

# City of Tucson Planning Commission



CITY OF  
**TUCSON**

PLANNING & DEVELOPMENT SERVICES

January 25, 2023

# Item #5 PDSD Code Update Package

Planning Commission Study Session

# Overview

June 7, 2022

Mayor and Council provided direction to improve the City's development codes including the Unified Development Code, Administrative Manual, Technical Standards Manual, and other related codes and standards.

This update includes stakeholder outreach, surveys, and public meetings to review updates in the following areas:

- Improve PDSD Processes
- Remove Barriers to Small-scale Infill
- Simplify Development Standards
- Correct Minor Code Errors

# Early Outreach

July – October 2022



## Presentations

- Presentations to local groups / public to get feedback and update on progress



## Interdepartmental coordination

- Interviews with PDSD Staff
- Bi-weekly working group meetings with core PDSD group
- Meetings with additional departments as needed (DTM, ES, Fire, etc.)



## Online Survey

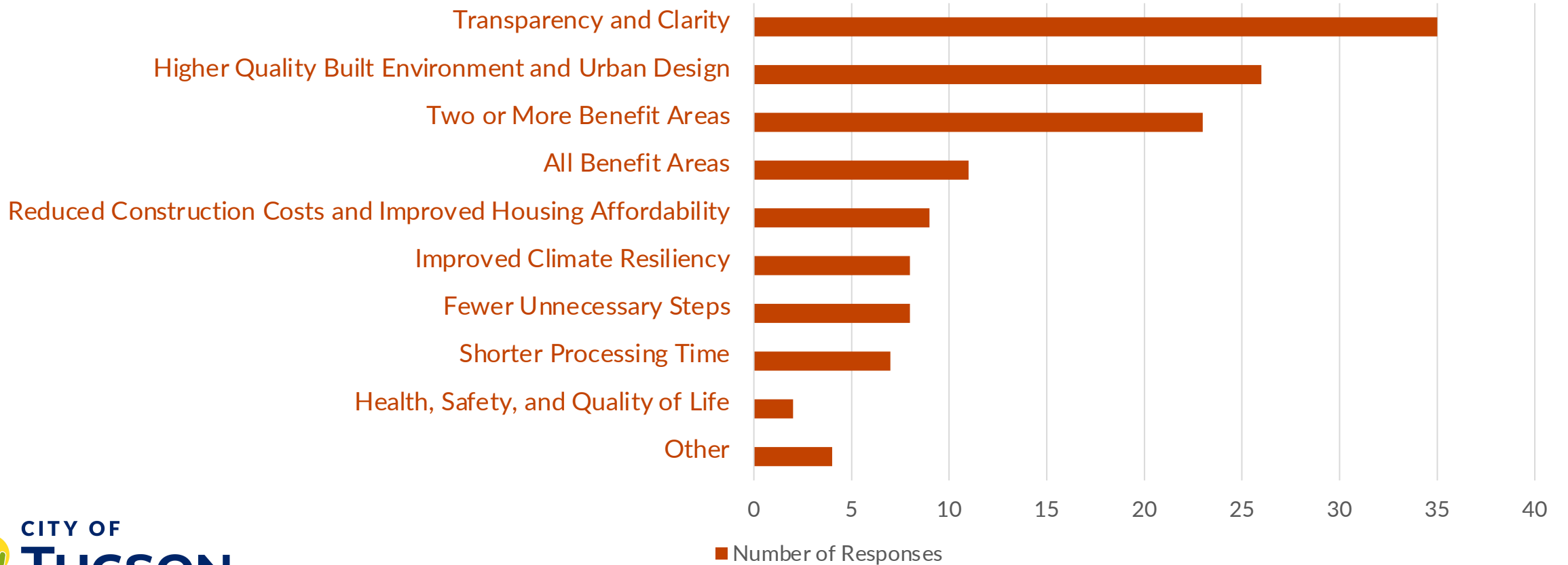
- Over 130 responses were recorded as suggested updates to the development code.  
*Although not all suggestions will be part of this initial proposal, they may be considered in a future proposed update.*

# Survey Results

Over 130 responses were recorded as suggested updates to the development code.

July – October 2022

## Survey Responses by Benefit Area



# Survey Results

July – October 2022

## Some examples of responses:

“Process for COT lot line adjustments and splits are extremely difficult and time consuming. COT should review Pima County's policies and be more aligned with their process to save staff time and the public's time.”

“Administrative manual is from a pre-digital era so there are unnecessary items like submitting paper copies and including location information that’s available on MapTucson, development packages 2-06”

“It is a real problem that single-family attached units are not really permitted anywhere by-right in the code without an additional process.”

# Survey Results

July - October 2022

## Some examples of responses (cont.):

“Variable setbacks, especially along major streets - setbacks increase with height which doesn’t make sense, it forces buildings to have parking in the front established areas vs developing areas.”

“Remove mandatory minimum parking requirements completely. Spreading out buildings from each other and the street induces demand for cars which increases traffic, pollution and lack of safety for bikers and pedestrians.”

“Development of more inclusive zoning regarding density, height and affordable housing, through density bonuses.”

# Public Meeting Overview

Held two public meetings on January 10<sup>th</sup> (virtual) and January 12<sup>th</sup> (in-person) to gather feedback on the proposal

- 90 total participants between the two meetings (65 at virtual meeting and 25 at in-person meeting)
- Participants could provide feedback via comment cards, online survey, or by asking questions of staff



# Public Meeting Feedback

Feedback was primarily positive, with some concerns related to the following:

## **Reduce Parking Requirements for Small Multi-family Residential**

- Concerns about parking impacts in neighborhoods, including negative effects on walkability and aesthetics
- Supportive feedback related to varied housing types, reduced heat island effect, more efficient use of sites, etc.

# Public Meeting Feedback *continued*

## **Allow Accessory Structures in front yards for shade and carports**

- Concern about effect on contributing historic properties
- Suggestion for the State Historic Preservation Office (SHPO) to do a courtesy review.

## **Standardize Building Setbacks on Major Streets and Routes**

- Suggestion for step-backs for taller buildings to improve sightlines and bulk reduction.

# Code Update Proposal

## Improve PDSD Processes

- UDC 1. Allow Administrative Special Exception for certain Water Well Upgrades
- 2. Remove the PDSD Director Decision Process for Wireless Communication Facilities (WCFs) that are co-located
- 3. Require Zoning Examiner Legislative Procedure for Major Change of Condition
- Admin Manual 4. Reduce Development Package (DP) Requirements for smaller projects
- 5. Require Electric Vehicle Supply Equipment (EVSE) Inventory in parking calculations
- Tech Manual 6. Align Timeframe for Grading Permits with Development Packages

## Remove Barriers to Small-scale Infill

- UDC 7. Remove Setback Requirements between Townhouse Units
- 8. Reduce Parking Requirements for Small Multi-family Residential
- 9. Allow Accessory Structures in front yards for shade and carports

## Simplify Development Standards

- UDC 10. Standardize Building Setbacks on Major Streets and Routes

## Correct Minor Code Errors

# Code Documents

## Unified Development Code

- Established to protect & promote general health, safety, & welfare of present & future Tucson residents.
- To implement, guide new growth & development via policies of the **General Plan**
  
- **Amended by**
  - M&C initiation only
  - Outreach
  - Planning Commission & M&C public hearings

## Administrative Manual

- Supplemental to UDC
- Establishes:
  - Development Application requirements & permitted modifications
  - Review Procedures
  - Review Fees
  
- **Amended by**
  - M&C, City Manager or Director\* initiation
  - Outreach
  - Director decision

## Technical Manual

- Establishes standards for:
  - Grading, Hydrology, & Landscaping
  - Pedestrian Access, & Transportation
  - Solid Waste/Recycle Disposal, Collection, & Storage, & Utilities
  - Medical Marijuana Park Setbacks;
  - Special District & Flexible Lot Development
  
- **Amended by**
  - M&C, CM or Director\* initiation
  - Outreach
  - CDRC recommendation
  - Director recommendation
  - City Manager decision

# Code Documents

## Unified Development Code

- Established to protect & promote general health, safety, & welfare of present & future Tucson residents.
- To implement, guide new growth & development via policies of the **General Plan**
  
- **Amended by**
  - M&C initiation only
  - Outreach
  - Planning Commission & M&C public hearings

## Administrative Manual

- Supplemental to UDC
- Establishes:
  - Development Application requirements & permitted modifications
  - Review Procedures
  - Review Fees
  
- **Amended by**
  - M&C, City Manager or Director\* initiation
  - Outreach
  - Director decision

## Technical Manual

- Establishes standards for:
  - Grading, Hydrology, & Landscaping
  - Pedestrian Access, & Transportation
  - Solid Waste/Recycle Disposal, Collection, & Storage, & Utilities
  - Medical Marijuana Park Setbacks;
  - Special District & Flexible Lot Development
  
- **Amended by**
  - M&C, CM or Director\* initiation
  - Outreach
  - CDRC recommendation
  - Director recommendation
  - City Manager decision

**\*Planning Commission responsible for review of all UDC amendments**

# Code Update Proposal

## Improve PDSD Processes

- UDC 1. Allow Administrative Special Exception for certain Water Well Upgrades
- 2. Remove the PDSD Director Decision Process for Wireless Communication Facilities (WCFs) that are co-located
- 3. Require Zoning Examiner Legislative Procedure for Major Change of Condition

---

- Admin Manual 4. Reduce Development Package (DP) Requirements for smaller projects
- 5. Require Electric Vehicle Supply Equipment (EVSE) Inventory in parking calculations

---

- Tech Manual 6. Align Timeframe for Grading Permits with Development Packages

## Remove Barriers to Small-scale Infill

- UDC 7. Remove Setback Requirements between Townhouse Units
- 8. Reduce Parking Requirements for Small Multi-family Residential
- 9. Allow Accessory Structures in front yards for shade and carports

## Simplify Development Standards

- UDC 10. Standardize Building Setbacks on Major Streets and Routes

## Correct Minor Code Errors

# PDSD Proposed Code Update Package

# Overview of Code Update Proposal

The update to improve our development codes includes proposed amendments to the Unified Development Code, Technical Standards Manual, Administrative Manual, and other related codes and standards.

The proposal seeks to make updates in the following areas:

- Improve PDSD Processes
- Remove Barriers to Small-scale Infill
- Simplify Development Standards
- Correct Minor Code Errors



# How proposed changes were chosen

The following criteria was used to choose the 10 proposed updates (7 UDC Amendments)

- Overall impact on development process
- Results in reduction staff resources to review /administer
- Minimal negative impacts on existing development / properties
- Legal feasibility of proposal

***Remaining suggestions will be added to an on-going list for future code update packages***

# Code Update Proposal

## Improve PDSD Processes

1. Allow Administrative Special Exception for certain Water Well Upgrades
2. Remove the PDSD Director Decision Process for Wireless Communication Facilities (WCFs) that are co-located
3. Require Zoning Examiner Legislative Procedure for Major Change of Condition

## Remove Barriers to Small-scale Infill

4. Remove Setback Requirements between Townhouse Units
5. Reduce Parking Requirements for Small Multi-family Residential
6. Allow Accessory Structures in front yards for shade and carports

## Simplify Development Standards

7. Standardize Building Setbacks on Major Streets and Routes

## Correct Minor Code Errors

# Improve PDSD Processes

## Current Issue

## Proposal

## Benefit

### Unified Development Code

1. Allow Administrative Special Exception for certain Water Well Upgrades

Upgrades to existing Water Well sites generally have minimal site changes but require extensive Zoning Examiner Special Exception Process.

Allow Water Well Upgrades within certain thresholds w/ 100' notice

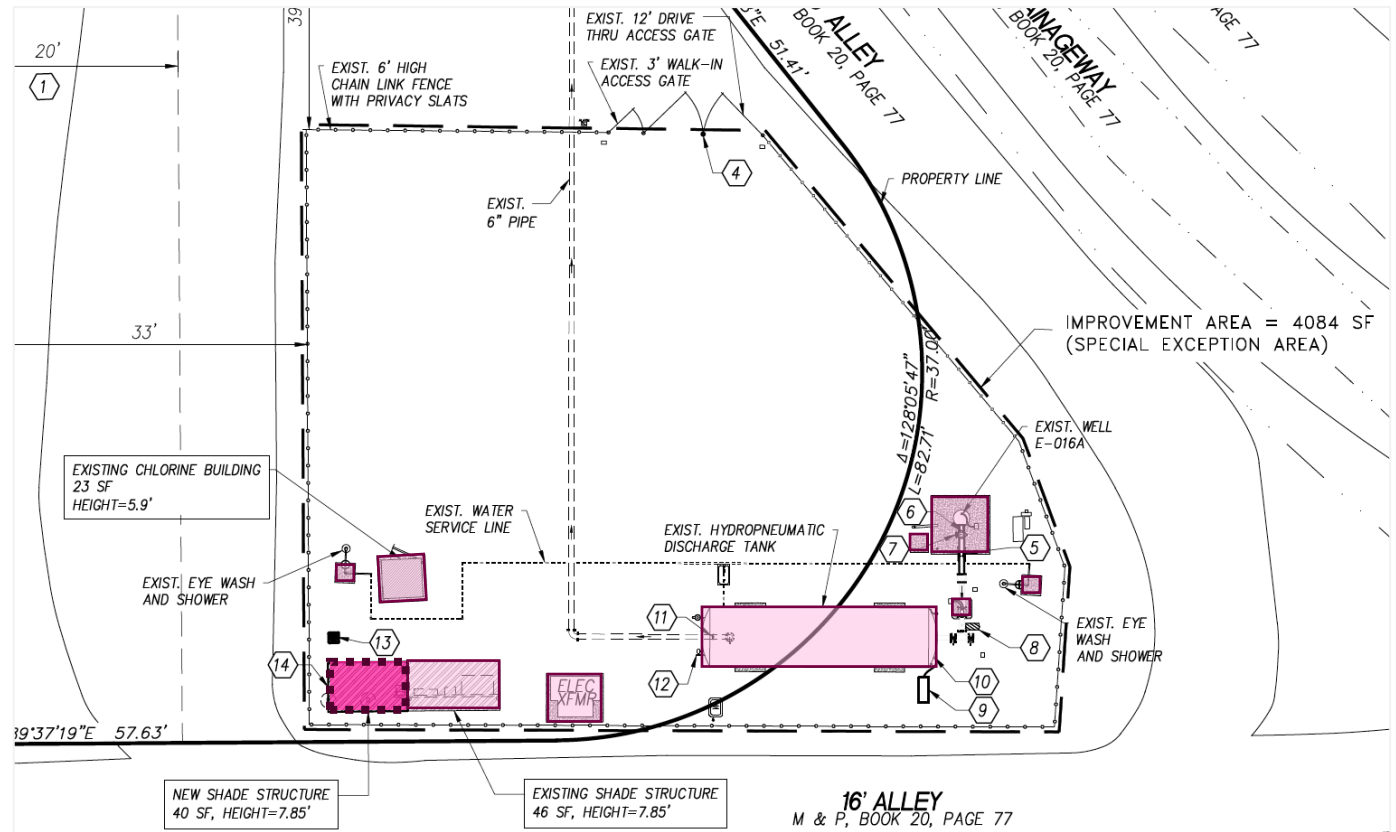
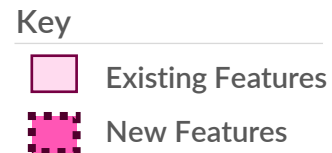
- Supports public utility function.
- Allows for more efficient staff review.

## Feedback:

- Suggestion for a 400' notice instead of 100' notice

## Response:

- Provides ability to upgrade equipment without undergoing extensive ZESE process or creating a new process
- Little to no difference between existing and proposed condition
- New sites still go through special exception process with notification



# Improve PDSD Processes

Unified Development Code	Current Issue	Proposal	Benefit
2. Remove the PDSD Director Decision Process for Wireless Communication Facilities (WCFs) that are co-located	WCFs that are co-located on existing sites or poles generally have minimal impacts but require extensive approval processes.	Allow co-located WCFs without PDSD Director Process.	Right-sizes the process for minimal impact change, especially as technology improves and is reduced in size.

- The PDSD Director's Decision special exception process for co-located WCFs is required in addition to the standard zoning and building review process
- This process extends the review timeframe potentially conflicting with federal shot-clock requirements
- We currently process around 40-50 Director's Decision special exceptions for WCF co-locations annually
- Since 2018, no site-specific conditions have been added to the approvals, suggesting that standard zoning review would be adequate for these facilities
- WCFs that are co-located on existing sites or poles generally have little to no visual impact
- This change would not apply to new towers or the new 5G facilities in the ROW

# Improve PDSD Processes

Unified Development Code	Current Issue	Proposal	Benefit
<p><b>3. Require Zoning Examiner Legislative Procedure for Major Change of Condition</b></p>	<p>Major Amendment of Conditions is subject to Mayor &amp; Council approval after public hearing, limiting public engagement opportunity for significant projects.</p>	<p>Require Zoning Examiner Legislative Procedure for Major Amendment of Conditions</p>	<p>Allows for more thorough public input and separate review prior to Mayor &amp; Council consideration.</p>

Directed by Mayor and Council at the December 7<sup>th</sup> study session. This proposal would align the process for a Major Change of Rezoning Condition with those of other similar processes

- Would make this process consistent with major changes of conditions for
  - Planned Area Development (PADs)
  - Mayor and Council Special Exceptions
  - Zoning Examiner Special Exceptions
- Would make sure the public has enough time to learn about the project and provide their input prior to review by Mayor and Council
- Overall limited applicability – 1-3 cases annually between 2018 and 2022

# Remove Barriers to Small-scale Infill

## Current Issue

## Proposal

## Benefit

### Unified Development Code

#### 4. Remove Setback Requirements between Townhouse Units

Required setbacks make it challenging to build townhouses. Adjustments are only possible through additional approval processes.

In zones that allow multi-family (R-2 or higher):

- Allow single family attached dwellings.
- Clarify that interior setbacks do not apply between units.

- Facilitate development of townhouses, a type of 'missing middle housing' providing more home size and cost options.
- Encourages small-scale infill development.
- Allows more efficient use of space on sites.
- Allows a type of housing that is already allowed as a rental



# Remove Barriers to Small-scale Infill

Unified Development Code	Current Issue	Proposal	Benefit
<p>5. Reduce Parking Requirements for Small Multi-family Residential</p>	<p>Commercial parking standards are triggered on sites with three (3) or more residences, requiring more space dedicated to landscaping, and stricter surface, access and maneuvering requirements.</p>	<ul style="list-style-type: none"> <li>Require one (1) parking space per unit for sites with 2-5 units.</li> <li>Allow more flexibility in commercial parking standards.</li> <li>Alley access</li> <li>Alternate surface requirements</li> </ul>	<ul style="list-style-type: none"> <li>Lowers number of sites that trigger commercial parking standards.</li> <li>Encourages small-scale infill development.</li> <li>Allows more efficient use of space on sites.</li> <li>Reduces impervious surfaces on sites.</li> </ul>

**Feedback:**

- Concerns about parking impacts in neighborhoods, including negative effects on walkability and aesthetics

**Response:**

- Helps to achieve climate goals of city – reduced urban heat island effect, stormwater runoff, supports transit
- Helps to reduce costs of development and address housing supply issues
- Helps support infill development, increase density, and more efficiently use existing infrastructure
- Use of on-street parking utilizes existing paved area otherwise unused & helps to reduce traffic speeds

# Remove Barriers to Small-scale Infill

## Current Issue

## Proposal

## Benefit

### Unified Development Code

6. Allow Accessory Structures in front yards for shade and carports

Front yard shade protection is restricted to structures attached to the main building or limited through variance procedures.

Allow shade accessory structures reviewed for certain size and dimensional standards in front yards.

Allows more flexibility in adding climate appropriate shade protection for people and property.

### Feedback:

- Concern about historic properties

### Response:

- Current process that requires attachment to existing structure more concerning related to historic





# Simplify Development Standards

## Current Issue

## Proposal

## Benefit

### Unified Development Code

#### 7. Standardize Building Setbacks on Major Streets

Building setbacks along major streets are varied because they are based on building height. This limits developable area on a site and leads to unpredictable and poor walking environments.

Establish standardized front setback dimensions along streets based on residential or non-residential development instead of building height.

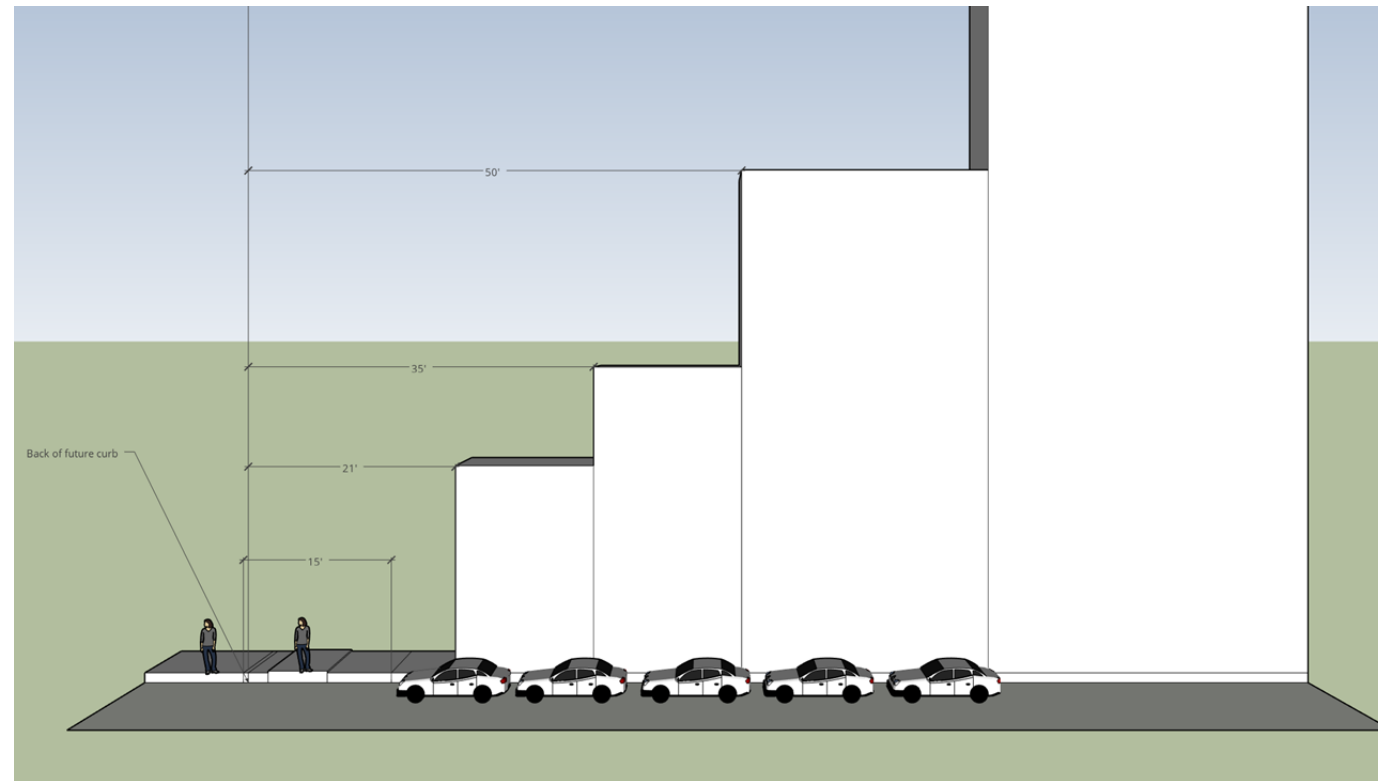
- Encourages a more predictable and improved built environment along sidewalks.
- Allows better utilized sites.

### Feedback:

- Suggestion for step-backs for taller buildings

### Response:

- Very few areas along major corridors allow for buildings taller than 40 feet
- Generally, step-backs are used on roads with more narrow rights-of-way and not wide rights-of-way, like Tucson's major roads.



## 7. Standardize Building Setbacks on Major Streets





# Adjustments to amendment to standardize building setbacks on major streets

Based on comments from Commissioner Martin, staff proposes adding the following language to Section 6.4.5.C:

- d. For residential development occurring as part of unified subdivision, the minimum required front street perimeter yard is 5 feet and must be designated on the approved tentative plat. Carports and garages must maintain eighteen feet in front of the carport or garage for parking on-site or must have a distance of eight feet or less between the street pavement edge and the parking structure.

# Correct Minor Code Errors

Unified Development Code and Technical Manual

Throughout code text and tables there are minor spelling errors and incorrect references. Corrections will improve clarity and reduce confusion.

Examples of minor code corrections are the following:

- Table 4.8-1 – Protected Services (government owned and operated only) permitted in RH zone – translation error from LUC
- Section 4.9.7.D.2.a – Use table omitted use specific standard 4.9.7.E.1 for Home Occupation: Day Care
- Table 4.8-5 – Remove use specific standard 4.9.7.J.11 for Shelter Care, Victims of Domestic Violence. There is no use specific standard 4.9.7.J.11
- Table 3.2-1 – table referenced 50' and 300' procedures – these were updated to 100' and 400' notice procedures

## Recommendation

Staff recommends the Planning Commission approve a motion to:

**“Set the Planning and Development Services Code Update Package for a public hearing on February 15, 2023.”**

# Improve PDSD Processes

Administrative Manual	Current Issue	Proposal	Benefit
<p>4. Reduce Development Package (DP) Requirements for smaller projects</p>	<p>Extensive DP application requirements do not apply to many smaller projects.</p>	<p>Match the extent of DP requirements based on project thresholds.</p>	<ul style="list-style-type: none"> <li>Reduces incomplete applications and resubmittals.</li> <li>Allows for more efficient staff review.</li> </ul>

Located in the Section 2-06.2 of the Administrative Manual, the following proposed amendments would provide two paths for applicants:

1. Reduced requirements for simple projects such as:
  - Fences, walls, sheds, solar canopies etc.
2. Full requirements for more complex projects such as:
  - New construction, complete renovations, etc.

# Improve PDSD Processes

Administrative Manual	Current Issue	Proposal	Benefit
<p>5. Require Electric Vehicle Supply Equipment (EVSE) Inventory in parking calculations</p>	<p>EVSE are new requirements in certain commercial developments. EVSE amounts and components are reviewed by separate staff teams.</p>	<p>Require inclusion of EVSE Inventory in parking calculations shown on DP and Building Permit plan sets.</p>	<ul style="list-style-type: none"> <li>Allows for more efficient staff review.</li> <li>Helps with implementation of EVSE regulations</li> </ul>



# Improve PDSD Processes

Technical Manual	Current Issue	Proposal	Benefit
<p>6. Align Timeframe for Grading Permits with Development Packages</p>	<p>While Development Packages are valid for three (3) years, Grading Permits expire after six (6) months.</p>	<p>Change timeframe for Grading Permits to three (3) years.</p>	<ul style="list-style-type: none"> <li>Allows for more time to grade a project without needing a permit extension.</li> <li>Removes most extension requests.</li> </ul>