
TUCSON CODE, CHAPTER 23, LAND USE CODE

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ARTICLE II. ZONES

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DIVISION 8. OVERLAY ZONES

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2.8.11 "N" NEIGHBORHOOD PRESERVATION ZONE (NPZ).

2.8.11.1 Purpose. This overlay zone recognizes that the continued stability, ~~and~~ viability ~~and~~ unifying character of neighborhoods may be threatened by inappropriate development and provides a means to preserve neighborhoods by establishing design criteria for new development within the neighborhood. This zone allows a neighborhoods to identify the particular characteristics that define a neighborhood, to develop a neighborhood preservation plan program to protect these characteristics and to establish development criteria to implement the plan program. -These criteria ensure that new development will be compatible in architecture, and scale and use with the existing residences, businesses, offices and other uses, and that new development does not produce adverse impacts on the surrounding neighborhood. This will help ensure that new development does not contribute to the deterioration of the living-living environment, the decline of property values, or the diminishment of the health, safety, and general welfare conditions of the adjacent area. It is also intended that new or remodeled structures shall be designed and constructed to harmonize with structures located within the immediate vicinity.

2.8.11.2 Applicability. The Neighborhood Preservation Zone (NPZ) Zone is an overlay zone superimposed over the development regulations of the underlying zoning. The NPZ does not effect- eliminate the uses established by the underlying zoning. The NPZ zone applies to specifically mapped geographic areas- areas established in accordance with this section where a neighborhood has a unifying character which should be preserved or is threatened with inappropriate development and requires development criteria to preserve its character. The NPZ may applies to the following that require a building or zoning approval: architectural, site planning, historical, and vegetated features, and dimensional standards including lot sizes and parking areas. The NPZ applies to new structures, additions, and detached accessory structures.all new structures, additions, and detached accessory structures that require a building permit. The NPZ does not apply to building maintenance, minor repairs, alterations or painting that does not significantly effect an element of the external appearance that is to be preserved under the neighborhood plan.

2.8.11.3 Establishment of, or Amendment to, Neighborhood Preservation Zone ~~District~~. A Neighborhood Preservation Zone is established by the approval of a mapped geographic area through a Zoning Examiner Legislative Procedure, Sec. 5.4.1 and Sec. 5.4.3.

- A. An NPZ may be initiated by a private ~~property owner applicant within the NPZ~~, provided at least twenty-five percent (25%) of the property owners in the proposed NPZ sign a petition supporting the application and provided that notice of the application is mailed or delivered to all property owners in the proposed NPZ. An application under this subsection shall conform to Development Standard 2-16.0.
- B. An NPZ may be initiated by the adoption of a Neighborhood or Area plan that ~~calls allows for implementation of that plan through an NPZ, or~~
- C. An NPZ may be directly initiated by the Mayor and Council.

2.8.11.4 Neighborhood Preservation ~~Plan~~ Program (NPP). Each NPZ shall have a Neighborhood Preservation ~~Plan~~ Program that identifies the particular neighborhood characteristics that are to be preserved and the development regulations to implement the plan in conformance with this section and Development Standard 2-16.0

- ~~B.A.~~ A NPZ An NPP shall be in conformance with the General Plan and applicable specific plans, including area and neighborhood plans.
- ~~C.B.~~ A NPZ An NPP shall identify the name of the neighborhood and the geographic area to be subject to the NPZ. The area ~~comprising of an NPZ~~ shall include contiguous properties.
- ~~C.~~ ~~D.~~ A NPZ NPP shall identify the definable characteristics of the proposed neighborhood area that are to be preserved. In determining if an area is to be designated as a neighborhood, the following criteria shall be examined. The NPZ district shall possess features that are unique and distinctive to the neighborhood, and create a cohesive identifiable setting, character or association that make the neighborhood an integral part of the City's identity. In compiling an NPP and determining if an area is to be designated, the NPP shall show there is a threat to the stability and viability of the neighborhood by inappropriate and incompatible development. In addition, the NPP shall include information that at a minimum, one of the following criteria are shown to apply within a neighborhood with generally recognized boundaries.
 - 1. A neighborhood shall include a group of related sites, buildings, and structures which contribute to the character of the neighborhood within generally recognized boundaries. The neighborhood includes a sufficient number of related structures, or buildings, that provide it with a definable architectural character that may include such characteristics as: scale, mass,

size, detailing, period of construction, type of construction, distinctive building materials or spatial relationships among buildings that merit preservation.

- ~~2. The group of structures, buildings, or sites should provide the neighborhood with a definable architectural or design character that merits preservation. The neighborhood includes distinctive site planning character that may include such characteristics as lot layouts, setbacks, street, alley or sidewalk layout that merit preservation.~~
- ~~3. There should be a sufficient number of structures of related or similar characteristics to make the neighborhood a recognizable entity. The neighborhood has special natural or streetscape characteristics, such as washes, parks, natural areas, gardens, street landscaping or distinctive light fixtures, signs, pedestrian areas, or similar structural design elements that merit preservation.~~
- ~~4. Neighborhoods may be characterized by unique features, historical attributes or relation to nearby institutions, parks, activity centers, or similar features. The neighborhood has a distinctive mix of land uses with unique uses and activities that merit preservation.~~
- ~~4.5. Neighborhoods may be naturally delineated by washes, natural features or areas, or other environmental features. The neighborhood has historical attributes that have historical value to the City.~~
- ~~5.6. The extent to which the stability and viability of the neighborhood is threatened by inappropriate and incompatible development. The neighborhood has proximity to or linkage with nearby parks, institutions, or designated historic districts or landmarks.~~
- ~~6.7. Other factors that contribute to identifying cohesive neighborhoods such as but not limited to parks and community facilities. There are factors not already mentioned above that contribute to identifying a unique and cohesive neighborhood that merit preservation.~~

ED. An NPZ-NPP shall specify the development criteria and regulations that apply within the NPZ to implement the NPP in accordance with Sec. 2.8.11.8 and 2.8.11.9.

FE . An NPP shall conform to Development Standard 2-16.0An application to establish or amend a NPZ shall address the criteria in this Sec. 2.8.11.3 and applicable Development Standards. The name, character and boundaries of the area subject to the NPZ, i.e. the “neighborhood”, and the development criteria and regulations that apply within the NPZ shall be set forth in the ordinance adopting the NPZ.

2.8.11.54 Districts Established. The following NPZ districts are established. The list shall be administratively updated, upon adoption of additional NPZ districts through the appropriate procedure.

A. "NPZ-1" – XXXXX. Adopted on XXX, by Ordinance No. XXX

2.8.11.65 Zoning Maps. To identify each of the NPZ districts on the City of Tucson Zoning Maps, the preface "N" is added to the assigned residential, office, commercial, or industrial zone designation, i.e., R-1 becomes NR-1.

2.8.11.76 Permitted Uses. The land uses permitted within the NPZ zone are those uses permitted by the underlying zoning.

2.8.11.87 Development Review Required. Review and approval are required for all new enclosed structures, additions and detached accessory structures within the NPZ that require a building permit and for enhancements such as: landscaping, parking, walls and other permitted development features that require zoning approval. All reviews are based on development criteria as established in each NPZ per Sec. 2.8.11.89. Each NPZ may establish specific public notice and comment requirements for development proposals in addition to those required by the LUC. An NPZ shall identify the procedures for development review in accordance with Sec. 2.8.11.910.

2.8.11.98 Development Criteria. Each NPZ shall establish the development criteria that shall apply within the NPZ to provide for new development that is compatible with the neighborhood characteristics that are to be preserved and to implement the purpose of this section.

- A. Specific development criteria shall be established which may supercede or supplement those established in the underlying zones. The sSpecific development criteria for an NPZ may be supplemented with development standards to apply within the NPZ. Specific development criteria may be established for in lieu of the following sections of the Land Use Code:
1. Building Heights and Perimeter Yards specified in Residential Development Designator, Sec. 3.2.3.1,
 2. Accessory Structures, Sec. 3.2.5.2 and 3.2.5.3,
 3. Perimeter Yards, Sec. 3.2.6,
 4. Structure Height Measurement, Sec. 3.2.7,
 5. Access Provisions, Sec. 3.2.8,
 6. Lot Coverage, Sec. 3.2.9,
 7. Floor Area Ration (FAR) Sec. 3.2.11,
 8. Streets, Sec. 3.2.13,
 9. Lots, Sec. 3.2.14,
 10. Motor Vehicle and Bicycle Parking Requirements, Division 3,
 11. Landscaping and Screening Requirements, Division 7, and

12. Off Street Loading, Sec. 3.4.1.

- B. Additional development criteria may be established that address the following development issues: demolition, signage, fenestration, roofline/pitch, building materials, density, garage entrance location, sidewalks, structure orientation and storm drainage.
- C. All development regulations that are not expressly addressed in the NPP shall remain applicable as provided by the LUC.
- ~~B.D.~~ An NPZ may establish architectural and design standards for new development that is are compatible with the character of the neighborhood.
- ~~C.E.~~ The development criteria for each NPZ shall be maintained and available at the Development Services Department.

2.8.11.109 Development Design Development Review Procedures. A-Where an NPZ establishes architectural or design development -criteria, it shall may identify one of the following the procedures in Article II, Development Compliance Code, to review which is to be used for approval for conformance to the NPZ Design established Criteria-criteria. The procedure may be by one or more of the following:

- A. sStaff Zoning Compliance Review in accordance with Sec. 23A-31,
- B. a A Limited Notice Procedure, Sec. 23A-40, or
- C. a A Full Notice Procedure, 23A-50 with DSD approval, Sec. 23A-51,
- D. A Board of Adjustment approval, Sec. 23A-52 ,or
- E. A Zoning Examiner approval, Sec. 23A-53.,
- F. If a NPZ includes architectural or design criteria, it may provide for review in accordance with Sec. 23A-32, An Administrative Design Review Procedure, Sec. 23A-32. The NPZ Design Criteria shall be subject to a variance in accordance with 23A-52.

2.8.11.11 Development Regulation Modification Procedures. The NPZ development and design Ccriteria shall be subject to a variance in accordance with Sec. 23A-52. The NPZ may additionally designate a procedure in the Development Compliance Code for review and approval of modifications to development and design criteria within the NPZ. The designated procedure may be applied to any development regulations except that the procedure may not be used to change the permitted uses or intensity of uses established by the underlying zoning.

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