



# PLANNING COMMISSION

Planning and Development Services Department. 201N. Stone Ave. • Tucson, AZ 85726-7210

**DATE:** February 3, 2010

**TO:** Planning Commission

**FROM:** Ernie Duarte,  
Executive Secretary

**SUBJECT:** Mayor and Council Land Use Code and Policy Direction

**Issue:** On January 26, 2010, the Mayor and Council gave direction for staff to return with recommendations on several areas of infill policy. The Mayor and Council would like to review some changes to land use policy that help improve and streamline some existing land use regulations and policies.

Staff expects to return to Mayor and Council with options and recommendations on the items summarized below on March 9, 2010. This memo summarizes the items. Mayor and Council also directed that we discuss the items with the Land Use Code Committee ( a stakeholder committee set up in September 2008 to comment on various text amendments and the LUC simplification project).

Staff would also like to receive some early input from the Planning Commission to help evolve the discussion and recommendations.

**Background:** The Mayor and Council requested staff to report back on the following:

Revise the parking reduction ordinances to make them more user-friendly. The two ordinances that have had some problems are the individual parking plan and the midtown formula (3 to 1000sq.ft.). We know there are shared parking issues that have been inadvertent obstacles that we need to review. There may be other items that we review for clarity and ease of use in the future.

Revise the Infill Incentive District (IID). Due to the economic downturn and the short time this ordinance has been available (three months), there has not been a lot of interest. However, it became clear that the 25% reduction in the landscaping requirement would not be helpful in an urban infill setting. We want to review this item for more flexibility to address urban landscaping needs versus the buffer/screening needs that the suburban-oriented landscaping requirements address. There are also issues about parking in areas like 4<sup>th</sup> Avenue that we will look at more closely to see if there are options to accommodate new businesses.

The Planned Area Development amendment made when the IID was adopted may need to be reviewed in creating an urban overlay zone that more clearly describes on a City zoning map the underlying zoning rights and any urban design infill option.

There may be other areas that we will review for potential revision.

Perform a University area analysis with recommendations. While the Infill Incentive District and the Downtown Links Study Area are two obvious areas for more urban infill, there may be opportunities in certain pockets of private land in other areas surrounding the University. With the modern streetcar investment and the beginning of neighborhood preservation zones in the area, staff will examine surrounding land uses and try to review the area for constraints and opportunities for infill and potential student housing.

Review the Certificate of Occupancy performance criteria for certain waivers. Staff will be reviewing current LUC regulations affecting existing development. Often otherwise acceptable development is rejected because extensive improvements are triggered by any further changes to a site. The current rules can be reviewed for constraints and opportunities. Any recommended revision will focus on allowing new proposals some flexibility in areas that would otherwise remain vacant.

Review development review time lines for improvement During an economic downturn, development proposals may have to be sidelined after initial City approval for several years. In some cases, an expiration of an approved plan may force a developer to resubmit and begin the process again. Mayor and Council expressed concern that during these period otherwise acceptable development can be abandoned or killed by timelines that are set up to accommodate plans during more stable economic times. Staff plans to review current expiration dates and other time lines to see if there are opportunities for revisions that relieve applicants from burdensome re-submittals while not undermining any public safety or development goals of the City.

**Summary:** Staff expects to analyze the issues and make recommendations on the items above. We would also like to consider comments, concerns, and anecdotes from the Commission in our report. The Mayor and Council may then direct staff to proceed with a one or a series of text amendments and possibly plan amendments in the University Area that increases flexibility for infill projects. We expect the earliest the Commission would see any draft proposals would be in April or May of 2010.

We further expect that the Mayor and Council will want these items move forward on an aggressive time line.