

Tucson, AZ Unified Development Code

5.12. DOWNTOWN AREA INFILL INCENTIVE DISTRICT (IID)

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5.12.2. ESTABLISHMENT

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B. The IID contains both mandatory and optional overlay zone standards and requirements. 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 for all sites proposing exterior or site modifications and are located within the RNA overlay. IID standards and regulations that apply only if a property is developed using the underlying zoning.

Comment [DB1]: Clarification on when the RNA review is required.

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5.12.5. IID PLAN SUBMITTAL REQUIREMENTS

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B. Modifications or Waivers of IID Plan Submittal Requirements

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5.12.6. IID PLAN REVIEW AND APPROVAL PROCEDURES UNDER THE IID ZONING OPTION

A. Pre-application Conference

A pre-application conference with the PDSD staff as outlined in Section 3.2.1 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 Major or the Minor Design Review Procedure as described below.

- 3. Preliminary identification of potential code modifications or waivers that may need to be requested through the IID zoning option.

Comment [DB2]: Add clarification on the intent of the pre-application meeting.

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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*, except for building height, where projects may be allowed heights up to the equivalent of the tallest contributing structure within that HPZ. The project may also be allowed a modification for building material. Both exceptions require review from the Tucson-Pima County Historical Commission (TPCHC) Plans Review Subcommittee and the appropriate local HPZ board.

Comment [DB3]: Code change to address HPZ height modification where an HPZ overlaps with the IID.

- b. IID zoning option 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:

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### 3. Demolition

a. Whether a proposed development is within or outside the boundaries of a HPZ, IID zoning option 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. For purposes of this section, this applies to any demolition that has occurred on or after the adoption of ordinance~~

#### ~~b.c. 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.

**Comment [DB4]:** Clarification as to the date of this ordinance, at which when a historic building is demolished, a project may use the IID.

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### O. Appeals

~~1. A party of record may appeal the PSDS Director's decision on IID developments on the grounds that the decision is not in conformance with the criteria established by the UDC. Except for a decision on a proposed group dwelling, which is approved or denied by the Mayor and Council pursuant to 3.4.4., Mayor and Council Special Exception Procedures, Notice of appeals may only be made by a party of record as defined by Section 1.1. A notice of intent must be made within 14 days of the PSDS Director's decision and the final appeals packet and fees must be submitted within 30 days of the PSDS Director's decision. All appeals must be filed and are heard in accordance with follow the following procedure:~~

**Comment [DB5]:** Clarification of the Appeals process

~~a. Appeal to a proposed group dwelling is heard in accordance with Section 3.4.4, Mayor and Council Special Exception Procedure.~~

~~ab. Appeals of the Director's decision for developments reviewed pursuant to a minor review process is are heard in accordance with Section 3.10.2, Board of Adjustment Appeal Procedure. The notice of intent to appeal must be filed with the PSDS no later than five days after the effective date of the decision. The complete appeal materials must be filed with the Zoning Administrator within 14 days of the of the effective date of the decision. The appeal fees must be paid to the PSDS at the time the complete appeal is filed.~~

~~bc. Appeals of the Director's decision for developments reviewed pursuant to a major review process is are heard in accordance with Section 3.9.2, Mayor and Council Appeal Procedure. The notice of intent to appeal must be filed with the City Clerk no later than 14 days after the effective date of the decision. The complete appeal materials must be filed with the City Clerk within 30 days of the effective date of the decision. A copy of the complete appeal materials must be provided to the PSDS Director at the time it is filed. The appeal fees must be paid to the PSDS at the time the complete appeal is filed.~~

~~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 PSDS Director's decision must be filed and are heard in accordance with the Board of Adjustment appeals process in Section 3.10.2 for developments reviewed pursuant to the minor review process and with the Mayor and Council for developments reviewed pursuant to major review process in Section 3.9.2.~~

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**Q. Amendments to the Approved Design Package**

1. An Design amendments or revisions to an approved IID Plan ~~is~~are subject to the ~~same following approval procedure as the initial approval, unless determined to be a non-substantive change by the designated Design Professional.~~

a. Amendments to the Design Package shall be processed as follows:

(1) The applicant or consultant shall provide a written report to the PDSD Director containing all of the following information: a listing, description, and exhibit of the design modification (s), modifications may be site changes, façade treatment and materials, building.

(2) A statement whether the proposal complies with the previously approved applicable design standards.

(3) The designated Design Professional shall draft a recommend outlining the following: if the design modification meets the intent of the IID, is an unsubstantial, a minor change, or a major change.

(4) The PDSD Director shall make the final decision on the design amendment or revision change.

**Comment [DB6]:** Clarification as to when a change is required to go back to the DRC.

(Am. Ord. 11246, 2/18/2015)

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**5.12.8. GENERAL IID ZONING OPTION DESIGN STANDARDS**

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**E. Parking**

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2. Required vehicle and bicycle parking may be reduced pursuant to an IID Parking Plan in accordance with Section 7.4.5.A, except as modified as follows:

a. Section 7.4.5.A.3 in Permitted Uses and Types of Development does not apply. An IID Parking Plan may be used to reduce required residential parking.

b. Bike parking shall be provided when motor vehicle parking is provided. The PDSD Director may reduce the required number of bike parking spaces depending on the use, setting, and intensity of the proposal.

c. The neighborhood meeting that is required for under Section 7.4.5.A.6.a may be held concurrently with the neighborhood meeting required by Section 5.12.6.B.

d. Section 7.4.5.B, *Downtown Parking District*, does not apply.

3. Where Parking is provided, the parking area must comply with the standards of Section 7.4.6.C and D.

4. Parking must be in a parking structure with the ground floor of the parking structure screened from view.

**a. Exception**

Parking may be located on a surface parking lot if it is determined by the PDSD Director to be impracticable to be located elsewhere and other options are not available.

b. Parking may be located on a surface parking lot if it is determined by the PDSD Director to be impracticable to be located elsewhere and other options are not available. If located onsite, parking areas must be located at the rear or side of the building.

c. Changes of use and expansion of existing structures may use the site's current parking configuration.

d. 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.

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#### 5.12.14 FOURTH AVENUE AREA (FAA)

##### A. Fourth Avenue Historic Sub-Area (FHS)

###### 1. Standards

The Fourth Avenue Historic Sub-Area includes portions of the West University Historic Preservation Zone (HPZ) that overlap with the Downtown Links Sub-District. Properties within these areas may be developed using the optional parking standards contained herein, but remain subject to all other underlying zone requirements including, but not limited to, historic preservation zone design standards and design review. An exception to these requirements may be made for building height, where projects may be allowed heights up to the equivalent of the tallest contributing structure within that HPZ. The project may also be allowed a modification for building material. Both exceptions require review from the Tucson-Pima County Historical Commission Plans Review Subcommittee and the West University HPZ board.

**Comment [DB7]:** Code change to address HPZ height modification where an HPZ overlaps with the IID.

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