



PLANNING COMMISSION

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

DATE: August 20, 2014

TO: Planning Commission

FROM: Ernie Duarte
Executive Secretary

SUBJECT: C8-13-06 Downtown Area Infill Incentive District Revision – Study Session

Issue – On March 19, 2013, the Mayor and Council gave direction for text amendments to the Infill Incentive District (IID) section of the Unified Development Code.

The purpose of this item is to:

1. Update the Planning Commission on the revisions to the Downtown Area Infill Incentive District (IID); and,
2. Continue to discuss and work with the Planning Commission and stakeholders to address the direction from Mayor and Council on the IID. Especially in the areas of keeping it an incentive, creating more neighborhood involvement and enhancing design and historic preservation standards.
3. Provide the Planning Commission Sections 5.12.1 to 5.12.7 IID of the annotated draft.

Consolidated Approach

As the IID, Downtown Links, and the Streetcar Land Use Plan (SLUP) share much of same geographical area, staff proposed integrating these projects and working with stakeholders to create the most efficient set of standards. These standards are intended to be comprehensive district-wide and address sub-districts when appropriate. Staff has work closely with the consulting team to continue to clarify the IID draft and rectify any overlapping standards and or requirements. A total of two Subcommittee meetings and one Task Force meeting have been held to discuss and consider the consolidated approach which covers the following:

1. Address the issues identified by the Mayor and Council on March 19, 2013 (see the timeline section below for details);
2. Consolidate the existing Rio Nuevo District (RND) standards into the IID. and remove the RND from the Unified Development Code (UDC);
3. Integrate the Downtown Links area the third sub-district of the IID;
4. Clarify the historic preservation standards that apply consistently across all three sub-districts;

5. Create a minor and major review procedure to accommodate projects of different scales and intensity.

Review Activity

IID Subcommittee Activity

- July 17, 2014 the Infill Incentive District (IID) Subcommittee (subcommittee of the Planning Commission) discussed the July 11, 2014 draft. They requested the following items: 1) Delivery of a draft to the Mayor and Council by January 2015 deadline; 2) clarify how group dwelling are handled in the IID; 3) provide detailed maps and/or additional maps; and 4) clarify how the IID Design Review Board would work.
- August 7, 2014 The Infill Incentive District (IID) Subcommittee reviewed the first seven sections of the draft, received sets of the updated district maps, and discussed the IID Task Force meeting on August 4, 2014, and the stakeholders concerns and suggestions. Per the Commissioners recommendations Attachment C, contains staff notations on the items discussed within the review “pane” on the right side of the PDF draft document.

IID Task Force Activity

- August 4, 2014 – The IID Task Force met to review the first seven sections of the July 11, 2014 draft of the IID. The Task Force focused on the following points 1) The definition of “Group Dwelling” in the IID; 2) Protecting contributing and eligible properties; 3) clarify the meaning of an eligible property; 4) Audio recordings of neighborhood meetings and what happens after the neighborhood meeting.

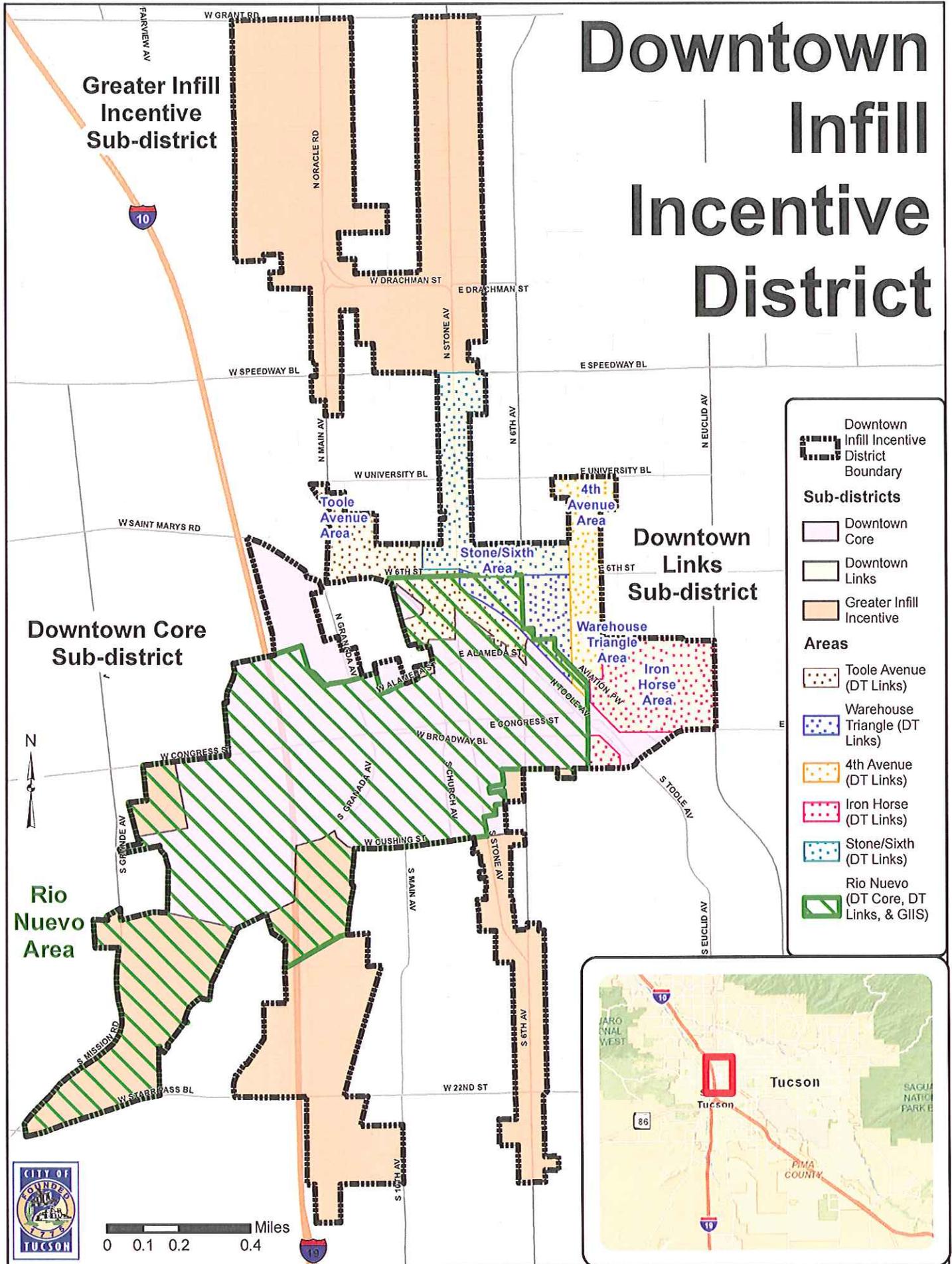
Sunset Date

On August 5, 2014, Mayor and Council voted to initiate the revised Infill Incentive District Ordinance sunset date only if needed. Depending on the progression of the draft, by the November meeting the Planning Commission will set either the final of the IID or the revised Sunset Date Ordinance for a December 3 public meeting.

Attachment

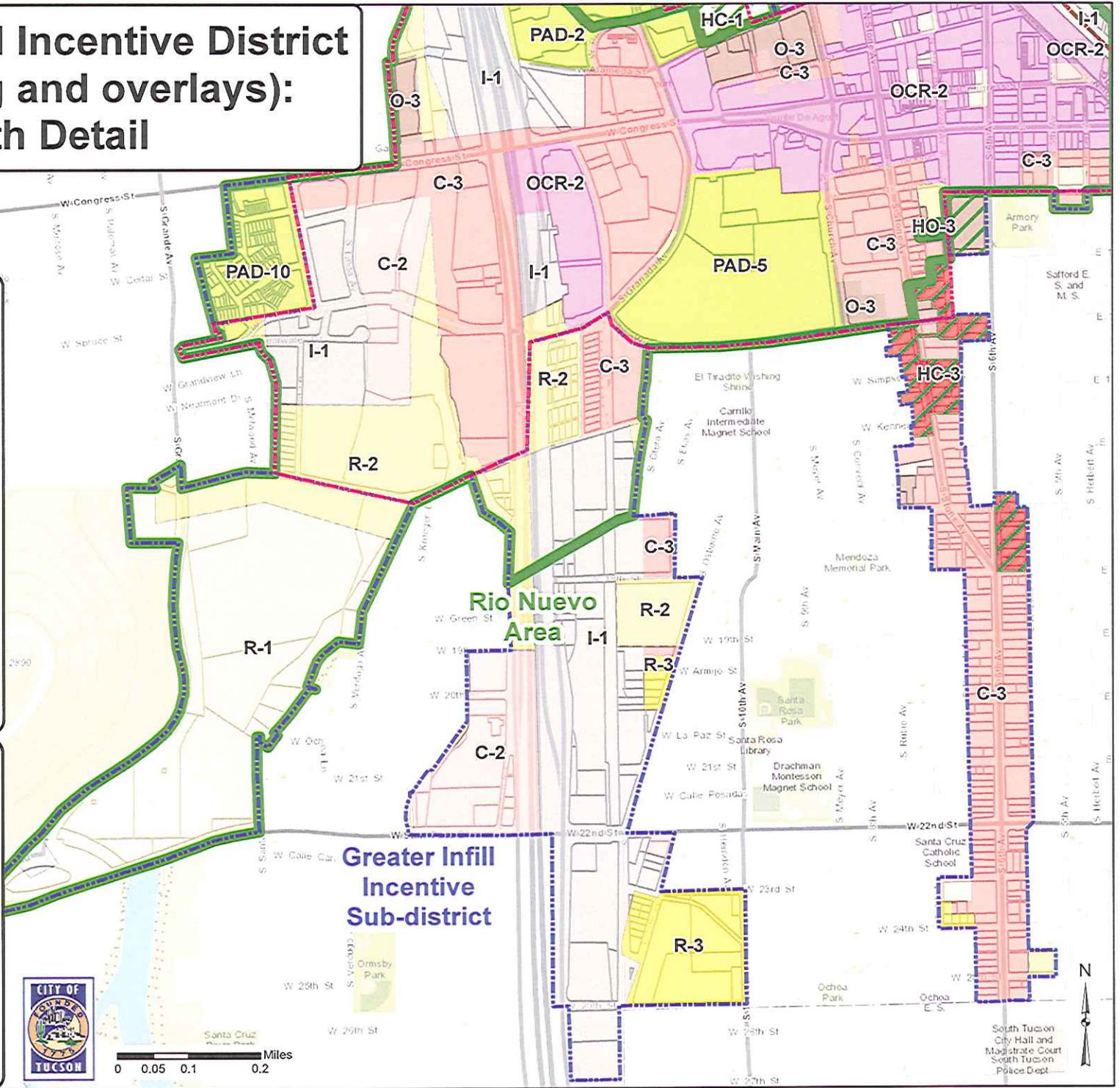
- A – Downtown Area Infill Incentive District Maps
- B – Minutes from IID Task Force Meetings
- C – Draft IID sections 5.12.1 to 5.12.7, July 11, 2014.

Downtown Infill Incentive District



Downtown Infill Incentive District (with zoning and overlays): South Detail

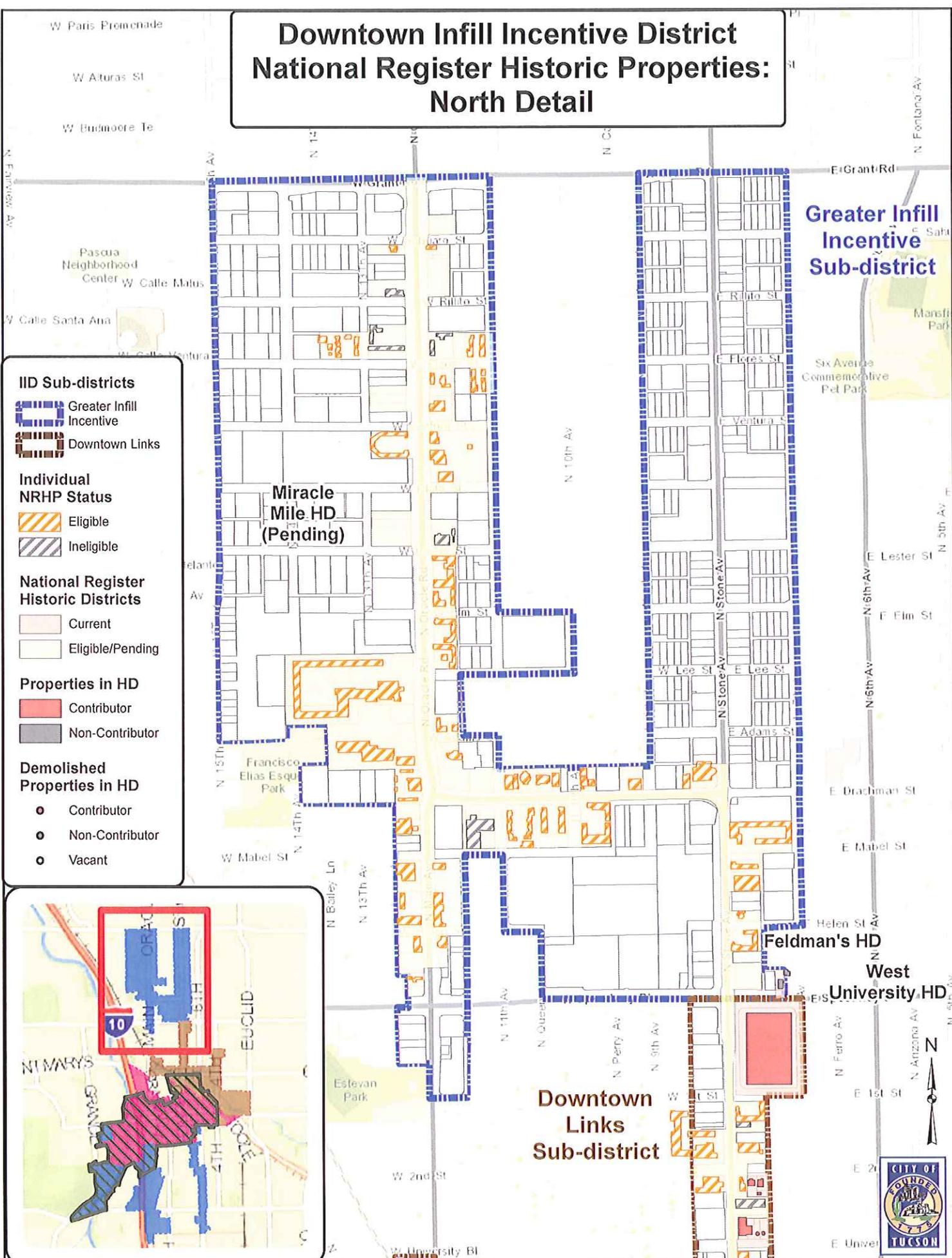
- | | |
|---------------|--------------------------------------|
| Zoning | Rio Nuevo Area |
| C-1 | IID Sub-districts |
| C-2 | Downtown Links |
| C-3 | Downtown Core |
| HC-1 | Greater Infill Incentive |
| HC-3 | Mandatory Zoning Overlays |
| HO-3 | Neighborhood Preservation Zone (HPZ) |
| HR-3 | Historic Preservation Zone (HPZ) |
| I-1 | |
| O-3 | |
| OCR-2 | |
| PAD-10 | |
| PAD-2 | |
| PAD-4 | |
| PAD-5 | |
| R-1 | |
| R-2 | |
| R-3 | |
| HR-2 | |



0 0.05 0.1 0.2 Miles

South Tucson
City Hall and
Magistrate Court
South Tucson
Police Dept.

Downtown Infill Incentive District National Register Historic Properties: North Detail



IID Sub-districts

- Greater Infill Incentive
- Downtown Links

Individual NRHP Status

- Eligible
- Ineligible

National Register Historic Districts

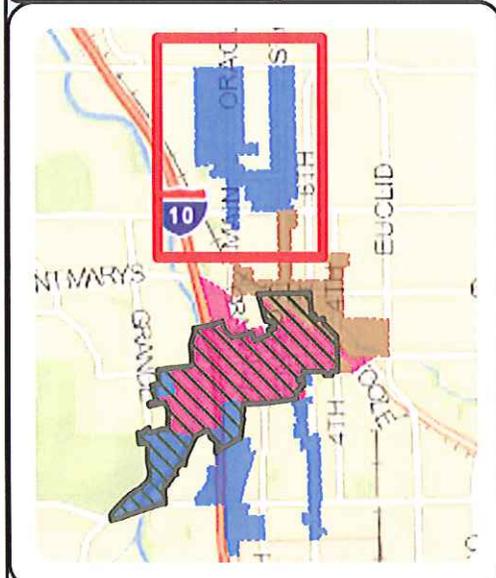
- Current
- Eligible/Pending

Properties in HD

- Contributor
- Non-Contributor

Demolished Properties in HD

- Contributor
- Non-Contributor
- Vacant



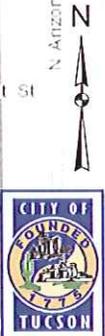
Greater Infill Incentive Sub-district

Miracle Mile HD (Pending)

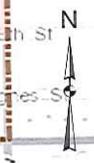
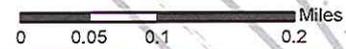
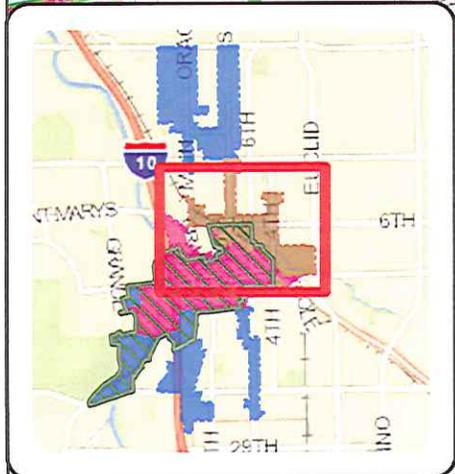
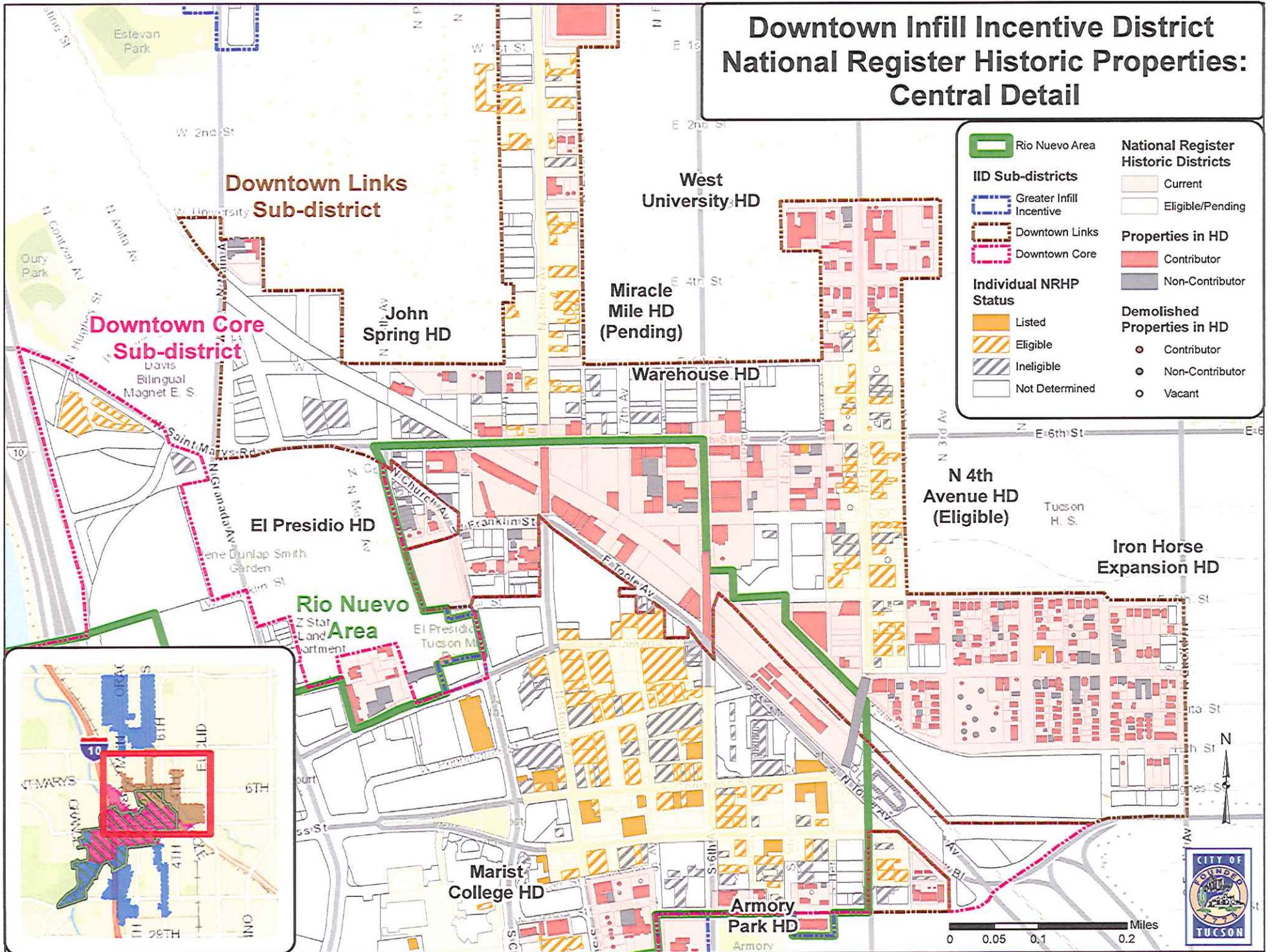
Feldman's HD

West University HD

Downtown Links Sub-district



Downtown Infill Incentive District National Register Historic Properties: Central Detail



Downtown Infill Incentive District National Register Historic Properties: South Detail

Rio Nuevo Area

IID Sub-districts

- Greater Infill Incentive
- Downtown Core

Individual NRHP Status

- Listed
- Eligible
- Ineligible
- Not Determined

National Register Historic Districts

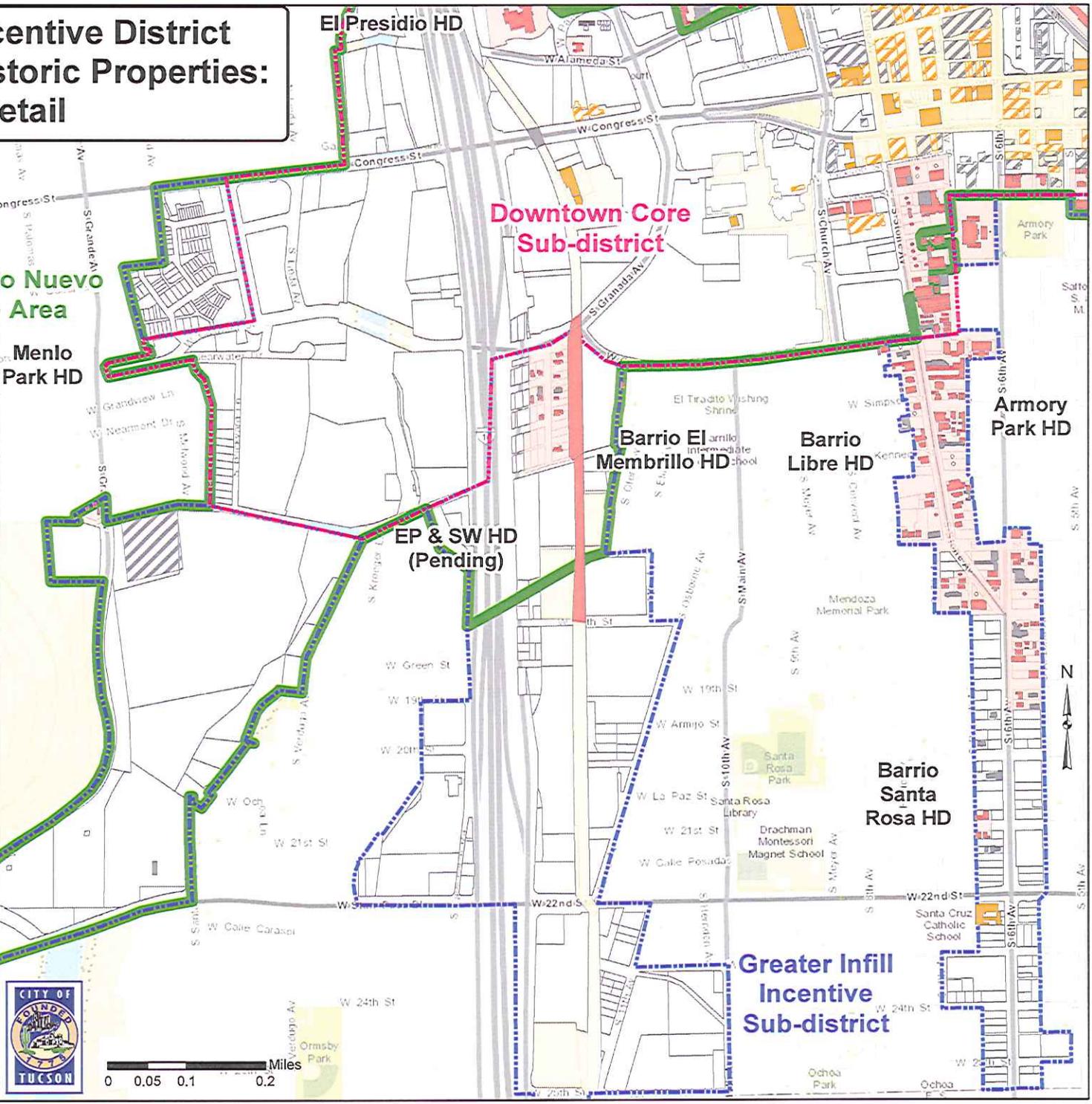
- Current
- Eligible/Pending

Properties in HD

- Contributor
- Non-Contributor

Demolished Buildings in HD

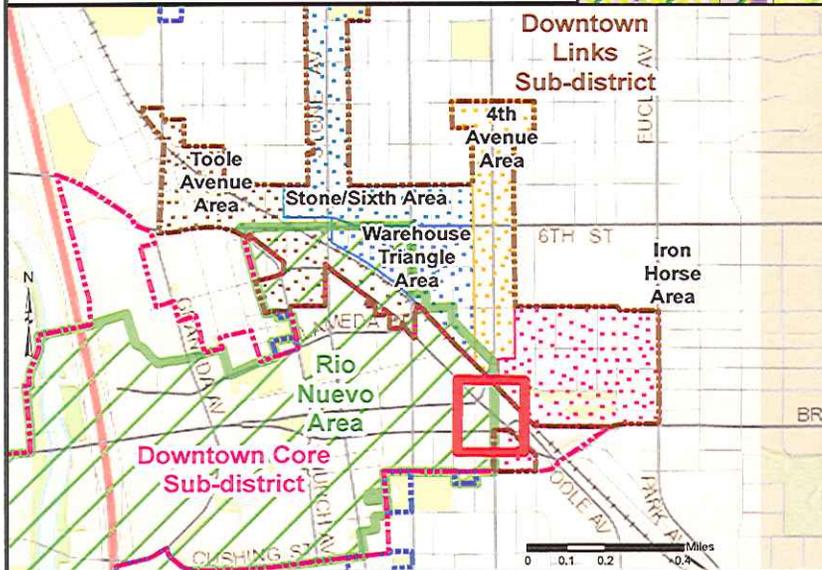
- Contributor
- Non-Contributor
- Vacant



0 0.05 0.1 0.2 Miles

The Cadence

- Downtown Infill Incentive District
 - Downtown Core Sub-district
- Rio Nuevo Area
 - Buildings 1 and 2
- Downtown Tucson National Register Historic District (Pending)
 - Building 2 in Pending District
 - No individually listed NRHP buildings
- OCR-2 Zoning

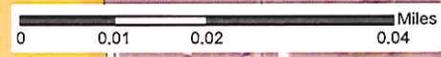
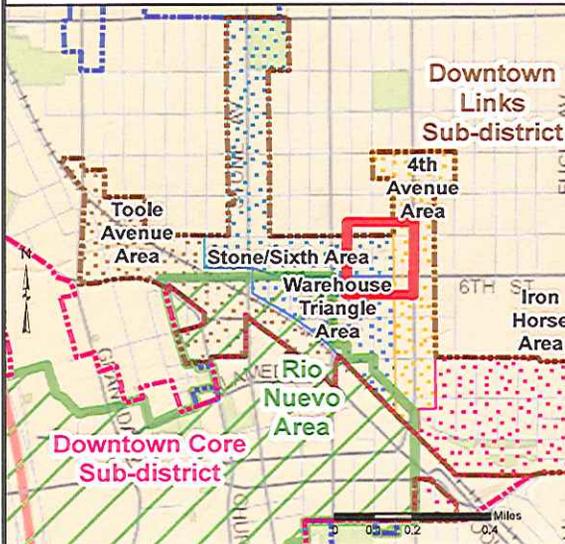
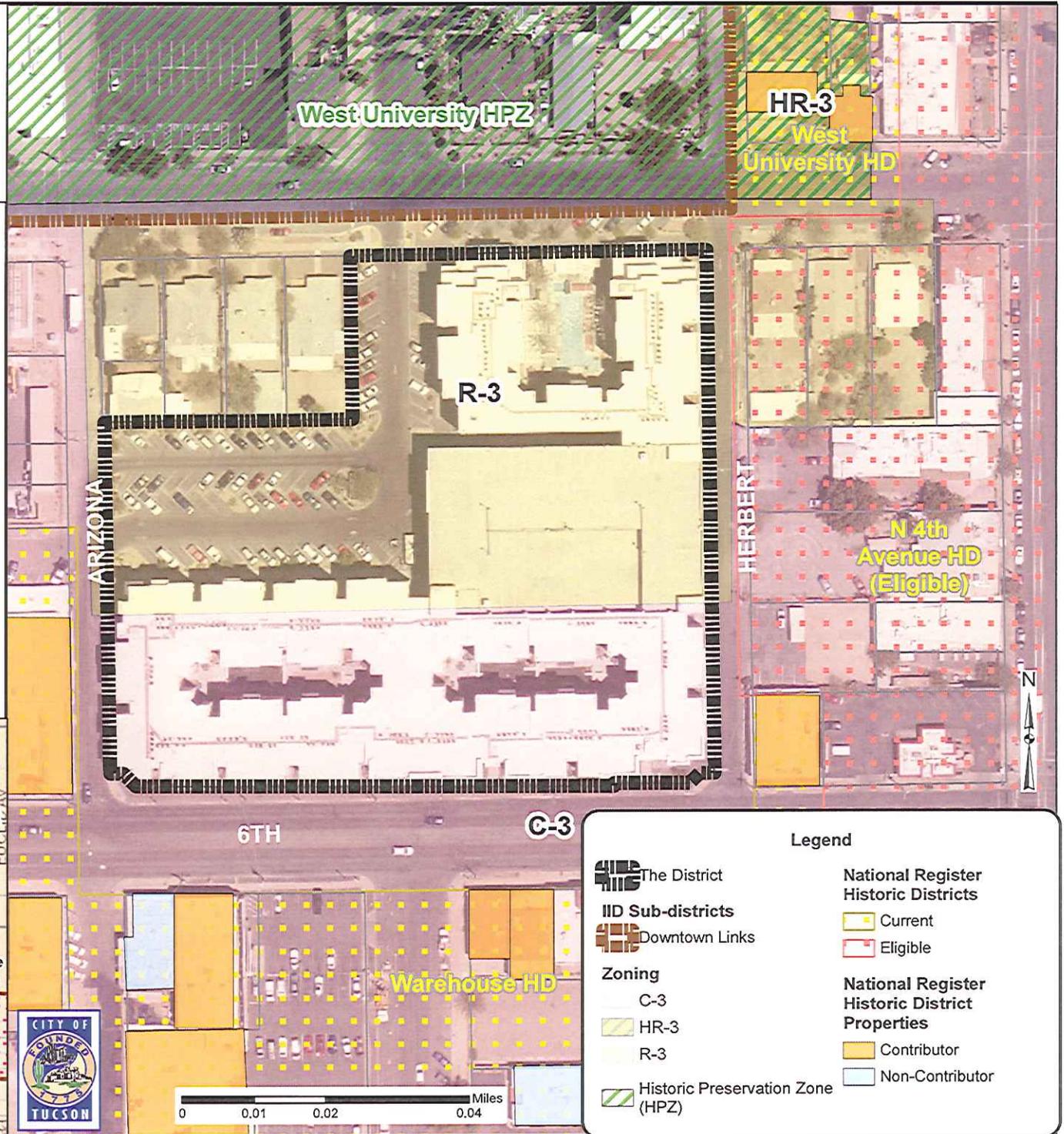


Legend

The Cadence	Zoning	National Register Historic District CURRENT	Individual NRHP Status Listed
Rio Nuevo Area	C-3	ELIGIBLE	Eligible
IID Sub-districts	I-1	HD Properties	Ineligible
Downtown Links	OCR-2	Contributor	
Downtown Core		Non-Contributor	

The District

- **Downtown Infill Incentive District**
 - Downtown Links Sub-district
 - Stone-Sixth Area
- **Not in National Register Historic District**
 - Adjacent to Warehouse HD (current) and N 4th Avenue HD (eligible)
 - No individually listed NRHP buildings
- **Adjacent to West University HPZ**
- **C-3 and R-3 Zoning**



Legend

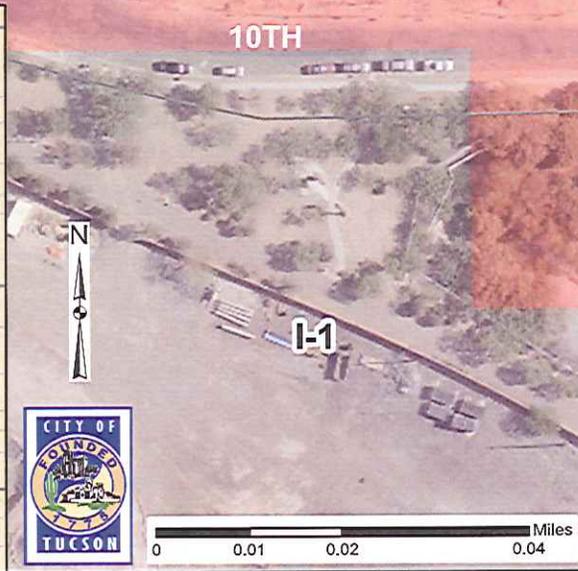
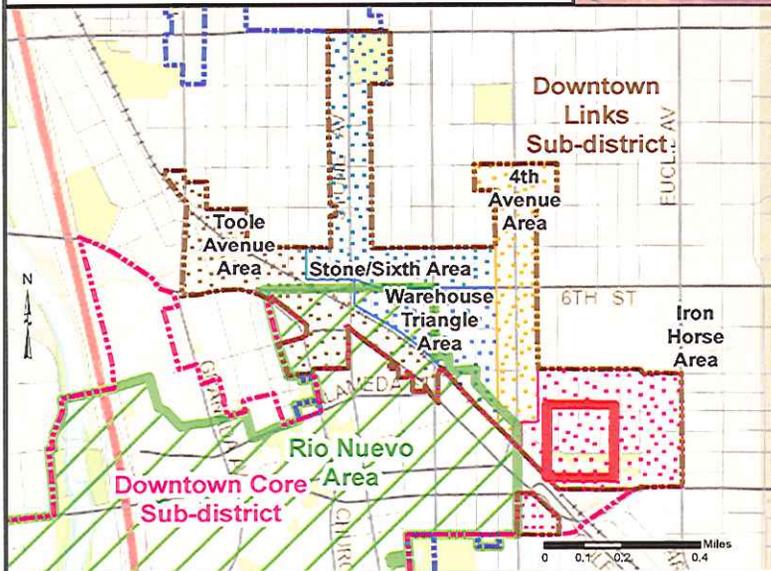
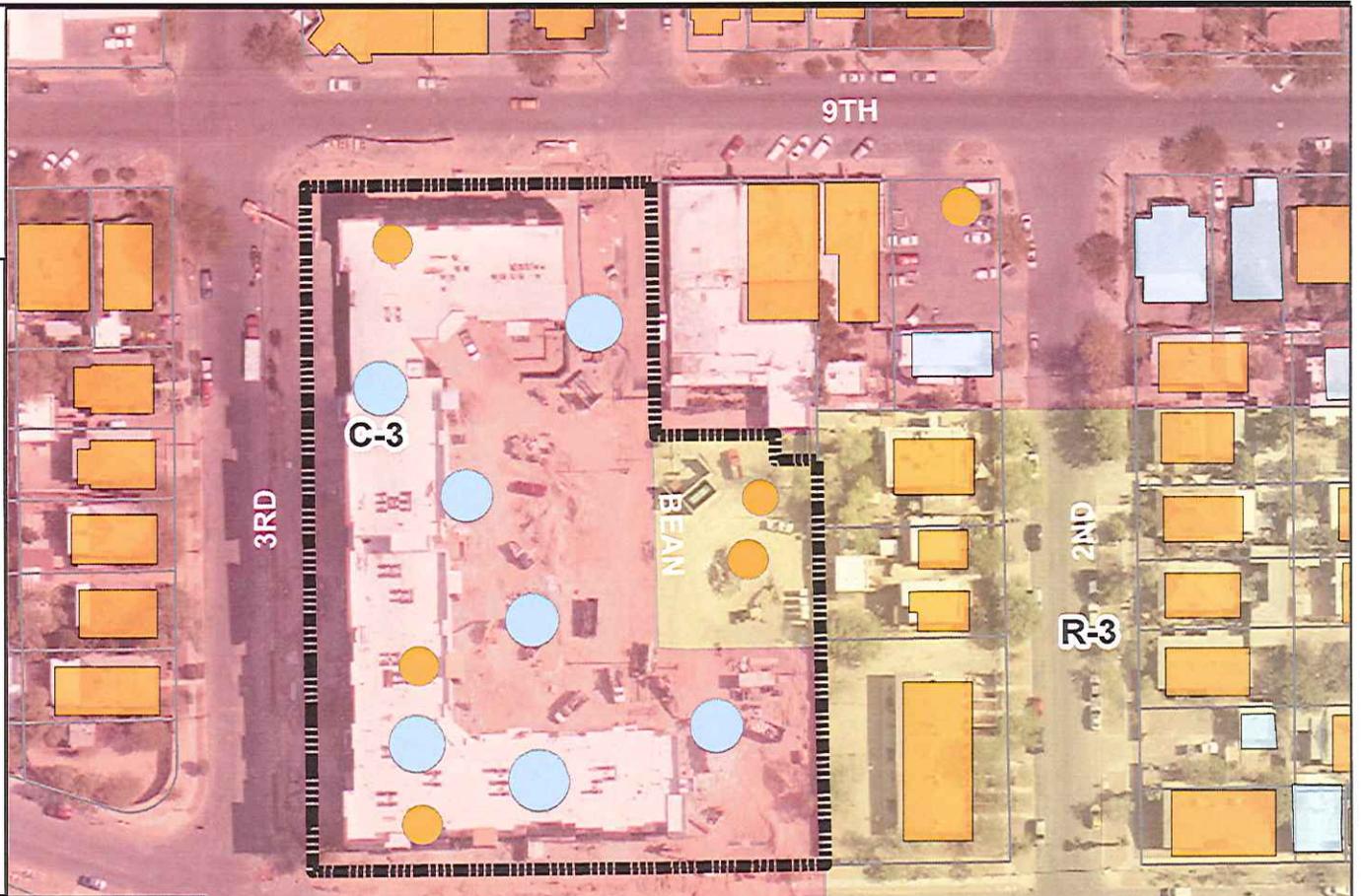
- The District
- IID Sub-districts
 - Downtown Links
- Zoning**
 - C-3
 - HR-3
 - R-3
- Historic Preservation Zone (HPZ)
- National Register Historic Districts**
 - Current
 - Eligible
- National Register Historic District Properties**
 - Contributor
 - Non-Contributor

The Junction

- **Downtown Infill Incentive District**
 - Downtown Links Sub-district
 - Iron Horse Area

- **Iron Horse Expansion National Register Historic District**
 - Demolished Contributing Properties
 - Demolished Non-contributing Properties

- **C-3 and R-3 Zoning**



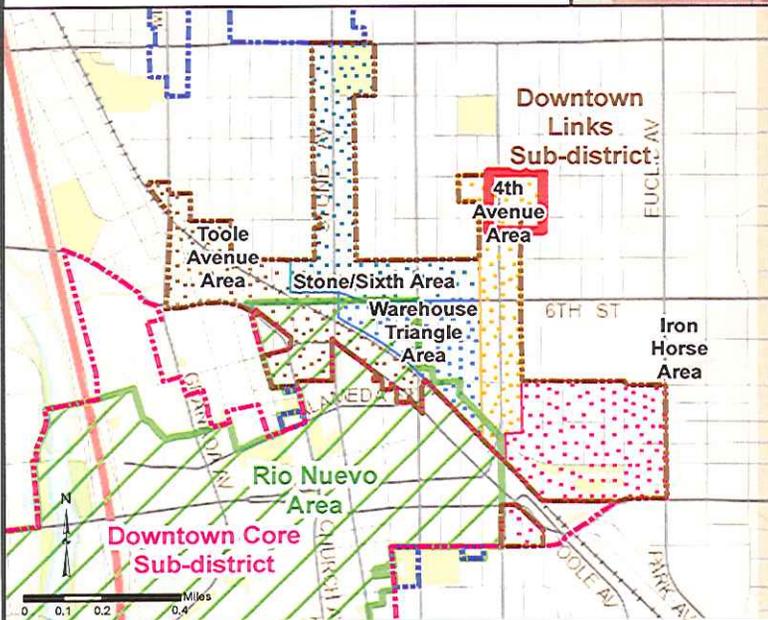
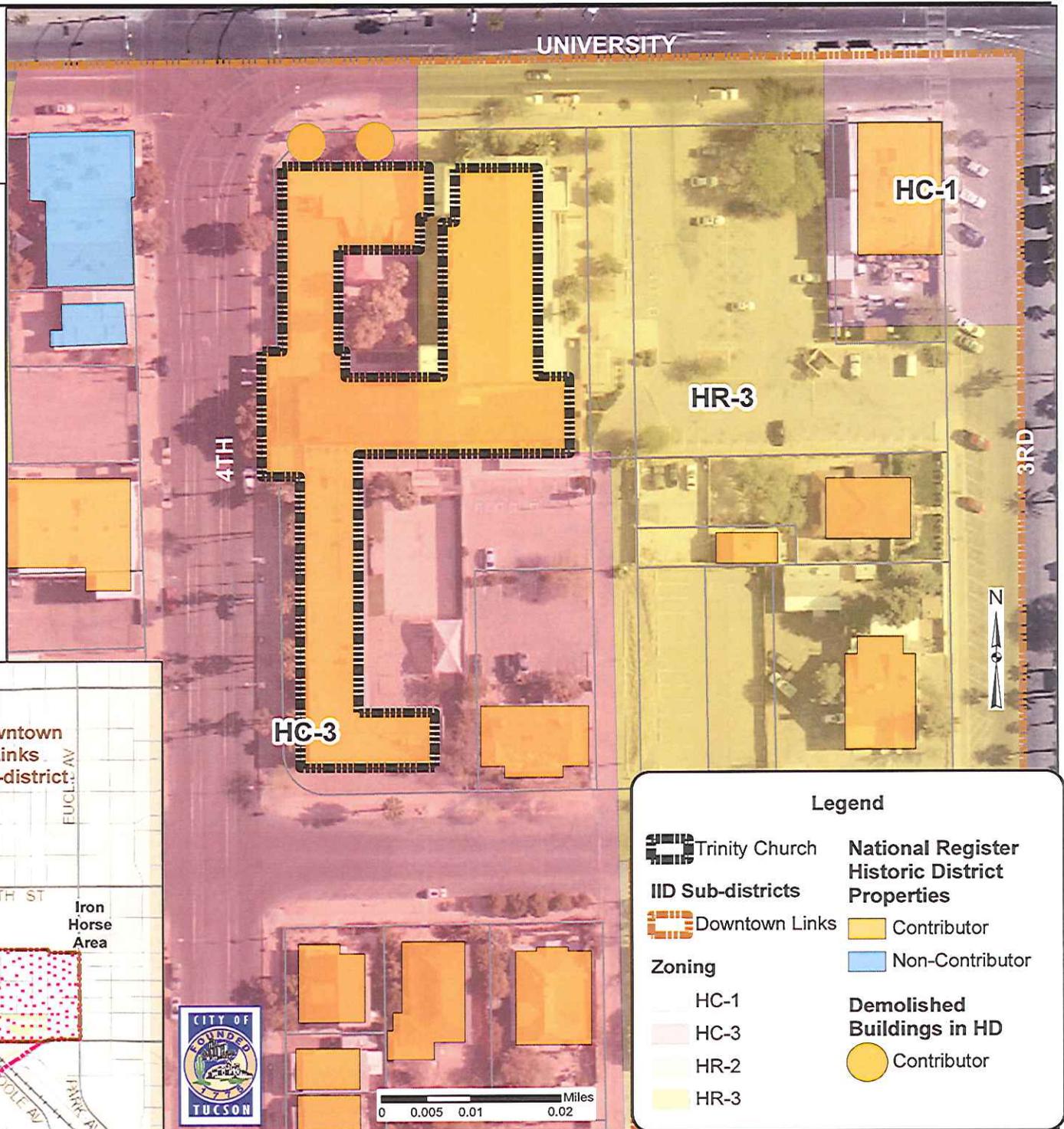
Legend

 The Junction	 Contributor
Zoning	 Non-Contributor
 C-3	National Register Historic District Properties
 I-1	 Contributor
 R-3	 Non-Contributor
	Demolished Buildings in HD



Trinity Church

- **Downtown Infill Incentive District**
 - Downtown Links Sub-district
 - 4TH Avenue Area
- **West University National Register Historic District**
 - Contributing Property
- **Historic Preservation Zone Overlay**
 - West University
- **HC-3 and HR-3 Zoning**

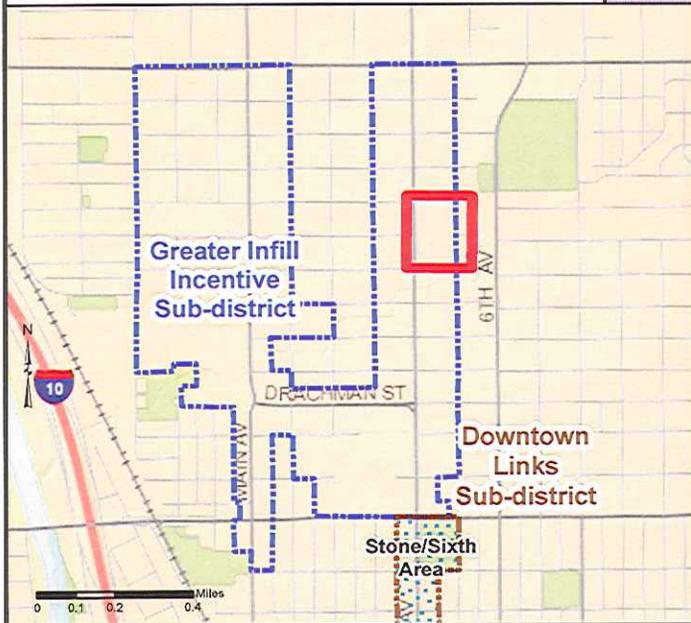
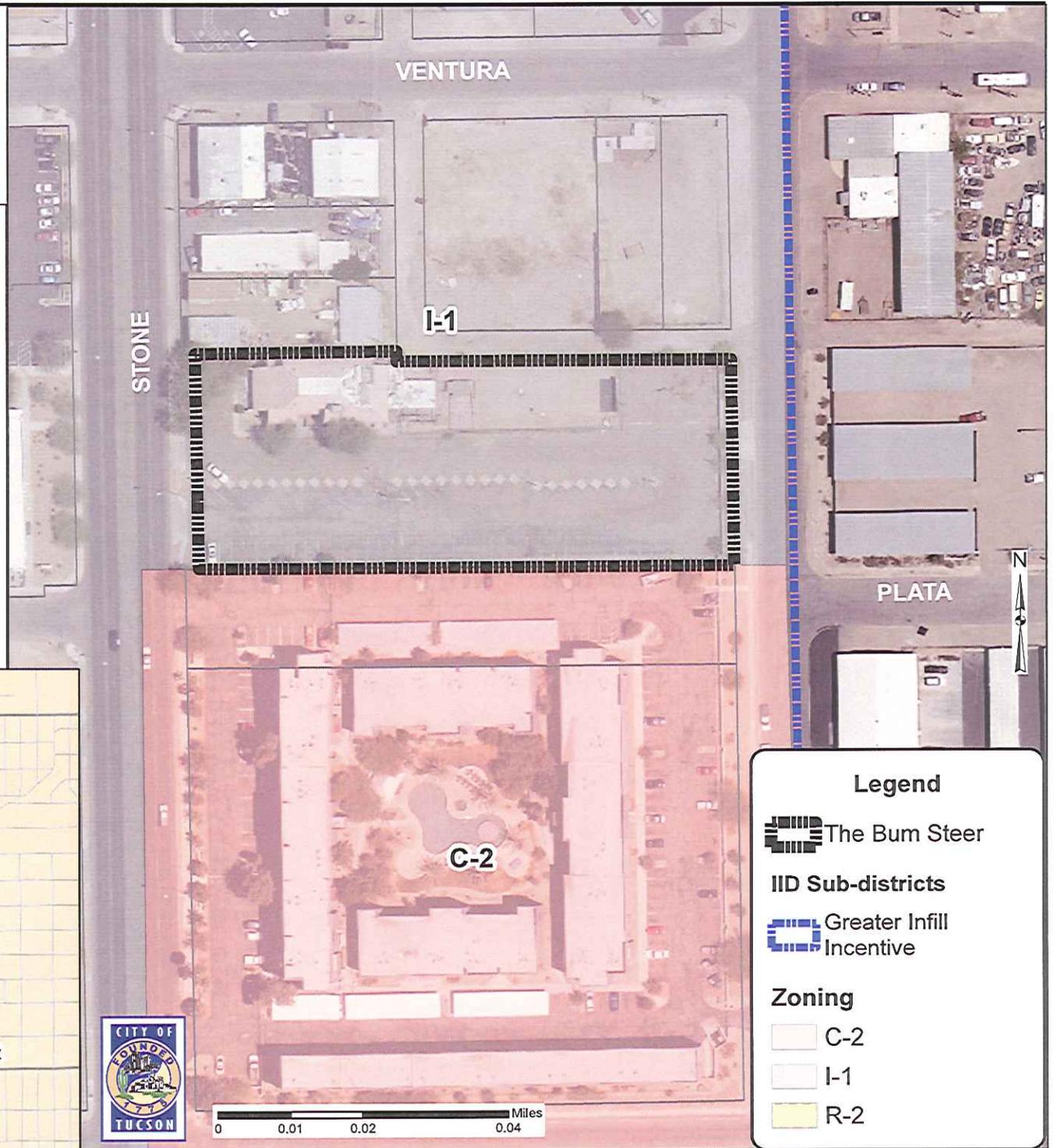


Legend

Trinity Church	National Register Historic District Properties
IID Sub-districts	Contributor
Downtown Links	Non-Contributor
Zoning	Demolished Buildings in HD
HC-1	Contributor
HC-3	
HR-2	
HR-3	

The Bum Steer

- Downtown Infill Incentive District
 - Greater Infill Incentive Sub-district
- Not in National Register Historic District
- No individually listed NRHP buildings
- I-1 Zoning



Legend

 The Bum Steer

IID Sub-districts

 Greater Infill Incentive

Zoning

 C-2

 I-1

 R-2

Infill Incentive District Citizens Task Force (IID-CTF) Scheduled Meetings & Location

Monday, August 4 th	5:30 p.m.	Ward 6 – West Room
Monday, September 15 th	5:30 p.m.	Ward 6 – Community Room
Monday, October 27 th	5:30 p.m.	Ward 6 – Community Room

Infill Incentive District Sub-Committee (IID-SubComm) Scheduled Meetings & Location

Thursday, August 7 th	5:30 p.m.	Ward 6 – Community Room
Thursday, September 18 th	5:30 p.m.	Ward 6 – Community Room
Thursday, October 30 th	5:30 p.m.	Ward 6 – Community Room



**PLANNING COMMISSION
INFILL INCENTIVE DISTRICT (IID) SUBCOMMITTEE MEETING**

Thursday August 7, 2014, 5:30 P.M.
Ward6 Community Room
3202 East 1st Street
Tucson, Arizona

Legal Action Report and Summary Minutes

- 1. Roll Call** - Meeting was called to order at 5:34 pm.

Present:

Thomas Saylor-Brown	PC, Mayor's Office
Kim Patten	PC, Ward 1
Ladd Keith	PC, Ward 6

Staff Members Present:

Jim Mazzocco, PDSO, Deputy Director
Carolyn Laurie, PDSO, Principal Planner
Frank Dillon, PDSO, Principal Planner
Johnathon Mabry, City of Tucson Historic Preservation Officer
Mark Castro, PDSO, Lead Planner
Belinda Flores-McCleese, PDSO, Administrative Assistant
Priscilla Ibarra, PDSO

Consultant Present:

Katharina Richter, Zoning Consultant Attorney

- 2. Approval of Meeting Summary Minutes – July 17, 2014**

It was moved by Commissioner Keith, duly seconded, and carried by a voice vote of 3-0 to approve the meeting summary:

- 3. Update on current Infill Incentive District Draft Ordinance (IID)**

Mr. Mazzocco updated the commissioners on what has occurred since the last meeting on July 17, 2014. This included future meeting dates, deadlines, goals, and issues identified at the August 4, 2014 Citizens Task Force meeting.

No action was taken.

- 4. General Discussion on the IID Draft sections 5.12.1 to 5.12.7**

Discussion was held.

- 5. General Overall Discussion on the IID Draft**

The commissioners directed staff to prepare a memorandum outlining the comments made to each section that was covered.

6. Call to the Audience

No action was taken.

7. Next Steps – Future Agenda Items and meeting Dates

The next meeting, tentatively scheduled for September 18, 2014, will start at Section 5.12.8. of the draft.

8. Adjournment – Meeting adjourned at 7:39 pm.

S:\IID Revisions\Agendas and LAR\PCSC LAR 8.07.14.doc



Planning Commission Subcommittee
P.O. Box 27210
Tucson, Arizona 85726-7210
(520) 791-4213 (Voice)
(520) 791-2639 (TDD)
(520) 791-4017 (FAX)

MEETING NOTICE
PLANNING COMMISSION SUBCOMMITTEE –
IID REVISIONS

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Planning Commission Subcommittee and to the general public that the subcommittee will hold the following meeting which will be open to the public on:

Thursday July 17, 2014, at or after 5:30 PM
WARD 6 COMMUNITY ROOM
3202 EAST 1ST STREET
TUCSON, ARIZONA

AGENDA

1. Call to Order/Roll Call
2. Update on July 2014 Infill Incentive District Draft (IID)
3. General Discussion on the IID Draft
4. Call to the Audience
5. Next Steps – Future Agenda Items and Meeting Dates
6. Adjournment

Note: The subcommittee may allow public comments and/or act on any item.

Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting Jim Mazzocco, Planning and Development Services, 791-5550. Requests should be made as early as possible to allow time to arrange the accommodation.



PLANNING COMMISSION
INFILL INCENTIVE DISTRICT (IID) SUBCOMMITTEE MEETING
Thursday July 17, 2014, 5:30 P.M.
Ward6 Community Room
3202 East 1st Street
Tucson, Arizona

Legal Action Report and Summary Minutes

1. **Roll Call** - Meeting was called to order at 5:36 pm.

Present:

Thomas Saylor-Brown	PC, Mayor's Office
Ladd Keith	PC, Ward 6

Absent:

Kim Patten	PC, Ward 1
------------	------------

Staff Members Present:

Jim Mazzocco, PDSD, Deputy Director
Mark Castro, PDSD, Lead Planner
Belinda Flores-McCleese, PDSD, Administrative Assistant

2. **Update on July 2014 IID draft**

Mr. Mazzocco provided a Powerpoint presentation highlighting the changes made to the IID.

3. **General Discussion on the IID draft**

Commissioner Saylor-Brown and Commissioner Keith commented and discussed on the following; 1) would like to see staff meet the January 2015 deadline to go before Mayor and Council; 2) clarify between group dwelling and group housing; 3) provide detailed maps and/or additional maps that would delineate boundaries (HPZ, DCS, contributing, etc.); and 4) distinguish between DRB and the DRC, perhaps by using IID DRC as a title.

Mr. Mazzocco responded to questions with the following: 1) staff will schedule meetings monthly in an effort to meet the January deadline; 2) will meet with the attorney to clarify the definition of "Group Dwelling"; 3) staff will prepare additional, detailed maps and will try to have available at the next meeting; and 4) DRB will continue to review for Rio Nuevo Downtown projects and projects opting for the IID will be reviewed by the newly formed DRC.

No action was taken.

4. Call to the Audience

The following items were discussed or brought to staff's attention: the permitted use tables in the draft need titles over the columns to make it less confusing; the role of a neighborhood association member as a DRC member and selecting ad-hoc members; "H" zoning in the IID; "eligibility" as it relates to historic structures; mapping eligible properties; raising design standards in the IID as an incentive for the city; minimizing processes as an incentive; and the differences in DRB and DRC review. Overall, the opinion of those who commented was that the draft was moving in a positive direction.

No action was taken.

5. Next Steps - Future Agenda Items and Meeting Dates

The next meeting will focus on the first seven sections of the draft.

No action was taken.

6. Adjournment - Meeting adjourned at 7:11 pm.

S:\IID Revisions\Agendas and LAR\PCSC LAR 7.17.14.doc

UNIFIED DEVELOPMENT CODE
Article 5 Overlay Zones
5.12 Downtown Area Infill Incentive District (IID)

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.
- 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 as provided below.
- ~~D. Provide for appropriate transitional design standards where the development or expansion of a use abuts existing single family or duplex residential development.~~
- ~~E. Protect historic structures and 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 5.11, into the as IID Rio Nuevo Area (RNA) and renumbering them to conform to the numbering of the IID.~~

Comment [CL1]: Introduce the word "neighborhood" into the opening statement.

Comment [CL2]: Introduce, "...while promoting compatibility with existing,..."

Deleted: (MDR)

5.12.2. ESTABLISHMENT

- ~~A. The IID is comprised of the following Sub districts and Areas See map in Section 5.12.XX):~~
 - ~~1. The Greater Infill Incentive Sub district (GIIS), Section 5.12.9.~~
 - ~~2. The Downtown Core Sub district Section 5.12.10 (DCS).~~
 - ~~3. 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.~~

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 underlined – new or amended language

Green double strike out – sections of the IID that were moved to another location in the ordinance or deleted from a moved section

Green double underline – moved sections

UNIFIED DEVELOPMENT CODE
Article 5 Overlay Zones
5.12 Downtown Area Infill Incentive District (IID)

- c. Fourth Avenue Area (FAA), Section 5.12.14.
- d. Iron Horse Area (IHA) Section 5.12.15.
 - (1) Iron Horse Mixed Use Area (IHA Mixed), Section 5.12.15.B.
 - (2) Iron Horse Low Density Residential Infill Area (IHA Residential) Section 5.12.15.C.
- e. Stone/Sixth Avenue Area (SSA), Section 5.12.XX. (CURRENTLY UNDER DEVELOPMENT)

- 4. 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 GIS and the DLS.

B. The IID contains both mandatory and optional overlay zone provisions. 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 provisions (Mandatory IID Zoning).
- 2. The GIS, the DCS, and DLS, are optional overlay regulations and standards, which a property owner may chose in lieu of the underlying zoning (Optional IID Zoning).

C. Plans submitted for development of land in the IID must comply with the applicable IID regulations and standards as follows:

- 1. If a property owner chooses to develop under the underlying zoning, the regulations and standards of the existing zone apply.
- 2. If a property owner chooses to develop using the Optional IID Zoning provisions, the regulations and standards of the applicable Sub district or Area in which the development parcel is located apply.
- 3. Development projects located within the boundaries of the RNA, must comply with the Mandatory IID provisions of Section 5.12.7, whether the property is developed under the existing underlying zoning, or the Optional IID zoning provisions of the GIS, DCS or DLS, as applicable.
- 4. Regardless of the IID Sub district or Area, all development within the boundaries of either the RNA Mandatory IID or GIS, DCS or DLS Optional IID zoning areas, or both as applicable, must comply with:
 - a. Section 5.12.5, IID Plan Requirements; and

Comment [CL3]: Include HPZ . Clarify how the H zoning, HPZ, and IID standards apply.

UNIFIED DEVELOPMENT CODE
Article 5 Overlay Zones
5.12 Downtown Area Infill Incentive District (IID)

b. Section 5.12.6, Review and Approval Procedures; and

c. Submittal of an IID Plan.

D. The exact boundaries of the IID and its Sub districts and Areas are described in Section 5.12.17 (See Figure 5.12-A). The exact boundaries of the IID overlay, its Sub districts and Areas are identified on the official zoning map kept on file at the Planning and Development Services Department (PDSD) and the City Clerk's Office.

E. An IID Plan using Optional IID Zoning provisions cannot be used in conjunction with other waiver or modification provisions provided by the Unified Development Code (UDC). This prohibition does not apply to Section 7.4.5 (Individual Parking Plan), which may be used in conjunction with the Optional IID Zoning provisions.

F. Conflict of Laws

1. Where the standards of this Section conflict with other sections of the UDC, the standards of this section shall control.

2. The requirements and standards of the IID Mandatory Zoning provisions and the IID Optional Zoning provisions should be interpreted to avoid conflict as much as possible. Whenever a conflict exists between the standards of the Optional IID provisions and the Mandatory IID provisions of the RNA, the Mandatory provisions of Section 5.12.5 control.

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

5.12.3 DEFINITIONS

A. The terms "adjacent" and "group dwelling" as they apply in the IID, are defined in UDC Section 11.4 and Section 11.3.7.B, respectively. B. When a proposed project is not developed under the Optional IID zoning provisions, but under the standards of the underlying zoning district, only the general definition of "Group Dwelling" contained.

5.12.4. 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 that;
2. An expansion of an existing use or existing structure; or
3. New development or a redevelopment project.

The RND is an overlay zone and applies to those properties shown in Figure 5.11-A. The RND standards as provided herein apply to the following uses on all property, including public or private rights-of-way, any portion of which is located within the RND. No permit shall be issued by the City except in accordance with the standards of this section.

- A. New structures, including expansions to existing structures. The remainder of a structure that has been expanded shall be governed by provisions in force at the time of initial approval for the structure;
- B. Improvements or alterations to the exterior of existing structures, if such improvements or alterations are visible from an adjacent public right-of-way;
- C. Sidewalk and street improvements;
- D. Applications for demolition permits are reviewed in accordance with Section 5.8.10

5.12.5. IID PLAN SUBMITTAL REQUIREMENTS

The requirements of Sections 5.12.5 AND 5.12.6 apply to all IID plans submitted for development under the Mandatory IID Zoning provisions of Section 5.12.7 of the RNA, and plans submitted under the Optional IID Zoning provisions of Sections 5.12.9 (GIS), 5.12.10 (DCS) and 5.12.11 et seq. (DLS).

A. Application Requirements

1. Use of the standards of the IID, as opposed to existing underlying zoning, requires plan approval by PSD regardless of IID subdistrict Sub district or Area. Plan submittal shall consist of the following: IID Plan. Applicants shall submit an IID Plan demonstrating compliance with IID development design standards and requirements. Additionally applicants are also required to provide elevations demonstrating compliance with Section 5.12.8.B and C and the design standards of the applicable Sub section or Area. The Plan must clearly state the applicant's intention to use the IID zoning option in lieu of the existing underlying zoning.
2. Development Package. When required by the UDC, a separate plan must be prepared in compliance with the Development Package requirements in Section 2-06.0 of the Administrative Manual.

Comment [CL4]: ..."contextual.."

B. Modifications o Waiver of IID Plan Submittal Requirements.

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

UNIFIED DEVELOPMENT CODE
Article 5 Overlay Zones
5.12 Downtown Area Infill Incentive District (IID)

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 PDSD Director shall determine whether to grant the request. In making this decision, the PDSD Director shall consider the purpose statements of the IID, and the applicable General Plan and Area Plan policies. The PDSD Director's approval of a request under this subsection is not, nor shall it be construed as, an endorsement of a project by PDSD.

5.12.6. REVIEW AND APPROVAL PROCEDURES

PDSD administers the IID Plan review procedure.

A. Pre-application conference.

A pre-application conference with the PDSD 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.
2. Whether the application will be reviewed through the Minor or the Major Design Review Procedure as described below.

B. Neighborhood meeting.

1. A neighborhood meeting must be held in compliance with the public notice procedures for neighborhood meetings in UDC Section 3.2.2.
2. In addition to a written summary of the neighborhood meeting, the applicant must make an audio recording of the meeting. A copy of the written summary and of the audio recording of the meeting must be filed with PDSD at the time of filing the development application for a project.

C. Minor Design Review

1. Criteria:

- a. The development proposal includes structures that are two stories or 25 feet in height or less.
- b. The development proposal is not 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 residential use; or

Comment [CL5]: Clarification required. Audio recordings can be challenging for both parties. The introduction of a Neighborhood Clarification Plan maybe warranted. The Plan would outline both parties intents and concerns and contain meeting notes. The Plan would be submitted with the application for staff and the Director to review.

UNIFIED DEVELOPMENT CODE
Article 5 Overlay Zones
5.12 Downtown Area Infill Incentive District (IID)

(b) a Historic or Contributing structure.

Formatted: Font: Bold

(3) On a multi zone parcel subject to Section 5.12.8.E.

(4) Within an HPZ, or NPZ, or a National Historic Register District, or any combination of any or all of the three.

Formatted: Font: Bold

2. Review and approval procedures:

a. A neighborhood meeting;

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 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.

Formatted: Don't keep with next

D. Major Design Review.

1. Criteria:

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

a. The development proposal contains structures that are higher than two stories or 25 feet in height.

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

Comment [CL6]: Include .."zone.."

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

(2) Adjacent to or across from:

Formatted: Indent: Left: 2.25", Hanging: 0.5", Space Before: 11 pt

(a) a single family or duplex residential use; or

Formatted: Indent: Left: 2.75"

(b) a Historic or Contributing structure.

(3) Within an HPZ, or NPZ, or a National Historic Register District, or any combination of any or all of the three.

Formatted: A Heading 6, None, Indent: Left: 2.25"

(4) On multi-zone parcel subject to Section 5.12.8.E.

Formatted: Font: Not Bold

UNIFIED DEVELOPMENT CODE
Article 5 Overlay Zones
5.12 Downtown Area Infill Incentive District (IID)

2. Notices

For Major Design Review notice of the neighborhood meeting 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 PDSD Director.
- d. Decision by the PDSD Director pursuant to Section 5.12.6.M below.

E. Historic preservation review

- 1. The following structures must be reviewed by the Tucson-Pima County Historical Commission Plans Review Subcommittee for design compatibility pursuant to the design standards of Section 5.8.6, HPZ Design Standards. Review of structures that meet any one or more of the following characteristics:
 - a. Listed in the National Register of Historic Places or the Arizona Register of Historic Places.
 - b. Contributing property or eligible for listing in the National or Arizona registers.
 - e. Designated as a City Historic Landmark.
- 2. Tucson-Pima County Historical Commission Plans Review Subcommittee may review for design compatibility a proposed development project that is located adjacent to, or at an intersection, or across from an HPZ Single Family Dwelling or a Historic or Contributing Property.
- 3. Proposed alterations of or additions to an existing structure that is listed or eligible to be listed in the National or State Register of Historic Places that may cause the structure to be de-listed or no longer eligible for listing are not allowed.
- 4. New construction must be consistent with the overall context of the historically designated buildings in project's development zone. Historic replication is discouraged in favor of design inspired by traditional precedents such as scale, materials and exterior openings.
- 5. Unless the demolition is approved by the Mayor and Council pursuant to Section 5.8.10, the Optional IID Zoning provisions may not be used for a

Formatted: Font: Bold

Formatted: A Heading 4, None, Indent: Left: 0", First line: 0", Don't keep lines together, Tab stops: Not at 1.63"

Formatted: Font: Not Bold

Formatted: Font: Bold

Formatted: Outline numbered + Level: 5 + Numbering Style: 1, 2, 3, ... + Start at: 2 + Alignment: Left + Aligned at: 1.25" + Tab after: 1.75" + Indent at: 1.75"

Formatted

UNIFIED DEVELOPMENT CODE
Article 5 Overlay Zones
5.12 Downtown Area Infill Incentive District (IID)

development project that proposes demolition of a historic structure which is one or more of the following

- (1) Listed in the National Register of Historic Places,
- (2) Listed in the Arizona Register of Historic Places; or
- (3) A Contributing Property or a property eligible for listing in the National or Arizona Registers,
- (4) Is designated as a City Historic Landmark.

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 NPZ.

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

1. The IID DRC is composed of the following members appointed by the City Manager:
 - 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.

H. Ad-Hoc Members. The IID DRC may include ad-hoc members from among the following, as applicable:

1. For projects within the DLS Fourth Avenue Area, one local Fourth Ave. business owner.
2. For projects within the DCS, one person from the Downtown Partnership Association.
3. 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.
4. For projects within a NPZ, one member appointed by the neighborhood association for the NPZ.

I. IID DRC Ad-Hoc Member Voting and Recommendation.

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

Formatted: Level 5, Tab stops: Not at 1.25"

Formatted: Level 5, Indent: Left: 1.25"

Comment [CL7]: Revisit numbers of ad-hoc committee members.

UNIFIED DEVELOPMENT CODE
 Article 5 Overlay Zones
 5.12 Downtown Area Infill Incentive District (IID)

2. Four favorable votes of the DRC are required to adopt a motion for a recommendation to approve or deny the proposed project plan. If a motion fails to receive the required four votes, the project proposal will be sent to the PDSB Director for a final decision with only the recommendation of the Design Professional.
3. The Design Professional may give a recommendation separate from the DRC recommendation in all cases.

J. 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. 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.
3. The Design Professional must provide a written report to the applicant, the IID DRC members and the PDSB Director containing all of the following:
 - a. Describing the recommendations and any other issues of concern raised by the IID DRC.
 - b. Stating whether the proposal complies with the applicable design standards.
 - c. Making recommendations on any modifications to the project needed to bring it into compliance with the design standards.
4. The Design Professional may also make recommendations 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.

Formatted: Outline numbered + Level: 5 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 1.25" + Tab after: 1.75" + Indent at: 1.75"

Formatted: Outline numbered + Level: 6 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 1.75" + Tab after: 2" + Indent at: 2"

Formatted: Outline numbered + Level: 6 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 1.75" + Tab after: 2" + Indent at: 2"

Formatted: Level 5, Outline numbered + Level: 5 + Numbering Style: 1, 2, 3, ... + Start at: 3 + Alignment: Left + Aligned at: 1.25" + Tab after: 1.75" + Indent at: 1.75"

K. Review by the Design Review Board (DRB).

A project developed pursuant to the Mandatory RNA Zoning provisions without the use of any IID Optional Zoning provision is reviewed by the DRB, Section 2.3.6.

Comment [CL8]: This item should be consistent with other development processes .

L. Review by the Mayor and Council of Group Dwellings

Group dwellings, as defined for the IID 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.

Comment [CL9]: Clarify Group Dwellings

M. PDSB Director Decision

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

Formatted: Outline numbered + Level: 4 + Numbering Style: A, B, C, ... + Start at: 2 + Alignment: Left + Aligned at: 0.75" + Tab after: 1.25" + Indent at: 1.25", Tab stops: Not at 1.25"

Formatted: Tab stops: Not at 1.75"

2. ~~The DRC and the Design Professional may recommend, and the Director may add special conditions to an approval 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 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.~~

N. 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.~~

O. 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.~~

P. Appeals

~~Except for a decision on a proposed group home, 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.~~

Q. Amendments

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

5.12.7 MANDATORY IID ZONING DESIGN STANDARDS IN THE RNA.

Formatted: A Heading 4, Level 5

Formatted: Font: Bold

Deleted: D. Concurrent Review ¶
The City may accept a concurrent submittal of the IID Plan and corresponding site plan or subdivision plot.

Formatted: Level 4, Indent: Left: 1.38", Hanging: 0"

A. Applicability

1. This Section 5.12.7 applies to all developments types listed in Section 5.12.4 on all properties in the RNA.
2. The provisions of this Section 5.12.7 are mandatory for proposed development of properties in the RNA.

B. Permitted Uses

1. If developing only under the Mandatory RNA Zoning provisions, permitted uses in the RNA are those permitted by the underlying zoning.
2. If a property owner chooses to develop the property using the Optional IID zoning provisions, permitted uses are limited to the uses permitted by the IID Subsection in which the development project is located.
3. 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.

C. Building Design Standards²

Development within the RNA is required to comply with the following building design standards.

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 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 must be consistent with the prevailing setback existing within its development zone except that the PDS Director may approve a different setback than the prevailing setback upon a finding 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.
4. Every commercial building frontage shall provide windows, window displays, or visible activity within and adjacent to the building at the ground floor level, with a minimum of 50 percent of the building frontage providing such features.

² Moved here from former RND Section 5.11.4

UNIFIED DEVELOPMENT CODE
Article 5 Overlay Zones
5.12 Downtown Area Infill Incentive District (IID)

- 5. A single plane of a façade at the street level may not be longer than 50 feet without architectural relief or articulation by features such as windows, trellises, and arcades. Comment [CL10]: Consider minimizing the length to 30 feet.
- 6. Building façade design shall include pedestrian-scaled, down-shielded, and glare-controlled exterior building and window lighting.
- 7. The front doors of all commercial and government buildings shall be visible from the street and visually highlighted by graphics, lighting, marquees, or canopies. Deleted: ;
- 8. Modifications to the exterior of historic buildings shall complement the overall historic context of the Downtown and respect the architectural integrity of the historic façade. Deleted: ;
- 9. Buildings shall be designed to shield adjacent buildings and public rights-of-way from reflected heat and glare. Deleted: ;
- 10. Safe and adequate vehicular parking areas designed to minimize conflicts with pedestrians and bicycles shall be provided. Deleted: ;
- 11. Adequate shade shall be provided for sidewalks and pedestrian pathways, using shade structures or vegetation, where permitted by the City of Tucson. Deleted: ;
- 12. Colors may conform to the overall color palette and context of the Downtown area, or may be used expressively to create visual interest, variety, and street rhythms. The rationale for an expressive or idiosyncratic use of color shall be described in the site plan submittal. Deleted: or
Deleted: subarea
Deleted: ;
- 13. New buildings shall use materials, patterns, and elements that relate to the traditional context of the Downtown area. Deleted: or subarea
Deleted: ;
- 14. Twenty-four-hour, street-level activity is encouraged by providing a mixture of retail, office, and residential uses within each building. Deleted: ; and,
- 15. Primary public entries shall be directly accessed from a sidewalk along a street rather than from a parking lot. Public access to commercial and governmental buildings shall be provided at sidewalk grade. The primary floor of, and access to, residential structures may be elevated. Secondary access may be provided from off-street parking areas.

D. Site Design Standards³

1. Vehicular 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.

³ Moved here from former RND Section 5.11.5.

UNIFIED DEVELOPMENT CODE
 Article 5 Overlay Zones
 5.12 Downtown Area Infill Incentive District (IID)

b. ~~The locations of all points of~~ vehicular ingress and egress 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. Points of ingress and egress shall be minimized wherever possible. Additional temporary ingress and egress locations may be permitted for parking structures~~ ~~where~~ occasional high peak period traffic flows (i.e., parking facilities for event venues) ~~are anticipated.~~

- Deleted: A
- Deleted: points
- Deleted: I
- Deleted: within this zone
- Deleted: that anticipate

2. Parking

a. General

Parking standards are listed in the Section 7.4. ~~Some properties in the RNA~~ 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.

- Deleted: within the RNA
- Deleted: P
- Deleted: D

b. ~~City Owned~~ Public Parking

~~The City intends that all municipally owned~~ public parking ~~will~~ 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.

- Deleted: Open to
- Deleted: All
- Deleted: shall
- Deleted: .

c. 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.

d. 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~~ is to encourage public and private investments to enhance the character and function of Downtown's pedestrian environment.

- Deleted: subsection

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.

b. Viewshed⁴ 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.

c. Linkages (Physical and Visual)

Neighborhood linkages shall be maintained throughout Downtown.

4. Streetscape

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

b. ~~Shade~~

Shade shall be provided for at least 50 percent of all sidewalks and pedestrian pathways as measured at 2:00 p.m. on June 21 when the sun is 82° above the horizon (based on 32°N Latitude). Shade may be provided by arcades, canopies, or shade structures, provided they ~~and their location and design characteristics are compatible with~~ the historic and design context of the street and the architectural integrity of the building. Deciduous trees, as proposed in the Downtown Comprehensive Street Tree Plan, are encouraged to supplement existing evergreen trees. The use of plantings and shade structures in the City right-of-way are permitted to meet this standard with the approval of the Department of Transportation. The shade provided by a building may serve to meet this standard.⁵

Deleted: respect

Deleted:

Deleted: City of Tucson

E. ~~Demolition of Historic Structures in the RNA⁶~~

~~In the RNA, demolition of the following types of structures is, reviewed in accordance with Section 5.8.10, Demolition of Historic Properties, Landmarks, and Structures,~~

- ~~Structures that are listed in the National Register of Historic Places or the Arizona Register of Historic Places,~~
- ~~Structures that are eligible for listing in the National or State registers,~~
- ~~Structures designated as City Historic Landmarks.~~

Deleted: Rio Nuevo District

Deleted: s

Deleted: Structures within the RND that are 40 years old or more and are listed in the National Register of Historic Places or the Arizona Register of Historic Places, or are eligible for listing in the National or State registers and structures designated as City Historic Landmarks

Deleted: ore

Deleted: 9

Deleted: .

Deleted: , or

Deleted: and

Deleted: s

⁴ Moved here from Section 5.11.6.A1

⁵ Moved here from RND Section 5.11.5.A.2

⁶ Moved here from RND Section 5.11.7.B

UNIFIED DEVELOPMENT CODE
Article 5 Overlay Zones
5.12 Downtown Area Infill Incentive District (IID)

F. Design Review Procedures

IID Plan requirements of this Section 5.12.7 and the Review and Approval Procedures of Section 5.12.6 apply to all Plan submittals for development in RNA

Moved down [1]: 5.12.4. GREATER INFILL INCENTIVE SUBDISTRICT

A. . Modification of Development Requirements (MDR)
Development requirements may be modified within the GIS subdistrict. This process shall be known as the Modification of Development Requirements (MDR).

B. . 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: Art. 6: Dimensional Standards and Measurements; Section 7.4, Motor Vehicle & Bicycle Parking; Section 7.5, Off-Street Loading; and Section 7.6, Landscaping and Screening. The MDR process shall not be used to modify Section 7.7, Native Plant Preservation.

C. . Exceptions
The following requirements may be modified in excess of 25 percent to the extent specified below:

1. 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 5.12.6.8 require less.

2. Street Yard
Street yard requirements may be reduced or waived when the PDSD determines that the request is consistent with the Major Streets and Route Plan, unless modified by the Tucson Department of Transportation Director, and there is adequate sight visibility, no traffic safety issue is created, and complies with the standards of Section 5.12.6.8, Development Transition Standards, when applicable.

3. . Parking
Parking as required by Section 7.4, Motor Vehicle and Bicycle Parking, may be reduced up to 25 percent. Parking may be decreased by more than 25 percent per an agreement with the City's Parking Authority or in accordance with Section 7.4.5.A, Individual Parking Plan, if the analysis and findings show the proposed parking is adequate. Accessible Parking and Bicycle Facilities. The number of accessible parking spaces required by the City of Tucson's adopted Building Code 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. 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) 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.

4. Loading

... [1]