

Land Use Code Committee

Mayor and Council
255 West Alameda Street
Tucson, Arizona 85701

March 3, 2010

Re: LUC Committee Proposed Path Forward

Honorable Mayor and Members of Council,

As members of the Land Use Code Committee we wanted to share with you our mutual excitement about a proposed path forward to define areas where development is actually desired. One of us is a developer/builder who could be stereotyped as a member of the "growth lobby". The other is a vocal neighborhood activist who could be stereotyped as anti-development. Today we talk to you as one and represent the members of the LUC Committee.

Tucson's Land Use Code (LUC) is widely considered anti-business and anti-smart growth by the building community. It is considered, with its content and its strict interpretation of development standards, an impediment to any type of development. Many neighborhood leaders consider the LUC as one of the primary protections they have to guard against inappropriate development which would negatively impact their quality of life. During our committee discussions we have found agreement that the current LUC is appropriate where we want to preserve neighborhood cores, historical zones and natural features such as significant riparian areas and hillsides. However when we want to focus development in appropriate locations, aspects of the code present a serious deterrent.

The committee's primary conclusion was that we have not directed development to where we want it to happen. Developers cannot justify the risk of time, money and resources to rebuild our dying arterials, develop and activate our downtown core or upgrade blighted areas. We found agreement that an Urban Overlay Zone is needed to provide property owners with a development option which does not require meeting all the restrictions of the current LUC.

To this end please find attached a draft of our proposal to define growth areas. We are asking that you direct the LUC Committee and city staff to work together to fine-tune our proposal in order for it to be presented to the Planning Commission on April 7th and their recommendation be forwarded to Mayor and Council on April 13th.

In conclusion we have appreciated working with staff to define the quick fixes that are being presented to Mayor and Council. Our meetings were attended by many members of Planning and Development Services which provided us with frank and open discussions. As for the participating members of the LUC Committee, during the last few months we have found that our developers are truly neighborhood activists and our neighborhood activists are actually closet developers. We indeed have a common vision for a better Tucson.

Jim Campbell

Developer/Builder

Ruth Beeker

Neighborhood Activist

Urban Overlay Proposal

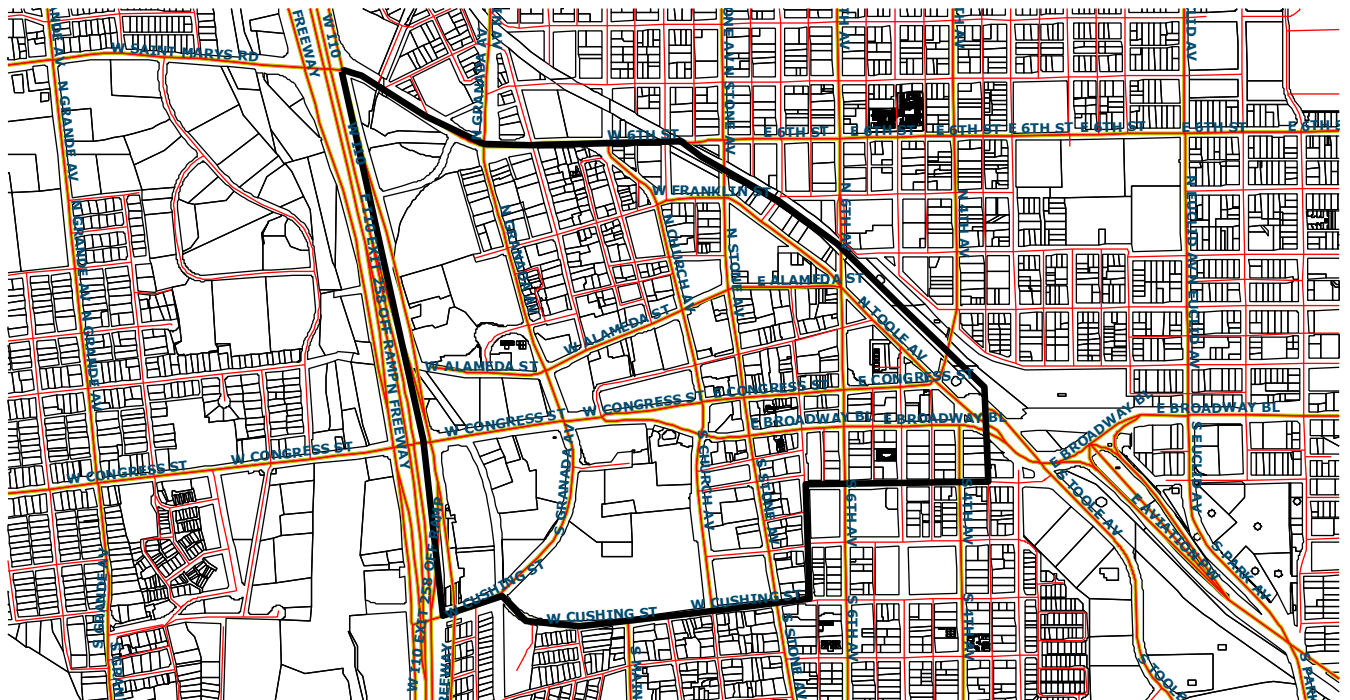
The Four Phases

It is recommended that we address growth areas in a phased approach. This allows for a quick win where there will be little opposition, expands to other areas of the infill incentive district and saves the hardest areas for last. The phases are as follows:

1. **Downtown Core.** We found multiple maps for downtown and have created what we would consider a downtown core. The Presidio neighborhood would be kept out of this phase.
2. **Greater Downtown.** Expanding the Urban Overlay to 4th Avenue, the Warehouse District, nearby historic neighborhoods will compel the Urban Overlay to have distinct districts. Within each district the rules would be unique to achieve the goals of either growth or preservation.
3. **Remainder of Infill Incentive District.** Encompasses the remainder of the designated Infill Incentive District (Stone, Oracle other neighborhoods, etc). This would be the basis of an arterial district along major roads.
4. **Distressed arterials.** Outside of the Infill Incentive District these are thoroughfares that are in need of help. We discussed Speedway, Broadway and 22nd Street.

Phase One: The Downtown Core

The Downtown Core is phase one and is defined as below. Please note that it will not include the Presidio neighborhood and will be defined in more detail during working sessions.



Urban Overlay: The Mechanics

The Urban Overlay for the Core Downtown District would be an optional set of development standards specific to downtown in which a property owner could develop their property. Specifically we would embrace the current zoning with regards to specific standards while removing other development restrictions. Any rezoning in the district would be allowed to use the respective Urban Overlay development standards rather than the cumbersome current LUC standards.

The following proposed retained and eliminated development standards are a “work in progress”. Staff and the LUC Committee need to collaborate on this list in order to finalize.

For a specific zoning we propose to retain the following codes and standards:

- Height and Use Restrictions would both be retained.
- Architecture guidelines such as the following:
 - new construction shall have architectural elements/details at the first 2 floors levels
 - commercial buildings shall provide windows, window displays, or visible activity on ground floor for at least 50% of frontage
 - a single plane of façade shall be no longer than 50 feet without architectural detail
 - a building façade shall be pedestrian scaled
 - front doors shall be visible from the street and visually highlighted by graphics/lighting/etc.
 - façade changes shall complement the historic context of Downtown and respect integrity
 - adequate shade shall be provided for sidewalks/pedestrians using shade structures or vegetation
- Solid Waste Strategy
- Sign Code
- Buffering from Residential
 - Setback
 - Landscaping
- Green Standards (Energy Star, low flow water)
- Fire Review
- Minimal Impact Fees

Some of the standards that we would eliminate are as follows:

- Density/Lot Coverage
- Floor/area ratio
- Front and side setbacks (not against residential)
- Parking and bike standards
- Landscaping
- Pedestrian Circulation onsite
- All overlays except UO-Downtown District.
- Detention/retention
- Bollards
- Grey Water
- MS&R standards
- Floodplain, wash, ERZ (easy for downtown)
- Everything else not on the retained list above.

Urban Overlay: Other

- All Development Plan submittals under the Urban Overlay should be approved within thirty calendar days.
- The Certificate of Occupancy process needs to align with these goals as well.
- A 207 waiver would be included in the Development Process.