Developing a Sustainable Land Use Code - Tucson, Arizona

March 3, 2011

Sausage making in Tucson

Tucson Background

- Oldest continuously inhabited community in U.S.
- 2006 – 1 million in region;
- Per capita water 99 gal. Prop 207 - A land use regulation can be challenge for compensation by a property owner if the property owner makes a case that the regulation reduces market value of property without compensation

Sustainability in the City Organization

- Office of Conservation and Sustainable Development (OCSD)
- Habitat Conservation
- Public Information on sustainability
- City Organization coordination on energy efficiency
- Grant Administration

Example of Sustainable Policies

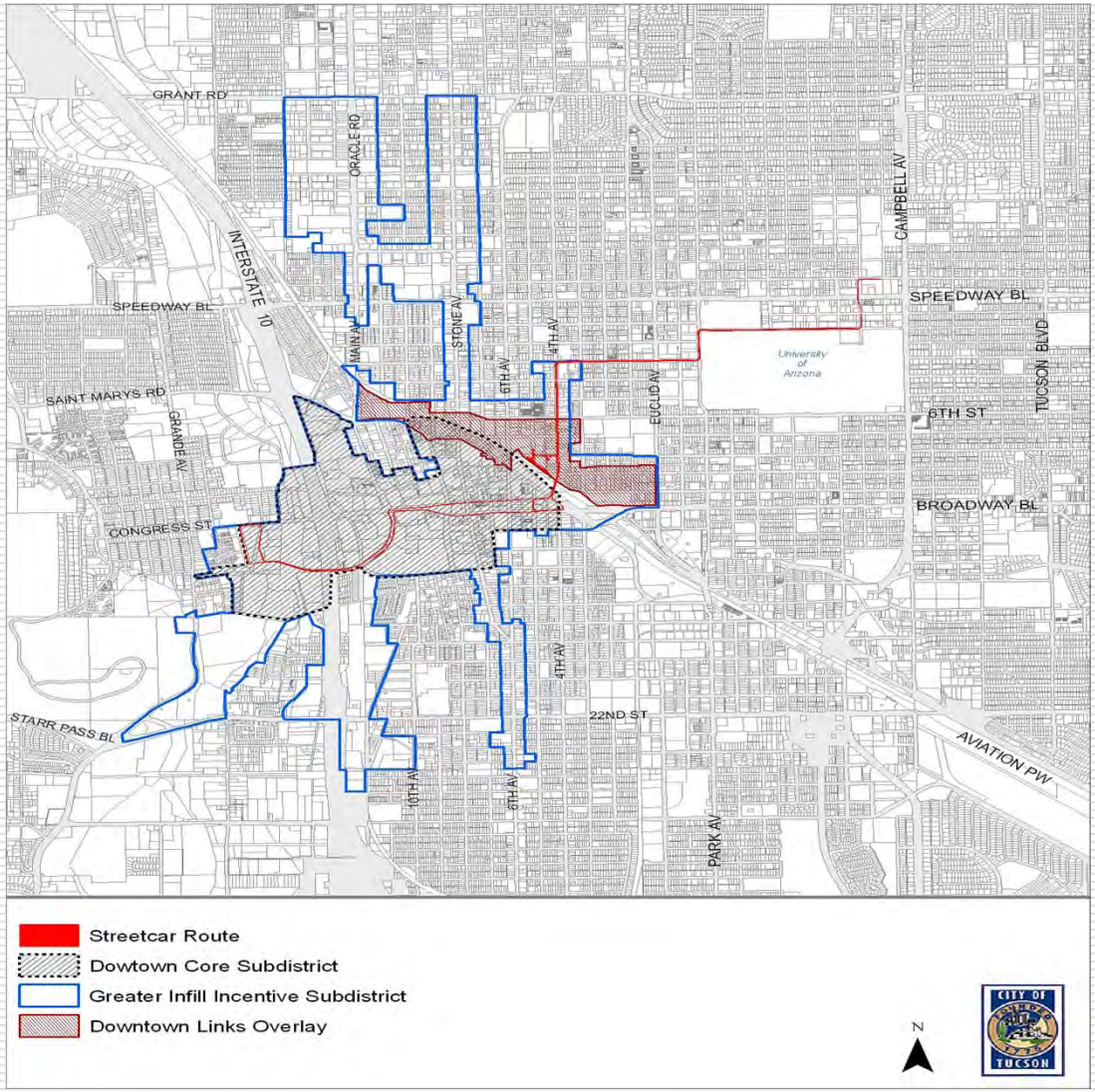
- Graywater stub outs
- Solar ready installations
- Visitability ready installation
- Fee waiver for solar energy set up
- Rainwater harvesting on commercial properties
- Infill – Infill Incentive District –flexible standards – loading, landscaping, downtown parking option but no change in use

Streetcar at the U of A

Back to the future

Downtown Infill Zones

- Regional Activity Centers
- Infill Housing
- Flexible Design
- Streetcar Line



Sustainable examples continued

- Urban Overlay District – PAD-like overlay allowing a flexible infill standard option
- Parking code, More shade in parking lots, individual parking plan, Downtown design for flexible standard option
- As-is development standards – More options for re-use for non-conforming existing development property- still a problem for zoning violations
- Buffelgrass removal program - Urban interface issue

DOE Energy Efficiency Conservation Block Grant Projects

- Residential energy-efficient retrofit program
- Conversion to energy-efficient lamps in neighborhoods
- Upgrading water booster pumps within City's distribution system
- Consolidating of the City's data centers
- Citywide water and energy audits
- Green business certification program
- Voluntary net-zero energy building code
- **Sustainable Land Use Code**

About the Sustainable Land Use Code Project

- Overlaps with the code reformat project
- Intend to develop about 15 text amendments or General Plan policies
- Have a total of $230,000 between diagnostic report and revision effort
- Have to spend it by October 1, 2012

Three Phases of the Project

- Inventory
- Diagnostic report
- Text amendments

Pre-report Stakeholders Input

- Build on work already doing
- Streamline the process when available
- Focus on incentives and flexibility
- Address re-use and new development

Diagnostic Report's 11 Elements

- Water conservation
- Alternative energy
- Mobility
- Urban forestry and heat islands
- Housing accessibility-affordability
- Community health/safety
- Food production
- Recycling
- Open space
- Green buildings
- Climate change/air quality

Diagnostic Report Contents

- Review of current sustainable programs and shortcomings in the 11 elements
- Barriers to sustainable development
- Incentives to consider for sustainable development
- Policy gaps
- 148 recommendations on various subjects

Comments so far on the preliminary recommendations

- Try to offer cost effective solutions especially if it is mandatory
- Focus on option or a menu of options
- Be flexible whenever practical
- Make it easy to do
- Emphasize items that have more than one pay off

Emerging issues

- Elected Officials - emphasis on water conservation, infill barriers, and developing alternative energy
- Stakeholder - support flexibility, and listed options over mandatory prescriptiveness
- Have gaps with heat islands, food production, alternative energy
- No opposition to alternate energy and electric vehicle
- Have concern with neighbors about accessory dwelling units
- Have some mild interest in urban chickens but not other animals
- Have some developer concerns with community gardens

More issues

- Community composting concern about vermin
- Inclusionary zoning no interest
- Expansions of conforming and nonconforming a lot of interest
- Pervious surfaces in parking lots is popular
- Maximum parking lot size some resistance from business interests
- Water conservation - rainwater harvesting emphasis – land use and water planning need more study
- Wider use of recharge lines needs more study
- Flexible setbacks for rain cisterns some interest and some concerns about adjoining neighbors.

Strengths and Weaknesses

Rainwater harvesting

Buffelgrass infestation

What are the most likely revision areas?

- Expand urban infill standards
- Consolidate solar rules
- Improve heat island rules
- Address nonconforming use and expansions
- Explore expanded use of rainwater harvesting
- Explore urban food options
- Update alternative energy rules

What are we learning?

- Proposition 207 reduces reliance on mandatory prescriptive regulations
- Current General Plan /land use plans have gaps and barriers
- Best compliment is green building and zoning codes and General Plan together
- Era of reducing nonconforming uses runs into re-use as a green policy
- Historic preservation and infill conflicts - not a good policy answers right now
- Already doing things but can improve on them – solar, infill, heat islands etc.
- Stakeholders – passionately green to concerns about increased development costs
- What's the best we can get for the money and time available?
- Process improvement is the guiding strategy
- Zoning is not always the best answer to sustainable issues
- Adapting to climate change is on going process

Next Steps

- Have M/C direct on two to three packages of text amendments
- Focus on flexibility and objectives the stakeholders have laid out.
- Finish first group in eight months, second/ third group in remaining time
- Make the text amendments fit the new reformatted code organization from the outset.

Contact Information

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- Sustainable Code Diagnostic Report -

http://cms3.tucsonaz.gov/plannews/news/sustainable-land-use-code-integration-project