

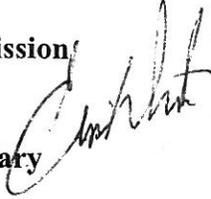


# PLANNING COMMISSION

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

**DATE:** April 3, 2013

**TO:** Planning Commission

**FROM:** Ernie Duarte  
Executive Secretary 

**SUBJECT:** Unified Development Code and Land Use Code Text Amendments:  
Corrections, Edits, & Clarifications – Public Hearing

## Issue

This item is scheduled for a public hearing.

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. With the exceptions described below, the proposed amendments (summarized in Attachment A and detailed in Attachment B) are corrections of scrivener's errors, corrections to requirements that were transferred from the Land Use Code to the UDC incorrectly, 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.

## Exceptions:

1. *Neighborhood meeting notices for variance requests* – One of the proposed amendments is to no longer require applicants requesting a variance to include in the neighborhood meeting notice a site plan and elevations (Section 3.2.3.C.3.b). This standard is generally seen to be overly burdensome. If adopted, neighborhood meeting notices for variance requests would have to include the same information as required of other application types requiring a neighborhood meeting. This standard was proposed for deletion when the UDC was being developed. There has been no apparent opposition to its deletion. However, it was inadvertently included in the later drafts of Article 3. See that attached summary for more information about the individual items. In response to a stakeholder concern, the neighborhood meeting notice requirement has been clarified to require an applicant to describe the variance request and the relevant code requirement from which the variance is being requested.
2. *Zoning Examiner Legislative Procedure* – One of the proposed amendments is to clarify when the Zoning Examiner must issue a final recommendation when a party of record requests a reconsideration of the preliminary recommendation. Currently, both in the LUC and UDC, a potential conflict is created in that the final day to request reconsideration of the preliminary recommendation can be the same day the final recommendation is due. While reconsiderations happen infrequently, staff recommends revising the final

recommendation timeframe to allow the Zoning Examiner five additional days to issue a final recommendation when a reconsideration is requested.

Additionally, staff is proposing several new fees (see Attachments A & B for details). These proposed fees were proposed at the time of initial consideration of the UDC, but could not be adopted at the time because of State notification requirements specific to the approval of new fees.

### **Background**

The proposed text amendments were discussed by the Planning Commission at two study sessions (February 16 and 27, 2013). No issues were raised.

The Land Use Code Simplification Project began in 2009 with a diagnostic report that included recommendations on ways to clarify and simplify the City's zoning and subdivision requirements. The Project resulted in the creation of the UDC, Administrative Manual, and Technical Standards Manual. The Project went through several years of citizen and Planning Commission review. The UDC was adopted by the Mayor and Council on October 9, 2012 and went into effect on January 2, 2013.

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

### **Attachment**

- A Summary of the Proposed Text Amendments to the Unified Development Code and its Supporting Documents and the Land Use Code: Corrections, Edits, & Clarifications
- B Proposed Text Amendments to the Unified Development Code and its Supporting Documents and the Land Use Code: Corrections, Edits, & Clarifications

## ATTACHMENT A: SUMMARY OF THE PROPOSED TEXT AMENDMENTS TO THE UNIFIED DEVELOPMENT CODE AND ITS SUPPORTING DOCUMENTS AND THE LAND USE CODE

The following is a summary of the proposed text amendments to the Unified Development Code (UDC), Administrative Manual, and the Technical Standards Manual. (Note: Two amendments to the Land Use Code are also proposed.) The full text of each proposed text amendment is provided on Attachment B (see page reference in the “Number” column below).

### Unified Development Code: Corrections, Edits, and Clarifications

Number	Summary of Proposed Amendment	Rationale
1 <i>Attachment B, page 2</i>	<b>Correct the section reference to read “Chapter 23B”</b> [Sec. 1.1 (Title and Effective Date)]	The proposed amendment corrects this scrivener’s error.
2 <i>Attachment B, page 3</i>	<b>Correct the expiration dates related to the Transitional Regulations</b> [(Sec. 1.7.4.D (Choice of Code)] – Revise the end of the 3-year transition period to read January 2, 2016 (not 2015 as the section currently states).	The proposed amendment corrects this scrivener’s error.
3 <i>Attachment B, page 4</i>	<b>Correct a section reference in the Design Review Board’s Powers and Duties section</b> (Sec. 2.2.6.C.8)	The proposed amendment corrects a scrivener’s error.
4 <i>Attachment B, page 5</i>	<p><b>A) Correct the misspelling of “procedural”</b> (Article 3, Table 3.2-1);</p> <p><b>B) Delete redundant use of the term “Overlay” in the Rezoning/Zoning Examiner Legislative Procedure section</b> (Article 3, Table 3.2-1); and,</p> <p><b>C) Correct the “Public Notice and Procedural Requirements Table” to indicate that the Board of Adjustment (B/A) appeal and variance procedures require posted notice</b> (Article 3, Table 3.2-1).</p>	A), B), & C) The proposed amendments correct these scrivener’s errors and to make the table consistent with the requirements as provided in elsewhere in Article 3.

Number	Summary of Proposed Amendment	Rationale
<p style="text-align: center;"><b>5</b></p> <p><i>Attachment B, page 9</i></p>	<p><b>Revise the neighborhood meeting notice requirements for variance requests to 1) specify what the code requires and what variance request is from that particular requirement; and, 2) no longer require inclusion of a site plan and elevations with the notice (Sec. 3.2.2.C.3.b)</b></p>	<p>The proposal will provide greater clarity as to what is being requested and will make the notices consistent with notices for other application types.</p>
<p style="text-align: center;"><b>6</b></p> <p><i>Attachment B, page 10</i></p>	<p><b>Correct the public notice requirements to no longer require posted notices to include the beginning and end of the public comment period (Sec. 3.2.4.F.3.f)</b></p>	<p>This particular requirement was required (and still is required for those opting to use the LUC) of projects within the Environmental Resource Zone, Hillside Development Zone, Historic Preservation Zone, Scenic Corridor Zone, and, the Watercourse, Amenities, Safety and Habitat. It should have been deleted from UDC when the decision was made to change the applicable procedure from the 300' Notice Procedure, which requires posted notice, to the PDSB Director Approval Procedure, which does not. Furthermore, as no other types of applications were subject to this particular posting requirement, it was erroneously consolidated into this section and should be removed.</p>
<p style="text-align: center;"><b>7</b></p> <p><i>Attachment B, page 11</i></p>	<p><b>Add a section reference to the Temporary Uses or Structures standards [Sec. 3.3.3.A.16 (PDSB Director Approval Procedure)] – Revise the section to read: "16. Temporary use or buildings (see Section 4.11 for additional requirements)"</b></p>	<p>Adding a section reference will assist the user in locating the temporary use standards.</p>
<p style="text-align: center;"><b>8</b></p> <p><i>Attachment B, page 12</i></p>	<p><b>A) Correct a section reference; B) Add a reference to the Zoning Examiner Rules and Procedures (Sec. 3.5.3.J.3); C) Correct a scrivener's error in the Zoning Examiner Legislative Procedure to 1) change "a" to "as"; and, 2) change "Zoning</b></p>	<p>A) The proposed amendment corrects a scrivener's error. B) The added reference will alert users that such rules and procedures exist. C) The proposed amendment corrects a scrivener's error. D) As currently written, the provision suggests that the Zoning Examiner</p>

Number	Summary of Proposed Amendment	Rationale
	<p><b>Administer” to “Zoning Examiner” [Sec. 3.5.3.J.3.a.(2)];</b></p> <p><b>D) Clarify that the Zoning Examiner can “use, or rely upon any communication, report, staff memorandum, or other material prepared in connection with the particular case” provided they are made part of the record [Sec. 3.5.3.J.3.a.(2)]; and,</b></p> <p><b>E) Revise the Zoning Examiner’s final recommendation deadline to allow an additional 5 days when a party of record has requested reconsideration of the preliminary recommendation [UDC Sec. 3.5.3.J.3.d and LUC Sec. 5.4.3.2.F]</b></p>	<p>cannot rely on these types of information when considering a case, which is erroneous and inconsistent with the Zoning Examiner’s Rules and Procedures. The requirement that “any and all written information...must be made a part of the record” will be maintained.</p> <p>E) As currently required in the LUC and UDC, the timing is such that the final recommendation would be due the same day the reconsideration period expires, thus leaving the Zoning Examiner no time to consider the reconsideration.</p>
<p><b>9</b></p> <p><i>Attachment B, page 15</i></p>	<p><b>Include those PAD standards inadvertently omitted from the UDC (Sec. 3.5.5) – The standards pertaining to the site having to be under single ownership, the minimum site area requirement of 40 acres (with exceptions), and the requirement that the PAD be a well-integrated site were mistakenly not included in the UDC.</b></p>	<p>The proposal corrects an oversight when the Article 3 was prepared. There was no intent when Article 3 was written to omit the PAD regulations pertaining to minimum project size requirement</p>
<p><b>10</b></p> <p><i>Attachment B, page 17</i></p>	<p><b>A) Indicate that appeals to the PDS Director’s decision on design review applications in the Rio Nuevo District are considered by the Board of Adjustment (Sec. 3.10.2.A and 5.11.8)</b></p> <p><b>B) Clarify that Board of Adjustment Appeal and Variance procedures require posted and published notice (Sec. 3.10.2.C) ;</b></p> <p><b>C) Correct the order of the Board of Adjustment procedural requirements to indicate that a neighborhood meeting is required prior to submittal of an application (Sec. 3.10.3.C – E); and,</b></p>	<p>A) The appeal procedure on these types of applications was inadvertently omitted in the UDC.</p> <p>B) The proposed amendment clarifies/corrects the section to reflect the procedure accurately.</p> <p>C) The proposed amendment corrects a scrivener’s error.</p> <p>D) The proposed amendment corrects the provision so that it is the same as it is in the LUC. As presently written in the UDC, the intent and enforcement of the provision has been affected.</p>

Number	Summary of Proposed Amendment	Rationale
	<p><b>D) Correct one of the provisions pertaining to the variance powers not granted to the Board of Adjustment to match how it is written in the Land Use Code (Section 3.10.3.L.5)</b></p>	
<p><b>11</b> <i>Attachment B, page 20</i></p>	<p><b>Revise the Design Development Option to include a provision pertaining to the expiration of approvals</b> (Add a subsection “F” to Sec. 3.11.1)</p>	<p>The expiration of approvals provision is provided in the Land Use Code and was inadvertently omitted from the UDC.</p>
<p><b>12</b> <i>Attachment B, page 21</i></p>	<p><b>Correct the use specific standard reference for the Animal Production: Commercial Stables Only use</b> [Article 4: Tables 4.8-1 (SR &amp; SH zones) &amp; 4.8-7 (MU zone)] – Delete references to use specific standard Sec. 4.9.2.A.4.c.</p>	<p>The use specific standard reference for this use needs to be updated to reflect that the more restrictive dimensional standards previously referenced is now located in Article 6 (Dimensional Standards) and not Article 4.</p>
<p><b>13</b> <i>Attachment B, page 23</i></p>	<p><b>Correct the use specific standard references for the Manufactured Housing and Single Family, Detached uses in the R-1 zone</b> (Article 4; Table 4.8-2) – Specify that Correct the specific standard references in the R-1 zone.</p>	<p>References to several use specific standards were inadvertently omitted. The omitted standards are ones that apply under the LUC and should have been continued in the UDC.</p>
<p><b>14</b> <i>Attachment B, page 24</i></p>	<p><b>A) Correct the use specific standard reference for the Construction Service use in the C-2 zone to include a reference to the C-2 zone general restrictions</b> [UDC Table 4.8-4 (Permitted Uses – Commercial and Mixed Use Zones)]; and, <b>B) Correct the use specific standard reference for “With Alcoholic Beverage Service as an accessory use to a Food Service use” in the C-1 zone</b> [UDC Table 4.8-4 (Permitted Uses – Commercial and Mixed Use Zones)]. <b>C) Correct the use specific standard reference for the Alcoholic Beverage Service: Large Bar</b></p>	<p>A), B), C), &amp; E) The proposed amendment corrects the use specific standard reference to include a reference inadvertently omitted from the table.  D) The proposed amendment corrects the permitted use table to what is permitted per the LUC.</p>

Number	Summary of Proposed Amendment	Rationale
	<p>[UDC Table 4.8-5 (Permitted Uses – Industrial Zones)].</p> <p><b>D) Correct the Industrial Zones Permitted Use table to indicate that Salvaging and Recycling is permitted as an accessory use to an Educational Use in the P-1 zone</b> [UDC Table 4.8-5 (Permitted Uses – Industrial Zones)].</p> <p><b>E) Correct the use specific standards reference for the Salvaging and Recycling Use in the I-2 zone</b> [UDC Table 4.8-5 (Permitted Uses – Industrial Zones)].</p>	
<p><b>15</b></p> <p><i>Attachment B, page 27</i></p>	<p><b>Correct the C-1 Zone General Restrictions pertaining to outdoor activities associated with a Food Service Use (Sec. 4.9.13.O.2.b) – Add Food Service as an exemption to the C-1 restriction stating that all activities must be conducted entirely within an enclosed building.</b></p>	<p>Outdoor activities (e.g. outdoor dining patio) associated with Food Service have historically been permitted. The proposed amendment clarifies the C-1 General Restrictions to make this point clear.</p>
<p><b>16</b></p> <p><i>Attachment B, page 28</i></p>	<p><b>Revise “antennae” to “antennas”</b> (various sections, primarily in Article 4 Use Tables &amp; Sec. 4.9.4.1)</p>	<p>When referring to a wave-transmitting metal apparatus, the correct plural form is “antennas.”</p>
<p><b>17</b></p> <p><i>Attachment B, page 48</i></p>	<p><b>Correct the misspelling of “Historic”</b> (Sec. 5.8.1)</p>	<p>The proposal corrects this scrivener’s error.</p>
<p><b>18</b></p> <p><i>Attachment B, page 49</i></p>	<p><b>Clarify the perimeter yard standards</b> (Article 6: Dimensional Standards tables) – Add a footnote indicating that the "greater of the two dimensions prevail" anytime more than one perimeter yard standard is given [e.g. 6' or 2/3(H)].</p>	<p>The perimeter yard diagrams in Sec. 6.4.5 support this point. A footnote should be added to make this point crystal clear.</p>

Number	Summary of Proposed Amendment	Rationale
<p>19</p> <p><i>Attachment B, page 55</i></p>	<p><b>Clarify headers in the Height Exceptions section (6.4.4.C.6 &amp;.8)</b> – Revise the headers to these sections to read "Communications Antennas (Excluding Communications Facilities)" and "Communications Antennas (Associated with Communications Facilities)", respectively.</p>	<p>The proposed change would make a distinction between these two sections.</p>
<p>20</p> <p><i>Attachment B, page 57</i></p>	<p><b>Correct section references in two of the perimeter yard figures (Figures 6.4.5-B &amp; C)</b></p>	<p>The proposed amendment corrects a scrivener’s error.</p>
<p>21</p> <p><i>Attachment B, page 59</i></p>	<p><b>FAR in the Airport Environs Zone (new Sec. 6.4.6 and new definition in Article 11)</b> – Add a Floor to Area Ratio (FAR) measurement standard that is applicable to development in the AEZ only.</p>	<p>While FAR has been eliminated as a development standards in most instances, it is still a required standard for projects in the Airport Environs Zone for safety reasons. A methodology for measuring FAR is needed to avoid confusion in the future.</p>
<p>22</p> <p><i>Attachment B, page 62</i></p>	<p><b>Delete outdated accessory use standard (delete Sec. 6.6.3.D)</b> – i.e. “Accessory structure shall have side and rear setback of seven feet and a street setback of 20 feet or the setback of the existing principle use; and,”</p>	<p>This provision was erroneously included in this section and should have been deleted when the previously proposed “fixed dimensional standard” idea was abandoned for a dimensional standard approach that more closely reflects the current requirements.</p>
<p>23</p> <p><i>Attachment B, page 63</i></p>	<p><b>Correct a scrivener’s error (Sec. 7.4.5.E.2.a)</b> – “For existing development, the number of require parking spaces may be reduced by <del>of</del> two spaces for every one non-required accessible parking space.”</p>	<p>The proposed amendment corrects a scrivener’s error.</p>
<p>24</p> <p><i>Attachment B, page 64</i></p>	<p><b>Revise the Use of Street or Alley for Maneuvering Area Standard to correctly reflect zoning determination (UDC Sec. 7.4.6.K and Land Use Code Section 3.3.6.11)</b> – Correct the list of uses that can use a street or alley for maneuvering into or from a parking space. The corrected list is single family</p>	<p>The change is would make the standard consistent with the regulation in effect prior to the parking code amendments adopted in 2011 and the zoning determination from April 18, 2005.</p>

Number	Summary of Proposed Amendment	Rationale
	dwellings (attached and detached), mobile home dwellings, duplexes, and Residential Care Services with a total off-street motor vehicle parking requirement of four (4) or fewer spaces.	
<p style="text-align: center;"><b>25</b></p> <p><i>Attachment B, page 66</i></p>	<p><b>A) Correct the landscape buffer requirement for lots interior to a subdivision [Sec. 7.6.4.C.2.b.(1)]</b></p> <p><b>B) Include missing regulations pertaining to buffelgrass (Sec. 7.6.4.E.2 &amp; 3)</b></p>	<p>A) The proposed amendment corrects the provision to match what is in the Land Use Code.</p> <p>B) The proposed amendment adds a previously-adopted regulation that was inadvertently omitted from the UDC.</p>
<p style="text-align: center;"><b>26</b></p> <p><i>Attachment B, page 68</i></p>	<p><b>Correct the misspelling of “facilities” (Article 8, Table of Contents &amp; Sec. 8.7.1)</b></p>	<p>The proposed amendment corrects these scrivener’s errors.</p>
<p style="text-align: center;"><b>27</b></p> <p><i>Attachment B, page 69</i></p>	<p><b>Clarify the maximum permitted number of lots that can be created via a block plat (Sec. 8.4.1.E) – Add “shall not exceed 10 lots” as one of the criteria.</b></p>	<p>While the 10-lot limitation is stated in the purpose statement, it should also be added to the criteria section for clarification purposes.</p>
<p style="text-align: center;"><b>28</b></p> <p><i>Attachment B, page 70</i></p>	<p><b>Insert the effective date of the UDC (Sec. 9.1.3)</b></p>	<p>The proposed amendment provides missing information required to implement the standard.</p>

## Administrative Manual: Corrections, Edits, and Clarifications

Number	Summary of Proposed Amendment	Rationale
<p style="text-align: center;"><b>1</b></p> <p><i>Attachment B, page 71</i></p>	<p><b>A) Correct the misspelling of “identified” (Sec. 2-03.4.2.A.3)</b></p> <p><b>B) Correct the misspelling of “identify” (Sec. 2-03.4.2.I.1)</b></p>	<p>A) &amp; B) The proposed amendments correct these scrivener’s errors.</p>
<p style="text-align: center;"><b>2</b></p> <p><i>Attachment B, page 72</i></p>	<p><b>A) Correct the misspelling of “addressing” (Sec. 2-06.3.6)</b></p> <p><b>B) Indicate that the administrative street address must be located adjacent to the title block (Sec. 2-06.4.2)</b></p> <p><b>C) Clarify a Development Package requirement and delete a parenthetical review note from staff (Sec. 2-06.4.9.H.5.c) – Revise standard to read “c. Show all loading zones, and vehicle maneuverability fully dimensioned, and access route, and provide, as a note, the number of loading spaces required, the number provided, and whether the loading space is a Type A or B as provided in UDC Section 7.5.4.G. design vehicle (I am not sure what is meant by the term design vehicle)</b></p> <p><b>D) Insert a missing section reference (Sec. 2-06.4.9.H.7) – Revise standard to read “Design criteria for streets are located in Technical Standards Manual Section 10-01.0.0 Sec. ???.”</b></p>	<p>A) The proposed amendment corrects this scrivener’s error.</p> <p>B) The proposed amendment is required due to a change in Pima County Addressing policy.</p> <p>C) The proposed amendment clarifies a confusing standard.</p> <p>D) The proposed amendment provides the missing information needed.</p>
<p style="text-align: center;"><b>3</b></p> <p><i>Attachment B, page 75</i></p>	<p><b>A) Correct the misspelling of “condominium” (Sec. 2-07.1.0)</b></p> <p><b>B) Correct the numbering of Content Requirement section (Sec. 2-07.5.1.A)</b></p> <p><b>C) Capitalize “India” (i.e. India ink) (Sec. 2-07.5.3)</b></p>	<p>A), B), &amp; C) The proposed amendments correct these scrivener’s errors.</p>

Number	Summary of Proposed Amendment	Rationale
<p style="text-align: center;"><b>4</b></p> <p><i>Attachment B, page 77</i></p>	<p><b>Correct the numbering of the Format Requirements in the Landscape Plan Requirements section (Sec. 2-10.3.0)</b></p>	<p>The proposed amendment corrects this scrivener’s error.</p>
<p style="text-align: center;"><b>5</b></p> <p><i>Attachment B, page 78</i></p>	<p><b>A) Correct a section reference in the Purpose statement of the Compliance Review Timeframes Policy (Sec. 3-02.1.0)</b></p> <p><b>B) Correct the misspelling of “facsimile” (Sec. 3-02.10.2)</b></p>	<p>A) &amp; B) The proposed amendments correct these scrivener’s errors.</p>
<p style="text-align: center;"><b>6</b></p> <p><i>Attachment B, page 79</i></p>	<p><b>Proposed New Development Review Fees (Sec. 4-01) – Add fees for the following:</b></p> <ul style="list-style-type: none"> <li>A. Planned Community Development and Urban Overlay District rezoning fee;</li> <li>B. Design Professional;</li> <li>C. Revision fee;</li> <li>D. Review Extension fee;</li> <li>E. Substitution of Assurance fee;</li> <li>F. Technical Standard Modification Request fee;</li> <li>G. Rio Nuevo District – Modification of Development Regulation fee;</li> <li>H. Downtown Area Infill Incentive District – Modification of Development Regulation fee; and,</li> <li>I. Zoning Administrator Determination fee.</li> </ul>	<p>These are fees for processes that have historically been charged, but not officially adopted</p>

**Technical Standards Manual: Corrections, Edits, and Clarifications**

<b>Number</b>	<b>Summary of Proposed Amendment</b>	<b>Rationale</b>
<b>1</b> <i>Attachment B, page 81</i>	<b>Revise the solid waste enclosure specifications to require concrete to have a design strength of 3,000 psi, not 2,500 psi as currently stated (Sec. 8-01.5.2.H)</b>	The proposed amendment corrects a discrepancy between the text and figures (i.e. Figures 3A and 3B requires 3,000 psi, which the City has historically required).
<b>2</b> <i>Attachment B, page 82</i>	<b>Correct the bulleted lettering in the Sound Attenuation section (Sec. 9-03.3.2)</b>	The proposed amendment corrects this scrivener's error.
<b>3</b> <i>Attachment B, page 83</i>	<b>Correct the bulleted lettering in the Street Improvements section (Sec. 10-01.3.3)</b>	The proposed amendment corrects this scrivener's error.
<b>4</b> <i>Attachment B, page 84</i>	<b>Add missing definitions (Sec. 12-01)</b>	Numerous definitions were inadvertently not transferred from the Development Standards to the Technical Standards Manual.

**Land Use Code: Corrections, Edits, and Clarifications**

<b>Number</b>	<b>Summary of Proposed Amendment</b>	<b>Rationale</b>
<p align="center"><b>8</b></p> <p><i>Attachment B, page 87</i></p>	<p><b>C) Revise the Zoning Examiner’s final recommendation deadline to allow an additional 5 days when a party of record has requested reconsideration of the preliminary recommendation [UDC Sec. 3.5.3.J.3.d and LUC Sec. 5.4.3.2.F]</b></p>	<p>C) As currently required in the LUC and UDC, the timing is such that the final recommendation would be due the same day the reconsideration period expires, thus leaving the Zoning Examiner no time to consider the reconsideration.</p>
<p align="center"><b>21</b></p> <p><i>Attachment B, page 90</i></p>	<p><b>Revise the Use of Street or Alley for Maneuvering Area Standard to correctly reflect zoning determination (UDC Sec. 7.4.6.K and Land Use Code Section 3.3.6.11) –</b> Correct the list of uses that can use a street or alley for maneuvering into or from a parking space. The corrected list is single family dwellings (attached and detached), mobile home dwellings, duplexes, and Residential Care Services with a total off-street motor vehicle parking requirement of four (4) or fewer spaces.</p>	<p>The change is would make the standard consistent with the regulation in effect prior to the parking code amendments adopted in 2011 and the zoning determination from April 18, 2005.</p>



1

**ATTACHMENT B: PROPOSED TEXT AMENDMENTS TO THE  
UNIFIED DEVELOPMENT CODE AND ITS SUPPORTING  
DOCUMENTS AND THE LAND USE CODE**

**Corrections, Edits, and Clarifications to the:**

**Unified Development Code.....page 2**

**Administrative Manual.....page 71**

**Technical Standards Manual.....page 81**

**Land Use Code.....page 87**

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## Unified Development Code: Corrections, Edits, and Clarifications

### #1

**Summary:** Correct the section reference to read “Chapter 23B”

**Section:** Sec. 1.1 (Title and Effective Date)

**Rationale:** The proposed amendment corrects this scrivener’s error.

**Proposed Amendment:**

**UNIFIED DEVELOPMENT CODE  
ARTICLE 1: GENERAL PROVISIONS  
DIVISION 1, TITLE AND EFFECTIVE DATE**

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| This ordinance is enacted as Chapter 23B of the Tucson Code and may be cited as the "Unified Development Code" or "UDC" of the City of Tucson.

## #2

**Summary of Proposed Amendment:** Correct the expiration dates related to the Transitional Regulations – Revise the end of the 3-year transition period to read January 2, 2016 (not 2015 as the section currently states).

**Section:** Sec. 1.7.4.D (Choice of Code)

**Rationale:** The proposed amendment corrects this scrivener's error.

**Proposed Amendment:**

**UNIFIED DEVELOPMENT CODE  
ARTICLE 1: GENERAL PROVISIONS  
DIVISION 7, TRANSITIONAL REGULATIONS**

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**1.7.4 APPLICATIONS COMMENCED OR APPROVED UNDER PREVIOUS ORDINANCES**

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**D. Choice of Code**

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

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# #3

**Summary of the Proposed Amendment:** Correct a section reference in the Design Review Board's Powers and Duties section.

**Section:** UDC Sec. 2.2.6.C.8

**Rationale:** The proposed amendment corrects a scrivener's error.

**Proposed Amendment:**

**UNIFIED DEVELOPMENT CODE  
ARTICLE 2: REVIEW AUTHORITIES AND POWERS  
DIVISION 2, REVIEW AND DECISION-MAKING BODIES**

\*\*\*

**2.2.6 DESIGN REVIEW BOARD**

\*\*\*

**C. Powers and Duties**

The DRB shall perform the following duties:

\*\*\*

**3. Zoning Examiner Public Hearing**

\*\*\*

**8. Neighborhood Commercial (NC) Zone, Development Review**

In accordance with Section 4.9.13.M.4, the DRB reviews all proposed nonresidential development, including exterior remodeling, for approval of architectural and site design compatibility with the surrounding residential area.

Deleted: 1.d

# #4

## Summary of the Proposed Amendments:

- A) Correct the misspelling of “procedural”
- B) Delete redundant use of the term “Overlay” in the Rezoning/Zoning Examiner Legislative Procedure section
- C) Correct the “Public Notice and Procedural Requirements Table” to indicate that the Board of Adjustment (B/A) appeal and variance procedures require posted notice

Sections: A), B), and C) Article 3, Table 3.2-1

Rationale: A), B), & C) The proposed amendments correct these scrivener’s errors and to make the table consistent with the requirements as provided in elsewhere in Article 3.

## Proposed Amendments:

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

\*\*\*

### 3.2.3 APPLICATION 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		
<b>ZONING ADMINISTRATOR INTERPRETATION</b>											
ZA Interpretation of UDC	1.5.1							R	See Sec. 1.5.1	ZA	B/A
<b>ZONING COMPLIANCE REVIEW</b>											
50' Notice	3.3.4.E			R/50'			R/NA of the site	R		PDS Director	B/A
300' Notice	3.3.5	R	R	R/300'			R/1 mile	R	R	PDS Director	M/C
NPZ Design	5.10.	R		R/			R/NA of		R	PDS	DRB

Deleted: D

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

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Procedure	Section	Pre-Application Conference	Neighborhood Meeting	NOTICE**						Decision Maker	Appeal
				Mailing/Distance	Posted	Published	Neighborhood Association/Distance	Application Acceptance	Notice of Decision		
Review	3			50'			the site			Director	
<b>PDSD ADMINISTRATIVE APPROVAL</b>											
Minor Subdivision Review	8.4.3. E	R								PDSD Director	
FLD Subdivision Plat or Site Plan	8.7.3. P		R	R/300'			R/1 mile	R		PDSD Director	
<b>SPECIAL EXCEPTION LAND USES</b>											
PDSD Director SE	3.4.2			R/50'			R/NA of the site	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	
<b>REZONING / ZONING EXAMINER LEGISLATIVE PROCEDURE</b>											
Rezoning	3.5	R	R	R/300'	R	R	R/1 mile		R	M/C	
Rezoning to Establish a PAD or PCD	3.5.7. E	R	R	R/1/2 mile	R	R	R/1 mile		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	M/C	
<b>LAND USE PLAN ADOPTION AND AMENDMENT</b>											
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,	3.6	R	R	R/300'			R/1 mile			M/C	

Deleted: Overlay

**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
Redevelopment.or Specific. Plan.											
<b>UNIFIED DEVELOPMENT CODE TEXT AMENDMENT</b>											
Text Amendment, General	3.7					R/ 1/8 <sup>th</sup> 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 Overlay Zone		R/ 1/8 <sup>th</sup> page display ad	R/ All NA registered with the City			M/C	
<b>APPEALS PROCEDURES</b>											
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/ Applicant only	ZA	
<b>BOARD OF ADJUSTMENT APPEAL AND VARIANCE</b>											
B/A Appeal	3.10. 2			R/300'	R	R	R/1 mile		R	B/A	
B/A Variance	3.10. 3		R	R/300'	R	R	R/1 mile		R	B/A	
<b>ADMINISTRATIVE MODIFICATIONS</b>											
DDO	3.11. 1			R/ 50'			NA of the site			PDSD Director	B/A
RND: Minor MDR	5.11. 9			R/ 50'			NA of site			PDSD Director	B/A
<b>MISCELLANEOUS APPROVALS</b>											
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				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			

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

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				NOTICE**							
Procedure	Section	Pre-Application Conference	Neighborhood Meeting	Mailing/Distance	Posted	Published	Neighborhood Association/Distance	Application Acceptance	Notice of Decision	Decision Maker	Appeal
Regulations										in Section 3.2.4.B.7	

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# #5

**Summary of the Proposed Amendment:** Revise the neighborhood meeting notice requirements for variance requests to 1) specify what the code requires and what variance request is from that particular requirement; and, 2) no longer require inclusion of a site plan and elevations with the notice.

**Section:** Sec. 3.2.2.C.3.b

**Rationale:** The proposal will provide greater clarity as to what is being requested and will make the notices consistent with notices for other application types.

**Proposed Amendment:**

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

\*\*\*

### 3.2.2 NEIGHBORHOOD MEETING

\*\*\*

#### C. Meeting Requirements

\*\*\*

##### 3. Content of Neighborhood Meeting Notices

A neighborhood meeting notice shall contain the following:

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

**Deleted:** property ownership information, a site plan, elevations, and other

## #6

**Summary of the Proposed Amendment:** Correct the public notice requirements to no longer require posted notices to include the beginning and end of the public comment period.

**Section:** UDC Sec. 3.2.4.F.3.f

**Rationale:** This particular requirement was required (and still is required for those opting to use the LUC) of projects within the Environmental Resource Zone, Hillside Development Zone, Historic Preservation Zone, Scenic Corridor Zone, and, the Watercourse, Amenities, Safety and Habitat. It should have been deleted from UDC when the decision was made to change the applicable procedure from the 300' Notice Procedure, which requires posted notice, to the PDS Director Approval Procedure, which does not. Furthermore, as no other types of applications were subject to this particular posting requirement, it was erroneously consolidated into this section and should be removed.

**Proposed Amendment:**

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

\*\*\*

### 3.2.4 PUBLIC NOTICE

\*\*\*

#### F. Posting Notice

\*\*\*

##### 4. Content

At a minimum, the notice shall include the following:

\*\*\*

- e. The date, time, and location of the public hearing, if applicable;  
and,
- ~~f.~~ The telephone number for the PDS or other applicable City department.

**Deleted:** f. Beginning and end of public comment period; and, g

\*\*\*

#7

**Summary of the Proposed Amendment:** Add a section reference to the Temporary Uses or Structures standards, i.e. revise the section to read: "16. Temporary use or buildings (see Section 4.11 for additional requirements)"

**Section:** Sec. 3.3.3.A.16 (PDSD Director Approval Procedure)

**Rationale:** Adding a section reference will assist the user in locating the temporary use standards.

**Proposed Amendment:**

**UNIFIED DEVELOPMENT CODE  
ARTICLE 3: GENERAL PROVISIONS  
DIVISION 3, ZONING COMPLIANCE REVIEW PROCEDURES**

\*\*\*

**3.3.3 PDSD DIRECTOR APPROVAL PROCEDURE**

\*\*\*

**A. Applicability**

Applications that are processed in accordance with the Planning and Development Services (PDS) Director Approval Procedure include, but are limited to:

\*\*\*

16. Temporary uses or structures ([see Section 4.11 for additional requirements](#))

\*\*\*

# #8

## Summary of the Proposed Amendment:

- A) Correct a section reference (Sec. 3.5.3.J.2)
- B) Add a reference to the Zoning Examiner Rules and Procedures (Sec. 3.5.3.J.3);
- C) Correct a scrivener’s error in the Zoning Examiner Legislative Procedure to 1) change “a” to “as”; and, 2) change “Zoning Administer” to “Zoning Examiner” [Sec. 3.5.3.J.3.a.(2)];
- D) Clarify that the Zoning Examiner can “use, or rely upon any communication, report, staff memorandum, or other material prepared in connection with the particular case” provided they are made part of the record [Sec. 3.5.3.J.3.a.(2)]; and,
- E) Revise the Zoning Examiner’s final recommendation deadline to allow an additional 5 days when a party of record has requested reconsideration of the preliminary recommendation [UDC Sec. 3.5.3.J.3.d and LUC Sec. 5.4.3.2.F]

## Rationale:

- A) The proposed amendment corrects a scrivener’s error.
- B) The added reference will alert users that such rules and procedures exist.
- C) The proposed amendment corrects a scrivener’s error.
- D) As currently written, the provision suggests that the Zoning Examiner cannot rely on these types of information when considering a case, which is erroneous and inconsistent with the Zoning Examiner’s Rules and Procedures. The requirement that “any and all written information...must be made a part of the record” will be maintained.
- E) As currently required in the LUC and UDC, the timing is such that the final recommendation would be due the same day the reconsideration period expires, thus leaving the Zoning Examiner no time to consider the reconsideration.

## Proposed Amendments:

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

\*\*\*

### 3.5.3 ZONING EXAMINER LEGISLATIVE PROCEDURE

\*\*\*

#### J. Public Hearing

\*\*\*

#### 2. Original City Zoning

Upon the effective date of annexation of property into the City, the City may adopt original City zoning or may continue the existing county zoning for a period not to exceed six months. The original City zoning shall only be initiated by the Mayor and Council. Notice of initiation must

be provided in conformance with A.R.S. §9-462.04, A and the notice requirements of Section 3.2.4. A case that establishes original City zoning may be initiated any time after the filing of a blank petition for annexation of the subject property with the office of the Pima County Recorder in accordance with state law.

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**3. Zoning Examiner Public Hearing**

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

\*\*\*

**a. Conduct of the Public Hearing**

\*\*\*

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

Deleted: ;

Deleted: Administer

\*\*\*

**d. Final Recommendation**

Within 14 days (or 19 days if a reconsideration of the preliminary recommendation is requested in accordance with Section 3.5.3.J.3.c) following the close of the public hearing or the reopened public hearing, the Zoning Examiner shall issue and transmit a final recommendation to the Mayor and Council for final action. If the Zoning Examiner determines that minor corrections to the preliminary recommendation are appropriate in response to a request for reconsideration, such corrections may be incorporated into the final recommendation without further proceedings. No further requests for reconsideration are permitted.

If the Zoning Examiner determines that a significant change to the preliminary recommendation is appropriate, the public hearing must be reopened with notice provided to all persons who received the previous preliminary recommendation.

\*\*\*

**LAND USE CODE  
ARTICLE V: ADMINISTRATION  
DIVISION 4, PROCEDURES**

\*\*\*

**5.4.3 ZONING EXAMINER LEGISLATIVE PROCEDURE**

\*\*\*

5.4.3.2 Zoning Examiner Public Hearing. The Zoning Examiner shall hold a public hearing on applications for a change of zoning and on applications for Mayor and Council Special Exception uses on behalf of the Mayor and Council. The public hearing shall be opened within seventy (70) days of acceptance of the application, except for applications for original city zoning.

\*\*\*

- F. *Final Recommendation*. Within fourteen (14) days (or 19 days if a reconsideration of the preliminary recommendation is requested in accordance with Section 5.4.3.2.E) following the close of the public hearing or the re-opened public hearing, the Zoning Examiner shall issue and transmit a final recommendation to the Mayor and Council for final action. If the Zoning Examiner determines that minor corrections to the preliminary recommendation are appropriate in response to a request for reconsideration, such corrections may be incorporated into the final recommendation without further proceedings. The final recommendation shall not be subject to further requests for reconsideration. If the Zoning Examiner determines that a significant change to the preliminary recommendation is appropriate, the public hearing shall be reopened with notice provided to all persons who received the previous preliminary recommendation.

\*\*\*

## #9

**Summary of the Proposed Amendment:** Include those PAD standards inadvertently omitted from the UDC – The standards pertaining to the site having to be under single ownership, the minimum site area requirement of 40 acres (with exceptions), and the requirement that the PAD be a well-integrated site were mistakenly not included in the UDC.

**Section:** UDC Sec. 3.5.5

**Rationale:** The proposal corrects an oversight when the Article 3 was prepared. There was no intent when Article 3 was written to omit the PAD regulations pertaining to minimum project size requirement

**Proposed Amendment:**

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

\*\*\*

### 3.5.5. PLANNED AREA DEVELOPMENT (PAD) ZONE

\*\*\*

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

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

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

**E** PAD Implementation

Deleted: E

\*\*\*

**G** Site Plan Review

Deleted: F

\*\*\*

**H** Enforcement

Deleted: G

\*\*\*

**I** Interpretation

Deleted: H

\*\*\*

**J** Amendment to an Adopted PAD

Deleted: I

\*\*\*

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# #10

## Summary of the Proposed Amendment:

- A) Indicate that appeals to the PDSD Director’s decision on design review applications in the Rio Nuevo District are considered by the Board of Adjustment (Sec. 3.10.2.A and 5.11.8)
- B) Clarify that Board of Adjustment Appeal and Variance procedures require posted and published notice (Sec. 3.10.2.C) ;
- C) Correct the order of the Board of Adjustment procedural requirements to indicate that a neighborhood meeting is required prior to submittal of an application (Sec. 3.10.3.C – E); and,
- D) Correct one of the provisions pertaining to the variance powers not granted to the Board of Adjustment to match how it is written in the Land Use Code (Section 3.10.3.L.5)

## Rationale:

- A) The appeal procedure on these types of applications was inadvertently omitted in the UDC.
- B) The proposed amendment clarifies/corrects the section to reflect the procedure accurately.
- C) The proposed amendment corrects a scrivener’s error.
- D) The proposed amendment corrects the provision so that it is the same as it is in the LUC. As presently written in the UDC, the intent and enforcement of the provision has been affected.

## Proposed Amendment:

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

\*\*\*

### 3.10.2 APPEALS

**A. Decision Subject to B/A Appeal**

Appeals to the following decisions are processed in accordance with the B/A appeal procedure:

\*\*\*

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

Deleted: and,

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

~~8. Other determinations in accordance with the UDC.~~

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\*\*\*

**C. Public Hearing and Public Notice Required**

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

Deleted: the same manner as for the procedure from which the appeal is filed.

\*\*\*

**3.10.3 VARIANCES**

**A. Applicability**

The following applications are processed in accordance with the B/A Variance procedure:

1. Variances from the requirements of the UDC; and
2. Requests for Major Modifications of Development Regulations (MDR) in the Rio Nuevo District (see Section 5.11.9 for the minor and major MDR criteria).

**B. Pre-Application Conference Required**

A pre-application conference with City staff is required in accordance with Section 3.2.1.

**C. Neighborhood Meeting Required**

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

**D. Application**

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

Deleted: C

**E. Notice of Application**

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

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

\*\*\*

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

The B/A may not:

\*\*\*

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

Deleted: , unless specifically allowed by the UDC

\*\*\*

**UNIFIED DEVELOPMENT CODE  
ARTICLE 5: OVERLAY ZONES  
DIVISION 11, RIO NUEVO DISTRICT (RND)**

\*\*\*

**5.11.8 DESIGN REVIEW REQUIRED**

\*\*\*

- B. Minor Project Design Review**  
Minor projects are reviewed as follows:

\*\*\*

**6. Appeals**

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

\*\*\*

- C. Major Project Design Review**  
Major projects are reviewed as follows:

\*\*\*

**6. Notice of decision.**

Notice of the decision shall be provided to the applicant within three (3) days of the date of the decision.

**7. Appeals**

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

# #11

**Summary of the Proposed Amendment:** Revise the Design Development Option to include a provision pertaining to the expiration of approvals

**Section:** Add a subsection "F" to Sec. 3.11.1

**Proposed Amendment:**

**UNIFIED DEVELOPMENT CODE  
ARTICLE 3: GENERAL PROCEDURES  
DIVISION 3, ZONING COMPLIANCE REVIEW PROCEDURES**

\*\*\*

**3.11.1 DESIGN DEVELOPMENT OPTION (DDO)**

\*\*\*

**F. Expiration of Approval**

Any Design Development Option (DDO) approval granted by the Planning and Development Services Department (PDSD) Director shall be null and void if building permits are not issued implementing the DDO or compliance with conditions of approval does not occur within 180 days from the date of approval. One (1) extension of up to 180 days may be granted by the PDSD Director for good cause.

# #12

**Summary of the Proposed Amendment:** Correct the use specific standard reference for the Animal Production: Commercial Stables Only use, i.e. delete references to use specific standard Sec. 4.9.2.A.4.c.

**Section:** Article 4: Tables 4.8-1 (SR & SH zones) & 4.8-7 (MU zone)

**Proposed Amendment:**

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

\*\*\*

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

\*\*\*

<b>TABLE 4.8-1: PERMITTED USES – RURAL AND SUBURBAN RESIDENTIAL ZONES</b>						
		<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
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 SH: 4.9.2.A.1.b, & 2.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

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Deleted: , & 4.c

\*\*\*

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

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

LAND USE	NC	RVC	MU	USE SPECIFIC STANDARDS
<b>Agricultural Land Use Group With Land Use Class/Type:</b>				
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, and 4.9.5.C.6

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# #13

**Summary of the Proposed Amendment:** Correct the use specific standard references for the Manufactured Housing and Single Family, Detached uses in the R-1 zone

**Section:** Article 4; Table 4.8-2

**Proposed Amendment:**

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

\*\*\*

**4.8.4 PERMITTED USES: URBAN RESIDENTIAL ZONES**

\*\*\*

<b>TABLE 4.8-2: PERMITTED USES— URBAN RESIDENTIAL ZONES</b>						
<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	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: <u>For 1 unit, 4.9.7.B.5 = 9; for 2 units (min. 10,000 sf lot size required), 4.9.7.B</u> 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: <u>For 1 unit, 4.9.7.B.5 = 9; for 2 units (min. 10,000 sf lot size required), 4.9.7.B</u> 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, Lodging as an accessory use to any permitted Family Dwelling use	S [2]	S [2]				R-1: 4.9.7.E.9, .10, & .12 and 4.9.7.H.2 & .5 - .11 R-2: 4.9.7.E.9, .10, & .12 and 4.9.7.H.3 & .5 - .11

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# #14

## Summary of the Proposed Amendment:

- A) Correct the use specific standard reference for the Construction Service use in the C-2 zone to include a reference to the C-2 zone general restrictions [UDC Table 4.8-4 (Permitted Uses – Commercial and Mixed Use Zones)];
- B) Correct the use specific standard reference for “With Alcoholic Beverage Service as an accessory use to a Food Service use” in the C-1 zone [UDC Table 4.8-4 (Permitted Uses – Commercial and Mixed Use Zones)]; and,
- C) Correct the use specific standard reference for the Alcoholic Beverage Service: Large Bar for the I-1 and I-2 zones [UDC Table 4.8-5 (Permitted Uses – Industrial Zones)].
- D) Correct the Industrial Zones Permitted Use table to indicate that Salvaging and Recycling is permitted as an accessory use to an Educational Use in the P-1 zone [UDC Table 4.8-5 (Permitted Uses – Industrial Zones)].
- E) Correct the use specific standards reference for the Salvaging and Recycling Use in the I-2 zone [UDC Table 4.8-5 (Permitted Uses – Industrial Zones)].

**Rationale:** A) & B) The proposed amendment corrects the use specific standard reference to include a reference inadvertently omitted from the table.

## Proposed Amendment:

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

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#### 4.8.6 PERMITTED USES: COMMERCIAL AND MIXED USE ZONES

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

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

LAND USE	C-1	C-2	C-3	OCR-1	OCR-2	USE SPECIFIC STANDARDS
***						
Construction Service		P	P			C-2: 4.9.13.P
***						
Food Service:						
Excluding Soup Kitchens	P	P	P	P	P	C-1: 4.9.4.M.1 & 5 and 4.9.13.O C-2: 4.9.4.M.1 and 4.9.13.P
Soup Kitchens		S [1]	S [1]	S [1]	S [1]	C-2, C-3, OCR-1, OCR-2: 4.9.4.M.4
With Alcoholic Beverage	P					C-1: 4.9.4.V.1, 3, & 5-9, 4.9.4.C.3, and

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

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

LAND USE	C-1	C-2	C-3	OCR-1	OCR-2	USE SPECIFIC STANDARDS
Service as an accessory use to a Food Service use						4.9.13.O
With a Microbrewery as an accessory use to a Food Service	S [2]					C-1: 4.9.4.M.1 & 4.9.5.E.6, .7, .8

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**4.8.7 PERMITTED USES: INDUSTRIAL ZONES**

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**TABLE 4.8-5: PERMITTED USES – INDUSTRIAL 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

\*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
***				
<b>Civic Land Use Group With Land Use Class/Type:</b>			*	
***				
Educational Use:				
Elementary and Secondary, Limited to Grades 9 -12	S [2]	S [2]		P-1: 4.9.3.D.9 and 4.9.13.Q I-1: 4.9.13.Q
Instructional or Postsecondary Institution		P		I-1: 4.9.13.Q
With Salvaging and Recycling as an accessory use to an Educational Use	P	P		P-1: 4.9.5.G.1 & .3 I-1: 4.9.5.G.1 & .3
***				
<b>Commercial Services Land Use Group With Land Use Class/Type:</b>			*	
Administrative and Professional Office	P	P	P	P-1, I-1, I-2: 4.9.13.Q
Alcoholic Beverage Service:				
Excluding Large Bar		P		I-1: 4.9.4.C.3 and 4.9.13.Q
Large Bar		S [1]	S [1]	I-1, I-2: 4.9.4.C.2 and 4.9.13.Q
With a Microbrewery as an accessory use to a P or S Alcoholic Beverage Service use		P		I-1: 4.9.5.E.6, .7, & .8
Animal Service		P		I-1: 4.9.13.Q
***				
<b>Industrial Land Use Group With Land Use Class/Type:</b>				

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**TABLE 4.8-5: PERMITTED USES – INDUSTRIAL 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

\*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
***				
Salvaging and Recycling	P	P	P	P-I: 4.9.5.C.2, 4.9.5.G.2, .4, & .5 and 4.9.13.Q I-1: 4.9.5.G.2 & .4 and 4.9.13.Q I-2 (P): 4.9.5.G.2, .4, and 4.9.13.Q
			S [1]	I-2 (S): 4.9.5.C.1 – 8 and 4.9.13.Q
Limited to Household Goods Donation Center		P	P	I-2: 4.9.5.G.2, .6, 4.9.13.C, 4.9.13.D, and 4.9.13.Q
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# #15

**Summary of the Proposed Amendment:** Correct the C-1 Zone General Restrictions pertaining to outdoor activities associated with a Food Service Use (i.e. add Food Service as an exemption to the C-1 restriction stating that all activities must be conducted entirely within an enclosed building).

**Section:** Sec. 4.9.13.O.2.b

**Rationale:** Outdoor activities (e.g. outdoor dining patio) associated with Food Service have historically been permitted. The proposed amendment clarifies the C-1 General Restrictions to make this point clear.

**Proposed Amendment:**

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

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**4.9.13 GENERAL STANDARDS, RESTRICTIONS, AND EXCEPTIONS**

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**O. C-1 Commercial Zone – General Restrictions**

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2. All land use activities shall be conducted entirely within an enclosed building, except as follows:
  - a. Civic Use Group: Cemetery, Education Elementary & Secondary Schools;
  - b. Commercial Use Group: Commercial Recreation (except shooting ranges which must be located in an enclosed building), Food Service, Medical Services, Extended Health Care;

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# #16

**Summary of the Proposed Amendment:** Revise “antennae” to “antennas”

**Sections:** Various sections, primarily in Article 4 Use Tables & Sec. 4.9.4.I

**Rationale:** When referring to a wave-transmitting metal apparatus, the correct plural form is “antennas.”

**Proposed Amendments:**

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

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

<b>TABLE 4.8-1: PERMITTED USES – RURAL AND SUBURBAN RESIDENTIAL ZONES</b> <small>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] PDSO Special Exception Procedure, Section 3.4.2</small>						
LAND USE	RH	SR	SH	RX-1	RX-2	USE SPECIFIC STANDARDS
Communications: Wireless Communication	P	P	P	P	P	RH: 4.9.4.1.2, 3, & 4.a or 4.b and 4.9.13.1 SR, SH, RX-1, RX-2: 4.9.4.1.2, 3, & 4.a or 4.b
Wireless Communication, limited to wireless communication towers and antennas	S [see use specific standard s]	S [see use specific standards]	RH: 4.9.13.1 and one of the following groups: S [3] - 4.9.4.1.2, 3 & 5.b or S [2] - 4.9.4.1.2, 3 & 6.a or S [1] - 4.9.4.1.2, 3 & 7 SH, RX-1, RX-2: S [3] - 4.9.4.1.2, 3 & 5.b or S [2] - 4.9.4.1.2, 3 & 6.a or S [1] - 4.9.4.1.2, 3 & 7			
Radio or Television Station Only	S [1]		S [1]			RH: 4.9.4.1.1, 4.9.13.A.2 and 4.9.13.A.1 SH: 4.9.4.1.1

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4.8.4 PERMITTED USES: URBAN RESIDENTIAL ZONES

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<b>TABLE 4.8-2: PERMITTED USES– URBAN RESIDENTIAL ZONES</b> <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
Religious Use	P	P	P	P	P	
With Columbarium as an accessory use	P	P	P	P	P	
With Salvaging & Recycling as an accessory use	P	P	P	P	P	R-1, R-2, R-3, MH-1, MH-2: 4.9.5.G. 1 & 3
<b>Commercial Services Land Use Group</b>						
Administrative and Professional Office (government owned and operated only)		P	P		P	
Communications:						
Wireless Communication	P	P	P	P	P	R-1, R-2, R-3, MH-1, MH-2: 4.9.4.1.2, .3, & .4.a or .4.b
Wireless Communication, limited to wireless communication towers and antennas	S [see use specific standards]	R-1, R-2, R-3, MH-1, MH-2: S[3] - 4.9.4.1.2, .3 & .5.b or S[2] - 4.9.4.1.2, .3 & .6.a or S[1] - 4.9.4.1.2, .3 & .7				

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#### 4.8.5 PERMITTED USES: OFFICE ZONES

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<b>TABLE 4.8-3: PERMITTED USES – OFFICE ZONES</b> <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
<b>Commercial Services Land Use Group With Land Use Class/Type:</b>				
Administrative and Professional Office	P	P	P	O-1: 4.9.4.R and 4.9.13.J O-2: 4.9.13.J O-3: 4.9.13.K
Communications				
Wireless Communication	P	P	P	O-1, O-2: 4.9.13.J and 4.9.4.1.2, .3, & .4.a or .4.b O-3: 4.9.13.K and 4.9.4.1.2, .3, & .4.a or .4.b
Wireless Communication, limited to wireless communication towers and antennas	S [see use specific standard]	S [see use specific standard]	S [see use specific standard]	O-1, O-2: 4.9.13.J and one of the following groups: S[3] - 4.9.4.1.2, .3, & .5.b or S[2] - 4.9.4.1.2, .3, & .6.a or S[1] - 4.9.4.1.2, .3, & .7 O-3: 4.9.13.K and one of the following groups: S[3] - 4.9.4.1.2, .3, & .5.b or S[2] - 4.9.4.1.2, .3, & .6.a or S[1] - 4.9.4.1.2, .3, & .7

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#### 4.8.6 PERMITTED USES: COMMERCIAL AND MIXED USE ZONES

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<b>TABLE 4.8-4: PERMITTED USES – COMMERCIAL AND MIXED USE ZONES</b> <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
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 4.9.4.1.1.3 & 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
Wireless Communication, limited to communication	S [see use	C-1: 4.9.13.O and one of the following groups: S[3] - 4.9.4.1.2, .3, & 5.c or				

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

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

LAND USE	C-1	C-2	C-3	OCR-1	OCR-2	USE SPECIFIC STANDARDS
towers and antennas	specific standards]	S[2] - 4.9.4.1.2, .3, 6.a or S[1] - 4.9.4.1.2, .3, .7 C-2: 4.9.13.P and one of the following groups: S[3] - 4.9.4.1.2, .3, & .5.a or S[3] - 4.9.4.1.2, .3, & .5.b or S[2] - 4.9.4.1.2, .3, & .6.b or S[1] - 4.9.4.1.2, .3, & .7 C-3: S[3] - 4.9.4.1.2, .3, & .5.a or S[3] - 4.9.4.1.2, .3, & .5.b or S[2] - 4.9.4.1.2, .3, & .6.b or S[1] - 4.9.4.1.2, .3, & .7 OCR-1, OCR-2: S[3] - 4.9.4.1.2, .3, & .5.a or S[3] - 4.9.4.1.2, .3, .5.b or S[2] - 4.9.4.1.2, .3, .6.b or S[1] - 4.9.4.1.2, .3, .7				

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

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**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] PDSO Special Exception Procedure, Section 3.4.2

LAND USE	OS	IR	P	RV	USE SPECIFIC STANDARDS
Communications:					
Wireless Communication		P			IR: 4.9.13.H and 4.9.4.1.2, .3, .4.a or .4.b
Wireless Communication, limited to wireless communication towers and antennas		S [see use specific standards]			IR: 4.9.13.H and one of the following groups: S[3] - 4.9.4.1.2, .3 & .5.b or S[2] - 4.9.4.1.2, .3 & .6.a or S[1] - 4.9.4.1.2, .3 & .7
Radio or Television Station Only		S [1]			IR: 4.9.4.1.1, 4.9.13.A.2, and 4.9.13.H

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

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

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

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LAND USE	NC	RVC	MU	USE SPECIFIC STANDARDS
<b>Agricultural Land Use Group With Land Use Class/Type:</b>				
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
<b>Civic Land Use Group With Land Use Class/Type:</b>				
Cemetery			S [2]	MU: 4.9.5.C.6
Civic Assembly			P	
Correctional Use:				
Custodial Facility			S [1]	MU: 4.9.3.B.1.a, 2.b, 3.b, 6, 7 & 8 and 4.9.5.C.6
Supervision Facility			P	MU: 4.9.3.B.1.a, 2.b, 3.a, 6 & 8
Cultural Use	P	P	P	NC, RVC: Government owned and operated only and 4.9.13.M
Educational Use:				
Elementary and Secondary	P S [2]			NC: 4.9.3.D.1 – 7 and 4.9.13.M NC: 4.9.13.M
Postsecondary Institution			P	
With Salvaging and Recycling as an accessory use to both P and S Educational Uses	P		P	NC: 4.9.5.G.1 & .3
Postal Service	P	P	P	NC, RVC: Government owned and operated only and 4.9.13.M
Protective Service	P	P		NC, RVC: Government owned and operated only and 4.9.13.M
Religious Use		P	P	RVC: 4.9.13.N
With Columbarium as an accessory use		P	P	
With Salvaging and Recycling as an accessory use		P	P	RVC, MU: 4.9.5.G.1 & .3
<b>Commercial Services Land Use Group With Land Use Class/Type:</b>				
Administrative and Professional Office	P	P	S [2]	NC: 4.9.13.M RVC: 4.9.13.N MU: 4.9.5.C.6

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

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

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LAND USE	NC	RVC	MU	USE SPECIFIC STANDARDS
Alcoholic Beverage Service, excluding Large Bars			S [2]	<b>MU:</b> 4.9.5.C.6
With Microbrewery as an accessory use			P	<b>MU:</b> 4.9.5.E.6, .7, & .8
Animal Service			S [2]	<b>MU:</b> 4.9.5.C.6
Artisan Residence	P			<b>NC:</b> 4.9.4.E.1, .2, .3, .4, & .5 and 4.9.13.M
Automotive:				
Major Service and Repair (excluding bodywork and paint-booths)			S [2]	<b>MU:</b> 4.9.5.C.6
Minor Service and Repair		S [1]	S [2]	<b>RVC:</b> 4.9.4.F.5 and 4.9.13.N <b>MU:</b> 4.9.5.C.6
Buildings and Ground Maintenance			S [2]	<b>MU:</b> 4.9.5.C.6
Commercial Recreation			P	
Communications:				
Wireless Communication	P	P	P	<b>NC:</b> 4.9.13.M and 4.9.4.I.2, .3, & .4.a or .4.b <b>RVC:</b> 4.9.13.N and 4.9.4.I.2, .3, & .4.a or .4.b <b>MU:</b> 4.9.4.I.2, .3, & .4.a or .4.b
Wireless Communication, limited to wireless communication towers and antennas	S [see use specific standards]	S [see use specific standards]	S [see use specific standards]	<b>NC:</b> 4.9.13.M and one of the following groups: S[3] - 4.9.4.I.2, .3, & .5.b; or, S[2] - 4.9.4.I.2, .3, & .6.a; or, S[1] - 4.9.4.I.2, .3, & .7 <b>RVC:</b> 4.9.13.N and 4.9.4.I.2, .3, & 4.a or 4.b <b>MU:</b> 4.9.5.C.6 and one of the following groups: S[3] - 4.9.4.I.2, .3, & .5.a or .5.b; or, S[2] - 4.9.4.I.2, .3, & .6.b; or, S[1] - 4.9.4.I.2, .3, & .7
Radio or Television Station Only			S [2]	<b>MU:</b> 4.9.4.I.1 and 4.9.5.C.6
Construction Service			S [2]	<b>MU:</b> 4.9.5.C.6
Day Care	P	P	S [2]	<b>NC:</b> 4.9.13.M <b>RVC:</b> 4.9.13.N <b>MU:</b> 4.9.5.C.6
Entertainment			S [2]	<b>MU:</b> 4.9.4.K.1, .2, .3, & .4; 4.9.4.C.3; and 4.9.5.C.6
Financial Service:				
Excluding non-chartered financial institutions	P	P	S [2]	<b>NC:</b> 4.9.4.L.3 and 4.9.13.M <b>RVC:</b> 4.9.4.L.3 and 4.9.13.N <b>MU:</b> 4.9.5.C.6
Non-chartered Financial Institutions only				

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

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

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LAND USE	NC	RVC	MU	USE SPECIFIC STANDARDS
Food Service:				
Excluding soup kitchens		P	S [2]	RVC: 4.9.4.M.2, 4.9.4.V.3, and 4.9.13.N MU: 4.9.5.C.6
Excluding soup kitchens and Alcoholic Beverage Sales	P			NC: 4.9.4.M.1 & 5 and 4.9.13.M
With Alcoholic Beverage Service as an accessory use		S [1]		RVC: 4.9.4.V.2, .3, & .4 and 4.9.4.C.3
Funeral Service			S[2]	MU: 4.9.5.C.6
Medical Service:				
Extended Healthcare			P	
Major			P	
Outpatient, excluding blood donor centers		P	P	RVC: 4.9.4.O.2 and 4.9.13.N MU: 4.9.4.O.2, 4.9.4.P.2.b, .3, & .4, and 4.9.13.A.2
Parking			S [2]	MU: 4.9.5.C.6
Personal Service	P	P	S [2]	NC: 4.9.13.M RVC: 4.9.4.T.2 & .3 and 4.9.13.N MU: 4.9.5.C.6
Research and Product Development			S [2]	MU: 4.9.5.C.6
Technical Service			S [2]	MU: 4.9.5.C.6
Trade Service and Repair:				
Major (includes automotive bodywork & paint booths)			S [2]	MU: 4.9.5.C.6
Minor	P		S [2]	NC: 4.9.13.M and excluding upholstery shops MU: 4.9.5.C.6
Transportation Services, Land Carrier			S [2]	MU: 4.9.5.C.6
Travelers Accommodation, Lodging			S [2]	MU: 4.9.5.C.6
<b>Additional Permitted Accessory Uses</b>				
Salvaging and Recycling as an accessory use to any permitted Commercial Services use	P	P	P	NC, RVC: 4.9.5.G.1 & .3 MU: 4.9.5.G.1 & .3
<b>Industrial Land Use Group With Land Use Class/Type:</b>				
Craftwork			S [2]	MU: 4.9.5.C.6
General Manufacturing			S [2]	MU: 4.9.5.C.6
Perishable Goods Manufacturing			S [2]	MU: 4.9.5.E.1 and 4.9.5.C.6
Precision Manufacturing			S [2]	MU: 4.9.5.C.6
Processing and Cleaning			S [2]	MU: 4.9.5.C.6
<b>Additional Permitted Accessory Uses</b>				
Hazardous Material Storage is permitted as an accessory use to any permitted principal land use in any Land Use Group			P	MU: 4.9.10.B.1 & .2.a

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

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

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LAND USE	NC	RVC	MU	USE SPECIFIC STANDARDS
<b>Recreation Land Use Group With Land Use Class/Type:</b>				
Parks and Recreation	P		P	NC: 4.9.13.M
<b>Residential Land Use Group With Land Use Class/Type:</b>				
Family Dwelling:				
Duplex	P		P	
Manufactured Housing	P		P	
Multifamily Development	P		P	
Single Family, Detached	P		P	
With Home Occupation as an accessory use to any Family Dwelling use	P		P	NC, MU: 4.9.7.D
Group Dwelling			P	
Mobile Home Dwelling			P	
Mobile Home Park			P	
Residential Care Services, Adult Care or Physical and Behavioral Health Services	P			NC: 4.9.7.J.3.a, & .4 and 4.9.13.M
Residential Care Services, Rehabilitation Service – Children’s Facility (maximum 10 Residents)	P			NC: 4.9.7.J.1, 3.a, & .4 and 4.9.13.M
<b>Retail Trade Use Group With Land Use Class/Type:</b>				
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
Vehicle Rental and Sales			S[2]	MU: 4.9.5.C.6 and 4.9.9.G.1, .2
<b>Additional Permitted Accessory Uses</b>				
Salvaging and Recycling as an accessory use to any permitted Retail Trade uses	P	P	P	All: 4.9.5.G.1 & .3

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

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

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LAND USE	NC	RVC	MU	USE SPECIFIC STANDARDS
<b>Storage Use Group With Land Use Class/Type:</b>				
Commercial Storage			S [2]	MU: 4.9.5.C.6 and 4.9.10.A
Personal Storage			S [2]	MU: 4.9.5.C.6 and 4.9.10.C.3, .6
<b>Additional Permitted Accessory Use</b>				
Hazardous Material Storage is permitted as an accessory use to any permitted land use			P	MU: 4.9.10.B.1 & 2.a
<b>Utilities Use Group With Land Use Class/Type:</b>				
Distribution System	S [2]	S [2]	S [2]	NC: 4.9.11.A.1, .5, & .9 and 4.9.13.M RVC: 4.9.11.A.1, .5, & .9 and 4.9.13.N MU: 4.9.5.C.6 and 4.9.11.A.1, .2, .5, .8, .9, & .11
Renewable Energy Generation			P S[2]	MU(P): 4.9.11.B.1, .2, .3, & .5 MU(S): 4.9.5.C.6
<b>Wholesaling Use Group With Land Use Class/Type:</b>				
Business Equipment Supply and Wholesaling			S [2]	MU: 4.9.5.C.6
Construction/Heavy Equipment Wholesaling			S [2]	MU: 4.9.5.C.6
Food and Beverage Wholesaling			S [2]	MU: 4.9.5.C.6

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

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4.9.4 COMMERCIAL SERVICES USE GROUP

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I. Communications

1. Limited to a radio or television station, provided the buildings do not occupy more than 30 percent of the site and are set back at least 50 feet from any adjoining C-1 or more restrictive zoned property.
  
2. Provider's Communication Plan. Each wireless communication provider shall provide a plan of its facilities to the City prior to any application for the installation of a tower or antennas. The plan shall cover the entire city and within three miles of the city limits. The plan shall include the following.
  - a. All of the provider's existing towers and antennas, by size and type, and their coverage areas.
  - b. All presently anticipated future service areas and the types of antennas and heights desired for each of the service areas.
  - c. The various types of antennas and towers used by the provider to furnish service and when they are used. This includes drawings providing the sizes and shapes of the antennas and equipment and written materials describing their application.
  - d. The provider's policy direction for the mitigation and/or reduction of existing and proposed towers and antennas to avoid the negative proliferation of such facilities.
  - e. The provider's policy direction on the mitigation and/or the reduction of the negative visual impact created by existing or proposed towers and antennas, including any proposals to conceal or disguise such facilities designed to be architecturally and/or environmentally compatible with their surroundings.
  - f. The provider's policy direction on collocation of antennas on their own facilities or on ones from other providers or on other structures that provide the verticality required for the antennas. The policy shall also provide that the provider shall not enforce any requirement by an owner of property that would prohibit collocation.
  - g. Designation of an agent of the provider who is authorized to receive communications and notices pursuant to this section.
  
3. General. The following shall be applicable to all wireless communication requests.

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- a. Noninterference with Public Safety. No wireless communication transmitter, receptor, or other facility shall interfere with police, fire, and emergency public safety communications. The Director of Operations for the City is authorized to determine whether any transmitter, receptor, or other facility has interfered with public safety communications or is reasonably believed to be an imminent threat to public safety communications. Upon making that determination, the Director of Operations shall notify the Zoning Administrator and the provider responsible for that facility. The Zoning Administrator may obtain a temporary restraining order from the City Court with or without notice to enforce this section, provided a hearing is scheduled within five days of the Court's order.
- b. All applications for towers/~~antennas~~ will be reviewed by the Communications Division of the City of Tucson Operations Department and any other appropriate public safety department to ensure that the proposed installation of the towers/~~antennas~~ will not interfere with any public safety communications or operations of the City. All applications shall include a certification by a registered or electrical engineer that each proposed antenna or tower will be in compliance with all standards established by the Federal Environmental Protection Agency and Federal Communications Commission (FCC) regarding potential health and safety hazards. Submittal of information and review of the application by the Department of Operations shall be in accordance with all applicable standards.
- c. Any antenna or tower for which the use is discontinued for six months or more shall be removed, and the property shall be restored to its condition prior to the location of the antenna or tower, all at the expense of the provider. The City may require financial assurances to ensure compliance with this provision.
- d. No new towers shall be permitted within 400 feet of a designated Scenic Route or Gateway Route; within a designated Historic Preservation Zone (HPZ) or Environmental Resource Zone (ERZ); or on a protected peak or ridge as identified in a Hillside Development Zone (HDZ) except as follows:
  - (1) Communication towers and ~~antennas~~ shall be permitted on a protected peak or ridge that was used for such facilities prior to March 3, 1997, provided any new ~~antennas~~ and towers do not increase the area already disturbed and the placement of any new towers in such areas is approved as a special exception in accordance with Section 3.5.3, Zoning Examiner Legislative Procedure.
  - (2) New ~~antennas~~ may be permitted under Section 4.9.4.I.4 and 5 if they also comply with the purposes and review procedures of the overlay zone.
  - (3) New communication towers may be permitted on Gateway Routes in exceptional circumstances, provided there is no alternative and

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the placement is approved in accordance with Section 3.5.3, Zoning Examiner Legislative Procedure.

- e. The dimensional provisions of Article 6 as applicable to towers and antennas shall be superseded by the provisions of Section 4.9.4.I.5 and by the height and setback provisions of Section 4.9.4.I.5, .6, and .7. Deleted: antennae
  - f. All proposed wireless communication towers and antennas shall be in compliance with all Federal Communications Commission (FCC) regulations, including those protecting the public health and those protecting historic districts. Deleted: antennae
  - g. Submittal Requirements. The following information is to be submitted with each application for the installation of a tower or antenna.
    - (1) An updated Provider's Communication Plan, including any proposed changes in the service areas, antennas, towers, or policy direction. Deleted: antennae
    - (2) The proposed antennas/tower location, the type of antennas/tower, and the proposed service area. Deleted: antennae  
Deleted: antennae
    - (3) A statement of compliance with FCC requirements and specifically the areas listed in Sec. 3.5.4.20.C.6.
    - (4) If the proposed installation involves a new tower, then the following information is required.
      - (a) The searched area for the proposed location.
      - (b) All existing structures, buildings, towers, etc., of greater than twenty (20) feet in height located within the searched area.
      - (c) A report on why collocation within the search area is not a viable alternative.
    - (5) Any technological or engineering requirements which effect or limit the location, height, or construction of the proposed tower/antennas should be included in reports. Deleted: antennae
4. The following requires approval in accordance with Section 3.3.3, *PDSB Director Approval Procedure*. The PDSB Director may forward the request to the Design Review Board (DRB) for design review and recommendation.
- a. Wireless communication antennas, provided:
    - (1) The antennas are mounted on the wall or roof of a building, or concealed within an architectural or structural element of the building, not exceeding the permitted height of the building. Deleted: antennae  
Deleted: antennae
    - (2) The antennas and tower, or architectural or structural element, are architecturally and/or environmentally compatible with the building and general area. Deleted: antennae
    - (3) Wall or roof mounted antennas are limited to six feet above the building, or to 15 feet if the antennas are mounted on top of the roof, the building is 40 feet high or taller, and no more than six feet Deleted: antennae  
Deleted: antennae

- of the antennas can be seen from any point on the street which is a distance from the building equal to the height of the building. Deleted: antennae
- b. Wireless communication antennas, provided: Deleted: antennae
- (1) The antennas are mounted on an existing structure within public right-of-way or public property. Deleted: antennae
  - (2) The antennas are architecturally and/or environmentally compatible with the structure and general area. Deleted: antennae
  - (3) The existing structure may be extended up to ten feet in height to allow for the placement and architectural treatment of the new antennas. Deleted: antennae
  - (4) The new antennas do not substantially increase the visual mass of the existing facility. Deleted: antennae
5. The following requires approval in accordance with Section 3.3.4, *50' Notice Procedure*. The PDSO Director shall forward the request to the Design Review Board (DRB) for design review and recommendation.
- a. Wireless communication antennas, provided: Deleted: antennae
- (1) The antennas are mounted on or within a new tower or structure in a manner that conceals or disguises the antennas or new tower. For purposes of this subsection, painting may be a method of concealing or disguising a tower. Deleted: antennae
  - (2) The tower, antennas, and structure are architecturally and/or environmentally compatible with the surrounding structure(s) and general area. Deleted: antennae
  - (3) A new tower is set back at least two times the height of the tower structure from the boundary of any other property zoned residential or office.
  - (4) The tower and antennas are 50 feet or less in height. Deleted: antennae
- b. Wireless communication antennas, provided: Deleted: antennae
- (1) The antennas are collocated on an existing wireless communication tower. Deleted: antennae
  - (2) The antennas and tower are architecturally and/or environmentally compatible with the surrounding structure(s) and general area. Deleted: antennae
  - (3) The existing tower is set back at least the height of the tower structure from the boundary of any other property zoned residential or office.
  - (4) The existing tower may be replaced and/or extended up to six feet in height to allow for the placement and architectural treatment of the new antennas. Deleted: antennae
  - (5) The maximum extension of the new antennas and associated attachments shall not exceed 36 inches as measured perpendicular to the tower at the point of attachment. Deleted: antennae
- c. Wireless communication antennas, provided: Deleted: antennae
- (1) The antennas are mounted on a new tower or an existing structure in a manner that is designed or painted so as to minimize their visual impact. Deleted: antennae

- (2) The tower and antenna are architecturally and/or environmentally compatible with the existing structures and general area.
- (3) The tower is set back a minimum of 500 feet from nonindustrially zoned property except where the nonindustrially zoned property is used as an interstate highway or railroad.
- (4) The tower and antennas are 80 feet or less in height.

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6. The following requires approval as a special exception in accordance with Section 3.4.3, *Zoning Examiner Special Exception Procedure*. The Zoning Examiner may forward the request to the Design Review Board (DRB) for design review and recommendation.

- a. Wireless communication antennas, provided:
  - (1) The antennas are mounted on a new tower and the tower and antennas are concealed or disguised, or the antennas are collocated on an existing structure.
  - (2) The tower and antennas are architecturally and/or environmentally compatible with the surrounding structure(s) and general area.
  - (3) A new tower is set back at least two times the height of the structure from the boundary of any property zoned residential or office.
  - (4) The tower and antennas are 50 feet or less in height.

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- b. Wireless communication antennas, provided:
  - (1) The antennas are mounted on a new tower and the tower and antennas are concealed or disguised, or the antennas are collocated on an existing structure.
  - (2) The tower and antennas are architecturally and/or environmentally compatible with the surrounding structure(s) and general area.
  - (3) A new tower is set back at least two times the height of the structure from the boundary of any property zoned residential or office.
  - (4) The tower and antennas are 80 feet or less in height.

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7. The following requires approval as a special exception in accordance with Section 3.4.4, *Mayor and Council Special Exception Procedure*. The Mayor and Council may forward the request to the Design Review Board (DRB) for design review and recommendation.

- a. Wireless communication antennas, provided:
  - (1) The tower or antennas are not permitted by other provisions of this section.
  - (2) New towers require a minimum separation of one mile from any existing tower, regardless of ownership, unless documentation establishes that no practical alternative exists.
  - (3) All appropriate measures shall be taken to conceal or disguise the tower and antenna from external view.
  - (4) All appropriate measures shall be taken to reduce the negative proliferation of visible towers and antennas by the collocation of

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new antennas on existing towers or with the facilities of other providers that are located or planned for development within the proposed service area.

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- (5) Notice shall be provided to all agents designated, in accordance with Section 4.9.4.I.2.g, at least 15 days prior to the date of the public hearing before the Zoning Examiner.

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

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**6.3.4 DIMENSIONAL STANDARD AND EXCEPTIONS TABLES**

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

Zone	Use	Exceptions to the Zone's Dimensional Standard
RH	<ul style="list-style-type: none"> <li>• Animal Production, limited to stable or riding school (P)</li> <li>• Travelers' Accommodations, Lodging (S)</li> </ul>	Lot Size (min.) = 10 acres Lot Coverage (max.) = 10%
	Renewable Energy Production (S)	Site Area (min.) = 0 Lot Coverage (max.) = N/A Height (max.) = 16' Nonres Use adjacent to Nonres Zone (min.) = (H)
SR	Golf Course (P)	Lot Size (min.) = 30 acres
	<ul style="list-style-type: none"> <li>• Animal Production, limited to commercial stables (P)</li> <li>• Travelers' Accommodation, Lodging (P)</li> </ul>	Site Area (min.) = 10 acres
	<ul style="list-style-type: none"> <li>• Communications, limited to wireless communication towers and <u>antennas</u> (S)</li> <li>• Day care: Child Care (P and S)</li> <li>• Distribution system (S)</li> <li>• Parks and Recreation (P)</li> <li>• Religious Use (P)</li> </ul>	Lot Coverage (max.) = 50%
	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)
	Protective Service (P – government owned and operated only)	Lot Coverage (max.) = 50% Height (max.) = 25'

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**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"> <li>Cultural use (S)</li> <li>Parks and Recreation (P)</li> <li>Religious use (P)</li> </ul>	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"> <li>Cultural Use (S)</li> <li>Parks and Recreation (P)</li> <li>Religious Use (P)</li> </ul>	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 (P & S)	Lot Coverage (max.) = N/A
	Medical Services (S)	Lot Size (min.) = 1.5 acres Lot Coverage (max.) = 70%
	<ul style="list-style-type: none"> <li>Cemetery (P)</li> <li>Communications (P)</li> <li>Communications, limited to wireless communication towers and <del>antennas</del> (S)</li> <li>Crop production (P)</li> <li>Day care: Adult or Child (P)</li> <li>Day care: Child Care (S – 2 uses with different use-specific standards)</li> <li>Distribution System (S)</li> <li>Residential Care Services: Adult Care Service or Physical and Behavioral Health Service (P &amp; S)</li> <li>Residential Care Services: Rehabilitation Service – children's facilities (P)</li> </ul>	Lot Coverage (max.) = N/A

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Zone	Use	Exceptions to the Zone's Dimensional Standard
	<ul style="list-style-type: none"> <li>Residential Care Services: Rehabilitation Service or Shelter Care (S – 2 uses with different use-specific standards)</li> <li>Residential Care Services: Shelter Care – victims of domestic violence (P)</li> </ul>	
	Renewable Energy Generation (S)	Site Area (min.) = 0 Lot Coverage (max.) = N/A Height (max.) = 16' Nonres Use adjacent to Nonres Zone (min.) = (H)
	Administrative and Professional Office (P – government owned and operated only)	Lot Size (min.) = 43,560 sf Lot Coverage (max.) = 20% Nonres. Use adjacent to Res. Zone (min.) = 2(H) Nonres. Use adjacent to Nonres. Zone (min.) = 0
	Postal Service (P – Government owned and operated only)	Lot Size (min.) = 20,000 sf Lot Coverage (max.) = 60%
	Protective Service (P – government owned and operated only)	Lot Size (min.) = 20,000 sf Lot Coverage (max.) = 60%
R-3	Educational Use: Elementary and Secondary School (P & S)	Lot Size (min.) = 20,000 sf Lot Coverage (max.) = 15%
	Cultural Use (S)	Lot Size (min.) = 20,000 sf; Lot Coverage (max.) = 60%
	<ul style="list-style-type: none"> <li>Civic Assembly (P – Government owned and operated only)</li> <li>Cultural Use (S)</li> <li>Day Care: Child (P)</li> <li>Day Care: Child Care (both S uses)</li> <li>Distribution System (S)</li> <li>Parks and Recreation (P)</li> <li>Religious Use (P)</li> <li>Residential Care Services: Rehabilitation Service – children's facilities (P)</li> <li>Residential Care Services: Rehabilitation Service or Shelter Care (both S uses)</li> <li>Residential Care Services: Shelter Care – victims of domestic violence (P)</li> </ul>	Lot Size (min.) = N/A
	<ul style="list-style-type: none"> <li>Cemetery (P)</li> <li>Communications (P)</li> <li>Communications, limited to wireless communication towers and <del>antennas</del> (S)</li> <li>Crop Production (P)</li> <li>Day Care: Adult Day Care (P)</li> <li>Group Dwelling (P)</li> <li>Medical Service (S)</li> <li>Residential Care Services: Adult Care Service or Physical and Behavioral Health Service (P)</li> </ul>	Lot Size (min.) = N/A Nonres Use adjacent to Res Zone (min.) = 1 ½(H) Nonres Use adjacent to Nonres Zone (min.) = 0
	Renewable Energy Generation (S)	Site Area (min.) = 0 Lot Coverage (max.) = N/A Height (max.) = 16' Nonres Use adjacent to Nonres Zone (min.) = (H)
	Administrative and Professional Office (P – government owned and operated only)	Lot Size (min.) = 72,000 sf Lot Coverage (max.) = 60% Nonres. Use adjacent to Res. Zone (min.) = 2(H)

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Zone	Use	Exceptions to the Zone's Dimensional Standard
		Nonres. Use adjacent to Nonres. Zone (min.) = 0
MH-1	<ul style="list-style-type: none"> <li>• Educational Use: Elementary and Secondary School (P &amp; S)</li> </ul>	Lot Size (min.) = 20,000 sf Lot Coverage (max.) = 15%
	<ul style="list-style-type: none"> <li>• Parks and Recreation (P)</li> <li>• Religious Use (P)</li> </ul>	Lot Size (min.) = 20,000 sf
	<ul style="list-style-type: none"> <li>• Renewable Energy Generation (S)</li> </ul>	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 <del>antennas</del> (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	<ul style="list-style-type: none"> <li>• Mobile Home Park (P)</li> <li>• Multifamily Development (P)</li> </ul>	Lot Coverage (max.) = 75%
	<ul style="list-style-type: none"> <li>• Educational Use: Elementary and Secondary School (P &amp; S)</li> </ul>	Lot Size (min.) = 20,000 sf Lot Coverage (max.) = 15%
	<ul style="list-style-type: none"> <li>• Parks and Recreation (P)</li> <li>• Religious Use (P)</li> </ul>	Lot Size (min.) = 20,000 sf Lot Coverage (max.) = 60%
	<ul style="list-style-type: none"> <li>• Renewable Energy Generation (S)</li> </ul>	Site Area (min.) = 0 Lot Coverage (max.) = N/A Height (max.) = 16' Nonres Use adjacent to Nonres Zone (min.) = (H)
	<ul style="list-style-type: none"> <li>• Communications (P)</li> <li>• Communications, limited to wireless communication towers and <del>antennas</del> (S)</li> <li>• Crop Production (P)</li> <li>• Distribution System (S)</li> </ul>	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 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%

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

Zone	Use	Exceptions to the Zone's Dimensional Standards
O-1	<ul style="list-style-type: none"> <li>Communications, limited to wireless communication towers and <b>antennas</b> (S)</li> <li>Residential Care Services: Adult Care Service or Physical and Behavioral Health Service (S)</li> </ul>	Lot Size (min.) = 72,000 sf Lot Coverage (max.) = 15% Nonres Use adjacent to Res Zone (min.) = 1 1/2(H) Nonres Use adjacent to Nonres Zone (min.) = 0'
	<ul style="list-style-type: none"> <li>Cultural Use [S]</li> <li>Distribution System [S]</li> <li>Residential Care Services: Adult Care Service or Physical and Behavioral Health Service (S)</li> </ul>	Lot Size (min.) = 20,000 sf Lot Coverage (max.) = 60%
	Renewable Energy Production (S)	Site Area (min.) = 0 Height (max.) = 16' Nonres Use adjacent to Nonres Zone (min.) = (H)
O-2	Residential Care Services: Rehabilitation Service or Shelter Care (S)	Lot Size (min.) = 72,000 sf Lot Coverage (max.) = 15% Nonres Use adjacent to Res Zone (min.) = 1 1/2(H) Nonres Use adjacent to Nonres Zone (min.) = 0
	<ul style="list-style-type: none"> <li>Civic Assembly (P)</li> <li>Communications, limited to wireless communication towers and <b>antennas</b> (S)</li> <li>Cultural Use (P)</li> <li>Educational Use: Elementary and Secondary School (P &amp; S)</li> <li>Educational Use: Postsecondary Inst. (P)</li> <li>Religious Use (P)</li> </ul>	Lot Size (min.) = 20,000 sf Lot Coverage (max.) = 15%
	<ul style="list-style-type: none"> <li>Cultural Use (S)</li> <li>Residential Care Services: Rehabilitation Service or Shelter Care (S)</li> </ul>	Lot Size (min.) = 20,000 sf Lot Coverage (max.) = 60%
	Day Care: Child Care (P & S)	Lot Size (min.) = 14,000 sf Lot Coverage (max.) = 80%
	Day Care: Child Care (S)	Lot Size (min.) = 2.5 acres Lot Coverage (max.) = 60%
	Renewable Energy Production (S)	Height (max.) = 16' Nonres Use adjacent to Nonres Zone (min.) = (H)
	Cultural Use (P – government owned and operated only)	Lot size (min.) = 20,000 sf Lot Coverage (max.) = 15%
O-3	Family Dwelling in the Rio Nuevo District (P)	Residential Density = 17/acres Lot Size (min.) = 2,500 sf Lot Coverage (max.) = 90% Res Use adjacent to Res Zone (min.) = 1 1/2(H) Res Use adjacent to Nonres Zone (min.) = 0
	Cemetery (P)	Lot Size (min.) = 10 acres Lot Coverage (max.) = 15% Nonres Use adjacent to Res Zone (min.) = 1 1/2(H) Nonres Use adjacent to Nonres Zone (min.) = 0
	Communications, limited to wireless communication towers and <b>antennas</b> (S)	Lot Size (min.) = 72,000 sf Lot Coverage (max.) = 15% Height (max.) = 25' Nonres Use adjacent to Res Zone (min.) = 1 1/2(H) Nonres Use adjacent to Nonres Zone (min.) = 0

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

Zone	Use	Exceptions to the Zone's Dimensional Standards
C-1	Golf Course (P)	Lot Size (min.) = 30 acres Lot Coverage (max.) = 10%
	Cemetery (P)	Lot Size (min.) = 10 acres Lot Coverage (max.) = 15%
	Communications, limited to wireless communication towers and <u>antennas</u> (S)	Lot Size (min.) = 1 acre Lot Coverage (max.) = 20%
	Distribution System (S)	Lot Size (min.) = 20,000 sf Lot Coverage (max.) = 60% Nonres Use adjacent to Res Zone (min.) = 10' or 3/4(H) Nonres Use adjacent to Nonres Zone (min.) = (H)
	Research and Product Development (P)	Lot Size (min.) = 10,000 sf Lot Coverage (max.) = 50% Nonres Use adjacent to Res Zone (min.) = 10' or 3/4(H) Nonres Use adjacent to Nonres Zone (min.) = (H)
	Group Dwelling (P)	Lot Size (min.) = 7,000 sf Lot Coverage (max.) = 70% Nonres Use adjacent to Res Zone (min.) = 10' or 3/4(H) Nonres Use adjacent to Nonres Zone (min.) = (H)
	<ul style="list-style-type: none"> <li>• Personal Storage (P)</li> <li>• Renewable Energy Generation (P)</li> </ul>	Height (max.) = 16' Nonres Use adjacent to Res Zone (min.) = 10' or 3/4(H) Nonres Use adjacent to Nonres Zone (min.) = (H)

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# #17

**Summary of the Proposed Amendment:** Correct the misspelling of “Historic”

**Section:** Sec. 5.8.1

**Rationale:** The proposal corrects this scrivener’s error.

**Proposed Amendment:**

**UNIFIED DEVELOPMENT CODE  
ARTICLE 5: OVERLAY ZONES  
DIVISION 8, “H” HISTORIC PRESERVATION ZONE**

\*\*\*

## 5.8.1 PURPOSE

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

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# #18

**Summary of the Proposed Amendment:** Clarify the perimeter yard standards, i.e. add a footnote indicating that the "greater of the two dimensions applies" anytime more than one perimeter yard standard is given [e.g. 6' or 2/3(H)].

**Section:** Article 6: Dimensional Standards tables

**Rationale:** The perimeter yard diagrams in Sec. 6.4.5 support this point. A footnote should be added to make this point crystal clear.

**Proposed Amendment:**

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

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**6.3.4 DIMENSIONAL STANDARD AND EXCEPTIONS TABLES**

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**TABLE 6.3-2.A: DIMENSIONAL STANDARDS FOR THE R-1, R-2, R-3, MH-1, & MH-2 ZONES**

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

Dimensional Standard	Zone				
	R-1	R-2	R-3	MH-1	MH-2
Residential Density (maximum)	SF: 1/7,000 sf SF (2 units): 2/10,000 sf	SF: 1/5,000 sf MF: 15/acre	SF: 1/5,000 sf MF: 36/acre	SF/MH: 1/7,000 sf MF/MH Park: 8/acre	SF/MH: 1/5,000 sf MF & MH Park: 15/acre
Lot Size/Site Area (minimum)	SF (1 unit): 7,000 sf SF (2 units): 10,000 sf Nonres: see Exceptions	5,000 sf	SF: 5,000 sf MF/Nonres: 0	7,000 sf	5,000 sf
Lot Coverage (maximum)	70%	SF: 70% MF: 75% Nonres: see Exceptions	70%	70%	SF, MH, Res. Care Services: 70% MF & MH Park: 75% Nonres: see Exceptions
Height (maximum)	25'	25'	SF, Civic Uses, & Admin/Prof Offices: 25' MF/Nonres: 40'	25'	25'
Perimeter Yard [Standard based on the proposed use's adjacency to a residential or nonresidential zone or street]					
Street	Section 6.4.5.C	Section 6.4.5.C	Section 6.4.5.C	Section 6.4.5.C	Section 6.4.5.C
Res Use → Res. Zone	6' or 2/3(H)*	6' or 2/3(H)*	6' or 2/3(H)*	6' or 2/3(H)*	6' or 2/3(H)*
Res Use → Nonres. Zone	10' or 3/4(H)*	10' or 3/4(H)*	10' or 3/4(H)*	10' or 3/4(H)*	10' or 3/4(H)*
Nonres Use → Res or Nonres Zone	10' or 3/4(H)*	10' or 3/4(H)*	10' or 3/4(H)*	10' or 3/4(H)*	10' or 3/4(H)*

\* The greater of the two dimensions applies

**Key:**

(H) = Height of the proposed exterior building wall  
 MF = Multifamily Development (Section 6.3.3.C)  
 MH = Mobile Home Dwelling (Section 6.3.3.A)  
 MH Park = Mobile Home Park (Section 6.3.3.B)  
 N/A = Not Applicable  
 Nonres = Nonresidential (Section 6.3.3.D or .E, whichever is applicable)

Res = Residential (Section 6.3.3.H or .I, whichever is applicable)  
 SF = Single Family Use (Section 6.3.3.J)  
 sf = square feet  
 → = adjacent to

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

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

Dimensional Standard	Zone		
	0-1	0-2	0-3
Residential Density (maximum)	8/acre	8/acre	22/acre
Lot Size/Site Area (minimum)	Res: 7,000 sf	Res: 5,000 sf	Res: 5,000 sf
	Nonres: 10,000 sf	Nonres: 0 sf	Nonres: 0 sf
Lot Coverage (maximum)	Res: 70%	Res: 70%	Res: 75%
	Nonres: N/A	Nonres: N/A	Nonres: N/A
Height (maximum)	Res, Office: 16'	26'	Res: 25'
	Other: 25'		Nonres: 40'
Perimeter Yard [Standard based on the proposed use's adjacency to a residential or nonresidential zone or street]			
Street	Section 6.4.5.C	Section 6.4.5.C	Section 6.4.5.C
Res Use → Res or Nonres Zone	10' or 3/4(H)*	10' or 3/4(H)*	10' or 3/4(H)*
Nonres Use → Res or Nonres Zone	10' or 3/4(H)*	10' or 3/4(H)*	10' or 3/4(H)*

\* The greater of the two dimensions applies

**Key:**

(H) = Height of the proposed exterior building wall  
 MF = Multifamily Development (Section 6.3.3.C)  
 MH = Mobile Home Dwelling (Section 6.3.3.A)  
 MH Park = Mobile Home Park (Section 6.3.3.B)  
 N/A = Not Applicable  
 Nonres = Nonresidential (Section 6.3.3.D or .E, whichever is applicable)

Res = Residential (Section 6.3.3.H or .I, whichever is applicable)  
 SF = Single Family Use (Section 6.3.3.J)  
 sf = square feet  
 → = adjacent to

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

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

Dimensional Standard	Zone				
	C-1	C-2	C-3	OCR-1	OCR-2
Residential Density (maximum)	36/acre	44/acre	87/acre	N/A	N/A
Lot Size/Site Area (minimum)	0	0	0	0	0
Lot Coverage (maximum)	Res: 75%	Res: 70%	Res: 80%	Res: 80%	Res: 80%
	Nonres: N/A	Nonres: N/A	Nonres: N/A	Nonres: N/A	Nonres: N/A
Height (maximum)	Res: 25'	40'	75'	140'	300'
	Nonres: 30'				
Perimeter Yard [Standard based on the proposed use's adjacency to a residential or nonresidential zone or street]					
Street	Section 6.4.5.C	Section 6.4.5.C	Section 6.4.5.C	Section 6.4.5.C	Section 6.4.5.C
Res Use → Res Zone	10' or $\frac{3}{4}(H)$ *	10' or $\frac{3}{4}(H)$ *	1½(H)	1½(H)	1½(H)
Res Use → Nonres. Zone	10' or $\frac{3}{4}(H)$ *	10' or $\frac{3}{4}(H)$ *	0	0	0
Nonres Use → Res Zone	1½(H)	1½(H)	1½(H)	2(H)	2(H)
Nonres Use → Nonres Zone	0	0	0	0	0

\* The greater of the two dimensions applies

**Key:**

(H) = Height of the proposed exterior building wall  
 MF = Multifamily Development (Section 6.3.3.C)  
 MH = Mobile Home Dwelling (Section 6.3.3.A)  
 MH Park = Mobile Home Park (Section 6.3.3.B)  
 N/A = Not Applicable  
 Nonres = Nonresidential (Section 6.3.3.D or .E, whichever is applicable)

Res = Residential (Section 6.3.3.H or .I, whichever is applicable)  
 SF = Single Family Use (Section 6.3.3.J)  
 sf = square feet  
 → = adjacent to

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

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

Dimensional Standard	Zone			
	OS	IR	P	RV
Residential Density (maximum)	N/A	1/36 acres	N/A	8/acre
Lot Size/Site Area (minimum)	4,000 sf	36 acres	5,000 sf	7,000 sf
Lot Coverage (maximum)	10%	SF, MH: N/A Nonres: 10%	N/A	70%
Height (maximum)	12'	30'	16'	16'
Perimeter Yard [Standard based on the proposed use's adjacency to a residential or nonresidential zone or street]				
Street	Section 6.4.5.C	Section 6.4.5.C	Section 6.4.5.C	Section 6.4.5.C
Res Use → Res. Zone	4(H)	25'	6' or 2/3(H)*	10' or 3/4(H)*
Res Use → Nonres. Zone	0	(H)	6' or 2/3(H)*	10' or 3/4(H)*
Nonres Use → Res. Zone	4(H)	4(H)	6' or 2/3(H)*	10' or 3/4(H)*
Nonres Use → Nonres. Zone	0	0	6' or 2/3(H)*	10' or 3/4(H)*

\* The greater of the two dimensions applies

**Key:**

(H) = Height of the proposed exterior building wall  
 MF = Multifamily Development (Section 6.3.3.C)  
 MH = Mobile Home Dwelling (Section 6.3.3.A)  
 MH Park = Mobile Home Park (Section 6.3.3.B)  
 N/A = Not Applicable  
 Nonres = Nonresidential (Section 6.3.3.D or .E, whichever is applicable)

Res = Residential (Section 6.3.3.H or .I, whichever is applicable)  
 SF = Single Family Use (Section 6.3.3.J)  
 sf = square feet  
 → = adjacent to

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

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

Dimensional Standard	Zones		
	NC	RVC	MU
Residential Density (maximum)	8/acre	N/A	SF: 1/7,000 sf MF: 15/acre
Lot Size/Site Area (minimum)	Res: 7,000 sf Nonres: 10,000 sf	N/A	SF: 7,000 sf MF: 5,000 sf Nonres: N/A
Lot Coverage (maximum)	Res: 70% Nonres: N/A	N/A	SF: 70% MF: 75% Nonres: N/A
Height (maximum)	16'	30'	Res.: 25' Nonres: 30'
Perimeter Yard [Standard based on the proposed use's adjacency to a residential or nonresidential zone or street]			
Street	Section 6.4.5.C	Section 6.4.5.C	Section 6.4.5.C
Res Use → Res. Zone	10' or ¾(H)*	1½(H)	10' or ¾(H)*
Res Use → Nonres. Zone	10' or ¾(H)*	0	10' or ¾(H)*
Nonres Use → Res. Zone	10' or ¾(H)*	1½(H)	1½(H)
Nonres Use → Nonres. Zone	10' or ¾(H)*	0	0

\* The greater of the two dimensions applies

**Key:**

(H) = Height of the proposed exterior building wall  
 MF = Multifamily Development (Section 6.3.3.C)  
 MH = Mobile Home Dwelling (Section 6.3.3.A)  
 MH Park = Mobile Home Park (Section 6.3.3.B)  
 N/A = Not Applicable  
 Nonres = Nonresidential (Section 6.3.3.D or .E, whichever is applicable)

Res = Residential (Section 6.3.3.H or .I, whichever is applicable)  
 SF = Single Family Use (Section 6.3.3.J)  
 sf = square feet  
 → = adjacent to

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# #19

**Summary of the Proposed Amendment:** Clarify headers in the Height Exceptions section, i.e. revise the headers to these sections to read "Communications Antennas (Excluding Communications Facilities)" and "Communications Antennas (Associated with Communications Facilities)", respectively.

**Section:** Sec. 6.4.4.C.6 &.8

**Rationale:** The proposed change would make a distinction between these two sections.

**Proposed Amendment:**

**UNIFIED DEVELOPMENT CODE  
ARTICLE 6: DIMENSIONAL STANDARDS AND MEASUREMENTS  
DIVISION 4, RULES OF MEASUREMENT AND EXCEPTIONS TO DIMENSIONAL  
STANDARDS**

**6.4.4 HEIGHT**

**C. Height Exceptions**

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

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8. **Communications Antennas (Associated with Communications Facilities)**

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

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# #20

**Summary of the Proposed Amendment:** Correct section references in two of the perimeter yard figures

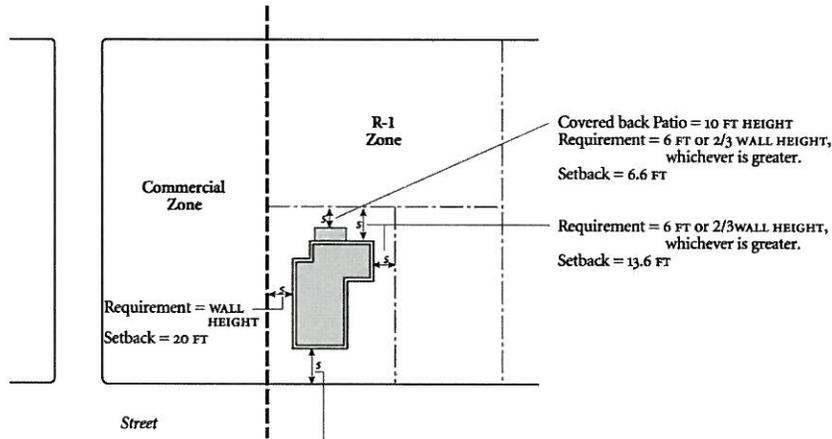
**Section:** Sec. 6.4.5, Figures 6.4.5-B & C

**Rationale:** The proposed amendment corrects a scrivener's error.

**Proposed Amendment:**

**UNIFIED DEVELOPMENT CODE**  
**ARTICLE 6: DIMENSIONAL STANDARDS AND MEASUREMENTS**  
**DIVISION 4, RULES OF MEASUREMENT AND EXCEPTIONS TO DIMENSIONAL STANDARDS**

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[See Sec. 6.4.5.C](#)

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

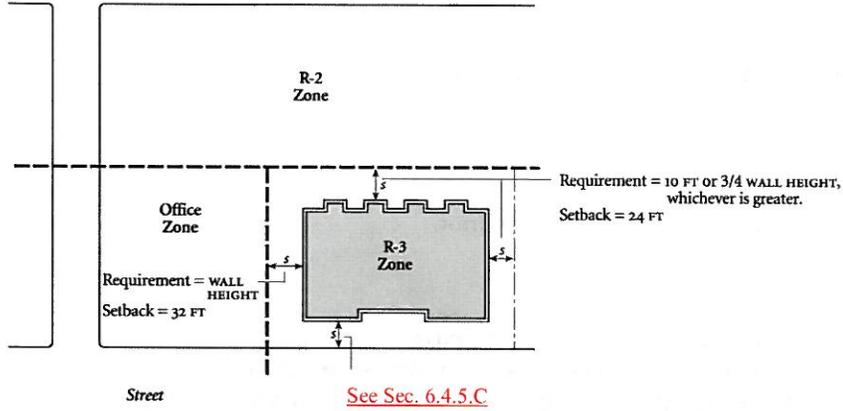


Figure 6.4.5-C: Example of Perimeter Yard (Wall Height = 32')

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DRAFT

# #21

**Summary of the Proposed Amendment:** Add a Floor to Area Ratio (FAR) measurement standard that is applicable to development in the AEZ only.

**Section:** Sec. 6.4.6

**Rationale:** While FAR has been eliminated as a development standard in most instances, it is still a required standard for projects in the Airport Environs Zone for safety reasons. A methodology for measuring FAR is needed to avoid confusion in the future.

**Proposed Amendment:**

**UNIFIED DEVELOPMENT CODE  
ARTICLE 6: DIMENSIONAL STANDARDS AND MEASUREMENTS  
DIVISION 4, RULES OF MEASUREMENT AND EXCEPTIONS TO DIMENSIONAL  
STANDARDS**

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## 6.4.6 FLOOR AREA RATIO

### A. Purpose

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

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

### B. Applicability

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

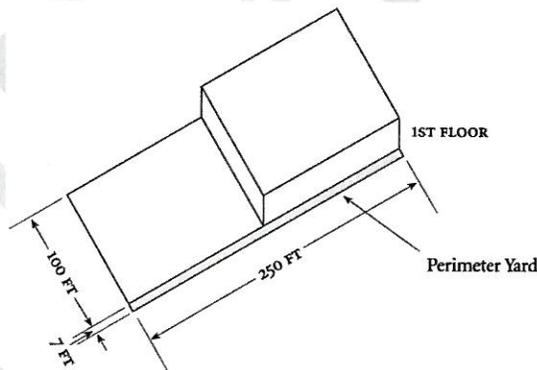
### C. Measurement

#### 1. General

- a. FARs are used in conjunction with lot coverage, perimeter yard requirements, and height limitations to determine and define the building bulk that may occur on a given site.
- b. The FAR provides the maximum amount of floor area that can be developed on a site. However, the maximum permitted FAR is based on the most favorable situation and may not be achievable due to other development and dimensional standards.
- c. The floor area may be divided into any number of dwelling units, principal buildings, and accessory buildings provided the combined square footage does not exceed the permitted floor area of the site.

#### 2. Calculation

- a. Multiply the area of the site, expressed in square feet, by the applicable FAR. The result is the maximum amount of floor area permitted on the site. See Figure 6.4.6-A for an example of the FAR calculation.
- b. See the definition of “Gross Floor Area” (Section 11.4.8) and exception provided below for the types of improvements and site area that are and are not included in the FAR calculation.
- c. Exception. Any site area dedicated or sold at nominal cost to the City for public purposes is included as part of the site area for calculation of density, provided:
  - i. The additional density is less than ten (10) percent of the density permissible for the rest of the site area;
  - ii. Such dedication was not a condition of approval for applications, such as, but not limited to, rezonings or variance requests;
  - iii. Such dedication does not include right-of-way dedicated as part of a subdivision plat; and
  - iv. A deed for the area or a legally binding agreement to dedicate or sell at nominal cost to the City is submitted as part of the application.



Example: Nonresidential Project

FAR: 0.50

Site Area: 25,000 sq ft

Calculation

Site Area x FAR = Floor Area

25,000 sq ft x 0.5.0 = Floor Area

12,500 sq ft = Floor Area

Figure 6.4.6-B Floor Area Ratio (FAR) Calculation

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**UNIFIED DEVELOPMENT CODE  
ARTICLE 11: DEFINITIONS AND RULES OF CONSTRUCTION  
DIVISION 4, OTHER TERMS DEFINED**

**11.4.7 Definitions – F**

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Floor Area Ratio (FAR). A ratio expressing the amount of square feet of floor area permitted for every square foot of land area within the site. The FAR is usually expressed as a single number, i.e., FAR of six (6) means six (6) square feet of floor area for every square foot of site area. For calculation, see Section 6.4.6.

DRAFT

## #22

**Summary of the Proposed Amendment:** Delete outdated accessory use standard (i.e. “Accessory structure shall have side and rear setback of seven feet and a street setback of 20 feet or the setback of the existing principle use; and.”).

**Section:** Sec. 6.6.3.D

**Rationale:** This provision was erroneously included in this section and should have been deleted when the previously proposed “fixed dimensional standard” idea was abandoned for a dimensional standard approach that more closely reflects the current requirements.

**Proposed Amendment:**

**UNIFIED DEVELOPMENT CODE  
ARTICLE 6: DIMENSIONAL STANDARDS AND MEASUREMENTS  
DIVISION 6, ACCESSORY USES, BUILDINGS, AND STRUCTURES**

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### 6.6.3 SPECIFICALLY WITHIN RESIDENTIAL ZONES

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

- a. An accessory building shall not be a dwelling unit but may be a building that is used as sleeping quarters by the residents of the dwelling unit in accordance with Sections 6.6.1.A and .B. The sleeping quarters may include bedrooms, bathrooms, and a sitting room, provided the building complies with Section 6.6.1.C and is not the dominant use of the property;
- b. Detached accessory buildings are not permitted in the buildable area extending the full width of the lot between the principal building and the front street lot line, except for terraces and steps not over three feet high above the natural grade, paved areas, and fences or walls;
- c. Accessory structures shall not exceed 12 feet in height, unless attached to a principal structure. If attached to the principal structure, maximum height permitted shall be the same as for the principal structure; and,
- d. The total gross floor area (gfa) of all accessory structures shall not exceed 50 percent of the gfa of the principal structure. Accessory structures less than 200 square feet gfa are exempt from this requirement.

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# #23

**Summary of the Proposed Amendment:** Correct a scrivener's error in the parking section.

**Section:** 7.4.5.E.2.a

**Rationale:** The proposed amendment corrects a scrivener's error.

**Proposed Amendment:**

**UNIFIED DEVELOPMENT CODE  
ARTICLE 7: DEVELOPMENT STANDARDS  
DIVISION 4, MOTOR VEHICLE AND BICYCLE PARKING**

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**7.4.5 REDUCTIONS AND EXCEPTIONS**

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**E. Other Permitted Reductions**

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**2. Reduction Based on Providing Additional Accessible Parking**

- a. For existing development, the number of require parking spaces may be reduced by two spaces for every one non-required accessible parking space.

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# #24

**Summary of the Proposed Amendment:** Revise the Use of Street or Alley for Maneuvering Area Standard to correctly reflect zoning determination, i.e. correct the list of uses that can use a street or alley for maneuvering into or from a parking space. The corrected list is single family dwellings (attached and detached), mobile home dwellings, duplexes, and Residential Care Services with a total off-street motor vehicle parking requirement of four (4) or fewer spaces.

**Section:** UDC Sec. 7.4.6.K and Land Use Code Section 3.3.6.11

**Rationale:** The change is would make the standard consistent with the regulation in effect prior to the parking code amendments adopted in 2011 and the zoning determination from April 18, 2005.

**Proposed Amendment:**

**UNIFIED DEVELOPMENT CODE  
ARTICLE 7: DEVELOPMENT STANDARDS  
DIVISION 4, MOTOR VEHICLE AND BICYCLE PARKING**

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## 7.4.6 MOTOR VEHICLE USE AREA DESIGN CRITERIA

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### K. Use of Street or Alley for Maneuvering Area

A street or alley ~~can~~ not be used for maneuvering directly into or from any parking space located wholly or partially outside the public right-of-way, except as follows:

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1. ~~The following uses are permitted to use a street or alley for access and maneuvering:~~

a. ~~Residential uses (including, but not limited to, single-family dwellings, mobile home dwellings, duplexes on individual lots, and Residential Care Services) that require four or fewer off-street motor vehicle parking spaces;~~

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b. ~~Home occupations; or~~

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c. ~~Non-residential uses within contributing properties to a National Register Historic District~~

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2. An alley, when used for access, must be a minimum of 20 feet wide, free of obstructions, and surfaced with a dust control method that is acceptable to the TDOT City Engineer.

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3. A street may be used for maneuvering directly into or from a parking space, provided the parking space is located completely within the right-of-way and the design of the parking layout is approved by the TDOT City Engineer.

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4. These exceptions are not applicable on MS&R designated streets as provided in the MS&R Plan.

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LAND USE CODE  
ARTICLE III DEVELOPMENT REGULATIONS  
DIVISION 3, MOTOR VEHICLE AND BICYCLE PARKING REQUIREMENTS

\*\*\*

3.3.6. MOTOR VEHICLE USE AREA DESIGN CRITERIA

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3.3.6.11 Use of Street or Alley for Maneuvering Area. A street or an alley ~~can~~ not be used for maneuvering directly into or from any parking space located wholly or partially outside the public right-of-way, except as follows:

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A. The following uses are permitted to use a street or alley for access and maneuvering:

1. Residential uses (including, but not limited to, single-family dwellings, mobile home dwellings, duplexes on individual lots, and Residential Care Services) that require four or fewer off-street motor vehicle spaces;

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2. Home occupations; or,

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3. Non-residential uses within contributing properties to a National Register Historic District;

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B. An alley, when used for access, must be a minimum of twenty (20) feet wide, free of obstructions, and surfaced with a dust control method that is acceptable to the TDOT City Engineer.

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C. A street may be used for maneuvering directly into or from a parking space, provided the parking space is located completely within the right-of-way and the design of the parking layout is approved by the TDOT City Engineer.

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D. These exceptions are not applicable on MS&R designated streets as provided in Sec. 3.2.14.3.

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# #25

## Summary of the Proposed Amendment:

- A) Correct the landscape buffer requirement for lots interior to a subdivision [Sec. 7.6.4.C.2.b.(1)]
- B) Include missing regulations pertaining to buffelgrass (Sec. 7.6.4.E.2 & 3)

## Rationale:

- A) The proposed amendment corrects the provision to match what is in the Land Use Code.
- B) The proposed amendment adds a previously-adopted regulation that was inadvertently omitted from the UDC.

## Proposed Amendment:

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

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### 7.6.4 LANDSCAPE STANDARDS

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#### C. Landscape Borders

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##### 2. Streetscape Borders

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###### b. Residential Subdivisions

Street landscape borders for residential subdivisions of eight or more lots shall conform to the following standards:

- (1) Street landscape borders are only required along the exterior boundaries of subdivisions. Landscape borders are not required along front yard street frontages,

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#### E. Plant Cover/Dust Control

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2. Unless maintained as undisturbed natural desert, all portions of a site not occupied by buildings, structures, vehicular use areas, oasis areas, pedestrian circulation areas, or required landscape elements must be landscaped with vegetation from the Arizona Department of Water Resource's Low Water Use/Drought Tolerant Plant List, reseeded with a native seed mix, or treated with an inorganic ground cover and maintained in a clean condition. All portions of a site including common areas, natural areas, and revegetated or landscaped areas are to continuously be maintained to remove populations of buffelgrass (*Pennisetum ciliare*).
3. Unless maintained as undisturbed natural desert, future building pads within a phased development must be temporarily landscaped with vegetation from the Arizona Department of Water Resource's Low Water Use/Drought Tolerant Plant List, reseeded with a native seed mix, or treated with an appropriate inorganic ground cover and maintained in a clean condition as required by Section 7003(e) of the Uniform Building Code (UBC). All portions of a site including common areas, natural areas, and revegetated or landscaped areas are to continuously be maintained to remove populations of buffelgrass (*Pennisetum ciliare*).

## #26

**Summary of the Proposed Amendment:** Correct the misspelling of “facilities”

**Section:** Article 8, Table of Contents & Sec. 8.7.1

**Rationale:** The proposed amendment corrects these scrivener’s errors.

**Proposed Amendment:**

**UNIFIED DEVELOPMENT CODE  
ARTICLE 8: LAND DIVISION, LAND SPLIT, AND SUBDIVISION STANDARDS  
DIVISION 7, SUBDIVISION DESIGN STANDARDS**

| **8.7.1 PARKS, RECREATIONAL FACILITIES, FIRE STATIONS, AND SCHOOL SITES**

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# #27

**Summary of the Proposed Amendment:** Clarify the maximum permitted number of lots that can be created via a block plat – Add “shall not exceed 10 lots” as one of the criteria.

**Section:** Sec. 8.4.1.E

**Rationale:** While the 10-lot limitation is stated in the purpose statement, it should also be added to the criteria section for clarification purposes.

**Proposed Amendment:**

**UNIFIED DEVELOPMENT CODE  
ARTICLE 8: LAND DIVISION, LAND SPLIT, AND SUBDIVISION STANDARDS  
DIVISION 4, SUBDIVISIONS**

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## 8.4.1 BLOCK PLAT

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**E. Criteria**  
Block plats must:

1. Result in ten (10) or fewer lots; ← Formatted: Bullets and Numbering
2. Result in lots/blocks that conform to the minimum lot size requirements of the property’s zone; ← Formatted: Bullets and Numbering
3. Provide access to the proposed lots in compliance with Section 7.8, Access, of the UDC and Sections 7-01.0.0, Pedestrian Access, and 10-01.0.0, Street Technical Standard, of the Technical Standards Manual; ← Formatted: Bullets and Numbering
4. Results in all existing buildings complying with the perimeter yard requirements of the property’s zone; ← Formatted: Bullets and Numbering
5. Conform to all City, State, and Federal drainage requirements; ← Formatted: Bullets and Numbering
6. Result in lots of at least the minimum size required to build in conformance with the applicable zoning including any natural, environmental and floodplain requirements; ← Formatted: Bullets and Numbering
7. Not be for a Flexible Lot Development; and, ← Formatted: Bullets and Numbering
8. When used to abandon a plat, the disposition of the public right-of-way and utility easements created by the abandoned plat is provided. ← Formatted: Bullets and Numbering

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# #28

**Summary of the Proposed Amendment:** Insert the effective date of the UDC

**Section:** Sec. 9.1.3

**Rationale:** The proposed amendment provides missing information required to implement the standard.

**Proposed Amendment:**

**UNIFIED DEVELOPMENT CODE  
ARTICLE 9: NONCONFORMING USES, BUILDINGS, AND STRUCTURES  
DIVISION 1, GENERAL**

\*\*\*

## 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.

**Deleted:** \_\_\_\_\_ (insert effective date of the UDC)

**Administrative Manual: Corrections, Edits, and Clarifications**

**#1**

**Summary of the Proposed Amendments:**

- A) Correct the misspelling of “identified” (Sec. 2-03.4.2.A.3)
- B) Correct the misspelling of “identify” (Sec. 2-03.4.2.I.1)

**Rationale:** A) & B) The proposed amendments correct these scrivener’s errors.

**Proposed Amendment:**

**ADMINISTRATIVE MANUAL  
SECTION 2: APPLICATION SUBMITTAL REQUIREMENTS  
DIVISION 3, REZONING (CHANGE OF ZONING) APPLICATIONS**

\*\*\*

**2-03.4.0 PRELIMINARY DEVELOPMENT PACKAGE (PDP) CONTENT REQUIREMENTS**

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**4.2 Site Analysis**

A. General

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- 3. A small project location map at a scale of one inch = 1,000 feet showing the rezoning site at the center and indicating what generalized land uses surround it within a one-half (½) mile radius. Major streets should be identified;

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I. Vegetation

Provide a written description and map on an aerial photograph the following information:

- 1. Existing on-site vegetation, including mesquite bosques, visually prominent cacti or individual trees with a caliper of four (4) inches or greater, and all saguaros. Identify those vegetative areas of wildlife, scenic value, or screening significance; and,

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## #2

### Summary of the Proposed Amendment:

- A) Correct the misspelling of “addressing” (Sec. 2-06.3.6)
- B) Indicate that the administrative street address must be located adjacent to the title block (Sec. 2-06.4.2)
- C) Clarify a Development Package requirement and delete a parenthetical review note from staff (Sec. 2-06.4.9.H.5.c)
- D) Insert a missing section reference (Sec. 2-06.4.9.H.7)

### Rationale:

- A) The proposed amendment corrects this scrivener’s error.
- B) The proposed amendment is required due to a change in Pima County Addressing policy.
- C) The proposed amendment clarifies a confusing standard.
- D) The proposed amendment provides the missing information needed.

### Proposed Amendment:

**ADMINISTRATIVE MANUAL  
SECTION 2: APPLICATION SUBMITTAL REQUIREMENTS  
DIVISION 6, DEVELOPMENT PACKAGE**

\*\*\*

**2-06.3.0      FORMAT REQUIREMENTS**

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- 3.6** Provide a blank three (3) inch by five (5) inch block in the lower right corner of the plan adjacent to the title block on the first sheet of the development package for use by Pima County Addressing.

\*\*\*

**2-06.4.0      CONTENT REQUIREMENTS**

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- 4.2** The title block shall include the following information and be provided on each sheet:

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C. The number of proposed lots and common areas are to be noted. If the subdivision is a Flexible Lot Development (FLD), a condominium, or a similar type of residential subdivision utilizing special provisions of the UDC, it shall be so noted.

D. The page number and the total number of pages in the package (i.e. sheet xx of xx).

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4.3 The administrative street address and relevant case numbers (development package document, subdivision, rezoning, board of adjustment, DDO, MDR, DSMR, overlay, etc.) shall be provided adjacent to the title block on each sheet.

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#### 4.9 Information on Proposed Development

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H. Proposed traffic circulation:

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5. If utilizing parking area access lanes (PAALs), they shall be designed in accordance with Section 7.4.6, Motor Vehicle Use Area Design Criteria, of the UDC.

\*\*\*

c. Show all loading zones, vehicle maneuverability fully dimensioned, and access route. Provide as a note the number of loading spaces required, the number provided, and whether the loading space is a Type A or B as provided in UDC Section 7.5.4.G.

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7. If streets are proposed, indicate if they are designed for on-street parking to accommodate visitor parking or if parking is provided in common parking areas. Visitor parking is to be evenly distributed and usable by all residents of the project. Extra parking on individual lots, such as tandem parking in driveways, does not count toward visitor

parking, as it is not available to other property owners within the project. Design criteria for streets are located in Technical Standards Manual Section 10-01.0.0,

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Streets designed at the minimum width, without on-street parking, need clearance for access to all homes by life safety vehicles and, where no alleys are provided, by refuse collection vehicles. If motor vehicles are parked along streets that are not designed to allow for parking, life safety services will be inhibited and, in many situations, blocked.

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### #3

#### Summary of the Proposed Amendments:

- A) Correct the misspelling of “condominium” (Sec. 2-07.1.0)
- B) Correct the numbering of Content Requirement section (Sec. 2-07.5.1.A)
- C) Capitalize “India” (i.e. India ink) (Sec. 2-07.5.3)

**Rationale:** A), B), & C) The proposed amendments correct these scrivener’s errors.

#### Proposed Amendments:

**ADMINISTRATIVE MANUAL  
SECTION 2: APPLICATION SUBMITTAL REQUIREMENTS  
DIVISION 7, FINAL PLAT, BLOCK PLAT, MINOR SUBDIVISION, AND  
CONDOMINIUM PLAT APPLICATIONS**

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#### 2-07.1.0 APPLICABILITY

Final plats, block plats, minor subdivisions, and condominium plats shall be prepared according to the requirements provided below. Hereafter referred to as “plat” or “plats.”

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A final plat serves as a survey document suitable for recordation of all or part of an approved tentative plat, if applicable. The final plat must conform to the approved tentative plat or site plan in lot configuration, design, and required conditions of development. The final plat, once approved, is recorded in the Pima County Recorder's Office. The final plat is kept on file and becomes part of the permanent record for the subject site.

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#### 2-07.5.0 CONTENT REQUIREMENTS

##### 5.1 General

- A. A project-location map must be drawn in the upper right corner of the first sheet of the plat at a scale of 3" = 1 mile and include the following information:
  - 1. The project site approximately centered within a one (1) square mile area;
  - 2. Label the section, township, and range; section corners; north arrow; and the scale;

3. Subdivisions, arterial and collector streets, major watercourses, and railroads within the one-mile area; and

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4. The City's jurisdictional limits, if within the mapped area.

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### 5.3 Standards Paragraphs

The plat must include the following statements, as applicable. All signatures must be in permanent, black, India ink and be accompanied by a notary signature and seal.

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# #4

**Summary of the Proposed Amendment:** Correct the numbering of the Format Requirements in the Landscape Plan Requirements section

**Section:** Sec. 2-10.3.0

**Rationale:** The proposed amendment corrects this scrivener's error.

**Proposed Amendment:**

**ADMINISTRATIVE MANUAL  
SECTION 2: APPLICATION SUBMITTAL REQUIREMENTS  
DIVISION 10, LANDSCAPE PLAN REQUIREMENTS**

\*\*\*

**2-10.3.0      FORMAT REQUIREMENTS**

The landscape plan shall:

- 3.1      Be on a 24" x 36" sheet(s);
- 3.2      Be drawn to a scale of no smaller than one inch equals forty (40) feet; and,
- 3.3      All lettering and dimensions shall be 3/32 inch or greater in size.

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# #5

## Summary of the Proposed Amendments:

- A) Correct a section reference in the Purpose statement of the Compliance Review Timeframes Policy (Sec. 3-02.1.0)
- B) Correct the misspelling of “facsimile” (Sec. 3-02.10.2)

**Rationale:** A) & B) The proposed amendments correct these scrivener’s errors.

## Proposed Amendments:

**ADMINISTRATIVE MANUAL  
SECTION 3: REVIEW COMMITTEE AND COMPLIANCE REVIEW TIMEFRAMES  
POLICY  
DIVISION 2, COMPLIANCE REVIEW TIMEFRAMES POLICY**

\*\*\*

**3-02.1.0 PURPOSE**

Senate Bill (SB) 1598 was adopted by the Arizona Legislature in 2011, and applies to all Arizona municipalities and counties. The purpose of the SB 1598 Compliance Policy is to bring City and county development review application processing procedures into compliance with the SB 1598 Regulatory Bill of Rights as adopted in A.R.S. [Title 9, Chapter 7](#), Article 4.

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**3-02.10.0 TIMEFRAME EXTENSION PROCESS**

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**10.2**

If the re-submittal after the one comprehensive request is still not in compliance with the City regulations and policies, the application shall be denied. The City shall give notice of approval or denial by either electronic, written mail, or an electronic facsimile. The notice shall include citations of the pertinent regulations justifying an application denial and shall explain the applicant’s rights to appeal.

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# #6

**Summary of the Proposed Amendments:** Add the following fees.

**Section:** Sec. 4-01

**Proposed New Development Review Fees:**

Section	Fee	Proposed Fee Amount	Comment
4-01.7.1.A	Planned Community Development and Urban Overlay District rezoning fee	\$22,000 plus \$220.00 per acre	This is a proposed new fee. The proposed fee is the same as the PAD fee.
4-01.16.2 & 4-01.19.3	Design Professional (when reviewing a site plan, FLD Privacy Mitigation or Architectural Variation Plan, or other application as deemed appropriate by the PDSD Director)	\$75 per hour	This is a proposed new fee. The fee amount is based on the rate by which the Design Professionals on contract with the City are currently paid.
4-01.2.5	Revision fee	Minimum charge of one-half hour of staff review (i.e. \$41.50); maximum charge of one-half the original application's total filing fee.	This is the same fee that has been previously charged, but has not yet been formally adopted.
4-01.2.2.6	Review Extension fee	One-half of the original application fee	This is the same fee that has been previously charged, but has not yet been formally adopted.
4-01.4.0	Substitution of Assurance fee	\$100	This is the same fee that has been previously charged, but has not yet been formally adopted.
4-01.11.2	Technical Standard Modification Request fee	\$660.00	This is a proposed new fee necessitated by the creation of the Technical Standards Manual. The proposed fee is the same as the Development Standard Modification Request fee.

4-01.11.5	Rio Nuevo District – Modification of Development Regulation fee	\$489.00 (staff review)	This is the same fee that has been charged for years, but has not yet been formally adopted.
4-01.11.6	Downtown Area Infill Incentive District – Modification of Development Regulation fee	<u>Within the Greater Infill Incentive Subdistrict =</u> \$489 (staff review) + \$220 (notification)  <u>Within the Downtown Core Subdistrict = \$489</u> (staff review)	A fee for IID applications was inadvertently not adopted with the passage of IID ordinance. The proposed fee is based on the RND-MDR fee.
4-01.16.0	Mobile Vendor (aka Peddler) fee (initial permit and annual renewal)	\$165	The City currently charges \$165 for the initial permit and \$0 for renewal. PSDS requests to assess a renewal fee because an equivalent amount of staff time and resources are spent verifying information for the renewal as they do with the initial permit.
4-01.22.1	Zoning Administrator Determination fee	\$220 plus the technology/archive fee (i.e. \$16.50)	This fee has historically been charged, but was never formally adopted. This is the same fee that is currently charged.

Technical Standards Manual: Corrections, Edits, and Clarifications

#1

**Summary of the Proposed Amendment:** Revise the solid waste enclosure specifications to require the concrete pad to have a design strength of 3,000 psi, not 2,500 psi as currently stated

**Section:** Sec. 8-01.5.2.H

**Rationale:** The proposed amendment corrects a discrepancy between the text and figures (i.e. Figures 3A and 3B requires 3,000 psi, which the City has historically required).

**Proposed Amendment:**

TECHNICAL STANDARDS MANUAL  
SECTION 8: SOLID WASTE AND RECYCLING DISPOSAL AND COLLECTION

\*\*\*

8-01.5.0 MULTI-FAMILY, COMMERCIAL, AND INDUSTRIAL DEVELOPMENT

\*\*\*

5.2 Enclosure Specifications

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H. The enclosure shall have a concrete slab six (6) inches thick, and the concrete shall have a design strength of ~~2,500~~ 3,000 psi with No. 4 rebar reinforcement at 12-inch on centers both ways.

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## #2

**Summary of the Proposed Amendment:** Correct the bulleted lettering in the Sound Attenuation section

**Section:** Sec. 9-03.3.2

**Rationale:** The proposed amendment corrects this scrivener's error.

**Proposed Amendment:**

**TECHNICAL STANDARDS MANUAL  
SECTION 9: SPECIAL DEVELOPMENT DISTRICTS  
DIVISION 3, SOUND ATTENUATION WITHIN THE AIRPORT ENVIRONS ZONE**

\*\*\*

**9-03.3.0 REQUIRED CONSTRUCTION METHODS FOR NOISE LEVEL REDUCTION OF 25 dB**

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**3.2 Exterior Windows**

- A. Windows, other than as described in this section shall have a laboratory sound transmission class rating of at least STC-28; or
- B. Glass shall be at least 3/16" thick; and
- C. All openable windows shall be weatherstripped and airtight when closed so as to conform to an air infiltration test not to exceed 0.5 cubic foot per minute per foot of crack length in accordance with American Society for Testing Materials (ASTM) E-283-65-T; and
- D. Glass shall be sealed in an airtight manner with a non-hardening sealant or a soft elastomer gasket or gasket tape; and
- E.** The perimeter of window frames shall be sealed airtight to the exterior wall construction with a sealant conforming to one of the following Federal specifications for caulking: TT-S-00227, TT-S-00230 or TT-S-00153.

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# #3

**Summary of the Proposed Amendment:** Correct the bulleted lettering in the Street Improvements section

**Section:** Sec. 10-01.3.3

**Rationale:** The proposed amendment corrects this scrivener's error.

**Proposed Amendment:**

**TECHNICAL STANDARDS MANUAL  
SECTION 10: TRANSPORTATION  
DIVISION 1, STREET TECHNICAL STANDARD**

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**10-01.3.0 STREET IMPROVEMENTS**

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**3.3 Street Pedestrian Circulation Paths**

- A. Except as provided in Section 10-01-3.3.C, sidewalks, as specified in Section 10-01.4.0, Construction Standards, are required along the entire street frontage of new development of all properties, including proposed new subdivisions and applications for building permits. The sidewalk requirements also apply to expansions in floor area, site area, or vehicular use area of twenty five (25) percent or more.
- B. Sidewalks are required along the entire length of the street frontage of all streets, whether public or private, of the property in question.
- C. Exceptions. Sidewalks are not required in the following circumstances:

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~~D.~~ Sidewalk Location. Sidewalks must meet the following locational requirements.

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~~E.~~ Ramp Requirement. Curb ramps must be provided at all points where the sidewalk intersects a curb, in accordance with Arizona Revised Statute 9-499.02. Ramps must align with each other where they cross the street.

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## #4

**Summary of the Proposed Amendment:** Add missing definitions

**Section:** Sec. 12-01

**Rationale:** Numerous definitions were inadvertently not transferred from the Development Standards to the Technical Standards Manual.

**Proposed Amendment:** Incorporate the following definitions into the Definitions section:

**ACCESSIBLE ROUTE CROSS SLOPE** means the slope perpendicular to the designed direction of travel.

**ACCESSIBLE ROUTE RUNNING SLOPE** means the slope in the designed direction of travel.

**BEDDING** is that material between the bottom of the excavated trench and the springline of the pipe or underground facility to be installed.

**BIKE LANE** is an area set aside, within a paved roadway, for the purpose of moving bicycle traffic. Bike lanes may be designated by signs, striped lane markings, and/or physical barriers, such as curbs, guard rails, or special fencing.

**BUS LANE** is a travel lane within a street used exclusively or nearly exclusively by buses.

**CDRC** is an acronym for City Development Review Committee.

**COMMUNITY DESIGN REVIEW COMMITTEE (CDRC)** is a technical advisory committee, created by the City Manager, with representatives from City departments and non-City public agencies involved in development review. (See Development Standard No. 1-03.0.)

**CONTAINER (AKA DUMPSTER)** is a metal refuse storage receptacle with a minimum capacity of three (3) cubic yards and a maximum capacity of eight (8) cubic yards and which is compatible with the collection vehicles used by the City.

**CROWN** is the cross slope or difference in elevation, expressed as a percentage, between the high point of a street and the gutter line adjacent to the pavement edge, for any given cross section.

**CURB RAMP** means a ramp cutting through or leading up to a curb.

**CURB RETURN** is the curved segment of curb used at each end of an opening in the roadway curb.

**DESIGN YEAR** is the year the roadway improvement reaches life expectancy with normal maintenance.

**DUST CONTROL PAVING** is a double shot sealcoat of emulsified asphalt and stone chips as detailed in "Standard Details for Public Improvements."

**FINAL PAVEMENT CUT** is the sawing of pavement edge through its entire depth along a line one (1) foot beyond the widest portion of the trench width after trench backfilling for the purpose of establishing a trench shoulder at the time of permanent patching.

**FUNCTIONAL CLASSIFICATION** is a method of distinguishing between local, collector, and arterial streets, based on the purpose each serves.

**GROUND SLOPE AREA** is the area between the back of the sidewalk and the right-of-way line.

**INTERIM PAVING** is paving which is placed to designated grades and which can be expanded to a permanent improvement at a future time.

**INVERT** is the lowest point on any drainage conveyance cross section.

**LEVEL** means surface slopes not exceeding one (1) to fifty (50) in any direction.

**LEVEL OF SERVICE** is a general term describing the operating conditions a driver will experience while traveling on a particular facility. Where roadway conditions are fixed, level of service varies primarily with volume.

**MODAL SPLIT** is the percentage or fractional portion of the total traffic for which each component (car, truck, bus, car pool, etc.) is responsible.

**ONE-WAY STREET** is a street which has only one (1) legal direction of travel.

**PARENT ORGANIZATION** is the organization, such as the Tucson Water Department, Pima County Wastewater Management, or other utility, having jurisdiction over the underground facility being installed in the right-of-way.

**PAVEMENT TRENCHING** includes the cutting of pavement and the excavation of material to a depth below the lowest elevation of the underlying base course within City rights-of-way. Typically, trenches are deeper than they are wide and longer than they are deep; however, for purposes of this Development Standard, any excavation within the City rights-of-way will be referred to as trenching without regard to the geometric shape of the excavation. Trenching may occur in other locations outside pavement areas.

**PCC** is an acronym for portland cement concrete.

**PERMANENT PATCH** is the native material/aggregate base course/concrete base and hot mix asphaltic concrete/portland cement concrete used to repair the upper level of pavement cut and to provide a permanent wearing surface. The following types apply:

1. Type A consists of emulsified asphalt and chip sealcoat, hot mix asphaltic concrete, and aggregate base course above the trench backfill material.
2. Type B consists of matching surface course of hot mix asphaltic concrete and three thousand (3,000) p.s.i. high early strength portland cement concrete above the trench backfill material.
3. Permanent patches for portland cement concrete surfaces not overlaid with other materials shall consist of matching the existing structural pavement section. The surface finished shall match the original concrete finish. The trench shoulder and portland cement concrete shall be the same as "Type B" patch above.

**RAMP** means a sloping element which provides a smooth transition between two (2) different points of elevation but does not include any flared sides which do not meet the slope requirements for a ramp.

**REFUGE LANE** is a lane abutting the curb or shoulder of a roadway which provides space for emergency parking of vehicles.

**RESIDENTIAL STREET** is a street serving primarily as access to residential property.

**SHADING** is the trench backfill above the bedding material of the underground facility, in accordance with the parent organization's specifications and details, to a height of one (1) foot above the parent organization's facility, unless otherwise specified by the parent organization.

**STATIONARY COMPACTOR (STAT-PAK)** is a refuse compacting machine that mechanically compresses materials on-site for ultimate disposal by City vehicles.

**TDOT** is an acronym for the City of Tucson Department of Transportation.

**TEMPORARY PATCH** is a cold mix asphaltic concrete applied to the surface of a trench backfill to provide a temporary wearing surface and moisture barrier until a permanent patch can be installed.

**TEMPORARY PAVING** (sometimes called strip paving) is asphaltic surface treatment to graded and compacted earth.

**TRENCH BACKFILL** is the filling of the excavated void from a point one (1) foot above the facility installed (top of shading) to a point sufficiently below the existing original asphaltic concrete or portland cement concrete surface to allow the installation of the appropriate pavement patch.

**Land Use Code: Corrections, Edits, and Clarifications**

*Note: The following are excerpts from the above Unified Development Code Items #8 and #21.*

**#8**

**Summary of the Proposed Amendment:**

- C) Revise the Zoning Examiner’s final recommendation deadline to allow an additional 5 days when a party of record has requested reconsideration of the preliminary recommendation [UDC Sec. 3.5.3.J.3.d and LUC Sec. 5.4.3.2.F]

**Rationale:**

- C) As currently required in the LUC and UDC, the timing is such that the final recommendation would be due the same day the reconsideration period expires, thus leaving the Zoning Examiner no time to consider the reconsideration.

**Proposed Amendments:**

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

\*\*\*

**3.5.3 ZONING EXAMINER LEGISLATIVE PROCEDURE**

\*\*\*

**J. Public Hearing**

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**3. Zoning Examiner Public Hearing**

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

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**b. Conduct of the Public Hearing**

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

Deleted: ; use, or rely upon any communication, report, staff memorandum, or other material prepared in connection with the particular case

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d. **Final Recommendation**

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

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**LAND USE CODE**  
**ARTICLE V: ADMINISTRATION**  
**DIVISION 4, PROCEDURES**

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**5.4.3 ZONING EXAMINER LEGISLATIVE PROCEDURE**

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5.4.3.2 Zoning Examiner Public Hearing. The Zoning Examiner shall hold a public hearing on applications for a change of zoning and on applications for Mayor and Council Special Exception uses on behalf of the Mayor and Council. The public hearing shall be opened within seventy (70) days of acceptance of the application, except for applications for original city zoning.

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- F. *Final Recommendation.* Within fourteen (14) days (or 19 days if a reconsideration of the preliminary recommendation is requested in accordance with Section 5.4.3.2.E) following the close of the public hearing or the re-opened public hearing, the Zoning Examiner shall issue and transmit a final recommendation to the Mayor and Council for final action. If the Zoning Examiner determines that minor corrections to the preliminary recommendation are appropriate in response to a request for reconsideration, such corrections may be incorporated into the final recommendation without further proceedings. The final recommendation shall not be subject to further requests for reconsideration. If the Zoning Examiner determines that a significant change to the preliminary recommendation is appropriate, the public hearing shall be reopened with notice provided to all persons who received the previous preliminary recommendation.

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DRAFT

# #21

**Summary of the Proposed Amendment:** Revise the Use of Street or Alley for Maneuvering Area Standard to correctly reflect zoning determination, i.e. correct the list of uses that can use a street or alley for maneuvering into or from a parking space. The corrected list is single family dwellings (attached and detached), mobile home dwellings, duplexes, and Residential Care Services with a total off-street motor vehicle parking requirement of four (4) or fewer spaces.

**Section:** UDC Sec. 7.4.6.K and Land Use Code Section 3.3.6.11

**Rationale:** The change is would make the standard consistent with the regulation in effect prior to the parking code amendments adopted in 2011 and the zoning determination from April 18, 2005.

**Proposed Amendment:**

**UNIFIED DEVELOPMENT CODE  
ARTICLE 7: DEVELOPMENT STANDARDS  
DIVISION 4, MOTOR VEHICLE AND BICYCLE PARKING**

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## 7.4.6 MOTOR VEHICLE USE AREA DESIGN CRITERIA

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### K. Use of Street or Alley for Maneuvering Area

A street or alley ~~can~~ not be used for maneuvering directly into or from any parking space located wholly or partially outside the public right-of-way, except as follows:

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1. ~~The following uses are permitted to use a street or alley for access and maneuvering:~~

~~d. Residential uses (including, but not limited to, single-family dwellings, mobile home dwellings, duplexes on individual lots, and Residential Care Services) that require four or fewer off-street motor vehicle parking spaces;~~

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~~e. Home occupations; or~~

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~~f. Non-residential uses within contributing properties to a National Register Historic District;~~

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2. An alley, when used for access, must be a minimum of 20 feet wide, free of obstructions, and surfaced with a dust control method that is acceptable to the TDOT City Engineer.

Deleted: may use a street or alley for access and maneuvering

3. A street may be used for maneuvering directly into or from a parking space, provided the parking space is located completely within the right-of-way and the design of the parking layout is approved by the TDOT City Engineer.

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4. These exceptions are not applicable on MS&R designated streets as provided in the MS&R Plan.

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LAND USE CODE  
ARTICLE III DEVELOPMENT REGULATIONS  
DIVISION 3, MOTOR VEHICLE AND BICYCLE PARKING REQUIREMENTS

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3.3.6. MOTOR VEHICLE USE AREA DESIGN CRITERIA

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3.3.6.11 Use of Street or Alley for Maneuvering Area. A street or an alley ~~can~~ not be used for maneuvering directly into or from any parking space located wholly or partially outside the public right-of-way, except as follows:

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A. The following uses are permitted to use a street or alley for access and maneuvering:

1. Residential uses (including, but not limited to, single-family dwellings, mobile home dwellings, duplexes on individual lots, and Residential Care Services) that require four or fewer off-street motor vehicle spaces;

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2. Home occupations; or,

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3. Non-residential uses within contributing properties to a National Register Historic District;

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B. An alley, when used for access, must be a minimum of twenty (20) feet wide, free of obstructions, and surfaced with a dust control method that is acceptable to the TDOT City Engineer.

Deleted: may use a street or alley for access and maneuvering

C. A street may be used for maneuvering directly into or from a parking space, provided the parking space is located completely within the right-of-way and the design of the parking layout is approved by the TDOT City Engineer.

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D. These exceptions are not applicable on MS&R designated streets as provided in Sec. 3.2.14.3.

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