ORDINANCE NO. 1995-9

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF SAHUARITA, ARIZONA RELATING TO ZONING, AMENDING THE SAHUARITA ZONING CODE BY AMENDING CHAPTER 18.

WHEREAS, on June 19, 1995, by Ordinance No. 1996-6, the Town of Sahuarita adopted the Pima County Zoning Code as the Sahuarita Zoning Code; and

WHEREAS, the Town Council of the Town of Sahuarita has determined that it is in the best interests of the Town of Sahuarita that Section 18.07.070, Subsection (A) be amended to provide for a procedure for modification of front-yard setbacks; and

WHEREAS, the Town Council of the Town of Sahuarita held a Public Hearing on the issue on August 10, 1995 to receive public input relating to the proposed change.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Sahuarita, Arizona as follows:

Section 1. Section 18.07.070, Subsection (A), of the Sahuarita Zoning Code is hereby modified as follows (added language shown in CAPITAL LETTERS):

> A. Applicability. FRONT, side and rear yard setbacks and distances between structures or buildings required by this code may be modified by the zoning inspector in accordance with the provisions below. The granting of a modification of a setback requirement of the zoning code shall not waive or modify building code or fire code regulations.

Section 2. The various Town officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this Ordinance.

Section 3. All ordinances, resolutions, or motions and parts of ordinances, resolutions, or motions of the Council in conflict with the provisions of this Ordinance are hereby repealed, effective as of the effective date of this Ordinance.

Section 4. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the Mayor and Council of the Town of Sahuarita, Arizona, this 10th day of August, 1995.

Anna M. Matyas

Mayor Anna M. Matyas

ATTEST:

Anne Parrish
Town Clerk

APPROVED AS TO FORM:

Daniel J. Hochuli
Town Attorney

Received from P+Z 2/5/10
Has been revised (may be original zoning code).
V. Mick
2/5/10

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Reprint of

Title 18

ZONING

The Town of Sahuarita
ORDINANCE 1995-05
June 19. 1995

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Title 18

ZONING

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18.03 General Definitions
18.05 Zones, Maps and Boundaries
18.07 General Regulations and Exceptions
18.09 General Residential and Rural Zoning Provisions
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18.12 IR Institutional Reserve Zone
18.13 RH Rural Homestead Zone
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18.17 SR Suburban Ranch Zone
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Chapter 18.01

GENERAL PROVISIONS

Sections:

18.01.010	**Short title.**
18.01.020	**General purpose and adoption.**
18.01.030	**Application of zoning code.**
18.01.040	**Interpretation and conflict.**
18.01.050	**Repeal of inconsistent provisions.**
18.01.060	**Severability.**
18.01.070	**Code amendment procedures.**

18.01.010 Short title.

A. This title may be referred to as the county zoning code. (Ord. 1985-82 (part), 1985)

18.01.020 General purpose and adoption.

A. Purpose. A code:

1. Adopting an official land use plan:

a. Providing for the creation of zoning districts in the unincorporated area of Pima County, Arizona,

b. Prescribing area requirements, the classes of uses of buildings, structures, improvements and premises in said several zoning districts;

2. Adopting a map of said zones;

3. Defining the terms used in said code;

4. Establishing boards of adjustment and appeals;

5. Providing for the adjustment, amendment and enforcement of said code; and

6. Prescribing penalties for the violation thereof.

B. Adoption. For the promotion and protection of the public health, peace, safety, comfort, convenience and general welfare, and in order to secure for the citizens of Pima County, Arizona, the social and economic advantages of an orderly, efficient use of land, and as a part of the master plan for said county, there is hereby adopted and established an official land use plan and zoning code for Pima County, Arizona, and rules, regulations and plans by which the future growth and development of said county may be directed in accordance with said plan and code, as provided in A.R.S. Section 11-801, et seq. (Ord. 1985-82 (part), 1985)

18.01.030 Application of zoning code.

A. Guiding Principles. The following principles and rules are hereby adopted as a guide in the use and application of this code:

1. The powers of the board of supervisors, the planning and zoning commission, the several boards of adjustment, the zoning inspector and all other persons or agencies charged with the administration of this code shall be strictly limited by the expressed intent of the legislature in the enactment of A.R.S. Section 11-801, et seq. and by the language of this code.

2. All terms used herein shall be interpreted according to their common, plain, natural and accepted usage when not otherwise defined herein.

3. In any dispute concerning the application of any provision of this code, that solution shall be favored which is most reasonable with regard to the general purpose of this code and the established and accepted principles of American planning and zoning law.

4. The application of this code to any property or use classified herein shall be governed by all the particular facts in each individual case, and the fundamental rights of any individual owner shall not be prejudiced by reason of being in a minority, either in numbers or in land owned, and any such owner shall be entitled to a balancing of the equities of all the interests concerned in said application.

5. The right of every affected property owner to petition and to be heard whenever the application of this code is at issue, shall be strictly observed at all times.

6. No special favors or privileges shall be granted to any individual or group of property owners and no permit shall be issued under the terms of this code which will or might reasonably

tend to destroy the established economic or social uses and values of adjacent or surrounding properties.

7. On every application of this code to any given area, the relative importance of the interests involved shall be as follows:

a. First, established conforming uses of adjacent or surrounding properties having an equal or higher classification;

b. Second, the cost of tax-supported and other public services to the area affected, and the increased or decreased share of this cost which might be borne by said area if a proposed use or change of classification is permitted; and

c. Third, the value of the proposed classifications and uses to the orderly development of the neighborhood or area affected.

8. The theory and use of "spot" zoning is hereby specifically repudiated in the application of any classification of this code to any given land area.

B. Regulations. Except as hereinafter provided:

1. All property, except that covered by statutory exemptions, shall be hereby governed according to the type of zone in which the same is located, as shown on the zoning maps adopted and made part hereof, and shall be subject to the regulations hereinafter set forth for such zones, the regulations applying to specific uses and the general regulations hereinafter set forth;

2. When property designated for use in a specific zone is restricted in any manner, it shall be so labeled with an (R) so as to indicate that upon the public record restrictions exist;

3. No building shall be erected and no existing building shall be moved, altered, added to or enlarged, nor shall any land, building or premises be used, designed or intended to be used for any purpose or in any manner other than a use listed in this code, or amendments thereto, as permitted in the zone in which such land, building or premises is located;

4. No building shall be erected, nor shall any existing building be moved, reconstructed or structurally altered to exceed in height the limit established by this code, or amendments thereto, for the zone in which such building is located;

5. No building shall be erected, nor shall any existing building be moved, altered, enlarged or rebuilt, nor shall any open spaces surrounding any building be encroached upon or reduced in any manner except in conformity with the building-site requirements and the area and yard regulations established by this code, or amendments thereto, for the zone in which such building is located;

6. No yard or other space provided about any building for the purpose of complying with the regulations of this code, or amendments thereto, shall be considered as providing a yard or open space for any other building or structure;

7. No structure shall be erected in a required front yard, side yard or rear yard, except as specifically permitted herein; and

8. The express enumeration and authorization herein of a particular class of building, structure, premises or use in a zone shall be deemed a prohibition of such building, structure, premises or use in all other zones of more restrictive classification.

C. Statutory Exemptions.

1. As specified in A.R.S. Section 11-830, the provisions of this code shall not prevent, restrict or otherwise regulate in any district or zone the use or occupation of land or improvements for railroad, mining, metallurgical, grazing or general agricultural purposes, as defined herein, provided the tract or premises so used is not less than five contiguous commercial acres.

2. Land shall be classified as being used for:

a. Grazing purposes when fifty percent or more of the owner's income from said land is derived from the use of, or from the rental of said land for grazing purposes; or

b. General agricultural purposes when fifty percent or more of the owner's income from said land is derived from the production of agricultural products or from the rental of said land for the production of said products.

D. Provisions for Nonconforming Uses and Buildings.

1. Nonconforming Uses Exempted.

a. As specified in A.R.S. Section 11-830, the provisions of this code shall not affect existing uses of property or the right to its continued use or the reasonable repair or alteration thereof for the purpose for which used on February 16, 1953, or for any other use of the same or a more restrictive classification.

b. A nonconforming business use within any district or zone shall have the right to expansion, provided it does not exceed one hundred percent of the area of the original business. Area of the original business is defined as being any land or building, or both, improved for a business purpose.

c. The term "business use," as used in this subsection, shall be limited to the uses described in Sections 18.31.010B (TR Transitional Zone), 18.43.030B (CB-1 Local Business Zone), 18.45.030B and C (CB-2 General Business Zone), 18.51.030B and C (CI-1 Light Industrial/Warehousing Zone), and 18.43.030 B, D and F (CI-2 General Industrial Zone) of this code.

2. Nonconforming Use of Land. The lawful use of land existing at the time this code or any preceding Pima County zoning ordinance became effective, or on the effective date of any amendment of the text or of the maps hereof, although such use does not conform to the provisions hereof for said land, may be continued, but if such nonconforming use is discontinued for a period of twelve months, any future use of said land shall be in conformity with the provisions of this code.

3. Nonconforming Use of Buildings.

a. The lawful use of a building existing on February 16, 1953, although such use does not conform with the provisions hereof for such building and such use, may be continued provided no structural alterations, except those required by law or ordinance or permitted by the board of adjustment (Chapter 18.93, Boards of Adjustment and Appeals) under this code, are made herein.

b. If any such nonconforming use is discontinued for a period of twelve months, any future use of said building shall be in conformity with the provisions of this code; provided, that the owner of any building which was under construction or vacant on February 16, 1953, and was designed for a use not in conformity with the zoning classification in which it was located on said date, may, upon application, have a certificate of nonconforming use issued by the zoning inspector within sixty days from February 16, 1953, which certificate shall establish the nonconforming character of said building for a period not to exceed twelve months from February 16, 1953. Occupancy of said building by a use permitted under said certificate during said period shall establish said use as a nonconforming use under this subsection. A certificate for an additional period of not more than twelve months may be granted by the board at or before the expiration of the original certificate upon the showing of extreme hardship and that the surrounding area would not be subject to additional damage thereby.

4. Plans for Nonconforming Use.

a. Any owner of land zoned under this code shall file in writing with the planning and zoning commission within one hundred eighty days after February 16, 1953, a plan of development for such land, including uses not permitted by the zoning, shall be issued a special nonconforming hardship use permit by the board of adjustment for said proposed development, or any part thereof, at any time within two years from February 16, 1953.

b. If any temporary governmental regulation prohibiting the proposed development is in full force and effect during said two-year period, the time limit shall be extended for an additional period equal to the time said governmental regulation is in effect, but no such permit shall be issued more than five years after February 16, 1953.

c. Said plan of development with necessary plans and sketches shall show the legal description of the land and the location of proposed buildings and improvements in sufficient detail to determine the conformity or nonconformity of the proposed uses. Any use proposed in any such plan of development shall conform to the minimum standards of the most

restrictive zone in which said use would be a nonconforming use under this code.

5. Alteration of Nonconforming Buildings. No existing building designed, arranged or intended for or devoted to a use not permitted under the regulations of this code for the zone in which located shall be enlarged, extended, reconstructed or structurally altered unless such building and such enlargement, extension, reconstruction and structural alterations, and the further use thereof, conform in every respect with the regulations specified by this code for such zone in which said building is located, except a nonconforming business use as provided in Section 18.01.030D1, but nothing in this subsection shall authorize the violation of any setback, health or sanitary law, ordinance or regulation not a part of this code.

6. Destroyed Nonconforming Buildings.

a. If, at any time, any building in existence or maintained on February 16, 1953, and which does not conform to the regulations for the zone in which it is located, shall be destroyed by fire, explosion, act of God or act of the public enemy to the extent of one hundred percent of its value, according to the appraisal thereof by competent appraisers, then and without further action by the board of supervisors the said building and the land on which said building was located or maintained shall from and after the date of such destruction be subject to all of the regulations specified by this code for the zone in which such land and building are located.

b. In the event a building is destroyed to the extent of one hundred percent of its value, the owner thereof shall have the right to rebuild for said use; provided said structure is rebuilt in conformance with the requirements of the most restrictive zone in which said nonconforming use would otherwise be permitted and provided permits for such construction is obtained within three months of the date of destruction and such construction is started within six months of the date of destruction.

E. Zoning Permits.

1. A zoning use permit shall be required for the erection, construction, reconstruction or alteration of any structure, or the change in use of any property or structure, whether or not such activity requires a building permit.

2. A zoning construction permit is required for the above activities when such activity does not require a building permit, except that a detached accessory building of one hundred twenty square feet or less in area does not require a zoning construction permit. (Ord. 1994-135 § 1, 1994; Ord. 1985-188 § 1 (part), 1985; Ord. 1985-82 (part), 1985)

18.01.040 Interpretation and conflict.

A. Interpretation.

1. Interpreting and applying the provisions of this code, they shall be held to be the minimum requirements adopted for the promotion of public safety, health, convenience, comfort, prosperity and general welfare.

2. It is not intended by this code to repeal, abrogate, annul, or in any way to impair or interfere with any existing provision of law or ordinance previously adopted pursuant to the laws relating to the use of building or premises, or relating to the erection, construction, establishment, alteration or enlargement of any buildings or improvements, except to the extent any existing provisions conflict with or are inconsistent with the valid provisions of this code, and to that extent and no more, the same are hereby repealed.

B. Conflict. It is not intended by this code to interfere with or abrogate or annul any easement, covenant or other agreement between private parties, but where the zoning provisions of this code are more restrictive than any existing private restrictive covenant affecting any portion of

the unincorporated area of the county, said zoning provisions shall prevail over said private covenant.

C. When interpreting the specific language of the zoning code, ambiguities and conflicting provisions shall be resolved by reference to the following guidelines:

1. The chapter purpose statements, the general purpose of the zoning code and the type and intent of the zone;
2. Use compatibility within a zone;
3. Impact on other property within the zone, and adjacent or affected property;
4. Context of the section; and
5. Compatibility with applicable zoning code sections and other Pima County regulations. (Ord. 1986-152 § 1, 1986; Ord. 1985-82 (part), 1985)

18.01.050 Repeal of inconsistent provisions.

A. All ordinances and portions of ordinances of Pima County in conflict herewith are hereby expressly repealed. (Ord. 1985-82 (part), 1985)

18.01.060 Severability.

A. This code and the various parts thereof are

hereby declared to be severable. Should any chapter, section, subsection or provision of this code be declared by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the code as a whole, or any portion thereof other than the chapter, section, subsection or provision so declared to be unconstitutional or invalid. (Ord. 1985-82 (part), 1985)

18.01.070 Code amendment procedures.

A. Purpose. As authorized by A.R.S § 11-829, this section establishes a public process for code text amendments, upon recommendation by the planning and zoning commission and adoption by the board of supervisors, that are consistent with the guiding principles of this code.

B. Initiation.

1. The board of supervisors or the planning and zoning commission is responsible for the initiation of code amendments, and may hear requests for the same from private individuals who have submitted evidence that public benefit would result from such amendment. The board of supervisors, if initiating the code amendment, shall set the amendment for the planning and zoning commission public hearing;

2. The planning and development services department is responsible for the development and coordination of code text amendments.

C. Planning and Zoning Commission Review.

1. Commission preliminary review:

a. A preliminary hearing, as may be required by written commission policy, shall be held by the commission to determine the merits of the draft text amendment, unless the amendment has been initiated by the board of supervisors;

b. The commission may set the proposed amendment for public hearing, remand it to the department for further development, deny the request, or continue the hearing for a definite time not to exceed nine months;

2. Commission public hearing:

a. Public hearing notice shall be provided as directed by the board of supervisors for each proposed text amendment pursuant to at least one of the following notification procedures:

1) By first class mail to each real property owner, as shown on the last assessment, whose real property is directly affected by the changes,

2) By publishing a "display ad" covering not less than one-eighth of a full page in a newspaper of general circulation in the county. The county shall also send notice by first class mail to persons who register their names and addresses with the county as being interested in receiving such notice. The county shall charge a fee of five dollars per year for providing this service.

b. The commission shall hold, at a minimum, one public hearing at which all interested parties may appear and shall be heard;

c. The commission may continue the hearing for a definite time not to exceed nine months;

d. After the public hearing, the department shall transmit the findings and recommendation of the commission to the board of supervisors.

D. Board of Supervisors Review.

1. Public hearing notice shall be provided by publishing such changes prior to the first hearing on such changes in a newspaper of general circulation in the county. The changes shall be published in a "display ad" covering not less than one-eighth of a full page.

E. Public Notice Register. The county shall annually publish a public notice register application form in a newspaper of general circulation in the county. The form shall not be less than one-eighth of a page. Persons included in the public notice register shall receive notice in conformance with Section 18.01.070C2a.

F. Receipt of Notice. The failure to receive notice by any person or entity shall not constitute grounds for any court to invalidate the actions of the county for which the notice was given. (Ord. 1991-36 § 1, 1991; Ord. 1989-14 § 1, 1989; Ord. 1988-204 (part), 1989; Ord. 1985-141 § 1 (part), 1985: Ord. 1985-82 (part), 1985)

Chapter 18.03

GENERAL DEFINITIONS

Sections:

18.03.010 General usage.
18.03.020 Definitions.
18.03.030 Illustrations.

18.03.010 General usage.

A. The definitions provided for in this chapter shall apply throughout this code, unless a different meaning is clearly indicated by the context or the term is defined differently in any other chapter.

B. When not inconsistent with the context:

1. Words used in the present tense include the future;
2. Words in the singular number include the plural; and
3. Words in the plural number include the singular.

C. The word "building" includes the word "structure" and the word "shall" is mandatory and not directory.

D. Terms found in uppercase type refer to definitions found elsewhere in this chapter. (Ord. 1985-82 (part), 1985)

18.03.020 Definitions.

A. Definitions "A."

1. Accessory building: A subordinate building or portion of the main building on the same lot or building site, the use of which is incidental to that of the main building and which is used exclusively by the occupants of the main buildings or their nonpaying guests or employees.
2. Accessory use: A use customarily incidental and subordinate to the principal use of a lot or building located upon the same lot or building site.
3. Acre: A land area of forty-three thousand five hundred sixty square feet.
4. Adult care home: A single housekeeping unit in a dwelling unit where lodging, meals and assistance and care that can be provided without professional skills or training are provided to eight or fewer elderly or physically handicapped adults not related to the owner or manager.
5. Adult activities facility: A retail, commercial, recreational or industrial establishment which includes, as a regular and substantial portion of its business, conduct or matter distinguished or characterized by emphasis on specified sexual activities or specified anatomical areas. An adult activities facility shall include the land use and its parking area. Specified sexual activities are: (1) human genitals in a state of sexual stimulation or arousal; or (2) acts of human masturbation, sexual intercourse or sodomy; or (3) fondling or other erotic touching of human genitals, pubic region, buttocks, anus or female breasts. Specified anatomical areas are: (1) less than completely and opaquely covered human genitals, pubic region, buttock, anus or female breasts below a point immediately above the top of the areola; or (2) human male genitals in a discernibly turgid state, even if completely and opaquely covered.
6. Agriculture: The tilling of the soil, the raising of crops, horticulture, animal husbandry and uses customarily incidental thereto, but not including commercial slaughterhouses, stockyards, meat packing plants, fertilizer yards, bone yards, or plants for the reduction of animal matter.
7. Alley: A way dedicated to the public which affords a secondary means of access to abutting property.
8. Apartment: One or more rooms occupying all or part of a floor or floors in a building of one or more floors or stories, but not the entire building, whether the apartment is intended for use as a residence, office, for the operation of any industry or business, or for any other use permitted in the zone in which it is located.
9. Apiary: A place where bees are kept and permitted to propogate or produce honey.

10. Artisan: Person working at a craft such as ceramics, metalworking, woodworking, jewelry making, leatherworking, weaving, antique furniture repairing and the making of custom furniture.

11. Artist: Practitioner of drawing, painting, sculpting, writing, photography or similar activity.

12. Average finished grade: The mean average elevation of ground after site preparation, measured five feet from a building at five-foot intervals.

B. Definitions "B."

1. Basement: A space which is partly underground and has at least half of its height, from floor to finished ceiling, below the average finished grade. See also story.

2. Board: One of the boards of adjustment appointed under the authority of this code.

3. Boarding/rooming house: A building, other than a hotel, where lodging is provided, with or without meals, for compensation, for five or more persons and not primarily for transients.

4. Buildable area: The net portion of the lot remaining after deducting all required yards from the gross area of a lot or building site.

5. Building: A structure having a roof supported by columns or walls.

6. Building height:

a. The vertical distance between the level of the average finished grade and:

1) The highest point of the parapet of a flat roof, or

2) The deckline of a mansard roof, or

3) The mean average point between the eaves and ridge of the highest gable, hip, gambrel or other such roof element; provided, that the ridge line of the roof shall not exceed four feet above the maximum permitted building height of the zone;

b. The height of a stepped or terraced building shall be the maximum of any segment of such building, as measured from the average finished grade of that building segment;

c. This definition shall not apply to Chapter 18.61 (HD Hillside Development Overlay Zone).

7. Building official: The county official or authorized representative of the county department of planning and development services

charged with the administration and enforcement of the county building codes (Title 15).

8. Building site: The ground area of a building or buildings together with all open spaces adjacent thereto as required by this code.

9. Bulk station: A place where liquefied petroleum, gas, crude petroleum, gasoline, naphtha, benzene, benzol, kerosene or any other liquid, except such as will stand a test of one hundred fifty degrees Fahrenheit, closed cupped testers, are stored in wholesale quantities where the aggregate capacity of all storage tanks is more than ten thousand gallons.

C. Definitions "C."

1. Child care center: A facility providing compensated nonresidential care and supervision to more than four children and licensed by the state of Arizona. Also termed a day nursery.

2. Church:

a. A building or group of buildings used primarily as a place of communion or worship;

b. Includes convents, religious educational buildings and parish houses, but not parochial schools.

3. Civil engineer: A professional engineer registered in the state of Arizona to practice civil engineering.

4. Club or lodge: A regularly constituted association of persons who are bona fide members paying regular dues, primarily organized for some common social purpose, and which derives not more than one-half of its revenue or income from the sale of goods and services to its members or others.

5. Code: The Pima County Zoning Code (Title 18).

6. Commercial vehicle: A vehicle used primarily for business purposes rather than personal transportation, registered with the State of Arizona Motor Vehicle Division as a commercial vehicle. This includes pickup trucks of greater than three-quarter ton, which have been modified for business use, or are normally loaded with materials to support a business use and display any type of commercial signage.

7. Commission: The Pima County planning and zoning commission.

8. Communication tower: A freestanding structure including appurtenances greater than thirty-four feet in height used for the following commercial communication purposes:

a. VHF and UHF television;

b. AM and FM radio;

c. Two-way radio;

d. Common carriers;

e. Cellular telephone;

f. Microwave.

Amateur (HAM) towers used for hobby purposes are exempt from these regulations unless over one hundred feet high.

9. Community service agency: An organization such as an orphanage, home for the aged, Y.M.C.A., Y.W.C.A., Boy Scouts, C.Y.O., Y.M.H.A., Campfire Girls, or any similar organization organized as a nonprofit corporation or supported in whole or in part by public subscription and primarily established to serve the social or welfare needs of the community or any part thereof, and not organized for the personal profit of any individual, group of individuals, or corporation.

10. Condominium:

a. Real estate, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of the separate portions. Real estate is not a condominium unless the undivided interest in the common elements are vested in the unit owners.

b. If in existence before January 1, 1986, the ownership of single units or apartments with common elements located on property within a horizontal property regime recorded pursuant to former A.R.S. § 33-551, et seq.

11. Contour line: A line on a topographic map comprising points of equal elevation.

12. County: Pima County, Arizona.

13. County engineer: The director or authorized representative of the county department of transportation and flood control district.

14. Cut: The land surface which is shaped through the removal of soil, rock or other earth materials.

D. Definitions "D."

1. Dwelling, duplex: A building containing only two dwelling units.

2. Dwelling, multiple: A building or portion thereof containing three or more dwelling units.

3. Dwelling, one-family: A building containing only a single dwelling unit.

4. Dwelling group: A group of two or more detached or semi-detached one-family, duplex or multiple dwellings occupying a parcel of land in one ownership and having any yard or court in common, including house court and apartment court, but not including motel.

5. Dwelling unit: A room or suite of two or more rooms that is designed for, or is occupied by, one family doing its own cooking therein and having only one kitchen.

E. Definitions "E."

1. Earth material: Rock, soil or sand, or any combination thereof.

F. Definitions "F."

1. Factory-built building (modular):

a. A structure fabricated in a factory and delivered to the building site in one or more sections;

b. The structure shall be designed only for installation on a site-built permanent foundation and not designed to be moved once installed on the foundation. The unit shall include all the plumbing, heating, cooling and electrical systems of the building and shall bear the Arizona Insignia of Approval pursuant to A.R.S. Section 32-1188;

c. A factory-built building shall be considered the same as a building and a dwelling unit.

2. Family:

a. Any number of individuals related by blood or marriage, or not more than five unrelated persons customarily living together as a single housekeeping unit, and using common cooking facilities, as distinguished from a group occupying a hotel or club.

b. Family includes group homes certified by Pima County or the department of economic security as an adult foster care home.

c. A family shall be deemed to include domestic servants.

3. Fertilizer yard/processing plant: A place where animal matter is collected, processed or stored on a commercial basis.

4. Fill: the placement of earth material upon an existing grade.

G. Definitions "G."

1. Garage, private: An accessory building or portion of the main building, designed or used for the shelter or storage of self-propelled vehicles owned or operated by the occupants of the main building.

2. Garage, public: Premises, except those herein defined as a private garage or storage garage, used for the storage or care of self-propelled vehicles, or where such vehicles are equipped for operation, repaired, or kept for hire or sale.

3. Garage, storage: Premises, except those herein defined as a private garage or public garage, used exclusively for the storage of self-propelled vehicles, and for no other purpose whatever.

4. Gasoline service station: A retail establishment primarily engaged in selling petroleum products, but not including auto repair shops, body and fender works, similar repairing and painting uses, or mechanical or steam washracks.

5. Grazing: The feeding of domestic livestock on an open range or fenced pasture for commercial purposes and uses customarily incidental thereto, but not including commercial slaughter houses, stockyards, fertilizer yards, bone yards or plants for the reduction of animal matter.

6. Group foster home (regular): A licensed home suitable for accommodating more than five, but no more than ten minor children in addition to those minor children related to the foster parent(s) by blood or adoption.

7. Group foster home (special): A licensed home suitable for accommodating no more than

six persons who require special care for physical, mental, or emotional reasons, or who have been adjudicated to be delinquent.

8. Guest house: A detached structure, having no kitchen, used primarily by members of the family occupying the main dwelling and their paying guests.

9. Guest room: Living quarters designed to provide lodging for compensation to short-term guests.

H. Definitions "H."

1. Hospital: A building or group of buildings arranged, intended, designed or used for the housing, care, observation and treatment of sick human beings.

2. Hotel: A building containing six or more guest rooms, in which lodging is provided and offered to the public for compensation and which is open to transient guests, together with commercial accessory uses operated primarily for the convenience of the guests thereof.

I. Definitions "I." Reserved.

J. Definitions "J."

1. Junk yard:

a. The use of more than two hundred square feet of the area of any lot for the storage, keeping or abandonment of junk, including scrap metals or other scrap materials, or for the dismantling, demolition, abandonment of automobiles or other vehicles or machines or parts thereof;

b. Shall include salvage yards, auto wrecking yards, and impoundment storage yards.

K. Definitions "K."

1. Kennel, commercial: A structure, shelter, animal run, or fenced area used for the breeding, feeding, raising, keeping, training, boarding or selling on the premises of five or more dogs or cats for compensation.

2. Kitchen: Any room in a building which is used, intended or designed to be used for cooking or preparation of food.

L. Definitions "L."

1. Landscape architect: A professional registered with the state of Arizona to practice landscape architecture.

2. Lot: An area or parcel of land under one ownership abutting upon at least one street on August 6, 1952, or an area or parcel of land as shown with a separate and distinct number on a subdivision tract map or split-lot map recorded with the county recorder.

3. Lot, corner:

a. A lot located at the junction of two or more intersecting streets, having an interior angle of less than one hundred thirty-five degrees, with a boundary line thereof bordering on two of the streets;

b. The point of intersection of the street lot lines is the corner.

4. Lot, interior: A lot which is not a corner lot.

5. Lot, key: A lot:

a. Abutting along the entire length of at least one of its side lot lines, either directly or across an alley, the rear lot line of any other lot; or

b. Situated between two such key lots.

6. Lot, through: An interior lot having frontage on two parallel or approximately parallel streets.

7. Lot, depth: The horizontal distance between the front and rear lot lines measured in the mean direction of the side lot lines.

8. Lot line: A property line bounding a lot.

9. Lot line, front:

a. In the case of a lot abutting only one street, the line separating such lot from the street;

b. In the case of a corner or through lot, the owner may elect any street lot line as the front lot line, provided such choice, in the opinion of the zoning inspector, will not be injurious to the existing or desirable future development of adjacent properties.

10. Lot line, rear:

a. The lot line which is opposite and most distant from the front lot line;

b. The rear lot line of an irregular, triangular or gore lot shall, for the purpose of this code, be a line entirely within the lot at least ten feet long and parallel to and most distant from the front lot line.

11. Lot line, side:

a. Any lot line not a front lot line or a rear lot line;

b. A side lot line separating a lot from a street is a street lot line;

c. A side lot line separating a lot from another lot is an interior side lot line.

12. Lot line, street or alley: A lot line separating a lot from a street or alley.

13. Lot width: The mean horizontal width of the lot measured at right angles to the lot depth.

M. Definitions "M."

1. Manufactured home:

a. A structure transportable in one or more sections which:

1) In the traveling mode, is at least eight body feet in width or forty body feet in length, or, when erected on a site, is three hundred twenty or more square feet, and

2) Is built on a permanent chassis, and

3) Is designed to be used as a dwelling, with or without a permanent foundation, when connected to the required utilities, which include the plumbing, heating, cooling, and electrical systems contained therein;

b. This definition applies only to units constructed after June 15, 1976, except that this term shall include any structure which meets all the requirements of the definition except the size requirements, provided such structure has received a special size reduction certificate pursuant to Section 603(b) of the Housing and Community Development Act of 1974, as may be amended.

2. Manufactured home, multisectional:

a. A multisectional dwelling unit, manufactured after June 15, 1976 built to HUD standards with a HUD seal affixed, that when joined measures twenty by forty feet or larger, does not exceed two stories in height, and is installed on a permanent foundation, provided that:

1) If a perimeter foundation wall is not installed, all sides of the home shall extend to meet the ground, or a facade with the appearance of a foundation wall shall be used on all sides of the home; and

2) Each side of the home shall have roofing and siding materials similar in appearance and kind to conventional homes and shall have one or more of the following:

a) A parapet roof style, or

b) A flat or pitched roof with eaves that overhang sixteen inches or more;

b. Building permits for these structures may be issued only in accordance with Section 18.09.070 (General Residential and Rural Zoning Provisions) or in those zones in which manufactured homes are a permitted use.

3. Metallurgical: Includes the land used in treating and reducing metal-bearing ores by mechanical, physical or chemical methods on a commercial basis and uses incidental thereto, but does not include permanent residential housing or the fabricating of metals or metal materials.

4. Mining: Includes the land necessary or incidental to the digging, excavating or otherwise procuring of minerals and ores found in their natural state, but does not include permanent residential housing or the operating of a rock crusher.

5. Mobile home:

a. A transportable structure suitable for year-round single-family occupancy and having water, electrical, and sewage connections similar to those of conventional dwellings;

b. This definition applies only to units constructed prior to June 15, 1976. Compare with manufactured home.

6. Motel:

a. A building or group of buildings on the same lot, whether detached or in connected rows, containing individual sleeping or dwelling units and designed for, or occupied by, automobile travelers or other transient tenants;

b. Shall include tourist courts, autocourts, and automobile courts.

N. Definitions "N."

1. Notification area: A property subject to a public hearing on a planning or zoning matter and all properties, any portion of which is within a specified radius of the subject property, which receive mailed notice of the hearing from Pima County.

2. Nursery:

a. A place where young trees or other plants are raised for transplanting or for sale;

Modular UBC OK built in accordance only
Manuf. No

b. Does not include commercial fertilizer yard or processing plant.

O. Definitions "O." Reserved.

P. Definitions "P."

1. Planning director: The director or authorized representative of the county department of planning and development services.

2. Planning unit: A portion of a proposed development containing a unique land use, density, or residential or nonresidential building style separated from other planning units by a natural or manmade feature.

3. Professional: Includes accountants, architects, chiropodists, chiropractors, dentists, engineers, lawyers, naturopaths, osteopaths, physicians, surgeons, surveyors, veterinarians.

4. Public assembly facility: A building or group of buildings arranged, intended, designed or used for indoor public assembly for social, recreational, entertainment, educational or religious purposes, such as an arena, coliseum, convention center, exhibition hall, auditorium or theater. A "public assembly facility" may include ancillary facilities and activities such as food and beverage preparation and sales, retail and service commercial uses, and recreational and health club.

Q. Definitions "Q." Reserved.

R. Definitions "R."

1. Railroad:

a. Includes the land used for general railroad purposes, including mainline and switching trackage, repair shops, stations, communications equipment, roundhouses and storage facilities;

b. Does not include railroad equipment (miniature or otherwise) operated by its owner as a hobby or as a part of the equipment of an amusement resort.

2. Research laboratory:

a. An administrative, engineering, scientific research, design or experimentation facility;

b. Shall include research on such things as electronic components, optical equipment, etc., but not research requiring the use of animal husbandry (including dogs, poultry, or monkeys), heavy equipment (such as construction equipment); and

c. Shall be free of dust, smoke, fumes, odors, or unusual vibrations or noise. The waste from such facilities shall meet the requirements of the appropriate health authority.

3. Residential substance abuse diagnostic and treatment facility: A facility designed to diagnose and treat persons suffering from the abuse of chemical substances and alcohol subject to the licensure procedures of the Arizona Department of Health Services.

4. Resort:

a. A building or group of buildings containing guest rooms, with a large portion of the site devoted to recreational activities such as tennis, horseback riding, swimming, and golf (Refer to Chapter 18.59, GC Golf Course Zone for golf course requirements).

b. Shall include guest ranch.

5. Resort, major: A resort having fifty or more guest rooms.

6. Resort, minor: A resort having less than fifty guest rooms.

S. Definitions "S."

1. Sanatorium/rest home: A building or group of buildings, arranged, intended, designed or used for the housing, care or treatment of sick people or convalescents other than those mentally ill or afflicted with infectious, contagious or communicable diseases.

2. Secondary dwelling: A mobile home or manufactured home, with kitchen facilities, used exclusively by an ill, handicapped, or elderly person in need of special care or supervision, or a care provider for such person, if the ill, handicapped or elderly person is the owner or resident of the main dwelling or a relative of the owner or resident of the main dwelling.

3. Semi-professional:

a. Includes insurance brokers, photographic studios, public stenographers, real estate brokers, stockbrokers, and other persons who operate or conduct offices which do not require the stocking of goods for sale at wholesale or retail;

b. Does not include barbers, beauty operators, cosmetologists, embalmers or morticians.

4. Setback lines: Such lines are established generally, but not always, parallel to the center line of a street between which no part of a building or structure or any part thereof may be erected or projected except as otherwise provided in this code.

5. Specific plan: A zoning document adopted in accordance with Chapter 18.90 (Specific Plans) that includes text, maps or other exhibits regulating land use and development within a specified area of the county.

6. Stable, commercial: A stable for horses which are let, hired, used or boarded on a commercial basis or for compensation.

7. Stable, community: A noncommercial stable for horses, operated by and for the exclusive use of the members of a nonprofit, incorporated community organization.

8. Stable, private: A stable for horses which are used by the owners of the property and their guests without compensation.

9. Story: The horizontal division of a building between a floor and the finished ceiling or finished undersurface of the roof directly above it. Shall include:

a. A basement, if the vertical distance from the average finished grade to its ceiling is greater than five feet on any side of the building; and

b. A mezzanine or loft.

10. Street: A way for vehicular traffic dedicated to the public or designated as subdivision common area which affords the principal means of access to abutting property.

11. Structure:

a. Anything constructed or erected, the use of which requires location on the ground or attachment to something having a location on the ground;

b. Structure shall also include streets, alleys, roadways, water lines and sewer lines; however, setback line requirements shall not apply to streets, alleys, roadways, water or sewer lines and their appurtenant features.

12. Structural alterations: Any change in the supporting members of a building, such as bearing walls, columns, beams, girders, floor joists or roof joists, or which expands the height, bulk, or area thereof.

13. Studio: Place for the creation or retail sale of the works of an artist or artisan.

14. Supervisors: The board of supervisors of Pima County.

15. Swap meets:

a. A place of commercial activity popularly known as a swap meet, flea market or park-and-swap, which is open to the general public and composed of enclosed, semi-enclosed or outdoor stalls, stands or spaces rented or leased to persons on a daily basis for the purpose of the display and sale, exchange or barter of new or used merchandise;

b. Shall not include occasional craft fairs and benefit sales.

16. Swimming pools: Shall be deemed to consist of the following classes:

a. Private: When consisting of an accessory structure appurtenant to a one-family or duplex dwelling and used only as such by persons residing on the same lot and their private guests (as distinguished from groups of any kind) with no payment of any kind or in any form charged as received for such use;

b. Semi-public: When consisting of an accessory structure appurtenant to a multiple dwelling, hotel, motel, church, school, private club, or country club, and used only as such by persons who reside or are housed on the same lot or who are regular members of such church, club, country club or regular attendants at such school and by individual guests (as distinguished from groups of any kind) of the foregoing where admission to use the pool is included in consideration given for the primary use of the premises. Said pools are divided into the following classes:

1) Type A membership pools: Which include those pools operated not for profit and not open to the general public; there being a limited number of members, and such members usually being limited to that general neighborhood, with the members paying a monthly or annual fee,

2) Type B pools: Maintained by hotels, motels, and like establishments which cater to transient guests,

3) Type C pools: Maintained by apartments, residential-type trailer courts, cooperative or condominium-type housing, for persons residing therein and their guests,

4) Type D pools: Maintained by swim clubs, health clubs and athletic organizations, country clubs and other private organizations, wherein the pool is not open to the general public;

c. Public: A swimming pool maintained and operated by a municipality or other unit of government for the general public, whether or not an admission fee is charged;

d. Commercial: A swimming pool operated for profit, open to the public upon payment of a fee.

17. Swimming school: A school established for aquatic training and swimming instruction.

T. Definitions "T."

1. Tourist camp: An area or tract of land where space is rented or held out for rent to tent campers furnishing their own camping equipment or where free camping is permitted owners or users of tent camping equipment for the purpose of securing their trade.

2. Tourist court: See motel.

3. Townhouse: A duplex or multiple dwelling constructed as a series of dwelling units, all of which are attached to the adjacent dwelling units with no visible separation between walls or roofs, and with areas of individual and common ownership indicated on a subdivision plat.

4. Trailer: A recreational vehicle built on a chassis, designed for highway travel, pulled by a private vehicle and not requiring a special permit.

5. Trailer court: Any parcel of land used or offered for use in whole or in part for the parking or storage of two or more trailers used or intended to be used for living or sleeping purposes

U. Definitions "U."

1. Ultralight aircraft: Any vehicle that:

a. If unpowered, weighs less than one hundred fifty-five pounds; or

b. If powered:

1) Weighs less than three hundred fifty pounds empty weight, excluding floats and safety devices;

2) Has a fuel capacity of not exceeding five U.S. gallons;

3) Is not capable of more than fifty-five knots calibrated airspeed at full power in level flight; and

4) Has a power-off stall speed which does not exceed twenty-nine knots calibrated airspeed.

V. Definitions "V." Reserved.

W. Definitions "W." Reserved.

X. Definitions "X." Reserved.

Y. Definitions "Y." Reserved.

1. Yard: An open and unoccupied space on a building site and, except as otherwise provided in this code, open and unobstructed from the ground to the sky.

2. Yard, front: A yard extending full width of the building site between the front lot line and the nearest line of the main building or the nearest line of any enclosed or covered porch.

3. Yard, rear: A yard extending across the full width of the building site between the rear lot line and the nearest rear line of the main building or the nearest line of any enclosed or covered porch.

4. Yard, side: A yard extending from the front yard to the rear yard between the side lot line and the nearest line of the main building.

Z. Definitions "Z."

1. Zoning inspector: The county official or authorized representative of the county department of planning and development services charged with the enforcement of this code. (Ord. 1994-136 § 1, 1994; Ord. 1994-114 § 1, 1994; Ord. 1994-112 § 1 (part), 1994; Ord. 1994-82 (part), 1994; Ord. 1992-93 (part), 1992; Ord. 1992-6 § 1 (part), 1992; Ord. 1991-33 § 1 (part), 1991; Ord. 1991-6 § 1 (part), 1991; Ord. 1990-11 § 1 (part), 1990; Ord. 1989-1 § 1 (part), 1989; Ord. 1988-78 § 1 (part), 1988; Ord. 1987-64 § 1 (part), 1987; Ord. 1986-215 (part), 1986; Ord. 1986-187 § 1 (part), 1986; Ord. 1986-188 § 1 (part), 1986; Ord. 1986-150 (part), 1986; Ord. 1986-67 (part), 1986; Ord. 1986-43 § 1 (part), 1986; Ord. 1986-42 § 1 (part), 1986; Ord. 1986-41 § 1 (part), 1986; Ord. 1986-19 § 1 (part), 1986; Ord. 1985-153 § 1 (part), 1985; Ord. 1985-152 § 1 (part), 1985; Ord. 1985-82 (part), 1985)

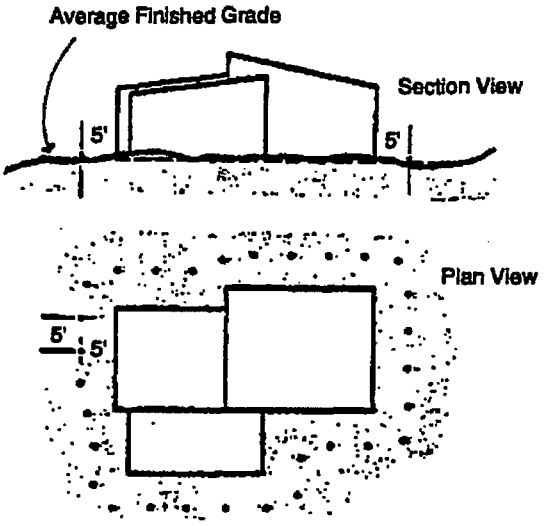
18.03.030 Illustrations.

A. Figure 18.03-1: Average Finished Grade.

B. Figure 18.03-2: Basement and Story.

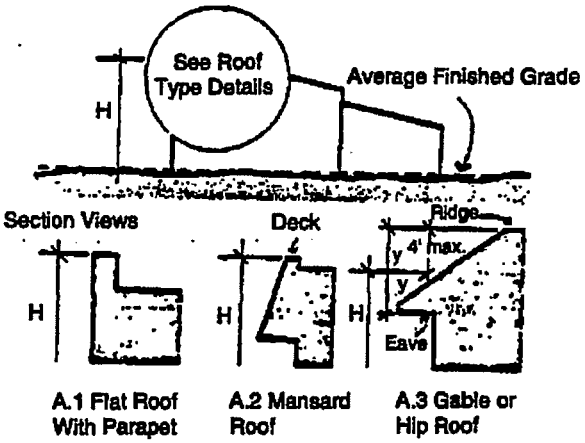
C. Figure 18.03-3: Building Height. (Ord. 1985-82 (part), 1985)

Figure 18.03-1
Average Finished Grade



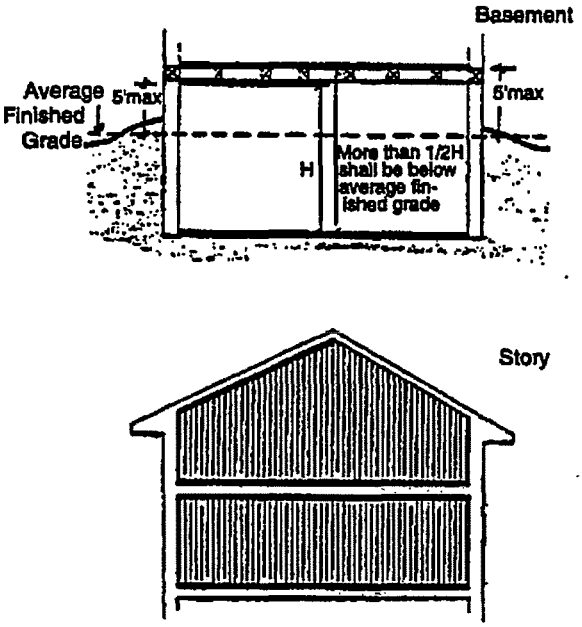
(not to scale)

Figure 18.03-3
Building Height



(not to scale)

Figure 18.03-2
Basement and Story



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Chapter 18.05

ZONES, MAPS AND BOUNDARIES

Sections:

18.05.010 Zones.
18.05.020 Maps.
18.05.030 Determination of boundaries.

18.05.010 Zones.

A. Establishment. For the purpose of this code, the following types of zones are hereby established:

1. Rural:
   - IR Institutional reserve zone;
   - RH Rural homestead zone;
   - GR-1 Rural residential zone;
   - SR Suburban ranch zone;
   - SR-2 Suburban ranch estate zone;
   - SH Suburban homestead zone;
2. Residential:
   - TH Trailer homesite zone;
   - ML Mount Lemmon zone;
   - CR-1 Single residence zone;
   - CR-2 Single residence zone;
   - CR-3 Single residence zone;
   - CR-4 Mixed-dwelling type zone;
   - CR-5 Multiple residence zone;
   - TR Transitional zone;
   - CMH-1 County manufactured and mobile home-1 zone;
   - CMH-2 County manufactured and mobile home-2 zone;
3. Businesses:
   - MR Major resort zone;
   - RVC Rural village center zone;
   - CB-1 Local business zone;
   - CB-2 General business zone;
4. Industrial:
   - MU Multiple use zone;
   - CPI Campus Park industrial zone;
   - CI-1 Light industrial/warehousing zone;
   - CI-2 General industrial zone;
   - CI-3 Heavy industrial zone;
5. Overlay:
   - AE Airport environs and facilities;
   - BZ Buffer overlay zone;
   - GC Golf course zone;
   - H-1 Historic zone-1;
   - H-2 Historic zone-2;
   - HD Hillside development zone;
6. Specific plan zones.

B. Restrictiveness. The following zones are given the following values, from most to least restrictive:

1. IR Institutional reserve zone;
2. GC Golf course zone;
   SR Suburban ranch zone;
3. RH Rural homestead zone;
   SR-2 Suburban ranch estate zone;
4. CR-1 Single residence zone;
   ML Mount Lemmon zone;
5. GR-1 Rural residential zone;
6. CR-2 Single residence zone;
7. CR-3 Single residence zone;
8. SH Suburban homestead zone;
9. CR-4 Mixed-dwelling type zone;
10. CR-5 Multiple residence zone;
11. CMH-1 County manufactured and mobile home-1 zone;
12. CMH-2 County manufactured and mobile home-2 zone;
13. TR Transitional zone;
14. TH Trailer homesite zone;
15. MR Major resort zone;
16. RVC Rural village center zone;
17. CB-1 Local business zone;
18. CB-2 General business zone;
19. MU Multiple use zone;
    CPI Campus Park industrial zone;
20. CI-1 Light industrial/warehousing zone;
21. CI-2 General industrial zone;
22. CI-3 Heavy industrial zone;
23. SP Specific plan zones.

C. Zones Without Values of Restriction. The following zones are not given values of restrictiveness:

1. AE Airport environs and facilities;
2. BZ Buffer overlay zone;
3. H-1 Historic zone-1;
4. H-2 Historic zone-2;
5. HD Hillside development zone.

(Ord. 1994-147 § 1, 1994; Ord. 1988-116 §§ 2, 3, 1988; Ord. 1987-64 § 1 (part), 1987; Ord. 1986-188

§ 1 (part), 1986; Ord. 1985-187 § 1 (part), 1985; Ord. 1985-153 § 1 (part), 1985; Ord. 1985-152 § 1 (part), 1985; Ord. 1985-82 (part), 1985)

18.05.020 Maps.

A. The boundaries of zones are hereby established, as shown on maps entitled Pima County zoning maps, and numbered and titled as follows:

1. Eastern Pima County and supplementary sheets;

2. Tucson region: #3, 6, 7, 10, 12, 13, 14, 16 through 33, 35 through 52, 54 through 80, 83 through 107, 109 through 117, 124 through 127, 130 through 139, 146 through 163, 175, 179 through 185, 189, 190, 196 through 199, 206 through 219, 236 through 240, 242, 243, 248, 249, 256 through 260, 268 through 283, 307 through 310, 315, 316, 323 through 329, 340 through 347, 350 through 354, 380, 381, 384 through 387, 390, 391, 398, 399, 422 through 425, 432, 433, 442, 462, 469, 470, 472 through 475, 481, 509, 510, 511, 519, 520, 529, 551, 552, 557, 558, 560, 563 through 566, 572, 656, 657, 664, 665, 771, 772, 886, 887, 1010, 1141, 1270, 1271, 1272, 1279, 1280, 1281, 1417, 1418, 1419, 1427, 1428, 1582, 1583, 2484, 2687, 2688;

3. Western Pima County;

4. Ajo region: #A-1, A-8, A-23. (Ord. 1985-82 (part), 1985)

18.05.030 Determination of boundaries.

A. Where uncertainty exists, the boundary of any zone shall be determined as follows:

1. Where a boundary is indicated as approximately following a street or alley line, or the centerline thereof, or a lot line, such line shall be construed to be such boundary.

2. Where a boundary divides a lot, the location of such boundary, unless indicated by dimensions, shall be determined by referencing the adopted ordinance map and/or legal description of approved rezoning case for exact dimensions.

3. Where a public street, alley, railroad or other right-of-way is vacated or abandoned, the zone applied to abutting property shall thereafter be deemed to extend to the center line of such vacated or abandoned right-of-way.

B. Questions concerning the exact location of boundaries not covered shall be determined by the board of adjustment, in accordance with Chapter 18.93 (Boards of Adjustment and Appeals). (Ord. 1986-41 § 1 (part), 1986; Ord. 1985-82 (part), 1985)

Chapter 18.07

GENERAL REGULATIONS AND EXCEPTIONS

Sections:

18.07.010	**Purpose.**
18.07.020	**Lots and parcels.**
18.07.030	**Land use regulations.**
18.07.040	**Land use exceptions.**
18.07.050	**Development standards exceptions.**
18.07.060	**Accessory buildings.**
18.07.070	**Modification of setback requirements.**
18.07.080	**Modification of standards in riparian areas.**

18.07.010 Purpose.

Reserved.

18.07.020 Lots and parcels.

A. Splitting of Lots.

1. No lot or parcel of land held under one ownership on February 16, 1953, shall be reduced in size below the minimum lot area or lot width required by this code; and

2. No building or use permit shall be issued for such deficient lot or parcel or portion thereof, except that on one street frontage of any one block of a subdivision, where lots having less than the minimum lot area or lot width existed prior to February 16, 1953, and existing unimproved lots so that minimum-size building lots may be used if split in accordance with the pattern previously established for the

block; provided, that any new lot or building site so formed has not less than eighty percent of the minimum lot area and lot width required in the zone.

B. Exceptions for Lots of Records.

1. This subsection shall apply to any lot:

a. Shown upon an official subdivision map duly approved and recorded prior to February 16, 1953; or

b. For which a bona fide deed is on record in the office of the county recorder; or

c. For which a valid, bona fide contract of sale was in full force and effect on February 16, 1953, and said map, deed or contract of sale was of record on said date; or

d. Split in accordance with the exception of Section 18.07.020A.

2. Any such lot may be used as a building site; provided:

a. The yard and other requirements of this code are complied with; or

b. If private subdivision restrictions or regulations were of record and unexpired on February 16, 1953, establishing less restrictive yard and area requirements for said lot, and at least one lot in said subdivision was improved in compliance with said private restrictions prior to said effective date, the zoning inspector may issue a permit under said private restrictions as to yard and area requirements for any use permitted by this code for said lot, but no permit shall be issued for more than one dwelling unit on any lot having less than the minimum area per dwelling unit of the zone in which said lot is located;

3. Each minimum side yard may be reduced by two inches for each one foot by which such lot is narrower than fifty-five feet; provided, that no minimum side yard shall be narrower than five feet;

4. The minimum rear yard may be reduced three inches for each one foot by which such lot is less than one hundred twenty-five feet in depth; provided, that no minimum rear yard shall be less than twenty feet.

C. Area, Screening and Setback Credits for Trails Access Dedications.

1. The area of a lot or parcel dedicated to the county for public trails access shall be credited to the lot or parcel to satisfy any area, screening or setback requirement of a rezoning, this code or any permit issued thereunder.

2. Requests for the implementation of an area, screening or setback credit for public trails access shall be initiated by or submitted for approval to the director of the parks and recreation department.

3. Dedications and requests so approved by the director of the parks and recreation department shall be forwarded to the board of supervisors for acceptance. (Ord. 1993-80 § 1, 1993; Ord. 1985-188 § 1 (part), 1985; Ord. 1985-82 (part), 1985)

18.07.030 Land use regulations.

A. Filling Stations, Repair Shops and Public Garages.

1. No gasoline filling station or automobile repair shop shall have an entrance for exit for vehicles on the same side of the street within thirty-five feet of a residential zone, nor shall any part of a gasoline filling station or automobile repair shop be within fifty feet of the grounds of any school, public playground, church, hospital, sanatorium, public library or institution for dependents or for children.

2. No gasoline filling station or public garage shall have any oil draining pit or visible appliance for such purpose, other than filling caps, located within twelve feet of any street lot line or within fifty feet of any residential zone, unless such appliance or pit is within a building and at least twelve feet distant from any vehicular entrance or exit of such building.

B. Maintenance of Stock-Tight Fences. All livestock and poultry kept in any rural, residential, business or industrial zone shall be kept confined by fences or other restraints of sufficient strength and durability to prevent such livestock and poultry from roaming at large. In the IR, RH, SR, SR-2 zones and unsubdivided parcels zoned GR-1, SH and CR-1, such fences may be constructed of barbed wire. Use of barbed wire in any rural or residential zone is limited to containment of livestock and poultry.

1. Use of Barbed Wire. Barbed wire may be used on fences or walls for security purposes in the CB-2 general business district, and the MU, CI-1, CI-2 and

CI-3 industrial districts, provided the wire is more than six feet above ground level.

C. Junk Storage in Residential and Commercial Zones. There shall be no open storage of used materials, appliances, furniture, machinery, etc., in any required yard in rural, residential, RVC, or CB-1 zones.

D. Swimming Pools.

1. Private swimming pools: All private swimming pools shall be regulated according to the following requirements:

a. Swimming pools shall be subject to the front yard requirements of that zone in which they are permitted and shall be located no closer than four feet from any side or rear property line of said zone.

b. Outdoor lighting shall be hooded and controlled so that the source of the light shall not be visible from any adjoining residential zone beyond the boundary of the site.

2. Public, semi-public and commercial swimming pools: All public, semi-public and commercial swimming pools shall be regulated according to the following requirements:

a. Swimming pools shall be subject to the front, side and rear yard requirements of that zone in which they are permitted.

b. Outdoor lighting shall be hooded and controlled so that the source of the light shall not be visible from any adjoining residential zone beyond the boundary of the site.

c. No mechanical device for the reproduction or amplification of sounds and in connection with swimming pools shall create a nuisance to adjacent residential properties through the emission of noises, voices or music which is loud enough to cause complaints from adjacent residential property owners.

E. Beekeeping.

1. The following beekeeping regulations apply to all zoning districts:

a. The density of colonies in any zoning district shall not exceed one colony of bees for each two thousand five hundred square feet of lot area.

b. If bees are kept within thirty feet of any exterior lot boundary line, a barrier shall be erected that will prevent bees from flying through it. Such barrier shall:

1) Be at least five feet in height and shall consist of plant, hedge, or any constructed material;

2) Extend at least thirty feet beyond the hive(s) in both directions.

c. Fresh, clean watering facilities for bees shall be provided on said premises.

2. Registration:

a. Each beekeeper shall register the beekeeping operation with the Arizona Commission of Agriculture and Horticulture.

b. The bees and equipment shall be kept in accordance with the laws of the state of Arizona as set forth in the Rules and Regulations of the Arizona Commission of Agriculture and Horticulture relating thereto, and all laws, rules and regulations amendatory thereof and supplementary thereto.

3. Exceptions:

a. An exception to the provisions of this subsection shall be permitted for a period not to exceed sixty days for bees actively participating in commercial agricultural activities.

b. Nothing in this subsection shall be deemed or construed to prohibit the keeping of bees located or kept within a government facility, a school, or a university facility for the purpose of study or observation.

F. Minor Resort Regulations.

1. Scope: This subsection shall be applicable to minor resorts in any zone where permitted as a conditional use;

2. Intent: These regulations are intended to allow for minor resorts which meet the lodging, convention and recreational needs of short-term visitors to Pima County and are not intended to allow for the development of residential units for permanent or long-term residential use;

3. Accessory uses:

a. Permitted uses:

1) Meeting rooms;

2) Restaurants and drinking establishments;

3) Retail and service establishments, provided that the total floor area of all such establishments

does not exceed five percent of the total floor area of the minor resort;

4) Swimming pools and spas;

5) Game courts such as tennis and racquetball;

6) Fitness and exercise centers; and

7) Equestrian facilities, provided:

a) There is not more than one horse for each ten thousand square feet of the site area; and

b) No stable or corral is within one hundred feet of any property line or within three hundred feet of any existing structure on an adjacent property.

b. Other provisions:

1) Accessory uses shall be operated primarily for guests of the minor resort;

2) No sign identifying an accessory use shall be visible from a public street; and

3) No entrance to an accessory use shall face a public street.

4) Development standards:

a) Minimum site area: ten acres.

b) Other development standards: In accordance with the zone where located.

G. Fire Stations.

1. Scope:

a. Fire stations and related facilities are permitted in all zones, subject to the requirements of this subsection.

b. The location of any proposed fire station shall be discussed with county staff prior to proceeding with the provisions of this subsection.

2. A Type 2 conditional use permit with a hearing notification area of five hundred feet is required in accordance with Chapter 18.97 of this code.

3. Development standards.

a. Fire stations shall meet the requirements of the zone in which located, except that the minimum site area in:

1) CR-2 zoning shall be thirty-six thousand square feet;

2) CR-3, CR-4, CR-5, TR, CMH-1 and CMH-2 zoning shall be ten thousand square feet.

b. All fire station sites shall have a minimum one hundred feet of frontage for primary access on a road shown on the major streets and routes plan.

4. Performance standards:

a. Off-street parking: All parking for employees and visitors shall be off-street and shall be provided in accordance with Chapter 18.75 (Off-street Parking and Loading Standards).

b. Screening: An aesthetically pleasing visual screen shall buffer all outdoor facilities, including parking areas, when the site is either zoned for, or adjacent to, rural or residential zoning.

c. Traffic safety: The provision of access for emergency vehicles shall include appropriate methods to minimize the endangerment of passing vehicles.

5. Development review: A development plan shall be submitted and reviewed in accordance with Chapter 18.71 (Development Plan Standards).

H. Communication towers:

1. Purpose:

a. To allow new communication towers in residential or rural zones only if a compatible site is unavailable in commercial or industrial zones.

b. To maximize the use of any new communication tower to reduce the number of towers needed.

c. To minimize the adverse visual effects of towers through careful design, siting and screening.

d. To avoid potential damage to adjacent properties and occupied structures from tower failure through engineering and careful siting of tower structures.

2. Applicability: Communication towers are permitted in any zone subject to the conditions of Section 18.07.030H3.

3. Conditions:

a. The applicant shall be required to prove that a planned tower requires use of the proposed site to achieve a communications result that cannot reasonably be achieved from, or cannot be accommodated on or adjacent to the site of an existing or approved tower.

b. The tower shall be located on commercially or industrially zoned land unless the applicant can prove that there is no reasonable effective way under applicable radio frequencies and other engineering criteria to locate it on land zoned for those uses.

4. Development standards:

a. Minimum site area: eighteen thousand square feet in CB-1 zone. Thirty-six thousand square feet or the minimum site area of the zone in which located, whichever is greater.

b. Minimum setbacks for buildings, towers and guy wires: fifty feet.

c. Towers over two hundred feet in height shall not be permitted in residentially zoned areas.

d. Towers over two hundred feet in height shall be located only in commercially or industrially zoned areas and shall comply with FAA painting and lighting standards to provide for aircraft safety.

e. Towers shall be located adjacent to a county maintained road.

f. Landscaping shall be in accordance with Chapter 18.73 (Landscaping, Buffering and Screening Standards).

5. Application procedures:

a. Approval shall be obtained through the Type III conditional use permit procedure of Chapter 18.97 (Conditional Use Permits), except that a sketch plan shall be submitted in accordance with Section 18.91.030E1 (Rezoning Procedures).

b. A report from a professional engineer shall be submitted at the time of application which shall:

1) Describe the tower and the technical, economic and other reasons for the tower design, and the radio frequency engineering reasons requiring use of the proposed site.

2) Demonstrate that the tower complies with the applicable structural standards.

3) Describe the capacity of the tower, including the number and type of antennas that it can accommodate and the basis for the calculation of capacity.

c. Federal compliance:

1) The applicant shall provide a written statement from the Federal Communications Commission and Federal Aviation Agency that the proposed tower and its communications use by the applicant complies with applicable regulations administered by those agencies or that the tower is exempt from those regulations;

2) If an applicable agency does not provide a requested statement after the applicant makes a timely, good-faith effort to obtain it, the application is complete. The applicant shall, prior to obtaining a building permit for the tower, send a subsequently received agency statement to the zoning inspector.

6. Exemption.

a. An applicant for a permit to construct a communications tower shall be exempt from the provisions of this chapter, except the requirements under Section 18.07.030H4 (Development Standards), if the applicant can demonstrate at the time of application for building permits that:

1) The new tower replaces an existing tower; and

2) The height of the new tower does not exceed one hundred fifty percent of the height of the existing tower, not to exceed a maximum of two hundred feet.

b. For the purpose of this chapter, "site of an existing tower" is defined as the parcel upon which a tower is currently located, provided that an existing tower and a new tower shall not be located on a single parcel unless all provisions of this chapter have been met.

I. Adult Activities Facility Standards.

1. Purpose. The purpose of this subsection is to provide for the uniform regulation of adult activities facilities by limiting the concentration of adult activities facilities through the imposition of spacing requirements, thereby mitigating crime, maintaining property values, protecting retail trade and preserving the quality of life in rural and residential neighborhoods.

2. Enclosure. An adult activities facility shall be conducted solely within an enclosed structure or building.

3. Spacing. An adult activities facility shall be at least:

a. One thousand feet from another adult activity facility;

b. Five hundred feet from a public, private, or parochial school;

c. Five hundred feet from a public park;

d. Five hundred feet from a church;

e. Five hundred feet from a zoning district other than CB-2, CI-1, CI-2, and CI-3.

4. Method of Measurement. The spacing requirement set by this subsection shall be measured from the lot line of the proposed facility to a zoning district boundary line or to the lot line of a church, school, park, or another adult activities facility.

5. There shall be no more than one adult activities facility per lot.

J. Holiday Outdoor Sales.

1. Holiday outdoor sales of pumpkins and Christmas trees are permitted in business and industrial zones subject to issuance of a temporary use permit by the zoning inspector.

2. The permit shall be valid for no more than sixty days from the date of issuance and shall be valid only for the uses as approved by the zoning inspector. (Ord. 1994-147 § 2, 1994; Ord. 1994-114 § 2, 1994; Ord. 1993-150 § 1, 1993; Ord. 1992-6 § 1 (part), 1992; Ord. 1988-153 § 1 (part), 1988; Ord. 1986-19 § 1 (part), 1985; Ord. 1985-153 § 1 (part), 1985; Ord. 1985-82 (part), 1985)

18.07.040 Land use exceptions.

A. Additional Permitted Uses. The following accessory uses shall be permitted in any zone when the principal use itself is permitted:

1. The operation of necessary facilities and equipment in connection with schools, colleges, universities, hospitals and other institutions;

2. Recreation, refreshment and service buildings in public parks, playgrounds and golf courses.

B. Public Utilities Permitted.

1. Nothing in this code shall prevent the location, erection, alteration or maintenance of pipes, poles, wires, and similar installations necessary to distribute public facilities;

2. In addition to other provisions of this code, the uses of this subsection shall be permitted in any zone and shall not be subject to the minimum lot area requirements. Barbed wire may be used on fences and walls for security purposes, provided the wire is more than six feet above ground level;

3. Water pumping and storage facilities operated as part of a system serving two or more properties as a public, private or community utility:

a. Subject to the requirements for detached accessory buildings in the zone in which located,

b. Provided a wall or hedge is used to screen the site,

c. Where a tower more than twenty 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;

4. Telephone, telegraph or power substations:

a. Any building housing such substation shall be in keeping with the character of the zone in which located,

b. A substation not enclosed within a building shall be subject to:

1) The minimum front and side yards of the zone in which located; and

2) Appropriate screen planting along any street frontage, which planting and any necessary fencing shall be set at a distance not closer to a street lot line than the minimum front and side yards of the zone;

5. Power substations with an input voltage of one hundred fifteen kilovolts or greater shall be subject to the following requirements:

a. Setback: That the facility, including walls or equipment, is located no closer than two hundred feet to any existing residential property line,

b. Screening:

1) That the facility include a ten-foot high wall in an earth tone and vegetative landscaping when contiguous to a residential zone,

2) Vegetative landscaping shall be located to preclude attracting athletic activities in the setback area,

c. Height: That the facility observe the height restriction of the zone in which located,

d. Notification: When the utility purchases land with the intent of constructing a power substation facility, the property must be posted stating that intent,

e. Noise emissions:

1) That the sound level emitted by the facility shall not exceed forty-five DBA at the property line,

2) That there shall not be any TVI (television interference) or RIV (radio interference) on a continuous basis,

f. The board of supervisors may waive the minimum requirements of Section 18.07.040B5a through e, or impose more restrictive requirements at an advertised public hearing if the supervisors determine such an action is in the public interest,

g. Power substation permit issued by the supervisors after a public hearing:

1) Notice shall be given by mail to all owners of record within six hundred feet of the substation and by posting the substation site,

2) An applicant for a permit shall pay a two hundred dollar fee,

h. The supervisors may approve or deny an application and may impose reasonable conditions upon the issuance of a substation permit and shall consider the following factors:

1) Existing plans of the state, local government and private entities for other developments at or in the vicinity of the proposed site,

2) Fish, wildlife and plant life and associated forms of life upon which they are dependent,

3) Noise emission levels and interference with communication signals,

4) The proposed availability of the site to the public for recreational purposes, consistent with safety considerations and regulations,

5) Existing scenic areas, historic sites and structures or archaeological sites at or in the vicinity of the proposed site,

6) The total environment of the area,

7) The technical practicability of achieving a proposed objective and the previous experience with equipment and methods available for achieving a proposed objective,

8) The estimated cost of the facilities and site as proposed by the applicant and the estimated cost

of alternative facilities and sites, recognizing that any significant increase in costs represents a potential increase in the cost of electric energy to the customers or the applicant,

9) Any additional factors which require consideration under applicable federal, state and Pima County laws,

10) The supervisors shall give special consideration to the safety and health of neighboring residents,

i. The requirements of Section 18.07.040B5g and h shall be eliminated on those sites which are considered by the Arizona Power Plant and Transmission Line Siting Committee when that Committee contains adequate local representation. The determination of adequate local representation on the Committee shall be made by the supervisors at a public hearing.

C. Clay, Sand or Gravel Pits, Rock or Stone Quarries, Gas or Petroleum Drilling Permitted. Clay, sand or gravel pits, rock or stone quarries and drilling for petroleum or natural gas may be permitted in any zone, except MU; provided, that said use is designed and located so as not to create any unusual hazard or nuisance in the immediate neighborhood of the proposed site of said use, and the zoning inspector is hereby authorized to issue a permit for said uses under the conditions set forth in 18.53.020C (CI-2 General Industrial Zone). (Ord. 1988-153 § 1 (part), 1988; Ord. 1985-117 § 1 (part), 1985; Ord. 1985-82 (part), 1985)

18.07.050 Development standards exceptions.

A. Individual Lot-size Reductions. The provisions for the lot reduction option (Section 18.09.050—General Residential and Rural Zoning Provisions) shall not affect the power of the board of adjustment to allow reduction of individual lot sizes on the standards provided in Section 18.93.030 (Board of Adjustment Variances, Temporary Use Permits and Interpretations).

B. Exception for Walls and Fences. The yard and setback requirements of this code shall not apply to perimeter walls or fences:

1. Six feet or less in height and designed as security, privacy or screening elements of the site or lot;

2. Of any type or dimension when required or permitted in accordance with Chapter 18.73, Landscaping, Buffering and Screening Standards.

The location and height of any wall or fence shall meet all applicable sight visibility standards and requirements.

C. Projections Into Yards.

1. Unenclosed porches and stairways, unroofed and unenclosed above or below floor or steps, may project not more than three feet into any minimum side or rear yard.

2. Open terraces not over three feet high above the average natural grade and distant at least five feet from every lot line, may project into any minimum side or rear yard.

3. In any business or industrial zone, a marquee, canopy or awning, suspended or cantilevered from a building, either for the purpose of, or for giving the appearance of shelter or shade, may project not more than ten feet into any minimum front yard.

D. Exception for Slope. Parking spaces or detached garages may be occupied or built to within five feet of the street line on any lot where:

1. The slope of the front half of the lot is greater than one-foot rise or fall in a seven-foot run from the established street elevation at the property line; or

2. The elevation of the front half of the lot is more than four feet above or below the established street elevation at the property line.

E. Front Yard Exceptions for Existing Alignment.

1. In any rural or residential zone: Where a lot adjoins lots having existing front yards less than the minimum required by this code, the minimum front yard on said lot shall be the average of the existing front yards on the two adjoining lots, or, if only one of the lots is built upon, such front yard shall be the average of the existing front yard of the adjoining lot and the minimum front yard of the zone, provided no such front yard shall be less than ten feet.

2. In any CB-1 or CB-2 zone: Where one or more buildings used for commercial or industrial purposes and located on interior lots have existing front yards

than the minimum required by this code, the minimum front yard required on all other lots within the same block front and not more than five hundred feet from said existing building need not be greater than the least front yard existing.

3. In any zone: Any property fronting or abutting on a turnaround at the end of a cul-de-sac, or a similar increased radii of the street property line at the angle in a street, the minimum front yard required shall be one-half of the front yard required in the particular zone.

F. Rear Yard Adjoining Alley.

1. A minimum rear yard may be measured to the centerline of an alley adjoining such rear yard; provided, that the required rear yard shall not be reduced more than ten feet.

2. In any CR-2 or denser residential zone where a ten-foot half right-of-way for an alley is provided, the first five feet of such half right-of-way multiplied by the width of any lot where it abuts on the alley may be included as part of the overall lot area for the purpose of meeting the minimum lot area requirements; provided, that the net rear yard is not less than seventeen feet.

G. Rear Yard Exception on Corner Lot. On any corner lot in a CR-3, CR-4, CR-5, TR or CB-1 zone, the minimum rear yard may be reduced to not less than ten feet from the rear property line, provided the minimum side yard on the side street is increased by ten feet and the off-street parking provisions of Chapter 18.75 (Off-Street Parking and Standards) are complied with.

H. Height Limit Exceptions. The height limits of this code shall not apply to:

1. Barns, chimneys, conveyors, cupolas, derricks, flagpoles, parapet walls extending not more than four feet above the height limit of the building, silos, smokestacks, power transmission towers, windmills and power transmission poles;

2. Churches, hospitals, sanatoriums, schools or other public and semi-public buildings. Any such building may be erected to a height not exceeding forty-four feet, provided the minimum side and rear yards are increased by an additional foot in width or depth for each foot by which the height of such building exceeds the maximum height permitted in the zone in which such building is to be located;

3. Bulkheads, elevator penthouses, monitors, scenery lofts and water tanks; provided, that:

a. Such structures above the height limits specified for the zone shall not in the aggregate occupy more than twenty-five percent of the area of the lot, and

b. No linear dimension of any such structure shall be greater than one-half of the length of the corresponding street lot line if the structure is within twenty-five feet of such street lot line;

4. Towers, restricted to fire and hose towers, cooling towers for industrial operations, gas holders, grain elevators, sugar refineries or other structures where the manufacturing process requires a great height; provided, that such structures above the height limit specified for the zone shall:

a. Not in the aggregate occupy more than twenty-five percent of the area of the lot,

b. Be a distance not less than twenty-five feet from every lot line not a street lot line, and

c. Be not less than one foot from the opposite side of each abutting street for each foot of the vertical height;

5. Natural convection towers except as provided in this subsection. A Type II conditional use permit shall be obtained for the tower and the proposed tower height must be approved by the board of supervisors at the conditional use public hearing. For the purpose of this paragraph, a "natural convection tower" means a chimney-like structure, which can be integrated with a main building and its HVAC (heating, ventilating and air conditioning) system, and uses natural convection to move air up or down the tower with the designed purpose and effect of cooling or heating the building with only limited, secondary use of fans or blowers. The following restrictions shall apply to such towers:

a. A minimum of seventy-five percent of the height of the tower must be used for the natural convection chimney effect,

b. A minimum of fifty percent of the cross-sectional area of the tower must be dedicated to airflow for the cooling operation,

c. The minimum setback of the tower from any scenic route shall be three feet of horizontal distance for every foot of vertical tower height, with the setback measured from the edge of the street right-of-way as designated on the major streets and routes plan;

d. The minimum setback of the tower from any property line shall be twenty-five feet, unless a greater building setback is required by the applicable zone, the major streets and routes plan, or subdivision (c) of this subsection. (Ord. 1994-112 ° 1 (part), 1994; Ord. 1988-89 ° 1, 1988; Ord. 1985-188 ° 1 (part), 1985; Ord. 1985-82 (part), 1985)

18.07.060 Accessory buildings.

A. Accessory Building Attached to Main Building. An accessory building attached to the main building shall have at least fifty percent of the length on one of its walls integrated with the main building and such accessory building shall comply in all respects with the requirements for the main building.

B. Detached Accessory Building on Corner Lot.

1. On any corner lot an accessory building shall be not closer to the street side lot line than the width of the side yard required for the main building on that lot.

2. Where the rear of a corner lot adjoins a key lot, no part of an accessory building within ten feet of the rear lot line shall be nearer the street side lot line than the depth of the front yard required on the key lot. (Ord. 1988-188 ° 1, 1988; Ord. 1985-82 (part), 1985)

18.07.070 Modification of setback requirements.

A. Applicability. Front*, side and rear yard setbacks and distances between structures or buildings required by this code may be modified by the zoning inspector in accordance with the provisions below. The granting of a modification of a setback requirement of the zoning code shall not waive or modify building code or fire code regulations.

* Prior ordinance history: Sahuarita Ord 95-09

B. Application. Requests for modification of setback requirements shall be made on application forms provided by the planning and development services department.

1. The application shall include:

a. Legal description,

b. Signatures of the property owners of record or the authorized agent of the owner,

c. A letter of authorization if the property owner is represented by an agent,

d. A sketch plan showing existing and proposed buildings and structures, access, parking, and distances from buildings and structures to property lines and to other buildings and structures,

e. An elevation drawing, if determined necessary by the zoning inspector, showing the existing and proposed building or structure,

f. A statement describing the ability and intent of the property owner to apply for necessary Townpermits within nine months of receiving approval of the modification of the setback requirements, and

g. A statement describing how the proposal complies with the standards in Section 18.07.070D,

h. Any other information reasonably necessary to evaluate the application which is required by the zoning inspector,

I. A fee as per Section 18.07.070G.

C. Notice to owners of affected properties.

1. Mailed notice including a sketch plan shall be sent to:

a. Property owners adjacent to the applicant's property,

b. Property owners within one hundred feet of the applicant's property line but separated by a public or private road or private common area, and

c. Property owners determined by the zoning inspector to be affected by the request.

2. The zoning inspector may waive the giving of notice if the applicant submits written consents to the modification signed by all owners of affected property as defined in paragraph 1 above.

D. Standards. The zoning inspector shall grant a modification of the setback requirements only after a finding is made that the following standards have been met:

1. The reduced setback will not substantially reduce the amount of privacy that would be enjoyed by nearby residences;

2. Significant views of prominent land forms, unusual stands of vegetation, or parks from nearby properties will not be obstructed any more than would occur if the setback was not modified;

3. Traffic visibility on adjoining streets will not be adversely affected;

4. Drainage from proposed buildings and structures will not adversely affect adjoining properties and public rights-of-way;

5. Proposed buildings and structures will not interfere with the optimum air temperature/solar radiation orientation of buildings on adjoining properties;

6. The location of proposed buildings and structures, and the activities to be conducted therein, will not impose objectionable noise levels or odors on adjoining properties.

E. Action by the Zoning Inspector.

1. The zoning inspector shall review all the submitted information and provide a written response to the petitioner of the action.

2. The response shall state the reasons for the decision if the request is denied.

3. If granted, building permits may be issued for the building or structure and shall be in accordance with Section 18.93.050A and B.

F. Appeals or Referral to the Board of Adjustment.

1. The applicant may elect to file directly to the board of adjustment for a variance.

2. The applicant may appeal the decision of the zoning inspector to the board of adjustment and be heard in accordance with Section 18.93.030.

3. If a protest to a setback modification is submitted in writing within fifteen days of the date of the mailing of notice by an owner of affected property as defined in Section 18.07.070C, the zoning inspector shall refer the application to the board of adjustment to be heard in accordance with Section 18.93.030. Such protests may be based only upon characteristics of the development that would not be allowed by the zoning code without the modification.

4. The zoning inspector may refer an application to the board of adjustment to be heard in accordance with Section 18.93.030.

G. Fee. The fee shall be in accordance with the standard fee for variances as specified in Table 3: Zoning Permits, Section 6, Board of Adjustment Filing Fee of the Planning and Development Services Fee Schedule (Ordinance 1987-213). No additional fee is required for any application forwarded as a variance to the board of adjustment. (Ord. 1991-32 § 1, 1991)

18.07.080 Modification of development standards in riparian areas.

A. Applicability. Whenever a development plan or subdivision plat requires a floodplain use permit to promote the protection of riparian habitat as defined by the Pima County flood control district pursuant to Chapter 16.30 of the Pima County Code, development standards may be modified in accordance with this section. Any such modification shall be consistent with the purpose of Chapter 16.30, and may only be allowed:

1. When a mitigation plan required by Chapter 16.30 would be unnecessary if the modification is granted; or

2. When development within the riparian habitat area cannot reasonably be avoided and an application for modification is submitted as part of a mitigation plan submitted pursuant to Chapter 16.30.

B. Types of Modifications. Development standards may be modified consistent with section A above, including but not limited to the following:

1. Setbacks. The zoning inspector may modify any minimum setback or distance between structures. The modification shall be processed pursuant to the procedures and standards of Section 18.07.070, except that no fee shall be charged.

2. Subdivision Lot Size. Minimum lot size requirements for subdivision lots in the CR-1, CR-2, CR-3, GR-1 and CMH-1 zones may be modified at the time of plat approval in order to promote the protection of

riparian habitat and undisturbed natural areas. Additional undisturbed natural area may be included in the preserved area if at least one acre or ten percent of the total preserved area is riparian habitat as defined in Chapter 16.30 of the Pima County Code. Such lot size modifications are available only where an area of riparian habitat and undisturbed natural areas will be owned by a homeowners association and preserved from alteration by recorded covenants running with the land enforceable by the county. The sum total of square feet by which the area of each lot in the subdivision is reduced shall not exceed the square feet of the preserved area. No more lots shall be allowed by the reduction than would be allowed without the reduction.

a. Minimum lot size requirements for lots in a CR-1 or GR-1 subdivision may be reduced from thirty-six thousand square feet to eighteen thousand square feet;

b. Minimum lot size requirements for lots in a CR-2 subdivision may be reduced from sixteen thousand square feet to twelve thousand square feet;

c. Minimum lot size requirements for lots in a CR-3 or CMH-1 subdivision may be reduced from eight thousand square feet to seven thousand square feet.

3. Off-Street Parking. The subdivision and development review committee may modify off-street parking requirements, pursuant to Chapter 18.75, when it is demonstrated that such adjustment will not result in a danger to persons or property or in increased traffic.

4. Bufferyard Requirements. The number of trees in bufferyards required pursuant to Chapter 18.73 may be reduced up to fifty percent when riparian habitat in an area regulated by the Pima County flood control district pursuant to Chapter 16.30 is preserved. The number of required bufferyard trees may be reduced at the rate of one bufferyard tree per three hundred square feet of preserved riparian vegetation. Measurement of the riparian vegetation shall be done by aerial canopy coverage or an alternative means acceptable to the county. The measurement of the square footage of the riparian vegetation shall be rounded up or down to a whole number using three hundred as the base number. (For example, four hundred thirty square feet shall equal one tree, while seven hundred eighty square feet shall equal three trees.)

5. An owner or a developer may request additional development standard modifications which promote the purposes of Chapter 16.30. Any such request shall be reviewed subject to statutory or ordinance provisions, including the appeals process or a development agreement approved by the board. (Ord. 1994-113 § 1, 1994)

Chapter 18.09

GENERAL RESIDENTIAL AND RURAL ZONING PROVISIONS

Sections:

18.09.010	**Purpose.**
18.09.020	**General requirements and exceptions.**
18.09.030	**Home occupations.**
18.09.040	**Cluster development option.**
18.09.050	**Lot reduction option.**
18.09.060	**Lot development option.**
18.09.070	**Multisectional manufactured home subdivision option.**
18.09.080	**Small lot subdivision option.**
18.09.090	**Model home permits.**

18.09.010 Purpose.

Reserved.

18.09.020 General requirements and exceptions.

A. Uses Permitted In All Rural and Residential Zones.

1. The following uses shall be permitted in all rural and residential zones (except as noted in Section 18.09.020A2), subject to the requirements of the zone and any special conditions, as may be noted:

a. Single detached or one-family dwelling;

b. Accessory building or use;

c. Church, providing the minimum off-street parking requirements, as set forth in Chapter 18.75 (Off-street Parking and Loading Standards), are met;

d. Home occupation (refer also to Section 18.09.030);

e. Public park;

f. Public school;

g. Parochial school.

2. Exceptions:

a. IR zone: Private schools are permitted as a conditional use (refer to Chapter 18.97, Conditional Use Permits);

b. RH zone: Private schools are permitted as a conditional use (refer to Chapter 18.97, Conditional Use Permits);

c. GR-1 zone: Private schools are permitted as a conditional use (refer to Chapter 18.97, Conditional Use Permits);

d. TH zone: All uses of Section 18.09.020A1 are prohibited;

e. ML zone: Parochial schools are prohibited;

f. CMH-1 zone: Public schools are prohibited;

g. CMH-2 zone: Public schools are prohibited;

h. MU zone: Parochial schools are prohibited;

i. SR zone: Parochial schools are permitted as a conditional use (refer to Chapter 18.97, Conditional Use Permits).

B. Parking of Unoccupied Trailers.

1. Any trailer not in use for residential purposes may be stored or parked in any SR, SR-2, CR-1, CR-2, CR-3, CR-4 or CR-5 zone only if said trailer is located to the rear of the principal dwelling on the lot, parcel or tract where said trailer is to be stored, and is stored in a garage or ramada or behind planting of sufficient height to shield said trailer from view from the adjoining properties; and

2. No more than one such trailer may be parked on any such residential lot, parcel or tract.

C. Maximum Density and Homeowners Association Requirements for Townhouses and Apartments.

1. In zones designated CR-4, CR-5, TR, MU and CB-1, townhouses and apartments shall:

a. Have a density requirement of not more than one dwelling per two thousand square feet for townhouses and one thousand square feet for apartments, or the density requirement of the zone in which the units are located, whichever is more restrictive; and

b. Have a mandatory homeowners association for townhouses as required in Section 18.09.040J and for condominium apartments as required in A.R.S. Section 33-551 et seq.

2. Building setback requirements shall be same as the setback requirements in the zone where the lots are created and shall be determined from the boundaries of the proposed development.

D. Rear Dwelling Requirements. In addition to other requirements of this code, the following shall apply to any dwelling in the rear of a principal building:

1. There shall be provided an unoccupied and unobstructed access way to a street, which access way shall have a width of at least fifteen feet for one dwelling unit and at least twenty feet for two or more dwelling units;

2. For the purpose of determining the front yard for a rear dwelling in any CR-1, CR-2, or CR-3 zone, the rear line of the rear yard required for the building in the front shall be considered the front lot line for the building in the rear.

E. Group Foster Homes.

1. Scope: Group foster homes shall be permitted in the SR, SR-2, SH, CR-1, CR-2, CR-3, CR-4, CR-5, TR and CMH-1 zones, subject to issuance of a use permit by the zoning inspector showing compliance with the requirements of this subsection;

2. Requirements:

a. Lot size: That the establishment is located on a parcel of land not less than:

1) Eight thousand square feet in size when serving no more than six persons, or

2) Sixteen thousand square feet when serving seven to ten persons, or

3) The minimum lot size of the appropriate zone, whichever is larger, and

b. Setback: That the group foster home is more than one thousand two hundred feet from any existing group foster home, and

c. License: That the establishment is licensed to operate as a group foster home by the Department of Economic Security of the State of Arizona;

3. Appeal of special group foster home permit:

a. Prior to the issuance of a special group home permit all property owners within three hundred feet shall be notified by mail and given twenty days in which to file written objection with the zoning inspector,

b. The objection shall be heard as an appeal by the board of adjustment for the district in which the proposed use is to be located in accordance with Chapter 18.93 (Boards of Adjustments and Appeals);

4. Appeals: Appeals to the board may not be taken for those uses exempted by A.R.S. Section 36-581 et seq.

F. Operative Builder's Yard Provisions.

1. Any licensed residential building contractor may apply for a temporary and revocable permit for a builder's yard, warehouse, or real estate office, in any subdivision of record in any residential zone in which the applicant owns or controls ten or more commercial acres, provided the use is used exclusively to service a residential building project in the subdivision of that land.

2. The permit shall be for a period of twelve months, but the permit may be extended or renewed for an additional period of twelve months if fifty percent or more of the project area has been completely developed during the original permit period.

3. At the expiration of the permit period or any extension thereof, the builder's yard, warehouse, or real estate office shall be removed from the premises where located within sixty days from the date of expiration.

G. Guest House.

1. Shall be permitted on any residential or rural lot which has a minimum lot size of sixteen thousand square feet or more;

2. Shall be no larger than forty-five percent of the floor area of the main dwelling;

3. Only one guest house per lot shall be allowed;

4. Minimum yard requirements:

a. Front: In accordance with detached accessory building;

b. Side and rear: Twenty feet;

c. Distance to main structures: Twenty feet;

5. One additional on-site parking space shall be required for each bedroom within the guest house;

6. Shall use the same access which serves the main dwelling;

7. The guest house and the main dwelling shall not be served by separate utility meters; and

8. The owner shall record a covenant running with the land stating that no kitchen shall be built within the guest house unless the appropriate zoning is secured to allow a second dwelling unit or the conditions of Section 18.09.020G9 are satisfied.

9. A kitchen shall be allowed in a guest house if:

a. The guest house is occupied by an ill, handicapped or elderly relative in need of special care of supervision; and

b. The guest house occupants are related to the owner of the main dwelling; and

c. The property owner shall provide a statement signed by a physician that special care or supervision is required by the guest house occupant; and

d. Prior to the issuance of a building permit, the property owner shall record a covenant running with the land stating that the kitchen shall be removed from the property within ninety days of the date the guest house is no longer occupied by the ill, handicapped, or elderly relative who is in need of special care or supervision.

H. Child Care Center.

1. Child care centers in conjunction with existing church, private school or community service agency shall be a Type I conditional use permitted in all rural and residential zones, and subject to the issuance of a conditional use permit in accordance with the provisions of Chapter 18.97;

2. Requirements:

a. A decorative masonry wall, fence, or combination, at least four feet in height, shall be provided for the enclosure of the outdoor play area,

b. Existing off-street parking and loading areas may be utilized, however, they shall be in accor-

ance with Chapter 18.75 (Off-street Parking Standards),

c. Hours of operation shall be between six a.m. to nine p.m.,

d. License: The child care center shall be licensed to operate as a child care center by the Office of Child Day Care of the Arizona Department of Health Facilities.

I. Adult Care Home.

1. Certification: That the establishment is certified, licensed or registered to operate as an adult care home, if required by state or local law.

2. Gross floor area: Adult care homes shall have a minimum gross floor area of two thousand square feet for six to ten residents.

3. Compliance review:

a. Adult care homes shall obtain a certificate of occupancy if required by county building codes.

b. An adult care home is subject to issuance of a zoning use permit or zoning construction permit by the zoning inspector which establishes compliance with the requirements of this section.

J. Secondary Dwelling.

1. Application: In RH and GR-1 zones, a property owner may apply to the zoning inspector for a permit to allow a secondary dwelling for the use of an ill, handicapped, or elderly person in need of special care or supervision, or a care provider for such person, if the ill, handicapped or elderly person is the owner or resident of the main dwelling or a relative of the owner or resident of the main dwelling. The application shall include:

a. Legal description,

b. Signatures of the property owners of record or the authorized agent of the owner,

c. A letter of authorization if the property owner is represented by an agent,

d. A sketch plan of the subject property showing existing and proposed structures, access, parking, and distances from structures to property lines and to other structures,

e. The names of persons who will occupy the secondary dwelling and a statement signed by a physician that special care or supervision is required by the ill, handicapped or elderly relative,

f. Any other information reasonably necessary to evaluate the application which is required by the zoning inspector,

g. A fee per Section 18.09.020J6.

2. Standards: A secondary dwelling permit shall be subject to the following standards:

a. Property owner shall provide a statement signed by a physician that special care or supervision is required by the ill, handicapped, or elderly relative,

b. Only one secondary dwelling per lot shall be allowed,

c. Secondary dwelling shall meet the minimum setback requirements prescribed in the development standards—general of the property's zoning classification,

d. The same access which serves the main dwelling shall be used for the secondary dwelling,

e. The owner shall record a covenant running with the land stating that the secondary dwelling unit shall be removed from the property within ninety days of the date the secondary dwelling is no longer occupied by the person specified in the secondary dwelling permit, and

f. The secondary dwelling will not cause adverse effects to surrounding properties.

3. Additional conditions: The zoning inspector may attach additional conditions to the permits to mitigate possible adverse effects to surround properties.

4. Appeals: Prior to the issuance of a secondary dwelling permit, property owners within three hundred feet of the subject property shall be notified by mail and given fifteen days from the date of mailing of notice to file written protest with the zoning inspector.

a. The notification shall include the approved sketch plan and the procedure and requirements for submitting an appeal;

b. The written protest shall include the name and address of the person submitting the appeal and rea-

sons why the application does not meet the secondary dwelling standards in Section 18.09.020J2;

c. The board of adjustment shall hear the appeal in accordance with Chapter 18.93 (Board of Adjustment Variances, Temporary Use Permits, and Interpretations).

5. Action by the zoning inspector: A secondary dwelling permit may be issued by the zoning inspector if no written protest is received and the standards in Section 18.09.020J2 above are met. The secondary dwelling permit shall be in accordance with 18.93.050A and B.

6. Validity and renewal of permit: A secondary dwelling permit shall be valid for up to three years and may be renewed by the zoning inspector. A property owner requesting renewal of the permit shall submit to the zoning inspector evidence that the secondary dwelling is still needed and that conditions of the permit have been met.

7. Fee: The fee shall be in accordance with the standard fee for variances as specified in Table 3: Zoning Permits, Section 6, board of adjustment filing fee of the planning and development services fee schedule (Ordinance 1987-213). No additional fee is required for an application forwarded as a variance to the board of adjustment. (Ord. 1994-147 § 3 (part), 1994; Ord. 1991-46 § 1, 1991; Ord. 1991-33 § 1 (part), 1991; Ord. 1990-11 § 1 (part), 1990; Ord. 1989-1 § 1 (part), 1989; Ord. 1986-125 § 1 (part), 1986; Ord. 1986-43 § 1 (part), 1986; Ord. 1985-187 § 1 (part), 1985; Ord. 1985-82 (part), 1985)

18.09.030 Home occupations.

A. Definitions.

1. Baby-sitting Service. A home occupation providing compensated nonresidential care and supervision to no more than six children at the same time and licensed by the state of Arizona, if required.

2. Home Occupation. An activity carried on by the occupant of a dwelling as a secondary use, including professional and semi-professional offices, as conditioned by this section.

B. Conditions. Home occupations are permitted when:

1. Conducted and entered from within a dwelling;

2. In connection with which there is no public display of stock-in-trade upon the premises;

3. Not more than one nonresident of the premises is employed;

4. Not more than one-fourth of the floor area of one story of the main dwelling, or a detached home or workshop of not more than two hundred square feet in area is used for such home occupation;

5. The residential character of the dwelling is not changed by said use;

6. Such occupation does not cause any sustained or unpleasant or unusual noises or vibrations, or noxious fumes or odors, or cause any parking or traffic congestions in the immediate neighborhood; and

7. A home occupation meeting all the conditions of Section 18.09.030B1 through B6 is permitted to include not more than one home occupation related vehicle. This vehicle must be eighteen feet or less in overall length and seven feet or less in overall height and must be parked on private property, stored in a carport or garage, or shielded from view from adjoining properties by landscaping, fencing or any other suitable material. (Ord. 1988-78 § 1 (part), 1988; Ord. 1985-82 (part), 1985)

18.09.040 Cluster development option.

A. Purpose.

1. The purpose of the cluster development option is to provide:

a. Site planning and unity of design in harmony with the natural features and constraints of specific sites, and particularly on sites possessing unique or severe topographic or hydrologic features;

b. Protection of natural, historic and man-made elements of scenic, environmental or cultural significance;

c. Design innovation;

d. Flexibility in the siting of structures and roadways;

e. More cost-effective development due to decreased grading and more efficient servicing of the development with utilities, roads and other essential services;

f. Additional open space for private or community purposes;

g. Protection of existing neighborhoods through the provision of open space buffers and the location of structures;

h. A preferred planning tool for the development of land within the Buffer Overlay Zone, Chapter 18.67.

B. Definitions. Certain terms used in this section shall be defined, for purposes of this section only, as follows:

1. Cluster grouping: A designed contexture of residential units and their accessory facilities which may be used as a repetitive motif to form a cluster pattern. Each cluster grouping shall be separated by landscaped areas or natural open space to form the larger cluster development.

2. Cluster open space: Open space, either natural or functional, provided to compensate for lot size reductions from minimum lot area requirements in the applicable zone.

3. Common open space: Land area within a development, not individually owned or dedicated for public use, which is designed and intended for the common use or enjoyment of the residents of the development. Common open space may be either natural open space or functional open space, as defined in this section.

4. Contexture: A body or structure made by the interweaving or putting together of parts where the arrangements and union of the constituent parts form a characteristic, unified whole.

5. Functional open space:

a. Open space that is a designed element of the development, and has a functionally described and planned use as an amenity for the direct benefit of the residents of the development. Man-made impervious surfaces shall not exceed three percent within areas so designated;

b. Examples include:

1) Landscaped areas which provide visual relief, shade, screening, buffering and other environmental amenity,

2) Nature trails,

3) Exercise trails,

4) Open playgrounds, e.g., baseball, multiuse,

5) Picnic areas and facilities,

6) Recreation areas and facilities, e.g., swimming pools, tennis courts,

7) Golf courses: In accordance with Chapter 18.59, Golf Course Zone.

6. Natural open space: Any area of land, essentially unimproved and not occupied by structures or man-made impervious surfaces, that is set aside, dedicated or reserved in perpetuity for public or private enjoyment as a preservation or conservation area.

7. Public open space: Open space owned by a public agency, such as Pima County, and maintained by it for the use and enjoyment of the general public.

8. Review committee: Review committee means design review committee (refer to Section 18.99.030, DRC).

C. Scope: The cluster development option is permitted in the following zones:

1. RH: Refer also to Section 18.13.070 (RH Rural Homestead Zone);

2. GR-1: Refer also to Section 18.14.060 (GR-1 Rural Residential Zone);

3. ML: Refer also to Section 18.15.060 (ML Mount Lemmon Zone);

4. SR: Refer also to Section 18.17.060 (SR Suburban Ranch Zone);

5. SR-2: Refer also to Section 18.18.050 (SR-2 Suburban Ranch Estate Zone);

6. SH: Refer also to Section 18.19.050 (SH Suburban Homestead Zone);

7. CR-1: Refer also to Section 18.21.050 (CR-1 Single Residence Zone);

8. CR-2: Refer also to Section 18.23.050 (CR-2 Single Residence Zone);

9. CR-3: Refer also to 18.25.050 (CR-3 Single Residence Zone);

10. CMH-1: Refer also to Section 18.33.060 (CMH-1 County Manufactured and Mobile Home — 1 Zone).

D. Permitted Uses and Accessory Structures.

1. Uses:

a. Residential subdivided lots and units, as permitted in the zones listed in Section 18.09.040C,

b. Cluster open space, as defined in Section 18.09.040B;

2. Accessory buildings and structures:

a. In individual, subdivided lots:

1) Permitted coverage: Ten percent of lot area,

2) Maximum height: Fifteen feet,

3) Minimum setback: In accordance with applicable county building codes (Title 15),

b. In functional open space areas:

1) Permitted coverage: Three percent of required area,

2) Maximum height: Thirty-four feet,

3) Minimum setback: In accordance with applicable county building codes (Title 15).

E. Development Standards.

1. Minimum site area: None, all permitted zones.

2. Average site area per dwelling unit (maximum density factor):

a. ML/CR-1/GR-1: Thirty-six thousand square feet;

b. SR: One hundred forty-four thousand square feet;

c. SH: Eighteen thousand square feet;

d. SR-2: Seventy-two thousand square feet;

e. CR-2: Sixteen thousand square feet;

f. CMH-1: Eight thousand square feet;

g. CR-3: Eight thousand square feet;

h. RH: One hundred eighty thousand square feet.

3. Minimum lot area per dwelling unit (minimum allowable lot size):

a. Sewered lots: No minimum lot size, as may be approved by the review committee.

4. Minimum setback requirements: As may be approved by the review committee, consistent with the requirements of major streets and routes plan and the Arizona Department of Health Services.

5. Maximum height: Thirty-four feet.

6. Minimum distance between buildings: As may be approved by the review committee.

7. Minimum distance between cluster groupings: As may be approved by the review committee.

8. Cluster groupings:

a. All residential units may be common-walled or detached, but shall not be formed into cluster groupings that exceed six common-walled residential units each, unless approved by the review committee.

b. Cluster groupings shall be separated by cluster open space to provide spatial definition between groupings, and shall be as approved by the review committee.

9. Utilities:

a. Utilities and sewers shall be located within the developed portion of the site wherever possible to reduce the future impact of maintenance and repair activities on cluster open space.

b. Public sewers shall be designed such that manholes are located in paved areas which have paved access, unless otherwise approved by the director of the wastewater management department.

10. Excess cut and fill material shall be disposed of in accordance with Chapter 18.81 (Grading).

11. Roads: All streets and highways must have horizontal and vertical alignment consistent with an approved design speed, and roadway

geometrics consistent with an approved design vehicle, as specified in criteria available from the department of transportation and flood control district.

12. Landscaping: In accordance with Chapter 18.73 (Landscaping Standards).

13. Buffers:

a. Buffers shall be provided to protect existing neighborhoods by mitigating the adverse impacts of sound, visibility and traffic.

b. Buffers may include landscaping, walls, fences, pathways, drainageways, natural features, existing vegetation and natural open space (refer to Chapter 18.73, Landscaping Standards).

14. Exterior lighting: Any lights used to illuminate parking spaces, drives and recreation facilities shall be of a design and so arranged to shield and reflect light away from residential lots.

F. Open Space Requirements.

1. Cluster open space area and ratio requirements: Cluster open space shall comprise at least thirty percent of the gross site area and be equal to or greater than the difference between the total area of the residential lots to be subdivided and the required average site area per dwelling unit total in the applicable zone.

2. Cluster open space ownership and control shall be only:

a. As part of an individual, private lot with recorded covenants running with the land;

b. By a homeowner's association, as specified in this section; or

c. By Pima County, as legally dedicated to and approved by the board of supervisors.

3. Third-party ownership of cluster open space shall not be allowed. The association may enter into contracts or lease agreements to allow third-party operation of uses permitted within functional open space, as defined in this option.

4. Natural open space adjacent to public parks, preserves or county-maintained stream channels may be deeded by Pima County as public open space, if approved by the board of supervisors.

5. Cluster open space shall be an integral part of the site design and shall be within the boundaries of the cluster development it serves.

6. Phased developments shall provide cluster open space for each phase, so that each phase may stand alone in conformance with Section 18.09.040K.

7. Cluster open space shall not include public or private streets, driveways, parking areas, channelized drainageways, and disturbed, unvegetated areas.

8. Final plats shall be delineated and annotated to reflect the cluster open space requirements.

G. Cluster Development Plan Requirements.

1. A cluster development procedures checklist, to aid in the preparation of the plan, shall be available from the planning and development services department.

2. The development plan for cluster review shall include:

a. A site analysis, in accordance with county "Site Analysis Requirements" document, Section IV, A through L;

b. A preliminary development plan, in accordance with Section 18.91.030E (Zoning Code Amendments and Zone Changes);

c. An evaluation of the effect of the proposed development, in accordance with county "Site Analysis Requirements" document, Section V, B through P;

d. Architectural renderings, elevations and perspectives, as required, to present the style, color, materials and context of proposed structures;

e. Delineation of cluster open space and calculations for its derivation;

f. Landscape plan, in accordance with Section 18.73.030 (Landscaping Standards); and

g. Any descriptive data that may be appropriate, including drafts of the proposed covenants, conditions and restrictions that will apply to the cluster project.

H. Review Committee. Proposed plans in a cluster development shall be reviewed by the design review committee (refer to Section 18.99.030, DR).

I. Cluster Development Review Procedures.

1. Preliminary review:

a. Preliminary review by the department of planning and development services is required for all proposals prior to the submittal of a cluster development plan.

b. The developer shall consult with other agencies and parties potentially interested in the development, such as other county departments, all affected utility companies, and homeowner associations, and property owners within three hundred feet of the site.

2. Submittal: Application for cluster development plan review shall be submitted in writing together with required fees to the planning and development services department, along with the required number of copies of the plan, as prepared in accordance with Section 18.09.040G.

3. Compliance review: The department shall review the plan for compliance with the cluster development checklist and this article, and shall, in writing, either accept or reject the plan for further review within five working days of plan submittal:

a. If accepted, copies of the plan shall be transmitted to the members of the review committee, and a committee meeting shall be held within twenty working days of written compliance approval.

b. If rejected, the developer may:

1) Resubmit the plan with the appropriate corrections; or

2) Appeal to the committee at a regularly scheduled meeting. The committee may then either accept or reject the plan for future review.

4. Committee review:

a. The committee shall review the cluster development plan for conformance with the purpose and requirements of this section and of this code, and refer to design guidelines and standards contained in the cluster design review manual.

b. The committee shall also specify the general conditions and revisions that must be complied with before the plan can be approved.

c. Written minutes of the meeting shall be available within five working days of the meeting.

d. Review criteria:

1) In acting on a proposed cluster plan, the review committee shall give particular consideration to the following criteria:

a) Individual lots, buildings, streets, and parking areas shall be designed and situated to minimize alteration of the natural and historic site features and structures to be preserved.

b) The utility of functional open space shall be determined by the size, shape, topographic,

and location requirements of the particular purpose proposed for the functional open space.

c) Cluster open space shall include irreplaceable natural features if located in the site (such as, but not limited to, stream beds, significant stands of vegetation and trees, individual trees and cacti of significant size, rock outcroppings, peaks, ridges and slopes).

d) Cluster open space intended for a recreation or common use shall be easily accessible to pedestrians, and accessibility shall meet the needs of the handicapped and elderly.

e) The suitability of cluster open space intended for scenic purposes shall be determined by its visual impact and quality as seen from a significant number of units, buildings or by its visibility along the nearest lengths of public or private streets, and shall be validated in the site analysis.

f) Suitability of individual building types and designs shall be determined by how well they function and relate to the natural constraints of the site.

g) Individual lots, buildings, and units shall be arranged and situated to relate to surrounding properties, to improve the view of buildings, and to minimize the land area devoted to motor vehicle access.

h) Individual lots, buildings, units, and parking areas shall be situated to avoid the adverse effects of pollution, noise, lighting and traffic on the residents of the site.

i) Sites, structures and landmarks having a potential for historic preservation shall be identified and, where possible, be integrated into the development plan as a designed feature of the project.

5. Review committee decision:

a. If approved without modification, the developer may now comply with Chapter 18.69 (Subdivision Standards) and submit the required documents and fees to the planning and development services department.

b. If approved subject to modification, the developer may:

1) Submit the revised plan to the department for final compliance review; or

2) Appeal any committee requirements in accordance with Section 18.09.040I6.

c. If the plan approved by the review committee constitutes a substantial change from a previously approved preliminary development plan, the following applies:

1) The subdivision coordinator shall schedule a duly noticed public hearing within twenty work days of the review committee approval, at which the board of supervisors shall be requested to approve the cluster development option plan in lieu of the previously approved preliminary development plan.

2) The request shall be at no additional fee to the petitioner, and shall specifically cite the substantial change or difference between the two plans. The request shall provide the rationale for the design review committee's recommendation.

3) The supervisors' directions shall be applied to the cluster option plan, which shall be further processed in accordance with Section 18.09.040I (Final Compliance Review).

6. Appeal of review committee decision:

a. Appeals of the conditions and requirements specified by the committee may be directed in writing by the developer to the planning and zoning commission within ten working days of the committee decision. A hearing shall be held within forty-five calendar days of receipt of the appeal. Notice of the appeal hearing shall be provided to all who received notice of the committee meeting at which the condition or requirement being appealed was established.

b. Appeals from the decision of the commission by the petitioner shall be made in writing to the board of supervisors within twenty working days of the action of the commission. Reasons for and evidence to support the appeal shall be presented for review. Scheduling of the appeal at a public hearing will be accomplished by the zoning administrator.

7. Final compliance review: All plans revised

in conformance with the decisions of the committee, the commission or the supervisors shall be submitted to the planning and development services department for final compliance review prior to submittal of a tentative plat. A compliance decision shall be provided within five working days of the revised plan submittal.

8. Tentative plat submittal: Following final cluster development option compliance approval, the developer shall submit to the planning and development services department the following:

a. A tentative subdivision plat for review, in accordance with Chapter 18.69 (Subdivision Standards);

b. Approved cluster arrangements and schematic elevations, keyed to the approved cluster site plan;

c. A type 2 grading plan, in accordance with Section 18.81.060 (Grading);

d. Delineation of cluster open space;

e. Landscape plan, in accordance with Section 18.73.030 (Landscaping Standards);

f. Proposed covenants for the development; and

g. Documentation outlining the proposed percentage of development to be accomplished prior to the homeowners' association assuming responsibility for the maintenance of common areas and property (reference Section 18.09.040J2).

9. Time limits:

a. Approval of a cluster development plan shall be effective for two years from the date of final compliance approval, unless a tentative plat has been approved in accordance with Chapter 18.69 (Subdivision Standards).

b. Failure to record a final plat within four years of the review committee approval date shall require a project feasibility review and approval to proceed by the planning and development services director, who shall determine the need for additional cluster option review, based on land use changes surrounding the site area during the four-year period.

J. Homeowners' Association. The applicant shall submit for recording a set of covenants, running with the land, providing for the creation of a homeowners' association. The covenants shall contain the following provisions:

1. A hold-harmless clause assuring that Pima County is not responsible for maintenance or liability of the private and common areas of the development, which shall include, but not be limited to:

a. Cluster open space,

b. Parks,

c. Buffers,

d. Landscaping,

e. Recreational facilities,

f. Streets and trails, and

g. Private sewers, utilities and septic systems;

2. The association's structure and its operating rules and regulations must be documented and approved before any lots or residential units are sold. The developer shall present, for design review committee approval, a plan for the transfer of all common areas and facilities control to the homeowners. The transfer of control may be based on an elapsed time period or the number or percentage of lots sold.

3. All common open space and improvements shall be established and maintained in accordance with the following requirements:

a. The applicant or developer shall provide for and establish a nonprofit organization or other legal entity under the laws of Arizona for the ownership, care, and maintenance of all such lands and improvements.

b. Such organization shall be governed by covenants running with the land and shall be composed of all persons having ownership within the subdivision. Such organization shall be responsible for the perpetuation, maintenance and function of all common lands, uses, and facilities.

c. All common open space and improvements shall be described and identified as to location, size, use, and control in the covenants, and such covenant shall set forth the method of

assessment for the maintenance of such land. The covenants shall be written so as to run with the land and be in full force and effect for a period of not less than twenty-five years, and shall be automatically extended for successive periods of twenty-five years unless terminated in a manner set forth hereinafter. The covenants shall become part of the deed to each lot or parcel within the development,

d. Such restrictive covenant and organization shall continue in effect so as to control the availability of the facilities and land thereby provided, to maintain the land and facilities for their intended function, and to protect the development from additional and unplanned densities or uses. Such organization shall not be dissolved, nor shall such organization dispose of any common open space, by sale or otherwise,

e. No common open space shall be denuded, defaced, nor otherwise disturbed in any manner not previously approved without the approval of the board of supervisors,

f. The covenants shall provide that in the event the homeowner's organization established to own and maintain such common open space and improvements shall at any time after establishment of the development fail to maintain the common open space and improvements in reasonable order and condition in accordance with the approved plans, the county may serve notice in writing upon such homeowner's organization or upon the homeowners within the development setting forth the manner in which the homeowner's organization has failed to maintain the common open space and improvements in reasonable condition, and said notice shall contain a demand that such deficiencies of maintenance be cured within thirty days thereof, and shall state the date and place of a public hearing thereon which shall be held within twenty days of the notice,

g. At such hearing the county may modify the terms of the original notice as to the deficiencies and may grant an extension of time within which they shall be cured,

h. If the deficiencies set forth in the original notice or in the modifications thereof shall not be cured within said thirty days or any extension thereof, the county, in order to preserve the taxable values of the properties within the development and to prevent the common open space and improvements from becoming a public nuisance, may enter upon said common open space and maintain the same for one year,

i. Said entry and maintenance shall not vest in the public any rights to use the common open space and improvements, except when the same is voluntarily dedicated to the public by the owners,

j. Before the expiration of said one-year period, the county shall, upon its initiative or upon the request of the homeowner's organization responsible for the maintenance of the common open space and improvements, call a public hearing upon notice in writing to such organization or to the homeowners within the development, to be held by the supervisors, at which hearing the organization shall show cause why such maintenance of the county shall not, at the election of the supervisors, continue for a succeeding one-year period,

k. If the supervisors determine that such organization is ready and able to maintain the common open space and improvements in reasonable condition, the county shall cease to maintain the common open space and improvements at the end of said one-year period,

l. If the supervisors determine that such organization is not ready and able to maintain the common open space and improvements in a reasonable condition, the county may, in its discretion, continue to maintain the common open space and improvements during the next succeeding year, and subject to a similar hearing and determination in each year thereafter.

m. The covenants shall further provide that the cost of such maintenance by the county shall be assessed ratably against the properties within the development that have a right of enjoyment of the common open space and improvements,

and shall become a charge on said properties, and such charge shall be paid by the homeowners of said properties within thirty days after receipt of a statement.

K. Phased Development.

1. Approval may be given for the development of delineated phases of the site, after submittal of a unified cluster site plan for the total project. The phased portions shall be shown on the subdivision plat.

2. Open space requirements for each phase shall be the same as stated in Section 18.09.040F. Separate homeowners' associations with provisions for expansion or consolidation may be created. Prior to the sale of any lot, site, unit or dwelling in a phased portion, the open space and recreation areas in that portion shall be designated, recorded and developed or maintained in conformance with the approved development plan.

L. Amendments to Final Plan.

1. Nonsubstantial changes in the location, siting or character of buildings may be authorized by the planning and development services director, if required by engineering or other circumstances not foreseen at the time of the final subdivision plat approval.

2. Substantial changes to the approved cluster site plan shall require a complete, new review of the entire project, to include additional fees, plan submittals and meetings in accordance with this section. (Ord. 1994-147 § 3 (part), 1994; Ord. 1988-116 § 4, 1988; Ord. 1986-187 § 1 (part), 1986; Ord. 1985-187 § 1 (part), 1985; Ord. 1985-111 § 1 (part), 1985; Ord. 1985-82 (part), 1985)

18.09.050 Lot reduction option.

A. Scope:

1. Minimum lot size requirements for lots in a subdivision may be approved by the board of supervisors for reduction where the conditions of Section 18.09.050B exist and the planning and zoning commission finds and certifies them to the supervisors.

2. The lot reduction option is permitted in the following zones:

a. CR-1: Refer also to Section 18.21.060;

b. CR-2: Refer also to Section 18.23.060;

c. CR-3: Refer also to Section 18.25.060.

B. Conditions:

1. That in total there are no more individual one-family lots than provided for in the lot reduction option provisions of the individual zones;

2. That the subdivision and all park, recreation areas, and drainage areas (CR-1 only) conform to this code, including area and neighborhood plans, as supplemented and amended;

3. That full and adequate provision is made for surface drainage, including dedication of rights-of-way for existing and natural watercourses; and

4. That to promote parks and recreation:

a. An area is dedicated for drainage purposes (CR-1 only) or otherwise permanently reserved for park or recreation purposes, either by dedication to the public or by conveyance of an undivided interest to each lot owner within the subdivision or by appropriate deed restrictions or by other governmental acquisition processes,

b. The total extent of said park, recreation area, or drainage area (CR-1 only) is no less than the sum total of the number of square feet by which the area of each lot in the subdivision is less than that required by the zone,

c. In no event is the size of any single park or recreation area any less than four acres, and

d. Said park and recreation areas, whether dedicated to the public or not, are reasonably available to all lot owners within the subdivision.

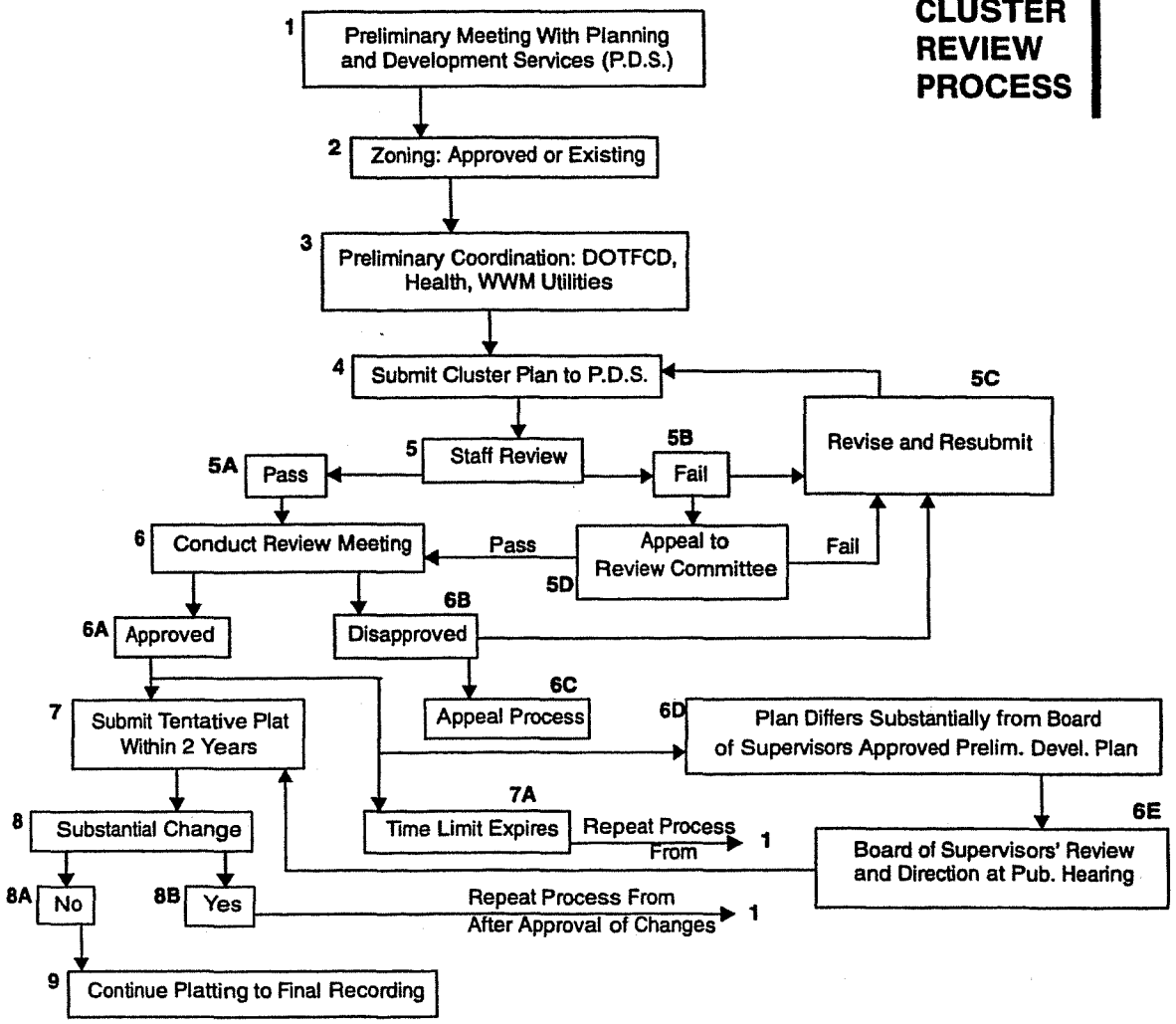
C. Approved plat recordation required: No approval on a minimum lot size reduction shall be effective until a subdivision plat complying with the commission's findings and certification and approved by the commission and supervisors is recorded in the office of the county recorder. (Ord. 1985-82 (part), 1985)

18.09.060 Lot development option.

A. Purpose. The purpose of this option is to:

1. Permit the efficient use of land;

CLUSTER REVIEW PROCESS



Ordinance No. 1985-111

2. Encourage originality, flexibility and innovation in site planning and architectural design; and

3. Permit building location and construction which conserve energy.

B. Yard Requirements.

1. Front and rear yards shall each be a minimum of twenty feet;

2. Side yards shall each be a minimum of eight feet; or

3. A main structure may be placed on a side lot line, if the distance between main structures is sixteen feet.

C. Application.

1. This option shall apply only to new developments which take place entirely under this option unless fifty percent of the owners of the developed lots within the subdivision approve the use of this option.

2. It shall apply to properties zoned CR-2, CR-3, CR-4, CR-5, MU, CB-1, and CB-2.

3. Structures shall be subject to all other setback requirements of the zone they are in. This option shall not waive any provisions of the county building codes (Title 15 of this code) or any other codes or policies.

D. Permits.

1. The zoning inspector shall issue lot development permits to applicants fulfilling the requirements of this section.

2. The applicant shall submit to the zoning inspector:

a. A development plan showing to scale all proposed and existing structures on the lot or parcel and all structures on abutting lots or parcels;

b. A covenant of record running with the land establishing the rights and responsibilities of abutting property owners where a main structure is on a common lot line; and

c. A covenant providing for review by the zoning inspector of additions and modifications to structures in the development after the project is completed.

3. No permit shall be issued if:

a. Drainage from the proposed structures will adversely affect adjoining property or public rights-of-way;

b. Roofs will drain on abutting properties; or

c. The location of and activities in the proposed structures will impose objectionable noise on adjoining property.

4. Structures other than patio walls shall not be placed on a lot line with another property not a part of the same development. (Ord. 1985-82 (part), 1985)

18.09.070 Multisectional manufactured home subdivision option.

A. Required Public Hearing.

1. Multisectional manufactured homes shall be permitted in all residential subdivisions recorded after June 15, 1981, if the designation "multisectional manufactured homes permitted" is approved by the board of supervisors at the time of conditional rezoning and is placed on the plat at the time of recording.

2. The provisions of Section 18.09.070A1 shall not apply to subdivisions recorded to satisfy the requirements of a conditional rezoning granted prior to June 15, 1981, unless approval is granted by the supervisors at an advertised public hearing.

B. Required Notice. Notice of hearing shall be given by mail to all owners of record within three hundred feet of the subdivision. (Ord. 1985-82 (part), 1985)

18.09.080 Small lot subdivision option.

A. Scope: This option is permitted in the following zones:

1. CR-4: Refer also to Section 18.27.050;

2. CR-5: Refer also to Section 18.29.050.

B. Procedure:

1. Public hearing:

a. Single detached dwellings shall be permitted on individual lots with area less than that required by the zone in a subdivision of five acres or greater, recorded after April 4, 1983, if the designation "small lot single detached dwelling

permitted" is approved by the board of supervisors at an advertised public hearing and is placed on the final plat at the time of recording.

b. The provisions for single detached dwellings on individual lots with area less than that required by the zone shall not apply to subdivisions recorded to satisfy the requirements of a conditional rezoning granted prior to April 5, 1983, unless approval is granted by the supervisors at an advertised public hearing.

2. Notice: Notice of hearing shall be given by mail to all owners of record within three hundred feet of the subdivision.

C. Development standards: As provided for in the small lot subdivision option provisions of the individual zones.

D. Recreational facilities:

1. Requirement: Recreational facilities shall be required when this option is used.

2. Minimum recreational facility area standards:

a. A minimum of five percent of the subdivision area, excluding private and public streets, designated for the small lot subdivision option shall be devoted to, and designated as, "recreational area" on the final subdivision plat.

b. The recreational area shall be designed as an integral part of the subdivision and be usable and accessible by all subdivision residents.

c. Drainageways, floodways, natural open space, or required buffers may constitute the recreational area, if approved by the director of parks and recreation. The developer must clearly explain and justify, in detail, how these areas will be used for recreation.

d. Recreational areas shall not include land, such as peaks, ridges or land fragments, determined unusable for recreational purposes by the director of parks and recreation.

3. Recreational area plan submittal and approval:

a. The developer shall submit a recreational area plan with the tentative plat.

b. The plan shall show all recreational improvements, including structures and facilities.

c. Approval of the plan by the director of parks and recreation shall be a prerequisite to approval of the final plat.

4. Facilities installation, ownership and maintenance:

a. Private recreational facilities and landscaping shall be completed and in place by the time twenty-five percent of the dwelling units are occupied, or as otherwise approved by the director of parks and recreation.

b. The recreational area and improvements shall be owned and maintained by a mandatory membership homeowners' association created by covenants, unless the area and improvements are dedicated to, and accepted by, Pima County.

5. Optional method:

a. In lieu of the required recreational area:

1) The board of supervisors may approve an alternative proposal which aids in the implementation of the county parks and recreation master plan; or

2) If the developer can demonstrate that adequate recreational facilities exist, the requirements of this section may be waived at the time of public hearing before the supervisors.

b. The proposal shall be prepared with the director of parks and recreation and approved by the supervisors after an advertised public hearing.

c. The terms of the agreement shall be made a matter of record and a condition of approval of any final plat or issuance of any permits for the subdivision.

d. The agreement shall provide parks and recreational facilities which benefit the residents of the subdivision. (Ord. 1985-82 (part), 1985)

18.09.090 Model home permits.

A. Scope. Building permits for not more than ten model units may be issued prior to the adoption of a rezoning ordinance if the property has

been conditionally approved for rezoning subject to acceptance of a subdivision plat or development plan.

B. Issuance of Permits. The permits may be issued when the following conditions are met:

1. The tentative plat and model home landscape plan have been approved by the subdivision review committee;

2. The site and setbacks of the model units are in conformance with the approved tentative plat and the proposed rezoning;

3. Written approval has been granted by the directors or authorized representatives of:

a. The planning and development services department,

b. The department of transportation and flood control district,

c. The wastewater management department, and

d. The property management division;

4. The applicant for such model permits shall acknowledge in writing that:

a. Such permitted models shall not be sold or occupied for residential purposes until the proposed zoning ordinance has been adopted by the board of supervisors,

b. The issuance of model permits shall not be construed as a commitment by the county to approve the subdivision plat or grant the proposed zoning, and

c. The applicant is solely responsible for any financial expenditures or obligations made as a result of the issuance of such model permits. (Ord. 1985-171 § 1 (part), 1985; Ord. 1985-82 (part), 1985)

Chapter 18.11

TH TRAILER HOMESITE ZONE

Sections:

18.11.010 Purpose.
18.11.020 Permitted uses.
18.11.030 Accessory uses.
18.11.040 Development standards—General.
18.11.050 Development standards—Detached accessory buildings.
18.11.060 Nonconforming uses.

18.11.010 Purpose.

A. Purpose: To provide adequate areas for travel trailers, motor homes, and campers for seasonal or temporary occupancy, that will also provide certain necessary convenience services.

B. Scope: This zone shall be located on or near interstate, state, and federal highways, or in such areas as may be designated by duly adopted area or neighborhood plans. (Ord. 1985-82 (part), 1985)

18.11.020 Permitted uses.

A. Uses permitted:

1. Trailer park;

2. Single-family dwelling, manufactured or mobile home or trailer on lots in subdivisions which were approved prior to January 6, 1971. Such uses shall conform to all other requirements of this chapter. (Ord. 1993-171 § 1 (part), 1994; Ord. 1985-82 (part), 1985)

18.11.030 Accessory uses.

A. Uses conditionally permitted:

1. Accessory commercial uses for a trailer park, if located on the premises of the park not closer than one hundred feet to any public street, and intended, provided and operated primarily for the convenience of the trailer park, as follows:

a. Food market, including package beer and wine,

b. Recreational facilities,

c. Soda fountain or soft drink stand,

d. Personal services,

e. Gasoline service station (no repairing),

f. Restaurant facilities;

2. Dwelling unit for the use of the manager or caretaker. (Ord. 1985-82 (part), 1985)

18.11.040 Development standards—General.

A. Minimum lot area: Eighteen thousand square feet

for uses permitted by Section 18.11.020A1; eight thousand square feet for uses permitted by Section 18.11.020A2.

B. Minimum area per trailer: Two thousand square feet.

C. Minimum yard requirements:

1. Front: Thirty feet;
2. Side: Ten feet each;
3. Rear: Thirty feet.

D. Building height limitations:

1. Maximum height: Thirty-four feet;
2. Maximum stories: Two.

E. Minimum distance between main buildings or trailers: Twenty feet.

F. Off-street parking: There shall be one off-street parking space per trailer in a trailer park.

G. Required bufferyards shall be in accordance with Chapter 18.73 (Landscaping, Buffering and Screening Standards). (Ord. 1993-171 § 1 (part), 1994; Ord. 1985-171 § 1 (part), 1985; Ord. 1985-82 (part), 1985)

18.11.050 Development standards—Detached accessory buildings.

A. Permitted coverage: Twenty-five percent of the minimum rear yard plus fifty percent of any additional space in the rear of the principal building.

B. Maximum height: Twenty-four feet.

C. Minimum distance requirements:

1. To main buildings: Seven feet;
2. To front lot line: Sixty feet;
3. To side lot lines: Four feet;
4. To rear lot line: Four feet. (Ord. 1985-82 (part), 1985)

18.11.060 Nonconforming uses.

A. Nothing contained in the provisions of this chapter shall require any change in the construction, alteration or intended use of any nonconforming structure, under previous Article 21 (Ord. 1957-51) of the county zoning plan (Ord. 1952-III), the construction or alteration of which is begun prior to two years after January 5, 1971, and is diligently prosecuted according to plan as submitted, and further providing that all setbacks and regulations of previous Article 21, as adopted by Ord. 1957-51 and amended by Ord. 1958-7 shall apply. (Ord. 1985-82 (part), 1985)

Chapter 18.12

IR INSTITUTIONAL RESERVE ZONE

Sections:

18.12.010	**Scope.**
18.12.020	**Permitted uses.**
18.12.030	**Conditional uses.**
18.12.040	**Development standards—General.**
18.12.050	**Development standards—Accessory structures.**
18.12.060	**Exceptions.**
18.12.070	**Cluster development option.**

18.12.010 Scope.

A. Scope: This zone shall only include federal, state, city, county, Indian and other publically owned lands. It is intended that these lands remain as a reserve until such time they are released to the private sector, more intensive development is appropriate and the Tucson water basin has been balanced. (Ord. 1985-187 § 1 (part), 1985)

18.12.020 Permitted uses.

A. Uses permitted:

1. Single detached dwelling;
2. Manufactured or mobile home or trailer;
3. Farm labor housing;
4. Guest dwelling: In accordance with Section 18.09.020G (General Residential and Rural Zoning Provisions) [proposed];
5. Accessory structures;
6. Crop production, including field crops, truck gardening, berry or bush crops, tree crops, flower gardening, nurseries, orchards and aviaries;
7. Apiary: In accordance with Section 18.07.030E (General Regulations and Exceptions);

8. The raising or grazing of livestock;
9. The raising of hogs, provided:
a. There are no more than five hogs over six months of age,
b. There is compliance with all county health department regulations;
10. The raising of poultry and other small animals;
11. Hog raising projects, which exceed the permitted number of hogs, sponsored by the 4-H

8. The raising or grazing of livestock;
9. The raising of hogs, provided:
a. There are no more than five hogs over six months of age,
b. There is compliance with all county health department regulations;
10. The raising of poultry and other small animals;
11. Hog raising projects, which exceed the permitted number of hogs, sponsored by the 4-H Club, Future Farmers of America or other similar nonprofit organization, provided that a letter of authorization from the sponsoring organization is submitted to the department of planning and development services acknowledging that the project is in fact sponsored by the organization, describing the project and stating its length of time;
12. Private stable;
13. Commercial stable or riding school, provided all buildings be set back a minimum of one hundred feet from any property line;
14. Community stable: In accordance with Section 18.13.020A13 (RH Rural Homestead Zone);
15. Farm products stand, provided:
a. The stand does not exceed three thousand square feet in area,
b. There is a minimum twenty-foot setback from any property line,
c. There is a minimum one hundred fifty-foot setback from any intersection,
d. A designated parking area to be provided that is set back a minimum of forty-five feet from the property line,
e. A designated driveway, no wider than thirty feet, be provided, and
f. The parking and driveway areas shall be maintained to minimize the generation of dust;
16. Animal hospital or commercial kennel, provided no structure, shelter, animal run or fenced area be within one hundred feet of any abutting property in a rural or residential zone;
17. Nature reserve or wildlife refuge;
18. Governmental uses;
19. Public park;
20. Public school;
21. Church;
22. Health clinic, provided:
a. There is a minimum one hundred-foot setback from any property line, and
b. Access is from a paved public road with "collector" classification or higher;
23. Temporary real estate office: In accordance with Section 18.17.010A12 (SR Suburban Ranch Zone);
24. Home occupation;
25. Raising of ratites, subject to the following requirements:
a. Animals shall be confined within minimum six-foot-high stock-tight corrals;
b. Minimum setbacks for ratite corrals and shelter structures within corrals: Fifty feet from front property line and property lines which abut public maintained roads and ten feet from side and rear property lines;
26. Private airport or airstrip: Provided all requirements of Chapter 18.57 (AF Aviation Facilities and Environs Zones) are met. (Ord. 1994-146 § 1, 1994; Ord. 1986-150 (part), 1986; Ord. 1985-187 § 1 (part), 1985)

18.12.030 Conditional uses.

A. Procedures: In accordance with Chapter 18.97 (Conditional Use Permits).
B. Uses conditionally permitted:
1. Agricultural processing facility, including wineries;
a. Type II procedure,
b. Minimum setback: Three hundred feet from any property line,
c. Notification area: Six hundred feet;
2. Commercial feedlot;
a. Type III procedure,
b. Minimum setback: Five hundred feet from any property line,
c. Notification area: One thousand feet;
3. Hog ranch:
a. Type III procedure,
b. Hogs be penned a minimum of five hundred feet from any property line,

c. Notification area: One thousand feet;

4. Livestock auction yard:

a. Type I procedure,

b. All structures, holding pens and areas, and show areas are set back a minimum of three hundred feet from any property line,

c. Provisions area made to minimize the generation of dust, and

d. No outdoor audio amplification shall create a nuisance to adjacent properties;

5. Feed store:

a. Type II procedure,

b. Access to the store be from a paved public road with "collector" classification or higher;

6. Racetrack for the racing of animals:

a. Type II procedure,

b. Minimum setback: Two hundred feet from any property line,

c. Notification area: One thousand feet;

7. Minor resort:

a. Type I procedure,

b. In accordance with Chapter 18.07 (General Regulations and Exceptions);

8. Communications tower and facilities:

a. Type III procedure,

b. Any tower be no closer to any property line of the site than the height thereof,

c. Notification area: One thousand feet;

9. Fairgrounds or carnival:

a. Type II procedure,

b. Minimum setback: Two hundred feet from any property line,

c. Notification area: One thousand feet;

10. Airport facilities: In accordance with Chapter 18.57;

11. Skeet, trap, rifle or pistol range:

a. Type II procedure,

b. Minimum front site setback: One hundred feet, which may be used for parking or recreational facilities,

c. Review procedures: Type II procedure, with recommendations to the hearing administrator by the target range committee (refer to Section 18.99.040, Review Committees),

d. Release from liabilities: The owners or operators of a target range shall, by written agreement, indemnify and hold Pima County harmless from any liability arising from the existence, use or operation of the range. The owners or operators shall provide to the board of supervisors evidence of a valid policy of liability insurance in an amount to be determined by the county. The policy shall name Pima County, its agents, officers and employees as insureds thereunder,

e. Notification area: One thousand feet;

12. Sand and gravel operation, including asphalt and cement plants:

a. Type III procedure,

b. Minimum setback: Three hundred feet from any property line,

c. Controls be used to minimize the generation of dust,

d. Notification area: One thousand feet;

13. Museum:

a. Type II procedures,

b. Minimum setback: One hundred feet from any property line,

c. Notification area: Six hundred feet;

14. Zoo and other animal exhibits:

a. Type II procedures,

b. Minimum setback: One hundred feet from any property line,

c. Notification area: Six hundred feet;

15. Contractor's yard:

a. Type II procedure,

b. Minimum setback: One hundred feet from any property line,

c. Yard to be completely enclosed by screening a minimum of six feet in height,

d. Access be onto a paved public road with "collector" classification or higher,

e. The parking and driveway areas be maintained to minimize the generation of dust;

16. Real estate office:

a. Type I procedure,

b. Maximum floor area: Two thousand square feet;

17. Private school: Type I procedure;

18. Water, telephone or telegraph distribution installation or electrical receiving or distribution station (with or without a building):

a. Type II procedure,

b. In accordance with Section 18.07.040B (General Regulations and Exceptions);

19. Outside amplification for livestock or equestrian events: Type I procedure;

20. Artists or artisans workshop or studio:

a. Type I procedure,

b. Maximum floor area: Two thousand square feet;

21. Other conditional uses: All uses which are similar in type, scale and intensity to other uses which are specifically listed as requiring either Type 1, Type 2 or Type 3 conditional use procedures and which are, in the opinion of the zoning inspector, not otherwise unlawful, injurious to the general health or welfare, or specifically excluded. (Ord. 1986-188 § 1 (part), 1986; Ord. 1986-150 (part), 1986; Ord. 1985-187 § 1 (part), 1985)

18.12.040 Development standards—General.

A. Minimum site area: Thirty-six acres (one million five hundred sixty-eight thousand one hundred sixty square feet).

B. Minimum site area per dwelling unit: Thirty-six acres (one million five hundred sixty-eight thousand one hundred sixty square feet).

C. Minimum setback requirements:

1. Front: Fifty feet;
2. Side: Fifty feet;
3. Rear: Fifty feet.

D. Height limitations:

1. Maximum height: Thirty-four feet;
2. Maximum stories: Two.

E. Minimum distance between main buildings: Twenty feet.

F. Maintenance of stock-tight fences: A stock-tight fence and necessary cattle guards shall be erected along the boundaries of any property in which livestock is pastured, herded or cared for and which abuts either a public-maintained road of abuts the boundary of any zone other than IR. This provision shall not apply to open range as determined under Arizona Revised Statutes. (Ord. 1987-67 § 1 (part), 1987; Ord. 1985-187 § 1 (part), 1985)

18.12.050 Development standards—Accessory structures.

A. Height limitations: Twenty-four feet.

B. Minimum distance requirements:

1. From front property line: Fifty feet;
2. From side and rear property lines:
   a. Nonanimal uses: Ten feet,
   b. Animal uses except corrals: Fifty feet,
   c. Corrals: Ten feet;
3. From main building(s): Seven feet. (Ord. 1987-67 § 1 (part), 1987; Ord. 1985-187 § 1 (part), 1985)

18.12.060 Exceptions.

A. Rezoning — Release of Land to Private Sector. Upon written notification by the appropriate public land management agency to the planning and development services department director that certain lands have formally been released to the private sector and a finding that the Tucson water basin is in balance, Pima County will initiate a rezoning from institutional reserve (IR) zone to rural homestead (RH) zone in accordance with the provisions of Chapter 18.91, excluding Section 18.91.030E, plan submittals. The authorized representative of the public land management agency shall also submit any appropriate supplemental documentation and boundary maps as may be required.

B. Nonconforming Parcels. Parcels of less than thirty-six acres, recorded prior to the adoption of this chapter (November 5, 1985) which conformed to Pima County minimum lot size requirements at the date of recording, shall be treated as if they contained an area of thirty-six acres. However, any parcel or use created under Section 18.12.060 must adhere to all the requirements of Chapter 18.13 (RH Rural Homestead Zone).

C. Nonconforming Uses and Buildings: In accordance with Section 18.01.030D (General Provisions). (Ord. 1988-61 § 1, 1988; Ord. 1985-187 § 1 (part), 1985)

18.12.070 Cluster development option.
Reserved.

Chapter 18.13

RH RURAL HOMESTEAD ZONE*

Sections:

18.13.010 Purpose.
18.13.020 Permitted uses.
18.13.030 Conditional uses.
18.13.040 Development standards—General.
18.13.050 Development standards—Accessory structures.
18.13.060 Exceptions.
18.13.070 Cluster development option.
18.13.080 Rezoning to GR-1 for parcels five acres or less.

*Prior ordinance history: Ords. 1985-82 and 1985-153.

18.13.010 Purpose.
A. Purpose: This zone is intended to preserve the character and encourage the orderly growth of rural areas in the county. It is intended to encourage rural development in areas lacking facilities for urban development and to provide for commercial and industrial development only where appropriate and necessary to serve the needs of the rural area. (Ord. 1985-187 § 1 (part), 1985)

18.13.020 Permitted uses.
A. Uses permitted:
1. Single detached dwelling;
2. Manufactured or mobile home or trailer;
3. Guest dwelling: In accordance with Section 18.09.020G (General Residential and Rural Zoning Provisions) [proposed];
4. Accessory structures;
5. Crop production including field crops, truck gardening, berry or bush crops, tree crops, flower gardening, nurseries and aviaries;
6. Apiary: In accordance with Section 18.07.030E (General Regulations and Exceptions);
7. The raising and grazing of livestock;
8. The raising of hogs: In accordance with Section 18.12.020A9 (IR Institutional Reserve Zone);
9. Hog raising projects, which exceed the permitted number of hogs, sponsored by the 4-H Club, Future Farmers of America or other similar nonprofit organization: In accordance with Section 18.12.020A11 (IR Institutional Reserve Zone);
10. The raising of poultry and other small animals;
11. Private stable;
12. Commercial stable or riding school, provided:
a. There is a minimum site of ten acres, and
b. That all buildings be set back a minimum of one hundred feet from any property line;
13. Community stable, provided:
a. The site is a minimum of ten acres,
b. The stable shall be located within and not closer than two hundred feet from the boundary of the site or subdivision to be served,
c. All roads and parking areas shall be surfaced with a dust-proof material to minimize the creation of dust, and
d. There shall be no outside audio amplification on the site;
14. Farm products stand, provided:
a. The stand does not exceed seven hundred fifty feet, and
b. All other requirements of Section 18.12.020A15 (IR Institutional Reserve Zone) are met;
15. Animal hospital, provided no structure, shelter, animal run or fenced area be within one hundred feet of any abutting property in a rural or residential zone, and animal runs enclosed within the buildings;
16. Governmental uses;
17. Public park;
18. Public school;
19. Child care center;
20. Group foster home: In accordance with Section 18.09.020E (General Residential and Rural Zoning Provisions);
21. Church, provided there is a minimum eighty-foot setback from any property line;
22. Health clinic, provided:

a. There is a minimum one hundred-foot setback from any property line, and

b. The clinic has access onto a paved public road with "collector" classification or higher;

23. Home occupation;

24. Temporary real estate office: In accordance with Section 18.17.020A8 (SR Suburban Ranch Zone);

25. Raising of ratites, subject to the following requirements:

a. Animals shall be confined within minimum six-foot-high, stock-tight corrals;

b. Minimum setbacks for ratite corrals and shelter structures within corrals: Fifty feet from front property line and property lines which abut public maintained roads and ten feet from side and rear property lines;

26. Nature reserve. (Ord. 1994-146 § 2, 1994; Ord. 1986-150 (part), 1986; (Ord. 1986-125 § 1 (part), 1986; Ord. 1985-187 § 1 (part), 1985)

18.13.030 Conditional uses.

A. Procedure: In accordance with Chapter 18.97 (Conditional Use Permits).

B. Uses conditionally permitted:

1. Agricultural processing facility, including wineries:

a. Type II procedure,

b. Minimum setback: Three hundred feet from any property line,

c. Notification area: Six hundred feet;

2. Commercial feedlot:

a. Type III procedure,

b. Minimum setback: Five hundred feet from any property line,

c. Notification area: One thousand feet;

3. Hog ranch:

a. Type III procedure,

b. Hogs be penned a minimum of five hundred feet from any property line,

c. Notification area: One thousand feet;

4. Racetrack for the racing of animals:

a. Type II procedure,

b. Minimum setback: Two hundred feet from any property line,

c. Notification area: One thousand feet;

5. Feed store:

a. Type II procedure,

b. Access be onto a paved public road with collector classification or higher;

6. Minor resort: In accordance with Section 18.12.030B7 (IR Institutional Reserve Zone);

7. Grocery store or convenience store:

a. Type II procedure,

b. Maximum floor area: four thousand square feet;

8. Gasoline service station:

a. Type II procedure,

b. Access be onto a paved public road with "collector" classification or higher;

9. Automobile repair or parts store:

a. Type II procedure,

b. Maximum floor area: Two thousand square feet,

c. Paint spray operations prohibited;

10. Retail or repair shop:

a. Type II procedure;

11. Personal services, including hair salon, barber shop, catering service or interior decoration:

a. Type II procedure,

b. Maximum floor area: Two thousand square feet;

12. Restaurant: Type II procedure;

13. Tavern:

a. Type II procedure,

b. Maximum floor area: Two thousand square feet,

c. Notification area: Six hundred feet;

14. Professional and semiprofessional services:

a. Type I procedure,

b. Maximum floor area: Two thousand square feet;

15. Private recreational club:

a. Type II procedure,

b. Minimum setback: one hundred feet from any property line,

c. Access to onto a paved public street with "collector" classification or higher,

d. Notification area: Six hundred feet;

16. Fairgrounds or carnival:

a. Type II procedure,

b. Minimum setback: Two hundred feet from any property line,

c. Notification area: one thousand feet;

17. Zoo and other animal exhibits:

a. Type II procedure,

b. Minimum setback: One hundred feet from any property line,

c. Notification area: One thousand feet;

18. Museum:

a. Type II procedure,

b. Minimum setback: One hundred feet from any property line,

c. Notification area: Six hundred feet;

19. Skeet, trap, rifle or pistol range: In accordance with Section 18.12.030B11 (IR Institutional Reserve Zone);

20. Communication tower and facilities: In accordance with Section 18.12.030B8 (IR Institutional Reserve Zone);

21. Contractors yard: In accordance with Section 18.12.030B15 (IR Institutional Reserve Zone);

22. Cemetery or crematorium:

a. Type II procedure,

b. All buildings be set back a minimum of one hundred feet from any property line, except that a crematorium shall be set back a minimum of two hundred feet from any property line;

23. Sand and gravel operation, including asphalt and cement plants: In accordance with Section 18.12.030B12 (IR Institutional Reserve Zone);

24. Bank:

a. Type II procedure,

b. Minimum setback: One hundred feet from any property line,

c. Access be from a paved public road with "collector" classification or higher,

d. Notification area: Six hundred feet;

25. Airport facilities: In accordance with Chapter 18.57;

26. Private school: Type I procedure;

27. Sanatorium or rest home: Type I procedure;

28. Commmercial kennel:

a. Type I procedure,

b. Minimum setback: One hundred feet from any property line;

29. Water, telephone or telegraph distribution installation or electrical receiving or distribution station (with or without a building: In accordance with Section 18.12.030B18 (IR Institutional Reserve Zone);

30. Outside amplification for livestock or equestrian events: Type I procedure;

31. Artists or artisans workshop or studio:

a. Type II procedure,

b. Maximum floor area: Two thousand square feet;

32. Other conditional uses: All uses which are similar in type, scale and intensity to other uses which are specifically listed as requiring either Type 1, Type 2 or Type 3 conditional use procedures and which are, in the opinion of the zoning inspector, not otherwise unlawful, injurious to the general health or welfare or specifically excluded. (Ord. 1986-188 § 1 (part), 1986; Ord. 1986-150 (part), 1986; Ord. 1985-187 § 1 (part), 1985)

18.13.040 Development standards—General.

A. Minimum site area: One hundred eighty thousand square feet.

B. Minimum site area per dwelling unit: One hundred eighty thousand square feet.

C. Minimum setback requirements:

1. Front: Fifty feet;

2. Side: Twenty feet;

3. Rear: Fifty feet.

D. Height limitations:

1. Maximum height: Thirty-four feet;

2. Maximum stories: Two.

E. Minimum distance between buildings: Twenty feet.

F. Maintenance of stock-tight fences: A stock-tight fence and necessary cattle guards shall be erected along the boundaries of any property on which livestock is pastured, herded or cared for and which either abuts a public-maintained road or abuts the boundary of any zone other than IR. This provision shall not apply to open range as determined under Arizona Revised Statutes. (Ord. 1987-67 § 1 (part), 1987; Ord. 1985-187 § 1 (part), 1985)

18.13.050 Development standards—Accessory structures.

A. Permitted coverage: Maximum ten percent of the individual site area.

B. Height limitation: Twenty-four feet.

C. Minimum distance requirements:

1. From front property line: Fifty feet;

2. From side and rear property lines:

a. Nonanimal uses: Ten feet,

b. Animal uses, except corrals: Fifty feet,

c. Corrals: Fifty feet, or ten feet if written consents provided by the owner of the abutting property;

3. From main building(s): Seven feet. (Ord. 1987-67 § 1 (part), 1987; Ord. 1985-187 § 1 (part), 1985)

18.13.060 Exceptions.

A. Nonconforming parcels:

1. Parcels of less than one hundred eighty thousand square feet, recorded prior to the adoption

of this chapter (November 5, 1985) which conformed to Pima County minimum lot size requirements at the date of recording, shall be treated as if they contained an area of one hundred eighty thousand square feet.

2. A parcel of less than one hundred eighty thousand square feet, recorded prior to December 1, 1985, which would have conformed to Pima County minimum lot size requirements but for the adoption of Ordinance 1985-187, shall be treated as if it contained an area of one hundred eighty thousand square feet provided that the transaction creating the parcel was in escrow prior to November 5, 1985, or is evidenced by a binding contract entered into prior to November 5, 1985.

B. Nonconforming uses and buildings: In accordance with Section 18.01.030D (General Provisions). (Ord. 1985-187 § 1 (part), 1985)

of this chapter (November 5, 1985) which conformed to Pima County minimum lot size requirements at the date of recording, shall be treated as if they contained an area of one hundred eighty thousand square feet.

2. A parcel of less than one hundred eighty thousand square feet, recorded prior to December 1, 1985, which would have conformed to Pima County minimum lot size requirements but for the adoption of Ordinance 1985-187, shall be treated as if it contained an area of one hundred eighty thousand square feet provided that the transaction creating the parcel was in escrow prior to November 5, 1985, or is evidenced by a binding contract entered into prior to November 5, 1985.

B. Nonconforming uses and buildings: In accordance with Section 18.01.030D (General Provisions). (Ord. 1985-187 § 1 (part), 1985)

18.13.070 Cluster development option.

A. This option shall be permitted only for subdivided residential lots as allowed in this chapter, and their associated space, in accordance with Section 18.09.040 (General Residential and Rural Zoning Provisions). (Ord. 1985-187 § 1 (part), 1985)

18.13.080 Rezoning to GR-1 for parcels five acres or less.

A. Requirements.

1. Application: In accordance with Section 18.91.030A, C, D (Rezoning Procedures);

2. Fee: Three hundred dollars;

3. Sketch plan: A sketch plan must be submitted at time of application in accordance with Section 18.91.030E1 (Rezoning Procedures). (Ord. 1987-213 § 7 (part), 1988; Ord. 1985-187 § 1 (part), 1985)

Chapter 18.14

GR-1 RURAL RESIDENTIAL

Sections:

18.14.010 Purpose.
18.14.020 Permitted uses.
18.14.030 Conditional uses.
18.14.040 Development standards—General.
18.14.050 Development standards—Accessory structures.
18.14.060 Cluster development option.

18.14.010 Purpose.

A. Purpose. This zone is intended to encourage orderly growth in rural and semirural areas as well as to provide opportunities for semirural residential uses. In addition, this zone is intended to allow commercial development only where appropriate and necessary to serve the needs of the rural area. (Ord. 1985-187 § 1 (part), 1985)

18.14.020 Permitted uses.

A. Uses permitted:

1. Single detached dwelling;

2. Manufactured or mobile home or trailer;

3. Guest dwelling: In accordance with Section 18.09.020G (General Residential and Rural Zoning Provisions) [proposed];

4. Accessory structures;

5. Plant nursery;

6. Apiary: In accordance with Section 18.07.030E (General Regulations and Exceptions);

7. The raising and grazing of livestock, provided there is no more than one animal per ten thousand square feet;

8. The raising of hogs, provided:

a. There is no more than one hog over six months of age per acre, and

b. All other requirements of Section 18.12.020A9 (IR Institutional Reserve Zone) are met;

9. Hog or livestock raising projects, which exceed the permitted number of animals, sponsored by the 4-H Club, Future Farmers of America or other similar nonprofit organizations: In accordance with Section 18.12.020A11 (IR Institutional Reserve Zone);

10. The raising of poultry or other small animals, provided there are no more than forty animals per acre;

11. Private stable;
12. Commercial stable: In accordance with Section 18.13.020A12 (RH Rural Homestead Zone);
13. Community stable: In accordance with Section 18.13.020A13 (RH Rural Homestead Zone);
14. Farm products stand, provided:
a. The stand does not exceed three hundred square feet, and
b. All other requirements of Section 18.12.020A15 (IR Institutional Reserve Zone) are met;
15. Animal hospital: In accordance with Section 18.13.020A15 (RH Rural Homestead Zone);
16. Governmental uses;
17. Public park;
18. Public school;
19. Church, provided there is a minimum forty-foot setback from any property line;
20. Child care center;
21. Group foster home: In accordance with Section 18.09.020E (General Residential and Rural Zoning Provisions);
22. Health clinic, provided:
a. There is a minimum site area of two acres,
b. There is a minimum fifty-foot setback from any property line, and
c. Access is from a paved public road with "collector" classification or higher;
23. Home occupation;
24. Raising of ratites, subject to the following restrictions and requirements:
a. No more than one ostrich over fourteen months of age for each ten thousand square feet of site area, or more than one emu or other ratite over fourteen months of age for each five thousand square feet of site area, or if more than one type of ratite is kept, a prorated combination of the area required for each animal. Two ratites six to fourteen months of age may be substituted for each ratite over fourteen months of age,
b. Minimum site area: One acre,
c. Maximum lot coverage by ratite corrals and shelter structures within corrals: Thirty percent,
d. Animals shall be confined within minimum six-foot-high, stock-tight corrals. Ostrich corrals shall be surrounded by a minimum six-foot-high, stock-tight fence or other restraints of sufficient strength and durability to prevent ratites from roaming at large as provided in Section 18.07.030B,
e. Minimum setbacks for ratite corrals and shelter structures within corrals: Thirty feet from the front property line and ten feet from side and rear property lines;
25. Temporary real estate office: In accordance with Section 18.17.020A8 (SR Suburban Ranch Zone). (Ord. 1994-146 § 3, 1994; Ord. 1986-150 (part), 1986; Ord. 1986-125 § 1 (part), 1986; Ord. 1985-187 § 1 (part), 1985)

18.14.030 Conditional uses.

A. Procedures: In accordance with Chapter 18.97 (Conditional Use Permits).
B. Uses conditionally permitted:
1. Feed store;
a. Type II procedure,
b. Access be onto a paved public road with "collector" classification or higher,
c. Notification area: Six hundred feet;
2. Grocery store or convenience store:
a. Type II procedure,
b. Maximum floor area: Four thousand square feet;
3. Gasoline service station:
a. Type II procedure,
b. Access be onto a paved public road with "collector" classification or higher;
4. Automobile repair or parts store: In accordance with Section 18.13.030B9 (RH Rural Homestead Zone);
5. Retail or repair shop:
a. Type II procedure,
b. Maximum floor area: Two thousand square feet;
6. Personal services, including hair salon, barber shop, catering service or interior decorating:
a. Type II procedure,

b. Maximum floor area: Two thousand square feet;

7. Professional and semiprofessional services:

a. Type I procedure,

b. Maximum floor area: Two thousand square feet;

8. Restaurant:

a. Type II procedure,

b. Maximum floor area: Two thousand square feet;

9. Tavern: In accordance with Section 18.13.030 B13 (RH Rural Homestead Zone);

10. Sanatorium or rest home: Type I procedure;

11. Private school: Type I procedure;

12. Cemetery or crematorium: In accordance with Section 18.13.030B22 (RH Rural Homestead Zone);

13. Contractor's yard: In accordance with Section 18.13.030B21 (RH Rural Homestead Zone);

14. Bank: In accordance with Section 18.13.030 B24 (RH Rural Homestead Zone);

15. Commercial kennel:

a. Minimum site area: Five acres,

b. All other requirements of Section 18.13.030 B28 (RH Rural Homestead Zone);

16. Water, telephone or telegraph distribution installation or electrical receiving or distribution station (with or without a building): In accordance with Section 18.12.030B19 (IR Institutional Reserve Zone);

18. Outside amplification for livestock or equestrian events: Type I procedure;

19. Artists or artisans workshop or studio:

a. Type II procedure,

b. Maximum floor area: Two thousand square feet;

20. Other conditional uses: All uses which are similar in type, scale, and intensity to other uses which are specifically listed as requiring either Type 1, Type 2 or Type 3 conditional use procedures and which are, in the opinion of the zoning inspector, not otherwise unlawful, injurious to the general health or welfare or specifically excluded. (Ord. 1986-188 § 1 (part), 1986; Ord. 1986-150 (part), 1986; Ord. 1985-187 § 1 (part), 1985)

18.14.040 Development standards—General.
A. Minimum site area: Thirty-six thousand square feet.
B. Minimum site area per dwelling unit: Thirty-six thousand square feet.
C. Minimum setback requirements:
1. Front: Thirty feet;
2. Side: Ten feet;
3. Rear: Forty feet.
D. Height limitations:
1. Maximum height: Thirty-four feet;
2. Maximum stories: Two.
E. Minimum distance between main buildings: Twenty feet.
F. Maintenance of stock-tight fences: A stock-tight fence and necessary cattle guards shall be erected along the boundaries of any property on which livestock is pastured, herded or cared for and which either abuts a public-maintained road or abuts the boundary of any zone other than IR. This provision shall not apply to open range as determined under Arizona Revised Statutes. (Ord. 1987-67 § 1 (part), 1987; Ord. 1985-187 § 1 (part), 1985)

18.14.050 Development standards—Accessory structures.
A. Permitted coverage: Maximum ten percent of the individual site area.
B. Height limitations: Twenty-four feet.
C. Minimum distance requirements:
1. From front property line: Thirty feet;
2. From side and rear property line:
a. Nonanimal uses: Ten feet,
b. Animal uses, except corrals: Fifty feet,
c. Corrals: Fifty feet, or ten feet if written consent is provided by the owner of the abutting property;
3. From main building(s): Seven feet. (Ord. 1987-67 § 1 (part), 1987; Ord. 1985-187 § 1 (part), 1985)

18.14.060 Cluster development option.
A. This option shall be permitted only for subdivided residential lots as allowed in this chapter, and their associated open space, in accordance with Section 18.09.040 (General Residential and Rural Zoning Provisions). (Ord. 1985-187 § 1 (part), 1985)

Chapter 18.15

ML MOUNT LEMMON ZONE

Sections:

18.15.010	**Scope.**
18.15.020	**Permitted uses.**
18.15.030	**Conditional uses.**
18.15.040	**Development standards—General.**
18.15.050	**Development standards—Accessory buildings.**
18.15.060	**Cluster development option.**

18.15.010 Scope.
A. This zone is to be applied only for the community on Mount Lemmon generally referred to as Summerhaven. (Ord. 1985-82 (part), 1985)

18.15.020 Permitted uses.
A. Uses permitted:
1. All uses as permitted in Section 18.09.020A (General Residential and Rural Zoning Provisions);
2. Private school: On site not less than ten acres. (Ord. 1985-82 (part), 1985)

18.15.030 Conditional uses.
Reserved.

18.15.040 Development standards—General.
A. Minimum lot area: Thirty-six thousand square feet.
B. Minimum area per dwelling unit: Thirty-six thousand square feet.
C. Minimum lot width: Fifty feet.
D. Minimum yard requirements:
1. Front: Fifteen feet;
2. Side: Seven feet each;
3. Rear: Ten feet.

E. Maximum buildable area: Fifty percent of the lot (including all structures).
F. Building height limitations:
1. Maximum height: Thirty-four feet;
2. Maximum stories: Two.
G. Minimum distance between main buildings: Fourteen feet. (Ord. 1985-82 (part), 1985)

18.15.050 Development standards—Accessory buildings.
A. Permitted coverage: In accordance with Section 18.15.040E.
B. Maximum height: Nineteen feet.
C. Minimum distance requirements:
1. To main building when detached: Eight feet;
2. To front lot line when detached: Fifteen feet;
3. To side lot lines: Seven feet;
4. To rear lot line: Two feet.
D. Accessory buildings shall be detached from the main building except that they may be attached by means of an unenclosed structure that has only one wall not over six feet high, which shall be placed on only one side of the structure. (Ord. 1985-82 (part), 1985)

18.15.060 Cluster development option.
A. This option shall be permitted only for subdivided residential lots as allowed in this chapter, and their associated open space, in accordance with Section 18.09.040 (General Residential and Rural Zoning Provisions). (Ord. 1985-111 § 1 (part), 1985: Ord. 1985-82 (part), 1985)

Chapter 18.17

SR SUBURBAN RANCH ZONE*

Sections:

18.17.010 Purpose.
18.17.020 Permitted uses.
18.17.030 Conditional uses.
18.17.040 Development standards—General.
18.17.050 Development standards—Accessory buildings.
18.17.060 Cluster development option.

* Prior ordinance history: Ords. 1985-82, 1985-111, 1985-152 and 1985-153.

18.17.010 Purpose.
A. Suburban ranch is intended as a low density zone principally for single-family residences and associated conditional uses on large lots. A wide range of agricultural and ranch uses are permitted. The large minimum lot size requirement of this zone insures a considerable reservation of open space. (Ord. 1986-66 § 1 (part), 1986)

18.17.020 Permitted uses.
A. Permitted Uses:
1. All uses as permitted in Section 18.09.020A (General Residential and Rural Zoning Provisions);
2. Temporary mobile home: For one year during construction of a residence on the same property.
a. Upon application this period may be extended for an additional one hundred eighty days, after the property owner provides the zoning inspector with a valid building permit for the construction of a residence on the same property. The zoning inspector shall notify adjoining property owners within one hundred feet of the subject property. If a written protest to the issuance of the one hundred eighty day extension is received within fifteen days of the date of mailing of notice, the board of adjustment shall hear the case in accordance with Section 18.93.040. If no written protests are received at the end of fifteen days, the zoning inspector shall issue the one hundred eighty day extension.
b. The board of adjustment shall hear any requests for additional time extensions in accordance with Section 18.93.040;
3. Commercial agricultural uses such as field crops, truck gardening, berry or bush crops, tree crops, flower gardening, nurseries, orchards and aviaries; in accordance with Section 18.21.010A3a (CR-1 Single Residence Zone);

4. Farm products stand, provided:

a. The stand does not exceed two hundred square feet in area,

b. The sale of farm products shall be grown or produced on the premises,

c. There be a minimum of twenty feet to any street line,

d. There be a minimum of thirty feet to any other lot line,

e. A designated parking area to be provided that is set back a minimum of twenty feet from any property line,

f. A designated driveway, no wider than thirty feet be provided, and

g. All driveways and parking areas shall be properly maintained and approved by the department of transportation and flood control district;

5. The raising and marketing of poultry, rabbits and small animals, but no slaughtering of other than those raised on the premises: In accordance with Section 18.21.010A3a (CR-1 Single Residence Zone);

6. The grazing and raising of livestock, provided there is not more than one head of cattle, horse, sheep, goat or other similar animal more than six months of age per ten thousand square feet of lot area;

7. The raising of hogs, in accordance with Section 18.14.020A8 (GR-1 Rural Residential);

8. Raising of ratites, subject to the following restrictions and requirements:

a. No more than one ostrich over fourteen months of age for each ten thousand square feet of site area, or more than one emu or similar ratite over fourteen months of age for each five thousand square feet of site area, or if more than one type of ratite is kept, a prorated combination of the area for each animal. Two ratites six to fourteen months of age may be substituted for each ratite over fourteen months of age,

b. Maximum lot coverage by ratite corrals and shelter structures within corrals: Thirty-five percent,

c. Animals shall be confined within minimum six-foot-high, stock-tight corrals. Ostrich corrals shall be surrounded by a minimum six-foot-high stock-tight fence or other restraint of sufficient strength and durability to prevent ratites from roaming at large as provided in Section 18.07.030B,

d. Minimum setbacks for ratite corrals and shelter structures within corrals: Fifty feet from the front property line and ten feet from side and rear property lines;

9. Temporary real estate office on any subdivision of record, provided:

a. Any real estate broker licensed in the state of Arizona may apply for a temporary and revocable permit for a real estate office from the zoning inspector,

b. Such use shall be terminated at the end of one year from the date of the issuance of the permit for said office,

c. The zoning inspector may allow additional twelve-month extensions as long as sales activity is continued and ten percent or more of the lots remain unsold,

d. It is located on a full size lot and meets all zoning requirements applicable to the lot,

e. Sale of lots be only for the subdivision not separated by more than one street or alley,

f. A manufactured or mobile home shall not be permitted for this use,

g. The zoning inspector may require appropriate deed restrictions to insure that these conditions are complied with,

h. On or before the date of expiration of the permit period or any extension the real estate office shall be removed from the premises,

i. This structure may continue to be used for the following purposes:

1) A water company office servicing that subdivision, provided there is no outside storage of material or equipment,

2) An office for a functioning nonprofit homeowners' association, or

3) Community activities center under the homeowners' association. (Ord. 1994-146 § 4, 1994; Ord. 1991-34 § 1, 1991; Ord. 1986-125 § 1 (part), 1986; Ord. 1986-66 § 1 (part), 1986)

18.17.030 Conditional uses.

A. Procedures. In accordance with Chapter 18.97 (Conditional Use Procedures).

B. Uses Conditionally Permitted (Type I Procedure).

1. Library:

a. Minimum site area: Ten acres,

b. Maximum site coverage: Thirty percent,

c. All driveways and parking areas shall be properly maintained and approved by the department of transportation and flood control district,

d. Screening: In accordance with Chapter 18.73 (Landscape, Buffering and Screening Standards), and

e. All outdoor lighting shall be arranged to eliminate glare towards streets and adjoining properties, and shall meet all conditions of the county Light Pollution Code (Title 15 of this code);

2. Playground or athletic field:

a. Minimum setback to any property line: One hundred feet,

b. In accordance with Section 18.17.030B1;

3. Veterinary hospital:

a. Minimum site: Five acres,

b. Minimum setback from adjacent rural or residential zone for any structure: One hundred feet,

c. In accordance with Section 18.17.030B1 (subsections b, c, d and e only).

4. Swimming school:

a. Minimum setback to any property line from the edge of the swimming pool: fifty feet,

b. No more than twelve students shall be in attendance at any one time at the swimming school.

C. Uses Conditionally Permitted (Type II Procedure).

1. Commercial riding stable or school:

a. Minimum site area: Twenty acres,

b. Minimum setback for stables, barns, animal sheds or shelters: One hundred feet,

c. All outdoor lighting shall be arranged to eliminate glare towards streets and adjoining properties, and shall meet all conditions of the county Light Pollution Code (Title 15),

d. Minimum setback from adjacent residential zones: Six hundred feet,

e. No more than one horse be kept for each ten thousand square feet of land area, and

f. All driveways and parking areas shall be maintained with a dust-proof material which will minimize the generation of dust and shall be approved by the department of transportation and flood control district;

2. Club or lodge (private, athletic, sport or recreation):

a. Minimum site area: Ten acres,

b. Minimum building setback: One hundred feet;

c. All outdoor lighting shall be arranged to eliminate glare towards streets and adjoining properties, and shall meet all conditions of the county Light Pollution Code (Title 15), and

d. No amplifiers or loud speakers of any kind shall be installed outside any buildings erected on the site;

3. Commercial kennel:

a. Minimum site area: Ten acres,

b. Minimum setback from adjacent rural or residential zone for commercial kennel facilities: One hundred feet, and

c. Dog runs shall be within enclosed buildings;

4. Community stable:

a. Minimum site area: Ten acres,

b. Minimum setback from subdivision boundaries: Five hundred feet,

c. No more than one horse be kept for each ten thousand square feet of land area,

d. Minimum setbacks for community stable facilities and fencing: One hundred feet,

e. All driveways and parking areas shall be maintained with a dust-proof material which will minimize the generation of dust and shall be approved by the department of transportation and flood control district,

f. No amplifiers or loudspeakers of any kind shall be installed outside any buildings erected on the site,

g. All outdoor lighting shall be arranged to eliminate glare towards streets and adjoining properties,

and shall meet all conditions of the county Light Pollution Code (Title 15),

h. Such permit may be revoked when the nonprofit community organization ceases to function or when the community stable is not properly maintained, and

i. Minimum setback from adjacent residential zones: Six hundred feet;

5. Minor resort: In accordance with Section 18.07.030F (General Regulations and Exceptions);

6. College or governmental structure: In accordance with Section 18.17.030D3;

7. Community service agency: In accordance with Section 18.17.030D3;

8. General aviation airstrip: In accordance with Chapter 18.57;

9. Ultralight airstrip: In accordance with Chapter 18.57.

D. Uses Conditionally Permitted (Type II Procedure).

1. Museum:

a. In accordance with Section 18.17.030D3 (subsections a, b, d, e and f),

b. Minimum natural or revegetated buffer setback: One hundred feet from any property line, and

c. Notification area: Six hundred feet;

2. Private or parochial schools:

a. Minimum site area: Ten acres,

b. Maximum site coverage: Thirty percent,

c. Minimum setback for playground or athletic field: One hundred feet,

d. All driveways and parking areas shall be maintained with a dust-proof material which will minimize the generation of dust and shall be approved by the department of transportation and flood control district,

e. Screening: In accordance with Chapter 18.73 (Landscape, Buffering and Screening Standards), and

f. All outdoor lighting shall be arranged to eliminate glare towards streets and adjoining properties, and shall meet all conditions of the county Light Pollution Code (Title 15);

3. Residential substance abuse diagnostic and treatment facility:

a. Minimum site: Ten acres,

b. Minimum setback: One hundred feet from any property line,

c. Height: One story or eighteen feet,

d. Maximum lot coverage by structures: Fifteen percent,

e. Maximum number of patient rooms: Seventy-five. (Ord. 1992-23 (part), 1992; Ord. 1986-215 (part), 1986; Ord. 1986-188 § 1 (part), 1986; Ord. 1986-125 § 1 (part), 1986; Ord. 1986-66 § 1 (part), 1986)

18.17.040 Development standards—General.

A. Minimum site area: One hundred forty-four thousand square feet.

B. Minimum lot area per dwelling unit: One hundred forty-four thousand square feet.

C. Minimum setback requirements:

1. Front: Fifty feet;
2. Side: Ten feet each;
3. Side, when adjacent to street: Twenty feet;
4. Rear: Fifty feet.

D. Maximum building height: Thirty-four feet.

E. Maximum lot coverage by structures: Thirty percent.

F. Minimum distance between main buildings: Twenty feet. (Ord. 1986-66 § 1 (part), 1986)

18.17.050 Development standards—Accessory buildings.

A. Permitted coverage: Ten percent of the total area of the rear and side yards.

B. Maximum height: Twenty-four feet.

C. Minimum distance requirements:

1. To main building: Seven feet;
2. To front lot line: One hundred feet;
3. To side and rear lot lines if building is not used for poultry or animals:

a. Not adjacent to street: Ten feet;

b. When adjacent to street: Fifty feet.

4. To side and rear lot lines if building is used for poultry or animals: One hundred feet. (Ord. 1993-79 § 1, 1993; Ord. 1986-66 § 1 (part), 1986)

18.17.060 Cluster development option.

A. Purpose: The purpose of this option is to provide a wider latitude of design, additional usable open space, and more economical use of the land.

B. Refer to Section 18.09.040 (General Residential and Rural Zoning Provisions) for the general provisions of the cluster development option.

C. Permitted Uses. All uses as permitted in Section 18.09.020A1 (General Residential and Rural Zoning Provisions).

D. Conditional Uses: Community stable, in accordance with Section 18.17.030C4. (Ord. 1986-66 § 1 (part), 1986)

Chapter 18.18

SR-2 SUBURBAN RANCH ESTATE ZONE

Sections:

18.18.010	**Purpose.**
18.18.020	**Permitted uses.**
18.18.030	**Conditional uses.**
18.18.040	**Development standards—General.**
18.18.050	**Development standards—Open space requirements.**
18.18.060	**Development standards—Detached accessory buildings.**
18.18.070	**Cluster development option.**

18.18.010 Purpose.

The Suburban Ranch Estate zone is a low density single-family residential zone in which undisturbed natural areas are preserved. This zone provides a transition between SR zoned properties and more densely zoned neighborhoods. A limited range of agricultural and ranch uses is permitted. (Ord. 1994-147 § 4 (part), 1994)

18.18.020 Permitted uses.

A. The following uses are permitted in the SR-2 zone:

1. All uses as permitted in Section 18.09.020A (General Residential and Rural Zoning Provisions);

2. A temporary trailer, mobile or manufactured home, located on a lot for no more than one year during the construction of a permanent residence on the same lot. Applications for extensions of the one-year time period are considered in accordance with the procedures established in Section 18.17.020A2 (SR Suburban Ranch Estate Zone).

B. The following are permitted as accessory uses in addition to those uses that would customarily be permitted as accessory uses under Section 18.03.020A1:

1. Agricultural and horticultural uses, not for retail sale:

a. Agricultural uses such as field crops, truck gardening, berry or bush crops, tree crops, flower gardening, nurseries, orchards or aviaries;

b. The raising of poultry, rabbits, and similar small animals, and the raising and grazing of livestock, including horses, cattle, sheep, and goats, but excluding swine, subject to the following requirements:

(1) A minimum of ten thousand square feet of lot area is required for each livestock animal that is more than six months of age,

(2) A minimum of four hundred square feet of fenced area must be provided for each animal,

(3) All animals must be confined in corral or pen areas surrounded by stock-tight fences in accordance with Section 18.07.030B,

(4) All animal corrals, shelters, and pens shall be set back a minimum of:

(a) Fifty feet from the side and rear lot lines abutting a rural, residential, or specific plan zone as determined in Section 18.05.010A, and

(b) Forty feet from the side and rear lot lines abutting a Business or Industrial zone as determined in Section 18.05.010A, and

(c) Fifty feet from any residence on an abutting property;

2. Raising of ratites, subject to the following requirements:

a. No more than one ostrich over fourteen months of age for each ten thousand square feet of site area, and not more than one emu or similar ratite over fourteen months of age for each five thousand square feet of site area, or a prorated combination of each animal. Two ratites six to fourteen months of age may be substituted for each ratite over fourteen months of age;

b. Animals shall be confined within minimum six-foot-high, stock-tight corrals. Ostrich corrals shall be surrounded by a minimum six-foot-high, stock-tight fence or other restraint in accordance with Section 18.07.030B to prevent ratites from roaming at large;

c. Minimum setbacks for ratite corrals and shelter structures within corrals:

(1) From the front property line: Fifty feet,

(2) From the side and rear property lines: Ten feet. (Ord. 1994-147 § 4 (part), 1994)

18.18.030 Conditional uses.

A. The following are permitted as conditional uses subject to the procedures set forth in Chapter 18.97 (Conditional Use Procedures).

B. Permitted uses subject to the Type II conditional use procedure:

1. Club or lodge (private, athletic, sport, or recreational) subject to all the following requirements:

a. Minimum lot area: Ten acres;

b. Minimum building setback from all lot lines: One hundred feet;

c. All outdoor lighting shall be arranged to eliminate glare towards streets and adjoining properties, in compliance with the Light Pollution Code, Title 15 of this code;

d. No amplifiers or loudspeakers of any kind may be installed outside any structures on the lot;

2. Community stable as defined in Section 18.03.020S7, subject to all the following requirements:

a. Minimum area for a community stable site: Ten acres;

b. Minimum community stable area for each horse that is more than six months of age: Ten thousand square feet;

c. Minimum setback from boundaries of the subdivision in which the community stable is located: Five hundred feet;

d. Minimum setback from any residence on an abutting property: Fifty feet;

e. All driveways and parking areas shall be:

(1) Maintained with a dust-proof material which will minimize the generation of dust, and

(2) Approved by the department of transportation and the flood control district;

f. No amplifiers or loudspeakers of any kind may be installed outside any buildings constructed on the site;

g. All outdoor lighting shall be arranged to eliminate glare towards streets and adjoining properties, in compliance with the Light Pollution Code, Title 15 of this code;

h. A conditional use permit for a community stable may be revoked when the stable:

(1) Is no longer owned by a nonprofit community organization, or

(2) Is maintained in a manner which violates public health regulations, or which constitutes a public nuisance. (Ord. 1994-147 § 4 (part), 1994)

18.18.040 Development standards—General.

A. Minimum lot area: Seventy-two thousand square feet.

B. Minimum lot area per dwelling unit: Seventy-two thousand square feet.

C. Minimum lot width: One hundred twenty feet.

D. Minimum yard setback requirements:

1. Front: Thirty feet;

2. Side: Ten feet each;

3. Rear: Forty feet;

4. Minimum setback requirements or distance between structures may be modified by the zoning inspector, pursuant to the procedures and standards set forth in Section 18.07.070.

E. Minimum distance between main buildings: Seven feet.

F. Building height limitations:

1. Maximum building height: Thirty-four feet;

2. Maximum stories: Two. (Ord. 1994-147 § 4 (part), 1994)

18.18.050 Development standards—Open space requirements.

A. For unsubdivided lots, individual lots that are not part of a residential subdivision platted under SR-2 zoning:

1. A minimum of thirty percent of the area of a lot, excluding the area occupied by driveways, utility trenches, or perimeter fencing or walls, shall be left as natural area, as that term is defined in Section 18.61.030A10.

2. The location of the designated natural area on a lot shall be shown on a site plan submitted at the time of building permit application.

B. For residential subdivisions:

1. An area which equals a minimum of thirty percent of the combined area of all residential lots in the subdivision shall be left as natural area, as that term is defined in Section 18.61.030A10.

2. The location of the required amount of natural area, which may be part of the common areas of the subdivision or part of individual lots, shall be shown on the final plat and referenced in a plat note.

C. Except as permitted by this chapter, no development shall occur in a designated natural area.

D. Exceptions. The zoning inspector may approve a smaller percentage of natural area than required under this section where the property owner presents evidence that prior to the establishment of SR-2 zoning on the parcel, an area greater than the open space area required under this section was already graded or improved. (Ord. 1994-147 § 4 (part), 1994)

18.18.060 Development standards—Detached accessory buildings.

A. Maximum height: Twenty-four feet.

B. Minimum distance requirements:

1. To main buildings: Seven feet;

2. To front lot line: Sixty feet;

3. To side and rear lot lines if building is not used for animals:

a. Not adjacent to street: Ten feet;

b. Adjacent to street: Forty feet. (Ord. 1994-147 § 4 (part), 1994)

18.18.070 Cluster development option.

A. This option is permitted for subdivided residential lots and the associated natural open space in accordance with Section 18.09.040. (Ord. 1994-147 § 4 (part), 1994)

Chapter 18.19

SH SUBURBAN HOMESTEAD ZONE

Sections:

18.19.010 Permitted uses.
18.19.020 Conditional uses.
18.19.030 Development standards—General.
18.19.040 Development standards—Detached accessory buildings.
18.19.050 Cluster development option.

18.19.010 Permitted uses.

A. Uses permitted:

1. Any use as permitted in Section 18.17.020 (SR Suburban Ranch Zone), provided that for the raising of ratites:

a. No more than one ostrich over fourteen months of age for each ten thousand square feet of site area, or more than one emu or similar ratite over fourteen months of age for each five thousand square feet of site area, or if more than one type of ratite is kept, a prorated combination of the area required for each animal. Two ratites six to fourteen months of age may be substituted for each ratite over fourteen months of age,

b. Minimum site area: One acre,

c. Maximum lot coverage by ratite corrals and shelter structures within corrals: Thirty percent,

d. Animals shall be confined within minimum six-foot-high, stock-tight corrals. No material is permitted that is not ordinarily used for a stock-tight fence. Ostrich corrals shall be surrounded by a minimum six-foot-high, stock-tight fence or other restraint of sufficient strength and durability to prevent ratites from roaming at large as provided in Section 18.07.030B,

e. Minimum setbacks for ratite corrals and shelter structures within corrals: Thirty feet from the front property line and ten feet from side and rear property lines; but in no event shall a corral or shelter within a corral be closer than thirty feet to any residence or living quarters on an abutting property;

2. Duplex dwelling;

3. Trailers or manufactured or mobile homes; provided no more than two trailers or manufactured or mobile homes be placed on any one lot;

4. The employment of persons not residing on the premises. (Ord. 1994-146 § 5, 1994; Ord. 1986-125 § 1 (part), 1986; Ord. 1986-82 § 1 (part), 1986; Ord. 1985-82 (part), 1985)

18.19.020 Conditional uses.

A. Uses conditionally permitted:

1. Any use as conditionally permitted in Section 18.17.030 (SR Suburban Ranch Zone);

2. Cemetery or crematory, provided:

a. A site of not less than one acre be provided for a pet cemetery and not less than five acres for a human cemetery,

b. No crematory be erected closer than five hundred feet from any boundary of the site which adjoins property in a rural or residential zone, and

c. A Type 2 conditional use permit is obtained in accordance with Chapter 18.97;

3. Radio or television tower or station, provided:

a. Any tower be no closer to any boundary of the site than the height thereof, and

b. Any station occupy more than thirty percent of the site and be located at least fifty feet from any boundary line of the site;

4. Motion picture studio provided:

a. The site is not less than forty acres in area,

b. No building or structure is within one hundred feet of the boundary of the site,

c. Permanent buildings and structures occupy in total not more than fifty percent of the area of the required minimum site,

d. All outdoor lighting is controlled so as not to reflect on any adjoining property in residential use, and

e. A Type 2 conditional use permit with a hearing notification area of one thousand feet is obtained in accordance with Chapter 18.97. (Ord. 1994-114 § 3, 1994; Ord. 1986-125 § 1 (part), 1986; Ord. 1985-187 § 1 (part), 1985; Ord. 1985-82 (part), 1985)

18.19.030 Development standards—General.

A. Minimum lot area: Thirty-six thousand square feet.

B. Minimum area per dwelling unit: Eighteen thousand square feet.

C. Minimum lot width: One hundred feet.

D. Minimum yard requirements:

1. Front: Thirty feet;
2. Side: Ten feet each;
3. Rear: Forty feet.

E. Building height limitations:

1. Maximum height: Thirty-four feet;
2. Maximum stories: Two.

F. Minimum distance between main buildings: Twenty feet. (Ord. 1985-82 (part), 1985)

18.19.040 Development standards—Detached accessory buildings.

A. Permitted coverage: One-third of the total area of the rear and side yards.

B. Maximum height: Twenty-four feet.

C. Minimum distance requirements:

1. To main building: Seven feet;
2. To front lot line: Sixty feet;
3. To side and rear lot lines:

a. Four feet if building is not used for poultry or animals,

b. Fifty feet if building is used for poultry or animals,

c. All horses, cattle, sheep, goats, or other similar animals must be confined within a stock-tight fence (no material shall be permitted not ordinarily used for a stock-tight fence) in an area of no less than four hundred square feet per animal. Such fenced-in area shall be set back ten feet from the rear where it abuts a GR-1, RH, IR, SR, SR-2, SH, CR-1, CR-2, or MU zone and forty feet from the rear where it abuts a zone other than GR-1, RH, IR, SR, SH, SR-2, CR-1, CR-2, or MU, and forty feet from a side property line. A setback of ten feet shall be permitted on the side yard where the adjacent property owners have a written recorded agreement to this effect, but, in no event, shall a corral be closer than fifty feet to any residence or living quarters in an abutting property. (Ord. 1994-147 § 5, 1994; Ord. 1985-187 § 1 (part), 1985; Ord. 1985-82 (part), 1985)

18.19.050 Cluster development option.

A. This option shall be permitted only for subdivided residential lots as allowed in this chapter, and their associated open space, in accordance with Section 18.09.040 (General Residential and Rural Zoning Provisions). (Ord. 1985-111 § 1 (part), 1985; Ord. 1985-82 (part), 1985)

Chapter 18.21

CR-1 SINGLE RESIDENCE ZONE

Sections:

18.21.010	**Permitted uses.**
18.21.020	**Conditional uses.**
18.21.030	**Development standards—General.**
18.21.040	**Development standards—Detached accessory buildings.**
18.21.050	**Cluster development option.**
18.21.060	**Lot reduction option.**

18.21.010 Permitted uses.

A. Uses permitted:

1. All uses as permitted in Section 18.09.020A (General Residential and Rural Zoning Provisions);

2. Temporary trailer or manufactured home: In accordance with Section 18.17.020A2 (SR Suburban Ranch Zone);

3. Agriculture or horticulture:

a. Used only for the purpose of propagation and culture and not for retail sales, including any number of poultry, rabbits, and similar small animals,

b. On lots of not less than thirty-six thousand square feet not more than one head of cattle, horses, sheep, goats, or other similar animals more than six months of age per ten thousand square feet of lot area, excluding swine;

4. Private school: In accordance with Section 18.17.030D3 (SR Suburban Ranch Zone);

5. College or governmental structure: In accordance with Section 18.17.030C6 (SR Suburban Ranch Zone);

6. Community service agency: In accordance with Section 18.17.030C7 (SR Suburban Ranch Zone);

7. Library: In accordance with Section 18.17.030B1 (SR Suburban Ranch Zone);

8. Playground or athletic field: In accordance with Section 18.17.030B2 (SR Suburban Ranch Zone);

9. Temporary real estate office: In accordance with Section 18.17.020A8 (SR Suburban Ranch Zone);

10. Museum: In accordance with Section 18.17.030D2 (SR Suburban Ranch Zone). (Ord. 1986-125 § 1 (part), 1986; Ord. 1985-153 § 1 (part), 1985; Ord. 1985-82 (part), 1985)

18.21.020 Conditional uses.

A. Uses conditionally permitted:

1. Club or lodge: In accordance with Section 18.17.030C2 (SR Suburban Ranch Zone);

2. Raising of ratites in accordance with Type 1 procedure subject to the following restrictions and requirements:

a. Minimum lot area: One acre,

b. No more than one ostrich over fourteen months of age for each ten thousand square feet of site area, or more than one emu or other ratite over fourteen months of age for each five thousand square feet of

site area, or if more than one type of ratite is kept, a prorated combination of the area required for each animal. Two ratites six to fourteen months of age may be substituted for each ratite over fourteen months of age,

c. Maximum lot coverage by ratite corrals and shelter structures within corrals: Thirty percent,

d. Animals shall be confined within minimum six-foot-high, stock-tight corrals. No material shall be permitted that is not ordinarily used for a stock-tight fence. Ostrich corrals shall be surrounded by a minimum six-foot-high, stock-tight fence or other restraint of sufficient strength and durability to prevent ratites from roaming at large as provided in Section 18.07.030B,

e. Minimum setbacks for ratite corrals and shelter structures within corrals: Thirty feet from the front property line and ten feet from side and rear property lines; but in no event shall a corral or shelter within a corral be closer than thirty feet to any residence or living quarters on an abutting property;

3. Community stable: In accordance with Section 18.17.030C4 (SR Suburban Ranch Zone). (Ord. 1994-146 § 6, 1994; Ord. 1986-125 § 1 (part), 1986; Ord. 1985-82 (part), 1985)

18.21.030 Development standards—General.

A. Minimum lot area: Thirty-six thousand square feet.

B. Minimum area per dwelling unit: Thirty-six square feet.

C. Minimum lot width: One hundred feet.

D. Minimum yard requirements:

1. Front: Thirty feet;
2. Side: Ten feet each;
3. Rear: Forty feet.

E. Building height limitations:

1. Maximum height: Thirty-four feet;
2. Maximum stories: Two.

F. Minimum distance between main buildings: Twenty feet, except as required in Section 18.09.020D (General Residential and Rural Zoning Provisions) for a rear dwelling. (Ord. 1985-82 (part), 1985)

18.21.040 Development standards—Detached accessory buildings.

A. Permitted coverage: One-third of the total area of the rear and side yards.

B. Maximum height: Twenty-four feet.

C. Minimum distance requirements:

1. To main buildings: Seven feet;
2. To front lot line: Sixty feet;
3. To side and rear lot lines:

a. Four feet if building is not used for poultry or animals,

b. Fifty feet if building is used for poultry or animals,

c. All horses, cattle, sheep, goats, or other similar animals must be confined within a stock-tight fence (no material shall be permitted not ordinarily used for a stock-tight fence) in an area of no less than four hundred square feet per animal. Such fenced-in area shall be set back ten feet from the rear where it abuts an IR, RH, GR-1, SR, SR-2, SH, CR-1, CR-2, or MU zone and forty feet from the rear where it abuts a zone other than GR-1, RH, IR, SR, SR-2, SH, CR-1, CR-2, or MU, and forty feet from a side property line. A setback of ten feet shall be permitted on the side yard where the adjacent property owners have a written recorded agreement to this effect, but, in no event, shall a corral be closer than fifty feet to any residence or living quarters in an abutting property. (Ord. 1994-147 § 6, 1994; Ord. 1985-187 § 1 (part), 1985; Ord. 1985-82 (part), 1985)

18.21.050 Cluster development option.

A. This option shall be permitted only for subdivided residential lots as allowed in this chapter, and their associated open space, in accordance with Section 18.09.040 (General Residential and Rural Zoning Provisions). (Ord. 1985-111 § 1 (part), 1985; Ord. 1985-82 (part), 1985)

18.21.060 Lot reduction option.

A. Refer also to Section 18.09.050 (General Residential and Rural Zoning Provisions) for the general provisions of the lot reduction option.

B. Minimum lot size requirements for lots in a CR-1 subdivision may be approved by the board of supervisors for reduction from thirty-six thousand square feet to twenty-four thousand square feet in accordance with Section 18.09.050; provided, that in total there are no more individual one-family lots than one lot per gross acre of the area of the subdivision zoned CR-1. (Ord. 1985-82 (part), 1985)

Chapter 18.23

CR-2 SINGLE RESIDENCE ZONE

Sections:

18.23.010	**Permitted uses.**
18.23.020	**Conditional uses.**
18.23.030	**Development standards—General.**
18.23.040	**Development standards—Detached accessory buildings.**
18.23.050	**Cluster development option.**
18.23.060	**Lot reduction option.**
18.23.070	**Lot development option.**

18.23.010 Permitted uses.

A. Uses permitted:

1. Any use as permitted in Section 18.21.010 (CR-1 Single Residence Zone), but horses, cattle, sheep or goats shall not be kept on less than one commercial acre and not more than one such animal for each ten thousand square feet of lot area. (Ord. 1985-82 (part), 1985)

18.23.020 Conditional uses.

A. Uses conditionally permitted:

1. Any use as conditionally permitted in Section 18.21.020 (CR-1 Single Residence Zone); except the raising of ratites is not permitted. (Ord. 1994-146 § 7, 1994: Ord. 1985-82 (part), 1985)

18.23.030 Development standards—General.

A. Minimum lot area: Sixteen thousand square feet.

B. Minimum area per dwelling unit: Sixteen thousand square feet.

C. Minimum lot width: Eighty feet.

D. Minimum yard requirements:

1. Front: Thirty feet;
2. Side: Ten feet each;
3. Rear: Forty feet.

E. Building height limitations:

1. Maximum height: Thirty-four feet;
2. Maximum stories: Two.

F. Minimum distance between main buildings: Twenty feet except as required in Section 18.09.020D (General Residential and Rural

Zoning Provisions) for a rear dwelling. (Ord. 1985-82 (part), 1985)

18.23.040 Development standards—Detached accessory buildings.

A. Permitted coverage: One-third of the total area of the rear and side yards.

B. Maximum height: Twenty-four feet.

C. Minimum distance requirements:

1. To main buildings: Seven feet;
2. To front lot line: Sixty feet;
3. To side and rear lot lines:

a. Four feet if building is not used for poultry or animals,

b. Fifty feet if building is used for poultry or animals,

c. All horses, cattle, sheep, goats, or other similar animals must be confined within a stock-tight fence (no material shall be permitted not ordinarily used for a stock-tight fence) in an area of no less than four hundred square feet per animal. Such fenced-in area shall be set back ten feet from the rear where it abuts an IR, RH, GR-1, SR, SH, CR-1, CR-2, or MU zone and forty feet from the rear where it abuts a zone other than GR-1, RH, IR, SR, SH, CR-1, CR-2, or MU, and forty feet from a side property line. A setback of ten feet shall be permitted on the side yard where the adjacent property owners have a written recorded agreement to this effect, but, in no event, shall a corral be closer than fifty feet to any residence or living quarters in an abutting property. (Ord. 1985-187 § 1 (part), 1985; Ord. 1985-82 (part), 1985)

18.23.050 Cluster development option.

A. This option shall be permitted only for subdivided residential lots as allowed in this chapter, and their associated open space, in accordance with Section 18.09.040 (General Residential and Rural Zoning Provisions). (Ord. 1985-111 § 1 (part), 1985; Ord. 1985-82 (part), 1985)

18.23.060 Lot reduction option.

A. Refer to Section 18.09.050 (General Residential and Rural Zoning Provisions) for the general provisions of the lot reduction option.

B. Minimum lot size requirements for lots in a CR-2 subdivision may be approved by the board of supervisors for reduction from sixteen thousand square feet to twelve thousand square feet in accordance with Section 18.09.050, provided that in total there are no more individual one-family lots than two lots per gross acre of the area of the subdivision zoned CR-2. (Ord. 1985-82 (part), 1985)

18.23.070 Lot development option.

A. Refer to Section 18.09.060 (General Residential and Rural Zoning Provisions) for the provisions of the lot development option. (Ord. 1985-82 (part), 1985)

Chapter 18.25

CR-3 SINGLE RESIDENCE ZONE

Sections:

18.25.010	Permitted uses.
18.25.020	Conditional uses.
18.25.030	Development standards—General.
18.25.040	Development standards—Accessory buildings.
18.25.050	Cluster development option.
18.25.060	Lot reduction option.
18.25.070	Lot development option.

18.25.010 Permitted uses.

A. Uses permitted:

1. All uses as permitted in Section 18.09.020A (General Residential and Rural Zoning Provisions);
2. Temporary trailer or mobile or manufactured home: In accordance with Section 18.17.020A2 (SR Suburban Ranch Zone);
3. Agriculture and horticulture, flower and vegetable gardening, nursery or greenhouse used only for propagation and culture and not for retail sales;
4. The keeping of small animals, such as rabbits, chickens, but not cockerels, and not for commercial

purposes, provided not more than twenty-four such animals per eight thousand square feet of lot area are kept;

5. Private school: In accordance with Section 18.17.030D3 (SR Suburban Ranch Zone);

6. College or governmental structure: In accordance with Section 18.17.030C6 (SR Suburban Ranch Zone);

7. Community service agency: In accordance with Section 18.17.030C7 (SR Suburban Ranch Zone);

8. Library: In accordance with Section 18.17.030B1 (SR Suburban Ranch Zone);

9. Playground or athletic field: In accordance with Section 18.17.030B2 (SR Suburban Ranch Zone);

10. Community storage garage, provided:

a. Said garage is used for the storage of private passenger vehicles only, and

b. The entrances and exits for said garage are on a public alley or directly abut a public street;

11. Temporary real estate office: In accordance with Section 18.17.020A8 (SR Suburban Ranch Zone);

12. Transitional use where side of lot abuts a business or industrial zone: Any residential use permitted in Section 18.27.010 (CR-4 Mixed-dwelling Type Zone), including CR-4 area and yard requirements, provided such use extends not more than one hundred twenty feet or two lots, whichever is the lesser, from the zone boundary;

13. Museum: In accordance with Section 18.17.030D2 (SR Suburban Ranch Zone). (Ord. 1986-125 § 1 (part), 1986; Ord. 1985-153 § 1 (part), 1985; Ord. 1985-82 (part), 1985)

18.25.020 Conditional uses.

Reserved.

18.25.030 Development standards—General.

A. Minimum lot area: Eight thousand square feet.

B. Minimum area per dwelling unit: Eight thousand square feet.

C. Minimum lot width: Sixty feet.

D. Minimum yard requirements:

1. Front: Twenty feet;
2. Side: Eight feet each;
3. Rear: Twenty-five feet.

E. Building height limitations:

1. Maximum height: Thirty-four feet;
2. Maximum stories: Two.

F. Minimum distance between main buildings: Sixteen feet, except as required in Section 18.09.020D (General Residential and Rural Zoning Provisions) for a rear dwelling.

G. Buildable area: Not to exceed forty percent of the lot, including all structures, except swimming pools. (Ord. 1985-82 (part), 1985)

18.25.040 Development standards—Accessory buildings.

A. Permitted coverage: Maximum five percent of lot area.

B. Maximum height: Twelve feet.

C. Minimum distance requirements:

1. To main building when detached: Seven feet;
2. To front lot line when detached: Fifty feet;
3. To side lot lines: Four feet, twenty feet if used for small animals;
4. To rear lot line: Four feet, twenty feet if used for small animals. (Ord. 1988-151 § 1 (part), 1988; Ord. 1985-82 (part), 1985)

18.25.050 Cluster development option.

A. This option shall be permitted only for subdivided residential lots as allowed in this chapter, and their associated open space, in accordance with Section 18.09.040 (General Residential and

Rural Zoning Provisions). (Ord. 1985-111 § 1 (part), 1985: Ord. 1985-82 (part), 1985)

18.25.060 Lot reduction option.

A. Refer to Section 18.09.050 (General Residential and Rural Zoning Provisions) for the general provisions of the lot reduction option.

B. Minimum lot size requirements for lots in a CR-3 subdivision may be approved by the board of supervisors for reduction from eight thousand square feet to seven thousand square feet in accordance with Section 18.09.050, provided that in total there are no more individual one-family lots than 3.4 lots per gross acre of the area of the subdivision zoned CR-3. (Ord. 1985-82 (part), 1985)

18.25.070 Lot development option.

A. Refer to Section 18.09.060 (General Residential and Rural Zoning Provisions) for the provisions of the lot development option. (Ord. 1985-82 (part), 1985)

Chapter 18.27

CR-4 MIXED-DWELLING TYPE ZONE

Sections:

18.27.010	**Permitted uses.**
18.27.020	**Conditional uses.**
18.27.030	**Development standards—General.**
18.27.040	**Development standards—Accessory structures.**
18.27.050	**Small lot subdivision option.**
18.27.060	**Lot development option.**

18.27.010 Permitted uses.

A. Uses permitted:

1. All uses are permitted in Section 18.09.020A (General Residential and Rural Zoning Provisions);
2. Duplex dwelling;
3. Multiple dwelling;
4. Recreational facilities;
5. Temporary manufactured or mobile housing: In accordance with Section 18.17.020A2 (SR Suburban Ranch Zone);
6. Private school: In accordance with Section 18.17.030D3 (SR Suburban Ranch Zone);
7. Temporary real estate office: In accordance with Section 18.17.020A8 (SR Suburban Ranch Zone). (Ord. 1986-125 § 1 (part), 1986; Ord. 1985-82 (part), 1985)

18.27.020 Conditional uses.

Reserved.

18.27.030 Development standards—General.

A. Minimum site area: Seven thousand square feet.

B. Minimum site setbacks:

1. Front: Twenty feet;
2. Side: Ten feet each;
3. Rear: Ten feet.

C. Average area per dwelling unit:

1. Single detached dwelling: Seven thousand square feet;
2. Duplex or multiple dwellings: Three thousand five hundred square feet.

D. Maximum lot coverage: Fifty percent (for main buildings).

E. Minimum setback requirements: None. Zero lot-line siting of dwelling units on individual lots is permissible, subject to Pima County building codes (Title 15).

F. Building height limitations:

1. Maximum height: Thirty-four feet; and

2. In all areas restricted by the hillside development zone (Chapter 18.61, HD Hillside Development Zone), no building shall exceed two stories;
3. In areas adjacent to scenic routes (Section 18.77.040, Roadway Frontage Standards) within two hundred feet of a property line, no buildings shall exceed twenty-four feet;
4. In areas designated as historic zones (Chapter 18.63, Historic Zone) no buildings shall exceed two stories.
G. Minimum distance between main multiple dwelling buildings: Ten feet. (Ord. 1985-82 (part), 1985)

18.27.040 Development standards—Accessory structures.
A. Permitted coverage: Maximum five percent of the individual lot area.
B. Height limitation: Twelve feet.
C. Minimum setback requirements:
1. From main building(s): Seven feet;
2. From property lines: In accordance with applicable Pima County building codes (Title 15). (Ord. 1988-151 § 1 (part), 1988; Ord. 1985-82 (part), 1985)

18.27.050 Small lot subdivision option.
A. Refer to Section 18.09.080 (General Residential and Rural Zoning Provisions) for the general provisions of the small lot subdivision option.
B. Development standards: As provided in Section 18.27.030, except that the average area per dwelling unit shall be a minimum of three thousand five hundred square feet. (Ord. 1985-82 (part), 1985)

18.27.060 Lot development option.
A. Refer to Section 18.09.060 (General Residential and Rural Zoning Provisions) for the provisions of the lot development option. (Ord. 1985-82 (part), 1985)

Chapter 18.29

CR-5 MULTIPLE RESIDENCE ZONE

Sections:

18.29.010 Permitted uses.
18.29.020 Conditional uses.
18.29.030 Development standards—General.
18.29.040 Development standards—Accessory structures.
18.29.050 Small lot subdivision option.
18.29.060 Lot development option.

18.29.010 Permitted uses.
A. Any use as permitted in Section 18.27.010 (CR-4 Mixed-Dwelling Type Zone). (Ord. 1985-82 (part), 1985)

18.29.020 Conditional uses.
Reserved.

18.29.030 Development Standards—General.
A. Minimum site area: Six thousand square feet.
B. Minimum site setbacks:
1. Front: Twenty feet;
2. Side: Ten feet each;
3. Rear: Ten feet.
C. Average area per dwelling unit:
1. Single detached dwelling: Six thousand square feet;
2. Duplex or multiple dwellings: Two thousand square feet.
D. Maximum lot coverage: Fifty percent (for main buildings).
E. Minimum setback requirements: None. Zero lot-line siting of dwelling units on individual lots is permissible, subject to Pima County building codes (Title 15).
F. Building height limitations:
1. Maximum height: Thirty-four feet; and

2. In all areas restricted by the hillside development zone (Chapter 18.61, HD Hillside Development Zone), no building shall exceed two stories;

3. In areas adjacent to scenic routes (Section 18.77.040, Roadway Frontage Standards) within two hundred feet of a property line, no buildings shall exceed twenty-four feet;

4. In areas designated as historic zones (Chapter 18.63, Historic Zone) no buildings shall exceed two stories.

G. Minimum distance between main multiple dwelling buildings: Ten feet. (Ord. 1985-82 (part), 1985)

18.29.040 Development standards—Accessory structures.

A. Permitted coverage: Maximum five percent of the individual lot area.

B. Height limitation: Twelve feet.

C. Minimum setback requirements:

1. From main building(s): Seven feet;

2. From property lines: In accordance with applicable Pima County building codes (Title 15). (Ord. 1988-151 § 1 (part), 1988; Ord. 1985-82 (part), 1985)

18.29.050 Small lot subdivision option.

A. Refer to Section 18.09.080 (General Residential and Rural Zoning Provisions) for the general provisions of the small lot subdivision option.

B. Development standards: As provided in Section 18.29.030, except that the average area per dwelling unit shall be a minimum of two thousand square feet. (Ord. 1985-82 (part), 1985)

18.29.060 Lot development option.

A. Refer to Section 18.09.060 (General Residential and Rural Zoning Provisions) for the provisions of the lot development option. (Ord. 1985-82 (part), 1985)

Chapter 18.31

TR TRANSITIONAL ZONE

Sections:

18.31.010 Permitted uses.
18.31.020 Conditional uses.
18.31.030 Development standards—Residential.
18.31.040 Development standards—Nonresidential.
18.31.050 Development standards—Detached accessory buildings.

18.31.010 Permitted uses.

A. Any use as permitted in Sections 18.25.010 (CR-3 Single Residence Zone), 18.27.010 (CR-4 Mixed-dwelling Type Zone) and 18.29.010 (CR-5 Multiple Residence Zone).

B. Additional uses permitted:

1. Private school;
2. College or governmental structure;
3. Community service agency;
4. Library or museum;
5. Playground or athletic field;
6. Hospital or sanatorium;
7. Clinic or dispensary;
8. Club;
9. Private club or lodge (nonprofit);
10. Community storage garage;
11. Child care center;
12. Professional or semi-professional office;
13. Real estate office;
14. Insurance adjuster's office, which may include a drive-through facility;
15. Motel or hotel, together with the following accessory uses located on the premises and having no exterior entrance closer than one hundred feet to a public street:
    a. Retail shops,
    b. Personal services,
    c. Recreational facilities,
    d. Restaurant,
    e. Beverage service;
16. Administrative, engineering, scientific

research, design or experimentation facility, and such processing and fabrication as may be necessary thereto, provided:

a. All such operations be completely housed within buildings located on a site of no less than ten thousand square feet,

b. All such buildings shall set back not less than twenty-five feet from any property line abutting a residential zone,

c. A dust-proofed off-street parking area be provided for all such vehicles incidental to said operation,

d. One additional such parking space be provided for each three persons regularly employed on said premises,

e. Buffering and screening is provided in accordance with Chapter 18.73, Landscaping, Buffering and Screening Standards,

f. There is no manufacturing or warehousing of goods for sale at wholesale or retail, and

g. Any activity conducted on said premises shall be free of dust, noxious smoke, fumes, odors or unusual vibrations or noise;

17. Nonexpressed residential uses: All residential uses not expressly permitted in any other residential zone and which are not otherwise unlawful, injurious to the general health or welfare, or specifically excluded. (Ord. 1985-171, § 1 (part), 1985; Ord. 1985-153, § 1 (part), 1985; Ord. 1985-82 (part), 1985)

18.31.020 Conditional uses.

Reserved.

18.31.030 Development standards—Residential.

A. Minimum lot or site area:

1. Single-family detached dwelling unit (lot): Four thousand five hundred square feet;

2. Duplex or multiple dwelling unit (site): Ten thousand square feet.

B. Minimum area per dwelling unit:

1. Single-family detached dwelling unit: Four thousand five hundred square feet;

2. Duplex or multiple dwelling unit: One thousand square feet.

C. Minimum lot or site width:

1. Single-family detached dwelling unit (lot): Forty feet;

2. Duplex or multiple dwelling unit (site): Sixty feet.

D. Minimum lot or site yard requirements:

1. Single-family detached dwelling unit (lot):

a. Front: Twenty feet;

b. Side: None. Zero lot-line siting of dwelling units on individual lots is permissible, subject to Pima County Building Codes (Title 15);

c. Rear: Ten feet.

2. Duplex or multiple dwelling unit (site):

a. Front: Twenty feet;

b. Side: Seven feet each;

c. Rear: Twenty-five feet.

E. Building height limitations:

1. Maximum height: Thirty-four feet; and

2. In areas restricted by the hillside development zone (Chapter 18.61, HD Hillside Development Zone), no building shall exceed two stories;

3. In areas adjacent to scenic routes (Section 18.77.040, Roadway Frontage Standards) within two hundred feet of a property line, no building shall exceed twenty-four feet;

4. In areas designated as historic zones (Chapter 18.63, Historic Zone) no buildings shall exceed two stories; and

5. For all conditionally approved rezonings that do not have an ordinance for TR, if a third story is requested within the thirty-four-foot height limit, approval shall be requested at a noticed board of supervisors public hearing.

F. Minimum distance between main buildings: Fourteen feet. (Ord. 1992-60 § 1, 1992; Ord. 1985-82 (part), 1985)

18.31.040 Development standards—Nonresidential.

A. Minimum lot area: None.

B. Minimum lot width: Sixty feet.

C. Minimum yard requirements:

1. Front: Twenty feet;

2. Side: Seven feet each;
3. Rear: Twenty-five feet.
D. Building height limitations:
1. Maximum height: Thirty-four feet; and
2. In areas restricted by the hillside development zone (Chapter 18.61, HD Hillside Development Zone), no building shall exceed two stories;
3. In areas adjacent to scenic routes (Section 18.77.040, Roadway Frontage Standards) within two hundred feet of a property line, no building shall exceed twenty-four feet;
4. In areas designated as historic zones (Chapter 18.63, Historic Zone) no buildings shall exceed two stories; and
5. For all conditionally approved rezonings that do not have an ordinance for TR, if a third story is requested within the thirty-four-foot height limit, approval shall be requested at a noticed board of supervisors public hearing.
E. Minimum distance between main buildings: Fourteen feet. (Ord. 1985-82 (part), 1985)

18.31.050 Development standards—Detached accessory buildings.

A. Permitted coverage: Forty percent of the minimum rear yard area plus fifty percent of any additional space in the rear of the principal building.
B. Maximum height: Twenty-four feet.
C. Minimum distance requirements:
1. To main buildings: Seven feet;
2. To front lot line: Sixty feet;
3. To side lot lines: Four feet;
4. To rear lot line:
a. Four feet if building is not used for poultry or animals,
b. Fifteen feet if building is used for poultry or animals. (Ord. 1985-82 (part), 1985)

Chapter 18.33

CMH-1 COUNTY MANUFACTURED AND MOBILE HOME—1 ZONE

Sections:

18.33.010	**Purpose.**
18.33.020	**Permitted uses.**
18.33.030	**Conditional uses.**
18.33.040	**Development standards—General.**
18.33.050	**Development standards—Detached accessory buildings.**
18.33.060	**Cluster development option.**

18.33.010 Purpose.

A. The purpose of this zone is to provide for needed and properly planned mobile home developments with additional usable open space within reasonable walking distance, by permitting a wider latitude of design, without increasing existing densities.
B. It allows for two alternative approaches to mobile home development:
1. Mobile home subdivisions; and
2. Mobile home cluster development. (Ord. 1985-82 (part), 1985)

18.33.020 Permitted uses.

A. Uses permitted.
1. All uses as permitted in Section 18.09.020A (General Residential and Rural Zoning Provisions), subject to the following conditions:
a. Church or parochial school: Five gross acres minimum area;
2. Manufactured and mobile home;
3. Private school: In accordance with Section 18.17.030D3 (SR Suburban Ranch Zone);
4. College or governmental structure: In accordance with Section 18.17.030C6 (SR Suburban Ranch Zone);
5. Community service agency: In accordance with Section 18.17.030C7 (SR Suburban Ranch Zone);

6. Library: In accordance with Section 18.17.030B1 (SR Suburban Ranch Zone);
7. Playground or athletic field: In accordance with Section 18.17.030B2 (SR Suburban Ranch Zone);
8. Temporary real estate office;
9. Museum: In accordance with Section 18.17.030D2 (SR Suburban Ranch Zone). (Ord. 1986-125, § 1 (part), 1986; Ord. 1985-82 (part), 1985)

18.33.030 Conditional uses.
A. Uses conditionally permitted:
1. Club or lodge: In accordance with Section 18.17.030C2 (SR Suburban Ranch Zone). (Ord. 1986-125, § 1 (part), 1986; Ord. 1985-82 (part), 1985)

18.33.040 Development standards—General.
A. Minimum lot area: Eight thousand square feet.
B. Minimum lot area per dwelling unit: Eight thousand square feet.
C. Minimum lot width: Sixty feet.
D. Minimum yard requirements:
1. Front: Twenty feet;
2. Sides: Eight feet each;
3. Rear: Twenty-five feet.
E. Building height limitations:
1. Maximum height: Thirty-four feet;
2. Maximum stories: Two. (Ord. 1985-82 (part), 1985)

18.33.050 Development standards—Detached accessory buildings.
A. Permitted coverage: Twenty-five percent of the minimum rear yard plus fifty percent of any additional space in the rear of the principal building.
B. Maximum height: Twenty-four feet.
C. Minimum distance requirements:
1. To main buildings: Seven feet;
2. To front lot line: Sixty feet;
3. To side lot lines: Four feet;
4. To rear lot line:
a. Four feet if building is not used for poultry or animals.
b. Fifteen feet if building is used for poultry or animals. (Ord. 1985-82 (part), 1985)

18.33.060 Cluster development option.
A. This option shall be permitted only for subdivided residential lots as allowed in this chapter, and their associated open space, in accordance with Section 18.09.040 (General Residential and Rural Zoning Provisions). (Ord. 1985-111 § 1 (part), 1985; Ord. 1985-82 (part), 1985)

Chapter 18.35

CMH-2 COUNTY MANUFACTURED AND MOBILE HOME–2 ZONE

Sections:

18.35.010 Purpose.
18.35.020 Permitted uses.
18.35.030 Conditional uses.
18.35.040 Development standards—General.
18.35.050 Development standards—Detached accessory buildings and uses.
18.35.060 Mobile home subdivision or mobile home park option.

18.35.010 Purpose.
A. The purpose of this zone is to:
1. Provide for properly planned manufactured home subdivisions or mobile home parks;
2. Provide usable open space within reasonable walking distances; and
3. Permit wider latitude of design. (Ord. 1985-82 (part), 1985)

18.35.020 Permitted uses.
A. Uses permitted:
1. All uses as permitted in Section 18.09.020A (General Residential and Rural Zoning Provisions), subject to the following additional conditions:

a. Church or parochial school: Five gross acres minimum area;

2. Manufactured or mobile home or trailer;

3. Private school: In accordance with Section 18.17.030D3 (SR Suburban Ranch Zone);

4. College or governmental structure: In accordance with Section 18.17.030C6 (SR Suburban Ranch Zone);

5. Community service agency: In accordance with Section 18.17.030C7 (SR Suburban Ranch Zone);

6. Library: In accordance with Section 18.17.030B1 (SR Suburban Ranch Zone);

7. Playground or athletic field: In accordance with Section 18.17.030B2 (SR Suburban Ranch Zone);

8. Child care center:

a. Minimum lot size: Seven thousand square feet, or

b. Upon approval of a development plan, if in conjunction with a mobile home subdivision or park;

9. Temporary real estate office: In accordance with Section 18.17.020A8 (SR Suburban Ranch Zone);

10. Museum: In accordance with Section 18.17.030D2 (SR Suburban Ranch Zone). (Ord. 1986-125 § 1 (part), 1986; Ord. 1985-82 (part), 1985)

18.35.030 Conditional uses.

A. Uses conditionally permitted:

1. Club or lodge: In accordance with Section 18.17.030C2 (SR Suburban Ranch Zone). (Ord. 1986-125 § 1 (part), 1986; Ord. 1985-82 (part), 1985)

18.35.040 Development standards—General.

A. Minimum lot area: None.

B. Minimum area per dwelling unit: Three thousand five hundred square feet, exclusive of adjacent rights-of-way.

C. Minimum lot width: None.

D. Minimum setback requirements:

1. Front:

a. Twenty-five feet, if access is provided,

b. Fifteen feet, if no access is provided.

E. Building height limitations:

1. Maximum height: Thirty-four feet;

2. Maximum stories: Two.

F. Minimum distance between units: Fourteen feet.

G. Off-street parking: One off-street parking for visitors and guests shall be required, and a minimum of one off-street parking space per dwelling unit shall be provided. (Ord. 1985-82 (part), 1985)

18.35.050 Development standards—Detached accessory buildings and uses.

A. Within a mobile home park or manufactured home subdivision, storage is permitted by residents of the park or subdivision. Only residents of the mobile home park or manufactured home subdivision shall have access to or use of the storage area. The storage area may be used to store the following:

1. Travel trailer;

2. Boat;

3. Automobile;

4. Recreational vehicle;

5. Truck;

6. Motorcycle.

B. All vehicles stored in the storage area must be operable. Storage of junk or inoperable vehicles is not permitted.

C. A maximum area of ten percent of the gross area of the subdivision or park may be used for a storage area.

D. A minimum five-foot-wide landscaped buffer shall be provided around and abutting the entire storage area, except at the point of access. The buffer shall consist of the following:

1. A minimum six-foot-high opaque screen, wall or fence;

2. Plant materials selected from the Official Regulatory Plant List, Chapter 18.73 (Landscape Design Manual). The buffer shall, at a minimum, include all of the following:

a. A fifteen-gallon canopy tree for each twenty linear feet of buffer length;

b. A five-gallon desert shrub for each twenty linear feet of buffer length;

c. Two one-gallon accents, flowers, or vines for each twenty linear feet of buffer length;

d. Decomposed granite or other acceptable groundcover over the entire buffer surface.

3. The buffer shall be maintained by the property owner as specified in Section 18.73.080 of this code. (Ord. 1994-134 § 1, 1994)

18.35.060 Mobile home subdivision or mobile home park option.

A. Mobile home subdivisions only:

1. Single mobile home lots may be individually owned if so indicated upon a recorded subdivision plat setting forth the area of individual ownership.

2. Where common open space is provided, a mandatory homeowner's association shall accept the responsibilities of maintenance, liability and control of private streets and common areas.

3. All mobile home units shall be secured to permanent masonry or concrete foundations. The wheels and axles shall be removed.

B. Development standards:

1. Minimum plan site:

a. Eighteen thousand square feet, exclusive of adjacent rights-of-way,

b. The use and/or minimum acreage requirements of Sections 18.35.020 and 18.35.030 (except clubs or lodges) greater than seven thousand square feet shall be in addition to the required minimum site of eighteen thousand square feet and shall not be included in calculating the number of dwelling units permitted;

2. Maximum density: One dwelling unit per three thousand five hundred square feet;

3. Minimum individual lot area: None;

4. Minimum individual lot width: None;

5. Minimum yard requirements: None. Zero lot-line siting of units on individual lots is permissible, subject to applicable county building codes (Title 15) and Section 18.09.060D (General Residential and Rural Zoning Provisions);

6. Maximum building height: Thirty-four feet;

7. Minimum distance between dwelling units: Fourteen feet;

8. Off-street parking: Two off-street parking spaces per unit shall be provided;

9. Required buffer:

a. In lieu of yard setbacks, a permanent buffer of ten feet shall be required along all subdivision or park boundaries wherein no structures exceeding six feet in height shall be placed,

b. A six-foot masonry wall, fence, opaque landscape screen or any combination thereof shall be provided on all subdivision or park boundaries except at vehicle or pedestrian access locations:

1) At vehicle access locations, such screening shall be no more than thirty-six inches high for a distance of twenty feet on either side of the opening,

2) Appropriate covenants shall be placed in effect to insure the continued maintenance of such walls, fences and screens;

10. Streets:

a. Streets shall be designed and constructed in accordance with Section 18.69.040 (Subdivision Standards),

b. Curbs shall be installed on both sides of all streets, and sidewalks shall be placed on at least one side of all streets;

11. The lots so created shall be subject to all other subdivision regulations of this code, as applicable.

C. Accessory buildings:

1. Accessory buildings shall conform to the requirements of Section 18.37.050 (MU Multiple Use Zone);

2. Carports and patio covers, open on two sides, shall be considered accessory buildings, except that:

a. They may be attached to the dwelling unit,

b. The front yard setback shall be four feet, and

c. The side and rear yard setbacks shall be three feet;

3. Any side of a carport or patio cover located within fourteen feet of the main dwelling unit on the adjacent lot shall not be enclosed.

D. Landscaping:

1. A landscape plan shall be developed for the subdivision or park to insure unity of design;

2. Covenants shall be recorded, providing for the continuation and maintenance of the landscaping;

3. Approval of the landscape plan by the county subdivision review staff shall be a prerequisite for approval of a development plan or final plat;

4. Each mobile home lot shall have at least one functionally placed shade tree, indigenous to, or in harmony with the area, of fifteen gallons or larger size at the time of planting;

5. Tree species shall be selected on the basis of desert hardiness, low pollen production and low water requirement.

E. Common areas and private areas:

1. A minimum of five percent of the gross subdivision or park area shall be devoted to recreational facilities or common, functionally usable, open space;

2. The open space shall constitute no less than an equivalent proportional amount to the area being developed;

3. Interior streets shall not be calculated as part of the open space;

4. The maximum permitted coverage by buildings in the required open space shall not exceed five percent;

5. Private outdoor living and service space shall be provided for each mobile home:

a. It shall be of a size, walled, or fenced, or planted as necessary to assure reasonable privacy and shall be partially paved or hard surfaced for garden furniture,

b. It shall be located for privacy, convenienace and optimum use;

c. The minimum area shall be not less than four hundred square feet:

d. A paved or hard surfaced area, included in the outdoor living area, shall not be less than one hundred square feet.

F. Approvals: In accordance with Section 18.09.040E7 (General Residential and Rural Zoning Provisions).

G. Release from liabilities: In accordance with Section 18.09.040G (General Residential and

Rural Zoning Provisions). (Ord. 1985-82 (part), 1985)

Chapter 18.37

MU MULTIPLE USE ZONE

Sections:

18.37.010	**Permitted uses.**
18.37.020	**Conditional uses.**
18.37.030	**Development standards—Residential.**
18.37.040	**Development standards—Nonresidential.**
18.37.050	**Development standards—Detached accessory buildings.**
18.37.060	**Mobile home subdivision option.**
18.37.070	**Lot development option.**

18.37.010 Permitted uses.

A. Uses permitted:

1. All uses as permitted in Section 18.09.020A (General Residential and Rural Zoning Provisions);
2. Duplex dwelling;
3. Multiple dwelling;
4. Dwelling group;
5. Manufactured or mobile home: Including mobile home court;
6. Trailer or trailer court;
7. Boarding/rooming house;
8. Private stable: In accordance with Section 18.21.010A3 (CR-1 Single Residence Zone);
9. Motel;
10. Private school;
11. College or governmental structure;
12. Community service agency;
13. Library or museum;
14. Playground or athletic field;
15. Public or private utility and facilities;
16. Hospital or sanatorium, provided:

a. The building site of any hospital is not less than four commercial acres, and

b. The buildings of any hospital or sanatorium occupy not more than thirty percent of the building site and are located at least fifty feet from any lot line;

17. Clinic;
18. Club;
19. Club (private, athletic, sport or recreation). (Ord. 1985-153 § 1 (part), 1985; Ord. 1985-82 (part), 1985)

18.37.020 Conditional uses.

A. Any of the uses of Section 18.37.020B; provided, that:

1. The applicant for such a use permit submits to the zoning inspector plans for said proposed use showing certificates by the department of transportation and flood control district, traffic engineer, and health department director, certifying that said use complies with all laws and regulations under their jurisdictions; and
2. When the zoning inspector finds that said use will create no foreseeable flood, traffic or health hazards or nuisances as defined by the standards adopted by the board of supervisors and on file in the office of said inspector, said inspector shall then give notice by mail to all property owners of record within three hundred feet of the proposed site of said use of the intention to grant a permit, and giving any interested person thirty days in which to appeal to the board of adjustment from said inspector's interpretation of the application of said standards in connection with said proposed use; and
3. If no appeal is taken within thirty days from the date said notices are mailed, the permit shall be issued and become final upon the expiration of said thirty-day period; and
4. All uses must comply with Section 18.53.020A (CI-2 General Industrial Zone).

B. Uses conditionally permitted:

1. Cemetery or crematory;
2. Storage building or warehouse (except if

operated in conjunction with a permitted manufacturing or home occupation use, in which case no separate permit shall be required);

3. Building material, contractor's or well-driller's equipment yard;

4. Lumber or commercial feed yard;

5. Business: Any use permitted in Section 18.43.030B (CB-1 Local Business Zone) and in Section 18.45.030B and C (CB-2 General Business Zone), except massage establishment, reducing salon or gymnasium, which is expressly prohibited under this chapter;

6. Manufacture, processing, assembly or repairing which the board of adjustment determines not objectionable due to odors, smoke, noise, vibration or similar cause. Permitted are the following:

a. The manufacture, assembly and repair of advertising displays,

b. The processing, assembly and repair of light sheet-metal products, miscellaneous small parts, novelties, toys and merchandise from previously prepared materials such as cellophane, nylon, canvas, cloth, felt, leather, paper, plastics and similar materials;

7. The primary assembly of electrical appliances, radios, phonographs, and similar assembly businesses;

8. The processing of food products except: meat, fish, sauerkraut, vinegar, yeast, pickles, and the refining of fats and oils, and canneries;

9. Beverage bottling plant;

10. Laundry, cleaning or dyeing works;

11. Auto body or fender repair: If operated in conjunction with a general garage or gasoline service station business;

12. Experimental laboratory;

13. Radio or television tower or station;

14. Veterinary hospital;

15. Kennels;

16. Commercial stable: In accordance with Section 18.17.030C1 (SR Suburban Ranch Zone);

17. Fair, carnival, circus or tent show: For not more than fifteen days. (Ord. 1986-125 § 1 (part), 1986; Ord. 1985-82 (part), 1985)

18.37.030 Development standards—Residential.

A. Minimum lot area: Seven thousand square feet.

B. Minimum lot area per dwelling unit: Three thousand five hundred square feet.

C. Minimum lot width: Sixty feet.

D. Minimum yard requirements:

1. Front: Twenty feet, which may be used to meet off-street parking requirements, or as part of an off-street parking lot;

2. Side: Seven feet each;

3. Rear: Twenty-five feet.

E. Building height limitations:

1. Maximum height: Thirty-four feet;

2. Maximum stories: Two.

F. Minimum distance between main buildings: Fourteen feet. (Ord. 1985-82 (part), 1985)

18.37.040 Development standards—Nonresidential.

A. Minimum lot area: None.

B. Minimum lot width: None.

C. Minimum yard requirements:

1. Front: Twenty feet, which may be used to meet off-street parking requirements, or as part of an off-street parking lot;

2. Side: Seven feet each;

3. Rear: Twenty-five feet.

D. Building height limitations:

1. Maximum height: Thirty-four feet;

2. Maximum stories: Two.

E. Minimum distance between main buildings: None. (Ord. 1985-82 (part), 1985)

18.37.050 Development standards—Detached accessory buildings.

A. Permitted coverage: Forty percent of the required rear yard and any additional space within the buildable area.

B. Maximum building height:

1. Within the required rear yard: Twenty-four feet;

2. Within the buildable area: Two stories or Thirty-four feet.

C. Minimum distance requirements:

1. To main building: Seven feet;

2. To front lot line: Twenty feet;

3. To side lot lines: Four feet;

4. To rear lot line: Four feet. (Ord. 1985-82 (part), 1985)

18.37.060 Mobile home subdivision option.

A. Scope:

1. Single residential lots may be individually owned if so indicated upon a recorded subdivision plat setting forth the area of individual ownership;

2. Dwelling units permitted in a mobile home subdivision may be of one, or a combination of any one of the three generally defined types:

a. Mobile,

b. Manufactured, or

c. Site-built;

3. Where common areas, private roads, or common open spaces are provided, a mandatory homeowner's association shall accept the responsibilities of maintenance, liability and control of private streets and common areas.

B. Development standards:

1. Minimum area: Eighteen thousand square feet, exclusive of adjacent rights-of-way;

2. Maximum density: One dwelling unit per three thousand five hundred square feet;

3. Minimum individual lot area: None;

4. Minimum individual lot width: None;

5. Minimum yard requirements: None. Zero lot-line siting of units on individual lots is permissible, subject to applicable county building codes (Title 15) and Section 18.09.060D (General Residential and Rural Zoning Provisions);

6. Maximum building height: Thirty-four feet;

7. Minimum distance between detached dwelling units: Fourteen feet;

8. Off-street parking: Two off-street parking spaces per unit shall be provided;

9. Required buffers:

a. In lieu of yard setbacks, a permanent buffer of ten feet shall be required along all subdivision boundaries wherein no structures exceeding six feet in height shall be placed,

b. A six-foot masonry wall, fence, opaque landscape screen or any combination thereof shall be provided on all subdivision boundaries except at vehicle or pedestrian access locations:

1) At vehicle access locations, such screening shall be no more than thirty-six inches high for a distance of twenty feet on either side of the opening,

2) Appropriate covenants shall be placed in effect to insure the continued maintenance of such walls, fences and screens:

10. Streets and utilities:

a. Streets shall be designed and constructed in accordance with Section 18.69.040 (Subdivision Standards),

b. Curbs shall be installed on both sides of all streets and sidewalks shall be placed on at least one side of all streets,

c. Underground utilities shall be provided;

11. Siting:

a. All mobile home units shall be secured to permanent masonry or concrete foundations,

b. The wheels and axles shall be removed;

12. The lots so created shall be subject to all other subdivision regulations of this code.

C. Accessory buildings:

1. Accessory buildings shall conform to the requirements of Section 18.37.050;

2. Carports and patio covers, open on two sides, shall be considered accessory buildings, except that:

a. They may be attached to the dwelling unit,

b. The front yard setback shall be four feet, and

c. The side and rear yard setbacks shall be three feet;

3. Any side of a carport or patio cover located within fourteen feet of the main dwelling unit on the adjacent lot shall not be enclosed.

D. Landscaping:

1. A landscape plan shall be developed for the subdivision to insure unity of design;

2. Covenants shall be recorded, providing for the continuation and maintenance of the landscaping;

3. Approval of the landscape plan by the county subdivision review staff shall be a prerequisite for approval of a development plan or final plat;

4. Each subdivision lot shall have at least one functionally placed shade tree, indigenous to, or in harmony with the area, of fifteen gallons or larger size at the time of planting;

5. Tree species shall be desert hardy, low pollen producing and low in water requirement.

E. Common areas and private areas:

1. A minimum of five percent of the gross subdivision area shall be devoted to recreational facilities or common, functionally usable, open space;

2. Private outdoor living and service space shall be provided as necessary to assure reasonable privacy and shall be partially paved or hard surfaced for garden furniture:

a. It shall be located for privacy, convenience and optimum use,

b. The minimum area shall be not less than four hundred square feet,

c. The paved or hard surfaced area, included in the outdoor living area, shall not be less than one hundred square feet. (Ord. 1985-82 (part), 1985)

18.37.070 Lot development option.

A. Refer to Section 18.09.060 (General Residential and Rural Zoning Provisions) for the provisions of the lot development option. (Ord. 1985-82 (part), 1985)

Chapter 18.39

(RESERVED)

Chapter 18.40

MR MAJOR RESORT ZONE

Sections:

18.40.010 Purpose and intent.
18.40.020 Permitted uses.
18.40.030 Development standards.
18.40.040 Development review.

18.40.010 Purpose and intent.

A. Purpose. The purpose of this zone is to provide for the development and operation of major resorts and their associated commercial guest facilities while protecting adjacent land uses from adverse impacts.

B. Intent. This zone is intended to meet the lodging, convention and recreational needs of short-term visitors to Pima County and is not intended for the development of residential units for permanent or long-term residential use. (Ord. 1985-153 § 1 (part), 1985)

18.40.020 Permitted uses.

A. Primary Use. Major resort.

B. Accessory Uses.

1. Permitted uses:

a. Convention facilities, such as conference and banquet rooms;

b. Restaurants and drinking establishments;

c. Retail and service establishments;

d. Swimming pools and spas;

e. Game courts such as tennis and racquetball;

f. Fitness and exercise centers;

g. Equestrian facilities, provided:

1) There is not more than one horse for each ten thousand square feet of resort zone area; and

2) No stable or corral is within one hundred feet of any property line or within three hundred feet of any existing structure on an adjacent property.

2. Other provisions:

a. Accessory uses shall be operated primarily for guests of the major resort;

b. No sign identifying an accessory use shall be visible from a public street; and

c. No entrance to an accessory use shall face a public street. (Ord. 1985-153 § 1 (part), 1985)

18.40.030 Development standards.
A. Minimum Site Area. Twenty acres.
B. Maximum Density. One guest room per four thousand three hundred fifty-six square feet of site area.
C. Maximum Height. Thirty-four feet.
D. Maximum Site Coverage. Thirty-three percent of the site.
E. Minimum Site Setbacks. Fifty feet.
F. Landscaping, Buffering and Screening. Refer to Chapter 18.73 (Landscaping Standards).
G. Off-street Parking. Refer to Chapter 18.75 (Off-street Parking and Loading Standards).
H. Exterior Lighting. In accordance with the County Light Pollution Code (Title 15).
I. Signs. Refer to Section 18.79.050 O (Signs). (Ord. 1985-153 § 1 (part), 1985)

18.40.040 Development review.
A. Design Review. In accordance with Section 18.99.030 (Design Review Committee). Following the procedures of Section 18.71.060 (RVC Zoning).
B. Development Plan. In accordance with Chapter 18.71 (Development Plan). (Ord. 1985-153 § 1 (part), 1985)

Chapter 18.41

RVC RURAL VILLAGE CENTER ZONE

Sections:

18.41.010 Purpose.
18.41.020 Performance standards.
18.41.030 Permitted uses.
18.41.040 Conditional uses.
18.41.050 Development standards—General.
18.41.060 Development standards—Detached accessory buildings.

18.41.010 Purpose.
A. The purpose of this zone is to provide retail shopping facilities, planned and designed for the convenience and necessity of a suburban or rural neighborhood.
B. Such rural village centers shall be developed according to an approved plan and located in accordance with adopted neighborhood, community or area plans.
C. The regulations are designed to maintain the suburban character of duly designated commercial areas located along scenic routes as designated, and to provide safe ingress and egress to and from the village center. (Ord. 1985-82 (part), 1985)

18.41.020 Performance standards.
A. All Section 18.41.050A uses shall be conducted wholly within a completely enclosed building unless otherwise specified and any use operating as a store, shop or business shall be a retail establishment, and all products produced on the premises shall be sold at retail on the premises.
B. Architectural Review. Each development, building, addition and alteration within this zone shall be subject to review with regard to the architectural design in accordance with Section 18.71.060 (Development Plan Standards). (Ord. 1985-82 (part), 1985)

18.41.030 Permitted uses.
A. The following uses, as restricted in Section 18.41.020A:
1. Antique store;
2. Apparel store;
3. Art needlework or hand-weaving establishment;
4. Art store or gallery: The "patio" architectural design concept is allowed;
5. Automobile accessories, parts and supplies: Provided that there is no installation, repair, rebuilding, modification, or outside storage of parts on the premises;
6. Bakery;
7. Bank;
8. Barber;
9. Beauty shop;

10. Bicycle shop: No sales or servicing of motor scooters or motorcycles;
11. Book store;
12. Cafe or lunchroom:
a. Provided no dancing is allowed and no alcoholic beverages sold except beer and wine,
b. The "patio" architectural design concept is allowed;
13. Catering service;
14. Child care center;
15. Church;
16. Cigar store;
17. Cleaning, dyeing, laundry collection agency;
18. Clinic;
19. Confectionery store;
20. Custom dressmaking, millinery, hemstitching or pleating;
21. Custom weaving or mending;
22. Dealers in coins, stamps or similar collector's items;
23. Delicatessen store: The "patio" architectural design concept is allowed;
24. Dental laboratory;
25. Department store;
26. Drug store;
27. Dry goods or notions store;
28. Electrical appliance store;
29. Florist shop;
30. Furniture store;
31. Gift, curio or novelty shop;
32. Grocery market;
33. Hardware store;
34. House furnishing store;
35. Ice cream store: The "patio" architectural design concept is allowed;
36. Ice station: For packaged sales only;
37. Interior decorator;
38. Jewelry and watch repair;
39. Jewelry store;
40. Leather goods store;
41. Library: Rental or public;
42. Liquor store: For package sales only, including wine tasting;
43. Meat, fish or poultry market;
44. Medical laboratory;
45. Museum;
46. Music, phonograph, radio or television store;
47. Nursery: For the sale of flowers, plants, trees or shrubs, within a building or enclosure;
48. Office: Business, professional or semi-professional;
49. Photograph studio;
50. Photographic supply store;
51. Picture frame shop: The "patio" architectural design concept is allowed;
52. Postal station;
53. Safe depository;
54. Self-service carwash; provided, that neither steam cleaning nor engine repair shall be allowed on the premises;
55. Self-service laundry or coin-operated dry cleaning establishment, provided:
a. An attendant be on the premises during all open hours,
b. For not more than twenty-four dry cleaning units, and
c. Occupying not more than three thousand square feet of floor area for such use;
56. Shoe repair shop;
57. Shoe store;
58. Sporting goods, hunting and fishing equipment store;
59. Tailor shop;
60. Toy or hobby shop;
61. Trust company;
62. Variety store.

B. Restaurant or tea room:
1. Including a cocktail lounge or bar in connection therewith;
2. Subject to the provisions of Section 18.43.030F (CB-1 Local Business Zone); and
3. But not to include drive-in restaurants. (Ord. 1985-82 (part), 1985)

18.41.040 Conditional uses.
Reserved.

18.41.050 Development standards—General.
A. Area:
1. The maximum area of each RVC zone shall not exceed twenty acres.
2. This area shall be apportioned as evenly as consideration of streets, topography and other unique factors affecting individual sites will permit.
B. Site coverage: All buildings within a site as shown on the development plan shall not cover more than twenty-five percent of the area of such site.
C. Yards:
1. No building shall be erected within one hundred fifty feet of the centerline of scenic routes as designated on the major streets and routes plan;
2. Buildings shall not be constructed within:
a. Twenty-five feet of any district zoned TR, nor
b. Seventy-five feet of any residential district.
D. Building height limitations:
1. Maximum height: Thirty-four feet;
2. Maximum stories: Two.
E. Screening: Refer to Section 18.73.100 (Landscaping Standards).
F. Parking and loading requirements: Refer to Section 18.75.050 (Off-Street Parking and Loading Standards).
G. Signs: Refer to Section 18.79.050 (Sign Standards). (Ord. 1985-82 (part), 1985)

18.41.060 Development standards—Detached accessory buildings.
Reserved.

Chapter 18.43

CB-1 LOCAL BUSINESS ZONE

Sections:

18.43.010 Purpose.
18.43.020 Performance standards.
18.43.030 Permitted uses.
18.43.040 Conditional uses.
18.43.050 Development standards—Nonresidential.
18.43.060 Development standards—Residential.
18.43.070 Development standards—Detached accessory buildings.
18.43.080 Lot development option.

18.43.010 Purpose.
Reserved.

18.43.020 Performance standards.
A. All Section 18.43.030B uses shall be conducted wholly within a completely enclosed building unless otherwise specified and any use operating as a store, shop, or business shall be a retail establishment. All products produced on the premises shall be sold at retail on the premises.
B. Performance standards:
1. The following performance standards shall apply to the uses of Section 18.43.030I:
a. Noise or vibration: No noise or vibration shall be permitted which is discernible beyond the lot line to the human sense of feeling for three minutes or more duration in any one hour of the day between the hours of seven a.m. and seven p.m., or of thirty seconds or more duration in any one hour during the hours of seven p.m. to seven a.m.;
b. Smoke: No emission of smoke from any source shall be permitted;
c. Odors: No emission of odorous gases or other odorous matter shall be permitted in such quantities as to be offensive in such a manner as to create a nuisance or hazard beyond the property lines;
d. Fly ash, dust, fumes, vapors, gases and other forms of air pollution: No emission shall be permitted which can cause any damage to health, to animals or vegetation, or other forms of property, which can cause any excessive soiling; and
e. Liquids and solid waste: No wastes shall be discharged in the streets, drainageways or any property which is dangerous to the public health and safety, and no waste shall be discharged in

the public sewage system which endangers the normal operation of the public sewage system.

2. Certifications: The zoning inspector shall not issue a permit for any use until the applicant has provided the required number of plans showing the certificates of the department of transportation and flood control district, traffic engineer, and health department director certifying that said use complies with all laws and regulations under their jurisdiction, and the zoning inspector has determined that the use complies with this chapter. (Ord. 1989-96 § 1 (part), 1989; Ord. 1985-82 (part), 1985)

18.43.030 Permitted uses.

A. Any use as permitted in Section 18.31.010 (TR Transitional Zone).

B. The following uses, as restricted in Section 18.43.020A:

1. Air conditioning, heating, and ventilating fixtures or supplies: Retail, all within enclosed building;
2. Antique store;
3. Apparel store;
4. Art needlework or hand-weaving establishment;
5. Art gallery or store: The "patio" architectural design concept is allowed;
6. Art or drawing supply store;
7. Auto mechanical repair: In conjunction with service stations on state or federal highways only, provided there is no outside storage of autos or parts, and no body or fender work, painting or upholstering;
8. Auto parking lot (within or without a building): Subject to the provisions of Section 18.75.030B (Off-Street Parking and Loading Standards);
9. Automobile accessories, parts and supplies; provided, that there is no installation, repair, rebuilding, modification, or outside storage of parts on the premises;
10. Automobile lubrication and oil change operation;
11. Automobile tires, batteries and accessories installation in conjunction with a department store;
12. Bakery;
13. Bank;
14. Barbershop;
15. Beauty shop;
16. Bicycle shop: No sales or servicing of motor scooters or motorcycles;
17. Billiard or poolhall;
18. Book, newspapers, or magazine store;
19. Burglar alarm service;
20. Cafe or lunchroom:

a. Provided no dancing is allowed and no alcoholic beverages sold except beer and wine,

b. The "patio" architectural design concept is allowed;

21. Catering service;
22. Church;
23. Cigar store;
24. Cleaning, dyeing, laundry collection agency;
25. Confectionery store;
26. Custom dressmaking, millinery, hemstitching or pleating;
27. Custom weaving or mending;
28. Dealer in coins, stamps or similar collector's items;
29. Delicatessen;
30. Dental laboratory;
31. Department store;
32. Drugstore;
33. Dry goods or notions store;
34. Electrical appliance store;
35. Feed store: No sales or storage of hay;
36. Fix-it shop, small appliances;
37. Florist shop;
38. Frozen food locker;
39. Fruit or vegetable store;
40. Furniture store;
41. Garage: For public storage only;
42. Gasoline service station (incidental repairing only); subject to:

a. The provisions of Section 18.07.030A (General Regulations and Exceptions),

b. No gasoline or other flammables be stored above ground level, except in legally accepted containers of fifty-five gallons or less and no more than three such containers, and

c. The dispensing of gasoline or any flammables into a fuel tank or into a legally accepted container, using manually controlled nozzles only, shall be under the supervision of a competent attendant at all times;

43. Gift, curio, or novelty shop;
44. Grocery store;
45. Hardware store;
46. Hotel;
47. House furnishing store;
48. Ice cream store: The "patio" architectural design concept is allowed;
49. Ice station: For packaged sales only;
50. Interior decorator;
51. Jewelry and watch repair;
52. Jewelry store;
53. Laundromat, laundry and dry cleaning units, provided the same occupy no more than three thousand square feet of gross floor area;
54. Leather goods store;
55. Library: Rental or public;
56. Liquor store: For packaged sales only, including wine tasting;
57. Locksmith;
58. Meat, fish or dressed poultry market, provided no live poultry are kept on premises;
59. Mechanical and electronic games arcade: In districts containing a minimum of four commercial acres and at least seven thousand eight hundred square feet of net leasable area;
60. Medical laboratory;
61. Messenger office;
62. Music, phonograph or radio store;
63. Office: Business, professional or semi-professional;
64. Orthopedic appliances (trusses, wheelchairs, etc.);
65. Pet grooming;
66. Pet shop;
67. Photograph studio;
68. Photographic supply store;
69. Plant nursery: All landscape contractor's supplies, fertilizers and chemicals shall be stored indoors;
70. Plumbing fixtures and supplies: Retail, all within enclosed building;
71. Postal station;
72. Pressing establishment;
73. Reducing salon: Not to include massage establishments;
74. Refreshment stand;
75. Religious rescue mission or temporary revival;
76. Safe depository;
77. School: Barber or beauty culture;
78. School: Business;
79. School: Dancing;
80. School: Dramatic;
81. School: Handicraft, painting or sculpture;
82. School: Music;
83. Self-service car wash; provided, that neither steam cleaning nor engine repair shall be allowed on the premises;
84. Shoe repair shop;
85. Shoe store;
86. Sidewalk sales associated with existing retail business, lasting no longer than three days, in any thirty-day period;
87. Sporting goods, hunting and fishing equipment store;
88. Station: Bus or stage;
89. Stationery store;
90. Tailor shop;
91. Taxicab stand;
92. Taxidermist;
93. Theater: Except drive-in or outdoor theater;
94. Tire store: Including incidental repair of shocks and brakes with no outdoor storage or display;
95. Tool or cutlery sharpening;
96. Toy or hobby shop;
97. Trailer rental: In conjunction with service stations on state or federal highways only, provided there is no outside storage of autos or parts, and no body or fender work, painting or upholstering;

98. Trust company;
99. Upholstery shop and supplies;
100. Variety store;
101. Veterinary outpatient clinic for small animals:
a. No boarding allowed;
b. Overnight confinement for clinic treatment permitted for a maximum of five animals;
102. Wallpaper sales, paper hanging;
103. Water, telephone or telegraph distribution installation or electrical receiving or distribution station (within or without a building): Subject to the provisions of Section 18.07.040B (General Regulations and Exceptions);
104. Wholesale of oil: In conjunction with service stations on state or federal highways only, provided there is no outside storage of autos or parts, and no body or fender work, painting or upholstering;
105. Other similar enterprise or business of the same class, which in the opinion of the Board of Supervisors, as evidenced by resolution of record, is not more obnoxious or detrimental to the welfare of the particular community than the enterprises or businesses above enumerated.

C. Retail sale, rental or display of:
1. Clothing or accessories;
2. Household appliances;
3. Office equipment and business machines: Repair work permitted, but limited to no more than twenty-five percent of gross floor area of the business;
4. Oxygen equipment for medical outpatient uses;
5. Painting equipment or supplies, including varnish;
6. Secondhand goods: Personal, furniture, books, magazines; no secondhand auto parts;
7. Venetian blinds;
8. Window shades.

D. Accessory building or use (not involving open storage): When located on the same building site.

E. Trailer or manufactured or mobile home for caretaker: In conjunction with a permitted use in a rural area, as determined by the zoning inspector.

F. Administrative, engineering, scientific research and development, design or experimentation facility, and such treatment, processing, and fabrication as may be necessary thereto; provided, that:
1. All such operations be completely housed within buildings located on a site of not less than ten thousand square feet;
2. All such buildings shall be set back not less than twenty-five feet from any property line abutting a residential zone;
3. A dust-proofed, off-street parking area be provided for all vehicles incidental to said operation;
4. One additional parking space be provided for each three persons regularly employed on said premises;
5. Buffering and screening provided in accordance with Chapter 18.73, Landscaping, Buffering and Screening Standards;
6. Any activity conducted on said premises shall be free of dust, noxious smoke, fumes, odors or unusual vibrations or noise discernible beyond the property line;
7. The architecture of all structures shall be compatible with the surrounding area; and
8. All open areas of an improved lot shall be maintained in a dust-free condition by landscaping with trees, shrubs, suitable ground cover, undisturbed natural growth, or by covering with material that will provide an all-weather surface.

G. Restaurant, including a restaurant liquor license:
1. Upon condition that the cocktail lounge or bar has no separate outside entrance;
2. A dance floor with a maximum of two hundred square feet is permitted for customer dancing only; and
3. The applicant shall provide the zoning inspector with an approved Type I conditional use permit.

H. Trailer or manufactured or mobile unit for temporary office use: Only during the construction of a permanent building not to exceed a period of twelve months.

I. The following uses, as restricted in Section 18.43.020B:
1. Blueprinting;
2. Photostating;
3. Engraving, photo-engraving;

4. Duplicating, mimeographing, multigraphing;
5. Addressographing;
6. Newspaper office;
7. Printing or publishing. (Ord. 1993-55 § 1, 1993; Ord. 1989-96 § 1 (part), 1989; Ord. 1988-150 § 1, 1988; Ord. 1985-171 § 1 (part), 1985; Ord. 1985-82 (part), 1985)

18.43.040 Conditional uses.

A. Procedures. In accordance with Chapter 18.97 (Conditional Use Procedures).

B. Uses Conditionally Permitted (Type 1 Procedure).

1. Feed store: Including sales and outdoor storage of hay. The applicable fire district shall receive written notice of the conditional use application and of all public hearings. (Ord. 1993-78 § 1, 1993)

18.43.050 Development standards—Nonresidential.

A. Minimum lot area: None.

B. Minimum lot width: None.

C. Minimum yard requirements:

1. Front: Twenty feet, which may be used to meet off-street parking requirements, or as part of an off-street parking lot;
2. Side: None;
3. Rear: Twenty-five feet, except as provided in Section 18.07.050G (General Regulations and Exceptions) for a corner lot, which may be used to meet off-street parking requirements, or as a part of an off-street parking lot.

D. Maximum building height: Thirty-nine feet.

E. Minimum distance between main buildings: None. (Ord. 1985-82 (part), 1985)

18.43.060 Development standards—Residential.

A. Minimum lot area: Ten thousand square feet.

B. Minimum lot area per dwelling unit: One thousand square feet.

C. Minimum lot width: Sixty feet.

D. Minimum yard requirements:

1. Front: Twenty feet, which may be used to meet off-street parking requirements, or as part of an off-street parking lot;
2. Side: Seven feet each;
3. Rear: Twenty-five feet except as provided in Section 18.07.050G (General Regulations and Exceptions) for a corner lot, which may be used to meet off-street parking requirements, or as a part of an off-street parking lot.

E. Building height limitations:

1. Maximum height: Thirty-four feet; and
2. In areas restricted by the Hillside Development Zone (Chapter 18.61, HD Hillside Development Zone), no building shall exceed two stories;
3. In areas adjacent to scenic routes (Section 18.77.040, Roadway Frontage Standards) within two hundred feet of a property line, no building shall exceed twenty-four feet;
4. In areas designated as historic zones (Chapter 18.63, Historic Zone) no buildings shall exceed two stories; and
5. For all conditionally approved rezonings that do not have an ordinance for CB-1, if a third story is requested within the thirty-four-foot height limit for residential use, approval shall be requested at a noticed board of supervisors public hearing.

F. Minimum distance between main buildings: Fourteen feet. (Ord. 1985-82 (part), 1985)

18.43.070 Development standards—Detached accessory buildings.

A. Permitted coverage: Forty percent of the required rear yard and any additional space within the buildable area.

B. Maximum building height:
1. Within the required rear yard: Twenty-four feet;
2. Within the buildable area: Two stories or thirty-four feet.
C. Minimum distance requirements:
1. To main buildings: Seven feet;
2. To front lot line: Twenty feet;
3. To side lot lines: None;
4. To rear lot line: Four feet. (Ord. 1985-82 (part), 1985)

18.43.080 Lot development option.
A. Refer to Section 18.09.060 (General Residential and Rural Zoning Provisions) for the provisions of the lot development option. (Ord. 1985-82 (part), 1985)

Chapter 18.45

CB-2 GENERAL BUSINESS ZONE

Sections:

18.45.010	**Purpose.**
18.45.020	**Performance standards.**
18.45.030	**Permitted uses.**
18.45.040	**Conditional uses.**
18.45.050	**Development standards—Nonresidential.**
18.45.060	**Development standards—Residential.**
18.45.070	**Development standards—Detached accessory buildings.**
18.45.080	**Lot development option.**

18.45.010 Purpose.
Reserved.

18.45.020 Performance standards.
Reserved.

18.45.030 Permitted uses.
A. Any uses as permitted in Section 18.31.010 (TR Transitional Zone) and in Section 18.43.030 (CB-1 Local Business Zone).
B. Additional uses:
1. Advertising sign or structure: In accordance with Chapter 18.79 (Sign Standards);
2. Ambulance service;
3. Amusement or recreational enterprise (within a completely enclosed structure), including:
a. Billiard or pool hall,
b. Bowling alley,
c. Dancehall,
d. Gymnasium,
e. Penny arcade or shooting gallery,
f. Skating rink,
g. Sports arena;
4. Amusement or recreational enterprise (outdoor), including:
a. Archery range,
b. Miniature golf or practice driving or putting range,
c. Games of skill or science,
d. Pony riding ring without stables,
e. Swimming pool or commercial beach or bathhouse,
f. Tennis court;
5. Auction: Public (no animals);
6. Auditorium or assembly hall;
7. Auto rental garage;
8. Auto repair: No body or fender work, painting or upholstery, except as incidental;
9. Bar;
10. Baths: Turkish, Swedish, steam, etc.;
11. Battery service: No body or fender work, painting or upholstery, except as incidental;
12. Billboard: In accordance with Chapter 18.79 (Sign Standards);
13. Blueprinting;
14. Boats: Storage or rental;
15. Cemetery or crematory; provided, that:
a. Cemeteries for human remains shall be located on a site of not less than five acres,
b. For animal pets not less than one acre, and

c. No crematory be erected closer than five hundred feet from any boundary of said site adjoining property in a rural or residential zone;

16. Cleaning establishment: If:

a. Only two clothes cleaning units of not more than forty pounds rated capacity, and

b. Using cleaning fluid which is noninflammable and nonexplosive at temperatures below 138.5°F;

17. Club: Athletic, private, social, sport or recreational (operated for profit), except sports stadium or field;

18. Cocktail lounge;

19. Drive-in theater, provided:

a. The face of any projection screen be not visible from any county road or any street or route shown on the major streets and routes plan which is within five hundred feet of said screen,

b. The site for said theater shall consist of not less than ten acres of land and be a single tract or parcel not intersected or divided by any street, alley or by property belonging to any other owners,

c. Any lights used to illuminate the theater site shall be so arranged as to reflect the light away from adjoining property and streets,

d. The plans for said theater shall have been approved by the county traffic engineer, indicating no undue traffic congestion due to the location and arrangement of the theater, including the car rows and aisles and minimizing the danger of fire and panic,

e. Acceleration and deceleration lanes shall be provided along the public thoroughfare adjacent to the entrance and exit of the theater,

f. Parking space or storage lanes for patrons awaiting admission shall be provided on the site in an amount equal to not less than thirty percent of the vehicular capacity of the theater,

g. Vehicular circulation shall be so designed and constructed as to permit only one-way traffic within the boundaries of the tract on which the theater is located,

h. Emergency exists shall be provided,

i. Sanitary facilities and the method of food handling shall be approved by the county health department,

j. Definite plans for shrubbery and landscaping shall be presented to the zoning inspector and made a part of the permit,

k. The nearest point of the theater property, including driveways and parking areas, shall be at least seven hundred fifty feet from the boundary of a district zoned for residential use, and

l. All other conditions of the zone are fully observed;

20. Fair, carnival or tent show for not longer than fifteen days: If sufficient parking area for patrons is provided;

21. Fortune telling;

22. Garage: Public (for commercial use);

23. Gymnasium;

24. Handyman shop;

25. Industrial or trade school: Teaching operations or occupation permitted in this zone;

26. Jukebox or coin machine business: Limited to assembly, repair and servicing;

27. Kennels, provided no such building or structure be within one hundred feet of any boundary of said site abutting property in a rural or residential zone;

28. Laundry: Steam or wet-wash;

29. Lawnmower repairing;

30. Lumberyard, retail, provided no machinery is used other than a ripsaw and cut-off saw;

31. Massage establishment;

32. Mattress shop: For repairing only (no renovating);

33. Mechanical or steam washracks: No body or fender work, painting or upholstery, except as incidental;

34. Merchandise broker's display: Wholesale;

35. Motorcycle or motor scooter repair or storage;

36. Mortuary or embalming establishment or school;

37. Nightclub;

38. Oxygen equipment: Rental or distribution;

39. Pawn shop;

40. Photostating;
41. Piano repairing;
42. Radio or television tower or booster station, provided such tower is no closer to any boundary of said site than the height thereof;
43. Record recording studio or sound score production: No manufacturing or treatment of records;
44. Reducing salon;
45. Refrigeration installation or service;
46. School or college: Operated as a commercial enterprise, for dancing or musical instruction;
47. Sign painting shop;
48. Taverns;
49. Trade show, industrial show or exhibition;
50. Truck-trailer repair: In conjunction with a truck stop, on a state or federal highway only;
51. Upholstery shop;
52. Veterinary hospital, provided no such building or structure be within one hundred feet of any boundary of said site abutting property in a rural or residential zone.

C. Sale, rental or display of:
1. Airplanes or parts;
2. Automobiles;
3. Barber's supplies or beauty shop equipment;
4. Butcher's supplies;
5. Clothing or accessories: Retail or wholesale;
6. Contractor's equipment or supplies;
7. Drugs or medical, dental or veterinary supplies: Retail or wholesale;
8. Farm equipment or machinery;
9. Feed: No wholesale;
10. Garage equipment;
11. Hardware;
12. Hotel equipment or supplies;
13. Household appliances, sewing machines, etc.: Retail or wholesale;
14. Machinery: Commercial and industrial;
15. Manufactured or mobile homes;
16. Monuments or tombstones: No wholesale;
17. Office equipment: Sales, business machines, etc. (retail or wholesale);
18. Painting equipment or supplies: Paint, varnish, etc.;
19. Pets: No boarding or hospital;
20. Plastic or plastic products: Wholesale and assembly only;
21. Plumbing, heating and ventilating fixtures or supplies: Retail or wholesale;
22. Restaurant or soda fountain equipment or supplies;
23. Secondhand goods: Personal, furniture, books, magazines, automobiles, but no secondhand supplies;
24. Tents or awnings;
25. Trunks or luggage: Retail or wholesale;
26. Upholsterer's supplies: Retail or wholesale;
27. Venetian blinds: Retail or wholesale;
28. Window shades: Retail or wholesale.

D. Light manufacturing or assembling incidental to retail sales from the premises; provided, that not more than twenty-five percent of the floor area occupied by such business is used for manufacturing, processing, assembling, treatment, installation and repair of products.

E. Wholesaling of products permitted in Section 18.45.030C, unless specifically prohibited, with storage space not exceeding one thousand five hundred square feet of floor area.

F. Warehouse or self storage facility only for the storing of household and personal property (no commercial storage) with no commercial transactions permitted other than the rental of the storage units:
1. Single-story self storage facilities, provided that:
a. The maximum site be one hundred thirty thousand six hundred eighty square feet (three acres);
b. All storage be in an enclosed building;
c. The structure be one story with a maximum height of nineteen feet;
d. A decorative masonry wall shall be constructed around the perimeter except for the entry and exit. Minimum height six feet, maximum eight feet and front wall shall set back ten feet from property line;
e. All access lanes be of a paved or concrete surface;

f. Buffering and screening is provided in accordance with Chapter 18.73, Landscaping, Buffering and Screening Standards; and

g. No activity occurs other than the loading and unloading of household and personal property.

2. Multi-story self storage facilities, provided that:

a. Such use is a Type 1 conditional use subject to the issuance of a conditional use permit in accordance with the provisions of Chapter 18.97;

b. The maximum site be one hundred thirty thousand six hundred eighty square feet (three acres);

c. All storage be in an enclosed building;

d. The structure be a single building, maximum of two stories (twenty-four feet in height);

e. A decorative masonry wall shall be constructed around the perimeter except for the entry and exit. Minimum height six feet, maximum height eight feet and front wall shall set back ten feet from property line;

f. All access lanes be of a paved or concrete surface;

g. Buffering and screening is provided in accordance with Chapter 18.73, Landscaping, Buffering and Screening Standards; and

h. No activity occurs other than the loading and unloading of household and personal property.

G. Any of the following if conducted wholly within a completely enclosed building or within an area enclosed on all sides with a solid wall, compact evergreen hedge or uniformly painted board fence, not less than six feet in height:

1. Building material sales yard, including the sale of rock, sand, gravel and the like as an incidental part of the main business;

2. Contractor's equipment sales yard or plant;

3. Rental of equipment commonly used by contractors;

4. Retail lumberyard, including only incidental mill work;

5. Feed yard;

6. Public utility service yard;

7. Storage of operable automobiles, boats, motorcycles, recreational vehicles, and trucks and inhabitable manufactured or mobile homes, not intended for salvage.

H. Body or fender work, painting or upholstery: When the site is located adjacent to or abutting a State or Federal highway but not extending more than six hundred feet therefrom; provided, that:

1. All body and fender work, painting and upholstering is performed in a completely enclosed building;

2. There is no open storage of parts, salvage materials, automobile bodies;

3. No storage of junk automobiles for salvage purposes and only automobiles parked on the premises may be those awaiting repairs. Said automobiles are to be parked in a neat and orderly manner, behind a solid wall or fence so that such automobiles will not be visible from surrounding properties or the highway; and

4. The permit for such use shall be revocable within thirty days on written notice from the zoning inspector when, in the opinion of the inspector, any one or all of the above requirements have not been complied with.

I. Nonexpressed commercial uses: All commercial uses not expressly permitted in any other commercial zone and which are not otherwise unlawful, injurious to the general health or welfare, or specifically excluded. (Ord. 1994-114 § 4 (part), 1994; Ord. 1989-96 § 1 (part), 1989; Ord. 1987-187 § 1, 1987; Ord. 1985-187 § 1 (part), 1985; Ord. 1985-171 § 1 (part), 1985; Ord. 1985-82 (part), 1985)

18.45.040 Conditional uses.

A. Fair, carnival, circus or tent show for longer than fifteen days; provided:

1. The same shall be conducted on a site of not less than ten acres;

2. The area occupied shall be paved or graveled to keep dust to a minimum;

3. A Type 2 conditional use permit with a hearing notification area of 300 feet is obtained in accordance with Chapter 18.97.

B. Swap meet:

1. The board of supervisors may issue a use permit for a swap meet after an advertised public hearing for which all property owners of record within one thousand feet have been notified;

2. Any use permit granted by the supervisors shall be subject to the following:

a. That the sales or parking area be located no closer than three hundred feet to any exiting or conditionally approved residential zoning district and the use of this land must be outlined on the development plan,

b. Adequate screening to be designated by the supervisors,

c. That the performance standards of Section 18.49.020A (CPI Campus Park Industrial Zone) are met,

d. Adequate parking to be provided according to standards set by the supervisors,

e. The use permit shall describe and provide adequate traffic access to the swap meet by streets that are not residential,

f. Selling area must be a dust-proof surface,

g. Proof that the vendor holds a valid state sales tax permit,

h. Overnight lodging shall not be allowed, and

i. The county shall regulate the hours in which outdoor lighting may be used; and

3. The supervisors may impose any further reasonable conditions necessary to protect the health, safety or welfare of the public.

C. Adult activities facility: Type III conditional use in accordance with Section 18.07.030I.

D. Racetrack or sports stadium, provided:

1. Any racetrack conducted for profit must be licensed by the State Racing Commission;

2. Any incidental uses in connection with said racetrack or sports stadium not otherwise permitted in CB-2 shall be first approved by the board of adjustment (refer to Chapter 18.93) as a use incidental to and commonly associated with a racetrack;

3. A permit may be used for a practice racetrack, if operated by the owner of the site thereof, and not conducted for profit or charging admission to spectators;

4. No portion of any tracks, stables or grandstand authorized by this provision shall be within two hundred feet of any boundary or its site adjoining any property in a rural or residential zone; and

5. A Type 2 conditional use permit with a hearing notification area of five hundred feet is obtained in accordance with Chapter 18.97. (Ord. 1994-114 § 4 (part), 1994; Ord. 1992-6 (part), 1992; Ord. 1985-187 § 1 (part), 1985; Ord. 1985-82 (part), 1985)

18.45.050 Development standards—Nonresidential.

A. Minimum lot area: None.

B. Minimum lot width: None.

C. Minimum yard requirements:

1. Front: Fifteen feet;
2. Side: None;
3. Rear: Ten feet.

D. Maximum building height: Thirty-nine feet.

E. Minimum distance between main buildings: None. (Ord. 1985-82 (part), 1985)

18.45.060 Development standards—Residential.

A. Minimum lot area: Seven thousand square feet.

B. Minimum lot area per dwelling unit: One thousand square feet.

C. Minimum lot width: Sixty feet.

D. Minimum yard requirements:

1. Front: Twenty feet;
2. Side: Seven feet each;
3. Rear: Twenty-five feet.

E. Maximum building height: Thirty-nine feet.

F. Minimum distance between main buildings: Fourteen feet. (Ord. 1985-82 (part), 1985)

18.45.070 Development standards—Detached accessory buildings.

A. Permitted coverage: Forty percent of the required rear yard and any additional space within the buildable area.

B. Maximum building height:

1. Within the required rear yard: Twenty-four feet;

2. Within the buildable area: Thirty-nine feet.

C. Minimum distance requirements:

1. To main building: Seven feet;

2. To front lot line: Fifteen feet;

3. To side lot lines: None;

4. To rear lot line: Four feet. (Ord. 1985-82 (part), 1985)

18.45.080 Lot development option.

A. Refer to Section 18.09.060 (General Residential and Rural Zoning Provisions) for the provisions of the lot development option. (Ord. 1985-82 (part), 1985)

Chapter 18.47

INDUSTRIAL ZONING CLASSIFICATIONS

Sections:

18.47.010 Purpose.
18.47.020 Industrial use category definitions.

18.47.010 Purpose.

The purpose of this chapter is to classify industrial land uses into a limited set of defined categories that shall be used to regulate the conditionally permitted land uses of the CI-3 zone. (Ord. 1992-103 § 1 (part), 1992)

18.47.020 Industrial use category definitions.

A. Industrial uses are hereby classified and defined as follows:

1. Agricultural Trade—Intensive. Uses and facilities engaged in the commercial feeding and preparation of livestock animals for wholesale, shipment, transfer or slaughter and not exempt form county zoning by state statute. Examples include commercial feedlots and agricultural auction facilities.

2. Animal Products Processing—Intensive. Uses and facilities engaged in the commercial slaughtering or rendering of animals for further use in manufacturing or as semi-finished food products. Examples include slaughter houses, animal or marine rendering plants and tanneries.

3. Manufacturing—Hazardous Materials. Uses and facilities engaged in manufacturing processes that use or produce explosive, toxic, flammable or comparable substances and materials with a high level of community danger or health-threatening potential. Examples include the manufacturing of asbestos products, toxic or explosive chemicals and allied products or the processing of caustic acids.

4. Manufacturing—Intensive. Uses and facilities engaged in the mechanical or chemical fabrication, processing, assembling or treatment of raw or semi-finished nonfood products, materials or substances into semi-finished or finished products, which cannot meet the performance standards of Section 18.53.020 (CI-2). Examples include the manufacturing of plastics, nonexplosive or nontoxic chemicals, assembly of motor vehicles or mobile or modular housing, or the smelting and refining of metals from ore, pig or scrap.

5. Nonexpressed Industrial Uses. Industrial uses not expressly permitted in any industrial zone and which are not otherwise unlawful, injurious to the general health or welfare, or specifically excluded.

6. Storage—Hazardous Materials. The commercial provision of indoor or outdoor space for the storage or transfer of materials or products that may threaten the public health or safety because of combustibility, flammability, toxicity or disease potential. Examples include gasoline or flammables bulk stations, petroleum products tank farms,

explosives or liquefied gases, trash burners and commercial landfills.

B. Other uses are as may be defined in Chapter 18.03 of this code. (Ord. 1992-103 § 1 (part), 1992)

Chapter 18.49

CPI CAMPUS PARK INDUSTRIAL ZONE

Sections:

18.49.010	**Purpose and intent.**
18.49.020	**Performance standards.**
18.49.030	**Permitted uses.**
18.49.040	**Development standards—General.**
18.49.050	**Review and adoption procedures.**

18.49.010 Purpose and intent.

A. Purpose. The purpose of the CPI zone is to:

1. Promote and facilitate innovative and comprehensively planned industrial developments which are compatible with surrounding residential communities; and

2. Encourage the highest standards of architecture and site planning which will foster compact industrial developments.

B. Intent.

1. The CPI zone is intended exclusively for research and development laboratory, large

headquarter office and modern nonnuisance industrial uses;

2. The permitted uses, dimensional standards and landscaping requirements are designed to insure a compatibility with adjoining nonindustrial areas;

3. The zone will make available attractive locations for businesses and factories which will provide employment close to residences and reduce travel time between home and work;

4. CPI development regulations shall be utilized to create new industrial centers and also shall be applied to properties in established industrial zones as an alternative to existing regulations;

5. The zone may also be used to provide industrial sites along interstate and major travel routes;

6. The granting of CPI zoning shall be based on the performance of the industry as well as the type of industry;

7. Development and performance standards will provide a healthful operating environment for industry and prevent effects detrimental to the surrounding neighborhood;

8. The standards will ensure that all manufacturing, processing or assembling of materials and products is not injurious or offensive to the occupants of surrounding properties. (Ord. 1985-82 (part), 1985)

18.49.020 Performance standards.

A. The following performance standards shall apply to all uses in this zone:

1. Noise or vibration: No noise or vibration shall be permitted which is discernible beyond the lot line to the human sense of feeling for:

a. Three minutes or more duration in any one hour of the day between the hours of seven a.m. and seven p.m., or

b. Thirty seconds or more duration in any one hour during the hours of seven p.m. to seven a.m.;

2. Smoke: No emission of smoke from any source shall be permitted;

3. Odors: No emission of odorous gases or other odorous matter shall be permitted;

4. Fly ash, dust, fumes, vapors, gases and other forms of air pollution: No emission shall be permitted which can cause any damage to health, damage to animals or vegetation, or damage to or soiling of other forms of property;

5. Liquid and solid waste: No wastes shall be discharged in the streets, drainageways or on any property except in appropriately designed disposal systems;

6. Radioactive materials:

a. Manufacturing activities involving the use, storage, or disposal of radioactive materials are prohibited except for those materials:

1) Which do not become an integral part of the manufactured product, or

2) Which are exempt from licensing requirements by the Arizona Radiation Regulatory Agency or its legally established successor, or

3) Used for medical diagnosis and therapy and for educational or industrial research and development.

b. For the purpose of this subsection, "research and development" means either:

1) Theoretical analysis, exploration or experimentation, or

2) The extension of investigative findings and theories of a scientific or technical nature into practical application of experimental and

demonstration purposes, including production and testing of models, equipment, materials, etc.

B. Certifications. The zoning inspector shall not issue a permit for any use until:

1. The applicant has provided the required number of plans showing the certificates of the department of transportation and flood control district, traffic engineer, and health department director, certifying that said use complies with all laws and regulations under their jurisdiction; and

2. The zoning inspector has determined that the use complies with this chapter.

C. Enforcement of Performance Standards.

1. It is the responsibility of the director of the health department to make investigations of alleged violations of the specific performance standards within the CPI zone.

2. If the existing use fails at any time to meet the specific performance standards of this section, the use will be deemed in violation of this code.

D. Conditions for Secondary Uses. No use permit for secondary uses (refer to Section 18.49.030B) shall be granted unless the following conditions are met:

1. The use shall be compatible with the other uses in the CPI development and with any neighboring residential developments and in particular shall not unduly affect them due to:

a. Increased automobile traffic, and

b. Noise generated from within the site;

2. Evidence is provided of a need related to a primary use;

3. Such a use shall be intended primarily for the personal convenience of employees;

4. The floor area for secondary uses shall not exceed ten percent of the total enclosed floor area on the site;

5. No sign or window display shall be visible from any public way;

6. Entrance to such use shall be only from the interior of the industrial site.

E. Ownership Control.

1. The land in a proposed CPI development shall be under such unified control as to ensure that the entire district will be developed as a unified whole.

2. All owners shall be included as joint applicants, and all approvals shall bind all owners. (Ord. 1985-82 (part), 1985)

18.49.030 Permitted uses.

A. Permitted primary uses:

1. Administrative and professional offices;

2. Apparel (clothing and other products manufactured from textiles);

3. Art needlework and handweaving;

4. Manufacture of:

a. Cameras and other photographic equipment and supplies,

b. Dentures and drugs,

c. Jewelry,

d. Leather products: Including shoes and machine belting (excluding tanning),

e. Luggage,

f. Musical instruments,

g. Orthopedic and medical supplies (such as artificial limbs, braces, supports and stretchers),

h. Small paper products (such as envelopes, stationery, bags, boxes and wallpaper printing),

i. Plastic products: But not including the processing of the raw material,

j. Precision instruments (such as optical, medical and drafting),

k. Silverware, plate and sterling,

l. Sporting and athletic equipment,

m. Toys;

5. Manufacture and assembly of electrical and electronic products;

6. Manufacture and packaging of beverage products;

7. Manufacture and service of data systems;

8. Ink mixing and packaging and inked ribbons;

9. Laboratories: Medical, dental, research, experimental and testing;

10. Printing, newspaper publishing and binding: Including engraving and photo-engraving;

11. Soap and detergents: Packaging only;

12. Warehousing;
13. Wholesale business and storage;
14. Any other manufacturing uses that are similar to those listed above;
15. The board of supervisors may add other uses as necessary in addition to the established list.

B. Permitted secondary uses: The following uses, as restricted in Section 18.49.020D, shall be also permitted:
1. Restaurant facilities, provided such use is accessory to an industrial facility;
2. Child care centers;
3. Banking or financial facilities;
4. Recreational facilities:
a. Common areas and recreational facilities shall be located so as to be readily accessible to employees of the firm;
b. Recreational facilities for the use of CPI tenant employees are encouraged;
c. Facilities may include golf courses (refer to Chapter 18.59, GC Golf Course Zone), tennis courts, health clubs, basketball courts, and other similar amenities;
5. An individual dwelling unit for a caretaker.
6. Airport facilities: In accordance with Chapter 18.57. (Ord. 1986-188 § 1 (part), 1986; Ord. 1985-82 (part), 1985)

18.49.040 Development standards—General.

A. Minimum site area: Ten acres.
B. Minimum yard requirements:
1. Front: Twenty-five feet;
2. Sides: Twenty feet or a common wall;
3. Rear: Thirty feet.
C. Maximum site coverage by buildings: Thirty-three percent.
D. Maximum building height:
1. On sites of less than fifty acres: Thirty-six feet;
2. For sites fifty acres or greater: Forty-four feet;
3. On slopes fifteen percent or greater: Thirty-six feet.
E. Minimum distance of structures from an existing or conditionally approved residential zone: One hundred feet.
F. Landscaping: Landscape requirements shall meet all the requirements of Chapter 18.73 (Landscaping Standards).
G. Fences: Barbed wire and chain link fences are prohibited.
H. Exterior storage:
1. Exterior storage shall be screened from view by the same basic building materials as of the primary building;
2. The height of stacked material within storage areas shall not exceed the height of the screen.
I. Roads:
1. All new CPI developments shall provide a separate, legal, all-weather, paved access directly from the nearest county-maintained collector or arterial road;
2. The design and construction of the access shall be subject to the written approval of the county engineer;
3. CPI developments shall not be allowed to use for access any existing or planned county-maintained streets located on adjacent properties zoned for nonindustrial uses.
J. Exterior illumination:
1. Illumination of buildings and parking areas shall have a low profile and consist of the most appropriate state-of-the-art type lights;
2. Lighting shall be arranged to eliminate glare towards streets and adjoining properties and shall meet all conditions of the county light pollution code (Title 17).
K. Signs: In accordance with Chapter 18.79 (Sign Standards).
L. Off-street parking and loading: In accordance with Chapter 18.75 (Off-street Parking and Loading Standards). (Ord. 1985-82 (part), 1985)

18.49.050 Review and adoption procedures.

A. Initial Submittal Requirements. In addition to submitting a zoning application and appropriate fee, the applicant shall submit to the planning and development services department the following:

1. A legal description of the total site proposed for development;
2. The names and addresses of all owners:

a. If an owner is a corporation, the names and addresses of the principal officers and members of the board of directors,

b. If an owner is a partnership, the names and addresses of the general and managing partners;

3. A statement of planning and design objectives to be achieved by the campus development through the particular approach proposed by the applicant; and

4. A description of the relationship of the proposed development to adjacent developments and lands. This shall include neighboring rezonings contemplated by the applicant.

B. Final Submittal Requirements and Review.

1. Development plan and related materials: Prior to any rezoning ordinance being adopted, the applicant shall submit to the planning and development services department the following:

a. A development plan of the total site showing:

1) The existing topography, including floodplains and unusual natural features,

2) Proposed uses that will change the existing topography or remove natural vegetation, and the manner in which such areas will be treated,

3) Proposed lot lines and plot designs,

4) Architectural renderings, showing architectural harmony among the buildings, structures and other improvements,

5) The location and floor area size of all existing and proposed buildings, structures and other improvements, including maximum heights, types of use, and other use information as required by the reviewing bodies,

6) The location, size and specific function of all areas to be reserved as open space,

7) The location of all driveways and areas assigned for parking, loading, curbs, islands, landscaping, pedestrian ways and sidewalks,

8) The location of all streets, showing access to and from and circulation within the proposed development, and relation to adjacent streets,

9) The proposed treatment of the perimeter of the development, including materials and techniques used, such as screens, fences and walls,

10) A complete list of raw materials used in the manufacturing processes, and

11) The design, size, height, size of lettering, and lighting of all signs;

b. A description of the proposed uses and materials used in manufacturing processes;

c. Quantitative data for:

1) Total number of industrial units,

2) Parcel size,

3) Proposed lot coverage of buildings and structures,

4) Total amount of open space, and

5) Other studies as required by the reviewing bodies;

d. A schedule of phasing, if development of the site is to occur in increments over a period of time.

2. Review by the design review committee:

a. Prior to a rezoning ordinance being adopted, the proposal shall be reviewed by the design review committee (refer to Section 18.99.030 Design Review Committee);

b. The committee shall make a written report for the public record as to the conformance of the proposal with the purpose and requirements of this chapter:

1) The report shall also contain recommendations by the committee for denial, approval, or approval with restrictions. Such restrictions may include the prohibition of uses found unsuitable by the committee,

2) If the committee recommends denial, the applicant may be requested to revise and resubmit the proposal,

3) The report may positively or negatively recommend the granting of one or more variances from the development regulations of Section 18.49.040, except Section 18.49.040I.

3. Board of supervisors public hearing:

a. The final committee report shall be submitted to the supervisors for consideration at a public hearing prior to adoption of the final rezoning ordinance;

b. The supervisors, at that public hearing, may consider the granting of one or more variances to the development regulations only upon receipt of a positive or negative recommendation by the committee.

4. Conformance with plan: The final plat, when required, must conform with the approved development plan. (Ord. 1985-141 § 1 (part), 1985; Ord. 1985-82 (part), 1985)

Chapter 18.51

CI-1 LIGHT INDUSTRIAL/ WAREHOUSING ZONE

Sections:

18.51.010 Purpose.
18.51.020 Performance standards.
18.51.030 Permitted uses.
18.51.040 Conditional uses.
18.51.050 Development standards—General.
18.51.060 Development standards—Detached accessory buildings.

18.51.010 Purpose.
Reserved.

18.51.020 Performance standards.
Reserved.

18.51.030 Permitted uses.
A. Any use as permitted in Section 18.43.030B (CB-1 Local Business Zone) and in 18.45.030B and C (CB-2 General Business Zone).
B. Any of the following if conducted wholly within a completely enclosed building:

1. Manufacture, compounding, processing, packaging or treatment of: Bakery goods, candy, cosmetics, dairy products, drugs and pharmaceutical products, perfumes, soap (cold process only), and food products, except fish or meat products, sauerkraut, vinegar, yeast and the rendering or refining of fats and oils;

2. Manufacture, compounding, assembling or treatment of articles of merchandise from the following previously prepared materials: Bone, broom corn, cellophane, canvas, cloth, cork, feathers, felt, fibre, fur, glass, hair or bristles, horn, leather, paper, plastics or plastic products, precious or semi-precious metals or stones, shell, textiles, tobacco, wax, (paraffin, tallow, etc.), wood (excluding sawmill or planing mill), yarns, paint (not employing a boiling process);

3. Manufacture and maintenance of: Electric and neon signs, billboards, commercial advertising structures and displays, light sheet metal products, including heating or cooling, and ventilating ducts and equipment, cornices, eaves and the like;

4. Manufacture of: Glass, pottery or other similar ceramic products (using only previously prepared sand or pulverized clay, and kilns fired only by electricity or gas), concrete or cement products, musical instruments, toys, novelties, rubber or metal stamps;

5. Automobile, trailer, or manufactured or mobile home assembling, painting, upholstering, rebuilding, reconditioning, sale of used parts, truck repair or overhauling, tire rebuilding or recapping, battery manufacture and the like;

6. Blacksmith and welding shop or machine shop (excluding punch presses over twenty tons rated capacity, and drop hammers), foundry casting lightweight nonferrous metals not causing noxious fumes or odors;

7. Laundry, cleaning or dyeing works;

8. Carpet and rug cleaning;

9. Distribution plant;

10. Ice and cold storage plant;

11. Beverage bottling plant;

12. Wholesale business;

13. Storage building or warehouse;

14. Assembly of electrical appliances: Radios and phonographs, including the manufacture of small parts only, such as coils, condensers, transformers, crystal holders and the like;

15. Laboratory: Experimental, photo or motion picture film or testing;

16. Veterinary or cat or dog hospital or kennels;

17. Poultry or rabbit killing incidental to a retail business on the same premises.

C. Any of the following if conducted wholly within a completely enclosed building or within an area enclosed on all sides with a solid wall, compact evergreen hedge or uniformly painted board fence, not less than six feet in height:

1. Building material sales yard: Including the sale of rock, sand, gravel and the like as an incidental part of the main business;

2. Contractor's equipment sales yard or plant;

3. Rental of equipment commonly used by contractors;

4. Retail lumber yard: Including only incidental mill work;

5. Feed yard;

6. Draying, freighting or truck yard or terminal;

7. Motion picture studio;

8. Automobile or automotive body and fender shop;

9. Public utility service yard.

D. Accessory building or use: When located on the same building site.

E. One dwelling unit, trailer, or manufactured or mobile home: For a watchman or caretaker and family.

F. Airport facilities: In accordance with Chapter 18.57.

G. Gasoline or flammables bulk station; provided, that said product, including butane, gasoline, petroleum, or propane shall:

1. Not be stored in tanks of more than ten thousand gallons capacity each,

2. Be located not less than twenty-five feet from any building or lot line or from similar tanks, and

3. Be located no closer than one hundred feet from any residential zone.

H. Hotel, motel, lodge or inn (collectively referred to as hotel) and customary accessory facilities, including, but not limited to, cocktail lounge, restaurant, gift shop, barber shop, beauty shop and newsstands (collective referred to as accessory uses), provided such accessory uses are a part of the hotel, and further providing that the following criteria are met:

1. Location: The hotel and accessory uses are in buildings located within two thousand six hundred forty feet of the right-of-way line of the existing interstate highway full interchanges at Interstate 10 and Palo Verde Boulevard and Interstate 10 and Cortaro Farms Road;

2. Minimum lot area: Two hundred seventeen thousand eight hundred square feet;

3. Maximum height: Sixty-four feet;

4. Height limit exceptions:

a. The height limit shall not apply to parapets, elevator or stairway penthouses, or any similar structures used solely for equipment and machinery of the mechanical, electrical or other utility systems of the building, and which do not occupy in total more than twenty-five percent of the roof area,

b. Signs shall be permitted on the side of the penthouses erected for the foregoing purposes, but not on the top of the penthouses;

5. Building setbacks:

a. Front: Fifty feet,

b. Side and rear: Ten feet for each story, but not less than thirty feet;

6. Enclosures:

a. All permanent uses shall be conducted entirely within enclosed buildings, including courtyards or atriums,

b. Outdoor storage of material is permitted if the storage area is completely enclosed by walls, fences, buildings, landscape screening or a combination thereof,

c. Walls and fences shall be not less than six feet in height, and

d. No material shall be stored to a height greater than the adjacent screening wall, fence, building or landscaping;

7. Exterior illumination: Illumination of buildings and open areas shall:

a. Be arranged to eliminate glare towards streets and adjoining properties, and

b. Meet all conditions of the county Light Pollution Code, as may be amended;

8. Prohibition: This use shall be prohibited on land that lies under any of the approach zones to an airport (refer to Chapter 18.57, AE Airport Environs Zones);

9. Fire protection: All structures shall include installation of sprinkler systems in accordance with the city of Tucson fire code. (Ord. 1986-188 § 1 (part), 1986; Ord. 1985-152 § 1 (part), 1985; Ord. 1985-82 (part), 1985)

18.51.040 Conditional uses.

A. Uses Conditionally Permitted.

1. Public assembly facility:

a. Type I procedure: However, following review of the conditional use application but prior to a public hearing, the request shall be placed on the first available planning and zoning commission agenda. Upon review of the application, the commission may direct that a Type III procedure be undertaken,

b. Minimum site area: Twenty-five acres,

c. Maximum height: One hundred fifty feet,

d. Minimum distance of structures from any property line: Three hundred feet,

e. Access from a paved public road with collector classification or higher,

f. Minimum notification area for public hearing under Section 18.07.030D2: Six hundred feet,

g. Prior to public hearing by the hearing administrator, review and recommendation by the design review committee (refer to Section 18.99.030, Design Review Committee).

2. Reserved. (Ord. 1986-67 § 1 (part), 1986)

18.51.050 Development standards—General.

A. Minimum lot area: None.

B. Minimum lot width: None.

C. Minimum yard requirements:

1. Front: Fifteen feet;
2. Side: None;
3. Rear: Ten feet.

D. Maximum building height: Thirty-nine feet.

E. Buffering and screening shall be in conformance with Chapter 18.73, Landscaping, Buffering and Screening Standards. (Ord. 1986-67 § 1 (part), 1986; Ord. 1985-171 § 1 (part), 1985; Ord. 1985-82 (part), 1985)

18.51.060 Development standards—Detached accessory buildings.

A. Permitted coverage: Forty percent of the required rear yard and any additional space within the buildable area.

B. Maximum building height:

1. Within the required rear yard: Twenty-four feet;
2. Within the buildable area: Thirty-nine feet.

C. Minimum distance requirements:

1. To main buildings: Seven feet;
2. To front lot line: Fifteen feet;
3. To side lot lines: None;
4. To rear lot line: Four feet. (Ord. 1986-67 § 1 (part), 1986; Ord. 1985-82 (part), 1985)

Chapter 18.53

CI-2 GENERAL INDUSTRIAL ZONE

Sections:

18.53.010 Purpose.
18.53.020 Performance standards.
18.53.030 Permitted uses.
18.53.040 Development standards—General.
18.53.050 Development standards—Detached accessory buildings.

18.53.010 Purpose.

Reserved.

18.53.020 Performance standards.

A. The following performance standards shall apply to all uses in this zone:

1. Noise.

a. At no point on the boundary of property having zoning other than CI-2 shall the sound pressure level of any individual operation or plant, excluding operation of motor vehicles or

18.53.010 Purpose.
Reserved.

18.53.020 Performance standards.
A. The following performance standards shall apply to all uses in this zone:
1. Noise.
a. At no point on the boundary of property having zoning other than CI-2 shall the sound pressure level of any individual operation or plant, excluding operation of motor vehicles or

other transportation facilities, exceed the decibel levels in the designated octave bands, as follows:

1) Octave Band (Cycles Per Second)	2) Maximum Sound Pressure Level in Decibels (0.002 Dynes Per CM²)
0 to 75	72
76 to 150	67
151 to 300	59
301 to 600	52
601 to 1200	46
1201 to 2400	40
2401 to 4800	34
Above 4800	32

b. Sound levels shall be measured with a sound level meter and associated octave band filter manufactured according to standards prescribed in the American Standards Association. Measurements shall be made using the flat network of the sound level meter.

c. Impulsive type noises shall be subject to the performance standards prescribed, provided that such noises shall be capable of being accurately measured with such equipment:

1) Noises capable of being so measured, for the purpose of this section, shall be those noises which cause rapid fluctuations of the needle of the sound level meter with a variation of no more than plus or minus two decibels.

2) Noises incapable of being so measured, such as those of an irregular or intermittent nature, shall be controlled so as not to become a nuisance to adjacent uses.

2. Smoke.

a. No emission of smoke from any source shall be permitted to exceed a greater density than that density described as No. 1 on the Ringlemann Chart;

b. However, smoke may be emitted, which is equal to but not darker than No. 2 on the Ringlemann Chart, for not more than four minutes in any thirty-minute period.

c. For the purpose of grading the density of smoke, the Ringlemann Chart, as published by the U.S. Bureau of Mines, shall be the standard.

3. Glare or Heat. Any activity producing intense glare or heat shall be performed in such manner as not to create a nuisance or hazard along lot lines.

4. Odors. No emission of odorous gases or other odorous matter shall be permitted in such quantities as to be offensive in such a manner as to create a nuisance or hazard beyond the property line.

5. Vibration. No vibration shall be permitted which is discernible beyond the lot line to the human sense of feeling for:

a. Three minutes or more duration in any one hour of the day between the hours of seven a.m. and seven p.m.; or

b. Thirty seconds or more duration in any one hour during the hours of seven p.m. to seven a.m.

6. Fly Ash, Dust, Fumes, Vapors, Gases and Other Forms of Air Pollution. No emission shall be permitted which can cause any damage to health, to animals or vegetation, or other forms of property, or which can cause any excessive soiling;

7. Liquids and Solid Waste. No wastes shall be discharged in the streets, drainageways or any property which is dangerous to the public health and safety, and no waste shall be discharged in the public sewage system which endangers the normal operation of the public sewage system.

B. Certifications. The zoning inspector shall not issue a permit for any use until the applicant has provided the required number of plans showing the certificates of the department of transportation and flood control district, traffic engineer and health department director, certifying that said use complies with all laws and regulations under their jurisdiction, and the zoning inspector has determined that the use complies with this chapter.

C. All uses of Section 18.53.030D shall be situated at least five hundred feet from any residence or business district boundary line; however, this five-hundred-foot area may be used for:

1. Off-street parking;

2. Landscaping; or

3. Recreational space for employees. (Ord. 1985-82 (part), 1985)

18.53.030 Permitted uses.

A. Any use permitted in Section 18.45.030B and C (CB-2 General Business Zone), and 18.51.030B, C and E (CI-1 Light Industrial/Warehousing Zone), within or without a building or enclosure and not subject to any limitation in said subsections.

B. Any other industrial use susceptible of meeting the performance standards established in Section 18.53.020A, except those listed in Section 18.53.030D and 18.55.030B (CI-3 Heavy Industrial Zone).

C. Additional uses:

1. Service station;
2. Automobile repair;
3. Restaurant;
4. Doctor's office or clinic;
5. General store;
6. Sale of products manufactured on the site.

D. The following uses, as restricted in Section 18.53.020C:

1. Boiler shop or works;
2. Commercial cattle sales, auction yard or cattle rest;
3. Dirt, soil, clay, sand, rock, stone, or gravel pit or yard;
4. Fat rendering, reduction of offal;
5. Manufacture of: Acid, ammonia, asphalt or products, asbestos, brick, tile or terra cotta, babbit metal, bleaching powder, carbon, lamp black or graphite, cement, celluloid, chlorine gas, coal tar or products, illuminating gas, gelatin, glucose, glue or size, gypsum, insulating material (such as rock wool and similar products), lime or products, phenol, pickles, plaster of paris, potash, rubber, strawboard or cardboard by reclamation, sauerkraut, soap except by cold process, tar or asphalt roofing, turpentine, vinegar;
6. Meat packing plant or slaughter house;
7. Petroleum products storage above ground: Except in quantities of less than one thousand barrels;
8. Racetrack or sports stadium: Except for contests between human beings only;
9. Rifle range, including pistol range: If not within an enclosed building;
10. Rolling mill: In enclosed building only;
11. Salt works;
12. Sandblasting plant: In enclosed building only;
13. Sewage disposal: Not operated under the control of the board of supervisors, a municipality, or a sanitary district;
14. Wood or bone distillation;
15. Wool pulling or scouring plant.

E. Accessory building or use: When located on the same building site.

F. Airport facilities: In accordance with Chapter 18.57.

G. Hotel, motel, lodge or inn: In accordance with Section 18.51.030H (CI-1 Light Industrial/Warehousing Zone).

H. Junk, salvage, auto wrecking, impoundment storage or used materials yards: Subject to the following requirements:

1. Minimum area: One acre (forty-three thousand five hundred sixty square feet);
2. Maximum area: Two acres, except that an additional two acres may be permitted by the board of adjustment when it is determined by the board that this additional area is necessary to the reasonable expansion of the operation of the business, but not for additional storage of car hulks or scrap materials;
3. Minimum setback:
   a. From public streets: Fifty feet,
   b. From a proposed right-of-way line on a major street: Fifty feet,
   c. From a residential zone: Fifty feet;
4. Screening:
   a. An opaque fence or wall shall be properly installed and maintained along any major thoroughfare and along any properly maintained street and where such a use is adjacent to a residential zone,
   b. Maximum height of fence: Twelve feet,
   c. A chain link or cyclone fence may be used

in conjunction with a properly maintained planting screen along the entire length of such fence,

d. No car bodies or salvage materials not ordinarily used for fencing may be used for this purpose;

5. Stacking shall not be permitted above the height of the fence or the wall;

6. No advertising shall be permitted on a fence or wall other than the name of business on the premises. Signs shall not exceed one hundred square feet on any one side of such fence or wall;

7. No exterior display or storage of material or salvage parts or wrecked vehicles;

8. Storage of used tires provided the tires are stored in a roofed bin, constructed for that purpose;

9. Maximum number of car hulks permitted to be stored at one time: Two hundred per gross acre;

10. Existing yards:

a. Existing yards shall conform to Sections 18.53.030H3, 4, 6, 7 and 8 within twelve months of July 6, 1965;

b. The zoning inspector may, upon presentation of proof of hardship, extend this term for an additional period of six months;

c. The permit may be extended for an additional six months by the planning and zoning commission upon presentation of sufficient proof of hardship. (Ord. 1986-188 § 1 (part), 1986; Ord. 1985-152 § 1 (part), 1985; Ord. 1985-82 (part), 1985)

18.53.040 Development standards—General.

A. Minimum lot area: None, except for uses in Section 18.53.030H.

B. Minimum lot width: None.

C. Minimum yard requirements:

1. Front: Fifteen feet;
2. Side: None;
3. Rear: Ten feet.

D. Maximum building height:

1. Industrial uses: Fifty-four feet;
2. Nonindustrial uses: Thirty-nine feet.

E. Minimum off-street parking and loading: Refer to Chapter 18.75 (Off-street Parking and Loading Standards). (Ord. 1985-82 (part), 1985)

18.53.050 Development standards—Detached accessory buildings.

A. Permitted coverage: Forty percent of the required rear yard and any additional space within the buildable area.

B. Maximum building height:

1. Within the required rear yard: Twenty-four feet;
2. Within the buildable area: Thirty-nine feet.

C. Minimum distance requirements:

1. To main building: Seven feet;
2. To front lot line: Fifteen feet;
3. To side lot lines: None;
4. To rear lot line: Four feet. (Ord. 1985-82 (part), 1985)

Chapter 18.55

CI-3 HEAVY INDUSTRIAL ZONE*

Sections:

18.55.010	**Purpose.**
18.55.020	**Compliance review.**
18.55.030	**Permitted uses.**
18.55.040	**Conditional uses.**
18.55.050	**Development standards—General.**
18.55.060	**Development standards—Detached accessory buildings.**

* Prior ordinance history: Ords. 1985-82, 1985-152, 1986-188, 1988-153 and 1991-6.

18.55.010 Purpose.

A. The purpose of this zone is to fulfill the requirements of A.R.S. Section 11-821.01 which requires that counties adopt an industrial zone for industries which cannot meet the performance standards of more restrictive zones, in order that such uses may be located in areas such that they

could expect reasonable protection. (Ord. 1992-103 § 1 (part), 1992)

18.55.020 Compliance review.

A. Use Permit Requirement.

1. All use land and erection, moving, alteration or enlargement of a building pursuant to this chapter shall require a use permit issued by the zoning inspector.

2. The applicant for a use permit shall demonstrate conformance with all federal, state or local laws applicable to the use prior to the issuance of a use permit.

3. An approved development plan in accordance with Chapter 18.71 (Development Plan) shall be required prior to the issuance of a use permit.

4. A use permit shall be valid for the duration of the use, provided the use remains in conformance with the terms of approval. If a use is discontinued for more than twelve months, the permit shall be deemed null and void, and reapplication for a new use permit shall be necessary.

B. Type 3 Conditional Permit Requirement.

1. Due to the greater potential for nuisance or hazard than of uses permitted in other zones, all use of land and erection, moving, alteration or enlargement of a building pursuant to the conditional uses of Section 18.55.040 shall require a Type 3 permit in accordance with Chapter 18.97.

2. The applicant shall include with the conditional use permit application an environmental assessment, prepared by a qualified professional, which shall address the following issues:

a. The effects of the facility on air quality and water quality;

b. The amount of wastes to be produced at the facility and the proposed methods of disposal;

c. The amount and type of hazardous materials to be used at the facility and the type of storage and containment to be used;

d. A description of the hazards associated with the materials at the facility;

e. A worst case scenario for a release of the hazardous materials at the facility; and

f. A listing of environmental permits required by the facility and their status.

3. The commission or the supervisors may require that additional information be presented at the time of public hearing.

4. A minimum of thirty days prior to the hearing, the planning and development services department shall provide notice in accordance with Type 3 permit hearing procedures. Written notice shall be provided to all owners of property within one thousand feet of the subject property.

5. The supervisors may deny issuance of a permit or impose conditions that are reasonably necessary to prevent a nuisance or hazard, based on the information submitted or obtained during the conditional use permit process.

6. Time limits and time extension procedures shall be in accordance with Type 3 permit requirements. (Ord. 1992-103 § 1 (part), 1992)

18.55.030 Permitted uses.

A. Nonindustrial accessory building or use: When located on the same building site.

B. Airport facilities: In accordance with Chapter 18.57 (AE). (Ord. 1992-103 § 1 (part), 1992)

18.55.040 Conditional uses.

A. The following uses, including outdoor storage, manufacturing, assembling and disassembling considered as a part of the use, subject to Section 18.55.020, and provided that such use is situated a minimum of one thousand three hundred twenty feet from the boundary of any zone other than CI-2 or CI-3:

1. Any use permitted in Section 18.53.030D (CI-2), not subject to any of the limitations of Chapter 18.53, unless such limitations are required as part of the conditional use permit;

2. Agricultural trade—intensive;

3. Animal products processing—intensive;

4. Manufacturing—hazardous materials;

5. Manufacturing—intensive;

6. Storage—hazardous materials.

B. Nonexpressed industrial uses, subject to Section 18.55.020 and provided that such use is

situated a minimum of one thousand three hundred twenty feet from the boundary of any zone other than CI-2 or CI-3. (Ord. 1992-103 § 1 (part), 1992)

18.55.050 Development standards—General.
A. Minimum lot area: Forty-three thousand five hundred sixty square feet.
B. Minimum lot width: None.
C. Minimum yard requirements:
1. Front: Ten percent of the lot depth, but such yard need not be more than fifty feet nor less than twenty feet, unless a greater depth is required by the setback provisions or street setback line provisions by law. Such area may be used for off-street parking, landscaping or recreational space for employees;
2. Side: Thirty-five feet, unless a greater distance is otherwise required;
3. Rear: Thirty feet; however, where a site abuts a railroad spur, buildings may have loading docks extending to the rear property line provided such construction does not interfere with utility services;
4. These requirements may be included in the one thousand three hundred twenty-foot setback, as may be required for a use, from the boundary of any zone other than CI-2 or CI-3.
D. Maximum building height: None.
E. Minimum off-street parking and loading: Refer to Chapter 18.75. (Ord. 1992-103 § 1 (part), 1992)

18.55.060 Development standards—Detached accessory buildings.
A. Permitted coverage: Forty percent of the required rear yard and any additional space within the buildable area.
B. Maximum building height:
1. Within the required rear yard: Twenty-four feet;
2. Within the buildable area: Thirty-nine feet.
C. Minimum distance requirements:
1. To main building: Seven feet;
2. To front lot lines: Fifteen feet;
3. To side lot lines: None;
4. To rear lot line: Four feet. (Ord. 1992-103 § 1 (part), 1992)

Chapter 18.57

AIRPORT ENVIRONS AND FACILITIES*

Sections:

18.57.010	**Purpose and applicability.**
18.57.020	**Definitions.**
18.57.030	**Requirements for the Airport Environs Zone.**
18.57.040	**Requirements for private airport facilities.**
18.57.050	**Requirements for general aviation airstrips and ultralight facilities.**
18.57.060	**Maps.**

* Prior ordinance history: Ords. 1985-82 and 1985-152.

18.57.010 Purpose and applicability.
A. Purpose. The purpose of this chapter is to:
1. Protect persons and property within the environs of airports;
2. Provide for aircraft safety in the use of airports; and
3. Regulate land use to ensure compatibility with airports.
B. Applicability:
1. This chapter establishes height and land use overlay zones for the environs of Tucson International Airport, Ryan Field, Davis-Monthan Air Force Base and Pinal Airpark.
2. Additionally, this chapter provides establishment standards and procedures for private airports, general aviation airstrips and ultralight facilities. (Ord. 1986-188 § 1 (part), 1986)

18.57.020 Definitions.
A. General: Certain terms used in this chapter shall be defined, for general purposes of this chapter as follows:

1. Airport: A land area used for the landing and departure of aircraft.

2. Communications nuisance: A use which creates interference with radio communications and electronic navigational aids or devices, including instrument landing systems, for aircraft using the airport.

3. Dangerous activity, hazard or obstruction: An activity, structure, vegetation or other use which is dangerous to persons or aircraft using the airport or which is an obstruction or hazard to air navigation.

4. FAA: Federal Aviation Administration.

5. Illumination nuisance: A use which creates difficulty for pilots to distinguish between navigational lights or markers and other lights.

6. Noise-sensitive land use:

a. An activity or use of property which is acutely sensitive to aircraft noise generation. Examples include, but are not limited to: site built residential uses; educational, cultural and religious facilities; health services; tourist lodging services; outdoor recreational or entertainment facilities; theaters; offices; research laboratories; and government designated wilderness areas or monuments; or

b. Such unconstructed uses as listed above, having an approved subdivision plat, development plan or building permit.

7. Visibility nuisance: A use which creates a hazard to air navigation by reducing visibility.

B. Airport Environs Zone: Certain terms used in Section 18.57.030 shall be defined, for purposes of this section, as follows:

1. Airport environs: Property within the boundary of a height or land use overlay zone for Tucson International Airport, Ryan Field, Davis-Monthan Air Force Base or Pinal Airpark, as mapped in Section 18.57.060.

2. CUZ: Compatible Use Zone.

3. Ldn (day-night average sound level): The estimated cumulative aircraft noise exposure affecting property within airport environs.

4. MCZ: Military Clear Zone.

5. Net lot area: The total lot area minus the area dedicated for rights-of-way.

6. RSZ: Runway Safety Zone.

C. Private airports, general aviation airstrips and ultralight facilities: Certain terms used in Sections 18.57.040 and 18.57.050 shall be defined, for purposes of the sections, as follows:

1. Airport, private: An airport used by or available to commercial carriers, flight training or flying schools, and private pilots.

2. Airstrip: An airport, used solely by the owner of the property, accommodating general aviation aircraft and ultralight aircraft.

3. General aviation aircraft: Aircraft with a maximum twelve thousand five hundred pounds gross weight, excluding ultralight aircraft.

4. Ultralight flightpark: An airport used by the general public or an ultralight flying club for ultralight aircraft operation. (Ord. 1986-188 § 1 (part), 1986)

18.57.030 Requirements for the Airport Environs Zone.

A. Purpose: The purpose of this section is to regulate height and land use in the environs of civilian and military airports in order to ensure safe aircraft approach and departure, avoid the concentration of population in potential accident areas, and reduce the harmful effect of noise exposure on humans and animals.

B. Map notation: An area overlaid by the Airport Environs Zone shall be shown on county zoning maps by its underlying zone designation plus the suffix "AE."

C. Establishment: AE zoning is established as follows:

1. Height overlay zones: The following zones are established as shown on the Airport Height Overlay Maps (Section 18.57.060);

a. Tucson International Airport: Airport Height Overlay Zone 1;

b. Ryan Field: Airport Height Overlay Zone 1;

c. Davis-Monthan Air Force Base: Airport Height Overlay Zone 3; and

d. Pinal Airpark: Airport Height Overlay Zone 4.

2. Land use overlay zones: The following zones are established as shown on the Airport Land Use Overlay Maps (Section 18.57.060):

a. Tucson International Airport: Airport Land Use Overlay Zone 1, composed of the RSZ, CUZ-1, CUZ-3 and CUZ-4;

b. Ryan Field: Airport Land Use Overlay Zone 2, composed of the RSZ and CUZ-2;

c. Davis-Monthan Air Force Base: Airport Land Use Overlay Zone 3, composed of the MCZ and CUZs 1 through 4; and

d. Pinal Airpark: Airport Land Use Overlay Zone 4, composed of the RSZ and CUZ-2.

D. Use restrictions:

1. Nonconforming uses: In addition to the general provisions for nonconforming uses and buildings (Section 18.01.030D, General Provisions), a nonconforming use which began construction or alteration prior to September 3, 1985, may continue its construction or alteration, provided it is completed within one year and is not in violation of subsections (D)(2) or (D)(3) of this section.

2. Prohibited uses within height and land use overlay zones: A use which, in the written opinion of the FAA, is determined to be a dangerous activity, hazard or obstruction or producer of a communications, illumination or visibility nuisance to aircraft using the airport.

3. Height Overlay Zone: Structural height shall not exceed the maximum established in Section 18.57.060 (Maps).

4. Land Use Overlay Zone:

a. MCZ or RSZ: Only crop raising is permitted.

b. CUZ-1:

1) Permitted uses:

a) Uses permitted in Section 18.49.030 (CPI), subsections (B), (C), (D) and (E) of Section 18.51.030 (CI-1), subsections (B), (C), (D), (E) and (H) of Section 18.53.030 (CI-2), and subsections (B), (C) and (E) of Section 18.55.030 (CI-3), except: administrative or professional offices as primary uses and airport facilities, child care centers, and banks and financial institutions as secondary uses; and retail lumber yards, motion picture studios, restaurants, doctors offices or clinics, general stores, racetracks, sports stadiums and rifle ranges;

b) Enclosed sales and display areas incidental to light manufacturing or assembly, provided no more than twenty-five percent of the floor area is occupied for such use;

c) Accessory uses for employees only, including cafeterias, offices and indoor entertainment facilities;

d) Automotive, aircraft, marine, farm equipment, mobile home and recreational vehicle sales; auto, truck and equipment rental; and

e) Drive-through only retail uses subject to subsection (D)(4)(c)(2)(c).

2) Safety requirements:

a) For uses permitted within the CPI Zone, the total ground floor area is restricted to twenty-five percent of the net lot area and the total floor area is restricted to 37.5 percent of the net lot area.

b) For all other uses, the total ground floor area is restricted to thirty-five percent of the net lot area.

c) Any structure or use, or contiguous structure or use, shall not accommodate, by intention or design, in whole or in part, more than fifty employees and fifty non-employees at any time. This restriction shall be a special condition of the issuance of the building permit and certificate of occupancy. The premises shall thereafter continuously be posted with a form of notice of the restriction, as required by the department of planning and development services. The occupant(s) of the premises shall not permit the limitation to be exceeded.

c. CUZ-2:

1) Permitted uses:

a) Uses permitted in Section 18.49.030 (CPI), subsections (B), (C), (D) and (E) of Section 18.51.030 (CI-1), subsections (B), (C), (D), (E) and (H) of Section 18.53.030 (CI-2), subsections (B), (C) and (E) of Section 18.55.030 (CI-

3), subsections (B), (C), (D), (E), (F), (G) and (H) of Section 18.43.030 (CB-1), and subsections (B), (C), (D), (E), (F), (G), (H) and (I) of Section 18.45.030 (CB-2), except: amusement or recreational enterprises (indoor); auctions, auditoriums or assembly halls; clubs; department stores; drive-in theaters; fairs, carnivals or tent shows; grocery stores (except delicatessens and convenience stores); gymnasiums; industrial or trade schools; hotels; libraries; racetracks, sports arenas or stadiums; religious rescue missions or temporary revivals; rifle ranges; schools or colleges; swimming pools; theaters; trade shows or exhibitions; and within the first one thousand feet of the CUZ-2 Zone (closest to the end of the runway), retail uses and administrative and professional office uses are prohibited as primary uses;

b) Enclosed sales and display areas incidental to light manufacturing or assembly, provided no more than twenty-five percent of the floor area is occupied for such use;

c) Accessory uses for employees only, including cafeterias, offices and indoor entertainment facilities; and

d) Ryan Field only: Residential uses not exceeding a density of one residence per acre.

2) Safety requirements:

a) For uses permitted within the CPI Zone, the total ground floor area is restricted to thirty-three percent of the net lot area and the total floor area is restricted to fifty percent of the net lot area.

b) For all other uses, the total ground floor area is restricted to forty-five percent of the net lot area.

c) Retail uses as listed in the CB-1 and CB-2 Zones, in any building, shall not accommodate, by intention or design, in whole or in part, more than fifty non-employees at any time. This restriction shall be a special condition of the issuance of the building permit and certificate of occupancy. The premises shall thereafter continuously be posted with a form of notice of the restriction, as required by the department of planning and development services. The occupant(s) of the premises shall not permit the limitation to be exceeded.

d) Within the first one thousand feet of the CUZ-2 Zone (closest to the end of the runway), the following uses, or any combination of these uses, shall occupy no more than a total of ten thousand square feet in any building: manufacturing and assembly of electrical and electronic components; manufacturing and service of data systems; laboratories including medical, dental, research experimental and testing; and printing, newspaper publishing and binding.

d. CUZ-3:

1) The interior noise level of new noise-sensitive land uses, and accessory offices and indoor areas where the public is received, shall not exceed forty-five Ldn.

2) Residential uses are permitted only on existing residentially zoned lots.

3) Prohibited uses: Outdoor entertainment and sports events; swap meets and auctions; playgrounds, parks, and public swimming pools; and animal breeding.

e. CUZ-4:

1) The interior noise level of new noise-sensitive land uses, and accessory offices and indoor areas where the public is received, shall not exceed forty-five Ldn.

E. Administrative procedures:

1. Zone amendments: To expand the boundaries, change the location, or create a new RSZ, MCZ or CUZ, the planning and zoning commission shall initiate a rezoning in accordance with Chapter 18.91 (Rezoning Procedures) and amend the applicable map(s).

2. Zone boundaries: If a lot is:

a. Divided by an airport environs zone boundary, the development shall conform to the land use and design criteria of the respective zones in which the lot is located;

b. Partially covered by an airport environs zone boundary, only the portion of the lot within the boundary is restricted by the zone.

3. Special-use waiver:

a. Scope: A waiver from a provision of this section may be granted by the board of supervisors when the strict application of the provision would cause an unnecessary hardship which substantially limits the preservation and enjoyment of property rights.

b. Standards: A waiver shall not be granted unless:

1) The hardship is not generally caused to other properties subject to the provision;

2) The waiver is the minimum necessary to afford relief;

3) The waive will not be materially detrimental to the rights of owners and residents of other affected properties; and

4) The waiver is consistent with the intent and purpose of this chapter and the provision of this section from which the waiver is requested.

c. Conditions: Conditions may be imposed on a waiver that will:

1) Secure the intent and purposes of this chapter and the provision of the section from which the waiver is granted; and

2) Adequately provide for the protection of surrounding property owners and residents.

4. Interpretation review:

a. The hearing administrator may review an interpretation of a provision of this chapter by a county official. A request for review may be made by an affected person who believes there has been a misinterpretation.

b. The request for review shall cite the:

1) Disputed interpretation made by the county official; and

2) Words alleged to have been misinterpreted.

5. Application: A request for waiver or review of interpretation shall be made on a form provided by the planning and development services department. Hearing fees are required.

6. Appeal to the board of supervisors:

a. An appeal from a decision or interpretation of the hearing administrator may be made to the board of supervisors by the owner or other affected person.

b. Application: An appeal shall be made within fifteen working days of the date of the appealed action, on a form provided by the department, with hearing fees. An application for review of a decision on a waiver shall include the name and address of all property owners within three hundred feet of the subject property.

c. Hearing: The supervisors shall hold a public hearing on the appeal, at which all interested persons may be heard.

d. Public notice: For review of a decision on a waiver, notice shall be mailed by the county to all owners of property within three hundred feet of the subject property no less than fifteen days prior to the public hearing. Failure to give notice shall not invalidate an action of the supervisors.

7. Appeal to superior court: Appeal from a decision of the board of supervisors may be made to the superior court by the owner or affected persons.

8. Appeal to the board of adjustment: Requests for variances and interpretation reviews may also be made to the applicable board of adjustment in accordance with Chapter 18.93 (Board of Adjustment Variances, Temporary Use Permits and Interpretations). (Ord. 1992-102 § 1, 1992; Ord. 1986-188 § 1 (part), 1986)

18.57.040 Requirements for private airport facilities.

A. Purpose: This section provides establishment standards and procedures for the development of private airports to ensure their safe operation and compatibility with noise-sensitive land uses.

B. Requirements:

1. Permitted zones: RH, IR or an industrial zone.

2. Minimum site area: Refer to FAA Advisory Circular for Utility Airports (AC 150/5300-4B).

3. Conditional use permit:

a. A Type III permit is required (refer to Chapter 18.97, Conditional Use Procedures), which shall be reviewed by the aviation review

committee (refer to Section 18.99.050, Aviation review committee) prior to public hearing by the planning and zoning commission.

b. Notification: The notification area shall additionally include the approach-departure corridors.

c. In lieu of a preliminary development plan the following document shall be submitted:

1) A text including:

a) The type, weight and decibel levels of aircraft using the site;

b) The proposed hours of operation; and

c) An estimate of flight frequency.

2) A site plan, at one inch equals four hundred feet scale, showing the:

a) Parcel boundaries and dimensions;

b) Runway and approach-departure corridors (as defined by the FAA); and

c) Zoning on property adjacent to the site and within the approach-departure corridors.

3) A site plan detail, at one inch equal forty feet scale, showing the:

a) Runway, including markings and identification;

b) Aircraft parking, maintenance and fueling areas, and other peripheral area;

c) Fencing, screening and safety barriers; and

d) Accessory structures and equipment, including fire-fighting equipment.

d. The application shall also include:

1) An FAA airspace letter of determination stating no objection, with or without conditions, to the proposed facility; and

2) A statement describing the impact of the airport on the regional aviation system plan.

e. The board of supervisors may restrict the number of flights and hours of operation due to the proximity and intensity of noise-sensitive land uses.

4. Heliports and helistops on private airports shall meet the requirements of Chapter 18.58.*

* As of the time of codification of this chapter, the ordinance creating Ch. 18.58 was pending.

C. Variance procedures: Refer to Chapter 18.93 (Board of Adjustment Variances, Temporary Use Permits and Interpretations). (Ord. 1986-188 § 1 (part), 1986)

18.57.050 Requirements for general aviation airstrips and ultralight facilities.

A. General aviation airstrip:

1. Permitted zones: SR, RH, IR or an industrial zone.

2. Minimum site area:

a. Length: The length required for safe operation as shown in the flight manual of the largest aircraft to use the site (also refer to FAR Part 23.1587, Airworthiness Standards), and an additional two hundred forty feet at each end of the runway.

b. Width: Two hundred forty feet centered on the runway.

3. Conditional use permit: A Type II permit is required (refer to Chapter 18.97, Conditional Use Procedures) including the requirements and restrictions of Section 18.57.040(B)(3)(b), (c) and (e).

B. Ultralight flightpark:

1. Permitted zones: RH, IR or an industrial zone.

2. Minimum site area: Ten acres.

3. Conditional use permit: A Type II permit is required (refer to Chapter 18.97, Conditional Use Procedures) including the requirements and restrictions of Section 18.57.040(B)(3)(c) and (e).

C. Ultralight airstrip:

1. Permitted zones: SR, RH, IR or an industrial zone.

2. Minimum site area:

a. SR: Ten acres,

b. Other zones: Five acres.

3. Conditional use permit:

a. SR: A Type II permit is required (refer to Chapter 18.97, Conditional Use Procedures) including the requirements and restrictions of Section 18.57.040(B)(3)(c).

b. Other zones: A Type I permit is required (refer to Chapter 18.97, Conditional Use Proce-

dures) including the requirements and restrictions of Section 18.57.040(B)(3)(c).

4. Minimum runway setback:

a. SR: One hundred fifty feet from all property lines.

D. Variance procedures: Refer to Chapter 18.93 (Board of Adjustment Variances, Temporary Use Permits and Interpretations). (Ord. 1986-188 § 1 (part), 1986)

18.57.060 Maps.

A. Tucson International Airport:

1. Airport Height Overlay Zone; and
2. Airport Land Use Overlay Zone.

B. Ryan Field:

1. Airport Height Overlay Zone; and
2. Airport Land Use Overlay Zone.

C. Davis-Monthan Air Force Base:

1. Airport Height Overlay Zone; and
2. Airport Land Use Overlay Zone.

D. Pinal Airpark:

1. Airport Height Overlay Zone; and
2. Airport Land Use Overlay Zone. (See Figures 18.57.060(A) — (D)) (Ord. 1992-102 § 2, 1992; Ord. 1986-188 § 1 (part), 1986)

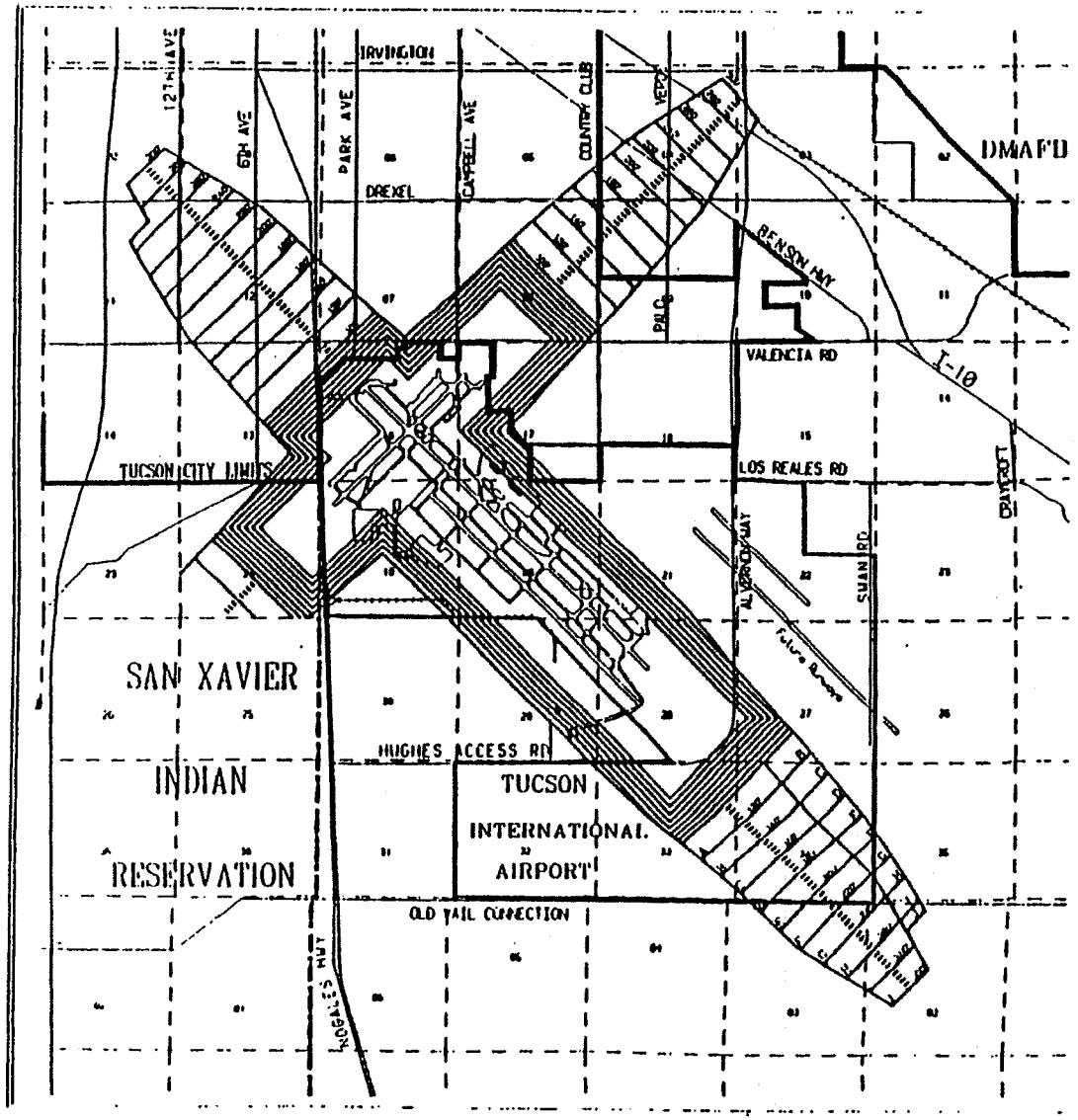


FIG. 18.57.060A1

AIRPORT HEIGHT OVERLAY ZONE 1

TUCSON INTERNATIONAL AIRPORT

LEGEND

- HEIGHT OVERLAY BOUNDARY
- TUCSON INTERNATIONAL AIRPORT BOUNDARY: EXISTING and FUTURE
- TUCSON CITY LIMITS
- RAILROAD
- RESERVATION BOUNDARY

ORDINANCE NO. 1992-102
Adopted by the Board of Supervisors, Pima County, Arizona, Section 18.57 of the Pima County Code, Ordinance No. 1992-102, adopted this third day of November, 1992.

Jane S. Williams
Chmn. Board of Supervisors

NOVEMBER, 1992

PREPARED by PIMA COUNTY
PLANNING and DEVELOPMENT SERVICES
and ENGINEERING and GEOGRAPHIC
INFORMATION SERVICES

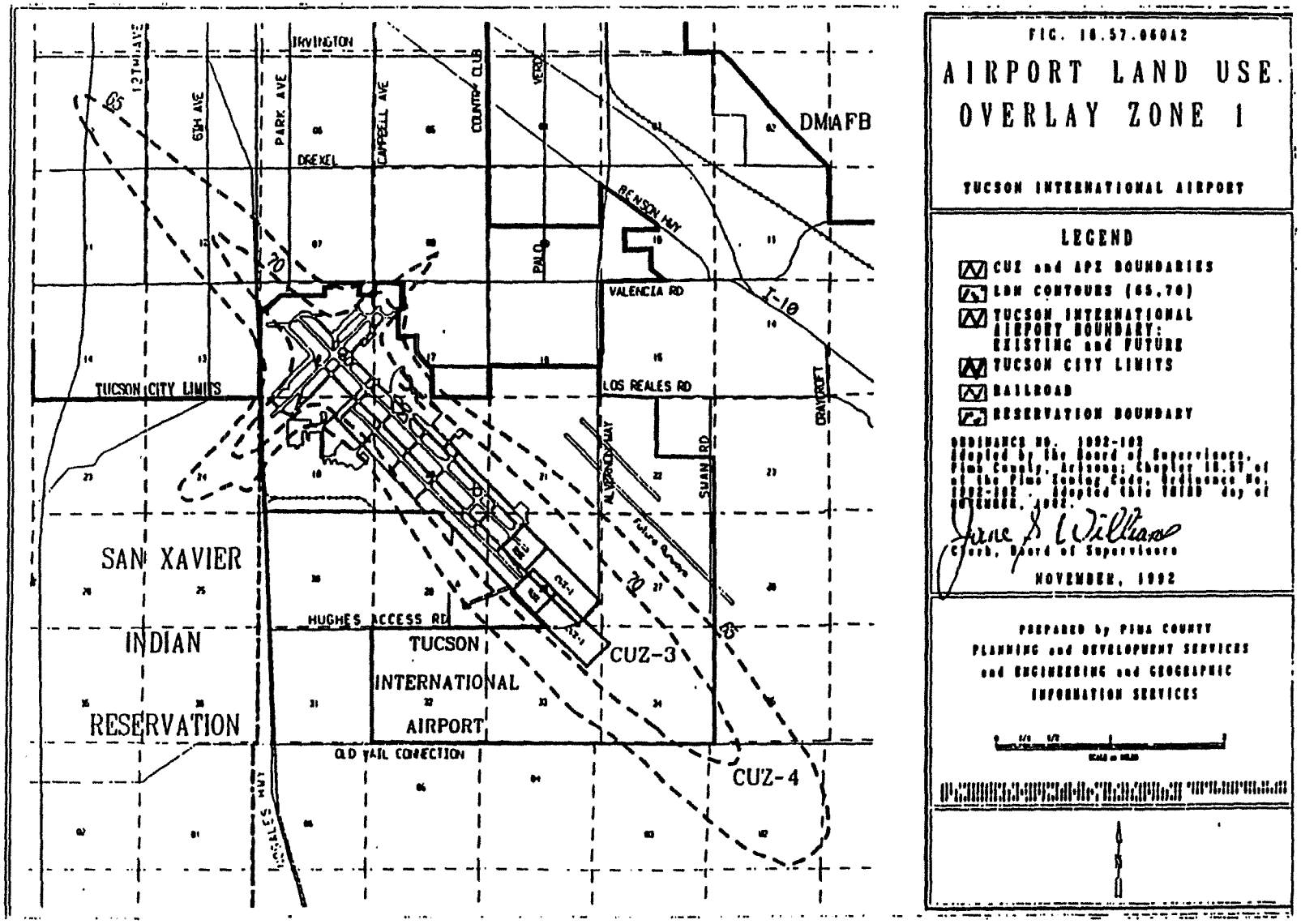


FIG. 18.57.060A2
AIRPORT LAND USE
OVERLAY ZONE 1
TUCSON INTERNATIONAL AIRPORT
LEGEND
CUZ and APZ BOUNDARIES
LDN CONTOURS (65,70)
TUCSON INTERNATIONAL AIRPORT BOUNDARY: EXISTING and FUTURE
TUCSON CITY LIMITS
RAILROAD
RESERVATION BOUNDARY
NOVEMBER, 1992
PREPARED by PIMA COUNTY PLANNING and DEVELOPMENT SERVICES and ENGINEERING and GEOGRAPHIC INFORMATION SERVICES
DMAFB
IRVINGTON
12TH AVE
6TH AVE
PARK AVE
DREXEL
CAMPBELL AVE
COUNTRY CLUB
VERDO
PALO
BENSON HWY
VALENCIA RD
I-10
TUCSON CITY LIMITS
LOS REALES RD
DRAYCROFT
ALVERNON WAY
SWAN RD
SAN XAVIER
INDIAN
RESERVATION
HUGHES ACCESS RD
TUCSON
INTERNATIONAL
AIRPORT
CUZ-3
CUZ-4
OLD VAIL CONNECTION
NOGALES HWY
Future Runway
70
65

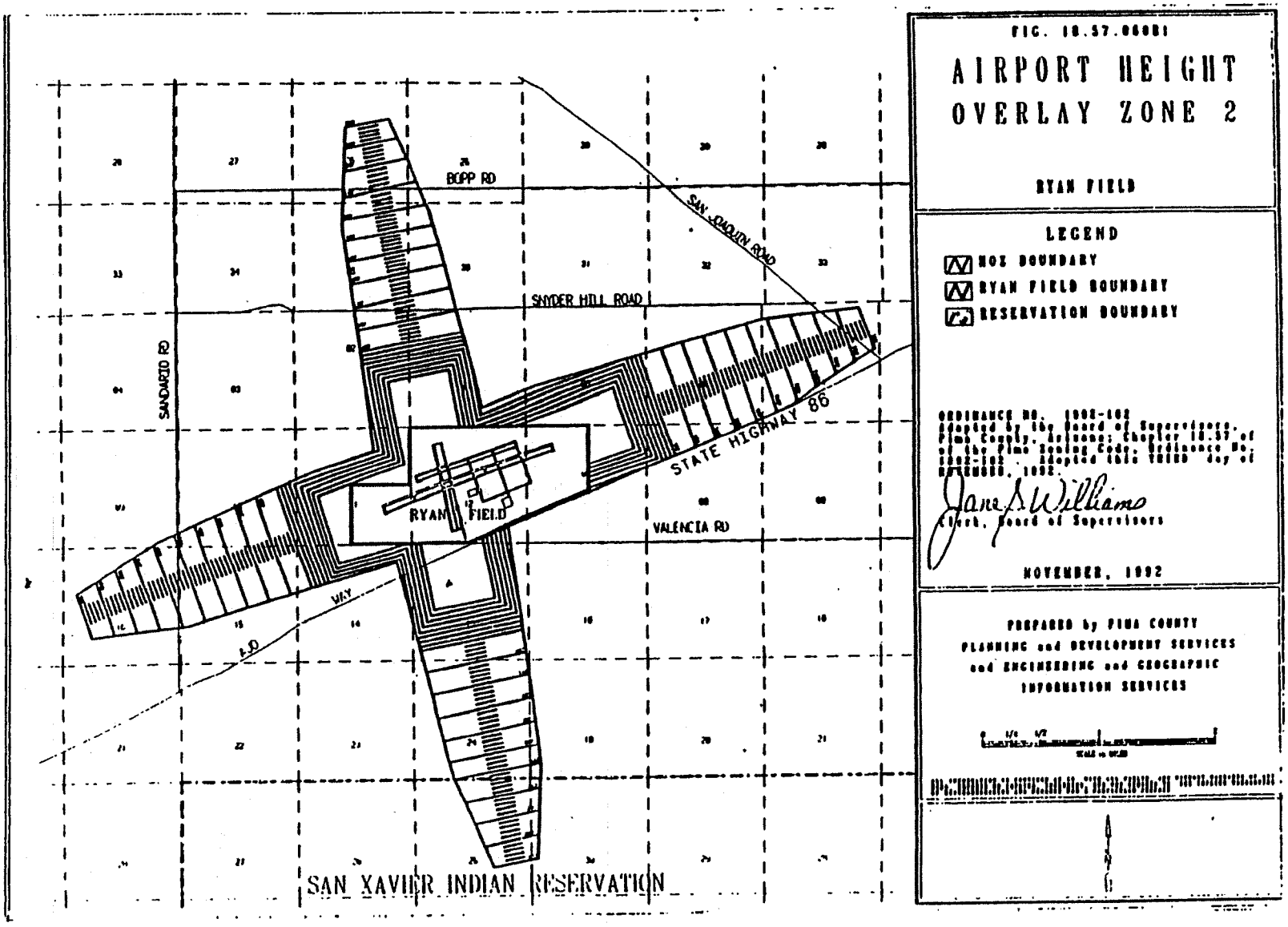


FIG. 18.57.060B1
AIRPORT HEIGHT
OVERLAY ZONE 2
RYAN FIELD
LEGEND
NOZ BOUNDARY
RYAN FIELD BOUNDARY
RESERVATION BOUNDARY
Jane S. Williams
Clerk, Board of Supervisors
NOVEMBER, 1992
PREPARED by PIMA COUNTY
PLANNING and DEVELOPMENT SERVICES
and ENGINEERING and GEOGRAPHIC
INFORMATION SERVICES
BOPP RD
SAN JOAQUIN ROAD
SNYDER HILL ROAD
SANDARIO RD
STATE HIGHWAY 86
RYAN FIELD
VALENCIA RD
SAN XAVIER INDIAN RESERVATION

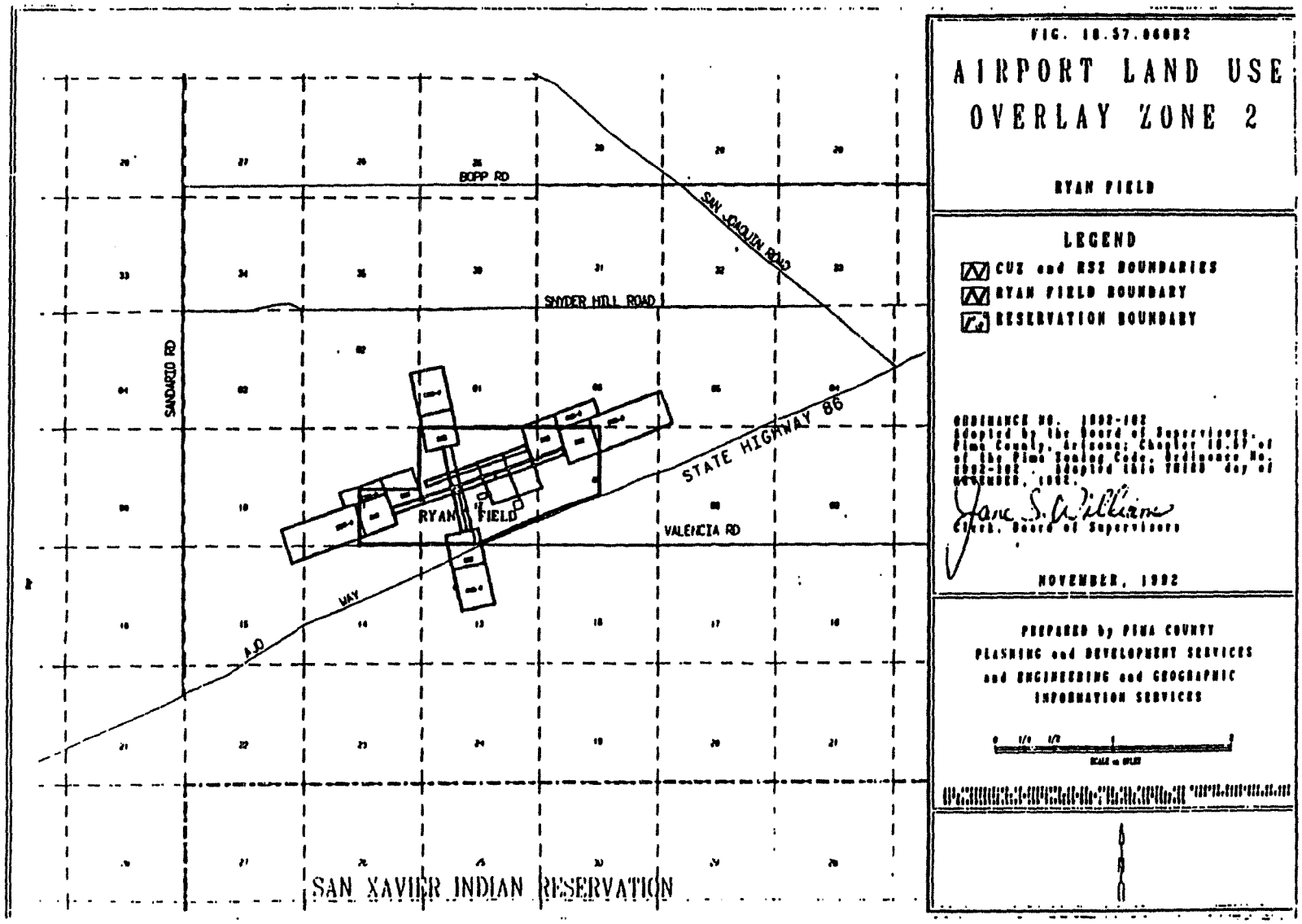


FIG. 18.57.060B2
AIRPORT LAND USE
OVERLAY ZONE 2
RYAN FIELD
LEGEND
CUZ and RSZ BOUNDARIES
RYAN FIELD BOUNDARY
RESERVATION BOUNDARY
NOVEMBER, 1992
PREPARED by PIMA COUNTY
PLANNING and DEVELOPMENT SERVICES
and ENGINEERING and GEOGRAPHIC
INFORMATION SERVICES
BOPP RD
SNYDER HILL ROAD
SAN SOLIDO ROAD
SUNDOGS RD
STATE HIGHWAY 86
RYAN FIELD
VALENCIA RD
AJO WAY
SAN XAVIER INDIAN RESERVATION

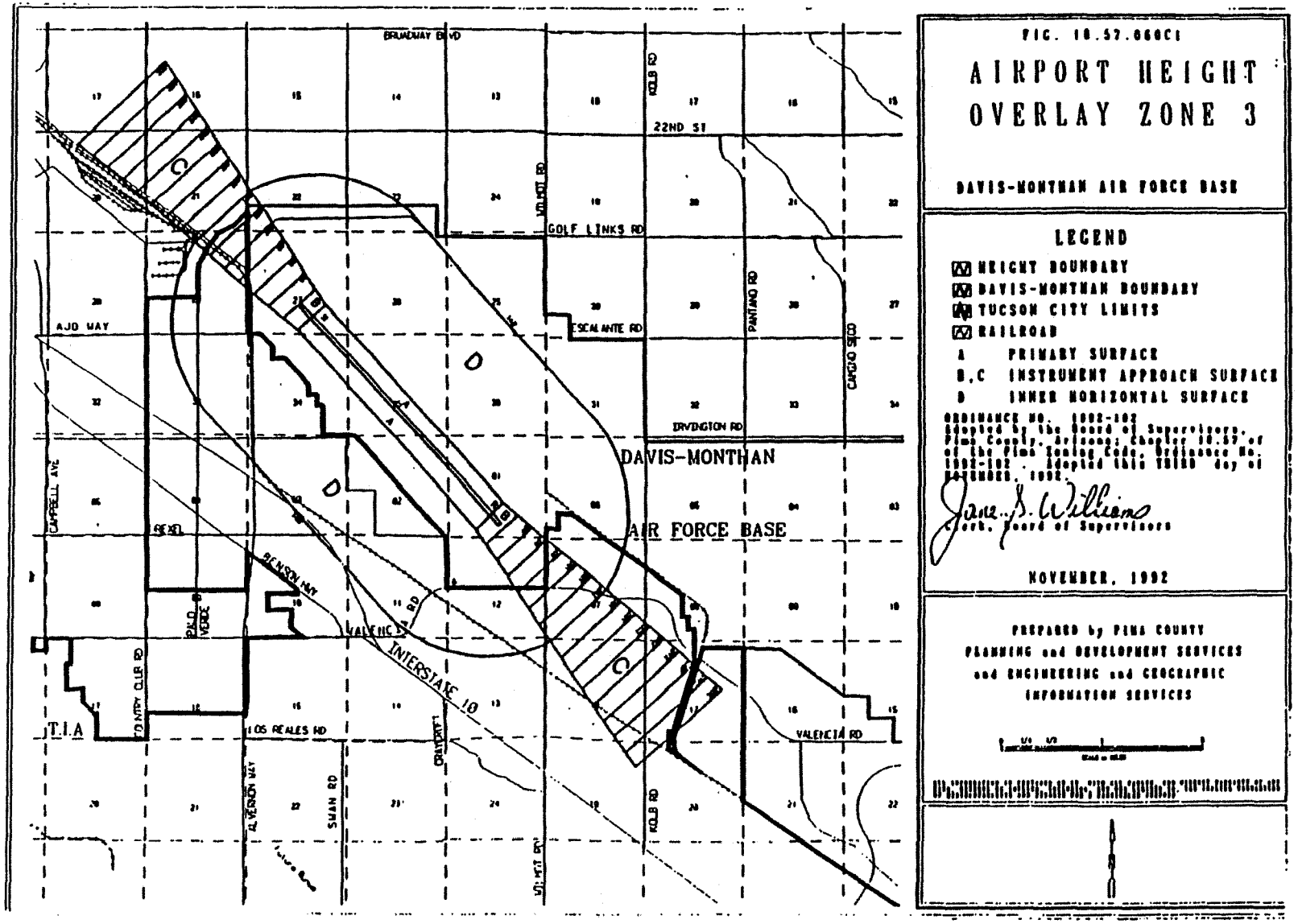


FIG. 18.57.060C1
AIRPORT HEIGHT
OVERLAY ZONE 3
DAVIS-MONTHAN AIR FORCE BASE
LEGEND
HEIGHT BOUNDARY
DAVIS-MONTHAN BOUNDARY
TUCSON CITY LIMITS
RAILROAD
A PRIMARY SURFACE
B,C INSTRUMENT APPROACH SURFACE
D INNER HORIZONTAL SURFACE
ORDINANCE NO. 1992-102
Adopted by the Board of Supervisors, Pima County, Arizona; Chapter 18.57 of of the Pima Zoning Code, Ordinance No. 1992-102. Adopted this THIRD day of NOVEMBER, 1992.
Clerk, Board of Supervisors
NOVEMBER, 1992
PREPARED by PIMA COUNTY
PLANNING and DEVELOPMENT SERVICES
and ENGINEERING and GEOGRAPHIC
INFORMATION SERVICES
BROADWAY BLVD
22ND ST
GOLF LINKS RD
ESCALANTE RD
IRVINGTON RD
DAVIS-MONTHAN
AIR FORCE BASE
AJO WAY
CAMPBELL AVE
REXEL
BENSON HWY
VALENCIA RD
INTERSTATE 10
LOS REALES RD
T.I.A
SWAN RD
KOLB RD
PANTANO RD
CAMINO SECO
WILMOT RD
CRAYCROFT
ALVERNON WAY
COUNTRY CLUB RD
PALO VERDE
A
B
C
D

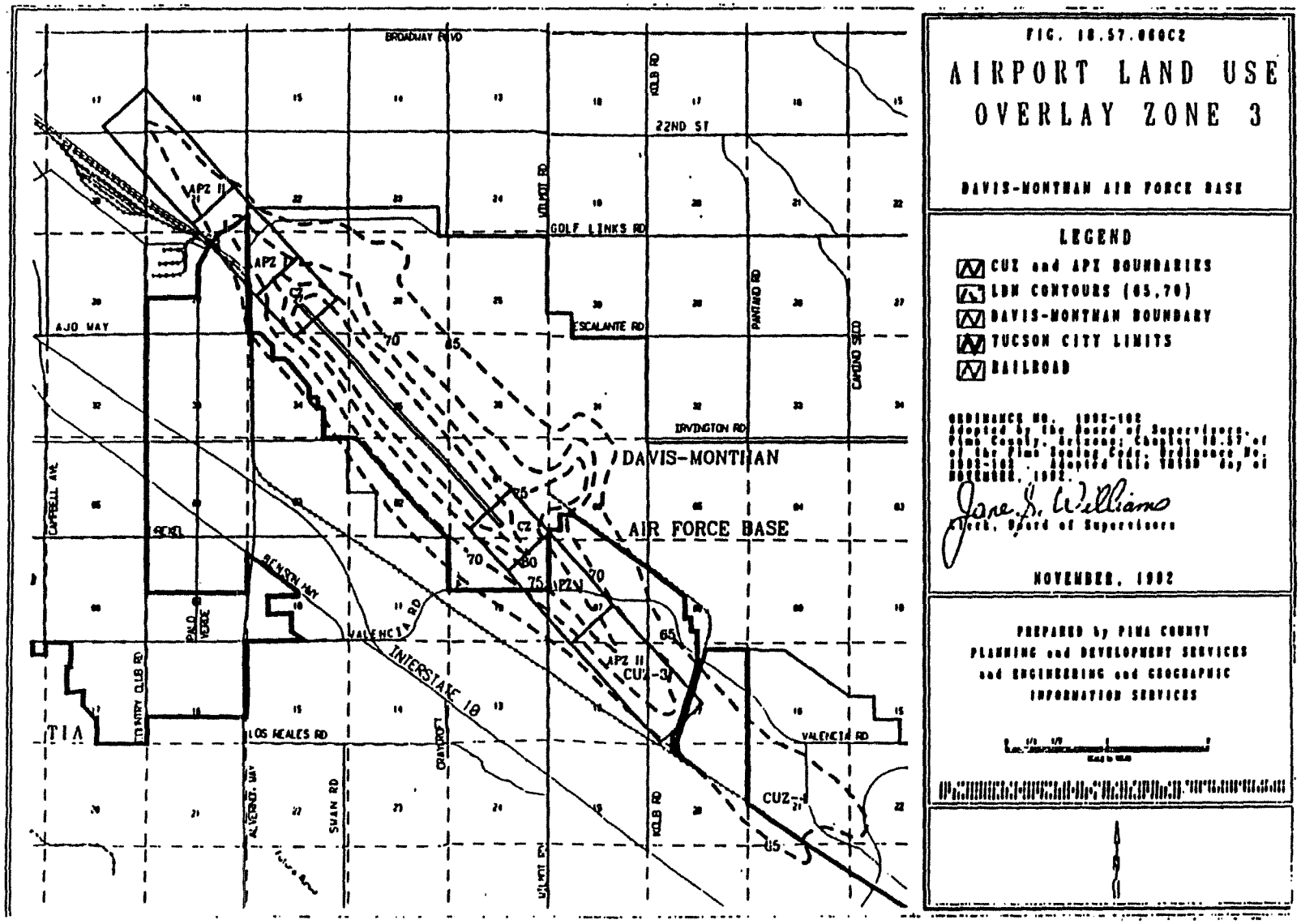


FIG. 18.57.080C2
AIRPORT LAND USE
OVERLAY ZONE 3
DAVIS-MONTHAN AIR FORCE BASE
LEGEND
CUZ and APZ BOUNDARIES
LDN CONTOURS (65,70)
DAVIS-MONTHAN BOUNDARY
TUCSON CITY LIMITS
RAILROAD
ORDINANCE NO. 1992-192
Adopted by the Board of Supervisors, Pima County, Arizona, Chapter 18.57 of the Pima County Code; Ordinance No. 1992-192 shall take effect on November 25, 1992.
Jane S. Williams
Clerk, Board of Supervisors
NOVEMBER, 1992
PREPARED by PIMA COUNTY
PLANNING and DEVELOPMENT SERVICES
and ENGINEERING and GEOGRAPHIC
INFORMATION SERVICES
BROADWAY BLVD
22ND ST
GOLF LINKS RD
ESCALANTE RD
IRVINGTON RD
AJO WAY
DAVIS-MONTHAN
AIR FORCE BASE
INTERSTATE 10
VALENCIA RD
LOS REALES RD
TIA
APZ II
APZ I
CZ
CUZ-3
CUZ-4
65
70
75
80

Figure 18.57.060(D)(1)
PINAL AIRPARK
Airport Height Overlay Zone

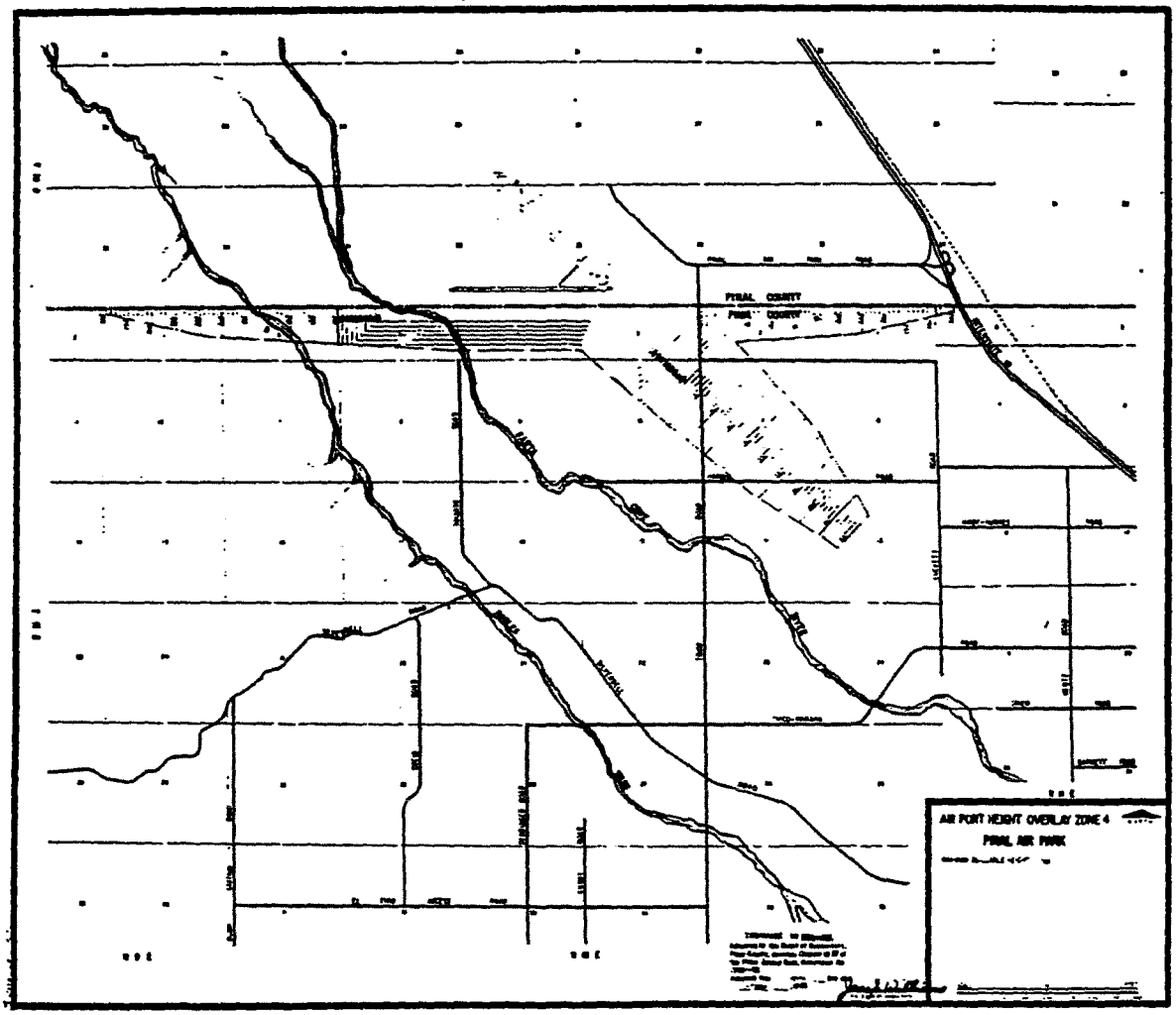
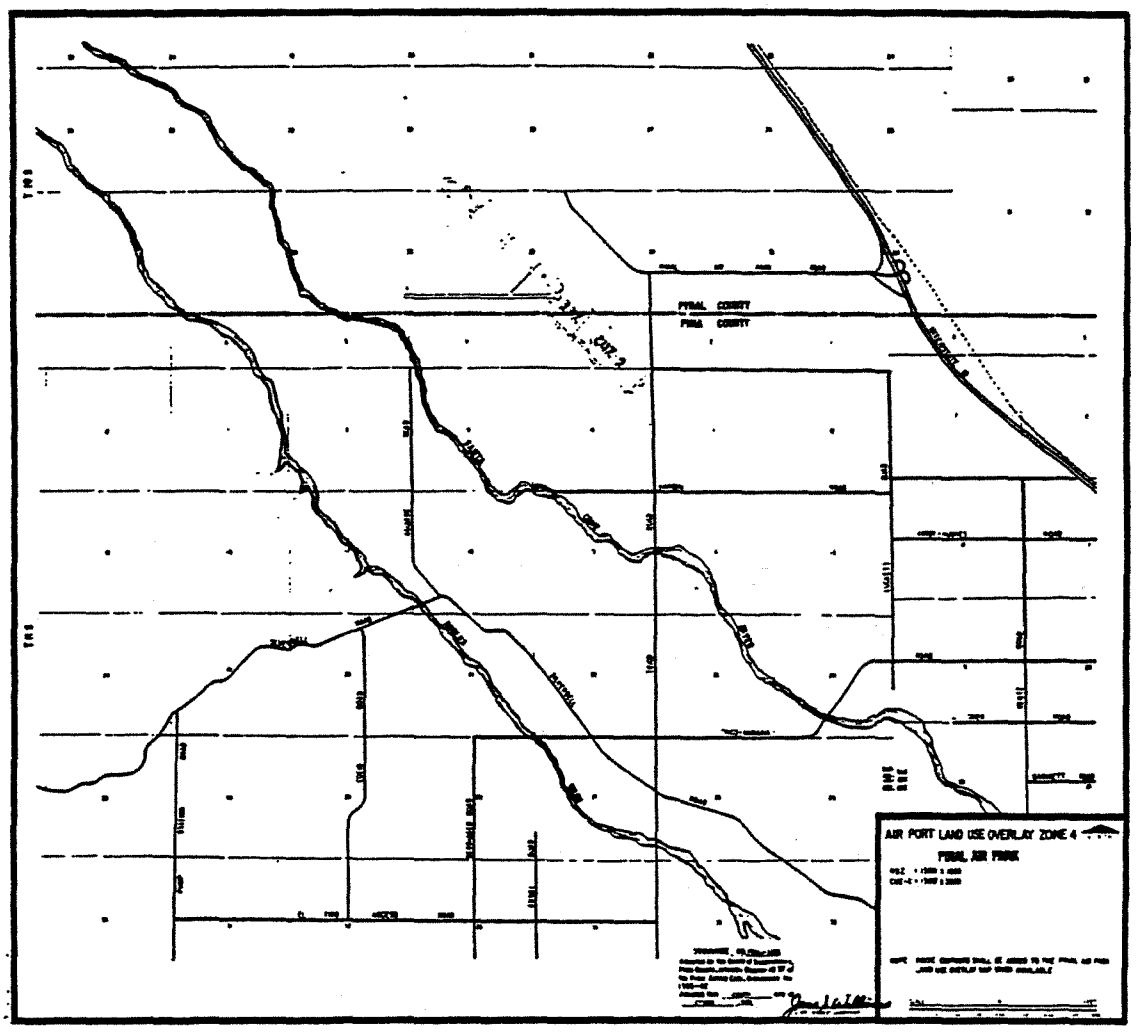


Figure 18.57.060(D)(2)
PINAL AIRPARK
Airport Land Use Overlay Zone



Chapter 18.58

HELIPORTS AND HELISTOPS

Sections:

18.58.010 Purpose and applicability.
18.58.020 Definitions.
18.58.030 Permitted zones and locations.
18.58.040 Siting and operations standards.
18.58.050 Permits.

18.58.010 Purpose and applicability.

A. Purpose. This chapter provides standards and requirements for the establishment and operation of heliports and helistops for the purpose of protecting the health, safety and welfare of the public by:

1. Providing criteria for the location of heliports and helistops;
2. Ensuring heliport and helistop compatibility with noise-sensitive land uses;
3. Protecting noise-sensitive land uses from distributing levels of helicopter noise;
4. Ensuring safety in the use of heliports and helistops; and
5. Protecting property values.

B. Applicability. This chapter regulates private heliports and helistops established after April 7, 1987, except those within the boundaries of Tucson International Airport and Ryan Field. This section does not exempt those helicopter operations not legally established on April 7, 1987. (Ord. 1987-61 § 1 (part), 1987)

18.58.020 Definitions.

A. Certain terms used in this chapter shall be defined, for purposes of this chapter, as follows:

1. "Ambient noise level (ANL)" means the existing background noise level exclusive of noise emitted by a helicopter, as measured by a Class 1 or 2 sound level meter meeting the standards of the American National Standards Institute (ANSI-S1.4-1983) and measured in dBA.
2. "Approach-departure path" means the flight path of a helicopter as it approaches or departs from a designated takeoff and landing area.
3. "Decibel A (dBA)" means the A-weighted sound pressure level.
4. "FAA" means the Federal Aviation Administration.
5. "FAR" means the Federal Aviation Regulation.
6. "Helicopter" means a rotary-wing aircraft capable of vertical takeoff and landing.
7. "Helicopter noise level (HNL)" means the maximum noise level generated by a helicopter, as measured by a Class 1 or 2 sound level meter meeting the standards of the American National Standards Institute (ANSI-S1.4-1983) and measured in dBA.
8. "Helicopter operation" or "operation" means the combined takeoff and landing of a helicopter.
9. "Heliport" means a designated land area used for helicopter operations and any appurtenant areas, including fueling facilities, terminal buildings and maintenance and repair facilities.
10. "Helistop" means a designated land area or roof of a structure used for the pickup or discharge of passengers and cargo, which does not provide helicopter maintenance and repair facilities or fueling services.
11. "Noise-sensitive land use" means:

a. A land use subject to interference or annoyance by the intrusion of helicopter noise. Examples include, but are not limited to: residential uses; educational, cultural and religious facilities; health services; tourist lodging services; outdoor recreational or entertainment facilities; offices; research laboratories; and government designated wilderness areas or monuments; or

b. Such unconstructed uses as listed above, having an approved subdivision plat, development plan or building permit.

12. "Slant range measurement" means the measurement taken from the closest point of the

perimeter of the landing pad in a straight line to the closest point of a property line. (Ord. 1987-61 § 1 (part), 1987)

18.58.030 Permitted zones and locations.

A. Heliports: CI-2, CI-3 and private airports (as defined in Section 18.57.020).

B. Helistops: CI-1, CI-2, CI-3, private airports and hospitals. (Ord. 1987-61 § 1 (part), 1987)

18.58.040 Siting and operations standards.

A. Setbacks:

1. Heliports: The landing pad perimeter shall be a minimum of:

a. Fifty feet from a property line of the parcel;

b. One thousand two hundred feet from a property line of a noise-sensitive land use;

c. Two thousand four hundred feet from the perimeter of the landing pad of another heliport or helistop; and

d. Three hundred feet from a public right-of-way.

2. Heliport accessory structures: Maintenance and fueling facilities shall be a minimum of fifty feet from a property line of the parcel.

3. Helistops: The landing pad perimeter shall be a minimum of:

a. Fifty feet from a property line of the parcel;

b. One thousand two hundred feet from a property line of a noise-sensitive land use;

c. Two hundred feet from a property line of a noise-sensitive land use for hospital helistops;

d. Three hundred feet from a public right-of-way;

e. A slant range shall be used to measure the above setbacks for rooftop helistops.

B. Permitted hours of operation are between seven a.m. and seven p.m.

C. Noise Testing:

1. If the perimeter of the landing pad is within one mile of a noise-sensitive land use, the applicant shall perform a noise test before submitting the permit application. The test shall be taken:

a. By a member of the Acoustical Society of America, Audio Engineering Society or Institute of Noise Control Engineering;

b. At the property line of the nearest noise-sensitive land use; and

c. Within the hours of operation seven a.m. to seven p.m.

2. Testing shall be performed in accordance with the Helicopter Noise Testing Manual which has been approved by resolution of the board of supervisors.

3. The applicant shall provide written notification to the county zoning inspector two weeks prior to the testing date.

4. The following shall help determine the potential number of operations:

a. Legend:

ANL = Ambient noise level (measured in dBA and averaged over twelve hours);

HNL = Helicopter noise level (measured in dBA as the maximum reading taken during an operation);

dBA = the A-weighted sound pressure level.

b. If the ANL at the property line of the nearest noise-sensitive land use is less than or equal to fifty-five dBA the following applies:

HNL Decibel Range Less Than or Equal to 55 dBA	Maximum Number of Operations Per Day Limitations set out in Section 18.58.040D. Limits
Above 55 dBA to 60 dBA	8
Above 60 dBA to 65 dBA	4
Above 65 dBA to 70 dBA	2
Above 70 dBA to 75 dBA	1
Above 75 dBA	0

c. If the ANL exceeds 55 dBA the following applies:

1) If the HNL does not exceed the ANL, then the operation limits in Section 18.58.040D apply;

2) If the HNL exceeds the ANL, then operations shall be limited by the applicable decibel ranges listed above.

D. Number of Operations:

1. Heliports may be subject to limitations on the number of operations as a condition of the use permit. After one year an applicant may request an increase in the numbers of operations

by means of the Type III conditional use permit procedure.

2. Helistops shall not exceed ten operations per day.

3. The board of supervisors or the party responsible for approving the permit may establish a lower number of permitted operations due to the proximity and number of noise-sensitive land uses.

E. Approach-departure path shall avoid noise-sensitive land uses and follow major streets when possible.

F. Operations Log: The heliport or helistop permit holder shall log the identification, operation number and arrival-departure time of helicopters using the facility. Upon request the county zoning inspector shall receive a copy of the operation log.

G. Exemptions: Helistops for hospitals are exempt from all but the setback requirements of this section. (Ord. 1987-61 § 1 (part), 1987)

18.58.050 Permits.

A. Heliport/Helistop Type III Conditional Use Permit:

1. Notification: The notification area shall be one thousand three hundred twenty feet measured from the subject property line.

2. Submittals: An applicant for a heliport or helistop permit shall file an application as required in Section 18.97.030 except in place of the preliminary development plan the application shall contain the following:

a. An FAA airspace letter-of-determination stating no objection, with or without conditions, to the proposed facility.

b. A text describing the following information:

1) The type, weight and noise emission level (obtained from the manufacturer or FAA) of helicopters anticipated to use the site;

2) The requested number of helicopter operations;

3) The requested days and hours of operation of the facility; and

4) An explanation of how the facility will be compatible with the purpose of this chapter.

c. A surroundings plan, at one inch equals two hundred feet scale, of the area within a two thousand six hundred forty foot radius of the center of the helipad, showing the:

1) Parcel boundaries and dimensions;

2) Approach-departure path(s) (refer to FAA Advisory Circular 150/5390-XX);

3) Obstructions, as defined in FAR Part 77, within and adjacent to the approach-departure path(s);

4) Location of noise-sensitive land uses within two thousand six hundred forty feet of the center of the helipad and within the approach-departure path(s); and

5) Location of public rights-of-way within three hundred feet of the center of the helipad.

d. A site plan, at one inch equals forty feet scale, showing the:

1) Landing area, including markings and identification;

2) Aircraft parking, maintenance and fueling areas, and peripheral areas;

3) Location of fencing, screening and safety barriers;

4) Points of access to the landing pad, i.e., gates, elevators and stairwells; and

5) Location of accessory sturctures and equipment, including firefighting equipment (when applicable).

e. A noise test in accordance with Section 18.58.040C.

3. Conditional use permit approval: A conditional use permit for a heliport or helistop shall comply with the purpose (Section 18.58.010), the permitted zones and locations (Section 18.58.030) and the standards (Section 18.58.040) of this chapter and be approved by the board of supervisors in accordance with Chapter 18.97.030H.

4. Conditional use permit approval for a helistop shall be valid for three years.

5. Reapplication for a Helistop Permit. An application for subsequent helistop conditional use permits on the same site shall be subject to the same procedures and standards as a first-use permit. The applicant shall not offer and the county shall not consider the applicant's reliance on or expenditures under the first-use permit.

B. Temporary Helistop Permits:

1. Fourteen-day permit: The chief zoning inspector may grant a one-time fourteen-day permit for a helistop in any zone if he determines that the granting of the permit will not have an adverse impact on nearby noise-sensitive land uses.

a. The application shall contain submittal information from Section 18.58.050A2b, c and d, unless waived by the chief zoning inspector;

b. The hours of operations and number of operations shall be approved by the chief zoning inspector in accordance with Section 18.58.040B and D2.

2. Nine-month permit: The board of supervisors may grant a one-time nine-month permit for a helistop in any zone in accordance with Type III conditional use permit procedures except as amended below:

a. Notification shall be in accordance with Section 18.58.050A1;

b. The applicant shall meet the standards of Sections 18.58.040 and 18.58.050A2.

3. One-day permit: An annual one-day operation may occur on property that is a minimum of twenty acres and is undeveloped or in a rural zone. The applicant shall inform the county zoning inspector of the property tax code. The county zoning inspector may permit the operation upon verification of the above information.

4. Two-day permit: The board of supervisors may grant a two-day permit for a helistop in any zone for any parcel of a minimum of twenty acres in accordance with Type II conditional use permit procedures except as amended below:

a. The application shall contain submittal information from Section 18.58.030A2b, c and d;

b. The total number of operations shall not exceed ten;

c. The hours of operation shall be in accordance with Section 18.58.040B;

d. No more than two permits per year shall be granted for any parcel under this provision; and

e. The board may waive the noise test for this permit. (Ord. 1987-61 § 1 (part), 1987)

Chapter 18.59

GC GOLF COURSE ZONE

Sections:

18.59.010 Purpose and use.
18.59.020 Supporting and related uses.
18.59.030 Performance standards.
18.59.040 Golf course development plan requirements.
18.59.050 Procedures and limitations.

18.59.010 Purpose and use.

A. Purpose. The purpose of this zone is to permit the development of golf courses in Pima County while preserving and enhancing water resources, scenic vistas, neighborhoods, property uses and values.

B. Use.

1. This zone, when superimposed upon any zoning district permits the use of golf courses. Other provisions and requirements of the underlying zones remain applicable.

2. Associated business, commercial and residential uses which are not directly in support of the golf course use shall be excluded from the golf course zone. These associated uses shall be provided for in the zones with which the golf course zone is combined. (Ord. 1985-82 (part), 1985)

18.59.020 Supporting and related uses.

A. Supporting, related and other uses shall be allowed only as approved with the development plan or by later resolution of the board of supervisors, provided such uses are consistent with the purpose of the golf course zone. (Ord. 1985-82 (part), 1985)

18.59.030 Performance standards.

A. Design Standards. The following standards shall act to control the design, maintenance and operation of golf courses in Pima County:

1. Maximum use of effluent rather than the use of potable groundwater for irrigation;

2. Minimum irrigation of fairways and roughs;

3. Rough and fairway areas shall make maximum use of existing landforms and indigenous grasses and vegetation;

4. Use of "landing areas" rather than fully grassed fairways;

5. Landscaping shall be in harmony with the desert environment:

a. Trees, shrubs, and groundcovers shall be desert hardy, low pollen-dispersing, and low in water requirement,

b. Use of inorganic groundcovers, rather than turf, is encouraged;

6. Water features shall be in context with the area;

7. Water and effluent shall be metered;

8. Provision shall be made for on-site storage of irrigation water and effluent. Storage ponds shall have sealed bottoms;

9. The most advanced water conserving irrigation systems shall be employed. Drip irrigation, where feasible, is the preferred method;

10. Natural drainageways shall be retained to the maximum extent;

11. Golf course design shall respond to the natural topography and drainageways of the site, and employ minimal clearing of native vegetation. Mass grading shall be avoided;

12. Buffers shall be provided to protect existing neighborhoods by mitigating the adverse impacts of sound, visibility, and traffic. Buffers may include landscaping, walls, fences, pathways, drainageways, natural features, existing vegetation and open space.

B. Off-street Parking. Off-street parking spaces shall be provided in adequate number to serve persons employed, residing or visiting on the premises so as to prevent congestion of surrounding streets and promote the safety of the public. (Ord. 1985-82 (part), 1985)

18.59.040 Golf course development plan requirements.

A. The golf course development plan shall be prepared by professional designers and planners in accordance with Chapter 18.71 (Development

Plan) and shall address graphically and in writing the elements of this section.

B. Site analysis: The site analysis shall include:

1. Topography, including the effect of the proposed treatment upon existing land forms;
2. Effect of development on views, both on and off-site;
3. Existing and projected traffic circulation, including the functional relationship of roads and paths;
4. Inventory of existing vegetation and wildlife and analysis of the effect of development;
5. Hydrology, including detention, recharge opportunity, drainage, erosion and flood control;
6. Applicability of the hillside development zone (Chapter 18.61, HD Hillside Development Zone);
7. Trails opportunities and access provisions;
8. Open space and buffers;
9. Soils suitability analysis;
10. Water availability.

C. Landscape plan: The landscape plan shall include:

1. Graphic representation of all elements of the development, such as golf course, water features, roads, paths, recreation elements, buildings, walls, patios, and parking areas, as they relate to the landscaping;
2. List and legend by common and scientific names of all plants to be used, indicating location and size of plant materials;

3. Irrigation plan, including schedules and estimated consumption of water and effluent;

4. Identification and location of existing native vegetation intended to be left undisturbed.

D. Grading plan: A Type 2 grading plan shall be required in accordance with Section 18.81.060 (Grading), and the plan shall include appropriate notes or comments relative to special features, conditions or techniques that relate to the golf course.

E. Water analysis: Groundwater and effluent use, including conservation methods, measures and facilities.

F. Context analysis: The plan shall also show the existing development and improvements of adjacent properties within six hundred feet of the proposed golf course zone and its associated land uses. (Ord. 1986-187 § 1 (part), 1986; Ord. 1985-82 (part), 1985)

18.59.050 Procedures and limitations.

A. Establishment. Requests for establishment of a golf course zone shall be processed in accordance with Chapter 18.91 (Zoning Code Amendments and Zone Changes), and as supplemented by the requirements outlined in this chapter.

B. Submission of Plan. The petitioners for a golf course zone shall submit a golf course development plan for the entire zone and its associated land uses at the time of application.

C. Notice.

1. Notice of all public hearings shall be given to owners of property within six hundred feet of the proposed golf course zone.

2. Failure to give notice shall not invalidate decisions made.

D. Effective Date and Phasing.

1. The golf course zone shall be effective on the property at such time as the board of supervisors by resolution finds that the construction of the golf course and its supporting facilities have been completed in substantial compliance with the approved development plan.

2. If a golf course is constructed in phases, a construction schedule must be submitted and approved with the development plan.

3. The golf course zone shall become effective only as to that phase of the golf course which has been completed.

E. Grading Permits.

1. No clearing, brushing or grubbing, grading or development shall be allowed in the proposed golf course zone prior to approval of a Type 2 grading plan and the issuance of a grading permit.

2. A golf course grading plan will be accepted and approved only as an element of the required golf course development plan.

3. Grading permits will be issued in conjunction with grading plan review and approval by the department of transportation and flood control district. (Ord. 1986-187 § 1 (part), 1986; Ord. 1985-82 (part), 1985)

Chapter 18.61

HILLSIDE DEVELOPMENT OVERLAY ZONE

Sections:

18.61.010	**Purpose.**
18.61.020	**Scope and exceptions.**
18.61.030	**Definitions.**
18.61.040	**Prohibited uses.**
18.61.050	**Protected peaks and ridges.**
18.61.060	**Natural areas.**
18.61.070	**Slope density requirements.**
18.61.080	**Development standards.**
18.61.090	**Platting and development plan requirements/review/compliance.**
18.61.100	**Variances/special use permits.**
18.61.110	**Illustrations.**
18.61.120	**Maps.**

18.61.010 Purpose.

A. The purpose of this chapter is to establish standards for hillside areas which conserve and

promote the public health, safety, convenience and general welfare by:

1. Conserving the unique natural resources of hillside areas;

2. Minimizing water runoff and soil erosion problems incurred in development alteration of the terrain;

3. Providing safe and convenient access to hillside development;

4. Ensuring the efficient expenditure of public funds; and

5. Maintaining the character, identity, and image of Pima County. (Ord. 1985-113 § 1 (part), 1985: Ord. 1985-82 (part), 1985)

18.61.020 Scope and exceptions.

A. The overlay zone shall apply to any land parcel with an average cross slope of fifteen percent or greater, or to land parcels with any slopes of fifteen percent or greater.

B. Fractions of numbers shall be rounded off to the nearest whole number. When .5 or higher is computed, the number shall be rounded off to the next highest whole number.

C. The provisions of Section 18.61.070A shall not apply to land parcels recorded in the county recorder's office prior to July 1, 1976. If land parcels are divided or used for multifamily development after that date, all appropriate provisions of this chapter shall apply.

D. The provisions of this ordinance shall not apply to construction done pursuant to building permit issued or recorded subdivision plat filed prior to February 5, 1986, if granted a hardship variance by the board of supervisors through the public hearing process. (Ord. 1985-113 § 1 (part), 1985: Ord. 1985-82 (part), 1985)

18.61.030 Definitions.

A. Certain terms used in this chapter shall be defined for purposes of this chapter only, as follows:

1. Average cross slope: A method of determining the natural cross slope of a project site, by using the following equation:

$$\frac{I \times L \times .0023}{A} \text{ where:}$$

I = Contour interval in feet;

L = Combined length in feet of all contour lines measured on the project site, not to include contours in natural areas meeting the requirements of Section 18.61.060;

.0023 = Conversion of square feet into acres × 100;

A = Project site area in acres.

2. Building envelope: The area to be occupied by any structure and associated development.

3. Building site slope: The average natural slope of the area designated as the building envelope measured at right angles to the natural contours along a line passing through the center of the building envelope; such line shall terminate at the opposite edges of the proposed building, or at the opposite edges of the proposed cut or fill, whichever distance is greater. Illustration: Section 18.61.110, Figure 18.61-1.

4. Development: Any alteration of the natural or existing configuration of the earth's surface or vegetative cover creating commercial, industrial, residential and accessory facilities, including any and all utility services and circulation areas, such as streets, private roads, parking areas or driveways. An alteration of or any addition to a structure or circulation area which existed prior to July 1, 1976, and does not exceed either one thousand square feet or twenty-five percent of the area covered by the existing structure, whichever is greater, shall not be considered "development."

5. Divide: To separate into two or more land parcels.

6. Enclosed area of dwelling unit: The dwelling unit and all attached roofed structures, including carports and patio ramadas.

7. Exposed slope: All the face of a cut or fill, from the toe to the top, whether the surface is

retaining walls, rip-rap, natural vegetation or other materials.

8. Hillside building height: The vertical distance from the lowest finish floor elevation of the building to the highest elevation point of the building or roof.

9. Land parcel: An area of land with boundaries recorded in the Pima County recorder's office.

10. Natural area: A land area, unimproved and not occupied by any structures or manmade elements, set aside for the conservation of permanent, undisturbed open space.

11. Peak point: The single highest elevation spot of a peak.

12. Project site: An area consisting of one or more land parcels that is planned, reviewed and developed as a unified project, including designated natural areas.

13. Ridge line: A ground line connecting the series of highest elevational points of a ridge, running center and parallel to the long axis of the ridge.

14. Slope plan: A plan for development, clearly depicting all proposed grading including the location, extent and treatment of all exposed slopes. (Ord. 1986-187 § 1 (part), 1986; Ord. 1985-113 § 1 (part), 1985: Ord. 1985-82 (part), 1985)

18.61.040 Prohibited uses.

A. No RVC, CB-1, CB-2, CPI, CI-1, CI-2 and CI-3 zone shall be permitted on land parcels having average cross slopes of fifteen percent or greater, or on any building envelope with a slope of fifteen percent or greater. (Ord. 1985-113 § 1 (part), 1985: Ord. 1985-82 (part), 1985)

18.61.050 Protected peaks and ridges.

A. There shall be no development within a horizontal radius (map distance) of one hundred fifty feet from a protected peak point or one hundred fifty feet from a protected ridge line, as designated in Section 18.61.120. Illustration: Section 18.61.110, Figure 18.61-2.

B. When development is proposed within five hundred feet of a protected peak or ridge, the developer shall submit to the department of transportation and flood control district (DTFCD) a topographic map (scale no smaller than one inch equals one hundred feet with ten-foot contour intervals) delineating the protected peak or ridge, the peak point or ridge line and elevation, and the resulting area protected from development. Prior to any other plan review or permit issuance, this map shall be submitted to the DTFCD and, if DTFCD finds that it is accurate and in conformance with the requirements of this chapter, the map shall be approved and stamped by the DTFCD. This requirement shall also apply when a road or development is proposed within a protected area, subject to the granting of a variance or special use permit in accordance with Section 18.61.100. (Ord. 1985-113 § 1 (part), 1985: Ord. 1985-82 (part), 1985)

18.61.060 Natural areas.

A. Scope. Natural areas set aside in any division of land shall not be included in the average cross slope analyses. The total acreage of the project site may be used for dwelling unit density calculations; provided, that all other applicable provisions of this section are met.

B. Development shall not be permitted within the legally described boundaries of a natural area. However, if utility or service trenches cannot reasonably be provided without crossing natural areas of the project site, such trenches may be permitted, provided they are revegetated in accordance with Section 18.61.080D.

C. Natural areas shall be clearly delineated, in a surveyable manner, on all final plats and development plans (Section 18.61.090).

D. Natural areas shall be incorporated into the subdivision plat as either a portion of privately owned lots or as land parcels under the ownership of a homeowners association. Deed

restrictions which prohibit development in natural areas shall accompany the plat. Where natural areas are located adjacent to major public parks, such areas may be deeded to Pima County, subject to approval by the county parks and recreation department and by acceptance of the board of supervisors.

E. For project sites that will have more than one plat, a legal description and covenant restricting the use of the entire natural area shall be recorded by the developer in the county recorder's office prior to the issuance of any building permit for the development of the project site.

F. Land parcels which include a natural area designation shall not be further divided. Recorded subdivisions within project sites that include relocated densities due to natural area designations shall not be further divided. (Ord. 1985-113 § 1 (part), 1985: Ord. 1985-82 (part), 1985)

18.61.070 Slope density requirements.

A. On land parcels with average cross slopes of fifteen percent or greater, average dwelling unit density shall not exceed that allowed by either the existing zoning on the parcel or the following table, whichever is more restrictive.

Average Cross Slope (%)	Average Area per Dwelling Unit (acres)
15	1.0
16	1.0
17	1.25
18	1.37
19	1.5
20	2.0
21	2.25
22	2.5
23	3.5
24	4.5
25	6.0
26	7.0
27	8.6
28	10.4
29	12.8
30	16.0
31	18.0
32	23.5
33 and greater	36.0

B. The provisions of this section shall not apply when the cluster option is used on land parcels with average cross slopes of less than twenty percent. (Ord. 1985-113 § 1 (part), 1985: Ord. 1985-82 (part), 1985)

18.61.080 Development standards.

A. Scope. This section shall apply to that portion of any development which occurs on slopes of fifteen percent or greater.

B. Site Grading Requirements.

1. Scope. The total area of all grading (other than the enclosed area of dwelling unit) for driveways, parkings areas, yards, swimming pools, walls, and accessory structures shall conform with the following requirements (See Table 18.61.080):

2. A building site slope analysis and a slope plan sealed by a civil engineer or land surveyor shall be submitted to the county engineer for review and approval of conformance with this chapter prior to any clearing, grading or the issuance of a building permit or grading permit (when required).

3. All grading shall be performed in accordance with Chapter 18.81.

C. Cut and Fill Requirements.

1. The vertical distance of exposed slopes shall not exceed fifteen feet. Illustration: Section 18.61.110, Figure 18.61-3.

2. No cut or fill shall encroach upon any floodplain, except as provided for in the floodplain management Ordinance No. 1985-FCI or any adjacent properties except by the mutual written consent of all parties affected. Such consent is to be filed with the DTFCD.

3. Cut or fill material in excess of that approved

Table 18.61.080

Development Type	Zone/Lot Size Per Dwelling Unit	Maximum Grading
Cluster-attached	CR-1, CR-2	50% of the project site remaining after exclusion of natural areas
Single detached dwelling units	20,000 sq. ft. or less	50% of the project site remaining after exclusion of natural areas
Single detached dwelling units	Over 20,000 sq. ft. to 1 acre	50% of first 20,000 sq. ft., or 30% of lot, whichever is greater
Single detached dwelling units	Over 1 acre to less than 4 acres	30% of first acre, or 10% of lot, whichever is greater
Single detached dwelling units	4 acres to less than 15 acres	10% of first 4 acres, or 7% of lot, whichever is greater
Single detached dwelling units	15 acres to less than 36 acres	7% of first 15 acres, or 5% of lot, whichever is greater
Single detached dwelling units	36 acres and over	5% of first 36 acres, or 3% of lot, whichever is greater
Multiple dwellings/ business offices/ existing commercial and industrial		80% of the project site remaining after exclusion of natural areas

for use shall not be disposed of over the sides of hills or ridges.

D. Site Restoration Requirements.

1. The restoration of a site shall be in accordance with Section 005-I of the Grading Design Manual (Refer to Chapter 18.81, Grading).

2. All slope treatment for local and minor collector streets shall be completed prior to final acceptance of streets and drainage improvements by the county, and prior to the release of assurances for the development.

3. All slope treatment for lots shall be completed prior to the final inspection of single-family residences or the issuance of a certificate of occupancy.

E. Color Requirements. All exposed exterior walls of dwelling units, retaining walls, and accessory structures shall be earthtone in color and shall blend in with the natural setting. White shall not be permitted. (Ord. 1986-187 § 1 (part), 1986; Ord. 1985-113 § 1 (part), 1985: Ord. 1985-82 (part), 1985)

18.61.090 Platting and development plan requirements/review/compliance.

A. Requirements.

1. In addition to the requirements of Chapters 18.69 (Subdivision Standards) and 18.71 (Development Plan Standards), tentative plats and development plans submitted for county review shall include:

a. A topograhic map of the existing terrain utilizing a scale no smaller than one inch equals one hundred feet, with contour intervals no greater than:

1) Two-foot intervals for slopes of twenty percent or less,

2) Five-foot intervals for slopes over twenty percent, but less than thirty-five percent,

3) Ten-foot intervals for slopes of thirty-five percent and greater;

b. The average cross slope of the project site analysis shall be sealed by a civil engineer or land surveyor registered in the state of Arizona;

c. A building site slope analysis and a slope plan, similarly sealed;

d. The location of all local and minor collector streets.

2. For project sites with an average cross slope of less than fifteen percent, but with portions that are fifteen percent or greater, the following shall be noted on the tentative plat, final plat and development plan: "Lots (list which lots), may be subject to the Hillside Development Overlay Zone as determined by review of a building site slope analysis by the County Department of Transportation and Flood Control, and any development to be placed thereon shall be shown to conform to the requirements of the Hillside Development Overlay Zone prior to the issuance of any building permits."

3. For project sites with an average cross slope of fifteen percent or greater, the following shall be

noted on the tentative plat, final plat and development plan: "This project is subject to the Hillside Development Overlay Zone, and any development to be placed thereon shall be shown to conform to the requirements of the Hillside Development Overlay Zone prior to the issuance of any building permits."

4. The final plat shall indicate for each lot affected by this ordinance a building envelope, dimensioned in a surveyable manner. Each building envelope shall be consistent with the approved slope plan for the development. The building envelope may be amended after recordation of the plat upon approval by the DTFCD.

B. Review. The county department of transportation and flood control district or their agents shall provide technical review of all plans for development of land parcels affected by the provisions of this chapter and shall require adherence to all requirements to establish conformance with the county approved plans prior to final approval. An HDZ review fee shall be submitted at the initiation of hillside development plan review, payable to the Pima County treasurer, in accordance with the fees schedule adopted by Pima County ordinance.

C. Compliance.

1. Prior to the issuance of building permits, the developer's engineer shall review and seal all final plans to certify to the county engineer that the proposed development complies with this chapter. No building permits shall be issued prior to approval by the county engineer that these final plans meet all applicable provisions of this chapter.

2. The chief zoning inspector shall enforce the provisions of this chapter. (Ord. 1985-113 § 1 (part), 1985; Ord. 1985-82 (part), 1985)

18.61.100 Variances/special use permits.

A. Variance. The board of supervisors may grant variances to Section 18.61.050A for the purpose of allowing a road to serve otherwise inaccessible portions of a land parcel or to Section 18.61.080 (Development Standards) of this chapter, if the proposed alternative complies with the intent of this chapter, if the proposed alternative complies with the intent of this chapter and if the material, method or work offered meets equivalent standards prescribed in this chapter for quality, effectiveness, durability and safety.

B. Special Use Permit. The board of supervisors may grant a special use permit for development on a protected peak or ridge or for increased density when such development can be proven by the developer to serve a community need which outweighs the need for the restrictions imposed by Sections 18.61.050 and 18.61.070.

1. No permit shall be issued which:

a. Is contrary to the purpose and intent of this chapter;

b. Allows a use not allowed by other chapters of this code; or

c. Allows a use which substantially injures the use of adjacent property conforming to the restrictions of this chapter.

2. Grounds for issuing a special use permit shall not include:

a. That the issuance of the permit would allow a more profitable use; or

b. Any condition resulting from a division of land parcels made after July 1, 1976.

3. When approving a special use permit, the supervisors shall make findings of fact showing the grounds for approval. The supervisors shall not approve a permit without a finding that the proposed development serves a community need and that there is no reasonable or preferable alternative to meet that need.

4. The supervisors may place conditions on the permit to carry out the purpose and intent of this chapter.

5. The permit shall run with the land only after the construction of any authorized structures and not only for the life of the structures. The permit shall be void if not used to obtain building permits within two years of its issuance.

C. Procedures.

1. Applications for a variance or special use permit shall be submitted to the planning and zoning depart-

ment and shall be accompanied by at least the following:

a. A legal description of the project site;

b. Requirements listed in Section 18.61.090A1;

c. A site analysis in conformance with approved departmental policy;

d. The location of all existing structures, if any, and the location, dimensions, design and color of all proposed development;

e. A revegetation plan (including rip-rapping) showing existing vegetation, graded areas to be revegetated, manner of revegetation and revegetation time schedule;

f. An HDZ variance fee payable to the Pima County treasurer in accordance with the fee schedule adopted by Pima County ordinance.

2. After submittal of the above, the application for variance or special permit shall be forwarded to the board of supervisors for a public hearing, in accordance with the notification requirements of Section 18.91.060B (Zoning Code Amendments and Zone Changes). (Ord. 1985-113 § 1 (part), 1985; Ord. 1985-82 (part), 1985)

18.61.110 Illustrations.

See Figures 18.61-1, 18.61-2 and 18.61-3. (Ord. 1985-113 § 1 (part), 1985; Ord. 1985-82 (part), 1985)

18.61.120 Maps.

A. Index to maps for restricted peaks and ridges (See INDEX TO MAPS FOR RESTRICTED PEAKS & RIDGES and Maps 1 through 22). (Ord. 1989-68 § 1, 1989; Ord. 1988-1 § 1, 1988; Ord. 1985-113 § 1 (part), 1985; Ord. 1985-82 (part), 1985)

Chapter 18.63

HISTORIC ZONE

Sections:

18.63.010 Purpose and intent.
18.63.020 Use and special exception.
18.63.030 Definitions.
18.63.040 Criteria.
18.63.050 Establishment.
18.63.060 Historic district advisory boards.
18.63.070 Development zones/criteria for new construction or alterations.
18.63.080 Design plan requirements and review procedures.
18.63.090 Demolition of historic structures.
18.63.100 Specific regulations —San Xavier environs historic zone (H-1).
18.63.110 Specific regulations —Fort Lowell historic district zone (H-2).
18.63.120 Maps.

18.63.010 Purpose and intent.

A. Purpose. The purpose of this zone is to:

1. Promote the health, education, culture, and general welfare of the community;

2. Insure the harmonious growth and development of Pima County, by encouraging the preservation of historic sites and structures located within historic zones; and

3. Protect and perpetuate the unique character of a geographic district where existing sites, objects, architecture, archaeological remains, or other tangible records of past eras can be of enduring value to the people of the county in advancing education, general welfare, civic pride, and appreciation of their cultural heritage.

B. Intent.

1. This zone is intended to preserve property values, provide for future development, and promote an awareness of Pima County's rich historical, architectural, and archaeological landmarks among residents and visitors to the community.

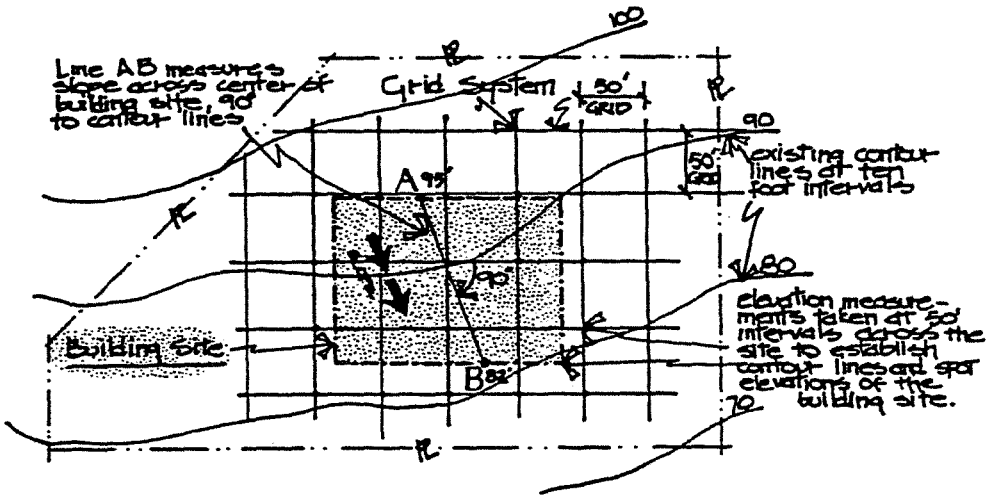
2. It is also intended that all new or remodeled structures, located within historic zones, as well as new roadways or other topographical changes, either within or at the perimeter of an historic

Figure 18.61-1
Determination of Building Site Slope

FORMULA: $G = \frac{D}{L} \times 100$

WHERE:

G = Grade, or percent slope
D = Rise, or difference in elevation of two points on a map
L = Run, or the horizontal distance between two points on a map



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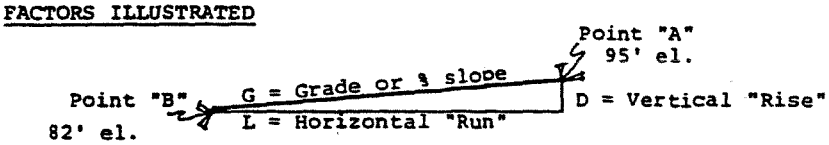


In this example, point "A" is 13 feet higher in elevation than point "B".

The horizontal distance "L" is measured with a map scale and is found to be 135 feet.

Apply the formula $G = \frac{D}{L} \times 100$ to obtain

$$\underline{\text{Grade}} = \frac{13}{135} = .10 \times 100 = 10\%$$

Figure 18.61-2
Measurement of Protected Area

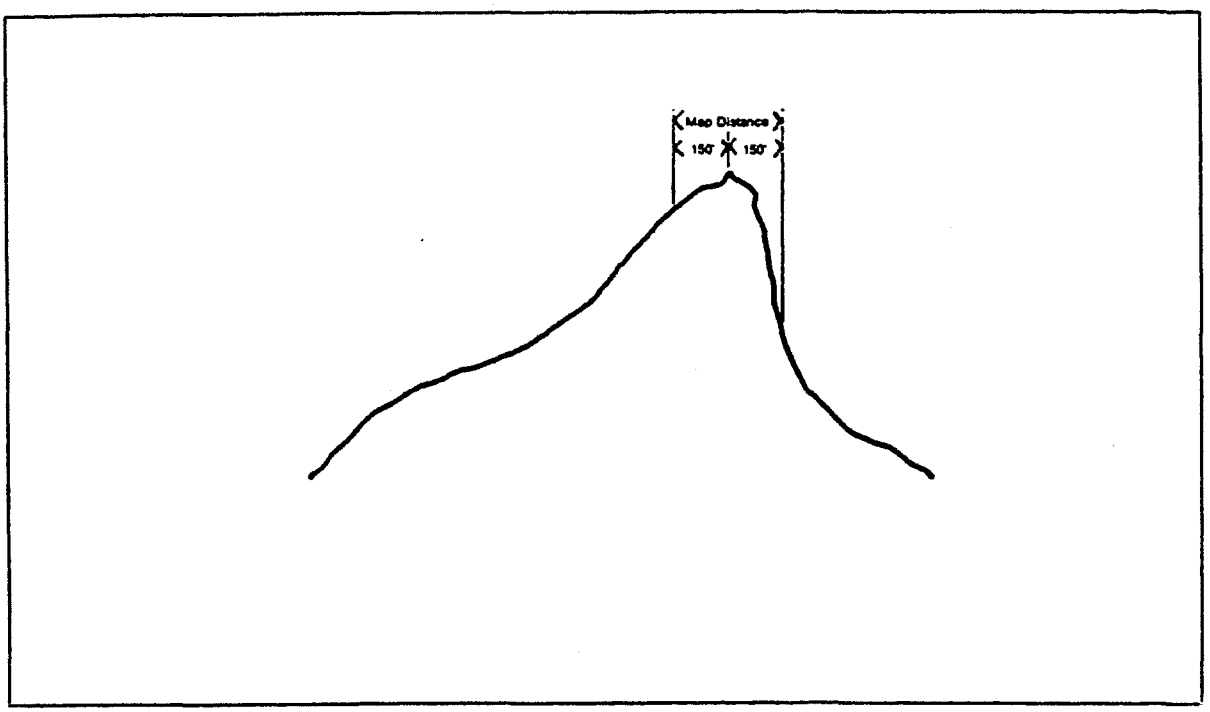
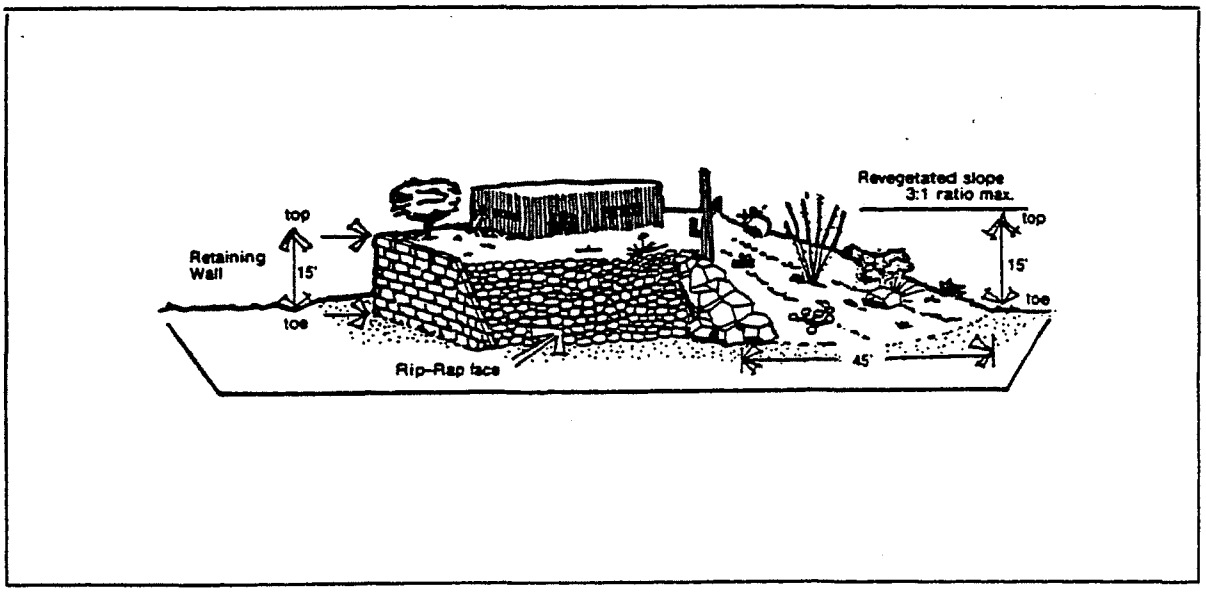
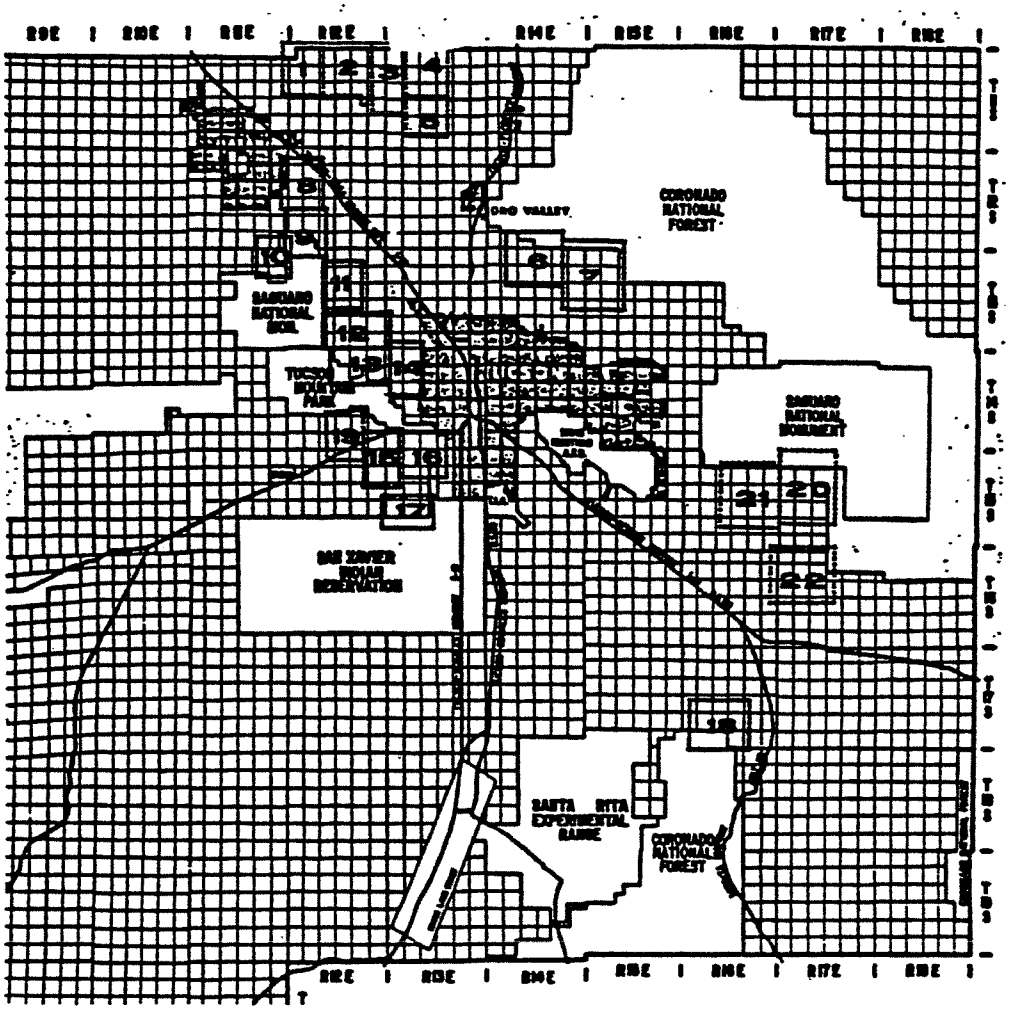
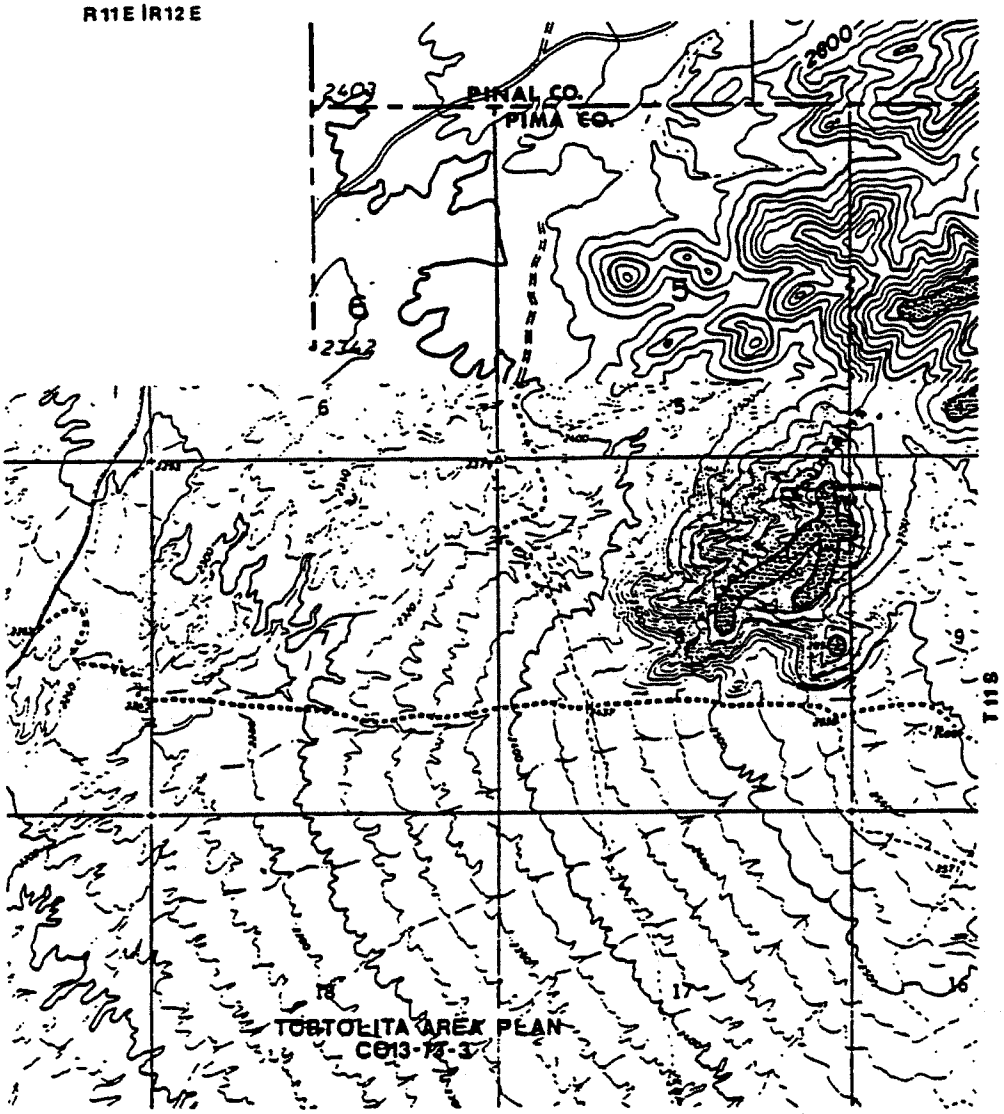


Figure 18.61-3
Suggested Treatment for Exposed Fill

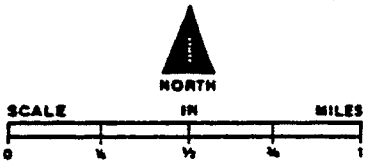




INDEX TO MAPS FOR RESTRICTED PEAKS & RIDGES



RESTRICTED PEAKS AND RIDGES



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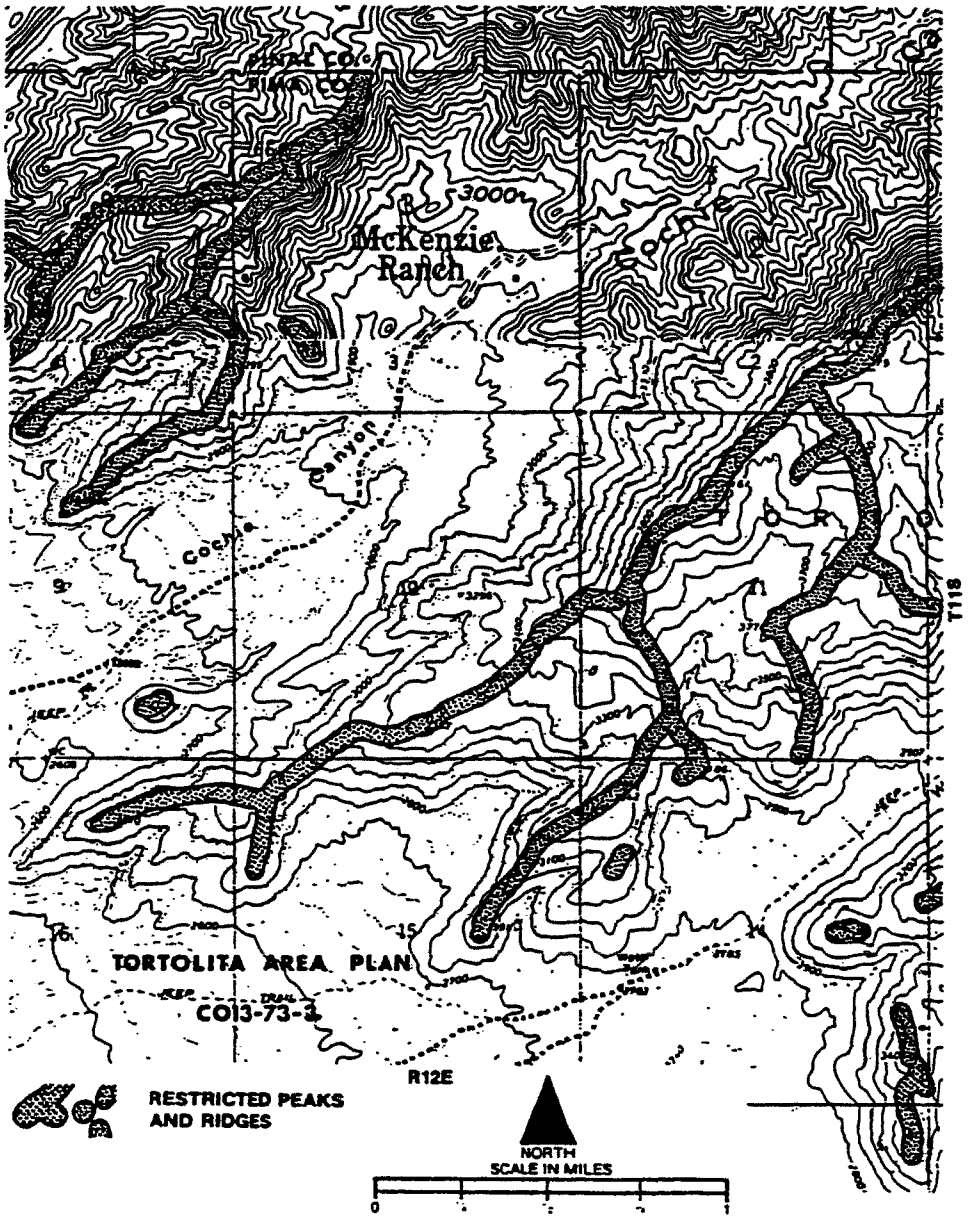
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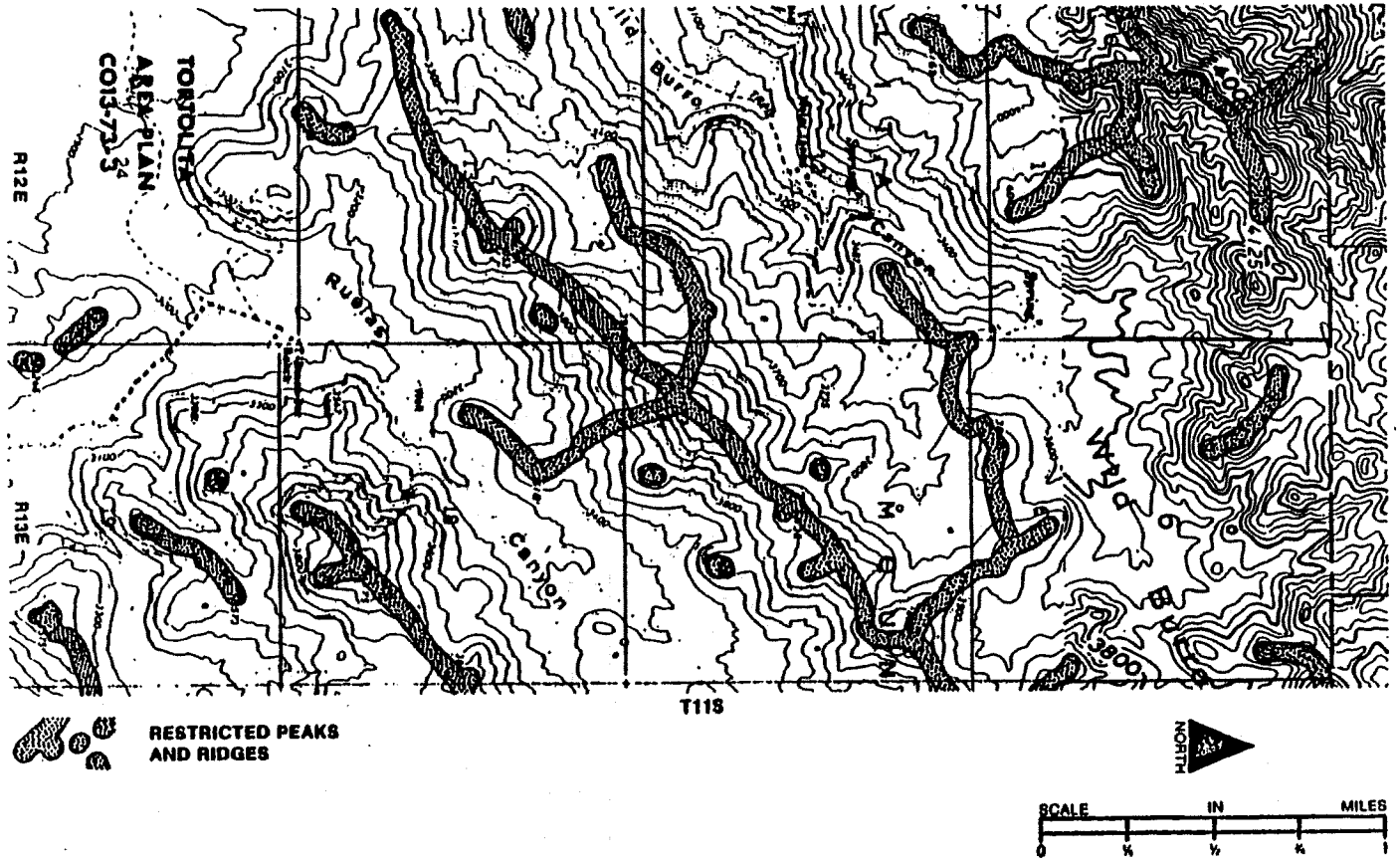
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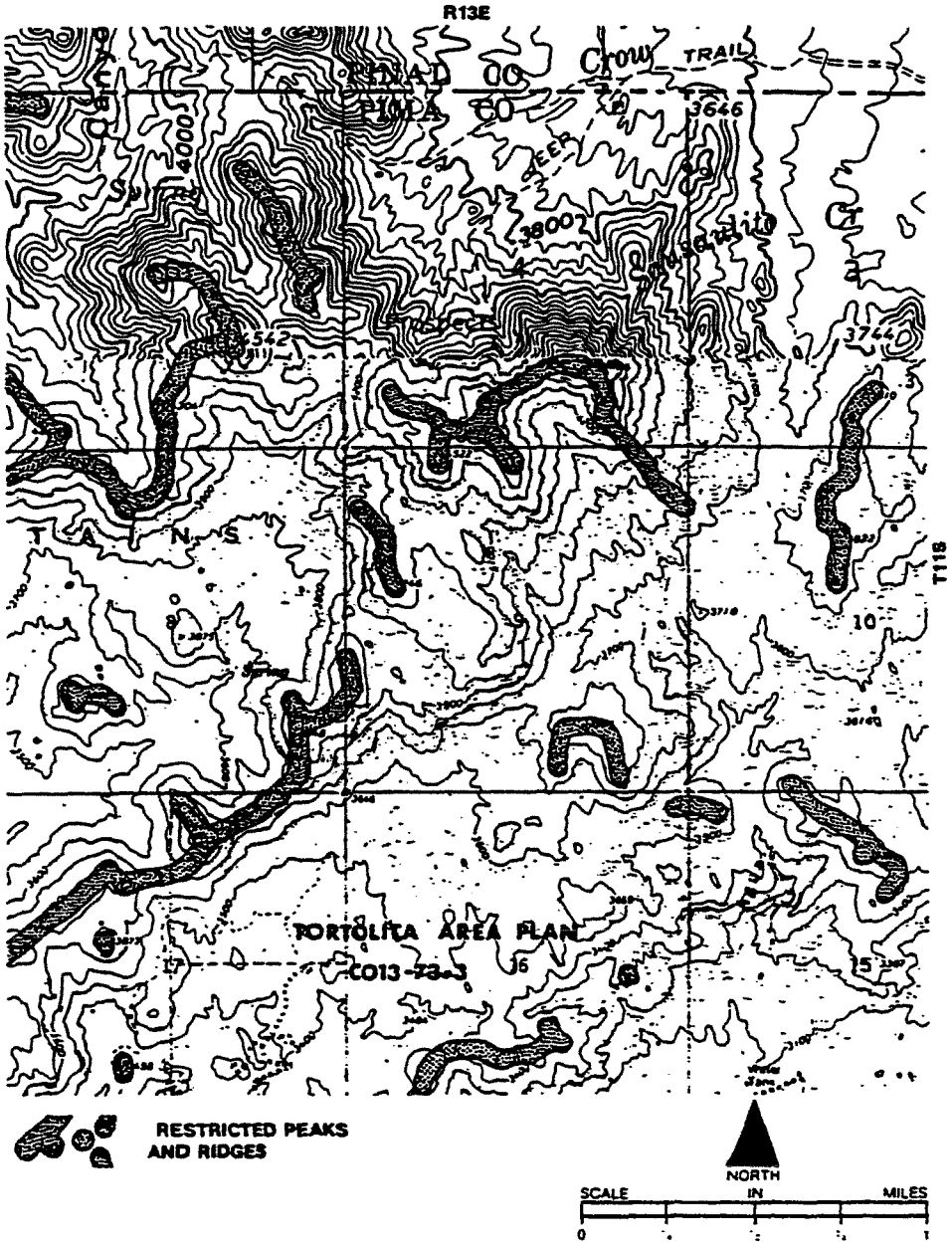
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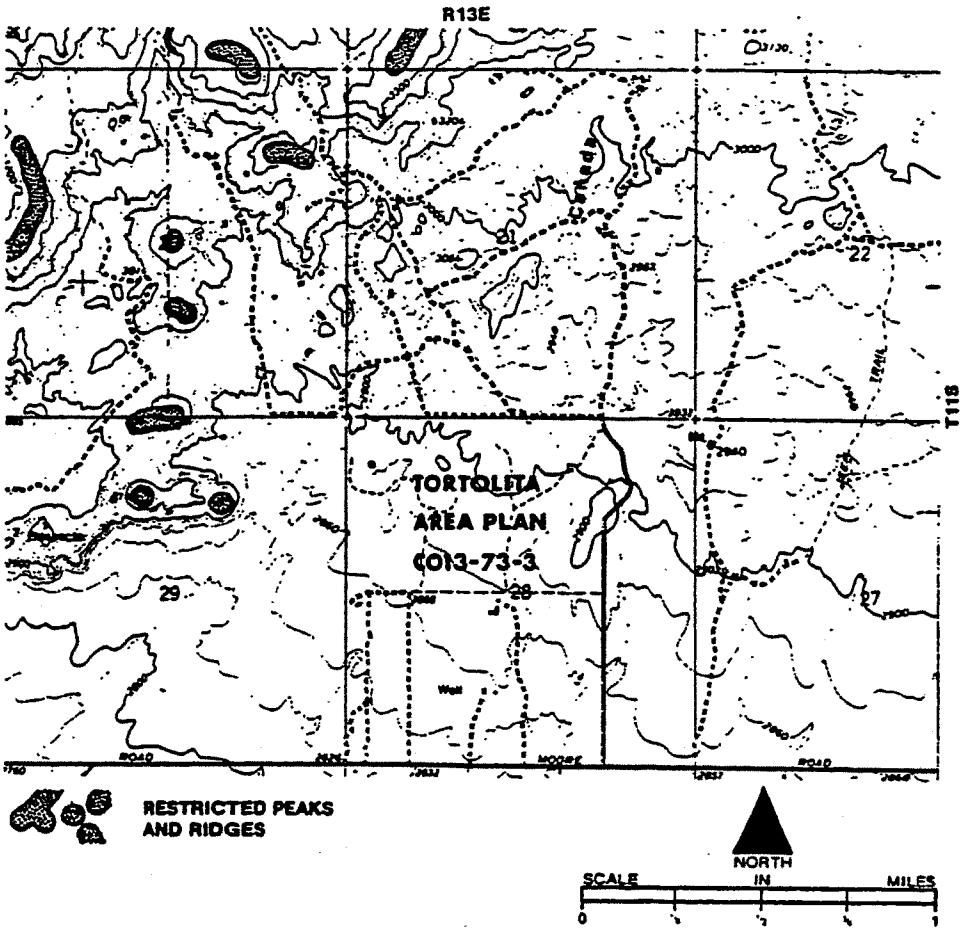
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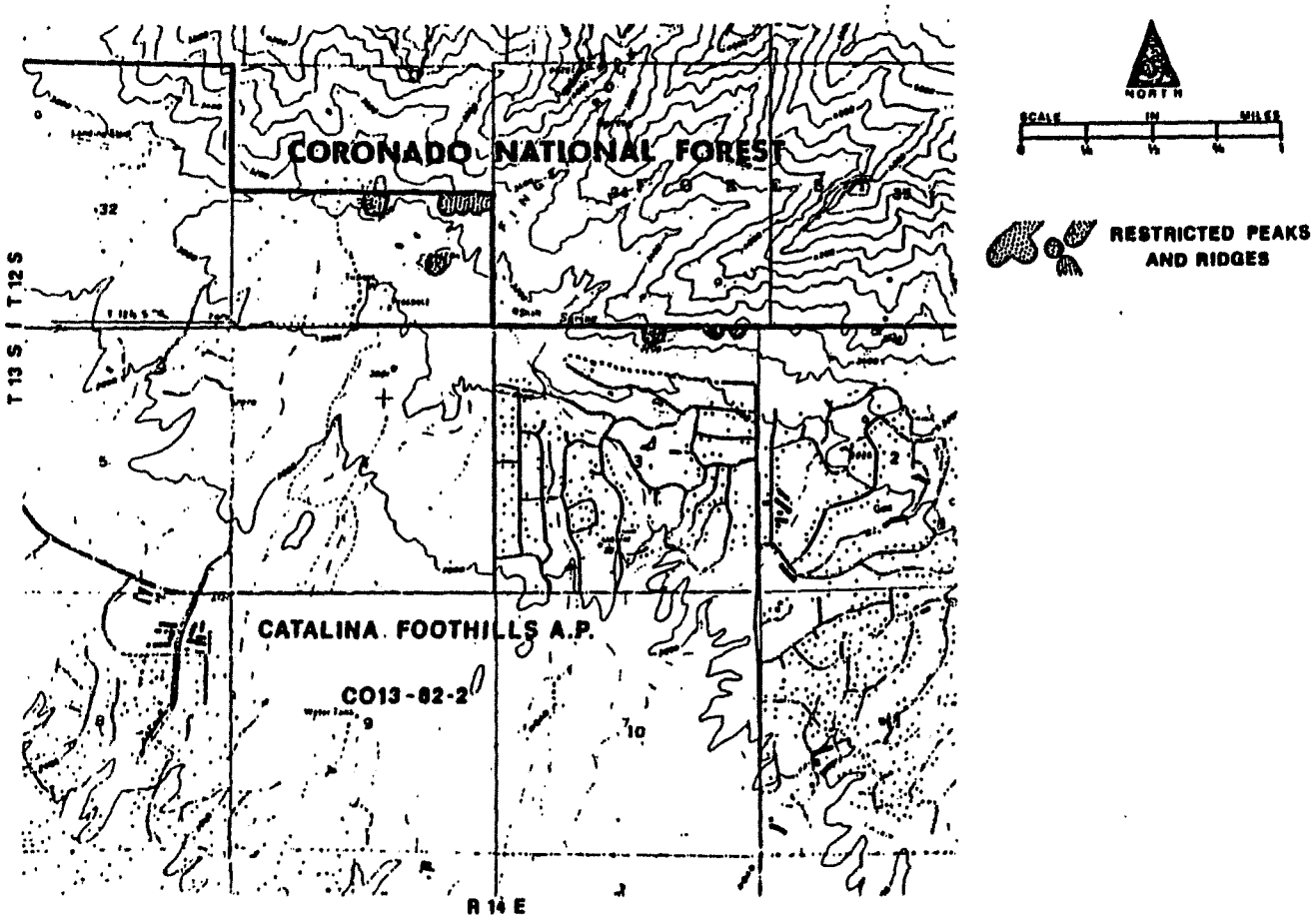
CORONADO NATIONAL FOREST
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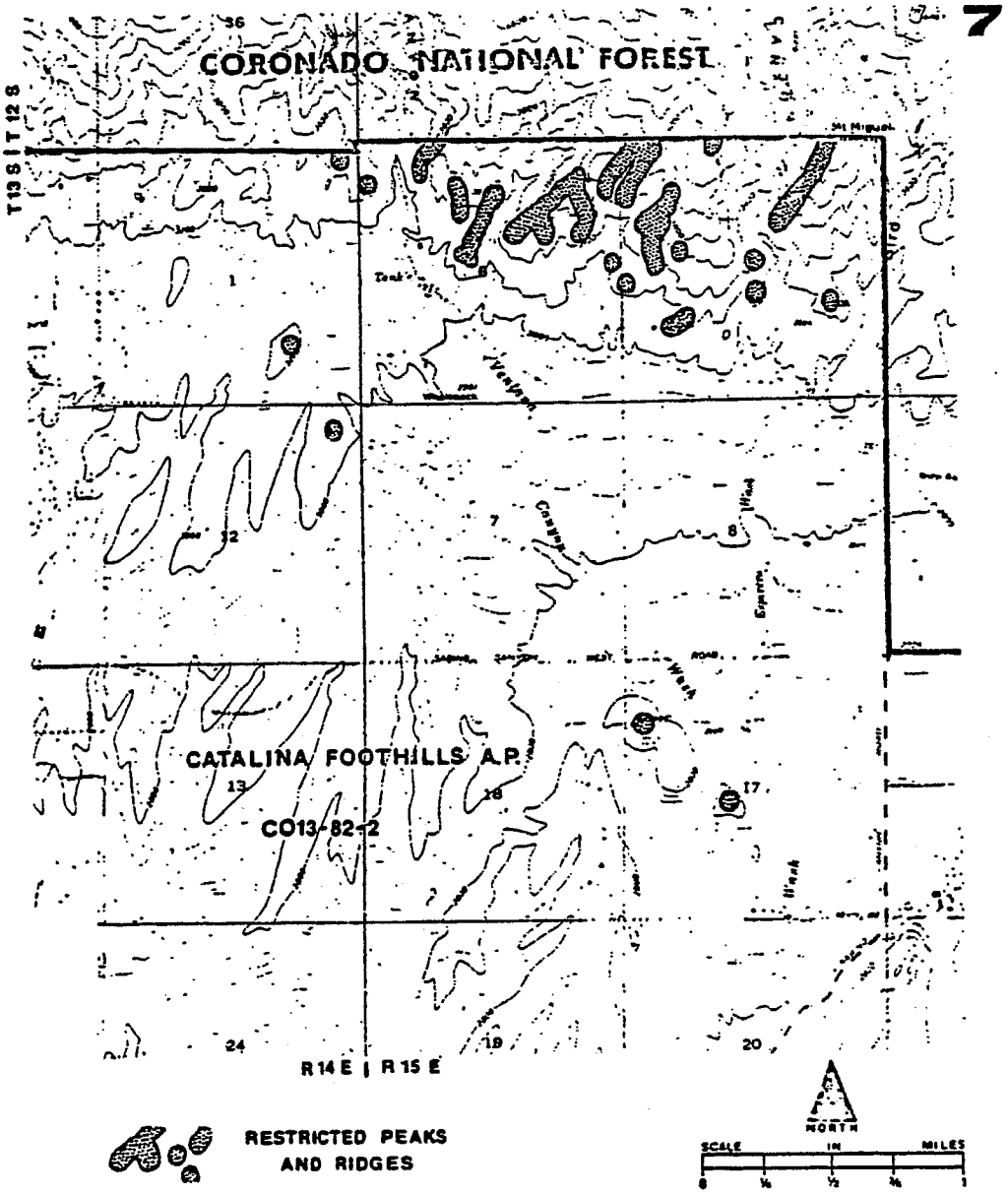
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CORONADO NATIONAL FOREST
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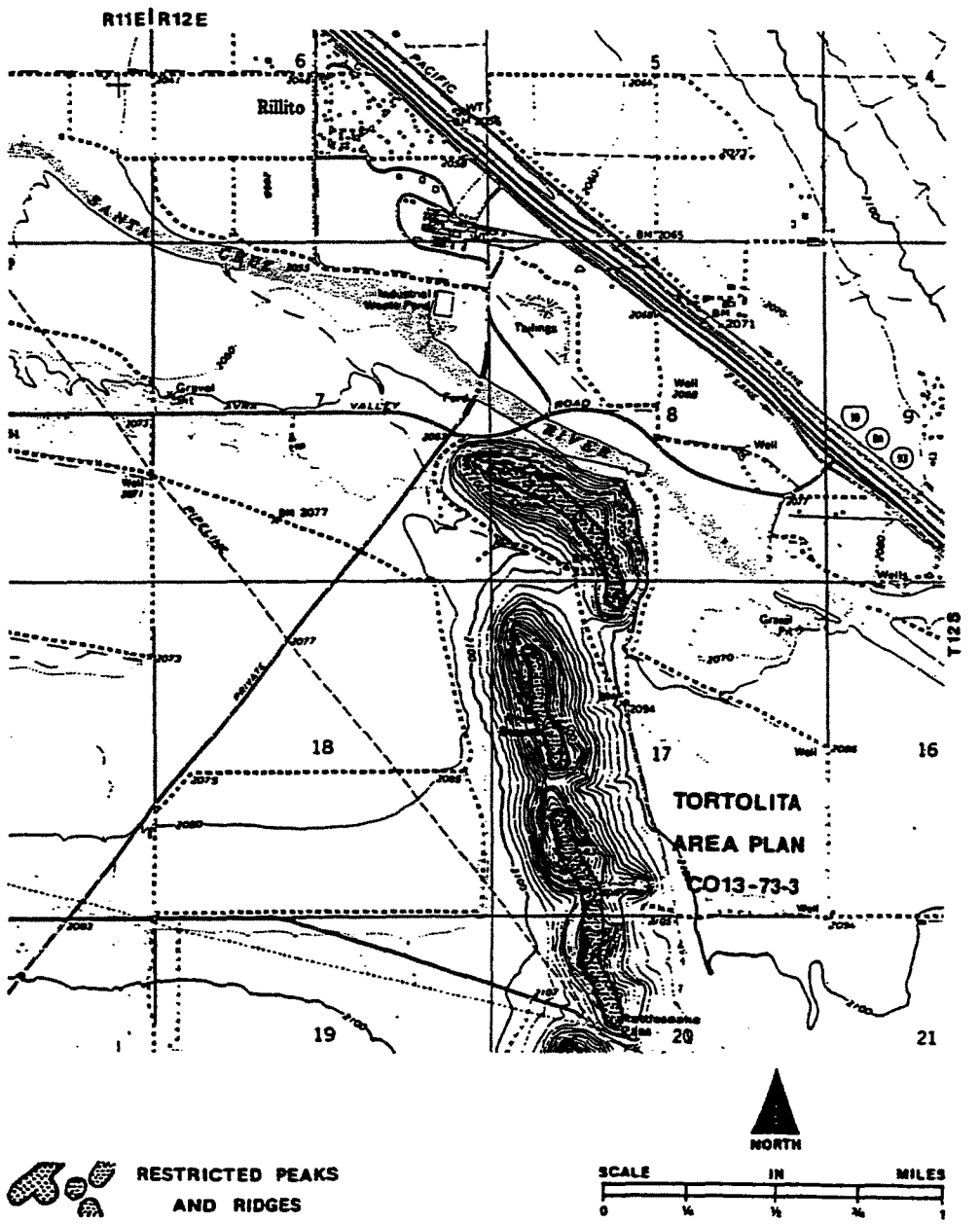
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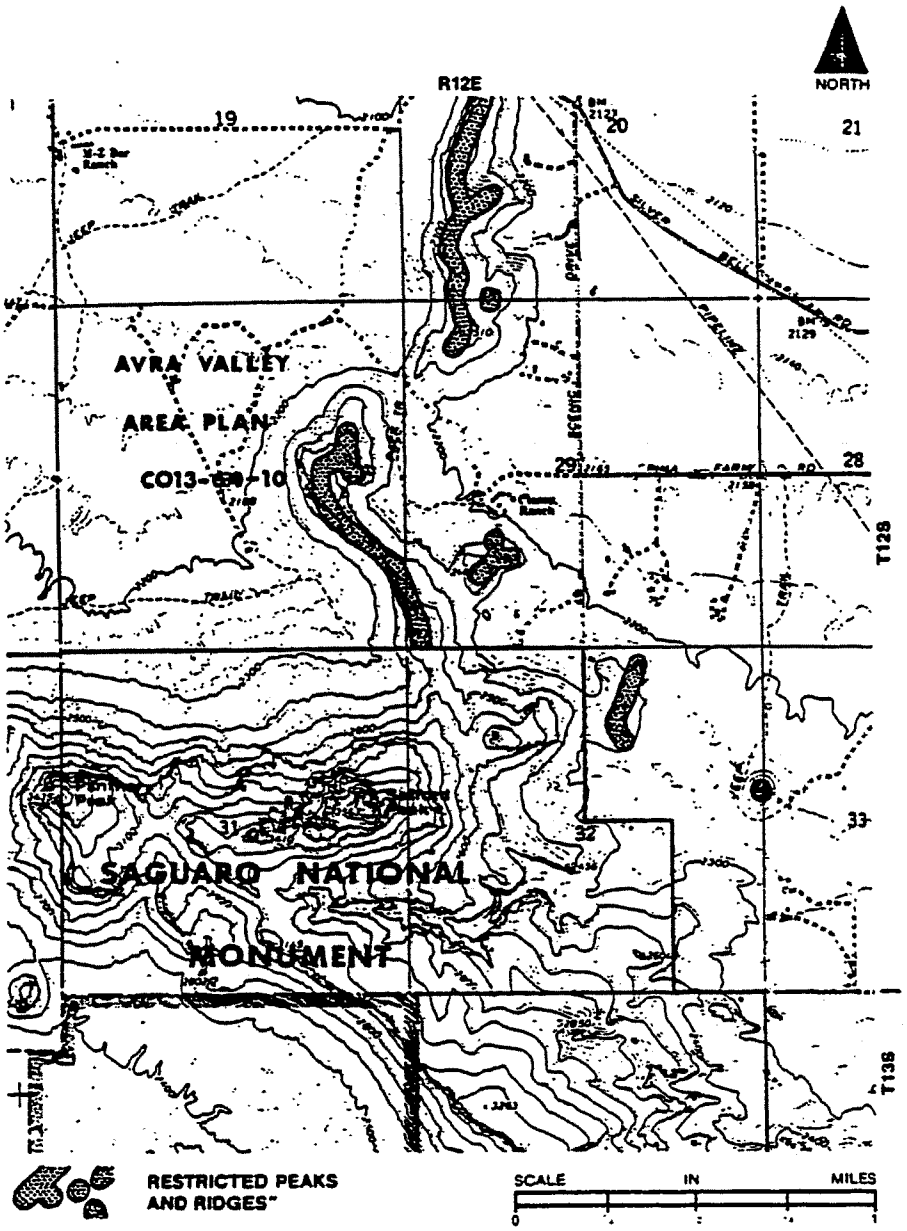
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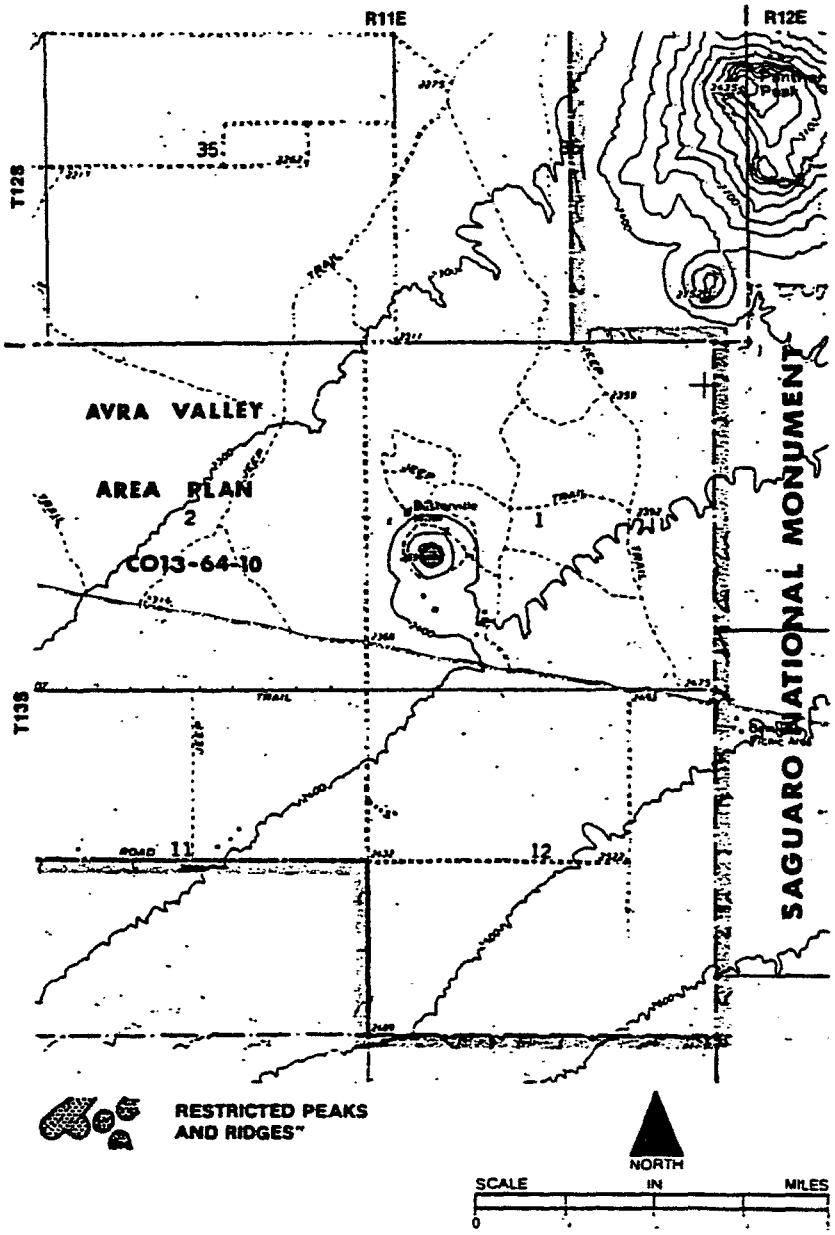
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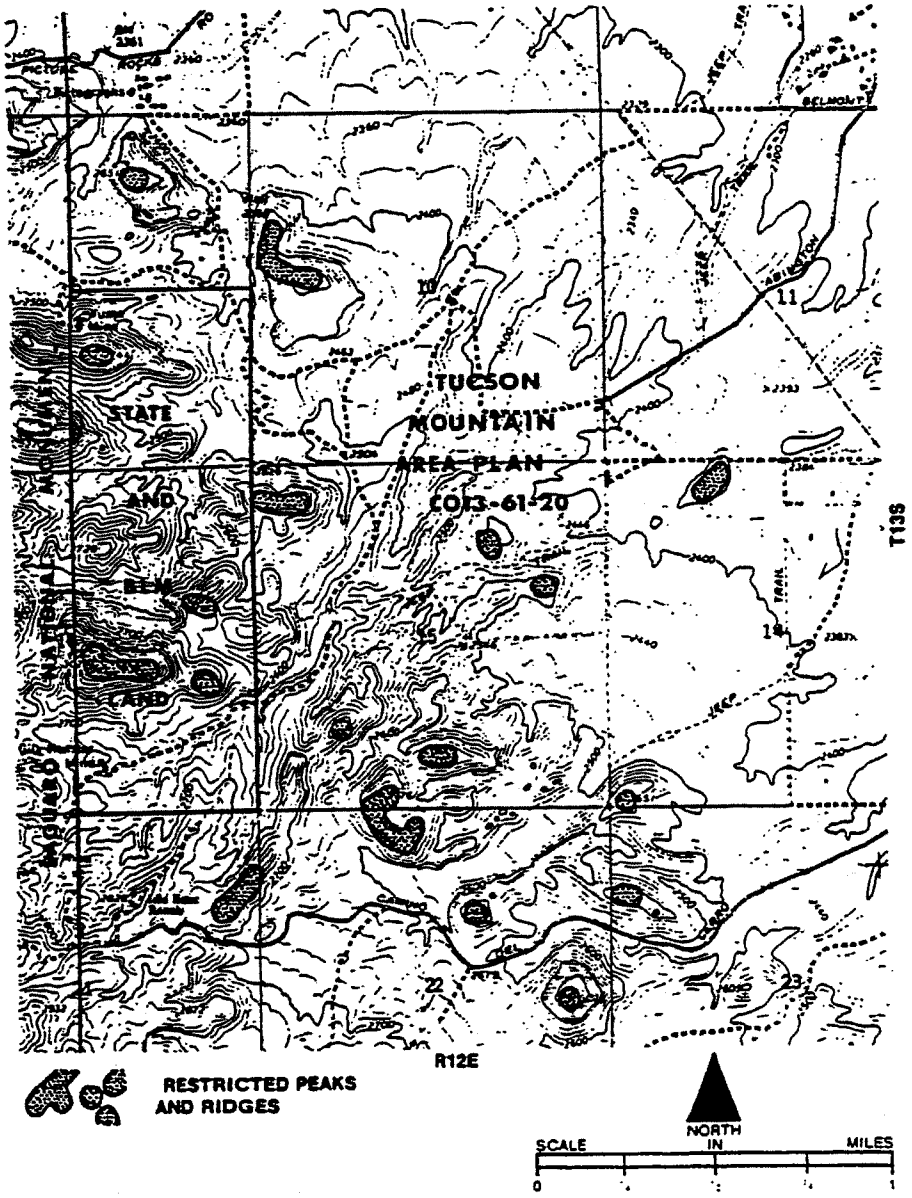
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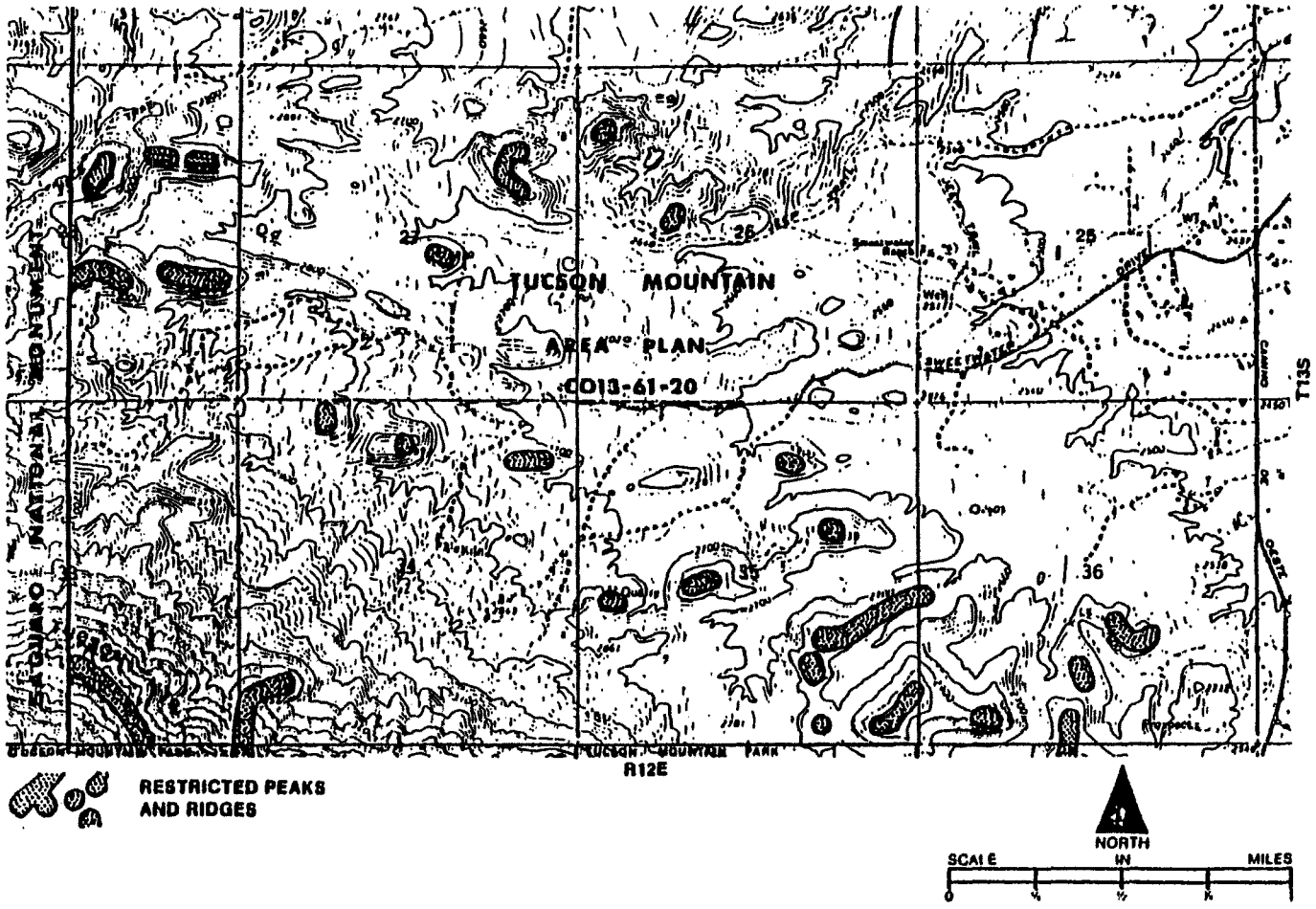
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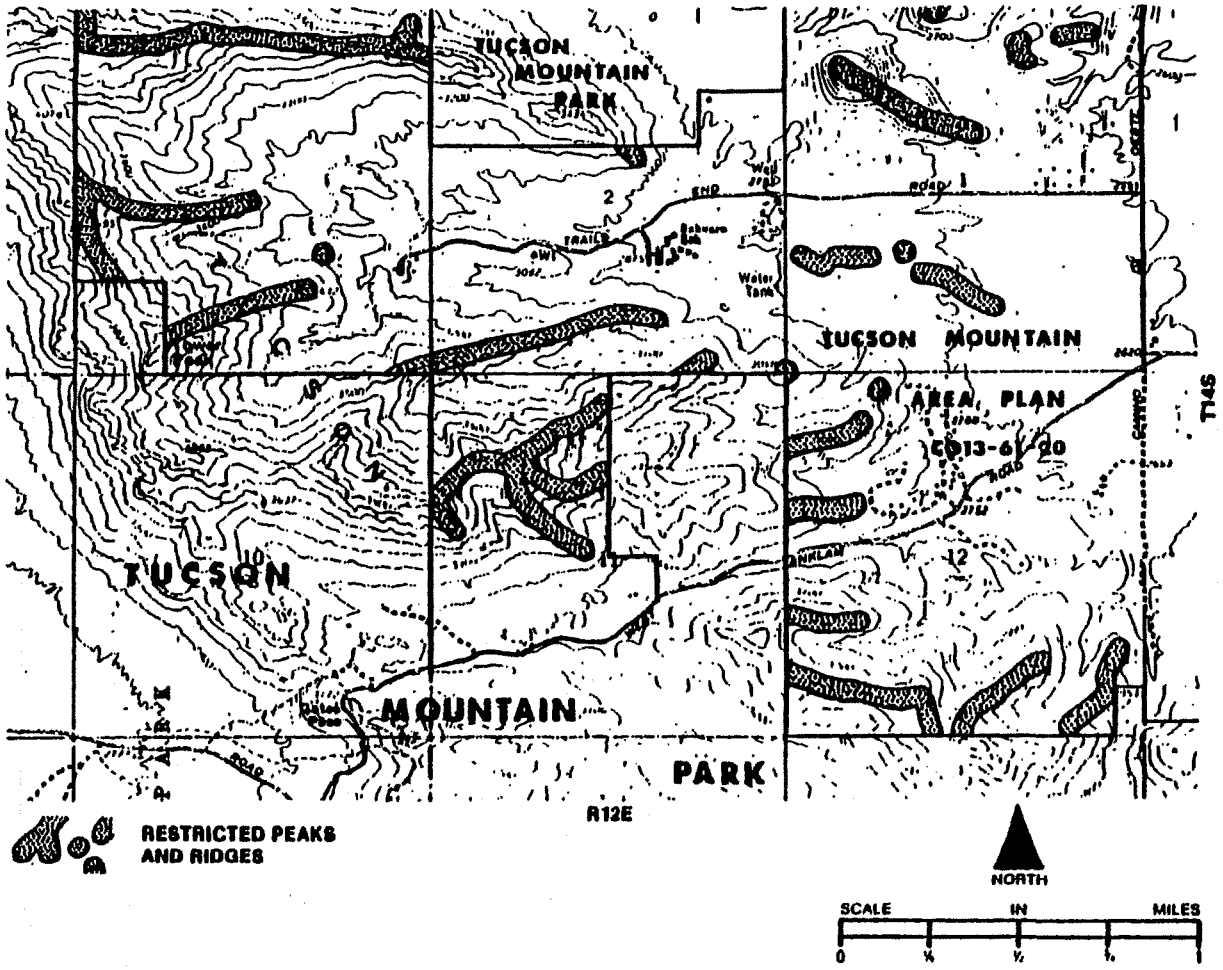
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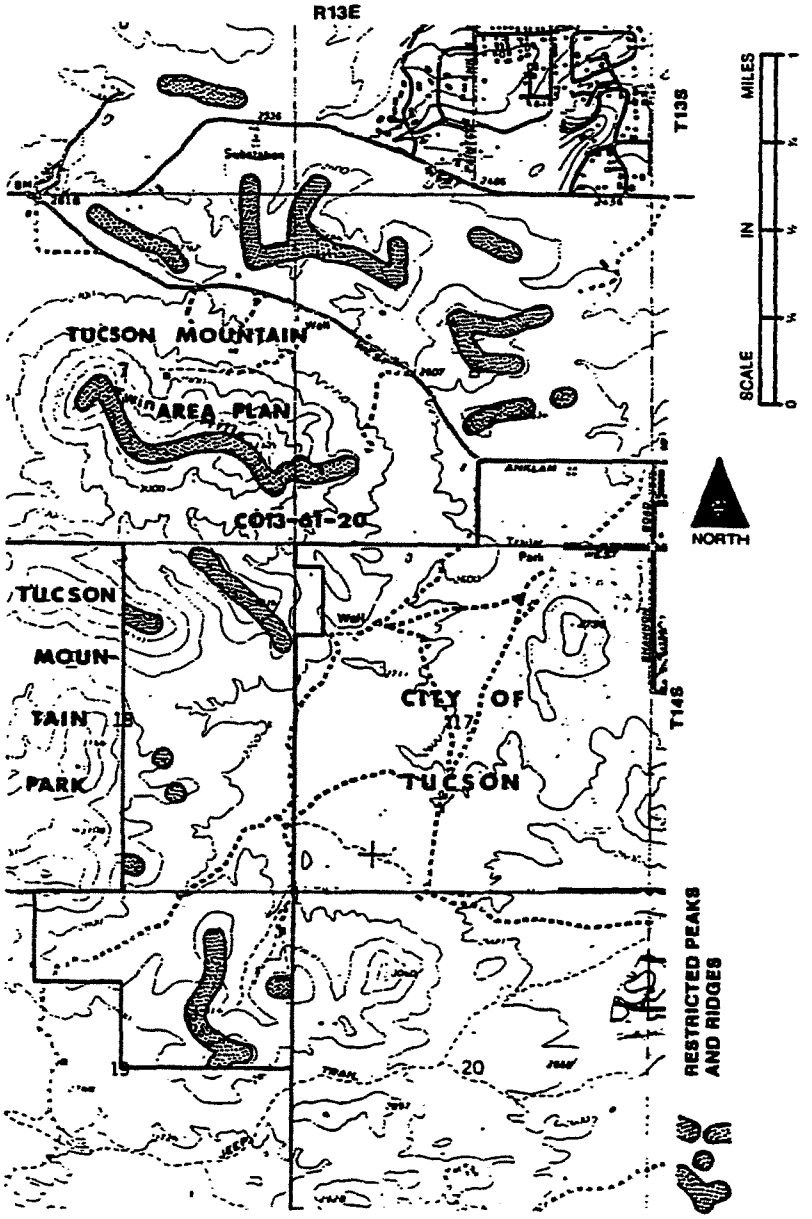
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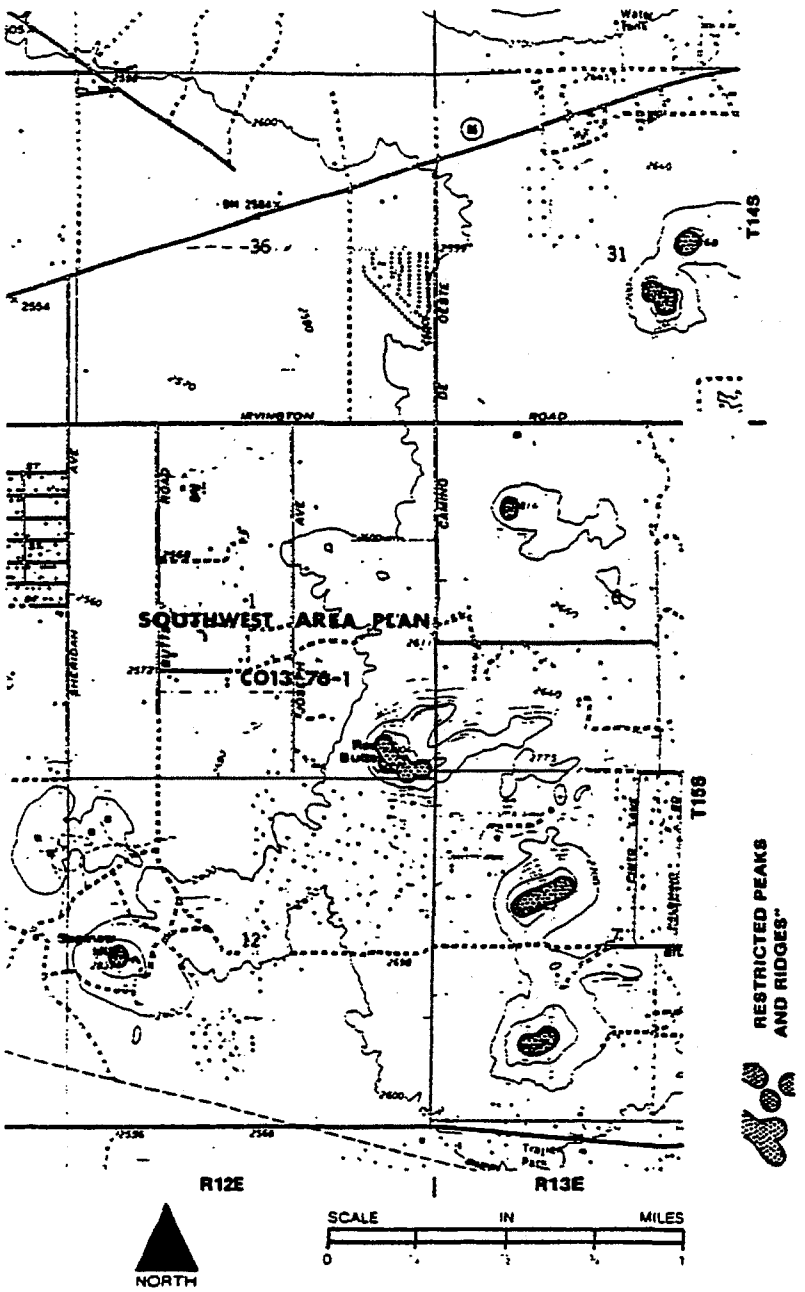

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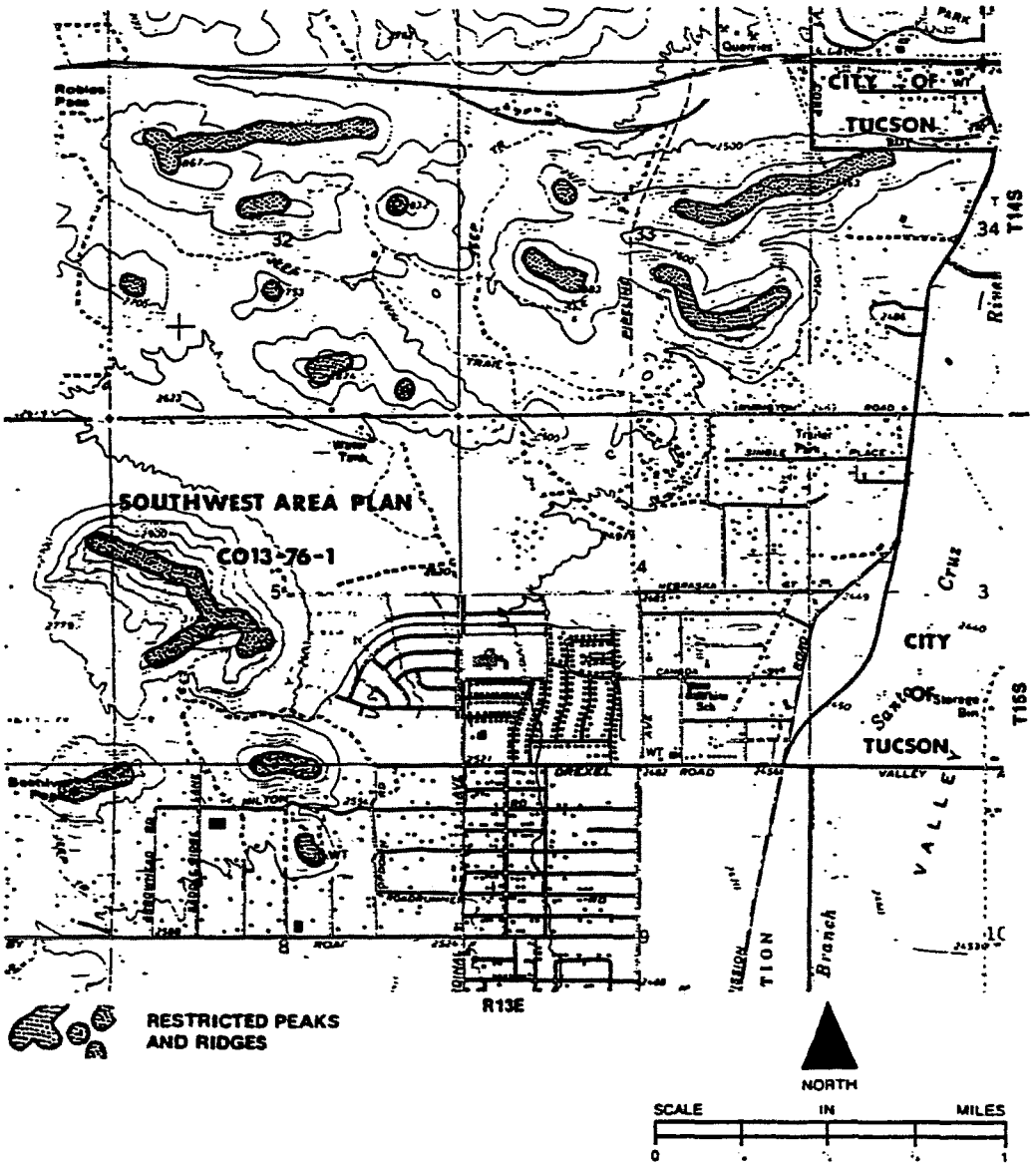
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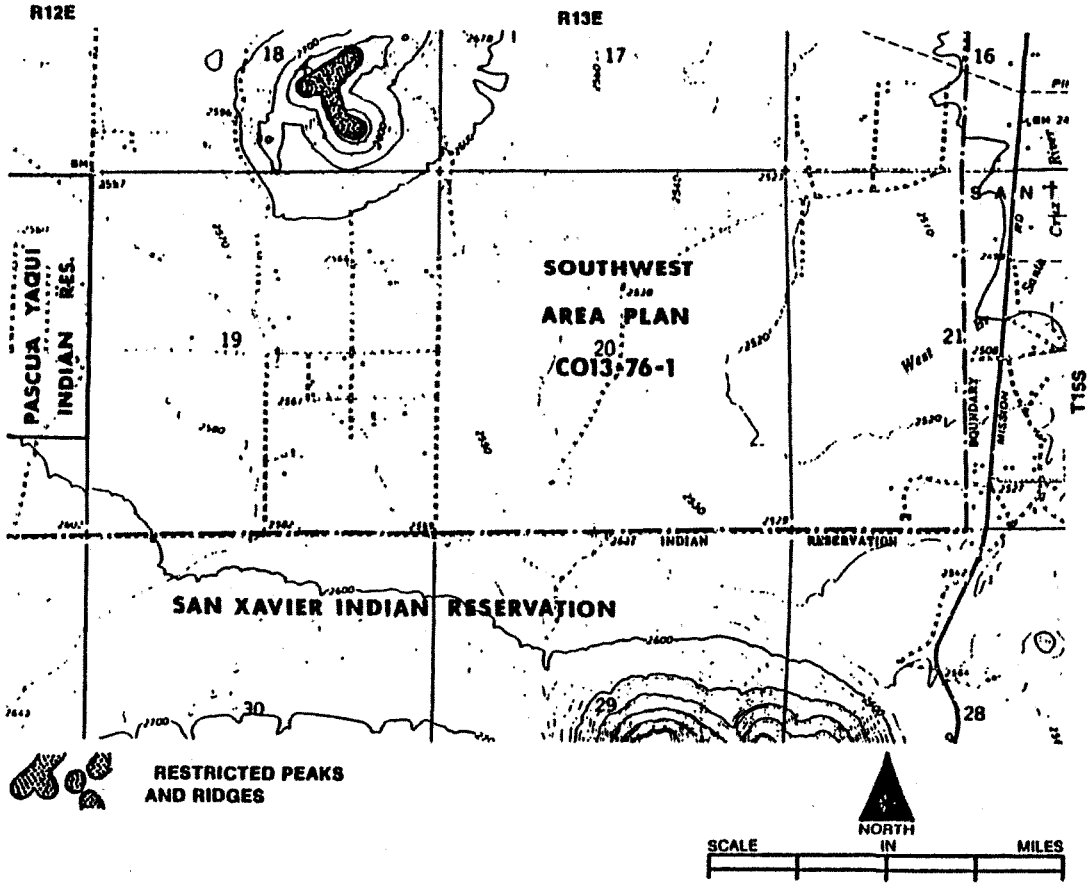
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INDIAN RES.
SAN XAVIER INDIAN RESERVATION
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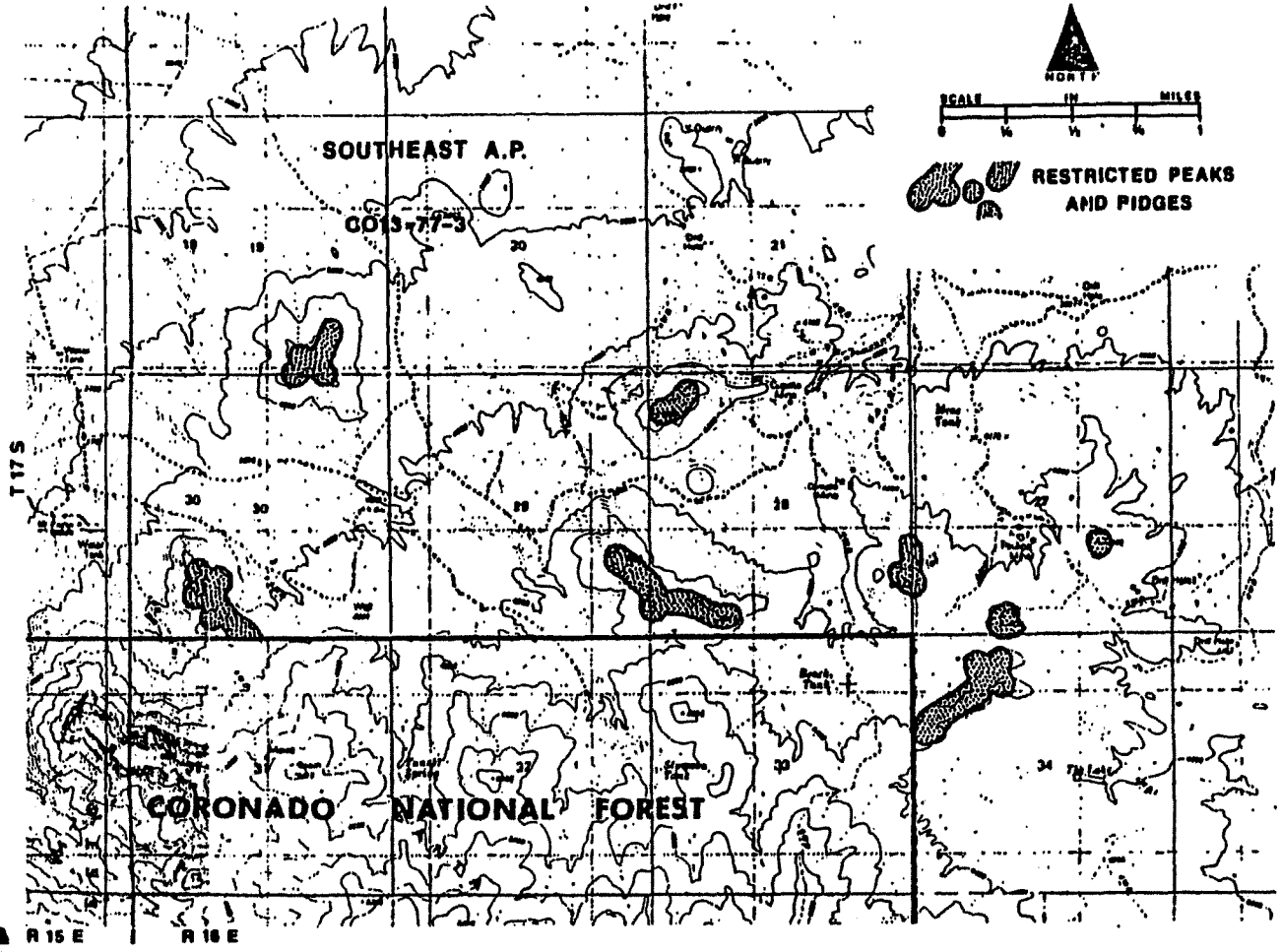
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SCALE IN MILES
RESTRICTED PEAKS AND RIDGES

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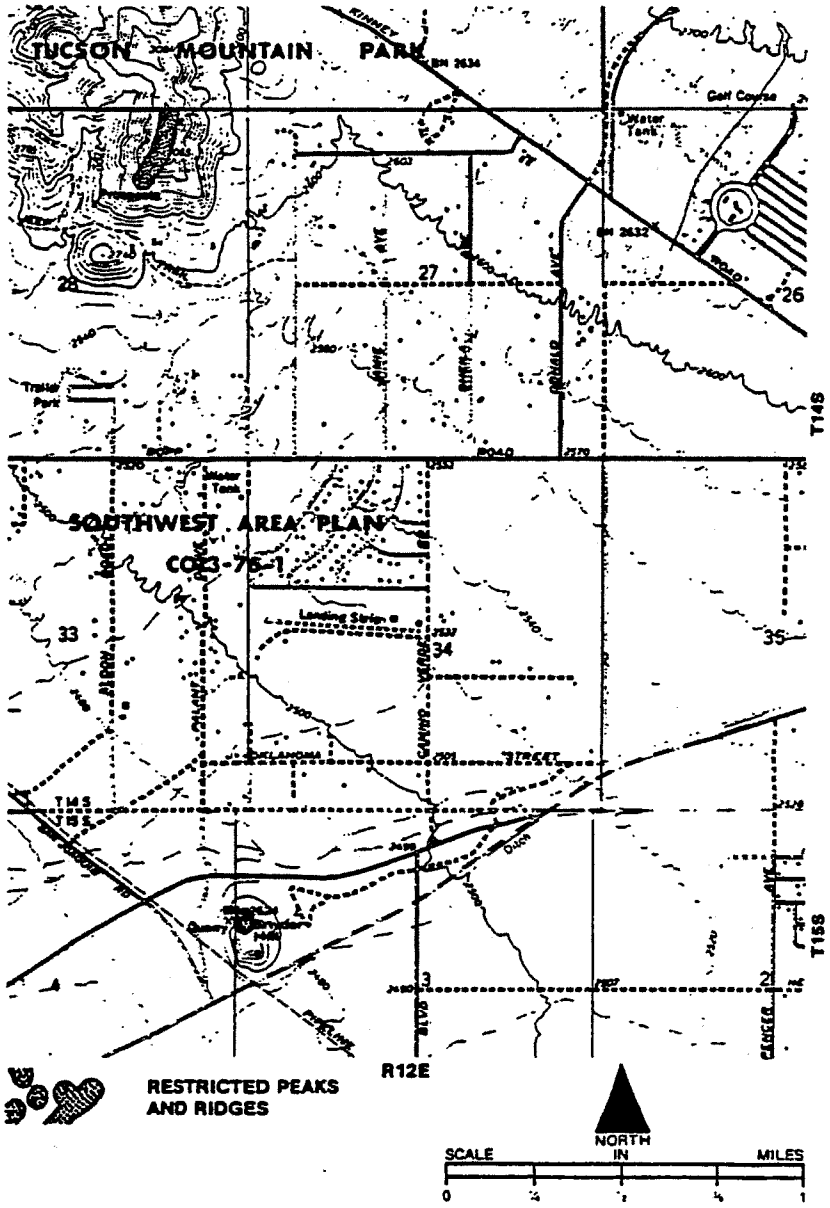
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COZ3-76-1
Golf Course
Water Tank
Trailer Park
Landing Strip
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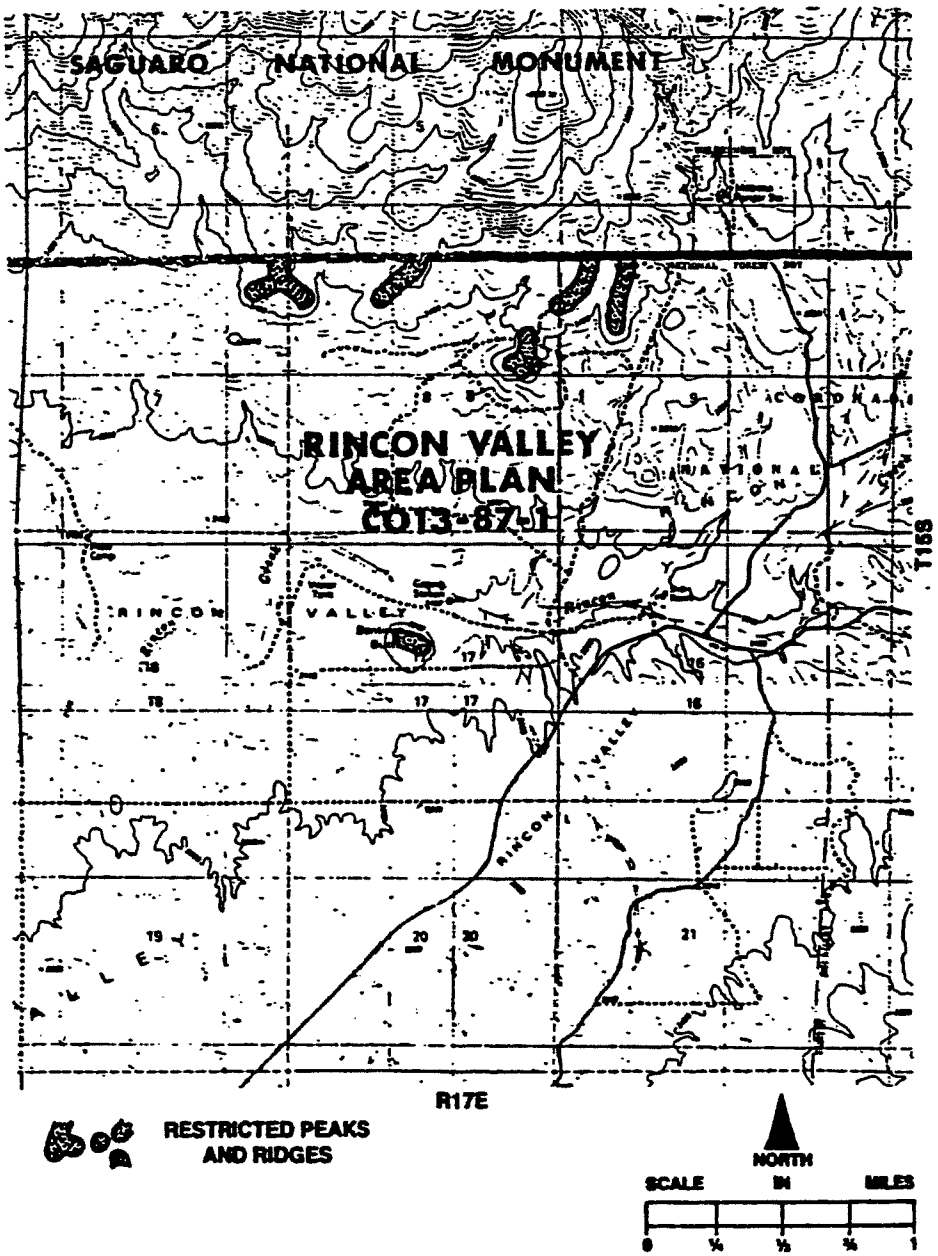
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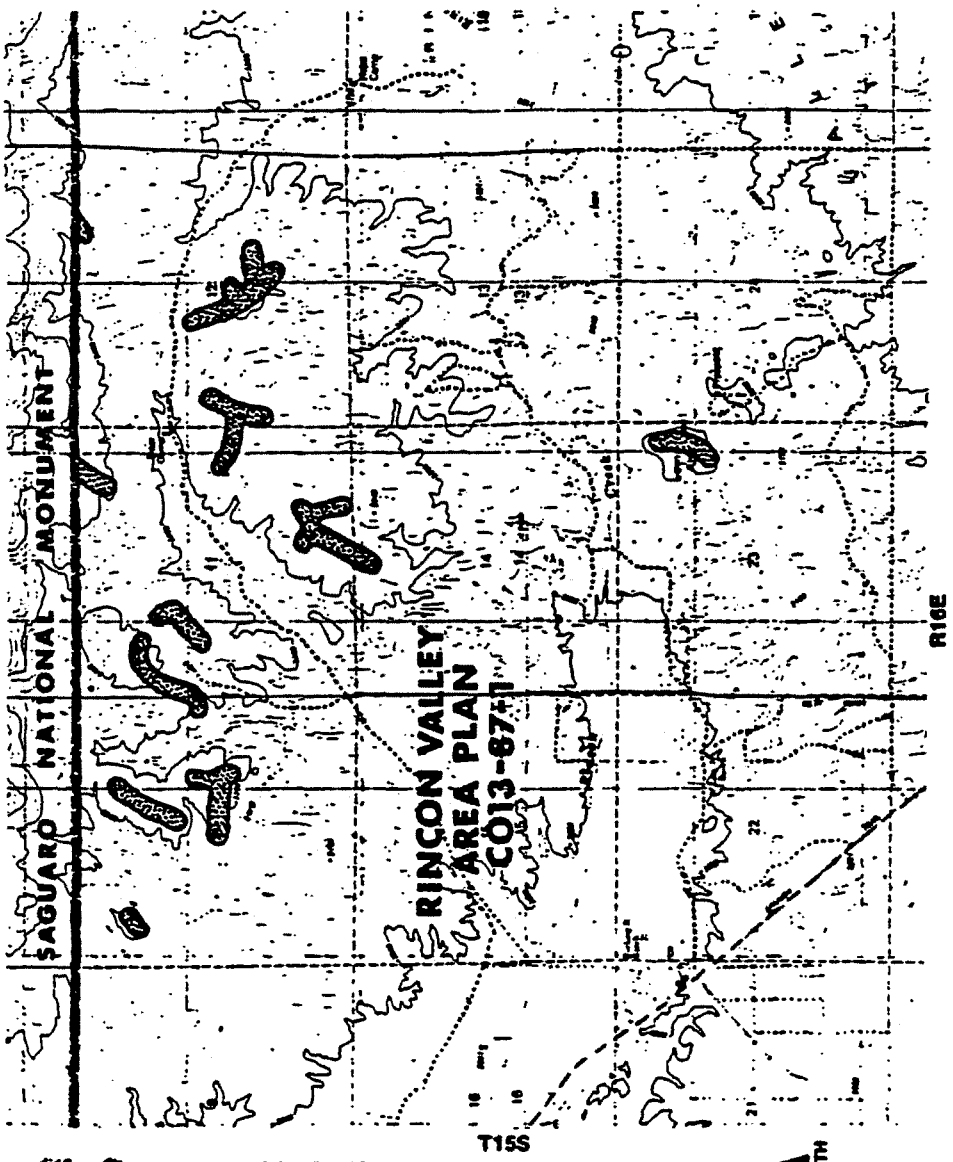
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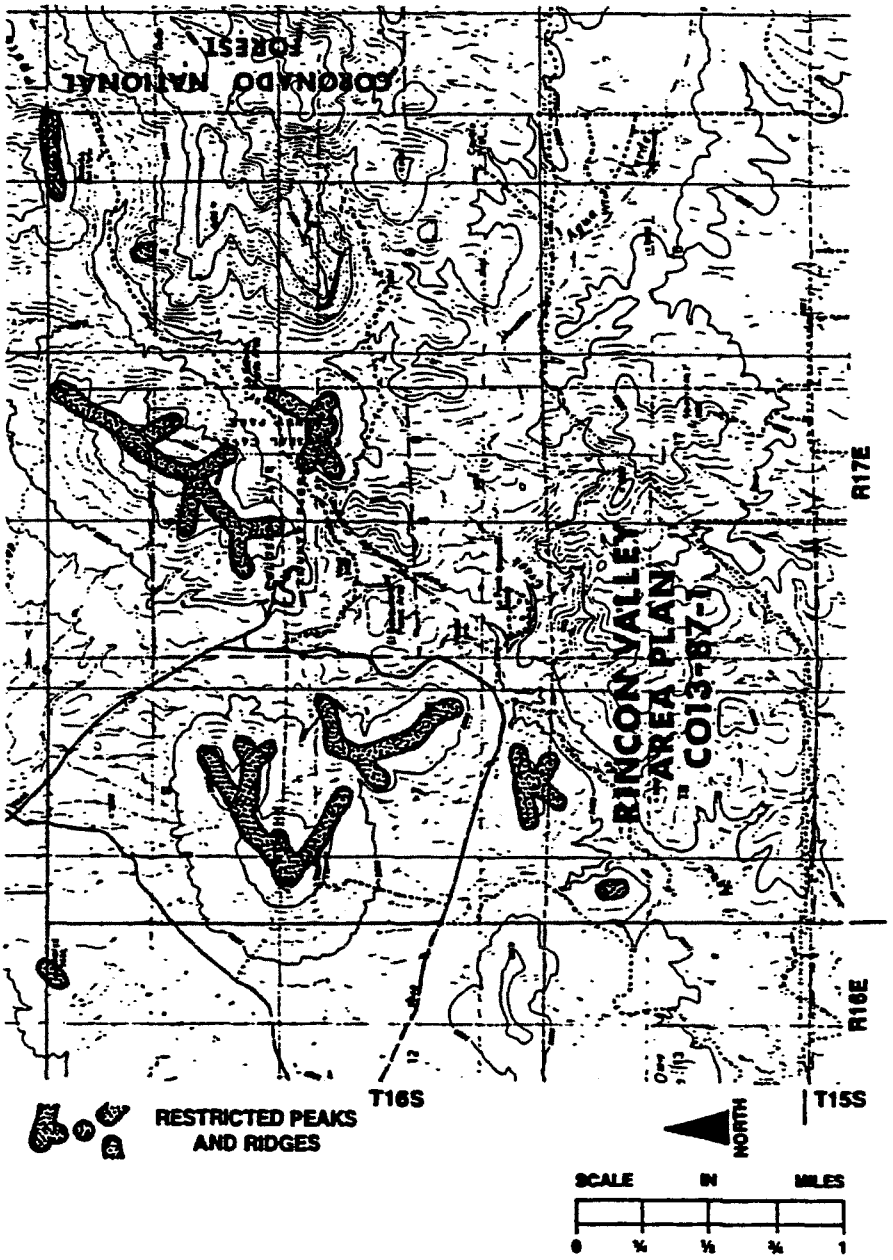
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zone, be designed and constructed to harmonize with the structures located within their immediate vicinity. (Ord. 1985-82 (part), 1985)

18.63.020 Use and special exception.

A. Use.

1. The historic district zone is superimposed over the existing zones.

2. It does not modify the uses permitted in the underlying zones, but controls their implementation to:

a. Insure harmonious growth and development;

b. Prevent dilution of the district's historic integrity; and

c. Encourage the retention of early structures in their original appearance and setting.

B. Special Exception. The provisions of this Chapter, with the exception of Section 18.63.100, shall not apply to the San Xavier environs historic (H-1) zone. (Ord. 1985-82 (part), 1985)

18.63.030 Definitions.

A. For purposes of this chapter, unless the context otherwise requires, the following words and phrases shall have the following meanings:

1. Historic district: A geographically definite area, formally designated by the board of supervisors, which contains related historic sites, structures, or objects, landscapes, or spaces in their original setting. (Ord. 1985-82 (part), 1985)

18.63.040 Criteria.

A. Criteria for Historic Designation. A site, structure, object, landscape, or space is subject to designation as historic, if it can:

1. Be authenticated as dating from a particular significant period in Pima County's history; or

2. Be associated with the lives of outstanding historical personages; or

3. Be associated with significant events or occurrences; or

4. Be a good example of the architectural period in which it was built and have distinguishing characteristics of an architectural style, method of construction, or be the notable work of a master builder, designer or architect; or

5. Contribute information of archaeological, historical, cultural, or social importance relating to the heritage of the community; or

6. Relate to events, personages or architectural styles which are at least fifty years old. However, outstanding examples less than fifty years should be evaluated on their own merits.

B. Criteria for Establishing Historic District Zones.

1. In determining whether an area or district shall be established as an historic district zone, the criteria of this subsection shall be applied.

2. Not all of the criteria need to satisfied; however, a sufficient number of the criteria should be satisfied to comply with the purpose and intent of this chapter:

a. An historic district zone should include historic sites, buildings, structures, objects, man-made landscapes, or spaces.

b. An historic district zone should include sites, buildings, structures, objects, man-made landscapes, or spaces in their original setting which contribute to an understanding of the heritage of the community.

c. The sites, buildings, structures, objects, man-made landscapes, or spaces should provide the area with a sense of uniqueness, so that it is readily distinguishable from other areas of the community.

d. The collection of sites, buildings, structures, objects, man-made landscapes, or spaces should possess integrity of location, design, setting, materials, workmanship, feeling, and association, thus constituting a recognizable entity. (Ord. 1985-82 (part), 1985)

18.63.050 Establishment.

A. Initiation. An historic district zone may be initiated by:

1. Application of owners of not less than fifty-one percent of the area of the proposed zone: or

2. The planning and zoning commission.

B. Historic District Advisory Board. Advisory

boards shall be created in accordance with Section 18.63.060.

C. Public Notice and Hearing Requirements.

1. Public notice of the hearing before the commission and the board of supervisors shall be given as required in Section 18.91.060B (Rezoning); and

2. No site, structure, object, man-made landscape, or space shall be designated historic without notice to the owner and occupant of the premises;

3. At the public hearing for the establishment of an historic district zone, the residents and property owners of the subject area, the historic district advisory board, as well as interested citizens and organizations shall be heard.

D. Public Hearing by the Planning and Zoning Commission.

1. The planning and zoning commission shall hold a public hearing on the proposed boundaries of the historic district zone and its buffer zone, as well as the sites, structures, objects, man-made landscapes, and spaces that are to be designated historic.

2. Within sixty days after the close of the hearing, the commission shall forward its recommendations for the proposed historic district zone to the board of supervisors with pertinent information, including a survey of all sites, structures, objects, man-made landscapes, and spaces designated as historic.

E. Public Hearing by the Board of Supervisors. Within thirty days after receiving the commission's recommendation, the board of supervisors shall set a date for its public hearing on the proposed zone. (Ord. 1985-141 § 1 (part), 1985; Ord. 1985-82 (part), 1985)

18.63.060 Historic district advisory boards.

A. Initiation and Establishment.

1. Applicants for each proposed historic district zone may submit to the planning and zoning commission a list of persons whom they recommend to be appointed to the historic district advisory board.

2. A separate advisory board shall be established for each proposed historic district zone.

3. The commission shall recommend to the board of supervisors for appointment at least six members from the list submitted by the applicants, and may recommend others.

4. The supervisors shall establish the advisory board and appoint its members.

5. Vacancies may be filled in the same manner.

B. Composition.

1. One-third of those recommended and appointed shall be residents of the district;

2. One-third shall be real property owners within the district; and

3. One-third shall have special qualifications in architecture, history archaeology, land use planning, landscape architecture, or related fields.

C. Rules and Regulations.

1. The members of the advisory board shall receive no compensation and shall serve at the will of the board of supervisors.

2. The advisory boards may adopt rules and regulations for carrying on their assigned duties.

D. Duties.

1. The historic district advisory board designated for a proposed historic district zone shall review the applications for that district and assist the planning and zoning commission in designating the boundaries of the proposed district and in selecting the sites, structures, objects, landscapes, and spaces which are to be designated as historic.

2. The advisory board shall also review applications involving the erection or construction of a new building or structure, or the modification, addition, alteration, moving, or demolition of existing structures, objects, or landscapes located within the historic district zone.

3. It is intended that the advisory board continue to function after the establishment of the related historic district zone in order to:

a. Review applications for building permits therein;

b. Monitor the building process in order to

assure that the external architectural character of the historic district is maintained as approved;

c. Maintain an inventory record of the historic district zone;

d. Formulate plans for the district's future; and

e. Keep the residents advised. (Ord. 1985-82 (part), 1985)

18.63.070 Development zones/criteria for new construction or alterations.

A. Development Zones. Development zone means a certain designated area around a lot, any part of which is being considered within an historic district zone, as follows:

1. Where a lot is located in a rural or semi-rural historic district zone in which structures are randomly and widely spaced and streets are few or nonexistent, the development zone shall be the entire historic district zone;

2. Where a lot is located adjacent to an historic district zone boundary, the development zone shall include that lot, all lots located within the same block not to exceed six hundred feet in either direction, and those lots located on the opposite side of any street adjoining the same block, as well as those lots located on the opposite corners, except such portions of the development zone which fall outside the boundary of the historic district zone;

3. Where a lot is an interior lot, the development zone includes that lot, plus those lots on either side thereof fronting on the same street in the same block not to exceed six hundred feet in either direction and all those lots on the opposite side of said street, except such portions of the development zone which fall outside the boundary of the historic district zone;

4. Where a lot is a corner lot, the development zone includes that lot, plus the corner lot diagonally opposite thereto, plus all lots fronting on the same two streets in the same block not to exceed six hundred feet in either direction, and all lots on the opposite side of said street, except those portions of the development zone which fall outside the boundary of the historic district zone.

B. Design Criteria.

1. The creation or construction of new buildings or structures, or the redesigning, remodeling or modification, addition, alteration, moving or demolition of existing structures in historic district zones shall comply with the provisions of this subsection.

2. Criteria.

a. The historical and architectural characteristics of an historic structure, object, or man-made landscape which make it unique shall be properly preserved and any changes shall generally conform to the character of the structures, objects, and man-made landscapes located within its development zone.

b. No specific architectural style shall be required for the design of a new building or other structures that have not been designated as historic. However, such buildings and structures are subject to the following:

1) The design of the structure shall generally conform to the character of the buildings and structures located within its development zone;

2) If demolished and the area left vacant, the area shall be maintained in a clean and inoffensive manner;

3) If demolished and the area converted to another use not requiring buildings (such as a parking lot), the area shall be buffered by landscaping or have walls or fences that conform to the character of the other buildings and structures located within its development zone;

4) If demolished and new structures erected, they shall generally conform to the character of the buildings located within their development zone.

C. Building Permit Criteria.

1. The criteria of this subsection (which are exemplified in the report, Tucson's Historic Districts: Criteria for Preservation and Development, latest edition) shall be used as a guide in approving a building permit and determining if the design of a proposed structure is compatible

with the collective characteristics of the buildings or structures located within its development zone.

2. Criteria.

a. Height: New structures may be constructed no higher than the tallest conforming building located within their development zone at the time of the establishment of the historic district zone;

b. Setbacks: New structures must maintain the prevailing setback existing within its development zone at the time of the establishment of the historic district zone;

c. Proportion: The relationship between the height and width of the front elevation of the building;

d. Recurrent alteration of solids to voids in the front facade;

e. Roof types;

f. Surface texture of buildings;

g. Color of buildings, trim, roof, etc;

h. Site utilization: The width of side yards as it affects the spacing between individual buildings and structures;

i. Projections and recessions: Such as but not limited to the presence or absence of porches, steps, awnings, and overhangs;

j. Architectural details: Such as but not limited to cornices, lintels, arches, grill work, and shutters.

3. Other pertinent factors generally affecting the appearance, harmony and efficient functioning of the historic district zone may be used.

D. Additional Criteria.

1. The protection of the quality of uniqueness inherent in each historic district may require additional provisions and criteria.

2. Such provisions and criteria may be adopted by the board of supervisors, on recommendation by the planning and zoning commission, following public hearings as set forth in Section 18.63.050C through E. (Ord. 1985-82 (part), 1985)

18.63.080 Design plan requirements and review procedures.

A. Design Plan Requirements. The design plan shall be drawn to scale and shall provide the following information where applicable:

1. The proposed layout of all structures and other improvements, including where appropriate, driveways, and pedestrianways;

2. Existing significant landscape features and proposed landscaped areas, fences, walls;

3. Off-street parking;

4. The location of property lines and public rights-of-way;

5. Entrances and exits and the direction of traffic flow in and out of off-street parking areas;

6. The location of each parking space and areas for turning and maneuvering vehicles;

7. Architectural drawings or sketches, drawn to scale, including drainage plans, in sufficient detail to permit computation of yard requirements and showing all elevations of the proposed structures or other improvements as they will appear on completion of construction;

8. Specifications as to type, color, and texture of exterior surfaces of proposed structures;

9. A sign plan, drawn to scale, showing the location, size, design, material, color, lettering and methods of attachment and illumination of all exterior signs;

10. Any additional information deemed necessary by the zoning inspector to properly review the design plan.

B. Design Plan Review Procedures.

1. Preliminary Review.

a. Prior to the submittal of a design plan, the applicant may consult with the staff of the planning and development services department concerning submission requirements.

b. It is also recommended that the applicant review the proposed design plan with the applicable historic district advisory board.

2. Application and Compliance Review.

a. Application for historic district design review shall be made on forms provided by the planning and development services director and

shall be accompanied by five copies of a design plan.

b. The zoning inspector shall review each design plan for compliance with established application requirements and shall formally accept or reject the application within two working days.

3. Plan Transmittal. The zoning inspector shall, within one working day, transmit one copy of the accepted design plan to the design review committee (refer to Section 18.99.030 Design Review Committee) and one copy to the appropriate advisory board for their review and recommendation.

4. Advisory Board Recommendation.

a. The advisory board shall submit its recommendation to the design review committee within fifteen working days.

b. If no recommendation is received in that time, it shall be considered approved.

5. Review and Decision by the Design Review Committee.

a. The committee shall notify the applicant and the appropriate advisory board as to the time and place of the preliminary review and the applicant shall be heard.

b. The committee shall review the proposed design plan for its compliance with the purpose and intent of the historic district zone and applicable standards and criteria and shall approve, approve subject to conditions, or disapprove the design plan.

c. In no event shall the committee act on the proposed design without having considered the recommendations of the applicable advisory board.

d. If at the preliminary review the committee and the advisory board are in agreement, the committee shall forward the application to the zoning inspector for processing.

e. The committee may require additional information from the applicant or it may require modifications of the proposed design plan to comply with the requirements of this chapter, in which case a second hearing shall be held.

f. The applicant and appropriate advisory board shall be notified of the time and place thereof and shall be heard.

6. Appeals Procedure.

a. The decision of the committee may be appealed to the board of supervisors by:

1) The applicant; or

2) A member of the applicable advisory board; or

3) Any real property owners of the applicable historic district zone; or

4) Any resident of the applicable historic district zone.

b. Filing. The appeal shall be filed in writing with the clerk of the board of supervisors within thirty days or the action shall be final.

c. Notice. Notice shall be sent to the applicant, to the advisory board, and to all interested parties, for the time and place for appeal hearing and the applicant shall be heard.

d. Decision by the Supervisors. The supervisors, upon considering the appeal, the recommendations of the committee and the advisory board, shall uphold, modify, or reverse the decision.

7. Issuance of Permits.

a. The central permitting office shall not issue a building permit for:

1) The erection or construction of new structures;

2) The modification, addition, alteration, moving or demolition of existing structures; or

3) The installation of a sign within an historic district zone without the written certification of the planning and development services director, stating that the application for such a permit has complied with all the requirements of this chapter.

b. The zoning inspector shall authorize the issuance of a building permit only upon approval of a design plan in accordance with the procedures of this section. (Ord. 1985-144 § 1 (part), 1985; Ord. 1985-82 (part), 1985)

18.63.090 Demolition of historic structures.

A. Scope.

1. No permit shall be issued by the building official for demolition of all or any significant part of a structure or building which has been designated as historic before approval by the planning and zoning commission.

2. In making its decision, the commission shall determine if the applicant has shown that the preservation of the structure is physically and/or economically unfeasible.

B. Planning and Zoning Commission Action.

1. If preservation is found to be physically and/or economically unfeasible, it shall notify the zoning inspector that the issuance of the demolition permit is approved by the commission. The site may be left vacant or a new building constructed in accordance with the provisions set forth in Section 18.63.070B and C.

2. If the preservation of the structure is found to be feasible, the commission shall notify persons or groups interested in historic preservation who may either attempt to convince the owner to preserve the building or structure or, if the owner does not so agree, to attempt to have the property purchased by someone who will agree to preserve the building or structure in accordance with the provisions of this chapter.

3. If the owner is not convinced to retain the building or structure and does not make an agreement to that effect and no one has agreed to purchase it within one hundred eighty days after public notification of the application for a demolition permit, the commission shall notify the building official that the issuance of a permit to demolish the building or structure is approved and the provisions set forth in Section 18.63.070B and C shall apply.

C. Authority of the Building Official. Approval by the planning and zoning commission of the issuance of a permit does not mandate the granting of a permit by the building official if the official should find reasons and deny it under other provisions of the county building code (Title 15). (Ord. 1985-82 (part), 1985)

18.63.100 Specific regulations—San Xavier environs historic zone (H-1).

A. Purpose. The purpose of this zone is to promote the public health, safety, convenience and general welfare through conservation of the historical heritage of Pima County by delimiting an area of influence from an established historic site and by providing for certain appropriate controls.

B. Definitions.

1. Established historic site: A registered national historic landmark or historic place (or state of Arizona historic landmark or historic place) as incorporated in the National (or State) Register of Historic Places.

C. Use Restrictions Zone A.

1. Scope. Within an area of one mile from an established historic site, the additional regulations of this subsection shall apply and shall be superimposed over an existing zone.

2. Density. The density shall not exceed two living units per thirty-six thousand square feet of lot area.

3. Development Standards.

a. No off-site signs shall be permitted, and all on-site signs shall comply with the sign regulations in 18.79.050O (Sign Standards).

b. All outdoor lighting shall be hooded and controlled so that the source of the light shall not be visible from adjoining properties.

c. Commercial and industrial uses shall also comply with Section 18.63.100C3b and C3c. All developments shall provide planting screens or approved walls on the side or sides oriented towards the historic site no less than six feet in height.

d. Regardless of any other regulation no structure shall exceed two stories (maximum height: Thirty feet).

e. The requirements of this section shall not apply to the alteration of another established historic site within the influence zone.

f. The color of all structures shall be earth tones.

g. The planning and development services

director shall require landscaping appropriate to the natural vegetation of the area.

D. Use Restrictions Zone B.

1. Scope. Within an area of one and one-quarter of a mile and one mile from an established historic site, the additional regulations of this subsection shall apply and shall be superimposed over an existing zone.

2. Density. A density of four units per thirty-six thousand square feet shall be permitted; provided, that the developer obtain the proper zoning as provided in Chapter 18.91 (Zoning Code Amendments and Zone Changes);

3. Development Standards. In accordance with Section 18.63.100C3.

E. Use Restrictions Zone C.

1. Scope. Within an area of one and one-half of a mile to one and one-quarter mile from an established historic site, the additional regulations of this subsection shall apply and shall be superimposed over an existing zone.

2. Density. A density of six units per thirty-six thousand square feet shall be permitted, provided that the developer obtain the proper zoning as provided in Chapter 18.91 (Zoning Code Amendments and Zone changes);

3. Development Standards. In accordance with Section 18.63100C3.

F. County staff shall review all development plans within a mile and one-half of the San Xavier Mission for conformance to this section. Appeals shall be directed to the design review committee (refer to Section 18.99.030 Design Review Committee. (Ord. 1985-141 § 1 (part), 1985; Ord. 1985-82 (part), 1985)

18.63.110 Specific regulations—Fort Lowell historic district zone (H-2).

A. Purpose. To insure harmonious growth and development, prevent dilution of the district's historic integrity, and encourage continued use of the historic resources in their original appearance and setting, the specific provisions and development of this section are adopted for the Fort Lowell historic district by the board of supervisors.

B. Historic District Zone.

1. Because of the large area occupied by Fort Lowell Park, the entire remaining portion of the Fort Lowell historic district shall constitute the development zone.

2. Since a multiunit development such as the townhouse condominium complex, with or without cluster option, would be incompatible with and would overshadow this small district's distinguishing identity, new residential development shall be:

a. Confined to one-story, individual (detached), single-family residences of non-uniform facades; and

b. Separated by open areas as specified in the underlying zoning.

3. All accessory structures such as garages, carports, sheds, patio walls, and fences, shall be designed and constructed so that they are compatible with the aesthetic character of the residences with which they are associated.

4. In view of the fact that at the time of historic designation, the district's developed parcels, largely CR-3 and CR-2, had long maintained a density below that allowed in the underlying zoning, homeowners in such CR-3 and CR-2 zones shall be encouraged to petition for lower density zoning and, if and when petition is made for higher density zoning on the SR parcels, the maximum density permitted shall be that of CR-1.

5. Consistent with the district's semi-rural nature:

a. New roadways, lanes, and externally visible driveways shall be constructed without curbs or pedestrian pavements and with surfacing that blends with existing landscape; and

b. No grid plan of streets is to be superimposed upon the area;

6. Vegetation on all externally visible land areas in front of and between buildings in developed parcels shall have the unlandscaped

appearance and natural, native growth characteristic of the district.

7. Parking areas common to more than two dwellings shall be prohibited.

8. New aboveground power and telephone line installations shall be prohibited.

C. Buffer Zone.

1. Purpose and Establishment. To promote growth and development in the county without impairing the sense of neighborhood and the historic integrity of the Fort Lowell historic district, a buffer zone is hereby established.

2. Scope.

a. The buffer zone shall extend from the east, north and west borders of the district.

b. Where the border runs along the boundary line between lots, the buffer zone includes those lots or portions of lots within two hundred feet of the border.

c. Where the border lies along a dedicated roadway, highway or easement, the buffer zone includes those lots or portions of lots within two hundred feet of the dedicated right-of-way.

3. Any new or remodeled structure shall be limited to one story and of a height not to exceed sixteen feet.

4. Signs in the buffer zone shall be subject to 18.79.050W (Sign Standards).

5. Lighting in the buffer zone shall be subject to Section 18.63.110G.

6. No building permit shall be issued for the erection or construction of a new structure, the modification, addition to or alteration of an existing structure or the installation of a sign or lighting within the historic district buffer zone without the written certification of the historic district advisory board that the application for such permit complies with the above requirements.

D. Permitted Uses. Any use permitted by the existing zones over which this historic district zone is superimposed shall be allowed, so long as it is carried out in a manner which does not diminish the historic district's visual distinction.

E. Off-street Parking Requirements. Parking spaces are required by this code and shall be provided on or off the site, but no more than six hundred feet beyond the historic district zone boundary.

F. Signs. In accordance with Section 18.79.050W (Sign Standards).

G. Lighting. Any lights or illumination must be shaded to:

1. Light only the target area;

2. Prevent upward illumination; and

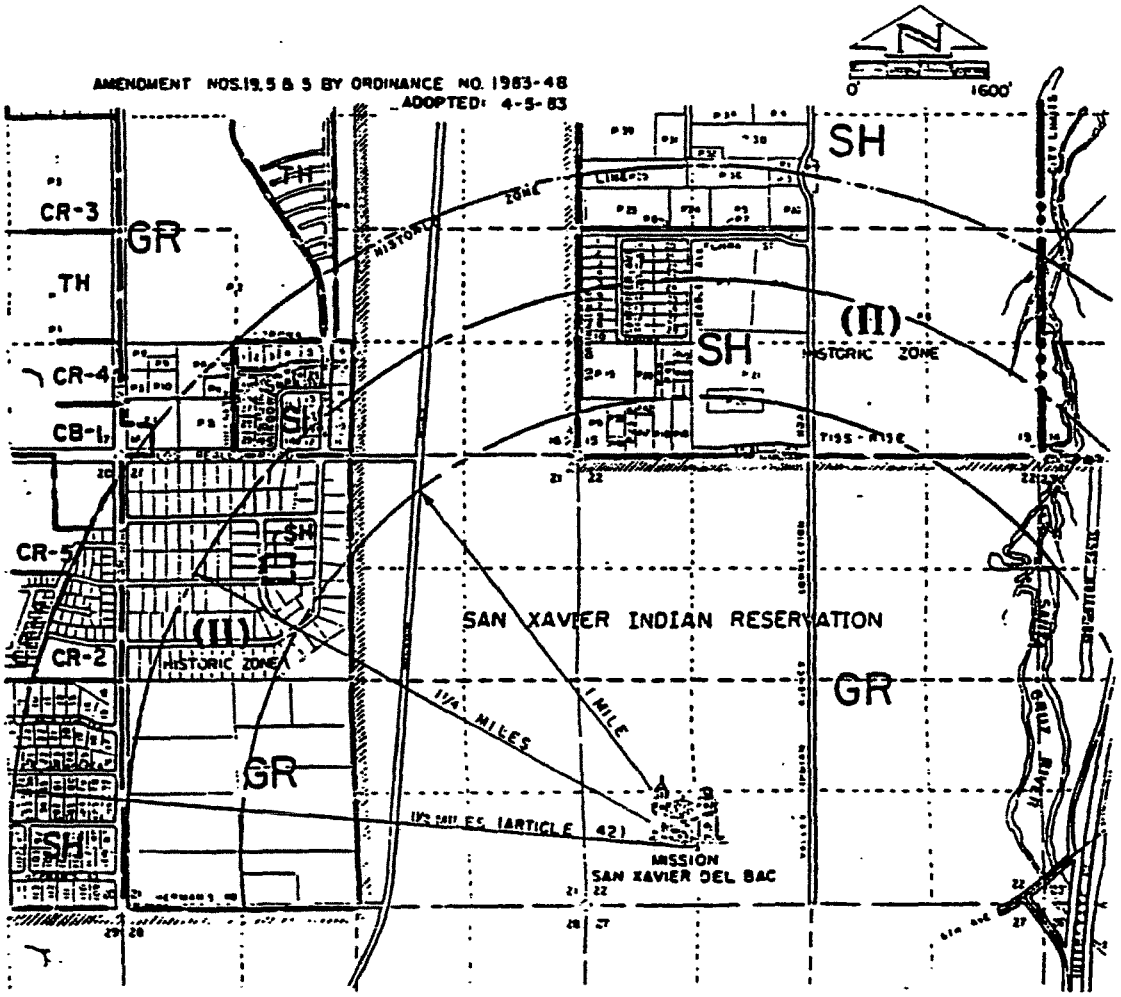
3. Protect adjacent properties and motorists from glare. (Ord. 1985-82 (part), 1985)

18.63.120 Maps.

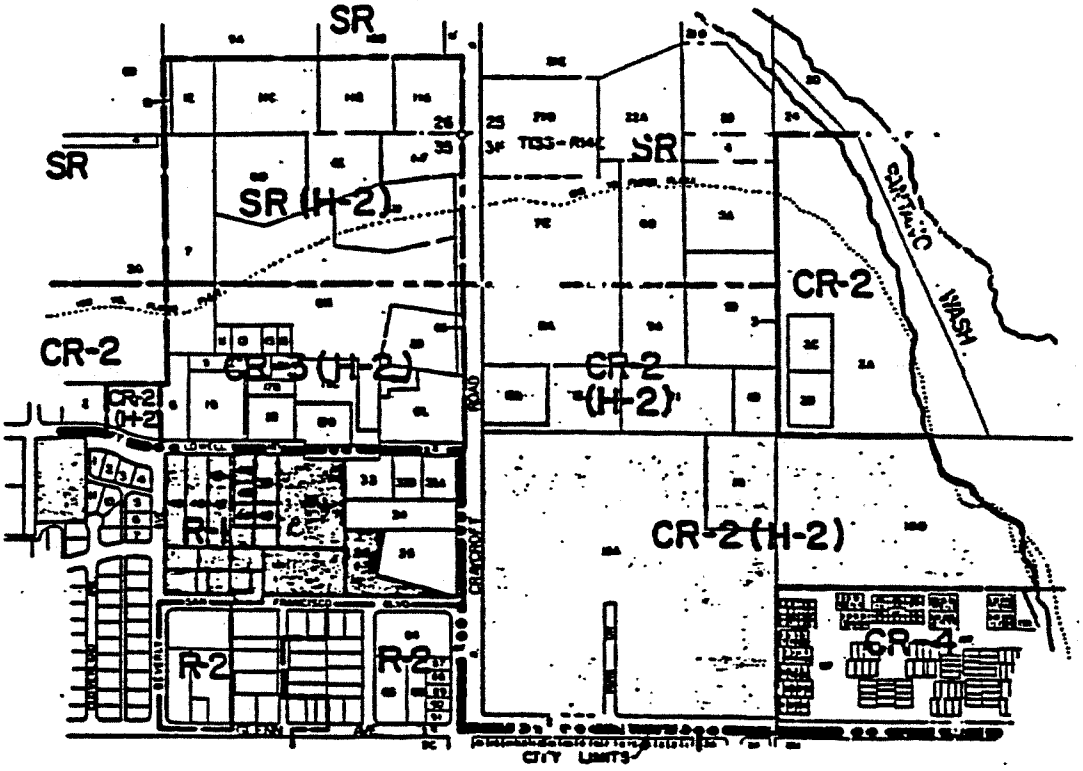
A. San Xavier environs historic zone (H-1) map: See Map 18.63.120A.

B. Fort Lowell historic district zone (H-2) map: See Map 18.63.120B. (Ord. 1985-82 (part), 1985)

Map 18.63.120A
San Xavier Environs Historic Zone (H-1) Map



Map 18.63.120A
Fort Lowell Historic District
Zone (H-2) Map



Chapter 18.65

(RESERVED)

Chapter 18.67

BUFFER OVERLAY ZONE

Sections:

18.67.010	**Purpose.**
18.67.020	**Definitions.**
18.67.030	**Application.**
18.67.040	**Critical and sensitive biological communities maps.**
18.67.050	**Performance standards.**
18.67.060	**Exceptions to performance standards.**
18.67.070	**Rezoning and specific plan procedural requirements.**

18.67.010 Purpose.

A. The purpose of this chapter is to:

1. Permit the economically reasonable use of lands while at the same time preserving and protecting the open space characteristics of those lands in the vicinity of the public preserves;

2. Protect and enhance existing public preserves in Pima County as a limited and valuable resource;

3. Establish mechanisms that will protect the public preserves and result in an ecologically sound transition between the preserves and more urbanized development;

4. Assure the continued existence of adequate wildlife habitat and foster the unimpeded movement of wildlife in the vicinity of Pima County's public preserves;

5. Provide for an aesthetic visual appearance from and to Pima County's public preserves;

6. Promote a continued economic benefit to the region by protecting the public preserves for the enjoyment of residents and visitors alike; and

7. Neither promote nor discourage changes in underlying zoning, but rather provide continuing performance standards for the unique lands within the buffer overlay zone. (Ord. 1988-116 § 1 (part), 1988)

18.67.020 Definitions.

A. Certain terms used in this chapter shall be defined, for the purpose of this chapter only, as follows, unless a different meaning is clearly indicated by the context:

1. Class I habitat: The areas identified on the Critical and Sensitive Biological Communities Maps as class I habitat, pursuant to Section 18.67.040.

2. Class II habitat: The areas identified on the Critical and Sensitive Biological Communities Maps as class II habitat, pursuant to Section 18.67.040.

3. Functional open space: A land area within the buffer designated and intended for active recreational use and enjoyment. Any uses in this category shall function, to the greatest extent possible, to allow wildlife movement and provide mitigation and wildlife enhancement opportunities.

4. Land parcel: An area of land with boundaries recorded in the Pima County Recorder's Office.

5. Master plan development: An area consisting of one or more land parcels or a portion of a land parcel for which a master subdivision plat is to be recorded with the general intent that, in a phased manner, individual lots are to be resubdivided or be subject to a development plan or to a specific plan.

6. Native: Growing in the Arizona portion of the Sonoran Desert, without cultivation, and not introduced after 1920. A plant which occurs within the range of Sonoran Desert plants, but only in Mexico, is not native.

7. Natural open space: An area of land, essentially unimproved and not occupied by any structures or man-made impervious elements, except pedestrian and non-motorized access trails, that is set aside, dedicated or reserved by recorded plat or covenant running with the land for public or private enjoyment as a preservation or conservation area.

8. Public preserve: Saguaro National Monument, Rincon Mountain District and Tucson Mountain District; Tucson Mountain Park; Coronado National

Forest, Santa Catalina unit and Santa Rita unit; Catalina State Park; and Tortolita Mountain Park as they existed on June 22, 1988.

9. Riparian habitat: The association of plant and animal communities occurring in, on or immediately adjacent to a watercourse.

a. Desert riparian habitat: An association of plant and animal communities containing a high density and diversity of species, occurring in, on or immediately adjacent to a watercourse. It is typically comprised of mesquite, catclaw acacia, desert broom, whitehorn acacia and blue palo verde, providing uninterrupted vegetative cover. (Ord. 1988-116 § 1 (part), 1988)

18.67.030 Application.

A. The buffer overlay zone shall apply only to land parcels of eighty acres or more, which are located within one mile of a public preserve, and no land parcels of eighty acres or less shall be affected by this chapter, except that:

1. In the area adjacent to the Tucson Mountain section of Saguaro National Monument and Tucson Mountain Park, lying within special area 5-01 Tucson Mountains North, as described in the document entitled Comprehensive Plan Regional and "Special Area" Plan Policies and as designated on the comprehensive plan land use plan, the buffer overlay zone shall apply to those properties classified Resource Transition.

2. The buffer overlay zone shall not apply to that area within the Mount Lemmon Community Plan as adopted by the board of supervisors on April 7, 1980.

3. Lands within the following sections adjacent to the Coronado National Forest, Santa Catalina and Santa Rita units, are excluded:

a. Township 11 South, Range 16 East, all application sections;

b. Township 11 South, Range 17 East, all applicable sections;

c. Township 12 South, Range 17 East, all applicable sections;

d. Township 12 South, Range 18 East, all applicable sections;

e. Township 13 South, Range 18 East, all applicable sections;

f. Township 16 South, Range 17 East, Sections 10 through 16;

g. Township 16 South, Range 18 East, Sections 7, 13 through 18;

h. Township 17 South, Range 16 East, Sections 27, 34 and 35;

i. Township 18 South, Range 15 East, all applicable sections;

j. Township 18 South, Range 16 East, all applicable sections;

k. Township 19 South, Range 13 East, all applicable sections;

l. Township 19 South, Range 14 East, all applicable sections;

m. Township 19 South, Range 16 East, all applicable sections.

B. This chapter shall apply to any application for specific plan or rezoning filed after December 1, 1987, which was not given final approval by the county prior to the effective date of this chapter. (Ord. 1992-96 § 1 (part), 1992; Ord. 1988-116 § 1 (part), 1988)

18.67.040 Critical and sensitive biological communities maps.

A. The board of supervisors shall by resolution adopt three critical and sensitive biological communities maps. The maps shall be kept in the office of the planning and development services department and shall be available to the public during regular office hours.

1. Critical and Sensitive Biological Communities Map — Northeast Sector;

2. Critical and Sensitive Biological Communities Map — Southeast Sector;

3. Critical and Sensitive Biological Communities Map — Western Sector.

B. The maps may be amended by resolution of

the board of supervisors after review by the planning and zoning commission.

C. Procedure for an amendment of a critical and sensitive biological communities map requested by an applicant for rezoning or specific plan:

1. If a site analysis is not required, the applicant shall submit a report containing, at a minimum, responses to all vegetation and wildlife sections in the site analysis guidelines.

2. The site analysis or report shall establish that the natural conditions of the site differ from that depicted on the map.

D. Class I habitat: Areas identified on the critical and sensitive biological communities maps as class I habitat are exceptionally important for wildlife. They specifically include:

1. Deciduous riparian woodlands — Vegetative communities associated with perennial stream flows and generally comprised of cottonwood, willow, ash, walnut, sycamore, and mesquite species;

2. Mesquite bosques — Nearly continuous forest canopies of mesquite trees growing in association with water tables near the surface of annual or perennial streams. Blue palo verde and catclaw acacia also commonly occur in mesquite bosques;

3. Lakes, ponds, and wetlands with adjacent plant cover;

4. Important wildlife movement corridors — Desert or riparian habitats providing uninterrupted vegetative cover extending from a public preserve; and

5. Major extensions of desert riparian habitat from public preserves. Desert riparian habitats are typically comprised of mesquite, catclaw acacia, desert broom, whitehorn acacia and blue palo verde.

E. Class II habitat: Areas identified on the critical and sensitive biogical communities maps as class II habitat are more widespread than class I habitats, and are important to wildlife because they support a diversity of species and large numbers of individual animals. They specifically include:

1. Major segments of desert riparian habitat not extending from a public preserve, containing a high density and diversity of plant and animal species;

2. Palo Verde-Saguaro vegetation community — The upland habitat which is the dominant plant association in most of the foothills regions of the Tucson basin; and

3. Ironwood plant community — A community in which ironwoods are the dominant species in association with saguaros and palo verde trees. (Ord. 1988-116 § 1 (part), 1988)

18.67.050 Performance standards.

A. All uses permitted in an underlying zone shall be permitted in the buffer overlay zone, including areas set aside for conservation of wildlife habitat, riparian communities and other natural vegetation. The development standards of the underlying zone shall apply except when in conflict with this chapter.

B. Application:

1. The performance standards in this section:

a. Apply to all land within the buffer overlay zone that is:

1) The subject of a specific plan approved in accordance with Chapter 18.90; or

2) The subject of a rezoning ordinance adopted in accordance with Chapter 18.91 if a site analysis is required by county policy as adopted by resolution of the board of supervisors;

b. Shall be conditions to issuance of a county permit for land within the buffer overlay zone.

C. Building color, reflective finish: Exterior treatments and colors shall be muted and blend with the local colors and textures. Screening with vegetation shall be used if building color cannot be modified. No highly reflective finishes are permitted. Mechanical equipment shall be screened and painted to reduce visibility.

D. Fences and walls:

1. Fences and walls shall include all structures intended for confinement, prevention of intru-

sion, boundary identification or screening of an activity or land use.

2. Height: A fence or wall shall not exceed four feet in height unless it encloses an area of less than one-half acre, or a horse corral, dog kennel, swimming pool or spa.

3. Location: A fence or wall shall not be constructed:

a. To delineate property boundaries; or

b. In a location or manner that impedes wildlife movement through natural open space from and to off-site locations.

4. Barbed wire: If barbed wire fences are used, the fence shall contain no more than four strands of wire. The bottom wire shall be barbless and the upper three wires may be barbed. The top wire shall be no more than forty-eight inches from the ground surface, and the bottom wire shall be no lower than sixteen inches from the ground.

E. Lighting:

1. External lighting shall be limited to that necessary to provide the functional requirements of safety, security and identification. High-pressure sodium and mercury vapor lighting shall not be used. Except for lighting that is attached to a building and meets the requirements of subdivision 3 of this subsection, light standards for roads, parking lots, driveways and all other outdoor areas shall not exceed forty-two inches in height and shall consist of bollard or other low-intensity, low-profile type of lighting. Standards shall be spaced sufficiently to create isolated pools of light rather than a contiguous, saturated condition.

2. Tennis court and horse corral exception: Lighting for tennis courts and horse corrals shall be exempt from the restrictions of subdivision 1 of this subsection, but shall conform to Chapter 15.12 and shall be designed to minimize or eliminate the dispersal of refracted light. High-pressure sodium lighting may be used for tennis courts and horse corrals in Area B as defined in Section 15.12.040E.

3. All lighting sources shall be fully shielded to reduce dispersal of ambient light.

F. Parking lots: Parking lots for nonresidential uses shall be located and screened by vegetation so that visibility from roadways and public preserves is reduced to the greatest extent possible.

G. Setback: No structure which is not completely obscured from the public preserve by existing natural features, and no private driveway or road, shall be placed within three hundred feet of Saguaro National Monument or one hundred feet of any other public preserve, except that:

1. If a land parcel existing on June 23, 1988, and legally conforming to the development standards of the underlying zone, cannot be used because of the structure setback, or there is no other reasonable access to the property, the main building, private driveway or road may be located closer to the public preserve, provided that the planning director, after consultation with the manager of the nearest public preserve, determines that it is the minimum setback necessary to afford relief.

2. The property owner may appeal the decision of the planning director to a board of adjustment in the same manner as an appeal from a decision of the zoning inspector pursuant to Section 18.93.060A1.

3. Signage within the setback shall conform to Sign Standards, Chapter 18.79. Signage shall not be internally illuminated nor shall the source of illumination be visible from the public preserve.

4. A structure within three hundred feet of a public preserve shall have minimal visual impact and shall be designed to be in harmony with the form, line, color, texture and scale of the existing landscape.

H. Utilities:

1. All new or relocated utility lines shall be placed underground, unless the relocated line is a one hundred fifteen kilovolt (or greater) transmission line. All utility lines relocated due to improvement projects shall be placed underground unless such relocated line is a forty-six kilovolt (or greater) transmission line.

2. Location of underground utility lines (including sanitary sewers) shall be planned, joint-trenched where possible, and located beneath the paved portions of roadways or within twenty-five feet of the edge of the paved

comprising the fifty percent natural open space requirement shall consist of the following:

1. Ninety percent of all class I habitat area;

2. Any balance of acreage needed to achieve the fifty percent natural open space requirement shall be comprised primarily of additional class I or class II habitat areas, if available, or functional open space to be credited pursuant to subsection L of this section.

3. Any class I habitat included beyond the ninety percent requirement shall be credited as double the acreage.

4. Boundaries of designated natural open space shall be surveyed and identified on the final plat or, where a plat is not required, may be described in:

a. Covenants running with the land; or

b. Conservation easement pursuant to Arizona Revised Statutes Section 33-271, et seq.; or

c. Dedication to and acceptance by the county for the county parks system as natural open space.

5. Master planned development: Boundaries of designated natural open space shall be surveyed and identified on a master subdivision plat. Minor alterations of the boundary may be allowed in a resubdivision of one or more lots of the master subdivision plat with the consent of the planning director provided that in so doing:

a. The new boundaries are surveyed and identified on the resubdivision plat;

b. The resubdivision does not create any less total amount of natural open space than shown on the master subdivision plat;

c. The performance standards of this chapter are in no way diminished; and

d. No special condition of a rezoning or specific plan is violated.

O. Visual quality standards:

1. All development in areas identified as having high visual sensitivity, according to the procedures set forth in site analysis requirements I-G and II-J, shall have minimal visual impact. Development in these areas shall be designed to be in harmony with the form, line, color, texture and scale of the existing landscape.

2. All development in areas identified as having medium visual sensitivity, according to procedures set forth in site analysis requirements I-G and II-J, shall remain subordinate to the existing landscape when viewed in the middle ground (one-fourth to two miles). Development in these areas shall be designed to be in harmony with the form, line, color and scale of the existing landscape.

3. Nothing contained in the visual quality standards shall limit uses or lessen densities otherwise allowed, but may govern specific location and design of the development. (Ord. 1988-116 § 1 (part), 1988)

18.67.060 Exceptions to performance standards.

A. Exceptions to the requirements of the performance standards in Section 18.67.050 may be requested:

1. For enhancement or restoration pursuant to Section 18.67.050M; or

2. Due to the natural conditions of the site or other conditions beyond the control of the property owner, the performance standard would impose an undue hardship.

B. Procedure: The site analysis shall document and justify requested exceptions. The planning director, in consultation with the county engineer and the adjacent public preserve manager, or their authorized representatives, shall review the request and make a written recommendation to the board of supervisors. The board of supervisors may grant exceptions after a public hearing. A denial of exception by the board of supervisors shall not bar an application to a board of adjustment for a variance.

C. Standards. An exception may not be granted unless:

1. The site analysis demonstrates that the wildlife habitat value or visual quality of a land parcel is not diminished;

2. The exception will not be detrimental to the nearest public preserves; and

3. The exception is in harmony with the purpose of this code and chapter as well as the provision of this chapter from which the exception is requested.

D. Conditions: Conditions may be imposed on an exception that will:

1. Secure the purpose of this code and chapter as well as the provision of this chapter from which the exception is granted; and

2. Provide adequately for the protection of the nearest public preserves. (Ord. 1988-116 § 1 (part), 1988)

18.67.070 Rezoning and specific plan procedural requirements.

A. Site Analysis. A site analysis prepared in accordance with adopted Pima County policy shall be submitted with a specific plan or rezoning application, unless not required under written county policy.

B. Design Review Committee. The design review committee shall review the site analysis at least three weeks prior to the first planning and zoning commission public hearing on a rezoning or specific plan.

1. The design review committee shall make a recommendation to the commission on the proposed design as it relates to the site in it natural state.

2. The design review committee shall not continue a review unless more information is needed which the petitioner cannot provide at that meeting. The review may be continued only once and shall be continued until the next regularly scheduled meeting.

C. Notice.

1. Copies of the application for any rezoning or specific plan, whether or not it borders a preserve, shall be sent to the managers of those public preserves within one mile of the land parcel and those neighborhood associations whose area plans are within one mile of the land parcel.

2. Managers of public preserves and neighborhood associations whose are plan is within one mile of the land parcel shall be notified fifteen days in advance prior to the date that the proposed exceptions under Section 18.67.060 go to the board of supervisors or the board of adjustment. (Ord. 1988-116 § 1 (part), 1988)

Chapter 18.69

SUBDIVISION STANDARDS

Sections:

18.69.010	**Purpose.**
18.69.020	**Definitions.**
18.69.030	**General regulations.**
18.69.040	**Design standards.**
18.69.050	**Tentative and final plat submittal requirements.**
18.69.060	**Review procedures.**
18.69.070	**Assurance requirements.**
18.69.080	**Waivers.**

18.69.010 Purpose.

Reserved.

18.69.020 Definitions.

A. For the purpose of this chapter certain words and phrases shall have special meaning as defined herein, unless the context otherwise requires:

1. Alley: A secondary point of access to property which serves primarily as a way for utilities and sanitary services.

2. Assurances: A commitment in the form prescribed by Section 18.69.070, guaranteeing the construction and installation of all subdivision improvements.

3. Collector street: A street collecting traffic from local streets, and connecting the same with a major street, or another collector street.

4. Improvements:

a. Paved legal access to each individual subdivision lot, in conformance with Pima County paving standards; and

permitted in association with roadway, utility and trail crossings, however:

a. Encroachment for these crossings shall not reduce the width of the critical and sensitive wash area by more than twenty percent at any cross-section of the critical and sensitive area. Additional reduction may occur only where necessary to provide floodwater retention requested by the Pima County Flood Control District or to provide for larger drainage structures so as not to impede movement of wildlife as approved by the Arizona Game and Fish Department; and

b. Erosion protection shall only be permitted within the critical and sensitive wash area to protect fill slopes required for roadway, utility and trail crossings.

2. Contruction impacts may affect up to ten percent of the low-flow channel length where defined channels exist, or up to ten percent of the length of the centerline of flow where braided or undefined channels exist, provided that:

a. A mitigation plan for any construction impacts within the critical and sensitive wash area shall be submitted to the subdivision coordinator with a tentative plat or development plan. The mitigation plan shall reflect predevelopment wildlife habitat and visual conditions as a baseline, and provide for post-development replacement with species on the approved plant list, or approved pursuant to subsection I2 of this section, with a similar spatial arrangement that will result in reestablishment of predevelopment habitat conditions.

L. Functional open space: Functional open space which does not impede wildlife movement and is within or immediately adjacent to an interconnected natural open space system shall be credited as natural open space at fifty percent. Functional open space which does not impede wildlife movement, is part of an interconnected open space system and creates wildlife habitat opportunities shall be credited as natural open space at one hundred percent. All other functional open space shall receive no credit towards natural open space requirements. On those parcels where no class I or class II habitat is present, one hundred percent of designated functional open space shall be credited as natural open space.

M. Habitat restoration or enhancement:

1. Where determined to be biologically appropriate because of ecological benefits through the site analysis on a case-by-case basis, requests for special exceptions to the performance standards of Section 18.67.050, including limited reductions in natural open space requirements, may be granted by the board of supervisors, after review by the adjacent public preserve manager, in exchange for restoration or enhancement of class I and II riparian or upland habitat, which provides, in the opinion of the board, an equivalent satisfaction of the purposes of this chapter.

2. Detailed plans for proposed restoration or enhancement shall be provided. The plans shall include:

a. A description of existing habitat and quantification by a standard biological technique of biological value;

b. A proposed restoration/enhancement program;

c. The quantification of biological value of the proposed plan as compared to the existing situation pursuant to paragraph a of this subdivision;

d. Short-term and long-term maintenance plans; and

e. Specific known examples of the successful application of such techniques as they relate to the species proposed for planting in a given location such as riparian or upland habitat.

3. Such requests, and a determination of appropriate incentives, if any, shall be considered pursuant to Section 18.67.060.

N. Natural open space: Fifty percent of the area of the subdivision or development plan within the buffer overlay zone shall be preserved as natural open space. The landowner may dedicate a greater percentage of natural open space. The natural open space shall form an interconnected system. The selection and treatment of lands

portions whenever possible so as to minimize vegetative disruption.

3. When making upgrades and reinforcements to existing utilities, existing poles shall be used wherever possible to provide the required transition to underground service to new developments. However, a new pole, set in line with the existing overhead system, shall not be deemed to be a new utility when necessary to serve approved new developments. Upgrades and reinforcements of existing overhead utilities are allowed to the extent that the total number of cables is not increased.

I. Vegetation:

1. Approved and prohibited plant lists: The board of supervisors shall by resolution incorporate a buffer overlay zone approved plant list and a buffer overlay zone prohibited plant list in the Landscape Design Manual, pursuant to Section 18.73.030.

a. The approved plant list shall include only native plants.

b. The prohibited plant list shall include species that are incompatible with natural areas and public preserves or incompatible because of their mature height expectations.

2. Approved plants: Plants not on the approved plant list shall not be planted in the buffer overlay zone outside private areas, except that:

a. All native species of cacti may be planted; and

b. Native species not included on the approved plant list may be planted with the prior written approval of the planning director or authorized representative.

3. Private areas:

a. Private area means a land area adjacent to a structure, enclosed by a fence, wall or native vegetative screening, and not exceeding one-half acre.

b. Any plant not on the prohibited plant list may be planted in a private area, except that:

1) No non-native species of plant whose mature height may reasonably be expected to exceed the ridgeline of the highest adjacent structure shall be planted in a private area.

4. Common areas: Only those plants on the approved plant list, or approved pursuant to subdivision 2 of this subsection, shall be planted in recorded common areas. A landscape or revegetation theme shall be established emphasizing the preservation and enhancement of native plant species. Natural open space common areas shall be further limited to on-site species.

5. Golf courses may be planted with bermuda grass.

6. To the fullest extent possible, buildings and other improvements shall be sited so as not to disturb native trees, shrubs or cacti. Where removal of this plant material cannot be avoided, all reasonable efforts shall be made to relocate this plant material in the buffer overlay zone. Nursery-grown native species may be planted in lieu of salvaging mature on-site material at a 3:1 ratio, however at least thirty percent of the on-site material shall be salvaged when physical conditions permit. Should revegetation and replanting be necessary, only plant material listed in the approved plant list, or approved pursuant to subdivision 2 of this subsection, shall be used in public, recreation, or common areas.

7. The restrictions of this subsection shall be imposed as covenants running with the land for subdivisions and development plans resulting from rezonings or specific plans approved in the buffer overlay zone.

J. Trails access: Public access to trails identified in the Pima County Trails Access Plan shall be provided.

K. Washes. Washes identified on the critical and sensitive biological communities maps, and other washes identified in the site analysis by the criteria applied in the maps, shall be left in their predevelopment state, subject to the following exceptions and requirements:

1. Disturbance within the wash area deemed critical and sensitive in the site analysis shall be

b. Electric service to the lot line of each individual subdivision lot: This shall not be required for commercial or industrial subdivision lots; however, a "backbone" electrical distribution conduit system, usable by all lots, shall be installed; and

c. Water service to the lot line of each individual subdivision lot; and

d. Sewer service to the lot line of each individual subdivision lot or legal access to a sewer not more than fifty feet from the lot line of each individual lot:

1) This shall not be required for subdivisions not served by sewers,

2) However, a statement indicating the absence of sewers shall appear on the final subdivision plat; and

e. Drainage and flood control facilities depicted on the subdivision plat or as required by ordinance or law; and

f. Any other construction, structure or installation specified on the plat and necessary to render the subdivision lots developable.

5. Local access street: See local service street.

6. Local service street: That part of a major street right-of-way, separated from the main flow of traffic and designed exclusively or primarily to provide access to abutting properties.

7. Local street: A street exclusively or primarily providing access to abutting properties.

8. Major street: Such major street, highway, thoroughfare, parkway or boulevard so designated on the master plan.

9. Master plan: The master plan or any part thereof adopted pursuant to A.R.S. Section 11-806, as amended.

10. Minor street: See Local street.

11. Street: A way for vehicular traffic dedicated to the public or designated as subdivision common area which affords the principal means of access to abutting property.

12. Subdivided lands: See Subdivision.

13. Subdivision:

a. Improved or unimproved land or lands divided or proposed to be divided for the purpose of sale, lease, or for cemetery purposes, whether immediate or future, into four or more lots, parcels or fractional interests;

b. This subsection shall not apply to the:

1) Division or proposed division of land located in Pima County into lots or parcels each of which is, or will be, thirty-six acres or more in area including to the centerline of dedicated roads or easements, if any, contiguous to the lot or parcel,

2) Leasing of agricultural lands, or of apartments, offices, stores, hotels, motels, or similar space within an apartment building, industrial building or commercial building except that horizontal property regimes as defined in A.R.S. Section 33-4.1 shall be included in this definition,

3) Subdivision into or development of parcels, plots or fractional portions within the original boundaries of a cemetery which has been formed and approved pursuant to this chapter, if such subdivision or development is not inconsistent with the original notice filed pursuant to A.R.S. Section 32-2181 and the original report prepared pursuant to A.R.S. Section 32-2183. (Ord. 1994-82 (part), 1994; Ord. 1990-1 § 1 (part), 1990; Ord. 1987-156 § 1, 1987; Ord. 1985-114 § 1, 1985; Ord. 1985-82 (part), 1985)

18.69.030 General regulations.

A. Approval of Subdivision Required. Until a tentative plat and a final plat of a subdivision shall have been approved in accordance with this chapter, no person proposing a subdivision within Pima County, outside the corporate limits of any city or town shall:

1. Subdivide or file a record of survey, map or plat for record; or

2. Sell any part of said subdivision; or

3. Proceed with any grading, construction or other work on the same, except as specified in Section 18.69.060G.

B. Lots. All lots shall be consistent with the zoning requirements. (Ord. 1985-82 (part), 1985)

18.69.040 Design standards.

A. Streets.

1. The arrangements, character, extent, width, grade, and location of all streets shall conform to the

master plan, and with due consideration to their relation to existing and other planned streets, to topographical conditions, to surface drainage in and through the subdivision, to public convenience and safety, and appropriate relation to the proposed uses of the land to be served by such streets.

2. Where not shown in the master plan, arrangements and other features of streets shall:

a. Provide for appropriate continuation of existing principal streets in surrounding areas where essential for circulation and access to community facilities;

b. Conform to a plan for a neighborhood approved or adopted by the planning and zoning commission to meet a particular situation where topographical or other conditions make continuance or conformance to such principal streets impracticable;

c. Be so arranged as to discourage through traffic in residential districts, insofar as practicable;

d. Provide sufficient right-of-way for local service or access streets along major streets and routes, or other treatment to protect residential properties by separation of through and local traffic;

e. Along a railroad right-of-way or limited access highway right-of-way, provide a parallel street at a distance suitable for the appropriate use of the intervening land, such as for park purposes in residential districts or for commercial or industrial purposes in appropriate locations; such distances also to be determined with due regard for the requirements of approach grades and future grade separations;

f. Avoid street jogs with centerline offsets of less than one hundred thirty-five feet;

g. When the centerline of connecting neighborhood streets deflect from each other at any one point by more than ten degrees, connect the same by a curve with a radius which meets or exceeds the adopted subdivision street standards;

h. Have intersections as nearly as possible at right angles and in no case at less than seventy-five degrees, in accordance with the adopted subdivision street standards;

i. Have property lines at street intersections rounded with a radius of twenty-five feet, or of a greater radius where necessary, to allow maintenance of sight distance, provided, however, comparable cutoffs or chords may be used instead of rounded corners;

j. Provide street right-of-way widths in compliance with adopted Pima County standard street cross-sections or as approved by the county engineer. The county engineer:

1) Shall not require street right-of-way widths greater than those shown on adopted Pima County standard street cross-sections for the appropriate administrative or functional classification of the highway or street,

2) May reduce street right-of-way width requirements for streets or highways when it is demonstrated that adequate provisions have been made for:

a) Traffic capacity,

b) Utility accommodation,

c) Off-street parking,

d) Pedestrian safety,

e) Drainage, and

f) The highway or street is not included in or identified on any major transportation corridor plan and would not be included in any such plan in the future,

k. Avoid half streets, except where essential to the reasonable development of the subdivision in conformity with these standards and where dedication of the other half will be practicable when the adjoining property is subdivided. Wherever a half street is found adjacent to a tract to be subdivided, the other half shall be platted within such tract;

l. Include no dead-end street that is longer than six hundred feet and designed to permanently remain a dead-end street. All dead-end streets must be provided at the closed end with a turnaround area which has a street property line radius of at least forty feet and returns of the same radius; however, where the terrain is such that it is not practical to serve an area by a loop street or a street from another direction, or where the shape of the parcel of land and adjacent

conditions would not permit the reasonable continuation of a street, and where the cul-de-sac will serve no more than twenty-two lots, and the planning and development services department and the department of transportation and flood control district agree that this is the most practical design, a cul-de-sac may be a maximum of:

1) Eight hundred feet in CR-3;

2) Nine hundred feet in CR-2;

3) One thousand feet in CR-1;

4) One thousand three hundred twenty feet in SR and SR-2;

m. Names of streets to be consistent with natural alignment and extensions of existing streets; new street names to be used which will not duplicate in whole or in part, or be confused with existing names.

B. Access to Major Arterial and Collector Highways.

1. Access Streets.

a. Prior to approval of a final plat or development plan by the board of supervisors, the county engineer shall approve the number and location of intersections of major arterial or collector highways with internal access streets in residential subdivisions and commercial and industrial developments.

b. Individual direct access for residential units fronting on the highway shall not be permitted in single-family detached residential subdivisions. Paved all-weather access to the units shall be provided by internal subdivision streets having a minimum number of intersections with the highway.

c. Multifamily residential subdivisions and commercial and industrial developments shall have no more than two access streets intersecting with a highway.

2. Access Features: Prior to approval of final plats or development plans by the supervisors for residential subdivisions and commercial and industrial developments adjacent to major arterial and collector highways, the county engineer shall determine the need for and approve the number and location of:

a. Access of an uncurbed highway;

b. Curb depressions on a curbed highway;

c. Median openings on a divided highway;

d. Center two-way left turn lanes on a highway; and

e. Other associated access features.

3. Signalized Intersections.

a. Signalized intersections must have a minimum spacing of one-half mile on any major arterial or collector highway;

b. Approval must be obtained from the county engineer for the:

1) Functional and operational design of a signalized intersection on a major arterial or collector highway,

2) Completion of the necessary geometric improvements for the signalized intersection in accordance with design principles, practices and methodologies acceptable to the engineer,

3) Final design and installation details of the intersection.

4. Grade-separated Facilities.

a. The county engineer shall have the authority to designate major high-traffic-volume intersections which have a potential for grade-separated facilities.

b. All residential subdivisions and commercial and industrial developments proposed to be located on any corner of a designated intersection shall be required to dedicate additional right-of-way for the facility, by subdivision plat or development plan, when requested by the county engineer.

c. The county engineer shall approve the location of the street and highway intersections forming the grade-separated intersection.

5. Frontage Roads: When a frontage road is determined necessary by the county engineer, a major commercial or industrial development fronting on a major arterial or collector highway shall be required to construct a frontage road contiguous to and generally paralleling the highway, to intercept, collect and distribute the traffic desiring to cross, enter or leave the highway.

6. Traffic Intrusion.

a. All residential subdivisions and commercial or industrial development shall provide separate, legal, all-weather, paved access directly to the nearest arterial or collector highway.

b. Access for such developments shall not be allowed through the existing local streets of adjacent properties where the zoning differs or if the county engineer finds the access would impose detrimental impacts on adjacent properties.

c. Commercial and industrial developments shall not be allowed access through any residentially zoned area.

d. Residentially zoned areas of CR-3 or higher density shall not be allowed access through residential areas zoned CR-2 or lower density.

e. This subsection shall not apply where:

1) Legal access has been previously established;

2) Implementation of this subdivision would prohibit access to the public highway system; or

3) Implementation would cause a traffic hazard by overloading local streets or their connections to the arterial or collector highway system.

C. Alleys.

1. When Required. Alleys twenty feet in width are required for:

a. All areas zoned TH, TR, MU, RVC, CB-1, CB-2, CI-1, CI-2, CI-3; or

b. Any single-family residential development zoned CR-2 or more dense where sewers are installed at the rear of the residences.

2. Variances. Alley requirements may be waived by the county engineer when adequate provisions for traffic circulation, loading, emergency access, centralized trash pickup and utility and sewer location have been made, and when screening provisions in compliance with Section 18.73.040 (Landscaping Standards) and 18.75.060 (Off-street Parking and Loading Standards) have been made.

D. Easements.

1. Utility easements at least ten feet wide and aerial easements five feet wide shall be provided where necessary, as determined and justified by:

a. The utility companies;

b. The planning and development services department;

c. The department of wastewater management; and

d. Other affected public agencies.

2. Drainage easements or rights-of-way shall be provided conforming substantially with the lines of any watercourse, drainageway, channel, or stream and such further width or construction or both as will be adequate for the purpose, and parallel streets or parkways may be required in connection therewith, as determined by the department of transportation and flood control district.

3. Hiking and equestrian trails easements or rights-of-way shall be provided:

a. When such trails are designated in the "Eastern Pima County Trails System Mater Plan," or by the Pima County comprehensive plan, as amended; or

b. As may be required by the Pima County development services department, planing division in consultation with the Pima County parks and recreation department.

4. No portion of a subdivision lot shall be designated as an easement to be used as a street.

E. Blocks. Block lengths, widths, and spaces shall be determined with due regard to:

1. Provision of sites suitable to the type of use contemplated;

2. Zoning requirements as to lot size and dimensions;

3. Need for convenient access, circulation, control and safety of street traffic;

4. Limitations and opportunities of topography;

5. Circulation within the tract, and access to community facilities; and

6. Lengths as long as practicable, but not to exceed two thousand feet. (Ord. 1995-39 § 1, 1995; Ord. 1994-147 § 7, 1994; Ord. 1994-82 (part), 1994; Ord. 1990-1 § 1 (part), 1990; Ord. 1985-82 (part), 1985)

18.69.050 Tentative and final plat submittal requirements.

A. Tentative Plat Requirements and Related Exhibits.

1. Topographic Data. Existing conditions shall be shown on the tentative plat, including the following:

a. Boundary lines and approximate distances;

b. Easement with their dimensions and purpose;

c. Streets on and adjacent to the tract, name and right-of-way width thereof;

d. Utilities on the tract;

e. Other conditions on the tract: Water courses, houses, barns, shacks, walls, wells, tanks, and other significant features;

f. Other conditions adjacent to the tract affecting design of the subdivision, and subdivision names of adjoining plats; and

g. Contour map at an interval and accuracy acceptable to the department of transportation and flood control district.

2. Other Requirements. In addition to topographic data, the tentative plat shall be drawn at a scale at which all necessary details may be clearly shown, and shall show all proposals, including the following:

a. Name of the subdivision;

b. Legal description of the property to be subdivided;

c. Ownership;

d. Name of subdivider or developer;

e. Scale, north arrow;

f. Name of civil engineer or surveyor;

g. Date of plat;

h. Key map showing location of tract;

i. Proposed streets, alleys, other rights-of-way and easements, location, width, purpose and proposed street names;

j. Approximate lot lines and typical and minimum lot sizes;

k. Sites, if any to be reserved or dedicated for parks, playgrounds, or other public uses;

l. Building sites, if any, for multifamily dwellings, shopping centers, churches, industry or other uses;

m. Site data, including gross area of the subdivision, number of residential lots, approximate area in parks and other proposed nonresidential uses;

n. Existing and proposed zoning and boundaries thereof.

3. Grading Plan. A Type 2 grading plan shall be submitted and approved in accordance with Section 18.81.060 (Grading) prior to the issuance of grading permits.

B. Final Plat Requirements and Related Exhibits.

1. Final Plat.

a. A final plat shall be provided, drawn in ink on tracing cloth or mylar, on sheets twenty-four inches wide by thirty-six inches long and one-inch margin and an additional left margin of two inches, and shall be at a scale sufficient to show all details clearly.

b. Where necessary the plat may be on several sheets, in which case, each sheet shall be suitably indexed.

c. For large subdivisions, the final plat may be submitted for approval progressively in contiguous sections.

2. The final plat shall show the following:

a. Survey Requirements.

1) Primary control points or descriptions and ties to such control point, to which all dimensions, angles, bearings, and similar data on the plat shall be referred, and where a coordinate system shall have been established by the department of transportation and flood control, primary control points shall be referenced thereto,

2) At least one corner of a subdivision shall be tied by course and distance to a section corner, a quarter-section corner, or established city or county survey monument, and the plat must include a description of the corner marker, the final plat indicating how the bearings were determined;

b. Tract boundary lines, right-of-way lines of streets, easements and other rights-of-way, and property lines of residential lots and other sites; with accurate dimensions, bearings, or deflection angles and radii, arcs, semi-tangents and central angles of all curves;

c. Name and right-of-way width of each street or other right-of-way;

d. Locations, dimensions and purpose of any easements, fully described;

e. Identification of each lot or site by letter or number;

f. Purpose for which sites, other than residential lots, are dedicated;

g. Location and description of monuments, lot corners and other survey points in place;

h. Reference to recorded subdivision plats of adjoining platted land by record name, date, and book and page numbers;

i. Certification by a registered professional civil engineer or land surveyor to the effect that the plan represents a survey made or certified by same and that all the monuments shown thereon actually exist, and that their location, size and material are correctly shown;

j. Certification of title and statement by owner dedicating streets, alleys, easements, and other rights-of-way and any lands for public uses;

k. Title, scale, north arrow and date. (Ord. 1994-137 § 1, 1994; Ord. 1986-187 § 1 (part), 1986; Ord. 1985-82 (part), 1985)

18.69.060 Review procedures.

A. Preliminary Review.

1. Since agreement on the tentative plat is deemed a step of primary importance in these proceedings, the subdivider may and it is strongly recommended that the initial proposal for the subdivision be reviewed with the planning and development services director prior to preparation of the required tentative plat while the plans for the proposed subdivision are still flexible, it being the purpose of this stage to make available general advice on the purpose and effect of this chapter, the master plan, zoning, and other city and county planning, engineering, drainage, sewerage, water system and similar standards, requirements and plans.

2. It is further recommended that the subdivider also consult with parties and agencies potentially interested in the proposed development, such as real estate, lending and mortgage insurance institutions, with a view to reaching, at any early state, firm conclusions regarding what part of the market should be served, suitability of the location, best plan for the purpose, protective covenants and other features of the proposed development.

B. Tentative Plat Submittal.

1. The subdivider shall cause to be prepared a tentative plat of the proposed subdivision and other exhibits as hereinafter specified, and shall give written notice in duplicate to the planning and zoning commission of intention to subdivide in accordance therewith, together with application for approval of said tentative plat accompanying the same:

a. Six prints of the tentative plat, if the same be within three miles of the corporate limits of the city of Tucson; or

b. Four prints if more than three miles beyond said corporate limits.

2. Outline of Protective Covenants. A preliminary draft or outline of protective covenants proposed by the subdivider may be submitted as evidence of the proposed character of development.

C. Departmental Review of Tentative Plat.

1. The planning and zoning commission shall cause to be transmitted copies of the tentative plat to:

a. The department of transportation and flood control district;

b. The department of wastewater management;

c. Mountain Bell;

d. Tucson Electric Power Company;

e. Southwest Gas Corporation; and

f. The county health department.

2. The officials shall review the plat for matters within their jurisdiction and promptly report their recommendations to the planning and development services director who shall check the plat for conformity to this chapter, and shall submit the recommendations of the aforenamed officials together with his or her recommendations to the commission at a meeting thereof not later than thirty-five days from receipt of the notice of intention and the tentative plat.

D. Planning and Zoning Commission Review.

1. The subdivider or agent, and engineer shall be present at the meeting. The subdivider's engineer may act as agent.

2. The planning and zoning commission shall make due findings as to the conformity of the tentative plat with these regulations.

3. Where a tentative plat is found to conform to these regulations as presented or may be made to

conform by making certain changes acceptable to the subdivider, the commission shall approve the same conditionally to such changes as being made, and shall return a copy of the tentative plat to the subdivider with such changes, if any, noted thereon.

4. Where the commission finds that the tentative plat does not conform to these regulations, and that changes to make it conform are not acceptable to the subdivider, the commission shall return a copy of the plat and report of such findings to the subdivider; or, if it appears there may be undue hardship, the commission may recommend to the board of supervisors a variance of the regulations, or the subdivider may signify an intention to appeal to the supervisors, as provided in Section 18.69.060E.

E. Board of Supervisors Decision of Appeal.

1. Appeal shall be made in writing and filed with the planning and zoning commission, setting forth the particulars and the reasons for the appeal.

2. Hearing on such cases shall be at such times as may be set by the board of supervisors, and upon not less than fifteen days nor more than thirty days' notice to the appellant and officials concerned.

3. In cases of appeal or variances, the supervisors shall:

a. Hear and decide appeals where it is alleged by the appellant that there is any error in any order, requirements, decision, grant or refusal made by the commission or any official in the administration of this chapter;

b. Hear, approve, disapprove or approve with modifications, upon appeal or upon recommendations of the commission in specific cases, such variance from the terms of these regulations as will not be contrary to the public interest, where, according to special conditions, a literal enforcement of the requirements of this chapter will result in unnecessary hardship, so that the spirit of same shall be observed and substantial justice done.

4. In granting a variance, the supervisors may attach thereto such conditions regarding the development of the subdivision as it may deem advisable in the interest and furtherance of the purpose of this chapter.

5. No grant or variance shall be authorized unless the supervisors specifically find that the condition or situation for which the variance is sought is not of so typical or recurrent nature as to make reasonably practicable the formulation of a general regulation for such conditions or situations.

F. Time Limits. Approval of the tentative plat shall be effective for one year, but may be extended upon reapplication and review by the planning and zoning commission.

G. Initiation of Grading and Improvements. Upon approval of the tentative plat, the subdivider may proceed with grading or street and utility improvements in accordance with such approval of the tentative plat and approved plans for the grading or improvements.

H. Maintenance.

1. The subdivider, including contractors and any and all agents, shall be responsible for the keeping and maintenance in a clean and sanitary manner, of all the described platted area.

2. Said maintenance shall include, but not be limited to, the removal from the premises of all debris, rubbish, weeds and dust-producing materials.

I. Final Plat Submittal.

1. Before the sale of any lots in a subdivision, the subdivider shall cause to be prepared a final plat in form for recording as provided in Section 18.69.050B, and shall submit four copies to the planning and development services director.

2. A copy of protective covenants in form for recording shall be submitted with the final plat when the same has been made a condition of the approval of the tentative plat.

J. Final Plat Review and Approval. Procedure for approval of the final plat shall be the same as for approval of the tentative plat, provided that if the planning and development services director finds that final plat conforms to the tentative plat as approved in accord with this chapter, the director shall so certify and transmit the final plat to the board of supervisors for final approval and recordation.

K. Assurances. As required by Section 18.69.070.

L. Final Plat Recordation and Transmittal.

1. Recordation. Upon final approval, the clerk of the board of supervisors shall record the approved final plat in the office of the county recorder.

2. Transmittal. The clerk shall cause prints on cloth thereof to be transmitted to, at the expense of the subdivider and to be advanced by said subdivider or agent, the following:

a. The county recorder;

b. The county assessor;

c. The department of transportation and flood control district;

d. The planning and development services director;

e. The city engineer, where the subdivision is within three miles of the corporate limits of the city of Tucson; and

f. The water system manager, where the subdivision is within three miles of the corporate

limits of the city of Tucson. (Ord. 1986-187 § 1 (part), 1986; Ord. 1985-82 (part), 1985)

18.69.070 Assurance requirements.

A. Scope. An agreement, which shall be recorded by the county, for appropriate improvement assurances shall be provided by the developer to assure the installation of all subdivision improvements prior to the recordation of any plat.

B. Term. Assurances shall specify the date by which improvements shall be completed.

C. Beneficiary. Pima County shall be named as beneficiary of the assurance.

D. Exceptions.

1. No assurances shall be required for subdivisions which have had all required improvements completed in accordance with this chapter.

2. The subdivision plat shall have an assurances waiver block indicating that no assurances are required.

E. Posting of Assurances. The approved forms of assurances are as follows:

1. Cash or certified check;

2. Surety (performance) bonds executed by a company authorized and licensed to do business in the state of Arizona, ensuring the performance of the principal (developer or owner) as required by this chapter;

3. Certificate of deposit, United States Treasury Bills, or any security guaranteed by the United States Government, state of Arizona, or any political subdivision thereof;

4. A deposit of money or negotiable bonds, of the kind approved for securing deposits of public monies, with a responsible escrow agent or trust company authorized and licensed to do business in the state of Arizona;

5. An irrevocable letter of credit in favor of Pima County from a third-party financial institution authorized and licensed to do business in the state of Arizona;

6. The placement of the title to the subdivision in trust with a third-party escrow agency or trust company authorized and licensed to do business in the state of Arizona along with an agreement between the trustee and Pima County that title to any lot or parcel within the subdivision shall not be transferred until all improvements required by these regulations have been installed, accepted by Pima County, and written approval for release has been granted by Pima County to the escrow agency or trust company holding the property in trust. The agreement shall contain a condition authorizing Pima County to abandon the subdivision and resubdivide the property should the required improvements fail to be installed in compliance with Pima County's standard specifications;

7. A trust account in the name of Pima County in a bank or trust company authorized and licensed to do business in the state of Arizona. Periodic withdrawals may be made from the trust account for a progressive payment of installation costs by a trustee selected or approved by the county. The amount of such withdrawals shall be based upon progress work estimates and shall be approved by the county engineer and the trustee.

F. Board of Supervisors' Approval. The approval of the board of supervisors shall be endorsed in writing on the plat and shall include specific identification of an approval of the assurances required by these regulations.

G. Substitute Assurances and Time Extensions.

1. Requests for substitute assurances or assurance agreement time extensions shall be submitted in writing to the subdivision coordinator for review by the department of transportation and flood control district and the wastewater management department.

2. These departments shall provide written recommendations within ten working days to the subdivision coordinator who shall forward the recommendations to the board of supervisors for final decision.

H. Release of Assurances.

1. Requests to release subdivision assurances shall be submitted in writing to the subdivision coordinator for review by the department of

transportation and flood control district and the wastewater management department;

2. These departments shall provide written recommendations within ten working days to the subdivision coordinator, who shall forward them to the county manager for final decision. (Ord. 1985-82 (part), 1985)

18.69.080 Waivers.

Procedure.

A. The board of supervisors may waive any or all of the requirements of this chapter for any subdivision which is not subject to or which has received an order of exemption from the public report requirements administered by the Arizona Department of Real Estate. If an applicant for a subdivision waiver is in the process of applying for an order of exemption from the Arizona Department of Real Estate, the waiver may be granted subject to issuance of the order of exemption.

B. An application for waiver of county subdivision requirements shall be in the form provided by the county and shall be accompanied by the signatures of all parties having an interest in the property which is the subject of the waiver.

C. The waiver may be granted subject to such conditions as the board deems necessary to protect the public health, safety and general welfare. (Ord. 1993-77 § 1, 1993)

Chapter 18.71

DEVELOPMENT PLAN STANDARDS*

Sections:

18.71.010	**Purpose and scope.**
18.71.020	**Definitions.**
18.71.030	**Development plan submittal requirements.**
18.71.040	**Review procedures.**
18.71.060	**Requirements and procedures for RVC zoning.**

* Prior ordinance history: Ords. 1985-82 and 1985-141.

18.71.010 Purpose and scope.

A. Purpose. To require submittal of sufficient information by the developer to assure that zoning code requirements and other applicable county ordinances, regulations, and policies are met.

B. Scope.

1. A development plan shall be submitted to the development services center for review and approval for any proposed development other than three residential units or less located on an individual lot.

2. This requirement shall also apply to substantial expansion of an existing development other than three residential units or less on an individual lot. Substantial expansion shall be defined as greater than two thousand square feet of gross floor area or land use area.

3. Refer to Section 18.71.060 for development plan requirements and procedures for RVC zoning. (Ord. 1992-58 § 1 (part), 1992; Ord. 1986-40 § 1 (part), 1986)

18.71.020 Definitions.

A. Workday: Monday through Friday except official holidays as specified by A.R.S. Section 1-301.

B. Gross floor area: The total floor area within the walls of, or under the roof (excluding roof overhang) of any building or structure. (Ord. 1986-40 § 1 (part), 1986)

18.71.030 Development plan submittal requirements.

A. All development plans shall contain sufficient information to evidence compliance with all applicable county ordinances, regulations and policies. See checklist requirements in development services.

B. If the site is subject to special constraints or considerations, additional information and detail shall be submitted. Determination of whether site constraints and considerations are sufficient or require such additional submittal, and the type, detail and form of such additional information, shall be within the reasonable discretion of the development services administrator. Special constraints or considerations include but are not limited to flooding, traffic, slope,

and soils conditions which may affect development of the site. (Ord. 1992-58 § 1 (part), 1992; Ord. 1986-187 § 1 (part), 1986; Ord 1986-40 § 1 (part), 1986)

18.71.040 Review procedures.

A. Determination of Conformance with Rezoning Conditions. If the property was the subject of a rezoning case, Pima County shall review the development plan for conformance with the preliminary development plan presented to the board of supervisors at time of conditional rezoning in accordance with Chapter 18.91 (Rezoning Procedures).

B. Approval.

1. The development plan shall be considered approved if review is not completed within thirty-five working days after any original or subsequent submittal.

2. Approval of the development plan shall be valid for a period of one year. A development plan shall be considered permanently in effect if building permits and/or development permits have been issued and substantial construction has been started, i.e., slabs and foundations poured, and streets, curbs, and utilities installed. Determination of substantial expansion shall be by the development services administrator whose decision may be appealed to the hearing officer.

C. Tentative Plat Submittal. If a tentative plat is submitted as provided in Section 18.69.050A (Subdivision Standards), it may be acceptable in lieu of a development plan if it contains sufficient information to determine compliance with applicable regulations with respect to each individual lot or block which is required to submit a development plan.

D. Fees. Upon submittal of a development plan, fees are payable to the Pima County treasurer in accordance with the fees schedule adopted by Pima County. (Ord. 1992-58 § 1 (part), 1992; Ord. 1986-40 § 1 (part), 1986)

18.71.060 Requirements and procedures for RVC zoning.

A. Scope. A development plan shall be submitted to the design review committee (refer to Section 18.99.030, Design Review Committee) for its review on each proposed village center.

B. Requirements. The plan shall consist of the requirements of Section 18.69.050A (Subdivision Standards) and also preliminary building site plans and elevations:

1. Site Plans.

a. Driveways showing access to and from and circulation within the proposed development and relation to planned geometric design of adjacent streets and thoroughfares;

b. Areas assigned for parking, off-street loading and unloading, curbs, islands, landscaping, pedestrian ways, malls, sidewalks, etc.;

c. Building floor plans and/or building sites, with sites numbered and described as to general purpose;

d. On-site improvements.

2. General Building and Site Plan Elevations. Typical building elevations keyed to the general grading and site plan.

C. Design Review.

1. Intent and Purpose. Each development, building, addition and alteration within this zone shall be subject to review with regard to the architectural design by the design review committee. The purpose of this review is to afford the applicant an opportunity to promote harmony with the scenic character of the area and among the buildings of the center.

2. Responsibilities of Committee. The committee's report shall be submitted to the commission and the applicant at the commission's next regular meeting.

3. Review Considerations. The following shall be considered in review of plans:

a. Location on the lot;

b. Front and side elevation;

c. Location of mechanical equipment;

d. Signs;

e. Landscaping;

f. Conformity to overall design of the development to ensure that one architectural flavor is maintained for the entire center.

4. Commission Approval. The commission, in reviewing a development plan, may recommend additional features or recommend modifications in the plan to carry out the intent of Chapter 18.41 (RVC Rural Village Center Zone). (Ord. 1986-40 § 1 (part), 1986)

Chapter 18.73

LANDSCAPING, BUFFERING AND SCREENING STANDARDS*

Sections:

18.73.010	**Purpose and scope.**
18.73.020	**Definitions.**
18.73.030	**Performance standards.**
18.73.040	**Screening and bufferyard requirements.**
18.73.050	**Amenity landscaping requirements.**
18.73.060	**Landscape plan requirements.**
18.73.070	**Landscape plan review and appeal.**
18.73.080	**Maintenance provisions.**

* Prior ordinance history: Ord. 1985-82.

18.73.010 Purpose and scope.

A. The purpose of this chapter is to provide landscaping requirements and performance standards which:

1. Enhance and promote the image of the community's desert environment;

2. Conserve groundwater resources in conformance with the Arizona Groundwater Code, Title 45, Chapter 2, by:

a. Specifying the use of arid landscape design principles and standards,

b. Helping control and utilize stormwater runoff,

c. Specifying the use of plant materials from approved lists,

d. Encouraging the use of effluent;

3. Protect the public health, safety and general welfare by:

a. Minimizing noise, air, water, dust and visual pollution,

b. Screening and buffering incompatible land uses,

c. Preserving property values and the character of neighborhoods,

d. Reducing the heat and glare absorbed and radiated by development,

e. Conserving energy resources,

f. Helping to control soil erosion,

g. Controlling the use of noxious plants, and

h. Increasing traffic safety.

B. The intent of this chapter is to ameliorate adverse impacts between potentially incompatible uses and zones by requiring a minimum level of buffering and screening. This chapter does not determine the compatibility of two different uses or zones, which is determined by the board of supervisors through the planning and zoning process. Additional buffering and screening may be required by the board in particular cases.

C. Scope.

1. The provisions of this chapter shall apply to all development except individually owned residential lots which:

a. Require less than ten motor vehicle parking spaces on site,

b. Do not back or side on a public street or road, and

c. Have a land use intensity of less than three residences per acre;

2. New development. The provisions of this chapter apply to all new tentative plans and development plans submitted after the effective date of this chapter;

3. Expansion of existing uses. Approved plans and development existing prior to the effective date of this chapter shall comply with the regulations under which approval was given, and shall be subject to the provisions of this chapter if proposed expansion will exceed twenty-five percent of the gross floor or lot

area of the existing development. The area and type of landscaping required shall be determined relative to the entire area of the development.

4. Scope of landscape plan application. A landscape plan shall be submitted to the planning and development services department for the following:

a. Any development plan or subdivision plat that requires ten or more parking spaces, except

for single-family dwellings where all parking is contained within structures and carports on individual, subdivided lots,

b. Any development plan or subdivision plat that contains common areas, open space or natural areas owned or controlled by a homeowners' association or group (e.g. cluster option developments),

c. When screening, buffering or landscaping is required elsewhere in this code,

d. When screening, buffering or landscaping is required by the board of supervisors as a condition of rezoning or other reason,

e. Any recreation activity site plan,

f. Any plan or plat for a nonresidential use or zone that abuts a residential use or zone,

g. Any plan or plat for apartments or other rental projects,

h. Model home lots and areas (prior to issuance of any permits),

i. Historic zone and historic preservation plans,

j Any landscaping on medians or roadsides within the public right-of-way,

k. Any landscaping required to fulfill requirements of the Golf Course Zone (Chapter 18.59), Hillside Development Overlay Zone (Chapter 18.61), Major Resort Zone (Chapter 18.40), Sign Standards (Chapter 18.79) or Grading Standards (Chapter 18.81). (Ord. 1986-187 § 1 (part), 1986; Ord. 1985-171 § 1 (part), 1985)

18.73.020 Definitions.

A. Certain terms used in this chapter shall be defined as follows:

1. Amenity landscaping: Any landscaping that is provided in addition to the screening requirements of this chapter;

2. Buffering: The on site use of landscaping elements, screening devices, open space, drainageways and landforms for reduction of the potentially adverse impacts of adjoining, dissimilar land uses;

3. Effluent: Reclaimed wastewater;

4. Environmental zone design principle: The landscape management and design principle of identifying planting areas throughout the site that have, or will be designed to have, similar maintenance, irrigation and exposure requirements. Zones may range from arid to wet. The plant pallette for each zone should clearly reflect the function and design objective of the zone. Application of this principle promotes rational site planning and efficient, attractive, cost-effective landscaping;

5. Gross parking area: The total square footage of the development site minus the first floor square footage of all buildings and storage yards;

6. Landscaping: The combination of landscape elements in a designed, specific application which meets the purposes of this chapter. Landscape elements may include vegetation, such as trees, cacti, shrubs and groundcovers and other elements such as walls, earth berms, planters, walkways, patios and other architectural or structural elements;

7. Mini-oasis design concept: The landscape design technique of allocating a generous portion of a site's landscape water where it will return maximum benefit in terms of cooling, aesthetic pleasure and exposure to people;

8. Plant size: "Gallons," in regard to plant size is the container size generally accepted by trade professionals to denote or specify plant materials size;

9. Screening device: Any landscaping or structure used to conceal or reduce the negative visual and audio impacts of certain land uses or activities from streets or adjacent development. The height of a screening device is measured from the highest finished grade abutting the element to be screened;

10. Walls or fences: Any structure intended for confinement, prevention of intrusion, boundary identification or screening of an activity or land use. (Ord. 1985-171 § 1 (part), 1985)

18.73.030 Performance standards.

A. Scope: This section provides general standards for bufferyards, landscape designs and

landscape plans. Specific design references, standards and plant lists in the form of a landscape design manual are hereby adopted to ensure compliance with this chapter. The landscape design manual may be amended by resolution of the board of supervisors after a noticed public hearing. Landscape reference materials and plant lists are available at the planning and development services department.

B. General standards:

1. Landscape designs shall be in harmony with the environmental context of the development site. Preservation of native, on-site vegetation shall be a primary objective of site planning for development. Specimen plants shall be given particular consideration for retention on site. Property owners shall comply with the provisions of Arizona Revised Statutes, Section 3-904;

2. Wherever the undisturbed natural desert landscape cannot be preserved, landscape design and construction shall promote the use of transplanted, on-site desert plants, container plants, seeded desert plants and inorganic groundcover. This standard shall be particularly emphasized on all landscaped areas abutting public rights-of-way, scenic routes and landscaping having high public visibility;

3. The environmental zone design principle of appropriate plant selection and placement, based on the function, water requirement and most suitable environmental exposure of the plant materials, shall be used in all proposals. The mini-oasis design provision may be permitted when proposed water-intensive planting designs are found by the department of planning and development services to substantially meet criteria found in the landscape design manual;

4. Turf applications over ten acres, such as required for parks and recreational facilities, school grounds, institutions and cemeteries are regulated by the Arizona Department of Water Resources and the Tucson AMA Management Plan, and are not specifically regulated by this chapter. Golf course design within Pima County is regulated by the Golf Course zone (Chapter 18.59);

5. Plants shall be selected from the planning and development services department's approved plant lists:

a. The director shall conduct an annual review of the plant lists,

b. Requests for changes in the plant lists may be made to the director, who shall review the request and enter all approved changes on a plant list addendum which shall be available from the department;

6. Trees and shrubs:

a. Trees shall be at least five gallons in size, or of comparable height if bare-rooted, at planting time,

b. Shrubs shall be at least one gallon in size at planting time,

c. Trees and shrubs shall be planted so that at maturity they do not interfere with service lines, traffic sight lines and the property rights of adjacent property owners, and

d. Trees planted near public sidewalks or curbs shall be provided with suitable root divertors to minimize heaving of those improvements;

7. Groundcovers:

a. When inorganic groundcover is used it shall be in combination with live plants and not exceed two-thirds of the total area of applied groundcover,

b. Turf use shall not exceed twenty percent of the total project site landscaped area, and shall be located, when used, on the development site:

1) To mitigate glare and reduce heat near buildings and their openings, windows and patios,

2) To enhance a mini-oasis,

3) To enhance a pedestrian entryway,

4) In an environmental zone compatible with the context of the landscape and architectural design,

5) To provide functional and aesthetic benefit to the users of the site,

6) To conserve water and demonstrate this ethic to the public;

c. Unpaved areas in any plant bed, median or tree understory within a planter shall be planted with shrubs, accents or vines, or covered with appropriate organic and inorganic groundcover;

8. Irrigation and water accent features:

a. All water use for landscape irrigation and enhancement shall conform to the Arizona Groundwater Code (Title 45, Chapter 2) and the adopted groundwater management plan for the Tucson active management area,

b. Each introduced planting shall be served by a water-conserving, underground irrigation system, unless otherwise approved by the department of planning and development services. Stormwater harvesting and drip irrigation are the preferred irrigation methods,

c. Encouragement shall be given to the use of effluent to irrigate landscaped and turfed areas. A written statement or note of effluent use feasibility shall be made on landscape plans indicating briefly: cost-effectiveness, potential sources and availability,

d. Landscape designs shall be integrated with hydrology, grading and earthwork plans for the site and shall make maximum use of site stormwater runoff for irrigation purposes, and

e. Water design features, such as ponds and fountains, shall be at a scale and of a design compatible with the arid lands environment and the water conservation ethic;

9. Natural features:

a. Earth berms shall be designed to transition to existing grades, shall not exceed a slope of 2:1, and shall be adequately covered with plant material, groundcover or rip-rap to control erosion,

b. Natural drainageways and existing, natural vegetation may be used for screening and amenity landscape credit if approved by the department of planning and development services, provided such uses are consistent with the county floodplain management ordinance;

10. Streetscape sculpture and furniture: Streetscape bufferyards may be reduced by ten percent of their required width, each one hundred linear feet, for each approved public sculpture or furniture piece installed and maintained within the bufferyard. Public sculpture and furniture shall be approved by the design review committee (reference Chapter 18.99), subject to standards contained in the landscape design manual;

11. Safety design standards:

a. Walls, fences, signs, landscaping and other potential obstructions to view in excess of two feet in height shall be placed in accordance with the requirements of Section 18.77.020 (Roads);

12. Public right-of-way standards:

a. Landscaping in publicly owned or controlled areas shall be consistent with the purpose and requirements of this chapter, design requirements as specified in the county development standards code, the scenic routes ordinance (pending) and the landscape design manual of the Pima County department of planning and development services,

b. A right-of-way use permit and maintenance agreement must be obtained from the department of transportation and flood control district prior to installation of any landscaping within the public right-of-way;

13. Plant materials spacing: Plants may be grouped, clustered or unevenly spaced to prevent the creation of an unnatural appearance in the landscape. (Ord. 1985-171 § 1 (part), 1985)

18.73.040 Screening and bufferyard requirements.

A. Scope:

1. Land use zones permitted by this code are ranked according to their land use intensity and restrictiveness (reference Section 18.05.010B). Ranking is based on the type and degree of nuisance or negative impact the more intensive use is likely to impose on less intensive, adjacent land uses. Bufferyards shall be provided between uses to minimize the negative effects of their dissimilarity.

B. Bufferyards:

1. Purpose: The bufferyard is a unit of yard together with required landscaping. Both the amount

of land and the type and amount of planting specified for each bufferyard requirement are designed to ameliorate nuisances between adjacent land uses or between a land use and public street or road. The planting units required of bufferyards are calculated to function as "buffers."

C. Location of bufferyards: Bufferyards shall be located on the outer perimeter of a lot or parcel, extending to the lot or parcel boundary line. Portions of bufferyards may be located on an existing or dedicated public or private street or right-of-way in accordance with the adopted subdivision street standards.

D. Determination of bufferyard requirements:

1. To determine the type of bufferyard required between two adjacent parcels or between a parcel and a street, the following procedure shall be followed:

a. Identify the land use zone category of the proposed use on Table 1, "Bufferyard Requirements," codified in this chapter, and located in the landscape design manual,

b. Identify the land use zone category of the existing land use zones adjacent to the proposed use on Table 1,

c. Determine the bufferyard required on each boundary (or segment thereof) of the subject parcel by referring the indicated letter designation from Table 1 to the bufferyard standards illustrated in the landscape design manual.

2. Bufferyard specifications detailed and illustrated in the manual constitute the bufferyard required between the two adjacent land uses. Any of the options contained in the letter designated bufferyard shall satisfy the requirement of buffering between the adjacent land uses.

3. Responsibility for bufferyard:

a. When a use is the first to develop on two adjacent vacant parcels, this first use shall provide the required buffer,

b. The second use to develop shall, at the time it develops, provide any additional plant material and land necessary to provide any additional bufferyard required between those two uses.

4. Existing plant material, structures and land located on the preexisting (first developed) land use which meets the requirements of this chapter may be counted as contributing to the total bufferyard between it and the second (adjacent) land use to develop.

E. Use of bufferyards:

1. A bufferyard may be used for passive recreation; it may contain sculpture, furniture and pedestrian, bike or equestrian trails, provided that:

a. No plant material is eliminated,

b. The total width of the bufferyard is maintained, and

c. All other regulations of this chapter are met.

2. In no event shall the following uses be permitted in bufferyards:

a. Playfields,

b. Stables,

c. Swimming pools,

d. Racquetball and tennis courts.

F. Bufferyard options:

1. Where the bufferyard originally required between a land use and vacant land turns out to be greater than that bufferyard subsequently required between the first use and the subsequently developed use, the following applies:

a. The subsequent establishment of compatible adjacent land uses, as indicated in Table 1, may eliminate the requirement for a bufferyard. If the requirement is reduced, but not eliminated, the existing use may expand into the excess buffer area, provided that the resulting total bufferyard between the two uses meets the revised bufferyard requirements;

2. Property owners may enter into agreements, subject to the approval of the county, with abutting landowners to use adjoining land to provide some or all of a required bufferyard. The total buffer shall equal the requirements of this chapter. Nonconforming uses and plats shall not be created, expanded or allowed by this option, nor shall designated, platted open space be compromised.

3. Contractual reduction of a bufferyard abutting vacant land: When a land use is proposed adjacent to vacant land and the owner of that vacant land enters

into a contractual relationship with the owner of the land that is to be developed first, a reduced buffer may be provided by the first use, provided that: the contract contains a recorded agreement by that vacant landowner to assume all responsibility for any additional buffer, if needed by the subsequent development of a more or less intense use on the vacant property.

4. A bufferyard is not required in either of the following cases, provided, however, a six-foot-high decorative masonry wall is constructed in lieu of the bufferyard, and the wall requirement is noted on the approved subdivision plat and landscape plan:

a. Where a proposed residential development has the same density or individual lot size as the adjacent residential property;

b. Where a bufferyard is required along the side or rear yard of an individual residential lot abutting an internal street. The exception does not apply to bufferyards located within common areas. (Ord. 1994-147 § 8, 1994; Ord. 1994-133 § 1, 1994; Ord. 1990-1 § 1 (part), 1990; Ord. 1987-92 § 1 (part), 1987; Ord. 1985-171 § 1 (part), 1985)

18.73.050 Amenity landscaping requirements.

A. Specific plan landscape requirements:

1. Scope: Amenity landscaping shall be provided for certain specific plans, development plans and land uses in addition to the screening requirements of Section 18.73.040 of this chapter. For example, amenity landscaping can be required as a condition of rezoning, as a requirement of cluster option approval or other action of the design review committee (Historic, Campus Park Industrial, Rural Village Center, Major Resort, Scenic Routes, etc.), or for Hillside Development zone revegetation compliance. Buffer areas provided to satisfy screening requirements may be used to reduce site gross area in calculating the amenity landscaping for these land uses. Where amenity landscaping is required or used, but is not determined by parking area calculations, the area, type, density and height of the amenity landscaping shall be approved by the specific review body assigned the review function (e.g. design review committee; subdivision and development review committee).

B. Parking area amenity landscape requirements:

1. Scope: Any development that requires ten or more parking spaces (except for single-family dwellings where all parking is contained within structures or carports on individual, subdivided lots);

2. Standard: An area equal to at least ten percent of the gross parking area shall be devoted to amenity landscaping. Required buffer areas may be subtracted from the gross parcel area in order to determine the gross parking area for purposes of landscaping calculations only;

3. Amenity options: The ten percent requirement may be satisfied with the use of combinations of the following elements:

a. Pedestrian median walkways within parking lots,

b. Twenty-five percent of the area of standard nondecorative concrete sidewalks on site,

c. One hundred percent of the area of decorative sidewalks (embossed concrete, exposed aggregate, tile, brick, etc.) on site,

d. Landscaped traffic islands, planters or medians within parking areas,

e. Interior project landscaping; such as building foundation planting, planters, mini-oases, landscaped entryways and assembly areas, sculpture gardens, fountains, demonstration gardens, and

f. Courts, ramadas and covered walkways.

4. For additional requirements, refer to Chapter 18.75, Off-Street Parking and Loading Standards. (Ord. 1985-171 § 1 (part), 1985)

18.73.060 Landscape plan requirements.

A. Submittal and approval of a landscape plan shall be required prior to approval of a development plan, final plat or the issuance of building permits where no development plans are required.

B. Landscape plans shall include the following:

1. North arrow, scale, project name and number, name and address of preparer, property lines and project limits, topographic lines and elevations;

2. Identification of areas that require materials

for screening, buffering and landscaping, and the abutting uses protected or screened;

3. The screening area in square feet;

4. Identification of amenity landscaping areas and the square footage provided;

5. Graphic representation of all landscape elements, including significant existing, preserved, relocated and introduced plant materials, inorganic groundcover, architectural features and their functions;

6. A plant list and legend, indicating the scientific and common name of each plant, plant size, location and symbol and whether preserved, transplanted or introduced;

7. A design concept statement, plan notes or sketches that explain:

a. Plant selection,

b. Environmental zone and mini-oasis concepts, and where applicable,

c. Irrigation: groundwater, effluent and stormwater runoff detention and use,

d. Site grading and how it benefits landscaping,

e. Use of groundcover, both organic and inorganic, and

f. Use or disposal of existing, on-site vegetation and a statement indicating compliance with ARS Section 3-904.

8. If the plan is a phase or portion of an overall landscape plan the following shall apply:

a. Boundary limits of the phase must be clearly noted on a copy of the overall plan,

b. Plant selection and design must conform to the overall plan. (Ord. 1985-171 § 1 (part), 1985)

18.73.070 Landscape plan review and appeal.

A. Submittal:

1. Prior to the submittal of a landscape plan, the petitioner should consult with the department of planning and development services concerning specific submittal requirements.

2. Landscape plans shall be submitted to the office of the subdivision coordinator for further processing.

a. Copies required:

1) Four for tentative plats, final plats or development plans;

2) One per each cluster option plan (reference Section 18.09.040);

3) As determined during preliminary consultation for all other plan submittals.

3. Within ten working days of plan submittal, the planning and development services department shall notify the petitioner in writing as to any further requirements or amendments necessary for final approval.

B. Landscape plan review:

1. The planning and development services department shall review the landscape plan for compliance with all code and special requirements.

2. The petitioner shall resubmit any revised plans for final compliance review. A written decision will be provided the petitioner within five working days of resubmittal.

3. Any change to the underlying development plan or subdivision plat may require resubmittal of a new or revised landscape plan as determined by the planning director.

C. All landscaping shall be completed within six months of programmed building construction. If a project is developed in phases, or is a lot sale project, landscaping and screening requirements shall be completed in sequence with phased development. The director of planning and development services department may authorize or require the use of assurances in accordance with Section 18.69.070 for phased development, delayed construction projects or to accommodate petitioners requesting to postpone installation of bufferyards along property lines that abut vacant, undeveloped property.

D. Appeals: Appeals to the decisions or requirements of the planning and development services department may be directed, in writing by the petitioner or other affected individuals, to the design review committee. The appeal must be made within fifteen working days of the date of the departmental decision. (Ord. 1985-171 § 1 (part), 1985)

18.73.080 Maintenance provisions.

A. Maintenance of approved landscaping shall consist of regular watering, pruning, fertilizing, clearing of debris and weeds, the removal and replacement of dead plants and the repair and replacement of irrigation systems and architectural features.

B. Maintenance assurances: The final approval of any subdivision plat or development plan that includes an approved final landscaping plan shall require covenants or assurances which:

1. Ensure the continued maintenance of required landscaping, buffering and associated irrigation systems; and

2. Assign the responsibility of maintenance to the property owner or agent, a homeowners' association or other liable entity.

C. Compliance: Planning and development services department personnel, qualified in landscape architectural review will periodically spot-inspect landscape installations for compliance with this chapter and approved landscape plans. (Ord. 1985-171 § 1 (part), 1985)

Chapter 18.75

OFF-STREET PARKING AND LOADING STANDARDS

Sections:

18.75.010 Purpose.
18.75.020 Definitions.
18.75.030 Off-street parking requirements.
18.75.040 Development standards.
18.75.050 Modification of requirements.
18.75.060 Off-street loading requirements.

18.75.010 Purpose.

A. This chapter provides standards for the development of parking and loading facilities, in order to:

1. Enhance public safety;

2. Minimize traffic congestion;

3. Provide for the parking of vehicles at appropriate locations, other than on streets;

4. Permit safe passage of pedestrians to and from parked vehicles and their destinations; and

5. Expedite the safe passage of moving traffic.

B. In addition, the criteria of this chapter are intended to promote the enhancement of:

1. Medians, parking areas and property line edges for pedestrian safety and convenience;

2. Streetscape plantings in order to provide shade, screening, sound attenuation and other environmental benefits; and

3. The community identity and the appearance of county roadways and development areas. (Ord. 1985-112 § 1 (part), 1985: Ord. 1985-82 (part), 1985)

18.75.020 Definitions.

A. Certain terms in this chapter shall be defined, for purposes of this chapter only, as follows:

1. Bicycle rack: A device for the secured temporary storage of one or more bicycles, which permits convenient locking of the bicycle frame and both front and rear wheels.

2. Entrance drive: The area between the street right-of-way and the first parking space of a parking area.

3. Gross parking area: The total square footage of the development within property lines, minus the total square footage first floor area within any buildings and storage yards.

4. High-intensity parking area:

a. A parking area with average vehicular turnover of less than two hours;

b. Examples include fast food restaurant and grocery store parking lots.

5. Low-intensity parking area:

a. A parking area with average vehicle turnover of more than four hours;

b. Examples include employee parking lots and airport long-term parking lots.

6. Medium-density parking area: A parking area with average usage for time periods of two to four hours.

Table 1: BUFFERYARD REQUIREMENTS (Minimum Bufferyard Required)

Proposed Use/Zone	IR	GC	SRa	SR-2	RH	CR-1	ML	GR-1	CR-2	CR-3	SH	CR-4	CR-5	CMH-1	CMH-2	TRa	TH	MR	RVC	CB-1a	CB-2a	MUa	CPI	CI-1	CI-2	CI-3	Public Street - Front Yard	Public Street - Side or Rear Yard	Scenic Route	Gateway Route	Major Highway
IR Institutional Residential[2]	D^2a	D^2	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2			D^2a	D^2a	D^2a					A^2	C^2	D^2	D^2	D^2
GC Golf Course																											B	B	B	B	B
SR Suburban Ranch[2]	D^2a	D^2	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	C^2	C^2	C^2a	C^2a	C^2a	C^2		C^2	C^2a	C^2a	C^2a					B^2	C^2	D^2	D^2	D^2
SR-2 Suburban Ranch Estate[2]	D^2a	D^2	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	C^2	C^2	C^2a	C^2a	C^2a	C^2		C^2	C^2a	C^2a	C^2a					B^2	C^2	D^2	D^2	D^2
RH Rural Homestead[2]	D^2a	D^2	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2		C^2	C^2a	C^2a	C^2a					A^2	C^2	D^2	D^2	D^2
CR-1 Single Residential	D^2a	D^2	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2		C^2	C^2a	C^2a	C^2a					A^2	C^2	D^2	D^2	D^2
ML Mount Lemmon																															
GR-1 Rural Residential[2]	D^2a	D^2	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2		C^2	C^2a	C^2a	C^2a					A^2	C^2	D^2	D^2	D^2
CR-2 Single Residential	D^2a	D^2	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2		C^2	C^2a	C^2a	C^2a					A^2	C^2	D^2	D^2	D^2
CR-3 Single Residential	Ca	C	Ca	Ca	Ca	C	C	C	C	C^2a	C																A^2	C	C	C	C
SH Suburban Homestead	D^2a	D^2	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2a	D^2		C^2	C^2a	C^2a	C^2a					A^2	C^2	D^2	D^2	D^2
CR-4 Mixed Dwelling	Ca	C	Ca	Ca	Ca	C	C	C	C	C	C			C													A	C	D	D	D
CR-5 Multiple Residence	Ca	C	Ca	Ca	Ca	C	C	C	C	C	C	C		C													A	C	D	D	D
CMH-1 Manufactured and Mobile Home[1]	C^1a	C^1	C^1a	C^1a	C^1a	C^1	C^1	C^1a	C^1	C^1	C^1																A	D	D	D	D
CMH-2 Manufactured and Mobile Home[1]	D^1a	D^1	D^1a	D^1a	D^1a	D^1	D^1	D^1a	D^1	D^1	D^1	D^1	D^1	D^1													B	D	D	D	D
TR Transitional	Da	D	Da	Da	Da	D	D	Da	D	D	D	D	D	D	D		D										B	C	D	D	D
TH Trailer Homesite[1]	D^1a	D^1	D^1a	D^1a	D^1a	D^1	D^1	D^1a	D^1	D^1	D^1	D^1	D^1	D^1	D^1	D^1			D^1								B	D	D	D	D
MR Major Resort	Da	D	Da	Da	Da	Da	Da	Da	Da	Da	Da	Da	Da	Da	Da	Da	D			Da	Da	Da					B	D	D	D	D
RVC Rural Village Center	Da	D	Da	Da	Da	D	D	Da	Da	Da	Da	Da	Da	Da	Da	Da	D			Ca	Ca	Da					A	D	D	D	D
CB-1 Local Business	D	D	Da	Da	Da	D	D	Da	D	D	D	D	D	D	D	Da	D	D	D	Ca		Da					A	D	D	D	D
CB-2 General Business	D	D	Da	Da	Da	D	D	Da	D	D	D	D	D	D	D	D	D	D	D	Da	Da	Da					B	D	D	D	D
MU Multiple Use	D^2a	D	Da	Da	D^2a	Da	Da	Da	Da	Da	Da	Da	Da	Da	Da	Da	D	D	D	Da	Da	Da					A	D	D	D	D
CPI Campus Park Industrial	D	D	Da	Da	Da	D	D	Da	D	D	D	D	D	D	D	Da	D	D	D	Da	Da	Da					B	D	F	F	F
CI-1 Light Industrial	F	F	Fa	Fa	F	F	F	Ea	F	F	F	F	F	F	F	F	F	E	E	E	E	Ea	F				B	E	G	G	F

Existing Adjacent Use/Zone

Streetscape Bufferyards

Table 1: BUFFERYARD REQUIREMENTS (Minimum Bufferyard Required)

	IR	GC	SRa	SR-2	RH	CR-1	ML	GR-1	CR-2	CR-3	SH	CR-4	CR-5	CMH-1	CMH-2	TRa	TH	MR	RVC	CB-1a	CB-2a	MUa	CPI	CI-1	CI-2	CI-3	Public Street - Front Yard	Public Street - Side or Rear Yard	Scenic Route	Gateway Route	Major Highway
CI-2 General Industrial	F	G	Ga	Ga	F	G	G	F	G	G	G	G	G	G	G	G	G	F	F	F	F	F	F	F			B	F	H	H	G
CI-3 Heavy Industrial	G	H	Ha	Ha	G	H	H	G	H	H	H	H	H	H	H	H	H	G	G	G	G	G	F	F	E		B	G	I	I	H
115 KVA Substations	J	I	Ja	Ja	J	J	J	J	J	J	J	J	J	J	J	J	J	H	I	I	I	J	I	H	G	F	J	J	J	J	J

Existing Adjacent Use/Zone

Streetscape Bufferyards

1 – Proposed Mobile Home Park or Subdivision
2 – Proposed Nonresidential Use
a – Adjacent Residential Use/Zone

*Notes:
– The letter designations in this table refer to the bufferyard requirements and standards found within the Landscape Design Manual.
– Where adjacent land has the same existing or officially planned residential density or land use intensity as the proposed development, the director of planning and development services may allow a reduction of bufferyard requirements. Reductions will be determined on a site-specific basis.

12-13-94

7. MUTCD: Manual on Uniform Traffic Control Devices (Federal Highway Administration).

8. Parking area: Any public or private land area designed and used for off-street parking.

9. Parking area, private:

a. A parking area for the private use of the owners or occupants of the lot on which the parking area is located; this does not include parking on sidewalks or streets;

b. This includes "reserved" designations.

10. Parking area, public: A parking area available to the public, with or without compensation, or used to accommodate clients, customers, employees, guests or visitors.

11. Parking bay: The parking module consisting of one or two rows of parking spaces and the aisle from which vehicles enter and leave the spaces.

12. Parking lot: An improved off-street ground level area, usually surfaced and improved, for the temporary storage of vehicles.

13. Parking space: A space for the parking of a vehicle within a public or private parking area.

14. Parking structure: A building designed for temporary storage of motor vehicles.

15. Turnover: The number of different vehicles that park in a given space during an average day. (Ord. 1985-112 § 1 (part), 1985; Ord. 1985-82 (part), 1985)

18.75.030 Off-street parking requirements.

A. General Provisions.

1. For uses not specifically mentioned, the requirements are based on a listed use which is similar in type and intensity. Such determination

shall be made by the subdivision and development review committee.

2. Where a fractional space is computed, the requirement will be based on the nearest whole number.

3. Where the number of employee parking spaces is unknown at the time of application, the applicant shall provide the number of required employee spaces based on typical employee floor area needs for similar uses.

B. Minimum Dimensions for Parking Space Types.

1. Compact car space: Eight feet by sixteen feet equals one hundred twenty-eight square feet.

2. Standard car space: Nine feet by twenty feet equals one hundred eighty square feet.

3. Handicapped space: Twelve feet by twenty feet equals two hundred forty square feet.

4. Motorcycle space: Six feet by nine feet equals fifty-four square feet.

5. Bicycle space: Three feet by eight feet equals twenty-four feet.

C. Parking Area Requirements.

1. The parking area requirements for any given land use shall be based on the type of land use and lot intensity factor, as provided for in Table 18.75-1.

2. The mix ratio of parking space types for a parking area is as follows: (See Table 18.75.030)

D. Handicapped Parking. Handicapped spaces shall be functionally located as near as possible to the main entrances of the establishments served, with a barrier-free path, and shall be posted with permanent signs in accordance with the Manual on Uniform Traffic Control Devices (Federal Highway Administration).

E. Compact Car Parking. Parking for compact cars shall be separated from large or standard car parking areas and shall be clearly signed or marked for this purpose.

F. Bicycle Parking. Bicycle parking shall be located to promote security for parked bicycles and convenient use. Locations adjacent to pedestrian walks, in view of building occupants, and located away from motor vehicle driveways provide best security.

G. Site Access. Proper siting of parking areas and access points in relationship to streets and nearby land uses shall be required.

H. Review. The subdivision and development review committee shall be responsible for the review of off-street parking proposals and may allow modification of specific requirements in

Table 18.75-1

PARKING SPACES REQUIRED

	Type of Uses	Employee or Resident Parking	Visitor or User Parking	Parking Lot Intensity	Loading Bay Intensity
1.	Residential:				
a.	Dwelling units, includinghouses, mobile homes, mobile home parks, and manufactured housing	One for each 1 bedroom or studio dwelling unit, 1.5 for each 2 bedroom unit, 2.0 for each 3 bedroom unit, 2.5 for each 4 or more bedroom unit	One for each four dwelling units	Low	Low, if used
b.	Group Quarters: Roominghouses, residence halls, dormitories, membership lodging, religious quarters	One per bedroom or bed	One for each 8 bedrooms or beds	Low	Low, if used
c.	Group care retirement quarters; convalescent homes, in-patient hospitals	One for each two persons employed	One for each 4 beds	Low	Low
d.	Motels and hotels	One for each two persons employed	One per unit	High	Medium
e.	Resorts	One for each two persons employed	One per guest room	Low	Medium
2.	Manufacture:				
	Including processing and assembly	Two for each three employees	One for each 1,000 sq. ft. floor area	Low	Medium
3.	Wholesale and business services:				
	Storage warehouse, mail order house	One for each two employees plus one for each company vehicle	One for each 2,000 sq. ft. of gross area	Low	High
	Laundry and dry cleaning plants, auto and truck rentals, medical and dental labs, lumber yards (excluding hardwares), building supplies, machine shops, welding shops, plumbing shops, ice sales	One for each two employees plus one for each company vehicle	One for each 1,000 sq. ft. of gross floor area	Medium	Medium

4.	Offices:			
	Medical and dental offices	one for each employee or physician	One for each 200 sq. ft. of gross floor area	High	Low
	Insurance, real estate, general offices, accountants, architects, utility companies, charitable organizations	One for each two persons employed	One for each 300 sq. ft. of gross floor area	Medium	Low
	General and home offices and charitable organizations not providing face-to-face customer services	One for each two persons employed	One for each 400 sq. ft. of gross floor area	Low	Low
5.	Commercial, retail:				
	Groceries, drugs, sundries, liquor	One for each two persons employed	One for each 150 sq. ft. of gross floor area	High	Medium
	Department stores	One for each three persons employed	One for each 200 sq. ft. of gross floor area	Medium	Medium
	Book stores, dry goods, hardware, secondhand sales, stationery, varieties and notions, hobby stores, clothes, sporting goods, auto parts and other general merchandise	One for each two persons employed	One for each 200 sq. ft. of gross floor area	Medium	Low
	TV and radio repair; appliance repair, toys, jewelry, pet shops, tailors and cleaners, art galleries and studios	One for each two persons employed	One for each 300 sq. ft. of gross floor area	Medium	Low
	Furniture and appliances, photo studios	One for each two persons employed	One for each 400 sq. ft. of gross floor area	Medium	Medium
	Banks	One for each two persons employed	Three for each teller's window plus one for each service desk; or if no teller windows, two for each service desk	High	Low

6.	Commercial eating and drinking:				
	Cafes, restaurants, cafeterias, bars	One for each two persons employed	One per table plus one for each two bar or eating stools	High	Medium
	Drive-ins, food bars, juice stands and other outside establishments	One for each two persons employed	Four for each service window or serving aisle	High	Low
7.	Commercial, automotive:				
	Service station (fuel dispensing)	One for each company vehicle	Two for each service bay	Medium	Low
	Auto repair	One for each two persons employed	Two per service island	High	Low
		One for each company vehicle, one for each two persons employed	One for each 100 sq. ft. auto service area	Low	Low
	Auto agencies—new/used	One for each two persons employed	One for each 500 sq. ft. of showroom area plus one for each 10 vehicles displayed (or stored)	Medium	Low
	Auto and truck rental	One for each two persons employed, one for each company vehicle	One for each 10 vehicles stored on premises		
	RV, mobile home and motorcycle sales and repair	One for each two persons employed	One for each 10 vehicles displayed (or stored) plus 2 for each repair bay		
8.	Commercial, outdoor uses:				
	Wrecking yards, junk yards	One for each two persons employed, one for each company vehicle	One for each 1,000 sq. ft. of gross use area for the first 10,000 sq. ft., one for each 3,000 sq. ft. of gross area exterior thereafter	Medium	Low
	Equipment rental	One for each two persons employed One for each company vehicle	One for each 400 sq. ft. of floor area and one for each 1,000 sq. ft. of exterior area for the first 10,000 sq. ft. and one for each 3,000 sq. ft. of exterior area thereafter	Medium	Low

	Public utility yards, substations, trucking yards	One for each two persons employed, one for each company vehicle	one for each 1,000 sq. ft. of gross use area for the first 10,000 sq. ft., one fore each 3,000 sq. ft. of gross exterior area thereafter	Medium	Low
	Distribution stations, delivery yards	One for each person employed One for each company vehicle			
9.	Public assembly: Entertainment, sports, religious, recreation centers, and athletic fields:				
	Seated activities (including churches)	One for each 4 employees	One for each 4 seats in the main auditorium; or one for each 50 sq. ft. of floor area usable for seating if seating is not fixed	High	Low
	Cultural and active indoor sport or dance activities (nonseated)	One for each 4 employees	One for each 150 sq. ft. of gross floor area	High	Low
	Drive-in theaters	One for each two employees	Parking or "waiting" space equal to 30% of the vehicular capacity of the theater	Low	Low
	Fairgrounds/ amusement parks/ carnival or transient show	One for each 4 employees	One for each 75 sq. ft. of exhibit and amusement area, whether enclosed or not three per hole	Medium	Low
	Miniature golf	One for each 2 employees		Medium	Low
	Golf driving ranges	One for each 2 employees	One per practice tee	Medium	Low
	Golf courses	One for each 2 employees	Ten per hole plus additional for gallery designed courses	Medium	
	Tennis and racquet ball	One for each 2 employees	One per court plus additional parking for associated uses	Medium	Low
	Skating rinks	One for each 2 employees	One per 400 sq. ft. of gross floor area	Medium	Low
	Bowling alleys	One for each 2 employees	Four per lane	Medium	Low

	Swimming pools	One for each 2 employees	One for each 300 sq. ft. of deck area plus one for each 100 sq. ft. of pool area	Medium	Low
	Swap meets	One for each 2 employees or retail space	One for each 100 sq. ft. of use area	High	Low
10.	Educational:				
	Colleges, jr. colleges	One for each 2 employees	One for each 2 students	High	Low
	Sr. high school	Two for each 3 employees	One for each 4 students	High	Low
	Elementary and jr. high school	Two for each 3 employees	One for each 4 auditorium seats	Medium	Low
	Nursery and preschool	Two for each 3 employees	One for each 8 students	Medium	Low
11.	Miscellaneous:				
	Funeral and crematory services	One for each company vehicle, one for each 2 employees	One for each 4 seats in all assembly rooms	Medium	Medium
	Air passenger terminals	One for each 2 persons employed	One for each 3 departing passengers based on each travel day	Medium	Low
	Bus and railroad terminals	One for each 2 persons employed	One for each 10 departing passenger cars based on average travel day	Medium	Low
	Beauty and barber shops	One for each 2 persons employed	2 spaces per chair	Medium	Low
12.	Public:				
	Government agencies	One for each 2 persons employed, one for each company vehicle	One for each 400 sq. ft. of gross floor area	Medium	Low
	Post office	One for each 2 persons employed; one for each company vehicle	One for each 100 sq. ft. of customer service area	High	High
	Libraries	One for each 2 persons employed	One for each 4 seats including assembly and reading rooms	High	Low

Table 18.75.030

PARKING AREA RATIO REQUIREMENTS

PARKING SPACE TYPE	REQUIRED NUMBER OF PARKING SPACES	
	1—19 Spaces	20 or More Spaces
Standard car	100%	Minimum 60%
Compact car	None	Maximum 40%
Handicapped	Ⓐ	One plus one per 50 spaces Ⓑ
Bicycle rack	Two	One per 15 spaces

Ⓐ All lots of ten spaces or more shall require, additionally, one handicapped space located as close as practical to the building entrance and with a barrier-free path.
Ⓑ May be included in standard car percentage.

certain site specific instances consistent with the purpose of this chapter. (Ord. 1985-153 § 1 (part), 1985; Ord. 1985-112 § 1 (part), 1985: Ord. 1985-82 (part), 1985)

18.75.040 Development standards.

A. Scope. This section provides general criteria and requirements for the development of off-street parking areas with a capacity of ten or more vehicles. Specific design standards are provided to ensure sound engineering and aesthetic design for the development of off-street parking.

B. Site Improvement Standards.

1. Slope and Grading. The finished grade of the parking lot shall be in accordance with county standards. Grading of a site shall benefit landscaped areas and conform to the requirements of Chapter 18.81 (Grading).

2. Drainage. In addition to county drainage requirements, drainage flow shall be considered a resource and be designed to benefit landscaped areas on the development site. Erosion control measures shall be designed and implemented to control drainage flow from hard-surfaced areas onto abutting soil surfaces.

3. Landscaping. In accordance with the requirements of Chapter 18.73 (Landscaping Standards):

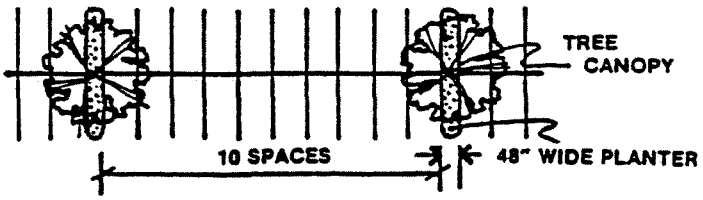
a. A minimum of ten percent of the gross parking area shall be devoted to amenity landscaping (refer to Chapter 18.73. Landscaping Standards);

b. Each parking row of ten spaces shall be separated with a raised landscaped planter, curbed strip or depressed island at least forty-eight inches in width, containing a tree canopy and appropriate groundcover. A design in context with the natural setting is desired (see Diagram 18.75.040);

c. Signage, landscaping and screening materials shall not obstruct sight distances or vehicle turning movements.

4. Screening. Screening (refer to Chapter 18.73. Landscaping Standards) shall buffer parking areas from the following general land uses:

Diagram 18.75.040



a. Residential Areas. Parking facilities adjacent to property zoned, planned or used for residential purposes shall be separated from such property by a minimum five-foot wide landscaped buffer, which shall consist of either a minimum six-foot high decorative masonry wall or fence, permanently maintained vegetation, earth berms, or a combination of these elements. An opaque screen is required to provide noise, light, and access barriers between the dissimilar uses. If a wall or fence is used, at least fifty percent of the required vegetation shall be maintained on the external side of the wall or fence to provide visual relief when viewed from the residential side. Refer to Chapter 18.73 (Landscaping Standards) for specific requirements.

b. Streets. Parking facilities containing ten or more spaces, any of which abut a public right-of-way, shall be separated from the street right-of-way by a minimum five-foot wide landscaped buffer, as listed above, consisting of a minimum three and one-half foot high wall, earth berms, plant material or combination thereof. Refer to Chapter 18.73, Landscaping Standards, for specific requirements. The objective of this screening is visual relief; a fifty percent visual screen is acceptable. Landscaping within public rights-of-way requires a use permit and license agreement from the department of transportation and flood control district prior to installation.

5. Any lights used to illuminate parking spaces and drives shall be of a design and shall be arranged to shield and reflect the light away from adjoining residential lots and zones.

6. Emergency and Service Vehicle Access. All parking areas shall be designed to permit free access by emergency and service vehicles commonly in use by public and private emergency and service operators.

C. Entrance Drives.

1. Drives shall have minimum widths as follows:

a. One-way drives, sixteen feet;

b. Two-way drives, twenty-four feet.

2. Drives are to be located and designed as follows to permit adequate ingress and egress:

a. Entrance and exit drives crossing the street property line are limited to two per three hundred feet of frontage along any single street, with their nearest pavement edges spaced at least eighty feet apart. The distance may be increased by the subdivision and development review committee to provide safe circulation on any specific site;

b. The point of curvature for drive returns must be at least ten feet from the nearest side property line.

c. A minimum of one hundred fifty feet, measured at the curbline, shall separate the nearest pavement edge of any entrance or exit driveway and the curbline of the nearest intersecting street.

d. Curbs, walls, berms, landscaping, or other barriers shall be provided to prevent ingress or egress at any point other than at designated entrance or exit drives.

e. Signage shall be allowed at entrance or exit drives in accordance with Chapter 18.79 (Sign Standards).

f. Parking areas shall not be designed to require or encourage vehicles to back into a

street, pedestrian access way, or alley in order to leave the lot or maneuver out of a parking space.

g. Entrance and exit drives shall be designed to provide adequate cross-over sight distance as required by Pima County department of transportation.

D. Parking Lot Design.

1. Dimensions of Parking and Access Areas. In accordance with Section 18.75.030 and:

a. Open and garage parking spaces shall not be less than nine feet wide and twenty feet long, except that spaces designated for compact cars only, where permitted by this section, shall not be less than eight feet wide and sixteen feet long;

b. Aisles between parking rows shall not be less than:

1) Twelve feet wide for thirty-degree parking,

2) Thirteen feet wide for forty-five-degree parking,

3) Eighteen feet wide for sixty-degree parking,

4) Twenty-four feet wide for ninety-degree parking, except that if and to the extent that the only spaces along the aisle are designated for small cars only, where permitted by this chapter, the minimum width of the aisle is twenty-two feet;

c. Refer to Table 18.75-2 for parking area dimensions and guidelines.

2. Compact Cars. For parking facilities with twenty or more spaces, parking areas for compact cars may be provided in accordance with Section 18.75.030E. Such spaces shall be adequately marked or posted with signs, subject to planning and development services department review and approval, and the signage and use of spaces for compact cars only shall be maintained by covenants, conditions and restrictions running with the land.

3. Passenger Drop-off Points. Drop-off points, separated from street traffic and readily accessible without hazardous maneuvering, shall be provided in conjunction with the following uses: Hotels, motels, hospitals and clinics, educational facilities with fifty or more pupils, day care centers, religious facilities with one hundred or more seats, transit terminals, major recreational facilities, commercial airports, public buildings, and offices and financial services greater than five thousand square feet of gross floor area.

4. Car Pools. Off-street parking provided for commercial office and industrial facilities requiring eighty or more spaces shall provide at least ten percent of the total parking area as designated for use by car pools, and be clearly signed and managed to that end.

5. Emergency and Service Vehicle Access. All parking lots shall provide unrestricted access by emergency and service vehicles. The designer shall utilize geometric characteristics of the SU-30 design vehicle with forty-two-foot turning radius to accomodate these vehicles.

E. Parking Lot Improvements Standards.

1. Pavement Marking. Parking spaces in paved parking areas shall be permanently marked with striping in accordance with the Manual on Uniform Traffic Control Devices. Space lines shall be a minimum of three inches wide, white paint or plastic, and extend for a minimum of ten feet for interior lines. End lines shall extend the full length of the space.

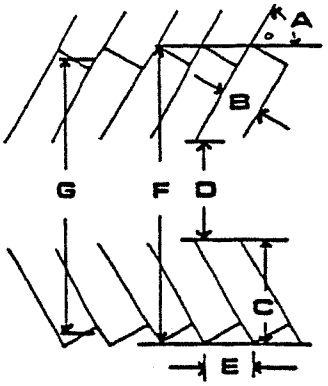
2. Barriers.

a. Parking areas and spaces shall be provided with bumper barriers, wheel stops or wheel stop curbing, designed to prevent parked vehicles from extending beyond the property lines, damaging adjacent landscaping, walls or buildings, or overhanging sidewalk areas. Wheel stops or wheel stop curbing shall be located three feet from the front of the parking space.

3. Paving. All open parking areas shall be paved with a durable asphalt, concrete, stone, tile or brick surface, consistent with pavement design principles and engineered according to soil conditions and wheel loads. (Ord. 1986-187 § 1 (part), 1986; Ord. 1985-112 § 1 (part), 1985: Ord. 1985-82 (part), 1985)

PARKING AREA DIMENSIONS AND GUIDELINES

Traffic Engineering Division
Pima County, Arizona



Elements
A. Parking Angle
B. Space Width
C. Space Depth
D. Aisle Width
E. Curb Length
F. Curb to Curb Bay Width
G. Space Center to Center Width

TABLE 18.75-2
PARKING AREA DIMENSIONS

ELEMENTS

A	B	C	D	E	F	G
0°	*8	8.0'	12.0'	18.0'	28.0'	--
	9.0'	9.0'	12.0'	23.0'	30.0'	--
	9.5'	9.5'	12.0'	23.0'	31.0'	--
	10.0'	10.0'	12.0'	23.0'	32.0'	--
20°	*8	13.3'	12.0'	25.0'	38.6'	--
	9.0'	15.3'	12.0'	26.4'	42.6'	34.1'
	9.5'	15.7'	12.0'	28.0'	43.4'	34.5'
	10.0'	16.3'	12.0'	29.6'	44.6'	35.2'
30°	*8	15.8'	12.0'	17.0'	43.5'	--
	9.0'	17.8'	12.0'	18.0'	47.6'	39.8'
	9.5'	18.2'	12.0'	19.0'	48.4'	40.2'
	10.0'	18.6'	12.0'	20.0'	49.2'	40.5'
45°	*8	17.7'	13.0'	12.0'	48.3'	--
	9.0'	20.4'	13.0'	12.7'	53.8'	48.0'
	9.5'	20.6'	13.0'	13.4'	54.2'	48.0'
	10.0'	21.2'	13.0'	14.1'	55.4'	48.3'

ELEMENTS

A	B	C	D	E	F	G
60°	*8	18.7'	18.0'	9.8'	55.4'	--
	9.0'	21.9'	18.0'	10.4'	61.8'	57.5'
	9.0	22.1'	18.0'	11.0'	62.2'	57.7'
	10.0'	22.5'	18.0'	11.5'	63.0'	58.0'
70°	*8	18.7'	19.0'	9.0'	56.4'	--
	9.0'	22.0'	19.0'	9.5'	63.0'	60.3'
	9.5'	22.2'	19.0'	10.1'	63.4'	60.3'
	10.1'	22.3'	19.0'	10.5'	63.6'	60.3'
80°	*8	18.1'	22.0'	9.0'	58.2'	--
	9.0'	21.5'	24.0'	9.6'	67.0'	--
	9.5'	21.5'	24.4'	10.1'	67.0'	--
	10.0'	21.5'	24.0'	10.6'	67.0'	--
90°	*8	16.0'	22.0'	8.0'	54.0'	--
	9.0'	20.0'	24.0'	8.5'	64.0'	--
	9.5'	20.0'	24.0'	9.0'	64.0'	--
	10.0'	20.0'	24.0'	10.0'	64.0'	--

*Minimum parking space size 8'x16' (compact car spaces only)
Minimum parking space size 9'x20'
Handicapped space - 12'x20'
Minimum 2 - way traffic aisle 24'
Minimum 1 - way traffic aisle 12'

18.75.050 Modification or waiver of requirements.

A. Administrative Modifications. Requirements for off-street parking may be modified; provided, that the modifications are noted on tentative and final subdivision plats or development plans, in the following cases:

1. Motorcycle Parking. Motorcycle spaces may be provided in place of required car spaces in parking lots of thirty or more spaces, at a maximum of one motorcycle space for every 30 required car spaces.

2. Shared On-site Parking. If more than one commercial use is located on a site, the combined number of parking spaces required may be reduced by one percent for each separate commercial use, up to a maximum of twenty percent of such combined uses.

3. Tandem Parking. Required parking spaces within a parking area or garage shall be individually accessible, except that vehicles may be parked in tandem in the following instances:

a. In a public parking area that provides attendants to park vehicles who are present at all times the area is open for use;

b. In a garage or carport serving a duplex dwelling, multiple dwelling or mobile home park or subdivision; provided, that both spaces are for the same dwelling unit, that required aisle widths are maintained and the tandem parking is not more than two cars in depth; or

c. For all-day restricted employee parking located on the same site as a commercial or office establishment; provided, that required aisle widths are maintained and no more than twenty percent of the required spaces are so utilized.

B. Subdivision and Development Review Committee Modifications. The subdivision and development review committee may grant the following modifications of off-street parking requirements:

1. Quantifiable standards of this chapter may be modified up to a maximum of ten percent, when it is demonstrated that an unusual site or use condition exits and when such adjustment will not result in a danger to persons or property or in increased traffic.

2. Shared Peak-hour Parking. The number of parking spaces required for two or more uses having distinct and differing peak-hour usage, as determined by the subdivision and development review committee, and located within a three-hundred-foot radius from the most remote commonly shared parking space, may be reduced up to a maximum of twenty percent of the total spaces required; provided, that an agreement, to run with the land, is recorded between the separate owners for the shared parking.

3. Entrance drive location standards may be reduced up to ten percent of the required distance, where such change will not result in increased congestion or danger to persons or property.

4. Parking aisles may be reduced up to ten percent of the required widths, where topography or natural site conditions would make the installation of the required dimension nonfunctional or result in excessive grading. (Ord. 1985-112 § 1 (part), 1985: Ord. 1985-82 (part), 1985)

18.75.060 Off-street loading requirements.

A. Scope: This section provides general criteria and requirements for the development of off-street loading areas. Refer to Table 18.75-3.

B. Applicability: The following criteria shall be used in determining the need for and number of loading spaces:

1. Intensity of the use; and
2. Development floor area.

C. Siting: Loading spaces shall be located:

1. Not more than one hundred feet from the facility they are designed to serve;

2. No closer than thirty feet to any property used or zoned, or officially planned by Pima County, for residential purposes.

D. Minimum dimensions (exclusive of aisles and maneuvering area):

1. Length: Forty-five feet;
2. Width: Twelve feet;
3. Overhead clearance: Fourteen feet.

OFF-STREET LOADING SPACES REQUIRED

TABLE 18.75-3

Combined square feet of floor area and outdoor storage and use areas	LOADING SPACE INTENSITY NUMBER OF SPACES REQUIRED		
	High	Medium	Low
Less than 10,000	1	1	0
10,000 - 29,999	2	1	1
30,000 - 59,999	3	2	1
60,000 - 99,999	4	3	2
100,000 - 149,999	5	4	3
Each additional 50,000	1	1/2	1/4

E. Access: Each loading space shall be accessible from a street or from an aisle or drive connecting with a street. Such access may be combined with access to a parking lot if designed in a manner that will not disrupt normal traffic flow within the parking lot.

F. Maneuvering. No vehicles shall be permitted to maneuver in a public right-of-way, including public walkway easements.

G. Marking. Each loading space shall be striped or permanently designated by other suitable methods and permanently posted with a sign restricting its use to loading. Signage is to be based on the Manual on Uniform Traffic Control Devices (Federal Highway Administration). Bumper rails are to be provided where needed for safety or protection of property.

H. Paving. All loading areas shall be surfaced with a durable asphalt, concrete, stone, tile or brick surface, consistent with pavement design principles and engineered according to soil conditions and wheel loads.

I. Screening. In addition to provisions of Chapter 18.73, Landscaping Standards, loading areas shall be screened from adjoining properties and public thoroughfares with a minimum five-foot wide landscaped area and a six-foot high opaque screen, consisting of either a decorative wall, earth berms, vegetation or a combination of such elements (refer to Chapter 18.73, Landscaping).

J. Multiple Service. Loading spaces may be designed to serve two or more establishments located on the same or adjacent site, except that the total combined number of spaces provided shall not be less than fifty percent of the combined total required for all such combined users. Each user shall have access to loading zones, at grade, without having to cross or maneuver on public streets, alleys, or walkways.

K. Restrictions. Loading spaces shall not be used for repair work, vehicle storage or to satisfy area requirements for off-street parking.

L. Modification of Requirements for Unusual Sites. The subdivision review committee may reduce the number or location of required loading spaces where they determine an unusual situation exists. (Ord. 1985-112 § 1 (part), 1985: Ord. 1985-82 (part), 1985)

Chapter 18.77

ROADWAY FRONTAGE STANDARDS

Sections:

18.77.010	**Purpose.**
18.77.020	**General requirements and exceptions.**
18.77.030	**Setback lines for streets.**
18.77.040	**Scenic routes.**

18.77.010 Purpose.

Reserved.

18.77.020 General requirements and exceptions.

A. Structures in Front Yards on Corner Lots. On any corner lot, no fence, structure, sign or planting shall be erected or maintained within twenty feet of the property corner so as to interfere with traffic visibility across the corner.

B. Reserved. (Ord. 1985-82 (part), 1985)

18.77.030 Setback lines for streets.

A. Purpose: To more properly establish adequate future street widths and setback lines on certain streets in the unincorporated areas of Pima County and in order to provide adequate light, air, and parking facilities and to expedite traffic within the districts.

B. Setback requirements in general:

1. All buildings or structures or any part of such buildings or structures shall have setback requirements of thirty feet in addition to half of the required right-of-way width for all major streets and routes as designated on the major streets and routes plan, as it may be amended and supplemented.

2. Permits for signs will be issued by the zoning inspector only when accompanied by an agreement signed by the property owner stating that the sign would be relocated at no expense to Pima County if additional right-of-way is required or when adjoining roadway improvements would necessitate such relocation.

3. Setback Exception for Signs, Walls and Fences.

a. Setback requirements for signs shall be as specified in Section 18.79.030, Sign Standards.

b. Walls and fences shall be permitted within required yards and setback areas as specified in Section 18.07.050B, Exception for Walls and Fences, and Chapter 18.73, Landscaping, Screening and Buffering Standards.

4. If a front, side or rear yard requirement or street setback line as provided in this code is more than the setback required by this subsection, the greater requirement shall prevail.

5. The setback shall not apply to any residential lot of record prior to the enactment of this subsection as adopted on August 6, 1952, if the setback line reduces the depth of the buildable area to less than forty feet or the width to less than sixty feet.

6. This subsection shall not be construed as a waiver of yard requirements within the zone if they are greater than the above limits.

7. In any business or industrial zone, a marquee, canopy, or awning suspended from a building, for the purpose of giving the appearance of shelter or shade, may project ten feet into the required setback; provided, that such structure shall be no less than ten feet above the grade of the parcel where the structure is located.

C. Setback requirements for specified streets:

1. No permit for any building or structure or any part thereof shall be issued by the zoning inspector, and no building or structure or any part thereof shall be hereafter erected or structurally altered so that any part thereof would be or extend streetward at a less distance to the centerline of the following streets than as follows: (see Table 18.77.030)

2. On La Canada Drive from River Road to Lambert Lane the one-hundred-five-foot building setback from the centerline of La Canada Drive shall not be varied without the unanimous approval of the Board of Supervisors and shall not be subject to any other variance provision of this code. (Ord. 1994-112 § 1 (part), 1994; Ord. 1985-82 (part), 1985)

18.77.040 Scenic routes.

A. Designation. Refer to the major streets and routes plan for reference to roads designated as scenic routes.

B. Building Height Limitations. Refer to the development standards in Chapters 18.27 (CR-4 Mixed-dwelling Type Zone), 18.29 (CR-5 Multiple Residence Zone), 18.31 (TR Transitional Zone) and 18.43 (CB-1 Local Business Zone) for building height restrictions adjacent to scenic routes.

C. Signs. Refer to Section 18.79.070 (Sign Standards) for provisions for signs along scenic routes. (Ord. 1985-82 (part), 1985)

Table 18.77.030

a. Street:	b. Terminals:	c. Distance from Approved Centerline:
1) Oracle Rd/ Tucson-Florence Highway	From Rudasil Road to Pinal-Pima County line	150 feet
2) Old Spanish Trail	From the city limits to southeast corner of Sec. 30, T14S, R16E	100 feet

Chapter 18.79

SIGN STANDARDS[1]

Sections:

18.79.010 Purpose.
18.79.020 Definitions.
18.79.030 General development standards.
18.79.040 Prohibitions.
18.79.050 Exceptions.
18.79.060 Nonconforming signs.
18.79.070 Permits and fees.
18.79.080 Waivers.
18.79.090 Enforcement.
18.79.100 Permitted signs by zone.
18.79.110 Development standards by sign type.

1. Prior ordinance history: Ords. 1985-82, 1985-117 and 1985-201.

18.79.010 Purpose.

A. It is the purpose of this chapter to establish a framework of comprehensive sign standards for Pima County that reflect the community decision to preserve and enhance the natural, scenic desert environment of Pima County and to promote the health, safety and welfare of the community. It is the intent of this chapter to authorize the use of signs that:

1. Encourage an aesthetic appearance compatible with the surrounding human and natural environment along street frontages;
2. Encourage the clear visibility of the mountain and desert environment and improve the quality of the visual appearance of the community;
3. Promote signs that are appropriate to the type of activity to which they pertain;
4. Encourage legibility of sign information along street frontages;
5. Protect astronomical observation and minimize light intrusion onto adjacent property; and
6. Reduce visual clutter and glare in order to:
   a. Promote traffic and pedestrian safety; and
   b. Encourage the clearest possible visual perception of existing adjacent businesses and existing signs.

B. Whenever a conflict arises in the enforcement of this chapter or more than one interpretation is possible, the purpose of this statement shall serve as a guideline in reaching a decision. (Ord. 1986-65 § 1 (part), 1986)

18.79.020 Definitions.

A. General Definitions:

1. Awning: A shelter or cover projecting from and supported by an exterior wall of a building.

2. Background panel: An area that is constructed as a background for sign copy.

3. Building frontage: The measurement between two straight lines projecting from the outermost edges of a building or tenant space wall, that are perpendicular to a straight line running along the ground level of the front of the measured wall.

4. Detached canopy: A freestanding building without walls but with columns and a roof covering one or more gasoline pumps or drive-through stalls.

5. Development complex: A site, having common vehicular access points, which is subject to the development plan requirements of Chapter 18.71, including waiver.

6. Freeway: A divided arterial highway on the interstate or primary system, with full control of access and with grade separations at intersections.

7. Kiosk:

a. A detached building with one or more sides containing openings for commercial activity;

b. Examples: Refreshment stand, retail film stand and automatic teller machine enclosure.

8. Landscaped area: The square footage of a ground cover surrounding a sign creating an aesthetic effect by the use of plant material and inorganic material including but not limited to grass, trees, shrubs, planters, brick, stone, natural forms, water forms, aggregate and other landscape features, but not including the use of concrete, asphalt or outdoor carpeting.

9. Landscape ratio: The relationship between the landscape area surrounding a sign and the sign area.

10. Light source: A lamp or light emitting tube placed within a lighting fixture.

11. Outline lighting: The outlining of a building by artificial lighting.

12. Roof line: The top edge of the roof or the top of the parapet, whichever forms the top line of the building silhouette.

13. Sign area allotment: The permitted amount of identification sign area in ratio to the linear footage of building frontage.

14. Sign copy: Any word, letter, number, design, figure or other symbolic representation incorporated into a sign.

15. Sign structure: A freestanding wall, pole, pedestal or object erected for the purpose of supporting a sign.

B. Definitions of Sign Types:

1. Abandoned sign: A sign which advertises, identifies or gives notice of a business which is no longer in operation or an activity which has already occurred. A permanent on-site sign which applies to a temporarily suspended business shall not be deemed to be abandoned unless the suspension exceeds six months.

2. Accessory wall sign:

a. An on-site sign attached to or painted on a building or tenant space wall, mansard or other vertical building surface, excluding the main wall identification sign;

b. Examples: Menu board, awning, changeable copy, directory, directional, incidental, projecting, suspended, time and temperature and permanent window signs.

3. Awning sign: An on-site sign attached to or painted on an awning.

4. Billboard: An off-site sign displaying advertising sign copy that is pasted, painted or fastened in a manner to permit its periodic replacement and that does not pertain to the sign location.

5. Changeable copy sign:

a. An on-site sign designed to permit the changing of messages by means of nonelectronic sign copy;

b. Examples: movie theater marquee and bulletin board for a school or church.

6. Concealed sign:

a. An on-site sign designed and located so as not to be visible from a street or an adjacent property;

b. Examples: indoor sign and a sign located within an outdoor courtyard.

7. Construction sign: An on-site temporary sign for a project under construction, listing the name of

the project and any three items of the following information: opening date and names of the principal contractors, subcontractors, architects, lending institutions and major tenants.

8. Detached canopy sign: An on-site sign attached to or painted on a detached canopy.

9. Directional sign: An on-site sign that includes traffic information for drivers and pedestrians.

10. Directory sign: An on-site sign listing only the names and locations of the businesses or activities within a building or a multi-tenant development.

11. Electronic message sign: A sign that permits the movement or frequent changing of messages by means of electronically controlled sign copy.

12. Freestanding sign:

a. A sign supported independently of a building;

b. Does not include billboard.

13. Future facility sign:

a. A sign announcing a proposed development or project;

b. Does not include construction sign.

14. Governmental sign:

a. A sign installed or required by a public agency;

b. Examples: traffic, public transit and public information signs.

15. Grand opening banner: An on-site temporary sign advertising the establishment, expansion or change of ownership of a commercial enterprise.

16. Identification sign: An on-site sign that includes as copy the use, name, logo or address of a building, development or business.

17. Incidental sign: An accessory wall sign identifying or advertising on-site business associates, products, services or facilities.

18. Indirectly illuminated sign: A sign that:

a. Reflects light from a source intentionally directed upon it; or

b. Has unlit sign copy mounted in front of a background of reflected light that has the effect of silhouetting the letters or symbols.

19. Internally illuminated sign: A sign made visible in darkness by a source of light, concealed or contained within the sign, that shines through a translucent surface.

20. Kiosk sign: An on-site sign attached to or painted on a kiosk.

21. Main wall identification sign: An on-site sign that is the primary identification sign attached to or painted on a building or tenant space wall or other building surface.

22. Menu board: An on-site sign displaying the bill of fare of a drive-through or drive-in restaurant.

23. Moving sign:

a. A sign that flashes or blinks light, changes physical position or conveys the illusion of movement by mechanical means, illumination or air movement.

b. Does not include time and temperature sign.

24. Neon sign: A sign with a neon tube which is bent to form letters, symbols or other shapes.

25. Nonconforming sign: A sign, constructed with a valid permit, existing on April 1, 1986, which does not comply with this chapter.

26. Off-site sign: A sign that is not an on-site sign.

27. On-site sign: A sign directing attention to a use, activity, facility, product or service existing at the property on which the sign is placed.

28. On-site subdivision sign: An on-site temporary sign located at the entrance to a subdivision advertising that the development currently has lots or units for sale.

29. Political sign: A temporary sign relating to a political candidate, political party or issue in a public election.

30. Portable sign: An outdoor temporary sign not designed to be permanently attached to the ground or a structure.

31. Projecting sign: An on-site sign attached to and extending more than twelve inches from a structure not designed exclusively for the support of the sign.

32. Real estate property sign: An on-site temporary sign advertising that the property is currently for sale, rent or lease.

33. Residential entryway sign: A permanent freestanding, on-site sign identifying the names and addresses of up to three adjacent subdivisions or separately named portions of recorded subdivisions.

34. Roof sign: A sign that projects above the roofline of a building to which it is attached.

35. Sign: A lettered, numbered, pictorial or illuminated device or object designed to advertise, announce, direct or inform.

36. Service club sign: An off-site sign displaying logos, names and accessory information of service clubs such as the Lions International, Kiwanis International, Rotary International, Soroptimist International and similar clubs organized as nonprofit corporations and established to serve the social and welfare needs of the community.

37. Subdivision directional sign: An off-site temporary sign directing buyers to a subdivision that currently has lots or units for sale.

38. Suspended sign: An on-site sign hanging under or from a covered walkway, porch or roof overhang.

39. Temporary sign: A sign that is not permanently mounted and is intended to be displayed at the site for a limited period of time.

40. Time and temperature sign: An on-site sign displaying the current time and temperature.

41. Vehicle sign: A sign with identification or advertising sign copy on a vehicle or trailer parked for the primary purpose of functioning as a sign.

42. Window sign: An on-site sign inside of or painted on a window, intended to be seen from the outside. (Ord. 1993-35 § 1 (part), 1993; Ord. 1991-35 § 1, 1991; Ord. 1991-1 § 1, 1991; Ord. 1986-65 § 1 (part), 1986)

18.79.030 General development standards.

A. Scope: This section provides development standards for signs in all zones.

B. Measurement and Location Standards:

1. Sign area measurement:

a. Background panel: A sign placed on a background panel is measured as the area contained within the outside dimensions of the background panel;

b. Individual letters or symbols: A sign with individual letters or symbols placed separately on a building wall, awning or other structure without a background panel, is measured as the sum of the smallest rectangular shape needed to enclose each letter or symbol;

c. Illuminated panel: A sign in an illuminated panel is measured as the entire illuminated surface area;

d. Multiple components: A sign displayed in more than one component, e.g., a service station identification and price sign, is measured as the area enclosed by the smallest rectangle encompassing all the components;

e. Multiple face sign:

1) A sign with two faces is measured as:

a) The area of one face, if the interior angle between the faces is forty-five degrees or less;

b) The sum of the area of the two faces, if the interior angle is greater than forty-five degrees;

2) A sign with three or more faces is measured as the sum of the area of all faces.

2. Sign height measurement: The sign height is measured as the vertical distance from the average finished grade beneath the sign to the topmost feature of the sign; except that if the sign location has an average finished grade lower than the adjoining grade of the road, the sign height is measured from the top of the curb (or crown of the road nearest the property if no curb exists) to the topmost feature of the sign.

3. Clearance measurement: Clearance is measured as the shortest vertical distance between the underside of the sign and the average finished grade beneath the sign.

4. Setback measurement: Setback is measured from the edge of the sign structure closest to the property line.

5. Freestanding sign located on corner lots:

a. If a freestanding sign is located on a corner lot so as to be visible from only one street, that street shall be used to calculate sign area which is a function of street frontage;

b. If a freestanding sign is located on a street corner so as to be visible from both streets, only the longest street frontage shall be used to calcu-

late sign area which is a function of street frontage;

c. If a freestanding identification sign is located on a street corner so as to be visible from both streets, a second freestanding identification sign shall not be permitted.

C. Address Identification:

1. A sign shall conform to the requirements of the County Street Naming and Addressing Manual (Ord. 1981-14).

2. At least one sign visible from the street shall contain the street address of the development complex in numerals at least three inches tall.

3. The site address may be included in the sign copy of a freestanding identification sign.

4. The sign area allotment shall include the area for a street address exceeding sixteen square feet.

D. Building Standards:

1. A sign shall meet the standards of the county building codes (Title 15).

2. An electrical sign shall be erected by an applicant that has registered with the county its file number as an authorized manufacturer with Underwriters Laboratories, Inc., or by an applicant that has received an inspection approval by an inspection agency approved by the county building official.

3. Certified welder:

a. The applicant for a sign requiring structural welding shall register with the county the name and state of Arizona certification number of the welder;

b. The certified welder shall be responsible to weld or supervise and inspect all structural welding required under the sign permit.

E. Landscaping:

1. A sign shall conform to the requirements of Chapter 18.73 (Landscaping, Buffering and Screening Standards).

2. A sign with a landscape ratio requirement shall submit a landscape plan in accordance with Section 18.79.070A2b4.

3. Design shall not permit plant or other materials to obstruct the visibility of the sign face from the street.

4. A sign placed in a bufferyard required by Section 18.73.040 (Landscaping, Buffering and Screening Standards) shall be approved by the design review committee as compatible in materials and size with the landscaped area.

F. Maintenance: A sign shall be properly maintained in the following manner:

1. Defective or broken parts shall be replaced.

2. Exposed surfaces determined by the zoning inspector to be substantially deteriorated shall be painted or cleaned.

3. A sign posing a safety hazard or a sign damaged to the extent of requiring a new building permit shall be removed or repaired unless regulated under Section 18.79.060C.

G. Illumination:

1. A sign shall comply with the standards of the county Light Pollution Code (Title 15).

2. An illuminated sign shall be turned off no later than ten p.m., unless the business remains open. If the business remains open after ten p.m., an illuminated sign must be turned off between the closing time and sunrise.

3. No illumination of a sign is permitted in a rural or residential zone unless it is associated with a business or an office that remains open or is associated with a medical or public service.

4. A light source of a sign shall not be visible from above, except as permitted in the county Light Pollution Code (Title 15), or from an adjacent property or street.

H. Inconsistent Requirements: A sign subject to inconsistent requirements of any federal, state or county statute, ordinance or regulation shall meet the most restrictive requirement. (Ord. 1986-65 § 1 (part), 1986)

18.79.040 Prohibitions.

A. Prohibited Signs:

1. Abandoned Sign.

2. Cloth or paper sign attached to the exterior surface of a window or a building. This prohibition does not include a political sign, lost pet sign or a grand opening banner.

3. Electronic message sign.

4. Fixed balloon sign.

5. More than six pennants or flags on a site; pennants or flags on poles greater than twenty feet in height.
6. Bench sign in a residential zone; more than one bench sign per bus stop in a commercial or industrial zone.
7. Future facility sign.
8. Off-site sign, except those specifically permitted.
9. Portable sign.
10. Roof sign.
11. Satellite dish containing sign copy.
12. Searchlight.
13. Statue used for advertising.
14. Temporary sign, except those specifically permitted.
15. A sign emitting visible matter or sound (except a menu board).
16. A sign resembling an official traffic sign.
17. Outline lighting of a building, excluding temporary decorative holiday lighting.
18. Vehicle sign.
19. Moving sign.
20. A sign on a permanent storage tank (except signs necessary to warn of danger).

B. A sign shall not be located:
1. Within a right-of-way or on public property.
2. Within twenty feet of a street corner or so as to interfere with traffic visibility across the corner.
3. So as to obstruct the view of an authorized traffic sign, signal or device.
4. So as to obstruct the view of a motorist entering a road from a parking area, alley or other vehicular access point. (Ord. 1986-65 § 1 (part), 1986)

18.79.050 Exceptions.

A. The following signs shall be exempt from the application, permit and fee regulations of this chapter, although an electrical or building permit may be required:
1. Barber pole, provided it is attached to a wall and is not more than three feet in length nor more than eight feet in height.
2. Concealed sign.
3. Six or fewer flags with poles no greater than twenty feet in height.
4. Governmental sign.
5. Professional nameplate and home occupation sign, provided:
a. Maximum area: two square feet;
b. Setback: Main building setbacks for that zone.
6. House numbers, nameplates and addresses with numbers or letters no more than three inches high.
7. Memorial sign, tablet or cornerstone, not exceeding eight square feet in area.
8. Noncommercial mural.
9. Open house directional sign used to direct customers to a single residential lot for sale or subdivision sales center, provided:
a. Maximum area: Four square feet;
b. Maximum height: Three feet;
c. Maximum number: Four or six signs at a grand opening for two weekends;
d. The sign shall carry the identity and address of the sign owner;
e. The sign shall be removed by six p.m. of the day of posting.
10. Trespassing sign, not exceeding two square feet in area.
11. Sign that is necessary to warn of danger; the sign shall be of no greater height or size than is required to give the public adequate warning.
12. Sign that indicates physical disabilities, not exceeding two square feet in area.
13. Sign attached to a service station pump. (Ord. 1986-65 § 1 (part), 1986)

18.79.060 Nonconforming signs.

A. This chapter shall not apply to a sign, constructed with a valid permit, existing on April 1, 1986, which does not comply with this chapter, except as provided below.

B. Change of Use: A nonconforming sign shall comply with this chapter before the issuance of a certificate of occupancy which creates a change of use.

C. Damaged or Destroyed Sign: A nonconforming sign damaged to the extent of requiring a new building permit shall be replaced with a conforming sign.

D. Relocation: A nonconforming sign shall not be relocated without compliance with this chapter.
E. Alteration: A nonconforming sign shall not be altered to the extent of requiring a new building permit without being brought into compliance with all the regulations of this chapter.

1. Exception: A freestanding identification sign remaining in the same location may be altered, subject to the following conditions:

a. Maximum sign area may be the greatest of:

1) That permitted in the zone;

2) Sixty-four square feet in commercial or industrial zones only; or

3) Fifty percent of the area of the nonconforming sign;

b. Maximum sign height may be the greatest of:

1) That permitted in the zone; or

2) The height of the roof line of the tallest main building on the site;

c. Setback: Ten feet from the front property line;

d. All structural components and braces (such as pipes, angle iron, cables, internal or back framing) shall be concealed with a pole cover or architectural embellishment.

F. Landmark Sign: A sign erected prior to the effective date of the ordinance codified in this chapter shall be given the status of a landmark sign and shall be exempt from the regulations of this chapter if the design review committee finds it has significant cultural or historical character as a landmark.
G. Two for One Replacement of Billboard Support Structure: A billboard with a wooden support structure may be replaced with a metal support structure for a billboard of the same sign area provided it meets the following requirements:

1. Illumination: None;

2. Maximum height: Twenty-four feet; and

3. A second existing billboard with a wooden support structure is removed within thirty days of the issuance of a permit for the replacement support structure. (Ord. 1986-65 § 1 (part), 1986)

18.79.070 Permits and fees.

A. Permits:

1. Applicant:

a. A property owner or authorized agent may apply for a sign permit.

b. An agent shall provide an authorized letter from the owner of the property on which the sign is to be installed.

2. Submittal: The applicant shall submit to the zoning inspector:

a. A sign plan approved as part of the development plan review process in Chapter 18.71 (Development Plan Standards); or

b. The following information as required by the zoning inspector:

1) A site plan for freestanding signs, including a north arrow, a legal description, dimensions of the required setbacks and location of the property lines, buildings frontages, roads and proposed signs;

2) A description in the form of a sketch of signs attached to a building, the building wall, building frontage and proposed and existing signs with their sign areas;

3) A sign description in the form of a sketch of the proposed sign, showing the sign area dimensions, structural supports, height, clearance, copy, illumination, colors and materials; and

4) A landscape plan, if required, in the form of a sketch of the site showing the type, size and location of materials used, means of irrigation of plants and the square footage of the area included in the landscape ratio;

a) Refer to Chapter 18.73 (Landscaping, Buffering and Screening Standards) for landscape material standards.

B. Fees.

1. Fee schedules shall be adopted by resolution of the board of supervisors.

2. Renewal Fee:

a. A sign permit shall require an annual renewal fee in order to remain valid.

b. An annual renewal fee identification sticker shall be displayed upon the sign or at an alternate location noted on the permit.

c. An annual blanket permit is required of real estate brokers for real estate property signs located on a single residential lot with a dwelling unit and

for real estate property signs located at each apartment complex.

d. The application fee for a public hearing before the board of supervisors concerning a CB-2 zone billboard sign use permit shall be twenty-five dollars.

e. The application fee for a setback or landscape ratio waiver request and an appeal to the granting of a setback or landscape ratio waiver is twenty-five dollars. (Ord. 1986-65 § 1 (part), 1986)

18.79.080 Waivers.

A. A waiver to the setback and landscape ratio requirements for freestanding signs may be granted by the director of the planning and development services department when there exists an unnecessary hardship substantially limiting the preservation of property rights.

B. A waiver shall not be granted unless:

1. The strict application of this chapter creates an unnecessary hardship limiting the use of the property such as obscuring the sign face, reducing the required number of parking spaces, obstructing an access point or creating a similar problem caused by a physical condition that is unusual or peculiar to the property;

2. The waiver is the minimum necessary to afford relief;

3. The waiver will not adversely affect the rights of surrounding property owners;

4. The waiver will comply with all other requirements of this chapter;

5. The waiver will be compatible with the purpose of this chapter.

C. Submittal Requirements:

1. The petitioner shall submit a site plan per Section 18.79.070A2b showing required setbacks and landscaping, the conditions that will result from the proposed waiver, and a written statement explaining the need for a waiver.

2. If the sign is proposed to be set back ten feet or less from a common lot line, the petitioner shall obtain a signed and notarized letter from the adjoining property owners consenting to sign an agreement to be recorded before final approval for the proposed waiver is given by the director.

D. Action by the Director: The director or the appointee shall review all the submitted information and provide a written response to the petitioner of the action. The response shall state the reasons for the decision if the request is denied.

E. Appeals or Referrals to the Board of Adjustment:

1. Application for a waiver is not required before appeal to the board of adjustment.

2. The decision of the director may be appealed to the board of adjustment.

3. The director may refer any waiver request to the board of adjustment. (Ord. 1986-65 § 1 (part), 1986)

18.79.090 Enforcement.

A. In addition to the general manner of enforcement provided in Chapter 18.95 (Compliance and Enforcement), the following provisions shall apply:

1. A sign erected without a permit shall be removed prior to the issuance of any sign permit for the site.

2. Seizure of a prohibited temporary sign: The zoning inspector shall seize a prohibited temporary sign after proceeding as follows:

a. If the sign is within the right-of-way of a state or county road, the zoning inspector may seize the sign after confirming through the appropriate authority that the sign is in the right-of-way.

b. If the sign is not within the right-of-way of a state or county road, the zoning inspector shall give notice that the sign violates the provisions of this chapter. The notice shall:

1) Cite the Zoning Code provision being violated;

2) State the date by which compliance must occur, allowing a reasonable time for compliance;

3) Set forth the right to a hearing provided in Chapter 18.95 (Compliance and Enforcement); and

4) Be posted on the sign or in a conspicuous place on the property.

c. The seizure shall occur after the compliance date in the notice.

d. At any time before the date of compliance, the party responsible for the prohibited sign may request a hearing before the hearing officer pursuant to Chapter 18.95 (Compliance and Enforcement). At the conclusion of the hearing, if the hearing officer determines that the sign is prohibited, the sign shall be removed by the party responsible for the sign within twenty-four hours of the hearing officer's decision. If it is not removed, the zoning inspector shall seize the sign.

3. The cost of removal of a temporary sign by the county shall be borne by the party responsible for the erection and maintenance of the prohibited sign. An action for recovery of costs may be brought by the county attorney upon certification of costs by the zoning inspector.

4. A sign seized by the zoning inspector may be redeemed by the owner of the sign upon payment of all costs incurred by the county for removal and storage of the sign. If not redeemed within sixty days of seizure, a sign shall become county property and may be sold or otherwise disposed of as provided by law.

B. Penalties: In accordance with Section 18.95.040 (Compliance and Enforcement), except that in the event enforcement is sought through the hearing officer (refer to Section 18.95.030B, Compliance and Enforcement), the minimum fine imposed by the hearing officer for violation of this chapter shall be fifty dollars per violation per day. (Ord. 1986-65 § 1 (part), 1986)

18.79.100 Permitted signs by zone.

A. Scope: This section specifies the signs permitted in the various zones.

B. Key to Table Notations:
• = Permitted Sign Type
Blank = Not Permitted Sign Type
[2] = Reference is in Table Notes Section 18.79.100D

C. Table 1:

Zone / Sign Type	Awning Sign	Billboard	Changeable Copy Sign	Construction Sign	Directional Sign	Directory Sign	Detached Canopy Sign	Grand Opening Banner Sign	Freestanding ID Sign	Incidental Sign	Kiosk Sign	Main Wall ID Sign	Menu Board	On-Site Subdivision	Political	Projecting	Real Estate Property	Residential Entryway	Service Club Sign	Subdivision Directional	Suspended	Time and Temperature	Window Sign
IR, RH, GR-1	See Table Note 1																						
ML			•[2]	•	•				•[2]			•[2]		•	•	•[4]	•	•	•	•			
SR, SR-2, SH, CR-1, CR-2, CR-3, CMH-1			•[2]	•	•				•[3]			•[3]		•	•	•[4]	•	•	•	•			
CR-4, CR-5, CMH-2			•[2]	•	•				•[5]			•[5]		•	•		•	•	•	•			
MU	See Table Note 6																						
TH, TR, Resort	•		•[2]	•	•	•		•	•[7]	•	•	•[7]		•	•	•	•	•	•	•	•		
RVC, H-1	•		•[2]	•	•	•	•	•	•[7]	•	•	•[7]	•	•	•	•	•	•	•		•		
H-2				•	•							•		•	•	•	•		•		•		
CB-1	•		•[8]	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
CB-2	•	•	•[8]	•	•	•	•	•	•	•	•	•	•	•	•	•	•		•	•	•	•	•
CPI	•		•	•	•	•	•	•	•	•	•	•	•	•	•	•	•		•	•	•	•	•
CI-1, -2, -3	•	•	•[8]	•	•	•	•	•	•[3]	•	•	•	•	•	•	•	•		•	•	•	•	•
Golf Course	See Table Note 9																						

D. Table Notes to Table 1 in Section 18.79.100C:

1. Conditional uses in IR, RH and GR-1 shall comply with the sign regulations for the most restrictive zone permitting outright the conditional use; signs for all other permitted uses shall comply with the sign regulations for the SR zone.

2. Churches, private schools and governmental facilities only.

3. Nonresidential uses only.

4. Home occupations only.

5. Apartments and nonresidential uses only.

6. Conditional uses in MU shall comply with the sign regulations for the CB-1 zone; all other permitted uses shall comply with the sign regulations for the CR-4 zone.

7. Trailer parks, commercial uses, apartments, churches, private schools and governmental facilities only.

8. Changeable copy signs are permitted:

a. As a component of a freestanding identification sign for gasoline price signs, churches, private schools and governmental facilities;

b. As an accessory wall sign for churches, private schools, governmental facilities and commercial and industrial uses; and

c. As a detached canopy sign for commercial and industrial uses.

9. All signs shall be regulated by the underlying zone. (Ord. 1994-147 § 9 (part), 1994; Ord. 1993-35 § 1 (part), 1993; Ord. 1986-65 § 1 (part), 1986)

18.79.110 Development standards by sign type.

A. Scope: This section provides development standards for sign type.

B. Key to Table Notations:

P/T = Permanent/Temporary

Y/N = Yes/No – None

NR = Not Restricted

●[1/1] = Reference is in Table Notes Section 18.79.110D

* = Reference is in Additional Sign Type Requirements Section 18.79.110E

C. Table 1:

Sign Type / Standards	Classification	Permit Required	Maximum Area (square feet)	Maximum Height (lineal feet)	Minimum Clearance (lineal feet)	Front and Side Setback (lineal feet)	Maximum Number	Maximum Number of Faces per Sign	Illumination	Landscape Ratio	Calculated as Part of Wall Sign Area Allotment	Additional Requirements in Section 18.79.110E
Awning	P	Y	*	15[1]	7	N	●[5]	1	Y	N	Y[3]	Y
Billboard	P	Y	*	*	10	*	N	2	N	N	N	Y
Changeable Copy:												
Freestanding style	P	Y	●[2]	●[2]	N	●[2]	●[2]	2	●[2]	4:1	N	Y
Accessory wall style			*	15[1]		N	1	1	Y	N	Y[3]	
Construction sign	T	Y	*	*	8	NR	●[4]	2	N	N	N	Y
Detached canopy	P	Y	*	●[1]	8	N	●[4]	2	Y	N	N	Y
Directional:	Refer to Section 18.79.110E6											
Freestanding style												
Accessory wall style												
Directory												
Freestanding style	P	Y	40	8	N	*	●[6]	4	Y	2:1	N	Y
Accessory wall style				8[1]		N		1		N		
Freestanding identification sign	P	Y	*	*	N	*	●[4]	4	Y	4:1	N	Y
Grand opening banner	T	Y	60	●[1]	N	N	●[5]	1	N	N	N	Y

C. Table 1 (Continued): SIGN TYPE / STANDARDS	CLASSIFICATION	PERMIT REQUIRED	MAXIMUM AREA (SQUARE FEET)	MAXIMUM HEIGHT (LINEAL FEET)	MINIMUM CLEARANCE (LINEAL FEET)	FRONT AND SIDE SETBACK (LINEAL FEET)	MAXIMUM NUMBER	MAXIMUM NUMBER OF FACES PER SIGN	ILLUMINATION	LANDSCAPE RATIO	CALCULATED AS PART OF WALL SIGN AREA ALLOTMENT	ADDITIONAL REQUIREMENTS IN SECTION 18.79.110E
H-2 zone signs	Refer to Section 18.79.110E9											
Incidental	P	Y	•	15[1]	N	N	6	1	Y	N	Y[3]	Y
Kiosk	P	Y	30	●[1]	N	N	●[4]	2	Y	N	N	Y
Main wall identification	P	Y	•	●[1]	N	N	●[5]	1	Y	N	Y	Y
Menu Board:												
Freestanding style	P	Y	30	6	N	•	1	2	Y	N	N	Y
Accessory wall style				●[1]				1				
On-site subdivision	T	Y	•	•	N	10	•[8]	2	•	N	N	Y
Political	T	NR	16	10	N	10	NR	2	N	N	N	Y
Projecting	P	Y	6	15[1]	8	N	●[5]	2	Y	N	Y[3]	Y
Real Estate Property:												
Site with buildings, except single-family dwellings	T	Y	16	8	N	10	●[4]	2	N	N	N	Y
Site with no buildings		Y	32/•	10/•		10	●[4]/•					
Lot with a single-family dwelling		•	6	5		NR	1					
Residential entryway	Refer to Section 18.79.110E20											
Service club sign	Refer to Section 18.79.110E18											
Subdivision directional	T	Y	32	10	N	10	4	2	N	N	N	Y
Suspended	P	Y	6	15[1]	8	N	●[5]	2	Y	N	Y[3]	N
Time and Temperature:												
Freestanding style	P	Y	50	●[2]	N	●[2]	●[7]	2	Y	4:1	N	Y
Accessory wall style			36	15[1]	8	N		1		N	Y[3]	
Window:												
Permanent	P	Y	•	•	N	N	●[5]	1	Y	N	Y	Y
Temporary	T	N		●[1]			NR		N		N	

D. Table Notes to Table 1 in Section 18.79.110C:

1. Shall not extend above the roofline.

2. Subject to the regulations for freestanding identification signs in the zone.

3. Subject to:

a. No more than four accessory wall signs are permitted on any two sides of a building.

b. Up to five incidental signs shall be counted as one sign.

4. Two, and no more than one on each street frontage unless regulated under Section 18.79.110E8f.

5. Two, and no more than one on each side of a building unless regulated under Section 18.79.110E13a5b.

6. One sign is permitted for each vehicular access point.

7. One sign is permitted on each site.

8. The signs for the same subdivision shall be placed at least three hundred feet apart.

E. Additional Requirements by Sign Type and Zone:

1. Awning sign:

a. Maximum area: Twenty square feet or forty percent of the total wall sign area allotment, whichever is greater;

2. Billboard:

a. A billboard shall not be located:

1) Within two hundred feet of a residential zone or one hundred feet of a building erected prior to the issuance of the billboard permit;

2) On a designated scenic route, except Interstate 10 or Interstate 19; or

3) On a lot or parcel with a building or structure. A billboard constructed after November 19, 1985, shall be removed prior to the issuance of a certificate of occupancy for a building on the same lot or parcel.

b. No on-site business identification sign shall be a part of or attached to a billboard.

c. No sign face area or object shall extend beyond the surface or rectangular perimeter of the billboard face.

d. All visible portions of the supporting structure shall be an earthtone shade of brown or green.

e. A billboard within three hundred feet of a county road constructed after January 1, 1984, or within a CB-2 zone shall require a sign use permit issued by the board of supervisors. The permit shall be:

1) Issued after a public hearing for which all owners of property within six hundred feet of the proposed billboard have been notified by mail;

2) Subject to the requirements of Section 18.79.110E2; and

3) In conformance with the purpose statement Section 18.79.010A of this chapter.

f. Permitted zones:

1) CB-2 and CI-1:

a) Maximum area: Seventy-five square feet;

b) Maximum height: Sixteen feet;

c) Setbacks: Twenty feet from any property line;

d) Location: Not within six hundred sixty feet of another billboard;

2) CI-2 and CI-3:

a) Maximum area: Three hundred square feet;

b) Maximum height: Twenty-four feet;

c) Maximum faces: Two;

d) Setbacks: Twenty feet from any property line, except a thirty-foot front setback is required for a billboard with an area of more than seventy-five square feet; and

e) Location: A billboard with an area of seventy-five square feet or less shall not be within six hundred sixty feet of another billboard, and a billboard with an area more than seventy-five square feet shall not be within one thousand three hundred twenty feet of another billboard.

3. Changeable copy sign:

a. The total combined sign area for all changeable copy signs relating to a business shall not exceed eighty square feet;

b. Freestanding sign style: No freestanding sign shall consist exclusively of changeable copy; however, changeable copy may be a component of freestanding identification sign (refer to Section 18.79.100D8).

c. Accessory wall sign style:

1) Maximum sign area:

a) Movie marquee: Eight square feet;

b) Commercial uses: Twenty square feet except the wall sign area allotment for incidental signs may be transferred to permit up to forty square feet of changeable copy sign area.

4. Construction sign:

a. Maximum area:

1) Sixty-four square feet for industrial zones.

2) Thirty-two square feet for commercial zones and TR commercial uses.

3) Sixteen square feet for residential, rural zones and TR residential uses.

b. Maximum height:

1) Ten feet in industrial and commercial zones and for TR commercial uses.

2) Eight feet in residential zones and TR residential uses.

c. The sign shall not be erected until building permits are obtained;

d. The sign shall be removed upon completion of construction.

5. Detached canopy sign:

a. Maximum area: forty square feet for the entire detached canopy.

b. Incidental, suspended and identification signs placed on the canopy or its supports shall be

calculated as part of the sign area of the detached canopy sign, unless the sign copy has numbers and letters no more than three inches high.

6. Directional sign:

a. Maximum area shall be six square feet;

b. May be illuminated;

c. Shall not be a temporary sign;

d. Shall require a sign permit;

e. A freestanding style directional sign shall not exceed three feet in height, shall have two square feet of landscaping for every one square foot of sign area and, if visible from a public street, shall be located a minimum of twenty-six feet from any other free-standing style directional sign and only at an access point of a development;

f. An accessory wall style directional sign shall not extend above the roofline.

7. Directory sign setback: Forty-three feet from the front and side lot line except from a side lot line not adjacent to a street the setback may be thirty feet.

8. Freestanding identification sign:

a. ML, SR, SR-2, SH, CR-1, CR-2, CR-3, CR-4, CR-5, CMH-1 and CMH-2:

1) Maximum area: Thirty-two square feet;

2) Maximum height: Six feet;

3) Setback: Ten feet from front and side lot lines;

b. TH, TR, RVC and Resort Zones:

1) Maximum area: Forty square feet;

2) Maximum height: Eight feet;

3) Setback: Ten feet from front and side lot lines;

c. CB-1, CB-2 and CPI zones:

Street Frontage	Maximum Area in Square Feet	Maximum Height	Front Setback
below 300'	50'	10'	10'
300' to 549'	64'	14'	18'
above 549'	90'	18'	24'

1) Side setback: The sign shall be thirty feet from a side lot line or a distance equal to one-fourth of the lot frontage, whichever is less;

2) If a sign height less than the maximum permitted is used the applicable front setback for that height may be used.

d. CI-1, CI-2 and CI-3 zones:

Street Frontage	Maximum Area in Square Feet	Maximum Height	Front Setback
below 300'	50'	10'	10'
300' to 549'	64'	14'	18'
above 549'	100'	20'	24'

1) Side setback: The sign shall be thirty feet from a side lot line or a distance equal to one-fourth of the lot frontage, whichever is less;

2) If a sign height less than the maximum permitted is used the front setback for the height may be used.

e. Sign copy: The sign copy at a development complex shall have sign copy limited by one of the following options: the sign may contain the complex name and the names of up to three businesses at the development complex. As an alternative, the sign copy shall be limited to any combination of seven words, groups of numbers including prices, or symbols concerning activity at a development complex.

1) The sign copy shall have a uniform background color. The size of the sign copy shall be uniform or be placed on identical, individual panels,

2) A development complex name may contain the name of the major tenant and the development address;

3) Exceptions. The sign copy for a development complex name or the name of a single on-site business may have a different letter or panel size and background color. Words, numbers or symbols of three inches or less in height that are incidental to the main sign copy and sign copy identifying a church, or governmental facility are exempt from the limits on the amount of words, numbers or symbols.

f. Development complex:

1) A development complex having a street frontage of at least five hundred feet may place at each vehicular access point to the complex an illuminated sign with the following conditions:

a) Maximum sign area: Fifty square feet for each vehicular access point;

b) Maximum height: Eight feet;

c) Setback: Ten feet from front and side lot lines;

d) Illumination: Internally illuminated sign shall have an opaque background panel with light colored sign copy;

e) Landscape ratio: 6:1;

f) No other freestanding identification signs shall be permitted.

2) A development complex not using a separate freestanding identification sign on a perimeter wall enclosing at least one side of the site with the following conditions:

a) Maximum sign area: Fifty square feet;

b) Number of sign faces: Two;

c) Maximum height shall be regulated under Section 18.07.050B.

g. Freeway style: A business located on a freeway may have one freestanding identification sign greater in area and height than the zone allows provided:

1) Maximum area:

a) Sign may not exceed one hundred fifty square feet in area with a zero setback from the freeway right of way;

b) The area may be increased .83 square feet per foot of setback from the freeway right-of-way, but may not exceed a maximum area of three hundred square feet.

2) Maximum height:

a) Fifteen feet above the grade of the freeway.

b) The height may be increased one-half a foot per foot of setback from the freeway right-of-way, but may not exceed a maximum of twenty-five feet above the freeway grade.

3) Location:

a) The business is located within two hundred fifty feet from the edge of the freeway right-of-way.

b) The business is located within one thousand feet parallel to the freeway (this area is measured toward the exit or entrance ramp from a point where the centerline of a ramp meets with the edge of the right-of-way of a contiguous road which is part of the freeway interchange).

4) The business has at least one of the following motorist services: lodging, gas, vehicle repair, camping or food;

5) Minimum clearance: Ten feet.

6) The sign face shall have an opaque background panel with light colored letters, or a combination of a white and opaque background panel may be used if the most dominant color in the sign is opaque;

9. Grand opening banner: The sign shall be permitted for one time only, for a maximum of fourteen consecutive days.

10. H-2 zone signs: All permitted signs shall be regulated in the following manner:

a. Maximum area: Eight square feet;

b. Maximum height:

1) Permanent wall sign shall not extend above the roof line;

2) Freestanding sign: Six feet;

c. Setback: Ten feet;

d. Clearance: Eight feet;

e. Maximum number: Two, and no more than one sign per street frontage;

f. Maximum number of faces: Two;

g. Illumination: A permanent sign may be illuminated only by indirect light;

h. A sign may not use plastics or luminous paints;

i. If a sign is found to be a close replica of an original historic sign by the historic district advisory board it may be erected even though it does not comply with the requirements of this chapter.

11. Incidental sign: Maximum area is twenty square feet per building frontage, except the sign area allotment for a changeable copy sign may be transferred to permit up to forty square feet of incidental sign area.

12. Kiosk sign:

a. Identification or incidental signs may be placed on a kiosk;

13. Main wall identification sign:

a. Maximum area:

1) ML, SR, SR-2, SH, CR-1, CR-2, CR-3, CR-4, CR-5 and CMH-1: Thirty square feet; a hospital is permitted one hundred square feet;

2) TH, TR, RVC and Resort Zone: Thirty square feet or one square foot of area for every lineal foot of building frontage, whichever is greater, but no more than 80 square feet;

3) CB-1, CB-2 and CPI: Thirty square feet or 1.5 square feet of area for every lineal foot of building frontage, whichever is greater. but no more than one hundred fifty square feet;

4) CI-1, CI-2 and CI-3: Thirty square feet or two square feet of area for every lineal foot of building frontage, whichever is greater, but no more than two hundred square feet;

5) If a business has no separate freestanding identification sign:

a) The total wall sign area for two building walls may be increased by ten percent for each wall but may not exceed the maximum allowable wall sign area for that zone;

b) A third and fourth building wall may each contain a main wall identification sign not exceeding thirty square feet in area and sixteen square feet in area for sign regulated under Section 18.79.110E13b.

b. Interior tenant spaces: A building with interior tenant spaces using centralized entrances may have up to three main wall identification signs on each story:

1) The total area for each sign shall not exceed sixteen square feet;

2) The total number of identification signs on one building facade shall not exceed nine signs per street frontage;

3) No other accessory wall sign other than directional or directory signs are permitted.

c. All main wall identification signs shall be located on the building frontage designated on the tenant space's site plan unless regulated under Section 18.79.110E13b.

14. Menu board:

a. The sign shall be positioned so as not to be read from a street;

b. The sign shall not have a two-way speaker which is audible from an adjoining residential zone.

15. Political sign:

a. The individual or organization erecting the sign shall file with the zoning inspector the name, address and telephone number of the individual responsible for the installation and removal of the sign.

b. A sign shall not be installed more than thirty days prior to the election;

c. A sign shall be removed no more than ten days after the election;

d. Signs erected for a primary election may remain if they continue to be valid for the general election.

16. Projecting sign:

a. The sign copy shall identify the business only;

b. The projection shall not exceed two feet from the supporting surface.

17. On-site subdivision sign:

a. Maximum area and number:

1) Sixty-four square feet per sign if two signs are used;

2) One hundred twenty-eight square feet if one sign is used;

b. Maximum height: Twelve feet except a sign located behind a fence or a wall which obscures a twelve-foot high sign may be sixteen feet.

c. Sign copy may contain the subdivision name and any four of the following items of information: name of developer, price, residential type, logo, phone number and number of units;

1) Copy changes relating to items such as sales price, phone or number of units are allowed without a new permit.

d. Illumination is permitted subject to Section 18.79.030G3, but must be turned off no later than nine p.m.

e. The first permit is valid for a period of one year. Three one-year renewal permits may be granted.

f. The sign shall be removed upon termination of an active on-site sales program;

18. Service club sign:

a. The sign structure shall require a sign permit;

b. Maximum height: Fifteen feet;

c. Setback: Ten feet from lot lines;

d. Maximum number of logo signs: Six per sign structure;

e. Illuminated is prohibited.

19. Subdivision directional sign:

a. Single-temporary style:

1) The permit is valid for one year or until all lots in the subdivision are sold, whichever comes first.

2) Location:

a) The sign shall be six hundred feet from the same sign type and one hundred fifty feet from any building; however, in a residential development of three hundred twenty acres or more developed under one main developer or landowner, a sign within the development may be one hundred fifty feet from the same sign type and thirty feet from any building;

b) At an intersection of two major streets, two signs may be placed less than six feet apart but not on the same corner of an intersection.

3) Sign copy may contain any three of the following: developer's name, the subdivision name, direction, logo, distance or location of the site.

4) The sign may be placed within six miles of the subdivision advertised except that no directional sign shall be permitted on a scenic route after October 1, 1987.

b. Directory style: A sign capable of containing up to nine subdivision directional signs is allowed provided:

1) The sign shall be six hundred feet from a single-temporary style, and at least one mile from another directory style sign.

a) Exception: In a residential development of three hundred twenty acres or more developed under one main developer or landowner, a sign within the development may be six hundred seventy feet from another directory style and one hundred fifty feet from a single-temporary style sign;

2) Two directory style signs may be placed at an intersection of two designated major streets as long as both streets are not scenic routes.

a) Two such signs may not be placed on the same corner of an intersection;

3) Maximum area: Forty-eight square feet, but no separate directional sign may exceed twelve square feet;

4) Maximum height: Eight feet;

5) Setbacks: Ten feet from any property line and seventy-five feet from a building.

a) Exception: A sign regulated under Section 18.79.110E19b1a shall require no setback from property lines and twenty feet setback from a building;

6) The materials used and the sign structure design shall be approved by the design review committee;

7) The permanent sign structure is permitted separately and all the inserted subdivision directional signs shall be regulated under Section 18.79.110E19a1;

8) Sign copy:

a) One sign may contain sign copy stating the three words "model home information" and a directional arrow,

b) The inserted directional signs may contain the subdivision name and either the name or logo of the developer;

9) The location of the sign from the development shall be regulated under Section 18.79.110E19a4;

10) If a sign structure does not contain a valid permitted subdivision directional sign for a period of one year, the structure shall be removed.

20. Real estate property sign:

a. A site with no buildings and an approved development plan may have a sign for one year advertising commercial or industrial tenant spaces, provided:

1) Maximum area and number:

a) Sixty-four square feet per sign if two signs are used;

b) One hundred twenty-eight square feet if one sign is used;

2) Maximum height: Sixteen feet;

3) Requirements in Section 18.79.110C in the horizontal column labeled real estate property sign-site with no buildings shall be met except as provided above in this subsection.

b. The sign shall be removed within seven days after the sale, rental or lease of the property except for a sign regulated under Section 18.79.110E20a;

c. A sign placed on a single residential lot or at an apartment complex shall require a permit per Section 18.79.070B2C.

21. Residential entryway sign:

a. Maximum area: Forty square feet;

b. Maximum height: Eight feet;

c. Front and side setbacks: Ten feet;

d. Maximum number: Two on-site sign structures per subdivision or separately named portion of a subdivision;

e. Landscape ratio: 2:1;

f. Up to three names of adjacent subdivisions or separately named portions of subdivisions may be placed on a sign structure. All letters and numbers shall have a uniform style, color, and background panel.

22. Time and temperature sign:

a. A freestanding time and temperature sign shall be a component of a freestanding identification sign;

b. A time and temperature sign shall not be within six hundred feet of another time and temperature sign not including a swing hand clock mounted on a wall.

23. Window sign:

a. Maximum area:

1) Permanent: Thirty percent of the total window surface area;

2) Temporary: Fifteen percent of the total window surface area.

b. Maximum height: Below the third floor of a building.

c. Sign copy on a permanent window sign with letters or symbols no more than three inches high shall not be counted as part of the sign area allotment. (Ord. 1994-147 § 9, 1994; Ord. 1993-170 § 1, 1994; Ord. 1993-35 § 1 (part), 1993; Ord. 1991-35 § 2, 1991; Ord. 1991-1 §§ 2, 3, 1991; Ord. 1987-118 § 1 (part), 1987; Ord. 1986-65 § 1 (part), 1986)

Chapter 18.81

GRADING STANDARDS

Sections:

18.81.010	**Purpose and interpretation.**
18.81.020	**Applicability and exemptions.**
18.81.030	**Definitions.**
18.81.040	**General grading performance standards.**
18.81.050	**Submittals and procedures: Type 1 (grading sketch).**
18.81.060	**Submittals and procedures: Type 2 (grading plan).**
18.81.070	**Inspections and performance defaults.**
18.81.080	**Enforcement and penalties.**
18.81.090	**Administrative modification.**
18.81.100	**Waivers and interpretation review.**
18.81.110	**Illustrations.**

18.81.010 Purpose and interpretation.

A. Purpose:

1. The purpose of this chapter is to protect the public health, safety, general welfare, and aesthetics by regulating grading (including initial clearing, brushing or grubbing, and subsequent excavating or filling) on private and public land, including county-owned land, within the unincorporated area of Pima County.

2. It establishes grading standards designed to:

a. Regulate the development of potentially hazardous terrain;

b. Conserve the general visual character of grading sites and settings;

c. Enhance the value of new development; and

d. Conserve the value of existing, affected properties.

3. The guidelines and standards of this chapter and the Grading Design Manual have been prepared in the context of Pima County's specific desert environment. They are intended to complement the applicable provisions of Chapter 18.61 (Hillside Develop-

ment Overlay Zone) and the Floodplain Management Ordinance, and not to authorize any grading activity prohibited by this chapter or any county ordinance.

B. Interpretation:

1. This section shall be used as a guide whenever a conflict arises in the interpretation or enforcement of this chapter. The design, implementation and mitigation of grading regulated by this chapter (refer to Section 18.81.020) shall be reviewed prior to the issuance of any grading permit, to ensure compliance with the guidelines of this section and the specific standards and requirements of this chapter.

2. The design and implementation of all grading shall:

a. Minimize scars and other adverse visual impacts resulting from cut and fill;

b. Blend with the natural contours of the land;

c. Conserve the natural scenic beauty and vegetation of the site;

d. Be for purposes other than enabling buildings to penetrate the building height contour line; and

e. Restrict the areas and volumes to the minimum necessary to implement the planned development.

3. In all grading projects, measures shall be taken to:

a. Ensure that graded hillside, slopes or other areas subject to erosion are stabilized;

b. Reduce the erosion effects of stormwater discharge, preserve the flood-carrying capacity of natural or constructed waterways by limiting soil loss, and protect drainageways from siltation;

c. Minimize dust pollution and surface water drainage from graded areas during grading and development; and

d. Ensure that development activity is designed and implemented to minimize adverse impacts and include appropriate restorative measures. (Ord. 1986-187 § 1 (part), 1986)

18.81.020 Applicability and exemptions.

A. Scope:

1. All development projects shall require a Type 1 or Type 2 grading permit, except as exempted in subsection D of this section. In general, small private grading operations do not require a grading permit; major grading for custom home development requires a Type 1 permit, and general grading for larger development projects requires a Type 2 permit.

2. County development project shall abide by the requirements of Section 18.41.040, general grading performance standards, of this chapter. The board of supervisors may grant a special exception at a public hearing to a requirement of said section for a county development project.

B. Type 1 (grading sketch) permit applicability: A Type 1 grading permit is required for:

1. Single dwelling residential development on a single lot with a development envelope of fourteen thousand square feet or greater.

2. Nonresidential development which does not require a subdivision plat or development plan.

3. Stockpiling of between one hundred cubic yards and fifty thousand cubic yards of material.

4. Grading which requires a permanent cut or fill slope greater than five feet in height and steeper than a 3:1 slope, or grading on slopes of fifteen percent or greater.

5. New pavement of more than three thousand square feet.

C. Type 2 (grading plan) permit applicability: A Type 2 grading permit is required for:

1. Residential development which requires a subdivision plat or development plan.

2. Nonresidential development which requires a subdivision plat or development plan.

3. Stockpiling of more than fifty thousand cubic yards of material.

D. Exemptions: The following activities are exempted from this chapter:

1. Residential development on a single lot, with a development envelope of less than fourteen thousand square feet;

2. The subsequent expansion, by less than twenty-five percent and not violating the spirit of this chapter, of an exempted or approved graded area;

3. The clearing, brushing or grubbing of an area of less than fourteen thousand square feet or for activities exempted in this subsection;

4. Stockpiling of less than one hundred cubic yards of material;

5. Resurfacing or maintenance of an existing paved surface;

6. New pavement of less than three thousand square feet;

7. Individual sewage disposal system with a county health department permit;

8. Excavation below finished grade for a basement, foundation, wall, or swimming pool authorized by a building permit or zoning construction permit (refer to Section 18.01.030E, General Provisions);

9. Cemetery graves;

10. Refuse disposal site controlled by other regulations;

11. Exploratory excavation under the direction of a soil engineer or engineering geologist, provided all excavation is properly backfilled;

12. Archaeological exploration conducted under state permit by a qualified archaeologist;

13. Removal of selected individual plants for storage and replanting;

14. Underground utility installations under a paved roadway surface or a continuously-maintained unpaved roadway surface;

15. Grading for the maintenance of an existing private access road or driveway, provided that if either existed prior to adoption of, or was established in conformance with, this chapter. Proof of such may be required by the county engineer;

16. Grading for an appurtenant access or utility easement;

17. Land uses under statutory exemption (refer to Section 18.01.030C, General Provisions). (Ord. 1990-61 § 1 (part), 1990; Ord. 1986-187 § 1 (part), 1986)

18.81.030 Definitions.

A. General usage: The definition and usage of terms in this chapter are as contained within this code, except that the definition and usage of terms describing drainage are as contained within the county Floodplain Management Ordinance.

B. Definitions: For purposes of this chapter only, the following words and terms shall mean:

1. Access road: A road within one mile of the grading site, designated on the approved grading plan, and used, during grading, for the transport of grading equipment, hauling of fill and other equivalent vehicular traffic to and from the grading site.

2. Approval: Written notice by the county engineer approving the design, progress or completion of work.

3. Approved plan: The most current grading sketch or grading plan which bears the authorized signature of approval of the county engineer.

4. Approved testing agency: A facility which is equipped to perform and certify the tests required by this chapter and whose testing operations are controlled and monitored by a civil engineer.

5. Borrow: Earth material acquired from an off-site location for use in grading a site.

6. Brushing: The selective removal of vegetation.

7. Building height contour line: A contour elevation line set at the existing grade elevation, plus the maximum building height permitted by site rezoning conditions or this code and fifty percent of the additional height added by permitted fill. Refer to Illustration 18.81-1 (Section 18.81.110).

8. Clearing: The substantial removal of vegetation.

9. Envelope, building:

a. A dwelling unit and all attached roofed structures, including carports or patio ramadas;

b. For nonresidential development, the building envelope shall be the main building and all attached roofed structures.

10. Envelope, development: The sum of the areas of the permit holder's land to be graded, including the building envelope, accessory buildings, and areas of related parking, driveways, swimming pools, walls and other accessory structures, but excluding individual sewage disposal systems.

11. Erosion: The wearing away of the ground surface as a result of the movement of wind, water or ice.

12. Excavation: The artificial (i.e., mechanical, manual, blasting or other such) means for removal of earth material.

13. Final inspection: Field inspection conducted by the county engineer prior to project acceptance or release of assurances (if required).

14. Grade: The vertical location of the ground surface.

15. Grade, existing: The actual, current ground surface as of the date of adoption of the ordinance codified in this chapter.

16. Grade, finished: The final grade conforming to the approved grading sketch or plan.

17. Grade, rough: The stage at which grading substantially conforms with the approved grading sketch or plan.

18. Grading: The initial clearing, brushing or grubbing, and subsequent excavating or filling, of a site.

19. Grading permit: An official document issued by the county engineer authorizing the grading activity specified by the grading permit conditions.

20. Grading permit conditions: The specifications and requirements of the approved grading sketch or grading plan, grading statement, soils report or other documents necessary for grading permit approval.

21. Grubbing: The removal of trees and other large plants by their roots.

22. Inspector: A person authorized by the county engineer or building official to perform inspection on grading work.

23. Retaining wall: A wall designed to withstand lateral and hydrostatic pressures and built to keep earth from sliding, and which is two feet or greater

in height from the lowest point of earth at the foundation to the top of the wall.

24. Revegetation: Placement of living plant material on sites or cut and fill slopes where the natural vegetation has been removed.

25. Site: Any lot or parcel of land, or contiguous combination of lots and parcels under the same ownership or unified control, where grading is to be performed.

26. Slope: An inclined ground surface, the inclination of which is expressed as a ratio of horizontal distance to vertical distance (refer to Illustration 18.81-2, Section 18.81.110).

27. Soil: Naturally occurring deposits overlying bedrock.

28. Stabilization: Treatment with mitigation measures in accordance with the grading design manual, and approved by the county engineer that contribute to the erosion or siltation resistance, or the structural strength, of a graded area.

29. Stockpile: The storage of uncompacted earth material. (Ord. 1990-61 § 1 (part), 1990; Ord. 1986-187 § 1 (part), 1986)

18.81.040 General grading performance standards.

A. Scope:

1. The performance standards of this section are general grading performance requirements. A companion Grading Design Manual elaborates minimum performance standards referenced by this section and includes nonregulatory guidelines for superior grading performance.

2. The Grading Design Manual shall be adopted and amended in accordance with Section 18.01.070 (General Provisions).* The commission may hold the preliminary and public hearings concurrently. The technical review committee (refer to Section 18.99.040, Review Committees) shall provide a recommendation prior to commission public hearing.

B. Site revegetation and stabilization: All graded areas except those to be used for agriculture or livestock purposes, not revegetated, stabilized or constructed on upon expiration of the grading permit shall be revegetated or stabilized within sixty days of permit expiration in accordance with the Grading Design Manual, and furthermore, in cases where the purpose of the grading permit is not met, shall be designed to restore the native vegetative community.

C. Slopes: All exposed cut or fill slopes shall be revegetated or stabilized in accordance with the Grading Design Manual and the approved grading sketch or plan.

D. Terracing: Terracing to control surface drainage and debris on cut or fill slopes may be required in accordance with the Grading Design Manual. The width of a terrace shall be a minimum of six feet.

E. Fill: Fill shall be compacted and soil tested in accordance with the Grading Design Manual.

F. Setbacks: The following setbacks shall be increased by the county engineer if considered necessary for safety or stability, or to prevent possible damage from water, soil or debris:

1. Top of Cut Slope: The top of cut slopes shall be made not nearer to a site boundary line than one fifth of the vertical height of cut, with a minimum of two feet and a maximum of ten feet. The setback may need to be increased for any required interceptor drains.

2. Toe of Fill Slope: The toe of fill slope shall be made not nearer to the site boundary line than one-half the height of the slope, with a minimum of two feet and a maximum of twenty feet.

3. Buildings: Buildings shall be set back from the toe and top of slopes in accordance with the county building codes (Title 15), Illustration 18.81-3 in Section 18.81.110 or the approved soils report. This shall not reduce the required building setback from property line.

4. Rights-of-way: The required setback of a slope toe adjacent to a public right-of-way may be reduced with the approval of the county engineer, if there will be no adverse effect and:

a. Easements are not required; or

b. Retaining walls are used.

G. Building height: The finished grade and building pads shall be established so that the maximum building height shall not exceed the building height contour line (refer to Illustration 18.81-1, Section 18.81.110).

H. Drainage control systems:

1. Permanent systems:

a. Erosion control shall be constructed and maintained to prevent erosion of slopes, and cleared, brushed, grubbed or graded areas, in accordance with the Grading Design Manual.

b. Where cut slopes are not subject to erosion due to the erosion-resistant character of the native materials, erosion control may be omitted upon approval by the county engineer.

c. Erosion control devices to prevent erosion or sediment deposition on off-site property may be required in accordance with the Grading Design Manual.

d. The shoulders of a paved public or private roadway shall be protected against erosion wherever curbing or constructed spillways are not provided, in accordance with the Grading Design Manual.

e. Surface drainage:

1) Cut and fill slopes shall be provided with approved surface drainage for stability and erosion protection of affected properties in accordance with the Grading Design Manual;

2) Surface drainage interceptors shall be provided at the top of cut and fill slopes where there is surface runoff and erosion potential in accordance with the Grading Design Manual;

3) Drainage slopes to protect foundations shall be provided in accordance with the Grading Design Manual.

f. Subsurface drainage: Subsurface drainage for stability and protection of affected properties from ground water seepage may be required in accordance with the Grading Design Manual.

2. Interim systems: Interim drainage control systems shall be provided in accordance with the Grading Design Manual.

I. Import and export of earth material:

1. Loading of earth material shall occur only within the time limits of subsection J of this section, and dust palliatives shall be applied in accordance with the Grading Design Manual.

2. The transportation of earth material on public rights-of-way shall be in a manner that minimizes blowing soil and other hazards.

J. Hours of grading:

1. Grading equipment operation within one-half mile of a structure occupied by humans shall not be conducted between sunset and seven a.m.

2. Normal equipment maintenance involving lights, motors or generators, and occurring within six hundred feet of a structure occupied by humans, shall not be conducted between nine p.m. and seven a.m.

3. The county engineer may allow grading equipment operation or maintenance during other hours if such operations are not detrimental to the health, safety or welfare of the inhabitants of the structure.

4. Permitted hours of operation or maintenance may be shortened by written notice, if the county engineer finds a substantial adverse effect on the health, safety or welfare of the surrounding community.

K. Restriction of vehicles:

1. No vehicles shall be driven over "natural open space areas," as designated on the approved grading sketch or grading plan.

2. Points-of-entry to the site during grading shall be only as designated on the approved grading sketch or grading plan.

3. For Type 2 permits, access roads to the site during grading shall be only as designated on the approved grading plan.

L. Additional requirements:

1. During grading, and until revegetation or stabilization has taken place, dust shall be minimized through application of approved dust controls in accordance with the Grading Design Manual.

2. Public rights-of-way, sidewalks and other improvements shall be maintained during grading in

a neat and clean condition, free of loose soil, construction debris and trash.

3. Debris, fill or equipment shall not be stored within a public right-of-way without the written approval of the county engineer.

4. Cut or fill material in excess of that allowed by the grading permit shall be disposed of in accordance with the Grading Design Manual. (Ord. 1990-61 § 1 (part), 1990; Ord. 1986-187 § 1 (part), 1986)

*Editor's note: Section 2 of Ordinance No. 1990-61 states as follows: "The Grading Design Manual, which is attached to and incorporated in this ordinance as Exhibit A, and which contains technical requirements for grading, is hereby adopted and shall have all of the force and authority of an ordinance. The Grading Design Manual shall not be published as a part of the Pima County Zoning Code, but shall be published as a separate booklet."

18.81.050 Submittals and procedures: Type 1 (grading sketch).

A. Scope: A Type 1 application for a grading permit requires a completed grading permit application, grading sketch and grading statement. A survey sealed by a registered land surveyor is not required.

B. Grading sketch requirements:

1. The existing and proposed finished grade of the area to be graded, based on spot elevations or two-foot contour interval maps;

2. The extent of graded areas, shaded and labeled "graded area," and, where structures are to be constructed:

a. The existing grade at the primary building corners and proposed finished floor elevations; and

b. The proposed building heights, shown to conform to the building height contour line requirements;

3. The location of proposed mitigative measures, such as revegetation or retaining walls;

4. The exterior boundaries of the site;

5. Access roads and points-of-entry to the grading site.

C. Grading statement: A written grading statement shall be submitted with an application for a grading permit. The statement shall include, where applicable:

1. A description of stabilization, erosion and drainage control measures;

2. The off-site disposal location and estimated quantity of earth material and vegetation to be removed from the site during grading;

3. Estimated starting and completion dates;

4. A description of the dust control method to be used during grading and until revegetation or stabilization has been completed.

D. Documents preparation:

1. Documents shall be prepared in accordance with the Grading Design Manual; and

2. Information shall conform with rezoning conditions (when applicable) and shall be consistent with the rezoning site analysis (refer to Section 18.91.030(F), Rezoning Procedures) and other applicable regulations.

E. Application:

1. The grading permit application, grading sketch and other required materials shall be submitted for review to the central permits division of the county planning and development services department.

2. When desired, a letter of intent to exercise the inspection certification option (refer to Section 18.81.070B) shall be submitted with the application.

3. The grading permit application shall be completed and signed by the owner or authorized representative.

4. Fees are payable to the county treasurer in accordance with the fees schedule adopted by county ordinance.

F. Application review:

1. The grading sketch and statement shall be reviewed for consistency with applicable regulations and standards, and, if approved, a grading permit shall be issued within five working days of application.

2. If determined inadequate, the application shall be returned within five working days and the

owner may resubmit, without additional fees, an amended grading sketch or statement.

3. The county engineer shall require that plans and specifications be modified to make them consistent with this code or other applicable regulations. A grading permit may be issued with additional conditions.

G. Grading permit issuance and expiration:

1. Issuance: Grading permits are issued by the county engineer. A copy of the grading permit and approved grading sketch shall be kept in an easily accessible location on the site.

2. Expiration: A grading permit shall be null and void if the authorized work has not been completed within one year of permit issuance.

H. Grading permit extension and reapplication:

1. Extensions: Upon written request by the permit holder, the county engineer may approve a single one-hundred-eighty-day time extension of a grading permit.

2. Reapplication: Reapplication for a grading permit may be made in accordance with this chapter. Assurances of additional conditions may be imposed by the county engineer on a permit, as a consequence of reapplication.

I. Changes to grading permit:

1. Hazardous conditions: If drainage problems, flood hazards or other hazards occur that were not considered at the time the permit was issued, the county engineer shall require that any substantial engineering modifications be submitted in a report and that the grading design be modified.

2. Nonhazardous conditions: If unanticipated nonhazardous conditions are encountered during grading and are beyond the scope of the grading permit, the permit holder may submit the necessary engineering modifications in a report to be reviewed and approved by the county engineer. (Ord. 1990-61 § 1 (part), 1990; Ord. 1986-187 § 1 (part), 1986)

18.81.060 Submittals and procedures: Type 2 (grading plan).

A. Scope: A Type 2 application for a grading permit requires a completed grading permit application, grading plan, grading statement and soils report. Where applicable and not otherwise submitted, drainage improvement plans shall be required also.

B. Grading plans requirements:

1. The existing and proposed finished grade contours, or sufficient spot elevations (except as amended in subdivision 2 of this subsection) of the area to be graded, at a minimum of two-foot contour intervals for slopes up to fifteen percent. Slopes over fifteen percent shall be shown in accordance with Chapter 18.61 (Hillside Development Overlay Zone).

2. The extent of graded areas, shaded and labeled "graded area," and, where structures are to be constructed:

a. Spot elevations may be shown for the finished grade within the building envelope;

b. All building pads, showing the existing grade at the primary building corners and proposed finished floor elevations; and

c. The proposed building heights, shown to conform to the building height contour line requirements.

3. The general topography for one hundred feet, or as specified by the county engineer, outward from sites greater than five acres; the county engineer may determine that such information is necessary for smaller sites.

4. A description of the mitigation methods, specifying elevations, dimensions, quantities and locations, to be used during grading and until revegetation or stabilization has been completed.

5. The exterior boundaries of the site, the basis of bearing and a benchmark to establish the vertical datum.

6. The extent and manner of preserving, relocating, clearing and disposing of vegetation.

7. The final ground cover, revegetation (if any), erosion control and proposed methods for cut or fill stabilization, based upon the soils report (refer to subsection C of this section).

8. Access roads, haul routes and points-of-entry to the grading site.

9. Where drainage improvement plans have not been submitted separately or where interim drainage conditions exist because of project phasing, plans for:

a. Drainage or other protective devices to be constructed as part of the grading;

b. The drainage area and estimated runoff of the area served by drains.

10. A general description of potential paleontological, archaeological or historical resources, and proposed mitigation measures from a qualified archaeologist or archaeological institute.

11. The off-site disposal location and estimated quantity of earth material to be removed from the site during grading.

12. Estimated starting and completion dates for each grading phase.

13. For superior project design and grading performance, it is encouraged that the project designer prepare for project design use an existing site inventory, identifying and quantifying vegetation, soils, on- and off-site viewshed constraints, slope analysis and drainage.

C. Grading Statement: Refer to Section 18.81.050C.

D. Soils report:

1. The report shall contain all geotechnical engineering information and recommendations applicable to the project, in accordance with the Grading Design Manual, and shall be sealed by the soils engineer prior to submittal.

2. The civil engineer or qualified registrant responsible for preparing the grading plan shall incorporate all report recommendations into the plan and statement.

3. Approved report recommendations shall become conditions of the grading permit.

4. The civil engineer or soils engineer of the developer shall be required to provide written certification to the building official that the foundation sub-base requirements have been met.

E. Documents preparation:

1. Documents shall be prepared in accordance with the Grading Design Manual.

2. Information shall conform with rezoning conditions (when applicable) and shall be consistent with the rezoning site analysis (refer to Section 18.91.030F, Rezoning Procedures) and other applicable regulations.

3. Grading plan preparation: The plan shall be prepared by, or under the direction of, a civil engineer or qualified registrant (who may consult with, or submit information in conjunction with, a landscape architect or other qualified person with expert knowledge of the subject).

F. Application:

1. The grading permit application, grading plan and other required materials shall be submitted to the county department of transportation for distribution to the applicable county review agencies.

2. When desired, a letter of intent to exercise the inspection certification option (refer to Section 18.81.070B) shall be submitted with the application.

3. The grading permit application shall be completed and signed by the owner or authorized representative.

4. Fees are payable to the county treasurer in accordance with the fees schedule adopted by county ordinance.

5. At the discretion of the county engineer, grading assurances may be required in the form of a performance bond or other security acceptable to the county engineer. The assurances shall be applied only to:

a. Eliminate potential hazardous conditions; or

b. Mitigate the effects of dust, drainage, erosion, visual scars or hazardous conditions, in accordance with the Grading Design Manual;

G. Application review:

1. Grading plans and related submittals shall be reviewed concurrent with the tentative plat or development plan review process for the project;

2. Plans and reports shall be reviewed for consistency with applicable regulations and stan-

dards, and the approved rezoning site analysis (if required). If determined inadequate, they shall be returned within five working days.

3. Written review comments shall be provided to the applicant within twenty working days for the first submittal, and within five working days of each resubmittal, until approved and permits issued.

4. Prior to approval of the grading plan, the county engineer shall inspect the site to determine that the submittals are current and reflect existing conditions.

H. Preliminary grading:

1. Preliminary grading approval: A preliminary grading permit for clearing, brushing, grubbing, preliminary excavation or filling may be issued in special circumstances at the discretion of the county engineer, provided:

a. The county engineer finds that the proposed grading is consistent with this chapter and code;

b. The county engineer finds that the proposed grading will not have an adverse effect on the existing site and surrounding area;

c. Preliminary grading shall occur in accordance with an approved preliminary grading plan, and shall occur no less than twenty feet from the boundaries of the future development envelope, exclusive of approved points-of-entry; and

d. Preliminary grading assurances have been provided in accordance with subdivision 2 of this subsection.

2. Preliminary grading assurances:

a. When approval has been granted for preliminary grading, grading assurances shall be posted in an amount not to exceed the approved preliminary grading cost estimate made by a civil engineer;

b. The assurances shall be applied only to:

1) Eliminate potential hazardous conditions; or

2) Mitigate the effects of dust, drainage, erosion, visual scars or hazardous conditions, in accordance with the Grading Design Manual;

c. The assurances shall be released by the county when the preliminary grading has been inspected and received the written approval of the county engineer. Final approval of a grading permit shall not require the release of the assurances in the event of preliminary grading noncompliance.

I. Grading permit issuance and expiration:

1. Issuance: Grading permits shall be issued by the county engineer no earlier than at the time of written staff approval of the tentative subdivision plat or development plan. A copy of the grading permit and approved grading plan shall be kept in an easily accessible location on the site.

2. Expiration: A grading permit shall be null and void if the authorized work has not been completed within one year of permit issuance.

J. Grading permit extension and reapplication:

1. Extensions: Upon written request by the permit holder, the county engineer may approve a single one-hundred-eighty-day time extension of a grading permit.

2. Reapplication: Reapplication for a grading permit may be made in accordance with this chapter. Assurances or additional conditions may be imposed by the county engineer on a permit, as a consequence of reapplication.

K. Changes to grading permit:

1. Hazardous conditions: If drainage problems, flood hazards or other hazards occur that were not considered at the time the permit was issued, the county engineer shall require that any substantial engineering modifications be submitted in a report and that the grading design be modified.

2. Nonhazardous conditions: If unanticipated nonhazardous conditions are encountered during grading and are beyond the scope of the grading permit, the permit holder may submit the necessary engineering modifications in a report to be reviewed and approved by the county engineer. (Ord. 1990-61 § 1 (part), 1990; Ord. 1986-187 § 1 (part), 1986)

18.81.070 Inspections and performance defaults.

A. General inspections:

1. All grading which requires a permit shall be inspected by the county engineer in accordance with the grading permit:

a. The inspection schedule shall be prepared in accordance with the Grading Design Manual. Fees shall be based on the inspection schedule and payable to the county treasurer in accordance with the fees schedule adopted by county ordinance.

b. The permit holder shall provide notification twenty-four hours prior to an inspection request, or as specified on the grading permit;

c. The county shall provide an inspector within two working days of the requested time.

2. If the county engineer finds site conditions are not as stated in the approved grading permit conditions, the county engineer may order work authorized by the grading permit to stop until a revised grading sketch or plan has been approved.

3. Whenever grading work requiring county inspection is concealed by additional work without first having been inspected, the county engineer may require, by written notice, that such work be:

a. Exposed, for inspection by the county; or

b. Certified by the project civil engineer as being in conformance with applicable regulations.

B. Inspection certification option:

1. The owner may retain a civil engineer to:

a. Perform the required grading construction inspections; and

b. Certify, upon notification of completion, that grading has been performed in conformance with approved plans and permit conditions.

2. The owner shall submit a letter of intent to invoke the certification option, which shall include a written agreement of certification responsibility from a civil engineer, with the grading permit application.

3. Inspection fees are waived, with the exception of the final grading inspection fee.

4. The civil engineer shall maintain project logs and records consistent with accepted engineering practice for a minimum of three years after project completion.

5. The county engineer may periodically inspect the grading to determine that adequate control is being exercised by the civil engineer.

6. The county engineer shall conduct a final inspection and the owner shall be liable for any corrective action deemed necessary.

C. Final inspection of rough grade:

1. All rough grading shall be completed in accordance with the grading permit prior to final rough grade inspection by the county engineer.

2. The final inspection shall be conducted by the county engineer prior to issuance of a certificate of substantial grading conformance or release of grading assurances (if required). The permit holder shall provide a minimum of twenty-four hours' notice to the county engineer when any phase of rough grading is ready for final inspection.

3. The county engineer may approve completed rough grading prior to completion of related work in cases of extreme hardship or where grading has been designed to be completed in phases, provided that no hazards exist and a performance bond has been posted to ensure completion of remaining grading work of that phase.

4. The soils report and certification of sub-base requirements shall be submitted to the building official prior to any foundation inspections.

D. Final grading inspection:

1. All required grading work shall be completed in accordance with the grading permit prior to final grading inspection by the county engineer and issuance of a certificate of final grading approval.

2. Where the conditions of a grading permit include the establishment of vegetation or other final site grading work that extends beyond the expiration of the grading permit, the county engineer shall make a post-grading inspection within six months of permit expiration or as required by the grading permit.

E. Maintenance of revegetation: The maintenance of revegetated graded areas shall be in accordance with Section 18.73.080 (Landscaping,

Buffering and Screening Standards). (Ord. 1990-61 § 1 (part), 1990; Ord. 1986-187 § 1 (part), 1986)

18.81.080 Enforcement and penalties.

A. Grading permit enforcement:

1. The enforcement of this chapter and conditions of the grading permit shall be in accordance with this section and Chapter 18.95 (Compliance and Enforcement).

2. When the county engineer determines a substantial noncompliance with the conditions of the grading permit, the county engineer shall issue a stop-work order and hold in abeyance, by written notice, the county review of other submittals related to the development project and the issuance of county permits for any aspect of the development project until remedial actions have received the written approval of the county engineer.

B. Stop-work orders:

1. Whenever the county engineer determines that grading does not comply with this chapter or the grading permit conditions, or that the soil or conditions are not as stated on the permit, the county engineer may order the work stopped by written notice served on any person engaged in doing or causing such work to be done.

2. Any such person shall immediately stop such work until authorized by the county engineer to proceed with the work.

C. Penalties:

1. Failure to obtain grading permit: Unless exempted by this chapter (refer to Section 18.81.020D), failure to obtain a grading permit prior to commencement of grading shall be a violation of this code. However, the county engineer may issue an exception permit if the county engineer finds that an emergency existed which made it impossible first to obtain a permit.

2. Violations: A violation shall result in issuance of a stop-work order and penalties in accordance with Section 18.95.040 (Compliance and Enforcement). Payment of a fine shall not relieve any person from complying with the requirements of this chapter. (Ord. 1986-187 § 1 (part), 1986)

18.81.090 Administrative modification.

A. Quantifiable requirements of Section 18.81.020B Type 1 (grading sketch) permit applicability, Section 18.81.040 general grading performance standards, and Section 005 grading mitigation of the Grading Design Manual, may be modified up to a maximum of twenty percent by the county engineer when it is demonstrated that an unusual site or use condition exists and when such adjustment will not result in a danger to persons or property.

B. In determining whether to grant the adjustment, the county engineer shall follow the board of adjustment standards for granting variances set forth in Section 18.93.030B, and enumerated below:

1. The strict application of the provision would work an unnecessary hardship;

2. The unnecessary hardship arises from a physical condition that is unusual or peculiar to the property and is not generally caused to other properties in the zone;

3. The unnecessary hardship does not arise from a condition created by an action of the owner of the property;

4. The variance is the minimum necessary to afford relief;

5. The variance does not allow a use which is not permitted in the zone by the code;

6. The variance is not granted solely to increase economic return from the property;

7. The variance will not cause injury to or adversely affect the rights of surrounding property owners and residents;

8. The variance is in harmony with the general intent and purposes of the code and the provision from which the variance is requested;

9. The variance does not violate state law or other provisions of Pima County ordinances;

10. No condition attached to the variance by the

board is personal to the appellant. (Ord. 1990-61 § 1 (part), 1990)

18.81.100 Waivers and interpretation review.

A. Waivers:

1. Scope: A waiver from a provision of this chapter may be granted by the technical review committee (refer to Section 18.99.040, Review Committees) when the strict application of the provision would require work by the permit holder detrimental to the purposes of this chapter and cause an unnecessary hardship which substantially limits the preservation and enjoyment of property rights.

2. Standards: A waiver shall not be granted unless:

a. The hardship is not generally caused to other properties subject to the provision;

b. The waiver is the minimum necessary to afford relief;

c. The waiver will not be materially detrimental to the rights of owners and residents of other affected properties; and

d. The waiver is in harmony with the intent and purposes of this code and the provision of this chapter from which the waiver is requested.

3. Conditions: Conditions may be imposed on a waiver that will:

a. Secure the intent and purposes of this code and the provision of this chapter from which the waiver is granted; and

b. Provide adequately for the protection of surrounding property owners and residents.

4. Application: The request for waiver shall be made on a form provided by the planning and development service department and shall be heard within sixty days. Hearing fees shall be required.

5. Review and notice: The committee shall hold a hearing on the waiver request and, within five working days, notice of the decision shall be mailed to all property owners within three hundred feet of the grading site. Failure to provide notice shall not invalidate an action of the committee.

6. Appeal: A decision of the committee may be appealed within fifteen days of the decision to the board of adjustment in accordance with Chapter 18.93.

B. Interpretation review:

1. Scope: Upon request by an affected person who believes there has been a misinterpretation, the technical review committee shall review an interpretation of a provision of this chapter made by a county official.

2. The request for review shall cite:

a. The disputed interpretation made by the county official; and

b. The words alleged to have been misinterpreted.

3. Application: The request shall be made on a form provided by the planning and development services department and shall be heard within sixty days. Hearing fees shall be required.

4. Review and notice: The committee shall hold a hearing on the waiver request and, within five working days, notice of the decision shall be mailed to all property owners within three hundred feet of the grading site. Failure to provide notice shall not invalidate an action of the committee.

5. Appeal: A decision of the committee may be appealed within fifteen days of the decision to the board of adjustment in accordance with Chapter 18.93.

C. Appeal to superior court: Appeal from a decision of the board of adjustment may be made to the superior court by the owner or affected persons. (Ord. 1990-61 § 1 (part), 1990; Ord. 1986-187 § 1 (part), 1986)

18.81.110 Illustrations.

See Illustrations 18.81-1, 18.81-2 and 18.81-3. (Ord. 1990-61 § 1 (part), 1990; Ord. 1986-187 § 1 (part), 1986)

Illustration 18.81-1
BUILDING HEIGHT CONTOUR LINE

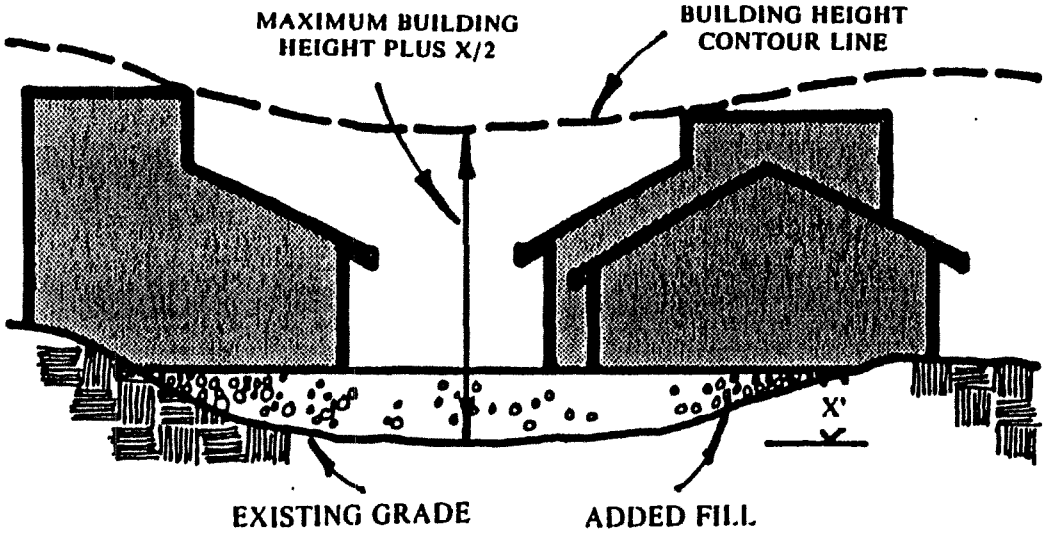


Illustration 18.81-2
SLOPE DETERMINATION

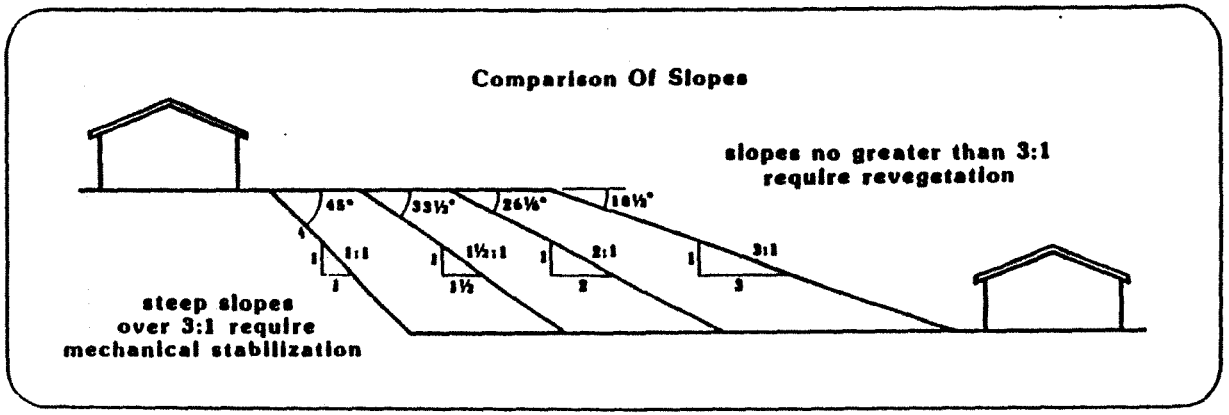
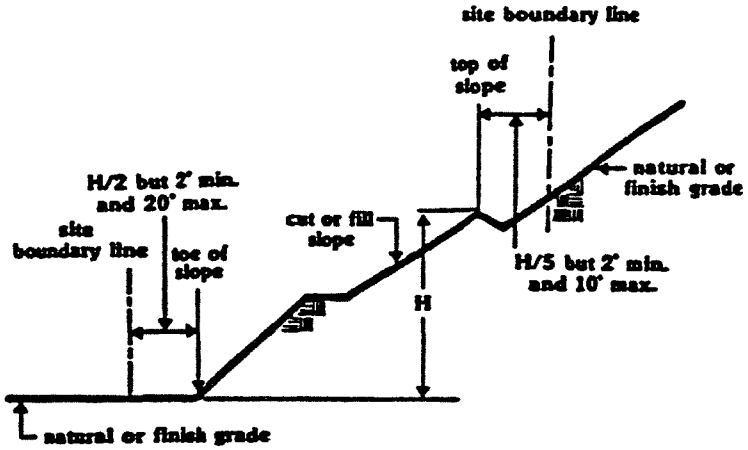


Illustration 18.81-3

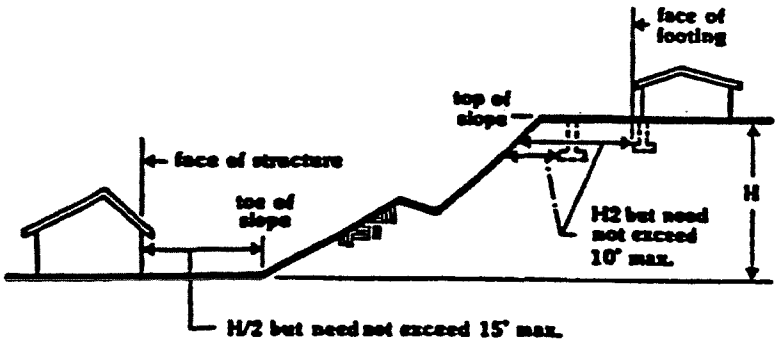
SETBACKS

Setbacks



refer to section 18.81.040F.1 and 2

Setbacks



refer to section 18.81.040F.3

Chapter 18.83

ADDRESS STANDARDS

Sections:

18.83.010 Purpose.
18.83.020 Definitions.
18.83.030 General provisions.
18.83.040 Addressing.
18.83.050 Address display.
18.83.060 Street name signs.
18.83.070 Display exceptions, nonconforming street names and addresses.
18.83.080 Address and street name changes.
18.83.090 Conflicting actions, compliance and citation.
18.83.100 Jurisdictions.
18.83.110 Maps and illustrations.

18.83.010 Purpose.

A. It is the purpose of this chapter to provide for uniformity in street names and addresses, and to facilitate emergency vehicle response, by establishing a uniform system for street names and address numbers, street name standards, display standards, and official address maps, and by eliminating nonconforming street names and addresses. (Ord. 1988-2 § 1 (part), 1988).

18.83.020 Definitions.

A. For the purposes of this chapter, the following terms shall mean:

1. Access: A way or means by which a vehicle enters a lot or parcel or a person enters a building.

2. Address: A number, directional prefix, primary street name, and suffix, and an occupant identifier when required. The property address is also called the situs.

3. Address system: A discrete area of Pima County given its own baselines, grid system and street numbers.

4. Addressing official: The director of the planning and development services department or an authorized representative charged with the administration of these standards.

5. Administrative address: An address assigned exclusively for the management by the county of records and permits. It shall not be used for other purposes.

6. Baseline: A north-south or east-west line used as a zero starting point for address numbers.

7. Building: A structure designed for human occupancy or use.

8. Commercial: A development not intended for human residence.

9. Cul-de-sac: A street ending in a dead-end, not being an extension of another street, having no other street intersections, and not having the capability of connecting or intersecting with another street in the future.

10. Directional prefix: A prefix assigned to a street based on the general direction of travel from an appropriate baseline. North (N.), South (S.), East (E.) and West (W.). The determination may be forty-five degrees either side of the true direction.

11. Directional signage: Address information signs.

12. Entrance signage: Address information located at access points.

13. Hundred block: An incremental number breakdown of a section of land. Its length is one-eighth of a side or 660 + feet. It has a hundred numbers, 0 through 99.

14. Hundred block base map: A graphic representation of Pima County boundaries showing established hundred block numbering grids for each section corner.

15. Hundred block indicator: A number and a directional prefix indicating the perpendicular distance of a street from its parallel baseline. E.g., Ina Road is located at 7200 N. It is 72 hundred blocks north of Congress Street.

16. Major arterial: A street falling on a section line, quarter section line or sixteenth section line and designed to accommodate through traffic with comparatively long vehicle trip lengths. A street so designated on the County Major Streets

and Routes Plan.

17. Number: Part of an address based on numerical distance from an appropriate baseline.

18. Occupant identifier: A specific number delineating individual unit locations within a single situs address. This number shall be used following the situs address. (E.g.. 1000 N. Oracle Rd. Apt. 1100 or 1000 N. Oracle Rd. Suite 100.)

19. Person: Any individual, firm, corporation, partnership or other legal entity or their authorized agent.

20. Photo-mylar: A map produced on film polyester material photographically, having a wet processed silver halide emulsion. Standard shall be double matte, reverse reading transparent or translucent mylar.

21. Point-of-origin: The intersection of the north-south and east-west baselines establishing zero at the intersection.

22. Primary access: Principal point of ingress-egress. It may be different than recorded legal access.

23. Primary street name: Principal component of street name not including suffix or directional prefix. E.g., E. Broadway Boulevard.

24. Residential: Facilities intended for human dwelling.

25. Site plan: Map showing property boundaries with dimensional ties to section, township and range monuments, building locations, dimensions of property, buildings and setback distances to property lines, primary access points for property and buildings, dimensional ties of tenant improvements to building shell, access from closest public street for unsubdivided parcels, with north arrow.

26. Situs: Address of a lot, parcel or building; also called "property address".

27. Street: A public or private thoroughfare or easement with abutting properties. reserved for vehicle travel and access.

28. Street name: Primary street name and suffix. Does not include the directional prefix. E.g., E. Broadway Boulevard.

29. Street sign: Displays primary name, suffix, direction from a baseline, and the north, south, east or west hundred block indicator of each street name.

30. Subdivision Design Review: The submittal of a subdivision plat or development plan for review by the County Subdivision Design Review Committee.

31. Suffix: A word in a street name used to indicate a type of street. E.g., E. Broadway Boulevard.

32. Tax code number: Number assigned a lot or parcel for tax assessment identification.

33. Tenant improvement: Space within a building, which is under separate control, has primary access to exterior or interior public spaces, and is used for business activity. (Ord. 1988-2 § 1 (part), 1988)

18.83.030 General provisions.

A. Authority:

1. The director of the planning and development services department or authorized representative shall be designated as the addressing official and shall be responsible for the administration of these standards.

2. These standards shall regulate all lots, parcels, buildings, occupant identifiers and streets within the unincorporated areas of Pima County and those incorporated areas included by intergovernmental agreement.

3. Only the board of supervisors, or the addressing official or authorized representative, may assign, approve or change an address.

B. Address standards regulations: The board of supervisors by resolution may adopt and amend regulations to implement the provisions of this chapter.

C. Address maps and indexes:

1. The addressing official shall establish and maintain the following maps and indexes:

a. A hundred block grid address map of Pima County;

b. Map sets delineating each assigned address for subdivided land and unsubdivided parcels;

c. An index of approved street names; and

d. An index of approved reserved street names.

2. All maps and indexes shall be kept on file with the planning and development services department and shall be available for inspection during normal working hours.

3. Maps and indexes may be created, updated, stored and viewed in electronic media.

D. Development information: The department of transportation and flood control district shall provide the planning and development services department maps and legal descriptions of the following proposed right-of-way developments and modifications at the planning stages:

1. Amendments to the major streets and routes plan;

2. Right-of-way development;

3. Realignments of existing rights-of-way;

4. Abandonments of existing rights-of-way; and

5. Changes in access to property caused by road improvements.

E. Application information: Any person requesting an address or a change of address from the addressing official shall provide the information required by these standards.

F. Fees: Fees shall be adopted by the board of supervisors in a fee schedule to cover the administration and enforcement of these standards. (Ord. 1988-2 § 1 (part), 1988)

18.83.040 Addressing.

A. Address numbering concept: The address numbering concept used in this chapter is point-of-origin/baseline. North-south and east-west baselines shall be established for each address system. The intersection of the north-south and east-west baselines shall be the point-of-origin. Numbering shall increase in the north, south, east and west directions from the point-of-origin.

B. Address Systems. Discrete areas of Pima County shall be given their own baselines, points-of-origin, grids radiating from the points-of-origin, and street numbers.

1. Address systems shall be established only in areas which will not overlap other address systems, however distant.

2. If an existing address system expands to overlap another address system, a dominant system shall be selected, and:

a. The nondominant system shall have limits established to restrict further expansion; or

b. The nondominant system shall be abandoned and readdressed to conform to the dominant system.

3. A grid shall be based upon the standard land surveying construct of section, township and range.

4. The section (one square mile) shall be the primary grid division with:

a. Each section line divided into eight equal parts, each part being a hundred block; and

b. Each hundred block divided into equal numeric increments 0 through 99.

c. Hundred block numbers shall be established on each section line, quarter-section line, sixteenth-section line, and sixty-fourth section line.

d. Hundred block numbers shall be displayed on each section line of the hundred block base map for each address system.

e. Existing sections with nonconforming hundred blocks shall remain unchanged.

C. The following address systems are established:

1. Tucson:

a. East-west baseline: Congress Street thence into Broadway Boulevard and the east and west prolongations of their alignments. Deviations are shown on Map 18.83.110(A).

b. North-south baseline: Stone Avenue and the north and south prolongations of its alignment. Deviations are shown on Map 18.83.110(B).

2. Green Valley:

a. East-west baseline: Esperanza Boulevard and the east and west prolongations of its alignment.

b. North-south baseline: Interstate 19 (I-19)

and the north and south prolongations of its alignment.

c. Boundaries: beginning at the northeast corner of section 32, township 17 south, range 14 east. Thence south to the southeast corner of section 20, township 18 south, range 14 east. Thence west to the southwest corner of section 19, township 18 south, range 14 east. Thence north to a point which intersects the west line of section 19, township 18 south, range 14 east, and the east boundary line of the San Ignacio de la Canoa land grant. Thence southwesterly along the east boundary of the San Ignacio de la Canoa land grant to the southeast corner of said land grant. Thence northwesterly along the south boundary of the San Ignacio de le Canoa land grant to the southwest corner of said land grant. Thence west to the southwest corner of section 24, township 19 south, range 12 east. Thence north to the northwest corner of section 36, township 18 south, range 12 east. Thence east to the southeast corner of section 29, township 18 south, range 13 east. Thence north to the northeast corner of section 17, township 18 south, range 13 east. Thence west to a point which lies on the centerline of Duval Mine Road. Thence northeasterly along the centerline of Duval Mine Road, also known as Nogales Highway (U.S. 89), east of Interstate I-19, to a point which intersects the north section line of section 36, township 17 south, range 13 east. Thence east to the northeast corner of section 32, township 17 south, range 14 east, the point of beginning.

3. Ajo:

a. East-west baseline: the west prolongation of Rocalla Avenue and the east prolongation of the Ajo Highway. Deviations are shown on Map 18.83.110(C).

b. North-south baseline: the Tucson Cornelia Gila Bend Railroad right-of-way. Deviations are shown on Map 18.83.110(D).

D. Street names.

1. Any person may request establishment of a street name for any unnamed existing or proposed street or the renaming of any street. The requesting person shall submit proposed names.

a. A request for naming shall be made during the planning stages or the tentative subdivision plat or development plan phases.

b. A request for renaming shall be accompanied by the written consent of the owners of more than fifty percent by number of the properties addressed from the street. Consent petitions shall be on forms provided by the planning and development services department.

c. Street names found in conformance with these standards by the addressing official shall be submitted to the board of supervisors for approval and then recorded with the county recorder.

2. Street names shall be composed of:

a. A primary name: The primary name may be composed of one or two words and each primary name shall be considered unique. For example, Park Avenue, Midvale Avenue and Midvale Park Road would each be considered unique primary names. Foreign language names are also included, such as Placita Vista Hermosa and Via Hermosa.

b. A suffix: The following are acceptable suffixes and the two letter abbreviation shall be used on all street signs when complete spelling is limited by space. Abbreviations in ( ) may be used only on signs which must meet TFCD installation standards:

1) Alley, Al;
2) Avenue, Av (Ave);
3) Beltway, Bw;
4) Boulevard, Bl (Blvd);
5) Circle, Ci (Cir);
6) Court, Ct;
7) Drive, Dr;
8) Highway, Hy (Hwy);
9) Lane, Ln;
10) Loop, Lp;
11) Parkway, Pw (Pkwy);
12) Pass, Ps;
13) Path, Ph;
14) Place, Pl;
15) Road, Rd;

16) Square, Sq;
17) Stravenue, Sv (Stra);
18) Street, St;
19) Terrace, Te (Terr);
20) Trail, Tr;
21) Way, Wy;

3. Review criteria for acceptance of street names:

a. Nonduplication;
b. Alignment;
c. Correct spelling;
d. Reasonableness;
e. Phonetics;
f. Length of name;
g. Same language usage; and
h. Foreign language compliance.

4. Foreign language usage:

a. The person submitting foreign language street names shall provide the addressing official with a notarized affidavit of review compliance from a qualified street name reviewer on a form provided by the planning and development services department. An applicant for qualification as a street name reviewer shall submit to the addressing official evidence of a degree from a four-year college or university with a major in the language being reviewed.

b. Indian names shall be certified by a tribal council chief.

c. Foreign language name review shall include:

1) Proper gender and number (generally used version; avoid exceptions);

2) Appropriate article;

3) Commonly used meanings;

4) Proper use and placement of diacritical marks;

5) English translation; and

6) Language type.

d. Subdivision and development plan names also shall conform to the foreign language format.

5. General restrictions on street names. Unless otherwise permitted by these standards:

a. A new street falling on the alignment of an existing named street shall not assume a different name than the existing aligned street, regardless of distance or jurisdiction.

b. A new street falling on an alignment with multiple names shall assume the predominate or closest proximity street name.

c. Perpendicular directions for the same street name shall not be permitted.

d. Existing names shall not be assigned to any other alignment.

e. Each name shall not have more than one version of spelling.

6. Phonetically unsuitable names shall not be used:

a. Homonyms, homophones;

b. Names that tend to be slurred;

c. Names which are likely to be run together (e.g., Golden Rod); and

d. Names which may be difficult to pronounce.

7. Primary name and suffix (abbreviation) shall be limited in length:

a. Public streets: Fourteen letters and spaces; fifteen if the name has an "I" in it;

b. Private streets: Seventeen letters and spaces.

8. Mixed language usage shall not be used (e.g., Camino Rock).

9. Directional prefixes in primary names:

a. Directional prefixes shall not be used as a primary name, either in whole or in a compound form (e.g., North St., Northaire Ave., or Northwest Road).

b. Derivative forms of directional prefixes are permissible (e.g., Northern Ave., Southern Star Lane).

10. A primary street name may be duplicated once if the street has:

a. The same primary name as a street it intersects perpendicularly; and

b. A suffix of Place or Court.

11. Abbreviations and slang terms shall not be used.

12. Numbered streets shall be recorded and displayed numerically and not spelled.

13. No east-west numbered street shall be permitted north of Speedway Boulevard and no north-south numbered street shall be permitted east of N. 1st Avenue.

14. All east-west numbered streets shall use the suffix of Street unless otherwise permitted.

15. All north-south numbered streets shall use the suffix of Avenue unless otherwise permitted.

16. No new east-west numbered streets shall be permitted between the existing 48th Street (3700 South) and Irvington Road (4900 South). Entirely new east-west numbered streets south of Irvington Road shall be permitted but shall conform numerically to established hundred blocks in which they are aligned (e.g., 5400 South = 54th Street).

17. No new north-south numbered streets shall be permitted between the existing 19th Avenue (950 West) and La Cholla Boulevard (2100 West). Entirely new north-south numbered streets west of La Cholla Boulevard shall be permitted but shall conform numerically to established hundred blocks in which they are aligned (e.g., 2400 West = 24th Avenue).

18. Fractions of streets shall not be used (e.g., 25½ Street).

19. No primary street name shall be duplicated in another Address System.

20. Suffix Identifier. The following suffixes shall be restricted to specific street directions or configurations. Spanish equivalent prefixes are shown in parentheses and shall be treated as suffixes:

a. Avenue (Avenida): A north-south street.

b. Beltway: A very large oval-shaped street, considered a major thoroughfare, with multiple intersections and limited access.

c. Circle (Circulo): An oval-shaped street having a single intersection with one street and not accessing or intersecting another street.

d. Loop (Vuelta): A horseshoe-shaped street having two distinct intersections with the same street.

e. Parkway: A meandering street, considered a major thoroughfare, which has limited access and multiple intersections.

f. Place (Placita) or Court (Corte): A cul-de-sac.

g. Stravenue: A street which runs diagonally between and intersects a Street and an Avenue.

h. Street (Calle): An east-west street.

21. Criteria and configurations for street naming:

a. Alignment: A street shall be considered aligned and carry one name if:

1) The street is designated a major street, route or arterial; or

2) The street connects with or has reasonable potential of connecting with an existing street or an extension of the original line of an existing street; or

3) The street predominantly follows a section line (mile line), quarter-section line (half-mile line) or sixteenth-section line.

b. Offset alignments:

1) Streets with less than a 150 foot centerline-to-centerline offset shall be considered aligned.

2) Multiple street offsets deviating from the original alignment without returning to the original alignment shall not be considered aligned and shall comply with other provisions of these standards.

c. Circle street: shall require a different primary name than the street which it aligns with and shall require two names when required addresses exceed available numbers within a hundred block.

d. Cul-de-sac. A cul-de-sac having a centerline distance less than one hundred feet may assume the primary name and directional prefix of the street it intersects, but shall require a unique primary name and directional prefix for lengths which exceed one hundred feet.

1) A "T" cul-de-sac is one which has an initial street segment perpendicular to the intersected street, and the remaining segments parallel with the intersected street. One primary name may be used if the perpendicular street seg ent is less than one hundred feet. A different name than that of the cul-de-sac shall be used for the perpendicular street segment exceeding one hundred feet in length.

e. Loop street: shall have a unique street name and shall not assume the name of any aligned street, and shall only occur on one side of the intersected street.

f. Major arterial alignment and realignment:

1) For name continuity along the entire length of a major arterial which deviates from its original alignment and connects with other street alignments, the arterial may retain one name with the approval of the addressing official.

2) The addressing oficial may require existing street alignments and established street names to be changed to facilitate one name for a

newly constructed major arterial that deviates from its primary alignment.

g. Frontage roads (also called service roads): A frontage road is a local street that generally parallels and is adjacent to a freeway or through street and that provides access to property isolated by access controls from the freeway or through street.

1) A frontage road shall assume the name of the freeway or through street it services.

2) Interstate 10 (I-10) frontage roads shall be delineated and addressed as "I-10 Frontage Road" and shall be the only frontage road to have a name different than that which it parallels.

E. Situs numbering assignment:

1. All recorded lots and parcels of land, subdivided or unsubdivided, and all proposed or built structures, shall have an address assigned before a building permit is issued or occupancy occurs.

2. An address shall not be assigned to a lot or parcel until a fronting named street or easement has been approved by the board of supervisors. Frontage may not be required if recorded legal access is less than three hundred thirty feet to a named street. Physical access shall be the same as recorded access.

3. An address shall not be issued to a lot, parcel or structure until there has been compliance with Section 18.83.040(E)(6).

4. Addresses shall be assigned based upon primary physical access from a named street and not legal access if different.

5. General assignment requirements:

a. The addressing official shall determine official addresses upon compliance with Section 18.83.040(E)(6) and:

1). Tentative plat approval; or

2) Approval of a development plan and the submittal of building details (floor plans) as required; or

3) Submittal of an approved site plan and building details (floor plans) as required; or

4) The request by a person, subject to compliance with these standards.

b. In the case of conflict regarding the proper address, the addressing official or authorized representative shall make the final determination.

c. Requests for numerical addressing of recorded subdivisions or approved development plans shall not be processed until the recording or approval process is completed pursuant to Chapters 18.69 or 18.71.

6. Document requirements for address issuance:

a. Subdivided property:

1) Tax Code number; and

2) Recorded deed, or sales agreement and property description with escrow number and title company name if newly purchased; and

3) Subdivision name, block number and lot number; and

4) If a corner lot, a site plan; and

5) If multiple buildings or tenants, a site plan.

b. Unsubdivided parcels:

1) Tax code number or tax statement and copy of assessor's map; and

2) Recorded deed, or sales agreement and property description with escrow number and title company name if newly purchased; and

3) Site plan showing complete ingress and egress from the closest public road.

c. Projects requiring subdivision design review:

1) For building address: Approved and signed development plan on twenty-four-inch by thirty-six-inch photo-mylar; additional copies of site plan may be required for multiple-story projects;

2) For administrative address: Name of development and case number assigned for subdivision design review.

d. Projects not requiring subdivision design review — Single building or single tenant:

1) Tax code number for parcel; and

2) Legal description or deed or title report; and

3) Blueline of site plan; and

4) If a structure is being added to an existing

multibuilding site, refer to additional requirements in 18.83.040(E)(6)(f).

e. Projects not requiring subdivision design review — Multitenant or multibuildings:

1) Tax code number for parcel; and

2) Legal description and deed or title report; and

3) Blueline of site plan — Initial (only administrative address shall be issued); and

4) Upon final approval of site plan:

i) An approved and signed site plan on twenty-four-inch by thirty-six-inch photomylar, reverse read; additional copies of site plan may be required for multiple-story projects; and

ii) Blueline of maximum tenant space layout (if known) for each building or floor.

f. If buildings, building expansions or multiple tenants are added to an existing multibuilding site, a blueline of the total site shall be required, with all buildings and addresses as displayed at the site appropriately labeled.

g. Tenant improvements — New buildings or existing buildings having an approved development plan or site plan on file with the planning and development services department:

1) Address of building; and

2) Site plan showing tenant improvements; and

3) Development name and case number.

h. Tenant improvements — Existing buildings not having an approved development plan or site plan on file with the planning and development services department:

1) Site plan showing all existing structures and addresses as displayed on the site and tenant improvements dimensionally tied to building shell; and

2) Development name; and

3) Tax Code number; and

4) Legal description.

i. Type and quality of required documents: All map documents required shall be photomylars unless otherwise specified. Documents required shall be of sufficient image quality and density to make legible contact prints and to produce micro images.

7. Criteria for address numbering.

a. Even or odd numeric integer of the address: Lots, parcels, buildings and tenants on the right side of a street, ascending from the base line, shall have even numbers. Lots, parcels, buildings and tenants on the left side of a street, ascending from the base line, shall have odd numbers.

b. Address determination:

1) The appropriate hundred block number line shall determine the number of an address for any lot, parcel or building.

2) Address numbers shall be determined by primary property entrance (access) from a named street, mean property street frontage, and may include building location or orientation.

3) Property entrances, mean property frontages or building locations which are directly across the street from one another shall generally be one unit apart in the ascending numerical value of the address number (e.g., 1246 across from 1247).

4) With the exception of multitenant commercial buildings, one address shall be assigned to each property representing a legal entity; that is, there shall be one address for each legal description and deed. However, multiple street access points to multiple structures may require multiple addresses.

c. Corner lot:

1) The address shall be assigned to the primary access (entrance) street.

2) Subdivision plats shall have a star placed by a lot line to indicate proposed access.

d. Building orientation, ingress and egress: If buildings will occupy all or a major portion of a lot, the structure orientation and the primary ingress and egress of the building shall determine the property address. The primary entrance used by the public shall be considered the primary entrance; secondary doors, such as employee entrances, back or side doors, or delivery doors, shall not be considered primary.

e. The order of address determination shall be:

1) Vehicular access for multiple parking (building orientation and site layout may be considered);

2) Vehicular street frontage parking if there is no on-site parking or drop-off point;

3) Primary pedestrian site access;

4) Structure orientation and general public building ingress and egress.

f. Circle street: Address shall be assigned in a counter-clockwise direction beginning at the intersection. Number availability within a hundred block shall determine if multiple names are required.

g. Loop street: Address shall be assigned based on the overall direction of the street layout in relation to the intersected street.

h. Directional prefix: At the time the address is assigned, the street shall have a directional prefix assigned to facilitate address numbering.

i. Number restrictions: A fractional unit of a number or occupant identifier, or alphabetic letters with a number or occupant identifier, or any combination thereof, shall not be used. E.g., 1010 ½ E. Speedway Blvd.; or 1010 E. Speedway Blvd., Unit 100 ½; or 1010A E. Speedway Blvd.; or 1010 E. Speedway Blvd., Unit 100A.

j. Address numbering for specific development types:

1) Residential single family: Each lot or parcel shall be assigned a unique address.

2) Residential multifamily: Each lot or parcel having multiple tenants shall be assigned a unique address and, in addition, occupant identifiers for each tenant.

a) For example, Unit 2 in a duplex or triplex or Space 3 for a trailer or mobile home.

b) Occupant identifier numbers shall ascend from the baseline for parallel building layouts or from the front to rear of the lot or parcel for building layouts.

3) Apartments: All separate and distinct developments having multiple tenant accommodations intended for human dwelling shall be assigned one unique situs address. In addition, an occupant identifier consisting of a four to five-digit number shall be assigned to each apartment unit. This number shall be considered its complete apartment number, and shall be used with the situs address.

a) The apartment number shall consist of a building number plus a floor number plus a unit number. For example, Apartment 12130 is in Building 12, on Floor 1, and is the 30th apartment on that floor, or the first apartment on Floor 3 of Building 2 would be Apartment 2301.

b) A zero shall be used for a floor number for all units below ground level.

4) Townhomes: townhouse developments shall be assigned a separate situs address for each legal lot.

5) Condominiums:

a) Condominium developments shall be assigned a situs address for each building.

b) Individual living facilities in each building shall be assigned occupant identifiers (unit numbers): First floor units shall have 100 series numbers, second floor units shall have 200 series numbers, and additional floors shall be numbered accordingly.

6) Commercial developments may be addressed in one of the following formats, which shall not be mixed within a complex:

a) A commercial development is assigned only one situs address. In addition, building numbers and tenant (suite) numbers are used. Occupant identifiers are building number, plus floor number, plus a two-digit number.

b) A commercial development is assigned individual addresses for each tenant (suite). This method is restricted to single story commercial developments with all tenants having exterior access, and to number availability.

c) A commercial development is assigned individual building addresses plus tenant (suite) occupant identifiers. First floor units shall have 100 series numbers, second floor units shall have 200 series numbers, and additional floors shall be numbered accordingly.

d) A high-rise building shall require a single situs address, plus tenant (suite) occupant identifiers. The occupant identifier for each separate tenant shall be a floor number plus a two-digit number.

i) A single tenant leasing an entire floor shall use the floor number plus 00. E.g., 2300 is the 23rd Floor.

ii) Multiple tenants on a single floor shall require separate two digit identifiers other than 00 for any tenant on the same floor. E.g., 1217 is number 17 on the 12th floor.

7) Mobile home and recreational vehicle parks:

a) Lot or parcel having five or more spaces developed for the installation of mobile homes, or the parking of travel trailers or recreational vehicles on a daily, seasonal or permanent rental basis, shall require a situs address plus space occupant identifiers.

b) The park's appurtenant structures (offices, recreation buildings, etc.) shall be assigned the situs address plus building identifiers.

c) Interior street names shall not be used. The streets shall be called rows and shall be assigned numbers. East-west rows shall use even numbers. Northsouth rows shall use odd numbers. E.g., Row 9.

d) Space numbers shall be used with the row numbers. E.g., Space 9-53 is the 53rd space on Row 9. (Ord. 1990-10 § 1 (part), 1990; Ord. 1988-2 § 1 (part), 1988)

18.83.050 Address display.

A. General requirements:

1. All structures designed for human occupancy or use which have an assigned address shall display the address.

2. Upon commencement of construction, the assigned address shall be displayed at the primary access of the subject lot, parcel or structure. The address display may be temporary signage during construction.

3. Permanent address display shall be installed on all buildings, tenant spaces and entrance signage, or as otherwise required by these Standards, prior to building inspection final approval, certificate of occupancy or occupancy of any building or structure. Display shall be required at all times thereafter, conforming to standards.

4. More than one address or number display may be required for each building or site.

5. The complete address shall be displayed on all corner buildings at a street intersection, for each side of building facing any street.

6. Addresses shall be displayed and visible from both directions of approaching vehicular travel.

7. Numbers and letters shall be made of durable and clearly visible material. Paint shall not be considered durable for building addresses.

8. Numbers and letters shall be of colors contrasting with the background of the sign or wall to which they are attached.

9. Numbers and letters shall have a minimum proportion ratio of height to width of six to one. The formula for width to height is: $w = h/6$, where w is width and h is height in inches.

10. Numbers shall not be spelled.

11. All height requirements are minimum sizes.

B. Residential: The address numbers assigned shall be conspicuously placed immediately at the appropriate location on each building, structure entrance or at the property access point.

1. For properties containing multiple addresses, addresses shall be placed near the primary entrance in addition to the structure placement.

2. A building or structure set back fifty feet or more from the curb line or edge of pavement shall permanently display the address a minimum of thirty-six inches from ground level at the primary access point of the property. Structure display may also be required by the addressing official.

3. Minimum number height shall be three inches.

C. Apartments: The address numbers assigned

shall be conspicuously placed immediately at the property access points, appropriate locations on each building, and structure entrances.

1. Building numbers shall be a minimum of fifteen inches in height.

2. Apartment number ranges shall be placed below building numbers or on signage near the building. Apartment number ranges shall be a minimum of eight inches in height.

3. Individual apartment numbers shall be a minimum of three inches in height for exterior entrances and a minimum of one inch in height for interior (hallway) entrances.

4. Both exterior signage and interior numbering may be required by the addressing official on specific development types.

5. Apartment complex with multiple buildings:

a. All buildings shall have pedestrian directional signage visible from both directions of pedestrian travel, with numbers a minimum of two inches in height.

b. All interior accessory buildings, structures and pool areas shall be identified and have directional signage.

c. The apartment complex shall have entrance signage at all access points address.

d. For access points that enter the complex from other than the addressed street, the complete address shall be displayed on entrance signage.

e. Site and building addresses shall be visible at all times.

D. Commercial: The address number assigned shall be conspicuously placed immediately at each property access point, and the appropriate locations on each building, and each structure entrance.

1. Buildings or structures set back no more than fifty feet from the curb line or edge of pavement shall display a twelve-inch minimum height number.

2. Buildings or structures set back more than fifty feet from the curb line or edge of pavement shall display a fifteen-inch minimum height number.

3. Individual addresses shall be placed near the primary entrance, a minimum of three inches in height.

4. The low and high number range may be displayed on buildings with multiple addresses, a minimum of twelve inches in height.

5. Site and building addresses shall be visible at all times.

E. RV and mobile home park: The address numbers assigned shall be conspicuously placed immediately at each property access point, and at the appropriate locations for each building, structure, and property rental space.

1. Number height:

a. Space, directional signage and internal street signage numbers shall be a minimum of three inches; and

b. Building numbers shall be a minimum of six inches.

2. Internal street signs shall be placed at each street intersection. The signs shall display the word "Row" plus the appropriate number (e.g., Row 9).

F. Entrance signage: The address or address numbers assigned shall be placed at primary access points immediately and shall be permanently installed prior to first occupancy of any internal structure or building:

1. Numbers or address shall be a minimum of twelve inches in height on all entrance signage.

2. Complete address display shall be required at all street access points in addition to the primary access street.

G. Directional signs: If buildings within a commercial development are obscured from the primary street to which the development is addressed and from parking and access areas, directional signs shall be installed.

1. A directional sign shall be required at each primary entryway to the obscured buildings.

2. A directional sign shall be clearly visible from all parking areas serving a building and

shall have numbers of not less than six inches in height.

3. Each directional sign shall carry appropriate addresses or range of addresses and a directional arrow or locational instructions as minimum directional information.

4. Additional signs: Buildings having parking and access areas only at their side or rear shall display additional numbers, at least six inches in height, visible from all such areas. (Ord. 1988-2 § 1 (part), 1988)

18.83.060 Street name signs.

A. General requirements:

1. Approved street names shall be clearly and visibly displayed at every intersection and street name change break on all public streets and on all private streets within subdivisions and development plans.

2. Approved street names shall be displayed in a temporary manner at all times during construction of such public or private streets.

3. Approved street names shall be displayed in a permanent manner upon completion of street construction.

4. A private street which intersects a public street shall have street name signs of department of transportation and flood control district installation standards installed by the owner or authorized representative at the intersection or street name change point.

5. Private street name signs within subdivisions and development plans which are not at intersections with public streets may be of owner design and not of department of transportation and flood control district installation standards, but shall be clearly visible from all directions of vehicular travel, and shall be in conformance with subsections A6 through A10 of this section.

6. All street name signs shall be reflective.

7. The direction of each street shall precede the name.

8. Primary street names shall be displayed in a uniform size and be at least four inches in height. The primary name shall not be abbreviated.

9. Street name suffixes may be abbreviated and in a smaller size than the primary name, but shall be at least two inches in height.

10. All street signs shall display the appropriate north, south, east or west hundred block indicator for each street name. Sign placement shall not change the value of the hundred block indicator for each name.

11. A homeowners association or the property owners adjacent to the street shall be responsible in equal shares for maintenance and replacement of signage after installation on a private street in a subdivision or development plan. If the responsible parties fail to adequately maintain or replace street signs in a timely manner, the county may, after thirty days written notice to the responsible homeowners association or property owners, make the necessary repairs or replacements and collect the costs of labor and materials equally from each responsible party.

12. A privately installed street name sign not on a public street or in a subdivision or development plan:

a. Shall be of department of transportation and flood control district installation standards if on a private street which intersects a public street;

b. May be of owner design and not of department of transportation and flood control district installation standards if not at an intersection with a public street, but shall be clearly visible from all directions of vehicular travel, and shall be in conformance with subsections A6 through A10 of this section and subsection B of this section; and

c. Shall have additional signage displaying: (Not a County Street Pvt.)

B. Street sign format.

1. All street-name signs installed or replaced after the effective date of this chapter shall conform to the following format:

a. Directional prefix (N., S.. E. or W.): upper left corner.

b. Primary name: main body of sign.

c. Suffix: centered following primary name,

or upper right, or, if foreign language requires, centered preceding primary name.

d. Hundred block indicator: lower right corner.

e. The minimum height of a directional prefix, street suffix or hundred block indicator shall be one-half the height of the primary name.

f. See Illustration 18.83.110(F). (Ord. 1990-10 § 1 (part), 1990; Ord. 1988-2 § 1 (part), 1988)

18.83.070 Display exceptions, nonconforming street names and addresses.

A. Existing addresses displayed prior to January 13, 1981, shall be exempt from the address display provisions of these standards until January 1, 1991, except in the event of:

1. An address change;

2. A building or structure remodeling or repair which requires a building permit; or

3. An exterior sign replacement or repair which requires a building permit.

B. Except as provided in subsection A of this section, these standards shall not apply to existing street names or to addresses of buildings existing prior to January 13, 1981, unless there is:

1. Gross error in the physical placement of a hundred block increment;

2. Gross error or discontinuity in the assignment of an address number;

3. An incorrect directional prefix for a street;

4. More than one directional prefix for the same street;

5. More than one spelling for same street name;

6. Homonyms, Homophones;

7. Use and display of an address not assigned;

8. Duplication of a street name;

9. Excessive discontinuity of alignment for a street name;

10. More than one name for the same alignment;

11. An overlap in address ranges for the same primary name; or

12. Primary access from a street different than the address. (Ord. 1988-2 § 1 (part), 1988)

18.83.080 Address and street name changes.

A. An owner of property may request the change of its address, provided:

1. The change shall not conflict with these standards;

2. The change shall bring the address into conformance with these standards;

3. The applicant shall comply with the display requirements of these standards; and

4. The applicant shall provide the required materials specified in Section 18.83.040E6.

B. The addressing official shall correct an address number or street direction prefix not in conformance with these standards as follows:

1. Notice of the change shall be mailed to all owners and the of the property whose address is changed. The notice shall:

a. Advise the property owners or occupant that they may submit a written objection to the change to the addressing official within fifteen working days of the mailing of notice;

b. State the reasons for the change and the effective date of change; and

c. Include an objection form.

2. An owner or occupant of property whose address numbers or street direction prefix is to be changed may object to the change, and shall submit the objection in writing, within fifteen working days of the mailing of notice. Objections received after the fifteen days shall not be considered.

3. Action of address official: The addressing official shall render a decision on the objection within five working days of receipt and notify the objector in writing of the decision. The effective date of the change shall be unaffected unless altered by the addressing official or an order of the superior court.

C. The board of supervisors shall change the name of a street as follows:

1. Notice of the change shall be mailed to all owners and occupants of property whose existing address will be changed by the renaming. The notice shall:

a. Advise the property owners or occupants

that they may submit a written objection to the change to the addressing official within fifteen working days of the mailing of notice;

b. State the reasons for the change and the date the board of supervisors will consider the renaming; and

c. Shall include an objection form.

2. An owner or occupant of property whose address is to be changed by the renaming may object to the change, and shall submit the objection in writing to the addressing official, within fifteen working days of the mailing of notice. Objections received after the fifteen days shall not be considered.

a. Hearing: The board of supervisors shall hold a hearing on the name change. The decision of the board shall be made in writing to all objectors.

D. Appeal to superior court: Any owner of property whose address has been changed by a decision of the board of supervisors or the addressing official may appeal to the superior court within thirty-five days of the effective date of the decision. (Ord. 1988-2 § 1 (part), 1988)

18.83.090 Conflicting actions, compliance and citation.

A. Conflicting actions: County departments, officials and staff shall not perform any of the following acts which conflict with these standards:

1. Approve a final plat or development plan;
2. Issue a permit or address;
3. Inspect a building.
4. Grant permission to occupy any construction project, structure relocation, erection, repair, alteration or modification until the address assigned is displayed as required by these Standards;
5. Install a street sign;
6. Approve an area, community or neighborhood plan;
7. Approve a transportation or corridor plan; or
8. Change a person's property access through road improvements without prior notice to the planning and development services department.

B. Invalidity: Any address or street name used or issued in conflict with these standards shall not be deemed or construed to be a valid address or street name.

C. Citation: If the Addressing Official determines an address display violation exists, a written citation may be posted at the site by an authorized representative of the addressing official or the zoning inspector. In addition, the property owner may be notified of the citation by mail. The citation may include required corrective measures.

D. Compliance: Compliance is required within thirty days of citation. One written time extension of thirty days may be granted by the addressing official if adequate progress is being made toward compliance. (Ord. 1988-2 § 1 (part), 1988)

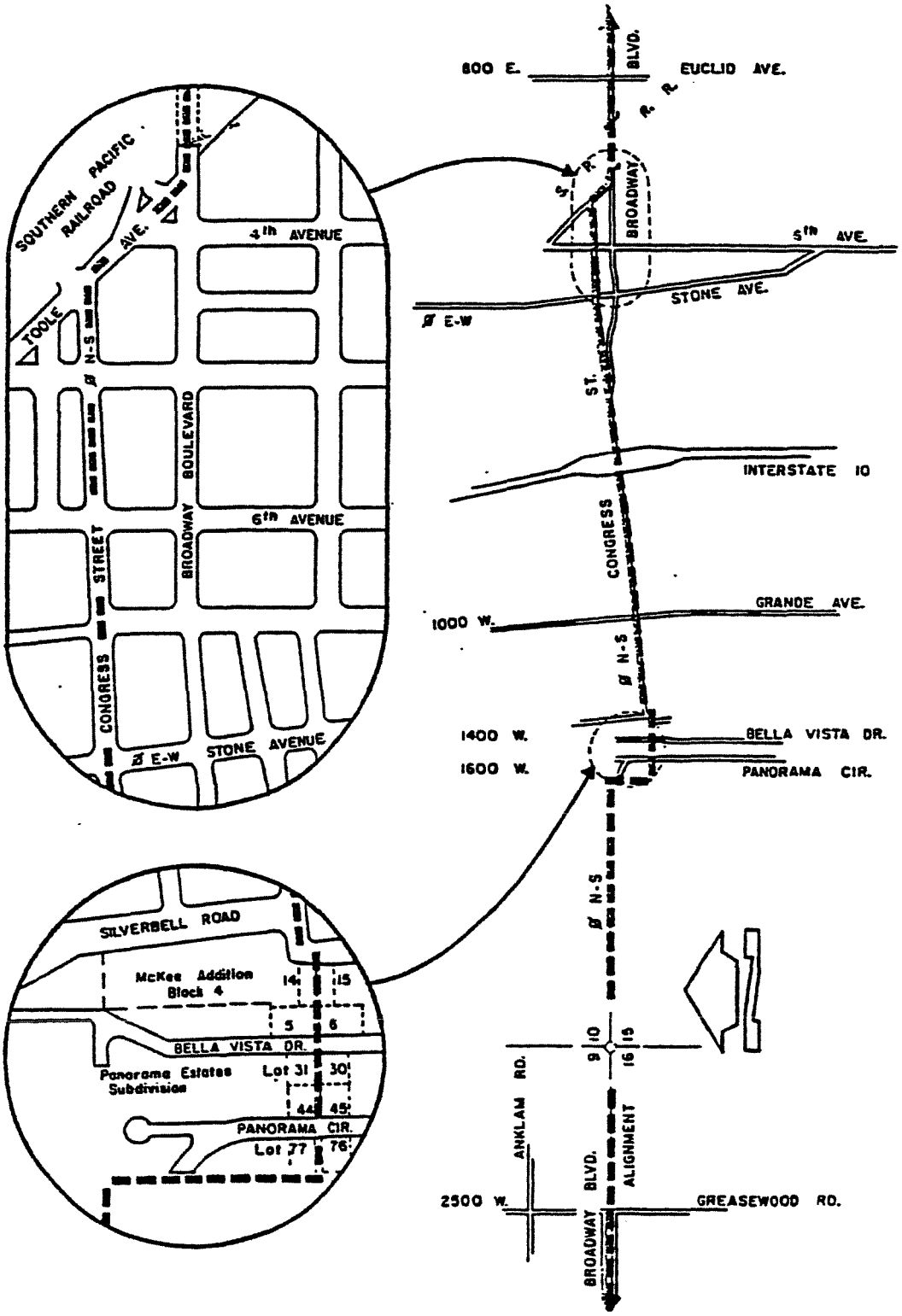
18.83.100 Jurisdictions.

A. These standards shall apply in the unincorporated areas of Pima County and in such incorporated areas as are included by intergovernmental agreements. The governing body and appropriate officials of an incorporated area included by intergovernmental agreement shall be substituted for the board of supervisors and county officials, except the addressing official, in the application of these standards within their areas of jurisdiction. The governing bodies of included incorporated areas may establish, by intergovernmental agreements or ordinances, appeals procedures which differ from these standards. (Ord. 1988-2 § 1 (part), 1988)

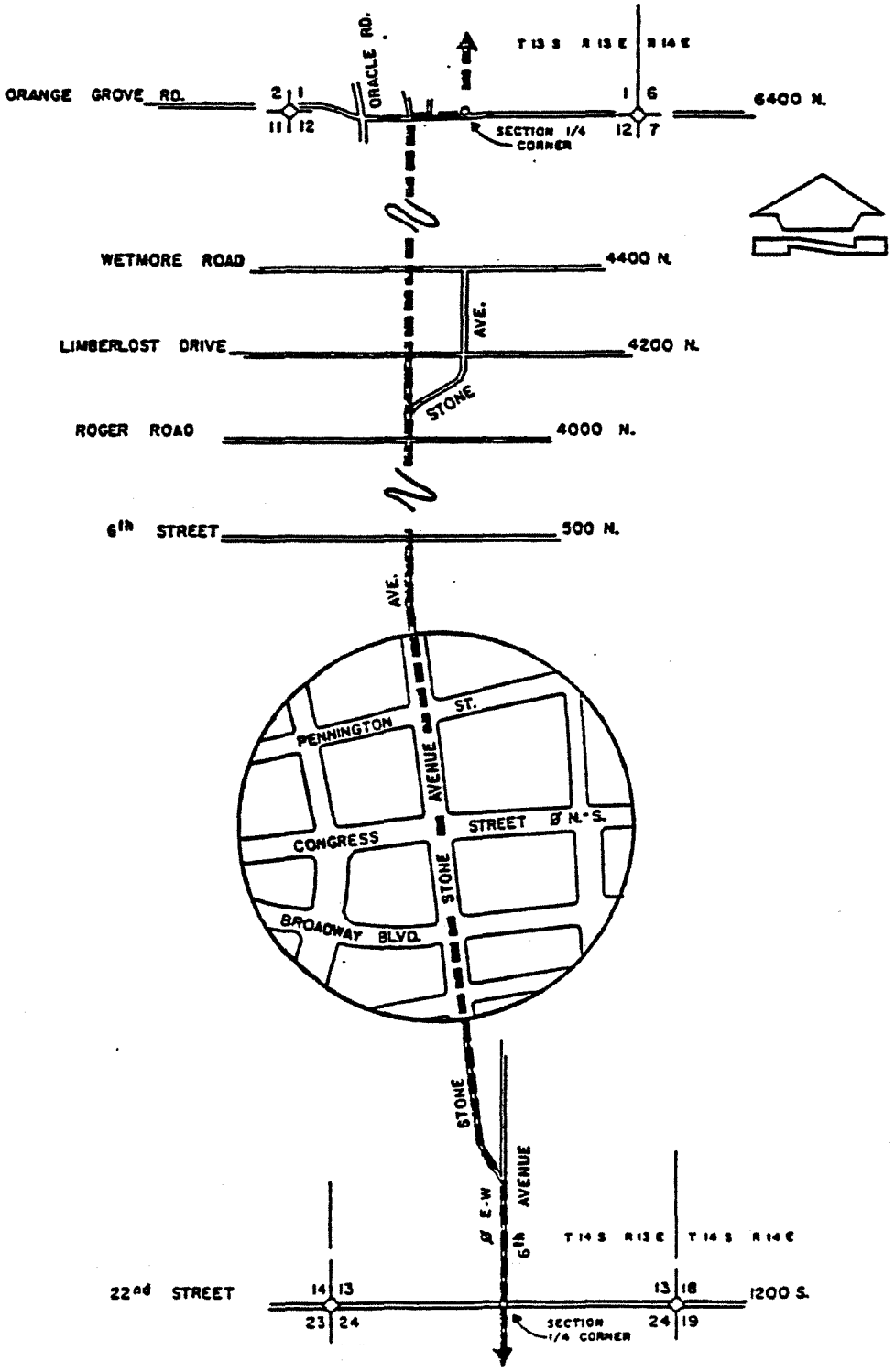
18.83.110 Maps and illustrations.

See Maps 18.83.110A through 18.83.110E and Illustration 18.83.110F set out at the end of this chapter. (Ord. 1990-10 § 1 (part), 1990: Ord. 1988-2 § 1 (part), 1988)

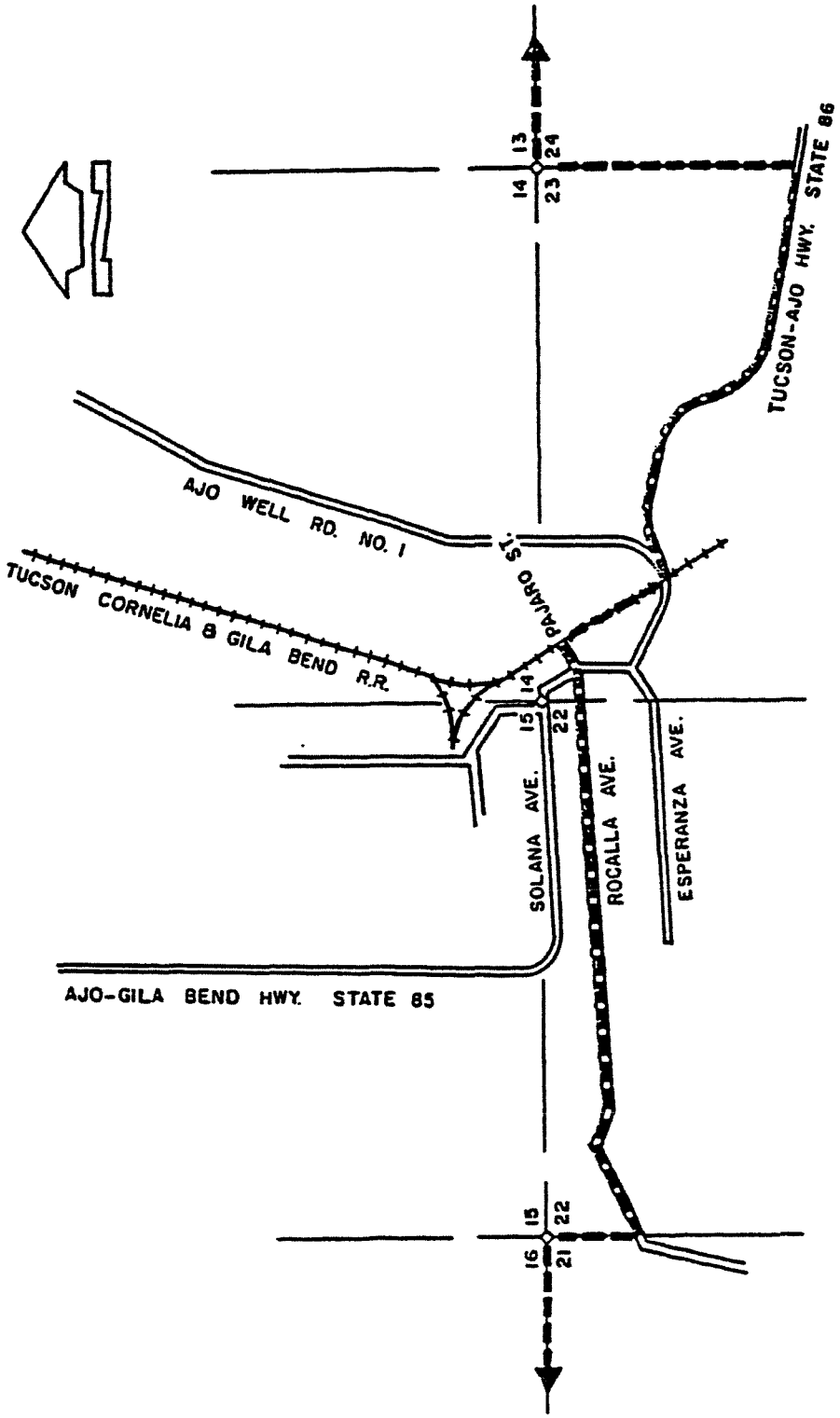
Map 18.83.110A



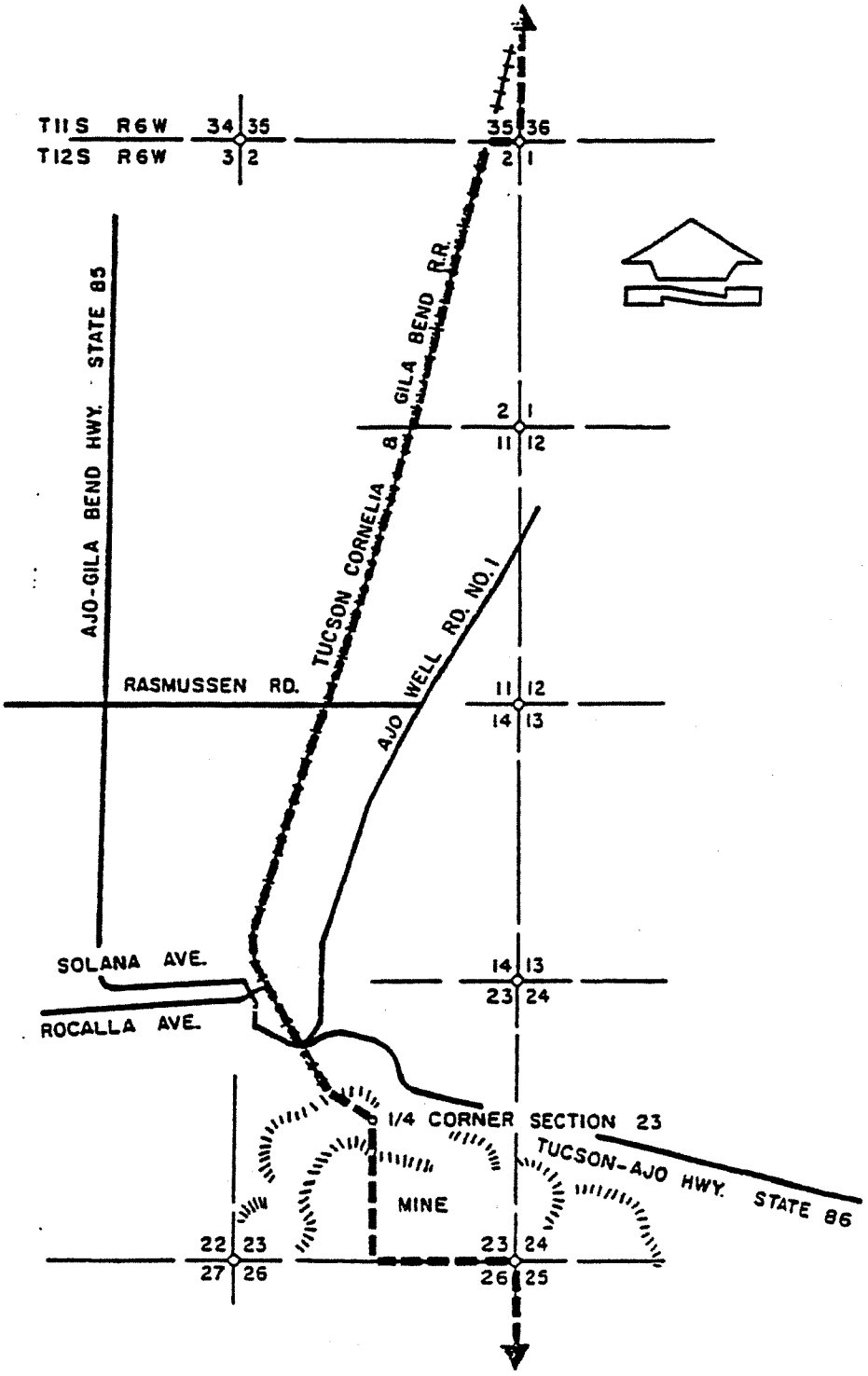
Map 18.83.110B



Map 18.83.110C



Map 18.83.110D



Map 18.83.110E

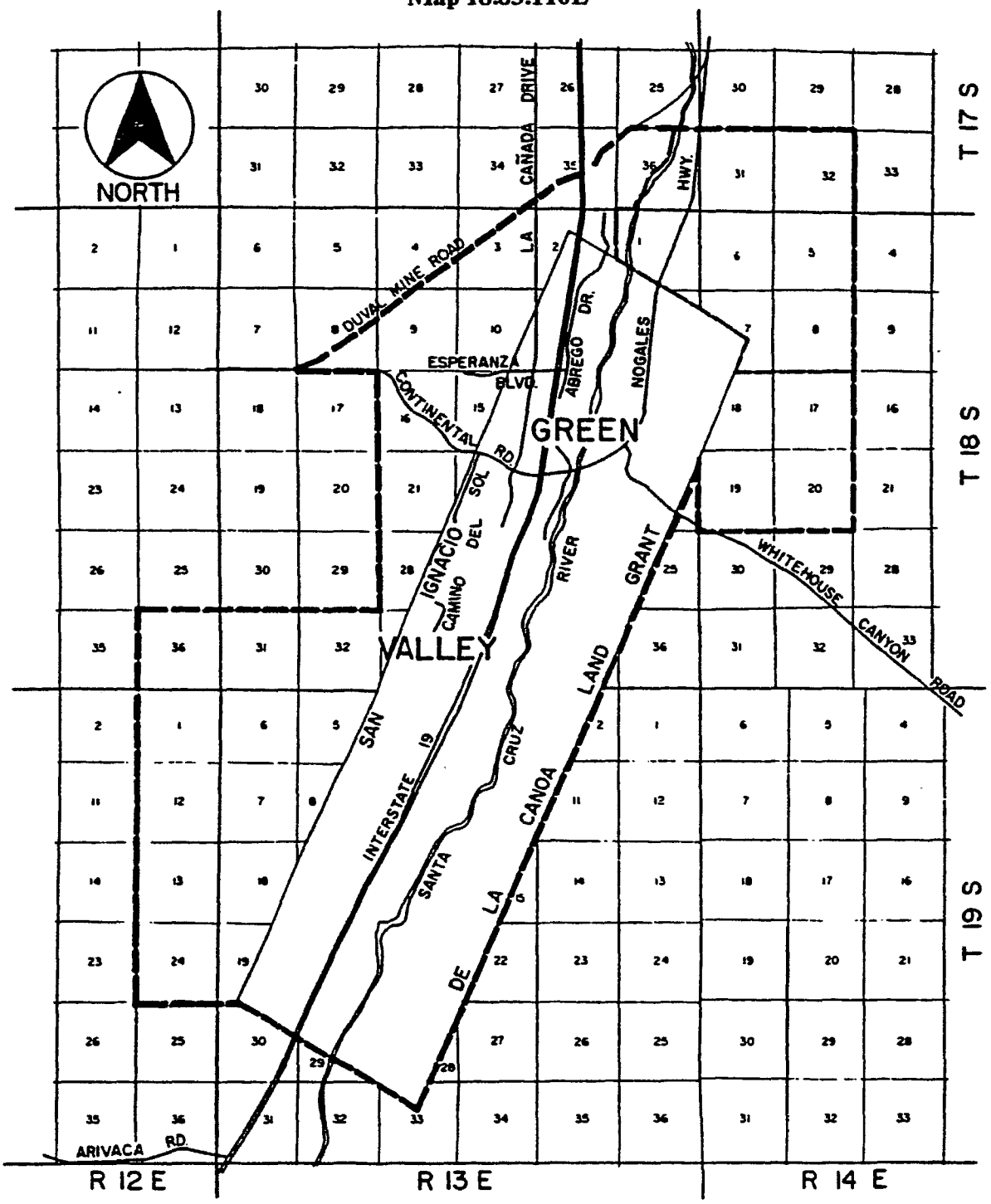
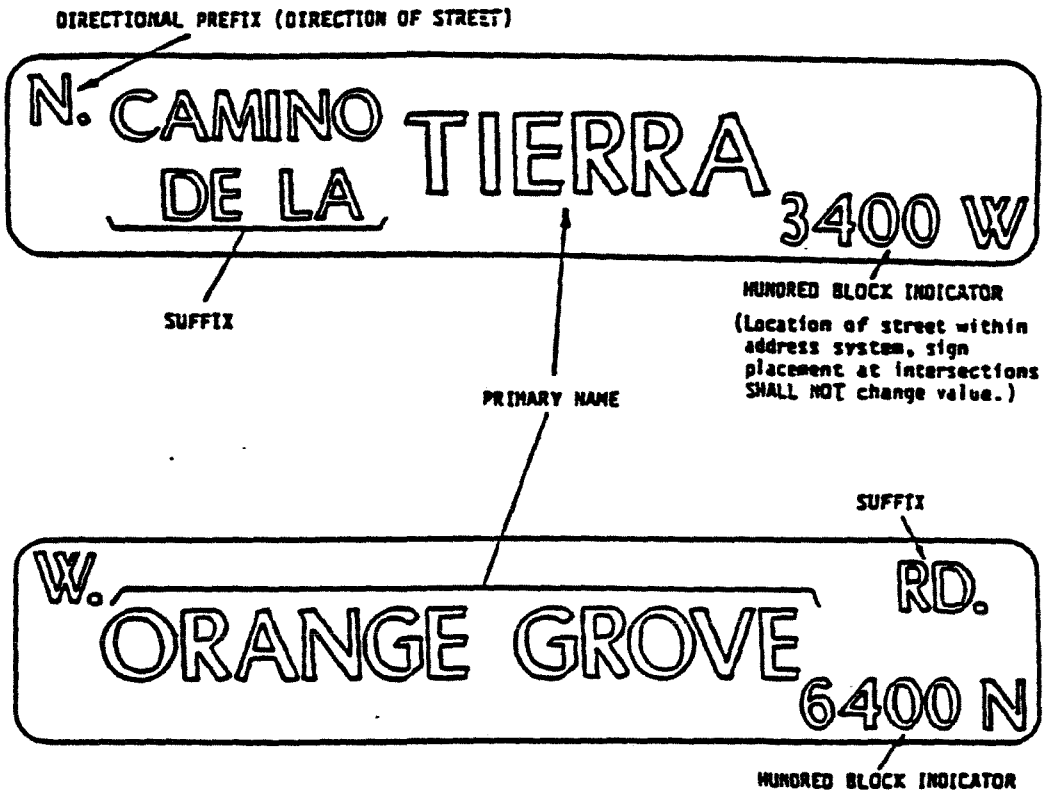


Illustration 18.83.110F



Chapter 18.85

(RESERVED)

Chapter 18.87

(RESERVED)

Chapter 18.89

COMPREHENSIVE PLANS*

Sections:

18.89.010	**Purpose.**
18.89.020	**Definitions.**
18.89.030	**Plan components.**
18.89.040	**Land use plan documents, policies and special areas.**
18.89.050	**Plan amendment and update schedule.**
18.89.060	**Plan development, review and amendment procedures.**
18.89.070	**Minor revisions to plan.**

* Prior ordinance history: Ord. 1985-82.

18.89.010 Purpose.

A. Purpose.

1. In accordance with A.R.S. § 11-806, this chapter provides for a comprehensive plan, which is described in greater detail by a land use plan and strategic action plan.

2. The conceptual land use element of the Pima County comprehensive plan establishes, and the comprehensive plan makes specific, the goals of Pima County regarding future development of the county, reflecting as much as possible public consensus on land use issues.

3. The comprehensive plan is the official document for the planning and zoning commission, board of supervisors, and all county officials and agencies for accomplishing coordinated physical development consistent with the current and anticipated needs of the county. (Ord. 1992-96 § 1 (part), 1992: Ord. 1985-141 § 1 (part), 1985)

18.89.020 Definitions.

A. Certain terms used in this chapter shall be defined, for purposes of this chapter only, as follows:

1. Conceptual land use element: The conceptual land use element of the Pima County comprehensive plan, adopted by the Pima County board of supervisors on September 5, 1989, Resolution No. 1989-194.

2. Plan policy: A written statement in the document entitled Comprehensive Plan Regional and Special Area Plan Policies, which provides a:

a. Procedural recommendation; or

b. Development recommendation, which may be imposed as a special condition of rezoning.

3. Special area: A designation appearing on the land use plan identifying areas having unique characteristics or qualities. Plan policies that apply within special areas are set forth in the document entitled Comprehensive Plan Regional and Special Area Plan Policies. (Ord. 1992-96 § 1 (part), 1992: Ord. 1985-141 § 1 (part), 1985)

18.89.030 Plan components.

A. Land Use Plan. An adopted plan covering unincorporated Pima County, which shall be prepared by the county in coordination with municipalities within the region:

1. This plan shall further the purpose defined in Section 18.89.010 by:

a. Establishing boundaries for urban and rural land use categories as set forth in Sections 18.89.030A3, A4 and A5;

b. Establishing planned land use to guide planning and coordinate the timing and implementation of capital improvement activities, such as transportation, flood control, water delivery or wastewater management facilities; and

c. Determining the relative suitability of individual geographic sectors for various land use types and development intensities.

1. This plan shall further the purpose defined in Section 18.89.010 by:

a. Establishing boundaries for urban and rural land use categories as set forth in Sections 18.89.030A3, A4 and A5;

b. Establishing planned land use to guide planning and coordinate the timing and implementation of capital improvement activities, such as transportation, flood control, water delivery or wastewater management facilities; and

c. Determining the relative suitability of individual geographic sectors for various land use types and development intensities;

d. Designating permitted zoning districts within each land use intensity category and gross density limitations for land use categories in order to determine whether proposed rezonings or specific plans comply with the comprehensive plan, in accordance with Sections 18.91.040C and 18.90.030H.

2. The land use plan shall include, at a minimum:

a. The general character and location of major transportation corridors and transit systems;

b. The general location and recognition of need for community facilities, such as schools, water delivery and sewerage systems, and airports;

c. Land use classifications as prescribed in Sections 18.89.030A3, A4 and A5;

d. Identification of recreational opportunities, such as hiking and riding trails, developed or undeveloped parks, and open space systems;

e. The general location and recognition of need for wildlife and natural resources conservation areas;

f. Identification of areas of natural constraints, such as hillsides and floodplain;

g. Recommendations relative to archaeological and historic resources, and community character and aesthetic issues;

h. Delineation of special areas;

i. Delineation of existing Airport Environs and Facilities, Hillside Development, Historic, and Buffer Overlay Zones; and

j. Delineation of the following base map information:

1) Public land survey system,

2) Jurisdictional boundaries,

3) Rivers and major washes.

3. The following land use intensity categories shall be applied to designate urban development intensities on the land use plan.

a. Regional Activity Center.

1) Purpose: To designate high intensity mixed-use areas designed to provide the fullest range of goods and services and compatible multiple residential housing.

2) Objective: Goods and services are provided that attract customers living significant distances from the center. A regional shopping mall may be the nucleus of the activity center. The center provides a variety of high density housing types and employment opportunities, including government services and educational institutions. The center has direct access to regional transportation facilities, including public transit and pedestrian and bicycle paths. Regional Activity Centers are generally greater than one hundred acres in size.

3) Residential gross density: Only land area zoned and planned for residential use, or natural or cluster open space areas, shall be included in gross density calculations. Natural and cluster open space shall be defined as set forth in Section 18.09.040B, except that cluster open space shall not include land developed under the GC Golf Course Zone. Residential gross density shall comply with the following:

a) Minimum — Twelve RAC;

b) Maximum — Forty-four RAC.

4) Zoning districts: Only the following zoning districts shall be deemed in compliance with the land use plan, except as provided for under Section 18.89.030A6, Major Resort Community; Section 18.89.040B, Plan Policies; or Section 18.90.030H, Specific Plans:

a) CR-3 Single Residence Zone;

b) CR-4 Mixed-Dwelling Type Zone;

c) CR-5 Multiple Residence Zone;

d) TR Transitional Zone;

e) CMH-2 County Manufactured and Mobile Home–2 Zone;

f) MR Major Resort;

g) CB-1 Local Business Zone;

h) CB-2 General Business Zone;

i) CPI Campus Park Industrial Zone.

b. Community Activity Center.

1) Purpose: To designate medium intensity mixed-use areas designated to provide goods and services needed generally on a weekly basis along with compatible medium to high density housing types.

2) Objective: The center provides the range of goods and services necessary to satisfy the weekly shopping and service needs of the surrounding community. The center may include a major supermarket, along with other anchor tenants such as a discount department store, large variety store, or specialty stores such as a hardware/building/home improvement store. The center includes complementary uses, such as high density housing, offices and government services. Public transit provides direct access to these centers as well as connections to regional activity centers. The center has direct access to a major arterial roadway, with pedestrian and bicycle paths providing access from surrounding neighborhoods. Community Activity Centers are generally less than forty acres in size.

3) Residential gross density: Only land area zoned and planned for residential use, or natural or cluster open space areas, shall be included in gross density calculations. Natural and cluster open space shall be defined as set forth in Section 18.09.040B, except that cluster open space shall not include land developed under the GC Golf Course Zone. Residential gross density shall comply with the following:

a) Minimum — (None);

b) Maximum — Twenty-four RAC.

4) Zoning districts: Only the following zoning districts shall be deemed in compliance with the land use plan, except as provided for under Section 18.89.030A6, Major Resort Community; Section 18.89.040B, Plan Policies; or Section 18.90.030H, Specific Plans:

a) CR-2 Single Residence Zone;

b) CR-3 Single Residence Zone;

c) CR-4 Mixed-Dwelling Type Zone;

d) CR-5 Multiple Residence Zone;

e) TR Transitional Zone;

f) CMH-2 County Manufactured and Mobile Home–2 Zone;

g) MR Major Resort Zone;

h) CB-1 Local Business Zone;

i) CB-2 General Business Zone;

j) CPI Campus Park Industrial Zone.

c. Neighborhood Activity Center.

1) Purpose: To designate low intensity mixed-use areas designated to provide convenience goods and services within or near suburban residential neighborhoods for day-to-day living needs.

2) Objective: The center provides commercial services that do not attract vehicle trips from outside the immediate service area. A grocery market may be the principal anchor tenant along with other neighborhood services, such as a drugstore, variety/hardware store, self-service laundry, church, and bank. The center may include a mix of medium density housing types. Neighborhood Activity Centers are generally less than fifteen acres in size.

3) Residential gross density: Only land area zoned and planned for residential use, or natural or cluster open space areas, shall be included in gross density calculations. Natural and cluster open space shall be defined as set forth in Section 18.09.040B, except that cluster open space shall not include land developed under the GC Golf Course Zone. Residential gross density shall comply with the following:

a) Minimum — (None);

b) Maximum — Ten RAC.

4) Zoning districts: Only the following zoning districts shall be deemed in compliance with the land use plan, except as provided for under Section 18.89.030A6, Major Resort Community; Section 18.89.040B, Plan Policies; or Section 18.90.030H, Specific Plans:

a) CR-2 Single Residence Zone;

b) CR-3 Single Residence Zone;

c) CR-4 Mixed-Dwelling Type Zone;

d) CMH-1 County Manufactured and Mobile Home–1 Zone;

e) CMH-2 County Manufactured and Mobile Home–2 Zone;

f) TR Transitional Zone;

g) RVC Rural Village Center Zone;

h) CB-1 Local Business Zone;

i) CB-2 General Business Zone, provided however that the uses in such zone shall be limited to those set forth in Section 18.45.030B through 18.45.030C.

d. Multifunctional Corridor.

1) Purpose: To designate areas for the integrated development of complementary uses along major transportation corridors.

2) Objective: These areas contain commercial and other nonresidential use services and high density residential clusters in a linear configuration along major transportation corridors. Potential adverse impacts of strip commercial development are mitigated through application of special design standards, such as standards for building setbacks, open space, signs, parking and landscaping. Special attention is given in site design to provide an atmosphere that is pleasant to the pedestrian.

3) Residential gross density: Only land area zoned and planned for residential use, or natural or cluster open space areas, shall be included in gross density calculations. Natural and cluster open space shall be defined as set forth in Section 18.09.040B, except that cluster open space shall not include land developed under the GC Golf Course Zone. Residential gross density shall comply with the following:

a) Minimum — (None);

b) Maximum — Forty-four RAC.

4) Zoning districts: Only the following zoning districts shall be deemed in compliance with the land use plan, except as provided for under Section 18.89.030A6, Major Resort Community; Section 18.89.040B, Plan Policies; or Section 18.90.030H, Specific Plans:

a) GC Golf Course Zone;

b) TH Trailer Homesite Zone;

c) CR-3 Single Residence Zone;

d) CR-4 Mixed-Dwelling Type Zone;

e) CR-5 Multiple Residence Zone;

f) TR Transitional Zone;

g) CMH-2 County Manufactured and Mobile Home–2 Zone;

h) MR Major Resort Zone;

i) CB-1 Local Business Zone;

j) CB-2 General Business Zone;

k) CPI Campus Park Industrial Zone.

e. High Intensity Urban.

1) Purpose: To designate areas for a mix of high density housing types and other compatible uses.

2) Objective: These areas have direct access to major transportation corridors and are within walking or bicycling distance from major commercial services and employment centers.

3) Residential gross density: Only land area zoned and planned for residential use, or natural or cluster open space areas, shall be included in gross density calculations. Natural and cluster open space shall be defined as set forth in Section 18.09.040B, except that cluster open space shall not include land developed under the GC Golf Course Zone. Residential gross density shall comply with the following:

a) Minimum — (None);

b) Maximum — Forty-four RAC.

4) Zoning districts: Only the following zoning districts shall be deemed in compliance with the land use plan, except as provided for under Section 18.89.030A6, Major Resort Community; Section 18.89.040B, Plan Policies; or Section 18.90.030H, Specific Plans:

a) GC Golf Course Zone;

b) TH Trailer Homesite Zone;

c) CR-2 Single Residence Zone;

d) CR-3 Single Residence Zone;

e) CR-4 Mixed-Dwelling Type Zone;

f) CR-5 Multiple Residence Zone;

g) TR Transitional Zone;

h) CMH-1 County Manufactured and Mobile Home–1 Zone;

i) CMH-2 County Manufactured and Mobile Home–2 Zone;

j) MR Major Resort Zone;

k) CPI Campus Park Industrial Zone.

f. Medium/High Intensity Urban.

1) Purpose: To designate areas for a mix of medium to high density housing types and other compatible uses.

2) Objective: These areas provide opportunities for a variety of residential housing types, including cluster option developments, single-family attached dwellings, and apartment complexes. Special attention should be given in site design to assure that uses are compatible with adjacent lower density residential uses.

3) Residential gross density: Only land area zoned and planned for residential use, or natural or cluster open space areas, shall be included in gross density calculations. Natural and cluster open space shall be defined as set forth in Section 18.09.040B, except that cluster open space shall not include land developed under the GC Golf Course Zone. Residential gross density shall comply with the following:

a) Minimum — (None);

b) Maximum — Twenty-four RAC.

4) Zoning districts: Only the following zoning districts shall be deemed in compliance with the land use plan, except as provided for under Section 18.89.030A6, Major Resort Community; Section 18.89.040B, Plan Policies; or Section 18.90.030H, Specific Plans:

a) GC Golf Course Zone;

b) CR-1 Single Residence Zone;

c) CR-2 Single Residence Zone;

d) CR-3 Single Residence Zone;

e) CR-4 Mixed-Dwelling Type Zone;

f) CR-5 Multiple Residence Zone;

g) TR Transitional Zone;

h) CMH-1 County Manufactured and Mobile Home–1 Zone;

i) CMH-2 County Manufactured and Mobile Home–2 Zone;

j) MR Major Resort Zone;

k) CPI Campus Park Industrial Zone.

g. Medium Intensity Urban.

1) Purpose: To designate areas for a mix of medium density housing types and other compatible uses.

2) Objective: These areas provide an opportunity for a variety of residential types, including cluster option developments, and single-family attached dwellings. Special attention should be given in site design to assure that uses are compatible with adjacent lower density residential uses.

3) Residential gross density: Only land area zoned and planned for residential use, or natural or cluster open space areas, shall be included in gross density calculations. Natural and cluster open space shall be defined as set forth in Section 18.09.040B, except that cluster open space shall not include land developed under the GC Golf Course Zone. Residential gross density shall comply with the following:

a) Minimum — (None);

b) Maximum — Ten RAC.

4) Zoning districts: Only the following zoning districts shall be deemed in compliance with the land use plan, except as provided for under Section 18.89.030A6, Major Resort Community; Section 18.89.040B, Plan Policies; or Section 18.90.030H, Specific Plans:

a) GC Golf Course Zone;

b) CR-1 Single Residence Zone;

c) CR-2 Single Residence Zone;

d) CR-3 Single Residence Zone;

e) SH Suburban Homestead Zone

f) CR-4 Mixed-Dwelling Type Zone;

g) CR-5 Multiple Residence Zone;

h) CMH-1 County Manufactured and Mobile Home–1 Zone;

i) CMH-2 County Manufactured and Mobile Home–2 Zone;

j) MR Major Resort Zone;

k) TR Transitional Zone.

h. Low Intensity Urban.

1) Purpose: To designate areas for low density residential and other compatible uses; to provide incentives for clustering residential development and providing natural open space; and to provide opportunities for a mix of housing types throughout the region.

2) Residential gross density: Only land area zoned and planned for residential use, or natural or

cluster open space areas, shall be included in gross density calculations. Natural and cluster open space shall be defined as set forth in Section 18.09.040B, except that cluster open space shall not include land developed under the GC Golf Course Zone. Projects utilizing any of the cluster options set forth in this section shall comply with the provisions of Section 18.09.040, Cluster Development Option. Residential gross density shall comply with the following:

a) Low intensity urban 3.0:

(i) Minimum — (None);

(ii) Maximum — 3.0 RAC. The maximum gross density may be increased in accordance with the following cluster option:

(a) Gross density of 4.0 RAC with thirty percent cluster open space.

b) Low intensity urban 1.2:

(i) Minimum — (None);

(ii) Maximum — 1.2 RAC. The maximum gross density may be increased in accordance with the following cluster options:

(a) Gross density of 2.5 RAC with thirty percent cluster open space, plus fifteen percent natural open space, or

(b) Gross density of 4.0 RAC with thirty percent cluster open space, plus thirty percent natural open space.

c) Low intensity urban 0.5:

(i) Minimum — (None);

(ii) Maximum — 0.5 RAC. The maximum gross density may be increased in accordance with the following cluster options:

(a) Gross density of 1.2 RAC with thirty percent cluster open space, plus twenty percent natural open space, or

(b) Gross density of 2.5 RAC with thirty percent cluster open space, plus thirty-five percent natural open space.

d) Low intensity urban 0.3:

(i) Minimum — (None);

(ii) Maximum — 0.3 RAC. The maximum gross density may be increased in accordance with the following cluster options:

(a) Gross density of 0.7 RAC with thirty percent cluster open space, plus twenty percent natural open space, or

(b) Gross density of 1.2 RAC with thirty percent cluster open space, plus forty percent natural open space.

3) Zoning districts:

a) Within low intensity urban 3.0 and low intensity urban 1.2, only the following zoning districts shall be deemed in compliance with the land use plan, except as provided for under Section 18.89.030 A6, Major Resort Community; Section 18.89.040B, Plan Policies; or Section 18.90.030H, Specific Plans:

(i) GC Golf Course Zone;

(ii) SR Suburban Ranch Zone;

(iii) SR-2 Suburban Ranch Estate Zone;

(iv) SH Suburban Homestead Zone;

(v) CR-1 Single Residence Zone;

(vi) CR-2 Single Residence Zone;

(vii) CR-3 Single Residence Zone;

(viii) CR-4 Mixed-Dwelling Type Zone;

(ix) CR-5 Multiple Residence Zone;

(x) CMH-1 County Manufactured and Mobile Home–1 Zone;

(xi) MR Major Resort Zone.

b) Within low intensity urban 0.5 and low intensity urban 0.3, only the following zoning districts shall be deemed in compliance with the land use plan, except as provided for under Section 18.89.030 A6, Major Resort Community; Section 18.89.040B, Plan Policies; or Section 18.90.030H, Specific Plans:

(i) GC Golf Course Zone;

(ii) SR Suburban Ranch Zone;

(iii) SR-2 Suburban Ranch Estate Zone;

(iv) SH Suburban Homestead Zone;

(v) CR-1 Single Residence Zone;

(vi) CR-2 Single Residence Zone;

(vii) CR-3 Single Residence Zone;

(viii) MR Major Resort Zone.

4) Open space standards for MR Major Resort Zone: In low intensity urban 1.2, 0.5, and 0.3, the following minimum open space requirements shall apply within areas rezoned MR Major Resort Zone. Open space for purposes of these requirements shall

be natural open space as defined in Section 18.09.040 B6.

a) Low intensity urban 1.2 — Fifteen percent.

b) Low intensity urban 0.5 — Twenty percent.

c) Low intensity urban 0.3 — Thirty percent.

4. The following land use categories shall be applied to designate rural development intensities on the land use plan.

a. Rural Activity Center.

1) Purpose: To designate mixed-use areas where convenience goods and personal services are provided to rural residents on a daily or weekly basis.

2) Objective: The intent is to minimize vehicle travel between rural settlements and suburban areas. Residential densities slightly higher than the surrounding rural neighborhoods are permitted to provide opportunities for special housing needs, i.e., elderly, single households, low income. The center is not intended to attract vehicle trips from outside the immediate rural service area. A grocery market may be the principal anchor tenant, along with other uses such as a drugstore, variety/hardware store, self-service laundry, church, and bank. The site area requires generally less than twenty acres.

3) Residential gross density: Only land area zoned and planned for residential use, or natural or cluster open space areas, shall be included in gross density calculations. Natural and cluster open space shall be defined as set forth in Section 18.09.040B, except that cluster open space shall not include land developed under the GC Golf Course Zone. Residential gross density shall comply with the following:

a) Minimum — 1.3 RAC;

b) Maximum — Ten RAC.

4) Zoning districts: Only the following zoning districts shall be deemed in compliance with the land use plan, except as provided for under Section 18.89.030A6, Major Resort Community; Section 18.89.040B, Plan Policies; or Section 18.90.030H, Specific Plans:

a) GR-1 Rural Residential Zone;

b) SH Suburban Homestead Zone;

c) CR-2 Single Residence Zone;

d) CR-3 Single Residence Zone;

e) CR-4 Mixed-Dwelling Type Zone;

f) CMH-1 County Manufactured and Mobile Home–1 Zone;

g) RVC Rural Village Center Zone;

h) CB-1 Local Business Zone;

i) CB-2 General Business Zone.

b. Rural Crossroads.

1) Purpose: To designate areas at major rural roadway intersections for the provision of limited commercial services to travelers and rural residents.

2) Zoning districts: Only the following zoning districts shall be deemed in compliance with the land use plan, except as provided for under Section 18.89.030A6, Major Resort Community; Section 18.89.040B, Plan Policies; or Section 18.90.030H, Specific Plans:

a) CB-1 Local Business Zone;

b) CB-2 General Business Zone.

c. Rural Forest Village.

1) Purpose: To designate rural villages within confines of the Coronado National Forest.

2) Residential gross density: Only land area zoned and planned for residential use, or natural or cluster open space areas, shall be included in gross density calculations. Natural and cluster open space shall be defined as set forth in Section 18.09.040B, except that cluster open space shall not include land developed under the GC Golf Course Zone. Residential gross density shall comply with the following:

a) Minimum — (None);

b) Maximum — 1.3 RAC.

3) Zoning districts: Only the ML Mount Lemmon Zone shall be deemed in compliance with the land use plan.

d. Medium Intensity Rural.

1) Purpose: To designate areas for residential uses at densities consistent with rural settlements in close proximity to Rural Activity Centers.

2) Residential gross density: Only land area zoned and planned for residential use, or natural or cluster open space areas, shall be included in gross density calculations. Natural and cluster open space shall be defined as set forth in Section 18.09.040B, except that cluster open space shall not include land

developed under the GC Golf Course Zone. Residential gross density shall comply with the following:

a) Minimum — (None);

b) Maximum — 1.3 RAC.

3) Zoning districts: Only the following zoning districts shall be deemed in compliance with the land use plan, except as provided for under Section 18.89.030A6, Major Resort Community; Section 18.89.040B, Plan Policies; or Section 18.90.030H, Specific Plans:

a) RH Rural Homestead Zone;

b) GR-1 Rural Residential Zone;

c) SR Suburban Ranch Zone;

d) MR Major Resort Zone.

4) Open space standard for MR Major Resort Zone: In medium intensity rural a minimum of twenty percent natural open space shall be required within areas rezoned MR Major Resort Zone. Open space for purposes of this requirement shall be natural open space as defined in Section 18.09.040B6.

e. Low Intensity Rural.

1) Purpose: To designate areas for residential uses at densities consistent with rural and resource-based characteristics.

2) Residential gross density: Only land area zoned and planned for residential use, or natural or cluster open space areas, shall be included in gross density calculations. Natural and cluster open space shall be defined as set forth in Section 18.09.040B, except that cluster open space shall not include land developed under the GC Golf Course Zone. Residential gross density shall comply with the following:

a) Minimum — (None);

b) Maximum — 0.3 RAC.

3) Zoning districts: Only the following zoning districts shall be deemed in compliance with the land use plan, except as provided for under Section 18.89.030A6, Major Resort Community; Section 18.89.040B, Plan Policies; or Section 18.90.030H, Specific Plans:

a) RH Rural Homestead Zone;

b) SR Suburban Ranch Zone;

c) GR-1 Rural Residential Zone;

d) SR-2 Suburban Ranch Estate Zone;

e) MR Major Resort Zone.

4) Open space standard for MR Major Resort Zone: In low intensity rural a minimum of thirty percent natural open space shall be required within areas rezoned MR Major Resort Zone. Open space for purposes of this requirement shall be natural open space as defined in Section 18.09.040B6.

f. Resource Transition.

1) Purpose: To preserve open space characteristics of development sensitive lands in the vicinity of public resource management units; to promote development that blends with the natural landscape; to extend visually the public land boundaries; and to protect wildlife habitat.

2) Residential gross density: Only land area zoned and planned for residential use, or natural or cluster open space areas, shall be included in gross density calculations. Natural and cluster open space shall be defined as set forth in Section 18.09.040B, except that cluster open space shall not include land developed under the GC Golf Course Zone. Residential gross density shall comply with the following:

a) Minimum — (None);

b) Maximum — 0.3 RAC.

3) Zoning districts: Only the following zoning districts shall be deemed in compliance with the land use plan, except as provided for under Section 18.89.030A6, Major Resort Community; Section 18.89.040B, Plan Policies; or Section 18.90.030H, Specific Plans:

a) RH Rural Homestead Zone;

b) SR Suburban Ranch Zone;

c) MR Major Resort Zone.

4) Open space standard for MR Major Resort Zone: In resource transition a minimum of thirty percent natural open space shall be required within areas rezoned MR Major Resort Zone. Open space for purposes of this requirement shall be natural open space as defined in Section 18.09.040B6.

g. Development Reserve.

1) Purpose: To designate areas for potential urban land use based on considerations regarding the provision of public services and infrastructure. As part of the first comprehensive plan update immedi-

ately following adoption, a specific procedure shall be prescribed in the Pima County Zoning Code for removing properties from the development reserve classification.

2) Residential gross density: Only land area zoned and planned for residential use, or natural or cluster open space areas, shall be included in gross density calculations. Natural and cluster open space shall be defined as set forth in Section 18.09.040B, except that cluster open space shall not include land developed under the GC Golf Course Zone. Residential gross density shall comply with the following:

a) Minimum — (None);

b) Maximum — 0.3 RAC.

3) Zoning districts: Only the following zoning districts shall be deemed in compliance with the land use plan, except as provided for under Section 18.89.030A6, Major Resort Community; Section 18.89.040B, Plan Policies; or Section 18.90.030H, Specific Plans:

a) RH Rural Homestead Zone;

b) SR Suburban Ranch Zone.

5. The following land use categories shall be applied to designate urban and rural development intensities on the land use plan.

a. Urban Industrial.

1) Purpose: To designate adequate area for industrial uses that, if properly located and regulated, are compatible with certain types of commercial activities, but generally incompatible with residential uses.

2) Zoning districts: Only the following zoning districts shall be deemed in compliance with the land use plan, except as provided for under Section 18.89.030A6, Major Resort Community; Section 18.89.040B, Plan Policies; or Section 18.90.030H, Specific Plans:

a) CB-1 Local Business Zone;

b) CB-2 General Business Zone;

c) CPI Campus Park Industrial Zone;

d) CI-1 Light Industrial/Warehousing Zone;

e) CI-2 General Industrial Zone.

b. Heavy Industrial.

1) Purpose: To designate adequate area for industrial uses that are incompatible with nonindustrial uses.

2) Zoning districts: Only the following zoning districts shall be deemed in compliance with the land use plan, except as provided for under Section 18.89.030A6, Major Resort Community; Section 18.89.040B, Plan Policies; or Section 18.90.030H, Specific Plans:

a) CI-1 Light Industrial/Warehousing Zone;

b) CI-2 General Industrial Zone;

c) CI-3 Heavy Industrial Zone;

d) CPI Campus Park Industrial Zone.

c. Resource Conservation.

1) Purpose: To recognize and protect existing, and provide for future, public open space land necessary to achieve policy objectives regarding environmental quality, public safety, open space and recreation and cultural heritage and to promote an interconnected, regional open space network, including parks, trails, desert belts, natural washes, floodplains, and other open space areas.

2) Objective: Implementation options include acquisition, easements, dedications, and cluster development options.

3) Residential gross density: Only land area zoned and planned for residential use, or natural or cluster open space areas, shall be included in gross density calculations. Natural and cluster open space shall be defined as set forth in Section 18.09.040B, except that cluster open space shall not include land developed under the GC Golf Course Zone. Residential gross density shall comply with the following:

a) Minimum — (None);

b) Maximum — 0.3 RAC.

4) Zoning districts: Only the following zoning districts shall be deemed in compliance with the land use plan, except as provided for under Section 18.89.030A6, Major Resort Community; Section 18.89.040B, Plan Policies; or Section 18.90.030H, Specific Plans:

a) IR Institutional Reserve Zone;

b) RH Rural Homestead Zone;

c) SR Suburban Ranch Zone.

d. Resource Productive.

1) Purpose: To designate cultivated, ranching and mining lands for their productive capabilities and to protect these areas from encroachment by incompatible uses.

2) Residential gross density: Only land area zoned and planned for residential use, or natural or cluster open space areas, shall be included in gross density calculations. Natural and cluster open space shall be defined as set forth in Section 18.09.040B, except that cluster open space shall not include land developed under the GC Golf Course Zone. Residential gross density shall comply with the following:

a) Minimum — (None);

b) Maximum — 0.3 RAC.

3) Zoning districts: Only the following zoning districts shall be deemed in compliance with the land use plan, except as provided for under Section 18.89.030A6, Major Resort Community; Section 18.89.040B, Plan Policies; or Section 18.90.030H, Specific Plans:

a) RH Rural Homestead Zone;

b) SR Suburban Ranch Zone.

6. Major Resort Community: Notwithstanding the provisions of Sections 18.89.030A3, A4 or A5, the following zoning districts shall be deemed in compliance with the land use plan provided such projects comply with the residential gross density, zoning district, and special development standards set forth herein.

a. Purpose: To promote the development of major resort development as an integrated, planned community and in a manner compatible with existing neighborhoods, physical site constraints, and sensitive environments.

b. Residential gross density: Only land area zoned and planned for residential use, or natural or cluster open space areas, shall be included in gross density calculations. Natural and cluster open space shall be defined as set forth in Section 18.09.040B, except that cluster open space shall not include land developed under the GC Golf Course Zone. Gross residential densities shall not exceed that specified for each land use intensity category in which the project is located.

c. Zoning districts: Only the following zoning districts shall be deemed in compliance with the land use plan, except as provided for under Section 18.89.040B, Plan Policies, or Section 18.90.030H, Specific Plans:

1) GC Golf Course Zone;

2) CR-1 Single Residence Zone;

3) CR-2 Single Residence Zone;

4) CR-3 Single Residence Zone;

5) CR-4 Mixed-Dwelling Type Zone;

6) CR-5 Multiple Residence Zone;

7) TR Transitional Zone;

8) MR Major Resort Zone;

9) CPI Campus Park Industrial Zone;

10) CB-1 Local Business Zone.

d. Special development standards:

1) A minimum of ten percent of the total project area shall be developed in accordance with the MR Major Resort Zone.

2) Notwithstanding the provisions of Section 18.67.030, the project shall be subject to and action taken in accordance with Chapter 18.67, Buffer Overlay Zone.

3) The developer shall demonstrate that the occupants of the project will create a need for the planned commercial uses proposed as part of the project and, in any case, the combined area of CB-1 Local Business Zone shall not exceed 6.0 percent of the total project area.

4) The combined area of CPI Campus Park Industrial Zone and TR Transitional Zone shall not exceed 15.0 percent of the total project area and CPI Campus Park Industrial Zone shall not be permitted, under the provisions set forth herein, in the Tucson Mountains North special area 5-01.

5) Areas classified Resource Conservation on the land use plan shall remain in their predevelopment state.

6) The provisions of this section shall not apply in areas classified Low Intensity Rural or Medium Intensity Rural on the land use plan.

7) The entire land area within a project for which the provisions contained in this section are applied shall be part of a single rezoning request.

8) Notwithstanding the provisions of paragraph c, above, CPI Campus Park Industrial Zone, TR Transitional Zone, and CB-1 Local Business Zone shall not be permitted in areas classified resource transition on the land use plan.

9) The following minimum open space requirements shall apply in areas classified Low Intensity Urban 1.2, Low Intensity Urban 0.5, Low Intensity Urban 0.3, and Resource Transition. Open space for purposes of these requirements shall be natural open space as defined in Section 18.09.040B6. Requirements are set forth as percentages of the total project site.

a) Low intensity urban 1.2 — Fifteen percent;
b) Low intensity urban 0.5 — Twenty percent;
c) Low intensity urban 0.3 — Thirty percent;
d) Resource transition — Thirty percent.

B. Plan Elements.

1. The comprehensive plan may include the following plan elements as described in the conceptual land use element:

a. Growth management;
b. Economy;
c. Future land uses;
d. Urban design;
e. Housing;
f. Neighborhoods;
g. Public services;
h. Transportation;
i. Public safety;
j. Environmental quality;
k. Open space;
l. Cultural heritage. (Ord. 1994-147 § 10, 1994; Ord. 1994-11 § 1 (part), 1994: Ord. 1992-96 § 1 (part), 1992: Ord. 1985-141 § 1 (part), 1985)

18.89.040 Land use plan documents, policies and special areas.

A. Documents. The land use plan shall, at a minimum, consist of a map with written plan policies and may include designated "special areas."

B. Plan Policies.

1. Plans may include written development, design or procedural policies more restrictive than this code for the entire planning area (regional plan polices), or subareas within the planning area ("special area" plan polices).

2. Adopted plan policies may recommend that further public hearings be held concerning land within the planning area conditionally rezoned for uses that are in conflict with plan policies or land use recommendations.

3. Adopted plan policies shall apply to properties being rezoned.

4. Adopted plan polices may, within special areas only:

a. Establish zoning districts other than those set forth in Section 18.89.030A3, that may, in accordance with Sections 18.90.030 and 18.91.040, be deemed in compliance with the land use plan;

b. Eliminate or restrict zoning districts that would otherwise be deemed in compliance with the land use plan in accordance with Section 18.89.030A3.

C. Special Areas.

1. One or more "special areas" may be designated on the land use plan.

2. The characteristics or qualities that make a special area unique shall be described in the text of land use plans. (Ord. 1994-11 § 1 (part), 1994: Ord. 1992-96 § 1 (part), 1992: Ord. 1985-141 § 1 (part), 1985)

18.89.050 Plan amendment and update schedule.

A. Land Use Plan Amendment.

1. Procedure:

a. Complete applications for amendments to the land use plan shall be accepted for processing by the department annually and only during the three-month period commencing on the first regular working day of February and ending on the last regular working day of April.

b. All applications accepted for processing shall be reviewed together to identify cumulative impacts. Final action by the board shall be taken on all applications accepted for processing as soon as practica-

ble, depending on the number and nature of applications accepted, but by no later than the last regular working day of February of the following year.

c. Amendments to land use plans requested by individuals, the department, commission or supervisors shall be subject to the provisions of paragraphs a and b above, except as provided for in paragraph d below. Individuals requesting an amendment shall submit proof of ownership of the property subject to the amendment or other legal document conveying right to represent owner.

d. The board may initiate the land use plan amendment process immediately provided, at a public hearing noticed in accordance with Section 18.89.050A4c, the board makes the following findings based on substantial evidence in the record:

1) The applicant has demonstrated that waiting for the normal amendment period would deny substantial and significant benefits to the greater community in terms of:

a) New jobs,

b) Expanded tax base, or

c) Enhanced opportunity for disadvantaged populations; or

2) The applicant has demonstrated that waiting for the normal amendment period would place the community at greater health or safety risks in the form of:

a) Inadequate waste treatment facilities,

b) Inadequate or unsafe transportation improvements,

c) Hazardous environmental conditions, or

d) Insufficient community or governmental services facilities;

3) An application that would revise the FEMA one-hundred-year floodplain designation as it affects the subject property has been submitted to, and accepted by, the Pima County department of transportation and flood control district.

2. Content of complete application: Complete applications submitted by private individuals shall include, at a minimum:

a. A legal description of the property for which the amendment is being requested;

b. A list, by name and title, of all ownership interest in the property (e.g., individual, corporation, trust, or limited partnership);

c. A letter of authorization for an agent, if any;

d. A precise plan showing the area of proposed land use intensity change;

e. Applicable fee for comprehensive plan amendment, in accordance with adopted fee schedule;

f. Any other requirement set forth in written departmental policies.

3. Incomplete applications: Applications not including the information required for a complete application shall not be accepted for processing. Determinations as to whether or not an application is complete may be appealed to the commission, provided such an appeal is requested in writing within ten working days from the date of determination.

4. Review and Comment.

a. Planning and zoning commission preliminary reviews:

1) The commission shall determine the merits of each amendment request at a preliminary hearing;

2) The commission may set the amendment for public hearing, remand the amendment to the department for further development or evaluation, deny the request, or continue the hearing for a definite time not to exceed nine months;

3) Public notice for the preliminary review shall be given by publication once in a newspaper of general circulation in the county seat.

b. Commission public hearing:

1) For amendment requests determined at preliminary review to require a public hearing, at least one public hearing shall be held by the commission to consider and take testimony on the amendment request.

2) Notice.

a) Land Use Intensity Category Amendment. A minimum of fifteen days prior to the hearing, the department shall provide notice by publication in a newspaper of general circulation in the county seat, and mailing first class notice to property owners

within the area proposed to be amended (amendment area) and within three hundred feet of the proposed amendment area. At the preliminary review the commission may expand the notification area to greater than three hundred feet.

b) Regional Policy, Special Area Policy and Other Plan Text Amendments. A minimum of fifteen days prior to the hearing, the department shall provide notice by one-eighth of a page display advertisement in a newspaper of general circulation in the county seat. The commission or board of supervisors may expand notification by mailing first class notice to property owners in the areas affected by the amendment.

3) If, during the public hearing, changes to land use plans are requested that have not been evaluated by the department, the commission shall identify those having merit for further consideration and take action at a subsequent public hearing.

4) The commission may continue the public hearing for a definite time not to exceed nine months.

5) After the public hearing, the department shall transmit the findings and recommendations of the commission to the board.

6) The department may transmit alternative recommendations to the board. If the department transmits alternative recommendations to the board, the commission shall be notified and provided copies of such recommendations.

7) Findings and recommendations of the commission to the board shall be by resolution, and shall require the affirmative votes of a majority of the members present.

c. Board of supervisors public hearing:

1) At least one public hearing shall be held to consider and take testimony on the amendment request.

2) Notice.

a) Land Use Intensity Category Amendment. A minimum of fifteen days prior to the hearing, the department shall provide notice by publication in a newspaper of general circulation in the county seat, and mailing first class notice to property owners within the area proposed to be amended (amendment area) and within three hundred feet of the proposed amendment area. At the preliminary review the commission may expand the notification area to greater than three hundred feet.

b) Regional Policy, Special Area Policy and Other Plan Text Amendments. A minimum of fifteen days prior to the hearing, the department shall provide notice by one-eighth of a page display advertisement in a newspaper of general circulation in the county seat. The commission or board of supervisors may expand notification by mailing first class notice to property owners in the areas affected by the amendment.

3) The supervisors may continue the hearing for a definite time not to exceed nine months.

4) If during the public hearing, amendments to land use plans are requested that have not been evaluated by the department, the board shall identify those having merit for further consideration and take action at a subsequent public hearing.

5) Board action and subsequent referral to the commission: The board shall consider amendments and any objections thereto, and may substantially change or alter the proposed amendments, after first referring the changed or altered portion back to the commission for its recommendation. The recommendation of the commission regarding the changed or altered portion may be accepted or rejected by the board at a subsequent public hearing advertised in accordance with Section 18.89.050A above.

B. Plan Update.

1. Schedule: In every other odd numbered year, beginning in 1997, the comprehensive plan shall be updated. The department shall develop a program to update the comprehensive plan.

2. Program content: At a minimum, the update shall include the following elements:

a. Amendments to plan elements necessary to include new information and data describing current conditions and trends;

b. An evaluation of the success of plan element action plans and, where necessary, recommended amendments to action plans or adoption of new action plans;

c. Amendments to land use plans necessary to accurately reflect base map conditions and maintain consistency with official county policy objectives, including accurate FEMA one-hundred-year flood-plain information.

3. Public review:

a. Public comment shall be actively sought by the department during the planning process;

b. Noticed public hearings shall be conducted in accordance with the provisions for commission and board review, as set forth in Section 18.89.060C, Review and public notice procedures. (Ord. 1994-148, 1994; Ord. 1994-11 § 1 (part), 1994: Ord. 1992-96 § 1 (part), 1992: Ord. 1985-141 § 1 (part), 1985)

18.89.060 Plan development, review and public notice procedures.

A. Land Use Plan Development.

1. Planning inventory:

a. The initial phase of land use plan development or review shall be a survey and study of present and anticipated conditions in the planning area, which shall be a major factor in determining preferred intensities of development, locations of special areas, and other plan components, as may be required in Section 18.89.030;

b. Items to be included in the inventory are determined by the department.

2. Alternative land use plans:

a. The department may develop alternative land use plans during the process of developing land use plans.

b. Alternative land use plans shall be consistent with adopted plan policies.

3. Impact assessment:

a. An impact assessment shall be prepared by the department to compare the potential impacts of alternative land use plans.

b. Methodology for determining levels of potential impact shall be in accordance with impact evaluation criteria established by the department.

4. Preferred land use plan: A preferred land use plan shall be developed by the department.

5. Public review:

a. Public comment shall be actively sought by the department during the planning process;

b. The department shall, at a minimum:

1) Hold one public meeting to discuss the land use plan, and receive public comment at least two weeks prior to preliminary hearing by the planning and zoning commission,

2) Make available to the public a final draft of the land use plan, including all proposed land use intensity designations, plan policies, and special areas at least fifteen days prior to public hearing by the commission.

B. Plan Elements Development.

1. Planning inventory: The initial phase of plan element development or review shall be a survey and study of present conditions and trends. Plan element review shall include a survey on progress made toward achieving specific action plans.

2. Alternative implementation strategies shall be identified and described to achieve policy objectives.

3. An impact assessment shall be prepared to identify impacts of alternative implementation strategies on policy objectives.

4. Action plan:

a. The action plan, based on the implementation strategies included in the impact assessment, shall be developed to achieve policy objectives.

b. The rationale and justification for recommending specific action plans shall be documented.

c. The action plan shall include an implementation schedule and cost estimates for recommended program actions.

5. Public review:

a. Public comment shall be actively sought by the department during the planning process.

b. The department shall, at a minimum:

1) Hold one public meeting to discuss the plan element(s) and action plan(s), and receive public comment at least two weeks prior to preliminary hearing by the planning and zoning commission;

2) Make available to the public a final draft of the plan element(s) and action plan(s) at least fifteen days prior to public hearing by the commission.

C. Review and Public Notice Procedures. For adoption of the comprehensive plan or for plan updates, pursuant to Section 18.89.050B, the following shall occur:

1. Planning and Zoning Commission Review.

a. Commission preliminary review:

1) The commission shall determine the merits of the comprehensive plan, or plan update at preliminary hearing;

2) The commission may set the plan, or plan update, for public hearing, remand the plan, or plan update, to the department for further development or evaluation, or continue the hearing for a definite time not to exceed nine months;

3) Public notice for the preliminary review shall be given by publication once in a newspaper of general circulation in the county seat.

b. Commission public hearing:

1) Land use plan:

a) At least one public hearing shall be held to consider and take testimony on the land use plan, or plan update.

b) A minimum of fifteen days prior to the hearing, the department shall provide notice by publication of a display ad in a newspaper of general circulation which states the plan development or update program, including a summary of proposed changes to the land use plan.

c) If, during the public hearing, changes to land use plans are requested that have not been evaluated by the department, the commission shall identify those having merit for further consideration and take action at a subsequent public hearing.

d) The commission may continue the public hearing for a definite time not to exceed nine months.

e) After the public hearing, the department shall transmit the findings and recommendations of the commission to the board.

f) The department may transmit alternative recommendations to the board. If the department transmits alternative recommendations to the board, the commission shall be notified and provided copies of such recommendations.

g) Findings and recommendations of the commission to the board shall be by resolution, and shall require the affirmative votes of a majority of the members present.

2) Plan elements:

a) At least one public hearing shall be held to consider and take testimony on plan elements, or amendments thereto.

b) A minimum of fifteen days prior to the hearing, the department shall provide notice by publication of a "display ad" in a newspaper of general circulation in the county seat.

c) If, during the public hearing, changes to plan elements are requested that have not been evaluated by the department, the commission shall identify those having merit for further consideration and take action at a subsequent public hearing.

d) The commission may continue the public hearing for a definite time not to exceed nine months.

e) After the public hearing, the department shall transmit the findings and recommendations of the commission to the board.

f) The department may transmit alternative recommendations to the board. If the department transmits alternative recommendations to the board, the commission shall be notified and provided copies of such recommendations.

g) Findings and recommendations of the commission to the board shall be by resolution, and shall require the affirmative votes of a majority of the members present.

2. Board of Supervisors Review.

a. Board public hearing:

1) At least one public hearing shall be held to consider and take testimony on the plan, or updates thereto.

2) A minimum of fifteen days prior to the hearing, the department shall provide notice by publication in a newspaper of general circulation of a display ad which states the plan development or update program, including a summary of proposed changes to the land use plan and specific plan elements and action plans to be developed or updated.

3) The supervisors may continue the hearing for a definite time not to exceed nine months.

4) If, during the public hearing, changes to the land use plan or plan elements are requested that have not been evaluated by the department, the board shall identify those having merit for further consideration and take action at a subsequent public hearing.

b. Board action and subsequent referral to the commission: The board shall consider protests and objections to the plan, or plan update, and may substantially change or alter any portion of the plan, or amendment thereto, after first referring the changed or altered portion back to the commission for its recommendation. The recommendation of the commission regrading the changed or altered portion may be accepted or rejected by the board at a subsequent public hearing advertised in accordance with Section 18.89.060C2a.

3. The board may adopt the comprehensive plan as a whole, or by successive actions adopt separate

parts of the plan. (Ord. 1994-11 § 1 (part), 1994: Ord. 1992-96 § 1 (part), 1992: Ord. 1986-201 § 1, 1986; Ord. 1985-141 § 1 (part), 1985)

18.89.070 Minor revisions to plan.

A. The comprehensive plan may be amended by the department without hearing, but with notice to the commission, when minor revisions are required due to scrivener's error, annexation, ownership transfers of government land (e.g., federal to state), or minor revisions to resource conservation designations consistent with accurate FEMA one-hundred-year floodplain information.

B. The comprehensive plan may be amended at any time by action of the commission and board at public hearings to remedy planning oversights, errors, and incorrect land use designations. A determination of an oversight, error, or incorrect land use designation shall be made by the planning official, based on criteria that follow. If the planning official determines that an error exists, such findings shall be forwarded to the commission for public hearing.

1. For a property to qualify under this section, it must be demonstrated that the subject property was designated in error during the plan development, amendment or update process and that the change in land use designation is not based on altered property or market conditions subsequent to plan adoption. General criteria to support this administrative procedure may include the following:

a) The subject property is designated at a lower intensity than its existing land use or existing hard zoning and such designation is not founded on public recommendations or planning practice documented at the time of designation;

b) The plan designation creates an isolated lower intensity residential island, surrounded or nearly surrounded by property of higher residential intensity;

c) The plan designation does not adequately reflect existing or planned land uses along or at the intersections of major arterials, thereby creating land use conflicts between low intensity and adjacent commercial uses. In such a case the planning official will determine if the low intensity designation was justified to avoid or mitigate the effects of commercial strips.

2. This administrative procedure shall not apply to properties in excess of twenty acres in size, if planned for residential uses, or ten acres in size if planned for nonresidential uses. Amendment requests for such properties that may otherwise justify a change of designation based on planning oversight in accordance with this section must be processed during the annual plan amendment program, in order to provide sufficient public notice and opportunities for public review.

3. A minimum of fifteen days prior to the scheduled commission and board hearings, the department shall provide notice by first class mail to property owners within the proposed amendment area and within three hundred feet of the proposed amendment area.

C. Except as provided for in this section, all changes and amendments to the comprehensive plan shall be processed in accordance with Sections 18.89.050 and 18.89.060. (Ord. 1994-11 § 1 (part), 1994: Ord. 1992-96 § 1 (part), 1992: Ord. 1987-64 § 1 (part), 1987; Ord. 1985-141 § 1 (part), 1985)

Chapter 18.90

SPECIFIC PLANS

Sections:

18.90.010	**Purpose.**
18.90.020	**Definitions.**
18.90.030	**Application.**
18.90.040	**Plan initiation.**
18.90.050	**Specific plan requirements.**
18.90.060	**Planning and zoning commission review.**
18.90.070	**Board of supervisors review.**
18.90.080	**Ordinance adoption and amendment procedures.**
18.90.090	**Plan implementation requirements and procedures.**

18.90.010 Purpose.

A. Purpose: The purpose of this chapter is to implement A.R.S. Section 11-825 by establishing uniform criteria and procedures for the review, adoption and implementation of specific plans within the unincorporated area of Pima County, in order to:

1. Provide a bridge between the county's comprehensive plan and individual development projects;

2. Establish, in an atmosphere of mutual consent, versatile, orderly, cost effective and environmentally sound land development regulations for designated areas;

3. Be used as the preferred planning tool for the development of land within the buffer overlay zone, Chapter 18.67. (Ord. 1988-116 § 5, 1988; Ord. 1987-64 § 1 (part), 1987)

18.90.020 Definitions.

A. Definitions: For purposes of this chapter only, the following terms shall mean:

1. Master assurances: A commitment in the form prescribed by Section 18.69.070 (Subdivision Standards) guaranteeing the construction and installation of:

a. On-site improvements that will service the blocks as shown on a master block recording; and

b. Mandated off-site improvements that will also service the greater community.

2. Specific plan district: The area proposed or adopted for specific plan zoning.

3. Standard assurances: A commitment in the form prescribed by Section 18.69.070 (Subdivision Standards) guaranteeing the construction and installation of all subdivision improvements. (Ord. 1987-64 § 1 (part), 1987)

18.90.030 Application.

A. Staff consultation: The applicant shall consult with the planning and development services department prior to application in order to review procedures and possible plan requirements.

B. Applicant: A specific plan shall be requested by filing a specific plan application with the planning department and shall be made only by:

1. The property owner(s) of the subject property; or

2. An agent for the property owner(s); or

3. Pima County, upon initiation by the planning and zoning commission.

C. Restrictions on application:

1. Consent: The written consent of one hundred percent of property owners of record within the proposed specific plan district shall be required at the time of application submittal. If proper ownership of a parcel is in question, the applicant shall be responsible for furnishing written proof of the indicated ownership and authorization for signature.

2. Area: The specific plan district shall be a minimum of forty acres, exclusive of natural open space. For the Mount Lemmon Community Plan area, there shall be no minimum district size. A specific plan shall comply with the acreage requirements of an applicable county land use plan which establishes specific plan acreage.

3. Configuration: The proposed specific plan district shall not create an area that is not within the plan but is surrounded by the plan boundary.

D. Submittals:

1. All specific plan applications shall include, at a minimum:

a. A completed and signed application form;

b. A legal description of the property;

c. A precise map showing the proposed specific plan district;

d. The written consent of all property owners within the specific plan district and a list, by name and title, of all ownership interest (e.g., individual, corporate, trust or limited partnership) in the property, in accordance with A.R.S. Section 33-506;

e. The letter of authorization for an agent;

f. A statement of findings (refer to Section 18.90.030E).

2. Specific plan public hearing fees are required at the time of application and are payable to the county treasurer in accordance with the fees schedule adopted by county ordinance.

3. Submittals shall be prepared in a format consistent with departmental policy. Incomplete applications shall not be processed.

4. Hearing notification maps shall be prepared only by the planning division.

E. Specific plan compliance with comprehensive plan:

1. The director of planning and development services shall determine if a specific plan application complies with the comprehensive plan.

2. If the zoning classifications proposed in the specific plan are consistent with Section 18.89.030A with regard to each land use intensity category and the gross density limitation for the land use category in which the subject property is located, the specific plan application shall be determined to be in compliance with the comprehensive plan.

3. A determination as to whether or not a specific plan is in compliance with the comprehensive plan may be appealed to the commission, provided such an appeal is requested in writing within thirty working days from the date of the determination.

4. Specific plans determined to not be in compliance with the comprehensive plan shall not be set for a public hearing until the applicant has submitted, and the board has taken final action on, an application to amend the comprehensive plan land use plan, in accordance with Section 18.89.050. Upon the board having taken final action on the application to amend the comprehensive plan and upon request by the applicant, the specific plan shall be set for a public hearing in accordance with Section 18.90.040C.

a. If the plan amendment is approved by the board and it is subsequently determined, in accordance with this section, that the specific plan complies with the comprehensive plan, then final action on the specific plan shall be taken in accordance with Chapter 18.90.

b. If the plan amendment is denied by the board or it is subsequently determined, in accordance with this section, that the specific plan does not comply with the comprehensive plan, the specific plan shall be set for public hearing, provided the applicant makes such a request within thirty working days from the date of the plan amendment denial or the subsequent determination. The applicant shall submit substantial evidence and demonstrate that:

1) Due to unique circumstances, approval of the specific plan is necessary to allow a reasonable use of the subject property; or

2) Approval of the specific plan is necessary to comply with an order of a court having proper jurisdiction; or

3) Approval of the specific plan is necessary to avoid a significant adverse impact on the health, safety and welfare of the general public or of individuals living or working on property adjacent to, or in the vicinity of, the specific plan.

5. The planning director shall notify the applicant of the determination regarding compliance with the comprehensive plan within twenty working days of submittal of a complete application.

F. Staff review coordination: The county planning and development services department shall coordinate the comments and requirements of applicable county departments and other agencies. (Ord. 1994-114 § 5 (part), 1994; Ord. 1994-11 § 2 (part), 1994; Ord. 1992-96 § 1 (part), 1992; Ord. 1987-64 § 1 (part), 1987)

18.90.040 Plan initiation.

A. Specific plan requests are deemed to be initiated upon complete application.

B. Limitations on Application. An applicant shall have nine months from the date of submittal of an application to request a public hearing on the application. If a request is not submitted, the application shall be closed due to a lack of further action. Incomplete applications shall be closed three months after the date of submittal. (Ord. 1994-114 § 5 (part), 1994: Ord. 1992-96 § 1 (part), 1992; Ord. 1987-64 § 1 (part), 1987)

18.90.050 Specific plan requirements.

A. Site analysis requirements:

1. A site analysis in accordance with adopted county policy is required, except that the specific plan map (refer to Section 18.90.050B1) shall be substituted for the preliminary development plan.

2. The site analysis shall become part of the adopted specific plan regulations.

B. Specific plan requirements:

1. Map elements:

a. Identification of primary land uses in accordance with the preliminary development plan requirements (refer to Section 18.91.030E);

b. Adjacent lots and structures within one hundred fifty feet of the plan boundary;

c. Open space, recreational facilities, parks, trails;

d. Public, educational, and religious facilities;

e. Drainage plan;

f. Areas affected by the hillside development overlay zone (Chapter 18.61) or other overlay zones;

g. Name, location and extent of existing or proposed major and collector streets located within the planning area or needed for servicing the project;

h. Location and extent of existing or proposed provisions for sewage disposal, effluent use, storm water drainage, solid waste disposal and public utilities.

2. Text elements:

a. The detailed regulations and programs for the systematic implementation of the specific plan, including plan amendment procedures and regulations and density transfer limitations (refer to Section 18.90.080B);

b. Specific development standards for the map elements;

c. Hydrology analysis;

d. Standards for the phasing, construction and maintenance of major and collector streets proposed for the planning area or needed for servicing the project;

e. Standards for the phasing, construction and maintenance of sewage disposal, effluent use, storm water drainage, solid waste disposal and public utilities;

f. Standards for the conservation, development or utilization of natural resources, including surface water, soils, vegetation and wildlife;

g. The methods of conservation (if any) for scenic natural and built features and viewsheds;

h. General landscape program;

i. For single-phase plans, a draft schedule for the preservation of site features established by the plan and the construction, dedication and provision of public services;

j. For multi-phased plans;

1) A draft phasing schedule for the preservation of site features established by the plan, the development of the various master blocks of the specific plan, and the construction, dedication and provision of public services, and

2) The draft form of master assurances to be recorded prior to ordinance adoption (refer also to Section 18.90.070D5).

3. The plan text shall specify how and to what extent the plan is to supplement or supersede adopted county zoning regulations. The regulations of a specific plan may amend only Chapters 18.09 through 18.51, 18.59, and 18.73 through 18.79, inclusive, of this code.

C. Public hearing fees: Specific plan public hearing fees are required at the time of submittal of the specific plan and are payable to the county treasurer in accordance with the fees schedule adopted by county ordinance. (Ord. 1987-64 § 1 (part), 1987)

18.90.060 Planning and zoning commission review.

A. Staff review:

1. The applicant shall submit the specific plan and site analysis to the county planning division for review and comment.

2. The plan shall be reviewed as follows:

a. Planning staff shall review the documents and notify the applicant of their adequacy for commission public hearing and the determination regarding compliance with the comprehensive plan within thirty days of submittal.

b. If no changes have been recommended, planning staff shall schedule the plan for a public hearing. Comments on changes shall be returned within ten days of receipt of such changes.

3. When the specific plan request is scheduled for public hearing, the planning department shall prepare a report which, at a minimum:

a. Discusses and determines the extent to which the proposal is in compliance with both the land use intensity categories of the land use plan, Section 18.89.030A, and plan policies, Section 18.89.040B;

b. Assesses the site analysis;

c. Analyzes the expected impact of the proposed development on the site and surroundings;

d. Contains a departmental recommendation to the commission;

e. Recommends (if necessary) special regulations for the proposed specific plan;

f. Includes the comments and conditions of other affected county departments and public agencies.

4. Availability of report: The staff report shall be available for public inspection fifteen days prior to the date of commission public hearing.

B. Design review committee:

1. If the plan proposed variances to Chapter 18.73, 18.75, 18.77 or 18.79 of this code, the applicant shall make a presentation to the design review committee (refer to Section 18.99.030 (Review committees)) within thirty days of specific plan submittal.

2. The committee shall limit its review to the proposed variances of these chapters and shall provide the planning director with written comments within fifteen days of the presentation.

3. The planning director shall schedule the specific plan for public hearing even if the committee meeting was not held or written comments were not received within fifteen days of the presentation.

C. Public review and comment:

1. In accordance with Section 18.90.040B3, except that the applicant shall provide written proof of contact and offer of meeting to the planning department at least thirty days prior to the date of public hearing by the commission.

2. At the meeting, copies of the site analysis and proposed specific plan that have been accepted for public hearing shall be available and the applicant shall describe significant deviations by the specific plan from existing regulations and the proposed density transfer mechanism.

D. Study session: A planning and zoning commission study session for review of the specific plan may be scheduled after submittal of the specific plan. At the discretion of the chair of the commission, and after proper notice, the study session may be held at the specific plan site.

E. Public notice:

1. A minimum of fifteen days prior to the hearing, the planning division shall provide notice by:

a. Publication once in a newspaper of general circulation in the county seat; and

b. Posting of the property to be considered at the hearing; and

c. Mailing written notice to all property owners within the specific plan district and all property owners within six hundred feet of the district.

2. Expansion of notice: The commission may expand the notification area to greater than six hundred feet, which shall be noticed prior to a public hearing.

3. Failure to provide written notice to, or the omission of the name of, a property owner shall not invalidate an action of the commission.

4. When the area of the specific plan district is smaller than the area defined by the property line boundaries of parcels included in the specific plan,

the notification area shall be measured from the property line boundaries, unless the planning official determines that it is not necessary for public awareness of the proposal.

F. Public hearing.

1. After proper public notice, the planning and zoning commission shall hold a public hearing on the application, at which all interested parties shall be heard.

2. The commission shall recommend regulations necessary to protect the public health, safety and welfare, and may recommend regulations unique to the plan or special instructions for plan administration.

3. The commission shall vote by separate motion on specific plan regulations that supplement or supersede adopted county zoning regulations.

4. The commission may continue the public hearing, for a definite time not to exceed three months, on its own initiative or at the request of the applicant or affected property owners.

5. After the public hearing, the planning department shall transmit the findings and recommendations of the commission to the board of supervisors, except as provided in Section 18.90.060G.

6. The planning department may also transmit alternative recommendations when staff and commission opinions differ.

G. Department evaluation:

1. The planning department is authorized to evaluate recommendations of the commission when enforceability is uncertain.

2. If such evaluation results in, or implies, a change in intent, as determined by the commission legal advisor, the evaluation shall be submitted to the commission for its decision prior to transmittal of commission findings to the supervisors.

3. All evaluations shall be submitted to the commission for noticed public hearing at the next regular commission public meeting.

H. Limitations on application:

1. The applicant shall have three months from the date of final commission action to request a board of supervisors public hearing on the application. If a request is not submitted, the application shall be closed, due to lack of further action.

2. Upon written request to the planning director, a single thirty-day extension may be provided. (Ord. 1994-114 § 5 (part), 1994; Ord. 1994-11 § 2 (part), 1994; Ord. 1992-96 § 1 (part), 1992; Ord. 1987-64 § 1 (part), 1987)

18.90.070 Board of supervisors review.

A. Public notice: Public notice of the board of supervisors hearing shall be provided in accordance with Section 18.90.060E.

B. Protest petition and voting requirement:

1. A three-fourths vote of all members of the board of supervisors shall be required for approval, if written protest submitted to the supervisors prior to the start of the public hearing totals at least twenty percent of the owners of property, by area and number, within three hundred feet of the specific plan district.

2. Protest shall be evaluated in accordance with Pima County rezoning and specific planning protest petition guidelines, as may be adopted. In calculating protest by area, only that portion of a lot or parcel of record situated within three hundred feet of the specific plan district shall be included. In calculating protest by number or area, public property and public rights-of-way shall not be included.

3. Written withdrawals of protest to a specific plan may be submitted until the close of the supervisors public hearing.

C. Public hearing:

1. After proper public notice, the board of supervisors shall hold a public hearing on the application, at which all interested parties shall be heard.

2. The supervisors may continue the public hearing, for a definite time not to exceed nine months, on their own initiative or at the request of the applicant or affected property owners.

3. The supervisors may approve the specific plan, amend planning and zoning commission recommendations or approve additional specific plan conditions, or deny the request. Substantial changes shall be referred to the commission in accordance with Section 18.90.080C.

4. The supervisors shall vote by separate motion on specific plan regulations that supplement or supersede adopted county zoning regulations.

5. If approved, the specific plan is subject to departmental evaluation of enforceability of regulations approved by the supervisors (refer to Section 18.90.070D).

D. Department evaluation:

1. The planning division is authorized to evaluate specific plan regulations approved by the supervisors when enforceability is uncertain.

2. If such evaluation results in, or implies, a change in intent, as determined by the supervisors' legal advisor, the evaluation shall be submitted to the supervisors at a public hearing within thirty days of approval. (Ord. 1994-114 § 5 (part), 1994; Ord. 1987-64 § 1 (part), 1987)

18.90.080 Ordinance adoption and amendment procedures.

A. Specific plan ordinance adoption:

1. The board of supervisors may add conditions at a public hearing after the date of approval and before ordinance adoption when such additions are determined necessary for the public health, safety or welfare.

2. The board of supervisors shall adopt an ordinance changing the zoning district to the specific plan district no later than thirty days after specific plan approval.

3. Existing zoning and the land use plan recommendation for the property shall remain in effect and permits based on the approved specific plan shall not be issued until a specific plan ordinance for the property is adopted by the supervisors.

4. Upon adoption of the specific plan ordinance, the specific plan shall become the zoning district of the subject property and shall replace the existing zoning designation on the official county zoning map.

B. Density transfer:

1. The planning director may permit the transfer of densities to more suitable locations within the specific plan; provided:

a. The locations and procedures for such transfers are explicitly stated within the plan; and

b. The overall density of the plan or individual planning area is not exceeded.

2. The specific plan shall designate density donor and recipient areas within which density transfers are permitted. In areas adjacent to uses of similar or less intensity, appropriate buffer areas shall be delineated by an individual specific plan to be designated only as donor areas.

3. The total number of units transferred to a recipient area shall not exceed ten percent of the number of dwelling units established for the area; individual specific plans may establish a lower maximum transfer percentage. Any transfer greater than the established maximum transfer percentage is a substantial change (refer to Section 18.90.080C).

C. Specific plan substantial changes:

1. Scope: All specific plans shall describe in sufficient detail the criteria and process for amendment based on the minimum requirements of this section.

2. Consistency: All specific plan amendments shall be in substantial conformance with the remainder of the specific plan and shall be in compliance with the comprehensive plan in accordance with Section 18.90.030H.

3. Procedure:

a. The owner or agent of the property may submit to the planning department a written application to amend one or more of the specific plan regulations;

b. The request shall be accompanied by documentation of unforeseen changes in the marketplace, government regulations or natural conditions that have occurred since plan adoption and that create special hardship due to unique circumstances of the subject property;

c. The planning director shall determine if the amendment would result in a substantial change in plan regulations, which is a change in a:

1) Density regulation, if the number of residences per acre increases by more than ten percent or exceeds the maximum number of dwelling units (dwelling-unit cap) permitted within the plan; or

2) Policy regulation, when the regulation is a policy or a variation of a policy contained in an applicable land use plan; or

3) Design regulation, when change is to be made to quantified physical dimensions (such as buffers) which were established to adapt the plan to specific site characteristics or mitigate development impacts on the site and surrounding area; or

4) Use regulation, when a use not otherwise permitted in the specific plan is sought.

d. If the request is determined to be an insubstantial change, the proposed amendment shall require a noticed public hearing and action by the board of supervisors. In addition, the supervisors may refer any amendment request to the planning and zoning commission for its recommendation prior to taking action.

e. If the request is determined to be a substantial change, the planning director shall refer the request to the commission for noticed public hearing and recommendation prior to public hearing by the supervisors.

f. A substantial change may require, as determined necessary by the planning director, submittal of an amended site analysis.

g. Specific plan substantial changes and ordinance amendments that occur after board of supervisors' approval of the specific plan are subject to protest petition procedures. For all hearings, the planning division shall prepare a staff report in accordance with Section 18.90.060A. (Ord. 1994-114 § 5 (part), 1994; Ord. 1992-96 § 1 (part), 1992; Ord. 1987-64 § 1 (part), 1987)

18.90.090 Plan implementation requirements and procedures.

A. Plan administration: The planning and development services department is the lead agency for the administration of specific plans and shall coordinate the procedures and review by applicable county departments and other agencies.

B. Plan implementation procedures:

1. The implementation of specific plans shall be in accordance with the procedures of this code.

2. Specific plans may establish additional implementation procedures, provided such methods are not in conflict with required procedures and are fully described by the specific plan.

C. Assurances:

1. Standard assurances in accordance with Section 18.69.070 (Subdivision Standards) are required for specific plans that include the subdivision of land.

2. Master assurances are required for specific plans that comprise phases of development that are to be established by master block recording, or, at the discretion of the county engineer, for specific plans that will not be subdivided.

D. Plan implementation monitoring:

1. The principal owner or developer of the specific plan shall prepare an annual implementation monitoring report for review by applicable county departments and submittal at public hearings by the planning and zoning commission and the board of supervisors.

2. The report shall describe in acceptable form and detail:

a. Project adherence to schedules established by the specific plan;

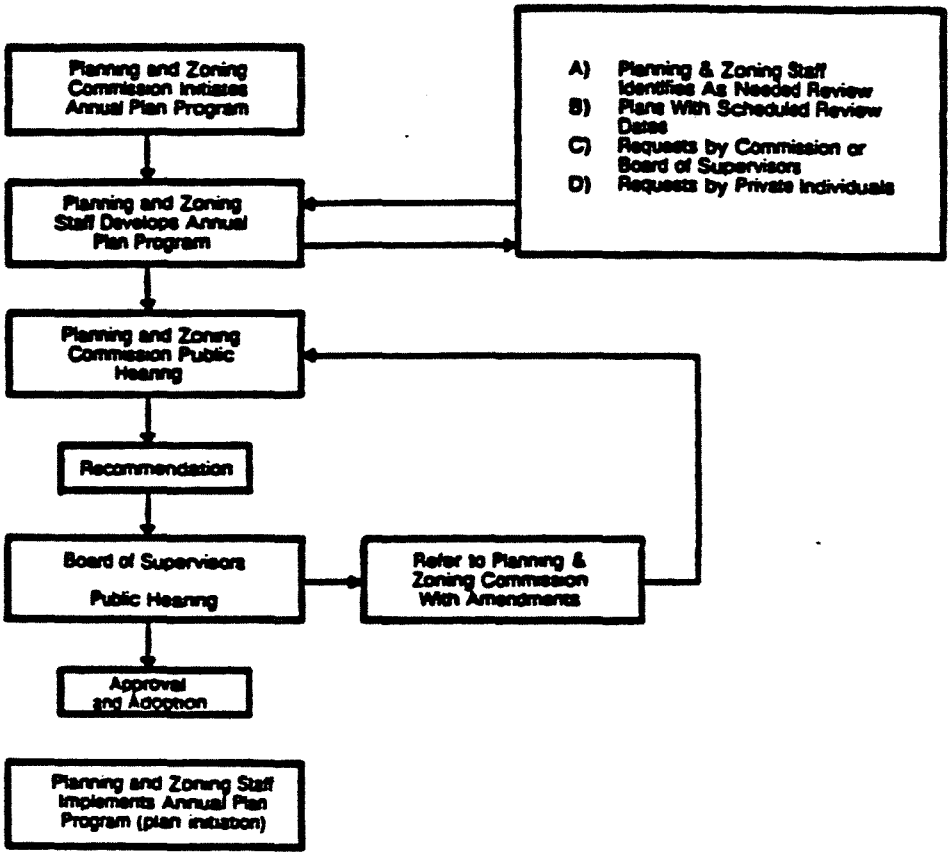
b. The number of dwelling units proposed, platted and permitted, and the allocation of the balance of approved units;

c. A record of zoning violations charged to the project; and

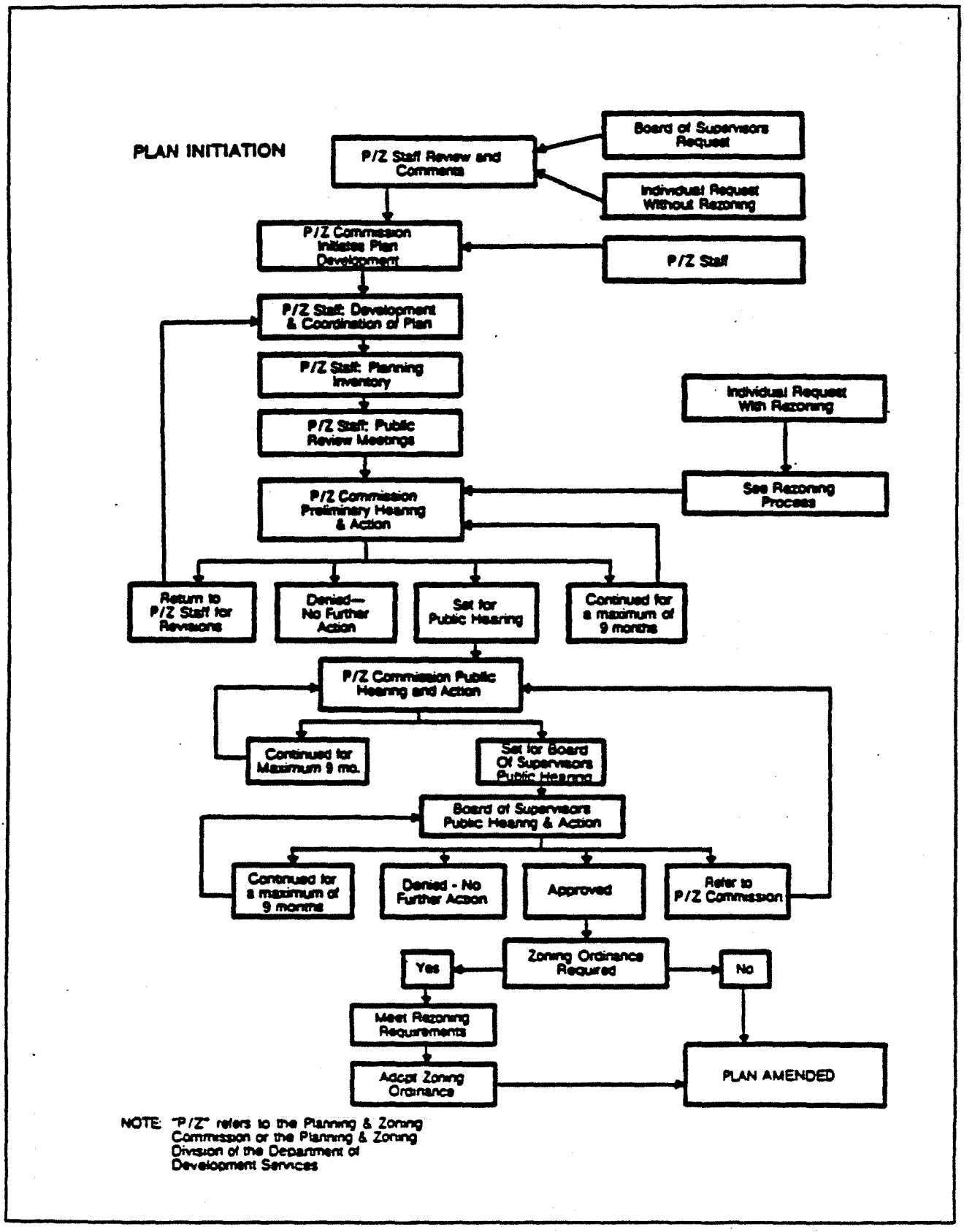
d. Such items as shall be established by adopted county policy.

E. Plan enforcement: The enforcement of specific plan regulations shall be in accordance with Chapter 18.95 (Compliance and Enforcement). (Ord. 1987-64 § 1 (part), 1987)

ANNUAL PLAN PROGRAM



NOTE: Amendments to the program during the fiscal year requested by an individual, the Department, Planning and Zoning Commission or Board of Supervisors, shall require the same approval process.



NOTE: "P/Z" refers to the Planning & Zoning Commission or the Planning & Zoning Division of the Department of Development Services

Chapter 18.91

REZONING PROCEDURES

Sections:

18.91.010	**Purpose.**
18.91.020	**Definitions.**
18.91.030	**Application.**
18.91.040	**Initiation.**
18.91.050	**Staff review.**
18.91.060	**Public review, notice and comment.**
18.91.070	**Planning and zoning commission review.**
18.91.080	**Board of supervisors review.**
18.91.090	**Certificate of compliance.**
18.91.100	**Special procedures.**

18.91.010 Purpose.

A. Purpose. As authorized by A.R.S. § 11-829, this chapter establishes a public process for zoning district changes and amendments, upon recommendations by the planning and zoning commission and adoption by the board of supervisors, that:

1. Implement the comprehensive plan; and
2. Are consistent with the guiding principles of this code. (Ord. 1985-141 § 1 (part), 1985)

18.91.020 Definitions.

A. Certain terms used in this chapter shall be defined, for purposes of this chapter only, as follows:

1. Agent: An individual, corporation or partnership with written authorization to represent a property owner in the rezoning process.
2. Applicant: A property owner or agent making application and representing a subject property for rezoning.
3. Certificate of compliance: A document signed by the planning director certifying that all rezoning conditions which are prerequisites to issuance of building permits have been satisfied.
4. Condition: A performance requirement of rezoning.
5. Condition, special: A condition relating to development impact mitigation.
6. Condition, standard: A condition relating to subdivision, transportation, flood control or wastewater management facilities or policies.
7. Substantial change: A change in a:

a. Density special condition, if the number of residences per acre (RAC) increases by:

1) Ten percent or greater; or
2) Fifty or more units; or

b. Policy special condition, when the condition is a policy or a variation of a policy contained in a land use plan; or

c. Design special condition; that is, when change is to be made to quantified physical dimensions which were established in a special condition to adapt to specific site characteristics or mitigate development impacts on the site and surrounding neighborhood. Examples of such dimensions include setbacks, heights, natural areas, or areas to be disturbed, when these are stated in a special condition; or

d. Use special condition which states that only a specific set of uses of the zone are permitted on the site.

8. Zoning district: Any portion of Pima County in which the same set of zoning regulations apply. (Ord. 1994-114 § 6 (part), 1994; Ord. 1992-18 § 1 (part), 1992; Ord. 1985-141 § 1 (part), 1985)

18.91.030 Application.

A. Scope.

1. A zone change or amendment may be requested by filing a rezoning application with the planning and development services department;
2. Application for rezoning may only be made by the following:

a. The property owner of the subject property; or

b. An agent for the property owner; or

c. Pima County, upon initiation by the planning and zoning commission.

B. Restriction on Application. Applications shall not be considered on property denied rezoning by the board of supervisors within the previous twelve

months, if the request is for zoning equal to or less restrictive than that previously denied (Refer to Section 18.05.010B, Zones).

C. Staff Consultation. The applicant is advised to consult with county staff concerning potential requirements prior to submittal of the application.

D. Application.

1. The completed rezoning application shall include, at a minimum:

a. A legal description of the property;

b. A list, by name and title, of all ownership interest in the property (e.g., individual, corporation, trust or limited partnership), in accordance with A.R.S. § 33-506;

c. A letter of authorization for an agent;

d. A precise plan showing the area of proposed zoning district changes and land use intensity categories as shown on the comprehensive plan land use plan;

e. Applicable rezoning fees, in accordance with the adopted rezoning fees schedule;

f. A sketch plan or preliminary development plan (refer to subsection E of this section);

g. Site analysis, when required (refer to subsection F of this section) or an impact report;

2. Refer to written departmental policies for application specifics, which may require additional submittals;

3. Incomplete applications shall not be processed;

4. Hearing notification maps shall be prepared only by the planning division.

E. Plan Submittals.

1. Sketch plan:

a. Scope: A sketch plan which illustrates the basic features of the proposed development shall be submitted for rezoning of any parcel that is:

1) Less than or equal to one acre in size; or

2) Greater than one acre but less than or equal to five acres in size, to be developed at a residential density of less than four residences per acre;

b. Specifications: A sketch plan shall contain the following applicable elements:

1) Parcel boundaries and dimensions;

2) Approximate location and size of all structures;

3) Points of ingress and egress;

4) Adjacent public rights-of-way;

5) Building setbacks; and

6) Parking areas;

2. Preliminary development plan:

a. Scope:

1) A preliminary development plan and support data, which illustrate and describe the proposed development, shall be submitted for rezoning of any parcel that is:

a) Greater than one acre in size, to be developed for nonresidential uses; or

b) Greater than one acre in size, to be developed at a residential density of four or more residences per acre; or

c) Greater than five acres in size;

2) A plan to be developed in accordance with CPI (Chapter 18.49 Campus Park Industrial Zone), GC (Chapter 18.59 GC Golf Course Zone), cluster development option (Section 18.09.040 General Residential and Rural Zoning Provisions) or the site analysis policy may serve as the required preliminary development plan, provided that all other conditions of this subsection are met:

b. Specifications: A preliminary development plan shall be drawn on a topographic map at a scale which is adequate to show all necessary details clearly. It shall contain, at a minimum, the following applicable mapped elements and supporting information:

1) Map elements:

a) Parcel boundaries and dimensions;

b) Approximate location and size of all structures, or lots in the case of single-family detached lot sales developments. On project sites over one hundred acres, lots and structures within one hundred fifty feet of the boundary of the property including the rezoning and proposed lots and structures on visually prominent portions of the property shall be indicated. Additionally, the project site may be divided into planning units, the total number of which shall not exceed one per each ten acres of land

in the proposed rezoning area. Within each planning unit no more than three alternative configurations depicting structures and/or lots may be proposed;

c) Existing and proposed adjacent public rights-of-way;

d) Points of ingress and egress, and internal streets and circulation features, including bicycle and pedestrian paths;

e) Parking areas;

f) Existing and proposed utility and sewer easements;

g) Buffers, screening and walls;

h) Landscaped areas;

i) Recreation areas, common areas, open spaces and natural areas;

j) Natural drainage features and proposed drainage improvements;

k) Significant physical features such as restricted peaks or ridges;

l) Areas where the natural grade of the site will be changed by more than five feet;

m) Wells or well sites within one hundred feet of the site;

n) Land uses and number of stories of buildings within three hundred feet of the site; and

o) Proposed trail right-of-way determined in consultation with the Pima County parks and recreation department based upon the "Eastern Pima County Trail System Master Plan" and other available information.

2) Written support data: The following data shall also be provided:

a) Gross floor area of commercial and industrial structures;

b) Building heights;

c) Total number of dwelling units;

d) Maximum residential density of each planning unit;

e) Total number of parking spaces;

f) Type of landscaping;

g) Pertinent preliminary hydrologic data, and a statement if natural drainage courses are to be obstructed or disturbed or if regulatory natural floodplains are to be altered or filled;

h) Statement of water service provision and availability; and

i) Any other illustrative information which cannot be depicted on the preliminary development plan map;

c. Effect: The sketch plan or preliminary development plan shall be presented at public hearings. Adherence to the applicable plan, as may be amended, is a special condition of rezoning approval, unless the condition is specifically deleted by recommendation of the planning and zoning commission and/or action of the board of supervisors.

F. Site Analysis Requirements. The site analysis consists of specific written and graphic requirements for inventory and analysis, and the subsequent preliminary development proposal for a site. Refer to written county policy concerning site analysis requirements. (Ord. 1995-39 § 1 (part), 1995; Ord. 1994-114 § 6 (part), 1994; Ord. 1992-96 § 1 (part), 1992; Ord. 1986-41 § 1 (part), 1986; Ord. 1985-141 § 1 (part), 1985)

18.91.040 Initiation.

A. Scope. Rezoning requests are deemed to be initiated upon complete application.

B. Exceptions: A request that conforms to a zoning plan does not require public hearings.

C. Requirement of Compliance with Comprehensive Plan. Rezoning requests shall be classified as to whether or not they are in compliance with the comprehensive plan.

1. The director of planning and development services shall determine if rezoning requests are in compliance with the comprehensive plan.

2. If a rezoning request complies with Section 18.89.030A with regard to each land use intensity category and the gross density limitation for the land use category in which the subject property is located, the rezoning request shall be determined to be in compliance with the comprehensive plan.

3. A determination as to whether or not a rezoning request is in compliance with the comprehensive plan may be appealed to the commission, provided

such an appeal is requested in writing within thirty working days from the date of the determination.

4. Rezoning requests determined to not be in compliance with the comprehensive plan shall not be set for a public hearing until the applicant has submitted, and the board has taken final action on, an application to amend the comprehensive plan land use plan, in accordance with Section 18.89.050. Upon the board having taken final action on the application to amend the comprehensive plan and upon request by the applicant, the rezoning request shall be set for a public hearing in accordance with Section 18.91.040D.

a. If the plan amendment is approved by the board and it is subsequently determined, in accordance with this section, that the rezoning request complies with the comprehensive plan, then final action on the rezoning request shall be taken in accordance with this chapter.

b. If the plan amendment is denied by the board or it is subsequently determined, in accordance with this section, that the rezoning request does not comply with the comprehensive plan, the rezoning request shall be set for public hearing, providing the applicant makes such a request within thirty working days from the date of the plan amendment denial or the subsequent determination. The applicant shall submit substantial evidence and demonstrate that:

1) Due to unique circumstances, approval of the rezoning request is necessary to allow a reasonable use of the subject property; or

2) Approval of the rezoning request is necessary to comply with an order of a court having proper jurisdiction; or

3) Approval of the rezoning request is necessary to avoid a significant adverse impact on the health, safety and welfare of the general public or of individuals living or working on property adjacent to, or in the vicinity of, the specific plan.

5. The planning director shall notify the applicant of the determination regarding compliance with the comprehensive plan within ten working days of submittal of a complete application.

D. Payment of Fees. The planning division shall not schedule a request for commission public hearing until all applicable rezoning fees are paid.

E. Limitations on Applications. An applicant shall have nine months from the date of submittal of an application to request a public hearing on the application. If a request is not submitted, the application shall be closed due to a lack of further action. Incomplete applications shall be closed three months after the date of submittal. (Ord. 1994-114 § 6 (part), 1994; Ord. 1994-11 § 3 (part), 1994; Ord. 1992-96 § 1 (part), 1992; Ord. 1987-20 § 1 (part), 1987; Ord. 1986-41 § 1 (part), 1986; Ord. 1985-141 § 1 (part), 1985)

18.91.050 Staff review.

A. Staff Report. The planning and development services department shall prepare a report on the rezoning request which, at a minimum:

1. Discusses and determines the extent to which the proposed rezoning is in compliance with both the land use intensity categories of the land use plan, Section 18.89.030A, and plan policies, Section 18.89.040B.

2. Assesses the site analysis (when required) or impact report;

3. Analyzes the expected impact of the proposed development on the site and surroundings;

4. Contains a departmental recommendation to the planning and zoning commission;

5. Includes the comments and standard conditions of other affected county departments and public agencies, including any applicable county review committees;

6. Recommends special conditions which would place density, design or use restrictions on the use of the proposed zone.

B. Availability of Report.

1. The staff report shall be available for public inspection fifteen days prior to the date of commission public hearing;

2. The applicant shall be provided an opportunity to discuss staff recommendations prior to public availability of the report. (Ord. 1994-11 § 3 (part),

1994; Ord. 1993-12 § 1 (part), 1993; Ord. 1992-96 § 1 (part), 1992; Ord. 1992-18 § 1 (part), 1992; Ord. 1985-141 § 1 (part), 1985)

18.91.060 Public review, notice and comment.

A. Public Review.

1. When a site analysis is required, the applicant is responsible for written contact of all property owners within the notification area and of affected neighborhood associations, and shall offer to hold a meeting, with a specified date, for review of the proposed rezoning. An adequate site analysis shall be available at the meeting;

2. The applicant shall provide written proof of contact and offer of meeting to the department at least thirty days prior to the date of public hearing by the commission;

3. The request shall not be set for public hearing without such written proof.

B. Public Notice.

1. Planning and zoning commission public hearing: A minimum of fifteen days prior to the hearing, the department shall provide notice by:

a. Publication once in a newspaper of general circulation in the county seat; and

b. Posting of the property or area to be considered at the hearing, with a minimum of four notices and, for rezonings, at least one notice each quarter mile of frontage along a public right-of-way, all such notices being at least seventeen by eleven inches in dimension; and

c. Mailing written notice, for rezoning items only, to all property owners within the proposed zoning district and all property owners within three hundred feet of the proposed district;

2. Board of supervisors public hearing: As required for the commission;

3. Exceptions: Mailed, written notice and posting of property for public hearings shall not be required for adoption or amendment of a county land use plan (refer to Chapter 18.89 Land Use Plans);

4. Expansion of notice: The commission or supervisors may expand the notification area to greater than three hundred feet, which shall be noticed prior to a public hearing;

5. Failure of notice: The unintentional failure to give written notice or the unintentional omission of the name of a property owner shall not invalidate an action of the commission or supervisors.

C. Public Comment.

1. Neighborhood associations and other interested parties may register for notification of public hearings in accordance with written departmental policy;

2. Rules of procedure shall be in accordance with adopted written commission or supervisors policies. (Ord. 1988-204 (part), 1989; Ord. 1985-141 § 1 (part), 1985)

18.91.070 Planning and zoning commission review.

A. Hearing.

1. After proper public notice, the planning and zoning commission shall hold a public hearing on the application, at which all interested parties may appear and shall be heard;

2. The commission may recommend amendments or additions to staff-recommended rezoning conditions;

3. The commission may continue the public hearing, for a definite time not to exceed nine months, on its own initiative or at the request of the applicant or affected property owners.

B. Transmittal of Findings to Board of Supervisors.

1. After the public hearing, the planning division shall transmit the findings and recommendations of the commission to the board of supervisors, except as provided in subsection B3 of this section;

2. Planning staff may also transmit alternative recommendations when staff and commission opinions differ;

3. Department evaluation:

a. The department is authorized to evaluate recommendations of the commission when enforceability is uncertain;

b. If such evaluation results in, or implies, a change in intent, as determined by the commission legal advisor, the evaluation shall be submitted to the

commission for its decision at a noticed public hearing, prior to transmitting commission findings to the supervisors;

c. All evaluations shall be submitted to the commission at the next regular commission public hearing.

C. Limitations:

1. The applicant shall have three months from the time of final commission action on the application at public hearing to request a board of supervisors public hearing on the application. If a request is not submitted, the application shall be closed, due to lack of further action. (Ord. 1994-114 § 6 (part), 1994; Ord. 1987-20 § 1 (part), 1987; Ord. 1985-141 § 1 (part), 1985)

18.91.080 Board of supervisors review.

A. Hearing.

1. After proper public notice, the board of supervisors shall hold a public hearing on the application, at which all interested parties may appear and shall be heard.

2. The supervisors may continue the public hearing, for a definite time not to exceed nine months, on their own initiative or at the request of the applicant or affected property owners.

B. Protest Petition and Voting Requirement.

1. A three-fourths vote of all members of the board of supervisors shall be required for approval, if written protest submitted to the supervisors prior to the start of the public hearing totals at least twenty percent of the owners of property, by area and number, within three hundred feet of the rezoning.

2. Protest shall be evaluated in accordance with Pima County rezoning and specific planning protest petition guidelines, as may be adopted. In calculating protest by area, only that portion of a lot or parcel of record situated within three hundred feet of the rezoning shall be included. In calculating protest by number or area, public property and public rights-of-way shall not be included.

3. Written withdrawals of protest to a rezoning may be submitted until the close of the supervisors public hearing.

C. Approval by the Supervisors.

1. The supervisors may amend commission recommendations or approve additional rezoning conditions.

2. If the supervisors approve the request, the planning and development services department shall schedule for adoption a rezoning ordinance comprising a map and a list of all rezoning conditions approved by the supervisors. The rezoning ordinance shall state that the supervisors may waive or amend conditions, but that if the planning and development services director determines that the amendment or waiver would result in a substantial change in rezoning conditions, the planning and zoning commission shall hold a public hearing on the request prior to public hearing by the supervisors.

3. If a rezoning is approved by the supervisors, a time period of eight years shall be established to meet all rezoning conditions unless otherwise specified by the supervisors. If a certificate of compliance has not been issued at the end of the approved time period, the case shall be reverted to its original zone in accordance with Section 18.91.100E.

4. Issuance of a certificate of compliance shall occur on or before the expiration date. The time limit is calculated from the date the rezoning ordinance is signed by the chairman of the board of supervisors.

5. Department evaluation:

a. The planning and development services department is authorized to evaluate conditions approved by the supervisors when enforceability is uncertain;

b. If such evaluation results in, or implies, a change in intent, as determined by the board of supervisors legal advisor, the evaluation shall be resubmitted to the supervisors for their decision and a noticed public hearing;

c. All evaluations shall be submitted to the supervisors at a regular supervisors public meeting within thirty days of initial action.

D. Denial by the Supervisors. Future applications for rezoning are restricted by Section 18.91.030B. (Ord. 1994-114 § 6 (part), 1994; Ord. 1993-12 § 1

(part), 1993; Ord. 1992-18 § 1 (part), 1992; Ord. 1985-141 § 1 (part), 1985)

18.91.090 Certificate of compliance.

A. The director of planning and development services shall sign the certificate of compliance only when all rezoning conditions which are prerequisites to the issuance of building permits have been satisfied.

B. Determination of Conformance. During satisfaction of the conditions of a rezoning, if a subdivision plan (Chapter 18.69, Subdivision Standards), development plan (Chapter 18.71, Development Plan Standards), landscape plan (Chapter 18.73, Landscape Plan Requirements and Review Procedures) or other submittal does not substantially conform to the sketch plan or preliminary development plan as approved, staff review shall cease and the planning and development services director shall recommend that a waiver request be initiated (refer to Section 18.91.100A).

C. No permits based on the adopted rezoning ordinance shall be issued until a certificate of compliance is signed by the director of planning and development services, except as otherwise provided in this code. (Ord. 1992-18 § 1 (part), 1992: Ord. 1985-141 § 1 (part), 1985)

18.91.100 Special procedures.

A. Amendment or Waiver of Rezoning Conditions.

1. The owner of a property may submit to the planning and development services department a written application to amend or waive one or more of the conditions of the rezoning;

2. The request shall be accompanied by documentation of unforeseen changes in the marketplace, governmental regulations or natural conditions, that have occurred since the approval and that create special hardship due to unique circumstances of the subject property;

3. All requests for the amendment or waiver of approved or adopted rezoning conditions shall require a noticed public hearing and action by the board of supervisors;

4. If the planning and development services director determines that the amendment or waiver would result in a substantial change in rezoning conditions, the director shall refer the request to the planning and zoning commission for noticed public hearing and recommendation prior to public hearing by the supervisors;

5. For all hearings, the department shall prepare a staff report in accordance with Section 18.91.050A;

6. In addition, the supervisors may refer any amendment or waiver request to the commission for its recommendation prior to taking action. If they determine that an amendment or waiver would result in a substantial change in rezoning conditions, they shall refer it to the commission;

7. If the supervisors amend or waive a rezoning condition, the planning and development services department shall prepare a resolution stating the approved amendment or waiver of condition, and schedule it for adoption by the supervisors.

B. Sketch Plan or Preliminary Development Plan Changes.

1. Public hearing process: If modifications of a sketch plan or preliminary development plan occur by action of the planning and zoning commission or board of supervisors during the public hearing process, an overlay map or a revised plan showing the recommended revisions shall be submitted to the planning and development services department:

a. If changes are recommended by the commission, no further public hearing shall be advertised until receipt of an acceptable overlay map or a revised plan, which verifies the recommended changes;

b. If changes are made by the supervisors and, in the opinion of the supervisors, the changes warrant the commission's reconsideration of the plan, the supervisors may re-refer the plan to the commission for further recommendation. No hearing before the commission shall be held until receipt of an acceptable overlay map or a revised plan which verifies the changes made by the supervisors;

c. If changes are made by the supervisors and, in the opinion of the supervisors do not warrant the

commission's reconsideration of the plan, the changes shall be incorporated into the revised sketch plan or preliminary development plan, which shall be submitted to the department within thirty working days after the hearing. No subdivision plans, development plans or other submittals shall be accepted until the revised plan is received and verified;

2. Subsequent to approval:

a. Once a sketch plan or preliminary development plan has been approved by the supervisors, only nonsubstantial changes which do not change the intent of the plan can be made with the approval of the planning and development services director. The director may, however, recommend that any nonsubstantial change be referred to the commission or the supervisors as a waiver request;

b. Any substantial change to an approved sketch plan or preliminary development plan shall be considered as a waiver request (refer to Section 18.91.100A).

C. Rezoning Applications Approved Prior to April 3, 1992.

1. Rezoning requests which had conditional approval and no time limit prior to April 3, 1992 may be closed or receive time limits in accordance with Section 18.91.100E, or be scheduled for rezoning ordinance adoption in accordance with Section 18.91.080C2, after a decision of the board of supervisors.

2. Rezoning requests which received conditional approval prior to April 3, 1992, and are subject to a time limit may be scheduled for rezoning ordinance adoption in accordance with Section 18.91.080C2. Prior to the expiration date, the planning and development services department shall notify the owner and process the rezoning in accordance with Section 18.91.100E.

3. Public hearings and notice shall be provided in accordance with this chapter.

D. Closure of Rezoning Cases.

1. The planning division shall close rezoning cases:

a. Upon expiration of time limits prescribed in Sections 18.91.040E and 18.91.070C;

b. Upon written request of the applicant made prior to adoption of a rezoning ordinance by the board of supervisors for the entire property;

c. After the effective date of annexation for the entire property;

d. Upon denial of the rezoning request by the supervisors;

e. Upon issuance of a certificate of compliance by the planning director for the entire property;

f. Upon reversion of the entire property to its original zoning classification by action of the supervisors in accordance with Section 18.91.100E.

E. Reversion of Rezoning.

1. After the expiration date of a time limit, if no time extension request had been submitted and no certificate of compliance has been issued for the entire property, the planning and development services department shall schedule a public hearing for the board of supervisors to cause the property to revert to its original zoning classification.

2. The planning and development services department shall notify the property owner by registered mail of a public hearing date before the supervisors.

3. If the supervisors decide the rezoning case should remain open, they may amend or waive rezoning conditions and shall establish a new time limit. The new time shall be calculated from the date the resolution is signed by the chairman of the board of supervisors. The planning and development services department shall prepare a resolution stating the new time limit and the approved amendment or waiver of conditions, and schedule it for adoption by the supervisors.

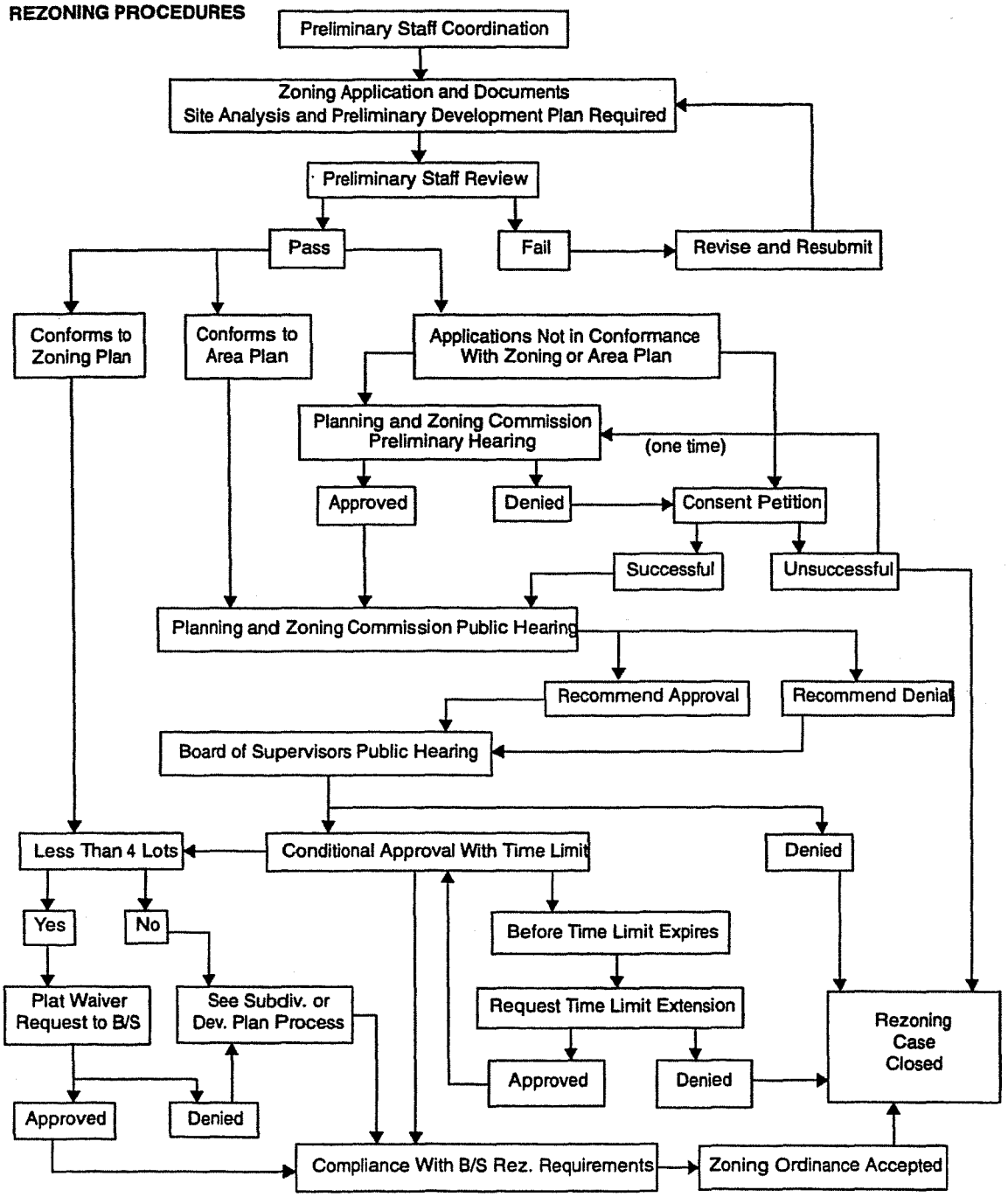
4. If a rezoning ordinance has not been adopted for the rezoning prior to the expiration date and the supervisors approve a new time limit, a rezoning ordinance shall be prepared including any amended rezoning conditions and the new time limit for adoption by the supervisors.

5. If the supervisors decide the rezoning case should be closed, the zoning classification on the property shall revert to the classification preceding the rezoning case.

F. Special Procedures for Golf Course (GC) Zoning. Refer to Section 18.59.560 (GC Golf Course Zone) for GC requirements and procedures.

G. Substantial change requests that occur after board of supervisors approval of the rezoning are subject to protest petition procedures. (Ord. 1994-114 § 6 (part), 1994; Ord. 1993-12 § 1 (part), 1993; Ord. 1992-18 § 1 (part), 1992; Ord. 1987-74 § 1, 1987; Ord. 1985-141 § 1 (part), 1985)

REZONING PROCEDURES



Chapter 18.93

BOARD OF ADJUSTMENT VARIANCES, TEMPORARY USE PERMITS AND INTERPRETATIONS*

Sections:

18.93.010	**Purpose.**
18.93.020	**Establishment and jurisdiction of the board of adjustment.**
18.93.030	**Variances.**
18.93.040	**Temporary use permits.**
18.93.050	**Time limit for variances and temporary use permits.**
18.93.060	**Interpretations.**
18.93.070	**Appeal to superior court.**

* Prior ordinance history: Ords. 1985-82 and 1985-117.

18.93.010 Purpose.

This chapter establishes board of adjustment procedures for variances, temporary use permits and interpretations. (Ord. 1985-188 § 1 (part), 1985)

18.93.020 Establishment and jurisdiction of the board of adjustment.

A. Establishment: There are established five boards of adjustment to hear and decide appeals for variances and interpretations of the code and to issue temporary use permits in accordance with A.R.S. § 11-807 and Section 18.101.050 of this code (Administrators).

B. Jurisdiction:

1. Each board has jurisdiction over the unincorporated area of the supervisorial district in which established;

2. The applicable board shall act as the airport zoning board of adjustment in accordance with A.R.S. § 2-328. (Ord. 1985-188 § 1 (part), 1985)

18.93.030 Variances.

A. Power: The boards of adjustment may allow variances from a provision of this code.

B. Standards: The board shall consider the following guidelines when approving or denying a variance request:

1. The strict application of the provision would work an unnecessary hardship;

2. The unnecessary hardship arises from a physical condition that is unusual or peculiar to the property and is not generally caused to other properties in the zone;

3. The unnecessary hardship does not arise from a condition created by an action of the owner of the property;

4. The variance is the minimum necessary to afford relief;

5. The variance does not allow a use which is not permitted in the zone by the code;

6. The variance is not granted solely to increase economic return from the property;

7. The variance will not cause injury to or adversely affect the rights of surrounding property owners and residents;

8. The variance is in harmony with the general intent and purposes of the code and the provision from which the variance is requested;

9. The variance does not violate state law or other provisions of Pima County ordinances;

10. The hardship must relate to some characteristic of the land for which the variance is requested, and must not be solely based on the needs of the owner;

11. If the variance is from a sign or advertising structure area limitation, no reasonable use of the property can be made unless the variance is granted;

12. If the variance is from a height limitation, no reasonable use of the property can be made unless the variance is granted.

C. Application:

1. Scope: A variance may be requested by the owner of the property by submitting an application on a form prepared by the planning and development services department.

2. The application shall include information to facilitate the board's understanding of the variance request as follows:

a. A legal description of the property;

b. A list of all ownership interests in the property, by name and title (e.g. individual, corporation, trust or limited partnership), in accordance with A.R.S. Section 33-506;

c. A letter of authorization for any agent of the property owner;

d. Hearing fees, in accordance with the adopted fees schedule;

e. A sketch plan, in accordance with Section 18.91.030E (Rezoning Procedures);

f. A floor plan detail, when the request pertains to interior access or use; and

g. A statement from the property owner of the present ability and intent to apply for all necessary county permits for construction or use of the property within nine months after granting of the variance.

3. The department may require additional information.

4. Incomplete applications shall not be processed.

5. Hearing notification maps shall be prepared only by the department.

D. Staff review: The executive secretary shall:

1. Schedule a public hearing within forty-five work days of completed application;

2. Prepare a written staff report prior to the hearing which contains at a minimum:

a. Analysis of the impact of the variance on the property and surrounding properties;

b. Any comments and proposed conditions of any county departments and other public agencies;

c. A recommendation for decision.

E. Public notice:

1. No less than fifteen days prior to a public hearing, notice shall be given by:

a. Publication once in a newspaper of general circulation in the area involved;

b. Posting of the subject property;

c. Mailing notice to all owners of property within three hundred feet of the subject property.

2. Unintentional failure to give notice shall not invalidate an action of the board.

F. Hearing:

1. The board shall consider the variance at a public hearing, at which all interested persons may be heard.

2. The appellant shall present information adequate to show:

a. The variance meets the standards of subsection B of this section; and

b. Conditions proposed by the appellant are adequate to protect surrounding properties from any increased visual impact, noise, light, odor or other adverse effects.

3. The board may require that additional information be provided by the appellant.

4. The board may continue the public hearing to a definite time, not to exceed three months.

G. Conditions: The board may impose conditions on a variance that will:

1. Secure the intent and purposes of this code and the provision from which the variance is granted and any other county ordinance; and

2. Provide adequately for the protection of the public interest and the rights of surrounding property owners and residents.

H. Transmittal of action: The department shall transmit a written copy of the variance to the appellant, zoning inspector, planning and zoning commission and board of supervisors.

I. Revocation: When any condition of a variance is violated, the variance and all county permits issued pursuant to the variance shall be null and void. (Ord. 1991-31 § 1, 1991; Ord. 1985-188 § 1 (part), 1985)

18.93.040 Temporary use permits.

A. Scope: The board of adjustment may issue a temporary use permit for a building or premises in any zone for a use not therein permitted by this code. The permit shall be for not more than a nine month period and may not be renewed.

B. Application: A temporary use permit may be requested by the owner of the property by submitting an application in accordance with Section 18.93.030C, except that the time period in Section 18.93.030C2g shall be thirty days.

C. Standards: A temporary use permit may be issued only after a finding by the board that the temporary use:

1. Is of a true temporary nature;

2. Does not involve the erection of a substantial building;

3. Will not cause injury to or adversely affect the rights of adjacent property owners or residents;

4. Is in harmony with the general intent and purposes of this code; and

5. Does not violate state law or other provisions of Pima County ordinances.

D. Hearing: The temporary use permit shall be issued after a public hearing. Notice of the hearing shall be given in accordance with Section 18.93.030E.

E. Conditions: The board may impose such conditions as will safeguard the public health, safety, convenience and general welfare. (Ord. 1985-188 § 1 (part), 1985)

18.93.050 Time limit for variances and temporary use permits.

A. Time limit: Application for necessary permits for use of the property and construction shall be made within nine months of the granting of a variance and within thirty days of the issuance of a temporary use permit. The board of adjustment may grant a different time limit on variances approved for lots or parcels that are substandard in size because of circumstances beyond the control of the property owner.

B. Revocation: Failure to apply for necessary permits within the time limit shall render the variance or temporary use permit null and void.

C. Appeal: Appeal of a board action shall suspend the running of the time limit during the period of appeal.

D. Time extension:

1. A new application for variance or temporary use permit shall be required after expiration of the time limit, unless an extension is granted by the board;

2. A request for a single three-month time extension may be made by submitting a written request and applicable fees for a board of adjustment public hearing. (Ord. 1993-92 § 1, 1993; Ord. 1985-188 § 1 (part), 1985)

18.93.060 Interpretations.

A. Power: The board of adjustment may interpret the code on appeal by any person who feels that there is error in interpretation or doubt as to the meaning of any word, phrase or section when:

1. There is a dispute between the appellant and the zoning inspector or other county official as to a decision or interpretation; or

2. The location of a zoning district boundary is in doubt (refer to Section 18.05.030, Zones, Maps and Boundaries).

B. Application:

1. An interpretation may be requested by submitting an application on a form prepared by the planning and development services department, with hearing fees.

2. The application shall include:

a. The specific words requiring interpretation;

b. Citation of the disputed decision or interpretation of the zoning inspector or other county official;

c. A statement of the interpretation proposed by the appellant; and

d. Citation of authority, if any, for the position of the appellant.

3. The department may require additional information.

4. Incomplete applications shall not be processed.

C. Staff review:

1. The zoning inspector or other county official shall prepare a written response to the application, which shall contain a statement of the interpretation used.

2. The response shall be submitted to the

board, mailed to the appellant and be made available to the public at least fifteen days prior to the public hearing.

3. No further written statements shall be submitted to the board prior to the public hearing.

D. Public notice: No less than fifteen days prior to a public hearing, notice shall be given by:

1. Publication once in a newspaper of general circulation in the county; and

2. Mailing notice to the appellant.

E. Hearing:

1. The board shall hold a public hearing on the interpretation, at which all interested persons may be heard.

2. Testimony and argument shall be limited to the provision in question. Facts relating to specific applications of the provision in question shall be considered as relevant only insofar as they are examples of the general application of the provision throughout the county.

3. The board may require that additional information be provided.

4. The board may continue the public hearing to a definite time, not to exceed three months.

F. Board action:

1. The board may act on the matter following the public hearing or continue the matter for a maximum of three months;

2. If new information is presented within thirty days of the decision, the board may rehear the matter;

3. The interpretation shall be made in writing;

4. Transmittal: The department shall transmit the action of the board to the appellant, zoning inspector, other boards of adjustment, planning and zoning commission and board of supervisors. (Ord. 1985-188 § 1 (part), 1985)

18.93.070 Appeal to superior court.

A. Appeal from a decision of the board of adjustment: Any person aggrieved by a decision of the board may make an appeal to superior court within thirty days of the date of the action of the board, and the matter shall be heard in like manner as appeals from courts of justices of the peace. (Ord. 1985-188 § 1 (part), 1985)

Chapter 18.95

COMPLIANCE AND ENFORCEMENT*

Sections:

18.95.010 Purpose and scope.
18.95.020 Compliance.
18.95.030 Enforcement.
18.95.040 Penalties and remedies.

* Prior ordinance history: Ords. 1985-82 and 1985-117.

18.95.010 Purpose and scope.

A. Purpose: This chapter provides:

1. The process of applying the provisions of this code to individual land use proposals prior to the initiation of such development or uses, by the evaluation of proposed development or uses by county staff for conformance with this code;

2. For the enforcement of this code subsequent to the development or use of property, if voluntary correction of a violation is not successful.

B. Scope:

1. Compliance describes the methods by which the provisions of this code are met when a particular use of a property is intended.

2. Enforcement describes the actions taken by the county if users of property do not follow the prescribed methods. (Ord. 1985-188 § 1 (part), 1985)

18.95.020 Compliance.

A. Compliance mechanisms: Code compliance is sought through:

1. Review procedures for subdivision plats, development plans and other plans;

2. A permitting system which will deny the issuance of a permit. if the proposed activity conflicts with code requirements; and

3. Specific county officers and employees

empowered to administer the above methods of compliance.

B. Compliance review:

1. It shall be the duty of the zoning inspector and all departments, officials and public employees vested with the duty or authority to issue permits, to:

a. Determine compliance with the provisions of this code; and

b. Issue no permit in conflict with the provisions of this code.

2. Any permit issued in conflict with the provisions of this code shall be null and void.

C. Validity of permit:

1. The issuance or granting of a building or use permit or approval of plans or specifications under the authority of this code shall not be deemed or construed to be a permit for, or an approval of, any violation of any of the provisions of this code or the amendments thereto, or of any other ordinance or law;

2. No permit presuming to give authority to violate or cancel any of the provisions of this code or any existing law shall be issued, and if issued shall not be valid, except insofar as the work or use which it authorizes is lawful and permitted;

3. A zoning permit shall be valid:

a. Concurrent with and subject to the validity of the applicable permit required by the county building codes (Title 15), or

b. In perpetuity, upon establishment of the use or completion of structures associated with the use, provided the use is not discontinued for more than twelve months;

4. If no building permit is required for the use, the zoning use permit or zoning construction permit (refer to Section 18.01.030E, General Provisions) shall be valid:

a. For one year after the date of issuance, or

b. In perpetuity, upon establishment of the use or completion of structures associated with the use, provided the use is not discontinued for more than twelve months. (Ord. 1987-66 § 1, 1987; Ord. 1986-216 § 1, 1986; Ord. 1985-188 § 1 (part), 1985)

18.95.030 Enforcement.

A. Zoning inspection:

1. Responsibility: The chief zoning inspector is responsible for investigating all complaints of suspected violations of this code;

2. Right of entry: When necessary to enforce this code, the chief zoning inspector may, at any reasonable hour, enter any land or structure to investigate a possible violation, provided that no structure shall be entered in the absence of the owner or occupant without a written court order.

B. Zoning violation hearing:

1. The hearing officer shall hear and decide complaints alleging violations of this code, as authorized by A.R.S. § 11-808 and Section 18.101.060 (Administrators);

2. The form and service of complaints, and the hearing procedures of the officer, shall follow the zoning enforcement rules of procedure adopted by the board of supervisors in accordance with Section 18.01.070 (General Provisions);

3. If the officer determines a zoning violation exists, civil penalties may be imposed by the officer in accordance with Section 18.95.040A. Imposition of civil penalties shall not preclude persons listed in Section 18.95.040B from pursuing remedies provided for in that subsection;

4. The erection, construction, reconstruction or alteration of any structure, or the use of any property or structure, not in conformance with this code constitutes a violation;

5. Violators of this code are subject to civil penalties or other legal action for failure to comply with any provision of this code (refer to Section 18.95.040).

C. Appeals:

1. Any party to the zoning violation hearing may appeal the decision of the officer to the board of supervisors.

2. The decision of the supervisors may be appealed to the superior court in accordance

with A.R.S. § 12-901 et seq. (Ord. 1985-188 § 1 (part), 1985)

18.95.040 Penalties and remedies.

A. Penalties:

1. Each day's continuance of a zoning violation shall be deemed a separate offense;

2. The maximum penalty for each offense shall be:

a. Seven hundred fifty dollars for an individual; or

b. Ten thousand dollars for any corporation, association, labor union or other legal entity.

B. Remedies:

1. All remedies provided in this code shall be cumulative and not exclusive;

2. The imposition of penalties on any person under this code shall not relieve such person from the responsibility of correcting prohibited conditions or removing prohibited structures or improvements, and shall not prevent the enforced correction or removal of such violations;

3. If any structure is erected, constructed, reconstructed, altered, maintained or used, or any land is used, in violation of this code, the board of supervisors, the county attorney, the zoning inspector or any adjacent or neighboring property owner who is specially damaged by the violation may institute injunction, mandamus, abatement or any other appropriate action or proceedings to prevent, abate or remove the violation. (Ord. 1985-188 § 1 (part), 1985)

Chapter 18.97

CONDITIONAL USE PROCEDURES

Sections:

18.97.010 **Purpose.**
18.97.020 **Definitions.**
18.97.030 **Procedures and requirements.**

18.97.010 Purpose.

Purpose. This chapter provides procedures and standards for the review and approval of conditional uses, as designated within the zoning classifications of this code. Conditional uses provide zoning flexibility, but, due to their potentially adverse impacts, require the review processes established in this chapter. (Ord. 1985-141 § 1 (part), 1985)

18.97.020 Definitions.

A. Certain terms used in this chapter shall be defined, for the purpose of this chapter only, as follows:

1. Affected property owner: Any owner of property located within the required radius for written notification of public hearing.

2. Conditional use: A use which, due to its greater potential for nuisance or hazard than other uses of the zone, has its establishment in a zone conditional upon the procedures and standards of this chapter.

3. Hearing administrator: A county hearing officer, not being an employee of the planning and development services department, as appointed by the board of supervisors. (Ord. 1986-127 § 1 (part), 1986; Ord. 1985-141 § 1 (part), 1985)

18.97.030 Procedures and requirements.

A. Scope.

1. A conditional use may be requested by submitting a conditional use permit application to the planning and development services department. Issuance of the permit is subject to the requirements of this chapter and any requirements of the zone in which the use is being requested;

2. Application for a permit may only be made by the property owner of the subject property or an agent for the property owner.

B. Staff Consultation. The applicant is advised to consult with county staff concerning potential requirements prior to submittal of the application.

C. Application.

1. The complete application shall include, at a minimum:

a. A legal description of the property,

b. A list, by name and title, of all ownership interest in the property (e.g., individual, corporation, trust or limited partnership), in accordance with A.R.S. § 33-506,

c. A letter of authorization for an agent,

d. Applicable permit fees, in accordance with the adopted conditional permit fees schedule,

e. A preliminary development plan in accordance with Section 18.91.030 (Rezoning), which shall show compliance with all other requirements of the zone in which the use is proposed to be located,

f. A floor plan detail, when the request pertains to interior access or use;

2. Refer to written departmental policies for application specifics;

3. Incomplete applications shall not be processed;

4. Hearing notification maps shall be prepared only by the department.

D. Permit Hearing Procedure Types.

1. Scope: This subsection establishes the specific procedure types for conditional use applications. The applicable permit procedure shall be referenced after each conditional use in this code;

2. Type 1 procedure: Public hearing by the hearing administrator, with a minimum notification area of three hundred feet from the subject property;

3. Type 2 procedure: Public hearings by the hearing administrator and board of supervisors, with a minimum notification area of three hundred feet from the subject property.

4. Type 3 procedure: Public hearings by the planning and zoning commission and board of

supervisors, with a minimum notification area of three hundred feet from the subject property.

E. Public Notice.

1. A minimum of fifteen days prior to a hearing, the planning and development services department shall provide notice by:

a. Posting of the subject property to be considered at the hearing; and

b. Mailing written notice to all property owners within the applicable notification area;

2. Failure of notice: The unintentional failure to give written notice of the unintentional omission of the name of a property owner shall not invalidate an action taken at a hearing.

F. Type 1 Permit Hearing.

1. Scope: Within thirty days of proper application, a public hearing shall be held by the hearing administrator on the merits of the application.

2. Public notice: In accordance with Section 18.97.030E.

3. Hearing:

a. After proper public notice, the administrator shall hold a public hearing on the application, at which all interested parties may appear and shall be heard;

b. The administrator may continue a public hearing, for a definite time not to exceed three months, on own initiative or at the request of the applicant or affected property owners;

c. The administrator shall require that the petitioner present information adequate to illustrate that the proposed use meets the following standards:

1) It will not be in serious conflict with the objectives of the general land use plan or the area plan in which situated,

2) It will provide safeguards for the protection of adjacent developed property, or if the adjacent property is undeveloped, the legal permitted uses of such property,

3) It has adequate accessibility to the county road network,

4) It has sufficient off-street parking and loading facilities, that will be developed in accordance with county engineering standards,

5) It will meet county standards in terms of control of noise, smoke, glare or heat, odors, vibrations, fly, ash, dust, fumes, vapors, gasses and other forms of air pollution, liquids and solid wastes,

6) Hours of operation will not be detrimental to adjoining residents,

7) Landscaping will be fully in conformance with zoning code regulations;

d. The administrator may require that additional information be presented.

4. Decision of the administrator: Approval of a conditional use permit shall be subject to the preliminary development plan and any other reasonable requirements deemed necessary by the administrator. The permit shall not be effective until thirty days after the decision or when all requirements of approval have been satisfied, whichever is later.

5. Findings: A report on the findings of the administrator and conditions of the permit shall be available for public inspection within five days of the administrator's decision.

6. Appeals:

a. Any appeal to the board of supervisors of the decision or conditions imposed by the administrator shall be filed within thirty days by the applicant or affected property owners;

b. A public hearing by the supervisors shall be required in accordance with Section 18.97.030G.

G. Type 2 Permit Hearing.

1. Scope: As required by the conditions of a use, a public hearing shall be held by the board of supervisors after recommendation from the hearing administrator;

2. Recommendation of the hearing administrator:

a. The hearing administrator shall conduct a public hearing in accordance with Type 1 hearing procedures (Section 18.97.030F) and thereafter shall prepare a report for the supervisors;

b. The report of the administrator shall, at a minimum:

1) Classify the request as to its conformance with applicable county land use plans,

2) Analyze the expected impact of the proposed development on the site and surroundings,

3) Contain a recommendation to the board of supervisors,

4) Include the comments and conditions, if any, of other affected county departments and public agencies,

5) Include comments made at the public hearing;

c. The report shall be available for public inspection fifteen days prior to the date of supervisor's public hearing;

3. Transmittal: Within thirty days after the public hearing, the planning and development services department shall transmit the report and recommendations of the administrator to the supervisors;

4. Hearing:

a. After proper public notice (refer to Section 18.97.030E), the supervisors shall hold a public hearing on the application, at which all interested parties may appear and shall be heard;

b. The supervisors may continue a public hearing, for a definite time not to exceed three months, on own initiative or at the request of the applicant or affected property owners;

c. The supervisors may require that additional information be presented;

5. Decision of the supervisors: Approval of a conditional use permit shall be subject to the preliminary development plan and any other reasonable requirements deemed necessary by the supervisors. The permit shall be effective when all requirements of approval have been satisfied.

H. Type 3 Permit Hearing.

1. Scope: As required by the conditions of a use, a public hearing shall be held by the board of supervisors after recommendation from the planning and zoning commission;

2. Staff report by the hearing administrator:

a. The hearing administrator shall prepare for the commission a report that shall, at a minimum:

1) Classify the request as to its conformance with applicable county land use plans,

2) Analyze the expected impact of the proposed development on the site and surroundings,

3) Contain a recommendation to the commission,

4) Include the comments and conditions, if any, of other affected county departments and public agencies;

b. The report shall be available for public inspection fifteen days prior to the date of the commission public hearing;

3. Commission public hearing: The commission shall conduct a public hearing in accordance with Section 18.97.030F.

4. Transmittal: Within thirty days after the public hearing, the planning and development services department shall transmit the report and recommendations of the administrator and the planning and zoning commission to the supervisors, who shall hold a public hearing in accordance with Section 18.97.030G4.

5. Decision of the supervisors: In accordance with Section 18.97.030G5.

I. Development Plan Requirement. An approved development plan in accordance with Chapter 18.71 (Development Plan) shall be required prior to the issuance of a conditional use permit.

J. Time Limits and Time Extensions.

1. Time limit on conditional use approval:

a. Approval for a conditional use shall expire if a conditional use permit is not obtained within nine months of the date of approval;

b. A new conditional use permit application is required after the expiration of the initial approval, unless a time extension has been granted;

c. Appeal from the approval of the use shall suspend the running of the time limit during the period of appeal;

2. Extension of approval time limit: A request for a single three-month time extension of approval may be made in accordance with Section 18.91.100C (Rezoning);

3. Time limit on conditional use permits:

a. A conditional use permit shall be valid for the duration of the conditional use, provided the use remains in conformance with the terms of approval;

b. If a conditional use is discontinued for more than twelve months, the permit shall be deemed null

and void, and reapplication for a new conditional use permit shall be necessary. (Ord. 1986-127 § 1 (part), 1986; Ord. 1986-41 § 1 (part), 1986; Ord. 1985-141 § 1 (part), 1985)

Chapter 18.99

REVIEW COMMITTEES

Sections:

18.99.010	Purpose.
18.99.020	Definitions.
18.99.030	Design review committee.
18.99.040	Technical review committee.
18.99.050	Aviation review committee.

18.99.010 Purpose.

A. Purpose. This chapter describes the committees that review various aspects of development in the county, stating their composition, authority and procedures, and the criteria used in evaluating development proposals. (Ord. 1985-141 § 1 (part), 1985)

18.99.020 Definitions.

A. Certain terms used in this chapter shall be defined, for purposes of this chapter only, as follows:

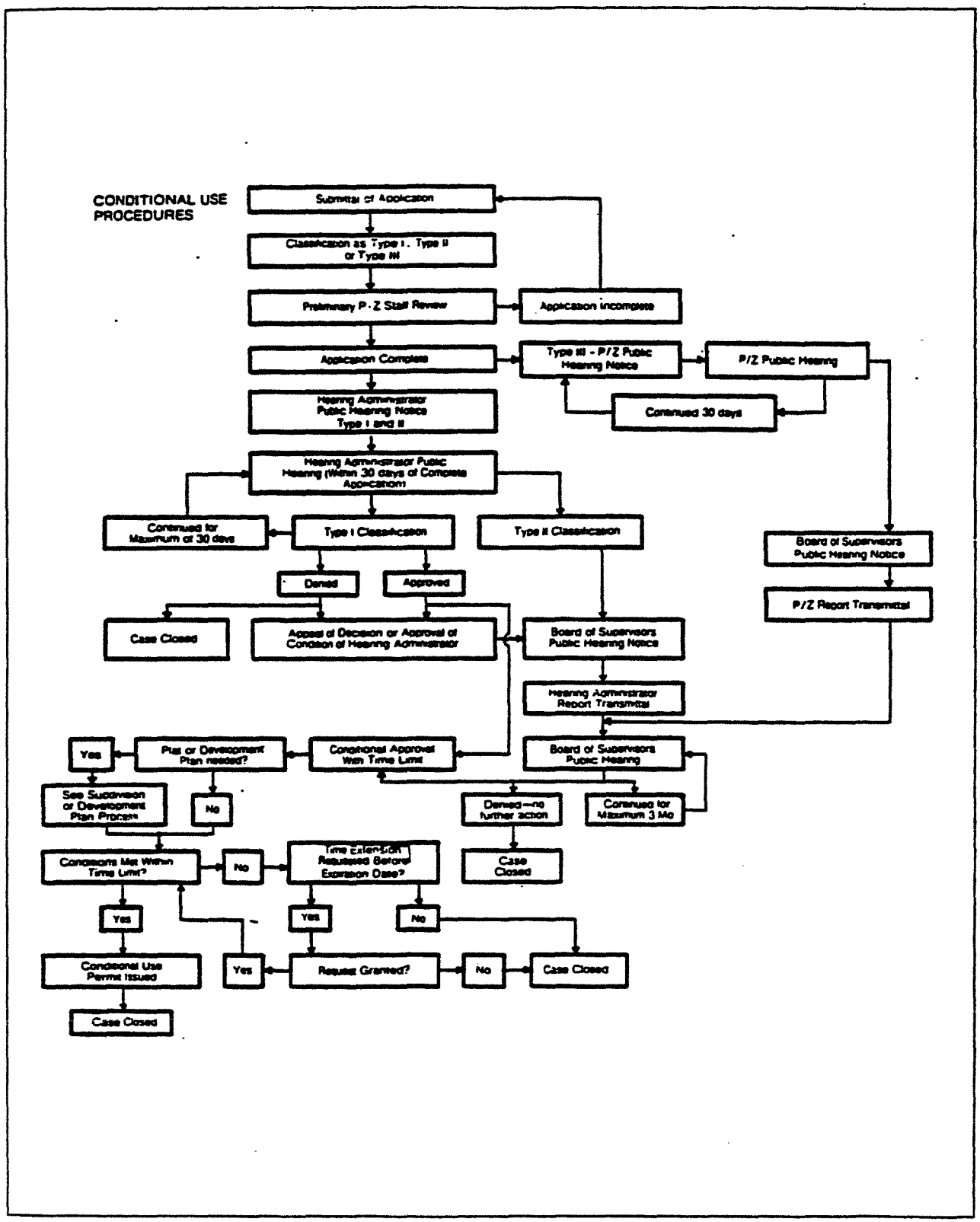
1. Affected homeowner's association: an association of homeowners which is registered with the planning and development services department and represents a residential area close to a proposed development. (Ord. 1985-141 § 1 (part), 1985)

18.99.030 Design review committee.

A. Purpose. The review provided by this committee is intended to:

1. Protect the character and desirable living conditions of surrounding areas through careful site planning that alleviates impacts of new development;

2. Encourage site planning and building design that establishes a sensitive relationship both


CONDITIONAL USE PROCEDURES
Submittal of Application
Classification as Type I, Type II or Type III
Preliminary P/Z Staff Review
Application Incomplete
Application Complete
Type III - P/Z Public Hearing Notice
P/Z Public Hearing
Continued 30 days
Hearing Administrator Public Hearing Notice Type I and II
Hearing Administrator Public Hearing (Within 30 days of Complete Application)
Continued for Maximum of 30 days
Type I Classification
Type II Classification
Board of Supervisors Public Hearing Notice
Denied
Approved
P/Z Report Transmittal
Case Closed
Appeal of Decision or Approval of Condition of Hearing Administrator
Board of Supervisors Public Hearing Notice
Hearing Administrator Report Transmittal
Yes
Plat or Development Plan needed?
Conditional Approval With Time Limit
Board of Supervisors Public Hearing
See Subdivision or Development Plan Process
No
Denied—no further action
Continued for Maximum 3 Mo
Conditions Met Within Time Limit?
No
Time Extension Requested Before Expiration Date?
Case Closed
Yes
Yes
No
Conditional Use Permit Issued
Yes
Request Granted?
No
Case Closed
Case Closed

internally and between the elements of the site plan and contextual features of scenic, environmental or cultural significance;

3. Preserve the visual amenity of the county for residents and visitors, especially through the enhancement of roadway aesthetics;

4. Accomplish other goals for specific types of development, as described in Sections 18.09.040 (General Residential and Rural Zoning Provisions), 18.49.010 (CPI Campus Park Industrial Zone) and 18.63.010 (Historic Zone).

B. Establishment. The design review committee is established by the adoption of this chapter and replaces the previously established RVC architectural advisory, landscape architectural advisory, cluster review, and CPI development review committees.

C. Composition. The following persons or their representatives shall be members of the committee:

1. The planning and development services director;

2. The director of the department of transportation and flood control district;

3. The chief zoning inspector;

4. One architect appointed by the board of supervisors;

5. One landscape architect appointed by the supervisors;

6. One civil engineer or land planner appointed by the supervisors;

7. One person experienced in residential and commercial property development, appointed by the supervisors;

8. One person representing homeowners' associations in the community at-large, appointed by the supervisors;

9. One person representing all affected homeowners' association(s) of a specific development proposal, approved by such association(s) for review of that proposal only. In review of historic zone development, a member of the applicable historic district advisory board shall fill this position; and

10. One person representing the Tucson-Pima Arts Council or the director of art in public places, city of Tucson, to only review and approve streetscape sculpture and furniture in accordance with Section 18.73.030B10 (Landscaping, Buffering and Screening Standards).

D. Transaction of Business.

1. Terms: Committee members appointed by the board of supervisors shall be appointed for three-year terms. a maximum of two such terms may be served;

2. Meetings: The committee shall hold regular meetings once a month, with additional meetings called, as needed, by the planning and development services director.

E. Powers and Duties. The committee shall serve as:

1. An advisory body providing procedural or development recommendations to applicable decision making bodies;

2. A review body with the power to require revisions to specified development proposals prior to review by the subdivision review committee;

3. The final voting body on development proposals in historic zones, with the power to approve, approve with conditions, or deny plans for such development;

4. A hearing body for appeals of decisions or requirements of the landscape review representative concerning final landscape plans (refer to Section 18.73.070 Landscaping Standards).

F. Fees. Fees for specific types of design review shall be charged in accordance with the adopted fees schedule.

G. Review Procedures, Submittals and Criteria:

1. Cluster development review: Refer to Section 18.09.040 (General Residential and Rural Zoning Provisions);

2. CPI development review: Refer to Section 18.49.050 (CPI Campus Park Industrial Zone)

3. Historic zone review: Refer to Section 18.63.080 (Historic Zone);

4. RVC development review: Refer to Section 18.71.060 (Development Plan Standards);

5. Commercial and other design review: Reserved.

H. Appeal of Design Review Committee Decision.

1. Cluster development: As directed in Section 18.09.040 (General Residential and Rural Zoning Provisions);

2. Historic zone development:

a. The decision of the committee may be appealed to the board of supervisors within thirty days of the committee decision by:

1) The applicant;

2) A member of the applicable historic district advisory board;

3) Any real property owner within the historic district; or

4) Any resident of the historic district;

b. The supervisors shall uphold or reverse the committee's decision, and may add, subtract or modify conditions of design plan approval. (Administrative amendment dated December 16, 1985; Ord. 1985-141 § 1 (part), 1985)

18.99.040 Technical review committee.

A. Purpose: The technical review committee shall hear and decide requests for waivers or review of interpretations and provide recommendations for amendments of Chapter 18.81 (Grading Standards).

B. Establishment: This committee is established by the board of supervisors.

C. Composition: The following persons or their representatives shall be members of the committee:

1. The civil engineer member of the design review committee (Refer to Section 18.99.030);

2. The landscape architect member of the design review committee; and

3. Three members appointed by the board of supervisors.

D. Transaction of business:

1. Terms: Committee members shall be appointed by the supervisors for three-year terms. A maximum of two such terms may be held.

2. Meetings: The committee shall hold meetings monthly or as needed. All meetings shall be publicly noticed. (Ord. 1986-187 § 1 (part), 1986)

18.99.050 Aviation review committee.

A. Purpose: The purpose of this section is to implement the requirements of Section 18.57.040. The review provided is intended to ensure:

1. The safe design and operation of private airports; and

2. Compatibility between private airports and noise-sensitive land uses.

B. Powers and Responsibilities:

1. Review: The committee shall review conditional use permit applications for proposed airports and recommend approval, with or without conditions, or denial to the board.

2. References: The committee shall refer to the design criteria established in applicable FAA advisory circulars and federal aviation regulations. These documents are filed with the Tucson Airport Authority.

C. Establishment: The aviation review committee is established by adoption of Chapter 18.57.

D. Membership: Committee membership includes a representative from the:

1. Planning and development services department;

2. Arizona Pilots Association;

3. Tucson Airport Authority;

4. Federal Aviation Administration; and the

5. Homeowners association(s) of the affected area.

E. Terms: Members shall be appointed by the board of supervisors for four-year terms, except the homeowners' representative, who shall be appointed as needed.

F. Meetings: The committee shall hold meetings as required by applications for conditional use permits.

G. Fees: Fees for review shall be charged in accordance with the adopted fees schedule. (Ord. 1986-188 § 1 (part), 1986; Ord. 1985-152 § 1 (part), 1985)

Chapter 18.101

ADMINISTRATORS

Sections:

18.101.010	**Purpose.**
18.101.020	**Board of supervisors.**
18.101.030	**Planning and zoning commission.**
18.101.040	**Planning and development services department.**
18.101.050	**Boards of adjustment.**
18.101.060	**Hearing officer.**

18.101.010 Purpose.

A. Purpose:

1. This chapter describes the responsibilities, powers and duties exercised by the principal officers and agencies involved in the planning, zoning and subdivision of land within Pima County;

2. The specific procedures by which these responsibilities, powers and duties are exercised are found within the applicable chapters of this code and in adopted written policies. (Ord. 1985-188 § 1 (part), 1985)

18.101.020 Board of supervisors.

A. Scope: As a legislative body, the board of supervisors performs the planning and zoning actions of this section, as authorized by A.R.S. Title 11, Chapter 6.

B. Powers and duties:

1. Comprehensive plan: Upon recommendation by the planning and zoning commission, the supervisors adopt and amend a comprehensive plan, which establishes the goals of Pima County regarding future development of the county, in accordance with Chapter 18.89 (Comprehensive Plans);

2. Zoning regulations and districts: By ordinance, the supervisors establish and amend the zoning regulations of this code in accordance with Section 18.01.070 (General Provisions), and provide for zoning district changes and amendments in accordance with Chapter 18.91 (Rezoning Procedures);

3. Land use policies: The supervisors adopt, by resolution, policies relating to land use issues and review procedures;

4. Subdivision and development plan regulations: The supervisors adopt, by ordinance, regulations for the subdivision of land within the county (refer to Chapter 18.69, Subdivision Standards) and for development plans, which establish the features of a development (refer to Chapter 18.71, Development Plan Standards);

5. Appeals and special permits: The supervisors hear and decide appeals and special permits to developmental or procedural requirements, when authorized by this code;

6. Enforcement: The supervisors establish, by ordinance, rules and procedures for the enforcement of this code by the zoning inspector;

7. Appointments: The supervisors appoint or ratify the members of the following boards, commissions and committees:

a. Planning and zoning commission,

b. Boards of adjustment,

c. Historic district advisory boards,

d. Design review committee,

e. Other committees, as necessary.

C. Clerk of the board of supervisors: The clerk of the board is responsible for:

1. Preparing all minutes of supervisors' meetings;

2. Maintaining a file of documents relating to functions of the supervisors;

3. The sale of copies of the zoning code. (Ord. 1992-96 § 1 (part), 1992; Ord. 1985-188 § 1 (part), 1985)

18.101.030 Planning and zoning commission.

A. Scope: The planning and zoning commission primarily advises the board of supervisors on planning and zoning policies, plans, amendments and regulations, as authorized by A.R.S. Title 11, Chapter 6.

B. Powers and duties: The commission performs the following duties:

1. Comprehensive plan:

a. The commission initiates and recommends to the supervisors a comprehensive plan, which establishes the goals of Pima County regarding future development of the county, in accordance with Chapter 18.89 (Comprehensive Plan),

b. The commission reviews and provides recommendations to the board on all amendments to the comprehensive plan;

2. Zoning code amendments: The commission initiates and provides recommendations to the supervisors on amendments to this code, in accordance with Section 18.01.070 (General Provisions);

3. Specific plans: The commission initiates specific plans at an initiation hearing, except specific plans initiated by consent petition, and provides recommendations to the supervisors on a proposed specific plan;

4. Rezoning:

a. The commission initiates the rezoning of property at a preliminary hearing, with the exception of rezonings initiated by consent petition or listed in Section 18.91.040B (Rezoning Procedures),

b. The commission provides recommendations to the supervisors on a proposed rezoning, with the exception of rezonings that conform to a zoning plan, in accordance with Chapter 18.91 (Rezoning Procedures);

5. Historic zones:

a. The commission initiates the designation of property as a historic district zone (refer to Section 18.63.050, Historic Zone),

b. The commission provides recommendations to the supervisors on a proposed historic district zone, the associated preservation and development criteria, and historic district advisory board,

c. The commission determines if the preservation of a historic structure proposed for demolition is physically or economically unfeasible, in accordance with Section 18.63.090 (Historic Zone);

6. Subdivision and development plan regulations:

a. The commission reviews subdivision plats in accordance with Chapter 18.69 (Subdivision Standards),

b. The commission reviews development plans for RVC zoning in accordance with Section 18.71.050 (Development Plan Standards);

7. Code interpretations: The commission shall hear interpretation rulings of the boards of adjustment within forty-five days of the ruling;

8. Other matters: The commission may initiate or conduct special studies relating to planning and zoning matters, and may consider requests for the same from the board of supervisors.

C. Composition: The commission comprises ten members, as follows:

1. Appointment: Two members shall be appointed from each of the five supervisorial districts of the county by the supervisor representing the district, and only one of the two members from each district may reside within an incorporated municipality;

2. Terms: Appointments are for staggered terms of four years each, with no limit on the number of terms;

3. Vacancies: Vacancies shall be filled within a reasonable time period by the supervisor of the district in which the vacancy has occurred, for the unexpired term of that position;

4. Removal: The supervisor of a district has the authority to remove a commissioner from that district for neglect of duty, inefficiency, or misconduct in office.

D. Transaction of business:

1. The commission shall conduct its business in accordance with the Arizona Revised Statutes, applicable Pima County regulations, and its own adopted rules and regulations;

2. The director of the planning and development services department shall be the executive secretary of the commission.

E. Effect of decisions: All commission recommendations, final actions and findings of decisions will be transmitted to the supervisors, regardless of vote. (Ord. 1992-96 § 1 (part), 1992;

Ord. 1987-64 § 1 (part), 1987; Ord. 1985-188 § 1 (part), 1985)

18.101.040 Planning and development services department.

A. Scope: The planning and development services department is the lead agency for the administration of this code and serves as the lead professional staff of the planning and zoning commission.

B. Powers and duties of the planning director: The planning director, with the applicable staff, performs the following duties:

1. Supervision: The director supervises the various divisions of the department;

2. Rezoning and specific plan compliance with the comprehensive plan. The director determines rezoning and specific plan compliance with the comprehensive plan;

3. Plans and regulations: The director develops and maintains the comprehensive plan and the land use plans, policies and regulations for its implementation;

4. Specific plans: The director administers and provides recommendations to the commission on specific plan applications and coordinates the administration of adopted specific plans by other county departments and public agencies;

5. Rezoning: The director administers and provides recommendations to the commission on the rezoning of property;

6. Subdivision and development plan regulations: The director reviews and coordinates the processing of subdivision plats in accordance with Chapter 18.69 (Subdivision Standards);

7. Boards, commissions and committees: The director provides administrative assistance to the planning or zoning bodies appointed by the board of supervisors (refer to Section 18.101.020B8);

8. Other duties:

a. The director acts as the executive secretary of the commission and, by representation, executive secretary of the boards of adjustment;

b. The director performs such other functions as may be necessary in the administration of the department or as provided by the county manager.

C. Powers and duties of the chief zoning inspector: The chief zoning inspector reports to the planning and development services director and, by authority of A.R.S. § 11-808, performs the following duties:

1. Compliance review: The inspector reviews all permits for the use or improvement of property prior to issuance by the county, in order to determine if the proposed activity will be in compliance with this code;

2. Conditional uses: The inspector acts as the hearing administrator for conditional uses, in accordance with Chapter 18.97 (Conditional Use Permits);

3. Interpretation: The inspector interprets the provisions of this code;

4. Enforcement: The inspector enforces the provisions of this code by all means prescribed by law. (Ord. 1992-96 § 1 (part), 1992; Ord. 1987-64 § 1 (part), 1987; Ord. 1985-188 § 1 (part), 1985)

18.101.050 Boards of adjustment.

A. Scope: The boards of adjustment hear and decide appeals for variances and interpretations of this code and issue temporary use permits, in accordance with A.R.S. § 11-807 and Chapter 18.93 (Board of Adjustment Variances, Temporary Use Permits and Interpretations).

1. Interpretation: The boards interpret this code on appeal when:

a. There is a dispute between the appellant and the zoning inspector of the other county official as to a decision or interpretation, or

b. The location of a zoning district in doubt (refer to Section 18.05.030, Zones, Maps and Boundaries);

2. Variances: The boards may allow variances from a provision of this code in accordance with Section 18.93.030 (Board of Adjustment Variances, Temporary Use Permits and Interpretations);

3. Temporary use permits: The board may issue a temporary use permit in accordance with

Section 18.93.040, (Board of Adjustment Variances, Temporary Use Permits and Interpretations);

4. Other duties: The applicable boards shall also act as the airport zoning board of adjustment in accordance with A.R.S. § 2-328.

C. Composition:

1. Appointment:

a. There is one board in each of the supervisorial districts of Pima County,

b. Five members shall be appointed for each board. Each member shall be a resident of the unincorporated area of the supervisorial district from which appointed,

c. Appointments to the boards shall be made by majority vote of the board of supervisors;

2. Terms: Appointments shall be for staggered terms of four years each, except that the initial members shall be appointed, by lot, for the following terms:

a. One member for one year,

b. One member for two years,

c. One member for three years, and

d. Two members for four years;

3. Vacancies: Vacancies shall be filled for the unexpired portion of that term within a reasonable time period, as provided for appointments;

4. Removal: The board of supervisors has the authority to remove, by majority vote, any member for neglect of duty, inefficiency or misconduct in office.

D. Transaction of business:

1. Each board shall conduct its business in accordance with the Arizona Revised Statutes, applicable Pima County regulations, and its own adopted rules and regulations;

2. The planning director or a representative from the planning and zoning division shall be the executive secretary of each board. (Ord. 1985-188 § 1 (part), 1985)

18.101.060 Hearing officer.

A. Scope: The hearing officer hears and decides zoning violation appeals, as authorized by A.R.S. § 11-808(E).

B. Powers and duties: The officer performs the following duties (refer also to Section 18.95.030, Compliance and Enforcement):

1 The officer hears and decides complaints alleging civil violations of this code;

2. The officer administers oaths;

3. The officer issues subpoenas and summonses ordering appearance before the officer;

4. The officer makes any other order necessary for the determination and resolution of zoning violations.

C. Establishment:

1. Appointment: The officer shall be appointed by the board of supervisors;

2. Qualifications:

a. The officer shall have training, experience or familiarity with administrative hearings and this code,

b. The officer may be an employee of Pima County, except that the officer shall not be a zoning inspector;

3. Annual review: The board of supervisors shall conduct an annual review of the hearing officer;

4. Removal: The board of supervisors has the authority to remove the officer, by majority vote, for neglect of duty, inefficiency or misconduct in office.

D. Transaction of business: The officer shall follow the procedures set forth in the zoning enforcement rules of procedures, as adopted and amended in accordance with Section 18.01.070 (General Provisions). (Ord. 1985-188 § 1 (part), 1985)

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