



PLANNING COMMISSION

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

DATE: December 03, 2014

TO: Planning Commission

FROM: *for* Ernie Duarte
Executive Secretary *J. Mazzocco*

SUBJECT: C8-13-06 Downtown Area Infill Incentive District (IID) Text Amendment
– PUBLIC HEARING

Update: Since the November 19th Planning Commission study session, staff has continued to finalize the draft revisions for the December 3, 2014 public hearing. The IID revisions propose flexible development standards, increased opportunities for infill uses, as well as design review and historic preservation standards. A property owner may choose to develop with underlying zoning or use the optional IID zoning standards. The IID grants flexible dimensional and development standards to encourage infill development but requires certain design standards and review to assure good quality infill development. A key addition in this draft is that industrial areas within the Downtown Core and Downtown Links Sub-districts of the IID are proposed to allow infill uses. The attached November 26, 2014 draft has been under review since July 2014 with many meetings involving neighborhood and development stakeholders.

During the Planning Commission's December 3rd public hearing, staff and the consultant will present material and attempt to answer questions regarding the proposed IID text amendment (Attachment A).

Responses to the public comments from the neighborhood meeting on November 13, 2014 are available in the attached materials (Attachment C). Some of the issues raised included the following:

- El Presidio neighborhood raised concern about building heights in the El Presidio Sub-area next to a Historic Preservation Zone. Staff has reasoned in exchange for lower buildings being next to historic buildings, greater height should transition towards the taller multi-story buildings of Downtown.
- There were questions about the incentives. Staff attempted to explain that incentives from the current IID in the UDC were mostly intact and several new incentives were added including allowing infill uses on industrial property within the IID.
- There were questions about the historic preservation standards. Staff responded that the draft standards are based on standards in place in the Rio Nuevo District and proposals made for several years in early version of the Downtown Links development document.

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- There were questions about the adequacy of infrastructure and traffic impact. Staff said that while infill development can be intense, no project can be approved that causes a public safety or public health concern.
- There was also a detailed description by the consultant on how the Downtown Links Sub-district worked.

Besides the input from the public during the November 13 neighborhood meeting, staff has received requests for clarifications and information from Commissioners Maher and Fink. In addition, staff received several points of concern listed in a November 19, 2014 letter from the Metropolitan Pima Alliance (MPA). Staff will attempt to respond to the questions and concerns in these letters below.

Recommendation: Staff recommends the Planning Commission forward the proposed IID text amendment to Mayor and Council with a recommendation to adopt the revisions and set a new sunset date of January 31, 2019.

The Planning Commission has the option to send to Mayor and Council only an extended sunset date for the current IID in the UDC while continuing to review the draft with the Subcommittee and Task Force.

The Commission can continue a public hearing item up to six months. If the Commission sends an extended sunset date only, staff recommends a time frame of eight months with a sunset date of August 31, 2015. During the first months of a new year, the Mayor and Councils hearings often prioritize new budget reviews and sometimes regular items are continued. Further, as summer approaches the Mayor and Council go to a once-a-month meeting format. If there is a continuance, recommending an eight month interim sunset date will give staff greater flexibility in scheduling a Mayor and Council public hearing in the future.

Background: On March 19, 2013, the Mayor and Council directed a revision of the Infill Incentive District (IID) provisions. They pointed out several issues as guides in developing an amendment.

- Give more prominence to neighborhood protection
- Clarify the role of formal commitments that run with the land
- Provide for an improved design review element
- Ensure the IID stays an incentive
- Look to not create redundancy with other overlays
- Work with the Streetcar Land Use Plan consultant team to ensure consistency with streetcar corridor planning

In December 2013, the stakeholders and Commission asked staff to consolidate the various overlays into one draft ordinance containing three IID sub-districts (Greater, Downtown Core, and Downtown Links).

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From the December 2013 meetings with stakeholders, staff compiled a list of issues that were to be addressed in some way in the future consolidated draft.

They included the following: adjacency, design authority, major and minor design review, design standards and guidelines, historic preservation, neighborhood involvement, mitigation plans and commitments, group dwellings, and multi-zoned lots. There was also an acknowledgment that some property in the IID may need a solution outside of the IID using a rezoning to Planned Area Development. This idea was especially useful for property with historic structures where the development proposal could de-list the property or cause a demolition.

On August 5, 2014, the Mayor and Council directed staff to initiate a text amendment to revise the IID's sunset date of January 31, 2015, if the draft revisions were not ready for review and adoption.

Since the project's initiation by Mayor and Council, there have been numerous meetings with the Planning Commission IID Subcommittee, Citizens' Task Force, various stakeholders, and the full Planning Commission on the various draft proposals.

The consolidated draft revisions presented at the December 3 public hearing are the result of combining and simplifying the rules affecting the IID area. They also reduced redundancy and created a better organized overlay setup in the Downtown area. Further, the draft attempts to respond to the list of issues raised by stakeholders and the Commission.

Responses to Issues Raised:

Commissioner Maher's Issues

Graphics – All graphics in the IID are illustrative. Staff believes there are adequate graphics for the form-based code portion of the IID in the Downtown Links. Graphics can be added later as needed in application materials or in any future design guideline manual.

Terms – Staff explains that 'adjacency' and 'group dwelling' have special meanings in the IID. Their special meanings are explained in Article 11 (Definitions) of the Unified Development Code. There is also a cross-reference in the IID alerting the reader that there are special definitions for these words (Sec. 5.12.3 Definitions).

Abbreviations – Staff agrees there are a lot of abbreviations in the IID. Many are abbreviations used throughout the Unified Development Code. Staff will discuss this matter with the publisher on whether there should be an abbreviation table of contents for the entire Unified Development Code.

Best Practices Design Manual – Staff agrees that the Downtown Urban Design Reference Manual, that is a PDS reference document, can aid an applicant, the Design Professional

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and the Design Review Committee with design choices. It is still a prototype manual that staff intends to edit in the future so it fits in better with the IID's design standards.

49-foot Building Height Criterion on Major Design Reviews – The building height criteria state that a 49-foot building or a 25-foot building when adjacent to a residential neighborhood are each criteria that can trigger a major design review. The IID also states that a building in the Downtown Core must be within 300 feet of residential area to activate the building height criterion for a major design review. This set up was a compromise position aimed at finding a middle ground between developer and neighborhood stakeholders.

Bulk Reduction Impact – Bulk reduction requirements are required for multi-story buildings in the Greater Sub-district and very specifically by area and sub-area in the Downtown Links form-based code portion of the IID. There are no bulk reduction standards in the Downtown Core because there were none in the current standards. Much of the bulk reduction in the Downtown Links is to preserve the historic building and street profiles of areas like Fourth Avenue in exchange for providing relief from standards such as parking, loading, and landscaping.

Shadow Analysis Requirements and the Metropolitan Pima Alliance (MPA) Letter's Concern - The MPA also raised the issue of the shadow analysis being overly restrictive. The neighborhood stakeholders wanted a requirement that when a multi-story building is adjacent to residential areas a shadow analysis is required. This analysis is at the discretion of the PDSB Director depending on the impact of a multi-story building on an adjacent residential area. It is easy to do and is information that can be used when practical to work cooperatively with an adjoining property owner. The implementation of this provision would be the same as the implementation of the UDC's Section 7.3.2 (Shadows for Multistory Structures), that is to say, the shadow analysis outcome cannot result in reducing the property value of a subject property.

Shade Trees – Staff has mentioned that a Streetscape Design Manual is being developed and is expected to be adopted in 2015 and implemented by the Department of Transportation. It currently is operating as a set of interim policies that are derived from work done cooperatively with City staff and infill developers. Currently the installation of street shade trees is consistent with the current policies under the Department of Transportation.

Length of the Design Review Process – The MPA letter as well as Commissioner Fink asked how long the process will take. Staff would generally use the current timeframe policy in The Administration Manual Section 3.02 (Compliance Review Time Frames Policy) that applies to the current IID. It allows up to 20 days for application compliance and up to 65 days for substantive review. The timing includes days the City has the application not when the applicant has the application and is working on it.

However, in the draft IID, PDSB agrees to ten days for the application compliance review and ten days for the final approval including the Design Professional's recommendation and the Director's final approval.

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The process may include a pre-submittal prior to the application. It also includes basic application compliance and substantive review like any development review application. As for major design review, it includes one DRC meeting which may include one continuance. In our experience with IID applications, there have been very few (approximately ten cases since 2009) so a monthly specific meeting time is not needed.

Staff intends to arrange meetings with the DRC within a month of receiving the notice that the applicant wants to meet with them. This procedure has worked well with the Main Gate Design Review Committee. This procedure is consistent with other City advisory groups like the Historic Advisory Boards that only meet as many times as is necessary to conduct their business.

Mitigation Commitments – Staff agrees with Commissioner Maher that these commitments are not only necessary to have and apply but that the Mayor and Council made a point of directing that the revised ordinance must clearly call them out as potential special conditions of a particular case. Staff would be able to inform an applicant at the pre-submittal meeting whether special conditions may be triggered by the proposal. For example, a group dwelling project would most likely require a behavioral management plan and a proposal near residential streets may trigger a traffic impact analysis that could include the installation of traffic calming features.

Design Review – Staff agrees with Commissioner Maher that this issue is important and is consistent with issues raised by stakeholders during the series of meetings prior to preparing the consolidated draft. In the current IID process of today, where the Downtown Core overlaps the Rio Nuevo District (RND) an application has to meet the optional zoning standards and the RND design standards and go to the Design Review Board (DRB).

In the proposed Downtown Core the applicant would meet the optional zoning standards, which have incorporated the key RND standards, and go to the IID Design Review Committee. The IID DRC allows one continuance where the RND DRB must act within 21 days of accepting a plan for review but if it continues a case the time stops until the case is heard again. The pre-submittal, application completeness, and substantive review stages would be relatively the same for both.

Privacy Mitigation – The IID section on Mitigation of Taller Structures is in the current IID and has privacy mitigation standards. There is no plan to remove them especially as they relate to adjoining residential property. But staff agrees with Commissioner Maher that in denser urban areas there will be a certain loss of privacy in comparison to suburban development.

Proposed Multi-story Adjacent to Residential Across a Street – Commissioner Maher asked if this situation is common. It is probably not common throughout the IID but may occur in areas with residential development. The proposed standards are largely a response to the District development on Fifth Street, which is a prime example of this type of adjacency. The new standards provide better guidance on how massing is to occur and getting more

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productive neighborhood involvement into the process. The new standards do not prohibit multi-story next to residential but require a more context sensitive massing of large buildings so as to not be overly intrusive into an area with a low building height profile.

De-listing of a National Register District – Commissioner Maher asks if there is a problem with de-listing an entire National Register District. One way a district could be de-listed is if the number of contributing properties decreases below 50% through demolition or de-listing alterations, which the IID does not support.

Another more speculative way to look at de-listing is if the modern development over time changes the district's character to the degree that the connectivity of all the historic structures together is disrupted by the features and locations of modern buildings. The Warehouse Triangle Area of the Downtown Links Sub-district could end up having multi-story buildings with mixed uses. No one knows for sure if this type of infill development would cause a de-listing. It is our understanding that the consultant showed early versions of the Downtown Links to the State Historic Preservation Office (SHPO). The early draft included multi-story buildings in the Warehouse Triangle and SHPO did not raise the issue of a district de-listing concern.

The City will always have the option of combining adjacent National Register Districts to avoid a district de-listing. For example, the Warehouse National Register District could be combined with a Downtown National Register District that would create a larger number of contributing structures to assure long term viability of both areas.

Rio Nuevo Area (RNA) Design Standards– Commissioner Maher states that the current design standards in the Rio Nuevo District are effective design tools. He asks about their numbering and description. Staff reviewed the RNA Building Design Standards and they are still the originals from the Rio Nuevo District. However, in doing this review it became clear that while most of the RND design standards were transferred into the IID's optional zoning standards some that were specific to the Downtown were not. In other words, an applicant under the proposed IID's Downtown Core optional zoning standards would not be required to follow certain current RND design standards that apply in the Downtown Core today.

To correct this issue staff recommends an additional design standard be added to the proposed Downtown Core Sub-district's optional standards (a new Section 5.12.10.B.6) to state the following: “All applications shall be in accordance with Sec.5.12.7.C.6,9,12, 13, and 14, and Sec. 5.12.7.D.3.”

This standard would keep the relevant RND standards in the proposed Downtown Core's design standards as they are for any IID application being reviewed in the Downtown Core today.

Minor Development and the Major Design Review Criteria – Commissioner Maher and the MPA mention the possibility of an application being relatively small but still triggering a major design review. Staff proposes the following language that would explain what a minor

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development is and then create an exemption for it to be reviewed as a minor design review application.

Section 5.12.6.B.4 – “Minor Development Exemption – A redevelopment proposal that is 2,500 square feet or less in area and/or not visible from a street is exempt from the Major Design Review process and shall proceed through the minor design review. If a historic preservation review is required, it is still required for this type of proposal.”

Metropolitan Pima Alliance Issues (MPA)

The MPA had several issues that were the same or very similar to the ones Commissioner Maher asked for responses. For those issues, staff refers to the response under Commissioner Maher’s list of issues. The main ones are Shadow Analysis, Minor Development Exemptions, IID Design Review Committee Process. The following are responses to items specifically raised by MPA.

Neighborhood Meeting Process - The neighborhood meeting process for a major design review is the same as the current IID. The minor design review only requires a 50-foot notice area which is less than the current IID today. Staff recommends a neighborhood liaison policy that requires the applicant to give monthly updates to the neighborhood affected. Staff believes responsible local developers already do something similar.

Shadow Analysis - As mentioned under Commissioner Maher’s issues staff intends to follow Section 7.3.2 2 (Shadows for Multistory Structures). It does not mandate compliance but request analysis to see if something can be done to accommodate any adjacent property’s concerns.

Minor IID Applications - Staff has responded to this issue under Commissioner Maher’s issues. Staff recommends an exemption for a minor development that would otherwise trigger a major design review process.

Special Conditions – All the special conditions or mitigation plans mentioned in the IID have their origin in the Mayor and Councils directions to ensure formal commitments are made with any property owner using the IID. The key reason is that, if there is a transfer to a new owner, that new owner is responsible for carrying out these formal commitments. Section 5.12.6.L state that the Director may apply special conditions as recommended or as he sees the need for one on the potential impacts of a given proposal. Staff believes this procedure is fair to the applicant and is in accordance with the Mayor and Council’s directions on having formal commitments.

Design Review Committee – Staff believes the establishment of the Design Review Committee is clearly stated. The design process follows the basic steps of any development

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application. There is a pre-submittal stage, and application completeness stage and a substantive review stage.

There is a ten day review for application completeness and according to the City's Timeframe Policy (Administration Manual Sec.3-02) a total of 65 days of review time is allotted to the City. The IID draft also states there is a ten-day period for the Design Professional to make a recommendation and for the Director to give his final decision to the applicant. All applications can be appealed to the Board of Adjustment, if the applicant feels something is not being administered or interpreted correctly.

Staff believes setting the meetings for the Design Review Committee should be based on the number of requested reviews that come in. The standards should be the same as other advisory groups with intermittent workloads that meet as many times as is necessary to conduct their business. If reviews are coming in at a regular rate then is the time to set up a monthly review.

The current IID provisions have only been used about ten times in three years. If there was an IID Design Review Committee involved it would be a better strategy to set up meetings at the request of the applicant by polling DRC members and coordinating the availability of the applicant and committee members. This process has been used successfully with the Main Gate Design Review Committee. Staff prefers to be flexible and not set up an artificial time in the UDC. This type of issue can be handled by policy more efficiently.

Height Limitations – In the Greater and Downtown Core Sub-districts heights can be up to 60 feet or the height of the underlying zone. In the Downtown Core, this height standards has not been a problem since the most common zones are OCR-1 and 2 and they allow 140 feet and 300 feet building heights respectively.

Within the Downtown Links in the parts of the El Presidio Sub-area building heights are 120 feet and 160 feet on the El Presidio's 'platform site'. Throughout the Warehouse Triangle Area the building height is 160 feet. There are areas such as Fourth Avenue Area and the Iron Horse Areas where the zoning is C-3 which allows for 75 feet. Under the Downtown Links in the Fourth Avenue Area it allows 30 feet building height along the street then after a 50-foot setback allows up to 60 feet building height.

The main issue is these C-3 areas were zoned in the 1950's but have never developed to their full commercial potential and with today's zoning regulations would require extensive Board of Adjustment variance to use the C-3 zoning standards. The Downtown Links places contextual height parameters that respect the current historic intensity and uses of Iron Horse and Fourth Avenue. Thus, the limit on height from the C-3 zone's 75 feet is accompanied by big reductions in parking, loading, and landscaping which would allow various infill uses to prevail.

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Commissioner Fink's Issues

Approval/Denial/Appeal Process – Regarding how does the Director approve or deny an application, the IID provisions set up standards for review. First, there is a general set of standards in Section 5.12.8 (Optional Zoning Standards) that applies to all three sub-districts. Second, there are in each sub-district more specific standards that apply Sec. 5.12.9 (Greater), Sec. 5.12.10 (Downtown Core) and Sec. 5.12.11 through 16 (Downtown Links Sub-district and Areas). Further, Sec. 5.12.6.E (Historic Preservation Review) standards are spelled out for all three sub-districts and also apply to the Rio Nuevo Area.

In the case of approval, the Director can make a finding that the application meets all standards and then may add special conditions if needed. In the case of a denial, the Director would have to cite the specific provision that was not met. In addition, he would cite Section 5.12.6.O (Appeals) that explains the appeal process which is normally to the Board of Adjustment. This denial protocol is a statutory requirement.

Timeframes – Historic Review/Design Review/Continuances - Regarding timeframes, the City's Compliance Review Time Frames Policy sets up 65 days for substantive IID review. Note the 65 days are the days the application is in staff's possession not the applicant's.

The pre-submittal stage is available on appointment request from the applicant or there is a standard pre-submittal held weekly at PDSO. At that meeting, it can be determined what needs to be in the application that will be in a design review policy modeled on the Main Gate's Design Review Policy. Once an application is formally submitted, PDSO per the IID draft has ten days to determine its completeness.

If a historic preservation review is needed, the Historic Plans Review Subcommittee meets once a month and the applicant can be scheduled for the meeting. There is no zoning requirement on continuances. They normally make recommendations after on meeting and occasionally continue an item one time.

Once the applicant requests a Design Review Subcommittee meeting, PDSO will poll the members and work with the applicant's availability then set up a meeting. If there are a lot of applications using the IID process in the future, staff will set up an IID DRC meeting date for every month.

Our experience with setting up special meetings for the Main Gate DRC have always been done within a 30 day period. Staff would expect the same for the IID DRC. If no quorum can be obtained within the 30 days then the Design Professional can make the review without the DRC. Once the DRC makes a recommendation, the Design Professional and the Director have ten days to give the applicant a decision. Regarding continuances, the IID DRC can only continue an item one time.

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Difference Between Downtown Links Standards and Downtown Core Standards- The Major and Minor Design Review processes in Section 5.12.6 apply to the entire IID. Therefore, the same criteria for determining a major or minor design review apply to the Downtown Core and the Downtown Links.

300-foot from a Residence and Major Design Review Criterion – The 300-foot circumference around a property is a standard that applies to two situations. One is a criterion in determining if building height will be a trigger for the major design review in the Downtown Core Sub-district. The second is a standard in determining if a group dwelling triggers a Mayor and Council special exception public hearing prior to going through design review. If the 300-foot circumference includes a residential property, the subject property triggers the design review criteria or the need for a special exception public hearing as applicable in that case.

Proposals Located ‘At An Intersection’- Criterion for Major Design Review - The Urban Design Reference Manual points out intersections as urban design opportunities that it calls ‘critical corners.’ Development at intersections has design possibilities that need to be looked at more closely than interior development along a street. The relationship with the other corners should be considered in the site plan and architectural choices made. Opportunities to create open space and iconic architectural features are opportunities that corner lots provide.

Additional Definitions – Please refer to the comments about terms addressing Commissioner Maher’s issues.

Use of ‘Should’ – Preferences and Requirements – Commissioner Fink mentioned Katharina Richter. Ms. Richter has been PDS’s zoning consultant in the preparation of the draft. She is aware of the differences of ‘shall’ and ‘should’ in the draft. Staff understands that the provisions using ‘should’ are preferences and are not mandatory standards. They are meant to express that the applicant, the Design Professional, and Design Review Committee should first consider the provision. If it is not practical then it does not need to be used. It allows the reviewers and the applicant/designer to consider a best practice and evaluate if it can be accommodated and if not other options are considered acceptable.

An example is a provision that says ground floors of multi-story buildings should be used for commercial uses but if not practical then residential uses are acceptable. Where the term ‘shall’ is used it means there is one option only and a formal waiver, appeal or variance are the only options open to the applicant to change it.

Because part of the function of the IID is to encourage good design, some leeway is needed in its provisions to point out the best design options even if they cannot be accomplished in every situation because of some particular issue on the property. Staff has found in the Main Gate most designer applicants and reviewers have had no problem with the ‘should’ provisions. The main reason is they often point to a best design practice.

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Build to Lines – Staff has worked with the consultant to clarify the definition of build to lines and improve the graphics. The IID states that graphics are illustrative. If improvements are needed there will be other opportunities not requiring a formal ordinance to improve them.

Developing Under Existing Zoning in the Downtown Core and Downtown Links - Staff agrees that it is difficult to develop in both sub-districts using the underlying zoning standards and the current development standards. In the Downtown Core often parking, loading and landscaping standards would require variances. In the Downtown Links the same problems exist requiring variances. Additionally, industrial zoned property must rezone to develop infill uses. Using the Downtown Links, infill uses are available as part of the IID's optional zoning as well as waivers of the typical development standards. In exchange for the development standard flexibility, context sensitive height, massing, design and historic reviews are required.

Streetscapes/Boundaries/Consistencies – Regarding streetscapes, PDSO will continue to work with the Department of Transportation to improve the streetscape design policy for the City.

Affected Properties by the IID/Downtown Links Sub-district – Staff does not have a specific number of acres available. Vacant lots and parking lots are obvious opportunities. It is less clear how many non-historic buildings may be removed for an infill use. If the draft IID is approved, industrial properties throughout the Downtown Core and Downtown Links will be available for infill uses. Historic buildings can be repurposed for various commercial uses where the re-use does not de-list and a historic review has occurred. Some areas like the Iron Horse Sub-areas are well-developed and will most likely have few opportunities to use the IID. However, even in this area there will always be the possibility to re-purpose an existing building or developed any vacant lot.

Conclusion: The IID draft revisions contain a consolidation of the IID, Downtown Links and Rio Nuevo standards. There has been an extensive review of the draft. The draft IID grants flexible dimensional and development standards to encourage infill development but requires certain design and historic standards and review to assure good quality infill development. In addition, a large amount of industrial property will be open to infill uses that will support the modern streetcar corridor by allowing the creation of a nearby transit population. The current IID will sunset on January 31, 2015. Staff recommends the Commission forward the current draft to Mayor and Council for adoption.

Attachments:

- A – Proposed Infill Incentive District Revisions Text Amendment (November 26, 2014)
- B – Proposed IID Sunset Provision
- C – Public Comment and Response for IID (attachment will be sent out at a later date)

1 **5.12 DOWNTOWN AREA INFILL INCENTIVE DISTRICT (IID)**¹

2 **5.12.1. PURPOSE**

3 The primary purpose of the Downtown Area Infill Incentive District (IID) is to encourage
4 redevelopment in the following ways:

- 5 A. Encourage sustainable infill development that supports the creation of urban
6 neighborhoods that are pedestrian and transit-oriented and benefits the IID, major
7 activity centers in the area, and the City as a whole, while promoting compatibility
8 with existing residential and non-residential properties and neighborhoods.
- 9 B. Address barriers to infill development in the Downtown Area Infill Incentive District
10 (IID), such as incompatible development standards and associated development
11 barrier issues; and
- 12 C. Implement the IID purposes by offering development incentives permitting a
13 modification of development requirements.
- 14 D. Provide for appropriate transitional design standards where the development or
15 expansion of a use is adjacent to existing single-family residential development.
- 16 E. Protect historic structures and historic neighborhoods and existing residential
17 neighborhoods from potential negative impacts of new development.
- 18 F. Consolidate the regulations and design standards that apply to downtown areas into
19 a single ordinance by moving certain provisions of the Rio Nuevo District overlay zone,
20 former Section 5.11, into the IID Rio Nuevo Area (RNA) and renumbering them to
21 conform to the numbering of the IID.

22 **5.12.2. ESTABLISHMENT**

- 23 A. The IID is comprised of the Sub-Districts listed below. For the boundaries of the IID
24 and Sub-districts see Section 5.12.18 (Figure 5.12.18-1). The exact boundaries of
25 the IID overlay and Sub-Districts are identified on the official zoning map kept on file
26 at the Planning and Development Services Department (PDSD) and the City Clerk's
27 Office.
- 28 1. The Rio Nuevo Area (RNA), Unified Development Code (UDC) Section 5.12.7.
- 29 a. The RNA Section 5.12.7 includes all properties in the area previously
30 included in the former Rio Nuevo District.
- 31 b. The RNA encompasses portions of the Downtown Core Sub-District (DCS),
32 Greater Infill Incentive Sub-District (GIIS) and the Downtown Links
33 Subdistrict (DLS) as shown on the map in UDC Exhibit 5.12.18-1.
- 34 2. The GIIS, as outlined in UDC Section 5.12.9.
- 35 3. The DCS, as outlined in UDC Section 5.12.10.

¹ Black – existing language of the IID and the relocated sections of the RND

Red underlined or red strikeout– new or amended language

Green double underline –existing IID sections moved from their current location in the UDC to this draft

1 4. The DLS, as outlined in UDC Section 5.12.11, which is further subdivided into
2 the following Areas:

3 a. Toole Avenue Area (TAA), Section 5.12.12.

4 b. Warehouse Triangle Area (WTA), Section 5.12.13.

5 c. Fourth Avenue Area (FAA), Section 5.12.14.

6 d. Armory Park Area (AIH), Section 5.12.15.

7 e. Stone/Sixth Avenue Area (SSA), Section 5.12.16.

8 f. Some of the DLS Areas listed above are further subdivided into Sub-
9 Districts (see UDC Section 5.12.11.A).

10 B. The IID contains both mandatory and optional overlay zone standards and
11 requirements. Plans submitted in accordance with the IID shall comply with the
12 applicable standards of this UDC Section.

13 1. The requirements and standards of the RNA are mandatory overlay IID
14 standards and regulations that apply only if a property is developed using
15 the underlying zoning.

16 2. The GIS, the DCS, and DLS, are optional overlay standards and regulations,
17 which a property owner may chose in lieu of the underlying zoning (Optional
18 IID Zoning).

19 C. Depending on the development choice of the owner, plans submitted for development
20 of land in the IID must comply with the applicable IID regulations and standards as
21 follows:

22 1. Development under existing underlying UDC zoning:

23 a. The regulations and standards of the underlying zone apply; and,

24 b. If the property is located within the boundaries of the RNA, all of the
25 following regulations, standards, and review procedures apply:

26 (1) The regulations and standards of the underlying zoning; and,

27 (2) The RNA standards in Section 5.12.7,

28 (3) UDC Section 5.12.6.E., and,

29 (4) RNA applications for development are reviewed by the
30 Design Review Board (DRB) pursuant to UDC Section 2.2.6
31 (Design Review Board.)

32 2. Development under Optional IID Zoning.

33 a. The regulations and standards of the applicable IID Sub-District, Area
34 or Sub-Area in which the development parcel is located, apply.

35 b. Regardless of the Sub-District, Area or Sub-Area, all development in
36 the IID must submit a plan and comply with the following:

37 (1) UDC Section 5.12.5 (IID Plan Requirements); and

(2) UDC Section 5.12.6 (Review and Approval Procedures).

c. Development in the GIS and DCS must comply with the design standards and requirements of Section 5.12.8 (General IID Design Standards).

d. Applications for Optional IID Zoning are reviewed either under the mayor or minor design review process for compliance with the applicable standards and requirements pursuant to UDC Section 5.12.6.I.

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

E. Conflict of Laws.

1. The requirements and standards of the IID provisions should be interpreted to avoid conflict whenever possible with other UDC provisions.

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

3. Where the standards of the DLS conflict with the general IID standards of UDC Section 5.12.8, standards of the DLS apply.

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

5.12.3 DEFINITIONS

The terms “adjacent” and “group dwelling” as they apply in the IID, are defined in UDC Section 11.4 and UDC Section 11.3.7.B, respectively. When a proposed project is not developed under the Optional IID Zoning, but under the standards of the underlying zoning district, only the general, not the IID specific definition of the term “Group Dwelling” applies (see UDC Article 11).

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

4. Exceptions:

For development in the RNA under existing underlying zoning, the applicability requirements do not apply to the following:

- (1) A change of use that does not alter the exterior of a structure.

- 1 (2) A redevelopment project, or improvements or alterations to an
2 existing structure, if such alterations are not visible from an
3 adjacent public right-of-way.

4 **5.12.5. IID PLAN SUBMITTAL REQUIREMENTS**

5 **A. Application Requirements.**

6 Use of the standards of the IID, as opposed to existing underlying zoning, requires
7 plan approval by PDSB regardless of IID Sub-district, Area or Sub-area. Plan
8 submittal shall consist of the following:

9 1. IID Plan. Applicants shall submit an IID Plan, as outlined in UDC Section
10 5.12.6, demonstrating compliance with applicable IID development design
11 standards and requirements. The Plan must clearly state the applicant's
12 intention to use the optional IID zoning option in lieu of the existing underlying
13 zoning. Additionally, for projects using IID Optional Zoning, applicants are
14 required to provide contextual elevations demonstrating compliance with the
15 following design standards:

16 a. UDC Section 5.12.8, Sub-Section A (Streetscape Design) and Sub-
17 Section B (Development Transition Standards) and Sub-Section C
18 (Alternative Compliance), if Sub-Section is used.

19 b. The applicable Sub-District, Area, or Sub-Area.

20 2. Development Package. A Development Package is required when
21 development is proposed under existing underlying UDC zoning, or if a
22 development package is otherwise required by the UDC, in which case a
23 separate Plan must be ~~shall be~~ prepared in compliance with the Development
24 Package requirements in Section 2-06.0 of the Administrative Manual.

25 **B. Modifications or Waiver of IID Plan Submittal Requirements.**

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

28 1. The applicant shall specifically identify the submittal requirement(s) for which
29 a modification or waiver is requested and provide a rationale for the
30 request; and,

31 2. The PDSB Director shall determine whether to grant the request within 10
32 working days of the request. In making this decision, the PDSB Director shall
33 consider the purpose statements of the IID, and the applicable General Plan
34 and Area Plan policies. The PDSB Director's approval of a request under this
35 subsection is not, nor shall it be construed as, an endorsement of a project by
36 PDSB.

37 **5.12.6. IID PLAN REVIEW AND APPROVAL PROCEDURES UNDER THE- IID ZONING OPTION**

38 PDSB administers the IID Plan review procedure. Except as expressly modified herein, review
39 by the PDSB is pursuant to UDC Section 3.3.

1 **A. Pre-application conference.**

2 A pre-application conference with the PDS staff as outlined in UDC Section 3.2.1 is
3 required to determine the following:

- 4 1. Whether the Plan meets the IID Plan submittal requirements and the
5 development standards of the IID and applicable Sub-District, Area or Sub-
6 Area.
- 7 2. Whether the application will be reviewed through the Major or the Minor
8 Design Review Procedure as described below.

9 **B. Major Design Review.**

10 The Major Design Review process is required if a proposal meets two or more of the
11 following criteria:

12 **1. The development proposal contains structures that are higher than:**

- 13 a. four stories or 49 feet, or
- 14 b. two stories or 25 feet in height if adjacent to single-family or
15 duplex residential dwellings.
- 16 c. In the DCS the height criteria apply only if the development site is
17 within 300 feet or less of a detached single-family residential or
18 duplex dwelling.

19 **2. The development proposal is at any one or more of the following**
20 **locations:**

- 21 a. At an intersection of one or more arterial streets.
- 22 b. Adjacent to or across from:
- 23 (a) a single-family residential or duplex dwelling; or
- 24 (b) a Historic or Contributing structure.
- 25 c. On a vacant Historic Preservation Zone (HPZ) or
26 Neighborhood Preservation Zone (NPZ) parcel.
- 27 d. On a multi-zone parcel subject to UDC Section 5.12.8.E.
- 28 e. Within, or adjacent to an HPZ, or NPZ, or a National Historic
29 Register District, or any combination of the three. The
30 definition of the term "adjacent," as it applies in the IID, is
31 defined in UDC Section 12.4.A.

32 **3. Notices**

33 For Major Design Review, the notice process must follow UDC Section 3.2.2
34 Neighborhood Meetings, except as expressly modified herein.

35 **4. Review and approval procedures**

- 36 a. A neighborhood meeting.
- 37 b. Review by City's Design Professional.

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accuracy of the applicant's written summary of the meeting. If a dissent is filed, it must state the exact reasons for the dissent.

5. The applicant will send periodic project updates to the Neighborhood Liaison in accordance with PDS Neighborhood Liaison Policy.

1 **E. IID Historic Preservation Review.**

2 **1. Projects in an HPZ.**

3 **a.** Proposed development projects within the boundaries of an HPZ must
4 comply with HPZ UDC Sections 5.8.7 (Permitted Uses), 5.8.8 (Design
5 Review) and 5.8.9 (Design Standards).

6 **b.** IID Optional Zoning may be used for new development, or additions
7 to, or alterations of existing historic structures, provided that the
8 changes do not cause a historic structure to be de-listed or no longer
9 eligible for listing.

10 **2. Projects not in an HPZ.**

11 **a.** The Tucson-Pima County Historical Commission (TPCHC) Plans Review
12 Subcommittee reviews all projects listed below:

13 1. Projects proposing alterations or additions to an existing eligible
14 or contributing historic structure using IID Optional Zoning that do
15 not cause the property to be de-listed or no longer eligible for
16 listing. Additions to or alterations of historic structures must meet
17 the Secretary of the Interior's historic preservation standards;

18 2. Projects proposing new development using IID Optional Zoning
19 that are either adjacent to the boundaries of an HPZ or adjacent
20 to a structure meeting any one or more of the following
21 characteristics:

22 (a) Listed or eligible to be listed in the National or Arizona
23 Register of Historic Places, individually or as a
24 contributing property.

25 (b) Designated as a Historic Landmark.

26 (c) A Single-family dwelling within the boundaries of the
27 HPZ.

28 **b.** The TPCHC may continue the hearing on an item only once before
29 making a decision, unless the applicant for the development project
30 requests a further continuation.

31 **c.** It is the responsibility of each applicant for IID Optional Zoning to
32 verify the current contributing or eligibility status of the property in
33 question with the City of Tucson's Historic Preservation Office.

34 **d.** The TPCHC Plans Review Subcommittee reviews for compliance with
35 the design requirements of the applicable Sub-District and for design
36 compatibility of a proposed development project.

37 **a.** New development must be designed to complement and be
38 compatible with the architecture of adjacent historic
39 properties.

40 **b.** Compatibility with adjacent historic structures is to be
41 achieved through architectural elements such as building

1 setbacks, building step-backs, textures, materials, forms, and
2 landscaping.

3 c. **Exceptions.** The PDSO Director may waive the compatibility
4 requirement of this section under the following circumstances:

5 (a) Where the adjacent lot is vacant; or

6 (b) If the property owner of the adjacent historic
7 structure waives the requirement; or

8 (c) If the adjacent lot is developed with a non-
9 residential building.

10 e. It is not the intent of the design review process to impose additional
11 limitations or building preservation requirements on the allowable
12 building heights in the IID. Unless a building height limitation in a
13 Sub-District is specifically required herein, the proposed development
14 may use the entire building height allowed by the IID.

15 **3. Demolition**

16 a. Whether a proposed development is within or outside the boundaries
17 of a HPZ, IID Optional Zoning may not be used for a development
18 project that proposes demolition of a historic structure that is any one
19 or combination of the following:

20 a. A property listed or eligible to be listed in the National or
21 Arizona Register of Historic Places, individually or as a
22 contributing property.

23 b. Designated as a City Historic Landmark.

24 b. **Exception:**

25 Partial demolition of a historic structure is allowed if the State Historic
26 Preservation Office (SHPO) determines that the demolition will not
27 cause the structure to be de-listed or to become ineligible for listing in
28 the future.

29 **4. De-Listing**

30 In no event may the IID Optional Zoning be used if the development would, in
31 the opinion of the Historic Preservation Officer, cause a historic structure in the
32 IID to be de-listed or no longer eligible for listing.

33 **F. Development projects in a NPZ.**

34 If a proposed development project is located within a NPZ, the project must be
35 reviewed by the City Design Professional pursuant to the design standards of the
36 applicable NPZ.

37 **G. Composition of the IID Design Review Committee (IID DRC).**

38 1. The IID DRC is composed of at least three of the following members
39 appointed by the City Manager for a four year term:

40 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.

2. A member of the IID DRC may be removed by the City Manager with or without cause. A member who misses four consecutive meetings for any reason or fails to attend for any reason at least 40% of the IID DRC meetings within one calendar year is automatically and immediately removed as a member of the IID DRC.

3. The IID DRC may include one or more ad-hoc members from among the following, as applicable:

a. For projects within the DLS Fourth Avenue Area, one local Fourth Ave. business owner.

b. For projects within the DCS, one person from the Downtown Partnership Association.

c. 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.

d. For projects adjacent to a HPZ or NPZ, one member appointed by the neighborhood association for the HPZ or NPZ.

3.4. The IID DRC shall adopt rules of procedure necessary to carry out its functions. The PDSO shall make rules available made to the public.

H. IID DRC Quorum, Voting, and Recommendation.

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

2. A quorum of the IID DRC is the Design Professional and at least two other members.

3. Notwithstanding Subsection 2 above, if for any reason the City Manager has not appointed the members of the IID DRC, or a quorum is not obtained for a particular application, the Design Professional shall make a recommendation directly to the PDSO Director.

4. The Design Professional may give a recommendation separate from the IID DRC recommendation in all cases.

I. IID DRC Review.

2. All development projects submitted using IID Optional Zoning that are reviewed by the IID DRC for compliance with applicable the IID standards and requirements, and may also comment on other aspects of the projects.

3. The IID DRC may continue an item only once, unless the applicant asks for a further continuance.

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J. Review by the Design Professional.

1. 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.
2. The Design Professional must provide a written report to the applicant, the IID DRC members and the PDSD Director containing all of the following:
3. A listing and description of the recommendations and any other issues of concern raised by the IID DRC.
4. A statement whether the proposal complies with the applicable design standards.
5. Recommendations on any modifications to the project needed to bring it into compliance with the design standards.
6. The Design Professional may also make separate recommendations to the PDSD Director 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.

K. Review by the Mayor and Council of Group Dwellings.

1. Group dwellings developed under IID Optional Zoning, as defined in Section 11.4.6 specifically for use in the IID, require the approval of Mayor and Council pursuant to UDC Section 3.4.4 *Mayor and Council Special Exception Procedure* if the group dwelling development site is located within 300 feet or less of a detached residential dwelling.

K.L. PDSD Director Decision.

1. The IID DRC's and Design Professional's recommendations are advisory to the PDSD Director, and the Director makes the final decision on a project's compliance with IID and applicable Sub district requirements and standards.
2. The IID DRC and the Design Professional may recommend, and the Director may add special conditions to an approval pursuant to Subsection J above, to assure compliance with the intent of the IID, 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 proposed development on a case by case basis. 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.

1 d. A behavioral management plan and security plan that includes self-
2 policing and techniques to reduce the impacts of noise, odors, unruly
3 behavior or other similar adverse effects -on adjacent residential
4 property.

5 e. A shadow plan when adjacent to detached single-family dwellings.

6 **M. Final Approval**

7 1. Within ten days after receiving final recommendations from the IID DRC and
8 the Design Professional, the PDSO Director must make a final decision
9 pursuant to UDC Section 5.12.6.L, except as provided below.

10 2. Group Dwellings, as defined in Section 124.4 for development within the IID,
11 require final approval pursuant to 3.4.4, Mayor and Council Special Exception
12 Procedure if the group dwelling development site is located within 300 feet or
13 less of a detached single-family dwelling.

14 **N. Design Professional Review of Building Plans.**

15 Prior to the issuance of a building permit for development under the Optional IID
16 provisions, the Design Professional will review the development package and the
17 building plans for compliance with the approved IID Plan.

18 **O. Appeals**

19 Except for a decision on a proposed group dwelling, which is approved or denied by
20 the Mayor and Council pursuant to Section 3.4.4 Mayor and Council Special Exception
21 Procedures, appeals of the PDSO Director's decision must be filed and are heard in
22 accordance with the Board of Adjustment appeals process in Section 3.10.2 for
23 developments reviewed pursuant to the minor review process and with the Mayor and
24 Council for developments reviewed pursuant to major review process in Section 3.92.

25 **P. Timeline for Approval**

26 Timelines for approval are contained in UDC Section 3.02 or 3.03 of the
27 Administrative Manual depending upon the procedure chosen by the developer of the
28 IID project.

29 **Q. Amendments**

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

32
33 **5.12.7 RNA ZONING DESIGN STANDARDS.**

34 **A. Applicability**

35 1. This UDC Section 5.12.7 applies to the developments types listed in UDC
36 Section 5.12.4 and this Section.

37 2. The provisions of this UDC Section 5.12.7 are mandatory for proposed
38 development of properties in the RNA under existing underlying zoning.

39 **B. Permitted Uses and Building Heights**

1 1. Except as specifically amended or expanded in this UDC Section 5.12.7, the
2 development regulations and standards of the underlying zoning apply in the
3 RNA, including the permitted land uses and building heights.

4 2. New drive-in or drive-through facilities are not permitted, except for
5 businesses located adjacent to the freeway, or as approved through the
6 development review process.

7 **C. Building Design Standards**

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

10 1. The proposed buildings shall respect the scale of those buildings located in
11 the development zone and serve as an orderly transition to a different scale
12 pursuant to the Transition Standards in UDC Section 5.12.8.B. Building heights
13 with a vastly different scale than those on adjacent properties should have a
14 transition in scale to reduce and mitigate potential impacts. In areas
15 undergoing change, long-range plans should be consulted for guidance as to
16 appropriate heights.

17 2. All new construction must be consistent with the prevailing setback existing
18 within its development zone except that the PDSD Director may approve a
19 different setback than the prevailing setback upon a written finding during
20 the review process that a different setback is warranted by site conditions or
21 applicable development design goals consistent with UDC Section 5.12.1,
22 Purpose, and the proposed setback will not be incompatible with adjacent
23 properties, as defined in UDC Section 11.4.2.A;

24 3. All new construction shall provide scale-defining architectural elements or
25 details at the first two floor levels, such as windows, spandrels, awnings,
26 porticos, cornices, pilasters, columns, and balconies.

27 4. Every commercial building frontage shall provide windows, window displays,
28 or visible activity within and adjacent to the building at the ground floor level,
29 with a minimum of 50 percent of the building frontage providing such
30 features.

31 5. A single plane of a façade at the street level may not be longer than 50 feet
32 without architectural relief or articulation by features such as windows,
33 trellises, and arcades.

34 6. Building façade design shall include pedestrian-scaled, down-shielded, and
35 glare-controlled exterior building and window lighting.

36 7. The front doors of all commercial and government buildings shall be visible
37 from the street and visually highlighted by graphics, lighting, marquees, or
38 canopies.

39 8. Modifications to the exterior of historic buildings shall complement the overall
40 historic context of the Downtown and respect the architectural integrity of the
41 historic façade.

42 9. Buildings shall be designed to shield adjacent buildings and public rights-of-
43 way from reflected heat and glare.

- 1 10. Safe and adequate vehicular parking areas designed to minimize conflicts
2 with pedestrians and bicycles shall be provided.
- 3 11. Adequate shade shall be provided for sidewalks and pedestrian pathways,
4 using shade structures or vegetation, where permitted by the City of Tucson.
- 5 12. Colors may conform to the overall color palette and context of the Downtown
6 area, ~~or subarea~~ or may be used expressively to create visual interest,
7 variety, and street rhythms. The rationale for an expressive or idiosyncratic
8 use of color shall be described in the site plan submittal.
- 9 13. New buildings shall use materials, patterns, and elements that relate to the
10 traditional context of the Downtown area ~~or subarea~~.
- 11 14. Twenty-four-hour, street-level activity is encouraged by providing a mixture
12 of retail, office, and residential uses within each building ~~and~~.
- 13 15. Primary public entries shall be directly accessed from a sidewalk along a
14 street rather than from a parking lot. Public access to commercial and
15 governmental buildings shall be provided at sidewalk grade. The primary
16 floor of, and access to, residential structures may be elevated. Secondary
17 access may be provided from off-street parking areas.

18 D. Site Design Standards

19 1. Vehicular Circulation and Parking

- 20 a. All parking area access lanes (PAALs) adjacent to buildings shall have
21 pedestrian circulation paths between the PAAL and the building, with
22 a minimum width of six feet.
- 23 b. The locations of All points of vehicular ingress and egress ~~points~~ shall
24 be perpendicular to the intersecting street. Points of ingress and
25 egress points shall be designed to minimize vehicular/pedestrian and
26 vehicular/bicycle conflicts. Adequate storage for vehicular queuing
27 at parking facilities shall be contained on site. Right turn bays are
28 strongly discouraged. Points of ingress and egress shall be minimized
29 wherever possible. Additional temporary ingress and egress
30 locations may be permitted for parking structures ~~when~~ occasional
31 high peak period traffic flows (i.e., parking facilities for event venues)
32 are anticipated.

33 2. Parking

34 a. General

35 Parking standards are listed in the UDC Section 7.4. Some
36 pProperties in the RNAD may also be located in the Downtown
37 Parking District, which allows a reduction in the number of parking
38 spaces as provided in Section 7.4.5.B.

39 b. Screening of Parking

1 All new parking shall be designed so that vehicles are not visible from
2 the adjoining street level, through incorporation of pedestrian
3 arcades, occupied space, or display space.

4 **c. Employee Parking**

5 Employee parking for all uses should be provided at remote locations
6 in order to maximize the availability of space for development.

7 **3. Plazas and Open Space**

8 The fundamental objective of the design standards in this Section 5.12.7.D.3 is
9 to encourage public and private investments to enhance the character and
10 function of Downtown's pedestrian environment.

11 **a. Plazas and Pedestrian Nodes**

12 Five percent of the gross floor area of new construction shall be
13 provided in public plazas or courtyards. Open space plazas,
14 courtyards, and patios are landscaped outdoor areas designed to
15 accommodate multiple uses, from large gatherings of the public
16 people for performing arts to smaller gatherings. The plazas and
17 courtyards will be one of the ways that spaces and uses can be
18 linked. The requirement of this section may be waived or reduced by
19 the PDSO Director upon a written finding during the review process
20 that the development enhances the downtown pedestrian environment
21 even with a smaller percent or elimination of the requirement.

22 **b. Viewshed Corridors**

23 Views of all historic properties and all natural elements surrounding
24 the Downtown should be considered during design. Plazas,
25 courtyards, and open spaces shall be sited to include views to other
26 public spaces, where feasible.

27 **c. Linkages (Physical and Visual)**

28 Neighborhood linkages shall be maintained throughout Downtown.

29 **4. Streetscape**

30 **a. Streetscapes must be consistent with the Streetscape Design Manual.**
31 In streetscape design, priority is given to pedestrians.

32 **b. Shade**

33 Shade shall be provided for at least 50 percent of all sidewalks and
34 pedestrian pathways as measured at 2:00 p.m. on June 21 when the
35 sun is 82° above the horizon (based on 32°N Latitude). Shade may
36 be provided by arcades, canopies, or shade structures, provided they
37 and their location and design characteristics are compatible with the
38 prevailing –and design context of the street and the architectural
39 integrity of the building. Deciduous trees, as proposed in the
40 Downtown Comprehensive Street Tree Plan, are encouraged to
41 supplement existing evergreen trees. The use of plantings and shade
42 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.

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

In the RNA, demolition of the following types of structures is ~~ere~~ reviewed in accordance with UDC Section 5.8.109, Demolition of Historic Properties, Landmarks, and Structures:

1. Structures that are listed in the National Register of Historic Places or the Arizona Register of Historic Places. ~~er~~
2. Structures that are eligible for listing in the National or State registers. ~~and~~
3. Sstructures designated as City Historic Landmarks.

F. RNA Review

1. Pre-Application Conference

A pre-application conference with the PDSD staff is required to determine whether the application meets the design standards and requirements of the RNA.

2. Submittal and Staff Review

Upon submittal, the PDSD staff reviews the application for compliance with the RNA ~~D~~ standards and makes recommendations to the PDSD Director whether to approve or reject the application.

3. Review by the Design Review Board (DRB)

The Design Review Board (DRB) ~~review~~reviews all applications for compliance with the RNA standards and makes findings and recommendations to the PDSD Director. Applications are scheduled with the DRB at the first available meeting.

4. Tucson-Pima County Historical Commission (TPCHC) Review

The TPCHC Plans Review Subcommittee reviews applications that propose exterior changes to buildings on or eligible for inclusion on the National or Arizona Register of Historic Places. The TPCHC Plans Review Subcommittee makes findings and recommendations to the PDSD Director.

5. Decision

The PDSD Director makes the decision whether to approve or deny the application after receiving the recommendations of staff, DRB, and, when applicable the TPCHC Plans Review Committee.

6. Notice of Decision

Notice of the decision must be provided to the applicant within three days of the date of the decision and the appropriate HPZ Advisory Board, if applicable, and the plans review subcommittee.

7. Appeals

1 If an application is denied, the applicant may appeal the decision to the
2 Board of Adjustment in accordance with UDC Section 3.10.2. Appeals must
3 be submitted to the PDSB within five days of the notice of decision.

4 **5.12.86. GENERAL IID OPTIONAL ZONING DESIGN STANDARDS**

5 An IID Plan under the IID Optional Zoning design standards must shell demonstrate
6 compliance with the following:

7 **A. Streetscape Design**

8 Streetscape design must comply with the street design standards in the UDC Technical
9 Manual and the Streetscape Design Manual.

10 **1. Pedestrian-orientation**

11 Projects shall be pedestrian-oriented and comply with all of the following
12 standards:

- 13 a. New construction shall have architectural elements and details at the
14 first two floor levels.;
- 15 b. Buildings shall provide windows, window displays, or visible activity
16 on the ground floor for at least 50 percent of frontage.;
- 17 c. A single plane of façade shall be no longer than fifty feet without
18 architectural detail.;
- 19 d. Front doors shall be visible or identifiable from the street and visually
20 highlighted by graphics, lighting, or similar features.
- 21 ~~e. Uses, such as Commercial Services or Retail Trade uses that~~
22 ~~encourage street level pedestrian activity are preferred on the first~~
23 ~~floor of a structure of a multi-story building.~~
- 24 ~~f. Parking areas for comprehensive development or redevelopment of a~~
25 ~~site shall be located at the rear or side of the building. Changes of~~
26 ~~use and expansion of existing structures may use the site's current~~
27 ~~parking configuration.;~~
- 28 ~~g. Parking structures shall be designed so that parked vehicles are~~
29 ~~screened from view at street level through incorporation of design~~
30 ~~elements including, but not limited to, landscaping, pedestrian~~
31 ~~arcades, occupied space, or display space.;~~ [SUB_SECTIONS f and g
32 HAVE BEEN MOVED TO PARKING SUB_SECTION E BELOW]
- 33 ~~e.h.~~ Construction and maintenance of sidewalks must be done in
34 compliance with the City's Streetscape Design Manual. Existing
35 sidewalk widths shall be maintained so as to provide effective,
36 accessible, connectivity to adjoining properties. Sidewalks may be
37 widened to accommodate a project's design characteristics. Where
38 no sidewalks exist, sidewalks shall be provided. Outdoor seating and
39 dining areas and landscaping may be located in the sidewalk area
40 where safe and effective sidewalk width around the design feature
41 can be provided.;
- 42 ~~i.~~ To the extent practicable, bus pull-outs shall be provided where bus
43 stops are currently located. ~~and~~

1 i. If drive-through service is proposed, it shall not interfere with
2 pedestrian access to the site from the right-of-way.

3 **2. Shade**

4 a. Except as provided below, shade shall be provided for at least 50
5 percent of all sidewalks and pedestrian access paths as measured at
6 2:00 p.m. on June 21 when the sun is 82 degrees above the horizon.
7 Shade may be provided by trees, arcades, canopies, or shade
8 structures provided their location and design characteristics are
9 compatible with the historic and design context of the street and the
10 architectural integrity of the building. The use of plantings and shade
11 structures in the City right-of-way is permitted to meet this standard
12 with the approval of the Transportation Department. The shade
13 provided by a building may serve to meet this standard.

14 **b. Exception**

15 The PDSD Director may approve an IID Plan providing less than 50
16 percent shade where compliance is not feasible due to a project site's
17 location and/or building orientation and the applicant has made a
18 reasonable attempt to comply with this standard.

19 **B. Development Transition Standards**

20 The purpose of the Development Transition Standards is to mitigate excessive visual,
21 noise, odor, vibration intrusion, and other similar public health and safety concerns that
22 may be created by the proposed project.

23 **1. Applicability**

24 Developing sites that abut an affected single-family or duplex dwellings must
25 comply with this section. For purposes of the IID, the following terms and
26 examples describe elements of applicable transitional areas:

27 a. "Affected residential property" refers to an existing single-family or
28 duplex dwelling that ~~an abutting~~ is adjacent to a developing site.

29 b. "High density residential" refers to residential development that is
30 neither existing single-family detached nor attached dwellings within
31 a subdivision;

32 c. Examples of applicable transitional areas include a nonresidential
33 developing site adjacent existing single-family detached or attached
34 dwellings within a subdivision, or a developing high density
35 residential site adjacent existing single-family detached or attached
36 dwellings within a subdivision.

37 d. For projects within the DCS, the Development Transition Standards
38 apply only to those projects ~~abutting~~ adjacent affected residential
39 properties outside the DCS boundaries.

40 **2. Mitigation of Taller Structures**

41 Compliance with the following standards is required where the developing
42 site has taller buildings than adjacent affected residential properties:

43 a. Within the GIS and DCS, ~~T~~he maximum building height is 25 feet
44 within 30 feet of the property line adjacent an affected residential

1 property. Proposed buildings may be developed to the maximum
2 height permitted by the underlying zone or as permitted by the IID
3 Sub-S-section, whichever is applicable, when the building is 30 feet or
4 more from the property line adjacent to an affected residential
5 property.†

6 **b. Building Bulk Reduction**

7 (1) At least 25% of the length of a building's street front façade
8 above two stories or 25 feet in height (whichever is lower
9 must be set back at least 12 feet from the front of the
10 building façade at finished grade; and

11 (2) If a building façade faces a property line adjacent to a
12 residential property, the PDSD Director may require more
13 bulk reduction elements based on a finding by the DRCIID
14 DRC of a greater need for mitigation.

15 (3) To encourage innovative design solutions, a bulk reduction
16 proposal that is different from the design standards listed
17 above may be approved by the PDSD Director upon a
18 finding by the Design Professional that the proposed
19 alternative design provides an effective way of breaking up
20 the horizontal mass of a building façade as the design
21 standards of this Section.

22 **3.** Windows at or above the second story of a structure shall be located or
23 treated to reduce views into adjacent affected residential property's
24 buildings and yard areas.†

25 **4.** Balconies shall be oriented away from affected residential property or use a
26 screening device to reduce views in-to the rear or side yards of the affected
27 residential property.†

28 a. The developing site's buildings shall be oriented so as to reduce views
29 onto an affected residential property; and

30 b. Buffers ~~and~~/or screening or both, consistent with the purpose of this
31 section shall be provided between a developing site and affected
32 residential properties and shall include features such as, but not
33 limited to, landscaping, walls, and architecturally decorative features

34 **5. Mitigation of Service Areas**

35 Potential nuisance or noisy areas shall be oriented away from affected
36 residential property, such as by placing service areas for loading and
37 garbage disposal between the developing site's buildings, behind opaque
38 barriers, or by using architectural or landscaping treatments that effectively
39 reduce nuisance impacts from service areas. The service area shall be
40 mitigated to reduce the noise and view of the service features, reduce the
41 emission of offensive odors to owners or occupants of adjacent properties or
42 create a nuisance or hazard beyond the property lines of the project site, and
43 prevent vibrations that are discernible beyond the property lines of the
44 project site.

45 **6. Mitigation of Parking Facilities and Other Areas**

1 Where the site has ~~a~~ parking areas or an area with noise and outdoor
2 lighting features, the areas shall be screened from affected residential
3 property by a combination of a wall or opaque non-chain link fence with a
4 vegetative hedge or a row of trees that shall be dense enough to screen
5 views onto the development site. An alternative treatment may be used, such
6 as using architectural or landscaping treatments that effectively reduce
7 nuisance impacts from parking facilities and other areas. Where there is a
8 finding that the vegetative screen will be opaque, the requirement of a
9 masonry wall may ~~not~~ be waived by the PDS Director.~~required.~~

10 **C. Alternative Compliance**

11 1. The PDS Director may approve an urban design best practice option for
12 compliance with UDC Section 5.12.8.A, Streetscape Design, and UDC Section
13 5.12.8.B, Development Transition Standards.

14 1.2. For purposes of this section, urban design best practices may include urban
15 design studies approved for the City of Tucson, adopted urban design
16 standards for a downtown area in an Arizona city of comparable size or a
17 city in the Southwest of comparable size, books written by urban design
18 experts or endorsed by a professional organization, such as the American
19 Institute of Architects, addressing downtown development, or any comparable
20 report, study, or standards recommended by the City's Design Professional
21 and approved by the PDS Director.

22 **D. Utilities**

23 Plans shall include information on the layout and demonstrate availability of utilities
24 such as water, wastewater, natural gas, electric, and telecommunication utilities.

25 **E. Parking**

26 1. Parking spaces may be located as follows:

27 a. On site; or

28 b. Off-site within 1/4 of a mile of the project site under a shared parking
29 agreement that is approved by the City.

30 2. Required vehicle and bicycle parking may be reduced pursuant to an IID
31 Parking Plan prepared in accordance with Section UDC Section 7.4.5.A,
32 except as modified as follows:

33 a. UDC Section 7.4.5.A.3.a in Permitted Uses and Types of Development does
34 not apply. An IID Parking Plan may be used to reduce required
35 residential parking.

36 b. In addition to the requirements of UDC Section 7.4.5.A an IID Parking
37 Plan for a proposed development using IID Optional Zoning must include
38 proposed methods to reduce vehicular use such as, but not limited to:

39 (1) Ride share programs.

40 (2) Bike share programs.

41 (3) Car share programs.

42 (4) Shared parking agreements between multiple uses.

1 (5) Proposals to unbundle the cost of parking spaces from residential
2 office leases, that is, to rent or sell parking spaces separately, rather
3 than automatically including them with building space.

4 c. The finding in ~~Section~~UDC Section 7.4.5.8.F is modified to allow reduction
5 in bicycle parking if the PDSO Director finds that the IID Parking Plan
6 analysis shows that existing bicycle parking in the surrounding area is
7 adequate.

8 d. The neighborhood meeting that is required for under ~~Section~~UDC Section
9 7.4.5.A.6.a may be held concurrently with the neighborhood meeting
10 required by UDC Section 5.12.6.B.

11 e. UDC Section 7.4.5.B *Downtown Parking District* does not apply.

12 3. Where Parking is provided, the parking area must comply with the standards
13 of UDC Section 7.4.6 C. and D.

14 4. Surface parking may only be located within in a parking structure.

15 a. If parking is provided on the first floor of a parking structure, the
16 parking must be screened from view.

17 b. Parking may be located on a surface parking lot if it is determined
18 by the PDSO Director to be impracticable to be located elsewhere
19 and other options are not available. If located on-site, parking areas
20 must be located at the rear or side of the building.

21 c. Changes of use and expansion of existing structures may use the site's
22 current parking configuration.

23 d. Parking structures shall be designed so that parked vehicles are
24 screened from view at street level through incorporation of design
25 elements including, but not limited to, landscaping, pedestrian
26 arcades, occupied space, or display space.

27 5. Special IID Parking Agreement

28 Where a developer can demonstrate to the satisfaction of the PDSO that the
29 parking options provided for in this Section are not feasible, and the City
30 makes a specific finding that the project will have significant economic
31 development value for the IID ~~Sub-district~~Sub-District in which it will be
32 located, the following parking options are allowed as follows:

33 a. A percentage of long-term residential parking may be located in a City
34 public parking garage by an agreement with Park Tucson if the project is
35 of significant economic benefit to the City to allow this option.

36 b. The agreement must be reviewed by PDSO, the Design Professional, Park
37 Tucson and approved by the City Manager.

38 **F. Multi-zone Parcels**

39 Where a development parcel contains more than one zoning district, uses and building
40 massing may be distributed across the zoning districts on the parcel, provided that the
41 development complies with the design standards in ~~Section~~UDC Section 5.12.8.B to
42 mitigate the impact of the new development on existing, less intensely developed
43 adjacent parcels.

5.12-49- GREATER INFILL INCENTIVE SUBDISTRICT

A. GIIS Land Uses.

In the GIIS, a proposed development project using the IID Optional Zoning must meet both of following requirements:

1. It must be a use permitted by the underlying zoning on the property.
2. It is limited to the uses listed in Table 5.12-GIIS-1 below.

TABLE 5.12-GIIS-1 PERMITTED LAND USES	
LAND USE TYPE	
Commercial Services Group	Industrial Use Group
Administrative and Professional Office	Craftwork
Alcoholic Beverage Service	Retail Trade Group
Entertainment	General Merchandise Sales
Food Service	Food and Beverage Sales
Personal Services	Residential Group
Travelers' Accommodation, Lodging	Attached Family Dwelling
Civic Use Group	Multifamily Dwelling
Civic Assembly	Group Dwellings, pursuant to Section UDC Section 5.12.6.K
Cultural Use	
Educational Use: Instructional School	Other Uses
Educational Use: Postsecondary Institution	Mixed Uses are limited to a combination of Residential and any other uses listed in this table.
Religious Use	

3. Additional Permitted Uses.

With the exception of Automotive Service and Repair uses, which are prohibited, permitted uses include any use permitted in the underlying zone for the property, provided the PDSD Director finds the proposed use to be in accordance with Section UDC Section 5.12.1, (Purpose).

B. Modifications of Underlying Development Standards.

Except as provided in Section C below, 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; UDC Section 7.4, Motor Vehicle & Bicycle Parking; UDC Section 7.5, Off-Street Loading; UDC Section 7.6, Landscaping and Screening. The MDR process shall not be used to modify UDC Section 7.7, Native Plant Preservation may not be modified.

1 **C. Exceptions**

2 The following sections of the UDC may be modified in excess of 25 percent to the
3 extent specified below upon findings by the PDSO Director that the modification is
4 consistent with UDC Section 5.12.1 Purpose.

5 **1. Article 6: Dimensional Standards and Measurements.**

6 **a. Building Height.**

7 Building height may be increased up to 60 feet unless the current
8 zoning allows a greater height or where – the IID Plan's Development
9 Transition Standards as provided in UDC Section 5.12.6.B require
10 less.

11 **b. Street Perimeter Yard.**

12 Perimeter yard requirements may be reduced or waived if when the
13 PDSO Director determines that the request is consistent with the Major
14 Streets and Route Plan, unless unless modified by the Director of the
15 Transportation Department, Tucson and if there is adequate sight
16 visibility, no traffic safety issue is created, and complies with the
17 standards of UDC Section 5.12.86.BB, Development Transition
18 Standards, when applicable.

19 **c. No residential density calculation (RAC) standards apply.**

20 **2. UDC Section 7.4: Motor Vehicle and Bicycle Parking.**

21 **a. Parking**

22 Parking, as required by UDC Section 7.4, Motor Vehicle and Bicycle
23 Parking, Parking may be reduced up to 25 percent. Parking may be
24 decreased by more than 25 percent per an written agreement with
25 the Park Tucson, or in accordance with UDC Section 5.12.8.E, IID
26 Parking Plan, if if the analysis and findings show the proposed parking
27 is adequate.

28 **b. Accessible Parking and Bicycle Facilities.**

29 (1) The number and location of accessible parking spaces
30 required by the City of Tucson's adopted Building Code. The
31 number of accessible parking spaces may not be reduced or
32 eliminated from the number required by the Building Code.

33 (2) ~~Accessible parking and bicycle facilities shall~~may not be
34 reduced or eliminated and must be based on the number of
35 number of motor vehicle parking's bicycle spaces required by
36 UDC Section 7.4.8 for the use.

37 **c. Location**

38 Parking may be provided by any one or by a combination of the
39 following options:

40 (1) On-site;

41 (2) Off-site within 1/4 of a mile of the project site through a
42 shared parking agreement with the City;

1 A. Permitted Uses.

2 With the exception of single-family dwellings, which are not allowed, permitted uses
3 in the DCS are those uses listed for the GHS, UDC Section 5.12.9.A.

4 B. Standards

5 The following apply to all Development within the DCS: ~~shall comply with all of the~~
6 following

- 7 1. Maximum building height may be increased up to 60 feet unless the current
8 zoning allows a greater height or where the approved IID Plan's Development
9 Transition Element requires less.
- 10 2. In the underlying-I-1 and I-2 Zone, uses permitted in the DCS under Sub-
11 section A above are limited to a maximum 75 foot building height.
- 12 3. When provided, landscaping shall be in accordance with the City's drought-
13 tolerant plant list.
- 14 3. Demolition and façade alteration standards and review requirements of
15 Section 5.11.7 and 5.11.8 of the Rio Nuevo District.
- 16 4. When motor vehicle parking is provided, ~~B~~bicycle parking shall be
17 provided ~~when motor vehicle parking is required~~. The required number of
18 bicycle parking spaces may be reduced pursuant to an IID Parking Plan,
19 Section 5.12.8.E when bicycle parking is required per this section. ~~and,~~
- 20 5. Where applicable, applicants are strongly encouraged to comply with
21 Section 7.7, Native Plant Preservation.
- 22 6. All applications shall be in accordance with UDC Section .5.12.7.C.6,9,12, 13,
23 and 14, and UDC Section 5.12.7.D.3.

24 C. Exemptions

25 Except as provided in this section, development within the DCS is exempt from the
26 following standards unless the PDSO Director makes a finding that public safety and
27 health would be jeopardized:

- 28 1. Section 5.4, Major Streets and Routes Setback Zone;
- 29 2. Minimum perimeter yard standard as provided in UDC Section 6.3, except
30 when required by UDC Section 5.12.6.B, Development Transition;
- 31 3. Maximum lot coverage standard as provided in Section 6.3;
- 32 4. Minimum lot size standard as provided in Section 6.3,
- 33 5. UDC Section 7.4, Motor Vehicle and Bicycle Parking, except as provided in
34 UDC Section 5.12.8.E;
- 35 6. UDC Section 7.5, Off-Street Loading;
- 36 7. UDC Section 7.6, Landscaping and Screening Standards, except as required by
37 Section 5.12.6.B, Development Transition Standards; and,
- 38 8. UDC Section 7.7, Native Plant Preservation, except when the property includes
39 a drainage corridor where native plants are present or when the property is

1 adjacent to a drainage corridor and remnant native plants are present on the
2 project site.

3 D. Other Permitted Modifications

4 1. Pedestrian Access

5 Alternative pedestrian access that creates connectivity between public
6 entrances to the project and abutting sidewalks may be allowed as long as
7 no safety hazard is created. All pedestrian access shall conform to the City
8 of Tucson's adopted Building Code.

9 2. Solid Waste Collection

10 On-site refuse collection container standards governing access, type, and
11 location may be modified if the Environmental Services Department
12 determines that no public health or traffic safety issue is created.

5.12.11 DOWNTOWN LINKS SUBDISTRICT

FIGURE 5.12-DLS-A

MAP OF DOWNTOWN LINKS DISTRICT



NORTH

SCALE: 1" = 1000'



LEGEND

- 1. Toole Avenue Area
- 2. Warehouse Triangle Area
- 3. 4th Avenue Area
- 4. Iron Horse Area
- 5. Stone/Sixth Street Area

- Downtown Links Subdistrict
- Downtown Links Roadway (Under Construction)

A. DLS Areas and Sub-Areas

The DLS is divided into the following Areas:

1. Toole Avenue Area (TAA)
 - a. Toole Avenue Sub-Area (TAS)
 - b. UA Annex Sub-Area (UAS)
 - c. El Presidio Sub-Area (EPS)
2. Warehouse Triangle Area (WTA)
3. Fourth Avenue Area (FAA)
 - a. Fourth Avenue Historic Sub-Area (FHS)
 - b. Fourth Avenue Sub-Area (FAS)
4. Iron Horse Area (IHA)
 - a. Armory Park and Iron Horse, Mixed Use Sub-Area (AIH-MS)
 - b. Iron Horse, Low Density Residential Sub-Area (IH-RS)
5. Stone/Sixth Area (SSA)
 - a. Stone Sub-Area (STS)
 - b. Sixth Street Sub-Area (SSS)

B. Required Use and Development Standards and Notations

1. Required use and development standards in the DLS Sub-Areas are set forth in the Tables and Diagrams for each DLS Area. Uses that are similar in nature and intensity as those listed may be permitted by Special Exception through the procedures for Special Exceptions in Section 4.3.1, provided the PDS Director finds the proposed use to be in accordance with Section 5.12.1, Purpose.
2. The numbers in the Tables following a use or a standard correspond to the specific requirements of that use or standard (see Tables in each Sub-Area)
3. The letters in the Tables correspond to the letters in the Diagrams in each Sub-Area.
4. All illustrations and Figures used in the DLS are not regulatory and are included only for illustrative purposes.

C. Permitted Uses for all Areas and Sub-areaSub-Areas in the DLS

Permitted land uses under the DLS zoning option are shown in Table 5.12-DLS-1 for each DLS Area; Use Specific Standards for Table 5.12-DLS-1 are listed below.

1. In the UAS all land uses must comply with the standards as set forth in the I-1 underlying zoning except that residential uses for C-3 zoning are also allowed. Automotive service uses are not permitted.

2. Uses similar in nature and intensity to the uses permitted in the DLS may be permitted as a Special Exception land use pursuant to the UDC Special Exception Process under Section 3.4.2.

TABLE 5.12-DLS-1									
PERMITTED USES									
LAND USE TYPE	PERMITTED USES IN THE FOLLOWING DLS AREAS								
	TAS	UAS	EPS	WTA	FAA	AIH-MS	IH-RS	STS	SSS
COMMERCIAL SERVICES GROUP									
<u>Administrative and Professional Offices</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P (1)</u>		<u>P</u>	<u>P</u>
<u>Alcoholic Beverage Sale : Microbrewery as an accessory use to this group</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P (1)</u>		<u>P (1)</u>	<u>P</u>
<u>Animal Services</u>	<u>P (2)</u>	<u>P (2)</u>	<u>P (2)</u>	<u>P (2)</u>	<u>P (2)</u>	<u>P (2)</u>		<u>P (2)</u>	<u>P (2)</u>
<u>Commercial Recreation</u>	<u>P (3)</u>	<u>P (3)</u>	<u>P (3)</u>	<u>P (3)</u>	<u>P (3)</u>			<u>P (3)</u>	<u>P (3)</u>
<u>Day Care</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P (1)</u>		<u>P</u>	<u>P</u>
<u>Entertainment</u>	<u>P (3)</u>	<u>P (3, 4)</u>	<u>P (3, 4)</u>	<u>P (3, 4)</u>	<u>P (3, 4)</u>			<u>P (3, 4)</u>	<u>P (3, 4)</u>
<u>Financial Services</u>	<u>P (5, 6)</u>	<u>P (5, 6)</u>	<u>P (5, 6)</u>	<u>P (5, 6)</u>	<u>P (5, 6)</u>	<u>P (1, 5, 6)</u>		<u>P (1, 5, 6)</u>	<u>P (5, 6)</u>
<u>Food Service</u>	<u>P (7, 8)</u>	<u>P (7, 8)</u>	<u>P (7, 8)</u>	<u>P (7, 8)</u>	<u>P (7, 8)</u>	<u>P (1, 7, 8)</u>		<u>P (1, 7, 8)</u>	<u>P (7, 8)</u>
<u>Medical Services - Outpatient</u>	<u>P (9)</u>	<u>P (9)</u>	<u>P (9)</u>	<u>P (9)</u>	<u>P (9)</u>	<u>P (9)</u>		<u>P (9)</u>	<u>P (9)</u>
<u>Parking</u>	<u>P</u>	<u>P (12)</u>	<u>P (12)</u>	<u>P (12)</u>				<u>P</u>	<u>P (12)</u>
<u>Personal Services</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P (1)</u>		<u>P</u>	<u>P</u>
<u>Research and Product Development</u>	<u>P (10)</u>	<u>P (10)</u>	<u>P (10)</u>	<u>P (10)</u>	<u>P (10)</u>	<u>P</u>		<u>P (10)</u>	<u>P (10)</u>
<u>Technical Services</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>			<u>P</u>	<u>P</u>
<u>Trade Service and Repair- Minor</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P (1)</u>		<u>P</u>	<u>P</u>
<u>Transportation Service- Land Carrier</u>	<u>P (11)</u>	<u>P (11)</u>	<u>P (11)</u>	<u>P (11)</u>	<u>P (11)</u>			<u>P (11)</u>	<u>P (11)</u>
<u>Travelers Accommodations, Lodging</u>	<u>P (13)</u>	<u>P (13)</u>	<u>P (13)</u>	<u>P (13)</u>	<u>P (13)</u>	<u>P (1, 13, 14)</u>		<u>P (13)</u>	<u>P (13)</u>
RETAIL USE GROUP									
<u>Food and Beverage Sales</u>	<u>P (5)</u>	<u>P (5)</u>	<u>P (5)</u>	<u>P (5)</u>	<u>P (5)</u>	<u>P (1, 5, 18)</u>		<u>P (5)</u>	<u>P (5)</u>
<u>General Merchandise Sales</u>	<u>P (5, 15, 16, 17)</u>	<u>P (5, 15, 16, 17)</u>	<u>P (5, 15, 16, 17)</u>	<u>P (5, 15, 16, 17)</u>	<u>P (5, 15, 16, 17)</u>	<u>P (1, 5, 15, 16, 17)</u>		<u>P (5, 15, 16, 17)</u>	<u>P (5, 15, 16, 17)</u>
<u>Vehicle Rental</u>	<u>P (12)</u>	<u>P (12)</u>	<u>P (12)</u>	<u>P (12)</u>	<u>P (12)</u>			<u>P (12)</u>	<u>P (12)</u>

TABLE 5.12-DLS-1									
PERMITTED USES									
LAND USE TYPE	PERMITTED USES IN THE FOLLOWING DLS AREAS								
-	TAS	UAS	EPS	WTA	FAA	AIH-MS	IH-RS	STS	SSS
CIVIC USE GROUP									
<u>Civic Assembly</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>
<u>Cultural Use</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>
<u>Educational Uses Postsecondary Institution or Instructional School</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>			<u>P</u>	<u>P</u>
<u>Membership Organization</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>			<u>P</u>	<u>P</u>
<u>Postal Services</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Religious Use</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Protective Services</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>
RECREATIONAL USE GROUP									
<u>Parks and Recreation</u>	<u>P (3)</u>	<u>P (3)</u>	-	<u>P (3)</u>	<u>P (3)</u>	<u>P (20)</u>	<u>P (20)</u>	<u>P (3)</u>	<u>P (3)</u>
RESIDENTIAL USE GROUP									
<u>Family Dwelling</u>	<u>P (28)</u>	<u>P (28)</u>	<u>P (28)</u>	<u>P (28)</u>	<u>P (28)</u>	<u>P (28)</u>	<u>P</u>	<u>P (28)</u>	<u>P (28)</u>
<u>Group Dwelling</u>	<u>P (29)</u>	<u>P (29)</u>	<u>P (29)</u>	<u>P (29)</u>	<u>P (29)</u>			<u>P (29)</u>	<u>P (29)</u>
<u>Artist Studio/Res.</u>	<u>P (19)</u>	<u>P (19)</u>	<u>P (19)</u>	<u>P (19)</u>	<u>P (19)</u>	<u>P (19)</u>	<u>P (19)</u>	<u>P (19)</u>	<u>P (19)</u>
<u>Residential Care Services- Adult Care Service or Physical or Behavioral Health</u>	<u>P (21,23)</u>	<u>P (21,23)</u>	<u>P (21,23)</u>	<u>P (21,23)</u>	<u>P (21,23)</u>	<u>P (21, 23)</u>		<u>P (21,23)</u>	<u>P (21,23)</u>
<u>Residential Care Services/ Rehabilitation Services</u>	<u>P (22)</u>	<u>P (22, 23)</u>	<u>P (22, 23)</u>	<u>P (22, 23)</u>	<u>P (22, 23)</u>	<u>P (1, 22, 23)</u>		<u>P (22, 23)</u>	<u>P (22, 23)</u>
<u>Home Occupation</u>	<u>P (24)</u>	<u>P (24)</u>	<u>P (24)</u>	<u>P (24)</u>	<u>P (24)</u>	<u>P (24)</u>	<u>P (24)</u>	<u>P (24)</u>	<u>P (24)</u>
INDUSTRIAL GROUP									
<u>Craftwork</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>General Manufacturing</u>	<u>P (25)</u>	<u>P (25)</u>	<u>P (25)</u>	<u>P(25)</u>	<u>P (25)</u>			<u>P (25)</u>	<u>P (25)</u>
<u>Perishable Goods Manufacturing -</u>	<u>P (26)</u>	<u>P(26)</u>	<u>P(26)</u>	<u>P(26)</u>	<u>P (1) (26)</u>		<u>P(26)</u>	<u>P(26)</u>	<u>P(26)</u>
<u>Precision Manufacturing</u>	<u>P (25)</u>	<u>P (25)</u>	<u>P (25)</u>	<u>P (25)</u>	<u>P (25)</u>			<u>P (25)</u>	<u>P (25)</u>
<u>Primary Manufacturing</u>	<u>P (25)</u>	<u>P (25)</u>	<u>P (25)</u>	<u>P (25)</u>	<u>P (25)</u>			<u>P (25)</u>	<u>P (25)</u>
<u>Salvaging or Recycling</u>	<u>P (27)</u>	<u>P (27)</u>	<u>P (27)</u>	<u>P (27)</u>	<u>P (27)</u>			<u>P (27)</u>	<u>P (27)</u>

D. Use Specific Standards for UDC Table 5.12-DLS-1.

1. Permitted only on Ninth Street in the ALH-MS. Permitted only in Stone Avenue in STS.
2. The use must be entirely contained in the interior of the building and is not permitted in any yard or patio.
3. Large recreational facilities of more than 25,000 sq. ft. of floor area (including gross floor area and any outside areas providing service to the public) are not allowed.
4. Circuses, carnivals, or tent shows are not allowed.
5. Drive-through services are not allowed.
6. Non-chartered financial institution facilities, such as payday loan facilities are not allowed.
7. Drive-in and drive-through restaurants are not allowed.
8. Soup kitchens are not allowed.
9. Blood donor centers are not allowed.
10. Only scientific, non-industrial type of research and development is allowed.
11. The use is limited to public transit stops.
12. No surface parking lots. Vehicle parking must be located in a structure.
13. Hotels may not provide individual room access from the exterior of the building.
14. Limited to Bed & Breakfast only. Permitted for up to 20 guests for a maximum of 14 days. No more than 20 sleeping rooms may be used by guests. Meals may be served only to guests staying at the facility. Separate cooking facilities in guest rooms are prohibited.
15. Display or storage of fertilizer, manure, or other odorous material is not allowed.
16. Gas stations are not allowed.
17. Motor vehicle sales are not allowed.
18. No alcoholic beverage sales.
19. Adequate measures required to assure the health, safety and welfare of the occupants or adjacent residents' property in relation to any industrial process, use or storage. Additionally, appropriate building code occupancy separation must be ensured. On-site sale of the artists' products, including occasional shows of the artist' works are permitted secondary uses.
20. Limited to Neighborhood Parks Recreation. In addition to City of Tucson/Pima County Outdoor Lighting Code Chapter 6, Section 601-603, Recreational Facilities, any outdoor lighting associated with the use must be located and directed to eliminate glare toward streets and adjoining residential areas.
21. Care is permitted for a maximum of 20 residents.

- 22. Care is permitted for a maximum of 10 residents.
- 23. If licensing is required by the state of Arizona for the use, proof of such licensure must be provided.
- 24. Permitted as an accessory use to a Family Dwelling, excluding Day Care and Traveler’s Accommodation Lodging. The use may not create any nuisance, hazard or other offensive condition, such as that resulting from noise, smoke, dust, odors or other noxious emissions.
- 25. Permitted as an accessory use to the Commercial Services and Retail use groups, and limited to 50% of the gross floor area.
- 26. Limited to baked goods, confectionary other food products manufacturing.
- 27. Permitted as an accessory land use to religious, commercial services, retail trade use groups and educational use. Salvaging and recycling is limited to recycling collection bins and to empty household product containers, such as, but not limited to, aluminum cans, glass and plastic bottles, and newspaper.
- 28. For Family Dwelling uses, only Multifamily Dwelling Developments are allowed.
- 29. Group Dwellings that meet the IID definition for that term in Section 11.4.8 G require Mayor and Council approval pursuant to Section 3.4.4 Mayor and Council Special Exception Procedure if the group dwelling development site is located within 300 feet or less of a detached single-family dwelling.

E. Downtown Links Roadway

Development under the Downtown Links Sub-District portion or the UDC is prohibited within the right-of-way of the future downtown links roadway project. Preliminary location of future right-of-way is depicted on sub-area maps.

F. Historic Preservation

The maps included in this document attempt to show the “contributing” or “eligible” properties from information available as of June 2014. It is the responsibility of each applicant for this zoning option to verify the current eligibility status of the property in question with the City of Tucson Office of Historic Preservation.

G. Loading, Solid Waste, Landscaping and Screening for all Areas and ~~Sub-area~~Sub-Areas in the DLS.

Loading and solid waste collection and landscaping and screening requirements in the all DLS Areas and ~~Sub-area~~Sub-Areas provided in UDC Table 5.12-DLS-2.

<u>UDC TABLE 5.12-DLS-2</u>	
<u>LOADING AND SOLID WASTE</u>	<u>SPECIFIC STANDARDS</u>
<u>Loading requirements must comply with Section 7.4 et seq. for the land use group or class. (1)</u>	<u>1. Off-street loading zone standards may be reduced or waived if PDS and the Dept. of Transportation determine that no traffic safety</u>

Solid waste collection requirements must comply with COT Administrative Manual Section 8.01 et seq. for solid waste. (2)

issue is created.

2. On-site refuse collection container requirements governing access, type, and location may be modified if the Environmental Services Dept. determines that no public health or traffic safety issues are created. Group solutions (multiple site, multiple owners) to refuse collection are encouraged.

LANDSCAPING AND SCREENING

A complete or partial exception to the landscaping and screening requirements in Section 7.6 may be granted by the PDSD Director, if shade along sidewalks, pedestrian circulation paths or outdoor patios is provided for pedestrians and customers in accordance Section 5.12.6.A.2. Alternative pedestrian access that creates connectivity between public entrances to the project and abutting sidewalk is allowed if no safety hazard is created. All pedestrian access must conform to the accessibility standards of the City of Tucson's Building Code.

H. Solar Exposure

Solar Exposure standards for all Sub-Districts in the DLS provided in UDC Table 5.12-DLS-3

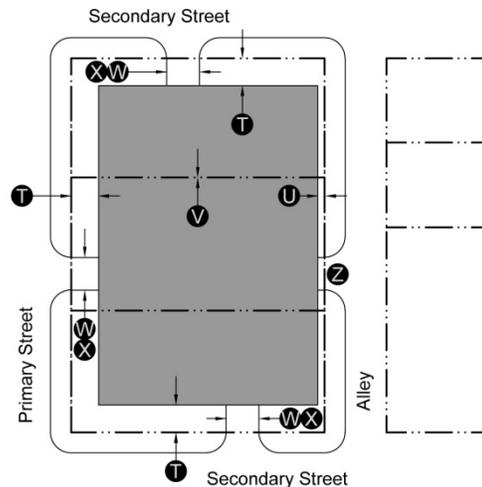
UDC TABLE 5.12-DLS-3

SOLAR EXPOSURE		SPECIFIC REQUIREMENTS
Maximum Glass on East and West	50% of Façade	1. Percentage of glass must be shaded between 10 AM and 3 PM between May through October
Minimum shade on East and West glass (1)	50%	
Maximum glass on North and South	Unlimited	
Minimum shade on North and South glass	0%	

I. Parking

Parking standards for all DLS Sub-Areas are shown in Figure 5.12-E and Table 5.12-5. Additionally the General IID parking standards in Section 5.12.8.E apply.

FIGURE 5.12.E



Key
 - - - Property Line ■ Allowable Parking Area
 ——— Parking Setbacks

I. Alleyways and Pedestrian Access Lanes

Development in the DLS is intended to encourage and support an active, secure and comfortable pedestrian environment. Property fronting alleys and pedestrian lanes should have interesting treatments, such as landscaping and wall art. Alleys and pedestrian access lanes are opportunities for a great place to walk and other active uses, such as spillover activities from the ground level Commercial Services and Retail Trade uses. Special festive lighting is encouraged in alleyways to complement street lighting and to illuminate the space for events. At corner sites, building design and orientation may be organized to have active “frontage” on the alleyway. Architectural elements such as landscaping should be incorporated into properties fronting alleys to screen utility service activities.

5.12.8. TOOLE AVENUE AREA (TAS)

Toole Avenue Sub-Area

The intent of this zone is to allow for and encourage development of northern Toole Avenue as per the Historic Warehouse Arts District Master plan. Incentives offered under the Downtown Core Sub--district of the infill incentive zone such as exemptions from MS&R setback, perimeter yards, lot coverage, parking and landscape screening requirements are included under this zone. Additionally, multifamily residential development(not currently allowed in the underlying I-1 zone) shall be permitted.



UA Annex Sub-Area (UAS)

The intent of this zone is to allow for multifamily residential uses in areas that are within the underlying UDC I-1 zoning, as well as to allow for parking incentives.

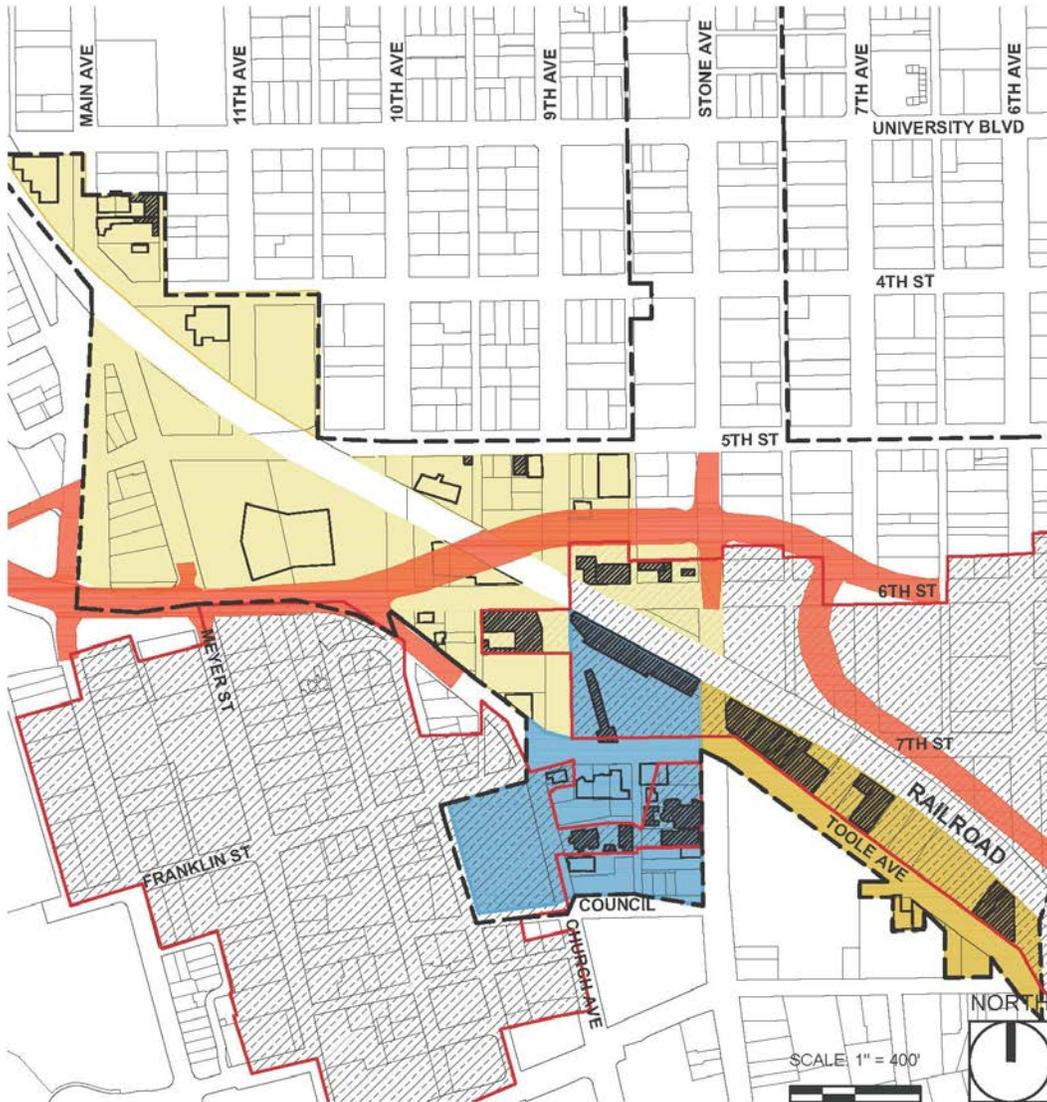
El Presidio Sub-Area

The intent of the El Presidio Area is to encourage development within the sensitive historic neighborhood of El Presidio. Specific building heights and setbacks have been mapped out to encourage density within the historic context. Other incentives include reductions in required parking, and lot coverage.

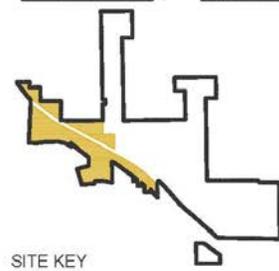


FIGURE 5.12-TAA-A
MAP OF TOOLE AVENUE AREA AND SUB-AREAS

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



- LEGEND
- Toole Avenue Sub-Area (TAS)
 - UA Annex Sub-Area (UAS)
 - El Presidio Sub-Area (EPS)
 - Downtown Links Subdistrict
 - Downtown Links Roadway (Under Construction)
 - Listed or Eligible Building
 - Unlisted Existing Building
 - National Register Districts



SITE KEY

A. Toole Avenue Sub-Area (TAS)

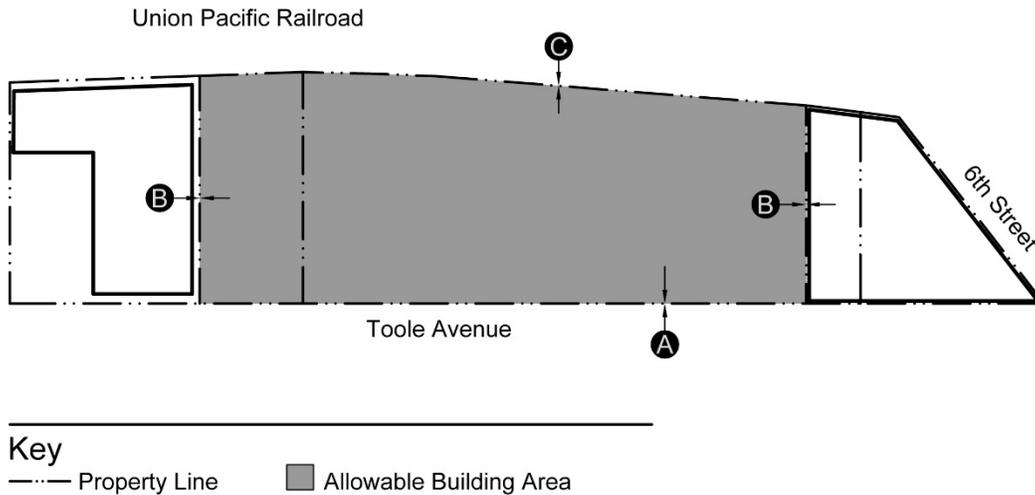
1. Standards

UDC Figure 5.12-TAA-A shows the boundaries of the TAA and its Sub-Areas. Toole Avenue Sub-Area zoning regulations contained herein may be used in lieu of underlying zoning.

2. Building Placement

Building placement and setback requirements in the TAS are as shown in UDC Figure 5.12-TAS-A and Table 5.12-TAS-1.

FIGURE 5.12-TAS-A



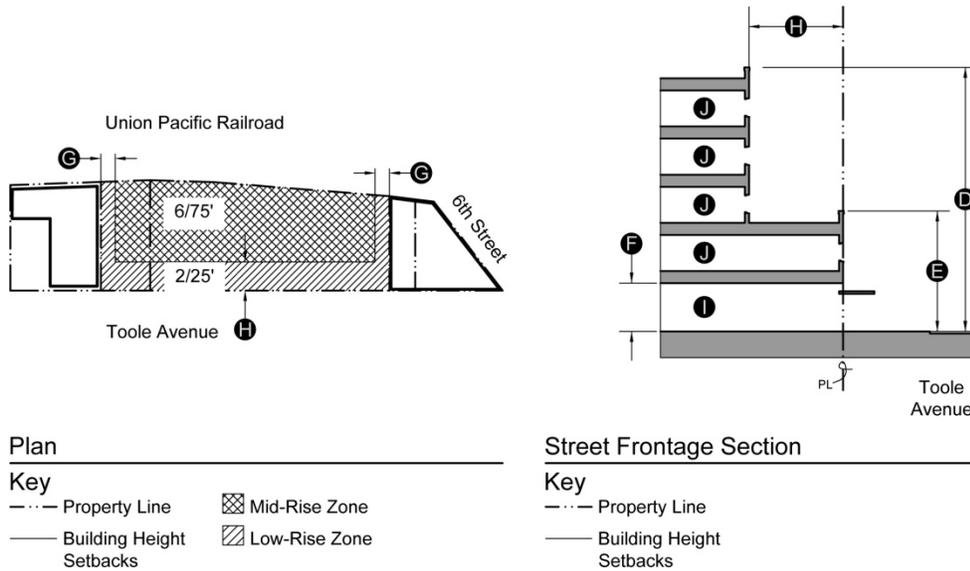
UDC TABLE 5.12-UAS-1		
UA ANNEX SUB-AREA STANDARDS		
BUILDING PLACEMENT STANDARDS	SPECIFIC REQUIREMENTS	
Build to Line (Distance from Property Line) (1)	-	-
Street Side	0 Ft.	A
Setback (Distance from Property Line)	-	-
Side Yard	0 Ft.	B
Rear Yard	0 Ft.	C

1. Build-to line is defined as the line at which construction of a building façade is to occur on a lot. A build-to line runs parallel to, and is measured from, street front property lines and is established to create an even building façade line on a street. Build-to line applies to street frontage only (both primary and secondary streets at corner lots) and only applies when new building footprint exceeds 25% of the site area. Where applicable 75% of new building frontage must be located at or near the build-to line.

1. Building Heights, Floor Uses

Building height and floor use requirements in the TAS are as shown in Figure 5.12-TAS-B and Table 5.12-TAS-2.

FIGURE 5.12-TAS-B

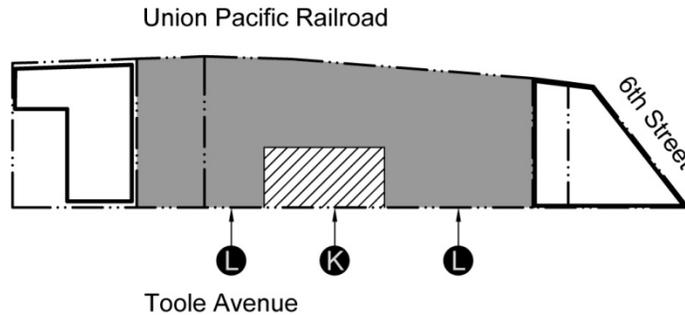


UDC TABLE 5.12-TAS-2		
TOOLE AVENUE SUB-AREA STANDARDS		
BUILDING HEIGHT STANDARDS		SPECIFIC REQUIREMENTS
Mid-Rise Building Height (1)	Six stories with a maximum height of 75 feet.	1. Mid-Rise building height is 6 Stories or 75 Ft. (D) from the midrise setbacks (G, H). 2. All new construction shall have scale-defining architectural elements or details at first two levels. 3. A single plane of façade at the street level may not be longer than 50 Ft. without architectural relief or articulation such as windows, trellises and arcades. 4. Uses that create significant human activity at Street level such as pedestrian traffic and increases in business activity. 5. First floor level to be differentiated in form from upper levels.
Low-Rise Building Height	Two stories with a maximum height of 25 feet	
First Floor Ceiling	12 Ft. Min Clearance	
Building Height Setbacks (distance from property line)		
Mid-Rise Side Yard Setback	20 Ft.	
Mid-Rise Street Side Setback	40 Ft.	
FLOOR USES		
Ground Floor (2,3,4,5)	Commercial Services and Retail Trade Uses that encourage street level activity are preferred, but office or residential uses may be used if the Commercial Services and Retail Trade Uses are not supported by market demand and contingent on new development meeting all other requirements of this table.	
Upper Floors	Residential or Commercial Services	

3. Lot Coverage, Open Space, Pedestrian Access

Lot Coverage, Open Space and Pedestrian Access requirements in the TAS are as shown in Figure 5.12-TAS-C and Table 5.12-TAS-3.

FIGURE 5.12.2-TAS-C



Plan

Key

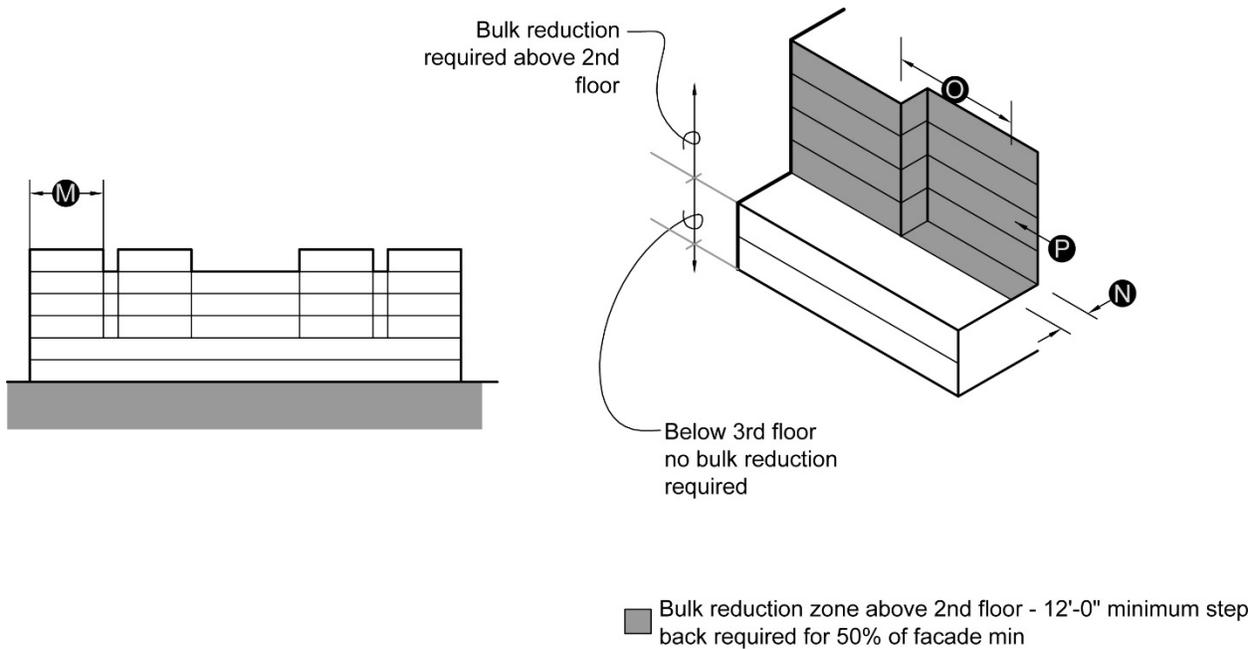
- · · — Property Line
- Building Footprint (Example Only)
- ▨ Open Space (Example Only)

UDC TABLE 5.12-TAS-3		
TOOLE AVENUE SUB-AREA STANDARDS		
OPEN SPACE STANDARDS	SPECIFIC REQUIREMENTS	
Lot Coverage	-	-
Maximum Lot Coverage (1)	100%	-
Open Space	-	-
Open Space at Multi-Unit Dwellings (2,3,4)	30 Sq. Ft./DU or 20% of Lot Area (7)	-
-	-	-
Open Space Non-Residential (2,3,4)	Min. of 30% of Lot Area	-
Minimum Landscape Area	50% of Open Space (8)	-
Pedestrian Access (5)	-	-
Pedestrian Access to Open Space	Required	K
Main Entrance Location (6)	Primary Street (Toole Ave.)	L
		7. Open space at multi-dwelling units is 30 Sq. Ft. per dwelling unit or 20% of lot area, whichever is greater.
		8. Minimum landscape requirement applies only to common area open space.

4. Building Massing Standards

Building Massing Standards in the TAS are as shown in Figure 5.12-TAS-D and Table 5.12-TAS-4. The Building Massing Standards apply to all Sub-area in the Toole Ave. Area

FIGURE 5.12-TAS-D



UDC TABLE 5.12-TAS-4			
TOOLE AVENUE SUB-AREA STANDARDS			
BUILDING MASSING STANDARDS			SPECIFIC REQUIREMENTS
Articulation	-	-	1. Any building over 50 Ft. wide must be broken down to read as a series of buildings no wider than 50 Ft. And should include a variety of facades. (M)
Maximum unbroken building mass (1)	50 Ft. Max.	M	
Bulk Reduction (Mid Rise)	-	-	
Bulk Reduction Setback (2)	12 Ft. Min.	N	2. A step-back bulk reduction area a minimum of 12 ft. in depth (N) is required for at least 50% of the facade (O) . No bulk reduction is required below the third floor. See figures above.
Bulk Reduction Required Area	50% of Façade	O	
Bulk Reduction Zone	Required Above Second Floor	P	

C. UA Annex Sub-Area (UAS)

1. Standards

Figure 5.12-TAA-A shows the boundaries of the TAA and its sub-areas. Zoning option standards for the UAS may be used in lieu of underlying UDC zoning.

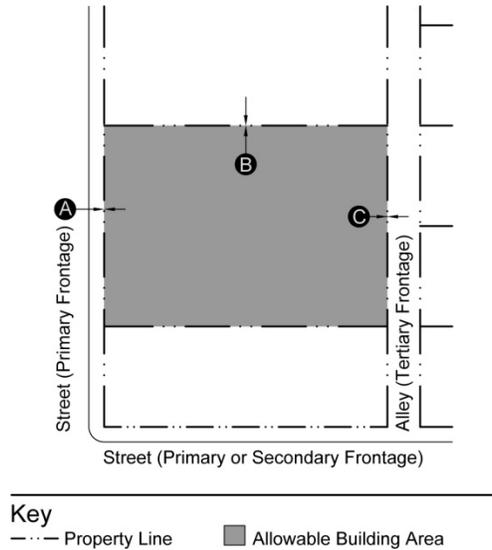
2. Residential Density

Within the UAS the maximum permitted residential density is 100 DU/AC, regardless of commercial use.

3. Building Placement

Building placement requirements in the UAS are as shown in Figure 5.12-UAS-A and Table 5.12-UAS-1.

FIGURE 5.12-UAS-A

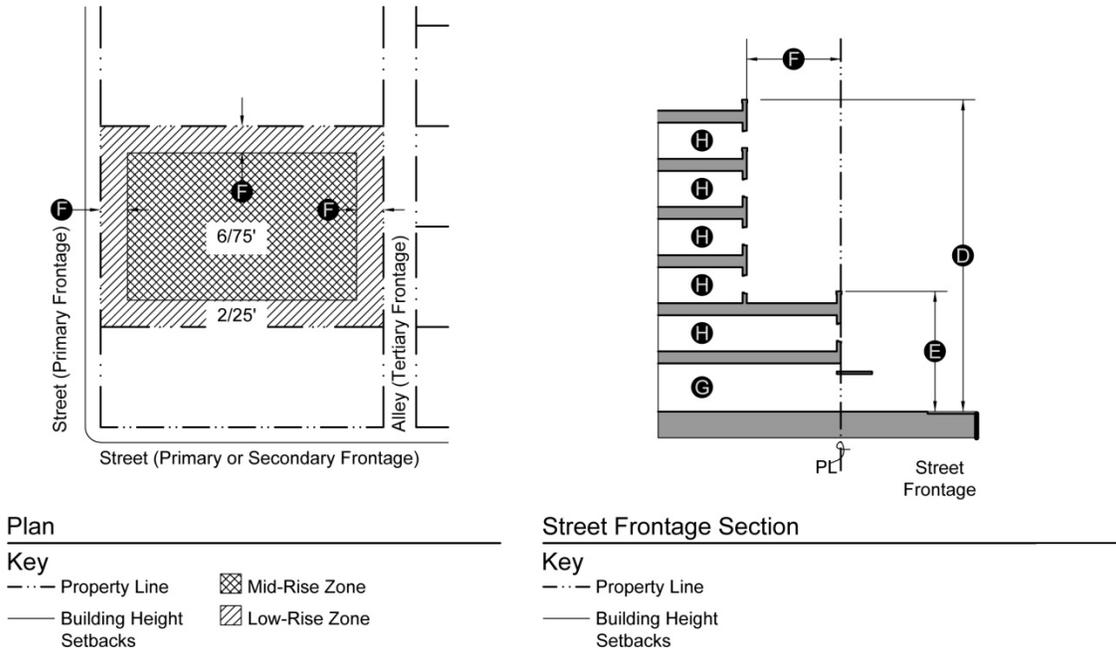


UDC TABLE 5.12-UAS-1		
UA ANNEX SUB-AREA STANDARDS		
BUILDING PLACEMENT STANDARDS		SPECIFIC REQUIREMENTS
Build to Line (Distance from Property Line) (1)	- -	<u>1. Build-to line is defined as the line at which construction of a building façade is to occur on a lot. A build-to line runs parallel to, and is measured from, street front property lines and is established to create an even building façade line on a street. Build-to line applies to street frontage only (both primary and secondary streets at corner lots) and only applies when new building footprint exceeds 25% of the site area. Where applicable 75% of new building frontage must be located at or near the build-to line.</u>
Street Side	0 Ft. A	
Setback (Distance from Property Line)	- -	
Side Yard	0 Ft. B	
Rear Yard	0 Ft. C	

4. Building Height, Floor Uses

Building height and floor use requirements in the UAS are as shown in Figure 5.12-UAS-B and Table 5.12-UAS-2.

FIGURE 5.12-UAS-B

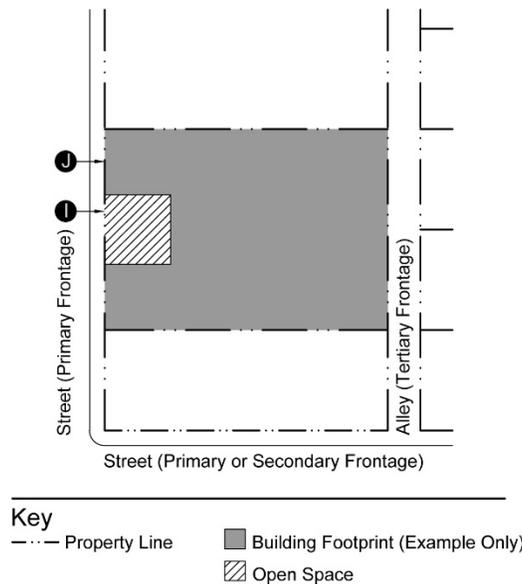


UDC TABLE 5.12-UAS-2			
UA ANNEX SUB-AREA STANDARDS			
BUILDING HEIGHT STANDARDS			SPECIFIC REQUIREMENTS
Mid-Rise Building Height (1)	75 Ft. Maximum or 6 Stories	D	1. Mid-Rise building height is 6 Stories or 75 Ft. (D) from the midrise setback (F).
Low-Rise Building Height	25 Ft. Maximum or 2 Stories	E	
Building Height Setbacks (distance from property line)			2. All new construction shall have scale-defining architectural elements or details at first two levels.
Mid-Rise Side Setback	20 Ft.	F	
FLOOR USES			3. A single plane of façade at the street level may not be longer than 50 Ft. without architectural relief or articulation such as windows, trellises and arcades. 4. Uses that create significant human activity at Street level such as pedestrian traffic and increases in business activity, is achieved by providing a mix of 5. First floor level to be differentiated in form from upper levels.
Ground Floor (2,3,4,5)	Commercial Services and Retail Trade Uses ready that encourage street level activity are preferred, but office or residential uses may be used if Commercial Services and Retail Trade Uses are not supported by market demand and contingent on new development meeting all other requirements of this table.	G	
Upper Floors	Residential or Commercial Services	H	

5. Lot Coverage, Open Space, Pedestrian Access

Lot Coverage, open space, and pedestrian access requirements in the UAS are as shown in Figure 5.12-UAS-C and Table 5.12-UAS-3.

FIGURE 5.12-UA S-C

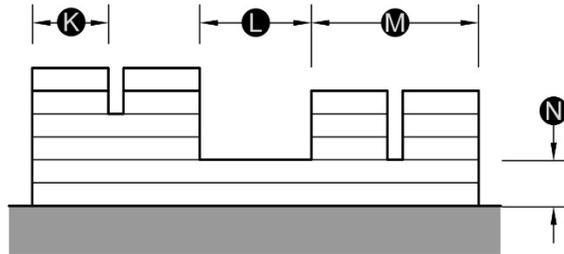


UDC TABLE 5.12-UAS-3				
UA ANNEX SUB-AREA STANDARDS				
OPEN SPACE STANDARDS	SPECIFIC REQUIREMENTS			
Lot Coverage	<ol style="list-style-type: none"> 1. Covered by impervious surfaces such as, but not limited to buildings, drives, or parking. 2. Usable open space does not need to be located on the ground - green roof or terrace is acceptable 3. Usable open space may be any combination of private and common space. 4. Parking may not be counted as open space. 5. Open space at multi-dwelling units is 30 Sq. Ft. per dwelling unit or 30% of lot area, whichever is greater. 6. Main entrance locations shall be directly accessed from a sidewalk along a street rather than from a parking lot. 7. Minimum landscape requirement applies only to common area open space. 			
Maximum Lot Coverage (1)			100%	
Open Space				
Open Space at Multi-Unit Dwellings (2,3,4)			30 Sq. Ft./DU or 30% of Lot Area (5)	
Open Space Non-Residential (2,3,4)			Min. of 30% of Lot Area	
Minimum Landscape Area			50% of Open Space (7)	
Pedestrian Access				
Pedestrian Access to Open Space	Required	!		
Main Entrance Location (6)	Primary or Secondary Street	↓		

6. Building Massing

Building massing requirements in the UAS are as shown in Figure 5.12-UAS-D and Table 5.12-UAS-4.

FIGURE 5.12-UAS-D



UDC TABLE 5.12-UAS-4		
UA ANNEX SUB-AREA STANDARDS		
BUILDING MASSING STANDARDS		SPECIFIC REQUIREMENTS
Articulation		
Maximum unbroken building mass (1)	50 Ft. Max.	K
View Corridors		
Low-Rise Façade (2)	25% of Façade Min.	L
Mid-Rise Façade (3)	150 Linear Ft. Unbroken Max.	M
Low-Rise Height	25 Ft. Max or 2 Stories	N
		<p>1. Any building over 50 Ft. wide must be broken down to read as a series of buildings no wider than 50 Ft. and should include a variety of facades.</p> <p>2. To preserve view corridors, a minimum of 25% of the façade must be set aside as mid-rise, and the mid-rise façade may not exceed 4 stories or 50 Ft. in height. On corner lots this requirement applies to one street only.</p> <p>3. Mid-rise facades of more than 150 continuous linear feet must be broken by a mid-rise façade not to exceed 4 stories or 50 Ft. in height as shown in Figure above.</p>

D. El Presidio Sub-Area (EPS)

1. Standards

Figure 5.12-TAA-A shows the boundaries of the TAA and its sub-areas. In the El Presidio Sub-Area the zoning regulations contained herein may be used in lieu of underlying UDC Zoning.

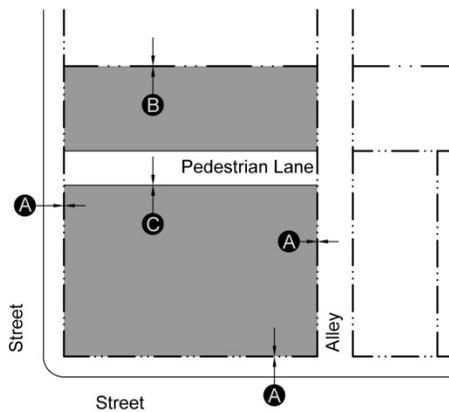
2. Residential Density

Within the El Presidio Sub-Area the maximum permitted residential density is 100 DU/AC regardless of commercial use.

3. Building Placement

Building placement and setback requirements in the EPS are as shown in Figure 5.12-EPS-A and Table 5.12-EPS-1.

FIGURE 5.12-EPS-A



Key
- - - Property Line ■ Allowable Building Area
— Building Setbacks

UDC TABLE 5.12-EPS-1

EL PRESIDIO SUB-AREA STANDARDS

BUILDING PLACEMENT STANDARDS

SPECIFIC REQUIREMENTS

Build to Line (Distance from Property Line)

Street or Alley (1,2)

0 Ft. A

Setback (Distance from Property Line)

Side Yard

0 Ft. B

Pedestrian Lane

0 Ft. C

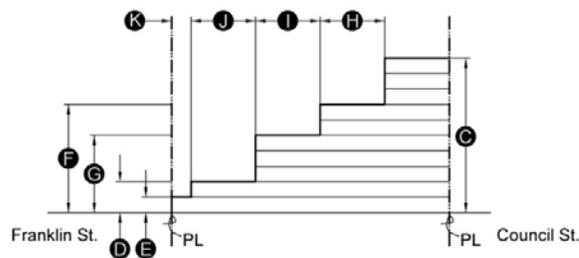
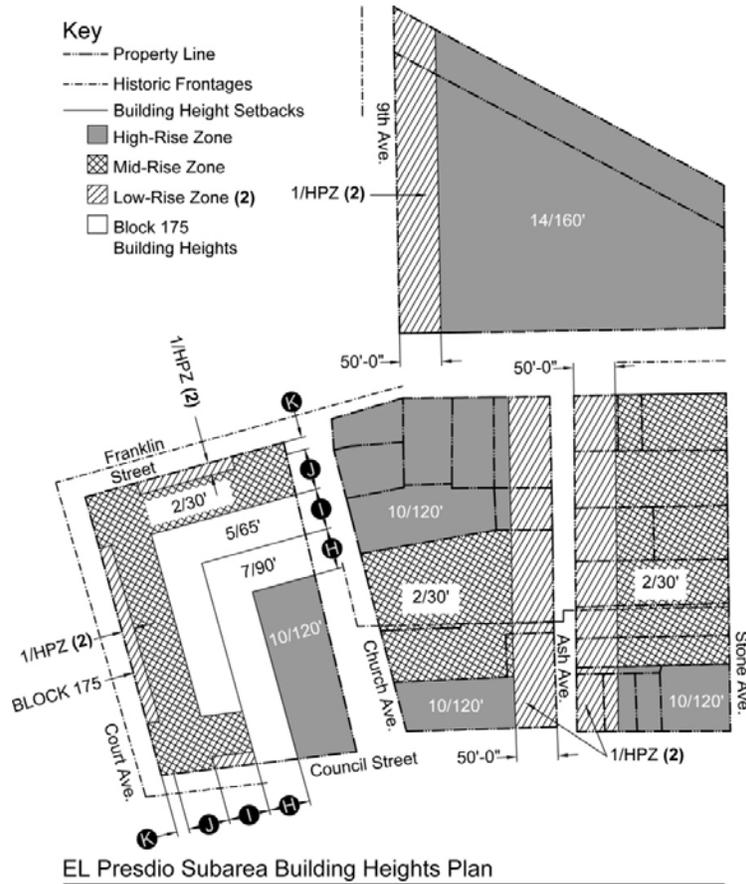
1. Build-to line is defined at which construction of a building façade is to occur on a lot. A build-to line runs parallel to, and is measured from, street front property lines and is established to create an even building façade line on a street. Build-to line applies to street frontage only (both primary and secondary streets at corner lots) and only applies when new building footprint exceeds 25% of the site area. Where applicable 75% of new building frontage must be located at or near the build-to line.

2. Projects that develop 50% or more of mid-block land shall set aside a pedestrian lane for pedestrian access.

4. Building Heights, Floor Uses

Building heights and floor use requirements in the EPS are as shown in Figure 5.12-EPS-B and Table 5.12-EPS-2.

FIGURE 5.12-EPS-B



Key

- Property Line
- Building Height Setbacks

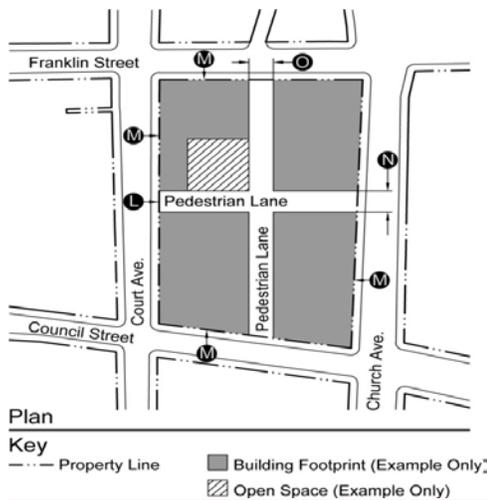
UDC TABLE 5.12-EPS-2		
EL PRESIDIO SUB-AREA STANDARDS		
BUILDING HEIGHT STANDARDS		SPECIFIC REQUIREMENTS
Maximum Building Height (1)	160Ft. Max or 14 stories	C
Mid-Rise Building Height	30 Ft. Max or 2 Stories	D
Low-Rise Building Height (2)	Consistent with Historic District	E
Block 175 Building Heights (3)		
Floors 6-7	90 Ft. Max or 7 Stories	F
Floors 3-5	65 Ft. Max or 5 Stories	G
Block 175 Building Height Setbacks (3)		
Floors 6-7	50 Ft.	H
Floors 3-5	50 Ft.	I
Mid-Rise Setback	50 Ft.	J
Low-Rise Setback	15 Ft.	K
FLOOR USES		
Ground Floor (4,5)	Commercial Services and Retail Trade Uses ready that encourage street level activity are preferred, but office or residential uses may be used if Commercial Services and Retail Trade Uses are not supported by market demand and contingent on new development meeting all other requirements of this table.	
Upper Floors	Residential Services	

1. See Figure 5.12-EPS-B for additional height limits and setbacks.
2. Building heights are limited to one story. Heights of principal structures shall not exceed height of other adjacent principal structures and height of accessory structures shall not exceed the height of other adjacent accessory structures. See Section 11.4.2-A for the definition of "adjacent" and Figure 5.12-EPS-B for intent.
3. For Block 175, see Figure 5.12-EPS-B for specific building height and setback requirements.
4. Ground floor level to be consistent in design with HPZ Standards.
5. Street-level activity is achieved by providing a mix of commercial, retail, office and residential uses at street level.

5. Lot Coverage, Open Space, Pedestrian Access

Lot coverage, open space and pedestrian access requirements in the EPS are as shown in Figure 5.12-EPS-C and Table 5.12.2-EPS-3.

FIGURE 5.12-EPS-C

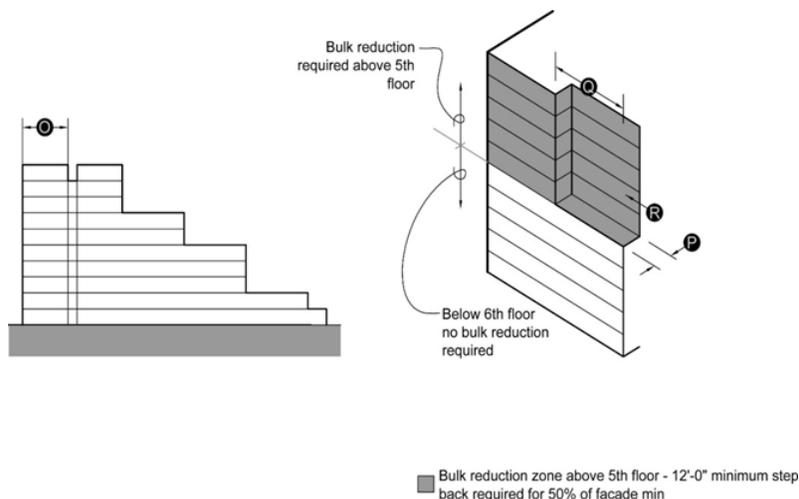


UDC TABLE 5.12-EPS-3		
EL PRESIDIO SUB-AREA STANDARDS		
OPEN SPACE STANDARDS	SPECIFIC REQUIREMENTS	
Lot Coverage		<ol style="list-style-type: none"> 1. Covered by impervious surfaces such as, but not limited to buildings, drives, or parking. 2. Usable open space does not need to be located on the ground - green roof or terrace is acceptable 3. Usable open space may be any combination of private and common space. 4. Parking may not be counted as open space. 5. Adequate shade shall be provided for sidewalks and pedestrian pathways, using shade structures or vegetation. 6. Main entrance locations shall be directly accessed from a sidewalk along a street rather than from a parking lot. 7. Open space at multi-dwelling units is 30 Sq. Ft. per dwelling unit or 30% of lot area, whichever is greater. 8. For projects that propose to develop the entire block: two pedestrian lanes are required at ground level only; one running roughly north/south through the site, and the other running roughly east/west. 9. Minimum landscape requirement applies only to common area open space.
Maximum Lot Coverage (1)	100%	
Open Space		
Open Space at Multi-Unit Dwellings (2,3,4)	30 Sq. Ft./DU or 30% of Lot Area (7)	
Open Space Non-Residential (2,3,4)	Min. of 30% of Lot Area	
Minimum Landscape Area	50% of Open Space (9)	
Pedestrian Access (5)	-	
Pedestrian Access to Open Space	Required	
Main Entrance Location (6)	Primary Street	
Pedestrian Lanes (8)	-	
Minimum Width	30 Ft.	

6. Massing Standards Building

Building massing requirements in the EPS are as shown in Figure 5.12-EPS-D and Table 5.12-EPS-4.

FIGURE 5.12-EPS-D



UDC TABLE 5.12-EPS-4		
EL PRESIDIO SUB-AREA STANDARDS		
BUILDING MASSING STANDARDS		SPECIFIC REQUIREMENTS
Articulation	-	-
Maximum unbroken building mass (1)	50 Ft. Max.	O
Bulk Reduction (High Rise)	-	-
Bulk Reduction Setback (2)	12 Ft. Min.	P
Bulk Reduction Required Area	50% of Façade	Q
Bulk Reduction Zone	Required Above Fifth Floor	R

5.12.13 WAREHOUSE TRIANGLE AREA

The intent of this zone is to allow for and encourage high density infill of the warehouse triangle with transit oriented and mixed use development. The DL-AZ will go further than the infill incentive district in granting development flexibility and incentives in many areas. Multifamily residential uses will be allowed in current I-1 zone, allowable building heights and densities are increased and developments will be exempt from non-residential parking requirements.



FIGURE 5.12-WTA-A
MAP OF WAREHOUSE TRIANGLE AREA



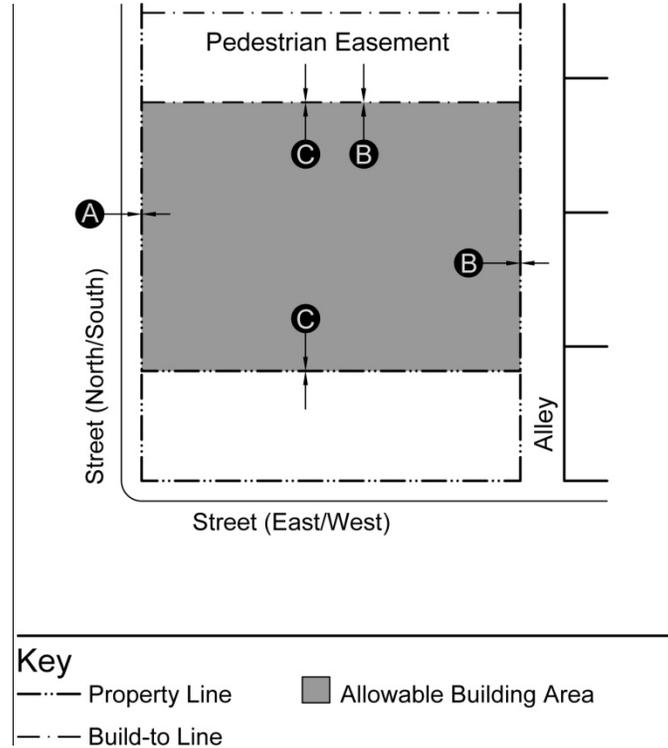
A. Standards

Figure 5.12-WTA-A shows the boundaries of the Warehouse Triangle Area. Warehouse Triangle Area optional standards apply.

B. Building Placement

Building placement requirements in the WTA are as shown in Figure 5.12-WTA-B and Table 5.12-WTA-1.

FIGURE 5.12-WTA-B

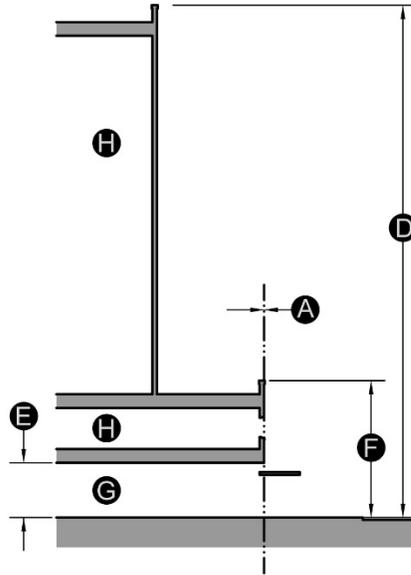


UDC TABLE 5.12-WTA-1		
WAREHOUSE TRIANGLE AREA STANDARDS		
BUILDING PLACEMENT STANDARDS		SPECIFIC REQUIREMENTS
Build-to-Line (Distance from Property Line) (1)		<p>1. Build-to line is defined as the line at which construction of a building façade is to occur on a lot. A build-to line runs parallel to, and is measured from, street front property lines and is established to create an even building façade line on a street. Build-to line applies to street frontage only (both primary and secondary streets at corner lots) and only applies when new building footprint exceeds 25% of the site area. Where applicable 75% of new building frontage must be located at or near the build-to line.</p> <p>2. Street side facades must be built to Build-to-Line at a minimum of 75% of the new building frontage, to help define an urban street frontage, where build-to requirements apply.</p> <p>3. Alley and pedestrian easement side facades must be built to Build-to-Line at a minimum of 50% of new building frontage, to help define an urban edge to property.</p>
Street Side	0 Ft. A	
Setback (Distance from Property Line)		
Alley Side	0 Ft. B	
Pedestrian Easement	0 Ft. B	
Side Yard	0 Ft. C	

C. Building Heights, Floor Uses

Building height and floor use requirements in the WTA are as shown in Figure 5.12.11.

FIGURE 5.12-WTA-C



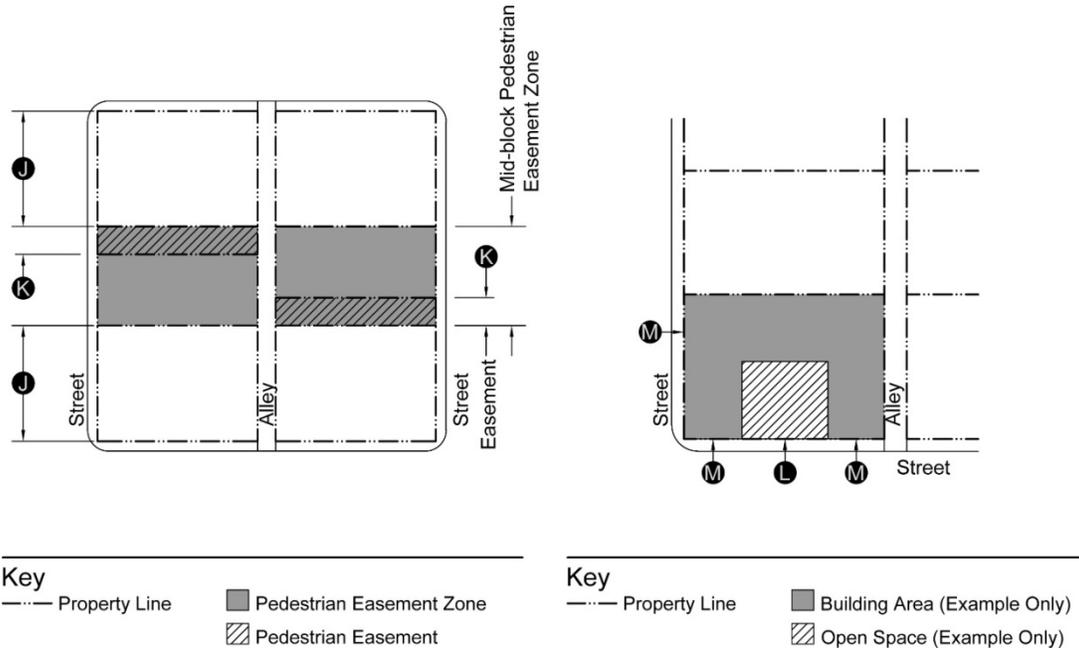
Key
 - - - - - Property Line

UDC TABLE 5.12-WTA-2		
WAREHOUSE TRIANGLE AREA STANDARDS		
BUILDING HEIGHT STANDARDS		SPECIFIC REQUIREMENTS
Maximum Building Height (1)	120 Ft. Max or 10 Stories	1. No more than 14 stories and no more than 160 Ft. 2. The High-Rise Setback is 20 Ft. (G) at the Street Frontage above two stories.
First Floor Ceiling	12 Ft. Min Clearance	
Minimum Building Height at Build-to-Line	25 Ft.	
Building Height Setback (Distance from Property Line)	-	
High-Rise Building Street Frontage (2)	20 Ft.	
FLOOR USES		
Ground Floor (2,3,4,5)	Commercial Services and Retail Trade Uses ready that encourage street level activity are preferred, but office or residential uses may be used if Commercial Services and Retail Trade Uses are not supported by market demand and contingent on new development meeting all other requirements of this table.	H
Upper Floors	Residential or Commercial Services	I

D. Lot Coverage, Open Space, Pedestrian Access

Lot coverage, open space and pedestrian access requirements in the WTA are as shown in Figure 5.12-WTA-D and Table 5.12-WTA-3.

FIGURE 5.12-WTA-D

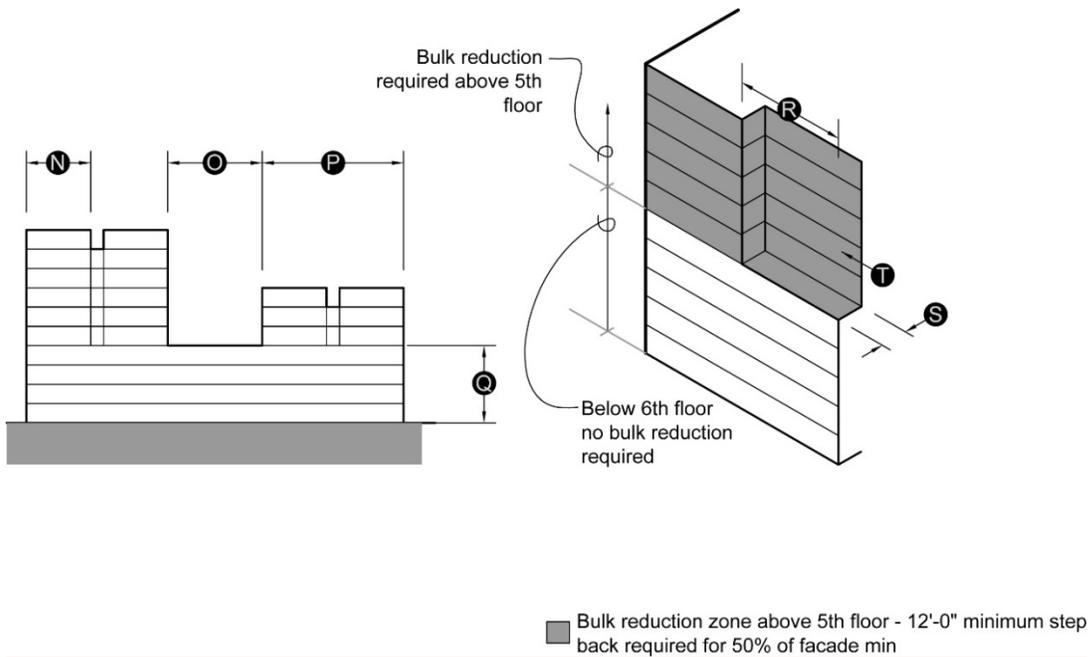


UDC TABLE 5.12-WTA-3		
WAREHOUSE TRIANGLE AREA STANDARDS		
LOT COVERAGE, OPEN SPACE AND PEDESTRIAN STANDARDS		SPECIFIC REQUIREMENTS
Lot Coverage		1. Covered by impervious surfaces such as, but not limited to buildings, drives, or parking.
Maximum Lot Coverage (1)	100%	
Open Space		2. Usable open space does not need to be located on the ground - green roof or terrace is acceptable
Open Space at Multi-Unit Dwellings (2,3,4)	30 Sq. Ft./DU or 30% of Lot Area (7)	
Open Space Non-Residential (2,3,4)	Min. of 30% of Lot Area	
Minimum Landscape Area	50% of Open Space (9)	4. Parking may not be counted as open space.
Pedestrian Easement (8)		5. Adequate shade shall be provided for sidewalks and pedestrian pathways, using shade structures or vegetation.
Maximum Distance from Street	125 Ft.	
Minimum Width	30 Ft.	
Pedestrian Access (5)		6. Main entrance locations shall be directly accessed from a sidewalk along a street rather than from a parking lot.
Pedestrian Access to Open Space	Required	
Main Entrance Location (6)	Primary Street	7. Open space at multi-dwelling units is 30 Sq. Ft. per dwelling unit or 30% of lot area, whichever is greater.
		8. Projects that develop 50% or more of the land area within the Mid-block Pedestrian Easement Zone (see map/plan above) shall set aside and develop a mid-block pedestrian passage and easement.
		9. Minimum landscape requirement applies only to common area open space.

E. Building Massing Standards

Building Massing Standards in the WTA are as shown in Figure 5.12-WTA-E and Table 5.12-WTA-4.

FIGURE 5.12-WTA-E



UDC TABLE 5.12-WTA-4		
WAREHOUSE TRIANGLE AREA STANDARDS		
BUILDING MASSING STANDARDS		SPECIFIC REQUIREMENTS
Articulation	-	-
Maximum unbroken building mass (1)	50 Ft. Max.	N
View Corridors	-	-
Mid-Rise Façade (2)	25% of Façade Min.	O
High Rise Façade (3)	150 Linear Ft. Unbroken Max.	P
Mid-Rise Height	50 Ft. Max or 4 Stories	Q
Build Reduction (High Rise)	-	-
Bulk Reduction Setback (4)	12 Ft. Min.	S
Bulk Reduction Required Area	50% of Façade Min.	R
Bulk Reduction Zone	Required above 4th Floor	T

1. Any building over 50 Ft. wide must be broken down to read as a series of buildings no wider than 50 Ft. (N) and should include a variety of façades.

2. To preserve view corridors, a minimum of 25% of the façade must be set aside as mid-rise (O), and the mid-rise façade may not exceed 4 stories or 50 Ft. (Q) in height. On corner lots this requirement applies to one street only.

3. High-rise façades of more than 150 continuous linear feet (P) must be broken by a mid-rise façade (O) not to exceed 4 stories or 50 Ft. (Q) in height as shown in Figure above.

4. A step-back bulk reduction area a minimum of 12 ft. in depth (S) is required for at least 50% of the façade (R). Bulk reduction is required above the fourth floor (T). See figures above.

5.12.14 FOURTH AVENUE AREA (FAA)

The intent of this zone is to take advantage of the Modern Street Car project and promote medium-density infill transit-oriented development. Development incentives for this zone include greater allowable density and zero parking requirements for commercial uses.

Fourth Avenue Historic Sub-Area (FHS)

The intent of this zone is to provide parking relief for developments within the HPZ neighborhood portion of Fourth Avenue, but to otherwise preserve and maintain the historic character of the area.

Fourth Avenue Sub-Area (FAS)

The intent of this zone is to take advantage of the Modern Street Car project and promote medium-density infill transit-oriented development. Development incentives for this zone include greater allowable density and zero parking requirements for commercial uses.



FIGURE 5.12-FAA-A
MAP OF FOURTH AVENUE AREA AND SUB-AREAS



A. Fourth Avenue Historic Sub-Area (FHS)

1. Standards

The Fourth Avenue Historic Sub-Area includes portions of the West University Historic Preservation Zone that overlap with the Downtown Links Sub-District. Properties within these areas may be developed using the optional parking standards contained herein, but remain subject to all other underlying zone requirements including, but not limited to, historic preservation zone design standards and design review.

B. Fourth Avenue Sub-Area (FAS)

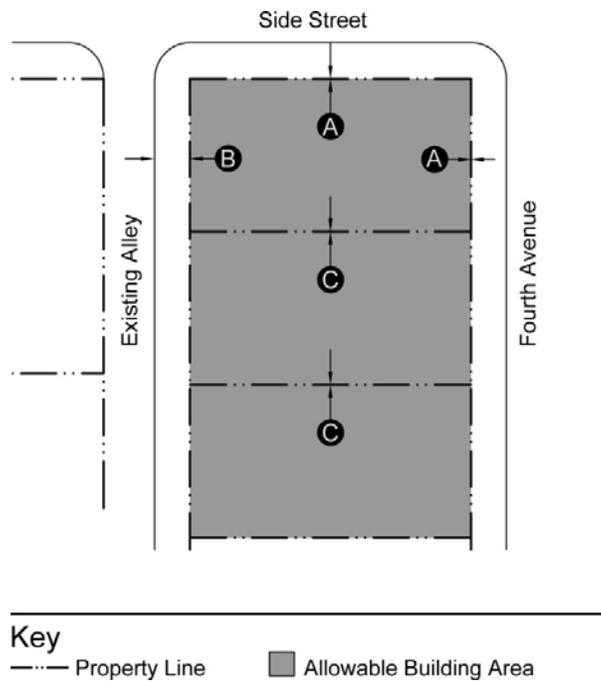
1. Standards

Figure 5.12.FAA-A depicts the boundaries of the Fourth Avenue Sub-Areas in which the Fourth Avenue Sub-Area optional zoning standards apply.

2. Building Placement

Building placement and setback requirements in the FAS are shown in Figure 5.12-FAS-A and Table 5.12-FAS-1.

FIGURE 5.12-FAS-A

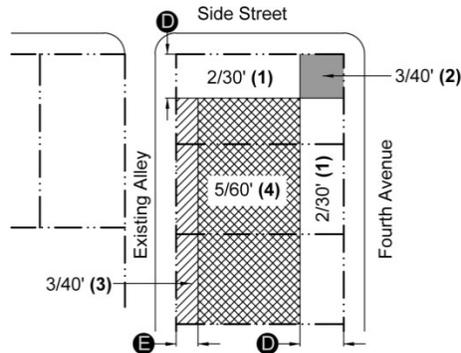


<u>UDC TABLE 5.12-FAS-1</u>		
<u>FOURTH AVENUE AREA STANDARDS</u>		
<u>BUILDING PLACEMENT STANDARDS</u>	<u>SPECIFIC REQUIREMENTS</u>	
<u>Setback (Distance from Property Line)</u>		<u>1. Street side setbacks to be 0 Ft. or consistent with prevailing historic setback.</u>
Street Side (1)	0 Ft. or Prevailing <u>A</u>	
Alley Side	0 Ft. <u>B</u>	
Side Yard	0 Ft. <u>C</u>	

3. Building Heights, Floor Uses

Building height and floor use requirements in the FAS are as shown in Figure 5.12-FAS-B and Table 5.12-FAS-2.

FIGURE 5.12-FAS-B



Plan

Key

- - - Property Line
- Building Height
- Setbacks
- Street Frontage Zone
- Intersection Zone
- ▨ Alley Frontage Zone
- ▩ Mid-Rise Zone

UDC TABLE 5.12-FAS-2

FOURTH AVENUE AREA STANDARDS

BUILDING HEIGHT STANDARDS		SPECIFIC REQUIREMENTS
Street Frontage Building Height(1)	30 Ft. Max or 2 Stories	<p><u>1. Building heights along the street frontage are restricted to two stories or 30 Ft. to respect the scale of established or historic structures, or both.</u></p> <p><u>2. Building heights at intersection may extend three stories or 40 Ft. within a 50 Ft. x 50 Ft. area at an intersection.</u></p> <p><u>3. Building heights may extend to five stories or 60 Ft. at the rear of properties beginning at 50 Ft. (E) from the property line.</u></p> <p><u>4. All new construction shall have scale-defining architectural elements or details at first two levels.</u></p> <p><u>5. A single plane of façade at the street level may not be longer than 50 Ft. without architectural relief or articulation such as windows, trellises and arcades.</u></p> <p><u>6. Street-level activity is achieved by providing a mix of commercial, retail, office and residential uses at street level.</u></p> <p><u>7. First floor level to be differentiated in form from upper levels</u></p>
Building Height at Intersection (2)	40 Ft. Max or 3 Stories	
Midrise Building Height(3)	60 Ft. Max or 5 Stories	
Building Height Setbacks (distance from property line)		
Mid-Rise Side Setback	50 Ft. D	
FLOOR USES		
Ground Floor (4,5,6,7)	Commercial Services and Retail Trade Uses ready that encourage street level activity are preferred, but office or residential uses may be used if Commercial Services and Retail Trade Uses are not supported by market demand and contingent on new development meeting all other requirements of this table.	
Upper Floors	Residential or Commercial Services	

4. Lot coverage, Open Space, Pedestrian Access

Lot coverage, open space and pedestrian access requirements in the FAS are as shown in Table 5.12-FAS-3.

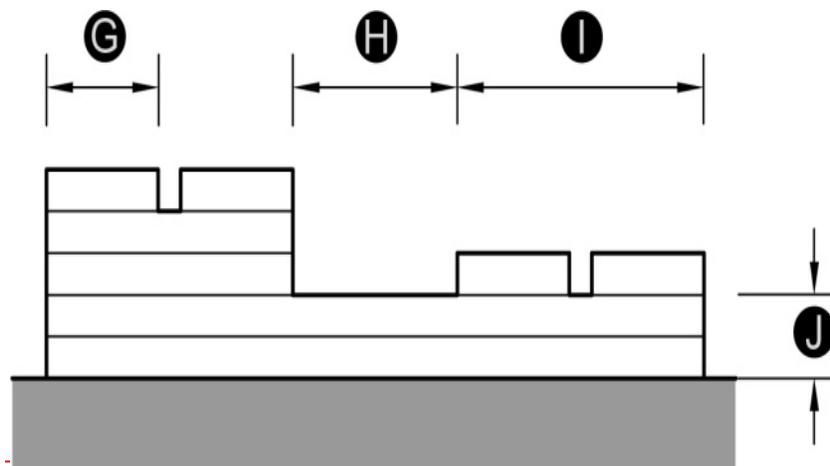
UDC TABLE 5.12-FAS-3	
FOURTH AVENUE AREA STANDARDS	
OPEN SPACE STANDARDS	SPECIFIC REQUIREMENTS
Lot Coverage	
Maximum Lot Coverage (1)	100%
Open Space	
Open Space at Multi-Unit Dwellings (2,3,4)	30 Sq. Ft./DU or 30% of Lot Area (5)
Open Space Non-Residential (2,3,4)	Min. of 30% of Lot Area
Minimum Landscape Area	50% of Open Space (6)

1. Covered by impervious surfaces such as, but not limited to buildings, drives, or parking.
2. Usable open space does not need to be located on the ground - green roof or terrace is acceptable
3. Usable open space may be any combination of private and common space.
4. Parking may not be counted as open space.
5. Open space at multi-dwelling units is 30 Sq. Ft. per dwelling unit or 30% of lot area, whichever is greater.
6. Minimum landscape requirement applies only to common area open space.

5. Building Massing Standards

Building massing standards in the FAS are as shown in Figure 5.12-FAS-D and Table 5.12-FAS-4.

FIGURE 5.12-FAS-D



UDC TABLE 5.12-FAS-4		
FOURTH AVENUE AREA STANDARDS		
BUILDING MASSING STANDARDS		SPECIFIC REQUIREMENTS
Articulation	-	-
Maximum unbroken building mass (1)	50 Ft. Max.	G
View Corridors	-	-
Mid-Rise Façade (2)	25% of Façade Min.	H
High Rise Façade (3)	150 Linear Ft. Unbroken Max.	I
Mid-Rise Height	50 Ft. Max or 4 Stories	J

1. Any building over 50 Ft. wide (**G**) must be broken down to read as a series of buildings no wider than 50 Ft. and should include a variety of façades.

2. To preserve view corridors, a minimum of 25% of the façade must be set aside as mid-rise (**H**), and the mid-rise façade may not exceed 4 stories or 50 Ft. in height (**J**). On corner lots this requirement applies to one street only.

3. High-rise façades of more than 150 continuous linear feet (**I**) must be broken by a mid-rise façade not to exceed 4 stories or 50 Ft. (**J**) in height as shown in Figure above.

5.12.15 IRON HORSE AREA

Iron Horse Mixed Use Zone (IH-MS)

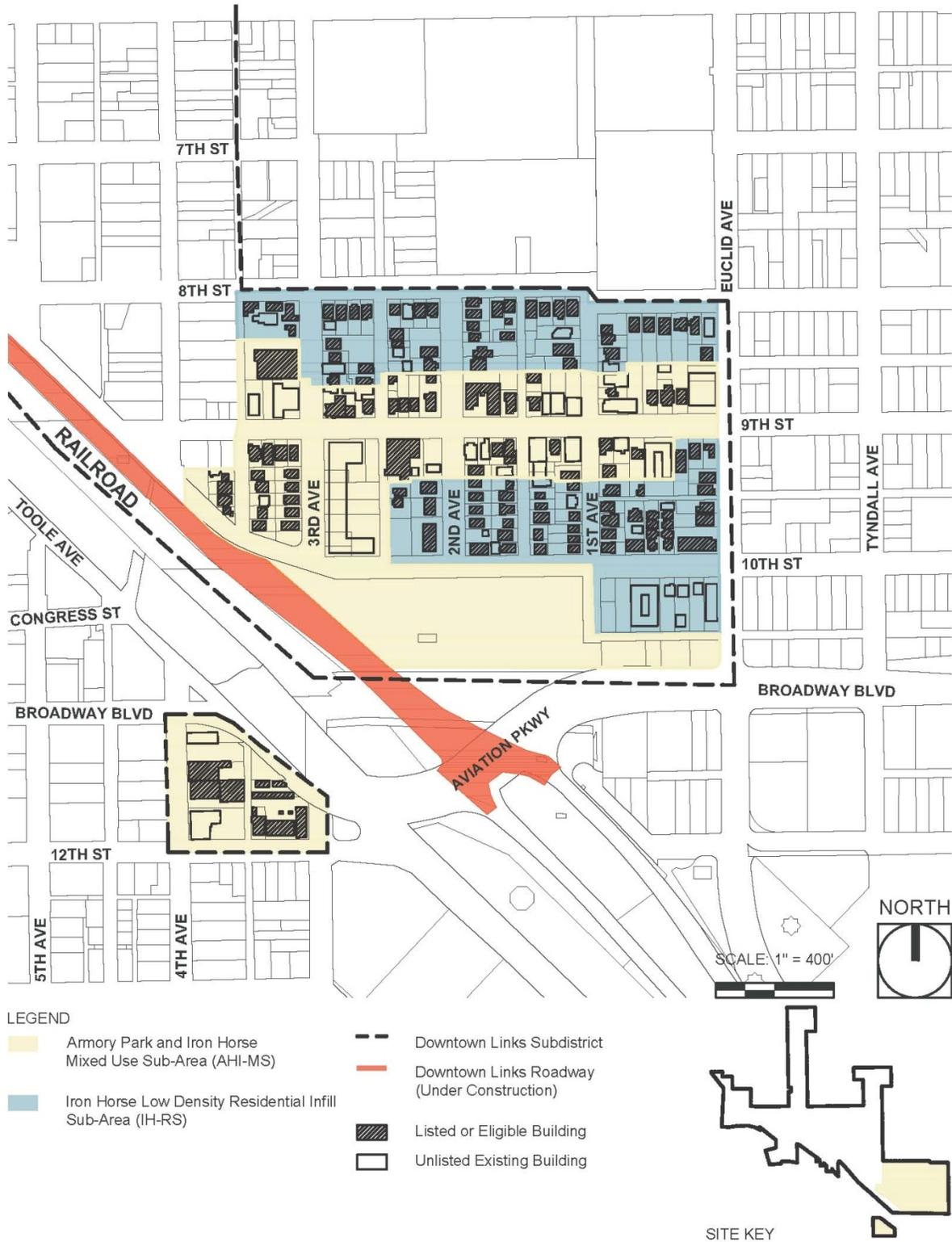
The intent of this zone is to promote transit oriented development that is compatible with the historic scale of Iron Horse Neighborhood, especially along Ninth Street. The most significant development incentive is an exemption from parking requirements.



Iron Horse Low Density Residential Zone (IH-RS)

The intent of this zone is to promote single-family infill development at somewhat higher density while protecting the historic character and privacy of existing properties. Key development incentives include reduction in minimum lot size and reduction in parking.

FIGURE 5.12-IH-A
MAP OF IRON HORSE AREA AND SUB-AREAS



A. Armory Park and Iron Horse Mixed Use Sub-Area (AIH-MS)

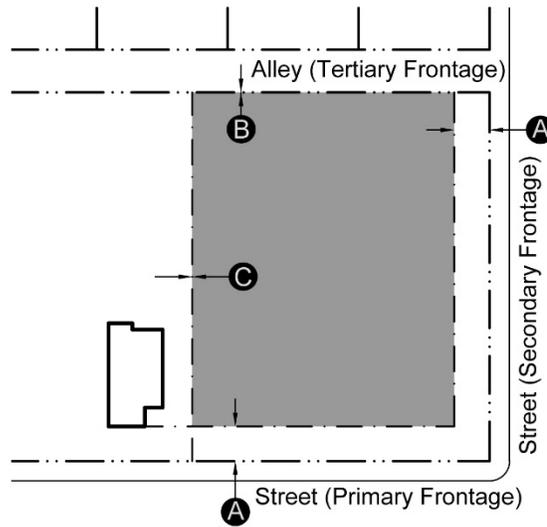
1. Standards

Armory Park and Iron Horse Mixed Use Sub-Area zoning option standards apply.

2. Building Placement

Building placement and setback requirements in the AIH-MS are as shown in Figure 5.12-AIH-MS-A and Table 5.12-AIH-MS-1.

FIGURE 5.12-AIH-MS-A



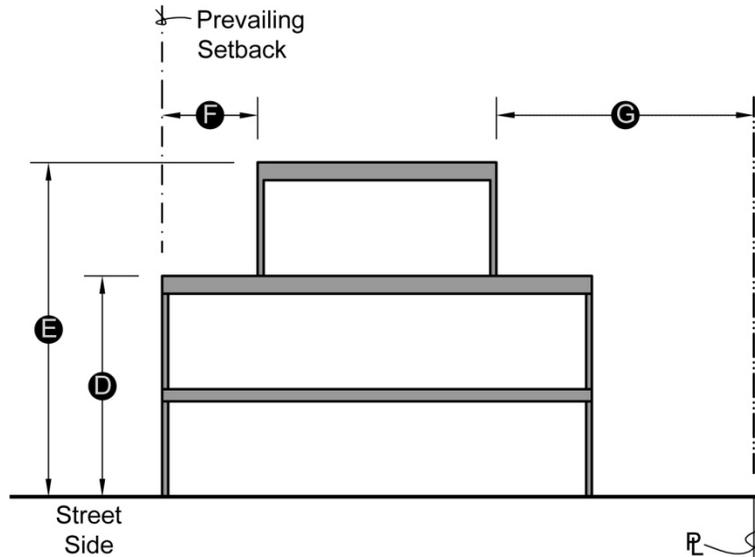
Key
 - - - Property Line ■ Allowable Building Area
 — — — Setback Line

UDC TABLE 5.12-AIH-MS-1		
ARMORY PARK AND IRON HORSE MIXED USE SUB-AREA STANDARDS		
BUILDING PLACEMENT STANDARDS		SPECIFIC REQUIREMENTS
Setback (Distance from Property Line)		1. <u>Street side setbacks to be consistent with prevailing setback at other than multi-unit residential.</u>
<u>Street Side (1)</u>	<u>Consistent with Prevailing</u> A	
<u>Alley Side</u>	<u>0 Ft.</u> B	
<u>Side Yard</u>	<u>0 Ft.</u> C	

3. Building Heights, Floor Uses

Building height and floor use requirements in the AIH-MS are as shown in Figure 5.12-AIH-MS-B and Table 5.12-AIH-MS-2.

FIGURE 5.12-AIH-MS-B



Key
 - - - Property Line ■ Pedestrian Easement Zone
 - - - Setback Line

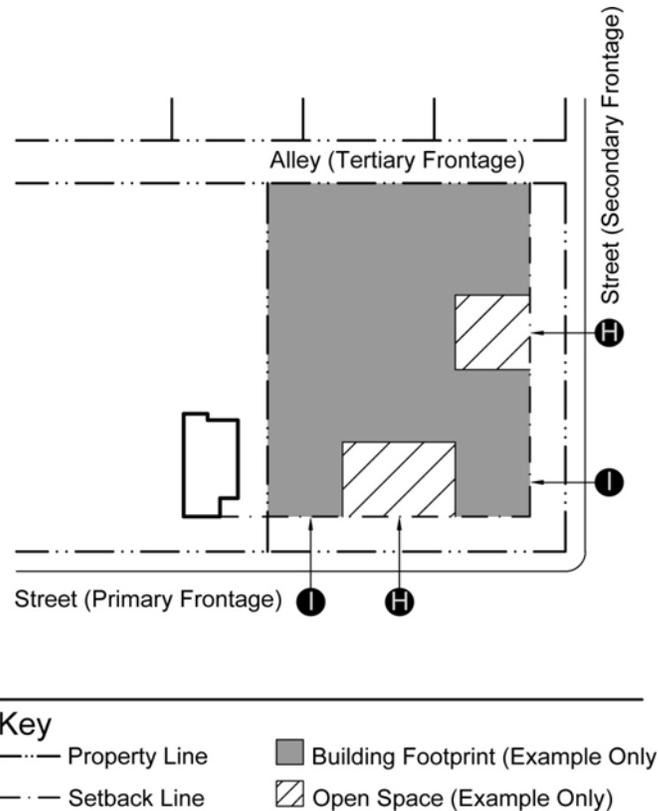
UDC TABLE 5.12-AIH-MS-2			
ARMORY PARK AND IRON HORSE MIXED USE SUB-AREA STANDARDS			
BUILDING HEIGHT STANDARDS			SPECIFIC REQUIREMENTS
Street Frontage building height (1)	25 Ft. Max or 2 Stories	D	1. Building heights along the street frontage are restricted to two stories or 25 Ft. or 2 stories (D) to respect the scale of established or historic structures, or both.
Midrise building height(2)	40 Ft. Max or 3 Stories	E	
Building Height Setbacks (distance from property line)			2. Midrise building height may extend to 40 Ft. or 3 stories (D) and the midrise setback is 12 Ft. (F) from the street frontage façade of the building.
Mid-Rise Setback (2)	12 Ft.	F	
Setback from Adjacent Residential Use (3)	25 Ft.	G	
FLOOR USES			
Ground Floor (4,5,6,7)	Commercial Services and Retail Trade Uses that encourage street level activity are preferred, but office or residential uses may be used if Commercial Services and Retail Trade	-	3. At adjacent residential building frontage, building must setback 25 ft. (G) at the midrise building height. 4. All new construction shall have scale-defining architectural elements or details at first two levels.

	<u>Uses are not supported by market demand and contingent on new development meeting all other requirements of this table.</u>	
<u>Upper Floors</u>	<u>Residential or Commercial Services</u>	<ul style="list-style-type: none"> - <u>5. A single plane of façade at the street level may not be longer than 50 Ft. without architectural relief or articulation such as windows, trellises and arcades.</u> - <u>6. Uses that create significant human activity at Street level such as pedestrian traffic and increases in business activity. is achieved by providing a mix of commercial, retail, office and residential uses at street level</u> - <u>7. First floor level to be differentiated in form from upper levels.</u>

4. Lot Coverage, Open Space, Pedestrian Access

Lot coverage, open space and pedestrian access standard in the AIH-MS are as shown in Figure 5.12-AIH-MS-C and Table 5.12-AIH-MS-3.

FIGURE 5.12-AIH-MS-C:



UDC TABLE 5.12-AIH-MS-3		
ARMORY PARK AND IRON HORSE MIXED USE SUB-AREA STANDARDS		
OPEN SPACE STANDARDS	SPECIFIC REQUIREMENTS	
Lot Coverage	-	<u>1. Covered by impervious surfaces such as, but not limited to buildings, drives, or parking.</u> <u>2. Usable open space does not need to be located on the ground - green roof or terrace is acceptable</u> <u>3. Usable open space may be any combination of private and common space.</u> <u>4. Parking may not be counted as open space.</u> <u>5. Adequate shade shall be provided for sidewalks and pedestrian pathways, using shade structures or vegetation.</u> <u>6. Main entrance locations shall be directly accessed from a sidewalk along a street rather than from a parking lot.</u> <u>7. Open space at multi-dwelling units is 30 Sq. Ft. per dwelling unit or 20% of lot area, whichever is greater.</u> <u>8. Minimum landscape requirement applies only to common area open space.</u>
<u>Maximum Lot Coverage (1)</u>	<u>100%</u>	
Open Space		
<u>Open Space at Multi-Unit Dwellings (2,3,4)</u>	<u>30 Sq. Ft./DU or 20% of Lot Area (7)</u>	
-	-	
<u>Open Space Non-Residential (2,3,4)</u>	<u>Min. of 30% of Lot Area</u>	
<u>Minimum Landscape Area</u>	<u>50% of Open Space (8)</u>	
Pedestrian Access (5)		
<u>Pedestrian Access to Open Space</u>	<u>Required</u>	
<u>Main Entrance Location (6)</u>	<u>Primary or Secondary Street</u>	
-	-	
-	-	
-	-	
-	-	

B. Iron Horse Low Density Residential Infill Sub-Area (AIH-RS)

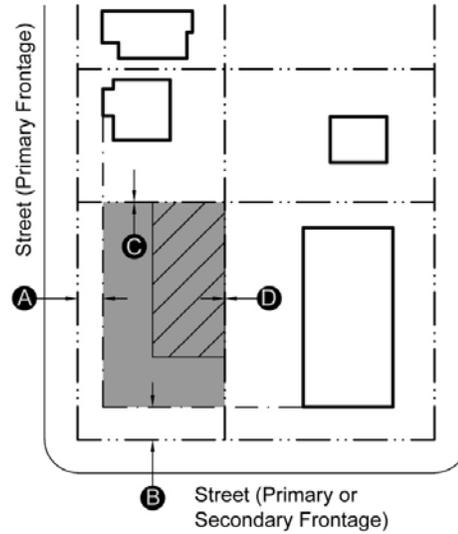
1. Standards

Iron Horse, Low Density Residential Infill Sub-Area zoning option standards apply.

2. Building Placement

Building placement and setback requirements in the AIH-RS are as shown in Figure 5.12-IH-RS-A and Table 5.12-IH-RS-1.

FIGURE 5.12-IH-RS-A



Key

- Property Line
- Prevailing Setback
- Allowable Building Area
- Existing Structures

UDC TABLE 5.12-IH-RS-1		
IRON HORSE, LOW DENSITY RESIDENTIAL INFILL SUB-AREA STANDARDS		
BUILDING PLACEMENT STANDARDS		SPECIFIC REQUIREMENTS
Setback (Distance from Property Line)	-	-
Primary Street (1)	Match Prevailing (2)	A
Secondary Street	10' or Prevailing (2)†	B
Side Yard	0 Ft.	C
Rear Yard	0 Ft.	D
		-

1. Primary street is the street frontage to which dwellings face or are oriented.

2. Match prevailing setbacks of structures adjacent to parcel on same side of street of same block. If no prevailing setbacks are established required setback is 10 feet.

3. Building Heights and Massing Standards

Building height and floor use requirements in the AHHH-RS are as shown in Figure 5.12-IH-RS-B and Table 5.12-IH-RS-2.

FIGURE 5.12-AHHH-RS-B

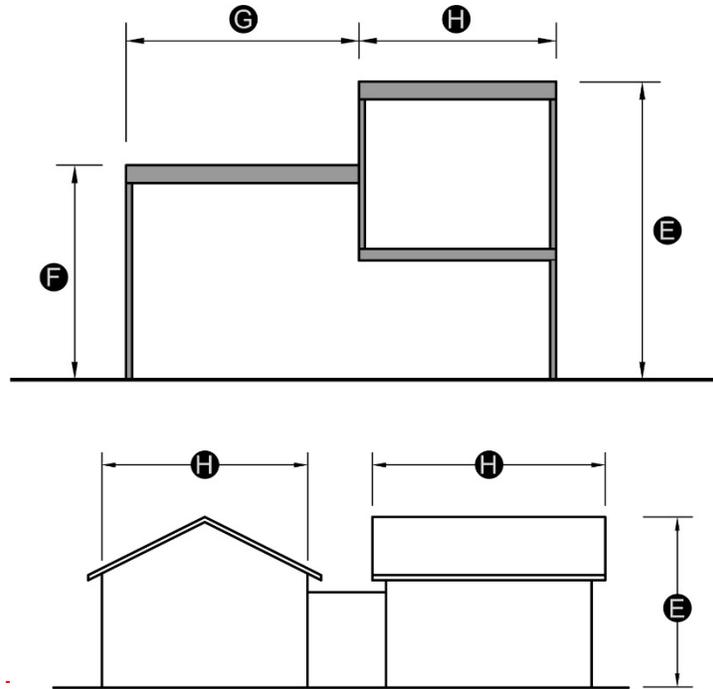


TABLE 5.12-IH-RS-2

ARMORY PARK, LOW DENSITY RESIDENTIAL INFILL SUB-AREA STANDARDS

BUILDING HEIGHT STANDARDS		SPECIFIC REQUIREMENTS
Maximum Building Height	32 Ft. E	1. Any building over 30' wide must be broken down to read as a series of buildings no wider than 30 Ft., and should include a variety of building heights and roof forms.
Street Frontage Max	20 Ft. E	
Building Height Setbacks (distance from property line)	-	
Second Story Setback	20 Ft. G	
BUILDING MASSING		
Maximum Unbroken Building Mass (1)	30 Ft. H	

4. Lot Coverage and Lot Size

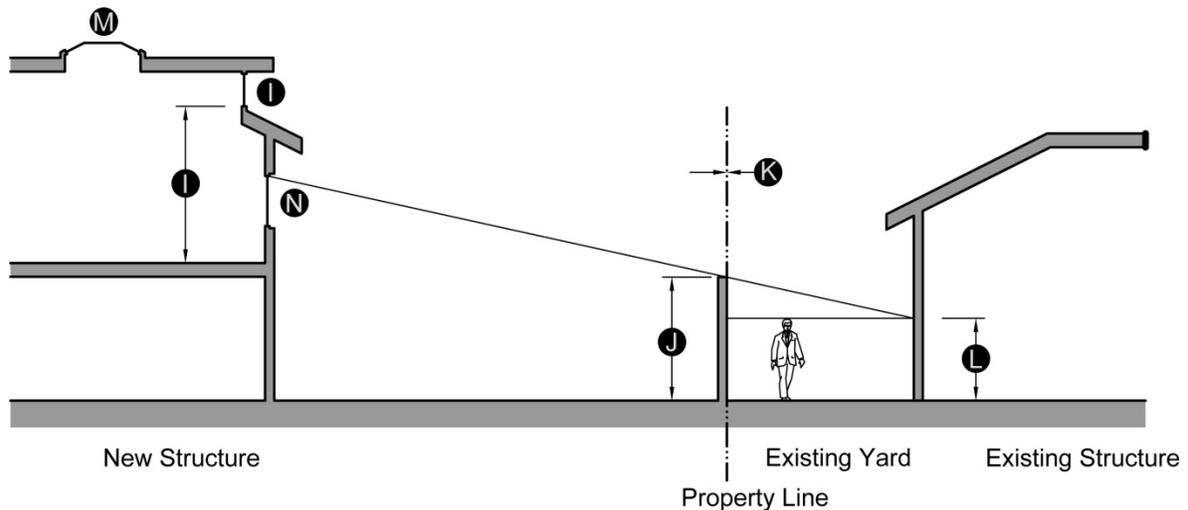
Lot coverage and lot size requirements in the AIHH-RS are as shown in Table 5.12-AIHH-RS-3.

UDC TABLE 5.12-AIHH-RS-3		
ARMORY PARK, LOW DENSITY RESIDENTIAL INFILL SUB-AREA STANDARDS		
LOT COVERAGE		SPECIFIC REQUIREMENTS
Maximum Lot Coverage (1)	100%	1. Covered by impervious surfaces such as, but not limited to buildings, drives, or parking.
LOT SIZE		
Minimum Lot Size	2,500 Sq. Ft.	-

5. Privacy Standards

Required privacy standards in the AIHH low density residential sub-area are as shown in Figure 5.12-IH-RS-C and Table 5.12-IH-RS-4.

FIGURE 5.12-AIHH-RS-C



UDC TABLE 5.12-IH-RS-4		
ARMORY PARK, LOW DENSITY RESIDENTIAL INFILL SUB-AREA STANDARDS		
PRIVACY STANDARDS		SPECIFIC REQUIREMENTS
Clerestory Height	9 Ft. Min. above 2nd Floor	1. Brick or stuccoed concrete masonry site walls may extend above Land Use Code requirements to 9 Ft. but may require structural engineering and building permits.
Site Wall Height	9 Ft. Max. (1)	
Site Wall Setback	0 Ft. Min. (1)	
Privacy Zone	6 Ft. (2)	2. Privacy shall be afforded to existing developed adjacent rear or side yards by limiting second story fenestration. The lower 6' of adjacent yards shall not be visible from new second floor windows.
ALTERNATIVE MEANS OF DAYLIGHT		
Clerestory above 9 Ft.	-	
Skylights	-	
Translucent Fixed Glass	-	-

5.12.16 STONE/SIXTH AREA

Stone Sub-Area

The intent of the Stone Sub-Area is to promote higher density mixed use development along the Stone corridors. Benefits of this development include reduction in parking, zero lot lines and increases in allowable building heights.



Sixth Street Sub-Area

The intent of the Sixth Street Sub--Area is to promote higher density mixed use development along the 6th Avenue, 6th Street and 7th Avenue corridors. Benefits of this development include reduction in parking, zero lot lines and increases in allowable building density.



FIGURE 5.12-SSA-A
MAP OF STONE/SIXTH AREA



A. Stone Sub-Area (STS)

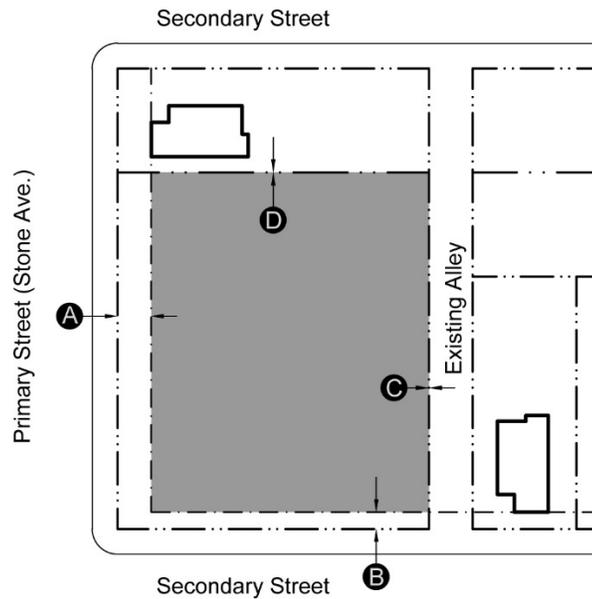
1. Standards

Figure 5.12-SSA-A captures the boundaries of the SSA and the boundaries of the Stone Avenue sub-areaSub-Area. Stone Sub-Area zoning option standards apply.

2. Building Placement

Building placement and setback requirements in the STS are as shown in Figure 5.12-STS-A and Table 5.12-STS-1.

FIGURE 5.12-STS-A



Plan

Key

- - - Property Line
- - - Build-to Line
- Allowable Building Area

UDC TABLE 5.12-STS-1		
STONE AVENUE SUB-AREA STANDARDS		
BUILDING PLACEMENT STANDARDS		SPECIFIC REQUIREMENTS
Build to Line (Distance from Property Line) (1)	-	1. Build-to requirements apply to: 1) Stone Ave. frontage when building footprint exceeds 25% of lot area
Primary Street (Stone Ave.) (2)	0-20 Ft. A	
Setback (Distance from Property Line)	-	2. Street side facades must be built to Build to Line at a minimum of 75% of the new building frontage, to help define an urban street frontage, where build-to requirements apply. Build to Line can range from 0-20' to be consistent with prevailing.
Secondary Street	Consistent with Prevailing B	
Alley Side	0 Ft. C	
Side Yard	0 Ft. D	

3. Building Heights and Floor Use

Building height and floor use requirements in the STS are as shown in Figure 5.12-STB, Figure 5.12-STC and Table 5.12-STB-2.

FIGURE 5.12-STB

Note: Figure 5.12-STB applies typically throughout the Stone Avenue Sub-Area except at specific blocks shown on Figure 5.12-STC.

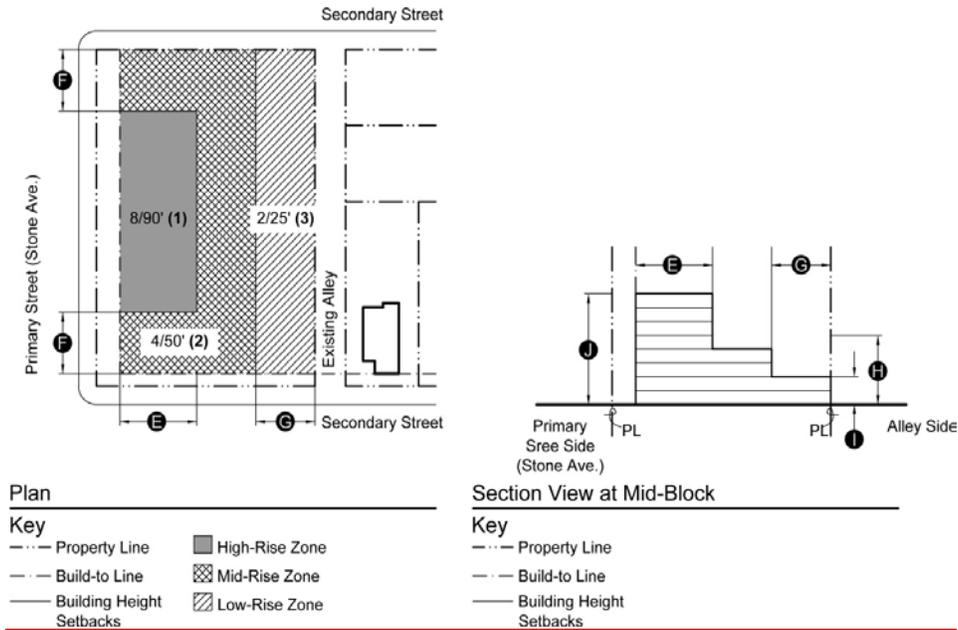
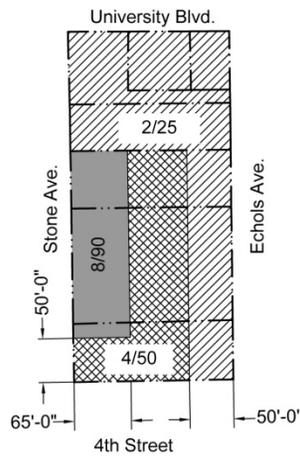
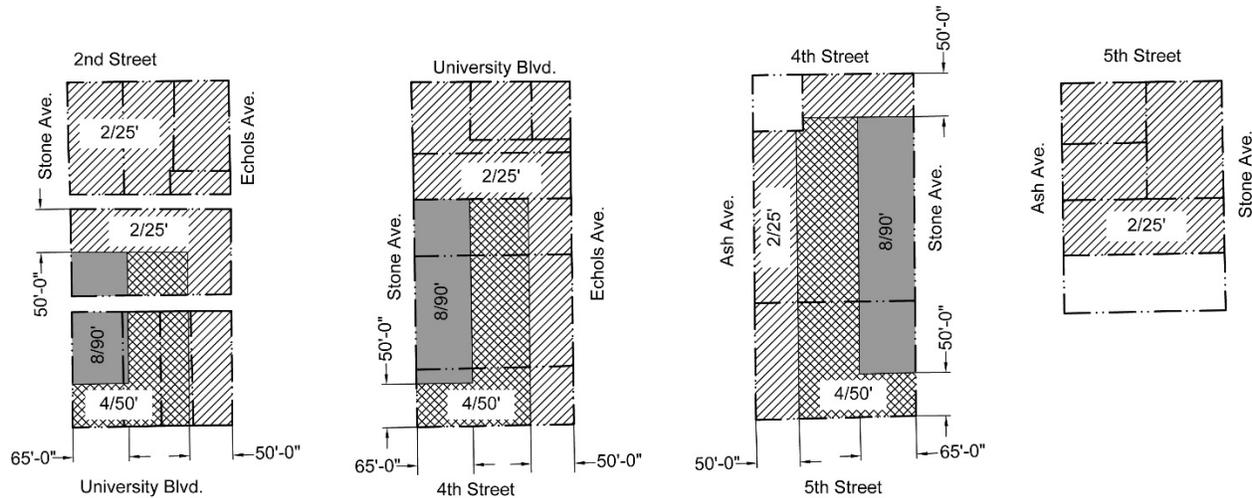


FIGURE 5.12-STC





Plan Details

Key

- Property Line
- Building Height Setbacks
- High-Rise Zone
- ▨ Mid-Rise Zone
- ▩ Low-Rise Zone

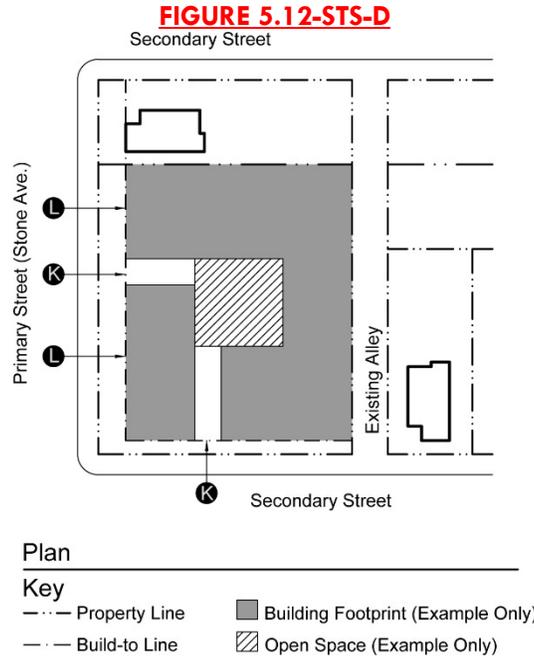
UDC TABLE 5.12-STS-2

STONE AVENUE SUB-AREA STANDARDS

BUILDING HEIGHT		SPECIFIC REQUIREMENTS
High-Rise Building Height (1)	8 Stories with a Max of 90 Ft. J E	1. High-rise building height is 8 stories or a maximum of 90 ft. (H) for the remainder of the block. 2. Mid-rise building height is 4 stories with a maximum of 50 Ft. (I) for the first 50' (H) from 6th street and 6th or 7th Ave. (F). 3. Low-rise building height is 25 Ft. or 2 stories (J) for the first 50 Ft. (I) from the setback (G). 4. All new construction shall have scale-defining architectural elements or details at first two levels. 5. A single plane of façade at the street level may not be longer than 50 Ft. without architectural relief or articulation such as windows, trellises and arcades. 6. Street-Level Activity is achieved by providing a mix of commercial, retail, office and residential uses at street level.
High Rise Setback from corner	65 Ft. E	
Mid-Rise Building Height (2)	4 stories with a Max. of 50 Ft. H F	
Mid Rise Setback from corner	50 Ft. F	
Low-Rise Building Height (3)	25 Ft. Max or 2 Stories I G	
FLOOR USES		
Ground Floor (4,5,6,7)	Commercial Services or Retail Trade Uses that encourage street level activity are preferred, but office or residential uses may be used if Commercial Services and Retail Trade Uses are not supported by market demand and contingent on new development meeting all other requirements of this table. -	
Upper Floors	Residential or Services are preferred -	

4. Lot Coverage, Open Space, Pedestrian Access

Lot coverage, open space and pedestrian access requirements in the STS are as shown in Figure 5.12-ST5-DG and Table 5.12-ST5-3.

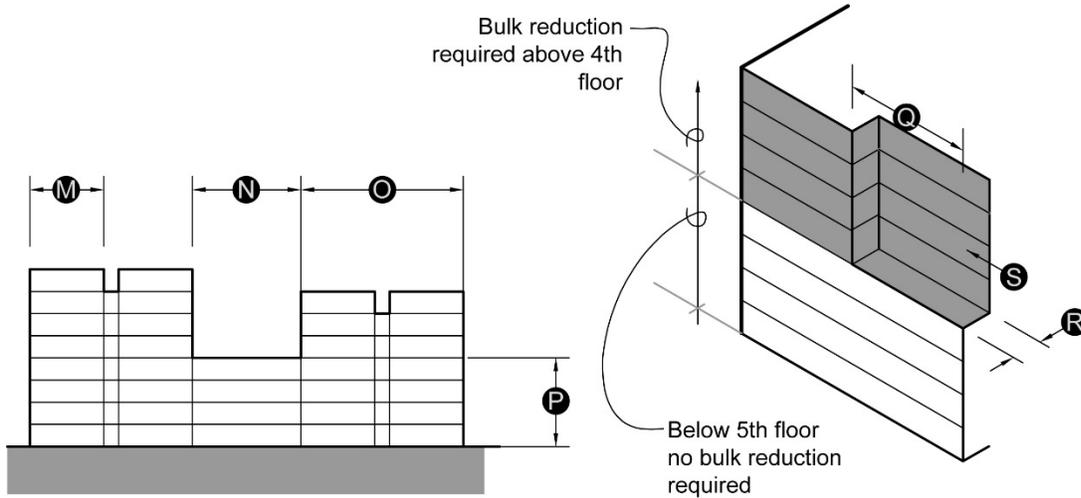


UDC TABLE 5.12-ST5-3		
STONE AVENUE SUB-AREA STANDARDS		
LOT COVERAGE	SPECIFIC REQUIREMENTS	
Maximum Lot Coverage (1)	100%	-
OPEN SPACE		
Open Space at Multi-Unit Dwellings (2,3,4)	30 Sq. Ft./DU or 20% of Lot Area (7)	-
Open Space Non-Residential (2,3,4)	Min. of 20% of Lot Area	-
PEDESTRIAN ACCESS (5)		
Pedestrian Access to Open Space	Required	K
Main Entrance Location (6)	Primary Street (Stone Ave.)	L
-	-	-
-	-	-
-	-	-
-	-	-
-	-	-

5. Building Massing Standards

Building massing standards in the STS are as shown in Figure 5.12-STS-E and Table 5.12-STS-4DLS-.

FIGURE 5.12-STS-E



■ Bulk reduction zone above 5th floor - 12'-0" minimum step back required for 50% of facade min

UDC TABLE 5.12-STS-4

STONE AVENUE SUB-AREA STANDARDS

BUILDING MASSING STANDARDS

SPECIFIC REQUIREMENTS

Articulation	-	-	<p>1. Any building over 50 Ft. wide must be broken down to read as a series of buildings no wider than 50 Ft. (M) and should include a variety of facades.</p> <p>2. To preserve view corridors, a minimum of 25% of the façade must be set aside as mid-rise (N), and the mid-rise façade may not exceed 4 stories or 50 Ft. (P) in height. On corner lots this requirement applies to one street only.</p> <p>3. High-rise facades of more than 150 continuous linear feet (O) must be broken by a mid-rise façade (N) not to exceed 4 stories or 50 Ft. (P) in height as shown in Figure above.</p> <p>4. A step-back bulk reduction area a minimum of 12 ft. in depth (R) is required for at least 50% of the façade (Q). Bulk reduction is required above the fourth floor (S). See figures above.</p>
Maximum unbroken building mass (1)	50 Ft. Max.	M	
View Corridors	-	-	
Mid-Rise Façade (2)	25% of Façade Min.	N	
High Rise Façade (3)	150 Linear Ft. Unbroken Max.	O	
Mid-Rise Height	50 Ft. Max or 4 Stories	P	
Build Reduction (High Rise)	-	-	
Bulk Reduction Setback (4)	12 Ft. Min.	R	
Bulk Reduction Required Area	50% of Façade Min.	Q	
Bulk Reduction Zone	Required above 4th Floor	S	
-	-	-	
-	-	-	
-	-	-	
-	-	-	
-	-	-	
-	-	-	
-	-	-	

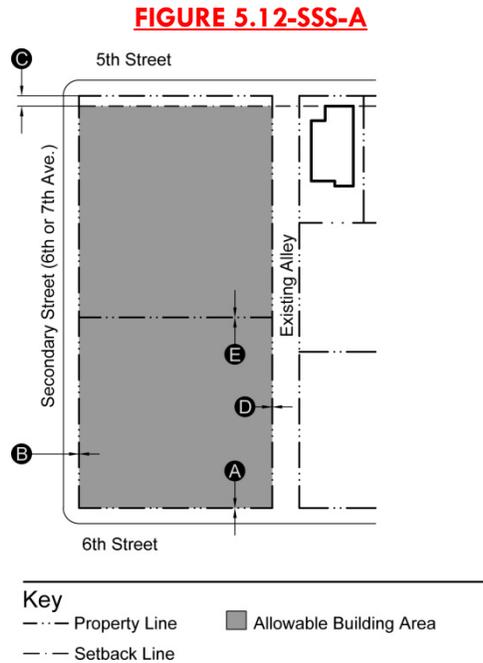
B. Sixth Street Sub-Area (SSS)

1. Standards

Figure 5.12-SSA-A captures the boundaries of the SSA and the boundaries of the Sixth Street Sub-Area. Sixth Street Sub-Area zoning option standards apply.

2. Building Placement

Building placement and setback requirements in the SSS are as shown in Figure 5.12-SSS-A and Table 5.12-SSS-1.



UDC TABLE 5.12-SSS-1		
6TH STREET SUB AREA STANDARDS		
BUILDING PLACEMENT STANDARDS		SPECIFIC REQUIREMENTS
Build to Line (Distance from Property Line)	-	-
6th Street (1,2)	0 Ft.	A
Setback (Distance from Property Line)		
Secondary Street (6th or 7th Ave.)	0 Ft.	B
5th Street	Consistent with Prevailing	C
Alley Side	0 Ft.	D
Side Yard	0 Ft.	E
-	-	-
-	-	-
-	-	-

Note: The specific requirements text in the table is: 1. Build-to line is defined as the line at which construction of a building façade is to occur on a lot. A build-to line runs parallel to, and is measured from, street front property lines and is established to create an even building facade line on a street. Build-to line applies to street frontage only (both primary and secondary streets at corner lots) and only applies when new building footprint exceeds 25% of the site area. Where applicable 75% of new building frontage must be located at or near the build-to line. Build-to requirements apply to: 1) 6th street frontage when building footprint

exceeds 25% of lot area.

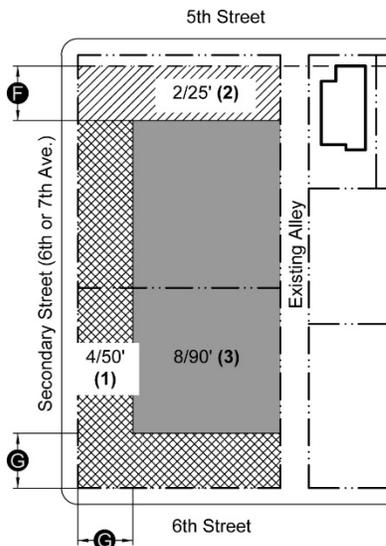
2. Street side facades must be built to Build to Line at a minimum of 75% of the new building frontage, to help define an urban street frontage, where build-to requirements apply.

3. Building Heights, Floor Uses

Building height and floor use requirements in the SSS are as shown in Figure 5.12-SSS-B, Figure 5.12-SSS-C and Table 5.12-SSS-2.

FIGURE 5.12-SSS-B

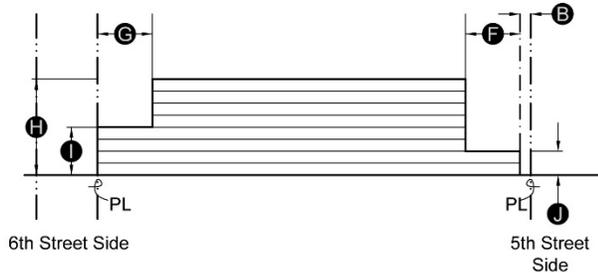
Note: Figure 5.12-SSS-B applies typically throughout the Sixth Avenue Sub-Area except at specific blocks shown on Figure 5.12-SSS-C.



Plan

Key

- Property Line
- Setback Line
- Building Height Setbacks
- High-Rise Zone
- ▨ Mid-Rise Zone
- ▧ Low-Rise Zone



North/South Section

Key

- Property Line
- Setback Line
- Building Height Setbacks

FIGURE 5.12-SSS-C

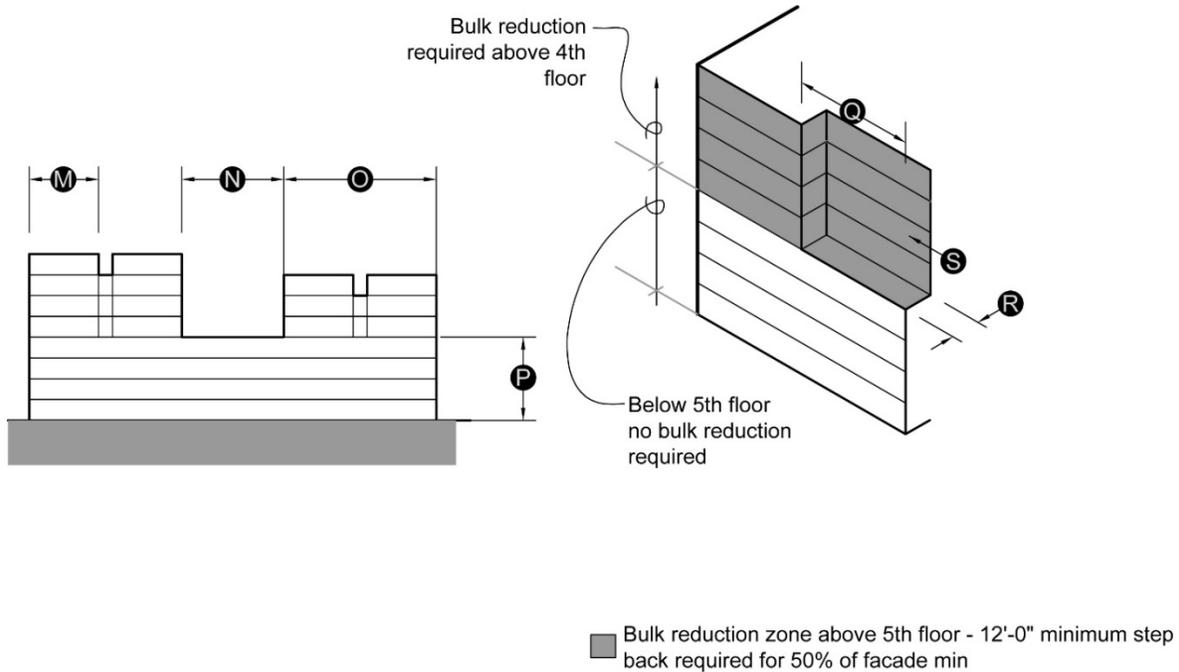


UDC TABLE 5.12-SSS-2		
6TH STREET SUB-AREA STANDARDS		
BUILDING HEIGHT		SPECIFIC REQUIREMENTS
High-Rise Building Height (1)	90 Ft. Max or 8 Stories	H
Mid-Rise Building Height (2)	50 Ft. Max or 4 stories	I,-G
Low-Rise Building Height (3)	25 Ft. Max or 2 stories	J,F
FLOOR USES		
Ground Floor (4,5,6,7)	Commercial Services and Retail Trade Uses that encourage street level activity are preferred, but office or residential uses may be used if Commercial Services and Retail Trade Uses are not supported by market demand and contingent on new development meeting all other requirements of this table.	1. High-rise building height is 90 ft. max., or 8 stories (H) for the remainder of the block. 2. Low-rise building height is 25 Ft. or 2 stories (J) for the first 50 Ft. (F) from the setback (B), and 6th or 7th Ave. (G). 3. Mid-rise building height is 50 Ft. max., or 4 stories (I) for the first 50' (G) from 6th street 4. All new construction shall have scale-defining architectural elements or details at first two levels. 5. A single plane of façade at the street level may not be longer than 50 Ft. without architectural relief or articulation such as windows, trellises and arcades. 6. Street-level activity is achieved by providing a mix of commercial, retail, office and residential uses at street level. 7. First floor level to be differentiated in form from upper levels.
Upper Floors	Residential or Commercial Services	

4. Lot Coverage, Open Space, Pedestrian Access

Lot coverage, open space and pedestrian access requirements in the SSS are as shown in Figure 5.12-SSS-DC and Table 5.12-SSS-3.

FIGURE 5.12-SSS-DC



UDC TABLE 5.12-SSS-4

6TH STREET SUB-AREA STANDARDS

BUILDING MASSING STANDARDS			SPECIFIC REQUIREMENTS
Articulation	-	-	<p>1. Any building over 50 Ft. wide must be broken down to read as a series of buildings no wider than 50 Ft. (M) and should include a variety of facades.</p> <p>2. To preserve view corridors, a minimum of 25% of the façade must be set aside as mid-rise (N), and the mid-rise façade may not exceed 4 stories or 50 Ft. (P) in height. On corner lots this requirement applies to one street only.</p> <p>3. High-rise facades of more than 150 continuous linear feet (O) must be broken by a mid-rise façade (N) not to exceed 4 stories or 50 Ft. (P) in height as shown in Figure above.</p> <p>4. A step-back bulk reduction area a minimum of 12 ft. in depth (R) is required for at least 50% of the façade (Q). Bulk reduction is required above the fourth floor (S). See figures above.</p>
Maximum unbroken building mass (1)	50 Ft. Max.	M	
View Corridors	-	-	
Mid-Rise Façade (2)	25% of Façade Min.	N	
High Rise Façade (3)	150 Linear Ft. Unbroken Max.	O	
Mid-Rise Height	50 Ft. Max or 4 Stories	P	
Build Reduction (High Rise)	-	-	
Bulk Reduction Setback (4)	12 Ft. Min.	R	
Bulk Reduction Required Area	50% of Façade Min.	Q	
Bulk Reduction Zone	Required above 4th Floor	S	
-	-	-	
-	-	-	
-	-	-	
-	-	-	
-	-	-	
-	-	-	
-	-	-	

5.12.17. IID DISTRICT TERMINATION

The provisions of Section 5.12, Downtown Area Infill Incentive District, shall end on January 31, 2015, unless Mayor and Council extend the date by separate ordinance.

2.2.6 DESIGN REVIEW BOARD

The Design Review Board (DRB) is established to review proposed buildings, structures, landscaping, architectural features, and site plans.

C. Powers and Duties

The DRB shall perform the following duties:

14. Rio Nuevo and Downtown (RND) Zone, Development Review

The DRB review for recommendations, all proposed development in the Rio (RND) Zone, as provided in UDC Section 5.11.8. In formulating its recommendation, the DRB shall apply the design standards in UDC Sections 5.11.4. *Building Design Standards*, Section 5.11.5 *Site Design Standards* and Section 5.11.6, *General Restrictions*.

11.4. OTHER TERMS DEFINED

11.4.1. PURPOSE

This section provides definitions for terms that are not land uses and are not contained in Section 11.3 above.

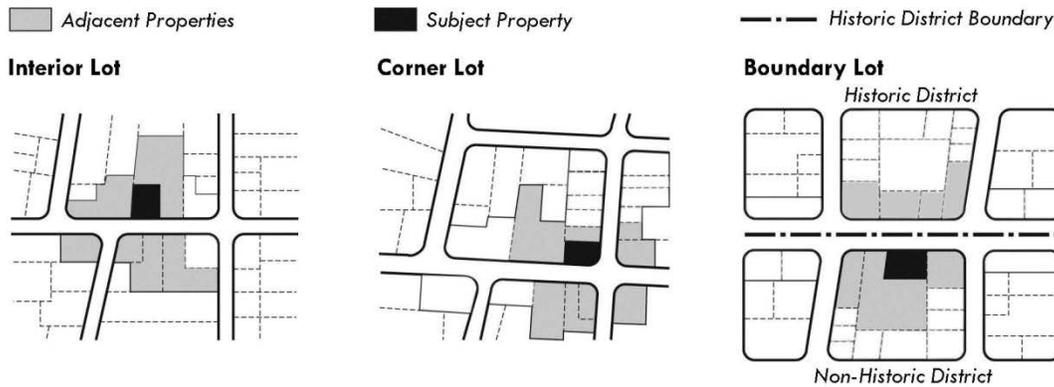
11.4.2. DEFINITIONS – A

Adjacent

Two or more parcels or lots sharing a common boundary or separated by an alley or other right-of-way 20 feet or less in width. Parcels or lots having only a common corner are considered adjacent. Within the Infill Incentive District, Optional Zoning Sub-Districts, Areas and Sub-Areas, the term “adjacent” or “adjacency means:

1. Two or more parcels or lots sharing a common boundary or separated by an ally or a local or arterial street 30 feet or less in width. Parcels or lots having only a common corner are also considered adjacent.
2. Where the development parcel is an interior parcel, adjacent lots includes all residential lots or development on either side of the development parcel, those lots fronting on the same street in the same block as the development parcel, and all those lots on the opposite side of that street See Figure XXX, “Adjacent Properties);
3. Where the development parcel is a corner lot, the term “adjacent” includes all the residential corner lots or developments diagonally opposite the development parcel, fronting on the same two streets in the same block, and on the opposite sides of those streets as shown in the diagram below; (See Figure XXX “Corner Lot”)

4. Where the development parcel is adjacent to an HPZ, the term “adjacent” includes all lots across the street and diagonally across from the development parcel.



11.4.8 Definitions -D

District

A zone that has zoning options to encourage transit-oriented development or has specific urban design standards within the City. An Examples of a District is the Downtown Area Infill Incentive District. A “district” is also referred to as a zoning district.

Development Zone

As used in Section 5.8, “H” Historic Preservation Zone (HPZ), Section 5.10, (NPZ), and Section 5.11, Rio Nuevo District, (RND), a certain designated area adjacent to the lot to be developed. Public and institutional structures within development zone-is-zone are not considered to be part of the development zone when evaluating proposed development on an adjacent property, except for public and institutional structures on or eligible for inclusion on the National Register of Historic Places. The development Zone is determined as follows: (See Illustration below)

***** [Illustration]

Where the subject lot is an interior lot, the development zone that lot, all lots on either side of that lot and fronting on the same side of that street in the same block and all those lots on the opposite side of the street, except such portions if the development zone that fall outside the boundary of the HPZ, or the NPZ, or the RND.

Where the subject lot is a corner lot, the development zone includes that lot, the corner lot diagonally opposite that lot, all lots on either side of the of those streets, except such portions of the development zone that fall outside the boundaries of the HPZ, or the NPZ, or the RND.

Were the subject lot is locate adjacent to the historic zone boundary, the development zone includes that lot, all lots located within the same block, and those lots facing the same side of the street as the subject lot

within one block in either direction, except such portions of the zone that fall outside the boundaries of the HPZ, ~~or the NPZ, or the RND.~~

11.4.8. DEFINITIONS – G

Group Dwelling.

Within the Downtown Area Infill Incentive District (IID) the term “group dwelling” means a structure that:

1. meets the definition of “group dwelling” contained in UDC Section 11.3.7.B; and
2. is greater than two stories or 25 in height.

THE FOLLOWING SECTIONS NEED TO BE REPEALED IN THE ORDINANCE ADOPTING THE IID AMENDMENTS AS A SEPARATE REPEAL SECTION.

Section 3.3.9. *Rio Nuevo District (RND) Design Review and Modification of Development Regulations and Procedures* is hereby repealed.

Section 5.11. RND repeal

Certain sections of the Rio Nuevo District, Section 5.11, were relocated and adopted into the Greater Infill Incentive District (IIID) as Section 5.12. 7, *Rio Nuevo Area (RNA) Zoning Design Standards*. The sections of the RND that were not relocated and adopted into Section 5.12.7 are hereby repealed.

EXTENDING CURRENT IID SUNSET PROVISION

Note: The proposed sunset provision will be implemented through a separate ordinance and will not be included in the Unified Development Code.

The provisions of Unified Development Code (UDC) Section 5.12, *Downtown Area Infill Incentive District*, shall cease to be effective on August 31, 2015, unless extended by the Mayor and Council by a separate ordinance. If not extended, the sections shall revert to the language as it existed prior to this amending ordinance. The purpose of this sunset clause is to give the City the opportunity to decide whether to continue to implement Ordinance 10841, as added or to revert to those provisions existing prior to this ordinance.

PROPOSED NEW IID SUNSET PROVISION

Note: The proposed sunset provision will be implemented through a separate ordinance and will not be included in the Unified Development Code.

The provisions of Unified Development Code (UDC) Section 5.12, *Downtown Area Infill Incentive District*, shall cease to be effective on January 31, 2019, unless extended by the Mayor and Council by a separate ordinance. If not extended, the sections shall revert to the language as it existed prior to this amending ordinance. The purpose of this sunset clause is to give the City the opportunity to decide whether to continue to implement Ordinance XXXXX, as added or to revert to those provisions existing prior to this ordinance.

