



PLANNING COMMISSION

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

DATE: September 18, 2013

TO: Planning Commission

FROM: Ernie Duarte
Executive Secretary

SUBJECT: Unified Development Code and Technical Standards Manual Text
Amendments: Corrections, Edits, & Clarifications – Public Hearing

Issue

This item is scheduled for a public hearing. A study session was held on this item on August 21, 2013. The Planning Commission did not raise any issues at the study session.

Since the October 9, 2013 adoption of the Unified Development Code (UDC), Administrative Manual, and Technical Standards Manual, staff has continued to review the documents and has found that there are corrections and clarifications needed. One group of corrections, edits, and clarifications were adopted by the Mayor and Council on May 14, 2013. However, since May, staff has found additional corrections and clarifications that are needed.

The proposed amendments are corrections of scrivener's errors, corrections to requirements that were transferred from the Land Use Code (LUC) to the UDC incorrectly, inclusion of provisions from the LUC inadvertently not transferred to the UDC, or clarifications of vague or confusing requirements. None of these proposed text amendments will result in a significant change to how the requirements are implemented or enforced. A summary and a full description of the proposed corrections are provided in Attachments A and B, respectively.

Recommendation – Staff recommends that the Planning Commission forward this item to the Mayor and Council with a recommendation to adopt the proposed text amendments.

Corrections of note

The following is a description of several key corrections. See Attachments A & B for a complete accounting of all of the proposed revisions.

1. **Notice and Posting Requirements.** During the LUC Simplification Project, the migration of procedural requirements from the Tucson City Code Chapter 23A (Chapter 23A) and the Land Use Code (LUC) to the Unified Development Code (UDC), inadvertently merged the distinct notice requirements for the administrative reviews with the requirements for rezonings, special exceptions with public hearings, and appeals and variances. The error somewhat extends the rezoning and special

exception processes, and potentially reduces the opportunity for public input because it restricts public comments to 20 days. The proposed changes would correct this error and make the process consistent with the LUC. Unrelated to these issues, but also problematic, is that the notice requirements for Planned Area Developments (PAD) and Planned Community Developments (PCD) were combined into a single standard, thereby significantly increasing the cost of processing PADs to applicants and to the City.

2. Planned Area Development (PAD) – Distinct Standards. The PAD standards from the Land Use Code were transferred incorrectly to the UDC whereby the UDC allows PADs to have distinct dimensional standards only and not broader permission to have distinct land use regulations (including permitted uses and other development standards such as parking and landscaping) as allowed in the LUC. The UDC needs to be corrected to address this issue.
3. Outdoor Activities Associated with Day Care and Elementary and Secondary Educational Uses. In certain zones, outdoor activities associated with Day Care and Elementary and Secondary Educational Uses were inadvertently prohibited in the Unified Development Code. The UDC needs to be corrected so that these uses are consistent with State law, which requires outdoor areas for these uses.
4. Conflicting Regulations. In two instances, there are conflicting regulations that have to be resolved: A) Travelers' Accommodation as a home occupation in the SR, SH, RX-1, and RX-2 zones – one regulation limits the maximum number of clients to 5 per day, while another regulation permits up to 8 guests; and, B) Day Care in the R-1, R-2, and R-3 zones – the minimum lot size and maximum lot coverage standards in Article 6 are inconsistent with the use-specific standards in Article 4.

Attachment

A – Summary of the Proposed Text Amendments to the Unified Development Code

B – Proposed Text Amendments to the Unified Development Code

ATTACHMENT A: SUMMARY OF THE PROPOSED TEXT AMENDMENTS TO THE UNIFIED DEVELOPMENT CODE AND THE TECHNICAL STANDARDS MANUAL

UNIFIED DEVELOPMENT CODE

The following is a summary of the proposed text amendments to the Unified Development Code (UDC). The full text of each proposed text amendment is provided on Attachment B (see page reference in the “Number” column below).

Number	Summary of Proposed Amendment	Rationale
1 <i>Attachment B, Page 1-4</i>	Various changes to Table 3.2-1 (Public Notice and Procedural Requirements)	Correct omissions/mistakes from creation of table.
2 <i>Attachment B, page 5</i>	Sec. 3.2.2.C.1.a (Neighborhood Meeting) Replace “with” with the word “within”	Corrects grammar.
3 <i>Attachment B, page 6</i>	Sec. 3.2.2.C.4 (Neighborhood Meeting) Replace “mailing” in the last line with “preparation of notice”	Provide correct title for section referenced.
4 <i>Attachment B, page 7</i>	Sec. 3.2.4.B.3.c (Public Notice) Delete “as set forth in Section 3.2.4.H”	This language is unnecessary for the section.
5 <i>Attachment B, page 8</i>	Sec. 3.2.4.B.3.c (Public Notice) Insert new: subsection c.1 Exception: Flexible Lot Design (FLD) acceptance letters do not have a public comment period and are for information only.	Clarifies that FLD acceptance letters are informational and not associated with a comment period.
6 <i>Attachment B, page 9</i>	Sec. 3.2.4.B.4 (Public Notice) Add new subsection c: c. Recipients of notice under Section 3.2.4.B.6 for Zoning Examiner decisions and the Zoning Examiner Legislative Procedure shall be provided with the web link to	Provides for notice of decision in Zoning Examiner decisions and the Zoning Examiner Legislative Procedure.

Number	Summary of Proposed Amendment	Rationale
	the decision, with the option to request a hard copy of the decision from PDS.	
7 <i>Attachment B, page 10</i>	Sec. 3.2.4.H (Public Notice) Add new subsection H.3 3. For the Zoning Examiner Legislative Procedure, Approval-Protest Forms can be submitted from the time of mailed notice until one day before the scheduled Mayor and Council action.	Adds clarification and certainty for the submittal of A-P forms
8 <i>Attachment B, page 11</i>	Sec. 3.4.3.E (Zoning Examiner Special Exception Procedure) Delete the entire section.	Corrects public comment period reference. The public comment period (PCP) in LUC was for Administrative Reviews not public hearings. Change is consistent with previous LUC process.
9 <i>Attachment B, page 12</i>	Sec. 3.4.3.F-K (Zoning Examiner Special Exception Procedure) Renumber 3.4.3.E-J	Renumbering required due to striking of 3.4.3.E above.
10 <i>Attachment B, page 13</i>	Sec. 3.4.4.B.1 (Mayor and Council Special Exception Procedure) Renumber to 3.4.3.B.-H	Renumbering required due to striking of 3.4.3.E above.
11 <i>Attachment B, page 14</i>	3.5.3.E.1.a (Zoning Examiner Legislative Procedure) Strike: and Table 3.2-1	This is redundant to Section 2.4.B.6 which references Table 3.2-1
12 <i>Attachment B, page 15</i>	Section 3.5.3.F (Zoning Examiner Legislative Procedure) Strike the entire section.	Corrects public comment reference. The public comment period (PCP) in LUC was for Administrative Reviews not public hearings. Change is consistent with previous LUC process.
13 <i>Attachment B, page 16</i>	Sec. 3.5.3.G-K (Zoning Examiner Legislative Procedure) Renumber to 3.5.3.F-J	Renumber due to striking 3.5.3.F above.
14 <i>Attachment</i>	Sec. 3.5.3.H, (formerly I) (Zoning Examiner Legislative Procedure) Delete: and the owners of property	Clarifies current procedure. The property owners receive notice of the public hearing and the web link where

Number	Summary of Proposed Amendment	Rationale
<i>B, page 17</i>	located within 300 feet of the rezoning site	the complete report and other materials associated with the case can be found. This has been the practice since 2011.
15 <i>Attachment B, page 18</i>	Sec. 3.5.5.B (Planned Area Development Zone) Strike: Dimensional Replace with: Land Use Regulations 3.5.5.B.1 (Planned Area Development Zone) Strike: Dimensional Replace with: land use regulations and insert <u>the UDC and</u> before “other zoning districts”	Corrects a mistake. PADs can have distinct land use regulations and technical standards, not just dimensional standards.
16 <i>Attachment B, page 19</i>	Sec. 3.10.3.M (Board of Adjustment) Strike: See Table 3.2-1 and Section 3.2.4.	Removes a redundant and unnecessarily broad reference.
17 <i>Attachment B, page 20</i>	Sec. 3.11.1.D.2.f (Design Development Option) Add a missing finding to the Design Development Option procedure.	Corrects a mistake. The finding was inadvertently not transferred from the LUC.
18 <i>Attachment B, page 21</i>	Table 4.8-1: Permitted Uses – Rural and Suburban Residential Zones Correct the use-specific standard references for Home Occupation: Travelers’ Accommodation, Lodging as an accessory to use to an permitted Family Dwelling use in the Rural and Suburban Residential Zones (i.e. RH, SR, SH, RX-1, & RX-2)	Corrects a mistake. The proposed amendments correct the errors to the use-specific standards transferred incorrectly from the LUC to the UDC.
19 <i>Attachment B, page 23</i>	Table 4.8-2: Permitted Uses – Urban Residential Zones Correct the use-specific standard references for Residential Care Services and the Home Occupation: Travelers’ Accommodation, Lodging as an accessory to use to an permitted Family Dwelling use in the Urban Residential Zones (i.e. R-1, R-2, R-3, MH-1, &	Corrects a mistake. The proposed amendments correct the errors to the use-specific standards transferred incorrectly from the LUC to the UDC.

Number	Summary of Proposed Amendment	Rationale
	MH-2)	
<p>20</p> <p><i>Attachment B, page 25</i></p>	<p>Table 4.8-4: Permitted Uses – Commercial and Mixed Use Zones Correct the use-specific standard reference for the Communications: Wireless Communication use and Restricted Adult Activities uses in the C-2 Zone.</p>	<p>Corrects a mistake. The proposed amendments correct the errors to the use-specific standards transferred incorrectly from the LUC to the UDC.</p>
<p>21</p> <p><i>Attachment B, page 26</i></p>	<p>Table 4.8-5: Permitted Uses – Industrial Zones Correct the use-specific standard reference for Travelers’ Accommodation, Lodging use in the I-1 and I-2 Zones.</p>	<p>Corrects a mistake. The proposed amendments correct the errors to the use-specific standards transferred incorrectly from the LUC to the UDC.</p>
<p>22</p> <p><i>Attachment B, page 27</i></p>	<p>Sec. 4.9.7.D.2 (Use Specific Standards: Home Occupations are permitted as Accessory Land Uses to Mobile Home Dwelling or Family Dwelling) Correct the use-specific standards required of various permitted home occupation uses to match the regulations that were in effect prior to the UDC.</p>	<p>Corrects a mistake. The proposed amendments correct the errors to the use-specific standards transferred incorrectly from the LUC to the UDC.</p>
<p>23</p> <p><i>Attachment B, page 29</i></p>	<p>Sec. 4.9.7.J.7 (Use Specific Standards: Residential Care Services) Correct one of the use-specific standards required of Residential Care Services to remove a redundancy.</p>	<p>The proposed amendment removes a redundancy.</p>
<p>24</p> <p><i>Attachment B, page 30</i></p>	<p>Sec. 4.9.13.J.2 (Use Specific Standards: General Standards, Restrictions, and Exceptions) Correct the general restrictions for the O-1, O-2, O-3, NC (Neighborhood Commercial), RVC (Rural Village Center) zones to exempt Day Care and Educational uses from the prohibition against outdoor activities.</p>	<p>Corrects a mistake. The Day Care and Educational uses were inadvertently prohibited from having outdoor activities in the LUC to UDC transfer.</p>

Number	Summary of Proposed Amendment	Rationale
<p>25</p> <p><i>Attachment B, page 32</i></p>	<p>Sec. 5.3.4.A.3 (Scenic Corridor Zone: Scenic Route Buffer Area) Delete “such as construction staging areas” from one of the Scenic Route Buffer Area requirements (within the Scenic Corridor Zone).</p>	<p>1) Corrects a mistake. The standard was transferred incorrectly from the LUC to the UDC; and, 2) The standard as written conflicts with the permitted improvements in the Scenic Route Buffer Area detailed in Sec. 5.3.4.C.</p>
<p>26</p> <p><i>Attachment B, page 33</i></p>	<p>Sec. 5.8.8.D (Historic Preservation Zone – Maintenance) Correct the outdated reference to Uniform Building Code.</p> <p>and 7.6.4.E (Landscape and Screening – Plant Cover/Dust Control)</p>	<p>References to the building codes need to be updated.</p>
<p>27</p> <p><i>Attachment B, page 34</i></p>	<p>Table 6.3-2.B: Exceptions to the R-1, R-2, R-3, MH-1, & MH-2 Dimensional Standards Correct the exceptions to the dimensional standards associated with the Day Care and Residential Care Service uses in the R-2 and R-3 zones.</p>	<p>Corrects a mistake. The exceptions to the dimensional standards were transferred incorrectly from the LUC to the UDC.</p>
<p>28</p> <p><i>Attachment B, page 39</i></p>	<p>Sec. 7.6.4.E (Landscape and Screening – Plant Cover/Dust Control) Correct the outdated reference to Uniform Building Code.</p>	<p>References to the building codes need to be updated.</p>

TECHNICAL STANDARDS MANUAL

The following is a summary of the proposed text amendments to the Technical Standards Manual (TSM). The full text of each proposed text amendment is provided on Attachment B (see page reference in the “Number” column below).

Number	Summary of Proposed Amendment	Rationale
TSM-1 <i>Attachment B, Page 40</i>	Sec. 5-02.3.4 (Landscaping – Drought Tolerant Seeds) Correct the outdated reference to Uniform Building Code.	References to the building codes need to be updated.
TSM-2 <i>Attachment B, page 41</i>	Sec. 7-01.3.2 (Pedestrian Access – Pedestrian Path Required) Correct the outdated reference to Uniform Building Code.	References to the building codes need to be updated.

ATTACHMENT B: PROPOSED TEXT AMENDMENTS TO THE UNIFIED DEVELOPMENT CODE AND THE TECHNICAL STANDARDS MANUAL

UNIFIED DEVELOPMENT CODE

#1

Summary of the Proposed Amendments: Correct mistakes in the Public Notice and Procedural Requirements table to match the requirements in effect prior to the UDC.

Sections: Table 3.2-1 Public Notice and Procedural Requirements

Rationale: Correct omissions/mistakes resulting from the creation of the table. Changes are shown with ~~strikethroughs~~ and underscores and are shaded for ease of spotting.

Proposed Amendments: See table below.

UNIFIED DEVELOPMENT CODE ARTICLE 3: GENERAL PROCEDURES SECTION 2, GENERAL REQUIREMENTS

3.2.3 APPLICATION REQUIREMENTS

TABLE 3.2-1 PUBLIC NOTICE AND PROCEDURAL REQUIREMENTS											
				NOTICE**							
Procedure	Section	Pre-Application Conference	Neighborhood Meeting	Mailing/Distance	Posted	Published	Neighborhood Association/Distance	Application Acceptance	Notice of Decision	Decision Maker	Appeal
ZONING ADMINISTRATOR INTERPRETATION											
ZA Interpretatio	1.5.1							R	See Sec.	ZA	B/A

TABLE 3.2-1 PUBLIC NOTICE AND PROCEDURAL REQUIREMENTS

TABLE 3.2-1 PUBLIC NOTICE AND PROCEDURAL REQUIREMENTS											
Procedure	Section	Pre-Application Conference	Neighborhood Meeting	NOTICE**						Decision Maker	Appeal
				Mailing/Distance	Posted	Published	Neighborhood Association/Distance	Application Acceptance	Notice of Decision		
n of UDC										1.5.1	
ZONING COMPLIANCE REVIEW											
50' Notice	3.3.4.E			R/50'			R/NA of the site	R	R	PDSD Director	B/A
300' Notice	3.3.5	R	R	R/300'			R/1 mile	R	R	PDSD Director	M/C
NPZ Design Review	5.10.3	R		R/50'			R/NA of the site		R	PDSD Director	DRB
PDSD ADMINISTRATIVE APPROVAL											
Minor Subdivision & Block Plat Review	8.4.3.E	R								PDSD Director/M/C	
FLD Subdivision Plat or Site Plan	8.7.3.P		R	R/300'			R/1 mile	R		PDSD Director/Varies (see Sec. 8.7.3.P)	
SPECIAL EXCEPTION LAND USES											
PDSD Director SE	3.4.2			R/50'			R/NA of the site	R	R	PDSD Director	B/A
ZE SE	3.4.3	R	R	R/300'	R	R	R/1 mile	R		ZE	M/C
M/C SE	3.4.4	R	R	R/300'	R	R	R/1 mile	R		M/C	
REZONING / ZONING EXAMINER LEGISLATIVE PROCEDURE											
Rezoning to Establish a PAD	3.5	R	R	R/300'	R	R	R/1 mile	R	R	M/C	
Rezoning to Establish a PAD or PCD	3.5.7.E	R	R	R/1/2 mile	R	R	R/1-2 mile	R	R	M/C	
Major Change to RZ condition; Site Specific Establishment of an Overlay Zone; Major amendments to PAD, PCD	3.5	R	R	R/300'	R	R	R/1 mile	R	R	M/C	
LAND USE PLAN ADOPTION AND AMENDMENT											

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TABLE 3.2-1 PUBLIC NOTICE AND PROCEDURAL REQUIREMENTS

TABLE 3.2-1 PUBLIC NOTICE AND PROCEDURAL REQUIREMENTS											
Procedure	Section	NOTICE**									
		Pre-Application Conference	Neighborhood Meeting	Mailing/Distance	Posted	Published	Neighborhood Association/Distance	Application Acceptance	Notice of Decision	Decision Maker	Appeal
Readoption of General Plan	3.6	Notice is in conformance with the requirements of A.R.S § 9-461.06							M/C		
Adoption of MS&R, Redev. or Specific Plan	3.6	Notice is in conformance with the requirements of A.R.S. § 9-461.06 For Redevelopment Plans, notice must be published for 2 consecutive weeks in compliance with A.R.S. § 36-1479							M/C		
Site-Specific Amendment to Gen. Plan, MS&R, Redevelopment, or Specific Plan.	3.6	R	R	R/ 300'		R	R/ 1 mile			M/C	
UNIFIED DEVELOPMENT CODE TEXT AMENDMENT											
Text Amendment, General	3.7					R/ 1/8 th page display ad	R/ All NA registered with the City			M/C	
Text Amend. Creating or Amending an Overlay zone	3.7		R	R/ 300" & all owners within Over- lay Zone		R/ 1/8 th page display ad	R/ All NA registered with the City			M/C	
APPEALS PROCEDURES											
DRB Appeal	3.9.1			R/50'			R/NA of the site		R	M/C	
M/C Appeal	3.9.2			R/300'	R	R	R/1 mile		R	M/C	
Takings Appeal	3.9.3. C								R/Ap plicant only	ZA	
BOARD OF ADJUSTMENT APPEAL AND VARIANCE											
B/A Appeal	3.10. 2			R/300'	R	R	R/1 mile		R	B/A	
B/A Variance	3.10. 3	R	R	R/300'	R	R	R/1 mile	R	R	B/A	
ADMINISTRATIVE MODIFICATIONS											
DDO	3.11. 1			R/ 50'			R/NA of the site	R	R	PDSD Director	B/A
RND - Minor	5.11.			R/			NA of site			PDSD	B/A

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TABLE 3.2-1 PUBLIC NOTICE AND PROCEDURAL REQUIREMENTS

TABLE 3.2-1 PUBLIC NOTICE AND PROCEDURAL REQUIREMENTS											
				NOTICE**							
Procedure	Section	Pre-Application Conference	Neighborhood Meeting	Mailing/Distance	Posted	Published	Neighborhood Association/Distance	Application Acceptance	Notice of Decision	Decision Maker	Appeal
MDR	9			50'						Director	
MISCELLANEOUS APPROVALS											
Protected Development Right	3.12.2								R to applicant only	M/C	
B/A=Board of Adjustment DDO=Development Design Option DRB=Design Review Board M/C=Mayor and Council MDR= Modification of Development Regulations				MS&R=Major Streets and Routes Plan NA=Neighborhood Association PDSD=Planning & Development Services Department PH=Public Hearing				RND=Rio Nuevo District RZ=Rezoning ZA=Zoning Administrator ZE=Zoning Examiner **See also Special Notice Requirements in Section 3.2.4.B, 6 & 7			

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#2

Summary of the Proposed Amendments: Replacing incorrect word.

Sections: 3.2.2.C.1.a

Rationale: Grammar

Proposed Amendments:

**UNIFIED DEVELOPMENT CODE
ARTICLE 3: GENERAL PROCEDURES
SECTION 2, GENERAL REQUIREMENTS**

3.2.2 NEIGHBORHOOD MEETING

C. Meeting Requirements

1. Standards

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

#3

Summary of the Proposed Amendments: Provide correct title for section referenced.

Sections: 3.2.2.C.4

Rationale: Correct reference error.

Proposed Amendments:

**UNIFIED DEVELOPMENT CODE
ARTICLE 3: GENERAL PROCEDURES
SECTION 2, GENERAL REQUIREMENTS**

C. Meeting Requirements

4. Preparation of Notice

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

#4

Summary of the Proposed Amendments: Delete reference to 3.2.4.H

Sections: 3.2.4.B.3.c

Rationale: Language is unnecessary.

Proposed Amendments:

**UNIFIED DEVELOPMENT CODE
ARTICLE 3: GENERAL PROCEDURES
SECTION 2, GENERAL REQUIREMENTS**

3. Content of Notices of Application Acceptance and Public Hearing

- c. An advisory that public comments regarding the matter may be submitted prior to the public hearing, or if no public hearing is required, that public comments may be submitted within the comment period for notice procedures, ~~as set forth in Section 3.2.4.H;~~

#5

Summary of the Proposed Amendments: Add in exception for FLD acceptance letter which is for information only

Sections: 3.2.4.B.3.c.1 (New Section)

Rationale: Clarifies that there is no public comment period for the FLD process.

Proposed Amendments:

**UNIFIED DEVELOPMENT CODE
ARTICLE 3: GENERAL PROCEDURES
SECTION 2, GENERAL REQUIREMENTS**

3. Content of Notices of Application Acceptance and Public Hearing

c. An advisory that public comments regarding the matter may be submitted prior to the public hearing, or if no public hearing is required, that public comments may be submitted within the comment period for notice procedures, ~~as set forth in Section 3.2.4.H;~~

1. Exception

Flexible Lot Design acceptance letters do not include a public comment period and are for information only.

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Summary of the Proposed Amendments: Add provision for notice of decision for Zoning Examiner and Mayor and Council decisions.

Sections: 3.2.4.B.4.c. (New Section)

Rationale: Creates process for notice of decision.

Proposed Amendments:

**UNIFIED DEVELOPMENT CODE
ARTICLE 3: GENERAL PROCEDURES
SECTION 2, GENERAL REQUIREMENTS**

4. Content of Notice of Decision

c. Recipients of notice of decisions of the Zoning Examiner and/or the Mayor and Council in the Zoning Examiner Legislative Procedure shall be provided with a web link to the decision, with the option to request a hard copy of the decision from PDSD.

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Summary of the Proposed Amendments: Add new provision for ZELP Approval-Protest forms

Sections: 3.2.4.H.3 (New Section)

Rationale: Clarifies submittal period.

Proposed Amendments:

**UNIFIED DEVELOPMENT CODE
ARTICLE 3: GENERAL PROCEDURES
SECTION 2, GENERAL REQUIREMENTS**

H. Public Comments to Public Notice

3. Approval-Protest forms for the Zoning Examiner Legislative Procedure can be submitted from the time of mailed notice until one day before the scheduled date of Mayor and Council action.

8

Summary of the Proposed Amendments: Strike the entire section. The 20 day public comment period was mistakenly inserted into the Zoning Examiner Special Exception Procedure during the UDC conversion. The comment period was not part of the process under the LUC.

Sections: 3.4.3.E

Rationale: No changes were proposed to this process as part of the Simplification project. This returns the process to the way it was under LUC. Notice recipients are advised that they can send comments to PDSD from the time of the neighborhood meeting until the Zoning Examiner public hearing. No less than 60 days and up to 120 days of comment period may be available.

Proposed Amendments:

**UNIFIED DEVELOPMENT CODE
ARTICLE 3: GENERAL PROCEDURES
SECTION 4, SPECIAL EXCEPTION LAND USES**

~~E. **Public Comment Period**~~

~~For a period of 20 days following the date on which notice is mailed, the public may submit comments on the proposal to the PDSD.~~

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Summary of the Proposed Amendments: Re-number sections 3.4.3.F-.K to 3.4.3.E-.J due to deletion of 3.4.3.E.

Sections: 3.4.3.F-K

Rationale: Maintain numbering system.

Proposed Amendments:

**UNIFIED DEVELOPMENT CODE
ARTICLE 3: GENERAL PROCEDURES
SECTION 4, SPECIAL EXCEPTION LAND USES**

- FE.** Review
- GF.** PDSO Director Recommendation
- HG.** Zoning Examiner's Public Hearing
- IH.** Zoning Examiner's Decision
- JL.** Appeal
- KJ.** Change in Condition of Approval

10

Summary of the Proposed Amendments: Re-number sections referenced due to deletion of 3.4.3.E.

Sections: 3.4.4.B.1

Rationale: Re-number sections due to deletion of 3.4.3.E, above.

Proposed Amendments:

**UNIFIED DEVELOPMENT CODE
ARTICLE 3: GENERAL PROCEDURES
SECTION 4, SPECIAL EXCEPTION LAND USES**

B. Application Processing

1. Mayor and Council special exceptions applications are processed in accordance with the Zoning Examiner special exception procedure, Sections 3.4.3.B - ~~I~~H, and the following.

11

Summary of the Proposed Amendments: Strike reference to Table 3.2-1

Sections: 3.5.3.E.1.a

Rationale: The reference to the table is redundant because Section 3.2.4.B.6 references Table 3.2-1.

Proposed Amendments:

**UNIFIED DEVELOPMENT CODE
ARTICLE 3: GENERAL PROCEDURES
SECTION 5, REZONING (CHANGE OF ZONING)**

E. Notice of Application

Notice is required as follows:

1. Mailed Notice

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

12

Summary of the Proposed Amendments: Strike the entire section. The 20 day public comment period was mistakenly inserted into the Zoning Examiner Special Exception Procedure during the UDC conversion. The comment period was not part of the process under the LUC.

Sections: 3.5.3.F

Rationale: No changes were proposed to this process as part of the Simplification Project. This returns the process to the way it was under LUC. Notice recipients are advised that they can send comments to PDSD from the time of the neighborhood meeting until the Zoning Examiner public hearing. No less than 60 days and up to 120 days of comment period may be available. Approval-Protest forms may be submitted until the day before the Mayor and Council meeting.

Proposed Amendments:

**UNIFIED DEVELOPMENT CODE
ARTICLE 3: GENERAL PROCEDURES
SECTION 5, REZONING (CHANGE OF ZONING)**

~~F. Public Comment Period~~

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

13

Summary of the Proposed Amendments: Re-number the sections 3.5.3.G-.K to 3.5.3.F-.J due to deletion of the 3.5.3.F.

Sections: 3.5.3.G-.K

Rationale: Maintain numbering system.

Proposed Amendments:

**UNIFIED DEVELOPMENT CODE
ARTICLE 3: GENERAL PROCEDURES
SECTION 5, REZONING (CHANGE OF ZONING)**

G-F Review

H-G Changes to the Rezoning Application

I-H Planning and Development Services Department (PDSD) Recommendation

J-I Public Hearing

K-J Mayor and Council Action

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#14

Summary of the Proposed Amendments: Strike the mailing of the staff report to property owners within 300 feet. These property owners are sent a notice of the public hearing, with a summary of the case, location maps and the Approval-Protest form. The mailing also includes a web link to the staff report and additional materials related to the case. Recipients are given the option of requesting a hard copy of the staff report and other materials. This has been the practice since 2011, and staff recalls only one instance where a hard copy of the staff report was requested..

Sections: 3.5.3.H (formerly .I)

Rationale: Budgets cuts, staff reductions, and the wide-spread use of the web has made this transition cost- and information dissemination- efficient.

Proposed Amendments:

**UNIFIED DEVELOPMENT CODE
ARTICLE 3: GENERAL PROCEDURES
SECTION 5, REZONING (CHANGE OF ZONING)**

H. Planning and Development Services Department (PDSD) Recommendation

After City departments and public service agencies have reviewed and provided comment on the application, a staff report is prepared by the PDSD. The report is distributed to the Zoning Examiner, the applicant, ~~and the owners~~ Owners of property located within 300 feet of the rezoning site are notified of the public hearing and provided a web link to the staff report and other materials associated with the case. The staff report and the notice of public hearing are made available to the public at least 15 days prior to the public hearing.

15

Summary of the Proposed Amendments: Correct the mischaracterization of the Planned Area Development (PAD).

Sections: 3.5.5.B and 3.5.5.B.1

Rationale: PADs can more than just distinct dimensional standards. The PAD is a zoning code for a project and can have an entirely different set of land use regulations than the UDC.

Proposed Amendments:

**UNIFIED DEVELOPMENT CODE
ARTICLE 3: GENERAL PROCEDURES
SECTION 5, REZONING (CHANGE OF ZONING)**

3.5.5. PLANNED AREA DEVELOPMENT (PAD) ZONE

B. Distinct ~~Dimensional Standards~~ Land Use Regulations Permitted

1. A PAD may have ~~dimensional standards~~ land use regulations different from the zoning regulations in those of the UDC, any other PAD District and, or other zoning districts.
2. When a provision in a PAD varies from the UDC, the provisions in the PAD shall govern.

16

Summary of the Proposed Amendments: Remove redundant notice reference.

Sections: 3.10.3.M

Rationale: The reference to Section 3.2.4 and Table 3.2-1 are redundant to this section and are too broad to be useful for this requirement. The notice is already set forth in Section 3.10.3.D.

Proposed Amendments:

**UNIFIED DEVELOPMENT CODE
ARTICLE 3: GENERAL PROCEDURES
SECTION 10, BOARD OF ADJUSTMENT APPEALS AND VARIANCES**

M. Notice of Decision Required

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

#17

Summary of the Proposed Amendments: Add a missing finding to the Design Development Option procedure.

Sections: Table 4.8-2: Permitted Uses – Urban Residential Zones

Rationale: The finding was inadvertently not transferred from the LUC.

Proposed Amendments:

**UNIFIED DEVELOPMENT CODE
ARTICLE 3: GENERAL PROCEDURES
SECTION 11, ADMINISTRATIVE MODIFICATIONS**

3.11.1 DESIGN DEVELOPMENT OPTION (DDO)

D. Findings for Approval

2. Specific Findings for Setback and Wall Height Modification Requests

f. The modification is not for an increase in height of more than two (2) feet to an accessory wall or fence, except that an increase of up to four (4) feet may be considered for entry features on walls and fences.

#18

Summary of the Proposed Amendments: Correct the use-specific standard references for the Home Occupation: Travelers' Accommodation as an accessory use to a Family Dwelling in the SR, SH, RX-1, & RX-2 zones.

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

Rationale: Corrects a mistake. The proposed amendments correct the errors to the use-specific standards to match the applicable performance criteria in the Land Use Code.

Proposed Amendments:

**UNIFIED DEVELOPMENT CODE
ARTICLE 4: ZONES
SECTION 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</i>		<i>S = Permitted as Special Exception Use</i>				
<i>[1] Mayor and Council Special Exception Procedure, Section 3.4.4</i>						
<i>[2] Zoning Examiner Special Exception Procedure, Section 3.4.3</i>						
<i>[3] PDSO Special Exception Procedure, Section 3.4.2</i>						
LAND USE	RH	SR	SH	RX-1	RX-2	USE SPECIFIC STANDARDS

Residential Land Use Group With Land Use Class/Type:						
Family Dwelling:						
Duplex			P			
Manufactured Housing	P	P	P	P	P	RH: 4.9.13.1 RX-1: 4.9.7.B.6, .8, & .9 SR, RX-2: 4.9.7.B.6
Single Family, Detached	P	P	P	P	P	RH: 4.9.13.1 RX-1: 4.9.7.B.6, .8, & .9
Home Occupation as an accessory use to any permitted Family Dwelling use	P	P	P	P	P	All: 4.9.7.D
Home Occupation: Travelers' Accommodation, Lodging as an accessory to use to an permitted Family Dwelling		S [2]	S [2]	S [2]	S [2]	SR, SH, RX-1, RX-2: 4.9.7.E.9, .10, .11, .13, 8 and 4.9.7.H.2 & .5 - .10

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

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

LAND USE	RH	SR	SH	RX-1	RX-2	USE SPECIFIC STANDARDS
use						

#19

Summary of the Proposed Amendments: Correct the use-specific standard references for Residential Care Services in the Urban Residential Zones (i.e. R-1, R-2, R-3, MH-1, & MH-2)

Sections: Table 4.8-2: Permitted Uses – Urban Residential Zones

Rationale: The proposed amendments correct the errors to the use-specific standards to match the applicable performance criteria in the Land Use Code.

Proposed Amendments:

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

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] PSDS Special Exception Procedure, Section 3.4.2						
LAND USE	R-1	R-2	R-3	MH-1	MH-2	USE SPECIFIC STANDARDS
Residential Land Use Group With Land Use Class/Type:						
Family Dwelling:						
Duplex		P	P	P		R-2: 4.9.7.B.6, .9, & .10 R-3: 4.9.7.B.6
Manufactured Housing	P	P	P	P	P	R-1: 4.9.7.B.5 - 9 R-2: 4.9.7.B.6, .9, & .10 R-3: 4.9.7.B.6
Multifamily Development		P	P	P		R-2: 4.9.7.B.6, .9, & .10 R-3: 4.9.7.B.6
Single Family, Detached	P	P	P	P	P	R-1: 4.9.7.B.5 - 9 R-2: 4.9.7.B.6, .9, & .10 R-3: 4.9.7.B.6
Home Occupation as an accessory use to any permitted Family Dwelling use	P	P	P	P	P	All: 4.9.7.D
Home Occupation: Travelers' Accommodation,	S [2]	S [2]				R-1: 4.9.7.E.10, .11 & .13 and 4.9.7.H.2 & .5 - .11

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TABLE 4.8-2: PERMITTED USES— URBAN RESIDENTIAL ZONES

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

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LAND USE	R-1	R-2	R-3	MH-1	MH-2	USE SPECIFIC STANDARDS
Lodging as an accessory use to any permitted Family Dwelling use						R-2: 4.9.7.E.9, 10, 11 & 13, 12 and 4.9.7.H.3 & .5 - .11
Maximum 20 Residents			S [2]			R-3: 4.9.7.J.1, .2.b, .3.c, .4, 9
Unlimited # Residents		S[2]	S [2]			R-2: 4.9.7.J.1, 2.a, 3.d, .4, 8 R-3: 4.9.7.J.1, 2.b, 3.d, .4, .8

Residential Care Services, Child Rehabilitation Service (maximum 10 Residents)		P	P			R-2: 4.9.7.J.1, 2.a, 3.a, .4 R-3: 4.9.7.J.1, 2.b, 3.a, .4
Residential Care Services, Shelter Care for Victims of Domestic Violence; <u>Maximum 10 Residents</u>		P	P			R-2: 4.9.7.J.1, 2.a, 3.a, 4 & 9 R-3: 4.9.7.J.1, 2.b, 3.c, 4 & 9
<u>Maximum 20 Residents</u>			P			R-3: 4.9.7.J.1, 2.b, 3.c, 4 & 9

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#20

Summary of the Proposed Amendments: Correct the use-specific standard reference for the Communications: Wireless Communication use and Restricted Adult Activities uses in the C-2 Zone.

Sections: Table 4.8-4: Permitted Uses – Commercial and Mixed Use Zones

Rationale: The proposed amendments correct the errors to the use-specific standards to match the applicable performance criteria in the Land Use Code.

Proposed Amendments:

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

4.8.6 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> <i>[1] Mayor and Council Special Exception Procedure, Section 3.4.4</i> <i>[2] Zoning Examiner Special Exception Procedure, Section 3.4.3</i> <i>[3] PDSD Special Exception Procedure, Section 3.4.2</i>						
LAND USE	C-1	C-2	C-3	OCR-1	OCR-2	USE SPECIFIC STANDARDS
Commercial Services Use Group With Land Use Class/Type:						

Communications:						
Wireless Communication	P	P	P	P	P	C-1: 4.9.13.O and 4.9.4.1.2, .3, & .4.a or .4.b C-2: 4.9.13.P and one of the following groups: 4.9.4.1.1 & 4.9.13.E or 4.9.4.1.2 & .3 & 4.a or 4.b C-3: 4.9.4.1.1 or 4.9.4.1.2, .3, & 4.a or 4.b OCR-1, OCR-2: 4.9.4.1.2, .3, & .4.a or .4.b

Restricted Adult Activities Uses Group With Land Use Class/Type:						
Adult Commercial Services, Recreation, or Retail Trade		P	P	P	P	C-2: 4.9.8 4.9.13.P C-3, OCR-1, OCR-2: 4.9.8

#21

Summary of the Proposed Amendments: Correct the use-specific standard reference for Travelers' Accommodation, Lodging use in the I-1 and I-2 Zones.

Sections: Table 4.8-5: Permitted Uses – Industrial Zones

Rationale: The proposed amendments correct the errors to the use-specific standards to match the applicable performance criteria in the Land Use Code.

Proposed Amendments:

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

4.8.7 PERMITTED USES: INDUSTRIAL ZONES

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

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

#22

Summary of the Proposed Amendments: Correct the use-specific standard references for the Home Occupation: Travelers' Accommodation as an accessory use to a Family Dwelling in the SR, SH, RX-1, RX-2, R-1, and R-2 zones.

Sections: Table 4.8-1: Permitted Uses – Rural and Suburban Residential Zones and Table 4.8-2: Permitted Uses – Urban Residential Zones

Rationale: Corrects a mistake. The proposed amendments correct the errors to the use-specific standards to match the applicable performance criteria in the Land Use Code.

Proposed Amendments:

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

4.9.7 RESIDENTIAL USE GROUP

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

1. Home occupations other than those specified below are required to comply with Section 4.9.7.E, Home Occupation: General Standards; or,
2. The following uses within the specified zones are required to comply as follows:
 - a. Home Occupation: Day Care is permitted in SR, SH, RX-1, RX-2, R-1, R-2, R-3, MH-1, MH-2, O-1, O-2, O-3, NC, and C-1 subject to: 4.9.7.E.1, .2, .3, .5, .6, .7, .9, .10, .11, .12, & .13 and F.
 - b. Home Occupation: Group Dwelling is permitted in IR, RH, SR, SH, RX-1, RX-2, R-1, R-2, R-3, MH-1, and MH-2 subject to: 4.9.7.E & G.
 - c. Home Occupation: Travelers' Accommodation, Lodging is permitted in SR, SH, RX-1, RX-2, R-1, MH-1, O-1, O-2, and NC subject to: 4.9.7.E and H.1 & .5 - .11.
 - d. Home Occupation: Travelers' Accommodation, Lodging is permitted in R-2 and MH-2 subject to: 4.9.7.E and H.2, & .5 - .11.

- e. Home Occupation: Travelers' Accommodation, Lodging is permitted in R-3 and O-3 subject to: 4.9.7.E and H.4 - .11.
- f. Home Occupation: General Farming is permitted in C-2 and C-3 subject to: 4.9.2.A.1.a & 3.a and 4.9.2.B.1.

#23

Summary of the Proposed Amendments: Correct one of the use-specific standards required of Residential Care Services to remove a redundancy.

Sections: 4.9.7.J.7

Rationale: The proposed amendment removes a redundancy.

Proposed Amendments:

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

4.9.7 RESIDENTIAL USE GROUP

J. Residential Care Services

7. The maximum permitted lot coverage is 50 percent. Minimum setback from all interior lot lines adjoining residential zoning shall be 25 feet. The minimum required lot size is three acres, except as follows:
 - a. In the RH zone, there is no minimum lot size; or,
 - b. In the SR zone, the minimum required lot size is 144,000 square feet; ;
 - c. ~~In the SH, RX-1, or RX-2, the minimum required lot size is 3 acres.~~

#24

Summary of the Proposed Amendments: Correct the general restrictions for the O-1, O-2, O-3, NC (Neighborhood Commercial), RVC (Rural Village Center) zones to exempt Day Care and Educational uses from the prohibition against outdoor activities.

Sections: 4.9.13.J.2

Rationale: When transferring the standards from the LUC to the UDC, the Day Care and Educational uses were inadvertently prohibited from having outdoor activities.

Proposed Amendments:

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

4.9.13 GENERAL STANDARDS, RESTRICTIONS, AND EXCEPTIONS

J. O-1 and O-2 Office Zones – General Restrictions

2. All land use activities shall be conducted entirely within an enclosed building with the following exceptions:
 - a. Vehicular use areas; unless
 - b. When required by State law;
 - c. When specifically permitted by a use specific standard; or, provided otherwise
 - d. When associated with the following uses; with the following exceptions:
~~Vehicular use areas and activities associated with the Day Care; Educational Use; Medical Service, Extended Healthcare Use; or, and the Parks and Recreation Use may be conducted outdoors;~~ and,

K. O-3 Office Zone – General Restrictions

2. All land use⁴ activities shall be conducted entirely within an enclosed building with the following exceptions:
 - a. Vehicular use areas; unless
 - b. When required by State law;
 - c. When specifically permitted by a use specific standard; or, provided otherwise
 - d. When associated with the following uses; with the following exceptions: Vehicular use areas and activities associated with the Day Care; Educational Use; Medical Service, Extended Healthcare Use; or, and the Parks and Recreation Use may be conducted outdoors.

M. Neighborhood Commercial Zone (NC) – General Restrictions and Exception

2. All land use activities, ~~except the Day Care Use, Parks and Recreation Use, and all uses in the Residential Use Group,~~ shall be conducted entirely within an enclosed building with the following exceptions:
 - a. Vehicular use areas;
 - b. When required by State law;
 - c. When specifically permitted by a use specific standards; or,
 - d. When associated with the following uses: Day Care; Educational Use, Elementary and Secondary; Parks and Recreation, or all uses in the Residential Use Group, unless specifically provided otherwise in the Use Specific Standards. Vehicular use areas are not required to be located within enclosed buildings;

N. Rural Village Center Zone (RVC) – General Restrictions

2. All land use activities ~~except vehicular use areas~~ shall be conducted entirely within an enclosed building with the following exceptions unless specifically provided otherwise;:
 - a. Vehicular use areas;
 - b. When required by State law;
 - c. When specifically permitted by a use specific standard; or,
 - d. When associated with a Day Care use; and,

#25

Summary of the Proposed Amendments: Delete “such as construction staging areas” from one of the Scenic Route Buffer Area requirements (within the Scenic Corridor Zone).

Sections: 5.3.4.A.3

Rationale: 1) When exceptions to the dimensional standards were transferred incorrectly from the LUC to the UDC; and, 2) The standard as written conflicts with the permitted improvements in the Scenic Route Buffer Area detailed in Sec. 5.3.4.C.

Proposed Amendments:

**UNIFIED DEVELOPMENT CODE
ARTICLE 5: OVERLAY ZONES
SECTION 3, SCENIC CORRIDOR ZONE (SCZ)**

5.3.4 SCENIC ROUTE BUFFER AREA

A. Requirement

3. The buffer area shall be restored as closely to its natural state as possible In areas where public safety or the delivery of public services precludes preservation of existing vegetation, ~~such as construction staging areas~~; and,

#26

Summary of the Proposed Amendments: Correct the outdated reference to Uniform Building Code.

Section: 5.8.8.D (Historic Preservation Zone – Maintenance)

Rationale: References to the building codes need to be updated.

Proposed Amendments:

**UNIFIED DEVELOPMENT CODE
ARTICLE 5: OVERLAY ZONES
SECTION 8, “H” HISTORIC PRESERVATION ZONE (HPZ)**

5.8.8. MAINTENANCE

- D. If the Tucson-Pima County Historical Commission has reason to believe that a property is being neglected and subject to damage from weather or vandalism, the Tucson-Pima County Historical Commission shall so advise City staff. Staff shall meet with the owner or other person having legal custody and control of the property and discuss ways to improve the condition of the property and shall assist those persons with an economic hardship in obtaining financial resources to accomplish such improvements. If there is no subsequent attempt, or insufficient effort is made, to correct any noted conditions after such meeting by the owner or other such person having legal custody and control, the Tucson-Pima County Historical Commission may make a formal request that the Building Official take action to require corrections of defects in the subject building or structure so that it is preserved in accordance with the purposes of this section. The Building Official may also require the property owner to remedy any defect or deterioration that constitutes a threat to the public health, safety, and welfare in accordance with the authority vested in him by the adopted building codes ~~Uniform Building Code for the Abatement of Dangerous Buildings and neighborhood preservation ordinances~~. Deterioration caused by deliberate neglect of maintenance or repairs are not considered valid grounds for the approval of a demolition permit application.

#27

Summary of the Proposed Amendments: Correct the exceptions to the dimensional standards associated with the Day Care and Residential Care Service uses in the R-2 and R-3 zones.

Sections: Table 6.3-2.B: Exceptions to the R-1, R-2, R-3, MH-1, & MH-2 Dimensional Standards

Rationale: When exceptions to the dimensional standards were transferred incorrectly from the LUC to the UDC.

Proposed Amendments:

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

6.3.4 DIMENSIONAL STANDARDS AND EXCEPTIONS TABLES

Table 6.3-2.B: Exceptions to the R-1, R-2, R-3, MH-1, & MH-2 Dimensional Standards

Zone	Use	Exceptions to the Zone's Dimensional Standard
R-1	Educational Use: Elementary and Secondary School (P & S)	Lot Size (min.) = 20,000 sf Lot Coverage (max.) = 15% Nonres Use adjacent to Nonres Zone (min.) = (H)
	<ul style="list-style-type: none"> • Cultural use (S) • Parks and Recreation (P) • Religious use (P) 	Lot Size (min.) = 20,000 sf Lot Coverage (max.) = 60%
	Cultural Use (P – government owned and operated only)	Lot Size (min.) = 20,000 sf Lot Coverage (max.) = 60%
	Day Care, Adult and Child (P & S)	Lot Size (min.) = 7,000
	Renewable Energy Generation (S)	Site Area (min.) = 0 Lot Coverage (max.) = N/A Height (max.) = 16' Nonres Use adjacent to Nonres Zone (min.) = (H)
	Protective Service (P – government owned and operated only)	Lot Size (min.) = 20,000 sf Lot Coverage (max.) = 60%
R-2	Educational Use: Elementary and Secondary School (P & S)	Lot Size (min.) = 20,000 sf Lot Coverage (max.) = 15%
	<ul style="list-style-type: none"> • Cultural Use (S) • Parks and Recreation (P) • Religious Use (P) 	Lot Size (min.) = 20,000 sf Lot Coverage (max.) = 60%
	Cultural Use (P – government owned and operated only)	Lot Size (min.) = 20,000 sf Lot Coverage (max.) = 60%
	Day Care, Adult (P&S)	Lot Coverage (max.) = N/A

Zone	Use	Exceptions to the Zone's Dimensional Standard
	Day Care, Child – max. 30 children (P)	Lot Size (min.) = 14,000 sf Perimeter Yard (min.) = see Sec. 4.9.4.H.4
	Day Care, Child – unlimited # of children (S)	Lot Size (min.) = see Sec. 4.9.4.H.7 Perimeter Yard (min.) = see Sec. 4.9.4.H.4
	Day Care, Child with extended hours (S)	Lot Size (min.) & Perimeter Yard (min.) = see Sec. 4.9.4.H.9
	• Distribution System (S)	Lot Coverage (max.) = N/A Perimeter Yard (min.) (facility, walls and equipment) = 20' from any adjacent residential zone
	Medical Services (S)	Lot Size (min.) = 1.5 acres Lot Coverage (max.) = 70%
	• Residential Care Services, Adult Care Service or Physical and Behavioral Health Services – Max 10 residents	Lot Coverage (max.) = 70%
	• Residential Care Services, Adult Care Service or Physical and Behavioral Health Services – Max 15 residents • Residential Care Services: Rehabilitation Service – children's facilities (P)	Lot Coverage (max.) = N/A Res Use adjacent to Res Zone (min.) = 10' or ¼ (H)
	• Residential Care Services, Adult Care Service or Physical and Behavioral Health Services – unlimited number of residents	Lot Size (min.) = 3 acres Lot Coverage (max.) = 50% Perimeter Yard (min.) = 25' from all interior lot lines abutting residential zones
	• Residential Care Services: Rehabilitation Service or Shelter Care – Max. 15 residents (S) • Residential Care Services: Shelter Care – victims of domestic violence (P)	Lot size (min.) = 20,000 sf
	• Residential Care Services: Rehabilitation Service or Shelter Care – unlimited number of residents (S)	Lot Size (min.) = 1.5 acres Lot Coverage (max.) = 60% Perimeter Yard (min.) = 20' from all interior lot lines abutting residential zones
	• Cemetery (P) • Communications (P) • Communications, limited to wireless communication towers and antennae (S) • Crop production (P) • Day care: Adult or Child (P) • Day care: Child Care (S – 2 uses with different use-specific standards) • Distribution System (S) • Residential Care Services: Adult Care Service or Physical and Behavioral Health Service (P & S) • Residential Care Services: Rehabilitation Service – children's facilities (P) • Residential Care Services: Rehabilitation Service or Shelter Care (S – 2 uses with different use-specific standards) • Residential Care Services: Shelter Care – victims of domestic violence (P)	Lot Coverage (max.) = N/A
	Renewable Energy Generation (S)	Site Area (min.) = 0 Lot Coverage (max.) = N/A Height (max.) = 16'

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Zone	Use	Exceptions to the Zone's Dimensional Standard
		Nonres Use adjacent to Nonres Zone (min.) = (H)
	Administrative and Professional Office (P – government owned and operated only)	Lot Size (min.) = 43,560 sf Lot Coverage (max.) = 20% Nonres. Use adjacent to Res. Zone (min.) = 2(H) Nonres. Use adjacent to Nonres. Zone (min.) = 0
	Postal Service (P – Government owned and operated only)	Lot Size (min.) = 20,000 sf Lot Coverage (max.) = 60%
	Protective Service (P – government owned and operated only)	Lot Size (min.) = 20,000 sf Lot Coverage (max.) = 60%
R-3	Educational Use: Elementary and Secondary School (P & S)	Lot Size (min.) = 20,000 sf Lot Coverage (max.) = 15%
	Cultural Use (S)	Lot Size (min.) = 20,000 sf; Lot Coverage (max.) = 60%
	Day Care: Child – max 100 children (P)	Lot Size (min.) = 10,000 sf Perimeter Yard (min.) = See Sec. 4.9.4.H.4
	Day Care: Child – unlimited number of children (S)	Lot Size (min.) = 200 sf per child multiplied by the maximum enrollment for the which the center is licensed, plus 4,000 sf Perimeter Yard (min.) = See Sec. 4.9.4.H.4
	Day Care: Child – extended hours for any number of children (S)	Lot Size (min.) and Perimeter Yard (min.) = See Sec. 4.9.4.H.9
	Distribution System (S)	Lot Size (min.) = N/A Perimeter Yard (min.) = setback of the facility, including walls or equipment, is 20' from any adjacent residential zone
	Residential Care Services: Rehabilitation Service – children's facilities (P)	Lot Size (min.) = 0 Res. Use adjacent to Res. or Nonres. Zone (min.) = 10' or 3/4 (H)
	Residential Care Services: Shelter Care – victims of domestic violence (P)	Lot Size (min.) = 0 Building Height (max.) = 40' Res. Use adjacent to Res. or Nonres. Zone (min.) = 10' or 3/4 (H)
	• Residential Care Services: Rehabilitation Service or Shelter Care – max 20 residents (S)	Lot Size (min.) = 20,000 sf
	• Residential Care Services: Rehabilitation Service or Shelter Care – unlimited number of residents (S)	Lot Size (min.) = 1.5 acres Building Height (max.) = 40' Lot Coverage (max.) = 60% Res. Use adjacent to Res. or Nonres. Zone (min.) = 20' from all interior lot lines abutting residential zones
<ul style="list-style-type: none"> • Civic Assembly (P – Government owned and operated only) • Cultural Use (S) • Day Care: Child (P) • Day Care: Child Care (both S-uses) • Distribution System (S) • Parks and Recreation (P) • Religious Use (P) • Residential Care Services: Rehabilitation Service – children's facilities (P) • Residential Care Services: Rehabilitation Service or Shelter Care (both S-uses) • Residential Care Services: Shelter Care – 	Lot Size (min.) = N/A	

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Zone	Use	Exceptions to the Zone's Dimensional Standard
	<ul style="list-style-type: none"> victims of domestic violence (P) • Cemetery (P) • Communications (P) • Communications, limited to wireless communication towers and antennae (S) • Crop Production (P) • Day Care: Adult Day Care (P) • Group Dwelling (P) • Medical Service (S) • Residential Care Services: Adult Care Service or Physical and Behavioral Health Service (P) 	Lot Size (min.) = N/A Nonres Use adjacent to Res Zone (min.) = 1 1/2(H) Nonres Use adjacent to Nonres Zone (min.) = 0
	Renewable Energy Generation (S)	Site Area (min.) = 0 Lot Coverage (max.) = N/A Height (max.) = 16' Nonres Use adjacent to Nonres Zone (min.) = (H)
	Administrative and Professional Office (P – government owned and operated only)	Lot Size (min.) = 72,000 sf Lot Coverage (max.) = 60% Nonres. Use adjacent to Res. Zone (min.) = 2(H) Nonres. Use adjacent to Nonres. Zone (min.) = 0
MH-1	• Educational Use: Elementary and Secondary School (P & S)	Lot Size (min.) = 20,000 sf Lot Coverage (max.) = 15%
	• Parks and Recreation (P) • Religious Use (P)	Lot Size (min.) = 20,000 sf
	• Renewable Energy Generation (S)	Site Area (min.) = 0 Lot Coverage (max.) = N/A; Height (max.) = 16' Nonres Use adjacent to Nonres Zone (min.) = (H)
	Communications, limited to wireless communication towers and antennae (S)	Lot Size (min.) = 5,000 sf
	Cultural Use (P – government owned and operated only)	Lot Size (min.) = 20,000 sf Lot Coverage (max.) = 60%
	Protective Service (P – government owned and operated only)	Lot Size (min.) = 20,000 sf Lot Coverage (max.) = 60%
MH-2	• Mobile Home Park (P) • Multifamily Development (P)	Lot Coverage (max.) = 75%
	• Educational Use: Elementary and Secondary School (P & S)	Lot Size (min.) = 20,000 sf Lot Coverage (max.) = 15%
	• Parks and Recreation (P) • Religious Use (P)	Lot Size (min.) = 20,000 sf Lot Coverage (max.) = 60%
	• Renewable Energy Generation (S)	Site Area (min.) = 0 Lot Coverage (max.) = N/A Height (max.) = 16' Nonres Use adjacent to Nonres Zone (min.) = (H)
	• Communications (P) • Communications, limited to wireless communication towers and antennae (S) • Crop Production (P) • Distribution System (S)	Lot Coverage (max.) = N/A
	Administrative and Professional Office (P – government owned and operated only)	Lot Size (min.) = 43,560 sf Lot Coverage (max.) = 20% Nonres. Use adjacent to Res. Zone (min.) = 2(H) Nonres. Use adjacent to Nonres. Zone (min.) = 0
	Cultural Use (P – government owned and	Lot Size (min.) = 20,000 sf

Zone	Use	Exceptions to the Zone's Dimensional Standard
	operated only)	Lot Coverage (max.) = 60%
	Protective Service (P – government owned and operated only)	Lot Size (min.) = 20,000 sf Lot Coverage (max.) = 60%

#28

Summary of the Proposed Amendments: Correct the outdated reference to Uniform Building Code.

Section: 7.6.4.E (Landscape and Screening – Plant Cover/Dust Control)

Rationale: References to the building codes need to be updated.

Proposed Amendments:

**UNIFIED DEVELOPMENT CODE
ARTICLE 7: DEVELOPMENT STANDARDS
SECTION 6, LANDSCAPING AND SCREENING**

7.6.4. LANDSCAPE STANDARDS

E. Plant Cover/Dust Control

3. Unless maintained as undisturbed natural desert, future building pads within a phased development must be temporarily landscaped with vegetation from the Arizona Department of Water Resource’s Low Water Use/Drought Tolerant Plant List, reseeded with a native seed mix, or treated with an appropriate inorganic ground cover and maintained in a clean condition ~~as required by Section 7003(e) of the Uniform Building Code (UBC).~~ All portions of a site including common areas, natural areas, and revegetated or landscaped areas are to continuously be maintained to remove populations of buffelgrass (*Pennisetum ciliare*).

TECHNICAL STANDARDS MANUAL

#TSM-1

Summary of the Proposed Amendments: Correct the outdated reference to Uniform Building Code.

Sections: 5-02.3.4 (Landscaping – Drought Tolerant Seeds) and 7-01.3.2 (Pedestrian Access – Pedestrian Path Required)

Rationale: References to the building codes need to be updated.

Proposed Amendments:

TECHNICAL STANDARDS MANUAL SECTION 5: LANDSCAPING SECTION 2, LANDSCAPING PLANT MATERIALS

5-02.3.0 Types of Plant Material

3.4 Drought Tolerant Seeds

Various city landscaping regulations allow the use of seeds within landscape areas. For example, the landscaping and screening regulations allow the use of seeds as a ground cover in lieu of decomposed granite (DG) in such areas as under canopy trees. However, seeds cannot be used to comply with the 50% vegetative coverage area requirements of the street landscape border.

In situations where the use of seeds is permitted, selection of seed material will be from plants on the ADWR Low Water Use/Drought Tolerant Plant List. Also, if the area that is to be reseeded is not within the public right-of-way, seed selection may be in accordance with Section 5-02.3.2, Native Seeds.

All plant material used within the public right-of-way is to be from the ADWR Low Water Use/Drought Tolerant Plant List regardless of whether it is plant or seed material. The only exceptions to this are in the application of native vegetation requirements of the SCZ and the ERZ sections of the UDC ~~or in compliance with native seeding requirements of the grading ordinance in the adopted building codes~~Uniform Building Code grading ordinance.

#TSM-2

Summary of the Proposed Amendments: Correct the outdated reference to Uniform Building Code.

Sections: 5-02.3.4 (Landscaping – Drought Tolerant Seeds) and 7-01.3.2 (Pedestrian Access – Pedestrian Path Required)

Rationale: References to the building codes need to be updated.

Proposed Amendments:

**TECHNICAL STANDARDS MANUAL
SECTION 7: PEDESTRIAN ACCESS
SECTION 1, PEDESTRIAN ACCESS**

7-01.3.0 Pedestrian Circulation Path Required

- 3.2 Pedestrian circulation paths designed for barrier-free accessibility for the physically disabled and located within any development are regulated by the adopted building codes~~Uniform Building Code~~.