

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44

5.12 DOWNTOWN AREA INFILL INCENTIVE DISTRICT (IID)¹

5.12.1. PURPOSE

The primary purpose of the Downtown Area Infill Incentive District (IID) is to encourage redevelopment in the following ways:

- A. Encourage sustainable infill development that supports the creation of urban neighborhoods that are pedestrian and transit-oriented and benefits the IID, the major activity centers in the area, and the City as a whole, while promoting compatibility with existing residential and non-residential properties and neighborhoods.
- B. Address barriers to infill development in the Downtown Area Infill Incentive District (IID), such as incompatible development standards and associated development barrier issues; and
- C. Implement the IID purposes by offering development incentives permitting a modification of development requirements (~~ADR~~) as provided below.
- D. Provide for appropriate transitional design standards where the development or expansion of a use abuts existing single family residential development.
- E. Protect historic structures and historic neighborhoods and existing residential neighborhoods from potential negative impacts of new development.
- F. Consolidate the regulations and design standards that apply to downtown areas into a single ordinance by moving the provisions of Rio Nuevo District overlay zone, former Section 5.1.1, into the IID Rio Nuevo Area (RNA) and renumbering them to conform to the numbering of the IID.

5.12.2. ESTABLISHMENT

- A. The IID is comprised of ~~the two~~ Sub districts listed below. ~~The Greater Infill Incentive Subdistrict (GIIS) and the Downtown Core Subdistrict (DCS). For the boundaries of the IID and Sub districts see Section 5.12.18 (Figure 5.12.18-1), or described in Section 5.12.10. (See Figure 5.12-A.)~~ The exact boundaries of the IID overlay and Sub districts are identified on the official zoning map kept on file at the Planning and Development Services Department (PDSD) and the City Clerk's Office.

1. The Rio Nuevo Area (RNA), Section 5.12.7.

- a. The RNA Section 5.12.7 includes all properties in the area previously included in the former Rio Nuevo District.
- b. The RNA encompasses all of the DCS and portions of the GIIS and the DLS as shown on the map in Exhibit 5.12.18-1.

¹ Mark-up key: Word 2007 and later versions uses the following mark ups to track changes to the original document:

Black – existing language of the IID and the relocated sections of the RND

Red strikeout — ~~deleted or changed language~~

Red underlined – new or amended language

Green double underline – moved sections

2. The Greater Infill Incentive Sub district (GIIS), Section 5.12.9. 3.

The Downtown Core Sub district Section 5.12.10 (DCS).

4. The Downtown Links Sub district (DLS), Section 5.12.11, which is further subdivided into the following Areas:

a. Toole Avenue Area (TAA), Section 5.12.12.

b. Warehouse Triangle Area (WTA), Section 5.12.13. c.

Fourth Avenue Area (FAA), Section 5.12.14.

d. Iron Horse Area Section 5.12.15 (IHA).

e. Stone/Sixth Avenue Area (SSA), Section 5.12.16.

f. Some of the DLS Areas listed above are further subdivided into Sub-districts (see Section 5.12.11.A).

B. The IID contains both mandatory and optional overlay zone standards and requirements.

~~The IID is an optional overlay zone. Individuals may choose the pre-existing underlying zone or the development options of the IID overlay zone. Plans submitted in accordance with the IID shall comply with the applicable standards of this Section.~~

1. The requirements and standards of the RNA are mandatory overlay IID standards and regulations that apply only if a property is developed using the underlying zoning.

2. The GIIS, the DCS, and DLS, are optional overlay standards and regulations, which a property owner may chose in lieu of the underlying zoning (Optional IID Zoning).

C. Depending on the development choice of the owner, plans submitted for development of land in the IID must comply with the applicable IID regulations and standards as follows: ~~Standards specific to the GIIS and DCS are provided in Sections 5.12.4, Greater Infill Incentive Subdistrict, and 5.12.5, Downtown Core Subdistrict, respectively. Regardless of subdistrict, individuals choosing the IID overlay options shall comply with Sections 5.12.6, Design Standards, 5.12.7, IID Plan Requirements, and 5.12.8, Review and Approval Procedures, and submit an IID Plan.~~

1. Development under existing underlying zoning:

a. The regulations and standards of the underlying zone apply; and,

b. If the property is located within the boundaries of the RNA, the regulations and standards of the RNA apply.

2. Development under Optional IID Zoning.

a. The regulations and standards of the applicable Sub district, Area or Sub-area in which the development parcel is located apply.

b. Development in the GIIS and DCS must comply with the design standards and requirements of Section 5.12.8 (General IID Design Standards)

c. Regardless of the Sub district, Area or Sub Area, all development in the IID must submit an Plan and comply with the following:

(1) Section 5.12.5 (IID Plan Requirements); and

(2) Section 5.12.6 (Review and Approval Procedures).

D. An IID Plan using the Optional IID Zoning provisions cannot be used in conjunction with other waiver or modification provisions in provided by the Unified Development Code (UDC). This prohibition does not apply to Section 7.4.5 (Individual Parking Plan) (IPP), which may be used in conjunction with the Optional IID Zoning provisions. Where the IID and Rio Nuevo and Downtown (RND) overlay zones overlap, applicants may select either the provisions of the IID or the RND Modification of Development Requirements, but not both.

E. Conflict of Laws.

1. The requirements and standards of the IID provisions should be interpreted to avoid conflict whenever possible with other UDC provisions.

2. Where the standards of this Ssection-conflict with other sections of the UDC, the standards of this sSection shall control.

3. Where the standards of the DLS conflict with the general IID standards of Section 5.12.8 the standards of the DLS apply.

F. Amendments to or dissolution of the IID are processed in accordance with the Section 3.7, UDC Text Amendment Procedure.

5.12.3 DEFINITIONS

The terms "adjacent" and "group dwelling" as they apply in the IID, are defined in Section 11.4 and Section 11.3.7.B, respectively. When a proposed project is not developed under the Optional IID Zoning, but under the standards of the underlying zoning district, only the general, not the IID specific definition of the term "Group Dwelling" applies See Article 11).

5.12.43 APPLICABILITY

The requirements and standards of this section apply to the following development types located on property, including public or private rights-of-way, any portion of which is located within the IID:

1. A change of use;
2. An expansion of an existing use or existing structure; or
3. New development or a redevelopment project.

4. Exceptions:

For development in the RNA under existing underlying zoning, the applicability requirements do not apply to the following:

- (1) A change of use that does not alter the exterior of a structure.

(2) A redevelopment project, or improvements or alterations to an existing structure, if such alterations are not visible from an adjacent public right-of-way.

5.12.57. IID PLAN SUBMITTAL REQUIREMENTS²

K. Application Requirements

Use of the standards of the IID, as opposed to existing underlying zoning, shall require plan approval by PDSB regardless of IID ~~subdistrict~~ Sub district, Area or Subarea. Plan submittal shall consist of the following:

1. IID Plan. Applicants shall submit an IID Plan demonstrating in-compliance with applicable IID and subdistrict development design standards and requirements. The Plan must clearly state the applicant's intention to use the IID zoning option in lieu of the existing underlying zoning. Additionally, applicants are required to provide elevations demonstrating compliance with the following the design standards:

a. Section 5,12,8, Subsection A (Streetscape Design) and Subsection B (Development Transition Standards) and Subsection C (Alternative Compliance), if the latter Subsection is used.

b. The applicable Sub district, Area or Sub area.

2. Development Package. Except as provided in this section 5.12.5, a A Development Package is required when development is proposed under existing underlying zoning, or if a development package is otherwise required by the UDC, in which case a separate Pplan must be shall be prepared in compliance with the Development Package requirements in Section 2-06.0-0 of the Administrative Manual. Additionally, applicants are required to provide elevations demonstrating compliance with Sections 5.12.6.A, B, and C.

L. Modifications or Waiver of IID Plan Submittal Requirements. Revisions

An applicant may request modification to or waiver from the plan submittal requirements, subject to the following:

1. The applicant shall specifically identify the submittal requirement(s) for which a modification or waiver is requested and provide a rationale for the request; and,
2. The PDSB Director shall determine whether to grant the request within 10 working days of the request. In making this decision, the PDSB Director shall consider the purpose statements of the IID, and the applicable General Plan and Area Plan policies. The PDSB Director's approval of a request under this subsection is not, nor shall it be construed as, an endorsement of a project by PDSB.

C. Exception

~~A City-approved urban design plan, such as the Downtown Links Plan, may substitute for an IID Plan for - development within the IID. A The PDSB Director may request additional information from an applicant~~

² Existing IID Sections 5.12.4 and 5.12.5 have been moved to Sections 5.12.9 and 5.12.10 of this draft. Existing Section 5.12.6 is now Section 5.12.8.

~~where a conceptual plan lacks sufficient detail to provide for adequate review, in compliance with Sections 5.12.6.A, B and C.~~

5.12.68. IID PLAN REVIEW AND APPROVAL PROCEDURES

PDSB administers the IID Plan review procedure.

A. Procedure

1. Development in GHS

~~For development within the GHS, requests for MDRs are processed in accordance with Section 3.3.5, 300' Notice Procedure.~~

2. Development in DCS

~~For development within the DCS, IID Plans are processed in accordance with Section 3.3.3, PDSB Director Approval Procedure, with the exception that a pre-application conference is required. IID Plans within the DCS shall be reviewed and considered for approval within 30 working days of PDSB accepting the application or approval of demolition and/or façade alteration plans when required of projects within the Rio Nuevo District, whichever is applicable.~~

A. Pre-application conference.

~~A pre-application conference as outlined in Section 3.2.1 with the PDSB staff is required to determine the following:~~

- ~~1. Whether the plan meets the IID Plan submittal requirements and the development standards of the IID and applicable Sub district, Area or Sub-area.~~
- ~~2. Whether the application will be reviewed through the Minor or the Major Design Review Procedure as described below.~~

B. Major Design Review.

1. Criteria:

~~Major Design Review is required if a proposal meets two or more of the following criteria:~~

a. The development proposal contains structures that are higher than

~~(1) four stories or 49 feet, or~~

~~(2) two stories or 25 feet in height if adjacent to single family or duplex dwellings.~~

~~(3) In the DCS the height criteria apply only if the development site is within 300 feet or less of a detached single family or duplex dwelling.~~

b. The development proposal is at any one or more of the following locations:

~~(1) At an intersection of one or more arterial streets. (2)~~

~~Adjacent to or across from:~~

- (a) a single family or duplex dwelling;
- (b) a Historic or Contributing structure; or
- (3) On a vacant HPZ or NPZ parcel.
- (4) On multi-zone parcel subject to Section 5.12.8.E.
- (5) Within, or adjacent to an HPZ, or NPZ, or a National Historic Register District, or any combination of the three. The definition of the term "adjacent," as it applies in the IID, is defined IID in Section 11.4.A.

2. Notices

For Major Design Review notice of the neighborhood meeting as outlined is Section 3.2.2 must be sent to all of the following:

- a. All owners of property within 300 feet of the development site.
- b. All neighborhood associations within 1 mile of the development site

3. Review and approval procedures

- a. A neighborhood meeting.
- b. Review by City's Design Professional.
- c. Review by IID Design Review Committee (IID DRC) and recommendation to the PSDS Director.
- d. Decision by the PSDS Director pursuant to Section 5.12.6.M below.

C. Minor Design Review 1.

Criteria:

The proposed development does not meet the criteria for a major design review in UDC Section 5.12.6. B.1 above

2. Review and approval procedures:

- a. A neighborhood meeting ; as outlined in UDC Section 3.2.2;
- b. Review by the City's Design Professional and recommendation to the PSDS Director;
- c. Decision by the PSDS Director pursuant to Section 5.12.6.M below.

3. Notices:

For Minor Design Review, notice of the neighborhood meeting as outlined in UDC Section 3.2.2 must be sent to all of the following:

- a. All owners of property within 50 feet of the development site.
- b. The Neighborhood Association for the area in which the development is located.

D. Pre-application Neighborhood Meeting and Communication.

1. Prior to filing an application for use of the IID zoning option, an applicant must hold neighborhood meeting in compliance with the public notice procedures for neighborhood meetings in UDC Section 3.2.2.
2. The applicant must prepare a written summary of the meeting. A copy of the written summary of the meeting must be filed with PDSO at the time of filing the development application for a project.
3. The applicant will also send a copy of the written summary to a Neighborhood Liaison appointed by the registered neighborhood association for the area in which the project site is located.
4. The Neighborhood Liaison or any property owner within the notice area may file with the PDSO Director a statement of concurrence or dissent with the accuracy of applicant's written summary of the meeting. If a dissent is filed, it must state the exact reasons for the dissent.
5. The applicant will send periodic project updates to the Neighborhood Liaison in accordance with PDSO Neighborhood Liaison Policy.

E. IID Historic Preservation Review.

1. Projects in an HPZ.

- a. Proposed development projects within the boundaries of an HPZ must comply with HPZ Sections 5.8.7 (Permitted Uses), 5.8.8 (Design Review) and 5.8.9 (Design Standards).
- b. IID Optional Zoning may be used for new development, or additions to, or alterations of existing historic structures, provided that the changes do not cause a historic structure to be de-listed or no longer eligible for listing.

2. Projects not in an HPZ.

- a. The Tucson-Pima County Historical Commission (TPCHC) Plans Review Subcommittee reviews all projects listed below:

- (1) Projects proposing alterations or additions to an existing eligible or contributing historic structure using IID Optional Zoning that do not cause the property to be de-listed or no longer eligible for listing. Additions to or alterations of historic structures must meet the Secretary of the Interior's historic preservation standards.
- (2) Projects proposing new development using IID Optional Zoning that are either adjacent to the boundaries of an HPZ or adjacent to a structure meeting any one or more of the following characteristics:
 - (a) Listed or eligible to be listed in the National or Arizona Register of Historic Places, individually or as a contributing property.
 - (b) Designated as a Historic Landmark.
 - (c) A Single Family Dwelling within the boundaries of the HPZ.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43

- b. The TPCHC may continue the hearing on an item only once before making a decision, unless the applicant for the development project requests a further continuation.
- c. It is the responsibility of each applicant for IID Optional Zoning to verify the current contributing or eligibility status of the property in question with the City of Tucson's Historic Preservation Office.
- d. The TPCHC Plans Review Subcommittee reviews for compliance with the design requirements of the applicable Sub district and for design compatibility of a proposed development project.
 - (1)New development must be designed to complement and be compatible with the architecture of adjacent historic properties.
 - (2)Compatibility with adjacent historic structures is to be achieved through architectural elements such as building setbacks, building step-backs, textures, materials, forms, and landscaping.
 - (3)Exceptions. The PDSD Director may waive the compatibility requirement of this section under the following circumstances:
 - (a)Where the adjacent lot is vacant; or
 - (b)If the property owner of the adjacent historic structure waives the requirement; or
 - (c)If the adjacent lot is developed with a non-residential building.
- e. It is not the intent of the design review process to impose additional limitations or building preservation requirements on the allowable building heights in the IID. Unless a building height limitation in a Sub district is specifically required herein, the proposed development may use the entire building height allowed by the IID.

3. Demolition

- a. Whether a proposed development is within or outside the boundaries of a HPZ, IID Optional Zoning may not be used for a development project that proposes demolition of a historic structure that is any one or combination of the following:
 - (1)A property listed or eligible to be listed in the National or Arizona Register of Historic Places, individually or as a contributing property.
 - (2)Designated as a City Historic Landmark. b.
- Exception:**
- Partial demolition of a historic structure is allowed if the State Historic Preservation Office (SHPO) determines that the demolition will not cause the structure to be de-listed or to become ineligible for listing in the future.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39

4.De-Listing

In no event may the IID Optional Zoning be used if the development would, in the opinion of the Historic Preservation Officer, cause a historic structure in the IID to be de-listed or no longer eligible for listing.

F. Development projects in a Neighborhood Preservation Zone (NPZ).

If a proposed development project is located within a Neighborhood Preservation Zone (NPZ), the project must be reviewed by the City Design Professional pursuant to the design standards of the applicable NPZ.

G. Composition of the IID Design Review Committee (IID DRC) and Voting.

1. The IID DRC is composed of at least three of the following members appointed by the City Manager for a four year term:

a. The City's Design Professional. b.

One registered architect.

c. One registered landscape architect.

d. One registered contractor.

e. One member to represent all neighborhood associations within the IID.

2. A member of the DRC may be removed by the City Manager with or without cause. A member who misses four consecutive meetings for any reason or fails to attend for any reason at least 40% of the DRC meetings within con calendar year is automatically and immediately removed as a member of the DRC.

3. The IID DRC may include at least one ad-hoc members from among the following, as applicable:

a. For projects within the DLS Fourth Avenue Area, one local Fourth Ave. business owner.

b. For projects within the DCS, one person from the Downtown Partnership Association.

c. One member appointed by the neighborhood association for the area in which the proposed project is located. If the project site is located in an area that does not have neighborhood association, the ad-hoc member is appointment by an association within 300 feet of the project site that is within the same IID Sub district.

d. For projects adjacent to a HPZ or NPZ, one member appointed by the neighborhood association for the HPZ or NPZ.

3. The DRC shall adopt rules of procedure necessary to carry out its functions. The PDSD shall make rules available made to the public.

H. IID DRC Quorum, Voting and Recommendation.

1. Ad-hoc members are voting members of the IID DRC.

2. A quorum of the IID DRC is the Design Professional and at least two other members.
3. Notwithstanding Subsection 2 above, if for any reason the City Manager has not appointed the members of the DRC, or a quorum is not obtained for two consecutive meeting dates, a on particular application, the Design Professional shall make a recommendation directly to the PDSD Director.
4. The Design Professional may give a recommendation separate from the DRC recommendation in all cases.

I. Review by the IID DRC.

1. The IID DRC must review applicable projects for compliance with the IID standards and requirements, and may also comment on other aspects of the projects.
2. The DRC may continue an item only once, unless the applicant asks for a further continuance.

J. Review by the Design Professional

1. Prior to the IID DRC meeting, applicants must meet with the Design Professional to discuss the project and its compliance with the IID and applicable Sub district design standards and requirements.
2. The Design Professional must provide a written report to the applicant, the IID DRC members and the PDSD Director containing all of the following:
 - a. A listing and description of the recommendations and any other issues of concern raised by the IID DRC.
 - b. A statement whether the proposal complies with the applicable design standards.
 - c. Recommendations on any modifications to the project needed to bring it into compliance with the design standards.
4. The Design Professional may also make separate recommendations to the PDSD Director on other aspects of the project, such as façade treatment, building colors, and similar design elements, including all relevant elevations and pictures describing the recommended design or mitigation features.

K. Review by the Mayor and Council of Group Dwellings

Group dwellings developed under IID Optional Zoning, as defined in Section 11.4.6 specifically for use in the IID, require the approval of Mayor and Council pursuant to Section 3.4.4 Mayor and Council Special Exception Procedure if the group dwelling development site is located within 300 feet or less of a detached family dwelling.

L. PDSD Director Decision

1. The DRC's and Design Professional's recommendations are advisory to the PDSD Director, and the Director makes the final decision on a project's compliance with IID and applicable Sub district requirements and standards.

2. The DRC and the Design Professional may recommend, and the Director may add special conditions to an approval pursuant to Subsection J above, to assure compliance with the intent of the IID, and to address safety issues, and to address certain development commitments to adjacent neighbors made by the applicant.
3. Special conditions may include mitigation standards or plans based on the scale, setting and intensity of the proposed development. Examples of such plans may include, but are not limited to any one or more of the following:
 - a. A vehicular reduction plan to ensure residences are most effectively using alternate modes of transportation.
 - b. A noise mitigation plan to ensure the design of the proposal does not substantially increase noise above current ambient noise levels.
 - c. A traffic impact analysis that may include a mitigation plan with traffic calming elements and safety improvements.
 - d. A behavioral management plan and, security plan that includes self-policing and techniques to reduce the impacts of noise, odors, unruly behavior or other similar adverse on adjacent residential property.

M. Final Approval

1. All recommendations are sent to PDSO Director for final decision pursuant to Section 5.12.6.L, except as provided below.
2. Group Dwellings, as defined in Section 11.4 for development within the IID, require final approval pursuant to 3.4.4, Mayor and Council Special Exception Procedure if the group dwelling development site is located within 300 feet or less of a detached single family dwelling.

N. Design Professional Review of Building Plans.

Prior to the issuance of a building permit for development under the Optional IID provisions, the Design Professional will review the development package and the building plans for compliance with the approved IID Plan.

O. Appeals

Except for a decision on a proposed group dwelling, which is approved or denied by the Mayor and Council pursuant to Section 3.4.4 Mayor and Council Special Exception Procedures, appeals of the PDSO Director's decision must be filed and are heard in accordance with the Board of Adjustment appeals process in UDC Section 3.10.2.

P. Timeline for Approval

Timelines for approval are contained in Section 3.02 or 3.03 of the Administrative Manual depending upon the procedure chosen by the developer of the IID project

Q. Amendments

An amendment or revision to an approved IID Plan is subject to the same procedure as the initial approval.

D. Concurrent Review

~~The City may accept a concurrent submittal of the IID Plan and corresponding site plan or subdivision plat.~~

5.12.7 **RNA ZONING DESIGN STANDARDS.**³ _-

A. Applicability

1. This Section 5.12.7 applies to the developments types listed in Section 5.12.4 and this Section.
2. The provisions of this Section 5.12.7 are mandatory for proposed development of properties in the RNA under existing underlying zoning.

B. Permitted Uses

1. The land uses permitted within in the RNA this district are those permitted by the underlying zoning. ~~except as restricted in Section 5.11.6 General Restrictions~~.⁴
2. New drive-in or drive-through facilities are not permitted, except for businesses located adjacent to the freeway, or as approved through the development review process.⁵

C. Building Design Standards

Development within the RNA is required to comply with the following building design standards. ~~Compliance with these standards will ensure that development complies with the design principles set forth in Section 5.11.1.B.~~

1. The proposed buildings shall respect the scale of those buildings located in the development zone and serve as an orderly transition to a different ~~scale~~ scale pursuant to the Transition Standards in Section 5.12.8.B. Building heights with a vastly different scale than those on adjacent properties should have a transition in scale to reduce and mitigate potential impacts. In areas undergoing change, long-range plans should be consulted for guidance as to appropriate heights.~~.~~
2. All new construction shall maintain must be consistent with the prevailing setback existing within its development zone ~~except that the PDSD Director may approve a different setback than the prevailing setback upon a written finding, with in ten working days of the request, during the review process that a different setback is warranted by site conditions or applicable development design goals consistent with Section 5.12.1, Purpose, and the proposed setback will not be incompatible with adjacent properties, as defined in Section 11.4.2.A;~~
3. All new construction shall provide scale-defining architectural elements or details at the first two floor levels, such as windows, spandrels, awnings, porticos, cornices, pilasters, columns, and balconies.~~.~~⁷

³ This section has been moved here from the RND. All existing language from the RND is shown in black and amendments are shown in redline/strikeout.

⁴ Moved here from RND Section 5.11.3.

⁵ Moved here from RND Section 5.11.6.

- 1
- 2 **4.** Every commercial building frontage shall provide windows, window displays,
- 3 or visible activity within and adjacent to the building at the ground floor level,
- 4 with a minimum of 50 percent of the building frontage providing such
- 5 features.~~;~~
- 6 **5.** A single plane of a façade at the street level may not be longer than 50 feet
- 7 without architectural relief or articulation by features such as windows,
- 8 trellises, and arcades.~~;~~
- 9 **6.** Building façade design shall include pedestrian-scaled, down-shielded, and
- 10 glare-controlled exterior building and window lighting.~~;~~
- 11 **7.** The front doors of all commercial and government buildings shall be visible
- 12 from the street and visually highlighted by graphics, lighting, marquees, or
- 13 canopies.~~;~~
- 14 **8.** Modifications to the exterior of historic buildings shall complement the overall
- 15 historic context of the Downtown and respect the architectural integrity of the
- 16 historic façade.~~;~~
- 17 **9.** Buildings shall be designed to shield adjacent buildings and public rights-of-
- 18 way from reflected heat and glare.~~;~~
- 19 **10.** Safe and adequate vehicular parking areas designed to minimize conflicts
- 20 with pedestrians and bicycles shall be provided.~~;~~
- 21 **11.** Adequate shade shall be provided for sidewalks and pedestrian pathways,
- 22 using shade structures or vegetation, where permitted by the City of Tucson.~~;~~
- 23 **12.** Colors may conform to the overall color palette and context of the Downtown
- 24 area, ~~or subarea~~ or may be used expressively to create visual interest,
- 25 variety, and street rhythms. The rationale for an expressive or idiosyncratic
- 26 use of color shall be described in the site plan submittal.~~;~~
- 27 **13.** New buildings shall use materials, patterns, and elements that relate to the
- 28 traditional context of the Downtown area ~~or subarea~~.~~;~~
- 29 **14.** Twenty-four-hour, street-level activity is encouraged by providing a mixture
- 30 of retail, office, and residential uses within each building.~~;~~ ~~and;~~
- 31 **15.** Primary public entries shall be directly accessed from a sidewalk along a
- 32 street rather than from a parking lot. Public access to commercial and
- 33 governmental buildings shall be provided at sidewalk grade. The primary
- 34 floor of, and access to, residential structures may be elevated. Secondary
- 35 access may be provided from off-street parking areas.

D. Site Design Standards⁶

Circulation and Parking

1. Street Hierarchy

⁶ Moved here from former RND Section 5.11.5.

~~The Downtown is organized along the hierarchy of Downtown's streets, with the pedestrian given top priority for the Downtown (See Figure 5.11-B, Downtown Street Hierarchy). The streets are addressed in one of the following three classifications:~~

~~2. Pedestrian Retail Core Streets~~

~~These are the streets that host Downtown's greatest variety of commercial and public activities at the street level. They also accommodate vehicular traffic including automobiles, public transit, and service vehicles and have on-street parking in some locations. However, priority shall be given to the pedestrian.~~

~~3. Entry Streets~~

~~These streets carry high volumes of traffic (respectively) into and out of Downtown. These streets typically are wider to accommodate through and turning traffic.~~

~~4. Traffic Calming Streets~~

~~These streets are generally narrower, with fewer travel lanes than entry streets, and accommodate on-street parking. Traffic Calming Streets are all those not designated as Entry Streets or Pedestrian Retail Core Streets.~~

~~1. Vehicular Circulation and Parking a.~~

~~Circulation~~

~~**a.** All parking area access lanes (PAALs) adjacent to buildings shall have pedestrian circulation paths between the PAAL and the building, with a minimum width of six feet.~~

~~**b.** The locations of All points of vehicular ingress and egress points shall be perpendicular to the intersecting street. Points of ingress and egress points shall be designed to minimize vehicular/pedestrian and vehicular/bicycle conflicts. Adequate storage for vehicular queuing at parking facilities shall be contained on site. Right turn bays are strongly discouraged within this zone. Points of ingress and egress shall be minimized wherever possible. Additional temporary ingress and egress locations may be permitted for parking structures that anticipate when occasional high peak period traffic flows (i.e., parking facilities for event venues) are anticipated.~~

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44

2. Parking

a. General

Parking standards ~~within the RND~~ are listed in the Section 7.4. ~~Some~~ pProperties in the ~~RNAD~~ may also be located in the Downtown Parking District, which allows a reduction in the number of parking spaces as provided in Section 7.4.5.B.

~~a.~~ **Open to Public**

~~All public parkings shall be open and accessible to the public between 5:00 a.m. and 1:00 a.m., seven days per week, with the exception of the performance of required maintenance.~~

~~b.~~ **Screening of Parking**

All new parking shall be designed so that vehicles are not visible from the adjoining street level, through incorporation of pedestrian arcades, occupied space, or display space.

~~c.~~ **Employee Parking**

Employee parking for all uses should be provided at remote locations in order to maximize the availability of space for development.

3. Plazas and Open Space

The fundamental objective of the design standards in this Section 5.12.7.D.3 subsection is to encourage public and private investments to enhance the character and function of Downtown's pedestrian environment.

a. Plazas and Pedestrian Nodes

Five percent of the gross floor area of new construction shall be provided in public plazas or courtyards. Plazas, courtyards, and patios are landscaped outdoor areas designed to accommodate multiple uses, from large gatherings of people for performing arts to smaller gatherings. The plazas and courtyards will be one of the ways that spaces and uses can be linked. The requirement of this section may be waived or reduced by the PDSD Director upon a written finding during the review process that the development enhances the downtown pedestrian environment even with a smaller percent or elimination of the requirement.

b. Viewshed⁷ Corridors

Views of all historic properties and all natural elements surrounding the Downtown should be considered during design. Plazas, courtyards, and open spaces shall be sited to include views to other public spaces, where feasible.

⁷ Moved here from Section 5.11.6.A1

1
2 c. **Linkages (Physical and Visual)**

3 Neighborhood linkages shall be maintained throughout Downtown.

4 4. **Streetscape⁸**

5 a. Streetscapes must be consistent with the Streetscape Design Manual.
6 In streetscape design, priority is given to pedestrians. [PLACE
7 HOLDER UNTIL FINAL DETERMINATION IS MADE ON THE MANUAL]

8 b. Shade⁹

9 Shade shall be provided for at least 50 percent of all sidewalks and
10 pedestrian pathways as measured at 2:00 p.m. on June 21 when the
11 sun is 82° above the horizon (based on 32°N Latitude). Shade may
12 be provided by arcades, canopies, or shade structures, provided they
13 respect and their location and design characteristics are compatible
14 with the historic-prevailing and design context of the street and
15 the architectural integrity of the building. Deciduous trees, as
16 proposed in the Downtown Comprehensive Street Tree Plan, are
17 encouraged to supplement existing evergreen trees. The use of
18 plantings and shade structures in the City right-of-way are permitted
19 to meet this standard with the approval of the City of Tucson
20 Department of Transportation. The shade provided by a building
21 may serve to meet this standard.

22 E. Demolition of ~~Rio Nuevo District Historic Structures~~ in the RNA¹⁰ —

23 ~~Structures within the RND that are 40 years old or more and are listed in the National~~
24 ~~Register of Historic Places or the Arizona Register of Historic Places, or are eligible for~~
25 ~~listing in the National or State registers and structures designated as City Historic~~
26 ~~Landmarks. In the RNA, demolition of the following types of structures is~~ are reviewed
27 in accordance with Section 5.8.109, *Demolition of Historic Properties, Landmarks, and*
28 *Structures*.

29 1. Structures that are listed in the National Register of Historic Places or the
30 Arizona Register of Historic Places. ~~or~~

31 2. Structures that are eligible for listing in the National or State registers. ~~and 3.~~
32 Structures designated as City Historic Landmarks. —

33 F. **RNA Review¹¹**

34
35
36
37
38
39
40
41 ⁸ Existing RNA Sections ~~5.11.5.C, 5.11.5.C,~~ 5.11.5.D, 5.11.5.E were not moved into the IID. Existing Subsections
42 1 (Public Art) 2 (Seating and Furniture) 3 (Lighting and Utilities) were not moved.

43
44 ⁹ Moved here from RND Section 5.11.5.A.2

45 ¹⁰ Moved here from RND Section 5.11.7.B

46 ¹¹ The next seven Sub-sections are moved here from RNA Section 5.11.8.

1
2 **1.Pre-Application Conference**

3 A pre-application conference with the PDSD staff is required to determine
4 whether the application meets the design standards and requirements of the
5 RNA.

6 **2.Submittal and Staff Review**

7 Upon submittal, the PDSD staff reviews the application for compliance with
8 the RND standards and makes recommendations to the PDSD Director whether
9 to approve or reject the application.

10 **3.Review by the Design Review Board (DRB)**

11 The Design Review Board (DRB) reviewreviews all applications for compliance
12 with the RND standards and makes findings and recommendations to the
13 PDSD Director. Applications are scheduled with the DRB at the first available
14 meeting.

15 **4. Tucson-Pima County Historical Commission (TPCHPC) Review**

16 The TPCHC Plans Review Subcommittee reviews applications that propose
17 exterior changes to buildings on or eligible for inclusion on the National or
18 Arizona Register of Historic Places. The TPCHC Plans Review Subcommittee
19 makes findings and recommendations to the PDSD Director.

20 **5.Decision**

21 The PDSD Director makes the decision whether to approve or deny the
22 application ~~within seven days of~~after receiving the recommendations of
23 staff, DRB, and, when applicable the TPCHC Plans Review Committee.

24 **6.Notice of Decision**

25 Notice of the decision must be provided to the applicant within three days of
26 the date of the decision and the appropriate HPZ Advisory Board, if
27 applicable, and the plans review subcommittee.

28 **7.Appeals**

29 If an application is denied, the applicant may appeal the decision to the
30 Board of Adjustment in accordance with Section 3.10.2. Appeals must be
31 ~~submited~~submitted to the PDSD within five days of the notice of decision.

32 ~~5.12.4. **Greater Infill Incentive Subdistrict**~~¹²

33 ~~5.12.5. **Downtown Core Subdistrict (DCS)**~~¹³

34 **5.12.86. GENERAL IID ZONING DESIGN STANDARDS**

35 An IID Plan under the optional IID design standards must ~~shall~~ demonstrate compliance
36 with the following:

37 **A. Streetscape Design**

40 ¹² Moved to Section 5.12.9. The relocated sections appear in green with double underline. Changes appear in red
41 underline and green strikeout.

42 ¹³ Moved to Section 5.12.10.

Streetscape design must comply with the street design standards in the UDC Technical Manual and the Streetscape Design Manual.

ALL REFERENCES TO THE STREETScape DESIGN MANUAL ARE PLACEHOLDERS UNTIL BETTER COORDINATION WITH THE STREETScape DESIGN MANUAL IS ACHIEVED

1. Pedestrian-orientation

Projects shall be pedestrian-oriented and comply with all of the following standards:

- a. New construction shall have architectural elements/details at the first two floor levels.-
- b. Buildings shall provide windows, window displays, or visible activity on the ground floor for at least 50 percent of frontage.-
- c. A single plane of façade shall be no longer than fifty feet without architectural detail.-
- d. Front doors shall be visible or identifiable from the street and visually highlighted by graphics, lighting, or similar features.-
- e. Parking areas for comprehensive development or redevelopment of a site shall be located at the rear or side of the building. Changes of use and expansion of existing structures may use the site's current parking configuration.-
- f. Parking structures shall be designed so that parked vehicles are screened from view at street level through incorporation of design elements including, but not limited to, landscaping, pedestrian arcades, occupied space, or display space.-
- g. Construction and maintenance of sidewalks must be done in compliance with the City's Streetscape Design Manual. Existing sidewalk widths shall be maintained so as to provide effective, accessible, connectivity to adjoining properties. Sidewalks may be widened to accommodate a project's design characteristics. Where no sidewalks exist, sidewalks shall be provided. Outdoor seating and dining areas and landscaping may be located in the sidewalk area where safe and effective sidewalk width around the design feature can be provided.;
- h. To the extent practicable, bus pull-outs shall be provided where bus stops are currently located.-and
- i. If drive-through service is proposed, it shall not interfere with pedestrian access to the site from the right-of-way.

2. Shade

- a. Except as provided below, shade shall be provided for at least 50 percent of all sidewalks and pedestrian access paths as measured at 2:00 p.m. on June 21 when the sun is 82 degrees above the horizon. Shade may be provided by trees, arcades, canopies, or shade structures provided their location and design characteristics are compatible with the historic and design context of the street and the architectural integrity of the building. The use of plantings and shade

1
2 structures in the City right-of-way is permitted to meet this standard
3 with the approval of the Transportation Department. The shade
4 provided by a building may serve to meet this standard.

5 **b. Exception**

6 The PDSO Director may approve an IID Plan providing less than 50
7 percent shade where compliance is not feasible due to a project site's
8 location and/or building orientation and the applicant has made a
9 reasonable attempt to comply with this standard.

10 **3. ~~Modifications to Historic Buildings~~**

11 ~~Modifications to historic buildings shall complement the overall context of the~~
12 ~~historically designated buildings in the project's development zone and~~
13 ~~respect the architectural integrity of the historic façade. Historic replication is~~
14 ~~discouraged in favor of design inspired by traditional precedents such as~~
15 ~~scale, materials, and exterior openings.~~

16 **B. Development Transition Standards**

17 The purpose of the Development Transition Standards is to mitigate excessive visual,
18 noise, odor, vibration intrusion, and other similar public health and safety concerns that
19 may be created by the proposed project.

20 **1. Applicability**

21 Developing sites that abut an affected single family dwellings or duplex
22 dwellings residential property shall must comply with this section. For
23 purposes of the IID, the following terms and examples describe elements of
24 applicable transitional areas:

- 25 a. "Affected residential property" refers to an existing single family or
26 duplex dwelling residential site that is of a lesser intensity than that
27 an abutting a developing site.
- 28 b. "High density residential" refers to residential development that is
29 neither existing single family detached nor attached dwellings. within
30 a subdivision.
- 31 c. Examples of applicable transitional areas include a nonresidential
32 developing site abutting adjacent existing single family detached or
33 attached dwellings within a subdivision, or a developing high density
34 residential site abutting adjacent existing single family detached or
35 attached dwellings within a subdivision.
- 36 d. For projects within the DCS, the Development Transition Standards
37 apply only to those projects abutting adjacent affected residential
38 properties outside the DCS boundaries.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46

2. Mitigation of Taller Structures

Compliance with the following standards is required where the developing site has taller buildings than abutting affected residential properties:

a. Within the GIS and DCS, ~~the~~ the maximum building height is 25 feet within 30 feet of the property line abutting an affected residential property. Proposed buildings may be developed to the maximum height permitted by the underlying zone or as permitted by the IID Sub section, whichever is applicable, when the building is 30 feet or more from the property line ~~abutting adjacent to~~ an affected residential property;

b. Building Bulk Reduction

(1) At least 25% of the length of a building's street front façade above two stories or 25 feet in height (whichever is lower must be set back at least 12 feet from the front of the building façade at finished grade; and

(2) If a building façade faces a property line adjacent to a residential property, the PDSO Director may require more bulk reduction elements based on a finding by the DRC of a greater need for mitigation.

(3) To encourage innovative design solutions, a bulk reduction proposal that is different from the design standards listed above may be approved by the PDSO Director upon a finding by the Design Professional that the proposed alternative design provides an effective way of breaking up the horizontal mass of a building façade as the design standards of this Section.

3. Windows at or above the second story of a structure shall be located or treated to reduce views into adjacent affected residential property's buildings and yard areas.

4. Balconies shall be oriented away from affected residential property or use a screening device to reduce views in to the rear or side yards of the affected residential property.

a. The developing site's buildings shall be oriented so as to reduce views onto an affected residential property; and

b. Buffers and/or screening consistent with the purpose of this section shall be provided between a developing site and affected residential properties and shall include features such as, but not limited to, landscaping, walls, and architecturally decorative features.

5. Mitigation of Service Areas

Potential nuisance or noisy areas shall be oriented away from affected residential property, such as by placing service areas for loading and garbage disposal between the developing site's buildings, behind opaque barriers, or by using architectural or landscaping treatments that effectively reduce nuisance impacts from service areas. The service area shall be mitigated to reduce the noise and view of the service features, reduce the

1
2 emission of offensive odors to owners or occupants of adjacent properties or
3 create a nuisance or hazard beyond the property lines of the project site, and
4 prevent vibrations that are discernible beyond the property lines of the
5 project site.

6 **6. Mitigation of Parking Facilities and Other Areas**

7 Where the site has ~~e~~-parking areas or an area with noise and outdoor
8 lighting features, the areas shall be screened from affected residential
9 property by a combination of a wall or opaque non-chain link fence with a
10 vegetative hedge or a row of trees that shall be dense enough to screen
11 views onto the develop~~menting~~-site. An alternative treatment may be used,
12 such as using architectural or landscaping treatments that effectively reduce
13 nuisance impacts from parking facilities and other areas. Where there is a
14 finding that the vegetative screen will be opaque, **the requirement of a**
15 **masonry wall may ~~not~~ be waived by the PDSO Director.**

16 **C. Alternative Compliance**

- 17 **1.** **The PDSO Director may approve an urban design best practice option for**
18 **compliance with Section 5.12.8.A, Streetscape Design, and Section 5.12.8.B,**
19 **Development Transition Standards.**
- 20 **2.** For purposes of this section, urban design best practices may include urban
21 design studies approved for the City of Tucson, adopted urban design
22 standards for a downtown area in an Arizona city of comparable size or a
23 city in the Southwest of comparable size, books written by urban design
24 experts or endorsed by a professional organization, such as the American
25 Institute of Architects, addressing downtown development, or any comparable
26 report, study, or standards recommended by the City's Design Professional
27 and approved by the PDSO Director.

28 **D. Utilities**

29 Plans shall include information on the layout and demonstrate availability of utilities
30 such as water, wastewater, natural gas, electric, and telecommunication utilities.

31 **E. Multi-zone Parcels**

32 Where a development parcel contains more than one zoning district, uses and building
33 massing may be distributed across the zoning districts on the parcel, provided that the
34 development complies with the design standards in Section 5.12.8.B to mitigate the
35 impact of the new development on existing, less intensely developed adjacent parcels.

36 **5.12. 49. GREATER INFILL INCENTIVE SUBDISTRICT**

37 **A. GIIS Land Uses.**

38 In the GIIS, a proposed development project using the IID Optional Zoning must meet
39 both of following requirements:

- 40 **1.** It must be a use permitted by the underlying zoning on the property.
- 41 **2.** It is limited to the uses listed in Table 5.12-GIIS-1 below.

| TABLE 5.12-GIIS-1 PERMITTED LAND USES | |
|---|--|
| LAND USE TYPE | |
| Commercial Services Group | Industrial Use Group |
| <u>Administrative and Professional Office</u> | <u>Craftwork</u> |
| <u>Alcoholic Beverage Service</u> | Retail Trade Group |
| <u>Entertainment</u> | <u>General Merchandise Sales</u> |
| <u>Food Service</u> | <u>Food and Beverage Sales</u> |
| <u>Personal Services</u> | Residential Group |
| <u>Travelers' Accommodation, Lodging</u> | <u>Attached Family Dwelling</u> |
| Civic Use Group | <u>Multifamily Dwelling</u> |
| <u>Civic Assembly</u> | <u>Group Dwellings, pursuant to Section 5.12.6.K</u> |
| <u>Cultural Use</u> | |
| <u>Educational Use: Instructional School</u> | Other Uses |
| <u>Educational Use: Postsecondary Institution</u> | <u>Mixed Uses are limited to a combination of Residential and any other uses listed in this table.</u> |
| <u>Religious Use</u> | |

3. Additional Permitted Uses.

With the exception of Automotive Service and Repair uses, which are prohibited, permitted uses include any use permitted in the underlying zone for the property, provided the PDSD Director finds the proposed use to be in accordance with Section 5.12.1, (Purpose).

B. Modification of Development Standards Requirements.

Except as expressly provided in this Section 5.12.9.A, development standards requirement may be modified within the GIIS Sub district may be modified as permitted in this Section, upon findings by the PDSD Director that the modification is consistent with Section 5.12.1 Purpose. This process shall be known as the Modification of Development Requirements (MDR);

C. Modifications of Underlying Development Standards.~~General~~

Except as provided in this subsection, the requirements in the following sections of the UDC may be modified up to 25 percent of the dimension amount permitted by the underlying zoning except when a greater reduction is specifically allowed by this section:

1. Art. 6: Dimensional Standards and Measurements;

a. Building Height.

Building height may be increased up to 60 feet unless the current zoning allows a greater height or where the IID Plan's Development Transition Standards as provided in Section 5.12.6.B require less.

b. Street Perimeter Yard.

~~Street Perimeter~~ yard requirements may be reduced or waived if -
~~when the PDS Director determines that the request is consistent with~~
~~the Major Streets and Route Plan, unless-unless~~ modified by the
~~Director of the Transportation Department, Tucson Department of -~~
~~Transportation Director, and and if~~ there is adequate sight visibility,
 no traffic safety issue is created, and complies with the standards of
 Section 5.12.8~~6.BB~~, *Development Transition Standards*, when
 applicable.

2. Section 7.4, Motor Vehicle & Bicycle Parking;

a. Parking

~~Parking, as required by Section 7.4, Motor Vehicle and Bicycle -~~
~~Parking, Parking may be reduced up to 25 percent. Parking may be~~
~~decreased by more than 25 percent per an-written~~ agreement with
~~the Park Tucson, City's Parking Authority or in accordance with Section~~
~~7.4.5.A; Individual Parking Plan (IPP), if-if~~ the analysis and findings
 show the proposed parking is adequate.

b. Location

~~Parking may be provided by any one of the following options or by~~
~~a combination of the following options:~~

~~(1) On-site;~~

~~(2) Off-site within 1/4 of a mile of the project site through a~~
~~shared parking agreement with the City;~~

~~(3) With the approval of the Department of Transportation, proposals~~
~~for non-residential uses may provide up to five on- street~~
~~spaces on a collector or arterial street, On-street on the same-~~
~~side of the street as the proposed use up to five spaces on a~~
~~collector or arterial street per approval by the City's-~~
~~Transportation Department; or~~

~~(4) An in-lieu fee per an agreement with the City's Parking -~~
~~Authority.~~

c. Accessible Parking and Bicycle Facilities.

~~(1) The number and location of accessible parking spaces~~
~~required by the City of Tucson's adopted Building Code~~

~~(2) Accessible parking and bicycle facilities shall not be reduced~~
~~or eliminated and shall be based on the number of motor -~~
~~vehicle parking spaces required prior to any modification.~~

d. Pedestrian Access

~~Alternative pedestrian access that creates connectivity between public~~
~~entrances to the project and abutting sidewalks may be allowed as~~
~~long as no safety hazard is created. All pedestrian access shall~~
~~conform to the accessibility standards of the City of Tucson's adopted~~
~~Building Code.~~

~~Street Perimeter~~ yard requirements may be reduced or waived if -
~~when the PDS Director determines that the request is consistent with~~
~~the Major Streets and Route Plan, unless-unless~~ modified by the
~~Director of the Transportation Department, Tucson Department of -~~
~~Transportation Director, and and if~~ there is adequate sight visibility,
 no traffic safety issue is created, and complies with the standards of
 Section 5.12.86.BB, *Development Transition Standards*, when
 applicable.

2. Section 7.4, Motor Vehicle & Bicycle Parking;

a. Parking

~~Parking, as required by Section 7.4, Motor Vehicle and Bicycle -~~
~~Parking, Parking may be reduced up to 25 percent. Parking may be~~
~~decreased by more than 25 percent per an-written~~ agreement with
~~the Park Tucson, City's Parking Authority or in accordance with Section~~
~~7.4.5.A; Individual Parking Plan (IPP), if-if~~ the analysis and findings
 show the proposed parking is adequate.

b. Location

~~Parking may be provided by any one of the following options or by~~
~~a combination of the following options:~~

~~(1) On-site;~~

~~(2) Off-site within 1/4 of a mile of the project site through a~~
~~shared parking agreement with the City;~~

~~(3) With the approval of the Department of Transportation, proposals~~
~~for non-residential uses may provide up to five on- street~~
~~spaces on a collector or arterial street, On-street on the same-~~
~~side of the street as the proposed use up to five spaces on a~~
~~collector or arterial street per approval by the City's-~~
~~Transportation Department; or~~

~~(4) An in-lieu fee per an agreement with the City's Parking -~~
~~Authority.~~

c. Accessible Parking and Bicycle Facilities.

~~(1) The number and location of accessible parking spaces~~
~~required by the City of Tucson's adopted Building Code~~

~~(2) Accessible parking and bicycle facilities shall not be reduced~~
~~or eliminated and shall be based on the number of motor -~~
~~vehicle parking spaces required prior to any modification.~~

d. Pedestrian Access

~~Alternative pedestrian access that creates connectivity between public~~
~~entrances to the project and abutting sidewalks may be allowed as~~
~~long as no safety hazard is created. All pedestrian access shall~~
~~conform to the accessibility standards of the City of Tucson's adopted~~
~~Building Code.~~