucks, cars, boats, trailers, or other motorized vehicles or equipment are prohibited, except as specifically provided below. Vehicle signs are allowed only where all of the following conditions are met:

   1. The primary purpose of such vehicle or equipment is not the display of signs;

   2. Signs are painted upon or applied directly to an integral part of the vehicle or equipment, do not extend beyond the horizontal or vertical profile of the vehicle, and are not mounted on the truck bed;

   3. Vehicle/equipment is in operating condition, currently registered and licensed to operate on public streets when applicable, and actively used in the daily function of the business to which such signs relate;

   4. Vehicles and equipment are not used primarily as static displays advertising a product or service, nor utilized as storage, shelter or distribution points for commercial products or services for the public; and,

   5. During periods of inactivity exceeding five days, such vehicle/equipment are not so parked or placed that the signs thereon are displayed to the public. Vehicles and equipment engaged in active construction projects and on-premises storage of equipment and vehicles leased or rented to the general public by a business engaged in vehicle leasing shall not be subject to this condition.

D. Wall Signs, Multipurpose Facility

   1. Notwithstanding any other limitations and restrictions set forth elsewhere in the sign standards, a multipurpose facility is permitted to include as part of its wall signage one (1) or more light emitting diode (LED) or other electronic banners and/or video displays that may include continuously moving words and images. These components shall be used in ticketing areas and other pedestrian gatherings where, in the opinion of the City engineer, such signage will not create a traffic hazard and will not be visible or will be only incidentally visible from public rights-of-way or adjacent properties.

   2. For purposes of this section, the term "multipurpose facility" has the meaning set forth in the definition found at A.R.S. § 48-4201.
E. Window signs are permitted wherever wall signs are permitted. No more than thirty percent of the total window surface may be covered. No permit is required. Window coverage is also regulated by Section 7-411 of the Tucson City Code.

7A.10.2. PERMANENT SIGNS

A. Permanent Signs - Zone Category Standards

<table>
<thead>
<tr>
<th>TABLE 1 - ZONES CATEGORIES AND PERMANENT SIGN TYPES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sign types below may be permitted in the zone categories below with additional standards.</td>
</tr>
<tr>
<td>Individual zones within a zone category or another specified zone may prohibit a sign type or have more restrictive standards for that individual zone.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Permanent Signs</th>
<th>Residential Category</th>
<th>Multifamily Residential Category</th>
<th>Non-residential Category</th>
<th>General Business Category</th>
<th>Industrial Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>Access Point</td>
<td>P, 2</td>
<td>P, 2</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Awning</td>
<td>P, 1</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Billboards</td>
<td>5</td>
<td>5</td>
<td>5</td>
<td>P, 4, 5</td>
<td>P, 4, 5</td>
</tr>
<tr>
<td>Canopy</td>
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<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
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<td>Dwelling Unit</td>
<td>P</td>
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<td>P</td>
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<tr>
<td>Freestanding Monument</td>
<td></td>
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<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Freestanding Monument low profile</td>
<td></td>
<td>P, 3</td>
<td>P, 3</td>
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<td>P</td>
</tr>
<tr>
<td>Freestanding Pole</td>
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<td></td>
<td>P</td>
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<tr>
<td>Freeway</td>
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<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Parking Lot</td>
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</tbody>
</table>

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### TABLE 1 - ZONES CATEGORIES AND PERMANENT SIGN TYPES (Cont'd)

<table>
<thead>
<tr>
<th>Projecting</th>
<th>P, 6</th>
<th>P, 6</th>
<th>P, 6</th>
<th>P, 6</th>
<th>P, 6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wall</td>
<td>P, 3</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
</tbody>
</table>

P = Generally Permitted - See Section 7A.10.2.C for Additional Standards.

1. Restricted to home occupation use
2. Not permitted for home occupation use
3. Restricted to nonresidential and home occupation use
4. Restricted to C-2, C-3, I-1, I-2, zones
5. Prohibited locations: On property with the following zoning: Rural Residential zones, Urban Residential zones (all); Office zones (all); "RVC" Rural Village Center Zone, "NC" Neighborhood Commercial Zone, "C-1", Commercial Zone, "P" Parking Zone and "RV" Recreational Vehicle Zone, Commercial zones, Mixed Use Zones (all); "P-1" Park Industrial Zone of Division 7, Industrial Zones; Scenic Corridor Zone, Airport Environs Zone (unless prior approval in writing by Federal Aviation Administration) and Historic Preservation Zone Overlay zones.
6. Signs shall be permitted only within a Historic or Pedestrian District in compliance with Section 7A.11.1.1 and 2.0 respectively.

### B. Permanent Signs - Maximum Sign Area And Special Zone Standards Per Zone Category

#### MAXIMUM PERMANENT SIGN AREA PER ZONE CATEGORY AND SPECIAL ZONE STANDARDS

<table>
<thead>
<tr>
<th>TABLE 2 ZONE CATEGORIES</th>
<th>MAXIMUM SIGN AREA</th>
<th>SPECIAL ZONE STANDARDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>RESIDENTIAL (RX-1, RX-2, R-1 MH-1) AND RURAL ZONES (IR, RH, SR, SH)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ALL PERMANENT SIGNS</td>
<td></td>
<td>1. On building having more than one street frontage, the maximum allowable number and square footage of on-site signs area permitted for each street frontage. The maximum allowance, however, is not transferable either in whole or in part from one street frontage to another.</td>
</tr>
<tr>
<td>Residential uses. Non-residential uses located on local streets.</td>
<td>20 Sq. Ft.</td>
<td></td>
</tr>
<tr>
<td>Non-residential uses on arterial or collector streets.</td>
<td>100 Sq. Ft.</td>
<td>1. Permanent freestanding sign's sign area may not exceed 32 square feet</td>
</tr>
</tbody>
</table>
### MAXIMUM PERMANENT SIGN AREA PER ZONE CATEGORY AND SPECIAL ZONE STANDARDS

#### MULTI-FAMILY (R-2, R-3 AND MH-2 ZONES)

<table>
<thead>
<tr>
<th>ALL PERMANENT SIGNS</th>
<th>1. Historic landmark signs (HLS), all types. The first HLS on a premise does not count toward the maximum total sign area.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential uses, Non-residential uses located on local streets.</td>
<td>50 Sq. Ft.</td>
</tr>
<tr>
<td>Non-residential uses on arterial or collector streets.</td>
<td>100 Sq. Ft. 1. Permanent freestanding sign's sign area may not exceed 50 square feet</td>
</tr>
</tbody>
</table>

#### NON-RESIDENTIAL O-1 ZONE

| ALL PERMANENT SIGNS | 20 Sq. Ft. 1. Illumination and color: Signs on arterial and collector streets shall be illuminated only by low pressure sodium lighting and shall not be illuminated between the hours of 10:00 p.m. and 7:00 a.m. Signs located on a local street frontage shall not be illuminated. Color schemes for all sign components, including copy, shall be compatible with surrounding residential areas. |

#### GENERAL BUSINESS (O-2, O-3, P, RV, NC, RVC, C-1, C-2, C-3, OCR-1, OCR-2, MU AND U ZONES)

| ALL PERMANENT SIGNS | 3 feet for every lineal foot of street frontage 1. If any portion of a parcel is within two hundred fifty (250) feet of a freeway; Four (4) square feet per foot of street frontage. If any portion of a parcel is within two hundred fifty (250) feet of a freeway; Four (4) square feet per foot of street frontage. 2. Design review: Within effectuated Urban Overlay Districts (UOD) mapped per the Unified Development Code (i.e. with "U" zoning), any single sign 50 square feet in area or larger, or any site where the total sign area exceeds 50 square feet, shall be reviewed under the design review procedure established by the specific UOD. |

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MAXIMUM PERMANENT SIGN AREA PER ZONE CATEGORY AND SPECIAL ZONE STANDARDS

<table>
<thead>
<tr>
<th>ALL PERMANENT SIGNS</th>
<th>3 feet for every lineal foot of street frontage</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>3. Historic landmark signs (HLS), all types. The first HLS on a premise does not count toward the maximum total sign area.</td>
</tr>
<tr>
<td></td>
<td>4. Property where an approved site plan, development plan, or plat provides for a multi-family dwelling as the principal use, shall follow the standards of the Multi-family Zone Category.</td>
</tr>
</tbody>
</table>

INDUSTRIAL (P-1, I-1, I-2 ZONES)

<table>
<thead>
<tr>
<th>ALL PERMANENT SIGNS</th>
<th>4 feet for every lineal foot of street frontage</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1. Historic landmark signs (HLS), all types. The first HLS on a premise does not count toward the maximum total sign area.</td>
</tr>
</tbody>
</table>

C. Permanent Signs - Additional Sign Type Standards
The sign types below apply to the sign types in all zones but may have more restrictive standards by individual zones or zone categories.

1. Sign Types A through E

   a. Access Point Sign
   An on-site sign located at or near the access point or other wayfinding location. This sign type is permitted in the residential category for non-residential uses, in a multi-family residential or non-residential category for non-residential uses and multi-family uses and is not permitted in the historic district.

   b. Awning Signs

      (1) General Standard
      A sign shall be constructed of cloth, plastic, or metal and permanently affixed to a structure intended to provide shade.

      (2) Zone Category Standard
      Residential Zone Category (RH, SR, SH, RX-1, RX-2, R-1, MH-1) For nonresidential and home occupation uses only. See Section 7A.10.2 Table 1 for additional standards.

   c. Billboards

      (1) Permitted Locations
      On undeveloped property in the C-2, C-3, I-1, and I-2 zoned property and only within the general business zone category and the industrial zone category.

      (2) Maximum Area Per Face, Including Embellishments
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(i) Generally: Six feet by 12 feet.

(ii) Within 250 feet of a freeway: 378 square feet.

(3) Limitations

(i) No more than two faces per sign.

(ii) Vertical or horizontal stacking is not permitted.

(4) Maximum Height

(i) Generally: 16 feet.

(ii) Within 250 feet of freeway: 35 feet from freeway grade to top of sign.

(5) Minimum Clearance

4 feet from grade to bottom edge of sign.

(6) Minimum Separation

(i) Generally: The minimum distance between a billboard and an existing billboard shall be 660 feet, measured in all directions and regardless of jurisdiction.

(ii) Within 250 feet of a freeway: The minimum distance between a billboard located within 250 feet of a freeway and an existing billboard shall be 1,980 feet measured in all directions and regardless of jurisdiction.

(7) Minimum Setback

No billboard or part of a billboard shall be located within 200 feet of a residential zone boundary line.

(8) Orientation

Billboard faces shall be oriented perpendicular to the road on which they are located.

(9) Prohibited Locations: See Section 7A.10.2 Table

(i) Any developed property. Billboards on undeveloped property may remain when there is new development as long as the entire site fully conforms to the Section 4.9.4.G.

(ii) Within 400 feet of the future right-of-way of Gateway Routes as designated in the Major Streets and Routes Plan.

(10) Prohibited Sign Copy Display

Notwithstanding any other provision of the sign standards, billboards may not change sign copy by any type of electronic process or by use of vertical or horizontal rotating panels having two or more sides whereby sign copy is changed by the rotation of one or more panels.

[2016 S-12]
d. Canopy Sign

(1) Canopy signs are not allowed to extend above the roofline.

(2) Canopy signs are counted as a part of the sign allotment.

e. Dwelling Unit Sign

(1) Zone Category Standards

(i) Residential, and Multi-family Residential Zone Categories - No more than one sign may be visible from the exterior the property. The sign shall not exceed one square foot in size.

(ii) O-1 Non-residential Zone Categories - No more than one (1) sign may be visible from the exterior of the property. The sign shall not exceed one (1) square foot in size. Freestanding signs may be the monument and low profile types only.

2. Sign Types F through O

a. Freestanding Signs

(1) General Standards

(i) Monument type sign, general requirements:

(a) Maximum faces: Four per sign.

(b) Maximum area: 50 feet per face.

(c) Maximum height: Ten feet from grade.

(d) Minimum setback: 20 from curb to leading edge of sign.

(ii) Low profile type sign, general requirements:

(a) Maximum faces: Two per sign.

(b) Maximum area: 60 square feet per face.

(c) Maximum height: Eight feet.

(d) Minimum setback from curb to leading edge of sign: Two times the height of the sign.

(e) Minimum continuous base (clearance from grade to bottom of sign): Two feet.
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Freestanding pole sign requirements:

(a) Maximum faces: Two per sign.
(b) Maximum area: 72 square feet per face.
(c) Maximum height: 12 feet.
(d) Minimum setback: 30 feet from curb to leading edge of sign.

(2) Freestanding Signs, All Types

(i) One freestanding sign for each street frontage.

(ii) One additional freestanding sign on that street frontage for each additional 150 feet of street frontage in excess of the first 300 feet.

(iii) For each sign placed on the frontage of a local street, the total allowable number of freestanding signs for the arterial or collector street frontage shall be reduced by one.

(3) Zone Category Standards

(i) Residential Zone Category (RX-1, RX-2, R-1, AND MH-1 ZONES)

(a) Nonresidential uses may have a freestanding sign.

(b) Monument and low profile only are permitted.

(c) A sign that includes or consist of a three dimensional representation of a figure or object is prohibited.

(ii) Multi-Family Zone Category (R-2, R-3, AND MH-2 ZONES)

(a) Monument and low profile only.

(b) Low profile maximum area is 50 square feet.

(c) A sign that includes or consist of a three dimensional representation of a figure or object is prohibited.

(iii) Non-residential Zone Category (O-1 ZONE)

(a) Monument and low profile only.

(b) Maximum number: one per site or premise.

(c) Location: On an arterial or collector street only.

(d) Maximum faces: two per sign, back to back configuration only.

(2018 S-12)
Sign Standards

(e) Maximum area: twelve square feet per face.

(f) Maximum height: four feet.

(g) Minimum setback: Twelve feet.

(h) A sign that includes or consist of a three dimensional representation of a figure or object is prohibited.

(iv) Industrial Zone Category (P-I, I-1, AND I-2 ZONES)

(a) Freestanding signs, all types.

   i. One per street frontage; except, where a developed parcel has in excess of 300 feet of street frontage, one additional freestanding sign may be erected for each additional 150 feet of street frontage in excess of the first 300 feet of street frontage abutting the developed portion of said parcel.

(b) Freestanding pole sign

   i. Allowed only in the general business zone category and industrial zone category.

   ii. Minimum setback: 30 feet from curb to leading edge of sign.

   III. Pole cover: The sign structure configuration must be equipped with pole covers or architectural embellishments that hide or conceal all structural components or braces (such as pipes, angles, iron, cables, internal back framing, bracing, etc.). Minimum requirement is 18 inches by six inches. The pole cover or architectural embellishment shall require a plan check for construction specifications in accordance with applicable technical codes.

   iv. When allowed: Allowed only when there is a minimum of 225 feet of street frontage, or 125 feet of street frontage and four or more business addresses.

   v. Maximum number: Only one freestanding pole sign allowed per street frontage per premises.

b. Freeway Sign

   (1) Permitted only in the general business zone category and the industrial zone category.

   (2) Permitted locations: Must be within 250 feet of a freeway right-of-way.

   (3) Maximum area: 360 square feet.
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(4) Maximum height: 48 feet from freeway grade to top of sign.

(5) Minimum clearance: 14 feet from grade to bottom of sign.

(6) Maximum number: Within a PAD, one per 1,980 linear feet of freeway frontage measured along the freeway center line, not transferable from one freeway frontage to another. Within the general business zone category and the industrial zone category, one per premises.

3. Sign Types P through Z

a. Parking Lot Sign

(1) Sign types: A parking lot sign may be a wall or freestanding sign.

(2) Permitted locations: Parking lot signs are permitted wherever the sign type of which it is a part is permitted. The sign should follow the best practices for parking lot sign design.

b. Projecting Sign

(1) Signs shall be permitted only within a Historic or Pedestrian District and in compliance with Section 7A.11.1.I and 2.D respectively.

(2) Signs protruding in the right of way shall be approved by the Department of Transportation.

c. Wall Sign

(1) Residential Zone Category
Non-residential only. Not allowed for residential uses except as allowed as home occupation.

(2) General Business Zone Category
Maximum size:

(i) Generally: No more than 30% of the area of each wall may be utilized for wall signs.

(ii) A wall sign within 250 feet of a freeway shall be no more than 40% of the area of each wall.

(3) Industrial Zone Category
Maximum size: no more than 40% of the area of each wall.

(4) Wall Sign General Standards

(i) May not extend above the top of the facade, eaves, firewall or roofline of a building or structure.
(ii) 25% additional area of each wall over and above the allowable sign area may be utilized if no other sign types are used or if nonconforming signs are voluntarily removed.

7A.10.3 PORTABLE SIGNS

A. Portable Signs - Maximum Sign Area Allotment

1. The following zones may have portable signs. Additional standards may apply to individual sign types.

<table>
<thead>
<tr>
<th>Zones</th>
<th>Local Street</th>
<th>Collector Street</th>
<th>Arterial Street</th>
</tr>
</thead>
<tbody>
<tr>
<td>IR, RH, SR, SH, RX-1, RX-2, R-1 MH-1 R-2, R-3 MH-2, O-1</td>
<td>16 sq. ft.</td>
<td>32 sq. ft.</td>
<td>64 sq. ft.</td>
</tr>
<tr>
<td>O-2, O-3, P, RV, NC RVC, C-1, -2, -3, OCR-1, -2, MU, U, PI, I-1, I-2</td>
<td>32 sq. ft.</td>
<td>64 sq. ft.</td>
<td>128 sq. ft.</td>
</tr>
</tbody>
</table>

Table 4 - Portable Maximum Sign Area Allotment

B. Portable Signs - General Standards

1. **Ground and Wall Mounted General Standards**
   These standards apply to ground mounted and wall-mounted portable signs for a premise. The signs may be attached by cords to posts and other supports and include posters, banners, A-frames, and other similar portable signs types. Ground-mounted includes affixed to the ground, placed on the ground, or attached to a perimeter wall or fence that faces the street.

2. No illumination is permitted.

3. **Ground-Mounted General Standards**
   Maximum area per sign in a residential zone is 16 square feet and in a non-residential zone 32 square feet unless otherwise regulated by another portable sign type standard.
   
   a. **Maximum Height**: Ten feet.
   
   b. **Minimum Setback**: Ten feet.
   
   c. **Maximum Number on a Street Frontage**: No more than four signs shall be allowed for the first 300 feet of street frontage. An additional sign may be allowed for each additional 75 feet of a street frontage but not to exceed a total of eight signs for a street frontage.
   
   d. **Materials**: A ground-mounted portable sign shall be made of similar materials such as non-pliable or taut materials. A sign shall not be a ground-mounted banner made of a pliable fabric such as cloth with multiple supports unless stated otherwise in Article 7A.
   
   e. **Spacing of ground-mounted portable signs at a premise shall consist of the following:
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(1) Lots with a street frontage of 150 feet or greater may have up to four 32 square foot signs per each 150 feet with at least a minimum of a thirty foot distance between the individual signs. Two of the four signs whose sign areas combined do not exceed 32 square feet may have a distance between each other that is closer than 30 feet.

(2) Lots with a street frontage less than 150 feet but greater or equal to 75 feet may have up to two 32 square foot signs with a 30 foot distance between the signs. Two of the four signs whose combined sign areas do not exceed 32 square feet may be a distance between each other that is closer than 30 feet. An individual sign under 32 square feet in sign area and not grouped with another sign must be at a minimum a distance of 15 feet from another sign.

(3) Lots with a street frontage less than 75 feet may have one sign up to 32 square feet in sign area with a 30 foot distance between any other sign. Two of the four signs whose sign areas combined do not exceed 32 square feet may be a distance between each other that is closer than 30 feet. An individual sign under 32 square feet in sign area and not grouped with another sign must be at a minimum a distance of 15 feet from another sign.

4. Wall-Mounted General Sign Standards
A wall-mounted portable sign may not exceed 32 square feet on an arterial street, 16 square feet on a collector street or eight square feet on a local street. Wall-mounted banners are not allowed on a dwelling unit.

C. Portable Sign - Additional Standards

1. A-frame Signs

a. An A-frame sign is an on-site non-illuminated sign temporarily authorized for one year used to advertise the location, goods or services offered on the premises. The A-frame sign must be made of a durable, rigid material such as, but not limited to, wood, plastic or metal.

b. A-Frame signs are prohibited from any form of illumination, animation, movement and miscellaneous attachments including, but not limited to, balloons, ribbons, speakers etc.

c. A-frame signs are not permitted in the public right-of-way except where a temporary revocable easement has been granted for their placement.

d. Maximum Height and Width
The A-frame sign when placed in an open position must not exceed a height of 30 inches from ground level to the top of the sign and be no more than 30 inches wide.

e. Maximum Number
One per business. The A-frame sign must be removed from the street at the close of business.

(2018 5-12)
f. **Districts**
   A-frames signs are regulated by district; they are permitted in the commercial and industrial zones, planned area development district, pedestrian business district and historic district subject to subsection below. Subject to the other restrictions under this section, A-frames signs are allowed in all districts to advertise those businesses immediately adjacent to and affected by road or water construction.

g. **Historic District**
   An A-frame sign may be permitted in a historic district after review and approval by the planning and development services director, the applicable historic district advisory board and the Tucson Pima County Historical Commission.

h. **Decal Required**
   A decal issued by the City for placement of any A-frame sign shall be displayed on the upper right hand corner of each visible advertising face. An A-frame sign authorized to be located in the City's public right-of-way shall display a decal of a different color than signs not authorized to be in the public right-of-way.

i. **Permission Required**
   The permission of the property owner for use of the sign is also required.

j. **Sign Maintenance**
   The A-frame shall be properly maintained.

k. **Application Process**
   By signing and submitting the application the applicant verifies the following:

   (1) The property owner or management company is in compliance with their current lease agreement in regard to the permissibility of A-frame signs; and,

   (2) The applicant is responsible to research and verify right-of-way information to ensure that the proposed location of the A-frame is on private property and is not located in the City’s public right-of-way.

l. **Site Inspection**
   A site inspection is not required as part of the application and permit process for A-frame signs that are not located in the public right-of-way. For A-frame signs located in the public right-of-way, the zoning administrator may require site inspection or additional inspections of the sign standards to ensure proper placement.

m. **Refunds**
   No refunds of application or annual permit fees will be given under any circumstance.

n. **Placement**
   The A-frame sign must be located at least two feet back from the face of the curb. No A-frame sign shall be located in a median, driving lane, parking aisles or spaces. An A-frame sign is not permitted in the City’s public right-of-way without a temporary revocable easement. An A-frame sign shall be placed so that a minimum four feet is left clear for pedestrian passage on all sidewalks and walkways. An A-frame sign shall only be placed at grade level and shall not be placed on walls, boulders, planters, vehicles, other signs or any other type of structure.
§ 7A.10  Tucson - Unified Development Code  444.36

o. Temporary Revocable Easement

(1) A license to permit the placement of a temporary A-frame sign in the public right-of-way may be granted administratively by the zoning administrator upon the written terms and conditions as are required by the zoning administrator and contained in the written license agreement. The applicant will submit a written application upon a form to be supplied by the office of the zoning administrator. The zoning administrator will then approve or deny such application. A license to permit an A-frame sign in the public right-of-way shall not be granted until all other applicable permit requirements contained in this Code are met.

(2) If at any time after a license is granted, any portion of the public right-of-way occupied and used by the licensee may be needed or required by the City or the licensee fails to maintain the permitted sign so as to block pedestrian traffic, site visibility, or as described by such specific terms and conditions set forth by the zoning administrator, any license granted pursuant to this section may be revoked by the City and all rights there under are terminated. The licensee shall and will promptly remove all property belonging to the licensee from the public right-of-way area upon receipt of written notice of revocation. If removal is not accomplished by the licensee within the time specified in the notice, the City will cause the sign to be removed and stored and the cost thereof shall be charged to the licensee. Notwithstanding the foregoing, any A-frame sign placed in violation of the provisions of this section is deemed to be a public nuisance and subject to removal by the City.

p. Removal of Sign
In addition to the penalties described below, the zoning administrator may remove any A-frame sign that is placed in violation of the sign standards. The zoning administrator may immediately remove, without prior notice, any A-frame sign illegally placed in the right-of-way or site visibility triangle, or that for any reason presents an immediate hazard. For any A-frame sign otherwise illegally placed, the zoning administrator may remove the sign after providing reasonable notice to the responsible party.

2. Commercial Flags, Feather Banners, and Banner Flags
In commercial and industrial zones, in lieu of the Portable Sign area allotment, an applicant may use four commercial flags, feather banners, or banner flags using two colors with one additional portable sign.

7A.10.4 TEMPORARY SIGNS

A. Temporary Signs
The following sign types are permitted for a limited period of time and are not calculated as part of the portable sign area allotment.

1. A Fixed balloon sign is permitted as a temporary sign under the following standards:
   a. One balloon sign is permitted per establishment;
   b. A fixed balloon sign is prohibited from having mechanical or electronic movement or animation of any kind;
c. A fixed balloon will be allowed only for a period of ten days;
d. A fixed balloon is allowed in commercial and industrial zones only.

2. **Temporary Banner**
   A wall-mounted banner may be permitted under the following standards:

   a. Maximum number: One banner per street frontage.
   b. Permitted in a commercial and industrial zone only.
   c. A temporary wall-mounted banner is not calculated as part of the portable sign area allotment for a premise or building on a premise.
   d. All corners must be attached to the building wall or facade or a temporary construction structure during periods of remodelling or road construction.
   e. Permit: Issued in 45-day increments. This banner cannot be used for more than a cumulative total of 90 days in any calendar year, except that if banner is used to temporarily advertise business activities during the course of construction, permit may be renewed until construction has been completed.
   f. The temporary banner is subject to Section 7A.2 Non-commercial Speech Substitution.
   g. Removal: Upon completion of construction or as stated on the permit for installation of the banner.

3. **Propellers, Hula Strips, and Pennants**
   Propellers, hula strips, and pennants may be permitted under the following standards:

   a. Permit: Issued in 45-day increments. The propellers, hula strips, and pennants cannot be used for more than a cumulative total of 90 days in any calendar year.
   b. Propellers, hula strips and pennants are subject to Section 7A.2 Non-commercial Speech Substitution.

4. **Political Election Signs**
   Shall comply with A.R.S. § 16-1019.

   a. Maximum area: 32 square feet in commercial and industrial zones and 16 square feet in rural and residential zones.

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7A.10.5 **HISTORIC LANDMARK SIGNS (HLS)**

A. **Definitions**

1. **Historic landmark sign (HLS).** A sign that has conditional or final designation as a historic landmark sign. HLS are listed on the City of Tucson Historic Landmark Sign Registry. There are three types of HLS: classic, transitional, and replica.
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2. Classic HLS. A historic landmark sign originally installed prior to 1961 at a location that is within the current Tucson City limits.

3. Transitional HLS. A historic landmark sign originally installed between 1961 and 1974 inclusive at a location that is within the current Tucson City limits.

4. Replica HLS. An accurate reconstruction of an original sign that no longer exists. The sign to be replicated must have been originally installed prior to 1961 at a location that is within the current Tucson City limits.

5. Historic landmark sign (HLS) character defining features. Physical features of an HLS such as materials, technologies, structure, colors, shapes, symbols, text, font/typography and/or art that have cultural and historical significance and are integral to overall sign design.

6. Historic landmark sign (HLS) concentration. A minimum of three previously designated HLS, or signs meeting the criteria for designation, within 2,640 linear feet (1/2 mile) as measured along the center line of a street, including turning in any direction at the intersection of a street to connect with another designated HLS or sign meeting the criteria for designation, together with an additional 440 linear feet (1/16 mile) beyond the terminus HLS. A replica HLS cannot be used as part of the number of HLS in the calculation of a HLS concentration.

7. Historic landmark sign (HLS) registry. The official list of designated historic landmark signs within the City of Tucson.

8. Historic landmark sign (HLS) treatment plan. A detailed description of an HLS including its character defining features, condition, location, and maintenance, and, as applicable, proposed restoration, adaptive reuse, relocation, and, replication.

B. Purpose

1. The Historic Landmark Sign regulations are intended to provide for the preservation of the City of Tucson's unique character, history, and identity, as reflected in its historic and iconic signs, and

2. To restore the sense of place that existed within the central business district and in areas of the City with concentrations of surviving historic signs, and

3. To protect the community from inappropriate reuse of nonconforming and/or illegal signs.

C. Historic Landmark Sign (HLS) Designation

1. Requests for HLS designation shall be initiated by the sign owner and supported by an HLS treatment plan.

2. "As is" HLS designation. An existing sign which will not be restored/repaired, adaptively reused, or relocated, and retains sufficient integrity and character-defining historic features, is in working order, and has an acceptable appearance, may obtain HLS designation "as is", upon approval of the treatment plan.

3. Conditional HLS Designation
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a. The decision to approve or deny an HLS treatment plan that meets each of the HLS designation guidelines is rendered per the administrative process herein.

b. The decision to approve or deny an HLS treatment plan that does not meet each of the HLS designation guidelines is rendered per the legislative process herein.

c. Approval of an HLS treatment plan shall constitute conditional HLS designation.

4. **Final HLS Designation**
   Final HLS designation shall be contingent upon issuance of a sign permit in compliance with an approved HLS treatment plan, and final inspection of the sign within five years of conditional HLS designation. Issuance of a permit is not required for "as is" designation.

5. All signs designated (conditional or final) as historic landmark signs shall be listed in the City of Tucson Historic Landmark Sign Registry.

D. **HLS Designation Guidelines**
   Classic, transitional, and replica HLS shall be reviewed for compliance with the following guidelines:

1. **Technical guidelines:**
   a. The sign shall include or have once included exposed integral incandescent lighting, or exposed neon lighting.
   b. The sign shall use materials and technology representative of its period of construction.
   c. The sign shall be non-rectangular or non-planar.
   d. The sign shall be a permanent sign, including but not limited to a detached, projecting, wall, or roof sign.
   e. The sign is structurally safe or can be made safe without substantially altering its historical appearance.

2. **Cultural/historical/design guidelines:**
   a. The sign shall exemplify the cultural, economic, and historic heritage of Tucson.
   b. The sign shall exhibit extraordinary aesthetic quality, creativity, and innovation.
   c. The sign is unique; or was originally associated with a chain or franchise business that is either a local or regional chain or franchise only found in Tucson or the southwestern United States; or there is scholarly documentation to support its preservation; or it is a rare surviving example of a once common type.
   d. The sign shall retain the majority of its character defining features. If character-defining features have been altered or removed, the majority are potentially restorable to their historic function and appearance.

E. **HLS Performance Requirements**
   Classic, transitional, and replica HLS shall comply with the following requirements as applicable:
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1. Restoration/Repair
   a. Restoration/repair of a classic HLS shall be consistent with a documented appearance that existed prior to 1961.
   b. Restoration/repair of a transitional HLS shall be consistent with a documented appearance that existed between 1961 and 1974 inclusive.
   c. Restoration/repair of a replica HLS shall be consistent with a documented appearance that existed prior to 1961.
   d. Restoration/repair shall not add typographical or other elements which result in an increase in the size of the restored/repaired sign.

2. Adaptive Reuse (Change of Copy)
   a. Adaptive reuse of a replica HLS is prohibited.
   b. Text changes shall not result in changes to character defining text.
   c. Text changes shall match or be compatible with existing text in material(s), letter size, font/typography, and color.

3. Relocation
   a. Relocation of a classic or transitional HLS shall be to a location within the original premises, or to a location within an HLS concentration.
   b. Relocation of a replica HLS shall be to a location within an HLS concentration.
   c. When relocated, detached HLS shall be setback at least 20 feet from the back of curb (edge of pavement if there is no curb), no more than 40 feet from the future right-of-way line of the street, and a distance at least two times the height of the sign from any property with a non-commercial use.
   d. If relocated to another premise, the HLS shall display conspicuous text or a plaque, using a template provided by the City of Tucson, that indicates that the sign has been relocated, the date of relocation, and the original location.
   e. The scale and design of the sign to be relocated shall be compatible with existing HLS in the vicinity of the proposed location.

4. Replica HLS
   a. A replica HLS shall be consistent with a documented appearance that existed prior to 1961.
   b. A replica HLS may only be installed on the premises where it originally existed.

(2018 S-12)
c. A replica HLS shall display conspicuous text or a plaque, using a template provided by
the City of Tucson, that indicates the sign is a contemporary reproduction, and the date
of reproduction.

d. A replica HLS shall utilize historical materials and technologies, or visually matching
contemporary materials and technologies.

e. A replica HLS shall not replicate an existing sign.

5. The sign shall not be an off-site sign as defined in the sign standards.

6. The sign shall not have been previously, altered, removed and reinstalled or replaced
pursuant to Section 7A.9 Non-conforming Signs.

F. Content of HLS Treatment Plan
An HLS treatment plan shall include the following:

1. Completed application form.

2. Existing and proposed elevation of the proposed HLS showing height and area of the sign.

3. Description and age of construction materials and type of illumination.

4. Dimensioned site plan, with the existing and proposed land use, graphically showing existing
and proposed location and setbacks for the proposed HLS and any other existing or
proposed signs on the premises, existing and proposed site improvements, and adjacent
streets.

5. Photographs of the existing sign and photo simulation(s) of the completed sign as viewed from
the street and other significant vantage points as appropriate, together with photographs of
the existing site conditions. Photographs must be sufficient to demonstrate the sign’s
dimensions, construction materials used including electrical and any types of illumination which
is or was used.

6. Date of original construction and installation, and the address where the proposed HLS was
first installed.

7. List of character defining features.

8. Documentation of the authenticity of the proposed HLS including approved permits, site plans,
elevations, and dated photographs, and age of existing materials, as available.

9. A narrative describing compliance with each of the HLS designation guidelines and all
applicable HLS performance requirements.

10. Maintenance program.

11. List of parts and materials to be replaced.

12. Mitigation measures to reduce the impact on non-commercial uses within 300 feet of the
proposed HLS.
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G. Review of HLS Treatment Plan
HLS treatment plans shall be submitted to the Planning and Development Services Department for review.

1. Pre-submittal conference. Prior to submitting an HLS treatment plan, an applicant may, but is not required to meet with City staff responsible for administration of the HLS program. Comments supplied by City staff during the conference are advisory and do not constitute approval of any proposed application.

2. Neighborhood meeting. A neighborhood meeting is encouraged for a proposed HLS relocation, or for a proposed construction of a HLS replica sign.

3. Initial review. Initial review of an HLS treatment plan or revised treatment plan will be for completeness, compliance with HLS designation guidelines, and compliance with applicable HLS performance requirements. No later than ten days after submittal, the zoning administrator will issue a determination as to whether the request meets each of the HLS technical designation guidelines.

4. Where an applicant produces physical evidence or documentation sufficient to prove that a proposed HLS included intermittent lighting features (e.g. flashing, blinking, chasing or sequentially lit elements which create the appearance of movement) or moving parts, such sign elements may be repaired or restored conditioned upon a determination by Tucson Department of Transportation (TDOT) that no negative safety issues will result.

5. If the subject property is within a historic preservation zone (HPZ), the treatment plan shall be forwarded to the HPZ advisory board for review and recommendation prior to being forwarded to the Tucson-Pima County Historical Commission (T-PCHC) Plans Review Subcommittee.

6. Review of the treatment plan shall include an analysis of applicable policies of the Tucson general plan.

7. The treatment plan shall be forwarded to the T-PCHC Plans Review Subcommittee for review of the treatment plan for compliance with HLS Cultural/historic/designation guidelines and applicable HLS performance requirements. Notice of the treatment plan and subcommittee meeting shall also be provided to the registered neighborhood association in which the proposed sign would be located; to property owners immediately adjacent to the proposed location; and to any persons who have submitted a written request to the director to be notified of HLS applications.

8. The T-PCHC shall forward a recommended list of character defining features, including all character defining text, and a recommendation to approve or deny the treatment plan, to the Planning and Development Services Department.

9. Decision
   a. Administrative: The planning and development services director will prepare a written decision to approve or deny the treatment plan within ten days of receiving the T-PCHC Plans Review Subcommittee recommendation.
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b. Legislative: The planning and development services director will prepare a written recommendation to approve or deny the treatment plan within ten days of receiving the T-PCHC Plans Review Subcommittee recommendation and forward it to the mayor and council for a public hearing and decision at the earliest practical date. In granting approval, the mayor and council must find that preservation of the sign will contribute to Tucson's unique character, history, and identity.

H. Review of Permits for HLS
All permits for the installation, repair/restore, adaptive reuse, relocation, or replication of HLS shall be consistent with an approved HLS treatment plan.

I. Maintenance
All maintenance activities relating to HLS shall be consistent with an approved HLS treatment plan.

J. Demolition
Demolition of HLS shall be consistent with an approved treatment plan for relocation or subject to a maximum 30 day waiting period to facilitate salvage of the sign. The sign owner shall allow reasonable access to the sign to facilitate documentation and salvage activities.

(Ord. 11508, 12/5/2017)

7A.11. SPECIAL DISTRICTS

The sign standards in historic, pedestrian and scenic corridor districts take precedence over the sign standards listed above in Section 7A.10 Sign Types and General Standards. All the above referenced districts, zones and provisions are superseded when the sign's area is regulated by Section 7A.7 Sign Design Options.

7A.11.1. HISTORIC DISTRICT

A. Location
Historic districts include property established as historic preservation zones pursuant to Section 5.8 Historic Preservation Zone and designated with the preface "H" which is added to the assigned residential, office, commercial, or industrial zone designation, i.e., R-1 becomes HR-1. For purposes of the sign standards, historic districts are treated as specific mapped districts and are not treated as overlay zones. Note: historic preservation zone maps are located on the official City of Tucson's zoning maps.

B. Total Number of Signs
One per street frontage per premise, except that businesses with frontage on more than two streets are permitted to have a total of no more than three signs.

C. Maximum Area of Any Sign
Eight square feet in a residential zone; 40 square feet in a commercial zone. The sign shall be appropriately sized, result in minimal damage to historic fabric, and avoid adverse effects on qualities that make a building eligible for listing in the National Register of Historic Places.

D. Historic District Advisory Board Approval
All sign permit applications must be approved by the appropriate historic district advisory board.

E. No signs may extend above the top of the nearest facade, eaves or firewall of a building or structure.

(2018 S-12)
F. Illumination
Signs within the historic district may be illuminated by remote light sources that are shielded from adjacent properties.

G. Prohibited Features
Visible bulbs, neon tubing, luminous paints, and plastics are prohibited, except as provided in Section 5.8.9 HPZ Design Standards and approved in accordance with Section 5.8.8 Design Review Required.

H. Permitted Signs
1. Signs generally permitted and sign types listed in Section 7A.10, except as modified by this subsection for this district, and signs exempt under Section 7A.8 Exempt and Prohibited Signs.
2. Awning signs.
4. Freestanding signs, monument and low profile only.
   a. Maximum number: One per premises.
   b. Freestanding signs that include or consist of a three-dimensional representation of a figure or object are prohibited.
5. Portable signs.
   a. May be permitted in this district only after review and approval by the planning and development services director, the applicable historic district advisory board and the Tucson Pima County Historical Commission.
   b. Use is subject to the provisions of Section 7A.10.3 Sign Types and General Standards.
6. Projecting signs.
   a. Allowed use: Limited to commercial uses only.
   b. Maximum height: 20 feet from grade (pedestrian surface) to top of sign or two feet below the parapet, whichever is more restrictive.
   c. Minimum clearance: Eight feet between grade and bottom of sign.
   d. Maximum projection from building: Five feet.
7. Temporary signs.
8. Wall signs.
10. Historic landmark signs (HLS), all types. The first HLS on a premise does not count toward the maximum total sign area.

7A.11.2. PEDESTRIAN BUSINESS DISTRICT

A. Location

The pedestrian business district includes property as shown in Figure 1: Pedestrian Business District Downtown; Figure 2: Pedestrian Business District Fourth Avenue; Figure 3: Pedestrian Business District Park Avenue; and Figure 4: Pedestrian Business District Mercado.

Figure 1: Pedestrian Business District Downtown
Figure 2: Pedestrian Business District Fourth Avenue

Figure 3: Pedestrian Business District Park Avenue
B. Intent

Signs in the pedestrian business district should provide clear and understandable identification for buildings, businesses, and parking. Signs on historic buildings should be carefully designed and located to respect the visual integrity of the historic architecture, including building scale, proportions, surface texture and decorative ornamentation.

C. Maximum Total Sign Area

Three square feet per foot of street frontage.

D. Permitted Signs

1. Signs generally permitted and sign types listed in Section 7A.10, except as modified by this subsection for this district, and signs exempt under Section 7A.8 Exempt and Prohibited Signs.

2. Awning signs.


4. Freestanding signs, low profile and monument type only.

a. Maximum number: One per building per street frontage where a building facade is set back at least ten feet from a public right-of-way, or one per street frontage for a surface parking lot where parking is the primary use of the property.
b. Maximum area: 20 square feet per sign.

c. Parking lots: Where used to identify a commercial parking facility, each freestanding sign must display the standard Parking I.D. symbol.

d. Maximum height: 12 feet above grade.

5. Parking lot signs.

6. Projecting signs.

a. Allowed for commercial uses only.

b. Maximum area: 20 square feet.

c. Maximum height: 20 feet from grade (pedestrian surface) to top of sign or two feet below the parapet, whichever is more restrictive.

d. Minimum clearance: Eight feet between grade and bottom of sign.

e. Maximum projection from building: Five feet.

7. Portable signs.

8. Temporary signs.


10. Wall signs. Maximum size: 30% of the area of each wall.

11. Historic landmark signs (HLS), all types. The first HLS on a premise does not count toward the maximum total sign area.

12. Canopy signs.

7A.11.3. SCENIC CORRIDOR ZONE (SCZ) DISTRICT

A. Location

The scenic corridor zone (SCZ) district includes any portion of property or parcels within 400 feet, measured in any direction, of the future right-of-way lines of a scenic route, as designated on the Major Streets and Routes (MS&R) Plan map. If any portion of a development is within the SCZ district, the entire development will be treated, for sign purposes only, as though it were entirely within the SCZ district.

B. Maximum Total Attached Sign Area

1. For commercial or industrial uses: 1.25 square feet per foot of building frontage with a minimum allowance of not less than 25 square feet and a maximum of 250 square feet per tenant. Signs must be oriented toward a scenic route, arterial street, collector street, or the interior of the premises.
2. For multifamily complexes: 20 square feet per street frontage.

C. Unified Development Code Compliance
All signs in this District shall comply with applicable provisions of the Unified Development Code and must be approved through the applicable review process.

D. Colors
All signs shall use colors that are predominant within the surrounding landscape, such as desert and earth tones, as required in the scenic corridor zone provisions of the Unified Development Code.

E. Permitted Signs

1. Signs generally permitted and sign types listed in Section 7A.10, except as modified by this subsection for this district, and signs exempt under Section 7A.8 Exempt and Prohibited Signs.

2. Awning signs.

3. Freestanding signs, monument and low profile only.
   a. Maximum number per premises:
      (1) Scenic route: One for the first 450 feet of scenic route street frontage with one additional sign for every 400 feet of additional scenic route street frontage.
      (2) Arterial street: One for the first 450 feet of arterial street frontage with one additional sign for every 250 feet of additional arterial street frontage.
      (3) Collector Street: One for the first 450 feet of collector street frontage within the premises, with one additional sign for every 250 feet of additional collector street frontage.
   b. Maximum area:
      (1) Multifamily residential uses: 20 square feet per street frontage.
      (2) Commercial or industrial uses: 35 square feet per sign if located within the SCZ buffer, 50 square feet per sign if located outside the SCZ buffer.
   c. Maximum height: Ten feet.
   d. Location:
      (1) Scenic route: Maximum height signs shall be located no less than 7.5 feet behind the leading edge of the SCZ buffer and within 50 feet of the right-of-way line. Signs may be located one foot closer to the leading edge of the SCZ buffer for each foot (below the maximum) they are reduced in height.
      (2) All other streets: Within 20 feet of the right-of-way line and at least 150 feet from the centerline of the scenic route.
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e. Freestanding signs that include or consist of a three-dimensional representation of a figure or object are prohibited.

f. Lighting: Sign panels shall be opaque. Light shall be emitted through individual translucent letters and/or symbols only, or individual letters and/or symbols may be halogen illuminated. Unused tenant panels shall be opaque and designed to match the rest of the sign.

g. Within SCZ buffer digital sign copy and exposed neon signs are prohibited.

4. Access point sign (medical uses).

a. Maximum area: Eight square feet.

b. Maximum height: Four feet to top of sign.

c. Permitted: Only if no frontage on collector or arterial street.

5. Portable signs.

6. Access point sign.

a. Within the scenic corridor 30 foot landscape buffer the following shall apply:

   (1) Minimum site area: Ten acres.

   (2) Maximum area: Three square feet; tenant identification or logo not to exceed one square foot.

   (3) Maximum number: One per vehicular entrance.

   (4) Location: Within 20 feet of the entrance.

7. Wall signs.

8. Canopy signs.

7A.11.4. PLANNED AREA DEVELOPMENT (PAD) DISTRICT

A property owner within a PAD district shall use the sign standards of the zone upon which the PAD regulation is modeled or may submit a master sign program. Billboards are prohibited in a PAD district.

(Ord. 11508, 12/5/2017)
7A.12. APPEALS AND VARIANCES

All appeals and variances shall be heard in accordance with Section 3.10 Board of Adjustment Appeals and Variances. The applicant may appeal a Board of Adjustment decision to the Mayor and Council per Section 3.9.2 Mayor and Council Appeals Procedure or to the Superior Court.

(Ord. 11508, 12/5/2017)

7A.13. SIGN DESIGN REVIEW COMMITTEE

A sign design review committee is hereby created to assist the planning commission by reviewing and recommending amendments to the sign standards and recommending design options in compliance with Section 7A.7 Sign Design Options to the planning and development services director. The committee's authority and organization shall be in accordance with Section 2.2.12 Sign Design Review Committee.

(Ord. 11508, 12/5/2017)
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
9.1.6. Restoring Unsafe Structures
9.1.7. Tenancy and Ownership

9.2. NONCONFORMING USE
9.2.1. Discontinuance of Nonconforming Use
9.2.2. Expansion of a Nonconforming Use
9.2.3. Substitution With a Use Within the Same Land Use Class
9.2.4. Substitution With a Use From a Different Land Use Class
9.2.5. Change in Nonconforming Status

9.3. NONCONFORMING STRUCTURE
9.3.1. Reconstruction
9.3.2. Expansion
9.3.3. Loss of Nonconforming Status
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, Article 7A, Sign Standards.

(Am. Ord. 11508, 12/5/2017)

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)

9.1.4. 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:

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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;

C. The expansion is for the principal use or for a use that is accessory and incidental to the operation of the existing nonconforming use;

D. The amount of expansion does not exceed 50% of the floor area of the existing building or land area devoted to the existing nonconforming use. Incremental expansions, cumulatively, shall not exceed the 50% provision;

E. The expansion area adjoins the land area, within the same lot, which houses the nonconforming use; and,

F. The expansion must comply with the development standards listed for the Land Use Class of the nonconforming use in the most restrictive zone in which the nonconforming use is permitted as of right.

9.2.3. SUBSTITUTION WITH A USE WITHIN THE SAME LAND USE CLASS

An existing nonconforming use may be substituted with the same use or another use from the same Land Use Class without affecting the nonconforming status of the use or structures on the property. The substitution may be approved in accordance with Section 3.3.3, PDSD Director Approval Procedure, if the substitute use complies with Section 9.2.4.B., C, and D.

9.2.4. SUBSTITUTION WITH A USE FROM A DIFFERENT LAND USE CLASS

A nonconforming use may be substituted with a use from a Land Use Class that is different from the one to which the existing nonconforming use belongs, provided it is approved in accordance with Section 3.4.3, Zoning Examiner Special Exception Procedure, and provided the use complies with the following standards before and after the substitute use is in operation:

A. The substitute use is a use permitted in the most restrictive zoning classification in which the existing nonconforming use is permitted as of right;

B. The substitute use does not generate additional traffic or noise, have longer hours of operation, have additional outside lighting, or cause other negative impacts on adjoining properties greater than those associated with the existing nonconforming use;

C. The substitute use provides parking as required by the UDC. A modification to the parking standards may be requested in accordance with Section 7.4.10, Parking Design Modification Request, or Sections 3.10.1 and 2.10.3, Board of Adjustment Variance Procedure; and,

D. The substitute use does not propose an extension or enlargement of the structure or of the areas occupied by the nonconforming use, except as provided for expansion in Section 9.2.2, Expansion of a Nonconforming Use.
9.2.5. CHANGE IN NONCONFORMING STATUS
When a substitute use is allowed in a zoning district that is a more restrictive zone than the zoning district in which the existing nonconforming use is first allowed, the nonconforming status for that parcel changes to the more restrictive zoning district.

9.3. NONCONFORMING STRUCTURE
A nonconforming structure may be reconstructed or expanded as provided below.

9.3.1. RECONSTRUCTION
A. Any nonconforming structure or groups of nonconforming structures damaged by natural causes, such as, but not limited to, fire, flood, and lightning, may be reconstructed and used as before with the following limitations.
   1. Permits to reconstruct the structure must be issued within 12 months of the occurrence.
   2. The reconstruction of the structure may not exceed the original footprint or square footage as it existed at the time of the occurrence.
B. Except as set forth in Section 9.2.1, Discontinuance of a Nonconforming Use, a nonconforming structure that is demolished loses its nonconforming status.

9.3.2. EXPANSION
Nonconforming structures may continue to be utilized as they existed at the time such structures became nonconforming; however, any expansions made to nonconforming structures after the date of the creation of the nonconformity must be in compliance with current standards. The proposed expansion of a nonconforming building or structure to rebuild any part of a building damaged or demolished due to a government act, such as right-of-way condemnation, does not count toward the 50% expansion standards of Section 9.2.2, Expansion of a Nonconforming Use; however, any new construction must comply with the UDC.

9.3.3. LOSS OF NONCONFORMING STATUS
When a building or structure is altered to comply with applicable development standards of the underlying zoning, the nonconforming status of that building or structure is terminated.

9.3.4. NONCONFORMING PARKING AREAS
Nonconforming parking areas may be reconstructed, repaved, restriped, or improved with landscaping, additional buffers, lighting, or similar modifications, including the redesign of the parking area layout. The proposed modifications are processed in accordance with Section 3.3.3, PDSD Director Approval Procedure, if the modifications meet the following standards:
A. The modifications are in the interest of public health and safety;
B. The modifications do not increase the intensity of the nonconforming use of the parking lot; and,
C. There is a reduction, or no change, in the adverse impact of the nonconforming parking lot on adjacent residentially zoned properties.

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ARTICLE 10: ENFORCEMENT AND PENALTIES

10.1. PURPOSE

10.2. ENFORCEMENT AUTHORITY
10.2.1. Compliance Review, Proposed Development
10.2.2. Compliance Review, During Construction
10.2.3. Compliance Review, Existing Development
10.2.4. Compliance Certification, Existing Premises
10.2.5. Continued Compliance for Approved Site Plans
10.2.6. Revocation of Zoning Compliance Approval

10.3. VIOLATIONS
10.3.1. Violation Declared Civil Infraction
10.3.2. Violation of a Board of Adjustment (B/A) Decision
10.3.3. Violation of Zoning Condition
10.3.4. Violation of Conditions of Approval
10.3.5. Violation of a Site Plan
10.3.6. Violation of Plat Condition
10.3.7. Sign Violations, Enforcement, Penalties

10.4. PENALTIES AND REMEDIES
10.4.1. Actions by the Zoning Administrator
10.4.2. Action by the City Attorney
10.4.3. Action by the PDSD Director
10.4.4. Additional Penalties for Unauthorized Demolition of Historic Structures
10.4.5. Penalties for Violation of Native Plant Preservation Standards

10.1. PURPOSE

This article is established to provide a clear division of authority in the enforcement of the Unified Development Code (UDC) and to establish procedures to enforce compliance with the UDC.

10.2. ENFORCEMENT AUTHORITY

Enforcement of UDC provisions is the responsibility of the Zoning Administrator as provided by state law. The Zoning Administrator is assisted by the Planning and Development Services Department (PDSD), the Housing and Community Development Department (HCDD), and other City departments in enforcement as provided by this article. Enforcement is ensured as follows:

10.2.1. COMPLIANCE REVIEW, PROPOSED DEVELOPMENT

No land may be used or occupied; no site improvement, modification, or construction started; no existing use or structure expanded, reconstructed, changed, or otherwise altered; and no land may be divided into multiple parcels until compliance with the provisions of the UDC has been certified.
10.2.2. COMPLIANCE REVIEW, DURING CONSTRUCTION
Monitoring of construction for compliance with plans approved through the zoning review process as required in Section 10.2.1, Compliance Review, Proposed Development, is the responsibility of PDSD. The PDSD shall monitor the implementation of the proposed development to ensure compliance with the plans approved for zoning compliance. PDSD has the authority to suspend construction when construction does not conform with the plans approved for zoning compliance.

10.2.3. COMPLIANCE REVIEW, EXISTING DEVELOPMENT
Any land used or occupied; any site improvement, modification, or construction started; any existing use or structure expanded, reconstructed, changed, or otherwise altered; and any land divided into multiple parcels without certification of compliance with the provisions of the UDC through a zoning review process is considered a violation of the UDC. Enforcement of violations shall be in accordance with Section 10.4, Penalties and Remedies.

10.2.4. COMPLIANCE CERTIFICATION, EXISTING PREMISES
The Zoning Administrator, upon written request, shall issue a written determination on whether an existing use or building was legally established in compliance with zoning regulations at the time the use was established or the structure was constructed, in accordance with Section 1.5, Interpretations of the Unified Development Code.

10.2.5. CONTINUED COMPLIANCE FOR APPROVED SITE PLANS
Once a site plan is completed, the approved site plan remains as part of the public record and runs continuously with the land, regardless of ownership. Change of use, removal or modification of improvements (including landscaping, screening, and parking) shown on the plan, or additions made without going through the site plan process for approval for a change in the approved site plan constitute a zoning violation.

10.2.6. REVOCATION OF ZONING COMPLIANCE APPROVAL
Continued operation of a land use activity for which a zoning compliance certificate or approval has been revoked constitutes a violation of the UDC and shall be pursued in accordance with Section 10.4, Penalties and Remedies.

10.3. VIOLATIONS
The Zoning Administrator is responsible for assuring that violations of the provisions of the UDC are mitigated, with assistance from the PDSD, the City Attorney’s Office, the HCDD, and other City departments as provided for by the City Manager and the Mayor and Council.

10.3.1. VIOLATION DECLARED CIVIL INFRACTION
It is a civil infraction for any person, firm, or corporation to violate, disobey, omit, neglect, refuse to comply with, or to resist the enforcement of any of the provisions of the UDC. Each day that such violation constitutes a separate infraction.
10.3.2. **VIOLATION OF A BOARD OF ADJUSTMENT (B/A) DECISION**
Failure to comply with the requirements or conditions of approval from the B/A shall constitute a violation of the UDC.

10.3.3. **VIOLATION OF REZONING CONDITION**
Failure to comply with the requirements or conditions of approval on a rezoning ordinance adopted by the Mayor and Council constitutes a violation of the UDC.

10.3.4. **VIOLATION OF CONDITIONS OF APPROVAL**
Failure to comply with the requirements or conditions of approval on any of the various zoning compliance procedures as provided by the UDC, such as, but not limited to, Special Exception, Design Development Option, Temporary Use, or Home Occupation procedures, constitutes a violation of the UDC.

10.3.5. **VIOLATION OF A SITE PLAN**
Failure to comply with conditions placed on an approved site plan shall constitute a violation of the UDC.

10.3.6. **VIOLATION OF PLAT CONDITION**
Failure to comply with the UDC conditions and requirements of a tentative or final plat, as approved, shall constitute a violation of the UDC.

10.3.7. **SIGN VIOLATIONS, ENFORCEMENT, PENALTIES**

A. **Violation a Public Nuisance**
If any person erects, alters, relocates or maintains a sign in violation of the provisions of the sign standards, it is declared a public nuisance, and the City Attorney is authorized to bring an action in a court of competent jurisdiction to enjoin such person from continuing the violation.

B. **Violation Declared a Civil Infraction**
It shall be a civil infraction for any person to violate any of the provisions of the sign standards.

C. **Abandoned and Discontinued Signs; Obsolete Sign Copy**

1. **Nonconforming Signs**
Any nonconforming sign or nonconforming sign structure that is either discontinued for a period of six months or abandoned shall be removed by the owner of the sign or owner of the premises.

2. **Obsolete Sign Copy**
Obsolete sign copy on either a nonconforming or conforming sign shall be removed by the owner of the sign or owner of the premises. Obsolete sign copy shall be removed by replacing the sign face with a blank face, replacing the obsolete sign copy with copy that is not obsolete, or removing the sign structure.

3. **Determination of Discontinuance**
Recording of determination of discontinued nonconforming sign. The zoning administrator or designee may send notice by certified or registered mail or hand
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delivery to the record owner or occupier of the property to abate a violation of this section, directing abatement within 30 days from the date the notice was mailed or delivered. In making a determination that a sign or sign structure is either abandoned or discontinued, or that sign copy is obsolete, the zoning administrator may consider:

a. Whether the property on which the sign is located is vacant or unoccupied;
b. The length of time the property is vacant or unoccupied;
c. The condition of the property;
d. The status of any business licenses, permits, or certificates of occupancy;
e. Utility records for the property;
f. Any acts taken by any person with respect to the property; and
g. Any other factor the zoning administrator considers relevant to this determination.

4. Temporary Signs
Temporary signs shall be deemed discontinued when the time, event or purpose to which the sign pertains has passed or otherwise no longer applies, and shall be removed as directed in a written notification by the zoning administrator.

D. Illegal Signs
Illegal signs are those that do not meet the requirements of the sign standards and that have not received nonconforming status.

E. Removal of Abandoned, Prohibited and Illegal Signs by the Zoning Administrator
The zoning administrator shall enforce the sign standards in accordance with one or more of the following procedures:

1. Administrative Enforcement

a. For an abandoned or discontinued sign, the zoning administrator or designee may send notice by certified or registered mail or hand delivery to the record owner or occupier of the property to abate the nuisance within 30 days from the date the notice was mailed or delivered.

b. For a prohibited or illegal sign, the zoning administrator or designee may send notice by certified or registered mail or hand delivery to the record owner or occupier of the property to abate the nuisance within five days from the date the notice was mailed or delivered.

c. The zoning administrator shall specify in the notice the nature of the complaint and penalties and abatement remedies for the violation. Abatement remedies shall consist of one or both of the following remedies:

(1) Removal of the sign; or

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(2) Obtaining the required permits and bringing the sign into compliance with the sign standards.

2. **Summary Abatement**
   The zoning administrator or designee may immediately remove any dangerous sign or sign that creates an imminent threat to public safety. The zoning administrator may immediately remove any prohibited sign or illegal sign that is located within the public right-of-way. Illegal signs located within the public right-of-way are hereby determined to create an imminent threat to public safety.

3. **Civil Citation**
   The zoning administrator or designee may issue or cause to be issued a civil citation or civil complaint to any person violating the provisions of the sign standards.

F. **Administrative Appeal**
   Review of decisions of the zoning administrator may be taken in the following ways:
   
   1. Appeal of decisions of the zoning administrator relating to the sign standards and requests for variances shall be made pursuant to Unified Development Code.
   
   2. Proceedings involving the removal of illegal, abandoned or prohibited signs shall be conducted pursuant to this article.
   
   3. In all other cases and whenever a violation of any of the technical codes or this article is determined, whether during the construction or plan review stage, and the applicant wishes to appeal the decision of the staff because of code interpretations, unreasonable hardship or other acceptable reasons, an appeal may be made to the zoning administrator pursuant to the provisions of the applicable code.

G. **Penalty**
   
   1. Any person found responsible for a violation of the sign standards shall be guilty of a civil infraction and punished in accordance with the provisions outlined in Chapter 8 of the Tucson Code (City Court). If there is any conflict between the procedures of this section and the general procedures of Chapter 8, this section is controlling.
   
   2. Upon a finding of responsibility, the magistrate shall impose the penalties (fine and abatement) provided under the Chapter 8 of the Tucson Code (City Court - Penalties). Upon expiration of the abatement time, the magistrate shall order the City to abate the violation in accordance with the provisions set forth in section below.
   
   3. Except where prohibited by law, each day the violation continues shall constitute a separate offense.

H. **Abatement by the City After Court Order**
   
   1. Pursuant to the summary abatement provisions or after entry of a court order directing removal of an offending sign, the City or its agents may enter upon the property and cause the offending sign to be removed at the expense of the owner, tenant, lessee or occupant either jointly or severally.
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2. A verified statement of the costs or expense shall be sent by certified or registered mail to the last known address of the record owner and to the lessee, tenant or occupant. The record owner or the lessee shall be liable jointly or severally for the payment of said cost or expense.

3. The payment for costs or expenses shall be in addition to any civil penalty imposed pursuant to Chapter 8 of the Tucson Code (City Court).

(Ord. 11508, 12/5/2017)

10.4. PENALTIES AND REMEDIES

10.4.1. ACTIONS BY THE ZONING ADMINISTRATOR
The Zoning Administrator with assistance from the HCDD may take any of the following actions to ensure enforcement of the UDC and any condition placed on development of a property due to an administrative or legislative decision or action by a City Review Authority described in Article 2 of the UDC:

A. Conduct an investigation of any site with the express permission of the owner or tenant. If the owner or tenant refuses permission to conduct the investigation, the Zoning Administrator shall issue a citation pursuant to Chapter 11, Art. VI of the Tucson Code, based on the testimony of the complainant;

B. Serve written notice upon the owner, agent, or tenant of the property, who is the subject of the violation, requiring cessation or correction of the violation;

C. Issue a citation pursuant to Chapter 8 of the Tucson Code;

D. Report violations to the City Attorney as appropriate;

E. Report violations to the Planning and Development Services Department (PDSD) Director as appropriate; or,

F. Take such further action as deemed appropriate to assure compliance.

10.4.2. ACTION BY THE CITY ATTORNEY
If any property or improvement thereon is used in violation of the provisions of the UDC, the City Attorney, in addition to other remedies, may institute any appropriate action or proceeding to:

A. Restrain, correct, or abate such violation;

B. Prevent the occupancy of such building, structure, or land; or,

C. Prevent any additional violation arising from further conduct, business, or use, in or about such premises.

10.4.3. ACTION BY THE PDSD DIRECTOR
The PDSD Director has the authority to disconnect or order utility companies to disconnect utility services to the premises involved in a violation until compliance is met, subject to the following:

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A. No such action by the PDSD Director may be taken until ten days after receipt by the tenant or by the owner of the premises of written notice of intent to take action;

B. If a written request for review of the matter is received within ten days of receipt of the notice of intent, the action by the PDSD Director is stayed until a hearing thereon by the Board of Adjustment (B/A) or hearing as required by Chapter 8 of the Tucson Code is held; and,

C. This provision does not preclude the use of any other enforcement method provided in the Tucson Code or the Arizona Revised Statutes.

10.4.4. ADDITIONAL PENALTIES FOR UNAUTHORIZED DEMOLITION OF HISTORIC STRUCTURES

Penalties for the unauthorized demolition of historic structures are in accordance with Section 5.8.10.E.9.

10.4.5. PENALTIES FOR VIOLATION OF NATIVE PLANT PRESERVATION STANDARDS

In addition to the general remedies authorized by Sections 10.4.1 through 10.4.3, any violation of Section 7.7, Native Plant Preservation, is subject to the following enforcement, penalties, fines, and other remedies:

A. Fines

Any person who, individually or through the acts of another person, intentionally or negligently damages, destroys, or removes from the site any protected native plant, except as authorized by an approved Native Plant Preservation Plan, is subject to the following:

1. A fine as determined for the damage, destruction, or removal from the site of each protected native plant based upon the following schedule:

   a. For each viable Saguaro: a minimum of $200 per foot of main trunk and $200 per foot of each arm with a maximum not to exceed $2,500 per Saguaro;

   b. For each viable protected native tree or shrub: a minimum of $300 per caliper inch measured at six inches for single-trunked specimens and 12 inches for multi-trunked specimens above grade level at the base of the tree with a maximum not to exceed $2,500 per tree or shrub; or,

   c. For all other viable protected native cacti or succulents: a minimum of $300 per specimen with a maximum not to exceed $2,500 per cactus.

2. A fine of not less than $500 nor more than $2,500 if plant materials are damaged, destroyed, or removed from the site prior to approval of a Native Plant Preservation Plan.

B. Additional Penalties

Any person who, individually or through the acts of another person, intentionally or negligently damages, destroys, or removes from the site any protected native plant, except as authorized by an approved Native Plant Preservation Plan, may be subject to one or more of the following, in addition to any fines imposed in accordance with Section 10.4.5.A:
§ 10.4

1. Mitigation in accordance with Section 7.7.5, Plant Preservation Standards, and any supplemental mitigation determined to be appropriate to restore the natural habitat and plant communities which have been damaged, destroyed, or removed from the site;

2. Supplemental maintenance and monitoring requirements for protected native plants following the final inspection performed on the site for a period not to exceed eight years;

3. Revocation of zoning compliance for any building permits which have been issued for the development; or,

4. Immediate suspension by the PDSD Director of any permits issued by the City for development of the property. Any such suspension shall remain in effect until permits expire unless the violation in a manner which is satisfactory to the PDSD Director. The decision by the PDSD Director to suspend any permit, or to reject a proposal to provide the mitigation necessary for the reinstatement of the permits, shall be appealable pursuant to PDSD’s established procedures.

C. Recording of Permit Suspension or Revocation

Where any permit issued by the City is suspended until its expiration pursuant to Section 10.4.5.B.4, no new permit may be issued for the property until any fines issued pursuant to Section 10.4.5.A have been fully paid and all mitigation required pursuant to Section 10.4.5.B.1 has been fully performed. A notice of this requirement for the issuance of any future development permit on the property shall be recorded on the property by the PDSD Director with the Pima County Recorder.
B. **Construction/Heavy Equipment Wholesaling**
The selling of large motor vehicles, equipment, machinery, or construction materials to other businesses. Typical uses include construction and farm equipment distributors.

C. **Food and Beverage Wholesaling**
The selling of food or beverage products to other businesses. Typical uses include produce companies and beverage distributors.

D. **Hazardous Material Wholesaling**
The selling to other businesses of materials that are explosive, highly combustible, corrosive, toxic, highly oxidizing, or radioactive. Typical uses include petroleum supply and distribution of hazardous chemicals.

### 11.4. OTHER TERMS DEFINED

#### 11.4.1. PURPOSE

This section provides definitions for terms that are not land uses and are not contained in Section 11.3 above. Definitions marked (7A) apply only to Article 7A, Sign Standards.

(Am. Ord. 11508, 12/5/2017)

#### 11.4.2. DEFINITIONS – A

**A-frame sign (7A)**
A type of portable sign.

**Abandoned (7A)**
A sign structure that has ceased to be used to display or support a sign and regarding which the owner has manifested an intention to permanently cease the use of the sign structure.

**Abandonment**
A process whereby easement interests are terminated by a legally recorded document.

**Use, Abandonment of**
The relinquishment of a property, or the cessation of a use or activity by the owner or tenant for a period of six months, excluding temporary or short-term interruptions for the purpose of remodeling, maintaining, or otherwise improving or rearranging a facility. A use is deemed abandoned when the use is suspended as evidenced by the cessation of activities or conditions that constitute the principal use of the property.

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

**Access Easement**
Ingress-egress to a parcel provided over some other parcel through an area dedicated for such perpetual use.

**Access Lane**
The area within a vehicular use area serving as a travel lane or the area providing access to a property. Unlike the Parking Area Access Lane, the Access Lane does not provide direct ingress and egress to individual parking spaces.
Access Point Sign (7A)
An on-site sign located at or near the access point or other wayfinding location.

Accessory Use or Structure
A use or a structure subordinate to the principal use or building on a lot and serving a purpose customarily incidental to the use of the principal building. An accessory use or structure must be established or built together with or after the establishment or construction of the principal use or building.

Acre
An area equal to 43,560 square feet.

Adjacent
Two or more parcels or lots sharing a common boundary or separated by an alley or other right-of-way 20 feet or less in width. Parcels or lots having only a common corner are considered adjacent. Within the Infill Incentive District, Optional Zoning Sub-Districts, Areas and Sub-Areas, the term "adjacent" or "adjacency" means:

A. Two or more parcels or lots sharing a common boundary or separated by an ally or a local or arterial street 30 feet or less in width. Parcels or lots having only a common corner are also considered adjacent.
B. Where the development parcel is an interior parcel, adjacent lots includes all residential lots or development on either side of the development parcel, those lots fronting on the same street in the same block as the development parcel, and all those lots on the opposite side of that street (See Figure, "Interior Lot");
C. Where the development parcel is a corner lot, the term “adjacent” includes all the residential corner lots or developments diagonally opposite the development parcel, fronting on the same two streets in the same block, and on the opposite sides of those streets as shown in the diagram below (See Figure, "Corner Lot");
D. Where the development parcel is adjacent to an HPZ, the term “adjacent” includes all lots across the street and diagonally across from the development parcel.

Adjoining
Same as abutting.

Adjudicated Delinquent
A youth who has been found by a judge in juvenile court to have committed a violation of the criminal law, that is, a delinquent act.
AICUZ Report (1992)
A report prepared by the Department of the Air Force that evaluated and summarized the aircraft operations at U.S. Air Force Bases with respect to the effects of noise and accident hazards, entitled Air Installation Compatible Use Zone (AICUZ).

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

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

- Create interference with aircraft navigation by obstructing the use of radio and other navigational aids, such as generators, motors, or artificial lighting devices which create excessive static.

- Obstruct the visibility of aircraft through atmospheric emissions or cause glare to flyers through direct or indirect illumination, such as from incinerators, rock crushers, smelters, lights which resemble a layout or the color of a landing area, search lights, or flash-type advertising signs.

- Cause any other danger or hazard to the safety of aircraft taking off or landing, such as towers, poles, smokestacks, advertising balloons, aboveground bulk storage of petroleum products, landfills, or fireworks manufacturing.

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

Airport Hazard District
A specifically designated area of land where uses that constitute hazards to airport operations are prohibited and heights are limited.

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

Alley
Alleys are public ways used for the placement of utilities, refuse collection, or similar public services, and under certain circumstances as provided in the UDC, access to individual properties.

Alter (7A)
To change, modify or vary an existing sign structure without constructing a totally new sign structure.

Alteration
Any aesthetic, architectural, mechanical, or structural change to the exterior surface of any part of an existing structure.
Amenities, Project
Aesthetic or other characteristics of a development that increase its desirability to a community or its marketability to the public. Project amenities include, but are not limited to, open space, natural undisturbed areas, landscaping, common areas, and recreation facilities.

Anatomical Areas
Same as Specified Anatomical Areas.

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

Animal
Any fowl, reptile, insect, amphibian or mammal, except human beings.

Animal, Food Producing
Animals such as miniature goats, fowl such as chickens, ducks, geese and turkeys, and other similar small food producing animals. Dogs, cats, pigeons, other non-food producing fowl, and fish are not considered food producing animals for the purposes of applying the food producing animal standards in the UDC.

Animal Shelter
A structure that covers or reasonably protects an animal from the weather and predators, such as a chicken coop. An animal run area is intended to allow an animal to move about freely. It may be connected to a shelter and must be enclosed. The enclosed run area is not subject to location requirements.

Animal Unit
A unit of measurement to calculate a maximum number of animals on a property.

Antenna
One or more panels, rods, reflecting disks, or similar devices used for the transmission or reception of radio frequency signals.

Apartment Building
Same as Multifamily Development.

Appearance of Record
Means either: 1) An oral statement made at a hearing which identifies the person making the statement or made by the person's representative; or 2) A written statement giving the name and address of the person providing the statement and signed by the person or representative.

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

Approach Departure Corridor Two (ADC-2)
A specifically designated area located from 1,2001 to 30,000 feet from the southeastern end of runways at Davis-Monthan Air Force Base where land use is susceptible to a degree of risk of aircraft accident potential.
Approach Departure Corridor Three (ADC-3)
A specifically designated area located from 30,001 to 50,200 feet at the southeastern end of runways at Davis-Monthan Air Force Base where land use is susceptible to a degree of risk of aircraft accident potential, less than in the ADC-1 or ADC-2 zones.

Aquaponics
A system of aquaculture in which the waste produced by farmed fish or other aquatic animals supplies nutrients for plants grown hydroponically, which in turn purify the water. Aquaponics is conducted in a constructed, automatic re-circulating system.

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

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

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

Arterial Road System
Arterial roads identified on the Major Street and Routes Plan that are the responsibility of the City of Tucson or that are designated in accordance with Section 23A-84(14).

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

Artisan
One who practices an art or one trained to manual dexterity or skill in a trade.
Artists Studio/Residence Area
The area delineated by the map below.

For exact boundaries, please see the official zoning maps.

Assurable Infrastructure
Subdivision improvements for which assurances may be required include, but are not limited to, curbs, accessible ramps, pavement, driveway aprons, sidewalks, survey monuments, storm drainage, all weather access, flood control, erosion hazard control, utility infrastructure to the lot lines (water, sewer, electric, natural gas, communication cables), fire prevention systems, street signage, other private or public improvements and infrastructure in right-of-way or common areas required to be constructed, and other common elements as required by this code and other pertinent codes, or actions required to be completed by subdivider/developer, at no cost to the City.
Assurance
A legally binding and enforceable instrument ensuring the construction of all required assurable infrastructure by a subdivider. Assurances may be in the form of third party land trusts, or monetary sureties such as performance bonds, escrow funds, letters of credit, or such other security as are acceptable to the City.

Attached Canopy (7A)
A roof-like structure that provides shade and/or ornamentation, projecting from and attached to a building wall below the highest point of the top of parapet, and supported in whole or in part by the building.

Attached Sign (7A)
A sign that is fastened, connected or supported in whole or in part by a building or structure other than a sign structure that is supported wholly by the ground.

Average Daily Traffic (ADT)
The total traffic for a calendar year divided by number of days in a year (365).

Average Finished Grade
The mean average elevation of ground after site preparation, measured five feet from a building at five-foot intervals. If the property line is closer than five feet from the building, then the measurement is taken from the property line.

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

Awning (7A)
A durable or fabric structure, attached to and supported in part or in whole by a building, which provides shade to the entries, windows, and walls of the building.

Awning Sign (7A)
A sign constructed of cloth, plastic or metal and permanently affixed to a structure and intended to provide shade.

(Am. Ord. 11246, 2/18/2015; Am. Ord. 11328, 12/8/2015; Am. Ord. 11508, 12/5/2017)

11.4.3. DEFINITIONS – B

Banners, Across the Street (7A)
See Section 7A.6.10 Signs in or Over the Public Right of Way.

Banners (7A)
A type of portable sign that is constructed of a piece of fabric or similar material attached to the ground or to a wall by one or more edges to a pole, rod or cord.

Barrier-Free Accessibility
Functional access for semilimobulatory and nonambulatory persons, from a street or parking space to, into, and through a building.
Bay
Same as Service Bay.

Bedroom
The term bedroom includes all of the following: 1) Any room that is designated as a bedroom; 2) Any enclosed room that has a minimum area of 60 square feet and has an accessible opening to the exterior of the building in compliance with the International Building Code (IBC), whether termed a studio, family room, study, den, bonus room, or any other name, except for a living room, dining room, kitchen, and bathrooms; and 3) Any room designated as a bedroom for the purpose of any other code requirement.

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

Bicycle Locker
A fully enclosed space of sufficient size to park a two-wheeled bicycle with its accessories accessible only to the operator of the bicycle.

Bicycle Parking Facility
A structure that provides for the short- or long-term placement of bicycles.

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

Billboard (7A)
An off-site sign relating to a business, activity, use or service conducted off the site or to a product not sold on the site.

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

Block Plat
A map of a subdivision that consists of ten or fewer lots the size of which are in conformance with the applicable zoning requirements for lot size.

Buildable Area
The area of a lot or parcel where a building can be placed after setbacks from property lines, streets, buildings, erosion hazards, or any other point identified and areas identified or dedicated for non-building purposes, such as open space or driveways, are deducted.

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

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

Building Setback
See perimeter yard.

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

(Am. Ord. 11508, 12/5/2017)

11.4.4. DEFINITIONS – C

Caliper
A measurement taken between the outer dimensions of a tree trunk at six inches for single-trunked specimens and 12 inches for multi-trunked specimens above grade level at the base of the tree. For a noncircular specimen, use the average of the shortest and longest measurements, and for a multi-trunked specimen, use the sum of the measurements of the two largest trunks.

Canopy Sign (7A)
A permanent sign on or affixed to the top or front of an attached canopy.

Canopy Tree
A woody plant, other than a palm tree, with a mature crown diameter of at least 15 feet and having a trunk that, at maturity, is kept clear of leaves and branches at least six feet above grade. (See Illustration.)
Carport
A building that does not have walls on two or more sides and is designed for the parking of one or more motor vehicles.

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

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

City
Same as City of Tucson.

City Development Review Committee
City Development Review Committee (CDRC) means the designees of the various departments and agencies responsible for reviewing a proposed subdivision for compliance with codes and legal requirements. At a minimum, CDRC review includes City departments responsible for codes regulating streets, sidewalks and public transportation access, zoning, engineering, floodplain and drainage, fire, water, environmental services and Pima County departments responsible for wastewater and utility company regulations such as Pima County wastewater, and non-governmental entities such as appropriate utility companies. CDRC may include such other agency or department representatives as the PDSD Director may determine appropriate for a particular application to insure that all pertinent codes and legal requirements are met by the proposed subdivision.

City Zoning Maps
A set of maps that is part of the Unified Development Code (UDC) that depicts all zoning boundaries delineating the zoning classifications applicable to all property within the City limits.

Clearance (7A)
Clearance refers to the distance between grade and the bottom edge of a sign.

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

Collocation
The use of a single tower or pole by more than one user for similar or nonsimilar uses.

Common Area Open Space
Land area within a development, not individually owned or dedicated for public use, that is designed and intended for the common use or enjoyment of the residents of the development. Common area open space may be either natural open space or functional open space.

Common Use
The usage and accessibility by all residents of a project, either by common ownership, covenant, easement, or other similar legal means.
Compatibility/Compatible
Visual consistency of development by mirroring prevailing dimensions, spatial relationships, and architectural and design characteristics of the neighborhood overall and the Contributing Properties within the Development Zone. The term “compatible” does not mean “repetition or copy of” or “identical to” existing structures within the neighborhood. Compatibility is achieved when a development is designed in a manner that blends in with the character of structures in the Development Zone.

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

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

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

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

Conceal
To place out of sight or to prevent recognition or disclosure of the true character of an object.

Condominium
Condominium has the same meaning as “condominium” as defined in A.R.S. § 33-1202(10), that is real estate, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of the separate portions. Real estate is not a condominium unless the undivided interests in the common elements are vested in the unit owners. For the purposes of UDC application, a condominium is the same as a multiple-family structure, office structure, or commercial structure, except platting is required in accordance with the requirements of the UDC.

Condominium Conversion
Condominium conversion is the subdividing of land and existing structures as a condominium, regardless of the present or prior use of such land or structure, and regardless of whether substantial improvements have been made to such structures.

Conformance
To be in agreement with; to comply with.

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

Contiguous
Same as Abutting.
Contributing Property
A property within a Historic Preservation Zone, Neighborhood Preservation Zone, or National Register Historic District that contributes to the historic significance and visual character of the zone or district, and has sufficient integrity to convey that significance and those visual character defining features in terms of location, design, setting, material, workmanship, character, or association. Contributing Properties are historic sites or nonhistoric compatible properties.

Cooking Facility
An area containing facilities for the storage, cooking, or preparation of food, is accessory to a principal use, and may be located in an enclosed or unenclosed area. An example of a cooking facility is an outdoor cooking station that includes a barbeque grill and refrigerator.

County
Same as Pima County, Arizona.

Critical Riparian Habitat Areas
Areas as shown on the Critical and Sensitive Wildlife Habitats Map that contain:

- Major segments of riparian habitat extending from public preserves;
- Major segments of riparian habitat not extending directly from a public preserve but containing a high density and diversity of plant and animal species;
- Deciduous riparian woodlands;
- Mesquite bosques;
- Lakes, ponds, or wetlands;
- Palo Verde-Saguaro communities; or
- Ironwood plant communities; and
- Are found within the Resource Corridor.

Curfew
A time established for listed lighting systems to be automatically extinguished.

Curb Cut
A depressed segment of a vertical roadway curb for driveways, wheelchair ramps, bicycle access, drainage, or other purposes.

Cut
A portion of land surface or area from which earth has been removed or will be removed by excavation.

(Am. Ord. 11508, 12/5/2017)

11.4.5. DEFINITIONS - D

Damaged
Plant materials, previously rated Viable, that have little chance of survival in a healthy and attractive manner after injury sustained during salvage, transplanting, or construction operations.
Days
Days of the week, including Saturdays, Sundays, and holidays. To apply days to a review schedule, the day of the event or act from which the designated period of time begins shall not be included. The last day of the designated period shall be included, unless it is a Saturday, Sunday, or holiday, in which event the period runs to the end of the next day that is not a Saturday, Sunday, or holiday. When a designated period of time is less than ten days, intermediate Saturdays, Sundays, and holidays shall not be included. Holidays are those recognized by the City of Tucson.

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

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

Density
The number of residential units per acre.

Design Grade
An elevation or series of elevations that provide the minimum modification of natural or existing grade that allows safe and appropriate access, drainage, and buildable areas.

Design Professional
A registered architect with historic preservation experience employed by or under contract with the City.

Detached Sign (7A)
Any sign not supported in whole or in part by a building or structure other than a sign structure that is supported wholly by the ground.

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

Developing Area
An area where less than 50% of the linear street frontage of all property, excluding alleys and drainageways, located on the same side of the street and within the same block as the proposed development is occupied by principal structures that conform to the minimum front street perimeter setback required for the applicable zoning classification or street frontage.

Developing Area Setback
A term used to describe the required perimeter yard from a street applicable where a developing area exists.

Development
Any human alteration to the state of land, including its vegetation, soil, geology, or hydrology, for any residential, commercial, industrial, utility, or other use, such as, but not limited to, clearing, grubbing, or grading of land, and structural improvements, e.g., buildings, walls, fences, signs, and vehicular use areas.
Development Inventory Report (DIR)
A DIR is a report using narrative, maps, graphics, tables and other informative means in describing existing conditions, needs assessments and other useful background information regarding the infrastructure, resources and other pertinent characteristics of the property within the proposed PCD District.

Development Project
Any residential, commercial, industrial or mixed use subdivision plat or site plan that is submitted to the City for approval or for permit.

Development Zone
As used in Section 5.8, "H" Historic Preservation Zone (HPZ), Section 5.10, Neighborhood Preservation Zone (NPZ), and, Section 5.11, Rio Nuevo District, (RND), a certain designated area adjacent to the lot to be developed. Public and institutional structures within development zone are not considered to be part of the development zone when evaluating proposed development on an adjacent property, except for public and institutional structures on or eligible for inclusion on the National Register of Historic Places. The development Zone is determined as follows: (See Illustrations below.)

- Where the subject lot is an interior lot, the development zone includes that lot, all lots on either side of that lot and fronting on the same street in the same block, and all those lots on the opposite side of that street, except such portions of the development zone that fall outside the boundary of the HPZ, NPZ, or the RNA.

- Where the subject lot is a corner lot, the development zone includes that lot, the corner lot diagonally opposite that lot, all lots fronting on the same two streets in the same block, and all lots on the opposite sides of those streets, except such portions of the development zone that fall outside the boundary of the HPZ, NPZ, or the RNA.

- Where the subject lot is located adjacent to a historic zone boundary, the development zone includes that lot, all lots located within the same block, and those lots facing the same street as the subject lot within one block in either direction, except such portions of the zone that fall outside the boundary of the HPZ, NPZ, or the RNA.

Digital Sign (7A)
A sign component whose informational content such as symbols, logos, graphics, and words can be changed or altered by electric, electro-mechanical or electronic means.

Director
The chief executive officer of a City department.
Discontinued (7A)
A sign or sign structure is discontinued where it is not used for a consecutive period of six months or more, and where the period of non-use is attributable in whole or in part to the owner of the sign or premises, regardless of whether the owner intends to abandon the sign.

Disguise
To furnish with a false appearance or to alter in such a manner as to hide the true character of an object.

District
A zone that has zoning options to encourage transit-oriented development or has specific urban design standards within the City. An example of a District is the Downtown Area Infill Incentive District. A “district” is also referred to as a zoning district.

District Area (DA)
A district area is a planning area within a Planned Community Development (PCD) District containing single or multiple designated land use and zoning districts. Multiple classifications or mixed-use classifications may be permitted in a DA in conformance with applicable specific plans and the General Plan. A DA in text or table format is the same area as referenced on a map but describes the area in more specific detail. The City may approve a particular definition of a DA for any individual PCD District.

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

Downtown Parking District
An area the boundaries of which are congruent with the boundaries of the Downtown Redevelopment District.
Downtown Redevelopment District
That area as delineated by the map below.

For exact boundaries, please see the official zoning maps.

Downtown Redevelopment District

Drip-line
The line that could be drawn on the soil around a tree or shrub directly under its outermost branch tips.

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

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

Driveway
A private access connecting two or fewer residential units to a roadway.
Drought Tolerant Vegetation
Low water-use plants which, after they are established, can survive within the Sonoran Desert climate with little or no supplemental watering.

Dumpster
A large container for receiving, collecting, transporting and dumping waste materials. (See Solid Waste collection standards in the Technical Manual.)

Dwelling Unit
A building or portion of a building that is designed, occupied, or intended for occupancy as living quarters exclusively for a single household, which includes one or more rooms, with sleeping and sanitary facilities and one enclosed kitchen. One accessory cooking facility per dwelling unit is permitted.

Dwelling Unit Sign (7A)
A sign type located at a single family dwelling unit.

(Am. Ord. 11246, 2/18/2015; Am. Ord. 11508, 12/5/2017)

11.4.6. DEFINITIONS – E

Earth Material
Any rock, natural soil, fill, or any combination thereof.

Enclosed
See Enclosure.

Enclosure
A structure that confines an area. The term “enclosed building” means a building enclosed with solid walls from floor to ceiling. Any wall penetrations, such as doors and windows, must include door or window fixtures that can solidly enclose the entire opening.

Environmental Resource Report
Exhibits, maps, and written narrative that document the following:

• The portion of the property within the resource corridor;
• The critical riparian habitat within the corridor;
• The location of wildlife habitat classes that may be found within the corridor as defined by the Critical and Sensitive Wildlife Habitats Map and Report;
• Any endangered species typically found within the corridor;
• The location of the resource corridor; and,
• Other information, such as narratives, conclusions, and recommendations.

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

Façade (7A)
The side or face of a building.

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

Feather Banner (7A)
A sign typically made of a flexible fabric attached vertically to a freestanding pole in the general shape of a feather, teardrop, or similar shape.
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.

Food Producing Animal
See Animal, Food Producing.

Fourth Avenue Business District
The area delineated on the map.

Fowl
A bird that is used to produce meat or eggs, including chickens, ducks, turkeys, and similar fowl.

Freestanding Sign (7A)
An on-site sign or three-dimensional representation of a figure or object, not attached to any building, supported by uprights or braces or some other approved support that is capable of withstanding the stress from weight and wind load. Includes the following sign types:

A. Freestanding - Monument Type Sign (7A)
A sign that has been provided with a base of some type (a pole cover or architectural embellishment) or stands alone on its own foundation.

B. Freestanding - Low Profile Sign (7A)
A sign that has been provided with a prepared base or support. In order to encourage design flexibility, the maximum height of the sign may be lowered in order to decrease the required setback from the street.
C. **Freestanding - Pole Sign (7A)**
A sign that stands alone on its own foundation and must be provided with a pole cover or architectural embellishment. The sign may be higher than the other types of freestanding signs, must be setback further from the street, and is permitted only for larger premises or developments.

**Freeway (7A)**
A roadway designated as a freeway in the Major Streets and Routes Plan.

**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.

**Freeway Sign (7A)**
A detached on-site sign directing attention to a business, commodity, service or entertainment conducted, sold or offered upon the same premises as those upon which the sign is located as provided in Section 7A.10.4 Permanent Signs - Additional Sign Type Standards- Freeway Sign Standards.

**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.


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.

**Garden**
An area used for growing flowers, fruit, or vegetables in the ground, in containers, and in greenhouses. Gardens include aquaponic and hydroponic systems.
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.

Gleaning
The act of gathering grain or the like after the reapers or regular gatherers.

Goat, Miniature
Miniature goats refer to Nigerian Dwarf, African Pygmy or other breeds that do not exceed 70 pounds at full size.

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.

Greenhouse, Mechanical
An enclosed structure (as by glass or plastic) used for the cultivation or protection of plants and uses mechanical systems to heat or cool the structure. For the purposes of determining perimeter yard requirements, greenhouses cooled solely by an evaporative cooler are considered passive greenhouses.

Greenhouse, Passive
An enclosed structure (as by glass or plastic) used for the cultivation or protection of plants and does not use motorized heating or cooling systems. For the purposes of determining perimeter yard requirements, greenhouses cooled solely by an evaporative cooler are considered passive greenhouses.

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.
Ground-mounted Sign (7A)
Signs affixed to the ground, placed on the ground, or attached to a perimeter wall or fence that face the street.

Group Dwelling
Within the Downtown Area Infill Incentive District (IID) the term "group dwelling" means a structure that:

A. meets the definition of "group dwelling" contained in Section 11.3.7.B; and,

B. is greater than two stories or 25 feet in height.

(Am. Ord. 11246, 2/18/2015; Am. Ord. 11328, 12/8/2015; Am. Ord. 11508, 12/5/2017)

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.

(2018 S-12)
Home Occupation
A land use activity carried out for financial gain by a resident, on the resident's property, conducted as an accessory use to the Family Dwelling or Mobile Home Dwelling use on the property.

Homeowners' Association
A legal entity established for the purpose of owning and maintaining commonly held private real property whether residential or commercial in nature.

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

Hydroponics
Cultivation of plants in nutrient solution rather than in soil.

(Am. Ord. 11328, 12/8/2015)

11.4.10. DEFINITIONS

Improvements
Any on-site or off-site improvements, such as, but not limited to, refuse container enclosures, streets, sidewalks, sewer, water, and electric utility installations, drainage and flood control facilities, monuments or other similar facilities or developments for which the City of Tucson may ultimately assume responsibility for maintenance and operation, or landscaping, screening, or other site improvements required by the Tucson Unified Development Code (UDC) or other appropriate City code.

Incidental
Happening in connection with something more important; secondary or minor.

Individuals with Physical Disabilities
A person, as defined in A.R.S. § 28-881, or as it may be amended, having a physical impairment that substantially limits that person's ability to move from place to place.

Infrastructure
All structures or improvements to the land, such as roads or facilities for the provision of gas, electric, water, drainage, or communications, that are necessary to support development on or abutting property.

Ingress/Egress
The safe, unobstructed passage to and from the premises for use by vehicles, including refuse collection vehicles, fire vehicles, bicycles, and pedestrians.

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

Interior Lot Line
A lot line other than a street lot line.
§ 11.4 Tucson - Unified Development Code

Interior Sign (7A)
An on-site sign, emblem, or decal that is ground or wall-mounted providing information to the public such as wayfinding, facilities, services or prohibitions relating to the premises and which is inside a building, in a courtyard or hallway, or is within a premise’s boundaries but is either not facing or is not readable from the right of way or is not designed nor intended to be readable from the right-of-way, does not require zoning review but may require building code review.

Intrusion
A building, object, site, structure, or portion thereof that detracts from a district's historic significance because of its architectural incompatibility with the district's time, place, and historic development or its incompatibility of scale, materials, or texture or a building, object, site, or structure whose historic architectural integrity has been irretrievably lost.

(Am. Ord. 11328, 12/8/2015; Am. Ord. 11508, 12/5/2017)

11.4.11. DEFINITIONS – J
Reserved

11.4.8. DEFINITIONS – K

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

11.4.13. DEFINITIONS – L

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

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

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

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

Land Split
Lot split has the same meaning as "land split" as defined in A.R.S. § 9-463(3), that is, the division of improved or unimproved land for the purpose of sale or lease, which is not defined as a subdivision, whose area is two and one-half acres or less in size, into two tracts or parcels if previously platted, or, three tracts or parcels of land or less if not previously platted.
Ldn (Day-Night Average Sound Level)]
Ldn values are expressed in decibels and represent the average noise level over a 24-hour period for an average day of the year. For Tucson International Airport, the Ldn values are calculated based on an FAA integrated noise model, which averages noise over a 365-day year. For Davis-Monthan Air Force Base, Ldn values are calculated based on the Department of Defense Noise Map model that averages noise over the total flying days of the year.

Loading Area
An off-street space or berth for temporary parking of a vehicle while loading or unloading merchandise, cargo, or materials.

Local Street
A street that primarily serves as access to a residence or other abutting property.

Logo (7A)
A graphic symbol or insignia that serves to identify a business, building or complex.

Long-Term Bicycle Parking Facility
A temporary bicycle storage facility that provides a secure place for employees, students, residents, commuters, and others to park their bicycles for several hours or more.

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

Lot Coverage
The area of a lot covered by buildings, storage areas, and vehicular use areas. For specific application standards, refer to Section 6.4.3.

Lot Lines
The property lines bounding a lot.

Lot Size
The area contained within a lot, including all easements on private property.

Low Enrollment
A school having registered enrollment at 65% or less than the school’s capacity, not including any portable classroom buildings. For the purposes of this definition, magnet schools are considered low enrollment schools.

Low-Income Area
An area determined to have 51% or more of its residents in the low to moderate income levels as established by the Department of Housing and Urban Development (HUD) based on the most recent United States decennial census. A map identifying the low income areas is available in the Housing and Community Development Department (HCDD) and Planning and Development Services Department (PDSD). The map is updated administratively by HCDD to reflect poverty and low income data from the most recent United States decennial census.

(Am.Ord.11508,12/5/2017)
§ 11.4  Tucson - Unified Development Code

11.4.14. DEFINITIONS – M

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

Major Streets and Routes
Those freeways, arterials, and collector streets identified in the Major Streets and Routes Plan.

Major Streets and Routes (MS&R) Plan
The plan adopted by the Mayor and Council to implement the circulation element of the General Plan that identifies the general location and size of existing and proposed freeways, arterial and collector streets, future right-of-way lines, typical intersections, and Gateway and Scenic Routes.

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

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

Master Developer
The Master Developer is the person or entity that has sole control of the property within the Planned Community Development (PCD) District at the time of application and for the implementation of the PCD District after approval.

Master Development Plan (MDP)
An MDP is a multi-faceted development plan, including a land use plan, resource and infrastructure plan, development agreement, and phasing plan that controls the overall implementation of the Planned Community Development District.

Meal
For the purposes of applying Section 4.9.4.V, a “meal” means the usual assortment of foods commonly ordered at a restaurant at various hours of the day.

Mechanical Greenhouse
See Greenhouse, Mechanical.

Miniature Goat
See Goat, Miniature.

Minor Subdivision
A subdivision that complies with the criteria established for minor subdivisions in Section 8.4.3, Minor Subdivision. A Minor Subdivision may be accomplished with less documentation than other subdivisions.
Mitigation
Methods used to alleviate or compensate for the negative impact of development on healthy Protected Native Plants.

Mixed Use
A single building or single development of more than one building that includes residential and non-residential uses. In a mixed use development the different types of land uses are in close proximity, planned as a unified complementary whole, and functionally integrated to the use of shared vehicular and pedestrian access and parking areas.

Mobile Home Space
An area of a mobile home park with a pad and utility pedestal that is rented or sold for the placement of a mobile home and for the exclusive use of the occupants of the mobile home.

More Restrictive Zoning
See Section 4.5, More Restrictive Zoning.

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

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

- Shared motor vehicle and pedestrian access is provided to the site from a street. The number of curb cuts is limited to two or fewer, unless a greater number is approved by the Tucson Department of Transportation City Engineer or designee.

- Shared pedestrian and motor vehicle circulation is provided.

- The motor vehicle parking areas are common to all land uses on the site.

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

Mural (7A)
A piece of artwork painted on, or applied directly to the exterior walls.

(Am. Ord. 11328, 12/8/2015; Am. Ord. 11508, 12/5/2017)
11.4.15. DEFINITIONS – N

Native Plant Preservation Plan
A graphic representation of a project site that includes, but is not limited to, an aerial photograph, at a minimum scale of one inch equals 100 feet, indicating the project site boundaries and individual native plants or native plant preservation areas to be assessed and utilized to satisfy preservation standards. Based on the Native Plant Preservation methodology selected by the applicant, additional Plan elements will be required.

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

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

Natural Open Space
Any area of land, essentially unimproved and not occupied by structures or man-made impervious surfaces, except as permitted herein, that is set aside, dedicated, or reserved in perpetuity for public or private enjoyment as a preservation or conservation area. A pedestrian or non-motorized recreational trail may be located in a natural open space. Rights-of-way (including alleys) and utilities are allowed to cross when the impact of the crossing on the natural open space is minimized.

Natural Undisturbed Open Space
An area of land that is unimproved and not occupied by structures or man-made impervious surfaces and includes environmentally significant features (as identified in the Environmental Resource Zone; Hillside Development Zone; and, Watercourse Amenities, Safety and Habitat zone), culturally significant features (features eligible for National Register status as identified during the cultural resource assessment process), or designated floodplains (except where channelized).

Neighborhood Association
A neighborhood association registered with the City.

Neighborhood Character
The combination of various defining characteristics of Contributing Properties and existing development within a Development Zone that creates and conveys the historic significance and visual character of a neighborhood. These characteristics include scale and proportion, architectural style and detail, open spaces, spatial relationships, and landscaping.

Net Acreage
The remaining ground area after deleting all portions for proposed and existing public streets within a development, parcel, or subdivision.

Noise Control District-A (NCD-A)
A specifically designated noise exposure area at the Davis Monthan Air Force Base where the existing and predicted average noise levels are 65 to 70 Ldn.

Noise Control District-B (NCD-B)
A specifically designated noise exposure area at the Davis Monthan Air Force Base where the existing and predicted average noise levels are 70 Ldn or higher.
Noise Control District-65 (NCD-65)
As applied in Section 5.6, Airport Environs Zone (AEZ), a specifically designated noise exposure area at Tucson International Airport where the existing and predicted average noise levels are 65 to 70 Ldn.

Noise Control District-70 (NCD-70)
As applied in Section 5.6, Airport Environs Zone (AEZ), a specifically designated noise exposure area at Tucson International Airport where the existing and predicted average noise levels are 70 Ldn or higher.

Nominal Cost
A cost that is very small, or negligible, bearing no relation to the real value at the time of transaction. Such cost should not exceed $500 or the minimal cost of transferring ownership, whichever is less.

Non-Chartered Financial Institution
A use, other than state or federally chartered bank, credit union, mortgage lender or savings and loan association, that offers deferred presentment services as defined in A.R.S. § 6-1251(3) or check cashing services and loans for payment of a percentage fee. Specifically included are check cashing businesses that charge a percentage fee for cashing a check or negotiable instrument, payday loan businesses that make loans upon assignment of wages received and auto title lenders who offer a short-term loan with a car title as a means to secure the loan.

Nonconforming Sign (7A)
A sign lawfully erected or altered in conformance with applicable regulations, including a sign lawfully existing in the county at the time of annexation, that no longer complies with the sign standards due to amendments to this sign code adopted subsequent to the approved permit for the sign or the annexation.

Nonconforming Structure or Lot
A structure or portion thereof that was lawfully erected or altered or a lot that was legally established that no longer complies with the specific land use standards of the Unified Development Code (UDC) applicable to the zoning category in which the building or structure or lot is located.

Nonconforming Use
An existing land use activity lawfully established and maintained which no longer complies with land use standards of the Unified Development Code (UDC) applicable to the zoning category in which the land use activity is located.

Noncontributing Property
A building, object, site, or structure that does not add to a historic district's sense of time, place, or historic development. A Noncontributing Property may be a nonhistoric incompatible property, a historic architecturally compromised property, or an Intrusion.

Non-motorized Recreational Trail
A publicly accessible, improved or natural path designed for pedestrians, equestrians, bicycles - including electric bicycles, if local regulations permit - and manual and electric wheelchairs.

Nuisance
A condition or use on the property that endangers life or health, gives offense to the senses, or obstructs the reasonable and comfortable use of other property, or any combination of these effects.

(Am. Ord. 11508, 12/5/2017)
11.4.16. DEFINITIONS – O

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

Obsolete Sign Copy (7A)
Any sign copy, excluding historic landmark signs (HLS), that no longer correctly identifies or directs attention to an existing use or product available on the premises.

Occupancy (7A)
The purpose for which a building or part thereof is used or intended to be used.

Off-Site Sign (7A)
A sign not located on the premises of the use identified or advertised by the sign.

Off-Street
To be within property boundaries and not within a right-of-way, such as a street or alley.

Off-Street Parking
Any space provided for vehicular parking not within the street right-of-way.

On-Site Sign (7A)
A sign located on the same premises as the use identified or advertised by the sign.

On-Street Parking
The storage space for an automobile or other motorized vehicle that is located within the street right-of-way.

Opaque
Opaque means that the material shall not transmit visible light.

Open Space
Open space is the aggregate of “natural undisturbed open space (NUOS),” “natural open space” and “functional open space.”

Open Structure
Any structure that is open on the three sides nearest the street and that does not obscure lines of sight above 30 inches or below six feet, measured from finish grade of pavement.

Outdoor Recreation Facility
An area designed for active recreation, whether publicly or privately owned, including, but not limited to baseball, soccer, footbball, golf, tennis, swimming pools, and race tracks of any sort.

(Am. Ord. 11508, 12/5/2017)
11.4.17. DEFINITIONS – P

Parapet (7A)
The portion of a wall that extends above the roofline.

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

Parking Area
Same as Vehicular Use Area.

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

Parking Lane
An area set aside at the edge of a paved roadway for purposes of parking vehicles.

Parking Lot
Same as Vehicular Use Area.

Parking Lot Sign (7A)
A wall or freestanding sign used to identify a parking facility.

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

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

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

Party of Record
The applicant, all persons who received notice of the application during a review process, all persons who provided a written statement of an interest in the project prior to the issuance of a decision, and all persons who gave testimony at a public hearing.
Passive Greenhouse
See Greenhouse, Passive.

Peak
A point of maximum elevation.

Peak Use Times
The period(s) during which activity at any given use is highest. Peak use times are determined on a daily, weekly, or seasonal basis depending on the type of use.

Pedestrian Circulation Path
An exterior way of passage that is designed for pedestrian use and which may include general pedestrian areas, such as sidewalks, plazas, and courts.

Pedestrian Distance
A measurable distance between supportive land uses (such as between residential uses and schools or residential uses and commercial uses) that encourage walking as part of a multi-modal strategy within a development.

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

Permanent Sign (7A)
A sign that is not a portable or temporary sign.

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

Phased Development
For purposes of consideration and approval of Protected Development Right Plans, a Phased Development is a development that (a) consists of at least 40 acres depicted on a single master subdivision plat for a residential development or (b) consists of at least 20 acres depicted on a single master subdivision plat or site plan for a nonresidential development or (c) is the subject of a newly adopted Planned Area Development (PAD) zone or (d) the Mayor and Council have identified as a phased development for purposes of protected development rights.

Phased Grading
For grading purposes requires separate/additional grading permits where the project is more than 35 acres. Phased grading may be required for any size of development where the City determines, or the applicant proposes, that phasing is required due to design or safety-related issues for the project that may be related to public access or construction activity.

Pictograph (7A)
A graphic, symbolic representation of a commonly recognized idea or item, excluding words or phrases. Example: a picture of a camera used to identify a photographic supply store.

Plan Amendment
A proposed change(s) to a plan previously adopted by Mayor and Council.
Plans Review Subcommittee
The same as the Tucson-Pima County Historical Commission Plans Review Subcommittee.

Plant Community
A biological grouping of vegetation frequently found under natural conditions due to their common soils, moisture, climate, and orientation requirements.

Plant Inventory
A numerical listing and assessment of the plants on a site that includes plant genus and species, size, health, age, form or structure, and locational situation, such as soils and topography.

Plat
A map of a subdivision. The term “plat” includes:

A. Block Plat
A map of a subdivision that consists of ten or fewer lots the size of which are in conformance with the applicable zoning requirements for lot size.

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

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

D. Recorded Plat
A fully executed final plat, bearing all required signatures and certificates of approval, that has been recorded in the Pima County Recorder’s Office.

Pole Cover (7A)
A cover that encloses or decorates a pole or other structural sign support.

Political Election Sign (7A)
A sign not permanently installed in the ground or attached to a building relating to the election of a person to a public office, or to a political party, or to a matter to be voted upon at an election called by a public body. Does not include political headquarters signage.

Population Ratio
Population ratio is a formula used to derive a relationship between a population or dwelling unit count within a development and the square footage, acreage or number of facilities such as parks, fire stations, and related facilities required in the development.

Portable Sign (7A)
A sign that is capable of being moved and not designed to be permanently attached to a building or permanently anchored to the ground that is constructed of paper, cloth, canvas, light fabric, cardboard, plywood, light plastic or other nonpermanent similar materials.
Premise (7A)
A premise is all contiguous land used and occupied by a use or business. All buildings, parking, storage and service areas, and private roads or driveways that are an integral part of the use or business are considered part of the premise. Commercial shopping centers, office complexes, commercial or industrial subdivisions, or similar developments are a premise to the extent such lands are identified as a single site that may contain one or multiple development plans or packages.

Preservation-in-Place
No disturbance of one or more plants; site planning and design that retains existing plant genus and species in their current location, grade, and configuration and allows for their future health and growth.

Prevailing Setback
The most frequently occurring distances between structures and street and interior property lines in a Development Zone.

Principal Use
The primary use to which the premises is devoted and the primary purpose for which the premises exist.

Private Road
A street not dedicated to the public.

Private Street Access
Ingress-egress to a parcel provided by an abutting private street in which the owner of the parcel has a legal interest to assure perpetual use for access.

Professional Inspection
The inspection required by this code to be performed by the civil engineer, soils engineer or engineering geologist. Such inspections include those performed by a person supervised by such engineers or geologists and shall be sufficient to form an opinion relating to the conduct of the work.

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

Project Completion Documentation
Documents associated with the completion of a project, and may include as-builts, substantial completion letters.

Project Site
In general application, the area of the project. A site may be any number of contiguous lots, separated by no more than 600 feet, or it may be one lot. As applicable in Section 5.6, Airport Environs Zone (AEZ), the land area designated for development and managed as a single entity, exclusive of any abutting public right-of-way. The project site utilizes common facilities such as parking, structures, and vehicular and pedestrian access. Noncontiguous lots shall, at a minimum, be connected by pedestrian facilities.

Projecting Sign (7A)
A sign, other than a wall sign, attached to a building or other structure and extending in whole or in part more than twelve inches beyond the surface of the portion of the building to which it is attached, beyond the building, or over the public right-of-way.
Property Line
The lot line that defines the legal exterior limits of a lot.

Property Owner's Association
A legal entity established for the purpose of owning and maintaining commonly held private real property.

Proportion
The relationship between the width and height of a building's front facade, windows, and doors.

Protected Development Right
As provided in A.R.S. § 9-1201, a protected development right is the right to undertake and complete the development and use of property under the terms and conditions of a protected development right plan, without compliance with subsequent changes in zoning regulations and development standards, except as provided by A.R.S. § 9-1204.

Protected Native Plants
Plant genus and species of a minimum size with special status per the Protected Native Plant List in Section 5-02.0.0 of the Technical Standards Manual.

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

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

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

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

Protected Riparian Area
Restricted area as defined in Section X and includes overlapping floodplain and riparian areas.

Provider
See Section 11.4.24, Wireless Communication Provider.

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

Public Area
The area within a publicly-owned property, such as, but not limited to, street or alley right-of-way, or the area within a public accommodations land use set aside for use by the general public, such as, but not limited to, the dining, waiting, or rest room areas in a restaurant.
Public Assembly
Any structure that is intended, designed, or used in whole or in part by the general public, for such purposes as, but not limited to, deliberation, worship, entertainment, education, amusement, drinking, or dining. For the purposes of this definition, the term general public does not include those persons who are employed full or part time at the project site; those persons who, on a temporary basis, provide or deliver goods or services to the project site; or any other persons engaged in similar activities at the project site.

Public Entrance
An entryway into a building intended for direct public access from a vehicle use area or sidewalk.

Public Open Space
Open space owned by a public agency, such as the City of Tucson Department of Parks and Recreation, and maintained by it for the use and enjoyment of the general public.

Public Preserve
Saguaro National Park (Rincon Mountain District and Tucson Mountain District); Tucson Mountain Park; and Coronado National Forest.

Public Street Access
Ingress-egress to a parcel provided by an abutting public street in which the owner of the parcel has a legal interest to assure perpetual use for access.

(Am. Ord. 11328, 12/8/2015; Am. Ord. 11508, 12/5/2017)

11.4.18. DEFINITIONS - Q
(Reserved)

11.4.19. DEFINITIONS - R

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

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

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

Regional Park System
Park land and associated recreational facilities and improvements to City-owned land used for active and passive recreational purposes for public use.
Regional Park (System) Improvements
Capital improvements that result in a net expansion of the park land or recreational facilities in regional parks that are available to the public. Remodeling, replacement or maintenance of existing equipment or facilities shall not constitute a regional park system improvement.

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

Repair (7A)
To mend, renovate, or restore a sign structure to its original existing condition.

Resource Corridor
An area running approximately parallel to the sides and banks of designated washes defined and characterized by the location of critical riparian habitat associated with the wash, plus an area of 150 feet from the edge of the critical riparian habitat on each side of the wash.

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

Rezone
To change the zoning classification of land.

Rhythm
The ordered recurrent alternation of solids to voids in the facade and streetscape.

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

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

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

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

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

Roof Signs (7A)
Signs that are erected upon, against, or directly above a roof, or on top of or directly above the parapet of a building.

(Am. Ord. 11508, 12/5/2017)
11.4.20. DEFINITIONS – S

Salvageable/Transplantable Plant
A plant rated as viable that also has a good likelihood of surviving and adapting to a new location if dug up and replanted.

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

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

Search Area
As applied to wireless communication standards, the limited area within a service area where an antenna can be placed that will provide satisfactory communications service within that service area.

Seriously Mentally Ill Person
One as defined in A.R.S. § 36-550. The determination is to be made by an individual qualified in the State of Arizona to make such evaluation.

Service Area
As applied to wireless communication standards, the geographical area where satisfactory communications service can be provided by the placement of a specific antenna.

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

Service Radius Distance
Service radius distance is a measurable distance that is measured from a public facility (such as a park, fire station, police station, school, and related facilities) outward toward land uses that fall within the facility’s service area.

Service Units
Vehicle-miles of travel and equivalent dwelling units.

Setback
The distance from a setback point and is frequently used interchangeably with the term “perimeter yard.” Setbacks may also pertain to drainage-related or other setbacks.

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

Sidewalk
A constructed pedestrian circulation path meeting, at a minimum, the specifications for construction listed in this code or the Technical Manual.
Definitions and Rules of Construction § 11.4

Sidewalk Area
That portion of a street between the curb line or the lateral line of a roadway and the adjacent property line, whether identified on the ground as a pedestrian walkway or not.

Sign (7A)
Every advertising message, announcement, declaration, display, illustration, insignia, surface or space erected or maintained in a location outside any building and visible to the public for identification, advertising or promotion of the interest of any person, entity, product or service.

Site
The land area consisting of a portion of a lot, an entire lot, or contiguous lots, not including dedicated public property, designated for development as a single entity.

Site Area
The land area of a site.

Site Coverage
The area of an overall project site, inclusive of individual lots, covered by such improvements as buildings, storage areas, and vehicular use areas. See Section 6.4.3, Lot Coverage and Site Coverage, for the types of improvements included and not included in the site coverage calculation. Site coverage, instead of lot coverage, is used when calculating coverage limits for Flexible Lot Developments.

Site Plan
A drawing of a project site that provides detailed information that shows how a proposed project will be developed in compliance with City regulations and other applicable regulations as required by outside review agencies involved in development review.

Site Utilization
The spacing between the sides of buildings.

Slope
An inclined ground surface the inclination of which is expressed as a ratio of horizontal distance to vertical distance.

Slope Plan
A plan that demonstrates the feasibility of complying with the site grading standards and site cut and fill standards, and further depicts the location, extent, and treatment of all cut and fill slopes.

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

Solar Energy System
Either or some combination of (1) a design using natural and architectural features to cool or heat a structure or (2) a mechanical assembly that may include a solar collector, storage facility, and any other components needed to cool or heat a structure.

Specific Plan
A detailed policy plan or regulation that implements the General Plan or any of the elements of that Plan. Specific plans include subregional, area, and neighborhood plans; the Major Streets and Routes (MS&R) Plan; the Unified Development Code (UDC); and any other similar plan.
Specified Anatomical Areas
Either the less than completely and opaquely covered human genitals, pubic region, buttock, anus, or female breasts below a point immediately above the top of the areola; or human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Specified Sexual Activities
Include the following:

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

Square Foot
The area of a square with sides of one foot in length.

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

Standards
Design principles, criteria, and specifications that describe the manner in which development and related improvements are accomplished in order to obtain development approval.

State
Same as the State of Arizona.

Status Offender
A youth of juvenile court age who is under the jurisdiction of a court for offenses that are unlawful for children but not unlawful for adults. It is the status of childhood that allows children to be status offenders.

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

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

Street Lot Line
The property line bounding a street.

Street Perimeter Line
Same as Street Lot Line.

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

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

Structure Height
The vertical dimension of a structure measured from a specified point on the ground. For information on applying a height standards, refer to Section 6.4.4, Height.

Stub Streets
Dead-end streets that are planned to be continued along the same alignment in a future development.

Subdivider
A person or other legal entity that files an application and initiates proceedings for the subdivision of land in accordance with the provisions of this Article or any other local applicable ordinance or state statute, except that an individual serving as agent for such a person or other legal entity is not a subdivider. When applicable, the developer may be required to assume responsibility of the subdivider.

Subdivision
Any division of land, improved or unimproved, for the purpose of financing, sales, or lease, whether immediate or future, in one of four ways:

A. Any property whose boundaries are not fixed by a recorded plat which is divided into four or more lots, tracts, or parcels of land;

B. Any property that requires the development of a new street, which is divided into two or more lots, tracts, or parcels of land;

C. Any property whose boundaries are fixed by a recorded plat, which is divided into more than two parts; or

D. Any condominium, cooperative, community apartment, townhouse, or similar project containing four or more parcels, in which an undivided interest in the land is coupled with the right of exclusive occupancy of any unit located thereon, but plats of such projects need not show the buildings or the manner in which the buildings or airspace above the property shown on the plat are to be divided.

Subdivision Improvements
Subdivision Improvements include all assurable infrastructure for the specific subdivision, common areas, and buildings and other infrastructure needed for the individual lots created by the plat. Subdivision Improvements also include the recording of all legal entitlements necessary for the functioning of the subdivision such as easements, dedications or other binding legal documents. Buildings on newly platted lots are generally not considered part of the assurable subdivision improvements, unless determined by special conditions of the project.

11.4.21. DEFINITIONS – T

Tagging
The tagging of plants on-site to denote their identification number and their disposition, such as whether they will be preserved in place, salvaged and transplanted on-site, and/or salvaged and transplanted off-site.

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

Temporary Sign (7A)
Any sign constructed of cloth, canvas, light fabric, cardboard, wallboard, plastic or other light material and not rigidly and permanently installed in the ground or attached to a building. Political election signs are not included in this definition.

Tenant (7A)
The occupant of a portion of a site or structure with exclusive control over that portion, regardless of whether it is by individual ownership or lease.

Terrace
A relatively level step constructed in the face of a graded slope surface for drainage and maintenance purposes.

Tower
A mast, pole, monopole, guyed or freestanding framework, or other vertical element that acts as an antenna or to which an antenna is affixed or attached.

Tract
The same as "lot."

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

Tucson General Plan
Same as General Plan.
Turf
An area of grass ground cover grown together in a thick mat.

(Am. Ord. 11508, 12/5/2017)

11.4.22. DEFINITIONS — U

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

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

Unoccupied (7A)
A premises or structure:

A. That is not occupied, or

B. That is not being put to those uses authorized by the last business privilege license issued by the City of Tucson for that address and business, or

C. Where the public utilities are not in service.

Upland Vegetation
Refers to vegetation that grows outside of the floodplain, typically on low desert slopes. Upland vegetation on south-facing slopes typically includes the Foothill Palo Verde, Saguaro, and Ocotillo; on north facing slopes, it typically includes the Foothill Palo Verde and Whitethorn Acacia. Some plants, such as Mesquites, are able to grow as upland and riparian vegetation.

Urban Agriculture
The practice of producing food locally through the cultivating, processing, distributing, selling, or gleaning of agricultural products and other related activities in the City and may involve horticulture, aquaculture, and animal husbandry.

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

(Am. Ord. 11328, 12/8/2015; Am. Ord. 11508, 12/5/2017)
11.4.23. DEFINITIONS – V

Vacant (7A)
A premises or structure:

A. From which the fixtures utilized in conjunction with the business activities as authorized by the last business privilege license for that address issued by the City of Tucson have been removed, or

B. Where the public utilities are not in service.

Valet Parking
A service provided whereby a patron leaves his or her car for an attendant to park the car on-site or at an approved off-site location and retrieves it.

Vehicle-miles of Capacity (VMC)
The product of the maximum number of vehicles that can be accommodated on a roadway during an hour and the length of the roadway in miles.

Vehicle Signs (7A)
Signs mounted upon, painted upon or otherwise erected on or affixed to trucks, cars, boats, trailers and other motorized vehicles or equipment.

Vehicle Storage
A space or structure that is used to house or store vehicles, which may include forklifts, moving equipment, lawn equipment, and other powered transport devices or equipment, as well as automobiles and trucks. Vehicle storage does not include commercial long-term parking lots and garages associated with such uses as airports and train stations. Vehicle storage may be a principal or accessory use.

Vehicular Use Area
Any area of a site or structure used for the movement, parking, or standing of motor vehicles. The vehicular use area includes access drives, maneuvering areas, refuse collection locations, loading spaces, and any landscaping and screening within ten feet of these areas.

Viable Plant
A plant on the Protected Native Plant List that is in good physical condition with high or medium rating for health, age, and form.

Violation
Any improvements that are constructed or any use established on a property without zoning compliance or any improvements under construction that are not in compliance with plans approved for zoning or other City
Definitions and Rules of Construction

§ 11.4

code compliance are considered a violation of this chapter. The Planning and Development Services Department (PDSD) shall enforce compliance with this chapter by suspending construction or through other available means until compliance is achieved.

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

(Am. Ord. 11508, 12/5/2017)

11.4.24. DEFINITIONS – W

Wall (7A)
An exterior building surface 30 degrees or less from vertical including, signs affixed to the interior and the exterior of window and door surfaces.

Wall Sign (7A)
Sign that is placed upon a building, its structure, parapet, or architectural feature, with the exposed face of the sign in a plane parallel to the plane of the affected wall, parapet, or architectural feature.

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

Window Sign (7A)
A sign affixed to the interior or exterior of window surface.

Wireless Communications Provider
The entity that provides the wireless communication service.

(Am. Ord. 11508, 12/5/2017)

11.4.25. DEFINITIONS – X

Xeriscape
A landscaping program designed to save water using the seven principles listed below:

- Water conserving design;
- Low water use/drought-tolerant plants;
- Reduction in turf;
- Water harvesting techniques;
- Appropriate irrigation methods;
- Soil improvements and use of mulches; and,
- Proper maintenance practices.

(2018 S-12)
11.4.26. DEFINITIONS – Y

Reserved

11.4.27. DEFINITIONS – Z

Zone
A specifically designated area within which uniform regulations govern the use, placement, spacing, and size of land and buildings. Examples include R-1 residential zone and overlay zones such as the Historic Preservation Zone. It is also referred to as a zoning district.

Zone Boundaries
Zone boundary lines are intended to follow lot lines to the centerlines of streets, alleys, railroad rights-of-way, or extensions of such rights-of-way, except where referenced to a street line or other designated line.

![Zone Boundaries Diagram]

Zoning District
Designated areas that are zones and/or districts.

In a Planned Community District (PCD), a zoning district is an area within a Development Area (DA) comparable to a zoning district established by the UDC, containing one or more land uses and for which the Development Guidelines and Standards in the Master Development Plan (MDP) may be established as provided in Section 2-05.3.2.A.4 of the Administrative Manual.

Zoning Maps
Same as City Zoning Maps.
## REFERENCES TO ORDINANCES

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