

Attachment J – Redlined changes to proposal made between May 11, 2022 and June 1, 2022

12. Transmission lines may be relieved of their requirement to be underground per UDC section 5.3, Scenic Corridor Zone (SCZ) or section 5.5, Gateway Corridor Zone (GCZ) in accordance with UDC section 3.4.3 Zoning Examiner Special Exception Procedure. ~~Except for subsection I, in~~ addition to the required findings of UDC section 3.4.5, the Special Exception request ~~must meet more than one criterion and will be evaluated pursuant to the following criteria:~~
- a. Proposed overhead transmission lines are contextually sensitive to adjacent and surrounding zoning and land uses. Examples of this may include a proposed location that is industrially zoned or a proposal that results in a less adverse aesthetic impact or less adverse impact on viewsheds for surrounding properties.
  - b. Underground construction causes significant increase in ground disturbance when compared to overhead construction in sensitive areas such as Environmental Resource Zone (ERZ) or Watercourse Amenities, Safety and Habitat (WASH) wash crossings or environmentally and archeologically sensitive areas.
  - c. Minimal impact on residential areas ~~with adequate setback,~~
  - d. ~~Existing high-voltage transmission lines, vertical structures, or buildings in area that already compromise the viewshed,~~
  - e-d. Overhead lines located on non-Gateway or non-Scenic corridor route that perpendicularly crosses a Gateway Corridor Zone or Scenic Corridor Zone,
  - f-g. Repair or upgrade of existing facilities where proposed facilities are similar in size and scale to the existing facilities being repaired or replaced. ~~Replacement facilities may not be any larger than 25% the height or width of existing facilities being replaced,~~
  - g-f. Transmission lines are proposed in an area where there is an existing presence of railroad, highway and/or bridge crossings, or in an area where underground installation would interfere with other existing undergrounded utilities,
  - h-g. Proposed transmission lines provide electrical service to critical customers where overhead lines are strongly recommended for specialized operations; examples include but are not limited to: provision of electricity to Davis Monthan AFB or other installations necessary to the national defense, ~~hospitals (Major Medical Services, per UDC Section 11.3.4.Q), research facilities, etc.,~~
  - i. ~~Proposed overhead transmission lines, rather than undergrounded transmission lines on a particular route, would avoid undesirable aesthetic, viewshed, or other adverse impacts elsewhere, should the transmission lines be located on an alternative route,~~
  - h. Proposed project in an area where costs to install underground would have a disparate impact on low-income residents,
  - i. ~~The effects that can be expected from permitting any of the exceptions listed herein or any combination of those exceptions when added together must remain consistent with the overall purpose and integrity of the gateway/scenic route, unless it is technologically impossible and/or clearly financially cost prohibitive,~~
  - j. ~~Any new above-ground utility that is permitted must be designed, constructed, and maintained to be as unobtrusive as possible,~~
  - j-k. ~~In the area where the applicant is seeking relief, above ground transmission lines are not allowed in or alongside historic areas (as defined by or listed in the National Register of Historic Places, properties or districts, City of Tucson Historic Preservation Zones, City of Tucson Historic Landmarks, or Neighborhood Preservation Zones),~~
  - k-l. ~~A Special Exception request to relieve the requirement to underground transmission lines that meets the findings established by UDC section 3.4.5, Findings and which also meets criteria a, e, and g-f of this subsection is deemed to presumptively meet the required findings for approval may only require one criterion for approval when no other criterion apply to the project.~~

The ZE findings shall identify each of the specific criterion that relate to the application/project, and which are met. Approval of a Zoning Examiner Special Exception shall not preclude any other necessary regulatory relief process such as a Variance.

Commented [DB1]: This portion has been added for clarify on the applicability for the criteria.

Commented [DB2R1]: 6.1.22 - Minimum criteria required added per feedback from Commission.

Commented [DB3]: 6.1.22 - Removed "with adequate setback, per feedback from Commission.

Commented [DB4]: 6.1.22 - Removed criteria "d" per feedback from Commission.

Commented [DB5]: 6.1.22 - added percentage to clarify what similar size and scale means per feedback from Commission.

Commented [DB6]: Clarification made to the hospital criteria - 4/6/22 - updated section number 5/9/22

Commented [DB7R6]: 6.1.22 - removed hospitals and research facilities per feedback from Commission.

Commented [DB8]: Clarification made to the criteria - 4/6/22

Commented [DB9R8]: 6.1.22 - Removed criteria "i" as it was too vague, per feedback from Commission.

Commented [DB10]: Removed "Satisfaction of this criteria alone is not sufficient as a finding for approval and must be found in conjunction with at least one other criterion." from criteria.

Commented [DB11]: 6.1.22 - These are three of the four suggested criteria from the Tucson Underground Coalition.

Commented [DB12]: Additional clarification on how the findings shall be documented as being met.