

SUSTAINABLE CODE AMENDMENTS: URBAN AGRICULTURE

Section 1: The Tucson Code, Chapter 23B, Unified Development Code, Article 11, is amended to read as follows:

ARTICLE 11, DEFINITIONS AND RULES OF CONSTRUCTION DIVISION 3, DEFINITIONS OF LAND USE GROUPS, CLASSES, AND TYPES

11.3.2 AGRICULTURAL USE GROUP

E. Urban Agriculture

The growing, harvesting, and on-site sale of agricultural products and keeping of small farm animals in urban and suburban locations to provide food products and to promote food security.

1. Community Garden

An area of land established and operated by a non-profit or governmental entity used to grow and harvest food crops primarily for the use of its members who typically cultivate individual garden plots within the community garden. Composting areas may be included. It also includes incidental sales of grown yield and the limited husbandry of small animals, both consistent with UDC requirements. This use may be a primary or accessory use.

2. Urban Farm

An area of land managed and maintained by an individual or group of individuals to grow and harvest food crops and raise small farm animals, to be sold predominantly for profit (other than controlled substances). This use may be a primary or accessory use.

Section 2: The Tucson Code, Chapter 23B, Unified Development Code, Article 11, is amended to read as follows:

**ARTICLE 11, DEFINITIONS AND RULES OF CONSTRUCTION
DIVISION 4, OTHER TERMS DEFINED**

11.4.2 DEFINITIONS-A

Animal

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

Animal, Large

Animals that include large livestock, such as horses, cattle, sheep, oxen, donkeys, mules, llamas, and other similar animals, and animals in the Ratite family, such as emus and ostriches. Fish of any size are not included in this definition.

Animal, Small

Animals that include dwarf goats, rabbits, rodents, fowl, and other similar animals. Fish of any size are not included in this definition.

Animal Unit (AU)

A unit of measurement to compare various animal types based upon equivalent waste generation.

11.4.7 DEFINITIONS-F

Fowl

A bird that is used to produce meat or eggs, including, but not limited to chickens, ducks, and turkeys (geese not included).

11.4.8 DEFINITIONS-G

Goat, Dwarf

Dwarf goats shall mean Nigerian Dwarf, African Pygmy or other breeds that do not exceed 70 pounds at full size.

Section 3: The Tucson Code, Chapter 23B, Unified Development Code, Article 4, is amended to read as follows:

**ARTICLE 4, ZONES
DIVISION 8, USE TABLES**

4.8.3 PERMITTED USES: RURAL AND SUBURBAN RESIDENTIAL ZONES

TABLE 4.8-1: PERMITTED USES – RURAL AND SUBURBAN RESIDENTIAL ZONES						
<i>P = Permitted Use S = Permitted as Special Exception Use</i> [1] Mayor and Council Special Exception Procedure, Section 3.4.4 [2] Zoning Examiner Special Exception Procedure, Section 3.4.3 [3] PSDS Special Exception Procedure, Section 3.4.2						
LAND USE	RH	SR	SH	RX-1	RX-2	USE SPECIFIC STANDARDS
Agricultural Land Use Group With Land Use Class/Type:						
Animal Production:						
General		P	P	P		SR: 4.9.2.A.1.a, 2.b,3.a SH: 4.9.2.A.1.b, 2.b, 2.c, 3.b RX-1: 4.9.2.A.1.a, 2.a, 2.b, 3.a
Excluding Stockyard	P					RH: 4.9.2.A.1.a, 2.b,3.b and 4.9.13.l
Commercial Stables Only		P	P			SR: 4.9.2.A.1.b, 2.b & 4.c SH: 4.9.2.A.1.b, 2.c, & 4.c
Hog Ranch Only	S [1]					RH: 4.9.2.A.3.d and 4.9.13.l
Commercial Feedlot Only	S [1]					RH: 4.9.2.C.1 and 4.9.13.l
Stable or Riding School Only	P					RH: 4.9.2.A.1.b, 2.b, 4.b & 4.c and 4.9.13.l
Crop Production:						
	P	P	P	P	P	RH: 4.9.2.B.1 and 4.9.13.l SR, SH, RX-1, RX-2: 4.9.2.B.1
With Food & Beverage Sales as an accessory use	P	P	P			RH: 4.9.9.A.2.a, 3-8 and 4.9.13.l

TABLE 4.8-1: PERMITTED USES – RURAL AND SUBURBAN RESIDENTIAL ZONES						
<i>P = Permitted Use S = Permitted as Special Exception Use</i> [1] Mayor and Council Special Exception Procedure, Section 3.4.4 [2] Zoning Examiner Special Exception Procedure, Section 3.4.3 [3] PDSD Special Exception Procedure, Section 3.4.2						
LAND USE	RH	SR	SH	RX-1	RX-2	USE SPECIFIC STANDARDS
General Farming	P	P	P	P		SR, SH: 4.9.9.A.1, 2.c, 3, 4, 7 4.9.2.B.1 and: RH: 4.9.2.A.1.a, 2.b, 3.b and 4.9.13.l SR: 4.9.2.A.1.a, 2.b, 3.a SH: 4.9.2.A.1.b, 2.b, 2.c, 3.b RX-1: 4.9.2.A.1.b, 2.a, 2.b, 3.a
<u>Urban Agriculture:</u>						
<u>Community Garden</u>	P	P	P	P	P	All: 4.9.2.D.1
<u>Urban Farm</u>	P	S [3]	P	P	P	SR: 4.9.2.D.2

4.8.4 PERMITTED USES: URBAN RESIDENTIAL ZONES

TABLE 4.8-2: PERMITTED USES– URBAN RESIDENTIAL ZONES						
<i>P = Permitted Use S = Permitted as Special Exception Use</i> [1] Mayor and Council Special Exception Procedure, Section 3.4.4 [2] Zoning Examiner Special Exception Procedure, Section 3.4.3 [3] PDSD Special Exception Procedure, Section 3.4.2						
LAND USE	R-1	R-2	R-3	MH-1	MH-2	USE SPECIFIC STANDARDS
Agricultural Land Use Group With Land Use Class/Type:						
Crop Production	P	P	P	P	P	All zones: 4.9.2.B
<u>Urban Agriculture:</u>						
<u>Community Garden</u>	P	P	P	P	P	All: 4.9.2.D.1
<u>Urban Farm</u>	S [3]	All: 4.9.2.D.2				

4.8.5 PERMITTED USES: OFFICE ZONES

TABLE 4.8-3: PERMITTED USES – OFFICE ZONES				
<i>P = Permitted Use S = Permitted as Special Exception Use</i> [1] Mayor and Council Special Exception Procedure, Section 3.4.4 [2] Zoning Examiner Special Exception Procedure, Section 3.4.3 [3] PDSD Special Exception Procedure, Section 3.4.2				
LAND USE	O-1	O-2	O-3	USE SPECIFIC STANDARDS
Agricultural Land Use Group With Land Use Class/Type:				
<u>Urban Agriculture:</u>				
<u>Community Garden</u>	P	P	P	All: 4.9.2.D.1
<u>Urban Farm</u>	P	P	P	

4.8.6 PERMITTED USES: COMMERCIAL AND MIXED USE ZONES

TABLE 4.8-4: PERMITTED USES – COMMERCIAL AND MIXED USE ZONES						
<i>P = Permitted Use S = Permitted as Special Exception Use</i> [1] Mayor and Council Special Exception Procedure, Section 3.4.4 [2] Zoning Examiner Special Exception Procedure, Section 3.4.3 [3] PDSD Special Exception Procedure, Section 3.4.2						
LAND USE	C-1	C-2	C-3	OCR-1	OCR-2	USE SPECIFIC STANDARDS
Agricultural Land Use Group With Land Use Class/Type:						
<i>Urban Agriculture:</i>						
Community Garden	P	P	P	P	P	All: 4.9.2.D.1
Urban Farm	P	P	P	P	P	

4.8.7 PERMITTED USES: INDUSTRIAL ZONES

TABLE 4.8-5: PERMITTED USES – INDUSTRIAL ZONES*				
<i>P = Permitted Use S = Permitted as Special Exception Use</i> [1] Mayor and Council Special Exception Procedure, Section 3.4.4 [2] Zoning Examiner Special Exception Procedure, Section 3.4.3 [3] PDSD Special Exception Procedure, Section 3.4.2				
*Any Land Use Class not permitted or a Special Exception Use in any other zone, or permitted in the I-2 zone, may be permitted in the I-2 zone and shall comply with the dimensional standards determined to be most similar to the proposed use.				
LAND USE	P-I	I-1	I-2	USE SPECIFIC STANDARDS
Agricultural Land Use Group With Land Use Class/Type:				
<i>Urban Agriculture:</i>				
Community Garden	P	P	P	All: 4.9.2.D.1
Urban Farm	P	P	P	

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

TABLE 4.8-6: PERMITTED USES – SPECIAL USE ZONES (1): OS, IR, P, & RV ZONES					
<i>P = Permitted Use S = Permitted as Special Exception Use</i> [1] Mayor and Council Special Exception Procedure, Section 3.4.4 [2] Zoning Examiner Special Exception Procedure, Section 3.4.3 [3] PDSD Special Exception Procedure, Section 3.4.2					
LAND USE	OS	IR	P	RV	USE SPECIFIC STANDARDS
Agricultural Land Use Group With Land Use Class/Type:					
<i>Animal Production:</i>					
Excluding a Stockyard		P			IR: 4.9.2.A.1.a, .2.b, .3.b, & .3.c and 4.9.13.H
Hog Ranch		S [1]			IR: 4.9.2.A.3.d and 4.9.13.H
Stable or Riding School		P			IR: 4.9.2.A.2.b, & .4 and 4.9.13.H

TABLE 4.8-6: PERMITTED USES – SPECIAL USE ZONES (1): OS, IR, P, & RV ZONES					
<i>P = Permitted Use S = Permitted as Special Exception Use</i> [1] Mayor and Council Special Exception Procedure, Section 3.4.4 [2] Zoning Examiner Special Exception Procedure, Section 3.4.3 [3] PDSD Special Exception Procedure, Section 3.4.2					
LAND USE	OS	IR	P	RV	USE SPECIFIC STANDARDS
Crop Production		P			IR: 4.9.2.B and 4.9.13.H
With Food and Beverage Sales as an accessory use		P			IR: 4.9.9.A.2.a & 3-9 and 4.9.13.H
General Farming		P			IR: 4.9.2.A.1.a, 2.b, 3.b, & .3.c, 4.9.2.B, and 4.9.13.H
Stockyard Operation:					
Commercial Feedlot		S [1]			IR: 4.9.2.C.1 and 4.9.13.H
Livestock Auction Yard		S [1]			IR: 4.9.2.C.2 and 4.9.13.H
<u>Urban Agriculture:</u>					
<u>Community Garden</u>	P	P	P	P	All: 4.9.2.D.1
<u>Urban Farm</u>	S [3]	P	P	P	OS: 4.9.2.D.2

4.8.9 PERMITTED USES: SPECIAL USE ZONES (2) – NC, RVC, & MU

TABLE 4.8-7: PERMITTED USES – SPECIAL USE ZONES (1): NC, RVC, AND MU ZONES				
<i>P = Permitted Use S = Permitted as Special Exception Use</i> [1] Mayor and Council Special Exception Procedure, Section 3.4.4 [2] Zoning Examiner Special Exception Procedure, Section 3.4.3 [3] PDSD Special Exception Procedure, Section 3.4.2				
LAND USE	NC	RVC	MU	USE SPECIFIC STANDARDS
Agricultural Land Use Group With Land Use Class/Type:				
Animal Production:				
Excluding Commercial Stables			P	MU: 4.9.2.A.1.a, 1.c, 2.a, 2.b, & 3.a
Commercial Stables Only			S [2]	MU: 4.9.2.A.1.b, .2.b, & .4.c and 4.9.5.C.6
<u>Urban Agriculture:</u>				
<u>Community Garden</u>	P	P	P	All: 4.9.2.D.1
<u>Urban Farm</u>	S [3]	S [3]	P	NC, RVC: 4.9.2.D.2

Section 4: The Tucson Code, Chapter 23B, Unified Development Code, Article 6, is amended to read as follows:

**ARTICLE 6, DIMENSIONAL STANDARDS AND MEASUREMENTS
DIVISION 6, ACCESSORY USES, BUILDINGS, AND STRUCTURES**

6.6.3 SPECIFICALLY WITHIN RESIDENTIAL ZONES

F. Keeping of Small Farm Animals

- a. No animals may be kept in the front yard setback.
- b. No shelter for an animal (e.g., chicken coop) shall be closer than 20 feet from a residence on another property, measured at the time of construction of the animal shelter, unless written consent is provided by the owner of the affected residential dwelling. This requirement shall be verified and enforced through the issuance of a permit by the city.
- c. In addition to the requirements of subsection b. above, shelters for animals that are five feet or less in height and ten square feet or less in area may have a zero side and rear setback, provided the shelter is fully screened by a six foot tall fully opaque fence, wall, or other similar screening device.
- d. Shelters for animals shall be limited to 12 feet in height in all zones.
- e. The types of animals permitted are limited to those that meet the definition of "Animals, Small" in Sec. 11.4.2. Animals that meet the definition of "Animals, Large" in Sec. 11.4.2 shall not be allowed. Fish of any size for commercial and noncommercial use are not regulated by Animal Units.
- f. Animal units shall be assigned according to the following table:

<u>Small Farm Animals and Fowl</u>	<u>Units per Animal</u>
<u>Chickens</u>	<u>0.1</u>
<u>Ducks</u>	<u>0.2</u>
<u>Turkeys</u>	<u>0.4</u>
<u>Dwarf Goat (female or neutered male only)</u>	<u>0.5</u>
<u>Rabbits</u>	<u>0.1</u>

Rodents (guinea pigs)	0.1
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- g. The number of animals permitted in each district shall meet the applicable animal unit limit in the below table. The animal unit limit shall take precedence over any other standards in the Tucson Code (e.g., Chapter 4, Art. IV) in the case of a conflict.

ZONE	ANIMAL UNITS PERMITTED
RH	*
SR	*
SH	*
RX-1	*
RX-2	2
R-1	2
R-2	1.5
R-3	1
MH-1	**
MH-2	**
* See use specific standards for General Farming in Table 4.8-1.	
** See use specific standards for General Farming in Table 4.8-2.	

- h. If more than 12 chickens are allowed and proposed on a property, written notice shall be sent to all adjacent property owners that provides the number of chickens to be kept on the property and general measures that will be taken to manage the chickens to minimize disturbance and ensure compatibility with adjacent properties.
- i. No uncastrated male goats older than 6 weeks may be kept.
- j. Animals shall be kept within a fenced area or shelter at all times.
- k. Any residential use in a nonresidential zone may keep animals subject to the standards in this Section 6.6.3.F, as applicable.
- l. All requirements in Chapter 4 of the Tucson Code that do not conflict with the requirements of this subsection shall be followed.

G. Aquaponic and Hydroponic Systems

- a. All aquaponic and hydroponic systems shall be fully screened from the view of adjacent property owners and the public from the public ROW.
- b. Aquaponic and hydroponic systems shall be located no closer than 3 feet to a side or rear yard property line and no closer than 5 feet to a front property line.
- c. Aquaponic and hydroponic systems shall follow the City's regular standards for noise, greenhouses, wastewater, and stormwater management.

Section 5: The Tucson Code, Chapter 23B, Unified Development Code, Article 4, is amended to read as follows:

**ARTICLE 4, ZONES
DIVISION 9, USE SPECIFIC STANDARDS**

RESIDENTIAL USE GROUP

D. Home Occupations are permitted as Accessory Land Uses to Mobile Home Dwelling or Family Dwelling as follows:

2. Home occupations other than those specified below are required to comply with Section 4.9.7.E, *Home Occupation: General Standards*; or
3. The following uses within the specified zones are required to comply as follows:

g. Home Occupation: Home Garden Sales is permitted in IR, RH, SR, SH, RX-1, RX-2, R-1, R-2, R-3, MH-1, MH-2, O-1, O-2, O-3, NC, C-1, C-2, C-3, MU, OCR-1, and OCR-2, subject to: 4.9.7.E.1 - .6, .8 - .11, .13. & .15.

E. Home Occupation: General Standards

15. Shall be limited to no more than four events per year.

Section 6: The Tucson Code, Chapter 23B, Unified Development Code, Article 11, is amended to read as follows:

**ARTICLE 11, DEFINITIONS AND RULES OF CONSTRUCTION
DIVISION 4, OTHER TERMS DEFINED**

11.4.9 Definitions – H

Home Garden Sales

The accessory sale of crops grown on-site in a home garden in conjunction with a Family Dwelling use.

Section 7: The Tucson Code, Chapter 23B, Unified Development Code, Article 4, is amended to read as follows:

**ARTICLE 4, ZONES
DIVISION 9, USE SPECIFIC STANDARDS**

4.9.2 AGRICULTURAL USE GROUP

D. Urban Agriculture

1. Community Garden

- a. The incidental sales of crops shall be limited to the hours of 7 a.m. to 8 p.m.
- b. Community gardens may be exempt from parking requirements, unless the Director determines level of sales necessitates off-street parking.
- c. Fencing of community gardens shall be no greater than six feet in height and be no more than 40 percent opacity.
- d. Best Management Practices (BMP) shall be used to ensure that composting areas are actively managed to control odors, pests, and all other potential nuisances to neighbors. The city may require termination of the composting activity if this condition is violated.
- e. Accessory structures are permitted pursuant to the standards in UDC Sec. 4.10 Accessory Uses and Buildings.

- f. To address greenhouses with a heating plant and/or cooling fan, all greenhouses shall comply with Sec. 4.9.2.B.
- g. The Director may require conditions of approval as necessary to protect the health, safety, or welfare of any property impacted by the community garden.

2. Urban Farm

If permitted as a Special Exception, a management plan shall be submitted that includes a description and location of all proposed agricultural uses and structures and provides a management plan to ensure that all farm development, structures, and operations are compatible with the character of the neighborhood.

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Section 8: The Tucson Code, Chapter 23B, Unified Development Code, Article 11, is amended to read as follows:

**ARTICLE 11, DEFINITIONS AND RULES OF CONSTRUCTION
DIVISION 3, DEFINITIONS OF LAND USE GROUPS, CLASSES, AND TYPES**

11.3.9. RETAIL TRADE GROUP

I. Swap Meets and Auctions

Occasional or periodic commercial activities held in an open area or enclosed structure where: 1) groups of sellers rent space on a short-term basis to display, barter, or sell goods to the public and at least 50 percent of swap meet space does not occupy the same allotted area on an uninterrupted, continuous, daily basis for the purpose of display and sale, exchange, or barter of merchandise, exclusive of occasional craft fairs and benefit sales held on public property; or 2) one or more sellers bring goods for auctioning to the public. Typical uses include swap meets, flea markets, auctions, and farmers' markets.

1. Seasonal Farmer's Market

Seasonal or periodic commercial activities held in an open or covered area where groups of sellers rent space on a short-term basis for the primary purpose of displaying, bartering, or selling food products, with accessory display, bartering, and sale of crafts and related items, to the public and, at least 20 percent of the farmer's market space does not occupy the same allotted area on an uninterrupted, continuous, daily basis for the purpose of display and sale, exchange, or barter of merchandise.

2. Permanent Farmer's Market

A permanent or year-round establishment located in an open or covered area where an individual or group of individuals or organizations sell, display, barter, or sell food products, with accessory display, bartering, and sale of crafts and related items.

Section 9: The Tucson Code, Chapter 23B, Unified Development Code, Article 4, is amended to read as follows:

**ARTICLE 4, ZONES
DIVISION 8, USE TABLES**

4.8.3 PERMITTED USES: RURAL AND SUBURBAN RESIDENTIAL ZONES

TABLE 4.8-1: PERMITTED USES – RURAL AND SUBURBAN RESIDENTIAL ZONES						
<i>P = Permitted Use S = Permitted as Special Exception Use</i> [1] Mayor and Council Special Exception Procedure, Section 3.4.4 [2] Zoning Examiner Special Exception Procedure, Section 3.4.3 [3] PDSD Special Exception Procedure, Section 3.4.2						
LAND USE	RH	SR	SH	RX-1	RX-2	USE SPECIFIC STANDARDS
Retail Trade Land Use Group With Land Use Class/Type:						
Artists/Artisans Workshop/Studio	S [2]					RH: 4.9.9.B.2 and 4.9.13.I
Feed store	S [1]					RH: 4.9.13.A.2 & I
Food and Beverage Sales	S [1]					RH: 4.9.9.A.10 and 4.9.13.I
Fuel dispensing	S [1]					RH: 4.9.13.A.2 & .I
General Merchandise Sales	S [1]					
<u>Swap Meets and Auctions, limited to Seasonal Farmer's Market only</u>	P	P	P	P	P	All: 4.9.9.F

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4.8.4 PERMITTED USES: URBAN RESIDENTIAL ZONES

TABLE 4.8-2: PERMITTED USES – URBAN RESIDENTIAL ZONES						
<i>P = Permitted Use S = Permitted as Special Exception Use</i> [1] Mayor and Council Special Exception Procedure, Section 3.4.4 [2] Zoning Examiner Special Exception Procedure, Section 3.4.3 [3] PDSD Special Exception Procedure, Section 3.4.2						
LAND USE	R-1	R-2	R-3	MH-1	MH-2	USE SPECIFIC STANDARDS
Retail Trade Land Use Group With Land Use Class/Type:						
<u>Swap Meets and Auctions, limited to Seasonal Farmer's Market only</u>	P	P	P	P	P	All: 4.9.9.F

4.8.5 PERMITTED USES: OFFICE ZONES

TABLE 4.8-3: PERMITTED USES – OFFICE ZONES				
<i>P = Permitted Use S = Permitted as Special Exception Use</i> [1] Mayor and Council Special Exception Procedure, Section 3.4.4 [2] Zoning Examiner Special Exception Procedure, Section 3.4.3 [3] PDSD Special Exception Procedure, Section 3.4.2				
LAND USE	O-1	O-2	O-3	USE SPECIFIC STANDARDS
Retail Trade Land Use Group With Land Use Class/Type:				
Swap Meets and Auctions, limited to Seasonal Farmer's Market only	P	P	P	All: 4.9.9.F

4.8.6 PERMITTED USES: COMMERCIAL AND MIXED USE ZONES

TABLE 4.8-4: PERMITTED USES – COMMERCIAL AND MIXED USE ZONES						
<i>P = Permitted Use S = Permitted as Special Exception Use</i> [1] Mayor and Council Special Exception Procedure, Section 3.4.4 [2] Zoning Examiner Special Exception Procedure, Section 3.4.3 [3] PDSD Special Exception Procedure, Section 3.4.2						
LAND USE	C-1	C-2	C-3	OCR-1	OCR-2	USE SPECIFIC STANDARDS
Retail Trade Use Group With Land Use Class/Type:						
Construction Material Sales		P	P			
Food and Beverage Sales:						
Excluding Large Retail Establishment	P	P	P	P	P	C-1: 4.9.13.O
Large Retail Establishment	S [1]	C-1: 4.9.9.D and 4.9.13.O C-2, C-3, OCR-1, OCR-2: 4.9.9.D				
General Merchandise Sales, excluding Large Retail Establishment	P	P	P	P	P	C-1: 4.9.9.B.3 and 4.9.13.O C-2, C-3: 4.9.9.B.1 OCR-1, OCR-2: 4.9.9.B.1
Large Retail Establishment	S [1]	C-1: 4.9.9.D and 4.9.13.O C-2, C-3, OCR-1, OCR-2: 4.9.9.D				
With Automotive Minor Service and Repair as an accessory use to automotive fuel sales	P					C-1: 4.9.4.F.7 and 4.9.13.O
Heavy Equipment Sales		P	P			C-2, C-3: 4.9.9.C
Medical Marijuana:						
Designated Caregiver Cultivation Location		P	P			C-2, C-3: 4.9.9.E.2 & 3
Dispensary		P	P			C-2, C-3: 4.9.9.E.1
Dispensary Off-site Cultivation Location		P	P			C-2, C-3: 4.9.9.E.2
Qualifying Patient Cultivation Location		P	P			C-2, C-3: 4.9.9.E.4
Swap Meets and Auctions		P	P	S [3]	S [3]	C-2, C-3, OCR-1, OCR-2: 4.9.9.G

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TABLE 4.8-4: PERMITTED USES – COMMERCIAL AND MIXED USE ZONES <i>P = Permitted Use S = Permitted as Special Exception Use</i> [1] Mayor and Council Special Exception Procedure, Section 3.4.4 [2] Zoning Examiner Special Exception Procedure, Section 3.4.3 [3] PDSD Special Exception Procedure, Section 3.4.2						
LAND USE	C-1	C-2	C-3	OCR-1	OCR-2	USE SPECIFIC STANDARDS
Permanent Farmer's Market only		P	P	P	P	All: 4.9.9.G
Seasonal Farmer's Market only	P	P	P	P	P	All: 4.9.9.F
Vehicle Rental and Sales		P	P	P	P	C-2, C-3, OCR-1, OCR-2: 4.9.9.H.1 & .2

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4.8.7 PERMITTED USES: INDUSTRIAL ZONES

TABLE 4.8-5: PERMITTED USES – INDUSTRIAL ZONES* <i>P = Permitted Use S = Permitted as Special Exception Use</i> [1] Mayor and Council Special Exception Procedure, Section 3.4.4 [2] Zoning Examiner Special Exception Procedure, Section 3.4.3 [3] PDSD Special Exception Procedure, Section 3.4.2				
LAND USE	P-I	I-1	I-2	USE SPECIFIC STANDARDS
Retail Trade Land Use Group With Land Use Class/Type:			*	
Construction Material Sales		P	P	I-1, I-2: 4.9.13.Q
Food and Beverage Sales:				
Excluding Large Retail Establishments		P		I-1, I-2: 4.9.13.Q
Large Retail Establishment		S [1]		I-1: 4.9.9.D and 4.9.13.Q
Food and Beverage Sales as an accessory use to a permitted use in any Land Use Group			P	I-2: 4.9.5
General Merchandise Sales:				
Excluding Large Retail Establishments		P	P	I-1, I-2: 4.9.13.Q
Large Retail Establishment		S [1]	S [1]	I-1, I-2: 4.9.9.D and 4.9.13.Q
Heavy Equipment Sales		P	P	I-1, I-2: 4.9.9.C and 4.9.13.Q
Medical Marijuana Cultivation Location:				
Designated Caregiver Cultivation Location		P	P	I-1, I-2: 4.9.9.E.2 & .3 and 4.9.13.Q
Dispensary Off-Site Cultivation Location		P	P	I-1, I-2: 4.9.9.E.2 and 4.9.13.Q
Qualifying Patient Cultivation Location		P	P	I-1, I-2: 4.9.9.E.4 and 4.9.13.Q
Swap Meets and Auctions	S [3]	S [3]	P	P-1, I-1, I-2: 4.9.9.G and 4.9.13.Q
Auctions only		P		I-1: 4.9.9.G and 4.9.13.Q
<u>Permanent Farmer's Market only</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>All: 4.9.9.G</u>
<u>Seasonal Farmer's Market only</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>All: 4.9.9.F</u>
Vehicle Rental and Sales	P	P	P	P-1: 4.9.9.H.2, & .3 and 4.9.13.Q I-1, I-2: 4.9.9.H.1 and 4.9.13.Q

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

TABLE 4.8-6: PERMITTED USES – SPECIAL USE ZONES (1): OS, IR, P, & RV ZONES					
P = Permitted Use S = Permitted as Special Exception Use					
[1] Mayor and Council Special Exception Procedure, Section 3.4.4					
[2] Zoning Examiner Special Exception Procedure, Section 3.4.3					
[3] PDSD Special Exception Procedure, Section 3.4.2					
LAND USE	OS	IR	P	RV	USE SPECIFIC STANDARDS
Retail Trade Use Group With Land Use Class/Type:					
General Merchandise Sales:					
Artists/Artisan Workshop/Studio only		S [2]			IR: 4.9.9.B.2 and 4.9.13.H
Feed Store only		S [1]			IR: 4.9.13.A.2 and 4.9.13.H
Swap Meets and Auctions, limited to Seasonal Farmer's Market only		P	P	P	All: 4.9.9.F

4.8.9 PERMITTED USES: SPECIAL USE ZONES (2) – NC, RVC, & MU

TABLE 4.8-7: PERMITTED USES – SPECIAL USE ZONES (1): NC, RVC, AND MU ZONES				
P = Permitted Use S = Permitted as Special Exception Use				
[1] Mayor and Council Special Exception Procedure, Section 3.4.4				
[2] Zoning Examiner Special Exception Procedure, Section 3.4.3				
[3] PDSD Special Exception Procedure, Section 3.4.2				
LAND USE	NC	RVC	MU	USE SPECIFIC STANDARDS
Retail Trade Use Group With Land Use Class/Type:				
Construction Material Sales			S [2]	MU: 4.9.5.C.6
Food and Beverage Sales:				
Excluding Large Retail Establishments	P	P	S [2]	NC: 4.9.13.M and excluding alcoholic beverage sales RVC: 4.9.13.N MU: 4.9.5.C.6
Large Retail Establishment		S [1]		RVC: 4.9.9.D and 4.9.13.N
General Merchandise Sales:				
Excluding Large Retail Establishments	P	P	S [2]	NC: 4.9.13.M RVC: 4.9.13.N MU: 4.9.5.C.6
Large Retail Establishment		S [1]		RVC: 4.9.9.D and 4.9.13.N
Heavy Equipment Sales			S [2]	MU: 4.9.5.C.6 and 4.9.9.C
Swap Meets and Auctions, limited to Seasonal Farmer's Market only	P	P	P	All: 4.9.9.F
Vehicle Rental and Sales			S[2]	MU: 4.9.5.C.6 and 4.9.9.H.1, .2
Additional Permitted Accessory Uses				
Salvaging and Recycling as an accessory use to any permitted Retail Trade uses	P	P	P	All: 4.9.5.G.1 & .3

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Section 10: The Tucson Code, Chapter 23B, Unified Development Code, Article 6, is amended to read as follows:

**ARTICLE 6, DIMENSIONAL STANDARDS AND MEASUREMENTS
DIVISION 6, ACCESSORY USE, BUILDINGS, AND STRUCTURES**

6.6.1 ACCESSORY USES

In all zones, an accessory use shall comply with the following:

G. Other Accessory Uses

1. Seasonal Farmer's Market

A Seasonal Farmer's Market is a permitted accessory use in any residential zone when accessory to an institutional or civic use, such as a school or church, and permitted in any nonresidential zone.

2. Permanent Farmer's Market

A Permanent Farmer's Market is a permitted accessory use in the C-2, C-3, OCR-1, OCR-2, P-1, I-1 and I-2 zones.

Section 11: The Tucson Code, Chapter 23B, Unified Development Code, Article 4, is amended to read as follows:

**ARTICLE 4, ZONES
DIVISION 9, USE SPECIFIC STANDARDS**

4.9.9 RETAIL TRADE USE GROUP

F. Seasonal Farmer's Market

1. A Seasonal Farmer's Market may not be operated more than 28 days in a calendar year and may not be operated on more than three consecutive days.

2. A Seasonal Farmer's Market may only be operated between the hours of 7:30 a.m. and 7 p.m. on any day of the week.

3. No more than 60 vendors may participate in a Seasonal Farmer's Market. Each stall area used by a vendor may not exceed 20 feet by 20 feet.
4. All litter, tents, stalls, food, merchandise, and other evidence of the Seasonal Farmer's Market shall be removed from the premises at the end of each market day.
5. Craft-related product sales must be clearly incidental to sale of food products.
6. If the Seasonal Farmer's Market is proposed to be on the site of an institutional use, the institutional use shall have a parking lot of at least 50 parking spaces.

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G. Swap Meets and Auctions

1. Large animals shall not be sold.
2. Area lighting shall be low-pressure sodium and shielded on top.
3. The retail area shall be dust-proofed.
4. The following additional requirements apply if the use is located within 400 feet of a residential use or zone.
 - a. The use shall not operate later than 11:00 p.m.
 - b. Any high noise activity, such as amplified auctioneering, entertainment, or woodworking, shall occur within an enclosed building.

H. Vehicle Rental and Sales

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1. Outdoor lights shall not operate later than 10:00 p.m., except for security lighting provided it does not exceed ten percent of all outdoor lighting.
2. Any lights used to illuminate outdoor activity shall be arranged so as to reflect the light away from adjacent property and comply with Chapter 6, *Outdoor Lighting Code*, of the Tucson Code.
3. Limited to rental only; no retail sales.