

[EXTERNAL] Fwd: February 15th Comments

ALi Bickford <alibickford@gmail.com>

Wed 2/15/2023 7:06 AM

To: PlanningCommission <PlanningCommission@tucsonaz.gov>

Hello,

I realize I missed the deadline, I forgot it was Valentines day. If you can't accept these comments for today's meeting please put them in the record for your next meeting.

My comments for the development plan are what follows.

The housing shortage is a serious issue in Tucson and with no rent control or regulations on Short Term Rentals, it has created a nightmare in supply and demand for housing. I have recently read that about [5000 housing units in the Tucson metro are STR](#). This of course is a factor in increasing rent and the loss of the community and culture of Tucson. The city of Tucson needs to change zoning to encourage multiuse of commerce and housing.

Bike racks need to be a part of the 'parking requirements' they should be located near the front of the building as well as a sidewalk in front of the business.

Desert plants and GSI incorporated into parking areas/landscaping.

Decrease the parking min. After the pandemic people have shifted how they shop. IE curbside pick up and online shopping.

Buildings should be closer to the street with parking in the back. Main thoroughfares are dangerous to use the sidewalks because of the multiple curb cuts into business. This creates a safety issue for pedestrians especially people who are using strollers, wheelchairs or walkers.

Cap the number of drive throughs in the city. The city of Ashland Oregon did this.

For the mission of Tucson Million Trees have you looked into a [Tree Code](#) to protect already established trees? I lived in a town where you needed to get a [permit](#) to 'remove a tree with a trunk that is 6 inches in diameter at breast height or greater.' The purpose of the code was to preserve the natural resources of the city.

Thank you for your time.

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~Ali Maye Bickford

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~Ali Maye Bickford

[EXTERNAL] Arizona Multihousing Association comments on UDC Amendments

Ben Buehler-Garcia <bbg@theriver.com>

Wed 2/15/2023 10:46 AM

To: PlanningCommission <PlanningCommission@tucsonaz.gov>; Daniel Bursuck <Daniel.Bursuck@tucsonaz.gov>

The Arizona Multihousing Association supports any effort to improve the process in order to remove barriers to the development of additional housing inventory in Tucson.

Specifically we support the following proposed UDC amendments:

- Reducing development package requirements for smaller projects
- Aligning time frame for grading permits with development packages
- Removing setback requirements between townhouse units
- Reducing parking requirements for small multifamily residential
- Allowing accessory structures in front yards for shade and carports
- Standardizing building setbacks on major streets and routes

The proposal to require a new zoning examiner review procedure for major change of conditions runs counter to the overall goal of removing barriers. Adding an unnecessary extra layer of review will delay the construction of additional units (and the overall cost of said construction) in the middle of a statewide housing crisis.

Respectfully,

Ben Buehler-Garcia
Southern Arizona Advocate
AZ Multihousing Association

February 14, 2023

City of Tucson
Planning Commission
PlanningCommission@tucsonaz.gov

RE: C8-22-06 Code Update Package, Item 9: Allow Accessory Structures in front yards for shade and carports

Planning Commissioners:

Changes to the Zoning Code appear to often have unintended consequences that need to be addressed when problems occur somewhere down the line. The most problematic changes are those that create a substantial change in longterm policy across a zoning class. I was a member of the Citizens Advisory Committee that redrafted the Infill Incentive District Code over two years (because of unintended consequences), leading to the 2015 version which is still largely in place. I understand the intent of this code change: a simplification of the review process and a climate adaptive response to a stated need resulting in a better built environment. But the devil is in the details.

Since 1948 when the City first adopted zoning regulations, and through each iteration—most recently the transition from the LUC (Land Use Code) to the UDC in 2013 to the present,— **there has been a prohibition on Accessory Structures in front perimeter yards**, save for patios, terraces or landscaping features three feet in height or lower, and street perimeter fences/ walls. This **75 year old standard** has created a fairly consistent streetscape language for nearly all residential development in Tucson in the post-war period consisting of homes fully visible from the street front with generally defined standard setbacks. Until the development of subdivisions with a garage door defining the street front in the 1970's, this was the pattern that defined Tucson.

This potential change in zoning standards may be beneficial in many areas, but intrusive in others, especially “established areas” built prior to the 50 year age standard, (now 1973). This will significantly affect all areas that have been designated historic or are potentially eligible historic by the NPS listing requirements. There are no limitations or exceptions in the redline proposal that could mitigate adverse effects, thereby creating essentially a new “by right” zoning change for all residential property owners.

It appears that the UDC 5.8 Design Review Standards for HPZ (Historic Preservation Zone) and NPZ (Neighborhood Preservation Zone) properties will mitigate or exempt those few areas (five HPZ's, two NPZ's currently). But it won't stop or mitigate problems for NRD (National Register Districts—currently at 38, with two pending) because **they have no code protections at all**. We have specifically asked that HPZ and NPZ exemptions be stated in the ordinance change so that local property owners aren't surprised and disappointed when their applications are denied, to no avail.

But the potential impact to unprotected Historic Districts is all too apparent. SOIS (Secretary of Interior Standards) for public visibility and streetscape and Setting standards were a requirement for the listing of all NR residential historic districts when they were created. That guidance also requires visibility of the historic resource and includes siting any alterations/development to the sides or rear of contributing properties. This single change could potentially challenge the contributing status of a majority of both individual and district wide properties by altering their very context. We expect many property owners may be surprised by the loss of historic tax credits after inappropriately using this zoning change if enacted as presented.

The proposed language is overly broad. UDC 11.4.4 defines “carport”: a building that does not have walls on 2 or more sides and is designed for the parking of one or more motor vehicles. Shade structures are not defined in the code. Landscaping and screening requirements that further block visibility are not referenced or addressed. When the HPO commented on the measure recently, she obviously envisioned open structures that were not “opaque”, located to the side of principal structures and was pleased that the new detached structures would compromise the building fabric less than attached structures currently do. But the current proposed code language does not address, limit or prohibit inappropriate siting (i.e in front of), opaqueness of, or compatibility of any potential use of this code revision.

The acting Planning Director’s Summary of the package notes the intention is to have “*minimal negative impacts on existing development/ properties.*” Several Plan Tucson considerations are listed. Notably absent are HP4 : *Identify historic streetscapes and preserve their most significant character defining features*, and HP8: *Integrate historic, archaeological, and cultural resources in project planning and design when development occurs in historic districts.*

This particular code update should probably be better thought out in regards to unintended negative impacts. The T-PCHC was not consulted on this sweeping code change. It came up at their last meeting as a concern. The SHPO has not been consulted on this change. Historic District property owners were not consulted or informed of potential consequences. It seems it would be prudent to better define what the desired outcomes actually are before writing the code for it.

Possible clarifying language could include:

6.6.3.Residential Uses.C

Detached accessory buildings, including accessory dwelling units, are not permitted in the buildable area extending the full width of the lot between the principal building and the front street lot line, except for **open, fully transparent shade structures or carports not over 400 square feet in floor area and that are sited to one side to not to obscure the street front facade of the principal structure**, terraces and steps not over three feet high above the natural grade, paved areas, and fences or walls.

6.6.3.C.1 Exceptions or 6.4.5.Exceptions C.1

HPZ, NPZ, HL are governed by UDC 5.8, effectively except from new buildings/ structures in front perimeter yards and/or in accordance with SOIS.

New front perimeter yard accessory shade structures and carports in existing or eligible National Register Districts must be reviewed by the HPO for district compatibility and ensure no loss of contributing status of historic resources due to alterations of area character, general streetscapes, visibility requirements or other defining features.

It will be a sad day indeed if in the not so distant future Tucson starts to lose Historic Districts because they are no longer recognizable or eligible. Many are already close to the 50% threshold because of similar redevelopment pressures. This potential code change could speed up this loss without some simple modifications.

The Armory Park Neighborhood Association at the 2-14-23 Meeting, by unopposed vote, directed me to send this letter outlining our concerns for you to consider and to speak at the Public Hearing.

Thank You in advance for your consideration,

John D. Burr, APNA VP and Development Chair

CC: APNA, T-PCHC, APHZAB, etc.