
TUCSON CODE, CHAPTER 23, LAND USE CODE

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ARTICLE II. ZONES

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DIVISION 6. MIXED USE ZONES

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"MI" MIXED USE INFILL ZONE.

2.6.5.1 Purpose. The purpose of this zone is to implement the policies of the City's *General Plan*, by promoting compatible, mixed-use infill development, that serves the community and surrounding neighborhoods. Development within this zone should be designed in context with the surrounding neighborhoods and can be used to create focal points within the community and neighborhood, or to demarcate gateways to neighborhoods or along major transportation routes.

A mixture of development types is required, including office, commercial, retail, and residential uses. Development within this zone can reduce vehicle miles traveled and promote use of alternative modes of transportation by requiring mixed-use developments on arterial streets and transit routes, creating activity centers and pedestrian districts.

2.6.5.2 Permitted Land Uses. The following Land Use Classes are principal Permitted Land Uses within this zone, subject to compliance with the development and compatibility criteria listed for the Development Designator indicated and to any additional conditions listed for each use.

- A. Commercial Services Use Group, Sec. 6.3.5
 - 1. Alcoholic Beverage Service, subject to: Sec. 3.5.4.19.C.
 - 2. Administrative and Professional Office
 - 3. Communications, subject to: Sec. 3.5.4.20.B, .C, and .D.1 or .D.2
 - 4. Day Care
 - 5. Entertainment
 - 6. Financial Service
 - 7. Food Service, subject to: Sec. 3.5.4.6.C
 - 8. Medical Service - Outpatient, subject to: Sec. 3.5.4.8.B
 - 9. Personal Service
 - 10. Research and Product Development
 - 11. Technical Service
 - 12. Travelers' Accommodation, Lodging

- B. Retail Trade Use Group, Sec. 6.3.10
 - 1. Food and Beverage Sales, subject to: Sec. 3.5.9.2.A., and D.
 - 2. General Merchandise Sales, subject to: Sec. 3.5.9.2.A., and D.
 - 3. Vehicle Rental and Sales, subject to: Sec. 3.5.9.5.A and .B (office only)
- C. Civic Use Group, Sec. 6.3.4
 - 1. Civic Assembly
 - 2. Cultural Use
 - 3. Educational Use: Elementary and Secondary Schools, subject to: Sec. 3.5.3.7
 - 4. Educational Use: Postsecondary Institution and Instructional School
 - 5. Membership Organization
 - 6. Postal Service
 - 7. Protective Service
 - 8. Religious Use
- D. Industrial Use Group, Sec. 6.3.6
 - 1. Craftwork
- E. Recreation Use Group, Sec. 6.3.7
 - 1. Recreation
- F. Residential Use Group, Sec. 6.3.8
 - 1. Family Dwelling
 - 2. Residential Care Services: Adult Care Service or Physical and Behavioral Health Service, subject to: Sec. 3.5.7.8.C.4 and .D
- G. Storage Use Group, Sec. 6.3.11
 - 1. Personal Storage, subject to: Sec. 3.5.10.3.C and .F
- H. Utilities Use Group, Sec. 6.3.12
 - 1. Distribution System, subject to: Sec. 3.5.11.1.A, .E, and .I

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- 2.6.5.3 Special Exception Land Uses. The following Land Use Classes are not permitted within this zone, unless approved through the special approval procedure noted for the Land Use Class, and are subject to any additional conditions listed. For further information concerning Special Exception Land Use applicability, refer to Sec. 5.3.9.
- A. All other land use classes and groups subject to Sec. 3.5.4.28 and approval through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3.
- 2.6.5.4 Secondary Land Uses. The following Land Use Classes are permitted within this zone as Secondary Land Uses, subject to the requirements of Sec. 3.2.4 and to any additional requirements listed with the use.
- A. Home Occupations are permitted as Secondary Land Uses to Family Dwelling.
1. Home Occupation: General Application, subject to: Sec. 3.5.7.2
- B. The following are permitted as Secondary Land Uses to Retail Trade Use Group, limited to fifty (50) percent of the gross floor area.
1. Industrial Use Group, Sec. 6.3.6
- a. Perishable Goods Manufacturing, limited to: Baked goods and confectionery products manufacturing only
- C. The following is permitted as a Secondary Land Use to Alcoholic Beverage Service.
1. Industrial Use Group, Sec. 6.3.6
- a. Perishable Goods Manufacturing, subject to: Sec. 3.5.5.2.F, and .G
- 2.6.5.5 Accessory Land Uses. Land uses accessory to the Permitted or Secondary Land Uses are allowed, subject to compliance with Sec. 3.2.5.
- 2.6.5.6 General Requirements. The following regulations apply to all uses and development in this zone.
- A. Development must consist of two or more land uses, from different land use groups, within the project or development site.
- B. Mixed-use Infill (MI) districts shall be located as follows:
1. On an arterial street,
2. Transit route,
3. Within or adjacent to an activity center,
4. Within or adjacent to a pedestrian oriented district, or
5. Other appropriate location as demonstrated by the applicant that does not burden local street systems, unduly create traffic on neighborhood streets, and is in compliance with the *General Plan*, and applicable Area, Neighborhood, or Sub-regional Plans.
- C. Drive-through or drive-in services are not permitted

- D. Parking shall be primarily located in the back of buildings, and/or in a parking structure, so to not be visible. A single-loaded row of parking, or individual parking nodes, may be considered on the street frontage side of buildings with appropriate aesthetic treatment.
- E. Minimum and maximum parking requirements shall be determined by an analysis of need based on the mixed-use proposal.
- F. Building setbacks for major buildings shall be minimized along arterial streets.
- G. Permissible setbacks, height, floor area ratios, and lot coverage shall be determined by an analysis of the proposed development in conjunction with design compatibility review. Generally, height mass and scale will provide an appropriate transition to adjacent neighborhoods, higher densities and intensities will be located at intersections of arterial streets and or transit routes.
- H. Development within the district shall not adversely affect adjacent land uses or the surrounding neighborhood.
- I. Design shall be in context with the adjacent and nearby built and natural environment.
- J. Provide architectural features or details that contribute to visual interest at the pedestrian scale, such as windows, spandrels, awnings, porticos, cornices, pilasters, columns, and balconies.
- K. 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 fifty (50) percent of the building frontage providing such features
- L. A single plane of a façade at the street level may not be longer than fifty (50) feet without architectural relief or articulation.
- M. Building façade design shall include pedestrian-scaled, down-shielded, and glare-controlled exterior building and window lighting.
- N. Roof- or ground-mounted mechanical equipment shall be screened to mitigate noise and views in all directions. If roof mounted, the screen shall be designed to conform architecturally with the design of the building, whether it is with varying roof planes or with parapet walls. A wood fence or similar treatment is not acceptable.
- O. The front doors of all commercial and government buildings shall be visible from the street and visually highlighted by graphics, lighting, marquees, or canopies.
- P. Adequate shade shall be provided for sidewalks and pedestrian pathways, using shade structures or vegetation, where permitted by the City of Tucson.

2.6.5.7 Design Review Board (DRB). All development shall be reviewed by the Design Review Board (DRB) for consistency with the purpose of the MI zone, compliance with the *General Plan*, and applicable Area, Neighborhood, or Sub-regional Plans, the Design Guidelines Manual mixed use guidelines, and the General Requirements provided in Sec. 2.6.5.6. The applicant is responsible for providing all documentation and information necessary to show compliance, such as, but not limited to, site plans, building elevations, landscaping plans, floor plans, and outdoor lighting photometry plan.

ARTICLE III. DEVELOPMENT REGULATIONS

DIVISION 2. DEVELOPMENT CRITERIA

3.2.6.4 Perimeter Yard Width Matrix. The following matrix provides for perimeter yard widths that are applicable with the Development Designator provisions of Sec. 3.2.3.1 and Sec. 3.2.3.2.A and .B. When using the Development Designator provisions of Sec. 3.2.3.1.F, Residential Cluster Project Density Matrix, these perimeter yards apply only to the site boundaries. (See Illustration 3.2.6.4.)

Perimeter Yard Width Requirement Based on Adjacent Zoning Classification or Street Frontage							
Perimeter Yard Indicator	OS-SR	SH-RX-2	MH-1, MH-2, R-1, and R-2	MU, PAD, and R-3	All Office and Commercial Zones, MI, OCR-1, and OCR-2	All Industrial Zones	Street Frontage
AA	25'	20'	6' or 2/3(H)*	(H)	(H)	(H)	Sec. 3.2.6.5
BB	25'	20'	10' or 3/4(H)*	10' or 3/4(H)*	(H)	(H)	Sec. 3.2.6.5
CC	25'	20' or (H)*	10' or 3/4(H)*	10' or 3/4(H)*	(H)	(H)	Sec. 3.2.6.5
DD	25'	20'	1 1/2(H)	1 1/2(H)	0	0	Sec. 3.2.6.5
EE	25'	20'	2(H)	2(H)	0	0	Sec. 3.2.6.5
FF	4(H)	4(H)	2(H)	1 1/2(H)	0	0	Sec. 3.2.6.5
GG	20(H)	20(H)	20(H)	20(H)	15(H)	15(H)	20(H)

*The greater of the two dimensions prevails.

(H) = Height of proposed exterior building wall.

2/3(H) is read: Two-thirds the height of the proposed exterior building wall.

(Ord. No. 8582, §1, 9/25/95; Ord. No. 9374, §1, 4/10/00)

3.2.6.5 Street Perimeter Yard. The street perimeter yard width is determined as provided below, unless a specific distance is noted in Sec. 3.2.6.4, Perimeter Yard Width Matrix, or unless special zoning requirements dictate a greater distance or different point of measurement.

B. Within developing areas, the minimum required building setback is determined by the type of building proposed and the projected average daily traffic (ADT) of the street. Where setback regulations for developing areas apply, a minimum setback shall be provided between a building and a street as follows.

1. All Buildings Except Carports and Garages in Single-Family and Duplex Development. A minimum setback shall be provided between a building and an adjacent street as determined in Table 3.2.6-I, except setbacks for carports and garages in single-family and duplex development, which are determined in Sec. 3.2.6.5.B.2. The setback is based on the projected street ADT. Of the two (2) or more setback distances listed in Table 3.2.6-I for each ADT range, the building setback which provides the greatest distance from the street shall be provided. (See *Illustration 3.2.6.5.B.1.*)

TABLE 3.2.6-I		
BUILDING SETBACK BY STREET ADT¹		
ADT of 140 or less	ADT over 140 but less than 1,000	ADT of 1,000 or greater
5 feet ² or 1/2 H ² or 1 foot ³	21 feet ⁴ or H ⁴	21 feet ²

Where:

H - The height of the proposed exterior building wall.

¹In all circumstances, the greater setback resulting from the alternate measurement is required.

²The setback is measured from the back of existing curb or future curb location.

³The setback is measured from the property line or from the nearest edge of the sidewalk or future sidewalk location.

⁴The setback is measured from the outside edge of the nearest adjacent travel lane.

DIVISION 5. PERFORMANCE CRITERIA

SECTIONS:

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3.5.7 RESIDENTIAL USE GROUP

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3.5.7 RESIDENTIAL USE GROUP.

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3.5.7.2 Home Occupation: General Application.

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- D. Persons other than those residing in the dwelling shall not be employed in the home occupation, except that one (1) nonresident of the premises may be employed in the IR, RH, SR, SH, O-2, O-3, NC, C-1, C-2, C-3, MI, OCR-1, and OCR-2 zones.

MI zone 11-21-05 annotated a.doc