

The following is a draft document. It includes code changes proposed as of September 30, 2026. Revisions, corrections, or other changes to this document may be made until adopted by the Mayor and Council. All proposed changes are shown in red text and underlined.

UNIFIED DEVELOPMENT CODE SECTIONS

[1.7.4](#) – Update Reference to Land Use Code and Building Code

Change: Make administrative changes including updating obsolete transitional provisions, aligning code references with current practice, removing outdated copy filing language, and consolidating older standalone technical code references into the current Building Code framework.

[2.2.4](#), [3.4.3](#), [3.4.4](#), and [3.5.3](#) – Zoning Examiner Procedures

Change: Clarify the role of support staff at the Zoning Examiner meetings, the process for how the hearing proceeds, and how the decisions are made and recorded.

[2.2.4](#) and [9.2.4](#) - Substitution of a Non-Conforming Use from a Different Land Use Class

Change: Allow substitution through a PDSD Director Approval Procedure, similar to non-conforming uses from the same land class.

[2.2.9](#) – Update HCD Responsibilities to Reflect Current Structure

Change: Change to codify that these are areas of PDSD responsibility.

[3.3.3](#), [3.12.3](#), [4.9.2](#), [4.9.3.F](#), [4.9.4](#), [4.9.5](#), [4.9.7](#), [4.9.10](#), [5.4.6](#), [5.8.9](#), [5.11.5](#), [5.11.6](#), [5.12.9](#), [5.12.10](#), [6.3.3](#), [6.3.4](#), [6.4.5](#), [6.4.6](#), [6.6.2](#), [6.6.5](#), [7.4.5](#), [8.3.1](#), [8.7.3](#), [11.4.3](#), [11.4.5](#), [11.4.6](#), and [11.4.8](#) – Change Perimeter Yard to Setbacks for Consistency

Change: Replace “perimeter yard” with “setback” throughout the code.

[2.2.12](#), [7A.6.9](#), [7A.7.1](#), and [7A.13](#) – Update Sign Design Review Process

Change: Remove the Sign Design Review Committee section and replace with the review to be completed by a “Design professional assigned by the City”.

[3.2.2.C](#) – Days from Neighborhood Meeting to Application Submittal

Change: Change to allow neighborhood meetings to occur a maximum of 90 days prior to formal application submittal. Applies to several application types.

[3.2.4](#), and [3.3.4](#) - Address Inconsistent Notice Periods.

Change: Increase notice periods for timing of notice, public comments to public notice periods and public comment periods to avoid misalignment and allow for longer mailing periods

[3.3.3.G](#) – Align multifamily development and site plan requirements with the five-unit threshold

Change: Increased the general site plan threshold from three to five units.

[3.3.3.H](#) – Adaptive Reuse Options for Food Service (Restaurant) Uses, and correct adaptive reuse section limiting use in overlay zones

Change: Allow food service uses to utilize adaptive reuse option and remove limitation on adaptive reuse in overlay zones.

[3.3.3](#), [7.4.2](#), and [7.4.3.D](#) – Expand Adaptive Reuse Provisions

Change: Change the date for eligibility from 2005 to ten years prior to date of application for any improvements in existence at the time.

[3.4.6.B](#) – Change of Conditions for a Mayor and Council Special Exception Procedure

Change: Add a process for changing conditions, similar to what is in place for the Zoning Examiner special exception procedure.

[3.5.3](#) – Ordinance Adoption Procedure for Rezoning

Change: Remove the Mayor and Council authorization process – rezoning requests would be approved by Mayor and Council via ordinance.

[3.5.3.J](#) – Clarify prior approved rezonings are processed in accordance with original approval.

Change: Add language to clarify what section of the code will no longer apply and how prior approved rezonings are processed.

[3.11.1.D](#) – Remove DDO finding regarding physical circumstances or conditions of the property and the finding regarding design alternatives and character of the neighborhood.

Change: Remove requirement for a property to have unique physical conditions in order to be eligible for a DDO. Remove requirement for design alternatives to better integrate the development in the character of the neighborhood, in order to comply with state law.

[3.12.3](#) – Address Changes made by Arizona House Bill 2110

Change: Make minor adjustments such as changing “building: to “parcels” and updating definitions per HB 22110.

~~[3.12.4](#) – Posted Notice of Demolition~~

~~Change:~~ ~~Require posted notice 15 days ahead of a planned demolition.~~

[4.3.3](#) – Clarify that permitted uses may also be accessory uses.

Change: Adds language stating any uses listed as primary uses are also permitted as accessory uses.

Tables [4.8-1](#), [4.8-2](#), [4.8-3](#), [4.8-4](#), [4.8-5](#), [4.9.11](#), [11.3.11](#) – Define and allow Battery Energy Storage System use

Integrate Battery Energy Storage System as a defined use, with associated permitted locations and use-specific standards.

[Table 4.8-3](#) – Cultural Uses in Office Zones

Change: Allow cultural uses by right in office zones.

[Table 4.8-3](#) – Allow accessory uses to cultural uses in office zones to be approved through a PDSD Director Special Exception Procedure.

Change: Revised to allow accessory uses to cultural uses as a PDSD Director Special Exception Procedure.

[Table 4.8-3](#) and [Table 4.8-5](#) — Personal service in office zones and the I-2 industrial zone

Change: Allow “Personal Service” by right in office zones and in the I-2 zone.

[Table 4.8-3](#) – Accessory retail uses in office zones.

Change: Allow retail trade as an accessory use within all office zones.

[Table 4.8-3](#) – Clarify accessory food service uses permitted with principal commercial uses.

Change: Allow food service as an accessory use to commercial uses in office zones.

[Table 4.8-4](#) – Correct standards related to accessory uses and drive-throughs

Change: Provided clarification that drive-throughs are still limited in the C-1 zone, even when an accessory use.

[Table 4.8-4](#) and [Table 4.8-5](#) — Permit food service as accessory use with retail uses.

Change: Allow “food service” as an accessory use. Specify that these uses can be up to 25% of gross floor area within a retail use.

[Table 4.8-4](#) and [Table 4.8-5](#) — Perishable goods manufacturing.

Change: Clarifies “Perishable Goods Manufacturing” as a permitted use in C-1, C-2, C-3, OCR-1 and OCR-2.

[Table 4.8-4](#) and [Table 4.8-5](#) — Protective service

Change: Removes requirement for “Protective Service” uses to be government-owned in C-1, C-2, C-3, OCR-1, OCR-2, P-I, I-1, and I-2 zones. The use must still be government-operated, meaning a contracting provide is permitted.

[4.9.4](#) and [11.3.4.R](#) — Clarify medical services permitted.

Change: Allow expanded services as minor medical use.

[4.9.4.V.9.](#) – Remove liquor mitigation plan requirement.

Change: Remove the liquor mitigation plan requirement from the UDC thereby simplifying review processes.

[4.9.5.G.8](#) and [9](#) - Reduce restrictions on Household Goods Donation Centers

Change: Remove onerous security management plan requirement

[4.9.7.B.12](#) - Clarify parking exceptions and reductions related to residential uses of 1-4 units.

Change: Clarify parking standards for all residential uses of 1-4 units, remove “middle housing” phrase.

[4.9.7.F](#) — Home occupation day care in C-2 and C-3.

Change: Permit home occupation day care in the C-2 and C-3 zones

[4.9.11](#) — Expansion of substations within existing yard.

Change: Allow substations upgrades or expansions by PDSD Director Approval, with limitations on additional height or noise.

[4.9.11.A](#) — Setbacks for distribution systems.

Change: Remove term “existing” to clarify setback requirements in relation to residential zoning.

[4.11.1](#) — Allow temporary off-street parking to be used during special events.

Change: Add that special event parking may be provided if accessed on a major street or route, limited to a 30 day duration.

[4.11.2](#) — Remove cash bond requirement.

Change: Remove any references to cash bonds to reflect current practice.

Section [5.1](#) — Community Corridors Tool clean-up.

Change: Include the Community Corridors Tool in the Purpose section

[5.8.8.B](#) and [5.8.8.C](#) — Remove physical copy requirement for historic review.

Change: Strike physical copy requirements in the Historic review standards.

[5.8.8.C](#) — Cost threshold for minor historic reviews.

Change: Remove cost minimum for repairs, allowing more projects to do minor review.

[5.8.8.C](#) — On-site review for minor historic review.

Change: Remove the requirement for an on-site meeting.

[5.8.10.F](#) — Posted notice of demolition.

Change: Require posted notice 15 days ahead of a planned building demolition in HPZs.

[5.11.2](#) — Add missing Community Corridors Tool (CCT) graphic.

Change: Add graphic which was previously adopted but is missing from the code.

[5.12.7.F](#) — Add a Rio Nuevo Minor Review option.

Change: Add a minor review option, similar to the IID and Historic overlays.

[6.4.5.C and .D](#) — Clarify setback requirements for garages, carports, and shade structures in front yards.

Change: Clarify setback requirements for garages and when reductions are allowed as well as when carports and shade structures can have reductions.

[6.6.2.A](#) and 6.6.3.D — Height limits for small storage structures and accessory structures.

Change: Increase from five feet to seven feet for small structures such as doghouse or play equipment. Increase from twelve to fifteen feet for accessory structures.

[6.6.2.I](#) — Perimeter Fence Wall height.

Change: Increase wall height by 1 foot, from 6 feet to 7 feet.

[6.6.2.L](#) -Simplify Requirements for Cisterns

Change: Remove placement restrictions for cisterns.

[6.6.3.B.11](#) -Setback Requirements for Accessory Structure Conversions

Change: Add a standard that clarifies how existing accessory structures can be converted to habitable space

[6.6.3](#), [7.8.4](#), [8.4.5](#), and [8.4.6](#) – Subdivision Standards for Middle Housing & Middle Housing Clarifications

Change: Create regulations that allow property owners where residential development of 1-4 units is allowed to divide their land, and address clarifications as needed.

[6.6.4.C](#) – Clarify height for nonresidential accessory structures in residential zones.

Change: Clarify regulations are based on the same height limits as the principal structure.

[6.6.5.E](#) – Remove expired exemption for animal shelters.

Change: Remove the expired exemption for existing animal shelters.

[Table 7.4.4-1](#) — Parking for recreational uses.

Change: Combine recreational uses such as mini golf, batting cages, gymnasiums, and pool halls into a single category with a standardized parking calculation.

[7.4.4.A](#) — Parking calculations for mixed-use developments.

Change: Remove the requirement to calculate parking separately from other uses in a mixed or multiple use development.

[7.4.4.B](#) – Parking for outdoor seating areas included as part of requirement.

Change: Remove the requirement for outdoor seating areas to be considered in calculating required parking.

[Table 7.4.4-1](#) and [Table 7.4.8-1](#) — Parking for self-service uses without staff.

Change: Create a new parking minimum for all self-service uses without employees on site, such as self-service car washes, donation containers, unattended fuel pumps without stores, mail/package delivery lockers, ATMs, and water and ice kiosks

[7.4.5.A](#) – Individual Parking Plan Requirements.

Change: Clarifies that IPPs would be allowed for any use on any site, with expanded submittal requirements for on-street parking within 600 feet, EV and multimodal standards, and a complaint response plan.

[7.4.6.B.1](#) –Design criteria for off-site parking.

Change: Clarifies that off-site parking must meet this section's design standards unless it is legal non-conforming, in which case it must still meet accessible parking standards, pose no vehicular or pedestrian safety hazards, and have no unabated code violations on the property.

[7.4.7](#), [Table 7.4.7-1](#), and [11.4.5](#) — Drive-through standards.

Change: Limit certain food and alcohol-related drive-through uses to a maximum of two drive-through lanes, clarify that escape lanes cannot function as additional drive-through lanes, allow only one pickup window unless specific conditions are met, and replace “point of service” with “ordering point” for clearer interpretation.

[7A.4.1.A](#) – FCC Compliance for Electronic Message Centers and Displays

Change: Add code language requiring applicants to provide a manufacturer letter. The letter must identify the manufacturer and confirm the unit-specific information for review.

[7A.8.1.A](#) — Address drive-through clearance signage.

Change: Clearance bars above drive-thrus should be handled as a building permit as it is not advertising or directional signage.

[7A.10.1.B](#) — Interior mall signage.

Change: Clarify interior mall signs do not require a sign permit, but they may still require a commercial permit.

[7A.10.1.F](#) – Menu Boards

Change: This change adds a specific definition and review standard for menu boards. It clarifies that menu boards are signs used with approved drive-through, drive-in, or walk-up services to display product options and pricing at the ordering point. Also clarifies when menu boards are subject to sign permitting

[7A.10.2.B Table 2](#) — Clarify square footage calculation.

Change: Clarify references and how the overall allowed sign area is based on the zoning of the property, any special district regulations that might apply, and the frontage of the business. This is typically split between several signs on different elevations.

[7A.10.2.B Table 2](#) – Clarification on Street and Building Frontage Determination

Change: Update table to reference UDC 7A.6.2.C. for determination and additional clarification. Special Zone Standards in the General Business Zone clarifies the sign area allowance by establishing that maximum sign area may be calculated at a rate of 3 square feet per lineal foot of street frontage.

[7A.10.2.C](#) — Access Point Sign Setbacks

Change: Remove the required minimum setback of 10 feet.

[8.7.3.C](#) and [8.7.3.P](#) — Flexible Lot Development FLD process clean-up.

Change: Clarify that proposed FLD's that are part of a rezoning must comply with all relevant plans. Removed language requiring a neighborhood meeting and instead require mailed notice of an application submittal.

[11.3.4](#) — Address Inconsistencies in Auto Service Definitions.

Change: Clarify that automotive minor service and repair includes automobile washing

[11.3.4](#) and [11.3.9](#). — Correct location for definition for smoke shop.

Change: Move the definition of smoke shop from commercial services use group to retail use group.

[11.3.9.C](#) — Parking for shopping centers, limit for 50% restaurants and bars.

Change: Remove the requirement that only 50% of shopping centers be used for restaurants and bars.

[11.4.3](#) — Clarify Definition of a Bedroom

Change: Add additional information to the definition of a bedroom, further clarifying what is and is not a bedroom.

[11.4.5](#) and [11.4.6](#). — Remove obsolete definitions for developing and established area.

Change: Remove definitions for established area and setback and developing area and setback.

[11.4.7.A](#) — Clarify definition of freestanding — monument type sign

Change: Clarify definition that states for a sign to qualify as a freestanding monument-type sign, the base must measure the full width of the sign it supports, or greater.

ICON LEGEND



Code Clarity and Usability



Clarify Parking Standards



Emerging Land Uses and Adaptive Reuse



Modernize Design Standards



Remove Barriers to Housing



Simplification of Review Processes



Sign Code Reauthorization



Sidewalk

CHAPTER 23B OF THE *TUCSON CODE*

Adopted – October 9, 2012

Effective – January 2, 2013

Last Revision — June 4, 2025

ARTICLE 1: GENERAL PROVISIONS

ARTICLE 2: REVIEW AUTHORITIES AND POWERS

ARTICLE 3: GENERAL PROCEDURES

ARTICLE 4: ZONES

ARTICLE 5: OVERLAY ZONES

ARTICLE 6: DIMENSIONAL STANDARDS AND MEASUREMENTS

ARTICLE 7: DEVELOPMENT STANDARDS

ARTICLE 7A: SIGN STANDARDS

ARTICLE 8: LAND DIVISION, LAND SPLIT, AND SUBDIVISION STANDARDS

ARTICLE 9: NONCONFORMING USES, BUILDINGS, AND STRUCTURES

ARTICLE 10: ENFORCEMENT AND PENALTIES

ARTICLE 11: DEFINITIONS AND RULES OF CONSTRUCTION

PARALLEL REFERENCES

ARTICLE 1: GENERAL PROVISIONS

Section

1.1. TITLE AND EFFECTIVE DATE

1.2. AUTHORITY

1.3. PURPOSE OF THIS CODE

1.4. APPLICABILITY AND JURISDICTION

1.4.1. General Applicability and Compliance

1.4.2. Zoning Maps

1.5. DETERMINATIONS OF THE UNIFIED DEVELOPMENT CODE (UDC)

1.5.1. Zoning Determinations and Zoning Certifications by the Zoning Administrator

1.5.2. Determinations of Graphics and Captions

1.5.3. References to Other Codes and Laws

1.5.4. Terms

1.6. CONFLICTING PROVISIONS

1.6.1. Conflict with Ordinances, Regulations, or Permits

1.6.2. Effect on Other Provisions

1.6.3. No Relief from Other Provisions

1.7. TRANSITIONAL REGULATIONS

1.7.1. Purpose

1.7.2. Violations Continue

1.7.3. Nonconforming Uses, Structures, and Lots

1.7.4. Applications Commenced or Approved Under Previous Ordinances

1.8. SEVERABILITY

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1.7. TRANSITIONAL REGULATIONS

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1.7.4. APPLICATIONS COMMENCED OR APPROVED UNDER PREVIOUS ORDINANCES

A. Pending Applications

1. Any complete application that has been submitted for approval, but upon which no final action has been taken by the appropriate decision-making body prior to the effective date of this UDC, shall be reviewed in accordance with an ordinance in effect on the date the application was deemed complete. There may be a transition period set forth by ~~ordinance-~~ PDS policy which allows an applicant to select ~~whether the LUC or UDC will~~ which regulations governs the development during a limited time period (see Choice of Code below). If the applicant fails to comply with any applicable required period for submittal or other procedural requirements for the applicable code, the application shall expire and subsequent applications shall be subject to the standards of this UDC. Any re-application for an expired project approval shall meet the standards in effect at the time of re-application.

2. An applicant with a complete application that has been submitted for approval, but upon which no final action has been taken prior to the effective date of ~~this UDC~~ a UDC amendment, may request review under ~~this UDC, or a form of the LUC then applicable~~ the applicable regulations at the time of application submittal by ~~submitting~~ a written letter to the Planning and Development Services Department.

* * *

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~~ have chosen 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. ~~The period for which applicants may have requested to be governed under either the UDC or the now-repealed LUC has ended as of January 2, 2016. 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.~~

E. Waiver of Potential Claims



By electing to proceed under this code, the property owner waives any and all potential claims that may arise under A.R.S. §§12-1134 et seq. for any diminution in the value of his property that may be claimed from any difference between the requirements and standards of this code and those of the LUC.

(Am. Ord. 11070, 5/14/2013)

ARTICLE 2: REVIEW AUTHORITIES AND POWERS

Section

2.1. PURPOSE OF ARTICLE

2.2. REVIEW AND DECISION-MAKING BODIES

- 2.2.1. Mayor and Council
- 2.2.2. City Manager
- 2.2.3. Planning Commission
- 2.2.4. Zoning Examiner
- 2.2.5. Board of Adjustment
- 2.2.6. Design Review Board
- 2.2.7. Tucson-Pima County Historical Commission
- 2.2.8. Historic Preservation Zone Advisory Boards
- 2.2.9. Planning and Development Services Department (PDSD)
- 2.2.10. Housing and Community Development Department (HCDD)
- 2.2.11. Design Professional

~~2.2.12. Sign Design Review Committee~~

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2.2. REVIEW AND DECISION-MAKING BODIES

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2.2.3. PLANNING COMMISSION

A. Composition

The Planning Commission is established to advise the Mayor and Council, PSD, and HCDD on the adoption of long-range plans, policies, specific plans, and standards that affect land use and development. The Planning Commission serves in the capacity of a planning commission as provided in the Arizona Revised Statutes.

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2. Qualifications

Members of the Planning Commission are appointed on the basis of their interest in ~~the~~ City and its future development, particularly as demonstrated by active participation in community affairs directly related to planning issues. No member shall hold any City, county, or state elective office or be a permanent employee of the City while appointed to the Commission.

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2.2.4. ZONING EXAMINER

The position of the Zoning Examiner is established to conduct public hearings ~~on rezoning requests~~ on behalf of the Mayor and Council ~~and to consider other land use applications~~ as provided in the Unified Development Code (UDC).

A. Position

The Zoning Examiner serves in accordance with the following provisions.

1. Appointment

The Zoning Examiner is appointed by the City Manager in accordance with Chapter V, Sections 2 and 13, of the City Charter.

2. Qualifications

The Zoning Examiner is appointed ~~based on~~ ~~on the basis of~~ a demonstrated ability to perform the duties of the office, such as training and experience relevant to the conduct of administrative and adjudicative hearings and knowledge of the principles and practices of land use planning. The Zoning Examiner may not hold a City elective office concurrently with this position.

3. Term

The Zoning Examiner serves at the pleasure of the City Manager. The City Manager may designate a qualified person as a temporary Zoning Examiner whenever the Zoning

Examiner is unable to perform the duties of the office due to a illness, potential conflict of interest, or other personal/similar reason.

B. Administrative Functions

1. Support

~~The administrative functions necessary to discharge the duties and responsibilities of the Zoning Examiner are assigned to the Zoning Examiner, the City Clerk, and the Planning and Development Services Department (PDSD), in coordination with the City Clerk shall provide administrative, technical, and logistical support necessary for the Zoning Examiner to conduct hearings and prepare findings and recommendations as provided in the Zoning Examiner's Rules and Procedures. Copies of such rules and procedures shall be available to the public through the PDSD.~~

2. Legal Counsel

Legal counsel shall be provided to the Zoning Examiner by the City Attorney or its designee.

3. Recordkeeping

PDSD shall maintain the official record of all Zoning Examiner hearings including digital recordings, transcripts, exhibits, written materials and comments, and staff reports.

4. Administrative Guidance

PDSD may issue administrative guidance to assist applicants and the public. Such guidance must be consistent with the UDC. Guidance does not, and cannot, create additional regulatory requirements.

C. Powers and Duties

The Zoning Examiner shall perform the following duties.

1. Rezoning

The Zoning Examiner conducts public hearings on applications to rezone property and makes recommendations to the Mayor and Council in accordance with Section 3.5, *Rezoning (Change of Zoning) Procedure*.

2. Special Exception Land Use

The Zoning Examiner conducts public hearings on certain special exception land uses and, depending upon the applicable procedure, makes decisions, or provides recommendations to the Mayor and Council in accordance with Section 3.4.3, *Zoning Examiner Special Exception Procedure*.

3. Expansion of Nonconforming Use

The Zoning Examiner hears and decides requests to exceed the amount of expansion allowed for structures and land area devoted to a nonconforming use in accordance with Section 3.4.3, *Zoning Examiner Special Exception Procedure*, and Section 9.2.2, *Expansion of a Nonconforming Use*.



4. Substitution of Nonconforming Use

~~The Zoning Examiner hears and decides requests to substitute a land use for an existing nonconforming land use, when the proposed substitution is from a land use class that is different from the one to which the existing nonconforming use belongs in accordance with procedures in Section 3.4.3, Zoning Examiner Special Exception Procedure, and the standards in Section 9.2.4, Substitution with a Use from Different Land Use Class.~~

5. Other Responsibilities

The Zoning Examiner shall perform such other functions as may be required by the City Manager or the UDC.

D. Authority and Conduct of the Zoning Examiner

1. ~~In performing the public hearing duties in Sec. 2.2.4.C the~~ The Zoning Examiner may obtain information from all parties, ~~including PDSD and review agencies, prior to the public hearing, provided all requests for information are in writing and the request and information are included as part of the public record. Communications between the Zoning Examiner and administrative and PDSD staff conducted for scheduling, procedural coordination, clerical assistance, internal administrative support, inquiries about PDSD procedures or policies, or communications with the City Attorney for obtaining legal advice shall not be considered part of the official public record.~~ The Zoning Examiner may, after the close of the public hearing, obtain additional information or clarify information presented and of record at the hearing provided the request for additional information or clarification is requested in writing and such request and information are included as part of the record. ~~The Zoning Examiner may not communicate, directly or indirectly, with any party or party's representative regarding the merits of a pending case in connection with any issue involved with a particular request, except upon notice and opportunity for all parties to participate.~~

2. ~~The Zoning Examiner may not communicate, directly or indirectly, with any party or party's representative in connection with any issue involved with a particular request, except upon notice and opportunity for all parties to participate; use of~~ The Zoning Examiner may not rely ~~upon on~~ any communication, ~~report, staff memorandum outside of logistical support from staff, or other material prepared in connection with the particular case, unless it is included in made a part of the public record for the case; or inspect the site with any party or party's representative, unless all parties are given an opportunity to be present.~~

3. ~~The Zoning Examiner may not conduct a site inspection with any party unless all parties are given an opportunity to attend.~~

E. Post Hearing Information Requests and Supplemental Record

1. Authority to Request Additional Information

Any Zoning Examiner request shall be made in writing, shall identify the specific information sought, and shall be included in the public record.

3. Responses and Party Review

The response shall be included in the public record, and all parties of record shall be provided an opportunity to review and submit written comments within a reasonable time established by the Zoning Examiner and within the deadlines established by the UDC.

The Zoning Examiner may reopen the record for the limited purpose of admitting supplemental information necessary to correct or clarify the record, without requiring a new public hearing unless fairness requires one.

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2.2.9. PLANNING AND DEVELOPMENT SERVICES DEPARTMENT (PDSD)

A. Functions and Duties

The PDSD shall generally administer and enforce the UDC, serve as the planning agency when applicable, and in addition shall have the following specific responsibilities.

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5. Historic Preservation ~~and Cultural Resources Zones (HPZ)~~

~~The PDSD shall coordinate review of all alterations, new development, and demolitions within the HPZ and perform any other administrative function as required by Section 5.8, "H" Historic Preservation Zone.~~

PDSD, shall perform the following duties:

a. PDSD shall house the Historic Preservation Office and ensure that the City of Tucson maintains its Certified Local Government (CLG) status with the Arizona State Historic Preservation Office.

b. The Historic Preservation Office within PDSD shall

(1) Coordinate review of all alterations, new development, and demolitions within the Historic Preservation Zones (HPZ) and Historic Landmarks (HL), and Heritage Landmark Signs (HLS), and perform any other administrative function as required by Section 5.8, "H" Historic Preservation Zone and any other zoning overlay requiring Historic Preservation review;

(2) Coordinate archaeological and cultural resources review as required by local, state, and federal law;

(3) Conduct reviews of historic property demolition architectural documentation per City of Tucson Ordinance 10776;

(4) Oversee the General Plan's policies pertaining to historic preservation;

(5) Assist in establishing local National Register Historic Districts, Historic Preservation Zones, and Historic Landmarks;

(6) Carry out and oversee historical documentation, evaluation, and survey efforts related to cultural resources in the City;



(7) Create and maintain programs to encourage the recognition, restoration, and maintenance of historic, archaeological, and cultural resources throughout the City; and,

(8) Work with and assist departments of the City and the Tucson-Pima County Historical Commission in matters affecting historic preservation and cultural resources in the City.

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~~16. Amendments to and Administration of Specific Plans (including Area, Sub-Area, and Neighborhood Plans)~~ Administration of the General Plan

PDSD is responsible for preparing, maintaining, and administering the General Plan, certain specific plans, and redevelopment plans, assisting in the enforcement of the UDC, and other functions as deemed necessary or desirable for the City.

a. Preparation and Adoption

PDSD shall prepare the General Plan and amendments thereto, for consideration by the Mayor and Council in accordance with Section 3.6, Land Use Plan Adoption and Amendment Procedure.

b. Implementation

PDSD shall:

(1) Investigate and make recommendations to the Mayor and Council concerning reasonable and practical means for putting the General Plan, or parts thereof, into effect in order that it will serve as a pattern and guide for the orderly growth and development of the City and as a basis for the efficient expenditure of its funds relating to the subjects of the General Plan. The measures recommended may include plans, regulations, financial reports, and capital budgets;

(2) Submit an annual report to the Mayor and Council on the status of the plan and its implementation;

(3) Endeavor to promote public interest in, and understanding of, the General Plan and regulations relating to it; and,

(4) Consult with and advise public officials and agencies; public utility companies; civic, educational, professional, and other organizations; and citizens, generally, with relation to carrying out the General Plan.

~~16-17.~~ Amendments to and Administration of Specific Plans (including Area, Sub-Area, and Neighborhood Plans)

a. Amendments

~~The~~ PDSD shall review and provide recommendations to the Planning Commission and the Mayor and Council on amendments to specific plans. The PDSD may coordinate with the HCDD when developing its recommendation.

b. Administration

~~The~~ PDSD shall provide for the maintenance and administration of specific plans.

~~17-18.~~ Other Responsibilities

The PDSD shall perform such other functions as may be required by the Mayor and Council, City Manager, or the UDC.

~~18-19.~~ Director of the Planning and Development Services Department (PDSD)

The PDSD Director shall be the chief administrative officer of PDSD. The PDSD Director, or designee, shall be responsible for administering the functions and duties of PDSD listed in this section. The PDSD Director or designee may perform other functions and duties, including assisting the Zoning Administrator in enforcing the UDC, as may be required for the administration of the department or as provided by the City Manager or the UDC.

~~19-20.~~ Zoning Administrator

The Zoning Administrator, who is appointed by the PDSD Director, shall perform the duties and responsibilities as described below. The PDSD Director shall designate a temporary Zoning Administrator whenever the Zoning Administrator is unable to perform the duties of the office due to illness, potential conflict of interest, or similar reason.

a. Unified Development Code (UDC) Determinations

The Zoning Administrator shall interpret the City Zoning Maps and the provisions of the UDC and make determinations in accordance with Section 1.5.1, *Zoning Determinations and Zoning Certifications by the Zoning Administrator*.

b. Unified Development Code (UDC) Enforcement

The Zoning Administrator shall enforce the UDC with assistance from ~~the~~ PDSD ~~and the Housing Community Development Department~~ as provided in Section 10.2, *Enforcement Authority*, and from other City departments as may be provided by the City Manager and Mayor and Council.

c. Other Responsibilities

The Zoning Administrator shall perform such other functions as may be required by the PDSD Director or the UDC.

(Am. Ord. 11732, 2/19/2020)

~~2.2.10. HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT (HCDD)~~

~~The Housing and Community Development Department (HCDD), as established by the Mayor and Council, shall serve in the capacity of a planning agency as provided in the A.R.S. Title 9, Article 6.~~

~~A. Functions and Duties~~

The HCDD is responsible for preparing, maintaining, and administering the General Plan, certain specific plans, and redevelopment plans, assisting in the enforcement of the UDC, and other functions as deemed necessary or desirable for the City.

1. Administration of General Plan

a. Preparation and Adoption

The HCDD shall prepare the General Plan and amendments thereto, for consideration by the Mayor and Council in accordance with Section 3.6, *Land Use Plan Adoption and Amendment Procedure*.

b. Implementation

The HCDD shall:

- (1) Investigate and make recommendations to the Mayor and Council concerning reasonable and practical means for putting the General Plan, or parts thereof, into effect in order that it will serve as a pattern and guide for the orderly growth and development of the City and as a basis for the efficient expenditure of its funds relating to the subjects of the General Plan. The measures recommended may include plans, regulations, financial reports, and capital budgets;
- (2) Submit an annual report to the Mayor and Council on the status of the plan and its implementation;
- (3) Endeavor to promote public interest in, and understanding of, the General Plan and regulations relating to it; and,
- (4) Consult with and advise public officials and agencies; public utility companies; civic, educational, professional, and other organizations; and citizens, generally, with relation to carrying out the General Plan.

2. Preparation of Specific Plans (Including Sub-area Plans Area and Neighborhood Plans)

The HCDD shall prepare new specific plans for consideration of adoption by the Mayor and Council. Specific plans include such elements as, but are not limited to, neighborhood and area plans, plans for major streets or parks, and land use standards and policy documents for the implementation of the General Plan. The Mayor and Council, with a recommendation from the HCDD, may adopt administrative rules and procedures for the implementation of specific plans.

3. Capital Improvement Program

The HCDD shall assist the City Manager and other City departments in coordinating the Capital Improvement Program, monitoring its implementation, and advising the Mayor and Council on its conformance with the General Plan and specific plans.

4. Historic Preservation

The HCDD shall perform the following duties:

- a. ~~Oversee the General Plan’s policies pertaining to historic preservation;~~
- b. ~~Assist in establishing local National Register Historic Districts and Historic Preservation Zones;~~
- c. ~~Perform the duties and responsibilities of the Historic Preservation Program, including creating and maintaining programs to encourage the recognition, restoration, and maintenance of the historic, archaeological, and cultural resources of the City; and,~~
- d. ~~Work with and assist departments of the City and the Tucson Pima County Historical Commission in matters affecting historic preservation.~~

~~5. Enforcement of the UDC~~

~~6. The HCDD shall assist the Zoning Administrator in the enforcement of violations of the UDC as provided in Section 10.2, Enforcement Authority.~~

~~6. Other Responsibilities~~

~~The HCDD shall perform such other functions as may be required by the Mayor and Council, City Manager, or the UDC.~~

~~B. Director of the Housing and Community Development Department~~

~~The Director of HCDD is the chief administrative officer of the HCDD and shall be responsible for administering the functions and duties of the HCDD. The Director, or designee, performs other such functions as may be required for the administration of the HCDD or as provided by the Mayor and Council, City Manager, or the UDC.~~

2.2.1110. DESIGN PROFESSIONAL

The position of Design Professional (DP) is established: 1) to review building permits for projects located in the Neighborhood Preservation Zone (NPZ) overlays for compliance with applicable design manuals, and 2) to review proposed buildings, structures, landscaping, architectural features, of proposed subdivisions, development plans, and site plans, as set forth in the UDC.

A. Appointment and Qualifications

1. Appointment

The PDS Director shall recommend a candidate(s) for the position of DP. The Mayor and Council shall appoint one or more DPs.

2. Qualifications

a. NPZ Review

The DP shall be a registered architect, preferably with historic preservation experience.

b. Subdivision Review

The DP shall be a registered architect or landscape architect.

B. Powers and Duties

1. Neighborhood Preservation Zone (NPZ) Design Review

The DP shall review applications for building permits for projects located within adopted NPZs for compliance with the applicable Design Manual and Section 5.10.3, *Neighborhood Preservation Zone Design Review Procedure*. The DP will forward a written report with findings and recommendation to the PDSO Director. The Director shall take into account the recommendations of the DP when considering approval of the application.

2. Flexible Lot Development (FLD) Project Review

The DP shall review FLD projects for compliance with, but not limited to:

- a. Architectural variation, Section 8.7.3.M.1;
- b. Functional open space, Section 8.7.3.F.1 &.2;
- c. Modifications to street ~~perimeter yard~~ setbacks, Section 8.7.3.L.2;
- d. Privacy mitigation, Section 8.7.3.M.2.b;
- e. Transition edge treatment, Section 8.7.3.M.2.a;
- f. Recommendation on FLD Review

The DP shall forward a written recommendation with findings to the PDSO Director. The Director shall consider the DP's recommendation and render a decision on the FLD.

- g. Findings for FLD Privacy Mitigation Plan

The DP may recommend a project if it meets the following findings:

- (1) Will not be detrimental to public health and safety;
- (2) Will not impair an adequate supply of light and air to adjoining properties; and,
- (3) Will not create a nuisance to surrounding properties.

* * *

~~2.2.12. Sign Design Review Committee~~

~~A. Creation~~

~~A sign design review committee is hereby created to assist the Mayor and Council, the Planning Commission, and the Planning and Development Services Director by advising on sign standard text amendments and design option applications permitted by Section 7A.7 Sign Design Options.~~

~~B. Authority~~

~~The sign design review committee shall advise the Mayor and Council and the Planning Commission on sign standards text amendments. It shall also act as the design review committee for~~

~~Section 7A.7 Sign-Design Options and advise the Planning and Development Services Director on various design option applications.~~

~~C. Composition~~

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

~~D. Appointment and Terms~~

~~1. Appointment~~

~~The members shall be appointed by the City Manager.~~

~~2. Terms~~

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

~~3. City Employees, Elected Officials Excluded~~

~~No member of the committee may be a City employee or hold a City elective office.~~

~~E. Vacancies~~

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

~~F. Removal~~

~~Removal of the members shall be done by the City Manager.~~

~~G. Sign Standards Text Amendment Meeting~~

~~The committee shall have meetings as needed to discuss sign standard text amendments and make recommendations to the Planning Commission. Along with the Planning Commission recommendation, the committee's recommendation shall be forwarded to the Mayor and Council.~~

~~H. Design Review Meeting~~

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

~~2. When the applicant requests a meeting on the application, the committee may continue a case one time.~~

~~3. The applicant will present the proposal. The committee will review the application in accordance with the applicable provisions of Section 7A.7 Sign Design Options.~~

~~4. The applicant may ask for additional continuances.~~

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

~~I. Quorum~~

~~A quorum for a meeting shall be 50% of those members seated. If for any reason the City Manager has not appointed the members of the committee or a quorum is not obtained for a particular application, the director may request that the Design Professional make a recommendation directly to the PDSD Director.~~

~~J. Administrative Procedures~~

~~1. City Manager~~

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

~~2. Executive Secretary~~

~~The zoning administrator or designee shall serve as executive secretary to the committee.~~

~~3. Chairperson and Other Officers~~

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

(Ord. 11508, 12/5/2017; Am. Ord. 11803, 12/8/2020)

ARTICLE 3: GENERAL PROCEDURES

Section

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[3.12.4. Posted Notice of Demolition](#)

3.1. PURPOSE OF ARTICLE

This article describes zoning and land use review procedures related to development activity in the City of Tucson.

3.2. GENERAL REQUIREMENTS

* * *

3.2.2. NEIGHBORHOOD MEETING

A. Purpose

B. Applicability

C. Meeting Requirements

1. Standards

The applicant shall mail notices offering to meet at a specified time and place to discuss the proposed project with the persons and entities entitled to notice of the application in accordance with following requirements.

a. The offer is made when mailed, and must be mailed at least ten days prior to the date of the meeting and sent by first class mail to property owners within 400 feet of the property, registered neighborhood associations within one mile of proposal, and the Council Ward offices where the project is located.

b. For Concurrent Plan Amendment and Rezoning Applications a single neighborhood meeting shall be held for both applications. The mailed notice for the neighborhood meeting shall be mailed at least 30 days, and no more than 45 days prior to the neighborhood meeting.

c. The meeting shall occur not more than 90 days prior to the date of the submittal of the application.

d. Documentation of the offer to meet and a summary of the meeting must be submitted with the application.

e. The meeting must be held at or near the subject site.

* * *

3.2.4. PUBLIC NOTICE

A. Purpose

B. Mailed Notice

C. Timing of Notice

1. General

Published notice, posted notice, and mailed notice shall be provided at least 15-20 days prior to the public hearing, unless otherwise stated. Refer to Table 3.2-1 and determine which process applies. Specific requirements for published and posted notice are set forth in



Sections 3.2.4.E and F. For procedures which do not require a public hearing, notice shall be sent or posted in accordance with PDSD policy.

2. Measurement

3. Exception

D. Calculation of Notice Area

E. Published Notice

F. Posted Notice

G. Failure of Notice to Adequately Describe the Project

H. Public Comments to Public Notice

1. All Procedures Requiring Public Comment

For all review procedures that require a public comment period, comment period is 20 days following the date that notice is mailed, except as provided below.

2. Exception

For the 100' Notice Procedure and neighborhood preservation zone design review, the comment period is ~~ten~~ fifteen days.

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

(Am. Ord. 11070, 5/14/2013; Am. Ord. 11127, 11/6/2013; Am. Ord. 11732, 2/19/2020)

3.3. 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 (PDSD) Director approval procedure include, but are not limited to:

1. Business licenses;
2. Changes of use;
3. Downtown Area Infill Incentive District - projects within the Downtown Core Sub-District requesting a Modification of Development Regulations (Note: projects within the Greater Infill Incentive Subdistrict are processed in accordance with the 400' Notice Procedure, Section 3.3.5);
4. Electrical connections (certain types);

5. Expansion of existing premises;
6. Home occupations;
7. Individual Parking Plans ~~for projects greater than 400 feet from R-3 or more restrictive zoning districts or Historic Preservation Zones;~~
8. New construction;
9. Nonconforming same land use class substitution;
10. Nonconforming parking areas;
11. Parking Design Modification Requests (except requests to modify the number of bicycle or motor vehicle parking spaces);
12. Projects within certain overlay zones;
13. Restricted adult activities;
14. Site plans (except for projects within overlay zones that require a different procedure);
15. Land divisions, land splits, and subdivisions (see Article 8 for detailed procedures);
16. Temporary uses or structures (see Section 4.11 for additional requirements);
17. Tenant improvements;
18. Wireless communication uses (certain types);
19. Zoning compliance ~~for site improvements in existence on May 1, 2005 to facilitate adaptive reuse~~ (see Section 3.3.3.H below); and,
20. Other applications, such as blood donor centers and circus, carnival and tent shows.

* * *

G. Site Plans

1. Purpose

Certain types of applications listed in Section 3.3.3.A, *Applicability (PDSO Director Approval Procedure)*, may require the submission of a site plan. This section sets forth the requirements of the PDSO Director approval procedure as they pertain to the processing of site plans. These procedural requirements ensure that an applicant provides sufficient information to enable the City to determine compliance with all applicable UDC requirements and other applicable City ordinances, standards, policies, and special conditions.

2. Applicability

A site plan is required for the following types of development:

- a. All new non-residential development;

b. All residential development with ~~three~~ five or more dwelling units on one lot;

* * *

H. Zoning Compliance ~~for Site Improvements in Existence on May 1, 2005~~ to Facilitate Adaptive Reuse

This section encourages the re-use of and re-investment in older, nonconforming uses and buildings, and facilitates the issuance of a Certificate of Occupancy (C of O) or a Certificate of Zoning Compliance for a non-legally permitted use or building. The owner of property, at the time of a request for a certificate of occupancy or certificate of zoning compliance may concurrently request that site improvements, including outdoor activity areas, in existence ~~as of May 1, 2005~~ at least 10 years prior to the date of application ("existing site improvements") be granted zoning compliance subject to the following.

1. This section only applies to developed property with nonresidential zoning that is not subject to any ~~of the Overlay Zones in Sections 5.2 (Hillside Development Zone), 5.3 (Scenic Corridor Zone), 5.6 (Airport Environs Zone), 5.7 (Environmental Resource Zone), 5.8 (Historic Preservation Zone), 5.9 (Drachman School Overlay), 5.10 (Neighborhood Preservation Zone), 5.11 (Rio Nuevo District), or any~~ change of zoning (rezoning), variance, or special exception approved subject to conditions, or the subject of an unabated zoning violation.

2. Existing site improvements are determined by referring to ~~May 2005~~ the most recent aerial photography administered by the Pima Association of Governments (PAG) and available on the PAG and PDSO websites which is dated 10 years or more to the date of application.

3. Existing site improvements are not subject to compliance with the following:

- a. Access, Section 7.8;
- b. Accessory Uses, Buildings, and Structures, Section 6.6;
- c. Dimensional standards as provided in Tables 6.3-1 through 7 in Article 6;
- d. Height, Section 6.4.4;
- e. Landscaping and Screening, Section 7.6;
- f. Lot Coverage, Section 6.4.3;
- g. Motor Vehicle and Bicycle Parking, Section 7.4;
- h. Native Plant Preservation, Section 7.7;
- i. Off-Street Loading, Section 7.5; and,
- j. ~~Perimeter Yards~~ Setbacks, Section 6.4.5.

4. Properties granted zoning compliance under the provisions of this section may be used for all principal permitted land uses based on the zoning of the site subject to the applicable general restrictions in each zone, except for the following prohibited uses:

~~a. Alcoholic Beverage Service uses unless continuously licensed through the Arizona Department of Liquor Licenses and Control from May 1, 2005, to the present, Section 11.3.4.B;~~

~~ba.~~ Billboard, Section 11.3.4.F;

~~eb.~~ Correctional Use, Section 11.3.3.C;

~~dc.~~ Family Dwelling, Section 11.3.7.A;

~~e. Food Service uses unless continuously licensed through the Pima County Health Department from May 1, 2005, to the present, Section 11.3.4.N;~~

~~fd.~~ Group Dwelling, Section 11.3.7.B;

~~ge.~~ Mobile Home Dwelling, Section 11.3.7.C;

~~hf.~~ Residential Care Services, Section 11.3.7.D;

~~ig.~~ Restricted Adult Activities Use Group, Section 11.3.8;

~~jh.~~ In the C-2 and C-3 Districts, Medical Marijuana Designated Caregiver Cultivation Location, Medical Marijuana Dispensary, Medical Marijuana Dispensary Off-site Cultivation Location; and,

~~ki.~~ In the I-1 and I-2 Districts, Medical Marijuana Designated Caregiver Cultivation Location, Medical Marijuana Dispensary Off-site Cultivation Location.

5. Required drop-off areas must be provided.

6. Use of the property must be in compliance with all applicable use-specific standards in Section 4.9.

7. This section is applied to single or multiple parcels of land but may not be applied to partial parcels.

8. Changes to ~~parking lot striping, maintaining the same number of parking spaces, or increasing the number of parking spaces, are permitted in compliance with Section 7.4.6 (Motor Vehicle Use Area Design Criteria)~~ the following are permitted so long as no existing elements such as loading zones, parking spaces, landscaping or ~~dumpsters trash enclosures~~ are deleted except as ~~permitted under current standards~~ otherwise required under the UDC.

9. Parking lot striping, maintaining the same number of parking spaces, or increasing the number of parking spaces, is permitted in compliance with Section 7.4.6 (Motor Vehicle Use Area Design Criteria)

10. Landscaping or water harvesting changes or improvements are permitted in compliance with Section 7.6 (Landscaping and Screening); and

11. Pedestrian access changes or improvements are permitted in compliance with Technical Standards Manual Section 7 (Pedestrian Access).

~~912.~~ The owner of the property shall:

a. Submit a sworn affidavit that the use of the property will be in compliance with the section; or,

b. Include the following in any lease/rental agreement for the property:
“Tenant shall not cause or permit the Property to be used in any way which constitutes a violation of any law, ordinance, or governmental regulation. Notwithstanding any contrary provision of this lease agreement, any occupancy or use of the premises in violation of this paragraph constitutes a material breach of this lease agreement entitling Lessor to invoke all remedies provided hereunder including termination.”

~~1013.~~ A site inspection to verify that the use of the property is in compliance with this Section may be conducted at the discretion of the PDSD Director.

~~1114.~~ Applications are reviewed in accordance with the PDSD Director approval procedure, Section 3.3.3.

~~1215.~~ Zoning compliance granted pursuant to this section shall be valid only so long as the property and site improvements thereon remain in the same condition as on the date the zoning compliance is granted. Any subsequent development or modification to the property or site improvements will render zoning compliance under this section void and of no effect. Any modification or improvement not shown on ~~May 2005~~the referenced aerial photography administered by the Pima Association of Governments (PAG) will be considered a subsequent development of the property.

~~13. Requests for zoning compliance pursuant to this section must be submitted to the PDSD, and all applicable fees must be paid, prior to the expiration date of the ordinance adopting this Section 3.3.4.G, as provided herein.~~

(Ord. 11070, 5/14/2013; Am. Ord. 11201, 9/23/2014; Am. Ord. 11732, 2/19/2020; Am. Ord. 11922, 7/12/2022)

3.3.4. 100' NOTICE PROCEDURE

- A. Purpose
- B. Applicability
- C. Pre-Application Conference Recommended
- D. Neighborhood Meeting Recommended
- E. Application and Notice of Application Required
- F. Public Comment Period

For ~~ten~~ fifteen days following the date on which notice is provided, the public may submit comments on the proposal to the PDSD.

- G. Review
- H. Decision and Notice of Decision
- I. Appeals

J. Waiver of Comment, Notice of the Decision and Right to Appeal

* * *

3.3.5. 400' NOTICE PROCEDURE

A. Purpose

The purpose of this procedure is to require notice to parties who may be affected by the development.

B. Applicability

The 400' Notice Procedure applies to the following applications:

~~1. Mitigation plans for restaurants that are located within 300 feet of R-3 or more restrictive zoning district and that serve alcohol;~~

~~2.1. Projects within the Greater Infill Incentive Subdistrict of the Downtown Area Infill Incentive District requesting a Modification of Development Regulations; and,~~

~~3. Individual Parking Plans for projects within 400 feet of R-3 or more restrictive zoning districts or Historic Preservation Zones.~~

* * *

3.4. SPECIAL EXCEPTION LAND USES

* * *

3.4.3. ZONING EXAMINER SPECIAL EXCEPTION PROCEDURE

* * *

G. Zoning Examiner's Public Hearing

A public hearing must be held before the Zoning Examiner within 70 days of acceptance of the application. ~~Public hearings are held in accordance with the following and the Zoning Examiner's rules and procedures.~~

~~1. The Zoning Examiner shall administer oaths and may compel the attendance of witnesses and the production of relevant information, including witnesses requested by any party.~~

~~2. The Zoning Examiner may impose any reasonable limitations on the number of speakers heard and may establish the nature and length of testimony by speakers.~~

~~3. Comments may be given by any person, either verbally or in writing.~~

~~4. A record of the hearing must be made and retained as a public record.~~

~~5. The Zoning Examiner may close the public hearing, or continue the public hearing to a specified time, date, and place. A continuance may not be for more than 30 days.~~

1. Testimony and Evidence



All testimony shall be given under oath or affirmation. The Zoning Examiner may limit repetitive or irrelevant testimony, may require designation of a spokesperson for any group, and all exhibits and written comments must be submitted into the record.

2. Order of Presentation

The Zoning Examiner may impose any reasonable limitations on the number of speakers heard, and heard and may establish the nature and length of testimony by speakers and may question speakers. Comments may be given by any person, either verbally or in writing Unless otherwise directed by the Zoning Examiner, the order of presentation shall be: PDSD staff, applicant, supporting testimony, opposing testimony, other testimony, and the applicant rebuttal.

During the hearing the Zoning Examiner may make requests for additional information, witnesses, or records needed for deliberation.

3. Record of Proceedings

All hearings shall be digitally recorded, and all materials and exhibits shall be retained by PDSD.

4. Continued Public Hearing

The Zoning Examiner may close the public hearing, or continue the public hearing to a specified time, date, and place. A continuance may not be for more than 30 days.

5. Failure to Appear

If the applicant fails to appear, the Zoning Examiner may continue the hearing once; proceed based on the record; or deem the application withdrawn.

6. Zoning Examiner Authority and Conduct

The Zoning Examiner shall conduct the public hearing in accordance with Section 2.2.4."

* * *

3.4.4. MAYOR AND COUNCIL SPECIAL EXCEPTION PROCEDURE

A. Applicability

B. Application Processing

1. The Zoning Examiner shall hold a public hearing on behalf of the Mayor and Council on applications for Mayor and Council Special Exception Land Uses. Mayor and Council special exceptions applications are processed in accordance with the Zoning Examiner special exception procedure, Sections 3.4.3.B - H, and the following.

2. The Zoning Examiner shall forward a recommendation with findings, and when applicable, conditions on the proposed use to the Mayor and Council for decision.

3. Any person may request that the application be heard at a public hearing before the Mayor and Council if the request is filed with the City Clerk within 14 days after the



date of the Zoning Examiner's public hearing or reconsideration public hearing. Notice of the public hearing must be provided in the same manner as the notice provided for the Zoning Examiner's public hearing.

4. The Mayor and Council shall make a decision to approve, approve with conditions as provided in Section 3.4.6 below, or deny the application.

(Am. Ord. 11127, 11/6/2013)

* * *

3.4.6. CONDITIONS OF APPROVAL

A. Authority to Apply Conditions

In approving an application, the PDSD Director, the Zoning Examiner, or the Mayor and Council may impose such reasonable and appropriate conditions and safeguards as are necessary to ensure compliance with the criteria for approval. Conditions and safeguards may also be imposed to reduce or minimize any potentially injurious effects on adjacent properties; the character of the neighborhood; or the health, safety, or general welfare of the community. Such conditions may include, but are not limited to:

1. Structural or vegetative screening greater than that required by the landscaping and screening standards of the UDC to buffer the surrounding land uses from the proposed use;
2. Limitations on the height, size, or illumination of signs more restrictive than the applicable requirements of the Tucson Sign Code;
3. Limitations on the conduct of the proposed use, such as, but not limited to, hours of operation, or use of loudspeakers or external lighting, as necessary to protect adjacent land uses; and,
4. Dedication of necessary right-of-way for streets, alleys, drainageways, and utilities.

B. Change in Conditions of Approval

An applicant may request a change in a Mayor and Council Special Exception Land Use condition of approval of a Mayor and Council Special Exception Land Use. The request must be submitted to the PDSD and reviewed by the PDSD staff for recommendation to the Mayor and Council. The request is then considered at a public hearing in accordance with procedures in Section 3.4.3.

3.5. REZONING (CHANGE OF ZONING)

* * *

3.5.3. ZONING EXAMINER LEGISLATIVE PROCEDURE

* * *

D. Application Requirements

* * *

3. Plan Amendment Determination

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~~Rezoning applications must be in conformance with adopted plan policies before a rezoning application may be accepted for processing. A determination of plan compliance shall be made in one of the following three ways.~~

Rezoning applications must be in conformance with adopted plan policies before a rezoning application may be accepted for processing; except for Concurrent Plan Amendment and Rezoning Applications, as provided in Section 3.5.3.D.3.d below. A determination of plan compliance shall be made in one of the following three ways.

* * *

I. Public Hearing

1. Applications reviewed under this procedure are considered by the Zoning Examiner at a public hearing(s) for recommendation to the Mayor and Council.
2. Original City Zoning
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. ~~The public hearing shall be held in accordance with Sec. 3.4.3.G. 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. For Concurrent Plan Amendment and Rezoning applications the public hearing must be held within 180 days of acceptance of the application.

a. Conduct of the Public Hearing

~~(1) The Zoning Examiner is empowered to obtain information from all parties and interested persons, including public agencies, prior to the public hearing, provided all requests for information are in writing and the request and information are included as part of the public record. The Zoning Examiner also has the authority, after the close of the public hearing, to obtain additional information or clarification of information that has been presented. Any such request shall be in writing and the request and response shall be included as part of the record or report to the Mayor and Council. The Zoning Examiner may close the public hearing, or may continue the hearing to a specified date, time and place. However, a continuance may not be for more than 30 days.~~

~~(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.~~

b. Zoning Examiner's Preliminary Recommendation

The Zoning Examiner shall issue a report with preliminary findings and a preliminary recommendation within five days after the close of a hearing. The preliminary recommendation is provided to the applicant, the PDSD Director and to any person who has requested a copy of the preliminary recommendation.

c. Reconsideration

Any party of record may request that the preliminary recommendation be reconsidered or that the public hearing be reopened if there are errors of fact or procedure. The request shall state the alleged errors of fact or procedure and must be submitted to the Zoning Examiner within five days after the date of the preliminary recommendation. The Zoning Examiner must take action on the request within five days following the receipt of a request for reconsideration. Action on the request includes revising the preliminary recommendation, reopening the public hearing, or denying the request.

d. Final Recommendation

Within 14 days (or 19 days if a reconsideration of the preliminary recommendation is requested in accordance with Section 3.5.3.4.3.c) 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. 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.

e. Reopening of the Public Hearing

If the public hearing is reopened, the new hearing must be held within ~~40-60~~ days of the close of the last public hearing. Notice of the reopened hearing is the same as the notice for the original public hearing. If the public hearing is reopened at the request of a party, or to consider new information from a party, the Zoning Examiner may require that the party pay the costs for the re-opened public hearing. At the conclusion of the reopened hearing, the issuance of a preliminary recommendation, the time period for reconsideration, the issuance of a final recommendation and the time periods for each shall be the same as for the original hearing.

f. Mayor and Council Public Hearing Request

Any person may request that the application be heard at a public hearing before the Mayor and Council if the request is filed with the City Clerk within 14 days after the date of the Zoning Examiner's public hearing or reconsideration public



hearing. The Mayor and Council may also decide to conduct a public hearing without a specific request. If a public hearing is requested, notice must be provided in the same manner as the notice provided for the Zoning Examiner's public hearing.

J. Mayor and Council Action

1. Mayor and Council Public Hearing Request

Any person may request that the application be heard at a public hearing before the Mayor and Council if the request is filed with the City Clerk within 14 days after the date of the Zoning Examiner's public hearing or reconsideration public hearing. The Mayor and Council may also decide to conduct a public hearing. If a public hearing is requested, notice must be provided in the same manner as the notice provided for the Zoning Examiner's public hearing.

2. Authorization for Change of Zoning (Rezoning)

~~Where a change in zoning is requested based upon a preliminary site plan, the Mayor and Council may make a preliminary determination to authorize the applicant to proceed with the case.~~

a. Authorization for the Application to Proceed

~~A vote by the Mayor and Council to authorize a change of zoning case constitutes authorization for the applicant to proceed, subject to the applicant's subsequent demonstration of compliance with any special conditions that may have been established by the Mayor and Council. Unless the Mayor and Council state a shorter time period, the applicant must complete all conditions of approval within five years from the date the request is authorized.~~

b. Discretion of the Mayor and Council

~~An authorization for a change of zoning is preliminary and does not in any way limit the legislative discretion of the Mayor and Council to determine whether or not to adopt a change of zoning ordinance or to add conditions thereto at the time an ordinance is presented for adoption. Authorization does not establish any vested right to the authorized zoning prior to ordinance adoption.~~

3. Direct Ordinance Adoption

~~Where a change of~~For approval of an ordinance for adoption by adoption to be approved by Mayor and Council, a -zoning application ~~includes a site plan or a proposed plat that provides~~must provide sufficient specific details to demonstrate compliance with all code requirements and conditions that may be required by the Mayor and Council and is shall demonstrate that the zoning application is in compliance with this Section, the application ~~may to proceed from staff review to Mayor and Council ordinance adoption without a separate Mayor and Council authorization to proceed with the application. For applications which previously required authorization by the Mayor and Council, the requirements in place at the time of authorization shall apply.~~

a. Mayor and Council Actions



The Mayor and Council shall consider the change of zoning application, the Zoning Examiner's recommendation, and the City Manager's recommendation in a public meeting or a public hearing. The Mayor and Council ~~has full discretion to may authorize the case to proceed; may modify, delete or add to the proposed conditions for approval; may approve, deny, amend, or~~ remand the case to the Zoning Examiner for further proceedings; ~~may adopt an ordinance changing the zoning, deny the application; or may take other appropriate action.~~

b. Davis Monthan AEZ Comments

If Davis Monthan Air Force Base submits comments to the City on any application concerning the compatibility of the proposed rezoning with the high-noise, accident potential zone, or approach-departure corridor that may have an adverse impact on the operation of the base or upon public health and safety, a public hearing shall be held to consider these and other comments per requirements of the A.R.S.

4. ~~Mayor and Council Adoption of the Change of Zoning~~

a. ~~If an application substantially demonstrates compliance with the conditions for a change of zoning, staff shall prepare an ordinance to be submitted to the Mayor and Council for adoption enacting the change in zoning.~~

b. ~~For a project that is to be completed in phases, the Mayor and Council may adopt a separate ordinance for each phase of the project, but only if each phase submitted for approval can meet all required conditions and codes without reliance on future phases.~~

5. Voting Requirements for Adoption of Ordinance

Ordinance adoption of a change of zoning is granted by a simple majority vote of the governing body unless the requirements of A.R.S. 9-462.04(H) are met. If the requirements of A.R.S. 9-462.04(H) are met, then a three-fourths vote of the governing body is required for adoption of the ordinance.

a. The entire area of the lot or lots within the subject site; or,

b. Property in any one of the following quadrants: north, south, east, west, that is located within 150 feet of the rezoning site, excluding public right-of-way abutting the subject site.

c. Mayor and Council Action Timeline

(1) The Mayor and Council shall approve or deny the application within 180 days of the determination that the application is administratively complete.

(2) For extenuating circumstances, the PDSD Director may grant a onetime extension of not more than 30 days.

(3) If an applicant requests an extension, the PDSD Director may grant extensions of 30 days for each extension granted.

(4) The requirements of subsections (1), (2) and (3) above do not apply to land that is designated as a Historic Landmark, Historic Preservation Zone, an area that is designated as historic on the National Register of Historic Places, or Planned Area Developments.

6. Ordinance Effective Date

Ordinances granting changes in zoning are, by state statute, subject to referendum and shall not become effective until 30 days after the date of adoption or the date the final ordinance is available from the City Clerk, whichever is later. The effective date of the ordinance is not necessarily the effective date of the change of the zoning (rezoning). The effective date of the change of zoning is when compliance with conditions of approval is completed and certified by the PDSD Director. No permits or development approvals may be granted that are in furtherance of the rezoning request until the 30 days have lapsed and the conditions of rezoning have been met.

7. Reconsideration

A member of the Mayor and Council may request the reconsideration of ~~an authorization decision or~~ a decision on a proposed ordinance provided the vote to reconsider is made within 30 days of the date of decision. A hearing for reconsideration will be scheduled upon a majority vote in favor of the reconsideration. If the reconsideration occurs after the meeting when the decision is initially made, then public notice of the reconsideration must be given in the same manner as for the initial decision.

(Am. Ord. 11070, 5/14/2013; Am. Ord. 11127, 11/6/2013; Am. Ord. 11729, 2/19/2020; Am. Ord. 11732, 2/19/2020; Am. Ord. 12131, 10/22/2024)

* * *

3.5.4. CHANGE IN CONDITIONS OF APPROVAL AND COMPLETION OF CONDITIONS

C. Time Period for completion of Conditions

1. The Mayor and Council, ~~when authorizing a rezoning request,~~ shall establish a time period to meet all conditions of rezoning. The time period shall begin the day after the date of authorization.

2. The required length of the time period to complete conditions of rezoning may range from one day to five years. By Mayor and Council policy, the staff recommendation for rezoning requests that involve a zoning violation is a one-year period. For rezoning requests that do not involve a zoning violation, a five-year period is recommended.

3.11. ADMINISTRATIVE MODIFICATIONS

3.11.1. DESIGN DEVELOPMENT OPTION (DDO)

* * *

B. Applicability

The following dimensional, screening, and landscaping standards may be considered for modification under this Section:

1. Setbacks;
2. Height of accessory walls and fences when the wall and fence heights do not exceed two feet above the maximum height permitted;
3. Landscaping and screening standards when the modification does not decrease the required area in square footage of landscaping or height of a screening feature; and,
4. Structural setback and parking space length requirements for carports only in single-family, duplex and middle housing development.

* * *

D. Findings for Approval

1. General Findings for All Modification Requests

For all modification requests, the PDSD Director may approve a DDO request only if the request meets all of the following findings:

- a. Is not a request previously denied as a variance;
- b. Does not modify a conditional requirement or finding to determine whether the use should be allowed in the zone ;
- c. Is not to a condition of approval for a rezoning or Special Exception Land Use application;
- d. Does not modify a requirement of an overlay zone , such as, but not limited to, Scenic Corridor, Environmental Resource, Major Streets and Routes Setback , or Airport Environs;
- e. Does not result in deletion or waiver of a UDC requirement;
- ~~f. The modification applies to property that cannot be developed in conformity with the provisions of this chapter due to physical circumstances or conditions of the property, such as irregular shape, narrowness of lot, exceptional topographic conditions, or location;~~
- g. Does not create a situation where proposed development substantially reduces the amount of privacy that would be enjoyed by nearby residents any more than would be available if the development was built without the modification;
- h. Does not create a situation where proposed development will block visibility within the required visibility triangle on adjoining streets for either vehicular or pedestrian traffic;



~~hi.~~ Does not create a situation where the proposed development will cause objectionable noise, odors, trespass lighting, or similar adverse impacts adjacent properties or development ; and,

~~hj.~~ Does not create a situation where the development will result in an increase in the number of residential dwelling units or the square footage of nonresidential buildings greater than would occur if the development was built without the modification.

2. Specific Findings for Setback and Wall Height Modification Requests

In addition to the findings in Section 3.11.1.D.1, the PDSD Director shall find, in the case of setback and wall height only, that the modification:

a. Does not create a situation where proposed development will obstruct significant views of dramatic land forms, unusual stands of vegetation, or parks from nearby properties substantially more than would occur if the development were built without the modification;

~~b. Provides design alternatives to better integrate the development into the design character of the immediate neighborhood;~~

~~eb.~~ Does not apply to a setback requirement of a Flexible Lot Development (FLD);

~~ec.~~ Does not create a situation where the proposed development will interfere with the optimum air temperature or solar radiation orientation of buildings on adjoining properties substantially more than would occur if the building or structures were built without the modification; and,

~~ed.~~ Does not create a situation where the proposed use of the property will impose objectionable noise levels on adjoining properties greater than would occur if the buildings or structures were built without the modifications.

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

3. Specific Finding for Screening Modification Requests

For screening modifications, in addition to the findings in Section 3.11.1.D.1, the PDSD Director shall make a finding that the modification does not lower the height of a required screening device to a point where it does not accomplish its purpose.

E. Appeals

A party of record may appeal the PDSD Director 's decision on DDO applications. Appeals are considered by the Board of Adjustment in accordance with Sections 3.10.1 and 3.10.2, Board of Adjustment Appeal Procedure. Appeals must be filed within five days of the effective date of the decision. The complete appeals material must be filed within 30 days of the effective date of the decision. An appeal under this section shall be based upon an error in the Director 's decision finding

compliance or noncompliance with the applicable findings. The Board of Adjustment shall apply the applicable findings as provided in Section 3.11.1.D, Findings for Approval, when rendering its decision.

* * *

3.12. MISCELLANEOUS PERMITS AND APPROVALS

3.12.1. ARCHITECTURAL DOCUMENTATION PRIOR TO DEMOLITION OF HISTORIC BUILDINGS

* * *

D. Application and Review Process

1. Prior to the submittal of a demolition permit application, the applicant may meet with the PDSD. At that time, the PDSD shall determine whether the application requires Minor or Full Documentation.

2. At the time of submittal, the applicant shall submit ~~two copies~~ a copy of the demolition permit ~~application~~ application, and all required architectural documentation to the PDSD. ~~All new photos must be printed on photographic paper.~~

3. If Minor Documentation is required, the PDSD reviews and approves the applications for completeness in accordance with Section 3.2.3.A. The PDSD determines and informs the applicant that the Minor Documentation is complete, or of any additional documentation which is required.

4. If full documentation is required, the Historic Preservation Officer (HPO) reviews and approves the applications for ~~completeness, and~~ completeness and informs the applicant that full documentation is complete or informs the applicant of any additional documentation which is required.

5. If the PDSD or the HPO determine that the required architectural documentation is complete, then a demolition permit application may be processed. The applicant must demonstrate compliance with all provisions of the Tucson Code before a demolition permit will be issued.

* * *

G. Documentation Retention

~~Upon approval of the demolition permit, the~~ The HPO shall ~~notify, retain one copy as a record of a lost historic resource and forward one copy to~~ the Tucson-Pima County Historical Commission of ~~demolition permit approvals for their records.~~

* * *

3.12.3. MULTIFAMILY RESIDENTIAL DEVELOPMENT AND ADAPTIVE REUSE OF QUALIFIED OBSOLETE COMMERCIAL ~~BUILDINGS~~ PARCELS

A. Purpose

This section describes application requirements, review procedures, and approval criteria utilized by City of Tucson staff when reviewing an application for multifamily residential development or adaptive reuse of qualified obsolete commercial ~~buildings~~ parcels pursuant to A.R.S. § 9-462.10.

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B. Applicability

1. When not specifically addressed in UDC Section 3.12.3, development standards for multifamily residential development and adaptive reuse shall be based on development standards for the highest density Urban Residential Zone within one mile of the project site. Where there is a conflict between the standards of this section and the rest of the UDC, the standards of this section shall apply.

2. For the purpose of UDC Section 3.12.3, and only Section 3.12.3, the following shall be defined as:

a. Adaptive Reuse

The act of converting an existing building from the use for which it was constructed to a ~~new use~~ **multifamily** maintaining some or all of the elements of the building. Adaptive reuse allows for the partial, but not the complete, demolition of an existing commercial, office, or ~~mixed use~~ **mixed-use** building. For a project to qualify as Adaptive Reuse, it must include a multifamily residential component.

b. Building Code

~~Means:~~ **The** federal construction codes applicable to homes constructed after June 15, 1976, and the Arizona codes applicable to homes constructed before that date. The Building Code may include local amendments specific to the City of Tucson.

c. Low Income Housing

Housing for a person or persons whose household income does not exceed eighty percent (80%) of the area median income

~~d.~~ Moderate Income Housing

~~Means:~~ **housing** **Housing:** (a) for a person or persons whose household income does not exceed 120% of the area median income. ~~(b) For which the occupant pays not more than 30% of the occupant's gross income for the occupant's rent or mortgage, as determined by the Arizona Department of Housing and adjusted for household size based on the United States Department of Housing and Urban Development.~~

~~e.~~ Qualified Obsolete Commercial Building Parcel

A ~~building~~ **parcel or parcels** which is currently zoned for and/or permitted to be used for commercial, office, or mixed uses; and ~~is:~~

The existing building or buildings located on a parcel or parcels in a state of disrepair or has a 50% vacancy in the total leasable square footage; and

~~located.~~ The existing building or buildings located on a parcel or parcels ~~of at~~ least one acre but not more than 20 acres.

~~f.~~ Multifamily Residential Development

A building or buildings that are designed and used for residential purposes and that contain more than one apartment or dwelling unit for sale or for rent but that are

not adaptive reuse. Multifamily residential development allows for the partial or complete demolition or renovation of an existing commercial, office, or mixed use building.

g. Nonconforming

Structures that have received occupancy permits under the now obsolete or otherwise different regulations that were in place at the time of construction that no longer apply to the building or property.

h. Rooftop Appurtenances

Rooftop structures that primarily house air conditioning equipment, solar panels, utilities, elevators, other energy production facilities and other non-habitable structures. This includes open space features, swimming pools, space for use by residents and landscaping, but does not include open areas, spires, bell towers, domes, cupolas, pediments, obelisks or monuments.

3. Multifamily Residential Development or Adaptive Reuse under this UDC Section 3.12.3 does not apply to the following:

- a. Land in the area that is designated a National Register Historic District, Historic Preservation Zone, or Historic Landmark;
- b. Land in the territory in the vicinity of a military airport or ancillary military facility as defined by A.R.S. § 28-8461;
- c. Land in the territory in the vicinity of a Federal Aviation Administration commercially licensed airport or a general aviation or public airport as defined A.R.S. § 28-8486.

d. Land that has an average sound level of 65 decibels or higher at the qualified parcel

4. All applicable overlay zones or associated requirements addressed elsewhere within the Unified Development Code shall apply to this Section.

C. Obsolete Commercial ~~Building Parcel~~ Redevelopment

1. An applicant seeking multifamily residential development or adaptive reuse of a qualified obsolete commercial ~~building parcel or parcels~~ shall submit an application that includes the following:

- a. Evidence satisfactory to the ~~City of Tucson Attorney~~ Zoning Administrator that the ~~existing building~~ qualified parcel or parcels that ~~is~~ are the subject of the application ~~is~~ are economically or functionally obsolete.
- b. Documentation satisfactory to the City of Tucson Planning and Development Services Department and the City Attorney that the redevelopment will include a set aside of at least 10% of the total dwelling units for either moderate-income or low-income housing or any combination of the two for at least 20 years after the initial occupation of the proposed development.

c. A site plan in conformance with UDC Section 3.3.3.G and all other applicable UDC requirements for site plans.

d. Evidence of site plan review and approval by any utility provider impacted by the proposed development.

e. Evidence of adequate existing public sewer and water service for the entire proposed development.

f. Compliance with all applicable Building Codes and fire codes.

D. Mixed Use and Multi-Family Development or Adaptive Reuse

1. Setbacks

Setback requirements for the redevelopment shall be the lesser of the existing setbacks for multifamily residential buildings (including mixed use buildings with the majority of floor area dedicated to residential uses), or the setback requirements that applied to the existing commercial, office, or ~~mixed-use~~mixed-use building, in accordance with UDC Article 6.3. ~~Setback may also be referred to as a perimeter yard.~~

2. Height and Density

Multifamily residential height and density shall not exceed:

a. The maximum allowable multi-family height and density for a multi-family zoning district or a zoning district that allows residential development in the City of Tucson, located within one mile of the ~~building parcel~~ to be developed, whichever is greater; or

b. If there is no multifamily zoning district in the City of Tucson within one mile of the ~~building parcel~~ to be redeveloped, the height and density of the multifamily zoning district or a zoning district that allows residential development located in the City of Tucson located closest to the ~~building parcel~~ to be redeveloped shall apply;

c. Building height is limited to no more than five stories (55 feet).

3. Height Exemption for existing non-conforming buildings

If the maximum allowable height applicable to the existing commercial, office, or mixed use building exceeds the maximum allowable height in the existing zone for the proposed use, the existing height may remain and shall be considered nonconforming for height purposes and the existing building may be expanded to the maximum allowable density for the ~~proposed multifamily~~ use. Any rooftop appurtenances shall be included within the height exemption.

E. Multifamily Residential Development or Adaptive Reuse ~~Cap~~, Tracking, and Area Exclusion

~~1. Cap~~

~~Not more than 1,030 of the existing commercial, office, or mixed use buildings may be redeveloped for multifamily residential development or adaptive reuse under this Article.~~

~~2. Tracking~~



The City of Tucson Planning and Development Services Department shall keep track of the number of ~~buildings-parcels~~ redeveloped under this Article, and shall ~~stop accepting applications when~~ allow for multifamily residential development or adaptive reuse of at least ten percent of the existing commercial, office, or mixed-use mixed-use parcel based on the total number of the following equals the cap established in subsection 1. above:

- a. The number of ~~buildings-parcels~~ redeveloped for multifamily residential development or adaptive reuse under this Article; plus
- b. The number of ~~buildings-parcels~~ with approved building permits for redevelopment under this Article but not yet completed; plus
- c. The number of ~~buildings-parcels~~ with pending applications for redevelopment under this article but not yet permitted.

3.12.4. POSTED NOTICE OF DEMOLITION

A. Applicability

~~All complete building demolitions or partial demolitions which remove exterior walls or alter the structural integrity of a building require Notice of Demolition to be posted on the impacted property, no less than 15 days prior to the proposed demolition date, in accordance with UDC Section 2.2.4.F. and PDSD Policy.~~

B. Content

~~All posted notices of demolition shall include the address, permit number, scope of activities, estimated start of demolition, and the name and license number of the demolition contractor.~~

C. Issuance of Permit

~~Upon permit application, review, and approval, and posting of the Notice of Demolition, a pre-construction inspection is required. Following inspection and a fifteen day time period, the permit may be issued and demolition work may begin.~~

(Ord. 12139, 12/10/2024)

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4.3. CATEGORIES OF LAND USES

* * *

4.3.3. ACCESSORY LAND USES

A. Accessory land uses are those uses and structures associated with, and incidental to, a principal land use and may be necessary for the operation of the principal land use. Examples of accessory uses include: residences with guest houses, restaurants with bars, and churches with a columbarium.

B. The permitted accessory land uses with use-specific standards are identified in Tables 4.8-1 through 4.8-7. Any land use which is permitted as a principal land use or specifically referenced in the tables as an accessory land use may be permitted as an accessory land use. Accessory land uses other than those provided in the tables may be permitted in accordance with Section 6.6, *Accessory Uses, Buildings, and Structures*.

C. Accessory uses are subject to the following when applicable:

1. UDC regulations and standards, including, but not limited to:
 - a. The accessory land use and building regulations provided in Section 6.6, *Accessory Uses, Buildings, and Structures*; and,
 - b. The use specific standards provided in Tables 4.8-1 through 4.8-7.
2. Application submittal requirements and fees provided in the Administrative Manual; and,
3. Standards provided in the Technical Standards Manual.

* * *

4.8. USE TABLES

4.8.1. GENERAL

The following use tables, Tables 4.8-1 through 4.8-7, establish the permitted principal, special exception, and accessory uses for each zone in the City of Tucson. The use-specific standards that apply to uses in certain zones are included in the far right column of each table.

* * *

4.8.3. PERMITTED USES: RURAL AND SUBURBAN RESIDENTIAL ZONES

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

P = Permitted Use S = Permitted as Special Exception Use

Mayor and Council Special Exception Procedure, Section 3.4.4

Zoning Examiner Special Exception Procedure, Section 3.4.3

PDSD Special Exception Procedure, Section 3.4.2						
LAND USE	RH	SR	SH	RX-1	RX-2	USE SPECIFIC STANDARDS
Agricultural Land Use Group With Land Use Class/Type:						
Animal Production:						
General		P	P	P		SR: 4.9.2.A.1.a, 2.b, 3.a SH: 4.9.2.A.1.b, 2.b, 2.c, 3.b RX-1: 4.9.2.A.1.a, 2.a, 2.b, 3.a
Excluding Stockyard	P					RH: 4.9.2.A.1.a, 2.b, 3.b and 4.9.13.I
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.I
Commercial Feedlot Only	S [1]					RH: 4.9.2.D.1 and 4.9.13.I
Stable or Riding School Only	P					RH: 4.9.2.A.1.b, 2.b, & 4.b and 4.9.13.I
Community Garden	P	P	P	P	P	RH: 4.9.2.B and 4.9.13.I SR, SH, RX-1, RX-2: 4.9.2.B
Crop Production:	P	P	P	P	P	RH: 4.9.2.C and 4.9.13.I SR, SH, RX-1, RX-2: 4.9.2.C
With Food & Beverage Sales as an accessory use	P	P	P			RH: 4.9.9.A.2.a, 3-8 and 4.9.13.I

						SR, SH: 4.9.9.A.1, 2.c, 3, 4, 7
General Farming	P	P	P	P		4.9.2.C and: RH: 4.9.2.A.1.a, 2.b, 3.b and 4.9.13.I SR: 4.9.2.A.1.a, 2.b, 3.a SH: 4.9.2.A.1.b, 2.b, 2.c, 3.b RX-1: 4.9.2.A.1.b, 2.a, 2.b, 3.a
Farmers' Market as an accessory use to any permitted Agricultural Land Use Group	P	P	P	P	P	All: 4.9.9.A.12
Civic Land Use Group With Land Use Class/Type:						
Cemetery	S [1]		S [1]			RH: 4.9.3.A.3 and 4.9.13.I SH: 4.9.3.A.2
Correctional:						
Supervision Facility		S [1]				SR: 4.9.3.B.1.b, 2.a, 3.a, 4.a, 8 & 9
Custodial Facility		S [1]				SR: 4.9.3.B.1.c, 2.a, 3.a, 4.b, 8 & 9
Supervision & Custodial Facility		S [1]				SR: 4.9.3.B.1.d, 2.c, 3.b, 4.b, 7, 8, & 9 and shall be located in separate and distinct facilities
Cultural:						
Government owned and operation only		P	P	P	P	
Nature reserve only	P					RH: 4.9.13.I

Other than nature reserve or wildlife refuge	S [1]					RH: 4.9.3.C.1 and 4.9.13.I
Educational:						
Elementary & Secondary		P	P	P	P	SR, SH, RX-1, RX-2: 4.9.3.D
Elementary & Secondary, projects requesting exceptions to 4.9.3.D	S [2]	S [2]	S [2]	S [2]	S [2]	RH: 4.9.13.I
With Salvaging and Recycling as an accessory use to both P & S uses	P	P	P	P	P	RH, SR, SH, RX-1, RX-2: 4.9.5.G.1 & 3
Protective Service (government owned and operated only)	P	P	P	P	P	SH, RX-1, RX-2: 4.9.13.F
Religious:	P	P	P	P	P	RH: 4.9.3.F and 4.9.13.I
With Columbarium as an accessory use	P	P	P	P	P	
With Salvaging and Recycling as an accessory use	P	P	P	P	P	RH: 4.9.5.G.1 & 3 SR, SH, RX-1, RX-2: 4.9.5.G.1 & 3
Farmers' Market as an accessory use to any permitted Civic Land Use Group	P	P	P	P	P	All: 4.9.9.A.12
Commercial Services Land Use Group With Land Use Class/Type:						
Administrative and Professional Office	S [2]					RH: 4.9.4.A & 4.9.13.I
Alcoholic Beverage Service	S [1]					RH: 4.9.4.C.1 & .3 and 4.9.13.I

Animal Service:						
General		P	P			SR, SH: 4.9.4.D.5
Commercial Kennel Only	S [1]					RH: 4.9.4.D.6 and 4.9.13.I
Veterinary Hospital Only	P					RH: 4.9.4.D.3 & 5 and 4.9.13.I
Automotive Service and Repair:						
Major	S [1]					RH: 4.9.4.F.6, 4.9.13.I
Minor	S [1]					RH: 4.9.4.F.1 & 6 and 4.9.13.A.2 & I
Commercial Recreation	S [1]					RH: 4.9.13.A.2 & I
Communications:						
Wireless Communication	p	p	p	p	p	RH: 4.9.4.I.2, 3, & 4.a or 5.a or 5.b and 4.9.13.I SR, SH, RX-1, RX-2: 4.9.4.I.2, 3, & 4.a or 5.a or 5.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]	S [see use specific standards]	S [see use specific standards]	RH: 4.9.13.I and one of the following groups: S [2] - 4.9.4.I.2, 3 & 7.a or S [1] - 4.9.4.I.2, 3 & 8 SR, SH, RX-1, RX-2: S [2] - 4.9.4.I.2, 3 & 7.a or S [1] - 4.9.4.I.2, 3 & 8
						RH: 4.9.4.I.1, 4.9.13.A.2 and 4.9.13.A.I

Radio or Television Station Only	S [1]		S[1]			SH: 4.9.4.I.1
Construction Service	S [1]					RH: 4.9.4.J and 4.9.13.A.2
Day Care:						
Adult Care, Maximum 10 Persons	P	P	P	P	P	RH: 4.9.4.B.1 and 4.9.13.I SR, SH, RX-1, RX-2: 4.9.4.B.1
Child Care, Maximum of 30 Children	P	P	P	P	P	RH: 4.9.4.H.1-5, 6.a & 7.a and 4.9.13.I SR: 4.9.4.H.1-5, 6.a & 7.a SH & RX1: 4.9.4.H.1-5, 6.a & 7.b RX-2: 4.9.4.H.1-5, 6.a & 7.c
Child Care, Unlimited # of Children	S [2]	S [2]	S [2]	S [2]	S [2]	RH: 4.9.13.I and one of the following groups: 4.9.4.H.1-5, 7.f. & 8 or 4.9.4.H.1, 2, 8, & 9 SR, SH, RX-1, RX-2: 4.9.4.H.1-5, 7.f. & 8 or 4.9.4.H.1, 2, 8, & 9
Child Care with Extended Hours (before 6:00 a.m. or after 7:00 p.m.)	S [2]	S[2]	S[2]	S[2]	S[2]	RH: 4.9.4.H.1-2 & H.9 and 4.9.13.I SR, SH: 4.9.4.H.1-2 & H.9 RX-1, RX-2: 4.9.4.H. 1-2, H.8-9
Entertainment: fairground, carnival, or racetrack for the racing of animals only	S [1]					RH: 4.9.4.K.5 and 4.9.13.I

Financial Service, excluding non-chartered financial institutions	S [1]					RH: 4.9.4.L.2 &.3 and 4.9.13.A.2 & I
Food Service, excluding soup kitchens	S[1]					RH: 4.9.4.M.3
Funeral Service, Crematorium Only	S [1]		S [1]			RH: 4.9.4.N.2 and 4.9.13.I SH: 4.9.4.N.1
Medical Service - Outpatient	P					RH: 4.9.4.O.2; 4.9.4.P.2.b,.3, & .4, and 4.9.13.A.2 & I
Personal Service	S [1]					RH: 4.9.4.T.4 and 4.9.13.I
Trade Service and Repair, Minor	S[1]					RH: 4.9.13.I
Transportation Service:						
Airport Facilities	S [1]					RH: 4.9.4.Y.1 & 2 and 4.9.13.I
General Aviation Airstrip	S [1]					RH: 4.9.4.Y.1 - 4 and 4.9.13.I
Traveler's Accommodation, Lodging	S [1]	P	P	P		
The following are permitted accessory uses to Traveler's Accommodation, Lodging: Alcoholic Beverage Service Civic Assembly Commercial Recreation; or, Food Service	P					RH: 4.9.4.AA.1,.2,.3,.4,.5,.6.b, 7, and 4.9.13.I and the following: For Alcoholic Beverage Service, 4.9.4.C.3 For Food Service, 4.9.4.M.3

The following are permitted accessory uses to Traveler's Accommodation, Lodging;						SR, SH, RX-1: 4.9.4.AA.1,.2,.3,
Administrative and Professional Office;						.4,.5,.6.a,.6.c, 7 and the following:
Alcoholic Beverage Service;		P	P	P		For Alcoholic Beverage Service, 4.9.4.C.3
Commercial Recreation;						For Food Service,
Food Service;						4.9.4.M.3;
General Merchandise Sales; or,						
Personal Service						
Industrial Land Use Group With Land Use Class/Type:						
Extraction	S [1]					RH: 4.9.5.B and 4.9.13.I
Motion Picture Industry			S [1]			SH: 4.9.5.D and 4.9.13.C &.I
Perishable Goods Manufacturing	S [1]					RH: 4.9.5.E.2 &.3 and 4.9.13.I
Primary Manufacturing: Asphalt, Cement Plants only	S [1]					RH: 4.9.5.B and 4.9.13.I
Recreation Land Use Group With Land Use Class/Type:						
Golf Course		P	P	P	P	SR, SH, RX-1, RX-2: 4.9.6.A.1
The following are permitted accessory uses to a Golf Course use:						SR, SH, RX-1, RX-2: 4.9.6.A.2
Alcoholic Beverage Service;		P	P	P	P	and the following:

Food Service; General Merchandise; Sales; or, Personal Services						For an Alcoholic Beverage Service use, 4.9.4.C.3 For a Food Service use, 4.9.4.M.3
Parks and Recreation		P	P	P	P	SR, SH, RX-1, RX-2: 4.9.13.B and C
Farmers' Market as an accessory use to any permitted Recreation Land Use Group	P	P	P	P	P	All: 4.9.9.A.12
Residential Land Use Group With Land Use Class/Type:						
Family Dwelling:						
Duplex			P			
Manufactured Housing	P	P	P	P	P	RH: 4.9.13.I RX-1: 4.9.7.B.6,.8, &.9 SR, RX-2: 4.9.7.B.6
Single-Family, Detached	P	P	P	P	P	RH: 4.9.13.I RX-1: 4.9.7.B.6,.8, &.9
Accessory Dwelling Unit	P	P	P	P	P	All: 4.9.7.B.6, 8, & 9 and 6.6.3
Home Occupation as an accessory use to any permitted Family Dwelling use	P	P	P	P	P	All: 4.9.7.D
Home Occupation: Travelers' Accommodation, Lodging as an accessory to use to an permitted Family Dwelling use		S [2]	S [2]	S [2]	S [2]	SR, SH, RX-1, RX-2: 4.9.7.E.10, .11, &.13 and 4.9.7.H.2 &.5 -.10
Flexible Lot Development		P	P	P	P	All: 8.7.3

Mobile Home Dwelling	P		P			RH: 4.9.13.I
With Home Occupation as an accessory use	P		P			RH, SH: 4.9.7.D
Residential Care Services, Adult Care or Physical Behavioral Health Services:						
Maximum 10 Residents	P	P	P	P	P	RH: 4.9.7.J.3.a, & 4 and 4.9.13.I SR, SH, RX-1, RX-2: 4.9.7.J.2.a, 3.a, & 4
Maximum 15 Residents	S [2]	S [2]	S [2]	S [2]	S [2]	RH: 4.9.7.J.3.b. & 4 and 4.9.13.I SR, SH, RX-1, RX-2: 4.9.7.J.2.a, 3.b, & 4
Unlimited Residents	S [2]	S [2]	S [2]	S [2]	S [2]	RH: 4.9.7.J.3.d, 4 & 7 and 4.9.13.I SR: 4.9.7.J.2.a, 3.d, 4 & 7 SH, RX-1, RX-2: 4.9.7.J.2.a, 3.d, 4, & 7
Retail Trade Land Use Group With Land Use Class/Type:						
Artists/Artisans Workshop/Studio	S [2]					RH: 4.9.9.B.2 and 4.9.13.I
Feed store	S [1]					RH: 4.9.13.A.2 & I
Food and Beverage Sales	S [1]					RH: 4.9.9.A.10 and 4.9.13.I
Fuel dispensing	S [1]					RH: 4.9.13.A.2 & .I
General Merchandise Sales	S [1]					

Storage Land Use Group With Land Use Class/Type:						
Hazardous Material Storage as an accessory use to any permitted principal use in every land use group	P	P	P	P	P	RH: 4.9.10.B.1 & 2.a. and 4.9.13.I SR, SH, RX-1, RX-2: 4.9.10.B.1 & 2.a
Utilities Land Use Group With Land Use Class/Type:						
Battery Energy Storage System, Tier 1 Distributed only	S [2]	S [2]	S [2]	S [2]	S [2]	RH, SR, SH, RX-1, RX-2: 4.9.11.D.1, 3-10
Distribution System:						
General (general)		S [2]	S [2]	S [2]	S [2]	SR, SH, RX-1, RX-2: 4.9.11.A. 1, 2, 5, 8, 9, 11, 12
Limited to Power Substation (Input Voltage of 115 Kilovolts or Greater)	S [2]					RH: 4.9.11.A.3, 6, 7, & 10 and 4.9.13.I
Limited to Telephone, Telegraph, or Power Substations (Input Voltage < 115 Kilovolts)	S [2]					RH: 4.9.11.A.2 & 8 and 4.9.13.I
Limited to Water Pumping and Storage Facilities Serving Two or More Properties as Public, Private, or Community Utility	S [2]					RH: 4.9.11.A.4 and 4.9.13.I
Renewable Energy Generation	S [2]	S [2]	S [2]	S [2]	S [2]	RH: 4.9.11.B.2, 3, 4, & 5 and 4.9.13.I SR, SH, RX-1, RX-2: 4.9.11.B.2,



						.3, 4, & 5
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(Am. Ord. 11070, 5/14/2013; Am. Ord. 11127, 11/6/2013; Am. Ord. 11257, 4/21/2015; Am. Ord. 11328, 12/8/2015; Am. Ord. 11409, 11/9/2016; Am. Ord. 11557, 6/5/2018; Am. Ord. 11890, 12/7/2021; Am. Ord. 11996, 3/21/2023)

4.8.4. PERMITTED USES: URBAN RESIDENTIAL ZONES

TABLE 4.8-2: PERMITTED USES - URBAN RESIDENTIAL ZONES						
P = Permitted Use S = Permitted as Special Exception Use						
Mayor and Council Special Exception Procedure, Section 3.4.4						
Zoning Examiner Special Exception Procedure, Section 3.4.3						
PDSO Special Exception Procedure, Section 3.4.2						
LAND USE	R-1	R-2	R-3	MH-1	MH-2	USE SPECIFIC STANDARDS
Agricultural Land Use Group With Land Use Class/Type:						
Community Garden	P	P	P	P	P	All: 4.9.2.B
Crop Production	P	P	P	P	P	All: 4.9.2.C
Farmers' Market as an accessory use to any permitted Agricultural Land Use Group	P	P	P	P	P	All: 4.9.9.A.12
Civic Land Use Group With Land Use Class/Type:						
Cemetery		P	P			R-2, R-3: 4.9.3.A.1
Civic Assembly (government owned and operated only)			P			
Cultural Use:						

Government owned and operated only	P	P	P	P	P	
Privately-owned and operated	S [1]	S [1]	S [1]			R-1, R-2, R-3: 4.9.3.C.2 -.8
With Food Service as an accessory use to a P or S Cultural Use	S [1]	S [1]	S [1]			R-1, R-2, R-3: 4.9.4.M.1 &.3
With Alcoholic Beverage Sales as an accessory use to a P or S Cultural Use	S [1]	S [1]	S [1]			R-1, R-2, R-3: 4.9.4.C.3 and 4.9.4.V.4 &.8
With Entertainment as an accessory use to a P or S Cultural Use	S [1]	S [1]	S [1]			R-1, R-2, R-3: 4.9.4.K.6
With General Merchandise Sales as an accessory use to a P or S Cultural Use	P	P	P			R-1, R-2, R-3: 4.9.9.B.1 &.2
Educational Use:						
Elementary & Secondary	P	P	P	P	P	R-1, R-2, R-3, MH-1, MH-2: 4.9.3.D.1-7
Elementary & Secondary	S [2]	S [2]	S [2]	S [2]	S [2]	
With Salvaging & Recycling as an accessory use to both P & S uses	P	P	P	P	P	R-1, R-2, R-3, MH-1, MH-2: 4.9.5.G.1 & 3
Postal Service (government owned and operated only)		P	P			
Protective Service (government owned and operated only)	P	P	P	P	P	R-2, R-3, MH-1, MH-2: 4.9.13.F
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
Farmers' Market as an accessory use to any permitted Civic Land Use Group	P	P	P	P	P	All: 4.9.9.A.12
Commercial Services Land Use Group						
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.I.2,,3, & 4.a or 5.a or 5.b
Wireless Communication, limited to wireless communication towers and antennas	S [see use specific standard s]	S [see use specific standard s]	S [see use specific standard s]	S [see use specific standard s]	S [see use specific standard s]	R-1, R-2, R-3, MH-1, MH-2: S[2] - 4.9.4.I.2,,3 & 7.a or S[1] - 4.9.4.I.2,,3 & 8
Day Care:						
Adult Care	P	P	P	P		R-1, R-2, MH-1: 4.9.4.B.1 R-3: 4.9.4.B.2
Child Care, maximum 30 children	P	P				R-1, R-2: 4.9.4.H.1-5,.6.a & 7.d.
Child Care, maximum 100 children			P			R-3: 4.9.4.H.1-5,.6.b, & 7.e

Child Care, unlimited number of children	S [2]	S [2]	S [2]			R-1, R-2: 4.9.4.H.1-5,.6.c, 7.f, & .8 R-3: 4.9.4.H.1-5,.6.c, 7.g, &.8
Child Care with extended hours (before 6:00 am or after 7:00 pm)	S [2]	S [2]	S [2]			R-1, R-2, R-3: 4.9.4.H.1,.2,.8, & .9
Medical Services, excluding blood donor center		S [2]	S [2]			R-2: 4.9.4.O.2 and 4.9.4.P.1, 2.a, 3, &.4 R-3: 4.9.4.O.2 and 4.9.4.P.1, 2.a, .3, &.4
Transportation Services, Air Carrier, Helipad as an accessory use to a Medical Service, Major Use		S [2]	S [2]			R-2: 4.9.4.Q.2 R-3: 4.9.4.Q.2
Recreation Land Use Group With Land Use Class/Type:						
Parks and Recreation	P	P	P	P	P	R-1, R-2, MH-1, MH-2: 4.9.13.B & C R-3: 4.9.13.B and C
Farmers' Market as an accessory use to any permitted Recreation Land Use Group	P	P	P	P	P	All: 4.9.9.A.12
Residential Land Use Group With Land Use Class/Type:						
Family Dwelling:						
Duplex		P	P	P		R-2: 4.9.7.B.6, .8 & .9 R-3: 4.9.7.B.6 All: 4.9.7.B.12

Manufactured Housing	P	P	P	P	P	R-1: For 1 unit, 4.9.7.B.5 - .8 ; for 2 units (min. 10,000 sf lot size required), 4.9.7.B R-2: 4.9.7.B.6, .8, & .9 R-3: 4.9.7.B.6 All: 4.9.7.B.12
Multifamily Development		P	P	P		R-2: 4.9.7.B.6, .8, & .9 R-3: 4.9.7.B.6 For 3-4 Units: 4.9.7.B.12 & .14
Accessory Dwelling Unit	P	P	P	P	P	All: 4.9.7.B. 6 , .8, & .12 and 6.6.3
Single-family, Attached		P	P	P	P	R-2: 4.9.7.B.6, .8, & .9 R-3: 4.9.7.B.6. All: 4.9.7.B.12
Single-family, Detached	P	P	P	P	P	R-1: For 1 unit, 4.9.7.B.5 - .9; for 2 units (min. 10,000 sf lot size required), 4.9.7.B.1 - .9, & .10 R-2: 4.9.7.B.6, .8, & .9 R-3: 4.9.7.B.6 All: 4.9.7.B.12
Middle Housing	P	P	P	P	P	R-1: 4.9.7.B.4-.6, .8, & .9 R-2: 4.9.7.B.6, .8, & .9 R-3: 4.9.7.B.6 All: 4.9.7.B.11- .14

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.10,.11, &.13 and 4.9.7.H.2 &.5 -.11 R-2: 4.9.7.E.10,.11, &.13 and 4.9.7.H.3 &.5 -.11
Flexible Lot Development	P	P	P	P	P	All: 8.7.3
Group Dwelling			P			R-3: 4.9.7.B.6
Mobile Home Dwelling				P	P	
With Home Occupation as an accessory use				P	P	MH-1, MH-2: 4.9.7.D
Mobile Home Park:				P	P	
The following accessory uses in Mobile Home Parks with 100 spaces or more: Day Care, Child; Food and Beverage Sales (limited to a delicatessen or snack bar); General Merchandise Sales; Personal Service (limited to a coin-operated laundry or pick-up station for dry cleaning); Travelers' Accommodation; Campsite; and,					P	MH-2: For Day Care, Child use, 4.9.4.H.1-5; For Travelers' Accommodation, Campsite, 4.9.4.Z; For Food and Beverage Sales, General Merchandise Sales, and Personal Service, 4.9.7.I.3 Vehicle Rental and Sales, 4.9.7.I.4

Vehicle Rental and Sales						
With Travelers' Accommodation, Campsite as an accessory use				P	P	MH-1, MH-2: 4.9.4.Z
Residential Care Services, Adult Care or Physical and Behavioral Health Services:						
Maximum 10 Residents	P	P	P	P	P	R-1, R-2: 4.9.7.J. 2.a, 3.a, 4 R-3, MH-1, MH-2: 4.9.7.J. 3.a, 4
Unlimited # Residents		P	P			R-2: 4.9.7.J.2.a, 3.d, 4, 7 R-3: 4.9.7.J.2.b, 3.d, 4, 8
Maximum 15 Residents		S [2]		S [2]		R-1, R-2: 4.9.7.J.2.a, 3.b, 4 MH-1: 4.9.7.J.3.b, 4
Unlimited # Residents	S [2]			S [2]		R-1: 4.9.7.J.2.a, 3.d, 4, 8 MH-1: 4.9.7.J.3.d, 4, 8
Residential Care Services, Adult Rehabilitation Service or Shelter Care:						
Maximum 15 Residents		S [2]				R-2: 4.9.7.J.1, 2.a, 3.b, 4, 9
Maximum 20 Residents			S [2]			R-3: 4.9.7.J.1, 2.b, 3.c, 4, 9

Unlimited # Residents		S[2]	S[2]			R-2: 4.9.7.J.1, 2.a, 3.d, 4, 8 R-3: 4.9.7.J.1, 2.b, 3.d, 4, 8
Residential Care Services, Child Rehabilitation Service (maximum 10 Residents)		P	P			R-2: 4.9.7.J.1, 2.a, 3.a, 4 R-3: 4.9.7.J.1, 2.b, 3.a, 4
Residential Care Services, Shelter Care for Victims of Domestic Violence:						
Maximum 10 Residents		P				R-2: 4.9.7.J.1, 2.a, 3.a, 4 & 9
Maximum 20 Residents			P			R-3: 4.9.7.J.1, 2.b, 3.c, 4 & 9
Storage Land Use Group With Land Use Class/Type:						
Hazardous Material Storage as an accessory use to any permitted principal use in every land use group	P	P	P	P	P	R-1, R-2, R-3, MH-1, MH-2: 4.9.10.B.1 & 2.a
Utilities Land Use Group With Land Use Class/Type:						
Battery Energy Storage System, Tier 1 Distributed only	S [2]	S [2]	S [2]	S [2]	S [2]	R-1, R-2, R-3, MH-1, MH-2: 4.9.11.D.1, 3-10
Distribution System (General)	S [2]	S [2]	S [2]	S [2]	S [2]	R-1, R-2, R-3, MH-1, MH-2: 4.9.11.A.1, 2, 5, 8, 9, 11, 12
Renewable Energy Generation	S [2]	S [2]	S [2]	S [2]	S [2]	R-1, R-2, R-3 MH-1, MH-2: 4.9.11.B.2, 3, 4, 5



(Am. Ord. 11070, 5/14/2013; Am. Ord. 11127, 11/6/2013; Am. Ord. 11257, 4/21/2015; Am. Ord. 11328, 12/8/2015; Am. Ord. 11409, 11/9/2016; Am. Ord. 11557, 6/5/2018; Am. Ord. 11608, passed 12/18/2018; Am. Ord. 11890, 12/7/2021; Am. Ord. 11996, 3/21/2023)

4.8.5. PERMITTED USES: OFFICE ZONES

TABLE 4.8-3: PERMITTED USES - OFFICE ZONES P = Permitted Use S = Permitted as Special Exception Use Mayor and Council Special Exception Procedure, Section 3.4.4 Zoning Examiner Special Exception Procedure, Section 3.4.3 PDSD Special Exception Procedure, Section 3.4.2				
LAND USE	O-1	O-2	O-3	USE SPECIFIC STANDARDS
Agricultural Land Use Group With Land Use Class/Type:				
Community Garden	P	P	P	All: 4.9.2.B
Urban Farm	P	P	P	All: 4.9.2.E
Civic Land Use Group With Land Use Class/Type:				
Cemetery			P	O-3: 4.9.3.A.1 and 4.9.13.K
Civic Assembly		P	P	O-2: 4.9.13.J
Cultural Use:				
Government owned and operated	P	P	P	
Privately owned and operated	S [43] P	S [43] P	S [43] P	O-1, O-2: 4.9.3.C.2 - 8 and 4.9.13.J O-3: 4.9.3.C.2 - 8 and 4.9.13.K
With Food Service as an accessory use	S [43]	S [43]	S [43]	O-1, O-2, O-3: 4.9.4.M.1,.3
With Alcoholic Beverage Service as an accessory use	S [43]	S [43]	S [43]	O-1, O-2, O-3: 4.9.4.C.3 & 4.9.4.V.4,.8
With Entertainment as an accessory use	S [43]	S [43]	S [43]	O-1, O-2, O-3: 4.9.4.K.6



With General Merchandise Sales as an accessory use	P	P	P	O-1, O-2, O-3: 4.9.9.B.1 &.2
Educational Use:				
Elementary and Secondary		P	P	O-2: 4.9.3.D and 4.9.13.J O-3: 4.9.3.D and 4.9.13.K
Elementary and Secondary		S [2]	S [2]	
Postsecondary Institution		P	P	O-2: 4.9.13.J O-3: 4.9.3.E and 4.9.13.K
With Salvaging & Recycling as an accessory use to any P or S Educational Use		P	P	O-2, O-3: 4.9.5.G.1&3
Postal Service (government owned and operated only)		P	P	
Protective Service (government owned and operated only)		P	P	
Religious Use		P	P	O-2: 4.9.13.J O-3: 4.9.13.K
With Columbarium as an accessory use		P	P	
With Salvaging & Recycling as an accessory use		P	P	O-2, O-3, MU, OCR-1, OCR-2: 4.9.5.G.1 &.3
Commercial Services Land Use Group With Land Use Class/Type:				
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.I.2,,3, &.4.a or

				5.a or 5.b O-3: 4.9.13.K and 4.9.4.I.2,.3, &.4.a or 5.a or 5.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[2] - 4.9.4.I.2,.3, &.7.a or S[1] - 4.9.4.I.2,.3, &.8 O-3: 4.9.13.K and one of the following groups: S[2] - 4.9.4.I.2,.3, &.7.a or S[1] - 4.9.4.I.2,.3, &.8
Day Care:				
Adult		P	P	O-2: 4.9.13.J
Child:				
Maximum 30 children		P	P	O-2: 4.9.4.H.1-5, 6.a & 7.d and 4.9.13.J O-3: 4.9.4.H.1-4, 6.a & 7.e and 4.9.13.K
Maximum 100 children			P	O-3: 4.9.4.H. 1-5, 6.b & 7.g and 4.9.13.K
Child:				
Unlimited # of children			S [2]	O-3: 4.9.4.H.1,.2, &.9 and 4.9.13.K
With extended hours (before 6:00 am or after 7:00 pm)		S [2]	S [2]	O-2: 4.9.4.H.1,.2, &.9 and 4.9.13.J O-3: 4.9.4.H.1-5,.6.c,.7.g, &.8 and 4.9.13.K
Medical Service:				
Extended Healthcare		P	P	O-2: 4.9.13.J.1 &.3 O-3: 4.9.13.K.1

Major		P	P	O-2: 4.9.4.P.1 and 4.9.13.J O-3: 4.9.4.P.1 and 4.9.13.K
Food Service; General Merchandise Sales; or Personal Service as an accessory use to a Medical Service, Major use		P	P	O-2: 4.9.4.P.1, 4.9.4.Q.1, and 4.9.13.J O-3: 4.9.4.P.1, 4.9.4.Q.1, and 4.9.13.K
Transportation Services, Air Carrier, Helipad as an accessory use to a Medical Service, Major Use		P	P	O-2: 4.9.4.Q.2 O-3: 4.9.4.Q.2
Outpatient (excluding blood donor centers)	P	P	P	O-1: 4.9.4.O.1, 4.9.4.P.1, 4.9.4.R, and 4.9.13.J O-2: 4.9.4.O.1, 4.9.4.P.1, and 4.9.13.J O-3: 4.9.13.K
<u>Personal Service</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>O-1: 4.9.4.T.1 and 4.9.13.J</u> <u>O-2: 4.9.13.J</u>
Research and Product Development			P	O-3: 4.9.4.U and 4.9.13.K
<u>Food Service uses as an accessory use to any permitted Commercial use</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>O-1, O-2: 4.9.13.J.</u> <u>O-3: 4.9.13.K.</u>
Recreation Land Use Group With Land Use Class/Type:				
Parks and Recreation		P	P	O-2: 4.9.13.J O-3: 4.9.13.K
Residential Land Use Group With Land Use Class/Type:				
Family Dwelling:				
Duplex	P	P	P	All: 4.9.7.B.12
Manufactured Housing	P	P	P	All: 4.9.7.B.12



Multifamily Development	P	P	P	For 3-4 Units: 4.9.7.B.12 & .14
Single-family, Attached or Detached	P	P	P	All: 4.9.7.B.12
Middle Housing	P	P	P	All: 4.9.7.B.11 - .14
Accessory Dwelling Unit	P	P	P	All: 4.9.7.B.12 and 6.6.3
Any Family Dwelling with a Home Occupation as an accessory use	P	P	P	O-1, O-2, O-3: 4.9.7.D
Flexible Lot Development	P	P	P	O-1, O-2, O-3: 8.7.3
Residential Care Services, Adult Care or Physical and Behavioral Health Services:				
Maximum 10 Residents	P	P	P	O-1, O-2: 4.9.13.J O-3: 4.9.7.J.3.a, &.4 and 4.9.13.K
Maximum 15 Residents	S [2]			O-1: 4.9.7.J.3.b &.4 and 4.9.13.J
Unlimited # Residents	S [2]		P	O-1: 4.9.7.J.3.d, .4 &.8 and 4.9.13.J O-3: 4.9.7.J.3.d, .4, &.8 and 4.9.13.K
Residential Care Services, Adult Rehabilitation Service or Shelter Care:				
Maximum 15 Residents		S [2]		O-2: 4.9.7.J.1, .2.b, 3.b, .4, &.9 and 4.9.13.J
Unlimited # Residents		S [2]	P	O-2: 4.9.7.J.1, 2.b, 3.d, .4, &.8 and 4.9.13.J O-3(P): 4.9.7.J.1, .3.d, .4, .6, &.8 and 4.9.13.K
			S [2]	O-3(S): 4.9.7.J.1, 3.d, .4, &.8 and 4.9.13.K



Residential Care Services, Child Rehabilitation Services, Maximum 10 Residents		P	P	O-2: 4.9.7.J.1, 2.b, 3.a, &.4 and 4.9.13.J O-3: 4.9.7.J.1, 3.a, &.4 and 4.9.13.K
Residential Care Services, Shelter Care for Victims of Domestic Violence		P	P	O-2: 4.9.7.J.1, 2.b, 3.b,.4, &.7 and 4.9.13.J O-3: 4.9.7.J.1, 3.c, &.4 and 4.9.13.K
Retail Trade Land Use Group With Land Use Class/Type:				
Farmers' Market as an accessory use to any permitted principal use in every land use group	P	P	P	All: 4.9.9.A.12.a-e
Storage Land Use Group With Land Use Class/Type:				
Hazardous Material Storage as an accessory use to any permitted principal use in every land use group	P	P	P	O-1, O-2, O-3: 4.9.10.B.1 & 2.a or.2.e and 4.9.13.K
Utilities Land Use Group With Land Use Class/Type:				
Battery Energy Storage System, Tier 1 Distributed only	S [2]	S [2]	P	O-1, O-2, O-3: 4.9.11.D.1, 3-10
Distribution System (General)	S [2]	S [2]	S [2]	O-1, O-2: 4.9.11.A.1,.5, &.9 and 4.9.13.J O-3: 4.9.11.A.1,.5, &.9 and 4.9.13.K
Renewable Energy Generation	S [2]	S [2]	S [2]	O-1, O-2: 4.9.11.B. 2,.3,.4, &.5 and 4.9.13.J O-3: 4.9.11.B. 2,.3,.4, &.5 and 4.9.13.K

(Am. Ord. 11070, 5/14/2013; Am. Ord. 11235, 1/21/2015; Am. Ord. 11257, 4/21/2015; Am. Ord. 11328, 12/8/2015; Am. Ord. 11608, passed 12/18/2018; Am. Ord. 11890, 12/7/2021; Am. Ord. 11996, 3/21/2023)

4.8.6. PERMITTED USES: COMMERCIAL AND MIXED USE ZONES

TABLE 4.8-4: PERMITTED USES - COMMERCIAL AND MIXED USE ZONES P = Permitted Use S = Permitted as Special Exception Use Mayor and Council Special Exception Procedure, Section 3.4.4 Zoning Examiner Special Exception Procedure, Section 3.4.3 PDSO Special Exception Procedure, Section 3.4.2						
LAND USE	C-1	C-2	C-3	OCR-1	OCR-2	USE SPECIFIC STANDARDS
Agricultural Land Use Group With Land Use Class/Type:						
Community Garden	P	P	P	P	P	All: 4.9.2.B
Urban Farm	P	P	P	P	P	All: 4.9.2.E
Civic Land Use Group With Land Use Class/Type:						
Cemetery	P					C-1: 4.9.3.A.1 &.5 and 4.9.13.O
Civic Assembly	P	P	P	P	P	
Correctional Use:						
Custodial Facility		S [1]	S [1]	S [1]	S [1]	C-2 & C-3: 4.9.3.B.1.a, 2.b, 3.b, 6, 7 & 8 OCR-1, OCR-2: 4.9.3.B.1.a, 2.b, 3.b, 6, 7 & 8
Supervision Facility		P	P	P	P	C-2 & C-3: 4.9.3.B.1.a, 2.b,3.a, 4.d, 6 & 8 OCR-1, OCR-2: 4.9.3.B.1.a, 2.b, 3.a, 6 & 8
Cultural Use	P	P	P	P	P	

Educational Use:						
Elementary and Secondary	P	P	P	P	P	C-1: 4.9.3.D.1 - 7 and 4.9.13.O C-2, C-3: 4.9.3.D.1 - 7 OCR-1, OCR-2: 4.9.3.D
Elementary and Secondary	S [2]	S [2]	S [2]	S [2]	S [2]	C-1: 4.9.13.O
Instructional School	P	P	P	P	P	C-1: 4.9.13.O
Postsecondary Institution	P	P	P	P	P	C-1: 4.9.3.E and 4.9.13.O C-2, C-3: 4.9.3.E
With Salvaging and Recycling as an accessory use to both P and S Educational Uses	P	P	P	P	P	C-1, C-2, C-3, OCR-1, OCR-2: 4.9.5.G.1 &.3
Membership Organization	P	P	P	P	P	C-1: 4.9.13.O
Postal Service (government owned and operated only)	P	P	P	P	P	
Protective Service (government owned and operated only)	P	P	P	P	P	
Religious Use:	P	P	P	P	P	C-1: 4.9.13.O
With Columbarium as an accessory use	P	P	P	P	P	
With Salvaging and Recycling as an accessory use	P	P	P	P	P	C-1, C-2, C-3, OCR-1, OCR-2: 4.9.5.G.1 &.3
Commercial Services Land Use Group With Land Use Class/Type:						

Administrative and Professional Office	P	P	P	P	P	C-1: 4.9.13.O C-2: 4.9.13.P
Alcoholic Beverage Service:						
Excluding a Large Bar		P	P	P	P	C-2: 4.9.13.P OCR-1, OCR-2: 4.9.4.C.3
Large Bar		S [1]	S [1]	S [1]	S [1]	C-2: 4.9.4.C.2 and 4.9.13.P C-3: 4.9.4.C.2 OCR-1, OCR-2: 4.9.4.C.2
With a Microbrewery as an accessory use to any P or S Alcoholic Beverage Service Use		P	P	P	P	C-2, C-3, OCR-1, OCR-2: 4.9.5.E.6, 7, & 8
Animal Service						
General	P	P	P			C-1: 4.9.4.D.1,.2,.3, & 4 and 4.9.13.O or 4.9.4.D.7 & 4.9.4.D.10-.15 C-2: 4.9.4.D.1,.2,.3, & 4 and 4.9.13.P or 4.9.4.D.7 & 4.9.4.D.10-.15 C-3: 4.9.4.D.1,.2,.3,.4 or 4.9.4.D.7
General	S [2]	S [2]	S [2]			C-1, C-2, & C-3: 4.9.4.D.9 -.15
Boarding as an Accessory Use	P	P	P			C-1, C-2, & C-3: 4.9.4.D.3, D.8 & 4.9.4.D.15
						C-1: 4.9.4.E.1,.2,.3,.4, &.5 and 4.9.13.O

Artisan Residence	P	P	P			C-2: 4.9.4.E.1,.2,.3,.4, &.5 and 4.9.13.P C-3: 4.9.4.E.1,.2,.3,.4, &.5
Automotive:						
Major Service and Repair (excluding bodywork and paint-booths)		P	P			C-2: 4.9.13.E
Minor Service and Repair	S [2]	P	P			C-1: 4.9.4.F.2,.3,.4, &.5 and 4.9.13.O C-2: 4.9.13.E
Billboard		P	P			C-2, C-3: 4.9.4.G & Standards of Chapter 3 of the Tucson Code
Buildings and Ground Maintenance		P	P			
Commercial Recreation	P	P	P	P	P	C-1: 4.9.13.O C-2: 4.9.13.P
Communications:						
Wireless Communication	P	P	P	P	P	C-1: 4.9.13.O and 4.9.4.I.2,.3, &.4.a or 5.a or 5.b C-2: 4.9.13.P and one of the following groups: 4.9.4.I.1 & 4.9.13.E or 4.9.4.I.2 &.3 &.4.a or 5.a or 5.b C-3: 4.9.4.I.1 or 4.9.4.I.2,.3, &.4.a or 5.a or 5.b

						OCR-1, OCR-2: 4.9.4.I.2,.3, & .4.a or 5.a or 5.b
Wireless Communication, limited to communication towers and antennas	S [see use specific standards]	S [see use specific standards]	S [see use specific standards]	S [see use specific standards]	S [see use specific standards]	C-1: 4.9.13.O and one of the following groups: S[3] - 4.9.4.I.2, .3, & 6.b or S[2] - 4.9.4.I.2,.3, 7.a or S[1] - 4.9.4.I.2,.3,.8 C-2: 4.9.13.P and one of the following groups: S[3] - 4.9.4.I.2, .3, & 6.a or S[2] - 4.9.4.I.2,.3, & 7.b or S[1] - 4.9.4.I.2,.3, &.8 C-3: S[3] - 4.9.4.I.2,.3, &.5.a or S[2] - 4.9.4.I.2,.3, &.7.b or S[1] - 4.9.4.I.2,.3, &.8 OCR-1, OCR-2: S[3] - 4.9.4.I.2, .3, &.6.a or S[2] - 4.9.4.I.2,.3, .7.b or S[1] - 4.9.4.I.2,.3,.8
Construction Service		P	P			C-2: 4.9.13.P
Day Care	P	P	P	P	P	C-1: 4.9.13.O
Entertainment						
						C-1: 4.9.4.C.3 and 4.9.13.O

Excluding Large Dance Hall	P	P	P	P	P	C-2: 4.9.4.K.1,,2,,3,,4, 4.9.4.C.3, and 4.9.13.E and 4.9.13.P C-3: 4.9.4.K.1,,2,,3,,4, 4.9.4.C.3, and 4.9.13.E OCR-1, OCR-2: 4.9.4.K.1,,2,,3, .4; 4.9.4.C.3
Large Dance Hall		S [1]	S [1]	S [1]	S [1]	C-2: 4.9.4.C.2 and 4.9.13.P C-3: 4.9.4.C.2 OCR-1, OCR-2: 4.9.4.C.2
Financial Service:						
Excluding non-chartered institutions	P	P	P	P	P	C-3: 4.9.4.L.3 C-1: 4.9.4.L.1 & 3 and 4.9.13.O C-2: 4.9.4.L.3, 4.9.13.E, and 4.9.13.P
Non-chartered Institution		S [2]	S [2]			C-2: 4.9.4.L.4 and 4.9.13.P C-3: 4.9.4.L.4
Food Service:						
Food Court	P	P	P	P	P	C-1: 4.9.4.M.1 & 5-7 and 4.9.13.O C-2: 4.9.4.M.1,,6, &.7 and 4.9.13.P C-3, OCR-1, & OCR-2: 4.9.4.M.1,, .6, &.7
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 Service as an accessory use to a Food Service use	P					C-1: 4.9.4.V.1, 3, & 5-9, 4.9.4.C.3, and 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
Funeral Service		P	P			C-2: 4.9.13.P
Medical Service:						
Extended Healthcare	P	P	P	P	P	C-1: 4.9.13.O OCR-2: 4.9.13.E
Major	P	P	P	P	P	C-1: 4.9.13.O
Transportation Services, Air Carrier, Helipad as an accessory use to a Medical Service, Major Use	P	P	P	P	P	C-1, C-2, C-3, OCR-1, OCR-2: 4.9.4.Q.2
Outpatient, excluding blood donor centers	P	P	P	P	P	C-1: 4.9.4.O.2 and 4.9.13.O C-2: 4.9.4.O.2 and 4.9.13.P C-3: 4.9.4.O.2
Outpatient, limited to blood donor centers	S [1]	S [1]	S [1]	S [1]	S [1]	C-1: 4.9.4.O.3 and 4.9.13.O C-2: 4.9.4.O.3 and 4.9.13.P C-3, OCR-1, OCR-2: 4.9.4.O.3
Parking	P	P	P	P	P	
Personal Service	P	P	P	P	P	C-1: 4.9.4.T.1 and 4.9.13.O C-2: 4.9.13.P

Research and Product Development	P	P	P			C-1: 4.9.13.O
Technical Service	P	P	P	P	P	C-1: 4.9.4.W.1 and 4.9.13.O C-2: 4.9.4.W.2 and 4.9.13.P C-3: 4.9.4.W.2
Trade Service and Repair:						
Major (includes automotive bodywork & paint booths)			P			C-3: 4.9.4.X.1
Minor	P	P	P			C-1: 4.9.4.X.2 and 4.9.13.O C-2: 4.9.13.P
Transportation Service						
Airport Authority	P	P				C-1, C-2: 4.9.13.Q.5
Land Carrier		P	P	P	P	C-2: 4.9.13.E
Travelers Accommodation, Lodging	P	P	P	P	P	C-1: 4.9.13.O
With Alcoholic Beverage Service as an accessory use	P					C-1: 4.9.4.C.3 and 4.9.4.AA.2,.4,.7,.8,.9,.10, &.11
With Alcoholic Beverage Service as an accessory use	S [2]					C-1: 4.9.4.C.3 and 4.9.4.AA.2,.4,.7,.8,.9, &.11
Additional Permitted Accessory Uses						



The following uses are permitted accessory uses to any permitted Commercial Services Uses: General Manufacturing; Heavy Equipment Manufacturing; Perishable Goods Manufacturing (limited to baked goods and confectionary products); Precision Manufacturing; or Primary Manufacturing		P	P	P	P	C-2, C-3: 4.9.5.C.9 OCR-1: 4.9.5.C.9 <u>and</u> <u>4.9.5.E.1 & .2</u>
The following are permitted accessory uses to any permitted Commercial Uses: General Manufacturing; Heavy Equipment Manufacturing; or, Perishable Goods Manufacturing					P	OCR-2: 4.9.5.C.9 <u>and</u> <u>4.9.5.E.1 & .2</u>
Perishable Goods Manufacturing as an accessory use to any permitted Commercial Services use	P					C-1: 4.9.5.E.4,.5, &.8
Salvaging and Recycling as an accessory use to any permitted Commercial Services use	P	P	P	P	P	C-1, C-2, C-3: 4.9.5.G.1 &.3
<u>Food Service uses as an accessory use to any</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>C-1: 4.9.13.O.1</u>





<u>permitted use in Retail Trade Land Use Group, not to exceed 25% Gross Floor Area</u>						
Industrial Land Use Group With Land Use Class/Type:						
Craftwork		P	P			C-2: 4.9.13.P
Household Goods Donation Center Only	S-{2}P	S-{3}P	P	P	P	C-1: 4.9.5.G.2,.6 - 1210 , 4.9.13.A.2, .B-D, and 4.9.13.O C-2: 4.9.5.G.2, &.6 - 1210 , 4.9.13.A.2, 4.9.13.B-D, and 4.9.13.P C-3, OCR-1, OCR-2: 4.9.5.G.2,.6 - 1410 ; 4.9.13.C &.D
<u>Perishable Goods Manufacturing</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>C-1: 4.9.5.E.1, .2& .10</u> <u>C-2, C-3, OCR-1, OCR-2: 4.9.5.E.1, .2, & .11</u>
Processing and Cleaning		P	P			C-2: 4.9.13.P
Salvaging and Recycling		P	P			C-2: 4.9.5.G.2,.3, &.5 and 4.9.13.P C-3: 4.9.5.G.2,.3, &.5
Recreation Land Use Group With Land Use Class/Type:						
Golf Course	P	P	P			C-1: 4.9.6.A.1 and 4.9.13.O C-2, C-3: 4.9.6.A.1
Parks and Recreation	P	P	P			

Residential Land Use Group With Land Use Class/Type:						
Family Dwelling:						
Duplex	P	P	P	P	P	All: 4.9.7.B.12
Manufactured Housing	P	P	P	P	P	All: 4.9.7.B.12
Multifamily Development	P	P	P	P	P	For 3-4 Units: 4.9.7.B.12 & .14
Single-family, Attached or Detached	P	P	P	P	P	All: 4.9.7.B.12
Middle Housing	P	P	P	P	P	All: 4.9.7.B.11 - .14
Accessory Dwelling Unit	P	P	P	P	P	All: 4.9.7.B.12 and 6.6.3
with Home Occupation as an accessory use to any permitted Family Dwelling	P	P	P	P	P	C-1, C-2, C-3, OCR-1, OCR-2: 4.9.7.D
with General Farming as an accessory use to any permitted Family Dwelling use		P	P			C-2, C-3: 4.9.2.A.1.a, &.3.a and 4.9.2.B.1
Flexible Lot Development	P	P	P			C-1, C-2, C-3: 8.7.3
Group Dwelling	P	P	P	P	P	
Residential Care Services, Adult Care or Physical and Behavioral Health Services: Unlimited # of Residents	P	P	P	P	P	C-1: 4.9.7.J.3.d, 4, &.8 and 4.9.13.O C-2: 4.9.7.J.3.d, 4, &.8 C-3, OCR-1, OCR-2: 4.9.7.J.3.d &.4
Residential Care Services, Adult						

Rehabilitation or Shelter Care:						
Unlimited # Residents	P	P	P			C-1: 4.9.7.J.1, 3.d, 4, 6, & 8 and 4.9.13.O C-2, C-3: 4.9.7.J.1, 3.d, 4, 6, & 8
Unlimited # Residents	S [2]	S [2]	S [2]	P		C-1: 4.9.7.J.1, 3.d, 4, & 8 and 4.9.13.O C-2, C-3: 4.9.7.J.1, 3.d, 4, & 8 OCR-1: 4.9.7.J.1, 3.d, 4, 6, 8
Unlimited # Residents				S [2]	S [2]	OCR-1, OCR-2(S): 4.9.7.J.1, 3.d, 4, 6, & 8
Residential Care Services, Rehabilitation Service - Children's Facility (maximum 10 residents)	P	P	P	P	P	C-1: 4.9.7.J.1, 3.a, & 4 and 4.9.13.O C-2, C-3, OCR-1, OCR-2: 4.9.7.J.1, 3.a, & 4
Residential Care Services, Shelter Care for Victims of Domestic Violence	P	P	P	P	P	C-1: 4.9.7.J.1, 3.c, & 4 and 4.9.13.O C-2, C-3, OCR-1, OCR-2: 4.9.7.J.1, 3.c, & 4
Restricted Adult Activities Use Group With Land Use Class/Type:						
Adult Commercial Services, Recreation, or Retail Trade		P	P	P	P	C-2: 4.9.8, 4.9.13.P C-3, OCR-1, OCR-2: 4.9.8
Retail Trade Use Group With Land Use Class/Type:						
Construction Material Sales		P	P			

Food and Beverage Sales:						
Farmers' Market only	P	P	P	P	P	All: 4.9.9.A.12.a-d
Excluding Large Retail Establishment	P	P	P	P	P	C-1: 4.9.13.O
Large Retail Establishment	S [1]	S [1]	S [1]	S[1]	S[1]	C-1: 4.9.9.D and 4.9.13.O C-2, C-3, OCR-1, OCR-2: 4.9.9.D
General Merchandise Sales, excluding Large Retail Establishment	P	P	P	P	P	C-1: 4.9.9.B.3 and 4.9.13.O C-2, C-3: 4.9.9.B.1 OCR-1, OCR-2: 4.9.9.B.1
Large Retail Establishment	S [1]	S [1]	S [1]	S [1]	S [1]	C-1: 4.9.9.D and 4.9.13.O C-2, C-3, OCR-1, OCR-2: 4.9.9.D
With Automotive Minor Service and Repair as an accessory use to automotive fuel sales	P					C-1: 4.9.4.F.7 and 4.9.13.O
Heavy Equipment Sales		P	P			C-2, C-3: 4.9.9.C
Marijuana Facility:						
Designated Caregiver Cultivation Location		P	P			C-2, C-3: 4.9.9.E.2 & 3
Dispensary		[1]	[1]			C-2, C-3: 4.9.9.E.1
Dispensary Off-site Cultivation Location		P	P			C-2, C-3: 4.9.9.E.2
Qualifying Patient Cultivation Location		P	P			C-2, C-3: 4.9.9.E.4



Smoke Shop	P	P	P	P	P	All: 4.9.9.H
Swap Meets and Auctions		P	P	S [3]	S [3]	C-2, C-3, OCR-1, OCR-2: 4.9.9.F
Vehicle Rental and Sales		P	P	P	P	C-2, C-3, OCR-1, OCR-2: 4.9.9.G.1&.2
Farmers' Market as an accessory use to any permitted principal use in every land use group	P	P	P	P	P	All: 4.9.9.A.12.a-e
Additional Permitted Accessory Uses						
The following are permitted as an accessory uses to any permitted Retail Trade Uses: General Manufacturing; Heavy Equipment Manufacturing; Perishable Good Manufacturing (limited to baked goods and confectionary products); Precision Manufacturing; Primary Manufacturing			P	P	P	C-2, C-3, OCR-1: 4.9.5.C.9 <u>and 4.9.5.E.1 & .2</u>
The following are permitted accessory uses to any permitted Retail Trade Uses: General Manufacturing; Heavy Equipment Manufacturing; or, Perishable Goods Manufacturing (limited					P	OCR-2: 4.9.5.C.9 <u>and 4.9.5.E.1 & .2</u>

to-baked goods and confectionary products manufacturing only)						
Craftwork as an accessory use to any permitted Retail Trade uses	P					C-1: 4.9.5.A
Perishable Goods Manufacturing as an accessory to any permitted Retail Trade Uses	P					C-1: 4.9.5.E. <u>1, 2, 4, 5,</u> &.8
Salvaging and Recycling as an accessory use to any permitted Retail Trade uses	P	P	P	P	P	All: 4.9.5.G.1 &.3
Storage Use Group With Land Use Class/Type:						
Commercial Storage		P	P	P	P	C-2, C-3, OCR-1, OCR-2: 4.9.10.A
Hazardous Material Storage as an accessory use to any permitted principal use in every land use group	P	P	P	P	P	C-1, C-2: 4.9.10.B.1, 2.a or .2.e C-3, OCR-1, OCR-2: 4.9.10.B.1 & .2.c or .2.e
Personal Storage	P	P	P	P	P	C-1: 4.9.10.C and 4.9.13.O C-2, C-3, OCR-1, OCR-2: 4.9.10.C.3 &.6
Utilities Use Group With Land Use Class/Type:						
Battery Energy Storage System, Tier 1 Distributed	P	P	P	P	P	C-1, C-2, C-3: 4.9.11.D.1, <u>3-10</u>

						OCR-1, OCR-2: 4.9.11.D.1, 3-11
Battery Energy Storage System, Tier 2 Bulk		S [2]	S [2]			C-2, C-3: 4.9.11.D.1-10
Distribution System_ (General)	S [2]	P	P	P	P	C-1: 4.9.11.A.1,.5, &.9 and 4.9.13.O C-2,C-3, OCR-1, OCR-2: 4.9.11.A.1,.5, &.9
Renewable Energy Generation	P	P	P	P	P	C-1: 4.9.11.B and 4.9.13.O C-2, C-3: 4.9.11.B.1,.2,.3, &.5 OCR-1, OCR-2: 4.9.11.B
	S [2]	S [2]	S [2]	S[2]	S[2]	
Wholesaling Use Group With Land Use Class/Type:						
Business Equipment Supply and Wholesaling		P	P			C-2: 4.9.13.P
Construction/Heavy Equipment Wholesaling		P	P			C-2: 4.9.13.P
Food and Beverage Wholesaling		P	P			C-2: 4.9.13.P
Additional Permitted Accessory Uses						
The following are permitted as accessory uses to permitted Wholesaling uses: General Manufacturing; Heavy Equipment Manufacturing; Perishable Goods Manufacturing (limited to baked goods and			P	P	P	C-2, C-3, OCR-1: 4.9.5.C.9

confectionary products); Precision Manufacturing; or, Primary Manufacturing.						
The following are permitted accessory uses to any permitted Commercial Uses: General Manufacturing; Heavy Equipment Manufacturing; or, Perishable Goods Manufacturing (limited to baked goods and confectionary products manufacturing only)					P	OCR-2: 4.9.5.C.9
All Commercial Services in the C- 1 Zone may provide one drive-through service lane unless otherwise provided.	P					

(Am. Ord. 11070, 5/14/2013; Am. Ord. 11127, 11/6/2013; Am. Ord. 11171, 5/20/2014; Am. Ord. 11235, 1/21/2015; Am. Ord. 11257, 4/21/2015; Am. Ord. 11328, 12/8/2015; Am. Ord. 11557, 6/5/2018; Am. Ord. 11577, 8/8/2018; Am. Ord. 11608, 12/18/2018; Am. Ord.

11609, 12/18/2018; Am. Ord. 11828, 4/6/2021; Am. Ord. 11890, 12/7/2021; Am. Ord. 11978, 12/20/2022; Am. Ord. 11996, 3/21/2023; Am. Ord. 12057, 11/14/2023; Am. Ord. 12060, 11/28/2023)

4.8.7. PERMITTED USES: INDUSTRIAL ZONES

TABLE 4.8-5: PERMITTED USES - INDUSTRIAL ZONES * P = Permitted Use S = Permitted as Special Exception Use Mayor and Council Special Exception Procedure, Section 3.4.4 Zoning Examiner Special Exception Procedure, Section 3.4.3 PDS Special Exception Procedure, Section 3.4.2 *Any Land Use Class not permitted or a Special Exception Use in any other zone, or permitted in the I-2 zone, may be permitted in the I-2 zone and shall comply with the dimensional standards determined to be most similar to the proposed use.				
LAND USE	P-I	I-1	I-2	USE SPECIFIC STANDARDS
Agricultural Land Use Group With Land Use Class/Type:			*	
Community Garden	P	P	P	All: 4.9.2.B
Stockyard Operation			S [1]	I-2: 4.9.13.Q
Urban Farm	P	P	P	All: 4.9.2.E
Civic Land Use Group With Land Use Class/Type:			*	
Civic Assembly	P	P		I-1: 4.9.13.Q
Correctional Use:				
Custodial Facility		S [1]	S [1]	I-1: 4.9.3.B.1.a,.2.b,.3.b,.6,.7 & 8 and 4.9.13.Q
Jail or Prison		S [1]	S [1]	I-1, I-2: 4.9.3.B.1.e,.2.d,.3.c,.4.c,.5.a,.6,.7 & 8, and 4.9.13.Q
Jail or Prison			S [1]	I-2: 4.9.3.B.4.b,.5,.6,.7,.8 & 10 and 4.9.13.Q
Cultural Use	P	P		
Educational Use:				

Elementary and Secondary, Limited to Grades 9 - 12	S [2]	S [2]		
Instructional or Postsecondary Institution	P	P		P-I: 4.9.3.E
With Salvaging and Recycling as an accessory use to an Educational Use	P	P		P-I: 4.9.5.G.1 &.3 I-1: 4.9.5.G.1 &.3
Membership Organization	P	P		I-1: 4.9.13.Q
Postal Service	P	P		I-1: 4.9.13.Q
Protective Service (government owned and-operated only)	P	P	P	
Religious Use	P	P		I-1: 4.9.13.Q
With Salvaging and Recycling as an accessory use		P		I-1: 4.9.5.G.1 &.3
Commercial Services Land Use Group With Land Use Class/Type:			*	
Administrative and Professional Office	P	P	P	P-I, I-1, I-2: 4.9.13.Q
Alcoholic Beverage Service:				
Excluding Large Bar	P	P	P	P-I: 4.9.13.P I-1, I-2: 4.9.4.C.3 and 4.9.13.Q
Large Bar	S [1]	S [1]	S [1]	P-I: 4.9.4.C.2 and 4.9.13.P 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	P	P	P-I, I-1, I-2: 4.9.5.E.6,.7, &.8

Animal Service	P	P	P	P-I: 4.9.4.D.1,.2,.3 &.4 and 4.9.13.P I-1, I-2: 4.9.13.Q
Automotive Minor or Major Service and Repair, excluding bodywork or paint-booths	P	P	P	P-I: 4.9.13.E I-1, I-2: 4.9.13.Q
Billboard		P	P	I-1, I-2: 4.9.4.G, Tucson Code, Ch. 3 Standards, and 4.9.13.Q
Buildings and Ground Maintenance		P	P	I-1, I-2: 4.9.13.Q
Commercial Recreation	P	P	P	P-I, I-1, I-2: 4.9.13.Q
Communications:				
Radio or Television Station only	P	P	P	P-I, I-1, I-2: 4.9.4.I.1 and 4.9.13.Q
Wireless Communication	P	P	P	P-I, I-1, I-2: 4.9.13.Q and 4.9.4.I.2,.3, &.4.a or 5.a. or 5.b.
Wireless Communication	S [see use specific standards]	S [see use specific standards]	S [see use specific standards]	P-I, I-1, I-2: 4.9.13.Q and one of the following groups: S[3] - 4.9.4.I.2,.3, and.6.a or.6.b or S[2] - 4.9.4.I.2,.3, &.7.b or S[1] - 4.9.4.I.2,.3, &.8
Construction Service		P	P	I-1, I-2: 4.9.13.Q
Day Care	P	P	P	P-I, I-1, I-2: 4.9.13.Q
Entertainment:				

Excluding Dance Halls	P	P	P	P-I: 4.9.4.K.1,2,3,4, 4.9.4.C.3, 4.9.13.E, and 4.9.13.P I-1, I-2: 4.9.4.K.1,2,3,4, 4.9.4.C.3, and 4.9.13.Q
Dance Hall	S [1]	S [1]	S [1]	P-I: 4.9.4.C.2 and 4.9.13.P I-1, I-2: 4.9.4.C.2 & 4 and 4.9.13.Q
Financial Service, excluding non- chartered institutions	P	P	P	P-I: 4.9.4.L.3, 4.9.13.Q, and drive- through services are permitted as an outdoor activity I-1, I-2: 4.9.4.L.3 and 4.9.13.Q
Food Service:				
Food Court	P	P	P	4.9.4.M.1.,6, & 7
Excluding Soup Kitchen	P	P	P	P-I: 4.9.13.Q and drive- through or drive-in services are permitted as an outdoor activity
With Alcoholic Beverage Service as an accessory use	P	P	P	P-I, I-1, I-2: 4.9.4.V.1-2 and 4.9.4.C.3
Soup Kitchen	S [1]	S [1]	P	P-I: 4.9.4.M.4 I-1, I-2: 4.9.4.M.4 and 4.9.13.Q
Funeral Service	P	P	P	P-I: 4.9.13.P
Medical Service:				



Extended Healthcare	P	P	P	I-1, I-2: 4.9.13.Q
Major	P	P	P	I-1, I-2: 4.9.13.Q
Transportation Services, Air Carrier, Helipad as an accessory use to a Medical Service, Major Use	P	P	P	P-1, I-1, I-2: 4.9.4.Q.2
Outpatient:				
Excluding blood donor centers	P	P	P	P-I, I-1, I-2: 4.9.13.Q
Limited to blood donor centers	S [1]	S [1]	S [1]	P-I: 4.9.4.O.3 and 4.9.13.P I-1 & I-2: 4.9.4.O.3 and 4.9.13.Q
Parking	P	P	P	P-I, I-1, I-2: 4.9.13.Q
Personal Service	P	P	P	P-I, I-1, I-2: 4.9.13.Q
Research and Product Development	P	P	P	P-I: 4.9.5.C.5.,6, &8 and 4.9.13.Q I-1, I-2: 4.9.13.Q
Technical Service	P	P	P	P-I, I-1, I-2: 4.9.13.Q
Trade Service and Repair:				
Major (includes auto body shops/paint- booths)		P	P	I-1, I-2: 4.9.4.X.1 and 4.9.13.Q
Minor	P	P	P	P-I: 4.9.13.P I-1, I-2: 4.9.13.Q
Transportation Service:				
Air Carrier			S [1]	I-2: 4.9.13.Q
Land Carrier		P	P	I-1, I-2: 4.9.13.Q

Airport Authority	P	P	P	P-1, I-1, I-2: 4.9.13.Q.5
Travelers Accommodation, Lodging	P	P	P	I-1, I-2: 4.9.13.Q
With Alcoholic Beverage Service as an accessory use	P	P	P	P-I, I-1, I-2: 4.9.4.V.1 &.2 and 4.9.4.C.3
Additional Permitted Accessory Uses				
Salvaging and Recycling is a permitted accessory use to any permitted Commercial Service Use in the specified zones	P	P	P	P-I, I-1, I-2: 4.9.5.G.1 &.3
Industrial Land Use Group With Land Use Class/Type:			*	
Craftwork	P	P	P	P-I: 4.9.5.C.2,.4,.5,.6 &.8 and 4.9.13.Q I-1: 4.9.5.C.2,.6,.7, &.8 and 4.9.13.Q I-2: 4.9.5.C and 4.9.13.Q
Extraction			S [1]	I-2: 4.9.5.B and 4.9.13.Q
General Manufacturing	P	P	P	P-I: 4.9.5.C.2,.4,.5,.6, &.8 and 4.9.13.Q I-1: 4.9.5.C.2,.6,.7, &.8 and 4.9.13.Q I-2: 4.9.5.C and 4.9.13.Q
Manufacturing:				
Hazardous Material			S [1]	I-2: 4.9.5.C.1-8 and 4.9.13.Q
Heavy Equipment			P	I-2: 4.9.5.C.1-8 and 4.9.13.Q
Motion Picture Industry	P	P	P	P-I: 4.9.5.C.1,.2,.4,.5,.6,.8, 4.9.5.D.1 and 4.9.13.Q I-1: 4.9.5.C.1,.2, 5-6,.8, 4.9.5.D.1 and 4.9.13.Q

				I-2: 4.9.5.C.1-8 and 4.9.13.Q
Perishable Goods Manufacturing	P	P	P	I-1 (P), P-I: 4.9.5.C.2,.4,.5,.6,.8, 4.9.5.E.1 &.2 and 4.9.13.Q I-2 (P): 4.9.5.C.1-8, 4.9.5.E.1- 2 and 4.9.13.Q
		S [2]	S [1]	I-1 (S): 4.9.5.C and 4.9.13.Q I-2 (S): 4.9.5.C and 4.9.13.Q
Precision Manufacturing	P	P	P	P-I: 4.9.5.C.2,.4,.5,.6, &.8 and 4.9.13.Q I-1: 4.9.5.C.2,.5,.6,.7, &.8 and 4.9.13.Q I-2: 4.9.5.C.1-8 and 4.9.13.Q
Primary Manufacturing			S [1]	I-2: 4.9.5.C.1-8 and 4.9.13.Q
Processing and Cleaning	P	P	P	P-I: 4.9.5.C.2,.4,.5,.6 &.8 and 4.9.13.Q I-1: 4.9.5.C.2,.5,.6,.7, &.8 and 4.9.13.Q I-2: 4.9.5.C.1-8 and 4.9.13.Q
Refining			S [1]	I-2: 4.9.5.C and 4.9.13.Q
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
Additional Permitted Accessory Uses				
The following uses are permitted as an accessory use to any permitted use in the Industrial Use Group: Construction Material Sales; Food and Beverage Sales; General Merchandise Sales; or Heavy Equipment Sales	P			P-I: 4.9.5.C.8 &.10
Salvaging and Recycling is a permitted accessory use to any permitted Industrial Service Use	P	P	P	P-I, I-1, I-2: 4.9.5.G.1 &.3
Recreation Land Use Group With Land Use Class/Type:			*	
Golf Course		P		I-1: 4.9.13.Q
Residential Land Use Group With Land Use Class/Type:			*	
Artist Studio/Residence		S[3]		I-1: 4.9.7.A and 4.9.13.Q
Family Dwelling or Mobile Home as an accessory use to a permitted use in any Land Use Group	P	P	P	P-I, I-1, I-2: 4.9.7.C
Residential Care Services:				
Rehabilitation Service or Shelter Care (unlimited # residents)	P	P		P-I: 4.9.7.J.1, 3.d,.4,.5, &.6 and 4.9.13.Q I-1: 4.9.7.J.1, 3.d,.4,.5,.6, and 4.9.13.Q
Rehabilitation Service or Shelter Care (unlimited # residents)	S [2]		S [2]	P-I, I-2: 4.9.7.J.1, 3.d,.4, &.5 and 4.9.13.Q

Shelter Care, Victims of Domestic Violence	P	P		P-I: 4.9.7.J.1, 3.c, &.4 and 4.9.13.Q I-1: 4.9.7.J.1, 3.c,.4, and 4.9.13.Q
Shelter Care, Children and Teenagers who need full-time supervision		P		I-1: 4.9.7.J.1, 3.d,.4,.5,.10 and 4.9.13.Q
Shelter Care, Children and Teenagers who need full-time supervision		S [2]		I-1: 4.9.7.J.1, 3.d,.4,.5, and 4.9.13.Q
Restricted Adult Activities Land Use Class With Land Use Type:			*	
Adult: Commercial Services, Industrial, Recreation, or Retail Trade		P		I-1: 4.9.8.A and 4.9.13.Q
Retail Trade Land Use Group With Land Use Class/Type:			*	
Construction Material Sales		P	P	I-1, I-2: 4.9.13.Q
Food and Beverage Sales:				
Farmers' Market only	P	P	P	All: 4.9.9.A.12.a-.d
Excluding Large Retail Establishments	P	P	P	I-1, I-2: 4.9.13.Q
Large Retail Establishment	S [1]	S [1]	S [1]	P-I: 4.9.9.D I-1, I-2: 4.9.9.D and 4.9.13.Q
General Merchandise Sales:				
Excluding Large Retail Establishments	P	P	P	P-I: 4.9.9.B.1 I-1, I-2: 4.9.13.Q
Large Retail Establishment	S [1]	S [1]	S [1]	P-I: 4.9.9.D I-1, I-2: 4.9.9.D and 4.9.13.Q

Heavy Equipment Sales		P	P	I-1, I-2: 4.9.9.C and 4.9.13.Q
Marijuana Cultivation Location:				
Designated Caregiver Cultivation Location		P	P	I-1, I-2: 4.9.9.E.2 &.3 and 4.9.13.Q
Dispensary Off-Site Cultivation Location		P	P	I-1, I-2: 4.9.9.E.2 and 4.9.13.Q
Qualifying Patient Cultivation Location		P	P	I-1, I-2: 4.9.9.E.4 and 4.9.13.Q
Marijuana Dispensary Off-Site Manufacturing Location	P	P	P	P-I, I-1, I-2: 4.9.9.E.2 and 4.9.13.Q
Swap Meets and Auctions	S [3]	S [3]	P	P-I, I-1, I-2: 4.9.9.F and 4.9.13.Q
Auctions only		P	P	I-1, I-2: 4.9.9.F and 4.9.13.Q
Vehicle Rental and Sales	P	P	P	P-I: 4.9.9.G.2, &.3 and 4.9.13.Q I-1, I-2: 4.9.9.G.1 and 4.9.13.Q
Farmers' Market as an accessory use to any permitted principal use in every land use group	P	P	P	All: 4.9.9.A.12.a-e
Additional Permitted Accessory Uses				
Salvaging and Recycling is permitted as an accessory use to any permitted use in the Retail Trade Use Group	P	P	P	P-I, I-1, I-2: 4.9.5.G.1 &.3
Storage Land Use Group With Land Use Class/Type:			*	
Commercial Storage	P	P	P	P-I: 4.9.10.A, 4.9.5.C.8, and 4.9.13.Q I-1, I-2: 4.9.10.A and 4.9.13.Q

Hazardous Material Storage			S [1]	I-2: 4.9.13.Q
Hazardous Material Storage as an accessory use to any permitted principal use in every land use group	P	P	P	P-I: 4.9.10.B.1 & 2.a I-1, I-2: 4.9.10.B.1 & 2.d
Personal Storage	P	P	P	P-I: 4.9.10.C. & 4.9.13.Q I-1, I-2: 4.9.10.C.3 & 6 and 4.9.13.Q
Additional Permitted Accessory Uses				
The following uses are permitted as an accessory use to any permitted use in the Storage Use Group: Construction Material Sales; Food and Beverage Sales; Heavy Equipment Sales; or, General Merchandise Sales	P			P-I: 4.9.5.C.8 & 10
Utilities Land Use Group With Land Use Class/Type:			*	
<u>Battery Energy Storage System, Tier 2 Bulk only</u>	<u>S [2]</u>	<u>P</u>	<u>P</u>	<u>P-I, I-1, I-2: 4.9.11.D.1-10</u>
Distribution System	P	P	P	P-I, I-1: 4.9.11.A.1, 2, & 4 and 4.9.13.Q
Renewable Energy Generation	P	P	P	P-I, I-1, I-2: 4.9.11.B.2, 3, & 5 and 4.9.13.Q
Sanitation System			S [1]	I-2: 4.9.5.C. & 4.9.11.C and 4.9.13.Q
Wholesaling Land Use Group With Land Use Class/Type:			*	
Business Supply & Equipment Wholesaling	P	P	P	P-I: 4.9.5.C.8 and 4.9.13.Q

Construction/Heavy Equipment Wholesaling	P	P	P	P-I: 4.9.5.C.8 and 4.9.13.Q
Food and Beverage Wholesaling	P	P	P	P-I: 4.9.5.C.8 and 4.9.13.Q
Hazardous Material Wholesaling			S [1]	I-2: 4.9.13.Q
Additional Permitted Accessory Uses				
The following uses are permitted as an accessory use to any permitted use in the Wholesaling Use Group: Construction Material Sales; Food and Beverage Sales; Heavy Equipment Sales; General Merchandise Sales	P			P-I: 4.9.5.C.8 & .10

(Am. Ord. 11070, 5/14/2013; Am. Ord. 11127, 11/6/2013; Am. Ord. 11171, 5/20/2014; Am. Ord. 11201, 9/23/2014; Am. Ord. 11257, 4/21/2015; Am. Ord. 11328, 12/8/2015; Am. Ord. 11446, 4/5/2017; Am. Ord. 11557, 6/5/2018; Am. Ord. 11577, 8/8/2018; Am. Ord. 11608, 12/18/2018; Am. Ord. 11828, 4/6/2021; Am. Ord. 11996, 3/21/2023; Am. Ord. 12060, 11/28/2023)

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

TABLE 4.8-6: PERMITTED USES - SPECIAL USE ZONES (1): OS, IR, P, & RV ZONES					
P = Permitted Use S = Permitted as Special Exception Use					
Mayor and Council Special Exception Procedure, Section 3.4.4					
Zoning Examiner Special Exception Procedure, Section 3.4.3					
PDSD Special Exception Procedure, Section 3.4.2					
LAND USE	OS	IR	P	RV	USE SPECIFIC STANDARDS
Agricultural Land Use Group With Land Use Class/Type:					
Animal Production:					

Excluding a Stockyard		P			IR: 4.9.2.A.1.a, 2.b, 3.b, & 3.c and 4.9.13.H
Hog Ranch		S [1]			IR: 4.9.2.A.3.d and 4.9.13.H
Stable or Riding School		P			IR: 4.9.2.A.2.b, & 4 and 4.9.13.H
Community Garden			P	P	All: 4.9.2.B
Crop Production		P			IR: 4.9.2.C and 4.9.13.H P, RV: 4.9.2.C
With Food and Beverage Sales as an accessory use		P			IR: 4.9.9.A.2.a & 3-9 and 4.9.13.H
General Farming		P	P	P	IR: 4.9.2.A.1.a, 2.b, 3.b, & 3.c, 4.9.2.C, and 4.9.13.H P, RV: 4.9.2.C
Stockyard Operation:					
Commercial Feedlot		S [1]			IR: 4.9.2.D.1 and 4.9.13.H
Livestock Auction Yard		S [1]			IR: 4.9.2.D.2 and 4.9.13.H
Urban Farm			P	P	P, RV: 4.9.2.E
Civic Land Use Group With Land Use Class/Type:					
Cultural Use:					
Limited to Nature Reserve or Wildlife Refuge		P			
Other than Nature Reserve or Wildlife Refuge		S [1]			IR: 4.9.3.C.1 and 4.9.13.H
Educational Use, Elementary and Secondary		S [2]			
With Salvaging and Recycling as an accessory use		P			IR: 4.9.5.G.1 & 3 and 4.9.13.H

Protective Service (government owned and operated only)		P			IR: 4.9.13.F & H
Religious Uses		P			
With Columbarium as an accessory use		P			
With Salvaging and Recycling as an accessory use		P			IR: 4.9.5.G.1 & .3 and 4.9.13.H
Commercial Services Land Use Group With Land Use Class/Type:					
Administrative and Professional Office		S [2]			IR: 4.9.4.A.1 and 4.9.13.H
Animal Services, limited to Veterinary Hospital or Commercial Kennel		P			IR: 4.9.4.D.5 and 4.9.13.H
Commercial Recreation		P			
Communications:					
Wireless Communication		P			IR: 4.9.13.H and 4.9.4.I.2,.3,.4.a or .5.a or .5.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[2] - 4.9.4.I.2,.3 & 7.a. or S[1] - 4.9.4.I.2,.3 & .8
Radio or Television Station Only		S [1]			IR: 4.9.4.I.1, 4.9.13.A.2, and 4.9.13.H
Construction Service		S [1]			IR: 4.9.4.J, 4.9.13.A.2, and 4.9.13.H
Entertainment, Carnival or Racetrack for the racing of animals		S [1]			IR: 4.9.4.K.5 and 4.9.13.H
Medical Services - Outpatient, excluding blood donor centers		P			IR: 4.9.4.O.3, 4.9.4.P.2.b,.3, & .4, 4.9.13.A.2, and 4.9.13.H

Parking			P		P: 4.9.4.S
Transportation Service:					
Air Carrier, Airport Facilities		S [1]			IR: 4.9.4.Y.1 & 2 and 4.9.13.H
Air Carrier, General Aviation Strip		S [1]			IR: 4.9.4.Y.1 - 4 and 4.9.13.H
Air Carrier, Ultra-light Airstrip		S [1]			
Air Carrier, Ultra-light Flight Park		S [1]			IR: 4.9.4.Y.2 & 3 and 4.9.13.H
Travelers' Accommodation:					
Campsite				P	RV: 4.9.13.L
Campsite of over 200 spaces with the following uses as an accessory use: Adult Care Services; Day Care; Family Dwelling; Food and Beverage Sales (limited to a delicatessen, snack bar, or food store only); General Merchandise Sales; Mobile Home Dwelling; Park and Recreation; or, Personal Services (limited to a coin- operated laundry or pick-up station for dry cleaning only)				P	RV: 4.9.7.I.3 and 4.9.13.L
Lodging		S [1]			
The following as accessory uses to a Travelers' Accommodation, Lodging use: Alcoholic Beverage Service; Civic Assembly;		S [1]			IR: 4.9.4.AA.1-.5, 6.b, & 7 and the following: For Alcoholic Beverage Service, 4.9.4.C.3;

Commercial Recreation; or Food Service					For Food Service, 4.9.4.M.3.
Industrial Land Use Group With Land Use Class/Type:					
Extraction		S [1]			IR: 4.9.5.B.1 &.2 and 4.9.13.H
Perishable Goods Manufacturing		S [1]			IR: 4.9.5.E.2 &.3 and 4.9.13.H
Recreation Land Use Group With Land Use Class/Type:					
Open Space	P				OS: 4.9.13.G
Parks and Recreation				P	
Residential Land Use Group With Land Use Class/Type:					
Family Dwelling:					
Manufactured Housing		P			
Single-Family, Detached		P			IR: 4.9.7.B.12
Middle Housing		P			IR: 4.9.7.B.11 - .14
With Home Occupation as an accessory use to any Family Dwelling		P			IR: 4.9.7.D and 4.9.13.H
Mobile Home Dwelling		P			
Retail Trade Land Use Group With Land Use Class/Type:					
Food and Beverage Sales (Farmers' Markets only)			P	P	All: 4.9.9.A.12.a-.d
General Merchandise Sales:					
Artists/Artisan Workshop/Studio only		S [2]			IR: 4.9.9.B.2 and 4.9.13.H
Feed Store only		S [1]			IR: 4.9.13.A.2 and 4.9.13.H

Farmers' Market as an accessory use to any permitted principal use in every land use group			P	P	All: 4.9.9.A.12.a-d
Storage Use Group With Land Use Class/Type:					
Hazardous Material Storage as an accessory use to any permitted principal use in every land use group		P		P	IR: 4.9.10.B.1,.2.a and 4.9.13.H RV: 4.9.10.B.1 &.2.a and 4.9.13.L
Utilities Land Use Group With Land Use Class/Type:					
Distribution System:					
Limited to Power Substations with Input of 115 Kilovolts or more		S [2]			IR: 4.9.11.A.3,.6,.7, &.10 and 4.9.13.H
Limited to Telephone, Telegraph, or Power Substations with Input voltage less than 115 Kilovolts		S [2]			IR: 4.9.11.A.2 &.8 and 4.9.13.H
Limited to Water pumping and storage facilities operated as part of a system serving 2 or more properties as a private, public, or community utility		S [2]			IR: 4.9.11.A.4 and 4.9.13.H
<u>Limited to Water pumping and storage facility upgrades or expansions</u>		P			<u>4.9.11.A.12.</u>
Renewable Energy Generation		S [2]	S [2]		IR, P: 4.9.11.B.2,.3,.4, &.5 and 4.9.13.H

(Am. Ord. 11070, 5/14/2013; Am. Ord. 11171, 5/20/2014; Am. Ord. 11257, 4/21/2015; Am. Ord. 11328, 12/8/2015; Am. Ord. 11996, 3/21/2023)

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 Mayor and Council Special Exception Procedure, Section 3.4.4 Zoning Examiner Special Exception Procedure, Section 3.4.3 PDSO Special Exception Procedure, Section 3.4.2				
LAND USE	NC	RVC	MU	USE SPECIFIC STANDARDS
Agricultural Land Use Group With Land Use Class/Type:				
Animal Production:				
Excluding Commercial Stables			P	MU: 4.9.2.A.1.a, 1.c, 2.a, 2.b, & 3.a
Commercial Stables Only			S [2]	MU: 4.9.2.A.1.b, 2.b, and 4.9.5.C.6
Community Garden	P	P	P	All: 4.9.2.B
Urban Farm	P	P	P	All: 4.9.2.E
Civic Land Use Group With Land Use Class/Type:				
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			NC: 4.9.3.D.1 - 7 and 4.9.13.M

	S [2]			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
Commercial Services Land Use Group With Land Use Class/Type:				
Administrative and Professional Office	P	P	S [2]	NC: 4.9.13.M RVC: 4.9.13.N MU: 4.9.5.C.6
Alcoholic Beverage Service, excluding Large Bars			S [2]	MU: 4.9.5.C.6
With Microbrewery as an accessory use			P	MU: 4.9.5.E.6,.7, &.8
Animal Service			S [2]	MU: 4.9.5.C.6
Artisan Residence	P			NC: 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]	MU: 4.9.5.C.6
Minor Service and Repair		S [1]	S [2]	RVC: 4.9.4.F.5 and 4.9.13.N MU: 4.9.5.C.6
Buildings and Ground Maintenance			S [2]	MU: 4.9.5.C.6
Commercial Recreation			P	
Communications:				
Wireless Communication	P	P	P	NC: 4.9.13.M and 4.9.4.I.2,,3, &.4.a or .5.a or.5.b RVC: 4.9.13.N and 4.9.4.I.2,,3, &.4.a or.5.a or.5.b MU: 4.9.4.I.2,,3, &.4.a or.5.a or.5.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]	NC: 4.9.13.M and one of the following groups: S[2] - 4.9.4.I.2,,3, &.7.a; or, S[1] - 4.9.4.I.2,,3, &.8 RVC: 4.9.13.N and 4.9.4.I.2,,3, &.5.a or 5.b MU: 4.9.5.C.6 and one of the following groups: S[3] - 4.9.4.I.2,,3, &.6.a; or, S[2] - 4.9.4.I.2,,3, &.7.b; or, S[1] - 4.9.4.I.2,,3, &.8
Radio or Television Station Only			S [2]	MU: 4.9.4.I.1 and 4.9.5.C.6
Construction Service			S [2]	MU: 4.9.5.C.6

Day Care	P	P	S [2]	NC: 4.9.13.M RVC: 4.9.13.N MU: 4.9.5.C.6
Entertainment			S [2]	MU: 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]	NC: 4.9.4.L.3 and 4.9.13.M RVC: 4.9.4.L.3 and 4.9.13.N MU: 4.9.5.C.6
Non-chartered Financial Institutions only				
Food Service:				
Food Court	P	P	S [2]	NC: 4.9.4.M.1 & 5-7 and 4.9.13.M RVC: 4.9.4.M.1,.2,.6, &.7, and 4.9.13.N MU: 4.9.5.C.6
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	

Transportation Services, Air Carrier, Helipad as an accessory use to a Medical Service, Major Use			P	MU: 4.9.4.Q.2
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 Service:				
Airport Authority			P	MU: 4.9.13.Q.5
Land Carrier			S [2]	MU: 4.9.5.C.6
Travelers Accommodation, Lodging			S [2]	MU: 4.9.5.C.6
Additional Permitted Accessory Uses				
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
Industrial Land Use Group With Land Use Class/Type:				

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
Additional Permitted Accessory Uses				
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
Recreation Land Use Group With Land Use Class/Type:				
Parks and Recreation	P		P	NC: 4.9.13.M
Residential Land Use Group With Land Use Class/Type:				
Family Dwelling:				
Duplex	P		P	All: 4.9.7.B.12
Manufactured Housing	P		P	All: 4.9.7.B.12
Multifamily Development	P		P	For 3-4 Units: 4.9.7.B.12 & .14
Single-family, Attached or Detached	P		P	All: 4.9.7.B.12
Middle Housing	P		P	NC, MU: 4.9.7.B.11 - .14
Accessory Dwelling Unit	P		P	NC, MU: 4.9.7.B.12 & 6.6.3
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
Retail Trade Land Use Group With Land Use Class/Type:				
Construction Material Sales			S [2]	MU: 4.9.5.C.6
Food and Beverage Sales:				
Farmers' Market only	P	P	P	MU: 4.9.9.A.12.a-d
Excluding Large Retail Establishments		S [1]	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				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
Farmers' Market as an accessory use to any permitted principal use in every land use group	P	P	P	All: 4.9.9.A.12.a-e
Smoke Shop			S [2]	MU: 4.9.9.H

Additional Permitted Accessory Uses				
Salvaging and Recycling as an accessory use to any permitted Retail Trade uses	P	P	P	All: 4.9.5.G.1 &.3
Storage Use Group With Land Use Class/Type:				
Commercial Storage			S [2]	MU: 4.9.10.A
Hazardous Material Storage as an accessory use to any permitted principal use in every land use group			P	MU: 4.9.10.B.1 &.2.a
Personal Storage			S [2]	MU: 4.9.5.C.6 and 4.9.10.C.3,.6
Utilities Use Group With Land Use Class/Type:				
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	MU(P): 4.9.11.B.1,.2,.3, &.5
			S[2]	MU(S): 4.9.5.C.6
Wholesaling Use Group With Land Use Class/Type:				
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

(Am. Ord. 11070, 5/14/2013; Am. Ord. 11257, 4/21/2015; Am. Ord. 11328, 12/8/2015; Am. Ord. 11409, 11/9/2016; Am. Ord. 11577, 8/8/2018; Am. Ord. 11608, passed 12/18/2018; Am. Ord. 11890, 12/7/2021; Am. Ord. 11996, 3/21/2023; Am. Ord. 12057, 11/14/2023; Am. Ord. 12060, 11/28/2023)

4.9. USE-SPECIFIC STANDARDS

* * *

4.9.2. AGRICULTURAL USE GROUP

* * *

B. Community Garden

1. Permitted Activities and Uses.

The following activities and uses are permitted on a Community Garden use:

a. Growing and harvesting of agricultural products;

b. The keeping of food producing animals is permitted as an accessory use to the growing and harvesting of agricultural products in accordance with Section 6.6.5.E, *Keeping of Food Producing Animals*. Permission from the property owner is required and a sign must be posted identifying the person responsible for caring for the animals and his or her contact information;

c. Mechanical greenhouses are permitted as a principal or accessory structure in accordance with mechanical heating or cooling as defined in Section 11.4.8, *Definitions - G*. Heating or cooling systems associated with greenhouses shall be located a minimum distance of 200 feet from every property line, or as a second option, the applicant may provide a mitigation plan that may include screening or other treatment to comply with Section 16-31, *Excessive Noise*, of the Tucson Code. Compliance with the second option may require the heating or cooling systems and/or greenhouse to have a greater ~~perimeter yard~~setback than that required of a principal building by the zone. Applicants using the second option must demonstrate compliance with this standard prior to issuance of a building permit. Passive greenhouses, including those that are cooled solely by an evaporative cooler, are not required to provide a wider ~~perimeter yard~~setback than that required by the zone;

* * *

4.9.3. CIVIC USE GROUP

* * *

F. Religious Use

A minimum ~~perimeter yard~~setback of 80 feet is required.

4.9.4. COMMERCIAL SERVICES USE GROUP

* * *

D. Animal Service

1. Overnight confinement for clinic treatment is permitted for a maximum of five animals.
2. Boarding of animals is prohibited.
3. The activity shall be within a completely enclosed building.
4. An outpatient clinic is permitted for small animals only.
5. The minimum ~~perimeter yard~~ setback for buildings, shelters, animal runs, and fenced areas from a property line adjacent to a residential zone is 100 feet.
6. Buildings, shelters, animal runs, and fenced areas shall be setback at least 100 feet from any property line.
7. The use shall be setback at least 200 feet from any residential zone.
8. Accessory use defined as either use of 25% of gross floor area dedicated to long-term boarding or 25% of the normal animal service use capacity. Long-term boarding is defined as a stay of five or more consecutive calendar days.
9. The minimum ~~perimeter yard~~ setback for buildings, shelters, animal runs, and fenced areas from a property line adjacent to a residential zone is 30 feet.

* * *

H. Child Care in Residential and Office Zones

* * *

8. Street Frontage

The center shall front on a Major Streets and Routes (MS&R) street with no vehicular access to the site from a local street or on a local street within a nonresidential development. The street frontage requirements shall ~~be not~~ apply to a ~~child care~~ childcare center located on an elementary school site if the ~~child care~~ childcare center is in conformance with the dispersal, licensing, recreational area and building setbacks, hours and days of operation limitations, and site coverage standards.

* * *

P. Medical Service in Residential and Office Zones Standards

1. The facility must front on a street on the Major Streets and Routes (MS&R) Plan or on a residential street, provided:
 - a. The residential street intersects a street on the MS&R Plan; and,
 - b. The property is within 150 feet of a street on the MS&R Plan, measured along the residential street.
2. Minimum Setbacks.
 - a. A minimum ~~perimeter yard~~ setback of 20 feet from any interior lot line adjacent to a residential zone is required.

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b. A minimum ~~perimeter yard~~setback of 100 feet from any property line is required.

3. Requests to vary the provisions of this section, including setbacks for existing or new buildings, are processed in accordance with Section 3.10.1 and 3.10.3, *Board of Adjustment Variance Procedure*.

4. If licensing is required by the State of Arizona for the use, proof of such licensure shall be provided.

* * *

V. Sale of Spirituous Liquor in Conjunction with Food Service Use

* * *

~~9. A Food Service establishment that is located within 300 feet of a residential zone, excluding public right-of-way, measured in a straight line from the licensed premises to the zone boundary line of R-3 or more restrictive zoning may serve alcoholic beverages upon conformance with the following conditions:~~

~~a. The applicant is required to submit a mitigation plan to the PDSD Director that will be reviewed in accordance with Section 3.3.5, 400' Notice Procedure. The mitigation plan shall specifically address noise from the use, including parking lot noise, screening of lighting from vehicle headlights and light standards on site, parking, and access to adjacent neighborhoods, but shall not address issues that are the purview of the Arizona Department of Liquor Licenses and Control, such as the number of liquor licenses in the area or the hours of liquor sales.~~

~~b. If the use is operated in a manner that violates the mitigation plan or conditions for permitting the use or causes adverse land use impacts, the use may be suspended or terminated in accordance with Section 1.0.4, Penalties and Remedies.~~

* * *

4.9.5. INDUSTRIAL USE GROUP

* * *

C. Manufacturing and Industrial (Includes General, Heavy Equipment, Precision, and Primary Manufacturing Land Uses)

* * *

8. Outdoor storage, when permitted, shall not be located in a street ~~perimeter~~setback. Outdoor storage areas shall be screened in accordance with Section 7.6, *Landscaping and Screening*. No materials or products shall be stacked or stored to exceed the height of the screen within 50 feet of an adjoining residential zone or street. Outdoor display of finished products is permitted within a street ~~perimeter~~setback in an area limited to 10% of the site area or 10,000 square feet, whichever is less. Such display area shall not encroach into

required landscape buffer areas. Outdoor storage in the P-I zone is limited to 25% of the site area.

* * *

E. Perishable Goods Manufacturing

1. The manufacturing of fish or meat products, sauerkraut, sugar beets, vinegar, and yeast and the rendering or refining of fats and oils shall not be permitted.
2. Slaughterhouses, meat packing plants, fertilizer yards, and plants for the reduction of animal matter is not permitted.
3. The building setback shall be at least 300 feet from any property line.
4. The area devoted to the accessory land use is limited to a maximum of 33% of the gross floor area.
5. The accessory land use is limited to baked goods and confectionery products.
6. The accessory land use is limited to the manufacturing of beer, "microbrewery."
7. The area devoted to the accessory land use shall not exceed 25% of the gross floor area or 1,000 square feet, whichever is less.
8. The products manufactured on site must be sold at retail on the premises.
9. Accessory Manufacturing uses to Commercial Services, Retail Trade, or Wholesaling Use Groups, are permitted in the:
 - a. In the C-2 Zone, limited to 25% of the gross floor area except as follows. Accessory manufacturing uses may occupy more than 25% of the gross floor area if the use complies with Section 4.9.5. The area devoted to perishable goods manufacturing shall not exceed 5,000 square feet.
 - c. In the C-3 Zone, limited to 33% of the gross floor area except as follows. Accessory manufacturing uses may occupy more than 33% of the gross floor area if the use complies with Section 4.9.5. The area devoted to perishable goods manufacturing shall not exceed 10,000 square feet.
 - ~~10. The area devoted to perishable goods manufacturing shall not exceed 5,000 square feet.~~
 - ~~11. The area devoted to perishable goods manufacturing shall not exceed 10,000 square feet.~~

* * *

G. Salvaging and Recycling

1. Salvaging and Recycling is limited to recycling collection bins only.
2. All Salvaging and Recycling activities and storage shall occur within an enclosed building .





3. Salvaging and Recycling is limited to empty household product containers, such as, but not limited to, aluminum cans, glass and plastic bottles, and newspaper.

4. Junkyards, salvaging of motorized vehicles, such as cars, trucks, airplanes, and similar vehicles; salvaging of hazardous materials; and landfills are not permitted.

5. Salvaging and Recycling is restricted to collection of recycling materials.

6. In addition to the requirements of Section 7.6, Landscaping and Screening, there shall be a screen wall at least six feet in height between this use and any residential zone .

7. The household goods donation center shall be located in a permanent building staffed by an attendant who remains on the premises during the center's hours of operation.

~~8. Security procedures or physical barriers shall be provided to prevent after-hours drop-off of donated items and to prohibit nighttime access to these items.~~

~~9. The applicant shall submit a security management plan that describes the operation of the center, to the Zoning Administrator for review and approval. The plan shall include: the days and hours of operation for the center; descriptions of the planned security procedures and/or physical barriers planned to prohibit both vehicular access when the center is closed and outside storage when the center is closed; the outdoor lighting schematic; and the operational procedures planned to implement the security management plan. Any changes or amendments to the security management plan shall be filed with and approved by the Zoning Administrator. If the use is operated in a manner that violates the security plan or conditions for permitting the use, the use may be suspended in accordance with Section 10.4, Penalties and Remedies.~~

~~108.~~ Signs shall be posted on the site providing the days and hours of operation and stating that donations are not to be left after the center has closed.

~~119.~~ One drive-through service lane may be provided for customer drop-off of donated items.

~~1210.~~ The household goods donation center shall be located on, and have access from, either a street designated as an arterial street in the Major Streets and Routes Plan (MS&R) or a local street in a commercial or industrial park that has direct access to an arterial street .

* * *

4.9.7. RESIDENTIAL USE GROUP

* * *

B. Family Dwelling

1. All dwellings shall be under the same ownership and on the same parcel.

2. All dwellings shall comply with the dimensional standards in accordance with Article

6.

3. One dwelling must be at least 25% smaller than the other dwelling.

4. The dwellings may be attached or detached.

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5. A manufactured housing unit is not considered a dwelling for the purposes of this section, unless it is located in a subdivision recorded after January 1, 1982, and not located in a re-subdivision of any subdivision recorded prior to January 1, 1982.

6. A manufactured housing unit is not considered a dwelling for the purposes of this section, unless the following standards are met or a subdivision plat that has been clearly identified for manufactured housing has been approved and permits for manufactured homes have been issued for 25% or more of the lots prior to December 27, 2000:

- a. It is placed on an excavated and backfilled foundation (ground set). If the home is located in a floodplain, the bottom of the lowest floor joist shall be a minimum of one foot above the 100-year/base flood elevation, and the foundation of the home shall be placed on the fill;
- b. No more than eight inches of perimeter skirting wall shall be visible from the street frontage of the property. The perimeter skirting wall shall match the exterior color of the home;
- c. The exterior siding materials shall be either hardboard, vinyl, or stucco;
- d. Concrete or masonry steps shall be provided for the entry on the street side of the dwelling;
- e. All entry doors on the street side of the dwelling shall be inward-swinging doors; and,
- f. The roofing style and materials shall be either flat roof (Pueblo), steel rib roof, or shingle or tile roof with a 3:12 roof pitch or greater. All pitched roofs, except those that are disguised by a parapet, shall have a minimum six inch eave on all sides of the dwelling.

7. For any new single-family dwelling in the R-1 zone with five bedrooms, three parking spaces are required. For every bedroom over five, one additional space is required for each bedroom. For all single-family dwellings in the R-1 zone with five or more bedrooms, and for all lots containing two or more single-family dwellings, with the second dwelling having more than one bedroom, all parking spaces must be located on-site, either in a side or rear ~~perimeter-yardsetback~~. Parking spaces may not be located in a vehicular use area in any front street ~~perimeter-yardsetback~~. A parking area is not required to be developed to a commercial standard. A dustproof parking surface is required to at least a minimum of two inches of compacted pea gravel. An existing covered residential parking area may be used.

8. Subject to the requirements of this Section, ~~4.9.7.B.89~~, any group dwelling use existing prior to February 15, 2012 shall be treated as a lawful nonconforming use and structure in accordance with Article 9, *Nonconforming Uses, Buildings, and Structures*, except as otherwise expressly provided in this Section and in Tucson Code Section 16-37. A protected development right plan approved by the Mayor and Council prior to the enactment of this ordinance shall be treated as a nonconforming use for a maximum number of unrelated persons equivalent to the number of bedrooms on the approved plan.

- a. The right to treatment as a nonconforming use or structure under this section is established by the following:



(1) Evidence that the property was registered as a rental property as required by A.R.S. §33-1902 on or before February 15, 2012, or is otherwise timely registered as required by that statute; and

(2) Evidence acceptable to the Zoning Administrator that establishes the maximum number of unrelated persons to whom the dwelling was leased pursuant to subsection (a) above. Such evidence may include executed leases, tax records, an approved protected development right plan as described in this section, or other documentation. An executed lease that was executed during the calendar year 2009, 2010, or 2011 shall be sufficient under this subsection to establish the number of persons to whom the dwelling was leased.

b. If a group dwelling is established for treatment as a lawful nonconforming use as provided in subsection (1) above, the maximum number of unrelated persons to whom the dwelling may be leased shall be that number established by the evidence provided under subsection (1)(b) above.

c. Notwithstanding the provisions of Section 9.2.1.B, an established nonconforming use under this Section 4.9.7.B.89 shall not be deemed abandoned or lost based upon the leasing of the dwelling after February 15, 2012 to less than five unrelated persons, to related persons, or to a single family; or upon the failure to lease the dwelling, provided that it is continually registered as a rental property as described under A.R.S. §33-1902.

d. The nonconforming use under this Section 4.9.7.B.9 may be suspended or lost as provided in Section 9.2.1.B if it is declared a public nuisance by court order pursuant to Tucson Code Section

e. To the extent any of the provisions of Tucson Code Section 16-37 or this Section 4.9.7.B.89 conflict with Article 9: *Nonconforming Uses, Buildings, and Structures* relating to the discontinuance or abandonment of a nonconforming use, the provisions of this Section and Tucson Code Section 16-37 shall control.

9. Occupancy of a dwelling by five or more unrelated persons is a group dwelling and is not permitted.

10. The following standards apply to family dwellings in the Rio Nuevo District:

a. The maximum density is 17 units per acre;

b. A minimum lot size of 2,500 square feet is required;

c. The maximum permitted lot coverage is 90%;

d. A minimum ~~perimeter yard setback~~ equal to one and one-half times the height of the proposed exterior building wall is required from a property line adjacent to a residential zone; and,

e. A ~~perimeter yard setback~~ is not required from a property line adjacent to a nonresidential zone.





11. Privacy mitigation is required when multistory residences are proposed within 10 feet of a property line adjacent to existing single-story residences and the existing residences are zoned R-2 or more restrictive. Balconies, windows (except for clerestory and translucent windows), or any other features that overlook the rear and side yards of adjacent residences are discouraged. Privacy mitigation measures, such as the incorporation of vegetation, screening elements, walls, building placement and orientation, balcony and window placement and orientation, or other design strategies shall be incorporated.



12. Parking ~~for middle housing~~ is required per UDC Table 7.4.4-1. Required parking may be met with on-street parking or waived if the site is within a quarter-mile walking distance of an "All Ages and Abilities Bikeway" as defined by the Department of Transportation and Mobility or a public transit route. Parking provided is exempt from Section 7.6.4, Landscape Standards. Front yards are permitted one driveway no more than 20 feet in width and up to 400 square feet of additional vehicular use area.



13. Middle housing development ~~and multifamily development of 3 or 2 to 4 units~~ shall not require a commercial site plan per UDC 3.3.3.G., require commercial development standards, or require improvements to public streets other than repairs due to construction activity.

14. Street ~~setbacks~~~~perimeter yards~~ may be reduced to match the ~~perimeter yard setback~~ of an adjacent property on the same street. The ~~perimeter yard setback~~ may be reduced to no less than 10 feet. Additional reductions may be potentially requested through a variance or design development option.

* * *

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

1. Home occupations other than those specified below are required to comply with Section 4.9.7.E, *Home Occupation: General Standards*; or,

2. The following uses within the specified zones are required to comply as follows:



a. Home Occupation: Day Care is permitted in SR, SH, RX-1, RX-2, R-1, R-2, R-3, MH-1, MH-2, O-1, O-2, O-3, NC, ~~and C-1, C-2, and C-3~~ subject to: 4.9.7.E.1,.2,.3,.5,.6,.7,.9,.10,.11, &.13 and F.

b. Home Occupation: Group Dwelling is permitted in IR, RH, SR, SH, RX-1, RX-2, R-1, R-2, R-3, MH-1, and MH-2 subject to: 4.9.7.G.

c. Home Occupation: Travelers' Accommodation, Lodging is permitted in SR, SH, RX-1, RX-2, R-1, MH-1, O-1, O-2, and NC subject to: 4.9.7.H.1 &.5 -.11.

d. Home Occupation: Travelers' Accommodation, Lodging is permitted in R-2 and MH-2 subject to: 4.9.7.H.2 &.5 -.11.

e. Home Occupation: Travelers' Accommodation, Lodging is permitted in R-3 and O-3 subject to: 4.9.7.H.4 -.11.

f. Home Occupation: Where Animal Production, Crop Production, General Farming, and/or Stockyard Operation is permitted as a principal use, the same standards and procedure required to establish the applicable principal use is required when establishing the home occupation.

g. Home Occupation: Urban Farm is permitted in O-1, O-2, O-3, NC, C-1, C-2, C-3, MU, OCR-1, OCR-2 subject to: 4.9.2.E and 4.9.7.E.5.

* * *

F. Home Occupation, Day Care: Permitted in Office, Residential, NC and C-1, C-2 and C-3 zones:

1. No more than one full-time equivalent person not residing on the premises shall be employed in the day care use.

2. During the hours of activity of the day care use, there is no limit on the amount of floor area devoted to this use.

3. Outdoor activities and equipment associated with the use is permitted and shall be screened by a five-foot fence, wall, or hedge where adjoining R-3 or more restrictive zoning.

4. Hours of operation shall be noted on the application, and those hours of operation shall not create an adverse impact on adjoining residences.

5. Any vehicle used in conjunction with the day care use is limited to a passenger car, van, or pickup truck.

6. The day care use shall be approved and licensed by the Arizona Department of Health Services (ADHS), if required by ADHS, prior to final approval.

* * *

4.9.10. STORAGE USE GROUP

A. Commercial Storage

1. Adjacent to a residential use or zone, outdoor storage shall comply with the following.

a. Storage material shall not be visible from outside the screen.

b. Outdoor lighting shall be directed away from adjacent residential uses and zones.

2. Outdoor storage, when permitted, shall not be located in the street ~~perimeter-~~
yardsetback.

* * *

4.9.11. UTILITIES USE GROUP

A. Distribution System

1. The setback of the facility, including walls or equipment, shall be 20 feet from any adjacent residential zone.

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2. Where a facility is not enclosed within a building, the surrounding screen shall be used as the building wall for the purposes of setbacks.

3. The setback of the facility, including walls or equipment, shall be 200 feet from any ~~existing~~ adjacent residential zone. This setback may be varied in accordance with Sections 3.10.1 and 3.10.3, *Board of Adjustment Variance Procedure*.

4. Where a water tower more than 20 feet in height is used in conjunction with such facilities, its center shall be located a distance from any lot line equal to not less than one-half its height.

5. The use shall not have any service or storage yards.

6. Noise emission at the property line shall be equivalent to the residential requirements of the noise ordinance.

7. No TVI (television interference) or RIV (radio interference) on a continuous basis shall be permitted.

8. Any building housing such facility shall be in keeping with the character of the zone in which it is located. The Design Review Board (DRB) shall review all applications and make recommendations to the Zoning Examiner. The DRB shall review architectural style, building elevations, materials on exterior facades, color schemes, new mechanical equipment locations, lighting of outdoor areas, window locations and types, screening, landscaping, vehicular use areas, and other contributing design features.

9. The use shall be located wholly within an enclosed building or within an area enclosed on all sides with a masonry wall or compact evergreen hedge, not less than six feet, nor more than ten feet, in height.

10. The use shall include a ten-foot high wall in an earth tone and vegetative landscaping where contiguous to a residential zone.

11. The use shall be limited to water pumping and storage facilities, telephone exchanges, and power substations with an input voltage of no greater than 138 kilovolts.

12. The following requires approval in accordance with Section 3.3 ~~3-4, 100' Notice Procedure~~ *PDSD Director Approval*. The PSDS Director may forward the request to the Design Review Board (DRB) for design review and recommendation.

a. Water pumping and storage facility upgrades or expansions, provided:

- (1) Existing setbacks are not altered.
- (2) Use Specific Standards 4.9.11.A.5, 9, 11, are met.

b. Electric Substation upgrades or expansions, provided:

- (1) Existing setbacks are not altered.
- (2) The height of the substation is not increased by more than 10 percent of the existing height, or six feet whichever is greater.



(3) Noise generated at the property line shall not exceed applicable City standards. The applicant shall certify compliance with this standard at the time of application, and compliance with this standard shall be a condition of approval.

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* * *

D. BATTERY ENERGY STORAGE SYSTEMS (BESS)

1. All Distributed and Bulk Power BESS equipment enclosures, containers, and inverters must comply with the primary building setbacks of the underlying zoning district.

2. To mitigate thermal radiation and toxic off-gassing path tracking, any outdoor Bulk Power BESS facility must maintain a minimum physical separation of 150 feet from any adjacent residential zoning district boundary line or existing residential structure and 300 feet from any school, licensed daycare facility, hospital, senior living community, or high-occupancy assembly use. The separation may be reduced by up to 25% via the Special Exception process only if the applicant demonstrates through a certified engineering analysis that a blast/thermal barrier wall can achieve identical safety metrics.

3. The development, installation, and operation of all Battery Energy Storage Systems (BESS) must comply with all currently adopted building, electrical, and fire codes of the City of Tucson.

4. Operational and emergency response plans are required and must be approved by the Tucson Fire Department (TFD).

5. A comprehensive hazard evaluation plan is required. The evaluation must demonstrate to the satisfaction of the City and local emergency officials that any potential failure scenario, atmospheric emission, or incident runoff can be safely contained on-site or mitigated without posing an operational risk to neighboring properties.

6. BESS cooling systems, HVAC units, and inverters must not generate noise levels exceeding 55 dBA at any adjacent commercial property line, or 45 dBA at any adjacent residential property line. Sound attenuation blanketing or masonry acoustic walls may be required to meet this standard.

7. All outdoor equipment yards must be fully enclosed by an 8-to-10-foot-tall, structurally reinforced masonry wall designed to serve as a thermal and blast barrier.

8. To maintain visual community character, a minimum 10-foot-wide landscape border must sit outside the perimeter masonry wall, featuring vegetation from the adopted City of Tucson plant list. No evergreen hedges or high-resin plants prone to ignition may be used.

9. A legally binding decommissioning plan, signed by the property owner and system operator, must be recorded with the Pima County Recorder's Office prior to building permit issuance. The plan must detail harvesting, extraction, shipping, and certified recycling of degraded battery modules, hazardous waste neutralization, and complete soil remediation back to a greenfield state.

10. Any BESS facility that fails to operate or deliver power to the electrical grid for a continuous period of twelve (12) consecutive months shall be deemed abandoned. Upon

written notice from the Zoning Administrator, the owner shall have 180 days to deploy or completely decommission the system.

11. The BESS facility must be located entirely within an enclosed primary structure or parking garage. An outdoor facility shall require a Zoning Examiner Special Exception.

4.11. TEMPORARY USE OR BUILDING

Certain land uses or buildings not permitted within specific zones may be permitted on a temporary basis if authorized in accordance with Section 3.3.3, PDSD Director Approval Procedure, provided such request for a temporary use complies with the following.

4.11.1. QUALIFICATION FOR PERMIT

For certain land uses or buildings to be permitted on a temporary basis, the land use or building shall comply with one or more of the following special circumstances.

A. The circumstances constitute a substantial hardship, such as, but not limited to, a natural disaster, e.g., fire or flood, or a government action that has resulted in damage to an existing building on the subject property.

B. A temporary building, such as a mobile or modular unit, utilized for the management or oversight of construction (e.g., contractor's office) or occupied as a caretaker's facility or a home for the eventual resident may be permitted during the construction of a permanent building. The temporary building shall be on the same site as the construction.

C. The temporary location of off-street parking facilities during special events or the structural expansion or remodeling of an existing building may be permitted. Special event parking lots may only be accessed from a Major Street and Route and are limited to a 30-day duration which may not be extended. Such temporary facilities do not have to comply with requirements of a permanent parking facility but shall, at a minimum, provide the following:

1. Screening from adjacent residential development. Since this is a temporary facility, screening cannot be achieved by the use of landscaping unless mature vegetation that can act as the screen exists on the site; ~~and,~~

2. Dust-proofing; ~~and,~~

3. If serving as temporary parking for a special event, a management plan to be approved by the Director of Planning and Development Services and the Director of Transportation and Mobility prior to issuance of the temporary use permit.

D. A temporary real estate office may be permitted during construction of a ~~project,~~ project, provided:

1. The temporary use shall be terminated one year from the date the approval was granted. Additional 12-month extensions may be granted, provided sales activity for the project continues and 10% or more of the lots or units remain unsold;

2. The temporary office building is located on a lot and complies with all zoning standards applicable to that ~~lot-~~ lot;



3. The temporary office building is located in the same subdivision within which sales occur; and,

4. The temporary use or building complies with any additional conditions required by the approval authority.

E. A temporary construction equipment yard for public improvement projects involving street improvements or the placement of utilities within public rights-of-way, provided solutions are implemented to mitigate potential negative impacts to adjacent residential development. Such solutions include, but are not limited to, screening of equipment, setbacks, hours of operation, and limited or restricted use of residential streets.

F. The temporary placement of a mobile telecommunications tower facility on nonresidential property may be permitted upon the demonstration by a telecommunications provider that the facility is necessary for its operations; the facility is setback from any residentially zoned property by a distance equal to the height of the proposed tower and base; and the tower and base do not exceed 65 feet from the existing ~~grade-grade~~. The temporary use authorized by this subsection shall be approved for a period not to exceed 60 days and may be approved for one extension of time not to exceed 60 ~~days-~~
~~days~~.

4.11.2. BOND REQUIRED

An ~~cash-or~~ assurance bond in the amount of \$1,000 for a residential use and \$5,000 for a nonresidential use is required, unless stipulated otherwise in the qualification standards in Section 4.11.1, *Qualification for Permit*, to guarantee termination of the temporary use. The ~~cash-or~~ assurance bond shall be provided to the City before any permit for the use is issued.

4.11.3. REFUND

The bond, as required in Section 4.11.2, Bond Required, shall be refunded when the temporary use or building is removed by the applicant in accordance with Section 4.11.4, Removal.

4.11.4. REMOVAL

The temporary use or building shall be removed on or before the date of expiration of the approval period. Should the zoning compliance certificate be revoked, a temporary use shall be removed within 15 days.

A. Removal is to include all improvements installed to accommodate the temporary use or building .

B. If, after the removal, the property is left graded and vacant, the property shall be reseeded in accordance with the requirements of the grading ordinance for graded but undeveloped properties.

4.11.5. FORFEITURE

If the temporary use or building is not removed or the site does not achieve compliance, the bond required by Section 4.11.2, Bond Required, shall be forfeited.

4.11.6. TIME LIMIT



Approval for a temporary use or building may be granted for one year, with an additional one year period granted for good cause, unless otherwise stipulated in the temporary use or building qualification standards in Section 4.11.1, Qualification for Permit.

ARTICLE 5: OVERLAY ZONES

Section

5.1. PURPOSE OF OVERLAY ZONES

5.2. HILLSIDE DEVELOPMENT ZONE (HDZ)

- 5.2.1. Introduction
- 5.2.2. Purpose
- 5.2.3. Applicability
- 5.2.4. Permitted Uses
- 5.2.5. Development Standards
- 5.2.6. Natural Areas
- 5.2.7. Hillside Site Improvement Standard
- 5.2.8. Maintenance and Protection
- 5.2.9. Enforcement
- 5.2.10. Variances

5.3. SCENIC CORRIDOR ZONE (SCZ)

- 5.3.1. Introduction
- 5.3.2. Purpose
- 5.3.4. Applicability
- 5.3.5. Scenic Route Buffer Area
- 5.3.6. Structure Height
- 5.3.7. Siting and View Corridors
- 5.3.8. Parking Areas
- 5.3.9. Screening
- 5.3.10. Utilities
- 5.3.11. Additional Design Considerations
- 5.3.12. Review and Approval Procedure
- 5.3.13. Submittals
- 5.3.14. Grading
- 5.3.15. Variances
- 5.3.16. Designation, amendment, or change of boundaries for a Scenic Corridor Zone

5.4. MAJOR STREET AND ROUTES SETBACK ZONE (MS&R)

- 5.4.1. Purpose
- 5.4.2. Applicability
- 5.4.3. MS&R Adoption and Amendment
- 5.4.4. Establishment of MS&R Right-of-Way Lines and Gateway Routes
- 5.4.5. Permitted Use of MS&R Right-of-Way Area
- 5.4.6. MS&R Street ~~Perimeter Yard~~Setback and Parking Adjustment
- 5.4.7. MS&R Right-of-Way Use Modification Request

5.5. GATEWAY CORRIDOR ZONE (GCZ)



- 5.5.1. Purpose
- 5.5.2. Applicability
- 5.5.3. Review and Approval Procedure
- 5.5.4. Development Standards
- 5.5.5. Designation, amendment, or change of boundaries
- 5.5.6. Variances

5.6. AIRPORT ENVIRONS ZONE (AEZ)

- 5.6.1. Purpose
- 5.6.2. Establishment, Designation, and Amendment of AEZ Maps
- 5.6.3. Applicability in the TIA Environs
- 5.6.4. TIA Environs
- 5.6.5. Compatible Use Zones for the TIA Environs
- 5.6.6. Noise Control Districts
- 5.6.7. Applicability in the DMAFB Environs
- 5.6.8. Approach Departure Corridors (ADC) for DMAFB
- 5.6.9. Noise Control District for DMAFB Environs
- 5.6.10. Special Exception Land Uses
- 5.6.11. Airport Hazard Districts for TIA and DMAFB Environs

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- 5.7.1. Purpose
- 5.7.2. Applicability
- 5.7.3. Development Options
- 5.7.4. Development Standards
- 5.7.5. Standards for Encroachment
- 5.7.6. Standards for Fences, Walls, and Exterior Lighting
- 5.7.7. Variances and Amendments

5.8. "H" HISTORIC PRESERVATION ZONE (HPZ) AND "HL" HISTORIC LANDMARK (HL)

- 5.8.1. Purpose
- 5.8.2. Applicability
- 5.8.3. Standards for Establishing and Amending HPZs
- 5.8.4. Steps to Establish or Amend a HPZ
- 5.8.5. Standards for Establishing and Amending HLs
- 5.8.6. Steps to Establish or Amend a HL
- 5.8.7. Permitted Uses
- 5.8.8. Design Review Required
- 5.8.9. Design Standards
- 5.8.10. Demolition Review Required
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- 5.8.12. Pending Historic Preservation Zones

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- 5.9.1. Introduction
- 5.9.2. Purpose
- 5.9.3. Establishment

- 5.9.4. Applicability
- 5.9.5. Permitted Land Uses
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- 5.9.7. Height and Setback Standards
- 5.9.8. Parking
- 5.9.9. Lighting
- 5.9.10. Landscaping
- 5.9.11. All Other Development Standards
- 5.9.12. Design Standards and Review

5.10. NEIGHBORHOOD PRESERVATION ZONE (NPZ)

- 5.10.1. Purpose
- 5.10.2. Establishing an NPZ
- 5.10.3. Neighborhood Preservation Zone (NPZ) Design Review Procedure

5.11. COMMUNITY CORRIDORS TOOL (CCT)

- 5.11.1. Purpose
- 5.11.2. Applicability and Zoning Clarifications
- 5.11.3. Review and Approval Procedure
- 5.11.4. Permitted Uses
- 5.11.5. Dimensional Standards
- 5.11.6. Development Standards
- 5.11.7. Incentives
- 5.11.8. Large Scale Development Requirements
- 5.11.9. Modifications and Interpretations
- 5.11.10. Variances
- 5.11.11. Enforcement
- 5.11.12. Definitions

5.12. DOWNTOWN AREA INFILL INCENTIVE DISTRICT (IID)

- 5.12.1. Purpose
- 5.12.2. Establishment
- 5.12.3. Definitions
- 5.12.4. Applicability
- 5.12.5. IID Plan Submittal Requirements
- 5.12.6. IID Plan Review and Approval Procedures Under the IID Zoning Option
- 5.12.7. Rio Nuevo Area (RNA) Zoning Design Standards
- 5.12.8. General IID Zoning Option Design Standards
- 5.12.9. Greater Infill Incentive Subdistrict (GIIS)
- 5.12.10. Downtown Core Subdistrict (DCS)
- 5.12.11. Downtown Links Subdistrict (DLS)
- 5.12.12. Toole Avenue Area (TAA)
- 5.12.13. Warehouse Triangle Area (WTA)
- 5.12.14. Fourth Avenue Area (FAA)
- 5.12.15. Iron Horse Area (IHA)
- 5.12.16. Stone/Sixth Area (SSA)

- 5.12.17.[Reserved]
- 5.12.18.Illustrative Map

5.13. URBAN OVERLAY DISTRICT (UOD)

- 5.13.1. Purpose
- 5.13.2. Initiation
- 5.13.3. Establishment
- 5.13.4. Development Standards
- 5.13.5. Application
- 5.13.6. Development Review
- 5.13.7. Enforcement
- 5.13.8. Interpretation
- 5.13.9. Amendment Procedures
- 5.13.10.Waiver



5.1. PURPOSE OF OVERLAY ZONES

This article provides for overlays that impose standards and procedures that are in addition to those required under base zoning standards. Where there is a conflict between the standards of a base district and an overlay district, the standards of the overlay district shall apply, except for the Urban Overlay District (UOD) and Downtown Area Infill Incentive District (IID), and Community Corridors Tool (CCT) that provide flexible development options to landowners rather than mandatory requirements.

* * *

5.4. MAJOR STREET AND ROUTES SETBACK ZONE (MS&R)

* * *

5.4.2. APPLICABILITY

The MS&R standards apply to the following uses on property, any portion of which abuts or is adjacent to a street designated on the City's or County's MS&R Plan :

* * *

D. When one or more of the standards of the MS&R, the Gateway Route , or the Scenic Corridor Zone (SCZ) ~~(Section 5.5)~~ apply to the same street , the most restrictive standards apply.

* * *

5.4.6. MS&R STREET ~~PERIMETER YARD SETBACK~~ AND PARKING ADJUSTMENT

A. Setback

The required minimum street ~~perimeter yard setback~~ from a street that is designated a major street or route on the MS&R Map shall be the same as the ~~perimeter yard setback~~ for the base zoning district in accordance with Section 6.3.4, *Dimensional Standard and Exceptions Tables*, and other related sections if the street is not a designated Scenic Route on the MS&R Map. Along a street that is designated a Scenic Route, the required ~~perimeter yard setback~~ is regulated in accordance with Section 5.3.4.A, *Scenic Route Buffer Area*.

* * *

5.5. GATEWAY CORRIDOR ZONE (GCZ)

* * *

5.5.4. DEVELOPMENT STANDARDS

In addition to other applicable standards in other sections of the UDC , such as landscaping and screening, the following development standards are required of projects in the GCZ:

* * *

B. Utilities

1. New Utilities

- a. New utilities for development on private and on public right-of-way along Gateway Routes shall be underground unless relief is otherwise granted pursuant to UDC sections

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~~5.3.143.10.3.~~ Variances or through a Zoning Examiner special exception process per section 4.9.11.A.12.

b. Existing poles shall be used to provide the required transition to underground service to new development adjacent to Gateway Routes. When necessary to serve new development, a new pole set in line with, but not extending, an existing overhead system used to serve new development is not considered a new utility.

c. Upgrades and reinforcements of existing overhead facilities are allowed to the extent that the total number of electrical circuits or communication cables is not increased.

2. Existing Utilities

Where an existing development is expanded in floor area or land area to any degree, new and existing utilities to all portions of the development shall be located underground unless relief is otherwise granted pursuant to UDC sections ~~5.3.143.10.3.~~ Variances or through a Zoning Examiner special exception process per section 4.9.11.A.12. Additions to single-family dwellings are exempt from this provision. ~~Additions to single-family dwellings are exempt from this provision.~~

* * *

5.8. "H" HISTORIC PRESERVATION ZONE (HPZ) AND "HL" HISTORIC LANDMARK (HL)

* * *

5.8.8. DESIGN REVIEW REQUIRED

* * *

B. Full HPZ Review Procedure

1. Applicability

a. The following project types are reviewed for compliance with the applicable standards in accordance with the Full HPZ Review Procedure:

b. Grading or the erection or construction of a new structure;

c. A permit for any alteration involving the modification, addition, or moving of any part of an existing structure, including signs, that would affect the exterior appearance, except as provided in Section 5.8.8.C, Minor HPZ Review;

d. Repairs or new construction as provided for in Section 5.8.8.C, Minor HPZ Review, that the PSDS Director determines shall be approved under the full review process due to the cumulative effect of phased work that would normally be subject to the applicability of the full HPZ review process;

e. The construction or enlargement of a parking lot within a HPZ or on a property containing a Historic Landmark; and,

f. Exceptions. The following project types are reviewed using the Minor HPZ Review Procedure: installation of solar panels or cisterns or installation of or repairs to a roof.

2. Preliminary Staff Review



The applicant must submit a site plan and elevation drawings to the PDS for preliminary staff review. The PDS staff reviews the proposed plans for compliance with applicable UDC requirements ~~and any LUC requirements~~ that need to be addressed either through the historic design criteria or a special application for relief. The applicant will be informed in writing of any requirements the proposed plan does not meet.

3. Application Required

Submittal of an application to the PDS is required in order to process the request.

4. HPZ Advisory Board - Review and Recommendation

The applicable HPZ Advisory Board shall review and make a recommendation on the application. The recommendation is forwarded to the Tucson-Pima County Historical Commission.

5. Tucson-Pima County Historical Commission Plans Review Subcommittee - Review and Recommendation

The Tucson-Pima County Historical Commission (TPCHC) Plans Review Subcommittee shall review and make a recommendation on the application. The subcommittee's recommendation is forwarded to the PDS Director.

6. Decision

The PDS Director reviews the application and decides whether to approve, approve with conditions, deny, or refer the application back for additional review/recommendation based on revisions to the original proposal. The PDS Director shall consider the recommendations of the HPZ Advisory Board and the TPCHC Plans Review Subcommittee when considering a decision. The decision shall be provided in writing to the applicant, applicable HPZ Advisory Board, and the TPCHC Plans Review Subcommittee. No building permits will be issued prior to the expiration of the appeal period.

7. Appeals

8. Documentation Required Upon Approval

Applicants must submit ~~three~~ an electronic copies-copy of the site plan and elevation drawings to the PDS for formal approval prior to application for building permits.

C. Minor HPZ Review

1. Applicability

In general, the Minor HPZ Review Procedure is for projects that do not require building permits. Specifically, the following project types are reviewed for compliance with the applicable standards in accordance with the Minor HPZ Review Procedure:

- a. Minor or necessary repairs to a structure provided that:

~~(1) The total cost of such improvement is under \$1,500, except for the replacement cost of appliances and mechanical equipment; and,~~



(2) ~~The the~~ repairs involve replacement with materials of identical or historically accurate design, size, and color to those being replaced.

b. Emergency repairs provided that the repairs involve replacement with materials of identical or historically accurate design, size, and color to those being replaced;

c. The change in copy of a sign;

d. Any alteration that does not require a permit involving the modification, addition, or moving of any part of an existing structure that would affect the exterior appearance. Alterations include, but are not limited to, fences and walls, except those alterations that the PSD Director determines shall be approved under the full review process due to the cumulative effect of phased work that would normally be subject to the applicability of the HPZ review; and,

e. Installation of solar panels or cisterns or installation of or repairs to a roof.

2. Application Required

3. On Site Review Required

~~Upon submittal of the application, a date and time will be scheduled for the applicant, representatives from the applicable HPZ Advisory Board, Tucson Pima County Historical Commission (TPCHC) Plans Review Subcommittee, and City staff to meet at the project site to discuss the proposal.~~

4. Recommendation

The representatives from the applicable HPZ Advisory Board and the TPCHC Plans Review Subcommittee review the proposal and make a recommendation on the application to the PSD Director. Reviews may be conducted electronically, virtually, or through a site visit.

5. PSD Director Decision

The PSD Director reviews the application and decides whether to approve, approve with conditions, deny, or refer the application back for additional review/recommendation based on revisions to the original proposal. The PSD Director shall consider the recommendations of the HPZ Advisory Board and the TPCHC Plans Review Subcommittee when considering a decision.

6. Documentation Required

If approved, the applicant must submit an electronic copy~~three copies~~ of the plans for formal approval by PSD staff prior to application for building permits, if required.

(Am. Ord. 11150, 3/18/2014)

5.8.9. DESIGN STANDARDS

* * *

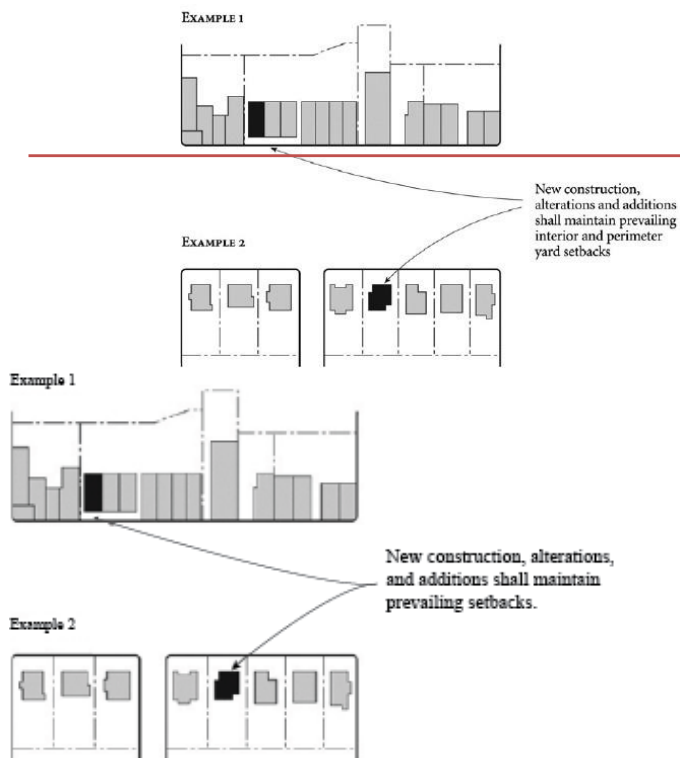
C. Setbacks (See Figure 5.8-B.)

1. Historic Landmark
2. Contributing Property

Alterations or additions to a Contributing Property shall maintain the prevailing street and interior ~~perimeter-yard~~ setbacks existing within its development zone.

3. New Construction or Noncontributing Property

New construction or alterations or additions to a Noncontributing Property shall maintain the prevailing street and interior ~~perimeter-yard~~ setbacks existing within its development zone.



* * *

5.8.10. DEMOLITION REVIEW REQUIRED

It is the intent of this section to preserve the historic and architectural resources within the HPZ and the Rio Nuevo District (RND) in their original appearance, setting, and placement. Demolition of a historic property can cause an irreplaceable loss to the quality and character of the City of Tucson. However, it is recognized that there can be circumstances beyond the control of a property owner that may result in the necessary demolition of a structure within the HPZ or RND. These circumstances include a building that constitutes an imminent safety hazard, involves a resource whose loss does not diminish or adversely affect the integrity of the HPZ, or prevents a reasonable economic use of the property. A proposed change of use is not considered in the analysis of reasonable economic use.

No demolition permit shall be issued by the City for demolition or relocation of all or any part of a structure, site, sign, or Historic Landmark that would affect its exterior appearance within the HPZ before review and approval occurs. Review is required under the following procedures.

* * *

F. Notice of Demolition

All complete building demolitions or partial demolitions which remove exterior walls or alter the structural integrity of a building require Notice of Demolition to be posted on the impacted property, no less than 15 days prior to the proposed demolition date, in accordance with UDC Section 3.2.4.F. and PDSD Policy.

* * *

5.11. COMMUNITY CORRIDORS TOOL (CCT)

* * *

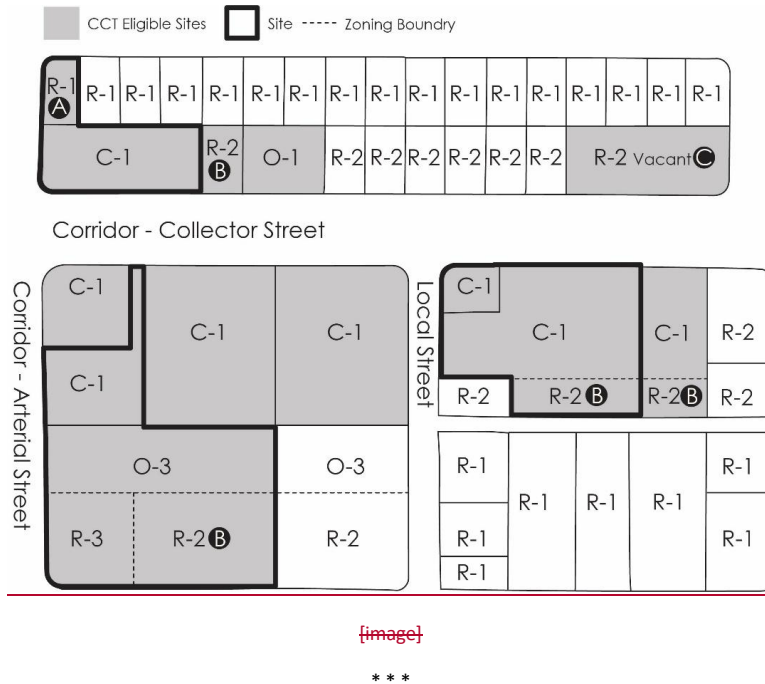
5.11.2. APPLICABILITY AND ZONING CLARIFICATIONS

* * *

C. The CCT may be applied to properties with R-1, R-2, R-3, O-1, O-2, O-3, C-1, C-2, C-3, OCR-1, and OCR-2 zoning which are part of a contiguous site where any portion of which abuts or is adjacent to a Corridor. A Corridor is considered a street designated on the City's Major Streets and Routes Plan, as currently adopted. Exceptions are as follows:

1. By exception, R-1 and R-2 zoned properties are only eligible for the CCT if:
 - a. They were part of a site which included the CCT eligible nonresidential zones as of March 18, 2025, and such documentation is provided by the applicant;
 - b. They are part of a R-1 or R-2 site which fronts directly on a Corridor and adjacent sites also fronting onto a Corridor are CCT-eligible sites ;
 - c. They are part of a R-1 or R-2 site which fronts directly on a Corridor and the site is undeveloped as of March 18, 2025; or
 - d. They are part of a R-1 or R-2 site which includes a nonconforming use per Section 9.2 as of March 18, 2025.

Figure 5.11.2.-A: Applicability of R-1 and R-2 Properties in the CCT



5.11.5. DIMENSIONAL STANDARDS

A. APPLICABILITY

The Tables contained herein indicate all the dimensional standards and measurements within the CCT. UDC Section 6.3. shall not apply. In all cases:

- 1. Both the maximum building height and the number of stories shall not be exceeded;
- 2. If two dimensions apply to the same situation, the more restrictive dimension shall be enforced;
- 3. There is no limit on maximum residential density;
- 4. Street setbacks shall be based on the location of the existing property line, unless a variation is either required or authorized by the City Engineer based on a future right-of-way width; and
- 5. ~~Perimeter yard-s~~Setbacks shall be regulated along adjacent private property lines along the CCT site boundary and not within the CCT site.

B. DIMENSIONAL STANDARDS FOR HOUSE-SCALED BUILDINGS

House-scaled buildings contribute to smaller-scale environments. Buildings range in height from one to two stories. Buildings are generally detached or attached and may have deep or shallow setbacks from the property line, street, and sidewalk. They are similar in form to a single-family house,

but also include multi-family buildings such as duplexes, bungalow courts, courtyard buildings, townhouses, and mixed-use main street buildings.

TABLE 5.11.5.-1 DIMENSIONAL STANDARDS FOR CCT R-1, R-2, & O-1

	R-1*	R-2*	O-1
MIN. LOT AREA	2,000 sq ft	1,500 sq ft	1,500 sq ft
MAX. LOT COVERAGE	90%	90%	90%
MAX. # OF STORIES	2	3	3
MAX BUILDING HEIGHT	25 feet	36 feet	36 feet
PERIMETER YARD SETBACKS			
Side	0 feet	0 feet	0 feet
Rear (with alley or shared driveway parking)	0 feet	0 feet	0 feet
Rear (without alley or shared driveway)	10 feet	10 feet	10 feet
Adjacent to O-1 or R-2 or more restrictive zoned parcel	6 feet	6 feet	6 feet
STREET SETBACK	Min: 6 feet**	Min: 6 feet**	Min: 10 feet**
	Max: 30 feet	Max: 30 feet	Max: 30 feet
Percentage of Building at Setback	N/A	N/A	50%
*R-1 & R-2 standards may only be utilized according to the requirements in 5.11.2			
**When facing existing single-family homes, the minimum street setback shall be 15 feet			

C. DIMENSIONAL STANDARDS FOR LARGE HOUSE-SCALED AND SMALL BLOCK-SCALED BUILDINGS

Large house-scaled and small block-scaled buildings serve as a transition from larger block-scaled building into smaller-scale residential neighborhoods. They are a mix of block and house scale buildings that range in height from one to four stories. Buildings along walkable corridors are mostly attached buildings that have minimal setbacks. Buildings along neighborhood streets are detached and setback from the street and sidewalk.

TABLE 5.11.5.-2 DIMENSIONAL STANDARDS FOR CCT R-3, O-2, & C-1		
	R-3	O-2 & C-1
MIN. LOT AREA	N/A	N/A
MAX. LOT COVERAGE	95%	N/A
MAX. # OF STORIES	4	4
MAX BUILDING HEIGHT	50	50
PERIMETER YARD SETBACKS		
Side	0 feet	0 feet
Rear (without alley)	15 feet	15 feet
Rear (with alley)	6 feet	6 feet
Adjacent to O-1 or R-2 or more restrictive zoned parcel	10 feet	10 feet
STREET SETBACK	Min: 0 feet Max: 30 feet	Min: 0 feet Max: 30 feet
Percentage of Building at Setback	50%	60%

D. DIMENSIONAL STANDARDS FOR MID-RISE BLOCK-SCALED BUILDINGS

Mid-rise block -scale buildings contribute to larger-scale environments. Buildings are individually as large as a city block or attached along a street to form a continuous façade along most, or all, of a block. They typically have minimal setbacks and are often mixed-use with non-residential uses on the ground floor and housing or office on upper stories. Mid-rise block -scale buildings range in height from four to seven stories. Examples include multiplexes, mid-rise buildings, and stacked flats.

TABLE 5.11.5.-3 DIMENSIONAL STANDARDS FOR CCT C-2, O-3, & C-3		
	C-2 & O-3	C-3
MIN. LOT AREA	N/A	N/A
MAX. LOT COVERAGE	N/A	N/A

MAX. # OF STORIES	5	7
MAX BUILDING HEIGHT	60 feet	85 feet
PERIMETER YARD SETBACKS		
Side	0 feet	0 feet
Rear (with or without alley)	0 feet	0 feet
Adjacent to O-1 or R-2 or more restrictive zoned parcel	10 feet	10 feet
Adjacent to R-3, O-2 or C-1 zoned parcel	6 feet	6 feet
STREET SETBACK	Min: 0 feet Max: 30 feet	Min: 0 feet Max: 30 feet
Percentage of Building at Setback	60%	60%

E. DIMENSIONAL STANDARDS FOR HIGH-RISE BLOCK-SCALED BUILDINGS

High-rise block -scale buildings contribute to larger-scale environments. Buildings are individually as large as a city block or attached along a street to form a continuous façade along most, or all, of a block. They typically have minimal setbacks and are often mixed-use with non-residential uses on the ground floor and housing or office on upper stories. They may have integrated parking structures. High-rise block -scale buildings may be ten stories or more in building height. Examples include high-rise buildings and large towers.

TABLE 5.11.5.-4 DIMENSIONAL STANDARDS FOR CCT OCR-1 & OCR-2		
	OCR-1	OCR-2
MIN. LOT AREA	N/A	N/A
MAX. LOT COVERAGE	N/A	N/A
MAX. # OF STORIES	13	29
MAX BUILDING HEIGHT	140 feet	300 feet
PERIMETER YARD SETBACKS		
Side	0 feet	0 feet

Rear (with or without alley)	0 feet	0 feet
Adjacent to O-1 or R-2 or more restrictive zoned parcel	25 feet	25 feet
Adjacent to R-3, O-2 or C-1 zoned parcel	10 feet	10 feet
STREET SETBACK	Min: 0 feet Max: 30 feet	Min: 0 feet Max: 30 feet
Percentage of Building at Setback	80%	80%

(Ord. 12152, 3/18/2025)

5.11.6. DEVELOPMENT STANDARDS

* * *

G. PASSENGER VEHICLES

* * *

TABLE 5.11.6.-2: PASSENGER VEHICLE PARKING LOCATION & ACCESS STANDARDS			
SETBACKS			
	Residential Use	Non-Residential Use or Mixed Use	Subterranean Parking
All Streets	15 feet	20 feet	0 feet
Perimeter Yard Setback Adjacent to Residential Zone	6 feet	6 feet	0 feet
Perimeter Yard Setback Adjacent to Non-Residential Zone	0 feet	0 feet	0 feet
Perimeter Yard Setback Adjacent to Alley	0 feet	0 feet	0 feet
ACCESS			
Street	Must be located along side of lot (within 20 feet of side lot line) and at least 50 feet from another driveway (curb cut edge).		

Rear (Alley)	Permitted when minimum 20 feet width, free of obstructions, and surfaced to approval of City Engineer.
PARKING ENTRANCES (CURB CUT WIDTH)	
One-Way Entrance	10 to 12 feet
Two-Way Entrance	16 to 20 feet

(Ord. 12152, 3/18/2025)

* * *

5.12. DOWNTOWN AREA INFILL INCENTIVE DISTRICT (IID)

* * *

5.12.2. ESTABLISHMENT

* * *

C. Depending on the development choice of the owner, plans submitted for development of land in the IID must comply with the applicable IID regulations and standards as follows:

* * *

2. Development under the IID zoning option:

a. The regulations and standards of the applicable IID Sub-District, Area or Sub-Area in which the development parcel is located, apply.

b. Regardless of the Sub-District, Area or Sub-Area, all development in the IID must submit a plan and comply with the following:

(1) Section 5.12.5, IID Plan Submittal Requirements; and,

(2) Section 5.12.6, IID Plan Review and Approval Procedures Under the IID Zoning Option.

c. Development in the GIIS and DCS must comply with the design standards and requirements of Section 5.12.8, General IID Zoning Option Design Standards.

d. Applications for IID zoning option are reviewed either under the major or minor design review process for compliance with the applicable standards and requirements pursuant to Section 5.12.6. ~~B and C.~~

* * *

5.12.5. IID PLAN SUBMITTAL REQUIREMENTS

A. Application Requirements

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Use of the standards of the IID, as opposed to existing underlying zoning, requires plan approval by PDSD regardless of IID Subdistrict, Area or Sub-Area. Plan submittal shall consist of the following:

1. IID Plan

Applicants shall submit an IID Plan, as outlined in Section 5.12.6, demonstrating compliance with applicable IID development design standards and requirements. The Plan must clearly state the applicant's intention to use the IID zoning option in lieu of the existing underlying zoning. Additionally, for projects using IID Optional Zoning, applicants are required to provide contextual elevations demonstrating compliance with the following design standards :

- a. Section 5.12.8, Subsection ~~A-B~~ (Streetscape Design) and Subsection ~~B-C~~ (Development Transition Standards) and Subsection ~~C-D~~ (Alternative Compliance).
- b. The applicable Sub-District, Area, or Sub-Area.

* * *

5.12.6. IID PLAN REVIEW AND APPROVAL PROCEDURES UNDER THE IID ZONING OPTION

* * *

N. Final Approval

1. Within ten days after receiving final recommendations from the IID DRC and the Design Professional , the PDSD Director must make a final decision pursuant to Section 5.12.6.~~L-M~~, except as provided below.

* * *

Q. Timeline for Approval

Timelines for approval are contained in Section 3~~-~~02 or 3~~-~~03 of the Administrative Manual depending upon the procedure chosen by the developer of the IID project .

* * *

5.12.7. RIO NUEVO AREA (RNA) ZONING DESIGN STANDARDS

* * *

C. Building Design Standards

Development within the RNA is required to comply with the following building design standards .

1. The proposed buildings shall respect the scale of those buildings located in the development zone and serve as an orderly transition to a different scale pursuant to Section 5.12.8.~~B-C~~, Development Transition Standards. Building heights with a vastly different scale than those on adjacent properties should have a transition in scale to reduce and mitigate potential impacts. In areas undergoing change, long range plans should be consulted for guidance as to appropriate heights;

* * *

F. RNA Minor Review

1. Applicability

In general, the Minor RNA review procedure is for properties that do not require building permits. Specifically, the following project types are reviewed for compliance with the applicable standards in accordance with the Minor RNA review procedure:

a. Minor or necessary repairs to a structure provided that the repairs involve replacement with materials of identical or historically accurate design, size, and color of those being replaced;

b. Emergency repairs provided that the repairs involve replacement with materials of identical or historically accurate design, size, and color of those being replaced;

c. The change in copy of a sign;

d. Any alteration that does not require a permit involving the modification, addition, or moving of any part of an existing structure that would affect the exterior appearance. Alterations include, but are not limited to, fences and walls, except those alterations that the PDSO Director determines shall be approved under the full review process due to the cumulative effect of phased work that would normally be subject to the applicability of the HPZ review; and

e. Installation of solar panels or cisterns or installation of or repairs to a roof.

~~FG~~. RNA Full Review

* * *

5.12.8. GENERAL IID ZONING OPTION DESIGN STANDARDS

An IID Plan under the IID zoning option design standards must demonstrate compliance with the following:

A. IID Land Uses

Unless specifically stated otherwise elsewhere in Section 5.12, a proposed development project using the IID zoning option must meet one of following two requirements:

1. Permitted land uses are limited to those listed in Table 5.12-IID-1 below:

TABLE 5.12-IID-1 LAND USE	
LAND USE TYPE	
Commercial Services Group	Industrial Use Group
Administrative and Professional Office	Craft work
Alcoholic Beverage Service	Retail Trade Group
Entertainment	General Merchandise Sales
Food Service	Food and Beverage Sales
Personal Services	Residential Group

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Travelers' Accommodation, Lodging	Attached Family Dwelling
Civic Use Group	Multifamily Dwelling
Civic Assembly	Group Dwellings, pursuant to Section 5.12.6. K <u>L</u>
Cultural Use	Other Uses
Educational Use: Instructional School	Mixed Uses are limited to a combination of
Educational Use: Post-secondary Institution	Residential and any other uses listed in this table.
Religious Use	

* * *

D. Alternative Compliance

1. The PDSO Director may approve an urban design best practice option for compliance with Section 5.12.8.~~AB~~, Streetscape Design, and Section 5.12.8.~~BC~~, Development Transition Standards.

* * *

G. Multi-zone Parcels

Where a development parcel contains more than one zoning district, uses and building massing may be distributed across the zoning districts on the parcel, provided that the development complies with the design standards in Section 5.12.8.~~B-C~~ to mitigate the impact of the new development on existing, less intensely developed adjacent parcels.

H. Affordable Housing

* * *

2. Density Relief and Maximum Building Heights

a. A project featuring Affordable Housing Units that meets the criteria in Section 5.12.8.~~GH~~.1:

* * *

5.12.9. GREATER INFILL INCENTIVE SUBDISTRICT (GIIS)

* * *

C. Exceptions

The following sections of the UDC may be modified in excess of 25 percent to the extent specified below upon findings by the PDSO Director that the modification is consistent with Section 5.12.1, Purpose.

1. Article 6, Dimensional Standards and Measurements

a. Building Height

(1) For all development other than residential uses in the underlying I-1 and I-2 zones, building height may be increased up to 60 feet unless the current zoning allows a greater height or where the IID Plan's Development Transition Standards as provided in Section 5.12.8.~~B-C~~ require less.

(2) Building height of residential uses in the underlying I-1 and I-2 zones , shall follow building height requirements of the R-3 zone district, and may be modified in accordance with Section 5.12.9.B.

(3) Exception: affordable housing projects are governed by the standards of UDC Section 5.12.8.H.

b. Street ~~Perimeter Yard~~Setback

~~Perimeter yard~~Setback requirements may be reduced or waived if the PDSD Director determines that the request is consistent with the Major Streets and Route Plan. The Director of the Department of Transportation and Mobility, may modify the Major Streets and Routes setback if there is adequate sight visibility, no traffic safety issue is created, the reduction complies with the standards of Section 5.12.8.B, and the setback does not create a future roadway expansion problem. This provision may apply to Major Streets and Routes setbacks in the DCS and DLS.

c. Residential Density

(1) For all development other than residential in the underlying I-1 and I-2 zones , no residential density standards apply.

(2) Residential density calculations for residential uses in the underlying I-1 and I-2 zones , shall follow density requirements of the R-3 zone district.

(3) Exception: affordable housing projects are governed by the standards of UDC Section 5.12.8.H.

2. Section 7.4, Motor Vehicle and Bicycle Parking

a. Parking

Parking as required by Section 7.4, Motor Vehicle and Bicycle Parking, may be reduced up to 25 percent. Parking may be decreased by more than 25 percent per a written agreement with the Park Tucson, or in accordance with Section 5.12.6-~~M8.F.2~~ IID Parking Plan, if the analysis and findings show the proposed parking is adequate.

* * *

5. Section 7.6, Landscaping and Screening

a. Section 7.7, Native Plant Preservation may not be modified.

b. Except as required by Section 5.12.8.~~BC~~, Development Transition Standards, a complete or partial exception to Section 7.6, Landscaping and Screening Standards, may be granted if shade is provided for pedestrians and customers, such as along sidewalks, pedestrian circulation paths, and outdoor patios, in accordance with Section 5.12.6-~~A8.B.2~~. The landscaping requirement may also be waived by the PDSD Director based on a written finding that the waiver is necessary to preserve the prevailing setback.

* * *

5.12.10.DOWNTOWN CORE SUBDISTRICT (DCS)

* * *

B. Standards

The following apply to all development within the DCS:

* * *

4. Bicycle parking shall be provided when motor vehicle parking is provided. The required number of bicycle parking spaces may be reduced pursuant to an IID Parking Plan, Section 5.12.6-~~M~~8.F.2 when bicycle parking is required per this section;

* * *

C. Exemptions

Except as provided in this section, development within the DCS is exempt from the following standards unless the PDSD Director makes a finding that public safety and health would be jeopardized:

1. Section 5.4, Major Streets and Routes Setback Zone;
2. Minimum ~~perimeter yardsetback~~ standard as provided in Section 6.3, except when required by Section 5.12.8.~~BC~~, *Development Transition Standards*;
3. Maximum lot coverage standard as provided in Section 6.3;
4. Minimum lot size standard as provided in Section 6.3,
5. Section 7.4, Motor Vehicle and Bicycle Parking, except as provided in Section 5.12.8.~~EF~~;
6. Section 7.5, Off-Street Loading;
7. Section 7.6, Landscaping and Screening Standards, except as required by Section 5.12.8.~~BC~~, *Development Transition Standards*; and,
8. Section 7.7, Native Plant Preservation, except when the property includes a drainage corridor where native plants are present or when the property is adjacent to a drainage corridor and remnant native plants are present on the project site .

* * *

5.12.11.DOWNTOWN LINKS SUBDISTRICT (DLS)

* * *

B. Required Use and Development Standards and Notations

* * *

5. To encourage innovative design solutions, Section 5.12.8.~~C-D~~ may be used for an urban design best practice option.

* * *

D. Use Specific Standards for Table 5.12-DLS-1

* * *

29. Group Dwellings that meet the IID definition for that term in Section ~~11.4.8.G~~11.3.7.B require Mayor and Council approval pursuant to Section 3.4.4 Mayor and Council Special Exception Procedure.

* * *

G. Loading, Solid Waste, Landscaping and Screening for all Areas and Sub- Areas in the DLS

Loading and solid waste collection and landscaping and screening requirements in all DLS Areas and Sub-Areas are provided in Table 5.12-DLS-2.

TABLE 5.12-DLS-2

LOADING AND SOLID WASTE
Loading requirements must comply with Section 7.4.5 <u>et seq.</u> for the land use group or class. (1)
Solid waste collection requirements must comply with COT Administrative Manual Section 8.01 et seq. for solid waste. (2)
LANDSCAPING AND SCREENING
A complete or partial exception to the landscaping and screening requirements in Section 7.6 may be granted by the PDSD Director, if shade along sidewalks, pedestrian circulation paths or outdoor patios is provided for pedestrians and customers in accordance Section 5.12. 6.A8.B.2. Alternative pedestrian access that creates connectivity between public entrances to the project and abutting sidewalk is allowed if no safety hazard is created. All pedestrian access must conform to the accessibility standards of the City's Building Code.
SPECIFIC STANDARDS
1. Off-street loading zone standards may be reduced or waived if PDSD and the Dept. of Transportation determine that no traffic safety issue is created.
2. On-site refuse collection container requirements governing access, type, and location may be modified if the Environmental Services Dept. determines that no public health or traffic safety issues are created. Group solutions (multiple site, multiple owners) to refuse collection are encouraged.

* * *

I. Parking

Parking standards for all DLS Areas and Sub-Areas are shown in Figure 5.12-E and Table 5.12-DLS-5. Additionally the General IID parking standards in Section 5.12.~~6.A8.F~~ apply.

FIGURE 5.12.E

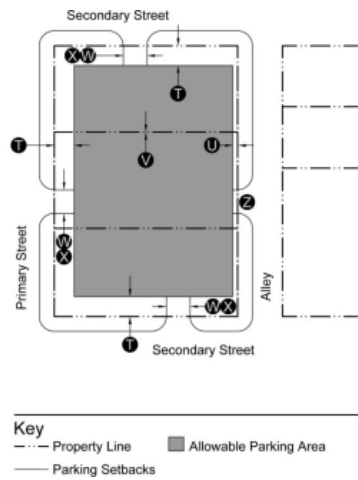


TABLE 5.12-DLS-5

PARKING		
Location (Distance from Property Line)		
Street Setback (5)	30 Ft.	T
Pedestrian Easement Setback	5 Ft.	U
Side Setback (8)	0 Ft.	V
Required Spaces		
Off-street (1, 4)	Non-residential = 0 Residential = 1/DU	
Accessible (2, 3)	Compliance with the accessible parking requirements in the UDC for the underlying zone.	
Bicycle Facilities (2)	Compliance with the requirements in the UDC for the underlying zone.	
Vehicular Access Points (9)		
Maximum Allowable Width	24 Ft.	W
Maximum Allowable Number	1 Drive/Primary Street (6)	X
Alley Access (7)	1 Drive per property at FAS and IHA-RS Sub-Areas only	Z
SPECIFIC REQUIREMENTS		
1. Commercial parking not required. Residential uses are required to provide 1 space per unit. Further reduction in required on-site residential parking can be achieved through an IID Parking Plan prepared pursuant to Section 5.12.F.2; leased spaces from an off-site location; or an on-site car car-share program.		

2. Required accessible spaces and bicycle facilities may not be reduced or eliminated. The number of required accessible spaces is governed by the Building Code. The number of required for a proposed use is governed by Section 7.4.8.
3. Accessible spaces may be provided 1) on-site, 2) off site within one quarter of a mile of the project site through a shared parking agreement, or 3) on street on the same side of the street up to five spaces.
4. Surface parking is allowed only within a structure at sites developed with Floor Area Ratios of 3.0 and above.
5. In the Armory Park, Low Density Residential Infill Sub-Area, parking setback may be reduced to 10 feet from the front property line.
6. At corner lots, vehicular access points may not be located on a primary street. At all other lots, vehicular access points are limited to one per primary street, except in the Fourth Avenue Sub-Area (FAS), where vehicular access lanes may not be located on Fourth Avenue.
7. Access to parking spaces in the Iron Horse, Low Density Residential Infill Sub-Area and the Fourth Avenue Historic and Fourth Avenue Sub-Areas may be had by way of existing alleys (Z).
8. Zero foot setback is also allowed at Union Pacific frontage.
9. In the El Presidio Sub-Area (ESP) vehicular access to Block 175 (bounded by Church Avenue, Council Street, Court Avenue, and Franklin Street) Shall be limited to access from Church Avenue.

5.12.12. TOOLE AVENUE AREA (TAA)

Toole Avenue Sub-Area (TAS)

The intent of this zone is to allow for and encourage development of northern Toole Avenue as per the Historic Warehouse Arts District Master plan. Incentives offered under the Downtown Core Sub-district of the infill incentive zone such as exemptions from MS&R setback, ~~perimeter yards~~ setbacks, lot coverage, parking and landscape screening requirements are included under this zone. Additionally, multifamily residential development (not currently allowed in the underlying I-1 zone) shall be permitted.

* * *

ARTICLE 6: DIMENSIONAL STANDARDS AND MEASUREMENTS

Section

6.1. PURPOSE

6.2. APPLICABILITY

6.3. DIMENSIONAL STANDARDS

6.3.1. Organization

6.3.2. Determining a Use's Dimensional Standards

6.3.3. Explanation and Applicability of Terms Used in the Dimensional Standard Tables

6.3.4. Dimensional Standard and Exceptions Tables

6.4. RULES OF MEASUREMENT AND EXCEPTIONS TO DIMENSIONAL STANDARDS

6.4.1. Purpose

6.4.2. Lot Size

6.4.3. Lot Coverage and Site Coverage

6.4.4. Height

6.4.5. ~~Perimeter Yards~~Setbacks

6.4.6. Floor Area Ratio

6.4.7. Residential Density

6.5. PRINCIPAL LAND USE

6.5.1. One or More Principal Uses, Separate Projects

6.5.2. Two or More Principal Uses, Same Project

6.6. ACCESSORY USES, BUILDINGS, AND STRUCTURES

6.6.1. Accessory Uses

6.6.2. Accessory Buildings And Structures

6.6.3. Residential Uses

6.6.4. Nonresidential Uses

6.6.5. Urban Agriculture Uses and Activities

6.3. DIMENSIONAL STANDARDS

* * *

6.3.3. EXPLANATION AND APPLICABILITY OF TERMS USED IN THE DIMENSIONAL STANDARD TABLES

* * *

C. Multifamily Development

For the purposes of determining the applicable dimensional standards, multifamily development is considered a nonresidential use. See Section 11.3.7.A. [3-4](#) for the definition of multifamily development.

* * *

E. Nonresidential Zone

For the purposes of determining the applicable [perimeter yard setback](#) standard, the following are considered nonresidential zones: O-1, O-2, O-3, P, RV, NC, RVC, C-1, C-2, C-3, OCR-1, OCR-2, P-I, I-1, and I-2.

F. [Perimeter Yard Setback](#)

The [perimeter yard setback](#) standard is based on whether the proposed use is nonresidential or residential (Sections 6.3.3.D or H, respectively) and the use's adjacency to a nonresidential or residential zone (Sections 6.3.3.E or I, respectively).

* * *

I. Residential Use

For the purposes of determining the applicable dimensional standards, the following uses as defined in Section 11.3.7 are considered residential uses:

1. Duplex;
2. Manufactured Housing;
3. Middle Housing;
4. Mobile Home Dwelling;
5. Residential Care Service uses located or locating in an existing residential use as defined by this section;
6. Single-Family Dwelling, Attached;
7. Single-Family Dwelling, Detached; and,
8. Single-Family Dwellings that meet the nonconforming group dwelling criteria in accordance with Section 4.9.7.B. [89](#).

G. Residential Zone

For the purposes of determining the applicable perimeter yardsetback standard, the following are considered residential zones: OS, IR, RH, SR, SH, RX-1, RX-2, R-1, R-2, R-3, MH-1, MH-2, MU, PAD, and PCD.

* * *

6.3.4. DIMENSIONAL STANDARD AND EXCEPTIONS TABLES

* * *

TABLE 6.3-1.A: DIMENSIONAL STANDARDS FOR THE RH, SR, SH, RX-1, & RX-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				
	RH	SR	SH	RX-1	RX-2
Residential Density (maximum)	1/180,000 sf	1/144,000 sf	2/36,000 sf	1/36,000 sf	1/16,000 sf
Lot Size /Site Area (minimum)	180,000 sf	144,000 sf	36,000 sf	36,000 sf	16,000 sf
Lot Coverage (maximum)	Res: N/A Nonres: 20%	Res: N/A Nonres: 15%	Res: N/A Nonres: 15%	Res: N/A Nonres: 15%	Res: N/A Nonres: 15%
Height (maximum)	30'	30'	30'	30'	25'
<u>Perimeter YardSetback</u> [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	25'	25'	20'	20'	20'
Res Use ➔ Nonres Zone	(H)	(H)	(H)	(H)	(H)
Nonres Use ➔ Res Zone	4(H)	4(H)	20'	20'	20'
Nonres Use ➔ Nonres Zone	0'	0'	0'	0'	0'

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

(Am. Ord. 12219, 12/16/2025)

* * *

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: 1/6,000 sf	SF: 1/4,000 sf	SF: 1/4,000 sf	SF/MH: 1/6,000 Sf	SF/MH: 1/4,000 Sf
	SF (2 units): 2/10,000 sf Middle Housing: 4/6,000 sf	MF: 15/acre Middle Housing: 4/4,000 sf	MF: 36/acre Middle Housing: 4/4,000 sf	MF/MH Park: 8/acre Middle Housing: 4/6,000 sf	MF & MH Park: 15/acre Middle Housing: 4/4,000 sf
Lot Size /Site Area (minimum)	SF (1 unit): 6,000 sf SF (2 units): 10,000 sf	4,000 sf	SF: 4,000 sf MF/Nonres: 0 Middle Housing: 4,000 sf	6,000 sf	4,000 sf

	Nonres: see Exceptions Middle Housing: 6,000 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 Setback [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	5'	5'	5'	5'	5'
Res Use ➡ Nonres Zone	5'	5'	5'	5'	5'
Nonres Use ➡ Res or Nonres Zone	10' or $\frac{3}{4}(H)^*$	10' or $\frac{3}{4}(H)^*$	10' or $\frac{3}{4}(H)^*$	10' or $\frac{3}{4}(H)^*$	10' or $\frac{3}{4}(H)^*$

* 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

(Am. Ord. 11070, 5/14/2013)

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)
	Cultural use (S) Parks and Recreation (P) Religious use (P)	Lot Size (min.) = 20,000 sf Lot Coverage (max.) = 60%
	Cultural Use (P - government owned and operated only)	Lot Size (min.) = 20,000 sf Lot Coverage (max.) = 60%
	Day Care, Adult and Child (P & S)	Lot Size (min.) = 7,000
	Renewable Energy Generation (S)	Site Area (min.) = 0 Lot Coverage (max.) = N/A Height (max.) = 16' Nonres Use adjacent to Nonres Zone (min.) = (H)
	Protective Service (P - government owned and operated only)	Lot Size (min.) = 20,000 sf Lot Coverage (max.) = 60%
R-2	Educational Use: Elementary and Secondary School (P & S)	Lot Size (min.) = 20,000 sf Lot Coverage (max.) = 15%

Cultural Use (S) Parks and Recreation (P) Religious Use (P)	Lot Size (min.) = 20,000 sf Lot Coverage (max.) = 60%
Cultural Use (P - government owned and operated only)	Lot Size (min.) = 20,000 sf Lot Coverage (max.) = 60%
Day Care, Adult (P)	Lot Coverage (max.) = N/A
Day Care, Child – max. 30 children (P)	Lot Size (min.) = 14,000 sf Perimeter YardSetback (min.) = see Sec. 4.9.4.H.4
Day Care, Child – unlimited # of children (S)	Lot Size (min.) = see Sec. 4.9.4.H.7 Perimeter YardSetback (min.) = see Sec. 4.9.4.H.4
Day Care, Child with extended hours (S)	Lot Size (min.) & Perimeter YardSetback (min.) = see Sec. 4.9.4.H.9
Distribution System (S)	Lot Coverage (max.) = N/A Perimeter YardSetback (min.) (facility, walls and equipment) = 20' from any adjacent residential zone
Medical Services (S)	Lot Size (min.) = 1.5 acres Lot Coverage (max.) = 70%
Single-family, Attached (P)	Lot Size (min.) = Equivalent to multi-family density (2,904 sf)
Residential Care Services, Adult Care Service or Physical and Behavioral Health Services – Max 10 residents	Lot Coverage (max.) = 70%
Residential Care Services, Adult Care Service or Physical and Behavioral Health Services – Max 15 residents	Lot Coverage (max.) = N/A
Residential Care Services: Rehabilitation Service – children's facilities (P)	Res. Use adjacent to Res. Zone (min.) = 10' or 3/4 (H)

Residential Care Services, Adult Care Service or Physical and Behavioral Health Services – unlimited number of residents	Lot Size (min.) = 3 acres Lot Coverage (max.) = 50% Perimeter Yard Setback (min.) = 25' from all interior lot lines abutting residential zones
Residential Care Services: Rehabilitation Service or Shelter Care - Max. 15 residents (S) Residential Care Services: Shelter Care – victims of domestic violence (P)	Lot Size (min.) = 20,000 sf
Residential Care Services: Rehabilitation Service or Shelter Care – unlimited number of residents (S)	Lot Size (min.) = 1.5 acres Lot Coverage (max.) = 60% Perimeter Yard Setback (min.) = 20' from all interior lot lines abutting residential zones
Cemetery (P) Communications (P) Communications, limited to wireless communication towers and antennas (S) Crop production (P)	Lot Coverage (max.) = N/A
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%
Zone	Use	Exceptions to the Zone 's Dimensional Standard
R-3	Educational Use: Elementary and Secondary School (P & S)	Lot Size (min.) = 20,000 sf Lot Coverage (max.) = 15%
	Cultural Use (S)	Lot Size (min.) = 20,000 sf; Lot Coverage (max.) = 60%
	Day Care: Child – max 100 children (P)	Lot Size (min.) = 10,000 sf Perimeter Yard Setback (min.) = See Sec. 4.9.4.H.4
	Day Care: Child – unlimited number of children (S)	Lot Size (min.) = 200 sf per child multiplied by the maximum enrollment for which the center is licensed, plus 4,000 sf Perimeter Yard Setback (min.) = See Sec. 4.9.4.H.4
	Day Care: Child – extended hours for any number of children (S)	Lot Size (min.) and Perimeter Yard Setback (min.) = See Sec. 4.9.4.H.9
	Distribution System (S)	Lot Size (min.) = N/A Perimeter Yard Setback (min.) = setback of the facility, including walls or equipment, is 20' from any adjacent residential zone
	Single-family, Attached (P)	Lot Size (min.) = Equivalent to multi-family density (1,210 sf)

Residential Care Services: Rehabilitation Service – children's facilities (P)	Lot Size (min.) = 0 Res. Use adjacent to Res. or Nonres. Zone (min.) = 10' or 3/4 (H)
Residential Care Services: Shelter Care – victims of domestic violence (P)	Lot Size (min.) = 0 Building Height (max.) = 40' Res. Use adjacent to Res. or Nonres. Zone (min.) = 10' or 3/4 (H)
Residential Care Services: Rehabilitation Service or Shelter Care – max 20 residents (S)	Lot Size (min.) = 20,000 sf
Residential Care Services: Rehabilitation Service or Shelter Care – unlimited number of residents (S)	Lot Size (min.) = 1.5 acres Building Height (max.) = 40' Lot Coverage (max.) = 60% Res. Use adjacent to Res. or Nonres. Zone (min.) = 20' from all interior lot lines abutting residential zones
Civic Assembly (P - Government owned and operated only) Cultural Use (S) Parks and Recreation (P) Religious Use (P)	Lot Size (min.) = N/A
Cemetery (P) Communications (P) Communications, limited to wireless communication towers and antennas (S) Crop Production (P) Day Care: Adult Day Care (P) Group Dwelling (P) Medical Service (S) Residential Care Services: Adult Care Service or Physical and Behavioral Health Service (P)	Lot Size (min.) = N/A Nonres Use adjacent to Res Zone (min.) = 1½(H) Nonres Use adjacent to Nonres Zone (min.) = 0

	Renewable Energy Generation (S)	Site Area (min.) = 0 Lot Coverage (max.) = N/A Height (max.) = 16' Nonres Use adjacent to Nonres Zone (min.) = (H)
	Administrative and Professional Office (P - government owned and operated only)	Lot Size (min.) = 72,000 sf Lot Coverage (max.) = 60% Nonres. Use adjacent to Res. Zone (min.) = 2(H) Nonres. Use adjacent to Nonres. Zone (min.) = 0
Zone	Use	Exceptions to the Zone 's Dimensional Standard
MH-1	Educational Use: Elementary and Secondary School (P & S)	Lot Size (min.) = 20,000 sf Lot Coverage (max.) = 15%
	Parks and Recreation (P) Religious Use (P)	Lot Size (min.) = 20,000 sf
	Single-family, Attached (P)	Lot Size (min.) = Equivalent to multi-family density (5,445 sf)
	Renewable Energy Generation (S)	Site Area (min.) = 0 Lot Coverage (max.) = N/A; Height (max.) = 16' Nonres Use adjacent to Nonres Zone (min.) = (H)
	Communications, limited to wireless communication towers and antennas (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	Lot Size (min.) = 20,000 sf Lot Coverage (max.) = 60%

	(P - government owned and operated only)	
Zone	Use	Exceptions to the Zone 's Dimensional Standard
MH-2	Mobile Home Park (P) Multifamily Development (P)	Lot Coverage (max.) = 75%
	Educational Use: Elementary and Secondary School (P & S)	Lot Size (min.) = 20,000 sf Lot Coverage (max.) = 15%
	Parks and Recreation (P) Religious Use (P)	Lot Size (min.) = 20,000 sf Lot Coverage (max.) = 60%
	Single-family, Attached (P)	Lot Size (min.) = Equivalent to multi-family density (2,904 sf)
	Renewable Energy Generation (S)	Site Area (min.) = 0 Lot Coverage (max.) = N/A Height (max.) = 16' Nonres Use adjacent to Nonres Zone (min.) = (H)
	Communications (P) Communications, limited to wireless communication towers and antennas (S) Crop Production (P) Distribution System (S)	Lot Coverage (max.) = N/A
	Administrative and Professional Office (P - government owned and operated only)	Lot Size (min.) = 43,560 sf Lot Coverage (max.) = 20% Nonres. Use adjacent to Res. Zone (min.) = 2(H) Nonres. Use adjacent to Nonres. Zone (min.) = 0

Cultural Use (P - government owned and 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%

Key:

Max. = Maximum permitted Min. = Minimum requirement P = Permitted Use

S = Special Exception Use

Uses without a "P" or "S" indicate the use is permitted within the zone

(Am. Ord. 11070, 5/14/2013; Am. Ord. 11127, 11/6/2013; Am. Ord. 11996, 3/21/2023)

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		
	O-1	O-2	O-3
Residential Density (maximum)	8/acre	8/acre	22/acre
	Middle Housing: 4/6,000 sf	Middle Housing: 4/4,000 sf	Middle Housing: 4/4,000 sf
Lot Size /Site Area (minimum)	Res: 6,000 sf	Res: 4,000 sf	Res: 4,000 sf
	Middle Housing: 6,000 sf	Middle Housing: 4,000 sf	Middle Housing: 4,000 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)	25'	26' 25'	Res: 25'

			Nonres: 40'
Perimeter Yard Setback [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	5'	5'	5'
Nonres Use ➡ Res or Nonres Zone	10' or ¾(H)*	10' or ¾(H)*	10' or ¾(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

(Am. Ord. 11070, 5/14/2013)

* * *

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'				
	Nonres: 30'	40'	75'	140'	300'
Perimeter Yard Setback [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	5'	5'	5'	5'	5'
Res Use ➔ Nonres Zone	5'	5'	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

(Am. Ord. 11070, 5/14/2013)

* * *

TABLE 6.3-5.A: DIMENSIONAL STANDARDS FOR THE P-I, I-1, & I-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		
	P-I	I-1	I-2
Residential Density (maximum)	N/A	N/A	1 unit for a caretaker
Lot Size /Site Area (minimum)	0	0	0
Lot Coverage (maximum)	N/A	N/A	N/A
Height (maximum)	50'	75'	140'
Perimeter Yard Setback [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	1½(H)	2(H)	2(H)
Res Use ➡ Nonres Zone	0	0	0
Nonres Use ➡ Res Zone	1½(H)	1½(H)	2(H)
Nonres Use ➡ Nonres Zone	0	0	0

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

* * *

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 Setback [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 ¼(H)*
Res Use ➡ Nonres. Zone	0	(H)	6' or 2/3(H)*	10' or ¼(H)*
Nonres Use ➡ Res Zone	4(H)	4(H)	6' or 2/3(H)*	10' or ¼(H)*
Nonres Use ➡ Nonres Zone	0	0	6' or 2/3(H)*	10' or ¼(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

(Am. Ord. 11070, 5/14/2013)

* * *

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)	25'	30'	Res: 25' Nonres: 30'
<u>Perimeter Yard Setback</u> [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 $\frac{3}{4}(H)^*$	$1\frac{1}{2}(H)$	10' or $\frac{3}{4}(H)^*$
Res Use ➔ Nonres Zone	10' or $\frac{3}{4}(H)^*$	0	10' or $\frac{3}{4}(H)^*$
Nonres Use ➔ Res Zone	10' or $\frac{3}{4}(H)^*$	$1\frac{1}{2}(H)$	$1\frac{1}{2}(H)$
Nonres Use ➔ Nonres Zone	10' or $\frac{3}{4}(H)^*$	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

(Am. Ord. 11070, 5/14/2013)

* * *

6.4. RULES OF MEASUREMENT AND EXCEPTIONS TO DIMENSIONAL STANDARDS

* * *

6.4.4. HEIGHT

* * *

C. Height Exceptions

The following structural elements may extend above the maximum allowed height, subject to any limitations listed: (See Figure 6.4.4-B, Exceptions to Building Height.)

* * *

9. Change of Zoning

If the Mayor and Council authorize a rezoning of a property and a building (s) exists on the property that exceeds the maximum required height for the proposed land use, the existing buildings shall be considered conforming. This exception applies only to buildings existing at the time of authorization, except as provided by Section 6.4. ~~5-B-104.C.10~~, Historic Preservation Zone (HPZ).

* * *

6.4.5. ~~PERIMETER YARDSETBACKS~~

A. Application

A ~~perimeter yardsetback~~ is required in accordance with the applicable zone as provided in Tables 6.3-1 through 6.3-7. The minimum required width of the ~~perimeter yardsetback~~ for each development is based on the zoning classification of the adjacent parcel (s) along each individual lot line.

B. Measurement

1. The width of the ~~perimeter yardsetback~~ is the distance measured horizontally from a specified point to the face of each exterior building wall at the wall's highest point. The specified point is the property line when it is an interior property line. Along a street property line, the specified point is described in Section 6.4.5.C, *Street ~~Perimeter YardSetback~~*. (See Figure 6.4.5-B & -C.)

2. A vertical structural member(s) (i.e., post, column, dormer wall) supporting a roof extension from the principal structure is considered a wall for applying ~~perimeter yardsetback~~ requirements.

3. The ~~perimeter yardsetback~~ may have different widths at various points along the same property line, because the ~~perimeter yardsetback~~ width is measured to the face of each vertical exterior surface of the building.

4. On cul-de-sac and eyebrow front lots, the minimum street ~~yard setback~~ depth may be measured from a straight line drawn between the front lot corners, rather than measured directly from the curved front property line, except as provided in Section 6.4.5.C.2.b, *Carports and Garages in Single-Family and Duplex Development*. In no case, however, shall the minimum street yard be reduced in excess of 50% by this alternative measurement. (See Figure 6.4.5-A.)

5. Where an unbroken section of a wall or a building is not parallel with the lot line, the required ~~perimeter yardsetback~~ may be applied to the average width; however, such ~~perimeter yardsetback~~ shall not be narrower at any point than half the required width, nor narrower at any point than three feet. (See Figure 6.4.5-A.)

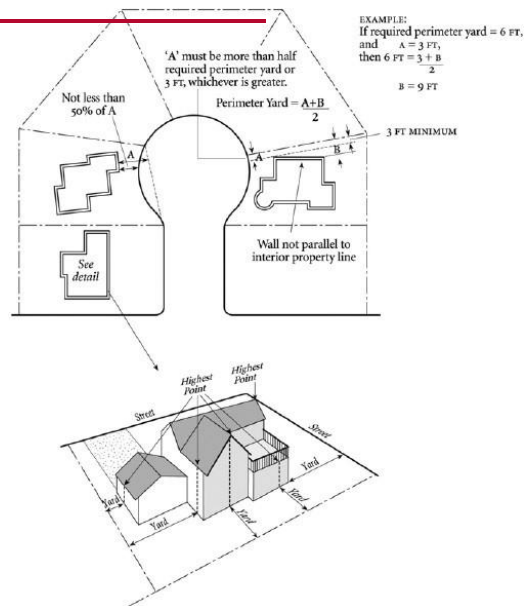
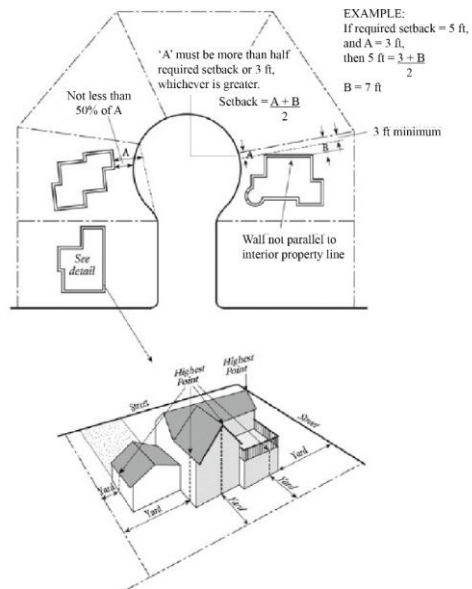
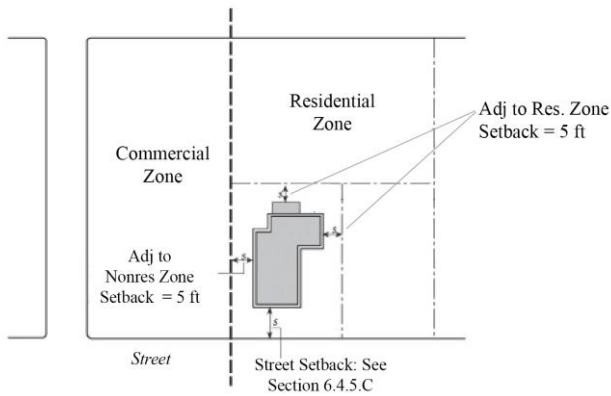
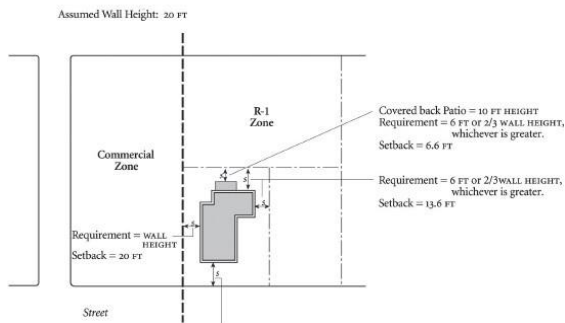


Figure 6.4.5-A: **Perimeter YardSetback** Measurement

Example 1: Residential Use in a Residential Zone



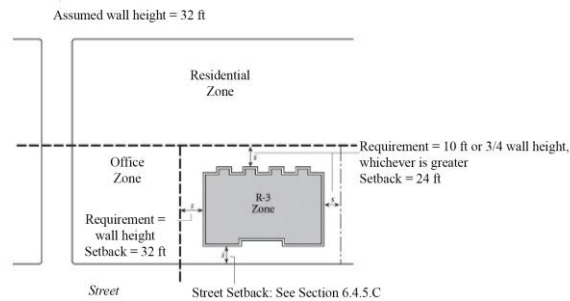
EXAMPLE 1: Single-Family Dwelling in R-1 Zone



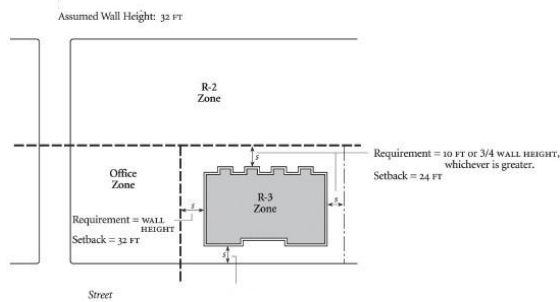
See Sec. 6.4.5.C

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

Example 2: Commercial Use (such as multifamily housing) in a Residential Zone



EXAMPLE 2: Multiple-Family Dwelling in R-3 Zone



See Sec. 6.4.5.C

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

C. Street Perimeter Yard Setback

The street perimeter yard setback width is determined as provided below or unless special zoning requirements dictate a greater distance or different point of measurement.

1. Residential Development

a. For single-family, duplex, and middle housing development, the minimum required front street perimeter yard setback is 20 feet measured from the street property line.

b. Where a lot abuts more than one street, the owner chooses which street lot line is the front lot line. From other than the front lot line, the street perimeter yard setback is ten feet, as measured from the street property line. For carports and garages which face the street, the minimum required street perimeter yard setback is 20 feet regardless of the street.



c. For carports and garages in single-family and duplex development, the structural setback may be modified in accordance with Section 3.11.1, Design Development Option as follows:

(1) For garages, a minimum of 18 feet (the length of a standard parking space) must be provided in front of the garage door so that a full 18-foot parking space is available for parking on site, unless accessed from the side setback or perpendicular to the street in which case a minimum of one-foot must be provided.

(2) For carports, if the distance between the back of street curb and the carport is eight feet or less, a minimum of one-foot must be provided.

d. For residential development occurring as part of a unified subdivision, reduced setbacks are permitted as designated on the approved tentative plat. The minimum required front street perimeter yardsetback is five feet. Carports and garages are permitted as follows:

(1) If accessed from the side perimeter yardsetback or perpendicular to the street, the minimum distance from street property line is five feet, or

(2) If accessed from the front or parallel to the street, the minimum distance from street property line is 18 feet, or

(3) If accessed from the front or parallel to a street with an ADT of 140 or less, the distance from the back of curb to the garage or carport may be eight feet or less. The garage or carport must be setback a minimum of one foot from the property line.

2. Nonresidential Development

a. For nonresidential and multifamily development abutting an Arterial or Collector Street the minimum required street perimeter yardsetback is ten feet, as measured from the existing or future property line as determined by the adopted Major Streets and Routes Plan, whichever is greater.

b. For nonresidential and multifamily development abutting a Local Street: the minimum required street perimeter yardsetback is 20 feet, as measured from the street property line.

D. Exceptions

Encroachment into the required perimeter yardsetback is allowed as follows.

1. Interior Property Lines

Along interior property lines, the following may extend two feet into the perimeter yardsetback, provided the side or rear yardsetback is not reduced to less than three feet:

- a. Chimney;
- b. Roof overhang; or,

c. Bay window.

* * *

3. Structures within Front Yards

a. ~~Attached or detached s~~Shade structures or carports may project up to ten feet into required ~~perimeter yards~~setback. Such architectural features include, but are not limited to, overhangs, moveable insulating walls and roofs, detached solar collectors, reflectors, and piping.

b. A wall or fence not over ~~six~~seven feet high may be erected within the limits of a ~~perimeter yard~~setback.

* * *

6.4.6. FLOOR AREA RATIO

* * *

C. Measurement

1. General

a. FARs are used in conjunction with lot coverage, ~~perimeter yard~~setback 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

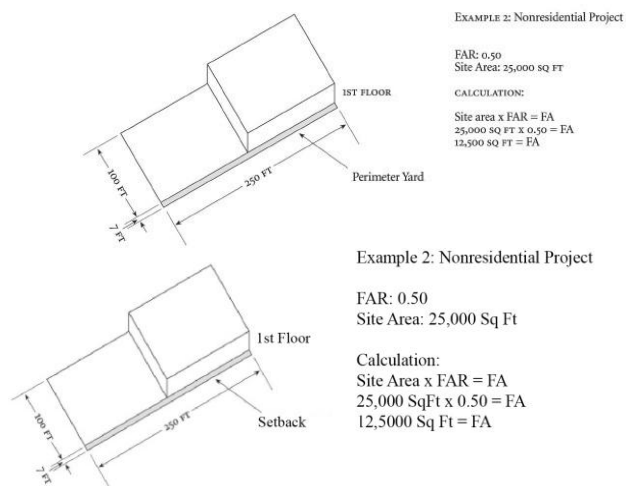
a. Multiply the area of the site, expressed in square feet, by the applicable FAR. The result is the maximum amount of floor area permitted on the site. See Figure 6.4.6-A for an example of the FAR calculation.

b. See the definition of "Gross Floor Area " (Section11.4.8) 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:

(1) The additional density is less than ten percent of the density permissible for the rest of the site area;

- (2) Such dedication was not a condition of approval for applications, such as, but not limited to, rezonings or variance requests;
- (3) Such dedication does not include right-of-way dedicated as part of a subdivision plat; and
- (4) 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 0.50 = Floor Area

12,500 sq ft = Floor Area

Figure 6.4.6-B Floor Area Ratio (FAR) Calculation

(Ord. 11070, 5/14/2013; Am. Ord. 11171, 5/20/2014)

* * *

6.6. ACCESSORY USES, BUILDINGS, AND STRUCTURES

* * *

6.6.2. ACCESSORY BUILDINGS AND STRUCTURES

In all zones, the buildings used for accessory uses shall comply with the following:



A. The standards of this Section 6.6.2 apply in all zones to buildings used for accessory uses, except as noted in the following:

1. A structure if ~~five-seven~~ feet or less in height and ten square feet or less in area, such as a doghouse, a refuse container enclosure, or play equipment.

2. A shelter for food producing animals if ~~six-seven~~ feet or less in height and 16 square feet or less in area.

B. An accessory building shall be built only on a lot occupied by a principal building or use;

C. An accessory building shall be developed in accordance with the dimensional standards of the principal land use, except as provided by this section and, when applicable, Sections 6.6.3, *Residential Uses*, and 6.6.5, *Urban Agriculture Uses and Activities*;



D. An accessory structure, except for an accessory dwelling unit, that ~~exceeds the allowable height of a wall within a~~ does not meet the minimum required ~~perimeter yardsetback~~ and is detached from a principal structure shall comply with the ~~perimeter yardsetback~~ width standards of the principal structure, except that the accessory structure may be built to a parcel line with the consent of the adjoining or, when separated by an alley, adjacent property owner(s) or as permitted by Section 6.6.5, *Urban Agriculture Uses and Activities*;

E. Accessory structures, such as light poles, flagpoles, and other tall and narrow structures that are similar, shall be exempt from the setback requirement. Amateur radio towers are exempt from the setback requirement and are allowed to a maximum height of 100 feet;

F. An accessory building, except for a stable or enclosure for animals, may be attached to a principal building, provided that its construction complies with the development requirements of the principal building;

G. The use of solar energy collectors for the purpose of providing energy for heating or cooling shall be permitted in all zones, whether as part of a principal building or as an accessory building. Such solar collection devices shall not be included in computing lot coverage;

H. All structures for livestock and other large farm animals such as *ratites*, as defined in the Tucson Code Chapter 4, *Animals and Fowl*, shall be set back at least 50 feet from all property lines, except corrals that shall be set back ten feet from all property lines. In addition, the proximity of corrals and barns or other structures for large farm animals from a dwelling unit on adjacent property shall be in accordance with Tucson Code Chapter 4, Section 4-27;

I. The maximum height of a wall or fence within a ~~perimeter yardsetback~~ shall be ~~six-seven~~ feet; however, the wall or fence may be higher than ~~six-seven~~ feet, but no higher than ten feet, if: (See Figure 6.6.1-A, Height of Wall or Fence within a Side or Rear ~~Perimeter YardSetback~~.)

1. At least 75% of the area above six feet in height is left unobstructed and open through the use of architectural elements, such as arches, columns, or wrought iron;

2. Part of, or located on top of, a retaining wall no higher than ten feet measured from design grade and no higher than six feet measured from the top of the retaining portion of the wall;

3. A greater height is required through the rezoning process or the special exception land use process; or,

4. A greater height is required by a specific UDC standard.

J. In nonresidential zones, walls or fences, as permitted in Section 6.6.2.I above, may exceed the height standards, provided the wall or fence complies with the perimeter yard setback standards applicable to buildings on the site;

K. Accessory uses, buildings, and structures are not required to provide additional parking, landscaping and screening, or loading spaces beyond what is required of the principal use.

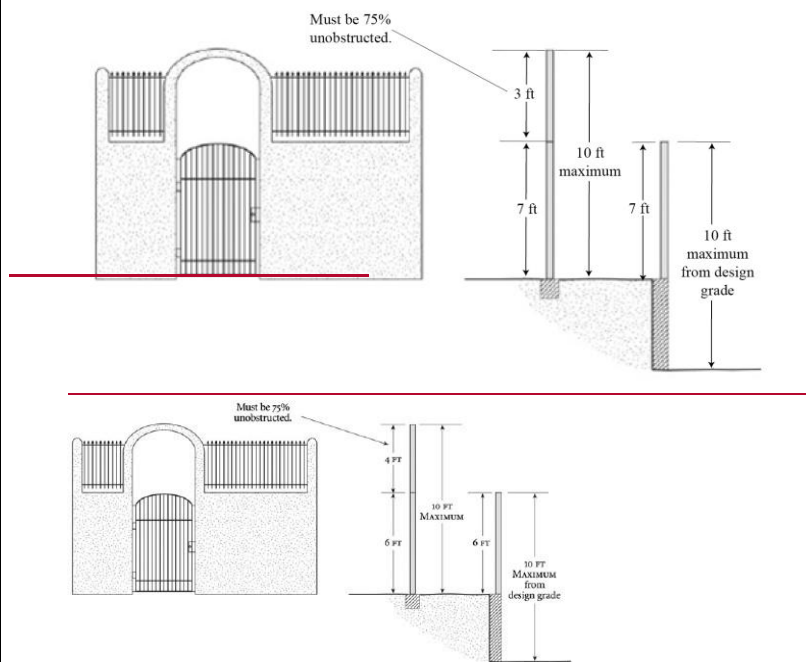


Figure 6.6.1-A: Height of Wall or Fence Within a Side or Rear Perimeter Yard Setback

L. Cisterns may be placed on properties per the following conditions:

1. A cistern less than five (5) feet in height and ten (10) square feet in area may be placed anywhere within a property boundary.

2. A cistern less than six (6) feet in height may be placed anywhere in the defined side or rear yard with zero (0) setbacks from property lines.

3. A cistern over six (6) feet in height is allowed in the defined side or rear yard but must comply with the setback width requirements applicable to the zone.

4. A cistern that is part of and integrated in the design of the principal building will be considered part of the principal building.

(Am. Ord. 11171, 5/20/2014; Am. Ord. 11328, 12/8/2015; Am. Ord. 11890, 12/7/2021)

6.6.3. RESIDENTIAL USES

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

A. An accessory building 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. An accessory dwelling unit may be used as living quarters in accordance with Sections 6.6.1.A. and B. Two accessory dwelling units are permitted per parcel developed with a Family Dwelling as defined in Section 11.3.7.A., with the exception of a Multifamily Development, and sites with three or four units or parcels created through Section 8.4.6.Middle Housing Subdivision. A parcel developed with a duplex is permitted one accessory dwelling unit. The accessory dwelling unit may include a kitchen, 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. The following standards apply to these accessory dwelling units:

1. Accessory dwelling units are not subject to maximum residential density standards per Section 6.3.4.
2. On a lot or parcel of more than one acre in size, one further accessory dwelling unit is permitted in addition to those permitted per UDC 6.6.3.B., if at least one accessory dwelling unit on the lot or parcel is a restricted affordable dwelling unit, as defined in 11.4.2. The affordable unit must be deed restricted and proof must be provided as a condition of the building permit.
3. Vehicular parking is not required to be provided for accessory dwelling units.
4. If the accessory dwelling unit is built as a new structure it must be developed with a high albedo level (>60 SRI) or other cool roof technology per the ICC Green Construction Code.
5. An accessory dwelling unit is limited to 75% of the gross floor area of the principal dwelling, not to exceed 1,000 square feet of gross floor area. An accessory dwelling unit may be up to 650 square feet of gross floor area, regardless of the size of principal dwelling.
6. The minimum side and rear yard setback for an accessory dwelling unit is five feet.
7. Except as specified above, an accessory dwelling unit shall be developed in accordance with the dimensional standards of the principal land use.
8. Accessory dwelling units proposed within an overlay zone or other zoning area with specific design processes or guidelines, shall be subject to those regulations when no more restrictive than those applicable to single-family dwellings in that overlay and are no more restrictive than the entirety of UDC 6.6.3.B.



9. Accessory dwelling units are not required to match the exterior design, roof pitch or finishing materials of the single-family dwelling that is located on the same lot as the accessory dwelling unit.

10. If an established and occupied family dwelling proposes one or more accessory dwelling units in accordance with UDC 6.6.3.B., the lot or parcel shall not require a commercial site plan per UDC 3.3.3.G., be considered a multifamily development, require commercial development standards, or require improvements to public streets other than repairs due to construction activity.

11. Accessory dwelling units must follow the landscaping standards in UDC ~~7.6.2-7.6.8~~. New Single Family, Middle Housing, and ADUs.

C. Legally established accessory structures that do not conform to current setback requirements may be converted to habitable living space, subject to Section 3.11.1, Design Development Option (DDO). Additional approval for the reduced setback is not required, provided that no changes are made to the structure's existing building footprint or wall height.

~~CD~~. Detached accessory buildings, including accessory dwelling units, 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 shade structures or carports not over 400 square feet in floor area, terraces and steps not over three feet high above the natural grade, paved areas, and fences or walls.

~~DE~~. Accessory structures, except for accessory dwelling units, shall not exceed ~~12-15~~ 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.

6.6.4. NONRESIDENTIAL USES

The building used for an accessory use to a nonresidential use shall comply with the following:

A. An accessory building shall not be occupied as a dwelling, except as a caretaker's facility;

B. The area of a site occupied by an accessory use or building shall be included as part of the lot coverage calculation; and,

C. The structure used for an accessory use ~~within a nonresidential zone~~ shall comply with dimensional standards of the principal structure.

6.6.5. URBAN AGRICULTURE USES AND ACTIVITIES

A. Accessory Community Garden

* * *

3. The growing and harvesting of agricultural products that are not in a structure are exempt from the ~~perimeter yardsetback~~ requirements of the underlying zone.

* * *

4. Location and Setback Requirements

a. Food producing animals and shelters are prohibited in the buildable area extending the full width of the lot between the principal building and the front street lot line. Food producing animals and their shelters are permitted in other ~~perimeter-yards-setback~~

b. Animal shelters ~~six-seven~~ feet or less in height and sixteen square feet or less in area are not required to setback from side or rear property line, but are required to be behind the principal building and at least 20 feet from the dwelling unit on an abutting property.

c. Animal shelters more than ~~six-seven~~ feet in height and greater than 16 square feet in area must be set back in accordance with Section 6.6.2.D. Shelters shall also be at least 20 feet from the dwelling unit on an abutting property. Exceptions: A setback is not required from property lines abutting alleys or other types of rights-of-way or easements or when adjacent to a nonresidential use.

d. Requests to reduce the setback requirements for animal shelters are considered in accordance with Section 3.3.4, *100' Notice Procedure*, Section 3.11.1, *Design Development Option*, or Section 6.6.5.E.7, Existing Shelter Exemption.

* * *

7. Existing Shelter Exemption

~~a. A shelter for food producing animals that has existed prior to the effective date of the ordinance in a location that does not comply with the food producing animal shelter setback standards set in the ordinance may apply for an exemption from the affected perimeter yard setbacks and dimension standards of this section.~~

~~b. To qualify for the exemption the applicant must submit a PDSD accepted site or plot plan and the shelter must meet the following criteria:~~

~~(1) There is proof from an aerial or other source of the shelter's existence within the qualifying time.~~

~~(2) There are no applicable Code Enforcement violations involving the shelter for the past five years submitted by a property owner within 300 feet of the subject property.~~

~~(3) The shelter is accepted as meeting basic construction standards by PDSD.~~

~~c. PDSD shall establish a single fee to cover a single plan review and inspection.~~

~~d. This exemption terminates on January 9, 2018.~~

* * *

ARTICLE 7: DEVELOPMENT STANDARDS

Section

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7.16. UTILITIES

* * *

7.4. MOTOR VEHICLE AND BICYCLE PARKING

* * *

7.4.2. APPLICABILITY

The provisions of this division apply to:

- A. Proposed development or redevelopment;
- B. Changes of use in existing development, except as permitted by Section 3.3.3.GH, *Zoning Compliance for Site Improvements to Facilitate Adaptive Reuse*; and,
- C. Any expansion of an existing use or any addition of a new use to an existing development.

7.4.3. GENERAL PROVISIONS

* * *

D. Changes of Use

Parking for changes of use is required as follows.

1. When the proposed use is the same as the use it is replacing, the parking remains the same in accordance with Article 9, *Nonconforming Uses, Buildings, or Structures*.
2. When the proposed use is different than the use it is replacing, the parking remains the same provided all of the following criteria are met:
 - a. The replacement use must be a permitted use in the current zone, except a replacement use may not include a restaurant or bar (Food Service or Alcoholic Beverage Service uses) or a similar use listed in the applicable Land Use Group;
 - b. The parking intensity for a proposed replacement use, except as permitted by Section 3.3.3.H, *Zoning Compliance for Site Improvements in Existence on May 1, 2005 ten years prior to the date of application to Facilitate Adaptive Reuse*, must be the same or a lesser intensity as a prior use on the subject property as documented by the applicant. The property owner must provide documentation regarding the prior use as required by the Zoning Administrator;
 - c. Existing on-site parking, landscaping, and screening may remain in their current configuration; however, the Planning and Development Services Director may require new improvements including paving and striping when a public safety hazard exists or may be created; and,
 - d. The proposed use must comply with the City of Tucson's adopted Building Code pertaining to accessibility for individuals with physical disabilities.
3. When the proposed use is different than the use it is replacing and the criteria of Section 7.4.3.D.2 cannot be met, the required number of motor vehicle and bicycle parking

spaces shall be in accordance with Sections 7.4.4 and 7.4.8, respectively, except as provided below.

4. When the change of use is in a tenant space within a shopping center, mixed use, or multiple use development, the required number of bicycle parking spaces is based on the gross floor area, or whichever method for determining the minimum required number bicycle parking spaces in accordance with Section 7.4.8, of the tenant space in which the proposed change of use occurs.

* * *

7.4.4. REQUIRED NUMBER OF MOTOR VEHICLE PARKING SPACES

A. Calculation of Required Motor Vehicle Parking Spaces for Multiple or Mixed Use Development

The total number of required spaces for a multiple or mixed use development is 90% of the sum of the amount required for each separate principal use in Section 7.4.4.B, *Minimum Number of Motor Vehicle Spaces Required*. ~~The square footage of Entertainment, Food Service (i.e., restaurants), and/or Alcoholic Beverage Service (i.e., bars) uses may not be included in the calculation for multiple or mixed use parking requirements. The parking requirements for these uses are calculated individually in accordance with Section 7.4.4.B, *Minimum Number of Motor Vehicle Spaces Required*.~~

1. Exceptions

The calculation for a multiple or mixed use development does not apply to Shopping Centers, Golf Course, Religious, Travelers’ Accommodation, and Lodging uses. Refer to Section 7.4.4.B, *Minimum Number of Motor Vehicle Spaces Required*, for multiple or mixed use motor vehicle parking requirements pertaining to these uses.

B. Minimum Number of Motor Vehicle Parking Spaces Required

The minimum number of required motor vehicle parking spaces is provided below in Table 7.4.4-1.

TABLE 7.4.4-1: MINIMUM NUMBER OF MOTOR VEHICLE SPACES REQUIRED	
Land Use Group/Class	Motor Vehicle Parking Required
AGRICULTURAL USE GROUP	0 required
CIVIC USE GROUP	1 space per 300 sq. ft. GFA, except as follows:
Cemetery	1 space per 25 burial plots or columbarium units, unless a private street system is provided and designed to permit on- street parking



Civic Assembly; Membership Organization; and Religious Use	1 space per 100 sq. ft. GFA in all combined public assembly areas or areas where religious services are held, whichever is applicable For multiple or mixed use development where Religious Use is the principal land use, the total number of motor vehicle spaces required is the number required for the Religious Use or the sum of those required for other uses on the site, whichever is greater
Cultural Use - Zoo	Parking area equal to 30% of the area occupied by the zoo
Educational Use*	
Grades K - 8	1 space per 10 students plus 1 space per 300 sq. ft. of floor area in office use
Grades 9 - 12	1 space per 5 students *Passenger drop-off areas are required for Grades K-12 per Section 4.9.3.E.7
Postsecondary Institutions; Instructional Schools	1 space per 200 sq. ft. GFA
COMMERCIAL SERVICES USE GROUP	1 space per 300 sq. ft. GFA, except as follows:
Alcoholic Beverage Service (including Large Bar)	1 space per 50 sq. ft. GFA
Animal Service	1 space per 400 sq. ft. GFA
Automotive Washing	
Full-Service	1 space per 500 sq. ft. GFA, including service bays, wash tunnels, office, and retail areas
Self-Service	0 required
Billboard	0 required
<u>Commercial Recreation</u>	<u>1 space per 300 sq. ft. per GFA and any outdoor area used for recreational purpose</u>



Day Care - Home Occupation	No additional parking required above what is required for the residential use
Entertainment (including Large Dance Halls)	1 space per 5 fixed seats or 1 space per 50 sq. ft. GFA
Food Service	1 space per 100 sq. ft. GFA and outdoor seating areas . 1 space per designated vendor stall for Food Courts which operate solely outdoors.
Medical Service - Extended Health Care	1 space per 2 beds
Medical Service - Major	1 space per bed.
Medical Service - Outpatient	1 space per 200 sq. ft. GFA
Parking	0 required.
Transportation Service	1 space per 300 sq. ft. GFA of administrative or professional office area only
Travelers' Accommodation, Campsite	1 space per campsite
Travelers' Accommodation, Lodging	1 space per rental unit plus 1 space per 300 sq. ft. GFA of conference, restaurant, retail, bar, and banquet space.
Vehicle Storage	None (0) required
INDUSTRIAL USE GROUP	1 space per 1,000 sq. ft. GFA, except as follows:
Household Goods Donation Center	1 space per 300 sq. ft. GFA.
Salvaging and Recycling	1 space per 5,000 sq. ft. of lot area plus 1 space per 300 sq. ft. of sales and office area
RECREATION USE GROUP	1 space per 100 sq. ft. GFA, except as follows:
Golf Course	3 spaces per hole plus 50% of parking required for retail, restaurant, and/or bar associated with the golf course
Driving Range	1 space per fixed tee
Athletic Fields	15 spaces per field

Batting Cage	1 space per batting cage
Billiard/Pool Halls	1 space per 200 sq. ft. GFA
Bowling Alley	3 spaces per lane
Court - Basketball or Volleyball	5 spaces per court or 3 spaces per half court, if only a half court is provided
Court - Tennis or Racquetball	2 spaces per court
Health/Exercise Club/Gymnasium	1 space per 200 sq. ft. GFA
Miniature Golf Course	1 space per tee plus 1 space per 75 sq. ft. GFA
Rifle and Pistol Range	1 space per firing lane
Rodeo Arena	1 space per 2,500 sq. ft. of lot area minus the main arena area
Skating Rink	1 space per 200 sq. ft. GFA
Swimming Pool	0 required, if water surface area is less than 1,000 sq. ft.; 1 space per 200 sq. ft. of entire pool, if water surface area is 1,000 sq. ft. or more
RESIDENTIAL USE GROUP	
Family Dwelling; Mobile Home Dwelling	The number of parking spaces required is based on the following:
Single-Family and Mobile Home Dwellings	2 spaces per dwelling unit plus visitor parking required at a ratio of 0.25 space per unit. Exception. Residential development in the R-1 zone must comply with Section 4.9.7.B.7
Any Single-Family, Mobile Home, or Multifamily Development on a single site with 2-5 units	1 space per dwelling unit. Exception. Residential development in the R-1 zone must comply with Section 4.9.7.B.7
Multifamily Dwellings - 0-70 units/acre	The number of spaces per dwelling unit is based on the number of bedrooms in each unit as follows: Studio, less than 400 sq. ft. GFA - 1.00 space per dwelling unit Studio, more than 400 sq. ft. GFA, and 1 Bedroom - 1.50 spaces per dwelling unit

	Two Bedrooms - 2.00 spaces per dwelling unit Three Bedrooms - 2.25 spaces per dwelling unit Four or More Bedrooms - 2.50 spaces per dwelling unit
Multifamily Dwellings - Over 70 units/acre	1.25 spaces per dwelling unit
Projects of any density for the elderly or the physically disabled	0.75 space per dwelling unit
Group Dwelling	0.5 space per resident plus 2 spaces for the resident family
Dormitory, Fraternity, or Sorority	0.7 space per resident. On projects where rent/lease of space is by the bedroom, the requirement is 0.85 space per bedroom or 2.00 spaces per dwelling unit, whichever is greater
Residential Care Services:	
1 - 5 Residents	3 spaces
6 - 10 Residents	4 spaces
11 - 15 Residents	5 spaces
16 - 20 Residents	6 spaces
21 or more Residents	1 space per 2 beds
RETAIL TRADE USE GROUP	1 space per 300 sq. ft. GFA, except as follows:
Auctions	1 space per 100 sq. ft. of seating area only
Farmers' Market (when operated outdoors only) and Swap Meets	1 space per 300 sq. ft. of display and sales area only, excluding vehicular use areas
Furniture, Carpet or Appliance Store	1 space per 400 sq. ft. GFA
Gasoline Sales without Food and Beverage Sales	1 space per employee but not less than 2 spaces
	1 space per 2,000 sq. ft. of storage area for the first 20,000 sq. ft. of storage area plus 1 space per 10,000 sq. ft. of storage area for over 20,000 sq. ft. of storage area, with a minimum of 2 spaces



Medical Marijuana Dispensary Off-Site Cultivation Location	
Shopping Center	1 space per 300 sq. ft. GFA
Vehicle Sales	1 space per 400 sq. ft. GFA of show room, retail, and office area, plus 1 space per 10,000 sq. ft. of gross lot area, plus 1 space per 300 sq. ft. GFA of Automotive and Vehicle Repair use
STORAGE USE GROUP	
Commercial Storage; Hazardous Material Storage	1 space per 5,000 sq. ft. GFA, plus 1 space per 5,000 sq. ft. of outdoor storage area for the first 20,000 sq. ft. of outdoor storage area, plus 1 space per 10,000 sq. ft. of outdoor storage area over 20,000 sq. ft. of outdoor storage area
Personal Storage	0 required for storage units, if storage units have direct vehicular access, and a minimum of 2 spaces for any associated office. 1 space per 4,000 sq. ft. GFA, if storage units do not have direct vehicular access, and a minimum of 2 spaces for any associated office
UTILITIES USE GROUP	1 space per 500 sq. ft. GFA, with a minimum of 2 spaces per facility
WHOLESALE USE GROUP	1 space per 2,000 sq. ft. of storage area for the first 20,000 sq. ft. of storage area plus 1 space per 10,000 sq. ft. of storage area for over 20,000 sq. ft. of storage area
ALL USE GROUPS: Unattended uses such as water kiosk, ATM, wireless communications, or mail lockers	0 spaces

(Am. Ord. 11171, 5/20/2014; Am. Ord. 11199, 9/9/2014; Am. Ord. 11328, 12/8/2015; Am. Ord. 11996, 3/21/2023; Am. Ord. 12060, 11/28/2023)

7.4.5. REDUCTIONS AND EXCEPTIONS

A. Individual Parking Plan

1. The PDSD Director may approve a modification to the number of required motor vehicle parking space and required number of EVSE parking spaces on new and existing site through an Individual Parking Plan (IPP).

2. Applicability

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The provisions of this section apply to:

- a. Proposed development and redevelopment of a site;
- b. Changes of use in existing development; and,
- c. Any expansion of an existing use or any addition of a change of use to an existing development .

~~3. Permitted Uses and Types of Development~~

~~A proposal must include one or more of the following uses or types of development:~~

- ~~a. Combined residential and non-residential development in a single structure or unified development;~~
- ~~b. Projects within 1,320 feet (one-fourth mile) of a transit stop or public parking facility;~~
- ~~c. Religious uses where the parking plan will accommodate weekend and evening use;~~
- ~~d. Residential care services or housing developments for the elderly or individuals with physical disabilities;~~
- ~~e. Low-income housing;~~
- ~~f. A project that can accommodate shared parking arrangements for uses with alternate hours of operation and peak use times; and/or~~
- ~~g. The parking area of any existing development may continue to be used in its current configuration except where a public safety hazard exists, may be created, or adjustments in parking space dimensions are required.~~

4.3. Individual Parking Plan Requirement

An IPP must include the following information:

- a. Number of required and proposed parking spaces. Indicate the data source used in establishing the number of proposed parking spaces;
- b. Location of all vehicle and bicycle parking spaces, including accessible and electric vehicle parking spaces;
- c. Existing and proposed site conditions and uses, including any on-street parking spaces within the site and within 600 feet walking distance of the site boundary, with current approximate utilization rates during daytime and evening hours; available on-street parking;
- d. Site access and traffic circulation patterns;
- e. Location and distance from the project site to existing residential neighborhoods;

f. Neighborhoods adjacent to the site with a Residential Parking Permit program;

g. Availability, location, and distance to alternate modes of transportation, such as public transit stops, multimodal paths, greenways, bike boulevards, and micromobility hubs;

h. Hours of operation and peak use time (s) of each use;

i. Evidence that all required parking for the proposed uses will either be on-site or at an approved off-site parking location per Section 7.4.6.B.1;

j. Existing and proposed shared parking agreements, when applicable. The shared parking agreement must be prepared in a manner acceptable to the PDSD Director;

k. For all projects within 400 feet of an R-3 or more restrictive zone or Historic Preservation Zone, the IPP project must address the planned measures to address parking-related impacts to any established use within 600 feet walking distance of the site boundary, including: how the proposal will not cause a safety hazard, noise, or parking impacts on an adjacent existing neighborhood. The IPP shall include the following:

(1) Methods to avoid potential increases in noise and light intrusion as described in Section 7.4.5.A.5.h, i and j;

(2) Methods to deter vehicular access into adjacent residential neighborhoods using signage or other means; and;

(3) Methods to prevent drive-through traffic or habitual parking within adjacent residential neighborhoods or commercial development.

(1) An assessment of how the proposed use's parking demand maintains compatibility with existing residential or commercial parking and traffic patterns, through physical or operational mitigation measures; and

(2) For adaptive reuse projects, a comparison of the proposed use's parking demand to historical parking demand at the site.

l. Any other information deemed appropriate by the PDSD Director including a traffic study.

~~m. For all restaurants or bars, the applicant is required to conduct a neighborhood meeting and shall provide notice of the neighborhood meeting in accordance with Section 3.2.2.C.~~

m. The amount of residential development which typically includes a low car-ownership rate, such as housing for the elderly, individuals with physical disabilities, or low-income households, and the extent to which this reduces anticipated parking demand;

n. A description of how the applicant will resolve or address any parking-related issues that may arise after an IPP is granted, including the applicant's point of contact and general approach to responding to a complaint or a documented compliance concern.

54. Findings for Approval

The PDSD Director may approve an IPP if all of the following criteria are met in the IPP and documented in findings:

- a. The zone permits the proposed use(s);
- b. All parking is provided on-site or at an off-site location per Section 7.4.6.B.1, Off-Site Parking;
- c. For multiple or mixed use projects, the site can accommodate shared parking arrangements for uses with alternate hours of operation or peak use times;
- d. Site access and traffic circulation are not obstructed;
- e. Accessible parking spaces required by the City of Tucson's adopted Building Code have not been reduced or eliminated;
- f. The number of bicycle parking spaces has not been reduced or eliminated;
- ~~g. Vehicular access, drive-through traffic, and habitual parking in adjacent commercial development and residential neighborhoods is deterred;~~
- ~~h. Light intrusion onto an adjoining residential use or zone is not created. Outdoor lighting shall comply with the City of Tucson/Pima County Outdoor Lighting Code;~~
- ~~i. Proposed outdoor seating areas are 100 feet or more from residentially-zoned properties unless separated by a building. Combined residential and non-residential development in a single structure or unified development is exempt from this finding; and,~~
- ~~jg. Outdoor loudspeakers or music (live or recorded) are 600 feet or more from residentially zoned properties.~~
- h. The proposed parking plan is compatible with existing residential or commercial on-street parking and traffic patterns.

65. Review and Approval Procedures

- ~~a. An IPP for projects within 400 feet of R-3 or more restrictive zones or Historic Preservation Zones is reviewed in accordance with Section 3.3.5, 400' Notice Procedure.~~
- ~~bg. An IPP for projects more than 400 feet from R-3 or more restrictive zones or Historic Preservation Zones is reviewed~~ and approved ~~in accordance with Section 3.3.3, PDSD Director Approval Procedure.~~

b. The PDSD Director may impose additional conditions of approval, or request additional information.

7.6. Amendments

A revised IPP is required when one or more of the following occurs:

- a. A change of use to a more parking intensive use or different hours of operation or peak use times than the use shown on the last approved IPP;
- b. An expansion of a building;
- c. An expansion of a use that is more parking intensive than the use it is partially or entirely replacing; or,
- d. The parking or mitigation methods as set forth in the existing IPP no longer comply with one or more of the required finding for approval as provided in Section 7.4.5.A.5.

8.7. Violation of an Individual Parking Plan

If a development is operated in a manner that violates the conditions of the approved IPP, the use may be suspended or terminated in accordance with Section 10.4, Penalties and Remedies.

* * *

F. Other Permitted Reductions

1. General Requirements

The number of required motor vehicle parking spaces may be reduced under the following conditions:

- a. The project complies with one or more of the permitted reductions in Section 7.4.5.~~EF~~.2-8 below;

* * *

5. Reduction Based on MS&R Criteria

The number of off-street parking spaces required for any nonresidential development located on a street designated on the MS&R Plan may be reduced in accordance with the calculations in Section 5.4.6, *MS&R Street ~~Perimeter Yard~~Setback and Parking Adjustment*.

* * *

7.4.6. MOTOR VEHICLE USE AREA DESIGN CRITERIA

A. General

The vehicular use area includes the parking spaces, parking area access lanes (PAALs), and any areas necessary to provide maneuvering, refuse collection locations, or loading spaces. Landscaping and screening within the vehicular use area are considered part of the vehicular use area.



B. Location

Required motor vehicle parking must be located on-site except as follows.

1. Off-Site Parking

Off-site parking is permitted under the following conditions.

- a. For projects outside the Downtown Parking District, off-site parking must be located within 600 feet of the project site. For projects in the Downtown Parking District, off-site parking must be located within 1,500 feet of the land use provided the parking is within the District boundaries and is approved by the PDSO Director. For purposes of this section, the distance between required parking and the use it serves is the walking distance measured along the pedestrian access system from the closest points between the building or use and the vehicular use area.
- b. The off-site parking location has parking in excess of the minimum required parking for its use or can demonstrate alternate hours of operation to the use it serves.
- c. Non-residential uses may not use residentially-zoned property for off-site parking.
- d. A formal written and signed shared parking agreement between the owner(s) of the shared parking area and the owner(s) of the shared parking use in a form approved by the City is required.
- e. The off-site parking area meets the design criteria provided in this section, except where the off-site parking is considered non-conforming. If considered legal non-conforming, accessible parking standards must be met, no vehicular or pedestrian safety hazards exist, and the property is not the subject of an unabated code violation.
- f. When required parking is separated from the principal use by an arterial or collector street, signage directing customers to the nearest legal pedestrian crossing is required.
- g. Historic Districts. Land uses within a historic district may apply the location requirements of this section unless different requirements are established specific to that historic district.

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7.4.7. MOTOR VEHICLE STACKING REQUIREMENTS

A. Requirement

The minimum vehicle stacking capacity required is as follows.

TABLE 7.4.7-1: MINIMUM VEHICLE STACKING REQUIREMENTS	
Use	Minimum Vehicle Stacking Capacity (per drive-through lane)*

Automotive Washing (Self-Service)	1 vehicle space
Automotive Washing (Full-Service) and Food Service where there are separate points of service for ordering and pick-up	4 vehicle spaces
All other uses	3 vehicle spaces
* The space at the point of service counts as one vehicle space.	

B. Design Criteria

1. Each stacking space must be a minimum of nine feet in width and 18 feet in length.
2. The stacking area for drive-through lanes must not cross on-site pedestrian access.
3. Stacking spaces may not impede on-site traffic circulation and ingress to and egress from the project site.
4. Drive-through lanes must be striped, marked, or otherwise clearly delineated.

5. Stacking lanes must be separated from parking aisles and not block parking spaces

7.4.8. REQUIRED NUMBER OF BICYCLE PARKING SPACES

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B. Minimum Number of Bicycle Parking Spaces Required

* * *

2. Minimum Required Bicycle Parking Spaces

Table 7.4.8-1: Minimum Required Bicycle Parking Spaces		
Land Use Group/Class	Short-Term Bicycle Parking Required	Long-Term Bicycle Parking Required
AGRICULTURAL USE GROUP	None.	None.
CIVIC USE GROUP	1 space per 8,000 sq. ft. GFA, minimum requirement is 2 spaces; except as follows:	1 space per 12,000 sq. ft. GFA, minimum requirement is 2 spaces; except as follows:
Cemetery	None.	None.

Civic Assembly; Membership Organization; Religious Use	Spaces for 2% of the maximum expected daily attendance. Maximum requirement is 50 spaces.	1 space per 20 employees. Minimum requirement is 2 spaces.
Cultural Use - Zoo	10% of the required number of motor vehicle parking.	None.
Educational Uses:		
Grades K - 12	Grades 1-12: 1 space per 20 students of planned capacity. Minimum requirement is 2 spaces.	Grades 1-12: 1 space per 10 employees plus 1 space per 20 students of planned capacity. Minimum requirement is 2 spaces.
Postsecondary Institutions; Instructional Schools	1 space per 10 students of planned capacity. Minimum requirement is 2 spaces.	1 space per 10 employees plus 1 space per 10 students of planned capacity; or 1 space per 20,000 sq. ft. GFA, whichever is greater.
COMMERCIAL USE GROUP	2 spaces.	1 space per 12,000 sq. ft. GFA, minimum requirement is 2 spaces; except as follows:
Administrative and Professional Office	1 space per 20,000 sq. ft. GFA. Minimum requirement is 2 spaces.	1 space per 6,000 sq. ft. GFA. Minimum requirement is 2 spaces.
Alcoholic Beverage Service	1 space per 2,000 sq. ft. GFA. Minimum requirement is 2 spaces.	1 space per 12,000 sq. ft. GFA. Minimum requirement is 2 spaces.
Animal Service	None.	None.
Billboard	None.	None.
Car Wash, Self-Service	None.	None.
Day Care	1 space per 40,000 sq. ft. GFA. Minimum requirement is 2 spaces.	1 space per 12,000 sq. ft. GFA. Minimum requirement is 2 spaces.
Daycare - Home Occupation	None.	None.

Entertainment (e.g., Sports Stadium or Center; Theater - Live; & Theater - Movie); except,	Spaces for 2% of the maximum expected daily attendance. Maximum requirement is 150.	1 space per 20 employees. Minimum requirement is 2 spaces.
Dance Hall	1 space per 2,000 sq. ft. GFA.	1 space per 12,000 sq. ft. GFA.
Carnival/Circus	None.	None.
Rodeo Arena	Spaces for 2% of the maximum expected daily attendance.	1 space per 20 employees. Minimum requirement is 2 spaces.
Financial Service	1 space per 5,000 sq. ft. GFA. Minimum requirement is 2 spaces.	1 space per 12,000 sq. ft. GFA. Minimum requirement is 2 spaces.
Food Service	1 space per 2,000 sq. ft. GFA. Minimum requirement is 2 spaces.	1 space per 12,000 sq. ft. GFA. Minimum requirement is 2 spaces.
Medical Service:		
Extended Health Care (e.g., nursing home, assisted living)	0.05 spaces per bedroom. Minimum requirement is 2 spaces.	0.15 spaces per bedroom. Minimum requirement is 2 spaces.
Major (e.g., hospital)	1 space per 20,000 sq. ft. GFA. Minimum requirement is 2 spaces	1 space per 50,000 sq. ft. GFA. Minimum requirement is 2 spaces.
Outpatient	1 space per 5,000 sq. ft. GFA. Minimum requirement is 2 spaces.	1 space per 12,000 sq. ft. GFA. Minimum requirement is 2 spaces.
Parking	None.	Except for unattended surface parking lots, 1 space per 20 auto spaces. Minimum requirement is 2 spaces.
Personal Service	1 space per 5,000 sq. ft. GFA. Minimum requirement is 2 spaces.	1 space per 12,000 sq. ft. GFA. Minimum requirement is 2 spaces.

Transportation Service	None.	1 space per 12,000 sq. ft. GFA. Minimum requirement is 2 spaces.
Traveler's Accommodation, Campsite	1 space per 20 campsites.	None.
Travelers' Accommodation, Lodging	2 spaces plus 1 space per 6,000 sq. ft. GFA of conference, restaurant, bar, and/or banquet space. Maximum requirement is 50 spaces.	1 space per 20 guest rooms. Minimum requirement is 2 spaces.
Vehicle Storage	None.	None.
INDUSTRIAL USE GROUP	None.	1 space per 15,000 sq. ft. GFA. Minimum requirement is 2 spaces. Maximum required is 10 spaces.
RECREATION USE GROUP	Per Director's approval, except as follows:	Per Director's approval, except as follows:
Billiard/Pool Hall; Health/Exercise Club/Gymnasium; Skating Rink; and Bowling Alley	1 space per 2,000 sq. ft. GFA. Minimum requirement is 2 spaces.	1 space per 12,000 sq. ft. GFA. Minimum requirement is 2 spaces.
Athletic Fields	2 spaces per field.	None.
Batting Cage	0.25 spaces per batting cage. Minimum requirement is 2 spaces.	None.
Court - Basketball, Racquetball, Tennis, or Volleyball	0.25 spaces per court. Minimum requirement is 2 spaces.	None.
Golf Course	None.	2 spaces.
Driving Range	2 spaces.	None.
Miniature Golf Course	0.25 spaces per tee.	None.

Rifle and Pistol Range	None.	None.
Swimming Pool	1 space per 2,000 sq. ft. of entire pool area. Minimum requirement is 2 spaces.	None.
RESIDENTIAL USE GROUP		
Single-Family & Mobile Home Dwellings	None.	None.
Multifamily Dwellings and Group Dwelling	0.10 spaces per bedroom. Minimum requirement is 2 spaces.	0.5 spaces per bedroom. Minimum requirement is 2 spaces.
Residential Care Services	0.05 spaces per bedroom. Minimum requirement is 2 spaces.	0.10 spaces per bedroom. Minimum requirement is 2 spaces.
RETAIL TRADE USE GROUP*		
Retail Trade Uses Less Than 50,000 sq. ft. GFA	1 space per 5,000 sq. ft. GFA. Minimum requirement is 2 spaces.	1 space per 12,000 sq. ft. GFA. Minimum requirement is 2 spaces.
Retail Trade Uses 50,000 sq. ft. GFA - 99,999 sq. ft. GFA	1 space per 6,000 sq. ft. GFA.	1 space per 12,000 sq. ft. GFA.
Retail Trade Uses More Than 100,000 sq. ft. GFA	1 space per 7,000 sq. ft. GFA. Maximum requirement is 150 spaces.	1 space per 12,000 sq. ft. GFA. Maximum requirement is 50 spaces.
*The required number of bicycle parking spaces for multiple or mixed use development composed of more than one building are calculated on a per building basis using the formulas provided above		
Auctions	None.	None.
Construction Material Sales, Furniture, Carpet, or Appliance		1 space per 12,000 sq. ft. GFA. Minimum requirement is 2

Store; Heavy Equipment Sales; and Vehicle Rental and Sales	2 spaces.	spaces. Maximum requirement is 10 spaces.
Farmers' Market or Swap Meets	1 space per 5,000 sq. ft. of display and sales area only. Minimum requirement is 2 spaces.	None.
Gasoline Sales without Food and Beverage Sales	None.	None.
Home Improvement Center	1 space per 12,000 sq. ft. GFA. Maximum requirement is 10 spaces.	1 space per 12,000 sq. ft. GFA. Maximum requirement is 10 spaces.
Medical Marijuana Dispensary Off-Site Cultivation Location	2 spaces.	1 space per 40,000 sq. ft. GFA. Minimum requirement is 2 spaces. Maximum requirement is 10 spaces.
STORAGE USE GROUP		
Commercial Storage & Hazardous Material Storage	None.	1 space per 40,000 sq. ft. GFA. Minimum requirement is 2 spaces. Maximum requirement is 10 spaces.
Personal Storage	2 spaces.	None.
UTILITIES	None.	None.
WHOLESALING USE GROUP	2 spaces.	1 space per 40,000 sq. ft. GFA. Minimum requirement is 2 spaces. Maximum requirement is 10 spaces.
<u>ALL USE GROUPS: Unattended uses such as water kiosk, ATM, wireless communications, or mail lockers.</u>	<u>0 spaces</u>	<u>0 spaces</u>

(Am. Ord. 11199, 9/9/2014; Am. Ord. 11328, 12/8/2015)

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7.6. LANDSCAPING AND SCREENING

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7.6.4. LANDSCAPE STANDARDS

* * *

C. Landscape Borders

There are two types of landscape borders: street landscape borders and interior landscape borders.

* * *

2. Street Landscape Borders

To enhance the visual appearance of the streetscape, a street landscape border is required in accordance with Table 7.6.4-1 along the street frontage of a site as follows, except as provided in Section 7.6.4.C.4, Exceptions to the Landscape Border Standards:

a. Minimum Width

Street landscape borders must be a minimum of ten feet wide as measured from the street property line. On streets designated as Major Streets and Routes (MS&R), the street landscape border must be measured from the future MS&R right-of-way line as determined by Section 5.4.4, Establishment of MS&R Right-of-Way lines and Gateway Routes.

b. Residential Subdivisions

Street landscape borders for residential subdivisions of eight-five or more residential lots (excluding common areas) 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.

(2) Walls, fences, or other screening must be placed behind the landscape border.

(3) The landscape border must be recorded as common area and maintained by the homeowners association (HOA) for the subdivision. The subdivision CC&Rs shall reference and require compliance with the maintenance standards in Section 7.6.9, Maintenance. The PSDS Director may allow the recording of a public use easement with the subdivision plat in cases where the standards of this section are the only reason for the creation of an HOA. The public use easement shall require the abutting property owner to install and maintain a landscape border in accordance with the standards in this section.

(4) Street landscape borders fronting on local streets may be reduced to a minimum of five feet.

7.6.8. NEW SINGLE FAMILY, MIDDLE HOUSING, AND ACCESSORY DWELLING UNITS

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A. The following landscaping is required for all new single family residential, middle housing development, and accessory dwelling units. These requirements do not apply to new single family residential dwellings within subdivisions of 5 or more units.

1. One canopy tree is required for every 1,000 square feet of gross floor area of the development project.
2. Vegetative groundcover is required within the front yard setback per the calculation below.

$(X \text{ Linear feet of Street Frontage}) - (Y \text{ Curb cut width}) \times (5 \text{ Foot Depth}) = Z \text{ Square Feet of vegetative groundcover}$

An example, using a parcel with 115 feet of street frontage and a 15-foot curb cut:

$(115 \text{ Linear Feet of Frontage}) - (15 \text{ curb cut}) \times (5 \text{ Foot Width}) = 500 \text{ Square Feet of vegetative groundcover required within the front yard setback.}$

Parcels with less than 30 linear feet of street frontage may place the required groundcover in alternate locations indicated on the site plan.

Irregular-shaped lots, including flag lots, will use the street frontage parallel to their parcel (see Figure 7.6.2.A).

3. Plants must be low to very low water use with a hardiness rating of 15 degrees Fahrenheit or lower and non-invasive. Options are listed in Section 5-02.5.0 of the Technical Standards Manual. Exceptions to these criteria or plants that are not listed in Section 5-02.5.0 of the Technical Standards Manual, may be approved by the PDS Landscape Architect.

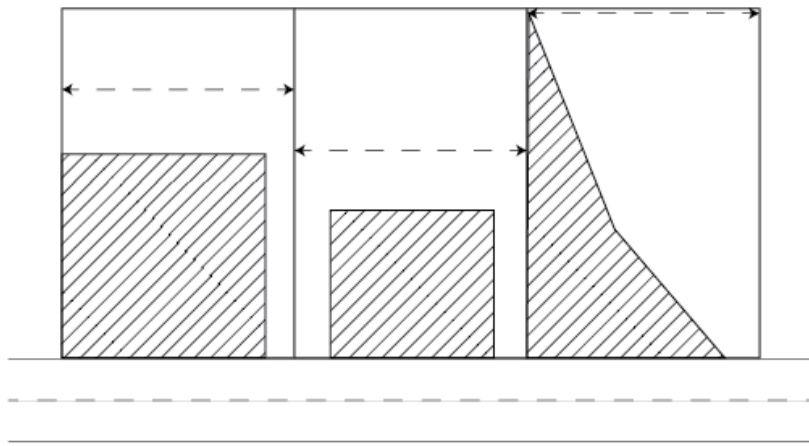


Figure 7.6.2-A Groundcover square footage is based on street frontage. Irregularly shaped lots, such as flag lots, U-lots, and triangular lots, will measure the street frontage at the widest point of the parcel that parallels the street. Here are three examples.

* * *

7.8. ACCESS

* * *

7.8.4. WIDTH OF ACCESS

A. The minimum width required for access to a parcel is that dimension sufficient to provide for the type of access. The minimum required width is based on access improvements being centered within the dimension. If the improvements are located off-center, an additional width may be required.

B. All lots shall be designed with access to a public street. If a proposed lot does not have public street frontage, access must be provided by means of a private street or an access easement of sufficient size to accommodate motor vehicle and pedestrian access and public services as required for the type of development proposed for the lot.

C. If access is provided by an easement and the easement serves more than ~~two-three single-family~~ homes the City may require the easement to be developed as a street or as a parking area access lane (PAAL). The determination as to whether a developed street or PAAL is required will be made at the time of review of the proposed land division or development of the property based on the need for public services, such as utilities, refuse collection, and fire suppression, and on the projected average daily traffic (ADT) of the access easement.

* * *



ARTICLE 7A: SIGN STANDARDS

Section

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- 7A.1.2. Applicability

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7A.11. SPECIAL DISTRICTS

- 7A.11.1. Historic District
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- 7A.11.3. Scenic Corridor Zone (SCZ) District
- 7A.11.4. Planned Area Development (PAD) District

7A.12. APPEALS

~~7A.13. SIGN DESIGN REVIEW COMMITTEE~~

* * *

7A.3. DEFINITIONS

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

B. Residential Use: For the purposes of this Article, residential use shall mean ~~single family residential and multi family residential~~ any type of residential family dwelling. (Ord. 11508, 12/5/2017; Am. Ord. 11803, 12/8/2020)

7A.4. PERMITS, INSPECTIONS, AND FEES

7A.4.1. PERMITS

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

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

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

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

4. Compliance with technical codes. In addition to compliance with the sign standards, all signs shall comply with the appropriate detailed provisions of the adopted Building Code for the City of Tucson and all adopted technical codes relating to design, structural members, and connections, the applicable provisions of the Electrical and Fire Codes of the City of Tucson and the additional construction standards set forth in this jurisdiction. ~~Signs that emit radio frequencies, including electronic message centers, must also provide proof of compliance with Federal Communications Commission regulations. Signs containing radio frequency transmitting equipment, including message centers, must include documentation of compliance with applicable Federal Communications Commission Regulations as part of the permit application~~

* * *

7A.4. PERMITS, INPSECTIONS, AND FEES

7A.4.1. PERMITS

4. Compliance with technical codes. In addition to compliance with the sign standards, all signs shall comply with appropriate detailed provisions of the adopted Building Code for the City of Tucson and all adopted technical codes relating to design, structural members, and connections, the applicable provisions of the Electrical and Fire Codes of the City of Tucson and the additional construction standards set forth in this jurisdiction. Signs containing radio frequency transmitting equipment, including message centers, must include documentation of compliance with applicable Federal Communications Commission (FCC) regulations as part of the permit application.

7A.6. MEASUREMENTS, LOCATION, AND GENERAL REQUIREMENTS

7A.6.9. STREET AND BUILDING FRONTAGES

C. Multiple Frontage Lots

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

7A.7. SIGN DESIGN OPTIONS

7A.7.1. MASTER SIGN PROGRAM - PERMANENT SIGNS

D. Decision

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

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

2. An applicant may apply for an amendment to an approved Master Sign Program in accordance with the standards set forth in this Article 7A.7.

7A.8. EXEMPT AND PROHIBITED SIGNS

7A.8.1. EXEMPT SIGNS

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

1. Non-commercial flags, emblems or insignias;
2. Permanent sign cut into the surface of a façade or building;
3. Non-commercial murals;
4. Commercial murals that are in pedestrian districts; ~~and~~;
5. Manned hot air balloons; and
6. Vehicle Clearance Bars.

B. In the event that an exempt sign listed above is located in a "H" Historic Preservation Zone, the sign will be subject to review under 5.8.8, *Design Review Required*.

(Am. Ord. 11803, 12/8/2020)

* * *

7A.10. SIGN TYPES AND GENERAL STANDARDS

* * *

7A.10.1. GENERALLY PERMITTED SIGNS

The signs contained in this section are permitted throughout the city, regardless of zone and sign district, unless otherwise designated.

A. Emergency, warning, and governmental signs necessary for public safety or civil defense or other governmental use, signs shall be easily readable and if necessary illuminated.

B. Interior Signs

1. An Interior Sign is an on-site sign, emblem, or decal that is ground or wall -mounted providing information to the public such as wayfinding, facilities, services or prohibitions relating to the premises and which is inside a building, in a courtyard or hallway, or is within a premise's boundaries but is either not facing or is not readable from the public right-of-way, does not require zoning review but may require building code review.

~~2. Signs attached to the interior wall of a shopping mall for identification, advertisement or promotion of the interest of any person, entity, product or service are required to obtain a sign permit to ensure compliance with applicable building, fire, electrical, and technical codes but are not otherwise subject to the sign standards. For purposes of the sign standards these signs are considered interior signs.~~

3. Interior Sign Exception: A wall-mounted permanent or portable sign, or ground-mounted permanent or portable sign, that is within a premise's boundaries, outside a building or enclosed area, viewable from the public right-of-way, and has a sign area greater than

twelve square feet, is counted as part of the applicable sign type's maximum sign area. All signs intended to be readable from the public right-of-way are counted as part of the applicable sign type's maximum sign area.

* * *

F. Menu Boards

1. A menu board is an on-site sign erected in conjunction with a use that incorporates an approved drive-through, drive-in, or walk-up to display service or product options and pricing for delivery to customers in a vehicle or on foot. Menu boards are oriented towards the ordering point.

2. Menu boards and order stations are generally a generally permitted type of menu sign, as their purpose is to serve on site uses at close proximity, as outlined in Section 7A.10.1.B.3, and require only technical reviews under a sign permit. Menu boards must obtain applicable permits to ensure compliance with building, fire, electrical, and technical codes but They are not otherwise subject to the sign standards if they are fully outside of view from the right-of-way. Menu boards which are visible from the right-of-way require a sign permit.

3. Menu boards which meet the definition of a window sign as stated in 7A.10.1.E. are considered window signs and instead subject to the standards thereof.

(Am. Ord. 11803, 12/8/2020)

7A.10.2. PERMANENT SIGNS

A. Permanent Signs - Zone Category Standards

TABLE 1 - ZONES CATEGORIES AND PERMANENT SIGN TYPES					
Sign types below may be permitted in the zone categories below with additional standards.					
Individual zones within a zone category or another specified zone may prohibit a sign type or have more restrictive standards for that individual zone.					
Permanent Signs	Residential Category IR, RH, SR, SH, RX-1, RX-2, R-1, MH-1 zones	Multifamily Residential Category R-2, R-3, MH-2 zones	Non-residential Category O-1 zone	General Business Category O-2, O-3, P, RV, NC RVC, C-1, -2, -3, OCR-1, -2, MU, U zones	Industrial Category P-I, I-1, I-2 zones
Access Point	P, 2	P, 2	P	P	P

Awning	P, 1	P	P	P	P
Billboards	5	5	5	P, 4, 5	P, 4, 5
Canopy		P, 7	P	P	P
Dwelling Unit	P	P			
Freestanding Monument		P	P	P	P
Freestanding Monument low profile	P, 3	P	P	P	P
Freestanding Pole				P	P
Freeway				P	P
<u>Heritage Landmark Sign</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Parking Lot	P	P	P	P	P
Projecting	P, 6	P, 6	P, 6	P, 6	P, 6
Wall	P, 3	P	P	P	P
P = Generally Permitted - See Section 7A.10.2.C for Additional Standards . 1. Restricted to home occupation use in all zones except IR and MH-1 2. Not permitted for home occupation use 3. Restricted to nonresidential use 4. Restricted to C-2, C-3, I-1, I-2, zones 5. Prohibited locations: On property with the following zoning: Rural Residential zones , Urban Residential zones (all); Office zones (all); "RVC" Rural Village Center Zone , "NC" Neighborhood Commercial Zone , "C-1", Commercial Zone , "P" Parking Zone and "RV" Recreational Vehicle Zone , Commercial zones , Mixed Use Zones (all); "P-1" Park Industrial Zone of Division 7, Industrial Zones ; Scenic Corridor Zone , Airport Environs Zone (unless prior approval in writing by Federal Aviation Administration) and Historic Preservation Zone Overlay zones . 6. Signs shall be permitted only within a Historic or Pedestrian District in compliance with Section 7A.11.1.<u>H</u> and 2.D respectively. 7. Limited to 20 sq. ft.					

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

MAXIMUM PERMANENT SIGN AREA PER Zone CATEGORY AND SPECIAL Zone STANDARDS		
TABLE 2		

Zone CATEGORIES	MAXIMUM SIGN AREA	SPECIAL Zone STANDARDS
RESIDENTIAL (RX-1, RX-2, R-1 MH-1) AND RURAL ZONES (IR, RH, SR, SH)		
ALL PERMANENT SIGNS		1. On building having more than one street frontage, the maximum allowable number and square footage of on-site signs area permitted for each street frontage. The maximum allowance, however, is not transferable either in whole or in part from one street frontage to another.
Residential uses. Non-residential uses located on local streets.	20 Sq. Ft.	1. No digital signs are permitted except for non-residential uses.
Non-residential uses on arterial or collector streets.	100 Sq. Ft.	1. Permanent freestanding sign's sign area may not exceed 32 square feet
MULTI-FAMILY <u>RESIDENTIAL USES</u> (R-2, R-3 AND MH-2 ZONES)		
ALL PERMANENT SIGNS		1. Heritage landmark signs (HLS), all types. The first HLS on a premise does not count toward the maximum total sign area.
Residential uses. Non-residential uses located on local streets.	50 Sq. Ft	1. No digital signs are permitted except for non-residential uses.
Non-residential uses on arterial or collector streets.	100 Sq. Ft.	1. Permanent freestanding sign's sign area may not exceed 50 square feet
NON-RESIDENTIAL O-1 ZONE		
ALL PERMANENT SIGNS	20 Sq. Ft.	A 20 sq. ft. sign is allowed per tenant in a multi-tenant complex. The maximum size of any sign is 20 sq. ft. A multi-tenant complex may have no more than two freestanding signs, which may be a tenant sign or a sign for the entire complex. Signs on arterial and collector streets shall be illuminated by down lights only such as low pressure sodium lighting, halo-effect illumination, full cut-off LED lighting or other similar lighting technologies compatible with the Tucson Outdoor Lighting Code.



		Signs shall not be illuminated between the hours of 10:00 p.m. and 7:00 a.m. Signs located on a local street frontage shall not be illuminated. 4. No digital signs are permitted except for non-residential uses.
GENERAL BUSINESS (O-2, O-3, P, RV, NC, RVC, C-1, C-2, C-3, OCR-1, OCR-2, MU AND U ZONES)		
ALL PERMANENT SIGNS	<u>Utilize UDC 7A.6.2.C to determine if the maximum sign area is based upon street frontage or building frontage.</u> 3 feet for every lineal foot of street frontage. <u>Reference UDC 7A.6.2.C to determine if the maximum sign area is based upon street frontage or building frontage.</u>	If any portion of a parcel is within two hundred fifty (250) feet of a freeway: Four (4) square feet per foot of street frontage. If any portion of a parcel is within two hundred fifty (250) feet of a freeway: Four (4) square feet per foot of street frontage. Design review: Within effectuated Urban Overlay Districts (UOD) mapped per the Unified Development Code (i.e. with "U" zoning), any single sign 50 square feet in area or larger, or any site where the total sign area exceeds 50 square feet, shall be reviewed under the design review procedure established by the specific UOD. Heritage landmark signs (HLS), all types. The first HLS on a premise does not count toward the maximum total sign area. Property where an approved site plan, development plan, or plat provides for a multi-family dwelling as the principal use, shall follow the standards of the Multi-family Zone Category.
INDUSTRIAL (P-I, I-1, I-2 ZONES)		
ALL PERMANENT SIGNS	4 feet for every lineal foot of street frontage	1. Heritage landmark signs (HLS), all types. The first HLS on a premise does not count toward the maximum total sign area.

C. Permanent Signs - Additional Sign Type Standards

The sign types below apply to the sign types in all zones but may have more restrictive standards by individual zones or zone categories.

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1. Sign Types A through E

a. Access Point Sign

An on-site sign located at or near the access point or other wayfinding location. This sign type is permitted in the residential category for non-residential uses, in a multi-family residential or non-residential category for non-residential uses and multi-family uses and is not permitted in the historic district. The following location and setback criteria apply to access point signs:

(1) Size and Height allowed

Up to 3 ft. tall and up to 6 sq. ft in area, unless section (3) below is met.

(2) Site Visibility Triangle (SVT)

An access point sign must be outside of the SVT and on private property. The required minimum setback is 10 feet.

(3) Sign Location

When located in a drive thru, the minimum setback is one (1) foot from leading edge of the sign to the edge of the drive thru curb. When located along a private or public street, along a private drive or parking area access lane (PAAL), provide a minimum setback of one (1) foot from the leading edge of the sign to the edge of the nearest curb(s).

(3) Additional allowance

If the Access Point Sign is located on a premise that has a street frontage of 125 feet or greater, or that has an area of one acre or greater, the Access Point Sign may be up to 4 ft. tall and 12 sq. ft.

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3. Sign Types P through Z

* * *

c. Projecting Sign

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

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

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

B. Maximum Total Attached Sign Area

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

2. For multifamily complexes: ~~20~~ 50 square feet per street frontage.

C. Unified Development Code Compliance

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

D. Colors

All signs ~~shall be encouraged to~~ use colors that are predominant within the surrounding landscape, such as desert and earth tones, as required in the scenic corridor zone provisions of the Unified Development Code. Under no circumstances shall neon colors and luminescent materials be used, as defined in Section &A.11.4.15.

* * *

~~7A.13. SIGN DESIGN REVIEW COMMITTEE~~

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

ARTICLE 8: LAND DIVISION, LAND SPLIT, AND SUBDIVISION STANDARDS

Section

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8.2. APPLICABILITY

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8.4. SUBDIVISIONS

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8.4.2. Residential and Non-Residential Condominium and Condominium Conversion Plat

8.4.3. Minor Subdivision

8.4.4. Tentative Plat

8.4.5. Final Plat

8.4.6. Middle Housing Subdivision

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8.5.1. Tentative Plat

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8.6. GENERAL REQUIREMENTS FOR SUBDIVISIONS

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8.6.5. Land Clearing and Grading

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8.7. SUBDIVISION DESIGN STANDARDS

8.7.1. Parks, Recreational Facilities, Fire Stations, and School Sites

8.7.2. Phased Subdivisions

8.7.3. Flexible Lot Development (FLD)

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8.3. LAND DIVISION

8.3.1. LAND SPLIT

* * *

E. Review

Land splits are reviewed by the PDSD for compliance with the following requirements:

1. Does not constitute a subdivision as defined in Section 11.4.20 which would require compliance with platting requirements of Section 8.4;
2. Results in tracts or parcels which conform to the minimum lot size requirements of the property's zone;
3. Provides access to the proposed tracts or parcels in accordance with Section 7.8, *Access*, of the UDC, Sections 7-01.0.0, *Pedestrian Access*, and 10-01.0.0, *Street Technical Standard*, of the Technical Standards Manual, and the City of Tucson Floodplain Ordinance and Drainage Manuals;
4. Results in all existing buildings complying with the perimeter yardsetback requirements of the property's zone; and,
5. Results in tracts or parcels of at least the minimum size required to build in accordance with the applicable zoning including any natural, environmental and floodplain requirements in accordance with the City of Tucson Floodplain Ordinance and Drainage Manuals.

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8.4. SUBDIVISIONS

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8.4.5. FINAL PLAT

A. Applicability

1. Proposed subdivisions, including minor subdivisions, block plats, and condominium plats, and middle housing subdivisions require the review and approval of a final plat.
2. The subdivider shall construct all required subdivision improvements, at no expense to the City, prior to recordation of the final plat, or the subdivider may post assurances as detailed in Section 8.6.2, *Subdivision Improvements and Assurances*.

B. Application Required

1. Submittal of an application to the PDSD is required in order to process the request. The application must be in accordance with Administrative Manual (AM) Section 2-07.0.0, Final Plat, Block Plat, Minor Subdivision, Middle Housing Subdivision and Condominium Plat.

Applications are reviewed for completeness in accordance with [UDC Section 3.2.3. Application Requirements](#)

2. The final plat shall substantially conform to the approved tentative plat.

3. Assurances in accordance with Section 8.6.2, Subdivision Improvements and Assurances, is also required, when applicable, for review and consideration for approval by the City Engineer.

4. A final plat may be submitted concurrent with the tentative plat in accordance with Section 3.2.3.B, Sequential or Concurrent Review Procedure.

* * *

[8.4.6 MIDDLE HOUSING SUBDIVISION](#)

[A. PURPOSE](#)

[The regulations in this section allow owners of land upon which residential development of 1-4 units is allowed to divide their land without being subject to the other subdivision regulations and procedures of the Unified Development Code. Middle Housing Subdivision facilitates the sale and purchase of housing through fee simple acquisition.](#)

[B. APPLICABILITY](#)

[A middle housing subdivision is permitted on sites with existing or proposed residential development of 1-4 units in zones which permit Middle Housing, subject to the following criteria:](#)

[1. The subdivision must be proposed on a legally created infill lot\(s\). Lots created without approval from the City of Tucson may require correction as part of the subdivision review and approval. To qualify as an infill lot, the majority of the adjacent lots must be developed with occupiable structures;](#)

[2. The number of proposed residential lots is 4 or less, with 1 additional lot permitted to serve as a designated common area;](#)

[3. All proposed lots have street frontage or perpetual access easements of a minimum width and maximum length complying with requirements established by Section 7.8, Access, of the UDC and Section 10-01.0.0, Technical Standards of the Technical Standards Manual. An alley may serve in lieu of the required street frontage with the approval of the City of Tucson Department of Transportation and Mobility;](#)

[4. All streets forming the boundary of the subdivision are fully improved, except for streets that may be improved as part of the project;](#)

[5. All sidewalks along the boundary of the subdivision are fully improved according to Section 10-01.0.0: Street Technical Standard, except for sidewalks that will be improved as part of the project;](#)

[6. If the property is located within a 100-year regulatory floodplain area or erosion hazard setback, all proposed lots must demonstrate building pad locations that are protected from flood and erosion hazards as defined in the Floodplain Ordinance \(Tucson Code Chapter](#)



26) and Standards Manual for Drainage Design and Floodplain Management in Tucson, Arizona;

7. The property has all weather access in accordance with the City of Tucson Floodplain Ordinance and Design Manuals, or Section 10-02.4.4, *Street Drainage*, of the Technical Standards Manual;

8. The proposed subdivision does not have special development requirements, or special requirements have been reviewed, and special development requirements have been determined. These special development requirements may include, but are not limited to, the Hillside Development Zone (HDZ); the Environmental Resource Zone (ERZ); the Scenic Corridor Zone (SCZ); and the Watercourse Amenities, Safety, and Habitat (WASH) ordinance; and,

9. The middle housing subdivision cannot be used for the creation of a Flexible Lot Development (FLD).

C. GENERAL PROVISIONS

1. Development standards for a middle housing subdivision apply as follows:

a. Setbacks established per UDC Section 6.3, *Dimensional Standards* apply to the proposed exterior subdivision property boundaries and not interior property boundaries. Interior property setbacks are determined per the adopted building code;

b. Lot coverage and minimum lot sizes established per UDC Section 6.3, *Dimensional Standards*, apply to the proposed subdivision in totality, not the individually created lots. The established minimum lot size determines the overall permitted density;

c. Landscape standards established per UDC Section 7.6.8, *New Single Family, Middle Housing, and Accessory Dwelling Units* apply to the proposed subdivision in totality, not the individually created lots;

d. A reference site plan and additional supplemental information may be required to determine applicability of development standards related to a middle housing subdivision;

e. Determinations of applicability of development standards may be requested per UDC Section 1.5.1, *Zoning Determinations and Zoning Certifications by the Zoning Administrator*.

2. Middle housing subdivisions are restricted as follows:

a. The total number of residential lots is limited to 4, with 1 additional lot permitted to serve as designated common area. Protective covenants or Covenants, Conditions, and Restrictions (CC&Rs) establishing responsibility for construction, maintenance, and ownership of any proposed common area, open space, private street, or similar joint use, are required;

b. The subdivision is limited to a total of four dwelling units, including ADUs.

c. If the proposed subdivision includes an existing Accessory Dwelling Unit (ADU) which is platted on its own lot, the ADU will then be designated as a principal dwelling and not an ADU. Further division of lots beyond the maximum lots permitted per UDC Section 8.4.6.C.2.a is prohibited.

D. PRE-APPLICATION CONFERENCE REQUIRED

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

E. APPLICATION, REVIEW, DECISION, AND RECORDATION

1. Middle housing subdivisions are prepared, reviewed for compliance with all applicable requirements, and considered for approval in accordance with UDC Section 8.4.5, Final Plat, with the exception that a pre-application is required;

2. Any reviews that are normally conducted during the tentative plat process, such as those involving drainage statements or reports, shall instead be conducted as part of the final plat process; and,

3. After approval by the PSD, the subdivision must be recorded with the Office of the Pima County Recorder.

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8.7. SUBDIVISION DESIGN STANDARDS

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8.7.3. FLEXIBLE LOT DEVELOPMENT (FLD)

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C. General Development Criteria

1. Conformance with the General Plan and other Applicable Plans

An FLD proposed in conjunction with a rezoning shall be in conformance with the ~~General Plan and any of its components, including~~ any applicable adopted area and neighborhood plans. Adoption of the FLD option is prima facie evidence that the City has determined that the FLD development is in substantial conformance and in basic harmony with the underlying applicable area, and or neighborhood plans. Strict compliance with the applicable adopted area and/or neighborhood plans is not required.

* * *

K. ~~Perimeter Yards~~Setbacks Along FLD Project Site Boundaries

1. ~~Perimeter yards~~Setbacks along FLD project site boundaries are required in accordance with the site's underlying zone as provided in Section 6.3.4, *Dimensional Standards and Exceptions Tables*.

2. Street ~~perimeter yards~~setbacks along FLD project site boundaries are required in accordance with Section 6.4.5.C, *Street* ~~Perimeter Yards~~Setbacks, unless special zoning requirements dictate a greater distance or different point of measurement.



L. ~~Perimeter Yards~~Setbacks on Interior Lots

1. The ~~perimeter yard~~setback requirements of Section 6.3.4, *Dimensional Standards and Exceptions Tables*, may be reduced for setbacks along interior lot lines to the extent permitted by the City 's adopted Building Codes.

2. Along interior street lot lines, street ~~perimeter yards~~setbacks are required, in accordance with Section 6.4.5.C, *Street ~~Perimeter Yards~~Setback*. The street setback may be administratively reduced by the PDSD Director based on a finding that the reduced setback enhances the architectural design or the vehicular circulation in the FLD and a transportation statement is approved by the City's Traffic Engineering division. A street ~~perimeter-~~
~~yard~~setback reduction request is considered for approval concurrent with the processing of the plat or site plan, whichever is applicable.

3. Along parking area access lanes (PAALs), setbacks are required in accordance with Section 7.4.6.F.2, *Setbacks from Access Lanes and PAALs*.

* * *

P. FLD Submittal, Review, and Decision

An FLD shall be prepared, processed, and have a tentative and final plat or site plan, whichever is applicable, approved prior to issuance of a building permit with the following exception. Model homes may be authorized for construction prior to recordation of the final plat in accordance with Section 8.6.4, Permits for Model Homes.

1. Tentative Plat

a. A tentative plat for an FLD shall be prepared in accordance with Section 2-06.0.0, *Development Package*, of the Administrative Manual, including Section 2-06.5.0, *Flexible Lot Development - Additional Requirements*, of the Administrative Manual.

b. A tentative plat for an FLD is processed and considered for approval in accordance with Section 8.4.4, *Tentative Plat*, with the following exceptions:

~~(1) An applicant shall hold a neighborhood meeting in accordance with Section 3.2.2.C.1.b prior to submitting a FLD application.~~

~~(2)~~ Notice of the submittal of an FLD application shall be sent ~~to~~ by the applicant ~~to the~~ property owners within 400 feet of the project site, and neighborhood associations within one mile of the project site.

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ARTICLE 9: NONCONFORMING USES, BUILDINGS AND STRUCTURES

Section

9.1. GENERAL

- 9.1.1. Introduction
- 9.1.2. Applicability
- 9.1.3. Continuation Permitted
- 9.1.4. Determination of Nonconforming Status
- 9.1.5. Repairs and Maintenance
- 9.1.6. Restoring Unsafe Structures
- 9.1.7. Tenancy and Ownership

9.2. NONCONFORMING USE

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

9.3. NONCONFORMING STRUCTURE

- 9.3.1. Reconstruction
- 9.3.2. Expansion
- 9.3.3. Loss of Nonconforming Status
- 9.3.4. Nonconforming Parking Areas

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9.2. NONCONFORMING USE

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

A nonconforming use may be substituted with a use from a Land Use Class that is different from the one to which the existing nonconforming use belongs, provided it is approved in accordance with ~~Section 3.4.3, Zoning Examiner Special Exception Procedure~~[Section 3.3.3 PDSD Director Approval Procedure](#), and provided the use complies with the following standards before and after the substitute use is in operation:

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

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

C. The substitute use provides parking as required by the UDC. A modification to the parking standards may be requested in accordance with Section 7.4.10, *Parking Design Modification Request*, or Sections 3.10.1 and ~~23~~.10.3, *Board of Adjustment Variance Procedure*; and,

D. The substitute use does not propose an extension or enlargement of the structure or of the areas occupied by the nonconforming use, except as provided for expansion in Section 9.2.2, *Expansion of a Nonconforming Use*.

* * *



ARTICLE 10: ENFORCEMENT AND PENALTIES

Section

10.1. PURPOSE

10.2. ENFORCEMENT AUTHORITY

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

10.3. VIOLATIONS

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

10.4. PENALTIES AND REMEDIES

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

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10.2. ENFORCEMENT AUTHORITY

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

* * *

10.3. VIOLATIONS

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

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10.4. PENALTIES AND REMEDIES

10.4.1. ACTIONS BY THE ZONING ADMINISTRATOR

The Zoning Administrator with assistance from the ~~HCDD~~ appropriate city staff persons may take any of the following actions to ensure enforcement of the UDC and any condition placed on development of a property due to an administrative or legislative decision or action by a City Review Authority described in Article 2 of the UDC:

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ARTICLE 11: DEFINITIONS AND RULES OF CONSTRUCTION

Section

11.1. ARTICLE ORGANIZATION

11.2. GENERAL RULES FOR CONSTRUCTION OF LANGUAGE

- 11.2.1. Heading
- 11.2.2. Illustration
- 11.2.3. Tenses and Numbers
- 11.2.4. Conjunctions
- 11.2.5. Undefined Terms

11.3. DEFINITIONS OF LAND USE GROUPS, CLASSES, AND TYPES

- 11.3.1. Purpose and Provisions
- 11.3.2. Agricultural Use Group
- 11.3.3. Civic Use Group
- 11.3.4. Commercial Services Use Group
- 11.3.5. Industrial Use Group
- 11.3.6. Recreation Use Group
- 11.3.7. Residential Use Group
- 11.3.8. Restricted Adult Activities Use Group
- 11.3.9. Retail Trade Use Group
- 11.3.10. Storage Use Group
- 11.3.11. Utilities Use Group
- 11.3.12. Wholesaling Use Group

11.4. OTHER TERMS DEFINED

- 11.4.1. Purpose
- 11.4.2. Definitions-A
- 11.4.3. Definitions-B
- 11.4.4. Definitions-C
- 11.4.5. Definitions-D
- 11.4.6. Definitions-E
- 11.4.7. Definitions-F
- 11.4.8. Definitions-G
- 11.4.9. Definitions-H
- 11.4.10. Definitions-I
- 11.4.11. Definitions-J
- 11.4.12. Definitions-K
- 11.4.13. Definitions-L
- 11.4.14. Definitions-M
- 11.4.15. Definitions-N
- 11.4.16. Definitions-O
- 11.4.17. Definitions-P
- 11.4.18. Definitions-Q
- 11.4.19. Definitions-R

11.4.20.Definitions-S
11.4.21.Definitions-T
11.4.22.Definitions-U
11.4.23.Definitions-V
11.4.24.Definitions-W
11.4.25.Definitions-X
11.4.26.Definitions-Y
11.4.27.Definitions-Z

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11.3. DEFINITIONS OF LAND USE GROUPS, CLASSES, AND TYPES

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11.3.4. COMMERCIAL SERVICES USE GROUP

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R. Medical Service - Outpatient

Provides outpatient physical or mental health services. Services may be of a preventive, diagnostic, treatment, therapeutic, rehabilitative, or counseling nature. Typical uses include medical and dental offices, health clinics, counseling services, acupuncture and other holistic health practitioner offices, and emergency care centers.

* * *

~~V. Smoke Shop~~

~~Any establishment in which the area used for sales or display of tobacco products consists of fifteen (15) percent or more of the total sales area of the space.~~

~~1. Tobacco Product~~

~~a. Any product made or derived from tobacco or that contains nicotine and is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled, or ingested by any other means, including cigarettes, cigars, pipe tobacco, chewing tobacco, shisha, snuff, snus, and liquid nicotine solution; and~~

~~b. Any component, accessory, instrument, or paraphernalia that is used in the consumption of a tobacco product or that is solely designed for the smoking or ingesting of tobacco or shisha, including a hookah, water pipe, filter, rolling papers, pipe, or electronic smoking device; except that:~~

~~c. The term "tobacco product" does not include drugs, devices, or combination products, as those terms are defined in the Federal Food, Drug and Cosmetic Act, that are authorized for sale by the United States Food and Drug Administration.~~

~~WV. Technical Service~~

Service of a technical nature provided to businesses and individuals. Typical uses include printing establishments, blueprint companies, photocopy companies, commercial art studios, recording studios, and computer access centers.

~~XW. Trade Service and Repair, Major~~

The maintenance, repair, or reconstruction of heavy equipment, machinery, large trucks, buses, or other similar vehicles and their component parts. The fabrication of parts and products on an individual basis is permitted. Typical uses include farm machinery repair services, body work and painting of automobiles and similar vehicles, and welding shops.

YX. Trade Service and Repair, Minor

The service or repair of appliances and other similar utility items for business or personal use. Typical uses include appliance repair, jewelry repair, reupholstery, locksmith, burglar alarm repair, and stereo and television repair shops.

ZY. Transportation Service, Air Carrier

Involves the landing or taking off of aircraft and may provide for passenger and freight transportation by air. The use may include associated terminal and service facilities. Aircraft include airplanes, helicopters, gliders, dirigibles, blimps, and ultralights. The facilities may be for commercial or recreational use. Typical uses include private and public airports, heliports and helipads, gliderports, and ultralight fields.

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11.3.7. RESIDENTIAL USE GROUP

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A. Family Dwelling

The occupancy (habitation) of a permanent structure or structures on a lot or parcel by one or more individuals holding the dwelling unit under common property rights, living together as a single household, and using common cooking facilities. Typical uses include attached or detached dwellings and single-family or multiple-family dwellings.

1. Accessory Dwelling Unit (ADU)

A dwelling unit that is either: (a) detached, located on a lot with a primary single-family dwelling, or (b) attached to a single-family dwelling. Accessory dwelling units are independent units and may include a kitchen, bedrooms, bathrooms, and a sitting room.

2. Duplex

A building containing two dwelling units on a single lot or parcel. May be attached or detached.

3. Manufactured Housing

A multisectional mobile home dwelling manufactured after June 15, 1976, to standards established by the U.S. Department of Housing and Urban Development that has external dimensions of at least 24 feet by 40 feet and is installed on a permanent foundation. A manufactured housing unit is considered equivalent to a single-family dwelling. To be considered a manufactured housing unit under this UDC, a wall must be installed continuously, except for ventilation and access, along the entire perimeter of the unit between the unit and the ground to give it the appearance of a site-built house. The wall must be of masonry construction or similar material. The tongue, axles, transporting lights, and towing apparatus must be removed before occupancy.

4. Middle Housing



A building or buildings with two to four dwelling units on a site, including townhomes, excluding Accessory Dwelling Units. Units may be attached or detached

45. Multifamily Development

Any residential development consisting of ~~three-five~~ or more dwelling units on an integrated site or single lot.

56. Single-Family Dwelling, Attached

A dwelling unit attached on a horizontal plane to one or more dwelling units by structural elements common to the attached units. Each dwelling unit is located on its own individual lot or separated by a line denoting a separate ownership of each unit. The structural elements include common wall construction, roof, or other similar improvement. Elements such as trellises, beams, and patio walls are not included. The interior ~~perimeter yard setback~~ between units in a unified development may be reduced to 0 (zero) feet.

67. Single-Family Dwelling, Detached

A dwelling unit that is not attached to any other dwelling unit by any structural elements, surrounded by open space and located on its own separate lot.

7. Accessory Dwelling

~~A dwelling unit that is either: (a) detached, located on a lot with a primary single family dwelling, or (b) attached to a single family dwelling. Accessory dwelling units are independent units and may include a kitchen, bedrooms, bathrooms, and a sitting room.~~

* * *

C. Mobile Home Dwelling

A nonmotorized dwelling, transportable in one or more sections, constructed on a permanent chassis with wheels, suitable for year-round residential occupancy and requiring the same method of water supply, waste disposal, and electrical service as a site -built dwelling. Mobile home does not mean a recreational vehicle . Manufactured housing units that do not meet the criteria provided in Section 11.3.7.A. 53, Manufactured Housing, and house trailers are considered mobile home dwellings.

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11.3.9 RETAIL USE GROUP

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C. General Merchandise Sales

The selling, leasing, or renting of commonly used merchandise for personal or household use and the providing of services incidental to the selling, leasing, or renting of goods. Typical uses include department and variety stores, automotive accessories and new parts stores, fuel and lubricant sales, apparel stores, drugstores, florists, furniture stores, pet stores, and video tape rental and sales.

* * *

3. Shopping Center



A multiple use development composed of an integrated group of establishments (stores), planned, constructed, and managed as a unit, utilizing common or shared facilities, such as buildings, parking, and vehicular and pedestrian access, ~~where no more than 50% of the floor area is dedicated to uses with a parking formula of one space per 100 square feet of gross floor area or a more intense formula.~~ The individual establishments may be owned by a single entity or by separate entities.

* * *

J. Smoke Shop

Any establishment in which the area used for sales or display of tobacco products consists of fifteen (15) percent or more of the total sales area of the space.

1. Tobacco Product

a. Any product made or derived from tobacco or that contains nicotine and is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled, or ingested by any other means, including cigarettes, cigars, pipe tobacco, chewing tobacco, shisha, snuff, snus, and liquid nicotine solution; and

b. Any component, accessory, instrument, or paraphernalia that is used in the consumption of a tobacco product or that is solely designed for the smoking or ingesting of tobacco or shisha, including a hookah, water pipe, filter, rolling papers, pipe, or electronic smoking device; except that:

c. The term "tobacco product" does not include drugs, devices, or combination products, as those terms are defined in the Federal Food, Drug and Cosmetic Act, that are authorized for sale by the United States Food and Drug Administration.

K. Swap Meets and Auctions

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

L. Vehicle Rental and Sales

The sale, lease, and/or rental of automobiles, motorcycles, noncommercial trucks, boats, vans, motor homes, trailers, or other recreational vehicles. Typical uses include automobile and truck dealers and rental agencies.

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11.3.11. UTILITIES USE GROUP

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A. Battery Energy Storage System (BESS)





A stationary facility utilizing chemical, electrochemical, or mechanical energy storage technologies designed for grid-connected or commercial load electrical management. Facilities are categorized in two tiers: 1) Distributed: Commercial, institutional, or microgrid behind-the-meter systems with an aggregate capacity equal to or greater than 80 kWh, but less than 1 Megawatt (MW) or 4 Megawatt-hours (MWh) and 2) Bulk Power: Front-of-the-meter, standalone, or co-located grid-support assets with an aggregate capacity equal to or greater than 1 MW or 4 MWh. Systems with an aggregate storage capacity of less than 80 kilowatt-hours (kWh) that are accessory to a primary residential structure are exempt from this use and associated standards.

AB. Distribution System

The dispensing or transforming of basic services, such as gas, electricity, or water, from one part of an interconnected system to another. Typical uses include electric substations, gas distribution substations, ~~and~~ water wells, and outdoor battery storage facilities.

BC. Generating System

A facility that produces energy. Typical uses include electrical generating plants.

CD. Renewable Energy Generation

A principal use producing commercial power from natural resources, such as sunlight, wind, rain, tides, and geothermal heat, that are renewable (naturally replenished). Typical uses are solar, geothermal, natural or methane gases, and wind power.

DE. Sanitation System

The collection, disposal, or treatment of waste materials. Typical uses include sewage pumping stations, sanitary landfills, sewage treatment facilities, and hazardous material treatment facilities.

EF. Transmission Lines

Transportation facilities for the conveyance of commodities other than petroleum. Utility lines include facilities for the transmission of electrical energy for sale, including transmission lines for a public utility company. Also includes telephone, telegraph, cable television and other communications transmission facilities utilizing direct physical conduits. Does not include offices, service centers, or distribution substations.

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11.4. OTHER TERMS DEFINED

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11.4.3. DEFINITIONS – B

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Bedroom

The term bedroom includes all of the following: 1) Any room that is designated as a bedroom; 2) Any enclosed room that has a minimum area of 60 square feet and has an accessible opening to the



exterior of the building in compliance with the International Building Code (IBC), whether termed a studio, family room, study, den, bonus room, or any other name, except for a living room, dining room, kitchen, laundry room, and bathrooms; and 3) Any room designated as a bedroom for the purpose of any other code requirement. A room with a permanent opening of at least five feet which connects to a living room, dining room, kitchen, or bathroom or with an opening of at least 50 percent of the length of the wall is not considered a bedroom.

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Building Setback

See perimeter yard setback.

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11.4.5. DEFINITIONS – D

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Developing Area

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

Developing Area Setback

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

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11.4.6. DEFINITIONS - E

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Established Area

An area where 50% or more of the linear street frontage of all property, excluding alleys and drainageways, located on the same side of the street and within the same block as the proposed development is occupied by principal structures that conform to the minimum street perimeter yard required by Section 6.4.5.C, *Street Perimeter Yard*, for the applicable zoning classification or street frontage.

Established Area Setback

A term used to describe the required building setback from a street applicable as follows:

1. When street frontage of the property is on a street other than one designated a major street or route by the adopted Major Streets and Routes (MS&R) Plan; and,
2. Where an established area exists.

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11.4.7. DEFINITIONS – F

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Freestanding Sign (7A)

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

A. Freestanding - Monument Type Sign (7A)

A sign that has been provided with a base of some type (a pole cover or architectural embellishment) or stands alone on its own foundation. The base or combined architectural element must measure a minimum of two feet, or half the width, or greater, of the sign it supports to be considered freestanding monument type sign.

11.4.8. DEFINITIONS – G

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Greenhouse, Mechanical

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

Greenhouse, Passive

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

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11.4.13. DEFINITIONS – L

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Landscaping

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

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11.4.14. DEFINITIONS – M

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Mechanical Greenhouse

See Greenhouse, Mechanical.

Middle Housing Subdivision

A subdivision that complies with the criteria established for middle housing subdivisions in Section 8.4.6 Middle Housing Subdivision.

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11.4.15. DEFINITIONS – N

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Neighborhood Character

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

Neon Color

Fluorescent, phosphorescent, day-glow, and other luminescent materials/pigments/coatings that appear artificially luminous in daylight compared to non-fluorescent colors of similar hue, brightness, or saturation. Standard non-fluorescent trademark or corporate identity colors do not qualify as neon solely because they are bright or saturated.

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