

## Development Code Update Public Meetings Summary

Tuesday, January 10, 2023 | 9:00 a.m. – 10:00 a.m. | Virtual via Zoom

Thursday, January 12, 2023 | 5:30 p.m. – 7:30 p.m. | Sentinel Building, 320 N Commerce Park Loop

This document summarizes public input from two meetings to gather stakeholder feedback on the proposed development code updates to the Unified Development Code, Administrative Manual, and Technical Standards Manual.

At both meetings, Planning and Development Services staff gave a presentation on the processes needed to amend these documents, stakeholder engagement conducted to date, and proposed updates. Questions and clarifications were discussed in both meetings. Online and printed comment forms were also distributed for additional feedback. Approximately 65 participants attended the online meeting and 25 attended in person. The presentation, survey link, and additional background can be accessed on the project webpage: <https://www.tucsonaz.gov/pdsd/development-code-update>

### Summary

Primary issues mentioned are listed first. More detailed input from both meetings is listed below.

- **Water Well Upgrades**
  - Discussion included a suggestion to change notification from the existing 100' to 400' administrative notice to reach more owner-occupied homes beyond rentals.
- **Reduce Development Package (DP) Requirements for smaller projects**
  - Clarification is needed around the thresholds of 'major' or 'minor' projects.
  - It was suggested to have similar thresholds for residential projects. While staff clarified that small residential plot plans are currently allowed, follow-up was noted.
  - There was lots of conversation about more help for small residential homeowners to submit permit applications. Suggestions included opening the counter for small projects, the ability to scan documents, and staff assistance to help fill out applications.
- **Align timeframe for grading permits with Development Packages**
  - Discussion included a suggestion to allow for one-year expiration on other building permits.
- **Reduce Parking Requirements for Small Multi-family Residential**
  - Concerns included parking impacts in neighborhoods, including negative effects on walkability and aesthetics, as well as too-lenient standards for paving alternatives.
  - Supportive feedback included noting how this change could allow more varied housing types and sizes, reduce heat island effect, use sites and alleys more efficiently, and how the regulation was a good match for affordable housing or along arterials, bus, and bicycle routes.
- **Allow Accessory Structures in front yards for shade and carports**
  - Discussion included a suggestion to include a Historic Preservation Office (HPO) courtesy review for front yard accessory structure applications in National Registered Historic District.

- **Standardize Building Setbacks on Major Streets and Routes**
  - Discussion included suggestions for step-backs for taller buildings to improve sightlines and bulk reduction. It was noted that more landscaping and trees by the sidewalk are major component of the walking experience.

### Detailed Input

Public comments have been grouped by similar topic.

### Improve PDSO Processes

- Concerns with (WCF) electrical box on ground and the potential of increases in size if more antennas are added to only existing poles.
- Clarification on 5g poles and WCF
- If 2 small infills proposals and properties are contiguous would that change their definition to be small? Seems like it should be then viewed as larger to analyze all impacts.
- Further clarification on major change: 25% threshold, applies to annexations, proposed removal of existing conditions.
- I am very supportive of item number 4 and think it's important to ensure that minor reviews have dedicated staff in order to have an expedited timeline. Some DP are small enough that it would be an easy decision as to whether it's minor or not but on ones that are less clear, I think allowing the person submitting to make a case for why it's minor and giving city staff the authority to make a decision based on that conversation.
- What establishes a small project? – under 200sqft
- Request for this to be broken down into two standards – residential and commercial
- What about commercial against residential – generators running, solar canopy take away vista
- Clarification was needed on if reductions were associated with the substance of the DP or the material requested for a submittal

### Remove Barriers to Small-scale Infill

- Please remove setback requirements between Townhouse Units.
- Can FLD offer any other concessions?
- Can impact fees be waived?
- Discussion on the definition of affordable housing
- Reducing onsite parking requirements in residential zones is a positive thing. Onsite parking and maneuverability is a poor use of valuable land.

- I love the reduced parking requirements for 2-5 units. I would like to make the process of applying for sleeping quarters more simple.
- Define small scale residential better, suggestion 2-5 units
- Support of alley access and reducing urban heat island
- Concerns with overflow parking in front of homes and on the street and aesthetics of how the neighborhood looks
- Can see this work better on arterials and not collectors
- How with this affect our residential streets?
- Concerns expectations of car ownership
- Has GIS been used to find optimal locations with bike paths near and public transit to better support?
- Re: shade structures- can that code change include green growing shade as well as built structures?
- 400 sqft may be limiting.. May need a little more, perhaps say "provide enough shade for two vehicles"
- Does City code protect solar access for homeowners? As in, neighbors can't block sun from solar panels?  
*There is no specific protection for solar access, however, setback requirements and height restrictions in residential zones help ensure access.*
- Allow accessory structures in front yards for parking with no size limitations.
- Asking for a shade study as part of the submittal for any residential in-fill would be a good idea. Blocking winter solar access not only from solar panels but also from homes that take advantage of passive solar strategies is a positive planning effort. It would be a more useful and valuable way of dealing with building heights and setbacks rather than arbitrary numbers per zone. Get rid of setback and building height requirements for ADUs and infill structures in lieu of a solar study.
- Agree with not limiting size of shade. Why would we limit amount of shade in such a hot city?
- Please do not restrict the square footage for the shade structures for automobiles in the front of residential houses. 400sf may be too small shading 2 vehicles. 500sf would be the minimum. Also, parking arrangements and maneuverability should be clarified for developing 2-5 units. Will it be regulated the same as a SFH? I hope so . . . where tandem is allowed, surface material is not even specified, etc.
- Concerns with properties being delisted due to this (shade structures)

- Please address parking location alternative, access to the businesses and security as well as landscaping requirements.

### **Simplify Development Standards**

- Request that the bulking setbacks be in place
- Support more landscaping, trees in the ROW by sidewalk
- Discussion on timing of development and sidewalk installations
- How to get continuous sidewalks installed when development comes in

### **Additional Comments**

- I believe that all city code and building reviewers need more authority to leverage their expertise and make decisions in terms of the building and zoning code intent. Following the codes to the letter is sometimes difficult and designers are left to make certain compromises or prioritize one thing for another. Reviewers should have authority to make final decisions on the spot rather than going to management.
- May not be super related to code clean up but - there really needs to be dedicated staff for expedited zoning reviews. Folks with the authority to give homeowners and designers the go-ahead that a proposed site plan is acceptable with a letter stating so before a person moves forward with construction documents. This will also help with ADU approvals - the city put in a lot of efforts to get that code approved so now removing barriers and making the review process easier and more transparent for homeowners is key. Included in this...Impact fees for ADU's need to be cut in half or eliminated altogether. It is a big barrier.
- Allow for in person applications. Even if they still need to be scanned, to have staff at counter be able to help with that process, especially for small projects and owner builds
- With Water security an important issue, the technical standards of the Commercial Rainwater Harvesting ordinance needs to be revised with realistic for annual rainwater requirements. Currently, developments are exempt from supplying 50% of their landscaping needs from rainwater in times of drought (12 inches of annual rainfall.) Our average rainfall has been 10 inches for the last 30 years.)
- Require landscape plans to receive enough rainwater from hardscape to capture what rain does fall to fill landscape basins without draining off to dirty streets and flushed into sewers. Plenty of rain falls, even in years of less rainfall, to green up our hot city.
- Reduce set back requirements for water harvesting cisterns. I think most people do not apply for permit anyway; I recommend making this process easier



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PLANNING & DEVELOPMENT SERVICES

January 2023

# Proposed Development Code Updates

Public Meetings

# 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

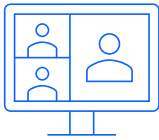
# Early Outreach

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

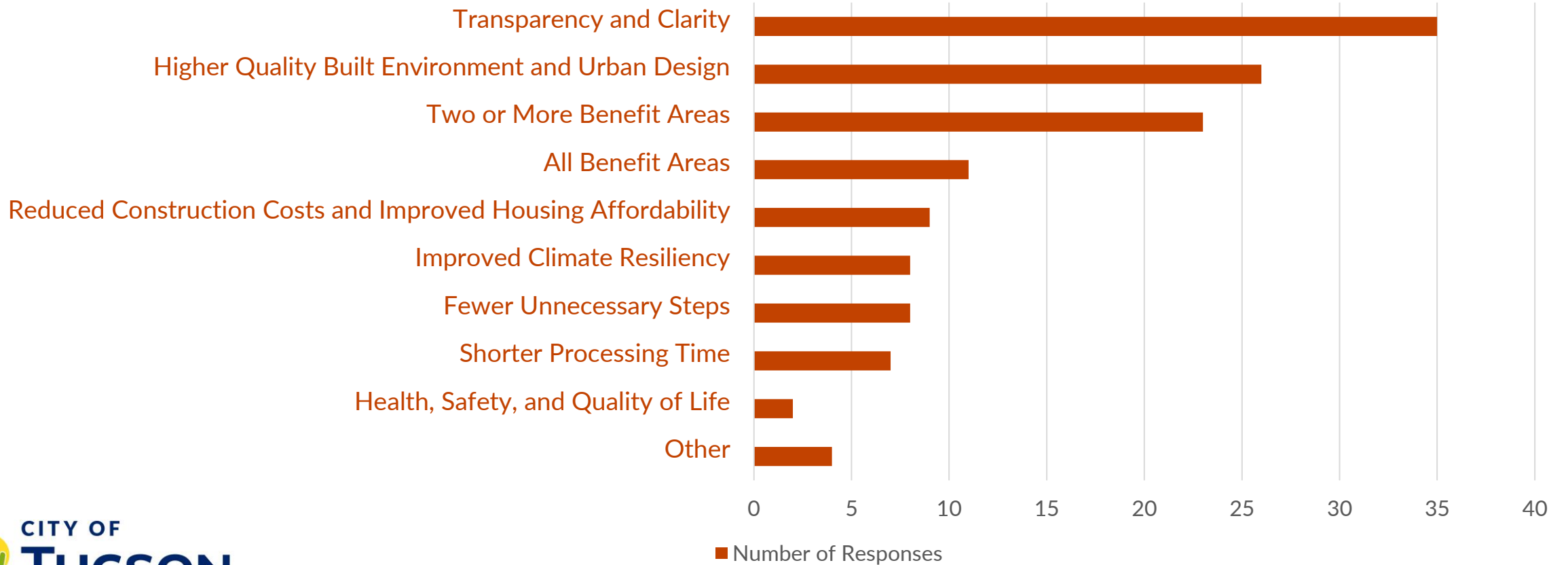
- Over 130 responses were recorded as suggested updates to the development code.  
*Although not all suggestions will be part of this initial proposal, they may be considered in a future proposed update.*

# 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.”

# 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

*\*Director of the department responsible for the section under consideration*

# United Development Code Amendments



# Administrative Manual Amendments

## Initiation

Only the following may initiate amendments

- Mayor & Council
- City Manager

or

- Director\* (*\*of the department responsible for the section under consideration*)

## Review

- Proposal submitted to PDSD
- Director\* decides if further review needed by:
  - Public
  - City Development Review Committee (CDRC)and/or
- Other departments involved in development review
  
- Director\* ensures that community members affected by changes can review and comment
- Proposed amendment may be revised based on comments

## Director's Decision

- Director\* considers whether to approve, deny, or request further revisions
  
- If approved, director's\* decision becomes final, effective on signature

# Technical Standards Manual Amendments

## Initiation

### Only the following may initiate amendments

- Mayor & Council
- City Manager

or

- Director\* (*\*of any department involved in development review*)

## Review

- Proposal submitted to and coordinated by PSDS
- PSDS Director transmits the proposal to
  - City Development Review Committee (CDRC)**and/or**
  - Other departments involved in development review
- PSDS Director ensures that interested and affected parties can review and comment

## CDRC Recommendation

- CDRC makes a recommendation to PSDS Director

## Director Recommendation

- Initiating Director\* makes a recommendation
- Considers comments from:
  - CDRC
  - Affected parties,
  - Other agencies

## City Manager Decision

- City Manager considers whether to approve, deny, or request further revisions
- If approved, City Manager's decision becomes final, effective on signature

# Current Code Update Proposals

# 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



# Code Update Proposal *and* Meeting Structure

## 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

### → Feedback & Discussion

## 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

### → Feedback & Discussion

## Simplify Development Standards

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

### → Feedback & Discussion

## Correct Minor Code Errors

### → Feedback, Discussion & Next Steps

# How proposed changes were chosen

The following criteria was used to choose the 10 proposed updates

- 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***

# Improve PDSD Processes

## Current Issue

## Proposal

## Benefit

### Unified Development Code

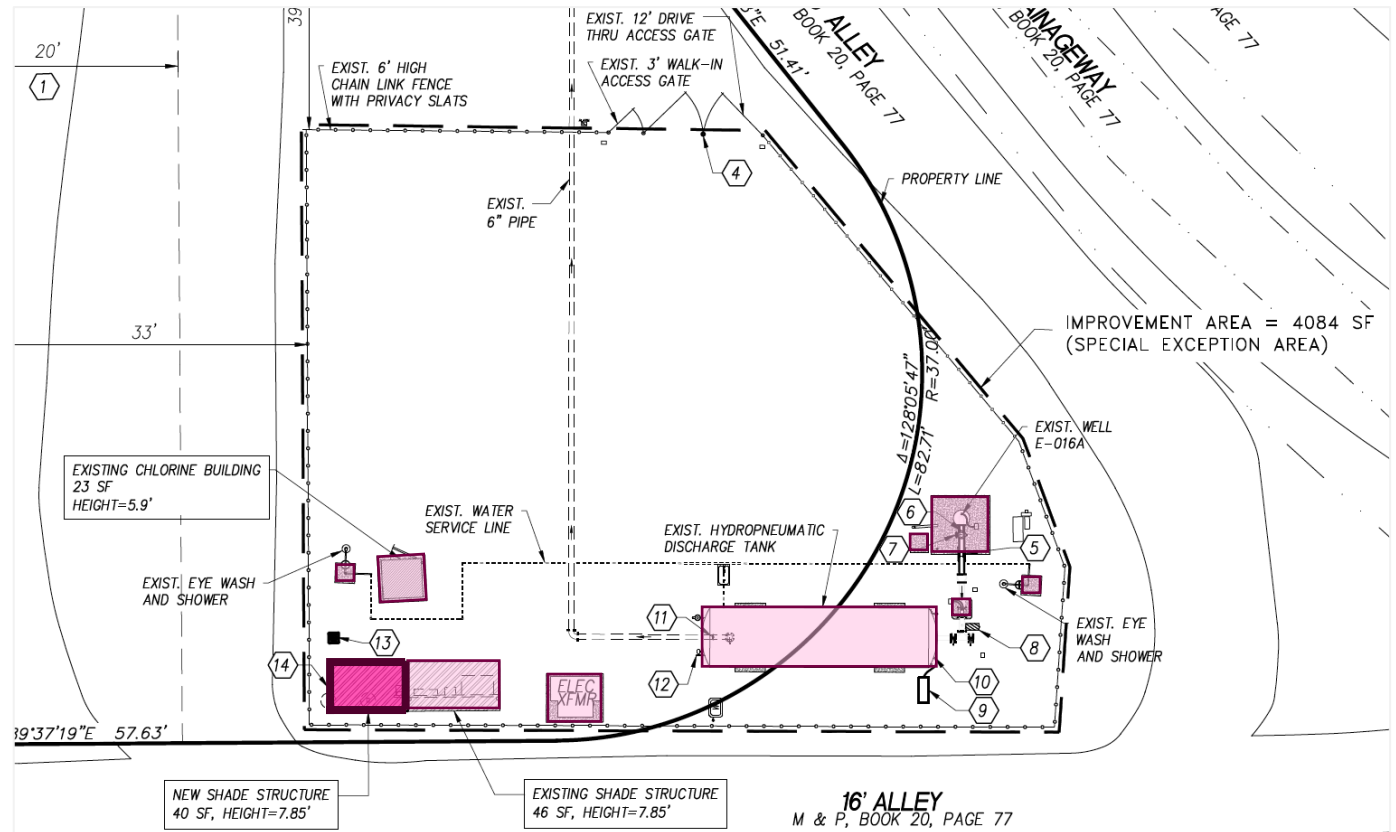
#### 1. Allow Administrative Special Exception for certain Water Well Upgrades

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.

- Provides ability to upgrade equipment without undergoing extensive ZESE 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>3. Require Zoning Examiner Legislative Procedure for Major Change of Condition</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

# 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. <b>Require Electric Vehicle Supply Equipment (EVSE) Inventory in parking calculations</b></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

Current Issue

Proposal

Benefit

Technical Manual

6. Align Timeframe for Grading Permits with Development Packages

While Development Packages are valid for three (3) years, Grading Permits expire after six (6) months.

Change timeframe for Grading Permits to three (3) years.

- Allows for more time to grade a project without needing a permit extension.
- Removes most extension requests.



# Discussion

What feedback do you have on these proposed updates?

## Improve PDSD Processes

- UDC 1. Allow Administrative Special Exception for certain Water Well Upgrades
- UDC 2. Remove the PDSD Director Decision Process for Wireless Communication Facilities (WCFs) that are co-located
- UDC 3. Require Zoning Examiner Legislative Procedure for Major Change of Condition
- Admin Manual 4. Reduce Development Package (DP) Requirements for smaller projects
- Admin Manual 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

## Current Issue

## Proposal

## Benefit

### Unified Development Code

#### 7. 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>8. 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>



# Remove Barriers to Small-scale Infill

Current Issue

Proposal

Benefit

Unified Development Code

9. 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.



# Discussion

What feedback do you have on these proposed updates?

## 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

## Current Issue

## Proposal

## Benefit

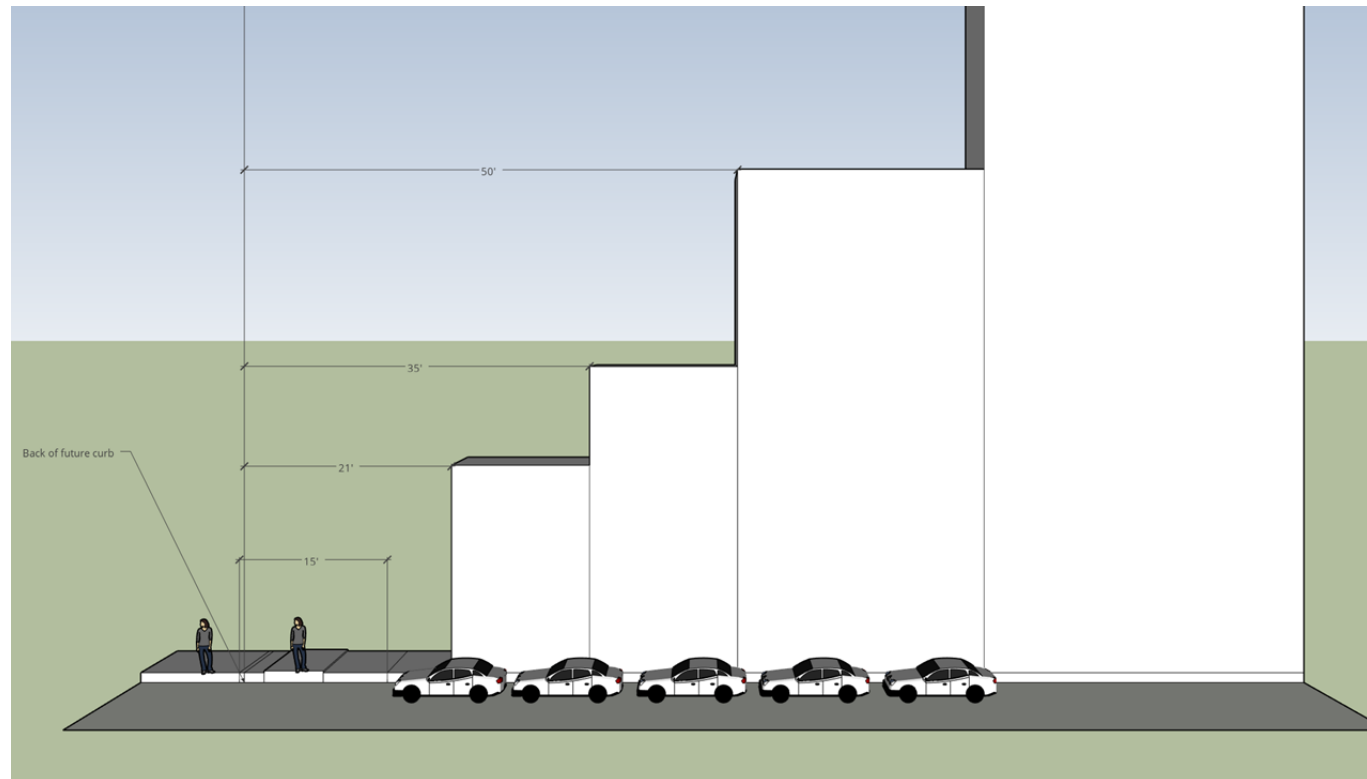
### Unified Development Code

#### 10. Standardize Building Setbacks on Major Streets and Routes

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 major 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.





# 10. Standardize Building Setbacks on Major Streets and Routes



# Discussion

What feedback do you have on the proposed update?

Simplify Development Standards

UDC 10. Standardize Building Setbacks on Major Streets and Routes



# 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
- Admin manual 6-01.0.0 – addresses for Francisco Elias Esquer Park and Miramonte Natural Resources Park were incorrect

# Timeline & Next Steps



\*Director of the department responsible for the section under consideration

# Thank You!



## Proposed Development Code Updates

Online Comment Card:

<https://forms.office.com/g/0mKeJ0akSZ>

More information will be available on the project webpage:

<https://www.tucsonaz.gov/pdsd/development-code-update>