

ADOPTED BY THE
MAYOR AND COUNCIL ON

August 23, 2022

ORDINANCE NO 11953

RELATING TO PLANNING AND ZONING; AMENDING THE TUCSON CODE, CHAPTER 23B, UNIFIED DEVELOPMENT CODE, SECTIONS 3.3, 7.4, AND 11.4; ESTABLISHING REQUIREMENTS FOR ELECTRIC VEHICLE (EV) READINESS IN CERTAIN NEW RESIDENTIAL AND COMMERCIAL DEVELOPMENTS, INCLUDING MULTIFAMILY RESIDENTIAL, OFFICE, AND CERTAIN COMMERCIAL INCLUDING LARGE-SCALE RETAIL DEVELOPMENTS; ESTABLISHING PARKING REDUCTION INCENTIVES TO ENCOURAGE EV READINESS AND SETTING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF TUCSON, ARIZONA AS FOLLOWS:

SECTION 1. The Tucson Code, Chapter 23B, Unified Development Code, Article 7, Development Standards, Section 7.4 Motor Vehicle and Bicycle Parking, is hereby amended to read as follows:

**UNIFIED DEVELOPMENT CODE
ARTICLE 7, DEVELOPMENT STANDARDS
SECTION 7.4, MOTOR VEHICLE AND BICYCLE PARKING**

7.4. MOTOR VEHICLE AND BICYCLE PARKING

7.4.3. GENERAL PROVISIONS

G. Fractional Amounts

When the calculation of required motor vehicle, bicycle parking spaces, and EVSE spaces results in a fractional number, a fraction of one half or more is adjusted to the next higher whole number, and a fraction of less than one-half is adjusted to the next lower whole number.

7.4.5. REDUCTIONS AND EXCEPTIONS

E. Reduction Based on Additional Electric Vehicle Supply Equipment

1. General Requirements

The number of required motor vehicle parking spaces may be reduced by including more EVSE than required in **Table 7.4.11-1: Minimum Required EVSE**. The following conditions apply.

- a. The cumulative reduction does not exceed 30% of the required number of spaces prior to any reduction; and;
- b. The required number of EVSE is based on the total number of motor vehicle parking spaces required before any reduction has occurred; and;
- c. Parking spaces for individuals with physical disabilities must be provided and designed as required by the City of Tucson's adopted Building Code and the number provided shall be based on the total number of motor vehicle parking spaces required before any reduction has occurred. This does not apply to additional accessible electric vehicle (EV) charging spaces as required by Section 7.4.11.B.2; and;
- d. The amount of parking reduced for additional EVSE in specific Land Use Group, Class and Types are listed in Table 7.4.5-1 below.

Table 7.4.5-1: Motor Vehicle Parking Space Reductions Based on Additional Electric Vehicle Supply Equipment (EVSE)

Land Group/Class Use	For Each Additional EV Station, Total Provided Parking Reduced by	For Each Additional EV Ready Outlet, Total Provided Parking Reduced by
ALL OTHER USE GROUPS/CLASSES	1	n/a
COMMERCIAL USE GROUP		

Administrative and Professional Office	1	1
Alcoholic Beverage Service	2	n/a
Commercial Recreation	2	n/a
Entertainment (e.g., Sports Stadium or Center; Theater - Live; & Theater - Movie)	2	n/a
Food Service	2	n/a
Medical Service	1	1
Parking	1	1
Personal Services	2	n/a
Research and Product Development	1	1
Technical Services	2	n/a
Travelers' Accommodation, Lodging	1	1
RESIDENTIAL USE GROUP		
Mobile-home	n/a	n/a
Multifamily Dwellings and Group Dwellings	1	1
RETAIL TRADE USE GROUP		
Food and Beverage Sales, excluding Farmer's Markets	2	n/a
General Merchandise Sales	2	n/a
General Merchandise Sales, excluding Large Retail Establishment	2	n/a
Large Retail Establishment	2	n/a
Marijuana Dispensary	2	n/a
Marijuana Dispensary Off-site Cultivation Location	2	n/a
Marijuana Dispensary Off-site	2	n/a

Manufacturing Location		
Medical Marijuana Qualifying Patient Cultivation Location	2	n/a
Shopping Center	2	n/a

F. Other Permitted Reductions

1. General Requirements

The number of required motor vehicle parking spaces may be reduced under the following conditions:

- b. The cumulative reduction for this sub-section does not exceed 20% of the required number of spaces prior to any reduction;

4. Reduction Based on Valet Parking

The Zoning Administrator may approve valet parking as a means of satisfying a portion of the off-street parking requirements when there is an assurance of continued operation of valet parking and evidence of an available area for the valet parking and vehicle stacking spaces. Internal residential neighborhood streets may not be used for valet parking operations, which include drop-off, pick-up, parking, and driving access between the valet parking area and business it serves.

5. Reduction Based on MS&R Criteria

The number of off-street parking spaces required for any nonresidential development located on a street designated on the MS&R Plan may be reduced in accordance with the calculations in Section 5.4.6, *MS&R Street Perimeter Yard and Parking Adjustment*.

6. Reduction Based on Landscaping and Screening Criteria

- a. The following reductions apply to existing development :

- 1. The number of spaces required may be reduced if the development is modified to comply with all applicable sections of Section 7.6, *Landscaping and Screening*, except for Section 7.6.4.B.1, *Canopy Trees in Vehicular Use Areas*; or,
- 2. For every three non-required canopy trees provided in the vehicular use area, the motor vehicle parking requirement may be reduced by one space. The planting area for each tree must comply with the

canopy tree in vehicular use area spatial requirements in accordance with Section 7.6.4.B.1.a.

- b. For comprehensive redevelopment or development of a site, the motor vehicle parking requirement may be reduced by one space for every four non-required canopy trees provided in the vehicular use area. The planting area for each tree must comply with the canopy tree in vehicular use area spatial requirements in accordance with Section 7.6.4.B.1.a.

7. Reduction Based on Providing Trash and Recycling Enclosures

When an existing development is modified to comply with the enclosure requirement for trash and recycling, the number of required parking spaces may be reduced up to two parking spaces per container enclosure, but not to exceed 10% of the required parking.

G. Diversion of Required Parking

7.4.11. REQUIRED NUMBER OF ELECTRIC VEHICLE SUPPLY EQUIPMENT (EVSE)

A. Purpose

The purpose of this section is to encourage the use of electric vehicles by providing equitable and convenient access to electric vehicle charging infrastructure. These regulations support the City's climate strategy to reduce greenhouse gas emissions from the transportation sector by ensuring that the necessary facilities are in place to accommodate electric vehicles.

B. Minimum Required EVSE

1. The percentage of total required motor vehicle parking spaces that must also have access to at least Level 2 EVSE for specific Land Use Group, Class and Types are listed in Table 7.4.11-1 below.
2. Four percent (e.g., 1 in 25 spaces) but no less than one of electric vehicle (EV) charging spaces, in any given parking facility, must be accessible compliant. These spaces are accessible electric vehicle (EV) charging spaces, not ADA parking spaces.

a. Exceptions

Retail Trade Uses and the following Commercial Use Classes: Alcoholic Beverage Service, Commercial Recreation, Entertainment, Food Service, Personal Services and Technical Services, with less than 50 total required motor vehicle parking spaces prior to any reduction are exempt from Minimum Required EVSE.

b. Reductions

The number of total EVSE required parking spaces may be reduced by installing Level 3 charging stations. Each installed Level 3 charging station meets the requirement for 3 EV charging spaces.

Table 7.4.11-1: Minimum Required EVSE

Land Use Group/Class	EV Installed Required	EV-Ready Required	EV-Capable Required
COMMERCIAL USE GROUP			
Administrative and Professional Office	None required	5%	15%
Alcoholic Beverage Service	5%	None required	10%
Commercial Recreation	5%	None required	10%
Entertainment (e.g., Sports Stadium or Center; Theater - Live; & Theater - Movie)	5%	None required	10%
Food Service	5%	None required	10%
Medical Service	None required	5%	15%
Parking	None required	5%	15%
Personal Services	5%	None required	10%
Research and Product Development	None required	5%	15%
Technical Services	5%	None required	10%
Travelers' Accommodation, Lodging	None required	5%	15%
RESIDENTIAL USE GROUP			
Mobile home	None required	1 per unit	None required
Multifamily Dwellings and Group Dwellings	None required	10%	20%
RETAIL TRADE USE GROUP			
Food and Beverage Sales, excluding Farmer's Markets	5%	None required	10%

General Merchandise Sales	5%	None required	10%
General Merchandise Sales, excluding Large Retail Establishment	5%	None required	10%
Large Retail Establishment	5%	None required	10%
Marijuana Dispensary	5%	None required	10%
Marijuana Dispensary Off-site Cultivation Location	5%	None required	10%
Marijuana Dispensary Off-site Manufacturing Location	5%	None required	10%
Medical Marijuana Qualifying Patient Cultivation Location	5%	None required	10%
Shopping Center	5%	None required	10%

7.4.12. ELECTRIC VEHICLE PARKING DESIGN CRITERIA

A. Purpose

These standards ensure that required electric vehicle charging spaces are designed so that electric vehicle drivers may easily find and utilize EVSE without undue inconvenience.

B. General Criteria

1. EVSE Siting

- a. When siting EVSE, the charging equipment must not interfere with other uses and access on site.
- b. EVSE shall be installed so that EV charging is feasible in the number of spaces required.

C. EV Installed

The purpose of EV Installed EVSE is to provide easy access for EV charging to a wide range of the general public. This is the most visible and significant investment in EVSE infrastructure. The installation of a charging station allows an EV driver to charge a vehicle without additional equipment. The installation of a networked station allows for managed charging access, monitoring, billing, and remotely accessed updates for the user and property manager.

1. EV Installed Stations must be securely anchored to the ground, floor, wall, or ceiling.
2. Stations shall be installed to minimize tripping hazards and draping of the charging cord.

3. EV parking spaces with access to installed stations shall be identified with signage and pavement markings including an EV symbol and regulatory instructions such as “No Parking Except for Electric Vehicle Charging.”
4. Installed EVSE stations shall be accessible for EV charging during business hours at a minimum.

D. EV Ready

The purpose of EV Ready EVSE is to provide lower cost ready access to EV charging in locations with familiar or semi-regular users. Location-specific management strategies can be utilized to monitor or bill for charging access. Users may be required to provide their own charging cables to connect to an available outlet, or management may opt to provide this component. EV Ready spaces provide significant cost savings over retrofits if they are upgraded to EV Installed stations in the future.

1. The outlet near the EV Ready parking space shall be permanently and visibly marked as “EV Ready.”
2. This marking shall be changed if upgraded to EV Installed.
3. In the service panel or subpanel directory, the branch circuit shall be identified as “EV Ready.”
4. Information for how to access and charge at EV Ready parking spaces through site-specific management plans shall be clearly visible in the parking lot.

E. EV Capable

The purpose of EV Capable conduit is to provide cost effective ‘future proofing’ for future EV charging at a site.

1. The raceway termination location near the EV capable parking space shall be permanently and visibly marked as “EV Capable.”
2. This marking shall be changed if upgraded to EV Ready or EV Installed.
3. The service panel or subpanel circuit directory shall identify the overcurrent protective device space(s) reserved for future electrical vehicle charging as “EV Capable”

SECTION 2. The Tucson Code, Chapter 23B, Unified Development Code, Article 11, Definitions And Rules Of Construction, Section 11.4 Other Terms Defined, is hereby amended to read as follows:

**UNIFIED DEVELOPMENT CODE
ARTICLE 11, DEFINITIONS AND RULES OF CONSTRUCTION
SECTION 11.4, OTHER TERMS DEFINED**

11.4. OTHER TERMS DEFINED

11.4.6. DEFINITIONS – E

Electric Vehicle (EV) Capable

A parking space within 6 feet of the termination (in a listed cabinet, box, or other enclosure) of a listed electrical conduit to accommodate a future individual branch circuit originating at the main service or subpanel. The service panel or subpanel circuit directory shall provide capacity to accommodate a 40-ampere minimum 208-volt or 240-volt dedicated branch circuit. The ampere and volt minimums described above can be modified with administrative approval to allow for advances in industry standards. The conduit shall be installed so that minimal removal of materials is necessary to complete a future installation.

Electric Vehicle (EV) Installed

A designated parking space within 6 feet of an installed networked or non-networked charging station.

Electric Vehicle (EV) Ready

A parking space within 6 feet of a suitable circuit termination point, such as a NEMA 14-50R receptacle or EVSE with installed 40-ampere minimum 208-volt or 240-volt dedicated single phase branch circuit for servicing EVSE. The ampere and volt minimums described above can be modified with administrative approval to allow for advances in industry standards.

Electric Vehicle Supply Equipment (EVSE)

The conductors, including the ungrounded, grounded, and equipment grounding conductors, and electric vehicle connectors, attachment plugs, and all other fittings, devices, power outlets, or apparatus installed specifically for the purpose of transferring energy between the premises wiring and an electric vehicle.

11.4.13. DEFINITIONS – L

Level of EVSE Charging

There are three levels of EV charging; Level 1, Level 2, and Level 3. The higher the level of charging, more power is delivered to the vehicle.

Level 1 chargers plug directly into a standard 120 volt AC outlet supplying an average power output of 1.3 kW to 2.4 kW. This power output is equivalent to 3-5 miles of EV range per hour. An overnight charge will add 30-50 miles of range.

Level 2 charging requires a dedicated 240 V circuit and output ranges from 3 kW to 19 kW of AC power. This power output translates to 18-28 miles of range per hour. An average EV can be fully charged in 8 hours or less on Level 2 charging.

Level 3 charging has a maximum output of 350 kW. Level 3 uses direct current (DC) and can recharge an EV at a rate of 3 to 20 miles of range per minute. Level 3 charging is designed to fill an EV battery to 80% in 20-40 minutes, and 100% in 60-90 minutes.

11.4.15. DEFINITIONS – N

Networked Electric Vehicle (EV) Station

An EV charging unit that is part of an EVSE network, connected via the internet, and that can provide functions such as billing, access control and real time updates while charging. Information can be accessed remotely, such as through a smart phone app.

Non-networked Electric Vehicle (EV) Station

A stand-alone EV charging unit that is not part of an EVSE network.

SECTION 3. The various City officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this Ordinance.

SECTION 4. If any provisions of this Ordinance, or of its application to any person or circumstance is declared invalid or unenforceable, as determined by a court of competent jurisdiction, the invalidity or unenforceability shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or circumstance, and to this end, the provisions of this Ordinance are severable.

SECTION 5. This Ordinance becomes effective on December 1, 2022 after it is adopted by the Mayor and Council and is available from the City Clerk.

PASSED, ADOPTED, AND APPROVED by the Mayor and Council of the City of Tucson, Arizona, August 23, 2022.



MAYOR

ATTEST:



CITY CLERK

APPROVED AS TO FORM:



CITY ATTORNEY

REVIEWED BY:



CITY MANAGER

PG/tt
08/15/2022