

**Modification of Development  
Regulations in the Downtown Infill  
Incentive District**

# Mayor & Council Direction

On October 7, 2008, the Mayor & Council:

- Initiated a text amendment permitting a modification of development regulations (MDR) for the Downtown Infill Incentive District addressing relief to development standards.
- Directed staff to return to M&C with a draft amendment in 180 days for consideration and adoption



# Infill Incentive Districts

- State law allows Tucson and other cities in Arizona to establish infill incentive districts
- Also allows the City to facilitate reinvestment in the district by providing expedited review procedures, fee waivers, and relief from development standards.



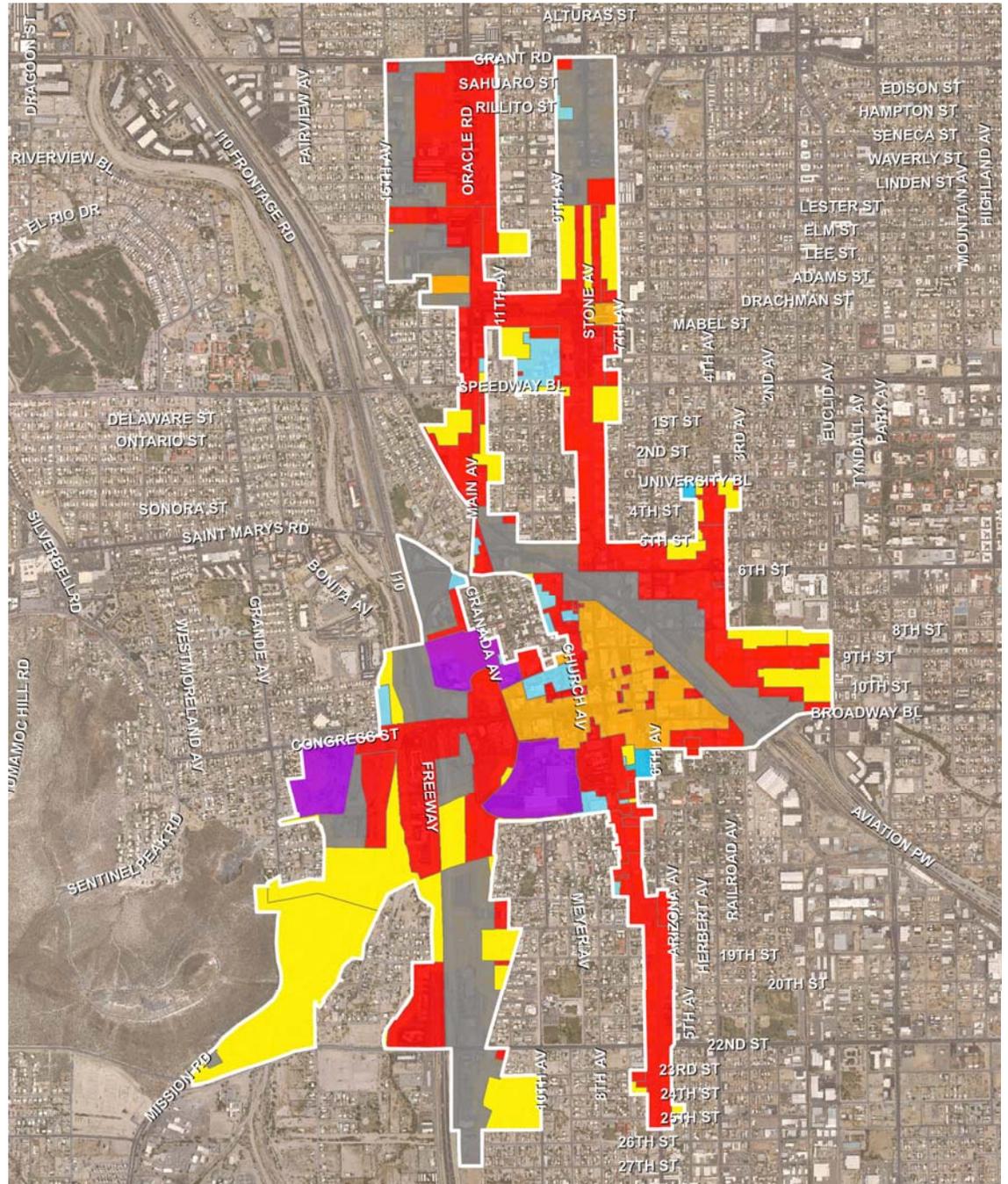
# Tucson's Infill Incentive District

- 10/24/06 - Mayor and Council establishes the Downtown Area Infill Incentive District.
- The district encompasses the central business district, related commercial areas, and certain major business corridors, including Oracle and Stone.

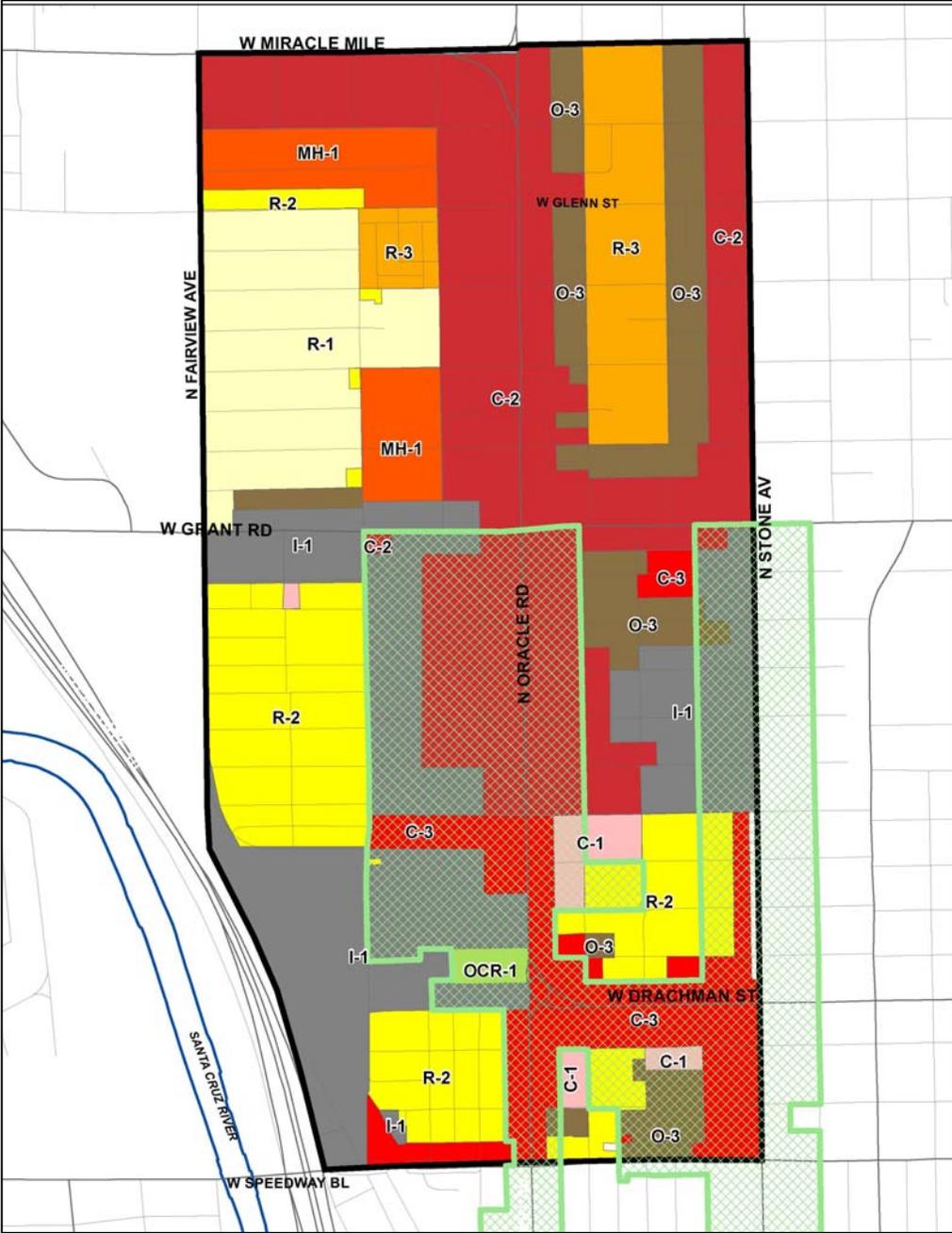


# Infill Incentive District

-  Residential
-  Office
-  Commercial
-  Industrial
-  OCR
-  PAD



# Infill Incentive District within the OARP Area



# Eligible Projects

- Change of use (e.g. from an office to a restaurant); or,
- Expansions to existing uses; or,
- Development or redevelopment

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- Minimum site area & building area of 10,000 SF & 2,000 SF respectively.



# Regulations that can be Modified

## Land Use Code

- Permitted uses
- Dimensional/spatial regulations (i.e. setbacks, height, floor to area ratios, lot coverage, density)
- Parking - number of spaces
- Loading zones - number, size & location
- Landscaping & screening



# Modifications

Development regulations may be modified by 25% with these exceptions:

- Building height may be up to 60 feet unless zoning permits more;
- Distance requirement between the building and street may be reduced or waived;
- Number of parking spaces may exceed 25% reduction if a parking plan prepared by a traffic engineer shows sufficiency and lack of nuisance; and,
- Number of loading zones required may be reduced or waived.



# Modifications cont'd

Modifications greater than those previously mentioned may be permitted if the improvement:

Reflects best urban design practices

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Does not cause an unreasonable privacy nuisance, public health, or safety concern.

Director of UPD will make determination whether improvements meets the findings.



# Required Improvements

In exchange for a modification(s), the applicant must provide the following improvements:

- Streetscape - accommodates multi-modal transportation (pedestrian, bike, bus, etc.), creates visual interest at the pedestrian scale & provides shaded areas to mitigate urban heat island effect
- Resource Conservation aka "Greenbuilding" - achieves LEED Silver standard or an acceptable equivalent



Structures built up to the street  
creates visual interest and  
engages the pedestrian





Wider sidewalks are more pedestrian friendly, allows space for landscaping, patio dining, and bike racks



# MDR Criteria

An MDR shall be approved only if it:

- Has no significant adverse effect on adjacent properties
- Transitions to the surrounding area
- Benefits the surrounding area consistent with the goals of the Infill Incentive District Plan
- Has no adverse impact on neighboring streets and properties (for reduction in parking requests)



# Review and Approval Process

- Applicant is encouraged to meet with surrounding property owners and the neighborhood association
- Property owners w/in 50 feet and the n'hood association will be notified of the project, unless...
- the project is w/in 150 feet of a residential zone, then notice will be sent to property owners w/in 300 feet and n'hood associations w/in 1 mile
- The public may submit comments to staff



# Review and Approval Process continued

- Project is reviewed by staff. Director of DSD makes final decision whether to approve.
- Notice of decision is mailed to same group
- An MDR may be appealed. The Board of Adjustment reviews and forwards recommendation to the M&C who then makes a final determination
- An MDR request is finalized as part of a development agreement



# Next Steps

- Mid-December - Meeting with the Infill Subcommittee
- January 2009 - Study session at the Planning Commission
- February 2009 - Public hearing at the Planning Commission
- Early spring 2009 - Public hearing and consideration by the Mayor and Council

