



PLANNING COMMISSION

Planning & Development Services Department • 201 N. Stone Ave. • Tucson, AZ 85701

Date: April 6, 2016

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To: Planning Commission

From: Nicole Ewing Gavin
Director, Planning and Development Services

Subject: C8-16-01 Reinvestment Tools No. 1

Issue – This is a study session to allow the Planning Commission to deliberate on the draft Reinvestment Tools as initiated by Mayor and Council on March 22nd, 2016. The following Unified Development Code (UDC) text amendments would provide for regulatory incentives that could be implemented throughout the City, building on the success similar tools have yielded in the downtown area:

- (1) Expand the use of the Planned Area Development (PAD) rezoning tool, (2) allow for optional concurrent Plan Amendment and Rezoning applications, and (c) establish an administrative process for Major Streets and Routes (MS&R) setback relief.

Recommendation – Staff recommends that the Planning Commission set these amendments to the Unified Development Code (UDC) for a public hearing on May 18, 2016.

Background – On December 15, 2015, the Mayor and Council directed the Office of Economic Initiatives and Planning and Development Services (PDS) to identify additional financial and regulatory incentives that could be implemented throughout the City, building on the success similar tools have yielded in the downtown area.

On March 22, 2016, staff returned to the Mayor and Council for a study session outlining the following Reinvestment Tools in the form of text amendments to the UDC, (a) expand the use of the Planned Area Development (PAD) rezoning tool, (b) allow for optional concurrent Plan Amendment and Rezoning applications, and (c) establish an administrative process for MS&R setback relief.

Mayor and Council directed staff to proceed with the text amendment processes. Mayor and Council also directed staff to initiate the public process for the Plan Tucson Special Exception Option, which will be outlined in Reinvestment Tools No. 2.

Present Considerations – Pursuant to the Mayor and Council's direction, staff prepared the following draft amendments (see Attachment A for more details on proposed amendments):

1. Expand the use of the Planned Area Development (PAD) rezoning tool:

Goal: Increase use of this flexible zoning tool to encourage thoughtfully planned mixed-use infill projects.

Proposal: To lift UDC Section 3.5.5.E.2 to allow a project of any size that meets the existing PAD criteria (below) to use the PAD zoning option. The PAD has been a successful zoning tool offered by the City allowing for project flexibility and generating quality mixed use development. This UDC text amendment would lift the 40-acre minimum size requirement as outlined in UDC Section 3.5.5.E.2, to allow a project of any size to use the PAD.

Each PAD would be reviewed for the following prior to acceptance: 1) A description of the purpose; 2) scope; 3) main concepts; 4) goals of the PAD; 5) substantial conformance with Plan Tucson; 6) substantial conformance with city land use plans which encompass all or part of the proposed PAD; 7) the rationale for the use of a PAD zone rather than the use of other zones; 8) the benefits to the community and the applicant by the use of a PAD; 9) the suitability of the PAD to significant environmental factors if applicable; 11) the compatibility of the PAD with adjoining land uses; and, 12) the physical and economic suitability and feasibility of the PAD with existing infrastructure and services.

2. Allow for optional concurrent Plan Amendment and Rezoning applications:

Goal: Reduce developer's time for entitlement process and assist public by clarifying full picture of development earlier in the process.

Proposal: Revise UDC Section 3.5.3.D.3 to allow for Rezonings and Plan Amendments to run concurrently, as follows.

3.5.3.D.3 Rezoning cases applications must be in conformance with adopted plan policies prior to Mayor and Council authorization or adoption. ~~before a rezoning application may be accepted for processing.~~

This text amendment is being considered in light of two recent Plan Amendments that have caused confusion for the public on what the process is and how and when the community's concerns are addressed. By allowing the option of pursuing Plan Amendments and Rezonings simultaneously, it can help a developer reduce the entitlement timeline from 10 months to 6 months. In addition, the public will be able to see and comment on the details of the proposed project, throughout the entitlement process.

3. Establish an administrative process for MS&R setback relief.

Goal: Allow use of future right-of-way when no road widening is planned.

Proposal: Revise UDC Section 5.4.5 (Major Streets and Routes Setback Zone) to introduce an administrative approval process for minor MS&R adjustments modeled after existing UDC code exceptions.

The MS&R text amendment would allow for streamlined review process. Currently, each proposal that includes use of right-of-way must be granted approval by Major and Council. This amendment proposal would allow for an internal review process modeled after UDC section 7.4.5 Reduction and Exceptions for projects in which both, the PDSO Director and the TDOT Director, have made a finding of no adverse effects for the City.

Attachments:

A – Draft Reinvestment Tools Text Amendment No 1

