



# PLANNING COMMISSION

Department of Urban Planning & Design • P.O. Box 27210 • Tucson, AZ 85726-7210

**DATE:** January 16, 2008

**TO:** Planning Commission

**FROM:** *Albert Elias*  
Albert Elias, AICP  
Executive Secretary

**SUBJECT:** Proposed Flexible Lot Development (formerly known as Residential Cluster Project) Land Use Code Text Amendment

**Issue** – This item is posted as an update. In addition to the information provided herein, staff will provide an update at the January 16<sup>th</sup> meeting.

Staff will continue to meet with stakeholders to gather feedback throughout January. Staff is scheduled to meet with stakeholders Wednesday, January 23<sup>rd</sup>.

The outstanding issue is developing common open space requirements that work for both small and large, infill and edge subdivisions.

**Background** – The Flexible Lot Development (formerly known as Residential Cluster Project) is a text amendment that provides greater flexibility and creativity in the design of residential development in the SR, RX-1 & 2, SH, MH-1 & 2, R-1, 2 & 3, O-3, and C-2 zones. Flexible Lot Development is an alternative to standard subdivision regulations.

The Residential Cluster Project was enacted in the mid-1980's. Approximately 80% of subdivisions submitted to the City utilize the Residential Cluster Project development criteria. On October 24, 2006, Mayor and Council amended the Residential Cluster Project ordinance in response to concerns regarding residential cluster projects' compatibility with the surrounding neighborhoods.

A key change to the RCP ordinance was a requirement for a Zoning Examiner public hearing for projects 5 acres or less that use the RCP provisions.

Since that time, City staff formed an ad hoc committee comprised of representatives from the development community and neighborhood associations to discuss comprehensive revisions to the RCP. City staff also took the proposed amendments to the Planning Commission's Infill Subcommittee for review and recommendation.

On September 6, 2007, the Planning Commission's Infill Subcommittee forwarded the proposed Flexible Lot Development LUC text amendment to the Planning Commission for a study session.

On October 3, 2007, the Planning Commission discussed the item during their study session. See Attachment A for staff's response to the Planning Commissioners' input.

**Amendment Summary** – The Flexible Lot Development draft proposes to amend the current ordinance in three significant ways: 1) requiring common and functional open space; 2) providing transition edge treatment and mitigation for adjacent properties; and, 3) establishing architectural design requirements. It is also in these three sections that require closer examination and review by stakeholders. The specific criteria mentioned in the following sections reflect the criteria in the attached drafts, but a subject to change as staff continues to gather feedback from the Planning Commission and stakeholders.

**Common & Functional open space:** The current Residential Cluster Project (RCP) ordinance does not include provisions requiring common open space or functional open space (i.e. recreational amenities). As a result, staff has had to negotiate with applicants the amount of common open space provided within the RCP on a case-by-case basis. The Flexible Lot Development proposes specific common and functional open space requirements that are consistent with the open space policies staff has utilized in previous negotiations. The proposed common open space requirements are based on a sliding scale according to the number of lots within the FLD project (Section 3.6.1.5.F.2: Common Open Space Area Requirements). The fewer lots that are proposed within the FLD project, the less common open space is required and vice versa. Every FLD project is required to the greatest extent possible design their detention and retention basins (if required) as functional open space by incorporating the Multiple-Use Concepts and Aesthetic Design Guidelines in the Stormwater Detention/Retention Manual. Albeit encouraged, FLD projects under 30 lots are not required to provide common open space or functional open space except when a detention or retention basin is required.

Of the common open space required within an FLD project, sixty percent (60%) must be functional. Function open space includes, but is not limited to, passive and active recreational amenities such as trails, playgrounds, picnic areas, and swimming pools.

**Transition edge treatment and mitigation for adjacent properties:** Provisions intended to reduce the negative impacts of the FLD project on the surrounding existing area through buffering, landscaping, and other privacy mitigation measure are required in the proposed draft (Section 3.6.1.6.A: Transition edge treatment and mitigation for adjacent properties).

**Architectural design requirements:** The currently adopted ordinance requires the architectural design of RCP projects less than four (4) acres to be compatible with, or complementary to, the design characteristics of the existing surrounding residences (Section 3.6.1.7.E: Architectural Design). The proposed FLD expands the architectural design requirements in an effort to provide architectural diversity, visual interest, and to avoid monotony in design by requiring variations in such architectural treatments as color, building footprint orientation, and garage placement.