

This Ordinance becomes effective
on September 7, 2012.

ADOPTED BY THE
MAYOR AND COUNCIL

August 7, 2012

ORDINANCE NO. 11015

RELATING TO ZONING: REPEALING THOSE PORTIONS OF THE ZONING REGULATIONS OF THE MAIN GATE DISTRICT URBAN OVERLAY ZONE ADOPTED ON FEBRUARY 28, 2012 AS ORDINANCE 10968 LIMITED TO THE PROVISIONS RELATED TO THAT AREA BOUNDED BY EAST SPEEDWAY BOULEVARD ON THE NORTH, NORTH TYNDALL AVENUE ON THE EAST, EAST FIRST STREET ON THE SOUTH, AND NORTH EUCLID AVENUE ON THE WEST AND REPLACING THEM WITH THE AMENDED ZONING REGULATIONS AS PROVIDED HEREIN, AND AMENDING THE PROVISIONS OF ORDINANCE 10969 TO EXTEND THE EFFECTIVE DATE OF THE PROVISIONS RELATED TO THAT AREA BOUNDED BY EAST SPEEDWAY BOULEVARD ON THE NORTH, NORTH TYNDALL AVENUE ON THE EAST, EAST FIRST STREET ON THE SOUTH, AND NORTH EUCLID AVENUE ON THE WEST UNTIL SUCH TIME AS THE REPEAL PROVIDED FOR HEREIN BECOMES EFFECTIVE ALL IN CASE C9-12-01, MAIN GATE DISTRICT URBAN OVERLAY DISTRICT; AND SETTING AN EFFECTIVE DATE.

WHEREAS, on February 28, 2012, the Mayor and Council adopted Ordinance No. 10968, creating the Main Gate District Optional Urban Overlay District; and

WHEREAS, Section 2 of Ordinance No. 10968 provided that the Ordinance became effective thirty (30) days after adoption by the Mayor and Council and when available from the City Clerk; and

WHEREAS, on or about April 3, 2012, prior to the time that Ordinance No. 10968 became effective, the Mayor and Council adopted Ordinance No. 10969, thereby amending Section 2 of Ordinance 10968 to read as follows: "The provisions of Section 1 of this Ordinance become effective thirty (30) days after the date the Ordinance was adopted by Mayor and Council (February 28, 2012) and was made available from the

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1



City Clerk Note:

Exhibit A to Exhibit A to this Ordinance reflects the changes read into the record at the Mayor and Council meeting of August 7, 2012.

RWR:SM:tf 08/27/2012

City Clerk, except that the provisions of this Ordinance relating to the portion of Area 1 bounded by Speedway, Tyndall, Euclid and 1st shall become effective on May 9, 2012.”; and

WHEREAS, on or about April 3, 2012, the Mayor and Council also directed the Zoning Examiner to conduct a hearing, since held on April 25, 2012, and thereafter to give to the Mayor and Council recommendations relating to possible modifications to that portion of the Main Gate District described in Ordinance No. 10969, namely the portion of Area 1 bounded by Speedway, Tyndall, Euclid and 1st [hereafter, the “Discussion Area”]; and

WHEREAS, the Zoning Examiner provided recommendations regarding the Discussion Area, and the Mayor and Council remanded for full statutory procedures associated with zoning ordinance amendments those provisions of the rezoning that apply within the Discussion Area; and

WHEREAS, on May 8, 2012 the Mayor and Council adopted Ordinance 10980 which amended Ordinance 10968 to provide that the provisions of that Ordinance relating to the Discussion Area would not become effective until August 8, 2012; and

WHEREAS, the Zoning Examiner conducted a public hearing on June 28, 2012 and submitted his report and recommendations to Mayor and Council July 13, 2012; and

WHEREAS, the Mayor and Council desire to repeal those and only those provisions of Ordinance No. 10968 related to the Discussion Area without the provisions applicable to the Discussion Area first going into effect as previously

provided and replace those provisions with the amendments provided herein and made a part of this Ordinance; and

WHEREAS, Mayor and Council wish to assure that the repeal and amendments related to the Discussion Area provided herein become effective prior to the effective date of provisions related to the Discussion Area previously provided in Section 2 of Ordinance 10969, it is necessary to amend the provisions of Ordinance 10968 to provide for an extended effective date:

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF TUCSON, ARIZONA, AS FOLLOWS:

SECTION 1. Those portions of Ordinance 10968, adopted by the Mayor and Counsel on February 28, 2012, relating to the Discussion Area; specifically limited to provisions applicable to the area bounded by East Speedway Boulevard on the north, North Tyndall Avenue on the east, East First Street on the south, and North Euclid Avenue on the west on the attached map marked Ordinance No. 11015, are hereby repealed and replaced with the zoning regulations as contained in the Development Document attached as Exhibit A.

SECTION 2. Section 1 of this Ordinance becomes effective thirty (30) days after it is adopted by the Mayor and Council and is available from the City Clerk.

SECTION 3. Section 2 of Ordinance 10969 is amended to read as follows: "The provisions of Section 1 of this ordinance become effective thirty (30) days after the date the ordinance was adopted by Mayor and Council (February 28, 2012) and was made available from the City Clerk, except that the provisions of this ordinance relating to the

portion of Area 1 bounded by Speedway, Tyndall, Euclid and 1st shall become effective on September 10, 2012 unless earlier repealed.”

SECTION 4. WHEREAS, it is necessary for the preservation of the peace, health, and safety of the City of Tucson that Section 3 of this ordinance become immediately effective, an emergency is hereby declared to exist and Section 3 of this ordinance shall be effective immediately upon its passage and adoption.

SECTION 5. The provisions of this Ordinance, including Exhibit A, cannot be given effect individually, and to this end, the provisions of this Ordinance and the attached conditions are not severable.

SECTION 6. The various City officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this Ordinance.

PASSED, ADOPTED, AND APPROVED by the Mayor and Council of the City of Tucson, Arizona, August 7, 2012.



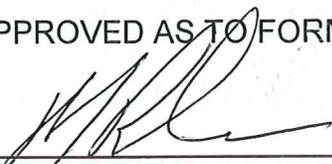
MAYOR

ATTEST:



CITY CLERK

APPROVED AS TO FORM:



CITY ATTORNEY

REVIEWED BY:



CITY MANAGER

TM/tl
7/18/12 

EXHIBIT "A" TO ORDINANCE No. 11015

Requirements for Rezoning Case C9-12-01 Main Gate District Urban Overlay District as established by Mayor and Council on February 28, 2012 and August 7, 2012.

This ordinance is subject to the following conditions:

See attached Exhibit A: Main Gate District Development Document August 7, 2012.

Main Gate District Development Document

City of Tucson Mayor and Council

Jonathan Rothschild, Mayor

Regina Romero

Paul Cunningham

Karin Uhlich

Shirley Scott

Richard Fimbres

Steve Kozachik

Project Management

Planning and Development Services Department

Ernie Duarte, Director

Adopted February 28, 2012

Amended August 7, 2012

City Clerk Note:

 This document reflects the changes read into the record at the Mayor and Council meeting of August 7, 2012.

RWR:SM:tf 08/27/2012

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- A. Main Gate District Overview 1**
 - A-1. Introduction..... 1
 - A-2. Existing Infrastructure 2
 - A-3. Purpose 3
 - A-4. Historic Preservation 3
- B. Establishment and Administration of Main Gate District..... 5**
 - B-1. Establishment of Main Gate District; Effectiveness of Main Gate District Zoning Option 5
 - B-2. PSDS Requirements and Review 6
 - B-2.a. Main Gate District Development Packages..... 6
 - B-2.b. Review and Approval Procedures..... 6
 - B-2.c. Pre-Application Conference..... 6
 - B-2.d. Review of Design Standards..... 6
 - B-2.e. Development Review Fees..... 7
 - B-2.f. Traffic and Parking Mitigation Fees..... 8
 - B-3. Urban Design Best Practices 8
- C. Standards and Guidelines..... 9**
 - C-1 Definitions 9
 - C-2. Land Use 9
 - C-3. Development Standards 11
 - C-4. Access and Pedestrian Facilities 14
 - C-5. Parking (Motor Vehicles and Bicycles) 15
 - C-6. Loading and Solid Waste..... 18
 - C-7. Screening 18
 - C-8. Utility Facilities 19
 - C-9. Landscaping..... 19
 - C-10. Open Space..... 19
 - C-11. Right-of-Way Maintenance..... 20

C-12. Site Furnishings.....	20
C-13. On-Site Water Management	20
C-14. Lighting.....	20
C-15. Hardscape Materials.....	20
C-16. Environmentally Conscious Design Practices.....	21
C-17. Height and Mass Transition.....	21
C-18. Historic Preservation.....	22
C-19. Design Standards.....	24
<u>D. Area 1</u>	26
D-1. Area 1 Composition	26
D-2. Speedway Sub-area.....	26
D-3. Euclid Sub-area.....	27
D-4. Tyndall Avenue Sub-area	27
D-4.a. Building Heights	27
D-4.b. Special Bulk Reduction Plan.....	27
D-5. Design Review Committee Role.....	27
D-6. Conflicting Requirements.....	28

A. Main Gate District Overview

A-1. Introduction.

On December 5, 2011, in accordance with Section 2.8.13 (Urban Overlay District Zone) of the Land Use Code (LUC), the City of Tucson's Mayor and Council initiated a rezoning to an urban overlay district for a geographic area within the West University Neighborhood Plan known as the Transition Area. An urban overlay district allows for a zoning option that encourages transit-oriented development.

The urban overlay district (UOD) known as the Main Gate District (MGD) is located south of Speedway Boulevard, west of Park Avenue, north of Sixth Street and east of Euclid Avenue. The modern streetcar route runs through the district with transit stops on nearby Second Street and at the approximate midpoint of University Boulevard within the MGD. Figure 1 contains a map of the Main Gate District.

On December 13, 2011, the Mayor and Council adopted a plan amendment to the West University Neighborhood Plan's Transition Area (Resolution 21836). The new policies promote transit-oriented development in the overlay district. Transit-oriented development refers to a mixed-use residential and commercial area designed to maximize access to public transportation and to have features that encourage transit ridership. Other policies encourage urban and architectural design features that ensure pedestrian comfort and the use of the best practices of transit-oriented design.

The MGD zoning option is intended to conform to the transit-oriented policies recently adopted in the West University Neighborhood Plan and to conform to both the University Area Plan and the General Plan policies.

The MGD zoning option allows a property owner to choose to develop property with new uses and flexible development requirements in exchange for transit-oriented design of buildings and sites. A property owner who has chosen the MGD zoning option cannot revert to the underlying zoning standards without applying for a modification of zoning requirements or pursuing a separate rezoning. The overlay district does not preclude a property owner from pursuing a rezoning for his property.

District Map

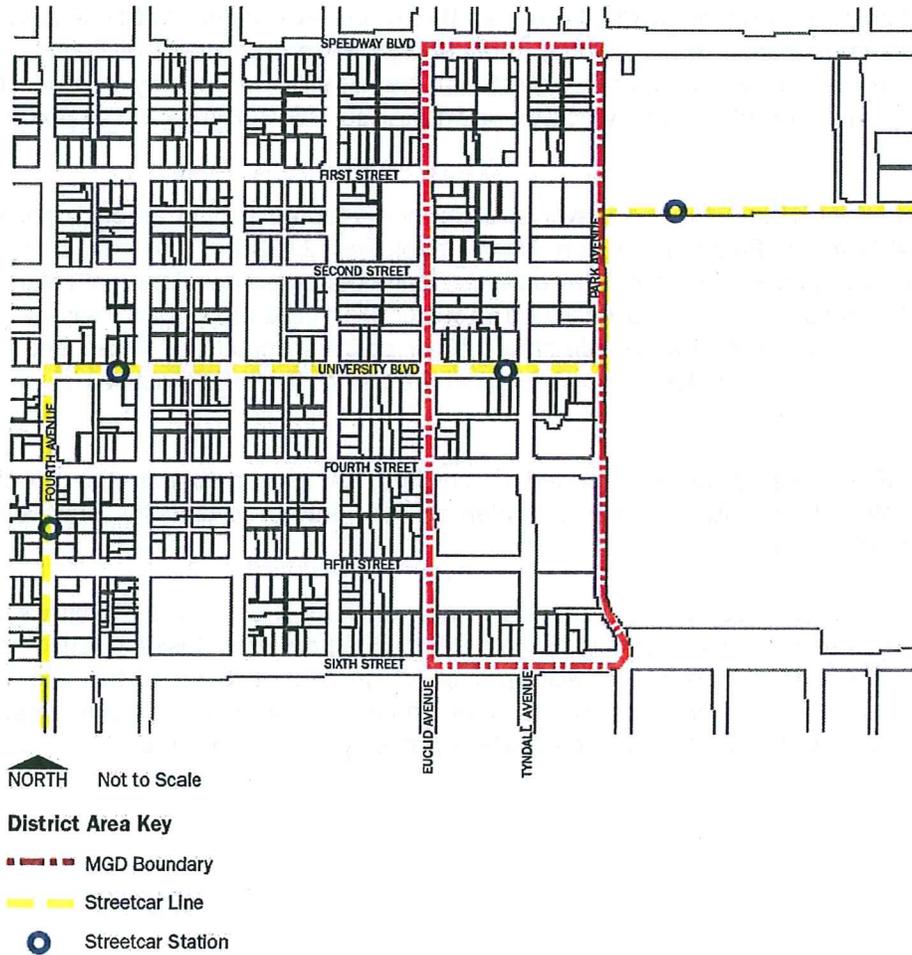


FIGURE 1 - DISTRICT MAP

A-2. Existing Infrastructure

The Main Gate District overlays an area where significant public investment has already been made in utility, transit, parking and other infrastructure improvements. Public infrastructure completed or funded near the MGD includes:

- **Modern Streetcar Project:** The four-mile modern streetcar line, which will connect the West University Transition Area with the Downtown, 4th Avenue, and the Mercado District, is expected to be completed in 2013.

- **Main Gate Parking Garage:** The Main Gate Parking Garage, located on the east side of Euclid Avenue between 1st and 2nd Streets, is a 1,200 car parking garage that provides parking for University and general public uses.

- **Park Avenue Garage:** The Park Avenue Garage, located at the northeast corner of Speedway Boulevard and Park Avenue, is a 1,500 car parking garage that provides ample parking for University and general public uses.

- **Tyndall Garage:** The Tyndall Garage, located on Tyndall Avenue and 4th Street, is a 1700-space garage that provides parking for University and general public uses.

- **Olive Underpass:** The Olive Underpass was constructed to connect the campus area north of Speedway Boulevard and the Park Avenue Garage to the main campus area with a pedestrian-friendly walkway below the high-traffic Speedway Boulevard.

A-3. Purpose

The Main Gate District's key purpose is to support transit-oriented development along the modern streetcar route and accomplish the following:

- create an urban neighborhood with multi-modal options;
- design by using best practices and for pedestrian comfort;
- encourage a mix of uses by a diverse population;
- encourage restoration of historic buildings whenever possible; and
- create a streamlined development review process for transit-oriented development.

A-4. Historic Preservation

The Main Gate District contains properties that contribute to the West University Historic Preservation Zone and/or the West University National Register District or which are individually listed in the National Register of Historic Places; see Figure 2 (Historic Properties Map). The MGD discourages demolition of historic properties and encourages historic preservation by offering additional uses compatible with restoration of historic properties and/or incorporation of historic buildings into a redevelopment of these properties. See Sections B-2.e (Development Review Fees), C-2.a. (Permitted Uses), and C-18 (Historic Preservation) and D (Area 1).

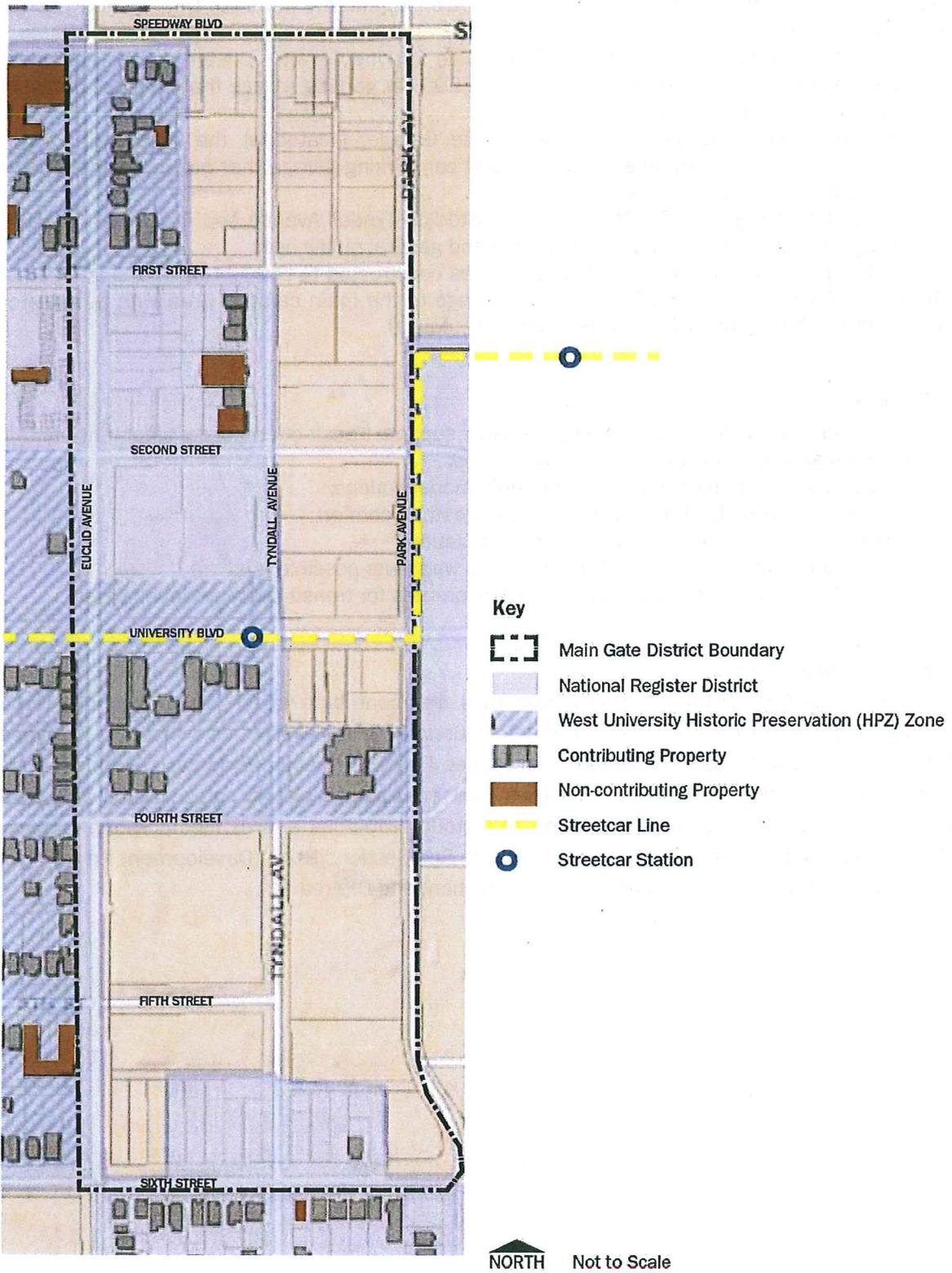


FIGURE 2 – HISTORIC PROPERTIES MAP

B. Establishment and Administration of Main Gate District

B-1. Establishment of Main Gate District; Effectiveness of Main Gate District Zoning Option

B-1.a. Upon adoption of the rezoning ordinance to urban overlay district by the Mayor and Council on February 28, 2012, the Main Gate District was established.

B-1.b. The Mayor and Council may amend or dissolve the district by ordinance under the Zoning Examiner Legislative Process, Sec 5.4.1, and Sec. 5.4.3.

B-1.c. A property owner may request the zoning on his property be amended by submitting an application, paying applicable rezoning fees and proceeding through the Zoning Examiner Legislative Process, Sec 5.4.1, and Sec. 5.4.3.

B-1.d. The Main Gate District's boundaries shall be identified on the City's of Tucson's Zoning Maps.

B-1.e. A property owner using the MGD zoning option shall have her existing zoning designation prefaced by a U on the City of Tucson's Zoning Maps. An owner of property located in the West University Historic Preservation Zone that uses the MGD zoning option shall have the current zoning designation H prefaced by a U, i.e., HR-3 becomes U-HR-3.

B-1.f. A property owner may elect to develop and use her property either under the existing underlying zoning district or under the Main Gate District zoning option; provided, however, that properties located in the West University Historic Preservation Zone which are developed or redeveloped under the Main Gate District zoning option are also required to comply with certain requirements of LUC Section 2.8.8 as provided in Section C-18 (Historic Preservation). Plans submitted under the Main Gate District zoning option shall comply with the regulations herein.

B-1.g. A property owner using the MGD zoning option shall comply with Section C (Standards and Guidelines), Section B-2.a (Main Gate District Development Package Requirements) Section B-2.b (Review and Approval Procedures) and Section D (Area 1) if applicable.

B-1.h. A Main Gate District Development Package for development under the MGD cannot be used in conjunction with other waivers or modification provisions of the LUC and applicants cannot select the provisions of other overlay zones except as expressly provided in this MGD development document.

B-1.i. The Main Gate District zoning option for a property shall be effective upon the issuance of a building permit for a project being developed or altered in accordance with its requirements. The owner of an existing development in the Main Gate District may elect to develop or use her property under the Main Gate District requirements by so stating in an application for a certificate of occupancy, and the election of the zoning option shall be effective upon the issuance of the certificate of occupancy.

B-1.j. Unless otherwise specified in the MGD development document, the LUC and its supplemental documents shall apply. Where there is a conflict between the Land Use Code and its supplemental documents' requirements and the MGD's requirements, the MGD requirements shall control.

B-1.k. Figures contained in this document are for illustrative purposes only. Unless otherwise specifically indicated, figures are not to scale.

B-1.l. Upon any reorganization or renumbering of the Land Use Code, Development Standards or Development Compliance Code, in connection with the adoption of a Unified

Development Code or otherwise, the references thereto in this UOD shall refer to the pertinent provision of the reorganized or renumbered code.

B-2. PDSB Requirements and Review

B-2.a. Main Gate District Development Packages.

B-2.a.1. Development package submittals require approval by the City of Tucson (except where state law preempts local jurisdiction).

B-2.a.2. Applicants electing to develop under the Main Gate District zoning option must submit a development package in compliance with applicable Main Gate District requirements.

B-2.a.3. Except as provided herein, a development package for development under the Main Gate District zoning option shall be prepared in compliance with City of Tucson Development Standard No. 2-01.0.0 and in compliance with other requirements imposed by the MGD. The Planning and Development Services Director may require applications to provide sufficient drawings and information to demonstrate compliance with the MGD requirements. The title block required by Section 2.4 of Development Standard No. 2-01.0.0 shall include the statement "Development under Main Gate District zoning option." The development package submittal shall include the communication from the City's Design Professional described in Section B-2.d.5.

B-2.a.4. In addition to the documentation required by Development Standard No. 2-01 et seq., the Director may require an applicant to provide elevations sufficient to demonstrate compliance with Sections C-19.s through C-19.x (Building Articulation) and C-17 (Height and Mass Transition) and the height limitations contained in Table 1 and Figure 3 in Section C-3.

B-2.a.5 Applicants seeking a reduction of the minimum motor vehicle parking requirements contained in Section C-5 must provide a parking statement explaining the justification for the reduction and may be required by the Director to provide a Parking Impact Analysis prepared by a qualified, third-party consulting traffic engineer.

B-2.b. Review and Approval Procedures.

The PDSB shall review Main Gate District Development Packages pursuant to the City of Tucson Development Compliance Code Sections 23A-31 (Zoning Compliance Review) and 23A-34 (Development Plan Review) except that a pre-application conference is required.

B-2.c. Pre-Application Conference.

Each Applicant shall meet with PDSB staff in a pre-application conference to verify the requirements for development in the Main Gate District zone. The conference is intended to be an informal opportunity for the applicant and staff to discuss the proposed project and review the proposals for important project features such as building location, site access, trash/recycling collection, on-site retention, and the existence and proposed treatment of any Contributing Properties. Staff will provide direction as to how the project meets the purpose of the Main Gate District and advise the applicant of any additional submittal requirements (e.g., demolition review, traffic statement, parking plan, design review process).

B-2.d. Review of Design Standards.

B-2.d.1. Design review for projects developed under the MGD zoning option that are three stories or greater, or adjacent to Speedway Boulevard or Euclid Avenue, or in Area 1 shall be conducted by the Main Gate District Design Review Committee (DRC). All other projects developed under the MGD zoning option shall be reviewed by the City's Design Professional. Development of projects in the West University Historic Preservation Zone and/or Contributing Properties (as defined in Section C-1) outside of the Historic Preservation Zone in the West University National Register District and/or any properties that may become individually listed in the National Register of Historic

Properties shall be subject to additional design review as provided in Section C-18 (Historic Preservation).

B-2.d.2. The DRC shall be appointed by the City Manager and shall be composed of the Design Professional, two members designated by the West University Neighborhood Association that own property in the West University Neighborhood, two members designated by the University of Arizona, and two members designated by the largest non-governmental property owner within the MGD. In addition, an at large member may be appointed for specific projects at the City Manager's discretion. A quorum of the DRC shall be the Design Professional and at least two other members.

B-2.d.3. Notwithstanding Section B-2.d.1, if for any reason the City Manager has not appointed the members of the DRC or a quorum is not obtained for a particular application, the Design Professional shall make a recommendation directly to the PDS Director.

B-2.d.4. The DRC shall review applicable projects for compliance with the following MGD requirements (and may also comment on other aspects of the projects):

B-2.d.4.i. For projects on Euclid Avenue, project scale in relation to the scale of surrounding buildings and architectural compatibility with nearby buildings in the HPZ overlay zone. (See Sections C-18.b. and C-18.c.)

B-2.d.4.ii. For projects on Euclid Avenue or Speedway Boulevard, the building step-back requirements of Section C-17.

B-2.d.4.iii. For all projects, the standards of Section C-19 (Design Standards).

B-2.d.5. Applicants shall meet with the DRC or Design Professional (as the case may be) to discuss the project and its compliance with the MGD design requirements as required by the Design Professional. Within fifteen days following the final such meeting, the Design Professional shall provide a written report to the applicant, the DRC members and the Director describing any issues of concern identified by the DRC, stating whether the proposal complies with the MGD design standards, making recommendations on any modifications to the project needed to bring it into compliance with the MGD design standards, and (in the Design Professional's discretion) commenting on other aspects of the project. The applicant shall include the Design Professional's communication in the development package submitted under Section B-2.a.

B-2.d.6. The DRC's or Design Professional's recommendations shall be advisory to the Director, and the Director shall make the final decision on a project's compliance with MGD design requirements. In the case of Area 1 development, the DRC shall make final decisions on compliance with this development document and on any special procedure noted in Section D (Area 1). The DRC may add special conditions to an approval to assure compliance with the intent of the MGD. Appeals to the DRC decision shall be in accordance with the Board of Adjustment appeals process in (Sec 23A-52, Development Compliance Code).

B-2.d.7. The applicant shall pay for no more than 10 hours of the Design Professional's fees incurred in connection with an application.

B-2.e. Development Review Fees.

The development review fees shall be reduced by 50% for the adaptive re-use of existing buildings described in item 13 of Section C-16.

B-2.f. Traffic and Parking Mitigation Fees.

If the City, as the result of traffic or parking impact studies or otherwise, elects to impose fees in connection with development using the Main Gate District zoning option to mitigate the costs of traffic and parking infrastructure serving or related to the Main Gate District, then applicants shall be required to pay such fees as a condition to the Director's approval of projects using the Main Gate District zoning option.

B-3. Urban Design Best Practices

In order to accommodate creative solutions to design and development issues, the Director may approve alternatives to the development regulations determined by the Director to be consistent with "urban design best practices." For the purposes of the MGD, "urban design best practices" include design studies approved for the City of Tucson, adopted urban design standards for a downtown area or university transition area in an American city of comparable size, books written by urban design experts or endorsed by a professional organization, such as the American Institute of Architects or the American Planning Association, addressing downtown or university transition area development, or any comparable report, study or standards recommended by the City's Design Professional and approved by the Director.

C. Standards and Guidelines

The general standards and guidelines in this Section C apply to all development and use under the Main Gate District zoning option.

C-1 Definitions

Terms defined in the LUC shall have the same meaning when used in the MGD. In addition, the following terms shall have the meanings given below.

Bicycle Share. A rental system or business where bicycles are rented for short periods of time (e.g., by the hour) and parked or stored in a Short-Term Bicycle Parking Facility.

Car Share. A rental business where cars are rented for short periods of time (e.g., by the hour, and usually for less than a day).

Contributing Property. A property that is designated as a contributor to a National Register Historic District or a City of Tucson Historic Preservation Zone. (The Contributing Properties as of the date of adoption of the Main Gate District UOD are indicated on Figure 2 (Historic Properties Map).

Microbrewery. A business where beer is brewed and sold for on-premises or off-premises consumption.

Residential Mixed-Use. Mixed Use with a minimum of 70% of Gross Floor Area used for uses from the LUC Residential Use Group permitted in the MGD. (See Section C-2.a. below.)

Story. A complete horizontal section of a building, having one continuous or practically continuous floor level. A mezzanine shall be considered a portion of the story below and not contribute to number of stories if the mezzanine does not exceed one-third of the floor area of the room or space in which it is located.

C-2. Land Use

C-2.a. Permitted Uses.

The following uses are permitted in the Main Gate District.

From the Civic Use Group:

1. Civic Assembly.
2. Cultural Use.
3. Educational Use.
4. Membership Organization.
5. Postal Service.
6. Protective Service.
7. Religious Use.

From the Commercial Services Use Group:

8. Administrative and Professional Office.
9. Alcoholic Beverage Service, except along Euclid Avenue.
10. Animal Service, provided that the use is entirely contained in the interior of the pertinent building (and not in any yards or patios).
11. Day Care.

12. Entertainment, except that circuses, carnivals, and tent shows are not permitted.
13. Financial Service, except that non-chartered financial institutions, such as check cashing and payday loan businesses, are not permitted.
14. Food Service, except that a Soup Kitchen is not permitted. Outdoor dining located in adjacent Right-of-Way is permitted, subject to the user obtaining and maintaining the requisite license or easement from the Right-of-Way owner.
15. Medical Service – Outpatient.
16. Parking, but only in a Garage unless the parking is accessory to another permitted use, and subject to Section C-5.c.
17. Personal Service.
18. Research and Product Development, but only of a scientific, non-industrial nature.
19. Technical Service.
20. Travelers' Accommodation, Lodging, except that primary access to individual guest rooms from the building exterior is not permitted.
21. Artisan Residence.
- From the Industrial Use Group:
22. Craftwork.
23. Microbrewery.
- From the Recreation Use Group:
24. Open Space
- From the Residential Use Group:
25. Family Dwelling, but only attached.
26. Group Dwelling.
27. Residential Care Services, but only Adult Care Service.
- From the Retail Trade Use Group:
28. Car Share, provided that if a Car Share use is located in a Residential Mixed-Use development, the Car Share may be used only by residents of the development.
29. Food and Beverage Sales.
30. General Merchandise Sales, except that sale of vehicle fuels is not permitted and the display or storage of fertilizer, manure, or other odorous material is not permitted.
31. Vehicle Rental and Sales, but limited to Car Share and rental of automobiles, vans and non-commercial trucks.

C-2.b. Mixed Use.

C-2.b.1. Permitted Mixed Use. Mixed Use and Residential Mixed Use are permitted in the Main Gate District.

C-2.b.2. Required Mixed Use. Buildings with frontage on Park Avenue or Speedway Boulevard used for Residential Use must include some non-Residential use.

C-2.c. Special Exception Land Uses.

1. Special events such as street fairs and street vending are permitted in conformance with City of Tucson special use requirements.

2. Uses that are similar in nature and intensity to the uses expressly permitted in the Main Gate District may be permitted as Special Exception Land Uses if approved through a Special Exception Land Use Procedure (LUC Section 5.3.9.2.A, Approval by the Development Services Director).

C-2.d. Excluded Uses. Notwithstanding the foregoing provisions of Section C-2, the following uses are specifically excluded from the Main Gate District and may not be approved even as Special Exception Land Uses.

1. Uses in the Agricultural Use Group.
2. Cemetery or Correctional Use.
3. Animal Service (except as provided in Section C-2.a.10), Automotive - Service and Repair, Billboard, or Trade Service and Repair, Major from the Commercial Services Use Group.
4. Uses in the Industrial Use Group not specifically listed above as permitted uses.
5. Residential Care uses not specifically listed above as permitted uses.
6. Uses in the Restricted Adult Activities Use Group.
7. Uses in the Storage Use Group.
8. Uses in the Utilities Use Group, except for Distribution Systems serving property in the Main Gate District and Renewable Energy Generation limited to solar power generation as an accessory use.
9. Uses in the Wholesaling Use Group.

C-2.e. Accessory Uses and Structures.

1. Accessory uses are permitted for the use groups in the manner provided in the LUC.
2. Drive-through lanes are permitted as an accessory use to Financial Service uses provided that they provide reasonable vehicular access in a manner designed to minimize conflicts with pedestrian circulation.
3. Home Occupations are permitted as Accessory Uses to a Family Dwelling use.

C-2.f. Special Mitigation Conditions. The Director may add special mitigation conditions to a proposed land use that has features that may have a nuisance impact (such as noise, odors, trespass lighting, and late evening hours of operation) on the residential area west of Euclid Avenue. The applicant may appeal the Director's decision by filing an appeal in accordance with 23A-62 (Mayor and Council Appeal Procedure).

C-3. Development Standards

Table 1 – Development Standards

<u>Development Category</u>	<u>Development Standard</u>
Minimum Lot Area	None
Minimum Lot Width	None
Minimum Separation Between Buildings	None
Maximum Lot Coverage	None
Maximum Floor Area Ratio	None
Maximum Density	None
Minimum Setback (1)(2)(3)	None, except: (i) at least 21.5' feet from the property line along Speedway Boulevard; and (ii) at least 12' feet from the property line along Euclid Avenue.

Maximum Setback from Property Line (4)	Street frontage: 15'. Other: none. Side: none. Exceptions: no maximum applicable to courtyards or along Speedway Boulevard or Euclid Avenue.
Minimum Perimeter Yard Width	None
Maximum Building Height (5)(6)	Per Figure 3.
Maximum Building Height at Base	See Section C-17.
Minimum Open Space (7)	Residential: 25 square feet per Dwelling Unit. Non-residential: 15% of the Site area. See Section C-10.
Minimum Landscape Area	At least 25% of open space at ground level must be landscaped.

Notes:

- (1) Mechanical units may not be located in the street-side Setback area.
- (2) Canopies, awnings, colonnades, architectural shading features for pedestrian areas may be located in the right-of-way subject to (i) the approval of the Department of Transportation and (ii) the owner/operator obtaining and maintaining the requisite license or easement from the Right-of-Way owner.
- (3) The Minimum Setback from Speedway Boulevard and Euclid Avenue has been calculated so that the sum of (i) the distance from the face of the curb to the property line (as of the date of adoption of the Main Gate UOD) plus (ii) the setback equals approximately thirty feet.
- (4) In determining compliance with Maximum Setback requirement, minor deviations for architectural features such as weather protection, niches, or other recesses or articulations of the facade are permitted as long as they do not extend more than 24 inches toward the interior of the property from the Maximum Setback. The Maximum Setback does not apply to entrance bays. Figure 4 illustrates the Setbacks.
- (5) LUC Section 3.2.12.2 (Solar Considerations) shall not apply to the Main Gate District.
- (6) Building height shall be measured in accordance with LUC Section 3.2.7.2.A (Structure Height Measurement–Buildings) (including 3.2.7.2.A.1, Historic Preservation Zone) with the exceptions contained in Section 3.2.7.3 (Structure Height Measurement–Exceptions).
- (7) For the purpose of determining non-Residential open space requirement, the Site area excludes Right-of-Way.

Allowable Height Map



Figure 3 – Allowable Height Map

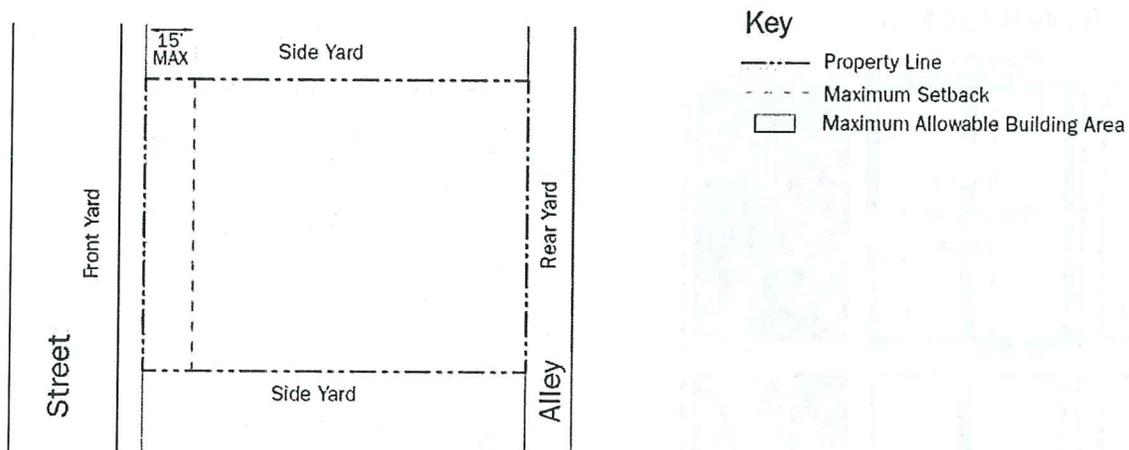


Figure 4 – Illustration of Maximum Setback (not to scale)

C-4. Access and Pedestrian Facilities

C-4.a. Vehicular Access.

C-4.a.1. Where practicable, driveways should be located away from pedestrian facilities. However, if driveways cross pedestrian facilities, driveways to each property should be limited in number or shared by multiple properties in order to reduce the number of curb cuts and driveway crossings of pedestrian facilities.

C-4.a.2. Vehicular maneuvering in the alley is permitted.

C-4.a.3. Sight Visibility Triangles.

i. Vehicular Sight Visibility Triangles. The stem side shall be reduced from 20' to 16' but must maintain the Near/Far side line of sight per Development Standard 3-01-5.3.

ii. Pedestrian Sight Visibility Triangles. The 20' stem side shall be maintained, but the 30' length shall be reduced to 20' in Development Standard 3-01-5.1 and in Figure 16 thereof.

C-4.a.4. Proposed site access and the work to be done in the public Right-of-Way for vehicular access shall be reviewed during the preliminary application process. Alternative, site-appropriate standards concerning distances between driveways and the driveway apron radius may be approved by the Director.

C-4.b. Pedestrian Access; Sidewalks.

C-4.b.1. Pedestrian circulation paths per Development Standard 2-08.3.0 are not required (except where needed to meet accessibility requirements).

C-4.b.2. Building primary entries/exits shall maintain an 8' clear passage minimum.

C-4.b.3. Flush grade planters with massed planting are recommended to discourage errant pedestrian circulation.

C-4.b.4. The minimum width for sidewalks shall be 5' clear on all streets in the Main Gate District, except for University Boulevard (8' clear), Park Avenue (8' clear), Speedway Boulevard (12' clear) and Euclid Avenue (10' clear).

C-4.b.5. There shall be a minimum of 4' from the back of curb to the sidewalk, which shall remain clear or may be used for intermittent planters. (See Figure 5.)

C-4.b.6. Pedestrian plazas shall be located adjacent to or visible from sidewalks and/or pedestrian circulation in the Right-of-Way.

C-4.b.7. Subject to Section C-4.b.5, existing sidewalk widths shall be maintained, as a minimum width, where practicable so as to provide effective, accessible connectivity to adjoining properties. Where no sidewalks exist, sidewalks shall be provided.

C-4.b.8. Outdoor seating, dining areas, public art and landscaping may be located (i) in the sidewalk area and (ii) in the Right-of-Way (subject to the owner/operator obtaining and maintaining the requisite license or easement from the Right-of-Way owner) in the Right of Way. In all cases, the minimum clear sidewalk requirements of Section C-4.b.4 shall be maintained.

C-4.b.9. Sidewalks required by Development Standard 2-08.40 are not required inside parking structures.

C-4.b.10. Sidewalks shall be separated from vehicular travel lanes and connect to all street intersections.

C-4.b.11. Flush grade passage of pedestrian circulation shall be required at minor intersections and high pedestrian circulation areas through integration of speed tables or other traffic calming devices, subject to Department of Transportation approval on public roadways.

C-4.b.12. Project uses that generate the highest pedestrian traffic should be located on enhanced corners and provide (1) a primary entrance that faces both streets and serves the greatest number of occupants, and (2) additional building articulation that emphasizes the corner and promotes activity.

C-4.b.13. Sidewalks and pedestrian circulation areas are not required in alleys and are not required to connect the front yard to the rear yard of a property. If more than one building is located on one property, sidewalks and pedestrian circulation areas shall be provided to connect and provide safe circulation between the buildings.

C-4.b.14. On Speedway Boulevard and Euclid Avenue, the area between the sidewalk and the building may be used for landscaping, open space or outdoor amenities, but not for parking.

C-4.c. This Section C-4 supersedes LUC Sections 3.2.8.3 (Width of Access) and 3.2.8.4 (Pedestrian Facilities).

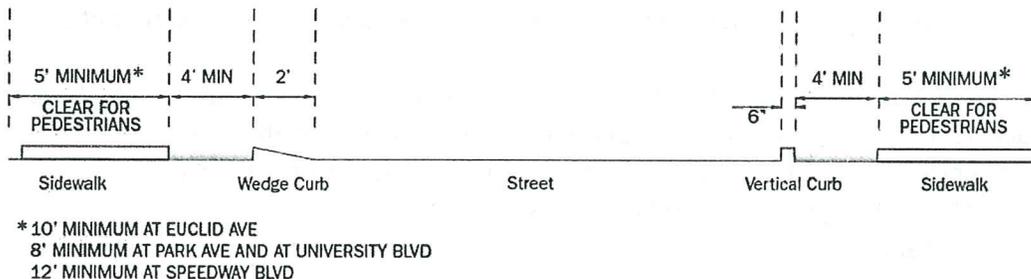


Figure 5 - TYPICAL CROSS SECTION AT PEDESTRIAN AREAS

C-5. Parking (Motor Vehicles and Bicycles)

The transit-oriented development goal of the Main Gate District is reflected in parking requirements that discourage motor vehicle use and parking and encourage bicycle and mass transit use and on-street parking. This Section C-5 supersedes inconsistent parking provisions in the LUC, including but not limited to LUC Sections 3.3.3.1 (Parking Required), 3.3.3.6 (Calculation of Required Motor Vehicle and Bicycle Parking Spaces), 3.3.4 (Required Number Of Motor Vehicle Parking Spaces), 3.3.6.2 (Motor Vehicle Use Area Design Criteria—Location), 3.3.6.4 (Motor Vehicle Use Area Dimensions) and 3.3.8 (Required Number of Bicycle Parking Spaces).

C-5.a. Motor Vehicle Parking.

C-5.1.1. Requirements.

- i. Residential. Minimum of 0.5 spaces per Dwelling Unit; Maximum of 1 space per Dwelling Unit.
- ii. Retail: Minimum of the greater of (a) 2 spaces or (b) 1 space per 2,000 square feet of GFA.
- iii. Other Non-Residential: Minimum, 1 space per 1,000 square feet of GFA; Maximum 5 spaces per 1,000 square feet of GFA.

C-5.a.2. Parking may be provided either solely by one of the following options or a combination of the following options: on-site; off-site within one-quarter (1/4) of a mile of the project site and either owned by the property owner or provided through a shared parking agreement with the City or a third party; or on-street on the same side of the street.

C-5.a.3. Requests for reductions of the minimum parking requirements for property north of University Boulevard shall be supported by a parking statement or, if required by the Director, a Parking Impact Analysis demonstrating no overflow parking into the West University Neighborhood to the west of Euclid Avenue. Properties along Park Avenue may reduce minimum parking requirements for Residential uses to 0.25 spaces per Dwelling Unit with an approved parking statement or Parking Impact Analysis.

C-5.a.4. The requirements of Section C-5.1.1 do not apply to property developed primarily for Parking use.

C-5.b. Bicycle Facilities.

C-5.b.1. Short Term Bicycle Parking Facilities.

- i. Residential: Minimum of the greater of (a) 0.3 spaces per Dwelling Unit or (b) 3 spaces.
- ii. Non-Residential: Minimum of 2 spaces or 1 per 5,000 square feet of GFA, whichever is greater.
- iii. Short-term bicycle parking area or the entrance to an interior short-term bicycle parking area shall be located within 50 feet of a building entrance, except that for a lot smaller than one acre, at least 50% of the short term bicycle parking shall be located within 50 feet of a building entrance.
- iv. Departures from the Bicycle Parking Facility Design Requirements concerning bicycle storage racks and spacing may be submitted and reviewed in the Development Package Submittal and approved by the Director if consistent with urban design best practices.

C-5.b.2. Long Term Bicycle Parking Facilities.

- i. Residential: Minimum of the greater of (a) 0.3 spaces per Dwelling Unit or (b) 3 spaces.
- ii. Non-Residential: Minimum of 2 spaces or 1 per 12,000 square feet of GFA, whichever is greater.
- iii. The number of long-term bicycle parking spaces may reduced by a Bicycle Share program; for each bicycle in the Bicycle Share program, the number of long-term bicycle spaces may be reduced by 2 spaces, provided that the required number of spaces may not be reduced in the aggregate by more than two-thirds.
- iv. Long term bicycle storage must be secured and accessible to building occupants.

C-5.b.3. External bicycle storage lockers are not permitted along the street frontage of a building between the property line and maximum building setback lines.

C-5.c. Parking Structures.

C-5.c.1. Parking structures shall be designed so that parked vehicles are screened from view at street level, through incorporation of design elements including, but not limited to, landscaping, pedestrian arcades, occupied space, or display space.

C-5.c.2. Stand-alone Parking Structures and Buildings containing Parking Structures shall comply with at least one of the two following requirements:

i. The front side of the ground floor of Parking Structures, excluding driveways and pedestrian entrances, shall be built for uses other than parking and circulation, consistent with the required architectural articulation standards.

ii. No more than 75% of the GFA of the ground floor shall be used for motor vehicle parking or circulation.

C-5.c.3. Any portion of the parking garage visible from the Right-of-Way shall be screened with material and designed consistent with the primary building design.

C-5.c.4. Lighting within the parking structure shall provide for safety and security and shall be integrated into the architectural character of the building design. No light bulbs shall be directly visible from outside the parking structure, and light spillage out of the parking structure shall be controlled according to urban design best practices.

C-5.c.5. The internal circulation to and within the garage shall be convenient, safe, and clearly identified for both pedestrian and vehicular traffic, including appropriate signage for and placement of elevator and stair cores.

C-5.c.6. The minimum height clearance in parking structures shall be as required by the building code.

C-5.c.7. The minimum width and length for compact parking spaces are 7' 6" and 16' 0", respectively. The number of compact spaces shall not exceed 50% of the total number of required spaces.

C-5.c.8. A Traffic Impact Analysis is required for development of a property for primary use as a Parking Structure.

C-5.c.9. Minimum vehicular use area dimensions shall comply with the table contained in LUC Section 3.3.0, with the following exceptions: (i) in Parking Structures, columns may protrude up to 6" into the clear area width provided that the length of columns parallel to the vehicle when parked is not more than 30", and (ii) aisle width may be reduced to 20'.

C-5.c.10. Tandem Parking for motor vehicles is allowed for (i) uses permitted in LUC Section 3.3.6.2(C) (Tandem Parking), (ii) Car Share parking, and (iii) assigned/reserved private spaces inside a Residential Mixed-Use Building.

C-5.d. Parking Area Access Lanes.

C-5.d.1. A PAAL for two-way traffic shall be at least 20' wide (or wider to the extent needed to provide a fire access lane satisfying the requirements of the Tucson Fire Department).

C-5.d.2. For corner lots, the PAAL or access driveway shall not be located on the primary street.

C-5.e. Surface Parking.

C-5.e.1. Surface parking areas for comprehensive development or redevelopment of a site shall be located in the rear of the property only and shall be set back at least 5 feet from the side of the property. No setback is required at the rear or alley of the property.

C-5.e.2. Change of use of existing structures may use the site's current parking configuration.

C-5.f. Accessible Parking and Bicycle Facilities.

The number of accessible parking spaces required by the City of Tucson's adopted Building Code and bicycle facilities shall not be reduced or eliminated and shall be based on the number of motor vehicle parking spaces required prior to any modification.

C-6. Loading and Solid Waste

C-6.1 Loading Zones.

C-6.a.1. Loading areas and solid waste facilities may be shared with adjacent properties upon provision of documentation to the Director of an easement or other legal right to use of pertinent property.

C-6.a.2. Each Residential, Group Dwelling, Multifamily and Mixed Use development must provide for one of the following:

i. An on-street loading zone in parallel parking lanes, but only if approved by the Department of Transportation. Temporary loading zones may be provided in metered parallel parking spaces with approval of and coordination with ParkWise (or its successor agency).

ii. An off-street loading zone of at least 12 feet by 24 feet.

C-6.a.3. An optional on-street loading zone of up to 8 feet by 30 feet is permitted, but only if approved by the Department of Transportation.

C-6.a.4. On-street or off-street loading zones must be clearly identified and reserved as such.

C-6.b. Solid Waste Facilities. On-site refuse collection container requirements governing access, type, and location may be modified if the Department of Environmental Services, Tucson Fire Department and Department of Transportation determine that no public health or traffic safety issue is created. Proposed Solid Waste and Recycling Plans shall be reviewed during the preliminary application process.

C-6.c. Loading docks and trash and recycling containers may not be located along the street frontage and may not be visible from the street.

C-7. Screening

C-7.a. Service areas for items such as backflow preventers and generators (but excluding meters) shall be grouped in a joint area and located away from public view.

C-7.b. Steel, safety glass, vegetation or other malleable material may be used to provide visual delimitation to desired area.

C-7.c. Service area screening shall not exceed 6 feet in height and must be composed of any of the following (or combination of the following):

1. wall or structure; or

2. evergreen vegetation species that provide at least 50% coverage of service areas upon installation and at least 90% coverage upon maturity.

C-7.d. Screen height may be up to 20 feet in height where adjacent to a multiple story building.

C-8. Utility Facilities

C-8.a. Utility and service facilities shall be grouped in shared zones at or near Property Lines.

C-8.b. Utility meters, backflow devices and related structures shall be located in vaults below grade, subject to approval of any applicable City of Tucson department.

C-8.c. Ground floor vents shall be oriented away from pedestrian plazas, building frontage and pedestrian areas.

C-8.d. No building equipment, antenna or satellite dishes may be located along any building facade facing a street.

C-9. Landscaping

C-9.a. Native Plant Preservation.

C-9.a.1. Native plants must be preserved in place, trans-planted, or provide a 1:1 mitigation.

C-9.a.2. All trees provided in fulfillment of mitigation requirements must be 36" box or larger.

C-9.a.3. Saguaro provided in fulfillment of mitigation requirements must be 6' tall minimum.

C-9.a.4. Plants with thorns or terminal spines shall be placed clear of pedestrian circulation.

C-9.b. New species introduced must come from the Arizona Department of Water Resources Drought Tolerant/Low Water Use Plant List; provided, however, that (i) plants excluded from that list may be used on private property in rain gardens or bio-swales as part of active and/or passive landscape water harvesting systems, and (ii) properties in the West University Historic Preservation Zone and/or Contributing Properties to the West University National Register District may use historically significant plant material, including plants that are excluded from the Drought Tolerant/Low Water Use Plant List, if approved by the Director.

C-9.c. Street trees should be provided at areas of pedestrian circulation or activity and spaced to ensure continuous canopy cover at maturity.

C-9.d. Trees planted in the ROW within 4' of curb, 10' of the travel lane or adjacent to the pedestrian area shall be of predominately vertical growth form and structure, with a single trunk, and shall not have thorns.

C-9.e. At least 60% of trees shall be 36" box or larger.

C-9.f. Accent plants and succulents are recommended for planters and/or containers.

C-9.g. Massed shrubs and ground covers are encouraged for surface planters.

C-9.h. Street Trees in the Right-of-Way should be selected from Arizona Department of Water Resources Drought Tolerant/Low Water Use Plant List or approved City of Tucson Street Tree List.

C-9.i. Street trees planted in the sight visibility triangle shall be 36" box minimum.

C-9.j. In connection with the development or redevelopment of property in the West University Historic Preservation Zone and/or Contributing Properties to the West University National Register District, property owners shall make reasonable efforts to preserve historically significant trees and shrubs that are at least 50 years old that are located in areas designated for landscaping in development or redevelopment plans.

C-10. Open Space

C-10.a. Usable open space does not need to be located on the ground level only as long as portions of all open space areas or some of the amenities located thereon are visible from the street. For example, open space can be located on the roof and on balconies.

C-10.b. Usable open space may be a combination of private and public space as long as the adjacent Right-of-Way (to the curb) and areas outside the building setback areas include usable open space.

C-10.c. Parking areas may not be counted as open space.

C-10.d. Portions of ground-level open space that are not landscaped shall be surfaced in textured concrete, pavers, or other similar small-scaled materials with permeable characteristics.

C-10.e. Areas counted toward open space requirements shall be a minimum 300 square feet with a minimum dimension of 15 feet if open on one side only or 10 feet if open on two or more sides.

C-11. Right-of-Way Maintenance

C-11.a. The property owner is responsible at all times for maintenance of landscape, hardscape, building architectural elements and site furnishings, including features installed in the public Right-of-Way (i.e., to the curb).

C-11.b. The property owner shall replace or repair vandalized elements in the Right-of-Way within 48 hours.

C-11.c. The property owner shall replace dead or missing vegetation in the Right-of-Way within 14 days to ensure full compliance with approved landscape plans.

C-12. Site Furnishings

C-12.a. Seating and other site furnishings shall be located along pedestrian circulation, near building entries and in plazas so as to not interfere with safe pedestrian passage.

C-12.b. One trash receptacle and one recycling receptacle shall be provided at each street corner.

C-12.c. Water features are permitted in connection with active water harvesting.

C-12.d. Misting systems are discouraged, but permitted in private applications for amenities.

C-13. On-Site Water Management

C-13.a. Detention of storm water is not required.

C-13.b. On-site retention of storm water is required for lots larger than one acre.

C-13.c. For the purpose of applying active rain water harvesting requirements, Residential Mixed Use shall not be considered Commercial development.

C-13.d. Landscaping shall incorporate passive water harvesting.

C-13.e. Passive water harvesting storage volume may be used to offset threshold retention volume requirements and is permitted to occur in the Right-Of-Way (subject to approval by the Department of Transportation).

C-13.f. Landscape Irrigation systems shall be designed with smart or central control systems integrated with building systems and combined with soil moisture sensors and monitors.

C-13.g. All piping shall be Schedule 40 PVC up to and including 2.5" and Class 200 PVC for larger lines.

C-13.h. Landscape depressions and curb openings shall be provided to allow water to flow into and out of curb side planters.

C-13.i. Building downspouts shall be directed away from pedestrian circulation areas and sidewalks.

C-13.j. Standing water may not be more than 6" deep.

C-14. Lighting

Street lighting and building lighting shall comply with the City of Tucson Outdoor Lighting Code and shall be incorporated into the landscape design.

C-15. Hardscape Materials

C-15.a. Except as provided in Section C-15.e, continuous expanses of concrete or other monolithically installed paving may not exceed 100 square feet in the Right-of-Way.

C-15.b. Monolithically installed paving such as concrete may not exceed 50% of total exterior site hardscape area.

C-15.c. Hand-placed materials such as modular pavers or natural stone must comprise a minimum of 50% min of the total exterior site hardscape.

C-15.d. At least 25% of the total exterior site hardscape must be composed of pervious concrete or permeable pavers as part of a passive landscape water harvesting system.

C-15.e. Asphalt may be used in streets, alleys, fire department access areas, driveways and surface parking areas.

C-16. Environmentally Conscious Design Practices.

Each Development shall include five or more of the following (and the use of item 13 shall count as two toward the five required):

1. Provide shade for at least 70% of parking areas.
2. Provide shade for at least 70% of pedestrian areas.
3. Provide direct access connections from transit stops.
4. Provide Energy Star or cool roof rated at least 0.65 reflectivity and at least 85% emissivity.
5. Use LED outdoor lighting of less than or equal to 3600 kelvin to comply with City of Tucson Outdoor Lighting Code.
6. Provide shade for Short Term Bicycle Parking Facilities.
7. Provide 100% desert-adapted plant species. Species chosen must adhere to the Arizona Department of Water Resources Tucson AMA Drought Tolerant/Low Water Use Plant List.
8. Provide solar panels on roof or shade structures.
9. Provide green roof with at least 4" of growth medium.
10. Provide porous concrete or permeable paving adjacent to planting areas.
11. Provide vegetated "greenwalls" (covered by live plant material) or trellises.
12. Provide low-e glass better than the minimum requirement per the International Energy Conservation Code for all windows.
13. Adaptive reuse of an existing structure.
14. Implement Car Share use or incorporate a transit stop on-site
15. Incorporate innovative design practice such as alternative methods of energy savings or production, reduction in water use, or recycled content site paving materials.
16. Use reclaimed water from municipal source or harvested from mechanical systems and treated for landscaping.

C-17. Height and Mass Transition

C-17.a. The effective visual bulk of a building exceeding either 2 Stories or 26' in height should be reduced so that buildings appear less imposing by using vertical setbacks of stair-stepping building heights back from the street or breaking up the mass of the building. The bulk reduction of the mass and the varied heights of the building will provide for additional building separation and circulation of air and light.

C-17.b. To accomplish the foregoing, (i) at least 25% of the length of the street-fronting façade above 2 Stories or 26' (whichever is lower) shall be set back at least 12' from the building façade at finished grade; and (ii) in the case of a building façade that faces a property line adjacent to a Contributing Property, the Director may require that at least 25% of the length of the façade above 2 Stories or 26' (whichever is lower) shall be set back at least 12' from the building façade at finished grade

C-17.c. Along Euclid Avenue and Speedway Boulevard, the height and mass transition must occur through the stair-stepping method along at least 75% of the length of the street façade above 2 stories or 26' (whichever is lower), by which the building mass above 2 Stories or 26' shall be set back a minimum of 12' from the building façade at finished grade.

C-17.d. In addition, along Euclid Avenue and Speedway Boulevard, if a building exceeds 56' in height there shall be a second additional bulk-reduction setback, along at least 50% percent of the length of the street façade above 56', of at least 20' feet from the building façade at finished grade; provided, however, that the 50% and/or 20' minimum requirements may be reduced upon a finding by the City Design Professional that the proposed alternative is consistent with urban design best practices.

C-17.e. Figure 6 illustrates the 25% bulk reduction requirement (on the left) and the 75% bulk reduction requirement for Euclid Avenue and Speedway Boulevard (on the right), but does not illustrate the additional articulation requirements of Section C-19.s through C-19.x.

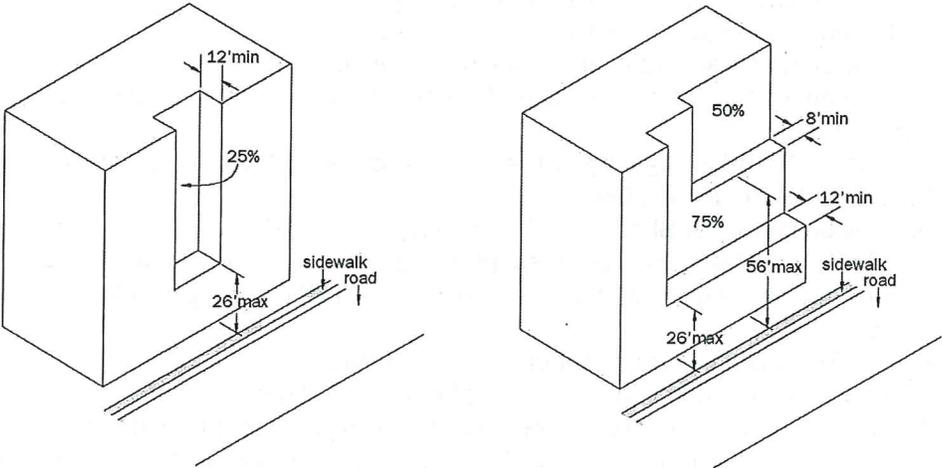


Figure 6 – BULK REDUCTION

C-18. Historic Preservation.

C-18.a. Historic Preservation Review. In addition to (and prior to) review pursuant to Section B-2 (PDSD Requirements and Review):

C-18.a.1. New construction, development, redevelopment, additions and alterations of Contributing Property outside of the West University Historic Preservation Zone shall be submitted (i) for review by the West University Historic Zone Advisory Board; and (ii) for review pursuant to LUC Section 2.8.8.5 (Historic Preservation Zone Development Review) applying the pertinent historic design review criteria.

C-18.a.2. New construction, development, redevelopment, additions and alterations of property in the West University Historic Preservation Zone shall be submitted (i) to a neighborhood meeting pursuant to a notice mailed at the applicant’s expense to all property owners (based on the last property assessment) in the West University Historic Preservation Zone; and (ii) for review by the West University Historic Zone Advisory Board; and (ii) for review pursuant to LUC Section 2.8.8.5 (Historic Preservation Zone Development Review) applying the pertinent historic design review criteria.

C-18.b. Requirements for All Construction or Improvements. The requirements of LUC Sections 2.8.8.6.A (HPZ Development Criteria—Generally) (applying the development criteria indicated in this Section C-18), 2.8.8.6.F (HPZ Development Criteria—Surface Texture), 2.8.8.6.M (HPZ Development Criteria—Signs), and 2.8.8.8 (HPZ—Maintenance) shall apply to (i) Contributing

Property to the West University National Register District and (ii) property in the West University Historic Preservation Zone.

C-18.c. Additions or Alterations to Contributing Property.

C-18.c.1. The requirements of LUC Sections 2.8.8.6.E (HPZ Development Criteria—Roof Types), 2.8.8.6.H (HPZ Development Criteria—Projections and Recessions), 2.8.8.6.I (HPZ Development Criteria—Details), 2.8.8.6.J (HPZ Development Criteria—Building Form), 2.8.8.6.K (HPZ Development Criteria—Rhythm), and items (1), (3) and (4) of Section 2.8.8.6.L (HPZ Development Criteria—Additional Review Criteria) shall apply to additions to or alterations of Contributing Properties.

C-18.c.2. Unless an alteration of or addition to Contributing Property is approved by the Mayor and Council through a procedure conducted under Development Compliance Code Section 23A-62 (Mayor and Council Appeal Procedure), any alteration of or addition to Contributing Property shall be designed so as to retain its status as a Contributing Property.

C-18.d. **MGD Development Standards.** The requirements of LUC Section 2.8.8.4 (Permitted Uses), 2.8.8.6.B (HPZ Development Criteria—Height), 2.8.8.6.C (HPZ Development Criteria—Setbacks), 2.8.8.6.D (HPZ Development Criteria—Proportion), 2.8.8.6.G (HPZ Development Criteria—Site Utilization) and 2.8.8.6.N (HPZ Development Criteria—Motor Vehicle and Bicycle Parking Areas) shall not apply to development under the Main Gate District zoning option. Instead, the pertinent development standards and criteria of the Main Gate District shall govern.

C-18.e. **Demolition.** Contributing Properties may not be demolished without compliance with LUC Sections 2.8.8.7 (Historic Preservation Zone—Demolition Review Required) and 2.8.8.9 (Historic Preservation Zone—Demolition of Historic Properties, Landmarks and Structures) (which, in Section 2.8.8.9.D, requires review by the West University Historic Zone Advisory Board and the Tucson-Pima County Historical Commission prior to approval by Mayor and Council).

C-18.f. **Allowable Height Applicable to Certain Property.** Figure 3 (Allowable Height Map) identifies certain properties for which the allowable height is governed by this Section C-18. The maximum permitted height for those properties shall be determined as follows (but in no event shall exceed the heights indicted on Figure 7 or Figure 8 as is applicable): (i) for additions to or alterations of existing Contributing Structures, the maximum height shall be determined through a Zoning Examiner Legislative Procedure under LUC Section 5.4.3 (Zoning Examiner Legislative Procedure), taking into account the recommendations of the review conducted pursuant to Section 2.8.8.5; and (ii) for new construction following demolition of an existing structure, the maximum height shall be determined by the Mayor and Council in connection with the review described in LUC Section 2.8.8.9.G (Historic Preservation Zone—Demolition of Historic Properties—Mayor and Council).

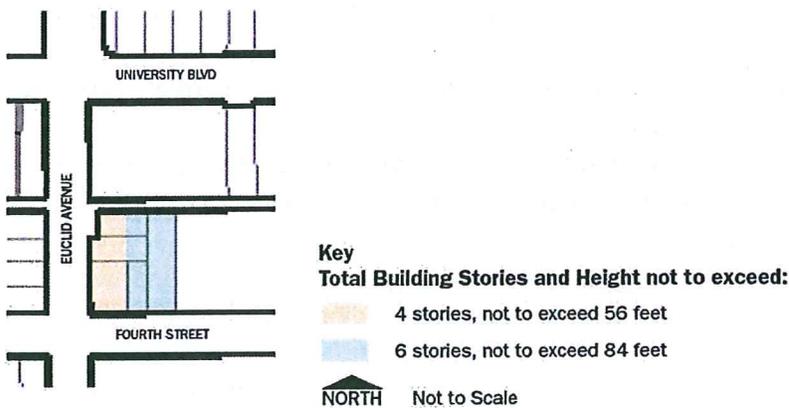


Figure 7 - MAXIMUM HEIGHT

C-18.g. Non-Historic, Non-Contributing Property. Development of property that is neither a Contributing Property in the West University National Register District nor located in the West University Historic Preservation Zone but which is adjacent to a Contributing Property shall be designed to complement the architecture of the Contributing Property. Architecture that complements existing Contributing Properties shall be achieved through elements such as styles, colors, forms and materials, but is not intended to impose additional limitations on the Allowable Heights indicated in Figure 3 8, and by addressing privacy mitigation and building preservation through architectural elements such as building step-backs and setbacks, textures, materials, forms and landscaping.

C-18.h. Financial Incentives. Owners of Contributing Properties may be eligible for various non-municipal tax incentives. Property owners are encouraged to contact the City of Tucson Historic Preservation Office for additional information.

C-18.i. MGD and HPZ. Except as specifically provided in this Section C-18, the provisions of LUC Section 2.8.8 (Historic Preservation Zone) shall not apply to property developed under the Main Gate District zoning option.

C-19. Design Standards

Compliance with the design standards contained in this Section C-19 shall be determined under the procedure described in Section B-2.d.

Lighting

C-19.a. Lighting strategies shall minimize glare and light trespass, conserve energy, and promote safety and security.

C-19.b. All area lights, including streetlights and parking area lights shall be full cut-off fixtures.

C-19.c. Sources of lighting shall be recessed and shielded so that the bulb itself is concealed from public right-of-way view.

Building Materials and Colors

C-19.d. Building materials should be chosen for their tactile effects and used in a contrasting manner: e.g., rough surfaces against smooth, vertical patterns against horizontal, etc.

C-19.e. Building materials should be chosen for integral colors and their visual and physical permanence in the Sonoran Desert.

C-19.f. Building materials should be selected with the idea of localizing the architectural effect and ambiance in a method coherent with the neighborhood.

C-19.g. Facades facing public streets or open spaces shall be constructed of high quality materials including the following:

- Masonry, such as brick, stone, architectural pre-cast concrete, cast stone, prefabricated brick panels, and concrete masonry units.

- Architectural metals, such as metal panel systems, metal sheets with expressed seams, metal-framing systems, or cut, stamped or cast, ornamental metal panels.

- Glass and/or glass block.

- Modular panels, such as cement board systems, EIFS, and stucco, provided that EIFS and stucco shall be limited to less than 25% of the total building façade at the base of the buildings facing public streets.

C-19.h. Building materials used at the lower floors adjacent to the street frontage should respond to the character of the pedestrian environment through such qualities as scale, texture, color and detail.

C-19.i. Combinations of materials should reinforce architectural scaling requirements.

C-19.j. The use of color should be compatible with the historic traditions of the University of Arizona, City of Tucson, and adjacent historic neighborhoods. Accent colors should be used consistently throughout the building: in signage, architectural features, lighting, window frames, doors and accent walls.

C-19.k. Colors and materials that reflect glare should not be used in large quantities.

Architectural Elements and Features

C-19.l. Architectural elements such as balconies, outdoor stairs, ornaments and surface detail shall be used to enhance the architectural style of the building.

C-19.m. Architectural elements should take into consideration appropriateness of use, scale, proportion, color and texture.

C-19.n. Architectural details shall be carefully integrated in the concept design of the building.

C-19.o. There shall be a clear visual distinction between the ground floor and upper floors.

C-19.p. Arcades, when used, shall be placed predominantly along southern and western facing facades, unless incorporated into buildings along Park Avenue. Arcades may be made from wood, brick, canvas, metal, stone or concrete.

C-19.q. A single plane of street-facing facade may not exceed 20 feet without architectural detail.

C-19.r. Areas for outdoor vending and small group gathering are encouraged. The areas should be delineated with hardscape materials, grade change or vegetation.

Building Articulation

C-19.s. No more than three consecutive street-facing facade areas should use the same color paint or method of articulation.

C-19.t. Articulate building facades at entrances and between retail spaces to create areas of exterior patio and engagement.

C-19.u. Any building over 85' long must be articulated in order to appear as a series of buildings no longer than 85' each along the front property line.

C-19.v. At building corners, additional building articulation should be used to emphasize the corner and promote pedestrian gathering (e.g., roof or facade structure that is higher at the corner).

C-19.w. At least one corner along the street frontage shall incorporate a plaza and/or open space for pedestrian activity, including (but not limited to) the corner of Speedway Boulevard and Euclid Avenue

C-19.x. Public art located at the corner is encouraged. Art must be designed and manufactured locally (e.g. sculpture art).

Doors

C-19.y. Doors at primary pedestrian entrances must be shaded or protected from the weather.

C-19.z. Doors must be clearly identifiable.

C-19.aa. Doors must be safe, secure, and universally accessible.

C-19.ab. Storefronts shall provide canopies or awnings for shade and color and material variation. Canopies may be used as a design element and may incorporate signage.

C-19.ac. Storefronts shall be integrated with the sidewalk design and treatment.

C-19.ad. Each building shall have a clearly identifiable "front door" area facing each major street fronting the facade.

C-19.ae. Residential Units that have individual access from the street level shall have a residentially-scaled, street-oriented entry for each unit. The entry shall be demarcated by an awning, stoop, or recess.

Windows and Glazing

C-19.af. Glazing shall be low-e and shall allow a visual connection through either side of the window.

C-19.ag. Window size, proportion and pattern should relate to unit types and room layouts, and should be used to reinforce organized patterns of scale and variety within the building façade.

C-19.ah. Mixed-use developments shall utilize a variety of ratios of clear to opaque surfaces (i.e., glass to wall) to reflect the different uses within the building. In general, residential uses should have less glass-to-wall and commercial uses greater glass-to-wall.

Building Facades

C-19.ai. The street-facing building façade at the base shall include at least two of the following elements:

1. Trellis or vertical garden element with minimum 50% live vegetation cover.
2. Artwork (e.g. public mural, or custom-designed panel) by a local, Pima County artist.
3. Small retail space (minimum 50 square foot GFA newspaper stand, coffee cart, kiosk, etc.; not vending machines or outdoor merchandise display).
4. Outdoor dining or gathering patio, delineated by a low wall, low fence, planters, slight change in elevation, or other buffer devices.
5. Distinctive architectural lighting element.
6. Shade structure.
7. Changes to building plane such as indentations, textures, or accent materials.
8. Windows that provide a minimum of 75% of visible light to be visible on each side of the window.
9. Window displays or visible activity on the ground floor.

Streetscape

C-19.aj. The streetscape along Speedway Boulevard and Euclid Avenue shall be designed to promote continuity of streetscape design along each of those streets.

D. Area 1

D-1 Area 1 Composition. Area 1 is a special area of the Main Gate District. It is comprised of three sub-areas, namely, the Speedway Sub-area, the Euclid Sub-area, and the Tyndall Sub-area. The individual properties and special requirements of the sub-areas including Figure 8 are noted below.

D-2. Speedway Sub-area. The Speedway Sub-area is comprised of lots with the following tax codes: 115-04-507A (507A), 115-04-505A (505A), 115-04-504A (504A), and 115-04-503A (503A).

D-2.a All new construction, development and redevelopment, additions and alterations of property shall comply with Sections C-18.a.2 and C-18.b.

D-2.b Additionally, an alteration of or addition to a contributing property, shall comply with Sections C-18.c.1 or C-18.c.2 as is applicable.

D-2.c Regarding demolitions of contributing properties, Section C-18.e applies. The economic hardship analysis must consider potential changes of use available to the contributing property under the MGD zoning option and be not limited to the existing use.

D-2.d. Building Heights. For any alteration, addition or demolition replacement plan the following building heights and stories may not be exceeded in this sub-area: 507A, 505A - three stories and 40 feet, 504A and 503A - four stories and 56 feet. Building height greater than the underlying zone's must comply with Section C-18.f

D-2.e All development review shall comply with Section B-2.d. especially for architectural compatibility, scale, setbacks, step-backs, and other applicable design considerations to ensure an appropriate relationship to nearby buildings.

D-3 Euclid Sub-area. The Euclid Sub-area is comprised of lots with the following tax codes: 115-04- 506A (506A), 115-04- 516B (516B) 115-04- 508A (508A), 115-04- 508B (508B), 115-04- 5120 (5120), 115-04- 5150 (5150).

D-3.a The MGD zoning option is not available to a property that would result in the following: (i) the demolition of a contributing property; (ii) a modification including alteration, addition, and partial demolition of a contributing property that in the evaluation of the City of Tucson Historic Preservation Officer (HPO) does not meet the Secretary of Interior's Standards for Treatment of Historic Buildings and would cause a building or structure to be de-listed from the National Register of Historic Places. Appeals of the HPO's decision can be made to the State Historic Preservation Officer.

D-3.b The MGD zoning option may be used for the re-use of existing buildings and for a new building up to 40 feet in height with the following conditions: (i) the building, in the evaluation of the City of Tucson Historic Preservation Officer (HPO), meets the Secretary of Interior's Standards for Treatment of Historic Buildings and the project does not cause an existing building or structure to be de-listed from the National Register of Historic Places. Appeals of the HPO's decision can be made to the State Historic Preservation Officer.

D-4 Tyndall Sub-area is comprised of lots with the following tax codes: (i) the northern lots - 115-04- 502A, (502A) 115-04- 500A (500A), 115-04- 498A (498A) 115-04- 4990 (4990) , (ii) the central lots - 115-04- 5090 (5090), 115-04-5140 (5140), and (iii) the southern lots - 115-04-5240 (5240) and 115-04-520A (520A).

D-4.a Building Heights Building heights shall apply to the lots as following: (i) 502A, 500A, 498A, and 4990 not to exceed four stories or 56'; (ii) 5090 and 5140 not to exceed six stores or 84'; and (iii) 5240 and 520A not to exceed 130'.

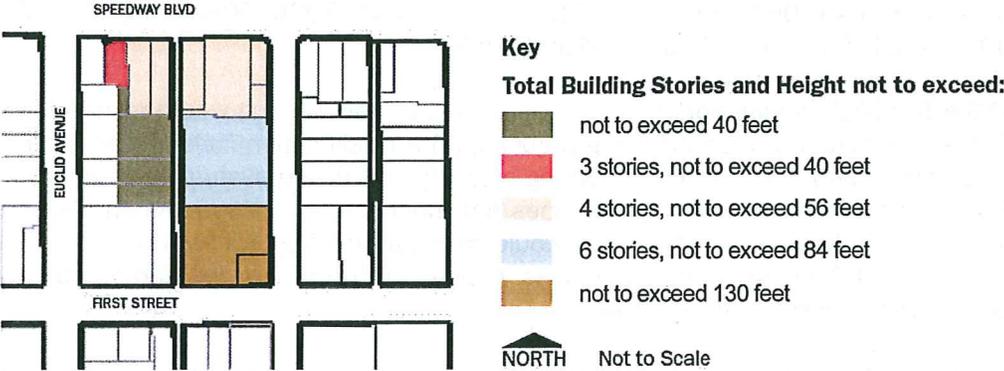
D-4.b Special Bulk Reduction Plan. The Design Review Committee may approve a special bulk reduction plan using step backs and other criteria for buildings along the west side of Tyndall Avenue. There will be a finding to assure the historic buildings to the west are considered in the design. Bulk reduction on other sides of the building may be less than is required in Section C-17 and the provisions of Section C-18.g should be taken into consideration in the plan. However, the corner of First Street and Tyndall Avenue should be designed using urban design best practices for pedestrian-oriented street corners.

D-5 Design Review Committee Role. The Design Review Committee shall review Area 1 projects for compliance with Section D and the MGD zoning options in compliance with Section B-2.d. The DRC may add special conditions to an approval to assure compliance with the intent of the MGD

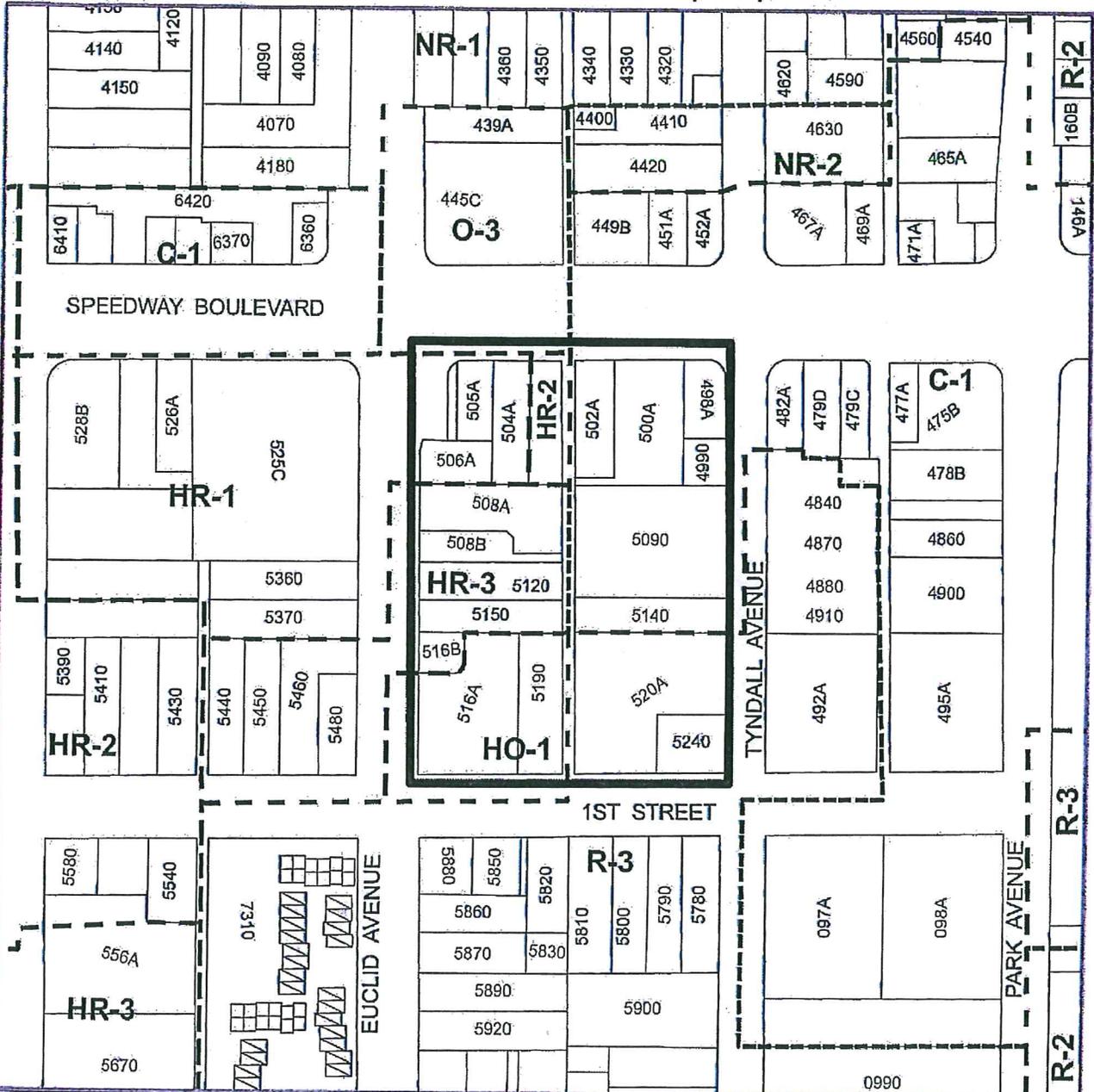
D-6 Conflicting Requirements. In the case of a conflict with other parts of the MGD development document and Area 1 requirements, the requirements of Section D shall apply.

Figure 8

Allowable Height Map - Area 1

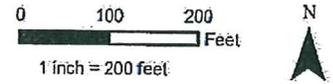


Ordinance Map - Main Gate District (UOD) Area 1



Area 1

Ordinance 11015
 Adoption Date August 7, 2012



Ordinance becomes effective 30 days after adoption by Mayor and Council and when it is made available by the City Clerk, and zoning is effectuated when an individual property owner elects to use the overlay zoning.

Legal Description: PT NW T.14 S., R.14 E., Sec.7

[Signature]
 Director, Planning & Development Services Department



Base Map: Sec.07 T.14 R.14
 created by: JR, 7/6/2012