
TUCSON CODE, CHAPTER 23, LAND USE CODE

* * *

ARTICLE II. ZONES

* * *

DIVISION 5. COMMERCIAL ZONES

2.5.1 "RVC" RURAL VILLAGE CENTER ZONE.

* * *

2.5.1.2 Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3.

* * *

B. Retail Trade Use Group, Sec. 6.3.10

1. Food and Beverage Sales "29", [subject to: Sec. 3.5.9.1.K](#)
2. General Merchandise Sales "29", [subject to: Sec. 3.5.9.2.D](#)

* * *

2.5.1.3 Special Exception Land Uses. The following Land Use Classes are not permitted within this zone, unless approved through the special approval procedure noted for the Land Use Class, and are subject to any additional conditions listed. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3. For further information concerning Special Exception Land Use applicability, refer to Sec. 5.3.9.

* * *

C. ~~Retail Trade Use Group, Sec. 6.3.10~~ [Reserved.](#)

~~1. Food and Beverage Sales Large Retail Establishment "29", subject to: Sec. 3.5.9.7 and approval through a Type III Legislative Procedure, Sec. 5.4.2.3~~

~~2. General Merchandise Sales Large Retail Establishment "29", subject to: Sec. 3.5.9.7 and approval through a Type III Legislative Procedure, Sec. 5.4.2.3~~

* * *

2.5.3 "C-1" COMMERCIAL ZONE.

* * *

2.5.3.2 Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3.

* * *

B. Retail Trade Use Group, Sec. 6.3.10

All Retail Trade Uses may provide one (1) drive-through service lane unless otherwise provided.

1. Food and Beverage Sales "28", subject to: Sec. 3.5.9.1.K
2. General Merchandise Sales "28", subject to: Sec. 3.5.9.2.C and .D

* * *

2.5.3.3 Special Exception Land Uses. The following Land Use Classes are not permitted within this zone, unless approved through the special approval procedure noted for the Land Use Class, and are subject to any additional conditions listed. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3. For further information concerning Special Exception Land Use applicability, refer to Sec. 5.3.9.

Denotes language to be added.

~~Denotes language to be deleted.~~

* * *

E. ~~Retail Trade Use Group, Sec. 6.3.10~~ Reserved.

~~1. Food and Beverage Sales – Large Retail Establishment "28", subject to: Sec. 3.5.9.7 and approval through a Type III Legislative Procedure, Sec. 5.4.2.3~~

~~2. General Merchandise Sales – Large Retail Establishment "28", subject to: Sec. 3.5.9.7 and approval through a Type III Legislative Procedure, Sec. 5.4.2.3~~

* * *

2.5.4 "C-2" COMMERCIAL ZONE.

* * *

2.5.4.2 Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3.

* * *

B. Retail Trade Use Group, Sec. 6.3.10

* * *

2. Food and Beverage Sales "31", subject to: Sec. 3.5.9.1.K

3. Food and Beverage Sales – Large Retail Establishment (LRE) "31", subject to: Sec. 3.5.9.7.B

~~3~~4. General Merchandise Sales "31", subject to: Sec. 3.5.9.2.A and .D

5. General Merchandise Sales – Large Retail Establishment (LRE) "31", subject to: Sec. 3.5.9.7.B

Denotes language to be added.

~~Denotes language to be deleted.~~

- 46. Heavy Equipment Sales "30", subject to: Sec. 3.5.9.3
- 57. Swap Meets and Auctions "30", subject to: Sec. 3.5.9.4
- 68. Vehicle Rental and Sales "31", subject to: Sec. 3.5.9.5.A and .B

* * *

2.5.4.3 Special Exception Land Uses. The following Land Use Classes are not permitted within this zone, unless approved through the special approval procedure noted for the Land Use Class, and are subject to any additional conditions listed. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3. For further information concerning Special Exception Land Use applicability, refer to Sec. 5.3.9.

* * *

D. Retail Trade Use Group, Sec. 6.3.10

- 1. Food and Beverage Sales – Large Retail Establishment (LRE) "31", subject to: ~~Sec. 3.5.9.7 and a~~ Approval through a Type ~~III~~ IV ~~Legislative~~ Administrative Procedure, Sec. ~~5.4.2.3~~ 5.4.3.4, and Sec. 3.5.9.7.B
- 2. Food and Beverage Sales – Large Retail Establishment (LRE) "31", subject to: Approval through a Type V Administrative Procedure, Sec. 5.4.3.5, and Sec. 3.5.9.7.C
- 23. General Merchandise Sales – Large Retail Establishment (LRE) "31", subject to: ~~Sec. 3.5.9.7 and a~~ Approval through a Type ~~III~~ IV ~~Legislative~~ Administrative Procedure, Sec. ~~5.4.2.3~~ 5.4.3.4, and Sec. 3.5.9.7.B
- 4. General Merchandise Sales – Large Retail Establishment (LRE) "31", subject to: Approval through a Type V Administrative Procedure, Sec. 5.4.3.5, and Sec. 3.5.9.7.C

* * *

2.5.5 "C-3" COMMERCIAL ZONE.

Denotes language to be added.
~~Denotes language to be deleted.~~

* * *

2.5.5.2 Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3.

* * *

B. Retail Trade Use Group, Sec. 6.3.10

* * *

2. Food and Beverage Sales "34", [subject to: Sec. 3.5.9.1.K](#)
- [3. Food and Beverage Sales – Large Retail Establishment \(LRE\) "34", subject to: Sec. 3.5.9.7.B](#)
- ~~3~~4. General Merchandise Sales "34", subject to: Sec. 3.5.9.2.A [and .D](#)
- [5. General Merchandise Sales – Large Retail Establishment \(LRE\) "34", subject to: Sec. 3.5.9.7.B](#)
- ~~4~~6. Heavy Equipment Sales "33", subject to: Sec. 3.5.9.3
- ~~5~~7. Swap Meets and Auctions "33", subject to: Sec. 3.5.9.4
- ~~6~~8. Vehicle Rental and Sales "34", subject to: Sec. 3.5.9.5.A and .B

* * *

2.5.5.3 Special Exception Land Uses. The following Land Use Classes are not permitted within this zone, unless approved through the special approval procedure noted for the Land Use Class, and are subject to any additional conditions listed. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3. For further information concerning Special Exception Land Use applicability, refer to Sec. 5.3.9.

* * *

E. Retail Trade Use Group, Sec. 6.3.10

1. Food and Beverage Sales – Large Retail Establishment (LRE) "34", subject to: ~~Sec. 3.5.9.7 and a~~Approval through a Type ~~III~~IV ~~Legislative~~Administrative Procedure, Sec. ~~5.4.2.3~~5.4.3.4, and Sec. 3.5.9.7.B
2. Food and Beverage Sales – Large Retail Establishment (LRE) "34", subject to: Approval through a Type V Administrative Procedure, Sec. 5.4.3.5, and Sec. 3.5.9.7.C
23. General Merchandise Sales – Large Retail Establishment (LRE) "34", subject to: ~~Sec. 3.5.9.7 and a~~Approval through a Type ~~III~~IV ~~Legislative~~Administrative Procedure, Sec. ~~5.4.2.3~~5.4.3.4, and Sec. 3.5.9.7.B
4. General Merchandise Sales – Large Retail Establishment (LRE) "34", subject to: Approval through a Type V Administrative Procedure, Sec. 5.4.3.5, and Sec. 3.5.9.7.C

* * *

DIVISION 6. MIXED USE ZONES

2.6.1 "OCR-1" OFFICE/COMMERCIAL/RESIDENTIAL ZONE.

* * *

- 2.6.1.2 Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3.

* * *

B. Retail Trade Use Group, Sec. 6.3.10

1. Food and Beverage Sales "35", subject to: Sec. 3.5.9.1.K
2. Food and Beverage Sales – Large Retail Establishment (LRE) "35", subject to: Sec. 3.5.9.7.B
- ~~3.~~ General Merchandise Sales "35", subject to: Sec. 3.5.9.2.A and .D
4. General Merchandise Sales – Large Retail Establishment (LRE) "35", subject to: Sec. 3.5.9.7.B
- ~~35.~~ Vehicle Rental and Sales "35", subject to: Sec. 3.5.9.5.A and .B

* * *

2.6.1.3 Special Exception Land Uses. The following Land Use Classes are not permitted within this zone, unless approved through the special approval procedure noted for the Land Use Class, and are subject to any additional conditions listed. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3. For further information concerning Special Exception Land Use applicability, refer to Sec. 5.3.9.

A. Retail Trade Use Group, Sec. 6.3.10

* * *

2. Food and Beverage Sales – Large Retail Establishment (LRE) "35", subject to: ~~Sec. 3.5.9.7 and a~~ Approval through a Type ~~III~~IV LegislativeAdministrative Procedure, Sec. ~~5.4.2.35~~4.3.4, and Sec. 3.5.9.7.B
3. Food and Beverage Sales – Large Retail Establishment (LRE) "35", subject to: Approval through a Type V Administrative Procedure, Sec. 5.4.3.5, and Sec. 3.5.9.7.C
- ~~34.~~ General Merchandise Sales – Large Retail Establishment (LRE) "35", subject to: ~~Sec. 3.5.9.7 and a~~ Approval through a Type ~~III~~IV LegislativeAdministrative Procedure, Sec. ~~5.4.2.35~~4.3.4, and Sec. 3.5.9.7.B

-
5. General Merchandise Sales – Large Retail Establishment (LRE) "35", subject to: Approval through a Type V Administrative Procedure, Sec. 5.4.3.5, and Sec. 3.5.9.7.C

* * *

2.6.2 "OCR-2" OFFICE/COMMERCIAL/RESIDENTIAL ZONE.

* * *

2.6.2.2 Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3.

* * *

B. Retail Trade Use Group, Sec. 6.3.10

1. Food and Beverage Sales "36", subject to: Sec. 3.5.9.1.K
2. Food and Beverage Sales – Large Retail Establishment (LRE) "36", subject to: Sec. 3.5.9.7.B
- ~~3.~~ General Merchandise Sales "36", subject to: Sec. 3.5.9.2.A and .D
4. General Merchandise Sales – Large Retail Establishment (LRE) "36", subject to: Sec. 3.5.9.7.B
- ~~35.~~ Vehicle Rental and Sales "36", subject to: Sec. 3.5.9.5.A and .B

* * *

2.6.2.3 Special Exception Land Uses. The following Land Use Classes are not permitted within this zone, unless approved through the special approval procedure noted for the Land Use Class, and are subject to any additional conditions listed. The number or letter in quotation marks following the Land Use Class refers to the Development

Designator provisions of Sec. 3.2.3. For further information concerning Special Exception Land Use applicability, refer to Sec. 5.3.9.

A. Retail Trade Use Group, Sec. 6.3.10

* * *

2. Food and Beverage Sales – Large Retail Establishment (LRE) "36", subject to: ~~Sec. 3.5.9.7 and a~~ Approval through a Type ~~III~~ IV ~~Legislative~~ Administrative Procedure, Sec. ~~5.4.2.3~~ 5.4.3.4, and Sec. 3.5.9.7.B
3. Food and Beverage Sales – Large Retail Establishment (LRE) "36", subject to: Approval through a Type V Administrative Procedure, Sec. 5.4.3.5, and Sec. 3.5.9.7.C
- ~~3~~4. General Merchandise Sales – Large Retail Establishment (LRE) "36", subject to: ~~Sec. 3.5.9.7 and a~~ Approval through a Type ~~III~~ IV ~~Legislative~~ Administrative Procedure, Sec. ~~5.4.2.3~~ 5.4.3.4, and Sec. 3.5.9.7.B
5. General Merchandise Sales – Large Retail Establishment (LRE) "36", subject to: Approval through a Type V Administrative Procedure, Sec. 5.4.3.5, and Sec. 3.5.9.7.C

* * *

DIVISION 7. INDUSTRIAL ZONES

* * *

2.7.2 "I-1" LIGHT INDUSTRIAL ZONE.

* * *

- 2.7.2.2 Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3.

Denotes language to be added.

~~Denotes language to be deleted.~~

* * *

G. Retail Trade Use Group, Sec. 6.3.10

* * *

- 2. Food and Beverage Sales "34", [subject to: Sec. 3.5.9.1.K](#)
- [3. Food and Beverage Sales – Large Retail Establishment \(LRE\) "34", subject to: Sec. 3.5.9.7.B](#)
- ~~34.~~ General Merchandise Sales "34", [subject to: Sec. 3.5.9.2.D](#)
- [5. General Merchandise Sales – Large Retail Establishment \(LRE\) "34", subject to: Sec. 3.5.9.7.B](#)
- ~~46.~~ Heavy Equipment Sales "34", subject to: Sec. 3.5.9.3
- ~~57.~~ Swap Meets and Auctions "34", subject to: Sec. 3.5.9.4 (limited to Auctions only)
- ~~68.~~ Vehicle Rental and Sales "34", subject to: Sec. 3.5.9.5.A

* * *

2.7.2.3 Special Exception Land Uses. The following Land Use Classes are not permitted within this zone, unless approved through the special approval procedure noted for the Land Use Class, and are subject to any additional conditions listed. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3. For further information concerning Special Exception Land Use applicability, refer to Sec. 5.3.9.

* * *

C. Retail Trade Use Group, Sec. 6.3.10

* * *

2. Food and Beverage Sales – Large Retail Establishment (LRE) "34", subject to: ~~Sec. 3.5.9.7 and a~~Approval through a Type ~~III~~IV ~~Legislative~~Administrative Procedure, Sec. ~~5.4.2.35~~5.4.3.4, and Sec. 3.5.9.7.B
3. Food and Beverage Sales – Large Retail Establishment (LRE) "34", subject to: Approval through a Type V Administrative Procedure, Sec. 5.4.3.5, and Sec. 3.5.9.7.C
- ~~3~~4. General Merchandise Sales – Large Retail Establishment (LRE) "34", subject to: ~~Sec. 3.5.9.7 and a~~Approval through a Type ~~III~~IV ~~Legislative~~Administrative Procedure, Sec. ~~5.4.2.35~~5.4.3.4, and Sec. 3.5.9.7.B
5. General Merchandise Sales – Large Retail Establishment (LRE) "34", subject to: Approval through a Type V Administrative Procedure, Sec. 5.4.3.5, and Sec. 3.5.9.7.C

* * *

2.7.3 "I-2" HEAVY INDUSTRIAL ZONE.

* * *

2.7.3.2 Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3.

* * *

C. Retail Trade Use Group, Sec. 6.3.10

* * *

2. General Merchandise Sales "35", [subject to: Sec. 3.5.9.2.D](#)

[3. General Merchandise Sales – Large Retail Establishment \(LRE\) "35", subject to: Sec. 3.5.9.7.B](#)

~~3~~4. Heavy Equipment Sales "35", subject to: Sec. 3.5.9.3

~~4~~5. Swap Meets and Auctions "35", subject to: Sec. 3.5.9.4

~~5~~6. Vehicle Rental and Sales "35", subject to: Sec. 3.5.9.5.A

* * *

2.7.3.3 Special Exception Land Uses. The following Land Use Classes are not permitted within this zone, unless approved through the special approval procedure noted for the Land Use Class, and are subject to any additional conditions listed. The number or letter in quotation marks following the Land Use Class refers to the Development Designator provisions of Sec. 3.2.3. For further information concerning Special Exception Land Use applicability, refer to Sec. 5.3.9.

* * *

[Denotes language to be added.](#)

~~Denotes language to be deleted.~~

I. Retail Trade Use Group, Sec. 6.3.10

1. General Merchandise Sales – Large Retail Establishment (LRE) "35", subject to: ~~Sec. 3.5.9.7 and a~~ Approval through a Type ~~III~~ IV ~~Legislative~~ Administrative Procedure, Sec. ~~5.4.2.3~~ 5.4.3.4, and Sec. 3.5.9.7.B

* * *

ARTICLE III. DEVELOPMENT REGULATIONS

* * *

DIVISION 3. MOTOR VEHICLE AND BICYCLE PARKING REQUIREMENTS

* * *

3.3.4 REQUIRED NUMBER OF MOTOR VEHICLE AND BICYCLE PARKING SPACES. The number and location of off-street motor vehicle and bicycle parking spaces required for each Land Use Class are listed below. For an explanation of the Land Use Groups and Land Use Classes, see Sec. 6.3.0. See Sec. 3.3.7.1 for an explanation of the terms "SB" and "SA". Any exceptions to the following listings are located in Sec. 3.3.6.

* * *

LAND USE GROUP/CLASS

OFF-STREET PARKING AND BICYCLE FACILITIES REQUIRED

* * *

* * *

RETAIL TRADE USE GROUP

Construction Material Sales
Food and Beverage Sales
Heavy Equipment Sales
General Merchandise Sales

Motor Vehicle: SB. One (1) space per two hundred (200) sq. ft. GFA.
Bicycle: Eight (8) percent - fifty (50) percent Class 1 and fifty (50) percent Class 2.

* * *

* * *

Large Retail Establishment (LRE)

Food and Beverage Sales
General Merchandise Sales

Motor Vehicle: SB. One (1) space per two hundred (200) sq. ft. GFA.
Bicycle: Eight (8) percent - fifty (50) percent Class 1 and fifty (50) percent Class 2.

Home Improvement Center

Motor Vehicle: SB. One (1) space per three hundred (300) sq. ft. GFA.
Bicycle: Eight (8) percent - fifty (50) percent Class 2.

Furniture, Carpet, or Appliance Store

Motor Vehicle: SB. One (1) space per four hundred (400) sq. ft. GFA.
Bicycle: Eight (8) percent - fifty (50) percent Class 1 and fifty (50) percent Class 2.

* * *

* * *

* * *

DIVISION 5. PERFORMANCE CRITERIA

* * *

3.5.9 RETAIL TRADE USE GROUP.

* * *

3.5.9.1 Food and Beverage Sales.

* * *

K. A retail establishment (store) is limited to a maximum of one hundred thousand (100,000) square feet of floor area. The one hundred thousand (100,000) square feet of floor area includes gross floor area, outdoor storage areas, and any outside

Denotes language to be added.

~~Denotes language to be deleted.~~

area which provides associated services to the public, such as, but not limited to, outdoor merchandise display, snack bars, etc. The floor area does not include motor vehicle parking or loading areas.

For the purposes of determining the applicability of the one hundred thousand (100,000) square foot floor area maximum, the aggregate square footage of all adjacent stores, which share checkstands, management, a controlling ownership interest, and storage areas, shall be considered one establishment, e.g., a plant nursery associated with a general merchandise store, such as a home improvement store.

Establishments greater than one hundred thousand (100,000) square feet of floor area (Large Retail Establishments [LREs]) are considered through the a-Special Exception Land Use process ~~as~~ provided in the applicable zone.

3.5.9.2 General Merchandise Sales.

* * *

- D. A retail establishment (store) is limited to a maximum of one hundred thousand (100,000) square feet of floor area. The one hundred thousand (100,000) square feet of floor area includes gross floor area, outdoor storage areas, and any outside area which provides associated services to the public, such as, but not limited to, outdoor merchandise display, snack bars, etc. The floor area does not include motor vehicle parking or loading areas.

For the purposes of determining the applicability of the one hundred thousand (100,000) square foot floor area maximum, the aggregate square footage of all adjacent stores, which share checkstands, management, a controlling ownership interest, and storage areas, shall be considered one establishment, e.g., a plant nursery associated with a general merchandise store, such as a home improvement store.

Establishments greater than one hundred thousand (100,000) square feet of floor area (Large Retail Establishments [LREs]) are considered through the a-Special Exception Land Use process ~~as~~ provided in the applicable zone.

* * *

3.5.9.7 Large Retail Establishments (LREs). Large Retail Establishments (LREs) are subject to the following performance criteria, as a Permitted Land Use or as either a Type IV or Type V Administrative Special Exception Land Use, as indicated in the applicable zoning district.

A. Purpose. The Large Retail Establishment (LRE) performance criteria recognize that an LRE, because of its physical size and magnitude of activity, may negatively impact existing and future residential land uses and public infrastructure in the vicinity of an LRE. Consequently, the LRE performance criteria are intended to:

1. Prevent or minimize negative impacts of an LRE on existing residentially zoned or residentially developed property, which, by its proximity to the proposed LRE, is likely to be impacted by it. Those impacts include noise, light pollution, and interference with significant views.
2. Prevent or minimize negative impacts of an LRE on public infrastructure in the vicinity of the proposed LRE, including streets, pedestrian ways, transit, and recreation facilities.
3. Enhance the accessibility of an LRE for pedestrians and transit users.
4. Enhance the aesthetic quality and reduce the visual impact of an LRE, in terms of its external scale and appearance with consideration of surrounding land uses as viewed from public streets and existing residentially zoned or residentially developed property in the vicinity of the LRE, through architectural design, landscaping, and site amenities.
5. Encourage LRE applicants to explore alternative design and operational solutions to the mitigation of LRE impacts as the basis for the modification of these performance criteria.
6. Encourage redevelopment of existing commercial or industrial sites which incorporate an LRE as the basis for the modification of these performance criteria.

Denotes language to be added.

~~Denotes language to be deleted.~~

B. Large Retail Establishment (LRE) – Permitted Land Use or Type IV Administrative Special Exception Land Use. A Large Retail Establishment (LRE) may be developed as a Permitted Land Use or a Type IV Administrative Special Exception Land Use, subject to the following criteria. Should any of the criteria not be met, the applicant may apply for a Type V Administrative Special Exception Land Use.

1. Site Design and Relationship to Surrounding Community.

a. Site Characteristics.

1. The site containing the LRE must not be adjacent to a Historic Preservation Zone (HPZ), a National Register Historic District, or a property or structure individually listed on the National Register of Historic Places; and

2. Separation from Residential.

a. Permitted Land Use. The site containing the LRE is located a minimum distance of five hundred (500) feet from property that is residentially zoned or residentially developed, other than residentially zoned property that is existing dedicated right-of-way for roadway, freeway, railroad, or wash; or the site is separated from property that is residentially zoned or residentially developed by an existing six (6) lane roadway.

b. Type IV Administrative Special Exception Land Use. The adjacent property for a minimum depth of five hundred (500) feet is zoned commercial (C-1 or less restrictive) and is not developed with residential uses, or is zoned industrial, or is residentially zoned, existing dedicated right-of-way for roadway, freeway, railroad, or wash.

b. Vehicular Access.

1. Permitted Land Use. For development as a Permitted Land Use, access is exclusively from an arterial street, as designated in the *Major Streets and Routes (MS&R) Plan*, with four (4) or more lanes existing.
2. Type IV Administrative Special Exception Land Use. For development through the Type IV Administrative Special Exception Land Use process, access is either exclusively from an arterial street, as designated in the *Major Streets and Routes (MS&R) Plan*, with four (4) or more lanes proposed to be constructed in the adopted five (5) year Capital Improvement Program (CIP), or from a local street within a business or industrial park, with direct access from the local street to an arterial street, as designated in the *MS&R Plan*, provided the project mitigates any negative impacts, identified by the Traffic Impact Analysis (TIA) report, to other property owners within the business or industrial park who use the local street for access.

c. Traffic Impacts.

1. Traffic Impact Analysis. The applicant shall have a professional entity perform a Traffic Impact Analysis (TIA) report for the project using the Institute of Transportation Engineers' Trip Generation publication as the standard for trip generation calculation. The scope and criteria for the TIA report shall be approved by the Department of Transportation, prior to submittal of the TIA report. The TIA report shall identify traffic flow impacts on the public streets; recommend mitigation measures to address those conditions that fall below the standards established by the adopted regional Mobility Management Plan; and show how the applicant will provide the recommended improvements. The TIA report is applicable to a specific application. Any change to the specific proposed use of the site and buildings requires resubmittal, review, and approval of a revised TIA report.

2. On-Site Traffic Circulation. Design of all parking area access lane (PAAL) systems shall encourage separation of delivery trucks and motor vehicle customer traffic.

d. Pedestrian Flows.

1. Pedestrian Circulation. The site containing the LRE shall include a continuous on-site pedestrian circulation system connecting all public access areas of the site and the pedestrian circulation system located in adjacent public streets. The system must provide direct pedestrian connections to the main entrances of stores, transit stops on- or off-site, and other buildings on the site and must include concrete sidewalks, except where asphalt is used at an intersection between a sidewalk and a parking area access lane (PAAL). Concrete sidewalks with a minimum width of eight (8) feet shall be provided along the full length of any building where it adjoins a parking lot.

2. Sidewalk Areas. Sidewalk areas within the pedestrian circulation system shall be a minimum of eight (8) feet in width and include a constructed concrete sidewalk with an unobstructed width of five (5) feet and an associated three (3) foot wide landscape strip for their entire length, except at intersections with parking area access lanes (PAALs). The landscaping shall include canopy trees or other shading devices to shade at least sixty-five (65) to seventy-five (75) percent of the sidewalks during the major part of the day.

e. Site Amenities. Pedestrian circulation ways shall be anchored by a minimum of two (2) design features for the site, such as towers, arcades, porticos, light fixtures, planter walls, seating areas, outdoor plazas, patios, courtyards, and window shopping areas, that define pedestrian circulation paths and outdoor spaces.

2. Aesthetic Character of Buildings.

a. Façades and Exterior Walls Along a Public Street Frontage. The LRE building shall be designed to reduce the massive scale and uniform appearance and to provide visual interest consistent with the community's identity, character, and scale. Long building walls shall be broken up with projections or recesses with depths of at least

Denotes language to be added.

~~Denotes language to be deleted.~~

three (3) percent of the façade length along all sides of the building. Along any public street frontage, the building design shall include windows, glass block, arcades, or awnings along at least sixty (60) percent of the building length.

- b. *Detail Features.* The LRE building shall include architectural features that contribute to visual interest at the pedestrian scale and reduce the massive aesthetic effect by breaking up the front, side, and rear building walls with color changes, texture changes, wall offsets, reveals, or projecting ribs.
- c. *Roofs and Parapets.* The roof design of the LRE shall include variations in roof or parapet lines to add interest to, and reduce the massive scale of, the large building. Roof features shall complement the architectural and visual character of adjoining neighborhoods. Parapet walls shall be architecturally treated to avoid a plain, monotonous look.
- d. *Materials and Colors.* Materials and colors used for the LRE shall be low reflective, subtle, neutral, or earth tone. Colors that are fluorescent or metallic shall not be used. Construction materials, such as concrete, smooth-faced concrete block, and other similar material, shall have textured finishes, such as paint, plaster, reveals, or other masonry veneers. Prefabricated steel panels shall not be used.
- e. *Entryways.* The building design of the LRE shall include design elements that provide clearly defined, highly visible customer entrances.
- f. *Screening of Mechanical Equipment.* Mechanical equipment shall be screened to mitigate noise and views from all adjacent street frontages.
 - 1. *Roof-Mounted.* Roof-mounted mechanical equipment shall be designed so as to not be visible at ground level from the primary access points on the adjacent rights-of-way and shall conform architecturally to the design of the building. A wood fence or similar treatment is not acceptable.

2. Ground-Mounted. Ground-mounted mechanical equipment shall be screened with a masonry wall of sufficient height to block the view and noise of the equipment.
3. Exception. Where an elevated roadway is located adjacent to the project, roof-mounted mechanical equipment must be painted to match the color of the roof.

C. Large Retail Establishments (LRE) – Type V Administrative Special Exception Land Use. A Large Retail Establishment (LRE) is permitted as a Special Exception Land Use. The decision to approve an LRE as a Special Exception Land Use is made by the Zoning Examiner in accordance with the Type V Administrative Procedure, *Land Use Code (LUC)*, Sec. 5.4.3.5, subject to the following specific performance criteria.

An LRE proposal on a specific site may require more or less stringent criteria to achieve the purpose of the performance criteria. The Zoning Examiner may approve modifications to the performance criteria and/or alternative means of substantially achieving the purpose of the performance criteria, based on evidence in the record.

1. Site Design and Relationship to Surrounding Community. The performance criteria of this Section shall apply to all buildings and uses at the site, except where criteria are explicitly specified as applying only to LRE or only to non-LRE buildings and uses. Approval of an LRE on a site near or adjacent to residentially zoned or residentially developed property is associated with more restrictive performance criteria.

a. Site Characteristics.

1. The site containing the LRE is adjacent to a Historic Preservation Zone (HPZ), a National Register Historic District, or a property or structure individually listed on the National Register of Historic Places; or
2. The adjacent property for a depth of less than five hundred (500) feet is zoned commercial (C-1 or less restrictive) and is not developed with residential uses, or is zoned industrial, or is

Denotes language to be added.

~~Denotes language to be deleted.~~

residentially zoned, existing dedicated right-of-way for roadway, freeway, railroad, or wash; or

3. The adjacent property is zoned residential and is vacant or is developed with residential uses.

4. All sites not permitted by Sec. 3.5.9.7.B.

b. Vehicular Access. Primary access shall be from an arterial street, as designated in the Major Streets and Routes (MS&R) Plan.

c. Setbacks.

1. Buildings and Certain Associated Uses. On a site with an LRE, all buildings, including garden centers, and their associated outdoor storage areas, trash collection areas, and delivery areas and loading spaces shall be set back from residentially zoned or residentially developed property, other than residentially zoned property that is dedicated right-of-way, a distance determined from Table 3.5.9.7-I.

Exception. A delivery area or loading space may extend up to fifty (50) feet closer to residentially zoned or residentially developed property, other than residentially zoned property that is dedicated right-of-way, provided that a ten (10) foot high masonry sound attenuating wall is located within fifty (50) feet of the building and shields the truck circulation path and loading space from the adjacent property.

2. Delivery Truck Parking. In all zones, designated parking for delivery trucks not parked at a designated loading space shall be set back three hundred fifty (350) feet from residentially zoned or residentially developed property, other than residentially zoned property that is dedicated right-of-way, unless a building shields the truck parking area from the adjacent property; and the setback shall be not less than two hundred fifty (250) feet.

Notices shall be conspicuously posted throughout the site specifying the area or areas reserved for delivery truck parking. Only trucks delivering to or picking up from on-site businesses shall park on the site. Delivery truck parking is allowed overnight.

-
3. Temporary Outdoor Sales Areas Located Within Parking Lots. In all zones, temporary outdoor seasonal and other outdoor sales areas located within parking lots, which result in diversion of required parking, shall conform with Sec. 3.3.6.3 and shall be oriented to face away from and shall be set back fifty (50) feet more than the building setback from residentially zoned or residentially developed property, other than residentially zoned property that is dedicated right-of-way, unless a building is located between the activity and the adjacent property. The setback shall not be less than two hundred fifty (250) feet.
4. Outdoor Sales Display Areas. In all zones, outdoor sales displays associated with a building, other than garden centers or outdoor sales areas located within parking lots, shall be located at the front of the building and behind the required eight (8) foot wide sidewalk, and the aggregate length of such sales display areas shall not exceed thirty (30) percent of the total frontage of the building.
5. Buildings and Uses on the LRE Site, Other Than the LRE. Buildings, other than LREs, that are located on a site with an LRE, with a principal use, including Alcoholic Beverage Service, Food Service, Food and Beverage Sales, Automotive – Service and Repair, General Merchandise Sales (fuel sales), Entertainment (live), Swap Meets, and similar uses as determined by the Development Services Department (DSD) Director, shall be set back not less than two hundred fifty (250) feet from residentially zoned or residentially developed property, other than residentially zoned property that is dedicated right-of-way.

<u>TABLE 3.5.9.7-I</u>		
<u>Matrix for Determination of Setback as a Function of Footprint of a Building</u>		
<u>For buildings located on a site with an LRE and with adjacent residentially zoned or residentially developed property</u>		
<u>Footprint of Building (including Garden Center)</u>	<u>Zone Adjacent to Residentially Zoned or Residentially Developed Property</u>	
	<u>C-2, C-3, or More Restrictive</u>	<u>OCR-1, OCR-2, I-1, or I-2</u>
<u>Less than 25,000 square feet</u>	<u>125 feet</u>	<u>75 feet</u>
<u>From 25,000 square feet to 100,000 square feet</u>	<u>200 feet</u>	<u>100 feet</u>
<u>From more than 100,000 square feet to 175,000 square feet</u>	<u>300 feet</u>	<u>200 feet</u>
<u>More than 175,000 square feet</u>	<u>400 feet</u>	<u>300 feet</u>

d. Buffers and Landscaping.

1. Site Boundary.

Denotes language to be added.

~~Denotes language to be deleted.~~

-
- a. A landscape border having a minimum width of twenty (20) feet shall be located adjacent to the site property line where it adjoins residentially zoned or residentially developed property, containing a minimum eight (8) foot high masonry wall located anywhere within the border.
- b. The landscape border shall include shrubs and groundcover and canopy trees at twenty (20) to thirty (30) foot intervals, depending on the separation needed for the tree canopies to touch at maturity. The owner/developer shall be responsible for maintenance of the landscape buffer.
- c. No other uses, such as, but not limited to, parking or storage, are permitted within the landscape border area.
2. Outdoor Storage Areas. Outdoor storage areas designated for non-public use, not including garden centers, shall be screened with a minimum eight (8) foot high masonry wall so that they are not visible from public streets, public sidewalks, internal pedestrian walkways, or adjacent residentially zoned or residentially developed property. The screen shall be located at the edge of the outdoor storage area. Storage materials shall not be visible above the wall. Portable storage units shall be located in designated outdoor storage areas.
3. Trash Collection Areas. Trash collection areas shall be screened with a minimum eight (8) foot high masonry wall so that they are not visible from public streets, public sidewalks, internal pedestrian walkways, or adjacent residentially zoned or residentially developed property. The wall shall be located at the trash collection area, between the area and the adjacent conditions.
4. Delivery Areas and Loading Spaces. Delivery areas and loading spaces shall be screened with a minimum ten (10) foot high masonry sound attenuating wall, measured from the loading dock floor elevation, so that they are not visible from public streets, public sidewalks, or adjacent residentially zoned

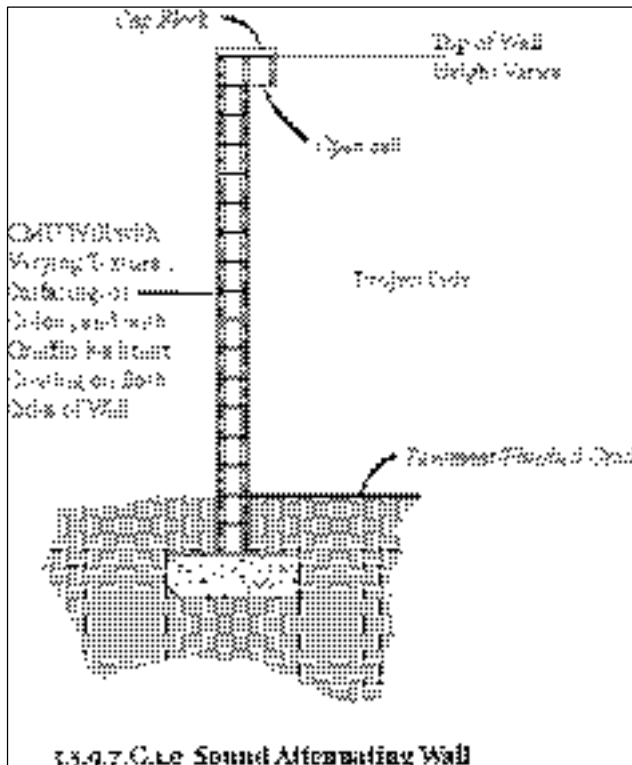
Denotes language to be added.

~~Denotes language to be deleted.~~

or residentially developed property. The wall shall be located at the edge of the delivery area or loading space, between the area or space and the adjacent conditions.

e. Walls.

1. Sound Attenuating Walls. Sound attenuating walls shall be designed as recommended by an acoustical consultant in accordance with the noise mitigation report. Continuous walls over seventy-five (75) feet in length shall be varied with jogs, projections, and/or curves to break up the linearity of the wall and shall have at least two (2) surface textures. Full-sized concrete masonry units capping the wall shall be placed at right angles to the wall to overhang on the building or use side of the wall. The owner of the property shall be responsible for maintenance of the wall, including, but not limited to, graffiti removal, painting, and repairs. (See Illustration 3.5.9.7.C.1.e.)



Denotes language to be added.

~~Denotes language to be deleted.~~

-
2. Interior Site and Boundary Screen Walls. Continuous walls over seventy-five (75) feet in length shall be varied with jogs, projections, and/or curves to break up the linearity of the wall and shall have at least two (2) surface textures. Changes in wall height from one segment to another shall be stepped to provide visual continuity. Screen walls shall have the same finish on both sides. The owner of the property shall be responsible for maintenance of the wall, including, but not limited to, graffiti removal, painting, and repairs.
- f. Grade Differentials. Grade differentials of three (3) feet or more between a site higher than adjacent residentially zoned or residentially developed property shall be mitigated with additional landscape buffer width, increased landscaping within the landscape buffer, and/or increased building setbacks.
- g. Hours of Operation.
1. Trash Collection. No trash may be removed between 4:00 p.m. and 9:00 a.m. as part of scheduled trash collection.
 2. Delivery and Loading. Delivery and loading operations shall not be permitted between 10:00 p.m. and 7:00 a.m.
 3. Outdoor Retail and Public Assembly Uses. No outdoor retail or public assembly uses shall be permitted between 10:00 p.m. and 7:00 a.m.
- h. Noise Abatement. The applicant shall provide a noise mitigation plan indicating how the noise initiated by the land use will be mitigated to comply with noise regulations in Chapter 11 of the Tucson Code.
- Trucks shall not be left idling or have generators running on-site between the hours of 6:00 p.m. and 7:00 a.m.
- The noise levels measured at residentially zoned or residentially developed property lines adjacent to the site shall be no greater than

10 dB(A) above ambient noise level for the time periods 10:00 p.m. to 7:00 a.m. and 7:00 a.m. to 10:00 p.m.

Vehicle warning beepers and similar devices that emit impulse sounds or pure tones shall not be operated between the hours of 10:00 p.m. and 7:00 a.m.

Walls designed for noise abatement shall be placed near the sources of sound to optimally protect adjacent residentially zoned or residentially developed property from the impact of noise initiated by the land use.

The uses and locations of outdoor loudspeakers on the site shall be addressed in the noise mitigation plan.

- i. Outdoor Lighting. The applicant must submit a photometric plan and outdoor lighting report that provide information on how outdoor lighting is addressed to mitigate negative impacts on residentially zoned or residentially developed property. The report will also address the negative impacts of outdoor lighting between the hours of 10:00 p.m. and 7:00 a.m. on residentially zoned or residentially developed property and how they will be mitigated. Outdoor lighting between 10:00 p.m. and 7:00 a.m. shall be limited to low-pressure sodium lighting.

All parking lot lighting shall be full cutoff and directed down and away from adjacent residentially zoned or residentially developed property.

The height of the parking lot lighting shall be stair-stepped from approximately fourteen (14) feet within one hundred fifty (150) feet of adjacent residentially zoned or residentially developed property to a maximum thirty (30) feet for the remainder of the property and shall be coordinated with the landscape plan.

All wall-mounted lighting on buildings shall be full cutoff and directed down and away from adjacent residentially zoned or residentially developed property.

j. *Traffic Impacts.*

1. *Traffic Impact Analysis.* The applicant shall have a professional entity perform a Traffic Impact Analysis (TIA) report for the project using the Institute of Transportation Engineers' Trip Generation publication as the standard for trip generation calculation. The scope and criteria for the TIA report shall be approved by the Department of Transportation, prior to submittal of the TIA report. The TIA report shall identify traffic flow impacts on the public streets; recommend mitigation measures to address those conditions that fall below the standards established by the adopted regional Mobility Management Plan; and show how the applicant will provide the recommended improvements. The TIA report is applicable to a specific application. Any change to the specific proposed use of the site and buildings requires resubmittal, review, and approval of a revised TIA report.
2. *Parking Generation Report.* The applicant may have a professional entity perform a parking generation report using the Institute of Transportation Engineers' Trip Generation publication, proposing the number of motor vehicle parking spaces required for the project, if different from the requirement in the *Land Use Code (LUC)*, Sec. 3.3.4. The Zoning Examiner may approve a parking requirement that supersedes the number required by Sec. 3.3.0, Motor Vehicle and Bicycle Parking Requirements, as part of the review process. The parking generation report shall be accepted by the Department of Transportation and the Development Services Department (DSD), prior to the first public hearing. The parking generation report is applicable to a specific application. Any change to the specific proposed use of the site and buildings requires resubmittal, review, and approval of a revised parking generation report.
3. *On-Site Traffic Circulation.* The project shall mitigate the impact of truck and motor vehicle traffic on nearby residential neighborhoods.

Denotes language to be added.

~~Denotes language to be deleted.~~

- a. Delivery Truck Circulation Route. Delivery truck circulation shall be located a minimum of one hundred twenty-five (125) feet from the boundary of adjacent residentially zoned or residentially developed property. Truck circulation routes shall be a minimum of thirty (30) feet in width.
- b. Customer Vehicle Circulation. Parking area access lanes (PAALs) shall be designed to discourage on-site through traffic within one hundred twenty-five (125) feet of a site boundary adjacent to residentially zoned or residentially developed property.
- c. Overnight Parking. Automobiles, recreational vehicles, and boats that are not owned by employees or businesses on the site shall not be parked overnight.

k. Pedestrian Flows.

- 1. Pedestrian Circulation. The site containing the LRE shall include a continuous on-site pedestrian circulation system connecting all public access areas of the site and the pedestrian circulation system located in adjacent public streets. The system must provide direct pedestrian connections to the main entrances of stores, transit stops on- or off-site, and other buildings on the site and must include concrete sidewalks, except where asphalt is used at an intersection between a sidewalk and a parking area access lane (PAAL). Concrete sidewalks with a minimum width of eight (8) feet shall be provided along the full length of any building where it adjoins a parking lot.
- 2. Connection to Nearby Residential Neighborhoods. The project should include convenient access to nearby residential neighborhoods.
- 3. Sidewalk Areas. Sidewalk areas within the pedestrian circulation system shall be a minimum of eight (8) feet in width

Denotes language to be added.

~~Denotes language to be deleted.~~

and include a constructed concrete sidewalk with an unobstructed width of five (5) feet and an associated three (3) foot wide landscape strip for their entire length, except at intersections with parking area access lanes (PAALs). The landscaping shall include canopy trees or other shading devices to shade at least sixty-five (65) to seventy-five (75) percent of the sidewalks during the major part of the day.

- l. *Site Amenities.* Pedestrian circulation ways shall be anchored by a minimum of two (2) design features for the site, such as towers, arcades, porticos, light fixtures, planter walls, seating areas, outdoor plazas, patios, courtyards, and window shopping areas, that define pedestrian circulation paths and outdoor spaces.

- m. *Neighborhood Meetings.* Meetings shall be as described in Sec. 5.4.5.2 and shall be additionally compliant with the following procedures. The developer shall invite property owners within three hundred (300) feet of the site, the neighborhood association(s) within one (1) mile of the site, and members of the applicable City Council Ward Office at least two (2) times prior to submitting an application. The developer may have additional meetings as needed. The developer or his/her agents shall be responsible for distributing written summaries of the meetings to everyone in attendance, to the neighborhood association(s) within one (1) mile of the site, and to the applicable City Council Ward Office. The meeting summaries shall be submitted with the application.

- n. *Monitoring Operations of the Site.*
 - 1. *Ongoing Committee.* Immediately after approval of the application or plan, the Development Services Department (DSD) Director shall establish a committee consisting of the owner/operator of the LRE, interested neighbors within three hundred (300) feet of the site, representatives of the adjacent neighborhood association(s), applicable City Council Ward Office, and other affected parties. The purpose of this committee is to monitor ongoing compliance with the conditions of approval of the project on a semiannual basis. Written summaries of the meetings shall be provided by the

developer/owner to the DSD Director, the neighborhood association(s), and those in attendance. Additional meetings to resolve conflicts or issues will be scheduled as required. The committee shall be informed of any proposed changes to the approved plan. Records of the meetings shall be maintained and made available to the parties concerned.

2. Posting. The developer/owner of the property and the owner/operator of the LRE shall conspicuously post, both indoors and outdoors, the phone numbers of the responsible parties to whom adjacent residents can report violations of Sec. 3.5.9.7. The posted notice shall also have the address and phone number of the Development Services Department (DSD) Director to whom violations of approved plans are to be reported. A record of the violation reports shall be kept and distributed monthly to the members of the Ongoing Committee.

3. Security Management Plan. The applicant must submit to the Development Services Department (DSD) Director and the Police Chief a security management plan describing the method and operation of security within and outside the building, including the parking area. Any changes or amendments to the plan must be filed with, and approved by, the DSD Director and the Police Chief.

o. Special Criteria and Procedures.

1. Siting. Siting of an LRE adjacent to historic districts or structures shall be subject to special scrutiny.

2. Special Submittal Requirements. The applicant shall provide copies of the following items to the applicable City Council Ward Office: the site/development plans with grade differentials; lighting plans; noise mitigation report; traffic report; and landscape plan. Grading plans with cross sections are to be submitted to the Council Office once available.

2. Aesthetic Character of Buildings.

Denotes language to be added.

~~Denotes language to be deleted.~~

-
- a. Building Façades. The LRE building shall be designed in such a way as to reduce the perceived mass of the building and be sensitive to the existing context of the surrounding urban environment. The building shall provide visual interest.
1. Public Street Frontage. Building elevations facing a public street shall include any combination of windows or openings, glass block, arcades, awnings, or trellises along at least sixty (60) percent of the building length. Expanses of walls over fifty (50) feet in length shall be broken up with projections and/or recesses with depths of at least eighteen (18) inches. Walls shall be designed with a variety of textures and colors, and landscaping shall be provided to further soften the scale of the building.
 2. Other Than Public Street Frontage. Expanses of walls over fifty (50) feet in length shall be broken up with projections and/or recesses with depths of at least eighteen (18) inches. Walls shall be designed with a variety of textures and colors, and landscaping shall be provided to further soften the scale of the building.
- b. Detail Features. The LRE building shall include architectural features that contribute to visual interest at the pedestrian scale and reduce the massive aesthetic effect by breaking up the front, side, and rear building walls with color changes, texture changes, wall offsets, reveals, or projecting ribs.
- c. Roofs and Parapets. The roof design of the LRE shall include variations in roof or parapet lines to add interest to, and reduce the massive scale of, the large building. Roof features shall complement the architectural and visual character of adjoining neighborhoods. Parapet walls shall be architecturally treated to avoid a plain, monotonous look. The height of the parapet walls should be minimized while providing a visual screen to the rooftop mechanical units.
- d. Materials and Colors.

Denotes language to be added.

~~Denotes language to be deleted.~~

-
1. Materials and colors used for the LRE shall be low reflective, subtle, neutral, or earth tone. Colors that are fluorescent or metallic shall not be used. Construction materials, such as concrete, smooth-faced concrete block, and other similar material, shall have textured finishes, such as paint, plaster, reveals, or other masonry veneers. Prefabricated steel panels shall not be used.
2. The LRE shall have exterior building materials and colors that are compatible with materials and colors that are used in nearby residential neighborhoods.
- e. Entryways. The building design of the LRE shall include design elements that provide clearly defined, highly visible customer entrances.
- f. Screening of Mechanical Equipment. Mechanical equipment associated with all uses on the site shall be screened to mitigate noise and views from all adjacent street frontages.
1. Roof-Mounted. Roof-mounted mechanical equipment shall be designed so as to not be visible at ground level from the primary access points on the adjacent rights-of-way, or from adjacent residentially zoned or residentially developed property, and shall conform architecturally to the design of the building. A wood fence or similar treatment is not acceptable.
2. Ground-Mounted. Ground-mounted mechanical equipment shall be screened with a masonry wall of sufficient height to block the view and noise of the equipment.
3. Exception. Where an elevated roadway is located adjacent to the project, roof-mounted mechanical equipment must be painted to match the color of the roof.
- g. Safe by Design. The design of the project shall provide for the safety of those on the site and may include, but is not limited to, security

Denotes language to be added.

~~Denotes language to be deleted.~~

camera surveillance, visibility from inside the facilities, adequate site lighting, and careful selection and placement of landscaping.

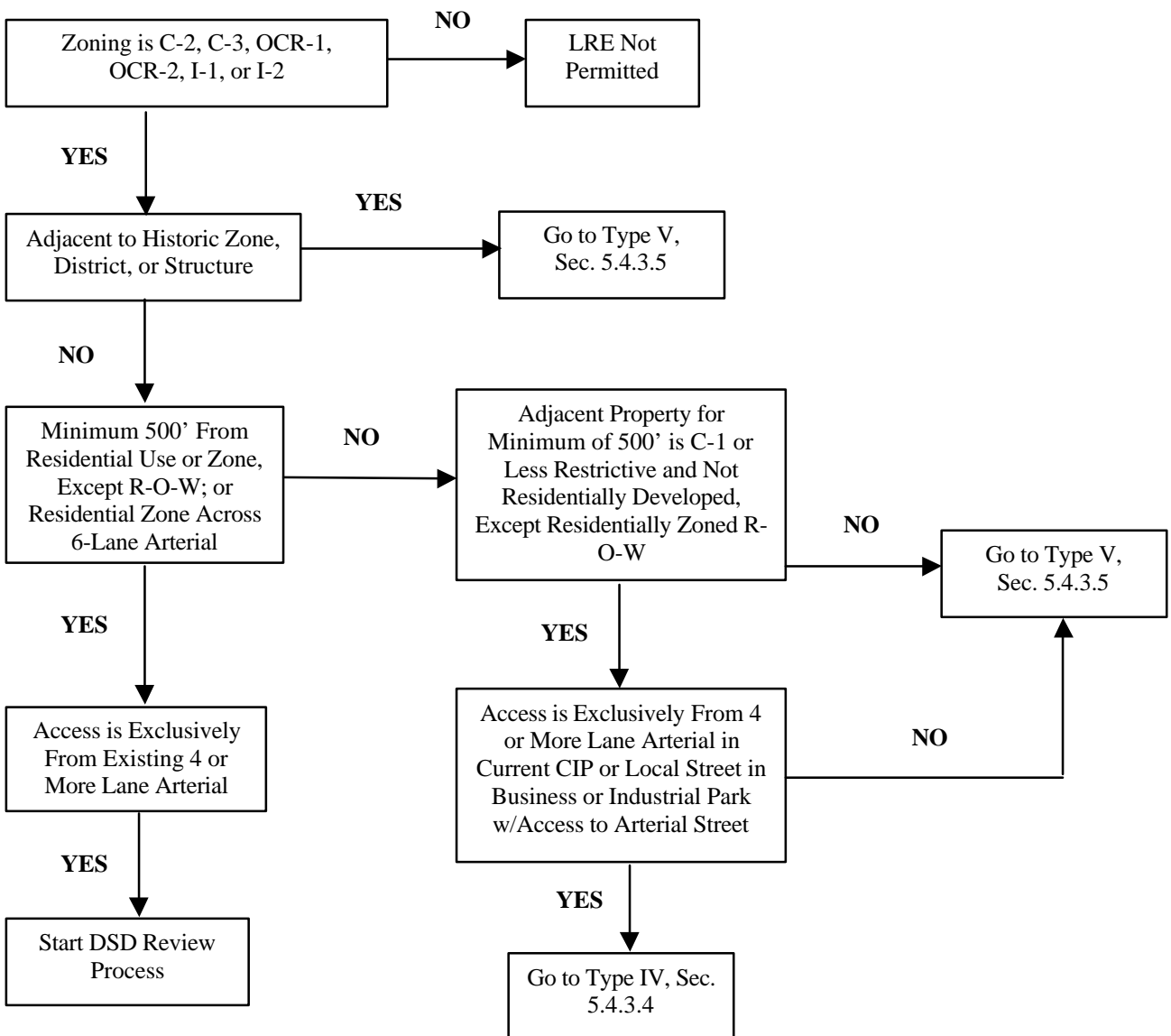
3. Development Review Board (DRB). All proposed LREs shall be reviewed by the Development Review Board (DRB) for recommendation to the Development Services Department (DSD) Director, who will make a recommendation to the Zoning Examiner on whether it complies with the performance criteria. The DRB will base its recommendation on whether or not the project complies with the performance criteria related to aesthetics, elevations, and landscaping on-site, as provided in Sec. 3.5.9.7, where specific requirements are not provided.

D. Exception. A Large Retail Establishment (LRE) that has been described in a conceptual or approved development plan and approved by the Mayor and Council through the approval of a rezoning, a change of rezoning condition, or a Planned Area Development (PAD) shall not be subject to approval through the Type V Special Exception Land Use process, Sec. 5.4.3.5.

**DRAFT LAND USE CODE (LUC) AMENDMENT
LARGE RETAIL ESTABLISHMENTS (LREs) (BIG BOXES)
(C8-02-02)**

Development Proposal for Food and Beverage Sales or General Merchandise Sales over 100,000 Square Feet GFA

Presubmittal Conference Encouraged



Denotes language to be added.

~~Denotes language to be deleted.~~

~~3.5.9.7 — Large Retail Establishment Design Criteria. Large Retail Establishments are subject to the following performance criteria. Variances from the criteria are not permitted; however, if one or more of the criteria cannot be met, the applicant can request approval through the Special Exception Land Use process where there is substantial compliance with this Section.~~

~~A. — Site Design and Relationship to Surrounding Community.~~

- ~~1. — Vehicular Access. The project shall provide safety and protection to adjacent residential uses by having motor vehicle access from a major street as designated by the adopted Major Streets and Routes (MS&R) Plan. Access can also be provided from a street that is not designated by the MS&R Plan, provided it can be shown that any negative impacts on residential uses or residentially zoned properties can be mitigated.~~
- ~~2. — Buffers. The project shall provide visual and noise buffers where the site is adjacent to a residential use or residentially zoned property. This can be accomplished by providing a minimum building setback of at least two hundred (200) feet from a residential use or residentially zoned property that is adjacent to the site. An eight (8) foot high, or higher, masonry screen wall and at least a twenty (20) foot wide landscape buffer shall be provided adjacent to the site property line where it adjoins a residential use or residentially zoned property. The landscape buffer shall be placed on the inside of the screen wall and shall include, in addition to shrubs and groundcover, canopy trees at twenty (20) to thirty (30) foot intervals depending on the separation needed for the tree canopies to touch at maturity to form a noise, light, and visual screen above the screen wall. No other uses, such as, but not limited to, parking or storage, are permitted within the landscape buffer area.~~
- ~~3. — Outdoor Storage Areas. The project shall mitigate visual and noise impacts on residential uses, residentially zoned properties, and streets that may be adjacent to the site from outdoor storage areas (when permitted by the zone district requirements). The mitigation can be accomplished by locating these areas on site and at least two hundred (200) feet from any residential use or residentially zoned property that is adjacent to the site. The areas should be screened or enclosed so that they are not visible from public streets, public sidewalks, internal pedestrian walkways, or adjacent residential properties.~~

Denotes language to be added.
~~Denotes language to be deleted.~~

~~The screen shall be at least eight (8) feet high and of masonry construction to assure the highest level of noise abatement and to confine any loose papers, cartons, and other trash. Storage materials should not be visible above the screen wall. It would be preferred that these outdoor storage areas be placed between buildings in a manner which would allow the buildings to act as screens.~~

~~4.—*Trash Collection Areas.* The project shall mitigate visual and noise impacts on adjoining residential neighborhoods and streets from trash collection areas by locating these areas on site and at least two hundred (200) feet from any residential use, residentially zoned property, and street that is adjacent to the site. The areas should be screened or enclosed so that they are not visible from public streets, public sidewalks, internal pedestrian walkways, or adjacent residential properties. Screening and landscaping of these areas shall conform to the predominant materials used on the site. The screen shall be at least eight (8) feet high and of masonry construction to assure the highest level of noise abatement and to confine any loose papers, cartons, and other trash. It would be preferred that these trash collection areas be placed between buildings to allow the buildings to act as screens. No trash may be removed between 4:00 p.m. and 9:00 a.m. as part of scheduled trash collection.~~

~~5.—*Pedestrian Flows.* The project shall provide pedestrian accessibility, safety, and convenience to reduce traffic impacts and enable the development to project a friendly, inviting image. Sidewalks shall be at least eight (8) feet wide and unobstructed and shall connect the public street sidewalks, the main entrances to the stores, transit stops on or off site, and other buildings on the site, in addition to providing convenient access to adjacent residential neighborhoods. Sidewalks shall be provided along the full length of any building where it adjoins a parking lot. Sidewalks shall have an associated three (3) foot wide landscape strip for their entire length, except at intersections with parking area access lanes (PAALs). The landscaping shall include canopy trees or other shading devices to shade at least sixty five (65) to seventy five (75) percent of the sidewalks during the major part of the day (shadow pattern needs to be taken into consideration).~~

~~6.—*Central Features and Community Spaces.* The project is to provide attractive and inviting pedestrian scale features, spaces, and amenities. Entrances and parking lot locations shall be functional and inviting with~~

Denotes language to be added.

~~Denotes language to be deleted.~~

~~walkways conveniently tied to logical destinations. Bus stops should be considered integral parts of the configuration whether they are located on site or along the street. Customer drop-off/pick-up points that may be provided should also be integrated into the design (should not conflict with traffic lanes or pedestrian paths). Pedestrian ways shall be anchored by special design features, such as towers, arcades, porticos, light fixtures, planter walls, seating areas, and other architectural features that define circulation paths and outdoor spaces. Examples are outdoor plazas, patios, courtyards, and window shopping areas. Each development should have at least two (2) of these.~~

~~7.—*Delivery and Loading Spaces.* Delivery and loading operations shall be designed and located to mitigate visual and noise impacts to adjoining residential neighborhoods. If there is a residential use or residentially zoned property adjacent to the site, such operations shall not be permitted between 10:00 p.m. and 7:00 a.m. Delivery and loading spaces shall be set back at least two hundred (200) feet from a residential use or residentially zoned property that is adjacent to the site, unless such operations are located entirely within an enclosed building, provided it is no closer than the allowable building setback.~~

~~Delivery trucks shall not be parked in close proximity to or within a designated delivery or loading area during nondelivery hours with motors and/or refrigeration/generators running, unless the area where the trucks are parked is set back at least three hundred (300) feet from residential property to mitigate the truck noise. The setback does not apply if the main building is located between the truck parking and the residential use or residentially zoned property to act as the screen.~~

~~The delivery and loading areas shall be screened or enclosed so that they are not visible from public streets, public sidewalks, internal pedestrian walkways, or adjacent properties. The screen shall be of masonry construction and at least ten (10) feet high, measured from the loading dock floor elevation, to screen the noise and activity at the loading dock. The masonry screen assures the highest level of noise abatement. It would be preferred that the delivery and loading spaces be enclosed within a building or placed between buildings in a manner which would allow the buildings to act as screens.~~

Denotes language to be added.

~~Denotes language to be deleted.~~

-
- ~~8.—*Traffic Impacts.* The applicant shall have a professional entity perform a Traffic Impact Analysis (TIA) report for the development using the Institute of Transportation Engineers' Trip Generation publication as the standard for trip generation calculation, as well as a parking generation report proposing the number of motor vehicle parking spaces required for the project, if different from shopping center calculations. The scope and criteria for the TIA report shall be approved by the Department of Transportation, prior to submittal of the TIA report. The parking generation report shall be accepted by the Department of Transportation and the Planning Department, prior to the first public hearing. The TIA report shall identify traffic flow impacts on the public streets; recommend mitigation measures to address those conditions that fall below the standards established by the adopted regional Mobility Management Plan; and show how the applicant will provide the recommended improvements. The Mayor and Council may approve a parking requirement that supersedes the number required by Sec. 3.3.0, Motor Vehicle and Bicycle Parking Requirements, as part of their review process. The TIA and parking generation reports are applicable to a specific application. Any change to the specific proposed use of the site and buildings requires resubmittal, review, and approval of a revised TIA report and revised parking generation report.~~
- ~~9.—*Outdoor Lighting.* Provide a photometric plan and outdoor lighting report which provide information on how outdoor lighting is addressed to mitigate negative impacts on adjacent residential uses or residentially zoned properties. The report will also address the negative impacts of outdoor lighting between the hours of 10:00 p.m. and 7:00 a.m. on adjacent residential properties or zones and how they will be mitigated. Outdoor lighting between 10:00 p.m. and 7:00 a.m. shall be limited to low pressure sodium lighting.~~
- ~~10.—*Outdoor Sales Display/Ancillary Uses.* Provide measures to mitigate any negative impacts to a residential use or residentially zoned property that is adjacent to the site from the location of any outdoor activity associated with services to the public, such as, but not limited to, outdoor merchandise display and sales, outdoor storage, and outdoor snack bar and eating areas. The outside activity will be set back at least two hundred fifty (250) feet and oriented to face away from any residential use or residentially zoned property that is adjacent to the site, unless a building is located between the activity and the residential property.~~

~~11. *Hazardous Materials.* Provide a Hazardous Materials Management Plan and Hazardous Materials Inventory Statement as provided in the Fire Code to assure that the building site and design will protect public health and safety from accidental exposure to hazardous materials as provided in the Tucson Fire Code.~~

~~12. *Noise Abatement.* Provide a noise mitigation plan indicating how the noise initiated by the land use will be mitigated to comply with noise regulations in Chapter 11 of the Tucson Code. Trucks shall not be left idling between the hours of 6:00 p.m. and 7:00 a.m.~~

~~13. *Combination of Retail with Food and Beverage Sales.* General Merchandise Sales and retail sales shall not be combined with Food and Beverage Sales except where one of the Land Use Classes consists of less than ten (10) percent of the gross floor area.~~

~~B. *Aesthetic Character of Buildings.*~~

~~1. *Facades and Exterior Walls Including Sides and Back.* The building shall be designed in a way which will reduce the massive scale and uniform and impersonal appearance and will provide visual interest consistent with the community's identity, character, and scale. Long building walls shall be broken up with projections or recessions with depths of at least three (3) percent of the façade length along all sides of the building. Along any public street frontage, the building design should include windows, arcades, or awnings along at least sixty (60) percent of the building length. Architectural treatment, similar to that provided to the front façade, shall be provided to the sides and rear of the building to mitigate any negative view from adjacent properties and/or streets.~~

~~2. *Detail Features.* Provide architectural features that contribute to visual interest at the pedestrian scale and reduce the massive aesthetic effect by breaking up the building wall, front, side, or rear, with color, texture change, wall offsets, reveals, or projecting ribs.~~

~~3. *Roofs.* The roof design shall provide variations in roof lines to add interest to, and reduce the massive scale of, large buildings. Roof features shall complement the architectural and visual character of adjoining~~

Denotes language to be added.

~~Denotes language to be deleted.~~

~~neighborhoods. Roofs shall include two (2) or more roof planes. Parapet walls shall be architecturally treated to avoid a plain, monotonous look, unless it is in keeping with the architectural style of the building, e.g., Santa Fe style with smooth walls.~~

~~4. *Materials and Color.* The buildings shall have exterior building materials and colors, which are aesthetically pleasing and compatible with materials and colors that are used in adjoining neighborhoods. This includes the use of high quality materials and colors that are low reflective, subtle, neutral, or earth tone. Certain types of colors shall be avoided, e.g., fluorescent or metallic. Construction materials, such as tilt up concrete, smooth faced concrete block, prefabricated steel panels, and other similar material shall be avoided, unless the exterior surface is covered with an acceptable architectural treatment.~~

~~5. *Entryways.* The building design shall provide design elements which give customers orientation on accessibility and which add aesthetically pleasing character to buildings by providing clearly defined, highly visible customer entrances.~~

~~6. *Screening of Mechanical Equipment.* Roof or ground mounted mechanical equipment shall be screened to mitigate noise and views in all directions. If roof mounted, the screen shall be designed to conform architecturally with the design of the building, whether it is with varying roof planes or with parapet walls. A wood fence or similar treatment is not acceptable.~~

~~Ground mounted mechanical equipment shall be screened. The screen shall be of masonry construction and be of sufficient height to block the view and noise of the equipment.~~

~~C. *Development Review Board (DRB).* All proposed Large Retail Establishments shall be reviewed by the Development Review Board (DRB) for recommendation to the Development Services Department (DSD) director, who will make a recommendation on whether it complies with the performance criteria. The DRB will base its recommendation on whether or not the project complies with the performance criteria related to compatibility, architecture, and site design, as provided in Sec. 3.5.9.7 where specific requirements are not provided. The applicant is responsible for providing all documentation and information~~

Denotes language to be added.

~~Denotes language to be deleted.~~

~~necessary to show compliance, such as, but not limited to, site plans, building elevations, landscaping plans, floor plans, and outdoor lighting photometry plan.~~

* * *

ARTICLE V. ADMINISTRATION

* * *

DIVISION 4. PROCEDURES

* * *

5.4.3.4 Type IV Administrative Procedure. Applications filed under this procedure require review and approval by the Planning Director. This procedure is used for the review of Special Exception Land Use applications which require Planning Director approval.

* * *

I. *Change in Conditions of Approval or Concept Plan. A request to amend conditions of approval or a concept plan requires Planning Director consideration in accordance with Sec. 5.4.5.19.*

H. *Appeal.* An appeal of the Planning Director's decision may be filed with the Planning Department by a party of record within fourteen (14) days of the date of decision. The appeal shall be considered in accordance with Sec. 5.4.4.4, Type IV Appeal Procedure. The filing of an appeal stays all proceedings.

* * *

5.4.3.5 Type V Administrative Procedure. Applications filed under this procedure require a public hearing and decision by the Zoning Examiner. This procedure is used for review of Special Exception Land Use applications which require Zoning Examiner approval, Expansions of Nonconforming Uses, and Substitutions of Nonconforming uses (uses not within the same Land Use Class).

* * *

I. *Change in Conditions of Approval or Concept Plan. A request to amend conditions of approval or a concept plan requires Zoning Examiner consideration in accordance with Sec. 5.4.5.19.*

- H. *Appeal.* An appeal of the Zoning Examiner's decision may be filed with the Planning Department by a party of record within fourteen (14) days of the date of decision. The appeal shall be considered in accordance with Sec. 5.4.4.3, Type III Appeal Procedure. The filing of an appeal stays all proceedings.

* * *

- 5.4.5.19 Change to Conditions of Approval or to a Concept Plan. Within seven (7) days of application for a change to conditions of approval or to a concept plan, the Planning Director shall make a decision regarding whether or not the application complies with the *General Plan*, as implemented by specific and redevelopment plans, such as subregional, area, and neighborhood plans, and whether it constitutes a substantial or minor change to conditions of approval, ~~a minor change to conditions~~, or a substantial or minor change to a concept plan. The Planning Director's decision may be appealed by the applicant within ten (10) days of the notice of decision per Sec. 5.4.4.3, Type III Appeal Procedure.

The applicant or representative may request a change to conditions of approval or to a concept plan which shall be considered as follows.

A. *Substantial Change to Conditions* of Approval or to a Concept Plan.

1. Zoning Examiner or Mayor and Council. A request to make a substantial change to ~~substantially amend the~~ conditions of approval or to a concept plan originally approved by the Zoning Examiner or ~~requires~~ Mayor and Council requires reapproval by the original decision-making body after a public hearing. Notice of such hearing shall be by Published Notice in accordance with Sec. 5.4.5.7.C and Mailed Notice in accordance with Sec. 5.4.5.7.A.1 to Expanded Area A as provided in Sec. 5.4.5.7.A.2.c.

2. Planning Director. A request to make a substantial change to conditions of approval or to a concept plan originally approved by the Planning Director requires reapproval by the Planning Director after notice in accordance with Sec. 5.4.5.7.A.1 to Expanded Area A as provided in Sec. 5.4.5.7.A.2.c.

B. *Minor Change to Conditions* of Approval.

Denotes language to be added.

~~Denotes language to be deleted.~~

1. Zoning Examiner or Mayor and Council. A request to make a ~~M~~minor ~~amendments~~ change to conditions of approval originally approved by the Zoning Examiner or Mayor and Council requires reapproval by the original decision-making body ~~may be considered by the Mayor and Council~~ in a public meeting. Notice for the public meeting shall be by Mailed Notice in accordance with Sec. 5.4.5.7.A.1 to Expanded Area A as provided in Sec. 5.4.5.7.A.2.c.

C. Minor Change to Conditions of Approval or to a Concept Plan.

1. Planning Director. A request to make a minor change to conditions of approval or to a concept plan originally approved by the Planning Director requires reapproval by the Planning Director.

~~C~~D. Minor Change to a Concept Plan.

1. Zoning Examiner or Mayor and Council. A request to make a ~~M~~minor ~~amendments~~ change to a concept plan originally approved by either the Zoning Examiner or the Mayor and Council ~~are considered changes to conditions of approval but~~ may be ~~granted~~ approved by the Planning Director.

~~D. Planning Director's Decision.~~ Within seven (7) days of application, the Planning Director shall make a decision regarding whether or not the application complies with the *General Plan*, as implemented by specific and redevelopment plans, such as subregional, area, and neighborhood plans, and whether it constitutes a substantial change to conditions, a minor change to conditions, or a minor change to a concept plan. The Planning Director's decision may be appealed by the applicant within ten (10) days of the notice of decision per Sec. 5.4.4.3, Type III Appeal Procedure.

* * *

ARTICLE VI. DEFINITIONS

* * *

DIVISION 2. LISTING OF WORDS AND TERMS

Denotes language to be added.

~~Denotes language to be deleted.~~

**DRAFT *LAND USE CODE (LUC)* AMENDMENT
LARGE RETAIL ESTABLISHMENTS (LREs) (BIG BOXES)
(C8-02-02)**

**Attachment A
March 24, 2003**

* * *

6.2.2 DEFINITIONS - B.

* * *

Buffer. The on-site use of landscaping elements, screening devices, open space, drainageways, and landforms.

* * *

/s/coderev/Big Box Review Subcommittee/Subcommittee Ordinance Drafts/CompletePCStaffDraft.doc