

CITY OF TUCSON RECEIVED

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Affidavit of Posting

● City of Tucson ●

OFFICE OF THE CITY CLERK

OFFICE OF THE CITY CLERK

State of Arizona
County of Pima

} ss

I, the undersigned, the duly appointed City Clerk for the City of Tucson, Arizona, do hereby affirm the following Ordinance(s)/Resolution(s) was (were) posted in the Lobby of City Hall, 255 W. Alameda.

Resolution: 23240
Resolution: 23246

Ordinance: 11781
Ordinance: 11783

Date adopted by Mayor and Council: September 22, 2020

Date Posted: September 23, 2020

To remain posted until: October 24, 2020

In witness whereof, I have hereunto set my hand and affixed the seal of the City of Tucson, Arizona, this 23rd day of September, 2020.

DISTRIBUTION 3 LOG NO. 211859

Mayor	_____	City Clerk, City Hall	_____
Council	_____	City Deputy City Clerk	_____
City Attorney	_____	Asst. City Clerk	_____
City Manager	_____	Records Manager	_____
City Clerk	_____	Mgmt. Asst.	_____
Posting	<input checked="" type="checkbox"/>	Officer Supervisor	_____
Public File	<input type="checkbox"/>	Systems Analyst	_____
EA	_____	Liquor/Bingo	_____
		Agenda	_____
		BCC	_____
		Payment/Procurement	_____

Key
 Information Copy
 X-Action Copy
 Original

Roger W. Randolph
City Clerk

By: [Signature]
Deputy City Clerk

CITY CLERK FILE NOTE: Date prepared by Leg. Acts/Agenda Section: 09/23/2020
Date received by Mail Clerk: 09/23/2020 AAA
Date received by Public Records Section: 09/23/2020 AAA

September 22, 2020

RESOLUTION NO. 23246

RELATING TO REDEVELOPMENT; REAUTHORIZING AND APPROVING THE CENTRAL BUSINESS DISTRICT (“CBD”).

WHEREAS, on April 17, 2012, the Mayor and Council adopted Resolution No. 21883, approving the Tucson Central Business District; and

WHEREAS, pursuant to Arizona Revised Statutes (ARS) Sec. 42-6209(F), the City of Tucson (“City”) is required to review the current CBD by October 1, 2020, with subsequent reviews required every ten years, and may either renew, modify, or terminate the designation; and

WHEREAS, Mayor and Council hereby adopt and affirm the Findings of Conditions in the Proposed Central Business District Area attached hereto as Exhibit A; and

WHEREAS, Mayor and Council hereby specifically find that, based on the findings contained in Exhibit A and such other evidence presented at prior and current Mayor and Council meetings, the area described and illustrated by Exhibit B attached hereto, contains a predominance of residential and nonresidential buildings and improvements and is an area where the public health, safety or welfare is threatened because of: 1) dilapidated, deteriorated, aging or obsolescent buildings or improvements; and 2) the existence of conditions that endanger life or property by fire and other causes; and

WHEREAS, the redevelopment of the area described by Exhibit B is necessary in the interest of the public health, safety, morals and welfare of the residents of the City of Tucson; and

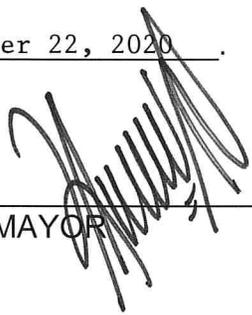
NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF TUCSON, ARIZONA, AS FOLLOWS:

SECTION 1. Based on the aforementioned findings, Mayor and Council hereby designate the area described by Exhibit B attached hereto to be a "slum area" within the meaning of ARS Sec. 36-1471(18).

SECTION 2. The area described by Exhibit B attached hereto and included within the area previously approved as the Tucson Central Business District adopted by Resolution No. 21883 shall continue to be so approved, and is hereby renewed and redesignated as the City of Tucson Central Business District, within the meaning of ARS Sec. 42-6209.

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

PASSED, ADOPTED AND APPROVED BY THE MAYOR AND COUNCIL OF THE CITY OF TUCSON, ARIZONA, September 22, 2020.



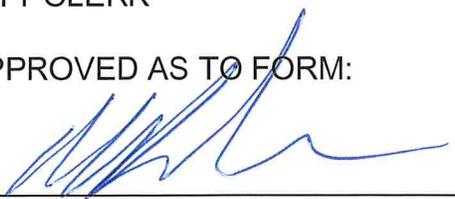
MAYOR

ATTEST:



CITY CLERK

APPROVED AS TO FORM:



CITY ATTORNEY

REVIEWED BY:

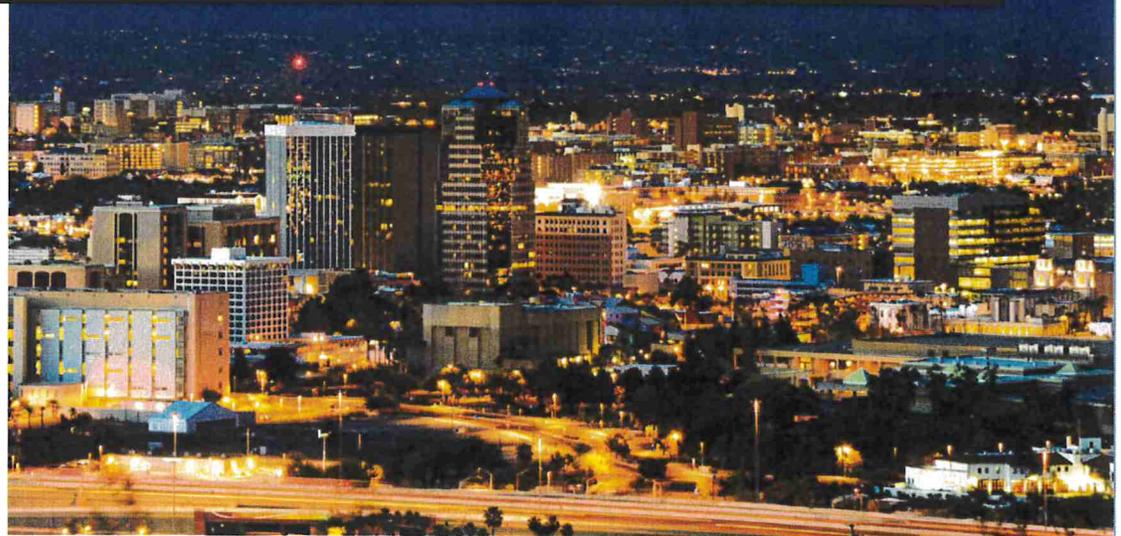


CITY MANAGER

RL:ct

9/15/20

Tucson Central Business District



Findings of Conditions Report

Prepared by
Office of Economic Initiatives
City of Tucson

Prepared August 11, 2020
Addendum September 4, 2020

Exhibit A to Resolution No. 23246

ADDENDUM TO FINDINGS OF CONDITIONS

IN THE PROPOSED CENTRAL BUSINESS DISTRICT AREA

Per ARS § 42-6209, "Central Business District" means a single and contiguous geographical area that is designated by resolution of the governing body of the city. The CBD may not be more than 2.5% of the total land area of the City, and the area may not be more than twice as long as it is wide. The CBD is an area that the City has determined meets the definition of a "slum area" where sound municipal growth is substantially arrested.

The City of Tucson's single Central Business District (CBD) was adopted by City Council Resolution 21883 on April 17, 2012. In accordance with ARS § 36-1471, the City finds that the CBD area meets the definition of a "slum area" in which both of the following are true:

- a) There is a predominance of buildings or improvements, whether residential or nonresidential.
- b) The public health, safety or welfare is threatened because of any of the following:
 - (i) Dilapidated, deteriorated, aging or obsolescent buildings or improvements.
 - (ii) The inadequate provision for ventilation, light, air, sanitation or open spaces.
 - (iii) Overcrowding.
 - (iv) The existence of conditions that endanger life or property by fire and other causes.

Properties within a CBD are provided certain redevelopment tools, such as the Government Property Lease Excise Tax (GPLET) incentive. In recommending the renewal and expansion of the CBD, the City's intent is to promote investment in, and revitalize, the commercial core of the City through use of the GPLET incentive.

Per ARS § 42-6209(F), the City is required to review the Central Business District by October 1, 2020, and may either renew, modify, or terminate the designation. On May 7, 2019, Mayor and Council provided direction to expand the boundary of the existing CBD, to the extent allowed by ARS § 42-6209(A)(1)(c), to adjacent areas that meet the definition of slum or blight per ARS § 36-1471.

Since that time, staff from multiple departments, including Housing & Community Development, Planning & Development Services, IT, Police, City Attorney, and the City Manager's Office have engaged in a process of data collection and analysis. Attached to this Communication are Exhibit A: "*Findings of Conditions in the Proposed Central Business District*," and Exhibit B: "*Final Proposed Central Business District Map*."

While the City finds that the proposed Central Business District meets the statutory definition of slum, this does not, by any means, signify that every property in the district fits this description. In our efforts to designate a CBD area that will facilitate much needed new development and capital investment, we have endeavored to minimize the number of single-family residential parcels within the district; however, it is not possible to exclude all such properties.

While no specific community engagement process is required under State statute, or local Ordinance, over the past few months, Economic Initiatives staff has taken every opportunity to speak with interested parties regarding the GPLET tool, and the proposed expansion of the CBD. These groups include: Rio Nuevo (Board Chair and Counsel), Downtown Tucson Partnership, Downtown Neighborhoods and Residents Council (DNARC), the City's Independent Audit and Performance Commission (IAPC), and [local news media](#).

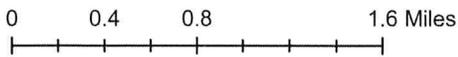
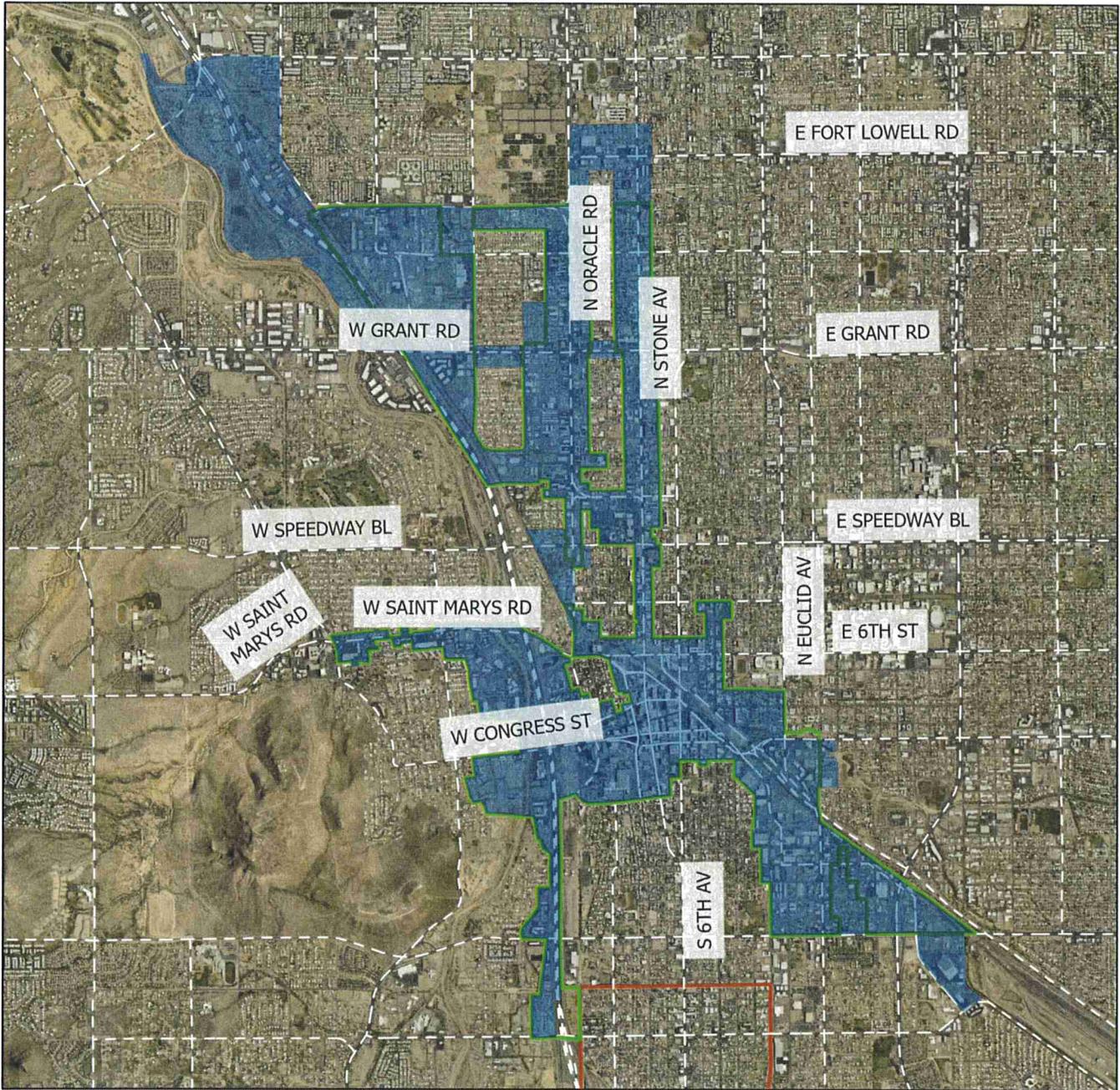
At the request of Mayor and Council, staff recently held community meetings to provide information regarding the proposed renewal and expansion of the Central Business District (CBD). The first meeting was held Wednesday, August 12th, with 64 registered attendees, not including City staff. The second meeting was held Saturday, August 15th, with 76 registered attendees, not including City staff. A third meeting with Ward 5 neighborhood associations was held Tuesday, September 1st. The "Final Proposed Central Business District Map" on the following page reflects the community feedback obtained through this public process. **Please note that this Addendum is intended to replace only pages 1, 2, and 3 of the report. Pages 4 through 28 have not been amended.**

Table A: Final Proposed Central Business District Land Use Characteristics

3710 Total Parcels	• 2,541.88 total acres, not including ROW
Residential 1269 parcels	• 342.24 acres
Commercial 1006 parcels	• 654.79 acres
Government 603 parcels	• 1048.18 acres
Industrial 500 parcels	• 388.07 acres
Vacant 330 parcels	• 108.60 acres

Final Proposed Central Business District Map

September 9, 2020



Legend

- Current CBD Area
3.35 sq mi; 2,141.02 ac; 3,030 parcels; 1.39% total area of Tucson*
- Final Proposed CBD Expansion Area
4.39 sq mi; 2,810.9 ac; 3,710 parcels; 1.82% total area of Tucson*
- South Tucson

*Total Square miles of Tucson: 241.29

FINDINGS OF CONDITIONS IN THE PROPOSED CENTRAL BUSINESS DISTRICT AREA

Overview

The City of Tucson is seeking to further encourage development in the downtown and the surrounding area. To this end, the City is proposing an expansion of the Central Business District (CBD), as shown on Map 1. In accordance with Arizona Revised Statutes 36-1471, the City of Tucson has determined that the proposed CBD area is a slum area where sound municipal growth is substantially arrested. Both of the following are true for this area:

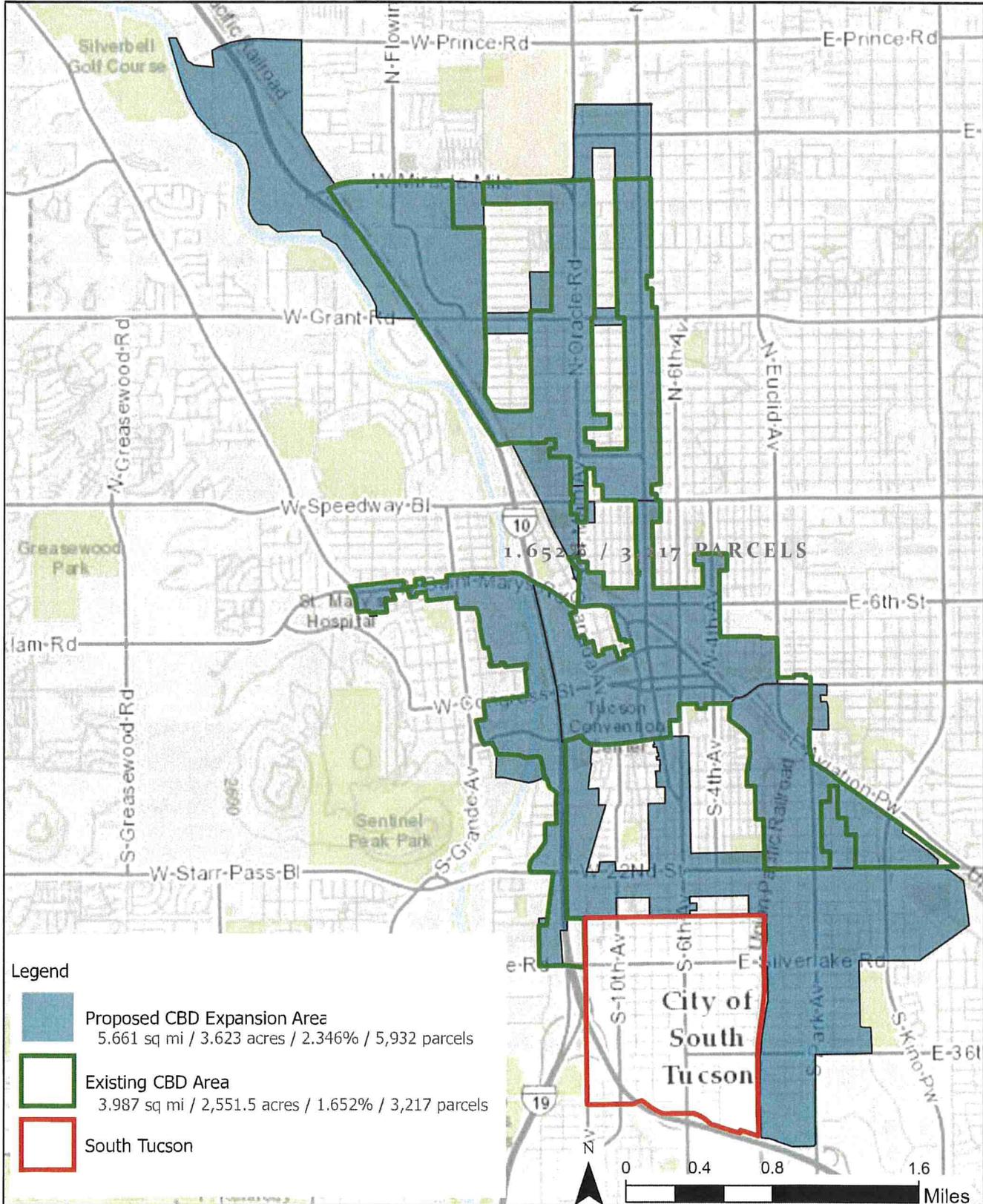
There is a predominance of buildings or improvements, both residential and nonresidential and the public health safety or welfare is threatened because of

- a) dilapidated, deteriorated, aging or obsolescent buildings or improvements; and
- b) the existence of conditions that endanger life or property by fire or other causes.





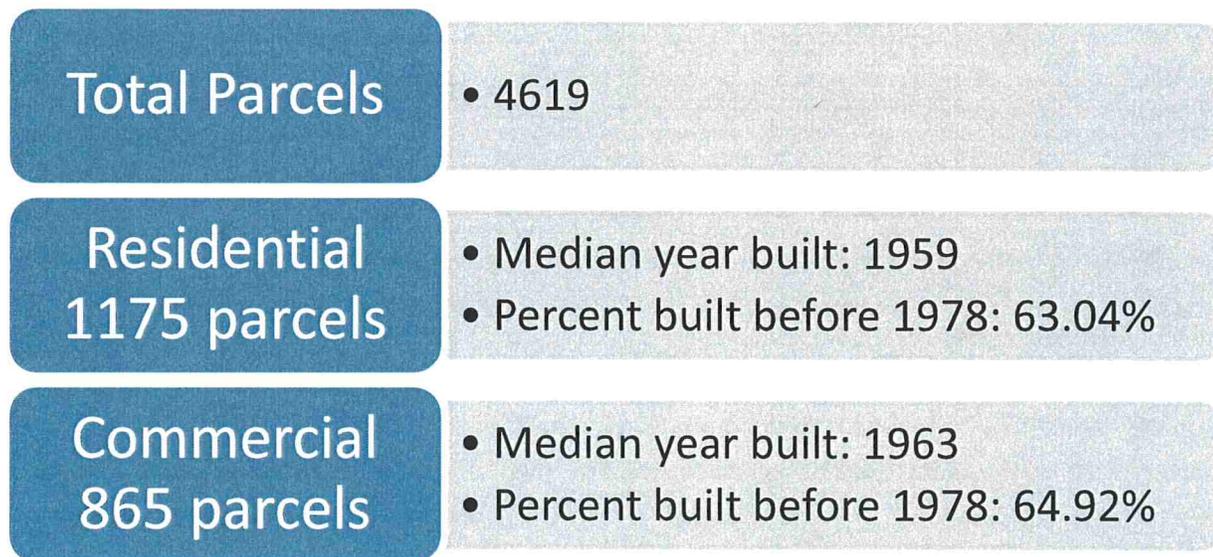
MAP 1-CITY OF TUCSON CENTRAL BUSINESS DISTRICT



Background

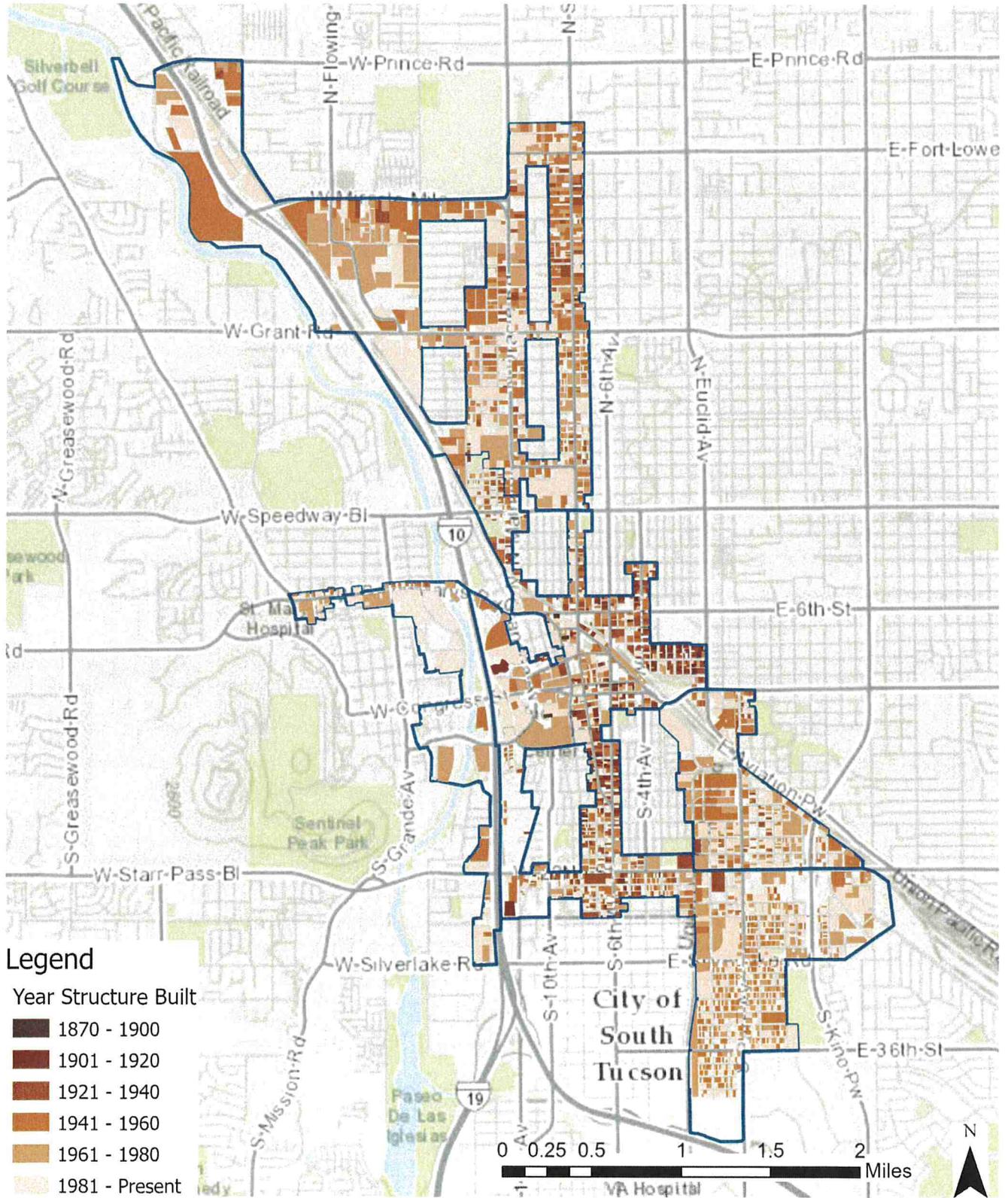
Over the past several years, the Mayor and Council have initiated various incentive policies for the Downtown area. There is, however, a continuing need to attract development and investment activity to the Downtown and surrounding area. This proposed Central Business District expansion area is intended to supplement current incentive policies and increase the potential for development to occur. The proposed Central Business District expansion area is comprised of downtown Tucson and the downtown gateway corridors, including Oracle Road, Stone Avenue, Broadway Boulevard, Park Avenue, South Sixth Avenue, St. Mary's Road and portions of Interstate 10. The area is 5.66 sq. miles, or 3,623 acres, which equals 2.4% of the City of Tucson by area.

Most of the proposed Central Business District expansion area was developed over the last two centuries. The present street and block layout reflects this historical pattern. The age of the commercial and residential structures is considerably older than other areas of the community. Approximately half (49.2%) of all the proposed area structures were built before 1963. Structures built prior to 1963 are age-eligible for consideration as historic properties. Tax abatements for development projects affecting historic buildings within a redevelopment area created through the authority of state statute require review and approval by the State Historic Preservation Office to ensure that historic buildings will be preserved and/or rehabilitated according to the Secretary of the Interior's Standards for Preservation. A historic building is a structure listed on the National Register of Historic Places, individually or as a contributor to a historic district, or which meets the eligibility criteria for listing. Those eligibility criteria include age (at least 50 years old), significance, and integrity; all three of these criteria must be met.



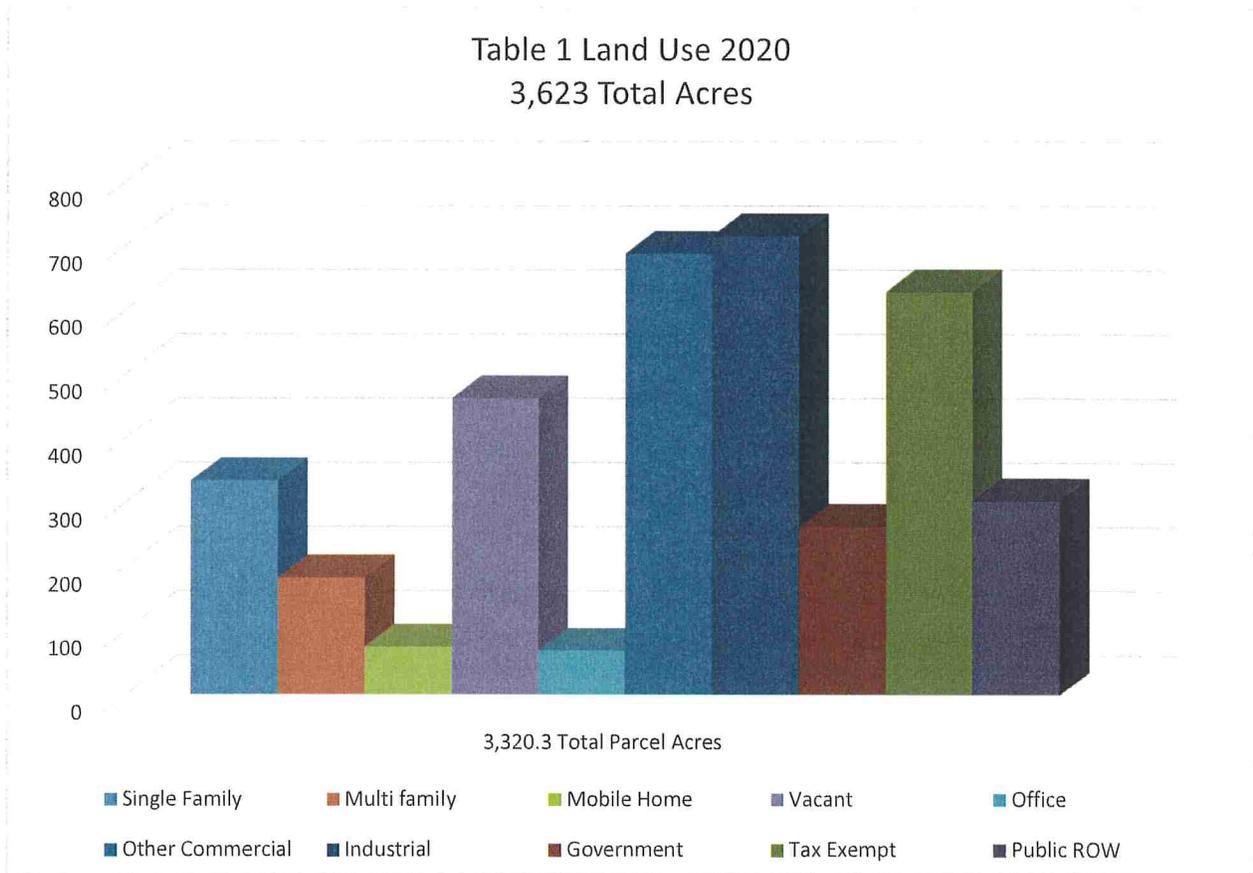
The Map below provides an overview of the age of structures in the proposed Central Business District expansion area. 25.81% of all area structures were built prior to 1950. The median year built for residential structures is 1959 (61 years of age). The median year built for commercial structures is 1963 (57 years of age). 63.98% of all structures were built before 1978. Any home, building, school or daycare center built before 1978 contains some lead paint, suggesting that they may contain lead-based paint hazards. Lead is toxic, especially to children. Renovations and repairs to structures built before 1979 where paint will be disturbed require special handling.

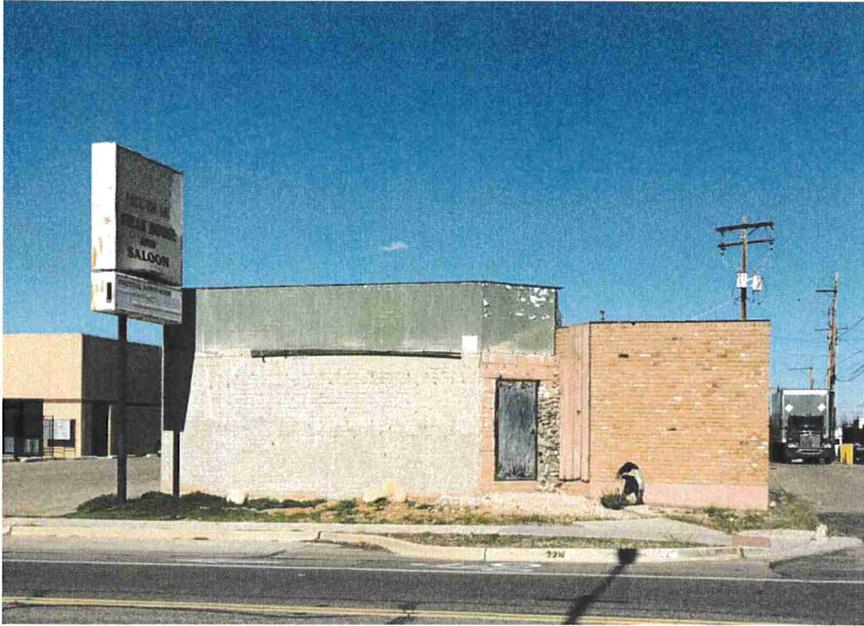
MAP 2 PIMA COUNTY ASSESSORS PARCEL DATA, 2020



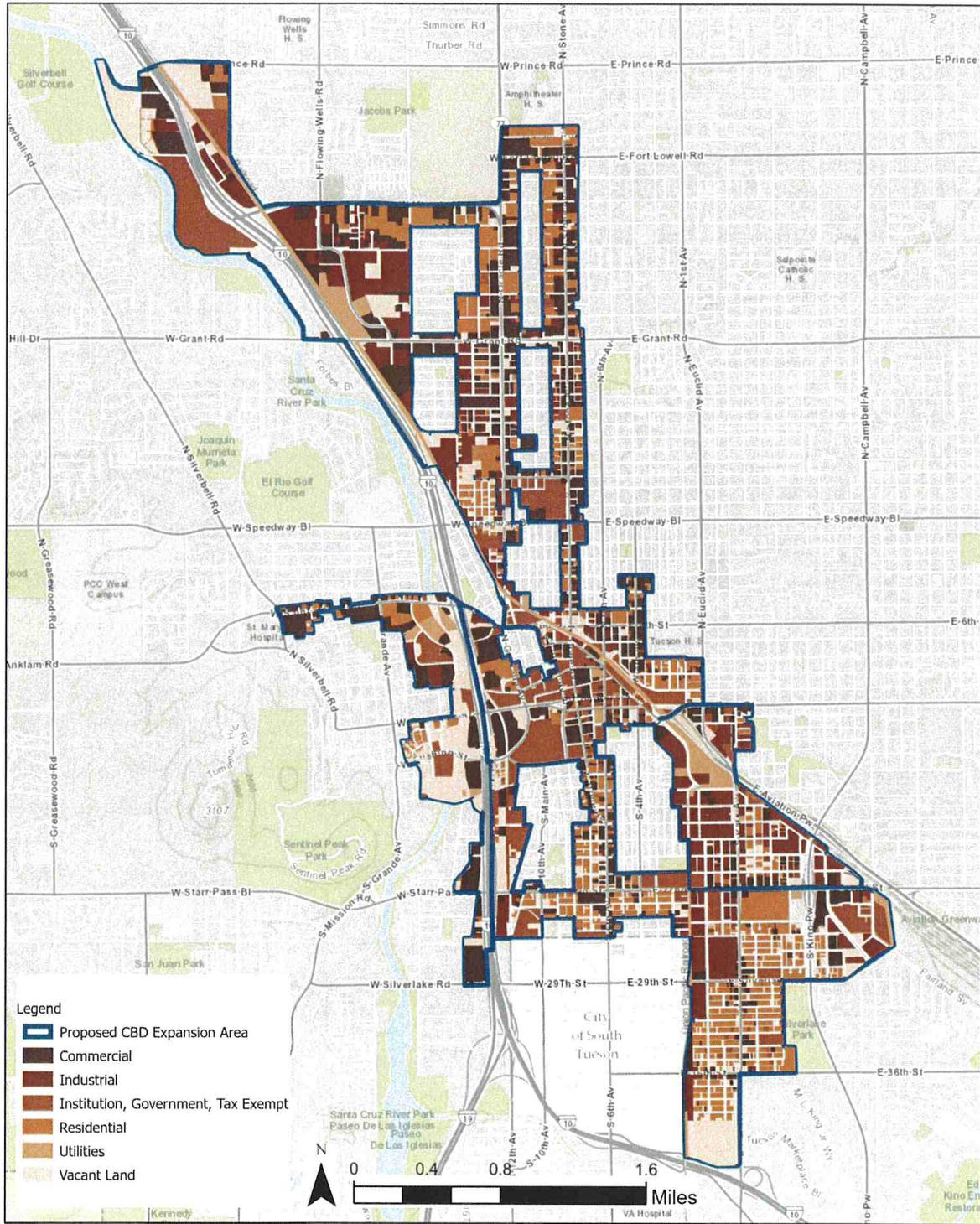
Land Use

The Central Business District expansion area comprises approximately 3,623 acres of Tucson's core. Land use in this area is dominated by commercial land uses (20.9%), followed closely by industrial land uses (19.7%). Table 1 presents land uses within the proposed CBD area (based on Pima County Assessor use codes). Map 3 provides a visual representation of the land use data.





MAP 3 LAND USE BY PARCEL



Population and Housing

An analysis of the 2014-2018 American Community Survey shows that there are 15,465 residents within the proposed Central Business District expansion area. Residential population in this area is less than 3% of the City of Tucson's total population. The median age of the residents is 31.6 years. Children, age 0-19, represent 29.75% of this population, while persons age 65 and over represent 10.6%. The area has a high minority population concentration of over 60%.

Of the 7,571 housing units in the proposed CBD expansion area, over 60% are rentals and just over 24% are owner-occupied. The 2014-2018 American Community Survey reveals a residential vacancy rate of 15%. Tables 2 and 3 provide additional population and housing information on the area:

Table 2-1 Population by Gender

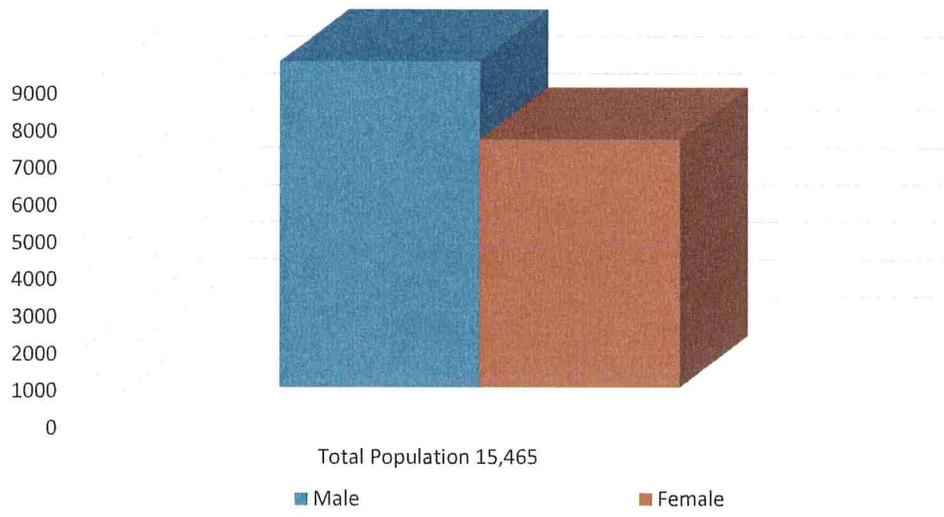


Table 2-2 Population Data

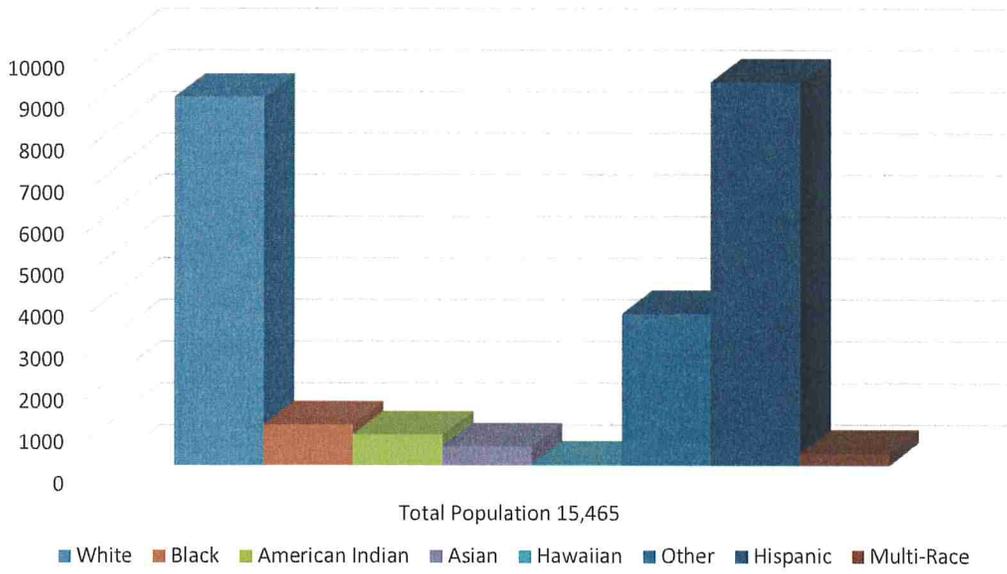


Table 2-3 Population by Age

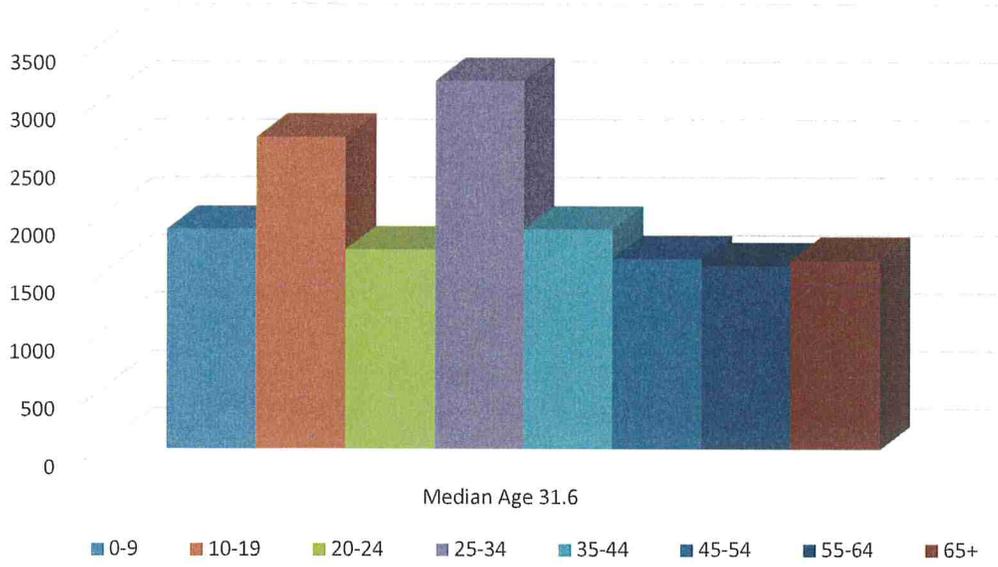


Table 2-4 Total Households
Average Household Size 2.20

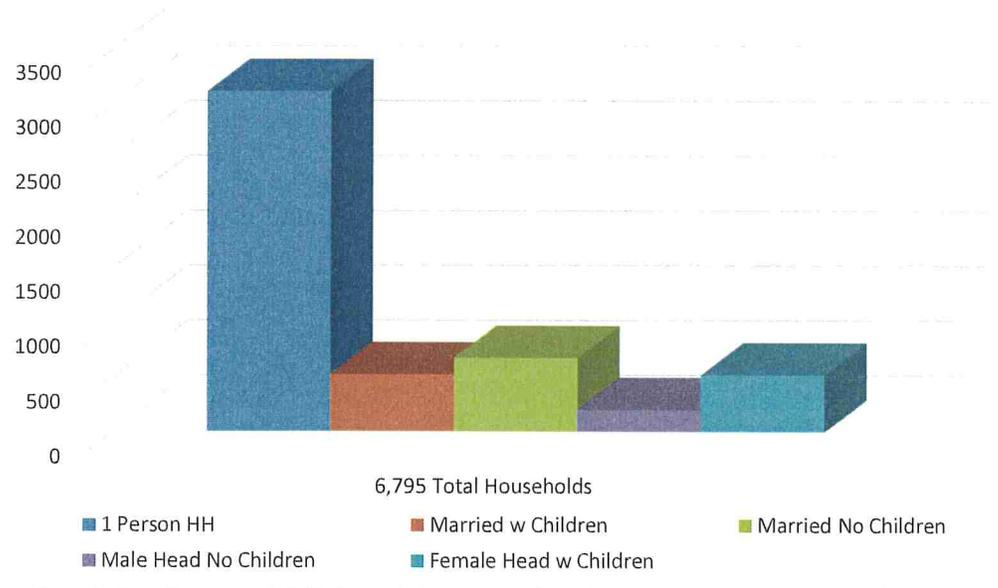
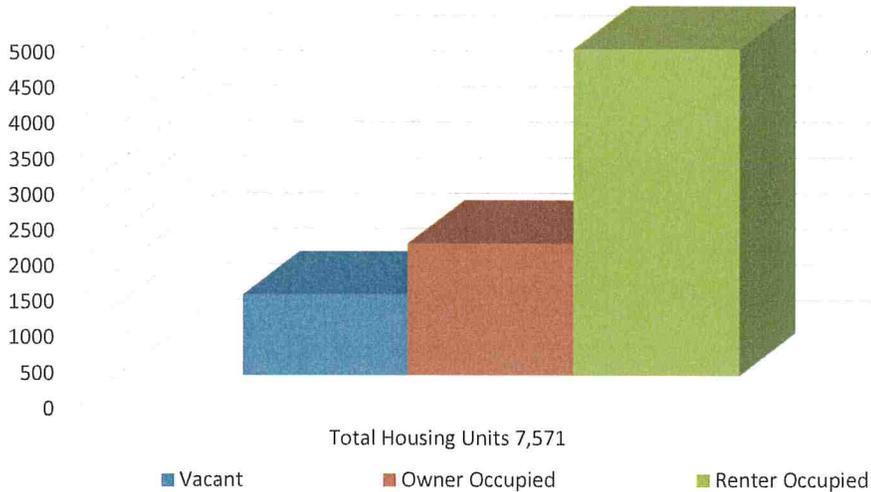


Table 3-Housing Data



Findings

A. Diversity of Ownership

An analysis of current Pima County Assessor records shows that the Central Business District expansion area is comprised of 5,799 parcels, 623 of which are government owned (Federal, State, County, City, and School District). Of the non-government owned parcels, 2,665 parcels (51.5%) have different owners. Additionally, 21.9% of all parcels in the Central Business District expansion area are owned by out-of-town residents or corporations. Based on the City's redevelopment experience, this degree of diversity of ownership impairs and arrests sound growth due to the difficulty of consolidating developable parcels in a timely manner and an increase in land prices caused by undue overhead expense in assemblage of properties.

B. Unsanitary or Unsafe Conditions

1. Environmental Issues

There are four State Superfund sites (7th Street and Arizona Avenue, Park-Euclid, Stone and Grant, and Miracle Mile) within the proposed Central Business District expansion area boundaries, each contributing to soil and groundwater contamination in the form of volatile organic compounds (VOCs) such as trichloroethylene (TCE) and tetrachloroethylene (PCE). Other brownfields properties in the proposed Central Business District expansion area include closed landfills, former gas stations, dry cleaners, automotive repair facilities, abandoned industrial and manufacturing facilities, railroad lines and spurs, and vacant/abandoned inner city structures, businesses, and motels. The proposed Central Business District expansion area represents less than 2.5% of the land area of the City of Tucson, yet, it is estimated that the Central Business District expansion area contains 13% of point source pollution sites in the City of Tucson (235 sites) as identified by the EPA.

2. Code Violations

The Code Enforcement Division of the Environmental and General Services Department is responsible for investigating code complaints that affect the health and safety of residents. They also address property maintenance issues by enforcing several City regulations such as the Neighborhood Preservation Ordinance provisions of the Unified Development Code (UDC), and Sign Code. An analysis of reported code violations in the proposed Central Business District expansion area from January 2016 through February 2020 showed that there were a total of 1825 complaints investigated in the area. Of those complaints, approximately 20% were exterior nuisance complaints, such as reports of junk cars in yards, illegal dumping on vacant lots or washes, visible refuse and vegetation nuisances. Another 20.22% of complaints concerned emergency violations, such as unsecured pools and minimum housing standards, such as lack of heat, inferior plumbing, or insects. These violations represent more than 7.5% of all City violations. Table 4-1 provides a breakdown of reported code violations in the proposed Central Business District expansion area, while Table 4-2 provides the percentage relative to all City violations.

Table 4-1 Code Violations
January 2016-February 2020

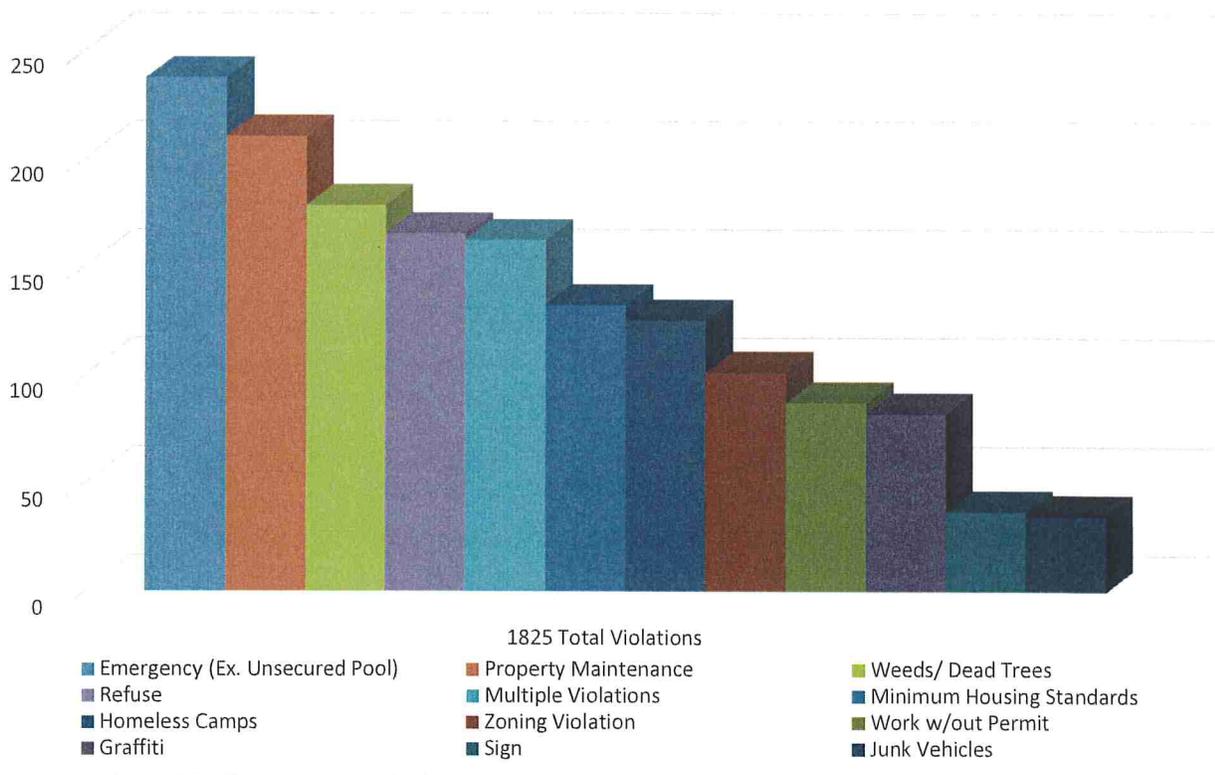
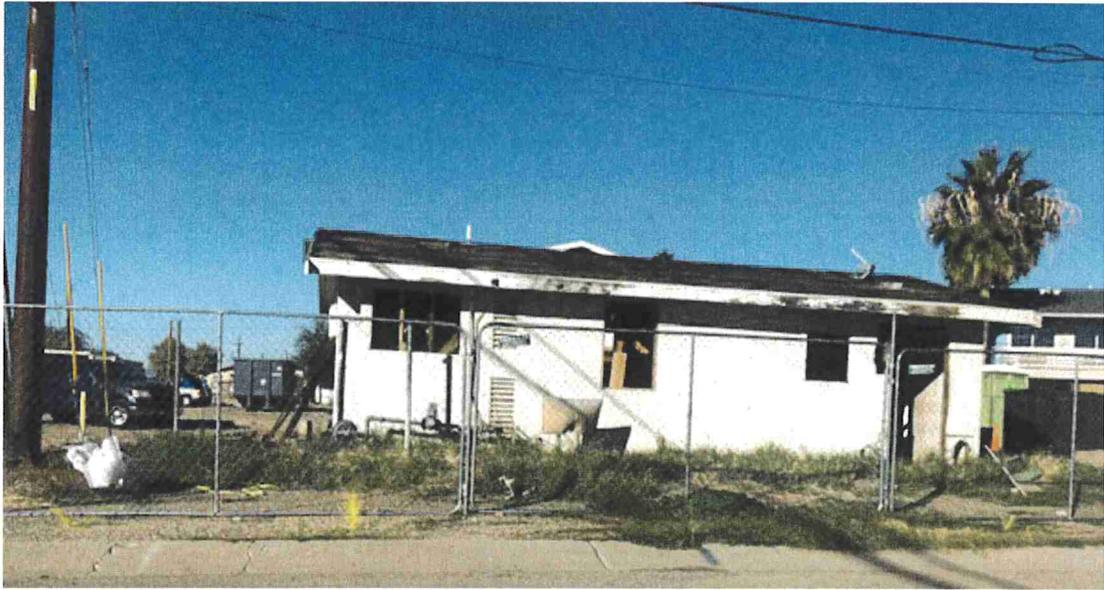
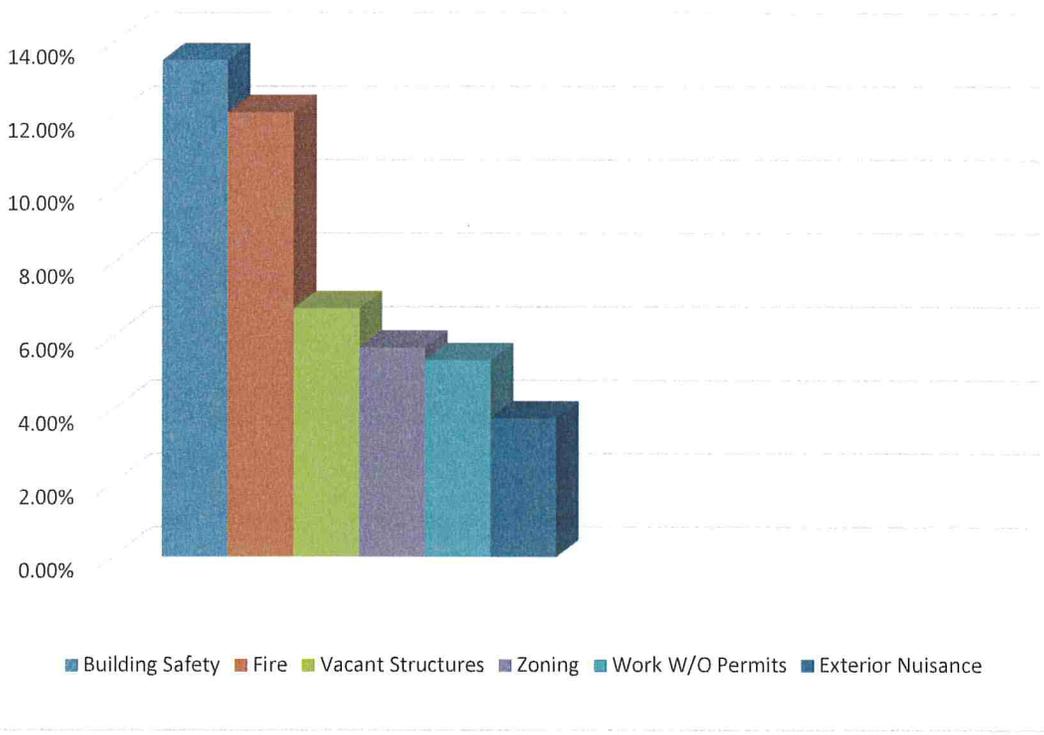


Table 4-2 Code Violations
Total Percentage of City





3. Crime

The proposed Central Business District expansion area has less than 3% of the City's population, 7.9% of employment and 2.5% of the City's total land area, yet an analysis of Part I & II crime data from January 2013 through February 2020 shows that the area accounted for almost 11% of city totals for these crimes. As can be seen in Table 5, major crime categories for the area were larceny/ theft, narcotic drug violations, assaults, disorderly conduct, and criminal damage. It is also worth noting that 34% of all commercialized sex crimes occur within the area. Considerable resources are expended annually to address criminal and safety issues in this area.





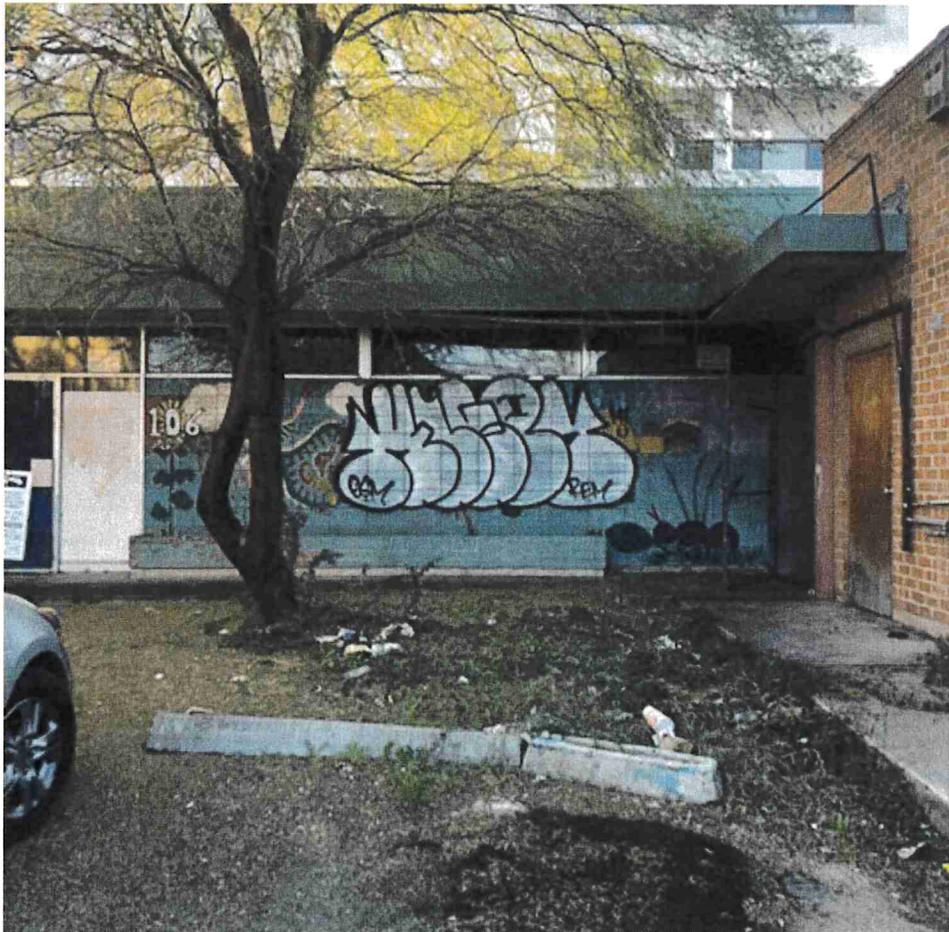
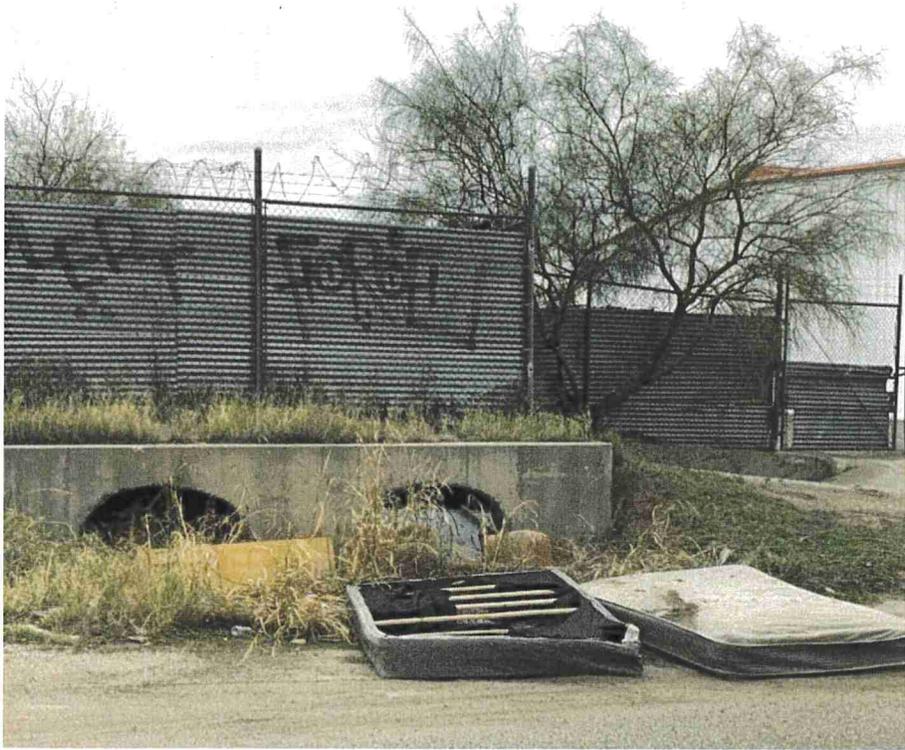


Table 5- Crime Data
January 2013-February 2020

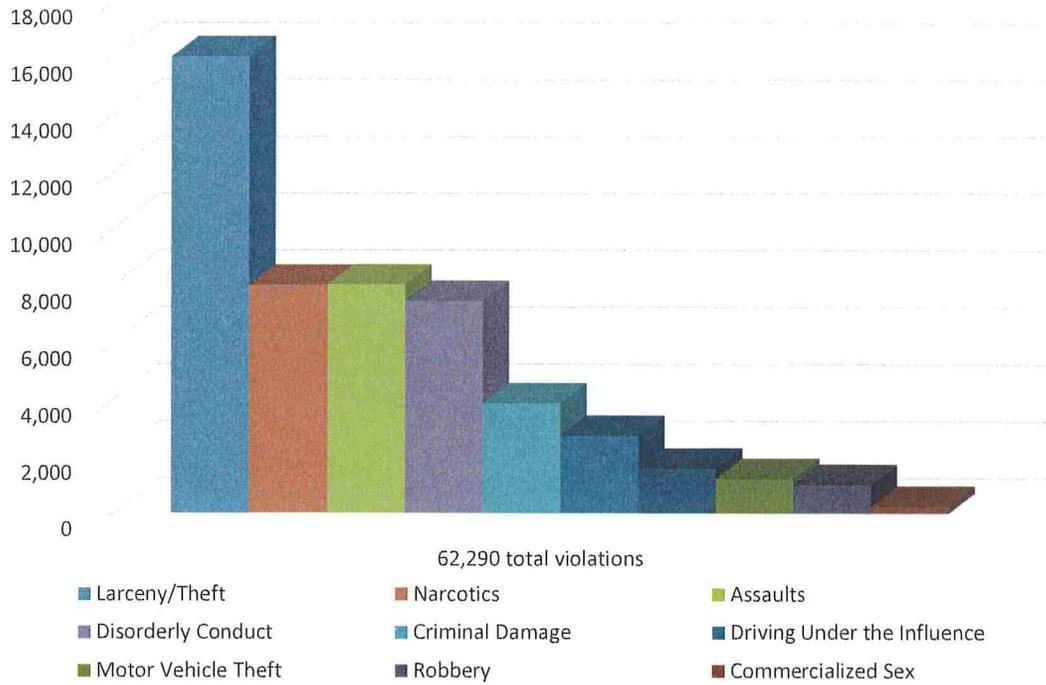
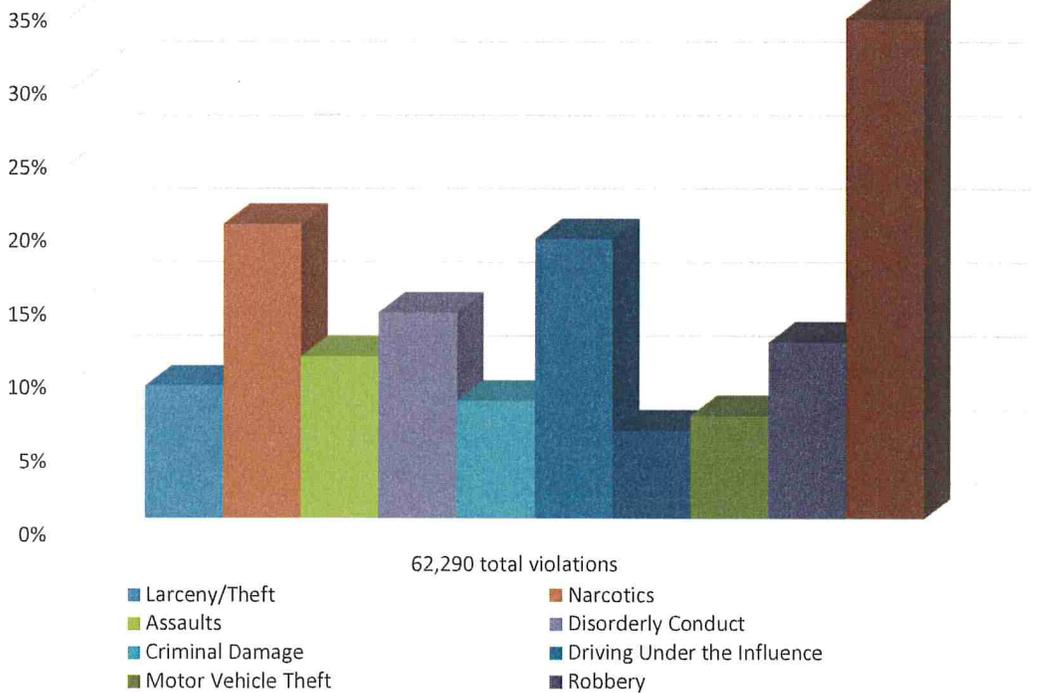


Table 5- Crime Data
Percentage of City

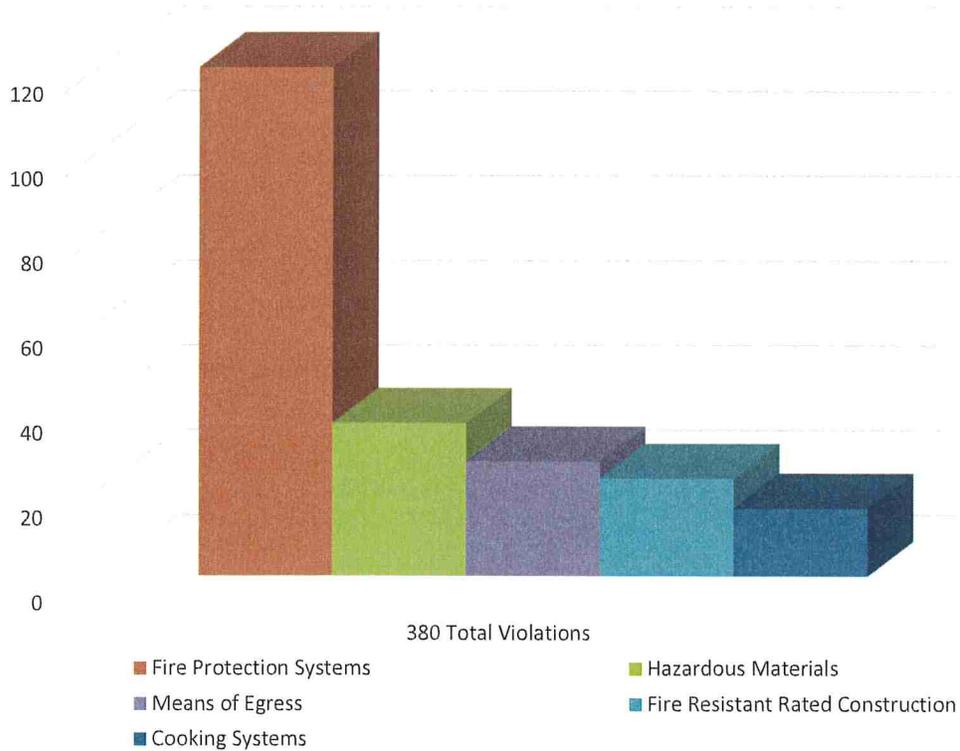


4. Fire Safety Violations & Inspections

A review of fire inspections for 2012-2020 showed a total of 380 inspections within the proposed Central Business District expansion area. A total of 222 (59%) inspections resulted in the determination of violations of the fire code. Most of those violations (54%) were related to fire protection systems. Table 6 provides a summary of violations.

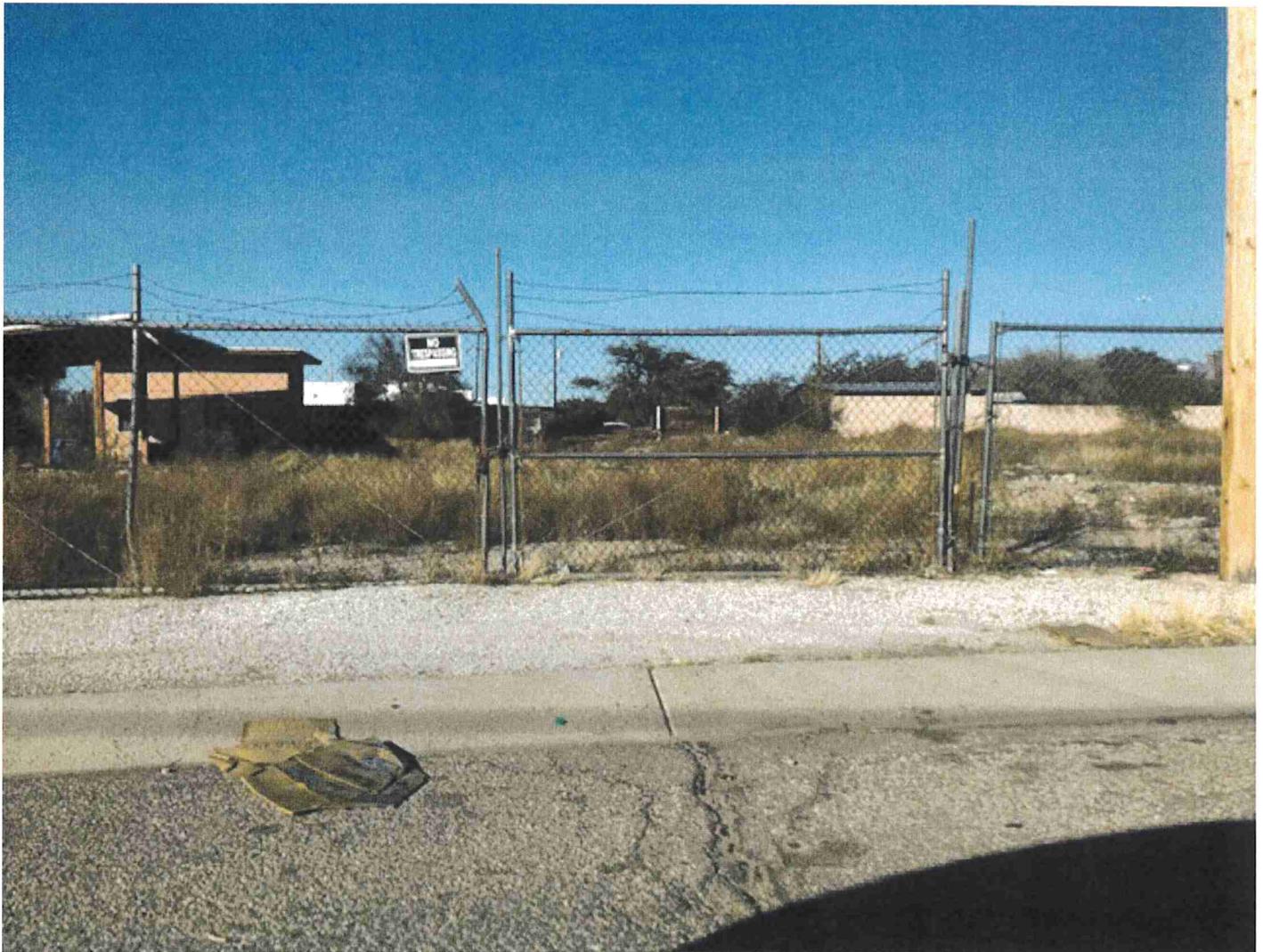


Table 6- Fire Code Violations

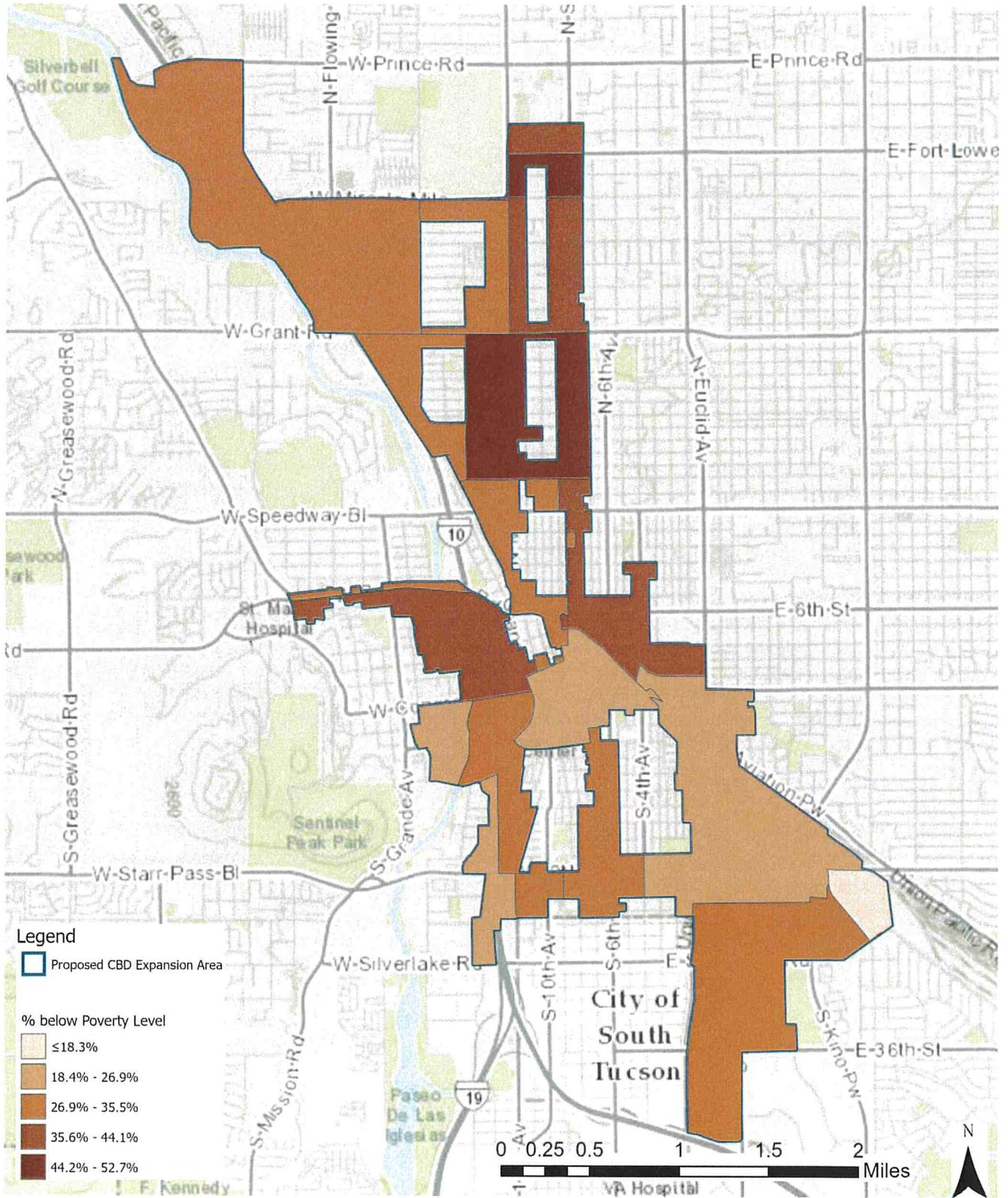


5. Indicators of Stress

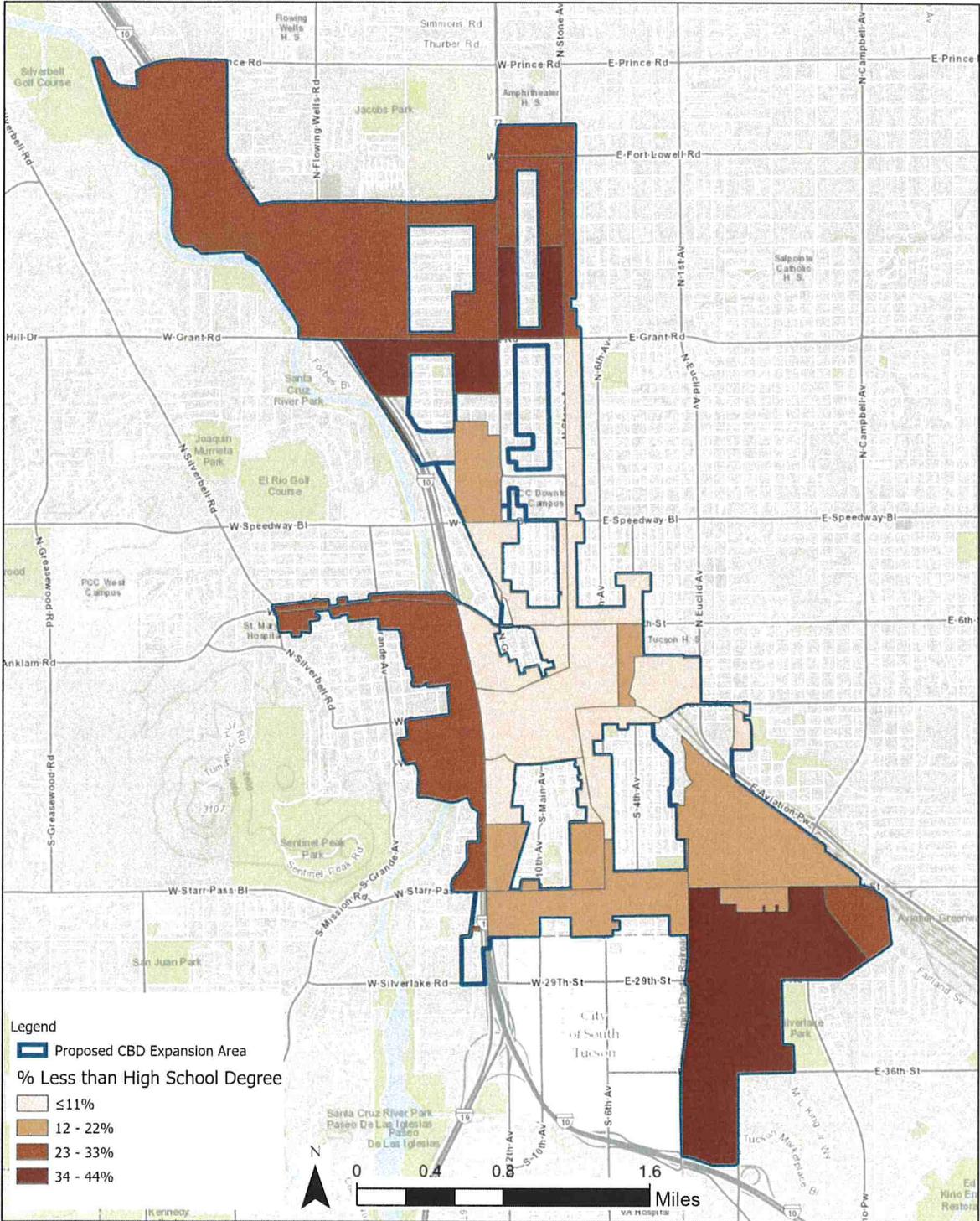
Beginning with the 1980 Decennial Census, the City of Tucson has analyzed data from the Census of Population and Housing every decade. Variables examined reflect housing and social conditions that indicate dependency and need. They relate to economic status, shelter costs and conditions and possible social dependency. The American Community Survey (ACS), for which data became available in 2004, now provides the socioeconomic data utilized in the Indicators of Stress. The 2014-2018 ACS provided data at the tract and block group level for the first time. Variables were selected that were consistent with previous studies. The geographic scale chosen was census tract rather than the former use of census block groups, due to sampling error. The indicators measure census tracts against the average condition of the City as a whole. The statistical method used measures areas in standard deviation units from the mean of the city. Each variable contributes equally to the overall composite score, since there is no credible basis for differential weighting. Maps 4-1 through 4-4 show that the proposed expansion area is significantly lower than the City average for housing and social conditions, as evidenced by the area's high stress scores.

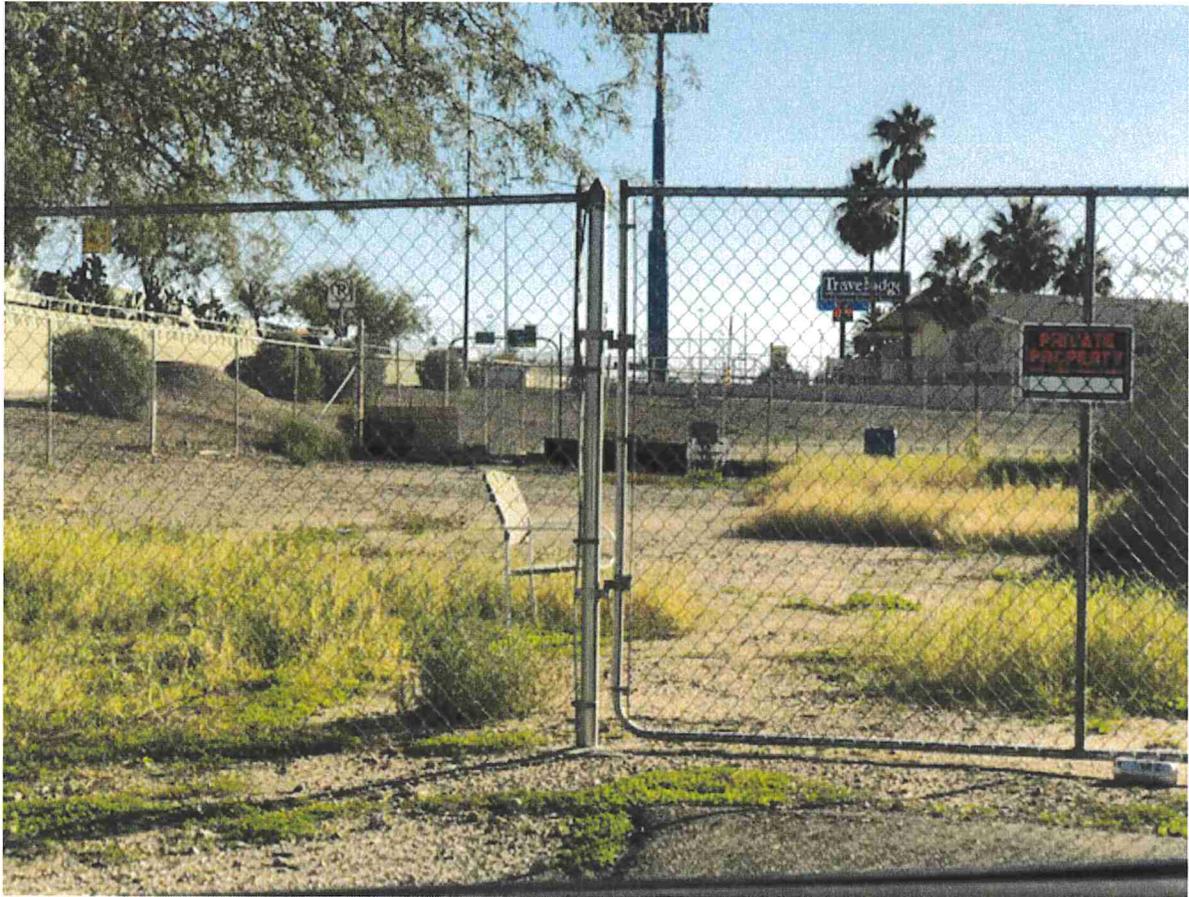


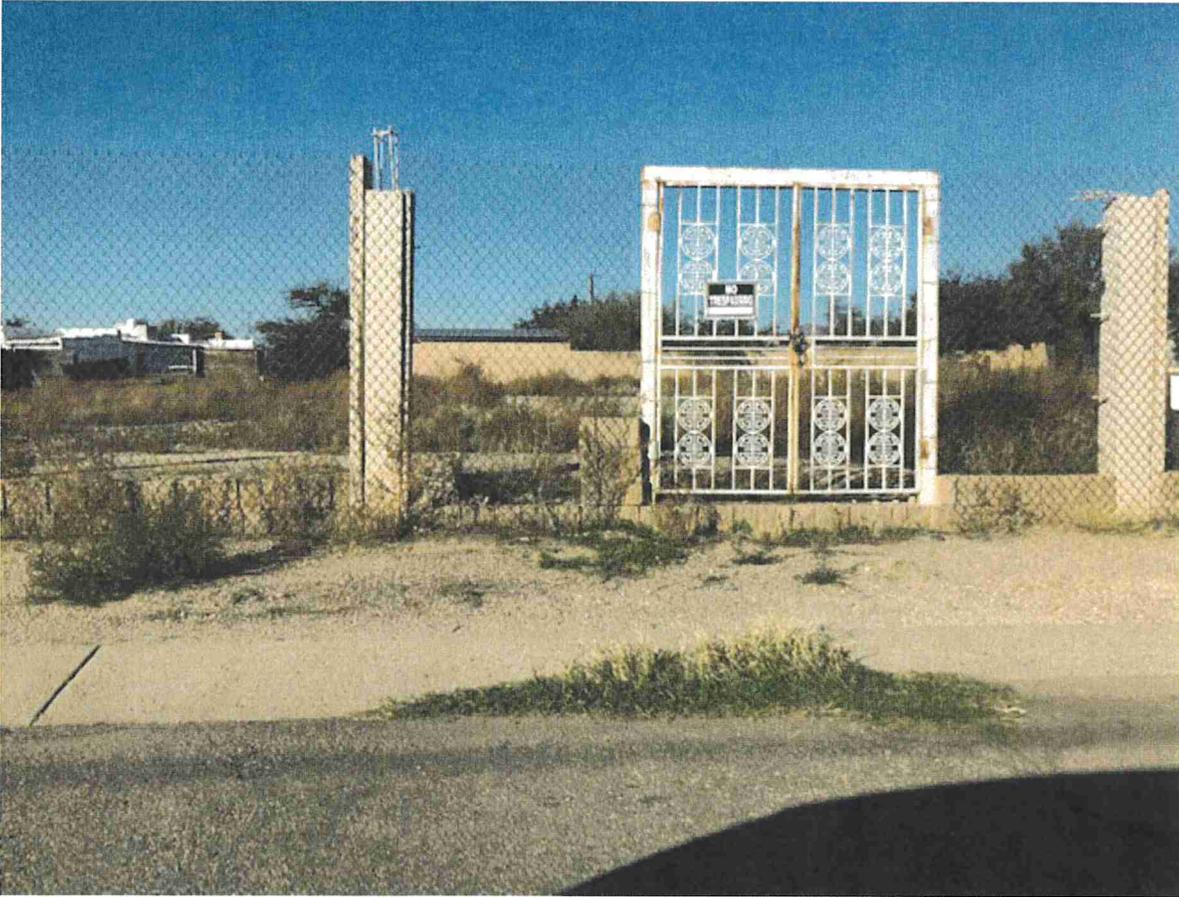
**MAP 4-1
PERCENT OF POPULATION WHOSE INCOME IN
THE PAST 12 MONTHS WAS BELOW POVERTY LEVEL, ACS 2014 - 2018**



MAP 4-2 PERCENT OF POPULATION WITH LESS THAN HIGH SCHOOL EDUCATION, ESRI 2019







Conclusion

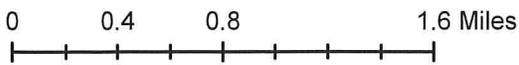
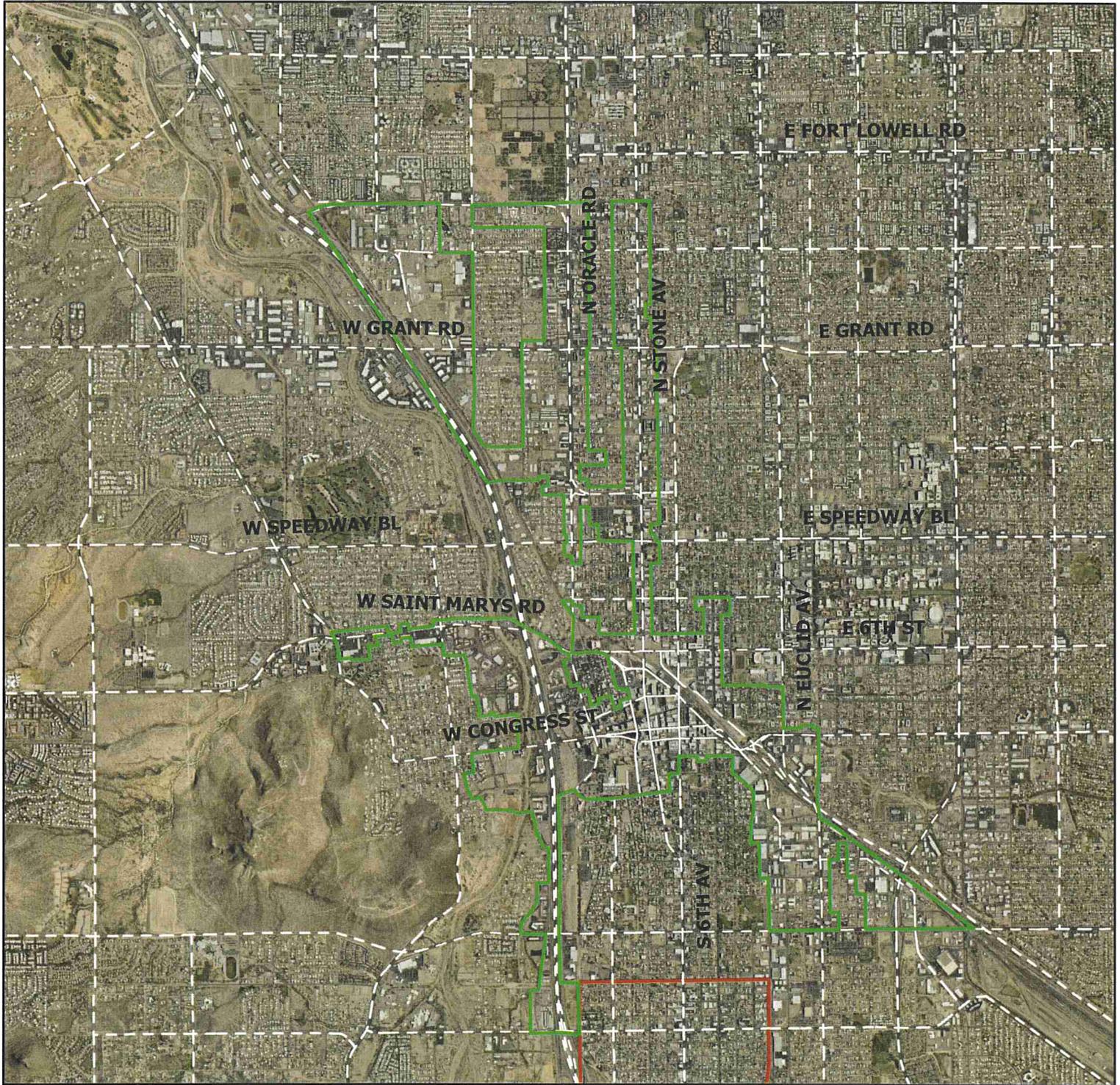
The findings provided in this report support the conclusion that the Central Business District expansion area meets the criteria of slum and blight as defined by Arizona Revised Statutes 36-1471.

The findings show that the area suffers from diversity of ownership, unsanitary and unsafe conditions and deterioration of site or other improvements. There exist conditions that endanger life or property by fire and other causes. These conditions singly and in combination are enough to substantially impair and arrest the sound growth of the Central Business District expansion area and consequently the City of Tucson.



Tucson Central Business District

Adopted by City Council Resolution 21883, April 17, 2012



Legend

 Current CBD Area

3.35 sq mi; 2,141.02 ac; 3,030 parcels;
1.39% total area of Tucson*

 South Tucson

Exhibit B to Resolution No. 23246

*Total Square miles of Tucson: 241.29