



PLANNING COMMISSION

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

Date: November 12, 2014

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To: Planning Commission

From: Ernie Duarte, Director PDSD

Subject: **Public Hearing** – Unified Development Code Text Amendment regarding C8-14- 06 Hospital Backup Tanks (*Citywide*)

Issue – On August 5, 2014, the Mayor and Council gave direction to pursue a text amendment which addresses emergency aboveground storage tank (ASTs) capacity for hospitals.

1. Lift the size limitation of storage capacity restriction for aboveground tanks; and;
2. Include additional screening, noise mitigation, and security standards.

This is a public hearing to allow the Planning Commission to make a recommendation on the proposed amendments (see Attachment A for details).

Recommendation – It is recommended that the Planning Commission forward this item to Mayor and Council with a recommendation to adopt the proposed amendments.

Background – Recently Saint Mary's Hospital completed an Emergency Action review of their facilities and found that their emergency generation facility did not meet the National Fire Protection Association (NFPA) standards of 96 hours of emergency fuel for backup generation. In reviewing the current UDC standards for ASTs, it was found that maximum gallon capacity did not allow for hospitals and associated campuses to store enough fuel in one tank to meet the 96 hour requirement. PDSD staff issued a Temporary Use Permit for Saint Mary's in order for the hospital and associated campus to come into compliance with the NFPA standard. This action initiated staff to complete a case study and found that the majority of the hospitals in Tucson could not meet the new NFPA standard and would require each hospital site to request special permitting, such as a Temporary Use Permit, or trigger amendments to the hospitals Planned Area Development (PAD) zoning or underlying zoning standards.

PDSD staff teamed with the Tucson Fire Department (TFD) as a review agency to consider the possible text amendment. Staff found that TFD follows guidance and standards as adopted by The International Fire Code, which also references the use of any and all NFPA Standards. NFPA is considered law and is referenced in the Fire Code. Hospital campuses are listed as "critical" structures within our community, and require fuel to run emergency backup generators should they need to operate for several days during a disaster. This UDC

amendment would have the significance of allowing Tucson hospitals to address their own unique facilities needs for ASTs capacity.

Furthermore, ASTs installed per federal, state, International Fire Code, and NFPA Standards are preferred over underground tanks due to substantial regulatory requirements that safeguard human health and environmental impacts.

Summary of the Proposed Amendments

Pursuant to the Mayor and Council's direction, staff prepared the following draft amendments (see Attachment A for more details on proposed amendments):

1. Lift the size limitation of storage capacity restriction for aboveground tanks for hospital uses only.

Proposed Revision – For major medical services uses only, lift the ASTs fuel capacity restriction. To accommodate such capacity the maximum height and diameter are unrestricted for aboveground storage tanks at Major Medical Services uses.

Current Regulation – ASTs are limited to a maximum gallon capacity of 1,000 gallons in O-1, O-2, O-3. In the C-1, C-2, and C-3 zones the maximum gallon capacity is 4,000 gallons.

2. Include additional screening, security standards, and noise mitigation.

Proposal – The proposed amendment would require that the ASTs be painted a complimentary color to the nearest adjacent structure. By introducing a complimentary color the visual mass of the tank will be minimized. The project shall provide visual and noise buffers where the site is adjacent to a residential use or residentially zoned property. This can be accomplished by providing a minimum AST setback of at least 200 feet from any property line adjacent to R-3 or more restrictively zoning, or the tank location shall be processed in accordance with Section 3.10.3. General Board of Adjustment Variance Procedure. A six foot high structure shall screen the Aboveground Storage Tank.

Current Regulation – Section 4.9.10.B.3 Hazardous Material Storage currently requires the tank to be screened by a wall equal to the height of the tank.

Attachments:

A – Proposed Text Amendment to the Unified Development Code

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

4.8.5 PERMITTED USES: OFFICE ZONES

TABLE 4.8-3: PERMITTED USES – OFFICE ZONES				
<i>P = Permitted Use S = Permitted as Special Exception Use</i> [1] Mayor and Council Special Exception Procedure, Section 3.4.4 [2] Zoning Examiner Special Exception Procedure, Section 3.4.3 [3] PDSD Special Exception Procedure, Section 3.4.2				
LAND USE	O-1	O-2	O-3	USE SPECIFIC STANDARDS

Commercial Services Land Use Group With Land Use Class/Type:				

Hazardous Material Storage is permitted as an accessory use to any permitted principal land use in any Land Use Group	<u>P</u>	<u>P</u>	P	<u>O-1, O-2, O-3: 4.9.10.B.1 & .2.a or .2.e</u>

Storage Land Use Group With Land Use Class/Type:				
Hazardous Material Storage as an accessory use to any permitted land use	<u>P</u>	<u>P</u>	P	<u>O-1, O-2, O-3: 4.9.10.B.1 & .2.a or .2.e</u> and 4.9.13.K

4.8.6 PERMITTED USES: COMMERCIAL AND MIXED USE ZONES

TABLE 4.8-4: PERMITTED USES – COMMERCIAL AND MIXED USE ZONES						
<i>P = Permitted Use S = Permitted as Special Exception Use</i> [1] Mayor and Council Special Exception Procedure, Section 3.4.4 [2] Zoning Examiner Special Exception Procedure, Section 3.4.3 [3] PDSD Special Exception Procedure, Section 3.4.2						
LAND USE	C-1	C-2	C-3	OCR-1	OCR-2	USE SPECIFIC STANDARDS

Industrial Land Use Group With Land Use Class/Type:						

Hazardous Material Storage is permitted as an accessory use to any permitted principal land use in any Land Use Group	<u>P</u>	<u>P</u>	<u>P</u>	P	P	<u>C-1, C-2, C-3, OCR-1, OCR-2: 4.9.10.B.1 & .2.c or .2.e</u>

Storage Land Use Group With Land Use Class/Type:						
Hazardous Material Storage as an accessory use to any permitted land use	P	P	P	P	P	<u>C-1, C-2: 4.9.10.B.1, .2.a or .2.e</u> <u>C-3, OCR-1, OCR-2: 4.9.10.B.1 & .2.c or .2.e</u>

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

4.9.10. STORAGE USE GROUP

B. Hazardous Material Storage

1. Aboveground storage tanks for the storage of hazardous materials, such as, but not limited to, hydrogen, gasoline, diesel fuel, automotive fluids, oil, or waste-oil, are permitted as accessory uses in conjunction with and for the purpose of a principal permitted land use.

- b. The following are required of an accessory aboveground storage tank:

- (2) Except as specified in this section, the setback standards of the zoning district apply to all accessory storage tanks.

- (b) A tank that is not located within an enclosed building shall be approved by the Fire Department and setback as follows.

(iii) For Major Medical Service use only, with unrestricted aboveground storage tank capacity, a minimum of 200 feet from any property line adjacent to R-3 or more restrictive zoning, or the tank location shall be processed in accordance with Section 3.10.3. General Board of Adjustment Variance Procedure.

- (3) The tank shall be screened by a wall equal to the height of the tank. Exception: An unrestricted aboveground storage tank capacity, for Major Medical Service use only, may be screened by a 6 foot structure.

(4) The maximum permitted diameter of a tank is 95 inches.
Exception: A 10,000 gallon storage tank may have a maximum diameter up to ten feet. An unrestricted aboveground storage tank capacity, for Major Medical Service use only, may have an unrestricted diameter.

(5) The maximum permitted height of a tank, excepting venting, manways, and filler caps, is ten feet above grade.
Exception: A 10,000 gallon storage tank may be a maximum of 12 feet in height above grade. An unrestricted aboveground storage tank capacity, for Major Medical Service use only, may have an unrestricted height.

(9) Aboveground storage tanks, for Major Medical Service use only, shall be painted a color complimentary to the color of the nearest adjacent structure and approved by zoning review.

2. The maximum permitted capacity of each aboveground storage tank is as follows:

e. Aboveground storage tank capacity is unrestricted for Major Medical Service use only.
