

ORDINANCE 2015- 7

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA, RELATING TO ZONING; AMENDMENG THE PIMA COUNTY CODE BY AMENDING CHAPTER 18.03 (GENERAL DEFINITIONS); CHAPTER 18.07 (GENERAL REGULATIONS AND EXCEPTIONS); CHAPTER 18.09 (GENERAL RESIDENTIAL AND RURAL ZONING PROVISIONS); CHAPTER 18.39 (GENERAL COMMERCIAL STANDARDS); CHAPTER 18.73 (LANDSCAPE, BUFFERING AND SCREENING STANDARDS); AND, CHAPTER 18.75 (OFF-STREET PARKING AND LOADING STANDARDS) TO ADD DEFINITIONS, STANDARDIZE TERMINOLOGY, AND PROVIDE PURPOSE, GUIDELINES, DESIGN STANDARDS, AND INCENTIVES FOR THE USE OF STORMWATER HARVESTING SYSTEMS AND TO RENUMBER SUBSEQUENT SECTIONS ACCORDINGLY.

THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA FINDS THAT:

1. The Planning and Zoning Commission, at its May 28, 2014 hearing, initiated and authorized staff to amend the Pima County Code.
2. Pima County Comprehensive Plan, Water Resources Element Regional Plan Policies advocate water conservation through implementation of rainwater/storm water harvesting and reuse strategies, including the potential for a Zoning Code text amendment for enacting water conservation measures.
3. Pima County Board of Supervisors' Ordinance 2013-42 amended the Pima County Zoning Code to encourage green building and resource efficiency, specifically permitting the use of rainwater harvesting systems in all zones.
4. This ordinance updates the zoning code to include definitions, regulations, incentives for use, and standardization of terminology for stormwater harvesting systems.
5. This ordinance does not create new restrictions on the use of property, and this ordinance is not intended to, nor should it be construed to reduce any existing rights to use, divide, sell or possess private real property.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA:

Section 1. Pima County Code Chapter 18.03, Section 18.03.020 is amended to add new definitions for "Green Infrastructure", "Low Impact Development", "Stormwater Harvesting System" and "Urban Heat Island" and to renumber subsequent sections accordingly, as follows:

Chapter 18.03
GENERAL DEFINITIONS

...
18.03.020 Definitions.

...
G. Definitions "G."

- ...
7. Green infrastructure (GI): practices that use or mimic natural systems and processes to promote infiltration, evapotranspiration, and harvesting of stormwater for retention and use in the landscape, generally by using vegetation and soil to manage stormwater where it falls.
~~7.~~8. Group home:

...
L. Definitions "L."

- ...
15. Low impact development (LID): a land development or re-development approach that preserves or restores on-site natural systems and hydrologic functions, and reduces impervious or disturbed areas to manage stormwater as close to its source as possible.

...
S. Definitions "S."

- ...
21. Stormwater harvesting system: A system for the on-site collection and retention of precipitation that has reached the ground, collected from paved, impervious or disturbed surfaces. System elements may consist of:
a. earthworks (including but not limited to depressed landscape areas, basins, berms, swales);
b. structures (including but not limited to curbs with inlets, scuppers or cuts, gabions, check-dams, permeable paving, rock mulch); and
c. other green infrastructure and low impact development elements to slow and disperse stormwater and promote its infiltration into the soil.
~~21.~~22. Story:

...
U. Definitions "U."

- ...
2. Urban heat island: a developed urban or suburban area that is significantly warmer (2°- 10° F or 1°- 6° C) than surrounding rural areas due to the retention of heat by un-shaded buildings and paved surfaces. Urban heat islands can increase energy demands, air conditioning costs, air pollution and greenhouse gas emissions, and heat-related illness and mortality.

...
Section 2. Pima County Code Chapter 18.07, Section 18.07.030 is amended to read as follows:

Chapter 18.07
GENERAL REGULATIONS AND EXCEPTIONS

18.07.030 Land use regulations.

S. Stormwater Harvesting System.

1. Purpose. The use of stormwater harvesting systems can:
 - a. Increase on-site stormwater infiltration to reduce run-off and soil erosion;
 - b. Improve stormwater quality by absorption, filtration and uptake of pollutants into natural systems;
 - c. Provide a low-cost, sustainable source of irrigation to augment and reduce use of groundwater resources;
 - d. Support landscaping to create shade, lessen urban heat island, improve air quality and beautify local development;
 - e. Provide wildlife habitat and preserve and enhance existing riparian corridors; and
 - f. Reduce the burden on and cost of building public stormwater control structures.
2. Stormwater harvesting systems are permitted in all zones, subject to the requirements and exceptions of this subsection:
 - a. Design, installation and use of stormwater harvesting systems should use as guidance, where applicable, Pima County Code Title 16-Floodplain Management, the Regional Flood Control District Manual "Design Standards for Stormwater Detention and Retention," the City of Tucson / Pima County "Low Impact Development-Green Infrastructure Guidance Manual," and other accepted stormwater harvesting principles and guidelines for arid climates approved by the Floodplain Administrator and Planning Official.
 - b. Stormwater harvesting shall be reviewed in conjunction with site improvement plan review.
 - c. Stormwater harvesting systems shall be designed to:
 - 1) Collect stormwater from all on-site paved, impervious or disturbed surfaces, but may also collect off-site non-regulatory stormwater;
 - 2) Drain directly into bufferyards, off-street parking, and other required landscape and screening areas, as well as detention basins and areas that augment existing riparian habitat; and
 - 3) Allow the flow of stormwater between harvesting elements across the site – walls, hardscaping, and other structures shall also be designed to facilitate stormwater flow.

Section 3. Pima County Code Chapter 18.09, Section 18.09.100 is amended to read as follows:

Chapter 18.09
GENERAL RESIDENTIAL AND RURAL ZONING PROVISIONS

18.09.100 - Conservation subdivision. ...

F. Conservation natural area standards. The planning official, or the planning official's designated representative qualified in such matters, shall review the subdivision's conservation natural area to ensure that it protects natural area connections and important habitat features. A conservation subdivision shall comply with the following standards:

2. Grading and conservation natural areas. ...

k. Site development shall include reduction of ~~storm water~~ runoff by means of stormwater harvesting (~~swales, basins, gabions, mulches, etc.~~), erosion control through benign grade stabilization, and careful siting of improvements to minimize negative impacts in conformance with permaculture accepted local green infrastructure and low impact development practices and concepts. ...

Section 4. Pima County Code Chapter 18.39, Section 18.39.030, Section 18.39.050 and Section 18.39.060 are amended to read as follows:

Chapter 18.39
GENERAL COMMERCIAL STANDARDS

18.39.030 - Large Scale Retail Establishment. ...

C. Development Standards. ...

3. Landscape and screening: ...

c. The landscaping plan shall include stormwater harvesting features for ~~water~~ to be used in the development; ...

18.39.050 - Neighborhood Shopping Center. ...

C. Development Standards. ...

4. Landscape and screening: ...

b. The development shall provide for stormwater harvesting with the features shown on the landscape plan submittal; and

18.39.060 - Small Shopping Center. ...

C. Development Standards. ...

3. Landscape and screening: ...

b. The development shall include stormwater harvesting features ~~for water~~ to be used in the development;

Section 5. Pima County Code Chapter 18.73, Section 18.73.010, Section 18.73.030 and Section 18.73.050 are amended to read as follows and to renumber the subsequent sections accordingly:

Chapter 18.73
LANDSCAPE, BUFFERING AND SCREENING STANDARDS

18.73.010 - Purpose and scope.

A. The purpose of this chapter is to provide landscaping requirements and performance standards which:

2. Conserve groundwater resources in conformance with the Arizona Groundwater Code, Title 45, Chapter 2, by:

b. ~~Helping control and~~ utilize stormwater, and control and reduce runoff,

18.73.030 - Performance standards. ...

C. Stormwater Harvesting Option.

1. Stormwater harvesting in bufferyards. When stormwater harvesting systems meet requirements in 18.07.030(S)(2) and cover at least three-quarters of the required bufferyard area:
 - a. The height of walls required in the Landscape Design Manual for Bufferyards A through D only may be reduced to three and one-half feet; and
 - b. The density of canopy trees required in the Landscape Design Manual for all bufferyards may be reduced by 50 percent.

18.73.050 - Amenity landscaping requirements.

C. Stormwater Harvesting Option.

1. Amenity landscaping reduction for stormwater harvesting. The ten percent amenity landscaping requirement may be reduced by half when the following stormwater harvesting elements are installed:
 - a. All pedestrian walkways and sidewalks shall use accepted porous / pervious pavement, pavers or bricks, or similar water-permeable surface; and
 - b. All landscaped traffic islands shall meet stormwater harvesting requirements for landscape planters in 18.75.040(F).

Section 6. Pima County Code Chapter 18.75, Section 18.75.040 is amended to read as follows and to renumber the subsequent sections accordingly:

Chapter 18.75
OFF-STREET PARKING AND LOADING STANDARDS

18.75.040 - Development standards.

B. Site Improvement Standards.

2. Drainage. In addition to county drainage requirements, stormwater 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):
 - b. Raised Landscaping planters no less than four feet wide shall be placed at the ends of parking rows to define driveways with at least one canopy tree per parking aisle and appropriate ground cover.

- ...
- d. When single parking rows occur, canopy trees shall be placed every four un-shaded parking stalls in planters ~~having a minimum of four sides with no dimension less than four feet~~. When double aisles of parking occur, canopy trees shall be placed every eight un-shaded parking stalls.
 - e. When the placement of trees in the required location among single or double row parking stalls is made impracticable by the location of a building, access area, drainage area or similar site constraint, the required parking area trees in the problem area may be reduced to one tree for every ten spaces in a four-foot wide median planter the length of the parking spaces. The remainder of the required trees may be placed within the bufferyard, stormwater harvesting area, retention/detention area or other landscaped area of the site.

4. Screening. Screening (refer to Chapter 18.73, Landscaping Standards) shall buffer parking areas from the following general land uses:

- ...
- c. Screening areas for off-street parking may use the landscape bufferyard stormwater harvesting option found in 18.73.030(C).

7. Shading. Required landscape planters, and canopy trees in particular, should be designed and installed with an emphasis on maximizing shading of paved surfaces. Linear planters should be installed as near as possible to north-south orientation to maximize shade.

E. Parking Lot Improvements Standards.

2. Barriers.

- a. Parking areas and spaces shall be provided with bumper barriers, wheel stops or wheel stop curbing, designed in conformance with the manual 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.
- b. Landscape planters shall be provided with a protective barrier (wheel stops, bollards, non-continuous curbing, or similar hardscaping) to prevent vehicles from damaging landscaping.

F. Stormwater Harvesting Option.

- 1. Stormwater harvesting in off-street parking. Landscape planters for stormwater harvesting in off-street parking areas shall meet requirements in 18.07.030(S)(2), and shall also have:

- a. At least the same number, area and dimensions, and density of canopy trees and other vegetation as landscape planters required in 18.75.040(B)(3);
 - b. Surface gradually depressed a minimum of 6 inches below the surrounding paved grade;
 - c. Protected edges, headers or other means slopes to prevent undermining and erosion by in-flowing stormwater; and
 - d. Curbing with inlets, scuppers, notches or cuts, depressed curbing, wheel stops, bollards, or similar non-continuous protective barrier to prevent vehicles from damaging landscaping and allow the flow of stormwater into planters.
2. When at least three-quarters of site's required parking area landscape planters and screening areas meet stormwater harvesting requirements in 18.75.040(F)(1):
- a. The length of walls required for screening in 18.75.040(B)(4) may be reduced by half, provided walls are spaced intermittently and strategically placed to provide needed screening.

...

Section 7. That this ordinance is effective 31 days after its adoption.

Passed and adopted by the Board of Supervisors of Pima County, Arizona, on this 17th day of March, 2015.

Sharon Brown

Chair, Pima County Board of Supervisors

ATTEST:

Robin Brigode
Clerk, Board of Supervisors

Approved As To Form:

[Signature]
Deputy County Attorney

Approved:

[Signature]
Executive Secretary
Planning and Zoning Commission